JOURNAL

OF THE

HOUSE OF REPRESENTATIVES OF THE UNITED STATES

ONE HUNDRED SEVENTH CONGRESS
FIRST SESSION

BEGUN AND HELD AT THE CITY OF WASHINGTON : : : JANUARY 3, 2001

IN THE TWO HUNDRED AND TWENTY FIFTH YEAR OF THE INDEPENDENCE OF THE UNITED STATES

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HOUSE OF REPRESENTATIVES

CONGRESS OF THE UNITED STATES

Begun and held at the Capitol, in the City of Washington, in the District of Columbia, on Wednesday, the third day of January, in the year of our Lord two thousand and one, being the *first session* of the ONE HUNDRED SEVENTH CONGRESS, held under the Constitution of the United States, and in the two hundred and twenty fifth year of the independence of the United States.

WEDNESDAY, JANUARY 3, 2001 (1)

¶1.1 CALL OF THE ROLL

On which day, being the day fixed by the 20th Amendment to the Constitution of the United States, Mr. Jeffrey J. Trandahl, Clerk of the House of Representatives, pursuant to 2 United States Code 26, at 12 o'clock noon, called the House to order and, by unanimous consent, announced a call by states of the roll, by electronic device, of the Members-elect whose credentials had been received, when the following Members-elect responded:

¶1.2 [Roll No. 1]

ANSWERED ''PRESENT''—429

ALABAMA

Aderholt, Bachus, Callahan, Cramer, Everett, Hilliard, Riley

ALASKA

Young

ARIZONA

Flake, Hayworth, Kolbe, Pastor, Shadegg, Stump

ARKANSAS

Berry, Hutchinson, Ross, Snyder

CALIFORNIA

Baca, Becerra, Berman, Bono, Calvert, Capps, Condit, Cox, Cunningham, Davis, Dooley, Doolittle, Dreier, Eshoo, Farr, Filner, Gallegly, Harman, Herger, Honda, Horn, Hunter, Issa, Lantos, Lee, Lewis, Lofgren, Matsui, McKeon, Millender-McDonald, Miller, Gary, Miller, George, Napolitano, Ose, Pelosi, Pombo, Radanovich, Rohrabacher, Roybal-Allard, Royce, Sanchez, Schiff, Sherman, Solis, Tauscher, Thomas, Thompson, Waters, Waxman, Woolsey

COLORADO

DeGette, Hefley, McInnis, Schaffer, Tancredo, Udall

CONNECTICUT

DeLauro, Johnson, Larson, Maloney, Shays, Simmons

DELAWARE

Castle

FLORIDA

Bilirakis, Boyd, Brown, Crenshaw, Davis, Diaz-Balart, Deutsch, Foley, Goss, Hastings, Keller, Meek, Mica, Miller, Putnam, Ros-Lehtinen, Scarborough, Shaw, Stearns, Thurman, Weldon, Wexler, Young

GEORGIA

Barr, Bishop, Chambliss, Collins, Deal, Isakson, Kingston, Lewis, Linder, McKinney, Norwood

HAWAII

Abercrombie, Mink

IDAHO

Otter, Simpson

ILLINOIS

Biggert, Blagojevich, Costello, Crane, Davis, Evans, Hyde, Jackson, Johnson, Kirk, LaHood, Manzullo, Phelps, Rush, Schakowsky, Shimkus, Weller

INDIANA

Burton, Buyer, Carson, Hill, Hostettler, Kerns, Pence, Roemer, Souder, Visclosky

IOWA

Boswell, Ganske, Latham, Leach, Nussle

KANSAS

Moore, Moran, Ryun, Tiahrt

KENTUCKY

Fletcher, Lewis, Lucas, Northup, Rogers, Whitfield

LOUISIANA

Baker, Cooksey, Jefferson, John, McCrery, Tauzin, Vitter

MAINE

Allen, Baldacci

MARYLAND

Bartlett, Cardin, Cummings, Ehrlich, Gilchrest, Hoyer, Morella, Wynn

MASSACHUSETTS

Capuano, Delahunt, Frank, Markey, McGovern, Meehan, Moakley, Neal, Olver, Tierney

MICHIGAN

Barcia, Bonior, Camp, Conyers, Dingell, Ehlers, Hoekstra, Kildee, Kilpatrick, Knollenberg, Levin, Rivers, Rogers, Smith, Stupak, Upton

MINNESOTA

Gutknecht, Kennedy, Luther, McCollum, Oberstar, Peterson, Ramstad, Sabo

MISSISSIPPI

Pickering, Shows, Taylor, Thompson, Wicker

MISSOURI

Akin, Blunt, Clay, Emerson, Gephardt, Graves, Hulshof, McCarthy, Skelton

MONTANA

Rehberg

NEBRASKA

Bereuter, Osborne, Terry

NEVADA

Berkley, Gibbons

NEW HAMPSHIRE

Bass, Sununu

NEW JERSEY

Andrews, Ferguson, Frelinghuysen, Holt, LoBiondo, Menendez, Pallone, Pascrell, Payne, Rothman, Roukema, Saxton, Smith

NEW MEXICO

Udall, Wilson

NEW YORK

Ackerman, Boehlert, Crowley, Engel, Fossella, Gilman

Grucci
Hinchey
Houghton
Israel
Kelly
King
LaFalce
Lowey
Maloney
McCarthy
McHugh
McNulty
Meeks
Nadler
Owens
Quinn
Rangel
Reynolds
Serrano
Slaughter
Sweeney
Towns
Velazquez
Walsh
Weiner

NORTH CAROLINA

Ballenger
Burr
Clayton
Coble
Etheridge
Hayes
Jones
McIntyre
Myrick
Price
Taylor
Watt

NORTH DAKOTA

Pomeroy

OHIO

Boehner
Brown
Chabot
Gillmor
Hall
Hobson
Jones
Kaptur
Kucinich
LaTourette
Ney
Oxley
Portman
Pryce
Regula
Sawyer
Strickland
Tiberi
Traficant

OKLAHOMA

Carson
Istook
Largent
Lucas
Watkins
Watts

OREGON

Blumenauer
DeFazio
Hooley
Walden
Wu

PENNSYLVANIA

Borski
Brady
Coyne
Doyle
English
Fattah
Gekas
Greenwood
Hart
Hoeffel
Holden
Kanjorksi
Mascara
Murtha
Peterson
Pitts
Platts
Sherwood
Shuster
Toomey
Weldon

RHODE ISLAND

Kennedy
Langevin

SOUTH CAROLINA

Brown
Clyburn
DeMint
Graham
Spence
Spratt

SOUTH DAKOTA

Thune

TENNESSEE

Bryant
Clement
Duncan
Ford
Gordon
Hilleary
Jenkins
Tanner
Wamp

TEXAS

Armey
Barton
Bentsen
Bonilla
Brady
Combest
Culberson
DeLay
Doggett
Edwards
Frost
Gonzalez
Granger
Green
Hall
Hinojosa
Jackson-Lee
Johnson, E.B.
Johnson, Sam
Lampson
Ortiz
Paul
Reyes
Rodriguez
Sandlin
Sessions
Smith
Stenholm
Thornberry
Turner

UTAH

Cannon
Hansen
Matheson

VERMONT

Sanders

VIRGINIA

Boucher
Cantor
Davis, Jo Ann
Davis, Thomas M.
Goode
Goodlatte
Moran
Schrock
Scott
Sisisky
Wolf

WASHINGTON

Baird
Dicks
Dunn
Hastings
Inslee
Larsen
McDermott
Nethercutt
Smith

WEST VIRGINIA

Capito
Mollohan
Rahall

WISCONSIN

Baldwin
Barrett
Green
Kind
Kleczka
Obey
Petri
Ryan
Sensenbrenner

WYOMING

Cubin

The roll having been completed, the Clerk announced 429 Members had been recorded, a quorum.

¶1.3 CREDENTIALS OF DELEGATES-ELECT AND RESIDENT COMMISSIONER-ELECTED

The Clerk made the following statement: ''The Chair will state that the credentials regular in form have been received showing the election of the Honorable Anibal Acevedo-Vila as Resident Commissioner of Puerto Rico for the term of four years beginning January 3, 2001; the election of the Honorable Eleanor Holmes Norton as Delegate from the District of Columbia; the election of the Honorable Donna M. Christensen as Delegate from the Virgin Islands; the election of the Honorable Eni F. H. Faleomavaega as Delegate from American Samoa; and the election of the Honorable Robert A. Underwood as Delegate from Guam''.

¶1.4 U. S. HOUSE OF REPRESENTATIVES VACANCY

The Clerk announced that since the last regular election of representatives to the 107th Congress, a vacancy now exists in the 32nd District of the State of California, occasioned by the death of the late Honorable Julian C. Dixon.

¶1.5 ELECTION OF THE SPEAKER

Mr. WATTS of Oklahoma nominated Mr. J. Dennis Hastert, a Member-elect from the 14th District of the State of Illinois.

Mr. FROST nominated Mr. Richard A. Gephardt, a Member-elect from the 3rd District of the State of Missouri.

The Clerk then appointed Messrs. THOMAS and HOYER, Mrs. ROUKEMA, and Ms. KAPTUR tellers to canvas the vote on the election of the Speaker.

Whereupon, the House proceeded to vote for a Speaker.

¶1.6 [Roll No. 2]

HASTERT—222

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Thomas M.
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeny
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

GEPHARDT—206

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gonzalez
Gordon
Green (TX)
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman

Roybal-Allard	Slaughter	Turner
Rush	Smith (WA)	Udall (CO)
Sabo	Snyder	Udall (NM)
Sanchez	Solis	Velázquez
Sanders	Spratt	Visclosky
Sandlin	Stenholm	Waters
Sawyer	Strickland	Watt (NC)
Schakowsky	Stupak	Waxman
Schiff	Tanner	Weiner
Scott	Tauscher	Wexler
Serrano	Thompson (CA)	Woolsey
Sherman	Thompson (MS)	Wu
Shows	Thurman	Wynn
Sisisky	Tierney	
Skelton	Towns	

MURTHA—1

Taylor (MS)

PRESENT—2

Gephardt Hastert

NOT VOTING—3

Gutierrez Lipinski Stark

¶1.7

The roll having been completed, the Clerk announced that the tellers had reached an agreement that the total number of votes cast were 431 of which number Mr. J. DENNIS HASTERT received 222; Mr. RICHARD A. GEPHARDT received 206; Mr. JOHN P. MURTHA from the 12th District of the Commonwealth of Pennsylvania received 1; and 2 were recorded as voting present. Mr. J. DENNIS HASTERT of Illinois, having received 222 votes, being the largest number cast for any Member-elect and a majority of the whole number of votes cast, was declared by the Clerk to have been duly elected Speaker of the House of Representatives for the 107th Congress.

The Clerk announced the appointment of Mr. GEPHARDT, Mr. ARMEY, Mr. DELAY, Mr. BONIOR, Mr. WATTS of Oklahoma, Mr. FROST, Mr. CRANE, Mr. HYDE, Mr. EVANS, Mr. LIPINSKI, Mr. COSTELLO, Mr. MANZULLO, Mr. RUSH, Mr. LAHOOD, Mr. WELLER, Mr. JACKSON, Mr. BLAGOJEVICH, Mr. DAVIS of Illinois, Mr. SHIMKUS, Mrs. BIGGERT, Mr. PHELPS, Ms. SCHAKOWSKY, Mr. JOHNSON of Illinois, and Mr. KIRK, to escort the Speaker to the Chair.

The SPEAKER was escorted to the Chair by said committee and, following an introduction by Mr. GEPHARDT, addressed the House as follows:

''I guess I really should not hammer it down while I am still getting applause, but I want to thank DICK GEPHARDT for his gracious remarks. DICK GEPHARDT has been a great leader of the House Democrats. He has unified his Democrat Caucus over the last 2 years with unusual effectiveness. He has criss-crossed the Nation, doing his best to help his candidates take a majority in the House. He has worked day and night with a singular determination. I know how hard he has worked, because I had to do my best just to keep up with him.

''DICK, let me say that I respect your commitment to your principles, I respect and deeply admire your competitive spirit, and thank you so much for your heartfelt comments today. Thank you very much.

''Now that the campaign is over, I know you will put the same energy and determination that you demonstrated during the campaign in working with me to do the people's business. Thank you all, Democrats, Republicans, for this honor, to be Speaker of the whole House.

''Today, I stand before you at the beginning of a new year, some say the beginning of a new millennium, and certainly, the beginning of a new Congress. Today, we swear in 41 new Members in the House. One of our new Members is one of the greatest football coaches in college football history, TOM OSBORNE. On the Senate side, we welcome nine new Senators, including the first First Lady ever to run for public office.

''We have a new President in the White House who won in the closest election in our Nation's history. While times in the past 2 years have been difficult, this time of new beginnings provides us with new opportunity to reach out and to work with all of our colleagues to get the people's work done.

''This will be my second term as Speaker of the House, but I could not have done this without the voters of Illinois' 14th District. This past November they elected me to my eighth term in the House of Representatives. I want to thank those people from the Fox Valley and environs of Illinois for trusting me year after year to represent them in this, the people's House, in the Nation's Capitol.

''I also appreciate the bipartisan support that I receive from our Illinois leadership. With us today we have the Governor of the State of Illinois, we have the mayor of the great city of Chicago, Richard Daley, along with Governor Ryan. We also have the Republican leader in the Illinois House of Representatives. I thank them for joining us today.

''To my family, my wife, Jean, my two sons, Josh and Ethan, I thank you for your love, your encouragement, your understanding. Jean, thank you for providing me with a good dose of midwestern common sense every time I need it. And in this job, I need it often.

''As I said 2 years ago and it is still true, the Fox River, not the Potomac River, is still my home. My family reminds me of that fact every day.

''Two years ago I stood here as the Speaker of this House, untested and largely unknown. While Hastert may still not be a household name, I hope that I have earned your respect as a fair and just Speaker of this House. By this election today, I am reassured that I have performed the duties that have been asked of me to lead this House and do the will of the people.

''To all those Democrats who have gone out of their way to support me over the last 2 years, I value your respect and your loyalty because I had to work harder to earn it. And for the rest of my Democratic colleagues, if I have not earned your respect in the last 2 years, I hope I can earn it in the next 2. I know it is not easy to have a rival party lead the House's agenda. After all, I, too, used to be in the minority. But I gave my word that I would go out of my way to make sure your voices are heard, and my word is my bond.

''Our political system has endured a trial. This trial has exposed many warts in our political process. It has also exposed the great strength of our democracy. After all, our system is based upon laws, not on personalities, and ultimately, our Constitution triumphs.

''Our democracy is stronger also because we have two strong political parties and a vibrant opposition. Make no mistake, the system of checks and balances originally devised by our Founding Fathers works, and it will continue to work to protect the freedom of our citizens.

''Many have commented about the deep wounds caused by this latest political competition, but it serves no purpose to dwell on the past. After all, our country is at peace. Our economy is still fundamentally strong. Our people are united with a strength of purpose and by a desire to live the American dream. It is only in Washington where many still have a lingering animosity over the political parties.

''We need to get over it. We need to work together to revitalize this democracy. We need to get to the people's business. I have a great faith that we can do so. This Nation has faced greater trials, and we have persevered and prospered.

''A former Speaker, a gentleman from Texas by the name of Sam Rayburn, once said, ''I do believe when critical hours arise, the Members of this House will do as they have done in the past: Rise to the occasion, and show to the world that whether Republicans or Democrats, we are all Americans, and love and want to protect and defend and perpetuate the institutions of this, the best, the mightiest, and the freest government that ever blessed mankind in all the world.

''He was right then, and his words ring true today. Let us show people that even those who disagree can reach reasonable solutions for the sake of a nation.

''Our new president was elected on an agenda to promote prosperity, opportunity, and security for all Americans. We have a duty to consider his agenda and to help him lead America in this next Congress.

''Two years ago I stood before you and said that every child should have the right to a good education and a safe school. We have made some progress, but we have a long way to go.

''In a sense, this election was all about the education of our children. Improving education still represents one of the Nation's greatest challenges. Every child must have access to a good education and a safe environment. Every school must be more accountable. Every parent must have faith that his or her child is getting the best education possible.

''President-elect Bush spoke of ending the soft bigotry of low expectations. We must expect more of our teachers, more of our parents, more of

our students, and more of our schools. We must make sure they have the resources to do the job without wasting money on more Federal bureaucracy.

''I taught government and history at a small high school in northern Illinois for 16 years. My wife taught in that same town for 34 years. I know firsthand some of the problems that our public schools face: declining test scores, rising dropout rates, complacency, decreasing graduation rates. Yet, I know hundreds of teachers personally, and I know there are hundreds of thousands of dedicated teachers who want to see our children succeed.

''The hundreds of Federal programs created to remedy the problems are not helping. We need local solutions. If we really want to help children learn, we need to send more dollars and decisions to the parents, the teachers, and the folks who run the schools. We need to cut Washington red tape.

''To show the Nation our commitment to better schools, I will reserve the first House bill, H.R. 1, for President-elect Bush's education proposal. Together, let us pledge to improve education for all of our students.

''Retirement security is another challenge that Congress must face. Let me begin about social security. Social security is a sacred trust. Our challenge is now to keep it working far into the future.

''In the last session of Congress we put Americans' social security dollars in a lockbox so that government could no longer raid those funds and threaten the future of the program. That helped social security in the short term. Now we must look to the long term. The American people deserve better than a fraction of 1 percent return on their social security investment. If this program does not do better, it will not survive.

''The new President and the Congress have both promised to save social security. Now is the time to make good on that promise. Together we must search for a solution to a long-term problem.

''Retirement security also means health care. Medicare must be modernized, and that process must include prescription drug coverage for all of our senior citizens. No senior should be forced to choose between putting food on the table and having access to life-saving drugs. Together, we can work to modernize Medicare.

''National security is another challenge that the 107th Congress must face. We have done a good job of providing for more resources for our men and women in uniform, but we can do better. It is still a dangerous world out there, and our defensive capabilities must improve to keep our citizens safe.

''President-elect Bush pledged to work with the Congress to support our national missile defense program and provide our military with the funds they need to stay strong. This will be a top priority of the 107th Congress. Together we can work with the President to improve our Nation's security and to keep our citizens safe from international threats.

''Finally, we have a duty to be fiscally responsible and to take steps to keep our economy strong. The last Congress paid off more debt than any other Congress in history. That is an amazing achievement. You helped make that happen. We are on the road to pay off our public debt by the year 2013. By continuing to pay off debt, we keep our economy strong. We need to also have the responsibility to return surplus money back to the taxpayers with commonsense tax relief.

''We need to restore fairness to our Tax Code. It is not fair to tax people for being married. It is not fair to tax people on every penny they earn while they are living, and then tax them on what they have left over when they die. In the last Congress we made progress on these two tax fairness initiatives. This year, let us get it done.

''Also, there are troubling signs that our economy is slowing down. President-elect Bush has proposed a tax relief package that will stimulate economic growth. I believe we have a duty to our constituents and this country to consider this proposal. Together we can work with the new President to keep our economy strong and to give tax relief to all Americans.

''More than 20 years ago, I stood as a high school teacher before the classes of my high school day in and day out. I taught them about the promises and the possibilities of this Nation, this country we call America. I taught them that in America, people work hard to achieve their dreams for their families, for their careers, and for their communities. I told each student they could fulfill almost even their wildest dreams if they were willing to sacrifice and to work for that dream.

''Little did I know then how fate would bring me to this place and to this position, the Speaker of the House. But fate has also brought all of you here. You all have sacrificed your time and your effort, and your families have sacrificed with you, for a chance to serve in this body. You have done so because you believe that you can get good things done for your constituents and for all the American people, and that by your efforts, you can make this even a better Nation.

''Together we have a great opportunity to work for the American people as their representatives. There is no higher honor and there is no greater responsibility. As we promise in solemn ceremony to uphold the Constitution by taking the oath of office, let us do so with the conviction that we renew the American government with each new Congress; that we will renew our efforts by working together, fighting about principle and searching for truth through debate.

''Today, we are sworn in to represent the people. We participate in the greatest ongoing democratic ritual in the world. Let us always be mindful of our duties to our constituents and respectful of the traditions of this institution. Let us pray that God guides us in all that we do in these halls; that he gives us the knowledge to do the people's work, the strength to persevere, and the wisdom to know when to listen to what others say on this floor. May God bless this House.

''Now, it is my time to do the people's business, and it is my great honor to recognize my good friend and colleague from the Committee on Commerce, whose legislative skills I admire so much.''.

¶1.8 OATH OF OFFICE—SPEAKER

At the request of the Speaker the oath of office was then administered to him by Mr. DINGELL, dean of the House.

¶1.9 OATH OF OFFICE—MEMBERS-ELECT, DELEGATES-ELECT, RESIDENT COMMISSIONER

The SPEAKER said: ''According to precedent, the Chair will swear in all Members of the House at this time. If the Members will rise, the Chair will now administer the oath of office''.

The Members-elect, Delegates-elect and Resident Commissioner, then rose in their places and took the oath of office prescribed by law.

¶1.10 SELECTION OF MAJORITY AND MINORITY LEADERS

Mr. WATTS of Oklahoma notified the House of the selection of the Republican Conference of Mr. ARMEY as Majority Leader.

Mr. FROST notified the House of the selection by the Democratic Caucus of Mr. GEPHARDT as Minority Leader.

¶1.11 SELECTION OF MAJORITY AND MINORITY WHIPS

Mr. WATTS of Oklahoma notified the House of the selection of Mr. DELAY as Majority Whip.

Mr. FROST notified the House of the selection by the Republican Conference of Mr. BONIOR as Minority Whip.

¶1.12 ORGANIZATIONAL RESOLUTION

Mr. WATTS of Oklahoma submitted the following privileged resolution (H. Res. 1):

Resolved, That Jeffrey J. Trandahl of the State of South Dakota, be, and is hereby, chosen Clerk of the House of Representatives;

That Wilson S. Livingood of the Commonwealth of Virginia be, and is hereby, chosen Sergeant at Arms of the House of Representatives;

That James M. Eagen, III, of the Commonwealth of Pennsylvania be, and is hereby, chosen Chief Administrative Officer of the House of Representatives; and

That Father Daniel P. Coughlin of the State of Illinois, be, and is hereby, chosen Chaplain of the House of Representatives.

When said resolution was considered.

Mr. FROST demanded that the resolution be divided for a separate vote on the nominee for Chaplain of the House.

The resolution was divided.

Father Daniel P. Coughlin of the State of Illinois was elected Chaplain of the House of Representatives.

Mr. FROST then submitted the following substitute for the remainder of the resolution:

Resolved, That Dan Turton of the District of Columbia be, and is hereby, chosen Clerk of the House of Representatives;

That Steve Elmendorf of the District of Columbia be, and is hereby chosen Sergeant at Arms of the House of Representatives; and

That Moses Mercado of the District of Columbia be, and is hereby, chosen Chief Administrative Officer of the House of Representatives.

The substitute was not agreed to.

The question being put, viva voce,

Will the House agree to the remainder of said resolution?

The SPEAKER announced that the yeas had it.

So the remainder of said resolution was agreed to.

Whereupon, Jeffrey J. Trandahl of the State of South Dakota, Clerk; Wilson S. Livingood of the Commonwealth of Virginia, Sergeant at Arms; James M. Eagan, III of the Commonwealth of Pennsylvania, Chief Administrative Officer, and Father Daniel P. Coughlin of the State of Illinois, Chaplain; presented themselves at the bar of the House and took the oath of office prescribed by law.

¶1.13 NOTIFICATION OF THE SENATE OF ORGANIZATION OF THE HOUSE

Mr. ARMEY submitted the following privileged resolution, which was considered and agreed to (H. Res. 2):

Resolved, That the Senate be informed that a quorum of the House of Representatives has assembled; that J. Dennis Hastert, a Representative from the State of Illinois, has been elected Speaker; and Jeffrey J. Trandahl, a citizen of the State of South Dakota, has been elected Clerk of the House of Representatives of the One Hundred Seventh Congress.

¶1.14 COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES OF THE ASSEMBLY OF THE CONGRESS

Mr. ARMEY submitted the following privileged resolution, which was considered and agreed to (H. Res. 3):

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The SPEAKER, pursuant to the foregoing resolution, announced the appointment of Messrs. ARMEY and GEPHARDT as members of the committee on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and that the Congress is ready to receive any communication that he may be pleased to make.

¶1.15 NOTIFICATION TO THE PRESIDENT OF ELECTION OF CERTAIN OFFICERS

Mr. ARMEY submitted the following privileged resolution, which was considered and agreed to (H. Res. 4):

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected J. Dennis Hastert, a Representative from the State of Illinois, Speaker; and Jeffrey J. Trandahl, a citizen of the State of South Dakota, Clerk of the House of Representatives of the One Hundred Seventh Congress.

¶1.16 RULES OF THE HOUSE

Mr. ARMEY submitted the following privileged resolution (H. Res. 5):

Resolved, That the Rules of the House of Representatives of the One Hundred Sixth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Sixth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Seventh Congress, with amendments to the standing rules as provided in section 2, and with other orders as provided in section 3.

SEC. 2. CHANGES IN STANDING RULES.

(a) PUBLICATION OF DOCUMENTS.—

(1) In clause 2(b) of rule II, strike ''printed and''.

(2) In clause 2(c)(3) of rule II, strike ''printing and''.

(3) In clause 2(c)(4) of rule II, strike ''printed''.

(4) In clause 2(e) of rule II, strike ''printed and''.

(5) In clause 2(f)(2) of rule II strike ''or mail''.

(6) In clause 2(f)(2) of rule II strike '', in binding of good quality,''.

(b) PREPARATION OF ENROLLED BILLS.—

(1) In clause 2(d) of rule II, designate the existing text as subparagraph (1) and insert thereafter the following new subparagraph:

''(2) The Clerk shall examine all bills, amendments, and joint resolutions after passage by the House and, in cooperation with the Senate, examine all bills and joint resolutions that have passed both Houses to see that they are correctly enrolled and forthwith present those bills and joint resolutions that originated in the House to the President in person after their signature by the Speaker and the President of the Senate, and report to the House the fact and date of their presentment.''.

(2) In clause 4(d)(1) of rule X, strike subdivision (A), redesignate the succeeding subdivisions accordingly (and conform the subdivision-reference in subdivision (C), as redesignated).

(c) RESPONDING TO SUBPOENAS.—In rule VIII, strike ''subpoena or other judicial order'' in each of the nine places it appears and insert in lieu thereof (in each instance) ''judicial or administrative subpoena or judicial order''.

(d) RENAMING OF COMMITTEE ON COMMERCE; ESTABLISHMENT OF COMMITTEE ON FINANCIAL SERVICES.—In clause 1 of rule X—

(1) strike paragraph (d);

(2) redesignate paragraph (e) as paragraph (d);

(3) redesignate paragraph (g) as paragraph (e) and transfer that paragraph before paragraph (f);

(4) in paragraph (f)—

(A) strike ''Commerce'' and insert in lieu thereof ''Energy and Commerce'' (and conform the reference in clause 3(c) of rule X); and

(B) strike subparagraph (15) and redesignate the succeeding subparagraph accordingly; and

(5) insert the following new paragraph after paragraph (f):

''(g) Committee on Financial Services.

''(1) Banks and banking, including deposit insurance and Federal monetary policy.

''(2) Economic stabilization, defense production, renegotiation, and control of the price of commodities, rents, and services.

''(3) Financial aid to commerce and industry (other than transportation).

''(4) Insurance generally.

''(5) International finance.

''(6) International financial and monetary organizations.

''(7) Money and credit, including currency and the issuance of notes and redemption thereof; gold and silver, including the coinage thereof; valuation and revaluation of the dollar.

''(8) Public and private housing.

''(9) Securities and exchanges.

''(10) Urban development.''.

(e) ENHANCED OVERSIGHT PLANNING.—In clause 2(d)(1) of rule X, insert after subdivision (A) the following new subdivision (and redesignate the succeeding subdivisions accordingly):

''(B) review specific problems with federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals;''.

(f) INTELLIGENCE OVERSIGHT.—In clause 3 of rule X, add the following new paragraph at the end:

''(l) The Permanent Select Committee on Intelligence shall review and study on a continuing basis laws, programs, and activities of the intelligence community and shall review and study on an exclusive basis the sources and methods of entities described in clause 11(b)(1)(A).''.

(g) OVERSIGHT OF OFFICERS.—

(1) In clause 4(d)(1) of rule X, amend subdivision (A) (as redesignated) to read as follows:

''(A) provide policy direction for the Inspector General and oversight of the Clerk, Sergeant-at-Arms, Chief Administrative Officer, and Inspector General;''.

(2) In clause 4(a) of rule II strike ''policy direction and''.

(h) SIZE OF INTELLIGENCE COMMITTEE.—In the second sentence of clause 11(a)(1) of rule X—

(1) strike ''not more than 16'' and insert in lieu thereof ''not more than 18''; and

(2) strike ''not more than nine'' and insert in lieu thereof ''not more than 10''.

(i) PRESERVING MAJORITY QUORUM REQUIREMENTS.—In clause 2(h)(3) of rule XI, strike ''the reporting of a measure or recommendation'' and insert in lieu thereof ''one for which the presence of a majority of the committee is otherwise required''.

(j) CLARIFICATION OF HEARING PROCEDURES.—In clause 2(k) of rule XI—

(1) in the caption, strike ''investigative'';

(2) in subparagraph (1)—

(A) strike ''an investigative hearing'' and insert in lieu thereof ''a hearing''; and

(B) strike ''investigation'' and insert in lieu thereof ''hearing'';

(3) in subparagraph (2), strike ''to each witness'' and insert in lieu thereof ''to each witness on request'';

(4) in subparagraph (3) strike ''investigative''; and

(5) in subparagraph (5)—

(A) strike ''an investigative hearing'' and insert in lieu thereof ''a hearing'';

(B) strike ''asserted'' and insert in lieu thereof ''asserted by a member of the committee''; and

(C) strike ''any person'' and insert in lieu thereof ''any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness''.

(k) CERTAIN SUPPLEMENTAL REPORTS WITHOUT ADDITIONAL LAYOVER.—In clause 3(a)(2) of rule XIII, add the following new sentence at the end: ''A supplemental report only correcting errors in the depiction of record votes under paragraph (b) may be filed under this subparagraph and shall not be subject to the requirement in clause 4 concerning the availability of reports.''.

(l) PERFORMANCE GOALS AND OBJECTIVES.—

(1) In clause 3(c) of rule XIII, amend subparagraph (4) to read as follows:

''(4) A statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding.''.

(2) In clause 4(c)(2) of rule X, strike ''matter involved'' and all that follows and insert in lieu thereof ''matter involved.''.

(m) REPORT DETAIL ON UNAUTHORIZED APPROPRIATIONS.—In clause 3(f)(1) of rule XIII, amend subdivision (B) to read as follows:

''(B) a list of all appropriations contained in the bill for expenditures not currently authorized by law for the period concerned (excepting classified intelligence or national security programs, projects, or activities), along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the level of appropriations in the bill for such expenditures.''.

(n) CORRECTIONS CALENDAR.—

(1) In clause 4(a)(2) of rule XIII, insert after subdivision (B) the following new subdivision (and redesignate the succeeding subdivisions accordingly):

''(C) a bill called from the Corrections Calendar under clause 6 of rule XV;''.

(2) In clause 6(a) of rule XV, strike ''that has been on the Corrections Calendar for three legislative days'' and insert in lieu thereof ''that is printed on the Corrections Calendar''.

(o) OBJECTIONS TO EXHIBITS.—In clause 6 of rule XVII, strike ''its use shall be decided without debate by a vote of the House'' and insert in lieu thereof ''the Chair, in his discretion, may submit the question of its use to the House without debate''.

(p) POSTPONING REQUESTS FOR RECORDED VOTES ON AMENDMENTS IN COMMITTEE OF WHOLE.—In clause 6 of rule XVIII, add the following new paragraph at the end:

''(g) The Chairman may postpone a request for a recorded vote on any amendment. The Chairman may resume proceedings on a postponed request at any time. The Chairman may reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes.''.

(q) NAMING OF PUBLIC WORKS.—In rule XXI, add the following new clause at the end:

''Designations of public works''

''6. It shall not be in order to consider a bill, joint resolution, amendment, or conference report that provides for the designation or redesignation of a public work in honor of an individual then serving as a Member, Delegate, Resident Commissioner, or Senator.''.

(r) MOTIONS INSTRUCTING CONFEREES.—

(1) In clause 7 of rule XXII, in subparagraph (c)(1), strike ''first legislative''.

(2) In clause 7 of rule XXII, in subparagraph (c)(1)—

(A) strike the dash after ''privileged'';

(B) strike the designations of subdivisions (A) and (B); and

(C) strike ''; and'' and insert in lieu thereof '', but only''.

(3) In clause 7 of rule XXII, redesignate paragraph (d) as paragraph (e) and insert the following new paragraph after paragraph (c):

''(d) Instructions to conferees in a motion to instruct or in a motion to recommit to conference may not include argument.''.

(s) REPEAL OF AUTOMATIC PUBLIC-DEBT MEASURE.—

(1) Strike rule XXIII and redesignate the succeeding rules accordingly.

(2) In clause 4(f)(2) of rule X, strike ''budget'' and all that follows and insert in lieu thereof ''budget.''.

(3) In clause 9(b)(2) of rule X, strike ''rule XXIV'' and insert in lieu thereof ''rule XXIII''.

(4) In clause 3(a)(5) of rule XI, strike ''rule XXIV'' and insert in lieu thereof ''rule XXIII''.

(5) In clause 4 of rule XXIII (as redesignated), strike ''rule XXVI'' and insert in lieu thereof ''rule XXV''.

(6) In clause 5 of rule XXIII (as redesignated), strike ''rule XXVI'' and insert in lieu thereof ''rule XXV''.

(7) In clause 12(a) of rule XXIII (as redesignated), strike ''rule XXVII'' and insert in lieu thereof ''rule XXVI''.

(t) PROHIBITION ON PAID EMPLOYMENT OF SPOUSE.—In clause 8 of rule XXIII (as redesignated), add the following new paragraph at the end:

''(c)(1) Except as specified in subparagraph (2)—

''(A) a Member, Delegate, or Resident Commissioner may not retain his spouse in a paid position; and

''(B) an employee of the House may not accept compensation for work for a committee on which his spouse serves as a member.

''(2) Subparagraph (1) shall not apply in the case of a spouse whose pertinent employment predates the One Hundred Seventh Congress.''.

(u) OATHS CONCERNING CLASSIFIED INFORMATION.—In clause 13 of rule XXIII (as redesignated), add the following new sentence at the end: ''The Clerk shall make signatures a matter of public record, causing the names of each Member, Delegate, or Resident Commissioner who has signed the oath during a week (if any) to be published in a portion of the Congressional Record designated for that purpose on the last legislative day of the week and making cumulative lists of such names available each day for public inspection in an appropriate office of the House.''.

(v) ACTIVITIES OF CONSULTANTS.—In clause 14(b) of rule XXIII (as redesignated), add the following new sentences at the end: ''An individual whose services are compensated by the House pursuant to a consultant contract may not lobby the contracting committee or the members or staff of the contracting committee on any matter. Such an individual may lobby other Members, Delegates, or the Resident Commissioner or staff of the House on matters outside the jurisdiction of the contracting committee.''.

(w) CLARIFICATION OF TERMS IN GIFT RULE.—

(1) In clause 4(a)(1) of rule XXV (as redesignated), strike ''; and'' and insert in lieu thereof a period.

(2) In clause 4(a)(2) if rule XXV (as redesignated), strike ''(2) when'' and insert in lieu thereof ''(2)(A) When''.

(3) After clause 4(a)(2)(A) of rule XXV (as redesignated), insert the following new subdivision:

''(B) When used in clause 5 of this rule, the terms 'officer' and 'employee' have the same meanings as in rule XXIII.''.

(4) In clause 5(e)(1) of rule XXV (as redesignated), strike ''and'' after subparagraph (1).

(5) At the end of clause 5(e)(2) of rule XXV (as redesignated), strike the period and insert in lieu thereof ''; and''.

(6) After clause 5(e)(2) of rule XXV (as redesignated), insert the following new subparagraph:

''(3) the terms 'officer' and 'employee' have the same meanings as in rule XXIII.''.

(x) TECHNICAL CORRECTIONS IN RECODIFICATION.—

(1) In clause 3(a) of rule VII, strike ''paragraph (b), clause 4,'' and insert in lieu thereof ''clause 4(b)''.

(2) In clause 5(a) of rule VII, strike ''clause 9'' and insert in lieu thereof ''clause 11''.

(3) In clause 7(b) of rule X, strike ''under this paragraph''.

(4) In clause 7(d) of rule X, strike ''this paragraph'' and insert in lieu thereof ''this clause''.

(5) In clause 7(e) of rule X, strike ''this paragraph'' and insert in lieu thereof ''this clause''.

(6) In clause 7(f)(1) of rule X, strike ''this paragraph'' and insert in lieu thereof ''this clause''.

(7) In clause 7(f)(2) of rule X, strike ''this paragraph'' and insert in lieu thereof ''this clause''.

(8) In clause 9(g) of rule X, strike ''paragraph (a) of clause 6'' and insert in lieu thereof ''clause 6(a)''.

(9) In clause 11(d)(1) of rule X, strike ''clauses 6(a), (b), and (c) and 8(a), (b), and (c) of this rule'' and insert in lieu thereof ''clauses 8(a), (b), and (c) and 9(a), (b), and (c) of this rule''.

(10) In clause 2(m)(1) of rule XI, strike ''subparagraph (2)(A)'' and insert in lieu thereof ''subparagraph (3)(A)''.

(11) In clause 7(a) of rule XII, strike ''All other bills'' and insert in lieu thereof ''Bills''.

(12) In clause 1 of rule XIV, strike ''clause 9(a)'' and insert in lieu thereof ''clause 8''.

(13) In clause 3 of rule XIV, strike ''clause 9'' and insert in lieu thereof ''clause 8''.

(14) In clause 2(c) of rule XV, strike ''printed with the signatures'' and insert in lieu thereof ''published with the signatures''.

(15) In clause 8(c) of rule XVIII, strike ''this rule'' and insert in lieu thereof ''this clause''.

(16) In clause 8(b) of rule XXIII (as redesignated), strike ''clause 7'' and insert in lieu thereof ''clause 9'' in both places where it appears.

SEC. 3. SEPARATE ORDERS.

(a) STANDARDS COMMITTEE RULES.—For the One Hundred Seventh Congress, each provision of House Resolution 168 of the One Hundred Fifth Congress that was not executed as a change in the standing rules is hereby reaffirmed (except that, notwithstanding section 13 of that resolution, the chairman and ranking minority member of the Committee on Standards of Official Conduct may consult with an investigative subcommittee either on their own initiative or on the initiative of the subcommittee, shall have access to information before a subcommittee with which they so consult, and shall not thereby be precluded from serving as full, voting members of any adjudicatory subcommittee).

(b) BUDGET ENFORCEMENT.—

(1) During the One Hundred Seventh Congress, references in section 306 of the Congressional Budget Act of 1974 to a resolution shall be construed in the House of Representatives as references to a joint resolution.

(2) During the One Hundred Seventh Congress, in the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 of the Congressional Budget Act of 1974 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.

(3) During the One Hundred Seventh Congress, a provision in a bill or joint resolution, or in an amendment thereto or a conference report thereon, that establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations shall not be considered as providing new entitlement authority within the meaning of the Congressional Budget Act of 1974.

(c) CERTAIN SUBCOMMITTEES.—Notwithstanding clause 5(d) of rule X, during the One Hundred Seventh Congress—

(1) the Committee on Government Reform may have not more than eight subcommittees;

(2) the Committee on International Relations may have not more than six subcommittees; and

(3) the Committee on Transportation and Infrastructure may have not more than six subcommittees.

(d) NUMBERING OF BILLS.—In the One Hundred Seventh Congress, the first 10 numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker to such bills as he may designate when introduced during the first session.

When said resolution was considered.

After debate,

Mr. DREIER moved the previous question on the resolution to its adoption or rejection.

The question being put,

Will the House now order the previous question on said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

So the previous question was ordered.

Mr. MOAKLEY moved to commit the resolution to a select committee comprised of the Majority Leader and the Minority Leader with instructions to report back the same to the House forthwith with the following amendments:

Strike section 2 of the resolution and in lieu thereof, add the following:

''SEC. 2. CHANGE IN STANDING RULES.—

COMMITTEE RATIOS.—Clause 5(a)(1) of Rule X of the Rules of the House of Representatives is amended by adding the following new sentence: ''The membership of each committee (and each subcommittee or other subunit thereof) shall reflect the ratio of majority to minority party members of the House at the beginning of the Congress. This requirement shall not apply to the Committee on Rules and the Committee on Standards of Official Conduct.''

At the end of the resolution, add the following:

(e) ''ELECTION REFORM.—The Committee on the Judiciary is directed to report to the House no later than March 1, 2001 legislation comprising its recommendations to ensure that all eligible Americans who vote (including military personnel who vote by absentee ballot) shall have their votes counted.''

By unanimous consent, the previous question was ordered on the motion to commit with instructions.

The question being put, viva voce,

Will the House commit said resolution with instructions?

The SPEAKER pro tempore, Mr. LAHOOD, announced the nays had it.

Mr. MOAKLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 199 / Nays 213

¶1.17 [Roll No. 3]

YEAS—199

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

NAYS—213

Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Bartlett, Barton, Bass, Bereuter, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Castle, Chabot, Chambliss, Coble, Collins, Combest, Cooksey, Cox, Crane, Crenshaw, Cubin, Cunningham, Davis, Jo Ann, Davis, Thomas M., Deal, DeLay, DeMint, Diaz-Balart, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Ferguson, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hansen, Hart, Hastings (WA), Hayes, Hayworth, Herger, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Houghton, Hulshof, Hutchinson, Hyde, Isakson, Issa, Istook, Jenkins, Johnson (CT), Johnson (IL), Johnson, Sam, Jones (NC), Kelly, Kennedy (MN), Kerns, King (NY), Kingston, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, LoBiondo, Lucas (OK), Manzullo, McCrery, McHugh, McInnis, McKeon, Mica, Miller (FL), Miller, Gary, Moran (KS), Morella, Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Osborne, Ose, Otter, Oxley, Paul, Pence, Peterson (PA), Petri, Pickering, Pitts, Platts, Pombo, Portman, Pryce (OH), Putnam, Quinn, Radanovich, Ramstad, Regula, Rehberg, Reynolds, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryan (WI), Ryun (KS), Saxton, Scarborough, Schaffer, Schrock, Sensenbrenner, Sessions, Shadegg, Shaw, Shays, Sherwood, Shimkus, Shuster, Simmons, Simpson, Skeen, Smith (MI), Smith (NJ), Smith (TX), Snyder, Souder, Spence, Stearns, Stump, Sununu, Sweeney, Tancredo, Tauzin, Taylor (NC), Terry, Thornberry, Thune, Tiahrt, Tiberi, Toomey, Traficant, Upton, Vitter, Walden, Walsh, Wamp, Watkins, Weldon (FL), Weldon (PA), Weller, Whitfield, Wicker, Wolf, Young (AK), Young (FL)

NOT VOTING—18

Barr, Brown (FL), Carson (IN), Conyers, Coyne, Culberson, Cummings, Hefley, Hunter, Keller, Kirk, Murtha, Riley, Rush, Strickland, Thomas, Watts (OK), Wilson

So the motion to commit with instructions was not agreed to.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced the yeas had it.

Mr. MOAKLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 215 / Nays 206

¶1.18 [Roll No. 4]

YEAS—215

Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Barr, Bartlett, Barton, Bass, Bereuter, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Castle, Chabot, Chambliss, Coble, Collins, Combest, Cooksey, Cox, Crane, Crenshaw, Cubin, Culberson, Cunningham, Davis, Jo Ann, Davis, Thomas M., Deal, DeLay, DeMint, Diaz-Balart, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hansen, Hart, Hastings (WA), Hayes, Hayworth, Herger, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Houghton, Hulshof, Hunter, Hutchinson

Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—206

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

NOT VOTING—9

Carson (IN)
Ferguson
Hefley
Johnson (IL)
Keller
Murtha
Riley
Thomas
Watts (OK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶1.19 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment concurrent resolutions of the House of the following titles:

S. Con. Res. 1. Concurrent resolution to provide for the counting on January 6, 2001, of the electoral votes for President and Vice President of the United States.

S. Con. Res. 2. Concurrent resolution to extend the life of the Joint Congressional Committee on Inaugural Ceremonies and the provisions of Senate Concurrent Resolution 90 of the One Hundred Sixth Congress.

The message also announced that a committee consisting of two Senators be appointed to join such committee as may be appointed by the House to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The message also announced that the Secretary inform the House that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

The message also announced that the House of Representatives be notified of the election of ROBERT C. BYRD, a Senator from the State of West Virginia, as President pro tempore.

¶1.20 COMMITTEE ELECTION—MAJORITY

Ms. PRYCE, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 6):

Resolved, That the following named Members be, and they are hereby, elected to the following standing committee of the House of Representatives:

Committee on Rules: Mr. Dreier, Chairman, Mr. Goss, Mr. Linder, Ms. Pryce of Ohio, Mr. Diaz-Balart, Mr. Hastings of Washington, Mrs. Myrick, Mr. Sessions and Mr. Reynolds.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶1.21 COMMITTEE ELECTION—MINORITY

Mr. FROST, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 7):

Resolved, That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives:

Committee on Rules: Mr. Moakley of Massachusetts, Mr. Frost of Texas, Mr. Hall of Ohio, and Mrs. Slaughter of New York.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶1.22 MINORITY EMPLOYEES

Mr. FROST, by unanimous consent, submitted the following resolution, which was considered and agreed to (H. Res. 8):

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, the six minority employees authorized therein shall be the following named persons, effective January 3, 2001, until otherwise ordered by the House, to-wit: Steve Elmendorf, George Kundanis, Moses Mercado, Sharon Daniels, Dan Turton, and Laura Nichols, each to receive gross compensation pursuant to the provisions of House Resolution 119, Ninety-fifth Congress, as enacted into permanent law by section 115 of Public Law 95–94. In addition, the Minority Leader may appoint and set the annual rate of pay for up to three further minority employees.

¶1.23 DAILY HOUR OF MEETING

Mr. ARMEY submitted the following privileged resolution, which was considered and agreed to (H. Res. 9):

Resolved, That unless otherwise ordered, before Monday, May 14, 2001, the hour of daily meeting of the House shall be 2 p.m. on Mondays; 11 a.m. on Tuesdays; and 10 a.m. on all other days of the week; and from Monday, May 14, 2001, until the end of the first session, the hour of daily meeting of the House shall be noon on Mondays; 10 a.m. on Tuesdays, Wednesdays, and Thursdays; and 9 a.m. on all other days of the week.

¶1.24 ELECTORAL COLLEGE

The SPEAKER pro tempore, Mr. LAHOOD laid before the House the following privileged concurrent resolution (S. Con. Res. 1):

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Saturday, the sixth day of January 2001, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter ''A''; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of

the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶1.25 JOINT COMMITTEE ON THE INAUGURATION

The SPEAKER pro tempore, Mr. LAHOOD laid before the House the following privileged concurrent resolution (S. Con. Res. 2):

Resolved by the Senate (the House of Representatives concurring), That effective from January 3, 2001, the joint committee created by Senate Concurrent Resolution 89 of the One Hundred Sixth Congress, to make the necessary arrangements for the inauguration, is hereby continued with the same power and authority.

SEC. 2. That effective from January 3, 2001, the provisions of Senate Concurrent Resolution 90 of the One Hundred Sixth Congress, to authorize the rotunda of the United States Capitol to be used in connection with the proceedings and ceremonies for the inauguration of the President-elect and the Vice President-elect of the United States, are hereby continued with the same power and authority.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Thereupon, pursuant to the provisions of the foregoing concurrent resolution, the Chair announced the Speaker's reappointment as members of the Joint Committee for the Inauguration of the President-elect and the Vice President-elect of the United States on the 20th day of January, 2001, the following members of the House: Mr. HASTERT, Mr. ARMEY and Mr. GEPHARDT.

¶1.26 INAUGURAL CEREMONIES

Mr. ARMEY submitted the following privileged resolution, which was considered and agreed to (H. Res. 10):

Resolved, That at 10:30 a.m. on Saturday, January 20, 2001, the House shall proceed to the West Front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the House stands adjourned until 2 p.m. on Tuesday, January 30, 2001, or pursuant to such other concurrent resolution of adjournment as may then apply.

¶1.27 ADJOURNMENT OF THE TWO HOUSES

Mr. ARMEY submitted the following privileged concurrent resolution (H. Con. Res. 1):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Saturday, January 6, 2001, it stand adjourned until 10 a.m. on Saturday, January 20, 2001; and that when the House adjourns on Saturday, January 20, 2001, it stand adjourned until 2 p.m. on Tuesday, January 30, 2001, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Saturday, January 6, 2001; Sunday, January 7, 2001; Monday, January 8, 2001; Tuesday, January 9, 2001; Wednesday, January 10, 2001; Thursday, January 11, 2001; Friday, January 12, 2001; Saturday, January 13, 2001; Sunday, January 14, 2001; Monday, January 15, 2001; Tuesday, January 16, 2001; Wednesday, January 17, 2001; Thursday, January 18, 2001; or Friday, January 19, 2001; on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 10 a.m. on Saturday, January 20, 2001, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶1.28 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Saturday, January 6, 2001, at 11 o'clock a.m.

¶1.29 SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until Tuesday, January 30, 2001, the Speaker, the Majority Leader, and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶1.30 EXTENSION OF REMARKS

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That, for the first session of the 107th Congress, all Members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the Record entitled ''Extension of Remarks''.

¶1.31 ORDER OF BUSINESS—''MORNING-HOUR DEBATE''

On motion of Mr. GIBBONS, by unanimous consent,

Ordered, That on legislative days of Monday and Tuesday during the first session of the One Hundred Seventh Congress the House shall convene 90 minutes earlier than the time otherwise established by order of the House solely for the purpose of conducting ''morning-hour debate'' (except that on Tuesdays after May 14, 2001, the House shall convene for that purpose one hour earlier than the time otherwise established by order of the House);

Ordered further, That the time for ''morning-hour debate'' shall be limited to 30 minutes allocated to each party (except that on Tuesdays after May 14, 2001, the time shall be limited to 25 minutes allocated to each party and may not continue beyond 10 minutes before the hour appointed for the resumption of the session of the House); and

Ordered further, That the form of proceeding to ''morning-hour debate'' shall be as follows: (1) The prayer by the Chaplain, the approval of the Journal, and the pledge of allegiance to the flag shall be postponed until the resumption of the session of the House; (2) Initial and subsequent recognitions for debate shall alternate between the parties; (3) Recognition shall be conferred by the Speaker only pursuant to lists submitted by the Majority Leader and the Minority Leader; (4) No Member may address the House for longer than five minutes (except the Majority Leader, the Minority Leader, or the Minority Whip); and (5) Following ''morning-hour debate'', the Chair shall declare a recess pursuant to clause 12 of rule I until the time appointed for the resumption of the session of the House.

¶1.32 JOINT COMMITTEE ON THE INAUGURATION

Mr. GIBBONS submitted the following privileged resolution (H. Res. 11):

Resolved, That at 10:30 a.m. on Saturday, January 20, 2001, the House shall proceed to the West Front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the House stands adjourned until 2 p.m. on Tuesday, January 30, 2001, or pursuant to such other concurrent resolution of adjournment as may then apply.

When said resolution was considered and agreed to.

A motion to reconsider the votes whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶1.33 DESIGNATION OF DEPUTY CLERK AND ASSISTANTS TO THE CLERK TO SIGN PAPERS

The SPEAKER pro tempore, Mrs. WILSON, laid before the House the following communication from the Clerk:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 3, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Rep-

resentatives, I herewith designate Ms. Martha C. Morrison, Deputy Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which she would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

If Ms. Morrison should not be able to act in my behalf for any reason, then Mr. Gerasimos C. Vans, Assistant to the Clerk or Mr. Daniel J. Strodel, Assistant to the Clerk should similarly perform such duties under the same conditions as are authorized by this designation.

These designations shall remain in effect for the 107th Congress or until modified by me.

With best wishes, I am,

Sincerely,

JEFF TRANDAHL,
Clerk.

¶1.34 REPORTS DUE TO CONGRESS

The SPEAKER pro tempore, Mrs. WILSON, laid before the House the following communication from the Clerk:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 3, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: In compliance with the requirements of Clause 2(b) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to submit this list of reports to which it is the duty of any officer or Department to make to Congress.

With best wishes, I am,

Sincerely,

JEFF TRANDAHL,
Clerk.

¶1.35 HOUSE OFFICE BUILDING COMMISSION

The SPEAKER pro tempore, Mrs. WILSON, by unanimous consent, announced that the Speaker, pursuant to the provisions of 40 United States Code 175 and 176, appointed to the House Office Building Commission, Mr. ARMEY and Mr. GEPHARDT to serve with himself.

¶1.36 PROCEEDINGS ON H. RES. 11 VACATED

The SPEAKER pro tempore, Mrs. WILSON, by unanimous consent, announced that the proceedings of today, whereby the House agreed to House Resolution 11 were vacated, since the same resolution had been previously adopted as House Resolution 10.

¶1.37 COMMUNICATIONS

Under clause 2 of rule XIV, executive and other communications were taken from the Speaker's table and referred as follows:

1. A communication from the President of the United States, transmitting a request to make available previously appropriated emergency funds for the Department of Health and Human Services pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; (H. Doc. No. 107–10); to the Committee on Appropriations and ordered to be printed.

2. A communication from the President of the United States, transmitting a request to make available previously appropriated emergency funds for the Department of Health and Human Services pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; (H. Doc. No. 107–8); to the Committee on Appropriations and ordered to be printed.

3. A letter from the General Counsel, Architectural and Transportation Barriers Compliance Board, transmitting the Board's final rule—Electronic and Information Technology Accessibility Standards [Docket No. 2000–01] (RIN: 3014–AA25) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4. A letter from the Acting Director, Office of Workers' Compensation Programs, Department of Labor, transmitting the Department's final rule—Regulations implementing the Federal Coal Mine Health and Safety Act of 1969, as amended (RIN: 1215–AA99) received December 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, Virginia; Post 1996 Rate-of-Progress Plans, One-Hour Ozone Attainment Demonstrations and Attainment Date Extension for the Metropolitan Washington D.C. Ozone Nonattainment Area [DC–2025, MD–3064, VA–5052; FRL–6922–9] received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Unregulated Contaminant Monitoring Regulation for Public Water Systems; Analytical Methods for List 2 Contaminants; Clarifications to the Unregulated Contaminant Monitoring Regulation [FRL–6920–6] (RIN: 2040–AD58) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Control of Emissions of Hazardous Air Pollutants from Mobile Sources [AMS–FRL–6924–1] (RIN: 2060–AI55) received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards and Highway Diesel Fuel Sulfur Control Requirements [AMS–FRL–6923–7] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; One-Hour Ozone Attainment Demonstration and Attainment Date Extension for the Springfield (Western Massachusetts) Ozone Nonattainment Area [MA069–7205; A–1–FRL–6927–6] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Connecticut; One-Hour Ozone Attainment Demonstration and Attainment Date Extension for the Greater Connecticut Ozone Nonattainment Area [CT056–7215b; FRL–6924–5] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

11. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Source Categories: Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks [AD-FRL–6923–8] (RIN: 2060–AH81) received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

12. A communication from the President of the United States, transmitting a report on developments concerning the national emergency with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and Kosovo, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 107–6); to the Committee on International Relations and ordered to be printed.

13. A communication from the President of the United States, transmitting a supplemental report, consistent with the War Powers Resolution, to help ensure that the Congress is kept fully informed on continued U.S. contributions in support of peacekeeping efforts in Kosovo; (H. Doc. No. 107–5); to the Committee on International Relations and ordered to be printed.

14. A letter from the Director, Office of Enforcement Policy, Wage and Hour Division, Department of Labor, transmitting the Department's final rule—Labor Condition Applications and Requirements for Employers Using Nonimmigrants on H–1B Visas in Specialty Occupations and as Fashion Models; Labor Certification Process for Permanent Employment of Aliens in the United States (RIN: 1215–AB09) received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

15. A letter from the Deputy Chief Counsel, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Areas Unusually Sensitive to Environmental Damage [Docket No. RSPA–99–5455; Amdt. 195–71] (RIN: 2137–AC34) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

16. A communication from the President of the United States, transmitting a Proclamation to implement the non-textile/apparel benefits of the African Growth and Opportunity Act (Title I of Public Law 106–200); (H. Doc. No. 107–9); to the Committee on Ways and Means and ordered to be printed.

17. A letter from the the Director, the Congressional Budget Office, transmitting CBO's final sequestration report for Fiscal Year 2000, pursuant to 2 U.S.C. 901; (H. Doc. No. 107–7); to the Committee on the Whole House on the State of the Union and ordered to be printed.

18. A communication from the President of the United States, transmitting a report concerning Japan's research whaling activities that diminish the effectiveness of the International Whaling Convention (IWC) conservation program, pursuant to section 8 of the Fishermen's Protective Act of 1967, 22 U.S.C. 1978 (the Pelly Amendment); (H. Doc. No. 107–11); jointly to the Committees on International Relations and Resources, and ordered to be printed.

And then,

¶1.38 ADJOURNMENT

On motion of Mr. SHOWS, pursuant to the special order heretofore agreed to, at 4 o'clock and 40 minutes p.m., the House adjourned until 11 o'clock a.m. on Saturday, January 6, 2001.

¶1.39 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LEACH:

H.R. 11. A bill to revise the banking and bankruptcy insolvency laws with respect to the termination and netting of financial contracts, and for other purposes; referred to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGLY (for himself, Mr. FOLEY, Mr. HERGER, and Mr. HAYWORTH):

H.R. 12. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on contributions to individual retirement accounts; to the Committee on Ways and Means.

By Mr. ANDREWS (for himself and Mr. FOLEY):

H.R. 13. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income of individual taxpayers discharges of indebtedness attributable to certain forgiven residential mortgage obligations; to the Committee on Ways and Means.

By Mr. PORTMAN (for himself and Mr. CONDIT):

H.R. 14. A bill to establish a Bipartisan Commission on Social Security Reform; to the Committee on Ways and Means.

By Mr. DREIER (for himself, Ms. MCCARTHY of Missouri, Mr. ENGLISH, Mr. DEUTSCH, and Mr. SESSIONS):

H.R. 15. A bill to amend the Internal Revenue Code of 1986 to provide maximum rates of tax on capital gains of 15 percent for individuals and 28 percent for corporations and to index the basis of assets of individuals for purposes of determining gains and losses; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 16. A bill to provide a program of national health insurance, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mrs. ROUKEMA, Mr. GILMAN, Mr. QUINN, and Mr. CLEMENT):

H.R. 17. A bill to provide assistance to mobilize and support United States communities in carrying out youth development programs that assure that all youth have access to programs and services that build the competencies and character development needed to fully prepare the youth to become adults and effective citizens; to the Committee on Education and the Workforce.

By Mrs. BIGGERT:

H.R. 18. A bill to amend title XVIII of the Social Security Act to establish additional provisions to combat waste, fraud, and abuse within the Medicare Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR of Georgia:

H.R. 19. A bill to nullify the effect of certain provisions of various Executive orders; to the Committee on International Relations.

By Mr. GREENWOOD:

H.R. 20. A bill to amend section 211 of the Clean Air Act to modify the provisions regarding the oxygen content of reformulated gasoline and to improve the regulation of the fuel additive, methyl tertiary butyl ether (MTBE), and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARR of Georgia:

H.R. 21. A bill to amend title 18, United States Code, to provide that the firearms prohibitions applicable by reason of a domestic violence misdemeanor conviction do not apply if the conviction occurred before the prohibitions became law; to the Committee on the Judiciary.

By Mr. LATOURETTE:

H.R. 22. A bill to delay any legal effect or implementation of a notice or rights and request for disposition form of the Immigration and Naturalization Service if an alien admits to being in the United States illegally, gives up the right to a hearing before departure, and requests to return to his country without a hearing; to the Committee on the Judiciary.

By Mr. BARR of Georgia:

H.R. 23. A bill to permit congressional review of certain Presidential orders; to the Committee on the Judiciary.

H.R. 24. A bill to amend title 18, United States Code, with respect to the authority of probation officers and pretrial services officers to carry firearms, to the Committee on the Judiciary.

By Mr. SWEENEY (for himself, Mr. BOEHLERT, and Mr. MCHUGH):

H.R. 25. A bill to reduce acid deposition under the Clean Air Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SERRANO:

H.R. 26. A bill to waive certain prohibitions with respect to nationals of Cuba coming to the United States to play organized professional baseball; to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTLETT of Maryland:

H.R. 27. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions; to the Committee on House Administration.

By Ms. SLAUGHTER (for himself and Mrs. MORELLA):

H.R. 28. A bill to establish the Violence Against Women Office within the Department of Justice; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 29. A bill to prevent Government shutdowns; to the Committee on Appropriations.

By Mr. GEKAS (for himself and Mr. YOUNG of Alaska):

H.R. 30. A bill to establish a commission to review and explore ways for the United States to become energy self-sufficient by 2011; to the Committee on Energy and Commerce.

By Mr. BARTLETT of Maryland (for himself, Mr. STEARNS, Mr. BRADY of Texas, Mr. HALL of Texas, Mr. SCHAFFER, Mr. HILLEARY, Mr. CALLAHAN, Mr. HAYWORTH, Mrs. EMERSON, Mr. NETHERCUTT, Mr. BARCIA, Mr. STUMP, and Mr. SIMPSON):

H.R. 31. A bill to protect the right to obtain firearms for security, and to use firearms in defense of self, family, or home, and to provide for the enforcement of such right; to the Committee on the Judiciary.

By Mr. BEREUTER (for himself and Mr. SCHAFFER):

H.R. 32. A bill to amend the Agricultural Market Transition Act to establish a flexible fallow program under which a producer may idle a portion of the total planted acreage of the loan commodities of the producer in exchange for higher loan rates for marketing assistance loans on the remaining acreage of the producer; to the Committee on Agriculture.

By Mr. BEREUTER:

H.R. 33. A bill to amend the Agricultural Market Transition Act to authorize a program to encourage agricultural producers to rest and rehabilitate croplands while enhancing soil and water conservation and wildlife habitat; to the Committee on Agriculture.

H.R. 34. A bill to amend the Agricultural Market Transition Act to provide for the payment of special loan deficiency payments to producers who are eligible for loan deficiency payments, but who suffered yield losses due to damaging weather or related condition in a federally declared disaster area; to the Committee on Agriculture.

H.R. 35. A bill to amend the Federal Election Campaign Act of 1971 to prohibit all individuals who are not citizens or nationals of the United States from making contributions or expenditures in connection with elections for Federal office; to the Committee on House Administration.

H.R. 36. A bill to amend the National Trails System Act to authorize an additional category of national trail known as a national discovery trail, to provide special requirements for the establishment and administration of national discovery trails, and to designate the cross country American Discovery Trail as the first national discovery trail; to the Committee on Resources.

H.R. 37. A bill to amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails; to the Committee on Resources.

H.R. 38. A bill to provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska, and for other purposes; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 39. A bill to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound and job creating program for the exploration, development, and production of the oil and gas resources of the Coastal Plain, and for other purposes; to the Committee on Resources.

By Mr. CONYERS (for himself, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MEEK of Florida, Mr. OWENS, Mr. RUSH, and Mr. TOWNS):

H.R. 40. A bill to acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and 13 American colonies between 1619 and 1865 and to establish a commission to examine the institution of slavery, subsequently de jure and de facto racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes; to the Committee on the Judiciary.

By Mrs. JOHNSON of Connecticut (for herself and Mr. MATSUI):

H.R. 41. A bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit; to the Committee on Ways and Means.

By Mr. BEREUTER (for himself, Mr. LAHOOD, Mr. COOKSEY, Mr. BARR of Georgia, Mr. THUNE, Mr. BILIRAKIS, Mr. MORAN of Kansas, and Mrs. BIGGERT):

H.R. 42. A bill to amend the Internal Revenue Code of 1986 to reduce estate and gift tax rates, and for other purposes; to the Committee on Ways and Means.

By Mr. BEREUTER (for himself, Ms. DUNN, Mr. THOMAS M. DAVIS of Virginia, and Mr. RAMSTAD):

H.R. 43. A bill to amend the Internal Revenue Code of 1986 to provide a higher purchase price limitation applicable to mortage subsidy bonds based on median family income; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 44. A bill to amend the Inspector General Act of 1978 to increase the efficiency and accountability of Offices of Inspector General within Federal departments, and for other purposes; to the Committee on Government Reform.

H.R. 45. A bill to amend title 18, United States Code, with regard to prison commissaries, and for other purposes; to the Committee on the Judiciary.

H.R. 46. A bill to amend title VI of the Elementary and Secondary Education Act of 1965 to raise awareness of eating disorders and to create educational programs concerning the same, and for the other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mr. UPTON, Mr. EHLERS, Mr. HOEKSTRA, and Mr. SMITH of Michigan):

H.R. 47. A bill to require any amounts appropriated for Members' Representational Allowances for the House of Representatives for a fiscal year that remain after all payments are made from such Allowances for the year to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt; to the Committee on House Administration.

By Mrs. CHRISTENSEN (for herself, Mr. FALEOMAVAEGA, Mr. UNDERWOOD, and Mr. ACEVED-VILA):

H.R. 48. A bill to amend titles XI and XIX of the Social Security Act to remove the cap on Medicaid payments for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa and to adjust the Medicaid statutory matching rate for those territories; to the Committee on Energy and Commerce.

By Mr. CLYBURN:

H.R. 49. A bill to establish the United States Commission on Election Law Reform to study election procedures used in the United States and issue a report and recommendations on revisions to such procedures, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mr. TAUZIN, Mr. DINGELL, Mr. LATOURETTE, Ms. ESHOO, Mr. FROST, Mr. COX, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BURR of North Carolina, Mr. MCGOVERN, Mr. OLVER, Mr. HASTINGS of Florida, Mr. HORN, Mr. PHELPS, Mr. GEORGE MILLER of California, Mr. CLYBURN, Mr. BOEHLERT, Mr. DEAL of Georgia, Mr. BARTON of Texas, Mr. UDALL of Colorado, Mr. RILEY, and Mr. BURTON of Indiana):

H.R. 50. A bill to amend title 3, United States Code, and the Uniform Time Act of 1966 to establish a single poll closing time for Presidential general elections; to the Committee on House Administration, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONDIT:

H.R. 51. A bill to amend title 10, United States Code, to provide that persons retiring from the Armed Forces shall be entitled to all benefits which were promised them when they entered the Armed Forces; to the Committee on Armed Services.

By Mr. CONDIT (for himself and Mr. COX):

H.R. 52. A bill to amend the Clean Air Act to permit the exclusive application of California State regulations regarding reformulated gas in certain areas within the State; to the Committee on Energy and Commerce.

By Mr. CONDIT:

H.R. 53. A bill to amend title 18, United States Code, to provide criminal penalties for the harassment of victims of Federal offenses by the convicted offenders; to the Committee on the Judiciary.

By Mr. CONDIT (for himself and Mr. PORTMAN):

H.R. 54. A bill to improve congressional deliberation on proposed Federal private sector mandates, and for other purposes; to the Committee on Rules.

By Mr. DREIER:

H.R. 55. A bill to make the Federal employees health benefits program available to individuals age 55 to 65 who would not otherwise have health insurance, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONDIT:

H.R. 56. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase and installation of agricultural water conservation systems; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself, Mr. LEACH, Mr. LAMPSON, Mr. MCGOVERN, Mr. FROST, Mr. MCNULTY, Mr. OLVER, Mr. CLEMENT, Ms. RIVERS, Mr. SANDERS, Ms. MCKINNEY, Ms. LEE, Mr. CARDIN, Mr. COSTELLO, Mr. WU, Ms. SLAUGHTER, Mr. OBSERSTAR, Mr. KUCINICH, Mr. UDALL of Colorado, Mr. BALDACCI, Ms. PELOSI, Mr. BLUMENAUER, Mr. FILNER, Mr. SERRANO, Mr. EVANS, Mr. FARR of California, Ms. HOOLEY of Oregon, Mr. INSLEE, Mr. ISAKSON, and Mr. GILLMOR):

H.R. 57. A bill to establish a commission to study and make recommendations with respect to the Federal electoral process; to the Committee on House Administration.

By Mr. DEUTSCH:

H.R. 58. A bill to amend section 804 of the Federal Food, Drug, and Cosmetic Act to correct impediments in the implementation of the Medicine Equity and Drug Safety Act of 2000; to the Committee on Energy and Commerce.

By Mr. DREIER:

H.R. 59. A bill to establish a program of grants for supplemental assistance for elementary and secondary school students of limited English proficiency to ensure that they rapidly develop proficiency in English while not falling behind in their academic studies; to the Committee on Education and the Workforce.

By Ms. JACKSON-LEE of Texas (for herself, Mr. LANGEVIN, and Mr. HINOJOSA):

H.R. 60. A bill to establish a commission to develop uniform standards which may be adopted by the States for the administration of elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fail within the jurisdictions of the committee concerned.

By Mr. DREIER (for himself and Mr. POMEROY):

H.R. 61. A bill to promote youth financial education; to the Committee on Education and the Workforce.

By Ms. JACKSON-LEE of Texas:

H.R. 62. A bill to amend title 5, United States Code, to establish election day in Presidential election years as a legal public holiday by moving the legal public holiday known as Veterans Day to election day in such years, and for other purposes; to the Committee on Government Reform.

By Mr. DREIER (for himself and Mr. ROYCE):

H.R. 63. A bill to amend the Internal Revenue Code of 1986 to allow unused benefits under cafeteria plans and flexible spending arrangements to be distributed; to the Committee on Ways and Means.

By Mr. EHLERS:

H.R. 64. A bill to provide for the establishment of the position of Deputy Administrator for Science and Technology of the Environmental Protection Agency, and for other purposes; to the Committee on Science.

By Mr. BILIRAKIS (for himself, Mr. CONDIT, and Mr. KOLBE):

H.R. 65. A bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive a portion of their military retired pay concurrently with veterans' disability compensation; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EHLERS:

H.R. 66. A bill to amend the Metric Conversion Act of 1975 to require Federal agencies to impose certain requirements on recipients of awards for scientific and engineering research; to the Committee on Science.

By Mrs. EMERSON:

H.R. 67. A bill to establish the Medicare Eligible Military Retiree Health Care Consensus Task Force; to the Committee on Armed Services.

By Mrs. EMERSON (for herself and Mr. BERRY):

H.R. 68. A bill to amend the Federal Food, Drug, and Cosmetic Act relating to the distribution chain of prescription drugs; to the Committee on Energy and Commerce.

By Mrs. EMERSON:

H.R. 69. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to military retirees for premiums paid for coverage under Medicare part B; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 70. A bill to prevent children's access to firearms; to the Committee on the Judiciary.

H.R. 71. A bill to provide for the establishment of a task force within the Bureau of Justice Statistics to gather information about, study, and report to the Congress regarding, incidents of abandonment of infant children; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 72. A bill to amend title XVIII of the Social Security Act to require hospitals reimbursed under the Medicare system to establish and implement security procedures to reduce the likelihood of infant patient abduction and baby switching, including procedures for identifying all infant patients in the hospital in a manner that ensures that it will be evident if infants are missing from the hospital; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 73. A bill to require the Secretary of Education to conduct a study and submit a report to the Congress on methods for identifying and treating children with dyslexia in kindergarten through 3rd grade; to the Committee on Education and the Workforce.

H.R. 74. A bill to enhance Federal enforcement of hate crimes, and for other purposes; to the Committee on the Judiciary.

H.R. 75. A bill to amend the Public Health Service Act with respect to mental health services for children, adolescents and their families; to the Committee on Energy and Commerce.

H.R. 76. A bill to allow postal patrons to contribute to funding for emergency food relief within the United States through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Government Reform.

By Mrs. EMERSON:

H.R. 77. A bill proposing an amendment to the Constitution of the United States relating to voluntary school prayer; to the Committee on the Judiciary.

H.R. 78. A bill proposing an amendment to the Constitution of the United States with respect to the right to life; to the Committee on the Judiciary.

H.R. 79. A bill proposing an amendment to the Constitution to provide for a balanced budget for the United States Government and for greater accountability in the enactment of tax legislation; to the Committee on the Judiciary.

H.R. 80. A bill proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the act of desecration of the flag of the United States and to set criminal penalties for that act; to the Committee on the Judiciary.

H.R. 81. A bill to amend title II of the Social Security Act to provide for an improved benefit computation formula for workers affected by the changes in benefit computation rules enacted in the Social Security Amendments of 1977 who attain age 65 during the 10-year period after 1981 and before 1992 (and related beneficiaries) and to provide prospectively for increases in their benefits accordingly; to the Committee on Ways and Means.

H.R. 82. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to certain senior citizens for premiums paid for coverage under Medicare Part B; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH (for himself and Mr. TRAFICANT):

H.R. 83. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to provide for cost-of-living adjustments to guaranteed benefit payments paid by the Pension Benefit Guaranty Corporation; to the Committee on Education and the Workforce.

By Mr. ENGLISH (for himself and Mr. PAUL):

H.R. 84. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for education; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 85. A bill to reauthorize the Trade Adjustment Assistance program through fiscal year 2006, and for other purposes; to the Committee on Ways and Means.

H.R. 86. A bill to amend the Internal Revenue Code of 1986 to restructure and replace the income tax system of the United States to meet national priorities, and for other purposes; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 87. A bill to amend the Immigration and Nationality Act to restore certain provisions relating to the definition of aggravated felony and other provisions as they were before the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 88. A bill to amend the Internal Revenue Code of 1986 to increase the unified credit against estate and gift taxes to the equivalent of a $5,000,000 exclusion and to increase the annual gift exclusion to $30,000; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 89. A bill to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about individuals who are not covered by the Children's Online Privacy Protection Act of 1998 on the Internet, to provide greater individual control over the collection and use of that information, and for other purposes; to the Committee on Energy and Commerce.

H.R. 90. A bill to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes; to the Committee on Energy and Commerce.

H.R. 91. A bill to regulate the use by interactive computer services of Social Security account numbers and related personally identifiable information; to the Committee on Energy and Commerce.

H.R. 92. A bill to ensure the efficient allocation of telephone numbers; to the Committee on Energy and Commerce.

By Mr. GALLEGLY (for himself, Mr. HORN, Mr. CONDIT, Mr. LATOURETTE, and Mr. BERMAN):

H.R. 93. A bill to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers; to the Committee on Government Reform.

By Mr. GREEN of Texas:

H.R. 94. A bill to provide Capitol-flown flags to the families of deceased law enforcement officers; to the Committee on the Judiciary.

H.R. 95. A bill to protect individuals, families, and Internet service providers from unsolicited and unwanted electronic mail; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL of Texas:

H.R. 96. A bill to amend title II of the Social Security Act to ensure the integrity of the Social Security trust funds by requiring the Managing Trustee to invest the annual surplus of such trust funds in marketable interest-bearing obligations of the United States and certificates of deposit in depository institutions insured by the Federal Deposit Insurance Corporation, and to protect such trust funds from the public debt limit; to the Committee on Ways and Means.

By Mr. HALL of Texas (for himself, Mr. CONDIT, Ms. DELAURO, Mr. BARCIA, Mr. GREEN of Wisconsin, Mr. ENGEL, Mr. HORN, Mr. WEINER, Mr. NEY, Mr. QUINN, Mr. HILLIARD, Mr. ADERHOLT, Mr. CRAMER, Ms. BERKLEY, Mr. SMITH of Washington, Mr. BALDACCI, Mr. GREEN of Texas, Mr. WEXLER, Mr. FILNER, Mr. TAYLOR of North Carolina, Mr. FROST, Mr. RILEY, Mr. LAMPSON, and Mr. RYAN of Wisconsin):

H.R. 97. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totalling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington (for himself and Mr. BOYD):

H.R. 98. A bill to amend the Agricultural Trade Act of 1978 to increase the amount of funds available for certain agricultural trade programs; to the Committee on Agriculture.

By Mr. HAYWORTH:

H.R. 99. A bill to prohibit discrimination in contracting on federally funded projects on the basis of certain labor policies of potential contractors; to the Committee on Education and the Workforce.

By Mr. EHLERS (for himself, Mr. KOLBE, Mr. HORN, Mr. BACA, Mr. CANDLIN, Mr. CAMP, Mr. FILNER, and Mr. GIBBONS):

H.R. 100. A bill to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 101. A bill to amend the Elementary and Secondary Education Act of 1965 to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Education and the Workforce.

H.R. 102. A bill to amend the Internal Revenue Code of 1986 to encourage stronger math and science programs at elementary and secondary schools; to the Committee on Ways and Means.

By Mr. HAYWORTH:

H.R. 103. A bill to amend the Indian Gaming Regulatory Act to protect Indian tribes from coerced labor agreements; to the Committee on Resources.

By Mr. HAYWORTH:

H.R. 104. A bill to repeal the Bennet Freeze thus ending a gross treaty violation with the Navajo Nation and allowing the Navajo Nation to live in habitable dwellings and raise their living conditions, and for other purposes; to the Committee on Resources.

By Mr. HAYWORTH:

H.R. 105. A bill to require Congress and the President to fulfill their constitutional duty to take personal responsibility for Federal laws; to the Committee on the Judiciary,

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

By Mr. HEFLEY:

H.R. 106. A bill to amend title 28, United States Code, to provide for an additional place of holding court in the District of Colorado; to the Committee on the Judiciary.

By Mr. HEFLEY:

H.R. 107. A bill to require that the Secretary of the Interior conduct a study to identify sites and resources, to recommend alternatives for commemorating and interpreting the Cold War, and for other purposes; to the Committee on Resources.

By Mr. HEFLEY:

H.R. 108. A bill to establish a moratorium on bottom trawling and use of other mobile fishing gear on the seabed in certain areas off the coast of the United States; to the Committee on Resources.

By Mr. HEFLEY:

H.R. 109. A bill to amend the Federal Water Pollution Control Act to provide for the use of biological monitoring and whole effluent toxicity tests in connection with publicly owned treatment works, municipal separate storm sewer systems, and municipal combined sewer overflows, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HEFLEY:

H.R. 110. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax for certain charitable conservation contributions of land by small farmers and ranchers, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 111. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to require local educational agencies and schools to implement integrated pest management systems to minimize the use of pesticides in schools and to provide parents, guardians, and employees with notice of the use of pesticides in schools, and for other purposes; to the Committee on Agriculture.

By Mr. HOLT:

H.R. 112. A bill to prohibit the making, importation, exportation, distribution, sale, offer for sale, installation, or use of an information collection device without proper labeling or notice and consent; to the Committee on Energy and Commerce.

By Mr. HOLT:

H.R. 113. A bill to amend section 227 of the Communications Act of 1934 to prohibit the use of the text, graphic, or image messaging systems of wireless telephone systems to transmit unsolicited commercial messages; to the Committee on Energy and Commerce.

By Mr. HOLT:

H.R. 114. A bill to provide for the mandatory licensing and registration of handguns; to the Committee on the Judiciary.

By Mr. HOLT:

H.R. 115. A bill to provide for a program to educate the public regarding the use of biotechnology in producing food for human consumption, to support additional scientific research regarding the potential economic and environmental risks and benefits of using biotechnology to produce food, and; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 116. A bill to establish a program to promote child literacy by making books available through early learning and other child care programs, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 117. A bill to improve the quality and scope of science and mathematics education; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 118. A bill to establish a program to provide grants to States to test innovative ways to increase nursing home staff levels, reduce turnover, and improve quality of care for residents in nursing homes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 119. A bill to establish a Commission to study and make recommendations on the implementation of standardized voting procedures in the Federal, State, and local electoral process, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 120. A bill to amend the Congressional Budget Act of 1974 to preserve all budget surpluses until legislation is enacted significantly extending the solvency of the Social Security and Medicare trust funds; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 121. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of oral drugs to treat low blood calcium levels or elevated parathyroid hormone levels for patients with end stage renal disease; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas:

H.R. 122. A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits; to the Committee on Ways and Means.

By Mr. BARR of Georgia:

H.R. 123. A bill to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others; to the Committee on the Judiciary.

By Mr. KELLER:

H.R. 124. A bill to provide for the full funding of Federal Pell Grants; to the Committee on Education and the Workforce.

By Mr. LUTHER (for himself and Mr. NORWOOD):

H.R. 125. A bill to amend title 10, United States Code, to temporarily expand the Department of Defense program by which State and local law enforcement agencies may procure certain law enforcement equipment through the Department; to the Committee on Armed Services.

By Mr. LUTHER (for himself and Mr. RAMSTAD):

H.R. 126. A bill to limit further production of the Trident II (D-5) missile; to the Committee on Armed Services.

By Mr. LUTHER:

H.R. 127. A bill to limit the total number of political appointees in the executive branch of the Government; to the Committee on Government Reform.

By Mr. LUTHER:

H.R. 128. A bill to amend the National Voter Registration Act of 1993 to require States to permit individuals to register to vote in an election for Federal office on the date of the election; to the Committee on House Administration.

By Mr. LUTHER:

H.R. 129. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget, and in addition to the Committees on Rules, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINNIS:

H.R. 130. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and gift taxes; to the Committee on Ways and Means.

By Mr. GARY MILLER of California:

H.R. 131. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional water recycling project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, and to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project; to the Committee on Resources.

By Mrs. MINK of Hawaii:

H.R. 132. A bill to designate the facililty of the United States Postal Service located at 620 Jacaranda Street in Lanai City, Hawaii, as the ''Goro Hokama Post Office Building''; to the Committee on Government Reform.

By Mrs. MINK of Hawaii:

H.R. 133. A bill to amend the Immigration and Nationality Act to assure that immigrants do not have to wait longer for an immigrant visa as a result of a reclassification from family second preference to family first preference because of the naturalization of a parent or spouse; to the Committee on the Judiciary.

By Mrs. MINK of Hawaii:

H.R. 134. A bill to amend title 38, United States Code, to revise the eligibility criteria for presumption of service-connection of certain diseases and disabilities for veterans exposed to ionizing radiation during military service; to the Committee on Veterans' Affairs.

By Mr. MORAN of Virginia (for himself, Mr. CUMMINGS, Mr. THOMAS M. DAVIS of Virginia, Mr. HOYER, Mrs. MORELLA, Ms. NORTON, Mr. WOLF, and Mr. WYNN):

H.R. 135. A bill to require that the same transit pass transportation fringe benefits that are currently being offered to certain executive branch employees in the National Capital Region be extended to other similarly situated Federal employees; to the Committee on Government Reform.

By Mr. MORAN of Virginia (for himself, Mr. THOMAS M. DAVIS of Virginia, Mr. GILMAN, Mrs. MORELLA, Ms. NORTON, Mr. WOLF, and Mr. WYNN):

H.R. 136. A bill to amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based (in whole or in part) on part-time service, and for other purposes; to the Committee on Government Reform.

By Mr. NADLER:

H.R. 137. A bill to repeal the per-State limitation applicable to grants made by the National Endowment for the Arts from funds made available for fiscal year 2001; to the Committee on Education and the Workforce.

By Mr. NADLER (for himself, Mr. WEINER, Mrs. JONES of Ohio, Ms. LEE, Mr. ENGEL, Mr. CROWLEY, and Ms. SCHAKOWSKY):

H.R. 138. A bill to amend title 18, United States Code, to require persons to obtain a State license before receiving a handgun or handgun ammunition; to the Committee on the Judiciary.

By Mr. NADLER (for himself, Mr. WEINER, Mrs. JONES of Ohio, Ms. LEE, Mr. ENGEL, Mr. CROWLEY, and Ms. SCHAKOWSKY):

H.R. 139. A bill to provide incentive funds to States that have in effect a certain law; to the Committee on the Judiciary.

By Mr. NADLER:

H.R. 140. A bill to eliminate a limitation with respect to the collection of tolls for use of the Verrazano Narrows Bridge, New York; to the Committee on Transportation and Infrastructure.

By Mr. OBERSTAR:

H.R. 141. A bill to authorize appropriations for the Surface Transporation Board, to enhance railroad competition, to protect collective bargaining agreements, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. OBERSTAR:

H.R. 142. A bill to amend title 49, United States Code, to authorize the Secretary of Transportation to oversee the competitive activities of air carriers following a concentration in the airline industry, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. OBERSTAR:

H.R. 143. A bill to authorize the United States to enter into an executive agreement with Canada relating to the establishment and operation of a binational corporation to operate, maintain, and improve facilities on the Saint Lawrence Seaway, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself, Mr. DINGELL, Mr. INSLEE, Mr. LARSEN of Washington, Mr. KENNEDY of Rhode Island, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. PALLONE, Mr. PASCRELL, Mr. SMITH of Washington, Mr. TIERNEY, and Mr. UDALL of New Mexico):

H.R. 144. A bill to amend title 49, United States Code, to require periodic inspections of pipelines and improve the safety of our Nation's pipeline system; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself, Mr. FROST, Mrs. MCCARTHY of New York, and Mr. GRAHAM):

H.R. 145. A bill to amend titles XVIII and XIX of the Social Security Act to assure the financial solvency of MedicareChoice organizations and Medicaid managed care organizations; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL:

H.R. 146. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. PASCRELL:

H.R. 147. A bill to amend the Internal Revenue Code of 1986 to exclude certain severance payment amounts from income; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself and Mr. HINCHEY):

H.R. 148. A bill to amend title XVIII of the Social Security Act to prevent sudden disruption of Medicare beneficiary enrollment in MedicareChoice plans; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL:

H.R. 149. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for premiums on private mortgage insurance; to the Committee on Ways and Means.

By Mr. PETRI (for himself, Mr. SHAYS, and Ms. SLAUGHTER):

H.R. 150. A bill to amend the Federal Election Campaign Act of 1971 to require certain disclosure and reports relating to polling by telephone or electronic device; to the Committee on House Administration.

By Mr. PETRI:

H.R. 151. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing and conduct of campaigns for elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS (for himself, Mr. MCGOVERN, Mr. CONYERS, Mr. BARTLETT of Maryland, and Mr. HANSEN):

H.R. 152. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income payments made under Federal Government programs for the repayment of student loans of members of the Armed Forces of the United States; to the Committee on Ways and Means.

By Mr. PITTS:

H.R. 153. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. POMEROY (for himself and Mr. MCHUGH):

H.R. 154. A bill to amend the Internal Revenue Code of 1986 to increase to 100 percent the amount of the deduction for the health insurance costs of self-employed individuals; to the Committee on Ways and Means.

By Mr. POMEROY (for himself and Mr. KOLBE):

H.R. 155. A bill to amend the Internal Revenue Code of 1986 to enhance the portability of retirement benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of North Carolina (for himself and Mr. HORN):

H.R. 156. A bill to amend the Federal Election Campaign Act of 1971 to require that communications advocating the election or defeat of a candidate for election for Federal office contain specific information regarding the sponsor of the communication and whether or not the communication is authorized by the candidate involved; to the Committee on House Administration.

By Mr. QUINN:

H.R. 157. A bill to provide that December 7 each year shall be treated for all purposes related to Federal employment in the same manner as November 11; to the Committee on Government Reform.

By Mr. REGULA:

H.R. 158. A bill to provide for the retention of the name of Mount McKinley; to the Committee on Resources.

By Mr. RILEY:

H.R. 159. A bill to prohibit a State from determining that a ballot submitted by an absent uniformed services voter was improperly or fraudulently cast unless the State finds clear and convincing evidence of fraud, and for other purposes; to the Committee on House Administration.

By Ms. ROS-LEHTINEN (for herself, Mr. GOSS, Mr. GILMAN, Mr. DELAY, Mr. SMITH of New Jersey, and Mr. DIAZ-BALART):

H.R. 160. A bill to prohibit the rescheduling or forgiveness of any outstanding bilateral debt owed to the United States by the Government of the Russian Federation until the President certifies to the Congress that the Government of the Russian Federation has ceased all its operations at, removed all personnel from, and permanently closed the intelligence facility at Lourdes, Cuba; to the Committee on International Relations.

By Mrs. ROUKEMA (for herself, Mr. SHAYS, Mr. BENTSEN, Mr. KOLBE, Ms. MCCARTHY of Missouri, Mr. KING, Mr. MCHUGH, Mr. BARR of Georgia, Mrs. KELLY, Mrs. MORELLA, Mr. BACHUS, Mr. TANCREDO, and Mr. HORN):

H.R. 161. A bill to amend the Internal Revenue Code of 1986 to provide that the $500,000 exclusion of gain on the sale of a principal residence shall apply to certain sales by a surviving spouse; to the Committee on Ways and Means.

By Mrs. ROUKEMA (for herself, Mr. DEFAZIO, Mr. STRICKLAND, Ms. KAPTUR, Mr. GEORGE MILLER of California, Mr. ANDREWS, Ms. DELAURO, Mrs. MORELLA, Mr. SHAYS, Mrs. KELLY, Mr. SANDERS, Mr. LEACH, Mr. BOEHLERT, Mr. FARR of California, Mr. MCNULTY, Mr. HINCHEY, Mr. RAMSTAD, Mr. KLECZKA, Ms. MCCARTHY of Missouri, Mr. STARK, Mr. RUSH, Mr. NADLER, Mr. KUCINICH, Mr. PRICE of North Carolina, Mr. BALDACCI, Mr. GILMAN, Mrs. CAPPS, and Mr. TIERNEY):

H.R. 162. A bill to amend the Public Health Service Act, Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to prohibit group and individual health plans from imposing treatment limitations or financial requirements on the coverage of mental health benefits and on the coverage of substance abuse and chemical dependency benefits if similar limitations or requirements are not imposed on medical and surgical benefits; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE (for himself, Mr. BENTSEN, Mr. MALONEY of Connecticut,

Mr. JONES of North Carolina, Mr. SESSIONS, Mr. MEEKS of New York, Mr. SHERMAN, Mr. KANJORSKI, and Mrs. JONES of Ohio):

H.R. 163. A bill to amend the Fair Debt Collection Practices Act to exempt mortgage servicers from certain requirements of the Act with respect to federally related mortgage loans secured by a first lien, and for other purposes; to the Committee on Financial Services.

By Mr. ROYCE (for himself, Mr. BACHUS, Mr. BARTLETT of Maryland, Mr. CALVERT, Mr. DREIER, Mr. GIBBONS, Mr. LEWIS of California, Mr. SHERMAN, Mr. FILNER, Ms. LEE, Mr. THOMPSON of California, Ms. BERKLEY, Mrs. JONES of Ohio, Mr. HERGER, Mr. LATOURETTE, and Ms. ROYBAL-ALLARD):

H.R. 164. A bill to amend the Federal Credit Union Act with respect to the definition of a member business loan; to the Committee on Financial Services.

By Mr. ROYCE:

H.R. 165. A bill to amend the Internal Revenue Code of 1986 to adjust the exclusion amount on the gain from the sale of a principal residence for inflation; to the Committee on Ways and Means.

By Mr. ROYCE:

H.R. 166. A bill to strengthen and protect Social Security; to the Committee on Ways and Means.

By Mr. ROYCE (for himself and Mr. DREIER):

H.R. 167. A bill to amend the Internal Revenue Code of 1986 to allow unused benefits from cafeteria plans to be carried over into later years and used for health care reimbursement rollover accounts and certain other plans, arrangements, or accounts; to the Committee on Ways and Means.

By Mr. SAXTON (for himself, Mr. ARMEY, Mr. DELAY, Mr. ANDREWS, Mr. COX, Mr. OXLEY, Mr. BALLENGER, Mrs. JOHNSON of Connecticut, Mr. JONES of North Carolina, Mr. KINGSTON, Mr. KOLBE, Mr. NETHERCUTT, Mr. SHAYS, Mr. WELDON of Florida, Mr. GILCHREST, Mr. SCHAFFER, and Mr. FOSSELLA):

H.R. 168. A bill to amend the Internal Revenue Code of 1986 to allow individuals an exclusion from gross income for certain amounts of capital gains distributions from regulated investment companies; to the Committee on Ways and Means.

By Mr. SENSENBRENNER:

H.R. 169. A bill to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes; to the Committee on Government Reform, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 170. A bill to permit members of the House of Representatives to donate used computer equipment to public elementary and secondary schools designated by the members; to the Committee on House Administration.

By Mr. SERRANO:

H.R. 171. A bill to amend the Immigration and Nationality Act to ensure that veterans of the United States Armed Forces are eligible for discretionary relief from detention, deportation, exclusion, and removal, and for other purposes; to the Committee on the Judiciary.

By Mr. SERRANO:

H.R. 172. A bill to amend the Food, Drug, and Cosmetic Act and the egg, meat, and poultry inspection laws to ensure that consumers receive notification regarding food products produced from crops, livestock, or poultry raised on land on which sewage sludge was applied; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 173. A bill to amend the Trade Sanctions Reform and Export Enhancement Act of 2000 to allow for the financing of agricultural sales to Cuba; to the Committee on Financial Services, and in addition to the Committees on International Relations, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 174. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHADEGG:

H.R. 175. A bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes; to the Committee on the Judiciary.

By Mr. SHADEGG:

H.R. 176. A bill to provide for the implementation of the agreement between the Secretary of the Interior and the Governor of Arizona to facilitate a land exchange of Federal and State lands between the United States and the State of Arizona pending a State referendum regarding the agreement in 2002; to the Committee on Resources.

By Mr. SHADEGG:

H.R. 177. A bill to amend the Internal Revenue Code of 1986 to provide tax credits for Indian investment and employment, and for other purposes; to the Committee on Ways and Means.

By Mr. SHADEGG:

H.R. 178. A bill to amend the Internal Revenue Code of 1986 to provide for the issuance of tax-exempt bonds by Indian tribal governments, and for other purposes; to the Committee on Ways and Means.

By Mr. SHOWS (for himself and Mr. NORWOOD):

H.R. 179. A bill to restore health care coverage to retired members of the uniformed services; to the Committee on Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER:

H.R. 180. A bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER (for himself, Mr. OBERSTAR, and Mr. YOUNG of Alaska):

H.R. 181. A bill to provide off-budget treatment for the Inland Waterways Trust Fund and the Harbor Maintenance Trust Fund; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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

H.R. 182. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Resources.

By Ms. SLAUGHTER (for herself, Mrs. KELLY, and Mr. PRICE of North Carolina):

H.R. 183. A bill to amend the Public Health Service Act to provide for awards by the National Institute of Environmental Health Sciences to develop and operate multidisciplinary research centers regarding the impact of environmental factors on women's health and disease prevention; to the Committee on Energy and Commerce.

By Ms. SLAUGHTER (for herself and Mr. DUNCAN):

H.R. 184. A bill to amend the Consumer Credit Protection Act to prevent credit card issuers from taking unfair advantage of full-time, traditional-aged, college students, to protect parents of traditional college student credit card holders, and for other purposes; to the Committee on Financial Services.

By Ms. SLAUGHTER:

H.R. 185. A bill to amend the Civil Rights Act of 1964 to protect first amendment rights, and for other purposes; to the Committee on the Judiciary.

By Ms. SLAUGHTER (for herself and Mr. HOUGHTON):

H.R. 186. A bill to amend title XVIII of the Social Security Act to require universal product numbers on claims forms submitted for reimbursement for durable medical equipment and other items under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself and Mr. BOEHLERT):

H.R. 187. A bill to enhance the services provided by the Environmental Protection Agency to small communities that are attempting to comply with national, State, and local environmental regulations; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan:

H.R. 188. A bill to permanently reenact chapter 12 of title 11 of the United States Code, relating to family farmers; to the Committee on the Judiciary.

By Mr. STUMP:

H.R. 189. A bill to repeal the National Voter Registration Act of 1993; to the Committee on House Administration.

By Mr. STUMP:

H.R. 190. A bill to clarify the effect on the citizenship of an individual of the individual's birth in the United States; to the Committee on the Judiciary.

By Mr. STUMP:

H.R. 191. A bill to amend the Internal Revenue Code of 1986 to terminate taxpayer fi-

nancing of presidential election campaigns; to the Committee on Ways and Means.

By Mr. STUMP:

H.R. 192. A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 increase in income taxes on Social Security benefits; to the Committee on Ways and Means.

By Mr. STUMP:

H.R. 193. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 194. A bill to require States that receive funds under the Elementary and Secondary Education Act of 1965 to enact a law that requires the expulsion of students who are convicted of a crime of violence; to the Committee on Education and the Workforce.

By Mr. SWEENEY:

H.R. 195. A bill to amend the vaccine injury compensation portion of the Public Health Service Act to permit a petition for compensation to be submitted within 48 months of the first symptoms of injury; to the Committee on Energy and Commerce.

By Mr. SWEENEY:

H.R. 196. A bill to prohibit federally sponsored research pertaining to the legalization of drugs; to the Committee on Government Reform.

By Mr. SWEENEY:

H.R. 197. A bill to require preemployment drug testing with respect to applicants for Federal employment; to the Committee on Government Reform.

By Mr. SWEENEY:

H.R. 198. A bill to prohibit United States voluntary and assessed contributions to the United Nations if the United Nations imposes any tax or fee on United States persons or continues to develop or promote proposals for such taxes or fees; to the Committee on International Relations.

By Mr. SWEENEY:

H.R. 199. A bill to amend rule 26 of the Federal Rules of Civil Procedure to provide for the confidentiality of a personnel record or personal information of a law enforcement officer; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 200. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for host families of foreign exchange and other students from $50 per month to $200 per month; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 201. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reduce funding if States do not enact legislation that requires the death penalty in certain cases; to the Committee on the Judiciary.

By Mr. SWEENEY:

H.R. 202. A bill to amend the Crime Control Act of 1990 to prohibit law enforcement agencies from imposing a waiting period before accepting reports of missing children less than 21 years of age; to the Committee on the Judiciary.

By Mr. SWEENEY:

H.R. 203. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. SWEENEY:

H.R. 204. A bill to amend title 49, United States Code, to require the Secretary of Transportation to initiate investigations of unfair methods of competition by major air carriers against new entrant air carriers; to the Committee on Transportation and Infrastructure.

By Mr. SWEENEY:

H.R. 205. A bill to amend the Internal Revenue Code of 1986 to provide a refundable income tax credit for the recycling of hazardous wastes; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 206. A bill to amend the Internal Revenue Code of 1986 to increase the child care credit for lower-income working parents, and for other purposes; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 207. A bill to prohibit retroactive Federal income tax rate increases; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 208. A bill to direct the Secretary of the Treasury to determine and report to Congress an appropriate tax incentive to encourage individuals other than members of the Armed Forces to participate as members of honor guards at funerals for veterans; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 209. A bill to amend the Internal Revenue Code of 1986 to provide that tax-exempt interest shall not be taken into account in determining the amount of Social Security benefits included in gross income; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 210. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to any benefit thereunder shall continue through the month of his or her death (without affecting any other person's entitlement to benefits for that month) and that such individual's benefit shall be payable for such month only to the extent proportionate to the number of days in such month preceding the date of such individual's death; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 211. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of a principal residence by a first-time homebuyer; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 212. A bill to ensure that Federal agencies establish the appropriate procedures for assessing whether or not Federal regulations might result in the taking of private property, and to direct the Secretary of Agriculture to report to the Congress with respect to such takings under programs of the Department of Agriculture; to the Committee on the Judiciary, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWEENEY:

H.R. 213. A bill to provide a sentence of death for certain importations of significant quantities of controlled substances; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO:

H.R. 214. A bill to authorize appropriations for part B of the individuals with Disabilities Education Act to achieve full funding for part B of that Act by 2006; to the Committee on Education and the Workforce.

By Mr. TOWNS:

H.R. 215. A bill to require the Consumer Product Safety Commission to ban toys which in size, shape, or overall appearance resemble real handguns; to the Committee on Energy and Commerce.

By Mr. TOWNS:

H.R. 216. A bill to amend the Internal Revenue Code of 1986 to deny the exemption from income tax for social clubs found to be practicing prohibited discrimination; to the Committee on Ways and Means.

By Mr. TOWNS:

H.R. 217. A bill to amend the Civil Rights Act of 1964 and the Fair Housing Act to prohibit discrimination on the basis of affectional or sexual orientation, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUNNINGHAM:

H.R. 218. A bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 219. A bill to amend title II of the Social Security Act to ensure the integrity of the Social Security trust funds by requiring the Managing Trustee to invest the annual surplus of such trust funds in marketable interest-bearing obligations of the United States and certificates of deposit in depository institutions insured by the Federal Deposit Insurance Corporation, and to protect such trust funds from the public debt limit; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. BARTLETT of Maryland):

H.R. 220. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to protect the integrity and confidentiality of Social Security account numbers issued under such title, to prohibit the establishment in the Federal Government of any uniform national identifying number, and to prohibit Federal agencies from imposing standards for identification of individuals on other agencies or persons; to the Committee on Ways and Means, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS:

H.R. 221. A bill to amend the Internal Revenue Code of 1986 to designate educational empowerment zones in certain low-income areas and to give a tax incentive to attract teachers to work in such areas; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 222. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage by $1 over 2 years; to the Committee on Education and the Workforce.

By Mr. UDALL of Colorado:

H.R. 223. A bill to amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the Act; to the Committee on Resources.

By Mr. WATKINS (for himself, Mr. KILDEE, Mr. HAYWORTH, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. REHBERG, and Mr. YOUNG of Alaska):

H.R. 224. A bill to amend the Internal Revenue Code of 1986 to permanently extend the Indian employment credit and the depreciation rules for property used predominantly within an Indian reservation; to the Committee on Ways and Means.

By Mr. WEXLER (for himself, Mr. NADLER, and Mr. MORAN of Virginia):

H.R. 225. A bill to prevent handgun violence and illegal commerce in handguns; to the Committee on the Judiciary.

By Ms. WOOLSEY:

H.R. 226. A bill to establish demonstration projects to provide family income to respond to significant transitions, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CLYBURN:

H.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States to provide for the appointment by the States of Electors for the election of the President and Vice President on the basis of the popular vote of each Congressional district of the State and for the appointment of two electors by each State on the basis of the total popular vote of the State; to the Committee on the Judiciary.

By Mr. DINGELL:

H.J. Res. 2. Joint resolution proposing an amendment to the Constitution of the United States to permit the Congress to limit expenditures in elections for Federal office; to the Committee on the Judiciary.

By Mr. GREEN of Texas:

H.J. Res. 3. Joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. SERRANO:

H.J. Res. 4. Joint resolution proposing an amendment to the Constitution of the United States to repeal the twenty-second article of amendment, thereby removing the limitation on the number of terms an individual may serve as President; to the Committee on the Judiciary.

By Mr. ARMEY:

H. Con. Res. 1. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. ENGLISH:

H. Con. Res. 2. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued in honor of the United States Masters Swimming program; to the Committee on Government Reform.

By Mr. FILNER:

H. Con. Res. 3. Concurrent resolution expressing the sense of the Congress regarding a Federal holiday to commemorate the birthday of Cesar E. Chavez; to the Committee on Government Reform.

By Mr. PASCRELL:

H. Con. Res. 4. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued honoring Gunnery Sergeant John Basilone, a great American hero; to the Committee on Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 5. Concurrent resolution expressing the sense of the Congress that the States should adopt uniform voting procedures to carry out the election of the President and Vice President; to the Committee on House Administration.

H. Con. Res. 6. Concurrent resolution expressing the sense of the Congress regarding the need to pass legislation to increase penalties on perpetrators of hate crimes; to the Committee on the Judiciary.

H. Con. Res. 7. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued in honor of the late George Thomas ''Mickey'' Leland; to the Committee on Government Reform.

By Mrs. ROUKEMA (for herself, Mr. LATOURETTE, Mr. MCHUGH, Mr. FARR of California, Mr. ABERCROMBIE, Mr. BOEHLERT, Mrs. MORELLA, Mr. WHITFIELD, Mr. BENTSEN, Mr. BARRETT, and Mr. HORN):

H. Con. Res. 8. Concurrent resolution expressing the sense of the Congress that the current Federal income tax deduction for interest paid on debt secured by a first or second home should not be further restricted; to the Committee on Ways and Means.

By Mr. SERRANO:

H. Con. Res. 9. Concurrent resolution entitled the ''English Plus Resolution''; to the Committee on Education and the Workforce.

By Mr. SWEENEY:

H. Con. Res. 10. Concurrent resolution expressing the sense of the Congress that State earnings limitations on retired law enforcement officers be lifted to enhance school safety; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WATTS of Oklahoma:

H. Res. 1. Resolution electing officers of the House of Representatives; considered and agreed to.

By Mr. ARMEY:

H. Res. 2. Resolution to inform the Senate that a quorum of the House has assembled and of the election of the Speaker and the Clerk; considered and agreed to.

H. Res. 3. Resolution authorizing the Speaker to appoint a committee to notify the President of the assembly of the Congress; considered and agreed to.

H. Res. 4. Resolution authorizing the Clerk to inform the President of the election of the Speaker and the Clerk; considered and agreed to.

H. Res. 5. Resolution adopting rules for the One Hundred Seventh Congress; considered and agreed to.

By Ms. PRYCE of Ohio:

H. Res. 6. Resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. FROST:

H. Res. 7. Resolution designating minority membership on certain standing committees of the House; considered and agreed to.

H. Res. 8. Resolution providing for the designation of certain minority employees; considered and agreed to.

By Mr. ARMEY:

H. Res. 9. Resolution fixing the daily hour of meeting of the First Session of the One Hundred Seventh Congress; considered and agreed to:

H. Res. 10. Resolution providing for the attendance of the House at the Inaugural Ceremonies of the President and Vice President of the United States; considered and agreed to.

H. Res. 11. Resolution expressing the sense of the House of Representatives that oversight hearings should be held immediately to determine the causes and outcomes surrounding this influenza season's vaccine shortage; to the Committee on Energy and Commerce.

By Mr. DREIER:

H. Res. 12. Resolution opposing the imposition of criminal liability on Internet service providers based on the actions of their users; to the Committee on the Judiciary, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLER:

H. Res. 13. Resolution to express the intention of the House of Representatives to fully fund the Federal Pell Grant Program, to the Committee on Education and the Workforce.

By Mrs. ROUKEMA:

H. Res. 14. Resolution expressing the sense of the House of Representatives with respect to the seriousness of the national problems associated with mental illness and with respect to congressional intent to establish a ''Mental Health Advisory Committee''; to the Committee on Energy and Commerce.

By Mr. SHOWS:

H. Res. 15. Resolution supporting the national motto of the United States; to the Committee on the Judiciary.

By Mr. TRAFICANT (for himself, Mr. REGULA, Mr. ENGLISH, Mr. NEY, Mr. LATOURETTE, Mr. COLLINS, Ms. HART, Mr. QUINN, Mr. HOBSON, and Mr. SHERWOOD):

H. Res. 16. Resolution calling on the President to take all necessary measures to respond to the surge of steel imports resulting from the financial crises in Asia, Russia, and other regions, and for other purposes; to the Committee on Ways and Means.

By Ms. WOOLSEY (for herself, Mr. FILNER, Mr. HINCHEY, Ms. LEE, Mr. KUCINICH, Mr. MCGOVERN, and Ms. PELOSI):

H. Res. 17. Resolution recognizing the security interests of the United States in furthering complete nuclear disarmament; to the Committee on International Relations.

By Ms. WOOLSEY (for herself, Mr. SANDERS, Mr. SHAYS, Mr. WAXMAN, Ms. ESHOO, Ms. ROYBAL-ALLARD, Mr. HASTINGS of Florida, and Ms. SLAUGHTER):

H. Res. 18. Resolution expressing the sense of the House of Representatives that the Senate should ratify the Convention on the Elimination of All Forms of Discrimination Against Women; to the Committee on International Relations.

SATURDAY, JANUARY 6, 2001 (2)

The House was called to order by the SPEAKER.

¶2.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, January 3, 2001.

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

¶2.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

19. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Authorization of Japan as an Eligible Export Outlet for Diversion and Exemption Purposes [Docket No. FV00–930–4 FIR] received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

20. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Cranberries Grown in the States of Massachusetts, et al.; Temporary Suspension of Provisions in the Rules and Regulations [Docket No. FV00–929–6 FIR] received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

21. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Raisins Produced from Grapes Grown in California; Decreased Assessment Rate [Docket No. FV00–989–5 FIR]

received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

22. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Certification of Beef from Argentina [Docket No. 00–079–1] received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

23. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clopyralid; Extension of Tolerance for Emergency Exemptions [OPP–301086; FRL–6759–1] (RIN: 2070–AB78) received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

24. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Extension of Tolerances for Emergency Exemptions [OPP–301098; FRL–6762–7] (RIN: 2070–AB78) received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

25. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Spinosad; Pesticide Tolerances for Emergency Exemptions [OPP–301097; FRL–6760–2] (RIN: 2070–6760–2) received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

26. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Myclobutanil; Pesticide Tolerances for Emergency Exemptions [OPP–301085; FRL–6757–9] (RIN: 2070–AB78) received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

27. A letter from the Secretary of Defense, transmitting the semiannual report of the Inspector General and classified annex for the period ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Armed Services.

28. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Rule to Deconcentrate Poverty and Promote Integration in Public Housing [Docket No. FR–4420–F–10] (RIN: 2577–AB89) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

29. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the annual report to Congress on the operations of the Export-Import Bank of the United States for Fiscal Year 2000, pursuant to 12 U.S.C. 635g(a); to the Committee on Financial Services.

30. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

31. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

32. A letter from the Assistant Secretary for Postsecondary Education, Department of Education, transmitting Final Regulations—Developing Hispanic-Serving Institutions Program, Strengthening Institutions Program, American Indian Tribally Controlled Colleges and Universities Program, and Strengthening Historically Black Colleges and Universities Program, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

33. A letter from the Deputy Assistant Secretary, Department of Education, transmitting Final Priority—Traumatic Brain Injury Data Center, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

34. A letter from the Acting Administrator, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Final Rule-WIC Nondiscretionary Funding Modifications of P.L. 106–224 (RIN: 0584–AC93) received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

35. A letter from the Administrator, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Certification Integrity (RIN: 0584–AC76) received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

36. A letter from the Associate Administrator, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule—Summer Food Service Program Implementation of Legislative Reforms (RIN: 0584–AC23) received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

37. A letter from the Acting Assistant General Counsel for Regulation, Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—National Institute on Disability and Rehabilitation Research—received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

38. A letter from the Assistant Director for Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's final rule—Waivers of Rights and Claims: Tender Back of Consideration (RIN: 3046–AA68) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

39. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Disclosure to Participants; Benefits Payable in Terminated Single-Employer Plans—received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

40. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Policy, Department of Energy, transmitting the Department's final rule—Implementation of Fiscal Year 2001 Legislative Provisions—received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

41. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Policy, Department of Energy, transmitting the Department's final rule—2000 Executive Compensation—received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

42. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Policy, Department of Energy, transmitting the Department's final rule—Implementation of Fiscal Year 2001 Legislative Provisions—received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

43. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Animal Drug Availability Act; Veterinary Feed Directive [Docket No. 99N–1591] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

44. A letter from the Deputy Associate Administrator, Enviromental Protection Agency, transmitting the Agency's final rule—Clean Air Act Reclassification; Nevada—Reno Planning Area; Particulate Matter of 10 microns or less (PM–10) [NV 032–FON; FRL–6927–7] received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

45. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Florida: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6926–8] received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

46. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of the Clean Air Act (CAA), Section 112(1) Program and Delegation of Authority to the State of Oklahoma [FRL–6928–4] received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

47. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permits Program in Washington [FRL–6925–5] received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

48. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Florida: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6926–7] received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

49. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Interim Enhanced Surface Water Treatment Rule (IESWTR), the Stage 1 Disinfectants and Disinfection Byproducts Rule (Stage 1DBPR), and Revisions to State Primacy Requirements to Implement the Safe Drinking Water Act (SDWA) [FRL–6925–7] (RIN: 2040–AD43) received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

50. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Montana: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6921–9] received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

51. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Rule Making Findings of Failure to Submit Required State Implementation Plans for the NOx SIP Call [FRL–6922–5] received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

52. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Primary and Secondary Ambient Air Quality Standards for Particulate Matter [FRL–6919–5] (RIN: 2060–AJ05) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

53. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona State Implementation Plan, Maricopa County Environmental Services Department [AZ 004–0033; FRL–6896–8] received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

54. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Connecticut, Massachusetts and Rhode Island; Nitrogen Oxides Budget and Allowance Trading Program [R1–7218a; A–1–FRL–6894–6] received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

55. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [Region 7 Tracking No. 113–1113a; FRL–6923–2] received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

56. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Standards For Business Practices Of Interstate Natural Gas Pipelines [Docket No. RM96–1–015] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

57. A communication from the President of the United States, transmitting a report on developments concerning the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 107–13); to the Committee on International Relations and ordered to be printed.

58. A communication from the President of the United States, transmitting notification that the emergency declared with Libya is to continue in effect beyond January 7, 2001, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 107–14); to the Committee on International Relations and ordered to be printed.

59. A communication from the President of the United States, transmitting a report of the participation of the United States in the United Nations and its affiliated agencies during the calendar year 1999, pursuant to 22 U.S.C. 287b; to the Committee on International Relations.

60. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

61. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—General Order Concerning Shaykh Hamad bin Ali bin Jaber Al-Thani, Gulf Falcon Group, Ltd., and related entities [Docket No. 001128335–0335–01] (RIN: 0694–AC38) received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

62. A communication from the President of the United States, transmitting the 1999 Department of State Annual Report on Activities in Arms Control, Nonproliferation, and Disarmament; to the Committee on International Relations.

63. A letter from the Secretary, Department of Education, transmitting the semiannual report to Congress on Audit Follow-up for the period April 1, 2000, to September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

64. A letter from the Secretary, Department of Health and Human Services, transmitting the semiannual report of the Inspector General for the period April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

65. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled ''Cost of Care for the District's Mentally Retarded and Developmentally Disabled Exceeded $300 Million Over a Three-Year Period,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform.

66. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released in October 2000, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

67. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions and Deletions—received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

68. A letter from the Chairman, Consumer Product Safety Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

69. A letter from the Management Analyst, Department of Justice, transmitting the semiannual report on activities of the Inspector General for the period April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

70. A letter from the Chairwoman, Equal Employment Opportunity Commission, transmitting the semiannual report on activities of the Inspector General for the period April 1, 2000, through September 30, 2000 and the semiannual management report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

71. A letter from the Director, Office of Personnel Management, transmitting the semiannual report on activities of the Inspector General for the period of April 1, 2000 through September 30, 2000 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

72. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of Interior, transmitting the Department's final rule—Migratory Bird Hunting; Approval of Tungsten-Nickel-Iron Shot as Nontoxic for Hunting Waterfowl and Coots (RIN: 1018–AH64) received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

73. A letter from the Director, Fish and Wildlife Service, Department of Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to List Nine Bexar County, Texas Invertebrate Species as Endangered (RIN: 1018–AF33) received December 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

74. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Big Island Contract Section of the Wilmington Harbor Deepening Project, Wilmington, NC [CGD05–00–051] (RIN: 2115–AA97) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

75. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Potential Explosive Atmosphere, Vessel Highland Faith, Port of New York/New Jersey [CGD01–00–253] (RIN: 2115–AA97) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

76. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Fire Protection Requirements for Powerplant Installations on Transport Category Airplanes [Docket No: FAA–2000–7471; Amendment No. 25–101] (RIN: 2120–AH00) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

77. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations: BellSouth Winterfest Boat Parade, Broward County Fort Lauderdale, Florida [CGD 07–00–116] (RIN: 2115–AE46) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

78. A letter from the Associate Administrator for Space Flight, National Aeronautics and Space Administration, transmitting the Administration's final rule—Space Shuttle (RIN: 2700–AC39) received December 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

79. A letter from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting the Department's final rule—Refund Of Duties Paid On Imports Of Certain Wool Products [T.D.01–01] (RIN: 1515–AC79) received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

80. A letter from the Administrator, Office of Workforce Security, Department of Labor, transmitting the Department's final rule—Outsourcing of Unemployment Compensation Administrative Functions—received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

81. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Zone Academy Bonds Allocations 2001 [Rev. Proc. 2001–14] received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

82. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Zone Academy Bonds Allocations 2001 [Rev. Proc 2001–14] received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

83. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Removal of Federal Reserve Banks as Federal Depositaries [TD 8918] (RIN: 1545–AY11) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

84. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Information Reporting for Discharges of Indebtedness [Notice 2001–8] received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

85. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Reporting of Gross Proceeds Payments to Attorneys [Notice 2001–7] received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

86. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Generation-skipping Transfer Issues [TD 8912] (RIN: 1545–AX08) received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

87. A letter from the General Counsel, Office of Compliance, transmitting Report on Inspections for Compliance with the Public Access Provisions in the Americans with Disabilities Act Under Section 210 of the Congressional Accountability Act, pursuant

to Public Law 104–1, section 210(f) (109 Stat. 15); jointly to the Committees on House Administration and Education and the Workforce.

88. A communication from the President of the United States, transmitting his report on the apportionment population for each State as of April 1, 2000, and the number of Representatives to which each State would be entitled, pursuant to 2 U.S.C. 2a(a) and 13 U.S.C. 141(b); (H. Doc. No. 107–12); jointly to the Committees on the Judiciary and Government Reform, and ordered to be printed.

¶2.3 MEMBER-ELECT SWORN IN

Mr. STARK of the 13th District of California, and Mr. GUTIERREZ of the 4th District of Illinois, appeared at the bar of the House and took the oath of office prescribed by law.

¶2.4 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

¶2.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 4, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 4, 2001, at 3:53 p.m.

Appointments:
Senate National Security Working Group
NATO Parliamentary Assembly
Tellers to count electoral votes
With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶2.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 5, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 5, 2001 at 9:49 a.m.

That the Senate PASSED without amendment H. Con. Res. 1.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶2.7 PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER, pursuant to clause 11 of rule X and clause 11 of rule I, appointed to the Permanent Select Committee on Intelligence, the following Members: Mr. GOSS, Chairman; and Ms. PELOSI.

¶2.8 DESIGNATION OF ELECTORAL VOTE TELLERS

The SPEAKER, pursuant to the provisions of Senate Concurrent Resolution 1, appointed as tellers on the part of the House to count the electoral votes, Messrs. THOMAS and FATTAH.

¶2.9 RECESS—11:21 A.M.

The SPEAKER pro tempore, Mr. COMBEST, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 21 minutes a.m., until approximately 12 o'clock 55 minutes p.m.

¶2.10 AFTER RECESS—1:01 P.M.

The SPEAKER called the House to order.

¶2.11 ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT

At 1 o'clock and 2 minutes p.m., pursuant to law and Senate Concurrent Resolution 1, adopted on January 3, 2001, the Senate attended in the Hall of the House of Representatives.

The VICE PRESIDENT took the Speaker's chair as Presiding Officer, the SPEAKER, Mr. HASTERT, being seated at his left, and the Senators took seats assigned them to the right of the presiding officer.

At 1 o'clock and 10 minutes p.m., the VICE PRESIDENT called the joint session to order and said:

''Mr. Speaker and Members of Congress, the Senate and the House of Representatives, pursuant to the requirements of the Constitution and the laws of the United States, are meeting in joint session for the purpose of opening the certificates and ascertaining and counting the votes of the electors of the several States for President and Vice President.

''After ascertainment has been had that the certificates are authentic and correct in form, the tellers will count and make a list of the votes cast by the electors of the several States.

''The tellers on the part of the two Houses will take their places at the Clerk's desk.''.

The tellers, Mr. DODD and Mr. McCONNELL on the part of the Senate and Mr. THOMAS and Mr. FATTAH on the part of the House, took their places at the desk.

The tellers on the part of the Senate and the House, having taken their places at the Clerk's desk, the VICE PRESIDENT, in the presence of the two Houses of Congress, opened and presented in alphabetical order of the States certificates and papers purporting to be certificates of electoral votes for President and Vice President of the United States for the term beginning January 20, 2001.

¶2.12 POINT OF ORDER

Mr. DEUTSCH made a point of order, and said:

''Mr. Vice President, we have just completed the closest election in American history.''.

The VICE PRESIDENT spoke and said:

''The gentleman will suspend. The Chair is advised by the Parliamentarian that, under section 18 of title 3, United States Code, no debate is allowed in the joint session.

''If the gentleman has a point of order, please present the point of order.''.

Mr. DEUTSCH spoke further and said:

''Mr. Vice President, there are many Americans who still believe that the results we are going to certify today are illegitimate.''.

The VICE PRESIDENT spoke and said:

''The gentleman will suspend. If the gentleman from Florida, Mr. DEUTSCH, has a point of order, he may present the point of order at this time. Otherwise, the gentleman will suspend.''.

Mr. DEUTSCH spoke further and said:

''Mr. Vice President, I will note the absence of a quorum and respectfully request that we delay the proceedings until a quorum is present.''.

The VICE PRESIDENT spoke and said:

''The Chair is advised by the Parliamentarian that section 17 of title 3, United States Code, prescribes a single procedure for resolution of either an objection to a certificate or other questions arising in the matter. That includes a point of order that a quorum is not present.

''The Chair rules, on the advice of the Parliamentarian, that the point of order that a quorum is not present is subject to the requirement that it be in writing and signed by both a Member of the House of Representatives and a Senator.

''Is the point of order in writing and signed not only by a Member of the House of Representatives but also by a Senator?''.

Mr. DEUTSCH spoke and said:

''It is in writing, but I do not have a Senator.''.

The VICE PRESIDENT spoke and said:

''The point of order may not be received.''.

¶2.13 OBJECTION TO CERTIFICATE OF FLORIDA

Mr. HASTINGS of Florida was recognized and said:

''Mr. President, I object to the certificate from Florida.''.

The VICE PRESIDENT spoke and said:

''The gentleman from Florida [Mr. HASTINGS] will present his objection. Is the gentleman's objection in writing and signed by a Member of the House of Representatives and by a Senator?''.

Mr. HASTINGS of Florida spoke and said:

''Mr. President, and I take great pride in calling you that, I must object because of the overwhelming evidence of official misconduct, deliberate fraud, and an attempt to suppress voter turnout.''.

The VICE PRESIDENT spoke and said:

''The Chair must remind Members that under section 18, title 3, United States Code, no debate is allowed in the joint session.''.

Mr. HASTINGS of Florida spoke and said:

''Thank you, Mr. President. To answer your question, Mr. President, the objection is in writing, signed by a number of Members of the House of Representatives, but not by a Member of the Senate.

''Thank you, Mr. President.''.

The VICE PRESIDENT spoke and said:

''The Chair thanks the gentleman from Florida for his courtesy. Since the present objection lacks the signature of a Senator, accordingly, the objection may not be received.''.

¶2.14 OBJECTION TO CERTIFICATE OF FLORIDA

Mrs. MEEK of Florida was recognized and said:

''Mr. President, I have an objection.''.

The VICE PRESIDENT spoke and said:

''Is the objection in writing and signed by a Member of the House and by a Senator?''.

Mrs. MEEK of Florida spoke further and said:

''Mr. President, it is in writing and signed by myself and several of my constituents from Florida. A Senator is needed, but missing.''.

The VICE PRESIDENT spoke and said:

''On the basis previously stated, the objection may not be received. The Chair thanks the gentlewoman from Florida for her courtesy.''.

¶2.15 OBJECTION TO CERTIFICATE OF FLORIDA

Ms. BROWN of Florida was recognized and said;

''Mr. President, I stand for the purpose of objecting to the counting of the vote from the State of Florida as read.''.

The VICE PRESIDENT spoke and said:

''Is the objection in writing and signed by a Member of the House of Representatives and a Senator?''.

Ms. BROWN of Florida spoke and said:

''Mr. President, it is in writing and signed by several House colleagues on behalf of, and myself, the 27,000 voters of Duval County, of which 16,000 of them are African Americans that were disenfranchised in this last election.''.

The VICE PRESIDENT spoke and said:

''The gentlewoman will suspend. The part of the question that the Chair will put again is, is the objection signed by a Member of the Senate?''.

Ms. BROWN of Florida spoke and said:

''It is not signed by a Member of the Senate. The Senate is missing.''.

The VICE PRESIDENT spoke and said:

''The Chair thanks the gentlewoman. The objection, on the basis previously stated, may not be received.''.

¶2.16 OBJECTION TO CERTIFICATE OF FLORIDA

Ms. Eddie Bernice JOHNSON of Texas was recognized and said:

''Mr. President, I rise on behalf of the Congressional Black Caucus to object to the 25 electoral votes from Florida.''.

The VICE PRESIDENT spoke and said:

''Does the gentlewoman state an objection, and is it in writing and signed by a Member of the House of Representatives and a Senator?''.

Ms. Eddie Bernice JOHNSON of Texas spoke and said:

''It is in writing, signed by a number of Members of Congress, and because we received hundreds of thousands of telegrams and e-mails and telephone calls, but we do not have a Senator.''.

The VICE PRESIDENT spoke and said:

''Is the objection signed by a Senator?''.

Ms. Eddie Bernice JOHNSON of Texas spoke and said:

''It is not signed by a Senator, Mr. President.''.

The VICE PRESIDENT spoke and said:

''The Chair thanks the gentlewoman from Texas. On the previous basis stated, the objection may not be received.''.

¶2.17 OBJECTION TO CERTIFICATE OF FLORIDA

Mr. CUMMINGS was recognized and said:

''I have an objection.''.

The VICE PRESIDENT spoke and said:

''The gentleman will state his objection. Is the objection in writing and signed by a Member of the House and a Senator?''.

Mr. CUMMINGS spoke and said:

''Mr. President, it is in writing and signed by myself on behalf of the many disenfranchised people in the State of Florida, and it is signed along with many of my other colleagues from the House.''.

The VICE PRESIDENT spoke and said:

''Is it signed by a Senator?''.

Mr. CUMMINGS spoke and said:

''No, it is not.''.

The VICE PRESIDENT spoke and said:

''The Chair thanks the gentleman from Maryland. On the basis previously stated, the objection may not be received.''.

¶2.18 OBJECTION TO CERTIFICATE OF FLORIDA

Ms. JACKSON-LEE of Texas was recognized and said:

''Mr. President, I have an objection.''.

The VICE PRESIDENT spoke and said:

''Is the objection in writing and signed by a Member of the House of Representatives and a Senator?''.

Ms. JACKSON-LEE of Texas spoke and said:

''Mr. President, thank you for your inquiry. It is in writing, it is signed by myself on behalf of my diverse constituents and the millions of Americans who have been disenfranchised by Florida's inaccurate vote count, along with my House colleagues, Mr. President.''.

The VICE PRESIDENT spoke and said:

''Is the objection signed by a Senator?''.

Ms. JACKSON-LEE of Texas spoke and said:

''Mr. President, I do not have a Senator who has signed this objection.''.

The VICE PRESIDENT spoke and said:

''The Chair thanks the gentlewoman from Texas. On the basis previously stated, the objection may not be received.''.

¶2.19 OBJECTION TO CERTIFICATE OF FLORIDA

Ms. WATERS was recognized and said:

''Mr. Vice President, I rise to object to the fraudulent 25 Florida electoral votes.''.

The VICE PRESIDENT spoke and said:

''Is the objection in writing and signed by a Member of the House and a Senator?''.

Ms. WATERS spoke and said:

''The objection is in writing, and I do not care that it is not signed by a Member of the Senate.''.

The VICE PRESIDENT spoke and said:

''The Chair will advise that the rules do care, and the signature of a Senator is required. The Chair will again put that part of the question: Is the objection signed by a Senator?''.

Ms. WATERS spoke and said:

''Mr. Vice President, there are gross violations of the Voting Rights Act from Florida, and I object; and it is not signed by a Senator.''.

The VICE PRESIDENT spoke and said:

''The Chair thanks the gentlewoman from California. On the basis previously stated, the objection may not be received.''.

¶2.20 OBJECTION TO CERTIFICATE OF FLORIDA

Ms. LEE was recognized and said:

''Mr. President, I have an objection.''.

The VICE PRESIDENT spoke and said;

''Is the objection in writing and signed by a Member of the House of Representatives and a Senator?''.

Ms. LEE spoke and said:

''Mr. President, it is in writing and signed by myself on behalf of many of the diverse constituents in our country, especially those in the Ninth Congressional District and all American voters who recognize that the Supreme Court, not the people of the United States, decided this election.''.

The VICE PRESIDENT spoke and said:

''Is the objection signed by a Senator?''.

Ms. LEE spoke and said:

''Unfortunately, Mr. President, it is not signed by one single Senator.''.

The VICE PRESIDENT spoke and said:

''On the basis previously stated, the objection may not be received.''.

¶2.21 OBJECTION TO CERTIFICATE OF FLORIDA

Ms. McKINNEY was recognized and said:

''Mr. President, I have an objection at the desk to Florida's 25 electoral votes.''.

The VICE PRESIDENT spoke and said:

''Is the objection in writing and signed by a Member of the House of Representatives and a Senator?''.

Ms. McKINNEY spoke and said:

''Mr. President, it is in writing and it is signed by my Congressional Black Caucus colleagues, my House colleagues and myself; but it is not signed by one single Senator.''.

The VICE PRESIDENT spoke and said:

''The Chair thanks the gentlewoman from Georgia. On the basis previously stated, the objection may not be received.''.

¶2.22 OBJECTION TO CERTIFICATE OF FLORIDA

Mrs. MINK of Hawaii was recognized and said:

''Mr. President, I want to voice my objection.''.

The VICE PRESIDENT spoke and said:

''Is the objection in writing and signed by a Member of the House of Representatives and a Senator?''.

Mrs. MINK of Hawaii spoke and said:

''Mr. President, it is in writing, and I have signed it on behalf of not only myself and other colleagues of the House but my constituents. Unfortunately, I have no authority over the United States Senate and no Senator has signed.''.

The VICE PRESIDENT spoke and said:

''The Chair thanks the gentlewoman from Hawaii. On the basis previously stated, the objection may not be received.''.

¶2.23 OBJECTION TO CERTIFICATE OF FLORIDA

Mrs. CLAYTON was recognized and said:

''Mr. President, I rise in objection to the Florida electoral votes, and I rise to object to the process that, indeed, that voters do count, the essence of democracy demands that we speak to it.''.

The VICE PRESIDENT spoke and said:

''Is the objection in writing and is it signed by a Member of the House of Representatives and a Senator?''.

Mrs. CLAYTON spoke and said:

''Mr. President, it is in writing and it is signed by more than 10 of my Members in the House.''.

The VICE PRESIDENT spoke and said:

''Is the objection signed by a Senator?''.

Mrs. CLAYTON spoke and said:

''Unfortunately, it is not.''.

The VICE PRESIDENT spoke and said:

''On the basis previously stated, the objection may not be received.''.

¶2.24 OBJECTION TO CERTIFICATE OF FLORIDA

Ms. McKINNEY was recognized and said:

''Mr. President, I object to Florida's electors, and in view of the fact that debate is not permitted in joint session and pursuant to title 3, I move that the House withdraw from the joint session in order to allow consideration of the facts surrounding the slate of electors from Florida.''.

The VICE PRESIDENT spoke and said:

''The Chair will remind the Members of the joint session that even though a Member's motion may affect only one House, the statutory principle of bicameral signatures must, nevertheless, be applied. The gentlewoman will suspend.

''Reading sections 15 through 18 of title 3, United States Code, as a coherent whole, the Chair holds that no procedural question is to be recognized by the presiding officer in the joint session unless presented in writing and signed by both a Representative and a Senator.

''Is the gentlewoman's motion in writing and signed by a Member and a Senator?''.

Ms. McKINNEY spoke and said:

''Mr. President, the motion is in writing, it is at the desk, and because it involves the prerogatives of the House, therefore Senate assent is not required.''.

The VICE PRESIDENT spoke and said:

''The Chair will advise the gentlewoman respectfully that reading sections 15 through 18 of title 3, United States Code, as a whole, the Chair holds that no procedural question, even if involving only one House of Congress, is to be recognized by the presiding officer in the joint session, unless presented in writing and signed by both a Representative and a Senator.

''Because the gentlewoman's motion is not signed by a Senator, on the basis previously stated, the motion may not be received.''.

¶2.25 OBJECTION TO CERTIFICATE OF FLORIDA

Mr. FILNER was recognized and said:

''I have an objection to the electoral votes from Florida.''.

The VICE PRESIDENT spoke and said:

''Is the objection in writing; is it signed by a Member of the House of Representatives and a Senator?''.

Mr. FILNER spoke and said:

''No, it is not in writing, but I rise in solidarity with my colleagues who have previously expressed their objection.''.

The VICE PRESIDENT spoke and said:

''The objection will not be allowed on the previous basis.''.

¶2.26 OBJECTION TO CERTIFICATE OF FLORIDA

Ms. WATERS was recognized and said:

''I have a motion of objection.''.

The VICE PRESIDENT spoke and said:

''Is the motion in writing, and is it signed by a Member of the House of Representatives and a Member of the Senate?''.

Ms. WATERS spoke and said;

''The motion is in writing, Mr. President, and I rise to offer a motion to withdraw from the joint session. There is no reference to the section that you have referenced to quorum or withdrawal.''.

The VICE PRESIDENT spoke and said:

''The Chair will respectfully advise the gentlewoman from California that sections 15 through 18 of title 3, as previously stated, in the opinion of the Chair and the Parliamentarians, require the Chair to rule that no procedural question is to be recognized by the Presiding Officer in the joint session, even if it applies to only one House, unless presented in writing and signed by both a Representative and a Senator.

''Since the Chair has been advised that the gentlewoman's motion is not signed by a Senator, on the basis previously stated, the motion may not be received.''.

Ms. WATERS spoke further and said:

''Let the RECORD show that is an opinion. It is not written in that section in reference to quorum or withdrawal.''.

¶2.27 OBJECTION TO CERTIFICATE OF FLORIDA

Ms. JACKSON-LEE of Texas was recognized and said:

''Mr. President, I rise to make a point of order.''.

The VICE PRESIDENT spoke and said:

''Is the point of order in writing, and is it signed by a Member of the House of Representatives and a Senator?''.

Ms. JACKSON-LEE of Texas spoke and said:

''Mr. President, being that this is a solemn day and a day that we are affirming the voices of the American people, we wish to delay this until a quorum has been maintained.''.

The VICE PRESIDENT spoke and said:

''The gentlewoman will be advised, as all Members of the joint session will be advised, that a motion for the presence of a quorum is not in order unless it is signed by a Member of the House of Representatives and a Senator.

''Since the Chair is advised that the gentlewoman's motion is not signed by a Senator, it is not received.''.

¶2.28 OBJECTION TO CERTIFICATE OF FLORIDA

Mr. JACKSON of Illinois was recognized and said:

''Mr. President, I have an objection.''.

The VICE PRESIDENT spoke and said:

''Is the gentleman's objection in writing and signed by a Member of the House of Representatives and a Senator?''.

Mr. JACKSON of Illinois spoke and said:

''Yes, sir, I have signed it.''.

The VICE PRESIDENT spoke and said:

''Is the objection signed by a Senator?''.

Mr. JACKSON of Illinois spoke and said:

''Mr. President, I am objecting to the idea that votes in Florida were not counted; and it is a sad day in America, Mr. President, when we cannot find a Senator to sign these objections. New Democratic Senators will not sign the objection, Mr. President. I object.''.

The VICE PRESIDENT spoke and said:

''The gentleman will suspend. The Chair thanks the gentleman from Illinois, but, hey... On the basis previously stated, the objection is not in order.''.

¶2.29 POINT OF ORDER

Mr. HASTINGS of Florida was recognized and said:

''Mr. President, point of order. Would the President advise whether or not there is an opportunity to appeal the ruling of the Chair?''.

The VICE PRESIDENT spoke and said:

''This is going to sound familiar to you, to all of us.

''The Chair finds that section 17 of title 3, United States Code, prescribes a single procedure for resolution of either an objection to a certificate or other questions arising in the matter. The Chair rules that the appeal is subject to the requirement that it be in writing and signed by both a Member of the House of Representatives and a Senator. Since the Chair presumes that it is not signed by a Senator, it is not received on the basis previously stated.''.

¶2.30 PARLIAMENTARY INQUIRY

Mr. JACKSON of Illinois was recognized and said:

''Mr. President, is it possible to ask at this hour for a Democratic Senator to sign one of these Democratic objections by unanimous consent? Is that within the House rules?''.

The VICE PRESIDENT spoke and said:

''The Chair will advise the gentleman from Illinois that any Member of either Chamber may do as he or she wishes, so long as it is within the rules of the joint session. So it is possible, as long as it does not violate the rules, but the Chair will not entertain debate, because that is a violation of the rules of the joint session.''.

¶2.31 ANNOUNCEMENT OF THE ELECTORIAL VOTE RESULTS

The tellers, having read all the certificates of the several States in the presence and hearing of the two houses, and having made a list of the same as they appeared from the said certificates, submitted to the Vice President, the following report in writing:

The whole number of electors appointed to vote for President of the United States is 538, of which a majority is 270.

GEORGE W. BUSH, of the State of Texas, has received for President of the United States 271 votes.

AL GORE, of the State of Tennessee, has received for President of the United States 266 votes.

The whole number of electors appointed to vote for Vice President of the United States is 538, of which a majority is 270.

DICK CHENEY, of the State of Wyoming, has received for Vice President of the United States 271 votes.

JOE LIEBERMAN, of the State of Connecticut, has received for Vice President of the United States 266 votes.

The undersigned, CHRISTOPHER J. DODD and MITCH MCCONNELL, tellers on the part of the Senate, WILLIAM M. THOMAS and CHAKA FATTAH, tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the twentieth day of January, two thousand one.

Electoral Votes of Each State	For President		For Vice President	
	George W. Bush	Al Gore	Dick Cheney	Joe Lieberman
Alabama—9	9		9	
Alaska—3	3		3	
Arizona—8	8		8	
Arkansas—6	6		6	
California—54		54		54
Colorado—8	8		8	
Connecticut—8		8		8
Delaware—3		3		3
District of Columbia—3		2		2
Florida—25	25		25	
Georgia—13	13		13	
Hawaii—4		4		4
Idaho—4	4		4	
Illinois—22		22		22
Indiana—12	12		12	
Iowa—7		7		7
Kansas—6	6		6	
Kentucky—8	8		8	
Louisiana—9	9		9	
Maine—4		4		4
Maryland—10		10		10
Massachusetts—12		12		12
Michigan—18		18		18
Minnesota—10		10		10
Mississippi—7	7		7	
Missouri—11	11		11	
Montana—3	3		3	
Nebraska—5	5		5	
Nevada—4	4		4	
New Hampshire—4	4		4	
New Jersey—15		15		15
New Mexico—5		5		5
New York—33		33		33
North Carolina—14	14		14	
North Dakota—3	3		3	
Ohio—21	21		21	
Oklahoma—8	8		8	
Oregon—7		7		7
Pennsylvania—23		23		23
Rhode Island—4		4		4
South Carolina—8	8		8	
South Dakota—3	3		3	
Tennessee—11	11		11	
Texas—32	32		32	
Utah—5	5		5	
Vermont—3		3		3
Virginia—13	13		13	
Washington—11		11		11
West Virginia—5	5		5	
Wisconsin—11		11		11
Wyoming—3	3		3	
Total—538	271	266	271	266

Note: One elector from the District of Columbia cast 2 blank ballots.

CHRISTOPHER J. DODD,
MITCH MCCONNELL,
Tellers on the part of the Senate.
WILLIAM M. THOMAS,
CHAKA FATTAH,
Tellers on the part of the House of Representatives.

The VICE PRESIDENT spoke and said:

''The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

''The whole number of electors appointed to vote for President of the United States is 538, of which a majority is 270.

''George W. Bush, of the State of Texas, has received for President of the United States 271 votes.

''AL GORE, of the State of Tennessee, has received 266 votes.

''The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

''The whole number of the electors appointed to vote for Vice President of the United States is 538, of which a majority is 270.

''DICK CHENEY, of the State of Wyoming, has received for Vice President of the United States 271 votes.

''JOE LIEBERMAN, of the State of Connecticut, has received 266 votes.

''This announcement on the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the 20th of January 2001, and shall be entered, together with a list of the votes, on the Journals of the Senate and the House of Representatives.

''May God bless our new President and our new Vice President, and may God bless the United States of America.''.

The VICE PRESIDENT then announced that the purpose of the meeting having been accomplished, the joint session was dissolved.

The Senate retired from the Hall of the House at 2 o'clock and 50 minutes p.m.

The SPEAKER then resumed the Chair, called the House to order and said: ''Pursuant to Senate Concurrent Resolution 1, the Chair directs that the electoral votes be spread at large on the Journal.''.

¶2.32 RECESS—2:52 P.M.

The SPEAKER, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 52 minutes p.m., until 3 o'clock 5 minutes p.m.

¶2.33 AFTER RECESS—3:08 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶2.34 ORDER OF BUSINESS—COMMITTEE ELECTION

On motion of Mr. GOSS, by unanimous consent,

Ordered, That, notwithstanding the requirement of clause 11(a)(1) of Rule 10, the Permanent Select Committee on Intelligence be composed of not more than 20 Members, Delegates, or the Resident Commissioner, of whom not more than 11 be from the same party.

¶2.35 COMMITTEE ELECTION—MAJORITY

Mr. GOSS, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 19):

Resolved, That the following named Members be, and are hereby, elected to the following standing committees for the House of Representatives:

Committee on Agriculture: Mr. Combest, Chairman; Mr. Boehner; Mr. Goodlatte; Mr. Pombo; Mr. Smith of Michigan; Mr. Everett; Mr. Lucas of Oklahoma; Mr. Chambliss; Mr. Moran of Kansas; Mr. Schaffer; Mr. Thune; Mr. Jenkins; Mr. Cooksey; Mr. Gutknecht; Mr. Riley; Mr. Simpson; Mr. Ose; Mr. Hayes; Mr. Fletcher; Mr. Pickering; Mr. Johnson of Illinois; Mr. Osborne; Mr. Pence; Mr. Rehberg; Mr. Graves; Mr. Putnam and Mr. Kennedy of Minnesota.

Committee on Appropriations: Mr. Young of Florida, Chairman; Mr. Regula; Mr. Lewis of California; Mr. Rogers of Kentucky; Mr. Skeen; Mr. Wolf; Mr. DeLay; Mr. Kolbe; Mr. Callahan; Mr. Walsh; Mr. Taylor of North Carolina; Mr. Hobson; Mr. Istook; Mr. Bonilla; Mr. Knollenberg; Mr. Miller of Florida; Mr. Kingston; Mr. Frelinghuysen; Mr. Wicker; Mr. Nethercutt; Mr. Cunningham; Mr. Tiahrt; Mr. Wamp; Mr. Latham; Mrs. Northup; Mr. Aderholt; Mrs. Emerson; Mr. Sununu; Ms. Granger; Mr. Peterson of Pennsylvania; Mr. Doolittle; Mr. LaHood; Mr. Sweeney and Mr. Vitter.

Committee on Armed Services: Mr. Stump, Chairman; Mr. Spence; Mr. Hunter; Mr. Hansen; Mr. Weldon of Pennsylvania; Mr. Hefley; Mr. Saxton; Mr. McHugh; Mr. Everett; Mr. Bartlett; Mr. McKeon; Mr. Watts; Mr. Thornberry; Mr. Hostettler; Mr. Chambliss; Mr. Hilleary; Mr. Scarborough; Mr. Jones of North Carolina; Mr. Graham; Mr. Ryun of Kansas; Mr. Riley; Mr. Gibbons; Mr. Hayes; Mr. Sherwood; Mrs. Wilson; Mr. Calvert; Mr. Simmons; Mr. Crenshaw; Mr. Kirk; Ms. Jo Ann Davis of Virginia; Mr. Schrock and Mr. Akin.

Committee on Budget: Mr. Nussle, Chairman; Mr. Hoekstra; Mr. Bass; Mr. Gutknecht; Mr. Hilleary; Mr. Sununu; Mr. Knollenberg; Mr. Thornberry; Mr. Ryun of Kansas; Mr. Collins; Mr. Wamp; Mr. Fletcher; Mr. Gary Miller of California; Mr. Toomey; Mr. Watkins; Mr. Hastings of Washington; Mr. Portman; Mr. Schrock; Mr. Culberson; Mr. Brown of South Carolina; Mr. Crenshaw and Mr. Putnam.

Committee on Education and the Workforce: Mr. Boehner, Chairman; Mr. Petri; Mrs. Roukema; Mr. Ballenger; Mr. Hoekstra; Mr. McKeon; Mr. Castle; Mr. Johnson of Texas; Mr. Greenwood; Mr. Graham; Mr. Souder; Mr. Norwood; Mr. Schaffer; Mr. Upton; Mr. Hilleary; Mr. Ehlers; Mr. Tancredo; Mr. Fletcher; Mr. DeMint; Mr. Isakson; Mrs. Biggert; Mr. Platts; Mr. Tiberi; Mr. Keller; Mr. Osborne and Mr. Culberson.

Committee on Energy and Commerce: Mr. Tauzin, Chairman; Mr. Bilirakis; Mr. Barton; Mr. Upton; Mr. Stearns; Mr. Gillmor; Mr. Greenwood; Mr. Cox; Mr. Deal; Mr. Largent; Mr. Burr; Mr. Whitfield; Mr. Ganske; Mr. Norwood; Mrs. Cubin; Mr. Shimkus; Mrs. Wilson; Mr. Shadegg; Mr. Pickering; Mr. Fossela; Mr. Blunt; Mr. Thomas Davis of Virginia; Mr. Bryant; Mr. Ehrlich; Mr. Buyer; Mr. Radanovich; Mr. Pitts; Mrs. Bono; Mr. Walden of Oregon and Mr. Terry.

Committee on Financial Services: Mr. Oxley, Chairman; Mr. Leach; Mrs. Roukema; Mr. Bereuter; Mr. Baker; Mr. Bachus; Mr. Castle; Mr. King; Mr. Royce; Mr. Lucas of Oklahoma; Mr. Ney; Mr. Barr of Georgia; Mrs. Kelly; Mr. Paul; Mr. Gillmor; Mr. Cox; Mr. Weldon of Florida; Mr. Ryun of Kansas; Mr. Riley; Mr. LaTourette; Mr. Manzullo; Mr. Jones of North Carolina; Mr. Ose; Mrs. Biggert; Mr. Green of Wisconsin; Mr. Toomey; Mr. Shays; Mr. Shadegg; Mr. Fossella; Mr. Gary Miller of California; Mr. Cantor; Mr. Grucci; Ms. Hart; Ms. Capito; Mr. Ferguson; Mr. Rogers of Michigan and Mr. Tiberi.

Committee on Government Reform: Mr. Burton of Indiana, Chairman; Mr. Gilman; Mrs. Morella; Mr. Shays; Ms. Ros-Lehtinen; Mr. McHugh; Mr. Horn; Mr. Mica; Mr. Thomas Davis of Virginia; Mr. Souder; Mr. Scarborough; Mr. LaTourette; Mr. Barr; Mr. Miller of Florida; Mr. Hutchinson; Mr. Ose; Mr. Lewis of Kentucky; Mr. Flake; Ms. Jo Ann Davis of Virginia and Mr. Platts.

Committee on International Relations: Mr. Hyde, Chairman; Mr. Gilman; Mr. Leach; Mr. Bereuter; Mr. Smith of New Jersey; Mr. Burton of Indiana; Mr. Gallegly; Ms. Ros-Lehtinen; Mr. Ballenger; Mr. Rohrabacher; Mr. Royce; Mr. King; Mr. Chabot; Mr. Houghton; Mr. McHugh; Mr. Burr; Mr. Cooksey; Mr. Tancredo; Mr. Paul; Mr. Smith of Michigan; Mr. Pitts; Mr. Issa; Mr. Cantor; Mr. Flake; Mr. Kerns and Ms. Jo Ann Davis of Virginia.

Committee on the Judiciary: Mr. Sensenbrenner, Chairman; Mr. Hyde; Mr. Gekas; Mr. Coble; Mr. Smith of Texas; Mr. Gallegly; Mr. Goodlatte; Mr. Chabot; Mr. Barr; Mr. Jenkins; Mr. Hutchinson; Mr. Cannon; Mr. Graham; Mr. Bachus; Mr. Scarborough; Mr. Hostettler; Mr. Green of Wisconsin; Mr. Keller; Mr. Issa; Ms. Hart and Mr. Flake.

Committee on Resources: Mr. Hansen, Chairman; Mr. Young of Alaska; Mr. Tauzin; Mr. Saxton; Mr. Gallegly; Mr. Duncan; Mr. Hefley; Mr. Gilchrest; Mr. Calvert; Mr. McInnis; Mr. Pombo; Mrs. Cubin; Mr. Radanovich; Mr. Jones of North Carolina; Mr. Thornberry; Mr. Cannon; Mr. Brady of Texas; Mr. Peterson of Pennsylvania; Mr. Schaffer; Mr. Gibbons; Mr. Souder; Mr. Walden of Oregon; Mr. Sherwood; Mr. Hayes; Mr. Simpson; Mr. Tancredo; Mr. Otter and Mr. Osborne.

Committee on Science: Mr. Boehlert, Chairman; Mr. Sensenbrenner; Mr. Smith of Texas; Mrs. Morella; Mr. Weldon of Pennsylvania; Mr. Rohrabacher; Mr. Barton; Mr. Calvert; Mr. Smith of Michigan; Mr. Bartlett; Mr. Ehlers; Mr. Weldon of Florida; Mr. Gutknecht; Mr. Cannon; Mr. Nethercutt; Mr. Lucas of Oklahoma; Mr. Gary Miller of California; Mr. Biggert; Mr. Culberson; Mr. Akin; Mr. Johnson of Illinois; Mr. Pence; Mr. Grucci and Ms. Hart.

Committee on Small Business: Mr. Manzullo, Chairman; Mr. Combest; Mr. Hefley; Mr. Bartlett; Mr. LoBiondo; Mrs. Kelly; Mr. Chabot; Mr. English; Mr. Toomey; Mr. DeMint; Mr. Thune; Mr. Pence; Mr. Ferguson; Mr. Issa; Mr. Graves; Mr. Schrock; Mr. Grucci and Mr. Akin.

Committee on Transportation and Infrastructure: Mr. Young of Alaska, Chairman; Mr. Shuster; Mr. Petri; Mr. Boehlert; Mr. Coble; Mr. Duncan; Mr. Gilchrest; Mr. Horn; Mr. Mica; Mr. Quinn; Mr. Ehlers; Mr. Bachus; Mr. LaTourette; Mrs. Kelly; Mr. Baker; Mr. Bass; Mr. Ney; Mr. Hutchinson; Mr. Cooksey; Mr. Thune; Mr. LoBiondo; Mr. Moran of Kansas; Mr. Sherwood; Mr. DeMint; Mr. Bereuter; Mr. Simpson; Mr. Isakson; Mr. Simmons; Mr. Rogers of Michigan; Ms. Capito; Mr. Kirk; Mr. Brown of South Carolina; Mr. Johnson of Illinois; Mr. Kerns; Mr. Rehberg; Mr. Platts; Mr. Ferguson; Mr. Graves; Mr. Otter; Mr. Kennedy of Minnesota.

Committee on Veterans' Affairs: Mr. Smith of New Jersey, Chairman; Mr. Stump; Mr. Bilirakis; Mr. Spence; Mr. Everett; Mr. Buyer; Mr. Quinn; Mr. Stearns; Mr. Moran of Kansas; Mr. Hayworth; Mr. McKeon; Mr. Gibbons; Mr. Simpson; Mr. Baker; Mr. Simmons and Mr. Crenshaw.

Committee on Ways and Means: Mr. Thomas, Chairman; Mr. Crane; Mr. Shaw; Mrs. Johnson of Connecticut; Mr. Houghton; Mr. Herger; Mr. McCrery; Mr. Camp; Mr. Ramstad; Mr. Nussle; Mr. Johnson of Texas; Ms. Dunn; Mr. Collins; Mr. Portman; Mr. English; Mr. Watkins; Mr. Hayworth; Mr. Weller; Mr. Hulshof; Mr. McInnis; Mr. Lewis of Kentucky; Mr. Foley; Mr. Brady of Texas and Mr. Ryan of Wisconsin.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶2.36 COMMITTEE ELECTION—MAJORITY

Mr. GOSS, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 20):

Resolved, That the following Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Committee on Appropriations: MR. GOODE.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶2.37 COMMISSION ON CIVIL RIGHTS

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, announced that the Speaker, pursuant to section 2(b) of Public Law 98-183, appointed to the Commission on Civil Rights, Dr. Abigail M. Thernstrom of Lexington, Massachusetts, from private life, on the part of the House to fill the existing vacancy thereon.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶2.38 MESSAGE FROM THE PRESIDENT—U.S.-JORDAN FREE TRADE AGREEMENT

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I am pleased to transmit a legislative proposal to implement the Agreement between the United States of America and the Hashemite Kingdom of Jordan on the Establishment of a Free Trade Area. Also transmitted is a section-by-section analysis.

The U.S.-Jordan Free Trade Agreement (FTA) provides critical support for a pivotal regional partner for U.S. efforts in the Middle East peace process. Jordan has taken extraordinary steps on behalf of peace and has served as a moderating and progressive force in the region. This Agreement not only sends a strong and concrete message to Jordanians and Jordan's neighbors about the economic benefits of peace, but significantly contributes to stability throughout the region. This Agreement is the capstone of our eco-

nomic partnership with Jordan, which has also included U.S.-Jordanian cooperation on Jordan's accession to the World Trade Organization (WTO), our joint Trade and Investment Framework Agreement, and our Bilateral Investment Treaty. This Agreement is a vote of confidence in Jordan's economic reform program, which should serve as a source of growth and opportunity for Jordanians in the coming years.

The U.S.-Jordan Free Trade Agreement achieves the highest possible commitments from Jordan on behalf of U.S. business on key trade issues, providing significant and extensive liberalization across a wide spectrum of trade issues. For example, it will eliminate all tariffs on industrial goods and agricultural products within 10 years. The FTA covers all agriculture without exception. The Agreement will also eliminate commercial barriers to bilateral trade in services originating in the United States and Jordan. Specific liberalization has been achieved in many key services sectors, including energy distribution, convention, printing and publishing, courier, audiovisual, education, environmental, financial, health, tourism, and transport services.

In the area of intellectual property rights, the U.S.-Jordan Free Trade Agreement builds on the strong commitments Jordan made in acceding to the WTO. The provisions of the FTA incorporate the most up-to-date international standards for copyright protection, as well as protection for confidential test data for pharmaceuticals and agricultural chemicals and stepped-up commitments on enforcement. Among other things, Jordan has undertaken to ratify and implement the World Intellectual Property Organization's (WIPO) Copyright Treaty and WIPO Performances and Phonograms Treaty within 2 years.

The FTA also includes, for the first time ever in the text of a trade agreement, a set of substantive provisions on electronic commerce. Both countries agreed to seek to avoid imposing customs duties on electronic transmissions, imposing unnecessary barriers to market access for digitized products, and impeding the ability to deliver services through electronic means. These provisions also tie in with commitments in the services area that, taken together, aim at encouraging investment in new technologies and stimulating the innovative uses of networks to deliver products and services.

The FTA joins free trade and open markets with civic responsibilities. In this Agreement, the United States and Jordan affirm the importance of not relaxing labor or environmental laws in order to increase trade. It is important to note that the FTA does not require either country to adopt any new laws in these areas, but rather includes commitments that each country enforce its own labor and environmental laws.

The U.S.-Jordan Free Trade Agreement will help advance the long-term U.S. objective of fostering greater Middle East regional economic integration in support of the establishment of a just, comprehensive, and lasting peace, while providing greater market access for U.S. goods, services, and investment. I urge the prompt and favorable consideration of this legislation.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *January 6, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and the Committee on the Judiciary and ordered to be printed (H. Doc. 107–15).

¶2.39 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mrs. BONO, for today; and

To Ms. CARSON, for Wednesday, January 3.

And then,

¶2.40 ADJOURNMENT

On motion of Ms. JACKSON-LEE, pursuant to the provisions of House Concurrent Resolution 1, at 3 o'clock and 27 minutes p.m., the House adjourned until 10 o'clock a.m. on Saturday, January 20, 2001.

¶2.41 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DINGELL (for himself and Mr. YOUNG of Alaska):

H.R. 227. A bill to abolish the Council on Environmental Quality; to the Committee on Resources.

By Mr. ETHERIDGE (for himself and Mr. WAMP):

H.R. 228. A bill to improve character education programs; to the Committee on Education and the Workforce.

By Ms. KAPTUR:

H.R. 229. A bill to provide needed flexibility to the United States Department of Agriculture to help developing countries and move surplus commodities from the United States; to the Committee on Agriculture.

By Ms. KAPTUR (for herself, Mr. HINCHEY, Mr. LEWIS of Georgia, and Mr. BOSWELL):

H.R. 230. A bill to amend the Agricultural Fair Practices Act of 1967 to provide for the accreditation of associations of agricultural producers, to promote good faith bargaining between such accredited associations and the handlers of agricultural products, and to strengthen the enforcement authorities to respond to violations of the Act; to the Committee on Agriculture.

By Ms. KAPTUR (for herself, Mrs. EMERSON, Mr. HINCHEY, Mrs. CLAYTON, and Mr. BISHOP):

H.R. 231. A bill to amend the Packers and Stockyards Act, 1921, to provide the Secretary of Agriculture with administrative authority to investigate live poultry dealers, and for other purposes; to the Committee on Agriculture.

By Mr. KING (for himself, Mr. OXLEY, Mr. LATOURETTE, Mr. HOLDEN, Mr. KLECZKA, Mr. GILCHREST, Mr. HORN, Mrs. THURMAN, Mrs. MCCARTHY of New York, and Mr. SHERMAN):

H.R. 232. A bill to amend the Telemarketing and Consumer Fraud and Abuse Prevention Act to authorize the Federal Trade Commission to issue new rules regulating telemarketing firms, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MILLENDER-MCDONALD:

H.R. 233. A bill to improve the safety of firearms; to the Committee on the Judiciary.

By Mr. ORTIZ:

H.R. 234. A bill to provide for the establishment of a new Department of Veterans Affairs medical facility for veterans in south Texas; to the Committee on Veterans' Affairs.

By Mr. OXLEY (for himself and Mr. HALL of Texas):

H.R. 235. A bill to require the Federal Communications Commission to eliminate from its regulations the restrictions on the cross-ownership of broadcasting stations and newspapers; to the Committee on Energy and Commerce.

By Mr. PORTMAN (for himself, Mr. MATSUI, Mr. GARY MILLER of California, Mr. DREIER, Mr. BECERRA, Mr. WATTS of Oklahoma, Mr. FROST, Ms. DUNN, Mr. SNYDER, Mr. MCINNIS, Mr. BENTSEN, Mr. TERRY, Mr. SMITH of Washington, Mr. SHAW, Mr. CARDIN, Mr. WELLER, Mr. MCDERMOTT, Mr. HERGER, Mr. CONDIT, Mr. FOLEY, Mr. JEFFERSON, Mr. RAMSTAD, Mr. GONZALEZ, Mrs. JOHNSON of Connecticut, Mr. HAYWORTH, Ms. LOFGREN, Mr. ENGLISH, Mr. SAM JOHNSON of Texas, Mr. NEAL of Massachusetts, Mr. CAMP, and Mr. MCNULTY):

H.R. 236. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services; to the Committee on Ways and Means.

By Mr. GILLMOR:

H. Con. Res. 11. Concurrent resolution honoring Konrad Adenauer on the occasion of his birthday; to the Committee on International Relations.

By Ms. KAPTUR:

H. Con. Res. 12. Concurrent resolution expressing the sense of Congress with respect to the power of agricultural humanitarian assistance, in the form of a millenium good will food aid initiative, to help guide developing countries down the path to self sufficiency; to the Committee on International Relations, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSS:

H. Res. 19. A resolution electing Members to serve on standing committees of the House of Representatives; considered and agreed to.

By Mr. GOSS:

H. Res. 20. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

¶2.42 ADDITIONAL SPONSORS

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

H.R. 27: Mr. GOODE.

H.R. 31: Mr. PAUL, Mr. DOOLITTLE, Mr. CUNNINGHAM, Mr. PICKERING, and Mr. HOLDEN.

H.R. 57: Mr. BENTSEN, Mr. LANTOS, Mr. PETRI, Mr. LAHOOD, Ms. ESHOO, and Mr. LEWIS of Georgia.

H.R. 163: Mr. GONZALEZ.

SATURDAY, JANUARY 20, 2001 (3)

The House was called to order by the SPEAKER.

¶3.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Saturday, January 6, 2001.

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

¶3.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

89. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Extension of Time To File Annual Reports for Commodity Pools—received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

90. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Animal Welfare; Marine Mammals [Docket No. 93–076–15] (RIN: 0579–AA59) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

91. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Animal Welfare; Confiscation of Animals [Docket No. 98–065–2] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

92. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Implementation of Low-Documentation Direct Operating Loan (Lo-Doc) Regulations (RIN: 0560–AF71) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

93. A letter from the Associate Chief for Natural Resources, Forest Service, Department of Agriculture, transmitting the Department's final rule—Special Areas: Roadless Area Conservation (RIN: 0596–AB77) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

94. A letter from the Under Secretary, Food, Nutrition and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Food Stamp Program: Personal Responsibility Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (RIN: 0584–AC39) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

95. A letter from the Chief, Forest Service, Department of Agriculture, transmitting the Department's final rule—National Forest System Land and Resource Management Planning; Review of Decisions to Amend or Revise Plans—received January 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

96. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—West Indian Fruit Fly [Docket No. 00–110–1] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

97. A letter from the Administrator, Rural Utilities Services, Department of Agriculture, transmitting the Department's final rule—Policy on Audits of RUS Borrowers; Generally Accepted Government Auditing Standards (GAGAS) (RIN: 0572–AB62) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

98. A letter from the Administrator, Price Support Division, Department of Agriculture, transmitting the Department's final rule—Farm Storage Facility Loan Program (RIN: 0560–AG00) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

99. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tebufenozide; Pesticide Tolerances for Emergency Exemptions [OPP–301091; FRL–6760–3] (RIN: 2070–AB78) received January 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

100. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Methyl Parathion; Notice of Pesticide Tolerance Revocations [OPP–301076; FRL–6752–6] (RIN: 2070–AB78) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

101. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Cyprodinil; Extension of Tolerance for Emergency Exemptions [OPP–301089; FRL–6756–4] (RIN: 2070–AB78) received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

102. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Desmedipham; Extension of Tolerances for Emergency Exemption [OPP–301090; FRL–6756–5] (RIN: 2070–AB78) received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

103. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fludioxonil; Pesticide Tolerance [OPP–301093; FRL–6760–9] (RIN: 2070–AB78) received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

104. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Thiamethoxam; Pesticide Tolerance [OPP–301087; FRL–6758–1] (RIN: 2070–AB78) received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

105. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clomazone; Pesticide Tolerance [OPP–301095; FRL–6761–7] (RIN: 2070–AB78) received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

106. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Avermectin B1; Pesticide Tolerance [OPP–301082; FRL–6755–9] (RIN: 2070–78AB) received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

107. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Avermectin; Extension of Tolerance for Emergency Exemptions [OPP–301092; FRL–6760–7] (RIN: 2070–AB78) received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

108. A communication from the President of the United States, transmitting His report on two deferrals of budgetary resources affecting the Department of State and International Security Assistance, pursuant to 2 U.S.C. 684(a); (H. Doc. No. 107–4); to the Committee on Appropriations and ordered to be printed.

109. A letter from the Secretary, Department of Defense, transmitting a report on the retirement of Lieutenant General Thomas N. Burnette, Jr., United States Army, and his advancement to the grade of lieutenant general on the retirement list; to the Committee on Armed Services.

110. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Interagency Guidelines Establishing Standards for Safeguarding Customer Information and Rescission of Year 2000 Standards for Safety and Soundness [Docket No. R–1073] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

111. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Home Mortgage Disclosure [Regulation C; Docket No. R–1093] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

112. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Bank Holding Companies and Change in Bank Control [Regulation Y; Docket No. R–1078] received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

113. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Bank Holding Companies and Change in Bank Control [Regulation Y; Docket No. R–1065] received January 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

114. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Bank Holding Companies and Change in Bank Control [Regulation Y; Docket Nos. R–1057 and R–1062] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

115. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Disclosure and Reporting of CRA-Related Agreements [Regulation G; Docket No. R–1069] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

116. A letter from the Senior Banking Counsel, Office of the General Counsel, Department of the Treasury, transmitting the Department's final rule—Bank Holding Companies and Change in Bank Control (RIN: 1505–AA85) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

117. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Disclosure and Reporting of CRA-Related Agreements [Docket No. 2000–107] (RIN: 1550–AB32) received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

118. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Interagency Guidelines Establishing Standards for Safeguarding Customer Information and Rescission of Year 2000 Standards for Safety and Soundness [Docket No. 2000–112] (RIN: 1550–AB36) received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

119. A letter from the Senior Banking Counsel, Office of General Counsel, Department of the Treasury, transmitting the Department's final rule—Bank Holding Companies and Change in Bank Control (RIN: 1505–AA78) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

120. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—50th Percentile and 40th Percentile Fair Market Rents for Fiscal Year 2001 [Docket No. FR–4589–N–04] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

121. A letter from the President and Chairman, Export-Import Bank, transmitting a report on a transaction involving U.S. exports to South Africa pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

122. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Removal of Asset and Liability Backup Program—received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

123. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Activities and Investments of Insured State Banks (RIN: 3064–AC38) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

124. A letter from the Director, Office of Management and Budget, transmitting appropriations reports, as required by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; to the Committee on the Budget.

125. A letter from the Director, Office of Management and Budget, transmitting a report on OMB Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

126. A letter from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Food Delivery Systems (RIN: 0584–AA80) received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

127. A letter from the Acting Assistant General Counsel, Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—Assistance to States for the Education of Children with Disabilities (RIN: 1820–AB51) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

128. A letter from the Acting Assistant General Counsel for Regulations, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule—Developing Hispanic-Serving Institutions Program—received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

129. A letter from the Acting Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—National Institute on Disability and Rehabilitation Research—received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

130. A letter from the Office of Enforcement Policy, Government Contracts Team, Wage and Hour Division, Department of Labor, transmitting the Department's final rule—Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (Also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act) (RIN: 1215–AB21) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

131. A letter from the Acting Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—National Medical Support Notice (RIN: 1210–AA72) received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

132. A letter from the Secretary, Department of Labor, transmitting a report on the Department of Labor's Advisory Council for Employee Welfare and Pension Benefit Plans; to the Committee on Education and the Workforce.

133. A letter from the Director, Office of Congressional Affairs, Office of Small Business and Civil Rights, Nuclear Regulatory Commission, transmitting the Commission's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (RIN: 3150–AG68) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

134. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Policy, Department of Energy, transmitting the Department's final rule—Department of Energy Acquistion Regulation; Rewrite of Regulations Governing Management and Operating Contracts (RIN: 1991–AB46; 1991–AB49) received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

135. A letter from the Secretary, Department of Transportation, transmitting an annual report on progress in conducting environmental remedial action at Federally owned or operated facilities, pursuant to 42 U.S.C. 9620; to the Committee on Energy and Commerce.

136. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Motor Vehicle Safety; Reporting the Sale or Lease of Defective or Non-Compliant Tires [Docket No. NHTSA–2000–8509] (RIN: 2127–AI23) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

137. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Motor Vehicle Safety: Criminal Penalty Safe Harbor Provision [Docket No. NHTSA–2000–8510] (RIN: 2127–AI24) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

138. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Outer Continental Shelf Air Regulations Consistency Update for Alaska [Alaska 001; FRL–6919–3] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

139. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Vehicle Inspection and Maintenance Program; Restructuring OTR Requirements [NH036–7136A; A–1–FRL–6928–7] received January 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

140. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Nitrogen Oxides Reduction and Trading Program [MD104–3060; FRL–6920–9] received January 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

141. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maine; Vehicle Inspection and Maintenance Program; Restructuring OTR Requirements [ME059–7008A; A–1–FRL–6928–6] received January 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

142. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acid Rain Program—Permits Rule Revision, Industrial Utility-Units Exemption [FRL–6930–9] received January 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

143. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Allocation of Essential Use Allowances for Calendar Year 2001: Allocation for Metered Dose Inhalers and the Space Shuttle and Titan Rockets [FRL–6929–6] (RIN: 2060–AJ33) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

144. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations [AD–FRL–6928–2] (RIN: 2060–AH96) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

145. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Environmental Program Grants for Tribes [FRL–6929–5] (RIN: 2030–AA56) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

146. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Environmental Program Grants—State, Interstate, and Local Government Agencies [FRL–6929–4] (RIN: 2030–AA55) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

147. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Lead; Identification of Dangerous Levels of Lead [OPPTS–62156H; FRL–6763–5] (RIN: 2070–AC63) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

148. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Failure to Submit a Required State Implementation Plan for Particulate Matter, Nevada-Clark County [NV033–FON; FRL–6929–1] received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

149. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Virginia; Approval of VOC and NOx RACT Determinations [VA 5056; FRL–6922–6] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

150. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Oklahoma: Final Authorization of State Hazardous Waste Management Program Revisions [FRL–6923–6] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

151. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final

rule—Louisiana: Final Authorization of State Hazardous Waste Management Program Revisions [FRL–6923–5] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

152. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Indiana: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6925–1] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

153. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills [FRL–6919–9] (RIN: 2060–AI34) received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

154. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona State Implementation Plan, Pinal County Air Quality Control District [AZ063–0034; FRL–6916–4] received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

155. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permit Program; State of Montana [MT–001a; FRL–6920–4] received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

156. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Nitrogen Oxides Budget Program [DC048–2023; FRL–6921–1] received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

157. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Reasonably Available Control Technology for Oxides of Nitrogen [DC047–2024; FRL–6921–3] received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

158. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Deferral of Phase IV Standards for PCB's as a Constituent Subject to Treatment in Soil [FRL–6921–5] (RIN: 2050–AE76) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

159. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Significant New Uses of Certain Chemical Substances [OPPTS–50638; FRL–6592–8] (RIN: 2070–AB27) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

160. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Lead and Lead Compounds; Lowering of Reporting Thresholds; Community Right-to-Know Toxic Chemical Release Reporting [OPPTS–400140D; FRL–6722–4] (RIN: 2070–AD38) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

161. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of the Clean Air Act, Section 112(1), Authority for Hazardous Air Pollutants; Perchloroethylene Air Emission Standards for Dry Cleaning Facilities; State of Washington; Puget Sound Clean Air Agency [FRL–6882–2] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

162. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Primary Drinking Water Regulations; Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring [WH–FRL–6934–9] (RIN: 2040–AB75) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

163. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dayton, Incline Village and Reno, Nevada) [MM Docket No. 99–229; RM–9479] received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

164. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material (RIN: 3150–AG03) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

165. A letter from the Director, Office of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting the Commission's final rule—Base Civil Penalties for Loss, Abandonment, or Improper Transfer or Disposal of Sources; Policy Statement—received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

166. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to the Taliban in Afghanistan that was declared in Executive Order 13129 of July 4, 1999, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 107–16); to the Committee on International Relations and ordered to be printed.

167. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 107–19); to the Committee on International Relations and ordered to be printed.

168. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 24–00 which constitutes a Request for Final Approval for the Memorandum of Agreement between the U.S. and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

169. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 28–00 informing of a planned signature of the Memorandum of Understanding between Canada and the U.S. concerning the North American Technology and Industrial Base Activities, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

170. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 22–00 regarding project certification for the agreement between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel for the Arrow System Improvement program agreement, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

171. A letter from the Director, International Coorporation, Department of Defense, transmitting a copy of Transmittal No. 23–00 regarding project certification for the fourth amendment to the agreement between the Department of Defense of the United States of America and the Ministry of Defense of Israel for the Arrow Deployability Program (ADP), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

172. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

173. A communication from the President of the United States, transmitting His report to terminate the suspension on the obligation of funds for any new activities of the Trade and Development Agency with respect to the People's Republic of China; (H. Doc. No. 107–21); to the Committee on International Relations and ordered to be printed.

174. A communication from the President of the United States, transmitting His certification that the export to the People's Republic of China of a beam centerline (linear accelerator), in accordance with the provisions of section 1512 of the National Defense Authorization Act for Fiscal Year 1999; (H. Doc. No. 107–22); to the Committee on International Relations and ordered to be printed.

175. A communication from the President of the United States, transmitting His report issuing a new Excutive Order to lift, with respect to future transactions, the economic sanctions imposed pursuant to Executive Order 13088 and expanded by Executive Order 13121; (H. Doc. No. 107–23); to the Committee on International Relations and ordered to be printed.

176. A communication from the President of the United States, transmitting His report issuing an Executive Order that prohibits the importation of rough diamonds from Sierra Leone; (H. Doc. No. 107–24); to the Committee on International Relations and ordered to be printed.

177. A communication from the President of the United States, transmitting His report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the United Nations Security Council; (H. Doc. No. 107–25); to the Committee on International Relations and ordered to be printed.

178. A communication from the President of the United States, transmitting His 6-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; (H. Doc. No. 107–26); to the Committee on International Relations and ordered to be printed.

179. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 01–01 regarding project certification for project arrangement concerning development of an electro-optical sensor component of an infrared search and track (IRST) system and launcher location simulation to the U.S.-Israel technology research and development projects agreement between the U.S. Department of Defense and the Israeli Ministry of Defense, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

180. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a certification pursuant to Section 578 of Foreign Operations, Export Financing and Related Programs Appropria-

tions Act; to the Committee on International Relations.

181. A letter from the Acting Chief Counsel, Office of Foreign Assets Control, Department of Treasury, transmitting the Department's final rule—HEU Agreement Assets Control Regulations—received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

182. A letter from the Acting Chief Counsel, Office of Foreign Assets Control, Department of Treasury, transmitting the Department's final rule—Reporting and Procedures Regulations; Sudanese Sanctions Regulations; Taliban (Afghanistan) Sanctions Regulations—received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

183. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletion from the Procurement list—received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

184. A letter from the Director, Office of Personnel Policy, Department of the Treasury, transmitting the Department's final rule—Federal Benefit Payments Under Certain District of Columbia Retirement Plans—received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

185. A letter from the Director, Office of Personnel Policy, Department of the Treasury, transmitting the Department's final rule—Federal Benefit Payments Under Certain District of Columbia Retirement Plans—received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

186. A letter from the Assistant Secretary for Congressional and Intergovernmental Affairs, Department of Energy, transmitting a report on the Strategic Plan entitled, ''Strength Through Science Powering the 21st Century''; to the Committee on Government Reform.

187. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the Federal Activities Inventory Reform Act Inventory; to the Committee on Government Reform.

188. A letter from the Secretary, Department of Transportation, transmitting the FY 2000 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

189. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation [FRL–6920–7] received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

190. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—The Production of Nonpublic Records and Testimony of NCUA Employees in Legal Proceedings and the Privacy Act—received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

191. A letter from the Office of Independent Counsel, transmitting a Consolidated Annual Report on Audit and Investigative Activities and Management Control Systems; to the Committee on Government Reform.

192. A letter from the Director, Office of Personnel Management, transmitting the FY 2000 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

193. A letter from the Deputy Special Counsel, Planning and Advice Division, Office of Special Counsel, transmitting the Counsel's final rule—Technical Amendments to 5 CFR Parts 1800, 1820, 1830, and 1850—received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

194. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Testimony By Employees and the Production of Records and Information in Legal Proceedings (RIN: 0960–AE95) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

195. A letter from the President, United States Institute of Peace, transmitting a report in compliance with the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

196. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule—General Public Political Communications Coordinated with Candidates and Parties; Independent Expenditures [Notice 2000–21] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

197. A communication from the President of the United States, transmitting an Agreement between the United States of America and the Government of the Republic of Estonia extending the Agreement of June 1, 1992, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1992 Agreement). The present Agreement, which was effected by an exchange of notes at Tallinn on September 7 and September 12, 2000, extends the 1992 Agreement to June 30, 2003, pursuant to 16 U.S.C. 1823(a); (H. Doc. No. 107–18); to the Committee on Resources and ordered to be printed.

198. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Oil and Gas Leasing: Onshore Oil and Gas Operations [WO–310–1310–01–24 1A–PB] (RIN: 1004–AC54) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

199. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Boating Infrastructure Grant Program (RIN: 1018–AF38) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

200. A letter from the Regulatory Analyst, Executive Secretariat, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Trust Management Reform: Leasing/Permitting, Grazing, Probate and Funds Held in Trust (RIN: 1076–AE00) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

201. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Spectacled Eider (RIN: 1018–AF92) received January 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

202. A letter from the Deputy Assistant Secretary for Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Alaska-Breeding Population of the Steller's Eider (RIN: 1018–AF95) received January 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

203. A letter from the Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Acquisition of Title to Land in Trust (RIN: 1076–AD90) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

204. A letter from the Chief, Division of Management Authority, Department of the Interior, transmitting the Department's final rule—Import of Polar Bear Trophies from Canada: Change in the Finding for the M'Clintock Channel Population and Revision of Regulations in 50 CFR 18.30 (RIN: 1018–AH72) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

205. A letter from the Acting Secretary, Bureau of Indian Affairs, Department of Interior, transmitting the Department's final rule—Loan Guaranty, Insurance, and Interest Subsidy (RIN: 1076–AD73) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

206. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administation's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Removal of Groundfish Closure [Docket No. 001213348–0366–02; I.D. 121100A] (RIN: 0648–AO44) received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

207. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No. 001215358–0358–01; 113000A] (RIN: 0648–AN78) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

208. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Act Provisions; Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures [Docket No. 001226367–0367–01; I.D. 121500E] (RIN: 0648–AN82) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

209. A letter from the Deputy Assistant, Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Amendment 12 [Docket No. 000927275–0347–02; I.D. 082800F] (RIN: 0648–AO31) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

210. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Removal of Groundfish Closure [Docket No. 001213348–0348–01; I.D. 121100A] (RIN: 0648–AO44) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

211. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Detention of Aliens Ordered Removed [INS No. 2029–00; AG Order No. 2349–2000] (RIN: 1115–AF82) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

212. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Aliens ineligible to transit without visas (TWOV) (RIN: 1400–AA48) received Jan-

uary 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

213. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Documentation Of Immigrants and Nonimmigrants Under The Immigration And Nationality Act, As Amended—Refusal Of Individual Visas—received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

214. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Documentation of Immigrants—International Broadcasters—received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

215. A letter from the Clerk, United States Court of Federal Claims, transmitting the court's report for the year ended September 30, 2000, pursuant to 28 U.S.C. 791(c); to the Committee on the Judiciary.

216. A letter from the Administrator, FAA, Department of Transportation, transmitting Progress of the aircraft cabin air quality research program, pursuant to 49 U.S.C. 40101nt; to the Committee on Transportation and Infrastructure.

217. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting a report on the Oakwood Beach, New Jersey Feasibility Study; to the Committee on Transportation and Infrastructure.

218. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transporatation, transmitting the Department's final rule—Drawbridge Operation Regulations; Memorial Bridge, across the Intracoastal Waterway, mile 830.6, Volusia County, Daytona Beach, FL [CGD07–00–135] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

219. A letter from the Program Analyst, FAA, Department of Transporation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Model 58 Airplanes [Docket No. 2000–CE–42–AD; Amendment 39–11965; AD 2000–22–18] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

220. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30220; Amdt. No. 2027] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

221. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30219; Amdt. No. 2026] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

222. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30218; Amdt. No. 2025] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

223. A letter from the Chairman, Surface Transportation Board, Department of Transportation, transmitting the Department's final rule—Regulations Governing Fees For Services Performed in Connection With Licensing and Related Services—2000 Update received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

224. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zones, Security Zones, Drawbridges and Special Local Regulations [USCG–2000–7757] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

225. A letter from the Regulations Officer, FHA, Department of Transportation, transmitting the Department's final rule—National Standards for Traffic Control Devices; Manual on Uniform Traffic Control Devices for Streets and Highways [FHWA Docket Nos. 97–2295 (Formerly 96–47), 97–3032, 98–3644, 98–4720, 99–5704, 99–6298, 99–6575, and 99–6576] (RIN: 2125–AE11, AE25, AE38, AE50, AE58, AE66, AE71 and AE72) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

226. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E5 Airspace; Columbus, GA [Airspace Docket No. 00–ASO–42] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

227. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of VOR Federal Airway; AK [Airspace Docket No. 00–AAL–02] (RIN: 2120–AA66) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

228. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Restricted Area, ID [Airspace Docket No. 99–ANM–16] (RIN: 2120–AA66) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

229. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Dexter, MO; Correction [Airspace Docket No. 00–ACE–31] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

230. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Moberly, MO [Airspace Docket No. 00–ACE–30] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

231. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Fayetteville, AR [Airspace Docket No. 2000–ASW–17] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

232. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Alteration of VOR Federal Airway; CO [Airspace Docket No. 99–ANM–14] (RIN: 2120–AA66) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

233. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D and Class E5 Airspace; Vero Beach, FL [Airspace Docket No. 00–ASO–43] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

234. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–82 (MD–82) and DC–9–83 (MD–83) Series Airplanes, and Model MD–88 Airplanes [Docket No. 2000–NM–356–AD; Amendment 39–12004; AD 2000–23–31] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

235. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Series Airplanes [Docket No. 2000–NM–131–AD; Amendment 39–12003; AD 2000–23–30] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

236. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777 Series Airplanes [Docket No. 99–NM–163–AD; Amendment 39–12001; AD 2000–23–28] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

237. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes [Docket No. 2000–NM–76–AD; Amendment 39–11992; AD 2000–23–19] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

238. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and EMB–145 Series Airplanes [Docket No. 2000–NM–384–AD; Amendment 39–12039; AD 2000–25–05] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

239. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes [Docket No. 2000–NM–152–AD; Amendment 39–11963; AD 2000–22–16] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

240. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 99–NM–374–AD; Amendment 39–11957; AD 2000–22–11] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

241. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Teledyne Continental Motors IO–360, TSIO–360, LTSIO–360, O–470, IO–470, TSIO–470, IO–520, TSIO–520, LTSIO–520, IO–550, TSIO–550, and TSIOL–550 Series Reciprocating Engines [Docket No. 2000–NE–16–AD; Amendment 39–11994; AD 2000–23–21] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

242. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–28–AD; Amendment 39–12016; AD 2000–24–09] (RIN: 2120–AA64) received January

5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

243. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon (Beech) Model MU–300, MU–300–10, 400, 400A, and 400T Series Airplanes [Docket No. 2000–NM–60–AD; Amendment 39–12038; AD 2000–25–04] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

244. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc RB211 Trent 768–60, Trent 772–60, and Trent 772B–60 Series Turbofan Engines [Docket No. 2000–NE–37–AD; Amendment 39–12031; AD 2000–24–24] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

245. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc RB211 Trent 800 Series Turbofan Engines [Docket No. 98–ANE–33–AD; Amendment 39–12033; AD 2000–24–26] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

246. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Model HH–1K, TH–1F, TH–1L, UH–1A, UH–1B, UH–1E, UH–1F, UH–1H, UH–1L, and UH–1P; and Southwest Florida Aviation SW204, SW204HP, SW205, and SW205A–1 Helicopters Manufactured by Bell Helicopter Textron Inc. for the Armed Forces of the United States [Docket No. 2000–SW–42–AD; Amendment 39–12034; AD 2000–22–51] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

247. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, –200, and –200C Series Airplanes [Docket No. 2000–NM–365–AD; Amendment 39–12041; AD 2000–25–07] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

248. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Powered By Pratt & Whitney JT9D–3 and –7 Series Engines [Docket No. 2000–NM–329–AD; Amendment 39–11988; AD 2000–23–16] (RIN: 2120–AA64) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

249. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Emergency Locator Transmitters [Docket No. FAA–2000–8552; Amendment No. 91–265] (RIN: 2120–AH16) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

250. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. FAA–2000–7952; Amendment Nos. 121–279, 125–35, 135–77, and 145–23] (RIN: 2120–AF71) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

251. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations: Fireworks Display, SMITH Bay, Saint THOMAS, USVI [CGD07 00–131] (RIN: 2115–AE46) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

252. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department,'s final rule—Airworthiness Directives; Boeing Model 747–100, 747–200, 747–300, 747SP, and 747SR Series Airplanes Powered by Pratt & Whitney JT9D–3 and JT9D–7 Series Engines [Docket No. 2000–NM–353–AD; Amendment 39–11998; AD 2000–23–25] received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

253. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Siam Hiller Holdings, Inc. Model UH–12, UH–12A, UH–12B, UH–12C, UH–12D, UH–12E, UH–12E–L, UH–12L, and UH–12L4 Helicopters [Docket No. 2000–SW–27–AD; Amendment 39–12028; AD 2000–24–21] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

254. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices [FRA Docket No. PB–9; Notice No. 17] (RIN: 2130–AB16) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

255. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Time of Use for Restricted Areas R–4501A, B, C, D, and E, Fort Leonard Wood; MO [Airspace Docket No. 00–ACE–23] (RIN: 2120–AA66) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

256. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision to the Legal Description of the Laughlin/Bullhead International Airport Class D Airspace Area, AZ [Airspace Docket No. 00–AWP–11] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

257. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Mississippi River, Iowa and Illinois [CGD08–00–029] (RIN: 2115–AE47) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

258. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Lower Grand River, LA [CGD08–00–032] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

259. A letter from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule—Intelligent Transportation System Architecture and Standards [FHWA Docket No. FHWA–99–5899] (RIN: 2125–AE65) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

260. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Learjet Model 60 Airplanes [Docket No. 2000–NM–52–AD; Amendment 39–11991; AD 2000–23–18] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

261. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 204B, 205A, 205A–1, 205B, and 212 Helicopters [Docket No. 2000–SW–28–AD; Amendment 39–12042; AD 2000–15–52] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

262. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30221; Amdt. No. 426] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

263. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30223; Amdt. No. 2029] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

264. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30212; Amdt. No. 2019] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

265. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30213; Amdt. No. 2020] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

266. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30217; Amdt. No. 2024] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

267. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30215; Amdt. No. 2022] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

268. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30222; Amdt. No. 2028] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

269. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Effluent Limitations Guidelines and New Source Performance Standards for the Oil and Gas Extraction Point Source Category; OMB Approval Under the Paperwork Reduction Act: Technical Amendment [FRL–6929–8] (RIN: 2040–AD14) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the

Committee on Transportation and Infrastructure.

270. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—FY 2001–2002 Great Lakes National Program Office Request for Preproposals—received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

271. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Oil Pollution Prevention and Response; Non-Transportation-Related Onshore and Offshore Facilities [FRL–6933–4] (RIN: 2050–AC62) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

272. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Further Revisions to the Clean Water Act Regulatory Definition of ''Discharge of Dredged Material'' [FRL–6933–2] received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

273. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Miscellaneous Changes—received December 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

274. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting the Department's final rule—New Criteria for Approving Courses for VA Educational Assistance Programs (RIN: 2900–AI67) received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

275. A communication from the President of the United States, transmitting an updated report concerning the emigration laws and policies of Armenia, Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan, pursuant to 19 U.S.C. 2432(b); (H. Doc. No. 107–17); to the Committee on Ways and Means and ordered to be printed.

276. A letter from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Interim Final Rules for Nondiscrimination in Health Coverage in the Group Market (RIN: 1210–AA77) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

277. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Section 467 Rental Agreements Involving Payments of $2,000,000 or Less [TD 8917] (RIN: 1545–AW75) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

278. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Lifetime Charitable Lead Trusts [TD 8923] (RIN: 1545–AX74) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

279. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Inflation-adjusted Amounts for 2001 [Notice 2001–12] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

280. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Guidance on Filing an Application for a Tentative Carryback Adjustment in a Consolidated Return Context [TD 8919] (RIN: 1545–AY57) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

281. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Partnership Mergers and Divisions [TD 8925] (RIN: 1545–AX32) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

282. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Prevention of Abuse of Charitable Remainder Trusts [TD 8926] (RIN: 1545–AX62) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

283. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2001–7] received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

284. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Awards of attorney's fees and other costs based upon qualified offers [TD 8922] (RIN: 1545–AX00) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

285. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 2001–2] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

286. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definition of Hyperinflationary Currency for Purposes of Section 988 [TD 8914] (RIN: 1545–AX67) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

287. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2001–4] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

288. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax forms and instructions [Rev. Proc. 2001–13] received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

289. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Credit for Increasing Research Activities [TD 8930] (RIN: 1545–AV14; 1545–A051) received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

290. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tiered Structures-Electing Small Business Trusts [TD 8915] (RIN: 1545–AX71) received December 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

291. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Extension of Test of Mediation Procedure for Appeals—received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

292. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–3] received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

293. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Extension of Relief Relating to Application of Nondiscrimination Rules for Certain Governmental Plans and Church Plans [Notice 2001–9] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

294. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—2001 Limitations Adjusted As Provided In Section 415(d), Etc. [Notice 2000–66] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

295. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Withholding and Information Reporting on Payments to Financial Institution in U.S. Possessions [Notice 2001–11] received December 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

296. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Air Transportation Excise Tax; Amount Paid for the Right to Award Miles [Notice 2001–6] received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

297. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Guidance Under Section 355(d); Recognition of Gain on Certain Distributions of Stock or Securities [TD 8913] (RIN: 1545–AW71] received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

298. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2001–5] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

299. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2001–8] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

300. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2001–3] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

301. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out Inventories [Rev. Rul. 2001–5] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

302. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Application of Section 904 to Income Subject to Separate Limitations and Section 864(e) Affiliated Group Expense Allocation and Apportionment Rules [TD 8916] (RIN: 1545–AY29) received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

303. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2001–6] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

304. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2001–1] received

January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

305. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax forms and instructions [Rev. Proc. 2001–9] received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

306. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Interim Final Rules for Nondiscrimination in Health Coverage in the Group Market [TD 8931] (RIN: 1545–AW02) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

307. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Credit—received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

308. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Transportation Fringe Benefits [TD 8933] (RIN: 1545–AX33) received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

309. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definition of Last Known Address [TD 8939] (RIN: 1545–AX13) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

310. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—The GUST Remedial Amendment Period for Employers Who Use M&P or Volume Submitter Specimen Plans—received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

311. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Reopenings of Treasury Securities and Other Debt Instruments; Original Issue Discount [TD 8934] (RIN: 1545–AX60) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

312. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Excise Taxes on Excess Benefit Transactions [TD 8920] (RIN: 1545–AY64) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

313. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Continuation Coverage Requirements Applicable to Group Health Plans [TD 8928] (RIN: 1545–AW94) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

314. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax Treatment of Cafeteria Plans [TD 8921] (RIN: 1545–AY23) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

315. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definition of Contribution in Aid of Construction Under Section 118(c) [TD 8936] (RIN: 1545–AW17) received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

316. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Old-Age, Survivors, and Disability Insurance and Supplemental Security Income for the Aged, Blind, and Disabled; Substantial Gainful Activity Amounts; ''Services'' for Trial Work Peroid Purposes—Monthly Amounts; Student Child Earned Income Exclusion (RIN: 0960–AF12) received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

317. A letter from the Secretary, Department of Transportation, transmitting a report on importing noncomplying motor vehicles, pursuant to 49 U.S.C. 30169(b); jointly to the Committees on Energy and Commerce and Ways and Means.

318. A letter from the Secretary, Department of Health and Human Services, transmitting notification that the Department of Health and Human Services is allotting emergency funds made available under section 2606(e) of the Low-Income Home Energy Assistance Act of 1981 to all States, Tribes, and Territories; jointly to the Committees on Energy and Commerce and Education and the Workforce.

319. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report pursuant to section 7(a) of the Jerusalem Embassy Act of 1995; jointly to the Committees on International Relations and Appropriations.

¶3.3 COMMITTEE ELECTION—MAJORITY

Mr. HANSEN, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 21):

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

Budget: Mr. Sununu to rank after Mr. Nussle.

House Administration: Mr. Ney, Chairman.

Standards of Official Conduct: Mr. Hefley, Chairman.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶3.4 COMMITTEE ELECTION—MINORITY

Mr. FROST, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 22):

Resolved, That the following named Members be, and are hereby, elected to the following standing Committees of the House of Representatives:

Committee on House Administration: Mr. Hoyer of Maryland;

Committee on Standards of Official Conduct: Mr. Berman of California.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶3.5 COMMUNICATION FROM THE PRESIDENT

The SPEAKER laid before the House a communication, which was read as follows:

THE WHITE HOUSE,
Washington, DC, January 16, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to 31 U.S.C. 1105, attached is the Budget of the United States Government for Fiscal Year 2002.

Sincerely,

WILLIAM J. CLINTON.

¶3.6 MESSAGE FROM THE PRESIDENT—ECONOMIC OUTLOOK FY 2002

The SPEAKER laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I am pleased to submit my *FY 2002 Economic Outlook, Highlights from FY 1994 to FY 2001, FY 2002 Baseline Projections*. For the benefit of the new Administration and the public, this document includes an economic overview, a technical presentation of current services projections, a programmatic review of the Federal Government that details my Administration's actions over the last eight years, and pending policy proposals that I believe should be the starting point for a new Administration.

THE OUTLOOK IN 1993

To appreciate what we have accomplished in the past eight years, we must take stock of where we were in 1993. When I took office in 1993, economic growth had averaged only 1.7 percent in the four previous years. In 1992, unemployment surged to 7.8 percent. In 1992, the budget deficit was $290 billion, the largest in the history of our Nation. The debt held by the public quadrupled between 1980 and 1992 and threatened to keep mounting. The deficit was projected to reach $390 billion by 1998 and $639 billion by 2003.

I believed that by exercising fiscal responsibility and making strategic investments in our future, we could reverse this trend and spur the economy to robust growth. Eight years later, with deficits turned to surplus, with the mountain of debt receding, and with sustained economic growth at record level, we can say that we were able to achieve this goal through a steadfast commitment to fiscal discipline.

THE CLINTON-GORE RECORD

Over the eight years of my Administration, our total deficit reduction totals $1.2 trillion, more than double our original estimates. We have experienced four straight years of surplus, a stretch of prosperity last seen following World War I. For three years in a row, we have actually been able to pay off $363 billion of this debt and expect to pay off $600 billion by the end of this year. With a sustained commitment to fiscal discipline by continuing to use the surplus to pay down the debt, this Nation can be fully debt-free in this decade for the first time since 1835. We can eliminate the publicly held debt by the end of the decade and, by doing so, we can strengthen our economy and our Nation's prospects for the future.

FY 2002 Economic Outlook, Highlights from FY 1994 to FY 2001, FY 2002 Baseline Projections continue to project that the Federal budget will remain in surplus

for many decades to come, if a responsible fiscal policy prevails and realistic assumptions and projections are used.

The Federal Government must continue to meet the needs of the American people in a Nation with a growing economy and a growing population. We take for granted the need to maintain critical functions like air traffic safety, law enforcement, the administration of Social Security and Medicare, and national security—both defense and diplomacy. Because I firmly believe that the American people demand and deserve a Government that meets their needs, this document reflects the progress we have made in serving the American people. These accomplishments include:

• Improving education, with initiatives focusing on accountability and school-system reforms; increased funding for Pell Grants and Work-Study Programs; and, initiatives to reduce class size, establish after-school programs, improve reading ability, expand mentoring and education technology, and renovate crumbling schools. The results are significant. For example, 29,000 teachers have been hired, on our way to the goal of hiring 100,000 new teachers to reduce class size, and there has been a six-fold increase in the number of title I elementary schools with after-school programs. We have doubled funding for Head Start, and increased funding for higher education programs—the biggest increase since the G.I. Bill.

• Rewarding work and ''ending welfare as we know it,'' with incentives to States for moving welfare recipients into jobs, encouraging businesses to hire people from welfare rolls, expanding the Earned Income Tax Credit, tripling funding for dislocated worker training, and increasing funding for child care. Since January 1993, the welfare rolls have decreased from 14.1 million to 6.3 million, the fewest number of people on welfare since 1968.

• Making Social Security solvency a national priority, with the challenge to ''save Social Security first,'' ensuring that Social Security funds are used to pay for Social Security and strengthen our economic health.

• Achieving the longest Medicare Trust Fund solvency in a quarter century while improving Medicare's benefits.

• Reversing the increase in the number of uninsured Americans through the Children's Health Insurance Program (CHIP) and other policies. Over 3.3 million children have received health insurance through the CHIP.

• Setting the highest level of environmental standards ever. More land in the lower 48 States has been protected under the Antiquities Act than by any other Administration; 58.5 million acres of national forest will be protected from road building and logging; unprecedented legislation will provide $12 billion over six years in dedicated funding for the conservation of America's land and coastal resources; climate change and clean water funding was increased; and, efforts to fight budget riders that would have sacrificed hard-won environmental safeguards to special-interests succeeded.

• Increasing investments in science and technology, as the keys to economic growth. Funding for medical research at the National Institutes of Health doubled, allowing for breakthroughs such as the complete sequencing of the human genome and new therapies to prevent breast cancer.

• Securing funding to hire over 100,000 additional community police officers, making our streets safer. My Administration's initiatives to reduce crime contributed to the lowest annual serious crime count since 1985.

• Giving Americans confidence that when natural disasters occur, such as the Northridge Earthquake, Hurricane Floyd, and the Midwest Floods, their Government will help them return to prosperity.

• Implementing the Uruguay Round, the North American Free Trade Agreement, and other major agreements, to liberalize trade and financial markets, aid construction of a new global economic architecture, and promote growth.

• Fighting transnational threats, such as HIV/AIDS, terrorism, and environmental destruction, as well as securing historic debt relief for countries in crisis and resources to fight child abuse at home and abroad.

• Improving the security of Americans at home and abroad, through increased funding for embassy security.

• Strengthening our national security by promoting stability in responding to natural disasters in Central America and Africa, as well as man-made crises in Kosovo, Bosnia, and Indonesia.

• Maintaining the Nation's security, with the best-equipped, best-trained, and best-prepared military in the world.

This document also highlights the dramatic improvements in the management of the Federal Government we have made over the last eight years. We have used information technology to create a Government that is more accessible and responsive to citizens. The Federal Government has reinvented the way it buys goods and services, focusing on customer satisfaction and results. We have transformed the Federal financial management system. Eight years ago, only a few agencies routinely prepared and issued audited financial statements. Now virtually all agencies issue annual audited financial statements. More than half of the 24 largest agencies received clean audits in 1999. In addition, significant strides have been made to advance the transparency and underpinnings of the regulatory process and improve the Nation's statistics. These management functions are the essentials of governmental operations. Doing them very well rarely garners attention. Failing to do them can undermine program and policy effectiveness as certainly as bad policy decisions or inadequate program implementation.

As the Nation looks to the future, there are several important areas where additional work is needed. Examples include:

• Providing prescription drug coverage for Medicare beneficiaries;

• Passing legislation to stiffen penalties for hate crimes;

• Ensuring equity for legal immigrants;

• Increasing the minimum wage to sport millions of working families;

• Providing a Medicaid buy-in option for children with disabilities in working families;

• Ensuring stability in the Middle East peace process;

• Increasing our embassy security;

• Funding diplomacy as an alternative to crises and violence;

• Striving to hire 100,000 new teachers to reduce class size;

• Helping school districts to obtain financing to construct and modernize schools; and,

• Expanding and improving the quality of the Head Start program.

MY HOPES FOR THE NATION

This is a rare moment in American history. Never before has our Nation enjoyed so much prosperity, at a time when social progress continues to advance and our position as the global leader is secure. Today, we are well prepared to make the choices that will shape the future of our Nation for decades to come.

By reversing the earlier trend of fiscal irresponsibility, using conservative economic estimates, balancing the budget, and producing an historic surplus, we have helped restore our national spirit and produced the resources to help opportunity and prosperity reach all corners of this Nation. We have it within our reach today, by making the right choices, to offer the promise of prosperity to generations of Americans to come. If we keep to the path of fiscal discipline, we can build a foundation of prosperity for the future of the Nation.

Over the last eight years, I have sought to provide the fiscal discipline necessary to ensure the continuing growth of our economy while making essential investments in the future of our people—especially those who are less fortunate. The results are evident. I present this document with pride in our accomplishments, and the hope that this progress will continue and grow for all Americans.

In the past eight years, we have enjoyed extraordinary economic performance because our fiscal policy was responsible and sound. To continue the Nation's strong economic performance, we must maintain our commitment to a sound fiscal policy. Experience over the last twenty years clearly shows how periolous it is to create conditions for budgetary problems. We are now enjoying the benefits of a virtuous cycle of surplus and debt reduction and must not return to the vicious cycle of red ink.

The challenge now, in this era of surplus, is to make balanced choices to use our resources to meet both the evident, pressing needs of today, and the more distant, but no less crucial, needs of generations to come.

WILLIAM J. CLINTON.
January 16, 2001.

The message, together with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (H. Doc. 107–4).

¶3.7 INAUGURAL CEREMONIES

The SPEAKER pro tempore, Mr. HYDE, made the following announcement:

''The Chair desires to announce that sitting Members are being delivered their official pins in order to be seated on the platform. There are no extra seats available, so former members cannot join the procession. The same holds true for children. They can neither go with the procession nor be seated on the platform.

''The area where Members of the House are to be seated is not covered. Members should keep this fact in mind in deciding whether to wear overcoats and hats.

''The Sergeant at Arms will precede the procession bearing the Mace. The Clerk will escort the Members to the West Front of the Capitol. The procession will be lead by the Dean of the House, followed by the House leadership, committee chairmen, ranking minority members, and the other Members in order of seniority.

''The House leadership, committee chairmen, and ranking minority members shall retire to H-208 upon leaving the Chamber.

''The Chair would encourage Members, as they gather in order of seniority, to congregate by 'classes' in the well.''.

¶3.8 RECESS—10:08 A.M.

The SPEAKER pro tempore, Mr. HYDE, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 8 minutes a.m., until 10:15 a.m.

¶3.9 AFTER RECESS—10:15 A.M.

The SPEAKER pro tempore, Mr. HYDE, called the House to order and made the following announcement:

''Pursuant to House Resolution 10, at 10 o'clock and 17 minutes a.m., the Members of the House will now proceed to the West Front to attend the Inaugural Ceremonies for the President and Vice President of the United States.

''Upon completion of the ceremony, pursuant to House Resolution 10, the House will stand adjourned. Pursuant to House Concurrent Resolution 1, that adjournment will be until 2 p.m. on Tuesday, January 30, 2001.''.

And then,

¶3.10 ADJOURNMENT

Pursuant to House Concurrent Resolution 1, at 12 o'clock and 25 minutes p.m., the House adjourned until 2 o'clock p.m. on Tuesday, January 30, 2001.

¶3.11 PUBLIC BILLS AND RESOLUTIONS

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

By Ms. ESHOO (for herself and Mr. CANNON):

H.R. 237. A bill to protect the privacy of consumers who use the Internet; to the Committee on Energy and Commerce.

By Mr. HUNTER (for himself, Ms. ESHOO, Mr. CUNNINGHAM, Mr. ISSA, Mrs. CAPPS, and Ms. LEE):

H.R. 238. A bill to amend the Department of Energy Authorization Act to authorize the Secretary of Energy to impose interim limitations on the cost of electric energy to protect consumers from unjust and unreasonable prices in the electric energy market; to the Committee on Energy and Commerce.

By Ms. LEE (for herself, Mr. CAPUANO, Mr. CONYERS, Ms. CARSON of Indiana, Mrs. MORELLA, Mr. FROST, Mr. MCGOVERN, and Mr. PAYNE):

H.R. 239. A bill to amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries; to the Committee on Energy and Commerce.

By Mr. RILEY (for himself and Mr. EVERETT):

H.R. 240. A bill to ensure that certain property which was taken into trust by the United States for the benefit of the Poarch Band of Creek Indians of Alabama shall be protected and shall not be used for gaming; to the Committee on Resources.

By Mr. RILEY:

H.R. 241. A bill to eliminate automatic pay adjustments for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANSEN:

H. Res. 21. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. FROST:

H. Res. 22. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

¶3.12 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WEXLER:

H.R. 242. A bill For the relief of Rigaud Moise, Cinette Dorlus Moise, Jean Rigaud Moise, and Phara Moise; to the Committee on the Judiciary.

By Mr. WEXLER:

H.R. 243. A bill For the relief of Akintomide Apara; to the Committee on the Judiciary.

¶3.13 ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

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

H.R. 27: Ms. RIVERS.
H.R. 80: Mr. SHERWOOD and Mr. KANJORSKI.

¶3.14 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

1. The SPEAKER presented a petition of the National Assembly, Republic of Korea, relative to a Resolution petitioning the United States House of Representatives to Oppose the Conclusion of a Treaty Containing a Provision in Conflict with the Current Screen Quota System; to the Committee on International Relations.

2. Also, a petition of the National Assembly, Republic of Korea, relative to a Resolution petitioning the United States House of Representatives to Call for Settlement of the Nogun-ri Incident; to the Committee on International Relations.

3. Also, a petition of the Board of Supervisors of Essex County, New York, relative to Resolution No. 278 petitioning the United States Congress to Oppose The Proposed EPA Plan To Dredge 40 Miles Of The Upper Hudson River From Fort Edward To Troy; to the Committee on Transportation and Infrastructure.

TUESDAY, JANUARY 30, 2001 (4)

The House was called to order by the SPEAKER.

¶4.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Saturday, January 20, 2001.

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

¶4.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

320. A letter from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—Water and Waste Disposal Programs Guaranteed Loans (RIN: 0572–AB57) received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

321. A letter from the Chief, Forest Service, Department of Agriculture, transmitting the Department's final rule—Administration of the Forest Development Transportation System; Prohibitions; Use of Motor Vehicles Off Forest Service Roads (RIN: 0596–AB67) received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

322. A letter from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Food Stamp Program: Revisions to the Retail Food Store Definition and Program Authorization Guidance (RIN: 0584–AB90) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

323. A letter from the Congressional Review Coordinator, Animal and Plant Inspection Service, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of the Republic of South Africa Because of Foot-and-Mouth Disease [Docket No. 00–122–1] received January 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

324. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clopyralid; Pesticide Tolerance [OPP–301099; FRL–6762–5] (RIN: 2070–AB78) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

325. A communication from the President of the United States, transmitting requests to make available previously appropriated contingent emergency funds for the Departments of Agriculture, the Interior, and the Treasury, as well as the Federal Emergency

Management Agency and the Legislative Branch, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; (H. Doc. No. 107–30); to the Committee on Appropriations and ordered to be printed.

326. A letter from the Under Secretary of Defense, Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy which occurred in the fiscal years (FY) 1997 and 1998, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

327. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Utilization of Indian Organizations and Indian-Owned Economic Enterprises [DFARS Case 2000–DO24] received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

328. A communication from the President of the United States, transmitting a report on the National Security Strategy of the United States as required by section 603 of the Goldwater-Nichols Department of Defense Reorganization Act of 1986; to the Committee on Armed Services.

329. A letter from the Legislative and Regulatory Activities Division, Department of the Treasury, transmitting the Department's final rule—Disclosure and Reporting of CRA-Related Agreements [Docket No. 00–34] (RIN: 1557–AB85) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

330. A letter from the Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting the Department's final rule—Revision to the Application Process for Community Development Block Grants for Indian Tribes and Alaska Native Villages [Docket No. FR–4612–F–02] (RIN: 2577–AC22) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

331. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Determining Adjusted Income in HUD Programs Serving Persons with Diabilities: Requiring Mandatory Deductions for Certain Expenses; and Disallowance for Earned Income [Docket No. FR–4608–F–02] (RIN: 2501–AC72) received January 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

332. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Discontinuation of the Section 221(d)(2) Mortgage Insurance Program [Docket No. FR–4588–F–02] (RIN: 2502–AH50) received January 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

333. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Disclosure and Reporting of CRA-Related Agreements (RIN: 3064–AC33) received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

334. A letter from the Deputy Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting the Commission's final rule—Role of Independent Directors of Investment Companies [Release Nos. 33–7932; 34–43786; IC–24816; File No. S7–23–99] (RIN: 3235–AH75) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

335. A letter from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting the Commission's final rule—Disclosure of Mutual Fund After-Tax Returns [Release Nos. 33–7941; 34–43857; IC–24832; File No. S7–09–00] (RIN: 3235–AH77) received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

336. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Investment Company Names [Release No. IC–24828; File No. S7–11–97] (RIN: 3235–AH11) received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

337. A letter from the Director, Office of Management and Budget, transmitting a report on OMB Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

338. A communication from the President of the United States, transmitting a report for nationwide education reform entitled, ''No Child Left Behind''; (H. Doc. No. 107—34); to the Committee on Education and the Workforce and ordered to be printed.

339. A letter from the Secretary, Department of Education, transmitting the Department's final rule—State Vocational Rehabilitation Services Program (RIN: 1820–AB50) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

340. A letter from the Acting Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—State Vocational Rehabilitation Services Program (RIN: 1820–AB52) received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

341. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—State Vocational Rehabilitation Services Program (RIN: 1820–AB50) received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

342. A letter from the Assistant General Counsel for Regulatory Law, Office of Civil Rights and Diversity, Department of Education, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (RIN: 1901–AA87) received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

343. A letter from the Director, Office of Wage Determinations, Wage and Hour Division, Department of Labor, transmitting the Department's final rule—Service Contract Act; Labor Standards for Federal Service Contracts (RIN: 1215–AB26) received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

344. A letter from the Acting Assistant Secretary for Mine Safety and Health, Department of Labor, transmitting the Department's final rule—Diesel Particulate Matter Exposure of Underground Coal Miners (RIN: 1219–AA74) received January 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

345. A letter from the Acting Assistant Secretary for Mine Safety and Health, Department of Labor, transmitting the Department's final rule—Diesel Particulate Matter Exposure of Underground Metal and Nonmetal Miners (RIN: 1219–AB11) received January 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

346. A letter from the Director, Directorate of Construction, Department of Labor, Occupational Safety and Health Administration, transmitting the Department's final rule—Safety Standards for Steel Erection [Docket No. S–775] (RIN: 1218–AA65) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

347. A letter from the Secretary, Federal Trade Commission, transmitting a report on the description of sales, advertising and promotional expenditures data associated with smokeless tobacco products for 1998 and 1999, and updates the 1999 Biennial Report, pursuant to 15 U.S.C. 4407(b); to the Committee on Education and the Workforce.

348. A letter from the Director, Safety Standards, Occupational Safety and Health Administration, transmitting the Administration's ''Major'' final rule—Occupational Injury and Illness Recording and Reporting Requirements [Docket No. R–02] (RIN: 1218–AB24) received December 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

349. A letter from the Acting Director, Directorate of Health Standards Programs, Occupational Safety and Health Administration, transmitting the Administration's final rule—Occupational Exposure to Bloodborne Pathogens; Needlestick and Other Sharps Injuries [Docket No. H370A] (RIN: 1218–AB85) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

350. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's ''Major'' final rule—Energy Conservation Program for Consumer Products: Clothes Washer Energy Conservation Standards [Docket No. EE-RM–94–403] (RIN: 1904–AA67) received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

351. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's ''Major'' final rule—Energy Conservation Program for Consumer Products: Energy Conservation Standards for Water Heaters [Docket No. EE-RM–97–900] (RIN: 1904–AA76) received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

352. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule—Energy Efficiency Program for Commercial and Industrial Equipment: Efficiency Standards for Commercial Heating, Air Conditioning and Water Heating Equipment [Docket No. EE-RM/STD–00–100] (RIN: 1904–AB06) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

353. A letter from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—Nuclear Safety Management (RIN: 1901–AA34) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

354. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule—Alternative Fuel Transportation Program; Biodiesel Fuel Use Credit (RIN: 1904–AB–00) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

355. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Contractor Legal Management Requirements; Department of Energy Acquisition Regulation (RIN: 1990–AA27) received

January 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

356. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's ''Major'' final rule—Energy Conservation Program for Consumer Products: Central Air Conditioners and Heat Pumps Energy Conservation Standards [Docket No. EE–RM–98–440] (RIN: 1904–AA77) received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

357. A letter from the Deputy Executive Secretary, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicaid Program; Revision to Medicaid Upper Payment Limit Requirements for Hospital Services, Nursing Facility Services, Intermediate Care Facility Services for the Mentally Retarded, and Clinic Services [HCFA–2071–F] (RIN: 0938–AK12) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

358. A letter from the Deputy Executive Secretary, Center for Medicaid and State Operations, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—State Child Health; Implementing Regulations for the State Children's Health Insurance Program [HCFA–2006–F] (RIN: 0938–AI28) received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

359. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule—Schedule II Control of Dihydroetorphine Under the Controlled Substances Act (CSA)—received January 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

360. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Reclassification; Wallula, Washington Particulate Matter (PM–10) Nonattainment Area [Docket No. WA–00–01–6937–5] received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

361. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Petition by American Samoa for Exemption from Anti-Dumping Requirements for Conventional Gasoline: Delay of Effective Date [FRL–6940–4] (RIN: 2060–AI60) received January 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

362. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Georgia: Final Authorization of State Hazardous Waste Management Program Revision: Delay of Effective Date [FRL–6940–3] received January 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

363. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Consideration of Potassium Iodide in Emergency Plans (RIN: 3150–AG11) received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

364. A communication from the President of the United States, transmitting a report on developments concerning the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 107–28); to the Committee on International Relations and ordered to be printed.

365. A communication from the President of the United States, transmitting notification that the emergency declared with respect to grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process is to continue in effect beyond January 23, 2001, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 107–29); to the Committee on International Relations and ordered to be printed.

366. A letter from the Secretary, Department of Defense, transmitting the Semi-Annual Report for the first and second halves of Fiscal Year 1998, the first and second halves of Fiscal Year 1999, and the first half of Fiscal Year 2000, for the Cooperative Threat Reduction (CTR) Program, pursuant to 22 U.S.C. 5956; to the Committee on International Relations.

367. A communication from the President of the United States, transmitting a report on the activities of the United States Government departments and agencies relating to the prevention of nuclear proliferation between January 1, 1999 and December 31, 1999, pursuant to 22 U.S.C. 3281; to the Committee on International Relations.

368. A communication from the President of the United States, transmitting the President's bimonthly report on progress toward a negotiated settlement of the Cyprus question, covering the period October 1, through November 30, 2000, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

369. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a listing of gifts by the U.S. Government to foreign individuals during fiscal year 2000, pursuant to 22 U.S.C. 2694(2); to the Committee on International Relations.

370. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the forty-eighth report on the extent and disposition of United States contributions to international organizations for fiscal year 1999, pursuant to 22 U.S.C. 262a; to the Committee on International Relations.

371. A communication from the President of the United States, transmitting a supplemental report consistent with the War Powers Resolution on continued U.S. contributions in support of peacekeeping efforts in the former Yugoslavia; (H. Doc. No. 107–32); to the Committee on International Relations and ordered to be printed.

372. A letter from the Secretary, Department of Agriculture, transmitting the semiannual report of the Inspector General for the 6-month period ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

373. A letter from the Secretary, Department of Transportation, transmitting the semiannual report of the Office of Inspector General for the period ended September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

374. A letter from the Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting the Department's final rule—Privacy Act of 1974; Implementation—received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

375. A letter from the Director, Office of Personnel Management, transmitting OPM's Fiscal Year 1999 Annual Report to Congress on the Federal Equal Opportunity Recruitment Program (FEORP), pursuant to 5 U.S.C. 7201(e); to the Committee on Government Reform.

376. A letter from the Director, Employment Service, Staffing Policy Division, Office of Personnel Management, transmitting the Office's final rule—Repayment of Student Loans (RIN: 3206–AJ12) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

377. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Federal Employment Priority Consideration Program for Displaced Employees of the District of Columbia Department of Corrections (RIN: 3206–AI28) received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

378. A letter from the Chairman, Securities and Exchange Commission, transmitting the FY 2000 report pursuant to the Federal Managers' Financial Integrity Act of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

379. A letter from the Chairman, United States Postal Service, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

380. A letter from the Acting Chair, Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2001 Subsistence Taking of Fish and Wildlife Regulations (RIN: 1018–AF91) received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

381. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Arroyo Toad (RIN: 1018–AG15) received January 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

382. A letter from the Deputy Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Special Regulations, Areas of the National Park System (RIN: 1024–AC82) received January 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

383. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Loans to Indian Tribes and Tribal Corporations (RIN: 0560–AF43) received January 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

384. A letter from the Director, Management and Budget Office, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of Funding Opportunity to Submit Proposals for the Coastal Ecosystem Research Project in the Northern Gulf of Mexico [Docket No. 000202023–1001–02; I.D. No. 110200C] (RIN: 0648–ZA78) received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

385. A letter from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Grant Industry Fellows Program: Request for Proposals for FY 2001 [Docket No. 001027301–0301–01] (RIN: 0648–ZA97) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

386. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Clarification of Parole Authority; Delay of Effective Date [INS No. 2004–99; A.G. Order No. 2396–2001] (RIN: 1115–AF53) received January 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

387. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Temporary Protected Status: Amendments to the Requirements for Employment Authorization Fee, and Other Technical Amendments; Delay of Effective Date [INS No. 1972–99; A. G. Order No. 2397–2001] received January 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

388. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2000–NM–227–AD; Amendment 39–12015; AD 2000–24–08] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

389. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models A36, B36TC, and 58 Airplanes [Docket No. 2000–CE–06–AD; Amendment 39–12011; AD 2000–24–04] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

390. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; S.N. CENTRAIR 101 Series Gliders [Docket No. 2000–CE–49–AD; Amendment 39–12030; AD 2000–24–23] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

391. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation) PA–31 Series Airplanes [Docket No. 96–CE–69–AD; Amendment 39–12035; AD 2000–25–01] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

392. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes, and Model A300 B4–600, A300 B4–600R and A300 F4–600R (A300–600) Series Airplanes [Docket No. 2000–NM–154–AD; Amendment 39–12045; AD 2000–25–10] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

393. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Deutschland Model EC135 P1 and T1 Helicopters [Docket No. 2000–SW–19–AD; Amendment 39–12049; AD 2000–26–02] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

394. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes [Docket No. 99–NM–326–AD; Amendment 39–12046; AD 2000–25–11] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

395. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; S.N. CENTRAIR Model 201B Gliders [Docket No. 2000–CE–48–AD; Amendment 39–12029; AD 2000–24–22] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

396. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Inc. Model 205A–1, 205B, 212, 412 and 412CF Helicopters [Docket No. 2000–SW–49–AD; Amendment 39–12037; AD 2000–25–03] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

397. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—U.S. Locational Requirement for Dispatching of U.S. Rail Operations [FRA Docket No. FRA–2001–8728, Notice No. 1] (RIN: 2130–AB38) received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

398. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–1A11 (CL–600), CL–600–2A12 (CL–601), and CL–600–2B16 (CL–601–3A, CL–601–3R, and CL–604) Series Airplanes [Docket No. 2000–NM–368–AD; Amendment 39–12008; AD 2000–24–01] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

399. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Vulcanair S.p.A. Models P 68 ''OBSERVER,'' P68 ''OBSERVER 2,'' and P68TC ''OBSERVER'' Airplanes [Docket No. 2000–CE–16–AD; Amendment 39–12012; AD 2000–24–05] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

400. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes [Docket No. 2000–NM–112–AD; Amendment 39–12010; AD 2000–24–03] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

401. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737, 747, 757, and 767 Series Airplanes [Docket No. 2000–NM–226–AD; Amendment 39–12055; AD 2000–26–05] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

402. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model A109E Helicopters [Docket No. 2000–SW–07–AD; Amendment 39–12044; AD 2000–25–09] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

403. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747, 757, 767, and 777 Series Airplanes [Docket No. 2000–NM–217–AD; Amendment 39–12054; AD 2000–26–04] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

404. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A Model A109E Helicopters [Docket No. 2000–SW–58–AD; Amendment 39–12061; AD 2000–26–11] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

405. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777–200 Series Airplanes [Docket No. 99–NM–373–AD; Amendment 39–11993; AD 2000–23–20] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

406. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Schweizer Aircraft Corporation Model 269A, 269A–1, 2629B, 2629C, 269C–1, 269D, and TH–55A Helicopters [Docket No. 99–SW–57–AD; Amendment 39–11859; AD 2000–16–05] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

407. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada (BHTC) Model 430 Helicopters [Docket No. 99–SW–42–AD; Amendment 39–11858; AD 2000–16–04] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

408. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 2000–NM–49–AD; Amendment 39–11865; AD 2000–13–03 R1] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

409. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW4164, PW4168 and PW4168A Series Turbofan Engines [Docket No. 97–ANE–44–AD; Amendment 39–11856; AD 2000–16–02] (RIN: 2120–AA64) received January 12, 2001; to the Committee on Transportation and Infrastructure.

410. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model A109A and A109A II Helicopters [Docket No. 2000–SW–05–AD; Amendment 39–11853; AD 2000–15–20] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

411. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes [Docket No. 2000–CE–03–AD; Amendment 39–11946; AD 2000–21–14] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

412. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Powered by Pratt & Whitney JT9D–3 and –7 Series Engines [Docket No. 2000–NM–329–AD; Amendment 39–11988; AD 2000–23–16] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

413. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), and DC–9–87 (MD–87); Model MD–88 Airplanes; and Model MD–90–30 Series Airplanes [Docket No. 99–NM–227–AD; Amendment 39–12050; AD 2000–15–17 R1] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

414. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 Series Airplanes [Docket No. 2000–NM–399–AD; Amendment 39–12051; AD 2000–25–53] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

415. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR72 Series Airplanes [Docket No. 97–NM–237–AD; Amendment 39–11999; AD 2000–23–26] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

416. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–102, –103, and –301 Series Airplanes [Docket No. 99–NM–359–AD; Amendment 39–12000; AD 2000–23–27] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

417. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 and MD–11F Series Airplanes [Docket No. 99–NM–243–AD; Amendment 39–11990; AD 2000–23–17] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

418. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 340B Series Airplanes [Docket No. 2000–NM–13–AD; Amendment 39–12002; AD 2000–23–29] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

419. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model Hawker 800XP and Hawker 800 (U–125A) Series Airplanes [Docket No. 2000–NM–46–AD; Amendment 39–11970; AD 2000–22–22] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

420. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model BAC 1–11 401/AK and 410/AQ Airplanes [Docket No. 2000–NM–113–AD; Amendment 39–11975; AD 2000–23–05] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

421. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes [Docket No. 2000–NM–221–AD; Amendment 39–11997; AD 2000–23–24] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

422. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model Hawker 800A (U–125A) and Hawker 800XP Series Airplanes [Docket No. 2000–NM–03–AD; Amendment 39–12032; AD 2000–24–25] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

423. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW4000 Series Turbofan Engines [Docket No. 2000–NE–43–AD; Amendment 39–12040; AD 2000–25–06] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

424. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 Series Airplanes and C–9 (Military) Airplanes [Docket No. 99–NM–333–AD; Amendment 39–11995; AD 2000–23–22] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

425. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes [Docket No. 2000–NM–213–AD; Amendment 39–11987; AD 2000–23–15] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

426. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 99–NM–381–AD; Amendment 39–12009; AD 2000–24–02] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

427. A letter from the Senior Transportation Analyst, Department of Transportation, transmitting the Department's final rule—Procedures for Transportation Workplace Drug and Alcohol Testing Programs [Docket No. OST–99–6578] (RIN: 2105–AC49) received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

428. A letter from the Secretary, Department of Labor, transmitting the Department's seventh report on the impact of the Andean Trade Preference Act on U.S. trade and employment from 1998 to 1999, pursuant to 19 U.S.C. 3205; to the Committee on Ways and Means.

429. A letter from the Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—Import Restrictions Imposed On Archaeological Material Originating in Italy and Representing the Pre-Classical, Classical and Imperial Roman Periods [T.D. 01–06] (RIN: 1515–AC66) received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

430. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–90–30 Series Airplanes [Docket No. 99–NM–329–AD; Amendment 39–11855; AD 2000–16–01] (RIN: 2120–AA64) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

431. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Obligations of States and Political Subdivisions [TD 8941] (RIN: 1545–AX87) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

432. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Closing agreements [Rev. Proc. 2001–17] received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

433. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Changes in accounting periods and in methods of accounting [Rev. Proc. 2001–23] received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

434. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 2001–18] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

435. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Application of Employment Taxes to Statutory Options [Notice 2001–14] received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

436. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2001–15] received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

437. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—General Rule for Inventories [Rev. Rul. 2001–8] received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

438. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Effect on Earnings and Profits [Rev. Rul. 2001–1] received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

439. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–7] received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

440. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Deduction For Contributions Of An Employer To An Employees' Trust Or Annuity Plan And Compensation Under A Deferred-Payment Plan [Rev. Rul. 2001–6] received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

441. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Stock Transfer Rules: Transition Rules [TD 8937] (RIN: 1545–AY53) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

442. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Extension Of Comprehensive Case Resolution Pilot Program [Notice 2001–13] received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

443. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Split-dollar life insurance arrangements [Notice 2001–10] received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

444. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out Inventories [Rev. Rul. 2001–9] received January 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

445. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Deduction For Contributions Of An Employer To An Employees' Trust Or Annuity Plan And Compensation Under A Deferred-Payment Plan [Rev. Rul. 2001–6] received January 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

446. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Changes in accounting periods and in methods of accounting [Rev. Proc. 2001–23] received January 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

447. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules and regulations [Rev. Proc. 2001–21] received January 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

448. A letter from the the Director, the Office of Management and Budget, transmitting the final OMB sequestration report to the President and Congress for Fiscal Year 2001; (H. Doc. No. 107–31); to the Committee on the Whole House on the State of the Union and ordered to be printed.

449. A letter from the Director, Congressional Budget Office, transmitting a report on ''Unauthorized Appropriations and Expiring Authorizations'' by the Congressional Budget Office, pursuant to 2 U.S.C. 602(f)(3); jointly to the Committees on the Budget and Appropriations.

450. A letter from the the Chair of the Board of Directors, the Office of Compliance, transmitting a report on the applicability to the legislative branch of federal law relating to terms and conditions of employment and access to public services and accommodations, pursuant to section 102(b) of the Congressional Accountability Act of 1995; (H. Doc. No. 107–33); jointly to the Committees on Education and the Workforce and House Administration, and ordered to be printed.

451. A communication from the President of the United States, transmitting a report to provide immediate assistance to help certain Medicare beneficiaries buy prescription drugs; (H. Doc. No. 107–35); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

¶4.3 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 22, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 22, 2001, at 12:25 p.m.

That the Senate passed S. Res. 10.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶4.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 24, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 24, 2001 at 11:02 a.m.

That the Senate passed S. Res. 12.

Appointments:

Commission on the Future of the U.S. Aerospace Industry, John J. Hamre of Maryland.

Board of Regents, Smithsonian Institution, Senator Leahy, Vermont.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶4.5 PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER, pursuant to clause 11 of Rule XI and clause 11 of Rule I, appointed to the Permanent Select Committee on Intelligence the following Members: Messrs. BEREUTER, CASTLE, BOEHLERT, BASS, GIBBONS, LAHOOD, CUNNINGHAM, HOEKSTRA, BURR, and HUTCHINSON.

¶4.6 UNITED STATES GROUP OF THE NORTH ATLANTIC ASSEMBLY

The SPEAKER, pursuant to 22 United States Code 19128a, appointed to the United States Group of the North Atlantic Assembly, on the part of the House, the following Members: Mr. BEREUTER, Chairman, Mr. REGULA, Mrs. ROUKEMA, Messrs. HEFLEY, GILLMOR, GOSS, EHLERS, and MCINNIS.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶4.7 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
January 17, 2001.

Hon. J. DENNIS HASTERT,
Speaker, Republican Steering Committee, House of Representatives, the Capitol.

DEAR MR. SPEAKER: I am writing to request that I be removed from the membership of the Committee on Government Reform for the 107th Congress. I indicated this desire in my committee request form and have been told informally that I would no longer be serving on the Government Reform Committee. I ask that you take whatever steps are necessary to make this decision official.

Thank you for consideration of my request. Should you have any questions regarding my committee assignments please do not hesitate to contact me.

Sincerely,

ASA HUTCHINSON,
Member of Congress.

The resignation was accepted.

¶4.8 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Ms. Laura Griffin, Case Manager, office of the Honorable Dan Miller of Florida:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 5, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a subpoena for documents and testimony issued by the Circuit Court of the Twelfth Judicial Circuit of Florida In and For Manatee County, Florida.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena to the extent that it is consistent with Rule VIII.

Sincerely,

LAURA GRIFFIN,
Case Manager.

¶4.9 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Mr. DREIER:

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 10, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you that, pursuant to Rule VIII of the Rules of the House of Representatives, I have been served with a grand jury subpoena for documents issued by the U.S. District Court for the Central District of California.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

DAVID DREIER.

¶4.10 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Mr. Anthony Traficanti, office of the Honorable James A. Traficant:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 16, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for testimony before the grand jury issued by the United States District Court for the Northern District of Ohio.

Sincerely,

ANTHONY TRAFICANTI.

¶4.11 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Ms. Claire Maluso, Economic Development and Community Outreach Representative, office of the Honorable James A. Traficant:

JANUARY 22, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This to formally notify you pursuant to Rule VIII of the Rules of the

House, that I have received a subpoena for testimony before the grand jury issued by the United States District Court for the Northern District of Ohio.

Sincerely,

CLAIRE MALUSO,
Youngstown, OH.

¶4.12 RECESS—2:17 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 17 minutes p.m., until approximately 5:30 p.m.

¶4.13 AFTER RECESS—5:30 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶4.14 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶4.15 FIREFIGHTERS RETIREMENT AGE

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 93) to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LATOURETTE and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GALLEGLY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 401
Nays 0

¶4.16 [Roll No. 5]

YEAS—401

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

NOT VOTING—31

Bachus
Ballenger
Bass
Becerra
Bono
Callahan
Cannon
Carson (IN)
DeFazio
DeGette
Everett
Fossella
Gutierrez
Hinojosa
Hobson
Houghton
Lantos
Leach
Meek (FL)
Moakley
Mollohan
Neal
Ortiz
Oxley
Rush
Sanchez
Stark
Thomas
Vitter
Wexler
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶4.17 MEMBER-ELECT SWORN IN

Mr. LIPINSKI of the 3rd District of Illinois, presented himself at the bar of the House and took the oath of office prescribed by law.

¶4.18 MESSAGE FROM THE PRESIDENT—PRESIDENT'S OFFICE OF FAITH-BASED AND COMMUNITY INITIATIVES

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Enclosed please find the blueprint for my program to "Rally the Armies of Compassion." I look forward to working with the Congress to pass reforms to support the heroic works of faith-based and community groups across America.

GEORGE BUSH.

THE WHITE HOUSE, *January 30, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means, the Committee on the Judiciary, the Committee on Education and the Workforce, the Committee on Financial Services, and the Committee on Government Reform and ordered to be printed (H. Doc. 107–36).

¶4.19 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. HANSEN, by unanimous consent,

Ordered, That it may be in order on Wednesday, January 31, 2001, under clase 1, Rule XV, for the Speaker to recognize Members for motions to suspend the rules and agree to House Concurrent Resolution 14.

¶4.20 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BACHUS, for today and balance of the week;

To Mr. BECERRA, for today and January 31;

To Mrs. BONO, for today through March 27;

To Mr. ORTIZ, for today and January 31;

To Ms. SANCHEZ, for today; and

To Mr. STARK, for today.

And then,

¶4.21 ADJOURNMENT

On motion of Mr. McINNIS, at 8 o'clock and 20 minutes p.m., the House adjourned.

¶4.22 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on January 2, 2001]

Mr. KASICH: Committee on the Budget. Activities and Summary Report of the Committee on the Budget During the 106th Congress (Rept. No. 106–1055). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on House Administration. Report of the Activities of the Committee on House Administration During the 106th Congress (Rept. No. 106–1056). Referred to the Committee of the Whole House on the State of the Union.

¶4.23 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MURTHA:

H.R. 244. A bill to increase the rates of military basic pay for members of the uniformed services, and for other purposes; to the Committee on Armed Services.

By Mr. HALL of Ohio (for himself and Mr. SANDERS):

H.R. 245. A bill to provide for the establishment of a Natural Gas Reserve; to the Committee on Energy and Commerce.

By Mr. THORNBERRY:

H.R. 246. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. BACHUS:

H.R. 247. A bill to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks; to the Committee on Financial Services.

By Mr. BACHUS:

H.R. 248. A bill to amend the Internal Revenue Code of 1986 to provide that distributions from qualified State tuition programs which are used to pay educational expenses shall not be includible in gross income; to the Committee on Ways and Means.

By Mr. BACHUS:

H.R. 249. A bill to amend the Internal Revenue Code of 1986 to permit private educational institutions to maintain qualified tuition programs and to provide that distributions from such programs which are used to pay educational expenses shall not be includible in gross income; to the Committee on Ways and Means.

By Mrs. MORELLA (for herself, Mr. GILMAN, Mr. DAVIS of Illinois, Mr. EHRLICH, Mr. GILCHREST, Mr. BARTLETT of Maryland, Mr. HOYER, Mr. CARDIN, Mr. CUMMINGS, Mr. WYNN, Mr. HEFLEY, Mr. THOMAS M. Davis of Virginia, Ms. KAPTUR, Mr. MURTHA, Mr. SHIMKUS, Mr. RUSH, Mr. MALONEY of Connecticut, Mr. FROST, Mr. SANDERS, Mr. SKEEN, Mr. ABERCROMBIE, Mr. ENGEL, Mr. HOLDEN, Ms. KILPATRICK, Mr. CALVERT, Mrs. CAPPS, Mrs. McCARTHY of New York, Mr. SKELTON, Ms. HOOLEY of Oregon, Mr. HINCHEY, Mrs. KELLY, Mr. KING, Mr. BERRY, Mr. WOLF, Mr. BENTSEN, Mr. BALDACCI, Mr. CROWLEY, Ms. RIVERS, Mr. MORAN of Virginia, Mr. COSTELLO, Mr. KUCINICH, Mr. SESSIONS, Mr. EVANS, Ms. McCARTHY of Missouri, Mrs. BONO, Mr. BROWN of Ohio, Mr. McGOVERN, Mr. ANDREWS, Mr. OBERSTAR, Mr. LUTHER, Mr. KLECZKA, Mr. PETERSON of Minnesota, Mr. GORDON, Mr. RAHALL, Mr. COYNE, Mr. GANSKE, Mr. PETRI, Mr. FILNER, Mr. WHITFIELD, Mrs. EMERSON, Mr. GILLMOR, Mr. CONDIT, Mr. CLEMENT, Mr. TOWNS, Mr. LoBIONDO, Mr. HOEFFEL, Mr. KANJORSKI, Mr. DEAL of Georgia, Mr. ACKERMAN, Mr. BISHOP, Mr. NORWOOD, Mr. ISAKSON, Mr. SAXTON, Mr. MOORE, Mr. RILEY, Mr. LUCAS of Kentucky, and Ms. BALDWIN):

H.R. 250. A bill to amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established; to the Committee on Government Reform.

By Mr. GILMAN (for himself, Mrs. KELLY, Mrs. MORELLA, Mrs. MALONEY of New York, and Mrs. McCARTHY of New York):

H.R. 251. A bill to ensure the safety of children placed in child care centers in Federal facilities, and for other purposes; to the Committee on Government Reform, and in addition to the Committees on House Administration, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILMAN (for himself and Mrs. McCARTHY of New York):

H.R. 252. A bill to establish a dependent care assistance program for Federal employees; to the Committee on Government Reform.

By Mr. GILMAN (for himself and Mrs. McCARTHY of New York):

H.R. 253. A bill to amend the Internal Revenue Code of 1986 to expand alternatives for families with children and to establish incentives to improve the quality of child care; to the Committee on Ways and Means.

By Mr. GILMAN:

H.R. 254. A bill to provide for the review by Congress of proposed construction of court facilities; to the Committee on Transportation and Infrastructure.

By Mr. GILMAN:

H.R. 255. A bill to provide grant funds to units of local government that comply with certain requirements and to amend certain Federal firearms laws; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan:

H.R. 256. A bill to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is enenacted; to the Committee on the Judiciary.

By Mr. CANTOR:

H.R. 257. A bill to amend the Internal Revenue Code of 1986 to allow a credit against the income tax for educational expenses incurred in attending public or private (including religious) elementary and secondary schools and in homeschooling; to the Committee on Ways and Means.

By Mr. CHAMBLISS:

H.R. 258. A bill to provide wage parity for certain Department of Defense prevailing rate employees in Georgia; to the Committee on Government Reform.

By Mr. CUNNINGHAM (for himself and Mr. TANCREDO):

H.R. 259. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes of violence against children under age 13; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 260. A bill to require customer consent to the provision of wireless call location information; to the Committee on Energy and Commerce.

By Mr. CUNNINGHAM (for himself, Mr. HUNTER, Mr. ISSA, and Mrs. BONO):

H.R. 261. A bill to provide for the appointment of additional Federal district judges in the Southern District of California; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 262. A bill to require a temporary moratorium on leasing, exploration, and development on lands of the Outer Continental Shelf off the State of California, and for other purposes; to the Committee on Resources.

By Mr. THOMAS M. DAVIS of Virginia (for himself, Mr. ROTHMAN, Mr. KENNEDY of Rhode Island, Mrs. WILSON, Mr. DREIER, Mr. HASTINGS of Florida, Mr. FILNER, Mr. RODRIGUEZ, Mr. MORAN of Virginia, Mr. McDERMOTT, Ms. RIVERS, Mr. WHITFIELD, and Mr. CROWLEY):

H.R. 263. A bill to establish an Election Administration Commission to study Federal, State, and local voting procedures and election administration and provide grants to modernize voting procedures and election administration, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DeFAZIO:

H.R. 264. A bill to require the Federal Energy Regulatory Commission to return to the cost-based regulation of wholesale interstate sales of electricity, and for other purposes; to the Committee on Energy and Commerce.

By Ms. DeLAURO (for herself, Mr. DeFAZIO, Mr. LAMPSON, and Ms. WOOLSEY):

H.R. 265. A bill to increase the availability and affordability of quality child care and early learning services, to amend the Family and Medical Leave Act of 1993 to expand the scope of the Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN:

H.R. 266. A bill to amend title II of the Social Security Act to provide for payment of lump-sum death payments upon the death of a spouse; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. MATSUI, Mr. HAYES, Mr. CONYERS, Mr. TANNER, Mr. SHERWOOD, Mr. HEFLEY, Mr. EHRLICH, Ms. ESHOO, Mr. McINNIS, Ms. DUNN, Mr. WATKINS, Mr. SAXTON, Mr. MEEKS of New York, Mr. HASTINGS of Florida, Mr. SMITH of Washington, Mr. RADANOVICH, Mr.

THOMAS M. Davis of Virginia, Mr. MOORE, Mr. SMITH of Texas, Ms. GRANGER, Mr. DOOLEY of California, Mr. BAIRD, Mr. POMBO, Mr. FOLEY, Mr. BALLENGER, Mr. MCDERMOTT, Mr. THORNBERRY, Mr. SHIMKUS, Mr. ALLEN, Mr. HINOJOSA, Mr. SHOWS, Mr. LAMPSON, Mr. DREIER, Mr. ISTOOK, Mr. BAKER, Mr. BURR of North Carolina, Mrs. MEEK of Florida, Mr. ISRAEL, Mr. OWENS, Ms. CAPITO, Mr. GOODLATTE, Mr. HAYWORTH, Mr. FORD, Mr. BLAGOJEVICH, Mrs. JONES of Ohio, Mr. GOODE, Mr. DICKS, Mr. WICKER, Mr. BALDACCI, Mr. THOMPSON of Mississippi, Mr. GIBBONS, Ms. JACKSON-LEE of Texas, Mr. PETERSON of Pennsylvania, and Mr. HINCHEY):

H.R. 267. A bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability; to the Committee on Ways and Means.

By Mr. FILNER (for himself, Mrs. DAVIS of California, Mrs. NAPOLITANO, Mr. HONDA, Mr. STARK, Mr. MATSUI, and Ms. MILLENDER-MCDONALD):

H.R. 268. A bill to require the Federal Energy Regulatory Commission to order refunds of unjust, unreasonable, unduly discriminatory or preferential rates and charges for electricity, to establish cost-based rates for electricity sold at wholesale in the Western Systems Coordinating Council, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FILNER:

H.R. 269. A bill to amend the Internal Revenue Code of 1986 to promote the development of domestic wind energy resources, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK:

H.R. 270. A bill to amend title 1, United States Code, to eliminate any Federal policy on the definition of marriage; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 271. A bill to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center; to the Committee on Resources.

By Mr. GONZALEZ (for himself, Mr. ORTIZ, Mrs. DAVIS of California, Mr. REYES, Mr. FILNER, Mr. BONILLA, Mr. RODRIGUEZ, and Mr. PASTOR):

H.R. 272. A bill to provide for the appointment of additional Federal district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. GOSS:

H.R. 273. A bill imposing certain restrictions and requirements on the leasing under the Outer Continental Shelf Lands Act of lands offshore Florida, and for other purposes; to the Committee on Resources.

By Mr. ISRAEL (for himself and Mr. GRUCCI):

H.R. 274. A bill to amend title XVIII of the Social Security Act to provide incentive payments for multi-year contracts entered into by MedicareChoice organizations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself, Mr. CRANE, Mr. GOSS, Mr. ARMEY, and Mr. TERRY):

H.R. 275. A bill to amend the Internal Revenue Code of 1986 to repeal the adjusted gross income limitations on itemized deductions, the personal exemption deduction, and the child tax credit and to repeal the alternative minimum tax on individuals; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself, Mr. WATKINS, and Mr. MCCRERY):

H.R. 276. A bill to amend the Internal Revenue Code of 1986 to clarify that natural gas gathering lines are 7-year property for purposes of depreciation; to the Committee on Ways and Means.

By Mr. JONES of North Carolina (for himself and Mr. HOSTETTLER):

H.R. 277. A bill to amend the Internal Revenue Code of 1986 to permit tax-exempt organizations to participate in political campaigns; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island (for himself and Mr. CROWLEY):

H.R. 278. A bill to assist State and local governments in conducting community gun buy back programs; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island (for himself, Mr. FROST, Ms. DELAURO, Mr. BARCIA, Mr. FILNER, Mr. BALDACCI, Mr. HINCHEY, and Mr. OLVER):

H.R. 279. A bill to amend title XVIII of the Social Security Act to prevent sudden disruption of Medicare beneficiary enrollment in MedicareChoice plans; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING (for himself and Mr. PAUL):

H.R. 280. A bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING:

H.R. 281. A bill to amend the Internal Revenue Code of 1986 to establish and provide a checkoff for a Breast and Prostate Cancer Research Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATOURETTE:

H.R. 282. A bill to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations; to the Committee on Resources.

By Mrs. MALONEY of New York:

H.R. 283. A bill to amend the Federal Election Campaign Act of 1971 to require the disclosure of certain information by persons conducting phone banks during campaigns for election for Federal office, and for other purposes; to the Committee on House Administration.

By Mrs. MALONEY of New York:

H.R. 284. A bill to protect the civil rights of victims of gender-motivated violence and to promote public safety, health, and regulate activities affecting interstate commerce by creating employer liability for negligent conduct that results in an individual's committing a gender-motivated crime of violence against another individual on premises controlled by the employer; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York:

H.R. 285. A bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers; to provide for a performance standard for breast pumps; and to provide tax incentives to encourage breastfeeding; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCCARTHY of New York (for herself and Mr. GILMAN):

H.R. 286. A bill to provide for the construction and renovation of child care facilities, and for other purposes.; to the Committee on Financial Services.

By Mrs. MCCARTHY of New York (for herself and Mr. KING):

H.R. 287. A bill to amend title XXVII of the Public Health Service Act, title I of the Employee Retirement Income Security Act of 1974, the Internal Revenue Code of 1986, and title XVIII of the Social Security Act to require that group and individual health insurance coverage, group health plans, and MedicareChoice organizations provide prompt payment of claims; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MINK of Hawaii (for herself, Mr. FALEOMAVAEGA, Ms. MCKINNEY, Mrs. CHRISTENSEN, Mr. FILNER, and Mr. FROST):

H.R. 288. A bill to amend title 10, United States Code, to extend eligilibity to use the military health care system and commissary stores to an unremarried former spouse of a member of the uniformed services if the member performed at least 20 years of service which is creditable in determining the member's eligibility for retired pay and the former spouse was married to the member for a period of at least 17 years during those years of service; to the Committee on Armed Services.

By Mrs. MINK of Hawaii:

H.R. 289. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the use of soft money to influence any campaign for election for Federal office; to the Committee on House Administration.

By Mrs. MINK of Hawaii:

H.R. 290. A bill to amend title 38, United States Code, to revise the effective date for an award of disability compensation by the Secretary of Veterans Affairs under section 1151 of such title for persons disabled by treatment or vocational rehabilitiation; to the Committee on Veterans' Affairs.

By Mr. MOORE (for himself and Mr. YOUNG of Alaska):

H.R. 291. A bill to compensate the Wyandotte Tribe of Oklahoma for the taking of certain rights by the Federal Government,

and for other purposes; to the Committee on Resources.

By Mr. NADLER:

H.R. 292. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for annual screening mammography for women 40 years of age or older if the coverage or plans include coverage for diagnostic mammography; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NETHERCUTT (for himself, Mr. KILDEE, and Mr. HAYWORTH):

H.R. 293. A bill to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and for other purposes; to the Committee on Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OSBORNE (for himself, Mr. BEREUTER, Mr. POMEROY, Mrs. EMERSON, Mr. SKELTON, Mr. SHOWS, Mr. FROST, and Mr. GOODE):

H.R. 294. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. ANDREWS, Mr. HOLT, and Mr. FRELINGHUYSEN):

H.R. 295. A bill to limit the use of eminent domain under the Natural Gas Act to acquire certain State-owned property; to the Committee on Energy and Commerce.

By Mr. PASCRELL (for himself, Mr. BALDACCI, Mr. LATOURETTE, Mr. HINCHEY, Mr. FALEOMAVAEGA, Ms. MILLENDER-MCDONALD, Mrs. JONES of Ohio, Mrs. MEEK of Florida, Mr. HINOJOSA, Ms. RIVERS, Mr. DOYLE, Mr. MCGOVERN, Mr. OLVER, Mr. STARK, Ms. ROYBAL-ALLARD, Mr. KUCINICH, Mr. RUSH, and Mr. HOLDEN):

H.R. 296. A bill to amend the Truth in Lending Act to require credit card issuers to mail monthly statements at least 30 days before the due date of the next payment, and for other purposes; to the Committee on Financial Services.

By Mr. RAHALL:

H.R. 297. A bill to foster the reclamation of abandoned coal mine sites in order to protect public health and safety, and for other purposes; to the Committee on Resources.

By Mr. REHBERG:

H.R. 298. A bill to provide a further increase in the rates of military basic pay for members of the uniformed services for fiscal year 2001, and for other purposes; to the Committee on Armed Services.

By Mr. ROTHMAN:

H.R. 299. A bill to amend title 49, United States Code, to prohibit the operation in certain metropolitan areas of civil subsonic turbojets that fail to comply with stage 3 noise levels; to the Committee on Transportation and Infrastructure.

By Mr. SAXTON:

H.R. 300. A bill to amend the Internal Revenue Code of 1986 to allow individuals an exlusion from gross income for certain amounts of capital gains distributions from regulated investment companies; to the Committee on Ways and Means.

By Mr. SHOWS:

H.R. 301. A bill to require the Secretary of Agriculture to make emergency loans under the Consolidated Farm and Rural Development Act and provide emergency assistance under the Livestock Assistance Program to poultry farmers whose energy costs have escalated sharply; to the Committee on Agriculture.

By Mr. SHOWS:

H.R. 302. A bill to require the Secretary of Agriculture to make emergency loans under the Consolidated Farm and Rural Development Act to poultry farmers whose energy costs have escalated sharply; to the Committee on Agriculture.

By Mr. BILIRAKIS (for himself, Mr. CONDIT, Mr. SHOWS, and Mr. KOLBE):

H.R. 303. A bill to amend title 10, United States code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY:

H.R. 304. A bill to establish an independent nonpartisan review panel to assess how the Department of State can best fulfill its mission in the 21st century and meet the challenges of a rapidly changing world; to the Committee on International Relations.

By Mr. TRAFICANT:

H.R. 305. A bill to establish the Fair Justice Agency as an independent agency for investigating and prosecuting alleged misconduct, criminal activity, corruption, or fraud by an officer or employee of the Department of Justice; to the Committee on the Judiciary.

By Mr. TRAFICANT:

H.R. 306. A bill to prohibit oil and gas drilling in Mosquito Creek Lake in Cortland, Ohio; to the Committee on Resources.

By Mr. TRAFICANT:

H.R. 307. A bill to amend the Act of June 1, 1948 to provide for reform of the Federal Protective Service, to enhance the safety and security of federal employees, members of the public and for children enrolled in childcare facilities located in public buildings under the control of the General Services Administration and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UNDERWOOD:

H.R. 308. A bill to establish the Guam War Claims Review Commission; to the Committee on Resources.

By Mr. UNDERWOOD:

H.R. 309. A bill to provide for the determination of withholding tax rates under the Guam income tax; to the Committee on Resources.

By Mr. UPTON:

H.R. 310. A bill to amend title 5, United States Code, to move the legal public holiday known as Washington's Birthday to election day in Presidential election years; to the Committee on Government Reform.

By Mr. VITTER:

H.R. 311. A bill to prohibit a State from determining that a ballot submitted by an absent uniformed services voter was improperly or fraudulently cast unless the State finds clear and convincing evidence of fraud, to direct the Secretary of Defense to prepare and submit a plan for electronic voting by absent uniformed services voters, and for other purposes; to the Committee on House Administration.

By Mr. WYNN (for himself, Mr. SHADEGG, Ms. ESHOO, and Mr. EHRLICH):

H.R. 312. A bill to amend the Federal Power Act to provide for the reliability of the electric power transmission system in the United States, and for other purposes; to the Committee on Energy and Commerce.

By. Mr. TANCREDO (for himself, Mr. CANTOR, and Mr. BAKER):

H.R. 316. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit for education expenses of children receiving or eligible to receive free or reduced price school meals; to the Committee on Ways and Means.

By Mr. DELAHUNT:

H.J. Res. 5. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. KING:

H.J. Res. 6. A joint resolution recognizing Commodore John Barry as the first flag officer of the United States Navy; to the Committee on Armed Services.

By Mr. MCDERMOTT (for himself, Mr. ROYCE, Mr. DAVIS of Illinois, Mr. HYDE, Mr. LANTOS, Mr. SCHIFF, Mr. WYNN, Mr. HASTINGS of Florida, Mr. HOUGHTON, Mr. MENENDEZ, Mr. RANGEL, Mrs. MORELLA, Mr. ROHRABACHER, Ms. HOOLEY of Oregon, Mr. BONIOR, Mr. OBEY, Mr. PAYNE, Mr. HILLIARD, Mr. ENGEL, Mr. FALEOMAVAEGA, Mr. PALLONE, Mr. ACKERMAN, Mrs. NAPOLITANO, Mr. BERMAN, Ms. SCHAKOWSKY, Mr. INSLEE, Mr. GREENWOOD, Mr. SAXTON, Mr. CROWLEY, Mr. FOLEY, Mr. DOYLE, Mr. MCNULTY, Mr. FERGUSON, Ms. PELOSI, Mr. DICKS, Mr. KENNEDY of Rhode Island, Mr. NEAL of Massachusetts, Mr. BOUCHER, Mr. MATSUI, Mr. WEXLER, Mr. LEVIN, Ms. JACKSON-LEE of Texas, Mr. HORN, Mr. ISRAEL, Mr. DELAHUNT, Mr. BECERRA, Mr. MEEKS of New York, Mr. SHIMKUS, Mr. TOWNS, Mr. STARK, Mrs. THURMAN, Mr. WELDON of Florida, Mr. ROTHMAN, Mr. FATTAH, Mr. LAHOOD, Mr. KING, and Mr. JEFFERSON):

H. Con. Res. 13. Concurrent resolution expressing sympathy for the victims of the devastating earthquake that struck India on January 26, 2001, and support for ongoing aid efforts; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEY (for himself, Mr. HOYER, Mr. THOMAS, Mr. BOEHNER, Mr. FATTAH, Mr. EHLERS, Mr. LINDER, Mr. GILMAN, Mr. LANTOS, Mr. LATOURETTE, Mr. FROST, Mr. CANNON, Mr. DAVIS of Florida, and Mr. CANTOR):

H. Con. Res. 14. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mr. ROYCE (for himself, Mr. MCDERMOTT, Mr. DAVIS of Illinois, Mr. HYDE, Mr. LANTOS, Mr. SCHIFF, Mr. WYNN, Mr. HASTINGS of Florida, Mr. HOUGHTON, Mr. MENENDEZ, Mr. RANGEL, Mrs. MORELLA, Mr. ROHRABACHER, Ms. HOOLEY of Oregon, Mr.

BONIOR, Mr. OBEY, Mr. PAYNE, Mr. HILLIARD, Mr. ENGEL, Mr. FALEOMAVAEGA, Mr. PALLONE, Mr. ACKERMAN, Mrs. NAPOLITANO, Mr. BERMAN, Ms. SCHAKOWSKY, Mr. INSLEE, Mr. GREENWOOD, Mr. SAXTON, Mr. CROWLEY, Mr. FOLEY, Mr. DOYLE, Mr. MCNULTY, Mr. FERGUSON, Ms. PELOSI, Mr. DICKS, Mr. KENNEDY of Rhode Island, Mr. NEAL of Massachusetts, Mr. BOUCHER, Mr. MATSUI, Mr. WEXLER, Mr. LEVIN, Ms. JACKSON-LEE of Texas, Mr. HORN, Mr. ISRAEL, Mr. DELAHUNT, Mr. BECERRA, Mr. MEEKS of New York, Mr. SHIMKUS, Mr. TOWNS, Mr. STARK, Mrs. THURMAN, Mr. WELDON of Florida, Mr. ROTHMAN, Mr. FATTAH, Mr. LAHOOD, Mr. KING, Mr. JEFFERSON, Mr. UDALL of Colorado, Mr. KNOLLENBERG, and Mr. CHABOT):

H. Con. Res. 15. Concurrent resolution expressing sympathy for the victims of the devastating earthquake that struck India on January 26, 2001, and support for ongoing aid efforts; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H. Con. Res. 16. Concurrent resolution calling for a peaceful transition to stability and democracy in the Democratic Republic of the Congo; to the Committee on International Relations.

By Mrs. MALONEY of New York (for herself and Mrs. MORELLA):

H. Con. Res. 17. Concurrent resolution expressing the sense of the Congress supporting Federal funding of pluripotent stem cell research; to the Committee on Energy and Commerce.

By Mr. HILL (for himself and Mr. TAYLOR of Mississippi):

H. Res. 23. A resolution expressing the sense of the House of Representatives that any portion of the Federal budget surplus attributable to the Department of Defense Military Retirement Fund should be used exclusively for the financing of the military retirement and survivor benefit programs of the Department of Defense; to the Committee on the Budget, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶4.24 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

1. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of The Mariana Islands, relative to Resolution No. 12–109 memorializing the United States Congress to pass a resolution calling for the adoption of an amendment to the United States Constitution which shall read: ''Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision, thereof, or any official of such state or political subdivision, to levy or increase taxes''; to the Committee on the Judiciary.

¶4.25 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LAMPSON:

H.R. 313. A bill for the relief of Mrs. Marie Marlow of Friendswood, Texas; to the Committee on the Judiciary.

By Mr. PASCRELL:

H.R. 314. A bill for the relief of Moise Marcel Sapriel; to the Committee on the Judiciary.

By Mr. TRAFICANT:

H.R. 315. A bill for the relief of Imbeth Belay; to the Committee on the Judiciary.

¶4.26 ADDITIONAL SPONSORS

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

H.R. 12: Mr. KIND, Ms. HART, Mr. HANSEN, Mr. GEKAS, Mr. CALVERT, Ms. GRANGER, Mr. BONILLA, Mr. HASTINGS of Washington, Mr. HEFLEY, Mr. BEREUTER, Mr. AKIN, Mr. BLUNT, Mrs. EMERSON, Mr. LATOURETTE, Mr. LOBIONDO, Mrs. WILSON, Mr. LUCAS of Kentucky, Ms. BERKLEY, Mr. OSE, Mr. HOLDEN, Mr. ROHRABACHER, Mrs. NORTHUP, Mr. CRAMER, Mr. CLEMENT, Mr. GRUCCI, Mr. HILLEARY, Mr. CRENSHAW, Mr. GILLMOR, Mr. WAMP, Mr. BASS, Mr. SHAYS, Mr. BURTON of Indiana, Mr. COX, Mrs. JONES of Ohio, Mrs. MALONEY of New York, Ms. MILLENDER-MCDONALD, Mr. MILLER of Florida, Mr. TANCREDO, Mr. PAUL, Mr. HOBSON, Mr. HORN, Mrs. BIGGERT, Mr. PITTS, Mr. BENTSEN, Mr. GREEN of Texas, Mr. ISAKSON, Mr. ROYCE, Mr. RILEY, Mr. COOKSEY, Mr. LAHOOD, Mr. BOUCHER, Mr. SCHAFFER, Mr. WOLF, Mr. BALDACCI, Mr. ENGLISH, Mr. JONES of North Carolina, Mr. SPRATT, Mr. MCHUGH, Mr. TERRY, Mrs. BONO, Mr. DUNCAN, Mr. ISTOOK, Mrs. MINK of Hawaii, Mr. WYNN, Mr. NETHERCUTT, Mr. BISHOP, Mr. SUNUNU, Mr. CHAMBLISS, Mr. FRELINGHUYSEN, Mr. BAKER, Mr. DOYLE, Mr. RYUN of Kansas, Mrs. ROUKEMA, Mr. GREENWOOD, Mr. OXLEY, Mr. EHLERS, Mr. POMBO, Mr. SIMMONS, Mrs. MCCARTHY of New York, Mr. DEAL of Georgia, Mr. FROST, Mr. MORAN of Kansas, Mr. GOODLATTE, Ms. DELAURO, Mr. WHITFIELD, Mr. GONZALEZ, Mrs. KELLY, Mr. LARGENT, Mr. FALEOMAVAEGA, Mr. KNOLLENBERG, Mr. UDALL of New Mexico, Mr. SCHROCK, Mr. MICA, and Mr. KING.

H.R. 17: Mr. PAYNE, Mr. FROST, Mrs. MINK of Hawaii, and Mr. CLYBURN.

H.R. 28: Mr. HORN, Mr. BALDACCI, Ms. BALDWIN, Mr. BERMAN, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mr. CONYERS, Mr. ETHERIDGE, Mr. EVANS, Mr. FROST, Mr. HINCHEY, Ms. HOOLEY of Oregon, Ms. JACKSON-LEE of Texas, Mrs. MALONEY of New York, Mr. MORAN of Virginia, Mr. NADLER, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. TOWNS, Mrs. JONES of Ohio, Mr. ENGEL, Mr. FARR of California, Mr. OWENS, Mr. WYNN, Mr. DELAHUNT, Mr. HOLDEN, Mr. GREEN of Wisconsin, Mr. PAYNE, Mr. ROTHMAN, Mr. SMITH of Washington, Mrs. TAUSCHER, Ms. WOOLSEY, Ms. LEE, Ms. DEGETTE, Mr. REYES, Mr. HOLT, Mrs. MEEK of Florida, Mr. SCOTT, Mr. MCDERMOTT, Ms. NORTON, Mr. POMEROY, Mr. ALLEN, Mr. KUCINICH, Ms. RIVERS, Mr. FRANK, Mr. MCNULTY, Mr. PASTOR, Mrs. THURMAN, Mr. SANDERS, Mr. TIERNEY, Mr. ABERCROMBIE, Mrs. MINK of Hawaii, Mr. SIMMONS, Mr. BLAGOJEVICH, Mr. SMITH of New Jersey, Mr. KLECZKA, Mr. SHOWS, Mr. OSE, Mr. GEORGE MILLER of California, Mr. CARDIN, Mr. MEEHAN, Ms. DELAURO, Mr. GEENWOOD, Mr. FILNER, Mr. BLUMENAUER, Mrs. CLAYTON, Ms. MCCARTHY of Missouri, Mrs. LOWEY, Mr. SANDLIN, Mr. ACKERMAN, Mr. BECERRA, Mr. JACKSON of Illinois, Mr. HALL of Ohio, Mr. MALONEY of Connecticut, and Ms. KAPTUR.

H.R. 31: Mr. LUCAS of Kentucky, Mr. SKIMKUS, Mr. WAMP, and Mr. SHOWS.

H.R. 41: Mr. HOUGHTON, Mr. HERGER, Mr. RAMSTAD, Mr. WELLER, Mr. SHAYS, Mr. CUNNINGHAM, and Mr. DOOLEY of California.

H.R. 46: Mr. TOWNS.

H.R. 50: Mr. GREEN of Texas, Mr. MCNULTY, Mr. HOEFFEL, Mrs. MEEK of Florida, and Mr. FALEOMAVAEGA.

H.R. 57: Mr. UDALL of New Mexico, Mr. MORAN of Virginia, Mr. GREEN of Texas, Mr. RODRIQUEZ, Ms. ROYBAL-ALLARD, Mr. CLAY, Mr. ETHERIDGE, Mr. UPTON, and Mr. HOEFFEL.

H.R. 85: Mr. PASCRELL, Mr. SHOWS, Mr. SPRATT, Mr. HOLDEN, Mr. ACKERMAN, Mr. ISAKSON, Mr. KILDEE, Mr. DINGELL, Ms. RIVERS, Mr. ANDREWS, and Mr. PETRI.

H.R. 89: Mr. LANTOS, Mr. QUINN, and Ms. HART.

H.R. 90: Mr. BACA, Mr. GREENWOOD, Mr. HORN, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Ms. BERKLEY, Mr. WATKINS, Mr. CASTLE, Mr. FRANK, Mr. DUNCAN, Mr. PALLONE, Mr. BASS, Mr. REGULA, Mr. LUCAS of Kentucky, Mr. BRADY of Texas, Mr. THOMAS M. DAVIS of Virginia, Mr. MCHUGH, Mr. PETRI, Mr. BENTSEN, Mr. GILCHREST, Mr. WAMP, Mr. PASCRELL, Mr. QUINN, Mrs. EMERSON, Mr. SIMMONS, Mr. HOLT, Mr. BALDACCI, Mr. MCINTYRE, Mr. HOLDEN, Mr. LANTOS, Mr. ROTHMAN, Ms. HART, Mr. HILLEARY, Mr. HINCHEY, Mr. MCDERMOTT, Mr. GILLMOR, and Mr. LARSON of Connecticut.

H.R. 93: Mr. CALVERT, Mr. CAPUANO, Ms. RIVERS, Mr. WELDON of Pennsylvania, Mrs. JO ANN DAVIS of Virginia, Mr. GREENWOOD, Mr. EHRLICH, Mr. KILDEE, Ms. BROWN of Florida, Mrs. BIGGERT, Mr. REYES, Mrs. MEEK of Florida, Mr. GIBBONS, Mr. OTTER, Mrs. NAPOLITANO, Mr. SCHROCK, Mr. PASCRELL, Mr. HINOJOSA, Mr. HOYER, Mr. RUSH, Mr. SAXTON, Mr. DICKS, Mr. WALDEN of Oregon, Mr. MOAKLEY, Ms. BERKLEY, Mr. KUCINICH, Mrs. MINK of Hawaii, Mr. UDALL of New Mexico, Ms. ESHOO, Mrs. DAVIS of California, Ms. PELOSI, Mr. BARCIA, Mr. BLAGOJEVICH, Mr. EVANS, Ms. MILLENDER-MCDONALD, Mr. DOOLITTLE, Mr. ENGEL, Mrs. MORELLA, Mr. GREEN of Texas, Mr. FRANK, Mr. WYNN, Mr. MCHUGH, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. KOLBE, Mr. STARK, Mr. WOLF, Mr. DEFAZIO, Mr. HOLDEN, Mr. POMBO, Mr. CARDIN, Mr. FROST, Mr. COSTELLO, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Mr. MCNULTY, Ms. HART, Mr. GEKAS, and Mr. BISHOP.

H.R. 116: Mrs. MORELLA, Mr. PALLONE, Mr. WU, Mr. ANDREWS, Mr. GEORGE MILLER of California, Mr. KILPATRICK, Mrs. MALONEY of New York, Ms. JACKSON-LEE of Texas, Mr. KIND, Mr. CLEMENT, and Mr. LANTOS.

H.R. 117: Mrs. MORELLA.

H.R. 119: Mr. RODRIGUEZ, Mr. KLECZKA, Mr. FROST, Ms. RIVERS, and Ms. JACKSON-LEE of Texas.

H.R. 129: Mr. OSE and Mr. CLEMENT.

H.R. 138: Mr. WYNN, Mr. MCGOVERN, Mr. RUSH, Mr. ISRAEL, and Ms. CARSON of Indiana.

H.R. 139: Mr. WYNN, Mr. MCGOVERN, Mr. RUSH, Mr. ISRAEL, and Ms. CARSON of Indiana.

H.R. 152: Mr. EHRLICH, Mr. HUTCHINSON, Mr. SHIMKUS, Mr. CLEMENT, and Mr. COOKSEY.

H.R. 159: Mr. GREENWOOD, Mr. BACHUS, Mr. HAYWORTH, Mr. REHBERG, Mr. BAKER, Mr. HEFLEY, Mr. WAMP, Mr. NORWOOD, Mrs. CHRISTENSEN, Mr. HILLEARY, Mr. SHOWS, Mr. GREEN of Wisconsin, Ms. GRANGER, Mr. BEREUTER, Mr. HOLDEN, Ms. HART, and Mr. HOSTETTLER.

H.R. 161: Mr. HALL of Texas, Mr. BEREUTER, Mr. LAHOOD, Ms. SLAUGHTER, Mr. HOLDEN, and Mr. GILLMOR.

H.R. 162: Mr. BAIRD, Mr. CAPUANO, Mr. MCDERMOTT, Mr. GREEN of Texas, Ms. RIVERS, Mr. MCGOVERN, Mr. UNDERWOOD, Mr. SANDLIN, Mr. ENGLISH, Ms. BERKLEY, and Mr. KILDEE.

H.R. 168: Mr. ENGLISH.

H.R. 179: Mr. ACKERMAN, Mr. ALLEN, Mr. BACA, Mr. BALDACCI, Ms. BALDWIN, Mr. BARCIA, Mr. BASS, Mr. BECERRA, Ms. BERKLEY,

Mr. BERMAN, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BONIOR, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Mr. BURR of North Carolina, Mr. CALLAHAN, Mrs. CAPPS, Mr. CAPUANO, Mr. CARSON of Oklahoma, Mrs. CHRISTENSEN, Mr. CLEMENT, Mr. CONDIT, Mr. COOKSEY, Mr. CRAMER, Mr. CUNNINGHAM, Mrs. JO ANN DAVIS of Virginia, Mr. THOMAS M. DAVIS of Virginia, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DINGELL, Mr. DOYLE, Ms. DUNN, Mr. EDWARDS, Mr. EHRLICH, Mrs. EMERSON, Mr. ETHERIDGE, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GILCHREST, Mr. GONZALEZ, Mr. GOODE, Mr. GREEN of Texas, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. HALL of Texas, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. HINCHEY, Mr. HOEFFEL, Mr. HOLDEN, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HUTCHINSON, Mr. ISTOOK, Ms. JACKSON-LEE of Texas, Mr. JENKINS, Mr. KANJORSKI, Mrs. KELLY, Mr. KILDEE, Mr. KING, Mr. KUCINICH, Mr. KIND, Mr. LATOURETTE, Mr. LOBIONDO, Mrs. MALONEY of New York, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MCKEON, Ms. MCKINNEY, Mr. MEEHAN, Mr. MEEKS of New York, Mr. MICA, Ms. MILLENDER-MCDONALD, Mr. MOORE, Mr. NEY, Mr. OBERSTAR, Mr. OLVER, Mr. PALLONE, Mr. PASCRELL, Mr. PETERSON of Minnesota, Mr. PETERSON of Pennsylvania, Mr. RADANOVICH, Mr. RILEY, Mr. ROHRABACHER, Mrs. ROUKEMA, Ms. ROYBAL-ALLARD, Mr. SANDERS, Mr. SANDLIN, Mr. SCHAFFER, Ms. SCHAKOWSKY, Mr. SCHROCK, Mr. SERRANO, Mr. SESSIONS, Mr. SHIMKUS, Mr. SIMMONS, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SMITH of Texas, Mr. STRICKLAND, Mr. TANNER, Mr. TAYLOR of North Carolina, Mr. TERRY, Mrs. THURMAN, Mr. TOWNS, Mr. TRAFICANT, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. WAMP, Mr. WELDON of Florida, Mr. WHITFIELD, Mrs. WILSON, Mr. WOLF, Ms. WOOLSEY, and Mr. WYNN.

H.R. 184: Mr. BALDACCI, Mrs. JONES of Ohio, Mr. HALL of Ohio, Ms. KILPATRICK, Mr. KUCINICH, Mr. WAMP, Mr. MURTHA, Mr. LATOURETTE, Mr. CUMMINGS, Mr. PASCRELL, nad Mr. BARRETT.

H.R. 185: Mr. ABERCROMBIE, Mr. CAPUANO, Mrs. JOHNSON of Connecticut, Mr. PALLONE, Ms. RIVERS, Mrs. THURMAN, Mr. BROWN of Ohio, Mr. GREEN of Texas, Mr. HINCHEY, Ms. PELOSI, Mr. WAXMAN, Mr. ENGEL, Mrs. MINK of Hawaii, Ms. MILLENDER-MCDONALD, Mrs. TAUSCHER, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. FARR of California, Mr. HILLIARD, Mr. BENTSEN, Mrs. LOWEY, Mr. LANTOS, Mr. CONYERS, Ms. HOOLEY of Oregon, Mr. BLAGOJEVICH, Mr. MCDERMOTT, Mr. ANDREWS, Mr. FILNER, Mr. BALDACCI, Ms. WOOLSEY, Mr. DEFAZIO, Ms. SCHAKOWSKY, Mr. STARK, Mr. SANDLIN, Mr. TIERNEY, Ms. KILPATRICK, Mr. FROST, Mr. PRICE of North Carolina, Mr. BONIOR, Mr. SANDERS, Mr. NADLER, Mr. BERMAN, Mr. RUSH, Mr. BLUMENAUER, Ms. JACKSON-LEE of Texas, and Ms. NORTON.

H.R. 187: Mrs. MINK of Hawaii and Mr. HILLIARD.

H.R. 218: Mr. GOODE, Mr. HUNTER, Mr. POMBO, Mr. JENKINS, Mr. HILLEARY, Mr. SHAYS, Mr. BARCIA, Mr. SUNUNU, Mr. CRAMER, Mr. GREEN of Texas, Mr. NEY, Mr. WAMP, Mr. SMITH of Washington, Mr. HAYWORTH, Mr. LATOURETTE, Mr. ENGLISH, Mr. GARY MILLER of California, Mrs. BONO, Mr. KLECZKA, Mr. HOLDEN, Mr. GEKAS, Mr. SISISKY, Mr. GREEN of Wisconsin, Mr. PALLONE, Mr. BILIRAKIS, Mr. HUTCHINSON, Mr. BOUCHER, Mr. SIMMONS, Mr. BLUNT, Mr. ROYCE, Mr. LOBIONDO, Mrs. KELLY, AND MR. LEWIS of Kentucky.

H.R. 219: Mr. SCHAFFER.

H.R. 220: Mr. HINCHEY and Mr. SCHAFFER.

H.R. 232: Mr. GILMAN, Mr. MURTHA, Mr. ISRAEL, Mr. LUCAS of Kentucky, Mr. LUTHER, Mr. HOLT, and Mr. LANTOS.

H.R. 238: Mr. THOMPSON of California, Ms. WOOLSEY, Mr. BACA, Mrs. TAUSCHER, Mr. BERMAN, Mrs. NAPOLITANO, Mr. FARR of California, Mr. BECERRA, Mr. HONDA, Mr. GEORGE MILLER of California, Mrs. DAVIS of California, and Mr. STARK.

H.R. 239: Mr. HILLIARD, Ms. MCKINNEY, Mr. KILDEE, Mr. STARK, Mr. OWENS, Ms. MILLENDER-MCDONALD, Mr. RUSH, Mr. MCINTYRE, and Mrs. CHRISTENSEN.

H.R. 241: Mr. SCHAFFER.

H. Con. Res. 3: Mr. MCGOVERN, Ms. KILPATRICK, Mrs. NAPOLITANO, Mr. FALEOMAVAEGA, Ms. DELAURO, Mr. UNDERWOOD, Mrs. MINK of Hawaii, Mr. MCDERMOTT, Mr. KUCINICH, Mrs. DAVIS of California, Mr. PASTOR, Ms. BERKLEY, Mr. HILLIARD, Mrs. MEEK of Florida, and Mr. STARK.

H. Con. Res. 8: Mr. HALL of Texas, Mr. FROST, Mr. WALSH, Mrs. BIGGERT, Mr. WOLF, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. BONIOR, Mr. NETHERCUTT, Mr. BERMAN, Mr. GREEN of Wisconsin, Mr. NADLER, Mr. LANTOS, and Mr. CLEMENT.

H. Res. 15: Mr. TRAFICANT, Mr. RILEY, Mr. SCHAFFER, and Mr. TANCREDO.

WEDNESDAY, JANUARY 31, 2001 (5)

The House was called to order by the SPEAKER.

¶5.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, January 30, 2001.

Mr. LAMPSON, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. LAMPSON objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶5.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

452. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Amendments to the Daily Computation of the Amount of Customer Funds Required to be Segregated (RIN: 3038–AB52) received January 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

453. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Delegation of Authority to Disclose and Request Information—received January 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

454. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida and Imported Grapefruit; Clarification of Inspection Requirements [Docket No. FV99–905–5 FR] received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

455. A letter from the Associate Administrator, Livestock and Seed Program, Department of Agriculture, transmitting the Department's final rule—Regulations Governing the Certification of Sanitary Design and Fabrication of Equipment Used in the Processing of Livestock and Poultry Products [Docket No. LS–98–09] (RIN: 0581–AB69) received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

456. A letter from the Executive Vice President, Commodity Credit Corporation, Tobacco and Peanuts Division, Department of Agriculture, transmitting the Department's final rule—Cleaning and Reinspection of Farmers Stock Peanuts (RIN: 0560–AF56) received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

457. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Suspension of Provisions under the Federal Marketing Order for Tart Cherries [Docket No. FV00–930–6 IFR] received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

458. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Decreased Assessment Rates [Docket No. FV01–930–1 IFR] received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

459. A letter from the Associate Administrator, Agricultural Marketing Service, Dairy Programs, Department of Agriculture, transmitting the Department's final rule—Milk in the Northeast and Other Marketing Areas; Interim Admendment of Orders [Docket No. AO–14–A69, et al; DA–00–03] received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

460. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Raisins Produced from Grapes Grown in California; Decreased Assessment Rate [Docket No. FV00–989–5 FIR] received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

461. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Reduction in Production Cap for 2001 Diversion Program [Docket No. FV01–989–1 IFRA] received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

462. A letter from the Under Secretary of Defense, Personnel and Readiness, Department of Defense, transmitting the National Guard Challenge Program Annual Report for Fiscal Year 2000, required under section 509(k) of title 32, United States Code; to the Committee on Armed Services.

463. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting a report on outsourcing and privatization initiatives; to the Committee on Armed Services.

464. A letter from the Assistant General Counsel for Regulatory Law, Office of Security and Emergency Operations, Department of Energy, transmitting the Department's

final rule—Office of Security and Emergency Operations; Security Requirements for Protected Disclosures Under Section 3164 of the National Defense Authorization Act for Fiscal Year 2000 [Docket No. SO-RM–00–3164] (RIN: 1992–AA26) received January 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

465. A letter from the Deputy Under Secretary of Defense, Department of Defense, transmitting the annual report to Congress describing the activities of the Defense Production Act Title III Fund for Fiscal Year 2000, pursuant to 50 U.S.C. app. 2094; to the Committee on Financial Services.

466. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7753] received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

467. A letter from the Deputy Secretary, Division of Investment Management, Office of Investment Adviser Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Electronic Filing by Investment Advisers; Amendments to Form ADV; Technical Amendments [Release No. IA–1916; 34–43758; File No. S7–10–00] (RIN:3235–AI04) received December 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

468. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

469. A letter from the Acting Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, Foreign Terrorist Organizations, and Specially Designated Narcotics Traffickers: Additional Designations and Supplementary Information on Specially Designated Narcotics Traffickers—received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

470. A letter from the Secretary, Department of Commerce, transmitting the semiannual report on the activities of the Office of the Inspector General and the Secretary's semiannual report on final action taken on Inspector General audits for the period from April 1, 2000 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

471. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–465, ''Capitol Hill Business Improvement District Procedure Amendment Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

472. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–464, ''College Savings Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

473. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–463, ''Approval of the Application for Transfer of Control of District Cablevision, Inc., to AT&T Corporation Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

474. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–406, ''Sentencing Reform Amendment Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

475. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–418, ''Freedom From Cruelty to Animals Protection Amendment Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

476. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–447, ''Retirement Reform Temporary Amendment Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

477. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–448, ''Residential Permit Parking Area Temporary Amendment Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

478. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–449, ''Child Support and Welfare Reform Compliance Temporary Amendment Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

479. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–457, ''Foster Children's Guardianship Temporary Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

480. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–459, ''Motor Vehicle Residential Parking Regulation Amendment Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

481. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–395, ''Distribution of Marijuana Amendment Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

482. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–460, ''Safe Teenage Driving and Merit Personnel Technical Amendment Act of 2000'' received January 31, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

483. A letter from the Staff Director, Commission on Civil Rights, transmitting the FY 2000 Federal Managers Financial Integrity Act report, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

484. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received January 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

485. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

486. A letter from the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting a report on the Strategic Plan for FY 2000-FY 2005; to the Committee on Government Reform.

487. A letter from the Secretary, Department of Education, transmitting the FY 2000 Federal Managers' Financial Integrity Act Report, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

488. A letter from the Secretary, Department of Education, transmitting a report concerning surplus Federal real property disposed of to educational institutions, pursuant to 40 U.S.C. 484(o)(1); to the Committee on Government Reform.

489. A letter from the Secretary, Department of Transportation, transmitting a report on Revisions to Final Department of Transportation FY 2001 Performance Plan; to the Committee on Government Reform.

490. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: Type of Contracts [FRL–6932–7] received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

491. A letter from the Acting Chairman, National Transportation Safety Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

492. A letter from the Director, Office of General Counsel and Legal Policy, Office of Government Ethics, transmitting the Office's final rule— Technical Amendments to Office of Government Ethics Freedom of Information Act Regulation: Change in Decisional Officials—received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

493. A letter from the Deputy Director for Management, Office of Management and Budget, transmitting a report entitled, ''Electronic Purchasing and Payment in the Federal Government—Update 2000''; to the Committee on Government Reform.

494. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Excepted Service; Career and Career-Conditional Employment (RIN: 3206–AJ28) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

495. A letter from the Chief Operating Officer, U.S. Chemical Safety and Hazard Investigation Board, transmitting a report on the Annual Performance Plan for FY 2001; to the Committee on Government Reform.

496. A letter from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—The Argo Project: Global ocean observations for understanding and prediction of climate variability [Docket No. 001027300–0300–01] (RIN: 0648–ZA96) received December 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

497. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for North Carolina [Docket No. 000119014–0137–02; I.D. 121200H] received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

498. A communication from the President of the United States, transmitting a report for the lower Delaware River and several of its tributaries in Pennsylvania and New Jersey, in response to the provisions of the Wild and Scenic Rivers Act, Public Law 90–542, as amended; to the Committee on Resources.

499. A communication from the President of the United States, transmitting a report for the lower Sheenjek River in Alaska, in response to the provisions of the Wild and Scenic Rivers Act, Public Law 90–542, as amended; to the Committee on Resources.

500. A letter from the Director, Policy Directives and Instructions Branch, Immigra-

tion and Naturalization Service, Department of Justice, transmitting the Department's final rule—Additional Authorization To Issue Certifications for Foreign Health Care Workers; Speech-Language Pathologists and Audiologists, Medical Technologists and Technicians, and Physician Assistants [INS No. 2089–00] (RIN: 1115–AE73) received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

501. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Clarification of Parole Authority [INS No. 2004–99] (RIN: 1115–AF53) received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

502. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Temporary Protected Status: Amendments to the Requirements for Employment Authorization Fee, and Other Technical Amendments [INS No. 1972–99] (RIN: 1115–AF01) received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

503. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Update of the List of Countries Whose Citizens or Nationals Are Ineligible for Transit Without Visa (TWOV) Privileges to the United States Under the TWOV Program [INS No. 2020–99] (RIN: 1115–AF81) received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

504. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Removing Burma From the Guam Visa Waiver Program [INS No. 2099–00] (RIN: 1115–AF95) received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

505. A letter from the Program Analyst, FAA, Department of Tranportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 99–NM–377–AD; Amendment 39–12014; AD 2000–24–07] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

506. A letter from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule—Mitigation of Impacts to Wetlands and Natural Habitat [FHWA Docket No. FHWA 97–2514; 96–8] (RIN: 2125–AD78) received January 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

507. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Commercial Hazardous Waste Combustor Subcategory of the Waste Combustors Point Source Category; Correction [FRL–6866–7] (RIN: 2040–AC23) received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

508. A letter from the Chairman, Office of Economics, Environmental Analysis, and Administration, Surface Transportation Board, transmitting the Board's final rule—Modification of the Class I Reporting Regulations [STB Ex Parte No. 583] received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

509. A letter from the the Director, National Legislative Commission, The American Legion, transmitting the proceedings of the 82nd National Convention of the American Legion, held in Milwaukee, Wisconsin from September 5, 6, and 7, 2000 as well as a report on the Organization's activities for the year preceding the Convention, pursuant to 36 U.S.C. 49; (H. Doc. No. 107—37); to the Committee on Veterans' Affairs and ordered to be printed.

510. A letter from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting the Department's final rule—Technical Amendments to the Customs Regulations [T.D. 01–14] received January 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

511. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Closing agreements [Rev. Proc. 2001–17] received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

512. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Appeals Settlement Guidelines: Health Insurance Deductibility for Self-Employed Individuals—received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

513. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Appeals Settlement Guidelines: Retroactive Adoption Of An Accident And Health Plan—received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

514. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Changes in accounting periods and in methods of accounting [Rev. Proc. 2001–24] received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

515. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action On Decision: Security State Bank v. Commissioner—received January 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

516. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Appeals Settlement Guidelines: Retroactive Adoption of an Accident and Health Plan—received January 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

517. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Appeals Settlement Guidelines: Health Insurance Deductibility for Self-Employed Individuals—received January 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

518. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Closing agreements [Rev. Proc. 2001–22] received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

519. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules and regulations [Rev. Proc. 2001–21] received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

520. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Contingent Liability Tax Shelter [Notice 2001–17] received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

521. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Intermediary Transactions Tax Shelter [Notice 2001–16] received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

522. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Timely Mailing Treated as Timely Filing/Electronic Postmark [TD 8932] (RIN: 1545–AW81) received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

523. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Disclosure of Returns and Return Information to Designee of Taxpayer [TD 8935] (RIN: 1545–AY59) received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

524. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Conversion to the Euro [TD 8927] (RIN: 1545–AW34) received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

525. A letter from the Secretary, Department of Agriculture, transmitting the USDA 1997–1999 activities report on environmental assessment, restoration, and cleanup activities required by Section 120(e)(5) of the Comprehensive Environmental Response, Compensation, and Liability Act; jointly to the Committees on Agriculture and Energy and Commerce.

526. A letter from the Deputy Secretary, Department of Housing and Urban Development, transmitting an update regarding the Department of Housing and Urban Development's 2020 Management Reform efforts that have changed HUD for the better and the semi-annual report of the Inspector General for the period ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); jointly to the Committees on Financial Services and Government Reform.

¶5.3 INSPECTOR GENERAL FOR THE HOUSE OF REPRESENTATIVES

The SPEAKER, pursuant to clause 6 of Rule II, announced his appointment, jointly with the Majority Leader and Minority Leader, of Mr. Steven A. McNamara of Sterling, Virginia, to the position of Inspector General for the United States House of Representatives for the One Hundred Seventh Congress, effective January 3, 2001.

¶5.4 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. NEY, by unanimous consent,

Ordered, That it may be in order today, under clause 1, Rule XV, for the Speaker to entertain a motion to suspend the rules and agree to the concurrent resolution (H. Con. Res 15) expressing sympathy for the victims of the devastating earthquake that struck India on January 26, 2001, and support for ongoing aid efforts.

¶5.5 ADJOURNMENT OF THE HOUSE

Mr. NEY submitted the following privileged concurrent resolution (H. Con. Res. 18):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday,

January 31, 2001, it stand adjourned until 2 p.m. on Tuesday, February 6, 2001.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶5.6 HOLOCAUST MEMORIAL CEREMONY

Mr. NEY, pursuant to the order of the House of January 30, 2001, moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 14):

Resolved by the House of Representatives (the Senate concurring), That the rotunda of the Capitol is authorized to be used on April 18, 2001, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. NEY and Mr. HOYER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HOYER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶5.7 EARTHQUAKE VICTIMS IN INDIA

Mr. HYDE, pursuant to the previous order of the House, moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 15):

Whereas on the morning of January 26, 2001, a devastating and deadly earthquake shook the state of Gujarat in western India, killing untold tens of thousands of people, injuring countless others, and crippling most of the region;

Whereas the earthquake of January 26, 2001, has left thousands of buildings in ruin, caused widespread fires, and destroyed infrastructure;

Whereas the people of India and people of Indian origin have displayed strength, courage, and determination in the aftermath of the earthquake;

Whereas the people of the United States and India have developed a strong friendship based on mutual interests and respect;

Whereas India has appealed to the World Bank, the Asian Development Bank, and the international community for the economic assistance to meet the substantial relief and reconstruction needs facing that country in the aftermath of the earthquake;

Whereas the United States has offered technical and monetary assistance through the United States Agency for International Development (USAID); and

Whereas offers of assistance have also come from the Governments of Turkey, Switzerland, Taiwan, Russia, Germany, China, Canada, and others, as well as countless nongovernmental organizations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) expresses its deepest sympathies to the citizens of the state of Gujarat and to all of India for the tragic losses suffered as a result of the earthquake of January 26, 2001;

(2) expresses its support for—

(A) the people of India as they continue their efforts to rebuild their cities and their lives;

(B) continuing and substantially increasing the amount of disaster assistance being provided by the United States Agency for International Development (USAID) and other relief agencies; and

(C) providing future economic assistance in order to help rebuild Gujarat;

(3)(A) supports the economic assistance efforts of the World Bank, the Asian Development Bank, and the international community; and

(B) urges the President to use United States influence with these bodies to expedite these efforts; and

(4) recognizes and encourages the important assistance that also could be provided by other nations to alleviate the suffering of the people of India.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. HYDE and Mr. ACKERMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. LATHAM, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ACKERMAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LATHAM, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶5.8 H. CON. RES. 14—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATHAM, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 14) permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 407 / Nays 0

¶5.9 [Roll No. 6]

YEAS—407

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Thomas M.
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Osborne
Ose
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez

Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—26

Abercrombie
Bachus
Becerra
Berman
Bono
Callahan
Carson (IN)
Cox
DeFazio
Everett
Ganske
Gephardt
Hinojosa
Kennedy (RI)
Lantos
Leach
Lewis (GA)
Miller, Gary
Mollohan
Ortiz
Oxley
Pitts
Rush
Strickland
Vitter
Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶5.10 H. CON. RES. 15—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATHAM, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 15) expressing sympathy for the victims of the devastating earthquake that struck India on January 26, 2001, and support for ongoing aid efforts.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 406 / Nays ..... 1 }

¶5.11 [Roll No. 7]

YEAS—406

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

NAYS—1

Paul

NOT VOTING—26

Abercrombie
Bachus
Bartlett
Becerra
Berman
Bono
Callahan
Carson (IN)
DeFazio
Everett
Ganske
Gephardt
Hilleary
Hinojosa
Lantos
Leach
Lewis (GA)
Meek (FL)
Miller, Gary
Mollohan
Ortiz
Oxley
Rush
Thurman
Vitter
Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶5.12 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATHAM, pursuant to clause 8, rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, January 30, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATHAM, announced that the yeas had it.

Mr. ETHERIDGE demanded a recorded vote on agreeing to the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 382 / Nays ..... 19 }

¶5.13 [Roll No. 8]

AYES—382

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)

Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Thomas M.
Deal
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moakley
Moran (KS)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Osborne
Ose
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sawyer
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—19

Baird
Costello
Crane
Filner
Gutierrez
Kucinich
McDermott
Moore
Oberstar
Ramstad
Sabo
Schaffer
Stark
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Waters
Weller

NOT VOTING—32

Abercrombie
Bachus
Becerra
Berman
Boehner
Bono
Buyer
Callahan
Capuano
Carson (IN)
DeFazio
DeLay
Everett
Ganske
Gephardt
Hilleary
Hinojosa
Jones (NC)
Kirk
Lantos
Leach
Lewis (GA)
Miller, Gary
Mollohan
Moran (VA)
Ortiz
Oxley
Pelosi
Rush
Sanders
Saxton
Vitter

So the Journal was approved.

¶5.14 COMMITTEE ELECTION—MAJORITY

Mr. BONILLA, by unanimous consent, submitted the following resolution (H. Res. 24):

Resolved, That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives:

House Administration: Mr. Ehlers; Mr. Mica; Mr. Linder; Mr. Doolittle and Mr. Reynolds.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶5.15 COMMITTEE ELECTION—MINORITY

Mr. FROST, by the direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 25):

Resolved, That the following named Members be, and are hereby, elected to the following standing Committees of the House of Representatives:

Committee on Agriculture: Mr. Stenholm of Texas, Mr. Condit of California, Mr. Peterson of Minnesota, Mr. Dooley of California, Mrs. Clayton of North Carolina, Mr. Hilliard of Alabama, Mr. Holden of Pennsylvania, Mr. Bishop of Georgia, Mr. Thompson of Mississippi, Mr. Baldacci of Maine, Mr. Berry of Arkansas, Mr. McIntyre of North Carolina, Mr. Etheridge of North Carolina, Mr. John of Louisiana, Mr. Boswell of Iowa, Mr. Phelps of Illinois, Mr. Thompson of California, Mr. Hill of Indiana, and Mr. Baca of California;

Committee on Appropriations: Mr. Obey of Wisconsin, Mr. Murtha of Pennsylvania, Mr. Dicks of Washington, Mr. Sabo of Minnesota, Mr. Hoyer of Maryland, Mr. Mollohan of West Virginia, Ms. Kaptur of Ohio, Ms. Pelosi of California, Mr. Visclosky of Indiana, Mrs. Lowey of New York, Mr. Serrano of New York, Ms. DeLauro of Connecticut, Mr. Moran of Virginia, Mr. Olver of Massachusetts, Mr. Pastor of Arizona, Mrs. Meek of Florida, Mr. Price of North Carolina, Mr. Edwards of Texas, Mr. Cramer of Alabama, Mr. Kennedy of Rhode Island, Mr. Clyburn of South Carolina, Mr. Hinchey of New York, Ms. Roybal-Allard of California, Mr. Farr of California, Mr. Jackson of Illinois, Ms. Kilpatrick of Michigan, and Mr. Boyd of Florida;

Committee on Armed Services: Mr. Skelton of Missouri, Mr. Sisisky of Virginia, Mr. Spratt of South Carolina, Mr. Ortiz of Texas, Mr. Evans of Illinois, Mr. Taylor of Mississippi, Mr. Abercrombie of Hawaii, Mr. Meehan of Massachusetts, Mr. Underwood of Guam, Mr. Blagojevich of Illinois, Mr. Reyes of Texas, Mr. Allen of Maine, Mr. Snyder of Arkansas, Mr. Turner of Texas, Mr. Smith of Washington, Ms. Sanchez of California, Mr. Maloney of Connecticut, Mr. McIntyre of North Carolina, Mr. Rodriguez of Texas, Ms. McKinney of Georgia, Ms. Tauscher of California, Mr. Brady of Pennsylvania, Mr. Andrews of New Jersey, Mr. Hill of Indiana, Mr. Thompson of California, Mr. Larson of Connecticut, Ms. Davis of California, and Mr. Langevin of Rhode Island;

Committee on the Budget: Mr. Spratt of South Carolina, Mr. McDermott of Washington, Mr. Thompson of Mississippi, Mr. Bentsen of Texas, Mr. Davis of Florida, Mrs. Clayton of North Carolina, Mr. Price of North Carolina, Mr. Markey of Massachusetts, Mr. Kleczka of Wisconsin, Mr. Clement of Tennessee, Mr. Moran of Virginia, Ms. Hooley of Oregon, Mr. Holt of New Jersey, Mr. Hoeffel of Pennsylvania, and Ms. Baldwin of Wisconsin;

Committee on Energy and Commerce: Mr. Dingell of Michigan, Mr. Waxman of California, Mr. Markey of Massachusetts, Mr. Hall of Texas, Mr. Boucher of Virginia, Mr. Towns of New York, Mr. Pallone of New Jersey, Mr. Brown of Ohio, Mr. Gordon of Tennessee, Mr. Deutsch of Florida, Mr. Rush of Illinois, Ms. Eshoo of California, Mr. Stupak of Michigan, Mr. Engel of New York, Mr. Sawyer of Ohio, Mr. Wynn of Maryland, Mr. Green of Texas, Ms. McCarthy of Missouri, Mr. Strickland of Ohio, Ms. DeGette of Colorado, Mr. Barrett of Wisconsin, Mr. Luther of Minnesota, and Ms. Capps of California;

Committee on Education and the Workforce: Mr. Miller of California, Mr. Kildee of Michigan, Mr. Owens of New York, Mr. Payne of New Jersey, Ms. Mink of Hawaii, Mr. Andrews of New Jersey, Mr. Roemer of Indiana, Mr. Scott of Virginia, Ms. Woolsey of California, Ms. Rivers of Michigan, Mr. Fattah of Pennsylvania, Mr. Hinojosa, Ms. McCarthy of New York, Mr. Tierney of Massachusetts, Mr. Kind of Wisconsin, Ms. Sanchez of California, Mr. Ford of Tennessee, Mr. Kucinich of Ohio, Mr. Wu of Oregon, Mr. Holt of New Jersey, Ms. McCollum of Minnesota, and Ms. Solis of California.

Committee on Financial Services: Mr. LaFalce of New York, Mr. Frank of Massachusetts, Mr. Kanjorski of Pennsylvania, Ms. Waters of California, Ms. Maloney of New York, Mr. Guiterrez of Illinois, Ms. Velazquez of New York, Mr. Watt of North Carolina, Mr. Ackerman of New York, Mr. Bentsen of Texas, Mr. Maloney of Connecticut, Ms. Hooley of Oregon, Mrs. Carson of Indiana, Mr. Sherman of California, Mr. Sandlin of Texas, Mr. Meeks of New York, Ms. Lee of California, Mr. Mascara of Pennsylvania, Mr. Inslee of Washington, Ms. Schakowsky of Illinois, Mr. Moore of Kansas, Mr. Gonzalez of Texas, Ms. Tubbs Jones of Ohio, and Mr. Capuano of Massachusetts;

Committee on Government Reform: Mr. Waxman of California, Mr. Lantos of California, Mr. Owens of New York, Mr. Towns of New York, Mr. Kanjorski of Pennsylvania, Ms. Mink of Hawaii, Ms. Maloney of New York, Ms. Norton of the District of Columbia, Mr. Fattah of Pennsylvania, Mr. Cummings of Maryland, Mr. Kucinich of

Ohio, Mr. Blagojevich of Illinois, Mr. Davis of Illinois, Mr. Tierney of Massachusetts, Mr. Turner of Texas, Mr. Allen of Maine, Mr. Ford of Tennessee, and Ms. Schakowsky of Illinois;

Committee on House Administration: Mr. Fattah of Pennsylvania, and Mr. Davis of Florida;

Committee on International Relations: Mr. Lantos of California, Mr. Berman of California, Mr. Ackerman of New York, Mr. Faleomavaega of American Samoa, Mr. Payne of New Jersey, Mr. Menendez of New Jersey, Mr. Brown of Ohio, Ms. McKinney of Georgia, Mr. Hastings of Florida, Mr. Hilliard of Alabama, Mr. Sherman of California, Mr. Wexler of Florida, Mr. Rothman of New Jersey, Mr. Davis of Florida, Mr. Delahunt of Massachusetts, Mr. Meeks of New York, Ms. Lee of California, Mr. Crowley of New York and Mr. Hoeffel of Pennsylvania.

Committee on the Judiciary: Mr. Conyers of Michigan, Mr. Frank of Massachusetts, Mr. Berman of California, Mr. Boucher of Virginia, Mr. Nadler of New York, Mr. Scott of Virginia, Mr. Watt of North Carolina, Ms. Lofgren of California, Ms. Jackson-Lee of Texas, Ms. Waters of California, Mr. Meehan of Massachusetts, Mr. Delahunt of Massachusetts, Mr. Wexler of Florida, Mr. Rothman of New Jersey, Ms. Baldwin of Wisconsin, and Mr. Weiner of New York;

Committee on Science: Mr. Hall of Texas, Mr. Gordon of Tennessee, Mr. Costello of Illinois, Mr. Barcia of Michigan, Ms. Johnson of Texas, Ms. Woolsey of California, Ms. Rivers of Michigan, Ms. Lofgren of California, Mr. Doyle of Pennsylvania, Ms. Jackson-Lee of Texas, Mr. Etheridge of North Carolina, Mr. Lampson of Texas, Mr. Larson of Connecticut, Mr. Udall of Colorado, Mr. Wu of Oregon, Mr. Weiner of New York, Mr. Capuano of Massachusetts, Mr. Baird of Washington, Mr. Hoeffel of Pennsylvania, Mr. Moore of Kansas, and Mr. Baca of California;

Committee on Small Business: Ms. Velazquez of New York, Ms. Millender-McDonald of California, Mr. Davis of Illinois, Ms. McCarthy of New York, Mr. Pascrell of New Jersey, Mr. Hinojosa of Texas, Ms. Christensen of the Virgin Islands, Mr. Brady of Pennsylvania, Mr. Udall of New Mexico, Mr. Moore, of Kansas, Ms. Tubbs-Jones, Mr. Gonzalez of Texas, Mr. Phelps of Illinois, Ms. Napolitano of California, Mr. Baird of Washington, Ms. Berkley of Nevada, and Mr. Udall of Colorado;

Committee on Transportation and Infrastructure: Mr. Oberstar of Minnesota, Mr. Rahall of West Virginia, Mr. Borski of Pennsylvania, Mr. Lipinski of Illinois, Mr. DeFaxio of Oregon, Mr. Clement of Tennessee, Mr. Costello of Illinois, Ms. Norton of the District of Columbia, Mr. Nadler of New York, Mr. Menendez of New Jersey, Ms. Brown of Florida, Mr. Barcia of Michigan, Mr. Filner of California, Ms. Johnson of Texas, Mr. Mascara of Pennsylvania, Mr. Taylor of Mississippi, Ms. Millender-McDonald of California, Mr. Cummings of Maryland, Mr. Blumenauer of Oregon, Mr. Sandlin of Texas, Ms. Tauscher of California, Mr. Pascrell of New Jersey, Mr. Boswell of Iowa, Mr. McGovern of Massachusetts, Mr. Holden of Pennsylvania, Mr. Lampson of Texas, Mr. Baldacci of Maine, Mr. Berry of Arkansas, Mr. Baird of Washington, Ms. Berkley of Nevada, Mr. Carson of Oklahoma, Mr. Matheson of Utah, Mr. Honda of California, and Mr. Larsen of Washington;

Committee on Veterans' Affairs: Mr. Evans of Illinois, Mr. Filner of California, Mr. Guiterrez of Illinois, Ms. Brown of Florida, Mr. Doyle of Pennsylvania, Mr. Peterson of Minnesota, Mrs. Carson of Indiana, Mr. Reyes of Texas, Mr. Snyder of Arkansas, Mr. Rodriguez of Texas, Mr. Shows of Mississippi, Ms. Berkley of Nevada, Mr. Hill of Indiana, and Mr. Udall of New Mexico;

Committee on Ways and Means: Mr. Rangel of New York, Mr. Stark of California, Mr. Matsui of California, Mr. Coyne of Pennsylvania, Mr. Levin of Michigan, Mr. Cardin of Maryland, Mr. McDermott of Washington, Mr. Kleczka of Wisconsin, Mr. Lewis of Georgia, Mr. Neal of Massachusetts, Mr. McNulty of New York, Mr. Jefferson of Louisiana, Mr. Tanner of Tennessee, Mr. Becerra of California, Ms. Thurman of Florida, Mr. Doggett of Texas, and Mr. Pomeroy of North Dakota.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶5.16 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore, Mr. LATHAM, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 29, 2001.

Speaker J. DENNIS HASTERT,
The U.S. House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER, Attached herewith is a copy of my letter to Governor Tom Ridge of the Commonwealth of Pennsylvania stating that my retirement and resignation from the United States Congress shall be effective at 2400 hours, Friday, February 2, 2001.

Sincerely,

BUD SHUSTER,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 29, 2001.

Governor TOM RIDGE,
Commonwealth of Pennsylvania,
Office of the Governor, Harrisburg, PA.

DEAR GOVERNOR RIDGE, I hereby submit my letter of retirement and resignation from the United States Congress, effective at 2400 hours, Friday, February 2, 2001.

Sincerely,

BUD SHUSTER,
Member of Congress.

¶5.17 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 18. Concurrent resolution providing for an adjournment of the House of Representatives.

The message also announced that pursuant to the provisions of Senate Resolution 105 (adopted April 13, 1989), as amended by Senate Resolution 149 (adopted October 5, 1993), as amended by Public Law 105–275, further amended by Senate Resolution 75 (adopted March 25, 1999), and Senate Resolution 383 (adopted October 27, 2000), the Chair, on behalf of the Democratic Leader, announces the appointment of the following Senators to serve as members of the Senate National Security Working Group for the One Hundred Seventh Congress—

the Senator from West Virginia (Mr. BYRD) (Democratic Administrative Co-Chairman);

the Senator from Michigan (Mr. LEVIN) (Democratic Co-Chairman);

the Senator from Delaware (Mr. BIDEN) (Democratic Co-Chairman);

the Senator from Massachusetts (Mr. KENNEDY);

the Senator from Maryland (Mr. SARBANES);

the Senator from Massachusetts (Mr. KERRY);

the Senator from North Dakota (Mr. DORGAN);

the Senator from Illinois (Mr. DURBIN); and

the Senator from Florida (Mr. NELSON).

The message also announced that pursuant to Public Law 94–304, as amended by Public Law 99–7, the Chair, on behalf of the Vice President, appoints the following Senators to the Commission on Security and Cooperation in Europe—

the Senator from Connecticut (Mr. DODD);

the Senator from Florida (Mr. GRAHAM);

the Senator from Wisconsin (Mr. FEINGOLD); and

the Senator from New York (Mrs. CLINTON).

The message also announced that pursuant to Public Law 94–304, as amended by Public Law 99–7, the Chair, on behalf of the Vice President, appoints the Senator from Colorado (Mr. CAMPBELL) as Chairman of the Commission on Security and Cooperation in Europe (Helsinki) during the One Hundred Seventh Congress.

The message also announced that pursuant to section 2761 of title 22, United States Code, as amended, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, appoints the Senator from Alaska (Mr. STEVENS) as Chairman of the Senate Delegation to the British-American Interparliamentary Group conference during the One Hundred Seventh Congress.

The message also announced that pursuant to sections 276h–276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Alabama (Mr. SESSIONS) as Chairman of the Senate Delegation to the Mexico-United States Interparliamentary Group conference during the One Hundred Seventh Congress.

The message also announced that pursuant to sections 276h–276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Connecticut (Mr. DODD) as Co-Chairman of the Senate Delegation to the Mexico-United States Interparliamentary Group conference during the One Hundred Seventh Congress.

The message also announced that pursuant to sections 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Alaska (Mr. MURKOWSKI) as Chairman of the Senate Delegation to the Canada-United States Interparliamentary Group con-

ference during the One Hundred Seventh Congress.

The message also announced that pursuant to sections 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Washington (Mrs. MURRAY) as Co-Chair of the Senate Delegation to the Canada-United States Interparliamentary Group conference during the One Hundred Seventh Congress.

The message also announced that pursuant to the provisions of sections 42 and 43 of title 20, United States Code, the Chair, on behalf of the Vice President, reappoints the Senator from Tennessee (Mr. FRIST) as a member of the Board of Regents of the Smithsonian Institution.

The message also announced that pursuant to Public Law 96–388, as amended by Public Law 97–84 and Public Law 106–292, the Chair, on behalf of the President pro tempore, appoints the following Senators to the United States Holocaust Memorial Council—

the Senator from Nevada (Mr. REID); and

the Senator from California (Mrs. BOXER) (re-appointment).

The message also announced that in accordance with sections 1928a–1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Delaware (Mr. BIDEN) as Co-Chairman of the Senate Delegation to the North Atlantic Assembly during the One Hundred Seventh Congress.

¶5.18 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. COOKSEY, laid before the House the following communication from Mr. LAHOOD:

WASHINGTON, DC,
January 29, 2001.

Hon. J. DENNIS HASTERT,
Office of the Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House, that I have received a subpoena for testimony issued by the Superior Court for the District of Columbia.

After consultation with the Office of General Counsel, I have determined that the subpoena is not material and relevant and is not consistent with the privileges and rights of the House.

Sincerely,

RAY LAHOOD.

¶5.19 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. COOKSEY, laid before the House the following communication from Mr. Gary J. Denick, Productions Operations Manager, Office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, January 31, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for records and testimony issued by the Superior Court for the District of Columbia in the case of *United States* v. *Armfield*, Case No. M1098200.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

GARY J. DENICK,
Production Operations Manager.

And then,

¶5.20 ADJOURNMENT

On motion of Mr. WELDON, pursuant to the provisions of House Concurrent Resolution 18, at 4 o'clock and 12 minutes p.m., the House adjourned until 2 o'clock p.m. on Tuesday, February 6, 2001.

¶5.21 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MANZULLO (for himself, Ms. VELAZQUEZ, Mr. ENGLISH, Mrs. THURMAN, and Mr. GRAVES):

H.R. 317. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. SHAYS, and Mr. BORSKI):

H.R. 318. A bill to amend the Internal Revenue Code of 1986 to provide a uniform dollar limitation for all types of transportation fringe benefits excludable from gross income; to the Committee on Ways and Means.

By Mr. ALLEN:

H.R. 319. A bill to amend title II of the Social Security Act to provide an exception to thenine-month duration of marriage requirement for widows and widowers in cases in which the marriage was postponed by legal impediments to the marriage caused by State restrictions on divorce from a prior spouse institutionalized due to mental incompetence or similar incapacity; to the Committee on Ways and Means.

By Mr. EVANS (for himself, Mr. DINGELL, Mr. FILNER, Mr. SHOWS, Ms. BROWN of Florida, Mr. REYES, Mr. RODRIGUEZ, Ms. BERKLEY, Ms. CARSON of Indiana, Mr. DOYLE, Mr. GUTIERREZ, Mr. UDALL of New Mexico, Mr. BISHOP, Mr. BALDACCI, Ms. BALDWIN, Mr. BORSKI, Mr. COYNE, Mr. CUMMINGS, Mr. FARR of California, Mr. FROST, Mr. HINCHEY, Mr. BARCIA, Mr. CAPUANO, Mrs. CAPPS, Mr. CRAMER, Ms. DELAURO, Mr. FALEOMAVAEGA, Mr. HALL of Texas, Mr. TAYLOR of Mississippi, Mr. BROWN of Ohio, Mr. STRICKLAND, Mr. TANNER, Mr. WU, Mr. WATT of North Carolina, Mr. WYNN, Mr. DICKS, Mr. COSTELLO, Mr. GORDON, Mr. HOLDEN, Ms. HOOLEY of Oregon, Ms. KAPTUR, Mr. KILDEE, Mr. LIPINSKI, Mrs. MCCARTHY of New York, Mr. MASCARA, Mr. MENENDEZ, Mr. MURTHA, Mr. OLVER, Mr. RUSH, Mr. SANDERS, Mr. LUCAS of Kentucky, Ms. MILLENDER-MCDONALD, Mr. MORAN of Virginia, Mr. OBERSTAR, Mr. POMEROY, Mr. SANDLIN, Ms. WOOLSEY, Mrs. MEEK of Florida, Mr. WHITFIELD, Mr. ANDREWS, Mr. EDWARDS, Mr. BRADY of Pennsylvania, Ms. SLAUGHTER, Mr. CLEMENT, Mr. HINOJOSA, Mr. MCGOVERN, Mr. GREEN of Texas, Mr. LAMPSON, Mr. PASCRELL, Mr. SMITH of Washington, Mr. SKELTON, Mr. KUCINICH, Mr. TOWNS, Mr. STENHOLM, Mr. KENNEDY of Rhode Island, Mrs. MINK of Hawaii, Mr. BLAGOJEVICH, Mr. BONIOR, Mr. SAWYER, Mr. PALLONE, Mr. WEINER, Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. MATSUI, Mrs. CHRISTENSEN, Mr. FRANK, Ms. NORTON, Mrs. THURMAN, Ms. MCCARTHY of Missouri, Mr. BOSWELL, Mrs. JONES of Ohio, Mr. LATOURETTE, Mr. ACKERMAN, Mr. MCNULTY, Mr. SNYDER, Ms. ROYBAL-ALLARD, Mr. CONYERS, Mr. CONDIT, Mr. MOAKLEY, Mr. UNDERWOOD, Mr. GEPHARDT, Mr. PETERSON of Minnesota, and Mr. MALONEY of Connecticut):

H.R. 320. A bill to amend title 38, United States Code, to improve benefits under the Montgomery GI Bill by establishing an enhanced educational assistance program, by increasing the amount of basic educational assistance, by repealing the requirement for reduction in pay for participation in the program, by authorizing the Secretary of Veterans Affairs to make accelerated payments of basic educational assistance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JACKSON of Illinois:

H.R. 321. A bill to assure protection for the substantive due process rights of the innocent, by providing a temporary moratorium on carrying out of the death penalty to assure that persons able to prove their innocence are not executed; to the Committee on the Judiciary.

By Mr. BAIRD (for himself and Mr. CLEMENT):

H.R. 322. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for State sales taxes in lieu of State and local income taxes; to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 323. A bill to amend the 21st Century Community Learning Centers Act to include public libraries; to the Committee on Education and the Workforce.

By Mr. BOEHLERT:

H.R. 324. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote brownfields redevelopment, to reauthorize and reform the Superfund program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANNER (for himself, Mr. BLUNT, Mr. JOHN, Mr. ABERCROMBIE, Mr. SAXTON, Mr. DINGELL, Mr. STENHOLM, Mr. PALLONE, Mr. ENGLISH, Mr. BOEHLERT, Mr. BOYD, and Mr. CLEMENT):

H.R. 325. A bill to amend the Federal Water Pollution Control Act to establish a program for fisheries habitat protection, restoration, and enhancement, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MINK of Hawaii (for herself, Mrs. MORELLA, Mr. HILLIARD, Mr. HINCHEY, Mr. WYNN, Ms. BALDWIN, Mr. CAPUANO, Mr. SANDERS, Ms. PELOSI, Mr. ABERCROMBIE, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. CUMMINGS, Mr. FALEOMAVAEGA, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Mr.

WEINER, Ms. HOOLEY of Oregon, Mr. MCNULTY, Ms. WATERS, Mrs. JONES of Ohio, Ms. MCKINNEY, Ms. MCCARTHY of Missouri, Mrs. MALONEY of New York, Mr. FILNER, Mr. WAXMAN, Mr. JEFFERSON, Ms. KAPTUR, Mr. RANGEL, Mrs. CAPPS, Mr. SANDLIN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEVIN, Ms. SCHAKOWSKY, Mr. LIPINSKI, Mrs. MEEK of Florida, Ms. WOOLSEY, Mr. OWENS, Ms. BERKLEY, Mr. DAVIS of Illinois, Mrs. LOWEY, Ms. DELAURO, Mrs. THURMAN, Mr. MICA, Mr. GONZALEZ, Ms. NORTON, Mr. BONIOR, Ms. RIVERS, Ms. KILPATRICK, Ms. BROWN of Florida, Ms. ROYBAL-ALLARD, Mr. MASCARA, Mr. WU, Ms. LEE, Mr. FROST, Mrs. NAPOLITANO, and Ms. ESHOO):

H.R. 326. A bill to amend the Public Health Service Act to provide for programs regarding ovarian cancer; to the Committee on Energy and Commerce.

By Mr. BURTON of Indiana:

H.R. 327. A bill to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses; to the Committee on Government Reform, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN:

H.R. 328. A bill to amend title 46, United States Code, to exempt from inspection certain small passenger vessels that operate in waters of the United States only in the Virgin Islands; to the Committee on Transportation and Infrastructure.

By Mr. CLEMENT (for himself, Mr. FORD, Mr. GORDON, Mr. HILLEARY, Mr. WAMP, Mr. DUNCAN, Mr. BRYANT, Mr. JENKINS, and Mr. TANNER):

H.R. 329. A bill to authorize the establishment of a suboffice of the Immigration and Naturalization Service in Nashville, Tennessee; to the Committee on the Judiciary.

By Mr. COX (for himself, Mr. ADERHOLT, Mr. ARMEY, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARCIA, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BASS, Mrs. BIGGERT, Mr. BLUNT, Mr. BOEHLERT, Mr. BOEHNER, Mr. BONILLA, Mrs. BONO, Mr. BOUCHER, Mr. BRADY of Texas, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CANNON, Mr. CHABOT, Mr. CHAMBLISS, Mr. COBLE, Mr. COLLINS, Mr. COMBEST, Mr. CONDIT, Mr. COOKSEY, Mr. CRAMER, Mr. CRANE, Mr. CRENSHAW, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. DELAY, Mr. DEMINT, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mr. DREIER, Mr. DUNCAN, Ms. DUNN, Mrs. EMERSON, Mr. ENGLISH, Mr. EVERETT, Mr. FLETCHER, Mr. FOLEY, Mr. FOSSELLA, Mr. FRELINGHUYSEN, Mr. GALLEGLY, Mr. GEKAS, Mr. GIBBONS, Mr. GILLMOR, Mr. GILMAN, Mr. GOODLATTE, Mr. GOODE, Mr. GOSS, Mr. GRAHAM, Ms. GRANGER, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. GRUCCI, Mr. HALL of Texas, Mr. HANSEN, Ms. HART, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILLEARY, Mr. HORN, Mr. HOSTETTLER, Mr. HULSHOF, Mr. HUNTER, Mr. HUTCHINSON, Mr. HYDE, Mr. ISAKSON, Mr. ISTOOK, Mr. JENKINS, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mrs. KELLY, Mr. KING, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LAHOOD, Mr. LARGENT, Mr. LATHAM, Mr. LATOURETTE, Mr. LEWIS of California, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LOBIONDO, Mr. LUCAS of Oklahoma, Mr. MANZULLO, Mr. MCCRERY, Mr. MCHUGH, Mr. MCINNIS, Mr. MCKEON, Mr. MICA, Mr. MILLER of Florida, Mr. GARY MILLER of California, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. NETHERCUTT, Mr. NEY, Mrs. NORTHUP, Mr. NORWOOD, Mr. OSE, Mr. OXLEY, Mr. PAUL, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. PITTS, Mr. POMBO, Ms. PRYCE of Ohio, Mr. RADANOVICH, Mr. RAMSTAD, Mr. RILEY, Mr. ROGERS of Michigan, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mrs. ROUKEMA, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SAXTON, Mr. SCARBOROUGH, Mr. SCHAFFER, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAW, Mr. SHIMKUS, Mr. SIMPSON, Mr. SKEEN, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. SUNUNU, Mr. SWEENEY, Mr. TANCREDO, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TERRY, Mr. THORNBERRY, Mr. THUNE, Mr. TIAHRT, Mr. TOOMEY, Mr. TRAFICANT, Mr. UPTON, Mr. VITTER, Mr. WALDEN of Oregon, Mr. WALSH, Mr. WAMP, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WELDON of Pennsylvania, Mr. WELDON of Florida, Mr. WHITFIELD, Mr. WICKER, Mrs. WILSON, Mr. WOLF, and Mr. YOUNG of Alaska):

H.R. 330. A bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself, Mr. PITTS, Mr. PAUL, Mr. MILLER of Florida, and Mr. GARY MILLER of California):

H.R. 331. A bill to provide that the Davis-Bacon Act shall not apply to contracts for the construction and repair of schools and libraries, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DEFAZIO (for himself and Ms. SLAUGHTER):

H.R. 332. A bill to amend title 49, United States Code, to improve consumers' access to airline industry information, to promote competition in the aviation industry, to protect airline passenger rights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GEKAS (for himself, Mr. SENSENBRENNER, Mr. BOUCHER, Mr. MORAN of Virginia, Mr. ARMEY, Mr. CHABOT, Mr. GRAHAM, Mr. BARR of Georgia, Mr. ANDREWS, Mr. BARTON of Texas, Mr. BENTSEN, Mr. BEREUTER, Ms. BERKLEY, Mr. BURTON of Indiana, Mr. BUYER, Mr. CAMP, Mr. CASTLE, Mr. COOKSEY, Mr. CRAMER, Mr. CUNNINGHAM, Mrs. DAVIS of California, Mr. DOOLEY of California, Mr. DREIER, Mr. EHRLICH, Mr. ENGLISH, Mr. FOLEY, Mr. FROST, Mr. GOODE, Mr. GOODLATTE, Mr. HILLEARY, Mr. HOLDEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. KELLY, Mr. KLECZKA, Mr. LINDER, Mr. LUCAS of Kentucky, Mr. MALONEY of Connecticut, Mr. MENENDEZ, Mrs. MYRICK, Mr. NETHERCUTT, Mrs. NORTHUP, Mr. OXLEY, Ms. PRYCE of Ohio, Mr. ROTHMAN, Mr. ROYCE, Mr. SIMPSON, Mr. SISISKY, Mr. SMITH of Michigan, Mr. SMITH of Washington, Mr. STUMP, Mr. SUNUNU, Mr. SWEENEY, Mrs. TAUSCHER, Mr. TERRY, Mr. UPTON, Mr. WELDON of Florida, and Mr. WELLER):

H.R. 333. A bill to amend title 11, United States Code, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO:

H.R. 334. A bill to increase burdensharing for the United States military presence in the Persian Gulf region; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEMINT (for himself, Mr. PORTMAN, Mrs. JOHNSON of Connecticut, Mr. SCHAFFER, and Mr. GOODE):

H.R. 335. A bill to provide for the establishment of a commission to review and make recommendations to Congress on the reform and simplification of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. DOYLE (for himself, Mr. BALDACCI, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mr. COYNE, Mr. EVANS, Mr. GEKAS, Mr. HOLDEN, Mr. KANJORSKI, Mr. LARSON of Connecticut, Mr. MASCARA, Mr. MURTHA, and Mr. PASCRELL):

H.R. 336. A bill to amend title 38, United States Code, to enhance outreach programs carried out by the Department of Veterans Affairs to provide for more fully informing eligible surviving spouses and dependents of deceased veterans of benefits available to them under laws administered by the Secretary of Veterans Affairs and to improve assistance provided at local levels by providing for staff with specific responsibilities to assist those individuals in obtaining benefits under those laws; to the Committee on Veterans' Affairs.

By Mrs. EMERSON (for herself and Mr. BERRY):

H.R. 337. A bill to amend the Food Security Act of 1985 to increase the maximum amount of marketing loan gains and loan deficiency payments that an agricultural producer may receive during the 2001 crop year; to the Committee on Agriculture.

By Mrs. EMERSON (for herself and Mr. BERRY):

H.R. 338. A bill to amend the Food Security Act of 1985 to increase the maximum amount of marketing loan gains and loan deficiency payments that an agricultural producer may receive during each of crop years 2001 and 2002; to the Committee on Agriculture.

By Mr. ENGEL (for himself, Mr. FROST, Mr. HILLIARD, Mr. WEINER, Mr. NADLER, and Mr. MCNULTY):

H.R. 339. A bill to amend title XVIII of the Social Security Act to provide for coverage of outpatient prescription drugs under part B of the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Mr. ANDREWS, Mr. BALDACCI, Mr. BONIOR, Mr. BROWN of Ohio, Mr. CONYERS, Mr. CUMMINGS, Mr. DELAHUNT, Ms. DELAURO, Mr. DINGELL, Mr. FATTAH, Mr. FILNER, Mr. FROST, Mr. GREEN of

Texas, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOLT, Mr. KIND, Mr. KUCINICH, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, Mr. NADLER, Mr. OWENS, Mr. PAYNE, Ms. PELOSI, Mr. RODRIGUEZ, Mr. REYES, Mr. RUSH, Ms. SANCHEZ, Mr. SCOTT, Ms. SOLIS, Mr. STARK, Mr. TIERNEY, Mr. UDALL of New Mexico, Ms. VELAZQUEZ, Ms. WOOLSEY, Ms. DEGETTE, Mr. KENNEDY of Rhode Island, Mr. TOWNS, Mr. ENGEL, and Mr. DEFAZIO):

H.R. 340. A bill to amend the Elementary and Secondary Education Act of 1965 to improve the quality of public education and raise student achievement by increasing investment, strengthening accountability, raising standards for teachers, improving professional development and teacher compensation, rewarding successful schools, and providing better information to parents, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FORD:

H.R. 341. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize school construction funds for local educational agencies that have made improvements in teacher quality and student achievement; to the Committee on Education and the Workforce.

By Mr. FORD:

H.R. 342. A bill to amend the Internal Revenue Code of 1986 to make higher education more affordable by providing a full tax deduction for higher education expenses and interest on student loans; to the Committee on Ways and Means.

By Mr. FRANK:

H.R. 343. A bill to amend the Higher Education Act of 1965 to provide for the forgiveness of Perkins loans to members of the armed services on active duty; to the Committee on Education and the Workforce.

By Mr. FRANK:

H.R. 344. A bill to amend titles II and XVIII of the Social Security Act to eliminate the 5-month waiting period which is presently required in order for an individual to be eligible for benefits based on disability or for the disability freeze and to eliminate the 24-month waiting period for disabled individuals to become eligible for Medicare benefits; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROEMER (for himself, Mr. DOOLEY of California, Mr. SMITH of Washington, Mr. BENTSEN, Mr. CARSON of Oklahoma, Mr. CLEMENT, Mr. CRAMER, Mr. DAVIS of Florida, Mrs. DAVIS of California, Ms. HARMAN, Mr. ISRAEL, Mr. KIND, Mr. LARSEN of Washington, Mrs. MCCARTHY of New York, Mr. MORAN of Virginia, Mr. SCHIFF, and Mrs. TAUSCHER):

H.R. 345. A bill to amend the Elementary and Secondary Education Act of 1965, to reauthorize and make improvements to that Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GREEN of Texas:

H.R. 346. A bill to amend the Communications Act of 1934 to provide for the use of unexpended universal service funds in low-income schools, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GREEN of Texas:

H.R. 347. A bill to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about individuals on the Internet, to provide greater individual control over the collection and use of that information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTIERREZ:

H.R. 348. A bill to amend the Nicaraguan Adjustment and Central American Relief Act to provide to certain nationals of El Salvador, Guatamala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes; to the Committee on the Judiciary.

By Mr. HAYWORTH:

H.R. 349. A bill to amend title 5, United States Code, to provide competitive civil service status for National Guard technicians who are involuntarily separated other than for cause from National Guard service; to the Committee on Government Reform.

By Mr. HEFLEY:

H.R. 350. A bill to establish certain requirements relating to the acquisition, transfer, or disposal of public lands managed by the Bureau of Land Management, and for other purposes; to the Committee on Resources.

By Mr. HEFLEY:

H.R. 351. A bill to amend the Internal Revenue Code of 1986 to extend to civilian employees of the Department of Defense serving in combat zones the tax treatment allowed to members of the Armed Forces serving in combat zones; to the Committee on Ways and Means.

By Mr. HEFLEY:

H.R. 352. A bill to establish certain privileges and immunities for information disclosed as part of a voluntary self-evaluation of compliance with environmental requirements, relating to compliance with environmental laws, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Agriculture, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEKSTRA (for himself, Mr. CHAMBLISS, Mr. DEMINT, Mr. GUTKNECHT, Mr. HAYWORTH, Mr. SAM JOHNSON of Texas, Mr. NORWOOD, Mr. PAUL, Mr. RYUN of Kansas, Mr. SHADEGG, Mr. TANCREDO, Mrs. BIGGERT, Mr. DOOLITTLE, Mr. HUTCHINSON, Mr. JONES of North Carolina, Mr. PITTS, Mr. SCHAFFER, Mr. SUNUNU, Mr. UPTON, Mr. ROHRABACHER, Mr. ROYCE, Mr. DELAY, Mr. BLUNT, and Mr. COLLINS):

H.R. 353. A bill to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Education; to the Committee on Education and the Workforce.

By Mr. HUTCHINSON (for himself, Mr. HASTINGS of Florida, Mr. FOLEY, Mr. UDALL of Colorado, Mr. MCHUGH, Mr. MCINTYRE, Mr. GREEN of Texas, Mr. ENGLISH, and Mr. GOODLATTE):

H.R. 354. A bill to establish a grant program to assist State and local governments with improving the administration of elections through activities which may include the modernization of voting procedures and equipment, and for other purposes; to the Committee on House Administration.

By Mr. JONES of North Carolina (for himself and Mr. HOSTETTLER):

H.R. 355. A bill to amend the Internal Revenue Code of 1986 with respect to nonprofit organizations; to the Committee on Ways and Means.

By Mr. JONES of North Carolina (for himself, Mr. DUNCAN, and Mr. HANSEN):

H.R. 356. A bill to amend the Internal Revenue Code of 1986 to provide that a member of the uniformed services shall be treated as using a principal residence while away from home on qualified official extended duty in determining the exclusion of gain from the sale of such residence; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island (for himself and Ms. BROWN of Florida):

H.R. 357. A bill to adjust the immigration status of certain Liberian nationals who were provided refuge in the United States; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island (for himself, Mr. MCGOVERN, Mr. LANGEVIN, and Mr. NEAL of Massachusetts):

H.R. 358. A bill to authorize appropriations for the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, and for other purposes; to the Committee on Resources.

By Mr. KOLBE:

H.R. 359. A bill to authorize the Secretary of the Interior to set aside up to $2 per person from park entrance fees or assess up to $2 per person visiting the Grand Canyon National Park and certain other units of the National Park System to secure bonds for capital improvements to these parks, and for other purposes; to the Committee on Resources.

By Mrs. MALONEY of New York:

H.R. 360. A bill to amend the Public Health Service Act to establish a program of research regarding the risks posed by the presence of dioxin, synthetic fibers, and other additives in feminine hygiene products, and to establish a program for the collection and analysis of data on toxic shock syndrome; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York (for herself and Mr. GREENWOOD):

H.R. 361. A bill to provide for international family planning funding for the fiscal year 2002, and for other purposes; to the Committee on International Relations.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, Mr. MOORE, Mr. LANTOS, and Mr. GRAVES):

H.R. 362. A bill to ensure that law enforcement agencies determine, before the release or transfer of a person, whether that person has an outstanding charge or warrant, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNULTY:

H.R. 363. A bill to amend title 49, United States Code, to grant the State of New York authority to allow tandem trailers to use Interstate Route 787 between the New York State Thruway and Church Street in Albany, New York; to the Committee on Transportation and Infrastructure.

By Mrs. MEEK of Florida (for herself and Ms. ROS-LEHTINEN):

H.R. 364. A bill to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office''; to the Committee on Government Reform.

By Mr. MOORE (for himself, Mr. FROST, Ms. BERKLEY, Mr. BLUMENAUER, Mr. FILNER, Mr. HINCHEY, Mr. MALONEY of Connecticut, Mr. SHERMAN, and Mr. ROSS):

H.R. 365. A bill to amend the Federal Election Campaign Act of 1971 to require persons making certain campaign-related telephone calls to disclose the identification of the person financing the call, and for other purposes; to the Committee on House Administration.

By Mr. MOORE (for himself and Mr. FROST):

H.R. 366. A bill to amend title 18, United States Code, to make unlawful the knowing dissemination of false information regarding elections for Federal office with the intent of

discouraging another person from voting; to the Committee on the Judiciary.

By Mr. NADLER:

H.R. 367. A bill to promote the health and safety of children by requiring the posting of Consumer Product Safety Commission child care center safety standards in child care centers and by requiring that the Secretary of Health and Human Services report to Congress with recommendations to promote compliance with such standards; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, Mr. NORWOOD, and Mr. SCHAFFER):

H.R. 368. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for tuition and related expenses for public and nonpublic elementary and secondary education; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BAKER, Mr. BARTLETT of Maryland, Mr. BISHOP, Mr. HINCHEY, Mr. ISAKSON, Ms. MCKINNEY, Mr. MILLER of Florida, Mr. NORWOOD, Mr. SCHAFFER, Mr. RADANOVICH, Mr. UDALL of New Mexico, and Mr. UPTON):

H.R. 369. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, and Mr. NORWOOD):

H.R. 370. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts contributed to charitable organizations which provide elementary or secondary scholarships and for contributions of, and for, instructional materials and materials for extracurricular activities; to the Committee on Ways and Means.

By Ms. RIVERS:

H.R. 371. A bill to amend the Individuals with Disabilities Education Act relating to the minimum amount of State grants for any fiscal year under part B of that Act; to the Committee on Education and the Workforce.

By Ms. RIVERS:

H.R. 372. A bill to prevent Members of Congress from receiving any automatic pay adjustment which might otherwise take effect in 2002; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan (for himself, Mr. GRUCCI, Mr. SIMMONS, Mr. FLAKE, Mr. TIBERI, Mr. CRENSHAW, Mr. REHBERG, Mr. BROWN of South Carolina, and Mr. AKIN):

H.R. 373. A bill to amend the concurrent resolution on the budget for fiscal year 2001 to protect Social Security surpluses; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE:

H.R. 374. A bill to establish a National Commission to Eliminate Waste in Government; to the Committee on Government Reform.

By Mr. ROYCE (for himself, Mr. PITTS, and Mr. ROHRABACHER):

H.R. 375. A bill to dismantle the Department of Commerce; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Financial Services, International Relations, Armed Services, Ways and Means, Government Reform, the Judiciary, Science, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE:

H.R. 376. A bill to abolish the Department of Energy; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, Science, Government Reform, Rules, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 377. A bill to amend the Internal Revenue Code of 1986 to provide additional incentives for the use of clean-fuel vehicles by businesses within empowerment zones, enterprise communities, and renewal communities; to the Committee on Ways and Means.

By Mr. SERRANO:

H.R. 378. A bill to amend the Internal Revenue Code of 1986 to provide for designation of overpayments and contributions to the United States Library Trust Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAW (for himself, Mr. PAUL, and Mr. PETRI):

H.R. 379. A bill to amend the Internal Revenue Code of 1986 to allow issuance of tax-exempt private activity bonds to finance public-private partnership activities relating to school facilities in public elementary and secondary schools, and for other purposes; to the Committee on Ways and Means.

By Mr. SHAYS (for himself, Mr. MEEHAN, Mr. WAMP, Mr. LEVIN, Mr. CASTLE, Mr. DINGELL, Mr. HORN, Mrs. MALONEY of New York, Mr. GILMAN, Mr. FARR of California, Mrs. ROUKEMA, Mr. BONIOR, Mr. GALLEGLY, Mr. GEPHARDT, Mr. HOUGHTON, Mr. ALLEN, Mr. GREENWOOD, Mr. HOYER, Mr. GILCHREST, Mr. STENHOLM, Mrs. MORELLA, Ms. DELAURO, Mr. LATOURETTE, Mr. LEWIS of Georgia, Mr. BOEHLERT, Mr. FRANK, Mr. BASS, Mr. GEORGE MILLER of California, Mr. GILLMOR, Ms. RIVERS, Mrs. JOHNSON of Connecticut, Mrs. CAPPS, Mr. LEACH, Mr. DOOLEY of California, Mr. RAMSTAD, Mr. CARDIN, Mr. LOBIONDO, Mr. TURNER, Mr. GANSKE, Mr. BARRETT, Mrs. KELLY, Mr. TIERNEY, Mr. FOLEY, Mr. PRICE of North Carolina, Mr. WALSH, Mr. KIND, Mr. FRELINGHUYSEN, Mr. NADLER, Mr. OSE, Mr. SHERMAN, Mr. KIRK, Mr. STARK, Mr. SIMMONS, Mr. BRADY of Pennsylvania, Mr. BALDACCI, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. LUTHER, Mr. MALONEY of Connecticut, Mr. WAXMAN, Mr. POMEROY, Mr. CLEMENT, Mr. LANTOS, Mr. PALLONE, Mr. HINCHEY, Mr. BLUMENAUER, Mr. WEXLER, Mr. MCGOVERN, Mr. MARKEY, Mr. ROTHMAN, Mr. PASCRELL, Mr. KANJORSKI, Mr. ACKERMAN, Mr. DAVIS of Florida, Mr. HOLT, Mr. GREEN of Texas, Mr. KLECZKA, Ms. KILPATRICK, Ms. ROYBAL-ALLARD, Mrs. TAUSCHER, Mr. SPRATT, Mr. HOEFFEL, Mr. MOORE, Mr. BORSKI, Ms. BALDWIN, Mr. UDALL of New Mexico, Ms. CARSON of Indiana, Ms. MCCARTHY of Missouri, Mrs. MCCARTHY of New York, Mr. SNYDER, Mr. BAIRD, Mr. GONZALEZ, Mr. INSLEE, Mr. STRICKLAND, Mr. CROWLEY, Ms. ESHOO, Mr. DEFAZIO, Ms. WOOLSEY, Ms. SLAUGHTER, Mr. WEINER, Mr. ABERCROMBIE, Mr. ENGEL, Mr. THOMPSON of California, Mr. FILNER, Mr. LARSON of Connecticut, Mr. UDALL of Colorado, Mr. SANDERS, Ms. BERKLEY, Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. COYNE, Mr. BECERRA, Mr. BLAGOJEVICH, Mr. EVANS, Mr. UNDERWOOD, Mr. DELAHUNT, Mr. LAFALCE, Mr. WU, Mr. KUCINICH, Mr. GORDON, Mr. SCHIFF, Ms. HARMAN, Mr. RANGEL, Mrs. DAVIS of California, Mr. VISCLOSKY, Mr. LARSEN of Washington, Mr. RODRIGUEZ, Ms. HOOLEY of Oregon, Mr. REYES, Mr. MCNULTY, Mr. CLAY, Mr. ROSS, Mr. BROWN of Ohio, Mr. MCDERMOTT, Mr. CARSON of Oklahoma, Mr. PASTOR, Mr. KENNEDY of Rhode Island, Mr. HOLDEN, Mr. BERRY, Ms. MCCOLLUM, Mr. LANGEVIN, Mrs. CLAYTON, Mr. SAWYER, Ms. PELOSI, Mr. ISRAEL, Mr. SAXTON, Ms. LOFGREN, and Ms. DEGETTE):

H.R. 380. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Education and the Workforce, Government Reform, the Judiciary, Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS:

H.R. 381. A bill to prospectively repeal section 210 of the Public Utility Regulatory Policies Act of 1978; to the Committee on Energy and Commerce.

By Mr. STEARNS (for himself, Mr. BARTLETT of Maryland, Mr. HALL of Texas, Mr. SMITH of Washington, Mr. NETHERCUTT, Mr. YOUNG of Alaska, Mr. BACHUS, Mr. HOLDEN, Mrs. EMERSON, Mr. HOSTETTLER, Mr. GREEN of Texas, Mr. CRAMER, Mr. COMBEST, Mr. RAHALL, Mr. BARCIA, and Mr. LARSEN of Washington):

H.R. 382. A bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry certain concealed firearms in the State, and to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns; to the Committee on the Judiciary.

By Mr. STEARNS (for himself and Mr. SCHAFFER):

H.R. 383. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for amounts paid for health insurance and prescription drug costs of individuals; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 384. A bill to establish a national policy of basic consumer fair treatment for airline passengers; to the Committee on Transportation and Infrastructure.

By Mr. TANCREDO (for himself, Mr. STUMP, Mr. SHAYS, Ms. RIVERS, and Mr. RYUN of Kansas):

H.R. 385. A bill to amend the Elementary and Secondary Education Act of 1965 to provide for parental notification and consent prior to enrollment of a child in a bilingual education program or a special alternative instructional program for limited English proficient students; to the Committee on Education and the Workforce.

By Mr. THORNBERRY:

H.R. 386. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to orphan drugs; to the Committee on Energy and Commerce.

By Mr. WEINER:

H.R. 387. A bill to amend the Internal Revenue Code of 1986 to expand the child tax credit; to the Committee on Ways and Means.

By Mr. WEINER:

H.R. 388. A bill to amend the Low-Income Home Energy Assistance Act of 1981 to extend energy assistance to households headed by certain senior citizens; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER (for himself, Mr. BENTSEN, Mr. ANDREWS, Mr. ENGEL, Mr. FRANK, Mr. GUTIERREZ, Mr. PRICE of North Carolina, Ms. WOOLSEY, Mr. DAVIS of Illinois, Ms. ESHOO, Mr. FROST, Mrs. LOWEY, Mr. MEEHAN, Mr. SANDERS, and Mr. WYNN):

H.R. 389. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and chapter 89 of title 5, United States Code, to require coverage for the treatment of infertility; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER:

H.R. 390. A bill to require the establishment of regional consumer price indices to compute cost-of-living increases under the programs for Social Security and Medicare and other medical benefits under titles II and XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF:

H.R. 391. A bill to require foreign countries to meet certain requirements relating to political freedom, transparency, accountability, and good governance in order to be eligible to receive cancellation or reduction of debt owed to the United States; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COX (for himself, Mr. ARMEY, Mr. DELAY, Mr. WATTS of Oklahoma, Ms. PRYCE of Ohio, Mrs. CUBIN, Mr. ADERHOLT, Mr. AKIN, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BASS, Mr. BEREUTER, Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BLUNT, Mr. BOEHLERT, Mr. BOEHNER, Mr. BONILLA, Mrs. BONO, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CANNON, Mr. CANTOR, Ms. CAPITO, Mr. CASTLE, Mr. CHABOT, Mr. CHAMBLISS, Mr. COBLE, Mr. COLLINS, Mr. COMBEST, Mr. COOKSEY, Mr. CRANE, Mr. CRENSHAW, Mr. CULBERSON, Mr. CUNNINGHAM, Mrs. JO ANN DAVIS of Virginia, Mr. THOMAS M. Davis of Virginia, Mr. DEAL of Georgia, Mr. DEMINT, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mr. DREIER, Mr. DUNCAN, Ms. DUNN, Mr. EHLERS, Mr. EHRLICH, Mrs. EMERSON, Mr. ENGLISH, Mr. EVERETT, Mr. FARR of California, Mr. FERGUSON, Mr. FLAKE, Mr. FLETCHER, Mr. FOLEY, Mr. FOSSELLA, Mr. FRELINGHUYSEN, Mr. GALLEGLY, Mr. GANSKE, Mr. GEKAS, Mr. GIBBONS, Mr. GILCHREST, Mr. GILLMOR, Mr. GILMAN, Mr. GOODE, Mr. GOODLATTE, Mr. GOSS, Mr. GRAHAM, Ms. GRANGER, Mr. GRAVES, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. GRUCCI, Mr. GUTKNECHT, Mr. HANSEN, Ms. HART, Mr. HASTERT, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILLEARY, Mr. HOBSON, Mr. HOEKSTRA, Mr. HORN, Mr. HOSTETTLER, Mr. HOUGHTON, Mr. HULSHOF, Mr. HUNTER, Mr. HUTCHINSON, Mr. HYDE, Mr. ISAKSON, Mr. ISSA, Mr. ISTOOK, Mr. JENKINS, Mrs. JOHNSON of Connecticut, Mr. JOHNSON of Illinois, Mr. SAM JOHNSON of Texas, Mrs. JONES of Ohio, Mr. KELLER, Mrs. KELLY, Mr. KENNEDY of Minnesota, Mr. KERNS, Mr. KING, Mr. KINGSTON, Mr. KIRK, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LAHOOD, Mr. LARGENT, Mr. LATHAM, Mr. LATOURETTE, Mr. LEACH, Mr. LEWIS of California, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LOBIONDO, Mr. LUCAS of Oklahoma, Mr. MANZULLO, Mr. MCCRERY, Mr. MCHUGH, Mr. MCINNIS, Mr. MCKEON, Mr. MICA, Mr. MILLER of Florida, Mr. MORAN of Kansas, Mrs. MORELLA, Mrs. MYRICK, Mr. NETHERCUTT, Mr. NEY, Mrs. NORTHUP, Mr. GARY MILLER of California, Mr. NORWOOD, Mr. NUSSLE, Mr. OSBORNE, Mr. OSE, Mr. OTTER, Mr. OXLEY, Mr. PAUL, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. PETRI, Mr. PICKERING, Mr. PITTS, Mr. PLATTS, Mr. POMBO, Mr. PORTMAN, Mr. PUTNAM, Mr. QUINN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. REGULA, Mr. REHBERG, Mr. REYNOLDS, Mr. RILEY, Mr. ROGERS of Kentucky, Mr. ROGERS of Michigan, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mrs. ROUKEMA, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SAXTON, Mr. SCARBOROUGH, Mr. SCHAFFER, Mr. SCHROCK, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAW, Mr. SHAYS, Mr. SHERWOOD, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMMONS, Mr. SIMPSON, Mr. SKEEN, Mr. SMITH of Michigan, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. SUNUNU, Mr. SWEENEY, Mr. TANCREDO, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TERRY, Mr. THOMAS, Mr. THORNBERRY, Mr. THUNE, Mr. TIAHRT, Mr. TIBERI, Mr. TOOMEY, Mr. UPTON, Mr. VITTER, Mr. WALDEN of Oregon, Mr. WALSH, Mr. WAMP, Mr. WATKINS, Mr. WELDON of Florida, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WHITFIELD, Mr. WICKER, Mrs. WILSON, Mr. WOLF, Mr. YOUNG of Alaska, and Mr. YOUNG of Florida):

H.J. Res. 7. A joint resolution recognizing the 90th birthday of Ronald Reagan; to the Committee on Government Reform.

By Mr. JENKINS (for himself, Mr. DUNCAN, Mr. ENGLISH, Mr. ROGERS of Michigan, Mr. SIMMONS, Mr. NETHERCUTT, Mr. GOODE, Mr. LARGENT, Ms. HART, Mr. LOBIONDO, Mr. CASTLE, Mrs. NORTHUP, Mr. SCHAFFER, and Mr. TERRY):

H.J. Res. 8. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. NEY:

H. Con. Res. 18. Concurrent resolution providing for an adjournment of the House of Representatives; considered and agreed to.

By Mr. MOORE (for himself and Mr. STENHOLM):

H. Con. Res. 19. Concurrent resolution expressing the sense of the Congress that future budget resolutions should maintain our commitment to fiscal responsibility by using agreed-upon surplus, tax, and spending figures; to the Committee on the Budget.

By Mr. PALLONE (for himself, Ms. PRYCE of Ohio, Mr. FROST, Mr. UDALL of New Mexico, Mr. PASCRELL, Mr. SPRATT, Mr. TANCREDO, Mr. LUTHER, Mr. BISHOP, Mr. HOLDEN, Mr. SHOWS, Mr. BURTON of Indiana, Mr. HALL of Texas, Mr. ABERCROMBIE, Mr. EVANS, Mr. DAVIS of Florida, Mr. WOLF, Mrs. KELLY, Mrs. MEEK of Florida, Mr. NEAL of Massachusetts, Mr. GUTIERREZ, Mr. LARGENT, Ms. JACKSON-LEE of Texas, Mr. SHAYS, Mr. OBERSTAR, Mr. ROHRABACHER, Mrs. MCCARTHY of New York, Mr. LATOURETTE, Mr. KILDEE, Mr. BORSKI, Ms. MILLENDER-MCDONALD, Mr. BENTSEN, Mr. BERMAN, Mrs. CAPPS, Ms. MCKINNEY, Mr. FOSSELLA, Mr. BALDACCI, Mrs. MINK of Hawaii, Mr. GREEN of Texas, Ms. KILPATRICK, Mr. HINOJOSA, Mr. KUCINICH, Mrs. THURMAN, Mrs. NORTHUP, Mr. KLECZKA, Mr. SANDLIN, Mr. BONIOR, Mr. KING, and Mrs. JONES of Ohio):

H. Con. Res. 20. Concurrent resolution expressing support for the goals of Veterans Educate Today's Students (VETS) Day, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BONILLA:

H. Res. 24. A resolution designating majority membership on certain standing committees of the House of Representatives; considered and agreed to.

By Mr. FROST:

H. Res. 25. A resolution designating minority membership on certain standing committees of the House of Representatives; considered and agreed to.

By Mr. BALDACCI (for himself and Mrs. EMERSON):

H. Res. 26. A resolution expressing the sense of the House of Representatives regarding the disparity between identical prescription drugs sold in the United States, Canada, and Mexico; to the Committee on Energy and Commerce.

By Mr. DEFAZIO:

H. Res. 27. A resolution strongly urging the President to file a complaint at the World Trade Organization against oil-producing countries for violating trade rules that prohibit quantitative limitations on the import or export of resources or products across borders; to the Committee on Ways and Means.

¶5.22 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ALLEN:

H.R. 392. A bill for the relief of Nancy B. Wilson; to the Committee on the Judiciary.

By Mrs. CUBIN:

H.R. 393. A bill for the relief of Ashley Ross Fuller; to the Committee on the Judiciary.

¶5.23 ADDITIONAL SPONSORS

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

H.R. 42: Mr. LATOURETTE, Mr. PAUL, Mr. CHAMBLISS, Mr. HAYES, Mr. WELDON of Florida, Mr. BLUMENAUER, Mr. CANTOR, Mr. SIMPSON, Mr. SIMMONS, Mr. WICKER, Mr. WHITFIELD, Mr. MALONEY of Connecticut, Mr. CALVERT, Mr. HEFLEY, and Mr. BARTLETT of Maryland.

H.R. 43: Mr. ENGLISH and Mr. GREEN of Wisconsin.

H.R. 79: Mr. ETHERIDGE.

H.R. 80: Mr. LAHOOD and Mr. LANTOS.

H.R. 99: Mr. PAUL, Mr. TANCREDO, Mr. CRANE, Mr. EHRLICH, Mr. BURR of North Carolina, Mr. FRELINGHUYSEN, and Mr. CAMP.

H.R. 103: Mr. PAUL and Mr. CAMP.

H.R. 105: Mr. PAUL, Mr. HEFLEY, and Mr. SCHAFFER.

H.R. 123: Mr. SCHAFFER and Mr. WAMP.

H.R. 144: Mr. PETERSON of Minnesota.

H.R. 145: Mr. HILLIARD.

H.R. 147: Mr. WHITFIELD, Mr. PALLONE, Ms. HART, Mr. BALDACCI, Mr. HOLDEN, Mr. WYNN, Mr. MCGOVERN, Ms. SLAUGHTER, and Mr. HILLIARD.

H.R. 148: Ms. DELAURO, Mr. SANDLIN, and Mr. BALDACCI.

H.R. 154: Mrs. ROUKEMA, Mrs. TAUSCHER, Ms. HOOLEY of Oregon, Mr. CUNNINGHAM, Mr. OBERSTAR, Mr. MOORE, Mr. SKELTON, Mr. KING, Mr. PAUL, Mr. SNYDER, Mr. FROST, Ms. KILPATRICK, Mr. BROWN of Ohio, Mr. DOOLEY of California, Ms. RIVERS, Mr. PHELPS, Mr. LUTHER, Mr. NETHERCUTT, Mr. COSTELLO, Mr. PITTS, Mr. SENSENBRENNER, Mr. STUMP, Mr. SIMMONS, Mrs. DAVIS of California, Mr. DOYLE, Mr. ABERCROMBIE, Mr. BOEHLERT, Mr. WHITFIELD, Mr. KIND, Mr. HASTINGS of Washington, Ms. HART, Ms. GRANGER, Mr. CALVERT, Mr. GREEN of Wisonsin, Mr. BURTON of Indiana, Mrs. MORELLA, Mr. MEEHAN, Mr. SANDLIN, Mr. PRICE of North Carolina, Mr. LEWIS of Kentucky, Mr. BARCIA, Mr. HOLDEN, Mr. BAIRD, MRS. KELLY, and Mr. UDALL of New Mexico.

H.R. 161: Mr. SWEENEY.

H.R. 166: Mrs. BONO, Mr. LATOURETTE, and Mr. GOODLATTE.

H.R. 167: Mr. PAUL, Mr. DUNCAN, Mr. SMITH of New Jersey, Mr. HASTINGS of Washington, and Mr. BURTON of Indiana.

H.R. 169: Ms. JACKSON-LEE of Texas.

H.R. 179: Mr. COLLINS, Mr. GILMAN, Mr. JEFFERSON, and Mr. MCNULTY.

H.R. 190: Mr. GOODE, Mr. CALLAHAN, and Mr. DUNCAN.

H.R. 220: Mr. DUNCAN.

H.R. 236: Mr. HORN, Mr. CROWLEY, Mrs. ROUKEMA, Mr. POMBO, Mr. TIBERI, Mr. BURR of North Carolina, Mr. DUNCAN, Mr. JENKINS, Mr. KING, Mr. SHIMKUS, Mr. VITTER, Mr. GANSKE, Mrs. KELLY, Mr. LARSON of Connecticut, Mr. GREEN of Texas, Mrs. TAUSCHER, Mr. SMITH of Texas, Mr. COOKSEY, Mr. SHAYS, Mr. WOLF, Mr. TANCREDO, Mr. HALL of Texas, Mr. KLECZKA, Mr. COX, Mr. CHABOT, Mr. MCHUGH, Mr. MEEKS of New York, Mr. BLUNT, Mrs. BIGGERT, Mr. WAMP, Mr. ARMEY, Mr. SCHROCK, Mr. HASTINGS of Washington, Mrs. PRYCE of Ohio, Mr. REYNOLDS, Mr. LIPINSKI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CRANE, Mr. STEARNS, Mrs. MCCARTHY of New York, and Mr. GILCHREST.

H.R. 238: Ms. MILLENDER-MCDONALD and Mr. MATSUI.

H.R. 245: Mr. MASCARA.

H.R. 267: Mr. LUCAS of Kentucky, Mr. LARGENT, Mr. ROGERS of Michigan, Mr. REYNOLDS, and Mrs. MALONEY of New York.

H.R. 279: Mrs. CAPPS.

H.R. 311: Mr. TANCREDO, Mr. GILMAN, Mr. SMITH of New Jersey, Mr. KOLBE, Mrs. ROUKEMA, Mr. HEFLEY, Mr. REYNOLDS, Mr. GREENWOOD, Mr. HILLEARY, Mr. SCHAFFER, Mr. EHRLICH, Mr. LATOURETTE, Ms. HOOLEY of Oregon, Mr. PUTNAM, Mr. NORWOOD, Mr. CHAMBLISS, Mr. PITTS, Mr. COOKSEY, Mr. DUNCAN, Mr. ISAKSON, Mr. BALLENGER, and Mr. KING.

H. Con. Res. 4: Mrs. ROUKEMA, Mr. PALLONE, Mr. QUINN, Mr. MCGOVERN, Mr. FILNER, Mr. LATOURETTE, Mr. MARKEY, Mr. KING, Ms. JACKSON-LEE of Texas, Ms. HART, Mr. KUCINICH, and Mr. LOBIONDO.

H. Con. Res. 8: Mr. SWEENEY, Mr. KING, and Ms. PRYCE of Ohio.

H. Con. Res. 15: Mr. GEPHARDT, Mr. BLAGOJEVICH, and Mr. BROWN of Ohio.

H. Res. 11: Ms. ROYBAL-ALLARD, Mr. DEFAZIO, Mr. BROWN of Ohio, Mr. GONZALEZ, and Mr. UDALL of New Mexico.

H. Res. 17: Ms. MCKINNEY, Mr. DEFAZIO, and Mr. FRANK.

TUESDAY, FEBRUARY 6, 2001 (6)

¶6.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SHIMKUS, who laid before the House the following communication:

WASHINGTON, DC,
February 6, 2001.

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

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

¶6.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHIMKUS, announced he had examined and approved the Journal of the proceedings of Wednesday, January 31, 2001.

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

¶6.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

527. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Retained Water in Raw Meat and Poultry Products; Poultry Chilling Requirements [Docket No. 97–054F] (RIN: 0583–AC26) received January 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

528. A letter from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—Post-loan Policies and Procedures Common to Guaranteed and Insured Loans (RIN: 0572–AB53) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

529. A letter from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—Policy on Audits of RUS Borrowers; Management Letter (RIN: 0572–AB66) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

530. A letter from the Under Secretary of Defense, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Air Force which occurred in the fiscal year (FY) 1986, FY 1987, and FY 1988 Aircraft Procurement, and the FY 1988 Operation and Maintenance (O&M), Air Force appropriations, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

531. A letter from the Under Secretary of Defense, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Air Force which occurred at the 438th Air Mobility Wing (now the 305th Air Mobility Wing), located at the McGuire Air Force Base, New Jersey, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

532. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, Department of Defense, transmitting notification that Headquarters Air Mobility Command has conducted a Business Analysis to reduce the cost of the Andrews Air Force Base (AFB), Maryland, 89th Airlift Wing Aircraft Maintenance and Base Supply function, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

533. A letter from the Secretary of the Navy, Department of Defense, transmitting the Secretary's determination and findings that it is in the public interest to use other than competitive procedures for a particular procurement, pursuant to 10 U.S.C. 2304(c)(7); to the Committee on Armed Services.

534. A letter from the Secretary, Department of Defense, transmitting the approved retirement and advancement to the grade of general on the retired list of General Patrick K. Gamble, United States Air Force; to the Committee on Armed Services.

535. A letter from the Secretary, Department of the Treasury, transmitting a report entitled, ''The Community Reinvestment Act After Financial Modernization: A Final Report'' pursuant to section 715 of the GRAMM–Leach-Bliley Act; to the Committee on Financial Services.

536. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Determining Adjusted Income in HUD Programs Serving Persons With Disabilities: Requiring Mandatory Deductions For Certain Expenses; and Disallowance for Earned Income; Delay of Effective Date [Docket No. FR–4608–F–03] (RIN: 2501–AC72) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

537. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Revision to the Application Process for Community Development Block Grants for Indian Tribes and Alaska Native Villages; Delay of Effective Date [Docket No. FR–4612–F–03] (RIN: 2577–AC22) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

538. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Discontinuation of the Section 221(d)(2) Mortgage Insurance Program; Delay of Effective Date [Docket No. FR–4588–F–03] (RIN: 2505–AH50) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

539. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-P–7600] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

540. A letter from the Secretary of the Treasury and Chairman of the Board of Governors of the Federal Reserve System, transmitting a report on the feasibility and desirability of mandatory subordinated debt, pursuant to Section 108 of the GRAMM–Leach-Bliley Act, P.L. 106–102; to the Committee on Financial Services.

541. A letter from the Director, Office of Management and Budget, transmitting the

pay-as-you-go report, as required by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; to the Committee on the Budget.

542. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

543. A letter from the Acting Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—State Vocational Rehabilitation Services Program; Delay of Effective Date—received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

544. A letter from the Acting Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—State Vocational Rehabilitation Services Program; Delay of Effective Date—received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

545. A letter from the Acting Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—Assistance to States for the Education of Children With Disabilities; Delay of Effective Date— received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

546. A letter from the Acting Assistant General Counsel for Regulations, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule—Developing Hispanic-Serving Institutions Program; Delay of Effective Date—received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

547. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting a report entitled, ''Minimum Wage and Overtime Hours Report''; to the Committee on Education and the Workforce.

548. A letter from the Acting Administrator, Energy Information Administration, Department of Energy, transmitting the Department's report entitled ''Performance Profiles of Major Energy Producers 1999,'' pursuant to 42 U.S.C. 7267; to the Committee on Energy and Commerce.

549. A letter from the Secretary, Department of Health and Human Services, transmitting the annual financial report to Congress required by the Prescription Drug User Fee Act (PDUFA), as amended (section 104(b)), pursuant to 21 U.S.C. 379g nt; to the Committee on Energy and Commerce.

550. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Demonstration Projects to Study the Effect of Allowing States to Extend Medicaid to Pregnant Women and Children Not Otherwise Qualified to Receive Medicaid Benefits,'' pursuant to Public Law 101—239, section 6407(g)(2) (103 Stat. 2267); to the Committee on Energy and Commerce.

551. A letter from the Secretary, Department of Commerce, transmitting a report on the Anticybersquatting Consumer Protection Act of 1999, section 3006 concerning the abusive registration of domain names; to the Committee on Energy and Commerce.

552. A letter from the Chief Counsel, National Telecommunications and Information Administration, Department of Commerce, transmitting the Department's final rule—Technology Opportunities Program [Docket No. 981203295–0355–05] (RIN: 0660–ZA06) received January 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

553. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule—Weatherization Assistance Program for Low-Income Persons (RIN: 1904–AB05) received December 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

554. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled ''Performance Improvement 2000: Evaluation Activities of the U.S. Department of Health and Human Services''; to the Committee on Energy and Commerce.

555. A letter from the Secretary, Department of Health and Human Services, transmitting a study concerning any safeguards needed to ensure that the health care of individuals with special health care needs and chronic conditions, enrolled with Medicaid managed care organizations are adequately met, pursuant to Section 4705(c)(2) of the Balanced Budget Act; to the Committee on Energy and Commerce.

556. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule—Facsimile Transmission of Prescriptions for Patients Enrolled in Hospice Programs [DEA–190F] (RIN: 1117–AA54) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

557. A letter from the Director, Environmental Protection Agency, transmitting a report on Sensitive Subpopulations and Drinking Water Contaminants; to the Committee on Energy and Commerce.

558. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, ''Response to Section 6102(e) of the Transportation Equity Act for the 21st Century''; to the Committee on Energy and Commerce.

559. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems [CC Docket No. 94–102] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

560. A letter from the Chief, Network Services Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Numbering Resource Optimization [CC Docket No. 99–200] Petition for Declaratory Ruling and Request For Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717 [CC Docket No, 96–98] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

561. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Creation of Low Power Radio Service [MM Docket No. 99–25; RM–9208; RM–9242] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

562. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Charlotte, North Carolina) [MM Docket No. 00–178; RM–9914] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

563. A letter from the Deputy Chief, Network Services Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—2000 Biennial Regulatory Review of Part 68 of the Commission's Rules and Regulations [CC Docket No. 99–216] received February, 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

564. A letter from the Chairman, Nuclear Waste Technical Review Board, transmitting a report on the Board's technical and scientific review of the Department of Energy's program to characterize a site at Yucca Mountain, Nevada, for its suitability as the possible location of a repository; to the Committee on Energy and Commerce.

565. A communication from the President of the United States, transmitting the final report on the national emergency declared by Executive Order 12924 of August 19, 1994, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 107—38); to the Committee on International Relations and ordered to be printed.

566. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting a report containing an analysis and description of services performed by full-time USG employees during Fiscal Year 2000, pursuant to 22 U.S.C. 2765(a); to the Committee on International Relations.

567. A letter from the Under Secretary of Defense, Department of Defense, transmitting a copy of Transmittal No. 27–0 to certify the the Memorandum of Understanding (MOU) among Canada, France, Germany, Italy, Norway, the United Kingdom and the United States for Coalition Surveillance and Reconnaissance (CSR), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

568. A letter from the Secretary of Defense, transmitting the FY 1999 Report on Accounting for United States Assistance under the Cooperative Threat Reduction (CTR) Program, pursuant to 37 U.S.C. 403(b) nt; to the Committee on International Relations.

569. A letter from the Assistant Secretary for Legislative Affairs, Department of the State, transmitting the final report from the White House Conference on Culture and Diplomacy; to the Committee on International Relations.

570. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that the Republic of Turkmenistan and the Republic of Tajikistan are committed to the courses of action described in Section 502 of the FREEDOM Support Act (Public Law 102–511); to the Committee on International Relations.

571. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Amendments to the International Traffic in Arms Regulation: Canadian Exemption—received January 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

572. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–396, ''Seniors Protection Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

573. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–552, ''Protections from Predatory Lending and Mortgage Foreclosure Improvement Act of 2000'' received February 2, 2001, pursuant to D.C. Code sec-

tion 1—233(c)(1); to the Committee on Government Reform.

574. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–501, ''Tax Clarity Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

575. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–547, ''Washington Convention Center Marketing Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

576. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–543, ''New E-Conomy Transformation Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

577. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–559, ''Child Support and Welfare Reform Compliance Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

578. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–518, ''Closing of a Public Alley in Square 4335, S.O. 98–245 Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

579. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–469, ''Board of Education Campaign Contribution Clarification Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

580. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–549, ''Liquor Sales Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

581. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–558, ''International Banking Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

582. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–468, ''Equal Opportunity for Local, Small, or Disadvantaged Business Enterprises Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

583. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–482, ''Bishop Samuel Kelsey Way Clarification Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

584. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–505, ''Sales Tax Holiday Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

585. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–506, ''Workers' Compensation Administrative Law Judges Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

586. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–507, ''Make a Difference Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

587. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–508, ''Uniform Unicorporated Nonprofit Association Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

588. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–510, ''Banner Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

589. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–481, ''Snow and Ice Control Program Temporary Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

590. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–470, ''Moratorium on the Construction of Certain Telecommunications Towers Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

591. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–478, ''Lovejoy School New Housing and Economic Development Temporary Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

592. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–477, ''Funeral Services Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

593. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–479, ''Health and Hospitals Public Benefit Corporation Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

594. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–511, ''Estate Tax Technical Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

595. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–512, ''Soil and Water Conservation Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

596. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–554, ''Motor Vehicle Excessive Idling Exemption Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

597. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–544, ''Information Technology Apprenticeship Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

598. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–545, ''Street Festival One Day Public Space Rental Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

599. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–541, ''Women's Health and Cancer Rights Federal Law Conformity Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

600. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–542, ''Convention Center Authority Shaw Community Development Fund Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

601. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–551, ''Uniform Per Student Funding Formula Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

602. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–550, ''Off-Premises Wall Sign Moratorium Temporary Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

603. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–540, ''Comprehensive Annual Financial Report Scheduling and Notice Requirement Act 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

604. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–539, ''Interim Disability Assistance Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

605. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–514, ''District of Columbia Emancipation Day Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

606. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–487, ''Gray Market Cigarette Prohibition Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

607. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–533, ''Retirement Reform Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

608. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–486, ''Emergency Medical Services Non-Resuscitation Procedures Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

609. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–538, ''Election Day Challenge Procedures Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

610. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–509, ''District of Columbia Municipal Regulations Publication Improvement Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

611. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–515, ''Taxicab Drivers Protection Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

612. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–532, ''Closing of Public Alleys in Square 236, S.O. 00–36 Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

613. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–466, ''Insurance Demutualization Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

614. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–537, ''Nonprofit Corporation Voting Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

615. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–536, ''Administrative Procedure Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

616. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–522, ''Mandatory Autopsy for Deceased Wards of the District of Columbia and Mandatory Unusual Incident Report Temporary Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

617. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–531, ''Closing of O Street, N.E., S.O. 98–124, and Closing of Public Alleys in Square 670, S.O. 90–235, Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

618. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–530, ''Wage-Hour Enforcement Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

619. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–520, ''Disposal of District Owned Surplus Real Property Temporary Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

620. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–521, ''Noise Control Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

621. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–519, ''Gallery Place Economic Development Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

622. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–516, ''Driving Under the Influence Repeat Offenders Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

623. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–504, ''ANC Procurement Exclusion Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

624. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–502, ''Service Improvement and Fiscal Year 2000 Budget Support Special Education Student Funding Increase Non-service Nonprofit Provider Clarifying and Technical Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

625. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–467, ''Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

626. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–480, ''Citizens with Mental Retardation Substituted Consent for Health Care Decisions Temporary Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

627. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–498, ''Redevelopment Land Agency Disposition Review Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

628. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–517, ''Mortgage Lender and Broker License Renewal Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

629. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–555, ''Insurance Trade and Economic Development Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

630. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–513, ''Government Employer-Assisted Housing Program Teacher, Police Officer, and Firefighter Hiring Incentive Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

631. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–557, ''Prohibition on Abandoned Vehicles Amendment Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

632. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued by GAO during December 2000, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

633. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–556, ''Opportunity Accounts Act of 2000'' received February 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

634. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Revision of Freedom of Information Act Regulations; Delay of Effective Date [Docket No. FR–4292–F–03] (RIN: 2501–AC51) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

635. A letter from the Administrator, Environmental Protection Agency, transmitting notification that the Environmental Protection Agency (EPA) plans to submit an Annual Report for FY 2000 that consolidates a number of statutorily required financial and performance management reports; to the Committee on Government Reform.

636. A letter from the Chairman, Federal Election Commission, transmitting a report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

637. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting an annual report on commercial activities inventory list; to the Committee on Government Reform.

638. A letter from the Director, Financial Management, General Accounting Office, transmitting the FY 2000 annual report of the Comptroller General's Retirement System, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

639. A letter from the Chairman, Merit Systems Protection Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

640. A letter from the Inspector General, National Aeronautics and Space Administration, transmitting a report on the list of commercial activities for 2000; to the Committee on Government Reform.

641. A letter from the Director, Office of Management and Budget, transmitting the FY 2000 Annual Performance Report; to the Committee on Government Reform.

642. A letter from the Director, Office of National Drug Control Policy, transmitting a report on the ''FY 2000 Accounting of Drug Control Funds''; to the Committee on Government Reform.

643. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Redefinition of the Los Angeles, CA, Appropriated Fund Wage Area (RIN: 3206–AJ23) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

644. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Abolishment of the St. Louis, MO, Special Wage Schedule for Printing Positions (RIN: 3206–AJ24) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

645. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Abolishment of the Philadelphia, PA, Special Wage Schedule for Printing Positions (RIN: 3206–AJ22) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

646. A letter from the Acting Director, Peace Corps, transmitting the Strategic Plan under the Government Performance and Results Act for FY 2000–2005; to the Committee on Government Reform.

647. A letter from the Secretary, Department of the Interior, transmitting notification of the intention to accept a 360-acre land donation to be added to wilderness areas, pursuant to 16 U.S.C. 1135(a); to the Committee on Resources.

648. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting a report entitled, ''Status and Trends of Wetlands in the United States 1986 to 1997''; to the Committee on Resources.

649. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final

rule—New Mexico Regulatory Program [NM–041–FOR] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

650. A letter from the Secretary, Department of Commerce, transmitting the biennial report on the Coastal Zone Management Act (CZMA) of the Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA) for fiscal years 1998 and 1999; to the Committee on Resources.

651. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Prohibited Species Donation Program [Docket No. 000905252–0339–02; I.D. 080700D] (RIN: 0648–AN98) received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

652. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Hook-and-line in the Bering Sea and Aleutian Islands [Docket No. 000211040–0040–01; I.D. 120800B] received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

653. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting a report on the Apportionment of Regional Fishery Management Council (RFMC) Membership in 2000, pursuant to section 302 (b)(2)(B) of the Magnuson-STEVENS Fishery Conservation and Management Act; to the Committee on Resources.

654. A letter from the Assistant Attorney General, Department of Justice, transmitting a report entitled, ''The Sexual Victimization of College Women,'' pursuant to Section 40506 of the Violent Crime Control and Law Enforcement Act of 1994; to the Committee on the Judiciary.

655. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—VISAS: Reissuance of O and P Nonimmigrant Visas (RIN: 1400 AA–96) received January 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

656. A communication from the President of the United States, transmitting a report entitled, ''The Unfinished Work of Building One America''; to the Committee on the Judiciary.

657. A letter from the Deputy Secretary, Office of the General Counsel, Securities and Exchange Commission, transmitting the Commission's final rule— Adjustments to Civil Monetary Penalty Amounts [Release Nos. 33–7946; 34–43897; IA–1921; IC–24846] received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

658. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule—Sanctions Against Motor Carriers, Brokers, and Freight Forwarders for Failure To Pay Civil Penalties [Docket No. FMCSA–00–7332] (RIN: 2126–AA54) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

659. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, ''The Superfund Innovative Technology Evaluation Program: Annual Report to Congress FY 1999,'' pursuant to 42 U.S.C. 9604i(D); to the Committee on Science.

660. A letter from the Director, National Science Foundation, transmitting a report entitled, ''Women, Minorities, and Persons With Disabilities in Science and Engineering: 2000,'' pursuant to 42 U.S.C. 1885d; to the Committee on Science.

661. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Small Business Investment Companies—received December 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

662. A letter from the Secretary, Department of the Treasury, transmitting the United States Government Annual Report for the Fiscal Year ended September 30, 2000, pursuant to 31 U.S.C. 331(c); to the Committee on Ways and Means.

663. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Comments on Research Credit Regulations [Notice 2001–19] received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

664. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Liabilities Assumed in Certain Corporate Transactions [TD 8924] (RIN: 1545–AY63) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

665. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Guidance on Reporting of Deposit Interest Paid to Nonresident Aliens [REG–126100–00] (RIN: 1545–AY62) received January 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

666. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Notice to Interested Parties [REG–129608–00] (RIN: 1545–AY68) received January 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

667. A letter from the Chairman, International Trade Commission, transmitting a report on Investigation No. TA–204–3 entitled, ''Lamb Meat: Monitoring Developments in the Domestic Industry'' pursuant to section 204(a)(2) of the Trade Act of 1974; to the Committee on Ways and Means.

668. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Federal Old-Age, Survivors and Disability Insurance; Determining Disability and Blindness; Revision to Medical-Vocational Guidelines (RIN: 0960–AE42) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

669. A letter from the Chairman, Federal Election Commission, transmitting a supplemental FY 2001 request for additional funds, pursuant to 2 U.S.C. 437d(d)(1); jointly to the Committees on House Administration and Appropriations.

670. A letter from the Secretary, Department of Transportation, transmitting the Second Edition of the Research and Development Plan, required by Section 5108 of the Transportation Equity Act for the Twenty-First Century (PL 105–178); jointly to the Committees on Transportation and Infrastructure and Science.

671. A letter from the Assistant Administrator, Environmental Protection Agency, transmitting a report entitled, ''Action Plan for Reducing, Mitigating, and Controlling, Hypoxia in the Northern Gulf of Mexico''; jointly to the Committees on Science, Resources, and Transportation and Infrastructure.

672. A communication from the President of the United States, transmitting His report to increase investment in and access to assistive technologies and a quality education, and help integrate Americans with disabilities into the workforce and into community life; (H. Doc. No. 107—39); jointly to the Committees on Education and the Workforce, Financial Services, Ways and Means, Energy and Commerce, Transportation and Infrastructure, the Judiciary, and House Administration and ordered to be printed.

¶6.4 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶6.5 MESSAGE FROM THE PRESIDENT—ANDEAN TRADE PREFERENCE

The SPEAKER pro tempore, Mr. SHIMKUS, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 203(f) of the Andean Trade Preference Act (ATPA) of 1991, as amended (19 U.S.C. 3201 et seq.), I transmit herewith the third report to the Congress on the Operation of the Andean Trade Preference Act.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 5, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means.

¶6.6 90TH BIRTHDAY OF RONALD REAGAN

Mr. PLATTS moved to suspend the rules and pass the joint resolution (H.J. Res. 7) recognizing the 90th birthday of Ronald Reagan.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. PLATTS and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said joint resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. PLATTS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶6.7 RONALD W. REAGAN POST OFFICE

Mr. PLATTS moved to suspend the rules and pass the bill (H.R. 395) to designate the facility of the United States Postal Service located at 2305 Minton Road in West Melbourne, Florida, as the ''Ronald W. Reagan Post Office of West Melbourne, Florida''.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. PLATTS and Ms. SANCHEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds

of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶6.8 HONORING THE CONTRIBUTIONS OF CATHOLIC SCHOOLS

Mr. TIBERI moved to suspend the rules and agree to the following resolution (H. Res. 28):

Whereas America's Catholic schools are internationally acclaimed for their academic excellence, but provide students more than a superior scholastic education;

Whereas Catholic schools ensure a broad, values-added education emphasizing the lifelong development of moral, intellectual, physical, and social values in America's young people;

Whereas the total Catholic school student enrollment for the 1999–2000 academic year was 2,653,038, the total number of Catholic schools is 8,144, and the student-teacher ratio is 17 to 1;

Whereas Catholic schools provide more than $17,200,000,000 a year in savings to the Nation based on the average public school per pupil cost;

Whereas Catholic schools teach a diverse group of students and over 24 percent of school children enrolled in Catholic schools are minorities;

Whereas the graduation rate of Catholic school students is 95 percent, only 3 percent of Catholic high school students drop out of school, and 83 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual, character, and moral development; and

Whereas in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, ''Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals of Catholic Schools Week, an event sponsored by the National Catholic Educational Association and the United States Catholic Conference and established to recognize the vital contributions of America's thousands of Catholic elementary and secondary schools; and

(2) congratulates Catholic schools, students, parents, and teachers across the Nation for their ongoing contributions to education, and for the key role they play in promoting and ensuring a brighter, stronger future for this Nation.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. TIBERI and Ms. SANCHEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. TIBERI demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶6.9 RECESS—3:11 P.M.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 11 minutes p.m., until approximately 6 o'clock p.m.

¶6.10 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶6.11 H.J. RES. 7—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the joint resolution (H.J. Res. 7) recognizing the 90th birthday of Ronald Reagan.

The question being put,

Will the House suspend the rules and pass said joint resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 410; Nays ..... 0; Answered present 7 }

¶6.12 [Roll No. 9]

YEAS—410

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

Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—7

DeFazio
Johnson, E. B.
Lee
Sanchez
Stark
Waters
Woolsey

NOT VOTING—16

Becerra
Bono
Brown (FL)
Buyer
Cannon
Conyers
Graves
Greenwood
Grucci
Hefley
Maloney (NY)
McInnis
Moakley
Osborne
Quinn
Rogers (KY)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said joint resolution was passed.

A motion to reconsider the vote whereby the rules were suspended and said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶6.13 H. RES. 28—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 28) honoring the contributions of Catholic schools.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 412; Nays ..... 0; Answered present 1

¶6.14 [Roll No. 10]

YEAS—412

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

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—19

Becerra
Bono
Brown (FL)
Buyer
Calvert
Cannon
Conyers
Cooksey
Fattah
Greenwood
Grucci
Hefley
Maloney (NY)
McInnis
Moakley
Quinn
Rogers (KY)
Rothman
Weldon (FL)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶6.15 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. WAMP, by unanimous consent,

Ordered, That it may be in order under clause 1, rule XV, on Wednesday, February 7, 2001, for the Speaker to entertain a motion to suspend the rules relating to the bill (H.R. 132) to designate the facility of the United States Postal Service located at 620 Jacaranda Street in Lanai City, Hawaii, as the ''Goro Hokama Post Office Building''.

¶6.16 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H. J. Res. 7. Joint resolution recognizing the 90th birthday of Ronald Reagan.

The message also announced that pursuant to Public Law 105–83, the Chair, on behalf of the Democratic Leader, announces the reappointment of the Senator from Illinois (Mr. DURBIN) as a member of the National Council on the Arts.

The message also announced that pursuant to section 2761 of title 22, United States Code, as amended, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Democratic Leader, appoints the Senator from West Virginia (Mr. BYRD) as Co-Chairman of the Senate Delegation to the British-American Interparliamentary Group during the One Hundred Seventh Congress.

The message also announced that pursuant to Public Law 106–550, the Chair, on behalf of the Majority Leader, announces the appointment of the following Senators to serve as members of the James Madison Commemoration Commission—

the Senator from Virginia (Mr. WARNER); and

the Senator from Alabama (Mr. SESSIONS).

The message also announced that pursuant to Public Law 106–398, the Chair, on behalf of the Majority Leader, announces the appointment of the following individuals to serve as members of the Commission on the Future of the United States Aerospace Industry—

William Schneider, Jr., of New York; and]

Robert J. Stevens, of Maryland.

¶6.17 ENROLLED JOINT RESOLUTION SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a joint

resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 7. Joint Resolution recognizing the 90th birthday of Ronald Reagan.

¶6.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GRUCCI, for today and balance of the week;

To Mrs. MALONEY of New York, for today; and

To Mr. BECERRA, for today and balance of the week.

And then,

¶6.19 ADJOURNMENT

On motion of Mr. SCHAFFER, at 8 o'clock and 14 minutes p.m., the House adjourned.

¶6.20 ADDITIONAL SPONSORS

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

H.R. 12: Mr. THUNE, Mr. DELAY, Mr. SENSENBRENNER, Ms. PRYCE of Ohio, Mr. REYNOLDS, Mr. GREEN of Wisconsin, Mr. BARTON of Texas, Mr. BARCIA, Mr. THOMAS M. DAVIS of Virginia, Mr. SWEENEY, Mr. FILNER, Mr. OTTER, Mr. PETRI, Mr. WELDON of Florida, Mr. HINCHEY, Mr. LARSEN of Washington, Mr. TAUZIN, Ms. ESHOO, Mr. FOSSELLA, and Mr. PASCRELL.

H.R. 17: Mrs. CHRISTENSEN.

H.R. 27: Mr. ENGLISH, Mr. SCHAFFER, and Mr. STUMP.

H.R. 28: Ms. MCKINNEY, Mr. SPRATT, Mrs. CAPPS, Mr. UDALL of New Mexico, Mrs. NAPOLITANO, Ms. ESHOO, Mr. BROWN of Ohio, Mrs. CHRISTENSEN, Mr. LEVIN, Mr. KENNEDY of Rhode Island, Mr. BONIOR, Mr. DOOLEY of California, Mr. MCGOVERN, Mr. CAPUANO, Mr. BACA, Ms. LOFGREN, Mr. OLVER, Mr. COYNE, and Ms. HARMAN.

H.R. 42: Mr. SCHAFFER.

H.R. 57: Mr. LUTHER.

H.R. 65: Ms. HOOLEY of Oregon, Mr. SCHAFFER, Mr. ETHERIDGE, Mr. HALL of Texas, Mr. WELDON of Florida, Mr. SISISKY, Mr. CRAMER, Mrs. EMERSON, Mr. CLEMENT, Mr. CUNNINGHAM, Mr. EVANS, Mr. FOLEY, Mr. ROHRABACHER, Mr. WEINER, Ms. DUNN, Mr. DAVIS of Florida, Mr. CAPUANO, Mr. MALONEY of Connecticut, Mrs. KELLY, Mr. FILNER, Mr. BOUCHER, Mr. JONES of North Carolina, Mr. FRANK, Mrs. MEEK of Florida, and Ms. BERKLEY.

H.R. 68: Mr. ANDREWS, Mr. BENTSEN, Mr. SHIMKUS, Mr. PAUL, Mr. DOYLE, Mr. BURTON of Indiana, and Mr. WEXLER.

H.R. 80: Mr. HAYWORTH.

H.R. 85: Mr. NEY, Mr. GOODE, Mr. WHITFIELD, Mr. GILLMOR, Ms. LOFGREN, and Mr. MCGOVERN.

H.R. 100: Mr. PETRI, Mr. ISAKSON, Mr. JENKINS, Mr. BARTON of Texas, Mrs. BIGGERT, Mr. SENSENBRENNER, Mrs. BONO, Mr. MOORE, Mr. SWEENEY, Mr. SHAYS, Mr. BEREUTER, Mr. DEAL of Georgia, Mr. BLAGOJEVICH, Mr. GREEN of Wisconsin, Mr. WHITFIELD, Ms. GRANGER, Mr. UPTON, Mr. ALLEN, Mr. BILIRAKIS, Mrs. JOHNSON of Connecticut, Mr. GUTKNECHT, and Mr. FROST.

H.R. 101: Mr. PETRI, Mr. ISAKSON, Mr. JENKINS, Mr. BARTON of Texas, Mrs. BIGGERT, Mrs. BONO, Mr. MOORE, Mr. SWEENEY, Mr. SHAYS, Mr. BEREUTER, Mr. FRANK, Mr. DEAL of Georgia, Mr. BLAGOJEVICH, Mr. WHITFIELD, Ms. GRANGER, Mr. UPTON, Mr. ALLEN, Mr. BILIRAKIS, Mrs. JOHNSON of Connecticut, and Mr. FROST.

H.R. 102: Mr. PETRI, Mr. ISAKSON, Mr. JENKINS, Mr. BARTON of Texas, Mrs. BIGGERT, Mrs. BONO, Mr. MOORE, Mr. SENSENBRENNER, Mr. SWEENEY, Mr. SHAYS, Mr. BEREUTER, Mr. FRANK, Mr. DEAL of Georgia, Mr. BLAGOJEVICH, Mr. WHITFIELD, Ms. GRANGER, Mr. UPTON, Mr. ALLEN, Mr. BILIRAKIS, and Mr. FROST.

H.R. 108: Mr. UDALL of Colorado.

H.R. 110: Mr. UDALL of Colorado.

H.R. 122: Mr. HASTINGS of Washington, Mr. CRANE, Mr. PAUL, Mr. COOKSEY, Mr. EVERETT, Mr. GOSS, Mr. ENGLISH, Mr. GILMAN, Mrs. MCCARTHY of New York, Mr. BACHUS, Mr. TERRY, Mr. BURR of North Carolina, Mr. HAYWORTH, Mr. KNOLLENBERG, Mr. GANSKE, Mr. SENSENBRENNER, Mr. SUNUNU, Mr. SCHAFFER, Ms. PRYCE of Ohio, Mr. CUNNINGHAM, Mr. TANCREDO, Mr. BROWN of South Carolina, Mrs. CUBIN, Mr. GOODLATTE, Mrs. JO ANN DAVIS of Virginia, Mr. WHITFIELD, Mr. ROGERS of Michigan, Mr. STUMP, Mr. HANSEN, Mr. LAHOOD, Mr. SESSIONS, Mr. AKIN, Mr. REYNOLDS, Mr. KERNS, Mr. RYUN of Kansas, Mr. FOSSELLA, and Mrs. KELLY.

H.R. 123: Mr. SHOWS, Mr. ISAKSON, and Mr. EVERETT.

H.R. 129: Ms. HART.

H.R. 132: Mr. ABERCROMBIE and Mr. GEORGE MILLER of California.

H.R. 159: Mr. GILLMOR, Mr. LATOURETTE, Mr. SESSIONS, Mr. ROHRABACHER, Mr. TERRY, Mr. LAHOOD, Mrs. MCCARTHY of New York, and Mr. LOBIONDO.

H.R. 162: Mr. HORN, Mr. FRANK, and Mr. ORTIZ.

H.R. 168: Mr. GRUCCI.

H.R. 179: Mr. ANDREWS, Mrs. BONO, Mr. CAMP, Mrs. CLAYTON, Mr. COSTELLO, Mr. COYNE, Mr. DAVIS of Illinois, Mr. DEAL of Georgia, Mr. DICKS, Mr. DUNCAN, Mr. FOLEY, Mr. GILLMOR, Ms. HART, Mr. JACKSON of Illinois, Mr. JOHNSON of Illinois, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. LAHOOD, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LEWIS of Georgia, Ms. LOFGREN, Mr. LUCAS of Kentucky, Mr. MALONEY of Connecticut, Mr. MORAN of Virginia, Mr. PAUL, Mr. PENCE, Ms. RIVERS, Mr. RUSH, Mr. SPENCE, Mr. STEARNS, Mr. THOMPSON of Mississippi, Mr. WATKINS, and Mr. WEXLER.

H.R. 184: Mr. NETHERCUTT, Mr. FALEOMAVAEGA, Mr. LUTHER, Mrs. THURMAN, Ms. JACKSON-LEE of Texas, Mr. DOYLE, and Mr. NADLER.

H.R. 187: Mr. MCGOVERN, Mrs. JOHNSON of Connecticut, Mr. ABERCROMBIE, Mr. WHITFIELD, Mr. MALONEY of Connecticut, Mr. NEAL of Massachusetts, and Mrs. MCCARTHY of New York.

H.R. 190: Mr. SCHROCK.

H.R. 191: Mr. OTTER.

H.R. 192: Mr. LAHOOD and Mr. PAUL.

H.R. 200: Mr. EVANS and Mr. CUNNINGHAM.

H.R. 210: Mr. GILLMOR.

H.R. 218: Mr. LIPINSKI, Mr. BUYER, Mr. GILLMOR, Mr. HULSHOF, Mr. RYAN of Wisconsin, Ms. MCCARTHY of Missouri, Mr. TOOMEY, Mr. CALVERT, and Mr. MANZULLO.

H.R. 232: Mr. DEAL of Georgia.

H.R. 236: Mr. BILIRAKIS, Mr. PITTS, Mr. HULSHOF, Mr. SWEENEY, Mr. SCHAFFER, Mr. DEAL of Georgia, Mr. CULBERSON, Ms. HART, Mr. DEMINT, Mr. FOSSELLA, Mrs. EMERSON, Mr. DOOLITTLE, Mr. RILEY, Mr. LAHOOD, Mr. WELDON of Florida, Mr. GREEN of Wisconsin, Mr. BAKER, Mr. SESSIONS, Ms. MCCARTHY of Missouri, Mr. RUSH, Mr. BOEHNER, Mr. BAIRD, and Mr. NEY.

H.R. 239: Mrs. MINK of Hawaii, Mr. BENTSEN, Mr. SANDERS, Ms. SLAUGHTER, and Mr. BONIOR.

H.R. 241: Mr. GOODE, Mr. COOKSEY, and Mrs. EMERSON.

H.R. 244: Mr. BRADY of Pennsylvania, Mr. EDWARDS, Mr. OBERSTAR, Mr. DINGELL, Mr. SKELTON, Mr. FILNER, Ms. JACKSON-LEE of Texas, Ms. HOOLEY of Oregon, Mr. ETHERIDGE, Mr. PASTOR, Ms. MCCARTHY of Missouri, Mr. REYES, and Mr. SISISKY.

H.R. 245: Mr. LIPINSKI, Mr. MCGOVERN, Mr. FILNER, Mr. MCHUGH, and Mr. NEY.

H.R. 250: Mr. TERRY, Mr. UDALL of New Mexico, Mr. THUNE, Mr. GREEN of Wisconsin, Ms. DELAURO, Mr. MCNULTY, Mr. ENGLISH, Mr. COOKSEY, Mr. LEWIS of Kentucky, Mr. GEORGE MILLER of California, Ms. MCKINNEY, Mr. TIERNEY, Mr. ROTHMAN, Mr. GUTKNECHT, Mr. LANTOS, Mr. SWEENEY, Mr. LARSEN of Washington, and Mr. RYUN of Kansas.

H.R. 257: Ms. HART.

H.R. 259: Mr. CALVERT, Mr. SMITH of New Jersey, and Ms. HART.

H.R. 261: Mr. CALVERT.

H.R. 262: Mr. SMITH of New Jersey.

H.R. 267: Mr. SWEENEY, Mrs. EMERSON, Mr. PETERSON of Minnesota, Mr. OSE, Ms. ROYBAL-ALLARD, Mr. INSLEE, Mr. CUNNINGHAM, Mr. MCINTYRE, Mr. BOEHNER, Mr. LANTOS, Mr. THUNE, and Mr. RILEY.

H.R. 270: Mr. NADLER, Ms. PELOSI, Ms. LEE, and Mr. MCGOVERN.

H.R. 275: Mr. COX, Mr. STUMP, Mr. ISSA, Mr. SESSIONS, and Mr. PAUL.

H.R. 276: Mr. MCINNIS and Mr. HOUGHTON.

H.R. 288: Mr. TOWNS, Mr. FRANK, and Ms. MCCARTHY of Missouri.

H.R. 294: Mr. SMITH of Michigan, Mr. SHIMKUS, Mr. DUNCAN, Mr. REYNOLDS, Mr. CHAMBLISS, Mr. SCHAFFER, Mr. GREEN of Wisconsin, and Mr. WHITFIELD.

H.R. 296: Ms. SLAUGHTER and Mr. DEAL of Georgia.

H.R. 301: Mr. HILLIARD, Mr. TURNER, Mr. CRAMER, Mr. DAVIS of Illinois, and Mr. THOMPSON of Mississippi.

H.R. 302: Mr. HILLIARD, Mr. TURNER, Mr. CRAMER, Mr. DAVIS of Illinois, and Mr. THOMPSON of Mississippi.

H.R. 303: Ms. HOOLEY of Oregon, Mr. KANJORSKI, Mr. SCHAFFER, Mr. EHRLICH, Mr. SMITH of Texas, Mr. WU, Mr. HALL of Texas, Mr. WELDON of Florida, Mr. SISISKY, Mr. COLLINS, Mrs. EMERSON, Mr. CLEMENT, Mr. YOUNG of Alaska, Mr. BASS, Mr. CRAMER, Mr. WHITFIELD, Mr. THUNE, Mr. CUNNINGHAM, Mr. COOKSEY, Mr. SERRANO, Mr. CALLAHAN, Mr. EVANS, Ms. LEE, Mr. FOLEY, Mr. ROHRABACHER, Mr. WEINER, Mr. SANDERS, Mr. COYNE, Ms. BROWN of Florida, Mr. HINCHEY, Mr. SHIMKUS, Ms. DUNN, Mr. PAUL, Mr. BURR of North Carolina, Mr. DAVIS of Florida, Mr. CAPUANO, Mr. KING, Ms. ROYBAL-ALLARD, Mr. GORDON, Mr. RAHALL, Mr. JENKINS, Mr. MALONEY of Connecticut, Mr. MCGOVERN, Mr. WEXLER, Mr. MCCRERY, Mr. ETHERIDGE, Mr. BACA, Mrs. KELLY, Mr. FILNER, Mr. MENENDEZ, Mr. BOUCHER, Mr. JONES of North Carolina, Mr. COMBEST, Mr. FRANK, Mrs. MEEK of Florida, Mr. HASTINGS of Washington, Mr. ISAKSON, Ms. BERKLEY, and Mr. BOEHLERT.

H.R. 306: Mr. HANSEN.

H.R. 311: Mr. BILIRAKIS, Mr. ROHRABACHER, Mr. FOLEY, Mr. WAMP, Mr. SHIMKUS, Mr. CALVERT, Mr. SHOWS, Mr. LAHOOD, Mr. BAKER, and Mr. SESSIONS.

H.R. 316: Mr. CAMP, Mr. BILIRAKIS, Mr. WATTS of Oklahoma, Mr. SCHAFFER, Mr. SMITH of New Jersey, and Mr. PITTS.

H.R. 320: Mr. GONZALEZ, Ms. HART, Mrs. LOWEY, Mr. BARTLETT of Maryland, Mr. DAVIS of Illinois, Ms. MCCOLLUM, Ms. LOFGREN, Mr. ALLEN, Mr. MCINTYRE, Mr. HOYER, Ms. PELOSI, Mr. LANTOS, Mr. HOUGHTON, Mr. BOUCHER, and Mr. LEVIN.

H.R. 322: Ms. BERKLEY, Ms. BROWN of Florida, Mr. BRYANT, Mrs. CUBIN, Mr. DICKS, Mr. DUNCAN, Ms. DUNN, Mr. FOLEY, Mr. FORD, Mr. GORDON, Mr. GREEN of Texas, Mr. HASTINGS of Washington, Mr. INSLEE, Ms. JACKSON-LEE of Texas, Mr. JENKINS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LARSEN of Washington, Mr. MCDERMOTT, Mr. MURTHA, Mr. NETHERCUTT, Mr. PAUL, Mr. REYES, Ms. ROS-LEHTINEN, Mr. SMITH of Washington, Mr. TANNER, and Mr. WAMP.

H.R. 326: Mr. BLAGOJEVICH, Mr. GUTIERREZ, Mr. BARRETT, Mrs. CHRISTENSEN, Ms. LOFGREN, Mr. BERMAN, Ms. SLAUGHTER, Mr. MCGOVERN, Mr. CLYBURN, and Mr. CALVERT.

H.R. 330: Mr. JOHNSON of Illinois, Mr. OTTER, and Mr. CULBERSON.

H.R. 333: Mr. NEY, Mr. BARCIA, Mr. ROEMER, and Mr. THOMAS M. DAVIS of Virginia.

H.R. 340: Mr. MENENDEZ, Mr. LANTOS, Mr. WAXMAN, Mrs. MEEK of Florida, Ms. LEE, Mr. COSTELLO, Ms. ROYBAL-ALLARD, Mr. BACA, Mr. BERMAN, Mrs. MALONEY OF NEW YORK, Mr. FARR of California, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, and Mr. HOEFFEL.

H.R. 369: Mr. SMITH of New Jersey and Mr. DEAL of Georgia.

H.R. 380: Mr. BOSWELL, Mr. BOYD, Mr. OLVER, Mr. ETHERIDGE, Mr. HINOJOSA, and Mrs. THURMAN.

H.R. 385: Mr. GOODE, Mr. SHADEGG, Mr. SCHAFFER, Mr. DEAL of Georgia, Mr. PITTS, and Mr. AKIN.

H.R. 389: Mr. ACKERMAN.

H.J. Res. 7: Mr. HOYER and Ms. SANCHEZ.

H.J. Res. 8: Mr. TANCREDO, Mr. WICKER, and Mr. SCHROCK.

H. Con. Res. 17: Ms. SLAUGHTER.

H. Con. Res. 20: Mrs. NAPOLITANO, Mr. RANGEL, Mr. MILLER of Florida, Mr. BLAGOJEVICH, Mr. RODRIGUEZ, Mr. CAPUANO, Mr. CALVERT, Ms. SLAUGHTER, Mr. GREEN of Wisconsin, Mr. MCHUGH, Ms. HART, Mr. MCGOVERN, Mr. MALONEY of Connecticut, Mr. GEKAS, Mr. BARTLETT of Maryland, and Ms. LOFGREN.

H. Res. 15: Mr. TERRY.

H. Res. 27: Mr. PHELPS, Mr. BROWN of Ohio, Mr. SANDERS, Mr. SMITH of New Jersey, Ms. HOOLEY of Oregon, and Mr. LANTOS.

WEDNESDAY, FEBRUARY 7, 2001 (7)

¶7.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MILLER of Florida, who laid before the House the following communication:

WASHINGTON, DC,
February 7, 2001.

I hereby appoint the Honorable DAN MILLER to act as Speaker pro tempore on this day.

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

¶7.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MILLER of Florida, announced he had examined and approved the Journal of the proceedings of Tuesday, February 6, 2001.

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

¶7.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

673. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Air Force in the 1st Fighter Wing, Langley Air Force Base, Virginia, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

674. A letter from the Director, Office of Small and Disadvantaged Business Utilization, Department of Defense, transmitting a report on the Department's efforts and planned initiatives to achieve the five percent goals for women-owned business concerns; to the Committee on Armed Services.

675. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Rule To Deconcentrate Poverty and Promote Integration in Public Housing; Change in Applicability Date of Deconcentration Component of PHA Plan [Docket No. FR–4420–F–11] (RIN: 2577–AB89) received February 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

676. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule—Capital Requirements for Federal Home Loan Banks [No. 2000–46] (RIN: 3069–AB01) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

677. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Interagency Guidelines Establishing Standards for Safeguarding Customer Information and Rescission of Year 2000 Standards for Safety and Soundness [Docket No. 00–35] (RIN: 1557–AB84) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

678. A letter from the Deputy Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting the Commission's final rule—Integration of Abandoned Offerings [Release No. 33–7943; File No. S7–30–98] (RIN: 3235–AG83) received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

679. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [FRL–6935–8] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

680. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Illinois [IL198–1a; FRL–6935–4] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

681. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality State Implementation Plans; Texas; Approval of Clean Fuel Fleet Substitution Program Revision [TX–105–1–7404; FRL–6935–3] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

682. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Guides for the Jewelry, Precious Metals and Pewter Industries—received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

683. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Army's proposed lease of defense articles to the United Kingdom (Transmittal No. 02–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

684. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that the Russian Federation and Ukraine are committed to the courses of action described in Section 1203 (d) of the Cooperative Threat Reduction Act of 1993 (Title XII of the Public Law 103–160), Section 1412 (d) of the Former Soviet Union Demilitarization Act of 1992 (Title XIV of Public Law 102–484) and Section 502 of the FREEDOM Support Act (Public Law 102–511); to the Committee on International Relations.

685. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–570, ''Commemorative Works on Public Space Amendment Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

686. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–568, ''Equity in Contracting Amendment Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

687. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–572, ''Newborn Hearing Screening Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

688. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–590, ''Child and Family Services Agency Establishment Amendment Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

689. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–560, ''Anti-Graffiti Amendment Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

690. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–567, ''Bail Reform Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

691. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–566, ''Foster Children's Guardianship Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

692. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–565, ''Safe Needle Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

693. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–562, ''Health Care and Community Residence Facility, Hospice and Home Care Licensure Penalties Temporary Amendment Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

694. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–561, ''Unemployment Compensation Administration Enhancement Amendment Act of 2000'' received February 7, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

695. A letter from the Comptroller General, General Accounting Office, transmitting a list of reports issued or released by GAO during the month of November 2000; to the Committee on Government Reform.

696. A letter from the President, James Madison Memorial Fellowship Foundation, transmitting the 2000 annual report of the Foundation, pursuant to 20 U.S.C. 4513; to the Committee on Government Reform.

697. A letter from the Director, Office of Management and Budget, transmitting the 2000 Federal Financial Management Report; to the Committee on Government Reform.

698. A letter from the the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2000 through December 31, 2000 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 107—40); to the Committee on House Administration and ordered to be printed.

699. A letter from the Director, Policy Directives and Instructions Branch, Immigra-

tion and Naturalization Service, Department of Justice, transmitting the Department's final rule—Update of the List of Countries Whose Citizens or Nationals Are Ineligible for Transit Without Visa (TWOV) Privileges to the United States Under the TWOV Program [INS No. 2020–99] (RIN: 1115–AF81) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

700. A letter from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule—Intelligent Transportation System Architecture and Standards: Delay of Effective Date [FHWA Docket No. FHWA–99–5899] (RIN: 2125–AE65) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

701. A letter from the Assistant Chief Counsel for Legislation and Regulations, Federal Transit Administration, Department of Transportation, transmitting the Department's final rule—Major Capital Investment Projects; Delay of Effective Date (RIN: 2132–AA63) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

702. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Regattas and Marine Parades: Delay of Effective Date (RIN: 2115–AF17) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

703. A letter from the Deputy Chief Counsel, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Pipeline Integrity Management in High Consequence Areas (Hazardous Liquid Operators with 500 or More Miles of Pipelines) [Docket No. RSPA–99–6355; Amdt. 195–70] (RIN: 2137–AD45) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

704. A letter from the Deputy Chief Counsel, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Areas Unusually Sensitive to Environmental Damage [Docket No. SPA–99–5455; Amdt. 195–71] (RIN: 2137–AC34) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

705. A communication from the President of the United States, transmitting principles for a bipartisan Patients' Bill of Rights to provide all Americans with protections in managed care; (H. Doc. No. 107—42); jointly to the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce and ordered to be printed.

¶7.4 GORO HOKAMA POST OFFICE BUILDING

Mr. MILLER of Florida, pursuant to the order of the House of February 6, 2001, moved to suspend the rules and pass the bill (H.R. 132) to designate the facility of the United States Postal Service located at 620 Jacaranda Street in Lanai City, Hawaii, as the ''Goro Hokama Post Office Building''.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. MILLER of Florida and Mrs. MINK, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MILLER of Florida objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 413 / Nays ..... 0 }

¶7.5 [Roll No. 11]

YEAS—413

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

NOT VOTING—19

Baird
Becerra
Bono
Buyer
Calvert
Cannon
Capito
Clement
Doolittle
Evans
Greenwood
Grucci
Istook
Meehan
Moakley
Morella
Rodriguez
Rogers (KY)
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶7.6 ADJOURNMENT OVER

On motion of Mr. PENCE, by unanimous consent,

Ordered, That when the House adjourns on Thursday, February 8, 2001, it adjourn to meet on Monday, February 12, 2001, at 2 o'clock p.m.

¶7.7 HOUR OF MEETING

On motion of Mr. PENCE, by unanimous consent,

Ordered, That when the House adjourns on Monday, February 12, 2001, it adjourn to meet at 12:30 p.m. on Tues-

day, February 13, 2001 for ''morning-hour debate''.

¶7.8 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CALVERT, for today.

And then,

¶7.9 ADJOURNMENT

On motion of Mr. HALL of Texas, at 12 o'clock and 25 minutes p.m., the House adjourned.

¶7.10 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GALLEGLY:

H.R. 489. A bill to expand the teacher loan forgiveness programs under the guaranteed and direct student loan programs for teachers of mathematics and science, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GALLEGLY (for himself, Mr. ETHERIDGE, Mr. WHITFIELD, Mrs. MINK of Hawaii, Mrs. BONO, Mr. BALDACCI, Mr. ENGLISH, Ms. BERKLEY, Mr. BURR of North Carolina, Mr. ALLEN, Mr. LEWIS of Kentucky, Mr. DAVIS of Florida, Mrs. MORELLA, Mr. BOUCHER, Mr. FILNER, Mr. STARK, and Mr. MOORE):

H.R. 490. A bill to give gifted and talented students the opportunity to develop their capabilities; to the Committee on Education and the Workforce.

By Mr. GILMAN:

H.R. 491. A bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BACHUS:

H.R. 492. A bill to prohibit a State from determining that a ballot submitted by an absent uniformed services voter was improperly or fraudulently cast unless the State finds clear and convincing evidence of fraud, to direct the Secretary of Defense to conduct a study of methods to improve the procedures used to enable absent uniformed services voters to register to vote and vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. BARRETT:

H.R. 493. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for payroll taxes; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself, Mr. DUNCAN, Ms. HART, Mr. HORN, Mr. PAUL, Mr. PITTS, and Mr. TERRY):

H.R. 494. A bill to amend the Internal Revenue Code of 1986 to allow all taxpayers a credit against income tax for up to $200 of charitable contributions; to the Committee on Ways and Means.

By Mrs. CHRISTENSEN (for herself, Mr. FALEOMAVAEGA, and Mr. UNDERWOOD):

H.R. 495. A bill to designate the Federal building located in Charlotte Amalie, St. THOMAS, United States Virgin Islands, as the ''Ron de Lugo Federal Building''; to the Committee on Transportation and Infrastructure.

By Mrs. CUBIN (for herself, Mr. GORDON, Mr. BARRETT, Mr. PICKERING, and Mr. LARGENT):

H.R. 496. A bill to amend the Communications Act of 1934 to promote deployment of advanced services and foster the development of competition for the benefit of consumers in all regions of the Nation by relieving unnecessary burdens on the Nation's two percent local exchange telecommunications carriers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DUNCAN:

H.R. 497. A bill to provide that of amounts available to a designated agency for administrative expenses for a fiscal year that are not obligated in the fiscal year, up to 50 percent may be used to pay bonuses to agency personnel; to the Committee on Government Reform.

By Mr. EHRLICH (for himself, Mr. CHAMBLISS, Mr. OXLEY, Mr. LAHOOD, Mr. FROST, Ms. BALDWIN, Mr. COBLE, Mr. BOSWELL, Mr. PAYNE, Mr. NEY, Ms. CARSON of Indiana, Mr. UDALL of New Mexico, Mr. SENSENBRENNER, Mr. KIND, Mr. VISCLOSKY, Mrs. BONO, Mr. CRAMER, Ms. BERKLEY, Mr. NETHERCUTT, Mr. GREEN of Texas, Mrs. JONES of Ohio, Mr. BARTLETT of Maryland, Ms. LOFGREN, Mr. BOUCHER, Mr. PAUL, Ms. KAPTUR, Mr. MCNULTY, Mr. NUSSLE, Mr. PHELPS, Mr. BENTSEN, Mr. RYUN of Kansas, Mr. SCHIFF, Mr. LAFALCE, Mr. ROGERS of Michigan, Mr. FRANK, Mrs. NORTHUP, Mr. HOLT, Mr. CANTOR, Mr. ALLEN, Mr. CRENSHAW, Mr. ABERCROMBIE, Mr. HANSEN, Mr. BALDACCI, Mr. MCHUGH, Mr. KANJORSKI, Mr. TANCREDO, Mr. TOWNS, Mr. ISAKSON, Mrs. MEEK of Florida, Mr. GILMAN, Mr. ACEVEDO-VILA, Mr. FOLEY, Ms. PELOSI, Mr. GILCHREST, Mr. DEFAZIO, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. TRAFICANT, Ms. VELAZQUEZ, Mr. BROWN of Ohio, Mrs. KELLY, Mr. GANSKE, Mrs. MORELLA, and Mr. KING):

H.R. 498. A bill to amend title II of the Social Security Act to increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability; to the Committee on Ways and Means.

By Mr. ENGEL (for himself and Mr. MARKEY):

H.R. 499. A bill to amend the Consumer Product Safety Act to confirm the Consumer Product Safety Commission's jurisdiction over child safety devices for handguns, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTIERREZ:

H.R. 500. A bill to revise various provisions of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ENGEL:

H.R. 501. A bill to amend the Internal Revenue Code of 1986 to provide for designation of overpayments and contributions to the United States Textbook and Technology Trust Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGLY:

H.R. 502. A bill to amend the Foreign Assistance Act of 1961 to establish a coordinated program to provide economic and development assistance for the countries of the Caribbean region; to the Committee on International Relations.

By Mr. GRAHAM (for himself, Mr. BACHUS, Mr. BARR of Georgia, Mr. CHABOT, Mr. COSTELLO, Mr. DELAY, Mr. HUTCHINSON, Mr. HYDE, Mr. BARCIA, Mr. SMITH of New Jersey, Mr. VITTER, Mr. HILLEARY, Mr. BURTON of Indiana, Mr. RYUN of Kansas, Mr. HALL of Texas, Mr. SHOWS, Mr. LARGENT, Mr. PITTS, Mr. GREEN of Wisconsin, Mr. COLLINS, Mr. GOODLATTE, Mr. GARY MILLER of California, Mr. BLUNT, Mrs. EMERSON, Mr. PHELPS, Mr. HANSEN, Mr. SHIMKUS, Mr. HOEKSTRA, Mr. KNOLLENBERG, Mr. TANCREDO, Mr. GUTKNECHT, Mr. DEMINT, Mr. HAYWORTH, Mr. CHAMBLISS, Mr. ENGLISH, Mr. WELDON of Florida, Mr. BRADY of Texas, Mr. JONES of North Carolina, Mr. SCHAFFER, Mr. STEARNS, Mr. DEAL of Georgia, Mr. CANTOR, Mr. EVERETT, Mrs. JO ANN DAVIS of Virginia, Mr. LAHOOD, Mr. HASTINGS of Washington, Mr. LIPINSKI, Mr. LEWIS of Kentucky, Mr. OXLEY, Mr. DOOLITTLE, and Mr. ROGERS of Michigan):

H.R. 503. A bill to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREEN of Texas (for himself, Ms. PELOSI, Mr. DEUTSCH, Mr. NADLER, Mr. FILNER, Mr. FROST, Mr. JEFFERSON, Mr. HINCHEY, Mr. COYNE, Mrs. MEEK of Florida, Mr. STARK, Mr. RODRIGUEZ, Mr. BASS, Mr. BENTSEN, Mr. CAPUANO, Mr. BARRETT, Mr. REYES, Mrs. CHRISTENSEN, Mr. STENHOLM, Ms. DEGETTE, Mr. KLECZKA, Mrs. JONES of Ohio, Mrs. MORELLA, Mr. ABERCROMBIE, Mr. FORD, Ms. MCCARTHY of Missouri, Mr. CLYBURN, Mr. RUSH, Ms. BALDWIN, Mr. MCDERMOTT, Mr. LANTOS, Mr. WEXLER, Mr. BLAGOJEVICH, Mr. UDALL of New Mexico, Mr. PASTOR, and Mr. MATSUI):

H.R. 504. A bill to amend part D of title III of the Public Health Service Act to provide grants to strengthen the effectiveness, efficiency, and coordination of services for the uninsured and underinsured; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida:

H.R. 505. A bill to amend the Immigration and Nationality Act to provide for the adjustment of status of certain unaccompanied alien children and the establishment of a panel of advisors to assist unaccompanied alien children in immigration proceedings; to the Committee on the Judiciary.

By Mr. HASTINGS of Florida:

H.R. 506. A bill to establish a commission to make recommendations on the appropriate size of membership of the House of Representatives and the method by which Representatives are elected; to the Committee on the Judiciary.

By Mr. HILLEARY (for himself, Mr. ETHERIDGE, Mr. NORWOOD, Mr. HALL of Texas, Mrs. EMERSON, Mr. CRAMER, Mr. PAUL, Mr. ROSS, Mr. NEY, Mr. GOODE, Mr. SCHAFFER, Mr. HUTCHINSON, and Mr. BISHOP):

H.R. 507. A bill to amend the Internal Revenue Code of 1986 to provide for a nonrefundable tax credit against income tax for individuals who purchase a residential safe storage device for the safe storage of firearms; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mr. GUTIERREZ, Mr. SANDLIN, Mr. GON-

ZALEZ, Mrs. JONES of Ohio, and Mr. CAPUANO):

H.R. 508. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit based on their earned income; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii:

H.R. 509. A bill to amend title II of the Social Security Act to provide for treatment of severe spinal cord injury equivalent to the treatment of blindness in determining whether earnings derived from services demonstrate an ability to engage in substantial gainful activity; to the Committee on Ways and Means.

By Mr. MURTHA (for himself, Mr. WATTS of Oklahoma, Mr. BARTLETT of Maryland, Mr. BONIOR, Mr. BOSWELL, Mr. BOYD, Mr. BROWN of South Carolina, Mr. CONDIT, Mr. COYNE, Mr. CUNNINGHAM, Mr. DAVIS of Illinois, Mr. DOYLE, Mr. EVANS, Mr. FILNER, Mr. GIBBONS, Mr. GILCHREST, Mr. GOODE, Mr. GUTIERREZ, Mr. HALL of Texas, Mr. HOEFFEL, Mrs. KELLY, Mr. KOLBE, Mr. KING, Mr. MARKEY, Mr. MORAN of Virginia, Mr. NETHERCUTT, Mr. REYES, Mr. SIMMONS, Mr. SISISKY, Mr. SNYDER, Mr. TOWNS, and Mr. FOSSELLA):

H.R. 510. A bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial in the District of Columbia; to the Committee on Resources.

By Mr. PASCRELL (for himself, Mr. EVANS, Mr. FILNER, Mr. DOYLE, Mr. PETERSON of Minnesota, Mr. ABERCROMBIE, Mr. BALDACCI, Mr. BARCIA, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. COYNE, Mr. DAVIS of Florida, Mr. FROST, Mr. HINCHEY, Ms. HOOLEY of Oregon, Mrs. KELLY, Mr. MALONEY of Connecticut, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. MOORE, Mr. OLVER, Mr. PHELPS, Mr. SHOWS, Mr. STARK, Mrs. THURMAN, Mrs. ROUKEMA, Mr. HOLDEN, Mr. CRAMER, Mr. PALLONE, Mrs. MALONEY of New York, Mr. BONIOR, Mr. HALL of Texas, Mr. GORDON, Mr. DEFAZIO, Mr. HOYER, Mr. OBEY, Mr. FRANK, Mr. HOLT, Mrs. CAPPS, Mr. VISCLOSKY, Mr. BAIRD, Mr. WAXMAN, Ms. PELOSI, and Mr. SKELTON):

H.R. 511. A bill to amend title 38, United States Code, to improve outreach programs carried out by the Department of Veterans Affairs to provide for more fully informing veterans of benefits available to them under laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PETERSON of Minnesota (for himself, Mr. OBERSTAR, and Mr. SANDERS):

H.R. 512. A bill to amend title 32, United States Code, to end the prohibition against overtime pay for National Guard technicians; to the Committee on Armed Services.

By Mr. PETERSON of Minnesota (for himself, Mr. WALSH, Mr. MCGOVERN, Mr. CRAMER, Mr. EVANS, Mr. LAHOOD, Mr. PETRI, Mr. SANDERS, Mr. STENHOLM, Ms. HOOLEY of Oregon, Mr. OBERSTAR, Mr. HUTCHINSON, Mr. PHELPS, Mr. FROST, Mr. STRICKLAND, Mrs. KELLY, Mr. FILNER, Mr. HINCHEY, Mrs. MYRICK, Mr. KUCINICH, Mr. KIND, Mr. DOYLE, Mr. BONIOR, Mr. MCDERMOTT, Mr. CALVERT, Mr. TERRY, Mr. GOODLATTE, and Mr. GREEN of Wisconsin):

H.R. 513. A bill to amend title 10, United States Code, to provide more equitable civil service retirement and retention provisions for National Guard technicians; to the Committee on Armed Services.

By Mr. PETERSON of Minnesota:

H.R. 514. A bill To amend title 38, United States Code, to provide a presumption of service connection for certain specified diseases and disabilities in the case of veterans who were exposed during military service to carbon tetrachloride; to the Committee on Veterans' Affairs.

By Mr. PETRI:

H.R. 515. A bill to require that employers offering benefits to associates of its employees who are not spouses or dependents of the employees not discriminate on the basis of the nature of the relationship between the employee and the designated associates; to the Committee on Education and the Workforce.

By Ms. PRYCE of Ohio (for herself, Mr. PITTS, Mr. ORTIZ, Mr. HANSEN, Mr. MILLER of Florida, Mrs. ROUKEMA, Mr. HORN, Mr. FLETCHER, Mr. SIMPSON, Mr. BOEHLERT, Mr. MCINTYRE, Mr. ROGERS of Michigan, Ms. HART, Mr. PAUL, Mr. MCHUGH, Mrs. KELLY, Mr. SHADEGG, Mr. OSE, Mrs. CHRISTENSEN, Mr. SHIMKUS, Mr. BLAGOJEVICH, Mr. NEY, Mrs. JONES of Ohio, Mr. KOLBE, Mr. GILLMOR, Mr. FROST, Mr. GILMAN, Mr. BAKER, Mr. LAHOOD, Mr. GALLEGLY, Mr. GILCHREST, Mr. MICA, Mr. GARY MILLER of California, and Mr. LANTOS):

H.R. 516. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. RAHALL:

H.R. 517. A bill to provide for the correct implementation of the Railroad Rehabilitation and Improvement Financing Program; to the Committee on Transportation and Infrastructure.

By Mr. REGULA:

H.R. 518. A bill to amend the Trade Act of 1974, and for other purposes; to the Committee on Ways and Means.

By Mr. REYES (for himself, Mrs. BONO, Mr. RODRIGUEZ, Mr. ORTIZ, Mr. HUNTER, Mr. FILNER, Mr. HINOJOSA, and Mrs. DAVIS of California):

H.R. 519. A bill to amend section 4723 of the Balanced Budget Act of 1997 to assure that the additional funds provided for State emergency health services furnished to undocumented aliens are used to reimburse hospitals and their related providers that treat undocumented aliens and to extend additional funding for 2 additional fiscal years; to the Committee on Energy and Commerce.

By Mr. TRAFICANT:

H.R. 520. A bill to amend the Emergency Steel Loan Guarantee Act of 1999 to provide for increased loan guarantees for steel companies under that Act, and for other purposes; to the Committee on Financial Services.

By Mr. UNDERWOOD:

H.R. 521. A bill to amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam; to the Committee on Resources.

By Mrs. EMERSON:

H.J. Res. 9. A joint resolution proposing an amendment to the Constitution to provide for a balanced budget for the United States Government and for greater accountability in the enactment of tax legislation; to the Committee on the Judiciary.

By Mrs. EMERSON:

H.J. Res. 10. A joint resolution proposing an amendment to the constitution of the United States with respect to the right to life; to the Committee on the Judiciary.

By Mrs. EMERSON:

H.J. Res. 11. A joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the act of desecration of the flag of the United States and to set criminal penalties for that; to the Committee on the Judiciary.

By Mrs. EMERSON:

H.J. Res. 12. A joint resolution proposing an amendment to Constitution of the United States relating to voluntary school prayer; to the Committee on the Judiciary.

By Mr. STARK (for himself, Mr. WAXMAN, Mr. COYNE, Mr. FROST, Mr. LANTOS, Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, and Mr. STRICKLAND):

H.J. Res. 13. A joint resolution expressing the sense of Congress regarding the need for a White House Conference to discuss and develop national recommendations concerning quality of care in assisted living facilities in the United States; to the Committee on Energy and Commerce.

By Mr. CANTOR (for himself, Mr. ARMEY, Mr. DELAY, Mr. HYDE, Mr. GILMAN, Mr. ISRAEL, Mr. WAXMAN, Mr. SCHROCK, Mr. BLUNT, Mr. SISISKY, Mr. FERGUSON, Mr. TIBERI, Mr. CULBERSON, Mr. SCHIFF, Mr. CRENSHAW, Mr. REYNOLDS, Mr. CARDIN, Mr. BERMAN, Mr. TOWNS, Mr. DIAZ-BALART, Mr. CROWLEY, Mr. FOSSELLA, Mr. WATKINS, Mrs. DAVIS of California, and Mr. THOMAS M. Davis of Virginia):

H. Res. 31. A resolution commending the people of Israel for reaffirming, through their participation in the election of February 6, 2001, their dedication to democratic ideals, and for other purposes; to the Committee on International Relations.

¶7.11 MEMORIALS

Under clause 3 of rule XII,

2. The SPEAKER presented a memorial of the Senate of the State of Idaho, relative to Senate Joint Memorial No. 101 memorializing the United States Congress to provide diversion funds that have been earmarked by Congress for potato producers to help ease the economic crisis they face in 2001; to the Committee on Agriculture.

¶7.12 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. KELLY:

H.R. 522. A bill for the relief of Frank Redendo; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 523. A bill for the relief of Thomas J. Sansone, Jr.; to the Committee on the Judiciary.

¶7.13 ADDITIONAL SPONSORS

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

H.R. 41: Mr. TOWNS, Mr. SAM JOHNSON of Texas, Mr. HULSHOF, Mr. ENGLISH, Mr. ENGEL, Mr. SHOWS, Mrs. MCCARTHY of New York, Mr. MCHUGH, Mr. SESSIONS, Mr. ETHERIDGE, Ms. DUNN, and Mr. BENTSEN.

H.R. 65: Mr. SCARBOROUGH, Mr. MICA, and Mr. SAXTON.

H.R. 126: Mrs. MORELLA, Mr. FARR of California, Ms. RIVERS, and Mr. FRANK.

H.R. 168: Mr. PAUL.

H.R. 179: Mr. BROWN of South Carolina, Ms. MCCOLLUM, Mr. PHELPS, and Mr. SAXTON.

H.R. 225: Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. MEEHAN, Mr. PASCRELL, Mr. BLAGOJEVICH, Mrs. MALONEY of New York, Ms. CARSON of Indiana, Ms. ESHOO, Mr. FILNER, Mr. SABO, Mr. STARK, Mr. FRANK, Mr. LIPINSKI, Mr. SHERMAN, Mr. MCGOVERN, Mr. DAVIS of Illinois, Mr. ENGEL, Ms. MCKINNEY, Mr. BLUMENAUER, Mr. ROTHMAN, Mrs.

MORELLA, Mr. TOWNS, Ms. LEE, Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. HOLT, Mr. BRADY of Pennsylvania, Mr. OLVER, Mr. MOAKLEY, Mr. KENNEDY of Rhode Island, Mr. DELAHUNT, Mr. ANDREWS, Mr. PALLONE, Mr. WYNN, Mr. LANTOS, Mr. BECERRA, Ms. MILLENDER-MCDONALD, Mr. RUSH, Mrs. MEEK of Florida, Mr. DEUTSCH, Ms. BROWN of Florida, Mr. LEWIS of Georgia, Ms. JACKSON-LEE of Texas, Mr. THOMPSON of Mississippi, Mrs. MINK of Hawaii, Mr. FALEOMAVAEGA, Ms. NORTON, and Mr. SERRANO.

H.R. 296: Mr. THOMPSON of Mississippi.

H.R. 301: Ms. KAPTUR.

H.R. 302: Ms. KAPTUR.

H.R. 303: Mr. PUTNAM, Mr. ROSS, Ms. MCCOLLUM, Mr. MILLER of Florida, Mr. GEORGE MILLER of California, Mr. SCARBOROUGH, Mr. UDALL of New Mexico, Mr. SANDLIN, Mr. MICA, Mr. SAXTON, Mr. STEARNS, and Mr. GOODE.

H.R. 322: Mr. DEUTSCH, Mr. FROST, Mr. GONZALEZ, Mr. HILLEARY, Mr. HINOJOSA, Mr. LAMPSON, Mr. ORTIZ, Mr. SCARBOROUGH, and Mrs. THURMAN.

H.R. 419: Mr. STARK, Mr. LAHOOD, and Mr. HILL.

H.R. 420: Mr. WOLF and Mr. STEARNS.

H.R. 429: Ms. VELÁZQUEZ.

H.R. 478: Mr. PETERSON of Minnesota and Mr. SANDERS.

THURSDAY, FEBRUARY 8, 2001 (8)

The House was called to order by the SPEAKER.

¶8.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, February 7, 2001.

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

¶8.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

706. A letter from the Administrator, Farm Loan Programs, Department of Agriculture, transmitting the Department's final rule—Loan Limitations and Cash Flow Requirements for Farm Service Agency Guaranteed Loans (RIN: 0560–AG15) received January 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

707. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—District of Columbia; Movement of Plants and Plant Products [Docket No. 00–085–1] received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

708. A letter from the Director, Congressional Budget Office, transmitting notification that the report on the technical estimating assumptions that will be used for budget estimates for national defense will not be ready until later this year; to the Committee on Armed Services.

709. A letter from the Acting Assistant Secretary of Defense, Reserve Affairs, Department of Defense, transmitting an annual report on the STARBASE Program for FY 2000; to the Committee on Armed Services.

710. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Polydextrose [Docket No. 95F–0305] received January 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

711. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Revision of Administrative Practices and Procedures; Meetings and Correspondence; Public Calendars [Docket No. 98–1042] received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

712. A letter from the Secretary, Department of Health and Human Services, transmitting the status report entitled, ''The Pediatric Exclusivity Provision, January 2001''; to the Committee on Energy and Commerce.

713. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—State and Federal Operating Permits Programs: Amendments to Compliance Certification Requirements [FRL–6934–5] (RIN: 2060–AJ04) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

714. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: FuelSolutions Addition (RIN: 3150–AG54) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

715. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Termination of Section 274i Agreement Between the State of Louisiana and the Nuclear Regulatory Commission (RIN: 3150–AG60) received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

716. A letter from the Director, Defense Security Cooperation Agency, transmitting reports containing the 30 September 2000 status of loans and guarantees issued under the Arms Export Control Act, pursuant to 22 U.S.C. 2765(a); to the Committee on International Relations.

717. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed issuance of an export license consistent with section 36(C) of the Arms Export Control Act and Title IX of Public Law 106–79 [Transmittal No. DTC 001–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

718. A communication from the President of the United States, transmitting a report in accordance with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997; to the Committee on International Relations.

719. A communication from the President of the United States, transmitting a report on cost-sharing arrangements, as required by Condition 4(A) of the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted by the United States Senate on April 24, 1997; to the Committee on International Relations.

720. A letter from the Acting General Counsel, General Accounting Office, transmitting a report pursuant to the Competition in Contracting Act; to the Committee on Government Reform.

721. A letter from the Acting Administrator, General Services Administration, transmitting notification of the new mileage reimbursement rates for Federal employees who use privately owned vehicles while on official travel; to the Committee on Government Reform.

722. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Premerger Notification; Reporting and Waiting Period Requirements—received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

723. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 707, 727C, and 727–100C Series Airplanes [Docket No. 99–NM–363–AD; Amendment 39–12013; AD 2000–24–06] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

724. A letter from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule—Mitigation of Impacts to Wetlands and Natural Habitat [FHWA Docket No. FHWA 97–2514; 96–8] (RIN: 2125–AD78) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

725. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—Track Safety Standards [Docket No. RST–90–1, Notice No. 9] (RIN: 2130–AB32) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

726. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–29–AD; Amendment 39–12017; AD 2000–24–10] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

727. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–38–AD; Amendment 39–12024; AD 2000–24–17] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

728. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–33–AD; Amendment 39–12019; AD 2000–24–12] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

729. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Turbomeca Arriel 1 Series Turboshaft Engines; Correction [Docket No. 2000–NE–11–AD; Amendment 39–11912; AD 2000–20–01] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

730. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 430 Helicopters [Docket No. 2000–SW–11; Amendment 39–11959; AD 2000–22–13] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

731. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–37–AD; Amendment 39–12023; AD 2000–24–16] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

732. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–34–AD; Amendment 39–12020; AD 2000–24–13] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

733. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–35–AD; Amendment 39–12021; AD 2000–24–14] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

734. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–36–AD; Amendment 39–12022; AD 2000–24–15] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

735. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–28–AD; Amendment 39–12016; AD 2000–24–09] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

736. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300, –400, and –500 Series Airplanes [Docket No. 2000–NM–107–AD; Amendment 39–12007; AD 2000–23–34] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

737. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes, and Model A300 B4–600, A300 B4–600R, and A300 F4–600R (A300–600) Series Airplanes [Docket No. 2000–NM–96–AD; Amendment 39–12025; AD 2000–24–18] (RIN: 2120–AA64) received January 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

738. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Allowing Alternatives to Incandescent Light in Private Aids to Navigation [USCG 2000–7466] (RIN: 2115–AF98) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

739. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Siesta Key Bridge, across the Gulf Intracoastal Waterway, mile 71.6, Sarasota County, FL [CGD07–00–133] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

740. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Cortez Bridge (SR 684), across the Gulf Intracoastal Waterway, mile 87.4, Sarasota County, Cortez, FL [CGD07–00–132] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

741. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Mississippi River, Iowa and Illinois [CGD08–00–033] (RIN: 2115–AE47) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

742. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Great Egg Harbor Bay, New Jersey [CGD05–00–055] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

743. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Hillsborough Bay, Tampa, Florida [CGD07–00–124] (RIN: 2115–AE46) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

744. A letter from the Director, Office of Management and Budget, transmitting a report on Military Recruitment Programs, Government Performance and Results Act Performance Pilot; jointly to the Committees on Government Reform and the Budget.

¶8.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 248. An Act to amend the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001, to adjust a condition on the payment of arrearages to the United Nations that sets the maximum share of any United Nations peacekeeping operation's budget that may be assessed of any country.

S. 279. An Act affecting the representation of the majority and minority membership of the Senate Members of the Joint Economic Committee.

The message also announced that pursuant to Public Law 106–553, the Chair, on behalf of the Majority Leader, announces the appointment of the following Senators to serve as members of the Congressional Recognition for Excellence in Arts Education Awards Board—

the Senator from Mississippi (Mr. COCHRAN); and

the Senator from Utah (Mr. BENNETT).

The message also announced that pursuant to Public Law 96–388, as amended by Public Law 97–84 and Public Law 106–292, the Chair, on behalf of the President pro tempore, appoints the following Senators to the United States Holocaust Memorial Council for the One Hundred Seventh Congress—

the Senator from Utah (Mr. HATCH);

the Senator from Alaska (Mr. MURKOWSKI); and

the Senator from Maine (Ms. COLLINS).

¶8.4 BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER, pursuant to sections 5580 and 5581 of the Revised Statutes (20 United States Code 42-43), appointed to the Board of Regents of the Smithsonian Institution the following Members on the part of the House: Messrs. REGULA, Sam JOHNSON of Texas, and MATSUI.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶8.5 BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE

The SPEAKER, pursuant to section 1505 of Public Law 99-498 (20 United States Code 4412), appointed to the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development the following Members on the part of the House: Messrs. YOUNG of Alaska and KILDEE.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶8.6 BOARD OF TRUSTEES OF GALLAUDET UNIVERSITY

The SPEAKER, pursuant to section 103 of Public Law 99-371 (20 United States Code 4303), appointed to the Board of Trustees of Gallaudet University the following Member on the part of the House: Mr. LAHOOD.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶8.7 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER HASTERT: Please accept my resignation from the House Permanent Select Committee on Intelligence. It has been an honor and a privilege to serve my constituents through my membership on this committee.

Sincerely,

CHARLES F. BASS,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.8 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER HASTERT: Please accept my resignation from the House Committee on Transportation and Infrastructure. It has

been an honor and a privilege to serve my constituents through my membership on this committee.

Sincerely,

CHARLES F. BASS,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.9 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. DENNIS HASTERT,
U.S. Capitol,
Washington, DC.

DEAR SPEAKER HASTERT: Effective today, February 7, 2001, I resign my seat on the House Committee on Resources. I appreciate your attention to this matter.

Sincerely,

ROBIN HAYES,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.10 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 6, 2001.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Effective today, I wish to resign from the Committee on Science. Your assistance in accommodating my request is greatly appreciated.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

By unanimous consent, the resignation was accepted.

¶8.11 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. DENNIS HASTERT,
Speaker of The House,
Washington, DC.

SPEAKER HASTERT: Effective today, I resign my position on the House Committee on Government Reform. Thank you.

Sincerely,

JEFF FLAKE,
First District, Arizona.

By unanimous consent, the resignation was accepted.

¶8.12 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. Speaker HASTERT,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: I resign from the Committee on Transportation and Infrastructure effective immediately. If you have any questions feel free to contact me.

Sincerely,

ROBERT W. NEY,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.13 COMMITTEE RESIGNATION—MINORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. J. DENNIS HASTERT,
Office of the Speaker,
The Capitol, Washington, DC.

DEAR SPEAKER HASTERT: Pursuant to my appointment to the Committee on Energy and Commerce, I hereby resign my assignments to the Committee on Agriculture and the Committee on Resources.

Thank you for your attention to this matter.

Sincerely,

CHRIS JOHN,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.14 COMMITTEE RESIGNATION—MINORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
February 7, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
The Capitol, Washington, DC.

DEAR SPEAKER HASTERT: I hereby resign my seat on the House Science Committee and the House Veterans Affairs Committee.

Sincerely,

MIKE DOYLE,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.15 COMMITTEE RESIGNATION—MINORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. DENNIS HASTERT,
Speaker of the House,
Capitol, Washington, DC.

DEAR MR. SPEAKER: I am writing to submit to you my resignation from the House Committee on International Relations and the House Committee on Judiciary in order to be appointed to the House Committee on Appropriations. It has been my honor and privilege to serve on the International Relations and Judiciary Committees during the past four years.

I respectfully request that you consider my resignation from these Committees effective February 7, 2001.

Thank you very much for your consideration of this matter.

Sincerely,

STEVEN R. ROTHMAN,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.16 COMMITTEE RESIGNATION—MINORITY

The SPEAKER laid before the House the following communication, which was read as follows:

FEBRUARY 7, 2001.

Speaker J. DENNIS HASTERT,
Speaker's Floor Office, The Capitol,
Washington, DC.

DEAR SPEAKER HASTERT: This letter will serve as official notification of my resignation from both the Education and the Workforce and Government Reform Committees. If you have any questions, feel free to contact me or my Administrative Assistant, Michelle Anderson Lee (202) 225–4001.

Very truly yours,

CHAKA FATTAH,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.17 COMMITTEE RESIGNATION—MINORITY

The SPEAKER laid before the House the following communication, which was read as follows:

FEBRUARY 7, 2001.

Hon. DENNIS HASTERT,
Speaker, House of Representatives, Capitol,
Washington, DC.

DEAR SPEAKER HASTERT: In order to comply with the rules of the Caucus so that I may serve on the committee on the Budget, I hereby resign from the Committee on Science. Pursuant to the rules of the Democratic Caucus, I understand that my rights for seniority on the Science Committee will be preserved.

Sincerely,

MICHAEL E. CAPUANO.

By unanimous consent, the resignation was accepted.

¶8.18 COMMITTEE RESIGNATION—MINORITY

The SPEAKER laid before the House the following communication, which was read as follows:

FEBRUARY 7, 2001.

Hon. DENNIS HASTERT,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER, I am writing to inform you of my resignation, effective immediately, from the Small Business Committee. I have enjoyed serving my constituents' interests on small business matters, and I will continue to do so during the 107th Congress.

Sincerely,

SHELLEY BERKLEY,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.19 COMMITTEE RESIGNATION—MINORITY

The SPEAKER laid before the House the following communication, which was read as follows:

FEBRUARY 8, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, The
Capitol, Washington, DC.

DEAR SPEAKER HASTERT: Pursuant to my appointment to the Committee on Financial Services, I hereby resign my assignment to the Committee on Government Reform and Oversight.

Thank you for your attention to this matter.

Sincerely,

HAROLD E. FORD, Jr.,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶8.20 COMMITTEE ELECTION—MAJORITY

Mr. KIRK, submitted the following resolution (H. Res. 32):

Resolved, That the following named Members be and are hereby, elected to the following standing committees of the House of Representatives:

Budget: Mr. Kirk.

Energy and Commerce: Mr. Bass to rank after Mr. Radanovich.

Government Reform: Mr. Weldon of Florida; Mr. Cannon; Mr. Putnam; Mr. Otter, and Mr. Schrock.

Resources: Mr. Flake and Mr. Rehberg.

Science: Mr. Shays to rank after Mrs. Morella.

Transportation and Infrastructure: Mr. Pombo and Mr. Hayes to rank after Mr. Isakson.

Veterans' Affairs: Mr. Brown of South Carolina.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶8.21 COMMITTEE ELECTION—MINORITY

Mr. FROST, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 33):

Resolved, That the following named members be, and are hereby, elected the following standing committees of the House of Representatives:

Committee on Appropriations: Mr. Fattah of Pennsylvania, Mr. Rothman of New Jersey;

Committee on Agriculture: Mr. Larsen of Washington, Mr. Ross of Arkansas, Mr. Acevedo-Vilá of Puerto Rico;

Committee on the Budget: Mrs. McCarthy of New York, Mr. Moore of Kansas, Mr. Capuano of Massachusetts, Mr. Honda of California;

Committee on Education and the Workforce: to rank after Mr. Holt of New Jersey, Ms. Solis of California, Mrs. Davis of California, Ms. McCollum of Minnesota;

Committee on Energy and Commerce: Mr. Doyle of Pennsylvania, Mr. John of Louisiana, Ms. Harman of California;

Committee on Financial Services: Mr. Ford of Tennessee, Mr. Hinojosa of Texas, Mr. Lucas of Kentucky, Mr. Shows of Mississippi, Mr. Crowley of New York, Mr. Clay of Missouri, Mr. Israel of New York, Mr. Ross of Arkansas;

Committee on Government Reform: Mr. Clay of Missouri;

Committee on International Relations: Mr. Blumenauer of Oregon, Ms. Berkley of Nevada, Mrs. Napolitano of California, Mr. Schiff of California;

Committee on the Judiciary: Mr. Schiff of California;

Committee on Resources: Mr. Rahall of West Virginia, Mr. Markey of Massachusetts, Mr. Kildee of Michigan, Mr. DeFazio of Oregon, Mr. Faleomavaega of American Samoa, Mr. Abercrombie of Hawaii, Mr. Ortiz of Texas, Mr. Pallone of New Jersey, Mr. Dooley of California, Mr. Underwood of Guam, Mr. Smith of Washington, Mrs. Christensen of the Virgin Islands, Mr. Kind of Wisconsin, Mr. Inslee of Washington, Mrs. Napolitano of California, Mr. Udall of New Mexico, Mr. Udall of Colorado, Mr. Holt of New Jersey, Mr. McGovern of Massachusetts, Mr. Acevedo-Vilá of Puerto Rico, Ms. Solis of California, Mr. Carson of Oklahoma, Ms. McCollum of Minnesota;

Committee on Science: Mr. Matheson of Utah, Mr. Israel of New York;

Committee on Small Business: Mr. Langevin of Rhode Island.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶8.22 PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, by unanimous consent, announced that the Speaker, pursuant to clause 11 of Rule X and clause 11 of rule I, appointed to the Permanent Select Committee on Intelligence, the following Member: Mr. CHAMBLISS to rank after Mr. BURR.

¶8.23 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. DENNIS HASTERT,
Speaker of the House,
U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: I respectfully tender to you my resignation from the Resources Committee effective today. I have enjoyed the four years I have spent with the Committee and am honored to have had the opportunity.

During my years on the Committee we considered many important measures. We did a great deal of good for the American people and we exercised our oversight responsibilities in a judicious manner. I look forward to continuing this work with the Committee as opportunities arise and on the House floor.

I am pleased to have made many friends among the Committee's membership and developed relationships with the hard working staff. Thank you for the opportunity to serve with such dedicated people.

Sincerely,

KEVIN BRADY.

By unanimous consent, the resignation was accepted.

¶8.24 RECESS—11:31 A.M.

The SPEAKER pro tempore, Mr. SHROCK, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 31 minutes a.m., subject to the call of the Chair.

¶8.25 AFTER RECESS—4:55 P.M.

The SPEAKER pro tempore, Mr. ARMEY, called the House to order.

¶8.26 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. ARMEY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 8, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on February 8, 2001 at 11:35 a.m. and said to contain a message from the President whereby he notifies the Congress that he has submitted his agenda for tax relief.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶8.27 TAX RELIEF FOR THE AMERICAN PEOPLE

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

Enclosed please find my plan to provide needed tax relief to the American people. Over the last several months, the economy has slowed dramatically. I believe that the best way to ensure that our prosperity continues is to put more money in the hands of consumers and entrepreneurs as soon as possible. I look forward to working with the Congress to enact meaningful tax cuts into law.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 8, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 107–43).

¶8.28 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. ARMEY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 8, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on February 8, 2001 at 11:35 a.m. and said to contain a message from the President whereby he notifies the Congress that he has submitted a periodic 6-month report on the Iraq emergency.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶8.29 NATIONAL EMERGENCY WITH RESPECT TO IRAQ

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Iraq that was declared in Executive Order 12722 of August 2, 1990.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 8, 2001.*

By unanimous consent, the message, together with the accompanying pa-

pers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–44).

¶8.30 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 248. An Act to amend the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001, to adjust a condition on the payment of arrearages to the United Nations that sets the maximum share of any United Nations peacekeeping operation's budget that may be assessed of any country; to the Committee on International Relations.

¶8.31 JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. Trandahl, Clerk of the House, reported that on the following date he presented to the President, for his approval, a joint resolution of the House of the following title:

On February 7, 2001:

H.J. Res. 7. Recognizing the 90th birthday of Ronald Reagan.

And then,

¶8.32 ADJOURNMENT

On motion of Mr. KIRK, pursuant to the special order agreed to on February 7, 2001, at 4 o'clock and 57 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, February 12, 2001.

¶8.33 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HERGER (for himself, Mr. SESSIONS, Mr. SCHROCK, Mr. TOOMEY, Mr. ROYCE, Mr. FOLEY, Mr. GRAVES, Mr. BROWN of South Carolina, Mr. OTTER, Ms. HART, Mr. AKIN, Mr. CRENSHAW, Mr. REHBERG, Mr. TIBERI, Mr. SIMMONS, Mr. CULBERSON, Mr. CANTOR, Mr. JOHNSON of Illinois, Mr. PLATTS, Ms. CAPITO, Mr. FLETCHER, Mrs. JOHNSON of Connecticut, Mr. SHAW, Mr. DREIER, Mr. GOSS, Mr. HASTINGS of Washington, Mr. COLLINS, Ms. PRYCE of Ohio, Mr. KIRK, Mrs. MYRICK, Mr. LINDER, and Mr. PUTNAM):

H.R. 2. A bill to establish a procedure to safeguard the combined surpluses of the Social Security and Medicare hospital insurance trust funds; referred to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARCIA (for himself, Mr. BOEHLERT, Mr. HALL of Texas, Mr. EHLERS, Mr. UDALL of Colorado, Ms. RIVERS, Mr. GORDON, and Mr. CALVERT):

H.R. 524. A bill to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices, and to authorize the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major manufacturing industry; to the Committee on Science.

By Mr. GILCHREST (for himself, Mr. SHAYS, Mrs. TAUSCHER, Mr. CHAMBLISS, Ms. BERKLEY, Mr. BARTLETT of Maryland, Mr. NADLER, Mr. SCHROCK, Mr. MCGOVERN, Mr. BURR of North Carolina, Mr. HORN, Mr. MICA, Mrs. KELLY, Mr. QUINN, Mr. ISAKSON, Mr. DOOLITTLE, Mrs. MORELLA, Mr. THUNE, Mr. MEEHAN, and Mr. SESSIONS):

H.R. 525. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for improved Federal efforts to prepare for and respond to terrorist attacks, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GANSKE (for himself, Mr. DINGELL, Mr. LEACH, Mr. BERRY, Mrs. ROUKEMA, Mr. BROWN of Ohio, Mrs. MORELLA, Mr. JOHN, Mr. GILMAN, Mr. ANDREWS, Mr. LATOURETTE, Mr. RANGEL, Mr. STENHOLM, Mr. SANDLIN, Mr. STUPAK, Mr. PALLONE, Mr. TOWNS, Ms. ESHOO, Mrs. CAPPS, Mr. GREEN of Texas, Mr. GORDON, Ms. MCCARTHY of Missouri, Mr. ENGEL, Mr. MOORE, Mr. STRICKLAND, Mr. MARKEY, Mr. SAWYER, Mrs. DAVIS of California, Mr. BARRETT, Mr. WYNN, Mr. STARK, Mr. WAXMAN, Mr. RUSH, Mr. BOUCHER, Mr. HALL of Texas, Mr. BISHOP, Mr. TURNER, Ms. HARMAN, Mr. PASCRELL, Mrs. MCCARTHY of New York, Mr. FRANK, Mr. MATSUI, Mr. COYNE, Mr. MCDERMOTT, Mr. CARDIN, Mr. LEVIN, Mr. MCNULTY, Mr. JEFFERSON, Mr. BECERRA, Mr. LEWIS of Georgia, Mr. KLECZKA, Mrs. THURMAN, Mr. BOSWELL, Mr. CROWLEY, Mr. TIERNEY, Mr. HOEFFEL, and Mr. MEEHAN):

H.R. 526. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VITTER (for himself, Mr. BAKER, Mr. LATHAM, Mr. GOODE, Mr. ISAKSON, Mr. GUTKNECHT, Mr. THORNBERRY, Mr. GREEN of Wisconsin, Mr. GILLMOR, Mr. SCHAFFER, Mr. COOKSEY, and Mr. STUMP):

H.R. 527. A bill to amend the Internal Revenue Code of 1986 to exempt State and local political committees from duplicative notification and reporting requirements made applicable to political organizations by Public Law 106–230; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 528. A bill to provide that children's sleepwear shall be manufactured in accordance with stricter flammability standards; to the Committee on Energy and Commerce.

By Mr. ANDREWS (for himself, Ms. DELAURO, Mr. PASCRELL, and Mr. WELDON of Pennsylvania):

H.R. 529. A bill to authorize the Secretary of Transportation to require the use of recycled materials in the construction of Federal-aid highway projects; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 530. A bill to amend title 23, United States Code, to require the allocation of surface transportation program funds for the purchase of recycled materials; to the Committee on Transportation and Infrastructure.

By Mr. BERMAN (for himself, Mr. THOMAS M. Davis of Virginia, Ms. SOLIS, Mr. DIAZ-BALART, Mr. FRANK, Ms. ROS-LEHTINEN, Ms. JACKSON-LEE of Texas, Mr. SMITH of New Jersey, and Ms. ROYBAL-ALLARD):

H.R. 531. A bill to designate El Salvador under section 244 of the Immigration and Nationality Act in order to render nationals of such foreign state eligible for temporary protected status under such section; to the Committee on the Judiciary.

By Mrs. CAPPS (for herself, Mr. WAXMAN, and Mrs. DAVIS of California):

H.R. 532. A bill to provide funding for MTBE contamination; to the Committee on Energy and Commerce.

By Mr. CASTLE (for himself, Mr. BALLENGER, Mr. FRANK, Mr. LAHOOD, and Mr. THOMAS M. Davis of Virginia):

H.R. 533. A bill to amend title 39, United States Code, to restrict the use of franked mass mailings by Members of Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRENSHAW:

H.R. 534. A bill to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. DEAL of Georgia:

H.R. 535. A bill to amend the Water Resources Development Act of 2000 relating Lake Sidney Lanier, Georgia, home preservation; to the Committee on Transportation and Infrastructure.

By Ms. DELAURO (for herself, Mr. DOYLE, Mr. ETHERIDGE, Mr. EHRLICH, Mr. PALLONE, Mr. CAPUANO, Mr. DEFAZIO, Mr. HORN, Mrs. MALONEY of New York, Mr. TIERNEY, Ms. WOOLSEY, Mr. FARR of California, Mr. BROWN of Ohio, Ms. VELAZQUEZ, Mr. MCNULTY, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. FILNER, Mr. PHELPS, Mr. THOMPSON of California, Mrs. CAPPS, Mr. MCINTYRE, Ms. WATERS, Mr. GONZALEZ, Mr. BARRETT, Mr. QUINN, Mr. SHOWS, Ms. BALDWIN, Mr. BORSKI, Mr. MALONEY of Connecticut, Mr. HINCHEY, Mr. HILLIARD, Ms. KAPTUR, Mr. SPRATT, Mr. BOUCHER, Mrs. ROUKEMA, Mr. GREEN of Texas, Ms. NORTON, Mr. BURTON of Indiana, Mr. KING, Mr. HOYER, Mr. DINGELL, Mr. OLVER, Mr. WEINER, Mr. REYES, Mr. BONIOR, Mr. HOLDEN, Mr. FROST, Mr. ROSS, Mr. TRAFICANT, Mr. KILDEE, Mr. LARSON of Connecticut, Mr. BLAGOJEVICH, Mr. COOKSEY, Mr. MATSUI, Mrs. MEEK of Florida, Mr. GEORGE MILLER of California, Mr. WYNN, Ms. LEE, Mr. NADLER, Mr. BENTSEN, Mr. BALDACCI, Ms. MCCARTHY of Missouri, Mr. SANDERS, Mr. JEFFERSON, Mr. MEEHAN, Mr. KUCINICH, Ms. PELOSI, Ms. BERKLEY, Mr. DELAHUNT, Mr. VISCLOSKY, Mr. UDALL of New Mexico, Mrs. LOWEY, Mr. SIMMONS, Mrs. THURMAN, Mr. PRICE of North Carolina, Mr. FRANK, Mr. KLECZKA, Ms. RIVERS, Mr. MOAKLEY, Mr. LANTOS, Mr. COSTELLO, Ms. HOOLEY of Oregon, Ms. HART, Ms. MCCOLLUM, Ms. SLAUGHTER, Ms. ROYBAL-ALLARD, Mr. MCGOVERN, Mr. BOYD, Ms. ESHOO, Mr. ACKERMAN, Mr. MCHUGH, Mr. SERRANO, Mr. RUSH, Mr. MENENDEZ, Mr. ABERCROMBIE, Mr. GILMAN, Mr. SAWYER, Mrs. CLAYTON, Mrs. MCCARTHY of New York, and Mr. LEVIN):

H.R. 536. A bill to amend the Public Health Service Act and Employee Retirement In-

come Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for a minimum hospital stay for mastectomies and lymph node dissections performed for the treatment of breast cancer; referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GRANGER:

H.R. 537. A bill to establish the National Commission on Youth Crime and School Violence; to the Committee on Education and the Workforce.

By Ms. GRANGER (for herself, Mr. BURR of North Carolina, Mr. PITTS, Mr. FORD, Mr. SESSIONS, Mr. BONILLA, Mr. WATKINS, Mr. HINCHEY, Mr. BLUNT, Mr. PAUL, Mr. MCHUGH, Mr. COMBEST, Mr. DOOLITTLE, and Mrs. KELLY):

H.R. 538. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for education; to the Committee on Ways and Means.

By Mr. HAYWORTH (for himself, Mr. HERGER, Mr. WATKINS, Mr. PAUL, Mr. RADANOVICH, Mr. SIMPSON, Mr. BACHUS, Ms. MCCARTHY of Missouri, Mrs. BIGGERT, Mr. TERRY, Mr. SCHROCK, Mr. DUNCAN, Ms. PRYCE of Ohio, Ms. GRANGER, Mr. WHITFIELD, Mr. PETRI, Mr. RILEY, Mr. WELDON of Florida, Mr. SESSIONS, Mr. AKIN, Mr. RUSH, Mr. FOSSELLA, Mr. HILLEARY, Mr. PITTS, and Ms. HART):

H.R. 539. A bill to amend the Internal Revenue Code of 1986 to expand the child tax credit; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 540. A bill to authorize the Small Business Administration to make grants and loans to small business concerns, and grants to agricultural enterprises, to enable such concerns and enterprises to reopen for business after a natural or other disaster; to the Committee on Small Business.

By Mrs. KELLY (for herself and Mr. SWEENEY):

H.R. 541. A bill to amend chapter 35 of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small businesses, educational and nonprofit institutions, Federal contractors, State and local governments, and other persons through the sponsorship and use of alternative information technologies; to the Committee on Government Reform, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KELLY (for herself, Mr. ENGLISH, Ms. PRYCE of Ohio, and Mr. SWEENEY):

H.R. 542. A bill to amend provisions of law enacted by the Small Business Regulatory Enforcement Fairness Act of 1996 to ensure full analysis of potential impacts on small entities of rules proposed by certain agencies, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEACH:

H.R. 543. A bill to amend the Internal Revenue Code of 1986 to reduce estate and gift tax rates to 30 percent, to increase the exclusion equivalent of the unified credit to $10,000,000, and to increase the annual gift tax exclusion to $50,000; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself and Mrs. KELLY):

H.R. 544. A bill to require the Attorney General to promulgate regulations relating to gender-related persecution, including female genital mutilation, for use in determining an alien's eligibility for asylum or withholding of removal; to the Committee on the Judiciary.

By Mrs. MINK of Hawaii:

H.R. 545. A bill to amend title 38, United States Code, to revise the effective date for certain awards of dependency and indemnity compensation made by the Secretary of Veterans Affairs to survivors of veterans who died during the Vietnam era or later, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. QUINN:

H.R. 546. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits for small businesses, to amend the Fair Labor Standards Act of 1938 to increase the minimum wage, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RIVERS:

H.R. 547. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for hair prostheses for individuals with scalp hair loss as a result of alopecia areata; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCARBOROUGH (for himself, Mr. WELDON of Florida, Mr. PETRI, Mr. SHOWS, Mr. MCINTYRE, Mr. GEORGE MILLER of California, Mr. FOLEY, Mr. SAXTON, and Mr. PICKERING):

H.R. 548. A bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, and for other purposes; to the Committee on Armed Services.

By Mr. SCARBOROUGH (for himself, Mr. FROST, Mr. DREIER, Mr. BOUCHER, Mr. FOLEY, Mrs. JONES of Ohio, Mr. WATKINS, Mr. PASCRELL, Mr. TANCREDO, Mr. PRICE of North Carolina, Mr. PAUL, Mr. DUNCAN, Mr. RILEY, Mr. HORN, Mr. ROGERS of Michigan, Mr. BARR of Georgia, Mr. MILLER of Florida, Ms. HART, Mr. KING, Ms. ROS-LEHTINEN, and Mr. SUNUNU):

H.R. 549. A bill to amend the Internal Revenue Code of 1986 to provide additional tax incentives for education; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 550. A bill to name the Department of Veterans Affairs medical facility in Iron Mountain, Michigan, as the "Oscar G. JOHNSON Department of Veterans Affairs Medical Facility"; to the Committee on Veterans' Affairs.

By Mr. STUPAK:

H.R. 551. A bill to amend title 38, United States Code, to provide that the rate of reimbursement for motor vehicle travel under the beneficiary travel program of the Department of Veterans Affairs shall be the same as the rate for private vehicle reimbursement for Federal employees; to the Committee on Veterans' Affairs.

By Mr. UDALL of Colorado:

H.R. 552. A bill to provide interim protection for certain roadless areas in the Arapaho and Roosevelt National Forests in Colorado, and for other purposes; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 553. A bill to amend the Magnuson-STEVENS Fishery Conservation and Management Act to improve implementation of the western Alaska community development quota program, and for other purposes; to the Committee on Resources.

By Mr. LEACH:

H.J. Res. 14. A joint resolution proposing an amendment to the Constitution of the United States regarding regulations on the amounts of expenditures of personal funds made by candidates for election for public office; to the Committee on the Judiciary.

By Mr. SAXTON:

H.J. Res. 15. A joint resolution designating the square dance as the national folk dance of the United States; to the Committee on Government Reform.

By Mr. PAUL (for himself, Mr. GOODE, Mr. JONES of North Carolina, Mr. BARTLETT of Maryland, and Mr. DUNCAN):

H. Con. Res. 23. A Concurrent resolution expressing the sense of the Congress that President George W. Bush should declare to all nations that the United States does not intend to assent to or ratify the International Criminal Court Treaty, also referred to as the Rome Statute of the International Criminal Court, and the signature of former President Clinton to that treaty should not be construed otherwise; to the Committee on International Relations.

By Mr. GILCHREST:

H. Con. Res. 24. A concurrent resolution supporting a National Foster Parents Day; to the Committee on Government Reform.

By Mrs. KELLY:

H. Con. Res. 25. A concurrent resolution expressing the sense of the Congress regarding tuberous sclerosis; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York (for herself, Mr. ROHRABACHER, and Mr. HOYER):

H. Con. Res. 26. A concurrent resolution expressing the sense of the Congress regarding the Taliban-led Government in Afghanistan; to the Committee on International Relations.

By Mr. KIRK:

H. Res. 32. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. FROST:

H. Res. 33. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. HYDE (for himself, Mr. LANTOS, Mr. CANTOR, Mr. GILMAN, and Mr. ACKERMAN):

H. Res. 34. A resolution congratulating the Prime Minister-elect of Israel, Ariel Sharon, calling for an end to violence in the Middle East, reaffirming the friendship between the Governments of the United States and Israel, and for other purposes; to the Committee on International Relations.

By Mr. MOORE (for himself, Ms. MCCARTHY of Missouri, Mr. SKELTON, Mrs. EMERSON, Mr. MORAN of Kansas, Mr. FROST, Mr. HILLIARD, Ms. PRYCE of Ohio, Mr. TANCREDO, Mr. STENHOLM, and Ms. SLAUGHTER):

H. Res. 35. A resolution expressing the sense of the House of Represenatives with respect to the Bloch Cancer Foundation; to the Committee on Energy and Commerce.

¶8.34 ADDITIONAL SPONSORS

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

H.R. 37: Mr. FRELINGHUYSEN.

H.R. 39: Mr. REYNOLDS, Mr. SKEEN, Mr. DUNCAN, Mr. STUMP, Mr. HAYWORTH, Mr. RILEY, Mr. TERRY, Mr. ISTOOK, Mr. PICKERING, Mr. HASTINGS of Washington, Mr. HANSEN, Mr. TAUZIN, Mr. POMBO, Mr. SIMPSON, Mr. COOKSEY, Mr. LATOURETTE, Mr. BRADY of Texas, Mr. GARY MILLER of California, Mr. RADANOVICH, Mr. OTTER, Mr. HALL of Texas, Mr. BROWN of South Carolina, Mr. LEWIS of California, Mr. SMITH of Michigan, Mr. LUCAS of Oklahoma, Mr. TANCREDO, Mr. DOOLITTLE, Mr. HERGER, Mr. WICKER, Mr. HILLEARY, Mrs. EMERSON, Mr. BACHUS, Mr. BARTON of Texas, Mr. SESSIONS, Mr. CALVERT, Mr. BAKER, Mr. OXLEY, Mr. SMITH of Texas, Mr. NETHERCUTT, Mr. MCCRERY, Mr. SCHROCK, Mr. CULBERSON, Mr. PETERSON of Pennsylvania, Mr. CANNON, Mr. GIBBONS, Mr. WATTS of Oklahoma, Mr. BUYER, Mr. ISAKSON, Mr. DELAY, Mr. CALLAHAN, Mr. ROHRABACHER, Mr. LARGENT, Mrs. CUBIN, Mr. COMBEST, Mr. WATKINS, and Mr. BONILLA.

H.R. 42: Mr. PETRI.

H.R. 50: Ms. MILLENDER-MCDONALD.

H.R. 99: Mr. DOOLITTLE, Mr. SCHAFFER, Mr. LARGENT, and Mr. ISSA.

H.R. 117: Ms. RIVERS, Mrs. DAVIS of California, Mr. BLAGOJEVICH, Mr. UDALL of New Mexico, Mr. FROST, Ms. KILPATRICK, Mrs. CHRISTENSEN, Ms. MCCARTHY of Missouri, Mr. GUTIERREZ, Mr. LANTOS, Mr. SANDLIN, Ms. CARSON of Indiana, Mr. MCDERMOTT, Mr. BARCIA, and Mr. RUSH.

H.R. 154: Mrs. NORTHUP, Mrs. CHRISTENSEN, Mr. BALLENGER, Mr. PETRI, Mr. GEORGE MILLER of California, Ms. SLAUGHTER, Mr. GONZALEZ, Mr. FOSSELLA and Mr. UDALL of Colorado.

H.R. 162: Mrs. MCCARTHY of New York, Mr. PASTOR, Mr. UDALL of Colorado, and Mr. GILCHREST.

H.R. 175: Mr. SKEEN, Mr. CRANE, Mr. BARTLETT of Maryland, Mr. SCHAFFER, Mr. TANCREDO, Mr. SMITH of Texas, Mr. FLAKE, Mr. DUNCAN, Mr. HUTCHINSON, Mr. HAYWORTH, Mr. STUMP, and Mr. OTTER.

H.R. 184: Mr. LIPINSKI, Mr. KILDEE, and Ms. MCKINNEY.

H.R. 244: Mr. KUCINICH and Mr. MORAN of Virginia.

H.R. 251: Mr. WAXMAN.

H.R. 257: Mrs. NORTHUP, Mr. OTTER, and Mrs. MYRICK.

H.R. 286: Mr. FROST.

H.R. 287: Mrs. KELLY.

H.R. 289: Mrs. TAUSCHER.

H.R. 311: Mr. DOOLITTLE, Mr. BURTON of Indiana, and Mr. OTTER.

H.R. 320: Mr. NEAL of Massachusetts, Mr. ENGEL, Mr. PASTOR, Mr. ROSS, Mr. RANGEL, Mr. JEFFERSON, and Mr. DEFAZIO.

H.R. 325: Mrs. JOHNSON of Connecticut, Mr. WHITFIELD, and Mr. LEACH.

H.R. 326: Mr. ENGEL, Mrs. CLAYTON, and Mr. PASTOR.

H.R. 340: Mr. ABERCROMBIE.

H.R. 356: Mr. FROST, Mr. BUYER, Mr. TANCREDO, Mr. BALLENGER, Mr. SIMPSON, Mr. WHITFIELD, Mr. SESSIONS, Mrs. THURMAN, Mr. CALVERT, Mr. COOKSEY, Mr. PICKERING, Mr. HUNTER, Ms. HART, and Mr. PAUL.

H.R. 369: Mr. RYUN of Kansas.

H.R. 389: Mr. RANGEL.

H.R. 419: Ms. MILLENDER-MCDONALD and Ms. DEGETTE.

H.R. 429: Mr. PETERSON of Minnesota.

H.R. 478: Mr. CRAMER.

H.R. 482: Mr. DEMINT, Mr. SHOWS, Mr. ADERHOLT, and Mr. BACHUS.

H.R. 488: Mr. FILNER, Mr. FRANK, and Mr. LANTOS.

H. Con. Res. 17: Mr. GILMAN, Mr. UDALL of Colorado, and Ms. WOOLSEY.

H. Res. 17: Ms. SLAUGHTER.

H. Res. 23: Mr. SHOWS, Mr. RUSH, Mr. MCGOVERN, Mr. FROST, Mr. TURNER, Mr. MCINTYRE, and Mr. STENHOLM.

MONDAY, FEBRUARY 12, 2001 (9)

¶9.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SHAYS, who laid before the House the following communication:

WASHINGTON, DC,
February 12, 2001.

I hereby appoint the Honorable CHRISTOPHER SHAYS to act as Speaker pro tempore on this day.

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

¶9.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHAYS, announced he had examined and approved the Journal of the proceedings of Thursday, February 8, 2001.

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

¶9.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

745. A letter from the Acting Secretary of the Army, Department of Defense, transmitting a report on assistance provided by the Department of Defense (DoD) to civilian sporting events in support of essential security and safety needs; to the Committee on Armed Services.

746. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Cost or Pricing Data Threshold [DFARS Case 2000–D026] received January 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

747. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Overseas Use of the Purchase Card in Contingency, Humanitarian, or Peacekeeping Operations [DFARS Case 2000–D019] received January 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

748. A letter from the Senior Banking Counsel, Office of General Counsel, Department of the Treasury, transmitting the Department's final rule—Financial Subsidiaries (RIN: 1505–AA77) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

749. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Community Development Revolving Loan Program for Credit Unions—received January 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

750. A letter from the Deputy Assistant Secretary for Program Operations, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—National Medical Support Notice: Delay of Effective Date (RIN: 1210–AA72) received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

751. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Revisions to the Requirements Applicable to Blood, Blood Components, and Source Plasma; Confirmation in Part and Technical Amendment [Docket No. 98N–0673] received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

752. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 99F–2336] received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

753. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—New Animal Drugs for Use in Animal Feeds; Decoquinate, Monensin, and Tylosin—received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

754. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Reasonably Available Control Technology for Oxides of Nitrogen [MD106–3063; FRL–6922–7] received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

755. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware; Revisions to New Source Review [DE043–1030a; FRL–6941–3] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

756. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New York 15 and 9 Percent Rate of Progress Plans, Phase I Ozone Implementation Plan [Region 2 Docket No. NY47–218, FRL–6940–1] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

757. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Environmental Program Grants-State, Interstate, and Local Government Agencies: Delay of Effective Date [FRL–6942–7] (RIN: 2030–AA55) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

758. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Amendments to Standards of Performance for New Stationary Sources; Monitoring Requirements: Delay of Effective Date [FRL–6942–8] (RIN: 2060–AG22) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

759. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Environmental Program Grants for Tribes, Final Rule: Delay of Effective Date [FRL–6943–5] (RIN: 2030–AA56) received February 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

760. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final

rule—Significant New Uses of Certain Chemical Substances; Delay of Effective Date [OPPTS–50638A; FRL–6769–7] (RIN: 2070–AB27) received February 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

761. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Enhanced Motor Vehicle Inspection and Maintenance Program [RI–01–043–6991a; A–1–FRL–6943–3] received February 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

762. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; New Source Review Regulations [MD107–3062; FRL–6922–8] received February 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

763. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Approval of Opacity Recodifications and Revisions to Visible Emissions Requirements COMAR 26.11.06.02 [MD105–3054; FRL–6916–6] received February 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

764. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Susquehanna and Hallstead, Pennsylvania) [MM Docket No. 00–15; RM–9804] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

765. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Richmond, Virginia) [MM Docket No. 00–97; RM–9865] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

766. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Florence and Comobabi, Arizona) [MM Docket No. 00–107; RM–9891] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

767. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Lewistown, Montana) [MM Docket No. 00–150; RM–9944] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

768. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Strattanville and Farmington Township, Pennsylvania) [MM Docket No. 99–58; RM–9461; RM–9611] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

769. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Indian Wells and Indio, California) [MM Docket No. 98–29; RM–9190; RM–9275] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

770. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—NRC Regulatory Issue Summary 2001–02 Guidance On Risk-Informed Decision-Making In License Amendment Reviews—received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

771. A letter from the Acting Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Implementation of Presidential Announcement of January 10, 2001: Revisions to License Exception CTP [Docket No. 010112014–1014–01] (RIN: 0694–AC41) received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

772. A letter from the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting the Department's Federal Activities Inventory Reform Act Inventory and annual report; to the Committee on Government Reform.

773. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants: Threatened Status for the Mountain Plover (RIN: 1018–AF35) received January 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

774. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species (HMS) Fisheries; Pelagic Shark Species [I.D. 121200G] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

775. A letter from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—National Marine Aquaculture Initiative: Request for Proposals FY–2001 [Docket No. 000309067–0365–02] (RIN: 0648–ZA82) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

776. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Emergency Interim Rule to Revise Certain Provisions of the American Fisheries Act [Docket No. 010111009–1009–01; I.D. 122600A] (RIN: 0648–AO72) received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

777. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Bycatch Rate Standards for the First Half of 2001 [I.D. 122200B] received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

778. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Groundfish Fisheries Off Alaska; Final 2001 Harvest Specifications and Associated Management Measures for the Groundfish Fisheries Off Alaska [Docket No. 010112013–1013–01; I.D. 011101B] (RIN: 0648–AO82) received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

779. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Revision to Federal Blood Alcohol Concentration (BAC) Standard for Recreational Vessel Operators [USCG–1998–4593] (RIN: 2115–AF72) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

780. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Regattas and Marine Parades [CGD 95–054] (RIN: 2115–AF17) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

781. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Elizabeth River, Eastern Branch, Norfolk, Virginia [CGD05–98–090] (RIN: 2115–AE47) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

782. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Wrangell Narrows, Petersburg, AK [COTP Southeast Alaska; 01–001] (RIN: 2115–AA97) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

783. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Legal Description of V–66 in the Vicinity of Dallas/Fort Worth; TX [Airspace Docket No. 00–ASW–6] (RIN: 2120–AA66) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

784. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Colored Federal Airways; AK [Airspace Docket No. 00–AAL–16] (RIN: 2120–AA66) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

785. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Gulkana, AK [Airspace Docket No. 00–AAL–5] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

786. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Willits, CA [Airspace Docket No. 00–AWP–8] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

787. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E5 Airspace; Meridian, MS [Airspace Docket No. 00–ASO–44] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

788. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Pella, IA [Airspace Docket No. 00–ACE–26] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

789. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Fayetteville, AR [Airspace Docket No. 2000–ASW–17] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

790. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Walnut Ridge, AR [Airspace Docket No. 2000–ASW–14] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

791. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Tulsa, OK [Airspace Docket No. 2000–ASW–15] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

792. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Bloomfield, IA [Airspace Docket No. 00–ACE–32] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

793. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Washington, MO [Airspace Docket No. 00–ACE–24] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

794. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Albia, IA [Airspace Docket No. 00–ACE–33] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

795. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amend Legal Description of Jet Route J–501 [Airspace Docket No. 00–ANM–20] (RIN: 2120–AA66) received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

796. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Iliamna, AK [Airspace Docket No. 00–AAL–17] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

797. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Wainwright, AK [Airspace Docket No. 00–AAL–6] received January 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

798. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–194–AD; Amendment 39–12065; AD 2000–26–15] (RIN: 2120–AA64) received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

799. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–300 Series Airplanes [Docket No. 2000–NM–349–AD; Amendment 39–12063; AD 2000–26–13] (RIN: 2120–AA64) received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

800. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Pittsburg, KS [Airspace Docket No. 00–ACE–28] received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

801. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule—Procedures for Transportation Workplace Drug and Alcohol Testing Programs [Docket OST–99–6578] (RIN: 2105–AAC49) received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

802. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Harmonization with the United Nations Recommendations and the International Maritime Dangerous Goods Code [Docket No. RSPA–2000–7702 (HM–215D)] (RIN: 2137–AD41) received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

803. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Carrier Safety Regulations; Definition of Commercial Motor Vehicle (CMV); Requirements for Operators of Small Passenger-Carrying CMV's [Docket Nos. FMCSA–97–2858 and 99–5710 (formerly FHWA–97–2858 and 99–5710)] (RINs: 2126–AA51 and 2126–AA44 [formerly RINs 2125–AE22 and 2125–AE60]) received January 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

804. A letter from the Program Analyst, FAA, Department of Transportion, transmitting the Department's final rule—Establishment of Class E Airspace; Indian Mountain, AK [Airspace Docket No. 00–AAL–15] received January 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

805. A letter from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—NOAA Climate and Global Change Program, Program Announcement [Docket No. 001027299–0299–01] (RIN: 0648–ZA95) received January 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

806. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Guidance to federally recognized Indian tribal governments about their Federal Unemployment Tax Act obligations for 2000—received January 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

807. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2001–3] received January 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

808. A letter from the Chairman, International Trade Commission, transmitting notification that the Commission has transmitted to the President the confidential version of its report on Investigation No. TA–204–3, Lamb Meat: Monitoring Developments in the Domestic Industry; to the Committee on Ways and Means.

809. A letter from the Secretaries, Department of the Army and the Department of Agriculture, transmitting a report on a Joint Order Interchanging Administrative Jurisdiction of Department of the Army Lands and National Forest Lands; jointly to the Committees on Agriculture and Transportation and Infrastructure.

810. A letter from the Secretary and Attorney General, Department of Health and Human Services and the Department of Justice, transmitting a report entitled, ''Health Care Fraud and Abuse Control Program Annual Report For FY 2000''; jointly to the Committees on Energy and Commerce and Ways and Means.

811. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Social Health Maintenance Organizations: Transition into MedicareChoice''; jointly to the Committees on Ways and Means and Energy and Commerce.

¶9.4 MESSAGE FROM THE SENATE

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

H. Con. Res. 14. Concurrent resolution permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The message also announced that the Senate has passed a bill and concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 235. An Act to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes.

S. Con. Res. 6. Concurrent resolution expressing sympathy for the victims of the devastating earthquake that struck India on January 26, 2001, and support for ongoing aid efforts.

The message also announced that pursuant to Public Law 105–83, the Chair, on behalf of the Majority Leader, announces his appointment of the following Senators to serve as members of the National Council on the Arts—

the Senator from Ohio (Mr. DEWINE); and

the Senator from Alabama (Mr. SESSIONS).

And then,

¶9.5 ADJOURNMENT

The SPEAKER pro tempore, Mr. SHAYS, by unanimous consent, and pursuant to the special order agreed to on February 7, 2001, at 2 o'clock and 3 minutes p.m., declared the House adjourned until 12:30 p.m. on Tuesday, February 13, 2001.

¶9.6 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. QUINN, and Mr. CLEMENT):

H.R. 554. A bill to establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents; to the Committee on Transportation and Infrastructure.

By Mrs. MORELLA (for herself, Mr. ALLEN, Mr. ANDREWS, Mr. BALDACCI, Ms. BALDWIN, Mr. BONIOR, Mr. COSTELLO, Mr. CROWLEY, Mr. CUMMINGS, Mr. THOMAS M. Davis of Virginia, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Mr. ETHERIDGE, Mr. FRANK, Mr. FROST, Mr. GILMAN, Mr. HILLIARD, Mr. HORN, Mrs. KELLY, Mr. KUCINICH, Mrs. MALONEY of New York, Mr. MCGOVERN, Mr. MORAN of Virginia, Mr. PAYNE, Ms. PELOSI, Mr. PALLONE, Mr. SANDERS, Mr. TOWNS, Mr. WEXLER, and Mr. WHITFIELD):

H.R. 555. A bill to provide for greater access to child care services for Federal employees; to the Committee on Government Reform.

By Mr. LEACH:

H.R. 556. A bill to prevent the use of certain bank instruments for unlawful Internet gambling, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS of Oklahoma (for himself and Mr. WATT of North Carolina):

H.R. 557. A bill to amend the Federal Deposit Insurance Act and the Federal Home Loan Bank Act to provide for the payment of Financing Corporation interest obligations from balances in the deposit insurance funds in excess of an established ratio and, after such obligations are satisfied, to provide for rebates to insured depository institutions of such excess reserves; to the Committee on Financial Services.

By Mr. TOOMEY (for himself and Mr. HOLDEN):

H.R. 558. A bill to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

¶9.7 MEMORIALS

Under clause 3 of rule XII,

3. The SPEAKER presented a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 435 memorializing the President of the United States of America and the United States Congress to fund an objective, non-partisan Citizens' Education Program for the Political Status Plebiscite to be conducted on behalf of the indigenous people of Guam; to the Committee on Resources.

¶9.8 ADDITIONAL SPONSORS

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

H.R. 2: Mr. BLUNT, Mr. WALDEN of Oregon, Mr. WELDON of Pennsylvania, Mr. REYNOLDS, Mr. BACHUS, Mr. KELLER, Mrs. JO ANN DAVIS of Virginia, Mr. HOLT, Mr. TANCREDO, Mr. SHOWS, Mrs. NORTHUP, Mr. BURR of North Carolina, Mr. WELLER, Mrs. ROUKEMA, Mr. GARY MILLER of California, Mr. HILLEARY, Mr. BAKER, Mr. ADERHOLT, and Mr. BOEHLERT.

H.R. 147: Mr. UDALL of Colorado, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Mr. PAUL, Mr. KUCINICH, and Mr. FATTAH.

H.R. 237: Mr. DAVIS of Illinois.

H.R. 244: Mr. PICKERING, Mr. DICKS, Mr. RANGEL, Mr. KENNEDY of Rhode Island, Mr. DELAHUNT, Mr. CLAY, Mr. TAYLOR of Mississippi, and Mr. MCINTYRE.

H.R. 267: Mr. FATTAH, Mr. GORDON, and Mr. ISAKSON.

H.R. 270: Mr. TOWNS, Mr. LANTOS, Mr. RANGEL, and Mr. STARK.

H.R. 320: Mr. ENGLISH and Mr. BERMAN.

H.R. 333: Mr. ISSA, Mr. CROWLEY, and Mr. GORDON.

H.R. 337: Mr. JONES of North Carolina, Mr. COOKSEY, Ms. DELAURO, Mr. FROST, Mr. LEACH, Mr. SCHAFFER, Mr. ENGLISH, Mr. MCHUGH, Mr. BISHOP, and Mr. ROSS.

H.R. 338: Mr. JONES of North Carolina, Mr. COOKSEY, Ms. DELAURO, Mr. FROST, Mr. SCHAFFER, Mr. ENGLISH, Mr. MCHUGH, Mr. BISHOP, and Mr. ROSS.

H.R. 429: Ms. MCCARTHY of Missouri and Mr. OWENS.

H.R. 482: Mr. LARGENT.

H. Con. Res. 4: Mrs. CHRISTENSEN and Mr. UDALL of Colorado.

TUESDAY, FEBRUARY 13, 2001, (10)

¶10.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. ISAKSON, who laid before the House the following communication:

WASHINGTON, DC,
February 13, 2001.

I hereby appoint the Honorable JOHNNY ISAKSON to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶10.2 RECESS—12:47 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 47 minutes p.m. until 2 o'clock p.m.

¶10.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶10.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, announced he had examined and approved the Journal of the proceedings of Monday, February 12, 2001.

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

¶10.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

812. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Dimethylpolysiloxane; Tolerance Exemption [OPP–301096; FRL–6762–1] (RIN: 2070–AB78) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

813. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Interagency Guidelines Establishing Standards for Safeguarding Customer Information and Rescission of Year 2000 Standards for Safety and Soundness (RIN: 3064–AC39) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

814. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Significant New Uses of Certain Chemical Substances; Delay of Effective Date [OPPTS–50638A; FRL–6769–7] (RIN: 2070–AB27) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

815. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

816. A letter from the Attorney-Advisor, Financial Management Service, Department of the Treasury, transmitting the Department's final rule—Federal Government Participation in the Automated Clearing House (RIN: 1510–AA81) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

817. A letter from the Federal Register Liaison, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Supplemental Standards of Ethical Conduct for Employees of the Department of the Treasury (RINs: 1550–AB43, 3209–AA15) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

818. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule—Repayment of Student Loans: Delay of Effective Date (RIN: 3206–AJ12) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

819. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 991008273–0070–02; I.D. 011801B] received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

820. A letter from the Acting Assistant Administrator, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Coastal Zone Management Act Federal Consistency Regulations [Docket No. 990723202–0338–02] (RIN: 0648–AM88) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

821. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California; Correction [FRL–6941–1] (RIN: 2040–AC44) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

822. A letter from the Chair of the Board of Directors, Office of Compliance, transmitting A Report Required By The Congressional Accountability Act Of 1995; jointly to the Committees on Education and the Workforce and House Administration.

¶10.6 CONGRATULATING THE PRIME MINISTER-ELECT OF ISRAEL

Mr. HYDE moved to suspend the rules and agree to the following resolution (H. Res. 34); as amended:

Whereas the Governments of the United States and Israel are close allies and share a deep and abiding friendship based on a shared commitment to democratic values;

Whereas since its establishment in 1948, Israel has fulfilled the dreams of its founders, who envisioned a vigorous, open, and stable democracy;

Whereas the centerpiece of Israeli democracy is its system of competitive, free, and open elections;

Whereas on February 6, 2001, the people of Israel elected Ariel Sharon as Prime Minister of Israel; and

Whereas the election on February 6, 2001, is the most recent example of the commitment of Israel to the democratic ideals of freedom and pluralism, ideals that Israel shares with the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates Ariel Sharon on his election as Prime Minister, and extends to him the best wishes of the people of the United States;

(2) commends the people of Israel for reaffirming, through their participation in the election on February 6, 2001, their dedication to democratic ideals;

(3) urges Palestine Liberation Organization Chairman Yasser Arafat to use his influence and resources to see that violence in the Middle East is brought to an end;

(4) calls upon the countries that neighbor Israel and upon the international community to respect the freely expressed will of the people of Israel and to be prepared to engage in constructive relations with the new Government of Israel;

(5) reaffirms the close bonds of friendship that have bound the people of the United States and the people of Israel together through turbulent times for more than half a century; and

(6) restates the commitment of the United States to a secure peace for Israel.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. HYDE and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CANTOR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶10.7 SOCIAL SECURITY AND MEDICARE LOCKBOX

Mr. SESSIONS moved to suspend the rules and pass the bill (H.R. 2) to establish a procedure to safeguard the combined surpluses of the Social Security and Medicare hospital insurance trust funds, as amended.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. SESSIONS and Mr. NADLER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SESSIONS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶10.8 RE-REFERRAL—H.R. 2

On motion of Mr. SESSIONS, by unanimous consent, the bill (H.R. 2) to establish a procedure to safeguard the combined surpluses of the Social Security and Medicare hospital insurance trust funds, as amended; was re-referred to the Committee on the Budget and, in addition, to the Committee on Rules.

¶10.9 RECESS—3:25 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 25 minutes p.m., until approximately 6 o'clock p.m.

¶10.10 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶10.11 PROVIDING FOR THE CONSIDERATION OF H.R. 554

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 107–1) the resolution (H. Res. 36) providing for consideration of the bill (H.R. 554) to establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents.

When said resolution and report were referred to the House Calendar and ordered printed.

¶10.12 H. RES. 34—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 34) congratulating the Prime Minister-elect of Israel, Ariel Sharon, calling for an end to violence in the Middle East, reaffirming the friendship between the Governments of the United States and Israel, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 410; Nays ..... 1; Answered present 1

¶10.13 [Roll No. 12]

YEAS—410

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Thomas M.
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shows
Simmons
Simpson
Sisisky
Skeen

Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Paul

ANSWERED ''PRESENT''—1

Rahall

NOT VOTING—20

Ackerman
Becerra
Bonior
Bono
Brown (FL)
Burton
Capps
Cooksey
Doolittle
Fattah
Gephardt
Gordon
Lowey
McKinney
Miller, George
Ortiz
Rohrabacher
Shimkus
Souder
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was passed.

A motion to reconsider the votes whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶10.14 H.R. 2—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2) to establish a procedure to safeguard the combined surpluses of the Social Security and Medicare hospital insurance trust funds, as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	407
	Nays	2
	Answered present	4

¶10.15 [Roll No. 13]

YEAS—407

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

NAYS—2

Filner
Nadler

ANSWERED ''PRESENT''—4

Hinchey
Mink
Sabo
Snyder

NOT VOTING—19

Ackerman
Becerra
Bonior
Bono
Brown (FL)
Burton
Cooksey
Doolittle
Gephardt
Gordon
Lowey
McKinney
Miller, George
Ortiz
Payne
Shimkus
Smith (MI)
Souder
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to establish a procedure to safeguard the surpluses of the Social Security and Medicare hospital insurance trust funds.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶10.16 JOINT SESSION OF THE TWO HOUSES—STATE OF THE UNION

Mr. PORTMAN, submitted the following privileged concurrent resolution (H. Con. Res. 28):

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, February 27, 2001, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶10.17 COMMITTEE ELECTION—MINORITY

Mr. FROST, by unanimous consent, submitted the following resolution (H. Res. 37):

Resolved, That the following named Member be, and is hereby, elected to the following standing committees of the House of Representatives:

Committee on Financial Services: Mr. Sanders of Vermont;

Committee on Government Reform: Mr. Sanders of Vermont.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶10.18 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That it may be in order, under clause 1, rule XV, on Wednesday, February 14, 2001, for the Speaker to recognize Members for motions to suspend the rules and pass the bill (H.R. 524) to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices, and to authorize the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major manufacturing industry.

¶10.19 ORDER OF BUSINESS—CONSIDERATION OF H.R. 559

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That it may be in order at any time on Wednesday, February 14, 2001, without intervention of any point of order to consider in the House the bill (H.R. 559) to designate the United States courthouse located at 1 Courthouse Way in Boston, Massachusetts, as the ''John Joseph Moakley United States Courthouse''; that the bill be considered as read for amendment; and that the previous question be considered as ordered on the bill to final passage without intervening motion except one hour of debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure, and one motion to recommit.

¶10.20 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 235. An Act to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; to the Committee on Transportation and Infrastructure, in addition to the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶10.21 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ACKERMAN, for today and February 14;

To Mr. BECERRA, for today; and

To Mr. ORTIZ, for today.

And then,

¶10.22 ADJOURNMENT

On motion of Mr. SMITH of Michigan, at 9 o'clock and 58 minutes p.m., the House adjourned.

¶10.23 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REYNOLDS: Committee on Rules. House Resolution 36. Resolution providing for consideration of the bill (H.R. 554) to establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents (Rept. No. 107–1). Referred to the House Calendar.

¶10.24 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. McGOVERN:

H.R. 559. A bill to designate the United States courthouse located at 1 Courthouse Way in Boston, Massachusetts, as the ''John Joseph Moakley United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. ROSS (for himself, Mr. MOORE, Mr. STENHOLM, Mr. SHOWS, Mr. HILL, Mr. CLAY, Mr. SCHIFF, Mr. BISHOP, Mr. CARSON of Oklahoma, Mr. HOLT, Mr. POMEROY, Ms. BERKLEY, Mrs. TAUSCHER, Mr. SPRATT, Mr. MATHESON, Ms. SOLIS, Mr. HOEFFEL, Mrs. DAVIS of California, and Mr. LANGEVIN):

H.R. 560. A bill to establish an off-budget lockbox to strengthen Social Security and Medicare; to the Committee on the Budget, and in addition to the Committees on Rules, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DINGELL:

H.R. 561. A bill to establish the Bipartisan Commission on Election Reform to study and make recommendations on issues affecting the conduct and administration of elections in the United States, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ABERCROMBIE (for himself and Mrs. MINK of Hawaii):

H.R. 562. A bill to amend the Native Hawaiian Health Care Improvement Act to revise and extend such Act; to the Committee on Energy and Commerce.

By Mr. ABERCROMBIE:

H.R. 563. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel; to the Committee on Ways and Means.

By Mr. ABERCROMBIE:

H.R. 564. A bill to amend the Internal Revenue Code of 1986 to increase the amount of the deduction allowed for meal and entertainment expenses associated with the performing arts; to the Committee on Ways and Means.

By Mr. ANDREWS (for himself, Ms. BROWN of Florida, Mr. PALLONE, Mr. TANCREDO, Mr. MENENDEZ, Mr. PASCRELL, and Mr. MICA):

H.R. 565. A bill to prohibit States from imposing restrictions on the operation of motor vehicles providing limousine service between a place in a State and a place in another State, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 566. A bill to amend title XIX of the Social Security Act to require the prorating of Medicaid beneficiary contributions in the case of partial coverage of nursing facility services during a month; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 567. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of disabled children, and individuals who became disabled as children, without regard to income or assets; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 568. A bill to assure equitable treatment of fertility and impotence in health care coverage under group health plans, health insurance coverage, and health plans under the Federal employees' health benefits program; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 569. A bill to amend the Social Security Act to waive the 24-month waiting period for Medicare coverage of certain disabled individuals who have no health insurance coverage; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT (for herself, Mr. WICKER, Mr. THOMAS M. Davis of Virginia, Mr. FRANK, and Mrs. JOHNSON of Connecticut):

H.R. 570. A bill to repeal the requirement relating to specific statutory authorization for increases in judicial salaries, to provide for automatic annual increases for judicial salaries, to provide for a 9.6 percent increase in judicial salaries, and for other purposes; to the Committee on the Judiciary.

By Mr. BILIRAKIS:

H.R. 571. A bill to amend title 49, United States Code, relating to explanations by air carriers of flight delays, cancellations, and diversions; to the Committee on Transportation and Infrastructure.

By Mr. BILIRAKIS (for himself, Mr. FOLEY, Mr. MCHUGH, Mr. BALDACCI, Mrs. MORELLA, Mr. LANTOS, Mrs. MINK of Hawaii, Mrs. THURMAN, Mr. WEXLER, Mr. FROST, Mr. PALLONE, and Mr. BONIOR):

H.R. 572. A bill to amend title 5, United States Code, to provide that the Civil Service Retirement and Disability Fund be excluded from the budget of the United States Government; to the Committee on the Budget, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS:

H.R. 573. A bill to provide grants to State educational agencies and local educational agencies for the provision of classroom-related technology training for elementary and secondary school teachers; to the Committee on Education and the Workforce.

By Mrs. CHRISTENSEN:

H.R. 574. A bill to modify labeling and advertising requirements for watches; to the Committee on Energy and Commerce.

By Mrs. CHRISTENSEN:

H.R. 575. A bill to amend the Harmonized Tariff Schedule of the United States with respect to the production incentive certificate program for watch and jewelry producers in the United States Virgin Islands, Guam, and American Samoa; to the Committee on Ways and Means.

By Mr. DICKS (for himself, Mr. SKELTON, Mr. SISISKY, Mr. FROST, Mr. EDWARDS, and Mrs. TAUSCHER):

H.R. 576. A bill to make emergency supplemental appropriations for fiscal year 2001 for the Department of Defense; to the Committee on Appropriations.

By Mr. DUNCAN:

H.R. 577. A bill to require any organization that is established for the purpose of raising funds for the creation of a Presidential archival depository to disclose the sources and amounts of any funds raised; to the Committee on Government Reform.

By Mrs. EMERSON:

H.R. 578. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free distributions from qualified retirement plans on account of the death or disability of the participant's spouse; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. THOMAS M. Davis of Virginia, Mrs. MCCARTHY of New York, Mr. WEINER, Mr. SANDERS, Mr. MCNULTY, Mr. OWENS, Mr. RUSH, Mrs. MORELLA, Mr. HILLIARD, Mrs. CHRISTENSEN, Mrs. JONES of Ohio, Mr. EVANS, and Mr. MORAN of Virginia):

H.R. 579. A bill to amend chapter 89 of title 5, United States Code, to make available to Federal employees the option of obtaining health benefits coverage for dependent parents; to the Committee on Government Reform.

By Mr. GREEN of Texas:

H.R. 580. A bill to amend title XXVII of the Public Health Service Act and title I of the Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide comprehensive coverage for childhood immunization; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HEFLEY (for himself, Mr. UDALL of Colorado, and Mr. UDALL of New Mexico):

H.R. 581. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management; to the Committee on Resources.

By Mr. HERGER (for himself, Mr. MATSUI, Mrs. JOHNSON of Connecticut, Mr. FOLEY, Mr. MALONEY of Connecticut, Mr. ROYCE, and Mr. ANDREWS):

H.R. 582. A bill to amend the Internal Revenue Code of 1986 to clarify the definition of contribution in aid of construction; to the Committee on Ways and Means.

By Mr. HUTCHINSON (for himself, Mr. MORAN of Virginia, Mr. BRADY of Texas, Ms. GRANGER, Mr. GREENWOOD, Mr. LUCAS of Oklahoma, and Mr. RILEY):

H.R. 583. A bill to establish the Commission for the Comprehensive Study of Privacy Protection; to the Committee on Government Reform.

By Mr. KLECZKA:

H.R. 584. A bill prohibiting the manufacture, sale, delivery, or importation of school buses that do not have seat belts; to the Committee on Energy and Commerce.

By Mr. LARSEN of Washington:

H.R. 585. A bill to amend the Internal Revenue Code of 1986 to increase to $10,000,000 the maximum estate tax deduction for family-owned business interests; to the Committee on Ways and Means.

By Mr. LEWIS of Kentucky (for himself, Mrs. JOHNSON of Connecticut, Mr. RAMSTAD, Mr. PITTS, Mr. WATKINS, Mr. ENGLISH, Mr. WATTS of Oklahoma, Mr. LARSON of Connecticut, Mr. CLYBURN, Mrs. MINK of Hawaii, Mr. PASCRELL, Mr. RYUN of Kansas, Mr. MOORE, Mr. MCINNIS, Mr. DAVIS of Illinois, Mr. CAMP, Mr. BOUCHER, Mr. BISHOP, Mr. SESSIONS, Mr. TERRY, Mr. SUNUNU, and Mr. PAUL):

H.R. 586. A bill to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies, and for other purposes; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii:

H.R. 587. A bill to amend title 10, United States Code, to prescribe alternative payment mechanisms for the payment of annual enrollment fees under the TRICARE program of the military health care system; to the Committee on Armed Services.

By Mrs. MINK of Hawaii:

H.R. 588. A bill to provide authorities to, and impose requirements on, the Secretary of Defense in order to facilitate State enforcement of State tax, employment, and licensing laws against Federal construction contractors; to the Committee on Armed Services.

By Mrs. MINK of Hawaii:

H.R. 589. A bill to provide for the full funding of the Pell Grant Program; to the Committee on Education and the Workforce.

By Mrs. MINK of Hawaii:

H.R. 590. A bill to amend the Public Health Service Act to provide for a three-year schedule to double, relative to fiscal year 1999, the amount appropriated for the National Eye Institute; to the Committee on Energy and Commerce.

By Mrs. MINK of Hawaii:

H.R. 591. A bill to direct the Secretary of the Interior to study the suitability and feasibility of including certain lands along the southeastern coast of Maui, Hawaii, in the National Park System; to the Committee on Resources.

By Mrs. MINK of Hawaii:

H.R. 592. A bill to amend the Internal Revenue Code of 1986 to provide that an individual who leaves employment because of sexual harassment or loss of child care will, for purposes of determining such individual's eligibility for unemployment compensation, be treated as having left such employment for good cause; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii:

H.R. 593. A bill to amend the Internal Revenue Code of 1986 to treat a portion of welfare benefits which are contingent on employment as earned income for purposes of the earned income credit, and for other purposes; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii (for herself, Mr. FILNER, Mr. ABERCROMBIE, Mrs. MEEK of Florida, Ms. JACKSON-LEE of Texas, Ms. WOOLSEY, Mr. RODRIGUEZ, Mr. MEEHAN, Mr. FROST, Mr. FRANK, Mr. WYNN, Ms. ROYBAL-ALLARD, Mr. BECERRA, Mr. KILDEE, Mr. GUTIERREZ, Mr. GEORGE MILLER of California, Mr. SANDERS, Mr. STARK, and Mr. LANTOS):

H.R. 594. A bill to amend the Social Security Act to further extend health care coverage under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself, Ms. BERKLEY, Mr. FROST, Mr. KENNEDY of Rhode Island, Mr. WAXMAN, Mr. MCNULTY, Mr. CAPUANO, and Mr. BALDACCI):

H.R. 595. A bill to amend title XVIII of the Social Security Act to expand coverage of bone mass measurements under part B of the Medicare Program to all individuals at clinical risk for osteoporosis; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEAL of Massachusetts:

H.R. 596. A bill to amend the Internal Revenue Code of 1986 to allow personal exemptions for individuals against the alternative minimum tax; to the Committee on Ways and Means.

By Mr. PALLONE:

H.R. 597. A bill to amend title 23, United States Code, relating to the use of safety belts and child restraint systems by children, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. REYNOLDS (for himself and Mr. CANTOR):

H.R. 598. A bill to take certain steps toward recognition by the United States of Jerusalem as the capital of Israel; to the Committee on International Relations.

By Mrs. ROUKEMA:

H.R. 599. A bill to amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS (for himself, Mr. WAXMAN, Mr. UPTON, Mr. BARRETT, Mr. BILIRAKIS, Mr. DINGELL, Mr. DREIER, Mr. BROWN of Ohio, Ms. PRYCE of Ohio, Mr. STRICKLAND, Mrs. ROUKEMA, Mr. BALDACCI, Mr. ISAKSON, Mr. DOGGETT, Mr. GILCHREST, Mr. MOORE, Mrs. MYRICK, Mr. OBERSTAR, Mr. REYNOLDS, Mr. HINCHEY, Mr. DEFAZIO, Mr. KENNEDY of Rhode Island, Mr. SANDERS, Ms. KAPTUR, Mrs. JOHNSON of Connecticut, Mr. TOWNS, Mr. STARK, Ms. ESHOO, Ms. BALDWIN, Mr. GALLEGLY, Mr. ABERCROMBIE, Mr. SNYDER, Ms. SCHAKOWSKY, Mr. SHIMKUS, Mr. SCOTT, Mr. PALLONE, Mr. STUPAK, Mr. MARKEY, Mr. WYNN, Mrs. CAPPS, Mr. HALL of Ohio, Mr. KIND, Mr. MATSUI, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mrs. MCCARTHY of New York, Mr. PAYNE, Mr. UDALL of New Mexico, Mr. WATT of North Carolina, Mr. ENGEL, Mr. NADLER, Ms. LEE, Ms. BERKLEY, Mr. MURTHA, Mr. RUSH, Mrs. JONES of Ohio, Mr. KUCINICH, Mr. MCNULTY, Ms. DEGETTE, Mr. BOUCHER, Mr. GREEN of Texas, Mr. BECERRA, Mr. ALLEN, Ms. RIVERS, Mrs. LOWEY, Mr. SHAYS, Mr.

WELDON of Florida, Mr. OXLEY, Mr. PICKERING, Mr. WHITFIELD, Mr. LAHOOD, Mr. HAYWORTH, Mr. FLETCHER, Mr. SWEENEY, Mr. SHADEGG, Mr. TAUZIN, Mr. GILMAN, Mr. NETHERCUTT, Mr. MORAN of Kansas, Mr. BRADY of Texas, Mr. DEUTSCH, Ms. CAPITO, Mr. WELLER, Mr. SCHAFFER, Mr. NUSSLE, and Mr. PAUL):

H.R. 600. A bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the Medicaid Program for such children, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SIMPSON:

H.R. 601. A bill to ensure the continued access of hunters to those Federal lands included within the boundaries of the Craters of the Moon National Monument in the State of Idaho pursuant to Presidential Proclamation 7373 of November 9, 2000, and to continue the applicability of the Taylor Grazing Act to the disposition of grazing fees arising from the use of such lands, and for other purposes; to the Committee on Resources.

By Ms. SLAUGHTER (for herself, Mrs. MORELLA, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. BALDACCI, Ms. BALDWIN, Mr. BENTSEN, Ms. BERKLEY, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BONIOR, Mr. BORSKI, Mr. BOUCHER, Mr. BOYD, Mr. BRADY of Pennsylvania, Mr. BURTON of Indiana, Mr. CALVERT, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. COSTELLO, Mr. COYNE, Mr. CRAMER, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DICKS, Mr. DOYLE, Mr. DUNCAN, Mr. EDWARDS, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. FARR of California, Mr. FATTAH, Mr. FILNER, Mr. FORD, Mr. FRANK, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GALLEGLY, Mr. GEPHARDT, Mr. GILCHREST, Mr. GILMAN, Mr. GREEN of Texas, Mr. HALL of Ohio, Mr. HILLIARD, Mr. HINCHEY, Mr. HOEFFEL, Mr. HOLDEN, Mr. HOLT, Ms. HOOLEY of Oregon, Mr. HORN, Mr. INSLEE, Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mrs. KELLY, Mr. KILDEE, Ms. KILPATRICK, Mr. KING, Mr. KLECZKA, Mr. KOLBE, Mr. KUCINICH, Mr. LAMPSON, Mr. LANTOS, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MASCARA, Mr. MATSUI, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MOORE, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEY, Ms. NORTON, Mr. OBERSTAR, Mr. OBEY, Mr. OLVER, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Ms. PELOSI, Mr. PHELPS, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. REYES, Ms. RIVERS, Ms. ROS-LEHTINEN, Mrs. ROUKEMA, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SANDERS, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SCOTT, Mr. SERRANO, Mr. SHERMAN, Mr. SISISKY, Mr. SKELTON, Mr. SMITH of Washington, Mr. SNYDER, Mr. SPRATT, Mr. STARK, Mr. STENHOLM, Mr. STRICKLAND, Mr. STUPAK, Mrs. TAUSCHER, Mr. THOMPSON of Mississippi, Mrs. THURMAN, Mr. TIERNEY, Mr. TRAFICANT, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VISCLOSKY, Mr. WALSH, Ms. WATERS, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Mr. WOLF, and Ms. WOOLSEY):

H.R. 602. A bill to prohibit discrimination on the basis of genetic information with respect to health insurance; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO:

H.R. 603. A bill to suspend temporarily the duty on Fructooligosaccharides (FOS); to the Committee on Ways and Means.

By Mrs. THURMAN (for herself, Mr. STUPAK, and Mr. ENGLISH):

H.R. 604. A bill to amend the Hazardous Substances Act to require safety labels for certain Internet-advertised toys and games; to the Committee on Energy and Commerce.

By Mr. WEINER:

H.R. 605. A bill to amend the Truth in Lending Act to require a store in which a consumer may apply to open a credit or charge card account to display a sign, at each location where the application may be made, containing the same information required by such Act to be prominently placed in a tabular format on the application; to the Committee on Financial Services.

By Mr. WEXLER (for himself, Mr. GILMAN, Mr. CROWLEY, and Mr. CANTOR):

H.R. 606. A bill to direct the Secretaries of the military departments to conduct a review of military service records to dertermine whether certain Jewish American war veterans, including those previously awarded the Distiniguished Service Cross, Navy Cross, or Air Force Cross, should be awared the Medal of Honor; to the Committee on Armed Services.

By Mr. DOOLITTLE:

H.J. Res. 16. A joint resolution proposing an amendment to the Constitution of the United States establishing English as the official language of the United States; to the Committee on the Judiciary.

By Mr. ENGEL:

H.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States to provide a new procedure for appointment of Electors for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. ENGEL:

H.J. Res. 18. A joint resolution proposing an amendment to the Constitution of the United States to provide a new procedure for appointment of Electors for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. SAM JOHNSON of Texas (for himself, Mr. REGULA, and Mr. MATSUI):

H.J. Res. 19. A joint resolution providing for the appointment of Walter E. Massey as a citizen regent of the Board of Regents of the SMITHsonian Institution; to the Committee on House Administration.

By Mrs. MORELLA (for herself and Mr. UDALL of Colorado):

H. Con. Res. 27. Concurrent resolution honoring the National Institute of Standards and Technology and its employees for 100 years of service to the Nation; to the Committee on Science.

By Mr. PORTMAN:

H. Con. Res. 28. Concurrent resolution providing for a joint session of Congress to receive a message from the President; considered and agreed to.

By Mr. ENGEL (for himself and Ms. ROS-LEHTINEN):

H. Con. Res. 29. Concurrent resolution expressing the sense of the Congress regarding the conviction of ten members of Iran's Jewish community; to the Committee on International Relations.

By Mr. TANCREDO (for himself, Ms. DUNN, Mr. CANTOR, Mr. ACKERMAN, Mr. ENGLISH, Mr. RAMSTAD, Mr. MCNULTY, Mr. CALVERT, Ms. ROS-LEHTINEN, Mr. STEARNS, Mr. LAHOOD, Mr. OTTER, Ms. BERKLEY, Mr. ROSS, Mr. BARTON of Texas, and Mr. BERMAN):

H. Con. Res. 30. Concurrent resolution expressing the sense of Congress with respect to relocating the United States Embassy in Israel to Jerusalem; to the Committee on International Relations.

By Mrs. THURMAN (for herself, Ms. ROYBAL-ALLARD, Mr. ABERCROMBIE, Mr. KILDEE, Mr. SPRATT, Ms. BALDWIN, Mr. KLECZKA, Ms. ESHOO, Mr. BARRETT, Mr. FOLEY, Mr. RAMSTAD, Mr. MALONEY of Connecticut, Mr. LATOURETTE, Mr. DUNCAN, Mr. HINCHEY, Ms. HOOLEY of Oregon, Mr. MOAKLEY, Mr. SHAYS, Mr. SNYDER, Mr. TANNER, Mr. STARK, Mr. HILLIARD, Mrs. NORTHUP, Mr. CAPUANO, Mr. COYNE, Mr. MATSUI, Mr. GIBBONS, Mr. PETERSON of Pennsylvania, Mr. ROGERS of Michigan, Mr. SESSIONS, Mr. MCDERMOTT, Mrs. JONES of Ohio, Mrs. MORELLA, Mr. UPTON, and Mr. PASCRELL):

H. Con. Res. 31. Concurrent resolution expressing the sense of the Congress regarding the importance of organ, tissue, bone marrow, and blood donation and supporting National Donor Day; to the Committee on Energy and Commerce.

By Mr. REYNOLDS:

H. Res. 36. A resolution providing for consideration of the bill (H.R. 554) to establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents; considered and agreed to.

By Mr. FROST:

H. Res. 37. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. HEFLEY:

H. Res. 38. A resolution providing amounts for the expenses of the Committee on Standards of Official Conduct in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. THOMAS:

H. Res. 39. A resolution providing amounts for the expenses of the Committee on Ways and Means in the One Hundred Seventh Congress; to the Committee on House Administration.

¶10.25 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. ENGLISH introduced A bill (H.R. 607) for the relief of Mrs. Florence Narusewicz of Erie, Pennsylvania; which was referred to the Committee on the Judiciary.

¶10.26 ADDITIONAL SPONSORS

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

H.R. 2: Mr. LOBIONDO, Mrs. KELLY, Mrs. CUBIN, Mr. CAMP, Mr. THOMAS M. DAVIS of Virginia, Mr. SAM JOHNSON of Texas, Mr. NEY, Mr. MCINNIS, Mrs. BONO, Mr. DUNCAN, Mr. HAYWORTH, Mr. RYAN of Wisconsin, Mr. KERNS, Mr. SUNUNU, Mr. DEMINT, Mr. GREEN of Wisconsin, Mr. FERGUSON, Mr. GALLEGLY, Mr. GRUCCI, and Mr. SCARBOROUGH.

H.R. 15: Mr. GOSS, Mr. EHRLICH, Mr. TOOMEY, and Mr. KING.

H.R. 28: Mrs. KELLY, Mr. SHIMKUS, Mr. GILMAN, Mr. MATSUI, Mr. BOUCHER, Mr. HUTCHINSON, Mr. DAVIS of Illinois, Mr. DEUTSCH, Mr. PRICE of North Carolina, Mr. HONDA, Mr. CUMMINGS, Mr. CLEMENT, Mr. RUSH, Mr. GRUCCI, Mr. LANGEVIN, and Mr. BARRETT.

H.R. 41: Mr. NEAL of Massachusetts, Mr. ROEMER, Mr. MCDERMOTT, Mr. SIMMONS, Mr. KINGSTON, Mr. FRELINGHUYSEN, Mrs. THURMAN, Mr. KOLBE, Mr. GOODLATTE, and Mr. NETHERCUTT.

H.R. 65: Mr. TANCREDO, Mr. HALL of Ohio, Mr. PUTNAM, Mr. FROST, Mr. MCINTYRE, Mr. DEFAZIO, Mr. ENGLISH, Mr. HUTCHINSON, Mr. STRICKLAND, Mrs. THURMAN, Mr. SIMMONS, and Mr. KILDEE.

H.R. 68: Mr. HALL of Ohio, Mr. BACHUS, Mr. SHERMAN, Mr. EHRLICH, and Mr. STARK.

H.R. 79: Mr. GOODLATTE.

H.R. 81: Mr. FILNER.

H.R. 85: Mrs. MYRICK, Mr. BOUCHER, Mrs. EMERSON, Mr. BALDACCI, and Mr. RYAN of Wisconsin.

H.R. 134: Mrs. CHRISTENSEN, Mr. FILNER, Mr. FROST, Mrs. JONES of Ohio, Mr. KILDEE, and Mr. SANDERS.

H.R. 143: Mr. LATOURETTE, Mr. DINGELL, Mr. ENGLISH, Mr. JACKSON of Illinois, Mr. LAFALCE, Mr. GUTKNECHT, Ms. KAPTUR, Ms. KILPATRICK, Mr. KILDEE, Mr. EHLERS, Mr. KLECZKA, Ms. RIVERS, Mr. KIND, Mr. LIPINSKI, Mr. RUSH, and Mr. PETERSON of Minnesota.

H.R. 162: Mr. KENNEDY of Rhode Island, Ms. MCKINNEY, and Mrs. JONES of Ohio.

H.R. 168: Mr. WAMP.

H.R. 179: Mr. BERRY, Mr. BRYANT, Mr. CHAMBLISS, Mr. CUMMINGS, Ms. DEGETTE, Mr. FORD, Mr. INSLEE, Mr. ISSA, Mr. JONES of North Carolina, Mr. KELLER, Mr. KINGSTON, Mrs. MEEK of Florida, Mrs. MORELLA, Ms. PELOSI, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. TANCREDO, Mr. TIERNEY, Mr. WALDEN of Oregon, and Mr. WU.

H.R. 184: Ms. MILLENDER-MCDONALD and Mr. PAYNE.

H.R. 185: Mr. GILMAN, Mr. SABO, Mr. PAYNE, Ms. CARSON of Indiana, and Mr. CUMMINGS.

H.R. 187: Mr. ENGLISH and Mr. LEACH.

H.R. 188: Ms. BALDWIN, Mr. SHOWS, Mr. PETERSON of Minnesota, and Mr. BEREUTER.

H.R. 189: Mr. DOOLITTLE, Mr. RILEY, Mr. GOSS, and Mr. DEAL of Georgia.

H.R. 190: Mr. DEAL of Georgia.

H.R. 191: Mr. DOOLITTLE and Mr. SCHAFFER.

H.R. 200: Mr. TERRY.

H.R. 245: Mr. OLVER, Mr. RUSH, Mr. TOWNS, and Mr. GORDON.

H.R. 248: Mr. ROGERS of Michigan and Mr. PAUL.

H.R. 249: Mr. PAUL.

H.R. 250: Mr. PASCRELL, Mr. CRAMER, Mr. BORSKI, Ms. WOOLSEY, Mr. UDALL of Colorado, Mrs. CHRISTENSEN, Mr. OLVER, Mr. FLETCHER, Mr. OWENS, Mr. BONIOR, Mr. PALLONE, Mr. BEREUTER, Mr. MEEHAN, Mr. DOYLE, Mr. MOLLOHAN, and Mr. MASCARA.

H.R. 256: Ms. BALDWIN, Mr. SHOWS, Mr. DICKS, Mr. PETERSON of Minnesota, Mrs. EMERSON, Mr. SANDERS, Mr. HOLDEN, Mr. DINGELL, Mr. ETHERIDGE, Mr. WATKINS, Mr. RILEY, and Mr. MCHUGH.

H.R. 257: Mr. SOUDER.

H.R. 267: Mr. TOWNS, Ms. PRYCE of Ohio, Mr. RYUN of Kansas, Mr. WELDON of Pennsylvania, Ms. MILLENDER-MCDONALD, and Mr. REYES.

H.R. 278: Mr. MCGOVERN.

H.R. 279: Mr. HALL of Ohio.

H.R. 294: Mrs. THURMAN, Mr. FLAKE, and Mr. PAUL.

H.R. 301: Mr. ROSS.

H.R. 302: Mr. ROSS.

H.R. 303: Mr. TANCREDO, Mr. PETERSON of Minnesota, Mr. NEAL of Massachusetts, Mr. HALL of Ohio, Mr. BORSKI, Mr. FROST, Mr. POMEROY, Mr. MCINTYRE, Mr. LAHOOD, Mr. WATKINS, Mr. BONILLA, Mr. DOYLE, Mr. PASTOR, Mr. DEFAZIO, Mr. PAYNE, Mr. BARTON of Texas, Mr. ENGLISH, Mr. COSTELLO, Mrs. CAPPS, Mr. BAKER, Ms. WOOLSEY, Mr. HAYES, Mr. SENSENBRENNER, Mr. GUTKNECHT, Mr. BALDACCI, Mr. HOLDEN, Mr. MOLLOHAN, Mr. HUTCHINSON, Mr. LEWIS of Georgia, Ms. HART, Ms. DEGETTE, Mrs. MINK of Hawaii, Mr. EDWARDS, Mr. LUCAS of Oklahoma, Mr. DELAHUNT, Mr. STRICKLAND, Mrs. THURMAN, Mr. MOORE, Mr. BONIOR, Mr. ROGERS of Michigan, Mr. PASCRELL, Mr. MORAN of Virginia, Mr. TOWNS, Mr. SIMMONS, Mr. KILDEE, Mrs. JO ANN DAVIS of Virginia, Mr. UNDERWOOD, Mrs. TAUSCHER, Mr. ACKERMAN, Mr. GANSKE, Mr. LUCAS of Kentucky, Mr. TERRY, Mr. KELLER, and Mr. RODRIGUEZ.

H.R. 311: Mr. HUTCHINSON, Mr. QUINN and Mr. MCKEON.

H.R. 320: Mr. CLAY.

H.R. 322: Mr. EDWARDS and Mr. THUNE.

H.R. 326: Mr. THOMPSON of Mississippi, Mr. PAYNE, Ms. MCCOLLUM, Mr. NADLER, Mr. FATTAH, and Mr. KUCINICH.

H.R. 330: Mr. CANTOR and Mr. AKIN.

H.R. 340: Ms. MCCARTHY of Missouri, Mr. ACKERMAN, Mr. BLAGOJEVICH, Mr. OBERSTAR, Mr. HOLDEN, Ms. ESHOO and Ms. BERKLEY.

H.R. 356: Mr. COSTELLO and Mr. OTTER.

H.R. 380: Mr. HALL of Ohio.

H.R. 419: Ms. LOFGREN, Mr. EVANS, Mr. BLAGOJEVICH, and Ms. BERKLEY.

H.R. 429: Mr. PAYNE, Mr. ENGEL, Ms. MILLENDER-MCDONALD, Mr. RODRIGUEZ, Ms. BERKLEY, Mr. GREENWOOD, Mr. BALDACCI, and Mr. MCNULTY.

H.R. 436: Mr. GREENWOOD, Mr. DOOLITTLE, Mr. SESSIONS, Mr. PAUL, Mrs. EMERSON, and Mrs. JOHNSON of Connecticut.

H.R. 437: Mr. ARMEY, Mr. CRANE, Mr. SAM JOHNSON of Texas, and Mr. PAUL.

H.R. 438: Mr. THORNBERRY.

H.R. 457: Mr. HOLDEN, Mr. MCGOVERN, Mr. STARK, Mr. BARCIA, and Mr. BISHOP.

H.R. 466: Mr. COSTELLO.

H.R. 476: Mrs. MYRICK, Mr. ARMEY, Mr. GARY MILLER of California, Mr. AKIN, Mr. PENCE, Mr. LUCAS of Kentucky, Mr. CHAMBLISS, Mr. LARGENT, Mr. LIPINSKI, Mr. COSTELLO, Mr. LAHOOD, and Mr. HULSHOF.

H.R. 478: Mr. ROSS, Mr. BISHOP, and Mr. HINOJOSA.

H.R. 481: Mr. MCGOVERN, Mr. CAPUANO, Mr. EVANS, Mr. LANGEVIN, and Mr. CUMMINGS.

H.R. 482: Mr. SHIMKUS and Mr. PICKERING.

H.R. 488: Mr. WALSH, Ms. BERKLEY, Mr. NADLER, Mr. CLAY, and Mr. PAYNE.

H.R. 503: Mr. WATKINS, Mr. HUNTER, Mr. AKIN, Mr. HOSTETTLER, Mr. MICA, Mr. CAMP, Mrs. MYRICK, Mr. REYNOLDS, Mr. LUCAS of Kentucky, Mr. BUYER, Mr. TERRY, Mr. HAYES, Mr. BURR of North Carolina, Mr. SMITH of Texas, Mr. BRYANT, and Mr. BAKER.

H.R. 516: Mrs. NORTHUP, Mr. OXLEY, Mr. OTTER, Mrs. MYRICK, Mr. CANTOR, Mr. SCHROCK, and Mr. PUTNAM.

H.R. 524: Mr. FERGUSON, Mr. DOYLE, Mr. BAIRD, Mr. COSTELLO, and Mrs. MORELLA.

H.R. 528: Mrs. MALONEY of New York.

H.R. 548: Mrs. CHRISTENSEN, Mr. LAHOOD, Ms. HART, Ms. DUNN, Mr. BONIOR, and Mr. KILDEE.

H.J. Res. 8: Mr. HEFLEY, Mr. KERNS, and Mr. DEFAZIO.

H.J. Res. 12: Mr. SHIMKUS.

H.J. Res. 13: Mr. BALDACCI, Mrs. LOWEY, and Mr. BERMAN.

H. Con. Res. 17: Mrs. THURMAN and Ms. BERKLEY.

H. Con. Res. 20: Mr. TAYLOR of Mississippi, Ms. MCCARTHY of Missouri, Mrs. MYRICK, Mrs. CHRISTENSEN, Mr. ROSS, and Mr. FLETCHER.

H. Res. 13: Mrs. BIGGERT, Mr. HORN, and Mr. SCHROCK.

H. Res. 15: Mr. SHIMKUS, Mr. TAYLOR of Mississippi, and Mr. SMITH of New Jersey.

H. Res. 23: Mr. ROSS, Mr. THOMPSON of California, Mr. CRAMER, and Mr. KILDEE.

H. Res. 34: Mr. ARMEY, Mr. GEPHARDT, Mr. DELAY, Mr. DIAZ-BALART, Mr. WATKINS, Mr. HOLT, Mr. MILLER of Florida, Mr. ISRAEL, Mr. LEWIS of California, Mr. BENTSEN, Mr. KIRK, Mr. FALEOMAVAEGA, Mr. RILEY, Mr. PUTNAM, Ms. HARMAN, Mrs. LOWEY, Mr. ETHERIDGE, Mrs. JO ANN DAVIS of Virginia, Mr. KERNS, Mr. WATTS of Oklahoma, Mr. BROWN of South Carolina, Mr. FERGUSON, Mr. PLATTS, Mr. TOWNS, Mr. MATSUI, Mr. MCNULTY, Mr. ROTHMAN, Mr. BURTON of Indiana, Mr. SHIMKUS, Mr. BERMAN, Mr. WEINER, Mr. HASTINGS of Florida, Mr. HOEFFEL, Mr. KINGSTON, Mr. SHERMAN, Mr. CARDIN, Mr. CROWLEY, Mr. WAXMAN, Mr. KING, Mr. WEXLER, Mr. CHAMBLISS, Ms. JACKSON-LEE of Texas, Mr. MALONEY of Connecticut, Mrs. NAPOLITANO, Mr. LANGEVIN, Ms. HART, Ms. LEE, Mr. SHAYS, Mr. REYNOLDS, Mr. DEUTSCH, Ms. SCHAKOWSKY, Mr. NADLER, Mr. ENGEL, Mr. SESSIONS, Mr. HOYER, Mrs. MORELLA, Mr. BLUNT, Mr. HORN, Mr. SISISKY, Mr. SCHROCK, Mr. SAXTON, Mr. CULBERSON, Mr. SCHIFF, Mr. PENCE, Mr. CRENSHAW, Mr. FOSSELLA, Mr. TIBERI, Mr. GOSS, Mr. BONILLA, Mr. REGULA, Mr. WELDON of Florida, Mr. OSE, Mr. GILCHREST, Mr. CUNNINGHAM, Mr. MANZULLO, Ms. ROS-LEHTINEN, Mr. BALLENGER, Mrs. ROUKEMA, Mrs. EMERSON, Mrs. BIGGERT, Mr. HOUGHTON, Mr. NETHERCUTT, Mr. HANSEN, Mr. FILNER, Mr. HEFLEY, Mr. PETRI, Mr. WALSH, Mr. BOEHLERT, Mr. ROYCE, Mr. COX, Mrs. MCCARTHY of New York, Mr. EVERETT, Mr. OWENS, Mr. KNOLLENBERG, and Mr. BURR of North Carolina.

WEDNESDAY, FEBRUARY 14, 2001 (11)

¶11.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. EMERSON, who laid before the House the following communication:

WASHINGTON, DC,
February 14, 2001.

I hereby appoint the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

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

¶11.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. EMERSON, announced she had examined and approved the Journal of the proceedings of Tuesday, February 13, 2001.

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

¶11.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

823. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Flutolanil, N-(3-(1-methylethoxy) phenyl)-2-(trifuoromethyl)benzamide; Pesticide Tolerance [OPP–301094; FRL–6761–1] (RIN: 2070–AB78) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

824. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clomazone; Pesticide Tolerance [OPP–301101; FRL–6764–2] (RIN: 2070–AB78) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

825. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final

rule—Carboxin; Extension of Tolerance for Emergency Exemptions [OPP–301100; FRL–6762–9] (RIN: 2070–AB78) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

826. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Office of Security and Emergency Operations; Security Requirements for Protected Disclosures Under Section 3164 of the National Defense Authorization Act for Fiscal Year 2000 [Docket No. SO-RM–00–3164] (RIN: 1992–AA26) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

827. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Guidelines for Safeguarding Member Information—received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

828. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule— Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (RIN: 1901–AA87) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

829. A communication from the President of the United States, transmitting clarification of Presidential Determiniation 2000–30 that was issued on September 19, 2000; to the Committee on Energy and Commerce.

830. A letter from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—Nuclear Safety Management (RIN: 1901–AA34) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

831. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Contractor Legal Management Requirements; Department of Energy Acquisition Regulation (RIN: 1990–AA27) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

832. A letter from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; Medicaid Managed Care [HCFA–2001–FC] (RIN: 0938–AI70) received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

833. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, Virginia; Post 1996 Rate-of-Progress Plans, One-Hour Ozone Attainment Demonstrations and Attainment Date Extension for the Metropolitan Washington D.C. Ozone Nonattainment Area; Correction [DC–2025, MD–3064, VA–5052; FRL–6943–9] received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

834. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a notification to terminate the identification of Serbia as a particularly severe violator of religious freedom; to the Committee on International Relations.

835. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a notification to Authorize the Furnishing of Emergency Military Assistance to the United Nations Mission in Sierra Leone (UNAMSIL), Countries Participating in UNAMSIL, and Other Countries Involved in Peacekeeping Efforts or Affiliated Coalition Operations With Respect to Sierra Leone; to the Committee on International Relations.

836. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received February 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

837. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule—Suitability (RIN: 3206–AC19) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

838. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; 2001 Fishing Quotas for Atlantic Surf Clams, Ocean Quahogs, and Maine Mahogany Ocean Quahogs [Docket No. 991228355–0370–04; I.D. 101200F] (RIN: 0648–AM50) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

839. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives Stemme GmbH & Co. KG Models S10 and S10–V Sailplanes [Docket No. 2000–CE–81–AD; Amendment 39–12068; AD 2000–26–18] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

840. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model A109E Helicopters [Docket No. 2000–SW–07–AD; Amendment 39–12044; AD 2000–25–09] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

841. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Deutschland GmbH Model EC135 P1 and EC135 T1 Helicopters [Docket No. 2000–SW–23–AD; Amendment 39–12062; AD 2000–26–12] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

842. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream Model G–1159A(G–III) Series Airplanes [Docket No. 2000–NM–144–AD; Amendment 39–12070; AD 2000–26–20] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

843. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA-Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket No. 2000–CE–82–AD; Amendment 39–12069; AD 2000–26–19] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

844. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Carrier Safety Regulations; Definition of Commercial Motor Vehicle (CMV); Requirements for Operators of Small Passenger-Carrying CMVs; Delay of Effective Date [Docket Nos. FMCSA–97–2858 and FMCSA–99–5710] (RINs: 2126–AA51 and 2126–A44 [formerly RINs: 2125–E22 and 2125–AE60]) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

845. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Further Revisions to the Clean Water Act Regulatory Definition of ''Discharge of Dredged Material'': Delay of Effective Date [FRL–6945–3] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

846. A letter from the Acting General Counsel, Office of New Markets Venture Capital, Small Business Administration, transmitting the Administration's final rule—New Markets Venture Capital Program—received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

847. A letter from the Chief, Regulations Branch, Custom Service, Department of the Treasury, transmitting the Department's final rule—Duty-Free Treatment For Certain Beverages Made With Caribbean Rum [T.D. 01–17] (RIN: 1515–AC78) received February 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

848. A letter from the Assistant Secretary for Import Administration and the Assistant U.S. Trade Representative for WTO and Multilateral Affairs, Department of Commerce, transmitting a report entitled, ''Subsidies Enforcement Annual Report To The Congress''; to the Committee on Ways and Means.

849. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Construction Management Contracts—received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

850. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Advance Payments From Construction Service Contracts (Revised)—received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

851. A letter from the Deputy Associate Administrator, Internal Revenue Service, transmitting the Service's final rule—Claim Revenue Under A Long-Term Contract—received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

852. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Disclosure of Return Information to the Bureau of the Census [TD 8943] (RIN: 1545–AY51) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

853. A letter from the Acting Executive Director, Office of Compliance, transmitting the annual report on the use of the Office by covered employees for calendar year 2000; jointly to the Committees on House Administration and Education and the Workforce.

¶11.4 PROVIDING FOR THE CONSIDERATION OF H.R. 554

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 36):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 554) to establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents. The first reading of the bill shall be dispensed with. General debate shall

be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. Each section of the bill shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶11.5 RAIL PASSENGER DISASTER ASSISTANCE

The SPEAKER pro tempore, Mr. REYNOLDS, pursuant to House Resolution 36 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 554) to establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents.

The SPEAKER pro tempore, Mr. REYNOLDS, by unanimous consent, designated Mrs. EMERSON as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mrs. EMERSON, Chairman, pursuant to House Resolution 36, reported the bill back to the House.

The previous question having been ordered by said resolution.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. QUINN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced that further proceedings on the bill were postponed.

¶11.6 JOHN JOSEPH MOAKLEY COURTHOUSE

Mr. LATOURETTE, pursuant to the order of the House of February 13, 2001, called up the bill (H.R. 559) to designate the United States courthouse located at One Courthouse Way in Boston, Massachusetts, as the ''John Joseph Moakley United States Courthouse''.

After debate,

Pursuant to the order of the House of February 13, 2001, the previous question was ordered on the bill.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶11.7 ELECTRONIC COMMERCE ENHANCEMENT

Mr. BOEHLERT moved to suspend the rules and pass the bill (H.R. 524) to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices, and to authorize the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major manufacturing industry.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. BOEHLERT and Mr. BARCIA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BOEHLERT objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 409 / Nays ..... 6 }

¶11.8 [Roll No. 14]

YEAS—409

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton

Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—6

Collins
Flake
Hostettler
Paul
Schaffer
Tancredo

NOT VOTING—17

Ackerman
Bonilla
Bono
Burton
Capito
Cooksey
Cubin
Davis, Thomas M.
Istook
Lewis (CA)
Mollohan
Ortiz
Putnam
Thornberry
Towns
Watkins
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶11.9 H.R. 554—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the bill (H.R. 554) to establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents.

The question being put,

Will the House pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 404 / Nays 4

¶11.10 [Roll No. 15]

YEAS—404

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

NAYS—4

Flake
Paul
Schaffer
Tancredo

NOT VOTING—24

Ackerman
Bono
Burton
Capito
Clyburn
Cooksey
Cubin
Davis, Thomas M.
Foley
Fossella
Gilchrest
Gutierrez
Istook
Lewis (CA)
Meek (FL)
Mollohan
Ortiz
Royce
Sawyer
Slaughter
Thornberry
Towns
Watkins
Young (AK)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶11.11 JOINT ECONOMIC COMMITTEE

On motion of Mr. SAXTON, by unanimous consent, the bill of the Senate (S. 279) affecting the representation of the majority and minority membership of the Senate Members of the Joint Economic Committee; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶11.12 ADJOURNMENT OF THE TWO HOUSES

On motion of Mr. SAXTON, submitted the following privileged concurrent resolution (H. Con. Res. 32):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday, February 14, 2001, it stand adjourned until 2 p.m. on Monday, February 26, 2001, and that when the House adjourns on Monday, February 26, 2001, it stand adjourned until 12:30 p.m. on Tuesday, February 27, 2001, for morning-hour debate, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, February 15, 2001, or Friday, February 16, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon Monday, February 26, 2001, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the

Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶11.13 SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. SAXTON, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until 2 o'clock p.m., Monday, February 26, 2001, the Speaker, Majority Leader, and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶11.14 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 28. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

H. Con. Res. 32. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that pursuant to Public Law 94–304, as amended by Public Law 99–7, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the One Hundred Seventh Congress—

the Senator from Texas (Mrs. HUTCHISON);

the Senator from Kansas (Mr. BROWNBACK);

the Senator from Oregon (Mr. SMITH); and

the Senator from Ohio (Mr. VOINVOICH).

The message also announced that pursuant to Public Law 106–550, the Chair, on behalf of the Majority Leader, announces the appointment of the following individuals to serve as members of the James Madison Commemoration Commission Advisory Committee—

Steven G. Calabresi, of Illinois; and

Forrest McDonald, of Alabama.

The message also announced that pursuant to Public Law 106–398 and in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the Chair, on behalf of the President pro tempore appoints the following individuals as members of the United States-China Security Review Commission:

Michael A. Ledeen, of Maryland.

Roger W. Robinson, Jr., of Maryland.

Arthur Waldron, of Pennsylvania.

¶11.15 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. CAPITO, for today; and

To Mr. ORTIZ, for today.

And then,

¶11.16 ADJOURNMENT

On motion of Mr. SMITH of Michigan, pursuant to House Concurrent Resolution 32, at 5 o'clock and 32 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, February 26, 2001.

¶11.17 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GANSKE (for himself, Mr. SHIMKUS, Mr. EVANS, Mr. LATHAM, Mr. WELLER, Mr. BLAGOJEVICH, Mr. LEACH, Mr. COSTELLO, Mr. PHELPS, Mr. RAMSTAD, Mr. UPTON, Ms. KAPTUR, Mr. LAHOOD, Mr. BOSWELL, Mr. MANZULLO, Mr. TERRY, Mr. ENGLISH, Mr. JOHNSON of Illinois, Mrs. THURMAN, Mr. RYUN of Kansas, Mr. BEREUTER, Mr. SOUDER, Mr. SIMPSON, Mr. GRAVES, Mr. OSBORNE, Mr. WHITFIELD, and Mrs. EMERSON):

H.R. 608. A bill to amend section 211 of the Clean Air Act to prohibit the use of MTBE, to provide flexibility within the oxygenate requirement of the Environmental Protection Agency's Reformulated Gasoline Program, to promote the use of renewable ethanol, and for other purposes; to the Committee on Energy and Commerce.

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

H.R. 609. A bill 10, United States Code, to provide limited authority for concurrent receipt of military retired pay and veterans' disability compensation in the case of certain disabled military retirees who are over the age of 65; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself, Mr. BLAGOJEVICH, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. EVANS, Mr. GUTIERREZ, Mr. JACKSON of Illinois, Mr. LIPINSKI, Ms. SCHAKOWSKY, and Mr. SHIMKUS):

H.R. 610. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit for a portion of the amount paid for natural gas; to the Committee on Ways and Means.

By Mr. KILDEE (for himself, Mr. CASTLE, and Mr. GEORGE MILLER of California):

H.R. 611. A bill to amend part F of the title X of the Elementary and Secondary Education Act of 1965 to improve and refocus civic education, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANZULLO (for himself, Mr. GALLEGLY, and Mr. SHOWS):

H.R. 612. A bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SMITH of Texas (for himself and Mr. CLEMENT):

H.R. 613. A bill to provide a grant to develop initiatives and disseminate information about character education, and a grant to research character education; to the Committee on Education and the Workforce.

By Mr. COBLE (for himself and Mr. BERMAN):

H.R. 614. A bill to make technical corrections in copyright law; to the Committee on the Judiciary.

By Mr. COBLE (for himself and Mr. BERMAN):

H.R. 615. A bill to make technical corrections in patent, copyright, and trademark laws; to the Committee on the Judiciary.

By Mr. HORN (for himself, Mr. BURTON of Indiana, Mr. BALLENGER, and Mr. MICA):

H.R. 616. A bill to establish an Office of Management in the Executive Office of the President, and to redesignate the Office of Management and Budget as the Office of the Federal Budget; to the Committee on Government Reform.

By Mr. ABERCROMBIE (for himself, Mrs. MINK of Hawaii, Mr. KILDEE, Mr. FALEOMAVAEGA, Mr. YOUNG of Alaska, Mr. HANSEN, and Mr. RAHALL):

H.R. 617. A bill to express the policy of the United States regarding the United States' relationship with Native Hawaiians, to provide a process for the reorganization of a Native Hawaiian government and the recognition by the United States of the Native Hawaiian government, and for other purposes; to the Committee on Resources.

By Mr. ANDREWS:

H.R. 618. A bill to amend title 18, United States Code, to increase to 5 years the period during which former Members of Congress may not engage in certain lobbying activities; to the Committee on the Judiciary.

By Mr. BECERRA (for himself, Mr. MATSUI, Mr. WU, Ms. SCHAKOWSKY, Mr. FRANK, Mr. STARK, Ms. PELOSI, Mr. JACKSON of Illinois, Mr. UNDERWOOD, Mr. FILNER, Mr. LANTOS, Mr. GEORGE MILLER of California, Ms. LEE, Ms. ROYBAL-ALLARD, Mr. HORN, Mr. RODRIGUEZ, Mr. BACA, Mr. WAXMAN, Mr. GONZALEZ, Mr. REYES, Ms. ESHOO, Mr. NADLER, Mr. BLAGOJEVICH, Mr. FALEOMAVAEGA, Mr. ORTIZ, Mr. GUTIERREZ, Ms. WATERS, and Mr. HONDA):

H.R. 619. A bill to allow certain individuals of Japanese ancestry who were brought forcibly to the United States from countries in Latin America during World War II and were interned in the United States to be provided restitution under the Civil Liberties Act of 1988, and for other purposes; to the Committee on the Judiciary.

By Ms. BERKLEY (for herself, Mr. FROST, Mr. OWENS, Ms. KAPTUR, Mr. KUCINICH, Ms. MCKINNEY, Ms. MCCARTHY of Missouri, Mr. MCGOVERN, and Mr. UDALL of New Mexico):

H.R. 620. A bill to amend the Elementary and Secondary Education Act of 1965 to establish the model school dropout prevention grant program and the national school dropout prevention grant program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BERMAN (for himself, Mr. LEWIS of California, Mr. FARR of California, Mr. THOMAS, Mr. GEORGE MILLER of California, Mr. YOUNG of Florida, Ms. HARMAN, Mr. GILMAN, Mr. WAXMAN, Mr. STUMP, Mr. SHERMAN,

Mr. PETRI, Mr. CONDIT, Mr. SENSENBRENNER, Ms. PELOSI, Mr. REGULA, Mr. STARK, Mrs. MINK of Hawaii, Mr. THOMPSON of California, and Mr. BACA):

H.R. 621. A bill to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. DEMINT (for himself, Mr. OBERSTAR, Mr. BACHUS, Mr. KING, Ms. PRYCE of Ohio, Mr. ACKERMAN, Mr. ADERHOLT, Mr. AKIN, Mr. ANDREWS, Mr. ARMEY, Mr. BAIRD, Ms. BALDWIN, Mr. BARRETT, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BEREUTER, Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BLAGOJEVICH, Mr. BLUNT, Mr. BOEHLERT, Mr. BONIOR, Mrs. BONO, Mr. BOUCHER, Mr. BRADY of Texas, Ms. BROWN of Florida, Mr. BROWN of South Carolina, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CAMP, Mr. CANNON, Mr. CANTOR, Mr. CHABOT, Mr. CHAMBLISS, Mr. COOKSEY, Mr. COSTELLO, Mr. COX, Mr. COYNE, Mr. CRAMER, Mr. CRANE, Mrs. CUBIN, Mr. CUNNINGHAM, Mrs. JO ANN DAVIS of Virginia, Mr. THOMAS M. DAVIS of Virginia, Mr. DELAHUNT, Mr. DELAY, Mr. DOOLITTLE, Mr. DOYLE, Mr. DUNCAN, Mr. EHLERS, Mrs. EMERSON, Mr. ENGLISH, Mr. EVANS, Mr. EVERETT, Mr. FLAKE, Mr. FLETCHER, Mr. FOLEY, Mr. FOSSELLA, Mr. FRANK, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GIBBONS, Mr. GILLMOR, Mr. GILMAN, Mr. GOODE, Mr. GORDON, Mr. GRAHAM, Ms. GRANGER, Mr. GREEN of Texas, Mr. GREENWOOD, Mr. GRUCCI, Mr. GUTKNECHT, Mr. HALL of Ohio, Mr. HANSEN, Ms. HART, Mr. HAYES, Mr. HAYWORTH, Mr. HOBSON, Mr. HOLDEN, Mr. HORN, Mr. HOSTETTLER, Mr. HUTCHINSON, Mr. INSLEE, Mr. ISAKSON, Mr. JENKINS, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON of Texas, Mrs. JONES of Ohio, Mr. KELLER, Mrs. KELLY, Mr. KERNS, Mr. KIND, Mr. KINGSTON, Mr. KNOLLENBERG, Mr. KOLBE, Mr. KUCINICH, Mr. LAHOOD, Mr. LARSON of Connecticut, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Mr. LIPINSKI, Mr. LOBIONDO, Mr. LUCAS of Oklahoma, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCHUGH, Mr. MCINNIS, Mr. MCINTYRE, Mr. MCNULTY, Mr. MEEHAN, Mr. GARY MILLER of California, Mrs. MINK of Hawaii, Mr. MOORE, Mr. MORAN of Virginia, Mrs. MORELLA, Mrs. MYRICK, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. NEY, Mrs. NORTHUP, Mr. OSBORNE, Mr. OXLEY, Mr. PASCRELL, Mr. PAUL, Mr. PENCE, Mr. PICKERING, Mr. PITTS, Mr. PLATTS, Mr. PRICE of North Carolina, Mr. PUTNAM, Mr. REYNOLDS, Mr. RILEY, Ms. RIVERS, Mr. ROEMER, Mr. ROGERS of Michigan, Mrs. ROUKEMA, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SANDERS, Mr. SCHAFFER, Ms. SCHAKOWSKY, Mr. SCHROCK, Mr. SCOTT, Mr. SENSENBRENNER, Mr. SHADEGG, Mr. SHAYS, Mr. SHERWOOD, Mr. SHIMKUS, Mr. SIMMONS, Mr. SIMPSON, Mr. SKEEN, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUPAK, Mr. SWEENEY, Mr. TANCREDO, Mr. TAUZIN, Mr. TERRY, Mrs. THURMAN, Mr. TIAHRT, Mr. TIBERI, Mr. TOOMEY, Mr. UNDERWOOD, Mr. VITTER, Mr. WALDEN of Oregon, Mr. WALSH, Mr. WAXMAN, Mr. WELDON of Florida, Mr. WHITFIELD, Mr. WICKER, Mr. WOLF, Mr. BAKER, Mr. ALLEN, Mr. WAMP, Mr. LARSEN of Washington, Mr. ISTOOK, Mr. CRENSHAW, Ms. CAPITO, Mr. UDALL of Colorado, Mr. BACA, and Ms. WOOLSEY):

H.R. 622. A bill to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself, Mr. OSE, and Mr. FATTAH):

H.R. 623. A bill to provide funds to assist homeless children and youth; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. BARRETT, Mr. UPTON, Mr. BROWN of Ohio, Mr. EHRLICH, Mrs. THURMAN, Mr. WAXMAN, Mr. PALLONE, Mr. DEUTSCH, and Mr. WYNN):

H.R. 624. A bill to amend the Public Health Service Act to promote organ donation; to the Committee on Energy and Commerce.

By Mr. BLAGOJEVICH:

H.R. 625. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize grants to States for the construction, repair, renovation, and modernization of public school facilities, to amend the Internal Revenue Code of 1986 to expand the tax incentives for such undertakings, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOEHNER (for himself and Mr. MCHUGH):

H.R. 626. A bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to make grants to nonprofit organizations to finance the construction, refurbishing, and servicing of individually-owned household water well systems in rural areas for individuals with low or moderate incomes; to the Committee on Agriculture.

By Mr. BOEHNER (for himself, Mr. COOKSEY, Mr. PENCE, Mr. JOHNSON of Illinois, Mr. OSBORNE, Mr. NETHERCUTT, Mr. FLETCHER, Mr. LAHOOD, and Mr. HAYES):

H.R. 627. A bill to provide tax and regulatory relief for farmers and to improve the competitiveness of American agricultural commodities and products in global markets; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, Rules, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BROWN of Florida:

H.R. 628. A bill to designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the ''Arthur 'Pappy' KENNEDY Post Office''; to the Committee on Government Reform.

By Ms. BROWN of Florida:

H.R. 629. A bill to designate the facility of the United States Postal Service located at 1601–1 Main Street in Jacksonville, Florida, as the ''Eddie Mae Steward Post Office''; to the Committee on Government Reform.

By Mrs. CAPPS (for herself, Mr. FOLEY, Mr. GILCHREST, Mr. BROWN of Ohio, Mrs. MORELLA, and Ms. MCKINNEY):

H.R. 630. A bill to provide grants for cardiopulmonary resuscitation (CPR) training in public schools; to the Committee on Education and the Workforce.

By Mr. COOKSEY (for himself, Mr. CRAMER, and Mr. WELDON of Florida):

H.R. 631. A bill to require the Secretary of the Treasury to mint coins in commermoration of Project Apollo; to the Committee on Financial Services.

By Mr. CUNNINGHAM (for himself, Mr. MCDERMOTT, Mr. BOEHLERT, Mr. BILIRAKIS, Mr. HILLIARD, Mr. ROGERS of Michigan, Mr. SCHAFFER, Mr. GILCHREST, Mr. MORAN of Virginia, Mr. FRANK, Mr. MCNULTY, Ms. LEE, Mr. CHAMBLISS, Mr. CAPUANO, Mr. MCINTYRE, Mr. SAXTON, Mr. PASTOR, Mrs. CHRISTENSEN, Mr. SESSIONS, Ms. BALDWIN, Mr. STENHOLM, Mr. BURTON of Indiana, Mr. KENNEDY of Rhode Island, Mr. WELDON of Pennsylvania, Mr. BONIOR, Mr. CUMMINGS, Mr. CRAMER, Mr. BRADY of Pennsylvania, Mr. PRICE of North Carolina, Mr. CONYERS, Mr. KING, Mr. ISSA, Mr. PICKERING, Mr. WEINER, Mr. GILMAN, Mr. WATTS of Oklahoma, Mr. DEAL of Georgia, Mr. HUNTER, Mr. SPENCE, Mr. MCKEON, Mr. WAMP, Mrs. WILSON, Mr. TOWNS, Ms. CARSON of Indiana, Mr. ISTOOK, Mr. RUSH, Mr. HORN, Mr. FRELINGHUYSEN, Mr. SKELTON, Mr. LEWIS of California, Mr. PASCRELL, Mr. HASTINGS of Florida, and Mr. ANDREWS):

H.R. 632. A bill to amend the Public Health Service Act to establish an Office of Men's Health; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself and Mr. LEACH):

H.R. 633. A bill to reduce health care costs and promote improved health by providing supplemental grants for additional preventive health services for women; to the Committee on Energy and Commerce.

By Mr. DEMINT (for himself, Ms. MCCARTHY of Missouri, Mr. ARMEY, Mr. SUNUNU, Mr. WELLER, Mr. STENHOLM, Mr. KOLBE, Mrs. JOHNSON of Connecticut, Mr. FOLEY, Mr. SAM JOHNSON of Texas, Mr. GREENWOOD, Mr. WALSH, Mr. BARTLETT of Maryland, Mr. CALVERT, Mr. CHAMBLISS, Mr. COOKSEY, Mr. GRAHAM, Mr. GREEN of Wisconsin, Mr. ISAKSON, Mr. ISSA, Mr. JONES of North Carolina, Mr. LARGENT, Mr. GARY MILLER of California, Mr. PITTS, Mr. ROGERS of Michigan, Mr. RYUN of Kansas, Mr. SCHAFFER, Mr. SESSIONS, Mr. SHADEGG, Mr. SIMPSON, Mr. SPENCE, Mr. SWEENEY, Mr. TANCREDO, Mr. TERRY, Mr. WALDEN of Oregon, and Mr. WELDON of Pennsylvania):

H.R. 634. A bill to amend title XI of the Social Security Act to include additional information in Social Security account statements; to the Committee on Ways and Means.

By Mr. DOYLE (for himself and Mr. COYNE):

H.R. 635. A bill to establish the Steel Industry National Historic Park in the Commonwealth of Pennsylvania; to the Committee on Resources.

By Mr. ENGLISH (for himself and Mr. PAUL):

H.R. 636. A bill to amend the Internal Revenue Code of 1986 to permit private educational institutions to maintain qualified tuition programs which are comparable to qualified State tuition programs, and for other purposes; to the Committee on Ways and Means.

By Mr. FLAKE:

H.R. 637. A bill to amend the Elementary and Secondary Education Act of 1965 to eliminate the funding limitation applicable to grants for special alternative instruc-

tional programs under subpart 1 of part A of title VII of such Act; to the Committee on Education and the Workforce.

By Mr. FRANK (for himself, Mr. NADLER, Ms. BALDWIN, Mrs. LOWEY, and Mr. CROWLEY):

H.R. 638. A bill to provide benefits to domestic partners of Federal employees; to the Committee on Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRELINGHUYSEN (for himself, Mrs. KELLY, Mr. PALLONE, Mrs. ROUKEMA, Mr. MENENDEZ, Mrs. MORELLA, Mr. SHAYS, Mr. GREEN of Texas, Mr. PASCRELL, Mr. FERGUSON, Mr. SAXTON, Mr. CROWLEY, Mr. MCGOVERN, Mr. LOBIONDO, Mr. BERMAN, Mr. SISISKY, Mr. WELLER, Mr. PETRI, Mr. FILNER, Mr. HINCHEY, Mr. SERRANO, Mr. SCHROCK, Mr. BOUCHER, Mr. KING, Mr. WELDON of Pennsylvania, Mr. GOODE, Mr. FRANK, Ms. RIVERS, Ms. MCKINNEY, Ms. ROYBAL-ALLARD, Mrs. MALONEY of New York, Mr. PAYNE, Ms. BALDWIN, Mr. BAIRD, Mr. GILMAN, Mr. SWEENEY, Mrs. MCCARTHY of New York, Mr. FOSSELLA, Mr. RUSH, Mrs. CHRISTENSEN, Mr. CAPUANO, Mrs. LOWEY, Mr. WEINER, and Mr. ABERCROMBIE):

H.R. 639. A bill to amend title 38, United States Code, to establish a comprehensive program for testing and treatment of veterans for the Hepatitis C virus; to the Committee on Veterans' Affairs.

By Mr. GALLEGLY (for himself and Mr. SHERMAN):

H.R. 640. A bill to adjust the boundaries of Santa Monica Mountains National Recreation Area, and for other purposes; to the Committee on Resources.

By Mr. GIBBONS (for himself, Ms. BERKLEY, Mr. BLUNT, Mr. CONYERS, Mr. LOBIONDO, Mr. BONIOR, Mr. WELLER, and Mr. RANGEL):

H.R. 641. A bill to protect amateur athletics and combat illegal sports gambling; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILCHREST (for himself, Mr. CARDIN, Mrs. MORELLA, Mr. CUMMINGS, and Mr. WYNN):

H.R. 642. A bill to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Resources.

By Mr. GILCHREST:

H.R. 643. A bill to reauthorize the African Elephant Conservation Act; to the Committee on Resources.

By Mr. GILCHREST:

H.R. 644. A bill to approve a governing international fishery agreement between the United States and the Government of the Republic of Estonia; to the Committee on Resources.

By Mr. GILCHREST:

H.R. 645. A bill to reauthorize the Rhinoceros and Tiger Conservation Act of 1994; to the Committee on Resources.

By Mr. GILLMOR (for himself, Mr. DEAL of Georgia, Mr. EHRLICH, Mr. LARGENT, Mr. PICKERING, Mr. STEARNS, and Mrs. WILSON):

H.R. 646. A bill to establish the Commission to Study the Structure and Reauthorization of the Federal Communications Commission; to the Committee on Energy and Commerce.

By Mr. GOODE (for himself and Mr. PHELPS):

H.R. 647. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of a refund for use by the Secretary of Health and Human Services in providing catastrophic health coverage to individuals who do not otherwise have health coverage; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAHAM (for himself, Mr. ANDREWS, and Mr. PAUL):

H.R. 648. A bill to amend the Fair Labor Standards Act of 1938 to exempt licensed funeral directors and licensed embalmers from the minimum wage and overtime compensation requirements of that Act; to the Committee on Education and the Workforce.

By Mr. GRAHAM:

H.R. 649. A bill to direct the Secretary of the Army to lease land at the Richard B. Russell Dam and Lake project, South Carolina, to the South Carolina Department of Commerce, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRAHAM (for himself, Mr. DEMINT, Mr. BURR of North Carolina, Mr. HILLEARY, Mr. SPENCE, Mr. FLETCHER, Mrs. EMERSON, Mr. FROST, Mr. GREEN of Texas, Mr. HASTINGS of Washington, and Mr. MCKEON):

H.R. 650. A bill to expand loan forgiveness for teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GRAVES:

H.R. 651. A bill to amend the Individuals with Disabilities Education Act to provide increased authority for school personnel to discipline children with disabilities who engage in certain dangerous behavior; to the Committee on Education and the Workforce.

By Mr. GREEN of Texas:

H.R. 652. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GREEN of Wisconsin:

H.R. 653. A bill 10, United States Code, to direct the Secretary of the Army to establish a combat artillery medal; to the Committee on Armed Services.

By Mr. GUTIERREZ (for himself, Mr. SERRANO, Mr. GONZALEZ, Mr. BERMAN, and Mr. WAXMAN):

H.R. 654. A bill to reduce fraud in connection with the provision of legal advice and other services to individuals applying for immigration benefits or otherwise involved in immigration proceedings by requiring paid immigration consultants to be licensed and otherwise provide services in a satisfactory manner; to the Committee on the Judiciary.

By Mr. HASTINGS of Florida:

H.R. 655. A bill to establish a commission to study the culture and glorification of violence in America; to the Committee on the Judiciary.

By Mr. HERGER (for himself, Mr. TANNER, Mr. MANZULLO, and Ms. VELAZQUEZ):

H.R. 656. A bill to amend the Internal Revenue Code of 1986 of allow use of cash accounting method for certain small businesses; to the Committee on Ways and Means.

By Mr. HERGER (for himself and Mr. TANNER):

H.R. 657. A bill to amend the Internal Revenue Code of 1986 to expand the depreciation benefits available to small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. HERGER (for himself, Mrs. THURMAN, Ms. DUNN, Mr. FOLEY, Mr. ENGLISH, and Mr. CAMP):

H.R. 658. A bill to amend the Internal Revenue Code of 1986 to ensure that income averaging for farmers not increase a farmer's liability for the alternative minimum tax; to the Committee on Ways and Means.

By Ms. HOOLEY of Oregon (for herself and Mrs. JOHNSON of Connecticut):

H.R. 659. A bill to authorize appropriations for part B of the Individuals with Disabilities Education Act to achieve full funding for part B of that Act by 2006; to the Committee on Education and the Workforce.

By Ms. HOOLEY of Oregon (for herself, Mr. DEFAZIO, Ms. RIVERS, Mr. BLAGOJEVICH, Ms. BROWN of Florida, Mr. BONIOR, Mr. FILNER, Mr. INSLEE, Mrs. MALONEY of New York, Mr. BROWN of Ohio, Mr. MARKEY, Mr. LEWIS of Georgia, Mr. KILDEE, Mr. KLECZKA, Mr. CAPUANO, Mr. THOMPSON of California, Mr. GEORGE MILLER of California, Mr. PALLONE, Mr. HINCHEY, Ms. MCKINNEY, Mr. MCDERMOTT, Ms. LEE, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mrs. THURMAN, Ms. ESHOO, Mr. SANDERS, Mr. EVANS, Mr. BALDACCI, Mr. KUCINICH, Mr. WEINER, Mr. MASCARA, Mr. LIPINSKI, and Mr. LANTOS):

H.R. 660. A bill to ensure that exports of Alaskan North Slope crude oil are prohibited; to the Committee on International Relations, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. NEAL of Massachusetts, Mr. KLECZKA, Mr. COYNE, Mr. CRANE, Mrs. JOHNSON of Connecticut, Mr. HERGER, Mr. ENGLISH, Mr. TANNER, Mr. SHAW, Mr. SAM JOHNSON of Texas, Mr. MCNULTY, Mr. LEWIS of Georgia, Mr. CARDIN, Mr. WATKINS, Mr. FOLEY, Mr. RAMSTAD, Mr. WELLER, Mr. MATSUI, Mr. RANGEL, Mr. RYAN of Wisconsin, and Mr. BECERRA):

H.R. 661. A bill to amend the Internal Revenue Code of 1986 to repeal the provision taxing policyholder dividends of mutual life insurance companies and to repeal the policyholders surplus account provisions; to the Committee on Ways and Means.

By Mr. HULSHOF (for himself and Mrs. THURMAN):

H.R. 662. A bill to amend the Internal Revenue Code of 1986 to provide for Farm and Ranch Risk Management Accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. HUTCHINSON (for himself, Mr. RODRIGUEZ, Ms. GRANGER, Mr. ABERCROMBIE, Mr. GREENWOOD, Mr. BENTSEN, Mrs. KELLY, Mr. BONIOR, Mr. LEACH, Mrs. CHRISTENSEN, Mrs. MORELLA, Mr. CLYBURN, Mr. UPTON, Mr. CRAMER, Mr. GREEN of Texas, Mr. HILLIARD, Ms. KILPATRICK, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, and Mr. TOWNS):

H.R. 663. A bill to amend the Public Health Service Act to provide for the establishment of a National Center for Social Work Research; to the Committee on Energy and Commerce.

By Mr. JEFFERSON (for himself, Mr. ABERCROMBIE, Mr. ALLEN, Mr. ANDREWS, Mr. BAIRD, Mr. BALDACCI, Ms. BALDWIN, Mr. BARCIA, Mr. BARTLETT of Maryland, Mr. BECERRA, Mr. BENTSEN, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BONIOR, Mrs. BONO, Mr. BORSKI, Mr. BOUCHER, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. BURR of North Carolina, Mr. CANTOR, Mrs. CHRISTENSEN, Mr. COYNE, Mr.

CRAMER, Mr. CROWLEY, Mr. CUMMINGS, Mr. DEAL of Georgia, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. DOYLE, Mrs. EMERSON, Mr. ENGEL, Mr. FOLEY, Mr. FRANK, Mr. FROST, Mr. GEKAS, Mr. GILCHREST, Mr. GILLMOR, Mr. GONZALEZ, Ms. HART, Mr. HILLIARD, Mr. HOLDEN, Ms. HOOLEY of Oregon, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. JONES of North Carolina, Mr. KANJORSKI, Ms. KAPTUR, Mrs. KELLY, Mr. KIND, Mr. KING, Mr. KUCINICH, Mr. LAHOOD, Mr. LANTOS, Mr. LATOURETTE, Mr. LOBIONDO, Mrs. LOWEY, Mr. LUTHER, Mr. MALONEY of Connecticut, Mr. MASCARA, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCINTYRE, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MALONEY of New York, Mrs. MEEK of Florida, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. NEAL of Massachusetts, Mr. NEY, Mr. OBERSTAR, Mr. OLVER, Mr. PALLONE, Mr. PAUL, Mr. PAYNE, Mr. PETRI, Ms. PELOSI, Mr. POMEROY, Mr. PORTMAN, Mr. QUINN, Mr. REYES, Mrs. ROUKEMA, Mr. RUSH, Mr. SANDERS, Mr. SAWYER, Mr. SAXTON, Mr. SCHROCK, Mr. SIMMONS, Ms. SLAUGHTER, Mr. STARK, Mr. THUNE, Mrs. THURMAN, Mr. TOWNS, Mr. UDALL of New Mexico, Mr. WALSH, Mr. WATKINS, Mr. WATT of North Carolina, Mr. WAXMAN, Mr. WEXLER, Mr. WHITFIELD, Mr. WOLF, and Mr. WYNN):

H.R. 664. A bill to amend title II of the Social Security Act to provide that the reductions in Social Security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200; to the Committee on Ways and Means.

By Mr. BONIOR (for himself, Mr. GEPHARDT, Mr. FROST, Mr. MENENDEZ, Ms. DELAURO, Mr. LEWIS of Georgia, Mr. PASTOR, Ms. WATERS, Mr. GEORGE MILLER of California, Mr. RANGEL, Mr. SANDLIN, Mr. PHELPS, Mr. ABERCROMBIE, Mr. ACEVEDO-VILA, Mr. BACA, Mr. BAIRD, Ms. BALDWIN, Mr. BARRETT, Mr. BECERRA, Ms. BERKLEY, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BORSKI, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. CAPUANO, Mr. CARDIN, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLYBURN, Mr. COSTELLO, Mr. COYNE, Mr. CROWLEY, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DELAHUNT, Mr. DICKS, Mr. DINGELL, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. FRANK, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. HALL of Ohio, Mr. HILLIARD, Mr. HINCHEY, Mr. HOEFFEL, Mr. HONDA, Mr. INSLEE, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KUCINICH, Mr. LAFALCE, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Ms. LEE, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MASCARA, Mr. MATSUI, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MURTHA, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBEY, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Mr. PRICE of North Carolina, Mr. RAHALL, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SLAUGHTER, Ms. SOLIS, Mr. STARK, Mr. STRICKLAND, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. TOWNS, Ms. VELAZQUEZ, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 665. A bill to amend the Fair Labor Standards Act of 1938 to provide for an increase the Federal minimum wage; to the Committee on Education and the Workforce.

By Mr. SAM JOHNSON of Texas (for himself and Mr. MATSUI):

H.R. 666. A bill to amend the Internal Revenue Code of 1986 to apply the look-thru rules for purposes of the foreign tax credit limitation to dividends from foreign corporations not controlled by a domestic corporation; to the Committee on Ways and Means.

By Mr. KANJORSKI:

H.R. 667. A bill to authorize certain States to prohibit the importation of solid waste from other States, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. KELLY (for herself, Mrs. TAUSCHER, Mr. FILNER, Mrs. JOHNSON of Connecticut, Mr. NEAL of Massachusetts, Mr. SWEENEY, Mrs. ROUKEMA, Mr. CAPUANO, Mr. LAHOOD, Mr. SMITH of New Jersey, Mr. GILMAN, Mr. WELLER, Mr. MCGOVERN, Mr. LARSEN of Washington, Mr. TIERNEY, and Mrs. THURMAN):

H.R. 668. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KENNEDY of Rhode Island:

H.R. 669. A bill to designate the facility of the United States Postal Service located at 127 Social Street in Woonsocket, Rhode Island, as the ''Alphonse F. Auclair Post Office Building''; to the Committee on Government Reform.

By Mr. KENNEDY of Rhode Island:

H.R. 670. A bill to designate the facility of the United States Postal Service located at 7 Commercial Street in Newport, Rhode Island, as the ''Bruce F. Cotta Post Office Building''; to the Committee on Government Reform.

By Mr. KENNEDY of Rhode Island:

H.R. 671. A bill to expand the powers of the Secretary of the Treasury to regulate the manufacture, distribution, and sale of firearms and ammunition, and to expand the jurisdiction of the Secretary to include firearm products and nonpowder firearms; to the Committee on the Judiciary.

By Mr. KLECZKA (for himself and Mr. MCDERMOTT):

H.R. 672. A bill to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty in the standard deduction; to the Committee on Ways and Means.

By Mr. KOLBE (for himself, Mr. KNOLLENBERG, Mr. LATOURETTE, and Mr. CAMP):

H.R. 673. A bill to amend the Internal Revenue Code of 1986 to provide a credit for charitable contributions to fight poverty; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mr. LEACH, Mr. FRANK, Mr. KANJORSKI, Mrs. MALONEY of New York, Mr. GUTIERREZ, Mr. SANDERS, Mr. BENTSEN, Ms. HOOLEY of Oregon, Mr. SANDLIN, Mrs. JONES of Ohio, Mr. CAPUANO, Ms. PELOSI, Mr. HINCHEY, Ms. MCCARTHY of Missouri, Mr. HOLDEN, Ms. KAPTUR, Mr. FARR of California, Mr. MCGOVERN, Ms. ESHOO, and Ms. MCKINNEY):

H.R. 674. A bill to amend section 203 of the National Housing Act to provide for 1 percent downpayments for FHA mortgage loans for teachers and public safety officers to buy homes within the jurisdictions of their employing agencies; to the Committee on Financial Services.

By Mr. LANTOS (for himself, Mr. KENNEDY of Rhode Island, Mr. SMITH of New Jersey, Mr. KIRK, Mr. MCGOVERN, Mrs. LOWEY, Mr. CAPUANO, Mr. BERMAN, Mr. ACKERMAN, Mr. WEINER, Mr. FALEOMAVAEGA, Mr. CROWLEY, Ms. PELOSI, Mr. OBERSTAR, Mr. KUCINICH, Mr. MCDERMOTT, Mr. HALL of Ohio, Mr. KILDEE, Mr. HINCHEY, Ms. MCCOLLUM, Mr. LANGEVIN, Mr. HOEFFEL, Mr. FRANK, Mr. WU, Mr. BROWN of Ohio, Mr. MCNULTY, Mr. DELAHUNT, and Mr. HASTINGS of Florida):

H.R. 675. A bill to provide assistance to East Timor to facilitate the transition of East Timor to an independent nation, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM (for himself, Mr. BACHUS, Mr. EHRLICH, Ms. GRANGER, Mr. PITTS, Mrs. EMERSON, Mr. RILEY, Mr. DUNCAN, Mr. SIMPSON, Ms. HART, Mr. WHITFIELD, Mr. CHAMBLISS, Mr. PAUL, Mr. SMITH of New Jersey, Mr. PASCRELL, Ms. ROS-LEHTINEN, Mrs. NORTHUP, Mr. BURTON of Indiana, Mr. HOSTETTLER, and Mr. RYUN of Kansas):

H.R. 676. A bill to amend the Internal Revenue Code of 1986 to increase the maximum amount allowable as an annual contributions to education individual retirement accounts from $500 to $2,000, phased in over 3 years; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself, Mr. LAHOOD, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. JOHNSON of Illinois, and Mr. RAHALL):

H.R. 677. A bill to amend title 49, United States Code, relating to inspection of commercial motor vehicles entering the United States along the United States-Mexico border, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MCCARTHY of New York (for herself, Mr. DICKS, Mr. SERRANO, Mr. GEORGE MILLER of California, Mr. KILDEE, Ms. BROWN of Florida, Mr. BALDACCI, Mr. GILMAN, Mr. BROWN of Ohio, Mrs. CHRISTENSEN, Mr. FROST, Mr. CAPUANO, Mrs. JONES of Ohio, Mr. PAUL, Mr. OWENS, Mr. ENGEL, Mr. EVANS, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 678. A bill to amend the Internal Revenue Code of 1986 to increase the amount of the student loan interest deduction and to allow more taxpayers to claim that deduction; to the Committee on Ways and Means.

By Mr. MCKEON:

H.R. 679. A bill to prohibit mining on a certain tract of Federal land in Los Angeles County, California, and for other purposes; to the Committee on Resources.

By Mrs. MALONEY of New York (for herself, Mr. FROST, Mr. GREEN of Texas, Mr. HINCHEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms.

MILLENDER-MCDONALD, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MEEK of Florida, Mr. RUSH, Mr. WYNN, Mr. OLVER, and Mr. PETRI):

H.R. 680. A bill to provide funds for the planning of a special census of Americans residing abroad; to the Committee on Government Reform.

By Mrs. MALONEY of New York (for herself, Mr. BRADY of Pennsylvania, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. FROST, Ms. MCKINNEY, Mr. PASCRELL, Mr. PASTOR, and Mr. RANGEL):

H.R. 681. A bill to amend title 13, United States Code, to provide that the term of office of the Director of the Census shall be 5 years, to require that such Director report directly to the Secretary of Commerce, and for other purposes; to the Committee on Government Reform.

By Mrs. MALONEY of New York:

H.R. 682. A bill to amend the Hate Crime Statistics Act to require the Attorney General to acquire data about crimes that manifest evidence of prejudice based on gender; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. FROST, Mrs. MALONEY of New York, and Mr. HILLIARD):

H.R. 683. A bill to increase the authorization of appropriations for low-income energy assistance, weatherization, and State energy conservation grant programs, to expand the use of energy savings performance contracts, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-MCDONALD:

H.R. 684. A bill to authorize assistance for mother-to-child HIV/AIDS transmission prevention efforts; to the Committee on International Relations.

By Mr. GEORGE MILLER of California:

H.R. 685. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in California for the use or reuse of reclaimed water and for the design and construction of demonstration and permanent facilities for that purpose, and for other purposes; to the Committee on Resources.

By Mrs. MINK of Hawaii (for herself, Mr. PAUL, Mr. BLAGOJEVICH, Ms. PELOSI, Mr. UNDERWOOD, Ms. BROWN of Florida, Mr. HILLIARD, Mr. ETHERIDGE, Mr. COSTELLO, Mr. HINOJOSA, Mr. MENENDEZ, Ms. KILPATRICK, Ms. ROYBAL-ALLARD, Mr. KUCINICH, Ms. RIVERS, Mr. TRAFICANT, Ms. WOOLSEY, Mrs. KELLY, Mr. DAVIS of Illinois, Mr. ABERCROMBIE, and Mr. GREEN of Texas):

H.R. 686. A bill to amend the Internal Revenue Code of 1986 to repeal the 60-month limitation period on the allowance of a deduction of interest on loans for higher education expenses; to the Committee on Ways and Means.

By Mr. MOORE (for himself, Ms. MCKINNEY, Mr. FROST, Ms. MCCARTHY of Missouri, Mr. BENTSEN, Ms. BERKLEY, and Mrs. JONES of Ohio):

H.R. 687. A bill to expand the teacher loan forgiveness programs under the Federal Family Education Loan and Federal Direct Loan programs; to the Committee on Education and the Workforce.

By Mr. MOORE (for himself, Ms. DELAURO, Mrs. MALONEY of New York, Mrs. THURMAN, Mr. BLAGOJEVICH, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BLUMENAUER, Mr. LIPINSKI, Mr. SERRANO, and Ms. MCKINNEY):

H.R. 688. A bill to amend the Poison Prevention Packaging Act to authorize the Consumer Product Safety Commission to require child-proof caps for portable gasoline containers; to the Committee on Energy and Commerce.

By Mrs. MORELLA (for herself, Mr. BENTSEN, Ms. BERKLEY, Mr. BLUMENAUER, Mr. CAPUANO, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DELAHUNT, Ms. DELAURO, Mr. FILNER, Mr. FORD, Mr. FROST, Mr. GOODE, Mr. GREEN of Texas, Mr. HINCHEY, Mrs. KELLY, Ms. KILPATRICK, Mrs. MALONEY of New York, Mr. MCNULTY, Mr. MEEHAN, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NADLER, Mr. PASCRELL, Mr. PALLONE, Mr. SANDLIN, Mr. SHERMAN, Mrs. THURMAN, Mr. WAXMAN, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 689. A bill to amend title 5, United States Code, to ensure that coverage of bone mass measurements is provided under the health benefits program for Federal employees; to the Committee on Government Reform.

By Mr. NADLER (for himself, Mr. ABERCROMBIE, Mr. ACKERMAN, Ms. BALDWIN, Mr. BECERRA, Mr. BERMAN, Mr. BROWN of Ohio, Mr. CAPUANO, Mr. CROWLEY, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. DELAHUNT, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. GUTIERREZ, Mr. HOLT, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCNULTY, Mr. MEEHAN, Ms. NORTON, Mr. OWENS, Ms. PELOSI, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mr. SANDERS, Ms. SCHAKOWSKY, Mrs. TAUSCHER, Mr. TOWNS, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. BRADY of Pennsylvania, Ms. LEE, Mr. MCGOVERN, and Mr. STARK):

H.R. 690. A bill to amend the Immigration and Nationality Act to provide a mechanism for United States citizens and lawful permanent residents to sponsor their permanent partners for residence in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. OBERSTAR:

H.R. 691. A bill to extend the authorization of funding for child passenger protection education grants through fiscal year 2003; to the Committee on Transportation and Infrastructure.

By Mr. OSBORNE (for himself, Mr. NETHERCUTT, Mr. POMEROY, Mr. BALDACCI, Mr. PHELPS, Mr. PETRI, Mr. BOEHLERT, Mrs. EMERSON, and Mr. THUNE):

H.R. 692. A bill to amend subpart 2 of part J of title X of the Elementary and Secondary Education Act of 1965 to make improvements to the rural education achievement program; to the Committee on Education and the Workforce.

By Mr. PASCRELL (for himself, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. WEINER, Mr. DELAHUNT, Mr. CAPUANO, Mr. BRADY of Pennsylvania, and Mr. BARRETT):

H.R. 693. A bill to ban the manufacture of handguns that cannot be personalized, to provide for a report to the Congress on the commercial feasibility of personalizing firearms, and to provide for grants to improve firearm safety; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 694. A bill to amend the National Labor Relations Act to permit elections to decertify representation by a labor organization; to the Committee on Education and the Workforce.

By Mr. PETERSON of Pennsylvania (for himself, Mr. MURTHA, Mr. SHERWOOD, Mr. BRADY of Pennsylvania, Mr. ENGLISH, Mr. DOYLE, Mr. GEKAS, Mr. HOLDEN, Mr. GREENWOOD, Mr. MASCARA, Ms. HART, Mr. WELDON of Pennsylvania, Mr. PLATTS, and Mr. KANJORSKI):

H.R. 695. A bill to establish the Oil Region National Heritage Area; to the Committee on Resources.

By Mr. RANGEL:

H.R. 696. A bill to permit expungement of records of certain nonviolent criminal offenses; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 697. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to crack cocaine offenses; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SANDERS (for himself, Mr. DEUTSCH, Mr. SHOWS, Mr. BROWN of Ohio, Mr. BONIOR, Ms. KAPTUR, Ms. DELAURO, Mr. CONYERS, Mr. NADLER, Mrs. MINK of Hawaii, Mr. OBERSTAR, Mr. CROWLEY, Mr. ABERCROMBIE, Mr. DEFAZIO, Mr. HILLIARD, Mr. FILNER, Mr. OLVER, Mr. LAFALCE, and Mr. HINCHEY):

H.R. 698. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of certain prescription drugs by pharmacists and wholesalers; to the Committee on Energy and Commerce.

By Mr. SAXTON:

H.R. 699. A bill to amend title 10, United States Code, to change the effective date for paid-up coverage under the military Survivor Benefit Plan from October 1, 2008, to October 1, 2002; to the Committee on Armed Services.

By Mr. SAXTON:

H.R. 700. A bill to reauthorize the Asian Elephant Conservation Act of 1997; to the Committee on Resources.

By Mr. YOUNG of Alaska (for himself, Mr. DINGELL, Mr. TAUZIN, Mr. GEORGE MILLER of California, Mr. JOHN, Mr. HANSEN, Mr. RAHALL, Mr. KILDEE, Mr. COOKSEY, and Mr. SAXTON):

H.R. 701. A bill to use royalties from Outer Continental Shelf oil and gas production to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes; to the Committee on Resources.

By Mr. SAXTON (for himself and Mr. GILCHREST):

H.R. 702. A bill to encourage the safe and responsible use of personal watercraft, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT:

H.R. 703. A bill to amend the Internal Revenue Code of 1986 to provide incentives to public elementary and secondary school teachers by providing a tax credit for teaching expenses, professional development expenses, and student education loans; to the Committee on Ways and Means.

By Mr. SHERMAN (for himself, Mr. DOOLITTLE, Mrs. CAPPS, Mr. GARY

MILLER of California, Mr. FILNER, Mr. HUNTER, Ms. MILLENDER-MCDONALD, Ms. WOOLSEY, Ms. BERKLEY, Mr. LANTOS, Mr. THOMPSON of California, Ms. LOFGREN, Mr. HONDA, and Mr. GEORGE MILLER of California):

H.R. 704. A bill to permit the States in the Pacific time zone to temporarily adjust the standard time in response to the energy crisis; to the Committee on Energy and Commerce.

By Mr. SIMPSON (for himself, Mr. GIBBONS, Mr. SCHAFFER, Mr. RADANOVICH, Mr. OTTER, Mr. CANNON, and Mr. WALDEN of Oregon):

H.R. 705. A bill to subject the United States to imposition of fees and costs in proceedings relating to State water rights adjudications; to the Committee on the Judiciary.

By Mr. SKEEN:

H.R. 706. A bill to direct the Secretary of the Interior to convey certain properties in the vicinity of the Elephant Butte Reservoir and the Caballo Reservoir, New Mexico; to the Committee on Resources.

By Mr. SMITH of New Jersey:

H.R. 707. A bill to amend the Nicaraguan Adjustment and Central American Relief Act to provide to certain nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 708. A bill to establish a congressional commemorative medal for organ donors and their families; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 709. A bill to provide that a grantee may not receive the full amount of a block grant under the Local Law Enforcement Block Grant program unless that grantee adopts a health standard establishing a legal presumption that heart, lung, and respiratory disease are occupational diseases for public safety officers; to the Committee on the Judiciary.

By Mr. SUNUNU (for himself, Mr. STUPAK, Mr. BASS, Mr. HUTCHINSON, Mr. SCHAFFER, Mr. NETHERCUTT, Mrs. THURMAN, Mr. ROGERS of Michigan, Mr. FROST, Mr. SMITH of New Jersey, Ms. NORTON, Ms. MCCARTHY of Missouri, Mr. HOLT, and Mr. FOSSELLA):

H.R. 710. A bill to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty; to the Committee on Ways and Means.

By Mr. TANCREDO (for himself and Mr. SCHAFFER):

H.R. 711. A bill to amend title 49, United States Code, to clarify that State attorney generals may enforce State consumer protection laws with respect to air transportation and the advertisement and sale of air transportation services, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. THOMPSON of California (for himself, Mr. HONDA, Mr. MATSUI, Mr. BACA, Mr. CONDIT, Ms. WOOLSEY, Mr. FARR of California, Mr. FILNER, Mr. HUNTER, Mr. STARK, and Ms. SOLIS):

H.R. 712. A bill to provide for a study by the National Academy of Sciences to determine the causes of recent increases in the price of natural gas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TIERNEY (for himself, Ms. LEE, Mr. CONYERS, Mr. DOYLE, Mr. BONIOR, Mr. NADLER, Mrs. MINK of Hawaii, Mr. OLVER, Mr. MARKEY, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. BLUMENAUER, Mr. UDALL of Colorado, Mrs. MALONEY of New York, Mr. SERRANO, and Mr. HINCHEY):

H.R. 713. A bill to require the Secretary of Agriculture to complete a report regarding the safety and monitoring of genetically engineered foods, and for other purposes; to the Committee on Agriculture.

By Mr. TIERNEY (for himself, Mr. BAIRD, Mr. CAPUANO, Ms. CARSON of Indiana, Ms. ESHOO, Mr. FARR of California, Mr. FRANK, Mr. KILDEE, Mr. KUCINICH, Mr. LANTOS, Mr. LATOURETTE, Mrs. MCCARTHY of New York, Mr. MARKEY, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. PALLONE, Mr. PAYNE, Mr. SANDLIN, Mr. SCOTT, Mr. TRAFICANT, and Mr. MCGOVERN):

H.R. 714. A bill to amend the Individuals with Disabilities Education Act to provide that certain funds treated as local funds under that Act shall be used to provide additional funding for programs under the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. TIERNEY (for himself, Mr. MOAKLEY, Mr. MARKEY, Mr. PALLONE, Mr. STARK, Mr. MCGOVERN, Mr. FRANK, Mr. CAPUANO, Mr. ANDREWS, Mr. DELAHUNT, Mr. MEEHAN, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. OLVER, Ms. PELOSI, Ms. WOOLSEY, and Mr. WEINER):

H.R. 715. A bill to require a study by the Bureau of Labor Statistics to develop a methodology for measuring the cost of living in each State, and to require a study by the General Accounting Office to determine how Federal benefits would be increased in each State if the determination of such benefits were based on such methodology; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELDON of Florida (for himself, Mr. GREEN of Texas, Mr. SHAW, Mr. STARK, and Mr. SESSIONS):

H.R. 716. A bill to provide for a study of anesthesia services furnished under the Medicare Program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WICKER (for himself, Mr. PETERSON of Minnesota, Mr. GREENWOOD, Mr. TANNER, Mr. EHRLICH, Mr. CRAMER, Mr. GORDON, Mrs. EMERSON, Mr. RILEY, Mr. BRYANT, Mr. FORD, Mr. FOLEY, Ms. HOOLEY of Oregon, Mr. KING, Mr. HOBSON, Mr. PICKERING, Mr. CHAMBLISS, Mr. EHLERS, Mr. TOWNS, Mr. MCGOVERN, Mr. LATOURETTE, Mr. DOOLITTLE, Mr. WATTS of Oklahoma, Ms. GRANGER, Mr. BLUMENAUER, Mr. MURTHA, Mr. OLVER, Mr. BOEHLERT, Mr. GOODLATTE, Mr. HOLDEN, Mr. WATKINS, Mr. COBLE, Mr. ISAKSON, Mr. LOBIONDO, Mr. MCCRERY, Mr. KERNS, Mr. GILMAN, Mr. ROHRABACHER, Mr. ISSA, Mr. CALVERT, Mr. LANGEVIN, Mrs. MEEK of Florida, Mr. HASTINGS of Florida, Ms. BROWN of Florida, Mr. MILLER of Florida, Mr. OTTER, Mr. WALDEN of Oregon, Mrs. MYRICK, Mr. LAHOOD, Mr. LIPINSKI, Mr. LEWIS of Kentucky, Mr. WOLF, Mr. HOSTETTLER, Mr. KINGSTON, Mr. SCARBOROUGH, Mr. UPTON, Mr. LEACH, Mr. GILLMOR, Mr. WALSH, Mr. QUINN, Mr. GANSKE, Mr. JONES of North Carolina, Mr. BACHUS, Mr. OXLEY, Mr. TIAHRT, Mr. WELLER, Mr. MATSUI, Mr. WELDON of Florida, Mr. REYNOLDS, Mr. GUTKNECHT, Mr. CHABOT, Mr. HUNTER, Mr. GOODE, Mr. FLETCHER, Mr. SKELTON, Mr. MORAN of Virginia, Mr. RODRIGUEZ, Mr. TURNER, Mr. BENTSEN, Mr. ABERCROMBIE, Mr. GONZALEZ, Mr. BILIRAKIS, Mr. ARMEY, Mr. MCHUGH, Mr. JENKINS, Mr. BOYD, Mr. PUTNAM, Mr. ROGERS of Michigan, Mr. KELLER, Mrs. KELLY, and Mr. MANZULLO):

H.R. 717. A bill to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy; to the Committee on Energy and Commerce.

By Mrs. WILSON (for herself, Mr. GREEN of Texas, Mr. GARY MILLER of California, Mr. GOODLATTE, Mr. PICKERING, Mr. DEAL of Georgia, Mr. LARGENT, Mr. FOSSELLA, Mr. WALDEN of Oregon, Mr. BRYANT, Mr. TAUZIN, Mr. GILLMOR, Mr. FRELINGHUYSEN, Ms. CARSON of Indiana, Mr. KILDEE, Mr. ENGLISH, Mr. LEVIN, Mr. SIMMONS, Ms. ESHOO, Mr. HINCHEY, Mr. TERRY, Mr. RUSH, Mr. BONIOR, Mr. HORN, Mrs. EMERSON, Mr. ENGEL, Mrs. JO ANN DAVIS of Virginia, Ms. DEGETTE, Ms. HARMAN, Mr. MOORE, Mr. SHIMKUS, Mr. BARRETT, Mr. BOUCHER, Mr. GREENWOOD, Ms. MCCARTHY of Missouri, Mr. CRAMER, Mr. SESSIONS, Mr. GORDON, Mr. SHOWS, Mr. FRANK, Ms. MCKINNEY, Mr. HOLT, Mr. SANDLIN, Mr. SAWYER, Mr. STRICKLAND, Mr. WELLER, Mr. KING, Mr. BAKER, Ms. HART, Mr. PITTS, Mr. UDALL of New Mexico, Mr. LUTHER, Mr. REYES, Ms. PELOSI, Mr. FROST, Mr. EHRLICH, Mr. BURR of North Carolina, Mr. ADERHOLT, Mr. WOLF, Mr. ISAKSON, Mrs. CUBIN, Mr. BARTON of Texas, Mr. STEARNS, Mr. OXLEY, Ms. DUNN, Mr. HASTINGS of Washington, Mr. STUPAK, and Mr. BLUNT):

H.R. 718. A bill to protect individuals, families, and Internet service providers from unsolicited and unwanted electronic mail; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WU (for himself and Mr. FLETCHER):

H.R. 719. A bill to amend the Elementary and Secondary Education Act of 1965 to ensure that senior citizens are given an opportunity to serve as mentors, tutors, and volunteers for certain programs; to the Committee on Education and the Workforce.

By Mr. WU (for himself, Mrs. MEEK of Florida, Mr. HASTINGS of Florida, Mr. DIAZ-BALART, and Ms. ROS-LEHTINEN):

H.R. 720. A bill to amend the Immigration and Nationality Act to provide temporary protected status to certain unaccompanied alien children, to provide for the adjustment of status of aliens unlawfully present in the United States who are under 18 years of age, and for other purposes; to the Committee on the Judiciary.

By Mr. WYNN (for himself, Mr. BROWN of Ohio, Mr. LANGEVIN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DEFAZIO, Mr. MEEKS of New York,

Mr. DELAHUNT, Mr. BALDACCI, Mr. FROST, Mr. WEXLER, Mr. GEORGE MILLER of California, Mr. BLAGOJEVICH, Mr. WATT of North Carolina, Mr. HOLDEN, Mr. BONIOR, Mr. GUTIERREZ, Ms. MCCARTHY of Missouri, Mr. SISISKY, Mr. SANDERS, Mr. ENGEL, Mr. MCNULTY, Mr. PAYNE, Mr. KILDEE, Mr. FILNER, Mr. CUMMINGS, Ms. WOOLSEY, Mr. SAWYER, Mr. STUPAK, Mr. KANJORSKI, Mr. MURTHA, Mr. HILLIARD, Mr. DICKS, Ms. JACKSON-LEE of Texas, Mr. OBERSTAR, Mr. DINGELL, Mr. SPRATT, Mr. KLECZKA, Mrs. MORELLA, Mr. HINCHEY, Mr. SERRANO, Mr. ABERCROMBIE, Mr. FRANK, Mr. MOORE, Mr. WAXMAN, Ms. KILPATRICK, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mr. HOYER, Mr. ALLEN, Mrs. THURMAN, Ms. MCKINNEY, Mr. PRICE of North Carolina, Mr. FORD, Mr. STARK, Mr. PALLONE, Mr. KUCINICH, Mr. STRICKLAND, Ms. PELOSI, Mr. CONYERS, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Ms. HOOLEY of Oregon, Mr. BACA, Mr. HALL of Ohio, Mrs. MCCARTHY of New York, Ms. BALDWIN, Mr. GREEN of Texas, and Mr. RAHALL):

H.R. 721. A bill to ensure that the business of the Federal Government is conducted in the public interest and in a manner that provides for public accountability, efficient delivery of services, reasonable cost savings, and prevention of unwarranted Government expenses, and for other purposes; to the Committee on Government Reform.

By Mr. OBERSTAR (for himself, Mr. AKIN, Mr. ARMEY, Mr. BAKER, Mr. BARCIA, Mr. BARTLETT of Maryland, Mr. DEMINT, Mr. GREEN of Wisconsin, Ms. HART, Mr. HAYES, Mr. HULSHOF, Mr. LIPINSKI, Mr. LUCAS of Kentucky, Mr. PICKERING, Mr. SHIMKUS, Mr. SHOWS, Mr. TANCREDO, and Mr. TERRY):

H.J. Res. 20. A joint resolution proposing an amendment to the Constitution of the United States with respect to the right to life; to the Committee on the Judiciary.

By Mr. RANGEL:

H.J. Res. 21. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to a home; to the Committee on the Judiciary.

By Mr. SAXTON:

H. Con. Res. 32. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. BUYER (for himself and Mr. HAYES):

H. Con. Res. 33. Concurrent resolution recognizing the Boy Scouts of America for the public service it performs through its contributions to the lives of the Nation's boys and young men; to the Committee on the Judiciary.

By Mr. ETHERIDGE:

H. Con. Res. 34. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued in honor of Ava Gardner; to the Committee on Government Reform.

By Mr. GOSS:

H. Con. Res. 35. Concurrent resolution expressing the sense of Congress with respect to the upcoming trip of President George W. Bush to Mexico to meet with newly elected President Vicente Fox, and with respect to future cooperative efforts between the United States and Mexico; to the Committee on International Relations.

By Mr. GREEN of Texas (for himself, Mr. JEFFERSON, Mr. MURTHA, Mr. HINCHEY, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. BENTSEN, Mr. THORNBERRY, Mr. COSTELLO, Mr. PAYNE, Mr. GONZALEZ, Mr. GALLEGLY, Mr. GOODE, Mr. SMITH of Texas, Ms. MCCARTHY of Missouri, Mr. DEMINT, Mr. REYES, Mr. TOWNS, Mr. SESSIONS, Mr. CRAMER, Mr. GOODLATTE, Mr. RODRIGUEZ, Mr. HINOJOSA, Mrs. EMERSON, Mr. QUINN, Ms. BERKLEY, Mr. GANSKE, Mrs. MINK of Hawaii, Mr. RUSH, Mr. FATTAH, Mr. WALSH, Mr. MORAN of Virginia, Mr. HILLIARD, Mr. MASCARA, Mr. MCNULTY, Mrs. KELLY, Mr. TANCREDO, Mr. FOSSELLA, Mr. BACA, Mr. BALDACCI, Mrs. MORELLA, and Mr. LAFALCE):

H. Con. Res. 36. Concurrent resolution urging increased Federal funding for juvenile (Type 1) diabetes research; to the Committee on Energy and Commerce.

By Mr. SHAYS (for himself, Mr. GREENWOOD, Mr. BILIRAKIS, Mr. RAMSTAD, Mr. NORWOOD, Mr. WHITFIELD, Mr. HOBSON, Mrs. MALONEY of New York, Mr. DAVIS of Florida, Mr. NADLER, Mr. GOODE, Mr. BALDACCI, Mr. ENGLISH, Mr. LAFALCE, Ms. KAPTUR, Mr. LARSON of Connecticut, Mrs. KELLY, Mr. SHIMKUS, Mr. FARR of California, Mr. FROST, Mr. DOYLE, Ms. SLAUGHTER, Mr. MORAN of Virginia, Mr. BARCIA, Mr. TANNER, Mr. DEUTSCH, Mr. WATKINS, Mr. MCNULTY, Ms. DELAURO, Mr. MCGOVERN, Mrs. CAPPS, Mr. PHELPS, Mrs. MORELLA, Mr. COSTELLO, Mr. SUNUNU, Mr. GANSKE, Ms. HART, Ms. BERKLEY, Mr. BASS, Mr. FOLEY, Mrs. NORTHUP, Mrs. LOWEY, and Mr. SIMMONS):

H. Con. Res. 37. Concurrent resolution expressing the sense of Congress with respect to promoting coverage of individuals under long-term care insurance; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Ms. NORTON, Mr. HILLIARD, Mrs. MALONEY of New York, Ms. MCCARTHY of Missouri, Mrs. MEEK of Florida, Ms. BALDWIN, Mr. MCNULTY, Mr. BERMAN, Mr. MCGOVERN, Mrs. CLAYTON, Mrs. MORELLA, Mrs. MCCARTHY of New York, Mr. KUCINICH, Mrs. MINK of Hawaii, Mr. FROST, Mrs. JOHNSON of Connecticut, Mrs. BIGGERT, Mr. GUTIERREZ, Mrs. NAPOLITANO, Mr. UDALL of Colorado, Ms. KILPATRICK, Mrs. JONES of Ohio, Ms. JACKSON-LEE of Texas, Ms. MILLENDER-MCDONALD, Mrs. THURMAN, Ms. DELAURO, and Mrs. LOWEY):

H. Con. Res. 38. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued honoring Martha Matilda Harper, and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued; to the Committee on Government Reform.

By Mr. DREIER (for himself and Mr. MOAKLEY):

H. Res. 40. A resolution providing amounts for the expenses of the Committee on Rules in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. YOUNG of Alaska:

H. Res. 41. A resolution providing amounts for the expenses of the Committee on Transportation and Infrastructure in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. OXLEY:

H. Res. 42. A resolution providing amounts for the expenses of the Committee on Financial Services in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. TAUZIN:

H. Res. 43. A resolution providing amounts for the expenses of the Committee on Energy and Commerce in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. HANSEN (for himself and Mr. RAHALL):

H. Res. 44. A resolution providing amounts for the expenses of the Committee on Resources in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. SMITH of New Jersey (for himself and Mr. EVANS):

H. Res. 45. A resolution providing amounts for the expenses of the Committee on Veterans' Affairs in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. COMBEST:

H. Res. 46. A resolution providing amounts for the expenses of the Committee on Agriculture in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. GREEN of Wisconsin (for himself, Ms. HOOLEY of Oregon, Mr. BUYER, Mr. BARRETT, Ms. DELAURO, Mr. KLECZKA, Mr. NETHERCUTT, Mr. PETRI, and Mr. RANGEL):

H. Res. 47. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued honorng American farm women; to the Committee on Government Reform.

By Mr. GREEN of Wisconsin (for himself, Mr. CAPUANO, Mr. SHAYS, Mr. MEEHAN, Mr. PETRI, Ms. SCHAKOWSKY, and Mr. FRANK):

H. Res. 48. A resolution directing the Clerk of the House of Representatives to post on the official public Internet site of the House of Representatives all lobbying registrations and reports filed with the Clerk under the Lobbying Disclosure Act of 1995; to the Committee on the Judiciary.

By Mr. LEWIS of Georgia (for himself, Mr. BISHOP, Mr. ISAKSON, and Ms. MCKINNEY):

H. Res. 49. A resolution expressing the sense of the House of Representatives that the President should award the Presidential Medal of Freedom posthumously to Dr. Benjamin Elijah Mays in honor of his distinguished career as an educator, civil and human rights leader, and public theologian; to the Committee on Government Reform.

By Mr. RANGEL:

H. Res. 50. A resolution expressing the sense of Congress with respect to Marcus Garvey; to the Committee on the Judiciary.

By Mr. TOWNS:

H. Res. 51. A resolution expressing the sense of the House of Representatives that the Government of Argentina should provide an immediate and final resolution to the Buenos Aires Yoga School case; to the Committee on International Relations.

By Mr. WATTS of Oklahoma (for himself, Mr. ENGEL, Mr. ROHRABACHER, Mr. CALVERT, Mr. FOLEY, Mr. GEKAS, Mr. RILEY, Ms. GRANGER, Mr. FRELINGHUYSEN, Mr. GREENWOOD, Mrs. BONO, Mr. BEREUTER, Ms. JACKSON-LEE of Texas, Mr. WEINER, and Mr. DAVIS of Illinois):

H. Res. 52. A resolution expressing the sense of the House of Representatives regarding the grave danger of domestic terrorism and the need for improved organization in the executive branch and Congress to deter, prevent, prepare for, and respond to the impending threat of domestic terrorism; to the Committee on Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WU:

H. Res. 53. A resolution to express the sense of the House of Representatives that the maximum Pell Grant should be increased to $4,350; to the Committee on Education and the Workforce.

¶11.18 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. TOWNS introduced a bill (H.R. 722) for the relief of Desmond J. Burke; which was referred to the Committee on the Judiciary.

¶11.19 ADDITIONAL SPONSORS

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

H.R. 12: Mr. REYES, Mr. SESSIONS, Mr. SOUDER, Mr. ISSA, Mrs. MYRICK, Mr. FLETCHER, Mr. SIMPSON, Mr. PAYNE, Mr. SHIMKUS, Mr. TOOMEY, Mr. EHRLICH, Mr. MORAN of Virginia, Mrs. JO ANN DAVIS of Virginia, Mr. GRAHAM, Mr. BRADY of Texas, Mr. WATTS of Oklahoma, and Mr. SKEEN.

H.R. 36: Mrs. MORELLA, Mr. PHELPS, Mr. FATTAH, Mr. MCINNIS, Ms. NORTON, Ms. PELOSI, Ms. MCCARTHY of Missouri, Mr. LEACH, Mr. GILCHREST, Mr. HILL, and Mr. MORAN of Virginia.

H.R. 50: Mr. EVANS, Mr. STEARNS, and Mr. MCINTYRE.

H.R. 65: Mr. TAYLOR of Mississippi.

H.R. 122: Mrs. BIGGERT, Mr. COBLE, Mr. SCHROCK, Mr. HUNTER, Mr. RILEY, Mr. GILCHREST, Mr. OTTER, Mr. GREENWOOD, Mr. LARGENT, Mr. HEFLEY, Mr. CRAMER, Mr. ARMEY, Mr. BONILLA, Mr. THORNBERRY, Mr. WELDON of Florida, Mr. WATTS of Oklahoma, Mr. BARTLETT of Maryland, Ms. BERKLEY, Mr. KING, Mrs. JOHNSON of Connecticut, Mr. WALSH, and Mr. TIAHRT.

H.R. 123: Mr. TAYLOR of Mississippi, Mr. HALL of Texas, Mr. YOUNG of Alaska, Mr. GOODE, and Mr. BOUCHER.

H.R. 131: Mr. BACA.

H.R. 138: Mr. LANGEVIN and Mr. GUTIERREZ.

H.R. 139: Mr. LANGEVIN and Mr. GUTIERREZ.

H.R. 145: Mr. PAYNE.

H.R. 148: Mr. WEINER.

H.R. 154: Mr. ISSA, Mr. LANGEVIN, Mr. DEFAZIO, Mr. GRAHAM, and Mr. PETERSON of Pennsylvania.

H.R. 159: Mr. GUTKNECHT, Mr. DOOLITTLE, Mr. OTTER, Mr. BARTON of Texas, Mr. LUCAS of Oklahoma, and Mr. PLATTS.

H.R. 162: Mr. BENTSEN.

H.R. 179: Mr. BROWN of Ohio, Mr. FLAKE, Mr. RODRIGUEZ, Mr. THOMPSON of California, and Mr. WATT of North Carolina.

H.R. 183: Ms. NORTON, Mr. HINCHEY, Mr. KILDEE, Mr. DOYLE, Mrs. THURMAN, Mr. MCNULTY, Mr. LANTOS, Mrs. MINK of Hawaii, Ms. HOOLEY of Oregon, Mr. GEORGE MILLER of California, Mr. BONIOR, Ms. MCCARTHY of Missouri, Mr. ACKERMAN, Mrs. CHRISTENSEN, Ms. WOOLSEY, Mr. EVANS, Mr. DAVIS of Illinois, Mr. PAYNE, Ms. MCCOLLUM and Mr. RUSH.

H.R. 187: Mr. SKELTON.

H.R. 218: Mr. SHIMKUS and Mr. GILMAN.

H.R. 220: Mr. NETHERCUTT.

H.R. 221: Mr. UDALL of New Mexico, Ms. KILPATRICK, Mr. FROST, Mr. BLAGOJEVICH, Ms. RIVERS, Mrs. CLAYTON, Mr. LANTOS, Ms. VELAZQUEZ, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. GUTIERREZ, Ms. MCCARTHY of Missouri, Mr. RUSH, Mr. PAYNE, Mr. BONIOR, Mr. FATTAH, and Mr. FORD.

H.R. 236: Mr. OTTER, Mr. PAUL, Mr. HILLEARY, Mr. CANTOR, Ms. CAPITO, Mr. PLATTS, Mr. WHITFIELD, Mr. GOODLATTE, Mr. EVANS, Mr. SIMPSON, and Mr. SKEEN.

H.R. 238: Mr. SHERMAN, Ms. PELOSI, and Mr. CONDIT.

H.R. 241: Ms. RIVERS and Mr. VITTER.

H.R. 245: Ms. DELAURO and Ms. MCKINNEY.

H.R. 259: Mr. CRAMER.

H.R. 265: Mr. TOWNS, Mr. FROST, Mr. ABERCROMBIE, Mr. LANTOS, Mr. SANDLIN, Mr. SANDERS, Mr. BLAGOJEVICH, Mr. OWENS, Mr. KILDEE, Mr. STARK, and Mr. ENGEL.

H.R. 267: Mr. TERRY, Mr. MCHUGH, Mr. MORAN of Kansas, Mr. BACA, Mr. LEWIS of Georgia, Mr. BARTLETT of Maryland, and Mr. HONDA.

H.R. 275: Mr. REYNOLDS, Mr. HEFLEY, and Mr. DUNCAN.

H.R. 286: Mr. OWENS.

H.R. 287: Mr. WEINER.

H.R. 303: Mr. SCHROCK, Mr. WALDEN of Oregon, Mr. CAMP, Mr. MASCARA, Mr. JOHNSON of Illinois, Mr. DOOLITTLE, Mr. GREEN of Wisconsin, Ms. BALDWIN, Mr. GILLMOR, Mr. VITTER, Ms. KAPTUR, and Mr. TAYLOR of Mississippi.

H.R. 310: Mr. DINGELL, Mr. SCHAFFER, and Mr. EVANS.

H.R. 311: Mr. JOHNSON of Illinois and Mr. UDALL of Colorado.

H.R. 325: Mr. DEAL of Georgia.

H.R. 336: Ms. DEGETTE, Mr. FILNER, Mrs. CHRISTENSEN, Mr. PETERSON of Minnesota, Mr. BOUCHER, and Mr. SANDERS.

H.R. 345: Mr. FORD.

H.R. 367: Mr. ACKERMAN, Mr. BLAGOJEVICH, Ms. MCKINNEY, Mr. LANTOS, Mr. SANDERS, Mr. BONIOR, Mr. KUCINICH, and Mr. EVANS.

H.R. 368: Mr. GRAHAM and Mr. DUNCAN.

H.R. 369: Mr. FLETCHER, Mr. HOSTETTLER and Mr. DUNCAN.

H.R. 370: Mr. DUNCAN.

H.R. 373: Mrs. KELLY, Mr. JOHNSON of Illinois, and Mr. PASCRELL.

H.R. 397: Mr. CAPUANO, Mrs. NORTHUP, Mrs. KELLY, Mrs. TAUSCHER, Ms. SLAUGHTER, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. BRADY of Pennsylvania, Mrs. MEEK of Florida, Mrs. LOWEY, Mr. GONZALEZ, Mr. BARTLETT of Maryland, Mr. TOWNS, Ms. ROS-LEHTINEN, Mr. DEFAZIO, and Mr. ISAKSON.

H.R. 419: Mr. KUCINICH.

H.R. 429: Mr. INSLEE.

H.R. 456: Mr. DOOLITTLE, Mr. TANCREDO, Mr. HUNTER, Mr. PAUL, Mr. BURTON of Indiana, Mr. BONILLA, Mr. GILCHREST, and Mr. BROWN of South Carolina.

H.R. 475: Mr. CHAMBLISS, Mr. CUNNINGHAM, Mr. ARMEY, Mr. EHLERS, Mr. OWENS, Mr. PAUL and Mr. DUNCAN.

H.R. 478: Mr. HILLIARD.

H.R. 482: Mr. LUCAS of Kentucky and Mr. BARTLETT of Maryland.

H.R. 489: Mr. FLETCHER and Mr. FROST.

H.R. 490: Ms. LOFGREN, Mr. BLAGOJEVICH, Mr. GILLMOR, Mr. KUCINICH, and Mr. CAMP.

H.R. 491: Mr. FILNER.

H.R. 493: Mr. HILLIARD.

H.R. 494: Mr. HEFLEY.

H.R. 498: Mrs. EMERSON, Mr. SUNUNU, Mr. BACA, Mr. HALL of Ohio, Mr. BACHUS, Mr. PASTOR, Mr. GUTKNECHT, Mr. MOORE, Mr. WYNN, Ms. ROS-LEHTINEN, Mr. WOLF, Mr. SCHROCK, Mr. SIMPSON, Mr. RAHALL, Mr. BLUNT, Mrs. MALONEY of New York, Mr. GREENWOOD, Mr. RANGEL, Mr. SABO, Mr. LANGEVIN, Mr. CLAY, Mr. BERRY, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. DAVIS of Illinois, Ms. HOOLEY of Oregon, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LUCAS of Oklahoma, Mr. MALONEY of Connecticut, Mr. PASCRELL, Mr. RANDANOVICH, Mr. SANDERS, Mr. PRICE of North Carolina, Mr. MENENDEZ, Mr. UPTON, Mr. RODRIQUEZ, Mr. LARGENT, Mr. CANNON, Mr. BISHOP, Mr. CARDIN, Mr. BORSKI, Mr. SESSIONS, Mrs. MINK of Hawaii, Mr. BOYD, Mr. INSLEE, Mr. KENNEDY of Rhode Island, Mr. BONIOR, Mr. SCOTT, Mr. HILLIARD, Mr. SHAYS, Mr. NEAL of Massachusetts, Mr. CUMMINGS, Mr. BROWN of South Carolina, Mr. OWENS, Mr. MORAN of Virginia, Mr. RAMSTAD, Mr. HOYER, Mr. CUNNINGHAM, Mr. QUINN, Mr. SPRATT, Mr. THOMPSON of Mississippi, Mr. WEXLER, Mr. STRICKLAND, Mr. ISTOOK, Mr. WATTS of Oklahoma, Mr. DOOLITTLE, Mr. GREEN of Wisconsin, Ms. DELAURO, Mr. BEREUTER, Mr. NADLER, Mr. COSTELLO, Mr. COOKSEY, Mr. HOLDEN, Mr. WALDEN of Oregon, Mr. WAXMAN, Mr. ENGEL, Mr. THOMAS M. DAVIS of Virginia, Mr. WEINER, Mr. WATKINS, Mrs. ROUKEMA, Mr. KUCINICH, Mr. CLYBURN, Mr. DELAHUNT, Ms. RIVERS, Mr. OSBORNE, Mr. TIERNEY, Mr. SAWYER, Mr. BALLENGER, Mr. LATOURETTE, Mr. BLUMENAUER, Mr. EVANS, Ms. MCCOLLUM, Mr. HASTINGS of Washington, Mr. GILLMOR, Mr. GRAHAM, and Ms. MCKINNEY.

H.R. 499: Mrs. MCCARTHY of New York.

H.R. 505: Mr. OWENS.

H.R. 510: Mr. JONES of North Carolina, Mr. GILMAN, Mr. SCHROCK, Mr. FRELINGHUYSEN, Mr. MCHUGH, Mr. KENNEDY of Rhode Island, Mr. TURNER, Ms. WATERS, Mr. HOYER, and Mr. KILDEE.

H.R. 511: Mr. ENGLISH, Mr. BERMAN, Ms. JACKSON-LEE of Texas, Mr. MCINTYRE, Mr. PAUL, Mrs. JONES of Ohio, Mr. BOUCHER, Mr. SANDERS, and Mr. GANSKE.

H.R. 518: Mr. ENGLISH and Mr. QUINN.

H.R. 525: Mr. EHLERS, Mr. SISISKY, Mr. PAUL, and Mr. GREEN of Wisconsin.

H.R. 526: Mr. CUMMINGS, Mr. KENNEDY of Rhode Island, Mr. KANJORSKI, Mr. CAPUANO, Ms. KAPTUR, Mr. NADLER, Mrs. MINK of Hawaii, Mr. UDALL of New Mexico, Mr. HALL of Ohio, Mr. WEINER, Mr. EVANS, Mr. THOMPSON of California, Mr. PRICE of North Carolina, and Mr. BALDACCI.

H.R. 527: Mr. MCCRERY, Mr. GARY MILLER of California, and Mr. SHIMKUS.

H.R. 533: Mr. BALDACCI.

H.R. 536: Mr. ENGEL, Mr. PAYNE, Mr. BERMAN, Mr. CROWLEY, Mr. FATTAH, Mr. DEUTSCH, Mrs. CHRISTENSEN, Mr. ROEMER, Mr. LANGEVIN, Ms. LOFGREN, Mr. EVANS, Mr. CUMMINGS, Mr. BRADY of Pennsylvania, Mr. DICKS, Mr. DOOLEY of California, Mr. EDWARDS, Mr. CONYERS, and Mr. WATT of North Carolina.

H.R. 557: Mr. JONES of North Carolina.

H.R. 559: Mr. MARKEY, Mr. FRANK, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. MEEHAN, Mr. DELAHUNT, Mr. TIERNEY, Mr. CAPUANO, Mr. HASTERT, and Mr. GEPHARDT.

H.R. 560: Mr. HONDA, Mrs. CAPPS, and Mr. GONZALEZ.

H.R. 579: Mrs. JO ANN DAVIS of Virginia and Mr. FATTAH.

H. Con. Res. 25: Mr. PASCRELL, Mr. WALSH, Ms. RIVERS, and Mr. HILLIARD.

H. Res. 13: Mr. KUCINICH, Mr. FERGUSON, Ms. RIVERS, and Mr. HOEFFEL.

H. Res. 14: Ms. KAPTUR.

H. Res. 17: Mr. OLVER, Mr. RUSH, Mr. MARKEY, Mr. SANDERS, Mrs. MINK of Hawaii, Mrs. MALONEY of New York, and Mr. NADLER.

H. Res. 26: Mr. MCNULTY.

MONDAY, FEBRUARY 26, 2001 (12)

¶12.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. WOLF, who laid before the House the following communication, pursuant to clause 8(b)(1) of rule I:

WASHINGTON, DC,
February 26, 2001.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore due to my illness.

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

¶12.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WOLF, announced he had examined

and approved the Journal of the proceedings of Wednesday, February 14, 2001.

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

¶12.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

854. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Investment of Customer Funds (RIN: 3038–AB56) received February 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

855. A letter from the the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of February 1, 2001, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 107–46); to the Committee on Appropriations and ordered to be printed.

856. A letter from the Principal Deputy Under Secretary of Defense, Department of Defense, transmitting the annual report detailing test and evaluation activities of the Foreign Comparative Testing Program during FY 2000, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

857. A letter from the Deputy Secretary, Department of Defense, transmitting the report to Congress for Department of Defense purchases from foreign entities in fiscal year 2000, pursuant to Public Law 104—201, section 827 (110 Stat. 2611); to the Committee on Armed Services.

858. A letter from the Chairman, Department of Defense Retirement Board of Actuaries, transmitting the Board's 2000 Report on the status of the Department of Defense Military Retirement Fund, pursuant to 10 U.S.C. 1464(c); to the Committee on Armed Services.

859. A letter from the Principal Deputy Under Secretary of Defense, Department of Defense, transmitting a report entitled, ''Distribution of DoD Depot Maintenance Workloads for Fiscal Years 1999 and 2000''; to the Committee on Armed Services.

860. A letter from the Director of Defense Research and Engineering, Department of Defense, transmitting two reports entitled, ''Efficient Utilization of Defense Laboratories'' and the ''Test and Evaluation Capabilities'' are provided in response to section 913(a) of the National Defense Authorization Act for Fiscal Year 2000 (NDAA FY00); to the Committee on Armed Services.

861. A letter from the Assistant Secretary of Housing—Federal Housing Commissioner, Department of Housing and Urban Development, transmitting a report entitled, ''Building the Public Trust: A Report to Congress on Fair Housing in America Management Reform,'' pursuant to 12 U.S.C. 1709(v); to the Committee on Financial Services.

862. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Financial Subsidiaries [Regulation H; Docket No. R–1066] received February 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

863. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received February 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

864. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the 2000 Annual Report of the Federal Energy Regulatory Commission, pursuant to 16 U.S.C. 797(d); to the Committee on Energy and Commerce.

865. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a copy of the Commission's report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 16 U.S.C. 797(d); to the Committee on Energy and Commerce.

866. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule—Energy Efficiency Program for Commercial and Industrial Equipment; Efficiency Standards for Commercial Heating, Air Conditioning and Water Heating Equipment [Docket No. EE–RM/STD–00–100] (RIN: 1904–AB06) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

867. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule—Energy Conservation Program for Consumer Products; Central Air Conditioners and Heat Pumps Energy Conservation Standards [Docket No. EE–RM–97–440] (RIN: 1904–AA77) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

868. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule—Alternate Fuel Transportation Program; Biodiesel Fuel Use Credit (RIN: 1904–AB00) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

869. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule—Energy Conservation Program for Consumer Products; Clothes Washer Energy Conservation Standards [Docket No. EE–RM–94–403] (RIN: 1904–AA67) received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

870. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Human Cells, Tissues, and Celluar and Tissue-Based Products; Establishment Registration and Listing [Docket No. 97N–484R] received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

871. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Hazard Analysis and Critical Control Point (HAACP); Procedures for the Safe and Sanitary Processing and Importing of Juice [Docket No. 97N–0511] (RIN: 0910–AA43) received February 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

872. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicaid Program; Change in Application of Federal Financial Participation Limits [HCFA–2086–F] (RIN: 0938–AJ96) received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

873. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Electric-Powered Vehicles: Electrolyte Spillage and Electrical Shock Protection: Delay of Effective Date [Docket No. NHTSA–98–4515; Notice 3] (RIN: 2127–AF43) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

874. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Lead and Lead Compounds; Lowering of Reporting Thresholds; Community Right-to-Know Toxic Chemical Release Reporting: Delay of Effective Date [OPPTS–40014D; FRL–6722–10] (RIN: 2025–AA05) received February 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

875. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of Video Description of Video Programming [MM Docket No. 99–339] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

876. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Columbia City, Florida) [MM Docket No. 97–252; RM–9602] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

877. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Review of the Commission's Regulations Governing Attribution Of Broadcast and Cable/MDS Interests [MM Docket No. 94–150] Review of the Commission's Regulations and Policies Affecting Investment In the Broadcast Industry [MM Docket No. 92–51] Reexamination of the Commission's Cross-Interest Policy [MM Docket No. 87–154] received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

878. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of Video Description of Video Programming [MM Docket No. 99–339] received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

879. A letter from the Chief, Policy and Rules Division, Office of Engineering & Technology, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 2 of the Commission's Rules to Allocate Additional Spectrum to the Inter-Satellite, Fixed, and Mobile Services and to Permit Unlicensed Devices to Use Certain Segments in the 50.2–50.4 GHz and 51.4–71.0 GHz Bands [ET Docket No. 99–261] received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

880. A letter from the Chief, Policy and Rules Division, Office of Engineering & Technology, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Parts 2 and 25 of the Commission's Rules to Permit Operation of NGSO FSS Systems Co-Frequency with GSO and Terrestrial Systems in the Ku-Band Frequency Range [ET Docket No. 98–206; RM–9147; RM–9245] Amendment of the Commission's Rules to Authorize Subsidiary Terrestrial Use of the 12.2–12.7 GHz Band by Direct Broadcast Satellite Licensees and Their Affiliates; and Applications of Broadwave USA, PDC Broadband Corporation, and Sat-

ellite Receivers, Ltd. to Provide A Fixed Service in the 12.2–12.7 GHz Band—Received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

881. A letter from the Chief, Policy and Rules Division, Office of Engineering & Technology, Federal Communications Commission, transmitting the Commission's final rule—Amendment of the Commission's Rules With Regard to the 3650–3700 MHz Government Transfer Band [ET Docket No. 98–237; RM–9411] The 4.9 GHz Band Transferred from Federal Government Use [WT Docket No. 00–32] received February 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

882. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Trade Regulation Rule Relating To Power Output Claims For Amplifiers Utilized in Home Entertainment Products—received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

883. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–602, ''Galen Tait Memorial Park Designation Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

884. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–582, ''Waverly Alley Designation Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

885. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–581, ''Freedom of Information Amendment Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

886. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–573, ''Public Access to Automated External Defibrillator Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

887. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–574, ''Technical Amendment Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

888. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–575, ''Individuals with Disabilities Parking Reform Amendment Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

889. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–599, ''Omnibus Trusts and Estates Amendment Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

890. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–588, ''John T. 'Big John' Williams Building Designation Temporary Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

891. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–592, ''Motor Vehicle and Safe Driving Amendment Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

892. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–594, ''Tree Protection Amendment Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

893. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–598, ''Closing of a Public Alley in Square 209, S.O. 2000–37, Temporary Act of 2001'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

894. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–596, ''Fire/EMS Excepted Service Designation Temporary Act of 2001'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

895. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–601, ''Closing of a Public Alley in Square 741, S.O. 00–82, Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

896. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–600, ''Uniform Child-Custody Jurisdiction and Enforcement Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

897. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–577, ''Fair Phone Charges for Prisoners Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

898. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–578, ''Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

899. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–579, ''Anthony W. Simms Tunnel Designation Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

900. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–583, ''Closing of a Public Alley in Square 209, S.O. 2000–37, Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

901. A letter from the Chairman, Council of the District of Columbia, transmitting copy of D.C. ACT 13–589, ''Necessity for Council Review and Approval of Standards for Public Art on Special Signs in the District of Columbia Temporary Act of 2001'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

902. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–591, ''Harry L. Thomas, Sr., Recreation Center Designation Act of 2000'' received February 16, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

903. A letter from the Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a report on General Purpose Financial Statements and the Independent Auditor's Report for the fiscal year ended September 30, 2000; to the Committee on Government Reform.

904. A letter from the Assistant Director for Legislative Affairs, Equal Employment Opportunity Commission, transmitting a copy of the Commission's report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

905. A letter from the United States Trade Representative, Executive Office of the President, transmitting a report entitled, ''2000 Annual Inventory of Commercial Activities Under the Federal Activities Inventory Reform Act P.L. 105–270''; to the Committee on Government Reform.

906. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

907. A letter from the Acting Director, Fish and Wildlife Service, Division of Endangered Species, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Morro Shoulderband Snail (Helminthoglypta walkeriana) (RIN: 1018–AG27) received February 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

908. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Zayante Band-Winged Grasshopper (RIN: 1018–AG28) received February 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

909. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Closures and Inseason Adjustments from the U.S.-Canada Border to the Oregon-California Border [Docket No. 000501119–01; I.D. 102300B] received February 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

910. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Pelagic Longline Fishery Vessel Monitoring Systems [I.D. 110800A] (RIN: 0648–AJ67) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

911. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Emergency for the Summer Flounder Fishery; Extension of an Expiration Date [Docket No. 000727220–0220–01; I.D. 072400A] (RIN: 0648–AO32) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

912. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska [Docket No. 010112013–1301–01; I.D. 012901A] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

913. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Eastern Aleutian District and Bering Sea Sub-

area of the Bering Sea and Aleutian Islands [Docket No. 010112013–1013–01; I.D. 012201D] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

914. A letter from the Acting Assistant Administrator, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Extension of Closed Areas [Docket No. 001120324–1030–02; I.D. 110700D] (RIN: 0648–AO71) received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

915. A letter from the Deputy General Counsel, FBI, Department of Justice, transmitting the Department's final rule—National Instant Criminal Background Check System Regulation [AG Order No. 2354–2001]; [FBI 105F] (RIN: 1110–AA02) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

916. A letter from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting the Department's final rule—Drug Abuse Treatment and Intensive Confinement Center Programs: Early Release Consideration [BOP–1034–F; BOP–1052–F; BOP–1070–F] (RIN: 1120–AA36; RIN: 1120–AA66) received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

917. A letter from the Acting Vice President for Government Affairs, Amtrak, transmitting the 2000 Annual Report, and Amtrak's FY 2002 Legislative Report and Grant Request, pursuant to 12 U.S.C. 1701y(f)(2); to the Committee on Transportation and Infrastructure.

918. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Sacramento River, CA [CGD11–01–001] received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

919. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Hillsborough River, Tampa, FL [CGD07–01–003] (RIN: 2115–AE47) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

920. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Brorein Street Bridge, across the Hillsborough River, Tampa, FL [CGD07–01–009] received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

921. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Harlem River, NY [CGD01–01–008] received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

922. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Sanibel Causeway Bridge [CGD07–01–005] received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

923. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Chelsea River, MA [CGD01–01–013] received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

924. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Hillsborough River [CGD07–01–002] (RIN: 2115–AE47) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

925. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes, and Model A300 B4–600, A300 B4–600R, and A300 F4–600R (A300–600) Series Airplanes [Docket No. 2000–NM–48–AD; Amendment 39–12052; AD 2000–26–03] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

926. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BMW Rolls-Royce GmbH Models BR700–710A1–10 and BR700–710A2–20 Turbofan Engines [Docket No. 2000–NE–44–AD; Amendment 39–12071; AD 2001–01–01] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

927. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Civil Penalty Actions in Commercial Space Transportation [Docket No. FAA–2001–8607; Amendment Nos. 405–2 406–2] (RIN: 2120–AH18) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

928. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes [Docket No. 99–NM–250–AD; Amendment 39–12058; AD 2000–26–08] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

929. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes [Docket No. 97–NM–201–AD; Amendment 39–12059; AD 2000–26–09] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

930. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model BAe 146 and Model Avro 146–RJ Series Airplanes [Docket No. 99–NM–190–AD; Amendment 39–12057; AD 2000–26–07] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

931. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAe Systems (Operations) Limited Model ATP Airplanes [Docket No. 99–NM–249–AD; Amendment 39–12060; AD 2000–26–10] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

932. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Industrie Aeronautiche e Meccaniche Model Piaggio P–180 Airplanes [Docket No. 99–CE–34–AD; Amendment 39–12053; AD 2000–03–19] (RIN: 2120–AA64) received February 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

933. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Revision to Federal Blood Alcohol Concentration (BAC) Standard for Recreational Vessel Operators: Delay of Effective Date [USCG–1998–4593] (RIN: 2115–AF72) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

934. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Cape Romanzof, AK [Airspace Docket No. 00–AAL–13] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

935. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Prineville, OR [Airspace Docket No. 00–ANM–14] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

936. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Sparrevohn, AK [Airspace Docket No. 00–AAL–10] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

937. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Cape Newenham, AK [Airspace Docket No. 00–AAL–12] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

938. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Tin City, AK [Airspace Docket No. 00–AAL–14] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

939. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Cape Lisburne, AK [Airspace Docket No. 00–AAL–11] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

940. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revocation of Class E Airspace; Gage, OK [Airspace Docket No. 00–ASW–21] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

941. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Bassett, NE [Airspace Docket No. 00–ACE–39] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

942. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Council Bluffs, IA [Airspace Docket No. 00–ACE–35] received February 12, 2001, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

943. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Bowling Green, MO [Airspace Docket No. 00–ACE–36] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

944. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Grant, NE [Airspace Docket No. 00–ACE–37] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

945. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Ogallala, NE [Airspace Docket No. 00–ACE–38] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

946. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Bloomfield, IA [Airspace Docket No. 00–ACE–32] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

947. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amend Class E Airspace; Westminster, MD [Airspace Docket No. 00–AEA–04FR] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

948. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Albia, IA [Airspace Docket No. 00–ACE–33] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

949. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Astoria, OR [Airspace Docket No. 00–ANM–21] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

950. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Tillamook, OR [Airspace Docket No. 00–ANM–16] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

951. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Atlanta, TX [Airspace Docket No. 2000–ASW–19] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

952. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; St.George, UT [Airspace Docket No. 99–ANM–10] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

953. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30224; Amdt. No. 2030] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

954. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30225; Amdt. No. 2031] received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

955. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Civil Penalty Actions in Commercial Space Transportation: Delay of Effective Date (RIN: 2120–AH18) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

956. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Sugar Land, TX [Airspace Docket No. 2001–ASW–03] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

957. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Algona, IA [Airspace Docket No. 00–ACE–34] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

958. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification and Revocation of VOR and Colored Federal Airways and Jet Routes; AK [Airspace Docket No. 98–AAL–26] (RIN: 2120–AA66) received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

959. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amend Legal Description of Jet Route J–501 [Airspace Docket No. 00–ANM–20] (RIN: 2120–AA66) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

960. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30227; Amdt. No. 2033] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

961. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30228; Amdt. No. 2034] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

962. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30226; Amdt. No. 2032] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

963. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30230; Amdt. No. 2036] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

964. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30229; Amdt. No. 2035] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

965. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2000–NM–299–AD; Amendment 39–12107; AD 2001–03–04] (RIN: 2120–AA64) received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

966. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Deutschland GMBH Model MBB-BK 117 Helicopters [Docket No. 99–SW–67–AD; Amendment 39–12056; AD 2000–26–06] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

967. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A Model A109E Helicopters [Docket No. 2000–SW–65–AD; Amendment 39–12106; AD 2000–25–54] (RIN: 2120–AA64) received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

968. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Corrections to Flight Data Recorder Specifications [Docket Nos. 121–271, 121–278, 125–32 & 125–34] (RIN: 2120–AG–88) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

969. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Deutschland GMBH Model BO–105CB–5 and BO–105CBS–5 Helicopters [Docket No. 99–SW–65–AD; Amendment 39–12048; AD 2000–26–01] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

970. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes [Docket No. 2000–CE–57–AD; Amendment 39–12073; AD 2001–01–03] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

971. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes [Docket No. 99–CE–83–AD; Amendment 39–12072; AD 2001–01–02] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

972. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace HP137 Mk1 and Jetstream Series 200 Airplanes [Docket No. 99–CE–73–AD; Amendment 39–12006; AD 2000–23–33] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

973. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 60, A60, and B60 Airplanes [Docket No. 99–CE–74–AD; Amendment 39–12094; AD 2001–02–10] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

974. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models A36, B36TC, and 58 Airplanes [Docket No. 99–CE–79–AD; Amendment 39–12066; AD 2000–26–16] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

975. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145 and EMB–135 Series Airplanes [Docket No. 2001–NM–16–AD; Amendment 39–12101; AD 2001–02–51] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

976. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Airplanes [Docket No. 2000–NM–133–AD; Amendment 39–11979; AD 2000–23–09] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

977. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Series Airplanes [Docket No. 2000–NM–125–AD; Amendment 39–12090; AD 2001–02–06] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

978. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145 Series Airplanes [Docket No. 2000–NM–129–AD; Amendment 39–11976; AD 2000–23–06] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

979. A letter from the Chief, Regulations Office, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Merchandise Processing Fee Eligible To Be Claimed As Unused Merchandise Drawback [TD 01–18] (RIN: 1515–AC67) received February 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

980. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts for 2001 [HCFA–8007–N] (RIN: 0938–AK27) received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

981. A letter from the Deputy Assistant Secretary, Employment and Training Administration, Department of Labor, transmitting the Department's final rule—Welfare-to-Work (WtW) Grants (RIN: 1205–AB15) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

982. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Purchase Price Allocations in Deemed and Actual Asset Acquisitions [TD 8940] (RIN: 1545–AY73) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

983. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Electronic Payee Statements (RIN: 1545–AY00) received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

984. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2001–15] received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

985. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—CPI Adjustment for Below-market Loans for 2001; Correction—received February 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

986. A letter from the Secretary, Department of Veterans Affairs, transmitting a letter regarding the status of a joint report to Congress on the implementation of that portion of the Health Resources Sharing and Emergency Operations Act (38 U.S.C. 8111(f)) dealing with sharing of health care resources between the Department of Veterans Affairs and the Department of Defense; jointly to the Committees on Armed Services and Veterans' Affairs.

987. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Transfer and Cross-Collateralization of Clean Water State Revolving Funds and Drinking Water State Revolving Funds—received February 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

988. A letter from the Administrator, Environmental Protection Agency, transmitting a report entitled, ''Progress Toward Implementing Superfund'' for fiscal years 1995–1997, pursuant to 42 U.S.C. 9620; jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

989. A letter from the Secretary, Judicial Conference of the United States, transmitting a draft of proposed legislation to provide for the appointment of additional Federal circuit and district judges, and for other purposes; jointly to the Committees on the Judiciary and Resources.

990. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Monthly Actuarial Rates and Monthly Supplementary Medical Insurance Premium Rate Beginning January 1, 2001 [HCFA–8009–N] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

991. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Expanded Coverage for Outpatient Diabetes Self-Management Training and Diabetes Outcome Measurements [HCFA–3002–F] (RIN: 0938–AI96) received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

¶12.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills and concurrent resolutions of the House of the following titles:

S. 320. An Act to make technical corrections in patent, copyright, and trademark laws.

S. 360. An Act to honor Paul D. Coverdell.

S. Con. Res. 12. Concurrent resolution expressing the sense of Congress regarding the importance of organ, tissue, bone marrow, and blood donation, and supporting National Donor Day.

S. Con. Res. 13. Concurrent resolution expressing the sense of Congress with respect to the upcoming trip of President George W. Bush to Mexico to meet with newly elected President Vicente Fox, and with respect to future cooperative efforts between the United States and Mexico.

¶12.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOLF, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 15, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 15, 2001 at 4:50 p.m.

That the Senate passed without amendment H.R. 559.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶12.6 COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore, Mr. WOLF, by unanimous consent, announced that the Speaker, pursuant to section 3 of Public Law 94-304, amended by section 1 of Public Law 99-7, and the order of the House of Wednesday, February 14, 2001, appointed on Thursday, February 15, 2001, to the Commission on Security and Cooperation in Europe, on the part of the House, the following Members: Messrs. SMITH of New Jersey, Co-Chairman, Messrs. WOLF, PITTS, WAMP, and ADERHOLT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶12.7 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. MCHUGH, by unanimous consent,

Ordered, That it may be in order, under clause 1, rule XV, on Wednesday, February 28, 2001, for the Speaker to recognize Members for motions to suspend the rules and pass each of the following measures: (H.R. 256) to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is enacted; (H.R. 558) to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allen-

town, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''; (H.R. 621) to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building''; and (H. Con. Res. 27) honoring the National Institute of Standards and Technology and its employees for 100 years of service to the Nation.

¶12.8 SENATE BILLS AND CONCURRENT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 320. An Act to make technical corrections in patent, copyright, and trademark laws; to the Committee on the Judiciary.

S. 360. An Act to honor Paul D. Coverdell; to the Committee on International Relations, in addition to the Committee on Education and the Workforce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. Con. Res. 12. Concurrent resolution expressing the sense of Congress regarding the importance of organ, tissue, bone marrow, and blood donation, and supporting National Donor Day; to the Committee on Energy and Commerce.

S. Con. Res. 13. Concurrent resolution expressing the sense of Congress with respect to the upcoming trip of President George W. Bush to Mexico to meet with newly elected President Vicente Fox, and with respect to future cooperative efforts between the United States and Mexico; to the Committee on International Relations.

And then,

¶12.9 ADJOURNMENT

On motion of Mr. McHUGH, pursuant to the provisions of House Concurrent Resolution 32, at 2 o'clock and 5 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, February 27, 2001.

¶12.10 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 256. A bill to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted (Rept. No. 107–2). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 333. A bill to amend title 11, United States Code, and for other purposes; with an amendment (Rept. No. 107–3 Pt. 1).

¶12.11 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 333. Referral to the Committee on Financial Services extended for a period ending not later than February 26, 2001.

¶12.12 DISCHARGE OF COMMITTEES

Pursuant to clause 5 of rule X the Committee on Financial Services discharged from further consideration. H.R. 333 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶12.13 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BARTON of Texas (for himself and Mr. BOUCHER):

H.R. 723. A bill to amend the Atomic Energy Act of 1954 to remove an exemption from civil penalties for nuclear safety violations by nonprofit institutions; to the Committee on Energy and Commerce.

By Mr. BASS (for himself and Mr. BOUCHER):

H.R. 724. A bill to authorize appropriations to carry out part B of title I of the Energy Policy and Conservation Act, relating to the Strategic Petroleum Reserve; to the Committee on Energy and Commerce.

By Mr. TRAFICANT (for himself and Mr. BARRETT):

H.R. 725. A bill to establish a toll free number under the Federal Trade Commission to assist consumers in determining if products are American-made; to the Committee on Energy and Commerce.

By Mrs. MINK of Hawaii:

H.R. 726. A bill to amend title 18, United States Code, to ban using the Internet to obtain or dispose of a firearm; to the Committee on the Judiciary.

By Mr. SCHAFFER:

H. Res. 54. A resolution commemorating African American pioneers in Colorado; to the Committee on Resources.

By Ms. MILLENDER-McDONALD:

H. Res. 55. A resolution expressing the sense of the House of Representatives that there should be established a day of celebration in honor of Dr. Dorothy Irene Height; to the Committee on Government Reform.

By Mr. LANTOS (for himself, Mr. WOLF, Ms. PELOSI, Mr. SMITH of New Jersey, Mr. JACKSON of Illinois, Mr. FRANK, Mr. CAPUANO, Mr. MCGOVERN, and Ms. RIVERS):

H. Res. 56. A resolution urging the appropriate representative of the United States to the United Nations Commission on Human Rights to introduce at the annual meeting of the Commission a resolution calling upon the People's Republic of China to end its human rights violations in China and Tibet, and for other purposes; to the Committee on International Relations.

¶12.14 ADDITIONAL SPONSORS

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

H.R. 17: Mr. HINCHEY.

H.R. 21: Mr. TRAFICANT.

H.R. 23: Mr. TRAFICANT.

H.R. 24: Mr. TRAFICANT.

H.R. 31: Mr. NEY.

H.R. 68: Mr. ALLEN, Mr. BALDACCI, Mr. SUNUNU, Mr. CALVERT, Mr. LAHOOD, Mr. CLEMENT, and Mr. GORDON.

H.R. 80: Mr. KIND, Mr. TRAFICANT, and Mr. HORN.

H.R. 82: Mr. TRAFICANT.

H.R. 89: Mr. WALSH, Ms. MCKINNEY, and Mr. MCGOVERN.

H.R. 90: Mr. EVANS, MR. BAIRD, Mr. GRAHAM, and Mr. STRICKLAND.

H.R. 123: Mr. PICKERING and Mr. COMBEST.

H.R. 147: Mr. EVANS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINCHEY, and Mr. RUSH.

H.R. 149: Mr. ANDREWS.

H.R. 188: Mr. FROST, Mrs. JONES of Ohio, Mr. SCHAFFER, and Mr. OSBORNE.

H.R. 237: Mr. LANTOS and Mr. MCGOVERN.

H.R. 239: Mr. FATTAH, Mr. KENNEDY of Rhode Island, Mr. EVANS, Mr. LOBIONDO, and Mr. KOLBE.

H.R. 250: Mr. BLAGOJEVICH, Mr. TRAFICANT, Mr. STUPAK, Mr. GREEN of Texas, Mr. DEFAZIO, Mr. BAIRD, Ms. NORTON, and Mr. PAYNE.

H.R. 256: Mr. GILLMOR, Mrs. JONES of Ohio, Mr. SCHAFFER, Mr. NEY, Mr. OTTER, and Mr. FARR of California.

H.R. 270: Mr. ENGEL, Mr. WEINER, Mr. WAXMAN, and Ms. WOOLSEY.

H.R. 281: Mrs. MCCARTHY of New York.

H.R. 311: Mr. JONES of North Carolina.

H.R. 333: Mr. PETERSON of Pennsylvania, Mr. BROWN of South Carolina, Mr. POMBO, and Mr. DAVIS of Florida.

H.R. 340: Mr. BLUMENAUER, Mr. EVANS, and Mr. MORAN of Virginia.

H.R. 429: Mr. KILDEE, Mr. DEUTSCH, Ms. SLAUGHTER, Mr. HINOJOSA, Mr. LARSON of Connecticut, and Mrs. CHRISTENSEN.

H.R. 466: Ms. MCKINNEY.

H.R. 471: Mr. BORSKI.

H.R. 548: Mr. BILIRAKIS, Mr. MCDERMOTT, Mr. MORAN of Virginia, Ms. MCKINNEY, Mr. DEAL of Georgia, and Mr. PASTOR.

H.R. 555: Mr. HOYER.

H.R. 612: Mr. QUINN, Mr. TANCREDO, Mrs. JONES of Ohio, Mr. FRANK, Mr. TRAFICANT, Mr. SANDERS, Mr. LUCAS of Oklahoma, and Ms. HOOLEY of Oregon.

H.R. 665: Mr. ALLEN, Mr. BALDACCI, Mr. BERMAN, Mr. BOUCHER, Mr. FATTAH, Mr. HOYER, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MCNULTY, and Ms. PELOSI.

H.R. 687: Mr. DAVIS of Florida, Mrs. MCCARTHY of New York, Mr. LANTOS, and Mrs. MINK of Hawaii.

H. Res. 23: Mr. LUCAS of Kentucky, Ms. MCKINNEY, Mr. SISISKY, Mrs. THURMAN, Mr. STUPAK, and Mr. SCHIFF.

¶12.15 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

5. The SPEAKER presented a petition of a Citizen of Pryer, Oklahoma, relative to enacting legislation to make micro-chip implants illegal; to the Committee on Government Reform.

6. Also, a petition of a Citizen of Chillicthe, Missouri, relative to petitioning the United States Congress to claim redress of grievances of a California congressional candidate; to the Committee on House Administration.

TUESDAY, FEBRUARY 27, 2001 (13)

The House was called to order at 12:30 p.m. by the SPEAKER, when, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶13.1 RECESS—12:51 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 51 minutes p.m. until 2 o'clock p.m.

¶13.2 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. STEARNS, called the House to order.

¶13.3 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. STEARNS, announced he had examined and approved the Journal of the proceedings of Monday, February 26, 2001.

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

¶13.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

992. A letter from the Acting Assistant Secretary for Legislative Affairs, Secretary of State, transmitting certification that Armenia, Azerbaijan, Georgia, Moldova, Kazakhstan, Kyrgyzstan, and Uzbekistan are committed to the courses of action described in Section 1203 (d) of the Cooperative Threat Reduction Act of 1993 (Title XII of Public Law 103–160), Section 1412 (d) of the Former Soviet Union Demilitarization Act of 1992 (Title XIV of Public Law 102–511); to the Committee on Armed Services.

993. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Republic of Korea defense articles and services (Transmittal No. 01–02), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

994. A letter from the Secretary of State, transmitting a report which sets forth all sales and licensed commercial exports pursuant to section 25(a)(1) of the Arms Export Control Act, pursuant to 22 U.S.C. 2765(a); to the Committee on International Relations.

995. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–593, ''District Government Personnel Exchange Agreement Amendment Act of 2000'' received February 27, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

996. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–587, ''Nurse's Rehabilitation Program Act of 2000'' received February 27, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

997. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310, and Model A300 B4–600, A300 B4–600R, and A300 F4–600R (A300–600) Series Airplanes [Docket No. 2000–NM–48–AD; Amendment 39–12052; AD 2000–26–03] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

998. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330–301, -321, and -322 Series Airplanes; and Model A340–211, -212, -213, -311, -312, and -313 Series Airplanes [Docket No. 2000–NM–292–AD; Amendment 39–12079; AD 2001–01–09] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

999. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes [Docket No. 99–NM–326–AD; Amendment 39–12046; AD 2000–25–11] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1000. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000–NM–134–AD; Amendment 39–12047; AD 2000–25–12] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1001. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300, -400, and -500 Series Airplanes [Docket No. 2000–NM–313–AD; Amendment 39–12084; AD 2001–01–13] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1002. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300, -400, and -500 Series Airplanes [Docket No. 99–NM–380–AD; Amendment 39–12085; AD 2001–02–01] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1003. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and A300 B4 (A300); Model A300 B4–600, A300 B4–600R, and A300 F4–600R (A300–600); and Model A310 Series Airplanes; Equipped With Dowty Ram Air Turbines [Docket No. 99–NM–202–AD; Amendment 39–12076; AD 2001–01–06] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1004. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400, 747–400F, 767–200, and 767–300 Series Airplanes Equipped With Pratt & Whitney Model PW4000 Series Engines [Docket No. 2000–NM–391–AD; Amendment 39–12080; AD 2001–01–10] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1005. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757–200 Series Airplanes [Docket No. 2000–NM–184–AD; Amendment 39–12093; AD 2001–02–09] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1006. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The Cessna Aircraft Company Model 525 (CitationJet 1) Airplanes [Docket No. 2000–CE–71–AD; Amendment 39–12099; AD 2001–02–13] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1007. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 Series Airplanes [Docket No. 2000–NM–214–AD; Amendment 39–12064; AD 2000–26–14] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1008. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CL–604 Variant of Bombardier Model Canadair CL–600–2B16 Series Airplanes Modified in Accordance with Supplemental Type Certificate SA8060NM-D, SA8072NM-D, or SA8086NM-D [Docket No. 2000–NM–80–AD; Amendment 39–12089; AD 2001–02–05] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1009. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2, A300 B4, A300 B4–600, A300 B4–600R, A300 F4–600R, and A310 Series Airplanes [Docket No. 2000–NM–72–AD; Amendment 39–12077; AD 2001–01–07] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1010. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300, A300–600, and A310 Series Airplanes [Docket No. 2000–NM–104–AD; Amendment 39–11977; AD 2000–23–07] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1011. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model CN–235, CN–235–100, and CN–235–200 Series Airplanes [Docket No. 2000–NM–264–AD; Amendment 39–12082; AD 2001–01–12] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1012. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft Corporation Model S–76A, S–76B, and S–76C Helicopters [Docket No. 2000–SW–52–AD; Amendment 39–12074; AD 2001–01–04] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1013. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters [Docket No. 2001–SW–02–AD; Amendment 39–12100; AD 2001–01–52] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1014. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 206A, B, L, L1, and L3 Helicopters [Docket No. 2000–SW–34–AD; Amendment 39–12087; AD 2001–02–03] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1015. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Deutschland GmbH (Formerly BMW Rolls-Royce GmbH) Model BR700–715A1–30, BR700–715B1–30, and BR700–715C1–30 Turbofan Engines [Docket No. 2000–NE–54–AD; Amendment 39–12098; AD 2000–25–51] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1016. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Inc. Model 205A–1, 205B, 212, 412, and 412CF Helicopters [Docket No. 2000–SW–49–AD; Amendment 39–12037; AD 2000–25–03] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1017. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes [Docket No. 2000–NM–141–AD; Amendment 39–12078; AD 2001–01–08] (RIN: 2120–AA64) received February 12, 2001, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1018. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries, Ltd., Model Galaxy Airplanes [Docket No. 2001–NM–14–AD; Amendment 39–12102; AD 2001–03–01] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1019. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney Canada Models PW306A and PW306B Turbofan Engines [Docket No. 2000–NE–51–AD; Amendment 39–12103; AD 2001–03–02] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1020. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Model PC–6 Airplanes [Docket No. 99–CE–77–AD; Amendment 39–12088; AD 2001–02–04] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1021. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International (CFMI) Model CFM56–7B Turbofan Engines [Docket No. 2001–NE–03–AD; Amendment 39–12097; AD 2001–02–12] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1022. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes [Docket No. 2000–CE–55–AD; Amendment 39–12067; AD 2000–26–17] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶13.5 COMMUNICATION FROM THE CHAIRMAN—APPOINTMENTS—JOINT COMMITTEE ON TAXATION

The SPEAKER pro tempore, Mr. STEARNS, laid before the House a communication, which was read as follows:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: I am forwarding to you the Committee's recommendations for certain designations required by law for the 107th Congress.

First, pursuant to Section 8002 of the Internal Revenue Code of 1986, the Committee designated the following members to serve on the Joint Committee on Taxation for the 107th Congress: Mr. Thomas, Mr. Crane, Mr. Shaw, Mr. Rangel and Mr. Stark.

Second, pursuant to Section 161 of the Trade Act of 1974, the Committee recommended the following members to serve as official advisors for international conference meetings and negotiating sessions on trade agreements: Mr. Thomas, Mr. Crane, Mr. Shaw, Mr. Rangel and Mr. Levin.

Sincerely,

WILLIAM M. THOMAS,
Chairman.

¶13.6 ADVISERS TO TRADE AGREEMENTS

The SPEAKER pro tempore, Mr. STEARNS, by unanimous consent and pursuant to section 161(a) of the Trade Act of 1974 (19 United States Code 2211), announced the Speaker's appointment of the following Members of the House to be accredited by the President as official advisers to the United States delegations to international conferences, meetings, and negotiation sessions relating to trade agreements during the first session of the One Hundred Seventh Congress: Messrs. THOMAS, CRANE, SHAW, RANGEL, and LEVIN.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶13.7 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Evans, one of his secretaries.

¶13.8 THE LATE DALE EARNHARDT

Mr. MICA moved to suspend the rules and agree to the following resolution (H. Res. 57):

Whereas Ralph Dale Earnhardt was born in Kannapolis, North Carolina, on April 29, 1951;

Whereas Dale Earnhardt was the son of Martha and the late Ralph Earnhardt and brother of Danny Earnhardt, Randy Earnhardt, Kaye Snipes, and Cathy Watkins;

Whereas his father, Ralph Earnhardt, a pioneer of the National Association for Stock Car Auto Racing (NASCAR), introduced Dale Earnhardt to the sport, and Dale began racing Hobby-class cars in and around Kannapolis, working full-time welding and mounting tires during the day and either racing or working on his cars at night;

Whereas, upon the death of his father in 1973, Dale Earnhardt followed in his footsteps, becoming a professional race car driver;

Whereas Dale Earnhardt made his Winston Cup debut in 1975 and was named Rookie of the Year in 1979, his first full season of racing;

Whereas Dale Earnhardt earned his first Winston Cup Championship in 1980, becoming the first driver to win Rookie of the Year honors and the Winston Cup Championship in successive years;

Whereas Dale Earnhardt had an extraordinary career as a NASCAR driver, was named Driver of the Year five times, and is tied with Richard Petty for the most Winston Cup Championships, with seven titles;

Whereas Dale Earnhardt won 76 career races, including the 1998 Daytona 500;

Whereas Dale Earnhardt lived and worked in Mooresville, North Carolina, and his racing and related businesses contributed much to the employment, business development, and prestige of Mecklenburg, Cabarrus, Davidson, Iredell, Lincoln, and Rowan counties in North Carolina;

Whereas Dale Earnhardt, nicknamed the Intimadator, was a fierce competitor, an exceptional driver, and a legend in his sport;

Whereas Dale Earnhardt was always known for his kindness and friendliness to his fans and community;

Whereas Dale Earnhardt was a loving husband to his wife, Teresa, and an exemplary father to his sons, Dale Jr. and Kerry, and daughters, Kelley and Taylor;

Whereas Dale Earnhardt was a man of strong faith and had on his dashboard a citation from Proverbs 18:10, ''The name of the Lord is a strong tower, the righteous runneth into it and is safe.'';

Whereas Dale Earnhardt was one of the most respected drivers for his achievements on and off the track and in the words of his son, Dale Jr., ''stands as an example of what hard work and dedication will achieve. He praises God, loves his family, enjoys his friends.''; and

Whereas Dale Earnhardt died in a crash during the final lap of the Daytona 500 on February 18, 2001, prompting Bill France, Jr., Chairman of NASCAR's board of directors to declare, ''NASCAR has lost its greatest driver in the history of the sport.'' : Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Dale Earnhardt as one of the greatest race car drivers ever to participate in the sport of racing and for his many contributions to the Nation throughout his lifetime, and honors him for transcending the sport of racing to become a role model as both a talented competitor and as a loving husband and father; and

(2) extends its deepest condolences to the family of Dale Earnhardt.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. MICA and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MICA objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. STEARNS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶13.9 RECOGNIZING DR. DOROTHY IRENE HEIGHT

Mr. MICA moved to suspend the rules and agree to the following resolution (H. Res. 55):

Whereas, for nearly half a century, Dr. Dorothy Irene Height has been a leader in the struggle for equality and human rights;

Whereas Dr. Height founded the Center for Racial Justice, served as President of the National Council of Negro Women and the Delta Sigma Theta Sorority, Incorporated, and held several leadership positions with the Young Women's Christian Association of America;

Whereas, under the leadership of Dr. Height, the National Council of Negro Women achieved tax-exempt status, developed model programs on topics ranging from teenage parenting to eradicating hunger, and established the Bethune Museum and Archives for Black Women, the first institution devoted to the history of black women;

Whereas Dr. Height conceived of and organized the Black Family Reunion Celebration, which is now in its eleventh year and has had 14,000,000 participants;

Whereas Dr. Height has worked with Dr. Martin Luther King, Jr., Roy Wilkins, Whitney Young, A. Phillip Randolph, and others to prevent lynching, desegregate the Armed Forces, reform the criminal justice system, and provide equal access to public accommodations;

Whereas Dr. Height has served as a participant at conferences hosted by the United Nations and the President of the United States;

Whereas the distinguished service and contributions of Dr. Height to making the world more just and humane have earned her more than 50 awards and honors from local, State, and national organizations, and from the Federal Government, including the Spingarn Medal from the National Association for the Advancement of Colored People, the Presidential Medal of Freedom from President Clinton, and induction into the National Women's Hall of Fame;

Whereas Dr. Height has received more than 24 honorary degrees from educational institutions worldwide; and

Whereas the life of Dr. Height exemplifies a passionate commitment to the realization of a just society and a vision of a better world: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Dr. Dorothy Irene Height as a valiant advocate and crusader for human rights; and

(2) acknowledges the more than 6 decades of distinguished leadership and service of Dr. Dorothy Irene Height.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. MICA and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶13.10 SOLDIERS KILLED IN OPERATION DESERT STORM

Mr. WELDON of Pennsylvania moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 39):

Whereas, during Operation Desert Storm, Iraq launched a Scud missile at Dhahran, Saudi Arabia early in the evening of February 25, 1991;

Whereas one Patriot missile battery on a Dhahran airfield was not operational and another nearby battery did not track the Scud missile effectively;

Whereas the Scud missile hit a warehouse serving as a United States Army barracks in the Dhahran suburb of Al Khobar, killing 28 soldiers and injuring 100 other soldiers;

Whereas the thoughts and prayers of the Congress and the country remain with the families of these soldiers;

Whereas this single incident resulted in more United States combat casualties than any other in Operation Desert Storm and since;

Whereas Scud missile attacks paralyzed the country of Israel during Operation Desert Storm;

Whereas the Patriot missile batteries, which were used in Operation Desert Storm for missile defense, were not originally designed for missile defense;

Whereas the United States and our allies still have not fielded advanced theater missile defenses;

Whereas missile technology proliferation makes missile attacks on United States forces increasingly possible; and

Whereas February 25, 2001, is the 10th anniversary of the Scud missile attack which caused the deaths of these brave soldiers who died in service to their country: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) on behalf of the American people, extends its sympathy and thanks to the families of Specialist Steven E. Atherton, Corporal Stanley Bartusiak, Specialist John A. Boliver, Jr., Sergeant Joseph P. Bongiorni III, Sergeant John T. Boxler, Specialist Beverly S. Clark, Sergeant Allen B. Craver, Corporal Rolando A. Delagneau, Specialist Steven P. Farnen, Specialist Duane W. Hollen, Jr., Specialist Glen D. Jones, Specialist Frank S. Keough, Specialist Anthony E. Madison, Specialist Steven G. Mason, Specialist Christine L. Mayes, Specialist Michael W. Mills, Specialist Adrienne L. Mitchell, Specialist Ronald D. Rennison, Private First Class Timothy A. Shaw, Specialist Steven J. Siko, Corporal Brian K. Simpson, Specialist Thomas G. Stone, Specialist James D. Tatum, Private First Class Robert C. Wade, Sergeant Frank J. Walls, Corporal Jonathan M. Williams, Specialist Richard V. Wolverton, and Specialist James E. Worthy, all of whom were killed by an Iraqi missile attack on February 25, 1991, while in service to their country; and

(2) resolves to support appropriate and effective theater missile defense programs to help prevent attacks on forward deployed United States forces from occurring again.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. WELDON of Pennsylvania and Mr. SKELTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WELDON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. STEARNS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed, pursuant to the prior announcement of the Chair.

¶13.11 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO CUBA

The SPEAKER pro tempore, Mr. STEARNS, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the Federal Register for publication, which states that the emergency declared with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba on February 24, 1996, is to continue in effect beyond March 1, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 27, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–47).

¶13.12 RECESS—3:44 P.M.

The SPEAKER pro tempore, Mr. STEARNS, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 44 minutes p.m., until approximately 5 o'clock p.m.

¶13.13 AFTER RECESS—5 P.M.

The SPEAKER pro tempore, Mr. GIBBONS, called the House to order.

¶13.14 H. RES. 57—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 57) recognizing and honoring Dale Earnhardt and expressing the condolences of the House of Representatives to his family on his death.

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶13.15 H. CON. RES. 39—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to said concurrent resolution (H. Con. Res. 39) honoring the ultimate sacrifice made by 28 United States soldiers killed by an Iraqi missile attack on February 25, 1991, during Operation Desert Storm, and resolving to support appropriate and effective theater missile defense programs.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	395
	Nays	0
	Answered present	2

¶13.16 [Roll No. 16]

YEAS—395

Abercrombie	Armey	Baldacci
Aderholt	Baca	Baldwin
Akin	Bachus	Ballenger
Allen	Baird	Barcia
Andrews	Baker	Barr

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

ANSWERED ''PRESENT''—2

Lee
Miller, George

NOT VOTING—35

Ackerman
Becerra
Bonilla
Buyer
Coyne
Cramer
DeLauro
Dingell
Fossella
Gekas
Graham
Hayworth
Hunter
Inslee
Issa
Lantos
McKeon
Moran (VA)
Myrick
Pallone
Putnam
Rehberg
Riley
Rohrabacher
Ros-Lehtinen
Rothman
Sanchez
Sanders
Simpson
Strickland
Tancredo
Thomas
Vitter
Wicker
Wilson

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶13.17 COMMITTEE ELECTION—MINORITY

Mr. MENENDEZ, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 63):

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

Committee on International Relations: Mr. ENGEL of New York to rank immediately after Mr. DAVIS of Florida.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶13.18 USE OF THE CAPITOL ROTUNDA

On motion of Mr. NEY, by unanimous consent, the concurrent resolution (H. Con. Res. 14) permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; together with the following amendment of the Senate, was taken from the Speaker's table:

Page 1, line 3, strike out ''April 18, 2001'' and insert ''April 19, 2001''.

On motion of Mr. NEY, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶13.19 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. NEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, February 28, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶13.20 RECESS—5:34 P.M.

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 34 minutes p.m., until approximately 8:40 p.m.

¶13.21 AFTER RECESS—8:45 P.M.

The SPEAKER called the House to order.

¶13.22 JOINT SESSION TO RECEIVE A MESSAGE FROM THE PRESIDENT

The Assistant Sergeant-at-Arms announced the Vice President and Members of the Senate, who entered the Hall of the House and took seats assigned them, the Vice President taking the Chair to the right of the Speaker.

Whereupon, pursuant to House Concurrent Resolution 28, the SPEAKER called the joint session of the two Houses to order.

The SPEAKER announced the appointment of Messrs. ARMEY, DELAY, WATTS of Oklahoma, COX, GEPHARDT, BONIOR, FROST, and MENENDEZ as members of the Committee on the part of the House to escort the President into the Hall of the House.

The Vice President announced the appointment of Messrs. LOTT, NICKLES, SANTORUM, HUTCHISON, CRAIG, FRIST, STEVENS, GRAMM, MCCONNELL, SNOWE, GREGG, DASCHLE, REID, Ms. MIKULSKI, Messrs. DORGAN, KERRY, ROCKEFELLER, Mrs. MURRAY, Mr. DURBIN, Mrs. BOXER, Mr. BREAUX, and Mr. NELSON of Florida as members of the committee on the part of the Senate to escort the President into the Hall of the House.

The Assistant Sergeant-at-Arms announced the Acting Dean of the Diplomatic Corps, ambassadors, ministers, and charges d'affaires of foreign governments, who entered the Hall of the House and took seats assigned them.

The Assistant Sergeant-at-Arms announced the Supreme Court, who entered the Hall of the House and took seats assigned to them.

The Assistant Sergeant-at-Arms announced the Members of the President's Cabinet, who entered the Hall of the House and took seats assigned to them.

The Sergeant-at-Arms announced the President of the United States at 9 o'clock and 4 minutes p.m., escorted by the committees of the two Houses, en-

tered the Hall of the House and, at the Clerk's desk, delivered the following message:

''Mr. Speaker, Mr. Vice President, Members of Congress:

''It is a great privilege to be here to outline a new budget and a new approach for governing our great country.

''I thank you for your invitation to speak here tonight. I know Congress had to formally invite me and it could have been a close vote. So, Mr. Vice President, I appreciate you being here to break the tie. I want to thank so many of you who have accepted my invitation to come to the White House to discuss important issues. We are off to a good start. I will continue to meet with you and ask for your input. You have been kind and candid, and I thank you for making a new President feel welcome.

''The last time I visited the Capitol, I came to take an oath. On the steps of this building, I pledged to honor our Constitution and laws, and I asked you to join me in setting a tone of civility and respect in Washington. I hope America is noticing the difference. We are making progress. Together, we are changing the tone in the Nation's capital. And this spirit of respect and cooperation is vital, because in the end we will be judged not only by what we say or how we say it, we will be judged by what we are able to accomplish.

''America today is a Nation with great challenges, but greater resources. An artist using statistics as a brush could paint two very different pictures of our country. One would have warning signs: increasing layoffs, rising energy prices, too many failing schools, persistent poverty, the stubborn vestiges of racism. Another picture would be full of blessings: a balanced budget, big surpluses, a military that is second to none, a country at peace with its neighbors, technology that is revolutionizing the world, and our greatest strength, concerned citizens who care for our country and care for each other.

''Neither picture is complete in and of itself. And tonight I challenge and invite Congress to work with me to use the resources of one picture to repaint the other, to direct the advantages of our time to solve the problems of our people.

''Some of these resources will come from government, some but not all. Year after year in Washington, budget debates seem to come down to an old, tired argument: on one side those who want more government, regardless of the cost; on the other, those who want less government, regardless of the need.

''We should leave those arguments to the last century and chart a different course. Government has a role, and an important role. Yet too much government crowds out initiative and hard work, private charity and the private economy. Our new governing vision says government should be active but limited, engaged but not overbearing.

''My budget is based on that philosophy. It is reasonable and it is responsible. It meets our obligations and funds our growing needs. We increase spending next year for Social Security and Medicare and other entitlement programs by $81 billion. We have increased spending for discretionary programs by a very responsible 4 percent, above the rate of inflation. My plan pays down an unprecedented amount of our national debt, and then when money is still left over, my plan returns it to the people who earned it in the first place.

''A budget's impact is counted in dollars, but measured in lives. Excellent schools, quality health care, a secure retirement, a cleaner environment, a stronger defense, these are all important needs, and we fund them.

''The highest percentage increase in our budget should go to our children's education. Education is my top priority. Education is my top priority, and by supporting this budget, you will make it yours as well.

''Reading is the foundation of all learning, so during the next 5 years we triple spending, adding $5 billion to help every child in America learn to read. Values are important, so we have tripled funding for character education to teach our children not only reading and writing, but right from wrong.

''We have increased funding to train and recruit teachers, because we know a good education starts with a good teacher.

''And I have a wonderful partner in this effort. I like teachers so much, I married one. Laura has begun a new effort to recruit Americans to the profession that will shape our future: teaching. She will travel across America to promote sound teaching practices and early reading skills in our schools and in programs such as Head Start.

''When it comes to our schools, dollars alone do not always make the difference. Funding is important, and so is reform. So we must tie funding to higher standards and accountability for results.

''I believe in local control of schools. We should not and we will not run public schools from Washington, DC. Yet when the Federal government spends tax dollars, we must insist on results. Children should be tested on basic reading and math skills every year, between grades three and eight. Measuring is the only way to know whether all our children are learning, and I want to know, because I refuse to leave any child behind in America.

''Critics of testing contend it distracts from learning. They talk about 'teaching to the test.' But let us put that logic to the test. If you test a child on basic math and reading skills and you are 'teaching to the test,' you are teaching math and reading, and that is the whole idea.

''As standards rise, local schools will need more flexibility to meet them, so we must streamline the dozens of Federal education programs into five, and let States spend money in those categories as they see fit. Schools will be given a reasonable chance to improve, and the support to do so.

''Yet if they don't, if they continue to fail, we must give parents and students different options: a better public school, a private school, tutoring, or a charter school. In the end, every child in a bad situation must be given a better choice, because when it comes to our children, failure is simply not an option.

''Another priority in my budget is to keep the vital promises of Medicare and Social Security, and together we will do so. To meet the health care needs of all America's seniors, we double the Medicare budget over the next 10 years.

''My budget dedicates $238 billion to Medicare next year alone, enough to fund all current programs and to begin a new prescription drug benefit for low-income seniors. No senior in America should have to choose between buying food and buying prescriptions.

''To make sure the retirement savings of America's seniors are not diverted into any other program, my budget protects all $2.6 trillion of the Social Security surplus for Social Security and for Social Security alone.

''My budget puts a priority on access to health care, without telling Americans what doctor they have to see or what coverage they must choose. Many working Americans do not have health care coverage, so we will help them buy their own insurance with refundable tax credits. And to provide quality care in low-income neighborhoods, over the next 5 years we will double the number of people served at community health care centers.

''And we will address the concerns of those who have health coverage yet worry their insurance company does not care and won't pay. Together, this Congress and this President will find common ground to make sure doctors make medical decisions and patients get the health care they deserve with a Patients' Bill of Rights.

''When it comes to their health, people want to get the medical care they need, not be forced to go to court because they didn't get it. We will ensure access to the courts for those with legitimate claims, but first, let us put in place a strong independent review so we promote quality health care, not frivolous lawsuits.

''My budget also increases funding for medical research, which gives hope to many who struggle with serious disease. Our prayers tonight are with one of your own who is engaged in his own fight against cancer, a fine Representative and a good man, Congressman Joe MOAKLEY. I can think of no more appropriate tribute to JOE than to have the Congress finish the job of doubling the budget for the National Institutes of Health.

''My New Freedom Initiative for Americans with Disabilities funds new technologies, expands opportunities to work, and makes our society more welcoming. For the more than 50 million

Americans with disabilities, we must continue to break down barriers to equality.

''The budget I propose to you also supports the people who keep our country strong and free, the men and women who serve in the United States military. I am requesting $5.7 billion in increased military pay and benefits, and health care and housing. Our men and women in uniform give America their best, and we owe them our support.

''America's veterans honored their commitment to our country through their military service. I will honor our commitment to them with a $1 billion increase to ensure better access to quality care and faster decisions on benefit claims.

''My budget will improve our environment by accelerating the cleanup of toxic brownfields. I propose we make a major investment in conservation by fully funding the Land and Water Conservation Fund.

''Our national parks have a special place in our country's life. Our parks are places of great natural beauty and history. As good stewards, we must leave them better than we have found them, so I propose providing $4.9 billion over 5 years for the upkeep of these national treasures.

''My budget adopts a hopeful new approach to help the poor and the disadvantaged. We must encourage and support the work of charities and faith-based and community groups that offer help and love, one person at a time. These groups are working in every neighborhood in America to fight homelessness and addiction and domestic violence, to provide a hot meal or a mentor, or a safe haven for our children. Government should welcome these groups to apply for funds, not discriminate against them.

''Government cannot be replaced by charities or volunteers. Government should not fund religious activities, but our Nation should support the good works of these good people who are helping their neighbors in need. So I propose allowing all taxpayers, whether they itemize or not, to deduct their charitable contributions. Estimates show this could encourage as much as $14 billion a year in new charitable giving, money that will save and change lives.

''Our budget provides more than $700 million over the next 10 years for a Federal Compassion Capital Fund with a focused and noble mission: to provide a mentor for the more than 1 million children with a parent in prison and to support other local efforts to fight illiteracy, teen pregnancy, drug addiction and other difficult problems.

''With us tonight is the Mayor of Philadelphia. Please help me welcome Mayor John Street. Hi, Mr. Mayor.

''Mayor Street has encouraged faith-based and community organizations to make a significant difference in Philadelphia. He has invited me to his city this summer to see compassion in action. I am personally aware of just how effective the mayor is.

''Mayor Street is a Democrat. Let the record show I lost his city, big time. But some things are bigger than politics. So I look forward to coming to your city to see your faith-based programs in action.

''As government promotes compassion, it also must promote justice. Too many of our citizens have cause to doubt our Nation's justice when the law points a finger of suspicion at groups, instead of individuals. All our citizens are created equal and must be treated equally. Earlier today, I asked John Ashcroft, the Attorney General, to develop specific recommendations to end racial profiling.

''It is wrong, and we will end it. It is wrong. In so doing, we will not hinder the work of our Nation's brave police officers. They protect us every day, often at great risk. But by stopping the abuses of a few, we will add to the public confidence our police officers earn and deserve.

''My budget has funded a responsible increase in our ongoing operations. It has funded our Nation's important priorities. It has protected Social Security and Medicare. And our surpluses are big enough that there is still money left over.

''Many of you have talked about the need to pay down our national debt. I listened, and I agree.

''We owe it to our children and our grandchildren to act now, and I hope you will join me to pay down $2 trillion in debt during the next 10 years.

''At the end of those 10 years, we will have paid down all the debt that is available to retire. That is more debt repaid more quickly than has ever been repaid by any nation at any time in history.

''We should also prepare for the unexpected, for the uncertainties of the future. We should approach our Nation's budget as any prudent family would, with a contingency fund for emergencies or additional spending needs. For example, after a strategic review, we may need to increase defense spending. We may need to increase spending for our farmers or additional money to reform Medicare. So my budget sets aside almost a trillion dollars over 10 years for additional needs, that is one trillion additional reasons you can feel comfortable supporting this budget.

''We have increased our budget at a responsible 4 percent. We have funded our priorities. We have paid down all the available debt. We have prepared for contingencies, and we still have money left over. Yogi Berra once said 'when you come to a fork in the road, take it.' Now we come to a fork in the road. We have two choices. Even though we have already met our needs, we could spend the money on more and bigger government. That is the road our Nation has traveled in recent years.

''Last year, government spending shot up 8 percent. That is far more than our economy grew, far more than personal income grew and far more than the rate of inflation. If you continue on that road, you will spend the surplus and have to dip into Social Security to pay other bills.

''Unrestrained government spending is a dangerous road to deficits, so we must take a different path. The other choice is to let the American people spend their own money to meet their own needs. I hope you will join me in standing firmly on the side of the people.

''You see, the growing surplus exists because taxes are too high and government is charging more than it needs. The people of America have been overcharged, and on their behalf, I am here asking for a refund.

''Some say my tax plan is too big. Others say it is too small. I respectfully disagree. This plan is just right.

''I did not throw darts at a board to come up with a number for tax relief. I did not take a poll or develop an arbitrary formula that might sound good. I looked at problems in the Tax Code and calculated the costs to fix them.

''A tax rate of 15 percent is too high for those who earn low wages, so we must lower the rate to 10 percent. No one should pay more than a third of the money they earn in Federal income taxes, so we lowered the top rate to 33 percent.

''This reform will be welcome relief for America's small businesses, which often pay taxes at the highest rate, and help for small business means jobs for Americans.

''We simplified the Tax Code by reducing the number of tax rates from the current five rates to four lower ones, 10 percent, 15 percent, 25 percent and 33 percent. In my plan, no one is targeted in or targeted out. Everyone who pays income taxes will get relief.

''Our government should not tax and thereby discourage marriage, so we reduced the marriage penalty. I want to help families rear and support their children, so we doubled the child credit to $1,000 per child.

''It is not fair to tax the same earnings twice, once when you earn them and again when you die, so we must repeal the death tax.

''These changes add up to significant help. A typical family with two children will save $1,600 a year on their Federal income taxes. Now, 1,600 may not sound like a lot to some, but it means a lot to many families.

''Sixteen hundred dollars buys gas for two cars for an entire year. It pays tuition for a year at a community college. It pays the average family grocery bill for 3 months. That is real money.

''With us tonight, representing many American families, are Steven and Josefina Ramos. They are from Pennsylvania, but they could be from any one of your districts. Steven is a network administrator for a school district. Josefina is a Spanish teacher at a charter school, and they have a 2-year-old daughter. Steven and Josefina tell me they pay almost $8,000 a year in Federal income taxes. My plan will save them more than $2,000.

''Let me tell you what Steven says, '$2,000 a year means a lot to my family. If we had this money, it would help us reach our goal of paying off our personal debt in 2 years time.' After that, Steven and Josefina want to start saving for Lianna's college education.

''My attitude is government should never stand in the way of families achieving their dreams. And as we debate this issue, always remember, the surplus is not the government's money, the surplus is the people's money.

''For lower-income families, my tax plan restores basic fairness. Right now, complicated tax rules punish hard work. A waitress supporting two children on $25,000 a year can lose nearly half of every additional dollar she earns above the 25,000. For overtime, her hardest hours, are taxed at nearly 50 percent. This sends a terrible message: You will never get ahead. But America's message must be different. We must honor hard work, never punish it.

''With tax relief, overtime will no longer be overtax time for the waitress. People with the smallest incomes will get the highest percentage reductions. And millions of additional American families will be removed from the income tax rolls entirely.

''Tax relief is right and tax relief is urgent. The long economic expansion that began almost 10 years ago is faltering. Lower interest rates will eventually help, but we cannot assume they will do the job all by themselves.

''Forty years ago and then 20 years ago, two Presidents, one Democrat and one Republican, John F. Kennedy and Ronald Reagan, advocated tax cuts to, in President Kennedy's words, 'get this country moving again.' They knew then, what we must do now, to create economic growth and opportunity, we must put money back into the hands of the people who buy goods and create jobs.

''We must act quickly. The Chairman of the Federal Reserve has testified before Congress that tax cuts often come too late to stimulate economic recovery. So I want to work with you to give our economy an important jump start by making tax relief retroactive.

''We must act now because it is the right thing to do. We must also act now because we have other things to do. We must show courage to confront and resolve tough challenges: To restructure our Nation's defenses, to meet our growing need for energy, and to reform Medicare and Social Security.

''America has a window of opportunity to extend and secure our present peace by promoting a distinctly American internationalism. We will work with our allies and friends to be a force for good and a champion of freedom. We will work for free markets and free trade and freedom from oppression. Nations making progress toward freedom will find America is their friend.

''We will promote our values, and we will promote peace. And we need a strong military to keep the peace. But our military was shaped to confront the challenges of the past. So I have asked the Secretary of Defense to review America's armed forces and prepare to transform them to meet emerging threats. My budget makes a down payment on the research and development that will be required. Yet, in our broader transformation effort, we must put strategy first, then spending. Our defense vision will drive our defense budget, not the other way around.

''Our Nation also needs a clear strategy to confront the threats of the 21st century, threats that are more widespread and less certain. They range from terrorists who threaten with bombs to tyrants and rogue nations intent on developing weapons of mass destruction. To protect our own people, our allies and friends, we must develop and we must deploy effective missile defenses.

''And as we transform our military, we can discard Cold War relics, and reduce our own nuclear forces to reflect today's needs.

''A strong America is the world's best hope for peace and freedom. Yet the cause of freedom rests on more than our ability to defend ourselves and our allies. Freedom is exported every day, as we ship goods and products that improve the lives of millions of people. Free trade brings greater political and personal freedom.

''Each of the previous five presidents has had the ability to negotiate far-reaching trade agreements. Tonight I ask to give me the strong hand of presidential trade promotion authority, and to do so quickly.

''As we meet tonight, many citizens are struggling with the high costs of energy. We have a serious energy problem that demands a national energy policy. The West is confronting a major energy shortage that has resulted in high prices and uncertainty. I have asked Federal agencies to work with California officials to help speed construction of new energy sources. And I have directed Vice President Cheney, Commerce Secretary Evans, Energy Secretary Abraham, and other senior members of my administration to develop a national energy policy.

''Our energy demand outstrips our supply. We can produce more energy at home while protecting our environment, and we must. We can produce more electricity to meet demand, and we must. We can promote alternative energy sources and conservation, and we must. America must become more energy independent, and we will.

''Perhaps the biggest test of our foresight and courage will be reforming Medicare and Social Security.

''Medicare's finances are strained, and its coverage is outdated. Ninety-nine percent of employer-provided health plans offer some form of prescription drug coverage. Medicare does not. The framework for reform has been developed by Senators FRIST and BREAUX and Congressman THOMAS; and now is the time to act. Medicare must be modernized. And we must make sure that every senior on Medicare can choose a health care plan that offers prescription drugs.

''Seven years from now, the baby boom generation will begin to claim Social Security benefits. Everyone in this Chamber knows that Social Security is not prepared to fully fund their retirement. And we only have a couple of years to get prepared. Without reform, this country will one day awaken to a stark choice: either a drastic rise in payroll taxes or a radical cut in retirement benefits. There is a better way.

''This spring I will form a Presidential commission to reform Social Security. The commission will make its recommendations by next fall. Reform should be based on these principles: It must preserve the benefits of all current retirees and those nearing retirement. It must return Social Security to sound financial footing, and it must offer personal savings accounts to younger workers who want them.

''Social Security now offers workers a return of less than 2 percent on the money they pay into the system. To save the system, we must increase that by allowing younger workers to make safe, sound investments at a higher rate of return.

''Ownership, access to wealth, and independence should not be the privilege of a few. They are the hope of every American, and we must make them the foundation of Social Security.

''By confronting the tough challenge of reform, by being responsible with our budget, we can earn the trust of the American people. And we can add to that trust by enacting fair and balanced election and campaign reforms.

''The agenda I have set before you tonight is worthy of a great Nation. America is a Nation at peace, but not a Nation at rest. Much has been given to us, and much is expected.

''Let us agree to bridge old divides. But let us also agree that our goodwill must be dedicated to great goals. Bipartisanship is more than minding our manners, it is doing our duty.

''No one can speak in this Capitol and not be awed by its history. At so many turning points, debates in these chambers have reflected the collected or divided conscience of our country. And when we walk through Statuary Hall and see those men and women of marble, we are reminded of their courage and achievement.

''Yet America's purpose is never found only in statues or history. America's purpose always stands before us.

''Our generation must show courage in a time of blessing as our Nation has always shown in times of crisis. And our courage, issue by issue, can gather to greatness and serve our country. This is the privilege and responsibility we share. And if we work together, we can prove that public service is noble.

''We all came here for a reason. We all have things we want to accomplish and promises to keep. Juntos podemos, together we can. We can make Ameri-

cans proud of their government. Together we can share in the credit of making our country more prosperous and generous and just, and earn from our conscience and from our fellow citizens, the highest possible praise: well done, good and faithful servants.

Thank you all. Good night. And God bless.''.

At 9 o'clock and 59 minutes p.m., the President of the United States retired from the Hall of the House, followed by his Cabinet.

The Supreme Court retired from the Hall of the House.

The ambassadors, ministers and charges d'affaires of foreign governments retired from the Hall of the House.

The SPEAKER, at 10 o'clock and 5 minutes p.m., then declared the joint session of the two Houses dissolved.

The Vice President and Members of the Senate retired from the Hall of the House.

¶13.23 REFERENCE OF THE PRESIDENT'S MESSAGE

On motion of Mr. THUNE, the message of the President, as delivered, together with the accompanying documents, was referred to the Committee of the Whole House on the state of the Union and ordered to be printed (H. Doc. 107–1).

¶13.24 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ACKERMAN, for today and balance of the week;

To Mr. CRAMER, for today and balance of the week; and

To Ms. ROS-LEHTINEN, for today and balance of the week.

And then,

¶13.25 ADJOURNMENT

On motion of Mr. THUNE, at 10 o'clock and 6 minutes p.m., the House adjourned.

¶13.26 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. STEARNS (for himself, Mr. PICKERING, Mr. OXLEY, Mr. BLUMENAUER, Mr. BERMAN, Mr. OBERSTAR, and Mrs. CAPPS):

H.R. 727. A bill to amend the Consumer Products Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 728. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize grants for the repair, renovation, alteration, and construction of public elementary and secondary school facilities; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 729. A bill to establish State revolving funds for school construction; to the Committee on Education and the Workforce.

By Mr. ANDREWS (for himself, Ms. DELAURO, Mr. PASCRELL, Mr. WELDON of Pennsylvania, Mr. BLAGOJEVICH, Mr. LANTOS, Mr. MCGOVERN, and Mrs. MALONEY of New York):

H.R. 730. A bill to provide that children's sleepwear shall be manufactured in accordance with stricter flammability standards; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 731. A bill to prohibit the discharge of a firearm within 1000 feet of any Federal land or facility; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 732. A bill to amend title 28, United States Code, to provide for individuals serving as Federal jurors to continue to receive their normal average wage or salary during such service; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 733. A bill to amend the Federal Rules of Evidence to establish a parent-child privilege; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 734. A bill to amend the Railroad Retirement Act of 1974 to eliminate a limitation on benefits; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 735. A bill to direct the National Highway Transportation Safety Administration to issue standards for the use of motorized skate boards; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 736. A bill to provide that a person who brings a product liability action in a Federal or State court for injuries sustained from a product that is not in compliance with a voluntary or mandatory standard issued by the Consumer Product Safety Commission may recover treble damages, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BASS (for himself, Mr. BENTSEN, Mr. RAMSTAD, Mr. DOYLE, Mrs. JOHNSON of Connecticut, Mr. HORN, Mr. LOBIONDO, Mr. GOODE, Mrs. MORELLA, Mr. ENGLISH, Ms. HOOLEY of Oregon, Mr. BEREUTER, Mr. HOLT, Mr. WATKINS, Mr. HUTCHINSON, Mr. SAXTON, and Mr. OSBORNE):

H.R. 737. A bill to amend the Individuals with Disabilities Education Act to provide full funding for assistance for education of all children with disabilities; to the Committee on Education and the Workforce.

By Mr. BLUNT (for himself, Mr. BENTSEN, Mr. LARGENT, Mr. SHADEGG, Mr. RILEY, Mr. SHIMKUS, Mr. CHAMBLISS, Mr. RADANOVICH, Mr. SESSIONS, Mr. COOKSEY, Mr. LATOURETTE, Mr. YOUNG of Alaska, Mrs. WILSON, Mr. ALLEN, Mr. BALDACCI, Mr. DELAHUNT, Mr. FROST, Mr. KANJORSKI, Mr. MOORE, Mr. SANDLIN, Mr. MALONEY of Connecticut, Mr. SHOWS, Ms. PRYCE of Ohio, Mr. BONILLA, Mr. HILLIARD, Mr. HINCHEY, Mr. STENHOLM, Mr. SKEEN, Mr. SCHAFFER, Mr. MCHUGH, Mr. JONES of North Carolina, Mr. SIMPSON, Mr. HUTCHINSON, Mr. PITTS, Mr. CALVERT, Ms. BERKLEY, Mr. HALL of Texas, Mr. DOOLITTLE, Ms. HOOLEY of Oregon, Mr. PASCRELL, Mr. THOMPSON of Mississippi, Mr. MORAN of Kansas, Mr. THUNE, Mr. LEWIS of Kentucky, Ms. MCCARTHY of Missouri, Mr. HALL of Ohio, Mr. POMEROY, Mr. WALDEN of Oregon, Mr. WHITFIELD, Mr. OXLEY, Mr. OTTER, Mr. MCINTYRE, Mr. PETERSON of Pennsylvania, Mr. SUNUNU, Mrs. BONO, Mr. WATTS of Oklahoma, Mr. GILLMOR, Mr. SANDERS, Mr. CLEMENT, Mr. FOSSELLA, Mr. HASTINGS of Washington, Mr. JOHNSON of Illinois, Mr. MORAN of Virginia, Mr. TAYLOR of North Carolina, Mr. LAMPSON, Mrs. NORTHUP, Mr. SOUDER, Mr. DEMINT, Mr. WATKINS, Mr. TERRY, and Mr. PETERSON of Minnesota):

H.R. 738. A bill to amend the Internal Revenue Code of 1986 to provide additional retirement savings opportunities for small employers, including self-employed individuals; to the Committee on Ways and Means.

By Mr. CARDIN (for himself, Mr. STARK, Mr. LEVIN, and Mr. MCDERMOTT):

H.R. 739. A bill to update the supplemental security income program, and to increase incentives for working, saving, and pursuing an education; to the Committee on Ways and Means.

By Mr. COBLE (for himself, Mr. SENSENBRENNER, Mrs. BONO, and Mr. WEXLER):

H.R. 740. A bill to reauthorize the United States Patent and Tademark Office; to the Committee on the Judiciary.

By Mr. COBLE (for himself and Mr. BERMAN):

H.R. 741. A bill to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. SANDERS, Ms. VELAZQUEZ, Mr. BONIOR, Mr. CLAY, Ms. MCKINNEY, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. SLAUGHTER, and Ms. BALDWIN):

H.R. 742. A bill to provide the people of Iraq with access to food and medicines from the United States, and for other purposes; to the Committee on International Relations.

By Mr. DUNCAN:

H.R. 743. A bill to eliminate the fees associated with Forest Service special use permits authorizing a church to use structures and improvements on National Forest System lands for religious or educational purposes; to the Committee on Agriculture.

By Ms. DUNN (for herself and Mr. CARDIN):

H.R. 744. A bill to amend the Internal Revenue Code of 1986 to encourage charitable contributions to public charities for use in medical research; to the Committee on Ways and Means.

By Mr. EVANS:

H.R. 745. A bill to amend the Higher Education Act of 1965 to prevent veterans' contributions to GI bill benefits from reducing Federal student financial assistance; to the Committee on Education and the Workforce.

By Mr. HEFLEY (for himself, Mr. GILLMOR, Mr. JONES of North Carolina, Mrs. JONES of Ohio, Mrs. KELLY, Mr. RILEY, Mr. BOSWELL, Mr. COMBEST, Mr. STENHOLM, Ms. BALDWIN, Mr. BERRY, Mr. BOUCHER, Mr. BRYANT, Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. DOYLE, Mr. EDWARDS, Mrs. EMERSON, Mr. GOODE, Mr. GORDON, Mr. HILL, Mr. HINOJOSA, Mr. ISTOOK, Mr. JOHNSON of Illinois, Mr. LAHOOD, Mr. LATHAM, Mr. MCINNIS, Mr. NETHERCUTT, Mr. NORWOOD, Mr. OSBORNE, Mr. PETERSON of Pennsylvania, Mr. RUSH, Mr. SCHAFFER, Mr. SESSIONS, Mr. SMITH of New Jersey, Mr. TANCREDO, Mr. TERRY, Mr. THUNE, and Mr. UDALL of Colorado):

H.R. 746. A bill to amend the Federal Deposit Insurance Act to require periodic cost of living adjustments to the maximum amount of deposit insurance available under such Act, and for other purposes; to the Committee on Financial Services.

By Mr. HINCHEY (for himself, Mr. BARTLETT of Maryland, Mr. HILLIARD,

Mr. KILDEE, Mr. FILNER, Mrs. MINK of Hawaii, Ms. PELOSI, Mr. BRADY of Pennsylvania, Mr. GEORGE MILLER of California, Mr. DEFAZIO, Mr. ABERCROMBIE, and Mr. MCGOVERN):

H.R. 747. A bill to amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under part B of the Medicare Program, and to amend title 5, United States Code, to provide for coverage of such services under the Federal Employees Health Benefits Program; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KELLY:

H.R. 748. A bill to authorize the Small Business Administration to make grants and loans to small business concerns, and grants to agricultural enterprises, to enable such concerns and enterprises to reopen for business after a natural or other disaster; to the Committee on Small Business.

By Mrs. KELLY (for herself and Mr. SWEENEY):

H.R. 749. A bill to amend chapter 35 of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small businesses, educational and nonprofit institutions, Federal contractors, State and local governments, and other persons through the sponsorship and use of alternative information technologies; to the Committee on Government Reform, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KELLY (for herself, Mr. ENGLISH, Ms. PRYCE of Ohio, and Mr. SWEENEY):

H.R. 750. A bill to amend provisions of law enacted by the Small Business Regulatory Enforcement Fairness Act of 1996 to ensure full analysis of potential impacts on small entities of rules proposed by certain agencies, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING:

H.R. 751. A bill to amend title 18, United States Code, to protect the sanctity of religious communications; to the Committee on the Judiciary.

By Mr. KING:

H.R. 752. A bill to develop voluntary consensus standards to ensure the accuracy and validation of the voting process, to direct the Director of the National Institute of Standards and Technology to study voter participation and emerging voting technology, to provide grants to States to improve voting methods, and for other purposes; to the Committee on Science, and in addition to the Committees on House Administration, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KOLBE (for himself, Mr. DREIER, Mr. HINOJOSA, Mr. BONILLA, Mr. REYES, Mr. ORTIZ, and Mr. FILNER):

H.R. 753. A bill to provide that a certification of the cooperation of Mexico with United States counterdrug efforts not be required in fiscal year 2001 for the limitation on assistance for Mexico under section 490 of the Foreign Assistance Act of 1961 not to go into effect in that fiscal year; to the Committee on International Relations.

By Mr. LEWIS of Kentucky:

H.R. 754. A bill to amend the Appalachian Regional Development Act of 1965 to designate Edmonson, Hart, and Metcalfe Counties, Kentucky, as part of the Appalachian region; to the Committee on Transportation and Infrastructure.

By Mrs. LOWEY (for herself, Mr. GREENWOOD, Ms. PELOSI, Mr. SHAYS, Mrs. MALONEY of New York, Mrs. JOHNSON of Connecticut, Mr. NADLER, Mr. MORAN of Virginia, Mr. WEXLER, Mr. CROWLEY, Mr. KIRK, Mr. OLVER, Mr. CAPUANO, Mr. PRICE of North Carolina, Mr. GILMAN, Ms. VELAZQUEZ, Mr. SANDERS, Mr. ALLEN, Mr. HORN, Ms. ROYBAL-ALLARD, Mr. ABERCROMBIE, Mr. HILLIARD, Mr. BLAGOJEVICH, Mr. HINCHEY, Mr. SMITH of Washington, Mr. GUTIERREZ, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. TOWNS, Mr. MEEHAN, Mrs. JONES of Ohio, Mr. ACKERMAN, Ms. ESHOO, Mr. THOMPSON of California, Mr. DEFAZIO, Mr. BENTSEN, Ms. DELAURO, Mr. FARR of California, Mr. STARK, Mr. BALDACCI, Mr. SERRANO, Mr. TIERNEY, Mr. WAXMAN, Mr. DEUTSCH, Ms. MCCARTHY of Missouri, Mr. MENENDEZ, Mr. CUMMINGS, Ms. NORTON, Mr. LEVIN, Mrs. MINK of Hawaii, Mrs. THURMAN, Mr. BERMAN, Mrs. MCCARTHY of New York, Mr. CONYERS, Ms. SLAUGHTER, Mr. GEORGE MILLER of California, Ms. LEE, Mrs. MORELLA, Ms. RIVERS, Mr. FROST, Ms. LOFGREN, Mr. HOLT, Mr. HONDA, Mr. RODRIGUEZ, Mr. DELAHUNT, Mr. HOEFFEL, Mr. SAWYER, Ms. WOOLSEY, Ms. KILPATRICK, Ms. HARMAN, Mr. BROWN of Ohio, Mrs. MEEK of Florida, and Mr. BONIOR):

H.R. 755. A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961; to the Committee on International Relations.

By Mrs. MCCARTHY of New York (for herself, Mr. HINCHEY, Mr. KILDEE, Mr. ETHERIDGE, Mr. GEORGE MILLER of California, Mrs. MORELLA, Mr. PAYNE, Mr. SCOTT, Mr. ANDREWS, Mr. TIERNEY, Ms. SCHAKOWSKY, Mr. WU, Mrs. MEEK of Florida, Mr. PASCRELL, Mr. HINOJOSA, and Ms. WOOLSEY):

H.R. 756. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to provide programs that benefit the educational, health, social service, cultural, and recreational needs of inner and small cities and rural and disadvantaged suburban communities; to the Committee on Education and the Workforce.

By Mrs. MCCARTHY of New York (for herself, Mr. CROWLEY, Mr. KING, Mrs. LOWEY, Mr. NADLER, Mr. ACKERMAN, Mr. TOWNS, Mr. MEEKS of New York, Mr. GRUCCI, and Mr. WEINER):

H.R. 757. A bill to amend title 49, United States Code, to temporarily limit the number of airline flights at LaGuardia Airport, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MCCARTHY of New York (for herself, Mr. GRUCCI, Mr. ACKERMAN, Mrs. MINK of Hawaii, and Mr. DOGGETT):

H.R. 758. A bill to provide for substantial reductions in the price of prescription drugs for Medicare beneficiaries and for women diagnosed with breast cancer; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MINK of Hawaii:

H.R. 759. A bill to amend the Internal Revenue Code of 1986 to increase the unified credit to an exclusion equivalent of $5,000,000; to the Committee on Ways and Means.

By Mr. ROYCE (for himself, Mr. CALVERT, Mr. FILNER, Mr. LATOURETTE, Mr. GIBBONS, Ms. ROYBAL-ALLARD, Mr. CUNNINGHAM, and Mr. SHERMAN):

H.R. 760. A bill to amend the Federal Credit Union Act with respect to the limitations on member business loans; to the Committee on Financial Services.

By Ms. SLAUGHTER (for herself and Mr. DEFAZIO):

H.R. 761. A bill to impose a temporary moratorium on certain airline mergers and acquisitions; to the Committee on the Judiciary.

By Mr. STEARNS (for himself, Mr. MEEKS of New York, Mr. MCGOVERN, and Mr. DAVIS of Illinois):

H.R. 762. A bill to establish the North American Slavery Memorial Council; to the Committee on Resources.

By Mr. STUPAK:

H.R. 763. A bill to name the Department of Veterans Affairs outpatient clinic located in Menominee, Michigan, as the ''Fred W. Matz Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. STUPAK (for himself and Mr. CAMP):

H.R. 764. A bill to amend title 38, United States Code, to provide a presumption of service connection for injuries classified as cold weather injuries which occur in veterans who while engaged in military operations had sustained exposure to cold weather; to the Committee on Veterans' Affairs.

By Mr. WYNN (for himself, Ms. MCKINNEY, Mr. HINCHEY, Ms. KILPATRICK, Mrs. CHRISTENSEN, Mr. CLAY, Mr. TOWNS, Ms. LEE, Mr. MCGOVERN, Mr. DAVIS of Illinois, Ms. MCCARTHY of Missouri, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. OWENS, Mr. PAYNE, Mr. STARK, and Mr. FATTAH):

H.R. 765. A bill to amend title 18, United States Code, to provide retroactive effect to a sentencing safety valve provision; to the Committee on the Judiciary.

By Mr. FRANK:

H.J. Res. 22. A joint resolution proposing an amendment to the Constitution of the United States of America to prohibit the granting of Presidential reprieves and pardons between October 1 of a year in which a Presidential election occurs and January 21 of the year following, and for other purposes; to the Committee on the Judiciary.

By Mr. WELDON of Pennsylvania (for himself and Mr. MURTHA):

H. Con. Res. 39. Concurrent resolution honoring the ultimate sacrifice made by 28 United States soldiers killed by an Iraqi missile attack on February 25, 1991, during Operation Desert Storm, and resolving to support appropriate and effective theater missile defense programs; to the Committee on Armed Services.

By Mr. BURTON of Indiana:

H. Con. Res. 40. Concurrent resolution expressing the sense of the Congress that national news organizations should refrain from projecting the winner of a Presidential election until all of the polls in the Continental United States have closed; to the Committee on Energy and Commerce.

By Mr. THOMAS M. DAVIS of Virginia (for himself, Mr. BALLENGER, Mr. DELAHUNT, Mr. DIAZ-BALART, Mr. MOAKLEY, Mrs. MORELLA, Mr. FRANK, Mr. BRADY of Pennsylvania, Ms. ROY-

BAL-ALLARD, Mr. WEXLER, and Mr. MENENDEZ):

H. Con. Res. 41. Concurrent resolution expressing sympathy for the victims of the devastating earthquakes that struck El Salvador on January 13, 2001, and February 13, 2001, and supporting ongoing aid efforts; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOYER (for himself, Mr. THOMAS M. DAVIS of Virginia, Mr. WOLF, Mr. MORAN of Virginia, Mr. WYNN, Mrs. MORELLA, Mr. CUMMINGS, Mr. CARDIN, Ms. NORTON, Mr. FRANK, Mr. LANTOS, Mr. BALDACCI, Mr. SISISKY, Mr. PRICE of North Carolina, Mr. KILDEE, Ms. MCKINNEY, Mr. DAVIS of Illinois, Mr. MCGOVERN, and Ms. BROWN of Florida):

H. Con. Res. 42. Concurrent resolution expressing the sense of the Congress that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services; to the Committee on Government Reform.

By Mr. HOYER (for himself, Mr. NEY, Mr. FATTAH, Mr. DAVIS of Florida, Mr. BISHOP, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. FORD, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. KIND, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. SCOTT, Mr. SERRANO, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, Mr. WATT of North Carolina, Mr. WATTS of Oklahoma, and Mr. WYNN):

H. Con. Res. 43. Concurrent resolution authorizing the printing of a revised and updated version of the House document entitled ''Black Americans in Congress, 1870–1989''; to the Committee on House Administration.

By Mr. HAYES (for himself, Mr. WATT of North Carolina, Mr. COBLE, Mr. BALLENGER, Mr. PRICE of North Carolina, Mr. TAYLOR of North Carolina, Mrs. CLAYTON, Mr. BURR of North Carolina, Mr. JONES of North Carolina, Mrs. MYRICK, Mr. ETHERIDGE, Mr. MCINTYRE, Mr. MURTHA, Mr. CASTLE, Ms. GRANGER, Mr. RILEY, Mr. GIBBONS, Mr. BOUCHER, Mr. COLLINS, Mr. MICA, Mr. HOYER, Ms. CARSON of Indiana, Mrs. JONES of Ohio, Mr. CANTOR, Mr. CRENSHAW, Mr. FOLEY, Ms. NORTON, Mr. THOMAS, and Mr. GOODLATTE):

H. Res. 57. A resolution recognizing and honoring Dale Earnhardt and expressing the condolences of the House of Representatives to his family on his death; to the Committee on Government Reform.

By Mr. HYDE:

H. Res. 58. A resolution providing amounts for the expenses of the Committee on Internationl Relations in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. SENSENBRENNER:

H. Res. 59. A resolution providing amounts for the expenses of the Committee on the Judiciary in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. BOEHLERT:

H. Res. 60. A resolution providing amounts for the expenses of the Committee on Science in the One Hundred Seventh Congress; to the Committee on House Administration.

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

H. Res. 61. A resolution providing amounts for the expenses of the Committee on Education and the Workforce in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. GOSS:

H. Res. 62. A resolution providing amounts for the expenses of the Permanent Select Committee on Intelligence in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. MENENDEZ:

H. Res. 63. A resolution Designating minority membership on certain standing committees of the House of Representatives; considered and agreed to.

By Mr. BURTON of Indiana:

H. Res. 64. A resolution providing amounts for the expenses of the Committee on Government Reform in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. KING:

H. Res. 65. A resolution establishing a Select Committee on POW and MIA Affairs; to the Committee on Rules.

By Mr. MANZULLO:

H. Res. 66. A resolution providing amounts for the expenses of the Committee on Small Business in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. REYES (for himself and Mr. RODRIGUEZ):

H. Res. 67. A resolution recognizing the importance of combatting tuberculosis on a worldwide basis, and acknowledging the severe impact that TB has on minority populations in the United States; to the Committee on International Relations, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUMP:

H. Res. 68. A resolution providing amounts for the expenses of the Committee on Armed Services in the One Hundred Seventh Congress; to the Committee on House Administration.

¶13.27 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LANTOS:

H.R. 766. A bill for the relief of Marleen R. Delay; to the Committee on the Judiciary.

By Mr. WYNN:

H.R. 767. A bill for the relief of Valentine Nwandu; to the Committee on the Judiciary.

¶13.28 ADDITIONAL SPONSORS

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

H.R. 17: Mr. KENNEDY of Rhode Island, Mr. BOYD, Mr. DEFAZIO, Mr. BLUMENAUER, Mr. MEEKS of New York, and Mr. WYNN.

H.R. 25: Mr. MCNULTY.

H.R. 36: Mr. ENGLISH, Ms. MCKINNEY, Mr. UDALL of Colorado, Mr. LANTOS, and Mrs. NORTHUP.

H.R. 39: Mr. REHBERG, Mr. RYUN of Kansas, Mr. FLAKE, Mr. GOODE, Mr. THORNBERRY, and Mr. HOSTETTLER.

H.R. 42: Mr. SHAYS.

H.R. 43: Mr. KENNEDY of Rhode Island.

H.R. 51: Mr. SHOWS, Mr. CLEMENT, Mr. BALDACCI, Mr. TURNER, Ms. HOOLEY of Oregon, Mr. SISISKY, Mr. FROST, Mr. TAYLOR of Mississippi, Ms. NORTON, Mr. MEEHAN, Mrs. CHRISTENSEN, Mrs. MALONEY of New York, Mr. GEORGE MILLER of California, Ms. BALDWIN, Mr. CUNNINGHAM, Mr. KUCINICH, and Mr. MCGOVERN.

H.R. 65: Mr. STUPAK, Mr. UDALL of New Mexico, Ms. MCKINNEY, Mr. SPENCE, Mr. STEARNS, Mr. SWEENEY, Mr. JOHN, Mr. CALVERT, Mr. COLLINS, Mr. RODRIGUEZ, Mr. SCHROCK, Mr. SOUDER, Mr. HINCHEY, Mr. DICKS, and Mr. CUMMINGS.

H.R. 87: Mr. SERRANO, Mr. RAHALL, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. FROST, Mr. DIAZ-BALART, Mr. CAPUANO, Ms. MCKINNEY, Ms. BERKLEY, and Ms. ROYBAL-ALLARD.

H.R. 90: Ms. RIVERS, Mr. MCGOVERN, Mr. LOBIONDO, Mr. UPTON, Mr. HAYWORTH, and Mr. PHELPS.

H.R. 97: Ms. ESHOO, Mr. PAYNE, Mr. BROWN of Ohio, Ms. VELÁQUEZ, Mr. GILLMOR, Mr. MASCARA, Mr. DEFAZIO, Mr. KANJORSKI, Mr. BONIOR, Mr. STUPAK, Mr. PAUL, Mr. LAHOOD, Mr. BOUCHER, Mr. GALLEGLY, Mr. SAXTON, Mr. SCHAFFER, Mr. GOODE, Mr. SESSIONS, Mrs. THURMAN, Mr. CLYBURN, Mr. BACHUS, Ms. MCKINNEY, and Mr. GILCHREST.

H.R. 99: Mr. KOLBE, Mr. HALL of Texas, Mr. TOOMEY, Mr. PETERSON of Pennsylvania, and Mr. SOUDER.

H.R. 100: Ms. MILLENDER-MCDONALD, Mr. STENHOLM, Mr. HOBSON, and Mr. ENGEL.

H.R. 101: Ms. MILLENDER-MCDONALD, Mr. STENHOLM, Mr. HOBSON, Mr. ENGEL, and Mr. HOLDEN.

H.R. 102: Ms. MILLENDER-MCDONALD, Mr. STENHOLM, Mr. HOBSON, Mr. ENGEL, and Mr. HOLDEN.

H.R. 134: Ms. MCKINNEY, Mr. WEXLER, and Ms. BALDWIN.

H.R. 157: Mr. HOEFFEL.

H.R. 162: Ms. WOOLSEY.

H.R. 168: Mr. SOUDER.

H.R. 171: Mr. OWENS and Mrs. MINK of Hawaii.

H.R. 179: Mr. BAIRD, Mr. BARTLETT of Maryland, Mr. BOYD, Mr. CANNON, Mrs. CAPITO, Mr. CONYERS, Mr. FARR of California, Mr. FATTAH, Mr. GOODLATTE, Mr. HALL of Ohio, Mr. HANSEN, Mr. HERGER, Mr. HILLEARY, Mr. HINOJOSA, Mr. ISAKSON, Mr. JOHN, Mr. LAFALCE, Mr. LARSEN of Washington, Ms. LEE, Mr. LUCAS of Oklahoma, Mr. MANZULLO, Mrs. MCCARTHY of New York, Mr. MOAKLEY, Mr. MOLLOHAN, Ms. NORTON, Mr. PAYNE, Mr. PICKERING, Mr. RAHALL, Mr. REYES, Mr. ROTHMAN, Mr. SCHIFF, Mr. STUPAK, Mr. TAYLOR of Mississippi, Mr. WEINER, and Mr. WICKER.

H.R. 184: Mr. SMITH of New Jersey, Mr. STARK, Mr. UNDERWOOD, and Mr. LANTOS.

H.R. 187: Mr. STUPAK, Ms. MCKINNEY, Mr. GORDON, Mrs. CHRISTENSEN, Mr. MCHUGH, and Mrs. EMERSON.

H.R. 189: Mr. SKEEN.

H.R. 190: Mr. TAYLOR of North Carolina.

H.R. 192: Mr. KING.

H.R. 214: Mr. MOORE.

H.R. 218: Mr. BURTON of Indiana, Mr. GOODLATTE, Mr. PRICE of North Carolina, Mr. BARR of Georgia, Mr. STENHOLM, Mr. TAYLOR of North Carolina, Mr. BRYANT, Mr. BAIRD, Mr. PENCE, and Mr. BARTLETT of Maryland.

H.R. 219: Mr. SMITH of New Jersey and Mr. NEY.

H.R. 220: Mr. HILLEARY.

H.R. 225: Ms. WOOLSEY, Mr. MARKEY, Mr. PAYNE, Mr. FATTAH, Ms. WATERS, Mr. JACKSON of Illinois, Mr. CONYERS, and Mr. ABERCROMBIE.

H.R. 230: Mr. HILLIARD, Mr. SANDERS, and Mrs. MINK of Hawaii.

H.R. 231: Mr. HILLIARD and Mrs. MINK of Hawaii.

H.R. 238: Mr. LANTOS and Ms. SOLIS.

H.R. 246: Mr. SHADEGG and Mr. JONES of North Carolina.

H.R. 250: Mr. SHERWOOD, Mr. UPTON, Mr. LAHOOD, Mr. POMEROY, Mr. PHELPS, Ms. BROWN of Florida, Mr. HALL of Texas, Mr. JEFFERSON, Mr. MORAN of Kansas, Mr. STRICKLAND, Mr. ETHERIDGE, Mr. FRANK, Mr. BASS, Mr. YOUNG of Alaska, Mr. WEXLER, Mr. ACEVEDO-VILÁ, Mr. TOOMEY, Mr. NEAL of Massachusetts, Mr. FATTAH, Ms. MCCOLLUM, Mr. GUTIERREZ, Mr. ISRAEL, Mr. BLUMENAUER, and Mr. ROSS.

H.R. 257: Mr. PITTS and Mr. PETERSON of Pennsylvania.

H.R. 261: Mr. FILNER.

H.R. 266: Mr. HILLIARD and Mr. WEXLER.

H.R. 268: Ms. WOOLSEY, Mr. KUCINICH, Mr. CONDIT, and Mr. BACA.

H.R. 269: Mr. PETERSON of Minnesota.

H.R. 283: Mr. HILLIARD, Mr. FILNER, Ms. MCKINNEY, Mr. LANTOS, Mr. MCGOVERN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ABERCROMBIE, and Mr. GEORGE MILLER of California.,

H.R. 286: Mrs. THURMAN, Mrs. LOWEY, and Mr. MCGOVERN.

H.R. 288: Mr. CONDIT and Mr. WEXLER.

H.R. 289: Mr. STARK.

H.R. 290: Mr. ABERCROMBIE, Mr. THOMPSON of Mississippi, Mrs. CHRISTENSEN, and Ms. NORTON.

H.R. 293: Mr. PALLONE, Mr. BEREUTER, Mr. BACA, Mr. FILNER, Mr. OBERSTAR, Mr. CARSON of Oklahoma, Mr. ABERCROMBIE, Ms. HOOLEY of Oregon, Mr. KENNEDY of Rhode Island, Mr. RANGEL, Ms. LEE, Mr. OWENS, Mr. CONDIT, Mr. STUPAK, and Mr. BLUMENAUER.

H.R. 303: Mr. CHAMBLISS, Mr. STUPAK, Mr. WATTS of Oklahoma, Mr. ALLEN, Mr. ROTHMAN, Ms. MCKINNEY, Mr. SMITH of Washington, Mr. SCHIFF, Mr. SPENCE, Mr. CANNON, Mr. WAMP, Mr. OBERSTAR, Mr. SWEENEY, Mr. RAMSTAD, Mr. LATOURETTE, Mr. DIAZ-BALART, Mr. RYUN of Kansas, Mr. ISTOOK, Mr. JOHN, Mr. ABERCROMBIE, Mr. BROWN of Ohio, Mr. PICKERING, Mr. NETHERCUTT, Mr. BLAGOJEVICH, Mr. PITTS, Ms. PRYCE of Ohio, Mr. BARTLETT of Maryland, Mr. OLVER, Mr. CALVERT, Mr. HANSEN, Mr. GRAVES, Mr. HERGER, Mr. THOMPSON OF CALIFORNIA, Mr. LAMPSON, Mr. THORNBERRY, Mr. GALLEGLY, Mr. WICKER, Mr. MANZULLO, Mr. SHAYS, Mr. PALLONE, Mr. SOUDER, Mr. TAYLOR of North Carolina, Mr. DICKS, Mr. CUMMINGS, and Mr. RILEY.

H.R. 311: Mr. HAYWORTH.

H.R. 316: Mr. PETERSON of Pennsylvania and Mr. SOUDER.

H.R. 317: Mr. HEFLEY and Mr. DEMINT.

H.R. 318: Mr. BROWN of Ohio, Mrs. MCCARTHY of New York, Mr. TOWNS, Mrs. TAUSCHER, Ms. PELOSI, Mr. BLUMENAUER, Mr. MCHUGH, Mr. FRANK, Mr. MORAN of Virginia, Mr. RUSH, Mr. TIERNEY, Mr. FROST, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. CLEMENT, Ms. MCKINNEY, Mr. HOYER, Ms. KAPTUR, Ms. BALDWIN, Mr. BLAGOJEVICH, Mr. LANTOS, Mr. NADLER, Ms. ROYBAL-ALLARD, Mr. DELAHUNT, and Mr. HINCHEY.

H.R. 322: Mr. BENTSEN, Mr. BOYD, Mr. CRENSHAW, Mr. HALL of Texas, Mr. HASTINGS of Florida, Mr. MATSUI, Mr. RODRIGUEZ, Mr. SANDLIN, Mr. SESSIONS, Mr. STEARNS, Mr. TURNER, and Mr. WEXLER.

H.R. 326: Mr. HINOJOSA, Mr. DEUTSCH, Mr. KILDEE, Mr. HORN, Mr. BRADY of Pennsylvania, and Mr. HOEFFEL.

H.R. 331: Mr. STEARNS, Mr. HAYWORTH, and Mr. TAYLOR of North Carolina.

H.R. 340: Mr. UDALL of Colorado, Mr. UNDERWOOD, Ms. SCHAKOWSKY, Mr. CLAY, and Mr. GORDON.

H.R. 356: Mr. STEARNS, Mr. SOUDER, Mr. TAYLOR of North Carolina, and Mr. BONIOR.

H.R. 361: Ms. KILPATRICK, Ms. MCCOLLUM, Mr. WEXLER, and Mr. DELAHUNT.

H.R. 364: Mr. BOYD, Ms. BROWN of Florida, Mr. CRENSHAW, Mrs. THURMAN, Mr. STEARNS, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. DAVIS of Florida, Mr. PUTNAM, Mr. MILLER of Florida, Mr. GOSS, Mr. WELDON of Florida, Mr. FOLEY, Mr. WEXLER, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. SHAW, and Mr. HASTINGS of Florida.

H.R. 368: Mr. RYUN of Kansas.

H.R. 369: Mr. CRENSHAW and Mr. STEARNS.

H.R. 380: Mr. MASCARA and Mr. LUCAS of Kentucky.

H.R. 385: Mr. HOSTETTLER and Mr. PETERSON of Pennsylvania.

H.R. 386: Mr. SCHAFFER.

H.R. 389: Ms. MCKINNEY.

H.R. 391: Mr. SMITH of New Jersey, Mr. STARK, and Mr. EHRLICH.

H.R. 419: Ms. LEE, Mr. SERRANO, Mr. KILDEE, Mrs. MINK of Hawaii, Mr. MARKEY, Mr. KENNEDY of Rhode Island, and Mr. CLAY.

H.R. 429: Mr. MCGOVERN.

H.R. 435: Ms. MCKINNEY and Mr. SCHAFFER.

H.R. 439: Ms. HOOLEY of Oregon.

H.R. 454: Mr. BLAGOJEVICH and Mr. LEACH.

H.R. 457: Mr. EVANS, Mr. ABERCROMBIE, Mr. STUPAK, Mr. GONZALEZ, Mr. KILDEE, Ms. BROWN of Florida, Mr. BARRETT, Mr. COSTELLO, Mr. HILLIARD, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Ms. BALDWIN, Mr. HALL of Ohio, and Mrs. CHRISTENSEN.

H.R. 460: Ms. NORTON, Ms. ROYBAL-ALLARD, Mr. GEORGE MILLER of California, Mr. KUCINICH, Mr. DAVIS of Illinois, Mr. EVANS, Mr. SANDERS, Mr. BROWN of Ohio, Mr. FILNER, Mrs. CHRISTENSEN, Mr. VISCLOSKY, and Ms. SCHAKOWSKY.

H.R. 476: Mr. GRAHAM and Mr. HALL of Ohio.

H.R. 478: Mr. GORDON and Mr. SISISKY.

H.R. 488: Ms. SLAUGHTER and Mr. COYNE.

H.R. 491: Mr. CUNNINGHAM, Mr. BECERRA, Mr. SCHIFF, Ms. ROYBAL-ALLARD, and Mr. UNDERWOOD.

H.R. 493: Mrs. JONES of Ohio.

H.R. 494: Mr. SCHAFFER and Mr. SOUDER.

H.R. 496: Mr. SHIMKUS, Mr. BERRY, Mr. HUTCHINSON, and Mr. PETERSON of Minnesota.

H.R. 503: Mr. HULSHOF, Mr. BARTON of Texas, Mr. STENHOLM, Mr. NEY, Mr. GOODE, and Ms. HART.

H.R. 511: Mr. GEORGE MILLER of California, Ms. MCCARTHY of Missouri, Mr. STUPAK, Ms. BALDWIN, Ms. MCKINNEY, Mr. UDALL of New Mexico, Mr. JOHN, Mr. REYES, Mr. KILDEE, Mr. MEEHAN, Mrs. CHRISTENSEN, Mr. WEXLER, and Mr. CROWLEY.

H.R. 519: Mr. PASTOR.

H.R. 531: Mr. MOAKLEY, Mr. BECERRA, Mr. MORAN of Virginia, and Ms. LOFGREN.

H.R. 532: Ms. ESHOO.

H.R. 536: Mr. GALLEGLY, Mr. FALEOMAVAEGA, Mr. HALL of Ohio, Mr. HOEFFEL, Mr. INSLEE, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. LAFALCE, Mr. HINOJOSA, Ms. HARMAN, Mr. ALLEN, Mr. GUTIERREZ, Mr. SCHIFF, Mr. RAHALL, Mr. TAYLOR of Mississippi, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. BACA, Mr. CLEMENT, Mr. UNDERWOOD, Mr. WEXLER, Mr. THOMPSON of Mississippi, Mr. SKELTON, Mr. TAYLOR of North Carolina, Ms. SCHAKOWSKY, Mr. CLAY, Mr. SOUDER, Mr. MORAN of Virginia, Mr. PASCRELL, and Mr. STRICKLAND.

H.R. 539: Mr. CANTOR, Mr. BONILLA, Mr. PLATTS, Mr. ENGLISH, Mr. OTTER, Mr. NETHERCUTT, Mr. BRADY of Texas, Mrs. JO ANN DAVIS of Virginia, Mr. STUMP, Mr. CRENSHAW, Mr. NEY, Mr. SCHAFFER, and Mr. SOUDER.

H.R. 544: Ms. BROWN of Florida, Mr. FRANK, Mr. MOORE, Ms. KAPTUR, Mr. WEXLER, Mrs. CHRISTENSEN, Ms. BALDWIN, Mrs. MORELLA, Mr. DOYLE, Mr. BROWN of Ohio, Mrs. THURMAN, Mr. GEORGE MILLER of California, Ms. WOOLSEY, and Mr. KUCINICH.

H.R. 548: Mr. WEXLER, Mr. SCHROCK, Mr. WHITFIELD, Mr. HORN, and Mr. TAYLOR of North Carolina.

H.R. 549: Mr. KOLBE, Mr. SENSENBRENNER, Mr. KELLER, Mr. DEAL of Georgia, Mr. CRENSHAW, Ms. PRYCE of Ohio, Mr. SHAW, Mr. HOSTETTLER, Mr. SCHROCK, and Mr. PETERSON of Pennsylvania.

H.R. 557: Mr. MCINTYRE, Mr. CLEMENT, Mr. COBLE, Mr. GORDON, Mrs. ROUKEMA, Mr. PICKERING, Mr. ISTOOK, Mr. WOLF, Ms. MCKINNEY, Mr. TAYLOR of North Carolina, Mrs. JONES of Ohio, Mrs. CLAYTON, Mr. MOORE, and Mr. BURR of North Carolina.

H.R. 558: Mr. ENGLISH, Mr. GEKAS, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. GREENWOOD, Ms. HART, Mr. KANJORSKI, Mr. BORSKI, Mr. MASCARA, Mr. FATTAH, Mr. MURTHA, Mr. HOEFFEL, Mr. PETERSON of Pennsylvania, Mr. SHERWOOD, and Mr. PLATTS.

H.R. 565: Mr. BLUNT.

H.R. 570: Mr. LANTOS and Mrs. JONES of Ohio.

H.R. 572: Mr. LEVIN, Mr. HOLT, Mr. ANDREWS, Mr. HINCHEY, and Mr. MCGOVERN.

H.R. 573: Mr. ABERCROMBIE, Mr. FROST, Mr. BACA, Ms. MCKINNEY, Mr. LANTOS, Ms. MCCARTHY, of Missouri, Mr. WAXMAN, Mr. MEEKS of New York, Mr. BALDACCI, Mrs. CHRISTENSEN, Mr. DOYLE, and Ms. DEGETTE.

H.R. 582: Mr. ENGLISH.

H.R. 585: Mr. NEY.

H.R. 586: Mr. KUCINICH, Mr. TANCREDO, Mr. CRENSHAW, Ms. PRYCE of Ohio, Mr. GILCHREST, Mr. WELDON of Florida, Mr. HAYWORTH, Mrs. MORELLA, and Mr. PETERSON of Pennsylvania.

H.R. 590: Mr. CAPUANO, Mr. WYNN, Mr. WEXLER, and Mr. MCGOVERN.

H.R. 594: Ms. MCKINNEY, Mr. MASCARA, Mr. SCOTT, and Mr. BRADY of Pennsylvania.

H.R. 602: Mr. SAWYER, Mr. DAVIS of Florida, Mr. WATT of North Carolina, Mr. SABO, Mr. LAFALCE, Mr. BAKER, Mr. TAYLOR of North Carolina, and Mr. DOGGETT.

H.R. 606: Mr. KIRK, Mr. DEUTSCH, Ms. MCKINNEY, Mr. BACA, Mr. FROST, Mrs. THURMAN, Mr. OBERSTAR, Mrs. MEEK of Florida, Mr. ACKERMAN, Mr. WEINER, Mr. HASTINGS of Florida, Mr. EVANS, and Mrs. TAUSCHER.

H.R. 608: Mr. MOORE.

H.R. 613: Mr. WICKER, Mr. GALLEGLY, Mrs. MORELLA, Mr. BENTSEN, and Mr. BALDACCI.

H.R. 621: Mr. RANGEL and Mr. SCHIFF.

H.R. 623: Ms. BALDWIN, Mr. COYNE, and Mr. MCHUGH.

H.R. 624: Mr. HILLIARD, Mr. KIND, and Ms. BALDWIN.

H.R. 630: Mr. DEFAZIO and Mr. BONIOR.

H.R. 632: Mr. PAYNE, Mr. THOMAS M. DAVIS of Virginia, Mrs. JONES of Ohio, Mr. BENTSEN, Ms. RIVERS, Mr. MCGOVERN, Mr. SCHROCK, Mr. DAVIS of Illinois, and Mr. NEY.

H.R. 633: Mr. BLAGOJEVICH, Mr. HILLIARD, Mrs. MORELLA, Mr. BACA, Ms. PELOSI, Ms. NORTON, Mr. PALLONE, Ms. MCCARTHY of Missouri, Mr. SANDERS, Mr. MCDERMOTT, Mr. WEXLER, Mrs. THURMAN, Mr. NEY, Mr. DOYLE, Mr. BRADY of Pennsylvania, and Mrs. MALONEY of New York.

H.R. 637: Mr. SHADEGG and Mr. HAYWORTH.

H.R. 638: Mr. WEXLER Mr. OLVER, Mrs. TAUSCHER, Ms. LEE, Ms. PELOSI, Ms. SCHAKOWSKY, Ms. MCKINNEY, Mr. HILLIARD, Mr. BRADY of Pennsylvania, Mr. MEEHAN, Mr. FILNER, Mr. LANTOS, Mr. GEORGE MILLER of California, and Mr. STARK.

H.R. 642: Mr. EHRLICH and Mr. HOYER.

H.R. 650: Mr. COOKSEY, Mr. MCHUGH, and Mr. SMITH of New Jersey.

H.R. 658: Mr. HAYWORTH and Mr. LEWIS of Kentucky.

H.R. 663: Mr. WAXMAN, Ms. JACKSON-LEE of Texas, and Mr. FROST.

H.R. 664: Mr. MORAN of Virginia, Mr. THOMAS M. DAVIS of Virginia, Mr. MURTHA, Mr. BAKER, Mr. COSTELLO, Mr. SMITH of New Jersey, Mr. EDWARDS, Mr. HINCHEY Mr. BLUMENAUER, Mrs. JONES of Ohio, Mr. SISI-

SKY, Mr. LEWIS, of Kentucky, Mr. HOYER, Mr. PASCRELL, Mr. RAHALL, Mr. HOLT, Mr. BILIRAKIS, Mr. JOHN, Mr. ROSS, Mr. TAYLOR of North Carolina, and Mr. BONILLA.

H.R. 668: Mr. DELAHUNT, Mr. BOUCHER, Mr. TAYLOR of Mississippi, Mr. FRANK, Mr. LEACH, Mr. LARSON of Connecticut, Mr. ETHERIDGE, Mrs. CHRISTENSEN, Mr. FATTAH, Mr. HOYER, Mr. MALONEY of Connecticut, and Mr. ENGLISH.

H.R. 671: Mr. MEEHAN, Mr. MARKEY, Ms. WOOLSEY, Mr. TIERNEY, Mr. TOWNS, Mr. BLAGOJEVICH, Mr. PASCRELL, Mr. MCGOVERN, Mr. CONYERS, and Mr. FILNER.

H.R. 678: Ms. MCCARTHY of Missouri, Ms. MCKINNEY, Ms. ESCHOO, Mr. LANTOS, Mrs. LOWEY, Ms. PELOSI, Mr. GUTIERREZ, Mr. ALLEN, and Mr. HINOJOSA.

H.R. 680: Mr. UNDERWOOD and Mrs. MINK of Hawaii.

H.R. 681: Mr. HILLIARD and Mr. GORDON.

H.R. 683: Mr. OBERSTAR, Mr. STENHOLM, Mr. OLVER, Mr. BORSKI, Mr. COYNE, Mr. FILNER, Mr. MALONEY of Connecticut, Mr. PALLONE, Mr. FRANK, Ms. MCCARTHY of Missouri, Ms. DEGETTE, and Mr. POMEROY.

H.R. 714: Mr. FROST, Mrs. JONES of Ohio, Mr. WAXMAN, Mr. ETHERIDGE, Mr. KENNEDY of Rhode Island, Ms. RIVERS, and Mr. FATTAH.

H.R. 717: Mr. NEAL of Massachusetts, Mr. STEARNS, Mr. JOHN, Ms. MCCARTHY of Missouri, Mrs. MINK of Hawaii, Mrs. MORELLA, Mrs. LOWEY, Ms. PRYCE of Ohio, Mrs. THURMAN, Mr. BROWN of Ohio, Mr. SESSIONS, Mr. KOLBE, Mr. RADANOVICH, Mr. BAKER, Mr. HILLEARY, and Mr. GRUCCI.

H.R. 721: Mr. FATTAH, Mr. CARDIN, Mr. COYNE, Mr. TIERNEY, Mr. INSLEE, Mrs. JONES of Ohio, Ms. MCCOLLUM, Mr. SABO, Mr. PETRI, Mr. DAVIS of Illinois, Ms. RIVERS, Mr. COSTELLO, Mr. MCDERMOTT, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. LEVIN, Ms. NORTON, Mr. GORDON, and Mr. MCGOVERN.

H. Con. Res. 3: Mr. UDALL of New Mexico, Ms. LOFGREN, Mr. RUSH, Mr. RODRIGUEZ, and Mr. BERMAN.

H. Con. Res. 12: Mr. HILLIARD, Mr. HALL of Ohio, and Mr. CONYERS.

H. Con. Res. 17: Mr. EVANS, Mr. PRICE of North Carolina, Mr. FRANK, Ms. HOOLEY of Oregon, Mr. HILLIARD, Mr. DOOLEY of California, Mr. WAXMAN, Mr. CAPUANO, Mr. HINCHEY, Mr. GEORGE MILLER of California, and Mr. STARK.

H. Con. Res. 23: Mr. MANZULLO, Mr. PETRI, and Mr. HILLEARY.

H. Con. Res. 25: Mr. PRICE of North Carolina, Mr. GEORGE MILLER of California, Mr. DOYLE, and Mr. SHADEGG.

H. Con. Res. 26: Mr. TIERNEY.

H. Con. Res. 37: Mr. SOUDER.

H. Con. Res. 38: Ms. MCKINNEY, Mr. DAVIS of Illinois, Mr. BACA, Mrs. CHRISTENSEN, and Ms. SCHAKOWSKY.

H. Res. 13: Mr. GEORGE MILLER of California, Mr. MCGOVERN, Mr. SHIMKUS, and Mr. FATTAH.

H. Res. 15: Mr. HALL of Texas, Mr. BARTLETT of Maryland, and Mr. HILLEARY.

H. Res. 54: Mr. TANCREDO, Ms. NORTON, Mr. UDALL of Colorado, Mrs. JONES of Ohio, Mr. HEFLEY, Ms. DEGETTE, and Mr. MCINNIS.

WEDNESDAY, FEBRUARY 28, 2001 (14)

¶14.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MILLER of Florida, who laid before the House the following communication:

WASHINGTON, DC,
February 28, 2001.

I hereby appoint the Honorable DAN MILLER to act as Speaker pro tempore on this day.

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

¶14.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MILLER of Florida, announced he had examined and approved the Journal of the proceedings of Tuesday, February 27, 2001.

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

¶14.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1023. A letter from the Principal Deputy Under Secretary, Acquisition and Technology, Department of Defense, transmitting the National Defense Stockpile Annual Materials Plan (AMP) for fiscal year 2002 and revisions to the fiscal year 2001 AMP, pursuant to 50 U.S.C. 98d; to the Committee on Armed Services.

1024. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's report entitled, ''Use Of Plain Language In FDIC Rulemakings Pursuant To Section 722 Of The Gramm-Leach-Bliley Act of 1999''; to the Committee on Financial Services.

1025. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Standards for Privacy of Individually Identifiable Health Information (RIN: 0991–AB08) received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1026. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting Notification of justification of defense articles, services, and military education and training furnished under section 506 of the Foreign Assistance Act of 1961 to provide assistance to countries that participated in the Economic Community of West Africa States' Peacekeeping Force (ECOMOG), pursuant to 22 U.S.C. 2318(b)(2); to the Committee on International Relations.

1027. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting Notification of justification of defense articles, services, and military education and training furnished under section 506 of the Foreign Assistance Act of 1961 to Mexico, pursuant to 22 U.S.C. 2318(b)(2); to the Committee on International Relations.

1028. A letter from the Auditor, District of Columbia, transmitting a report entitled, ''Fiscal Year 1999 Annual Report on Advisory Neighborhood Commissions,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform.

1029. A letter from the Secretary, Mississippi River Commission, Department of the Army, Department of Defense, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act covering the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

1030. A letter from the Chairman, Migratory Bird Conservation Commission, transmitting the 2000 Annual Report of the Migratory Bird Conservation Commission, pursuant to 16 U.S.C. 715b; to the Committee on Resources.

1031. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—Track Safety Standards: Delay of Effective Date [Docket No. RST–90–1, Notice No. 13] (RIN: 2130–AB32) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1032. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolladen Schneider Flugzeugbau GmbH Models LS 4 and LS 4a Sailplanes [Docket No. 99–CE–75–AD; Amendment 39–12081; AD 2001–01–11] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1033. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Short Brothers Model SD3–60 SHERPA, SD3 SHERPA, SD3–30, and SD3–60 Series Airplanes [Docket No. 99–NM–226–AD; Amendment 39–12092; AD 2001–02–08] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1034. A letter from the Progam Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 214B and 214B–1 Helicopters [Docket No. 2000–SW–56–AD; Amendment 39–12104; AD 2001–03–03] (RIN: 2120–AA64) received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30231; Amdt. No. 427] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶14.4 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Evans, one of his secretaries.

¶14.5 MESSAGE FROM THE PRESIDENT—BUDGET FOR AMERICA'S PRIORITIES

The SPEAKER pro tempore, Mr. MILLER of Florida, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

With a great sense of purpose, I present to the Congress my budget. It offers more than a plan for funding the Government for the next year; it offers a new vision for governing the Nation for a new generation.

For too long, politics in Washington has been divided between those who wanted big Government without regard to cost and those who wanted small Government without regard to need. Too often the result has been too few needs met at too high a cost. This budget offers a new approach—a different approach for an era that expects a Federal Government that is both active to promote opportunity and limited to preserve freedom.

Our new approach is compassionate:

It will revitalize our public schools by testing for achievement, rewarding schools that succeed, and giving more flexibility to parents of children in schools that persistently fail.

It will reinvigorate our civil society by putting Government on the side of faith-based and other local initiatives that work—that actually help Americans escape drugs, lives of crime, poverty, and despair.

It will meet our Nation's commitments to seniors. We will strengthen Social Security, modernize Medicare, and provide prescription drugs to low-income seniors.

This new approach is also responsible:

It will retire nearly $1 trillion in debt over the next four years. This will be the largest debt reduction ever achieved by any nation at any time. It achieves the maximum amount of debt reduction possible without payment of wasteful premiums. It will reduce the indebtedness of the United States, relative to our national income, to the lowest level since early in the 20th Century and to the lowest level of any of the largest industrial economies.

It will provide reasonable spending increases to meet needs while slowing the recent explosive growth that could threaten future prosperity. It moderates the growth of discretionary spending from the recent trend of more than six percent to four percent, while allowing Medicare and Social Security to grow to meet the Nation's commitments to its retirees.

It will deliver tax relief to everyone who pays income taxes, giving the most dramatic reductions to the least affluent taxpayers. It will also give our economy a timely second wind and reduce the tax burden—now at the highest level as a percentage of Gross Domestic Product since World War II.

Finally, this new approach begins to confront great challenges from which Government has too long flinched. Social Security as it now exists will provide future beneficiaries with the equivalent of a dismal two percent real rate of return on their investment, yet the system is headed for insolvency. Our new approach honors our commitment to Social Security by reserving every dollar of the Social Security payroll tax for Social Security, strengthening the system by making further necessary reform feasible.

Medicare as it exists does not adequately care for our seniors in many ways, including the lack of prescription drug coverage. Yet Medicare spending already exceeds Medicare taxes and premiums by $66 billion this year, and Medicare will spend $900 billion more than it takes in over the next 10 years. Reform is urgently needed. Our new approach will safeguard Medicare by ensuring that the resources for reform will be available.

New threats to our national security are proliferating. They demand a rethinking of our defense priorities, our force structure, and our military technology. This new approach begins the work of restoring our military, putting investments in our people first to recognize their importance to the military of the future.

It is not hard to see the difficulties that may lie ahead if we fail to act promptly. The economic outlook is uncertain. Unemployment is rising, and consumer confidence is falling. Excessive taxation is corroding our prosperity. Government spending has risen too quickly, while essential reforms, especially for our schools, have been neglected. And we have little time before the demographic challenge of Social Security and Medicare becomes a crisis.

We cannot afford to delay action to meet these challenges. And we will not. It will demand political courage to face these problems now, but I am convinced that we are prepared to work together to begin a new era of shared purposes and common principles. This budget begins the work of refining those purposes and those principles into policy—a compassionate, responsible, and courageous policy worthy of a compassionate, responsible, and courageous Nation.

GEORGE W. BUSH.
February 28, 2001.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (H. Doc. 107–48).

¶14.6 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. SENSENBRENNER, by unanimous consent,

Ordered, That it may be in order today, under clause 1, rule XV, for the Speaker to recognize Members for motions to suspend the rules and agree to following resolution (H. Res. 54) commemorating African American pioneers in Colorado.

¶14.7 FAMILY FARMER BANKRUPTCY RELIEF

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 256) to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. SENSENBRENNER and Ms. BALDWIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶14.8 EDWARD N. CAHN FEDERAL BUILDING AND COURTHOUSE

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 558) to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LATOURETTE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶14.9 JAMES C. CORMAN FEDERAL BUILDING

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 621) to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building''.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LATOURETTE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶14.10 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Mrs. MORELLA moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 27):

Whereas the National Institute of Standards and Technology was founded on March 3, 1901, originally as the National Bureau of Standards, and is our Nation's oldest Federal laboratory;

Whereas, prior to formal establishment in 1901, the National Institute of Standards and Technology's mission was first stated in the Articles of Confederation and the Constitution of these United States, and is as old as the Republic itself;

Whereas the National Institute of Standards and Technology strengthens the United States economy and improves the quality of life by working with industry to develop and apply technology, measurements, and standards;

Whereas in the past 100 years, the National Institute of Standards and Technology has helped to maintain United States technology at the leading edge, while also making solid contributions to our economy and international competitiveness;

Whereas the National Institute of Standards and Technology has served as a behind-the-scenes specialist, with its research, measurement tools, and technical services integrated deeply into many of the systems and operations that, collectively, drive the economy, including manufacturing cells, satellite systems, communication and transportation networks, laboratories, factories, hospitals, businesses, and the extended enterprises of the new economy;

Whereas the National Institute of Standards and Technology has also made solid contributions to improving our lives by helping develop image processing, DNA diagnostic ''chips'', smoke detectors, automated error correcting software for machine tools, atomic clocks, X-ray standards for mammography, scanning tunneling microscopy, pollution control technology, and high-speed dental drills;

Whereas the National Institute of Standards and Technology plays a major role in the National Conference on Weights and Measures, the organization of State and local officials who ensure fairness in sales of more than $4,000,000,000,000 worth of goods and services—from deli meats to gasoline to railroad freight;

Whereas National Institute of Standards and Technology research has additionally provided a broad and varied stream of benefits, such as decreases in train derailments as a result of standards ensuring the quality of steel, smoother riding, lower maintenance automobiles as a result of technology that improves the fit of assembled parts, and reductions in sulfur dioxide emissions as a result of improved measurements in the oil industry;

Whereas the National Institute of Standards and Technology has been a leader in helping small manufacturing companies in all 50 States to modernize and prepare for the 21st Century;

Whereas the National Institute of Standards and Technology, through its Malcolm Baldrige National Quality Program, has helped define best practices in business, in education, and in health care, and has helped leading companies become even more competitive;

Whereas the National Institute of Standards and Technology employs about 3,300 people, and operates primarily in 2 locations, Gaithersburg, Maryland, and Boulder, Colorado, with some of our Nation's finest and most dedicated Federal scientists, including Nobel Prize winners;

Whereas the lack of laboratory space led to the establishment of a cryogenic engineering laboratory and radio facilities on land donated by citizens of Boulder, Colorado, in 1950, and the eventual partnership with the University of Colorado of the Joint Institute for Laboratory Astrophysics;

Whereas the National Institute of Standards and Technology is poised to embark on its second century with 2 new state-of-the-art laboratories, the Advanced Chemical Sciences Laboratory and the Advanced Measurement Laboratory at its Gaithersburg, Maryland, headquarters, to fulfill its mission; and

Whereas the National Institute of Standards and Technology is committed to building the advanced science and technology infrastructure needed to ensure future prosperity and the global competitiveness of United States industry in the 21st century and beyond: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the historical significance of the centennial of the founding of the National Institute of Standards and Technology;

(2) acknowledges 100 years of achievement and service by the National Bureau of Standards and the National Institute of Standards and Technology to the United States; and

(3) reaffirms its commitment to support during the next 100 years the research, technological advancements, and discoveries made at the National Institute of Standards and Technology, a crown jewel in the Federal Government.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mrs. MORELLA and Mr. UDALL of Colorado, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. MORELLA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶14.11 AFRICAN AMERICAN PIONEERS

Mr. SCHAFFER moved to suspend the rules and agree to the following resolution (H. Res. 54):

Whereas February is Black History Month, a month-long celebration for Americans to reflect on both the history and teachings of African Americans whose contributions are still too little known;

Whereas Black History Month was started in 1976 and February was chosen because the birthdays of both Frederick Douglass and Abraham Lincoln fall in that month;

Whereas African Americans were an integral part of settling the West, arriving in covered wagons, establishing self-sufficient settlements, and filling numerous jobs from barber to teacher, doctor to State legislator;

Whereas nearly one-third of the cowboys who helped build the American West were of African American descent;

Whereas one of the best examples of an African American prairie settlement is Dearfield, Colorado, an African American agriculture community;

Whereas Oliver T. Jackson, an African American, inspired by Booker T. Washington's book Up From Slavery that urged African Americans to return to the land and earn their own way with their own hands, took these ideas to heart and established Dearfield, Colorado, in 1910;

Whereas Oliver T. Jackson inspired 60 African American settlers to join in his agriculture colony, live off the land, and become self-sufficient;

Whereas within 5 years, Dearfield, Colorado, had 44 wooden cabins, over 600 farm acres, 2 churches, a school, a boarding house, a blacksmith shop, a doctor's office, a cement factory, and a filling station;

Whereas Oliver T. Jackson and those at Dearfield, Colorado, reached their goal of becoming a prosperous, self-sufficient community, with a peak population of 700;

Whereas by the mid-1930's, plagued by drought and the Great Depression, the community dwindled down to 12, including Oliver T. Jackson and his wife; and

Whereas Dearfield, Colorado, was subsequently abandoned and is now in need of restoration in order to help fulfill the goal of Black History Month and educate Americans about the role of African Americans in the settling of the American West: Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages all Americans to learn about the history of African Americans whose contributions are still too little known;

(2) recognizes the role that African Americans, like those at Dearfield, Colorado, greatly contributed to settling and shaping the American West; and

(3) supports the restoration of the site at Dearfield, Colorado, in order to educate the American public about the history and contributions of African Americans to the West and the United States.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. SCHAFFER and Mr. UDALL of Colorado, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SCHAFFER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶14.12 RECESS—11:39 A.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 39 minutes a.m. until approximately 11:44 a.m.

¶14.13 AFTER RECESS—11:46 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶14.14 H.R. 256—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LINDER, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 256) to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 408 / Nays 2

¶14.15 [Roll No. 17]

YEAS—408

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

NAYS—2

Paul
Rohrabacher

NOT VOTING—22

Ackerman
Becerra
Conyers
Cramer
Doolittle
Fossella
Ganske
Gibbons
Hansen
Hart
Latham
Leach
Moore
Ney
Otter
Rahall
Ros-Lehtinen
Rothman
Smith (WA)
Snyder
Terry
Wynn

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶14.16 H.R. 558—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LINDER, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 558) to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 412 / Nays 0

¶14.17 [Roll No. 18]

YEAS—412

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens

Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—20

Ackerman
Becerra
Conyers
Cramer
Ganske
Gibbons
Gutknecht
Hansen
Hart
Latham
Leach
Moore
Ney
Rahall
Ros-Lehtinen
Rothman
Smith (WA)
Snyder
Terry
Wynn

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶14.18 H.R. 621—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LINDER, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 621) to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building''.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 413 / Nays 0

¶14.19 [Roll No. 19]

YEAS—413

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

NOT VOTING—19

Ackerman
Becerra
Conyers
Cramer
Ganske
Gibbons
Hart
Latham
LaTourette
Leach
Markey
Ney
Rahall
Ros-Lehtinen
Rothman
Snyder
Terry
Udall (CO)
Wynn

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶14.20 H. CON RES. 27—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LINDER, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 27) honoring the National Institute of Standards and Technology and its employees for 100 years of service to the Nation.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 413 / Nays 1

¶14.21 [Roll No. 20]

YEAS—413

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp

Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—18

Ackerman
Becerra
Conyers
Cramer
Dingell
Ganske
Gibbons
Hart
Latham
LaTourette
Leach
Ney
Rahall
Ros-Lehtinen
Rothman
Snyder
Terry
Wynn

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶14.22 H. RES. 54—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LINDER, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 54) commemorating African American pioneers in Colorado.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 411 / Nays 0

¶14.23 [Roll No. 21]

YEAS—411

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

Tierney	Walden	Weller
Toomey	Walsh	Wexler
Towns	Wamp	Whitfield
Traficant	Waters	Wicker
Turner	Watkins	Wilson
Udall (CO)	Watt (NC)	Wolf
Udall (NM)	Watts (OK)	Woolsey
Upton	Waxman	Wu
Velazquez	Weiner	Young (AK)
Visclosky	Weldon (FL)	Young (FL)
Vitter	Weldon (PA)	

NOT VOTING—21

Ackerman	Latham	Rothman
Becerra	LaTourette	Ryun (KS)
Cramer	Leach	Snyder
Dingell	McIntyre	Stearns
Ganske	Ney	Taylor (NC)
Gibbons	Rahall	Terry
Hart	Ros-Lehtinen	Wynn

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶14.24 BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

On motion of Mr. MICA, by unanimous consent, the Committee on House Administration was discharged from further consideration of the joint resolution (H.J. Res. 19) providing for the appointment of Walter E. Massey as a citizen regent of the Board of Regents of the Smithsonian Institution.

When said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶14.25 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mr. LINDER, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 12, 2001.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to my appointment to the House Budget Committee, I hereby take leave of my assignment to the Committee on Small Business. Thank you.

Sincerely,

CAROLYN MCCARTHY,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶14.26 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mr. LINDER, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
February 7, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER, Pursuant to the rules of the House of Representatives and of the House Democratic Caucus, with this letter I am tendering my resignation from the House Committee on Small Business, for the 107th Congress, so that I may accept an appointment to the House Committee on the Budget.

Please feel free to let me know whenever I may be of assistance.

Very truly yours,

DENNIS MOORE,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶14.27 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mr. LINDER, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 28, 2001.

Hon. DENNIS HASTERT,
Speaker of the House,
Washington, DC.

DEAR HONORABLE HASTERT: I hereby resign my position on the House Small Business Committee.

Sincerely,

RUBÉN HINOJOSA,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶14.28 COMMITTEE ELECTION—MINORITY

Mr. MENENDEZ, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 69):

Resolved, That the following Members be, and are hereby, elected to the following named standing committee of the House of Representatives:

Committee on Small Business: to rank in the following order after Mr. Langevin of Rhode Island: Mr. Baird of Washington, Mrs. Napolitano of California, and Mr. Udall of Colorado.

SEC. 2. Committee on Small Business: to rank in the following order after Mr. Udall of Colorado: Mr. Acevedo-Vilá of Puerto Rico, Mr. Carson of Oklahoma, and Mr. Ross of Arkansas.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶14.29 COMMITTEE ELECTION—MAJORITY

Mr. FOLEY, by unanimous consent, submitted the following resolution (H. Res. 70):

Resolved, That the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Committee on Small Business: Ms. CAPITO of West Virginia.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶14.30 PROVIDING FOR THE CONSIDERATION OF H.R. 333

Mr. SESSIONS, by direction of the Committee on Rules, reported (Rept. No. 107–4) the resolution (H. Res. 71) providing for the consideration of the bill (H.R. 333) to amend title 11, United States Code, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶14.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GIBBONS, for today; and

To Mr. TERRY, for today.

And then,

¶14.32 ADJOURNMENT

On motion of Mr. OWENS, at 5 o'clock p.m., the House adjourned.

¶14.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 71. Resolution providing for consideration of the bill (H.R. 333) to amend title 11, United States Code, and for other purposes (Rept. No. 107–4). Referred to the House Calendar.

¶14.34 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. THOMAS:

H.R. 3. A bill to amend the Internal Revenue Code of 1986 to reduce individual income tax rates; to the Committee on Ways and Means.

By Mr. SMITH of Texas (for himself and Mr. FRANK):

H.R. 768. A bill to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws; to the Committee on the Judiciary.

By Mr. FLETCHER (for himself, Mr. CLEMENT, Mr. JONES of North Carolina, Mr. GOODE, Mr. HAYES, Mr. ETHERIDGE, Mr. BOUCHER, Mr. ROGERS of Kentucky, Mr. LUCAS of Kentucky, Mr. WHITFIELD, Mr. GORDON, Mr. RAHALL, Mr. LEWIS of Kentucky, and Mrs. CLAYTON):

H.R. 769. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income payments made to tobacco quota and allotment holders and tobacco growers pursuant to Phase I or II of the Master Settlement Agreement between a State and tobacco product manufacturers; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mrs. JOHNSON of Connecticut, Mrs. MORELLA, Mr. BONIOR, Mr. SHAYS, Ms. WOOLSEY, Mr. LEACH, Mr. GEPHARDT, Mr. FRELINGHUYSEN, Mr. WEXLER, Mr. BASS, Mr. HINCHEY, Mr. SMITH of New Jersey, Mrs. MALONEY of New York, Mr. SAXTON, Mr. TIERNEY, Mr. GREENWOOD, Mr. HASTINGS of Florida, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD,

Ms. KILPATRICK, Mr. WU, Mr. MENENDEZ, Mr. ENGEL, Mr. BALDACCI, Mr. SERRANO, Mr. DELAHUNT, Mr. BERMAN, Mr. KILDEE, Mr. EVANS, Mr. SANDERS, Mr. WEINER, Mr. INSLEE, Mr. WAXMAN, Mr. BARRETT, Mr. HOEFFEL, Mr. LEWIS of Georgia, Mr. BLUMENAUER, Mr. ROTHMAN, Mr. MCGOVERN, Mr. NADLER, Mrs. MEEK of Florida, Ms. RIVERS, Mr. BOUCHER, Mr. BLAGOJEVICH, Mr. ALLEN, Mr. DEUTSCH, Mr. FRANK, Mr. HALL of Ohio, Mr. DAVIS of Florida, Mr. OLVER, Mr. KLECZKA, Mrs. CAPPS, Ms. DELAURO, Ms. SLAUGHTER, Ms. LEE, Mr. PALLONE, Mr. KUCINICH, Mr. LUTHER, Mr. BROWN of Ohio, Mr. DEFAZIO, Ms. HOOLEY of Oregon, Mr. BRADY of Pennsylvania, Mr. NEAL of Massachusetts, Mr. BISHOP, Mr. COYNE, Mr. CONYERS, Ms. SCHAKOWSKY, Mr. CARDIN, Mr. MORAN of Virginia, Ms. MCKINNEY, Mr. COSTELLO, Mr. STARK, Mrs. LOWEY, Mr. FILNER, Ms. MCCARTHY of Missouri, Mr. MOORE, Mr. PAYNE, Mr. MALONEY of Connecticut, Mr. BAIRD, Mr. MCNULTY, Mr. UDALL of Colorado, Mr. PASTOR, Mr. PRICE of North Carolina, Ms. NORTON, Mr. SABO, Mr. LEVIN, Mr. LANTOS, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MATSUI, Mr. ANDREWS, Mrs. TAUSCHER, Ms. ESHOO, Mr. LANGEVIN, Ms. PELOSI, Mr. OBEY, Mr. MCDERMOTT, Mr. FATTAH, Mr. MEEHAN, Mr. HOLT, Mr. CAPUANO, Mr. FARR of California, Mr. KENNEDY of Rhode Island, Ms. CARSON of Indiana, Mrs. JONES of Ohio, Ms. DEGETTE, Mr. SCOTT, Ms. MCCOLLUM, Mr. SCHIFF, Mr. PASCRELL, Mr. SHERMAN, Mr. ACKERMAN, Mr. CROWLEY, Ms. HARMAN, Mr. RANGEL, Mr. TOWNS, Mr. RUSH, Ms. BROWN of Florida, Mr. PHELPS, Mr. CUMMINGS, Mr. SNYDER, and Mr. JACKSON of Illinois):

H.R. 770. A bill to preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans; to the Committee on Resources.

By Mr. BLAGOJEVICH:

H.R. 771. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize grants to States for the construction, repair, renovation, and modernization of public school facilities, to amend the Internal Revenue Code of 1986 to expand the tax incentives for such undertakings, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS:

H.R. 772. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a program to identify and mentor college eligible high school students and their parents or legal guardians, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CARDIN (for himself, Mr. STARK, Mr. LEVIN, and Mr. MCDERMOTT):

H.R. 773. A bill to amend the Internal Revenue Code of 1986 to provide that a part-time worker who otherwise meets the eligibility requirements for unemployment compensation not be precluded from receiving such compensation solely because such individual is seeking only part-time work; to the Committee on Ways and Means.

By Mr. CRANE (for himself, Mr. NEAL of Massachusetts, Mr. PAUL, Mr. HERGER, Mr. ROGERS of Michigan, Mr. TANCREDO, Mr. SOUDER, Mr. BRADY of Texas, Mr. STUPAK, Mr. PETERSON of Pennsylvania, and Mr. WATKINS):

H.R. 774. A bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. HORN, Mr. PRICE of North Carolina, Mr. FATTAH, Mr. DAVIS of Florida, Mr. FROST, Mr. MENENDEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. REYES, Mr. DINGELL, Mr. STENHOLM, Mr. LANTOS, Mr. ABERCROMBIE, Mr. BLAGOJEVICH, Mr. BROWN of Ohio, Mr. LANGEVIN, Mr. BACA, Mr. BAIRD, Mr. BENTSEN, Ms. BROWN of Florida, Mr. BOYD, Mr. CARSON of Oklahoma, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CROWLEY, Mr. DEUTSCH, Mr. DOOLEY of California, Mr. ETHERIDGE, Mr. FORD, Mr. GONZALEZ, Mr. GORDON, Mr. HALL of Ohio, Mr. HASTINGS of Florida, Mr. HILL, Mr. HINOJOSA, Mr. HOLT, Mr. JACKSON of Illinois, Ms. LEE, Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. LIPINSKI, Mrs. MALONEY of New York, Mr. MATHESON, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MOORE, Mr. PASTOR, Mr. ROSS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mrs. TAUSCHER, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Mrs. THURMAN, Mr. TOWNS, Mr. WATT of North Carolina, Mr. WEXLER, and Mr. WYNN):

H.R. 775. A bill to establish a program to provide funds to State and local governments to replace punch card voting systems, to establish the Election Administration Commission to make grants to State and local governments to assist in the administration of Federal elections, to develop a model election code, and otherwise provide assistance with the administration of certain Federal election laws and programs, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mr. PAUL, Mr. TANCREDO, Mr. SOUDER, Mr. BRADY of Texas, Mr. PETERSON of Pennsylvania, and Mr. WATKINS):

H.R. 776. A bill to amend the Internal Revenue Code of 1986 to exempt the deduction for charitable contributions from the phase-out of itemized deductions; to the Committee on Ways and Means.

By Mr. CRANE (for himself, Mr. BARCIA, Mr. PAUL, Mr. HERGER, Mr. TANCREDO, Mr. ROGERS of Michigan, Mr. SOUDER, Mr. NETHERCUTT, Mr. BRADY of Texas, Mr. STUPAK, Mr. PETERSON of Pennsylvania, Mr. HEFLEY, and Mr. WATKINS):

H.R. 777. A bill to amend the Internal Revenue Code of 1986 to allow non-itemizers a deduction for a portion of their charitable contributions; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself, Mr. MARKEY, Mr. LEWIS of California, Mr. HUNTER, Mrs. CAPPS, Mrs. BONO, Mr. FARR of California, Mr. ISSA, Mr. GEORGE MILLER of California, Mr. DREIER, Mr. BALDACCI, Mr. BASS, Mr. FRANK, Mr. HORN, Mr. FILNER, Mr. MALONEY of Connecticut, Mr. PASCRELL, Mr. HINCHEY, Mr. BOEHLERT, Mr. ALLEN, Mr. LEWIS of Georgia, and Ms. DELAURO):

H.R. 778. A bill to amend the Internal Revenue Code of 1986 to provide incentives to introduce new technologies to reduce energy consumption in buildings; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself, Mr. MORAN of Virginia, Mr. WHITFIELD, Mr. SKEEN, Mr. WATTS of Oklahoma, Mr. JENKINS, Mr. HANSEN, Mr. COOKSEY, Mr. CHAMBLISS, Mr. DIAZ-BALART, Mr. BOUCHER, and Mr. FILNER):

H.R. 779. A bill to remove certain restrictions on participation in the demonstration project conducted by the Secretary of Defense to provide health care for Medicare-eligible Department of Defense beneficiaries under the Federal Employees Health Benefits program, and to extend the period for carrying out such project; to the Committee on Armed Services, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAHUNT (for himself, Mr. WALSH, Mr. FILNER, Mr. SMITH of New Jersey, Mr. OWENS, and Ms. MCKINNEY):

H.R. 780. A bill to authorize and request the President to award the Medal of Honor to James L. Cadigan of Hingham, Massachusetts; to the Committee on Armed Services.

By Ms. DELAURO (for herself, Mr. ABERCROMBIE, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Mr. BALDACCI, Ms. BALDWIN, Mr. BARCIA, Mr. BARRETT, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BONIOR, Mr. BORSKI, Mr. BOSWELL, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CONYERS, Mr. COSTELLO, Mr. COYNE, Mr. CROWLEY, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DELAHUNT, Mr. DEUTSCH, Mr. DICKS, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GEPHARDT, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. HALL of Texas, Mr. HINCHEY, Mr. HOLDEN, Mr. HOLT, Mr. HOYER, Mr. INSLEE, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KLECZKA, Mr. KUCINICH, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. LEVIN, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. MEEHAN, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOORE, Mr. MORAN of Virginia, Ms. NORTON, Mr. OBEY, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. REYES, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mr. RODRIGUEZ, Mr. RUSH, Ms. SANCHEZ, Mr. SANDERS, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHERMAN, Mr. SHOWS, Ms. SLAUGHTER, Mr. STRICKLAND, Mr. STUPAK, Mrs. TAUSCHER, Mr. TIERNEY, Mr. TOWNS, Mr. UDALL of New Mexico, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 781. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ENGLISH:

H.R. 782. A bill to provide for the establishment of an Internet site on Federal financial assistance; to the Committee on Government Reform.

By Mr. ENGLISH:

H.R. 783. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the Director of the Federal Emergency Management Agency to develop a plan for stockpiling potassium iodide tablets in areas within a 50-mile radius of a nuclear power plant; to the Committee on Transportation and Infrastructure.

By Mr. ENGLISH (for himself, Mr. VISCLOSKY, and Mr. REGULA):

H.R. 784. A bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Mr. MATSUI, Mr. GONZALEZ, Mr. ROYCE, Mr. TANNER, Mr. MCINNIS, Mr. CRANE, Mr. HERGER, Mr. WATKINS, Mr. ENGLISH, Mr. SAM JOHNSON of Texas, Mr. HAYWORTH, Mr. HOUGHTON, Mr. PORTMAN, Mr. WATTS of Oklahoma, Ms. PRYCE of Ohio, Mr. EHRLICH, Mr. CHAMBLISS, Mr. MILLER of Florida, Mr. JONES of North Carolina, Mr. BONILLA, Mr. BOEHNER, Mr. RADANOVICH, Mr. HINCHEY, Mr. CANNON, Mr. PAUL, Mrs. MEEK of Florida, Mr. CHABOT, Ms. JACKSON-LEE of Texas, Mr. DOOLITTLE, and Mr. CALVERT):

H.R. 785. A bill to amend the Internal Revenue Code of 1986 to provide for the creation of disaster protection funds by property and casualty insurance companies for the payment of policyholders' claims arising from future catastrophic events; to the Committee on Ways and Means.

By Mr. FRANK (for himself, Mr. GEORGE MILLER of California, Mr. SCOTT, Mr. PAYNE, Mr. HINCHEY, Mr. DEFAZIO, Mr. BALDACCI, Mr. CAPUANO, Mr. TIERNEY, Mr. FARR of California, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. FATTAH, Ms. LEE, Mr. SABO, Ms. NORTON, Mr. OLVER, Mr. MEEKS of New York, Ms. SCHAKOWSKY, Mrs. MORELLA, Mrs. CHRISTENSEN, Mr. UNDERWOOD, Mr. STARK, Mr. LANTOS, and Ms. WATERS):

H.R. 786. A bill to amend the Higher Education Act of 1965 to repeal the provisions prohibiting persons convicted of drug offenses from receiving student financial assistance; to the Committee on Education and the Workforce.

By Mr. GRAHAM (for himself, Mr. SENSENBRENNER, Mr. SMITH of Texas, and Mr. FLAKE):

H.R. 787. A bill to amend section 7353 of title V, United States Code, to cover gifts to Members-elect; to the Committee on House Administration.

By Mr. GREEN of Wisconsin:

H.R. 788. A bill to provide for the conveyance of the excess Army Reserve Center in Kewaunee, Wisconsin; to the Committee on Government Reform.

By Mr. GREEN of Wisconsin:

H.R. 789. A bill to require executive agencies to establish expedited review procedures for granting a waiver to a State under a grant program administered by the agency if another State has already been granted a similar waiver by the agency under such program; to the Committee on Government Reform.

By Ms. HOOLEY of Oregon (for herself, Mr. WELDON of Pennsylvania, Ms. MCKINNEY, Mr. WALDEN of Oregon, Mr. HYDE, Mr. BONIOR, Mr. DEFAZIO, Mrs. EMERSON, Ms. KILPATRICK, Mr. HINCHEY, Mr. KUCINICH, Mr. WOLF, Mr. BARRETT, Mr. MCGOVERN, Mr. SESSIONS, Mr. OWENS, and Mr. GEORGE MILLER of California):

H.R. 790. A bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to prevent the abuse of inhalants through programs under that Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. JOHNSON of Illinois:

H.R. 791. A bill to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois; to the Committee on Resources.

By Mrs. KELLY (for herself, Mr. GANSKE, Mr. MOORE, Mrs. MALONEY of New York, Mr. BACHUS, Mr. HILLIARD, Mr. FROST, Mr. BOUCHER, Mr. KING, Mr. BALDACCI, Mr. MCNULTY, Mr. PRICE of North Carolina, Mr. DOYLE, Mr. COOKSEY, Mr. LUTHER, Mr. WHITFIELD, Mr. FRANK, Mr. ENGLISH, Mr. STRICKLAND, Mr. PALLONE, Mr. MATSUI, Ms. ROYBAL-ALLARD, Mrs. MORELLA, Mr. FOLEY, Mr. COYNE, Ms. DUNN, Mr. ACKERMAN, Mr. OXLEY, Mr. GILMAN, Ms. BERKLEY, Mr. WOLF, Mr. WALSH, Mr. HINCHEY, Mr. MCINTYRE, Mr. PAYNE, Mr. FATTAH, Mrs. CHRISTENSEN, Mr. BONIOR, Mr. WEINER, Mr. OWENS, Mrs. THURMAN, Mrs. ROUKEMA, Mr. VISCLOSKY, Mr. KILDEE, Mr. LEACH, Mr. KUCINICH, Mr. CLEMENT, and Mr. MCGOVERN):

H.R. 792. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO:

H.R. 793. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Abel and Mary Nicholson House located in Elsinboro Township, Salem County, New Jersey, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. MOORE (for himself, Mr. MORAN of Kansas, Mr. TANNER, Mr. STENHOLM, Ms. MCCARTHY of Missouri, Mr. SANDLIN, Mr. CONDIT, Mr. LANTOS, Mr. MCGOVERN, Mr. ABERCROMBIE, and Mr. SHOWS):

H.R. 794. A bill to amend the Internal Revenue Code of 1986 to extend the section 29 credit for producing fuel from a nonconventional source; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mr. WEINER, Mr. CROWLEY, Mr. HINCHEY, Mrs. MALONEY of New York, Mr. SERRANO, Mr. TOWNS, Mr. ENGEL, and Mr. MCNULTY):

H.R. 795. A bill to designate the Federal building located at 290 Broadway in New York, New York, as the ''Ted Weiss Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. RANGEL (for himself, Mr. JEFFERSON, Mr. NEAL of Massachusetts, and Mr. RAMSTAD):

H.R. 796. A bill to normalize trade relations with Cuba, and for other purposes; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. JEFFERSON, Mr. NEAL of Massachusetts, and Mr. RAMSTAD):

H.R. 797. A bill to make an exception to the United States embargo on trade with Cuba for the export of agricultural commodities, medicines, medical supplies, medical instruments, or medical equipment, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. JEFFERSON, Mr. NEAL of Massachusetts, and Mr. RAMSTAD):

H.R. 798. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, the Judiciary, Financial Services, Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCARBOROUGH:

H.R. 799. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and gift tax; to the Committee on Ways and Means.

By Mr. SCARBOROUGH:

H.R. 800. A bill to amend the Internal Revenue Code of 1986 to eliminate taxes on capital gains after December 31, 2004; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. HAYWORTH, and Mr. REYES):

H.R. 801. A bill to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers' Group Life Insurance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SMITH of Texas (for himself, Mr. SCOTT, Mr. HUTCHINSON, Mr. GREEN of Wisconsin, and Mr. KELLER):

H.R. 802. A bill to authorize the Public Safety Officer Medal of Valor, and for other purposes; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 803. A bill to amend title XVIII of the Social Security Act to make the Medicare Program more competitive and efficient, to extend the solvency of the Medicare Program, to provide for a prescription drug benefit under the Medicare Program, to improve quality of care, to make Medicare supplemental insurance (Medigap) more affordable, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS (for himself and Mr. CRANE):

H.R. 804. A bill to amend the Internal Revenue Code of 1986 to repeal the 2 percent excise tax on the net investment income of tax-exempt foundations; to the Committee on Ways and Means.

By Mr. THORNBERRY (for himself, Mr. SKEEN, Mr. SMITH of Texas, Mr. WATTS of Oklahoma, Mr. SESSIONS, Mr. STENHOLM, Mr. WATKINS, Mr.

BONILLA, Mr. LUCAS of Oklahoma, Mr. MORAN of Kansas, and Mr. COMBEST):

H.R. 805. A bill to amend the Internal Revenue Code of 1986 to enhance domestic oil and gas production; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. LUTHER, Mr. BALDACCI, Mr. CHAMBLISS, Mr. HOLDEN, Mr. GOODE, Mr. SCHAFFER, Mr. GREENWOOD, Mr. FLAKE, Mr. KOLBE, Mr. GOSS, Mr. SIMMONS, Mr. ROYCE, Mr. PETERSON of Pennsylvania, Mr. STEARNS, Mr. CAMP, and Mr. OXLEY):

H.J. Res. 23. A joint resolution proposing an amendment to the Constitution of the United States to allow an item veto of appropriation bills; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin:

H. Con. Res. 44. Concurrent resolution recognizing the vital importance of hunting as a legitimate tool of wildlife resource management; to the Committee on Resources.

By Mr. KOLBE (for himself, Mr. HOYER, Mr. GANSKE, Mrs. BONO, Mr. LEWIS of Kentucky, Mrs. ROUKEMA, Mr. BONILLA, Mr. LATOURETTE, Mr. NEAL of Massachusetts, Mr. PITTS, Mr. EHRLICH, Mr. KNOLLENBERG, Mr. BILIRAKIS, Mr. MILLER of Florida, Mr. DOOLEY of California, Mr. DAVIS of Florida, Mrs. NORTHUP, Mr. MCINNIS, Mr. WEXLER, Mr. MICA, Mr. WELLER, Mrs. KELLY, Mr. KLECZKA, Mr. RAMSTAD, Mr. BLUNT, Mr. NUSSLE, Mr. WYNN, Mr. HILL, Mr. LUCAS of Kentucky, Mr. MANZULLO, Mr. MASCARA, Mr. BOEHLERT, Mr. CUNNINGHAM, Mr. LAHOOD, Mr. MATSUI, Mr. GARY MILLER of California, Mrs. JOHNSON of Connecticut, Mr. LEACH, Mr. CUMMINGS, Mr. LAMPSON, Mr. GUTIERREZ, Mr. GONZALEZ, Mr. LATHAM, Mr. PHELPS, Mr. GREENWOOD, Ms. PRYCE of Ohio, Mr. FLETCHER, Mr. SUNUNU, and Mr. BARCIA):

H. Con. Res. 45. Concurrent resolution expressing the sense of the Congress regarding housing affordability and ensuring a competitive North American market for softwood lumber; to the Committee on Ways and Means.

By Mr. MENENDEZ:

H. Res. 69. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. FOLEY:

H. Res. 70. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. SESSIONS:

H. Res. 71. A resolution providing for consideration of the bill (H.R. 333) to amend title 11, United States Code, and for other purposes; House Calendar No. 2. House Report. No. 107–4.

By Mr. GEKAS (for himself, Mr. BENTSEN, and Mrs. MORELLA):

H. Res. 72. A resolution to express the sense of the House of Representatives that the Federal investment in biomedical research should be increased by $3,400,000,000 in fiscal year 2002; to the Committee on Energy and Commerce.

By Mr. GRAHAM (for himself, Mr. SENSENBRENNER, Mr. SMITH of Texas, and Mr. FLAKE):

H. Res. 73. A resolution amending the Rules of the House of Representatives to provide that the gift rule covers Members-elect; to the Committee on Rules.

By Mr. NUSSLE:

H. Res. 74. A resolution providing amounts for the expenses of the Committee on the Budget in the One Hundred Seventh Congress; to the Committee on House Administration.

¶14.35 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT:

H.R. 806. A bill for the relief of Michael and Julie Schindler; to the Committee on the Judiciary.

By Mr. MCINTYRE:

H.R. 807. A bill for the relief of Rabon Lowry of Pembroke, North Carolina; to the Committee on the Judiciary.

¶14.36 ADDITIONAL SPONSORS

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

H.R. 12: Ms. DEGETTE, Mr. CANNON, Mr. REHBERG, Mr. TAYLOR of North Carolina, Mr. ETHERIDGE, Mr. WELDON of Pennsylvania, Mr. GILCHREST, Mr. BURR of North Carolina, Mr. HINOJOSA, and Ms. JACKSON-LEE of Texas.

H.R. 51: Mr. HUTCHINSON, Mr. GREEN of Wisconsin, Mr. OSE, and Mr. DINGELL.

H.R. 85: Ms. MCKINNEY, Mr. CARDIN, Ms. HART, Mr. STUPAK, Mr. ROTHMAN, Mr. GRAHAM, Mr. PETERSON of Pennsylvania, and Mr. NORWOOD.

H.R. 90: Mr. GOODLATTE.

H.R. 129: Mr. FATTAH.

H.R. 138: Mr. GEORGE MILLER of California, Mr. CLAY, and Ms. MCKINNEY.

H.R. 139: Mr. GEORGE MILLER of California, Mr. CLAY, and Ms. MCKINNEY.

H.R. 179: Ms. GRANGER.

H.R. 219: Mr. TANCREDO.

H.R. 232: Mr. CLEMENT.

H.R. 238: Ms. LOFGREN.

H.R. 250: Mrs. NAPOLITANO, Mr. BOEHLERT, Mr. KIND, Mr. ALLEN, Mr. HAYES, Mr. KILDEE, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Illinois, Mr. BRADY of Pennsylvania, Mr. SANDLIN, Mr. LATHAM, Mr. LIPINSKI, Mrs. JO ANN DAVIS of Virginia, Mr. BARR of Georgia, Mr. HULSHOF, Mr. BACA, Mrs. CUBIN, Ms. DEGETTE, and Mr. DOOLITTLE.

H.R. 267: Mr. SKEEN, Mr. LARSEN of Washington, Mr. NEAL of Massachusetts, Mr. WATTS of Oklahoma, Mr. GEKAS, Mr. DAVIS of Illinois, Mr. GONZALEZ, Mr. TAYLOR of North Carolina, Mrs. MORELLA, Mrs. TAUSCHER, Ms. MCKINNEY, Mr. BEREUTER, Mr. NEY, Mr. DOOLITTLE, Mr. SIMPSON, Mr. CHAMBLISS, Mr. RUSH, Mr. EAGEL, Mr. MCGOVERN, and Mr. GILLMOR.

H.R. 281: Mr. HINOJOSA.

H.R. 296: Ms. SCHAKOWSKY.

H.R. 303: Mr. LOBIONDO, Mr. GOODLATTE, Mr. MCNULTY, and Mr. WOLF.

H.R. 335: Mr. LEWIS of Kentucky and Mr. SESSIONS.

H.R. 337: Mr. BLUNT, Mr. BUYER, and Mr. WHITFIELD.

H.R. 338: Mr. BLUNT and Mr. WHITFIELD.

H.R. 340: Mr. BARCIA.

H.R. 346: Mr. BACA, Ms. VELAZQUEZ, Mr. FROST, and Mr. SHERMAN.

H.R. 367: Mrs. THURMAN, Mr. GEORGE MILLER of California, and Mr. RUSH.

H.R. 386: Mr. DEAL of Georgia.

H.R. 389: Ms. HOOLEY of Oregon.

H.R. 394: Mr. SAXTON, Mr. SHOWS, Mrs. BONO, Mr. MORAN of Virginia, Mr. CALLAHAN, Mr. WELDON of Florida, Mr. BLUNT, Mr. PITTS, Mr. HALL of Ohio, Mr. PASCRELL, Mr. PAUL, Mr. NORWOOD, Mr. ISAKSON, Mr. ABERCROMBIE, Mr. SHIMKUS, Mr. MOORE, Mr. CLYBURN, Mr. GOODE, Mr. BAIRD, Mr. SPENCE, Mr. CALVERT, Mr. POMEROY, Mr. SOUDER, and Mr. SNYDER.

H.R. 397: Mr. MORAN of Virginia, Mr. MCDERMOTT, Mr. MATSUI, Mr. SABO, Mrs. MORELLA, Mr. FARR of California, Mr. MARKEY, Ms. PRYCE of Ohio, Mr. MEEHAN, Mr. VISCLOSKY, Mr. WYNN, and Mr. CLAY.

H.R. 425: Mr. PAYNE, Mr. HINCHEY, Mr. CUMMINGS, Mrs. MEEK of Florida, Mr. RUSH, Ms. ESHOO, Mr. STARK, Ms. MCCOLLUM, and Mrs. CLAYTON.

H.R. 436: Mr. HUTCHINSON, Mr. LARSON of Connecticut, Mr. GEORGE MILLER of California, and Mr. BRADY of Texas.

H.R. 459: Ms. MCKINNEY, Mr. LANTOS, Mr. PASCRELL, Mr. ABERCROMBIE, and Mrs. CAPPS.

H.R. 476: Mr. PETRI, Mr. RAHALL, and Mr. STENHOLM.

H.R. 489: Ms. MCKINNEY, Mr. BACA, Mr. HORN, and Mr. ETHERIDGE.

H.R. 490: Mr. OSE, Mrs. JOHNSON of Connecticut, Ms. PRYCE of Ohio, Mr. SMITH of New Jersey, Ms. SLAUGHTER, Mr. HORN, Mr. UPTON, Ms. KAPTUR, and Mr. SCHROCK.

H.R. 498: Mrs. DAVIS of California, Mr. DEUTSCH, Mr. SCHAFFER, Mr. LEACH, Mr. MASCARA, Mr. CALVERT, Ms. GRANGER, Ms. DUNN, Ms. DEGETTE, Mr. FATTAH, Mr. GUTIERREZ, Mr. HORN, Ms. PRYCE of Ohio, Mr. KILDEE, Mr. MCGOVERN, Mr. OLVER, Mr. PETERSON of Minnesota, Mr. LIPINSKI, Mrs. NAPOLITANO, Mr. YOUNG of Alaska, Mr. TAUZIN, Mr. STEARNS, Mr. SERRANO, Mr. DICKS, Mr. BURR of North Carolina, Mr. DIAZ-BALART, Mr. LEWIS of Calfornia, Mrs. THURMAN, Mr. FILNER, Mr. PENCE, Mr. BLAGOJEVICH, Mr. CLEMENT, Mr. DOYLE, Mr. OBERSTAR, Mr. RILEY, Mr. DEAL of Georgia, Mr. ORTIZ, Mr. JEFFERSON, Ms. MCCARTHY of Missouri, and Mr. AKIN.

H.R. 499: Mr. BARRETT.

H.R. 503: Mr. NORWOOD and Mr. KING.

H.R. 504: Mr. SAWYER, Ms. MCKINNEY, Mr. ENGEL, Mr. DAVIS of Illinois, Mr. RANGEL, Mr. UPTON, Mr. MCINTYRE, Mr. BERMAN, Mr. BRADY of Pennsylvania, Mr. WYNN, Mr. GEORGE MILLER of Califonria, and Mr. HILLEARY.

H.R. 511: Mr. UPTON.

H.R. 525: Mr. LOBIONDO, Mr. CALVERT, Mr. HUTCHINSON, and Mr. GREENWOOD.

H.R. 527: Mr. SKEEN, Mrs. JONES of Ohio, Mr. SESSIONS, Mr. GORDON, Mrs. JO ANN DAVIS of Virginia, Mr. DOOLITTLE, Mr. BOEHNER, Mr. PETRI, Mr. GOODLATTE, Mr. BONILLA, Mr. SMITH of Texas, Mr. GONZALEZ, and Mr. PENCE.

H.R. 560: Mr. LARSEN of Washington, Ms. PELOSI, Mr. PASCRELL, and Mr. CROWLEY.

H.R. 561: Mr. BACA, Mr. BROWN of Ohio, Mr. MCGOVERN, and Mr. ENGEL.

H.R. 585: Mr. ISTOOK.

H.R. 600: Mr. DEAL of Georgia, Mr. MCHUGH, Mr. MOLLOHAN, Mr. PRICE of North Carolina, Mr. RYUN of Kansas, Mr. RAMSTAD, Mr. LEACH, Mr. DOYLE, Mr. FILNER, Mr. CAMP, Mr. NORWOOD, Mr. KING, Mr. CLEMENT, Mr. BERMAN, Mr. FRANK, Mrs. MINK of Hawaii, Mr. CRAMER, Mr. MCGOVERN, and Mrs. WILSON.

H.R. 602: Mr. ROEMER, Mr. BARRETT, and Mr. JACKSON of Illinois.

H.R. 612: Mr. ETHERIDGE, Mr. BALDACCI, Mr. HINOJOSA, Ms. MCKINNEY, Mrs. KELLY, Mr. GORDON, Mr. STUPAK, Mr. GREEN of Wisconsin, Mr. SCHAFFER, and Mr. PALLONE.

H.R. 622: Mr. VISCLOSKY, Mr. SABO, Mr. FILNER, Ms. KAPTUR, Mr. BONILLA, Mr. TAYLOR of North Carolina, Mr. BERMAN, Mr. CROWLEY, Mr. GALLEGLY, Mr. DEFAZIO, Mr. CLEMENT, Mr. BISHOP, Mr. WU, Mr. BORSKI, Mr. LUCAS of Kentucky, Mr. EHRLICH, and Mr. NORWOOD.

H.R. 637: Mr. TANCREDO.

H.R. 643: Mr. FALEOMAVAEGA.

H.R. 645: Mr. FALEOMAVAEGA.

H.R. 659: Mr. BASS, Mr. HORN, Mr. MALONEY of Connecticut, Mr. WAXMAN, Mrs. MORELLA, and Mr. LARSEN of Washington.

H.R. 661: Mr. LEVIN and Mr. HAYWORTH.

H.R. 683: Mr. CAPUANO, Mr. LIPINSKI, Ms. VELAZQUEZ, Mr. ETHERIDGE, and Mr. FATTAH.

H.R. 686: Mr. PASCRELL, Ms. MCKINNEY, Mr. MCGOVERN, Mr. FROST, and Mr. GEORGE MILLER of California.

H.R. 690: Mr. LANTOS, Mr. HINCHEY, Ms. MCKINNEY, Mr. KOLBE, Mr. SABO, Mr. KUCINICH, Mr. WU, Mr. SERRANO, Mr. PASTOR, Mr. BLUMENAUER, Ms. MCCARTHY of Missouri, and Mr. ENGEL.

H.R. 700: Mr. FALEOMAVAEGA.

H.R. 730: Mrs. DAVIS of California.

H.R. 737: Mr. BARCIA.

H.R. 755: Mr. LARSEN of Washington, Mr. BLUMENAUER, and Mr. MATSUI.

H.J. Res. 11: Mr. BACHUS, Mr. GOODLATTE, Mr. ETHERIDGE, Mr. CALLAHAN, and Mr. LOBIONDO.

H. Con. Res. 4: Mr. ETHERIDGE.

H. Con. Res. 34: Mr. MCINTYRE, Mr. FROST, Mr. PASCRELL, Mrs. MYRICK, Mr. PRICE of North Carolina, and Mr. HOYER.

H. Con. Res. 36: Mr. BARTON of Texas, Ms. DEGETTE, Mr. GILCHREST, Mr. SAWYER, Mr. NETHERCUTT, Ms. BROWN of Florida, Mr. GIBBONS, Mr. LAMPSON, Mr. LANTOS, Mr. POMEROY, Mr. LAHOOD, Ms. PRYCE of Ohio, Mr. STARK, Mr. BRADY of Pennsylvania, Mr. MEEHAN, Mr. DOYLE, Mr. WEXLER, Mr. NEY, Mr. KILDEE, Mr. BONIOR, and Mr. RAHALL.

H. Con. Res. 41: Mr. BERMAN, Mr. MORAN of Virginia, Mr. KUCINICH, Mr. STARK, Mr. COSTELLO, Ms. SOLIS, and Mrs. MYRICK.

H. Con. Res. 42: Mr. TOWNS, Mr. BRADY of Pennsylvania, Ms. MCCARTHY of Missouri, and Ms. DELAURO.

H. Res. 27: Mr. TIERNEY, Mr. OBERSTAR, Mrs. THURMAN, Mr. SOUDER, Mr. MCHUGH, Mr. VISCLOSKY, and Mr. BONIOR.

H. Res. 48: Mr. LUTHER, Mr. MCGOVERN, Mr. GANSKE, Mrs. MORELLA, Mr. WAXMAN, Mr. BERMAN, and Mr. DOGGETT.

H. Res. 54: Ms. BALDWIN.

THURSDAY, MARCH 1, 2001 (15)

The House was called to order by the SPEAKER.

¶15.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, February 28, 2001.

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

¶15.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1036. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Specifically Approved States Authorized To Receive Mares and Stallions Imported from Regions where CEM Exists [Docket No. 00–115–3] received February 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1037. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.2029(b), Table of Allotments, FM Broadcast Stations (Sparta and Buckhead, Georgia) [MM Docket No. 00–101; RM–9885] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1038. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Fresno, California) [MM Docket No. 00–162; RM–9948] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1039. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Portsmouth, Virginia) [MM Docket No. 00–201; RM–9919] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1040. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Arkadelphia, Arkansas) [MM Docket No. 00–179; RM–9947] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1041. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Sheridan, Wyoming) [MM Docket No. 00–184; RM–9955] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1042. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Albany, New York) [MM Docket No. 00–183; RM–9959] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1043. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Henderson, Neveda) [MM Docket No. 00–181; RM–9933] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1044. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Pentwater, Michigan) [MM Docket No. 00–141; RM–9930]; (Hawthorne, Neveda) [MM Docket No. 00–142; RM–9923]; (Ludington, Michigan) [MM Docket No. 00–143; RM–9931]; (Groveton, New Hampshire) [MM Docket No. 00–144; RM–9925]; and (Marceline, Missouri) [MM Docket No. 00–153; RM–9936] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1045. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Evansville, Indiana) [MM Docket No. 99–346; RM–9763] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1046. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Alva, Mooreland, Tishomingo, Tuttle, and Woodward, Oklahoma) [MM Docket No. 98–155; RM–9082; RM–9133] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1047. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (McAllen, Texas) [MM Docket No. 99–315; RM–9731] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1048. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Hazleton, Pennsylvania) [MM Docket No. 00–119; RM–9879] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1049. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Macon and Walnut Grove, Mississippi) [MM Docket No. 97–188; RM–9137] received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1050. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification of justification of defense articles, services, and military education and training furnished under section 506 of the Foreign Assistance Act of 1961 for the purpose of providing anti-narcotics assistance, pursuant to 22 U.S.C. 2318(b)(2); to the Committee on International Relations.

1051. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification of justification of defense articles, services, and military education and training furnished under section 506 of the Foreign Assistance Act of 1961 for the purpose of providing anti-narcotics assistance, pursuant to 22 U.S.C. 2318(b)(2); to the Committee on International Relations.

1052. A letter from the Acting Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Distribution of Fiscal Year 2001 Indian Reservation Roads Funds—received February 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1053. A letter from the Deputy Assistant Chief Counsel, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices; Final Rule: Delay of Effective Date [FRA Docket No. PB–9; Notice No. 18] (RIN: 2130–AB16) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1054. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E2 Airspace; Tri-City, TN [Airspace Docket No. 01–ASO–1] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1055. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of VOR Federal V–480 and Jet Route J–120; AK [Airspace Docket No. 00–AAL–07] (RIN: 2120–AA66) received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1056. A letter from the Deputy Executive Secretary to the Department, Office of Child Support Enforcement, Department of Health and Human Services, transmitting the Department's final rule—National Medical Support Notice; Delay of Effective Date (RIN: 0970–AB97) received February 22, 2001, pursu-

ant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1057. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Modification of Rev. Rul. 2001–4 [Notice 2001–23] received February 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1058. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Repeal of the Modification of the Installment Method for Accrual Method Taxpayers [Notice 2001–22] received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶15.3 MESSAGE FROM THE SENATE

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

S. Con. Res. 18. Concurrent Resolution recognizing the achievements and contributions of the Peace Corps over the past 40 years, and for other purposes.

The message also announced that pursuant to section 9355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Colorado (Mr. ALLARD), from the Committee on Armed Services, to the Board of Visitors of the United States Air Force Academy.

The message also announced that pursuant to section 4355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Pennsylvania (Mr. SANTORUM), from the Committee on Armed Services, to the Board of Visitors of the United States Military Academy.

The message also announced that pursuant to section 6968(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Arizona (Mr. MCCAIN), from the Committee on Armed Services, to the Board of Visitors of the United States Naval Academy.

The message also announced that pursuant to Public Law 105–341, the Chair, on behalf of the Majority Leader, announces the appointment of the following individual to the Women's Progress Commemoration Commission: Becky Norton Dunlop, of Virginia, vice Elaine L. Chao.

The message also announced that pursuant to section 8002 of title 26, United States Code, the Chair announces on behalf of the Committee on Finance, the designation of the following Senators as members of the Joint Committee on Taxation:

The Senator from Iowa (Mr. GRASSLEY).

The Senator from Utah (Mr. HATCH).

The Senator from Alaska (Mr. MURKOWSKI).

The Senator from Montana (Mr. BAUCUS).

The Senator from West Virginia (Mr. ROCKEFELLER).

¶15.4 PROVIDING FOR THE CONSIDERATION OF H.R. 333

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 71):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 333) to amend title 11, United States Code, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon receipt of a message from the Senate transmitting H.R. 333 with Senate amendments thereto, it shall be in order to consider in the House a motion offered by the chairman of the Committee on the Judiciary or his designee that the House disagree to the Senate amendments and request or agree to a conference with the Senate thereon.

When said resolution was considered.

After debate,

On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. QUINN, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 281 / Nays 132

¶15.5 [Roll No. 22]

YEAS—281

Aderholt	Green (WI)	Petri
Akin	Greenwood	Pickering
Armey	Grucci	Pitts
Bachus	Gutknecht	Platts
Baker	Hall (OH)	Pombo
Ballenger	Hall (TX)	Portman
Barcia	Hansen	Price (NC)
Barr	Harman	Pryce (OH)
Bartlett	Hart	Putnam
Barton	Hastings (WA)	Quinn
Bass	Hayes	Radanovich
Bentsen	Hayworth	Rahall
Bereuter	Hefley	Ramstad
Berkley	Herger	Regula
Berry	Hill	Rehberg
Biggert	Hilleary	Reyes
Bilirakis	Hobson	Reynolds
Bishop	Hoekstra	Riley
Blunt	Holt	Rivers
Boehlert	Horn	Roemer
Boehner	Hostettler	Rogers (KY)
Bonilla	Houghton	Rogers (MI)
Bono	Hulshof	Rohrabacher
Boswell	Hunter	Ross
Boucher	Hutchinson	Roukema
Boyd	Hyde	Royce
Brady (TX)	Isakson	Rush
Brown (SC)	Issa	Ryan (WI)
Bryant	Istook	Ryun (KS)
Burr	Jenkins	Sandlin
Burton	John	Saxton
Buyer	Johnson (IL)	Scarborough
Callahan	Johnson, Sam	Schaffer
Calvert	Jones (NC)	Schrock
Camp	Keller	Sensenbrenner
Cannon	Kelly	Sessions
Cantor	Kennedy (MN)	Shadegg
Capito	Kennedy (RI)	Shaw
Cardin	Kerns	Shays
Castle	Kind (WI)	Sherwood
Chabot	King (NY)	Shimkus
Chambliss	Kirk	Shows
Clement	Kleczka	Simmons
Coble	Knollenberg	Simpson
Collins	Kolbe	Sisisky
Combest	LaHood	Skeen
Cooksey	Langevin	Skelton
Cox	Largent	Smith (MI)
Crane	Larsen (WA)	Smith (NJ)
Crenshaw	Larson (CT)	Smith (TX)
Crowley	Latham	Smith (WA)
Cubin	LaTourette	Souder
Culberson	Leach	Spence
Cunningham	Lewis (CA)	Spratt
Davis (FL)	Lewis (KY)	Stearns
Davis, Jo Ann	Linder	Stenholm
Davis, Tom	LoBiondo	Strickland
DeLay	Lucas (KY)	Stump
DeMint	Lucas (OK)	Sununu
Diaz-Balart	Maloney (CT)	Sweeney
Dicks	Maloney (NY)	Tancredo
Dooley	Manzullo	Tanner
Doolittle	Matheson	Tauscher
Dreier	McCarthy (NY)	Tauzin
Duncan	McCrery	Taylor (MS)
Ehlers	McHugh	Taylor (NC)
Ehrlich	McInnis	Terry
Emerson	McIntyre	Thomas
English	McKeon	Thornberry
Etheridge	Menendez	Thune
Everett	Mica	Tiahrt
Ferguson	Miller (FL)	Tiberi
Flake	Miller, Gary	Traficant
Fletcher	Moakley	Turner
Foley	Moore	Upton
Ford	Moran (KS)	Velazquez
Fossella	Moran (VA)	Vitter
Frelinghuysen	Morella	Walden
Frost	Myrick	Walsh
Gallegly	Nethercutt	Wamp
Ganske	Ney	Watkins
Gekas	Northup	Watts (OK)
Gibbons	Nussle	Weldon (FL)
Gilchrest	Ortiz	Weldon (PA)
Gillmor	Osborne	Weller
Gilman	Ose	Whitfield
Gonzalez	Otter	Wicker
Goode	Oxley	Wilson
Goodlatte	Pallone	Wolf
Gordon	Pastor	Wu
Goss	Paul	Wynn
Graham	Pence	Young (AK)
Granger	Peterson (MN)	Young (FL)
Graves	Peterson (PA)	

NAYS—132

Abercrombie	Gutierrez	Mink
Allen	Hastings (FL)	Mollohan
Andrews	Hilliard	Murtha
Baca	Hinchey	Nadler
Baldacci	Hinojosa	Napolitano
Baldwin	Hoeffel	Neal
Barrett	Holden	Oberstar
Becerra	Honda	Obey
Berman	Hooley	Olver
Blagojevich	Israel	Owens
Blumenauer	Jackson (IL)	Pascrell
Borski	Jackson-Lee (TX)	Payne
Brady (PA)	Jefferson	Pelosi
Brown (FL)	Johnson (CT)	Phelps
Brown (OH)	Johnson, E. B.	Pomeroy
Capps	Jones (OH)	Rangel
Capuano	Kanjorski	Rodriguez
Carson (IN)	Kaptur	Roybal-Allard
Carson (OK)	Kildee	Sabo
Clay	Kilpatrick	Sanchez
Clayton	Kucinich	Sanders
Clyburn	LaFalce	Sawyer
Condit	Lampson	Schakowsky
Conyers	Lantos	Schiff
Costello	Lee	Scott
Coyne	Levin	Serrano
Davis (CA)	Lewis (GA)	Sherman
Davis (IL)	Lipinski	Slaughter
DeFazio	Lofgren	Solis
DeGette	Lowey	Stark
Delahunt	Luther	Stupak
DeLauro	Markey	Thompson (CA)
Deutsch	Mascara	Thompson (MS)
Dingell	Matsui	Thurman
Doggett	McCarthy (MO)	Tierney
Doyle	McCollum	Udall (CO)
Engel	McGovern	Udall (NM)
Eshoo	McNulty	Visclosky
Evans	Meehan	Waters
Farr	Meek (FL)	Watt (NC)
Fattah	Meeks (NY)	Waxman
Filner	Millender-McDonald	Weiner
Frank	Miller, George	Wexler
Gephardt		Woolsey
Green (TX)		

NOT VOTING—19

Ackerman	Edwards	Ros-Lehtinen
Baird	Hoyer	Rothman
Bonior	Inslee	Snyder
Cramer	Kingston	Toomey
Cummings	McDermott	Towns
Deal	McKinney	
Dunn	Norwood	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶15.6 PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore, Mr. QUINN, by unanimous consent, announced that the Speaker, pursuant to clause 11 of rule X and clause 11 of rule I, appointed to the Permanent Select Committee on Intelligence, the following Members: Mr. BISHOP, Ms. HARMON, Messrs. SISISKY, CONDIT, ROEMER, HASTINGS of Florida, and REYES.

¶15.7 BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION

The SPEAKER pro tempore, Mr. WALDEN of Oregon, pursuant to House Resolution 71 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 333) to amend title 11, United States Code, and for other purposes.

The SPEAKER pro tempore, Mr. WALDEN of Oregon, by unanimous consent, designated Mr. QUINN as Chairman of the Committee of the Whole; and after some time spent therein,

¶15.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. JACKSON-LEE:

Page 8, after line 11, insert the following (and make such technical and conforming changes as may be appropriate):

(III) by striking ''whose debts are primarily consumer debts'';

Page 10, line 7, strike ''the continuation of''.

Page 10, after line 22, insert the following (and make such technical and conforming changes as may be appropriate):

''(II) In addition, if the debtor does have health insurance benefits the debtor's monthly expenses shall include an allowance to pay for reasonable medical expenses, as circumstances require, not covered by the insurance for the debtor, the dependents of the debtor, and the spouse of the debtor.

Page 10, beginning on line 24, strike ''actual administrative expenses'' and insert ''reasonable expense''.

Page 11, line 1, insert ''or public'' after ''private''.

Page 11, after line 4, insert the following:

''(V) In addition, the debtor's monthly expenses shall include expenses necessary for the care of foster children in the custody of the debtor.

Page 11, beginning on line 1, strike ''if'' and all that follows through ''why'' on line 3.

Page 12, strike lines 2 through 6, and insert the following:

''(B)(i) In any proceeding brought under this subsection, the presumption of abuse may be overcome if the court finds special circumstances indicating by a preponderance of the evidence that the debtors income should be adjusted to less than the current monthly income, that the debtors reasonably necessary expenses are greater than those allowed by the Internal Revenue Service guidelines, or that the debtors financial difficulties were caused by circumstances beyond the debtors control including medical problems.

Page 13, after line 3, insert the following:

''(v) A debtor whose current monthly income is equal to or less than the Federal Income Poverty Guidelines and has been for the 1-year period preceding the date of the filing of the petition may, in lieu of the requirements of clauses (iv) and (v) of section 521(a)(1)(B) and subsections (e), (f), and (g) of section 521, file with the court written evidence showing the debtors income for the 1-year period before the date of the filing of the petition and a declaration under penalty of perjury that the debtors income meets the test of this clause for that period.

Page 24, line 2, strike ''current monthly income'' and insert ''projected disposable income''.

Page 17, lines 6, 11, and 16, insert ''(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)'' after ''Census''.

Page 18, lines 2, 7, and 12, insert ''(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)'' after ''Census''.

Page 20, lines 18 and 23, insert ''(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)'' after ''Census''.

Page 21, lines 9 and 14, insert ''(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)'' after ''Census''.

Page 25, lines 9, 14, and 19, insert ''(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)'' after ''Census''.

Page 160, lines 14, 19, and 24, insert ''(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)'' after ''Census''.

Page 161, lines 9, 14, and 19, insert ''(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)'' after ''Census''.

Page 162, lines 17 and 23, insert ''(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)'' after ''Census''.

Page 163, line 4, insert ''(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)'' after ''Census''.

Beginning on page 45, strike line 24 and all that follows through line 9 on page 61, and insert the following:

(1) in subsection (c)(2)—

(A) in subparagraph (A) by striking ''and'' at the end;

(B) in subparagraph (B) by adding ''and'' at the end; and

(C) by adding at the end the following:

''(C) such agreement contains a clear and conspicuous statement which advises the debtor what portion of the debt to be reaffirmed is attributable to principal, interest, late fees, creditors attorney fees, expenses or other costs relating to the collection of the debt;'';

(2) in subsection (c)(6)(B), by inserting ''or is a debt described in subsection (c)(7)'' after ''real property''; and

(3) in subsection (c)—

(A) in paragraph (5) by striking ''and'' at the end;

(B) in paragraph (6) by striking the period and inserting ''; and'' at the end; and

(C) by adding at the end the following:

''(7) in a case concerning an individual, if the consideration for such agreement is based in whole or in part on an unsecured consumer debt, or is based in whole or in part upon a debt for an item of personalty the value of which at point of purchase was $1,000 or less, and in which the creditor asserts a purchase money interest, the court, approves such agreement as—

''(A) in the best interest of the debtor in light of the debtors income and expenses;

''(B) not imposing an undue hardship on the debtors future ability to pay for the needs of children and other dependents (including court ordered support);

''(C) not requiring the debtor to pay the creditors attorneys fees, expenses or other costs relating to the collection of debt;

''(D) not entered into to protect property that is necessary for the care and maintenance of children or other dependents that would have nominal value on repossession;

''(E) not entered into after coercive threats or actions by the creditor in the creditors course of dealings with the debtor; and

''(F) not unfair because excessive in amount based upon the value of the collateral.'';

(4) in subsection (d)(2)—

(A) by striking ''subsection (c)(6)'' and inserting ''paragraphs (6) and (7) of subsection (c)'', and

(B) by striking '', if the consideration for such agreement is based in whole or in part on a consumer debt that is not secured by real property of the debtor after of this section and adding at the end as applicable''.

Page 86, strike lines 1 through 5 (and make such technical and conforming changes as may be appropriate).

Page 121, after line 16, insert (and make such technical and conforming changes as may be appropriate):

SEC. 231. PRIVACY POLICY ENFORCEMENT.

(a) FTC AND STATE ATTORNEYS GENERAL AUTHORITY TO PROTECT PERSONAL PRIVACY.—

(1) IN GENERAL.—Chapter 3 of title 11, United States Code, is amended by inserting after section 307 the following new section:

''§ 308. Personally identifiable information; authority of Federal Trade Commission and State attorneys general

''(a) FTC AUTHORITY.—The Federal Trade Commission may appear and be heard in any case or proceeding under this title in which personally identifiable information is, or is proposed to be, used, sold, leased, or otherwise disclosed in violation of section 363(b)(3).

''(b) AUTHORITY OF STATE ATTORNEYS GENERAL.—A State, as parens patriae, may appear and be heard in any case or proceeding under this title in which—

''(1) the attorney general of a State has reason to believe that the personally identifiable information of the residents of that State has been or is threatened or adversely affected; and

''(2) personally identifiable information is, or is proposed to be, used, sold, leased, or otherwise disclosed in violation of section 363(b)(3).

''(c) NO AFFECT ON OTHER AUTHORITY.—Nothing in this section shall be construed to limit the authority of the Federal Trade Commission or a State to appear and be heard in any case or proceeding—

''(1) as a creditor where the Federal Trade Commission or a State asserts a claim against a debtor based on alleged violations of statutes within the enforcement jurisdiction of the Federal Trade Commission or the State; or

''(2) as a party in interest concerning other matters or issues within the jurisdiction of the Federal Trade Commission or the State.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 3 of title 11, United States Code, is amended by inserting after the item relating to section 307 the following:

''308. Personally identifiable information; authority of Federal Trade Commission and State attorneys general.''.

(b) LIMITATION ON SALE, USE, OR LEASE OF CERTAIN PERSONALLY IDENTIFIABLE INFORMATION.—Section 363(b) of title 11, United States Code, is amended by adding at the end the following:

''(3)(A) If the debtor is not an individual, personally identifiable information in the possession of the debtor that relates to any other person may only—

''(i) be used by the debtor—

''(I) in accordance with the terms of the debtor's privacy policy in effect at the time of the bankruptcy filing; or

''(II) if no such privacy policy relating to the personally identifiable information was in effect at the time of the bankruptcy filing, in accordance with subparagraph (B); and

''(ii) be sold, leased, or otherwise disclosed by the debtor—

''(I) to a nondebtor party; and

''(II) in accordance with subparagraph (B).

''(B) In the case of the use, sale, lease, or other disclosure of personally identifiable information, as described in clause (i)(II) or (ii) of subparagraph (A), the debtor shall provide prior clear and conspicuous notice to the person to whom the personally identifiable information relates of—

''(i) the proposed use, sale, lease, or other disclosure of the information;

''(ii) the identity of the purchaser, lessee, or other recipient of the information, if applicable;

''(iii) the privacy policy of the purchaser, lessee, or other recipient of the information, if applicable; and

''(iv) the right of that person to choose not to have the information used or transferred, and an opportunity to choose not to have the information used or transferred.

''(C) The bankruptcy court, after notice to all parties in interest and the Federal Trade Commission and hearing—

''(i) shall establish mechanisms for providing clear and conspicuous notice and choice referred to in subparagraph (B); and

''(ii) may tailor such mechanisms to the specific circumstances of a case, as determined by the bankruptcy court.''.

(c) DEFINITION OF PERSONALLY IDENTIFIABLE INFORMATION.—Section 101 of title 11, United States Code, is amended by inserting after paragraph (41) the following:

''(41A) 'personally identifiable information' means, with respect to the person to whom the information relates—

''(A) a first name, initials, and last name of that person, whether given at birth or adoption, assumed, or legally changed;

''(B) a home or other physical address for that person, including street name and name of city or town;

''(C) an e-mail address for that person;

''(D) a telephone number for that person;

''(E) a social security account number for that person;

''(F) a credit card account number for that person;

''(G) a birth date, birth certificate number, or place of birth for that person;

''(H) information concerning that person that the debtor collects and combines with any other identifier described in this paragraph; and

''(I) any other identifying information relating to that person that permits the physical or electronic contacting or identification of that person, as determined by the bankruptcy court.''.

Page 198, strike lines 3 and 4 and insert the following:

308, as added by this Act, the following:

''§ 309. Debtor reporting requirements

Page 199, strike line 15 and all that follows through the end of the material between lines 15 and 16 and insert the following:

section 308, as added by this Act, the following:

''309. Debtor reporting requirements.''.

Page 254, after line 4, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 605. PROTECTION OF PERSONAL PRIVACY IN BANKRUPTCY CASES.

(a) PERSONAL PRIVACY PROTECTION.—Section 107 of title 11, United States Code, is amended by adding at the end the following:

''(c) ELECTRONIC ACCESS.—

''(1) IN GENERAL.—The clerk of the bankruptcy court, the United States trustee, and the trustee in a case under this title may provide electronic access to a paper filed in a case under this title, to any of the information contained in a paper filed in such a case, and to the dockets of a bankruptcy court only as permitted in this subsection.

''(2) LIMITATIONS ON ACCESS.—Except as provided in paragraph (3), the clerk of the bankruptcy court, the United States trustee, and the trustee in the case may not provide electronic access—

''(A) to the debtor's social security number, date of birth, mother's maiden name, telephone number, or account numbers (including bank account and credit card account numbers);

''(B) to any of the single line items in the debtor's schedule of assets or statement of income and expenditures; or

''(C) to any personal, medical, or financial information regarding the debtor or a relative of the debtor.

''(3) PERMISSIBLE ACCESS.—The clerk of the bankruptcy court, the United States trustee, and the trustee in the case may provide electronic access to the information specified in paragraph (2) to—

''(A) a party in interest in the case;

''(B) an entity that requires any such information to determine whether it is a party in interest in the case;

''(C) the trustee in the case;

''(D) the United States trustee; or

''(E) a governmental unit that requires any such information for a bona fide law enforcement purpose.

''(4) CERTIFICATION REQUIRED.—A party or entity whose only basis for obtaining electronic access to information in a case under this title is under subparagraph (A) or (B) of paragraph (3) shall, as a condition to obtaining electronic access to any of the information listed in paragraph (2), certify, in writing or in electronic form, to the clerk of the bankruptcy court, the United States trustee, or the trustee in the case, as the case may be, that the party or entity—

''(A) properly qualifies for electronic access to information under paragraph (3);

''(B) will use the information obtained through electronic access only for the purpose of—

''(i) participating or determining whether to participate in the case;

''(ii) the entity's own internal credit evaluation of the debtor; or

''(iii) providing the information to a governmental unit for a bona fide law enforcement purpose;

''(C) will use reasonable means to secure the information obtained from unauthorized access and disclosure; and

''(D) will comply with the requirements of paragraph (6).

''(5) MAINTENANCE OF RECORDS.—The clerk of the bankruptcy court, the United States trustee, or the trustee in the case, as the case may be, shall maintain a record of, and shall make available to the debtor, the identity of and contact information for any entity that has obtained electronic access to information in a case under this title.

''(6) DUTIES OF RECIPIENT.—Upon written request by the debtor, an entity that has obtained electronic information under this subsection shall promptly inform the debtor of the content of the information stored by the entity and shall correct any such information to the extent that it differs from the information contained in the records of the bankruptcy court.

''(7) LIABILITY.—A party or entity that is required to make the certification required under paragraph (4), that obtains electronic access to information in a case, and that

does not provide or does not comply with the certification is liable to the debtor for—

''(A) any actual damages;

''(B) the debtor's attorney's fees and costs in enforcing compliance with this subsection;

''(C) $500 per violation; and

''(D) punitive damages, if the violation is willful or part of a pattern or practice of violations of this subsection.

''(8) USE BY OFFICIAL RECIPIENTS.—An entity that obtains electronic access to information under subparagraph (C), (D), or (E) of paragraph (3)—

''(A) may use the information concerning an individual debtor only in connection with carrying out the official duties of that entity in connection with the administration of the case or the administration of the bankruptcy system in general; and

''(B) may not provide electronic access to any such information concerning an individual debtor, except in accordance with the provisions of this subsection.

''(9) ACCESS TO STATISTICAL INFORMATION.—The clerk of the bankruptcy court may provide electronic access to statistical information concerning cases and information concerning particular cases without regard to the restrictions of this subsection, but only if the information does not include any means of identifying a particular debtor's name, social security number, date of birth, mother's maiden name, telephone number, address, or account numbers (including bank account and credit card account numbers).

''(10) DEFINITION.—For purposes of this subsection, 'electronic access' means access through electronic means, such as through a computer or telephone, to a database or to court or other electronic records, without human intervention.

''(11) APPLICABILITY TO INDIVIDUALS.—This subsection applies only in a case in which the debtor is an individual.''.

(b) CONFORMING AMENDMENT.—Section 107(a) of title 11, United States Code, is amended by striking ''subsection (b)'' and inserting ''subsections (b) and (c)''.

(c) CLERICAL AMENDMENTS.—Section 107 of title 11, United States Code, is amended—

(1) by inserting ''GENERAL ACCESS.—'' after ''(a)''; and

(2) by inserting ''PROTECTED MATTER.—'' after ''(b)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall become effective 180 days after the date of enactment of this Act.

Page 145, strike lines 19 through 23 (and make such technical and conforming changes as may be appropriate).

Beginning on page 147, strike line 6 and all that follows through line 16 on page 148, and insert the following:

''(4)(A) For purposes of paragraph (1)(B), the term 'household goods' includes tangible personal property normally found in or around a residence, but does not include motorized vehicles used for transportation purposes.''.

Page 159, line 12, insert '', or on a showing of good cause such longer period as the court considers to be reasonable,'' after ''45 days''.

Page 167, strike lines 21 through 24 (and make such technical and conforming changes as may be appropriate).

Page 236, line 8, strike ''described in section 523(a)(2) or''.

Page 182, line 3, strike the close quotation marks and the period at the end.

Page 182, after line 3, insert the following (and make such technical and conforming changes as may be appropriate):

''(iii) The court may extend the time periods specified in this paragraph if the debtor establishes by clear and convincing evidence that an extension is justified by circumstances beyond the debtor's control that were not foreseeable on the date of the order for relief.''.

Page 186, line 18, strike ''The'' and insert ''Unless the debtor establishes by clear and convincing evidence that there are circumstances beyond the debtor's control that were not foreseeable on the date of the order of relief, the''.

Page 186, line 21, strike ''The'' and insert ''Unless the debtor establishes by clear and convincing evidence that there are circumstances beyond the debtor's control that were not foreseeable on the date of the order of relief, the''.

Page 191, after line 24, insert the following (and make such technical and conforming changes as may be appropriate):

''(4) The court may extend the time period specified in paragraph (2) if the debtor establishes by clear and convincing evidence that an extension is justified by circumstances beyond the debtor's control that were not foreseeable on the date the assurance of payment was due.

Page 201, line 7, insert ''(a)'' before ''In''.

Page 202, line 25, strike the close quotation marks and the period at the end.

Page 202, after line 25, insert the following:

''(b) The court may extend the time periods specified in paragraphs (1) and (3) of subsection (a) if the debtor establishes by clear and convincing evidence that an extension is justified by circumstances that there are beyond the debtor's control that were not foreseeable on the date of the order of relief.''.

Page 204, line 5, strike ''and'' at the end.

Page 204, line 7, strike the close quotation marks and the period at the end.

Page 204, after line 7, insert the following (and make such technical and conforming changes as may be appropriate):

''(D) the debtor establishes by clear and convincing evidence that an extension is justified by circumstances beyond the debtor's control that were not foreseeable on the date of the order of relief.''.

Page 204, line 14, insert ''or the debtor establishes by clear and convincing evidence that an extension is justified by circumstances beyond the debtor's control that were not foreseeable on the date of the order for relief'' after ''1121(e)(3)''.

Page 353, line 19, insert ''of this title or the transfer of the asset-backed securitization would not be a true transfer, conveyance or sale under nonbankruptcy law'' after ''548(a)''.

Page 194, after line 8, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 420. CLARIFICATION OF POSTPETITION WAGES AND BENEFITS.

Section 503(b)(1)(A) of title 11, United States Code, is amended to read as follows:

''(A) The actual, necessary costs and expenses of preserving the estate, including wages, salaries, or commissions for services rendered after the commencement of the case, and wages awarded as backpay and benefits attributable to any period of time after commencement of the case as a result of the debtor's violation of Federal or State law, without regard to when the original unlawful act occurred or to whether any services were rendered.''.

Page 194, before line 9, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 421. CLARIFICATION OF DEBTOR'S DUTIES.

(a) DUTIES.—Section 521 of title 11, United States Code, as amended by this Act, is amended by inserting after paragraph (6) the following:—

''(7) unless a trustee is serving in the case, the debtor who, at the time of the commencement of the case, served as the administrator or plan sponsor of an employee benefit plan, pursuant to section 1002(16) of title 29, United States Code, shall continue to perform the obligations required of the plan administrator or plan sponsor; and

''(8) unless a trustee is serving in the case, where a proof of claim is filed on behalf of employees or retirees of the debtor by a labor organization serving as the collective bargaining representative of such employees or retirees, the debtor shall, for the purpose of facilitating the location of, and distribution to the employees and retirees of the allowed amount of the claim, provide to such collective bargaining representative a complete list of such employees or retirees and their current addresses as listed on the books and records of the debtor, and such other information as may reasonably be requested for the purpose of aiding in the claims distribution.''.

(b) CHAPTER 7.—Section 704 of title 11, United States Code, as amended by this Act, is amended by adding at the end the following:

''(12) where, at the time of the commencement of the case, the debtor served as the administrator or plan sponsor of an employee benefit plan, pursuant to section 1002(16) of title 29, United States Code, continue to perform the obligations required of the plan administrator or plan sponsor;

''(13) where a proof of claim is filed on behalf of employees or retirees of the debtor by a labor organization serving as the collective bargaining representative of such employees or retirees, provide to such collective bargaining representative a complete list of such employees or retirees and their current addresses as listed on the books and records of the debtor, and such other information as may reasonably be requested for the purpose of aiding in the distribution of allowed claims to such employees or retirees; and

''(14) assume the obligations of the debtor to withhold, report, and pay withholding taxes to the appropriate taxing authority with respect to the distribution of allowed claims for employee compensation and prepare and submit the reports and returns required by such authorities.''.

(c) CHAPTER 11.—Section 1106(a)(1) of title 11, United States Code, is amended to read as follows:

''(1) perform the duties of the trustee as specified in section 704(2), (5), (7), (8), (9), (10), (11), and (12);''.

(d) OFFICIAL FORM.—The Advisory Committee on Bankruptcy Rules of the Judicial Conference of the United States shall propose for adoption an Official Bankruptcy Form to be used to file a proof of multiple claim for wages owed to employees of the debtor.

Page 358, after line 18, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 1004. EXPANDED DEFINITION OF FAMILY FARMER.

Section 101(18) of title 11, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking ''$1,500,000'' and inserting ''$3,000,000'';

(B) by striking ''80'' and inserting ''65''; and

(C) by striking ''the taxable year preceding the taxable year'' and inserting ''at least 1 of the 3 taxable years preceding the taxable year''; and

(2) in subparagraph (B)—

(A) in clause (ii), by striking ''80'' and inserting ''65''; and

(B) in clause (ii), by striking ''$1,500,000'' and inserting ''$3,000,000''.

Page 393, after line 13, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 1236. TECHNICAL CORRECTIONS TO THE COLLEGE SCHOLARSHIP FRAUD PREVENTION ACT OF 2000.

(a) SENTENCING ENHANCEMENT GUIDELINES.—Section 3 of the College Scholarship Fraud Prevention Act of 2000 (Public Law 106–420) is amended—

(1) by striking ''obtaining or providing of'' and inserting ''the obtaining of, the offering of assistance in obtaining''; and

(2) by striking ''base offense level for misrepresentation'' and inserting ''enhanced penalties provided for in the Federal sentencing guidelines for an offense involving fraud or misrepresentation''.

(b) LIMITATION ON EXEMPT PROPERTY.—Section 522(c)(4) of title 11, United States Code, as added by section 4 of the College Scholarship Fraud Prevention Act of 2000 (Public Law 106–420), is amended—

(1) by striking ''in the obtaining or providing of'' and inserting ''or misrepresentation in the providing of, the offering of assistance in obtaining, or the furnishing of information to a consumer on,''; and

(2) by striking ''(20 U.S.C. 1001)''.

(c) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—

(1) EFFECTIVE DATE.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on November 1, 2000.

(2) APPLICATION OF SECTION 552(C)(4) OF TITLE 11, UNITED STATES CODE.—Section 522(c)(4) of title 11, United States Code, as added by section 4 of the College Scholarship Fraud Prevention Act of 2000 (Public Law 106–420) and as amended by subsection (b) of this section, shall apply only with respect to cases commenced under title 11, United States Code, on or after November 1, 2000.

Beginning on page 419, strike lines 5 through 23 (and make such technical and conforming changes as may be appropriate).

It was decided in the negative ..... { Yeas ..... 160 / Nays 258

¶15.9 [Roll No. 23]

AYES—160

Abercrombie
Allen
Andrews
Baca
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Honda
Hooley
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lowey
Luther
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moore
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Slaughter
Solis
Spratt
Stark
Stupak
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—258

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Cox
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holt
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
King (NY)
Kirk
Knollenberg
Kolbe
LaHood
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Matheson
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Ackerman
Baird
Cannon
Cramer
Deal
Dunn
Inslee
Kingston
McDermott
Norwood
Ros-Lehtinen
Rothman
Snyder
Toomey

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. HANSEN, assumed the Chair.

When Mr. LAHOOD, Acting Chairman, pursuant to House Resolution 71, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 10, line 13, strike ''case) who is not a dependent'' and insert ''case who is not a dependent)''.

Page 22, line 3, strike ''an individual case under chapter 7'' and insert ''a case under chapter 7 of this title in which the debtor is an individual and''.

Page 31, line 9, strike ''service'' and insert ''agency''.

Page 34, line 20, strike ''**services**'' and insert ''**agencies**''.

Page 41, lines 12 and 16, strike ''service'' and insert ''agency''.

Page 42, in the matter following line 3, strike ''services'' and insert ''agencies''.

page 74, strike lines 5 through 20, and insert the following:

(1) in subsection (a)—

(A) by striking paragraph (5) and inserting the following:

''(5) for a domestic support obligation;''; and

(B) by striking paragraph (18);

(2) in subsection (c), by striking ''(6), or (15)'' each place it appears and inserting ''or (6)''; and

(3) in paragraph (15), as added by Public Law 103–394 (108 Stat. 4133)—

(A) by inserting ''to a spouse, former spouse, or child of the debtor and'' before ''not of the kind'';

(B) by inserting ''or'' after ''court of record,''; and

(C) by striking ''unless—'' and all that follows through the end of the paragraph and inserting a semicolon.

Page 75, strike line 21.

Page 76, strike lines 1 through 5.

Page 86, line 14, insert ''a person other than'' before the open quotation marks.

Page 99, lines 18 through 21, indent the left margin 2 ems to the right.

Page 101, line 22, strike the period at the end and insert a semicolon.

Page 101, line 23, strike ''Nothing in paragraph (18)'' and insert ''but nothing in this paragraph''.

Page 107, line 18, strike ''that person'' and insert ''a person who provides such assistance or of such preparer''.

Page 107, lines 22, 23, and 24, strike ''the person'' and insert ''such assisted person''.

Page 113, strike the matter after line 4, and insert the following:

''526. Restrictions on debt relief agencies.''.

Page 114, line 18, strike ''proceeding'' and insert ''case''.

Page 120, strike the matter after line 22, and insert the following:

''528. Requirements for debt relief agencies.''.

Page 123, lines 19 and 24, strike ''chapter 7, 11, or 13'' and insert ''chapters 7, 11, and 13''.

Page 130, beginning line 15, strike ''an individual case under chapter 7 of this title'' and

insert ''a case under chapter 7 of this title in which the debtor in an individual''.

Page 132, beginning on line 13, strike ''an individual case under chapter 7, 11, or 13'' and insert ''in which the debtor is an individual''.

Page 140, line 2, strike ''chapter 13 proceeding'' and insert ''case under chapter 13''.

Page 142, line 1, move the left margin 2 ems to the left.

Page 142, lines 2 through 13, move the left margin 2 ems to the left.

Page 144, line 13, indent the left margin 2 additional ems to the right.

Page 144, lines 14 through 25, indent the left margin 2 additional ems to the right.

Page 145, line 1, indent the left margin 2 additional ems to the right.

Page 145, lines 2 through 14, indent the left margin 2 additional ems to the right.

Page 164, beginning on line 10, strike ''the case of an individual filing under chapter 7, 11, or 13'' and insert ''a case under chapter 7, 11, or 13 in which the debtor in an individual''.

Page 165, line 7, strike ''concerning an individual debtor'' and insert '' in which the debtor is an individual''.

Page 171, line 3, strike ''(3)'' and insert ''(2)''.

Page 172, line 1, strike ''amount'' and insert ''such amount under this clause''.

Page 172, line 20, strike ''amount'' and insert ''such amount under this clause''.

Page 177, line 14, strike ''(b)(l)'' and insert ''(b)(1)''.

Page 183, line 24, strike ''(i)'' and insert ''(h)''.

Page 184, line 2, strike ''(j)'' and insert ''(i)''

Beginning on page 184, line 23 and all that follows through line 2 on page 185, move the left margin 2 ems to the left.

Page 187, line 12, strike ''period'' and insert ''period,''.

Page 189, lines 11 through 14, move the left margin 2 ems to the left.

Page 198, line 24, strike ''claims'' and insert ''expenses''.

Page 200, line 11, strike ''claims'' and insert ''expenses''.

Page 201, line 2, add ''of chapter 11'' after ''Subchapter 1''.

Page 216, line 19, strike ''each district'' and insert ''the district court, or the clerk of the bankruptcy court if one has been certified pursuant to section 156(b) of this title,''.

Page 216, line 22, strike ''on a standardized form'' and insert ''in a standardized format''.

Page 218, line 5, insert ''cases filed during'' after ''in''.

Page 218, line 13, insert ''for cases closed during the reporting period'' after ''case''.

Page 218, line 14, insert ''cases closed during'' after ''for''.

Page 219, line 11, insert ''entered'' after ''orders''.

Page 219, line 13, strike ''issued''.

Page 224, beginning on line 24, strike ''individual cases filed under chapter 7 or 13 of such title'' and insert ''cases filed under chapter 7 or 13 in which the debtor is an individual''.

Page 234, line 7, insert ''the'' after ''date of''.

Page 235, line 3, strike ''(i)''.

Page 235, line 9, strike ''(ii)''.

Page 246, line 16, insert ''claim for a'' after ''to a''.

Page 248, line 3, insert ''(1)'' before ''Section''.

Page 252, after line 22, insert the following:

(2) CLERICAL AMENDMENT.—The table of sections for chapter 3 of title 11, United States Code, is amended by striking the item relating to section 346 and inserting the following:

''346. Special provisions related to the treatment of State and local taxes.''.

Page 252, line 24, insert ''(A)'' after ''(1)''.

Page 252, after line 25, insert the following:

(B) The table of sections for chapter 7 of title 11, United States Code, is amended by striking the item relating to section 728.

Page 281, line 13, strike ''(j)'' and insert ''(k)''.

Page 283, line 3, strike ''15,'' and insert ''15''.

Page 327, line 17, strike the period and insert a semicolon.

Page 331, line 15, strike ''FINANCIAL INSTITUTION''.

Page 336, line 21, strike ''(l)'' and insert ''(m)''.

Page 337, lne 13, strike ''(k)'' and insert ''(j)''.

Page 346, line 16, strike ''561'' and insert ''561,''.

Page 348, strike the matter following line 4, and insert the following:

''767. Commodity broker liquidation and forward contract merchants, commodity brokers, stockbrokers, financial institutions, financial participants, securities clearing agencies, swap participants, repo participants, and master netting agreement participants.'';

Page 356, strike lines 11 through 21 (and make such technical and conforming changes as may be appropriate).

Page 357, line 11, strike ''Bankruptcy,'' and insert ''Bankruptcy''.

Page 369, line 13, insert ''and inserting a semicolon'' after ''paragraph''.

Page 370, line 1, strike ''property.'' and insert ''property;''.

Page 370, line 3, strike ''and (37)'' and insert ''(37), (38A), and (38B),''.

Page 377, beginning on line 20, strike ''judgeship positions shall be filled'' and insert ''bankruptcy judges shall be appointed''.

Page 378, lines 1, 5, 9, 13, 15, 17, 19, 21, and 23, strike ''judgeship'' and insert ''judge''.

Page 378, line 3, 7, and 11, strike ''judgeships'' and insert ''judges''.

Page 379, lines 1, 3, 5, 7, 9, and 11, strike ''judgeship'' and insert ''judge''.

Page 379, beginning on line 23, strike ''bankruptcy judgeship positions'' and insert ''office of bankruptcy judges''.

Page 381, beginning on line 2, strike ''judgeship positions referred to in this subsection'' and insert ''office of bankruptcy judges referred to in paragraph (1)''.

Page 393, strike lines 10 through 13 (and conform the table of contents of the bill accordingly).

Page 411, line 21, strike ''APPLICATIONS AND''.

Page 412, line 1, strike ''APPLICATIONS AND''.

Page 11, line 1, insert ''or public'' after ''private''.

Page 121, after line 16, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 231. PROHIBITION ON DISCLOSURE OF IDENTITY OF MINOR CHILDREN.

(a) PROHIBITION.—Title 11 of the United States Code, as amended by section 106, is amended by inserting after section 111 the following:

''§ 112. Prohibition on disclosure of identity of minor child

''In a case under this title, the debtor may be required to provide information regarding a minor child involved in matters under this title, but may not be required to disclose in the public records in the case the name of such minor child.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1 of title 11, United States Code, is amended by adding at the end the following:

''112. Prohibition on disclosure of name of minor child.''.

Page 286, line 10, insert ''mortgage'' before ''loan''.

Page 286, line 11, insert '', and including any repurchase or reverse repurchase transaction on any such security, certificate of deposit, loan, interest, group or index, or option'' before the semicolon at the end.

Page 287, line 10, insert a comma after ''index''.

Page 288, line 18, insert ''or any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in this clause'' after ''clause''.

Page 291, line 8, insert ''or any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in this clause'' after ''clause''.

Page 293, line 7, insert ''or any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in any such subclause'' after ''(III), or (IV)''.

Page 296, line 2, insert ''or any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in any such subclause'' after ''(IV), or (V)''.

Page 297, line 7, insert ''total return,'' before ''credit''.

Page 297, line 15, insert ''that is'' before ''similar''.

Page 297, line 17, strike ''that'' and insert ''and that has been,''.

Page 297, beginning on line 18, strike ''regularly entered into in the swap market'' and insert ''the subject of recurrent dealings in the swap markets''.

Page 298, line 1, insert ''quantitative measures associated with an occurrence, extent of an occurrence or contingency associated with a financial, commercial or economic consequence,'' before ''or''.

Page 298, line 1, insert ''or financial'' after ''economic''.

Page 298, line 2, insert ''or financial'' after ''economic''.

Page 299, beginning on line 4, strike ''subparagraph'' and insert ''subclause''.

Page 299, line 5, insert ''or any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in any such subclause'' before the period at the end.

Page 299, line 19, insert ''the Gramm-Leach-Bliley Act, the Legal Certainty for Bank Products Act of 2000,'' before ''and''.

Page 305, line 19, strike ''contract'' and insert ''contracts''.

Page 306, line 18, insert ''cleared by or'' before ''subject''.

Page 307, line 2, insert ''and the term 'clearing organization' means a 'clearing organization' as defined in Section 402 of the Federal Deposit Insurance Corporation Improvement Act of 1991'' after ''financial institution''.

Page 313, line 2, strike ''or that'' and insert '', that''.

Page 313, line 4, insert ''or that is a multilateral clearing organization (as defined in section 408 of this Act)'' before the closing quotation marks.

Page 317, line 12, strike ''BANKS AND'' insert ''BANKS,''.

Page 317, line 13, insert '', CERTAIN UNINSURED STATE MEMBER BANKS, AND EDGE ACT CORPORATIONS'' before the period.

Page 317, line 21, strike ''**banks and**'' and insert ''**banks,**''.

Page 317, line 22, insert '', **certain uninsured state member banks, and edge act corporations**'' before the period.

Page 318, line 2, insert ''or a corporation chartered under section 25A of the Federal Reserve Act or an uninsured State member bank which operates, or operates as, a multi-

lateral clearing organization pursuant to section 409 of this Act,'' after ''agency''.

Page 318, line 7, insert ''in the case of an uninsured national bank or uninsured Federal branch or agency, or to the receiver of a corporation chartered under section 25A of the Federal Reserve Act or an uninsured State member bank appointed by the Board of Governors of the Federal Reserve System in the case of a corporation chartered under section 25A of the Federal Reserve Act or an uninsured State member bank'' before the semicolon at the end.

Page 318, line 15, insert ''in the case of an uninsured national bank or uninsured Federal branch or agency, or to the receiver or conservator of a corporation chartered under section 25A of the Federal Reserve Act or an uninsured State member bank appointed by the Board of Governors of the Federal Reserve System in the case of a corporation chartered under section 25A of the Federal Reserve Act or an uninsured State member bank'' before ''; and''.

Page 318, line 18, strike ''bank or'' and insert ''bank,''.

Page 318, line 19, insert ''a corporation chartered under section 25A of the Federal Reserve Act or an uninsured State member bank which operates, or operates as, a multilateral clearing organization pursuant to section 409 of this Act'' before the period at the end.

Page 318, line 21, strike ''bank or'' and insert ''bank,''.

Page 318, line 22, insert ''a corporation chartered under section 25A of the Federal Reserve Act or an uninsured State member bank which operates, or operates as, a multilateral clearing organization pursuant to section 409 of this Act,'' after ''agency''.

Page 319, line 3, insert ''and the Board of Governors of the Federal Reserve System'' after ''Currency''.

Page 319, line 4, insert ''each'' after ''may''.

Page 319, line 8, insert ''and the Board of Governors of the Federal Reserve System'' after ''Currency''.

Page 319, line 8, insert ''each'' after ''shall''.

Page 321, line 6, insert ''or any guarantee or reimbursement obligation by or to a forward contract merchant or financial participant in connection with any agreement or transaction referred to in any such subparagraph,'' after ''(C), or (D)''.

Page 321, beginning on line 7, strike ''actual value of such contract on the date of the filing of the petition'' and insert ''damages in connection with any such agreement or transaction measured in accordance with Section 562 of this title''.

Page 323, line 18, insert ''or any guarantee or reimbursement obligation by or to a repo participant or financial participant in connection with any agreement or transaction referred to in any such clause'' after ''(iii), or (iv)'' .

Page 323, beginning on line 19, strike ''actual value of such contract on the date of the filing of the petition'' and insert ''damages in connection with any such agreement or transaction measured in accordance with section 562 of this title''.

Page 324, beginning on line 11, strike ''which is an interest rate swap'' and insert ''which is—

''(I) an interest rate swap''.

Page 324, beginning on line 13, strike ''including—'' and all that follows through ''a rate floor'' on line 14, and insert ''including a rate floor''

Page 325, line 3, insert ''total return,'' before ''credit spread''.

Page 325, line 12, insert ''that is'' before ''similar''.

Page 325, line 13, insert ''and'' before ''that''.

Page 325, line 14, insert ''has been,'' before ''is''.

Page 325, beginning on line 15, strike ''regularly entered into in the swap market'' and insert ''the subject of recurrent dealings in the swap markets''.

Page 325, line 23, insert ''quantitative measures associated with an occurrence, extent of an occurrence or contingency associated with a financial, commercial or economic consequence,'' after ''instruments,''.

Page 325, line 24, insert ''or financial'' after ''economic''.

Page 325, line 25, insert ''or financial'' before ''risk''.

Page 326, line 24, insert ''or any guarantee or reimbursement obligation by or to a swap participant or financial participant in connection with any agreement or transaction referred to in any such clause'' after ''through (v)''.

Page 326, beginning on line 25, strike ''actual value of such contract on the date of the filing of the petition'' and insert ''damages in connection with any such agreement or transaction measured in accordance with section 562 of this title''.

Page 327, line 14, insert ''the Gramm-Leach-Bliley Act, the Legal Certainty for Bank Products Act of 2000,'' before ''and''.

Page 328, line 6, insert ''mortgage'' before ''loan''.

Page 328, line 7, insert '', and including any repurchase or reverse repurchase transaction on any such security, certificate of deposit, loan, interest, group or index, or option'' before the semicolon at the end.

Page 329, line 25, strike the comma.

Page 330, line 2, insert ''or any guarantee or reimbursement obligation by or to a stockbroker, securities clearing agency, financial institution or financial participant in connection with any agreement or transaction referred to in this subparagraph'' before the comma after ''subparagraph''.

Page 330, beginning on line 3, strike ''actual value of such contract on the date of the filing of the petition'' and insert ''damages in connection with any such agreement or transaction measured in accordance with section 562 of this title''.

Page 331, line 12, insert ''or any guarantee or reimbursement obligation by or to a commodity broker or financial participant in connection with any agreement or transaction referred to in this paragraph'' before the comma after ''paragraph''.

Page 331, beginning on line 12, strike ''actual value of such contract on the date of the filing of the petition'' and insert ''damages in connection with any such agreement or transaction measured in accordance with section 562 of this title''.

Page 331, after line 18, insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

(1) by striking paragraph (22) and inserting the following:

''(22) 'financial institution' means—

''(A) a Federal reserve bank, or an entity (domestic or foreign) that is a commercial or savings bank, industrial savings bank, savings and loan association, trust company, or receiver or conservator for such entity and, when any such Federal reserve bank, receiver, conservator or entity is acting as agent or custodian for a customer in connection with a securities contract, as defined in section 741, such customer; or

''(B) in connection with a securities contract, as defined in section 741, an investment company registered under the Investment Company Act of 1940;'';

Page 332, line 13, strike ''participant' means an entity'' and insert ''participant' means—

''(A) an entity''.

Page 332, line 15, insert ''swap agreement, repurchase agreement,'' after ''commodity contract,''.

Page 333, line 3, strike the closing quotation marks and the second semicolon.

Page 333, after line 3, insert the following new subparagraph:

''(B) a 'clearing organization' (as such term is defined in section 402 of the Federal Deposit Insurance Corporation Improvement Act of 1991);''; and

Page 333, line 7, strike the comma after ''entity''.

Page 333, line 9, strike ''or'' after ''merchants''.

Page 334, line 3, insert ''or any guarantee or reimbursement obligation related to 1 or more of the foregoing'' before the semicolon.

Page 334, line 24, strike ''and''.

Page 335, line 2, strike ''and''.

Page 335, line 7, insert ''or financial participant'' after ''swap participant''.

Page 335, line 13, insert ''or financial participant'' after ''swap participant''.

Page 335, line 15, strike ''and''.

Page 335, line 17, insert ''or financial participant'' after ''swap participant''.

Page 336, line 10, strike ''and''.

Page 337, strike line 8.

Page 337, after line 11, insert the following new subparagraph:

(C) by inserting 'or financial participant' after 'swap participant' each time such term appears; and

Page 339, strike line 12.

Page 339, line 15, strike the period at the end and insert ''; and''.

Page 339, after line 15, insert the following new paragraph:

(3) by striking so much of the text of the second sentence as appears before ''whether'' and inserting ''As used in this section, the term ''contractual right'' includes a right set forth in a rule or bylaw of a derivatives clearing organization (as defined in the Commodity Exchange Act), a multilateral clearing organization (as defined in the Federal Deposit Insurance Corporation Improvement Act of 1991), a national securities exchange, a national securities association, a contract market designated under the Commodity Exchange Act, a derivatives transaction execution facility registered under the Commodity Exchange Act, or a board of trade (as defined in the Commodity Exchange Act) or in a resolution of the governing board thereof and a right,''

Page 339, strike line 23.

Page 340, line 3, strike the period at the end and insert ''; and''

Page 340, after line 3, insert the following new paragraph:

(3) by striking so much of the text of the third sentence as appears before ''whether'' and inserting ''As used in this section, the term ''contractual right'' includes a right set forth in a rule or bylaw of a derivatives clearing organization (as defined in the Commodity Exchange Act), a multilateral clearing organization (as defined in the Federal Deposit Insurance Corporation Improvement Act of 1991), a national securities exchange, a national securities association, a contract market designated under the Commodity Exchange Act, a derivatives transaction execution facility registered under the Commodity Exchange Act, or a board of trade (as defined in the Commodity Exchange Act) or in a resolution of the governing board thereof and a right,

Page 340, line 14, strike ''and''.

Page 340, line 18, strike the period and insert ''; and''.

Page 340, after line 18, insert the following new paragraph:

(4) by striking so much of the text of the second sentence as appears before ''whether'' and inserting ''As used in this section, the term 'contractual right' includes a right set forth in a rule or bylaw of a derivatives clearing organization (as defined in the Commodity Exchange Act), a multilateral clearing organization (as defined in the Federal Deposit Insurance Corporation Improvement

Act of 1991), a national securities exchange, a national securities association, a contract market designated under the Commodity Exchange Act), a derivatives transaction execution facility registered under the Commodity Exchange Act, or a board of trade (as defined in the Commodity Exchange Act) or in a resolution of the governing board thereof and a right,''.

Page 341, line 3, insert ''**; proceedings under chapter 15**'' after ''**contracts**''.

Page 342, line 11, insert ''traded on or subject to the rules of a contract market designated under the Commodity Exchange Act or a derivatives transaction execution facility registered under the Commodity Exchange Act'' after ''contract''.

Page 342, line 22, insert ''and traded on or subject to the rules of a contract market designated under the Commodity Exchange Act or a derivatives transaction execution facility registered under the Commodity Exchange Act'' after ''debtor''.

Page 343, line 5, strike ''agreement'' and insert ''or similar arrangement''.

Page 343, beginning on line , strike ''section 5a(a)(12)(A)'' and insert ''paragraph (1) or (2) of section 5c(c)''.

Page 343, line 10, strike ''been approved'' and insert ''not been abrogated or rendered ineffective by the Commodity Futures Trading Commission''.

Page 343, beginning on line 18, strike ''national'' and all that follows through ''market'' on line 21, and insert ''derivatives clearing organization (as defined in the Commodity Exchange Act), a multilateral clearing organization (as defined in the Federal Deposit Insurance Corporation Improvement Act of 1991), a national securities exchange, a national securities association, a contract market designated under the Commodity Exchange Act, a derivatives transaction execution facility registered under the Commodity Exchange Act, or a board of trade (as defined in the Commodity Exchange Act)''.

Page 344, strike the item following line 18, and insert the following new item:

''561. Contractual right to terminate, liquidate, accelerate, or offset under a master netting agreement and across contracts; proceedings under chapter 15.''.

Page 345, line 21, insert ''**financial participants**'' before ''**securities**''.

Page 346, line 9, insert ''in subsection (a)(2)(B)(ii), by inserting before the semicolon, and'' after ''(1)''.

Page 346, line 10, insert a comma after ''period'',

Page 346, after line 22, insert the following new paragraph (and redesignate the subsequent paragraphs as paragraphs (3), (4), (7), and (8), respectively):

(2) in sections 362(b)(7) and 546(f), by inserting ''or financial participant'' after ''repo participant'' each time such term appears;

Page 347, after line 2, insert the following new paragraphs:

(5) in section 548(d)(2)(C), by inserting ''or financial participant'' after ''repo participant'';

(6) in section 548(d)(2)(D), by inserting ''or financial participant'' after ''swap participant'';

Page 347, beginning on line 6, strike ''by inserting'' and all that follows through ''contract market'' on line 8, and insert ''by striking the second sentence and inserting 'As used in this section, the term ''contractual right'' includes a right set forth in a rule or bylaw of a derivatives clearing organization (as defined in the Commodity Exchange Act), a multilateral clearing organization (as defined in the Federal Deposit Insurance Corporation Improvement Act of 1991), a national securities exchange, a national securities association, a contract market designated under the Commodity Exchange Act, a derivatives transaction execution facility registered under the Commodity Exchange Act, or a board of trade (as defined in the Commodity Exchange Act)' ''.

Page 347, line 12, strike ''and''.

Page 347, line 14, strike the period and insert a semicolon.

Page 347, after line 14, insert the following new paragraphs:

(9) in section 559, by inserting ''or financial participant'' after ''repo participant'' each time such term appears; and

(10) in section 560, by inserting ''or financial participant'' after ''swap participant''.

Page 348, strike the item following line 4, and insert the following new item:

''767. Commodity broker liquidation and forward contract merchants, commodity brokers, stockbrokers, financial institutions, financial participants, securities clearing agencies, swap participants, repo participants, and master netting agreement participants.'';

Page 348, strike the item following line 7, and insert the following new item:

''753. Stockbroker liquidation and forward contract merchants, commodity brokers, stockbrokers, financial institutions, financial participants, securities clearing agencies, swap participants, repo participants, and master netting agreement participants.''.

Page 348, after the item following line 7, insert the following new section:

SEC. 907A. SECURITIES BROKER AND COMMODITY BROKER LIQUIDATION.

The Securities and Exchange Commission and the Commodity Futures Trading Commission may consult with each other with respect to—

(1) whether, under what circumstances, and the extent to which security futures products will be treated as commodity contracts or securities in a liquidation of a person that is both a securities broker and a commodity broker; and

(2) the treatment in such a liquidation of accounts in which both commodity contracts and securities are carried.

Page 352, line 1, insert a comma after ''101''.

Page 352, line 2, strike ''and 741'' and insert ''741, and 761''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. CONYERS moved to recommit the bill to the Committee on the Judiciary, with instructions to report the bill back to the House forthwith with the following amendment:

Page 393, strike line 16 and all that follows through page 403, line 3, and insert the following (and conform the table of contents accordingly):

SEC. 1301. ISSUANCE OF CREDIT CARDS TO UNDERAGE CONSUMERS.

Section 127(c) of the Truth in Lending Act (15 U.S.C. 1637(c)) is amended by inserting after paragraph (6) (as added by section 1303 of this title) the following new paragraph:

''(7) APPLICATIONS FROM UNDERAGE CONSUMERS.—

''(A) PROHIBITION ON ISSUANCE.—No credit card may be issued to, or open end credit plan established on behalf of, any consumer who has not attained the age of 21, except in response to a written request or application to the card issuer that meets the requirements of subparagraph (B).

''(B) APPLICATION REQUIREMENTS.—An application to open a credit card account by a consumer who has not reached the age of 21 as of the date of submission of the application shall require—

''(i) the signature of the parent or guardian of the consumer indicating joint liability for debts incurred by the consumer in connection with the account before the consumer has reached the age of 21; or

''(ii) submission by the consumer of financial information indicating an independent means of repaying any obligation arising from the proposed extension of credit in connection with the account.''.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. HANSEN, announced that the nays had it.

Mr. CONYERS demanded a recorded vote on agreeing to the motion to recommit with instructions, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 165 / Nays 253

¶15.10 [Roll No. 24]

AYES—165

Abercrombie	Hill	Nadler
Allen	Hilliard	Napolitano
Andrews	Hinchey	Neal
Baca	Hoeffel	Oberstar
Baldacci	Holden	Obey
Barcia	Holt	Olver
Becerra	Honda	Ortiz
Berkley	Hooley	Owens
Berman	Hoyer	Pallone
Blagojevich	Israel	Pascrell
Blumenauer	Jackson (IL)	Pastor
Bonior	Jackson-Lee (TX)	Payne
Borski	Jefferson	Pelosi
Brady (PA)	Johnson, E. B.	Peterson (MN)
Brown (FL)	Jones (OH)	Phelps
Brown (OH)	Kanjorski	Pomeroy
Capps	Kaptur	Price (NC)
Capuano	Kildee	Rahall
Cardin	Kilpatrick	Rangel
Carson (IN)	Kleczka	Reyes
Clay	Kucinich	Rodriguez
Clayton	LaFalce	Roemer
Clyburn	Lampson	Roybal-Allard
Conyers	Langevin	Rush
Costello	Lantos	Sabo
Coyne	Larson (CT)	Sanders
Cummings	LaTourette	Sawyer
Davis (CA)	Lee	Schakowsky
Davis (FL)	Levin	Schiff
Davis (IL)	Lewis (GA)	Scott
DeFazio	Lipinski	Serrano
DeGette	Lowey	Sherman
Delahunt	Luther	Slaughter
DeLauro	Maloney (NY)	Solis
Deutsch	Markey	Stark
Dicks	Mascara	Strickland
Dingell	Matsui	Stupak
Doggett	McCarthy (MO)	Thompson (CA)
Doyle	McCarthy (NY)	Thompson (MS)
Duncan	McCollum	Thurman
Edwards	McGovern	Tierney
Emerson	McIntyre	Towns
Engel	McKinney	Udall (CO)
Eshoo	McNulty	Udall (NM)
Etheridge	Meehan	Velazquez
Evans	Meek (FL)	Visclosky
Farr	Meeks (NY)	Waters
Fattah	Millender-McDonald	Watt (NC)
Filner	Miller, George	Waxman
Frank	Mink	Weiner
Frost	Moakley	Weldon (PA)
Gonzalez	Moore	Wexler
Green (TX)	Moran (VA)	Woolsey
Gutierrez	Murtha	Wu
Hall (OH)		Wynn
Hastings (FL)		

NOES—253

Aderholt
Akin
Armey
Bachus
Baker
Baldwin
Ballenger
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Cox
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Ehlers
Ehrlich
English
Everett
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinojosa
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kind (WI)
King (NY)
Kirk
Knollenberg
Kolbe
LaHood
Largent
Larsen (WA)
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Matheson
McCrery
McHugh
McInnis
McKeon
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rivers
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Ackerman
Baird
Cramer
Deal
Dunn
Gephardt
Inslee
Kingston
McDermott
Norwood
Ros-Lehtinen
Rothman
Snyder
Toomey

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. HANSEN, announced that the yeas had it.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 306 / Nays 108

¶15.11 [Roll No. 25]

YEAS—306

Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dooley
Doolittle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Matheson
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Traficant
Turner
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—108

Abercrombie
Allen
Baldacci
Baldwin
Barrett
Becerra
Berman
Blagojevich
Bonior
Borski
Brady (PA)
Brown (OH)
Capuano
Cardin
Carson (IN)
Clay
Clayton
Conyers
Coyne
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Engel
Eshoo
Evans
Farr
Fattah
Filner
Frank
Gutierrez
Hall (OH)
Hilliard
Hinchey
Hoeffel
Honda
Jackson-Lee (TX)
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kucinich
LaFalce
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Mascara
Matsui
McCollum
McGovern
McKinney
McNulty
Meehan
Millender-McDonald
Miller, George
Mink
Moakley
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Payne
Pelosi
Rahall
Rangel
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Serrano
Slaughter
Stark
Stupak
Thompson (MS)
Thurman
Tierney
Udall (CO)
Udall (NM)
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey

NOT VOTING—18

Ackerman
Baird
Cramer
Deal
Dunn
Gephardt
Gilman
Inslee
Jackson (IL)
Kingston
McDermott
Norwood
Peterson (MN)
Ros-Lehtinen
Rothman
Snyder
Toomey
Towns

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶15.12 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶15.13 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. SENSENBRENNER, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, cross references, punctuation, and citations, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

¶15.14 MESSAGE FROM THE PRESIDENT—CRITICAL INFRASTRUCTURE

The SPEAKER pro tempore, Mr. SIMMONS, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to section 1053 of the Defense Authorization Act of 2001 (Public Law 106–398), enclosed is a comprehensive report detailing the specific steps taken by the Federal Government to develop critical infrastructure assurance strategies as outlined by Presidential Decision Directive No. 63 (PDD–63).

This report was drafted by the previous Administration and is a summary of their efforts as of January 15. However, since this requirement conveys to my Administration, I am forwarding the report.

Critical infrastructure protection is an issue of importance to U.S. economic and national security, and it will be a priority in my Administration. We intend to examine the attached report and other relevant materials in our review of the Federal Government's critical infrastructure protection efforts.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 1, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Government Reform.

¶15.15 ADJOURNMENT OVER

On motion of Mr. DUNCAN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, March 5, 2001, at 2 o'clock p.m.

¶15.16 HOUR OF MEETING

On motion of Mr. DUNCAN, by unanimous consent,

Ordered, That when the House adjourns on Monday, March 5, 2001, it adjourn to meet at 12:30 p.m. on Tuesday, March 6, 2001, for ''morning-hour debate''.

¶15.17 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. DUNCAN, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, March 7, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶15.18 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 18. Concurrent resolution recognizing the achievements and contributions of the Peace Corps over the past 40 years, and for other purposes; to the Committee on International Relations.

¶15.19 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 559. An Act to designate the United States courthouse located at 1 Courthouse Way in Boston, Massachusetts, as the ''John Joseph Moakley United States Courthouse''.

¶15.20 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 279. An Act affecting the representation of the majority and minority membership of the Senate Members of the Joint Economic Committee.

¶15.21 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. TOOMEY, for today.

And then,

¶15.22 ADJOURNMENT

On motion of Mr. SOUDER, pursuant to the special order heretofore agreed to, at 4 o'clock and 37 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, March 5, 2001.

¶15.23 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DELAHUNT:

H.R. 780. A bill to authorize and request the President to award the Medal of Honor to James L. Cadigan of Hingham, Massachusetts; to the Committee on Armed Services.

By Mr. VISCLOSKY (for himself, Mr. QUINN, Mr. KUCINICH, Mr. ENGLISH, Mr. MURTHA, Mr. NEY, Mr. CARDIN, Ms. HART, Mr. COYNE, Mr. BILIRAKIS, Mrs. JONES of Ohio, Mr. WALSH, Mr. MOLLOHAN, Mr. HORN, Mr. MATSUI, Mr. EVANS, Mr. COSTELLO, Mr. BROWN of Ohio, Ms. KAPTUR, Mr. MASCARA, Mr. LIPINSKI, Mr. OBERSTAR, Mr. RAHALL, Mr. STRICKLAND, Mr. BRADY of Pennsylvania, Mr. BONIOR, Mr. DINGELL, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. BARCIA, Mr. BERRY, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BOSWELL, Mr. BOUCHER, Mr. BOYD, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. CLYBURN, Mr. CONYERS, Mr. CRAMER, Mr. CROWLEY, Mr. CUMMINGS, Mr. FILNER, Mr. FROST, Mr. GORDON, Mr. GREEN of Texas, Mr. HALL of Ohio, Mr. HILLIARD, Mr. HINCHEY, Mr. HOEFFEL, Mr. HOLDEN, Ms. HOOLEY of Oregon, Mr. JACKSON of Illinois, Mr. KANJORSKI, Mr. KILDEE, Ms. KILPATRICK, Mr. KLECZKA, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCGOVERN, Mr. MCINTYRE, Ms. MCKINNEY, Mr. MCNULTY, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Mr. PETERSON of Pennsylvania, Mr. PHELPS, Ms. RIVERS, Mr. RODRIGUEZ, Mr. SANDERS, Mr. SANDLIN, Mr. SAWYER, Mr. SCOTT, Mr. SHIMKUS, Mr. THOMPSON of Mississippi, Mrs. THURMAN, Mr. TOWNS, Mr. TRAFICANT, Mr. WEXLER, and Mr. WYNN):

H.R. 808. A bill to provide certain safeguards with respect to the domestic steel industry; referred to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. HYDE, Ms. NORTON, Mr. UNDERWOOD, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, and Mr. ACEVEDO-VILA):

H.R. 809. A bill to make technical corrections to various antitrust laws and to references to such laws; referred to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REGULA (for himself, Mr. ROHRABACHER, Mr. HOBSON, Mr. HORN, Mr. FOLEY, and Mr. DUNCAN):

H.R. 810. A bill to provide for the retrocession of the District of Columbia to the State of Maryland, and for other purposes; referred to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. MORAN of Kansas, Mr. FILNER, Mr. STUMP, Mr. REYES, Mr. BILIRAKIS, Mr. STEARNS, Mr. BAKER, Mr. SIMMONS, Mr. BROWN of South Carolina, and Mr. BUYER):

H.R. 811. A bill to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, and updating patient care facilities at Department of Veterans Affairs medical centers; to the Committee on Veterans' Affairs.

By Mr. UDALL of Colorado (for himself, Mr. HEFLEY, Ms. DEGETTE, Mr. TANCREDO, and Mr. SCHAFFER):

H.R. 812. A bill to establish the Rocky Flats National Wildlife Refuge in Colorado, and for other purposes; referred to the Committee on Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 813. A bill to amend title 10, United States Code, to enhance the ability of States and local governments to participate in projects conducted under the alternative authority of the Department of Defense to acquire and improve military housing; to the Committee on Armed Services.

By Mr. ANDREWS:

H.R. 814. A bill to amend the Immigration and Nationality Act to provide for the admission to the United States for permanent residence without numerical limitation of spouses of permanent resident aliens; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 815. A bill to amend title 9, United States Code, to allow employees the right to accept or reject the use of arbitration to resolve an employment controversy; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 816. A bill to protect the Social Security System and to amend the Congressional Budget Act of 1974 to require a two-thirds vote for legislation that changes the discretionary spending limits or the pay-as-you-go provisions of the Balanced Budget and Emergency Deficit Control Act of 1985 if the budget for the current year (or immediately preceding year) was not in surplus; referred to the Committee on Ways and Means, and in

addition to the Committees on the Budget, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 817. A bill to ensure the availability of spectrum to amateur radio operators; to the Committee on Energy and Commerce.

By Mr. BONIOR (for himself, Mr. ABERCROMBIE, Mr. BORSKI, Ms. BROWN of Florida, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. CROWLEY, Mr. DELAHUNT, Mr. DINGELL, Mr. DOYLE, Mr. ENGEL, Mr. EVANS, Mr. FILNER, Mr. FOLEY, Mr. FROST, Mr. GILMAN, Mr. GUTIERREZ, Mr. HINCHEY, Mr. HOLT, Mr. HORN, Ms. JACKSON-LEE of Texas, Mrs. KELLY, Mr. KILDEE, Mr. KNOLLENBERG, Mr. LEVIN, Mr. LOBIONDO, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MENENDEZ, Mr. MOAKLEY, Mr. PASCRELL, Ms. RIVERS, Ms. SCHAKOWSKY, Ms. SLAUGHTER, and Mr. STUPAK):

H.R. 818. A bill to amend title 36, United States Code, to grant a Federal charter to the Ukrainian American Veterans, Incorporated; to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself, Mr. TRAFICANT, Mr. GILLMOR, Mr. LATOURETTE, Ms. KAPTUR, Mr. HALL of Ohio, Mr. SAWYER, Mr. OXLEY, Mrs. JONES of Ohio, Mr. KUCINICH, Mr. HOBSON, and Mr. NEY):

H.R. 819. A bill to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building''; to the Committee on Transportation and Infrastructure.

By Mrs. CLAYTON:

H.R. 820. A bill to amend title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Vocational Rehabilitation Act of 1973, and the Civil Rights Act of 1991, to require the Equal Employment Opportunity Commission to mediate employee claims arising under such Acts, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COBLE:

H.R. 821. A bill to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building''; to the Committee on Government Reform.

By Mr. COLLINS (for himself, Mr. DEAL of Georgia, Mr. FOLEY, Mr. HOEKSTRA, Mr. PICKERING, Mrs. CAPPS, Mr. BRADY of Pennsylvania, Mr. GREENWOOD, Ms. DEGETTE, Mr. STRICKLAND, Mr. MCDERMOTT, Mr. FATTAH, Mr. NORWOOD, Mr. ENGLISH, Mr. COOKSEY, and Mr. INSLEE):

H.R. 822. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program for surgical first assisting services of certified registered nurse first assistants; referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONDIT (for himself, Mr. DREIER, Mr. BONILLA, Mr. BECERRA, Mr. HUNTER, Mr. FILNER, Mr. SKEEN, Mr. REYES, Mr. FLAKE, Mr. DEUTSCH, Mr. BISHOP, Mr. GUTIERREZ, Mr. MCDERMOTT, Mr. GARY MILLER of California, Mr. PASTOR, Mr. ANDREWS, Mr. SESSIONS, Mr. HAYWORTH, Mr. DOOLEY of California, Mr. HASTINGS of Washington, and Mr. SHADEGG):

H.R. 823. A bill to provide Federal reimbursement for indirect costs relating to the incarceration of illegal criminal aliens and for emergency health services furnished to undocumented aliens; referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUNN (for herself, Mr. DUNCAN, Mr. SIMPSON, Mr. WHITFIELD, Mr. DEAL of Georgia, Ms. HART, Mr. PETERSON of Pennsylvania, Mr. CRENSHAW, Mr. ENGLISH, Mr. PASCRELL, Mr. WATTS of Oklahoma, Mr. GREENWOOD, Mr. BAIRD, Mr. OTTER, Mr. TAYLOR of North Carolina, Mr. SCHAFFER, and Mr. SOUDER):

H.R. 824. A bill to amend the Internal Revenue Code of 1986 to allow individuals who do not itemize their deductions a deduction for a portion of their charitable contributions, and for other purposes; to the Committee on Ways and Means.

By Mr. FLAKE (for himself, Mr. SHADEGG, Mr. FERGUSON, Mr. GALLEGLY, Mr. MOORE, Mr. POMBO, and Mr. FROST):

H.R. 825. A bill to provide funds to schools that provide educational services to homeless children and youth; referred to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself, Mr. WATKINS, Mr. WAMP, Mr. PICKERING, Ms. DUNN, Mr. SHOWS, and Mr. STUMP):

H.R. 826. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain restaurant buildings; to the Committee on Ways and Means.

By Mr. GRUCCI (for himself and Mr. WELDON of Pennsylvania):

H.R. 827. A bill to authorize the Director of the Federal Emergency Management Agency to make grants to fire departments for the acquisition of thermal imaging cameras; to the Committee on Transportation and Infrastructure.

By Mr. GRUCCI:

H.R. 828. A bill to amend title XVIII of the Social Security Act to expand coverage of preventive services under the Medicare Program and to provide coverage of outpatient prescription drugs under that program; referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H.R. 829. A bill to direct the Federal Election Commission to set uniform national standards for Federal election procedures, change the Federal election day, and for other purposes; referred to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOSTETTLER (for himself, Mr. BARTLETT of Maryland, Mr. RYUN of Kansas, Mr. AKIN, Mr. FLAKE, Mr. BURTON of Indiana, Mr. SMITH of New Jersey, Mr. WOLF, Mr. PAUL, Mr. DEMINT, Mr. SCHAFFER, Mr. TANCREDO, Mrs. MYRICK, Mr. HILLEARY, Mr. CANTOR, Mr. JONES of North Carolina, Mr. SAM JOHNSON of Texas, Mr. SHADEGG, Mr. TOOMEY, Mr. HOEKSTRA, Mr. HERGER, Mr. ISTOOK, and Mr. PITTS):

H.R. 830. A bill to amend the Defense Dependents' Education Act of 1978 to allow home school students who are eligible for enrollment in a school of the overseas defense dependents' education system to use the auxiliary services of such schools; to the Committee on Education and the Workforce.

By Mrs. JOHNSON of Connecticut (for herself, Mrs. THURMAN, Mr. MCCRERY, and Mr. POMEROY):

H.R. 831. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs; to the Committee on Ways and Means.

By Mr. JONES of North Carolina (for himself and Mr. TANCREDO):

H.R. 832. A bill to guarantee the right of individuals to receive social security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 833. A bill to amend title 39, United States Code, to prevent certain types of mail matter from being sent by a Member of the House of Representatives as part of a mass mailing; referred to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINNIS (for himself, Mr. HEFLEY, Mr. SCHAFFER, Mr. TANCREDO, Mr. UDALL of Colorado, Mr. POMBO, Mr. CANNON, Ms. BALDWIN, Mr. BARRETT, Mr. BEREUTER, Mr. BOEHLERT, Mr. BROWN of Ohio, Mr. DOOLITTLE, Mr. EHLERS, Mr. ENGLISH, Mr. HINCHEY, Mr. HOUGHTON, Mr. KIND, Mr. OBEY, Mr. PETRI, and Mr. TRAFICANT):

H.R. 834. A bill to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes; to the Committee on Resources.

By Mr. GARY MILLER of California (for himself, Mr. KING, Mr. BACA, Mr. BALLENGER, Mrs. KELLY, Mr. ENGLISH, Mr. HERGER, Mr. SIMMONS, Mr. LANTOS, Mr. RYUN of Kansas, Mr. DOOLITTLE, Mr. BEREUTER, Mr. ROGERS of Michigan, Mr. VITTER, Mr. FROST, Mr. WATTS of Oklahoma, Ms. MCKINNEY, Mr. PLATTS, Mr. GREEN of Wisconsin, Mr. GILLMOR, Mr. SMITH of New Jersey, Mr. UNDERWOOD, Mr. BERMAN, Mr. CARSON of Oklahoma, Mr. WICKER, Mr. BALDACCI, Mr. CAMP, and Mr. OSBORNE):

H.R. 835. A bill to authorize appropriations for part B of the Individuals with Disabilities Education Act to achieve full funding for part B of that Act by 2011; to the Committee on Education and the Workforce.

By Mr. NETHERCUTT (for himself and Ms. DEGETTE):

H.R. 836. A bill to amend title XVIII of the Social Security Act to provide for State accreditation of diabetes self-management training programs under the Medicare Program; referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provi-

sions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself and Mr. STUPAK):

H.R. 837. A bill to provide that, for purposes of making determinations for certain trade remedies and trade adjustment assistance, imported semi-finished steel slabs and taconite pellets produced in the United States shall be considered to be articles like or directly competitive with each other; to the Committee on Ways and Means.

By Mr. PITTS (for himself, Mr. PORTMAN, Mr. ENGLISH, Mr. REGULA, Mr. PETERSON of Pennsylvania, and Mr. SOUDER):

H.R. 838. A bill to amend the Internal Revenue Code of 1986 to allow individuals who are exempt from the self-employment tax by reason of their religious beliefs to establish Keogh plans, etc; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. ETHERIDGE, Mr. FROST, Ms. MCCARTHY of Missouri, Mr. CLEMENT, Ms. CARSON of Indiana, Mr. PAYNE, Mr. STRICKLAND, Ms. HOOLEY of Oregon, Mrs. CLAYTON, Mr. BAIRD, Mr. WATT of North Carolina, and Mr. HOLT):

H.R. 839. A bill to establish a national teaching fellowship program to encourage individuals to enter and remain in the field of teaching at public schools; to the Committee on Education and the Workforce.

By Ms. PRYCE of Ohio (for herself, Mr. WATTS of Oklahoma, Mrs. JOHNSON of Connecticut, Mr. FOLEY, Mr. LEWIS of Georgia, Mr. MATSUI, and Mr. BECERRA):

H.R. 840. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes; to the Committee on Ways and Means.

By Mr. REYES:

H.R. 841. A bill to suspend for two years the certification procedures under section 490(b) of the Foreign Assistance Act of 1961 in order to foster greater multilateral cooperation in international counternarcotics programs, and for other purposes; to the Committee on International Relations.

By Mr. REYNOLDS:

H.R. 842. A bill to convey certain property at the Canandaigua Veterans Administration Medical Center in Canandaigua, New York, to the Canandaigua City School District; to the Committee on Veterans' Affairs.

By Mr. REYNOLDS:

H.R. 843. A bill to amend title 38, United States Code, to allow the sworn affidavit of a veteran who served in combat during the Korean War or an earlier conflict to be accepted as proof of service-connection of a disease or injury alleged to have been incurred or aggravated by such service; to the Committee on Veterans' Affairs.

By Mr. REYNOLDS (for himself, Mr. CROWLEY, Mr. SERRANO, Mr. LAFALCE, Mrs. KELLY, Mr. TOWNS, Mr. SWEENEY, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. QUINN, Mr. HOUGHTON, Mrs. MCCARTHY of New York, Mr. GRUCCI, Mrs. LOWEY, Mr. MCHUGH, Mr. GILMAN, Mr. FOSSELLA, Mr. HINCHEY, Mr. ENGEL, and Ms. SLAUGHTER):

H.R. 844. A bill to amend title XVI of the Social Security Act to provide that annuities paid by States to blind veterans shall be disregarded in determining supplemental security income benefits; to the Committee on Ways and Means.

By Ms. RIVERS:

H.R. 845. A bill to amend the Solid Waste Disposal Act to require a refund value for certain beverage containers, to provide resources for State pollution prevention and recycling programs, and for other purposes; to the Committee on Energy and Commerce.

By Ms. RIVERS:

H.R. 846. A bill to require the Administrator of the Environmental Protection Agency to prescribe a rule that prohibits the importation for disposal of polychlorinated biphenyls at concentrations of 50 parts per million or greater; to the Committee on Energy and Commerce.

By Ms. RIVERS:

H.R. 847. A bill to amend the Toxic Substances Control Act to establish certain requirements regarding the approval of facilities for the disposal of polychlorinated biphenyls, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SANDLIN (for himself, Mr. ALLEN, Mr. ANDREWS, Mr. BALDACCI, Ms. BALDWIN, Mr. BARCIA, Mr. CARSON of Oklahoma, Mr. CLEMENT, Mr. COSTELLO, Mr. DOYLE, Mr. FILNER, Mr. FRANK, Mr. FROST, Ms. HOOLEY of Oregon, Mr. MCINTYRE, Mr. MENENDEZ, Mrs. MINK of Hawaii, Mr. OBERSTAR, Mr. OLVER, Mr. PALLONE, Mr. PAUL, Mr. QUINN, Mr. RAHALL, Ms. WOOLSEY, Mr. WU, and Mr. BROWN of Ohio):

H.R. 848. A bill to amend title II of the Social Security Act to eliminate the provision that reduces primary insurance amounts for individuals receiving pensions from noncovered employment; to the Committee on Ways and Means.

By Mr. SESSIONS (for himself and Mr. SHADEGG):

H.R. 849. A bill to provide for each American the opportunity to provide for his or her retirement through a S.A.F.E. account, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMMONS (for himself, Mr. EHRLICH, Ms. DELAURO, Mr. STUPAK, Mr. CAPUANO, Mr. MCGOVERN, Mr. DELAHUNT, Mr. SHAYS, Mr. CLEMENT, Mr. LAMPSON, Ms. MILLENDER-MCDONALD, Mr. LARSON of Connecticut, Mrs. JONES of Ohio, Mr. MALONEY of Connecticut, Mr. CRENSHAW, Ms. WOOLSEY, Mr. JONES of North Carolina, Mrs. JOHNSON of Connecticut, Mr. KUCINICH, Mr. SPENCE, Ms. MCKINNEY, Mr. DINGELL, Mr. FROST, and Mr. TAYLOR of Mississippi):

H.R. 850. A bill to provide for the establishment of the National Coast Guard Museum on Federal lands administered by the Coast Guard; to the Committee on Transportation and Infrastructure.

By Mr. STUPAK:

H.R. 851. A bill to amend the Emergency Steel Loan Guarantee Act of 1999 to prohibit steel companies receiving loan guarantees from investing the loan proceeds in foreign steel companies and using the loan proceeds to import steel products from foreign countries that are subject to certain trade remedies; to the Committee on Financial Services.

By Mr. TRAFICANT:

H.R. 852. A bill to designate the Federal building and United States courthouse to be constructed at 10 East Commerce Street in Youngstown, Ohio, as the ''Nathaniel R. Jones and Frank J. Battisti Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. WEXLER (for himself, Mr. BLAGOJEVICH, Mr. EVANS, Mr. TRAFICANT, Mr. FILNER, Mrs. THURMAN, Ms. VELAZQUEZ, Ms. DELAURO, Mr. PALLONE, Mr. HILLIARD, Mr. PAYNE, and Mr. SISISKY):

H.R. 853. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totalling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD (for himself and Ms. DEGETTE):

H.R. 854. A bill to amend title XIX of the Social Security Act to extend modifications to DSH allotments provided under the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000; to the Committee on Energy and Commerce.

By Mr. REGULA:

H.R. 855. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel SKIMMER; to the Committee on Transportation and Infrastructure.

By Mr. SCARBOROUGH:

H.R. 856. A bill for the relief of Donna Christine Fargo; to the Committee on the Judiciary.

By Mr. SCARBOROUGH:

H.R. 857. A bill for the relief of Romeo P. Teodoro; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.J. Res. 24. A joint resolution proposing an amendment to the Constitution of the United States to authorize the line item veto; to the Committee on the Judiciary.

By Mr. LEACH:

H.J. Res. 25. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and establish a new procedure for electing the President and Vice President; to the Committee on the Judiciary.

By Mr. TAYLOR of Mississippi:

H.J. Res. 26. A joint resolution proposing an amendment to the Constitution of the United States to provide that certain trust funds are outside the budget of the United States; to the Committee on the Judiciary.

By Mr. MANZULLO:

H. Con. Res. 46. A concurrent resolution expressing the sense of the Congress regarding chiropractic health care benefits; to the Committee on Government Reform.

By Mr. SCARBOROUGH:

H. Res. 75. A resolution expressing the sense of the House of Representatives that the Secretary of Veterans Affairs should recognize board certifications from the American Association of Physician Specialists, Inc., for purposes of employment of physicians by the Veterans Health Administration; to the Committee on Veterans' Affairs.

¶15.24 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. REGULA:

H.R. 855. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Skimmer*; to the Committee on Transportation and Infrastructure.

By Mr. SCARBOROUGH:

H.R. 856. A bill for the relief of Donna Christine Fargo; to the Committee on the Judiciary.

By Mr. SCARBOROUGH:

H.R. 857. A bill for the relief of Romeo P. Teodoro; to the Committee on the Judiciary.

¶15.25 ADDITIONAL SPONSORS

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

H.R. 13: Mr. LAFALCE.

H.R. 27: Mr. HEFLEY.

H.R. 41: Mrs. MORELLA, Mr. HONDA, Mr. KIRK, Mrs. ROUKEMA, Ms. LOFGREN, Mr. COYNE, Mr. POMEROY, Mrs. CAPPS, Mr. OTTER, Mr. LEWIS of Georgia, Mr. FATTAH, Mr. CONDIT, Mr. WAXMAN, Mr. PETERSON of Pennsylvania, Mr. SHERMAN, Mr. WU, Mr. HAYWORTH, Mr. FOLEY, Mr. MCINNIS, Ms. HARMAN, Mr. DEAL of Georgia, Mr. HOLT, Mr. HOEFFEL, Mr. COX, Mr. SNYDER, and Mr. FERGUSON.

H.R. 51: Mr. MCNULTY, Mr. BOEHLERT, Mr. REYES, and Mr. JENKINS.

H.R. 90: Mrs. MORELLA.

H.R. 127: Mr. GUTKNECHT, Mr. TAYLOR of Mississippi, Mr. SNYDER, Mr. PETERSON of Minnesota, Mr. SENSENBRENNER, and Ms. LOFGREN.

H.R. 128: Mrs. MALONEY of New York.

H.R. 129: Mr. ISSA.

H.R. 148: Mr. FILNER, Ms. MCCARTHY of Missouri, Ms. MCKINNEY, Mr. BRADY of Pennsylvania, Mr. KILDEE, Mrs. CHRISTENSEN, and Mrs. JONES of Ohio.

H.R. 154: Mr. CRENSHAW, Mr. OTTER, Mr. LEACH, and Mr. TAYLOR of North Carolina.

H.R. 161: Mr. SESSIONS.

H.R. 167: Mr. WELDON of Florida.

H.R. 169: Mrs. MORELLA, Mr. SMITH of Texas, Mr. GUTKNECHT, Mr. WYNN, and Mr. EHLERS.

H.R. 179: Mr. GALLGELY and Mr. UDALL of Colorado.

H.R. 214: Mr. JOHNSON of Illinois.

H.R. 218: Mr. ISSA, Mr. RADANOVICH, Mr. NORWOOD, Mr. WELDON of Pennsylvania, and Mr. EHRLICH.

H.R. 238: Mr. SCHIFF.

H.R. 281: Mr. CUNNINGHAM, Mr. HOLDEN, Mr. WOLF, Mr. MCNULTY, Ms. JACKSON-LEE of Texas, Mr. SANDLIN, Ms. HOOLEY of Oregon, Ms. PRYCE of Ohio, and Ms. SLAUGHTER.

H.R. 294: Mr. HASTINGS of Washington,, Mr. LEWIS of Kentucky, Mr. SOUDER, Mr. WATKINS, and Mr. CAMP.

H.R. 301: Mr. CLYBURN.

H.R. 302: Mr. CLYBURN.

H.R. 303: Ms. GRANGER, Ms. LOFGREN, and Mr. UDALL of Colorado.

H.R. 311: Mr. KIRK and Mr. RYUN of Kansas.

H.R. 320: Mr. STUPAK, Ms. MCKINNEY, Mr. HASTINGS of Florida, Ms. KILPATRICK, Mr. TRAFICANT, Mr. OWENS, Mr. ROHRABACHER, Mr. TIERNEY, Ms. RIVERS, Mr. CROWLEY, Mr. TAYLOR of North Carolina, and Mr. RAHALL.

H.R. 336: Mr. STUPAK, Mr. DAVIS of Illinois, Mr. GREEN of Wisconsin, Ms. MCKINNEY, Mr. STENHOLM, Mr. UDALL of New Mexico, Mrs. THURMAN, and Mr. NEY.

H.R. 346: Mr. EVANS.

H.R. 354: Mrs. CHRISTENSEN and Mrs. MYRICK.

H.R. 356: Mr. SNYDER and Mr. RAHALL.

H.R. 365: Mr. ENGLISH, Mr. BEREUTER, Mr. EVANS, Mr. INSLEE, and Ms. MCKINNEY.

H.R. 366: Mr. EVANS and Mrs. CHRISTENSEN.

H.R. 373: Mr. CALVERT.

H.R. 380: Mr. MATHESON.

H.R. 385: Mr. NORWOOD.

H.R. 428: Mr. HASTINGS of Florida, Mr. EHRLICH, Mr. MALONEY of Connecticut, Mr. ENGLISH, Mr. BURTON of Indiana, Mr. MARKEY, and Mr. SCHROCK.

H.R. 432: Ms. RIVERS.

H.R. 433: Ms. RIVERS.

H.R. 475: Mr. UPTON, Mr. SMITH of New Jersey, Mr. NEY, and Mr. SOUDER.

H.R. 477: Mr. CANTOR, Mrs. MINK of Hawaii, Ms. SLAUGHTER, and Mr. LANTOS.

H.R. 481: Ms. MCKINNEY, Mrs. MALONEY of New York, Mr. SANDERS, and Mr. BALDACCI.

H.R. 482: Mr. HAYWORTH and Mr. RYUN of Kansas.

H.R. 488: Mr. BORSKI, Mr. JACKSON of Illinois, and Ms. DELAURO.

H.R. 496: Mr. SIMPSON and Mr. PORTMAN.

H.R. 511: Mr. LIPINSKI.

H.R. 516: Ms. MCKINNEY, Mr. CRENSHAW, Mr. SWEENEY, Mr. SMITH of New Jersey, Mr. STUMP, Mr. PETERSON of Pennsylvania, Mr. BARCIA, and Mr. INSLEE.

H.R. 527: Mr. TANCREDO and Mr. WELLER.

H.R. 550: Mr. CONYERS, Mr. HOEKSTRA, Mr. SMITH of Washington, Ms. RIVERS, Mr. EHLERS, Mr. DINGELL and Mr. KNOLLENBERG.

H.R. 561: Mr. HOYER and Mr. UDALL of Colorado.

H.R. 570: Mr. HYDE.

H.R. 576: Mr. CONDIT, Mr. CRAMER, Ms. JACKSON-LEE of Texas, Mr. MORAN of Virginia, Mrs. JONES of Ohio, Mr. ABERCROMBIE, Mr. REYES, Mr. KENNEDY of Rhode Island, and Mr. ETHERIDGE.

H.R. 583: Mr. CRAMER and Mr. ISAKSON.

H.R. 585: Ms. MCKINNEY.

H.R. 606: Ms. ROS-LEHTINEN and Ms. DELAURO.

H.R. 608: Mr. MORAN of Kansas.

H.R. 609: Mr. INSLEE, Mr. PETERSON of Minnesota, Ms. MCKINNEY, Mr. FILNER, Ms. HOOLEY of Oregon, Mr. FROST, Ms. SCHAKOWSKY, Mr. COYNE, and Mr. BONIOR.

H.R. 612: Mr. GILMAN, Mr. WYNN, Mr. FROST, Mr. UDALL of Colorado, Mr. NETHERCUTT, Mr. BURTON of Indiana, Mr. RAHALL, and Mr. SOUDER.

H.R. 619: Mr. FROST, Mr. KENNEDY of Rhode Island, and Mr. BERMAN.

H.R. 620: Mr. GONZALEZ and Mr. GUTIERREZ.

H.R. 623: Mr. PAYNE, Mr. HORN, and Mr. FROST.

H.R. 624: Mr. BURR of North Carolina, Mr. DEAL of Georgia, Mr. SESSIONS, Mr. CANTOR, and Mr. BENTSEN.

H.R. 631: Mr. HILLIARD, Mr. HOLDEN, Ms. MCKINNEY, Mr. FROST, Ms. MCCARTHY of Missouri, Mr. HORN, Mr. MCINTYRE, Mr. GOODLATTE, Mr. GOODE, Mr. CRANE, Mr. TAUZIN, Mr. PICKERING, Mr. SUNUNU, Mr. WAMP, Mrs. KELLY, Mr. KING, and Ms. BALDWIN.

H.R. 665: Mr. LIPINSKI, Mr. PASCRELL, and Mrs. THURMAN.

H.R. 673: Mr. SOUDER.

H.R. 674: Mrs. KELLY, Mr. NADLER, Mr. BERMAN, Mr. PASCRELL, Mr. UNDERWOOD, Mrs. CHRISTENSEN, Mr. LAMPSON, Mr. KUCINICH, and Mr. CLEMENT.

H.R. 677: Mr. CLEMENT, Mr. RUSH, Ms. SCHAKOWSKY, and Mr. PHELPS.

H.R. 683: Mr. MCGOVERN.

H.R. 692: Mr. ALLEN, Mr. UDALL of New Mexico, and Mr. MCHUGH.

H.R. 698: Mr. WAXMAN, Mr. FRANK, Mr. KILDEE, Mr. BACA, Mr. KLECZKA, Mrs. THURMAN, Ms. NORTON, Mr. MCGOVERN, Mrs. JONES of Ohio, Mr. BRADY of Pennsylvania, Ms. RIVERS, Mr. GREEN of Texas, Mr. WEINER, and Mr. EVANS.

H.R. 708: Mr. HINCHEY, Mr. SESSIONS, Mr. MCGOVERN, Mr. BALDACCI, Mrs. MALONEY of New York, and Mr. FROST.

H.R. 709: Mr. RAMSTAD.

H.R. 716: Mr. ISAKSON, Mr. BURR of North Carolina, Ms. MCKINNEY, Mr. GUTKNECHT, and Mr. BACHUS.

H.R. 742: Mr. KUCINICH and Ms. LEE.

H.R. 752: Mr. PASCRELL.

H.R. 755: Mr. JEFFERSON, Mr. MEEKS of New York, Mr. CLAY, Mr. ANDREWS, and Mr. PALLONE.

H.R. 760: Mr. BEREUTER, Mr. ISSA, Mr. BACHUS, Mrs. JONES of Ohio, Mr. GARY MILLER of California, Mr. DREIER, and Mr. LEWIS of California.

H.R. 761: Mr. DELAHUNT, Mr. HINCHEY, Mr. FARR of California, Ms. DELAURO, Mr. KUCINICH, Mr. KANJORSKI, Mr. BROWN of Ohio, Mr. MOAKLEY, and Mr. SANDERS.

H.R. 770: Ms. WATERS, Mr. ROEMER, Ms. LOFGREN, and Mr. GEORGE MILLER of California.

H.R. 778: Mr. WEINER and Mr. SOUDER.

H.R. 805: Mr. SANDLIN and Mr. HALL of Texas.

H.J. Res. 8: Mr. SENSENBRENNER, Mr. CALVERT, Mr. TAYLOR of North Carolina, Mr. PETERSON of Pennsylvania, Mr. KIRK, and Mr. ISSA.

H.J. Res. 13: Mr. DEFAZIO, Mr. MCDERMOTT, Mrs. MINK of Hawaii, Mr. BONIOR, Mrs. MALONEY of New York, and Mr. MCGOVERN.

H. Con. Res. 22: Mr. BURR of North Carolina, Mr. GILLMOR, Mr. BARTLETT of Maryland, Mr. SESSIONS, Mr. TAYLOR of Mississippi, Mr. GILCHREST, Mr. TOM DAVIS of Virginia, Mr. HOSTETTLER, and Mr. PETERSON of Pennsylvania.

H. Con. Res. 31: Mr. PLATTS, Mr. WATT of North Carolina, Mrs. TAUSCHER, Mr. MASCARA, Mr. BROWN of Ohio, Mr. STENHOLM, Mr. BRADY of Pennsylvania, Mr. BENTSEN, Mr. SOUDER, and Mr. INSLEE.

H. Con. Res. 41: Mr. KIRK and Mr. HONDA.

H. Res. 13: Mr. HILLEARY, Mr. ISSA, Mr. RANGEL, and Mr. KLECZKA.

MONDAY, MARCH 5, 2001 (16)

¶16.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. RADANOVICH, who laid before the House the following communication:

WASHINGTON, DC,
March 5, 2001.

I hereby appoint the Honorable GEORGE RADANOVICH to act as Speaker pro tempore on this day.

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

¶16.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. RADANOVICH, announced he had examined and approved the Journal of the proceedings of Thursday, March 1, 2001.

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

¶16.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1059. A letter from the Acting Administrator, Transportation and Marketing, Department of Agriculture, transmitting the Department's final rule—National Organic Program [Docket No. TMD–00–02–FR] (RIN: 0581–AA40) received February 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1060. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pendimethalin; Re-establishment of Tolerance for Emergency Exemptions [OPP–301102; FRL–6766–5] (RIN: 2070–AB78) received February 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1061. A letter from the Acting General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–D–7507] received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1062. A letter from the Acting General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7755] received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1063. A letter from the Acting General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1064. A letter from the Acting General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1065. A letter from the Acting General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-B–7411] February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1066. A letter from the Secretary, Department of Health and Human Services, transmitting the annual report to Congress on progress in achieving the performance goals referenced in the Prescription Drug User Fee Act of 1992 (PDUFA), for the Fiscal Year 2000, pursuant to 21 U.S.C. 379g nt; to the Committee on Energy and Commerce.

1067. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—State Child Health; Implementing Regulations for the State Children's Health Insurance Program: Delay of Effective Date [HCFA–2006–F2] (RIN: 0938–AI28) received February 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1068. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; Medicaid Managed Care: Delay of Effective Date [HCFA–2001–F2] (RIN: 0938–AI70) received February 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1069. A letter from the Deputy Executive Secretary to the Department, Office for Civil Rights, Department of Health and Human Services, transmitting the Department's final rule—Standards for Privacy of Individually Identifiable Health Information (RIN: 0991–AB08) received March 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1070. A letter from the Deputy Executive Secretary to the Department, Office for Civil Rights, Department of Health and Human Services, transmitting the Department's final rule—Standards for Privacy of Individually Identifiable Health Information (RIN: 0991–AB08) received March 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1071. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Exemption from the Make Inoperative Prohibition [Docket No. NHTSA–01–8667] (RIN: 2127–AG40) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1072. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—New Stationary Sources; Supplemental Delegation of Authority to Knox County, Tennessee [TN–2001–01; FRL–6941–7] received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1073. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins [AD-FRL–6948–7] (RIN: 2060–AH47) received February 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1074. A letter from the Attorney Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Carriage of Digital Television Broadcast Signals [CS Docket No. 98–120]; Amendments to Part 76 of the Commission's Rules; Implementation of the Satellite Home Viewer Improvement Act of 1999: Local Broadcast Signal Carriage Issues [CS Cocket No. 00–96]; Application of Network Non-Duplication, Syndicated Exclusivity and Sports Blackout Rules to Satellite Retransmission of Broadcast Signals [CS Docket No. 00–2] received February 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1075. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: FuelSolutions Revision (RIN: 3150–AG72) received March 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1076. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report entitled, ''Country Reports on Human Rights Practices for 2000,'' pursuant to 22 U.S.C. 2151n(d); to the Committee on International Relations.

1077. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting text of agreements in which the American Institute in Taiwan is a party concluded between January 1, and December 31, 1999, pursuant to 22 U.S.C. 3311(a); to the Committee on International Relations.

1078. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–603, ''Title 25, D.C. Code Enactment and Related Amendments Act of 2001'' received March 2, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1079. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Credit by Brokers and Dealers; List of Foreign Margin Stocks [Regulation T] received February 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1080. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received February 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1081. A letter from the Acting Assistant Secretary for Policy, Management and Budget, Department of the Interior, transmitting the fiscal year 2000 inventory of commercial activities prepared in accordance with the Federal Activities Inventory Reform Act of 1998; to the Committee on Government Reform.

1082. A letter from the Acting General Counsel, Bureau of the Census, Department of Commerce, transmitting the Department's final rule—Report of Tabulations of Population to States and Localities Pursuant to 13 U.S.C. 141(c) and Availability of Other Population Information; Revocation of Delegation Authority [Docket No. 000609172–1040–03] (RIN: 0607–AA33) received February 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1083. A letter from the Chairman, Federal Election Commission, transmitting the Commission's priority legislative recommendations for 2001, pursuant to 2 U.S.C. 438(a)(9); to the Committee on House Administration.

1084. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—North Dakota Regulatory Program [SPATS No. ND–041–FOR] received February 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1085. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Outer Continental Shelf Oil and Gas Leasing (RIN: 1010–AC–69) received February 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1086. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Trawling in Steller Sea Lion Protection Areas in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 020201A] received February 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1087. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Trawling in Steller Sea Lion Protection Areas in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 021301B] received February 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1088. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act covering the six months ending June 30, 2000, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

1089. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Aliens ineligible to transit without visas (TWOV) (RIN: 1400–AA48) received February 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1090. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Program Fraud (RIN: 3064–AB41) received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1091. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–200, and -300 Series Airplanes [Docket No. 2001–NM–03–AD; Amendment 39–12086; AD 2001–02–02] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1092. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 1000, 2000, 3000, and 4000 Series Airplanes [Docket No. 2000–NM–293–AD; Amendment 39–11973; AD 2000–23–03] (RIN: 2120–AA64) received February 12, 2001, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1093. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dassault Model Falcon 10 and Model Mystere-Falcon 50 Series Airplanes [Docket No. 98–NM–325–AD; Amendment 39–12075; AD 2001–01–05] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1094. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft Corporation Model S–76A, S–76B, and S–76C Helicopters [Docket No. 2000–SW–61–AD; Amendment 39–12095; AD 2000–23–52] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1095. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; MD Helicopters, Inc. Model 369A, H, HE, HM, HS, D, E, FF, and 500N Helicopters [Docket No. 2000–SW–63–AD; Amendment 39–12083; AD 2000–25–52] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1096. A letter from the Secretary, Department of Commerce, transmitting the 2000 Annual Report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology (NIST), pursuant to Public Law 100—418, section 5131(b) (102 Stat. 1443); to the Committee on Science.

1097. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—HUBZone Program —received February 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

1098. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Election in respect of losses attributable to a disaster [Rev. Rul. 2001–15] received March 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1099. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–12] received February 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1100. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Differential Earnings Rate for Mutual Life Insurance Companies [Notice 2001–24] received February 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1101. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action on Decision: Arnold W. Vinick v. United States—received February 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1102. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Change in accounting periods and in methods of accounting [Rev. Proc. 2001–25] received February 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1103. A letter from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs; Physicians' Referrals to Health Care Entities With Which They Have Financial Relationships: Delay of Effective Date of Final Rule and Technical Amendment [HCFA–1809–F2] received February 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

¶16.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. RADANOVICH, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 2, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 2, 2001 at 2:25 p.m.: That the Senate passed without amendment H.J. Res. 19; that the Senate passed without amendment H. Con. Res. 27.

Appointments: U.S.-China Security Review Commission—C. Richard D'Amato of Maryland, Patrick A. Mulloy of Virginia, William A. Reinsch of Maryland; National Committee on Vital and Health Statistics—Dr. Richard K. Harding of South Carolina.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶16.5 ROLL CALL 23

The SPEAKER pro tempore, Mr. RADANOVICH, announced that Roll Call vote 23 of March 1, 2001, as recorded by the electronic voting system was correct and submitted correctly to the Government Printing Office for printing in the Congressional Record. The appearance of Roll Call vote 23 in the Congressional Record of March 1, 2001, was incomplete as the result of a Government Printing Office omission.

A complete listing of Roll Call vote 23 and an indication of the ten Members whose votes were omitted from page 598 of the Record by the Government Printing Office will be inserted at this point:

Mr. DOYLE, aye;
Mr. DREIER, nay;
Mr. DUNCAN, nay;
Ms. DUNN, not voting;
Mr. EDWARDS, nay;
Mr. EHLERS, nay;
Mr. EHRLICH, nay;
Mrs. EMERSON, nay;
Mr. ENGEL, aye;
Mr. ENGLISH, nay.

¶16.6 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—CHINA SECURITY COMMISSION

The SPEAKER pro tempore, Mr. RADANOVICH, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 1, 2001.

Hon. J. DENNIS HASTERT,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (P.L. 106–398), I hereby appoint the following individuals to the China Security Commission:

George Becker of Pittsburgh, PA.
Kenneth Lewis of Portland, OR.
Michael Wessel of Falls Church, VA.

Sincerely,

RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶16.7 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—NATIONAL EDUCATION GOALS PANEL

The SPEAKER pro tempore, Mr. RADANOVICH, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 2, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 202(b)(3) of the Goals 2000: Educate America Act (20 U.S.C. 5822), I hereby appoint the following Member to the National Education Goals Panel:

Mr. GEORGE MILLER, CA.

Yours very truly,

RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶16.8 UNITED STATES AIR FORCE ACADEMY BOARD OF VISITORS

The SPEAKER pro tempore, Mr. RADANOVICH, by unanimous consent, announced that the Speaker, pursuant to 10 United States Code 9355(a), appointed to the Board of Visitors to the United States Air Force Academy, on the part of the House, the following Members: Messrs. YOUNG of Florida and HEFLEY.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶16.9 UNITED STATES COAST GUARD ACADEMY BOARD OF VISITORS

The SPEAKER pro tempore, Mr. RADANOVICH, by unanimous consent, announced that the Speaker, pursuant to 14 United States Code 194(a), appointed to the Board of Visitors to the United States Coast Guard Academy, on the part of the House, the following Member: Mr. SIMMONS.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶16.10 UNITED STATES MERCHANT MARINE ACADEMY BOARD OF VISITORS

The SPEAKER pro tempore, Mr. RADANOVICH, by unanimous consent, announced that the Speaker, pursuant to 46 United States Code 1295(h), appointed to the Board of Visitors to the United States Military Marine Academy, on the part of the House, the following Member: Mr. KING.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶16.11 UNITED STATES MILITARY ACADEMY BOARD OF VISITORS

The SPEAKER pro tempore, Mr. RADANOVICH, by unanimous consent, announced that the Speaker, pursuant

to 10 United States Code 4355(a), appointed to the Board of Visitors to the United States Military Academy, on the part of the House, the following Members: Mr. TAYLOR of North Carolina and Mrs. KELLY.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶16.12 UNITED STATES NAVAL ACADEMY BOARD OF VISITORS

The SPEAKER pro tempore, Mr. RADANOVICH, by unanimous consent, announced that the Speaker, pursuant to 10 United States Code 6968(a), appointed to the Board of Visitors to the United States Naval Academy, on the part of the House, the following Members: Messrs. SKEEN and GILCHREST.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

And then,

¶16.13 ADJOURNMENT

The SPEAKER pro tempore, Mr. RADANOVICH, by unanimous consent, and pursuant to the special order agreed to on March 1, 2001, at 2 o'clock and 7 minutes p.m., declared the House adjourned until 12:30 p.m. on Tuesday, March 6, 2001.

¶16.14 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 727. A bill to amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act (Rept. No. 107–5). Referred to the Committee of the Whole House on the State of the Union.

¶16.15 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LAFALCE:

H.R. 858. A bill to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers; to the Committee on Financial Services.

By Mr. LAFALCE:

H.R. 859. A bill to amend section 203 of the National Housing Act to reduce the down payment required by a first-time homebuyer purchasing a home with a mortgage insured under such section; to the Committee on Financial Services.

¶16.16 ADDITIONAL SPONSORS

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

H.R. 267: Mr. RANGEL, Mr. CLEMENT, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LATHAM, Mr. TURNER, Mr. POMEROY, and Mr. UDALL of New Mexico.

H.R. 296: Ms. BALDWIN, Ms. LEE, and Mr. CUMMINGS.

H.R. 320: Mr. DAVIS of Florida.

H.R. 346: Ms. CARSON of Indiana and Mr. BLAGOJEVICH.

H.R. 389: Ms. CARSON of Indiana.

H.R. 606: Mr. NADLER, Mr. SHERMAN, Ms. BROWN of Florida, Mr. DIAZ-BALART, Mr. GREENWOOD, Ms. SANCHEZ, and Mr. WAXMAN.

H.R. 612: Mr. TURNER, Mr. CLAY, Mr. PAUL, Ms. CARSON of Indiana, and Mr. BLAGOJEVICH.

H.R. 637: Mr. DOOLITTLE.

H.R. 639: Mr. ROTHMAN, Mr. HALL of Ohio, Mr. KUCINICH, Mr. MCDERMOTT, Mr. WEXLER, and Mr. SANDERS.

H.R. 693: Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. FARR of California, Mr. STUPAK, and Mr. EVANS.

H.R. 718: Mr. HALL of Texas, Mr. SKEEN, Mr. SKELTON, Mr. SWEENEY, Mr. MCHUGH, Mr. HONDA, Mr. DAVIS of Florida, Mr. BLUMENAUER, Mr. BENTSEN, Mr. RADANOVICH, Mr. HAYWORTH, Ms. HOOLEY of Oregon, and Mr. BALDACCI.

H.R. 737: Mr. STARK and Mr. GANSKE.

H.R. 745: Mr. DINGELL.

H.R. 794: Mr. TURNER.

H.R. 832: Mr. DEMINT, Mr. SCHAFFER, Mrs. CHRISTENSEN, Mr. NEY, and Mr. WELDON of Pennsylvania.

H. Con. Res. 29: Mr. ROHRABACHER, Mr. HOLT, Mr. WEXLER, Mr. CANTOR, Mrs. MCCARTHY of New York, Mrs. MORELLA, Mr. KING, Mrs. ROUKEMA, Mr. DEUTSCH, Mr. SESSIONS, Mr. SHAYS, Mr. LAHOOD, Mr. VISCLOSKY, Mr. BENTSEN, Mr. BERMAN, Mr. WOLF, Mr. ANDREWS, Mr. MCNULTY, Mr. GORDON, Mr. KIRK, Mr. LANTOS, Mr. EVANS, Mr. CARDIN, Mr. DIAZ-BALART, Mr. ACKERMAN, Mr. SHERMAN, Mr. NADLER, Mr. FROST, Mr. SMITH of New Jersey, and Mr. HALL of Ohio.

TUESDAY, MARCH 6, 2001 (17)

¶17.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mrs. MORELLA, who laid before the House the following communication:

WASHINGTON, DC,
March 6, 2001.

I hereby appoint the Honorable CONSTANCE A. MORELLA to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶17.2 RECESS—12:50 P.M.

The SPEAKER pro tempore, Mrs. MORELLA, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 50 minutes p.m. until 2 o'clock p.m.

¶17.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. EMERSON, called the House to order.

¶17.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. EMERSON, announced she had examined and approved the Journal of the proceedings of Monday, March 5, 2001.

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

¶17.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1104. A letter from the Assistant Secretary of Defense, Force Management Policy, Department of Defense, transmitting a notification to close six Department of Defense commissary stores; to the Committee on Armed Services.

1105. A letter from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, Department of Defense, transmitting an interim response regarding the annual commercial activities report, required by section 2461(g) of title 10, United States Code describing the extent to which commercial and industrial type functions were performed by Department of Defense contractors during the preceding fiscal year; to the Committee on Armed Services.

1106. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins [AD–FRL–6768–2] (RIN: 2060–AH47) received February 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1107. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Satellite Home Viewer Improvement Act of 1999: Broadcast Signal Carriage Issues [CS Docket No. 00–96] Retransmission Consent Issues [CS Docket No. 99–363] received February 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1108. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certifications and waivers under section 565(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 of the prohibition against contracting with firms that comply with the Arab League Boycott of the state of Israel and of the prohibition against contracting with firms that discriminate in the award of subcontracts on the basis of religion, pursuant to Public Law 103–236, section 565(b) (108 Stat. 845); to the Committee on International Relations.

1109. A letter from the Acting Director, Office of Personnel Management, transmitting a report on the actions needed to correct the Consumer Price Index error in the Civil Service Retirement System and the Federal Employees Retirement System; to the Committee on Government Reform.

1110. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the California Red-legged Frog (RIN: 1018–AG32) received March 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1111. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No. 991008273–0070–02; I.D. 021601C] received February 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1112. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish by Vessels Using Non-pelagic Trawl Gear in the Red King Crab Savings Subarea [Docket No. 010112013–1013–01; I.D. 021601A] received February 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1113. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish by Vessels Using Non-Pelagic Trawl Gear in the Red King Crab Savings Subarea [Docket No. 010112013–1013–01; I.D. 022201A] received

March 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1114. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Financial Assistance for Research and Development Projects in the Gulf of Mexico and Off the U.S. South Atlantic Coastal States; Marine Fisheries Initiative (MARFIN) [Docket No. 001214350–0350–01, I.D. 112700B] (RIN: 0648–Z098) received March 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1115. A letter from the Deputy General Counsel, FBI, Department of Justice, transmitting the Department's final rule—National Instant Criminal Background Check System Regulation; Delay of Effective Date [AG Order No. 2403–2001; FBI 105F] (RIN: 1110–AA02) received February 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1116. A letter from the Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule—Delegation of Authority in Part 170 [T.D. ATF–439] (RIN: 1512–AC23) received March 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1117. A letter from the Acting Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule—Delegation of Authority in 27 CFR Part 30 [T.D. ATF–438] (RIN: 1512–AC16) received March 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1118. A letter from the Acting Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule—Fair Play Viticultural Area (2000R–170P) [T.D. ATF–440 Re: Notice No. 900] (RIN: 1512–AA07) received February 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1119. A letter from the Acting Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule— Realignment of the Boundary of the Walla Walla Valley Viticultural Area and the Eastern Boundary of the Columbia Valley Viticultural Area (99R–141P) [T.D. ATF–441; RE: Notice No. 898] (RIN: 1512–AA07) received February 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1120. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on recent actions taken in response to requests from the Governments of Italy and Nicaragua; to the Committee on Ways and Means.

1121. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Rev. Rul. 2001–14] received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1122. A letter from the Acting Commissioner, Social Security Administration, transmitting a report on the Consumer Price Index Error; to the Committee on Ways and Means.

¶17.6 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶17.7 ADVISORY COMMITTEE ON FOREST COUNTIES PAYMENTS

The SPEAKER pro tempore Mrs. EMERSON, by unanimous consent, announced that the Speaker, pursuant to section 320(b)(2) of Public Law 106-291, appointed to the Advisory Committee on Forest Counties Payments, Mr. Robert E. Douglas of California and Mr. Mark Evans of Texas, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶17.8 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—HOUSE OF REPRESENTATIVES PAGE BOARD

The SPEAKER pro tempore, Mrs. EMERSON, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 6, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 127 of P.L 97–377 (2 U.S.C. 88b–3), I hereby appoint the following Member to the House of Representatives Page Board:

Mr. Kildee, MI.

Yours Very Truly,

RICHARD A. GEPHARDT.

¶17.9 STRATEGIC PETROLEUM RESERVE

Mr. BASS moved to suspend the rules and pass the bill (H.R. 724) to authorize appropriations to carry out part B of title I of the Energy Policy and Conservation Act, relating to the Strategic Petroleum Reserve.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. BASS and Mr. BOUCHER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BASS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶17.10 LOW-SPEED ELECTRIC BICYCLES

Mr. STEARNS moved to suspend the rules and pass the bill (H.R. 727) to amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. STEARNS and Mrs. CAPPS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. STEARNS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶17.11 MESSAGE FROM THE PRESIDENT—TRADE POLICY AGENDA

The SPEAKER pro tempore, Mrs. EMERSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 2001 Trade Policy Agenda and 2000 Annual Report on the Trade Agreements Program.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 6, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 107–48).

¶17.12 MESSAGE FROM THE PRESIDENT—TELECOMMUNICATIONS PAYMENTS TO CUBA

The SPEAKER pro tempore, Mrs. EMERSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 1705(e)(6) of the Cuban Democracy Act of 1992, as amended by section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, Public Law 104–114, 110 Stat. 785, 22 U.S.C. 6004(e)(6), I transmit herewith a semiannual report detailing payments made to Cuba by United States persons as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 6, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations.

¶17.13 RECESS—2:31 P.M.

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 31 minutes p.m., until approximately 6 p.m.

¶17.14 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. SHIMKUS, called the House to order.

¶17.15 H.R. 724—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 724) to authorize appropriations to carry out part B of title I of the Energy Policy and Conservation Act, relating to the Strategic Petroleum Reserve.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 400 / Nays 2

¶17.16 [Roll No. 26]

YEAS—400

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

NAYS—2

Paul
Royce

NOT VOTING—30

Ackerman
Baldacci
Becerra
Brady (TX)
Diaz-Balart
Green (WI)
Hilleary
Hoeffel
Houghton
Hyde
Jones (NC)
Kennedy (RI)
Kingston
Lewis (CA)
Lipinski
Maloney (CT)
Moakley
Radanovich
Roukema
Sanders
Scott
Shays
Shows
Slaughter
Stupak
Sununu
Sweeney
Taylor (NC)
Walsh
Wamp

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶17.17 H.R. 727—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 727) to amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 401 / Nays 1

¶17.18 [Roll No. 27]

YEAS—401

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne

Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Simmons
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—30

Ackerman
Baldacci
Becerra
Bonior
Diaz-Balart
English
Hilleary
Hoeffel
Houghton
Hyde
Jones (NC)
Kennedy (RI)
Kingston
Lewis (CA)
Lipinski
Maloney (CT)
Moakley
Moore
Roukema
Sanders
Scott
Shays
Shows
Slaughter
Stupak
Sununu
Sweeney
Taylor (NC)
Walsh
Wamp

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶17.19 COMMITTEE ELECTION—MAJORITY

Mr. LINDER, by unanimous consent, submitted the following resolution (H. Res. 76):

Resolved, That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives:

Committee on Standards of Official Conduct: Mr. Portman, Mr. Hastings of Washington, Mr. Hutchinson and Mrs. Biggert.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶17.20 COMMITTEE ELECTION—MINORITY

Mr. FROST, by unanimous consent, submitted the following resolution (H. Res. 77):

Resolved, That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives:

Committee on Standards of Official Conduct: Mr. Sabo of Minnesota, Mr. Pastor of Arizona, Ms. Lofgren of California.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶17.21 PROVIDING FOR MOTIONS TO SUSPEND THE RULES

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–8) the resolution (H. Res. 78) providing for the consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶17.22 PROVIDING FOR THE CONSIDERATION OF S.J. RES. 6

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–9) the resolution (H. Res. 79) providing for the consideration of the joint resolution (S.J. Res. 6) providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, relating to ergonomics.

When said resolution and report were referred to the House Calendar and ordered printed.

¶17.23 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ACKERMAN, for today and balance of the week;

To Mr. BECERRA, for today;

To Mr. SCOTT, for today;

To Mr. STUPAK, for today and balance of the week; and

To Mr. WAMP, for today.

And then,

¶17.24 ADJOURNMENT

On motion of Mr. ETHERIDGE, at 7 o'clock and 30 minutes p.m., the House adjourned.

¶17.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 724. A bill to authorize appropriations to carry out part B of title I of the Energy Policy and Conservation Act, relating to the Strategic Petroleum Reserve (Rept. No. 107–6). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 3. A bill to amend the Internal Revenue Code of 1986 to reduce individual income tax rates; with an amendment (Rept. No. 107–7). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 78. Resolution providing for the consideration of motions to suspend the rules (Rept. No. 107–8). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 79. Resolution providing for consideration of the joint resolution (S.J. Res. 6) providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, relating to ergonomics (Rept. No. 107–9). Referred to the House Calendar.

Mr. TAUZIN: Committee on Energy and Commerce. House Concurrent Resolution 31. Resolution expressing the sense of the Congress regarding the importance of organ, tissue, bone marrow, and blood donation and supporting National Donor Day (Rept. No. 107–10). Referred to the House Calendar.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 624. A bill to amend the Public Health Service Act to promote organ donation (Rept. No. 107–11). Referred to the Committee of the Whole House on the State of the Union.

¶17.26 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SENSENBRENNER:

H.R. 860. A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 861. A bill to make technical amendments to section 10 of title 9, United States Code; to the Committee on the Judiciary.

By Mr. EVANS (for himself, Mr. FILNER, Mr. REYES, Ms. BROWN of Florida, Mr. RODRIGUEZ, Mr. SHOWS, Mr. BONIOR, Mr. CONDIT, Mr. CRAMER, Mr. EDWARDS, Mr. FRANK, Mr. FROST, Mr. KLECZKA, Ms. MCKINNEY, Mr. MASCARA, Mrs. MEEK of Florida, Mr. PASCRELL, Ms. SCHAKOWSKY, and Ms. BALDWIN):

H.R. 862. A bill to amend title 38, United States Code, to add Diabetes Mellitus (Type 2) to the list of diseases presumed to be service-connected for veterans exposed to certain herbicide agents; to the Committee on Veterans' Affairs.

By Mr. SMITH of Texas (for himself, Mr. SCOTT, Mr. BARR of Georgia, Mr. CHABOT, Mr. COBLE, Mr. DELAHUNT, Mr. GOODLATTE, Mr. GREEN of Wisconsin, Mr. HUTCHINSON, Ms. JACKSON-LEE of Texas, Mr. KELLER, Mr. MEEHAN, and Mr. WEINER):

H.R. 863. A bill to provide grants to ensure increased accountability for juvenile offenders; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 864. A bill to restore the separation of powers between the Congress and the President; to the Committee on the Judiciary.

By Mr. BARRETT (for himself, Mr. GUTIERREZ, Mr. FRANK, Mrs. JONES of Ohio, Ms. BALDWIN, Ms. MCKINNEY, Mr. MCGOVERN, Ms. HOOLEY of Oregon, Mr. CAPUANO, Mr. BONIOR, Mr. BLAGOJEVICH, Mr. ACEVEDO-VILA, Mr. FILNER, Mr. HINCHEY, Ms. ROYBAL-ALLARD, Mrs. MEEK of Florida, Mr. ENGEL, Mr. MCDERMOTT, Mr. TOWNS, Mr. RUSH, and Ms. NORTON):

H.R. 865. A bill to enhance the availability of capital and credit for all citizens and communities, to ensure that community reinvestment keeps pace as banks, securities firms, and other financial service providers become affiliates as a result of the enactment of the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Financial Services.

By Mr. BILIRAKIS:

H.R. 866. A bill to prohibit the provision of financial assistance by the Federal Government to any person who is more than 60 days

delinquent in the payment of any child support obligation; to the Committee on Government Reform.

By Mr. BILIRAKIS (for himself and Ms. HART):

H.R. 867. A bill to amend the Internal Revenue Code of 1986 to allow employers a tax credit for hiring displaced homemakers; to the Committee on Ways and Means.

By Mr. TOOMEY (for himself, Ms. BERKLEY, Mr. PAUL, Mr. SCHAFFER, Mr. DEMINT, Mr. VITTER, Mr. SESSIONS, Mr. MCHUGH, Mr. SAXTON, Mrs. MYRICK, Mr. GOODE, Mr. MILLER of Florida, Mr. PITTS, Mr. HILLEARY, Mr. CRAMER, Mr. ISTOOK, Mr. HILLIARD, Mr. SOUDER, Mr. TANCREDO, Mr. JONES of North Carolina, Mr. HASTINGS of Washington, Mr. SHAW, Mr. TIAHRT, Mr. STENHOLM, Mrs. JO ANN DAVIS of Virginia, Mr. SMITH of New Jersey, Mrs. KELLY, Mr. FLETCHER, Mr. MCGOVERN, Mr. GORDON, Mr. BAKER, Mr. SHOWS, Mr. GOODLATTE, Mr. CUNNINGHAM, Mr. SIMMONS, Mr. NEY, Mr. REYNOLDS, Mr. CAPUANO, Mr. RYUN of Kansas, Mr. TIBERI, Mr. FOLEY, and Mr. SHADEGG):

H.R. 868. A bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the Medicare Program and to ensure that the Secretary does not target inadvertent billing errors; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE:

H.R. 869. A bill to expand the Federal tax refund intercept program to cover children who are not minors; to the Committee on Ways and Means.

By Mr. CLEMENT (for himself, Mr. ANDREWS, Mr. FRANK, Mr. BOUCHER, Mr. FILNER, Mr. KIND, Ms. NORTON, Mr. CRAMER, Mr. GORDON, Mr. SANDLIN, and Mr. DUNCAN):

H.R. 870. A bill to amend title II of the Social Security Act to provide for an improved benefit computation formula for workers who attain age 65 in or after 1982 and to whom applies the 15-year period of transition to the changes in benefit computation rules enacted in the Social Security Amendment of 1977 (and related beneficiaries) and to provide prospectively for increases in their benefits accordingly; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 871. A bill to amend the Internal Revenue Code of 1986 to phaseout the alternative minimum tax on individuals; to the Committee on Ways and Means.

By Mr. CRANE:

H.R. 872. A bill to amend the Internal Revenue Code of 1986 to provide individual and corporate income tax rate reductions; to the Committee on Ways and Means.

By Mr. CRANE:

H.R. 873. A bill to amend the Internal Revenue Code of 1986 to provide individual income tax rate reductions; to the Committee on Ways and Means.

By Mr. CRANE:

H.R. 874. A bill to amend the Internal Revenue Code of 1986 to provide individual income tax rate reductions and to repeal the phaseouts of the deduction for personal exemptions and of itemized deductions; to the Committee on Ways and Means.

By Ms. ESHOO (for herself, Mr. WALSH, Mrs. MORELLA, and Mr. GUTIERREZ):

H.R. 875. A bill to declare as citizens of the United States certain women who lost citizenship solely by reason of marriage to an alien prior to September 22, 1922; to the Committee on the Judiciary.

By Mr. FOLEY (for himself, Mr. WELLER, Mr. MATSUI, Mrs. THURMAN, Mr. WATKINS, Mr. PORTMAN, Mr. RAMSTAD, and Mr. MCCRERY):

H.R. 876. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for electricity produced from wind; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Ms. VELAZQUEZ, Mr. MANZULLO, Mr. LATOURETTE, Mr. JONES of North Carolina, Mr. KOLBE, Mr. LATHAM, Mr. ISAKSON, Mr. MOORE, Mr. TOWNS, Mr. PETERSON of Pennsylvania, Mr. BONILLA, Mr. SAXTON, Mr. GREENWOOD, Ms. HART, Mr. WYNN, Mr. PENCE, Mrs. JONES of Ohio, Mr. ARMEY, Mr. BOEHLERT, Mr. CLEMENT, Mr. HALL of Ohio, Mrs. CHRISTENSEN, Mr. RUSH, Mr. HASTINGS of Washington, Mr. EHLERS, Mr. HEFLEY, Mrs. NORTHUP, and Mr. GARY MILLER of California):

H.R. 877. A bill to amend the Internal Revenue Code of 1986 to allow small business employers a credit against income tax for certain expenses for long-term training of employees in highly skilled small business trades; to the Committee on Ways and Means.

By Mr. FRANK:

H.R. 878. A bill to amend the Internal Revenue Code of 1986 to restore the exclusion from gross income for damage awards for emotional distress; to the Committee on Ways and Means.

By Mr. FRANK (for himself, Mr. EVANS, Mr. DINGELL, Mr. MCDERMOTT, Mr. SANDERS, Mrs. KELLY, Mrs. MCCARTHY of New York, Mr. OLVER, Mr. PRICE of North Carolina, Ms. RIVERS, Mr. TIERNEY, Mrs. MALONEY of New York, Mr. BALDACCI, Mr. COSTELLO, Mr. PAUL, Ms. MCKINNEY, Mrs. CHRISTENSEN, Mr. MCGOVERN, Mr. WAXMAN, and Ms. JACKSON-LEE of Texas):

H.R. 879. A bill to restore veterans tobacco-related illness benefits as in effect before the enactment of the Transportation Equity Act for the 21st Century; to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANSEN:

H.R. 880. A bill to provide for the acquisition of property in Washington County, Utah, for implementation of a desert tortoise habitat conservation plan; to the Committee on Resources.

By Mr. ISAKSON:

H.R. 881. A bill to amend the Fair Labor Standards Act of 1938 to prohibit the issuance of a certificate for subminimum wages for individuals with impaired vision or blindness; to the Committee on Education and the Workforce.

By Mr. ISAKSON:

H.R. 882. A bill to amend the Internal Revenue Code of 1986 to provide economic relief to farmers and ranchers, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 883. A bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands; to the Committee on Resources.

By Mr. ISAKSON:

H.R. 884. A bill to amend the Internal Revenue Code of 1986 to permit advanced refunding of private activity bonds with governmental bonds under certain limited circumstances; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut:

H.R. 885. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain scholarships related to health professions; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 886. A bill to amend the Internal Revenue Code of 1986 to exclude umemployment compensation from gross income; to the Committee on Ways and Means.

By Mrs. KELLY (for herself, Mr. OBERSTAR, Mrs. MALONEY of New York, Mr. BASS, Mr. BENTSEN, Mr. HILLIARD, Mr. FROST, Mr. BALDACCI, Mr. MCNULTY, Mr. DOYLE, Mr. COOKSEY, Mr. MOAKLEY, Ms. NORTON, Mr. UDALL of New Mexico, Mr. BRADY of Pennsylvania, Mr. WHITFIELD, Mr. ENGLISH, Ms. MCCARTHY of Missouri, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ACKERMAN, Ms. DELAURO, Mr. GILMAN, Ms. BERKLEY, Mr. KLECZKA, Mr. LANTOS, Mr. WALSH, Mr. MCINTYRE, Mr. PAYNE, Mr. BONIOR, Mr. EVANS, Mr. CUMMINGS, Mr. CAPUANO, Ms. MCCOLLUM, Mr. WEINER, Mr. BARRETT, Mrs. THURMAN, Mr. KUCINICH, Mrs. MORELLA, Mr. MCGOVERN, Ms. SLAUGHTER, Ms. CARSON of Indiana, Mr. BACA, and Mr. NADLER):

H.R. 887. A bill to amend the Internal Revenue Code of 1986 to require group health plans to provide coverage for reconstructive surgery following mastectomy, consistent with the Women's Health and Cancer Rights Act of 1998; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mr. WELLER, Mr. FRANK, Mr. QUINN, Mr. SABO, Mrs. BIGGERT, and Ms. LEE):

H.R. 888. A bill to amend the McKinney-Vento Homeless Assistance Act to provide for renewals of grants for permanent housing under the supportive housing program and for shelter plus care assistance to be funded through section 8 rental assistance amounts made available under the Housing Certificate Fund of the Department of Housing and Urban Development; to the Committee on Financial Services.

By Mr. LANTOS:

H.R. 889. A bill to require that, as a condition of receiving salary, each United States district judge must certify that certain cases before the judge have not been pending and undetermined for more than 90 days after being submitted for decision; to the Committee on the Judiciary.

By Mrs. MINK of Hawaii:

H.R. 890. A bill to amend title 38, United States Code, to exempt amounts owed for prescription drugs and medical supplies dispensed by Department of Veterans Affairs pharmacies from otherwise applicable interest charges and administrative cost charges imposed on indebtedness to the United States resulting from the provision of medical care or services by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MOORE (for himself, Mr. SMITH of New Jersey, Mrs. MORELLA, Mrs. MCCARTHY of New York, Mrs. MALONEY of New York, Ms. MCCARTHY of Missouri, Mr. HOLT, Mr. UDALL of New Mexico, Mr. MCGOVERN, Mr. GONZALEZ, Mrs. LOWEY, Mr. FRANK, and Mr. GEORGE MILLER of California):

H.R. 891. A bill to prohibit the possession of a firearm by an individual who has committed an act of juvenile delinquency that

would be a violent felony if committed by an adult; to the Committee on the Judiciary.

By Mr. PITTS:

H.R. 892. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain on the sale or exchange of certain farmland the use of which is restricted in perpetuity to use as farmland; to the Committee on Ways and Means.

By Mr. PITTS:

H.R. 893. A bill to amend the Internal Revenue Code of 1986 to exclude from estate taxes the value of certain farmland the use of which is restricted in perpetuity to use as farmland; to the Committee on Ways and Means.

By Mr. ROHRABACHER:

H.R. 894. A bill to provide compensation for injury and property damages suffered by persons as a result of the bombing attack by the United States on August 20, 1998 in Khartoum, Sudan, and for other purposes; to the Committee on the Judiciary.

By Mr. ROYCE:

H.R. 895. A bill to abolish the Advanced Technology Program; to the Committee on Science.

By Mr. SAXTON:

H.R. 896. A bill to ensure the safety of recreational fishermen and other persons who use motor vehicles to access beaches adjacent to the Brigantine Wilderness Area in the Edwin B. Forsythe National Wildlife Refuge, New Jersey, by providing a narrow transition zone above the mean high tide line where motor vehicles can be safely driven and parked; to the Committee on Resources.

By Mr. SAXTON:

H.R. 897. A bill to reauthorize the Coastal Zone Management Act of 1972, and for other purposes; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STRICKLAND (for himself, Mr. DEAL of Georgia, and Mr. STARK):

H.R. 898. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services under part B of the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO:

H.R. 899. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974, and the Safe and Drug-Free Schools and Communities Act of 1994, to allow grants received under such Acts to be used to establish and maintain school safety hotlines; to the Committee on Education and the Workforce.

By Mr. WATKINS:

H.R. 900. A bill to amend the Internal Revenue Code of 1986 to provide that the exclusion of gain on sale of a principal residence shall apply to certain farmland sold with the principal residence; to the Committee on Ways and Means.

By Mr. WATKINS:

H.R. 901. A bill to amend the Internal Revenue Code of 1986 to simplify the excise tax on heavy truck tires; to the Committee on Ways and Means.

By Mr. WATKINS:

H.R. 902. A bill to amend title XVIII of the Social Security Act to provide reimbursement under the Medicare Program for all physicians' services furnished by doctors of chiropractic within the scope of their license; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF:

H.R. 903. A bill to establish a commission to review the Federal Aviation Administration; to the Committee on Transportation and Infrastructure.

By Mr. PAUL:

H.J. Res. 27. A joint resolution to repeal the War Powers Resolution to fulfill the intent of the framers of the Constitution that Congress and not the President has the power to declare war, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Armed Services, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JACKSON of Illinois:

H.J. Res. 28. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to full employment and balanced growth; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States regarding the right of citizens of the United States to health care of equal high quality; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 30. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to decent, safe, sanitary, and affordable housing; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States regarding the right of all citizens of the United States to a public education of equal high quality; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 32. A joint resolution proposing an amendment to the Constitution of the United States relating to equality of rights and reproductive rights; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 33. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to a clean, safe, and sustainable environment; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 34. A joint resolution proposing an amendment to the Constitution of the United States relative to taxing the people of the United States progressively; to the Committee on the Judiciary.

By Mr. SCHROCK (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. SISISKY, Mr. SCOTT, Mr. PUTNAM, Mr. BILIRAKIS, Mr. STEARNS, Mr. CRENSHAW, and Mr. JONES of North Carolina):

H. Con. Res. 47. Concurrent resolution honoring the 21 members of the National Guard who were killed in the crash of a National Guard aircraft on March 3, 2001, in south-central Georgia; to the Committee on Armed Services.

By Mr. PAUL:

H. Con. Res. 48. Concurrent resolution expressing the sense of the Congress in reaffirming the United States of America as a republic; to the Committee on the Judiciary.

By Mr. PAUL:

H. Con. Res. 49. Concurrent resolution expressing the sense of Congress that the Treaty Power of the President does not extend beyond the enumerated powers of the Federal Government, but are limited by the Constitution, and any exercise of such Executive Power inconsistent with the Constitution shall be of no legal force or effect; to the Committee on International Relations.

By Mr. SESSIONS:

H. Con. Res. 50. Concurrent resolution expressing the sense of the Congress that there should be established a National Athletic Training Month; to the Committee on Government Reform.

By Mr. WU:

H. Con. Res. 51. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to honor the Jewish War Veterans of the United States of America; to the Committee on Government Reform.

By Mr. LINDER:

H. Res. 76. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. FROST:

H. Res. 77. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. NEY:

H. Res. 80. A resolution providing amounts for the expenses of the Committee on House Administration in the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. ROHRABACHER:

H. Res. 81. A resolution to provide for the consideration by the United States Court of Claims of a bill for compensation, and for other purposes; to the Committee on the Judiciary.

¶17.27 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

4. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to Resolution No. 33 memorializing the Congress of the United States to enact President Bush's tax relief plan; to the Committee on Ways and Means.

5. Also, a memorial of the Senate of the State of Michigan, relative to Resolution No. 15 memorializing the United States Congress to enact President Bush's tax relief plan; to the Committee on Ways and Means.

¶17.28 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FRANK:

H.R. 904. A bill for the relief of Paul Green; to the Committee on the Judiciary.

By Mr. FRANK:

H.R. 905. A bill to provide for the relief of Kathy Barrett; to the Committee on the Judiciary.

¶17.29 ADDITIONAL SPONSORS

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

H.R. 3: Mr. HASTERT, Mr. ARMEY, Mr. DELAY, Mr. DREIER, Mr. WATTS of Oklahoma, Mr. COX, Mr. CRANE, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. HOUGHTON, Mr. HERGER, Mr. MCCRERY, Mr. CAMP, Mr. RAMSTAD, Mr. NUSSLE, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. COLLINS, Mr. PORTMAN, Mr. ENGLISH, Mr. WATKINS, Mr. HAYWORTH, Mr. WELLER, Mr. HULSHOF, Mr. MCINNIS, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. BRADY of Texas, Mr. RYAN of Wisconsin, Mr. TOM DAVIS of Virginia, Ms. PRYCE of Ohio, and Mrs. CUBIN.

H.R. 12: Mr. DEMINT, Mr. UDALL of Colorado, Mr. HOEFFEL, and Ms. BALDWIN.

H.R. 17: Mrs. CLAYTON, Mr. ANDREWS, and Mr. BONIOR.

H.R. 25: Mr. BALDACCI, Mr. WALSH, and Mr. QUINN.
H.R. 27: Mr. LEWIS of Kentucky.
H.R. 28: Ms. WATERS, Mr. BENTSEN, Mr. TURNER, Mr. CONDIT, Mr. BAIRD, Mr. KILDEE, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 41: Mr. CAMP, Mr. HORN, Mr. BECERRA, Mr. GORDON, Mr. LEWIS of Kentucky, Mr. CRANE, Mr. JEFFERSON, Mr. GREEN of Texas, Mr. ARMEY, and Ms. MCCARTHY of Missouri.
H.R. 61: Ms. JACKSON-LEE of Texas.
H.R. 65: Mr. GREEN of Texas, Mr. TURNER, Mr. BRYANT, and Mr. RANGEL.
H.R. 90: Mr. SCHIFF and Mr. ROSS.
H.R. 107: Mr. GIBBONS.
H.R. 134: Mr. LEVIN.
H.R. 168: Mr. FERGUSON.
H.R. 179: Mr. BILIRAKIS, Mr. BONILLA, Ms. CARSON of Indiana, Mr. ENGEL, Mr. FERGUSON, Mr. HOYER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PLATTS, Mr. ROSS, Mr. SISISKY, and Ms. VELÁZQUEZ.
H.R. 184: Mr. PETERSON of Minnesota, Mr. SKEEN, Mr. HOEFFEL, Mr. FROST, Ms. LEE, and Mr. FATTAH.
H.R. 185: Ms. WATERS and Mr. THOMPSON of California.
H.R. 187: Mr. MORAN of Kansas, Mr. KANJORSKI, and Mr. PASCRELL.
H.R. 189: Mr. PAUL.
H.R. 190: Mr. SHADEGG and Mr. OTTER.
H.R. 214: Mr. GRAVES, Mr. BURTON of Indiana, Mr. BALDACCI, Mr. SMITH of New Jersey, and Mr. ENGLISH.
H.R. 218: Mr. SKEEN, Mr. JONES of North Carolina, Mr. FOLEY, and Mr. LUCAS of Kentucky.
H.R. 220: Mr. FOLEY.
H.R. 224: Mr. CARSON of Oklahoma and Mr. PALLONE.
H.R. 225: Mr. HASTINGS of Florida.
H.R. 228: Mr. MCINTYRE, Ms. DELAURO, Mr. STUPAK, Mr. WOLF, Mr. HINCHEY, Mr. WICKER, Mr. EDWARDS, Mr. BISHOP, Mr. BALDACCI, and Mr. FROST.
H.R. 236: Mr. BEREUTER, Mrs. JO ANN DAVIS of Virginia, Mr. COSTELLO, Mr. ROEMER, Mr. MORAN of Virginia, Mr. OXLEY, Mr. UDALL of New Mexico, Mr. KERNS, and Mr. LATOURETTE.
H.R. 244: Mr. STUPAK, Ms. MCKINNEY, Mr. LARSON of Connecticut, Mr. FROST, Mr. TURNER, and Mr. FATTAH.
H.R. 245: Mr. ROSS, Mr. EVANS, Mr. KUCINICH, Ms. RIVERS, and Mr. ABERCROMBIE.
H.R. 250: Mr. PASTOR, Mrs. MINK of Hawaii, Ms. SCHAKOWSKY, Mr. MANZULLO, Mr. WATKINS, Mr. SHAYS, Mr. NETHERCUTT, Mr. PICKERING, Mr. RODRIGUEZ, Mr. COLLINS, Mr. CONYERS, Mr. VISCLOSKY, Mr. CLAY, Mr. MCINNIS, Mr. RAMSTAD, and Mr. GRUCCI.
H.R. 259: Mr. JONES of North Carolina.
H.R. 265: Ms. MCKINNEY, Mr. BACA, Ms. SCHAKOWSKY, Mrs. CHRISTENSEN, Mr. MCGOVERN, Mr. KUCINICH, and Mr. BONIOR.
H.R. 267: Mr. BOEHLERT and Ms. DELAURO.
H.R. 286: Mr. SANDERS and Ms. CARSON of Indiana.
H.R. 287: Ms. CARSON of Indiana.
H.R. 290: Ms. JACKSON-LEE of Texas.
H.R. 301: Mr. ABERCROMBIE.
H.R. 302: Mr. ABERCROMBIE.
H.R. 303: Mr. GREEN of Texas, Mr. TURNER, Mr. LATHAM, Mr. PLATTS, Mr. JEFFERSON, Mr. BISHOP, Mr. BRYANT, Mr. HOEFFEL, Mr. SHERMAN, Mr. NADLER, Mr. BAIRD, Mr. BROWN of South Carolina, and Mr. RANGEL.
H.R. 320: Mr. MOLLOHAN.
H.R. 326: Ms. CARSON of Indiana, Mr. WEXLER, and Ms. VELÁZQUEZ.
H.R. 340: Mr. MOAKLEY, Ms. CARSON of Indiana, and Mr. GONZALEZ.
H.R. 346: Mr. PAYNE.
H.R. 348: Mr. BECERRA, Mr. BERMAN, Ms. BERKLEY, Mr. BONIOR, Mr. BLAGOJEVICH, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. DELAHUNT, Ms. DELAURO, Mr. FILNER, Mr. FROST, Mr. HINCHEY, Mr. KUCINICH, Mr. LAMPSON, Mr. LEWIS of Georgia, Ms. LOFGREN, Mr. MCGOVERN, Mr. MCNULTY, Mrs. MEEK of Florida, Mr. MEEHAN, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mrs. NAPOLITANO, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Ms. ROS-LEHTINEN, Mr. RUSH, Mr. SERRANO, Ms. SOLIS, Mr. SHAYS, Mr. STARK, and Mr. WYNN.
H.R. 356: Mr. WELDON of Pennsylvania, Mr. EVANS, Mr. SMITH of New Jersey, Mr. CUNNINGHAM, Mr. CAPUANO, Mr. GIBBONS, and Mr. ROSS.
H.R. 364: Mr. MICA, Mr. KELLER, and Mr. SCARBOROUGH.
H.R. 366: Mr. STARK.
H.R. 368: Mr. SMITH of New Jersey.
H.R. 386: Mr. TANCREDO.
H.R. 396: Mr. MCHUGH, Mr. DEAL of Georgia, Mr. ADERHOLT, Mr. HILLIARD, Mr. RILEY, Mr. SCHAFFER, Mr. CRAMER, Mr. HAYES, Mr. CALLAHAN, Mr. HINOJOSA, Mr. WATKINS, Mr. BROWN of South Carolina, and Mrs. EMERSON.
H.R. 419: Mrs. THURMAN.
H.R. 429: Mr. CUMMINGS.
H.R. 457: Mr. NORWOOD, Mr. DEFAZIO, and Mr. BLAGOJEVICH.
H.R. 458: Mr. GOODLATTE.
H.R. 459: Mr. UDALL of New Mexico and Mr. LEWIS of California.
H.R. 466: Ms. CARSON of Indiana.
H.R. 476: Mr. SKELTON and Mr. SMITH of New Jersey.
H.R. 488: Mr. WYNN, Mr. HOEFFEL, Mr. NEAL of Massachusetts, and Ms. JACKSON-LEE of Texas.
H.R. 500: Ms. SOLIS, Ms. JACKSON-LEE of Texas, Mr. OWENS, Mrs. NAPOLITANO, Mr. BACA, and Ms. VELAZQUEZ.
H.R. 503: Mr. PLATTS and Mr. COOKSEY.
H.R. 510: Mr. WAXMAN, Mr. MCGOVERN, Mr. OBERSTAR, Mr. HOLDEN, Mr. COOKSEY, Mr. CANNON, Mr. UDALL of New Mexico, Mrs. MCCARTHY of New York, Mr. KINGSTON, Mr. BARTON of Texas, Mr. RAHALL, Mr. RAMSTAD, Mr. MASCARA, Ms. MCKINNEY, Mr. STENHOLM, Mr. WOLF, Mr. FROST, Mr. STUPAK, Ms. SCHAKOWSKY, Mr. EDWARDS, Mrs. CHRISTENSEN, Mr. NEAL of Massachusetts, Mr. HOLT, Ms. KAPTUR, Mrs. MEEK of Florida, Mr. GREEN of Wisconsin, Mrs. THURMAN, Mr. GUTKNECHT, Mr. BALDACCI, Mr. BLAGOJEVICH, Mr. BOEHLERT, Mr. HULSHOF, Mr. DEAL of Georgia, Mrs. MYRICK, Mr. OSBORNE, Mr. ISAKSON, Mr. HORN, and Mr. BILIRAKIS.
H.R. 526: Mr. DEFAZIO, Mr. ALLEN, Mr. DOYLE, Mr. KILDEE, Mr. MCGOVERN, Mr. LANTOS, Mr. MOAKLEY, Mr. CLAY, Mr. HINCHEY, Mr. FROST, Mr. BRADY of Texas, Ms. SLAUGHTER, and Mr. HOYER.
H.R. 536: Ms. JACKSON-LEE of Texas, Mr. JENKINS, Ms. CARSON of Indiana, and Mr. POMEROY.
H.R. 557: Mr. HAYES, Mrs. MYRICK, and Mr. BALLENGER.
H.R. 561: Mrs. MALONEY of New York.
H.R. 565: Ms. DELAURO.
H.R. 573: Mr. BOUCHER, Mr. EVANS, Ms. CARSON of Indiana, Ms. BROWN of Florida, Mr. CLEMENT, Ms. LEE, Mr. BLAGOJEVICH, Mr. TOWNS, and Mr. PAYNE.
H.R. 577: Mr. BURTON of Indiana, Mr. PETRI, Mr. SESSIONS, and Mr. SMITH of New Jersey.
H.R. 585: Mr. HINCHEY, Mr. TRAFICANT, and Mr. BALDACCI.
H.R. 590: Mr. GUTIERREZ, Mr. GONZALEZ, and Mr. PAYNE.
H.R. 594: Mr. UNDERWOOD.
H.R. 595: Ms. SLAUGHTER, Mr. DOYLE, Mr. SANDERS, Mr. FRANK, and Mrs. MINK of Hawaii.
H.R. 600: Mr. PLATTS, Mr. BACA, Mr. JONES of North Carolina, Ms. DUNN, and Mr. FROST.
H.R. 606: Mr. LANTOS and Mr. LEVIN.
H.R. 608: Mr. FATTAH.
H.R. 609: Mr. TURNER, Mr. CLEMENT, Mr. MASCARA, and Mr. RANGEL.
H.R. 612: Mr. CRAMER, Mrs. MINK of Hawaii, Mr. FOLEY, Mr. STRICKLAND, Mr. RYUN of Kansas, Mr. SIMMONS, Mr. DEUTSCH, Ms. VELÁZQUEZ, Mr. KING, Mr. CANNON, and Mr. FALEOMAVAEGA.
H.R. 613: Mr. WOLF and Mr. SMITH of New Jersey.
H.R. 622: Mr. STRICKLAND, Mr. JONES of North Carolina, Mr. LARGENT, Mr. LATHAM, Mr. THUNE, Ms. CARSON of Indiana, Mr. FERGUSON, and Mr. CALVERT.
H.R. 624: Mr. CAMP, Mr. GREEN of Wisconsin, Ms. MCCARTHY of Missouri, Mr. KLECZKA, Mr. LUCAS of Kentucky, Mr. SNYDER, Mr. SMITH of New Jersey, Mr. GREEN of Texas, Mr. KENNEDY of Rhode Island, Mr. GORDON, Mr. HANSEN, Mrs. MORELLA, Mr. STARK, and Mr. NEY.
H.R. 630: Ms. MCCARTHY of Missouri, Ms. CARSON of Indiana, and Mr. GRUCCI.
H.R. 638: Ms. RIVERS, Mr. HINCHEY, Ms. NORTON, and Mr. CLAY.
H.R. 650: Mr. ISSA.
H.R. 654: Mr. KUCINICH, Mr. PASTOR, and Mrs. NAPOLITANO.
H.R. 664: Mr. EVANS, Mr. SMITH of Washington, Mr. LUCAS of Kentucky, Mrs. WILSON, Mrs. JO ANN DAVIS of Virginia, Mr. TIERNEY, Mr. STRICKLAND, Mrs. CAPPS, Mr. HOEFFEL, Mr. ROTHMAN, Mr. JENKINS, and Mr. TURNER.
H.R. 675: Ms. ROS-LEHTINEN, Mr. WEXLER, Mr. ANDREWS, and Mr. EVANS.
H.R. 678: Ms. LEE, Ms. HOOLEY of Oregon, Ms. CARSON of Indiana, Mr. PAYNE, and Mr. PALLONE.
H.R. 680: Ms. NORTON.
H.R. 681: Ms. NORTON.
H.R. 683: Ms. SLAUGHTER, Ms. ESHOO, Ms. HOOLEY of Oregon, Mr. BLAGOJEVICH, Mr. THOMPSON of California, Mr. GEPHARDT, Mrs. JONES of Ohio, Mr. SMITH of New Jersey, Mr. TIERNEY, and Mr. BONIOR.
H.R. 687: Ms. RIVERS, Mr. CLEMENT, Mr. DAVIS of Illinois, Ms. LEE, Mr. NADLER, and Ms. CARSON of Indiana.
H.R. 699: Mr. SMITH of New Jersey, Mr. WHITFIELD, Mr. BILIRAKIS, Ms. MCKINNEY, Mr. JENKINS, Mr. TURNER, Mr. BOUCHER, Mr. SHOWS, and Mr. FROST.
H.R. 704: Ms. ESHOO, Mr. RADANOVICH, and Mr. SHIMKUS.
H.R. 712: Mr. GOODE, Mr. LAHOOD, Ms. MCKINNEY, Mr. TURNER, Mrs. CAPPS, Mr. FROST, Ms. KILPATRICK, Mr. SHERMAN, Mr. MORAN of Virginia, and Mr. MCGOVERN.
H.R. 714: Ms. MCCARTHY of Missouri, Mrs. MALONEY of New York, Ms. LEE, Mr. CROWLEY, and Mr. BONIOR.
H.R. 717: Mr. SHOWS, Mr. OBERSTAR, Mr. BONIOR, Mr. LAFALCE, Mr. KANJORSKI, Mr. ALLEN, Mr. HALL of Ohio, Ms. CAPITO, Mr. WU, Mr. COSTELLO, Mr. HOEKSTRA, Mr. ANDREWS, Mr. ROYCE, Mr. HAYWORTH, Mr. PORTMAN, Mrs. NORTHUP, Mr. SMITH of New Jersey, Mr. STARK, and Mr. ETHERIDGE.
H.R. 726: Mr. STARK.
H.R. 730: Ms. CARSON of Indiana and Mr. CAPUANO.
H.R. 737: Mr. MORAN of Kansas.
H.R. 740: Mr. CONYERS.
H.R. 741: Mr. CONYERS.
H.R. 744: Mr. HILLEARY, Mr. WAMP, Mr. ENGLISH, Mr. PAUL, Mr. SESSIONS, Mrs. JOHNSON of Connecticut, and Mr. MENENDEZ.
H.R. 746: Mr. BLUNT, Mr. HOEFFEL, Mr. TURNER, Mr. HOLDEN, and Mr. ROSS.
H.R. 756: Ms. MCCARTHY of Missouri, Mr. FROST, and Mr. DAVIS of Illinois.
H.R. 757: Mr. ENGEL and Ms. VELÁZQUEZ.
H.R. 758: Ms. NORTON, Mr. DAVIS of Illinois, Mr. BONIOR, Mr. PAYNE, and Mr. BRADY of Pennsylvania.
H.R. 759: Mr. BOUCHER.
H.R. 762: Mr. SMITH of New Jersey, Mr. HALL of Ohio, Mr. FATTAH, and Ms. DELAURO.
H.R. 769: Mr. MCINTYRE and Mr. CHAMBLISS.
H.R. 770: Mr. SPRATT and Mr. CLAY.
H.R. 775: Mr. CUMMINGS, Mr. SPRATT, Mrs. CLAYTON, Mr. WAXMAN, Mr. CARDIN, and Mr. STARK.
H.R. 778: Mr. BLAGOJEVICH, Mr. INSLEE, Mr. DELAHUNT, Mr. SMITH of New Jersey, Mr. ABERCROMBIE, and Mr. MCHUGH.

H.R. 781: Mrs. MORELLA.
H.R. 792: Ms. SLAUGHTER, Ms. CARSON of Indiana, Mr. MCHUGH, Mr. VITTER, and Mr. WEXLER.
H.R. 837: Mr. KUCINICH.
H.J. Res. 20: Mr. HALL of Texas, Mr. STEARNS, Mr. PITTS, and Mr. SMITH of New Jersey.
H.J. Res. 22: Ms. KAPTUR.
H. Con. Res. 25: Mr. TANCREDO, Ms. CARSON of Indiana, Mr. GUTIERREZ, and Mr. MCDERMOTT.
H. Con. Res. 31: Mr. LUCAS of Kentucky and Mr. UNDERWOOD.
H. Con. Res. 38: Ms. CARSON of Indiana.
H. Con. Res. 42: Mr. FROST, Mr. WEXLER, Mr. BONIOR, and Mr. MENENDEZ.
H. Res. 13: Mr. CLEMENT, Mr. BLAGOJEVICH, and Mr. MCINTYRE.
H. Res. 35: Ms. CARSON of Indiana.
H. Res. 52: Mr. MILLER of Florida and Mr. GOODLATTE.

WEDNESDAY, MARCH 7, 2001 (18)

¶18.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 o'clock a.m. by the SPEAKER pro tempore, Mr. BONILLA, who laid before the House the following communication:

WASHINGTON, DC,
March 7, 2001.

I hereby appoint the Honorable HENRY BONILLA to act as Speaker pro tempore on this day.

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

¶18.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BONILLA, announced he had examined and approved the Journal of the proceedings of Tuesday, March 6, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BONILLA, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BONILLA, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶18.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1123. A letter from the Acting Assistant Secretary of Defense, Reserve Affairs, Department of Defense, transmitting notification that the Angel Gate Academy Program Report, directed by Senate Report 106–298, to be submitted by February 15, 2001, will be turned in late; to the Committee on Armed Services.

1124. A letter from the Acting Administrator, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule—Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Clarification of WIC Mandates of Public Law 104–193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (RIN: 0584–AC51) received March 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1125. A letter from the Secretary, Department of Health and Human Services, transmitting the 2000 annual report on the Loan Repayment Program for Research Generally, pursuant to 42 U.S.C. 2541—1(i); to the Committee on Energy and Commerce.

1126. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report on the National Institutes of Health (NIH) AIDS Research Loan Repayment Program (LRP) for FY 2000; to the Committee on Energy and Commerce.

1127. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report on the National Institutes of Health (NIH) Clinical Research Loan Repayment Program for Individuals From Disadvantaged Backgrounds (CR-LRP) for FY 2000; to the Committee on Energy and Commerce.

1128. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report on the National Institute of Child Health and Human Development (NICHD) Contraception and Infertility Research Loan Repayment Program (CIR-LRP) for FY 2000; to the Committee on Energy and Commerce.

1129. A letter from the Associate Bureau Chief, Wireless Telecommuncations Bureau, Federal Communications Commission, transmitting the Commission's final rule—Procedures for Reviewing Requests for Relief From State and Local Regulations Pursuant to Section 332(c)(7)(B)(v) of the Communications Act of 1934 [WT Docket No. 97–192] received February 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1130. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Russia [Transmittal No. DTC 034–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1131. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1132. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the President's determination regarding certification of the 24 major illicit drug producing and transit countries, pursuant to section 490 of the Foreign Assistance Act of 1961, as amended; to the Committee on International Relations.

1133. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

1134. A letter from the Administrator, Environmental Protection Agency, transmitting the Fiscal Year 2000 Annual Report; to the Committee on Government Reform.

1135. A letter from the Executive Director for Operations, Nuclear Regulatory Commission, transmitting a report on Year 2000 Commercial Activities Inventory; to the Committee on Government Reform.

1136. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting a report on the Northeast Multispecies Harvest Capacity and Impact of Northeast Fishing Capacity Reduction; to the Committee on Resources.

1137. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 204B Helicopters [Docket No. 2000–SW–16–AD; Amendment 39–12096; AD 2001–02–11] (RIN: 2120–AA64) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1138. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Cortez Bridge (SR 684), Cortez, FL [CGD07–01–013] received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1139. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Stickney Point Bridge (SR 72), Sarasota, Sarasota County, FL [CGD07–01–011] received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1140. A letter from the Acting General Counsel, Small Business Administration, transmitting the Administration's final rule—New Markets Venture Capital Program: Delay of Effective Date (RIN: 3245–AE40) received February 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

1141. A letter from the Chairman, International Trade Commission, transmitting a report entitled, ''The Economic Impact of U.S. Sanctions With Respect to Cuba''; to the Committee on Ways and Means.

1142. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a report authorizing the transfer of up to $100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104—107, section 540(c) (110 Stat. 736); jointly to the Committees on International Relations and Appropriations.

1143. A letter from the Acting Chairman, National Transportation Safety Board, transmitting the Board's appeal letter to the Office of Management and Budget regarding the initial determination of the fiscal year 2002 budget request; jointly to the Committees on Transportation and Infrastructure and Appropriations.

¶18.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

S.J. Res. 6. Joint Resolution providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, relating to ergonomics.

The message also announced that in accordance with Public Law 93–618, as amended by Public Law 100–418, the Chair, on behalf of the President pro tempore and upon the recommendation of the Chairman of the Committee on Finance, appoints the following Members of the Finance Committee as congressional advisers on trade policy and negotiations—

the Senator from Iowa (Mr. GRASSLEY);

the Senator from Utah (Mr. HATCH);

the Senator from Alaska (Mr. MURKOWSKI);

the Senator from Montana (Mr. BAUCUS); and

the Senator from West Virginia (Mr. ROCKEFELLER).

¶18.5 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BONILLA, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, March 6, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BONILLA, announced that the yeas had it.

Mr. STENHOLM objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 337
- Nays 72
- Answered present 1

¶18.6 [Roll No. 28]

YEAS—337

Abercrombie, Akin, Andrews, Armey, Bachus, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett, Bartlett, Barton, Bass, Bentsen, Bereuter, Berkley, Berman, Biggert, Blagojevich, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bono, Boswell, Boyd, Brady (TX), Brown (FL), Brown (SC), Bryant, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Capps, Cardin, Carson (IN), Carson (OK), Castle, Chabot, Chambliss, Clayton, Clement, Clyburn, Coble, Collins, Combest, Conyers, Cooksey, Cox, Coyne, Cramer, Crenshaw, Crowley, Cubin, Culberson, Cummings, Cunningham, Davis (CA), Davis (FL), Davis (IL), Davis, Jo Ann, Davis, Tom, Deal, DeGette, Delahunt, DeLay, DeMint, Deutsch, Dingell, Doggett, Dooley, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, Eshoo, Etheridge, Evans, Everett, Fattah, Ferguson, Flake, Fletcher, Foley, Fossella, Frank, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Gordon, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Hall (OH), Hall (TX), Hansen, Harman, Hart, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hilleary, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Honda, Hooley, Horn, Hostettler, Houghton, Hoyer, Hutchinson, Hyde, Inslee, Isakson, Israel, Issa, Istook, Jackson (IL), Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson (CT), Johnson (IL), Johnson, E. B., Johnson, Sam, Jones (NC), Kanjorski, Kaptur, Keller, Kelly, Kennedy (MN), Kennedy (RI), Kerns, Kildee, Kilpatrick, Kind (WI), King (NY), Kingston, Kirk, Kleczka, Knollenberg, Kolbe, LaHood, Lampson, Lantos, Largent, Latham, LaTourette, Leach, Lee, Levin, Lewis (KY), Linder, Lipinski, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (NY), Manzullo, Markey, Mascara, Matheson, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McHugh, McInnis, McIntyre, McKeon, McKinney, Meek (FL), Meeks (NY), Mica, Millender-McDonald, Miller (FL), Miller, Gary, Mink, Mollohan, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Nethercutt, Ney, Northup, Norwood, Nussle, Obey, Ortiz, Osborne, Ose, Otter, Owens, Oxley, Pascrell, Pastor, Paul, Payne, Pelosi, Pence, Peterson (PA), Petri, Phelps, Pickering, Pitts, Platts, Pombo, Pomeroy, Portman, Price (NC), Pryce (OH), Putnam, Quinn, Radanovich, Rahall, Regula, Rehberg, Reyes, Reynolds, Rivers, Rodriguez, Roemer, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Ross, Rothman, Roybal-Allard, Royce, Rush, Ryan (WI), Ryun (KS), Sanchez, Sawyer, Saxton, Scarborough, Schiff, Schrock, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Sherwood, Shimkus, Simmons, Simpson, Sisisky, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Solis, Souder, Spence, Spratt, Stearns, Stump, Sununu, Tanner, Tauscher, Tauzin, Taylor (NC), Terry, Thomas, Thornberry, Thune, Thurman, Tiahrt, Tiberi, Tierney, Toomey, Towns, Traficant, Turner, Upton, Vitter, Walden, Wamp, Watkins, Watts (OK), Weldon (FL), Weldon (PA), Wexler, Whitfield, Wicker, Wilson, Wolf, Woolsey, Wu, Wynn, Young (AK), Young (FL)

NAYS—72

Aderholt, Allen, Baca, Baird, Berry, Bonior, Borski, Brady (PA), Brown (OH), Clay, Condit, Costello, Crane, DeFazio, DeLauro, Dicks, English, Farr, Filner, Ford, Frost, Gephardt, Gonzalez, Green (TX), Gutierrez, Gutknecht, Hastings (FL), Hill, Hilliard, Holt, Hulshof, Jones (OH), Kucinich, LaFalce, Langevin, Larsen (WA), Larson (CT), Lewis (GA), LoBiondo, McDermott, McGovern, McNulty, Meehan, Menendez, Miller, George, Moore, Oberstar, Olver, Pallone, Peterson (MN), Ramstad, Riley, Sabo, Sandlin, Schaffer, Schakowsky, Scott, Stark, Stenholm, Strickland, Sweeney, Taylor (MS), Thompson (CA), Thompson (MS), Udall (CO), Udall (NM), Velazquez, Visclosky, Waters, Watt (NC), Weiner, Weller

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—22

Ackerman, Becerra, Bilirakis, Bishop, Boucher, Burr, Capuano, Diaz-Balart, Hinchey, Hunter, Lewis (CA), Maloney (CT), McCrery, Moakley, Rangel, Roukema, Sanders, Shows, Slaughter, Stupak, Walsh, Waxman

So the Journal was approved.

¶18.7 PROVIDING FOR THE CONSIDERATION OF S.J. RES. 6

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 79):

Resolved, That upon receipt of a message from the Senate transmitting the joint resolution (S.J. Res. 6) providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, relating to ergonomics, it shall be in order without intervention of any point of order to consider the joint resolution in the House. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared
- Yeas 222
- Nays 198

¶18.8 [Roll No. 29]

YEAS—222

Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Barr, Bartlett, Barton, Bass, Bereuter, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Carson (OK), Castle, Chabot, Chambliss, Coble, Collins, Combest, Cooksey, Cox, Crane, Crenshaw, Cubin, Culberson, Cunningham, Davis, Jo Ann, Davis, Tom, Deal, DeLay, DeMint, Diaz-Balart, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Ferguson, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hall (TX), Hansen, Hart, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Houghton, Hulshof, Hunter, Hutchinson, Hyde, Isakson, Issa, Istook, Jenkins, Johnson (CT), Johnson (IL), Johnson, Sam, Jones (NC), Keller, Kelly, Kennedy (MN), Kerns, King (NY), Kingston, Kirk, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Leach, Lewis (KY), Linder, LoBiondo, Lucas (OK), Manzullo, McCrery, McHugh

McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—198

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

NOT VOTING—12

Ackerman
Becerra
Bishop
Dicks
Dingell
Edwards
Lewis (CA)
Roukema
Sanders
Shows
Stupak
Walsh

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶18.9 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 78):

Resolved, That it shall be in order at any time on the legislative day of Wednesday, March 7, 2001, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The concurrent resolution (H. Con. Res. 31) expressing the sense of the Congress regarding the importance of organ, tissue, bone marrow, and blood donation and supporting National Donor Day;

(2) The bill (H.R. 624) to amend the Public Health Service Act to promote organ donation; and

(3) The concurrent resolution (H. Con. Res. 47) honoring the 21 members of the National Guard who were killed in the crash of a National Guard aircraft on March 3, 2001, in south-central Georgia.

When said resolution was considered.

After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶18.10 NATIONAL DONOR DAY

Mr. BILIRAKIS moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 31):

Whereas more than 70,000 individuals await organ transplants at any given moment;

Whereas another man, woman, or child is added to the national organ transplant waiting list every 20 minutes;

Whereas despite the progress in the last 15 years, more than 15 people per day die because of a shortage of donor organs;

Whereas almost everyone is a potential organ, tissue, and blood donor;

Whereas transplantation has become an element of mainstream medicine that prolongs and enhances life;

Whereas for the fourth consecutive year, a coalition of health organizations is joining forces for National Donor Day;

Whereas the first three National Donor Days raised a total of nearly 25,000 units of blood, added over 4,000 potential donors to the National Marrow Donor Program Registry, and distributed tens of thousands of organ and tissue pledge cards;

Whereas National Donor Day is America's largest one-day organ, tissue, bone marrow, and blood donation event; and

Whereas a number of businesses, foundations, health organizations, and the Department of Health and Human Services have designated February 10, 2001, as National Donor Day: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports the goals and ideas of National Donor Day;

(2) encourages all Americans to learn about the importance of organ, tissue, bone marrow, and blood donation and to discuss such donation with their families and friends; and

(3) requests that the President issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for organ, tissue, bone marrow, and blood donation.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. BILIRAKIS and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BILIRAKIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶18.11 ORGAN DONATION

Mr. BILIRAKIS moved to suspend the rules and pass the bill (H.R. 624) to amend the Public Health Service Act to promote organ donation; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. BILIRAKIS and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BILIRAKIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶18.12 SOLDIERS KILLED IN SOUTH-CENTRAL GEORGIA

Mr. SCHROCK moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 47):

Whereas a C–23 Sherpa National Guard aircraft crashed in south-central Georgia on March 3, 2001, killing all 21 National Guard members on board;

Whereas of the 21 National Guard members on board, 18 were members of the Virginia Air National Guard from the Hampton Roads area of Virginia returning home following two weeks of training duty in Florida and the other 3 were members of the Florida Army National Guard who comprised the flight crew of the aircraft;

Whereas the Virginia National Guard members killed, all of whom were members

of the 203rd Red Horse Engineering Flight of Virginia Beach, Virginia, were Master Sergeant James Beninati, 46, of Virginia Beach, Virginia; Staff Sergeant Paul J. Blancato, 38, of Norfolk, Virginia; Technical Sergeant Ernest Blawas, 47, of Virginia Beach, Virginia; Staff Sergeant Andrew H. Bridges, 33, of Chesapeake, Virginia; Master Sergeant Eric Bulman, 59, of Virginia Beach, Virginia; Staff Sergeant Paul Cramer, 43, of Norfolk, Virginia; Technical Sergeant Michael East, 40, of Parksley, Virginia; Staff Sergeant Ronald Elkin, 43, of Norfolk, Virginia; Staff Sergeant James Ferguson, 41, of Newport News, Virginia; Staff Sergeant Randy Johnson, 40, of Emporia, Virginia; Senior Airman Mathrew Kidd, 23, of Hampton, Virginia; Master Sergeant Michael Lane, 34, of Moyock, North Carolina; Technical Sergeant Edwin Richardson, 48, of Virginia Beach, Virginia; Technical Sergeant Dean Shelby, 39, of Virginia Beach, Virginia; Staff Sergeant John Sincavage, 27, of Chesapeake, Virginia; Staff Sergeant Gregory Skurupey, 34, of Gloucester, Virginia; Staff Sergeant Richard Summerell, 51, of Franklin, Virginia; and Major Frederick Watkins, III, 35, of Virginia Beach, Virginia;

Whereas the Florida National Guard members killed, all of whom were members of Detachment 1, 1st Battalion, 171st Aviation, of Lakeland, Florida, were Chief Warrant Officer John Duce, 49, of Orange Park, Florida; Chief Warrant Officer Eric Larson, 34, of Land-O-Lakes, Florida; and Staff Sergeant Robert Ward, 35, of Lakeland, Florida;

Whereas these members of the National Guard were performing their duty in furtherance of the national security interests of the United States;

Whereas the members of the Armed Forces, including the National Guard, are routinely called upon to perform duties that place their lives at risk; and

Whereas the members of the National Guard who lost their lives as a result of the aircraft crash on March 3, 2001, died in the honorable service to the Nation and exemplified all that is best in the American people: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the 18 members of the Virginia Air National Guard and 3 members of the Florida Army National Guard who were killed on March 3, 2001, in the crash of a C–23 Sherpa National Guard aircraft in south-central Georgia; and

(2) sends heartfelt condolences to their families, friends, and loved ones.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SCHROCK and Mr. SISISKY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SCHROCK demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶18.13 H. CON. RES. 31—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 31) expressing the sense of the Congress regarding the importance of organ, tissue, bone marrow, and blood donation and supporting National Donor Day.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 418 / Nays 0

¶18.14 [Roll No. 30]

YEAS—418

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

NOT VOTING—14

Ackerman	Johnson, Sam	Roukema
Becerra	LaTourette	Shows
Bishop	Lewis (CA)	Stupak
Cannon	Oxley	Tiberi
Doolittle	Pryce (OH)	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶18.15 H.R. 624 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 624) to amend the Public Health Service Act to promote organ donation; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 404 / Nays 0

¶18.16 [Roll No. 31]

YEAS—404

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

NOT VOTING—28

Ackerman
Barr
Becerra
Bishop
Cubin
Doolittle
Flake
Gilchrest
Herger
Honda
Istook
Johnson, Sam
Largent
LaTourette
Lewis (CA)
Oxley
Paul
Pryce (OH)
Riley
Roukema
Schaffer
Shadegg
Shows
Smith (MI)
Stupak
Tauzin
Tiberi
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶18.17 H. CON. RES. 47—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 47) honoring the 21 members of the National Guard who were killed in the crash of a National Guard aircraft on March 3, 2001, in south-central Georgia.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 413 / Nays 0

¶18.18 [Roll No. 32]

YEAS—413

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose

Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—19

Ackerman
Becerra
Bishop
Callahan
Cooksey
Cubin
Doolittle
Herger
Johnson, Sam
LaTourette
Lewis (CA)
Oxley
Pryce (OH)
Rush
Sanchez
Shadegg
Shows
Stupak
Tiberi

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶18.19 RECESS—2:31 P. M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 31 minutes p.m., subject to the call of the Chair.

¶18.20 AFTER RECESS—5:47 P.M.

The SPEAKER pro tempore, Mr. HANSEN, called the House to order.

¶18.21 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore, Mr. HANSEN, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 7, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause 5(a)(4)(A) of Rule X of the Rules of the House of Representatives I designate the following Member to be available for service on an investigative subcommittee of the Committee on Standards of Official Conduct:

Mr. Clyburn of South Carolina.

Sincerely,

RICHARD A. GEPHARDT,
Democratic Leader.

¶18.22 COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore, Mr. HANSEN, by unanimous consent, announced that the Speaker, pursuant to clause 5(a)(4)(A) of Rule X, named the following Member of the House to be available to serve on investigative subcommittees of the Committee on Standards of Official Conduct for the 107th Congress: Mr. HULSHOF. Additional Members will be designated at a later time.

¶18.23 ERGONOMICS

Mr. BOEHNER, pursuant to House Resolution 79, called up the joint resolution (S.J. Res. 6) providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, related to ergonomics.

When said joint resolution was considered and read twice.

After debate,

Pursuant to House Resolution 79, the previous question was ordered.

The joint resolution was ordered to be read a third time, was read a third time by title.

The question being put, vica voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. HANSEN, announced that the yeas had it.

Mr. George MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 223
Nays 206

¶18.24 [Roll No. 33]

YEAS—223

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Paul
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—206

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Frank
Frost
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Grucci
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum

McDermott	Payne	Slaughter
McGovern	Pelosi	Smith (NJ)
McHugh	Peterson (MN)	Smith (WA)
McKinney	Petri	Snyder
McNulty	Phelps	Solis
Meehan	Pomeroy	Stark
Meek (FL)	Price (NC)	Strickland
Meeks (NY)	Quinn	Tauscher
Menendez	Rahall	Thompson (CA)
Millender-McDonald	Rangel	Thompson (MS)
Miller, George	Reyes	Thurman
Mink	Rivers	Tierney
Moakley	Rodriguez	Towns
Mollohan	Roemer	Traficant
Moore	Ross	Udall (CO)
Moran (VA)	Rothman	Udall (NM)
Murtha	Roybal-Allard	Velazquez
Nadler	Rush	Visclosky
Napolitano	Sabo	Waters
Neal	Sanchez	Watt (NC)
Oberstar	Sanders	Waxman
Obey	Sandlin	Weiner
Olver	Sawyer	Weldon (PA)
Ortiz	Saxton	Wexler
Owens	Schakowsky	Woolsey
Pallone	Schiff	Wu
Pascrell	Scott	Wynn
Pastor	Serrano	
	Sherman	

NOT VOTING—4

Becerra	Shows
Oxley	Stupak

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶18.25 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. HANSEN, laid before the House the following communication, which was read as follows:

Hon. J. DENNIS HASTERT,
Speaker of the House, Washington, DC.

DEAR MR. SPEAKER: Effective today, I hereby resign from the Committees on Resources, Armed Services and Transportation and Infrastructure.

Sincerely,

DON SHERWOOD,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶18.26 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. HANSEN, laid before the House the following communication, which was read as follows:

Hon. J. DENNIS HASTERT,
Speaker of the House, Washington, DC.

DEAR MR. SPEAKER: I herewith resign my seat on the Budget Committee as a representative appointed by the Appropriations Committee

Sincerely,

JOE KNOLLENBURG,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶18.27 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. HANSEN, laid before the House the following communication, which was read as follows:

Hon. J. DENNIS HASTERT,
Speaker of the House, Washington, DC.

DEAR MR. SPEAKER: I herewith resign my seat on the Budget Committee as a representative appointed by the Appropriations Committee.

Sincerely,

ZACH WAMP,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶18.28 COMMITTEE ELECTION—MAJORITY

Mr. THUNE, by unanimous consent, submitted the following resolution (H. Res. 82):

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

Appropriations: Mr. Sherwood.

Committee on the Budget: Mr. Doolittle to rank after Mr. Hastings of Washington; Mr. LaHood and Ms. Granger to rank after Mr. Portman.

Committee on Education and the Workforce: Mr. Goodlatte to rank after Mr. Isakson.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶18.29 PROVIDING FOR THE CONSIDERATION OF H.R. 3

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–12) the resolution (H. Res. 83) providing for the consideration of the bill (H.R. 3) to amend the Internal Revenue Code of 1986 to reduce individual income tax rates.

When said resolution and report were referred to the House Calendar and ordered printed.

¶18.30 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BECERRA, for today;

To Mr. SHOWS, for March 6 and today; and

To Mr. SKELTON, for March 8.

And then,

¶18.31 ADJOURNMENT

On motion of Mr. TURNER, at 11 o'clock and 59 minutes p.m., the House adjourned.

¶18.32 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REYNOLDS: Committee on Rules. House Resolution 83. Resolution providing for consideration of the bill (H.R. 3) to amend the Internal Revenue Code of 1986 to reduce individual income tax rates (Rept. No. 107–12). Referred to the House Calendar.

¶18.33 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MCGOVERN (for himself, Mr. SHAYS, Mrs. MCCARTHY of New York, Mr. FROST, Mr. NADLER, Mr. CLEMENT, Mr. PASCRELL, Mrs. MORELLA, Ms. VELAZQUEZ, Mr. ISSA, Mrs. KELLY, Mr. FILNER, Ms. MCKINNEY, Mr. DAVIS of Illinois, Mr. INSLEE, Mr. MICA, Mrs. TAUSCHER, Mr. MEEHAN, Mr. CONYERS, Mr. WEINER, Mr. SERRANO, Mr. CROWLEY, and Mr. KING):

H.R. 906. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the costs of employers in providing certain transportation fringe benefits for their employees; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 907. A bill to amend title 49, United States Code, to promote air carrier competition, to establish consumer protections for airline passengers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS:

H.R. 908. A bill to terminate the participation of the Forest Service in the Recreational Fee Demonstration Program and to offset the revenues lost by such termination by prohibiting the use of appropriated funds to finance engineering support for sales of timber from National Forest System lands; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mr. MATSUI, Mr. ENGLISH, Mr. LEWIS of Georgia, Mr. BECERRA, Mr. RANGEL, Mr. WELLER, Mr. SAM JOHNSON of Texas, Mr. COLLINS, Mr. RAMSTAD, Mr. MCNULTY, Mr. HULSHOF, Mr. SHAW, Mr. NUSSLE, Mrs. JOHNSON of Connecticut, Mr. PORTMAN, Mr. MCINNIS, Mr. HOUGHTON, Mr. LEWIS of Kentucky, and Mr. HERGER):

H.R. 909. A bill to amend the Internal Revenue Code of 1986 to permit the consolidation of life insurance companies with other companies; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself and Mr. SANDERS):

H.R. 910. A bill to amend the Public Health Service Act to provide for emergency distributions of influenza vaccine; to the Committee on Energy and Commerce.

By Mr. BARCIA (for himself, Mr. LAMPSON, Mr. CRAMER, Mrs. KELLY, Mr. KNOLLENBERG, Mr. SANDLIN, Mr. PASTOR, Mr. ROYCE, Mr. PASCRELL, Ms. HOOLEY of Oregon, Mr. FROST, Mr. MCHUGH, Mr. FOLEY, Mr. SHIMKUS, Mr. COMBEST, Ms. GRANGER, Mr. REYES, and Mr. SHAW):

H.R. 911. A bill to authorize the President to award a gold medal on behalf of the Congress to John Walsh in recognition of his outstanding and enduring contributions to the Nation through his work in the fields of law enforcement and victims' rights; to the Committee on Financial Services.

By Mr. DELAHUNT (for himself, Mr. LAHOOD, Mr. CONYERS, Mr. BASS, Mr. SCOTT, Mr. BOEHLERT, Mr. ABERCROMBIE, Mrs. EMERSON, Mr. ALLEN, Mr. FOLEY, Mr. BALDACCI, Ms. HART, Ms. BALDWIN, Mr. HOUGHTON, Mr. BARRETT, Mr. KING, Ms. BERKLEY, Mr. MCHUGH, Mr. BERMAN, Mrs. MORELLA, Mr. BLUMENAUER, Mr. PETRI, Mr. BONIOR, Ms. PRYCE of Ohio, Ms. BROWN of Florida, Mr. QUINN, Mr. BROWN of Ohio, Mr. RAMSTAD, Mr. CAPUANO, Mr. SCARBOROUGH, Ms. CARSON of Indiana, Mr. SHAYS, Mrs. CHRISTENSEN, Mr. SMITH of New Jersey, Mr. CLAY, Mr. UPTON, Mr. COYNE, Mr. WALSH, Mr. CROWLEY, Ms. DEGETTE, Ms. DELAURO, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FATTAH, Mr. FILNER, Mr.

FORD, Mr. FRANK, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Mr. HOEFFEL, Ms. HOOLEY of Oregon, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KUCINICH, Mr. LAFALCE, Mr. LAMPSON, Mr. LANTOS, Ms. LEE, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mrs. LOWEY, Mr. LUTHER, Mr. MARKEY, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Mr. MOAKLEY, Mr. MOORE, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. POMEROY, Mr. PRICE of North Carolina, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROEMER, Ms. SANCHEZ, Mr. SANDLIN, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SHERMAN, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. STARK, Mr. STUPAK, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mrs. JONES of Ohio, Mr. UDALL of Colorado, Ms. VELAZQUEZ, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, and Mr. WYNN):

H.R. 912. A bill to reduce the risk that innocent persons may be executed, and for other purposes; to the Committee on the Judiciary.

By Mr. ENGEL (for himself and Mr. BRADY of Pennsylvania):

H.R. 913. A bill to amend title XVIII of the Social Security Act to provide for coverage of expanded nursing facility and in-home services for dependent individuals under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself, Mr. SHAW, Mr. CUNNINGHAM, Mr. HILLEARY, Mr. BONILLA, Mr. HUNTER, Mr. STUMP, Mr. COLLINS, Mr. DOOLITTLE, and Mr. OSE):

H.R. 914. A bill to amend title III of the Americans with Disabilities Act of 1990 to require, as a precondition to commencing a civil action with respect to a place of public accomodation or a commercial facility, that an opportunity be provided to correct alleged violations; to the Committee on the Judiciary.

By Mr. FOLEY (for himself, Mr. NEAL of Massachusetts, Mr. ENGLISH, Mr. KANJORSKI, Mr. CAMP, Mr. ARMEY, Mr. MCGOVERN, and Mr. FROST):

H.R. 915. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for modifications to intercity buses required under the Americans with Disabilities Act of 1990; to the Committee on Ways and Means.

By Mr. FRANK:

H.R. 916. A bill to amend the Internal Revenue Code of 1986 to correct the treatment of tax-exempt financing of professional sports facilities; to the Committee on Ways and Means.

By Mr. GUTIERREZ (for himself, Mr. SERRANO, Ms. BROWN of Florida, Mr. BONIOR, Mr. FRANK, Mr. BLAGOJEVICH, Mr. OWENS, Mr. CUMMINGS, Mr. MCDERMOTT, Mr. FARR of California, Mr. CAPUANO, Mr. HILLIARD, Mr. JACKSON of Illinois, Mr. MATSUI, Mr. COSTELLO, Mr. MCNULTY, Mr. THOMPSON of Mississippi, Mr. RUSH, Ms. VELAZQUEZ, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Mr. PAYNE, Mrs. MINK of Hawaii, Ms. SCHAKOWSKY, Mr. EVANS, Ms. WATERS, Mr. WYNN, Mr. FILNER, Mr. REYES, Ms. NORTON, Mr. STARK, Mr. NADLER, Ms. MCKINNEY, Mr. FATTAH, Mr. CONYERS, Ms. BALDWIN, Mr. RODRIGUEZ, Mr. KUCINICH, Mr. GEORGE MILLER of California, Mr. JEFFERSON, Ms. WOOLSEY, Mr. MALONEY of Connecticut, Ms. LEE, Ms. PELOSI, Mr. STRICKLAND, Mr. TOWNS, Ms. ROYBAL-ALLARD, Ms. MILLENDER-MCDONALD, Mr. ORTIZ, Mr. BACA, Mr. CLAY, Mr. MOAKLEY, Mrs. JONES of Ohio, Mr. LIPINSKI, Mr. ENGEL, Mr. HOEFFEL, Mrs. CHRISTENSEN, Ms. KILPATRICK, Ms. CARSON of Indiana, Mr. DEFAZIO, Mr. GONZALEZ, Mr. HINCHEY, Mrs. NAPOLITANO, Mr. PHELPS, Mr. BRADY of Pennsylvania, and Mr. GREEN of Texas):

H.R. 917. A bill to provide for livable wages for Federal Government workers and workers hired under Federal contracts; to the Committee on Government Reform, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL of Ohio (for himself, Mr. WOLF, Ms. MCKINNEY, Mr. RANGEL, Ms. DELAURO, Mr. EHLERS, Mr. LANTOS, Mr. ABERCROMBIE, Mr. CAPUANO, Mr. HALL of Texas, Ms. BALDWIN, Mr. BENTSEN, Mr. BROWN of Ohio, Mr. CROWLEY, Mr. EVANS, Mr. FRANK, Mr. HILLIARD, Mr. LAHOOD, Mr. GEORGE MILLER of California, Mr. MOAKLEY, Mrs. MORELLA, Mr. NADLER, Ms. RIVERS, Mr. SANDERS, Mr. SERRANO, Mr. CLAY, Mr. MEEKS of New York, Mr. MCGOVERN, Mr. FILNER, Mr. UDALL of Colorado, Mr. STARK, Ms. MILLENDER-MCDONALD, Ms. PELOSI, Mr. SNYDER, Mr. TANCREDO, Mr. COYNE, Mr. CONYERS, Mr. PETERSON of Pennsylvania, Mr. LARSEN of Washington, Mr. ACKERMAN, Mr. SABO, Mr. HINCHEY, Ms. CARSON of Indiana, Mr. WAXMAN, Mrs. ROUKEMA, Mr. ENGEL, Mr. OLVER, Mr. MARKEY, Mr. CUMMINGS, Mr. FALEOMAVAEGA, Mr. MCDERMOTT, Mr. ANDREWS, Mr. JEFFERSON, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. BAIRD, Ms. VELAZQUEZ, Mr. DOYLE, Mr. FATTAH, Mr. JACKSON of Illinois, Mr. WYNN, Mr. TOWNS, Mr. FORD, Mr. HASTINGS of Florida, Mrs. JONES of Ohio, Mr. RUSH, Ms. BROWN of Florida, Mr. OWENS, Mrs. MEEK of Florida, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. BISHOP, Ms. NORTON, Mr. SMITH of New Jersey, Mr. DELAHUNT, Ms. WATERS, Mr. LUTHER, Mr. PAYNE, Mr. CLYBURN, and Mr. MEEHAN):

H.R. 918. A bill to prohibit the importation of diamonds unless the countries exporting the diamonds into the United States have in place a system of controls on rough diamonds, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on International Relations, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLER (for himself and Mr. EHLERS):

H.R. 919. A bill to amend the Higher Education Act of 1965 to provide scholarships to students who have demonstrated proficiency in mathematics and science courses before graduating high school; to the Committee on Education and the Workforce.

By Mr. LAMPSON (for himself, Mr. FARR of California, Mr. RODRIGUEZ, Mr. DUNCAN, Mr. TURNER, Mr. GONZALEZ, Mr. FROST, and Mrs. MORELLA):

H.R. 920. A bill to establish the Federal Elections Review Commission to study the nature and consequences of the Federal electoral process and make recommendations to ensure the integrity of, and public confidence in, Federal elections; to the Committee on House Administration.

By Mr. LEWIS of Kentucky:

H.R. 921. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on vaccines to 25 cents per dose; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii:

H.R. 922. A bill to amend the Internal Revenue Code of 1986 to reduce to age 21 the minimum age for an individual without children to be eligible for the earned income credit; to the Committee on Ways and Means.

By Mr. MORAN of Kansas (for himself, Mr. POMEROY, Mr. RILEY, Mr. THUNE, Mr. GANSKE, Mr. SIMPSON, Mr. MOORE, Mr. HINCHEY, Mr. KIND, Mr. ISTOOK, Mr. THORNBERRY, Mr. BEREUTER, Mr. JOHNSON of Illinois, Mr. HOSTETTLER, Mr. COMBEST, Mr. MCHUGH, Mr. SESSIONS, and Mr. KENNEDY of Minnesota):

H.R. 923. A bill to amend the Internal Revenue Code of 1986 to exclude from net earnings from self-employment certain payments under the conservation reserve program; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself, Mr. TIERNEY, Mr. MCGOVERN, Mr. CAPUANO, and Mr. MARKEY):

H.R. 924. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain stipends paid as part of a State program under which individuals who have attained age 60 perform essentially volunteer services specified by the program; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself, Mr. MOAKLEY, Mr. TIERNEY, Mr. FRANK, Mr. MCGOVERN, Mr. CAPUANO, and Mr. MARKEY):

H.R. 925. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the value of certain real property tax reduction vouchers received by senior citizens who provide volunteer services under a State program; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself, Mr. TIERNEY, Mr. FRANK, Mr. MCGOVERN, Mr. CAPUANO, Mr. OLVER, and Mr. MARKEY):

H.R. 926. A bill to amend the Internal Revenue Code of 1986 to clarify that employees of a political subdivision of a State shall not loose their exemption from the hospital insurance tax by reason of the consolidation of the subdivision with the State; to the Committee on Ways and Means.

By Mr. OBEY (for himself, Mr. MORAN of Virginia, and Mr. FRANK):

H.R. 927. A bill to provide for a tax reduction in the case of low economic growth; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RIVERS:

H.R. 928. A bill to amend the Internal Revenue Code of 1986 increase the income limitation applicable to heads of household for purposes of the Hope and Lifetime Learning credits and the interest deduction on education loans; to the Committee on Ways and Means.

By Mr. SHAYS:

H.R. 929. A bill to amend the Harmonized Tariff Schedule of the United States to provide separate subheadings for hair clippers used for animals; to the Committee on Ways and Means.

By Mr. SUNUNU (for himself, Mr. WELLER, Mr. DEMINT, Mr. BARTLETT of Maryland, Mr. DOOLITTLE, Mr. TOOMEY, Mr. CALVERT, Mr. SHADEGG, Mr. OSE, Mr. BASS, Mr. FOLEY, Mr. TANCREDO, Mr. SCHAFFER, Mr. CANNON, Mr. CHAMBLISS, Mr. GREEN of Wisconsin, Mr. COX, Mr. SOUDER, Mr. KOLBE, Mr. OTTER, Mr. KIRK, and Ms. HART):

H.R. 930. A bill to modify the annual reporting requirements of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. TANCREDO (for himself, Mr. PAYNE, Mr. LANTOS, Mr. WOLF, Mr. WATTS of Oklahoma, Mr. PITTS, Mr. CAMP, Mr. EVANS, Mr. WELDON of Florida, Ms. PELOSI, Mr. MCNULTY, Mr. WHITFIELD, Mr. LEWIS of Kentucky, Ms. RIVERS, Mr. BISHOP, Mrs. TAUSCHER, Mr. KUCINICH, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. DOOLITTLE, Mr. LAMPSON, Mr. UPTON, Mr. HEFLEY, and Mr. CLEMENT):

H.R. 931. A bill to facilitate famine relief efforts and a comprehensive solution to the war in Sudan; to the Committee on International Relations.

By Mr. UDALL of Colorado (for himself and Mr. WU):

H.R. 932. A bill to provide scholarships for scientists and engineers to become certified as science, mathematics, and technology teachers in elementary and secondary schools; to the Committee on Science.

By Ms. WATERS (for herself, Mrs. CHRISTENSEN, Ms. SCHAKOWSKY, Ms. LEE, Mr. FRANK, Mr. BROWN of Ohio, Ms. PELOSI, Ms. JACKSON-LEE of Texas, Mr. CONYERS, and Mr. SANDERS):

H.R. 933. A bill to require certain actions with respect to the availability of HIV/AIDS pharmaceuticals and medical technologies in developing countries, including sub-Saharan African countries; to the Committee on Ways and Means, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 934. A bill to amend title 5, United States Code, to establish election day in Presidential election years as a legal public holiday, and for other purposes; to the Committee on Government Reform.

By Mrs. NORTHUP (for herself, Mr. BONILLA, Mr. AKIN, Mr. BACHUS, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BLUNT, Mr. BOEHNER, Mr. BUYER, Mr. CANTOR, Mr. COLLINS, Mrs. CUBIN, Mr. CULBERSON, Mr. CUNNINGHAM, Mr. DELAY, Mr. DOOLITTLE, Mr. HASTINGS of Washington, Mr. HERGER, Mr. HILLEARY, Mr. ISTOOK, Mr. SAM JOHNSON of Texas, Mr. KELLER, Mr. MILLER of Florida, Mr. NORWOOD, Mr. PAUL, Mr. RAMSTAD, Mr. PORTMAN, Mr. SCHAFFER, Mr. SKEEN, Mr. TANCREDO, Mr. TAYLOR of North Carolina, Mr. WAMP, and Mr. GOODLATTE):

H.J. Res. 35. A joint resolution disapproving the rule of the Occupational Safety and Health Administration relating to ergonomics; to the Committee on Education and the Workforce.

By Mr. SCHIFF (for himself, Mr. GILMAN, Mr. LANTOS, Mr. ROHRABACHER, Mr. ACKERMAN, Mr. ENGLISH, Mr. BERMAN, Mr. SIMMONS, Mr. ENGEL, Mr. BONIOR, Mr. DAVIS of Florida, Ms. BALDWIN, Ms. PELOSI, Mr. OLVER, Mr. FARR of California, Mr. STARK, Ms. KAPTUR, Mr. MCDERMOTT, Mr. CLEMENT, Mr. MCNULTY, Mr. DICKS, and Ms. MCCOLLUM):

H. Con. Res. 52. Concurrent resolution condemning the destruction of pre-Islamic statues in Afghanistan by the Taliban regime; to the Committee on International Relations.

By Mr. BALDACCI:

H. Con. Res. 53. Concurrent resolution directing the Clerk of the House of Representatives and the Secretary of the Senate to compile and make available to the public the names of candidates for election to the House of Representatives and the Senate who agree to conduct campaigns in accordance with a Code of Election Ethics; to the Committee on House Administration.

By Mr. CHAMBLISS (for himself, Mr. YOUNG of Alaska, Mr. NORWOOD, Mr. ROSS, Mr. DEAL of Georgia, Mr. RILEY, Mr. PICKERING, Mr. GRAHAM, Mr. SHOWS, Mr. BISHOP, Mr. COBLE, Mr. REHBERG, Mr. NETHERCUTT, Mr. CALLAHAN, Mr. PETERSON of Pennsylvania, Mr. LEWIS of Georgia, Mrs. CUBIN, Mr. GARY MILLER of California, and Mr. BALDACCI):

H. Con. Res. 54. Concurrent resolution expressing the sense of Congress regarding the importation of unfairly traded Canadian lumber; to the Committee on Ways and Means.

By Mrs. TAUSCHER (for herself, Mr. HOUGHTON, Mr. ROEMER, Mr. UPTON, Mr. KIND, Mr. CASTLE, Mr. DAVIS of Florida, Mr. GREENWOOD, Mr. FORD, Mr. MORAN of Virginia, Mr. ISRAEL, and Ms. SANCHEZ):

H. Con. Res. 55. Concurrent resolution to express the sense of Congress regarding the use of a safety mechanism to link long-term Federal budget surplus reductions with actual budgetary outcomes; to the Committee on the Budget.

By Mr. WELLER:

H. Con. Res. 56. Concurrent resolution expressing the sense of the Congress regarding National Pearl Harbor Remembrance Day; to the Committee on Government Reform.

By Mr. THUNE:

H. Res. 82. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. NEY:

H. Res. 84. A resolution providing for the expenses of certain committees of the House of Representatives in the One Hundred Seventh Congress; to the Committee on House Administration.

¶18.34 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. GRAHAM introduced a bill (H.R. 935) to authorize the Secretary of Transporation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for the vessell *Tokeena;* which was referred to the Committee on Transportation and Infrastructure.

¶18.35 ADDITIONAL SPONSORS

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

H.R. 24: Mr. GOODLATTE.

H.R. 25: Mr. HINCHEY and Mr. LANTOS.

H.R. 28: Mr. UDALL of Colorado and Mr. GUTIERREZ.

H.R. 42: Mr. SOUDER.

H.R. 51: Mr. CALVERT, Mr. UNDERWOOD, Mr. STRICKLAND, Mr. GILCHREST, Mr. SMITH of New Jersey, and Mr. ISAKSON.

H.R. 65: Mr. LEWIS of Kentucky.

H.R. 68: Mr. MOORE and Mr. WHITFIELD.

H.R. 80: Mr. RUSH and Mr. STEARNS.

H.R. 82: Mr. RUSH.

H.R. 99: Mr. NORWOOD and Mr. HEFLEY.

H.R. 100: Mr. WELDON of Pennsylvania, Mr. WOLF, and Mr. COX.

H.R. 101: Mr. WELDON of Pennsylvania, Mr. WOLF, and Mr. COX.

H.R. 102: Mr. WELDON of Pennsylvania, Mr. WOLF, and Mr. COX.

H.R. 103: Mr. ISSA.

H.R. 105: Mr. STUMP, Mr. PETERSON of Pennsylvania, Mr. OTTER, Mr. NORWOOD, and Mr. LEWIS of Kentucky.

H.R. 115: Mr. CUNNINGHAM.

H.R. 116: Mr. PAYNE, Mrs. CHRISTENSEN, Mr. RUSH, Mr. SAWYER, Mr. BARCIA, and Mr. BONIOR.

H.R. 117: Mr. BONIOR.

H.R. 123: Mr. JONES of North Carolina.

H.R. 129: Mrs. JO ANN DAVIS of Virginia.

H.R. 134: Mr. GREEN of Wisconsin and Ms. WOOLSEY.

H.R. 143: Mr. BARRETT, Mr. STUPAK, Mr. CONYERS, Mr. VISCLOSKY, Mr. RAMSTAD, Mr. BONIOR, Mr. BROWN of Ohio, and Mr. PETRI.

H.R. 219: Mr. LAHOOD.

H.R. 267: Mr. CANNON, Mr. ROSS, and Mr. TIBERI.

H.R. 281: Mr. GOODE, Mr. COYNE, Ms. ROS-LEHTINEN, Mr. SMITH of New Jersey, Mr. QUINN, Mr. CAPUANO, Mrs. KELLY, Mr. TOWNS, Mr. WELLER, Mr. ENGEL, Mr. LAHOOD, and Mr. BRADY of Pennsylvania.

H.R. 285: Ms. HOOLEY of Oregon, Ms. MILLENDER-MCDONALD, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, and Mr. FRANK.

H.R. 292: Ms. HOOLEY of Oregon.

H.R. 303: Ms. SCHAKOWSKY, Mr. LEWIS of Kentucky, Mrs. MALONEY of New York, and Mr. SUNUNU.

H.R. 336: Mr. FROST.

H.R. 356: Mr. LAHOOD and Mr. FILNER.

H.R. 361: Mr. FATTAH.

H.R. 365: Mr. BAIRD.

H.R. 384: Mr. WALSH.

H.R. 425: Mr. FATTAH.

H.R. 428: Ms. HOOLEY of Oregon, Mr. OXLEY, Mr. BAKER, Mr. LAMPSON, Mr. PETERSON of Minnesota, Mr. STENHOLM, Mr. UNDERWOOD, Mr. BARTLETT of Maryland, Ms. CARSON of Indiana, Mr. HALL of Texas, Mrs. NORTHUP, Mr. KENNEDY of Rhode Island, Mr. CROWLEY, Mr. REYES, Mr. BONIOR, Mr. CANNON, and Mr. SWEENEY.

H.R. 435: Mr. DEAL of Georgia, Mr. BURR of North Carolina, Mr. GREEN of Wisconsin, Mr. CLEMENT, Mr. LEWIS of Kentucky, and Mr. SESSIONS.

H.R. 460: Ms. CARSON of Indiana and Mr. PAYNE.

H.R. 488: Mr. HOLT, Mr. LUTHER, Mr. PASCRELL, Mr. ENGEL, Ms. ESHOO, and Ms. MILLENDER-MCDONALD.

H.R. 496: Mr. DOOLITTLE.

H.R. 497: Mr. SCHAFFER and Mr. HEFLEY.

H.R. 498: Mr. LATHAM, Mr. BAKER, Mr. CHABOT, Mr. LARSON of Connecticut, Mr. PETERSON of Pennsylvania, Mr. SKELTON, Ms. SLAUGHTER, Mr. RUSH, Mr. TAYLOR of North Carolina, Mr. SPENCE, Mr. HOBSON, Mr. PLATTS, Mr. FARR of California, Mr. SNYDER, Mr. SHOWS, Mr. CAPUANO, Mr. GALLEGLY, Mr. HOEFFEL, Mr. JONES of North Carolina, Mr. MCDERMOTT, Mr. COYNE, Mr. KLECZKA, and Ms. MILLENDER-MCDONALD.

H.R. 499: Mr. SHAYS.

H.R. 513: Mr. SOUNDER, Mr. TAYLOR of North Carolina, and Mr. BRADY of Pennsylvania.

H.R. 527: Mr. ENGLISH, Mr. HOUGHTON, Mr. WAMP, Mr. DUNCAN, and Mr. RYUN of Kansas.

H.R. 544: Ms. RIVERS, Mr. MCNULTY, Ms. PELOSI, Ms. HOOLEY of Oregon, Ms. MCKINNEY, Mr. ABERCROMBIE, Mr. SOUDER, Mr. JEFFERSON, Mr. CUMMINGS, Mr. CAPUANO, Ms. NORTON, Mr. BLAGOJEVICH, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. DAVIS of Illinois, Mrs.

JONES of Ohio, Ms. VELÁZQUEZ, Mr. MCDERMOTT, Mr. STARK, and Mr. GUTIERREZ.

H.R. 548: Mr. GOODE, Mr. TURNER, Mr. KELLER, and Mr. DAVIS of Florida.

H.R. 557: Mr. ENGLISH.

H.R. 570: Mrs. MORELLA, Mr. WAMP, and Mr. BOEHLERT.

H.R. 577: Mr. WAMP.

H.R. 590: Ms. WOOLSEY.

H.R. 594: Mr. MCDERMOTT and Ms. LOFGREN.

H.R. 606: Mr. PASCRELL, Mr. ISRAEL, Mr. SESSIONS, and Mr. FRELINGHUYSEN.

H.R. 609: Ms. WOOLSEY.

H.R. 611: Ms. WOOLSEY, Mr. WU, and Mr. SANDERS.

H.R. 612: Mr. PASCRELL, Ms. ROYBAL-ALLARD, Mr. HUTCHINSON, Mr. SHAYS, and Ms. RIVERS.

H.R. 613: Mr. GREEN of Texas, Mr. ORTIZ, and Mr. ROEMER.

H.R. 634: Ms. CARSON of Indiana, Mr. FROST, Mr. BALDACCI, Mr. FLAKE, Mr. SOUDER, Mr. SMITH of New Jersey, Mr. FLETCHER, Mr. HAYES, Mr. REYNOLDS, Mr. TOOMEY, Ms. PRYCE of Ohio, and Mr. HERGER.

H.R. 668: Mr. ISAKSON, Ms. RIVERS, Ms. DELAURO, Ms. NORTON, Mr. EVANS, Mr. ABERCROMBIE, Mr. TRAFICANT, and Ms. HART.

H.R. 680: Mr. BONIOR.

H.R. 681: Ms. ROYBAL-ALLARD.

H.R. 683: Mr. GUTIERREZ, Mr. LANTOS, and Mr. LAMPSON.

H.R. 688: Ms. CARSON of Indiana.

H.R. 710: Mrs. JO ANN DAVIS of Virginia, Mr. MCHUGH, Mr. LANTOS, Mr. COSTELLO, Mr. WOLF, Mr. ETHERIDGE, Mr. NEY, and Mr. ROSS.

H.R. 713: Mr. WYNN and Ms. CARSON of Indiana.

H.R. 716: Mr. STEARNS, Mr. REYNOLDS, and Mr. HAYWORTH.

H.R. 744: Mr. ABERCROMBIE and Ms. PRYCE of Ohio.

H.R. 755: Mr. SCHAFFER, Mr. GONZALEZ, Mrs. TAUSCHER, Mr. FRANK, Mr. PAYNE, and Mr. SIMMONS.

H.R. 770: Mr. MEEKS of New York and Ms. BALDWIN.

H.R. 821: Mr. BALLENGER, Mr. BURR of North Carolina, Mrs. CLAYTON, Mr. HAYES, Mr. JONES of North Carolina, Mr. ETHERIDGE, Mr. MCINTYRE, Mrs. MYRICK, Mr. PRICE of North Carolina, Mr. TAYLOR of North Carolina, and Mr. WATT of North Carolina.

H.R. 823: Mr. RANGEL.

H.R. 862: Mr. GALLEGLY and Mr. GUTIERREZ.

H.R. 876: Mr. MCINNIS and Mr. SHAW.

H.R. 877: Mr. WAMP.

H.R. 886: Ms. HART and Mrs. JONES of Ohio.

H.R. 887: Mr. PASCRELL and Ms. HART.

H.R. 891: Mrs. MINK of Hawaii.

H.J. Res. 8: Mr. KELLER and Mr. WAMP.

H.J. Res. 20: Mrs. JO ANN DAVIS of Virginia and Mr. RILEY.

H. Con. Res. 17: Ms. SCHAKOWSKY, Mr. MCGOVERN, Ms. RIVERS, Mr. DOGGETT, Ms. PELOSI, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mr. RANGEL, Mr. CLAY, Mr. NADLER, Mr. MCDERMOTT, Mr. ALLEN, Mr. WEXLER, Mr. SHERMAN, Mr. BRADY of Pennsylvania, and Mrs. HARMAN.

H. Con. Res. 23: Mr. CALVERT and Mr. LEWIS of Kentucky.

H. Con. Res. 25: Mr. ENGLISH and Mr. FOSSELLA.

H. Con. Res. 26: Mrs. BONO.

H. Con. Res. 30: Mr. FOSSELLA, Mr. GILMAN, Mr. SENSENBRENNER, Mr. RYUN of Kansas, Mr. SCHROCK, Mr. KIRK, Mr. PITTS, Mr. MANZULLO, Mr. FLAKE, Mr. OSBORNE, Mr. GIBBONS, Mr. FLETCHER, and Mr. SAM JOHNSON of Texas.

H. Con. Res. 41: Mr. MCGOVERN, Mr. SMITH of New Jersey, Mr. LEACH, Mr. ROHRABACHER, and Mr. DAVIS of Florida.

H. Con. Res. 47: Mr. SCARBOROUGH.

H. Res. 18: Ms. JACKSON-LEE of Texas, Ms. VELÁZQUEZ, Mr. BONIOR, Ms. KAPTUR, Mr. LAFALCE, Mr. LEWIS of Georgia, Mrs. NAPOLITANO, Mr. BRADY OF PENNSYLVANIA, Mr. PAYNE, Mrs. TAUSCHER, Mr. ABERCROMBIE, Mrs. MORELLA, Mr. MCDERMOTT, Mr. FILNER, Mr. SERRANO, Ms. NORTON, Mr. BACA, Ms. DELAURO, Mr. DAVIS of Florida, and Mr. TOWNS.

H. Res. 23: Mr. BRADY of Pennsylvania, Mr. REYES, and Mr. HOLDEN.

H. Res. 26: Ms. MCKINNEY, Mr. BRADY of Pennsylvania, Mr. STARK, and Mr. MCGOVERN.

H. Res. 48: Mr. NADLER and Mr. SMITH of New Jersey.

THURSDAY, MARCH 8, 2001 (19)

The House was called to order by the SPEAKER.

¶19.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, March 7, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶19.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1144. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Olives Grown in California; Increased Assessment Rate [Docket No. FV01–932–1 IFR] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1145. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Tomatoes Grown in Florida; Change in Size Designation [Docket No. FV00–966–1 FIR] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1146. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Revision of Administrative Rules and Regulations [Docket No. FV00–956–1 FIR] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1147. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Hazelnuts Grown in Oregon and Washington; Establishment of Interim and Final Free and Restricted Percentages for the 2000–2001 Marketing Year [Docket No. FV01–982–1 IFR] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1148. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report on proliferation of missiles and essential components of nuclear, biological, and chemical weapons, pursuant to 22 U.S.C. 2751 nt. Public Law 102—190; to the Committee on Armed Services.

1149. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 04–01, concerning a proposed project certification for Annex E on Lethality to the Memorandum of Agreement (MOA) Between the United States and Germany concerning a cooperative program for extended air defense, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

1150. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 06–01 which informs of plans to Conclude Amendment One to the Memorandum of Understanding with the NATO HAWK Production and Logistics Organization for the Fire Direction Operation Center Project, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

1151. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1152. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report entitled, ''Report of U.S. Citizen Expropriation Claims and Certain Other Commercial and Investment Disputes''; to the Committee on International Relations.

1153. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released in January 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

1154. A letter from the Chairman, Federal Maritime Commission, transmitting a report on the Annual Inventory of Commercial Activities for 2000; to the Committee on Government Reform.

1155. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on FY 2000 Accountability; to the Committee on Government Reform.

1156. A letter from the Inspector General, Nuclear Regulatory Commission, transmitting a report on the Federal Activities Inventory Reform Act Inventory of Potential Commercial Activities; to the Committee on Government Reform.

1157. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting a report on the Status of Fisheries of the United States; to the Committee on Resources.

1158. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the Report of the Proceedings of the Judicial Conference of the United States, held in Washington D.C., on September 19, 2000, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

1159. A letter from the Chairman, Federal Maritime Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Transportation and Infrastructure.

¶19.3 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, March 7, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. TURNER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 230
- Nays 180
- Answered present 1

¶19.4 [Roll No. 34]

YEAS—230

Abercrombie, Akin, Armey, Bachus, Baker, Ballenger, Barr, Bartlett, Bass, Bereuter, Berman, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Boyd, Brady (TX), Brown (SC), Bryant, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Castle, Chabot, Chambliss, Clyburn, Coble, Collins, Combest, Conyers, Cooksey, Cox, Crane, Crenshaw, Cubin, Culberson, Cunningham, Davis, Jo Ann, Davis, Tom, Deal, DeLay, DeMint, Diaz-Balart, Dingell, Doolittle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, English, Everett, Ferguson, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Gordon, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hall (TX), Hansen, Hart, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Houghton, Hunter, Hutchinson, Hyde, Isakson, Issa, Istook, Jenkins, Johnson (CT), Johnson (IL), Johnson, Sam, Keller, Kelly, Kennedy (MN), Kerns, Kildee, King (NY), Kingston, Kirk, Kleczka, Knollenberg, Kolbe, LaHood, Largent, Latham, Leach, Lewis (KY), Linder, Lipinski, LoBiondo, Lucas (OK), Maloney (CT), Maloney (NY), Manzullo, McCrery, McHugh, McInnis, McKeon, Mica, Miller (FL), Miller, Gary, Moakley, Mollohan, Moran (KS), Morella, Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Ortiz, Osborne, Ose, Otter, Oxley, Pastor, Paul, Payne, Pence, Peterson (PA), Petri, Pickering, Pitts, Pombo, Portman, Pryce (OH), Putnam, Quinn, Radanovich, Regula, Rehberg, Reynolds, Riley, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryan (WI), Ryun (KS), Saxton, Scarborough, Schrock, Sensenbrenner, Sessions, Shadegg, Shaw, Sherwood, Shimkus, Simmons, Simpson, Skeen, Smith (MI), Smith (NJ), Smith (TX), Souder, Spence, Stearns, Stump, Sununu, Sweeney, Tauzin, Taylor (NC), Terry, Thomas, Thornberry, Thune, Tiahrt, Tiberi, Toomey, Traficant, Upton, Vitter, Walden, Walsh, Wamp, Watkins, Watts (OK), Waxman, Weldon (FL), Weldon (PA), Weller, Whitfield, Wicker, Wilson, Wolf, Wu, Young (FL)

NAYS—180

Aderholt, Allen, Andrews, Baca, Baird, Baldacci, Baldwin, Barcia, Barrett, Becerra, Bentsen, Berkley, Berry, Bishop, Blagojevich, Blumenauer, Borski, Boswell, Boucher, Brady (PA), Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson (IN), Carson (OK), Clay, Clayton, Clement, Condit, Costello, Cramer, Crowley, Davis (CA), Davis (IL), DeFazio, DeGette, Delahunt, Deutsch, Dicks, Doggett, Dooley, Doyle, Engel, Eshoo, Etheridge, Evans, Farr, Filner, Ford, Frank, Frost, Gephardt, Gonzalez, Green (TX), Hall (OH), Harman, Hill, Hilliard, Hinchey, Hinojosa, Hoeffel, Holden, Holt, Honda, Hooley, Hoyer, Hulshof, Inslee, Israel, Jackson (IL), Jackson-Lee (TX), Jefferson, John, Johnson, E. B., Jones (OH), Kanjorski, Kaptur, Kennedy (RI), Kilpatrick, Kind (WI), Kucinich, LaFalce, Lampson, Langevin, Lantos, Larsen (WA), Larson (CT), Lee, Levin, Lewis (GA), Lofgren, Lowey, Lucas (KY), Luther, Markey, Mascara, Matheson, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McDermott, McGovern, McIntyre, McKinney, McNulty, Meehan, Meek (FL), Meeks (NY), Menendez, Millender-McDonald, Miller, George, Mink, Moore, Moran (VA), Murtha, Nadler, Napolitano, Neal, Oberstar, Obey, Olver, Pallone, Pascrell, Pelosi, Peterson (MN), Phelps, Pomeroy, Price (NC), Rahall, Ramstad, Rangel, Reyes, Rivers, Rodriguez, Roemer, Ross, Rothman, Roybal-Allard, Rush, Sabo, Sanchez, Sanders, Sandlin, Sawyer, Schaffer, Schakowsky, Schiff, Scott, Serrano, Sherman, Sisisky, Slaughter, Smith (WA), Snyder, Solis, Spratt, Stark, Stenholm, Strickland, Tanner, Tauscher, Taylor (MS), Thompson (CA), Thompson (MS), Thurman, Towns, Turner, Udall (CO), Udall (NM), Velazquez, Visclosky, Waters, Watt (NC), Weiner, Wexler, Woolsey, Wynn

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—21

Ackerman, Barton, Bonior, Burr, Coyne, Cummings, Davis (FL), DeLauro, Fattah, Gutierrez, Jones (NC), LaTourette, Lewis (CA), Owens, Platts, Shays, Shows, Skelton, Stupak, Tierney, Young (AK)

So the Journal was approved.

¶19.5 MOTION TO ADJOURN

Mr. HILL moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the nays had it.

Mr. HILL demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative .....
- Yeas 174
- Nays 241

¶19.6 [Roll No. 35]

AYES—174

Allen, Andrews, Baca, Baird, Baldwin, Becerra, Bentsen, Berkley, Berman, Berry, Bishop, Blagojevich, Bonior, Borski, Boswell, Boucher, Boyd, Brady (PA), Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson (IN), Carson (OK), Clay, Clement, Clyburn, Condit, Conyers, Coyne, Cramer, Crowley, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutsch, Dicks, Dingell, Doggett, Doyle, Engel, Eshoo, Evans, Farr, Filner, Ford, Frank, Frost, Gephardt, Gonzalez, Gutierrez, Hall (OH), Harman, Hastings (FL), Hill, Hilliard, Hinchey, Hinojosa, Hoeffel, Holden, Holt, Honda, Hoyer, Inslee, Israel, Jackson (IL), Jackson-Lee (TX), Jefferson, John, Johnson, E. B., Jones (OH), Kanjorski, Kaptur, Kennedy (RI), Kildee, Kilpatrick, LaFalce, Lampson, Langevin, Lantos, Larsen (WA), Larson (CT), Lee, Levin, Lewis (GA), Lowey, Lucas (KY), Luther, Maloney (CT), Maloney (NY), Markey, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McDermott, McGovern, McIntyre, McKinney, McNulty, Meehan, Meek (FL), Meeks (NY), Menendez, Millender-McDonald, Miller, George, Mink, Moakley, Moore, Nadler, Napolitano, Neal, Oberstar, Obey, Olver, Ortiz, Owens, Pallone, Pascrell, Payne, Pelosi, Peterson (MN), Phelps, Pomeroy, Price (NC), Radanovich, Rangel, Rivers, Rodriguez, Ross, Rothman, Roybal-Allard, Rush, Sabo, Sanchez, Sanders, Sandlin, Sawyer, Schakowsky, Schiff, Serrano, Sherman, Sisisky, Slaughter, Smith (WA), Snyder, Solis, Spratt, Stark, Stenholm, Strickland, Tanner, Tauscher, Taylor (MS), Thompson (CA), Thompson (MS), Tierney, Towns, Turner, Udall (CO), Udall (NM), Velazquez, Visclosky, Waters, Watt (NC), Weiner, Wexler, Woolsey, Wynn

NOES—241

Abercrombie, Aderholt, Akin, Armey, Bachus, Baker, Baldacci, Ballenger, Barcia, Barr, Barrett, Bartlett, Barton, Bass, Bereuter, Biggert, Bilirakis, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Castle, Chabot, Chambliss, Clayton, Coble, Collins, Combest, Cooksey, Costello, Cox, Crane, Crenshaw, Cubin, Culberson, Cunningham, Davis, Jo Ann, Davis, Tom, Deal, DeLay, DeMint, Diaz-Balart, Dooley, Doolittle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, English, Etheridge, Everett, Ferguson, Flake, Fletcher, Foley

Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Largent
Latham
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (OK)
Manzullo
Matheson
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Scarborough
Schaffer
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (FL)

NOT VOTING—17

Ackerman
Davis (FL)
Delahunt
Fattah
Hastings (WA)
LaTourette
Lewis (CA)
Moran (VA)
Northup
Saxton
Shows
Skelton
Smith (NJ)
Stupak
Tauzin
Waxman
Young (AK)

So the motion to adjourn was not agreed to.

¶19.7 PROVIDING FOR THE CONSIDERATION OF H.R. 3

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 83):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3) to amend the Internal Revenue Code of 1986 to reduce individual income tax rates. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered. After debate,

¶19.8 MOTION TO ADJOURN

Mr. SANDLIN moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the nays had it.

Mr. SANDLIN objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 171 / Nays ..... 251 }

¶19.9 [Roll No. 36]

YEAS—171

Allen
Andrews
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
Deutsch
Dingell
Doggett
Doyle
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gutierrez
Hall (OH)
Harman
Hill
Hilliard
Hinchey
Hinojosa
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Serrano
Sherman
Sisisky
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NAYS—251

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Biggert
Bilirakis
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoeffel
Hoekstra
Honda
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Largent
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (OK)
Manzullo
Matheson
McHugh
McInnis
McKeon
McKinney
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiberi
Toomey
Traficant
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—10

Ackerman
Hutchinson
Lewis (CA)
McCrery
Peterson (PA)
Shows
Skelton
Stupak
Tiahrt
Vitter

So the motion to adjourn was not agreed to.

After further debate,

Mr. REYNOLDS moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. MATHESON demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 220 / Nays 204

¶19.10 [Roll No. 37]

AYES—220

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

NOES—204

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

NOT VOTING—8

Ackerman
Issa
Lewis (CA)
Peterson (PA)
Pickering
Shows
Skelton
Stupak

So the previous question on the resolution was ordered.

Mr. JOHN moved to reconsider the vote on the motion.

Mr. REYNOLDS moved to lay on the table the motion to reconsider the vote.

The question being put, viva voce,

Will the House lay on the table the motion to reconsider said vote?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. JOHN demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 217 / Nays 205

¶19.11 [Roll No. 38]

AYES—217

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—205

Abercrombie
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo

Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Sisisky
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Ackerman
Cubin
Issa
Lewis (CA)
McDermott
Morella
Nussle
Shows
Skelton
Stupak

So the motion to lay on the table the motion to reconsider the vote was agreed to.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. MOAKLEY demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 220 / Nays ..... 204 }

¶19.12 [Roll No. 39]

AYES—220

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

NOES—204

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

NOT VOTING—8

Ackerman
Callahan
Cubin
Larson (CT)
Lewis (CA)
Shows
Skelton
Stupak

So the resolution was agreed to.

Ms. PRYCE of Ohio moved to reconsider the vote whereby the resolution was agreed to.

Mr. REYNOLDS moved to lay on the table the motion to reconsider the vote.

The question being put, viva voce,

Will the House lay on the table the motion to reconsider said vote?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. REYNOLDS demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 221 / Nays ..... 197 }

¶19.13 [Roll No. 40]

AYES—221

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dicks
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins

Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—197

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

NOT VOTING—14

Ackerman
Bentsen
Coyne
Cubin
Frost
Greenwood
Hinojosa
Largent
Lewis (CA)
Moakley
Shows
Skelton
Strickland
Stupak

So the motion to lay on the table the motion to reconsider the vote was agreed to.

¶19.14 MOTION TO ADJOURN

Mr. HILL moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. HILL demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 160 / Nays 253

¶19.15 [Roll No. 41]

AYES—160

Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Becerra
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Doyle
Eshoo
Farr
Fattah
Filner
Ford
Frank
Gephardt
Gonzalez
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moran (VA)
Nadler
Napolitano
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Schakowsky
Schiff
Serrano
Sisisky
Slaughter
Smith (WA)
Snyder
Solis
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—253

Abercrombie
Aderholt
Akin
Armey
Baker
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Biggert
Bilirakis
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoeffel
Hoekstra
Honda
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Kolbe
Kucinich
LaHood
Largent
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (OK)
Manzullo
Matheson
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (PA)
Petri
Pickering
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sawyer
Saxton
Scarborough
Schaffer
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—19

Ackerman
Bachus
Bentsen
Bereuter
Cubin
Davis, Tom
Frost
Greenwood
Gutknecht
Knollenberg
Lewis (CA)
Maloney (CT)
Moakley
Morella
Pitts
Shows
Skelton
Spratt
Stupak

So the motion to adjourn was not agreed to.

¶19.16 ECONOMIC GROWTH AND TAX RELIEF

Mr. THOMAS, pursuant to House Resolution 83, called up the bill (H.R. 3) to amend the Internal Revenue Code of 1986 to reduce individual income tax rates.

Pending consideration of said bill.

Pursuant to House Resolution 83, the amendment in the nature of a substitute recommended by the Committee on Ways and Means and printed in the bill was considered as agreed to.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 83, Mr. RANGEL submitted the following further amendment in the nature of a substitute printed in the House Report (107–12):

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''Tax Reduction Act of 2001''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) SECTION 15 NOT TO APPLY.—No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

TITLE I—INDIVIDUAL INCOME TAX RATE REDUCTIONS; EXPANSION OF EARNED INCOME CREDIT ASSISTANCE

SEC. 101. INDIVIDUAL INCOME TAX RATE REDUCTIONS.

(a) IN GENERAL.—Section 1 is amended by adding at the end the following new subsection:

''(i) 12 PERCENT RATE BRACKET.—

''(1) IN GENERAL.—In the case of taxable years beginning after December 31, 2000—

''(A) the rate of tax under subsections (a), (b), (c), and (d) on taxable income not over the initial bracket amount shall be 12 percent, and

''(B) the 15 percent rate of tax shall apply only to taxable income over the initial bracket amount.

''(2) INITIAL BRACKET AMOUNT.—For purposes of this subsection—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the initial bracket amount is—

''(i) $20,000 in the case of subsection (a),

''(ii) 80 percent of the dollar amount in clause (i) in the case of subsection (b), and

''(iii) 50 percent of the dollar amount in clause (i) in the case of subsections (c) and (d).

''(B) PHASEIN.—The initial bracket amount is—

''(i) ¼ the amount otherwise applicable under subparagraph (A) in the case of taxable years beginning during 2001, and

''(ii) ½ such amount otherwise applicable under subparagraph (A) in the case of taxable years beginning during 2002.

''(3) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2003, the $20,000 amount under paragraph (2)(A)(i) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under subsection (f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2002' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING RULES.—If any amount after adjustment under subparagraph (A) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.

''(4) ADJUSTMENT OF TABLES.—The Secretary shall adjust the tables prescribed under subsection (f) to carry out this subsection.''

(b) ADJUSTMENT IN COMPUTATION OF ALTERNATIVE MINIMUM TAX.—Paragraph (2) of section 55(a) is amended to read as follows:

''(2) the sum of—

''(A) the regular tax for the taxable year, plus

''(B) in the case of an individual, 3 percent of so much of the individual's taxable income for the taxable year as is taxed at 12 percent.''

(c) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(1) Subsection (d) of section 24 is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 32 is amended by striking subsection (h).

(d) CONFORMING AMENDMENT.—Subclause (II) of section 1(g)(7)(B)(ii) is amended by striking ''15 percent'' and inserting ''12 percent''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(f) PROTECTION OF SOCIAL SECURITY AND MEDICARE.—The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

SEC. 102. MODIFICATIONS TO EARNED INCOME TAX CREDIT.

(a) INCREASES IN PERCENTAGES AND AMOUNTS USED TO DETERMINE CREDIT; MARRIAGE PENALTY RELIEF.—

(1) IN GENERAL.—Subsection (b) of section 32 is amended to read as follows:

''(b) PERCENTAGES AND AMOUNTS.—

''(1) PERCENTAGES.—The credit percentage, the initial phaseout percentage, and the final phaseout percentage shall be determined as follows:

''In the case of an eligible individual with:	The credit percentage is:	The initial phaseout percentage is:	The final phaseout percentage is:
1 qualifying child	34	15.98	18.98
2 or more qualifying children	40	21.06	24.06
No qualifying children	7.65	7.65	7.65

''(2) AMOUNTS.—

''(A) IN GENERAL.—The earned income amount and the initial phaseout amount shall be determined as follows:

''In the case of an eligible individual with:	The earned income amount is:	The initial phaseout amount is:
1 qualifying child	$8,140	$13,470
2 or more qualifying children	$10,820	$13,470
No qualifying children	$4,900	$6,130.

In the case of a joint return where there is at least 1 qualifying child, the initial phaseout amount shall be $2,500 greater than the amount otherwise applicable under the preceding sentence.

''(B) FINAL PHASEOUT AMOUNT.—The final phaseout amount is $26,000 ($28,500 in the case of a joint return).''

(2) MODIFICATION OF COMPUTATION OF PHASEOUT.—Paragraph (2) of section 32(a) is amended to read as follows:

''(2) PHASEOUT OF CREDIT.—The amount of the credit allowable to a taxpayer under paragraph (1) for any taxable year shall be reduced (but not below zero) by the sum of—

''(A) the initial phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the initial phaseout amount but does not exceed the final phaseout amount, plus

''(B) the final phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the final phaseout amount.''

(3) TOTAL INCOME.—Paragraph (5) of section 32(c) is amended to read as follows:

''(5) TOTAL INCOME.—The term 'total income' means adjusted gross income determined without regard to—

''(A) the deductions referred to in paragraphs (6), (7), (9), (10), (15), (16), and (17) of section 62(a),

''(B) the deduction allowed by section 162(l), and

''(C) the deduction allowed by section 164(f).''

(4) CONFORMING AMENDMENTS.—

(A) Subsection (j) of section 32 is amended to read as follows:

''(j) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2002, each of the dollar amounts in subsection (b)(2) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3), for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any dollar amount, after being increased under paragraph (1), is not a multiple of $10, such dollar amount shall be rounded to the nearest multiple of $10.''

(B) Subparagraph (C) of section 32(c)(1) is amended by striking ''modified adjusted gross income'' and inserting ''total income''.

(C) Paragraph (2) of section 32(f) is amended to read as follows:

''(2) REQUIREMENTS FOR TABLES.—

''(A) IN GENERAL.—The provisions of subsection (a)(1) and the provisions of subsection (a)(2) shall be reflected in separate tables prescribed under paragraph (1).

''(B) SUBSECTION (A)(1) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(1) shall have income brackets of not greater than $50 each for earned income between $0 and the earned income amount.

''(C) SUBSECTION (A)(2) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(2) shall have income brackets of not greater than $50 each for total income (or, if greater, the earned income) above the initial phaseout threshold.''

(b) REPEAL OF DENIAL OF CREDIT WHERE INVESTMENT INCOME.—Section 32 is amended by striking subsection (i).

(c) EARNED INCOME TO INCLUDE ONLY AMOUNTS INCLUDIBLE IN GROSS INCOME.—

(1) IN GENERAL.—Section 32(c)(2)(A)(i) (defining earned income) is amended by inserting '', but only if such amounts are includible in gross income for the taxable year'' after ''other employee compensation''.

(2) CONFORMING AMENDMENT.—Section 32(c)(2)(B) is amended by striking ''and'' at the end of clause (iv), by striking the period at the end of clause (v) and inserting '', and'',

and by adding at the end the following new clause:

''(vi) the requirement under subparagraph (A)(i) that an amount be includible in gross income shall not apply if such amount is exempt from tax under section 7873 or is derived directly from restricted and allotted land under the Act of February 8, 1887 (commonly known as the Indian General Allotment Act) (25 U.S.C. 331 et seq.) or from land held under Acts or treaties containing an exception provision similar to the Indian General Allotment Act.''

(d) MODIFICATION OF JOINT RETURN REQUIREMENT.—Subsection (d) of section 32 is amended to read as follows:

''(d) MARRIED INDIVIDUALS.—

''(1) IN GENERAL.—If the taxpayer is married at the close of the taxable year, the credit shall be allowed under subsection (a) only if the taxpayer and his spouse file a joint return for the taxable year.

''(2) MARITAL STATUS.—For purposes of paragraph (1), an individual legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married.

''(3) CERTAIN MARRIED INDIVIDUALS LIVING APART.—For purposes of paragraph (1), if—

''(A) an individual —

''(i) is married and files a separate return, and

''(ii) has a qualifying child who is a son, daughter, stepson, or stepdaughter of such individual, and

''(B) during the last 6 months of such taxable year, such individual and such individual's spouse do not have the same principal place of abode,

such individual shall not be considered as married.''

(e) EXPANSION OF MATHEMATICAL ERROR AUTHORITY.—Paragraph (2) of section 6213(g) is amended by striking ''and'' at the end of subparagraph (K), by striking the period at the end of subparagraph (L) and inserting '', and'', and by inserting after subparagraph (L) the following new subparagraph:

''(M) the entry on the return claiming the credit under section 32 with respect to a child if, according to the Federal Case Registry of Child Support Orders established under section 453(h) of the Social Security Act, the taxpayer is a noncustodial parent of such child.''

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE II—MARRIAGE PENALTY RELIEF

SEC. 201. MARRIAGE PENALTY RELIEF.

(a) STANDARD DEDUCTION.—

(1) IN GENERAL.—Paragraph (2) of section 63(c) (relating to standard deduction) is amended—

(A) by striking ''$5,000'' in subparagraph (A) and inserting ''twice the dollar amount in effect under subparagraph (C) for the taxable year'',

(B) by adding ''or'' at the end of subparagraph (B),

(C) by striking ''in the case of'' and all that follows in subparagraph (C) and inserting ''in any other case.'', and

(D) by striking subparagraph (D).

(2) INCREASE ALLOWED AS DEDUCTION IN DETERMINING MINIMUM TAX.—Subparagraph (E) of section 56(b)(1) is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply to so much of the standard deduction under subparagraph (A) of section 63(c)(2) as exceeds the amount which would be such deduction but for the amendment made by section 201(a)(1) of the Tax Reduction Act of 2001.

(3) TECHNICAL AMENDMENTS.—

(A) Subparagraph (B) of section 1(f)(6) is amended by striking ''(other than with'' and all that follows through ''shall be applied'' and inserting ''(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied''.

(B) Paragraph (4) of section 63(c) is amended by adding at the end the following flush sentence:

''The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

After debate,

Pursuant to House Resolution 83, the previous question was ordered on the bill, as amended, and the further amendment.

The question being put, viva voce,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. RANGEL objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 155 / Nays ..... 273 }

¶19.17 [Roll No. 42]

YEAS—155

Abercrombie
Allen
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Boswell
Boucher
Boyd
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Condit
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Scott
Sherman
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tierney
Turner
Udall (CO)
Udall (NM)
Velazquez
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—273

Aderholt
Akin
Andrews
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Brady (PA)
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Conyers
Cooksey
Costello
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doggett
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lee
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCrery
McDermott
McHugh
McInnis
McKeon
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Ackerman
Lewis (CA)
Shows
Skelton
Stupak

So the further amendment in the nature of a substitute was not agreed to.

Mr. BERRY moved to reconsider the vote whereby the amendment was agreed to.

Mr. THOMAS moved to lay on the table the motion to reconsider the vote.

The question being put, viva voce,

Will the House lay on the table the motion to reconsider said vote?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. BERRY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 228 / Nays 197

¶19.18 [Roll No. 43]

YEAS—228

Aderholt
Akin
Bachus
Baker
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—197

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

NOT VOTING—8

Ackerman
Armey
Ballenger
Lewis (CA)
Sessions
Shows
Skelton
Stupak

So, the motion to lay on the table the motion to reconsider the vote was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. STENHOLM moved to recommit the bill to the Committee on Ways and Means with instructions not to report the bill back to the House before April 15, 2001 (the date set forth in section 300 of the Congressional Budget Act of 1974 as the date that Congress completes action on the concurrent resolution on the budget) unless Congress has completed action on the concurrent resolution on the budget for fiscal year 2002 before that date.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. STENHOLM demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 204 / Nays 221

¶19.19 [Roll No. 44]

AYES—204

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

NOES—221

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

NOT VOTING—8

Ackerman
Ballenger
Bishop
Kaptur
Lewis (CA)
Shows
Skelton
Stupak

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass to said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced the yeas had it.

Mr. THOMAS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 230 / Nays 198

¶19.20 [Roll No. 45]

YEAS—230

Aderholt
Akin
Armey
Bachus
Baker
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—198

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

NOT VOTING—5

Ackerman
Ballenger
Shows
Skelton
Stupak

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶19.21 COMMITTEE ELECTION—MAJORITY

Mr. PORTMAN, by unanimous consent, submitted the following resolution (H. Res. 85):

Resolved, That on the Committee on Transportation and Infrastructure, Mr. Pombo shall rank immediately after Mr. Moran of Kansas.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶19.22 ADJOURNMENT OVER

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, March 12, 2001, at 2 o'clock p.m.

¶19.23 HOUR OF MEETING

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That when the House adjourns Monday, March 12, 2001, it ad-

journ to meet at 12:30 p.m. on Tuesday, March 13, 2001 for ''morning-hour debate''.

¶19.24 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, March 14, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶19.25 JAMES MADISON COMMEMORATION COMMISSION

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, announced that the Speaker, pursuant to section 5(a) of the James Madison Commemoration Commission Act (Public Law 106–550), appointed to the James Madison Commemoration Commission, on the part of the House, the following Members: Messrs. GOODLATTE and CANTOR.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶19.26 ENROLLED JOINT RESOLUTION SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 19. Joint resolution providing for the appointment of Walter E. Massey as a citizen regent of the Board of Regents of the Smithsonian Institution.

¶19.27 SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 6. A joint resolution providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, relating to ergonomics.

¶19.28 JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House, reports that on March 8, 2001 he presented to the President of the United States, for his approval, the following bill:

H.J. Res. 19. Providing for the appointment of Walter E. Massey as a citizen regent of the Board of Regents of the Smithsonian Institution.

¶19.29 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SHOWS, for today.

And then,

¶19.30 ADJOURNMENT

On motion of Mr. UNDERWOOD, pursuant to the special order heretofore agreed to, at 8 o'clock and 20 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, March 12, 2001.

¶19.31 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. EVANS (for himself, Mr. FILNER, Mr. GUTIERREZ, Ms. BROWN of Florida, Mr. PETERSON of Minnesota, Ms. CARSON of Indiana, Mr. REYES, Mr. RODRIGUEZ, Mr. SHOWS, Ms. BERKLEY, Mr. UDALL of New Mexico, Mrs. JONES of Ohio, Mr. SANDERS, Mr. LUCAS of Kentucky, Mr. ETHERIDGE, Mr. KILDEE, Mr. ACKERMAN, Mr. MCGOVERN, Mr. HINOJOSA, Mr. RAHALL, Mr. BONIOR, Ms. MCKINNEY, Mr. LIPINSKI, Mr. WEINER, Mr. BOUCHER, Mr. STUPAK, Ms. HOOLEY of Oregon, Mr. FROST, Mr. TIERNEY, Mrs. MEEK of Florida, Mr. KING, Mr. OBERSTAR, Mr. BISHOP, Mr. DAVIS of Florida, Mr. HASTINGS of Florida, Mr. LANGEVIN, Mr. DEFAZIO, Mr. HOLDEN, Mr. MURTHA, Mrs. MCCARTHY of New York, Mr. HALL of Ohio, Ms. WOOLSEY, Mr. COYNE, Mr. TAYLOR of Mississippi, Mr. BLAGOJEVICH, Mr. EDWARDS, Ms. BALDWIN, Mr. CRAMER, Mrs. MINK of Hawaii, Ms. DELAURO, Mr. BRADY of Pennsylvania, Mr. ISAKSON, Mr. GORDON, Mr. ALLEN, Mrs. KELLY, Mr. PALLONE, Mr. FRANK, Mr. PAYNE, Mr. PASCRELL, Ms. MCCOLLUM, Mr. FALEOMAVAEGA, Mr. BORSKI, Mr. PHELPS, Mrs. CLAYTON, Mr. HINCHEY, Ms. RIVERS, Ms. SCHAKOWSKY, Mr. LUCAS of Oklahoma, Mr. LAMPSON, Mr. STRICKLAND, Ms. LOFGREN, Mr. PRICE of North Carolina, Mr. UPTON, Mr. SANDLIN, Mr. ORTIZ, Mr. QUINN, Mr. BECERRA, Ms. MILLENDER-MCDONALD, Mr. WEXLER, Mr. WU, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. THOMPSON of California, Ms. WATERS, Mr. CLYBURN, Ms. JACKSON-LEE of Texas, Mr. GONZALEZ, Mr. FLETCHER, Mr. SNYDER, Mr. RANGEL, and Mr. CAPUANO):

H.R. 936. A bill to amend title 38, United States Code, to improve programs for homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. POMBO:

H.R. 937. A bill to prohibit the use of Federal funds for any program that restricts the use of any privately owned water source; to the Committee on Transportation and Infrastructure.

By Mr. MCGOVERN (for himself, Mr. HOUGHTON, Mr. LEWIS of Georgia, Ms. PELOSI, Mr. FRANK, and Ms. MILLENDER-MCDONALD):

H.R. 938. A bill to enhance the capability of the United Nations to rapidly respond to emerging crises; to the Committee on International Relations.

By Mr. KNOLLENBERG:

H.R. 939. A bill to reaffirm and clarify the Federal relationship of the Swan Creek Black River Confederated Ojibwa Tribes of Michigan as a distinct federally recognized Indian tribe and to restore aboriginal rights, and for other purposes; to the Committee on Resources.

By Mr. CHABOT (for himself, Ms. KAPTUR, Mr. GEKAS, and Mr. SHIMKUS):

H.R. 940. A bill to establish a statute of repose for durable goods used in a trade or business; to the Committee on the Judiciary.

By Mr. CLYBURN:

H.R. 941. A bill to require the use of adjusted census data in the administration of any law of the United States under which population or population characteristics are used to determine the amount of benefits received by State or local governments, and for other purposes; to the Committee on Government Reform.

By Mr. COLLINS:

H.R. 942. A bill to amend the Internal Revenue Code of 1986 to reduce individual income tax rates and increase the standard deduction; to the Committee on Ways and Means.

By Mr. CONDIT (for himself, Mr. UDALL of New Mexico, and Mrs. EMERSON):

H.R. 943. A bill to amend the Public Health Service Act with respect to the availability of influenza vaccine through the program under section 317 of such Act; to the Committee on Energy and Commerce.

By Ms. DEGETTE (for herself and Mr. UDALL of Colorado):

H.R. 944. A bill to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes; to the Committee on Resources.

By Mr. DIAZ-BALART (for himself, Mr. CROWLEY, Ms. ROS-LEHTINEN, Mr. MENENDEZ, Mr. BLAGOJEVICH, Ms. BROWN of Florida, Mr. CAPUANO, Mr. TOM DAVIS of Virginia, Mr. DELAHUNT, Mr. DEUTSCH, Ms. ESHOO, Mr. FARR of California, Mr. FILNER, Mr. FOLEY, Mr. GILMAN, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Ms. LEE, Ms. LOFGREN, Mr. MARKEY, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MOAKLEY, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. PASCRELL, Mr. ROTHMAN, Mr. SERRANO, Mr. SMITH of New Jersey, Mr. TOWNS, Mr. WEXLER, and Mr. WYNN):

H.R. 945. A bill to adjust the immigration status of certain Colombian and Peruvian nationals who are in the United States; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 946. A bill to amend the Internal Revenue Code of 1986 to allow drug manufacturers a credit against income tax if they certify that the price of a drug in the United States market is not greater than its price in the Canadian or Mexican market; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 947. A bill to amend the Internal Revenue Code of 1986 to allow individual retirement accounts to exclude income with respect to certain debt-financed real property from the tax on unrelated business taxable income; to the Committee on Ways and Means.

By Mr. EVANS (for himself, Mr. QUINN, Mr. MCGOVERN, Ms. BALDWIN, Mrs. MALONEY of New York, Mr. MARKEY, Mr. LUTHER, Mr. LAHOOD, Mr. BARRETT, Mr. UDALL of Colorado, Ms. WATERS, Mr. MEEHAN, Mr. GUTIERREZ, Mr. CAPUANO, Mr. FILNER, Mr. TIERNEY, Mr. HALL of Ohio, Ms. PELOSI, Mr. BOUCHER, Mr. SANDERS, Mr. ALLEN, Mrs. MORELLA, Mrs. ROUKEMA, Mr. MORAN of Virginia, Mr. HOEFFEL, Mr. COOKSEY, Mr. NADLER, Mr. ABERCROMBIE, Ms. WOOLSEY, Mrs. MINK of Hawaii, and Mr. MOAKLEY):

H.R. 948. A bill to express the sense of Congress that the Department of Defense should field currently available weapons and other technologies, and use tactics and operational concepts, that provide suitable alternatives to anti-personnel mines and mixed anti-tank mine systems and that the United States should end its use of such mines and join the Convention on the Prohibition of Anti-Personnel Mines as soon as possible, to expand support for mine action programs including mine victim assistance, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSSELLA:

H.R. 949. A bill to provide funds to States to establish and administer periodic teacher testing and merit pay programs for elemen-

tary and secondary school teachers; to the Committee on Education and the Workforce.

By Mr. HOSTETTLER (for himself, Mr. GOODE, Mr. SHOWS, Mr. SHADEGG, Mr. YOUNG of Alaska, Mr. SCHAFFER, Mr. CANNON, Mr. HALL of Texas, Mr. CANTOR, Mr. HILLEARY, Mr. SOUDER, and Mr. GIBBONS):

H.R. 950. A bill to amend title 18 of the United States Code to provide for reciprocity in regard to the manner in which nonresidents of a State may carry certain concealed firearms in that State; to the Committee on the Judiciary.

By Mr. HOUGHTON (for himself and Mr. NEAL of Massachusetts):

H.R. 951. A bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financings to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. EHRLICH, Mr. MEEHAN, Mr. SHIMKUS, Mr. BOUCHER, Mr. REYES, and Mr. WALSH):

H.R. 952. A bill to grant a Federal charter to Korean War Veterans Association, Incorporated; to the Committee on the Judiciary.

By Mr. INSLEE (for himself, Mr. SPENCE, and Mr. CANTOR):

H.R. 953. A bill to amend the Public Health Service Act to authorize grants to carry out programs to improve recovery rates for organs in eligible hospitals; to the Committee on Energy and Commerce.

By Mr. INSLEE (for himself, Mr. BARTLETT of Maryland, Mr. EHLERS, Mrs. MINK of Hawaii, Ms. SLAUGHTER, Mr. BAIRD, Mr. UDALL of Colorado, Mr. TIERNEY, Mr. KUCINICH, Mr. LEACH, Mr. GUTIERREZ, Mr. HINCHEY, Mr. MCDERMOTT, Mr. LEWIS of Georgia, and Ms. BALDWIN):

H.R. 954. A bill to amend the Federal Power Act to promote energy independence and self-sufficiency by providing for the use of net metering by certain small electric energy generation systems, and for other purposes; to the Committee on Energy and Commerce.

By Mr. INSLEE:

H.R. 955. A bill to amend the Public Health Service Act to provide for a National Living Organ Donor Registry; to the Committee on Energy and Commerce.

By Mrs. JOHNSON of Connecticut (for herself, Mr. LEVIN, Mr. CARDIN, Mr. MALONEY of Connecticut, Mr. LARSON of Connecticut, Mr. HILLIARD, Mr. SHAYS, Mr. WATKINS, Mr. STRICKLAND, Mr. HINCHEY, Mr. CRAMER, Mrs. MALONEY of New York, Mr. RANGEL, Mr. ENGLISH, Mr. FROST, Mr. MCNULTY, Mr. JEFFERSON, Mr. HOUGHTON, Ms. ROYBAL-ALLARD, Mr. FRANK, Mr. BALDACCI, Mr. CAMP, Mr. DAVIS of Illinois, Mr. SHIMKUS, Mr. COYNE, Mr. MATSUI, Mr. WALSH, Mr. SAXTON, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. GUTIERREZ, Ms. KILPATRICK, Mr. MENENDEZ, Ms. BALDWIN, Mr. RAMSTAD, Mrs. MORELLA, Mr. BARRETT, Ms. SCHAKOWSKY, Ms. LEE, Mr. ABERCROMBIE, Mr. HAYWORTH, Ms. DELAURO, Mr. HALL of Ohio, Mr. ENGEL, Mr. SIMMONS, Mr. SANDLIN, Mr. KLECZKA, and Mr. SHAW):

H.R. 956. A bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, and restore for fiscal year 2002 the ability of States to transfer up to 10 percent of funds from the program of block grants to States for temporary assistance for needy families to carry out activities under the Social Services Block Grant; to the Committee on Ways and Means.

By Mr. KELLER:

H.R. 957. A bill to improve the prevention and punishment of criminal smuggling, transporting, and harboring of aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. KILDEE (for himself, Mr. SCOTT, Mr. GEORGE MILLER of California, and Mrs. MCCARTHY of New York):

H.R. 958. A bill to assist local educational agencies in financing and establishing alternative education systems, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KLECZKA (for himself, Mr. HERGER, Mr. BLUMENAUER, Mr. MATSUI, Ms. WOOLSEY, Ms. BALDWIN, Ms. ROYBAL-ALLARD, Mr. LAMPSON, and Mr. CUNNINGHAM):

H.R. 959. A bill to amend the Internal Revenue Code of 1986 with respect to the eligibility of veterans for mortgage revenue bond financing, and for other purposes; to the Committee on Ways and Means.

By Mr. KOLBE:

H.R. 960. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for transferring land or easements therein for conservation purposes; to the Committee on Ways and Means.

By Mr. LANTOS (for himself, Mr. ACKERMAN, Mr. BARRETT, Mr. BERMAN, Mr. BONIOR, Mr. BRADY of Pennsylvania, Mr. BROWN of Ohio, Ms. CARSON of Indiana, Mr. DELAHUNT, Ms. ESHOO, Mr. EVANS, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. JACKSON of Illinois, Ms. KAPTUR, Ms. KILPATRICK, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mr. MATSUI, Mr. GEORGE MILLER of California, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Ms. PELOSI, Mr. PHELPS, Mr. RANGEL, Mr. RUSH, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. UNDERWOOD, Ms. VELAZQUEZ, Ms. WOOLSEY, and Mr. WYNN):

H.R. 961. A bill to amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor; to the Committee on Education and the Workforce.

By Mrs. MALONEY of New York (for herself, Mr. MALONEY of Connecticut, Mr. HONDA, Mr. BONIOR, Mr. BLAGOJEVICH, Ms. BALDWIN, Ms. CARSON of Indiana, Mr. SERRANO, Mr. CAPUANO, Mr. BALDACCI, and Mrs. MCCARTHY of New York):

H.R. 962. A bill to amend the Mineral Leasing Act to make available for the low-income home energy assistance program 5 percent of moneys received by the United States from onshore Federal oil and gas development; to the Committee on Resources, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA:

H.R. 963. A bill to provide compensation for certain World War II veterans who survived the Bataan Death March and were held as prisoners of war by the Japanese; to the Committee on Armed Services.

By Mr. NADLER:

H.R. 964. A bill to amend the Immigration and Nationality Act to exempt certain elderly persons from demonstrating an understanding of the English language and the history, principles, and form of government of the United States as a requirement for naturalization, and to permit certain other elderly persons to take the history and government examination in a language of their choice; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 965. A bill to amend title 23, United States Code, to require States to adopt and enforce standards that prohibit the use of racial profiling in the enforcement of State laws regulating the use of Federal-aid highways; to the Committee on Transportation and Infrastructure.

By Mr. PAUL (for himself, Mr. GRAHAM, Mr. HILLEARY, Mr. TANCREDO, Mr. SHADEGG, Mr. DOOLITTLE, Mr. BURTON of Indiana, Mr. DEMINT, and Mr. SAM JOHNSON of Texas):

H.R. 966. A bill to prohibit the Federal Government from planning, developing, implementing, or administering any national teacher test or method of certification and from withholding funds from States or local educational agencies that fail to adopt a specific method of teacher certification; to the Committee on Education and the Workforce.

By Ms. PRYCE of Ohio (for herself, Mrs. MALONEY of New York, Mrs. MYRICK, and Mr. BENTSEN):

H.R. 967. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require group and individual health insurance coverage and group health plans to provide coverage for individuals participating in approved cancer clinical trials; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAMSTAD (for himself, Mr. TANNER, Mr. HOUGHTON, Mr. LEWIS of Kentucky, Mr. BUYER, Mr. TAYLOR of Mississippi, Mr. WATKINS, Mr. SIMMONS, and Mr. COOKSEY):

H.R. 968. A bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States; to the Committee on Ways and Means.

By Mr. STUMP (for himself, Mr. PAUL, Mr. TANCREDO, Mr. ROHRABACHER, Mr. NORWOOD, Mr. RILEY, Mr. DOOLITTLE, Mr. COBLE, Mr. BARTLETT of Maryland, Mr. KING, Mr. TRAFICANT, Mr. GOODE, Mr. EVERETT, Mr. DEAL of Georgia, Mr. BAKER, Mr. GOODLATTE, Mr. FLAKE, Mr. ISTOOK, Mr. CRANE, Mr. CALLAHAN, Mr. DUNCAN, Mr. SENSENBRENNER, Mr. HOSTETTLER, Mr. RYUN of Kansas, Mrs. ROUKEMA, Mrs. CUBIN, Mr. COLLINS, Mr. HEFLEY, Mr. CULBERSON, Mr. HANSEN, and Mr. BURTON of Indiana):

H.R. 969. A bill to provide that Executive Order 13166 shall have no force or effect, and to prohibit the use of funds for certain purposes; to the Committee on Government Reform.

By Mr. TIERNEY (for himself, Mr. GEORGE MILLER of California, Mr. SANDLIN, Mr. WU, Mr. FORD, Mr. ALLEN, Mr. CROWLEY, Mr. FATTAH, Mr. GREEN of Texas, Mr. MEEHAN, Mr. ANDREWS, Mr. BROWN of Ohio, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. DELAHUNT, Mrs. JONES of Ohio, Mr. KILDEE, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. OLVER, Mr.

SCOTT, Mrs. CHRISTENSEN, Ms. DELAURO, Mr. FRANK, Ms. KILPATRICK, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. NADLER, Mr. HINCHEY, Mr. KENNEDY of Rhode Island, Mr. MOAKLEY, Mr. PAYNE, Mr. JEFFERSON, Mr. KIND, Mr. KUCINICH, Ms. LEE, Mr. MARKEY, Mrs. MINK of Hawaii, Mr. NEAL of Massachusetts, Mr. OWENS, Mr. PASCRELL, Ms. SANCHEZ, Mr. SAWYER, Mr. STUPAK, Mr. WAXMAN, Ms. WOOLSEY, Mr. FROST, Mr. STARK, Ms. ESHOO, Mr. LANTOS, Mr. CLEMENT, Ms. PELOSI, Mr. BONIOR, and Ms. SOLIS):

H.R. 970. A bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to provide comprehensive technical assistance and implement prevention programs that meet a high scientific standard of program effectiveness; to the Committee on Education and the Workforce.

By Mr. WALDEN of Oregon (for himself, Mr. SIMPSON, and Mr. INSLEE):

H.R. 971. A bill to require that payment be guaranteed whenever any supplier of electric energy is required to sell electric energy to a purchaser under the emergency authority of section 202(c) of the Federal Power Act, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WOOLSEY:

H.R. 972. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen the involvement of parents in the education of their children, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HUNTER (for himself, Mr. CUNNINGHAM, Mr. ISSA, Mrs. DAVIS of California, Mrs. BONO, Mr. LEWIS of California, Mr. HERGER, Mr. DREIER, Mr. CALVERT, Mr. GARY MILLER of California, Mr. DOOLITTLE, Mr. RADANOVICH, Mr. HORN, Mr. ROHRABACHER, Mr. POMBO, Mrs. TAUSCHER, Mr. THOMAS, Mr. MATSUI, Mr. FILNER, Mr. SHERMAN, Mr. MCKEON, Mr. OSE, Mr. BERMAN, and Mr. LANTOS):

H. Con. Res. 57. Concurrent resolution condemning the heinous atrocities that occurred on March 5, 2001, at Santana High School in Santee, California; to the Committee on Education and the Workforce.

By Ms. KAPTUR (for herself and Mr. WELDON of Pennsylvania):

H. Con. Res. 58. Concurrent resolution urging the President of Ukraine to support democratic ideals, the rights of free speech, and free assembly for Ukrainian citizens; to the Committee on International Relations.

By Mr. MCKEON:

H. Con. Res. 59. Concurrent resolution expressing the sense of Congress regarding the establishment of National Shaken Baby Syndrome Awareness Week; to the Committee on Government Reform.

By Mr. PORTMAN:

H. Res. 85. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Ms. SCHAKOWSKY (for herself, Mr. LANTOS, Mrs. LOWEY, Ms. PELOSI, Ms. MILLENDER-MCDONALD, Mrs. MALONEY of New York, Mr. CONYERS, Mr. BLAGOJEVICH, Ms. WOOLSEY, Mrs. MINK of Hawaii, Mrs. MEEK of Florida, Ms. ROYBAL-ALLARD, Ms. ESHOO, Mrs. JONES of Ohio, Ms. BALDWIN, Ms. MCCOLLUM, Ms. MCCARTHY of Missouri, Mrs. NAPOLITANO, Mr. BARRETT, Ms. CARSON of Indiana, Ms. NORTON, Ms. MCKINNEY, Mrs. DAVIS of California, Mrs. JOHNSON of Connecticut, Mrs. CHRISTENSEN, Mrs. BIGGERT, and Ms. CAPITO):

H. Res. 86. A resolution supporting the goals of International Women's Day; to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶19.32 ADDITIONAL SPONSORS

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

H.R. 12: Ms. LOFGREN, Mr. KELLER, Mr. BOEHLERT, and Mr. FORD.
H.R. 25: Mr. CAPUANO and Mr. REYNOLDS.
H.R. 31: Mr. OTTER.
H.R. 40: Ms. CARSON of Indiana, Mrs. JONES of Ohio, Ms. JACKSON-LEE of Texas, and Mr. MCDERMOTT.
H.R. 87: Ms. CARSON of Indiana, Ms. VELAZQUEZ, and Mr. BONIOR.
H.R. 97: Mrs. JO ANN DAVIS of Virginia, Mr. EVANS, Mr. TOWNS, Mr. FERGUSON, Mr. MICA, and Mr. TRAFICANT.
H.R. 116: Ms. WOOLSEY and Mr. JEFFERSON.
H.R. 117: Ms. WOOLSEY.
H.R. 126: Mr. GUTIERREZ, Mr. EVANS, Mr. HINCHEY, Mr. OBERSTAR, Mr. SANDERS, Mr. BLUMENAUER, Ms. VELAZQUEZ, and Mr. DEFAZIO.
H.R. 128: Mr. GONZALEZ, Mr. STARK, Ms. CARSON of Indiana, Mr. TOWNS, and Mr. LANTOS.
H.R. 147: Mr. KILDEE and Mr. PETERSON of Pennsylvania.
H.R. 152: Mrs. JO ANN DAVIS of Virginia.
H.R. 159: Mr. GOODLATTE, Mr. HORN, and Mr. RAMSTAD.
H.R. 174: Mr. FRANK.
H.R. 175: Mr. WELDON of Florida, Mr. BEREUTER, Mr. SAM JOHNSON of Texas, Mr. PAUL, Mr. HOEKSTRA, and Mr. DOOLITTLE.
H.R. 179: Mr. DIAZ-BALART, Mr. EVANS, Mr. LEWIS of Kentucky, Mrs. MINK of Hawaii, Mr. RANGEL, and Mr. BARR of Georgia.
H.R. 183: Mr. PASCRELL, Mrs. MALONEY of New York, Ms. LEE, Mrs. MEEK of Florida, Mrs. MORELLA, Mr. FROST, Mr. WEXLER, Ms. VELAZQUEZ, Mr. BRADY of Pennsylvania, and Ms. CARSON of Indiana.
H.R. 184: Mr. DEFAZIO.
H.R. 214: Ms. HARMAN.
H.R. 219: Mr. GOODE.
H.R. 241: Mr. LEWIS of Kentucky.
H.R. 244: Ms. HART.
H.R. 253: Mr. FILNER and Mr. CLAY.
H.R. 257: Mr. RYUN of Kansas, Mr. HOEKSTRA, Mr. BARTLETT of Maryland, Mr. HOSTETTLER, Mr. SCHAFFER, Mr. TANCREDO, Mr. CRENSHAW, and Mr. SENSENBRENNER.
H.R. 267: Mr. HERGER, Mr. SCHAFFER, and Mr. OTTER.
H.R. 268: Ms. LEE, Ms. MCKINNEY, and Mr. HUNTER.
H.R. 281: Mr. GUTIERREZ and Mr. LANTOS.
H.R. 301: Mrs. THURMAN.
H.R. 302: Mrs. THURMAN.
H.R. 303: Mr. MOAKLEY, Mr. KENNEDY of Rhode Island, and Mrs. ROUKEMA.
H.R. 308: Mr. RAHALL.
H.R. 336: Mr. RANGEL.
H.R. 340: Mr. ACEVEDO-VILA.
H.R. 356: Mrs. JO ANN DAVIS of Virginia.
H.R. 367: Mr. ANDREWS, Mr. GUTIERREZ, Ms. CARSON of Indiana, and Mr. PAYNE.
H.R. 384: Mr. KUCINICH.
H.R. 399: Mr. ROEMER, Mr. NADLER, Mr. CUMMINGS, Mr. COLLINS, Ms. BROWN of Florida, Mr. HILLIARD, Mr. LAFALCE, Mr. CONYERS, and Ms. WATERS.
H.R. 425: Mr. UDALL of Colorado.
H.R. 427: Ms. HOOLEY of Oregon.
H.R. 428: Mr. LEWIS of California, Ms. PELOSI, Mr. FRANK, Mr. BARTON of Texas, Mr. HILLEARY, Mr. FALEOMAVAEGA, and Mrs. JO ANN DAVIS of Virginia.
H.R. 436: Mrs. KELLY.
H.R. 437: Mr. CRENSHAW and Mr. CALVERT.
H.R. 443: Mr. KUCINICH.
H.R. 445: Mr. POMBO, Mr. RADANOVICH, Mr. SHADEGG, Mr. ROHRABACHER, Mr. DOOLITTLE, Mr. HEFLEY, and Mr. SCHAFFER.
H.R. 453: Ms. CARSON of Indiana.
H.R. 459: Mr. SHERMAN and Mr. KUCINICH.
H.R. 471: Ms. SCHAKOWSKY.
H.R. 499: Mr. KIRK.
H.R. 503: Mr. BARTLETT of Maryland, Mr. DUNCAN, and Mr. CRANE.
H.R. 510: Mr. SMITH of Texas, Mr. LEWIS of Kentucky, Mr. ROSS, Mr. FRANK, Mr. STEARNS, Mrs. LOWEY, and Mr. SANDERS.
H.R. 511: Mr. ROSS, Mr. FRELINGHUYSEN, Mr. CLEMENT, Mr. LEVIN, and Mr. SCHIFF.
H.R. 516: Mr. CLEMENT, Mrs. JO ANN DAVIS of Virginia, Mr. TURNER, Mr. FRANK, Mr. LIPINSKI, Mr. SENSENBRENNER, and Mr. BALDACCI.
H.R. 521: Mr. RAHALL and Mr. CONYERS.
H.R. 526: Mr. BRADY of Pennsylvania, Ms. HOOLEY of Oregon, Mr. OLVER, Mr. FILNER, and Ms. WOOLSEY.
H.R. 539: Mr. GIBBONS, Mr. KELLER, and Mr. LAHOOD.
H.R. 572: Mr. WAMP and Mr. SAXTON.
H.R. 573: Ms. DELAURO, Mr. MCGOVERN, Mrs. MALONEY of New York, Ms. JACKSON-LEE of Texas, Ms. NORTON, and Mr. DEUTSCH.
H.R. 577: Mr. GOODE.
H.R. 582: Mrs. NORTHUP.
H.R. 600: Mr. WELDON of Pennsylvania.
H.R. 602: Mr. ENGEL, Mr. FERGUSON, Mr. TURNER, Mr. BAIRD, and Ms. SOLIS.
H.R. 606: Mr. FRANK, Mr. BRADY of Pennsylvania, Mr. ANDREWS, Mr. FILNER, Mr. BERMAN, Mr. SHAW, Mrs. KELLY, Mr. LANGEVIN, and Mr. ROTHMAN.
H.R. 612: Ms. MCCARTHY of Missouri, Ms. SOLIS, Mr. BOUCHER, Mr. DAVIS of Illinois, and Mr. ISAKSON.
H.R. 620: Ms. LEE, Ms. CARSON of Indiana, and Mr. FATTAH.
H.R. 622: Mr. BALLENGER, Mr. BOEHNER, Mr. CASTLE, Mr. COBLE, Mr. DREIER, Mr. LINDER, Mr. MANZULLO, Mr. MORAN of Kansas, Mr. GREEN of Wisconsin, Mr. HASTINGS of Washington, Mr. HOEKSTRA, Mr. HULSHOF, Mr. ROHRABACHER, and Mr. WATTS of Oklahoma.
H.R. 630: Ms. RIVERS, Mr. KILDEE, Mrs. MCCARTHY of New York, and Mr. EVANS.
H.R. 631: Mr. SOUDER, Mr. WATT of North Carolina, and Mr. ROSS.
H.R. 638: Mrs. MINK of Hawaii, Mr. GUTIERREZ, Mr. WAXMAN, and Ms. VELAZQUEZ.
H.R. 641: Mr. CAPUANO, Mr. DEUTSCH, Mr. FILNER, Mr. FORD, Mr. FROST, Mr. HOEFFEL, Mrs. JONES of Ohio, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. MATSUI, Mr. MEEKS of New York, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. REYES, Mr. DELAHUNT, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. WEINER, Ms. NORTON, Mr. BOEHNER, Mr. YOUNG of Alaska, Mr. OSBORNE, Mr. DOOLITTLE, Mr. REHBERG, Mr. HOUGHTON, and Mr. GANSKE.
H.R. 642: Mr. BARTLETT of Maryland.
H.R. 659: Mr. BURTON of Indiana, Ms. SCHAKOWSKY, Mrs. JO ANN DAVIS of Virginia, Ms. NORTON, Mrs. BLAGOJEVICH, Mr. BONIOR, Mr. SHAYS, Mr. WALSH, Mrs. JONES of Ohio, Ms. DEGETTE, Ms. RIVERS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MILLENDER-MCDONALD, Ms. LEE, Mrs. LOWEY, Mr. BAIRD, Mr. SNYDER, Mr. SANDLIN, Mr. HASTINGS of Florida, Mr. BALDACCI, Mr. MEEKS of New York, Mr. REYES, Mr. PHELPS, Mr. CAPUANO, and Mr. LANTOS.
H.R. 661: Mr. MCINNIS and Mr. BRADY of Texas.
H.R. 664: Mr. FERGUSON, Ms. ROYBAL-ALLARD, Mr. LIPINSKI, Mr. KLECZKA, Mr. HALL of Ohio, and Mr. TRAFICANT.
H.R. 665: Ms. CARSON of Indiana, Mr. CONYERS, Mr. SCOTT, Mr. ROSS, and Mr. WATT of North Carolina.
H.R. 673: Mr. EHLERS and Mr. HILLEARY.
H.R. 680: Mr. CLAY.
H.R. 681: Mr. CLAY.
H.R. 690: Ms. DELAURO, Mr. EVANS, Mr. TIERNEY, Ms. VALÁZQUEZ, Mr. MATSUI, Mr. GEORGE MILLER of California, Mr. HONDA, Ms. ESHOO, and Ms. LOFGREN.

H.R. 692: Mr. LATHAM and Mr. BEREUTER.

H.R. 693: Mr. KENNEDY of Rhode Island, Ms. CARSON of Indiana, Mr. LANTOS, and Mr. GUTIERREZ.

H.R. 694: Mr. TANCREDO.

H.R. 721: Mr. CLYBURN, Ms. DELAURO, Mr. MASCARA, Mr. GEPHARDT, Mr. JEFFERSON, Mr. ANDREWS, Mr. LEWIS of Kentucky, Mr. BORSKI, Mr. LUTHER, Mr. REYES, Mr. PETERSON of Minnesota, Ms. ROYBAL-ALLARD, Mr. RANGEL, and Mr. BAIRD.

H.R. 747: Mr. KUCINICH.

H.R. 755: Mr. PASTOR.

H.R. 760: Mr. BACA, Mr. THOMPSON of California, Mr. SCHIFF, Ms. KAPTUR, Mr. HERGER, and Mr. BARTLETT of Maryland.

H.R. 761: Mr. SABO.

H.R. 786: Ms. CARSON of Indiana and Mr. WATT of North Carolina.

H.R. 790: Ms. CARSON of Indiana.

H.R. 801: Mr. STUMP, Mr. BILIRAKIS, Mr. BUYER, Mr. SIMPSON, Mr. SIMMONS, Mr. BROWN of South Carolina, Mr. HANSEN, and Mr. SPENCE.

H.R. 811: Mr. SPENCE.

H.R. 822: Mr. LANTOS.

H.R. 827: Mr. MCNULTY, Ms. MCKINNEY, Mr. WYNN, and Mr. MCHUGH.

H.R. 830: Ms. HART, Mr. GUTKNECHT, Mr. STEARNS, Mr. DOOLEY of California, Mr. ARMEY, and Mrs. JO ANN DAVIS of Virginia.

H.R. 835: Mr. CLEMENT, Mr. BLAGOJEVICH, Mr. PALLONE, and Mr. BOUCHER.

H.R. 839: Mr. TURNER, Mr. MCINTYRE, Mr. GORDON, and Ms. BROWN of Florida.

H.R. 844: Mr. WALSH and Mr. NADLER.

H.R. 853: Mr. MASCARA, Mr. BONIOR, Mr. TURNER, and Mrs. JONES of Ohio.

H.R. 876: Mr. WALDEN of Oregon and Mr. LEWIS of Georgia.

H.R. 877: Mr. CALVERT.

H.R. 899: Mr. TOWNS and Mr. SCHROCK.

H.R. 908: Mr. GALLEGLY.

H.R. 911: Mr. SMITH of New Jersey.

H.R. 918: Mr. NEAL of Massachusetts, Mr. BARRETT, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. BERMAN, Ms. SLAUGHTER, Mr. WALSH, and Mr. HOEFFEL.

H.R. 919: Mr. DAVIS of Florida.

H.R. 923: Mr. BOEHLERT and Mr. CUNNINGHAM.

H.R. 930: Mr. HERGER and Mr. HILLEARY.

H.J. Res. 22: Mr. OSE.

H. Con. Res. 3: Ms. WOOLSEY.

H. Con. Res. 4: Mr. PICKERING, Mr. NEAL of Massachusetts, Mr. SMITH of New Jersey, Mr. FROST, and Mr. WEXLER.

H. Con. Res. 23: Mr. RYUN of Kansas.

H. Con. Res. 29: Mr. WEINER, Mr. LEVIN, and Ms. ROYBAL-ALLARD.

H. Con. Res. 34: Mr. KIND, Mr. WATT of North Carolina, and Mr. LAMPSON.

H. Con. Res. 41: Mrs. JO ANN DAVIS of Virginia.

H. Con. Res. 42: Mr. BORSKI and Ms. ROYBAL-ALLARD.

H. Con. Res. 45: Mr. DREIER, Mr. FROST, Mr. RUSH, Mr. BEREUTER, Mr. BRADY of Texas, Mr. SKEEN, Mr. WHITFIELD, Mr. SHIMKUS, Mr. JOHNSON of Illinois, Mr. BOSWELL, and Mr. HOUGHTON.

H. Con. Res. 52: Mr. OXLEY, Ms. HART, Mr. RANGEL, and Mr. NADLER.

H. Res. 72: Ms. SLAUGHTER and Mr. PRICE of North Carolina.

MONDAY, MARCH 12, 2001 (20)

¶20.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. WOLF, who laid before the House the following communication:

WASHINGTON, DC,
March 12, 2001.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore on this day.

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

¶20.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WOLF, announced he had examined and approved the Journal of the proceedings of Thursday, March 8, 2001.

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

¶20.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1160. A letter from the Acting Administrator, Agricultural Marketing Service, Research and Promotion Branch, Department of Agriculture, transmitting the Department's final rule—Watermelon Research and Promotion Plan; Redistricting and Adding Two Importer Members to the National Watermelon Promotion Board [FV–00–703–FR] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1161. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the Administration's final rule—Disclosure to Shareholders; Annual Report (RIN: 3052–AB94) received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1162. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting a report entitled, ''Monetary Policy Report to the Congress''; to the Committee on Financial Services.

1163. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Rules Regarding Equal Opportunity [Docket No. R–1096] received January 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1164. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Application Processing [No. 2001–11] (RIN: 1550–AB14) received March 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1165. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employers Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1166. A letter from the Director, Office of Congressional Affairs, NMSS, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: VSC–24 Revision (RIN: 3150–AG70) received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1167. A communication from the President of the United States, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1168. A letter from the Deputy Assistant Secretary, Bureau of Export Administration, Department of Commerce, transmitting the Department's final rule—Exports to the Federal Republic of Yugoslavia; Revision of Foreign Policy Controls [Docket No. 010208031–1031–01] (RIN: 0694–AC36) received March 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1169. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Groundfish Fisheries by Vessels Using Hook-and-Line Gear in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 022601B] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1170. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 022701B] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1171. A letter from the Acting Secretary of the Army, Department of Defense, transmitting the feasibility report for New York and New Jersey Harbor Navigation Study, pursuant to Section 101 (a)(2) of the Water Resources Development Act (WRDA) of 2000; to the Committee on Transportation and Infrastructure.

1172. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transporation, transmitting the Department's final rule—Drawbridge Operation Regulations; Fort Point Channel, MA [CGD01–00–234] (RIN: 2115–AE47) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1173. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 707 Series Airplanes [Docket No. 2000–NM–279–AD; Amendment 39–12117; AD 2001–03–13] (RIN: 2120–AA64) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1174. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777 Series Airplanes [Docket No. 2000–NM–285–AD; Amendment 39–12113; AD 2001–03–09] (RIN: 2120–AA64) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1175. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes [Docket No. 2000–NM–118–AD; Amendment 39–12111; AD 2001–03–07] (RIN: 2120–AA64) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1176. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes Powered by Pratt & Whitney Engines [Docket No. 99–NM–365–AD; Amendment 39–12091; AD 2001–02–07] (RIN: 2120–AA64) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1177. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon (Beech) Model MU–300, MU–300–10, 400, and 400A Se-

ries Airplanes [Docket No. 98–NM–368–AD; Amendment 39–12110; AD 2001–03–06] (RIN: 2120–AA64) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1178. A letter from the Chairman, Surface Transportation Board, Department of Transportation, transmitting the Department's final rule—Regulations Governing Fees For Services Performed In Connection With Licensing And Related Services—2001 Update—received February 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1179. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Coast Guard Activities New York Annual Fireworks Display [CGD01–00–227] (RIN: 2115–AA97) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1180. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Learjet Model 45 Airplanes [Docket No. 2001–NM–11–AD; Amendment 39–12109; AD 2001–03–05] (RIN: 2120–AA64) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1181. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Siesta Key Bridge (SR 758), Sarasota, FL [CGD07–01–014] received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1182. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Kennebec River, ME [CGD01–00–193] (RIN: 2115–AE47) received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1183. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulations; Arroyo Colorado, TX [CGD08–01–001] received February 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1184. A letter from the Secretary, Judicial Conference of the United States, transmitting a report on the judiciary's courthouse construction requirements for FY 2002; to the Committee on Transportation and Infrastructure.

1185. A letter from the Director, Office of Regulations Management, Board of Veterans' Appeals, Department of Veterans Affairs, transmitting the Department's final rule—Appeals Regulations: Title for Members of the Board of Veterans' Appeals—Rescission (RIN: 2900–AK61) received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1186. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting the Department's final rule—Revised Criteria for Monetary Allowance for an Individual Born with Spina Bifida Whose Biological Father or Mother Is a Vietnam Veteran (RIN: 2900–AJ51) received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1187. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Cafeteria Plan/Qualified Retirement Plan Hybrid Arrangement—received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1188. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—IRC Section 807 Basis Adjustment—Change In Basis v. Correction Of Error—received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1189. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low Income Housing Credit—received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1190. A letter from the Deputy Director, Congressional Budget Office, transmitting the CBO's Sequestration Preview Report for FY 2002, pursuant to 2 U.S.C. section 904(b); jointly to the Committees on Appropriations and the Budget.

¶20.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

S. Con. Res. 22. Concurrent resolution honoring the 21 members of the National Guard who were killed in the crash of a National Guard aircraft on March 3, 2001, in south-central Georgia.

The message also announced that pursuant to Public Law 106–550, the Chair, on behalf of the Democratic Leader, announces the appointment of the following individuals to serve as members of the James Madison Commemoration Commission Advisory Committee—

Gary G. Aguiar of South Dakota; and
Jack N. Rakove of California.

¶20.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOLF, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 9, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 9, 2001 at 9:08 a.m.

That the Senate passed without amendment H. Con. Res. 47.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶20.6 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore, Mr. Wolf, by unanimous consent, announced that the Speaker, pursuant to Public Law 106-292 (36 United States Code 2301), appointed to the United States Holocaust Memorial Council, on the part of the House, the following Members: Messrs. LANTOS and FROST.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

And then,

¶20.7 ADJOURNMENT

On motion of Mr. FILNER, pursuant to the special order agreed to on March 8, 2001, at 2 o'clock and 10 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, March 13, 2001.

¶20.8 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 90. A bill to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes (Rept. No. 107–13). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 860. A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiform civil actions (Rept. No. 107–14). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 802. A bill to authorize the Public Safety Officer Medal of Valor, and for other purposes (Rept. No. 107–15). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 861. A bill to make technical amendments to section 10 of title 9, United States Code (Rept. No. 107–16). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 809. A bill to make technical corrections to various antitrust laws and to references to such laws (Rept. No. 107–17 Pt. 1).

Mr. SENSENBRENNER: Committee on the Judiciary. S. 320. An act to make technical corrections in patent, copyright, and trademark laws, with an amendment (Rept. No. 107–18). Referred to the Committee of the Whole House on the State of the Union.

¶20.9 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 809. Referral to the Committee on Armed Services extended for a period ending not later than March 12, 2001.

¶20.10 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Armed Services discharged from further consideration. H.R. 809 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶20.11 PUBLIC BILLS AND RESOLUTIONS

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

Mr. EVANS (for himself, Mr. KENNEDY of Rhode Island, Ms. NORTON, Mr. KUCINICH, Ms. BALDWIN, Mr. MCGOVERN, Mr. RUSH, Mr. CAPUANO, Mr. STARK, Mr. ANDREWS, Mr. WOLF, Mr. KIRK, Ms. PELOSI, Mr. HOEFFEL, Mrs. LOWEY, Mr. FRANK, Mr. FALEOMAVAEGA, Mr. LANTOS, Mr. UDALL of Colorado, and Mr. WAXMAN): introduced a concurrent resolution (H. Con. Res. 60) condemning the violence in East Timor and urging the establishment of an international war crimes tribunal for prosecuting crimes against humanity that occurred during that violence; which was referred to the Committee on International Relations.

H. Con. Res. 60. Concurrent resolution Condemning the violence in East Timor and urging the establishment of an international war crimes tribunal for prosecuting crimes against humanity that occurred during that violence; which was referred to the Committee on International Relations.

¶20.12 ADDITIONAL SPONSORS

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

H.R. 31: Mr. GOODE and Mr. SHADEGG.
H.R. 247: Mr. RILEY, Mr. CRAMER, Mr. PICKERING, Mr. HILLIARD, and Mr. CLEMENT.
H.R. 295: Mr. FERGUSON.
H.R. 482: Mr. BARR of Georgia.
H.R. 527: Mr. SANDLIN, Mrs. MYRICK, and Mr. OTTER.
H.R. 548: Mr. CALVERT, Mr. RUSH, and Mr. CLAY.
H.R. 609: Ms. HART.
H.R. 622: Mr. NETHERCUTT, Mr. SNYDER, and Mr. PETERSON of Minnesota.
H.R. 632: Mr. PETERSON of Pennsylvania, Mrs. DAVIS of California, Mr. CLAY, and Mr. CALVERT.
H.R. 737: Mr. BOEHLERT and Mr. FRANK.
H.R. 744: Mrs. JO ANN DAVIS of Virginia.
H.R. 824: Mr. RILEY.
H.R. 871: Ms. HART.

TUESDAY, MARCH 13, 2001 (21)

¶21.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. BALLENGER, who laid before the House the following communication:

WASHINGTON, DC,
March 13, 2001.

I hereby appoint the Honorable CASS BALLENGER to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶21.2 RECESS—1:05 P.M.

The SPEAKER pro tempore, Mr. BALLENGER, pursuant to clause 12 of rule I, declared the House in recess at 1 o'clock 5 minutes p.m. until 2 o'clock p.m.

¶21.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. GILLMOR, called the House to order.

¶21.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GILLMOR, announced he had examined and approved the Journal of the proceedings of Monday, March 12, 2001.

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

¶21.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1191. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Prescription Drug Marketing Act of 1987; Prescription Drug Amendments of 1992; Policies, Requirements, and Administrative Procedures; Delay of Effective Date [Docket No. 92N–0297] (RIN: 0905–AC81) received March 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1192. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Rapid City, South Dakota) [MM Docket No. 00–177; RM–9954] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1193. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Woodville and Wells, Texas) [MM Docket No. 00–171; RM–9926] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1194. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Window Rock, Arizona) [MM Docket No. 00–237; RM–10006] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1195. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Sioux Falls, South Dakota) [MM Docket No. 00–200; RM–9967] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1196. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Aspen, Colorado) [MM Docket No. 00–215; RM–9994] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1197. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 107—50); to the Committee on International Relations and ordered to be printed.

1198. A communication from the President of the United States, transmitting notification that the Iran emergency is to continue in effect beyond March 15, 2001, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 107—51); to the Committee on International Relations and ordered to be printed.

1199. A letter from the Department of Defense, Defense Security Cooperation Agency, transmitting the listing of all outstanding Letters of Offer to sell any major defense equipment for $1 million or more; the listing of all Letters of Offer that were accepted, as of December 31, 2000, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

¶21.6 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—JAMES MADISON COMMEMORATION COMMISSION

The SPEAKER pro tempore, Mr. GILLMOR, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 12, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 5(a) of the James Madison Commemoration Commission Act (P.L. 106–550), I hereby appoint the following Members to the James Madison Commemoration Commission:

Mr. Rick Boucher, VA.
Mr. Jim Moran, VA.

Yours Very Truly,
RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶21.7 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—JAMES MADISON COMMEMORATION COMMISSION

The SPEAKER pro tempore, Mr. GILLMOR, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 12, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 5(b) of the James Madison Commemoration Commission Act (P.L. 106–550), I hereby appoint the following individuals to the James Madison Commemoration Advisory Committee:

Dr. James Billington, VA.
The Honorable Theodore A. McKee, PA.

Yours Very Truly,
RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶21.8 SANTANA HIGH SCHOOL

Mr. CASTLE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 57); as amended:

Whereas on March 5, 2001, a gunman opened fire at Santana High School in Santee, California, killing 2 students and wounding 13 others: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) condemns, in the strongest possible terms, the atrocities that occurred on March 5, 2001, at Santana High School in Santee, California;

(2) offers its deepest condolences to the families, friends, and loved ones of those killed in the shooting;

(3) expresses hope for the rapid and complete recovery of those wounded in the shooting;

(4) applauds the hard work and dedication exhibited by local and State law enforce-

ment officials and by others who offered support and assistance;

(5) commends the rapid response by the faculty and staff of Santana High School in evacuating its students to safety in an efficient and effective manner;

(6) encourages communities to implement a wide range of violence prevention services for the Nation's youth; and

(7) encourages the people of the United States to engage in a national dialogue on preventing school violence.

The SPEAKER pro tempore, Mr. GILLMOR, recognized Mr. CASTLE and Mrs. DAVIS of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. GILLMOR, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶21.9 TRAILS SYSTEM LAND ACQUISITION CLARIFICATION

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 834) to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes.

The SPEAKER pro tempore, Mr. GILLMOR, recognized Mr. HANSEN and Mr. UNDERWOOD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GILLMOR, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HANSEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. GILLMOR, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶21.10 TORTOISE HABITAT CONSERVATION

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 880) to provide for the acquisition of property in Washington County, Utah, for implementation of a desert tortoise habitat conservation plan.

The SPEAKER pro tempore, Mr. GILLMOR, recognized Mr. HANSEN and Mr. UNDERWOOD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GILLMOR, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶21.11 GUAM WAR CLAIMS COMMISSION

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 308) to establish the Guam War Claims Review Commission; as amended.

The SPEAKER pro tempore, Mr. GILLMOR, recognized Mr. HANSEN and Mr. UNDERWOOD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GILLMOR, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶21.12 CLEAR CREEK COUNTY LAND

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 223) to amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the Act.

The SPEAKER pro tempore, Mr. GILLMOR, recognized Mr. HANSEN and Mr. UDALL of Colorado, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GILLMOR, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HANSEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. GILLMOR, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶21.13 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO IRAN

The SPEAKER pro tempore, Mr. GILLMOR, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 13, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–50).

¶21.14 MESSAGE FROM THE PRESIDENT—CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO IRAN

The SPEAKER pro tempore, Mr. GILLMOR, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to Iran is to continue in effect beyond March 15, 2001, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on March 14, 2000.

The crisis constituted by the actions and policies of the Government of Iran, including its support for international terrorism, efforts to undermine Middle East peace, and acquisition of weapons of mass destruction and the means to deliver them, that led to the declaration of a national emergency on March 15, 1995, has not been resolved. These actions and policies are contrary to the interests of the United States in the region and threaten vital interests of the national security, foreign policy, and economy of the United States. For these reasons, I have determined that I must continue the declaration of national emergency with respect to Iran necessary to maintain comprehensive sanctions against Iran to respond to this threat.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 13, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–51).

¶21.15 RECESS—3:36 P.M.

The SPEAKER pro tempore, Mr. GILLMOR, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 36 minutes p.m., until approximately 6 o'clock p.m.

¶21.16 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. COOKSEY, called the House to order.

¶21.17 COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

The SPEAKER pro tempore, Mr. COOKSEY, by unanimous consent, announced that the Speaker, pursuant to section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 United States Code 5616), appointed to the Coordinating Council on Juvenile Justice and Delinquency Prevention, Mr. Michael J. Mahoney, Chicago, Illinois to a one-year term, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶21.18 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. COOKSEY, laid before the House the following communication from Mr. Jack Katz, Payroll Counselor, Office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, March 12, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for records issued by the Calvert County Department of Social Services.

After consultation with the Office of General Counsel, I have determined that the subpoena is material and relevant and that compliance is consistent with the privileges and rights of the House.

Sincerely,

JACK KATZ,
Payroll Counselor.

¶21.19 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—UNITED STATES CAPITOL PRESERVATION COMMISSION

The SPEAKER pro tempore, Mr. COOKSEY, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES, OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 13, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to paragraph 8 of Section 801(b) of Public Law 100–696, I hereby appoint the following Member to the United States Capitol Preservation Commission:

Mr. Moran, VA

Yours Very Truly,

RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶21.20 H.R. 834—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COOKSEY, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 834) to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 409 / Nays ..... 3 }

¶21.21 [Roll No. 46]

YEAS—409

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

NAYS—3

Davis, Jo Ann
Flake
Paul

NOT VOTING—20

Ackerman
Barr
Becerra
Cannon
Cox
Gephardt
Graves
Hastings (FL)
Keller
Kirk
Lofgren
Lowey
Matheson
Meeks (NY)
Moakley
Neal
Pelosi
Pomeroy
Ros-Lehtinen
Towns

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶21.22 H.R. 223—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COOKSEY, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 223) to amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the Act.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 413 / Nays 0

¶21.23 [Roll No. 47]

YEAS—413

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

NOT VOTING—19

Ackerman
Becerra
Bilirakis
Cannon
Cox
Gephardt
Graves
Hastings (FL)
Keller
Lewis (CA)
Lofgren
Lowey
Matheson
Meeks (NY)
Moakley
Neal
Pomeroy
Ros-Lehtinen
Towns

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶21.24 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. LATHAM, by unanimous consent,

Ordered, That it may be in order at anytime on the legislative day of Wednesday, March 14, 2001, for the Speaker to recognize Members for motions to suspend the rules under clause 1, rule XV relating to the following measures: (H.R. 725) to establish a toll free number under the Federal Trade Commission to assist consumers in determining if products are American-made; (H.R. 809) to make technical corrections to various antitrust laws and to references to such laws; (H.R. 860) to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions; (H.R. 861) to make technical amendments to section 10 of title 9, United States Code; (S. 320) to make technical corrections in patent, copyright, and trademark laws; (H.R. 802) to authorize the Public Safety Officer Medal of Valor, and for other purposes; (H.R. 741) to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes; (H.R. 821) to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building''; and (H.R. 364) to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office''.

¶21.25 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ACKERMAN, for today and balance of the week;

To Mr. KELLER, for today and balance of the week;

To Mr. POMEROY, for today;

To Ms. ROS-LEHTINEN, for today; and

To Mr. BECERRA, for today.

And then,

¶21.26 ADJOURNMENT

On motion of Mr. GANSKE, at 9 o'clock and 52 minutes p.m., the House adjourned.

¶21.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 741. A bill to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes (Rept. No. 107–19). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 496. A bill to amend the Communications Act of 1934 to promote deployment of advanced services and foster the development of competition for the benefit of consumers in all regions of the Nation by relieving unnecessary burdens on the Na-

tion's two percent local exchange telecommunications carriers, and for other purposes; with an amendment (Rept. No. 107–20). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 725. A bill to establish a toll free number under the Federal Trade Commission to assist consumers in determining if products are American-made (Rept. No. 107–21). Referred to the Committee of the Whole House on the State of the Union.

¶21.28 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ISTOOK (for himself, Mr. POMEROY, and Mr. WICKER):

H.R. 973. A bill to amend the Public Health Service Act with respect to the operation by the National Institutes of Health of an experimental program to stimulate competitive research; to the Committee on Energy and Commerce.

By Mrs. KELLY (for herself, Ms. CAPITO, and Mr. CANTOR):

H.R. 974. A bill to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, and for other purposes; to the Committee on Financial Services.

By Mr. WATKINS (for himself, Mr. WATTS of Oklahoma, Mr. PETERSON of Pennsylvania, Mr. JEFFERSON, Mr. MCGOVERN, Mr. LAFALCE, Mr. MCHUGH, Mr. HILLEARY, Mr. RAHALL, Mr. SESSIONS, Mr. MCNULTY, Mr. FROST, Mr. PICKERING, Mr. ROGERS of Michigan, Mr. GORDON, Ms. HART, Mr. BLUMENAUER, Mr. DEAL of Georgia, Mr. TOWNS, Mr. WALSH, Mr. KANJORSKI, Mr. KILDEE, Ms. CARSON of Indiana, Mrs. MINK of Hawaii, Mr. DOYLE, Mr. BALDACCI, Ms. BERKLEY, Mr. JONES of North Carolina, Mrs. THURMAN, Ms. SLAUGHTER, Mr. DEFAZIO, Mr. MASCARA, Mr. SMITH of Washington, Ms. WOOLSEY, Mr. PAUL, Ms. LEE, Ms. KILPATRICK, Ms. HOOLEY of Oregon, Mr. OLVER, and Mr. MALONEY of Connecticut):

H.R. 975. A bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services under the Medicare Program and to permanently increase payments for such services that are furnished in rural areas; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VITTER:

H.R. 976. A bill to authorize appropriations for the Individuals with Disabilities Education Act to achieve full funding in fiscal year 2002 and fiscal year 2003, and for other purposes; to the Committee on Education and the Workforce.

By Mr. VITTER:

H.R. 977. A bill to amend the Individuals with Disabilities Education Act to provide increased authority for school personnel to discipline children with disabilities who engage in certain dangerous behavior; to the Committee on Education and the Workforce.

By Mr. MANZULLO (for himself, Mr. CAMP, Mr. PRICE of North Carolina, Mr. ANDREWS, Ms. BALDWIN, Mr. BURR of North Carolina, Ms. DEGETTE, Mr. PAUL, Mr. SHIMKUS, Mr. UDALL of Colorado, and Mr. WELLER):

H.R. 978. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for dry and wet cleaning equipment which uses non-hazardous primary process solvents; to the Committee on Ways and Means.

By Mr. HUNTER:

H.R. 979. A bill to authorize the President and the Governor of a State to suspend certain environmental and siting requirements applicable to fossil fuel fired electric power plants to alleviate an electric power shortage that may present a threat to public health and safety, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAMP (for himself, Mr. DUNCAN, Mr. JENKINS, Mr. BRYANT, Mr. HILLEARY, Mr. DEAL of Georgia, Mr. CLEMENT, Mr. GORDON, Mr. TANNER, and Mr. FORD):

H.R. 980. A bill to establish the Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park System; to the Committee on Resources.

By Mr. BASS (for himself, Mr. BARTON of Texas, Mr. BILIRAKIS, Mr. BOEHLERT, Mr. BRADY of Texas, Mr. BURR of North Carolina, Mr. CASTLE, Mr. TOM DAVIS of Virginia, Mr. DIAZ-BALART, Mr. DREIER, Ms. DUNN, Mr. EHLERS, Mr. ENGLISH, Mr. GILCHREST, Mr. GILMAN, Mr. GOODE, Mr. GOODLATTE, Mr. GOSS, Mr. GREEN of Wisconsin, Ms. HART, Mr. HASTINGS of Washington, Mr. HERGER, Mr. HOEKSTRA, Mr. HOUGHTON, Mr. ISSA, Mr. JENKINS, Mr. JONES of North Carolina, Mr. LARGENT, Mr. LATOURETTE, Mr. LINDER, Ms. MCCARTHY of Missouri, Mrs. MORELLA, Mrs. MYRICK, Mr. NEY, Mr. NORWOOD, Mr. OSE, Mr. OXLEY, Ms. PRYCE of Ohio, Mr. RADANOVICH, Mr. REGULA, Mr. REYNOLDS, Mr. RILEY, Mr. ROHRABACHER, Mrs. ROUKEMA, Mr. ROYCE, Mr. RYUN of Kansas, Mr. SCHAFFER, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHIMKUS, Mr. SMITH of Washington, Mr. SMITH of Texas, Mr. SUNUNU, Mr. TANCREDO, Mr. TERRY, Mr. THORNBERRY, Mr. THUNE, Mr. TRAFICANT, Mr. UPTON, Mr. WAMP, and Mr. WHITFIELD):

H.R. 981. A bill to provide a biennial budget for the United States Government; to the Committee on the Budget, and in addition to the Committees on Rules, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER:

H.R. 982. A bill to prohibit assistance for Kosovo unless the President determines and certifies to Congress that residents or citizens of Kosovo are not providing assistance to organizations engaging in or otherwise supporting ethnically-motivated violence in southern Serbia or in Macedonia, and for other purposes; to the Committee on International Relations.

By Mrs. BONO:

H.R. 983. A bill to require the Secretary of Energy to assign the same priority to providing renewable energy production incentive payments for landfill gas facilities as the priority assigned to providing such payments for other biomass facilities; to the Committee on Energy and Commerce.

By Mr. CAMP (for himself, Mr. MATSUI, Mr. FOLEY, Mr. TOWNS, Mr. CHAMBLISS, Mr. SAM JOHNSON of Texas, Mr. MANZULLO, Mr. THOMPSON of California, Mr. MCINNIS, Mr. SESSIONS, Ms. DUNN, Mr. WATKINS, Mr. SHIMKUS, Mr. RANGEL, Mr. COLLINS, Mr. CRAMER, Mr. CANNON, Mr. LEWIS of Georgia, Mrs. THURMAN, Mr. REYNOLDS, Mr. AKIN, Mr. RYAN of Wisconsin, and Mr. GRAHAM):

H.R. 984. A bill to amend the Internal Revenue Code of 1986 to repeal the occupational taxes relating to distilled spirits, wine, and beer; to the Committee on Ways and Means.

By Mr. CAMP:

H.R. 985. A bill to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on contributions to funeral trusts; to the Committee on Ways and Means.

By Mr. CAMP:

H.R. 986. A bill to amend the Internal Revenue Code of 1986 to provide that long-term vehicle storage by tax-exempt organizations which conduct county and similar fairs shall not be treated as an unrelated trade or business; to the Committee on Ways and Means.

By Mr. CHAMBLISS:

H.R. 987. A bill to transfer management of the Banks Lake Unit of the Okefenokee National Wildlife Refuge; to the Committee on Resources.

By Mr. ENGEL (for himself, Mr. NADLER, Mrs. MALONEY of New York, Mr. TOWNS, Mr. RANGEL, Mr. BOEHLERT, Mr. OWENS, Mrs. KELLY, Mr. SERRANO, Mr. MEEKS of New York, Mr. HOUGHTON, and Mr. CUMMINGS):

H.R. 988. A bill to designate the United States courthouse located at 40 Centre Street in New York, New York, as the "Thurgood Marshall United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. GREEN of Wisconsin (for himself, Mr. GREENWOOD, Mrs. MCCARTHY of New York, Mr. GUTKNECHT, Mr. MCGOVERN, Mr. RUSH, Mr. DAVIS of Illinois, Mrs. JO ANN DAVIS of Virginia, Mr. PAYNE, Mr. HORN, Mr. ROGERS of Michigan, Mr. PASCRELL, Mr. HOUGHTON, Mrs. MYRICK, Mr. HALL of Texas, and Ms. HOOLEY of Oregon):

H.R. 989. A bill to direct the Secretary of Housing and Urban Development to carry out a 3 year pilot program to assist law enforcement officers purchasing homes in locally-designated at-risk areas; to the Committee on Financial Services.

By Mr. HALL of Ohio (for himself, Mr. BAKER, Mr. LEWIS of Georgia, Mr. RAMSTAD, Mr. HINCHEY, Mr. WOLF, Mr. FATTAH, Mr. HOEFFEL, Mr. LIPINSKI, Mrs. EMERSON, Ms. HART, Mr. MCGOVERN, and Mrs. THURMAN):

H.R. 990. A bill to amend the Internal Revenue Code of 1986 to provide for charitable deductions for contributions of food inventory; to the Committee on Ways and Means.

By Mr. HAYWORTH (for himself, Mr. PAUL, Mr. DREIER, Mr. OTTER, Mr. YOUNG of Alaska, Mr. CALVERT, Mr. STUMP, Mr. GIBBONS, Mr. SESSIONS, Mr. SCHAFFER, Mr. CANNON, and Mr. LARGENT):

H.R. 991. A bill to amend the Internal Revenue Code of 1986 to treat gold, silver, and platinum, in either coin or bar form, in the same manner as stocks and bonds for purposes of the maximum capital gains rate for individuals; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself and Mr. SIMMONS):

H.R. 992. A bill to provide grants to local governments to assist such local governments in participating in certain decisions related to certain Indian groups and Indian tribes; to the Committee on Resources.

By Mr. KELLER:

H.R. 993. A bill to improve the prevention and punishment of criminal smuggling, transporting, and harboring of aliens, and for other purposes; to the Committee on the Judiciary.

By Mrs. MALONEY of New York (for herself, Mr. ENGLISH, Mr. BORSKI, Mr. MCGOVERN, Mr. PASCRELL, Mr. OWENS, Mr. PAYNE, Ms. MCKINNEY, Mrs. CHRISTENSEN, Mr. BLUMENAUER, Mr. GEORGE MILLER of California, Mr. CLAY, Ms. MCCARTHY of Missouri, Mr. ABERCROMBIE, Mr. BARCIA, Mr. MALONEY of Connecticut, Mr. ACKERMAN, and Mrs. MEEK of Florida):

H.R. 994. A bill to authorize the Secretary of Housing and Urban Development to make grants to nonprofit community organizations for the development of open space on municipally owned vacant lots in urban areas; to the Committee on Financial Services.

By Mr. MCINNIS:

H.R. 995. A bill to provide permanent appropriations to the Radiation Exposure Compensation Trust Fund to make payments under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note); to the Committee on Appropriations.

By Mr. MCINNIS:

H.R. 996. A bill to ensure the timely payment of benefits to eligible persons under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note); to the Committee on Appropriations.

By Mrs. MINK of Hawaii:

H.R. 997. A bill to amend title XVIII of the Social Security Act to waive the part B premium penalty for individuals entitled to TRICARE health benefits as a member or former member of the uniformed services, or dependent of such a member or former member, and to amend title 10, United States Code, to waive the TRICARE requirement for enrollment in Medicare part B in the case of individuals enrolled under the Federal Employees Health Benefits program; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE:

H.R. 998. A bill to reduce gun trafficking by prohibiting bulk purchases of handguns; to the Committee on the Judiciary.

By Mr. POMEROY:

H.R. 999. A bill to strengthen the standards by which the Surface Transportation Board reviews railroad mergers, and to apply the Federal antitrust laws to rail carriers and railroad transportation; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PORTMAN (for himself and Mr. CHABOT):

H.R. 1000. A bill to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes; to the Committee on Resources.

By Mr. RAHALL:

H.R. 1001. A bill to amend title XIX of the Social Security Act to make optional the requirement that a State seek adjustment or recovery from an individual's estate of any medical assistance correctly paid on behalf of the individual under the State Medicaid plan; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN (for herself, Mr. HANSEN, Mr. HEFLEY, Mr. HASTINGS of Florida, Mr. SHAW, and Mr. DIAZ-BALART):

H.R. 1002. A bill to direct the Secretary of the Interior to make certain adjustments to the boundaries of Biscayne National Park in the State of Florida, and for other purposes; to the Committee on Resources.

By Mr. SCHAFFER (for himself, Mr. BISHOP, Mr. BLUNT, Mr. DOOLITTLE, Mr. CHAMBLISS, Mr. FLETCHER, Mr. HAYES, Mr. GOODE, Mr. LEWIS of Kentucky, Mr. MCHUGH, Mr. OTTER, Mr. PAUL, Mr. PICKERING, Mr. ROSS, Mr. SESSIONS, Mr. SHOWS, Mr. SIMPSON, Mr. WATKINS, and Mr. WATTS of Oklahoma):

H.R. 1003. A bill to amend the Internal Revenue Code of 1986 to increase the maximum amount of wages that a farmer can pay for agricultural labor without being subject to the Federal unemployment tax on that labor to reflect inflation since the unemployment tax was first established, and to provide for an annual inflation adjustment in such maximum amount of wages; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself and Mr. CONYERS):

H.R. 1004. A bill to amend the National Voter Registration Act of 1993 to establish a procedure under which individuals whose names do not appear on the list of registered voters in an election for Federal office at a particular polling place may cast provisional votes at the polling place, and for other purposes; to the Committee on House Administration.

By Mr. SHOWS (for himself, Mr. BLAGOJEVICH, Mr. CRAMER, Ms. SANCHEZ, Ms. HART, Mr. LUCAS of Kentucky, and Mr. SMITH of New Jersey):

H.R. 1005. A bill to amend the Communications Act of 1934 to require that violent video programming is limited to broadcast after the hours when children are reasonably likely to comprise a substantial portion of the audience, unless it is specifically rated on the basis of its violent content so that it is blockable by electronic means specifically on the basis of that content; to the Committee on Energy and Commerce.

By Mr. STUPAK:

H.R. 1006. A bill to amend the Emergency Steel Loan Guarantee Act of 1999 to prohibit steel companies receiving loan guarantees from investing the loan proceeds in foreign steel companies and using the loan proceeds to import steel products from foreign countries that are subject to certain trade remedies; to the Committee on Financial Services.

By Mr. STUPAK (for himself, Mr. HUTCHINSON, Mr. SCOTT, Mrs. MALONEY of New York, Mrs. ROUKEMA, Mrs. MCCARTHY of New York, Mrs. CHRISTENSEN, Mr. ETHERIDGE, Mr. FRANK, Mr. KELLER, Mr. GREENWOOD, Mrs. CAPPS, Mr. PASCRELL, Mr. GILMAN, Mr. LARSON of Connecticut, Mr. MCGOVERN, Mr. FILNER, Mr. WALSH, Ms. RIVERS, Mr. MCHUGH, Ms. MCKINNEY, Ms. KAPTUR, Mr. LIPINSKI, Mr. OXLEY, Ms. MCCARTHY of Missouri, Mr. CLEMENT, Mr. MCINTYRE, Mr. SOUDER, Mr. RAMSTAD, Mr. GORDON, Mr. SMITH of New Jersey, Mr. SHERMAN, Mr. KUCINICH, Mr. FOSSELLA, Mr. BERMAN, Ms. HOOLEY of Oregon, Mrs. MORELLA, Ms. JACKSON-LEE of Texas, Ms. SANCHEZ, Mr. REYES, Mr. HOLDEN, Mr. RODRIGUEZ, Ms. MILLENDER-MCDONALD, Mr. ABERCROMBIE, Mrs. THURMAN, and Mr. VISCLOSKY):

H.R. 1007. A bill to limit access to body armor by violent felons and to facilitate the donation of Federal surplus body armor to State and local law enforcement agencies; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TERRY (for himself, Mr. NETHERCUTT, Mr. JONES of North Carolina, Mr. PAUL, Mr. HILLEARY, Mr. WAMP, Mr. FERGUSON, Mr. STENHOLM, Mr. SHIMKUS, Mr. GREEN of Wisconsin, Mr. WHITFIELD, Mr. HERGER, Mr. RYUN of Kansas, Mr. ISAKSON, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. POMBO, Mr. SHADEGG, Mr. GARY MILLER of California, Mr. BARTLETT of Maryland, Mr. BUYER, Mr. EHRLICH, Mr. DUNCAN, Mr. OTTER, Mr. SCHAFFER, Mr. RILEY, Mr. NEY, Mr. BLUNT, and Mr. KENNEDY of Minnesota):

H.R. 1008. A bill to prohibit the Secretary of Transportation and the Administrator of the Federal Motor Carrier Administration from taking action to finalize, implement, or enforce a rule related to the hours of service of drivers for motor carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TOOMEY (for himself, Mr. KANJORSKI, Mr. GONZALEZ, Mr. NEY, Ms. HOOLEY of Oregon, Mrs. ROUKEMA, and Ms. CAPITO):

H.R. 1009. A bill to repeal the prohibition on the payment of interest on demand deposits; to the Committee on Financial Services.

By Mr. UDALL of New Mexico (for himself, Mrs. KELLY, Mrs. NAPOLITANO, and Mr. UDALL of Colorado):

H.R. 1010. A bill to provide emergency relief to small businesses affected by significant increases in the prices of heating oil, natural gas, propane, and kerosene, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WILSON (for herself, Mr. EVANS, Mr. DUNCAN, Mr. RAHALL, and Mr. DOYLE):

H.R. 1011. A bill to amend title XIX of the Social Security Act to provide public access to quality medical imaging procedures and radiation therapy procedures; to the Committee on Energy and Commerce.

By Mr. WOLF (for himself, Mr. TOM DAVIS of Virginia, Mrs. MORELLA, Mr. EHLERS, Mrs. TAUSCHER, and Mr. UDALL of Colorado):

H.R. 1012. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for expenses incurred in teleworking; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself, Mr. MURTHA, Mr. KANJORSKI, Mr. SHIMKUS, Mr. SHOWS, Mr. ROHRABACHER, Mr. RYUN of Kansas, Mr. BURTON of Indiana, Ms. HART, Mr. BARCIA, Mr. CROWLEY, Mr. DOOLEY of California, Mr. THUNE, Mr. BEREUTER, Mr. GUTKNECHT, Mr. HUNTER, Mr. MCCRERY, Mr. BOEHLERT, Mr. SAXTON, Mr. RAMSTAD, Mr. GOODE, Mr. FOSSELLA, Mr. TOOMEY, Mr. BACHUS, Mr. LOBIONDO, Mr. GANSKE, Mr. DUNCAN, Mr. CRAMER, Mr. GREEN of Texas, Mr. KING, Mr. SMITH of Texas, Mr. FRELINGHUYSEN, Mr. HILLEARY, Mrs. KELLY, Mr. GILMAN, Mr. ENGLISH, Mr. OSBORNE, Mr. BUYER, Mr. SUNUNU, Mr. CAMP, Mr. SWEENEY, Mr. FOLEY, Mr. COOKSEY, Mr. DEAL of Georgia, Mr. TAYLOR of North Carolina, Mr. ROGERS of Michi-

gan, Mr. RILEY, Mr. SMITH of New Jersey, Mr. ISAKSON, Mr. EVERETT, Mr. REYNOLDS, Mr. RAHALL, Mr. STENHOLM, Mr. BILIRAKIS, Mr. DOYLE, Mr. WICKER, Mr. SIMMONS, Mrs. MCCARTHY of New York, Mr. STUMP, Mr. TOM DAVIS of Virginia, Mrs. THURMAN, Mr. SKELTON, Mr. LIPINSKI, Mr. GARY MILLER of California, Mr. TAYLOR of Mississippi, Mr. WALDEN of Oregon, Mr. WOLF, Mr. MCNULTY, Mr. HUTCHINSON, Mrs. MYRICK, Mr. CRENSHAW, Mr. BISHOP, Mr. EHRLICH, Mr. SCHROCK, Mr. BARTON of Texas, Mr. SOUDER, Mr. EDWARDS, Mr. FLETCHER, Mr. SIMPSON, Mr. GILLMOR, Mr. BACA, Mr. OXLEY, Mr. HULSHOF, Mr. TANCREDO, Mrs. JO ANN DAVIS of Virginia, Mr. HINOJOSA, Mr. GREEN of Wisconsin, Mr. LEWIS of Kentucky, Mrs. EMERSON, Mr. BAKER, Mr. ADERHOLT, Mr. HORN, Mrs. WILSON, Mr. RADANOVICH, Mr. ISSA, Mr. YOUNG of Alaska, Mr. QUINN, Mr. AKIN, Mr. KERNS, Mr. GRUCCI, Mr. GRAHAM, Mr. MOLLOHAN, Mr. HAYWORTH, Mr. HEFLEY, Mr. BROWN of Ohio, Mr. TURNER, Mr. SHAW, Mr. SAM JOHNSON of Texas, Mr. ROGERS of Kentucky, and Mr. GORDON):

H.J. Res. 36. A joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

By Mr. CLEMENT:

H.J. Res. 37. A joint resolution proposing an amendment to the Constitution of the United States to provide for the appointment and voting, by congressional district, of electors for the election of President and Vice President, and to provide procedures for electing the President and Vice President if no candidate receives a majority of electoral votes; to the Committee on the Judiciary.

By Mr. BARRETT (for himself, Mr. KILDEE, Mr. TRAFICANT, Mr. FATTAH, Mr. LARSON of Connecticut, Ms. RIVERS, Mr. REYES, Ms. DELAURO, Mrs. MINK of Hawaii, Mrs. THURMAN, Mr. FILNER, Mr. HILLIARD, Mr. WAXMAN, Mr. MALONEY of Connecticut, Mr. LAHOOD, Mr. UPTON, Mr. JOHNSON of Illinois, Mr. GUTIERREZ, Mr. COYNE, Ms. BERKLEY, and Mr. MCDERMOTT):

H. Con. Res. 61. Concurrent resolution expressing support for a National Reflex Sympathetic Dystrophy (RSD) Awareness Month; to the Committee on Energy and Commerce.

By Mr. CAPUANO (for himself, Mr. BILIRAKIS, Mr. SERRANO, Mr. FATTAH, Mr. SANDERS, Mr. DAVIS of Illinois, Mr. PASCRELL, Mr. ABERCROMBIE, Mr. NORWOOD, Mr. BISHOP, Mr. BALDACCI, Mr. HILLIARD, Mrs. MALONEY of New York, Ms. BROWN of Florida, Mr. RAHALL, Mr. STRICKLAND, Ms. LEE, Mr. SHIMKUS, Ms. RIVERS, Mrs. JONES of Ohio, Mr. THOMPSON of California, Mr. SCOTT, Mr. DOOLEY of California, Mr. SESSIONS, Mr. BRADY of Pennsylvania, Mr. LAHOOD, Mr. EHRLICH, Mr. DOYLE, Mr. UPTON, Mrs. MCCARTHY of New York, Mr. EVANS, Mr. WELLER, Ms. SLAUGHTER, Mr. MEEHAN, Mr. TRAFICANT, Mr. FORD, Mr. BROWN of Ohio, Mr. HINCHEY, Mr. MENENDEZ, Mr. TOWNS, Mr. SMITH of New Jersey, Mr. KUCINICH, Mr. HAYWORTH, Mr. GONZALEZ, Mr. CLAY, Mr. FRANK, Mr. DEAL of Georgia, Mr. OLVER, Mr. FILNER, Mr. BONIOR, Mr. PAYNE, Ms. BALDWIN, Mrs. EMERSON, Mr. PHELPS, Mr. MCGOVERN, Mr. BERMAN, Mr. PETERSON of Minnesota, and Ms. HOOLEY of Oregon):

H. Res. 87. A resolution to express the sense of the House of Representatives that the Federal investment in programs that provide health care services to uninsured and low-income individuals in medically underserved areas be increased in order to double access to care over the next 5 years; to the Committee on Energy and Commerce.

¶21.29 ADDITIONAL SPONSORS

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

H.R. 17: Mr. LEACH, Mr. LATOURETTE, and Mr. MCINTYRE.

H.R. 25: Ms. DELAURO and Mrs. KELLY.

H.R. 27: Mr. PAUL.

H.R. 31: Mr. PETERSON of Minnesota.

H.R. 40: Ms. BROWN of Florida, Mr. OLVER, and Mr. THOMPSON of Mississippi.

H.R. 65: Mr. CRENSHAW.

H.R. 85: Mr. BURR of North Carolina and Mr. SOUDER.

H.R. 100: Mrs. KELLY, Mr. GRUCCI, and Mr. WELDON of Florida.

H.R. 101: Mrs. KELLY, Mr. GRUCCI, and Mr. WELDON of Florida.

H.R. 102: Mrs. KELLY, Mr. GRUCCI, and Mr. WELDON of Florida.

H.R. 122: Mr. BRADY of Texas, Mr. BAKER, Mr. PLATTS, Mr. CRENSHAW, Mr. SIMMONS, Mr. DUNCAN, Mr. SMITH of New Jersey, Mr. NEY, Mr. CALVERT, Mr. TAYLOR of North Carolina, Mr. BURTON of Indiana, Mr. MCHUGH, Mr. PETERSON of Pennyslvania, Mr. SOUDER, Mr. CAMP, Mr. HORN, Mr. GRAVES, Mr. BLUNT, Mr. HILLEARY, Mr. CANTOR, Mr. WEXLER, Ms. HART, Mr. FOLEY, Mr. JONES of North Carolina, and Mr. FERGUSON.

H.R. 134: Ms. MILLENDER-MCDONALD.

H.R. 145: Ms. CARSON of Indiana.

H.R. 148: Mr. PAYNE, Mr. DOYLE, MRS. THURMAN Mr. FROST, and Mr. CLAY.

H.R. 161: Mr. ARMEY.

H.R. 162: Mr. OWENS, Mr. WAXMAN, Mr. BARCIA, Ms. CARSON of Indiana, and Ms. SCHAKOWSKY.

H.R. 179: Mr. BOSWELL.

H.R. 202: Mr. SIMPSON.

H.R. 214: Mrs. THURMAN and Mr. FILNER.

H.R. 220: Mr. NEY.

H.R. 236: Mr. MORAN of Kansas and Mr. BASS.

H.R. 240: Mr. BACHUS.

H.R. 250: Mr. TAYLOR of North Carolina, Mr. PRICE of North Carolina, Mr. SHOWS, Mr. JONES of North Carolina, Mr. SUNUNU, Mr. THOMPSON of California, Mr. BLUNT, Mr. JENKINS, Mr. BALLENGER, and Mr. BOSWELL.

H.R. 257: Mrs. JO ANN DAVIS of Virginia and Mr. DEMINT.

H.R. 267: Mr. PORTMAN, Mr. RODRIGUEZ, Mr. CUMMINGS, and Mr. WALSH.

H.R. 275: Mr. BRADY of Texas, Mr. SCHAFFER, and Mr. SOUDER.

H.R. 283: Mr. CONYERS.

H.R. 285: Mr. ABERCROMBIE, Ms. SCHAKOWSKY, Mr. SANDERS, Ms. CARSON of Indiana, Mr. PAYNE, Ms. LEE, Mr. LANTOS, Mrs. THURMAN, Mr. MCGOVERN, and Ms. SANCHEZ.

H.R. 288: Mr. SANDERS and Mr. KUCINICH.

H.R. 295: Mrs. ROUKEMA.

H.R. 303: Mr. HILLEARY, Ms. SOLIS, Mrs. WILSON, Mrs. NORTHUP, Mr. GIBBONS, Mrs. MCCARTHY of New York, Mr. BECERRA, Mr. BLUNT, Mr. WAXMAN, Mr. CRENSHAW, Mr. TRAFICANT, Mr. WYNN, Mr. REYES, Ms. SLAUGHTER, Mr. CANTOR, Mr. ACEVEDO-VILA, Mr. NEY, and Mr. BERRY.

H.R. 308: Mr. CONYERS.

H.R. 320: Ms. VELAZQUEZ.

H.R. 322: Mr. MILLER of Florida, Mr. BARTON of Texas, and Mr. WELDON of Florida.

H.R. 326: Mr. BALDACCI, Mr. LEWIS of Georgia, Mr. EVANS, Mr. BACA, Mr. FRANK, and Mrs. MCCARTHY of New York.

H.R. 336: Ms. HART, Ms. MILLENDER-MCDONALD, and Mr. GREEN of Texas.

H.R. 340: Mr. BECERRA, Mr. GUTIERREZ, Mr. ORTIZ, and Mr. SERRANO.

H.R. 342: Mr. PAUL.

H.R. 347: Mrs. MEEK of Florida.

H.R. 348: Ms. PELOSI.

H.R. 369: Mr. SCHROCK, Mrs. JO ANN DAVIS of Virginia, Mr. SIMMONS, and Mr. SHIMKUS.

H.R. 374: Mr. SESSIONS and Mr. RADANOVICH.

H.R. 381: Mr. TOWNS, Mr. HASTINGS of Washington, Mr. BOYD, Mr. LEWIS of California, and Mr. BILIRAKIS.

H.R. 385: Mr. HASTINGS of Washington.

H.R. 430: Mr. RODRIGUEZ.

H.R. 435: Mr. JONES of North Carolina, Ms. MILLENDER-MCDONALD, and Mr. HAYWORTH.

H.R. 456: Mr. HOSTETTLER, Mr. SHADEGG, Mr. TOOMEY, Mr. LARGENT, Mr. LOBIONDO, Mr. SOUDER, Mrs. JO ANN DAVIS of Virginia, Mr. HEFLEY, and Mr. REHBERG.

H.R. 457: Ms. SLAUGHTER and Mr. RODRIGUEZ.

H.R. 481: Ms. CARSON of Indiana and Mr. PAYNE.

H.R. 488: Mrs. MCCARTHY of New York, Mr. BERMAN, and Mr. ANDREWS.

H.R. 493: Mr. ROTHMAN.

H.R. 496: Mr. OTTER and Mr. BEREUTER.

H.R. 499: Mrs. MORELLA.

H.R. 500: Mrs. CLAYTON, Ms. PELOSI, and Mr. KUCINICH.

H.R. 503: Mr. ADERHOLT, Mr. KELLER, Mr. ISTOOK, Mr. FLETCHER, Mr. KENNEDY of Minnesota, Mr. SAM JOHNSON of Texas, and Mr. WATTS of Oklahoma.

H.R. 511: Ms. SOLIS and Mr. ROTHMAN.

H.R. 518: Mr. LATOURETTE.

H.R. 525: Mr. ROGERS of Michigan and Mr. ISSA.

H.R. 526: Mr. BLUMENAUER, Mr. LAFALCE, and Mr. PAYNE.

H.R. 527: Mr. BARR of Georgia and Mr. BALDACCI.

H.R. 572: Mr. PAYNE.

H.R. 577: Mrs. JO ANN DAVIS of Virginia, Mr. LAHOOD, and Mr. SCHAFFER.

H.R. 579: Ms. NORTON, Mr. WEXLER, Ms. CARSON of Indiana, and Mr. SMITH of New Jersey.

H.R. 581: Mr. MCINNIS.

H.R. 590: Ms. BERKLEY.

H.R. 600: Mr. BONIOR, Ms. SOLIS, Mr. ACKERMAN, Mrs. EMERSON, Mr. MOAKLEY, Ms. HOOLEY of Oregon, Mr. PORTMAN, Mr. EVANS, Mr. JEFFERSON, Mr. DIAZ-BALART, and Mr. ADERHOLT.

H.R. 606: Mr. HOLT, Ms. HART, Ms. BERKLEY, Mr. REYES, Ms. MILLENDER-MCDONALD, Mr. BORSKI, Mr. SOUDER, and Mrs. ROUKEMA.

H.R. 611: Ms. LEE, Mr. KIND, Mr. SHERMAN, Mr. MEEKS of New York, and Mr. VISCLOSKY.

H.R. 612: Ms. HART, Ms. MILLENDER-MCDONALD, Mr. MCGOVERN, Ms. BALDWIN, Mr. ENGLISH, Mr. LAMPSON, and Mr. CONDIT.

H.R. 613: Mr. UNDERWOOD and Mr. FORD.

H.R. 626: Mr. UPTON and Mr. STUMP.

H.R. 627: Mr. PICKERING.

H.R. 650: Mr. RANGEL.

H.R. 664: Mr. FILNER, Mr. CARSON of Oklahoma, and Mr. VISCLOSKY.

H.R. 676: Mr. BAKER and Mr. BOUCHER.

H.R. 683: Mrs. LOWEY, Mr. DELAHUNT, Mr. NADLER, Mr. ABERCROMBIE, Mr. MEEHAN, and Mrs. THURMAN.

H.R. 686: Mr. FARR of California, Mr. FATTAH, and Mr. PAYNE.

H.R. 694: Mr. NORWOOD.

H.R. 699: Mr. GOODE, Mr. FILNER, and Mr. BARTLETT of Maryland.

H.R. 708: Mr. KLECZKA, Mr. WEXLER, Mr. BRADY of Pennsylvania, Mr. MOAKLEY, and Mr. BERMAN.

H.R. 712: Mr. MCHUGH, Mr. BOYD, Mr. GUTIERREZ, Mr. LANTOS, Mr. NADLER, and Mr. ABERCROMBIE.

H.R. 717: Mr. TOM DAVIS of Virginia, Mr. SCHAFFER, Mr. MICA, Mr. KLECZKA, Mr. GARY MILLER of California, and Ms. SLAUGHTER.

H.R. 726: Ms. WOOLSEY and Mr. OWENS.

H.R. 737: Mr. PETERSON of Minnesota and Mr. COSTELLO.

H.R. 738: Mr. STUMP, Mr. GIBBONS, Mr. CRAMER, Mr. NETHERCUTT, Mr. KING, Mr. DEAL of Georgia, Ms. HART, Mr. HAYWORTH, and Mr. LOBIONDO.

H.R. 744: Mrs. MINK of Hawaii, Mr. BURR of North Carolina, and Mr. BONILLA.

H.R. 755: Mrs. DAVIS of California.

H.R. 762: Ms. BALDWIN.

H.R. 769: Mr. HILLEARY.

H.R. 770: Mr. ACEVEDO-VILA and Mr. UDALL of New Mexico.

H.R. 787: Mr. SESSIONS, Mr. FRANK, and Mr. RODRIGUEZ.

H.R. 794: Mr. CALVERT.

H.R. 808: Mr. SERRANO, Mr. BACHUS, Ms. BALDWIN, Mr. DAVIS of Illinois, Mr. DOYLE, Mr. GONZALEZ, Ms. LEE, Mr. PAYNE, Mr. RUSH, Mrs. TAUSCHER, and Mr. WATT of North Carolina.

H.R. 818: Ms. VELAZQUEZ, Mr. WAXMAN, Mr. TOWNS, Ms. MILLENDER-MCDONALD, and Ms. KAPTUR.

H.R. 827: Mrs. KELLY, Mr. HORN, and Mr. RODRIGUEZ.

H.R. 868: Mr. GILLMOR, Ms. PRYCE of Ohio, Mr. HOSTETTLER, Mr. CRANE, Mr. WALSH, Mr. WATKINS, Ms. HART, Mr. ISAKSON, Mr. SANDLIN, Mr. NETHERCUTT, Mr. WICKER, Mr. PLATTS, Mr. SWEENEY, Mr. BLUNT, Mr. OSBORNE, Mr. ROSS, and Mr. BARR of Georgia.

H.R. 877: Mr. PAUL and Mr. PRICE of North Carolina.

H.R. 891: Ms. MCKINNEY, and Mr. SCHIFF.

H.R. 899: Mr. ROGERS of Michigan, Mrs. JO ANN DAVIS of Virginia, and Mr. RAHALL.

H.R. 912: Mr. BOUCHER, Mrs. CLAYTON, Mr. DAVIS of Illinois, Ms. KAPTUR, Mr. LARSON of Connecticut, Ms. LOFGREN, Mrs. MALONEY of New York, Mr. RAHALL, Mr. RANGEL, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. SANDERS, Ms. SOLIS, Mr. TOWNS, Mr. PALLONE, Mr. CARSON of Oklahoma, Ms. MILLENDER-MCDONALD.

H.R. 914: Mr. BLUNT.

H.R. 933: Mr. ABERCROMBIE, Mr. SERRANO, Mr. WYNN, Mr. NADLER, Mr. FROST, Mr. JACKSON of Illinois, Mr. PAYNE, Mr. HILLIARD, Ms. MCCOLLUM, Mr. TOWNS, Mrs. JONES of Ohio, Mrs. MINK of Hawaii, Ms. NORTON, Mr. RUSH, Mr. RANGEL, Mr. KUCINICH, Mr. EVANS, Mr. KILDEE, Ms. WOOLSEY, and Ms. HARMAN.

H.R. 936: Ms. HART, Mr. GREEN of Texas, Mr. BERMAN, Mr. WAXMAN, Mrs. MALONEY of New York, Mr. BACA, Mr. LEACH, Mr. FARR of California, and Mr. KUCINICH.

H.R. 938: Mr. LANTOS, Mr. BERMAN, Ms. SCHAKOWSKY, and Mr. ALLEN.

H.R. 948: Mr. BONIOR, Mr. LATOURETTE, Mr. TOWNS, Mr. KENNEDY of Rhode Island, Mr. OLVER, Mr. MCDERMOTT, Mrs. MCCARTHY of New York, Mr. COYNE, Mr. WEXLER, Ms. SLAUGHTER, and Mr. ENGLISH.

H.R. 959: Mr. SENSENBRENNER, Mr. SESSIONS, Mr. OBEY, Mr. PETRI, Mr. FILNER, Mr. BACA, Mr. ROHRABACHER, Mr. CONDIT, and Mr. DOOLITTLE.

H.R. 962: Mrs. DAVIS of California, Mr. MCGOVERN, Mr. FILNER, Mr. ROSS, Mr. ABERCROMBIE, and Mr. ENGLISH.

H.R. 969: Mr. STEARNS and Mr. PETERSON of Pennsylvania.

H.J. Res. 13: Ms. BALDWIN and Mr. DOGGETT.

H.J. Res. 23: Mr. TERRY, Mr. PLATTS, and Mr. ARMEY.

H.J. Res. 27: Ms. LEE.

H. Con. Res. 17: Mr. PASCRELL, Mr. KIRK, Ms. PRYCE of Ohio, Mr. LANTOS, Mr. SMITH of Washington, Ms. MILLENDER-MCDONALD, Mr. DEUTSCH, Mr. BERMAN, and Ms. BALDWIN.

H. Con. Res. 23: Mr. CRANE and Mr. TANCREDO.

H. Con. Res. 29: Mr. HORN and Mr. KUCINICH.

H. Con. Res. 41: Ms. ROS-LEHTINEN and Mr. BROWN of Ohio.

H. Con. Res. 42: Ms. LEE, Mr. SIMMONS, and Mr. ALLEN.

H. Con. Res. 52: Mr. MORAN of Virginia, Mr. FILNER, Mr. SHIMKUS, Mr. HASTINGS of Florida, Mr. HORN, Mr. CAPUANO, Mr. WU, Mrs. JONES of Ohio, and Ms. BERKLEY.

H. Con. Res. 57: Ms. SANCHEZ, Mr. FARR of California, Mr. GALLEGLY, and Mr. ROYCE.

H. Con. Res. 58: Mr. HINCHEY, Mr. KUCINICH, and Mr. SMITH of New Jersey.

H. Res. 17: Mr. LUTHER and Ms. VELAZQUEZ.

H. Res. 18: Ms. BALDWIN, Mrs. MALONEY of New York, Ms. RIVERS, Mrs. THURMAN, Ms. PELOSI, Ms. MILLENDER-MCDONALD, Ms. SCHAKOWSKY, Mrs. LOWEY, Mr. PALLONE, Mr. WEXLER, Mr. GUTIERREZ, Ms. LEE, Mr. TIERNEY, Mrs. CAPPS, Mr. MORAN of Kansas, Mr. MCGOVERN, Mr. PASCRELL, Mr. SANDLIN, Ms. WATERS, Mr. CROWLEY, Mr. STARK, Ms. DEGETTE, Ms. BERKLEY, Ms. CARSON of Indiana, Mr. CAPUANO, Ms. SANCHEZ, Mrs. CLAYTON, Mr. DEUTSCH, Mr. BERMAN, Mr. CUMMINGS, Mr. LUTHER, Ms. HOOLEY of Oregon, and Ms. HARMAN.

H. Res. 27: Mr. ROSS.

H. Res. 47: Mrs. THURMAN.

H. Res. 67: Mr. NEAL of Massachusetts, Ms. SOLIS, Mr. UNDERWOOD, Ms. ROYBAL-ALLARD, Mr. BROWN of Ohio, Mrs. MINK of Hawaii, Ms. MCCOLLUM, Mr. RUSH, Mr. HINOJOSA, Mr. MENENDEZ, Mr. GREEN of Texas, Mr. FILNER, Mrs. KELLY, Mr. BURR of North Carolina, and Mr. BACA.

H. Res. 73: Mr. SESSIONS, Mr. FRANK, and Mr. RODRIGUEZ.

WEDNESDAY, MARCH 14, 2001 (22)

The House was called to order by the SPEAKER.

¶22.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, March 13, 2001.

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

¶22.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1200. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Electronic Fund Transfers [Regulation E; Docket No. R–1077] received March 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1201. A letter from the Deputy Executive Secretary to Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicaid Program; Change in Application of Federal Financial Participation Limits: Delay of Effective Date [HCFA–2086–F2] (RIN: 0938–AJ96) received March 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1202. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Burke, South Dakota) [MM Docket No. 00–16; RM–9805]; (Marietta, Mississippi) [MM Docket No. 00–146; RM–9937]; (Lake City, Colorado) [MM Docket No. 00–147; RM–9938]; (Glenville, West Virginia) [MM Docket No. 00–212; RM–9988]; (Pigeon Forge, Tennessee) [MM Docket No. 00–213; RM–9989]; (Lincolnton, Georgia) [MM Docket No. 00–214; RM–9990] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1203. A letter from the Associate Division Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996 [CC Docket No. 94–129] Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers—received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1204. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Heber, Arizona) [MM Docket No. 00–189; RM–9984]; (Snowflake, Arizona) [MM Docket No. 00–190; RM–9985]; (Overgaard, Arizona) [MM Docket No. 00–191; RM–9986]; (Taylor, Arizona) [MM Docket No. 00–192; RM–9987] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1205. A letter from the Associate Division Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996 [CC Docket No. 94–129] Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers—received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1206. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 07–01 which informs of the planned signature of the Memorandum of Understanding between the United Kingdom and the United States concerning the Development, Documentation, Production and Initial Fielding of Military Satellite Communications, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

1207. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 01–01 which informs of the planned signature of the Memorandum of Understanding Concerning Cooperation in Navigation Warfare Technology Demonstrator and System Prototype Projects with Australia and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

1208. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 006–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1209. A communication from the President of the United States, transmitting the President's bimonthly report on progress toward a negotiated settlement of the Cyprus question, covering the period December 1, 2000 to January 31, 2001, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

1210. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–408, ''Insurance Economic Development Amendment Act of 2000'' received March 14, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1211. A letter from the Acting Assistant Secretary for Management and Chief Information Officer, Department of the Treasury, transmitting the Department of Treasury's Commercial Activities Inventory in accordance with the Federal Activities Inventory Reform Act; to the Committee on Government Reform.

1212. A letter from the Managing Director, Federal Communications Commission, transmitting a copy of the FY 2000 commercial inventory submission; to the Committee on Government Reform.

1213. A letter from the Executive Officer, National Science Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

1214. A letter from the Chair, Railroad Retirement Board, transmitting the Annual Report of the Railroad Retirement Board for Fiscal Year 2000, pursuant to 45 U.S.C. 231f(b)(6); to the Committee on Government Reform.

1215. A letter from the Acting Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Florida Keys National Marine Sanctuary Regulations [Docket No. 000510129–1004–02] (RIN: 0648–A018) received March 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1216. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; 2001 Specifications and Foreign Fishing Restrictions [Docket No. 001127331–1044–02; I.D. 102600B] (RIN: 0648–AN69) received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1217. A letter from the Acting Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule—Distribution and Use of Tax-Free Alcohol (2000R–294P) [T.D. ATF–443; Ref: Notice No. 828] (RIN: 1512–AB57) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1218. A letter from the Acting Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule—West Elks Viticultural Area (2000R–257P) [T.D. ATF–445; RE: Notice No. 904] (RIN: 1512–AA07) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1219. A letter from the Acting Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule—Formulas for Denatured Alcohol and Rum (2000R–295P) [T.D. ATF–442; Ref: Notice No. 832] (RIN: 1512–AB60) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1220. A letter from the Principal Deputy Under Secretary of Defense, Department of Defense, transmitting the annual reports that set out the current amount of outstanding contingent liabilities of the United States for vessels insured under the authority of Title XII of the Merchant Marine Act of 1936, and for aircraft insured under the authority of chapter 433 of Title 49, United States Code, pursuant to Public Law 104—201, section 1079(a) (110 Stat. 2670); jointly to the Committees on Armed Services and Transportation and Infrastructure.

1221. A letter from the Acting Assistant Secretary for Economic Development, Economic Development Administration, transmitting the annual report on the activities of the Economic Development Administration for Fiscal Year 1999, pursuant to 42 U.S.C. 3217; jointly to the Committees on Transportation and Infrastructure and Financial Services.

¶22.3 MADE IN AMERICA INFORMATION

Mr. STEARNS moved to suspend the rules and pass the bill (H.R. 725) to establish a toll free number under the Federal Trade Commission to assist consumers in determining if products are American-made; as amended.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. STEARNS and Mrs. CAPPS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. STEARNS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶22.4 COMMITTEE ELECTION—MINORITY

Mr. FROST, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 88):

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

Committee on Agriculture: to rank immediately after Mr. Phelps of Illinois, Mr. Lucas of Kentucky; to rank immediately after Mr. Acevedo-Vilá of Puerto Rico, Mr. Kind of Wisconsin and Mr. Shows of Mississippi;

Committee on the Budget: Mr. Matheson of Utah.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶22.5 MARJORY WILLIAMS SCRIVENS POST OFFICE

Mr. PLATTS moved to suspend the rules and pass the bill (H.R. 364) to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office''.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. PLATTS and Mrs. MEEK, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶22.6 W. JOE TROGDON POST OFFICE BUILDING

Mr. PLATTS moved to suspend the rules and pass the bill (H.R. 821) to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building''.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. PLATTS and Mrs. MEEK, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶22.7 ANTITRUST TECHNICAL CORRECTIONS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 809) to make technical corrections to various antitrust laws and to references to such laws.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. SENSENBRENNER and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶22.8 MADRID PROTOCOL IMPLEMENTATION

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 741) to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. SENSENBRENNER and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶22.9 MULTIPARTY, MULTIFORUM CIVIL ACTIONS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 860) to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. SENSENBRENNER and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶22.10 INTELLECTUAL PROPERTY

Mr. SENSENBRENNER moved to suspend the rules and pass the bill of the Senate (S. 320) to make technical corrections in patent, copyright, and trademark laws; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. SENSENBRENNER and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶22.11 TECHNICAL AMENDMENTS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 861) to make technical amendments to section 10 of title 9, United States Code.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. SENSENBRENNER and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶22.12 H.R. 725—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 725) to establish a toll free number under the Federal Trade Commission to assist consumers in determining if products are American-made; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 407 / Nays 3

¶22.13 [Roll No. 48]

YEAS—407

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

Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Flake
Paul
Schaffer

NOT VOTING—22

Ackerman
Barton
Becerra
Brown (FL)
Cannon
Davis (IL)
Edwards
Ferguson
Frelinghuysen
Holt
Hunter
Jefferson
Johnson, E. B.
Keller
Lee
Meek (FL)
Miller, George
Moakley
Roukema
Saxton
Smith (NJ)
Towns

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to direct the Secretary of Commerce to provide for the establishment of a toll-free telephone number to assist consumers in determining whether products are American-made.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶22.14 H.R. 861—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 861) to make technical amendments to section 10 of title 9, United States Code.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 413 / Nays 0

¶22.15 [Roll No. 49]

YEAS—413

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

NOT VOTING—19

Ackerman
Barton
Becerra
Brown (FL)
Cannon
Davis (IL)
Edwards
Ferguson
Frelinghuysen
Holt
Johnson, E. B.
Keller
Meek (FL)
Miller, George
Moakley
Roukema
Saxton
Smith (NJ)
Towns

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶22.16 PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, announced that the Speaker, pursuant to clause 11 of rule X and clause 11 of rule I, appointed to the Permanent Select Committee on Intelligence the following Member: Mr. BOSWELL.

¶22.17 JAPAN-UNITED STATES FRIENDSHIP COMMISSION

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, announced that the Speaker, pursuant to the section 4(a) of Public Law 94-118 (22 United States Code 2903), appointed to the Japan-United States Friendship Commission, on the part of the House, the following Member: Mr. MCDERMOTT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶22.18 PROVIDING FOR THE CONSIDERATION OF H.R. 327

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 107–22) the resolution (H. Res. 89) providing for consideration of the bill (H.R. 327) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses.

When said resolution and report were referred to the House Calendar and ordered printed.

¶22.19 COMMITTEE ELECTION—MINORITY

Mr. TURNER, by unanimous consent, submitted the following resolution (H. Res. 90):

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Standards of Official Conduct: Mrs. Jones of Ohio.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

And then,

¶22.20 ADJOURNMENT

On motion of Mr. TURNER, at 3 o'clock and 44 minutes p.m., the House adjourned.

¶22.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules.

House Resolution 89. Resolution providing for consideration of the bill (H.R. 327) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses (Rept. No. 107–22). Referred to the House Calendar.

¶22.22 PUBLIC BILLS AND RESOLUTIONS

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

By Ms. DUNN (for herself, Mr. TANNER, Mr. COX, Mr. ABERCROMBIE, Mr. BROWN of South Carolina, Mr. CULBERSON, Mr. EVERETT, Mr. GOODE, Mr. COOKSEY, Mr. BACHUS, Mr. PENCE, Mr. LAHOOD, Mr. SHADEGG, Mr. DUNCAN, Mr. WHITFIELD, Mr. SAXTON, Mr. BONILLA, Mrs. ROUKEMA, Mrs. BIGGERT, Mr. FERGUSON, Mr. GILCHREST, Mr. RADANOVICH, Mr. SHAW, Mr. MALONEY of Connecticut, Mr. SAM JOHNSON of Texas, Mr. TANCREDO, Mr. BOUCHER, Mr. TRAFICANT, Mr. KELLER, Mr. BURTON of Indiana, Mr. SHOWS, Mr. GARY MILLER of California, Mr. ROGERS of Michigan, Mr. CUNNINGHAM, Mr. ROYCE, Mr. GREENWOOD, Mr. SMITH of Texas, Mr. FOLEY, Mr. HAYWORTH, Mr. WELLER, Mr. KIRK, Mr. YOUNG of Alaska, Mr. BAIRD, Mr. WAMP, Mr. DOOLEY of California, Mr. EHLERS, Mr. CANTOR, Mr. POMBO, Mr. SIMMONS, Mr. CAMP, Mr. MCINTYRE, Mr. HAYES, Mr. NETHERCUTT, Ms. HART, Mr. BARTON of Texas, Mrs. WILSON, Mr. HALL of Texas, Mr. HYDE, Mr. WOLF, Mr. SUNUNU, Mr. GRUCCI, Mr. CALLAHAN, Mr. RYAN of Wisconsin, Mrs. KELLY, Mr. LARGENT, Mr. DEAL of Georgia, Mr. CANNON, Mr. ADERHOLT, Mr. CRANE, Ms. GRANGER, Mr. BLUNT, Mr. GREEN of Wisconsin, Mr. HERGER, Mr. ENGLISH, Mr. LOBIONDO, Mr. JENKINS, Mr. PITTS, Mr. LEWIS of California, Mr. OXLEY, Mr. RILEY, Mr. CHAMBLISS, Mr. WATTS of Oklahoma, Mrs. NORTHUP, Mr. OSE, Mr. SMITH of New Jersey, Mr. LEWIS of Kentucky, Mr. LUCAS of Oklahoma, Mr. SIMPSON, Mr. PETERSON of Pennsylvania, Mr. MCCRERY, Mrs. BONO, Mr. CALVERT, Mr. NEY, Mr. DOOLITTLE, Mr. HUNTER, Mr. SKEEN, Mr. HOEKSTRA, Mr. LATOURETTE, Mr. SHIMKUS, Mr. FLETCHER, Ms. CAPITO, Mr. EHRLICH, Mr. BISHOP, Mr. ROHRABACHER, Mr. BOEHLERT, Mr. RYUN of Kansas, Mr. CRAMER, Mrs. EMERSON, Mr. SCHAFFER, Mr. SESSIONS, Mr. ISAKSON, Ms. ROS-LEHTINEN, Mr. BURR of North Carolina, Mr. BARR of Georgia, Mr. HASTINGS of Washington, Mr. MILLER of Florida, Mr. HORN, Mr. RAMSTAD, Mr. MCHUGH, Mr. WALSH, Mr. CRENSHAW, Mr. NORWOOD, Mr. COBLE, Mr. NUSSLE, Mr. PLATTS, Mr. JONES of North Carolina, Mr. GEKAS, Mr. ROGERS of Kentucky, Mr. BASS, Mr. TERRY, Mr. SCHROCK, Mr. GOODLATTE, Mr. TOOMEY, Mr. WICKER, Mr. PORTMAN, Mr. TAUZIN, Mr. HANSEN, Mr. ARMEY, Mr. HILLEARY, Mr. MCINNIS, Mr. COMBEST, Mr. DELAY, Mrs. CUBIN, Mr. LINDER, Mr. MICA, Mrs. MCCARTHY of New York, Mr. FRELINGHUYSEN, Mr. BERRY, Mr. JOHN, Mr. CONDIT, Mr. SANDLIN, Mr. SWEENEY, Mr. KNOLLENBERG, Mr. PHELPS, Mr. CARSON of Oklahoma, Mr. GANSKE, Mr. THUNE, Mr. KERNS, Ms. PRYCE of Ohio, Mr. STUMP, Mr. SENSENBRENNER, Mr. OTTER, Mr. RAHALL, Mr. SISISKY, Mr. HULSHOF, Mr. LUCAS of Kentucky, Mr. WALDEN of Oregon, Mr. WYNN, Mr. FORD, Mr. REYNOLDS, Mr. BRADY of Texas, Mr. PAUL, Mr. GORDON, Mrs. JO ANN DAVIS of Virginia, Mr. COSTELLO, Mr. GILLMOR, Mr. WATKINS, Mr. PUTNAM, Mr. GIBBONS, Mr. AKIN, Mr. ISSA, Mr. FARR of California, Mr. BARCIA, Mrs. MYRICK, Mr. BARTLETT of Maryland, Mr. CHABOT, Mr. KINGSTON, Mr. HEFLEY, Mr. GALLEGLY, Mr. GILMAN, Mr. GOSS, Mr. WELDON of Florida, Mr. DEMINT, Mr. SOUDER, Mr. FOSSELLA, Mr. KOLBE, Mr. BILIRAKIS, Mr. LATHAM, Mr. TIAHRT, Mr. TAYLOR of North Carolina, Mr. SCARBOROUGH, Mr. VITTER, Mr. HOSTETTLER, Mr. GRAHAM, Mr. SPENCE, Mr. TOM DAVIS of Virginia, Mr. BOEHNER, Mr. OSBORNE, Mr. BRYANT, Mr. DREIER, Mr. PICKERING, Mr. THORNBERRY, Mr. WELDON of Pennsylvania, Mr. BAKER, Mr. KING, Mr. HUTCHINSON, Mr. MCKEON, Mr. MANZULLO, Mr. SMITH of Washington, Mr. LAMPSON, and Mrs. CLAYTON):

H.R. 8. A bill to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes.

By Mr. PORTMAN (for himself, Mr. CARDIN, Mr. ARMEY, Mr. FROST, Mr. BOEHNER, Mr. ANDREWS, Mr. BLUNT, Mr. BENTSEN, Mr. GALLEGLY, Mr. MOORE, Mr. HOUGHTON, Mr. COYNE, Mr. SAM JOHNSON of Texas, Mr. POMEROY, Mrs. JOHNSON of Connecticut, Mr. MANZULLO, Mrs. MORELLA, Mr. WELLER, Mr. WYNN, Mr. AKIN, Mr. BACA, Mr. BACHUS, Mr. BAIRD, Mr. BAKER, Mr. BALDACCI, Mr. BALLENGER, Mr. BARCIA, Mr. BARRETT, Mr. BASS, Mr. BEREUTER, Ms. BERKLEY, Mrs. BIGGERT, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BORSKI, Mr. BOSWELL, Mrs. BONO, Mr. BRADY of Texas, Mr. BRADY of Pennsylvania, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BUYER, Mr. CALVERT, Mr. CAMP, Mr. CANTOR, Ms. CAPITO, Mrs. CAPPS, Mr. CAPUANO, Mr. CHABOT, Mr. CLAY, Mr. CLEMENT, Mr. COBLE, Mr. COLLINS, Mr. CONDIT, Mr. COOKSEY, Mr. COX, Mr. CRANE, Mr. CRENSHAW, Mr. CROWLEY, Mr. CULBERSON, Mr. CUNNINGHAM, Mrs. JO ANN DAVIS of Virginia, Mr. DELAHUNT, Mr. DEMINT, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DOOLEY of California, Mr. DOYLE, Mr. DREIER, Ms. DUNN, Mr. EHRLICH, Mrs. EMERSON, Mr. ENGEL, Mr. ENGLISH, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FERGUSON, Mr. FILNER, Mr. FLETCHER, Mr. FOLEY, Mr. FORD, Mr. FOSSELLA, Mr. FRELINGHUYSEN, Mr. GANSKE, Mr. GIBBONS, Mr. GILCHREST, Mr. GILLMOR, Mr. GOSS, Mr. GONZALEZ, Mr. GOODE, Mr. GOODLATTE, Mr. GORDON, Ms. GRANGER, Mr. GRAVES, Mr. GREEN of Texas, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. HALL of Texas, Mr. HALL of Ohio, Ms. HART, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILL, Mr. HILLEARY, Mr. HOBSON, Mr. HOLDEN, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. HULSHOF, Mr. HOLT, Mr. HUTCHINSON, Mr. HYDE, Mr. ISAKSON, Mr. ISTOOK, Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. JONES of North Carolina, Mr. KANJORSKI, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KIND, Mr. KING, Mr. KINGSTON, Mr. KIRK, Mr. KLECZKA, Mr. KNOLLENBERG, Mr. KOLBE, Mr. KUCINICH, Mr. LAHOOD, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LARGENT, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LATHAM, Mr. LATOURETTE, Mr. LEACH, Mr. LEWIS of Kentucky, Mr. LOBIONDO, Ms. LOFGREN, Mrs. LOWEY, Mr. LUCAS of Oklahoma, Mr. LUCAS of Kentucky, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MASCARA, Mr. MATHESON, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCCRERY, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCINNIS, Mr. MCINTYRE, Mr. MCKEON, Mr. MCNULTY, Mr. MEEHAN, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GARY MILLER of California, Mrs. MINK of Hawaii, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. NADLER, Mr. NETHERCUTT, Mr. NEY, Mrs. NORTHUP, Mr. NORWOOD, Mr. NUSSLE, Mr. OSBORNE, Mr. OTTER, Mr. OXLEY, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAUL, Mr. PAYNE, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. PETRI, Mr. PLATTS, Ms. PRYCE of Ohio, Mr. PUTNAM, Mr. QUINN, Mr. RAHALL, Mr. RAMSTAD, Mr. REGULA, Mr. REYNOLDS, Mr. RILEY, Mr. ROEMER, Mr. ROGERS of Michigan, Mrs. ROUKEMA, Mr. ROTHMAN, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SANDLIN, Mr. SAWYER, Mr. SAXTON, Ms. SCHAKOWSKY, Mr. SCARBOROUGH, Mr. SCHAFFER, Mr. SCHROCK, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAW, Mr. SHAYS, Mr. SHERMAN, Mr. SHERWOOD, Mr. SHOWS, Mr. SIMMONS, Mr. SIMPSON, Mr. SKELTON, Mr. SMITH of Washington, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SNYDER, Mr. SOUDER, Mr. SPRATT, Mr. STEARNS, Mr. STRICKLAND, Mr. STUPAK, Mr. SUNUNU, Mr. SWEENEY, Mr. TANCREDO, Mr. TANNER, Mrs. TAUSCHER, Mr. TAYLOR of North Carolina, Mr. TERRY, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mr. THUNE, Mrs. THURMAN, Mr. TIBERI, Mr. TRAFICANT, Mr. TOOMEY, Mr. TURNER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UPTON, Mr. WALDEN of Oregon, Mr. WALSH, Mr. WAMP, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WEINER, Mr. WELDON of Florida, Mr. WHITFIELD, Mr. WOLF, Ms. WOOLSEY, Mr. WU, and Mr. YOUNG of Alaska):

H.R. 10. A bill to provide for pension reform, and for other purposes.

By Mr. DEAL of Georgia (for himself, Mr. UDALL of Colorado, Mr. TANCREDO, and Mr. PETERSON of Pennsylvania):

H.R. 1013. A bill to promote recreation on Federal lakes, to require Federal agencies responsible for managing Federal lakes to pursue strategies for enhancing recreational experiences of the public, and for other purposes; to the Committee on Resources, and in addition to the Committees on Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CARSON of Indiana:

H.R. 1014. A bill to prevent children from injuring themselves with handguns; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JO ANN DAVIS of Virginia (for herself, Mr. HAYWORTH, Mr. SCHROCK, Mr. CRENSHAW, Mr. CANTOR, and Mr. GOODLATTE):

H.R. 1015. A bill to provide for an increase in the amount of Servicemember's Group Life Insurance paid to survivors of members of the Armed Forces who died in the performance of duty between November 1, 2000, and April 1, 2001; to the Committee on Veterans' Affairs.

By Ms. BALDWIN (for herself, Mr. MCHUGH, Mr. OBEY, Mr. KIND, Mr. BARRETT, Mr. SENSENBRENNER, Mr. PETRI, Mr. SANDERS, Mr. HINCHEY, Mr. BOUCHER, Mr. COOKSEY, Mr. FATTAH, Mr. ENGLISH, Mr. BALDACCI, Mr. HOUGHTON, Mr. BOYD, Mr. CALLAHAN, Mr. VITTER, Mr. BOEHLERT, Mr. BROWN of Ohio, Mr. PICKERING, Ms. SLAUGHTER, Mr. WALSH, Mr. SWEENEY, Mr. SHERWOOD, Mrs. EMERSON, Mr. MCGOVERN, Mr. PETERSON of Pennsylvania, Mr. CLAY, and Mr. KLECZKA):

H.R. 1016. A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit products that contain dry ultra-filtered milk products, milk protein concentrates, or casein from being labeled as domestic natural cheese, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GOODLATTE (for himself, Mr. SMITH of Texas, and Mr. BOUCHER):

H.R. 1017. A bill to prohibit the unsolicited e-mail known as ''spam''; to the Committee on the Judiciary.

By Mr. TOOMEY (for himself, Mr. RYAN of Wisconsin, Mr. ARMEY, Mr. FLAKE, Mr. SHADEGG, Mr. SAM JOHNSON of Texas, Mr. DEMINT, Mr. PENCE, Mr. BONILLA, Mr. SESSIONS, Mr. DOOLITTLE, Mr. RYUN of Kansas, Mr. SOUDER, Mr. LARGENT, Mr. OTTER, Mr. TANCREDO, Mr. CHABOT, Mr. COX, Mrs. MYRICK, Mr. HAYWORTH, Mr. CANTOR, Mr. AKIN, Ms. HART, Mr. SCHAFFER, Mr. GARY MILLER of California, Mr. ISTOOK, Mr. HOSTETTLER, Mr. PITTS, Mr. BARTLETT of Maryland, Mr. HERGER, Mr. ISSA, Mr. HEFLEY, Mr. KIRK, Mr. KELLER, Mr. JONES of North Carolina, Mrs. JO ANN DAVIS of Virginia, and Mr. BARR of Georgia):

H.R. 1018. A bill to amend the Internal Revenue Code of 1986 to provide for economic growth by providing tax relief; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself, Mr. GILMAN, Mr. SHAYS, Mr. HORN, Mr. MICA, Mr. SOUDER, Mr. LATOURETTE, and Mr. BARR of Georgia):

H.R. 1019. A bill to amend the Federal Election Campaign Act of 1971 to increase the penalties imposed for making or accepting contributions in the name of another and to prohibit foreign nationals from making any campaign-related disbursements; to the Committee on House Administration.

By Mr. QUINN (for himself, Mr. CLEMENT, and Mr. BACHUS):

H.R. 1020. A bill to authorize the Secretary of Transportation to establish a grant program for the rehabilitation, preservation, or improvement of railroad track; to the Committee on Transportation and Infrastructure.

By Mr. CANTOR (for himself, Mr. SISISKY, Mr. WOLF, Mr. TOM DAVIS of Virginia, Mr. MORAN of Virginia, Mr. SCOTT, Mr. SCHROCK, Mr. GOODE, Mr. GOODLATTE, Mr. BOUCHER, Mr. CRENSHAW, Mrs. JO ANN DAVIS of Virginia, Mrs. MYRICK, Mr. PLATTS, Mr. TOWNS, and Mr. TANCREDO):

H.R. 1021. A bill to require the Secretary of the Treasury to redesign Federal reserve notes of all denominations so as to incorporate the preamble to the Constitution of the United States, a list describing the Articles of the Constitution, and a list describing the Articles of Amendment, on the reverse side of such currency; to the Committee on Financial Services.

By Mr. DOOLITTLE:

H.R. 1022. A bill to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials; to the Committee on the Judiciary.

By Ms. DUNN (for herself, Mr. DEFAZIO, and Mr. WAMP):

H.R. 1023. A bill to amend the Incentive Grants for Local Delinquency Prevention Programs Act to authorize appropriations for fiscal years 2002 through 2007, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HULSHOF (for himself, Mr. JEFFERSON, Mr. MCCRERY, and Mr. COLLINS):

H.R. 1024. A bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 1025. A bill to amend the Internal Revenue Code of 1986 to establish a temporary checkoff on income tax returns to provide funding to States for improving the administration of elections for Federal office; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOORE (for himself, Mr. ABERCROMBIE, Mr. BAIRD, Mr. BALDACCI, Mrs. BONO, Mr. BOSWELL, Mr. CALVERT, Mr. CAPUANO, Mr. CLEMENT, Mr. CONDIT, Mr. CRAMER, Ms. DELAURO, Mr. DOOLEY of California, Mr. FROST, Mr. GREEN of Texas, Mr. HILL, Mr. HINCHEY, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HYDE, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. LUCAS of Kentucky, Mrs. MCCARTHY of New York, Ms. MCKINNEY, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. PASCRELL, Mr. PETERSON of Minnesota, Mr. ROHRABACHER, Mr. RUSH, Mr. SANDLIN, Mr. SISISKY, Mr. SKELTON, Mr. TANCREDO, Mrs. TAUSCHER, Mr. THOMPSON of California, Mrs. JONES of Ohio, Mr. TURNER, Mr. WU, Mr. WYNN, and Mr. UDALL of New Mexico):

H.R. 1026. A bill to amend the Internal Revenue Code of 1986 to increase the annual limitation on deductible contributions to individual retirement accounts to $5,000, and for other purposes; to the Committee on Ways and Means.

By Mr. OLVER (for himself, Mr. MEEHAN, Mr. TIERNEY, Mr. MCGOVERN, Mr. BASS, and Mr. MARKEY):

H.R. 1027. A bill to establish the Freedom's Way National Heritage Area in the Commonwealth of Massachusetts and in the State of New Hampshire, and for other purposes; to the Committee on Resources.

By Mr. PALLONE:

H.R. 1028. A bill to amend the Immigration and Nationality Act to permit the admission to the United States of nonimmigrant students and visitors who are the spouses and children of United States permanent resident aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. SHADEGG:

H.R. 1029. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions to charitable organizations which provide scholarships for children to attend elementary and secondary schools; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. RANGEL, Mrs. JOHNSON of Connecticut, Mr. STARK, Mr. HOUGHTON, Mr. MATSUI, Mr. HERGER, Mr. COYNE, Mr. RAMSTAD, Mr. CARDIN, Mr. CAMP, Mr. LEWIS of Georgia, Mr. SAM JOHNSON of Texas, Mr. NEAL of Massachusetts, Mr. ENGLISH, Mr. BECERRA, Mr. WATKINS, Mrs. THURMAN, Mr. HAYWORTH, Mr. MCINNIS, Mr. FOLEY, Mr. POMEROY, Mr. RILEY, Mrs. KELLY, Mr. NETHERCUTT, Mr. GARY MILLER of California, Mr. GOODE, Mr. DOYLE, Mr. GREEN of Wisconsin, Mr. STUMP, Mr. SHOWS, Mr. BLUMENAUER, Mr. FILNER, Mr. BENTSEN, Mr. GUTKNECHT, Mr. CLEMENT, Mr. TERRY, Mr. UDALL of New Mexico, Mr. DICKS, Mr. BONIOR, Mr. TOM DAVIS of Virginia, Mr. EHRLICH, Ms. PRYCE of Ohio, Mrs. MYRICK, Mr. CHAMBLISS, Mr. BUYER, Mr. SANDLIN, Mr. DOOLITTLE, Mr. LARSON of Connecticut, Mr. MILLER of Florida, Mr. REYNOLDS, Mr. DEUTSCH, Mr. ISAKSON, Mr. DAVIS of Florida, Mr. WELDON of Florida, Mr. GREENWOOD, Mr. KOLBE, Mr. COX, Mr. WEXLER, Mr. FROST, Mr. WATT of North Carolina, Mr. SOUDER, Mr. MALONEY of Connecticut, Mr. HALL of Ohio, Ms. CARSON of Indiana, and Mr. GREEN of Texas):

H.R. 1030. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain leasehold improvements; to the Committee on Ways and Means.

By Mr. SIMMONS (for himself, Mr. EHRLICH, Ms. HART, Mr. SHAYS, Mrs. BIGGERT, Mr. ARMEY, Mr. SMITH of New Jersey, Mr. GREENWOOD, and Mrs. JOHNSON of Connecticut):

H.R. 1031. A bill to prohibit the use of Federal funds for certain amenities and personal comforts in the Federal prison system; to the Committee on the Judiciary.

By Mr. STUPAK (for himself, Mr. BROWN of Ohio, Mr. BARRETT, Ms. KILPATRICK, Ms. RIVERS, Mr. KIND, Mr. BONIOR, Mr. CONYERS, Mr. KUCINICH, Mr. OBEY, Mr. LUTHER, Mr. QUINN, Mr. KILDEE, Mr. DINGELL, Mr. BARCIA, Mr. LEVIN, Ms. BALDWIN, Mr. MARKEY, and Mrs. THURMAN):

H.R. 1032. A bill to prohibit oil and gas drilling in the Great Lakes; to the Committee on Resources.

By Mr. TIERNEY (for himself, Mr. BONIOR, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. CONYERS, Mr. DEFAZIO, Mr. HILLIARD, Mr. MCDERMOTT, Mr. NADLER, Ms. NORTON, Mr. OLVER, Ms. RIVERS, Mr. SANDERS, Mr. WEINER, Mr. STARK, Mr. FATTAH, Mr. MCGOVERN, Ms. LEE, Ms. SCHAKOWSKY, Ms. WATERS, Mr. BALDACCI, Mr. KUCINICH, Mr. GUTIERREZ, Mrs. MEEK of Florida, Mr. KILDEE, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. CHRISTENSEN, Mr. HINCHEY, Mr. LANTOS, Mrs. JONES of Ohio, Mr. FILNER, Mr. LEWIS of Georgia, Mr. EVANS, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. BRADY of Pennsylvania, Mr. PAYNE, Ms. BALDWIN, Mr. MARKEY, Mr. THOMPSON of Mississippi, Mr. OWENS, and Mr. DAVIS of Illinois):

H.R. 1033. A bill to amend the Social Security Act to provide grants and flexibility through demonstration projects for States to provide universal, comprehensive, cost-effective systems of health care coverage, with simplified administration; to the Committee on Energy and Commerce.

By Mr. TOWNS (for himself and Mr. YOUNG of Alaska):

H.R. 1034. A bill to amend the National Telecommunications and Information Administration Organization Act to establish a digital network technology program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado (for himself, Mr. FROST, Mr. OWENS, Mr. HILLIARD, Ms. MCKINNEY, Mr. BALDACCI, Mr. BLUMENAUER, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. HINOJOSA, Mr. KUCINICH, Mr. MCGOVERN, Mrs. TAUSCHER, Mr. BAIRD, Ms. BALDWIN, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. WU, and Mrs. JO ANN DAVIS of Virginia):

H.R. 1035. A bill to direct the Administrator of the Small Business Administration to conduct a pilot program to raise awareness about telecommuting among small business employers, and to encourage such employers to offer telecommuting options to employees; to the Committee on Small Business.

By Mr. WU (for himself, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. OWENS, Mr. PAYNE, Mrs. MINK of Hawaii, Mr. ANDREWS, Mr. SCOTT, Ms. WOOLSEY, Ms. RIVERS, Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. KIND, Mr. FORD, Mr. KUCINICH, Ms. SOLIS, Mr. HOLT, Mr. HINOJOSA, Ms. MCCOLLUM, and Mrs. DAVIS of California):

H.R. 1036. A bill to amend the Elementary and Secondary Education Act of 1965 to reduce class size through the use of fully qualified teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KENNEDY of Rhode Island (for himself and Mr. LANGEVIN):

H. Con. Res. 62. Concurrent resolution expressing the sense of Congress that the George Washington letter to Tuoro Synagogue in Newport, Rhode Island, which is on display at the B'nai B'rith Klutznick National Jewish Museum in Washington D.C., is one of the most significant early statements buttressing the nascent American constitutional guarantee of religious freedom; to the Committee on the Judiciary.

By Mr. LANGEVIN (for himself, Ms. JACKSON-LEE of Texas, Mrs. MEEK of Florida, Mrs. MALONEY of New York, Mr. REYES, Mr. HOYER, Mr. MEEHAN, Mr. WAXMAN, Mr. CAPUANO, Mr. HOEFFEL, Mr. BROWN of Ohio, Mr. FROST, Mr. CLAY, Mr. MOORE, Mr. RANGEL, and Mr. DELAHUNT):

H. Con. Res. 63. Concurrent resolution expressing the sense of Congress that Congress should act quickly to enact significant election administration reforms which may be implemented prior to the regularly scheduled general elections for Federal office held in 2002; to the Committee on House Administration.

By Mr. FROST:

H. Res. 88. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. TURNER:

H. Res. 90. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

¶22.23 ADDITIONAL SPONSORS

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

H.R. 25: Mr. GILMAN.
H.R. 31: Mr. HUNTER.
H.R. 68: Mr. BOYD.
H.R. 80: Mr. GIBBONS.
H.R. 99: Mr. CANTOR.
H.R. 105: Mr. CANTOR.
H.R. 162: Mr. DICKS, Mr. BONIOR, Mr. RAHALL, Mr. MATSUI, and Mrs. MINK of Hawaii.
H.R. 179: Mr. ACEVEDO-VILÁ, Mr. BLUNT, Mr. HASTINGS of Florida, Mr. HOLT and Mr. ORTIZ.
H.R. 239: Mrs. KELLY, Mr. NADLER, and Mrs. LOWEY.
H.R. 244: Ms. MILLENDER-MCDONALD.
H.R. 257: Mr. JONES of North Carolina, Mr. WELDON of Florida, and Mr. DOOLITTLE.
H.R. 287: Mr. QUINN, Mr. MCNULTY, and Mr. MCHUGH.
H.R. 303: Mr. BALLENGER, Mr. LEACH, Mrs. BIGGERT, Mr. FOSSELLA, Mr. GUTIERREZ, Mr. BEREUTER, Mr. BOSWELL, and Mr. ORTIZ.
H.R. 320: Mr. GREEN of Wisconsin.
H.R. 330: Mr. ISSA and Mr. FLAKE.
H.R. 346: Ms. SCHAKOWSKY.
H.R. 347: Mrs. THURMAN.
H.R. 397: Ms. MCCARTHY of Missouri, Mr. HOEFFEL, Mr. UDALL of Colorado, Ms. HOOLEY of Oregon, Mr. GUTIERREZ, Mr. SHAW, Ms. MCCOLLUM, Mr. ANDREWS, Mr. GILLMOR, Mr. BONIOR, Mr. GREEN of Texas, Ms. HART, and Mr. LAHOOD.
H.R. 436: Mr. CANNON, Mr. FILNER, Mr. MCHUGH, Mr. SIMMONS, Mr. HASTINGS of Washington, and Mr. HOLT.
H.R. 437: Ms. HART.
H.R. 489: Mrs. THURMAN, Mr. CLEMENT, Mr. DAVIS of Illinois, Mr. TURNER, Mr. BOUCHER, Ms. MILLENDER-MCDONALD, and Mr. GRUCCI.
H.R. 490: Mr. CLEMENT, Ms. ESHOO, Ms. DELAURO, Ms. SANCHEZ, Mr. SHOWS, Mr. SANDERS, Mr. MCINTYRE, Mr. LATOURETTE, Mr. JACKSON of Illinois, and Mr. LEACH.
H.R. 498: Mr. SIMMONS, Ms. WOOLSEY, Mr. BARTON of Texas, Mr. MATSUI, Mr. LANTOS, Ms. HART, Mr. BECERRA, Mr. BERMAN, and Mr. HALL of Texas.
H.R. 503: Ms. ROS-LEHTINEN, Mr. PETERSON of Pennsylvania, Mr. ISSA, and Mr. BOEHNER.
H.R. 510: Ms. HART, Ms. MILLENDER-MCDONALD, Ms. BALDWIN, Mr. CALVERT, and Mr. SAWYER.
H.R. 525: Mr. WYNN.
H.R. 534: Mrs. ROUKEMA, Mr. SMITH of Washington, Mr. FOSSELLA, Mr. BACHUS, Mr. MICA, Mr. BRYANT, Mr. WALDEN of Oregon, Mr. FROST, Mr. GILCHREST, Mr. LARSEN of Washington, Mr. KIRK, Mr. GOSS, Mr. YOUNG of Alaska, Mr. WATTS of Oklahoma, Mr. MCHUGH, Mr. BLUNT, Mr. GREEN of Texas, Mr. SCHROCK, Mr. HUTCHINSON, Mr. TANCREDO, and Mr. WELDON of Pennsylvania.
H.R. 544: Ms. MILLENDER-MCDONALD and Ms. HARMAN.
H.R. 550: Mr. LEVIN, Mr. ROGERS of Michigan, Mr. UPTON, Mr. BONIOR, Mr. CAMP, and Mr. BARCIA.
H.R. 551: Ms. HOOLEY of Oregon.
H.R. 585: Mr. ALLEN.
H.R. 606: Mr. TURNER, Mrs. MCCARTHY of New York, Mr. SCHIFF, Ms. VELAZQUEZ, Mr. BONIOR, and Mr. FERGUSON.
H.R. 612: Mr. BLUNT, Mr. BRYANT, Mr. TIAHRT, and Mr. LIPINSKI.
H.R. 622: Mr. GRAVES, Mr. OTTER, Mr. BALDACCI, Ms. SOLIS, Mr. HOEFFEL, Mr. PORTMAN, Ms. DUNN, and Mr. HYDE.
H.R. 687: Mr. KUCINICH and Mr. OWENS.
H.R. 698: Mr. CLAY, Ms. CARSON of Indiana, Mr. DELAHUNT, Mr. KUCINICH, Mr. PAYNE, and Ms. SLAUGHTER.
H.R. 756: Ms. MILLENDER-MCDONALD and Mrs. DAVIS of California.
H.R. 758: Mr. LANTOS, Ms. SLAUGHTER, and Ms. MILLENDER-MCDONALD.
H.R. 760: Ms. BALDWIN, Ms. BERKLEY, Ms. WOOLSEY, and Mr. BARCIA.
H.R. 762: Mrs. MEEK of Florida.
H.R. 779: Mr. LUCAS of Kentucky.
H.R. 785: Mrs. THURMAN.
H.R. 787: Mr. SIMMONS.
H.R. 801: Mr. FILNER, Mr. PASCRELL, Mr. EHRLICH, Mrs. ROUKEMA, and Mr. GOODE.
H.R. 811: Mrs. ROUKEMA.
H.R. 822: Mr. PAUL, Mr. GILLMOR, and Mr. EVANS.
H.R. 826: Mrs. THURMAN.
H.R. 871: Mr. OTTER.
H.R. 912: Mr. GANSKE, Mr. BAIRD, Mr. CLYBURN, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANGEVIN, Mr. MALONEY of Connecticut, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. OWENS, Mr. PASCRELL, Mr. SABO, Mr. SERRANO, Mr. UDALL of New Mexico, Mr. CUMMINGS, and Mrs. TAUSCHER.
H.R. 920: Ms. MCKINNEY.
H.R. 936: Ms. LEE, Mr. BOSWELL, Mr. MASCARA, Mr. CONYERS, Mr. ENGLISH, Mr. OLVER, Ms. VELAZQUEZ, Mr. GREEN of Wisconsin, Mr. PASTOR, and Mr. STEARNS.
H.R. 1005: Mr. MURTHA.
H.R. 1009: Mr. SHAYS.
H.J. Res. 36: Mr. BARR of Georgia, Mr. NETHERCUTT, Mr. LUCAS of Kentucky, and Mr. WAMP.
H. Res. 56: Ms. ROS-LEHTINEN.
H. Res. 72: Mr. DOOLEY of California and Mr. EVANS.
H. Res. 73: Mr. SIMMONS.
H. Res. 87: Ms. PELOSI and Mr. NETHERCUTT.

THURSDAY, MARCH 15, 2001 (23)

¶23.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. FOSSELLA, who laid before the House the following communication:

WASHINGTON, DC,
March 15, 2001.

I hereby appoint the Honorable VITO FOSSELLA to act as Speaker pro tempore on this day.

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

¶23.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. FOSSELLA, announced he had examined and approved the Journal of the proceedings of Wednesday, March 14, 2001.

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

¶23.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1222. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clethodim; Pesticide Tolerance [OPP–301105; FRL–6770–8] (RIN: 2070–AB78) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1223. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Chlorothalonil; Pesticide Tolerance [OPP–301088; FRL–6759–4] (RIN: 2070–AB78) received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1224. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board's report entitled, ''Report on Use of Plain Language In Agency Rulemakings,'' pursuant to section 722 of the Gramm-Leach-Bliley Act; to the Committee on Financial Services.

1225. A letter from the Secretary, Department of Energy, transmitting notification regarding the establishment of the Northeast Home Heating Oil Reserve; to the Committee on Energy and Commerce.

1226. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adhesives and Components of Coatings and Paper and Paperboard Components [Docket No. 99F–2081] received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1227. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Natamycin (Pimaricin) [Docket No. 00F–0175] received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1228. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Minnesota Designation of Areas for Air Quality Planning Purposes; Minnesota [MN61–01–7286a; MN62–01–7287a; FRL–6901–1] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1229. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Chromite Ore from the Transvaal Region of South Africa; Toxic Chemical Release Reporting; Community Right-to-Know [OPPTS–400134A; FRL–6722–9] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1230. A letter from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting the Department's 2000 FAIR Act Inventory Of Commercial Activities; to the Committee on Government Reform.

1231. A letter from the Chief Scout Executive and President, Boy Scouts of America, transmitting the Boy Scouts of America 2000 report to the Nation, pursuant to 36 U.S.C. 28; to the Committee on the Judiciary.

1232. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report entitled, ''Contacts Between the Police and the Public''; to the Committee on the Judiciary.

1233. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–100, -200, and -300 Series Airplanes [Docket No. 2000–NM–102–AD; Amendment 39–12120; AD 2001–04–02] (RIN: 2120–AA64) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1234. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B4 Series Airplanes, and Model A300 B4–600, A300 B4–600R, and A300 F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2000–NM–47–AD; Amendment 39–12118; AD 2001–03–14] (RIN: 2120–AA64) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1235. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes [Docket No. 2000–NM–224–AD; Amendment 39–12116; AD 2001–03–12] (RIN: 2120–AA64) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1236. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100, –200, –300, –400, and 747SR Series Airplanes [Docket No. 99–NM–206–AD; Amendment 39–12114; AD 2001–03–10] (RIN: 2120–AA64) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1237. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe Aerospatiale Model TBM 700 Airplanes [Docket No. 2000–CE–69–AD; Amendment 39–12126; AD 2001–04–07] (RIN: 2120–AA64) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1238. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145 Series Airplanes [Docket No. 2000–NM–256–AD; Amendment 39–12121; AD 2001–04–03] (RIN: 2120–AA64) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1239. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAe Systems (Operations) Limited Model BAe 146 and Model Avro 146–RJ Series Airplanes [Docket No. 2000–NM–253–AD; Amendment 39–12119; AD 2001–04–01] (RIN: 2120–AA64) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1240. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2000–NM–142–AD; Amendment 39–12112; AD 2001–03–08] (RIN: 2120–AA64) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1241. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Grouping Rules for Foreign Sales Corporation Transfer Pricing [TD 8944] (RIN: 1545–AX41) received March 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶23.4 PROVIDING FOR THE CONSIDERATION OF H.R. 327

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 89):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 327) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. Each section of that amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶23.5 SMALL BUSINESS PAPERWORK RELIEF

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 89 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 327) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with

certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, designated Mr. FOSSELLA as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. FOSSELLA, Chairman, pursuant to House Resolution 89, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Paperwork Relief Act''.

SEC. 2. FACILITATION OF COMPLIANCE WITH FEDERAL PAPERWORK REQUIREMENTS.

(a) REQUIREMENTS APPLICABLE TO THE DIRECTOR OF OMB.—Section 3504(c) of chapter 35 of title 44, United States Code (commonly referred to as the ''Paperwork Reduction Act''), is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(6) publish in the Federal Register on an annual basis—

''(A) a list of the requirements applicable to small-business concerns (within the meaning of section 3 of the Small Business Act (15 U.S.C. 631 et seq.)) with respect to collection of information by agencies, organized in such a manner that such small-business concerns can easily identify requirements with which they are expected to comply (e.g., organized by North American Industrial Classification System code and industrial/sector description (as published by the Office of Management and Budget)); and

''(B) the agency that issued each such requirement and the website address for such agency; and

''(7) make available on the Internet the information described in paragraph (6).''.

(b) ESTABLISHMENT OF AGENCY POINT OF CONTACT.—Section 3506 of such chapter 35 is amended by adding at the end the following new subsection:

''(i) In addition to the requirements described in subsection (c), each agency shall, with respect to the collection of information and the control of paperwork, establish one point of contact in the agency to act as a liaison between the agency and small-business concerns (within the meaning of section 3 of the Small Business Act (15 U.S.C. 631 et seq.)).''.

(c) ADDITIONAL REDUCTION OF PAPERWORK FOR CERTAIN SMALL BUSINESSES.—Section 3506(c) of such chapter is amended—

(1) in paragraph (2)(B), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3)(J), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(4) in addition to the requirements of this Act regarding the reduction of paperwork for small-business concerns (within the meaning of section 3 of the Small Business Act (15 U.S.C. 631 et seq.)), make efforts to further reduce the paperwork burden for small-business concerns with fewer than 25 employees.''.

(d) EFFECTIVE DATE REGARDING PUBLICATION OF REQUIREMENTS.—The Director of the Office of Management and Budget shall publish the first list of requirements required under paragraph (6) of section 3504(c) of title 44, United States Code (as added by subsection (a)), and make such list available on the Internet as required by paragraph (7) of such section (as added by subsection (a)), not later than the date that is one year after the date of the enactment of this Act.

SEC. 3. ESTABLISHMENT OF TASK FORCE TO STUDY STREAMLINING OF PAPERWORK COLLECTION REQUIREMENTS AND DISSEMINATION FOR SMALL-BUSINESS CONCERNS.

(a) IN GENERAL.—Chapter 35 of title 44, United States Code, is further amended by adding at the end of subchapter I the following new section:

''§ 3521. Establishment of task force on feasibility of streamlining information collection requirements and dissemination

''(a) There is hereby established a task force (in this section referred to as the 'task force') to study the feasibility of streamlining requirements with respect to small-business concerns regarding collection of information and strengthening dissemination of information.

''(b) The members of the task force shall be appointed by the Director, and shall include the following:

''(1) At least two representatives of the Department of Labor, including one representative of the Bureau of Labor Statistics and one representative of the Occupational Safety and Health Administration.

''(2) At least one representative of the Environmental Protection Agency.

''(3) At least one representative of the Department of Transportation.

''(4) At least one representative of the Department of the Treasury.

''(5) At least one representative of the Office of Advocacy of the Small Business Administration.

''(6) At least one representative of each of two agencies other than the Department of Labor, the Environmental Protection Agency, the Department of Transportation, the Department of the Treasury, and the Small Business Administration.

''(7) At least two representatives of the Department of Health and Human Services, including one representative of the Health Care Financing Administration.

''(c) The task force shall examine the feasibility of requiring each agency to consolidate requirements regarding collections of information with respect to small-business concerns within and across agencies without negatively impacting the effectiveness of underlying laws regarding such collections of information, in order that each small-business concern may submit all information required by an agency—

''(1) to one point of contact in the agency;

''(2) in a single format, or using a single electronic reporting system, with respect to the agency; and

''(3) on the same date.

''(d)(1) Not later than one year after the date of the enactment of the Small Business Paperwork Relief Act, the task force shall submit a report of its findings under subsection (c) to—

''(A) the chairmen and ranking minority members of the Committee on Government Reform and the Committee on Small Business of the House of Representatives, and the Committee on Governmental Affairs and the Committee on Small Business of the Senate; and

''(B) the Director of the Office of Management and Budget.

''(2) Not later than two years after the date of the enactment of such Act, the task force shall submit to the individuals described in paragraph (1) a report examining strengthening dissemination of information and including—

''(A) recommendations for implementing an interactive system for the requirements in section 3504(c)(6) that would allow small-business concerns to identify information collection requirements electronically;

''(B) guidelines for each agency for developing interactive reporting systems that include a component that edits the information submitted by a small-business concern for consistency;

''(C) recommendations for electronic dissemination of such information; and

''(D) recommendations, created in consultation with the Chief Information Officers Council (established pursuant to Executive Order 13011, issued July 16, 1996), for the coordination of information among the points of contact described in section 3506(i), so that those points of contact can provide small-business concerns with information collection requirements from other agencies.

''(e) As used in this section, the term 'small-business concern' has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 631 et seq.).''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3520 the following new item:

''3521. Establishment of task force on feasibility of streamlining information collection requirements and dissemination.''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. BURTON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 418 / Nays ..... 0 }

¶23.6 [Roll No. 50]

YEAS—418

Abercrombie	Biggert	Camp
Aderholt	Bilirakis	Cantor
Akin	Bishop	Capito
Allen	Blagojevich	Capps
Andrews	Blumenauer	Capuano
Armey	Blunt	Cardin
Baca	Boehlert	Carson (IN)
Bachus	Boehner	Carson (OK)
Baird	Bonilla	Castle
Baker	Bonior	Chabot
Baldacci	Bono	Chambliss
Baldwin	Borski	Clay
Ballenger	Boswell	Clayton
Barcia	Boucher	Clement
Barr	Brady (PA)	Clyburn
Barrett	Brady (TX)	Coble
Bartlett	Brown (FL)	Collins
Barton	Brown (OH)	Combest
Bass	Brown (SC)	Condit
Becerra	Bryant	Conyers
Bentsen	Burr	Cooksey
Bereuter	Burton	Costello
Berkley	Buyer	Cox
Berman	Callahan	Coyne
Berry	Calvert	Cramer

Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Ackerman
Boyd
Cannon
Davis, Tom
Evans
Ganske
Gephardt
Hilleary
Hoekstra
Jones (NC)
Keller
Largent
Moakley
Schaffer

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶23.7 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, March 19, 2001, at 2 o'clock p.m.

¶23.8 HOUR OF MEETING

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns on Monday, March 19, 2001, it adjourn to meet at 12:30 p.m. on Tuesday, March 20, 2001 for ''morning-hour debate''.

¶23.9 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, March 21, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶23.10 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. EVANS, for today.

And then,

¶23.11 ADJOURNMENT

On motion of Ms. KAPTUR, pursuant to the special order heretofore agreed to, at 12 o'clock and 20 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, March 19, 2001.

¶23.12 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. WELLER (for himself, Mr. BARCIA, Ms. CAPITO, Mr. KERNS, Mr. ADERHOLT, Mr. AKIN, Mr. ARMEY, Mr. BAIRD, Mr. BAKER, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BASS, Mr. BACHUS, Mr. BEREUTER, Ms. BERKLEY, Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BISHOP, Mr. BLUNT, Mr. BOEHNER, Mr. BOEHLERT, Mr. BONILLA, Mrs. BONO, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CANNON, Mr. CANTOR, Mr. CHABOT, Mr. CHAMBLISS, Mr. COBLE, Mr. COLLINS, Mrs. CUBIN, Mr. COMBEST, Mr. COOKSEY, Mr. COX, Mr. CRANE, Mr. CRENSHAW, Mr. CULBERSON, Mr. CUNNINGHAM, Mrs. JO ANN DAVIS of Virginia, Mr. DEAL of Georgia, Mr. DEMINT, Mr. DIAZ-BALART, Mr. DREIER, Mr. DUNCAN, Ms. DUNN, Mr. EHLERS, Mr. ISAKSON, Mr. EHRLICH, Mr. ENGLISH, Mrs. EMERSON, Mr. EVERETT, Mr. FERGUSON, Mr. FLAKE, Mr. FLETCHER, Mr. FOLEY, Mr. FOSSELLA, Mr. FRELINGHUYSEN, Mr. GALLEGLY, Mr. GEKAS, Mr. GANSKE, Mr. GIBBONS, Mr. GILCHREST, Mr. GILMAN, Mr. GOODE, Mr. GOODLATTE, Mr. GORDON, Mr. GOSS, Mr. GRAHAM, Ms. GRANGER, Mr. GRAVES, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. GRUCCI, Mr. GUTKNECHT, Mr. HANSEN, Ms. HART, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILLEARY, Mr. HOBSON, Mr. HOEKSTRA, Mr. HOLT, Mr. HORN, Mr. HOSTETTLER, Mr. HOUGHTON, Mr. HULSHOF, Mr. HUNTER, Mr. HUTCHINSON, Mr. HYDE, Mr. ISSA, Mr. ISTOOK, Mr. JENKINS, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. JONES of North Carolina, Mr. KELLER, Mrs. KELLY, Mr. KENNEDY of Minnesota, Mr. KNOLLENBERG, Mr. KING, Mr. KINGSTON, Mr. KIRK, Mr. KOLBE, Mr. LARGENT, Mr. LATHAM, Mr. LAHOOD, Mr. LATOURETTE, Mr. LEACH, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LIPINSKI, Mr. LOBIONDO, Mr. LUCAS of Oklahoma, Mr. MALONEY of Connecticut, Mr. MANZULLO, Mrs. MCCARTHY of New York, Mr. MCCRERY, Mr. LARSEN of Washington, Mr. MCHUGH, Mr. MCINNIS, Mr. MCINTYRE, Mr. MCKEON, Mr. MICA, Mr. MILLER of Florida, Mr. GARY MILLER of California, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. NEY, Mr. NETHERCUTT, Mrs. NORTHUP, Mr. NORWOOD, Mr. NUSSLE, Mr. OSBORNE, Mr. OSE, Mr. OTTER, Mr. OXLEY, Mr. PAUL, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. PETRI, Mr. PICKERING, Mr. PITTS, Mr. PLATTS, Mr. POMBO, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. PUTNAM, Mr. QUINN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. REGULA, Mr. REHBERG, Mr. REYNOLDS, Mr. RILEY, Mrs. ROUKEMA, Mr. ROEMER, Mr. ROGERS of Kentucky, Mr. ROGERS of Michigan, Mr. ROHRABACHER, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SCARBOROUGH, Mr. SANDLIN, Mr. SCHAFFER, Mr. SCHROCK, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAW, Mr. SHAYS, Mr. SHERWOOD, Mr. SHIMKUS, Mr. SHOWS, Mr. SIMMONS, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SIMPSON, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. SUNUNU, Mr. SWEENEY, Mr. TAUZIN, Mr. TANCREDO, Mr. TAYLOR of North Carolina, Mr. TERRY, Mr. THUNE, Mr. TIAHRT, Mr. TIBERI, Mr. TOOMEY, Mr. UPTON, Mr. VITTER, Mr. WAMP, Mr. WALDEN of Oregon, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, Mr. WHITFIELD, Mr. WICKER, Mrs. WILSON, Mr. WOLF, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr.

WALSH, Mr. THORNBERRY, and Mr. CONDIT):

H.R. 6. A bill to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability; to the Committee on Ways and Means.

By Mr. MANZULLO (for himself, Ms. VELAZQUEZ, Mr. HEFLEY, Mrs. KELLY, Mr. ISSA, and Mr. GRUCCI):

H.R. 1037. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. JACKSON of Illinois (for himself, Mr. RODRIGUEZ, Mr. CLAY, Mr. HOEFFEL, and Ms. JACKSON-LEE of Texas):

H.R. 1038. A bill to place a moratorium on executions by the Federal Government and urge the States to do the same, while a National Commission on the Death Penalty reviews the fairness of the imposition of the death penalty; to the Committee on the Judiciary.

By Mr. TERRY (for himself, Mr. KNOLLENBERG, and Mr. PICKERING):

H.R. 1039. A bill to amend the Federal Election Campaign Act of 1971 to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARMEY (for himself, Mrs. MYRICK, Mr. TOOMEY, Mr. HEFLEY, Mr. SMITH of Michigan, and Mr. SUNUNU):

H.R. 1040. A bill to promote freedom, fairness, and economic opportunity for families by reducing the power and reach of the Federal establishment; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Pennsylvania:

H.R. 1041. A bill to amend title XIX of the Social Security Act to permit additional States to enter into long-term care partnerships under the Medicaid Program in order to promote the use of long-term care insurance; to the Committee on Energy and Commerce.

By Mr. GRUCCI:

H.R. 1042. A bill to prevent the elimination of certain reports; to the Committee on Science.

By Mr. WAXMAN (for himself, Mr. HANSEN, Mr. MEEHAN, Mr. GANSKE, Mr. DINGELL, Mrs. MORELLA, Mr. BROWN of Ohio, Mr. DOGGETT, Mr. BONIOR, Ms. DEGETTE, Mrs. CAPPS, Ms. DELAURO, Mr. LANTOS, Mr. MARKEY, Ms. ESHOO, Mr. STARK, Mr. ALLEN, Mr. MCDERMOTT, Mrs. MINK of Hawaii, Ms. SCHAKOWSKY, Mr. OLVER, Mr. HINCHEY, Ms. NORTON, Mrs. TAUSCHER, Mr. OBERSTAR, Mr. GEORGE MILLER of California, Ms. RIVERS, Mr. BALDACCI, Mr. PAYNE, Mr. BORSKI, Ms. ROYBAL-ALLARD, Mr. LAFALCE, Mr. DEFAZIO, Ms. SLAUGHTER, Ms. PELOSI, Mr. COYNE, Mr. BLUMENAUER, Mrs. MALONEY of New York, and Mr. WEXLER):

H.R. 1043. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration jurisdiction over tobacco; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. HANSEN, Mr. MEEHAN, Mrs. MORELLA, Mr. DOGGETT, Mr. BONIOR, Ms. DEGETTE, Mrs. CAPPS, Ms. DELAURO, Mr. LANTOS, Mr. MARKEY, Mr. STARK, Mr. ALLEN, Mr. MCDERMOTT, Ms. SCHAKOWSKY, Mr. OLVER, Mr. HINCHEY, Ms. NORTON, Mrs. TAUSCHER, Mr. OBERSTAR, Mr. GEORGE MILLER of California, Ms. RIVERS, Mr. BALDACCI, Mr. PAYNE, Mr. BORSKI, Ms. ROYBAL-ALLARD, Mr. LAFALCE, Mr. KILDEE, Mr. DEFAZIO, Ms. SLAUGHTER, Ms. PELOSI, Mr. COYNE, Mr. BLUMENAUER, Mrs. MALONEY of New York, Mr. WEXLER, Mr. MCGOVERN, Ms. CARSON of Indiana, and Ms. SOLIS):

H.R. 1044. A bill to prevent children from using tobacco products, to reduce the health costs attributable to tobacco products, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. WILSON (for herself, Mr. HUNTER, and Mr. ISSA):

H.R. 1045. A bill to lower energy costs to consumers, increase electric system reliability and provide environmental improvements, through the rapid deployment of distributed energy resources, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 1046. A bill to require cigarette products to be placed under or behind the counter in retail sales; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 1047. A bill to amend the Electronic Fund Transfer Act to prohibit any operator of an automated teller machine that displays any paid advertising from imposing any fee on a consumer for the use of that machine, and for other purposes; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 1048. A bill to facilitate transfers between interest-bearing accounts and transactions accounts at depository institutions for small businesses; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 1049. A bill to amend chapter 89 of title 5, United States Code, to make available to Federal employees the option of obtaining health benefits coverage for dependent parents; to the Committee on Government Reform.

By Mr. ANDREWS:

H.R. 1050. A bill to amend the Internal Revenue Code of 1986 to allow credits against income tax for an owner of a radio broadcasting station which donates the license and other assets of such station to a nonprofit corporation for purposes of supporting nonprofit fine arts and performing arts organizations, and for other purposes; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mr. KANJORSKI, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, Mr. ENGEL, and Ms. SCHAKOWSKY):

H.R. 1051. A bill to amend the Home Ownership and Equity Protection Act of 1994 and other sections of the Truth in Lending Act to protect consumers against predatory practices in connection with high cost mortgage transactions, to strengthen the civil remedies available to consumers under existing law, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, Mr. BONIOR, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. DELAHUNT, and Ms. SCHAKOWSKY):

H.R. 1052. A bill to amend the Truth in Lending Act to enhance consumer disclosures regarding credit card terms and charges, to restrict issuance of credit cards to students, to expand protections in connection with unsolicited credit cards and third-party checks and to protect consumers from unreasonable practices that result in unnecessary credit costs or loss of credit, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, and Ms. SCHAKOWSKY):

H.R. 1053. A bill to amend the Equal Credit Opportunity Act and the Home Mortgage Disclosure Act of 1975 to reduce the disparate impact of predatory lending on minorities, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, and Ms. SCHAKOWSKY):

H.R. 1054. A bill to amend the Truth in Lending Act to expand protections for consumers by adjusting statutory exemptions and civil penalties to reflect inflation, to eliminate the Rule of 78s accounting for interest rebates in consumer credit transactions, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mr. KANJORSKI, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, and Ms. SCHAKOWSKY):

H.R. 1055. A bill to amend the Federal Deposit Insurance Act and the Truth in Lending Act to prohibit federally insured institutions from engaging in high-cost payday loans, to expand protections for consumers in connection with the making of such loans by uninsured entities, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, and Ms. SCHAKOWSKY):

H.R. 1056. A bill to amend the Consumer Credit Protection Act to enhance the advertising of the terms and costs of consumer automobile leases, to permit consumer comparison of advertised lease offerings, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, and Ms. SCHAKOWSKY):

H.R. 1057. A bill to amend the Truth in Savings Act to enhance civil liability and other enforcement, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mr. KANJORSKI, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, and Ms. SCHAKOWSKY):

H.R. 1058. A bill to amend the Truth in Lending Act to prohibit the distribution of any check or other negotiable instrument as part of a solicitation by a creditor for an extension of credit, to limit the liability of consumers in conjunction with such solicita-

tions, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mr. KANJORSKI, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, and Ms. SCHAKOWSKY):

H.R. 1059. A bill to require insured depository institutions to make affordable transaction accounts available to their customers, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, and Ms. SCHAKOWSKY):

H.R. 1060. A bill to amend the Truth in Lending Act to prohibit unfair or deceptive creditor acts or practices, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE (for himself, Mr. KANJORSKI, Mr. GUTIERREZ, Ms. LEE, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. CLAY, Mr. HINCHEY, and Ms. SCHAKOWSKY):

H.R. 1061. A bill to authorize permanently an annual survey and report by the Board of Governors of the Federal Reserve System on fees charged for retail banking services; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 1062. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to C corporations which have substantial employee ownership and to encourage stock ownership by employees by excluding from gross income stock paid as compensation for services, and for other purposes; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 1063. A bill to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding brand name drugs and generic drugs; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 1064. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for annual screening mammography for any class of covered individuals if the coverage or plans include coverage for diagnostic mammography for such class and to amend title XIX of the Social Security Act to provide for coverage of annual screening mammography under the Medicaid Program; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 1065. A bill to protect the Social Security system and to amend the Congressional Budget Act of 1974 to require a two-thirds vote for legislation that changes the discretionary spending limits or the pay-as-you-go provisions of the Balanced Budget and Emergency Deficit Control Act of 1985 if the budget for the current year (or immediately preceding year) was not in surplus; to the Committee on Ways and Means, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Ms. ESHOO, Mr. CONDIT, Mr. THOMPSON of California, Mr. FARR of California, Mrs. TAUSCHER, and Mr. FILNER):

H.R. 1066. A bill to amend the Outer Continental Shelf Lands Act to direct the Secretary of the Interior to cease mineral leasing activity on submerged land of the Outer Continental Shelf that is adjacent to a coastal State that has declared a moratorium on such activity, and for other purposes; to the Committee on Resources.

By Mr. COLLINS (for himself and Mr. LEWIS of Georgia):

H.R. 1067. A bill to suspend temporarily the duty on certain steam or other vapor generating boilers used in nuclear facilities; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 1068. A bill to redesignate the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund as the Federal Old-Age and Survivors Insurance Accounting Fund and the Federal Disability Insurance Accounting Fund, respectively; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 1069. A bill to establish a Bipartisan Social Security Reform and Results Commission; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EHLERS (for himself, Mr. KIRK, and Mr. BARCIA):

H.R. 1070. A bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to make grants for remediation of sediment contamination in areas of concern and to authorize assistance for research and development of innovative technologies for such purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FALEOMAVAEGA (for himself and Mr. ABERCROMBIE):

H.R. 1071. A bill to increase the amounts authorized to be appropriated to carry out the National Sea Grant College Program Act; to the Committee on Resources.

By Mr. FOLEY:

H.R. 1072. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax for higher education loan interest payments; to the Committee on Ways and Means.

By Mr. FRANK (for himself, Mr. NEY, Mr. SANDLIN, Mrs. MORELLA, Mr. RANGEL, Mr. STUMP, Mr. BONIOR, Mr. SAXTON, Mr. PAUL, Mr. LAHOOD, Mr. ABERCROMBIE, Mr. SMITH of New Jersey, Ms. SCHAKOWSKY, Mr. MCHUGH, Mr. ALLEN, Mr. GILMAN, Ms. DELAURO, Mr. FOLEY, Mr. DELAHUNT, Mr. JONES of North Carolina, Mr. FROST, Mr. BARCIA, Mr. VISCLOSKY, Mr. BERMAN, Mr. WEXLER, Mr. DEFAZIO, Mrs. CAPPS, Mr. MORAN of Virginia, Mr. BALDACCI, Mr. KUCINICH, Mrs. CHRISTENSEN, Mr. GEORGE MILLER of California, Mr. WAXMAN, Mr. CLEMENT, Mr. MCGOVERN, Mr. COSTELLO, Ms. RIVERS, Mr. LUCAS of Kentucky, Mr. EVANS, Mr. COYNE, Ms. BALDWIN, Mr. ANDREWS, Mr. RAHALL, Mr. HINCHEY, Ms. ROYBAL-ALLARD, Ms. BERKLEY, Ms. MCKINNEY, Mr. LANTOS, Mr. PALLONE, and Mr. OLVER):

H.R. 1073. A bill to amend title II of the Social Security Act to restrict the application of the windfall elimination provision to individuals whose combined monthly income from benefits under such title and other monthly periodic payments exceeds $2,000 and to provide for a graduated implementation of such provision on amounts above such $2,000 amount; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 1074. A bill to direct the Secretary of Transportation to issue regulations relating to the transfer of airline tickets and to amend title 49, United States Code, relating to air carrier ticket pricing policies; to the Committee on Transportation and Infrastructure.

By Mr. HUNTER (for himself, Mr. ROYCE, Mr. POMBO, Mr. ROHRABACHER, Mr. HORN, Mr. RADANOVICH, Mr. DOOLITTLE, Mr. GARY MILLER of California, Mrs. BONO, Mr. CALVERT, Mr. OSE, Mr. CUNNINGHAM, and Mr. ISSA):

H.R. 1075. A bill to allow any business or individual in any State experiencing a power emergency to operate any type of power generation available to ensure their economic stability, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. JOHNSON of Connecticut (for herself, Mr. RANGEL, Mr. HOUGHTON, Mr. STARK, Mr. RAMSTAD, Mr. MATSUI, Mr. ENGLISH, Mr. COYNE, Mrs. MORELLA, Mr. LEVIN, Mr. LEACH, Mr. CARDIN, Mrs. KELLY, Mr. MCDERMOTT, Mr. GILMAN, Mr. KLECZKA, Mr. BOEHLERT, Mr. LEWIS of Georgia, Mr. LATOURETTE, Mr. NEAL of Massachusetts, Mr. KING, Mr. MCNULTY, Ms. ROS-LEHTINEN, Mr. JEFFERSON, Mr. NEY, Mr. BECERRA, Mr. FERGUSON, Mrs. THURMAN, Mr. HORN, Mr. POMEROY, Mr. QUINN, Mr. GEPHARDT, Mr. SMITH of New Jersey, Mr. GEORGE MILLER of California, Mr. MCHUGH, Mr. ETHERIDGE, Mr. WALSH, Mr. CONYERS, Mr. MOAKLEY, Mr. HOEFFEL, Ms. SCHAKOWSKY, Mrs. TAUSCHER, Mr. MALONEY of Connecticut, Mr. ENGEL, Ms. DELAURO, Mr. KILDEE, Mr. BERRY, and Mr. LARSEN of Washington):

H.R. 1076. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES of North Carolina:

H.R. 1077. A bill to provide that pay for prevailing rate employees in Pasquotank County, North Carolina, be determined by applying the same pay schedules and rates as apply with respect to prevailing rate employees in the local wage area that includes Carteret County, North Carolina; to the Committee on Government Reform.

By Mr. KLECZKA:

H.R. 1078. A bill to amend title XVIII of the Social Security Act, the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to provide for an election for retirees 55-to-65 years of age who lose employer-based coverage to acquire health care coverage under the Medicare Program or under COBRA continuation benefits, and to amend the Employee Retirement Income Security Act of 1974 to provide for advance notice of material reductions in covered services under group health plans; to the Committee on Ways and Means, and in addition to the Committees on Energy and Com-

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

By Mr. LEWIS of Kentucky (for himself and Mr. SCHAFFER):

H.R. 1079. A bill to amend the Internal Revenue Code of 1986 to change certain threshold and other tests in order to decrease the amount of farm labor wages that are subject to Social Security and Medicare taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. LINDER:

H.R. 1080. A bill to amend the Federal Election Campaign Act of 1971 to prohibit national political parties from using soft money, to restrict the use of soft money by corporations and labor organizations, to impose additional reporting requirements under such Act on corporations, labor organizations, and nonprofit organizations, and for other purposes; to the Committee on House Administration.

By Mr. OSE:

H.R. 1081. A bill to amend title 44, United States Code, to direct the Archivist of the United States to maintain an inventory of all gifts received from domestic sources for the President, the Executive Residence at the White House, or a Presidential archival depository; to the Committee on Government Reform.

By Mr. PETERSON of Minnesota (for himself, Mr. ABERCROMBIE, Mr. ALLEN, Mr. BALDACCI, Ms. BALDWIN, Mr. BENTSEN, Mr. BEREUTER, Mr. BOEHLERT, Mr. BOSWELL, Mr. BOUCHER, Mr. CHAMBLISS, Mr. COSTELLO, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. DELAHUNT, Mr. DINGELL, Mrs. EMERSON, Mr. ENGLISH, Mr. EVANS, Mr. FROST, Mr. GANSKE, Mr. GILLMOR, Mr. HILLIARD, Mr. HINCHEY, Mr. HOLDEN, Mr. ISAKSON, Ms. KAPTUR, Mr. KENNEDY of Minnesota, Mr. KOLBE, Mr. LUTHER, Mr. MARKEY, Ms. MCCOLLUM, Mr. GEORGE MILLER of California, Mr. NEY, Mr. OBERSTAR, Mr. OXLEY, Mr. PHELPS, Mr. PICKERING, Mr. POMBO, Mr. SESSIONS, Mr. SHOWS, Mr. STUPAK, Mr. THOMPSON of California, Mr. THUNE, Mr. TOWNS, Mr. UDALL of Colorado, Mr. WELDON of Pennsylvania, Mr. KENNEDY of Rhode Island, Mrs. THURMAN, Mr. CONDIT, and Mr. JOHN):

H.R. 1082. A bill to amend the Food Security Act of 1985 to expand the number of acres authorized for inclusion in the conservation reserve; to the Committee on Agriculture.

By Mr. PETERSON of Minnesota (for himself, Mr. WEXLER, Mr. ABERCROMBIE, Mr. CONYERS, Ms. KAPTUR, Mr. HOUGHTON, Mr. LAFALCE, Mr. PAYNE, Mr. SABO, Ms. SCHAKOWSKY, and Mr. CAPUANO):

H.R. 1083. A bill to amend the National Labor Relations Act to give employers and performers in the live performing arts, rights given by section 8(e) of such Act to employers and employees in similarly situated industries, to give such employers and performers the same rights given by section 8(f) of such Act to employers and employees in the construction industry, and for other purposes; to the Committee on Education and the Workforce.

By Mr. POMEROY (for himself, Mr. BALDACCI, and Mr. MCHUGH):

H.R. 1084. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit a State to register a Canadian pesticide for distribution and use within that State; to the Committee on Agriculture.

By Mr. RAHALL:

H.R. 1085. A bill to address certain anachronistic provisions of the general mining laws, and for other purposes; to the Committee on Resources.

By Mrs. TAUSCHER (for herself, Mr. GREENWOOD, Mrs. THURMAN, Ms. LEE, and Mr. WELDON of Pennsylvania):

H.R. 1086. A bill to provide for infant crib safety, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEINER (for himself, Mr. SOUDER, Mr. DEUTSCH, Mr. BENTSEN, Mr. BERMAN, Mr. CROWLEY, Mr. FROST, Mr. MCNULTY, and Mr. NADLER):

H.R. 1087. A bill to prohibit United States assistance for the Palestinian Authority and for programs, projects, and activities in the West Bank and Gaza; to the Committee on International Relations.

By Mr. PAUL:

H.J. Res. 38. A joint resolution disapproving the rule submitted by the Department of Health and Human Services on December 28, 2000, relating to standards for privacy of individually identifiable health information; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLEMENT (for himself, Ms. RIVERS, Mr. TIBERI, Mr. HOLT, Mrs. DAVIS of California, and Mr. BLUNT):

H. Con. Res. 64. Concurrent resolution expressing the sense of the Congress supporting music education and Music in Our Schools Month; to the Committee on Education and the Workforce.

By Mr. COLLINS (for himself, Mr. KINGSTON, Mr. BISHOP, Mr. CHAMBLISS, Mr. ISAKSON, Mr. LEWIS of Georgia, Mr. BARR of Georgia, Mr. DEAL of Georgia, Mr. LINDER, Mr. NORWOOD, and Ms. MCKINNEY):

H. Con. Res. 65. Concurrent resolution honoring the service of the 1,200 soldiers of the 48th Infantry Brigade of the Georgia Army National Guard as they deploy to Bosnia in March 2001, recognizing their sacrifice while away from their jobs and families during that deployment, and recognizing the important role of all National Guard and Reserve personnel at home and abroad to the national security of the United States; to the Committee on Armed Services.

By Ms. KAPTUR (for herself, Mrs. ROUKEMA, Mr. NEY, Mr. HOYER, Ms. BALDWIN, Ms. BERKLEY, Mrs. BIGGERT, Mrs. BONO, Ms. BROWN of Florida, Ms. CAPITO, Mrs. CAPPS, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mrs. CUBIN, Mrs. JO ANN DAVIS of Virginia, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAURO, Ms. DUNN, Mrs. EMERSON, Ms. ESHOO, Ms. GRANGER, Ms. HARMAN, Ms. HART, Ms. HOOLEY of Oregon, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mrs. JONES of Ohio, Mrs. KELLY, Ms. KILPATRICK, Ms. LEE, Ms. LOFGREN, Mrs. LOWEY, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Ms. MCKINNEY, Mrs. MALONEY of New York, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, Mrs. MORELLA, Mrs. MYRICK, Mrs. NAPOLITANO, Mrs. NORTHUP, Ms. NORTON, Ms. PELOSI, Ms. PRYCE of Ohio, Ms. RIVERS, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Ms. SANCHEZ, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Ms. SOLIS, Mrs. TAUSCHER, Mrs. THURMAN, Ms. VELAZQUEZ, Ms. WATERS, Mrs. WILSON, Ms. WOOLSEY, Mr. EHLERS, Mr. MICA, Mr. LINDER, Mr. DOOLITTLE, Mr. REYNOLDS, Mr. FATTAH, and Mr. DAVIS of Florida):

H. Con. Res. 66. Concurrent resolution authorizing the printing of a revised and updated version of the House document entitled ''Women in Congress, 1917–1990''; to the Committee on House Administration.

¶23.13 ADDITIONAL SPONSORS

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

H.R. 25: Mr. GILCHREST and Mrs. LOWEY.

H.R. 28: Mrs. EMERSON, Ms. SOLIS, and Mr. HYDE.

H.R. 31: Mr. WELDON of Florida.

H.R. 40: Ms. MCKINNEY and Mrs. TAUSCHER.

H.R. 51: Mr. JONES of North Carolina, Ms. HART, Mrs. CLAYTON, Mrs. THURMAN, and Mr. SIMMONS.

H.R. 81: Mr. FOLEY.

H.R. 117: Mr. CRAMER.

H.R. 126: Ms. BALDWIN.

H.R. 128: Mr. MCGOVERN, Mr. MCDERMOTT, and Ms. VELAZQUEZ.

H.R. 133: Mr. UNDERWOOD.

H.R. 169: Mr. PETRI, Ms. NORTON, Ms. CARSON of Indiana, Ms. BROWN of Florida, and Mr. TOWNS.

H.R. 179: Mr. CRENSHAW, Mr. NEAL of Massachusetts, Mr. HYDE, and Mr. CANTOR.

H.R. 183: Ms. MILLENDER-MCDONALD, Ms. SCHAKOWKY, Ms. BALDWIN, Mr. FILNER, and Mr. SANDERS.

H.R. 184: Mr. RUSH and Mr. KANJORSKI.

H.R. 187: Mr. FROST, Mr. STENHOLM, and Mr. PETRI.

H.R. 191: Mr. PAUL.

H.R. 192: Mr. FOLEY and Mr. BAKER.

H.R. 218: Mr. DEAL of Georgia, Mr. GIBBONS, Mr. SHADEGG, Mr. GRAHAM, Mr. LINDER, Mrs. NORTHUP, Mr. DUNCAN, Mr. SAXTON, Mr. HINCHEY, and Mr. BAKER.

H.R. 247: Mr. BLUNT, Mr. ISTOOK, and Mr. EVERETT.

H.R. 294: Ms. HART.

H.R. 303: Mrs. CLAYTON, Mr. MATHESON, Mr. SNYDER, Mr. PHELPS, Mr. DUNCAN, Mr. HOLT, Mr. CLYBURN, Mr. CONYERS, and Mr. HYDE.

H.R. 326: Mr. UDALL of New Mexico, Mr. TOWNS, and Mr. LAFALCE.

H.R. 327: Mr. OSE, Mr. PENCE, Mr. OTTER, Mr. PUTNAM, Mr. GRUCCI, Ms. CAPITO, Mr. FERGUSON, Mr. SCHROCK, Mr. TOOMEY, Mr. MANZULLO, and Mr. GRAVES.

H.R. 336: Ms. BALDWIN, Mrs. JONES of Ohio, and Mr. HOYER.

H.R. 340: Mrs. NAPOLITANO.

H.R. 356: Mr. FOLEY and Mr. KINGSTON.

H.R. 369: Mr. CLAY.

H.R. 415: Ms. CARSON of Indiana, Ms. WATERS, Mr. TOWNS, Mr. HOLDEN, Mr. PAUL, Ms. BROWN of Florida, Mrs. THURMAN, Ms. LEE, and Mr. WEXLER.

H.R. 446: Mr. RODRIGUEZ and Mr. MCGOVERN.

H.R. 458: Mr. SAM JOHNSON of Texas.

H.R. 476: Mr. WELDON of Florida, Mr. HAYES, Ms. HART, Mr. BARTLETT of Maryland, Mr. ROGERS of Michigan, and Mr. LEWIS of Kentucky.

H.R. 478: Mr. MURTHA.

H.R. 494: Mr. WELDON of Pennsylvania.

H.R. 500: Ms. SCHAKOWSKY and Mr. CROWLEY.

H.R. 516: Mr. RAHALL, Ms. CARSON of Indiana, Mr. FILNER, Mr. LOBIONDO, Mr. BACA, Mr. HUTCHINSON, Mr. ENGEL, and Mr. CRAMER.

H.R. 538: Ms. ROS-LEHTINEN, Mr. ARMEY, Mr. SOUDER, Mr. WATTS of Oklahoma, Mr. BRADY of Texas, Mr. FROST, Mrs. BONO, Mr. CALVERT, and Mr. YOUNG of Alaska.

H.R. 539: Mr. BLUNT, Mr. KENNEDY of Minnesota, and Mr. HEFLEY.

H.R. 573: Mr. BERMAN, Mr. FILNER, Mr. MCDERMOTT, Mr. BLUMENAUER, Ms. SCHAKOWSKY, Mr. ANDREWS, Mr. STARK, and Mr. SAWYER.
H.R. 576: Mr. MALONEY of Connecticut.
H.R. 581: Mr. DUNCAN, Mr. KOLBE, and Mr. TANCREDO.
H.R. 586: Mr. CARDIN and Mr. BURTON of Indiana.
H.R. 606: Mr. FOLEY, Mr. SCARBOROUGH, Mrs. LOWEY, and Mr. MICA.
H.R. 609: Mr. PAYNE.
H.R. 611: Mr. OXLEY and Mr. HINCHEY.
H.R. 623: Mr. SCOTT, Mr. CUMMINGS, Mr. ANDREWS, Mr. LANTOS, Ms. MILLENDER-MCDONALD, Ms. SCHAKOWSKY, Mr. HOEFFEL, and Ms. MCCOLLUM.
H.R. 630: Mr. ETHERIDGE, Mr. JEFFERSON, Mr. TOWNS, Mr. GUTIERREZ, Mr. WAXMAN, Mr. RUSH, Mr. SIMMONS, Ms. HARMAN, Mr. ENGEL, Ms. SCHAKOWSKY, and Mr. PAYNE.
H.R. 638: Mr. ABERCROMBIE.
H.R. 665: Mr. RODRIGUEZ.
H.R. 668: Mr. GILCHREST, Mr. OLVER, Ms. BALDWIN, Mr. COYNE, Mr. NEY, Mr. BALDACCI, Mr. WATKINS, and Mr. BURR of North Carolina.
H.R. 674: Mr. BOYD.
H.R. 676: Mr. OTTER.
H.R. 686: Ms. LEE.
H.R. 692: Mr. CAMP and Mr. HASTINGS of Washington.
H.R. 695: Mr. HOEFFEL and Mr. GEORGE MILLER of California.
H.R. 699: Mr. FOLEY.
H.R. 700: Mr. ABERCROMBIE.
H.R. 701: Mr. PICKERING, Mr. THOMPSON of California, Mr. HAYES, Mr. PHELPS, Mr. CHAMBLISS, Mr. PETERSON of Minnesota, Mr. UDALL of Colorado, Mr. VITTER, Mr. CROWLEY, Mr. BURR of North Carolina, Ms. MCCARTHY of Missouri, Mr. BAKER, Mr. LOBIONDO, Mr. LEWIS of Georgia, Mr. JEFFERSON, Mr. FRELINGHUYSEN, Mr. DELAHUNT, Mr. RAMSTAD, Mr. WELLER, Mrs. CHRISTENSEN, Ms. BALDWIN, Mrs. ROUKEMA, Mr. MALONEY of Connecticut, Mr. PALLONE, Mr. WYNN, Mrs. JONES of Ohio, Mr. BRADY of Pennsylvania, Mr. LUTHER, Mr. TOWNS, Mr. CAPUANO, Mr. HOLDEN, Mr. SNYDER, Mrs. MCCARTHY of New York, Mr. ABERCROMBIE, Mr. NADLER, Mr. MEEHAN, Mr. BERMAN, Mr. BOSWELL, Mr. PASCRELL, Mrs. MEEK of Florida, Mr. BOUCHER, Mrs. MALONEY of New York, Ms. LEE, Ms. DELAURO, Mr. ANDREWS, Mr. SOUDER, Mr. KING, Mr. FILNER, Ms. SCHAKOWSKY, Mr. TAYLOR of Mississippi, and Mr. MCCRERY.
H.R. 718: Mrs. BIGGERT, Mr. THORNBERRY, Ms. GRANGER, Ms. PRYCE of Ohio, Mr. HUNTER, Mr. CUNNINGHAM, Mr. HAYES, Mr. WATKINS, Mr. EHLERS, Mr. DOOLITTLE, Mr. WHITFIELD, Mr. BRADY of Texas, Mr. LEWIS of Kentucky, and Ms. SCHAKOWSKY.
H.R. 726: Mr. GUTIERREZ.
H.R. 737: Mr. TERRY and Mr. WAXMAN.
H.R. 759: Ms. LOFGREN and Mrs. CLAYTON.
H.R. 778: Ms. HART.
H.R. 779: Mr. HYDE.
H.R. 786: Mr. MARKEY, Ms. WOOLSEY, and Ms. BALDWIN.
H.R. 808: Mr. DEFAZIO and Mr. KENNEDY of Rhode Island.
H.R. 822: Mr. ABERCROMBIE.
H.R. 823: Mrs. THURMAN.
H.R. 827: Mr. MCGOVERN and Mr. LAMPSON.
H.R. 862: Mr. BALDACCI.
H.R. 865: Mr. LIPINSKI, Mr. KUCINICH, Mr. FROST, Mr. BORSKI, Mrs. DAVIS of California, Mr. DOYLE, and Ms. LEE.
H.R. 938: Mr. CAPUANO.
H.R. 945: Mr. RUSH and Mr. KUCINICH.
H.R. 967: Mr. MCNULTY, Mrs. KELLY, Mr. FRANK, and Mr. BALDACCI.
H.R. 969: Mr. BURR of North Carolina, Mr. CALVERT, and Mrs. MYRICK.
H.R. 1015: Mr. SMITH of New Jersey, Mr. SISISKY, Mr. PUTNAM, Mr. BILIRAKIS, Mr. BUYER, and Mr. STEARNS.
H.J. Res. 11: Mr. FOLEY.
H.J. Res. 32: Mrs. MALONEY of New York.
H.J. Res. 36: Mr. LUTHER and Mr. BRADY of Texas.
H. Con. Res. 8: Mrs. THURMAN.
H. Con. Res. 23: Mr. BLUNT.
H. Con. Res. 52: Mr. SHERMAN.
H. Con. Res. 58: Mr. HOYER.
H. Res. 23: Ms. HART and Mr. CLEMENT.

MONDAY, MARCH 19, 2001 (24)

¶24.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 2 o'clock p.m. by the SPEAKER pro tempore, Mr. WHITFIELD, who laid before the House the following communication:

WASHINGTON, DC,
March 19, 2001.

I hereby appoint the Honorable ED WHITFIELD to act as Speaker pro tempore on this day.

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

¶24.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WHITFIELD, announced he had examined and approved the Journal of the proceedings of Thursday, March 15, 2001.

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

¶24.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1242. A letter from the the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of March 1, 2001, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 107—52); to the Committee on Appropriations and ordered to be printed.

1243. A letter from the Secretary, Department of Defense, transmitting the approved retirement and advancement to the grade of lieutenant general on the retired list of Lieutenant General John Costello, United States Army; to the Committee on Armed Services.

1244. A letter from the Acting Under Secretary, Department of Defense, transmitting a report on the effect of the six-year bar to retroactive benefits; to the Committee on Armed Services.

1245. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting a letter regarding the Department's goal of building a stronger future acquisition workforce; to the Committee on Armed Services.

1246. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Dimethyl Dicarbonate [Docket No. 00F–0812] received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1247. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Revision of Administrative Practices and Procedures; Meetings and Correspondence; Public Calendars; Partial Stay, Amendments, and Correction [Docket No. 98N–1042] received March 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1248. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Amendment to the Massachusetts Port Authority/Logan Airport Parking Freeze and City of Boston/East Boston Parking Freeze [MA–01–082–7212a; A–1–FRL–6931–3] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1249. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Ogden City Carbon Monoxide Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of Revisions to the Oxygenated Gasoline Program [UT–001–0022a, UT–001–0024a, UT–001–0025a, UT–001–0026a, UT–001–0027a, UT–001–0030a, UT–001–0031a; FRL–6888–9] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1250. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources; Supplemental Delegation of Authority to the State of Colorado [CO–001–0056 and CO–001–0057; FRL–6951–1] received March 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1251. A letter from the Director, Office of Congressional Affairs, NMSS, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: HI-STAR 100 Revision (RIN: 3150–AG67) received March 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1252. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the 2001 International Narcotics Control Strategy, pursuant to 22 U.S.C. 2291(b)(2); to the Committee on International Relations.

1253. A letter from the Deputy Chief Financial Officer, Department of Defense, transmitting reports on FY 2000 audited financial statements; to the Committee on Government Reform.

1254. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule—Correction of Administrative Errors—received March 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1255. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 030201A] received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1256. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Scup and Black Sea Bass Fisheries; 2001 Specifications; Commercial Quota Harvested for Winter I Scup Period; Commercial Quota Harvested for Black Sea Bass Quarter I Period [Docket No. 001121328–1041–02; I.D. 111500C] (RIN: 0648–AN71) received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1257. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration,

transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Western Alaska Community Development Quota Program [Docket No. 000629198–1038–02; I.D. 051500D] received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1258. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Western Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands [Docket No. 010112013–1013–01; I.D. 030601B] received March 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1259. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Change in Pacific Mackerel Incidental Catch [Docket No. 000831250–0250–01; I.D. 013100D] received March 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1260. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D Airspace; Sacramento Mather Airport, CA [Airspace Docket No. 00–AWP–6] received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1261. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class D and E Surface Areas; Sacramento Executive Airport, CA [Airspace Docket No. 00–AWP–15] received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1262. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, El Centro, CA [Airspace Docket No. 01–AWP–1] received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1263. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Monroe City, MO [Airspace Docket No. 01–ACE–1] received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1264. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30232; Amdt. No. 2037] received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1265. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30233; Amdt. No. 2038] received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1266. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Legal Descriptions of Multiple Federal Airways in the Vicinity of Douglas; WY [Airspace Docket No. 00–ANM–33] (RIN: 2120–AA66) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1267. A letter from the the Board of Trustees, Federal Old-Age And Survivors Insurance And Disability Insurance Trust Funds, transmitting the 2001 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 107—55); to the Committee on Ways and Means and ordered to be printed.

1268. A letter from the the Board Of Trustees, Federal Hospital Insurance Trust Fund, transmitting the 2001 Annual Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 107—54); to the Committee on Ways and Means and ordered to be printed.

1269. A letter from the Acting Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Interim Final Rules for Nondiscrimination in Health Coverage in the Group Market (RIN: 1210–AA77) received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1270. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2001–20] received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1271. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Interest Rate [Rev. Rul. 2001–16] received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1272. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Tax Credit-2001 Calendar Year Resident Population Estimates [Notice 2001–21] received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1273. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Coordinated Issue Shipping And Gaming Industries Class Life Of Floating Gaming Facilities—received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1274. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Eleventh Annual Report describing the Board's health and safety activities relating to the Department of Energy's defense nuclear facilities during the calendar year 2000; jointly to the Committees on Armed Services and Energy and Commerce.

1275. A letter from the the Board Of Trustees, Federal Supplementary Medical Insurance Trust Fund, transmitting the 2001 Annual Report of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 107—53); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

¶24.4 MESSAGE FROM THE SENATE

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

S. Con. Res. 25. Concurrent Resolution honoring the service of the 1,200 soldiers of the 48th Infantry Brigade of the Georgia Army National Guard as they deploy to Bosnia for nine months, recognizing their sacrifice while away from their jobs and families during that deployment, and recognizing the important role of all National Guard and Reserve personnel at home and abroad to the national security of the United States.

The message also announced that pursuant to Public Law 101–509, the Chair, on behalf of the Secretary of the Senate, announces the reappointment of James B. Lloyd, of Tennessee, to the Advisory Committee on the Records of Congress.

The message also announced that pursuant to Public Law 101–509, the Chair, on behalf of the Democratic Leader, announces the reappointment of Elizabeth Scott of South Dakota to the Advisory Committee on the Records of Congress.

The message also announced that pursuant to Public Law 106–286, the Chair, on behalf of the President of the Senate, and after consultation with the Democratic Leader, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China—

the Senator from Montana (Mr. BAUCUS);

the Senator from Michigan (Mr. LEVIN);

the Senator from California (Mrs. FEINSTEIN); and

the Senator from North Dakota (Mr. DORGAN).

¶24.5 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 25. Concurrent Resolution honoring the service of the 1,200 soldiers of the 48th Infantry Brigade of the Georgia Army National Guard as they deploy to Bosnia for nine months, recognizing their sacrifice while away from their jobs and families during that deployment, and recognizing the important role of all National Guard and Reserve personnel at home and abroad to the national security of the United States; to the Committee on Armed Services.

And then,

¶24.6 ADJOURNMENT

The SPEAKER pro tempore, Mr. WHITFIELD, by unanimous consent pursuant to the special order agreed to on Thursday, March 15, 2001, at 2 o'clock and 2 minutes p.m., declared the House adjourned until 12:30 p.m. on Tuesday, March 20, 2001.

¶24.7 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. FOSSELLA (for himself, Mr. OXLEY, Mr. BAKER, Mrs. KELLY, Mrs. MALONEY of New York, Mr. MENENDEZ, Mr. REYNOLDS, Mr. ROYCE, Mr. KING, Mr. OSE, Mrs. ROUKEMA, Mr. FOLEY, Mr. TOOMEY, Mr. GILLMOR, Mr. GARY MILLER of California, Mr. ROGERS of Michigan, Mr. SHADEGG, Mr. GRUCCI, Mr. WELDON of Florida, Mr. SHAYS, Mr. MANZULLO, Mr. ACKERMAN, Mr. CROWLEY, Mr. FORD, Mr. MOORE, Mr. BLAGOJEVICH, Mr. ISRAEL,

Mr. BENTSEN, Mr. BACHUS, Ms. HART, Mr. JONES of North Carolina, Mr. NEY, Mr. SWEENEY, Mr. ROSS, Ms. VELAZQUEZ, and Mr. ENGEL):

H.R. 1088. A bill to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes; to the Committee on Financial Services.

By Ms. DUNN (for herself, Mr. MCDERMOTT, Mr. PICKERING, Mrs. CAPPS, Mr. WATTS of Oklahoma, Mr. CRANE, Mr. PORTMAN, Mr. ENGLISH, Mr. DICKS, Mr. HASTINGS of Washington, Mr. NETHERCUTT, Mr. INSLEE, Mr. SMITH of Washington, Mr. BAIRD, Mr. LARSEN of Washington, Mrs. ROUKEMA, Mrs. KELLY, Mr. WICKER, Mr. BAKER, Mr. SKELTON, Mr. PAUL, Mr. MOORE, Mr. BALDACCI, Mr. WELDON of Pennsylvania, Mr. ISAKSON, Mr. JEFFERSON, Mr. ALLEN, Mr. DEUTSCH, Ms. ESHOO, Mr. BRADY of Pennsylvania, Mr. WEXLER, Ms. PRYCE of Ohio, Ms. DEGETTE, Mr. DOYLE, Mr. WYNN, Mr. MCGOVERN, Mr. DOOLEY of California, Mr. DEAL of Georgia, Ms. DELAURO, Mr. KLECZKA, Mr. HILLIARD, Mr. CUNNINGHAM, Mrs. MORELLA, Mr. WOLF, Mr. FROST, Ms. CARSON of Indiana, Mr. COYNE, Mrs. LOWEY, Mr. EHRLICH, Mr. TAYLOR of Mississippi, Mr. EVANS, and Mr. SHOWS):

H.R. 1089. A bill to amend title XVIII of the Social Security Act to expand Medicare coverage of certain self-injected biologicals; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM DAVIS of Virginia (for himself, Mr. MORAN of Virginia, Mr. WOLF, and Mrs. MORELLA):

H.R. 1090. A bill to amend subchapter III of chapter 83 and chapter 84 of title 5, United States Code, to include assistant United States attorneys within the definition of a law enforcement officer, and for other purposes; to the Committee on Government Reform.

By Mrs. MINK of Hawaii:

H.R. 1091. A bill to amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies, and for other purposes; to the Committee on Ways and Means.

By Mr. SIMMONS (for himself, Mr. CRAMER, Mr. GREEN of Wisconsin, Mr. ROYCE, Ms. ROS-LEHTINEN, Mr. SHAYS, Mrs. MCCARTHY of New York, Mr. SMITH of New Jersey, Mr. FLAKE, Mr. UDALL of New Mexico, Ms. HOOLEY of Oregon, Mr. ABERCROMBIE, and Mr. HALL of Ohio):

H.R. 1092. A bill to ensure that amounts in the Victims of Crime Fund are fully obligated; to the Committee on the Judiciary.

By Mr. THUNE (for himself, Mrs. EMERSON, and Mr. REHBERG):

H.R. 1093. A bill to provide for grants to assist value-added agricultural businesses; to the Committee on Agriculture.

By Mr. THUNE (for himself, Mrs. EMERSON, and Mr. REHBERG):

H.R. 1094. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for investment by farmers in value-added agricultural property.; to the Committee on Ways and Means.

By Mr. UDALL of New Mexico:

H.R. 1095. A bill to clarify the tax treatment of payments made under the Cerro Grande Fire Assistance Act; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. DELAY, Mr. DIAZ-BALART, Mr. MENENDEZ, Mr. ARMEY, Mr. BALLENGER, Mr. DEUTSCH, Mr. CHABOT, Mr. ROHRABACHER, Mr. GILMAN, Mr. ENGEL, Mr. BURTON of Indiana, Mr. BURR of North Carolina, Mr. WEXLER, Mr. CROWLEY, Mr. BERMAN, Mr. WOLF, Mr. HASTINGS of Florida, and Mr. ACKERMAN):

H. Res. 91. A resolution expressing the sense of the House of Representatives regarding the human rights situation in Cuba; to the Committee on International Relations.

¶24.8 ADDITIONAL SPONSORS

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

H.R. 17: Ms. SOLIS.
H.R. 31: Mr. BURTON of Indiana and Mr. BARR of Georgia.
H.R. 39: Mr. CHAMBLISS, Mr. KERNS, and Mr. BRYANT.
H.R. 51: Mr. RANGEL.
H.R. 244: Mr. KING.
H.R. 247: Mr. SHOWS.
H.R. 250: Mr. LANGEVIN, Mr. SMITH of New Jersey, Mr. MCDERMOTT, Mr. HYDE, Mr. WELDON of Pennsylvania, Mr. LEACH, and Mr. GOODE.
H.R. 267: Mr. PETRI, Mr. BROWN of South Carolina, and Mr. BECERRA.
H.R. 281: Mr. WEINER, Mr. REYES, Mr. BALDACCI, Mr. BAKER, Mr. WYNN, Mr. PAUL, Mr. CROWLEY, Mr. PAYNE, Mr. LIPINSKI, Mr. LOBIONDO, Mr. HALL of Ohio, and Mr. RANGEL.
H.R. 288: Ms. LEE, Ms. NORTON, and Mr. DAVIS of Illinois.
H.R. 320: Ms. SOLIS.
H.R. 326: Mr. ACKERMAN, Ms. SANCHEZ, Mr. PALLONE, Ms. SOLIS, Mr. COYNE, and Mr. MORAN of Virginia.
H.R. 353: Mr. CAMP, Mr. STEARNS, Mr. GREEN of Wisconsin, Mr. RYAN of Wisconsin, Mr. LARGENT and Mr. ARMEY.
H.R. 369: Mr. CRAMER.
H.R. 394: Mr. HOSTETTLER, Mr. CLEMENT, Mr. TURNER, Mr. BACA, Mr. CHAMBLISS, Mr. GUTKNECHT, Mr. FILNER, Mr. GRAHAM, Mrs. JO ANN DAVIS of Virginia, Mr. LUCAS of Oklahoma, Mr. CANTOR, and Mr. SCHAFFER.
H.R. 429: Mr. GUTIERREZ.
H.R. 510: Mr. BURTON of Indiana, Mr. FOLEY, and Mr. HYDE.
H.R. 589: Mr. BLAGOJEVICH.
H.R. 612: Mr. DINGELL, Mr. KINGSTON, Mr. HYDE, Mr. TERRY, Mr. MOLLOHAN, Mr. MASCARA, Mr. RAMSTAD, Ms. MCCOLLUM, Mr. ALLEN, Mrs. CHRISTENSEN, and Mr. DEAL of Georgia.
H.R. 622: Mr. WELDON of Pennsylvania.
H.R. 664: Mr. GORDON, Mr. DUNCAN, Mr. HAYWORTH, and Mr. CHABOT.
H.R. 680: Mr. GUTIERREZ.
H.R. 687: Mr. CRAMER and Mr. LANGEVIN.
H.R. 699: Mr. CHAMBLISS and Mr. SIMMONS.
H.R. 737: Mrs. CAPPS, Mr. GUTIERREZ, Mr. FILNER, and Mr. SANDERS.
H.R. 744: Mr. CANTOR.
H.R. 752: Mr. HOUGHTON and Mr. RODRIGUEZ.
H.R. 783: Mrs. THURMAN.
H.R. 801: Ms. BROWN of Florida.
H.R. 811: Mr. FOLEY.
H.R. 818: Mr. LIPINSKI, Mr. BRADY of Pennsylvania, Mr. BOEHLERT, Mr. NEAL of Massachusetts, Mr. MCNULTY, and Mr. PAYNE.
H.R. 850: Mr. BONIOR, Mr. SESSIONS, Mr. WYNN, Ms. KILPATRICK, and Mr. PLATTS.
H.R. 862: Mr. MCDERMOTT.
H.R. 871: Mr. ENGLISH and Mr. BARR of Georgia.
H.R. 925: Mr. MEEHAN.
H.R. 926: Mr. MOAKLEY and Mr. MEEHAN.
H.R. 951: Mrs. JOHNSON of Connecticut, Mrs. CAPPS, Mr. ALLEN, and Mr. HALL of Ohio.
H.R. 962: Mrs. MEEK of Florida and Ms. LEE.
H.R. 971: Mr. OTTER.
H.R. 981: Mr. CALLAHAN, Mr. PORTMAN, and Mr. CLEMENT.
H.R. 1009: Mr. BEREUTER and Mr. ROYCE.
H.R. 1015: Mr. GIBBONS and Mr. WATTS of Oklahoma.
H.R. 1032: Mr. KLECZKA.
H. Con. Res. 29: Mr. MENENDEZ and Mr. GILMAN.
H. Con. Res. 45: Mr. WELDON of Pennsylvania, Mr. CALVERT, Mr. HOLDEN, Mrs. CAPPS, Mr. LANGEVIN, Mr. GILLMOR, Mrs. THURMAN, and Mr. CAMP.
H. Res. 13: Ms. MCCARTHY of Missouri.

TUESDAY, MARCH 20, 2001 (25)

The House was called to order at 12:30 p.m. by the SPEAKER, when, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶25.1 RECESS— 12:41 P.M.

The SPEAKER pro tempore, Mr. MICA, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 41 minutes p.m. until 2 o'clock p.m.

¶25.2 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶25.3 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Monday, March 19, 2001.

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

¶25.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1276. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pyriproxyfen; Pesticide Tolerance [OPP–301103; FRL–6766–6] (RIN: 2070–AB78) received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1277. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pymetrozine; Pesticide Tolerances for Emergency Exemptions [OPP–301106; FRL–6766–9] (RIN: 2070–AB78) received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1278. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Imazethapyr; Time-Limited Pesticide Tolerance [OPP–301108; FRL–6774–9] (RIN: 2070–AB78) received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1279. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Butene, Homopolymer; Tolerance Exemption [OPP–301104; FRL–6769–8] (RIN: 2070–AB78) received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1280. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Protection of the Stratospheric Ozone:

De Minimis Exemption for Laboratory Essential Uses for Calendar Year 2001 [FRL–6952–1] (RIN: 2060–AJ15) received March 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1281. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes: Washington [WA–72–7147a; FRL–6938–5] received March 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1282. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received March 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1283. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Availability of ''Allocation of Fiscal Year 2001 Operator Training Grants'' [FRL–6951–6] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1284. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Request For Grant Proposals Making Smart Growth Work: Community Innovations And Responses To Barriers—received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce, Transportation and Infrastructure, and Agriculture.

¶25.5 MESSAGE FROM THE SENATE

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

S. 420. An Act to amend title 11, United States Code, and for other purposes.

¶25.6 IMPACT OF TUBERCULOSIS

Mr. BALLENGER moved to suspend the rules and agree to the following resolution (H. Res. 67); as amended:

Whereas tuberculosis is a horrible disease that is preventable and treatable;

Whereas one third of the world's population is infected with the TB bacteria, including between 10 and 15 million people in the United States;

Whereas someone in the world dies of TB every 15 seconds;

Whereas TB will kill more people this year than any other year in history;

Whereas TB rates are substantially higher for minorities in the United States;

Whereas African Americans suffer from TB at a rate that is eight times greater than that of Caucasians, Latinos at six times greater, Native Americans at five times greater and Asians at a rate of nearly fifteen times greater;

Whereas a substantial number of States have TB rates above the national average, the highest rates being found in Texas, Hawaii, California, Alaska, Florida, Georgia, and New York;

Whereas the increased threat of TB emerging in the United States is an unavoidable byproduct of increased international travel, commerce, and migration;

Whereas leading TB experts agree that in order to control TB in the United States, it is necessary to control TB in the developing countries that contribute the vast majority of the global TB burden and are the destination of tens of thousands of American visitors each year; and

Whereas it is possible to control tuberculosis worldwide, as the global community eradicated smallpox and may soon eradicate polio, if the worldwide political will to do so is found: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance of increasing United States investment in international tuberculosis control within the foreign aid budget for fiscal year 2002;

(2) recognizes the importance of supporting and expanding domestic efforts to eliminate TB in the United States; and

(3) calls upon local, national and global leaders, including the President of the United States, to commit to putting an end to the worldwide TB epidemic.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. BALLENGER and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LANTOS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶25.7 EARTHQUAKES IN EL SALVADOR

Mr. BALLENGER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 41):

Whereas on the morning of January 13, 2001, a devastating and deadly earthquake with a magnitude of 7.6 on the Richter Scale and a depth of 36 miles occurred off the coast of El Salvador, southwest of San Miguel, killing hundreds of people, injuring thousands of people, and displacing approximately 1,000,000 people;

Whereas the earthquake has left damage throughout the country, having caused significant landslides and destruction in 12 of El Salvador's 14 provinces;

Whereas almost 2,000 aftershocks and tremors have been recorded, and they continue to occur;

Whereas on the morning of February 13, 2001, a second devastating and deadly earthquake occurred with a magnitude of 6.6 on the Richter Scale and an epicenter located 15 miles east-southeast of San Salvador, El Salvador, killing more than 250 people, injuring thousands of people, and leaving thousands of other people homeless;

Whereas the people of El Salvador have displayed strength, courage, and determination in the aftermath of these earthquakes;

Whereas the people of the United States and El Salvador have developed a strong friendship based on mutual interests and respect;

Whereas El Salvador has appealed to the World Bank, the Inter-American Development Bank, and the international community generally for economic assistance to meet the substantial relief and reconstruction needs of that nation in the aftermath of these earthquakes; and

Whereas the United States has offered technical and monetary assistance through the United States Agency for International Development: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) expresses—

(A) deep sympathy for the people of El Salvador for the tragic losses suffered as a result of the earthquakes of January 13, 2001, and February 13, 2001; and

(B) support for the efforts of the people of El Salvador to rebuild their homes and lives;

(2) expresses support for continuing and substantially increasing, in connection with these earthquakes, relief and reconstruction assistance provided by relief agencies and the international community, including the World Bank, the Inter-American Development Bank, and the United States Agency for International Development;

(3) urges the President to encourage such entities to expedite such assistance; and

(4) encourages assistance by other nations and organizations to alleviate the suffering of the people of El Salvador and to assist them in rebuilding their homes and lives.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. BALLENGER and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. DELAHUNT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶25.8 RECESS—3:25 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 25 minutes p.m., until approximately 6 o'clock p.m.

¶25.9 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶25.10 ABRAHAM LINCOLN BICENTENNIAL COMMISSION

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, announced that the Speaker, pursuant to section 5(a) of the Abraham Lincoln Bicentennial Commission Act (36 United States Code 101 note), appointed to the Abraham Lincoln Bicentennial Commission, on the part of the House, the following Member: Mr. LAHOOD.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶25.11 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—ABRAHAM LINCOLN BICENTENNIAL COMMISSION

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 20, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 5(a) of the Abraham Lincoln Bicentennial Commission Act (P.L. 106–173), I hereby appoint the following individual to the Abraham Lincoln Bicentennial Commission: Mr. Phelps, IL.

Yours Very Truly,
RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶25.12 CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, announced that the Speaker, pursuant to 22 United States Code 276d, appointed to the Canada-United States Interparliamentary Group, on the part of the House, the following Member: Mr. HOUGHTON.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶25.13 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, announced that the Speaker, pursuant to section 5(b) of Public Law 93-642 (20 United States Code 2004(b)), appointed to the Board of Trustees of the Harry S Truman Scholarship Foundation, on the part of the House, the following Members: Mrs. EMERSON and Mr. SKELTON.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶25.14 H. RES. 67 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree the resolution (H. Res. 67) recognizing the importance of combating tuberculosis on a worldwide basis, and acknowledging the severe impact that TB has on minority populations in the United States; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 405 / Nays ..... 2 }

¶25.15 [Roll No. 51]

YEAS—405

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

NAYS—2

Goode, Paul

NOT VOTING—25

Becerra, Brady (PA), Brown (FL), Cannon, Cramer, Fattah, Filner, Hilleary, Keller, Manzullo, Matsui, Millender-McDonald, Moakley, Murtha, Owens, Rothman, Rush, Scarborough, Serrano, Sisisky, Stupak, Taylor (NC), Thomas, Tiahrt, Vitter

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶25.16 H. CON. RES. 41—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to said concurrent resolution (H. Con. Res. 41) expressing sympathy for the victims of the devastating earthquakes that struck El Salvador on January 13, 2001, and February 13, 2001, and supporting ongoing aid efforts.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 405 / Nays ..... 1 }

¶25.17 [Roll No. 52]

YEAS—405

Abercrombie, Aderholt, Akin, Allen, Andrews, Armey, Baca, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett, Bartlett, Barton, Bass, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilirakis, Bishop, Blagojevich, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brady (TX), Brown (OH), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cantor, Capito, Capps, Capuano, Cardin, Carson (IN), Carson (OK), Castle, Chabot, Chambliss, Clay, Clayton, Clement, Clyburn, Coble, Collins, Combest, Condit, Conyers, Cooksey

Costello
Cox
Coyne
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—26

Ackerman
Becerra
Brady (PA)
Brown (FL)
Cannon
Cramer
Dunn
Fattah
Filner
Gordon
Hilleary
Keller
Manzullo
Matsui
Millender-McDonald
Moakley
Murtha
Owens
Rothman
Rush
Scarborough
Sisisky
Stupak
Taylor (NC)
Tiahrt
Vitter

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶25.18 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 107–23) the resolution (H. Res. 92) providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶25.19 PROVIDING FOR THE CONSIDERATION OF H.R. 247

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 107–24) the resolution (H. Res. 93) providing for consideration of the bill (H.R. 247) to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks.

When said resolution and report were referred to the House Calendar and ordered printed.

¶25.20 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BECERRA, for today;

To Ms. BROWN of Florida, for today and balance of the week;

To Mr. CANNON, for the weeks of March 12 and March 19;

To Ms. MILLENDER-McDONALD, for today;

To Mr. TAYLOR of North Carolina, for today and

To Mr. UNDERWOOD, for today and the balance of the week.

And then,

¶25.21 ADJOURNMENT

On motion of Mr. McINNIS, at 9 o'clock and 17 minutes p.m., the House adjourned.

¶25.22 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 92. Resolution providing for consideration of motions to suspend the rules (Rept. No. 107–23). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 93. Resolution providing for consideration of the bill (H.R. 247) to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks (Rept. No. 107–24). Referred to the House Calendar.

¶25.23 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. JOHN (for himself, Mr. GORDON, Mr. BISHOP, Mr. ETHERIDGE, Mr. HILLEARY, Mr. THOMPSON of Mississippi, Mr. HOLDEN, Mr. KIND, Mr. HINCHEY, Mr. CRAMER, Mrs. CLAYTON, Mr. CLEMENT, Mr. BERRY, Mr. STENHOLM, Mr. PHELPS, Mr. JEFFERSON, Mr. BOYD, Mr. SHOWS, Mr. BOUCHER, Mr. TANNER, Mr. BAKER, Mr. STUPAK, Mr. McINTYRE, Mr. FROST, and Mr. CHAMBLISS):

H.R. 1096. A bill to provide for improved educational opportunities in low-income and rural schools and districts, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GANSKE (for himself, Mr. DINGELL, Mr. BALDACCI, Mr. BARTLETT of Maryland, Mr. BEREUTER, Mr. BLUMENAUER, Mrs. BONO, Mrs. CAPPS, Mr. DEFAZIO, Ms. DEGETTE, Mr. DOGGETT, Ms. ESHOO, Mr. EVANS, Mr. FRANK, Mr. GALLEGLY, Mr. GILMAN, Mr. GREEN of Texas, Mr. HANSEN, Mr. HINCHEY, Mr. HORN, Ms. KAPTUR, Mr. KIND, Mr. KUCINICH, Mr. LAFALCE, Mr. LEACH, Mr. LIPINSKI, Mr. LUTHER, Mrs. MALONEY of New York, Mr. McDERMOTT, Mr. McGOVERN, Mr. MEEHAN, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NADLER, Mr. NETHERCUTT, Mr. OLVER, Mr. PALLONE, Mr. PAYNE, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. SNYDER, Mr. STARK, Mr. STUPAK, Mrs. TAUSCHER, Mr. THOMPSON of California, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Mr. WAXMAN, Mr. WEINER, and Mr. WELLER):

H.R. 1097. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to tobacco products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LOBIONDO, and Ms. BROWN of Florida):

H.R. 1098. A bill to improve the recording and discharging of maritime liens and expand the American Merchant Marine Memorial Wall of Honor, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LOBIONDO, and Ms. BROWN of Florida):

H.R. 1099. A bill to make changes in laws governing Coast Guard personnel, increase

marine safety, renew certain groups that advise the Coast Guard on safety issues, make miscellaneous improvements to Coast Guard operations and policies, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POMBO (for himself, Mr. YOUNG of Alaska, Mr. ROHRABACHER, Mr. RADANOVICH, Mr. JONES of North Carolina, Mr. DOOLITTLE, Mr. SCHAFFER, Mr. LARGENT, Mrs. BONO, Mr. GIBBONS, Mr. SKEEN, Mrs. EMERSON, Mr. NETHERCUTT, Mr. HERGER, and Mr. REHBERG):

H.R. 1100. A bill to amend the Endangered Species Act of 1973 to improve the ability of individuals and local, State, and Federal agencies to prevent natural flood disaster; to the Committee on Resources.

By Mr. PICKERING (for himself, Mr. TOWNS, Mr. TAUZIN, Mr. STEARNS, Mr. SESSIONS, Mr. WICKER, Mr. GRAHAM, Mr. MURTHA, Mr. BARTLETT of Maryland, Mr. SCARBOROUGH, Mr. BOYD, Mr. TERRY, Mr. THORNBERRY, Mr. MCCRERY, Mr. PETERSON of Pennsylvania, Mr. NORWOOD, and Mr. YOUNG of Alaska):

H.R. 1101. A bill to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 1999, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PICKERING:

H.R. 1102. A bill to provide for the preservation and restoration of historic buildings at historically women's public colleges or universities; to the Committee on Resources.

By Mr. BRADY of Texas (for himself, Mr. STENHOLM, Mr. COX, and Mr. SCHAFFER):

H.R. 1103. A bill to provide safer schools and a better educational environment; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 1104. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide, in the case of an employee welfare benefit plan providing benefits in the event of disability, an exemption from preemption under such title for State tort actions to recover damages arising from the failure of the plan to timely provide such benefits; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 1105. A bill to amend the Real Estate Settlement Procedures Act of 1974 to provide for homeowners to recover treble damages from mortgage escrow servicers for failures by such servicers to make timely payments from escrow accounts for homeowners insurance, taxes, or other charges, and for other purposes; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 1106. A bill to exclude certain veterans' compensation and pension amounts from consideration as adjusted income for purposes of determining the amount of rent paid by a family for a dwelling unit assisted under the United States Housing Act of 1937; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 1107. A bill to amend the Internal Revenue Code of 1986 to allow married individuals who are legally separated and living apart to exclude from gross income the income from United States savings bonds used to pay higher education tuition and fees; to the Committee on Ways and Means.

By Mr. BILIRAKIS:

H.R. 1108. A bill to amend title 38, United States Code, to provide that remarriage of the surviving spouse of a veteran after age 55 shall not result in termination of dependency and indemnity compensation; to the Committee on Veterans' Affairs.

By Mr. GOODLATTE (for himself, Mr. ARMEY, Mr. BACHUS, Mr. BALLENGER, Mr. BARTON of Texas, Mrs. BONO, Mr. CANTOR, Mr. COX, Mr. CULBERSON, Mr. CUNNINGHAM, Mr. DEMINT, Mr. DOOLITTLE, Mr. FLAKE, Mr. FLETCHER, Mr. HEFLEY, Mr. HILLEARY, Mr. ISAKSON, Mr. KOLBE, Mr. MILLER of Florida, Mr. NETHERCUTT, Mr. NORWOOD, Mr. PAUL, Mr. RYUN of Kansas, Mr. SESSIONS, Mr. SPENCE, Mr. TANCREDO, Mr. WICKER, Mr. WOLF, Mr. ISTOOK, and Mr. GOODE):

H.R. 1109. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Education and the Workforce.

By Mr. GRAHAM (for himself, Mr. ROEMER, Mr. OSBORNE, Mr. KIND, Mr. KING, Mr. DUNCAN, Mr. BALDACCI, Mr. SMITH of Texas, Mr. GREEN of Wisconsin, Mr. ALLEN, Mr. GOODE, Mr. ETHERIDGE, Mr. SHAYS, Mr. BLUMENAUER, Mr. WALSH, Ms. CARSON of Indiana, Mr. WELDON of Florida, Mr. WOLF, Mr. FRANK, and Ms. NORTON):

H.R. 1110. A bill to prohibit high school and college sports gambling in all States including States where such gambling was permitted prior to 1991; to the Committee on the Judiciary.

By Mr. GREENWOOD (for himself, Mrs. LOWEY, Mrs. JOHNSON of Connecticut, Mrs. MCCARTHY of New York, Mrs. ROUKEMA, Mr. WEINER, Mr. SHAYS, Mrs. TAUSCHER, Mr. OSE, Mrs. THURMAN, Mr. BOEHLERT, Ms. SCHAKOWSKY, Mr. BLAGOJEVICH, Ms. WOOLSEY, Mrs. KELLY, Mr. LARSEN of Washington, Mr. TIERNEY, Mr. ALLEN, Mrs. JONES of Ohio, Mr. SANDERS, Mr. BALDACCI, Mr. INSLEE, Mr. STARK, Mr. HINCHEY, Mr. BRADY of Pennsylvania, Mr. FRANK, Mr. OLVER, Mr. BONIOR, Mr. BENTSEN, Mr. ABERCROMBIE, Mr. PRICE of North Carolina, Mr. BARRETT, Mr. HOLT, Ms. HOOLEY of Oregon, Mr. BERMAN, Ms. HARMAN, Ms. SOLIS, Ms. DELAURO, Mr. MORAN of Virginia, Mr. FILNER, Mr. CAPUANO, Mr. BLUMENAUER, Ms. SANCHEZ, Mr. MCGOVERN, Ms. BALDWIN, Ms. SLAUGHTER, Ms. PELOSI, Mr. DEFAZIO, Mr. SCHIFF, Mr. JEFFERSON, Mr. PAYNE, Mr. CROWLEY, Mr. NADLER, Mr. HOEFFEL, Mr. GONZALEZ, Mr. EVANS, Mr. MCDERMOTT, Mr. RODRIGUEZ, Ms. MCCARTHY of Missouri, Mr. THOMPSON of California, Mr. CUMMINGS, and Mr. GEORGE MILLER of California):

H.R. 1111. A bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEFFEL (for himself, Mr. CONYERS, Mrs. MALONEY of New York, Mr. FATTAH, Mr. MARKEY, Ms. SCHAKOWSKY, Mr. FRANK, Mr. BECERRA, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mr. MCGOVERN, Mr. BERMAN, Mr. NADLER, Mr. JACKSON of Illinois, Mr. ENGEL, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, and Mr. WEXLER):

H.R. 1112. A bill to make Federal law apply to antique firearms in the same way it applies to other firearms; to the Committee on the Judiciary.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1113. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish an office within the Administration to conduct oversight of certain loan programs, and for other purposes; to the Committee on Small Business.

By Mr. LAFALCE (for himself and Ms. VELAZQUEZ):

H.R. 1114. A bill to combat international money laundering and protect the United States financial system, and for other purposes; to the Committee on Financial Services.

By Mr. LEACH:

H.R. 1115. A bill to authorize the Secretary of State to provide for the establishment of nonprofit entities for the Department's international educational, cultural and arts programs; to the Committee on International Relations.

By Mrs. LOWEY (for herself, Mrs. MORELLA, Mr. FROST, Mr. SMITH of Washington, Mrs. ROUKEMA, Mr. WEINER, Ms. KAPTUR, Mr. HINCHEY, Mr. NADLER, Ms. RIVERS, Mr. SHAYS, Mrs. KELLY, Mr. HYDE, Mr. ABERCROMBIE, Mr. STARK, Ms. SOLIS, and Mr. CROWLEY):

H.R. 1116. A bill to reestablish the Office of Noise Abatement and Control in the Environmental Protection Agency, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Mr. KIRK, Mr. CROWLEY, Mr. LEACH, Mr. HOEFFEL, Ms. SCHAKOWSKY, Mr. BERMAN, Mr. WAXMAN, Mr. FILNER, Mr. ENGEL, Mr. CUMMINGS, Mr. BRADY of Pennsylvania, Mr. PALLONE, Mrs. THURMAN, Ms. JACKSON-LEE of Texas, Mr. SAWYER, Ms. BROWN of Florida, Mr. JEFFERSON, Ms. MCKINNEY, Mr. SANDERS, Ms. LEE, Mr. ABERCROMBIE, Mr. CAPUANO, Mr. MCGOVERN, Mr. TOWNS, Mr. SHERMAN, Ms. HOOLEY of Oregon, Mrs. MINK of Hawaii, Mr. UDALL of Colorado, Mr. FARR of California, Mr. NADLER, Mr. GONZALEZ, Mr. MORAN of Virginia, Mr. HINCHEY, Mr. ALLEN, Mrs. MORELLA, Mr. PAYNE, Mr. ACKERMAN, Mr. FRANK, Mr. TIERNEY, Mr. GILMAN, Mr. GREENWOOD, Mr. WYNN, Mr. BALDACCI, Mr. BLUMENAUER, Mr. LANTOS, Mr. SHAYS, Mr. DAVIS of Illinois, Ms. SLAUGHTER, Mrs. JOHNSON of Connecticut, Mrs. KELLY, Ms. WATERS, Mrs. MEEK of Florida, Mr. HILLIARD, Mr. MEEHAN, Mr. RODRIGUEZ, Ms. WOOLSEY, Mr. MCDERMOTT, Mr. STARK, Ms. PELOSI, Ms. DEGETTE, Mr. WEINER, Mr. PRICE of North Carolina, Ms. NORTON, and Mr. LEVIN):

H.R. 1117. A bill to provide a United States voluntary contribution to the United Nations Population Fund; to the Committee on International Relations.

By Mrs. MINK of Hawaii:

H.R. 1118. A bill to establish comprehensive early childhood education programs, early childhood education staff development programs, model Federal Government early childhood education programs, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. MINK of Hawaii:

H.R. 1119. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to State and local educational agencies to pay such agencies for one-half of the salary of a teacher who uses approved sabbatical leave to pursue a course of study that will improve his or her classroom teach-

ing; to the Committee on Education and the Workforce.

By Mr. MORAN of Virginia (for himself, Mr. TOM DAVIS of Virginia, Mr. WOLF, and Mr. FALEOMAVAEGA):

H.R. 1120. A bill to require the Secretary of the Army to designate Fort Belvoir, Virginia, as the site for the planned National Museum of the United States Army; to the Committee on Armed Services.

By Mr. POMEROY (for himself, Mr. THUNE, and Mr. UDALL of New Mexico):

H.R. 1121. A bill to amend the Agricultural Marketing Act of 1946 to require retailers of beef, lamb, and pork to inform consumers, at the final point of sale to consumers, of the country of origin of the commodities; to the Committee on Agriculture.

By Mr. RANGEL:

H.R. 1122. A bill to authorize the President to award a gold medal on behalf of the Congress to Jesse L. Jackson, Sr. in recognition of his outstanding and enduring contributions to the Nation; to the Committee on Financial Services.

By Mr. RANGEL:

H.R. 1123. A bill to designate the facility of the United States Postal Service located at 153 East 110th Street in New York, New York, as the ''Tito Puente Post Office Building''; to the Committee on Government Reform.

By Mr. RANGEL:

H.R. 1124. A bill to authorize the Director of the Office of National Drug Control Policy to enter into negotiations with representatives of the Government of Cuba to provide for increased cooperation between Cuba and the United States on drug interdiction efforts; to the Committee on International Relations.

By Mr. RANGEL:

H.R. 1125. A bill to redesignate the Federal building located at 1 Federal Plaza in New York, New York, as the ''Ronald H. Brown Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. RYUN of Kansas:

H.R. 1126. A bill to amend the Internal Revenue Code of 1986 to allow all taxpayers who maintain households with dependents a credit for dependents; to the Committee on Ways and Means.

By Mr. STEARNS:

H.R. 1127. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for amounts paid for health insurance and prescription drug costs of individuals; to the Committee on Ways and Means.

By Mr. THORNBERRY:

H.R. 1128. A bill to reduce the amount of paperwork and improve payment policies for health care services, to prevent fraud and abuse through health care provider education, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado (for himself, Mr. BOEHLERT, Mr. GEORGE MILLER of California, Mr. BONIOR, Mr. ETHERIDGE, and Mr. HONDA):

H.R. 1129. A bill to establish the High Performance Schools Program in the Department of Energy, and for other purposes; to the Committee on Education and the Workforce.

By Mr. UDALL of Colorado (for himself, Mr. ETHERIDGE, and Mr. HONDA):

H.R. 1130. A bill to establish a research program at the National Science Foundation to quantify the relationship between the physical characteristics of elementary and secondary schools and student academic achievement in those schools, and for other purposes; to the Committee on Science.

By Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, and Mr. MATHESON):

H.R. 1131. A bill to provide permanent appropriations to the Radiation Exposure Compensation Trust Fund to make payments under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note); to the Committee on Appropriations.

By Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, and Mr. MATHESON):

H.R. 1132. A bill to ensure the timely payment of benefits to eligible persons under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note); to the Committee on Appropriations.

By Mr. WATTS of Oklahoma:

H.R. 1133. A bill to amend the impact aid program under the Elementary and Secondary Education Act of 1965 relating to the calculation of payments for small local educational agencies; to the Committee on Education and the Workforce.

By Mr. WELLER (for himself, Mr. KLECZKA, Mr. RYAN of Wisconsin, and Mr. POMEROY):

H.R. 1134. A bill to amend the Internal Revenue Code of 1986 to modify the exemption from the self-employment tax for certain termination payments received by former life insurance salesmen; to the Committee on Ways and Means.

By Mr. WICKER (for himself, Mrs. JONES of Ohio, Mr. NORWOOD, Mr. SIMPSON, and Mr. OSE):

H.R. 1135. A bill to ensure that members of the Armed Forces who are married and have minor dependents are eligible for military family housing containing more than two bedrooms; to the Committee on Armed Services.

By Mr. WICKER (for himself, Mr. PICKERING, Ms. MCKINNEY, Mr. BOUCHER, Mrs. MEEK of Florida, Mr. SHOWS, Mrs. MINK of Hawaii, Mr. SCHAFFER, Mr. NORWOOD, Mr. STUPAK, Mr. PAUL, Ms. HART, and Mr. CRAMER):

H.R. 1136. A bill to amend title 38, United States Code, to require Department of Veterans Affairs pharmacies to dispense medications to veterans for prescriptions written by private practitioners, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. WILSON (for herself, Mr. SKEEN, Mr. CROWLEY, Mr. HOLT, Mr. PAUL, and Ms. HOOLEY of Oregon):

H.R. 1137. A bill to amend the Internal Revenue Code of 1986 to establish a permanent tax incentive for research and development, and for other purposes; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. HYDE, Mr. FRANK, Mr. BERMAN, Mr. SENSENBRENNER, Mr. SABO, and Mr. PALLONE):

H.J. Res. 39. A joint resolution proposing an amendment to the Constitution of the United States to repeal the 22nd amendment to the Constitution; to the Committee on the Judiciary.

By Mr. ANDREWS (for himself, Mr. HEFLEY, Mr. RILEY, and Mr. KIRK):

H. Con. Res. 67. Concurrent resolution expressing the sense of the Congress relating to the Taiwan Relations Act; to the Committee on International Relations.

By Mr. KING (for himself, Mr. BURR of North Carolina, Mr. WOLF, Mr. LATOURETTE, Mr. EHRLICH, Mr. ABERCROMBIE, Mr. TRAFICANT, Mr. DIAZ-BALART, Ms. RIVERS, Mr. TANCREDO, Mr. HOEFFEL, Mr. MCNULTY, Mr. TAYLOR of North Carolina, Mr. PASCRELL, Mr. TIERNEY, Mr. MCGOVERN, Mr. PALLONE, Mr. SANDERS, and Mr. TOWNS):

H. Con. Res. 68. Concurrent resolution condemning the Government of the People's Republic of China for its poor human rights record; to the Committee on International Relations.

By Mr. LAMPSON (for himself, Mr. CHABOT, Mr. HORN, Mr. GREENWOOD, Mrs. MINK of Hawaii, Mr. KOLBE, Mr. GONZALEZ, Mr. SMITH of New Jersey, Mr. KIRK, Mr. CRENSHAW, Mr. FOLEY, Ms. JACKSON-LEE of Texas, Mr. SHIMKUS, Mrs. TAUSCHER, Mr. BORSKI, Mrs. THURMAN, Mr. SANDLIN, Mr. PASCRELL, Mrs. MALONEY of New York, Mr. HASTINGS of Florida, Mr. FRANK, Mr. KIND, Ms. ESHOO, Mr. FARR of California, Mr. HINCHEY, Mr. HINOJOSA, Mr. BACA, Mr. EDWARDS, Mr. RODRIGUEZ, Mr. ORTIZ, Mrs. EMERSON, Mr. GUTKNECHT, Mr. GREEN of Texas, and Mr. BENTSEN):

H. Con. Res. 69. Concurrent resolution expressing the sense of the Congress on the Hague Convention on the Civil Aspects of International Child Abduction and urging all Contracting States to the Convention to recommend the production of practice guides; to the Committee on International Relations.

By Mr. SAWYER (for himself, Mrs. MORELLA, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. MCGOVERN, Mr. HINCHEY, Ms. PELOSI, Mrs. MINK of Hawaii, Mr. LUTHER, Mr. MCDERMOTT, Ms. SLAUGHTER, Ms. LOFGREN, Ms. BALDWIN, Mr. LANTOS, Mrs. MEEK of Florida, Mr. INSLEE, Mr. SANDERS, Mr. WYNN, Mr. THOMPSON of California, Mrs. TAUSCHER, and Mr. FROST):

H. Con. Res. 70. Concurrent resolution expressing the sense of the Congress that the United States should develop, promote, and implement policies to slow global population growth by voluntary means; to the Committee on Energy and Commerce, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOOMEY (for himself and Mr. ROEMER):

H. Con. Res. 71. Concurrent resolution recognizing the importance of families and children in the United States and expressing support for the goals and ideas of National Family Day; to the Committee on Education and the Workforce.

By Mr. WICKER:

H. Con. Res. 72. Concurrent resolution expressing the sense of Congress regarding the employers of the members of the reserve components of the Armed Forces; to the Committee on Armed Services.

By Ms. PRYCE of Ohio.

H. Res. 92. A resolution providing for consideration of motions to suspend the rules; House Calendar No. 8. House Report No. 107–23.

By Mr. DIAZ-BALART.

H. Res. 93. A resolution providing for consideration of the bill (H.R. 247) to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks; House Calendar No. 9. House Report No. 107–24.

By Ms. MILLENDER-MCDONALD:

H. Res. 94. A resolution honoring the contributions of Venus and Serena Williams; to the Committee on Government Reform.

By Mr. RANGEL:

H. Res. 95. A resolution expressing the support for a National Week of Reflection and Tolerance; to the Committee on Government Reform.

¶25.24 ADDITIONAL SPONSORS

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

H.R. 6: Mrs. TAUSCHER, Mr. SAXTON, and Mr. TOM DAVIS of Virginia.

H.R. 13: Mr. LARSON of Connecticut and Mr. PALLONE.

H.R. 16: Mr. DAVIS of Illinois.

H.R. 17: Mrs. MORELLA.

H.R. 20: Mr. SUNUNU.

H.R. 25: Ms. MCKINNEY.

H.R. 28: Mr. FERGUSON, Ms. SANCHEZ, Mr. HOYER, Mr. MOORE, Mr. BOYD, Mr. CARSON of Oklahoma, and Ms. KILPATRICK.

H.R. 31: Mr. GRAVES, Mr. SESSIONS, Mr. LAHOOD, Mr. LEWIS of Kentucky, and Mr. WICKER.

H.R. 41: Mr. KELLER, Mr. LEVIN, Mr. SANDLIN, Mr. ROHRABACHER, Ms. HART, Mr. ISAKSON, Mr. BRADY of Texas, Mr. DAVIS of Florida, Mr. TOM DAVIS of Virginia, Mr. MORAN of Virginia, Mr. GRUCCI, Mr. RYAN of Wisconsin, and Mr. SCHROCK.

H.R. 45: Mr. SIMMONS.

H.R. 61: Mr. PASTOR and Mr. GREEN of Wisconsin.

H.R. 65: Mrs. CAPITO.

H.R. 98: Mr. NETHERCUTT, Mrs. THURMAN, Mr. ABERCROMBIE, Mr. MCHUGH, Mr. WEXLER, Mr. FOLEY, Mr. MCDERMOTT, and Mr. SESSIONS.

H.R. 133: Mr. SMITH of New Jersey.

H.R. 144: Ms. MCKINNEY, Mr. BAIRD, Ms. BROWN of Florida, Ms. NORTON, Mr. BORSKI, and Mr. HONDA.

H.R. 161: Mr. ISSA.

H.R. 184: Mr. COSTELLO.

H.R. 187: Mr. PAYNE.

H.R. 198: Mr. STUMP.

H.R. 199: Mr. COBLE, Mr. SESSIONS, and Mrs. KELLY.

H.R. 214: Mr. ETHERIDGE, Mr. STUPAK, and Mr. PLATTS.

H.R. 220: Mr. SIMPSON.

H.R. 240: Mr. ADERHOLT.

H.R. 257: Mr. BROWN of South Carolina, Mr. ISSA, Mr. SCHROCK, Mr. PENCE, Mr. CHABOT, and Mr. SMITH of New Jersey.

H.R. 267: Ms. SOLIS.

H.R. 278: Mr. FERGUSON.

H.R. 283: Mr. PETRI.

H.R. 285: Mr. SHAYS, Mr. UDALL of New Mexico, Ms. BALDWIN, Mr. JACKSON of Illinois, and Mr. BOUCHER.

H.R. 288: Mr. GONZALEZ.

H.R. 303: Ms. CARSON of Indiana, Mr. MCDERMOTT, Mr. KIND, Mr. DEAL of Georgia, Mrs. CAPITO, Mr. RYAN of Wisconsin, Mr. OXLEY, Mr. YOUNG of Florida, Mr. FLETCHER, Mr. MORAN of Kansas, Mrs. CUBIN, Mr. TOM DAVIS of Virginia, Mrs. CHRISTENSEN, Ms. DELAURO, Mr. HORN, Mr. FORD, and Mr. DINGELL.

H.R. 322: Mr. DIAZ-BALART and Mr. DAVIS of Florida.

H.R. 326: Mr. COSTELLO, Mr. KLECZKA, Mr. TAUSCHER, and Mr. MENENDEZ.

H.R. 335: Mr. LARGENT.

H.R. 336: Ms. CARSON of Indiana, Mr. STRICKLAND, Ms. SCHAKOWSKY, Ms. NORTON, Mrs. MINK of Hawaii, and Mr. GEORGE MILLER of California.

H.R. 337: Mr. NETHERCUTT and Mr. EVANS.

H.R. 338: Mr. NETHERCUTT.

H.R. 339: Mr. DAVIS of Illinois.

H.R. 361: Mr. ABERCROMBIE.

H.R. 362: Mr. PENCE, Mr. FROST, Mr. STUPAK, Mr. SMITH of New Jersey, Mrs. MALONEY of New York, and Ms. MILLENDER-MCDONALD.

H.R. 368: Ms. HART.

H.R. 369: Ms. NORTON.

H.R. 374: Mr. RAMSTAD, Mr. RYAN of Wisconsin, and Mr. SIMMONS.

H.R. 436: Mr. WELDON of Pennsylvania, Mr. OSBORNE, Mr. SAXTON, Mr. ANDREWS, Mr. SHIMKUS, Ms. RIVERS, Mr. WU, Mr. GONZALEZ, and Mr. SIMPSON.

H.R. 437: Mr. GARY MILLER of California and Mr. OTTER.

H.R. 457: Mr. BOEHLERT.

H.R. 503: Mr. HEFLEY and Mr. ARMEY.

H.R. 507: Mr. WICKER.

H.R. 544: Mr. ENGEL, Mr. TERRY, Mr. SANDERS, and Mr. LEWIS of Georgia.

H.R. 549: Mr. SOUDER, Mr. HEFLEY, Mr. PITTS, Mr. GOODLATTE, Mr. CALVERT, and Mrs. JO ANN DAVIS of Virginia.

H.R. 557: Mr. PRICE of North Carolina, Ms. CARSON of Indiana, and Mr. ETHERIDGE.

H.R. 572: Mr. GORDON and Mr. LATOURETTE.

H.R. 594: Mr. FARR of California.

H.R. 600: Mr. HALL of Texas, Ms. PELOSI, Mr. BOSWELL, Ms. DELAURO, Mr. HILLIARD, Mrs. JO ANN DAVIS of Virginia, Mr. LANGEVIN, Mr. INSLEE, Ms. SLAUGHTER, Mr. COSTELLO, Mr. DUNCAN, and Mr. KILDEE.

H.R. 601: Mr. OTTER and Mr. DUNCAN.

H.R. 602: Ms. HARMAN, Mr. LOBIONDO, Mr. LANGEVIN, Ms. SANCHEZ, and Mr. SCHIFF.

H.R. 606: Mrs. MALONEY of New York, Ms. SCHAKOWSKY, Ms. NORTON, Mr. EDWARDS, and Mr. HORN.

H.R. 609: Mr. GEORGE MILLER of California.

H.R. 611: Mr. WHITFIELD, Mr. WAMP, Mr. BURTON of Indiana, and Mr. CLEMENT.

H.R. 613: Mr. SIMMONS, Mr. DREIER, and Mr. MOORE.

H.R. 623: Mr. BLUMENAUER, Mr. BLAGOJEVICH, and Mr. WAXMAN.

H.R. 638: Mr. BONIOR, Ms. SOLIS, and Mr. HOEFFEL.

H.R. 641: Mr. HUTCHINSON, Ms. DUNN, Mr. TOM DAVIS of Virginia, Mr. MCCRERY, Mr. BALLENGER, Ms. CARSON of Indiana, Mr. SANDLIN, Mr. RODRIGUEZ, Mr. MCGOVERN, Ms. LEE, Mr. MILLER of Florida, Mr. HEFLEY, Mr. COOKSEY, Mr. SESSIONS, Mr. SIMPSON, Mr. OTTER, Mr. WALDEN of Oregon, Mr. WELDON of Florida, and Mr. MCKEON.

H.R. 648: Mr. BARTLETT of Maryland.

H.R. 661: Ms. DUNN.

H.R. 663: Ms. CARSON of Indiana, Ms. RIVERS, and Ms. VELAZQUEZ.

H.R. 668: Mr. HUTCHINSON, Mr. BACA, and Mr. LOBIONDO.

H.R. 671: Ms. MCKINNEY and Mr. BERMAN.

H.R. 686: Ms. SOLIS.

H.R. 704: Ms. LEE.

H.R. 705: Mr. STUMP.

H.R. 710: Ms. HART and Mr. KLECZKA.

H.R. 717: Mr. SAWYER, Mr. SNYDER, Mr. VITTER, Mr. BARTLETT of Maryland, and Mr. BISHOP.

H.R. 721: Mr. UNDERWOOD, Mr. LANTOS, Mr. ROSS, Mr. BOSWELL, Mr. BARCIA, Mr. HOLT, Mr. VISCLOSKY, Mr. MATSUI, Ms. LEE, Mr. WEINER, Mr. SCOTT, and Ms. SOLIS.

H.R. 737: Mr. BALDACCI, Mr. KUCINICH, Mr. EVANS, Mrs. MCCARTHY of New York, Mr. LIPINSKI, and Mr. REHBERG.

H.R. 744: Mr. SIMPSON.

H.R. 745: Mr. BLAGOJEVICH.

H.R. 762: Mr. RANGEL, Mr. ARMEY, and Mr. WEXLER.

H.R. 765: Ms. CARSON of Indiana, Mr. FRANK, and Mr. BROWN of Ohio.

H.R. 770: Ms. VELAZQUEZ and Mr. WATT of North Carolina.

H.R. 787: Mr. SMITH of New Jersey.

H.R. 792: Mr. DAVIS of Illinois and Mr. ANDREWS.

H.R. 801: Mr. BALDACCI, Ms. CARSON of Indiana, Mr. CRENSHAW, and Mrs. KELLY.

H.R. 808: Mr. ENGEL, Mrs. CAPPS, Mr. OLVER, Mr. GOODE, Mr. SHERMAN, Mr. GUTIERREZ, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, Ms. WOOLSEY, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CARSON of Indiana, and Mrs. CAPITO.

H.R. 817: Mr. JONES of North Carolina and Mr. ISAKSON.

H.R. 827: Mr. STUPAK, Mrs. MINK of Hawaii, Mr. SESSIONS, and Mr. MEEHAN.

H.R. 835: Mr. FLETCHER, Mr. WATKINS, and Mr. SIMPSON.

H.R. 839: Mrs. MEEK of Florida, Mr. MOORE, and Mr. BLAGOJEVICH.

H.R. 844: Mr. RANGEL and Mrs. MALONEY of New York.

H.R. 853: Mr. CRAMER and Mr. MCINTYRE.

H.R. 862: Mr. LANGEVIN.

H.R. 864: Mr. DOOLITTLE.

H.R. 868: Mr. LOBIONDO, Mr. SCARBOROUGH, Mr. LARSEN of Washington, Mr. BACHUS, Mr. FILNER, Mr. CRENSHAW, Mrs. MINK of Hawaii, Mr. COOKSEY, Mr. BLAGOJEVICH, Mr. AKIN, Mr. PICKERING, and Mr. TERRY.

H.R. 871: Mr. SIMMONS.

H.R. 875: Mr. FRANK, Ms. LEE, Mr. WAXMAN, Mrs. MINK of Hawaii, Mr. FILNER, Mrs. THURMAN, Mr. CONYERS, Ms. SCHAKOWSKY, Mr. TERRY, Ms. JACKSON-LEE of Texas, Ms. SLAUGHTER, Mrs. LOWEY, Mr. HONDA, Ms. NORTON, Ms. LOFGREN, Mr. CLAY, Mrs. MALONEY of New York, Ms. MCCARTHY of Missouri, and Ms. HART.

H.R. 876: Mr. WATTS of Oklahoma.

H.R. 886: Mr. HINCHEY, Mr. FROST, Ms. MCKINNEY, Ms. NORTON, and Mr. WYNN.

H.R. 887: Mr. GRUCCI and Mr. RUSH.

H.R. 892: Mr. SCHAFFER.

H.R. 893: Mr. SCHAFFER.

H.R. 899: Mr. FOLEY, Mr. SIMMONS, Mr. HEFLEY, Mr. MOORE, and Mr. SMITH of New Jersey.

H.R. 902: Mr. FILNER, Mr. KLECZKA, Mr. BALDACCI, Mr. COSTELLO, Mr. CRAMER, Mr. BLUMENAUER, Mr. BONIOR, Ms. BERKLEY, Mr. HINCHEY, Mr. MCGOVERN, Mr. DEUTSCH, Ms. BALDWIN, Mr. ABERCROMBIE, Mr. LEACH, Mr. JEFFERSON, Mr. RILEY, Mr. FROST, Mr. SCHROCK, Mr. DEFAZIO, Ms. HART, Mr. FRANK, Mr. RANGEL, Mr. LANGEVIN, and Mr. OTTER.

H.R. 908: Ms. MCKINNEY.

H.R. 912: Mr. BLAGOJEVICH, Mr. BOSWELL, Mr. DOOLEY of California, Mr. GEPHARDT, Mr. HOBSON, Mr. HOYER, Mr. MATSUI, Mrs. MINK of Hawaii, Mr. PETERSON of Minnesota, Mr. PHELPS, Mr. STRICKLAND, and Ms. WOOLSEY.

H.R. 914: Mr. CRENSHAW.

H.R. 917: Mr. BROWN of Ohio and Mr. BARCIA.

H.R. 933: Mr. FILNER, Mr. ALLEN, Mr. GUTIERREZ, Ms. MCKINNEY, Mr. CUMMINGS, Mr. GONZALEZ, Mr. LANTOS, Mr. GEORGE MILLER of California, Ms. CARSON of Indiana, Mr. JEFFERSON, and Mr. CLYBURN.

H.R. 936: Mr. CLEMENT and Mr. SKELTON.

H.R. 937: Mr. SUNUNU and Mr. HAYWORTH.

H.R. 938: Mr. OLVER, Mr. FATTAH, Ms. KAPTUR, Ms. WOOLSEY, and Mr. CLAY.

H.R. 948: Mr. NEAL of Massachusetts, Ms. BROWN of Florida, Mr. BLUMENAUER, Mr. UDALL of New Mexico, and Mr. CLEMEMT.

H.R. 951: Mr. JEFFERSON, Mr. HUTCHINSON, and Mr. CAMP.

H.R. 952: Mr. DINGELL, Mr. WAXMAN, Mr. ROGERS of Michigan, Mr. FROST, Mr. LIPINSKI, Mr. STUPAK, Mr. FILNER, Ms. NORTON, and Mr. SESSIONS.

H.R. 956: Mr. LAFALCE, Ms. SANCHEZ, Mr. BECERRA, Mr. MCGOVERN, Mr. BERMAN, Ms. JACKSON-LEE of Texas, Mr. DOYLE, Ms. RIVERS, Mr. FILNER, and Mr. LOBIONDO.

H.R. 959: Ms. SOLIS, Ms. LEE, Mr. BARRETT.

H.R. 963: Mr. ROHRABACHER and Mr. SANDERS.

H.R. 968: Mr. FOLEY, Mr. JEFFERSON, Mrs. WILSON, Mrs. CHRISTENSEN, Mr. SHOWS, Mr. ISAKSON, Mr. GIBBONS, Mr. FROST, Mr. SESSIONS, Mr. MCNULTY, Mr. STEARNS, Mr. HORN, Mr. BOUCHER, Mr. PETERSON of Minnesota, Mr. FILNER, Mr. DIAZ-BALART, Mr. DELAHUNT, Mr. TOM DAVIS of Virginia, and Mr. CHAMBLISS.

H.R. 981: Mrs. JO ANN DAVIS of Virginia.

H.R. 995: Mr. SKEEN.

H.R. 996: Mr. SKEEN.

H.R. 1004: Mr. BONIOR, Ms. JACKSON-LEE of Texas, Mr. WYNN, and Mr. THOMPSON of Mississippi.

H.R. 1015: Mr. FRANK and Mr. CHAMBLISS.

H.R. 1018: Mr. WELDON of Florida, Mr. BURTON of Indiana, Mr. HOEKSTRA, Mr. ROHRABACHER, Mr. CULBERSON, and Mr. BAKER.

H.R. 1019: Mr. GOSS, Mr. HALL of Texas, Mr. ISAKSON, Mr. MCHUGH, Mr. SCHROCK, Mr. TERRY, Mr. VITTER, and Mr. WELDON of Florida.

H.R. 1066: Mr. GEORGE MILLER of California, Mr. SHERMAN, Ms. LEE, Mr. LANTOS, Ms. WOOLSEY, Mr. BERMAN, Mr. STARK, and Ms. SOLIS.

H.R. 1076: Mr. WAXMAN, Mr. ABERCROMBIE, Mr. WEXLER, Mr. CRAMER, Mr. BLUMENAUER, Mr. LANGEVIN, Mr. BARRETT, Mr. GORDON, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mr. PHELPS, Mr. DEFAZIO, Mr. DINGELL, Mr. FILNER, Mrs. CAPPS, Ms. SOLIS, Mr. BAIRD, Mr. CAPUANO, Mr. BENTSEN, Mr. SHERMAN, Ms. BERKLEY, Mr. OBERSTAR, Ms. LEE, Mr. MOORE, Mr. FRANK, Mr. FROST, Mr. BISHOP, Mr. BROWN of Ohio, Mr. SAXTON, Mr. CUMMINGS, Mrs. NAPOLITANO, Ms. BROWN of Florida, Mr. BRADY of Pennsylvania, Ms. CARSON of Indiana, Mr. MENENDEZ, Mr. DOOLEY of California, Mr. DAVIS of Florida, and Mr. TOWNS.

H.R. 1078: Mrs. THURMAN, Mr. FROST, Mr. FRANK, and Mr. KILDEE.

H.R. 1086: Mr. RUSH.

H.R. 1089: Mr. GONZALEZ.

H.J. Res. 11: Mr. PLATTS and Mr. BARR of Georgia.

H.J. Res. 12: Mr. BARR of Georgia.

H.J. Res. 27: Mr. DOOLITTLE.

H.J. Res. 36: Mr. OTTER, Mr. MCKEON, and Mr. TRAFICANT.

H. Con. Res. 4: Mr. FOSSELLA, Mr. TAYLOR of Mississippi, Ms. MCKINNEY, Mr. ENGLISH, Mr. HOLDEN, and Mr. LANGEVIN.

H. Con. Res. 23: Mr. BARR of Georgia and Mr. STUMP.

H. Con. Res. 25: Mr. WELDON of Pennsylvania and Mr. KIND.

H. Con. Res. 29: Ms. BERKLEY and Mr. HASTINGS of Florida.

H. Con. Res. 38: Mr. LAFALCE.

H. Con. Res. 41: Ms. NORTON.

H. Con. Res. 42: Mr. ANDREWS, Mr. STUPAK, Mr. ISSA, and Mr. KENNEDY of Rhode Island.

H. Con. Res. 48: Mr. DOOLITTLE.

H. Con. Res. 49: Mr. DOOLITTLE.

H. Con. Res. 52: Mr. GUTIERREZ, Mr. WAXMAN, Ms. LEE, Mr. KIRK, Mr. DEFAZIO, Ms. SLAUGHTER, Mr. MENENDEZ, and Mr. COYNE.

H. Con. Res. 54: Mr. TURNER, Mr. KINGSTON, Mr. WICKER, Mr. DEFAZIO, Mr. TAYLOR of Mississippi, and Ms. HOOLEY of Oregon.

H. Con. Res. 58: Ms. SLAUGHTER and Mr. GILMAN.

H. Con. Res. 59: Mr. DELAY and Mrs. KELLY.

H. Con. Res. 60: Mr. WEINER, Mr. DELAHUNT, Mr. BROWN of Ohio, and Ms. KAPTUR.

H. Res. 13: Mr. STEARNS.

H. Res. 56: Mr. KIRK, Mr. BONIOR, Mr. ACKERMAN, Ms. LEE, Mr. BERMAN, Mr. MENENDEZ, Mr. BROWN of Ohio, Mr. FALEOMAVAEGA, Mr. ENGEL, Mr. ABERCROMBIE, Mr. SHERMAN, Mr. DELAHUNT, Mr. CLEMENT, Ms. BERKLEY, Mr. COYNE, Mr. DOYLE, Ms. DEGETTE, and Ms. MCKINNEY.

H. Res. 67: Ms. MCCARTHY of Missouri, Mrs. NAPOLITANO, Ms. MCKINNEY, Mr. PASTOR, Mr. TOM DAVIS of Virginia, Mr. LANTOS, Mrs. MORELLA, Mr. MORAN of Virginia, Mr. BENTSEN, Mr. SMITH of New Jersey, Mr. GEORGE MILLER of California, Mr. FALEOMAVAEGA, Mr. ORTIZ, Mr. FROST, Mr. LAMPSON, Mr. FATTAH, Ms. PELOSI, Mr. GONZALEZ, Mr. WEXLER, Mrs. JONES of Ohio, Ms. BERKLEY, Mr. CROWLEY, Mr. MCHUGH, Mr. COOKSEY, Mr. BLUMENAUER, and Ms. LEE.

H. Res. 73: Mr. SMITH of New Jersey.

H. Res. 86: Ms. SLAUGHTER, Ms. KAPTUR, Ms. SOLIS, and Mr. KILDEE.

H. Res. 87: Mr. RANGEL, Mr. OBERSTAR, Mr. PUTNAM, and Mr. CASTLE.

¶25.25 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 526: Mr. BRADY of Texas.

WEDNESDAY, MARCH 21, 2001 (26)

¶26.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

WASHINGTON, DC,
March 21, 2001.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

¶26.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Tuesday, March 20, 2001.

Mr. WAMP, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. WAMP objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶26.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1285. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a report on the Angel Gate Academy Program; to the Committee on Armed Services.

1286. A letter from the Deputy Under Secretary of Defense, Office of the Director of Defense Research and Engineering, Department of Defense, transmitting the Annual Report of the Strategic Environmental Reserch and Development Program for Fiscal Year 2000; to the Committee on Armed Services.

1287. A letter from the Secretary, Department of Defense, transmitting a letter in response to the annual report on cost savings resulting from workforce reductions which is due no later than February 1 of each fiscal year, will be submitted within 90 days; to the Committee on Armed Services.

1288. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting the Defense Science Board Letter Report on the Department of Defense Science and Technology Program; to the Committee on Armed Services.

1289. A letter from the Secretary, Department of Health and Human Services, transmitting the 2001 Report To Congress On Telemedicine; to the Committee on Energy and Commerce.

1290. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Determination of Nonattainment as of November 15, 1996, and Reclassification of the St. Louis Ozone Nonattainment Area; States of Missouri and Illinois [MO 061–0161a; IL 187–2; FRL–6955–4] received March 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1291. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permit Program; Tennessee and Memphis-Shelby County [TN-T5–2001–01a; FRL–6956–6] received March 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1292. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Electric Generating Facilities; and Major Stationary Sources of Nitrogen Oxides for the Dallas/Fort Worth Ozone Nonattainment Area [TX–126–2–7486; FRL–6952–9] received March 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1293. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on Workforce Planning for Foreign Service Personnel; to the Committee on International Relations.

1294. A letter from the Comptroller General, General Accounting Office, transmitting a report on the failure of the Department of Defense to provide access to certain records to the General Accounting Office, pursuant to 31 U.S.C. 716(b)(1); to the Committee on Government Reform.

1295. A letter from the Chairman, Federal Maritime Commission, transmitting the Annual Program Performance Report for FY 2000; to the Committee on Government Reform.

1296. A letter from the Comptroller General, General Accounting Office, transmitting a report entitled, ''Framework for Considering Budgetary Implications of Selected GAO Work''; to the Committee on Government Reform.

1297. A letter from the Managing Director, National Transportation Safety Board, transmitting the Board's Inventory of Commercial Activities as required under the Federal Activities Reform Act of 1998; to the Committee on Government Reform.

1298. A letter from the Chairman, Board of Directors, Tennessee Valley Authority, transmitting the report in compliance with the Government in the Sunshine Act for Calendar Year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

1299. A letter from the Deputy Assistant Secretary, Budget and Finance, Department of the Interior, transmitting the annual report entitled, ''Outer Continental Shelf Lease Sales: Evaluation of Bidding Results'' for fiscal year 2000, pursuant to 43 U.S.C. 1337(a)(9); to the Committee on Resources.

1300. A letter from the Secretary, Department of the Interior, transmitting the 2000 Annual Report for the Office of Surface Mining (OSM), pursuant to 30 U.S.C. 1211(f), 1267(g), and 1295; to the Committee on Resources.

1301. A letter from the The United States Trade Representative, Executive Office of the President, transmitting a report on the pending accession to the World Trade Organization of the Republic of Moldova; to the Committee on Ways and Means.

1302. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Form 7004- Research Credit Suspension Period [Notice 2001–29] received March 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1303. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting

the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–17] received March 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1304. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Gross Income Defined [Rev Rul. 2001–13] received March 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1305. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Availability of ''Award of Grants and Cooperative Agreements for the Special Projects and Programs Authorized by the Agency's FY 2001 Appropriations Act and the FY 2001 Consolidated Appropriations Act'' [FRL–6951–5] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

1306. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting a report on bluefin tuna for 1999–2000; jointly to the Committees on Resources and International Relations.

¶26.4 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, announced that the Speaker, pursuant to Public Law 106-292 (36 United States Code 2301), appointed to the United States Holocaust Memorial Council, on the part of the House, the following Members: Messrs. GILMAN, LATOURETTE, and CANNON.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶26.5 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 92):

Resolved, That it shall be in order at any time on the legislative day of Wednesday, March 21, 2001, or Thursday, March 22, 2001, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The concurrent resolution (H. Con. Res. 43) authorizing the printing of a revised and updated version of the House document entitled ''Black Americans in Congress, 1870–1989'';

(2) The bill (H.R. 1042) to prevent the elimination of certain reports;

(3) The bill (H.R. 1098) to improve the recording and discharging of maritime liens and expand the American Merchant Marine Memorial Wall of Honor, and for other purposes;

(4) The bill (H.R. 1099) to make changes in laws governing Coast Guard personnel, increase marine safety, renew certain groups that advise the Coast Guard on safety issues, make miscellaneous improvements to Coast Guard operations and policies, and for other purposes.

(5) The bill (H.R. 496) to amend the Communications Act of 1934 to promote deployment of advanced services and foster the development of competition for the benefit of consumers in all regions of the Nation by relieving unnecessary burdens on the Nation's two percent local exchange telecommunications carriers, and for other purposes;

(6) The bill (H.R. 802) to authorize the Public Safety Officer Medal of Valor, and for other purposes.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶26.6 BLACK AMERICANS IN CONGRESS

Mr. NEY moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 43):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. PRINTING OF REVISED VERSION OF "BLACK AMERICANS IN CONGRESS, 1870–1989".

(a) IN GENERAL.—An updated version of House Document 101–117, entitled ''Black Americans in Congress, 1870–1989'' (as revised by the Library of Congress), shall be printed as a House document by the Public Printer, with illustrations and suitable binding, under the direction of the Committee on House Administration of the House of Representatives.

(b) NUMBER OF COPIES.—In addition to the usual number, there shall be printed 30,700 copies of the document referred to in subsection (a), of which—

(1) 25,000 shall be for the use of the Committee on House Administration of the House of Representatives; and

(2) 5,700 shall be for the use of the Committee on Rules and Administration of the Senate.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. NEY and Mr. HOYER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CAPITO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶26.7 PREVENT ELIMINATION OF CERTAIN REPORTS

Mr. GRUCCI moved to suspend the rules and pass the bill (H.R. 1042) to prevent the elimination of certain reports; as amended.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. GRUCCI and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GRUCCI demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶26.8 MARITIME POLICY IMPROVEMENT

Mr. LOBIONDO moved to suspend the rules and pass the bill (H.R. 1098) to improve the recording and discharging of maritime liens and expand the American Merchant Marine Memorial Wall of Honor, and for other purposes.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. LOBIONDO and Mr. MCGOVERN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LOBIONDO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶26.9 COAST GUARD PERSONNEL AND MANAGEMENT SAFETY

Mr. LOBIONDO moved to suspend the rules and pass the bill (H.R. 1099) to make changes in laws governing Coast Guard personnel, increase marine safety, renew certain groups that advise the Coast Guard on safety issues, make miscellaneous improvements to Coast Guard operations and policies, and for other purposes.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. LOBIONDO and Mr. MCGOVERN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LOBIONDO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Thursday, March 22, 2001, pursuant to the prior announcement of the Chair.

¶26.10 TELECOMMUNICATIONS ENHANCEMENT

Mr. UPTON moved to suspend the rules and pass the bill (H.R. 496) to

amend the Communications Act of 1934 to promote deployment of advanced services and foster the development of competition for the benefit of consumers in all regions of the Nation by relieving unnecessary burdens on the Nation's two percent local exchange telecommunications carriers, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. UPTON and Mr. BARRETT of Wisconsin, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶26.11 BOARD OF TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, announced that the Speaker, pursuant to section 2(a) of the National Cultural Center Act (20 United States Code 76h(a)), appointed to the Board of Trustees of the John F. Kennedy Center for the Performing Arts the following Members on the part of the House: Messrs. HASTERT, KOLBE and GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶26.12 H. CON. RES. 43—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 43) authorizing the printing of a revised and updated version of the House document entitled ''Black Americans in Congress, 1870-1989''.

The question being put,

Will the House suspend the rules and agree to the concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 414 / Nays 1

¶26.13 [Roll No. 53]

YEAS—414

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

NAYS—1

Paul

NOT VOTING—17

Becerra, Brown (FL), Cannon, Collins, Gordon, Keller, McHugh, Mica, Moakley, Rothman, Scarborough, Sessions, Simmons, Sisisky, Taylor (NC), Weldon (FL), Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶26.14 H.R. 1042—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1042) to prevent the elimination of certain reports; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 414 / Nays 2

¶26.15 [Roll No. 54]

YEAS—414

Abercrombie, Ackerman, Aderholt, Akin, Allen, Andrews, Armey, Baca, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett, Bartlett, Barton, Bass, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilirakis, Bishop, Blagojevich, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (OH), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cantor, Capito, Capps, Capuano, Cardin, Carson (IN)

Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Hefley
Taylor (MS)

NOT VOTING—16

Becerra
Brown (FL)
Cannon
Gordon
Keller
Kennedy (MN)
McHugh
Mica
Moakley
Morella
Rothman
Scarborough
Sessions
Sisisky
Taylor (NC)
Weldon (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶26.16 H.R. 1098—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1098) to improve the recording and discharging of maritime liens and expand the American Merchant Marine Memorial Wall of Honor, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 415 / Nays 3

¶26.17 [Roll No. 55]

YEAS—415

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

Thune	Velazquez	Weldon (PA)
Thurman	Visclosky	Weller
Tiahrt	Vitter	Wexler
Tiberi	Walden	Whitfield
Tierney	Walsh	Wicker
Toomey	Wamp	Wilson
Towns	Waters	Wolf
Traficant	Watkins	Woolsey
Turner	Watt (NC)	Wu
Udall (CO)	Watts (OK)	Wynn
Udall (NM)	Waxman	Young (AK)
Upton	Weiner	Young (FL)

NAYS—3

Flake	Paul	Taylor (MS)

NOT VOTING—14

Becerra	McHugh	Sessions
Brown (FL)	Mica	Sisisky
Cannon	Moakley	Taylor (NC)
Gordon	Rothman	Weldon (FL)
Keller	Scarborough	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶26.18 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, March 20, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

So the Journal was approved.

¶26.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. MICA, for today;

To Mr. WELDON of Florida, for today;

To Mr. KELLER, for today and,

To Mr. BECERRA, for today.

And then,

¶26.20 ADJOURNMENT

On motion of Ms. PELOSI, at 3 o'clock and 34 minutes p.m., the House adjourned.

¶26.21 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of Michigan (for himself and Mrs. EMERSON):

H.R. 1138. A bill to amend section 402 of the Federal Water Pollution Control Act to provide that no permit shall be required for animal feeding operations within the boundaries of a State if the State has established and is implementing a nutrient management program for those animal feeding operations; to the Committee on Transportation and Infrastructure.

By Mrs. BONO (for herself, Mr. STUMP, Mr. DOOLITTLE, and Mr. HERGER):

H.R. 1139. A bill to terminate the participation of the Forest Service in the Recreational Fee Demonstration Program; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. QUINN, and Mr. CLEMENT):

H.R. 1140. A bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS (for himself, Mr. LEWIS of Georgia, and Mr. TANNER):

H.R. 1141. A bill to provide duty-free treatment for certain steam or other vapor generating boilers used in nuclear facilities; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mrs. CHRISTENSEN, Mr. BONIOR, and Mrs. JONES of Ohio):

H.R. 1142. A bill to amend title XIX of the Social Security Act to permit uninsured individuals to obtain coverage under the Medicaid Program, to assure coverage of prescription drugs, alcohol and drug abuse treatment services, mental health services, long-term care services, and other services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DIAZ-BALART (for himself, Mr. WAXMAN, Ms. ROS-LEHTINEN, Mr. FOLEY, Mr. GILMAN, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. KING, Mr. LEVIN, Mr. MENENDEZ, Mrs. MORELLA, Mr. RODRIGUEZ, and Ms. ROYBAL-ALLARD):

H.R. 1143. A bill to amend titles XIX and XXI of the Social Security Act to permit States the option of coverage of legal immigrants under the Medicaid Program and the State children's health insurance program (SCHIP); to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL:

H.R. 1144. A bill to provide for an increase in the Federal investment in research on cancer, Alzheimer's disease, and asthma by $2,000,000,000 for fiscal year 2002, and to express the sense of the House of Representatives that the Federal investment in such research should further be increased for each of the fiscal years 2003 through 2006; to the Committee on Energy and Commerce.

By Mr. ENGLISH (for himself, Mr. SHERWOOD, Ms. HART, and Mr. KUCINICH):

H.R. 1145. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to assure that the full amount deposited in the Abandoned Mine Reclamation Fund is spent for the purposes for which that Fund was established; to the Committee on Resources.

By Mr. PAUL (for himself, Mr. STUMP, and Mr. POMBO):

H.R. 1146. A bill to end membership of the United States in the United Nations; to the Committee on International Relations.

By Mr. ENGLISH (for himself, Ms. HART, and Mr. RYUN of Kansas):

H.R. 1147. A bill to prohibit the exportation of Alaskan North Slope crude oil; to the Committee on International Relations, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HILLEARY (for himself, Mr. JOHN, Mr. BISHOP, Mr. DEMINT, and Mr. NORWOOD):

H.R. 1148. A bill to provide grants to certain rural local educational agencies; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself and Mr. HORN):

H.R. 1149. A bill to amend the Domestic Volunteer Service Act of 1973 to create as a component of the Volunteers in Service to America program a technology corps that uses VISTA volunteers and other persons with expertise regarding information technology to facilitate the use of information technology in schools, libraries, and community centers, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUTCHINSON (for himself, Mr. BRADY of Texas, Mr. MORAN of Kansas, Mr. HULSHOF, and Mr. PETRI):

H.R. 1150. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Education and the Workforce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN (for himself, Mrs. MALONEY of New York, Mr. BROWN of Ohio, Mr. STARK, Mr. MCGOVERN, Mr. FRANK, Mr. KENNEDY of Rhode Island, and Mr. LANTOS):

H.R. 1151. A bill to direct the Federal Election Commission to issue voluntary standards to promote the accessibility and effective use of voting systems, voting equipment, and polling places, to make grants to assist States in complying with such standards and carrying out other activities to promote accessibility in voting, and for other purposes; to the Committee on House Administration.

By Mr. LANTOS (for himself, Mrs. MORELLA, Mr. WAXMAN, Mr. GILMAN, Mr. SHAYS, Mr. HORN, Mr. KUCINICH, Mr. TOM DAVIS of Virginia, Mr. OWENS, Mr. SMITH of New Jersey, Ms. PELOSI, Mr. LAHOOD, Mr. TOWNS, Mr. UPTON, Mr. KANJORSKI, Mrs. MINK of Hawaii, Mrs. MALONEY of New York, Ms. NORTON, Mr. CUMMINGS, Mr. BLAGOJEVICH, Mr. DAVIS of Illinois, Mr. TIERNEY, Mr. TURNER, Mr. ALLEN, Ms. SCHAKOWSKY, Mr. CLAY, Mr. SANDERS, Mr. DELAHUNT, Mr. HALL of Ohio, Mr. OBERSTAR, Mr. OLVER, Mr. WEXLER, Mr. ABERCROMBIE, Mr. NADLER, Mr. TRAFICANT, Mr. MOAKLEY, Mr. MCDERMOTT, Mr. PETERSON of Minnesota, Ms. BROWN of Florida, Ms. MCCARTHY of Missouri, Mr. CAPUANO, Mr. ENGEL, Mr. GEORGE MILLER of California, Mr. FILNER, Ms. KAPTUR, Mr. LEWIS of Georgia, Mr. COSTELLO, Mr. PHELPS, Mr. MATSUI, Mr. EVANS, Mr. SERRANO, Mr. MCNULTY, Mr. LUTHER, Mr. BARRETT, Mr. HOLT, Mr. DOYLE, Mr. STARK, Ms. RIVERS, Ms. WATERS, Ms. ESHOO, Mrs. LOWEY, Ms. VELAZQUEZ, Mr. UNDERWOOD, and Mr. SANDLIN):

H.R. 1152. A bill to promote human rights, democracy, and the rule of law by providing a process for executive agencies for declassifying on an expedited basis and disclosing certain documents relating to human rights abuses in countries other than the United

States; to the Committee on Government Reform.

By Mr. MALONEY of Connecticut:

H.R. 1153. A bill to amend the Internal Revenue Code of 1986 to increase the child tax credit to $2,000 per child and make such credit refundable; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mr. MEEKS of New York, Mr. MCGOVERN, Ms. VELAZQUEZ, Mrs. CHRISTENSEN, Mr. SERRANO, Mr. STARK, Mr. LANTOS, Ms. MCKINNEY, Ms. NORTON, Ms. WATERS, Mr. RANGEL, Mr. PAYNE, Ms. RIVERS, Ms. CARSON of Indiana, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1154. A bill to require Federal law enforcement agencies to expunge voidable arrest records, to provide incentive funds to States that have in effect a system for expunging such records, and for other purposes; to the Committee on the Judiciary.

By Mr. PETERSON of Minnesota (for himself, Ms. BALDWIN, Mr. CUMMINGS, Mrs. MCCARTHY of New York, Mr. SHAYS, Mr. COSTELLO, Mrs. LOWEY, Mr. CLAY, Ms. SLAUGHTER, Mr. GILCHREST, Mr. WYNN, Mr. SABO, Ms. MILLENDER-MCDONALD, Mr. LEVIN, Mr. SHAW, Mr. BARTLETT of Maryland, Mr. CHABOT, Mr. BLAGOJEVICH, Mr. WU, Mr. DEUTSCH, Mr. GILMAN, Mr. PASCRELL, Mr. OSE, Ms. WOOLSEY, Mr. CAPUANO, Mr. BENTSEN, Mr. GONZALEZ, Mrs. TAUSCHER, Mr. TANCREDO, Mr. DELAHUNT, Mr. ANDREWS, Mr. UPTON, Ms. HOOLEY of Oregon, Mr. ENGEL, Mr. NETHERCUTT, Mr. INSLEE, Mr. WEXLER, Mr. CRANE, Mr. BALDACCI, Mr. WOLF, Mr. OLVER, Mrs. MALONEY of New York, Mrs. MORELLA, Mr. DOYLE, Mr. TRAFICANT, Mr. LEACH, Mr. KLECZKA, Mr. GEORGE MILLER of California, Mr. STARK, Ms. KILPATRICK, Mr. HINCHEY, Mr. BOEHLERT, Mr. RANGEL, Mr. ISAKSON, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. PHELPS, Mr. SMITH of Washington, Mr. SMITH of New Jersey, Mr. KOLBE, Mr. PALLONE, Mr. LEWIS of Georgia, Mr. HORN, Mr. BLUMENAUER, Mr. ALLEN, Mr. PAYNE, Mr. MORAN of Virginia, Mr. TIERNEY, Ms. RIVERS, Mr. BOUCHER, Mrs. ROUKEMA, Mr. THOMPSON of California, Mr. EVANS, Mr. LIPINSKI, Mr. TOWNS, Mr. LUTHER, Mr. MCGOVERN, Mrs. KELLY, Mr. GALLEGLY, Ms. SANCHEZ, Ms. MCKINNEY, Mr. WHITFIELD, Ms. ROYBAL-ALLARD, Mr. CONYERS, Mr. KUCINICH, Mr. SHERMAN, Mr. HOLT, Mr. WELDON of Pennsylvania, Mr. LEWIS of California, Mr. DEAL of Georgia, Mr. BRADY of Pennsylvania, Mr. GREEN of Texas, Mr. UDALL of Colorado, Mrs. JONES of Ohio, Mr. BARCIA, Mr. FARR of California, Mr. DEFAZIO, Mr. NADLER, Mr. BERMAN, Mr. JONES of North Carolina, Mrs. NORTHUP, Mr. WELLER, Mr. ENGLISH, Mr. BORSKI, Mr. MALONEY of Connecticut, Mr. LANTOS, Mr. BASS, Mr. ACKERMAN, Mr. GREEN of Wisconsin, Mr. MEEHAN, Mr. CLYBURN, Mr. NEAL of Massachusetts, Ms. BROWN of Florida, Mr. CROWLEY, Mr. KILDEE, Mr. HOEFFEL, Mr. HYDE, Mr. POMEROY, Mr. SAXTON, Mr. KENNEDY of Rhode Island, Mr. HALL of Ohio, Mr. DICKS, Mr. FRANK, Mr. WEINER, Mr. WELDON of Florida, Mrs. CAPPS, Mr. PRICE of North Carolina, Mrs. JOHNSON of Connecticut, Mr. FILNER, Mr. SCARBOROUGH, and Mr. GREENWOOD):

H.R. 1155. A bill to amend the Animal Welfare Act to strike the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful; to the Committee on Agriculture.

By Mr. SIMPSON (for himself, Mr. GIBBONS, Mr. OTTER, Mr. STUMP, and Mr. SCHAFFER):

H.R. 1156. A bill to preserve the authority of the States over waters within their boundaries, to delegate the authority of the Congress to the States to regulate water, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of California (for himself, Mrs. BONO, Mr. CALVERT, Mr. CUNNINGHAM, Mr. DOOLITTLE, Ms. DUNN, Mr. GALLEGLY, Mr. GREENWOOD, Mr. HANSEN, Mr. HERGER, Mr. HORN, Mr. HUNTER, Mr. ISSA, Mr. MCKEON, Mr. OSE, Mr. OTTER, Mr. POMBO, Mr. RADANOVICH, Mr. SIMPSON, Mr. WALDEN of Oregon, Mr. YOUNG of Alaska, Mr. BACA, Mr. BAIRD, Mr. BECERRA, Mr. BERMAN, Mr. BLUMENAUER, Mrs. CAPPS, Mr. CONDIT, Mrs. DAVIS of California, Mr. DICKS, Mr. DEFAZIO, Mr. DOOLEY of California, Mr. ENGLISH, Ms. ESHOO, Mr. FARR of California, Mr. FILNER, Mr. HINCHEY, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. INSLEE, Mr. LEWIS of California, Mr. LANTOS, Mr. LARSEN of Washington, Ms. LEE, Ms. LOFGREN, Mr. MATSUI, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. PELOSI, Mr. REYES, Ms. ROYBAL-ALLARD, Ms. SANCHEZ, Ms. SOLIS, Mr. SHERMAN, Mr. SCHIFF, Mr. STARK, Mr. STUPAK, Mrs. TAUSCHER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Ms. WATERS, Ms. WOOLSEY, and Mr. WU):

H.R. 1157. A bill to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes; to the Committee on Resources.

By Mr. THORNBERRY:

H.R. 1158. A bill to establish the National Homeland Security Agency; to the Committee on Government Reform.

By Mr. LANTOS (for himself, Mr. COX, Mr. SHERMAN, Mr. CAPUANO, Mr. BROWN of Ohio, Mr. BLAGOJEVICH, Ms. PELOSI, Mr. WOLF, Mr. HORN, Mr. DEFAZIO, Ms. WOOLSEY, Mr. MENENDEZ, Mr. HOYER, Mr. EVANS, Mr. FRANK, Mr. ABERCROMBIE, Mr. PAYNE, Mr. WYNN, Mr. HOEFFEL, Ms. KAPTUR, Mr. WAMP, Mr. ROHRABACHER, Mr. DELAY, Mr. FALEOMAVAEGA, Mr. SMITH of New Jersey, Mr. BRADY of Pennsylvania, Mr. GEORGE MILLER of California, Mr. DIAZ-BALART, Mr. PALLONE, Mr. BONIOR, Ms. BERKLEY, Ms. LEE, Mr. STRICKLAND, Mr. JONES of North Carolina, Mr. STARK, Mr. KIRK, Mr. GUTIERREZ, Ms. SLAUGHTER, Mr. ENGEL, Mr. GEPHARDT, Mr. LEWIS of Georgia, Mr. GOODE, Mr. SOUDER, Mr. TANCREDO, Mr. DEMINT, Mr. HOEKSTRA, Mr. SCHAFFER, Mr. HOSTETTLER, Mr. SAM JOHNSON of Texas, Mr. DOOLITTLE, Mr. SHADEGG, and Mr. PENCE):

H. Con. Res. 73. Concurrent resolution expressing the sense of Congress that the 2008 Olympic Games should not be held in Beijing unless the Government of the People's Republic of China releases all political prisoners, ratifies the International Covenant on Civil and Political Rights, and observes internationally recognized human rights; to the Committee on International Relations.

By Mr. LATOURETTE (for himself and Mr. COSTELLO):

H. Con. Res. 74. Concurrent resolution authorizing the use of the Capitol Grounds for the 20th annual National Peace Officers' Memorial Service; to the Committee on Transportation and Infrastructure.

By Mr. SIMMONS (for himself, Mr. LATOURETTE, Ms. BALDWIN, Mr. FERGUSON, Mr. WOLF, and Mr. HOLDEN):

H. Con. Res. 75. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued honoring Hiram Bingham IV, and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued; to the Committee on Government Reform.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LATOURETTE, and Mr. COSTELLO):

H. Con. Res. 76. Concurrent resolution authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts; to the Committee on Transportation and Infrastructure.

By Mr. BARRETT:

H. Res. 96. A resolution Recognizing National Poison Prevention Week, and encouraging parents, educators, and caregivers to teach children the dangers of ingesting household substances; to the Committee on Government Reform, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE:

H. Res. 97. A resolution recognizing the enduring contributions, heroic achievements, and dedicated work of Shirley Anita Chisholm; to the Committee on Government Reform.

¶26.22 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LATOURETTE introduced a bill (H.R. 1159) for the relief of Stefan Zajak and Teresa Bartoszewska-Zajak; which was referred to the Committee on the Judiciary.

¶26.23 ADDITIONAL SPONSORS

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

H.R. 51: Mr. POMBO, Mr. FARR of California, Mr. OTTER, and Mr. ISSA.

H.R. 145: Mr. DAVIS of Illinois and Mr. LANGEVIN.

H.R. 162: Mr. HOLT, Mr. ABERCROMBIE, Mr. PALLONE, Mr. LEVIN, Mr. JEFFERSON, Ms. BALDWIN, Mr. DAVIS of Illinois, Mr. KIND, and Mr. SAWYER.

H.R. 179: Mr. CLYBURN, Mrs. CUBIN, Mr. DOOLITTLE, Mr. GRAHAM, Mr. HONDA, Mrs. LOWEY, Mr. OTTER, Mr. PUTNAM, Mr. SCOTT, Mr. SIMPSON, Ms. SOLIS, and Mr. UPTON.

H.R. 189: Mr. LAHOOD.

H.R. 192: Mr. LOBIONDO.

H.R. 199: Mr. KING, Mr. KILDEE, Mr. MCNULTY, and Mr. HAYWORTH.

H.R. 225: Ms. LOFGREN, Mr. GEORGE MILLER of California, Mr. CUMMINGS, Mrs. LOWEY, and Ms. KILPATRICK.

H.R. 281: Mr. SPENCE, Mr. GILMAN, Mr. COOKSEY, and Mr. JEFFERSON.

H.R. 292: Mr. DAVIS of Illinois.

H.R. 303: Mr. MEEHAN, Mr. REHBERG, Mr. GREENWOOD, Mr. MARKEY, and Mr. BARCIA.

H.R. 326: Mr. MEEHAN and Mr. LANTOS.

H.R. 370: Mr. SOUDER.

H.R. 380: Ms. LEE.

H.R. 440: Mr. BALDACCI.
H.R. 488: Mrs. LOWEY.
H.R. 504: Mr. THOMPSON of California, Ms. CARSON of Indiana, Mr. BONIOR, Mr. KOLBE, Mr. SANDLIN, Ms. SCHAKOWSKY, Mrs. WILSON, Mr. GUTIERREZ, Mr. PAYNE, Mr. LANGEVIN, Mr. GONZALEZ, and Mr. DOYLE.
H.R. 511: Ms. SCHAKOWSKY.
H.R. 525: Mr. PASCRELL.
H.R. 526: Ms. SCHAKOWSKY, Mr. RAHALL, Mr. PASTOR, Mr. INSLEE, Ms. SOLIS, Mr. MENENDEZ, Mr. BERMAN, Mr. BENTSEN, Mr. BONIOR, and Mr. BAIRD.
H.R. 534: Mr. LEWIS of Kentucky, Mr. GARY MILLER of California, Mr. SIMMONS, Mr. SKEEN, Mr. PLATTS, Mr. SMITH of New Jersey, Mr. EVERETT, Mr. SESSIONS, Mr. ISSA, Mr. SIMPSON, Mr. PITTS, Mr. WICKER, Mr. EHRLICH, Mr. CANTOR, Mr. HERGER, Mr. LANTOS, Mr. MCINNIS, Mr. SHAYS, Mr. HOLDEN, Mr. HAYWORTH, and Mr. TIAHRT.
H.R. 536: Mr. COYNE, Mr. BAIRD, Mr. LOBIONDO, Mr. DAVIS of Illinois, Mr. GRUCCI, Ms. SANCHEZ, and Mr. RODRIGUEZ.
H.R. 550: Ms. KILPATRICK and Mr. KILDEE.
H.R. 579: Mr. LANTOS.
H.R. 581: Mr. SIMPSON.
H.R. 599: Mrs. JONES of Ohio, Mr. LATOURETTE, Mr. ABERCROMBIE, Mr. KILDEE, Mr. BALDACCI, Mr. WAXMAN, Mr. MCNULTY, Mr. KIND, Mr. CAPUANO, and Mr. DEFAZIO.
H.R. 606: Mr. LOBIONDO, Mr. SNYDER, Mr. OSE, Ms. ROYBAL-ALLARD, and Mr. SAXTON.
H.R. 612: Mr. EDWARDS, Mr. MOORE, Mr. KILDEE, Mr. PHELPS, and Mr. UDALL of New Mexico.
H.R. 622: Mr. BLUMENAUER and Ms. HOOLEY of Oregon.
H.R. 630: Mr. BOEHLERT, Mr. COYNE, Mr. PRICE of North Carolina, Ms. SLAUGHTER, and Mr. GOODE.
H.R. 633: Ms. SLAUGHTER, Mr. MCGOVERN, Mr. MCNULTY, Mr. ENGEL, Ms. LEE, Mr. FROST, Mr. FRANK, Ms. SOLIS, Mr. BROWN of Ohio, Mrs. MINK of Hawaii, Ms. SCHAKOWSKY, Mr. GREEN of Texas, Mrs. JONES of Ohio, Mr. GONZALEZ, Ms. CARSON of Indiana, Mr. CUMMINGS, Mr. KILDEE, Mr. LANTOS, and Mr. BALDACCI.
H.R. 637: Mr. PAUL and Mr. SMITH of Texas.
H.R. 643: Mr. ABERCROMBIE.
H.R. 645: Mr. ABERCROMBIE.
H.R. 668: Mr. LANTOS, Mrs. MINK of Hawaii, Ms. CARSON of Indiana, Mr. SOUDER, and Mr. ACEVEDO-VILA.
H.R. 680: Mr. OWENS and Ms. CARSON of Indiana.
H.R. 683: Mr. JOHN, Mr. KLECZKA, Mr. LANGEVIN, Mr. UDALL of Colorado, Mr. PAYNE, Ms. LEE, and Ms. DELAURO.
H.R. 690: Mr. RANGEL, Mr. HOEFFEL, Mr. CLAY, Mr. HASTINGS of Florida, Mr. ANDREWS, and Mr. RUSH.
H.R. 691: Mr. BORSKI and Mr. PETRI.
H.R. 747: Ms. WOOLSEY.
H.R. 752: Mr. SMITH of New Jersey.
H.R. 755: Ms. JACKSON-LEE of Texas, Ms. BROWN of Florida, Ms. MCKINNEY, Mr. DOOLEY of California, Mr. INSLEE, Mr. DICKS, Ms. SOLIS, Mr. MOORE, Mrs. KELLY, and Mr. LEWIS of Georgia.
H.R. 770: Mr. PETERSON of Minnesota.
H.R. 781: Mr. PALLONE, Ms. LEE, and Mr. HONDA.
H.R. 783: Mr. KUCINICH.
H.R. 801: Mr. TERRY, Mr. SNYDER, and Mr. GUTIERREZ.
H.R. 811: Ms. CARSON of Indiana, Mr. SNYDER, and Mr. GUTIERREZ.
H.R. 817: Mr. TIBERI and Mr. BALDACCI.
H.R. 870: Mr. BONIOR, Mr. MCGOVERN, Ms. HART, Mr. RODRIGUEZ, Mr. REYES, Mr. GONZALEZ, and Mr. RUSH.
H.R. 907: Mrs. MALONEY of New York.
H.R. 912: Mr. ACKERMAN, Mrs. CAPPS, Mr. DEFAZIO, Mr. DICKS, and Mr. REYES.
H.R. 962: Mr. ENGEL, Ms. KILPATRICK, Ms. MCCOLLUM, Mr. SMITH of New Jersey, Ms. NORTON, Mrs. LOWEY, and Mr. PASCRELL.
H.R. 964: Mr. FRANK, Mr. ABERCROMBIE, Ms. SCHAKOWSKY, Mr. FROST, Ms. LOFGREN, Mr. BLAGOJEVICH, Mr. RODRIGUEZ, Mr. CAPUANO, Mr. GONZALEZ, Ms. MCKINNEY, Ms. SOLIS, and Mr. LANTOS.
H.R. 969: Mr. SMITH of Texas.
H.R. 994: Ms. DELAURO, Ms. MILLENDER-MCDONALD, Mr. FATTAH, Mrs. JONES of Ohio, Mr. MARKEY, Ms. CARSON of Indiana, Mrs. NAPOLITANO, and Ms. SOLIS.
H.R. 1007: Mr. GALLEGLY, Mr. DIAZ-BALART, Mr. WOLF, Mr. BLUMENAUER, Mr. PAYNE, Mr. SMITH of Texas, and Mr. LANTOS.
H.R. 1015: Mr. SANDERS, Mr. GOODE, and Mr. PICKERING.
H.R. 1078: Mr. MCNULTY.
H.R. 1086: Mr. SANDERS and Ms. DELAURO.
H.R. 1088: Mr. RYUN of Kansas, Mr. FERGUSON, Mr. SHERMAN, Mr. GONZALEZ, Mr. MALONEY of Connecticut, and Mr. GREEN of Wisconsin.
H. Con. Res. 29: Mr. AKIN.
H. Con. Res. 37: Mr. WELDON of Pennsylvania.
H. Con. Res. 53: Mr. ALLEN.
H. Con. Res. 61: Mr. BROWN of Ohio.
H. Con. Res. 68: Mr. FATTAH, Mr. LEWIS of Georgia, and Mr. CLAY.
H. Res. 13: Mr. GRAHAM.
H. Res. 15: Mr. BARR of Georgia.

¶26.24 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 459: Mr. LEWIS of California.

THURSDAY, MARCH 22, 2001 (27)

¶27.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BASS, who laid before the House the following communication:

WASHINGTON, DC,
March 22, 2001.

I hereby appoint the Honorable CHARLES F. BASS to act as Speaker pro tempore on this day.

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

¶27.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BASS, announced he had examined and approved the Journal of the proceedings of Wednesday, March 21, 2001.

Mr. STEARNS, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BASS, announced that the yeas had it.

Mr. STEARNS objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶27.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1307. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Disclosure and Reporting of CRA-Related Agreements; Correction (RIN: 3064–AC33) received March 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1308. A letter from the Acting Assistant Secretary, Occupational Safety and Health Administration, Department of Labor, transmitting the Department's final rule—Notice of Initial Approval Determination; New Jersey Public Employee Only State Plan (RIN: 1218–AB98) received March 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1309. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Chattanooga, Tennessee) [MM Docket No. 99–268; RM–9691] received March 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1310. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Lexington, Kentucky) [MM Docket No. 00–118; RM–9757] received March 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1311. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Sumter, South Carolina) [MM Docket No. 00–182; RM–9957] received March 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1312. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—1998 Biennial Regulatory Review—Streamlining of Radio Technical Rules in Part 73 and 74 of the Commission's Rules [MM Docket No. 98–93] received March 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1313. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (North English, Iowa) [MM Docket No. 00–222; RM–10002]; (Pendleton, South Carolina) [MM Docket No. 00–223; RM–10003]; (Hamilton, Texas) [MM Docket No. 00–224; RM–10004]; (Munday, Texas) [MM Docket No. 00–225; RM–10005] received March 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1314. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hornbrook, California) [MM Docket No. 00–73; RM–9861] received March 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1315. A letter from the Deputy Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Federal-State Joint Board on Universal Service [CC Docket No. 96–45] Petition for Reconsideration filed by AT&T—received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1316. A letter from the Director, International Cooperation, Office of the Under Secretary of Defense, Department of Defense, transmitting Certification for the Memorandum of Agreement Between the Ministry of Defence of the Kingdom of Norway and the Department of Defense of the United States of America for Technology Demonstration and System Prototype Projects, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

1317. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1318. A letter from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development, transmitting a report on economic conditions in Egypt 1999 through 2000, pursuant to 22 U.S.C. 2346 nt.; to the Committee on International Relations.

1319. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the FY 2000 Annual Report on U.S. Government Assistance to and Cooperative Activities with the New Independent States of the Former Soviet Union; to the Committee on International Relations.

1320. A letter from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department of Justice's prison impact assessment (PIA) annual report for 2000; to the Committee on the Judiciary.

1321. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Payment for Nursing and Allied Health Education: Delay of Effective Date [HCFA–1685–F2] (RIN: 0938–AE79) received March 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

¶27.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 132. An Act to designate the facility of the United States Postal Service located at 620 Jacaranda Street in Lanai City, Hawaii, as the "Goro Hokama Post Office Building."

H.R. 395. An Act to designate the facility of the United States Postal Service located at 2305 Minton Road in West Melbourne, Florida, as the "Ronald W. Reagan Post Office of West Melbourne, Florida."

The message also announced that pursuant to Public Law 101–549, the Chair, on behalf of the Majority Leader, appoints Josephine S. Cooper, of Washington, D.C., to the Board of Directors of the Mickey Leland National Urban Air Toxics Research Center, vice Joseph H. Graziano.

¶27.5 PUBLIC SAFETY OFFICER MEDAL OF VALOR

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 802) to authorize the Public Safety Officer Medal of Valor, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BASS, recognized Mr. SENSENBRENNER and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BASS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶27.6 PROVIDING FOR THE CONSIDERATION OF H.R. 247

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 93):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 247) to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. That amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

¶27.7 MOTION TO ADJOURN

Mr. LAFALCE moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. BASS, announced that the nays had it.

Mr. LAFALCE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 71 / Nays ..... 336 }

¶27.8 [Roll No. 56]

YEAS—71

Allen	Gutierrez	Meek (FL)
Andrews	Hall (OH)	Miller, George
Baird	Hastings (FL)	Mink
Baldacci	Hill	Nadler
Berkley	Hilliard	Neal
Berry	Inslee	Oberstar
Bonior	Israel	Obey
Capps	Jackson-Lee (TX)	Olver
Capuano	Jefferson	Payne
Carson (IN)	Kanjorski	Pelosi
Carson (OK)	Kennedy (RI)	Peterson (MN)
Clay	Kilpatrick	Price (NC)
Clayton	LaFalce	Roybal-Allard
Clyburn	Lampson	Sandlin
Condit	Langevin	Schakowsky
Conyers	Lee	Slaughter
Coyne	Lewis (GA)	Stark
Crowley	Lowey	Stupak
DeFazio	Matsui	Tauscher
Delahunt	McDermott	Towns
Filner	McGovern	Udall (CO)
Frank	McIntyre	Waters
Gephardt	McNulty	Weiner
Gonzalez		Woolsey

NAYS—336

Abercrombie	Cubin	Hall (TX)
Aderholt	Culberson	Hansen
Akin	Cummings	Harman
Armey	Cunningham	Hart
Baca	Davis (CA)	Hastings (WA)
Bachus	Davis (FL)	Hayes
Baker	Davis (IL)	Hayworth
Baldwin	Davis, Jo Ann	Hefley
Ballenger	Davis, Tom	Herger
Barcia	Deal	Hilleary
Barr	DeGette	Hinchey
Barrett	DeLauro	Hinojosa
Bartlett	DeLay	Hobson
Barton	DeMint	Hoeffel
Bass	Deutsch	Hoekstra
Bentsen	Diaz-Balart	Holden
Bereuter	Dicks	Holt
Berman	Dingell	Honda
Biggert	Doggett	Hooley
Bilirakis	Doolittle	Horn
Bishop	Dreier	Hostettler
Blagojevich	Duncan	Houghton
Blumenauer	Dunn	Hoyer
Blunt	Ehlers	Hulshof
Boehlert	Ehrlich	Hunter
Boehner	Emerson	Hutchinson
Bonilla	Engel	Hyde
Bono	English	Isakson
Borski	Eshoo	Issa
Boswell	Etheridge	Istook
Boucher	Evans	Jackson (IL)
Boyd	Everett	Jenkins
Brady (PA)	Farr	John
Brady (TX)	Fattah	Johnson (CT)
Brown (OH)	Ferguson	Johnson (IL)
Brown (SC)	Flake	Johnson, Sam
Bryant	Fletcher	Jones (NC)
Burr	Foley	Kaptur
Burton	Ford	Keller
Buyer	Fossella	Kelly
Callahan	Frelinghuysen	Kennedy (MN)
Calvert	Frost	Kerns
Camp	Gallegly	Kildee
Cantor	Ganske	Kind (WI)
Capito	Gibbons	King (NY)
Cardin	Gilchrest	Kingston
Castle	Gillmor	Kirk
Chabot	Gilman	Kleczka
Chambliss	Goode	Knollenberg
Clement	Goodlatte	Kolbe
Coble	Goss	Kucinich
Collins	Graham	LaHood
Combest	Granger	Lantos
Cooksey	Graves	Largent
Costello	Green (TX)	Larsen (WA)
Cox	Green (WI)	Larson (CT)
Cramer	Greenwood	Latham
Crane	Grucci	LaTourette
Crenshaw	Gutknecht	Leach

Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McKeon
McKinney
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pitts
Platts
Pombo
Pomeroy
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sawyer
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Traficant
Turner
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—25

Ackerman
Becerra
Brown (FL)
Cannon
Dooley
Doyle
Edwards
Gekas
Gordon
Johnson, E.B.
Jones (OH)
Moakley
Morella
Owens
Pickering
Portman
Putnam
Rothman
Sanders
Scarborough
Scott
Shays
Sisisky
Toomey
Wexler

So the motion to adjourn was not agreed to.

After further debate,

On motion of Mr. DIAZ-BALART, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BASS, announced that the yeas had it.

Mr. DIAZ-BALART demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 246 / Nays ..... 169 }

¶27.9 [Roll No. 57]

YEAS—246

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Cardin
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dicks
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoeffel
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Matheson
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McKeon
McKinney
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Strickland
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NAYS—169

Abercrombie
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bentsen
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Carson (IN)
Carson (OK)
Clay
Clayton
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gutierrez
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Price (NC)
Rahall
Rangel
Reyes
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stenholm
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—17

Ackerman
Becerra
Blunt
Brown (FL)
Cannon
Clement
Gordon
Johnson, E.B.
Jones (OH)
Moakley
Morella
Myrick
Portman
Rothman
Scarborough
Sisisky
Toomey

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶27.10 H.R. 1099 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1099) to make changes in laws governing Coast Guard personnel, increase marine safety, renew certain groups that advise the Coast Guard on safety issues, make miscellaneous improvements to Coast Guard operations and policies, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 415 / Nays ..... 0 }

¶27.11 [Roll No. 58]

YEAS—415

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano

Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Ackerman
Becerra
Brown (FL)
Cannon
Etheridge
Gordon
Horn
Istook
Johnson, E. B.
Jones (OH)
Moakley
Morella
Portman
Rothman
Scarborough
Sisisky
Toomey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶27.12 H.R. 802—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 802) to authorize the Public Safety Officer Medal of Valor, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 414 / Nays 0

¶27.13 [Roll No. 59]

YEAS—414

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

Wamp	Weldon (FL)	Wolf
Waters	Weldon (PA)	Woolsey
Watkins	Weller	Wu
Watt (NC)	Wexler	Wynn
Watts (OK)	Whitfield	Young (AK)
Waxman	Wicker	Young (FL)
Weiner	Wilson	

NOT VOTING—18

Ackerman	Gordon	Ney
Becerra	Johnson, E.B.	Portman
Brown (FL)	Jones (OH)	Rothman
Brown (SC)	McDermott	Scarborough
Cannon	Moakley	Sisisky
Ehlers	Morella	Toomey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶27.14 JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore, Mr. BASS, by unanimous consent, announced that the Speaker, pursuant to 15 United States Code 1024(a), appointed to the Joint Economic Committee, on the part of the House, the following Member: Mr. SAXTON.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶27.15 COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore, Mr. BASS, by unanimous consent, announced that the Speaker, pursuant to section 5(b) of Public Law 93-191 (2 United States Code 501(b)), appointed to the House Commission on Congressional Mailing Standards, on the part of the House, the following Members: Messrs. NEY, ADERHOLT, REYNOLDS, HOYER, FROST, and THOMPSON of Mississippi.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶27.16 BOARD OF TRUSTEES FOR THE JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

The SPEAKER pro tempore, Mr. BASS, by unanimous consent, announced that the Speaker, pursuant to section 114(b) of the John C. Stennis Center for Public Service Training and Development Act (2 United States Code 1103), appointed to the Board of Trustees for the John C. Stennis Center for Public Service Training and Development, on the part of the House, the following Member: Mr. Charles W. ''Chip'' PICKERING, Laurel, Mississippi, for a term of six years.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶27.17 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

The SPEAKER pro tempore, Mr. BASS, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 22, 2001.

Hon. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 114(b) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1103), I hereby appoint the following individual to the Board of Trustees for the John C. Stennis Center for Public Service Training and Development for a term of six years: Mr. John Lewis, GA.

Yours very truly,

RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶27.18 ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

The SPEAKER pro tempore, Mr. BASS, by unanimous consent, announced that the Speaker, pursuant to section 44 United States Code 2702, reappointed to the Advisory Committee on the Records of Congress, Mr. Timothy J. Johnson, of Minnetonka, Minnesota, from private life.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶27.19 COMMUNICATION FROM THE CLERK—APPOINTMENT—ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

The SPEAKER pro tempore, Mr. BASS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 21, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the provisions of 44 U.S.C. 2702, I hereby reappoint as a member of the Advisory Committee on the Records of Congress the following person: Susan Palmer, Aurora, Illinois.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶27.20 TORNADO SHELTERS

The SPEAKER pro tempore, Mr. BASS, pursuant to House Resolution 93 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 247) to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks.

The SPEAKER pro tempore, Mr. BASS, by unanimous consent, designated Mr. MILLER of Florida as Chairman of the Committee of the Whole; and after some time spent therein,

¶27.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TRAFICANT:

At the end of the bill, add the following new section:

SEC. 3. USE OF AMERICAN PRODUCTS.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available for the activities authorized under the amendment made by this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available for the activities authorized under the amendment made by this Act, the Secretary of Housing and Urban Development, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

It was decided in the affirmative ..... { Yeas ..... 396 / Nays ..... 0 }

¶27.22 [Roll No. 60]

AYES—396

Abercrombie	Crowley	Hastings (FL)
Aderholt	Cubin	Hayes
Akin	Culberson	Hayworth
Allen	Cummings	Hefley
Andrews	Davis (CA)	Herger
Baca	Davis (IL)	Hill
Bachus	Davis, Jo Ann	Hilleary
Baird	Davis, Tom	Hilliard
Baker	Deal	Hinchey
Baldacci	DeFazio	Hinojosa
Baldwin	DeGette	Hobson
Ballenger	Delahunt	Hoeffel
Barcia	DeLauro	Hoekstra
Barr	DeLay	Holden
Barrett	DeMint	Holt
Bartlett	Deutsch	Honda
Barton	Dicks	Hooley
Bass	Dingell	Horn
Bereuter	Doggett	Hostettler
Berkley	Dooley	Houghton
Berry	Doolittle	Hoyer
Biggert	Doyle	Hulshof
Bilirakis	Dreier	Hunter
Bishop	Duncan	Hutchinson
Blagojevich	Dunn	Hyde
Blumenauer	Edwards	Inslee
Blunt	Ehlers	Isakson
Boehlert	Ehrlich	Israel
Boehner	Emerson	Issa
Bonilla	Engel	Istook
Bonior	English	Jackson (IL)
Bono	Eshoo	Jackson-Lee (TX)
Borski	Etheridge	Jefferson
Boswell	Evans	Jenkins
Boucher	Everett	John
Boyd	Farr	Johnson (IL)
Brady (PA)	Fattah	Johnson, Sam
Brady (TX)	Ferguson	Jones (NC)
Brown (OH)	Filner	Kanjorski
Brown (SC)	Flake	Kaptur
Bryant	Foley	Keller
Burr	Ford	Kelly
Burton	Fossella	Kennedy (MN)
Buyer	Frank	Kennedy (RI)
Callahan	Frelinghuysen	Kerns
Camp	Frost	Kildee
Cantor	Gallegly	Kilpatrick
Capito	Ganske	Kind (WI)
Capps	Gekas	King (NY)
Capuano	Gephardt	Kingston
Cardin	Gibbons	Kirk
Carson (IN)	Gilchrest	Kleczka
Carson (OK)	Gillmor	Knollenberg
Castle	Gilman	Kolbe
Chabot	Gonzalez	Kucinich
Chambliss	Goode	LaFalce
Clay	Goodlatte	LaHood
Clayton	Goss	Lampson
Clement	Graham	Langevin
Clyburn	Granger	Lantos
Coble	Graves	Largent
Collins	Green (TX)	Larsen (WA)
Combest	Green (WI)	Larson (CT)
Condit	Greenwood	Latham
Conyers	Grucci	LaTourette
Cooksey	Gutierrez	Leach
Costello	Gutknecht	Lee
Coyne	Hall (TX)	Levin
Cramer	Hansen	Lewis (CA)
Crane	Harman	Lewis (GA)
Crenshaw	Hart	

Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—36

Ackerman
Armey
Becerra
Bentsen
Berman
Brown (FL)
Calvert
Cannon
Cox
Cunningham
Davis (FL)
Diaz-Balart
Fletcher
Gordon
Hall (OH)
Hastings (WA)
Johnson (CT)
Johnson, E.B.
Jones (OH)
McCollum
McDermott
Moakley
Morella
Payne
Portman
Rangel
Reyes
Rothman
Scarborough
Simpson
Sisisky
Smith (MI)
Tancredo
Toomey
Watts (OK)
Wolf

So the amendment was agreed to.

The SPEAKER pro tempore, Mr. SHIMKUS, assumed the Chair.

When Mr. LAHOOD, Acting Chairman, pursuant to House Resolution 93, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tornado Shelters Act''.

SEC. 2. CDBG ELIGIBLE ACTIVITIES.

(a) IN GENERAL.—Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (22), by striking ''and'' at the end;

(2) in paragraph (23), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (23) the following new paragraph:

''(24) the construction or improvement of tornado- or storm-safe shelters for manufactured housing parks and residents of other manufactured housing, the acquisition of real property for sites for such shelters, and the provision of assistance (including loans and grants) to nonprofit or for-profit entities (including owners of such parks) for such construction, improvement, or acquisition, except that a shelter assisted with amounts made available pursuant to this paragraph shall be located in a neighborhood consisting predominantly of persons of low and moderate income, except that a shelter assisted with amounts made available pursuant to this paragraph may not be made available exclusively for use of the residents of a particular manufactured housing park or of other manufactured housing, but shall generally serve the residents of the area in which it is located; and''.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts otherwise made available for grants under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), there is authorized to be appropriated for assistance only for activities pursuant to section 105(a)(24) of such Act $50,000,000 for fiscal year 2002.

SEC. 3. USE OF AMERICAN PRODUCTS.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available for the activities authorized under the amendment made by this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available for the activities authorized under the amendment made by this Act, the Secretary of Housing and Urban Development, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that the yeas had it.

Mr. BACHUS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 401 / Nays ..... 6 }

¶27.23 [Roll No. 61]

AYES—401

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff

Schrock	Strickland	Velazquez
Scott	Stupak	Visclosky
Sensenbrenner	Sununu	Vitter
Serrano	Sweeney	Walden
Sessions	Tancredo	Walsh
Shaw	Tanner	Wamp
Shays	Tauscher	Waters
Sherman	Tauzin	Watkins
Sherwood	Taylor (MS)	Watt (NC)
Shimkus	Taylor (NC)	Waxman
Shows	Terry	Weiner
Simmons	Thomas	Weldon (FL)
Skeen	Thompson (CA)	Weldon (PA)
Skelton	Thompson (MS)	Weller
Slaughter	Thornberry	Wexler
Smith (NJ)	Thune	Whitfield
Smith (TX)	Thurman	Wicker
Smith (WA)	Tiahrt	Wilson
Snyder	Tiberi	Wolf
Solis	Tierney	Woolsey
Souder	Towns	Wu
Spence	Traficant	Wynn
Spratt	Turner	Young (AK)
Stark	Udall (CO)	Young (FL)
Stearns	Udall (NM)	
Stenholm	Upton	

NOES—6

Collins	Flake	Shadegg
Duncan	Paul	Stump

NOT VOTING—25

Ackerman	Gordon	Rothman
Becerra	Goss	Scarborough
Bentsen	Hastings (WA)	Simpson
Brown (FL)	Hoeffel	Sisisky
Calvert	Johnson, E.B.	Smith (MI)
Cannon	Jones (OH)	Toomey
Cunningham	Lantos	Watts (OK)
Diaz-Balart	Moakley	
Fletcher	Portman	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶27.24 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 8, rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, March 21, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BASS, announced that the yeas had it.

So the Journal was approved.

¶27.25 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. OXLEY, by unanimous consent,

Ordered, That in the engrossment of the bill (H.R. 247) to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks, the Clerk be authorized to correct section numbers, punctuation, and cross references, and to make such other technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

¶27.26 ORDER OF BUSINESS—GENERAL DEBATE ON THE CONCURRENT RESOLUTION ON THE BUDGET FY 2002

On motion of Mr. DREIER, by unanimous consent,

Ordered, That it may be in order on Tuesday, March 27, 2001, for the Speaker, as though pursuant to clause 2(b) of rule XVIII, to declare the House resolved into the Committee of the Whole House on the state of the Union for a period of debate on the subject of the concurrent resolution on the budget for fiscal year 2002; that such period of debate not exceed three hours; that two hours of such debate be confined to the congressional budget and be equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, and that one hour of such debate be on the subject of economic goals and policies to be equally divided and controlled by Mr. Saxton and Mr. Stark or their designees; that after such period of debate, the Committee of the Whole rise without motion; and that no further consideration of the concurrent resolution on the budget for fiscal year 2002 be in order except pursuant to a subsequent order of the House.

¶27.27 ADJOURNMENT OVER

On motion of Mr. CHABOT, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, March 26, 2001 at 2 p.m.

¶27.28 HOUR OF MEETING

On motion of Mr. CHABOT, by unanimous consent,

Ordered, That when the House adjourns on Monday, March 26, 2001, it adjourn to meet at 12:30 p.m. on Tuesday, March 27, 2001, for ''morning-hour debate''.

¶27.29 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. CHABOT, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, March 28, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶27.30 HAGUE CONVENTION ON CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

On motion of Mr. CHABOT, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following concurrent resolution (H. Con. Res. 69):

Whereas 20 years ago, the Hague Convention on the Civil Aspects of International Child Abduction was a bold step forward to provide a uniform process for resolving international child abduction cases;

Whereas over the past 2 decades, the Convention has had increasingly important and positive effects and has grown in terms of the number of Contracting States and the level of interest of other nations;

Whereas there has been an increase of multinational marriages and a corresponding increase of international abductions of children by parents;

Whereas as travel becomes faster and easier, and as multinational marriages become more common, the Convention is more significant than ever;

Whereas on 2 occasions, the International Centre for Missing and Exploited Children and the National Center for Missing and Exploited Children have convened professionals and experts in international child abduction to examine their experiences with the Convention;

Whereas on both occasions, the participants affirmed their overwhelming commitment to the Convention, but were also unified in the conclusion that there are serious shortcomings in its implementation;

Whereas the shortcomings include—

(1) a lack of awareness by policy makers and the general public of the Convention and of the problem of international child abduction, making the successful resolution of cases more difficult;

(2) the fact that, in too many instances, the process for resolving an international child abduction is too slow;

(3) a lack of uniformity in the interpretation of the Convention from nation to nation;

(4) the fact that key exceptions provided in the Convention to ensure reason and common sense have in some cases ceased to be viewed as exceptions, have instead become the rule, and are frequently used as justifications for not returning abducted children;

(5) the increasing difficulty of enforcing access rights for parents under Article 21 of the Convention;

(6) the need of parents for significant personal financial resources to obtain legal representation and proceed under the Convention and, in many places, the lack of assistance for parents who do not have such resources;

(7) a serious lack of training, knowledge, and experience for judges in international child abduction cases, because there are too many courts hearing these cases and in most instances few such cases for each court; and

(8) in many instances, the lack of enforcement of court orders for the return of children; and

Whereas the International Centre for Missing and Exploited Children has promised to support an effort to produce practice guides to provide a framework for applying the Convention: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) it is the sense of the Congress that—

(A) the original intent of the Hague Convention on the Civil Aspects of International Child Abduction—to provide a uniform process for resolving international child abduction cases—is more important than ever;

(B) practice guides should be developed for the Convention that build on recognized best practices under the Convention and provide a framework for applying the Convention;

(C) the Convention itself need not be modified;

(D) the practices identified and included in the practice guides should not be legally binding on Contracting States to the Convention and should be based on research and the advice of experts to help ensure the most effective process possible;

(E) the practice guides should be developed in 3 stages: comparative research and consultations, meetings of expert committees to develop drafts, and consideration of the drafts by a future Special Commission; and

(F) the Permanent Bureau of The Hague should organize the process of developing the practice guides; and

(2) the Congress urges all Contracting States to the Convention to adopt a resolution recommending that—

(A) the Permanent Bureau of The Hague produce and promote practice guides to assist in the implementation and operation of the Convention; and

(B) such a proposal to produce practice guides be adopted by the Fourth Special Commission at The Hague in March 2001.

When said concurrent resolution was considered and read twice.

Mr. CHABOT submitted the following amendment which was agreed to:

In the text after the resolving clause, in paragraph (1)(F) and paragraph (2)(A), insert ''Conference on Private International Law'' after ''The Hague''.

Mr. CHABOT submitted the following amendment to the preamble, which was agreed to:

In the preamble, at the end of paragraph (8) of the seventh clause, strike ''and'' and insert after such clause the following new clause:

Whereas the Permanent Bureau of The Hague Conference on Private International Law has made significant contributions to the implementation of the Convention but recognizes that more needs to be done; and

The concurrent resolution, as amended, was ordered to be read a third time, was read a third time by title, and agreed to.

A motion to reconsider the vote whereby said concurrent resolution, as amended, was agreed to and the preamble was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶27.31 NORTH ATLANTIC TREATY ASSEMBLY

The SPEAKER pro tempore, Mr. FERGUSON, by unanimous consent, announced that the Speaker, pursuant to 22 United States Code 1928a and clause 10 of rule I, appointed to the United States Group of the North Atlantic Treaty Assembly, on the part of the House, the following Members: Messrs. DEUTSCH, BORSKI, LANTOS, and RUSH.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶27.32 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ACKERMAN, for today;

To Ms. Eddie Bernice JOHNSON of Texas, for today; and

To Mr. BECERRA, for today.

And then,

¶27.33 ADJOURNMENT

On motion of Mr. GRUCCI, pursuant to the special order heretofore agreed to, at 3 o'clock and 59 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, March 26, 2001.

¶27.34 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BOEHNER (for himself, Mr. CASTLE, Mr. MCKEON, Mr. HASTERT, Mr. ARMEY, Mr. DELAY, Mr. WATTS of Oklahoma, Ms. PRYCE of Ohio, Mr. DREIER, Mr. PETRI, Mr. SCHAFFER, Mr. ISAKSON, Mr. BALLENGER, Mr. SAM JOHNSON of Texas, Mr. GREENWOOD, Mr. GRAHAM, Mr. NORWOOD, Mr. UPTON, Mr. HILLEARY, Mr. EHLERS, Mr. FLETCHER, Mr. DEMINT, Mrs. BIGGERT, Mr. TIBERI, Mr. KELLER, Mr. OSBORNE, Mr. CULBERSON, Mr. OXLEY, Mr. NUSSLE, Mr. WOLF, Mr. GEKAS, Mr. COMBEST, Mr. KOLBE, Mr. BAKER, Mr. WELDON of Pennsylvania, Mr. SHAYS, Mr. GILLMOR, Mr. GOSS, Mr. CAMP, Mr. CUNNINGHAM, Mr. HOBSON, Mr. BACHUS, Mr. CALVERT, Mr. COLLINS, Mr. DEAL of Georgia, Mr. DIAZ-BALART, Mr. HORN, Mr. KINGSTON, Mr. LINDER, Mr. MCINNIS, Mr. MILLER of Florida, Mr. ROYCE, Mr. PORTMAN, Mr. BARR of Georgia, Mr. BURR of North Carolina, Mr. CHAMBLISS, Mr. EHRLICH, Mr. LATOURETTE, Mr. RADANOVICH, Mr. COOKSEY, Mrs. NORTHUP, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. SHIMKUS, Mr. SUNUNU, Mr. FOSSELLA, Mrs. BONO, Mr. GREEN of Wisconsin, Mr. HAYES, Mr. GARY MILLER of California, Mr. OSE, Mr. SWEENEY, Mr. CRENSHAW, Ms. HART, Mr. ISSA, Mr. PUTNAM, and Mr. SCHROCK):

H.R. 1. A bill to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

By Ms. BALDWIN (for herself, Mr. BARRETT, Mr. BLUMENAUER, Mr. FILNER, Mr. KIND, Mr. KUCINICH, Mr. LUTHER, Ms. MCKINNEY, Mr. OBERSTAR, Mr. OBEY, Mr. SANDERS, Mr. STARK, and Mr. WU):

H.R. 1160. A bill to terminate operation of the Extremely Low Frequency Communication System of the Navy; to the Committee on Armed Services.

By Mr. GILMAN:

H.R. 1161. A bill to authorize the American Friends of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia; to the Committee on Resources.

By Mr. GEORGE MILLER of California (for himself, Mr. GEPHARDT, Mr. OWENS, Mrs. MINK of Hawaii, Mr. HINOJOSA, Mr. CUMMINGS, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Ms. LEE, Mr. BONIOR, Mr. FROST, Mr. FARR of California, Mr. FRANK, Mr. ABERCROMBIE, Mr. FILNER, Mr. ETHERIDGE, Mr. STARK, Ms. MILLENDER-MCDONALD, Mr. BERMAN, Mr. EVANS, Mr. KUCINICH, Ms. KAPTUR, Mr. CLEMENT, Mr. UDALL of New Mexico, Ms. SOLIS, Mr. BROWN of Ohio, Ms. NORTON, Mr. PAYNE, Mr. CONYERS, Mr. SCOTT, Mr. BLAGOJEVICH, Mr. RODRIGUEZ, Mr. CROWLEY, Mr. REYES, Mr. MCINTYRE, Mr. KILDEE, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Ms. ROYBAL-ALLARD, Ms. VELAZQUEZ, Mr. ANDREWS, Mr. PASCRELL, Mrs. NAPOLITANO, Mr. KENNEDY of Rhode Island, Mr. BALDACCI, Ms. MCCOLLUM, Mr. ORTIZ, Mrs. MEEK of Florida, Ms. WATERS, Mrs. MCCARTHY of New York, Mr. HINCHEY, Mr. CLAY, Mr. HASTINGS of Florida, Mr. MCGOVERN, Ms. PELOSI, Mr. TOWNS, Mr. FORD, Mr. MCNULTY, Ms. RIVERS, Mr. ENGEL, Mr. CLYBURN, Mr. WU, Mrs. MALONEY of New York, Ms. MCCARTHY of Missouri, Ms. CARSON of Indiana, Mr. DICKS, Mr. MCDERMOTT, Mr. JOHN, Ms. DELAURO, Mr. SPRATT, Ms. WOOLSEY, Mr. UNDERWOOD, Mr. PALLONE, Mr. BLUMENAUER, Mrs. LOWEY, Mr. WATT of North Carolina, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HOEFFEL, Mr. MALONEY of Connecticut, Mrs. CHRISTENSEN, Mr. TIERNEY, Mr. ALLEN, Mr. DELAHUNT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BECERRA, Ms. SANCHEZ, Mr. KIND, Mrs. DAVIS of California, Mr. MEEKS of New York, Mr. DINGELL, Ms. MCKINNEY, Mr. MENENDEZ, Mr. ISRAEL, Mr. BACA, Mr. SANDLIN, Mr. ACEVEDO-VILA, Mr. FALEOMAVAEGA, Mr. MATSUI, Mr. NEAL of Massachusetts, Mr. CAPUANO, Mr. ROEMER, Mrs. CLAYTON, Mr. JEFFERSON, and Mr. DOOLEY of California):

H.R. 1162. A bill to increase the authorization of appropriations of programs under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN:

H.R. 1163. A bill to limit the use of Federal funds appropriated for conducting testing in elementary or secondary schools to testing that meets certain conditions, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BACA:

H.R. 1164. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to dedicate certain funds for the purpose of reducing violence and hate crime against Native Americans and reducing incidents of crime on reservations, and for other purposes; to the Committee on the Judiciary.

By Mr. BARCIA (for himself, Ms. RIVERS, Mr. LARSON of Connecticut, Mr. UDALL of Colorado, Mr. LAMPSON, and Mr. WEINER):

H.R. 1165. A bill to provide for the establishment of an Election Voting Systems Standards Commission, and for other purposes; to the Committee on Science.

By Mr. BILIRAKIS:

H.R. 1166. A bill to modify the provision of law which provides a permanent appropriation for the compensation of Members of Congress, and for other purposes; to the Committee on Rules, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of Ohio (for himself, Mrs. MORELLA, Mr. WAXMAN, Mr. GANSKE, Mr. ANDREWS, Ms. MCKINNEY, Mr. BACA, Mr. MORAN of Virginia, Mr. RODRIGUEZ, Mrs. TAUSCHER, Mr. OLVER, Mr. KILDEE, Mrs. CAPPS, Mrs. WILSON, Mr. CARSON of Oklahoma, Mr. CAPUANO, Mr. GREEN of Texas, Ms. BROWN of Florida, Ms. LOFGREN, Mr. SANDLIN, Mr. RANGEL, Ms. MCCARTHY of Missouri, Mr. FROST, and Mr. REYES):

H.R. 1167. A bill to amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BROWN of Ohio (for himself, Mrs. MORELLA, Mr. WAXMAN, Mr. ANDREWS, Mr. GANSKE, Ms. MCKINNEY, Mr. BACA, Mr. MORAN of Virginia, Mr. RODRIGUEZ, Mrs. TAUSCHER, Mr. OLVER, Mr. KILDEE, Mrs. CAPPS, Mrs. WILSON, Mr. CARSON of Oklahoma, Mr. CAPUANO, Mr. FROST, Mr. UDALL of Colorado, Mr. LEWIS of Georgia, Mr. GREEN of Texas, Ms. BROWN of Florida, Ms. LOFGREN, Mr. SANDLIN, Mr. RANGEL, Ms. MCCARTHY of Missouri, and Mr. REYES):

H.R. 1168. A bill to amend the Foreign Assistance Act of 1961 to provide increased foreign assistance for tuberculosis prevention, treatment, and control; to the Committee on International Relations.

By Mr. BURTON of Indiana (for himself, Mr. EHRLICH, and Mr. FILNER):

H.R. 1169. A bill to amend title 39, United States Code, with respect to ''cooperative mailings''; to the Committee on Government Reform.

By Mr. CONYERS (for himself, Mr. BONIOR, Mr. FROST, Mr. DOOLEY of California, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. REYES, Ms. SCHAKOWSKY, Mr. BERMAN, Mr. SCOTT, Mr. WATT of North Carolina, Ms. LOFGREN, Ms. JACKSON-LEE of Texas, Mr. WEXLER, Ms. BALDWIN, Mr. RANGEL, Mr. OWENS, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. PAYNE, Ms. NORTON, Mr. JEFFERSON, Mrs. CLAYTON, Mr. BISHOP, Ms. BROWN of Florida, Mr. CLYBURN, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. HILLIARD, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. RUSH, Mr. WYNN, Mr. THOMPSON of Mississippi, Mr. JACKSON of Illinois, Ms. MILLENDER-MCDONALD, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. FORD, Ms. KILPATRICK, Ms. LEE, Mr. MEEKS of New York, Mrs. JONES of Ohio, Mr. CLAY, Mr. STARK, Mr. LAFALCE, Mr. KLECZKA, Ms. SLAUGHTER, Ms. PELOSI, Mr. ANDREWS, Ms. DELAURO, Mr. OLVER, Mr. DEUTSCH, Mr. FILNER, Ms. ROYBAL-ALLARD, Ms. VELAZQUEZ, Mr. BLAGOJEVICH, Mr. KUCINICH, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Ms. SANCHEZ, Mr. RODRIGUEZ, Mr. BRADY of Pennsylvania, Ms. BERKLEY, Mr. CAPUANO, Mr. CROWLEY, Mr. GONZALEZ, Mr. HOEFFEL, Mr. HOLT, Mr. UDALL of Colorado, Mr. BACA, and Ms. MCCOLLUM):

H.R. 1170. A bill to protect voting rights, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEAL of Georgia:

H.R. 1171. A bill to amend the Communications Act of 1934 in order to require the Federal Communications Commission to fulfill the sufficient universal service support requirements for high cost areas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHAW (for himself, Mr. LEWIS of Georgia, Mr. WATKINS, Mr. JEFFERSON, Mr. BECERRA, Mr. NEAL of Massachusetts, Mr. HOUGHTON, Mr. BLUMENAUER, Mr. ANDREWS, Mr. SANDERS, Mrs. JONES of Ohio, Mr. BENTSEN, Mr. HOLDEN, Mr. HINCHEY, Ms. MCCOLLUM, Mr. ENGEL, Mr. MOLLOHAN, Mr. GREENWOOD, Mr. MALONEY of Connecticut, Mr. CAMP, Mr. RUSH, Mr. BALDACCI, Mr. CANTOR, Mr. HILLIARD, Mr. ENGLISH, Mr. FROST, Ms. KAPTUR, Mr. STARK, Mr. LEVIN, Mr. MCDERMOTT, Ms. ROYBAL-ALLARD, Mr. MATSUI, Mr. GUTKNECHT, Mr. PASCRELL, Mr. COYNE, Mr. KUCINICH, Mr. MCNULTY, Mr. TANCREDO, Ms. MCKINNEY, Mr. UDALL of Colorado, Mr. CUMMINGS, Ms. HART, Mr. GEPHARDT, Mrs. JOHNSON of Connecticut, Mr. CARDIN, Mr. DOYLE, Mrs. THURMAN, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. GOODLATTE, Mr. KENNEDY of Rhode Island, Mr. LEWIS of Kentucky, Mr. RAMSTAD, Mr. MCCRERY, and Mr. FOLEY):

H.R. 1172. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence; to the Committee on Ways and Means.

By Mr. DICKS:

H.R. 1173. A bill to make emergency supplemental appropriations for fiscal year 2001 for the Department of Defense, and the Coast Guard; to the Committee on Appropriations.

By Mr. DUNCAN:

H.R. 1174. A bill to direct the Secretary of the Interior to dispose of all public lands administered by the Bureau of Land Management that have been identified for disposal under the Federal land use planning process; to the Committee on Resources.

By Mr. FALEOMAVAEGA (for himself and Mr. MCINTYRE):

H.R. 1175. A bill to provide for administrative procedures to extend Federal recognition to certain Indian groups, and for other purposes; to the Committee on Resources.

By Mr. FORD:

H.R. 1176. A bill to amend the Fair Credit Reporting Act to protect consumers from the adverse consequences of incomplete and inaccurate consumer credit reports, and for other purposes; to the Committee on Financial Services.

By Mr. FRANK (for himself, Mr. BOEHLERT, Mr. KLECZKA, Mr. GILCHREST, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Mr. HILLIARD, Mr. ABERCROMBIE, Mr. MCNULTY, Mrs. MINK of Hawaii, Mr. BORSKI, Mr. CAPUANO, Mr. KILDEE, Mr. MCHUGH, Mr. FROST, Mr. FILNER, Mr. DOYLE, Mr. WEXLER, Mr. LANTOS, Mr. MCGOVERN, Mr. BRADY of Pennsylvania, Mrs. MALONEY of New York, Mr. EVANS, Mr. CLAY, Ms. CARSON of Indiana, Mr. PAYNE, and Mr. GORDON):

H.R. 1177. A bill to amend title XVIII of the Social Security Act to limit the penalty for late enrollment under the Medicare Program to 10 percent and twice the period of no enrollment; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBONS (for himself and Mr. UDALL of New Mexico):

H.R. 1178. A bill to amend the Safe Drinking Water Act to provide grants to small public drinking water systems; to the Committee on Energy and Commerce.

By Mr. GREEN of Wisconsin (for himself, Mr. PETRI, Mr. BAKER, Mr. JOHNSON of Illinois, Mr. WELDON of Pennsylvania, Mr. SCHAFFER, Mr. HOSTETTLER, Mr. GILMAN, Mr. ISTOOK, Mr. BURTON of Indiana, Mr. BARTON of Texas, Mr. HILLEARY, Mr. SHOWS, Mr. MCHUGH, Ms. HART, Mr. SWEENEY, Mr. POMBO, Mr. RYUN of Kansas, Mr. NETHERCUTT, Mr. TERRY, Mr. HASTINGS of Washington, Mr. SENSENBRENNER, Mr. WELLER, Mr. SKEEN, Mr. KENNEDY of Rhode Island, and Mr. POMEROY):

H.R. 1179. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain on the sale of a family farming business to a family member; to the Committee on Ways and Means.

By Ms. HOOLEY of Oregon (for herself, Mr. KILDEE, Mr. PALLONE, Mr. UDALL of New Mexico, Ms. LEE, Mr. FRANK, Mr. TOWNS, Mrs. NAPOLITANO, Mr. BACA, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. BLAGOJEVICH, Ms. NORTON, Mr. MCDERMOTT, Mr. POMEROY, Mr. CONYERS, Mr. HONDA, Mr. FILNER, Ms. MCCOLLUM, and Ms. CARSON of Indiana):

H.R. 1180. A bill to recruit and retain more qualified individuals to teach in Tribal Colleges or Universities; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Mr. LOBIONDO, Mr. ROGERS of Michigan, Mr. TANCREDO, Mr. MCHUGH, Mr. OTTER, Mr. MCINNIS, Mrs. MINK of Hawaii, and Mr. PAUL):

H.R. 1181. A bill to amend the Internal Revenue Code of 1986 to provide incentives for private health coverage for the previously uninsured, and for other purposes; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. MATSUI, Ms. DUNN, Mr. LEWIS of Georgia, Mr. GREEN of Wisconsin, and Mr. MCDERMOTT):

H.R. 1182. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Ways and Means.

By Mr. KINGSTON (for himself, Mr. BARR of Georgia, Mr. BISHOP, Mr. COLLINS, Ms. MCKINNEY, Mr. LEWIS of Georgia, Mr. ISAKSON, Mr. CHAMBLISS, Mr. DEAL of Georgia, Mr. NORWOOD, and Mr. LINDER):

H.R. 1183. A bill to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the ''G. Elliot Hagan Post Office Building''; to the Committee on Government Reform.

By Mr. LEACH (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WATTS of Oklahoma, Mr. LAFALCE, Ms. MCKINNEY, Mrs. LOWEY, Mr. HILLIARD, Mr. FILNER, Mr. ABERCROMBIE, Ms. NORTON, Mr. KLECZKA, Mr. CONDIT, Mr. FROST, Mr. WATT of North Carolina, Mr. MCNULTY, Ms. SCHAKOWSKY, Mr. BROWN of Ohio, Mrs. THURMAN, Mr. SMITH of New Jersey, Ms. BALDWIN, Mr. CUMMINGS, Mr. MCGOVERN, Mr. PORTMAN, Mr. KUCINICH, Mrs. JO ANN DAVIS of Virginia, Mr. RODRIGUEZ, Mr. CONYERS, Mr. BUYER, Mr. GONZALEZ, Mr. CLAY, Mr. LANTOS, Mr. KILDEE, Mr. HOLDEN, Mr. MALONEY of Connecticut, Mr. PASCRELL, Mrs. JONES of Ohio, Mr. DOOLEY of California, and Mr. BARRETT):

H.R. 1184. A bill to require the Secretary of the Treasury to mint coins in commemoration of Dr. Martin Luther King, Jr; to the Committee on Financial Services.

By Ms. LEE (for herself, Ms. SCHAKOWSKY, Mr. SANDERS, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Ms. MILLENDER-MCDONALD, Ms. JACKSON-LEE of Texas, Mrs. JONES of Ohio, and Ms. KILPATRICK):

H.R. 1185. A bill to prohibit through negotiation or otherwise the revocation or revision of any intellectual property or competition law or policy of a developing country, including any sub-Saharan African country, that regulates HIV/AIDS pharmaceuticals or medical technologies, and for other purposes; to the Committee on International Relations.

By Mr. LEWIS of Georgia (for himself, Mr. LEACH, Mr. OBERSTAR, Ms. WOOLSEY, Ms. LEE, Ms. RIVERS, Mr. DELAHUNT, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. HINCHEY, Mr. PAYNE, Ms. PELOSI, Mr. MCGOVERN, Mr. FRANK, Mr. FROST, Mr. FATTAH, Mr. HOEFFEL, Mr. SANDERS, and Mr. CLAY):

H.R. 1186. A bill to affirm the religious freedom of taxpayers who are conscientiously opposed to participation in war, to provide that the income, estate, or gift tax payments of such taxpayers be used for nonmilitary purposes, to create the Religious Freedom Peace Tax Fund to receive such tax

payments, to improve revenue collection, and for other purposes; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. SHAYS, Mr. LANTOS, Mr. HYDE, Ms. MCKINNEY, Mr. CAPUANO, Mr. BERMAN, Ms. BALDWIN, Mr. DOYLE, Mr. GALLEGLY, Mr. PALLONE, Mr. THOMPSON of Mississippi, Mr. FRANK, Mr. OLVER, Ms. SCHAKOWSKY, Mr. LEVIN, Mr. GEORGE MILLER of California, Mrs. KELLY, Mrs. MCCARTHY of New York, Mr. ABERCROMBIE, Mrs. MEEK of Florida, Mr. BONIOR, Mr. COSTELLO, Mr. BLUMENAUER, Ms. BERKLEY, Mr. FILNER, Mr. STARK, Mr. DEFAZIO, Mr. LUTHER, Ms. MCCARTHY of Missouri, Mr. MORAN of Virginia, Ms. RIVERS, Mr. ENGEL, Mr. HOLT, Mr. MALONEY of Connecticut, Mr. GUTIERREZ, Mr. KILDEE, Mr. MEEHAN, Mr. SMITH of Washington, Mrs. MALONEY of New York, Mr. NEAL of Massachusetts, Mr. HASTINGS of Florida, Mr. SMITH of New Jersey, Mr. TOWNS, Mr. NADLER, Mr. SANDERS, Mrs. ROUKEMA, Mrs. MINK of Hawaii, Mr. HORN, Mr. LEWIS of Georgia, Mr. TIERNEY, Mr. KUCINICH, Ms. ROYBAL-ALLARD, Mr. BENTSEN, Mr. CLAY, Ms. DELAURO, Mr. ACKERMAN, Mr. FRELINGHUYSEN, Mrs. TAUSCHER, Mr. CONYERS, Ms. WOOLSEY, Mr. UDALL of Colorado, Mr. DAVIS of Illinois, Mr. ROTHMAN, and Ms. SLAUGHTER):

H.R. 1187. A bill to end the use of steel-jawed leghold traps on animals in the United States; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, International Relations, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS of Kentucky:

H.R. 1188. A bill to encourage the use of technology in the classroom; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCKINNEY:

H.R. 1189. A bill to provide that a State may use a proportional voting system for multiseat congressional districts, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MATHESON:

H.R. 1190. A bill to amend the Internal Revenue Code of 1986 to permit a husband and wife to file a combined return to which separate tax rates apply; to the Committee on Ways and Means.

By Mrs. MEEK of Florida (for herself, Mrs. JONES of Ohio, Mrs. CHRISTENSEN, Mr. COSTELLO, Mr. THOMPSON of Mississippi, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. PALLONE, Ms. MILLENDER-MCDONALD, Mr. RANGEL, Ms. WATERS, Mr. CONYERS, Mr. GREEN of Texas, Mr. STARK, Ms. NORTON, Mr. HASTINGS of Florida, Mr. WYNN, Mr. CLYBURN, Mr. NADLER, Mr. HINCHEY, Mr. MEEKS of New York, Mr. OWENS, Mrs. MINK of Hawaii, Mr. BARRETT, Ms. ROS-LEHTINEN, Mr. CUMMINGS, Mr. TIERNEY, Mr. GEORGE MILLER of California, Ms. VELAZQUEZ, Mr. JACKSON of Illinois, Mr. FROST, Ms. DEGETTE, Mr. CLAY, Ms. KAPTUR, Mr. SANDERS, Mr. DIAZ-BALART, Mrs. CLAYTON, Ms. KILPATRICK, Mr. SERRANO, Mrs. THURMAN, Ms. CARSON of Indiana, Mr. TOWNS, Mr. KUCINICH, Mr. DAVIS of Illinois, Mr. PAYNE, Mr. RUSH, Mr. HILLIARD, Mr. BLAGOJEVICH, Mr. KENNEDY of Rhode Island, Mr. BISHOP, Mr. DEUTSCH, and Mr. MALONEY of Connecticut):

H.R. 1191. A bill to amend title I of the Housing and Community Development Act of 1974 to ensure that communities receiving community development block grants use such funds to benefit low- and moderate-income families; to the Committee on Financial Services.

By Mr. GEORGE MILLER of California (for himself, Mr. WICKER, Mr. KILDEE, Mr. CALLAHAN, Ms. WOOLSEY, and Mr. KINGSTON):

H.R. 1192. A bill to improve the National Writing Project; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 1193. A bill to provide for full voting representation in the Congress for the citizens of the District of Columbia, to amend the Internal Revenue Code of 1986 to provide that individuals who are residents of the District of Columbia shall be exempt from Federal income taxation until such full voting representation takes effect, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAMSTAD (for himself, Mr. CUMMINGS, Mr. FRANK, Mr. HILLIARD, Mr. HINCHEY, Mr. LANTOS, Mr. LUTHER, Mr. MCNULTY, Mrs. MINK of Hawaii, Mrs. MORELLA, Mrs. ROUKEMA, Mr. UPTON, and Mr. WOLF):

H.R. 1194. A bill to amend the Employee Retirement Income Security Act of 1974, Public Health Service Act, and the Internal Revenue Code of 1986 to provide parity with respect to substance abuse treatment benefits under group health plans and health insurance coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H.R. 1195. A bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 1196. A bill to amend the Internal Revenue Code of 1986 to allow State and local taxes to be deducted in computing the alternative minimum tax; to the Committee on Ways and Means.

By Mr. REYES:

H.R. 1197. A bill to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to decrease the requisite blood quantum required for membership in the Ysleta del Sur Pueblo tribe; to the Committee on Resources.

By Mr. ROHRABACHER (for himself, Mr. HONDA, Mr. DELAY, Mr. CUNNINGHAM, Mr. WHITFIELD, Mr. JEFFERSON, Mrs. WILSON, Mr. ROGERS of Michigan, Mr. SAXTON, Mr. SHOWS, Mr. RILEY, Mr. DOOLITTLE, Mr. BARTLETT of Maryland, Ms. ROS-LEHTINEN, Mr. HAYES, Mr. GIBBONS, Mr. SCHAFFER, Mrs. KELLY, Mr. PENCE, Mrs. CAPITO, Mr. REHBERG, Mr. BONIOR, Mr. EVANS, Mr. BORSKI, Mr. FROST, Mr. PICKERING, Mr. FOLEY, Mr. CANNON, Mr. DEMINT, Mr. MCCRERY, and Mr. WALDEN of Oregon):

H.R. 1198. A bill to preserve certain actions in Federal court brought by members of the United States Armed Forces held as a prisoners of war by Japan during World War II against Japanese nationals seeking compensation for mistreatment or failure to pay wages in connection with labor performed in Japan to the benefit of the Japanese nationals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on International Relations, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABO:

H.R. 1199. A bill to authorize the President to award a gold medal on behalf of the Congress to former Senator Eugene McCarthy in recognition of his exemplary service and lifelong dedication to the Nation and to the people of the United States; to the Committee on Financial Services.

By Mr. MCDERMOTT (for himself, Mr. CONYERS, Mr. SANDERS, Mr. HINCHEY, Mr. OLVER, Mr. FARR of California, Ms. BALDWIN, Mr. WAXMAN, Mr. STARK, Mr. GEORGE MILLER of California, Mr. BONIOR, Mr. FRANK, Mr. ENGEL, Mrs. CHRISTENSEN, Ms. SCHAKOWSKY, Mr. NADLER, Mr. WEINER, Mr. KUCINICH, Ms. MCKINNEY, Mr. BRADY of Pennsylvania, Ms. RIVERS, Mr. RANGEL, Mr. CLAY, and Mr. SERRANO):

H.R. 1200. A bill to provide for health care for every American and to control the cost and enhance the quality of the health care system; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF (for himself, Mr. PLATTS, Mr. DOOLEY of California, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. CLEMENT, Mr. ETHERIDGE, Mr. LANTOS, Mr. FROST, Mr. WAXMAN, Ms. SANCHEZ, and Mr. MALONEY of Connecticut):

H.R. 1201. A bill to amend the Head Start Act to ensure that every child who is eligible to participate in a program under such Act has the tools to learn to read; to the Committee on Education and the Workforce.

By Mr. SHAW (for himself, Mrs. THURMAN, Ms. PRYCE of Ohio, Mrs. MYRICK, Mr. BENTSEN, Ms. ROS-LEHTINEN, Mrs. MALONEY of New York, Mr. MCGOVERN, Mr. DAVIS of Illinois, and Mr. PETERSON of Pennsylvania):

H.R. 1202. A bill to amend title XVIII of the Social Security Act to provide for coverage of annual screening pap smears and screening pelvic exams under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON:

H.R. 1203. A bill to amend chapter 3 of title 28, United States Code, to divide the Ninth Judicial Circuit of the United States into two circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Washington:

H.R. 1204. A bill to encourage Members of Congress and the executive branch to be honest with the public about true on-budget circumstances, to exclude the Social Security trust funds and the Medicare hospital insurance trust fund from the annual Federal budget baseline, to prohibit Social Security and Medicare hospital insurance trust funds surpluses to be used as offsets for tax cuts or spending increases, and to exclude the Social Security trust funds and the Medicare hospital insurance trust fund from official budget surplus/deficit pronouncements; to the Committee on the Budget, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS (for himself and Mr. CRENSHAW):

H.R. 1205. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Jacksonville, Florida, metropolitan area; to the Committee on Veterans' Affairs.

By Mrs. MALONEY of New York (for herself, Mr. HORN, Mr. MENENDEZ, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. ACEVEDO-VILA, Mr. BACA, Mr. BAIRD, Mr. BALDACCI, Ms. BALDWIN, Mr. BARRETT, Mr. BECERRA, Mr. BENTSEN, Ms. BERKLEY, Mr. BERMAN, Mrs. BIGGERT, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mr. BOSWELL, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Mr. CARSON of Oklahoma, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLEMENT, Mr. CLYBURN, Mr. CONDIT, Mr. CONYERS, Mr. COYNE, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DOOLEY of California, Mr. EDWARDS, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FATTAH, Mr. FARR of California, Mr. FILNER, Mr. FORD, Mr. FROST, Mr. FRANK, Mr. GILMAN, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. GREENWOOD, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFERSON, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KUCINICH, Mr. LANGEVIN, Mr. LANTOS, Ms. LEE, Ms. JACKSON-LEE of Texas, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MATSUI, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOORE, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. ORTIZ, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. RAMSTAD, Mr. RANGEL, Mr. REYES, Ms. RIVERS, Mr. RODRIGUEZ, Mrs. ROUKEMA, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHAYS, Mr. SHOWS, Mr. SHERMAN, Mr. SISISKY, Ms. SLAUGHTER, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. TIERNEY, Mr. TURNER, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Ms. VELAZQUEZ, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WYNN, and Mr. WU):

H.J. Res. 40. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. ADERHOLT, Mr. ANDREWS, Mr. ARMEY, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARCIA, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BLUNT, Mr. BOEHNER, Mr. BONILLA, Mrs. BONO, Mr. BRADY of Texas, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CANNON, Mr. CASTLE, Mr. CHAMBLISS, Mr. COMBEST, Mr. CONDIT, Mr. COOKSEY, Mr. COX, Mr. CRANE, Mrs. CUBIN, Mr. CULBERSON, Mr. DELAY, Mr. DEMINT, Mr. DOOLITTLE, Mr. DUNCAN, Ms. DUNN, Mr. EHLERS, Mrs. EMERSON, Mr. ENGLISH, Mr. EVERETT, Mr. FOLEY, Mr. FOSSELLA, Mr. FRELINGHUYSEN, Mr. GALLEGLY, Mr. GIBBONS, Mr. GILCHREST, Mr. GILMAN, Mr. GOODE, Mr. GOODLATTE, Ms. GRANGER, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. HALL of Texas, Mr. HANSEN, Mr. HASTERT, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. HEFLEY, Mr. HILLEARY, Mr. HOEKSTRA, Mr. HORN, Mr. ISAKSON, Mr. ISTOOK, Mr. JENKINS, Mr. JOHN, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mrs. KELLY, Mr. KNOLLENBERG, Mr. LAHOOD, Mr. LARGENT, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LUCAS of Kentucky, Mr. MALONEY of Connecticut, Mr. MANZULLO, Mr. MCINTYRE, Mr. MICA, Mr. MILLER of Florida, Mr. GARY MILLER of California, Mrs. MYRICK, Mr. NETHERCUTT, Mrs. NORTHUP, Mr. NORWOOD, Mr. OXLEY, Mr. PAUL, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. PITTS, Mr. POMBO, Mr. PORTMAN, Mr. QUINN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. RILEY, Mr. ROHRABACHER, Mrs. ROUKEMA, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SAXTON, Mr. SCARBOROUGH, Mr. SCHAFFER, Mr. SENSENBRENNER, Mr. SHADEGG, Mr. SHIMKUS, Mr. SHOWS, Mr. SIMPSON, Mr. SKEEN, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. SUNUNU, Mr. SWEENEY, Mr. TANCREDO, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TERRY, Mr. THUNE, Mr. TOOMEY, Mr. TRAFICANT, Mr. WALDEN of Oregon, Mr. WAMP, Mr. WATTS of Oklahoma, Mr. WELDON of Pennsylvania, Mr. WELDON of Florida, Mr. WELLER, and Mr. YOUNG of Alaska):

H.J. Res. 41. A joint resolution proposing an amendment to the Constitution of the United States with respect to tax limitations; to the Committee on the Judiciary.

By Mr. BECERRA (for himself and Mr. ROYCE):

H. Con. Res. 77. Concurrent resolution expressing the sense of the Congress regarding the efforts of people of the United States of Korean ancestry to reunite with their family members in North Korea; to the Committee on International Relations.

By Mrs. CHRISTENSEN (for herself, Mrs. MEEK of Florida, Mr. PAYNE, Mr. CLYBURN, Mr. BISHOP, Ms. NORTON, Mr. DAVIS of Illinois, Mr. TOWNS, and Ms. JACKSON-LEE of Texas):

H. Con. Res. 78. Concurrent resolution expressing the sense of the Congress that there should be established a National Minority Health Month; to the Committee on Energy and Commerce.

By Mr. HOYER (for himself, Mr. MORAN of Virginia, Mr. WOLF, Mr. WYNN, Mrs. MORELLA, and Ms. NORTON):

H. Con. Res. 79. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Ms. KILPATRICK (for herself, Mr. CONYERS, Mr. DINGELL, Mr. KNOLLENBERG, Mr. LEVIN, Mr. BONIOR, Ms. RIVERS, Mr. STUPAK, Mr. BARCIA, Mr. HOEKSTRA, Mr. EHLERS, Mr. ROGERS of Michigan, Mr. SMITH of Michigan, Mr. CAMP, Mr. UPTON, and Mr. KILDEE):

H. Con. Res. 80. Concurrent resolution congratulating the city of Detroit and its residents on the occasion of the tricentennial of the city's founding; to the Committee on Government Reform.

By Mr. PASCRELL (for himself, Mr. KING, Mr. ANDREWS, Mr. SMITH of New Jersey, Ms. KAPTUR, and Mr. PALLONE):

H. Con. Res. 81. Concurrent resolution recognizing the historical significance of the Triangle Fire and honoring its victims on the occasion of the 90th anniversary of the tragic event; to the Committee on Education and the Workforce.

By Mr. PAYNE (for himself and Mr. TANCREDO):

H. Con. Res. 82. Concurrent resolution regarding the human rights situation in the Republic of the Sudan, including the practice of chattel slavery and all other forms of booty and related practices; to the Committee on International Relations.

By Mr. ANDREWS:

H. Res. 98. A resolution requiring the House of Representatives to take any legislative action necessary to verify the ratification of the Equal Rights Amendment as part of the Constitution when the legislatures of an additional three States ratify the Equal Rights Amendment; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself, Mr. KIRK, Mr. LANTOS, Mr. CANTOR, Mr. SANDERS, Mr. FROST, Mr. FRANK, Mr. CARDIN, Mr. WEINER, Mr. BERMAN, Mr. SCHIFF, Mr. LEVIN, Mr. ACKERMAN, Mr. ISRAEL, Mr. ROHRABACHER, Mr. MALONEY of Connecticut, Mr. LATOURETTE, Mr. NADLER, Mr. WAXMAN, Mr. MENENDEZ, Mr. SAXTON, Mr. HOLT, Mr. LAHOOD, Ms. BERKLEY, Mr. HOEFFEL, Mr. MCNULTY, Mr. STARK, Mr. WEXLER, Mr. SHERMAN, Mr. HASTINGS of Florida, Mr. STRICKLAND, Mr. DELAHUNT, Mr. ABERCROMBIE, Mrs. MCCARTHY of New York, Mr. HALL of Texas, Mr. DAVIS of Florida, Mrs. JONES of Ohio, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. FOLEY, and Mr. GRUCCI):

H. Res. 99. A resolution expressing the sense of the House of Representatives that Lebanon, Syria, and Iran should call upon Hezbollah to allow representatives of the International Committee of the Red Cross to visit four abducted Israelis, Adi Avitan,

Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon; to the Committee on International Relations.

¶27.35 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. ROYBAL-ALLARD introduced a bill (H.R. 1206) to provide for the liquidation or reliquidation of certain entries of garlic; which was referred to the Committee on Ways and Means.

¶27.36 ADDITIONAL SPONSORS

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

H.R. 17: Mr. CARSON of Oklahoma.

H.R. 21: Mr. BARTLETT of Maryland, Mr. DUNCAN, Mr. GILLMOR, Mr. GRAHAM, Ms. PRYCE of Ohio, and Mr. SHADEGG.

H.R. 28: Mr. KIND and Mr. DOGGETT.

H.R. 31: Mr. WELDON of Pennsylvania, Mr. BARTON of Texas, Mr. SOUDER, and Mr. GANSKE.

H.R. 39: Mr. GREEN of Texas and Mrs. NORTHUP.

H.R. 99: Mr. RYUN of Kansas, Mr. WICKER, and Mr. SCHROCK.

H.R. 133: Mr. KUCINICH and Ms. CARSON of Indiana.

H.R. 154: Mr. RUSH and Mr. MCGOVERN.

H.R. 162: Mr. LANTOS, Mr. MALONEY of Connecticut, Mr. SHOWS, Mr. HILLIARD, Mr. CROWLEY, Mr. UDALL of New Mexico, Mr. ALLEN, and Mr. HALL of Ohio.

H.R. 179: Mr. OWENS and Ms. BROWN of Florida.

H.R. 184: Mr. CLAY.

H.R. 185: Mr. KIND.

H.R. 187: Mr. LANTOS, Mr. SOUDER, and Mrs. THURMAN.

H.R. 189: Mr. CALLAHAN.

H.R. 199: Mr. SCHAFFER.

H.R. 218: Mrs. JO ANN DAVIS of Virginia, Mr. NETHERCUTT, Mr. DOOLITTLE, Mr. HASTINGS of Washington, and Mr. HOLT.

H.R. 238: Ms. MCKINNEY.

H.R. 281: Mr. HINCHEY, Ms. NORTON, Mr. GONZALEZ, and Mr. MCINTYRE.

H.R. 294: Mrs. CLAYTON.

H.R. 303: Mr. TIERNEY, Mr. ANDREWS, Mr. KUCINICH, and Mr. OWENS

H.R. 325: Mrs. CHRISTENSEN, Mr. MOLLOHAN, and Mr. LATHAM.

H.R. 326: Mr. HASTINGS of Florida, Mr. HOLDEN, Mr. MCINTYRE, Mr. SERRANO, Mr. MATSUI, and Mr. ALLEN.

H.R. 331: Mr. BALLENGER.

H.R. 336: Mr. DINGELL.

H.R. 357: Mr. OWENS, Mr. CAPUANO, and Mr. LANGEVIN.

H.R. 369: Mr. BACHUS.

H.R. 374: Mr. SCHAFFER and Mr. TANCREDO.

H.R. 396: Mr. HUTCHINSON, Mr. BLUNT, Mr. BOYD, Mr. WICKER, and Mr. BISHOP.

H.R. 400: Mr. BACHUS, Mr. GIBBONS, Mr. SHIMKUS, Mr. JOHNSON of Illinois, Mr. KIRK, Mr. HYDE, Mr. WELLER, Mr. WATTS of Oklahoma, Mr. LIPINSKI, Mr. BAKER, Mr. BASS, Mr. BRADY of Texas, Mr. COOKSEY, Mr. CUNNINGHAM, Mr. DEMINT, Mrs. JO ANN DAVIS of Virginia, Mr. CALLAHAN, Mr. GOODLATTE, Mr. PORTMAN, Ms. HART, Mr. COX, Mrs. BIGGERT, Mr. GOODE, Mrs. EMERSON, Mr. FERGUSON, Mr. GREEN of Wisconsin, Mr. BRYANT, Mr. KNOLLENBERG, Mr. BONILLA, Mr. DOOLITTLE, Mr. HAYES, Mr. FOLEY, Mr. LEWIS of California, Mr. LINDER, Mr. LUCAS of Oklahoma, Mr. HUNTER, Mr. KERNS, Mr. PENCE, Mr. LEWIS of Kentucky, Mr. BEREUTER, Mr. OTTER, Mr. ISAKSON, Mr. RADANOVICH, Mr. RAMSTAD, Mr. LATOURETTE, Mr. REYNOLDS, Mr. PUTNAM, Mr. ROHRABACHER, Mrs. ROUKEMA, Ms. PRYCE of Ohio, Mr. ISSA, Mr. LAHOOD, Mr. OSBORNE, Mr. DUNCAN, Mr. KING, Mr. SHAYS, Mr. OXLEY, Mr. BARR of Georgia, Mrs. KELLY, Mr. DIAZ-BALART, Mrs. NORTHUP, Mr. BALLENGER, Mr. CANTOR, Mr. SMITH of Texas, Mr. SKEEN, Mr. TANCREDO, Mr. STEARNS, Mr. SCHROCK, Mr. VITTER, Mr. WALSH, Mr. TAYLOR of North Carolina, Mr. EHLERS, Mr. CRANE, Mr. MILLER of Florida, Mr. SPENCE, Mr. DELAY, Mr. ARMEY, Mr. QUINN, Mr. SOUDER, Mr. WALDEN of Oregon, Mr. WELDON of Florida, Mr. NUSSLE, Mr. SAXTON, Mr. SHADEGG, Mr. TAUZIN, Mr. SIMMONS, Mr. TOOMEY, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr. HERGER, Mr. RYAN of Wisconsin, Mr. GRAVES, Mr. DREIER, Mr. WHITFIELD, Mr. EHRLICH, Mr. BOEHNER, Mr. SHERWOOD, Mr. BROWN of South Carolina, Mr. SMITH of New Jersey, Mr. WICKER, Mr. THORNBERRY, Mr. ROGERS of Kentucky, Mr. MCINNIS, Mr. RILEY, Mr. CANNON, Mr. FLETCHER, Mr. PETRI, Mr. SESSIONS, Mr. CAMP, Mr. MCHUGH, Mr. CHAMBLISS, Mr. KENNEDY of Minnesota, Mr. ROGERS of Michigan, Mr. SAM JOHNSON of Texas, Mr. CASTLE, Mr. SUNUNU, Mr. GARY MILLER of California, Mr. DAVIS of Illinois, Mr. TOM DAVIS of Virginia, Mr. HAYWORTH, Mr. WAMP, Mr. KINGSTON, Mr. GUTKNECHT, Mr. PITTS, Mr. NEY, Mr. SMITH of Michigan, Mr. TERRY, Mr. UPTON, Mrs. MYRICK, Mr. EVANS, Mr. SWEENEY, Mr. BILIRAKIS, Mr. LOBIONDO, Mr. WOLF, Mr. FOSSELLA, Mr. HASTINGS of Washington, and Mr. MORAN of Kansas.

H.R. 428: Mr. KING, Mrs. LOWEY, Mr. SHERMAN, Mr. TURNER, Mr. RAHALL, Mr. SOUDER, Mr. MCDERMOTT, Mr. CUMMINGS, Mr. MORAN of Virginia, Mr. HOYER, Mr. WELDON of Pennsylvania, Mr. MOLLOHAN, Mr. SISISKY, Mr. DAVIS of Florida, Mr. FLAKE, Mr. SMITH of New Jersey, Mr. PENCE, Mr. ACKERMAN, Mr. HILLIARD, Mr. FOSSELLA, Mr. MCNULTY, Mr. ISAKSON, Mr. DIAZ-BALART, Mr. BLUNT, Mr. LANGEVIN, Mr. GONZALEZ, Mr. CRANE, Mr. CHAMBLISS, Ms. BERKLEY, Mr. BISHOP, Ms. ROS-LEHTINEN, Mr. HINCHEY, and Mr. RYUN of Kansas.

H.R. 457: Ms. SOLIS.

H.R. 459: Mr. LEWIS of Georgia, Mrs. LOWEY, and Ms. BROWN of Florida.

H.R. 476: Mr. PETERSON of Minnesota and Mr. PUTNAM.

H.R. 481: Ms. PELOSI, Ms. SCHAKOWSKY, and Mr. GORDON.

H.R. 499: Ms. NORTON, Mr. FRANK, Ms. CARSON of Indiana, and Ms. BROWN of Florida.

H.R. 500: Mr. STARK, Mr. CLAY, and Ms. ESHOO.

H.R. 510: Mr. PLATTS, Mr. HILLEARY, Mr. REHBERG, and Mr. LAHOOD.

H.R. 512: Ms. MCKINNEY, Ms. BROWN of Florida, and Mr. MCNULTY.

H.R. 513: Mr. HOLDEN, Ms. MCKINNEY, Mr. BLAGOJEVICH, Ms. BROWN of Florida, Mr. MCNULTY, and Mr. NETHERCUTT.

H.R. 516: Mr. SIMMONS, Mr. WAMP, Mr. SANDLIN, and Mr. BACHUS.

H.R. 525: Ms. MCKINNEY.

H.R. 537: Mr. BACHUS, Mr. CRAMER, Mr. COOKSEY, Mr. MCHUGH, and Mr. BARTON of Texas.

H.R. 572: Mr. FILNER and Ms. MCKINNEY.

H.R. 579: Mr. SANDLIN and Mr. BRADY of Pennsylvania.

H.R. 585: Mr. SOUDER.

H.R. 589: Mr. OWENS, Mr. KILDEE, Mr. HINOJOSA, Mr. GEORGE MILLER of California, and Mr. STARK.

H.R. 595: Mrs. KELLY, Ms. DELAURO, Mr. STARK, Mr. BRADY of Pennsylvania, Ms. CARSON of Indiana, Mr. SANDLIN, Mr. DEUTSCH, Mr. MCGOVERN, Mr. BERMAN, Mr. PAYNE, Ms. SCHAKOWSKY, and Mr. BONIOR.

H.R. 599: Mr. FRANK, Ms. DELAURO, Mr. SHOWS, Mr. STARK, Mr. LANTOS, Mr. SANDLIN, and Mrs. MINK of Hawaii.

H.R. 602: Ms. MCKINNEY, Mr. OWENS, Mr. CROWLEY, and Mr. LIPINSKI.

H.R. 606: Mr. MEEHAN, Mr. CLAY, Mrs. DAVIS of California, Mr. PAYNE, and Mr. PALLONE.

H.R. 609: Mr. LANGEVIN.

H.R. 612: Mr. RILEY, Mr. ACKERMAN, and Mr. COOKSEY.

H.R. 622: Mr. GOODLATTE and Mr. OSE.

H.R. 632: Mr. CLYBURN and Mr. LOBIONDO.

H.R. 634: Mr. WYNN, Mr. PLATTS, Mr. DOOLITTLE, Mr. HILLEARY, Mr. BRYANT, Mr. BURTON of Indiana, Mr. DEAL of Georgia, Mr. GUTKNECHT, Mr. HOEKSTRA, Mr. NORWOOD, Mr. PAUL, and Mr. THUNE.

H.R. 639: Mr. GRUCCI, Ms. HARMAN, Mr. BORSKI, Mr. HOLT, Mr. DAVIS of Illinois, and Mr. GOODLATTE.

H.R. 641: Mrs. CUBIN, Mr. CROWLEY, Mr. ENGEL, Mr. ACKERMAN, Mr. SHIMKUS, Mr. STUMP, Mr. LAHOOD, Mr. HERGER, Mr. GILLMOR, Mr. GILMAN, Mr. RADANOVICH, Mr. GILCHREST, Mr. DEMINT, Mr. REYNOLDS, Mr. JENKINS, Mr. ROGERS of Michigan, Mr. OXLEY, Mr. HORN, Mr. BURTON of Indiana, Mr. BURR of North Carolina, and Mr. DIAZ-BALART.

H.R. 648: Mr. SHIMKUS, Mr. LARGENT, and Mr. PICKERING.

H.R. 659: Mr. RODRIGUEZ, Mr. TERRY, Mr. MOORE, Mr. BLUMENAUER, and Mr. PLATTS.

H.R. 660: Mr. ENGLISH, Mr. FATTAH, and Ms. SLAUGHTER.

H.R. 664: Mr. MEEHAN, Mr. LANGEVIN, Mr. GOODE, Mr. STUPAK, Mr. SKELTON, Mr. INSLEE, Mr. BACA, Mr. GREEN of Texas, Ms. WOOLSEY, Mr. DOOLEY of California, Mr. ETHERIDGE, Ms. VELAZQUEZ, Mr. GILMAN, and Mr. JACKSON of Illinois.

H.R. 677: Mr. MOORE.

H.R. 704: Mr. FRANK.

H.R. 716: Mr. EHRLICH, Mrs. MYRICK, Mr. WALSH, Mr. DOOLITTLE, Mr. LAHOOD, and Mr. WAXMAN.

H.R. 717: Mrs. JO ANN DAVIS of Virginia, Mr. LARSON of Connecticut, Mr. BURR of North Carolina, Ms. CARSON of Indiana, Mr. PRICE of North Carolina, and Mr. BALDACCI.

H.R. 718: Mr. GRAHAM, Mr. CHABOT, Mr. FLAKE, Mr. ISSA, and Mr. BERMAN.

H.R. 726: Mr. GEORGE MILLER of California.

H.R. 730: Mr. SANDERS.

H.R. 737: Mr. MALONEY of Connecticut, Mr. ISRAEL, Mr. UPTON, and Mr. GREENWOOD.

H.R. 752: Ms. MCKINNEY.

H.R. 755: Mr. KIND, Mr. FILNER, and Ms. CARSON of Indiana.

H.R. 761: Mr. CARDIN, Ms. SCHAKOWSKY, and Mr. THOMPSON of Mississippi.

H.R. 773: Mr. RUSH.

H.R. 778: Mr. OSE.

H.R. 787: Mr. CUNNINGHAM.

H.R. 801: Mr. PUTNAM, Mr. EDWARDS, Ms. SOLIS, Mr. HONDA, Mr. DOYLE, Ms. WATERS, Mr. GONZALEZ, Mr. OWENS, Ms. BERKLEY, Mr. PETERSON of Minnesota, Mr. SHOWS, and Mr. ABERCROMBIE.

H.R. 808: Mr. SISISKY, Mrs. MEEK of Florida, Mr. LUTHER, Ms. BERKLEY, Mr. TURNER, and Ms. MCCOLLUM.

H.R. 811: Ms. BERKLEY, Ms. SOLIS, Mr. SHOWS, Mr. PETERSON of Minnesota, Mr. OWENS, and Mr. HONDA.

H.R. 812: Ms. MCKINNEY.

H.R. 817: Mr. BURTON of Indiana and Mr. MCINTYRE.

H.R. 822: Mr. THOMPSON of California and Mr. GALLEGLY.

H.R. 827: Mr. FOSSELLA.

H.R. 831: Mr. MCNULTY, Mr. SAXTON, and Mr. SIMMONS.

H.R. 848: Mr. GONZALEZ, Mr. BONIOR, Mr. TIERNEY, Mr. PAYNE, Mr. HINCHEY, Mr. LATOURETTE, Mr. GORDON, Mr. BACA, Mrs. JONES of Ohio, and Mr. LIPINSKI.

H.R. 862: Mr. OWENS.

H.R. 875: Mr. CONDIT, Ms. CARSON of Indiana, Ms. SOLIS, Mr. FARR of California, Mr. LANTOS, Mr. BACA, Ms. ROS-LEHTINEN, Mrs. JONES of Ohio, Ms. KAPTUR, Mrs. CHRISTENSEN, and Ms. PELOSI.

H.R. 877: Mrs. CAPITO, Mr. TANCREDO, and Mr. UPTON.

H.R. 910: Ms. LEE, Mrs. MINK of Hawaii, Mr. MCGOVERN, Mr. FROST, Mr. KILDEE, and Ms. CARSON of Indiana.

H.R. 930: Mr. MORAN of Kansas, Mr. PITTS, Mr. VITTER, Mr. RYAN of Wisconsin, Mrs. MYRICK, Mr. GOODE, Mr. SAM JOHNSON of Texas, and Mr. LARGENT.
H.R. 936: Mr. LUTHER and Mr. OWENS.
H.R. 937: Mr. OTTER.
H.R. 950: Mr. RAHALL.
H.R. 951: Mr. RAMSTAD, Mr. SABO, Mr. ISAKSON, Mr. PICKERING, Mr. BOUCHER, Mr. BALDACCI, Mr. CLYBURN, Mrs. ROUKEMA, and Mr. OBERSTAR.
H.R. 959: Mr. RYAN of Wisconsin, Mr. GREEN of Wisconsin, and Mr. GREEN of Texas.
H.R. 967: Ms. PELOSI, Mr. FROST, Mrs. JONES of Ohio, Ms. SLAUGHTER, Mr. WOLF, Mrs. EMERSON, Mr. GREEN of Texas, Mr. GONZALEZ, Mr. LANTOS, Ms. CARSON of Indiana, Mr. SANDLIN, and Mr. TANCREDO.
H.R. 968: Mr. SANDERS, Mr. TIAHRT, Mr. EVANS, Mr. DOOLITTLE, Mr. GRAHAM, Mr. FOSSELLA, Mrs. MYRICK, and Mr. ALLEN.
H.R. 969: Mr. WICKER and Mr. SPENCE.
H.R. 981: Mr. LOBIONDO.
H.R. 995: Mr. UDALL of Colorado.
H.R. 996: Mr. UDALL of Colorado.
H.R. 1004: Ms. MCKINNEY, Mr. DAVIS of Illinois, and Mrs. CLAYTON.
H.R. 1005: Mr. MCINTYRE.
H.R. 1008: Mr. ISSA, Mr. CANTOR, Mr. THUNE, Mr. SIMPSON, and Mr. GRAHAM.
H.R. 1013: Mr. ISAKSON and Mr. BARR of Georgia.
H.R. 1015: Mr. MANZULLO, Mr. FOLEY, Mr. DAVIS of Illinois, Mr. SIMMONS, and Mr. BRADY of Texas.
H.R. 1016: Mr. LATOURETTE and Mr. STUPAK.
H.R. 1019: Mr. OSE, Mr. DEAL of Georgia, Mr. WELDON of Pennsylvania, and Mr. PUTNAM.
H.R. 1020: Mr. FOLEY, Mr. BORSKI, Mr. UDALL of New Mexico, and Mr. FROST.
H.R. 1076: Mr. BERMAN, Mr. HONDA, Mr. BALDACCI, Mr. MEEKS of New York, Ms. BALDWIN, Mr. ALLEN, Mr. GREEN of Texas, Mr. CLAY, Mr. LANTOS, Mr. MCINTYRE, Ms. MCKINNEY, Mr. KUCINICH, Mr. SKELTON, Mr. BACA, Mrs. JONES of Ohio, and Mr. SANDLIN.
H.R. 1082: Mr. KILDEE, Mr. RAMSTAD, and Mr. GILCHREST.
H.R. 1086: Mr. KUCINICH.
H.R. 1087: Mr. TANCREDO.
H.R. 1100: Mr. STUMP.
H.R. 1110: Mr. LANTOS, Mr. SOUDER, and Mr. PETRI.
H.R. 1117: Mr. CLAY, Ms. SOLIS, and Ms. PRYCE of Ohio.
H.R. 1119: Mr. KUCINICH and Ms. CARSON of Indiana.
H.R. 1127: Mr. SCHAFFER and Mr. LIPINSKI.
H.R. 1143: Mr. BLAGOJEVICH, Ms. SCHAKOWSKY, Mr. ENGEL, Mr. BROWN of Ohio, Ms. LOFGREN, Mr. KIRK, Mr. WALSH, and Mr. REYES.
H.J. Res. 13: Ms. MCCARTHY of Missouri, Mr. GONZALEZ, Mr. BROWN of Ohio, Mr. FARR of California, Ms. CARSON of Indiana, and Mr. BRADY of Pennsylvania.
H.J. Res. 38: Mr. TANCREDO and Mr. SCHAFFER.
H. Con. Res. 23: Mr. NORWOOD and Mr. SCHAFFER.
H. Con. Res. 29: Mr. SCHIFF.
H. Con. Res. 33: Mr. EVERETT, Mr. RAHALL, Mr. NORWOOD, Mr. ROHRABACHER, Mr. ISTOOK, Mr. CRENSHAW, Mr. HAYWORTH, Mr. BURTON of Indiana, Mr. WALDEN of Oregon, Mr. OXLEY, Mr. BLUNT, Mr. WOLF, Mr. SMITH of Texas, Mr. TANCREDO, Mr. GARY MILLER of California, Mr. CHAMBLISS, Mr. BAKER, Mr. BARR of Georgia, Mr. SKEEN, Mrs. JO ANN DAVIS of Virginia, Mr. RADANOVICH, Mr. PLATTS, Mr. ENGLISH, Ms. HART, Mr. SMITH of New Jersey, Mr. GOODLATTE, Mr. CRAMER, Mr. PENCE, Mr. BACHUS, Mr. PITTS, and Mr. SOUDER.
H. Con. Res. 36: Ms. CARSON of Indiana, Mr. GORDON, Mr. GUTIERREZ, Mr. PRICE of North Carolina, Ms. SLAUGHTER, Mr. MOORE, Ms. SCHAKOWSKY, and Mr. CLEMENT.
H. Con. Res. 42: Ms. MCCOLLUM.
H. Con. Res. 52: Mr. EVANS and Mr. BENTSEN.
H. Con. Res. 63: Mr. SCHIFF, Mr. CROWLEY, and Ms. BROWN of Florida.
H. Con. Res. 64: Mr. BOSWELL.
H. Con. Res. 68: Mr. NORWOOD.
H. Con. Res. 69: Mr. MCGOVERN, Mr. SANDERS, Mr. MCINTYRE, Mr. ROTHMAN, Mr. KING, Mr. CRAMER, Mr. MEEHAN, Mr. CROWLEY, Mr. PAYNE, Mr. FALEOMAVAEGA, Ms. BERKLEY, Mr. BERMAN, Mr. SHERMAN, Mr. ACKERMAN, Mr. DAVIS of Florida, Mr. BEREUTER, Ms. CARSON of Indiana, and Mr. TRAFICANT.
H. Res. 16: Mr. CLYBURN.
H. Res. 18: Mr. ALLEN, Mr. UDALL of Colorado, Mr. FARR of California, Mr. LANGEVIN, and Ms. MCCARTHY of Missouri.
H. Res. 27: Mr. BARCIA and Mr. STARK.
H. Res. 73: Mr. CUNNINGHAM.

MONDAY, MARCH 26, 2001 (28)

¶28.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 2 o'clock p.m. by the SPEAKER pro tempore, Mrs. BIGGERT, who laid before the House the following communication:

WASHINGTON, DC,
March 26, 2001.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

¶28.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Thursday, March 22, 2001.

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

¶28.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1322. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting a letter in response to Senate Report 106–292; to the Committee on Armed Services.

1323. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a letter in response to the reporting requirement of the National Defense Authorization Act for FY 2001, which is anticipated to be completed by April 2001; to the Committee on Armed Services.

1324. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Consumer Protections for Depository Institution Sales of Insurance; Change in Effective Date [Docket No. 2000–97] (RIN: 1550–AB34) received March 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1325. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Federal Savings Association Bylaws; Integrity of Directors [No. 2001–15] (RIN: 1550–AB39) received March 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1326. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Liquidity [No. 2001–13] (RIN: 1550–AB42) received March 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1327. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Reclassification of the Shoulder Joint Metal/Polymer/Metal Nonconstrained or Semi-Constrained Porous-Coated Uncemented Prosthesis [Docket No. 97P–0354] received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1328. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Clinical Chemistry and Clinical Toxicology Devices; Classification of B-Type Natriuretic Peptide Test System [Docket No. 00P–1675] received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1329. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Irradiation in the Production, Processing, and Handling of Food [Docket No. 00F–0789] received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1330. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese [FRL–6955–8] (RIN: 2060–AF29) received March 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1331. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Part 70 Operating Permits Program; State of Missouri [MO 112–1112a; FRL–6956–9] received March 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1332. A letter from the Acting Administrator and CEO, Bonneville Power Administration, transmitting the 2000 Annual Report of the Bonneville Power Administration, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

1333. A letter from the Auditor, District of Columbia, transmitting a report entitled, ''Analysis of the 1st Quarter Cash Collections Against the Revised FY 2001 Revenue Estimate''; to the Committee on Government Reform.

1334. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule To Remove the Aleutian Canada Goose From the Federal List of Endangered and Threatened Wildlife (RIN: 1018–AF42) received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1335. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Commercial Shark Management Measures [Docket No. 010112015–1015–01; I.D. 120500A] (RIN: 0648–AO85) received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1336. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West

Yakutat District of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 031301A] received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1337. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Vessels Catching Pollock for Processing by the Mothership Component in the Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 030801B] received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1338. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 031301B] received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1339. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Financial Assistance for Research and Development Projects to Strengthen and Develop the U.S. Fishing Industry [Docket No. 960223046–1049–06; I.D. 011801D] (RIN: 0648–ZA09) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1340. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule— Documentation Of Nonimmigrants Under The Immigration And Nationality Act, As Amended: Aliens Ineligible To Transit Without Visas (TWOV)—received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1341. A letter from the Marshal of the Court, Supreme Court of the United States, transmitting the annual report on the cost of the protective function provided by the Supreme Court Police to Justices, official guests and employees of the court; to the Committee on the Judiciary.

1342. A letter from the Chief Counsel, St. Lawrence Seaway Development Corporation, Department of Transportation, transmitting the Department's final rule—Seaway Regulations And Rules Tariff Of Tolls [Docket No. SLSDC 2001–8785] (RIN: 2135–AA12) received March 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1343. A letter from the Deputy Executive Secretary to the Department, HCFS, Department of Health and Human Services, transmitting the Department's final rule—Interim Final Rules for Nondiscrimination in Health Coverage in the Group Market (RIN: 0938–AI08) received March 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1344. A letter from the Deputy Executive Secretary to the Department, HCFA, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Expanded Coverage for Outpatient Diabetes Self-Management Training and Diabetes Outcome Measurements [HCFA–3002–CN] (RIN: 0938–AI96) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

1345. A letter from the Chairman, Federal Election Commission, transmitting 32 recommendations for legislative action, pursuant to 2 U.S.C. 438(a)(9); jointly to the Committees on House Administration, the Judiciary, and Ways and Means.

¶28.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 69. Concurrent resolution expressing the sense of the Congress on the Hague Convention on the Civil Aspects of International Child Abduction and urging all Contracting States to the Convention to recommend the production of practice guides.

And then,

¶28.5 ADJOURNMENT

On motion of Mr. FILNER, pursuant to the special order agreed to on March 22, 2001, at 2 o'clock and 10 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, March 27, 2001.

¶28.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, privileged reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on March 23, 2001]

Mr. NEY: Committee on House Administration. House Resolution 84. Resolution providing for the expenses of certain committees of the House of Representatives in the One Hundred Seventh Congress; with an amendment (Rept. No. 107–25). Referred to the House Calendar.

Mr. NUSSLE: Committee on the Budget. House Concurrent Resolution 83. Resolution establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (Rept. No. 107–26). Referred to the Committee on the Whole House on the State of the Union.

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Submitted March 26, 2001]

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 801. A bill to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers' Group Life Insurance, and for other purposes; with an amendment (Rept. No. 107–27). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 811. A bill to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, and updating patient care facilities at Department of Veterans Affairs medical centers; with an amendment (Rept. No. 107–28). Referred to the Committee of the Whole House on the State of the Union.

¶28.7 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BARTLETT of Maryland:

H.R. 1207. A bill to remove the Medicare Federal Hospital Insurance Trust Fund from the budget of the United States Government and to remove Social Security and Medicare from budget pronouncements; to the Committee on the Budget, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself, Mr. HOUGHTON, and Mr. COLLINS):

H.R. 1208. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refund of up to 5 percent of the income tax otherwise payable for taxable year 2000; to the Committee on Ways and Means.

By Mr. GEKAS (for himself and Ms. JACKSON-LEE of Texas):

H.R. 1209. A bill to amend the Immigration and Nationality Act to determine whether an alien is a child, for purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Washington (for himself and Mr. ALLEN):

H.R. 1210. A bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the estate tax deduction for family-owned business interests; to the Committee on Ways and Means.

¶28.8 MEMORIALS

Under clause 3 of rule XII,

6. The SPEAKER presented a memorial of the Senate of the State of Nevada, relative to Resolution 6 memorializing the United States Congress and the President of the United States of the disapproval if Yucca Mountain is recommended as the site for a repository for spent nuclear fuel and high-level radioactive waste; to the Committee on Energy and Commerce.

¶28.9 ADDITIONAL SPONSORS

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

H.R. 25: Mr. ENGEL and Mr. GRUCCI.

H.R. 31: Mr. HOSTETTLER and Mr. BAKER.

H.R. 39: Mr. SANDLIN, Mr. CARSON of Oklahoma, Mr. ORTIZ, and Mr. REYES.

H.R. 246: Mr. HEFLEY.

H.R. 250: Mr. MATSUI, Mr. TURNER, Mr. GRAVES, Ms. VELAZQUEZ, Ms. BERKLEY, Mr. WEINER, Mr. MCINTYRE, Mrs. MALONEY of New York, Mr. HILLIARD, and Mr. HOLT.

H.R. 342: Mr. HOLT.

H.R. 527: Mr. HOBSON, Mr. MCHUGH, Mr. SAM JOHNSON of Texas, Mr. BASS, Mr. BURR of North Carolina, Mr. FROST, and Mr. GREEN of Texas.

H.R. 548: Mr. REHBERG, Mr. FROST, and Mr. MOORE.

H.R. 602: Mr. GREENWOOD, Mr. CARSON of Oklahoma, Ms. JACKSON-LEE of Texas, Mr. WYNN, Mr. BROWN of Ohio, Mr. ANDREWS, Mr. KENNEDY of Rhode Island, Mr. HOYER, Mr. BERRY, Mr. LEWIS of Georgia, Mr. GONZALEZ, Mr. HINOJOSA, Mr. PASTOR, Mr. GUTIERREZ, Ms. BROWN of Florida, Mr. WICKER, and Mr. BACA.

H.R. 606: Mr. SMITH of New Jersey and Mr. BLAGOJEVICH.

H.R. 608: Mrs. MINK of Hawaii.

H.R. 612: Mr. ACEVEDO-VILA, Mrs. THURMAN, and Ms. LEE.

H.R. 704: Mr. FARR of California.

H.R. 737: Mr. GILCHREST.

H.R. 744: Mr. ISAKSON.

H.R. 801: Mr. UDALL of New Mexico.

H.R. 811: Mr. UDALL of New Mexico.

H.R. 869: Mr. NETHERCUTT, Mr. TERRY, Mr. WYNN, Mr. SKEEN, Mr. BLAGOJEVICH, Mr. OTTER, Mr. GILCHREST, Ms. PRYCE of Ohio,

Mrs. JOHNSON of Connecticut, and Mr. GREENWOOD.

H.R. 871: Mr. SOUDER.

H.R. 951: Mr. SHOWS, Mr. BOSWELL, Mr. ACEVEDO-VILA, Ms. RIVERS, Mr. PETERSON of Minnesota, Mr. CANTOR, and Mr. BRADY of Pennsylvania.

H.R. 993: Mr. BOUCHER and Mr. BAKER.

H. Res. 13: Mr. NEY.

H. Res. 23: Ms. CARSON of Indiana and Mr. BARRETT.

TUESDAY, MARCH 27, 2001 (29)

The House was called to order at 12:30 p.m. by the SPEAKER.

¶29.1 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 295. An Act to provide emergency relief to small businesses affected by significant increases in the prices of heating oil, natural gas, propane, and kerosene, and for other purposes.

S. 395. An Act to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration.

The message also announced that pursuant to Public Law 106–554, the Chair, on behalf of the President pro tempore, appoints the Senator from Michigan (Mr. LEVIN) to the Board of Trustees for the Center for Russian Leadership Development.

¶29.2 ''MORNING-HOUR DEBATE''

The SPEAKER, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶29.3 RECESS—12:46 P.M.

The SPEAKER pro tempore, Mr. WELDON of Florida, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 46 minutes p.m. until 2 o'clock p.m.

¶29.4 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. BASS, called the House to order.

¶29.5 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BASS, announced he had examined and approved the Journal of the proceedings of Monday, March 26, 2001.

Mr. GIBBONS, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BASS, announced that the yeas had it.

Mr. GIBBONS objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶29.6 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1346. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Diflubenzuron; Pesticide Tolerance Technical Correction [OPP–301112; FRL–6776–4] (RIN: 2070–AB78) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1347. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting a Report on Restructuring Costs Associated With Business Combinations; to the Committee on Armed Services.

1348. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting a report on the Use of Employees of Non-Federal Entities to Provide Services to Department of Defense; to the Committee on Armed Services.

1349. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Dive Sticks—received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1350. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Aviation—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1351. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Startup and Restart of Nuclear Facilities—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1352. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Facility Safety—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1353. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units [AD–FRL–6939–9] (RIN: 2060–AF91) received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1354. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Project XL Site-Specific Rulemaking for Georgia-Pacific Corporation's Facility in Big Island, Virginia [FRL–6767–8] (RIN: 2060–AJ39) received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1355. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Control of Air Pollution from New Motor Vehicles; Amendment to the Tier 2/Gasoline Sulfur Regulations [AMS–FRL–6768–1] (RIN: 2060–AI69) received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1356. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Primary Drinking Water Regulations; Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring: Delay of Effective Date [WH–FRL–6958–3] (RIN: 2040–AB75) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1357. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works [AD–FRL–6955–7] (RIN: 2060–AF26) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1358. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Spain [Transmittal No. DTC 005–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1359. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 003–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1360. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 027–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1361. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Luxembourg, France [Transmittal No. DTC 020–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1362. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Germany [Transmittal No. DTC 004–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1363. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 024–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1364. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 025–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1365. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom [Transmittal No. DTC 026–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

1366. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement with Israel [Transmittal No. DTC 022–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1367. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement

with Canada, Australia and New Zealand [Transmittal No. DTC 021–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1368. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Greece [Transmittal No. DTC 002–01]; to the Committee on International Relations.

1369. A letter from the Chairman, National Mediation Board, transmitting the 2000 Annual Performance Report; to the Committee on Government Reform.

1370. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's ''Major'' final rule—Adjustment of Status To That Person Admitted for Permanent Residence; Temporary Removal of Certain Restrictions of Eligibility [INS No. 2078–00; AG Order No. 2411–2001] (RIN: 1115–AF91) received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1371. A letter from the Acting Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, transmitting a report on the Study Examining 17 U.S.C. Sections 109 and 117 Pursuant to Section 104 of the Digital Millennium Copyright Act; to the Committee on the Judiciary.

1372. A letter from the Deputy Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's ''Major'' final rule—Distribution of Fiscal Year 2001 Indian Reservation Roads Funds (RIN: 1076–AE13) received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1373. A letter from the Acting Secretary of the Army, Department of Defense, transmitting a report on Reeds Beach and Pierces Point, New Jersey Interim Feasibility Study; to the Committee on Transportation and Infrastructure.

¶29.7 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶29.8 VETERANS' OPPORTUNITIES

Mr. SMITH of New Jersey moved to suspend the rules and pass the bill (H.R. 801) to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing service members, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers' Group Life Insurance, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BASS, recognized Mr. SMITH of New Jersey and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BASS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶29.9 VETERANS' HOSPITAL EMERGENCY REPAIR

Mr. SMITH of New Jersey moved to suspend the rules and pass the bill (H.R. 811) to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, and updating patient care facilities at Department of Veterans Affairs medical centers; as amended.

The SPEAKER pro tempore, Mr. BASS, recognized Mr. SMITH of New Jersey and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BASS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶29.10 MESSAGE FROM THE PRESIDENT—CORPORATION FOR PUBLIC BROADCASTING

The SPEAKER pro tempore, Mr. BASS, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to section 19(3) of the Public Telecommunications Act of 1992 (Public Law 102–356), I transmit herewith the report of the Corporation for Public Broadcasting covering calendar year 2000.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 27, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Energy and Commerce.

¶29.11 RECESS—3:16 P.M.

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 16 minutes p.m., until approximately 4 o'clock p.m.

¶29.12 AFTER RECESS—4:02 P.M.

The SPEAKER pro tempore, Mr. PETRI, called the House to order.

¶29.13 ORDER OF BUSINESS—CONSIDERATION OF H. RES. 84

On motion of Mr. NEY, by unanimous consent,

Ordered, That it may be in order at any time on the legislative day of March 27, 2001, without intervention of any point of order to consider House Resolution 84; that the resolution be considered as read for amendment; that the amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the resolution be considered as adopted; and that the previous question be considered as ordered on the resolution, as amended, to adoption without intervening motion except one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration.

¶29.14 COMMITTEE FUNDING

Mr. NEY, by direction of House Administration and pursuant to the foregoing order of the House, called up the following privileged resolution (H. Res. 84):

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED SEVENTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Seventh Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in that subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $10,010,397; Committee on Armed Services, $10,847,677; Committee on the Budget, $11,221,912.71; Committee on Education and the Workforce, $15,590,870; Committee on Energy and Commerce, $18,813,475; Committee on Financial Services, $15,095,429; Committee on Government Reform, $21,842,000; Committee on House Administration, $7,859,306; Permanent Select Committee on Intelligence, $7,475,073.97; Committee on International Relations, $14,495,256; Committee on the Judiciary, $15,490, 248; Committee on Resources, $11,980,260; Committee on Rules, $5,370,773; Committee on Science, $12,254,301.50; Committee on Small Business, $4,798,783; Committee on Standards of Official Conduct, $2,921,091.20; Committee on Transportation and Infrastructure, $16,559,562; Committee on Veterans' Affairs, $5,273,013; and Committee on Ways and Means, $16,077,758.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2001, and ending immediately before noon on January 3, 2002.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,918,497; Committee on Armed Services, $5,182,597; Committee on the Budget, $5,513,304.71; Committee on Education and the Workforce, $8,137,966; Committee on Energy and Commerce, $8,938,911.40; Committee on Financial Services, $7,568,506; Committee on Government Reform, $10,692,000; Committee on House Administration, $3,765,460; Permanent Select Committee on Intelligence, $3,660,021.59; Committee on International Relations, $7,003,845; Committee on the Judiciary, $7,595,624; Committee on Resources, $5,804,266; Committee on Rules, $2,644,509; Committee on Science, $6,000,079;

Committee on Small Business, $2,312,344; Committee on Standards of Official Conduct, $1,383,708; Committee on Transportation and Infrastructure, $7,873,320; Committee on Veterans' Affairs, $2,576,765; and Committee on Ways and Means, $8,014,668.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2002, and ending immediately before noon on January 3, 2003.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $5,091,900; Committee on Armed Services, $5,665,080; Committee on the Budget, $5,708,608; Committee on Education and the Workforce, $7,452,904; Committee on Energy and Commerce, $9,874,563.60; Committee on Financial Services, $7,526,923; Committee on Government Reform, $11,150,000; Committee on House Administration, $4,093,846; Permanent Select Committee on Intelligence, $3,815,052.38; Committee on International Relations, $7,491,411; Committee on the Judiciary, $7,894,624; Committee on Resources, $6,175,994; Committee on Rules, $2,726,264; Committee on Science, $6,254,222.50; Committee on Small Business, $2,486,439; Committee on Standards of Official Conduct, $1,537,383.20; Committee on Transportation and Infrastructure, $8,686,242; Committee on Veterans' Affairs, $2,696,248; and Committee on Ways and Means, $8,063,090.

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 6. ADJUSTMENT AUTHORITY.

The Committee on House Administration shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any reduction in appropriations for the purposes of such section 1.

Pending consideration of said resolution.

Pursuant to the foregoing order of the House, the following amendment in the nature of a substitute by the Committee on House Administration as printed in the resolution was considered as adopted:

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED SEVENTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Seventh Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in that subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $9,607,006; Committee on Armed Services, $10,872,677; Committee on the Budget, $11,107,043; Committee on Education and the Workforce, $13,573,886; Committee on Energy and Commerce, $17,226,770; Committee on Financial Services, $11,846,231; Committee on Government Reform, $19,420,233; Committee on House Administration, $7,418,045; Permanent Select Committee on Intelligence, $6,955,074; Committee on International Relations, $12,672,626; Committee on the Judiciary, $13,166,463; Committee on Resources, $11,601,260; Committee on Rules, $5,370,773; Committee on Science, $10,628,041; Committee on Small Business, $4,798,783; Committee on Standards of Official Conduct, $2,871,091; Committee on Transportation and Infrastructure, $14,479,551; Committee on Veterans' Affairs, $5,142,263; and Committee on Ways and Means, $14,748,888.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2001, and ending immediately before noon on January 3, 2002.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,675,093; Committee on Armed Services, $5,182,597; Committee on the Budget, $5,403,522; Committee on Education and the Workforce, $7,059,821; Committee on Energy and Commerce, $8,527,251; Committee on Financial Services, $5,705,025; Committee on Government Reform, $9,810,000; Committee on House Administration, $3,560,662; Permanent Select Committee on Intelligence, $3,407,986; Committee on International Relations, $6,202,095; Committee on the Judiciary, $6,339,902; Committee on Resources, $5,595,266; Committee on Rules, $2,644,509; Committee on Science, $5,172,668; Committee on Small Business, $2,312,344; Committee on Standards of Official Conduct, $1,358,708; Committee on Transportation and Infrastructure, $6,964,664; Committee on Veterans' Affairs, $2,516,765; and Committee on Ways and Means, $7,228,481.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2002, and ending immediately before noon on January 3, 2003.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,931,913; Committee on Armed Services, $5,690,080; Committee on the Budget, $5,703,521; Committee on Education and the Workforce, $6,514,065; Committee on Energy and Commerce, $8,699,519; Committee on Financial Services, $6,141,206; Committee on Government Reform, $9,610,233; Committee on House Administration, $3,857,383; Permanent Select Committee on Intelligence, $3,547,088; Committee on International Relations, $6,470,531; Committee on the Judiciary, $6,826,561; Committee on Resources, $6,005,994; Committee on Rules, $2,726,264; Committee on Science, $5,455,373; Committee on Small Business, $2,486,439; Committee on Standards of Official Conduct, $1,512,383; Committee on Transportation and Infrastructure, $7,514,887; Committee on Veterans' Affairs, $2,625,498; and Committee on Ways and Means, $7,520,407.

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 6. ADJUSTMENT AUTHORITY.

The Committee on House Administration shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any reduction in appropriations for the purposes of such section 1.

When said resolution was considered.

After debate,

Pursuant to the foregoing order of the House, the previous question was ordered on the resolution, as amended, to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that the yeas had it.

Mr. HOYER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the resolution were postponed.

¶29.15 RECESS—4:38 P.M.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 38 minutes p.m., until approximately 5 o'clock p.m.

¶29.16 AFTER RECESS—5:20 P.M.

The SPEAKER pro tempore, Mr. GIBBONS, called the House to order.

¶29.17 CONGRESSIONAL BUDGET RESOLUTION

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to the order of the House of Thursday, March 22, 2001 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for a period of debate on the subject of the concurrent resolution on the budget for fiscal years 2002 through 2011.

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to the order of the House of March 22, 2001, designated Mr. LATOURETTE as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. HOBSON assumed the Chair; and after some time spent therein,

The SPEAKER pro tempore, Mrs. BIGGERT, assumed the Chair.

When Mr. HOBSON, Acting Chairman, reported that the Committee, having had under consideration the subject of the concurrent resolution on the budget, had come to no resolution thereon.

¶29.18 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, March 26, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the yeas had it.

So the Journal was approved.

¶29.19 H. RES. 84—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the question on agreeing to the resolution (H. Res. 84) providing for the expenses of certain committees of the House of Representatives in the One Hundred Seventh Congress; as amended.

The question being put, viva voce,

Will the House agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 357 / Nays 61

¶29.20 [Roll No. 62]

YEAS—357

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

NAYS—61

Andrews
Baird
Barrett
Berkley
Boyd
Brown (OH)
Carson (OK)
Condit
Davis (CA)
DeFazio
DeMint
Deutsch
Doggett
Dooley
Duncan
Filner
Green (TX)
Harman
Hefley
Hill
Hilleary
Holt
Honda
Hooley
Hulshof
Inslee
Israel
Jones (NC)
Kind (WI)
Kingston
Kucinich
Langevin
Largent
Larsen (WA)
Lucas (KY)
Luther
Matheson
McCarthy (NY)
Moore
Paul
Peterson (MN)
Phelps
Roemer
Royce
Sanchez
Scarborough
Schaffer
Schiff
Slaughter
Smith (WA)
Strickland
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Toomey
Udall (NM)
Waters
Wu

NOT VOTING—14

Ackerman
Baldwin
Becerra
Bonior
Chabot
Deal
Lampson
Moakley
Owens
Rothman
Shaw
Sisisky
Stearns
Udall (CO)

So, the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶29.21 H.R. 801—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 801) to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers' Group Life Insurance, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative/negative .... { Yeas ..... 417 / Nays 0

¶29.22 [Roll No. 63]

YEAS—417

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum

McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Ackerman
Baldwin
Becerra
Bonior
Chabot
Deal
John
Lampson
Moakley
Nussle
Owens
Rothman
Shaw
Sisisky
Stearns

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶29.23 H.R. 811—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 811) to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, and updating patient care facilities at Department of Veterans Affairs medical centers; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 417 / Nays 0

¶29.24 [Roll No. 64]

YEAS—417

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

NOT VOTING—15

Ackerman
Baldwin
Becerra
Bonior
Chabot
Collins
Deal
Lampson
Moakley
Owens
Rivers
Rothman
Shaw
Sisisky
Stearns

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶29.25 CONGRESSIONAL BUDGET RESOLUTION

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to the order of the House of Thursday, March 22, 2001, and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for a further period of debate on the subject of the concurrent resolution on the budget for fiscal years 2002 through 2011.

The Acting Chairman, Mrs. BIGGERT assumed the Chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. NUSSLE, assumed the Chair.

When Mrs. BIGGERT, Acting Chairman, reported that the Committee, having had under consideration the subject of the concurrent resolution on the budget, had come to no resolution thereon.

¶29.26 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO ANGOLA

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 27, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations.

¶29.27 HOUR OF MEETING

On motion of Ms. ROS-LEHTINEN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 9 a.m. on Wednesday, March 28, 2001.

¶29.28 PROVIDING FOR THE CONSIDERATION OF H. CON. RES. 83

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 107–30) the resolution (H. Res. 100) providing for the consideration of the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

When said resolution and report were referred to the House Calendar and ordered printed.

¶29.29 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 295. An Act to provide emergency relief to small businesses affected by significant increases in the prices of heating oil, natural gas, propane, and kerosene, and for other purposes; to the Committee on Small Business in addition to the Committee on Agriculture for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 395. An Act to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration; to the Committee on Small Business.

¶29.30 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. BALDWIN, for today;

To Mr. BECERRA, for today;

To Mr. LAMPSON, for today and balance of the week;

To Mr. SHAW, for today and until 3 p.m. on March 28; and

To Mr. STEARNS, for today.

And then,

¶29.31 ADJOURNMENT

On motion of Mr. KIND, pursuant to the special order heretofore agreed to, at 10 o'clock and 59 minutes p.m., the House adjourned until 9 a.m. on Wednesday, March 28, 2001.

¶29.32 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 6. A bill to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability; with amendments (Rept. No. 107–29). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Committee on Rules. House Resolution 100. Resolution providing for consideration of the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (Rept. No. 107–30). Referred to the House Calendar.

¶29.33 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ABERCROMBIE:

H.R. 1211. A bill to amend the Internal Revenue Code of 1986 to restore a 100 percent deduction for business meals and entertainment and to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel; to the Committee on Ways and Means.

By Mr. BARR of Georgia (for himself, Mr. BISHOP, Mr. COLLINS, Mr. CRAMER, Mr. DEAL of Georgia, Mr. GREEN of Texas, Mr. HILLEARY, Mr. JONES of North Carolina, Mr. LEWIS of Georgia, Mrs. MYRICK, Mr. SCHAFFER, Mr. SESSIONS, Mr. SMITH of New Jersey, Mrs. ROUKEMA, Mr. WELDON of Pennsylvania, and Mr. WICKER):

H.R. 1212. A bill to provide grants to law enforcement agencies that ensure that law enforcement officers employed by such agency are afforded due process when involved in a case that may lead to dismissal, demotion, suspension, or transfer; to the Committee on the Judiciary.

By Mr. GREENWOOD (for himself, Mr. DOYLE, Mr. UPTON, Mr. DINGELL, Mr. BUYER, Mr. BARRETT, Mr. SAWYER, Mr. STUPAK, Mr. SHERWOOD, Mr. BONIOR, Mr. PETERSON of Pennsylvania, Mr. HOLDEN, Mr. KANJORSKI, Mr. MORAN of Virginia, Mr. EHLERS, Mr. KILDEE, Mr. LEACH, Mr. SOUDER, Mr. VISCLOSKY, Ms. BALDWIN, Mrs. JONES of Ohio, and Mr. LEVIN):

H.R. 1213. A bill to impose certain limitations on the receipt of out-of-State municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GREENWOOD (for himself, Mr. DOYLE, Mr. MORAN of Virginia, Mr. UPTON, Mr. BONIOR, Mr. EHLERS, Mr. DINGELL, Mr. PETERSON of Pennsylvania, Mr. STUPAK, Mr. HOLDEN, Mr. GILCHREST, Mr. KILDEE, Ms. RIVERS, and Mr. LEACH):

H.R. 1214. A bill to authorize State and local controls over the flow of municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GREENWOOD:

H.R. 1215. A bill to ensure confidentiality with respect to medical records and health care-related information, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA (for himself and Mr. LUTHER):

H.R. 1216. A bill to ensure that schools develop and implement comprehensive school safety plans; to the Committee on Education and the Workforce.

By Mr. BACA (for himself, Ms. CARSON of Indiana, Mr. FILNER, Mr. GONZALEZ, Mr. MEEKS of New York, Ms. MCKINNEY, Mr. SERRANO, and Ms. VELAZQUEZ):

H.R. 1217. A bill to provide grants to local educational agencies to provide financial assistance to elementary and secondary schools for obtaining computer software for multilingual education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BACA:

H.R. 1218. A bill to provide for an African American Health Initiative under which demonstration projects conduct targeted health campaigns directed at high-risk African American populations; to the Committee on Energy and Commerce.

By Mr. BACA:

H.R. 1219. A bill to provide for a study to determine the costs to the public and private sectors of hip fractures among elderly individuals and spinal cord injuries among children, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SESSIONS (for himself, Mr. POMEROY, and Mr. HALL of Texas):

H.R. 1220. A bill to amend the Internal Revenue Code of 1986 to encourage a strong community-based banking system; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 1221. A bill to expand the Officer Next Door and Teacher Next Door initiatives of the Department of Housing and Urban Development to include fire fighters and rescue personnel, and for other purposes; to the Committee on Financial Services.

By Mr. BACA:

H.R. 1222. A bill to require the Secretary of Housing and Urban Development to conduct a study of developing residential mortgage programs that provide low-cost health insurance in connection with low-cost mortgages; to the Committee on Financial Services.

By Mr. BACA:

H.R. 1223. A bill to make grants to States for providing information regarding parolees to local law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. BACA:

H.R. 1224. A bill to amend the Internal Revenue Code of 1986 to permit teachers at the elementary and secondary school level, whether or not they itemize deductions, to deduct reasonable and incidental expenses related to instruction, teaching, or other educational job-related activities; to the Committee on Ways and Means.

By Mr. BURR of North Carolina:

H.R. 1225. A bill to amend the Elementary and Secondary Education Act of 1965 to es-

tablish programs to recruit, retain, and retrain teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CAPUANO (for himself, Mr. BALDACCI, Ms. BERKLEY, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. DELAHUNT, Mr. FRANK, Mr. GONZALEZ, Mr. JACKSON of Illinois, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK, Mr. KUCINICH, Mr. LARSON of Connecticut, Mr. LATOURETTE, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MCGOVERN, Mr. OLVER, Mr. PASCRELL, Mr. RANGEL, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SHAYS, Mr. SMITH of New Jersey, Mr. TIERNEY, Mr. TOWNS, Ms. WATERS, and Ms. WOOLSEY):

H.R. 1226. A bill to provide grants to assist State and local prosecutors and law enforcement agencies with implementing juvenile and young adult witness assistance programs that minimize additional trauma to the witness and improve the chances of successful criminal prosecution or legal action; to the Committee on the Judiciary.

By Mr. COLLINS (for himself and Mr. FOLEY):

H.R. 1227. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refund of 5 percent of the income tax otherwise payable for taxable year 1999; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois:

H.R. 1228. A bill to provide fairness in voter participation; to the Committee on the Judiciary.

By Ms. DEGETTE:

H.R. 1229. A bill to amend titles V, XVIII, and XIX of the Social Security Act to promote smoking cessation under the Medicare Program, the Medicaid Program, and the maternal and child health program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DINGELL:

H.R. 1230. A bill to provide for the establishment of the Detroit River International Wildlife Refuge in the State of Michigan, and for other purposes; to the Committee on Resources.

By Ms. DUNN (for herself, Mr. SMITH of Washington, and Mr. WAMP):

H.R. 1231. A bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to allow for increased use of school resource officers by local educational agencies; to the Committee on Education and the Workforce.

By Mr. FILNER:

H.R. 1232. A bill to amend title 10, United States Code, to repeal the two-tier annuity computation system applicable to annuities for surviving spouses under the Survivor Benefit Plan for retired members of the Armed Forces so that there is no reduction in such an annuity when the beneficiary becomes 62 years of age; to the Committee on Armed Services.

By Mr. FILNER:

H.R. 1233. A bill to amend title 10, United States Code, to authorize military recreational facilities to be used by any veteran with a compensable service-connected disability; to the Committee on Armed Services.

By Mr. FATTAH (for himself, Mr. PAYNE, Mr. OWENS, Mr. BRADY of Pennsylvania, Mr. BORSKI, Ms. CARSON of Indiana, Mrs. CLAYTON, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. SAM JOHNSON of Texas, Ms. KILPATRICK, Ms. MCKINNEY, Ms. NORTON, Mr. RODRIGUEZ, Mr. STARK, Ms. VELAZQUEZ, Ms. WATERS, Ms. BROWN of Florida, Mr. CUMMINGS, Mr. FILNER, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. JEFFERSON, Mrs. JONES of Ohio, Ms. LEE, Mrs. MALONEY of New York, Mr. MCDERMOTT, Mr. RUSH, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. CONYERS, and Ms. JACKSON-LEE of Texas):

H.R. 1234. A bill to require States to equalize funding for education throughout the State; to the Committee on Education and the Workforce.

By Mr. FOLEY:

H.R. 1235. A bill to amend the Internal Revenue Code of 1986 to reduce the holding period for long-term capital gain treatment to 6 months; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 1236. A bill to amend the Tariff Suspension and Trade Act of 2000 to provide for the permanent designation of the San Antonio International Airport as an airport at which certain private aircraft arriving in the United States may land for processing; to the Committee on Ways and Means.

By Mr. HOEFFEL (for himself, Mr. PITTS, Mr. DOYLE, Mr. GEKAS, Mr. KANJORSKI, Mr. PETERSON of Pennsylvania, Mr. FATTAH, Mr. TOOMEY, Mr. ENGLISH, Mr. HOLDEN, Ms. HART, Mr. PLATTS, Mr. MASCARA, Mr. BORSKI, Mr. MURTHA, Mr. GREENWOOD, Mr. SHERWOOD, and Mr. COYNE):

H.R. 1237. A bill to designate certain lands in the Valley Forge National Historical Park as the Valley Forge National Cemetery; to the Committee on Resources, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself and Mr. RANGEL):

H.R. 1238. A bill to amend the Internal Revenue Code of 1986 to permanently extend the work opportunity credit and to allow the credit for employment of certain older individuals; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. CUNNINGHAM, Mr. FILNER, and Mr. ISSA):

H.R. 1239. A bill to establish a moratorium on approval by the Secretary of the Interior of relinquishment of a lease of certain tribal lands in California; to the Committee on Resources.

By Mr. HUTCHINSON (for himself, Mr. SNYDER, Mr. BERRY, and Mr. ROSS):

H.R. 1240. A bill to make supplemental appropriations for fiscal year 2001 to provide emergency disaster relief for damages resulting from ice storms; to the Committee on Appropriations.

By Mr. JOHN (for himself, Mr. HOUGHTON, Mr. TANNER, Mr. CRAMER, Mr. DOOLEY of California, Mr. SPRATT, and Mr. CARSON of Oklahoma):

H.R. 1241. A bill to provide for the reissuance of a rule relating to ergonomics; to the Committee on Education and the Workforce.

By Mr. KING (for himself, Mrs. MCCARTHY of New York, Mr. SWEENEY, Mr. CROWLEY, Mr. DIAZ-BALART, Mr. GUTIERREZ, Mr. RYAN of Wisconsin, Mr. HOUGHTON, Mr. WYNN, Mr. HINCHEY, Mr. SERRANO, Mr. ACKERMAN, Mr. QUINN, Mrs. KELLY, Mr. NEAL of Massachusetts, Ms. SLAUGHTER, Mr. WALSH, Mr. WEINER, Mr. GRUCCI, Mr. ENGEL, and Mr. ISRAEL):

H.R. 1242. A bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings; to the Committee on the Judiciary.

By Mr. KLECZKA:

H.R. 1243. A bill to amend title 5, United States Code, to require executive agencies to pay the premiums for health care coverage provided under the Federal Employees Health Benefits program for reservists in the Armed Forces called or ordered to active duty for more than 30 days; to the Committee on Government Reform.

By Mr. LUCAS of Oklahoma:

H.R. 1244. A bill to name the national aviation center operated by the United States Customs Service as the ''Glenn English Customs National Aviation Center''; to the Committee on Transportation and Infrastructure.

By Mr. MCKEON:

H.R. 1245. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the Castaic Lake Water Agency, California; to the Committee on Resources.

By Mr. MEEHAN (for himself, Mr. OLVER, Mr. FROST, Mr. WEINER, Mr. SANDERS, Mr. BENTSEN, Mr. BONIOR, Mr. PRICE of North Carolina, Mr. KILDEE, Mr. NADLER, Mr. STARK, Mr. FILNER, Mr. WYNN, Mrs. MINK of Hawaii, Mr. MCNULTY, Mr. GUTIERREZ, Mr. LANTOS, Mrs. CHRISTENSEN, Mr. MCGOVERN, Mr. FRANK, Mr. RUSH, Ms. WOOLSEY, Ms. MCKINNEY, Mr. EVANS, Mr. OWENS, Mr. RANGEL, Ms. NORTON, Mr. HINCHEY, Ms. CARSON of Indiana, Mr. BAIRD, Mrs. LOWEY, Mr. DELAHUNT, and Ms. KILPATRICK):

H.R. 1246. A bill to amend chapter 89 of title 5, United States Code, to provide that any health benefits plan which provides obstetrical benefits shall be required also to provide coverage for the diagnosis and treatment of infertility; to the Committee on Government Reform.

By Mr. MEEHAN (for himself, Mr. DELAHUNT, Mr. GEORGE MILLER of California, Mr. HOEFFEL, Mrs. MALONEY of New York, Ms. MCKINNEY, Mr. ABERCROMBIE, Mr. MCGOVERN, Mr. RUSH, Ms. SCHAKOWSKY, Ms. CARSON of Indiana, Mr. TIERNEY, Ms. LEE, Ms. NORTON, Mr. WEXLER, and Mr. KENNEDY of Rhode Island):

H.R. 1247. A bill to provide for the implementation of a system of licensing for purchasers of handguns and for a record of sale system for handguns, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEHAN:

H.R. 1248. A bill to prohibit the possession of a firearm in a hospital zone; to the Committee on the Judiciary.

By Mrs. MINK of Hawaii:

H.R. 1249. A bill to ensure that crop losses resulting from plant viruses and other plant diseases are covered by crop insurance and the noninsured crop assistance program and that agricultural producers who suffer such losses are eligible for emergency loans; to the Committee on Agriculture.

By Mrs. MINK of Hawaii (for herself and Mr. ABERCROMBIE):

H.R. 1250. A bill to amend the Elementary and Secondary Education Act of 1965 to improve Native Hawaiian education programs, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. NAPOLITANO (for herself, Mr. CALVERT, Mr. DREIER, Ms. ROYBAL-ALLARD, and Mr. HORN):

H.R. 1251. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the

costs of the San Gabriel Basin demonstration project; to the Committee on Resources.

By Mr. SANDERS (for himself, Mr. BONIOR, Ms. LEE, Mr. ABERCROMBIE, Mr. GEORGE MILLER of California, Mr. KUCINICH, Ms. MCKINNEY, Mr. PAYNE, Mr. PALLONE, Mr. SHERMAN, Ms. DELAURO, Mr. TOWNS, Mr. HOEFFEL, and Ms. NORTON):

H.R. 1252. A bill to amend the Safe Drinking Water Act to change the drinking water standard for arsenic from 50 parts per billion to 10 parts per billion by fiscal year 2003 and to 3 parts per billion by fiscal year 2006 and to authorize an $800 million to provide grants to small public drinking water systems to assist them in meeting these standards; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself, Mr. HYDE, and Mr. HUTCHINSON):

H.R. 1253. A bill to amend the Shipping Act of 1984 to restore the application of the antitrust laws to certain agreements and conduct to which such Act applies; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. PITTS, Mr. MALONEY of Connecticut, Mr. GILMAN, Mrs. MORELLA, Mr. HINCHEY, Mr. DELAHUNT, Mr. TRAFICANT, Mr. WOLF, Mr. TOWNS, and Mr. SAXTON):

H.R. 1254. A bill to establish a program to provide for a reduction in the incidence and prevalence of Lyme disease; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. BROWN of Ohio, Mr. GEPHARDT, Mr. DINGELL, Mr. RANGEL, Mr. BONIOR, Mr. WAXMAN, Mr. GORDON, Mr. THOMPSON of Mississippi, Mr. FILNER, Mr. MCGOVERN, Ms. MCCARTHY of Missouri, Mr. FROST, Mr. CLAY, Mr. GEORGE MILLER of California, Mr. KUCINICH, Mr. GONZALEZ, Mr. PAYNE, Mr. PALLONE, Mr. BRADY of Pennsylvania, Mr. GUTIERREZ, Ms. SLAUGHTER, Ms. BERKLEY, Ms. MILLENDER-MCDONALD, Mr. GREEN of Texas, Mr. HINCHEY, Ms. SCHAKOWSKY, Mr. DEUTSCH, Mr. EVANS, Mr. FRANK, Mr. WEINER, Mr. STUPAK, Mr. KILDEE, Mr. CROWLEY, Mr. LANTOS, Mr. BARRETT, Mr. TIERNEY, Mr. LAFALCE, and Mr. MATSUI):

H.R. 1255. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to improve access to health insurance and Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to allow a 50 percent credit against income tax for payment of such premiums and of premiums for certain COBRA continuation coverage, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Mr. BOEHLERT, Mr. MALONEY of Connecticut, Mr. MCNULTY, Mr. HOEFFEL, Mr. MORAN of Virginia, Mrs. JONES of Ohio, Ms. RIVERS, Mr. MCDERMOTT, Ms. JACKSON-LEE of Texas, Ms. MCKINNEY, Mr. FROST, Mr. JEFFERSON, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. WU, Mr. ANDREWS, Ms. SCHAKOWSKY, Ms. BALDWIN, Mr. CONYERS, Mr. BLAGOJEVICH, Mr. OLVER, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mr. GILCHREST, Ms. SOLIS, Mr. KENNEDY of Rhode Island, Mr. SANDERS, Mr. SHAYS, Ms. MCCOLLUM, Mr. GILMAN, Mr. INSLEE, Mr. SMITH of Washington, Mrs. MALONEY of New York, Mrs. NAPOLITANO, Mrs. ROUKEMA, Mr. LANTOS, Ms. CARSON of Indiana, Mrs. TAUSCHER, Ms. LEE, Mrs. KELLY, Mr. DELAHUNT, Mr. FILNER, Mr. BERMAN, Mrs. JOHNSON of Connecticut, Mr. SABO, Mr. WEXLER, Mr. PAYNE, Mr. SAXTON, and Mr. BLUMENAUER):

H.R. 1256. A bill to amend the Clean Air Act to reduce emissions from electric powerplants, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MOORE (for himself, Mr. STENHOLM, Ms. HARMAN, Mr. SANDLIN, Mr. PHELPS, Mr. BOSWELL, Mr. BOYD, Mr. JOHN, Mr. TURNER, Mr. HILL, Mr. SCHIFF, Mr. PETERSON of Minnesota, Mr. BISHOP, Mr. TANNER, Mr. SHOWS, Mr. PASCRELL, Mrs. TAUSCHER, Mr. HONDA, Mr. EVANS, Ms. MCCARTHY of Missouri, and Mr. EDWARDS):

H.R. 1257. A bill to amend the Congressional Budget Act of 1974 to make the budget process more transparent; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H. Con. Res. 84. Concurrent resolution supporting the goals of Red Ribbon Week in promoting drug-free communities; to the Committee on Energy and Commerce.

By Mr. BACA (for himself, Ms. BALDWIN, Mr. BONIOR, Mr. FROST, Mr. FILNER, Mr. GREEN of Texas, Mr. HASTINGS of Washington, Mr. HILLIARD, Mr. HINOJOSA, Mr. HONDA, Mr. HUTCHINSON, Mr. MENENDEZ, Ms. MCCARTHY of Missouri, Ms. SCHAKOWSKY, Mr. SERRANO, and Mr. UDALL of New Mexico):

H. Con. Res. 85. Concurrent resolution recognizing the historical significance of the Mexican holiday of Cinco de Mayo; to the Committee on International Relations.

By Mr. BACA:

H. Con. Res. 86. Concurrent resolution encouraging greater recognition of Memorial Day and Veterans Day; to the Committee on Veterans' Affairs.

By Mr. LATOURETTE (for himself and Mr. COSTELLO):

H. Con. Res. 87. Concurrent resolution authorizing the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds; to the Committee on Transportation and Infrastructure.

By Mr. TANCREDO:

H. Con. Res. 88. Concurrent resolution expressing the sense of the Congress that the President should issue a proclamation recognizing a National Lao-Hmong Recognition Day; to the Committee on Government Reform.

By Mr. BACA (for himself, Ms. BALDWIN, Mr. BLUMENAUER, Mr. CARSON of Oklahoma, Mr. ENGLISH, Mr. FARR of California, Mr. HONDA, Mr. FROST, Mr. MCDERMOTT, Mrs. MINK of Hawaii, Mr. KIND, Mr. PALLONE, Mr. STUPAK, and Mr. UDALL of New Mexico):

H. Res. 101. A resolution expressing the sense of the House of Representatives that schools across the Nation should teach about the role of Native Americans in American history and culture and lead community service projects that further that education; to the Committee on Education and the Workforce.

By Mr. ENGEL (for himself, Mrs. LOWEY, Mr. GILMAN, and Mrs. KELLY):

H. Res. 102. A resolution expressing the sense of the House of Representatives regarding the maltreatment of United States civilian prisoners captured by the Axis Powers during World War II; to the Committee on International Relations.

¶29.34 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

7. The SPEAKER presented a memorial of the Senate of the State of Ohio, relative to Concurrent Resolution 5 memorializing the United States Congress to provide the full forty per cent federal share of funding for special education programs so that Ohio and other states participating in these critical programs will not be required to take funding from other vital state and local programs in order to fund this underfunded federal mandate; to the Committee on Education and the Workforce.

8. Also, a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 6 memorializing the United States Congress to initiate the adoption of an amendment to the Constitution of the United States to read: ''Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision thereof, or any official of such state or political subdivision, to levy or increase taxes''; to the Committee on the Judiciary.

9. Also, a memorial of the Senate of the Commonwealth of Virginia, relative to Resolution No. 423 memorializing the United States Congress to urge appropriate funds for improvement of rail infrastructure in the Interstate Route 81 corridor. Such improvement shall ensure that the railroad that parallels Interstate Route 81 in Virginia provides a viable alternative to the use of Interstate Route 81 for the movement of interstate freight traffic; to the Committee on Transportation and Infrastructure.

10. Also, a memorial of the House of Representatives of the State of Kansas, relative to Resolution No. 6008 memorializing the United States Congress to provide funding for Gulf War illness research independent of that administered by the Departments of Defense and Veterans Affairs; and to establish a process of independent review of federal policies and programs associated with Gulf War illness research, benefits, and health care; and for other purposes; jointly to the Committees on Energy and Commerce, Armed Services, and Veterans' Affairs.

11. Also, a memorial of the Senate of the State of Kansas, relative to Resolution No. 1824 memorializing the United States Congress to provide funding for Gulf War illness research independent of that administered by the Departments of Defense and Veterans Affairs; and to establish a process of independent review of federal policies and programs associated with Gulf War illness research, benefits, and health care; and for other purposes; jointly to the Committees on Energy and Commerce, Armed Services, and Veterans' Affairs.

¶29.35 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COX:

H.R. 1258. A bill for the relief of Sarabeth M. Davis, Robert S. Borders, Victor Maron, Irving Berke, and Adele E. Conrad; to the Committee on the Judiciary.

By Mr. COX:

H. Res. 103. A resolution referring the bill (H.R. 1258), entitled ''A bill for the relief of Sarabeth M. Davis, Robert S. Borders, Victor Maron, Irving Berke, and Adele E. Conrad'', to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

¶29.36 ADDITIONAL SPONSORS

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

H.R. 6: Mr. THOMAS and Mr. HASTERT.

H.R. 8: Ms. BERKLEY.

H.R. 10: Mr. WELDON of Pennsylvania, Mr. FATTAH, Mr. FLAKE, Mr. BARR of Georgia, Mr. ROGERS of Kentucky, Mr. SKEEN, Mr. FARR of California, Mr. INSLEE, Mr. TIAHRT, Mr. JENKINS, Mr. BARTLETT of Maryland, Mr. DEAL of Georgia, Mr. COSTELLO, Ms. DELAURO, Ms. HARMAN, Ms. MCKINNEY, Mr. RUSH, Mr. BOUCHER, Mr. BURTON of Indiana, and Mr. DAVIS of Illinois.

H.R. 12: Mr. CUMMINGS, Mr. RUSH, Mr. CONDIT, Mr. BARRETT, Mr. KOLBE, Mr. ARMEY, and Mr. BARR of Georgia.

H.R. 17: Mr. ENGEL and Mr. BERMAN.

H.R. 31: Mr. TIAHRT and Mr. COLLINS.

H.R. 40: Ms. MILLENDER-MCDONALD, Mr. JACKSON of Illinois, and Ms. LEE.

H.R. 42: Mr. WAMP.

H.R. 65: Mr. BLUNT.

H.R. 87: Ms. SCHAKOWSKY and Mrs. THURMAN.

H.R. 96: Mr. TURNER and Mr. DAVIS of Illinois.

H.R. 97: Ms. HART, Mr. ORTIZ, Mr. COSTELLO, Mr. TURNER, Mr. ANDREWS, Mr. CARSON of Oklahoma, Mr. WAMP, and Ms. LOFGREN.

H.R. 116: Mr. BAIRD.

H.R. 117: Mrs. MCCARTHY of New York.

H.R. 150: Mr. GOODLATTE, Mrs. MALONEY of New York, Mr. MCGOVERN, and Mr. HUTCHINSON.

H.R. 152: Mrs. THURMAN.

H.R. 159: Mr. MANZULLO, Mr. FOLEY, Mr. BARR of Georgia, and Mr. TIAHRT.

H.R. 179: Ms. KAPTUR, Mrs. NAPOLITANO, Mr. POMEROY, Mr. FLETCHER, and Mr. VITTER.

H.R. 218: Mr. COBLE, Ms. BERKLEY, Mr. FRANK, Mr. ANDREWS, Mr. TANCREDO, and Mrs. ROUKEMA.

H.R. 219: Mr. CRANE and Mr. LATOURETTE.

H.R. 236: Mr. OSBORNE, Ms. SANCHEZ, Mr. GILLMOR, Mrs. BONO, Mr. BRYANT, Mr. REHBERG, and Mr. TOM DAVIS of Virginia.

H.R. 239: Mr. PLATTS.

H.R. 250: Ms. SANCHEZ, Mr. WU, Mr. LATOURETTE, Mr. DELAHUNT, Mr. TIAHRT, Ms. LEE, Mr. LUCAS of Oklahoma, and Ms. SLAUGHTER.

H.R. 257: Mr. TOOMEY and Mr. NEY.

H.R. 259: Mr. SHOWS.

H.R. 267: Mr. GRAHAM, Mr. WEXLER, Mr. WELLER, and Mr. LAFALCE.

H.R. 280: Mr. BAKER and Mrs. ROUKEMA.

H.R. 281: Mr. OWENS, Mrs. MALONEY of New York, Mr. RODRIGUEZ, Mr. MASCARA, Ms. DUNN, Mr. ISRAEL, Ms. SANCHEZ, Mr. ETHERIDGE, and Mr. FROST.

H.R. 283: Mr. DAVIS of Illinois and Mrs. THURMAN.

H.R. 285: Mr. LEVIN.

H.R. 303: Mr. RADANOVICH, Mrs. BONO, Mr. TANNER, Mr. CARSON of Oklahoma, Mr. BLUMENAUER, Mr. NORWOOD, Mr. SHERWOOD, Mr. FERGUSON, and Mr. LARSEN of Washington.

H.R. 311: Mr. GILLMOR and Mr. TIAHRT.

H.R. 326: Mr. GILMAN, Ms. DEGETTE, Mr. UNDERWOOD, and Ms. HART.

H.R. 336: Mr. PASTOR and Ms. BROWN of Florida.

H.R. 381: Mr. FRELINGHUYSEN, Ms. BROWN of Florida, and Mr. MURTHA.

H.R. 382: Mr. SHADEGG, Mr. TIAHRT, and Mr. WICKER.

H.R. 428: Mr. MEEKS of New York, Mrs. MYRICK, Mr. HOLDEN, Mr. WOLF, Mr. GILMAN, Mr. TIAHRT, Mr. ENGEL, Mr. TANCREDO, Mr. HOEFFEL, and Mr. HUTCHINSON.

H.R. 432: Mr. MOORE and Mr. VISCLOSKY.

H.R. 433: Mr. MOORE and Mr. VISCLOSKY.

H.R. 436: Mr. ISAKSON, Mr. TANCREDO, Mr. CARSON of Oklahoma, Mr. MALONEY of Connecticut, Mr. COOKSEY, Mr. RAMSTAD, Mr. BALDACCI, Ms. DELAURO, Mr. LEACH, Mr. LATHAM, Mr. DAVIS of Illinois, and Mr. LARSEN of Washington.

H.R. 440: Ms. MCKINNEY and Mr. STENHOLM.

H.R. 478: Ms. MCKINNEY.

H.R. 499: Mr. FILNER and Mr. BERMAN.

H.R. 503: Mr. SOUDER.

H.R. 507: Mr. GANSKE, Mr. WALDEN of Oregon, and Mr. TIAHRT.

H.R. 525: Mr. DAVIS of Illinois.

H.R. 527: Mr. CALLAHAN, Mr. BACA, and Mr. BRADY of Texas.

H.R. 539: Mr. GOODLATTE, Mr. REHBERG, and Mr. UDALL of Colorado.

H.R. 557: Mr. STENHOLM.

H.R. 572: Mr. HALL of Ohio, Mr. MORAN of Virginia, and Mr. HASTINGS of Florida.

H.R. 583: Mr. HILLEARY and Mr. WAMP.

H.R. 586: Mr. CALVERT.

H.R. 606: Mr. RODRIGUEZ, Mr. DAVIS of Illinois, Mr. MENENDEZ, Mr. RYUN of Kansas, and Mr. HONDA.

H.R. 622: Mr. LANGEVIN.

H.R. 630: Ms. KILPATRICK and Mr. BARRETT.

H.R. 634: Mr. BARR of Georgia, Mr. AKIN, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Mr. CHABOT, Mr. GIBBONS, Mr. JOHNSON of Illinois, Mr. MANZULLO, Mrs. MYRICK, Mr. OXLEY, Mr. PENCE, Mr. SHIMKUS, and Mr. TIAHRT.

H.R. 638: Mr. DELAHUNT, Mr. EVANS, Mr. BERMAN, and Mr. MCGOVERN.

H.R. 662: Mr. GRAVES, Mrs. EMERSON, Mr. SHIMKUS, Mr. CALLAHAN, Mr. RILEY, Mr. LEWIS of Kentucky, Mr. TIAHRT, Mr. HOLDEN, Mr. PLATTS, Mr. BISHOP, Mr. GREENWOOD, Mr. BRADY of Texas, Mr. REYNOLDS, Mr. WALDEN of Oregon, Mr. HINCHEY, Mr. ISTOOK, Mr. DOOLEY of California, Mr. KOLBE, Mr. RYAN of Wisconsin, Mr. THORNBERRY, Mr. BLUNT, Mr. GILLMOR, Mr. ENGLISH, Mr. GANSKE, Mr. BASS, Mr. HUTCHINSON, Mr. FROST, Mr. SHOWS, Mr. ABERCROMBIE, Mr. MORAN of Kansas, Mr. WALSH, Mr. LAFALCE, Mr. PITTS, Mr. OSE, and Mr. SHERWOOD.

H.R. 668: Mr. MCHUGH.

H.R. 686: Mr. LANTOS.

H.R. 687: Ms. HARMAN, Mr. MALONEY of Connecticut, and Mr. PRICE of North Carolina.

H.R. 699: Mr. SISISKY and Mr. RYUN of Kansas.

H.R. 737: Mr. HOEFFEL, Mr. DAVIS of Florida, Mr. MATHESON, Mr. DAVIS of Illinois, Mrs. CLAYTON, Mr. SHERMAN, Mr. GRAVES, and Mr. PHELPS.

H.R. 742: Mr. MCDERMOTT.

H.R. 744: Mr. SWEENEY.

H.R. 747: Mr. ROYCE.

H.R. 752: Mr. GRUCCI and Mr. GILMAN.

H.R. 755: Mr. RANGEL, Mr. ROTHMAN, and Ms. BALDWIN.

H.R. 759: Mr. UDALL of Colorado.

H.R. 771: Mr. BACA, Mr. BONIOR, Mr. BOUCHER, Ms. CARSON of Indiana, Mrs. DAVIS of California, Mrs. JONES of Ohio, Mr. LIPINSKI, Ms. MILLENDER-MCDONALD, and Mr. SMITH of New Jersey.

H.R. 778: Mr. SANDLIN.

H.R. 808: Mr. CLEMENT, Mr. LANGEVIN, Mr. WEINER, Mr. ISRAEL, Mr. CLAY, Mr. ALLEN, Mr. LEWIS of Kentucky, Mr. LAMPSON, Ms. WATERS, Mrs. NAPOLITANO, Mr. PETERSON of Minnesota, Ms. SANCHEZ, Mr. PASTOR, Mr. HASTINGS of Florida, Mr. FRANK, Mr. STARK, Ms. ROYBAL-ALLARD, Mr. CAPUANO, and Mr. SABO.

H.R. 817: Mrs. THURMAN, Mr. STENHOLM, Mr. NETHERCUTT, and Mr. TERRY.

H.R. 822: Mrs. MALONEY of New York.

H.R. 823: Ms. LOFGREN and Mr. BERMAN.

H.R. 827: Ms. MCCARTHY of Missouri.

H.R. 865: Mr. WAXMAN, Mr. BROWN of Ohio, Mr. PASTOR, Mr. SANDERS, Ms. BROWN of Florida, Mr. CLAY, and Mr. DAVIS of Illinois.

H.R. 876: Mr. GIBBONS, Mr. SANDERS, Ms. WOOLSEY, Mr. SESSIONS, Mr. BONILLA, and Ms. PRYCE of Ohio.

H.R. 887: Mr. PLATTS, Mrs. ROUKEMA, and Mrs. MINK of Hawaii.

H.R. 891: Mr. LANGEVIN.

H.R. 899: Ms. HART and Mr. DAVIS of Illinois.

H.R. 907: Mr. KANJORSKI.

H.R. 911: Mr. HOLDEN.

H.R. 913: Ms. MCKINNEY.

H.R. 917: Mr. DAVIS of Illinois.

H.R. 923: Mr. GREEN of Wisconsin, Mrs. THURMAN, and Mr. SMITH of Michigan.

H.R. 931: Mr. ROTHMAN and Mr. BENTSEN.

H.R. 933: Mr. OWENS, Mr. CLAY, Mr. BISHOP, Ms. BROWN of Florida, Mrs. CLAYTON, Mr. ANDREWS, Mr. FARR of California, Mr. BRADY of Pennsylvania, and Ms. MILLENDER-MCDONALD.

H.R. 952: Mr. COYNE, Mr. GUTKNECHT, Mr. SOUDER, Ms. MCKINNEY, Mr. CLAY, Mr. FOSSELLA, Mr. WEXLER, and Mr. TIAHRT.

H.R. 961: Mr. PAYNE.

H.R. 962: Mr. CROWLEY and Mr. ACKERMAN.

H.R. 966: Mr. SOUDER.

H.R. 975: Mr. FRANK, Mr. EVANS, Mr. ALLEN, Mr. TIERNEY, Mr. BRADY of Pennsylvania, Mr. LUCAS of Oklahoma, Mrs. WILSON, Mr. CRAMER, Mr. SIMMONS, Mr. MCINTYRE, Mr. WICKER, Mr. CAMP, Mr. LANGEVIN, Mr. LANTOS, Mr. PLATTS, Mr. COYNE, Mr. MCDERMOTT, Mr. LEVIN, Mr. ABERCROMBIE, and Mrs. EMERSON.

H.R. 988: Mrs. MCCARTHY of New York.

H.R. 990: Mr. RANGEL, Mr. ENGLISH, Mr. GEORGE MILLER of California, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Mr. KUCINICH, Mr. SOUDER, and Mr. UDALL of Colorado.

H.R. 994: Mr. LIPINSKI.

H.R. 1015: Mr. JONES of North Carolina, Mr. PAUL, Mr. RYUN of Kansas, and Mr. HALL of Texas.

H.R. 1019: Mr. BASS, Mr. WALDEN of Oregon, Mr. RADANOVICH, Mr. TRAFICANT, Mr. LEWIS of Kentucky, and Mr. HUTCHINSON.

H.R. 1024: Mr. PORTMAN and Mr. FOLEY.

H.R. 1026: Mrs. EMERSON, Mr. GONZALES, Mr. EDWARDS, and Ms. LOFGREN.

H.R. 1031: Mr. WATKINS.

H.R. 1043: Mr. GUTIERREZ and Mrs. LOWEY.

H.R. 1044: Mr. GUTIERREZ and Mrs. LOWEY.

H.R. 1066: Ms. LOFGREN.

H.R. 1073: Ms. SLAUGHTER, Mr. RODRIGUEZ, Mr. CRAMER, Mr. TURNER, Mr. FARR of California, Mr. JEFFERSON, Ms. KAPTUR, Mr. CROWLEY, Mr. SAWYER, Mr. RUSH, Mr. HOLDEN, Mrs. JOHNSON of Connecticut, and Mr. FILNER.

H.R. 1078: Mr. BRADY of Pennsylvania.

H.R. 1079: Mr. ENGLISH and Mr. PAUL.

H.R. 1084: Mr. PETRI.

H.R. 1086: Ms. MCKINNEY.

H.R. 1089: Mr. RAHALL and Mr. POMEROY.

H.R. 1096: Mr. COOKSEY, Mr. CARSON of Oklahoma, and Mr. TURNER.

H.R. 1100: Mr. CALVERT.

H.R. 1110: Mrs. THURMAN.

H.R. 1112: Mr. PASCRELL, Ms. CARSON of Indiana, Mr. PAYNE, and Ms. MCKINNEY.

H.R. 1116: Mr. LANTOS, Mr. KUCINICH, Mr. UDALL of Colorado, Mr. SERRANO, and Mr. ALLEN.

H.R. 1119: Mr. SIMMONS.

H.R. 1121: Ms. HOOLEY of Oregon.

H.R. 1128: Mr. PAUL, Mr. SESSIONS, and Mr. BARTLETT of Maryland.

H.R. 1140: Mr. WELLER, Mr. VISCLOSKY, Mr. BACHUS, Ms. HOOLEY of Oregon, Mr.

WHITFIELD, Mr. SKELTON, Mr. LATOURETTE, Mr. CONYERS, Ms. HART, Mr. ISRAEL, Mr. GREEN of Wisconsin, Ms. BROWN of Florida, Mr. NETHERCUTT, Ms. MCCOLLUM, Mr. TERRY, Mr. RAHALL, Mr. BLUNT, Mr. CUMMINGS, Mr. BEREUTER, Mr. DEFAZIO, Mr. WALDEN of Oregon, Mrs. TAUSCHER, Mr. FLETCHER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GILLMOR, Mr. LIPINSKI, Mr. COLLINS, Mr. BERRY, Mr. PLATTS, Mr. MURTHA, Mr. PETERSON of Pennsylvania, Mr. BLAGOJEVICH, Mr. FERGUSON, Mr. JACKSON of Illinois, Mr. ISTOOK, Mr. DOYLE, Mr. BAKER, Mr. HOLDEN, Mr. EHLERS, Mr. BORSKI, Mr. SIMPSON, Mr. COSTELLO, Mr. COOKSEY, Mr. BALDACCI, Mr. POMBO, Mr. BARCIA, Mr. TOM DAVIS of Virginia, Mr. ANDREWS, Mr. MORAN of Kansas, Ms. ROYBAL-ALLARD, Mr. SMITH of New Jersey, Ms. VELAZQUEZ, Mr. SWEENEY, Mr. RANGEL, Mr. SIMMONS, Mr. MATSUI, Mr. JOHNSON of Illinois, Ms. KAPTUR, Mr. PETRI, Mr. KANJORSKI, Mr. FOLEY, Ms. KILPATRICK, Mr. ISAKSON, Mr. LUTHER, Ms. PRYCE of Ohio, Mr. MENENDEZ, Mr. SHIMKUS, Mr. LARSEN of Washington, Mr. DUNCAN, Mr. MASCARA, Mr. MCNULTY, Mr. EHRLICH, Mr. NADLER, Mr. HAYES, Ms. DELAURO, Mr. KING, Mr. BONIOR, Mr. GILCHREST, Mr. UDALL of New Mexico, Mr. DOOLITTLE, Mr. PAYNE, Mr. WATKINS, Ms. BERKLEY, Mr. TAUZIN, Mr. KLECZKA, Mr. TIAHRT, Mr. RUSH, Mr. BOEHNER, Mr. UDALL of Colorado, Mrs. ROUKEMA, Mr. BLUMENAUER, Mr. LATHAM, Mr. HOYER, Mr. BARTLETT of Maryland, Mr. PETERSON of Minnesota, Mr. SAXTON, Mr. HOEFFEL, Mr. HORN, Mr. TURNER, Mrs. KELLY, Mr. MATHESON, Mr. BOEHLERT, Mr. CARSON of Oklahoma, Mr. WATTS of Oklahoma, Mr. FROST, Mrs. EMERSON, Mr. SANDLIN, Mr. LAHOOD, Mr. MEEKS of New York, Mr. LEACH, Mr. WYNN, Mr. GRUCCI, Mrs. CLAYTON, Mr. UPTON, Mr. DELAHUNT, Mr. LOBIONDO, Mr. SHOWS, Mr. MICA, Mrs. JONES of Ohio, Mrs. CAPITO, Mr. TIERNEY, Mr. CRENSHAW, Mr. CARDIN, Mr. GILMAN, Ms. MCKINNEY, Mr. HUTCHINSON, Mr. PASTOR, Mr. GOODE, and Mr. SANDERS.

H.R. 1141: Mr. HAYWORTH.

H.R. 1162: Mr. DAVIS of Illinois, Mr. SAWYER, Mr. PRICE of North Carolina, Mr. LAFALCE, and Ms. KILPATRICK.

H.R. 1167: Mr. HOEFFEL, Mr. BRADY of Pennnsylvania, Mr. KUCINICH, Mr. GILMAN, Mr. FILNER, Mrs. MINK of Hawaii, and Ms. CARSON of Indiana.

H.R. 1168: Mr. HOEFFEL, Mr. BRADY of Pennsylvania, Mr. KUCINICH, Ms. PELOSI, Mr. GILMAN, Mr. FILNER, Mrs. MINK of Hawaii, Ms. CARSON of Indiana, and Mr. WOLF.

H.R. 1173: Ms. JACKSON-LEE of Texas, Mr. MORAN of Virginia, Mr. SISISKY, Mr. EDWARDS, Mr. FROST, Mr. REYES, Mr. SKELTON, Mr. KENNEDY of Rhode Island, Mr. CONDIT, Mr. CRAMER, Mr. Abercrombie, Mrs. TAUSCHER, Mrs. JONES of Ohio, and Mr. MALONEY of Connecticut.

H.R. 1184: Mr. WYNN, Ms. MILLENDER-MCDONALD, Mr. MCDERMOTT, and Mrs. NORTHUP.

H.R. 1187: Mr. WEINER, Mr. BOUCHER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DEGETTE, and Mr. FARR of California.

H.R. 1194: Ms. KILPATRICK and Mr. SHAYS.

H.J. Res. 27: Mr. STARK.

H.J. Res. 36: Mr. LATHAM.

H.J. Res. 38: Mr. TIAHRT.

H. Con. Res. 3: Mr. UDALL of Colorado, Mr. GUTIERREZ, Ms. SANCHEZ, and Mr. GONZALEZ.

H. Con. Res. 17: Ms. ROYBAL-ALLARD and Ms. KILPATRICK.

H. Con. Res. 19: Mr. MCGOVERN and Ms. SLAUGHTER.

H. Con. Res. 23: Mrs. EMERSON.

H. Con. Res. 25: Mrs. MALONEY of New York.

H. Con. Res. 30: Mr. SCHIFF.

H. Con. Res. 45: Mr. SAXTON, Mr. CONYERS, and Mr. CAPUANO.

H. Con. Res. 59: Mr. HINCHEY.

H. Con. Res. 61: Ms. CARSON of Indiana and Mr. CUNNINGHAM.

H. Con. Res. 68: Mr. SOUDER and Mrs. JO ANN DAVIS of Virginia.

H. Con. Res. 73: Ms. ROS-LEHTINEN, Ms. BALDWIN, and Mr. KING.

H. Con. Res. 35: Mr. MALONEY of Conecticut.

H. Con. Res. 56: Mr. DAVIS of Florida.

H. Con. Res. 87: Mr. MCHUGH, Mr. LANTOS, Mr. JOHNSON of Illinois, Ms. HART, Ms. MCKINNEY, Mr. ETHERIDGE, Mr. HASTINGS of Washington, and Mrs. MINK OF HAWAII.

H. Con. Res. 91: Mr. BARTLETT of Maryland, Mr. DAVIS of Florida, Mr. TANCREDO, Mr. FOLEY, and Mr. GOSS.

H. Con. Res. 97: Mr. BLAGOJEVICH, Ms. BALDWIN, Mr. CUMMINGS, Mr. TOWNS, Ms. MILLENDER-MCDONALD, Ms. BROWN of Florida, Mrs. MALONEY of New York, Mr. HASTINGS of Florida, Ms. KILPATRICK, Mrs. JONES of OHio, Mr. THOMPSON of Mississippi, Mrs. CLAYTON, Mr. WATT of North Carolina, Ms. NORTON, Ms. MCKINNEY, Mr. JEFFERSON, Mr. JACKSON of Illinois, Mr. HIILLIARD, Mr. CONYERS, Ms. WATERS, Mrs. MINK of Hawaii, Ms. HARMAN, and Ms. MCCOLLUM.

¶29.37 PETITIONS, ETC.

Under clause 3 of rule XII,

8. The SPEAKER presented a petition of the Council of the City of Knoxville, Tennessee, relative to Resolution No. R–90–01 petitioning the United States Congress to amend the Internal Revenue Code of 1986 to allow for the deduction of state sales taxes in lieu of state and local income taxes; which was referred to the Committee on Ways and Means.

WEDNESDAY, MARCH 28, 2001 (30)

¶30.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LAHOOD, who laid before the House the following communication:

WASHINGTON, DC,
March 28, 2001.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

¶30.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, announced he had examined and approved the Journal of the proceedings of Tuesday, March 27, 2001.

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

¶30.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1374. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule—Organization; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Stock Issuances (RIN: 3052–AB91) received March 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1375. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Electronic Fund Transfers [Regulation E; Docket No. R–1074] received March 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1376. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–B–7409] received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1377. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1378. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA–7750] received March 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1379. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule—Corrections of Retirement Coverage Errors under the Federal Erroneous Retirement Coverage Corrections Act (RIN: 3206–AJ38) received March 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1380. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Pacific Halibut Fisheries; Catch Sharing Plans [Docket No. 010119023–1062–02; I.D. 121900A] (RIN: 0648–AO80) received March 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1381. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific Pelagic Fisheries; Hawaii-based Pelagic Longline Area Closure [Docket No. 000822244–1060–03; I.D. 030201B] (RIN: 0648–AO66) received March 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1382. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; 2001 Specifications [Docket No. 001121328–1066–03; I.D. 111500CB] (RIN: 0648–AN71) received March 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1383. A letter from the Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 031301E] received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1384. A letter from the Deputy Assistant Administrator, National Ocean Service, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of funding opportunity to Submit Proposals for the Global Ocean Ecosystems Dynamics Project [Docket No. 000127019–0323–02; I.D. No. 111500D] (RIN: 0648–ZA77) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1385. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Species in the Rock sole/Flathead sole/Flathead sole/''Other flatfish'' Fishery Category by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–

1013–01; I.D. 031901E] received March 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1386. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8–31, DC–8–32, DC–8–33, DC–8–41, DC–8–42, DC–8–43, DC–8–51, DC–8–52, DC–8–53, DC–8–55, DC–8–61, DC–8–61F, DC–8–62, DC–8–62F, DC–8–63, DC–8–63F, DC–8F–54, and DC–8F–55 Series Airplanes [Docket No. 2001–NM–26–AD; Amendment 39–12135; AD 2001–04–15] (RIN: 2120–AA64) received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1387. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT9D Series Turbofan Engines [Docket No. 99–NE–56–AD; Amendment 39–12130; AD 2001–04–11] (RIN: 2120–AA64) received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1388. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS350B, AS350B1, AS350B2, AS350B3, AS350BA, AS350C, AD350D, AS350D1, AS355E, AS355F, AS355F1, AS355F2, and AS355N Helicopters [Docket No. 2000–SW–17–AD; Amendment 39–12133; AD 2001–04–14] (RIN: 2120–AA64) received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1389. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, –700, –800, and –700C Series Airplanes [Docket No. 2001–NM–13–AD; Amendment 39–12127; AD 2001–04–08] (RIN: 2120–AA64) received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1390. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 2000–NM–416–AD; Amendment 39–12128; AD 2001–04–09] (RIN: 2120–AA64) received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1391. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model EC120B Helicopters [Docket No. 2000–SW–31–AD; Amendment 39–12131; AD 2001–04–12] (RIN: 2120–AA64) received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1392. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Model 1900D Airplanes [Docket No. 2000–CE–10–AD; Amendment 39–12123; AD 2001–04–05] (RIN: 2120–AA64) received March 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1393. A letter from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting the Department's final rule—Assessment Of Liquidated Damages Regarding Imported Merchandise That Is Not Admissible Under The Food, Drug, And Cosmetic Act [T.D. 01–26] (RIN: 1515–AC45) received March 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1394. A letter from the Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—Foreign Repairs To American Vessels [T.D. 01–24] (RIN: 1515–AC30) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1395. A letter from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting the Department's final rule—Amended Procedure For Refunds Of Harbor Maintenance Fees Paid On Exports Of Merchandise [T.D. 01–25] (RIN: 1515–AC82) received March 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶30.4 PROVIDING FOR THE CONSIDERATION OF H. CON. RES. 83

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 100):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. The period of debate on the subject of the concurrent resolution on the budget for fiscal year 2002 that occurred on March 27, 2001, pursuant to the order of the House of March 22, 2001, shall be considered to have been debate on House Concurrent Resolution 83, and the time for debate prescribed in section 305 of the Congressional Budget Act of 1974 shall be considered to have expired. A further period of general debate shall be confined to the concurrent resolution and shall not exceed 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. After such further general debate, the concurrent resolution shall be considered for amendment under the five-minute rule. The amendment specified in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The current resolution, as amended, shall be considered as read. No further amendment shall be in order except those printed in part B of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in part B of the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. After the conclusion of consideration of the concurrent resolution for amendment and a final period of general debate, which shall not exceed 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution, as amended, to the House with such further amendment as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

When said resolution was considered.

After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 282 / Nays ..... 130 }

¶30.5 [Roll No. 65]

YEAS—282

Abercrombie	DeLauro	Horn
Aderholt	DeLay	Hostettler
Akin	DeMint	Houghton
Armey	Diaz-Balart	Hulshof
Baca	Dingell	Hunter
Bachus	Doggett	Hutchinson
Baird	Dooley	Hyde
Baker	Doolittle	Inslee
Ballenger	Doyle	Isakson
Barcia	Dreier	Israel
Barr	Duncan	Issa
Barrett	Dunn	Istook
Bartlett	Ehlers	Jenkins
Barton	Ehrlich	Johnson (CT)
Bass	Emerson	Johnson (IL)
Bereuter	Engel	Johnson, Sam
Berkley	English	Jones (NC)
Biggert	Eshoo	Keller
Bilirakis	Etheridge	Kelly
Bishop	Everett	Kennedy (MN)
Blunt	Ferguson	Kerns
Boehlert	Flake	King (NY)
Boehner	Fletcher	Kingston
Bonilla	Foley	Kirk
Bonior	Ford	Knollenberg
Bono	Fossella	Kolbe
Borski	Frelinghuysen	Kucinich
Boswell	Frost	LaHood
Boucher	Gallegly	Lantos
Brady (PA)	Ganske	Largent
Brady (TX)	Gekas	Larsen (WA)
Brown (SC)	Gibbons	Larson (CT)
Bryant	Gilchrest	Latham
Burr	Gillmor	LaTourette
Buyer	Gilman	Leach
Calvert	Gonzalez	Lewis (CA)
Camp	Goode	Lewis (KY)
Cannon	Goodlatte	Linder
Cantor	Goss	LoBiondo
Capito	Graham	Lucas (KY)
Capps	Granger	Lucas (OK)
Cardin	Graves	Maloney (NY)
Chabot	Green (WI)	Manzullo
Chambliss	Greenwood	Mascara
Clement	Grucci	Matheson
Coble	Gutknecht	Matsui
Collins	Hall (OH)	McCarthy (MO)
Combest	Hall (TX)	McCrery
Cooksey	Hansen	McHugh
Cramer	Hart	McInnis
Crane	Hastings (WA)	McKeon
Crenshaw	Hayes	Menendez
Crowley	Hayworth	Mica
Cubin	Hefley	Miller (FL)
Culberson	Herger	Miller, Gary
Cummings	Hill	Moore
Cunningham	Hilleary	Moran (KS)
Davis (CA)	Hinojosa	Morella
Davis, Jo Ann	Hobson	Murtha
Davis, Tom	Hoekstra	Myrick
Deal	Holden	Nethercutt

Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Rahall
Ramstad
Regula
Rehberg
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (FL)

NAYS—130

Ackerman
Allen
Andrews
Baldacci
Bentsen
Berman
Berry
Blagojevich
Blumenauer
Brown (FL)
Brown (OH)
Capuano
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Costello
Coyne
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
Deutsch
Dicks
Edwards
Evans
Farr
Fattah
Filner
Frank
Gephardt
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Holt
Honda
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
LaFalce
Langevin
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Markey
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Moakley
Mollohan
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Payne
Pelosi
Peterson (MN)
Price (NC)
Ross
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Slaughter
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—20

Baldwin
Becerra
Boyd
Burton
Callahan
Cox
Gordon
Kaptur
Kleczka
Lampson
McKinney
Mink
Radanovich
Rangel
Reyes
Reynolds
Rothman
Shaw
Sisisky
Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶30.6 ORDER OF BUSINESS—CONSIDERATION OF AMENDMENT TO H. CON. RES. 83

On motion of Mr. NUSSLE, by unanimous consent,

Ordered, That during consideration of the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2001, pursuant to House Resolution 100, the further amendment placed at the desk be considered as adopted in the House and in the Committee of the Whole; and that the amendment placed at the desk be considered as read for the purpose of this request.

¶30.7 CONGRESSIONAL BUDGET RESOLUTION

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 100 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2001.

Pending consideration of said concurrent resolution.

Pursuant to House Resolution 100, the following amendment in part A of House Report 107-30 was considered as adopted:

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2002.

The Congress declares that the concurrent resolution on the budget for fiscal year 2001 is hereby revised and replaced and that this is the concurrent resolution on the budget for fiscal year 2002 and that the appropriate budgetary levels for fiscal years 2003 through 2011 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2001 through 2011:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2001: $1,624,700,000,000.
Fiscal year 2002: $1,635,800,000,000.
Fiscal year 2003: $1,699,000,000,000.
Fiscal year 2004: $1,755,700,000,000.
Fiscal year 2005: $1,816,700,000,000.
Fiscal year 2006: $1,872,200,000,000.
Fiscal year 2007: $1,948,600,000,000.
Fiscal year 2008: $2,041,700,000,000.
Fiscal year 2009: $2,143,200,000,000.
Fiscal year 2010: $2,256,600,000,000.
Fiscal year 2011: $2,387,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be reduced are as follows:

Fiscal year 2001: $5,800,000,000.
Fiscal year 2002: $67,700,000,000.
Fiscal year 2003: $83,100,000,000.
Fiscal year 2004: $108,600,000,000.
Fiscal year 2005: $133,100,000,000.
Fiscal year 2006: $167,400,000,000.
Fiscal year 2007: $187,100,000,000.
Fiscal year 2008: $201,100,000,000.
Fiscal year 2009: $217,000,000,000.
Fiscal year 2010: $232,700,000,000.
Fiscal year 2011: $240,900,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2001: $1,556,900,000,000.
Fiscal year 2002: $1,613,700,000,000.
Fiscal year 2003: $1,660,300,000,000.
Fiscal year 2004: $1,723,200,000,000.
Fiscal year 2005: $1,799,900,000,000.
Fiscal year 2006: $1,851,600,000,000.
Fiscal year 2007: $1,918,000,000,000.
Fiscal year 2008: $1,998,500,000,000.
Fiscal year 2009: $2,077,000,000,000.
Fiscal year 2010: $2,161,500,000,000.
Fiscal year 2011: $2,252,800,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2001: $1,508,900,000,000.
Fiscal year 2002: $1,579,800,000,000.
Fiscal year 2003: $1,634,600,000,000.
Fiscal year 2004: $1,698,600,000,000.
Fiscal year 2005: $1,777,600,000,000.
Fiscal year 2006: $1,825,700,000,000.
Fiscal year 2007: $1,889,900,000,000.
Fiscal year 2008: $1,973,700,000,000.
Fiscal year 2009: $2,053,600,000,000.
Fiscal year 2010: $2,139,900,000,000.
Fiscal year 2011: $2,230,200,000,000.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2001: $115,800,000,000.
Fiscal year 2002: $56,000,000,000.
Fiscal year 2003: $64,400,000,000.
Fiscal year 2004: $57,100,000,000.
Fiscal year 2005: $39,100,000,000.
Fiscal year 2006: $46,500,000,000.
Fiscal year 2007: $58,700,000,000.
Fiscal year 2008: $68,000,000,000.
Fiscal year 2009: $89,600,000,000.
Fiscal year 2010: $116,700,000,000.
Fiscal year 2011: $156,800,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2001: $5,575,000,000,000.
Fiscal year 2002: $5,623,000,000,000.
Fiscal year 2003: $5,674,000,000,000.
Fiscal year 2004: $5,733,000,000,000.
Fiscal year 2005: $5,807,000,000,000.
Fiscal year 2006: $5,875,000,000,000.
Fiscal year 2007: $5,928,000,000,000.
Fiscal year 2008: $5,969,000,000,000.
Fiscal year 2009: $5,988,000,000,000.
Fiscal year 2010: $6,344,000,000,000.
Fiscal year 2011: $6,721,000,000,000.

SEC. 3. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and budget outlays for fiscal years 2001 through 2011 for each major functional category are:

(1) National Defense (050):

Fiscal year 2001:
(A) New budget authority, $310,300,000,000.
(B) Outlays, $300,600,000,000.
Fiscal year 2002:
(A) New budget authority, $324,600,000,000.
(B) Outlays, $319,300,000,000.
Fiscal year 2003:
(A) New budget authority, $333,300,000,000.
(B) Outlays, $325,500,000,000.
Fiscal year 2004:
(A) New budget authority, $342,600,000,000.
(B) Outlays, $334,000,000,000.
Fiscal year 2005:
(A) New budget authority, $352,200,000,000.
(B) Outlays, $347,200,000,000.
Fiscal year 2006:

(A) New budget authority, $362,100,000,000.
(B) Outlays, $354,600,000,000.
Fiscal year 2007:
(A) New budget authority, $372,200,000,000.
(B) Outlays, $361,900,000,000.
Fiscal year 2008:
(A) New budget authority, $382,700,000,000.
(B) Outlays, $375,600,000,000.
Fiscal year 2009:
(A) New budget authority, $393,500,000,000.
(B) Outlays, $386,500,000,000.
Fiscal year 2010:
(A) New budget authority, $404,500,000,000.
(B) Outlays, $397,600,000,000.
Fiscal year 2011:
(A) New budget authority, $416,300,000,000.
(B) Outlays, $409,200,000,000.
(2) International Affairs (150):
Fiscal year 2001:
(A) New budget authority, $22,400,000,000.
(B) Outlays, $19,700,000,000.
Fiscal year 2002:
(A) New budget authority, $23,900,000,000.
(B) Outlays, $19,600,000,000.
Fiscal year 2003:
(A) New budget authority, $23,900,000,000.
(B) Outlays, $19,900,000,000.
Fiscal year 2004:
(A) New budget authority, $24,500,000,000.
(B) Outlays, $20,400,000,000.
Fiscal year 2005:
(A) New budget authority, $25,400,000,000.
(B) Outlays, $20,800,000,000.
Fiscal year 2006:
(A) New budget authority, $26,200,000,000.
(B) Outlays, $21,400,000,000.
Fiscal year 2007:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $22,100,000,000.
Fiscal year 2008:
(A) New budget authority, $27,400,000,000.
(B) Outlays, $22,800,000,000.
Fiscal year 2009:
(A) New budget authority, $28,000,000,000.
(B) Outlays, $23,600,000,000.
Fiscal year 2010:
(A) New budget authority, $28,400,000,000.
(B) Outlays, $24,200,000,000.
Fiscal year 2011:
(A) New budget authority, $29,600,000,000.
(B) Outlays, $25,000,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2001:
(A) New budget authority, $21,000,000,000.
(B) Outlays, $19,600,000,000.
Fiscal year 2002:
(A) New budget authority, $22,200,000,000.
(B) Outlays, $21,000,000,000.
Fiscal year 2003:
(A) New budget authority, $22,600,000,000.
(B) Outlays, $21,900,000,000.
Fiscal year 2004:
(A) New budget authority, $23,100,000,000.
(B) Outlays, $22,600,000,000.
Fiscal year 2005:
(A) New budget authority, $23,600,000,000.
(B) Outlays, $23,200,000,000.
Fiscal year 2006:
(A) New budget authority, $24,300,000,000.
(B) Outlays, $23,700,000,000.
Fiscal year 2007:
(A) New budget authority, $24,900,000,000.
(B) Outlays, $24,300,000,000.
Fiscal year 2008:
(A) New budget authority, $25,600,000,000.
(B) Outlays, $24,900,000,000.
Fiscal year 2009:
(A) New budget authority, $26,200,000,000.
(B) Outlays, $25,600,000,000.
Fiscal year 2010:
(A) New budget authority, $26,700,000,000.
(B) Outlays, $26,100,000,000.
Fiscal year 2011:
(A) New budget authority, $27,800,000,000.
(B) Outlays, $26,900,000,000.
(4) Energy (270):
Fiscal year 2001:
(A) New budget authority, $1,200,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2002:
(A) New budget authority, $800,000,000.
(B) Outlays, −$200,000,000.
Fiscal year 2003:
(A) New budget authority, $800,000,000.
(B) Outlays, −$500,000,000.
Fiscal year 2004:
(A) New budget authority, $900,000,000.
(B) Outlays, −$600,000,000.
Fiscal year 2005:
(A) New budget authority, $900,000,000.
(B) Outlays, −$500,000,000.
Fiscal year 2006:
(A) New budget authority, $1,000,000,000.
(B) Outlays, −$400,000,000.
Fiscal year 2007:
(A) New budget authority, $1,100,000,000.
(B) Outlays, −$200,000,000.
Fiscal year 2008:
(A) New budget authority, $2,200,000,000.
(B) Outlays, $400,000,000.
Fiscal year 2009:
(A) New budget authority, $2,300,000,000.
(B) Outlays, $800,000,000.
Fiscal year 2010:
(A) New budget authority, $2,300,000,000.
(B) Outlays, $1,000,000,000.
Fiscal year 2011:
(A) New budget authority, $2,200,000,000.
(B) Outlays, $900,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2001:
(A) New budget authority, $28,800,000,000.
(B) Outlays, $26,400,000,000.
Fiscal year 2002:
(A) New budget authority, $26,700,000,000.
(B) Outlays, $26,400,000,000.
Fiscal year 2003:
(A) New budget authority, $26,800,000,000.
(B) Outlays, $27,000,000,000.
Fiscal year 2004:
(A) New budget authority, $27,700,000,000.
(B) Outlays, $27,500,000,000.
Fiscal year 2005:
(A) New budget authority, $27,900,000,000.
(B) Outlays, $27,700,000,000.
Fiscal year 2006:
(A) New budget authority, $28,000,000,000.
(B) Outlays, $27,800,000,000.
Fiscal year 2007:
(A) New budget authority, $28,600,000,000.
(B) Outlays, $28,300,000,000.
Fiscal year 2008:
(A) New budget authority, $29,300,000,000.
(B) Outlays, $28,800,000,000.
Fiscal year 2009:
(A) New budget authority, $30,600,000,000.
(B) Outlays, $29,900,000,000.
Fiscal year 2010:
(A) New budget authority, $31,200,000,000.
(B) Outlays, $30,500,000,000.
Fiscal year 2011:
(A) New budget authority, $32,400,000,000.
(B) Outlays, $31,500,000,000.
(6) Agriculture (350):
Fiscal year 2001:
(A) New budget authority, $26,300,000,000.
(B) Outlays, $23,700,000,000.
Fiscal year 2002:
(A) New budget authority, $19,100,000,000.
(B) Outlays, $17,500,000,000.
Fiscal year 2003:
(A) New budget authority, $18,600,000,000.
(B) Outlays, $17,000,000,000.
Fiscal year 2004:
(A) New budget authority, $18,500,000,000.
(B) Outlays, $17,100,000,000.
Fiscal year 2005:
(A) New budget authority, $18,300,000,000.
(B) Outlays, $16,900,000,000.
Fiscal year 2006:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $16,300,000,000.
Fiscal year 2007:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $14,900,000,000.
Fiscal year 2008:
(A) New budget authority, $15,600,000,000.
(B) Outlays, $14,100,000,000.
Fiscal year 2009:
(A) New budget authority, $15,800,000,000.
(B) Outlays, $14,400,000,000.
Fiscal year 2010:
(A) New budget authority, $15,900,000,000.
(B) Outlays, $14,500,000,000.
Fiscal year 2011:
(A) New budget authority, $16,100,000,000.
(B) Outlays, $14,700,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2001:
(A) New budget authority, $2,500,000,000.
(B) Outlays, −$800,000,000.
Fiscal year 2002:
(A) New budget authority, $7,400,000,000.
(B) Outlays, $4,400,000,000.
Fiscal year 2003:
(A) New budget authority, $8,600,000,000.
(B) Outlays, $3,200,000,000.
Fiscal year 2004:
(A) New budget authority, $12,800,000,000.
(B) Outlays, $8,600,000,000.
Fiscal year 2005:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $9,000,000,000.
Fiscal year 2006:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $8,400,000,000.
Fiscal year 2007:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $9,200,000,000.
Fiscal year 2008:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $9,300,000,000.
Fiscal year 2009:
(A) New budget authority, $14,300,000,000.
(B) Outlays, $9,600,000,000.
Fiscal year 2010:
(A) New budget authority, $18,700,000,000.
(B) Outlays, $12,800,000,000.
Fiscal year 2011:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $9,800,000,000.
(8) Transportation (400):
Fiscal year 2001:
(A) New budget authority, $62,100,000,000.
(B) Outlays, $51,700,000,000.
Fiscal year 2002:
(A) New budget authority, $61,000,000,000.
(B) Outlays, $55,600,000,000.
Fiscal year 2003:
(A) New budget authority, $58,700,000,000.
(B) Outlays, $58,300,000,000.
Fiscal year 2004:
(A) New budget authority, $59,200,000,000.
(B) Outlays, $60,200,000,000.
Fiscal year 2005:
(A) New budget authority, $59,700,000,000.
(B) Outlays, $62,000,000,000.
Fiscal year 2006:
(A) New budget authority, $60,300,000,000.
(B) Outlays, $63,700,000,000.
Fiscal year 2007:
(A) New budget authority, $60,800,000,000.
(B) Outlays, $64,900,000,000.
Fiscal year 2008:
(A) New budget authority, $61,300,000,000.
(B) Outlays, $66,400,000,000.
Fiscal year 2009:
(A) New budget authority, $61,800,000,000.
(B) Outlays, $68,000,000,000.
Fiscal year 2010:
(A) New budget authority, $62,200,000,000.
(B) Outlays, $69,300,000,000.
Fiscal year 2011:
(A) New budget authority, $63,100,000,000.
(B) Outlays, $71,200,000,000.
(9) Community and Regional Development (450):
Fiscal year 2001:
(A) New budget authority, $11,200,000,000.
(B) Outlays, $11,400,000,000.
Fiscal year 2002:
(A) New budget authority, $10,100,000,000.
(B) Outlays, $11,400,000,000.
Fiscal year 2003:
(A) New budget authority, $10,300,000,000.

(B) Outlays, $11,000,000,000.
Fiscal year 2004:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $10,700,000,000.
Fiscal year 2005:
(A) New budget authority, $10,900,000,000.
(B) Outlays, $10,400,000,000.
Fiscal year 2006:
(A) New budget authority, $11,200,000,000.
(B) Outlays, $10,300,000,000.
Fiscal year 2007:
(A) New budget authority, $11,500,000,000.
(B) Outlays, $10,500,000,000.
Fiscal year 2008:
(A) New budget authority, $11,800,000,000.
(B) Outlays, $10,800,000,000.
Fiscal year 2009:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2010:
(A) New budget authority, $12,300,000,000.
(B) Outlays, $11,300,000,000.
Fiscal year 2011:
(A) New budget authority, $12,800,000,000.
(B) Outlays, $11,600,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2001:
(A) New budget authority, $76,900,000,000.
(B) Outlays, $69,800,000,000.
Fiscal year 2002:
(A) New budget authority, $82,100,000,000.
(B) Outlays, $76,200,000,000.
Fiscal year 2003:
(A) New budget authority, $82,000,000,000.
(B) Outlays, $81,700,000,000.
Fiscal year 2004:
(A) New budget authority, $83,900,000,000.
(B) Outlays, $82,300,000,000.
Fiscal year 2005:
(A) New budget authority, $87,300,000,000.
(B) Outlays, $84,800,000,000.
Fiscal year 2006:
(A) New budget authority, $90,200,000,000.
(B) Outlays, $87,700,000,000.
Fiscal year 2007:
(A) New budget authority, $92,800,000,000.
(B) Outlays, $90,400,000,000.
Fiscal year 2008:
(A) New budget authority, $95,700,000,000.
(B) Outlays, $93,000,000,000.
Fiscal year 2009:
(A) New budget authority, $98,400,000,000.
(B) Outlays, $95,900,000,000.
Fiscal year 2010:
(A) New budget authority, $100,500,000,000.
(B) Outlays, $98,400,000,000.
Fiscal year 2011:
(A) New budget authority, $104,600,000,000.
(B) Outlays, $101,400,000,000.
(11) Health (550):
Fiscal year 2001:
(A) New budget authority, $182,600,000,000.
(B) Outlays, $175,500,000,000.
Fiscal year 2002:
(A) New budget authority, $204,000,000,000.
(B) Outlays, $201,100,000,000.
Fiscal year 2003:
(A) New budget authority, $229,700,000,000.
(B) Outlays, $225,800,000,000.
Fiscal year 2004:
(A) New budget authority, $246,500,000,000.
(B) Outlays, $244,700,000,000.
Fiscal year 2005:
(A) New budget authority, $253,800,000,000.
(B) Outlays, $251,500,000,000.
Fiscal year 2006:
(A) New budget authority, $266,800,000,000.
(B) Outlays, $264,600,000,000.
Fiscal year 2007:
(A) New budget authority, $287,000,000,000.
(B) Outlays, $284,200,000,000.
Fiscal year 2008:
(A) New budget authority, $307,600,000,000.
(B) Outlays, $305,200,000,000.
Fiscal year 2009:
(A) New budget authority, $329,700,000,000.
(B) Outlays, $327,600,000,000.
Fiscal year 2010:
(A) New budget authority, $354,200,000,000.
(B) Outlays, $352,500,000,000.
Fiscal year 2011:
(A) New budget authority, $382,400,000,000.
(B) Outlays, $380,200,000,000.
(12) Medicare (570):
Fiscal year 2001:
(A) New budget authority, $217,500,000,000.
(B) Outlays, $217,700,000,000.
Fiscal year 2002:
(A) New budget authority, $229,100,000,000.
(B) Outlays, $229,100,000,000.
Fiscal year 2003:
(A) New budget authority, $243,900,000,000.
(B) Outlays, $243,700,000,000.
Fiscal year 2004:
(A) New budget authority, $260,200,000,000.
(B) Outlays, $260,400,000,000.
Fiscal year 2005:
(A) New budget authority, $291,800,000,000.
(B) Outlays, $291,700,000,000.
Fiscal year 2006:
(A) New budget authority, $309,900,000,000.
(B) Outlays, $309,700,000,000.
Fiscal year 2007:
(A) New budget authority, $336,100,000,000.
(B) Outlays, $336,400,000,000.
Fiscal year 2008:
(A) New budget authority, $362,800,000,000.
(B) Outlays, $362,700,000,000.
Fiscal year 2009:
(A) New budget authority, $391,100,000,000.
(B) Outlays, $390,800,000,000.
Fiscal year 2010:
(A) New budget authority, $423,400,000,000.
(B) Outlays, $423,700,000,000.
Fiscal year 2011:
(A) New budget authority, $459,400,000,000.
(B) Outlays, $459,400,000,000.
(13) Income Security (600):
Fiscal year 2001:
(A) New budget authority, $255,900,000,000.
(B) Outlays, $256,900,000,000.
Fiscal year 2002:
(A) New budget authority, $271,500,000,000.
(B) Outlays, $272,100,000,000.
Fiscal year 2003:
(A) New budget authority, $281,800,000,000.
(B) Outlays, $282,300,000,000.
Fiscal year 2004:
(A) New budget authority, $293,300,000,000.
(B) Outlays, $292,500,000,000.
Fiscal year 2005:
(A) New budget authority, $308,100,000,000.
(B) Outlays, $306,700,000,000.
Fiscal year 2006:
(A) New budget authority, $315,900,000,000.
(B) Outlays, $314,400,000,000.
Fiscal year 2007:
(A) New budget authority, $323,400,000,000.
(B) Outlays, $321,900,000,000.
Fiscal year 2008:
(A) New budget authority, $337,900,000,000.
(B) Outlays, $336,500,000,000.
Fiscal year 2009:
(A) New budget authority, $349,300,000,000.
(B) Outlays, $347,600,000,000.
Fiscal year 2010:
(A) New budget authority, $359,900,000,000.
(B) Outlays, $358,200,000,000.
Fiscal year 2011:
(A) New budget authority, $371,600,000,000.
(B) Outlays, $369,400,000,000.
(14) Social Security (650):
Fiscal year 2001:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $9,800,000,000.
Fiscal year 2002:
(A) New budget authority, $11,000,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2003:
(A) New budget authority, $11,700,000,000.
(B) Outlays, $11,700,000,000.
Fiscal year 2004:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,500,000,000.
Fiscal year 2005:
(A) New budget authority, $13,300,000,000.
(B) Outlays, $13,300,000,000.
Fiscal year 2006:
(A) New budget authority, $14,200,000,000.
(B) Outlays, $14,200,000,000.
Fiscal year 2007:
(A) New budget authority, $15,200,000,000.
(B) Outlays, $15,200,000,000.
Fiscal year 2008:
(A) New budget authority, $16,200,000,000.
(B) Outlays, $16,200,000,000.
Fiscal year 2009:
(A) New budget authority, $17,500,000,000.
(B) Outlays, $17,500,000,000.
Fiscal year 2010:
(A) New budget authority, $18,900,000,000.
(B) Outlays, $18,900,000,000.
Fiscal year 2011:
(A) New budget authority, $20,400,000,000.
(B) Outlays, $20,400,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2001:
(A) New budget authority, $46,700,000,000.
(B) Outlays, $45,900,000,000.
Fiscal year 2002:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $51,600,000,000.
Fiscal year 2003:
(A) New budget authority, $53,000,000,000.
(B) Outlays, $52,800,000,000.
Fiscal year 2004:
(A) New budget authority, $55,300,000,000.
(B) Outlays, $54,900,000,000.
Fiscal year 2005:
(A) New budget authority, $59,300,000,000.
(B) Outlays, $58,900,000,000.
Fiscal year 2006:
(A) New budget authority, $58,800,000,000.
(B) Outlays, $58,300,000,000.
Fiscal year 2007:
(A) New budget authority, $58,100,000,000.
(B) Outlays, $57,700,000,000.
Fiscal year 2008:
(A) New budget authority, $62,000,000,000.
(B) Outlays, $61,600,000,000.
Fiscal year 2009:
(A) New budget authority, $63,400,000,000.
(B) Outlays, $63,000,000,000.
Fiscal year 2010:
(A) New budget authority, $64,700,000,000.
(B) Outlays, $64,400,000,000.
Fiscal year 2011:
(A) New budget authority, $67,100,000,000.
(B) Outlays, $66,700,000,000.
(16) Administration of Justice (750):
Fiscal year 2001:
(A) New budget authority, $30,600,000,000.
(B) Outlays, $30,000,000,000.
Fiscal year 2002:
(A) New budget authority, $30,900,000,000.
(B) Outlays, $30,300,000,000.
Fiscal year 2003:
(A) New budget authority, $31,900,000,000.
(B) Outlays, $32,100,000,000.
Fiscal year 2004:
(A) New budget authority, $33,600,000,000.
(B) Outlays, $34,100,000,000.
Fiscal year 2005:
(A) New budget authority, $34,600,000,000.
(B) Outlays, $34,700,000,000.
Fiscal year 2006:
(A) New budget authority, $35,700,000,000.
(B) Outlays, $35,300,000,000.
Fiscal year 2007:
(A) New budget authority, $36,600,000,000.
(B) Outlays, $36,100,000,000.
Fiscal year 2008:
(A) New budget authority, $37,600,000,000.
(B) Outlays, $37,100,000,000.
Fiscal year 2009:
(A) New budget authority, $38,500,000,000.
(B) Outlays, $38,100,000,000.
Fiscal year 2010:
(A) New budget authority, $39,200,000,000.
(B) Outlays, $38,800,000,000.
Fiscal year 2011:
(A) New budget authority, $40,800,000,000.
(B) Outlays, $40,200,000,000.
(17) General Government (800):
Fiscal year 2001:
(A) New budget authority, $16,300,000,000.

(B) Outlays, $16,100,000,000.
Fiscal year 2002:
(A) New budget authority, $16,700,000,000.
(B) Outlays, $16,300,000,000.
Fiscal year 2003:
(A) New budget authority, $16,300,000,000.
(B) Outlays, $16,300,000,000.
Fiscal year 2004:
(A) New budget authority, $16,700,000,000.
(B) Outlays, $16,600,000,000.
Fiscal year 2005:
(A) New budget authority, $17,000,000,000.
(B) Outlays, $16,700,000,000.
Fiscal year 2006:
(A) New budget authority, $17,500,000,000.
(B) Outlays, $17,100,000,000.
Fiscal year 2007:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,500,000,000.
Fiscal year 2008:
(A) New budget authority, $18,000,000,000.
(B) Outlays, $17,700,000,000.
Fiscal year 2009:
(A) New budget authority, $18,400,000,000.
(B) Outlays, $18,000,000,000.
Fiscal year 2010:
(A) New budget authority, $18,700,000,000.
(B) Outlays, $18,300,000,000.
Fiscal year 2011:
(A) New budget authority, $19,400,000,000.
(B) Outlays, $18,900,000,000.
(18) Net Interest (900):
Fiscal year 2001:
(A) New budget authority, $273,600,000,000.
(B) Outlays, $273,600,000,000.
Fiscal year 2002:
(A) New budget authority, $257,600,000,000.
(B) Outlays, $257,600,000,000.
Fiscal year 2003:
(A) New budget authority, $253,200,000,000.
(B) Outlays, $253,200,000,000.
Fiscal year 2004:
(A) New budget authority, $248,500,000,000.
(B) Outlays, $248,500,000,000.
Fiscal year 2005:
(A) New budget authority, $242,400,000,000.
(B) Outlays, $242,400,000,000.
Fiscal year 2006:
(A) New budget authority, $239,000,000,000.
(B) Outlays, $239,000,000,000.
Fiscal year 2007:
(A) New budget authority, $236,500,000,000.
(B) Outlays, $236,500,000,000.
Fiscal year 2008:
(A) New budget authority, $233,300,000,000.
(B) Outlays, $233,300,000,000.
Fiscal year 2009:
(A) New budget authority, $229,300,000,000.
(B) Outlays, $229,300,000,000.
Fiscal year 2010:
(A) New budget authority, $224,400,000,000.
(B) Outlays, $224,400,000,000.
Fiscal year 2011:
(A) New budget authority, $219,100,000,000.
(B) Outlays, $219,100,000,000.
(19) Allowances (920):
Fiscal year 2001:
(A) New budget authority, −$500,000,000.
(B) Outlays, −$300,000,000.
Fiscal year 2002:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $1,800,000,000.
Fiscal year 2003:
(A) New budget authority, $5,500,000,000.
(B) Outlays, $4,000,000,000.
Fiscal year 2004:
(A) New budget authority, $6,000,000,000.
(B) Outlays, $4,800,000,000.
Fiscal year 2005:
(A) New budget authority, $6,200,000,000.
(B) Outlays, $5,700,000,000.
Fiscal year 2006:
(A) New budget authority, $6,400,000,000.
(B) Outlays, $6,100,000,000.
Fiscal year 2007:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $6,300,000,000.
Fiscal year 2008:
(A) New budget authority, $6,700,000,000.
(B) Outlays, $6,400,000,000.
Fiscal year 2009:
(A) New budget authority, $7,000,000,000.
(B) Outlays, $6,600,000,000.
Fiscal year 2010:
(A) New budget authority, $7,200,000,000.
(B) Outlays, $6,800,000,000.
Fiscal year 2011:
(A) New budget authority, $7,500,000,000.
(B) Outlays, $7,000,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2001:
(A) New budget authority, −$38,300,000,000.
(B) Outlays, −$38,300,000,000.
Fiscal year 2002:
(A) New budget authority, −$42,300,000,000.
(B) Outlays, −$42,300,000,000.
Fiscal year 2003:
(A) New budget authority, −$52,300,000,000.
(B) Outlays, −$52,300,000,000.
Fiscal year 2004:
(A) New budget authority, −$53,200,000,000.
(B) Outlays, −$53,200,000,000.
Fiscal year 2005:
(A) New budget authority, −$45,500,000,000.
(B) Outlays, −$45,500,000,000.
Fiscal year 2006:
(A) New budget authority, −$46,500,000,000.
(B) Outlays, −$46,500,000,000.
Fiscal year 2007:
(A) New budget authority, −$48,200,000,000.
(B) Outlays, −$48,200,000,000.
Fiscal year 2008:
(A) New budget authority, −$49,100,000,000.
(B) Outlays, −$49,100,000,000.
Fiscal year 2009:
(A) New budget authority, −$50,200,000,000.
(B) Outlays, −$50,200,000,000.
Fiscal year 2010:
(A) New budget authority, −$51,800,000,000.
(B) Outlays, −$51,800,000,000.
Fiscal year 2011:
(A) New budget authority, −$53,300,000,000.
(B) Outlays, −$53,300,000,000.

SEC. 4. RECONCILIATION.

(a) SUBMISSIONS BY THE HOUSE COMMITTEE ON WAYS AND MEANS FOR TAX RELIEF.—The House Committee on Ways and Means shall—

(1) report to the House a reconciliation bill—

(A) not later than May 2, 2001;

(B) not later than May 23, 2001; and

(C) not later than June 20, 2001; and

(2) submit to the Committee on the Budget recommendations pursuant to section (c)(2)(F)(ii) not later than September 11, 2001, that consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues by not more than: $5,783,000,000 for fiscal year 2001, $64,427,000,000 for fiscal year 2002, $80,036,000,000 for fiscal year 2003, $106,584,000,000 for fiscal year 2004, $130,973,000,000 for fiscal year 2005, $165,166,000,000 for fiscal year 2006, and $1,625,951,000,000 for the period of fiscal year 2001 through 2011.

(b) SUBMISSIONS BY HOUSE COMMITTEES ON ENERGY AND COMMERCE AND WAYS AND MEANS FOR MEDICARE REFORM AND PRESCRIPTION DRUGS.—(1) Not later than July 24, 2001, the House Committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2)(A) The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays by not more than the following: $2,500,000,000 for fiscal year 2001, $11,200,000,000 for fiscal year 2002, $12,900,000,000 for fiscal year 2003, $14,800,000,000 for fiscal year 2004, $12,500,000,000 for fiscal year 2005, $12,800,000,000 for fiscal year 2006, and $153,000,000,000 for the period of fiscal year 2001 through 2011.

(B) The House Committee on Ways and Means shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays by not more than the following: $2,500,000,000 for fiscal year 2001, $11,200,000,000 for fiscal year 2002, $12,900,000,000 for fiscal year 2003, $14,800,000,000 for fiscal year 2004, $12,500,000,000 for fiscal year 2005, $12,800,000,000 for fiscal year 2006, and $153,000,000,000 for the period of fiscal year 2001 through 2011.

(c) OTHER SUBMISSIONS BY HOUSE COMMITTEES.—(1) Not later than September 11, 2001, the House Committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2)(A) The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays by not more than the following: $5,000,000 for fiscal year 2001, $5,000,000 for fiscal year 2002, $5,000,000 for fiscal year 2003, $5,000,000 for fiscal year 2004, $7,000,000 for fiscal year 2005, $10,000,000 for fiscal year 2006, and $87,000,000 for the period of fiscal year 2001 through 2011.

(B) The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays by not more than the following: $0 for fiscal year 2001, $180,000,000 for fiscal year 2002, $466,000,000 for fiscal year 2003, $561,000,000 for fiscal year 2004, $681,000,000 for fiscal year 2005, $836,000,000 for fiscal year 2006, and $7,867,000,000 for the period of fiscal year 2001 through 2011.

(C) The House Committee on Financial Services shall report changes in laws within its jurisdiction that provide direct spending sufficient to reduce revenues, as follows: $0 for fiscal year 2001, $139,000,000 for fiscal year 2002, $101,000,000 for fiscal year 2003, $92,000,000 for fiscal year 2004, $96,000,000 for fiscal year 2005, $101,000,000 for fiscal year 2006, and $1,112,000,000 for the period of fiscal year 2001 through 2011.

(D) The House Committee on Government Reform shall report changes in laws within its jurisdiction that provide direct spending sufficient to reduce outlays by not less than the following: $0 for fiscal year 2001, $0 for fiscal year 2002, $496,000,000 for fiscal year 2003, $523,000,000 for fiscal year 2004, $501,000,000 for fiscal year 2005, $475,000,000 for fiscal year 2006, and $3,871,000,000 for the period of fiscal year 2001 through 2011.

(E) The House Committee on Veterans' Affairs shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays by not more than the following: $0 for fiscal year 2001, $264,000,000 for fiscal year 2002, $479,000,000 for fiscal year 2003, $761,000,000 for fiscal year 2004, $816,000,000 for fiscal year 2005, $885,000,000 for fiscal year 2006, and $7,087,000,000 for the period of fiscal year 2001 through 2011.

(F)(i) The House Committee on Ways and Means shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays by not more than the following: $0 for fiscal year 2001, $820,000,000 for fiscal year 2002, $3,035,000,000 for fiscal year 2003, $2,842,000,000 for fiscal year 2004, $3,925,000,000 for fiscal year 2005, $4,267,000,000 for fiscal year 2006, and $39,515,000,000 for the period of fiscal year 2001 through 2011.

(ii) The House Committee on Ways and Means shall report changes in laws within its

jurisdiction sufficient to reduce the total level of revenues as specified in subsection (a).

(d) SPECIAL RULES.—In the House, if any bill reported pursuant to subsection (a) or subsection (c)(2)(F)(ii), amendment thereto or conference report thereon, has refundable tax provisions that increase outlays, the chairman of the Committee on the Budget may increase the amount of new budget authority provided by such provisions (and outlays flowing therefrom) allocated to the Committee on Ways and Means and adjust the revenue levels set forth in such subsection accordingly such that the increase in outlays and reduction in revenue resulting from such bill does not exceed the amounts specified in subsection (a) or subsection (c)(2)(F)(ii), as applicable.

SEC. 5. RESERVE FUND FOR EMERGENCIES.

(a) ALLOCATIONS FOR EMERGENCIES.—(1) In the House, in addition to the allocation provided under section 302(a) of the Congressional Budget Act of 1974, the joint explanatory statement of managers accompanying this resolution shall include a separate allocation of $5,627,000,000 in new budget authority and $2,617,000,000 in outlays for emergencies for natural disasters for fiscal year 2002 to the Committee on Appropriations. Such allocation shall be deemed to be an allocation made under section 302(a) of the Congressional Budget Act of 1974 for purposes of section 302(f)(1).

(2) In the House, after the reporting of a bill or joint resolution by the Committee on Appropriations, or the offering of an amendment thereto or the submission of a conference report thereon, the chairman of the Committee on Appropriations shall suballocate the amounts of new budget authority and outlays allocated to it under paragraph (1) by the amount provided by that measure for an emergency for natural disasters as defined by this section and so designated pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985. Suballocations under this paragraph may be made only after the Committee on Appropriations has reported legislation (as adjusted for any amendments thereto or conference reports thereon) providing at least $1,923,000,000 in new budget authority for fiscal year 2002 for accounts identified in the joint explanatory statement of managers accompanying the conference report on this resolution. Such suballocations shall be deemed to be suballocations made under section 302(b) of the Congressional Budget Act of 1974 for purposes of section 302(f)(1).

(b) DEFINITIONS.—As used in this section:

(1) The term ''emergency'' means a situation (other than a threat to national security) that—

(A) requires new budget authority (and outlays flowing therefrom) to prevent the imminent loss of life or property or in response to the loss of life or property; and

(B) is unanticipated.

(2) The term ''unanticipated'' means that the underlying situation is—

(A) sudden, which means quickly coming into being or not building up over time;

(B) urgent, which means a pressing and compelling need requiring immediate action;

(C) unforeseen, which means not predicted or anticipated as an emerging need; and

(D) temporary, which means not of a permanent duration.

(c) DEVELOPMENT OF GUIDELINES.—As soon as practicable, the chairman of the Committee on the Budget of the House shall, after consulting with the chairman of the Committee on Appropriations of the House, publish in the Congressional Record guidelines for application of the definition of emergency set forth in subsection (b).

(d) COMMITTEE EXPLANATION OF EMERGENCY LEGISLATION.—Whenever the Committee on Appropriations of the House (including a committee of conference) reports any bill or joint resolution that provides new budget authority for any emergency, the report accompanying that bill or joint resolution (or the joint explanatory statement of managers in the case of a conference report on any such bill or joint resolution) should explain the reasons such amount designated under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 falls within the definition of emergency set forth in subsection (b) pursuant to the guidelines published under subsection (c).

(e) CBO REPORT ON THE BUDGET.—The Director of the Congressional Budget Office shall include in each report submitted under section 202(e)(1) of the Congressional Budget Act of 1974 the average annual enacted levels of discretionary budget authority and the resulting outlays for emergencies for the 5 fiscal years preceding the fiscal year of the most recently agreed to concurrent resolution on the budget.

(f) SECTION 314(b)(1) ADJUSTMENT.—Section 314(b)(1) of the Congressional Budget Act of 1974 shall not apply in the House—

(1) for fiscal year 2001; or

(2) for fiscal year 2002 or any subsequent fiscal year, except for emergencies affecting national security.

SEC. 6. STRATEGIC RESERVE FUND.

(a) ADJUSTMENTS.—In the House, the chairman of the Committee on the Budget may, not later than July 25, 2001, increase allocations of new budget authority (and outlays flowing therefrom) and adjust aggregates (and adjust any other appropriate levels) for fiscal year 2002 for a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for any fiscal year for a bill to reauthorize title I of the Federal Agriculture Improvement Act of 1996 and other appropriate legislation, reported by July 11, 2001, and legislation to provide for medicare reform and a prescription drug benefit; and, in the House, the chairman may also make adjustments for amendments to or conference reports on such bills. The chairman shall consider the recommendations of the President's National Defense Review, any comparable review by the President of national agricultural policy, and any statement of administrative policy or supplemental budget request relating to any matter referred to in the preceding sentence.

(b) LIMITATIONS.—(1) The adjustments for any bill referred to in subsection (a) shall be in an amount not to exceed the amount by which such bill breaches the applicable allocation or aggregate.

(2) The total adjustments made under subsection (a) for any fiscal year may not cause the surplus set forth in this resolution for any fiscal year, as adjusted, covered by this resolution to be less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year, as determined consistent with procedures set forth in H.R. 2 (107th Congress), as passed the House.

SEC. 7. SUPPLEMENTAL RESERVE FUND FOR MEDICARE.

In the House, whenever a reconciliation bill is reported, or an amendment thereto is offered or a conference report thereon is submitted, under section 4, the chairman of the Committee on the Budget may, for any of fiscal years 2001 through 2011, increase any allocations and aggregates of new budget authority (and outlays resulting therefrom) up to the amount provided by that measure to reform medicare and provide coverage for prescription drugs that is in excess of the instruction to the Committee on Energy and Commerce and the Committee on Ways and Means under section 4(b) (and make all other appropriate adjustments). The total adjustments made under this section for any fiscal year may not exceed the amount by which the Congressional Budget Office's estimate of the President's prescription drug plan (or, if such a plan is not submitted in a timely manner, the Congressional Budget Office's estimate of a comparable plan submitted by the chairmen of the committees of jurisdiction at levels to be determined by the chairman of the Committee on the Budget) exceeds the levels set forth in section 4(b)(2) for the period of fiscal years 2001 through 2011.

SEC. 8. RESERVE FUND FOR FISCAL YEAR 2001.

(a) ADJUSTMENTS.—In the House, the chairman of the Committee on the Budget may increase allocations of new budget authority (and outlays flowing therefrom) and adjust aggregates (and adjust any other appropriate levels) for fiscal year 2001 for reported bills, or amendments thereto or conference reports thereon: (1) by the amount of new budget authority (and the outlays resulting therefrom) provided by such measure to eliminate shortfalls for the Department of Defense, for assistance for producers of program crops and specialty crops, and for other critical needs; and (2) by the amount of reduction in revenue caused by such measure providing immediate tax relief.

(b) LIMITATIONS.—(1) The adjustments for any bill referred to in subsection (a) shall be in an amount not to exceed the amount by which such bill breaches the applicable allocation or aggregate.

(2) The total adjustments made under subsection (a) for fiscal year 2001 may not cause the surplus set forth in this resolution for that fiscal year, as adjusted, to be less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year, as determined consistent with procedures set forth in H.R. 2 (107th Congress), as passed the House.

SEC. 9. RESERVE FUND FOR PROMOTION OF FULL FUNDING FOR SPECIAL EDUCATION.

In the House, whenever the Committee on Appropriations reports a bill or joint resolution, or an amendment thereto is offered, or a conference report thereon is submitted that provides new budget authority for fiscal year 2002 in excess of $6,368,000,000 for programs authorized under the Individuals with Disabilities Education Act (IDEA), the chairman of the Committee on the Budget may increase the appropriate allocations of new budget authority and outlays by the amount of that excess, but not to exceed $1,250,000,000 (and adjust any other appropriate levels).

SEC. 10. RESERVE FUND FOR ADDITIONAL TAX CUTS AND DEBT REDUCTION.

If the report provided pursuant to section 202(e)(2) of the Congressional Budget Act of 1974, the budget and economic outlook: update (for fiscal years 2002 through 2011), estimates an on-budget surplus for any of fiscal years 2001 through 2011 that exceeds the estimated on-budget surplus set forth in the Congressional Budget Office's January 2001 budget and economic outlook for such fiscal year, the chairman of the Committee on the Budget of the House may, in an amount not to exceed the increase in such surplus for that fiscal year—

(1) reduce the recommended level of Federal revenues and make other appropriate adjustments (including the reconciliation instructions) for that fiscal year;

(2) reduce the appropriate level of the public debt, increase the amount of the surplus, and make other appropriate adjustments for that fiscal year; or

(3) any combination of paragraphs (1) and (2).

SEC. 11. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the House of Representatives; and

(2) such chairman, as applicable, may make any other necessary adjustments to such levels to carry out this resolution, and any adjustments permitted under sections 6, 7, and 8 may include changes in the appropriate reconciliation instructions.

SEC. 12. COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT ACT OF 1990.

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 13301 of the Budget Enforcement Act of 1990, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of such Act to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration.

(b) SPECIAL RULE.—In the House, for purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts provided for the Social Security Administration.

SEC. 13. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

For purposes of title III of the Congressional Budget Act of 1974, advance appropriations shall be scored as new budget authority for the fiscal year in which the appropriations are enacted, except that advance appropriations up to the levels specified in the joint explanatory statement of managers accompanying this resolution for programs, projects, activities or accounts identified in such joint statement shall continue to be scored as new budget authority in the year in which they first become available for obligation.

SEC. 14. FEDERAL EMPLOYEE PAY.

(a) FINDINGS.—The House of Representatives finds the following:

(1) Members of the uniformed services and civilian employees of the United States make significant contributions to the general welfare of the Nation.

(2) Increases in the pay of members of the uniformed services and of civilian employees of the United States have not kept pace with increases in the overall pay levels of workers in the private sector, so that there now exists—

(A) a 32 percent gap between compensation levels of Federal civilian employees and compensation levels of private sector workers; and

(B) an estimated 10 percent gap between compensation levels of members of the uniformed services and compensation levels of private sector workers.

(3) The President's budget proposal for fiscal year 2002 includes a 4.6 percent pay raise for military personnel.

(4) The Office of Management and Budget has requested that Federal agencies plan their fiscal year 2002 budgets with a 3.6 percent pay raise for civilian Federal employees.

(5) In almost every year during the past 2 decades, there have been equal adjustments in the compensation of members of the uniformed services and the compensation of civilian employees of the United States.

(b) SENSE OF THE HOUSE OF REPRESENTATIVES.—It is the sense of the House of Representatives that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.

SEC. 15. ASSET BUILDING FOR THE WORKING POOR.

(a) FINDINGS.—Congress find the following:

(1) For the vast majority of United States households, the pathway to the economic mainstream and financial security is not through spending and consumption, but through savings, investing, and the accumulation of assets.

(2) One-third of all Americans have no assets available for investment and another 20 percent have only negligible assets. The situation is even more serious for minority households; for example, 60 percent of African-American households have no or negative financial assets.

(3) Nearly 50 percent of all children in America live in households that have no assets available for investment, including 40 percent of Caucasian children and 73 percent of African-American children.

(4) Up to 20 percent of all United States households do not deposit their savings in financial institutions and, thus, do not have access to the basic financial tools that make asset accumulation possible.

(5) Public policy can have either a positive or a negative impact on asset accumulation. Traditional public assistance programs based on income and consumption have rarely been successful in supporting the transition to economic self-sufficiency. Tax policy, through $288,000,000,000 in annual tax incentives, has helped lay the foundation for the great middle class.

(6) Lacking an income tax liability, low-income working families cannot take advantage of asset development incentives available through the Federal tax code.

(7) Individual Development Accounts have proven to be successful in helping low-income working families save and accumulate assets. Individual Development Accounts have been used to purchase long-term, high-return assets, including homes, postsecondary education and training, and small business.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Federal tax code should support a significant expansion of Individual Development Accounts so that millions of low-income, working families can save, build assets, and move their lives forward; thus, making positive contributions to the economic and social well-being of the United States, as well as to its future.

SEC. 16. FEDERAL FIRE PREVENTION ASSISTANCE.

(a) FINDINGS.—Congress finds the following:

(1) Increased demands on firefighting and emergency medical personnel have made it difficult for local governments to adequately fund necessary fire safety precautions.

(2) The Government has an obligation to protect the health and safety of the firefighting personnel of the United States and to ensure that they have the financial resources to protect the public.

(3) The high rates in the United States of death, injury, and property damage caused by fires demonstrates a critical need for Federal investment in support of firefighting personnel.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government should support the core operations of the Federal Emergency Management Agency by providing needed fire grant programs to assist our firefighters and rescue personnel as they respond to more than 17,000,000 emergency calls annually. To accomplish this task, Congress supports preservation of the Assistance to Firefighters grant program. Continued support of the Assistance to Firefighters grant program will enable local firefighters to adequately protect the lives of countless Americans put at risk by insufficient fire protection.

SEC. 17. SALES TAX DEDUCTION.

(a) FINDINGS.—The House finds that—

(1) in 1986 the ability to deduct State sales taxes was eliminated from the Federal tax code;

(2) the States of Tennessee, Texas, Wyoming, Washington, Florida, Nevada, and South Dakota have no State income tax;

(3) the citizens of those seven States continue to be treated unfairly by paying significantly more in taxes to the Government than taxpayers with an identical profile in different State because they are prohibited from deducting their State sales taxes from their Federal income taxes in lieu of a State income tax;

(4) the design of the Federal tax code is preferential in its treatment of States with State income taxes over those without State income taxes;

(5) the current Federal tax code infringes upon States' rights to tax their citizens as they see fit in that the Federal tax code exerts unjust influence on States without State income taxes to impose one their citizens;

(6) the current surpluses that our Government holds provide an appropriate time and opportunity to allow taxpayers to deduct either their State sales taxes or their State income taxes from their Federal income tax returns; and

(7) over 50 Members of the House have cosponsored legislation to restore the sales tax deduction option to the Federal tax code.

(b) SENSE OF HOUSE.—It is the sense of the House of Representatives that the Committee on Ways and Means should consider legislation that makes State sales tax deductible against Federal income taxes.

SEC. 18. FUNDING FOR GRADUATE MEDICAL EDUCATION AT CHILDREN'S TEACHING HOSPITALS.

It is the sense of Congress that:

(1) Function 550 of the President's budget should include an appropriate level of funding for graduate medical education conducted at independent children's teaching hospitals in order to ensure access to care by millions of children nationwide.

(2) An emphasis should be placed on the role played by community health centers in underserved rural and urban communities. An increase in funding for community health centers should not come at the expense of the Community Access Program. Both programs should be funded adequately, with the intention of doubling funding for increased capacity for community health centers, in addition to keeping the Community Access Program operational.

(3) The medicare program should emphasize such preventive medical services as those provided by vision rehabilitation professionals in saving Government funds and

preserving the independence of a growing number of seniors in the coming years.

(4) Funding under function 550 should also reflect the importance of the Ryan White CARE Act to persons afflicted with HIV/AIDS. Funds allocated from the CARE Act serve as the safety net for thousands of low-income people living with HIV/AIDS who reside in metropolitan areas but are ineligible for entitlement programs. Moreover, the CARE Act provides critically needed grants directly to existing community-based clinics and public health providers to develop and deliver both early and ongoing comprehensive services to persons with HIV/AIDS.

SEC. 19. CONCURRENT RETIREMENT AND DISABILITY BENEFITS TO RETIRED MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress finds that the Secretary of Defense is the appropriate official for evaluating the existing standards for the provision of concurrent retirement and disability benefits to retired members of the Armed Forces and the need to change these standards.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense should report to the congressional committees of jurisdiction on the provision of concurrent retirement and disability benefits to retired members of the Armed Forces;

(2) the report should address the number of individuals retired from the Armed Forces who would otherwise be eligible for disability compensation, the comparability of the policy to Office of Personnel Management guidelines for civilian Federal retirees, the applicability of this policy to prevailing private sector standards, the number of individuals potentially eligible for concurrent benefits who receive other forms of Federal assistance and the cost of that assistance, and alternative initiatives that would accomplish the same end as concurrent receipt of military retired pay and disability compensation;

(3) the Secretary of Defense should submit legislation that he considers appropriate; and

(4) upon receiving such report, the committees of jurisdiction, working with the Committees on the Budget of the House and Senate, should consider appropriate legislation.

Pursuant to the foregoing order of the House, the following further amendment was considered as adopted:

Page 2, line 26, strike ''$2,378,000,000,000'' and insert ''$2,387,000,000,000''.

Page 3, line 4, strike ''$5,800,000,000,000'' and insert ''$5,800,000,000''.

Page 5, line 14, strike ''$5,903,000,000,000'' and insert ''$5,875,000,000,000''.

Page 5, line 15, strike ''$6,394,000,000,000'' and insert ''$5,928,000,000,000''.

Page 5, line 16, strike ''$6,972,000,000,000'' and insert ''$5,969,000,000,000''.

Page 5, line 17, strike ''$7,596,000,000,000'' and insert ''$5,988,000,000,000''.

Page 5, line 18, strike ''$8,623,000,000,000'' and insert ''$6,344,000,000,000''.

Page 5, line 19, strike ''$9,436,000,000,000'' and insert ''$6,721,000,000,000''.

Page 13, line 11, strike ''$28,000,000,000'' and insert ''$28,800,000,000''.

Page 19, line 20, strike ''cal'' and insert ''fiscal''.

Page 43, move lines 4 through 13 two ems to the left.

Page 44, line 6, strike ''$153,000,000'' and insert ''$153,000,000,000''.

Page 46, line 10, ''$3,871,000'' and insert ''$3,871,000,000''.

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, designated Mr. LATOURETTE as Chairman of the Committee of the Whole; and after some time spent therein,

¶30.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. KUCINICH:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2002.

The Congress declares that this is the concurrent resolution on the budget for fiscal year 2002 and that the appropriate budgetary levels for fiscal years 2003 through 2011 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2002 through 2011:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2002: $1,671,613,000,000.
Fiscal year 2003: $1,743,536,000,000.
Fiscal year 2004: $1,820,660,000,000.
Fiscal year 2005: $1,903,395,000,000.
Fiscal year 2006: $1,979,608,000,000.
Fiscal year 2007: $2,060,355,000,000.
Fiscal year 2008: $2,170,035,000,000.
Fiscal year 2009: $2,264,741,000,000.
Fiscal year 2010: $2,377,927,000,000.
Fiscal year 2011: $2,499,618,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2002: $34,500,000,000.
Fiscal year 2003: $41,200,000,000.
Fiscal year 2004: $46,300,000,000.
Fiscal year 2005: $49,000,000,000.
Fiscal year 2006: $62,600,000,000.
Fiscal year 2007: $75,400,000,000.
Fiscal year 2008: $84,700,000,000.
Fiscal year 2009: $98,000,000,000.
Fiscal year 2010: $114,000,000,000.
Fiscal year 2011: $130,900,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2002: $1,644,212,000,000.
Fiscal year 2003: $1,691,703,000,000.
Fiscal year 2004: $1,756,548,000,000.
Fiscal year 2005: $1,836,715,000,000.
Fiscal year 2006: $1,881,717,000,000.
Fiscal year 2007: $1,946,814,000,000.
Fiscal year 2008: $2,016,811,000,000.
Fiscal year 2009: $2,086,903,000,000.
Fiscal year 2010: $2,159,932,000,000.
Fiscal year 2011: $2,238,940,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2002: $1,605,871,000,000.
Fiscal year 2003: $1,662,777,000,000.
Fiscal year 2004: $1,734,976,000,000.
Fiscal year 2005: $1,812,019,000,000.
Fiscal year 2006: $1,852,444,000,000.
Fiscal year 2007: $1,915,721,000,000.
Fiscal year 2008: $1,991,123,000,000.
Fiscal year 2009: $2,062,464,000,000.
Fiscal year 2010: $2,136,979,000,000.
Fiscal year 2011: $2,215,937,000,000.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2002: $65,742,000,000.
Fiscal year 2003: $80,759,000,000.
Fiscal year 2004: $85,684,000,000.
Fiscal year 2005: $91,376,000,000.
Fiscal year 2006: $127,164,000,000.
Fiscal year 2007: $144,634,000,000.
Fiscal year 2008: $178,192,000,000.
Fiscal year 2009: $202,277,000,000.
Fiscal year 2010: $240,948,000,000.
Fiscal year 2011: $283,681,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2002: $5,641,000,000,000.
Fiscal year 2003: $5,671,000,000,000.
Fiscal year 2004: $5,696,000,000,000.
Fiscal year 2005: $5,712,000,000,000.
Fiscal year 2006: $5,700,000,000,000.
Fiscal year 2007: $5,665,000,000,000.
Fiscal year 2008: $5,596,000,000,000.
Fiscal year 2009: $6,006,000,000,000.
Fiscal year 2010: $6,361,000,000,000.
Fiscal year 2011: $6,737,000,000,000.

SEC. 3. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and budget outlays for fiscal years 2002 through 2011 for each major functional category are:

(1) National Defense (050):
Fiscal year 2002:
(A) New budget authority, $258,495,000,000.
(B) Outlays, $272,550,000,000.
Fiscal year 2003:
(A) New budget authority, $265,998,000,000.
(B) Outlays, $267,442,000,000.
Fiscal year 2004:
(A) New budget authority, $273,371,000,000.
(B) Outlays, $275,340,000,000.
Fiscal year 2005:
(A) New budget authority, $280,655,000,000.
(B) Outlays, $279,539,000,000.
Fiscal year 2006:
(A) New budget authority, $288,245,000,000.
(B) Outlays, $282,897,000,000.
Fiscal year 2007:
(A) New budget authority, $296,097,000,000.
(B) Outlays, $287,870,000,000.
Fiscal year 2008:
(A) New budget authority, $304,171,000,000.
(B) Outlays, $299,138,000,000.
Fiscal year 2009:
(A) New budget authority, $312,560,000,000.
(B) Outlays, $307,561,000,000.
Fiscal year 2010:
(A) New budget authority, $321,107,000,000.
(B) Outlays, $316,107,000,000.
Fiscal year 2011:
(A) New budget authority, $330,102,000,000.
(B) Outlays, $324,998,000,000.

(2) International Affairs (150):
Fiscal year 2002:
(A) New budget authority, $22,389,000,000.
(B) Outlays, $18,327,000,000.
Fiscal year 2003:
(A) New budget authority, $22,909,000,000.
(B) Outlays, $18,831,000,000.
Fiscal year 2004:
(A) New budget authority, $23,357,000,000.
(B) Outlays, $19,369,000,000.
Fiscal year 2005:
(A) New budget authority, $24,037,000,000.
(B) Outlays, $19,589,000,000.
Fiscal year 2006:
(A) New budget authority, $24,614,000,000.
(B) Outlays, $20,031,000,000.
Fiscal year 2007:
(A) New budget authority, $25,200,000,000.
(B) Outlays, $20,598,000,000.
Fiscal year 2008:
(A) New budget authority, $25,557,000,000.
(B) Outlays, $21,118,000,000.
Fiscal year 2009:
(A) New budget authority, $25,995,000,000.
(B) Outlays, $21,720,000,000.
Fiscal year 2010:
(A) New budget authority, $26,498,000,000.
(B) Outlays, $22,287,000,000.
Fiscal year 2011:
(A) New budget authority, $27,087,000,000.
(B) Outlays, $22,800,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2002:
(A) New budget authority, $21,583,000,000.
(B) Outlays, $20,725,000,000.
Fiscal year 2003:
(A) New budget authority, $22,055,000,000.
(B) Outlays, $21,361,000,000.

Fiscal year 2004:
(A) New budget authority, $22,379,000,000.
(B) Outlays, $21,945,000,000.
Fiscal year 2005:
(A) New budget authority, $22,839,000,000.
(B) Outlays, $22,429,000,000.
Fiscal year 2006:
(A) New budget authority, $23,323,000,000.
(B) Outlays, $20,847,000,000.
Fiscal year 2007:
(A) New budget authority, $23,812,000,000.
(B) Outlays, $23,280,000,000.
Fiscal year 2008:
(A) New budget authority, $24,303,000,000.
(B) Outlays, $23,743,000,000.
Fiscal year 2009:
(A) New budget authority, $24,816,000,000.
(B) Outlays, $24,339,000,000.
Fiscal year 2010:
(A) New budget authority, $25,335,000,000.
(B) Outlays, $24,749,000,000.
Fiscal year 2011:
(A) New budget authority, $25,879,000,000.
(B) Outlays, $25,274,000,000.
(4) Energy (270):
Fiscal year 2002:
(A) New budget authority, $1,360,000,000.
(B) Outlays, −$19,000,000.
Fiscal year 2003:
(A) New budget authority, $1,328,000,000.
(B) Outlays, −$72,000,000.
Fiscal year 2004:
(A) New budget authority, $1,309,000,000.
(B) Outlays, −$120,000,000.
Fiscal year 2005:
(A) New budget authority, $1,254,000,000.
(B) Outlays, −$91,000,000.
Fiscal year 2006:
(A) New budget authority, $1,336,000,000.
(B) Outlays, −$3,000,000.
Fiscal year 2007:
(A) New budget authority, $1,411,000,000.
(B) Outlays, $71,000,000.
Fiscal year 2008:
(A) New budget authority, $1,882,000,000.
(B) Outlays, $440,000,000.
Fiscal year 2009:
(A) New budget authority, $1,998,000,000.
(B) Outlays, $579,000,000.
Fiscal year 2010:
(A) New budget authority, $2,021,000,000.
(B) Outlays, $703,000,000.
Fiscal year 2011:
(A) New budget authority, $1,990,000,000.
(B) Outlays, $691,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2002:
(A) New budget authority, $30,031,000,000.
(B) Outlays, $28,305,000,000.
Fiscal year 2003:
(A) New budget authority, $30,826,000,000.
(B) Outlays, $30,076,000,000.
Fiscal year 2004:
(A) New budget authority, $31,810,000,000.
(B) Outlays, $31,152,000,000.
Fiscal year 2005:
(A) New budget authority, $32,648,000,000.
(B) Outlays, $31,959,000,000.
Fiscal year 2006:
(A) New budget authority, $33,519,000,000.
(B) Outlays, $32,842,000,000.
Fiscal year 2007:
(A) New budget authority, $34,417,000,000.
(B) Outlays, $33,627,000,000.
Fiscal year 2008:
(A) New budget authority, $35,341,000,000.
(B) Outlays, $34,465,000,000.
Fiscal year 2009:
(A) New budget authority, $36,714,000,000.
(B) Outlays, $35,813,000,000.
Fiscal year 2010:
(A) New budget authority, $37,761,000,000.
(B) Outlays, $36,840,000,000.
Fiscal year 2011:
(A) New budget authority, $38,787,000,000.
(B) Outlays, $37,841,000,000.
(6) Agriculture (350):
Fiscal year 2002:
(A) New budget authority, $19,265,000,000.
(B) Outlays, $17,593,000,000.
Fiscal year 2003:
(A) New budget authority, $18,507,000,000.
(B) Outlays, $16,924,000,000.
Fiscal year 2004:
(A) New budget authority, $18,562,000,000.
(B) Outlays, $17,120,000,000.
Fiscal year 2005:
(A) New budget authority, $18,406,000,000.
(B) Outlays, $16,915,000,000.
Fiscal year 2006:
(A) New budget authority, $17,952,000,000.
(B) Outlays, $16,353,000,000.
Fiscal year 2007:
(A) New budget authority, $16,583,000,000.
(B) Outlays, $15,009,000,000.
Fiscal year 2008:
(A) New budget authority, $15,723,000,000.
(B) Outlays, $14,134,000,000.
Fiscal year 2009:
(A) New budget authority, $15,921,000,000.
(B) Outlays, $14,441,000,000.
Fiscal year 2010:
(A) New budget authority, $16,053,000,000.
(B) Outlays, $14,674,000,000.
Fiscal year 2011:
(A) New budget authority, $16,203,000,000.
(B) Outlays, $14,819,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2002:
(A) New budget authority, $10,029,000,000.
(B) Outlays, $6,497,000,000.
Fiscal year 2003:
(A) New budget authority, $11,246,000,000.
(B) Outlays, $5,825,000.
Fiscal year 2004:
(A) New budget authority, $15,891,000,000.
(B) Outlays, $11,593,000,000.
Fiscal year 2005:
(A) New budget authority, $16,009,000,000.
(B) Outlays, $12,239,000,000.
Fiscal year 2006:
(A) New budget authority, $15,982,000,000.
(B) Outlays, $11,643,000,000.
Fiscal year 2007:
(A) New budget authority, $16,086,000,000.
(B) Outlays, $11,904,000,000.
Fiscal year 2008:
(A) New budget authority, $16,242,000,000.
(B) Outlays, $11,734,000,000.
Fiscal year 2009:
(A) New budget authority, $16,313,000,000.
(B) Outlays, $11,770,000,000.
Fiscal year 2010:
(A) New budget authority, $16,428,000,000.
(B) Outlays, $11,722,000,000.
Fiscal year 2011:
(A) New budget authority, $16,542,000,000.
(B) Outlays, $11,745,000,000.
(8) Transportation (400):
Fiscal year 2002:
(A) New budget authority, $64,444,000,000.
(B) Outlays, $56,167,000,000.
Fiscal year 2003:
(A) New budget authority, $62,392,000,000.
(B) Outlays, $60,521,000,000.
Fiscal year 2004:
(A) New budget authority, $60,999,000,000.
(B) Outlays, $62,662,000,000.
Fiscal year 2005:
(A) New budget authority, $63,601,000,000.
(B) Outlays, $64,225,000,000.
Fiscal year 2006:
(A) New budget authority, $64,245,000,000.
(B) Outlays, $65,702,000,000.
Fiscal year 2007:
(A) New budget authority, $64,908,000,000.
(B) Outlays, $66,577,000,000.
Fiscal year 2008:
(A) New budget authority, $65,597,000,000.
(B) Outlays, $67,775,000,000.
Fiscal year 2009:
(A) New budget authority, $66,303,000,000.
(B) Outlays, $69,221,000,000.
Fiscal year 2010:
(A) New budget authority, $67,035,000,000.
(B) Outlays, $70,588,000,000.
Fiscal year 2011:
(A) New budget authority, $67,796,000,000.
(B) Outlays, $72,183,000,000.
(9) Community and Regional Development (450):
Fiscal year 2002:
(A) New budget authority, $11,892,000,000.
(B) Outlays, $11,730,000,000.
Fiscal year 2003:
(A) New budget authority, $12,067,000,000.
(B) Outlays, $11,731,000,000.
Fiscal year 2004:
(A) New budget authority, $12,350,000,000.
(B) Outlays, $11,967,000,000.
Fiscal year 2005:
(A) New budget authority, $12,664,000,000.
(B) Outlays, $11,913,000,000.
Fiscal year 2006:
(A) New budget authority, $12,933,000,000.
(B) Outlays, $11,936,000,000.
Fiscal year 2007:
(A) New budget authority, $13,198,000,000.
(B) Outlays, $12,181,000,000.
Fiscal year 2008:
(A) New budget authority, $13,476,000,000.
(B) Outlays, $12,444,000,000.
Fiscal year 2009:
(A) New budget authority, $13,759,000,000.
(B) Outlays, $12,696,000,000.
Fiscal year 2010:
(A) New budget authority, $14,048,000,000.
(B) Outlays, $12,962,000,000.
Fiscal year 2011:
(A) New budget authority, $14,340,000,000.
(B) Outlays, $13,233,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2002:
(A) New budget authority, $110,389,000,000.
(B) Outlays, $94,926,000,000.
Fiscal year 2003:
(A) New budget authority, $117,559,000,000.
(B) Outlays, $110,183,000,000.
Fiscal year 2004:
(A) New budget authority, $125,822,000,000.
(B) Outlays, $119,806,000,000.
Fiscal year 2005:
(A) New budget authority, $135,923,000,000.
(B) Outlays, $129,772,000,000.
Fiscal year 2006:
(A) New budget authority, $139,035,000,000.
(B) Outlays, $134,017,000,000.
Fiscal year 2007:
(A) New budget authority, $148,706,000,000.
(B) Outlays, $143,631,000,000.
Fiscal year 2008:
(A) New budget authority, $151,981,000,000.
(B) Outlays, $148,841,000,000.
Fiscal year 2009:
(A) New budget authority, $155,367,000,000.
(B) Outlays, $152,778,000,000.
Fiscal year 2010:
(A) New budget authority, $158,833,000,000.
(B) Outlays, $156,541,000,000.
Fiscal year 2011:
(A) New budget authority, $162,392,000,000.
(B) Outlays, $160,127,000,000.
(11) Health (550):
Fiscal year 2002:
(A) New budget authority, $194,085,000,000.
(B) Outlays, $190,959,000,000.
Fiscal year 2003:
(A) New budget authority, $212,445,000,000.
(B) Outlays, $210,723,000,000.
Fiscal year 2004:
(A) New budget authority, $227,483,000,000.
(B) Outlays, $226,534,000,000.
Fiscal year 2005:
(A) New budget authority, $243,984,000,000.
(B) Outlays, $242,370,000,000.
Fiscal year 2006:
(A) New budget authority, $260,317,000,000.
(B) Outlays, $258,667,000,000.
Fiscal year 2007:
(A) New budget authority, $279,956,000,000.
(B) Outlays, $277,662,000,000.
Fiscal year 2008:
(A) New budget authority, $300,281,000,000.
(B) Outlays, $298,181,000,000.
Fiscal year 2009:

(A) New budget authority, $321,645,000,000.
(B) Outlays, $319,851,000,000.
Fiscal year 2010:
(A) New budget authority, $346,303,000,000.
(B) Outlays, $344,676,000,000.
Fiscal year 2011:
(A) New budget authority, $373,436,000,000.
(B) Outlays, $371,993,000,000.
(12) Medicare (570):
Fiscal year 2002:
(A) New budget authority, $284,179,000,000.
(B) Outlays, $282,221,000,000.
Fiscal year 2003:
(A) New budget authority, $299,228,000,000.
(B) Outlays, $298,278,000,000.
Fiscal year 2004:
(A) New budget authority, $315,675,000,000.
(B) Outlays, $315,495,000,000.
Fiscal year 2005:
(A) New budget authority, $339,054,000,000.
(B) Outlays, $338,782,000,000.
Fiscal year 2006:
(A) New budget authority, $352,860,000,000.
(B) Outlays, $352,265,000,000.
Fiscal year 2007:
(A) New budget authority, $378,665,000,000.
(B) Outlays, $378,812,000,000.
Fiscal year 2008:
(A) New budget authority, $403,469,000,000.
(B) Outlays, $403,292,000,000.
Fiscal year 2009:
(A) New budget authority, $430,768,000,000.
(B) Outlays, $430,412,000,000.
Fiscal year 2010:
(A) New budget authority, $460,355,000,000.
(B) Outlays, $460,520,000,000.
Fiscal year 2011:
(A) New budget authority, $492,688,000,000.
(B) Outlays, $492,601,000,000.
(13) Income Security (600):
Fiscal year 2002:
(A) New budget authority, $284,148,000,000.
(B) Outlays, $278,365,000,000.
Fiscal year 2003:
(A) New budget authority, $294,503,000,000.
(B) Outlays, $291,588,000,000.
Fiscal year 2004:
(A) New budget authority, $305,450,000,000.
(B) Outlays, $302,923,000,000.
Fiscal year 2005:
(A) New budget authority, $319,479,000,000.
(B) Outlays, $317,443,000,000.
Fiscal year 2006:
(A) New budget authority, $327,026,000,000.
(B) Outlays, $324,705,000,000.
Fiscal year 2007:
(A) New budget authority, $334,003,000,000.
(B) Outlays, $332,385,000,000.
Fiscal year 2008:
(A) New budget authority, $348,527,000,000.
(B) Outlays, $347,026,000,000.
Fiscal year 2009:
(A) New budget authority, $360,130,000,000.
(B) Outlays, $350,381,000,000.
Fiscal year 2010:
(A) New budget authority, $371,190,000,000.
(B) Outlays, $369,313,000,000.
Fiscal year 2011:
(A) New budget authority, $382,791,000,000.
(B) Outlays, $380,446,000,000.
(14) Social Security (650):
Fiscal year 2002:
(A) New budget authority, $11,004,000,000.
(B) Outlays, $11,004,000,000.
Fiscal year 2003:
(A) New budget authority, $11,733,000,000.
(B) Outlays, $11,733,000,000.
Fiscal year 2004:
(A) New budget authority, $12,496,000,000.
(B) Outlays, $12,496,000,000.
Fiscal year 2005:
(A) New budget authority, $13,308,000,000.
(B) Outlays, $13,308,000,000.
Fiscal year 2006:
(A) New budget authority, $14,207,000,000.
(B) Outlays, $14,207,000,000.
Fiscal year 2007:
(A) New budget authority, $15,168,000,000.
(B) Outlays, $15,168,000,000.
Fiscal year 2008:
(A) New budget authority, $16,241,000,000.
(B) Outlays, $16,241,000,000.
Fiscal year 2009:
(A) New budget authority, $17,483,000,000.
(B) Outlays, $17,483,000,000.
Fiscal year 2010:
(A) New budget authority, $18,878,000,000.
(B) Outlays, $18,878,000,000.
Fiscal year 2011:
(A) New budget authority, $20,388,000,000.
(B) Outlays, $20,388,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2002:
(A) New budget authority, $57,418,000,000.
(B) Outlays, $54,482,000,000.
Fiscal year 2003:
(A) New budget authority, $59,615,000,000.
(B) Outlays, $58,336,000,000.
Fiscal year 2004:
(A) New budget authority, $61,813,000,000.
(B) Outlays, $60,927,000,000.
Fiscal year 2005:
(A) New budget authority, $66,036,000,000.
(B) Outlays, $65,329,000,000.
Fiscal year 2006:
(A) New budget authority, $65,637,000,000.
(B) Outlays, $64,735,000,000.
Fiscal year 2007:
(A) New budget authority, $65,178,000,000.
(B) Outlays, $64,601,000,000.
Fiscal year 2008:
(A) New budget authority, $69,313,000,000.
(B) Outlays, $68,792,000,000.
Fiscal year 2009:
(A) New budget authority, $71,790,000,000.
(B) Outlays, $71,292,000,000.
Fiscal year 2010:
(A) New budget authority, $73,876,000,000.
(B) Outlays, $73,369,000,000.
Fiscal year 2011:
(A) New budget authority, $76,060,000,000.
(B) Outlays, $75,538,000,000.
(16) Administration of Justice (750):
Fiscal year 2002:
(A) New budget authority, $32,431,000,000.
(B) Outlays, $31,436,000,000.
Fiscal year 2003:
(A) New budget authority, $32,545,000,000.
(B) Outlays, $32,809,000,000.
Fiscal year 2004:
(A) New budget authority, $35,330,000,000.
(B) Outlays, $35,543,000,000.
Fiscal year 2005:
(A) New budget authority, $36,420,000,000.
(B) Outlays, $36,347,000,000.
Fiscal year 2006:
(A) New budget authority, $37,466,000,000.
(B) Outlays, $37,036,000,000.
Fiscal year 2007:
(A) New budget authority, $38,543,000,000.
(B) Outlays, $38,013,000,000.
Fiscal year 2008:
(A) New budget authority, $39,665,000,000.
(B) Outlays, $39,152,000,000.
Fiscal year 2009:
(A) New budget authority, $40,822,000,000.
(B) Outlays, $40,292,000,000.
Fiscal year 2010:
(A) New budget authority, $42,021,000,000.
(B) Outlays, $41,483,000,000.
Fiscal year 2011:
(A) New budget authority, $43,284,000,000.
(B) Outlays, $42,278,000,000.
(17) General Government (800):
Fiscal year 2002:
(A) New budget authority, $16,996,000,000.
(B) Outlays, $16,503,000,000.
Fiscal year 2003:
(A) New budget authority, $17,151,000,000.
(B) Outlays, $16,925,000,000.
Fiscal year 2004:
(A) New budget authority, $17,582,000,000.
(B) Outlays, $17,445,000,000.
Fiscal year 2005:
(A) New budget authority, $18,060,000,000.
(B) Outlays, $17,688,000,000.
Fiscal year 2006:
(A) New budget authority, $18,568,000,000.
(B) Outlays, $18,115,000,000.
Fiscal year 2007:
(A) New budget authority, $19,109,000,000.
(B) Outlays, $18,644,000,000.
Fiscal year 2008:
(A) New budget authority, $18,791,000,000.
(B) Outlays, $18,445,000,000.
Fiscal year 2009:
(A) New budget authority, $19,377,000,000.
(B) Outlays, $18,882,000,000.
Fiscal year 2010:
(A) New budget authority, $19,968,000,000.
(B) Outlays, $19,437,000,000.
Fiscal year 2011:
(A) New budget authority, $20,599,000,000.
(B) Outlays, $20,048,000,000.
(18) Net Interest (900):
Fiscal year 2002:
(A) New budget authority, $256,860,000,000.
(B) Outlays, $256,860,000,000.
Fiscal year 2003:
(A) New budget authority, $251,900,000,000.
(B) Outlays, $251,900,000,000.
Fiscal year 2004:
(A) New budget authority, $246,030,000,000.
(B) Outlays, $246,030,000,000.
Fiscal year 2005:
(A) New budget authority, $237,809,000,000.
(B) Outlays, $237,809,000,000.
Fiscal year 2006:
(A) New budget authority, $230,958,000,000.
(B) Outlays, $230,958,000,000.
Fiscal year 2007:
(A) New budget authority, $224,040,000,000.
(B) Outlays, $224,040,000,000.
Fiscal year 2008:
(A) New budget authority, $215,519,000,000.
(B) Outlays, $215,519,000,000.
Fiscal year 2009:
(A) New budget authority, $205,519,000,000.
(B) Outlays, $205,519,000,000.
Fiscal year 2010:
(A) New budget authority, $194,220,000,000.
(B) Outlays, $194,220,000,000.
Fiscal year 2011:
(A) New budget authority, $182,136,000,000.
(B) Outlays, $182,136,000,000.
(19) Allowances (920):
Fiscal year 2002:
(A) New budget authority, −$483,000,000.
(B) Outlays, −$457,000,000.
Fiscal year 2003:
(A) New budget authority, −$492,000,000.
(B) Outlays, −$526,000,000.
Fiscal year 2004:
(A) New budget authority, −$499,000,000.
(B) Outlays, −$560,000,000.
Fiscal year 2005:
(A) New budget authority, −$509,000,000.
(B) Outlays, −$583,000,000.
Fiscal year 2006:
(A) New budget authority, −$519,000,000.
(B) Outlays, −$603,000,000.
Fiscal year 2007:
(A) New budget authority, −$531,000,000.
(B) Outlays, −$617,000,000.
Fiscal year 2008:
(A) New budget authority, −$540,000,000.
(B) Outlays, −$629,000,000.
Fiscal year 2009:
(A) New budget authority, −$551,000,000.
(B) Outlays, −$640,000,000.
Fiscal year 2010:
(A) New budget authority, −$560,000,000.
(B) Outlays, −$652,000,000.
Fiscal year 2011:
(A) New budget authority, −$571,000,000.
(B) Outlays, −$665,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2002:
(A) New budget authority, −$42,303,000,000.
(B) Outlays, −$42,303,000,000.
Fiscal year 2003:
(A) New budget authority, −$51,812,000,000.
(B) Outlays, −$51,812,000,000.
Fiscal year 2004:
(A) New budget authority, −$52,692,000,000.
(B) Outlays, −$52,692,000,000.
Fiscal year 2005:

(A) New budget authority, −$44,962,000,000.
(B) Outlays, −$44,962,000,000.
Fiscal year 2006:
(A) New budget authority, −$45,986,000,000.
(B) Outlays, −$45,986,000,000.
Fiscal year 2007:
(A) New budget authority, −$47,733,000,000.
(B) Outlays, −$47,733,000,000.
Fiscal year 2008:
(A) New budget authority, −$48,728,000,000.
(B) Outlays, −$48,728,000,000.
Fiscal year 2009:
(A) New budget authority, −$49,825,000,000.
(B) Outlays, −$49,825,000,000.
Fiscal year 2010:
(A) New budget authority, −$51,438,000,000.
(B) Outlays, −$51,438,000,000.
Fiscal year 2011:
(A) New budget authority, −$52,988,000,000.
(B) Outlays, −$82,988,000,000.

SEC. 4. RECONCILIATION.

The House Committee on Ways and Means shall report to the House a reconciliation bill not later than May 2, 2001, that consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues by not more than: $34,500,000,000 for fiscal year 2002, $41,200,000,000 for fiscal year 2003, $46,300,000,000 for fiscal year 2004, $49,000,000,000 for fiscal year 2005, $62,600,000,000 for fiscal year 2006, and $737,000,000,000 for the period of fiscal year 2002 through 2011.

SEC. 5. RESERVE FUND FOR ELECTION REFORM.

In the House, whenever a bill is reported, or an amendment thereto is offered or a conference report thereon is submitted, to provide comprehensive election reform (that includes provisions to provide matching grants to States and localities to upgrade voting equipment with an 80/20 Federal/State-locality match), the chairman of the Committee on the Budget may, for any of fiscal years 2002 through 2006, increase any allocations and aggregates of new budget authority (and outlays resulting therefrom) up to the amount provided by that measure for that purpose (and make all other appropriate adjustments). The total adjustments made under this section for any fiscal year may not exceed $500,000,000.

SEC. 6. RESERVE FUND FOR MEDICARE PRESCRIPTION DRUG BENEFITS.

In the House, whenever a bill is reported, or an amendment thereto is offered or a conference report thereon is submitted, to provide comprehensive medicare prescription drug coverage for all beneficiaries with an 80/20 Federal/beneficiary match, and provisions to allow for reimportation and bulk purchase discounts, the chairman of the Committee on the Budget may, for any of fiscal years 2002 through 2011, increase any allocations and aggregates of new budget authority (and outlays resulting therefrom) up to the amount provided by that measure for that purpose (and make all other appropriate adjustments). The total adjustments made under this section may not exceed $500,000,000,000.

It was decided in the negative ..... { Yeas ..... 79 / Nays ..... 343 }

¶30.9 [Roll No. 66]

AYES—79

Ackerman
Baca
Blumenauer
Bonior
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Carson (IN)
Clay
Clayton
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
Engel
Farr
Fattah
Filner
Frank
Gephardt
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Honda
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kilpatrick
Kucinich
Lee
Lewis (GA)
Lofgren
Lowey
Maloney (NY)
Markey
McCollum
McDermott
McGovern
McKinney
McNulty
Meeks (NY)
Millender-McDonald
Miller, George
Moakley
Nadler
Napolitano
Oberstar
Olver
Owens
Pallone
Payne
Pelosi
Peterson (MN)
Rangel
Roybal-Allard
Rush
Sanders
Schakowsky
Serrano
Slaughter
Solis
Stark
Tierney
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—343

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Meehan
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Baldwin
Becerra
Boucher
DeLay
Lampson
Meek (FL)
Mink
Rothman
Shaw
Sisisky

So the amendment was not agreed to.
After some further time,

¶30.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. STENHOLM:

Strike all after resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2002.

The Congress declares that the concurrent resolution on the budget for fiscal year 2001 is hereby revised and replaced and that this is the concurrent resolution on the budget for fiscal year 2002 and that the appropriate budgetary levels for fiscal years 2003 through 2006 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2001 through 2011:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:
Fiscal year 2001: $1,606,800,000,000.
Fiscal year 2002: $1,680,600,000,000.
Fiscal year 2003: $1,754,400,000,000.
Fiscal year 2004: $1,832,900,000,000.
Fiscal year 2005: $1,916,700,000,000.
Fiscal year 2006: $1,996,700,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be reduced are as follows:
Fiscal year 2001: $23,230,000,000.
Fiscal year 2002: $22,440,000,000.
Fiscal year 2003: $27,631,000,000.
Fiscal year 2004: $31,109,000,000.
Fiscal year 2005: $33,332,000,000.
Fiscal year 2006: $43,338,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:
Fiscal year 2001: $1,535,000,000,000.
Fiscal year 2002: $1,588,000,000,000.
Fiscal year 2003: $1,641,000,000,000.
Fiscal year 2004: $1,700,000,000,000.
Fiscal year 2005: $1,759,000,000,000.
Fiscal year 2006: $1,798,000,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appro-

priate levels of total budget outlays are as follows:

Fiscal year 2001: $1,481,000,000,000.
Fiscal year 2002: $1,550,000,000,000.
Fiscal year 2003: $1,617,000,000,000.
Fiscal year 2004: $1,674,000,000,000.
Fiscal year 2005: $1,738,000,000,000.
Fiscal year 2006: $1,784,000,000,000.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2001: $90,850,000,000.
Fiscal year 2002: $84,650,000,000.
Fiscal year 2003: $100,950,000,000.
Fiscal year 2004: $113,750,000,000.
Fiscal year 2005: $121,500,000,000.
Fiscal year 2006: $150,750,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2001: $5,637,200,000,000.
Fiscal year 2002: $5,585,400,000,000.
Fiscal year 2003: $5,542,100,000,000.
Fiscal year 2004: $5,401,300,000,000.
Fiscal year 2005: $5,385,500,000,000.
Fiscal year 2006: $5,288,300,000,000.

SEC. 3. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and budget outlays for fiscal years 2003 through 2011 for each major functional category are:

(1) National Defense (050):
Fiscal year 2001:
(A) New budget authority, $317,500,000,000.
(B) Outlays, $301,900,000,000.
Fiscal year 2002:
(A) New budget authority, $329,100,000,000.
(B) Outlays, $323,500,000,000.
Fiscal year 2003:
(A) New budget authority, $334,200,000,000.
(B) Outlays, $329,600,000,000.
Fiscal year 2004:
(A) New budget authority, $345,700,000,000.
(B) Outlays, $338,500,000,000.
Fiscal year 2005:
(A) New budget authority, $357,200,000,000.
(B) Outlays, $335,400,000,000.
Fiscal year 2006:
(A) New budget authority, $367,900,000,000.
(B) Outlays, $359,300,000,000.

(2) International Affairs (150):
Fiscal year 2001:
(A) New budget authority, $22,400,000,000.
(B) Outlays, $19,700,000,000.
Fiscal year 2002:
(A) New budget authority, $23,900,000,000.
(B) Outlays, $19,600,000,000.
Fiscal year 2003:
(A) New budget authority, $23,800,000,000.
(B) Outlays, $19,800,000,000.
Fiscal year 2004:
(A) New budget authority, $24,500,000,000.
(B) Outlays, $20,400,000,000.
Fiscal year 2005:
(A) New budget authority, $25,400,000,000.
(B) Outlays, $20,800,000,000.
Fiscal year 2006:
(A) New budget authority, $26,100,000,000.
(B) Outlays, $21,400,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2001:
(A) New budget authority, $21,000,000,000.
(B) Outlays, $19,700,000,000.
Fiscal year 2002:
(A) New budget authority, $23,230,000,000.
(B) Outlays, $21,590,000,000.
Fiscal year 2003:
(A) New budget authority, $23,680,000,000.
(B) Outlays, $22,810,000,000.
Fiscal year 2004:
(A) New budget authority, $24,110,000,000.
(B) Outlays, $23,540,000,000.
Fiscal year 2005:
(A) New budget authority, $24,670,000,000.
(B) Outlays, $24,250,000,000.
Fiscal year 2006:
(A) New budget authority, $25,350,000,000.
(B) Outlays, $24,770,000,000.

(4) Energy (270):
Fiscal year 2001:
(A) New budget authority, $1,200,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2002:
(A) New budget authority, $1,400,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2003:
(A) New budget authority, $1,300,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2004:
(A) New budget authority, $1,300,000,000.
(B) Outlays, −$160,000,000.
Fiscal year 2005:
(A) New budget authority, $1,200,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2006:
(A) New budget authority, $1,300,000,000.
(B) Outlays, $0.

(5) Natural Resources and Environment (300):
Fiscal year 2001:
(A) New budget authority, $28,800,000,000.
(B) Outlays, $26,400,000,000.
Fiscal year 2002:
(A) New budget authority, $26,650,000,000.
(B) Outlays, $26,350,000,000.
Fiscal year 2003:
(A) New budget authority, $26,820,000,000.
(B) Outlays, $26,920,000,000.
Fiscal year 2004:
(A) New budget authority, $27,930,000,000.
(B) Outlays, $27,330,000,000.
Fiscal year 2005:
(A) New budget authority, $27,830,000,000.
(B) Outlays, $27,630,000,000.
Fiscal year 2006:
(A) New budget authority, $27,930,000,000.
(B) Outlays, $27,730,000,000.

(6) Agriculture (350):
Fiscal year 2001:
(A) New budget authority, $31,900,000,000.
(B) Outlays, $29,290,000,000.
Fiscal year 2002:
(A) New budget authority, $29,530,000,000.
(B) Outlays, $27,560,000,000.
Fiscal year 2003:
(A) New budget authority, $29,380,000,000.
(B) Outlays, $27,780,000,000.
Fiscal year 2004:
(A) New budget authority, $28,560,000,000.
(B) Outlays, $27,090,000,000.
Fiscal year 2005:
(A) New budget authority, $27,750,000,000.
(B) Outlays, $26,230,000,000.
Fiscal year 2006:
(A) New budget authority, $27,140,000,000.
(B) Outlays, $25,510,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2001:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $200,000,000.
Fiscal year 2002:
(A) New budget authority, $8,920,000,000.
(B) Outlays, $5,800,000,000.
Fiscal year 2003:
(A) New budget authority, $8,900,000,000.
(B) Outlays, $3,500,000,000.
Fiscal year 2004:
(A) New budget authority, $14,500,000,000.
(B) Outlays, $10,300,000,000.
Fiscal year 2005:
(A) New budget authority, $13,200,000,000.
(B) Outlays, $9,400,000,000.
Fiscal year 2006:
(A) New budget authority, $13,100,000,000.
(B) Outlays, $8,800,000,000.

(8) Transportation (400):
Fiscal year 2001:
(A) New budget authority, $62,200,000,000.
(B) Outlays, $51,700,000,000.
Fiscal year 2002:
(A) New budget authority, $60,900,000,000.
(B) Outlays, $55,490,000,000.
Fiscal year 2003:
(A) New budget authority, $58,700,000,000.
(B) Outlays, $58,200,000,000.
Fiscal year 2004:
(A) New budget authority, $59,100,000,000.
(B) Outlays, $60,200,000,000.
Fiscal year 2005:
(A) New budget authority, $59,600,000,000.
(B) Outlays, $61,800,000,000.
Fiscal year 2006:
(A) New budget authority, $60,200,000,000.
(B) Outlays, $63,600,000,000.

(9) Community and Regional Development (450):
Fiscal year 2001:
(A) New budget authority, $11,200,000,000.
(B) Outlays, $11,300,000,000.
Fiscal year 2002:
(A) New budget authority, $10,300,000,000.
(B) Outlays, $11,600,000,000.
Fiscal year 2003:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $11,200,000,000.
Fiscal year 2004:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $10,700,000,000.
Fiscal year 2005:
(A) New budget authority, $10,900,000,000.
(B) Outlays, $10,300,000,000.
Fiscal year 2006:
(A) New budget authority, $11,200,000,000.
(B) Outlays, $10,300,000,000.

(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2001:
(A) New budget authority, $76,900,000,000.
(B) Outlays, $69,800,000,000.
Fiscal year 2002:
(A) New budget authority, $84,950,000,000.
(B) Outlays, $76,630,000,000.
Fiscal year 2003:
(A) New budget authority, $85,300,000,000.
(B) Outlays, $83,330,000,00.
Fiscal year 2004:
(A) New budget authority, $87,770,000,000.
(B) Outlays, $85,030,000,000.
Fiscal year 2005:
(A) New budget authority, $91,810,000,000.
(B) Outlays, $88,080,000,000.
Fiscal year 2006:
(A) New budget authority, $95,090,000,000.
(B) Outlays, $91,800,000,000.

(11) Health (550):
Fiscal year 2001:
(A) New budget authority, $182,600,000,000.
(B) Outlays, $175,500,000,000.
Fiscal year 2002:
(A) New budget authority, $192,600,000,000.
(B) Outlays, $189,800,000,000.
Fiscal year 2003:
(A) New budget authority, $215,500,000,000.
(B) Outlays, $211,700,000,000.
Fiscal year 2004:
(A) New budget authority, $231,300,000,000.
(B) Outlays, $229,500,000,000.
Fiscal year 2005:
(A) New budget authority, $248,500,000,000.
(B) Outlays, $246,100,000,000.
Fiscal year 2006:
(A) New budget authority, $265,500,000,000.
(B) Outlays, $263,300,000,000.

(12) Medicare (570):
Fiscal year 2001:
(A) New budget authority, $217,600,000,000.
(B) Outlays, $217,700,000,000.
Fiscal year 2002:
(A) New budget authority, $231,100,000,000.
(B) Outlays, $231,100,000,000.
Fiscal year 2003:
(A) New budget authority, $257,900,000,000.
(B) Outlays, $257,800,000,000.
Fiscal year 2004:
(A) New budget authority, $282,200,000,000.
(B) Outlays, $282,400,000,000.
Fiscal year 2005:
(A) New budget authority, $309,400,000,000.
(B) Outlays, $309,400,000,000.
Fiscal year 2006:
(A) New budget authority, $382,200,000,000.
(B) Outlays, $327,800,000,000.

(13) Income Security (600):
Fiscal year 2001:
(A) New budget authority, $256,000,000,000.

(B) Outlays, $257,000,000,000.
Fiscal year 2002:
(A) New budget authority, $271,100,000,000.
(B) Outlays, $271,800,000,000.
Fiscal year 2003:
(A) New budget authority, $281,500,000,000.
(B) Outlays, $281,900,000,000.
Fiscal year 2004:
(A) New budget authority, $292,600,000,000.
(B) Outlays, $291,600,000,000.
Fiscal year 2005:
(A) New budget authority, $307,000,000,000.
(B) Outlays, $305,500,000,000.
Fiscal year 2006:
(A) New budget authority, $314,600,000,000.
(B) Outlays, $313,100,000,000.
(14) Social Security (650):
Fiscal year 2001:
(A) New budget authority, $3,400,000,000.
(B) Outlays, $3,400,000,000.
Fiscal year 2002:
(A) New budget authority, $3,500,000,000.
(B) Outlays, $3,500,000,000.
Fiscal year 2003:
(A) New budget authority, $3,500,000,000.
(B) Outlays, $3,500,000,000.
Fiscal year 2004:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $3,600,000,000.
Fiscal year 2005:
(A) New budget authority, $3,700,000,000.
(B) Outlays, $3,600,000,000.
Fiscal year 2006:
(A) New budget authority, $3,800,000,000.
(B) Outlays, $3,800,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2001:
(A) New budget authority, $46,700,000,000.
(B) Outlays, $46,000,000,000.
Fiscal year 2002:
(A) New budget authority, $53,850,000,000.
(B) Outlays, $53,250,000,000.
Fiscal year 2003:
(A) New budget authority, $54,460,000,000.
(B) Outlays, $54,060,000,000.
Fiscal year 2004:
(A) New budget authority, $56,540,000,000.
(B) Outlays, $56,220,000,000.
Fiscal year 2005:
(A) New budget authority, $60,680,000,000.
(B) Outlays, $60,240,000,000.
Fiscal year 2006:
(A) New budget authority, $60,260,000,000.
(B) Outlays, $59,820,000,000.
(16) Administration of Justice (750):
Fiscal year 2001:
(A) New budget authority, $30,600,000,000.
(B) Outlays, $30,000,000,000.
Fiscal year 2002:
(A) New budget authority, $32,160,000,000.
(B) Outlays, $31,300,000,000.
Fiscal year 2003:
(A) New budget authority, $33,010,000,000.
(B) Outlays, $33,400,000,000.
Fiscal year 2004:
(A) New budget authority, $33,160,000,000.
(B) Outlays, $33,850,000,000.
Fiscal year 2005:
(A) New budget authority, $34,050,000,000.
(B) Outlays, $34,310,000,000.
Fiscal year 2006:
(A) New budget authority, $35,000,000,000.
(B) Outlays, $34,690,000,000.
(17) General Government (800):
Fiscal year 2001:
(A) New budget authority, $16,800,000,000.
(B) Outlays, $16,500,000,000.
Fiscal year 2002:
(A) New budget authority, $17,700,000,000.
(B) Outlays, $17,400,000,000.
Fiscal year 2003:
(A) New budget authority, $16,400,000,000.
(B) Outlays, $16,400,000,000.
Fiscal year 2004:
(A) New budget authority, $16,700,000,000.
(B) Outlays, $16,600,000,000.
Fiscal year 2005:
(A) New budget authority, $17,100,000,000.
(B) Outlays, $16,700,000,000.
Fiscal year 2006:
(A) New budget authority, $17,500,000,000.
(B) Outlays, $17,100,000,000.
(18) Net Interest (900):
Fiscal year 2001:
(A) New budget authority, $205,200,000,000.
(B) Outlays, $205,400,000,000.
Fiscal year 2002:
(A) New budget authority, $184,600,000,000.
(B) Outlays, $182,600,000,000.
Fiscal year 2003:
(A) New budget authority, $172,300,000,000.
(B) Outlays, $171,900,000,000.
Fiscal year 2004:
(A) New budget authority, $155,800,000,000.
(B) Outlays, $154,300,000,000.
Fiscal year 2005:
(A) New budget authority, $134,300,000,000.
(B) Outlays, $133,800,000,000.
Fiscal year 2006:
(A) New budget authority, $112,600,000,000.
(B) Outlays, $112,400,000,000.
(19) Allowances (920):
Fiscal year 2001:
(A) New budget authority, −$500,000,000.
(B) Outlays, −$300,000,000.
Fiscal year 2002:
(A) New budget authority, $3,000,000,000.
(B) Outlays, $1,000,000,000.
Fiscal year 2003:
(A) New budget authority, $3,900,000,000.
(B) Outlays, $3,500,000,000.
Fiscal year 2004:
(A) New budget authority, $4,500,000,000.
(B) Outlays, $3,000,000,000.
Fiscal year 2005:
(A) New budget authority, $4,700,000,000.
(B) Outlays, $4,150,000,000.
Fiscal year 2006:
(A) New budget authority, $4,800,000,000.
(B) Outlays, $4,600,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2001:
(A) New budget authority, −$46,170,000,000.
(B) Outlays, −$46,170,000,000.
Fiscal year 2002:
(A) New budget authority, −$47,890,000,000.
(B) Outlays, −$47,890,000,000.
Fiscal year 2003:
(A) New budget authority, −$59,020,000,000.
(B) Outlays, −$59,020,000,000.
Fiscal year 2004:
(A) New budget authority, −$66,220,000,000.
(B) Outlays, −$66,220,000,000.
Fiscal year 2005:
(A) New budget authority, −$57,600,000,000.
(B) Outlays, −$57,600,000,000.
Fiscal year 2006:
(A) New budget authority, −$62,590,000,000.
(B) Outlays, −$62,590,000,000.

SEC. 4. RECONCILIATION.

(a) SUBMISSIONS BY THE HOUSE COMMITTEE ON WAYS AND MEANS FOR TAX RELIEF.—The House Committee on Ways and Means shall submit to the Committee on the Budget recommendations pursuant to section (c)(2)(D)(ii) not later than July 24, 2001, that consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues by not more than: $23,230,000,000 for fiscal year 2001, $22,440,000,000 for fiscal year 2002, $27,631,000,000 for fiscal year 2003, $31,109,000,000 for fiscal year 2004, $33,332,000,000 for fiscal year 2005, and $43,338,000,000 for fiscal year 2006.

(b) SUBMISSIONS BY HOUSE COMMITTEES ON ENERGY AND COMMERCE AND WAYS AND MEANS FOR MEDICARE REFORM AND PRESCRIPTION DRUGS.—(1) Not later than July 24, 2001, the House Committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget.

(2)(A) The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $0 for fiscal year 2001, $2,000,000,000 for fiscal year 2002, $14,000,000,000 for fiscal year 2003, $22,000,000,000 for fiscal year 2004, $26,000,000,000 for fiscal year 2005, and $31,000,000,000 for fiscal year 2006.

(c) OTHER SUBMISSIONS BY HOUSE COMMITTEES.—(1) Not later than September 11, 2001, the House Committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget.

(2)(A) The House Committee on Agriculture shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $7,500,000,000 for fiscal year 2001, $10,265,000,000 for fiscal year 2002, $10,675,000,000 for fiscal year 2003, $10,619,000,000 for fiscal year 2004, $10,022,000,000 for fiscal year 2005, and $9,848,000,000 for fiscal year 2006.

(B) The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $5,000,000 for fiscal year 2001, $5,000,000 for fiscal year 2002, $5,000,000 for fiscal year 2003, $5,000,000 for fiscal year 2004, $7,000,000 for fiscal year 2005, and $10,000,000 for fiscal year 2006.

(C) The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $0 for fiscal year 2001, $180,000,000 for fiscal year 2002, $1,166,000,000 for fiscal year 2003, $1,361,000,000 for fiscal year 2004, $1,481,000,000 for fiscal year 2005, and $1,636,000,000 for fiscal year 2006.

(D) The House Committee on Veterans' Affairs shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $0 for fiscal year 2001, $1,872,000,000 for fiscal year 2002, $1,951,000,000 for fiscal year 2003, $2,057,000,000 for fiscal year 2004, $2,165,000,000 for fiscal year 2005, and $2,379,000,000 for fiscal year 2006.

(d) ____.—After recieving the recommendations reported pursuant to subsections (a), (b) and (c), the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such reccomendations without any substantive revision.

(e) SPECIAL RULES.—In the House, if any bill reported pursuant to subsection (a) or subsection (c)(2)(D)(ii), amendment thereto or conference report thereon, has refundable tax provisions that increase outlays, the chairman of the Committee on the Budget may increase the amount of new budget authority provided by such provisions (and outlays flowing therefrom) allocated to the Committee on Ways and Means and adjust the revenue levels set forth in such subsection accordingly such that the increase in outlays and reduction in revenue resulting from such bill does not exceed the amounts specified in subsection (a) or subsection (c)(2)(D)(ii), as applicable.

(f) In carrying out reconciliation instructions under this section respecting any changes in laws within its jurisdiction to increase outlays or reduce revenues, the applicable House committees shall only recommend changes that will be fully phased-in by the close of fiscal year 2006.

SEC. 5. RESERVE FOR DEBT REDUCTION AND STRENGTHENING SOCIAL SECURITY AND MEDICARE.

(a) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider any reported bill or joint resolution, or any amendment thereto or conference report thereon, that would cause a surplus for any of fiscal years 2001 through 2006 to be less than the sum of the level set forth in subsection (b) and the level of the Federal Hospital Insurance Trust Fund set forth in section 6, except as provided for in subsection (c).

(b) DEBT REDUCTION RESERVE.—

(1) The sums referred to in subsection (a) are as follows:

(A) Fiscal year 2002: $48,650,000,000.

(B) Fiscal year 2003: $61,950,000,000.

(C) Fiscal year 2004: $72,750,000,000.

(D) Fiscal year 2005: $81,500,000,000.

(E) Fiscal year 2006: $106,750,000,000.

(2) The funds in the debt reduction reserve shall be used exclusively for buying back publicly held debt, except as provided for in subsection (c).

(c) EXCEPTION FOR LEGISLATION STRENGTHENING SOCIAL SECURITY OR MEDICARE SOLVENCY.—

(1) Subsections (a) shall not apply to social security reform legislation or medicare reform legislation.

(2) For purposes of this subsection, social security reform legislation refers to legislation that the chief actuary of the Social Security Administration certifies extends the solvency of the Federal Old Age and Surivors Trust Fund and the Federal Disability Insurance Trust fund, taken together, for 75 years.

(3) For purposes of this subsection, Medicare reform legislation refers to legislation that the chief actuary of the Health Care Financing Administration certifies extends the solvency of the Federal beyond 2050.

SEC. 6. ENFORCEMENT OF MEDICARE LEVELS.

(a) It shall not be in order in the House or Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a decrease in surpluses or an increase in deficits of the Federal Hospital Insurance Trust Fund in any year relative to the levels set forth in subsection (b). This paragraph shall not apply to amounts to be expended from the Hospital Insurance Trust Fund for purposes relating to programs within part A of Medicare as provided in law on the date of enactment of this paragraph.

(b) The amounts referred to in subsection (a) are as follows:

(1) Fiscal year 2002: $36,000,000,000.

(2) Fiscal year 2003: $39,000,000,000.

(3) Fiscal year 2004: $41,000,000,000.

(4) Fiscal year 2005: $40,000,000,000.

(5) Fiscal year 2006: $44,000,000,000.

SEC. 7. USE OF CBO ESTIMATES IN ENFORCEMENT OF RESOLUTION.

For purposes of enforcing the budgetary aggregates and allocations under this resolution, the chairman of the House Committee on the Budget shall, in advising the presiding officer on the cost of any piece of legislation, rely exclusively on estimates prepared by the Congressional Budget Office or the Joint Tax Committee, in a form certified by that agency to be consistent with its own economic and technical estimates, unless in each case he first receives the approval of the Committee on the Budget by recorded vote to use a different estimate.

SEC. 8. TAX CUTS AND NEW SPENDING CONTINGENT ON DEBT REDUCTION.

Notwithstanding any other provision of this resolution, it shall not be in order to consider a reconciliation bill pursuant to section 4 of this resolution or any legislation reducing revenues for the period of fiscal years 2002 to 2006 or increasing outlays for mandatory spending programs unless there is a certification by Director of the Congressional Budget Office that the House has approved legislation which—

(1) ensures that a sufficient portion of the on-budget surplus is reserved for debt retirement to put the government on a path to reduce the publicly held debt below $1,700,000,000,000 by the end of fiscal year 2006 under current economic and technical projections; and

(2) legislation has been enacted which establishes points of order or other protections to ensure that funds reserved for debt retirement may not be used for any other purpose, except for adjustments to reflect economic and technical changes in budget projections.

SEC. 9. ADJUSTMENT FOR REVISION OF BUDGET SURPLUSES.

(a) ALLOCATION OF INCREASED SURPLUS PROJECTIONS.—If the Congressional Budget Office report referred to in subsection (b) projects an increase in the surplus for fiscal year 2000, fiscal year 2001, and the period of fiscal years 2002 through 2006 over the corresponding levels set forth in its economic and budget forecast for 2001 submitted pursuant to section 202(e)(1) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget of the House shall make the adjustments as provided in subsection (c).

(b) CONGRESSIONAL BUDGET OFFICE UPDATED BUDGET FORECAST FOR FISCAL YEAR 2002.—The report referred to in subsection (a) is the Congressional Budget Office updated budget forecast for fiscal year 2002.

(c) ADJUSTMENTS.—If the Committee on Ways and Means reports any reconciliation legislation or other legislation reducing revenues exceeding the revenue aggregates in section 2(1)(B), reduce the revenue aggregates in section 2(1)(A) and increase the amounts the revenues can be reduced by in section 2(1)(B) by an amount not to exceed one-quarter of the increased surplus. If the Committees on Agriculture, Appropriations, Commerce, National Security, or Ways and Means report legislation increasing spending above the allocation for that committee, increase the allocation for that committee and the aggregates set forth in sections 2(2) and 2(3) by an amount not to exceed one-quarter of the increased surplus.

(d) APPLICATION.—Any adjustments made pursuant to subsection (c) for any measure shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

SEC. 10. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to section 10, 11, or 12 for any measure shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the House of Representatives or the Senate, as applicable; and

(2) such chairman, as applicable, may make any other necessary adjustments to such levels to carry out this resolution.

SEC. 11. SENSE OF CONGRESS REGARDING RETIREMENT TRUST FUNDS.

(a) FINDINGS.—Congress finds that—

(1) the Congress has made commitments to balance the Federal budget without including the surpluses of trust funds dedicated to particular purposes, such as the Old-Age and Survivors Insurance Trust Fund, the Disability Insurance Trust Fund, and the Hospital Insurance Trust Fund;

(2) the assets of the Department of Defense Military Retirement Fund are used to finance the military retirement and survivor benefit programs of the Department of Defense;

(3) the Department of Defense Military Retirement Fund is facing a long-term unfunded actuarial liability which will require all of the fund's current surplus to pay the retirement and survivor benefits promised to current and future members of the Armed Forces; and

(4) the assets in the Department of Defense Military Retirement Fund are included in the calculation of the Federal budget surplus and account for approximately $100,000,000,000 of the estimated Federal budget surplus during the next 10 years.

(b) SENSE OF THE HOUSE.—It is the sense of the House of Representatives that any portion of the Federal budget surplus attributable to the Department of Defense Military Retirement Fund should be used exclusively for the financing of the military retirement and survivor benefit programs of the Department of Defense, and not for the financing of tax policy changes, new Federal spending, or any other purpose.

SEC. 12. SENSE OF CONGRESS REGARDING SURPLUS PROJECTIONS.

(a) FINDINGS.—Congress finds that—

(1) disagreements on objective budget surplus figures, in the annual budget and appropriations process, have led to repetitive and time-consuming budget votes, decreasing the time available for consideration and oversight of federal programs, undermining legislation to provide responsible tax relief, and delaying enactment of legislation necessary to fund the Government;

(2) Congress and the Administration want to work together to do everything possible to maintain a strong and growing economy;

(3) an agreement on baseline estimates will prevent us from undermining the fiscal discipline that has contributed to our economic strength and allow Congress and the Administration to address their collective priorities in a responsible, bipartisan manner:

(3) a bipartisan majority of the Members of the House of Representatives and the Senate have voted to protect the social security and medicare trust funds;

(4) empirical evidence and the Congressional Budget Office agree that changes in economic conditions make projections based on ten-year forecasts highly uncertain;

(5) the caps on discretionary spending are set to expire at the end of fiscal year 2002 and no formal rules will be in place to contain the growth in discretionary spending;

(6) baseline estimates typically overstate the size of available surpluses by not assuming costs of extending or changing policies that affect revenues, such as expiring tax provisions and the cost of indexing the alternative minimum tax (AMT) to protect middle-class families from the AMT; and

(7) current baseline estimates do not recognize underlying demographic pressures that will incur future obligations that may threaten projected surpluses outside the ten-year budget window.

(b) SENSE OF THE HOUSE.—It is the sense of the House that future budget resolutions, as well as all tax and spending legislation, should maintain our commitment to fiscal responsibility by using agreed-upon surplus, tax, and spending figures derived from the following principles:

(1) The size of the available surplus should exclude social security and medicare trust funds.

(2) The uncertainty of long-term economic forecasts should be recognized.

(3) Realistic assumptions for the growth in discretionary spending should be accounted for.

(4) The projected surplus should be adjusted to recognize that scoring conventions do not incorporate the costs of policies that Congress historically reauthorizes.

(5) There should be a recognition that the Federal Government will incur sizable, future obligations due to demographic pressures set to occur upon the retirement of our baby-boom generation.

SEC. 13. SENSE OF CONGRESS REGARDING BUDGET ENFORCEMENT.

It is the sense of Congress that legislation should be enact legislation enforcing this resolution by—

(1) establishing a plan to retire half of the publicly held debt by the end of fiscal year 2006;

(2) setting discretionary spending limits for budget authority and outlays at the levels set forth in this resolution for each of the next five years;

(3) extending the pay as you go rules set forth in Section 252 of the BBEDCA for the next ten years; and

(4) establishing modified line item veto authority requiring Congressinal votes on rescissions submitted by the President and reducing the discretionary spending limits to reflect savings from any rescissions enacted into law.

SEC. 14. SENSE OF THE CONGRESS ON THE UNCERTAINTY OF BUDGET FORECASTS.

(a) FINDINGS.—Congress finds that—

(1) the Congressional Budget Office (CBO) has not produced ten year forecasts frequently enough to produce meaningful averages of its ten-year projection errors;

(2) 71 percent of the projected surplus outside of Social Security and Medicare occurs in the second half of the ten-year projection, the period more subject to error;

(3) based on its own record, CBO concludes that the estimated surpluses could be off in one direction or the other, on average, by about $52 billion in 2001, $120 billion in 2002, and $412 billion in 2006.

(4) if this uncertainty continues to grow in years six through ten at the same rate it has proven to grow in years one through five, CBO's expected surplus in 2011, excluding Social Security and Medicare, would be expressed as $524 billion, plus or minus $800 billion; and

(5) recognizing these uncertainties, the Chairman of the Federal Reserve Board has warned that ''we need to resist those policies that could readily resurrect the deficits of the past and the fiscal imbalances that followed in their wake'', while the Comptroller General testified that ''no one should design tax or spending policies pegged to the precise numbers in any 10-year forecast'';

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) this resolution recognizes the uncertainty of 10-year budget projections; and

(2) a reserve fund, consisting of non-Social Security, non-Medicare surpluses should be created to ensure that the Social Security and Medicare trust funds are protected in the event surplus projections do not materialize; and (3) surplus funds materializing from this reserve in calendar years six through ten should be dedicated to new revenue reducing initiatives.

It was decided in the negative ..... { Yeas ..... 204 / Nays 221

¶30.11 [Roll No. 67]

AYES—204

Abercrombie, Ackerman, Allen, Andrews, Baca, Baird, Baldacci, Barcia, Barrett, Bentsen, Berkley, Berman, Berry, Bishop, Blagojevich, Blumenauer, Bonior, Borski, Boswell, Boucher, Boyd, Brady (PA), Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson (IN), Carson (OK), Clay, Clayton, Clement, Clyburn, Condit, Conyers, Costello, Coyne, Cramer, Crowley, Cummings, Davis (CA), Davis (FL), Davis (IL), Davis, Jo Ann, DeFazio, Delahunt, DeLauro, Deutsch, Dicks, Dingell, Doggett, Dooley, Doyle, Duncan, Edwards, Emerson, Engel, Eshoo, Etheridge, Farr, Fattah, Filner, Ford, Frank, Frost, Gephardt, Gonzalez, Gordon, Green (TX), Gutierrez, Hall (TX), Harman, Hastings (FL), Hill, Hilliard, Hinchey, Hinojosa, Hoeffel, Holden, Holt, Honda, Hooley, Hoyer, Inslee, Israel, Jackson-Lee (TX), Jefferson, John, Johnson, E. B., Jones (OH), Kanjorski, Kelly, Kennedy (RI), Kildee, Kilpatrick, Kind (WI), Kleczka, LaFalce, Langevin, Lantos, Larsen (WA), Larson (CT), Lee, Levin, Lewis (GA), Lipinski, Lofgren, Lowey, Lucas (KY), Luther, Maloney (CT), Maloney (NY), Markey, Mascara, Matheson, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McDermott, McGovern, McIntyre, McKinney, McNulty, Meehan, Meek (FL), Meeks (NY), Menendez, Millender-McDonald, Miller, George, Moakley, Mollohan, Moore, Moran (VA), Morella, Murtha, Nadler, Napolitano, Neal, Oberstar, Obey, Olver, Ortiz, Pallone, Pascrell, Pastor, Payne, Pelosi, Peterson (MN), Phelps, Pomeroy, Price (NC), Rangel, Reyes, Rivers, Rodriguez, Roemer, Ross, Roybal-Allard, Rush, Sabo, Sanchez, Sanders, Sandlin, Sawyer, Scarborough, Schakowsky, Schiff, Scott, Serrano, Sherman, Shimkus, Shows, Skelton, Slaughter, Smith (MI), Smith (WA), Snyder, Solis, Spratt, Stark, Stearns, Stenholm, Stupak, Tanner, Tauscher, Taylor (MS), Thompson (CA), Thompson (MS), Thurman, Tierney, Turner, Udall (CO), Upton, Velazquez, Visclosky, Wamp, Watt (NC), Waxman, Weldon (PA), Wexler, Woolsey, Wu, Wynn

NOES—221

Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Barr, Bartlett, Barton, Bass, Bereuter, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Castle, Chabot, Chambliss, Coble, Collins, Combest, Cooksey, Cox, Crane, Crenshaw, Cubin, Culberson, Cunningham, Davis, Tom, Deal, DeGette, DeLay, DeMint, Diaz-Balart, Doolittle, Dreier, Dunn, Ehlers, Ehrlich, English, Evans, Everett, Ferguson, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hall (OH), Hansen, Hart, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Houghton, Hulshof, Hunter, Hutchinson, Hyde, Isakson, Issa, Istook, Jackson (IL), Jenkins, Johnson (CT), Johnson (IL), Johnson, Sam, Jones (NC), Kaptur, Keller, Kennedy (MN), Kerns, King (NY), Kingston, Kirk, Knollenberg, Kolbe, Kucinich, LaHood, Largent, Latham, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, LoBiondo, Lucas (OK), Manzullo, McCrery, McHugh, McInnis, McKeon, Mica, Miller (FL), Miller, Gary, Moran (KS), Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Osborne, Ose, Otter, Owens, Oxley, Paul, Pence, Peterson (PA), Petri, Pickering, Pitts, Platts, Pombo, Portman, Pryce (OH), Putnam, Quinn, Radanovich, Rahall, Ramstad, Regula, Rehberg, Reynolds, Riley, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryan (WI), Ryun (KS), Saxton, Schaffer, Schrock, Sensenbrenner, Sessions, Shadegg, Shays, Sherwood, Simmons, Simpson, Skeen, Smith (NJ), Smith (TX), Souder, Spence, Strickland, Stump, Sununu, Sweeney, Tancredo, Tauzin, Taylor (NC), Terry, Thomas, Thornberry, Thune, Tiahrt, Tiberi, Toomey, Towns, Traficant, Udall (NM), Vitter, Walden, Walsh, Waters, Watkins, Watts (OK), Weiner, Weldon (FL), Weller, Whitfield, Wicker, Wilson, Wolf, Young (AK), Young (FL)

NOT VOTING—7

Baldwin, Becerra, Lampson, Mink, Rothman, Shaw, Sisisky

So the amendment was not agreed to.

After some further time,

¶30.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. FLAKE:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2002.

The Congress declares that the concurrent resolution on the budget for fiscal year 2001 is hereby revised and replaced and that this is the concurrent resolution on the budget for fiscal year 2002 and that the appropriate budgetary levels for fiscal years 2003 through 2011 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2001 through 2011:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2001: $1,537,500,000,000
Fiscal year 2002: $1,601,500,000,000
Fiscal year 2003: $1,658,100,000,000
Fiscal year 2004: $1,726,300,000,000
Fiscal year 2005: $1,802,800,000,000
Fiscal year 2006: $1,851,600,000,000
Fiscal year 2007: $1,908,700,000,000
Fiscal year 2008: $1,988,800,000,000
Fiscal year 2009: $2,066,200,000,000
Fiscal year 2010: $2,147,300,000,000
Fiscal year 2011: $2,225,900,000,000

(B) The amounts by which the aggregate levels of Federal revenues should be reduced are as follows:

Fiscal year 2001: $93,000,000,000
Fiscal year 2002: $102,000,000,000
Fiscal year 2003: $124,000,000,000
Fiscal year 2004: $138,000,000,000

Fiscal year 2005: $147,000,000,000
Fiscal year 2006: $188,000,000,000
Fiscal year 2007: $227,000,000,000
Fiscal year 2008: $254,000,000,000
Fiscal year 2009: $294,000,000,000
Fiscal year 2010: $342,000,000,000
Fiscal year 2011: $393,000,000,000

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2001: $1,554,200,000,000
Fiscal year 2002: $1,597,400,000,000
Fiscal year 2003: $1,642,500,000,000
Fiscal year 2004: $1,701,700,000,000
Fiscal year 2005: $1,777,600,000,000
Fiscal year 2006: $1,823,000,000,000
Fiscal year 2007: $1,884,200,000,000
Fiscal year 2008: $1,963,200,000,000
Fiscal year 2009: $2,038,800,000,000
Fiscal year 2010: $2,120,600,000,000
Fiscal year 2011: $2,208,500,000,000

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2001: $1,502,700,000,000
Fiscal year 2002: $1,564,400,000,000
Fiscal year 2003: $1,612,100,000,000
Fiscal year 2004: $1,672,800,000,000
Fiscal year 2005: $1,750,000,000,000
Fiscal year 2006: $1,791,200,000,000
Fiscal year 2007: $1,851,300,000,000
Fiscal year 2008: $1,934,300,000,000
Fiscal year 2009: $2,010,500,000,000
Fiscal year 2010: $2,094,800,000,000
Fiscal year 2011: $2,176,500,000,000

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2001: $34,800,000,000
Fiscal year 2002: $37,100,000,000
Fiscal year 2003: $46,000,000,000
Fiscal year 2004: $53,500,000,000
Fiscal year 2005: $52,800,000,000
Fiscal year 2006: $59,900,000,000
Fiscal year 2007: $57,400,000,000
Fiscal year 2008: $54,500,000,000
Fiscal year 2009: $55,700,000,000
Fiscal year 2010: $52,500,000,000
Fiscal year 2011: $49,400,000,000

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2001: $5,656,000,000,000
Fiscal year 2002: $5,641,900,000,000
Fiscal year 2003: $5,692,400,000,000
Fiscal year 2004: $5,736,600,000,000
Fiscal year 2005: $5,793,300,000,000
Fiscal year 2006: $5,889,600,000,000
Fiscal year 2007: $6,395,300,000,000
Fiscal year 2008: $6,985,500,000,000
Fiscal year 2009: $7,629,900,000,000
Fiscal year 2010: $8,687,200,000,000
Fiscal year 2011: $9,543,400,000,000

SEC. 3. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and budget outlays for fiscal years 2003 through 2011 for each major functional category are:

(1) National Defense (050):
Fiscal year 2001:
(A) New budget authority, $310,300,000,000.
(B) Outlays, $300,600,000,000.
Fiscal year 2002:
(A) New budget authority, $349,600,000,000.
(B) Outlays, $344,000,000,000.
Fiscal year 2003:
(A) New budget authority, $362,800,000,000.
(B) Outlays, $354,400,000,000.
Fiscal year 2004:
(A) New budget authority, $369,800,000,000.
(B) Outlays, $360,600,000,000.
Fiscal year 2005:
(A) New budget authority, $379,400,000,000.
(B) Outlays, $374,000,000,000.
Fiscal year 2006:
(A) New budget authority, $390,100,000,000.
(B) Outlays, $381,900,000,000.
Fiscal year 2007:
(A) New budget authority, $401,000,000,000.
(B) Outlays, $389,900,000,000.
Fiscal year 2008:
(A) New budget authority, $412,300,000,000.
(B) Outlays, $404,700,000,000.
Fiscal year 2009:
(A) New budget authority, $423,900,000,000.
(B) Outlays, $416,400,000,000.
Fiscal year 2010:
(A) New budget authority, $435,800,000,000.
(B) Outlays, $428,400,000,000.
Fiscal year 2010:
(A) New budget authority, $435,800,000,000.
(B) Outlays, $428,400,000,000.

(2) International Affairs (150):
Fiscal year 2001:
(A) New budget authority, $22,400,000,000.
(B) Outlays, $19,700,000,000.
Fiscal year 2002:
(A) New budget authority, $20,600,000,000.
(B) Outlays, $16,400,000,000.
Fiscal year 2003:
(A) New budget authority, $20,500,000,000.
(B) Outlays, $16,500,000,000.
Fiscal year 2004:
(A) New budget authority, $21,100,000,000.
(B) Outlays, $17,100,000,000.
Fiscal year 2005:
(A) New budget authority, $21,800,000,000.
(B) Outlays, $17,300,000,000.
Fiscal year 2006:
(A) New budget authority, $22,300,000,000.
(B) Outlays, $17,700,000,000.
Fiscal year 2007:
(A) New budget authority, $23,200,000,000.
(B) Outlays, $18,600,000,000.
Fiscal year 2008:
(A) New budget authority, $23,700,000,000.
(B) Outlays, $19,200,000,000.
Fiscal year 2009:
(A) New budget authority, $24,100,000,000.
(B) Outlays, $19,900,000,000.
Fiscal year 2010:
(A) New budget authority, $24,500,000,000.
(B) Outlays, $20,300,000,000.
Fiscal year 2011:
(A) New budget authority, $25,000,000,000.
(B) Outlays, $20,600,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2001:
(A) New budget authority, $21,000,000,000.
(B) Outlays, $19,700,000,000.
Fiscal year 2002:
(A) New budget authority, $19,600,000,000.
(B) Outlays, $18,600,000,000.
Fiscal year 2003:
(A) New budget authority, $20,000,000,000.
(B) Outlays, $19,300,000,000.
Fiscal year 2004:
(A) New budget authority, $20,400,000,000.
(B) Outlays, $19,900,000,000.
Fiscal year 2005:
(A) New budget authority, $20,800,000,000.
(B) Outlays, $20,500,000,000.
Fiscal year 2006:
(A) New budget authority, $21,200,000,000.
(B) Outlays, $20,700,000,000.
Fiscal year 2007:
(A) New budget authority, $22,000,000,000.
(B) Outlays, $21,600,000,000.
Fiscal year 2008:
(A) New budget authority, $22,300,000,000.
(B) Outlays, $21,800,000,000.
Fiscal year 2009:
(A) New budget authority, $22,900,000,000.
(B) Outlays, $22,300,000,000.
Fiscal year 2010:
(A) New budget authority, $23,300,000,000.
(B) Outlays, $22,800,000,000.
Fiscal year 2011:
(A) New budget authority, $23,800,000,000.
(B) Outlays, $23,000,000,000.

(4) Energy (270):
Fiscal year 2001:
(A) New budget authority, $1,200,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2002:
(A) New budget authority, −$100,000,000.
(B) Outlays, −$1,300,000,000.
Fiscal year 2003:
(A) New budget authority, −$2,300,000,000.
(B) Outlays, −$3,600,000,000.
Fiscal year 2004:
(A) New budget authority, −$800,000,000.
(B) Outlays, −$2,200,000,000.
Fiscal year 2005:
(A) New budget authority, −$800,000,000.
(B) Outlays, −$2,100,000,000.
Fiscal year 2006:
(A) New budget authority, −$800,000,000.
(B) Outlays, −$2,100,000,000.
Fiscal year 2007:
(A) New budget authority, −$700,000,000.
(B) Outlays, −$2,000,000,000.
Fiscal year 2008:
(A) New budget authority, $0.
(B) Outlays, −$1,600,000,000.
Fiscal year 2009:
(A) New budget authority, $0.
(B) Outlays, −$1,300,000,000.
Fiscal year 2010:
(A) New budget authority, $0.
(B) Outlays, −$1,300,000,000.
Fiscal year 2011:
(A) New budget authority, −$100,000,000.
(B) Outlays, −$1,400,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2001:
(A) New budget authority, $28,800,000,000.
(B) Outlays, $26,400,000,000.
Fiscal year 2002:
(A) New budget authority, $23,700,000,000.
(B) Outlays, $23,400,000,000.
Fiscal year 2003:
(A) New budget authority, $23,900,000,000.
(B) Outlays, $24,000,000,000.
Fiscal year 2004:
(A) New budget authority, $24,600,000,000.
(B) Outlays, $24,300,000,000.
Fiscal year 2005:
(A) New budget authority, $24,800,000,000.
(B) Outlays, $24,600,000,000.
Fiscal year 2006:
(A) New budget authority, $24,900,000,000.
(B) Outlays, $24,700,000,000.
Fiscal year 2007:
(A) New budget authority, $25,400,000,000.
(B) Outlays, $25,000,000,000.
Fiscal year 2008:
(A) New budget authority, $26,000,000,000.
(B) Outlays, $25,600,000,000.
Fiscal year 2009:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,300,000,000.
Fiscal year 2010:
(A) New budget authority, $27,400,000,000.
(B) Outlays, $26,800,000,000.
Fiscal year 2011:
(A) New budget authority, $28,000,000,000.
(B) Outlays, $27,200,000,000.

(6) Agriculture (350):
Fiscal year 2001:
(A) New budget authority, $26,300,000,000.
(B) Outlays, $23,200,000,000.
Fiscal year 2002:
(A) New budget authority, $19,100,000,000.
(B) Outlays, $17,500,000,000.
Fiscal year 2003:
(A) New budget authority, $18,600,000,000.
(B) Outlays, $17,000,000,000.
Fiscal year 2004:
(A) New budget authority, $18,500,000,000.
(B) Outlays, $17,100,000,000.
Fiscal year 2005:
(A) New budget authority, $18,300,000,000.
(B) Outlays, $16,900,000,000.
Fiscal year 2006:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $16,300,000,000.
Fiscal year 2007:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $14,900,000,000.
Fiscal year 2008:
(A) New budget authority, $15,600,000,000.

(B) Outlays, $14,100,000,000.
Fiscal year 2009:
(A) New budget authority, $15,800,000,000.
(B) Outlays, $14,400,000,000.
Fiscal year 2010:
(A) New budget authority, $15,900,000,000.
(B) Outlays, $14,500,000,000.
Fiscal year 2011:
(A) New budget authority, $16,100,000,000.
(B) Outlays, $14,700,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2001:
(A) New budget authority, $2,500,000,000.
(B) Outlays, −$800,000,000.
Fiscal year 2002:
(A) New budget authority, $6,400,000,000.
(B) Outlays, $4,400,000,000.
Fiscal year 2003:
(A) New budget authority, $7,600,000,000.
(B) Outlays, $1,700,000,000.
Fiscal year 2004:
(A) New budget authority, $11,800,000,000.
(B) Outlays, $7,400,000,000.
Fiscal year 2005:
(A) New budget authority, $11,700,000,000.
(B) Outlays, $7,500,000,000.
Fiscal year 2006:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $6,900,000,000.
Fiscal year 2007:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $8,500,000,000.
Fiscal year 2008:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $8,600,000,000.
Fiscal year 2009:
(A) New budget authority, $13,200,000,000.
(B) Outlays, $8,900,000,000.
Fiscal year 2010:
(A) New budget authority, $15,200,000,000.
(B) Outlays, $10,300,000,000.
Fiscal year 2011:
(A) New budget authority, $12,300,000,000.
(B) Outlays, $3,800,000,000.
(8) Transportation (400):
Fiscal year 2001:
(A) New budget authority, $62,200,000,000.
(B) Outlays, $51,700,000,000.
Fiscal year 2002:
(A) New budget authority, $61,000,000,000.
(B) Outlays, $55,600,000,000.
Fiscal year 2003:
(A) New budget authority, $58,300,000,000.
(B) Outlays, $56,600,000,000.
Fiscal year 2004:
(A) New budget authority, $58,700,000,000.
(B) Outlays, $58,600,000,000.
Fiscal year 2005:
(A) New budget authority, $59,100,000,000.
(B) Outlays, $59,800,000,000.
Fiscal year 2006:
(A) New budget authority, $59,600,000,000.
(B) Outlays, $61,300,000,000.
Fiscal year 2007:
(A) New budget authority, $60,200,000,000.
(B) Outlays, $62,900,000,000.
Fiscal year 2008:
(A) New budget authority, $60,700,000,000.
(B) Outlays, $64,400,000,000.
Fiscal year 2009:
(A) New budget authority, $61,100,000,000.
(B) Outlays, $65,600,000,000.
Fiscal year 2010:
(A) New budget authority, $61,600,000,000.
(B) Outlays, $67,300,000,000.
Fiscal year 2011:
(A) New budget authority, $62,300,000,000.
(B) Outlays, $68,800,000,000.
(9) Community and Regional Development (450):
Fiscal year 2001:
(A) New budget authority, $11,200,000,000.
(B) Outlays, $11,300,000,000.
Fiscal year 2002:
(A) New budget authority, $9,100,000,000.
(B) Outlays, $10,200,000,000.
Fiscal year 2003:
(A) New budget authority, $9,400,000,000.
(B) Outlays, $9,900,000,000.
Fiscal year 2004:
(A) New budget authority, $9,600,000,000.
(B) Outlays, $9,700,000,000.
Fiscal year 2005:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $9,200,000,000.
Fiscal year 2006:
(A) New budget authority, $10,100,000,000.
(B) Outlays, $9,200,000,000.
Fiscal year 2007:
(A) New budget authority, $10,200,000,000.
(B) Outlays, $9,300,000,000.
Fiscal year 2008:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $9,700,000,000.
Fiscal year 2009:
(A) New budget authority, $10,800,000,000.
(B) Outlays, $9,900,000,000.
Fiscal year 2010:
(A) New budget authority, $11,100,000,000.
(B) Outlays, $10,100,000,000.
Fiscal year 2011:
(A) New budget authority, $11,500,000,000.
(B) Outlays, $10,400,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2001:
(A) New budget authority, $76,900,000,000.
(B) Outlays, $69,800,000,000.
Fiscal year 2002:
(A) New budget authority, $77,700,000,000.
(B) Outlays, $72,500,000,000.
Fiscal year 2003:
(A) New budget authority, $77,700,000,000.
(B) Outlays, $77,400,000,000.
Fiscal year 2004:
(A) New budget authority, $79,500,000,000.
(B) Outlays, $78,000,000,000.
Fiscal year 2005:
(A) New budget authority, $82,100,000,000.
(B) Outlays, $79,700,000,000.
Fiscal year 2006:
(A) New budget authority, $84,400,000,000.
(B) Outlays, $82,000,000,000.
Fiscal year 2007:
(A) New budget authority, $86,200,000,000.
(B) Outlays, $83,900,000,000.
Fiscal year 2008:
(A) New budget authority, $88,100,000,000.
(B) Outlays, $85,500,000,000.
Fiscal year 2009:
(A) New budget authority, $90,000,000,000.
(B) Outlays, $87,600,000,000.
Fiscal year 2010:
(A) New budget authority, $92,000,000,000.
(B) Outlays, $90,100,000,000.
Fiscal year 2011:
(A) New budget authority, $94,400,000,000.
(B) Outlays, $91,400,000,000.
(11) Health (550):
Fiscal year 2001:
(A) New budget authority, $180,100,000,000.
(B) Outlays, $173,000,000,000.
Fiscal year 2002:
(A) New budget authority, $189,800,000,000.
(B) Outlays, $187,100,000,000.
Fiscal year 2003:
(A) New budget authority, $208,400,000,000.
(B) Outlays, $205,000,000,000.
Fiscal year 2004:
(A) New budget authority, $223,700,000,000.
(B) Outlays, $222,200,000,000.
Fiscal year 2005:
(A) New budget authority, $240,600,000,000.
(B) Outlays, $238,600,000,000.
Fiscal year 2007:
(A) New budget authority, $276,600,000,000.
(B) Outlays, $274,100,000,000.
Fiscal year 2008:
(A) New budget authority, $297,400,000,000.
(B) Outlays, $295,300,000,000.
Fiscal year 2009:
(A) New budget authority, $318,700,000,000.
(B) Outlays, $316,800,000,000.
Fiscal year 2010:
(A) New budget authority, $343,200,000,000.
(B) Outlays, $341,800,000,000.
Fiscal year 2011:
(A) New budget authority, $370,600,000,000.
(B) Outlays, $368,800,000,000.
(12) Medicare (570):
Fiscal year 2001:
(A) New budget authority, $217,600,000,000.
(B) Outlays, $214,400,000,000.
Fiscal year 2002:
(A) New budget authority, $229,100,000,000.
(B) Outlays, $225,700,000,000.
Fiscal year 2003:
(A) New budget authority, $243,900,000,000.
(B) Outlays, $240,300,000,000.
Fiscal year 2004:
(A) New budget authority, $260,200,000,000.
(B) Outlays, $256,900,000,000.
Fiscal year 2005:
(A) New budget authority, $283,400,000,000.
(B) Outlays, $279,800,000,000.
Fiscal year 2006:
(A) New budget authority, $297,200,000,000.
(B) Outlays, $293,100,000,000.
Fiscal year 2007:
(A) New budget authority, $322,800,000,000.
(B) Outlays, $319,200,000,000.
Fiscal year 2008:
(A) New budget authority, $347,400,000,000.
(B) Outlays, $343,300,000,000.
Fiscal year 2009:
(A) New budget authority, $374,500,000,000.
(B) Outlays, $370,100,000,000.
Fiscal year 2010:
(A) New budget authority, $404,100,000,000.
(B) Outlays, $400,000,000,000.
Fiscal year 2011:
(A) New budget authority, $435,900,000,000.
(B) Outlays, $431,700,000,000.
(13) Income Security (600):
Fiscal year 2001:
(A) New budget authority, $256,000,000,000.
(B) Outlays, $257,000,000,000.
Fiscal year 2002:
(A) New budget authority, $265,500,000,000.
(B) Outlays, $265,700,000,000.
Fiscal year 2003:
(A) New budget authority, $275,400,000,000.
(B) Outlays, $275,600,000,000.
Fiscal year 2004:
(A) New budget authority, $286,300,000,000.
(B) Outlays, $285,100,000,000.
Fiscal year 2005:
(A) New budget authority, $300,500,000,000.
(B) Outlays, $298,900,000,000.
Fiscal year 2006:
(A) New budget authority, $307,600,000,000.
(B) Outlays, $306,100,000,000.
Fiscal year 2007:
(A) New budget authority, $314,100,000,000.
(B) Outlays, $312,600,000,000.
Fiscal year 2008:
(A) New budget authority, $328,200,000,000.
(B) Outlays, $326,900,000,000.
Fiscal year 2009:
(A) New budget authority, $339,300,000,000.
(B) Outlays, $337,500,000,000.
Fiscal year 2010:
(A) New budget authority, $349,700,000,000.
(B) Outlays, $348,000,000,000.
Fiscal year 2011:
(A) New budget authority, $360,500,000,000.
(B) Outlays, $358,400,000,000.
(14) Social Security (650)
Fiscal year 2001:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $9,800,000,000.
Fiscal year 2002:
(A) New budget authority, $11,000,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2003:
(A) New budget authority, $11,700,000,000.
(B) Outlays, $11,700,000,000.
Fiscal year 2004:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,500,000,000.
Fiscal year 2005:
(A) New budget authority, $13,300,000,000.
(B) Outlays, $13,300,000,000.
Fiscal year 2006:
(A) New budget authority, $14,200,000,000.
(B) Outlays, $14,200,000,000.
Fiscal year 2007:

(A) New budget authority, $15,200,000,000.
(B) Outlays, $15,200,000,000.
Fiscal year 2008:
(A) New budget authority, $16,200,000,000.
(B) Outlays, $16,200,000,000.
Fiscal year 2009:
(A) New budget authority, $17,500,000,000.
(B) Outlays, $17,500,000,000.
Fiscal year 2010:
(A) New budget authority, $18,900,000,000.
(B) Outlays, $18,900,000,000.
Fiscal year 2011:
(A) New budget authority, $20,400,000,000.
(B) Outlays, $20,400,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2001:
(A) New budget authority, $46,700,000,000.
(B) Outlays, $45,900,000,000.
Fiscal year 2002:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $51,600,000,000.
Fiscal year 2003:
(A) New budget authority, $53,000,000,000.
(B) Outlays, $52,800,000,000.
Fiscal year 2004:
(A) New budget authority, $55,300,000,000.
(B) Outlays, $54,900,000,000.
Fiscal year 2005:
(A) New budget authority, $59,300,000,000.
(B) Outlays, $58,900,000,000.
Fiscal year 2006:
(A) New budget authority, $58,800,000,000.
(B) Outlays, $58,300,000,000.
Fiscal year 2007:
(A) New budget authority, $58,100,000,000.
(B) Outlays, $57,700,000,000.
Fiscal year 2008:
(A) New budget authority, $62,000,000,000.
(B) Outlays, $61,600,000,000.
Fiscal year 2009:
(A) New budget authority, $63,400,000,000.
(B) Outlays, $63,000,000,000.
Fiscal year 2010:
(A) New budget authority, $64,700,000,000.
(B) Outlays, $64,400,000,000.
Fiscal year 2011:
(A) New budget authority, $67,100,000,000.
(B) Outlays, $66,700,000,000
(16) Administration of Justice (750):
Fiscal year 2001:
(A) New budget authority, $30,600,000,000.
(B) Outlays, $30,000,000,000.
Fiscal year 2002:
(A) New budget authority, $29,100,000,000.
(B) Outlays, $28,600,000,000.
Fiscal year 2003:
(A) New budget authority, $30,100,000,000.
(B) Outlays, $30,300,000,000.
Fiscal year 2004:
(A) New budget authority, $31,800,000,000.
(B) Outlays, $32,300,000,000.
Fiscal year 2005:
(A) New budget authority, $32,800,000,000.
(B) Outlays, $32,900,000,000.
Fiscal year 2006:
(A) New budget authority, $33,700,000,000.
(B) Outlays, $33,400,000,000.
Fiscal year 2007:
(A) New budget authority, $34,600,000,000.
(B) Outlays, $34,200,000,000.
Fiscal year 2008:
(A) New budget authority, $35,500,000,000.
(B) Outlays, $35,100,000,000.
Fiscal year 2009:
(A) New budget authority, $36,400,000,000.
(B) Outlays, $35,900,000,000.
Fiscal year 2010:
(A) New budget authority, $37,000,000,000.
(B) Outlays, $36,700,000,000.
Fiscal year 2011:
(A) New budget authority, $38,600,000,000.
(B) Outlays, $38,000,000,000.
(17) General Government (800):
Fiscal year 2001:
(A) New budget authority, $16,300,000,000.
(B) Outlays, $16,100,000,000.
Fiscal year 2002:
(A) New budget authority, $15,200,000,000.
(B) Outlays, $14,900,000,000.
Fiscal year 2003:
(A) New budget authority, $14,900,000,000.
(B) Outlays, $14,800,000,000.
Fiscal year 2004:
(A) New budget authority, $15,200,000,000.
(B) Outlays, $15,200,000,000.
Fiscal year 2005:
(A) New budget authority, $15,500,000,000.
(B) Outlays, $15,100,000,000.
Fiscal year 2006:
(A) New budget authority, $15,500,000,000.
(B) Outlays, $15,100,000,000.
Fiscal year 2007:
(A) New budget authority, $15,700,000,000.
(B) Outlays, $15,400,000,000.
Fiscal year 2008:
(A) New budget authority, $15,600,000,000.
(B) Outlays, $15,300,000,000.
Fiscal year 2009:
(A) New budget authority, $15,700,000,000.
(B) Outlays, $15,400,000,000.
Fiscal year 2010:
(A) New budget authority, $16,100,000,000.
(B) Outlays, $15,800,000,000.
Fiscal year 2011:
(A) New budget authority, $16,200,000,000.
(B) Outlays, $15,800,000,000.
(18) Net Interest (900):
Fiscal year 2001:
(A) New budget authority, $278,600,000,000.
(B) Outlays, $278,600,000,000.
Fiscal year 2002:
(A) New budget authority, $260,600,000,000.
(B) Outlays, $260,600,000,000.
Fiscal year 2003:
(A) New budget authority, $260,100,000,000.
(B) Outlays, 260,100,000,000.
Fiscal year 2004:
(A) New budget authority, $255,500,000,000.
(B) Outlays, $255,500,000,000.
Fiscal year 2005:
(A) New budget authority, $249,400,000,000.
(B) Outlays, $249,400,000,000.
Fiscal year 2006:
(A) New budget authority, $243,000,000,000.
(B) Outlays, $243,000,000,000.
Fiscal year 2007:
(A) New budget authority, $237,500,000,000.
(B) Outlays, $237,500,000,000.
Fiscal year 2008:
(A) New budget authority, $236,600,000,000.
(B) Outlays, $236,600,000,000.
Fiscal year 2009:
(A) New budget authority, $233,300,000,000.
(B) Outlays, $233,300,000,000.
Fiscal year 2010:
(A) New budget authority, $230,400,000,000.
(B) Outlays, $230,400,000,000.
Fiscal year 2011:
(A) New budget authority, $229,100,000,000.
(B) Outlays, $229,100,000,000.
(19) Allowances (920):
Fiscal year 2001:
(A) New budget authority, −$500,000,000.
(B) Outlays, −$300,000,000.
Fiscal year 2002:
(A) New budget authority, $400,000,000.
(B) Outlays, $100,000,000.
Fiscal year 2003:
(A) New budget authority, $800,000,000.
(B) Outlays, $600,000,000.
Fiscal year 2004:
(A) New budget authority, $1,200,000,000.
(B) Outlays, $1,000,000,000.
Fiscal year 2005:
(A) New budget authority, $1,300,000,000.
(B) Outlays, $1,200,000,000.
Fiscal year 2006:
(A) New budget authority, $1,300,000,000.
(B) Outlays, $1,200,000,000.
Fiscal year 2007:
(A) New budget authority, $1,300,000,000.
(B) Outlays, $1,200,000,000.
Fiscal year 2008:
(A) New budget authority, $1,400,000,000.
(B) Outlays, $1,300,000,000.
Fiscal year 2009:
(A) New budget authority, $1,500,000,000.
(B) Outlays, $1,400,000,000.
Fiscal year 2010:
(A) New budget authority, $1,500,000,000.
(B) Outlays, $1,400,000,000.
Fiscal year 2011:
(A) New budget authority, $1,600,000,000.
(B) Outlays, $1,500,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2001:
(A) New budget authority, −$38,300,000,000.
(B) Outlays, −$38,300,000,000.
Fiscal year 2002:
(A) New budget authority, −$42,300,000,000.
(B) Outlays, −$42,300,000,000.
Fiscal year 2003:
(A) New budget authority, −$52,300,000,000.
(B) Outlays, −$52,300,000,000.
Fiscal year 2004:
(A) New budget authority, −$53,200,000,000.
(B) Outlays, −$53,200,000,000.
Fiscal year 2005:
(A) New budget authority, −$45,500,000,000.
(B) Outlays, −$45,000,000,000.
Fiscal year 2006:
(A) New budget authority, −$46,500,000,000.
(B) Outlays, −$46,500,000,000.
Fiscal year 2007:
(A) New budget authority, −$48,200,000,000.
(B) Outlays, −$48,200,000,000.
Fiscal year 2008:
(A) New budget authority, −$49,100,000,000.
(B) Outlays, −$49,100,000,000.
Fiscal year 2009:
(A) New budget authority, −$50,200,000,000.
(B) Outlays, −$50,200,000,000.
Fiscal year 2010:
(A) New budget authority, −$51,800,000,000.
(B) Outlays, −$51,800,000,000.
Fiscal year 2011:
(A) New budget authority, −$53,300,000,000.
(B) Outlays, −$53,300,000,000.

SEC. 4. RECONCILIATION.

(a) SUBMISSIOSN BY THE HOUSE COMMITTEE ON WAYS AND MEANS FOR TAX RELIEF.—The House Committee on Ways and Means shall—

(1) report to the House a reconciliation bill—

(A) not later than May 2, 2001;

(B) not later than May 23, 2001; and

(C) not later than June 20, 2001; and

(2) submit to the Committee on the Budget recommendations pursuant to section (c)(2)(F)(ii) not later than September 11, 2001; that consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues by not more than $93,000,000,000 for fiscal year 2001, $102,000,000,000 for fiscal year 2002, $124,000,000,000 for fiscal year 2003, $138,000,000,000 for fiscal year 2004, $147,000,000,000 for fiscal year 2005, $188,000,000,000 for fiscal year 2006, and $2,302,000,000,000 for the period of fiscal year 2001 through 2011.

(b) SUBMISSIOSN BY HOUSE COMMITTEES ON ENERGY AND COMMERCE AND WAYS AND MEANS FOR MEDICARE REFORM AND PRESCRIPTION DRUGS.—(1) Not later than July 24, 2001, the House Committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2)(A) The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $0 for the period of fiscal year 2001 through 2011.

(B) The House Committee on Ways and Means shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $0 for the period of fiscal year 2001 through 2011.

(c) OTHER SUBMISSIONS BY HOUSE COMMITTEES.—(1) Not later than September 11, 2001,

the House Committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2)(A) The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $0 for fiscal year 2001, $0 for fiscal year 2002, $0 for fiscal year 2003, $0 for fiscal year 2004, $0 for fiscal year 2005, $0 for fiscal year 2006, and $0 for the period of fiscal year 2001 through 2011.

(B) The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $0 for fiscal year 2001, $0 for fiscal year 2002, $0 for fiscal year 2003, $0 for fiscal year 2004, $0 for fiscal year 2005, $0 for fiscal year 2006, and $0 for the period of fiscal year 2001 through 2011.

(C) The House Committee on Financial Services shall report changes in laws within its jurisdiction that provide direct spending sufficient to reduce revenues, as follows: $0 for fiscal year 2001, $139,000,000 for fiscal year 2002, $101,000,000 for fiscal year 2003, $92,000,000 for fiscal year 2004, $96,000,000 for fiscal year 2005, $101,000,000 for fiscal year 2006, and $1,112,000,000 for the period of fiscal year 2001 through 2011.

(D) The House Committee on Government Reform shall report changes in laws within its jurisdiction that provide direct spending sufficient to reduce outlays, as follows: $0 for fiscal year 2001, $0 for fiscal year 2002, $0 for fiscal year 2003, $0 for fiscal year 2004, $0 for fiscal year 2005, $0 for fiscal year 2006, and $0 for the period of fiscal year 2001 through 2011.

(E) The House Committee on Veterans' Affairs shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $0 for fiscal year 2001, $264,000,000 for fiscal year 2002, $479,000,000 for fiscal year 2003, $761,000,000 for fiscal year 2004, $816,000,000 for fiscal year 2005, $885,000,000 for fiscal year 2006, and $7,087,000,000 for the period of fiscal year 2001 through 2011.

(F)(i) The House Committee on Ways and Means shall report changes in laws within its jurisdiction that provide direct spending sufficient to increase outlays, as follows: $0 for fiscal year 2001, $0 for fiscal year 2002, $0 for fiscal year 2003, $0 for fiscal year 2004, $0 for fiscal year 2005, $0 for fiscal year 2006, and $0 for the period of fiscal year 2001 through 2011.

(ii) The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce the total level of revenues as specified in subsection (a).

(d) SPECIAL RULES.—In the House, if any bill reported pursuant to subsection (a) or subsection (c)(2)(F)(ii), amendment thereto or conference report thereon, has refundable tax provisions that increase outlays, the chairman of the Committee on the Budget may increase the amount of new budget authority provided by such provisions (and outlays following therefrom) allocated to the Committee on Ways and Means and adjust the revenue levels set forth in such subsection accordingly such that the increase in outlays and reduction in revenue resulting from such bill does not exceed the amounts specified in subsection (a) or subsection (c)(2)(F)(ii), as applicable.

SEC. 5. RESERVE FUND FOR EMERGENCIES.

(a) ADJUSTMENTS FOR EMERGENCIES.—In the House, after the reporting of a bill or joint resolution by the Committee on Appropriations, the offering of an amendment thereto, or the submission of a conference report thereon, the chairman of the Committee on the Budget shall increase the allocation of new budget authority and outlays under section 302(a) of the Congressional Budget Act of 1974 for fiscal year 2002 by the amount provided by that measure for an emergency that the chairman so determines and certifies. Adjustments to such allocation made under this subsection may be made only for amounts for emergencies in excess of $1,923,000,000 in new budget authority for fiscal year 2002 and the total of any such adjustments for such fiscal year shall not exceed $5,600,000,000 in new budget authority.

(b) DEFINITIONS.—As used in this section:

(1) The term 'emergency' means a situation (other than a threat to national security) that—

(A) requires new budget authority (and outlays flowing therefrom) to prevent the imminent loss of life or property or in response to the loss of life or property; and

(B) is unanticipated.

(2) The term 'unanticipated' means that the underlying situation is—

(A) sudden, which means quickly coming into being or not building up over time;

(B) urgent, which means a pressing and compelling need requiring immediate action;

(C) unforeseen, which means not predicted or anticipated as an emerging need; and

(D) temporary, which means not of a permanent duration.

(c) DEVELOPMENT OF GUIDELINES.—As soon as practicable, the chairman of the Committee on the Budget of the House shall, after consulting with the chairman of the Committee on Appropriations of the House, publish in the Congressional Record guidelines for application of the definition of emergency set forth in subsection (b).

(d) COMMITTEE EXPLANATION OF EMERGENCY LEGISLATION.—Whenever the Committee on Appropriations of the House (including a committee of conference) reports any bill or joint resolution that provides new budget authority for any emergency, the report accompanying that bill or joint resolution (or the joint explanatory statement of managers in the case of a conference report on any such bill or joint resolution) shall explain the reasons such amount designated under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1974 falls within the definition of emergency set forth in subsection (b) pursuant to the guidelines published under subsection (c).

(e) CBO REPORT ON THE BUDGET.—The Director of the Congressional Budget Office shall include in each report submitted under section 202(e)(1) of the Congressional Budget Act of 1974 the average annual enacted levels of discretionary budget authority and the resulting outlays for emergencies for the 5 fiscal years preceding the fiscal year of the most recently agreed to concurrent resolution on the budget.

(f) SECTION 314(b)(1) ADJUSTMENT.—Section 314(b)(1) of the Congressional Budget Act of 1974 shall not apply in the House—

(1) for fiscal year 2001; or

(2) for fiscal year 2002 or any subsequent fiscal year, except for emergencies affecting national security.

SEC. 6. RESERVE FUND FOR RETIREMENT SECURITY.

Whenever the Committee on Ways and Means of the House reports a bill or joint resolution, or an amendment thereto is offered (in the House), or a conference report thereon is submitted that enhances retirement security through structural programmatic reform and the creation of personal retirement accounts, provided that such accounts are funded from the taxes currently collected for the purpose of the Federal Old-Age and Survivors Insurance Program, the chairman of the Committee on the Budget may—

(1) increase the appropriate allocations and aggregates of new budget authority and outlays by the amount of new budget authority provided by such measure (and outlays flowing therefrom) for that purpose;

(2) reduce the revenue aggregates by the amount of the revenue loss resulting from that measure for that purpose; and

(3) make all other appropriate and conforming adjustments.

SEC. 7. RESERVE FUND FOR MEDICARE REFORM AND COMPLIANCE WITH SECTION 4(b).

Whenever the Committees on Ways and Means and Energy and Commerce report a bill in compliance with Section 4(b) of this Concurrent Resolution that achieves long-term Medicare reform and provides for an expanded prescription drug benefit, the Chairman of the Committee on the Budget may—

(1) increase the appropriate allocations and aggregates of new budget authority and outlays by the amount of new budget authority provided by such measure (and outlays flowing therefrom) for that purpose provided that:

a. for the period of fiscal year 2001 through 2011 the increase in new budget authority is $0; and

b. the increase for any one fiscal year does not exceed the amount of surplus credited in that fiscal year to the Federal Hospital Insurance Trust Fund;

(2) make all other appropriate conforming adjustments.

SEC. 8. CHANGES IN ALLOCATIONS AND AGGREGATES RESULTING FROM REALISTIC SCORING OF MEASURES AFFECTING REVENUES.

(a) Whenever the House considers a bill, joint resolution, amendment, motion or conference report, including measures filed in compliance with Section 4 of this Concurrent Resolution, that propose to change federal revenues the impact of such measure on federal revenues shall be calculated by the Joint Committee on Taxation in a manner that takes into account:

(1) the impact of the proposed revenue changes on:

i. Gross Domestic Product, including the growth rate for the Gross Domestic Product;

ii. total Domestic Employment;

iii. Gross Private Domestic Investment;

iv. General Price Index;

v. Interest Rates;

vi. Other economic variables; and

(2) the impact on Federal Revenue of the changes in economic variables analyzed under subpart (1) of this paragraph.

(b) The Chairman of the Committee on the Budget may make any necessary changes to allocations and aggregates in order to conform this Concurrent Resolution with the determinations made by the Joint Committee on Taxation pursuant to paragraph (a) of this Section.

SEC. 9. PROMOTION OF ECONOMIC GROWTH AND COMPLIANCE WITH SECTION 4(a) OF THIS CONCURRENT RESOLUTION.

When reporting to the House reconciliation measures in compliance with Section 4(a) of this Concurrent Resolution, the Ways and Means Committee shall not report legislation, which:

(1) proposes to provide a graduated or phased-in reduction over time in—

(a) Individual income tax rates;

(b) Corporate tax rates; or

(c) The rate of taxes collected on the proceeds from investments, including taxes collected on capital gains; or

(2) conditions any changes in tax law upon the achievement of some level of:

(a) Federal Revenue,

(b) Federal Surplus, or

(c) Level of Public Debt.

SEC. 10. RESERVE FUND FOR ADDITIONAL TAX CUTS AND DEBT REDUCTION.

If the report provided pursuant to section 202(e)(2) of the Congressional Budget Act of 1974, the budget and economic outlook: update (for fiscal years 2002 through 2011), estimates an on-budget surplus for any of fiscal years 2001 through 2011 that exceeds the estimated on-budget surplus set forth in the Congressional Budget Office's January 2001 budget and economic outlook for such fiscal year, the chairman of the Committee on the Budget of the House may, in an amount not to exceed the increase in such surplus for that fiscal year—

(1) reduce the recommended level of Federal revenues and make other appropriate adjustments (including the reconciliation instructions) for that fiscal year;

(2) reduce the appropriate level of the public debt, increase the amount of the surplus, and make other appropriate adjustments for that fiscal year; or

(3) any combination of paragraphs (1) and (2).

SEC. 11. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the House of Representatives; and

(2) such chairman, as applicable, may make any other necessary adjustments to such levels to carry out this resolution.

SEC. 12. COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT ACT OF 1990.

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 13301 of the Budget Enforcement Act of 1990, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of such Act to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration.

(b) SPECIAL RULE.—In the House, for purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts provided for the Social Security Administration.

SEC. 13. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

For purposes of title III of the Congressional Budget Act of 1974, advance appropriations shall be scored as new budget authority for the fiscal year in which the appropriations are enacted, except that advance appropriations in excess of the levels specified in the joint explanatory statement of managers accompanying this resolution for programs, projects, activities or accounts identified in such joint statement shall continue to be scored as new budget authority in the year in which they first become available for obligation.

SEC. 14. ACTION PURSUANT TO SECTION 302(b)(1) OF THE CONGRESSIONAL BUDGET ACT.

(a) COMPLIANCE.—When complying with Section 302(b)(1) of the Congressional Budget Act of 1974, the Committee on Appropriations of each House shall consult with the Committee on Appropriations of the other House to ensure that the allocation of budget outlays and new budget authority among each Committee's subcommittees are identical.

(b) REPORT.—The Committee on Appropriations of each House shall report to its House when it determines that the report made by the Committee pursuant to Section 301(b) of the Congressional Budget Act of 1974 and the report made by the Committee on Appropriations of the other House pursuant to the same provision contain identical allocations of budget outlays and new budget authority among each Committee's subcommittees.

(c) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report providing new discretionary budget authority for Fiscal Year 2002 allocated to the Committee on Appropriations unless and until the Committee on Appropriations of that House has made the report required under paragraph (b) of this Section.

SEC. 15. SENSE OF THE HOUSE REGARDING THE ENFORCEMENT OF CLAUSE 2(a)(1) OF RULE XXI OF THE RULES OF THE HOUSE

(a) Congress finds that:

(1) Each year, the House Appropriations Committee provides funding to hundreds of programs whose authorization has expired or were never authorized by an Act of Congress.

(2) For Fiscal Year 2002, there were over 200 programs funded in 112 laws totaling over $112 billion whose authorization had expired.

(3) According to the Congressional Budget Office (CBO), the largest amount for a single program is for veterans medical care, which was last authorized in 1998 and totals over $20.3 billion. Funding for the economic support and development assistance programs was last authorized in 1987 by the International Security and Development Cooperation Act of 1985 and totals just over $7.8 billion in 2001 and much of the appropriation provided for the Department of Justice in 2001, which totals over $16.8 billion, is unauthorized.

(4) Rule XXI of the Rules of the House of Representatives prohibits the funding of an appropriation, which has not been authorized by law.

(5) The House Rules Committee typically waives Rule XXI when considering general appropriation bills.

(6) The respective authorizing committees have not made reauthorization of unauthorized programs a priority.

(7) The lack of congressional oversight over the years, as far back in 1979, has led to the deterioration of the power of the respective authorizing Committees and thus the loss of congressional oversight and fiscal responsibility, which is a blow to the voters of America and their role in the process.

(8) The lack of congressional oversight over the years has led to the shift of power away from the Legislative Branch toward the Executive Branch and unelected federal bureaucrats.

(b) It is the sense of the Congress that:

(1) The House of Representatives and the Senate give priority to the authorization of expired programs, with an emphasis on federal programs which have been expired for more than five years.

(2) Congress should pass, and the President should sign into law, legislation to amend the Congressional Budget Act of 1974 to require Congress to fund programs that are currently unauthorized at 90 percent of prior fiscal year levels.

(3) Congress should pass, and the President should sign into law, legislation to require the Congressional Budget Office to prepare budget baselines based on the figures where unauthorized programs are frozen and funded at 90 percent of current levels.

SEC. 16. SENSE OF THE HOUSE REGARDING DEPARTMENT AND AGENCY AUDITS AND WASTE, FRAUD, AND ABUSE

(a) FINDINGS.—The House finds the following:

(1) Each branch of government and every department and agency has a fiduciary responsibility to ensure that tax dollars are spent in the most efficient and effective manner possible and to eliminate mismanagement, waste, fraud, and abuse.

(2) A minimal measure of whether a department or agency is upholding its fiduciary responsibility is its ability to pass an audit.

(3) The most recent audits for Fiscal Year 1999 revealed that nine major agencies—the Departments of Agriculture, Defense, Education, Housing and Urban Development, Justice, and Treasury and the Agency for International Development, Environmental Protection Agency, and Office of Personnel Management—could not provide clean financial statements.

(4) Mismanagement, waste, fraud, and abuse cost American taxpayers billions of dollars.

(b) SENSE OF THE HOUSE.—It is the sense of the House that no agency or department which has failed its most recent audit should receive an increase in their budget over the previous year, unless the availability of the increased funds is contingent upon the completion of a clean audit.

SEC. 17. SENSE OF CONGRESS ON THE USE OF FEDERAL SURPLUS FUNDS TO INVEST IN PRIVATE SECURITIES.

It is the Sense of Congress that Congress should pass, and the President should sign into law, legislation codifying a general prohibition on the use of Federal surplus by the Secretary of the Treasury to make investments in securities (within the meaning of the securities laws of the United States) other than government securities.

SEC. 18. SENSE OF CONGRESS ON FULLY FUNDING SPECIAL EDUCATION.

(a) Congress finds that—

(1) all children deserve a quality education, including children with disabilities;

(2) the Individuals with Disabilities Education Act provides that the Federal, State and local governments are to share in the expense of educating children with disabilities and commits the Federal Government to pay up to 40 percent of the national average per pupil expenditure for children with disabilities;

(3) the high cost of educating children with disabilities and the Federal Government's failure to fully meet its obligation under the Individuals with Disabilities Education Act stretches limited State and local education funds, creating difficulty in providing a quality education to all students, including children with disabilities;

(4) the current level of Federal funding to States and localities under the Individuals with Disabilities Education Act is contrary to the goal of ensuring that children with disabilities receive a quality education;

(5) the Federal Government has failed to fully fund the Individuals with Disabilities Education Act and appropriate 40 percent of the national average per pupil expenditure per child with a disability as required under

the Act to assist States and localities to educate children with disabilities;

(6) the levels in function 500 (Education) for fiscal year 2002 assume sufficient discretionary budget authority to accommodate fiscal year 2002 appropriations for IDEA at least $10.6 billion above such funding levels 2000, thus, fully funding the Federal Government's commitment to special education;

(7) the levels in function 500 (Education) to accommodate the fiscal year 2001 appropriation for fully funding IDEA may be reached by eliminating inefficient, ineffective and unauthorized education programs.

(b) It is the sense of Congress that—

(1) Congress and the President should increase function 500 (Education) fiscal year 2002 funding for programs under the Individuals with Disabilities Education Act by at least $10.6 billion above fiscal year 2001 appropriated levels, thus fully funding the Federal Government's commitment;

(2) Congress and the President can accomplish the goal by eliminating inefficient, ineffective and unauthorized education programs.

SEC. 19. SENSE OF CONGRESS ON FISCAL YEAR 2001 SUPPLEMENTAL SPENDING.

It is the sense of Congress that—

to the extent that any additional funding is required in Fiscal Year 2001 for the Department of Defense, for assistance for producers of program crops and specialty crops, and for other critical needs, such funding should be offset through rescissions in other Federal programs.

It was decided in the negative ..... { Yeas ..... 81 / Nays 341

¶30.13 [Roll No. 68]

AYES—81

Akin	Flake	Pence
Bachus	Gibbons	Petri
Barr	Goode	Pitts
Bartlett	Goodlatte	Pombo
Barton	Graham	Portman
Blunt	Hall (TX)	Reynolds
Boehner	Hansen	Riley
Brady (TX)	Hayworth	Rohrabacher
Bryant	Hefley	Royce
Burton	Herger	Ryan (WI)
Camp	Hoekstra	Ryun (KS)
Cannon	Hostettler	Scarborough
Cantor	Hunter	Schaffer
Chabot	Istook	Schrock
Chambliss	Johnson, Sam	Sensenbrenner
Cox	Jones (NC)	Sessions
Crane	Keller	Shadegg
Cubin	Kingston	Shimkus
Culberson	Largent	Spence
Davis, Jo Ann	Lewis (KY)	Stearns
Deal	Lucas (OK)	Sununu
DeLay	Manzullo	Tancredo
DeMint	Miller, Gary	Terry
Doolittle	Myrick	Tiahrt
Dreier	Nethercutt	Tiberi
Dunn	Norwood	Toomey
Everett	Otter	Vitter

NOES—341

Abercrombie	Blumenauer	Castle
Ackerman	Boehlert	Clay
Aderholt	Bonilla	Clayton
Allen	Bonior	Clement
Andrews	Bono	Clyburn
Armey	Borski	Coble
Baca	Boswell	Collins
Baird	Boucher	Combest
Baker	Boyd	Condit
Baldacci	Brady (PA)	Conyers
Ballenger	Brown (FL)	Cooksey
Barcia	Brown (OH)	Costello
Barrett	Brown (SC)	Coyne
Bass	Burr	Cramer
Bentsen	Buyer	Crenshaw
Bereuter	Callahan	Crowley
Berkley	Calvert	Cummings
Berman	Capito	Cunningham
Berry	Capps	Davis (CA)
Biggert	Capuano	Davis (FL)
Bilirakis	Cardin	Davis (IL)
Bishop	Carson (IN)	Davis, Tom
Blagojevich	Carson (OK)	DeFazio
DeGette	Kilpatrick	Ramstad
Delahunt	Kind (WI)	Rangel
DeLauro	King (NY)	Regula
Deutsch	Kirk	Rehberg
Diaz-Balart	Kleczka	Reyes
Dicks	Knollenberg	Rivers
Dingell	Kolbe	Rodriguez
Doggett	Kucinich	Roemer
Dooley	LaFalce	Rogers (KY)
Doyle	LaHood	Rogers (MI)
Duncan	Langevin	Ros-Lehtinen
Edwards	Lantos	Ross
Ehlers	Larsen (WA)	Roukema
Ehrlich	Larson (CT)	Roybal-Allard
Emerson	Latham	Rush
Engel	LaTourette	Sabo
English	Leach	Sanchez
Eshoo	Lee	Sanders
Etheridge	Levin	Sandlin
Evans	Lewis (CA)	Sawyer
Farr	Lewis (GA)	Saxton
Fattah	Linder	Schakowsky
Ferguson	Lipinski	Schiff
Filner	LoBiondo	Scott
Fletcher	Lofgren	Serrano
Foley	Lowey	Shaw
Ford	Lucas (KY)	Shays
Fossella	Luther	Sherman
Frank	Maloney (CT)	Sherwood
Frelinghuysen	Maloney (NY)	Shows
Frost	Markey	Simmons
Gallegly	Mascara	Simpson
Ganske	Matheson	Skeen
Gekas	Matsui	Skelton
Gephardt	McCarthy (MO)	Slaughter
Gilchrest	McCarthy (NY)	Smith (MI)
Gillmor	McCollum	Smith (NJ)
Gilman	McCrery	Smith (TX)
Gonzalez	McDermott	Smith (WA)
Goss	McGovern	Snyder
Granger	McHugh	Solis
Graves	McInnis	Spratt
Green (TX)	McIntyre	Stark
Green (WI)	McKeon	Stenholm
Greenwood	McNulty	Strickland
Grucci	Meehan	Stump
Gutierrez	Meeks (NY)	Stupak
Gutknecht	Menendez	Sweeney
Hall (OH)	Mica	Tanner
Harman	Millender-McDonald	Tauscher
Hart	Miller (FL)	Tauzin
Hastings (FL)	Miller, George	Taylor (MS)
Hastings (WA)	Moakley	Taylor (NC)
Hayes	Mollohan	Thomas
Hill	Moore	Thompson (CA)
Hilleary	Moran (KS)	Thompson (MS)
Hilliard	Moran (VA)	Thornberry
Hinchey	Morella	Thune
Hinojosa	Murtha	Thurman
Hobson	Nadler	Tierney
Hoeffel	Napolitano	Towns
Holden	Neal	Traficant
Holt	Ney	Turner
Honda	Northup	Udall (CO)
Hooley	Nussle	Udall (NM)
Horn	Oberstar	Upton
Houghton	Obey	Velazquez
Hoyer	Olver	Visclosky
Hulshof	Ortiz	Walden
Hutchinson	Osborne	Walsh
Hyde	Ose	Wamp
Inslee	Owens	Waters
Isakson	Oxley	Watkins
Israel	Pallone	Watt (NC)
Issa	Pascrell	Watts (OK)
Jackson (IL)	Pastor	Waxman
Jackson-Lee (TX)	Paul	Weiner
Jefferson	Payne	Weldon (FL)
Jenkins	Pelosi	Weldon (PA)
John	Peterson (MN)	Weller
Johnson (CT)	Peterson (PA)	Wexler
Johnson (IL)	Phelps	Whitfield
Johnson, E. B.	Pickering	Wicker
Jones (OH)	Platts	Wilson
Kanjorski	Pomeroy	Wolf
Kaptur	Price (NC)	Woolsey
Kelly	Pryce (OH)	Wu
Kennedy (MN)	Putnam	Wynn
Kennedy (RI)	Quinn	Young (AK)
Kerns	Radanovich	Young (FL)
Kildee	Rahall	

NOT VOTING—10

Baldwin	McKinney	Sisisky
Becerra	Meek (FL)	Souder
Gordon	Mink	
Lampson	Rothman	

So the amendment was not agreed to.

After some further time,

¶30.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. SPRATT:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2002.

The Congress declares that this is the concurrent resolution on the budget for fiscal year 2002 and that the appropriate budgetary levels for fiscal years 2003 through 2011 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2002 through 2011:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2002: $1,676,000,000,000.
Fiscal year 2003: $1,727,800,000,000.
Fiscal year 2004: $1,800,700,000,000.
Fiscal year 2005: $1,885,000,000,000.
Fiscal year 2006: $1,972,500,000,000.
Fiscal year 2007: $2,065,300,000,000.
Fiscal year 2008: $2,166,700,000,000.
Fiscal year 2009: $2,279,200,000,000.
Fiscal year 2010: $2,402,800,000,000.
Fiscal year 2011: $2,536,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2002: −$27,500,000,000.
Fiscal year 2003: −$54,300,000,000.
Fiscal year 2004: −$63,600,000,000.
Fiscal year 2005: −$64,800,000,000.
Fiscal year 2006: −$67,100,000,000.
Fiscal year 2007: −$70,500,000,000.
Fiscal year 2008: −$76,100,000,000.
Fiscal year 2009: −$80,900,000,000.
Fiscal year 2010: −$86,500,000,000.
Fiscal year 2011: −$91,900,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2002: $1,638,100,000,000.
Fiscal year 2003: $1,692,400,000,000.
Fiscal year 2004: $1,757,400,000,000.
Fiscal year 2005: $1,837,700,000,000.
Fiscal year 2006: $1,904,100,000,000.
Fiscal year 2007: $1,974,500,000,000.
Fiscal year 2008: $2,056,400,000,000.
Fiscal year 2009: $2,138,400,000,000.
Fiscal year 2010: $2,228,500,000,000.
Fiscal year 2011: $2,314,100,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2002: $1,590,800,000,000.
Fiscal year 2003: $1,658,400,000,000.
Fiscal year 2004: $1,727,000,000,000.
Fiscal year 2005: $1,809,300,000,000.
Fiscal year 2006: $1,872,400,000,000.
Fiscal year 2007: $1,941,200,000,000.
Fiscal year 2008: $2,022,700,000,000.
Fiscal year 2009: $2,105,500,000,000.
Fiscal year 2010: $2,197,000,000,000.
Fiscal year 2011: $2,283,200,000,000.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2002: $85,200,000,000.
Fiscal year 2003: $69,300,000,000.
Fiscal year 2004: $73,600,000,000.
Fiscal year 2005: $75,600,000,000.
Fiscal year 2006: $100,200,000,000.
Fiscal year 2007: $124,100,000,000.
Fiscal year 2008: $143,900,000,000.
Fiscal year 2009: $173,700,000,000.

Fiscal year 2010: $206,000,000,000.
Fiscal year 2011: $252,600,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:
Fiscal year 2002: $2,969,900,000,000.
Fiscal year 2003: $2,732,600,000,000.
Fiscal year 2004: $2,477,200,000,000.
Fiscal year 2005: $2,197,300,000,000.
Fiscal year 2006: $1,873,400,000,000.
Fiscal year 2007: $1,504,900,000,000.
Fiscal year 2008: $1,095,400,000,000.
Fiscal year 2009: $639,000,000,000.
Fiscal year 2010: $528,000,000,000.
Fiscal year 2011: $418,000,000,000.

SEC. 3. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and budget outlays for fiscal years 2002 through 2011 for each major functional category are:

(1) National Defense (050): This function includes funding for the Department of Defense, the nuclear-weapons-related activities of the Department of Energy, and miscellaneous national security activities in various other agencies such as the Coast Guard and the Federal Bureau of Investigation. The policy of this resolution is that there shall be budget authority of $327,200,000,000 and outlays of $320,500,000,000 in fiscal year 2002, and budget authority of $3,732,100,000,000 and outlays of $3,640,200,000,000 over fiscal years 2002 through 2011. This is greater than the level of the Committee-passed resolution by $2.6 billion of budget authority and $1.2 billion of outlays in fiscal year 2002, and $48.1 billion of budget authority and $28.9 billion of outlays over fiscal years 2002 through 2011, better to address priorities such as but not limited to: maintaining a high level of military readiness; improving the quality of life for military personnel and their families, specifically including pay and housing, ensuring health care for active-duty members, their families, and all military retirees and their families; transforming our military to meet post-Cold-War threats; and modernizing conventional forces required to execute the national military strategy.
Fiscal year 2002:
(A) New budget authority, $327,200,000,000.
(B) Outlays, $320,500,000,000.
Fiscal year 2003:
(A) New budget authority, $334,300,000,000.
(B) Outlays, $325,100,000,000.
Fiscal year 2004:
(A) New budget authority, $345,100,000,000.
(B) Outlays, $334,600,000,000.
Fiscal year 2005:
(A) New budget authority, $356,900,000,000.
(B) Outlays, $349,200,000,000.
Fiscal year 2006:
(A) New budget authority, $368,700,000,000.
(B) Outlays, $358,100,000,000.
Fiscal year 2007:
(A) New budget authority, $379,600,000,000.
(B) Outlays, $366,400,000,000.
Fiscal year 2008:
(A) New budget authority, $390,400,000,000.
(B) Outlays, $380,400,000,000.
Fiscal year 2009:
(A) New budget authority, $400,000,000,000.
(B) Outlays, $391,400,000,000.
Fiscal year 2010:
(A) New budget authority, $409,800,000,000.
(B) Outlays, $402,000,000,000.
Fiscal year 2011:
(A) New budget authority, $420,100,000,000.
(B) Outlays, $412,500,000,000.

(2) International Affairs (150): This function includes virtually all United States international activities, such as: operating United States embassies and consulates throughout the world, military assistance to allies, aid to underdeveloped nations, economic assistance to fledgling democracies, promotion of United States exports abroad, United States payments to international organizations, and United States contributions to international peacekeeping efforts. The policy of this resolution is that there shall be budget authority of $23,900,000,000 and outlays of $19,600,000,000 in fiscal year 2002, and budget authority of $264,200,000,000 and outlays of $219,800,000,000 over fiscal years 2002 through 2011, which is $0.7 billion of discretionary budget authority and $0.7 billion of discretionary outlays greater than the CBO current services baseline in 2002, and $7.6 billion of discretionary budget authority and $6.7 billion of discretionary outlays greater than the CBO current services baseline over fiscal years 2002 through 2011, to address priorities such as but not limited to: providing greater security for foreign-service personnel and embassies, improving health care in poor countries, with particular emphasis on combating HIV/AIDS, providing a supplemental appropriation to advance the national security interests of Israel, supporting drug-interdiction efforts, and promoting the economic, environmental, political, and national security interests of the United States.
Fiscal year 2002:
(A) New budget authority, $23,900,000,000.
(B) Outlays, $19,000,000,000.
Fiscal year 2003:
(A) New budget authority, $23,900,000,000.
(B) Outlays, $19,900,000,000.
Fiscal year 2004:
(A) New budget authority, $24,500,000,000.
(B) Outlays, $20,400,000,000.
Fiscal year 2005:
(A) New budget authority, $25,400,000,000.
(B) Outlays, $20,800,000,000.
Fiscal year 2006:
(A) New budget authority, $26,200,000,000.
(B) Outlays, $21,400,000,000.
Fiscal year 2007:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $22,100,000,000.
Fiscal year 2008:
(A) New budget authority, $27,400,000,000.
(B) Outlays, $22,800,000,000.
Fiscal year 2009:
(A) New budget authority, $28,000,000,000.
(B) Outlays, $23,600,000,000.
Fiscal year 2010:
(A) New budget authority, $28,400,000,000.
(B) Outlays, $24,200,000,000.
Fiscal year 2011:
(A) New budget authority, $29,600,000,000.
(B) Outlays, $25,000,000,000.

(3) General Science, Space, and Technology (250): This function includes funding for the National Science Foundation, the National Aeronautics and Space Administration (except air transportation programs), and general science research programs of the Department of Energy. The policy of this resolution is that there shall be budget authority of $22,500,000,000 and outlays of $21,200,000,000 in fiscal year 2002, and budget authority of $250,000,000,000 and outlays of $243,100,000,000 over fiscal years 2002 through 2011, which is $0.3 billion of budget authority and $0.2 billion of outlays greater than the Committee-passed resolution in 2002, and $3.1 billion of budget authority and $2.8 billion of outlays greater than the Committee-passed resolution over fiscal years 2002 through 2011, and will allow for substantial expansion of programs in this function to reflect the important role that scientific research plays in fostering the future prosperity and security of the Nation. These amounts will be used to address priorities including but not limited to: expanding research, and math and science educational activities, undertaken by the National Science Foundation, the National Aeronautics and Space Administration, and the Office of Science of the Department of Energy.
Fiscal year 2002:
(A) New budget authority, $22,500,000,000.
(B) Outlays, $21,200,000,000.
Fiscal year 2003:
(A) New budget authority, $22,900,000,000.
(B) Outlays, $22,200,000,000.
Fiscal year 2004:
(A) New budget authority, $23,400,000,000.
(B) Outlays, $22,000,000,000.
Fiscal year 2005:
(A) New budget authority, $23,900,000,000.
(B) Outlays, $23,500,000,000.
Fiscal year 2006:
(A) New budget authority, $24,000,000,000.
(B) Outlays, $24,000,000,000.
Fiscal year 2007:
(A) New budget authority, $25,200,000,000.
(B) Outlays, $24,600,000,000.
Fiscal year 2008:
(A) New budget authority, $25,900,000,000.
(B) Outlays, $25,200,000,000.
Fiscal year 2009:
(A) New budget authority, $26,500,000,000.
(B) Outlays, $25,900,000,000.
Fiscal year 2010:
(A) New budget authority, $27,000,000,000.
(B) Outlays, $26,400,000,000.
Fiscal year 2011:
(A) New budget authority, $28,100,000,000.
(B) Outlays, $27,200,000,000.

(4) Energy (270): This function includes funding for the nondefense programs of the Department of Energy as well as for the Tennessee Valley Authority, rural electrification loans, and the Nuclear Regulatory Commission. The programs supported by this function are intended to increase the supply of energy, encourage energy conservation, facilitate an emergency supply of energy, and safeguard energy production. The policy of this resolution is that there shall be budget authority of $1,400,000,000 and outlays of $0 in fiscal year 2002, and budget authority of $17,000,000,000 and outlays of $2,900,000,000 over fiscal years 2002 through 2011, which is $0.6 billion of budget authority and $0.2 billion of outlays greater than the Committee-passed resolution in 2002, and $2.4 billion of budget authority and $2.1 billion of outlays greater than the Committee-passed resolution over fiscal years 2002 through 2011, to maintain funding for appropriated energy programs after full adjustment for inflation, to address priorities such as but not limited to: funding energy research, stabilizing energy supplies, addressing rising energy costs, increasing energy production, conserving energy, using energy more efficiently, protecting the environment, reducing pollution through development of clean-coal technologies, and assisting low-income families who are hard-pressed by high home heating and cooling costs by protecting programs such as the Weatherization Assistance Program.
Fiscal year 2002:
(A) New budget authority, $1,400,000,000.
(B) Outlays, $0.
Fiscal year 2003:
(A) New budget authority, $1,300,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2004:
(A) New budget authority, $1,300,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2005:
(A) New budget authority, $1,300,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2006:
(A) New budget authority, $1,300,000,000.
(B) Outlays, $0.
Fiscal year 2007:
(A) New budget authority, $1,400,000,000.
(B) Outlays, $100,000,000.
Fiscal year 2008:
(A) New budget authority, $2,200,000,000.
(B) Outlays, $400,000,000.
Fiscal year 2009:
(A) New budget authority, $2,300,000,000.
(B) Outlays, $800,000,000.
Fiscal year 2010:
(A) New budget authority, $2,300,000,000.
(B) Outlays, $1,000,000,000.

Fiscal year 2011:
(A) New budget authority, $2,200,000,000.
(B) Outlays, $900,000,000.

(5) Natural Resources and Environment (300): This function includes programs in a variety of Federal agencies concerned with the development and management of the Nation's land, water, and mineral resources, and recreation and wildlife areas; and environmental protection and enhancement. The policy of this resolution is that there shall be budget authority of $30,300,000,000 and outlays of $28,400,000,000 in fiscal year 2002, and budget authority of $348,400,000,000 and outlays of $338,300,000,000 over fiscal years 2002 through 2011, which is $3.6 billion of budget authority and $2.0 billion of outlays greater than the Committee-passed resolution in 2002, and $59.0 billion of budget authority and $53.0 billion of outlays greater than the Committee-passed resolution over fiscal years 2002 through 2011, better to address priorities such as but not limited to: full funding levels for the Land Conservation, Preservation, and Infrastructure Improvement Program, established last year as part of the Interior Appropriations Act. In establishing this program, Congress recognized land conservation and related activities as critical national priorities and provided a mechanism to guarantee significantly increased funding. Congress resolved to provide $1.76 billion for fiscal year 2002 and $12 billion from 2001–2006 for conservation, preservation, and recreation programs, and to set this funding aside in a new dedicated conservation budget category. The President's budget request would breach last year's agreement, and rewrite the funding levels of the conservation budget category, reducing the fiscal year 2002 level to $1.5 billion and reducing the six-year funding total by $2.7 billion. It is the policy of this resolution to maintain and fully fund the new budget category for conservation; to increase grants to states and local governments for improvements in our nation's safe drinking water and wastewater treatment infrastructure; to continue funding needed to reduce the threat of wildfires on Federal lands and to fight fires when they occur; to provide high-priority funding for Pacific Northwest salmon recovery; to fund grants for States and Tribes for administration of environmental programs, within the Department of Commerce; to continue current funding levels for the National Oceanic and Atmospheric Administration; to fund continued procurement of an advanced weather satellite system being developed jointly with the Department of Defense; to continue current funding levels for the Army Corps of Engineers and to increase funding to deal with the deferred maintenance backlog in the National Park system; to provide funds to protect wetlands and endangered species and their habitats on public and private lands.

Fiscal year 2002:
(A) New budget authority, $30,300,000,000.
(B) Outlays, $28,400,000,000.
Fiscal year 2003:
(A) New budget authority, $31,200,000,000.
(B) Outlays, $30,200,000,000.
Fiscal year 2004:
(A) New budget authority, $32,300,000,000.
(B) Outlays, $31,500,000,000.
Fiscal year 2005:
(A) New budget authority, $33,300,000,000.
(B) Outlays, $32,400,000,000.
Fiscal year 2006:
(A) New budget authority, $34,300,000,000.
(B) Outlays, $33,500,000,000.
Fiscal year 2007:
(A) New budget authority, $35,200,000,000.
(B) Outlays, $34,300,000,000.
Fiscal year 2008:
(A) New budget authority, $36,100,000,000.
(B) Outlays, $35,200,000,000.
Fiscal year 2009:
(A) New budget authority, $37,500,000,000.
(B) Outlays, $36,000,000,000.
Fiscal year 2010:
(A) New budget authority, $38,600,000,000.
(B) Outlays, $37,600,000,000.
Fiscal year 2011:
(A) New budget authority, $39,600,000,000.
(B) Outlays, $38,600,000,000.

(6) Agriculture (350): This function includes programs administered by the Department of Agriculture, including such activities as agricultural research and the stabilization of farm incomes through loans, subsidies, and other payments to farmers. The policy of this resolution is that there shall be budget authority of $27,300,000,000 and outlays of $25,600,000,000 in fiscal year 2002, and budget authority of $219,300,000,000 and outlays of $204,000,000,000 over fiscal years 2002 through 2011, which is $8.2 billion of budget authority and $8.1 billion of outlays greater than the Committee-passed resolution in 2002, and $46.9 billion of budget authority and $46.6 billion of outlays greater than the Committee-passed resolution over fiscal years 2002 through 2011, better to address priorities such as but not limited to: maintaining the inflation-adjusted funding for appropriated agriculture programs over ten years, including food safety protection, conservation, and vital agriculture research, which is cut in the Committee-passed resolution; increasing mandatory programs for agriculture by $8 billion in fiscal year 2002, $6 billion in fiscal year 2003, and $4 billion per year thereafter, reflecting spending levels consistent with recent needs; providing farmers with a more stable, dependable source of supplementary income assistance, rather than continued unpredictable ad-hoc assistance, minimizing the need for continued emergency assistance, and making spending assumptions more realistic, in preparation for the upcoming reauthorization of the farm program.

Fiscal year 2002:
(A) New budget authority, $27,300,000,000.
(B) Outlays, $25,600,000,000.
Fiscal year 2003:
(A) New budget authority, $24,500,000,000.
(B) Outlays, $23,000,000,000.
Fiscal year 2004:
(A) New budget authority, $22,600,000,000.
(B) Outlays, $21,100,000,000.
Fiscal year 2005:
(A) New budget authority, $22,400,000,000.
(B) Outlays, $20,900,000,000.
Fiscal year 2006:
(A) New budget authority, $22,000,000,000.
(B) Outlays, $20,400,000,000.
Fiscal year 2007:
(A) New budget authority, $20,000,000,000.
(B) Outlays, $19,000,000,000.
Fiscal year 2008:
(A) New budget authority, $19,700,000,000.
(B) Outlays, $18,100,000,000.
Fiscal year 2009:
(A) New budget authority, $19,900,000,000.
(B) Outlays, $18,400,000,000.
Fiscal year 2010:
(A) New budget authority, $20,100,000,000.
(B) Outlays, $18,700,000,000.
Fiscal year 2011:
(A) New budget authority, $20,200,000,000.
(B) Outlays, $18,800,000,000.

(7) Commerce and Housing Credit (370): This function includes deposit insurance and financial regulatory agencies; the mortgage credit programs of the Department of Housing and Urban Development (HUD); the Department of Commerce's Census Bureau, its business promotion programs, and its technology development programs; rural housing loans; the Small Business Administration's business loans; the Postal Service; and other regulatory agencies such as the Federal Communications Commission (FCC). The policy of this resolution is that there shall be budget authority of $7,400,000,000 and outlays of $4,400,000,000 in fiscal year 2002, and budget authority of $127,900,000,000 and outlays of $84,300,000,000 over fiscal years 2002 through 2011, to address priorities such as but not limited to: an increase in the limit on the maximum loan that may be guaranteed, thereby making home ownership in high-cost housing areas more affordable, and consequent increased premium collections for the Federal Housing Administration's Mutual Mortgage Insurance (MMI) Fund, which will finance other important housing activities; increased premium collections from allowing FHA to insure hybrid adjustable-rate mortgages; continuation of the Advanced Technology Program in the Department of Commerce, and increased funding by 18 percent, or $9 million, for the collection and calculation of basic economic statistics, to improve key measures used by government and business policy makers.

Fiscal year 2002:
(A) New budget authority, $7,400,000,000.
(B) Outlays, $4,400,000,000.
Fiscal year 2003:
(A) New budget authority, $8,500,000,000.
(B) Outlays, $3,200,000,000.
Fiscal year 2004:
(A) New budget authority, $12,800,000,000.
(B) Outlays, $8,600,000,000.
Fiscal year 2005:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $9,000,000,000.
Fiscal year 2006:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $8,400,000,000.
Fiscal year 2007:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $9,200,000,000.
Fiscal year 2008:
(A) New budget authority, $13,800,000,000.
(B) Outlays, $9,300,000,000.
Fiscal year 2009:
(A) New budget authority, $14,300,000,000.
(B) Outlays, $9,600,000,000.
Fiscal year 2010:
(A) New budget authority, $18,700,000,000.
(B) Outlays, $12,800,000,000.
Fiscal year 2011:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $9,800,000,000.

(8) Transportation (400): This function is comprised mostly of the programs administered by the Department of Transportation, including programs for highways, mass transit, aviation, and maritime activities. The function also includes several small transportation-related agencies, and the civilian aviation research program of the National Aeronautics and Space Administration (NASA). The policy of this resolution is that there shall be budget authority of $63,700,000,000 and outlays of $55,600,000,000 in fiscal year 2002, and budget authority of $641,200,000,000 and outlays of $647,300,000,000 over fiscal years 2002 through 2011, which is $2.7 billion of budget authority greater than the Committee-passed resolution in 2002, and $33.2 billion of budget authority and $7.7 billion of outlays greater than the Committee-passed resolution (which imposes a cut in nominal dollars) over fiscal years 2002 through 2011, better to address priorities such as but not limited to full funding of the authorized levels provided for highways and transit under the Transportation Equity Act for the 21st Century (TEA–21), full funding of the levels authorized for the Federal Aviation Administration under the Aviation Investment and Reform Act for the 21st Century (AIR–21), the funding needed to keep the Federal commitment to Amtrak, and the funding needed to meet the ongoing requirements of the Coast Guard, at a level higher than requested by the President, to improve personnel training, eliminate spare parts shortages, operate drug interdiction more effectively, and ensure maritime safety.

Fiscal year 2002:
(A) New budget authority, $63,700,000,000.
(B) Outlays, $55,600,000,000.

Fiscal year 2003:
(A) New budget authority, $61,600,000,000.
(B) Outlays, $59,800,000,000.
Fiscal year 2004:
(A) New budget authority, $62,200,000,000.
(B) Outlays, $61,900,000,000.
Fiscal year 2005:
(A) New budget authority, $62,800,000,000.
(B) Outlays, $63,400,000,000.
Fiscal year 2006:
(A) New budget authority, $63,400,000,000.
(B) Outlays, $64,800,000,000.
Fiscal year 2007:
(A) New budget authority, $64,100,000,000.
(B) Outlays, $65,700,000,000.
Fiscal year 2008:
(A) New budget authority, $64,800,000,000.
(B) Outlays, $66,900,000,000.
Fiscal year 2009:
(A) New budget authority, $65,500,000,000.
(B) Outlays, $68,300,000,000.
Fiscal year 2010:
(A) New budget authority, $66,200,000,000.
(B) Outlays, $69,700,000,000.
Fiscal year 2011:
(A) New budget authority, $66,900,000,000.
(B) Outlays, $71,200,000,000.

(9) Community and Regional Development (450): This function includes programs that support the development of physical and financial infrastructure intended to promote viable community economies. It covers certain activities of the Department of Commerce and the Department of Housing and Urban Development. This function also includes spending to help communities and families recover from natural disasters, and spending for the rural development activities of the Department of Agriculture, the Bureau of Indian Affairs, and other agencies. The policy of this resolution is that there shall be budget authority of $10,500,000,000 and outlays of $11,400,000,000 in fiscal year 2002, and budget authority of $116,300,000,000 and outlays of $110,800,000,000 over fiscal years 2002 through 2011, which is $0.4 billion of budget authority greater than the Committee-passed resolution in 2002, and $2.7 billion of budget authority and $1.8 billion of outlays greater than the Committee-passed resolution over fiscal years 2002 through 2011, better to address priorities such as but not limited to full inflation-adjusted funding of appropriations, including: the Community Development Block Grant (CDBG) program, which is frozen in the Committee-passed resolution, the Federal Emergency Management Agency (FEMA), Empowerment Zones, the Bureau of Indian Affairs (BIA), the Community Development Financial Institutions Fund (CDFI), and the Assistance to Firefighters Grant Program.

Fiscal year 2002:
(A) New budget authority, $10,500,000,000.
(B) Outlays, $11,400,000,000.
Fiscal year 2003:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2004:
(A) New budget authority, $10,800,000,000.
(B) Outlays, $10,800,000,000.
Fiscal year 2005:
(A) New budget authority, $11,100,000,000.
(B) Outlays, $10,600,000,000.
Fiscal year 2006:
(A) New budget authority, $11,500,000,000.
(B) Outlays, $10,500,000,000.
Fiscal year 2007:
(A) New budget authority, $11,700,000,000.
(B) Outlays, $10,700,000,000.
Fiscal year 2008:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2009:
(A) New budget authority, $12,400,000,000.
(B) Outlays, $11,300,000,000.
Fiscal year 2010:
(A) New budget authority, $12,600,000,000.
(B) Outlays, $11,600,000,000.
Fiscal year 2011:
(A) New budget authority, $13,100,000,000.
(B) Outlays, $11,900,000,000.

(10) Education, Training, Employment, and Social Services (500): This function primarily includes Federal spending within the Departments of Education, Labor, and Health and Human Services for programs that directly provide or assist states and localities in providing services to young people and adults. The activities that it covers include providing developmental services to low-income children, helping disadvantaged and other elementary and secondary school students, offering grants and loans to post-secondary students, and funding job-training and employment services for people of all ages. The policy of this resolution is that there shall be budget authority of $87,700,000,000 and outlays of $79,200,000,000 in fiscal year 2002, and budget authority of $1,050,300,000,000 and outlays of $995,800,000,000 over fiscal years 2002 through 2011. This is greater than the level of the Committee-passed resolution by $5.6 billion of budget authority and $3.0 billion of outlays in fiscal year 2002, and $132.8 billion of budget authority and $104 billion of outlays over fiscal years 2002 through 2011, better to address priorities such as but not limited to: reducing class sizes by recruiting and adequately compensating qualified teachers; improving teacher quality through professional development programs, especially for math and science teachers; facilitating school renovation by providing grants and subsidizing interest-free loans to local school districts; ensuring the effectiveness of all of our schools through increased funding of the title I program; enhancing the performance of our schools through investments in technology, school counselors, and after-school programs; expanding the Federal commitment to special education under the Individuals with Disabilities Education Act by no less than $1.5 billion per year, expanding access to higher education by sufficiently funding higher education programs, including an increase in the maximum Pell Grant award; sustaining the strength of the Nation's vocational rehabilitation programs, ensuring that each year more of those children eligible for Head Start are enrolled in the program and are well prepared for elementary education, sustaining the competitiveness of our economy through sufficient funding for workforce investment programs, and strengthening the safety net provided to our nation s most vulnerable people through, for example, increased funding levels for child welfare programs and the Social Services Block Grant (title XX).

Fiscal year 2002:
(A) New budget authority, $87,700,000,000.
(B) Outlays, $79,200,000,000.
Fiscal year 2003:
(A) New budget authority, $89,200,000,000.
(B) Outlays, $86,400,000,000.
Fiscal year 2004:
(A) New budget authority, $92,700,000,000.
(B) Outlays, $89,200,000,000.
Fiscal year 2005:
(A) New budget authority, $96,800,000,000.
(B) Outlays, $93,300,000,000.
Fiscal year 2006:
(A) New budget authority, $99,500,000,000.
(B) Outlays, $96,400,000,000.
Fiscal year 2007:
(A) New budget authority, $102,500,000,000.
(B) Outlays, $99,700,000,000.
Fiscal year 2008:
(A) New budget authority, $109,000,000,000.
(B) Outlays, $102,800,000,000.
Fiscal year 2009:
(A) New budget authority, $116,600,000,000.
(B) Outlays, $108,800,000,000.
Fiscal year 2010:
(A) New budget authority, $124,300,000,000.
(B) Outlays, $116,200,000,000.
Fiscal year 2011:
(A) New budget authority, $132,000,000,000.
(B) Outlays, $123,800,000,000.

(11) Health (550): This function includes Federal spending for health care services, disease prevention, consumer and occupational safety, health-related research, and similar activities. The largest component of spending is the Federal/State Medicaid program, which pays for health services for some low-income women, children, and elderly people, as well as people with disabilities. The policy of this resolution is that there shall be budget authority of $194,300,000,000 and outlays of $190,200,000,000 in fiscal year 2002, and budget authority of $2,898,600,000,000 and outlays of $2,873,100,000,000 over fiscal years 2002 through 2011. This is greater than the level of the Committee-passed resolution by $1.7 billion of discretionary budget authority and $400 million of discretionary outlays in fiscal year 2002, and $4.0 billion of discretionary budget authority and $2.6 billion of discretionary outlays over fiscal years 2002 through 2011, better to address priorities such as but not limited to: doubling funding for the National Institutes of Health relative to the 1998 level by 2003, maintaining inflation-adjusted funding for other discretionary health programs, expanding access to health insurance for working families by allowing states to cover families under the Medicaid or State Children's Health Insurance Program, and allowing a buy-in to Medicaid for families with special-needs children if family income is under 300 percent of poverty, increasing funding for community health centers, providing low-income Medicare beneficiaries protection against premiums and cost-sharing requirements of a Medicare prescription drug benefit, and restoring Medicaid benefits to certain legal immigrants.

Fiscal year 2002:
(A) New budget authority, $194,300,000,000.
(B) Outlays, $190,200,000,000.
Fiscal year 2003:
(A) New budget authority, $217,700,000,000.
(B) Outlays, $213,500,000,000.
Fiscal year 2004:
(A) New budget authority, $235,600,000,000.
(B) Outlays, $233,900,000,000.
Fiscal year 2005:
(A) New budget authority, $255,400,000,000.
(B) Outlays, $253,200,000,000.
Fiscal year 2006:
(A) New budget authority, $276,600,000,000.
(B) Outlays, $274,500,000,000.
Fiscal year 2007:
(A) New budget authority, $296,600,000,000.
(B) Outlays, $293,900,000,000.
Fiscal year 2008:
(A) New budget authority, $319,200,000,000.
(B) Outlays, $316,700,000,000.
Fiscal year 2009:
(A) New budget authority, $341,000,000,000.
(B) Outlays, $338,900,000,000.
Fiscal year 2010:
(A) New budget authority, $366,800,000,000.
(B) Outlays, $365,100,000,000.
Fiscal year 2011:
(A) New budget authority, $395,400,000,000.
(B) Outlays, $393,200,000,000.

(12) Medicare (570): This function is comprised of spending for Medicare, the Federal health insurance program for elderly and eligible disabled people. Medicare consists of two parts, each tied to a trust fund. Hospital Insurance (HI, also known as Part A) reimburses providers for inpatient care that beneficiaries receive in hospitals, as well as care at skilled nursing facilities, home health care related to a hospital stay, and hospice services. Supplementary Medical Insurance (Part B) pays for physicians' services, outpatient services at hospitals, home health care, and other services. The policy of this resolution is that there shall be budget authority of $229,200,000,000 and outlays of $229,100,000,000 in fiscal year 2002, and budget

authority of $3,487,100,000,000 and outlays of $3,486,800,000,000 over fiscal years 2002 through 2011. This is greater than the level of the Committee-passed resolution by $100 million of budget authority in fiscal year 2002, and $179.5 billion of budget authority and $179.2 billion of outlays over fiscal years 2002 through 2011, better to address priorities such as but not limited to: extending the solvency of the Medicare HI (Part A) Trust Fund, by transferring surplus funds from outside the program to the HI Trust Fund, creating a voluntary prescription drug benefit within the Medicare program for all Medicare beneficiaries, and providing $330 billion to fund it, and taking the Medicare HI (Part A) Trust Fund off-budget to ensure that it is used solely for current-law Medicare benefits.

Fiscal year 2002:
(A) New budget authority, $229,200,000,000.
(B) Outlays, $229,100,000,000.
Fiscal year 2003:
(A) New budget authority, $257,500,000,000.
(B) Outlays, $257,300,000,000.
Fiscal year 2004:
(A) New budget authority, $281,100,000,000.
(B) Outlays, $281,300,000,000.
Fiscal year 2005:
(A) New budget authority, $307,300,000,000.
(B) Outlays, $307,200,000,000.
Fiscal year 2006:
(A) New budget authority, $324,200,000,000.
(B) Outlays, $324,000,000,000.
Fiscal year 2007:
(A) New budget authority, $353,900,000,000.
(B) Outlays, $354,100,000,000.
Fiscal year 2008:
(A) New budget authority, $382,700,000,000.
(B) Outlays, $382,600,000,000.
Fiscal year 2009:
(A) New budget authority, $414,600,000,000.
(B) Outlays, $414,300,000,000.
Fiscal year 2010:
(A) New budget authority, $449,200,000,000.
(B) Outlays, $449,500,000,000.
Fiscal year 2011:
(A) New budget authority, $487,400,000,000.
(B) Outlays, $487,400,000,000.

(13) Income Security (600): This function covers Federal income-security programs that provide cash or in-kind benefits to individuals. Some of those benefits (such as food stamps, Supplemental Security Income, Temporary Assistance for Needy Families, housing, and the earned income tax credit) are means-tested, whereas others (such as unemployment compensation and Civil Service Retirement and Disability payments) do not depend on a person's income or assets. The policy of this resolution is that there shall be budget authority of $273,800,000,000 and outlays of $272,000,000,000 in fiscal year 2002, and budget authority of $3,230,300,000,000 and outlays of $3,217,300,000,000 over fiscal years 2002 through 2011. This is greater than the level of the Committee-passed resolution by $2.3 billion of budget authority (but $100 million less of outlays) in fiscal year 2002, and $17.6 billion of budget authority and $15.7 billion of outlays over fiscal years 2002 through 2011, better to address priorities such as but not limited to: enhancing America's nutritional safety net through improvements that facilitate access to the Food Stamp program, providing increased funding for the Low-Income Home Energy Assistance program (LIHEAP) and emergency funds in response to escalating energy prices; ensuring that Special Supplemental Nutrition Program for Women, Infants and children (WIC) funds supplying nutritional benefits and counseling for pregnant women, infants and children increase with inflation; giving states more resources to support families moving from welfare to work through child care and critical TANF assistance programs; addressing the Nation's affordable housing crisis by maintaining public housing Capital Fund and Drug Elimination programs at inflation-adjusted levels; renewing all expiring section 8 contracts, maintaining adequate section 8 reserves, and adding 84,000 new section 8 housing assistance vouchers and maintaining them for ten years, increasing housing resources for the low-income elderly in preparation for the aging of the baby boom generation, maintaining Congress' commitment to the flexible HOME Investment Partnership Program, ensuring that grants to state and local governments for affordable rental housing and home ownership activities at least keep pace with inflation, as opposed to the Committee-passed resolution which diminishes HOME program grants through new set-asides, and restoring SSI and food stamp benefits to certain legal immigrants.

Fiscal year 2002:
(A) New budget authority, $273,800,000,000.
(B) Outlays, $272,000,000,000.
Fiscal year 2003:
(A) New budget authority, $284,400,000,000.
(B) Outlays, $282,700,000,000.
Fiscal year 2004:
(A) New budget authority, $295,600,000,000.
(B) Outlays, $293,800,000,000.
Fiscal year 2005:
(A) New budget authority, $309,900,000,000.
(B) Outlays, $308,300,000,000.
Fiscal year 2006:
(A) New budget authority, $317,600,000,000.
(B) Outlays, $316,300,000,000.
Fiscal year 2007:
(A) New budget authority, $323,800,000,000.
(B) Outlays, $323,200,000,000.
Fiscal year 2008:
(A) New budget authority, $338,900,000,000.
(B) Outlays, $338,200,000,000.
Fiscal year 2009:
(A) New budget authority, $350,600,000,000.
(B) Outlays, $349,700,000,000.
Fiscal year 2010:
(A) New budget authority, $361,800,000,000.
(B) Outlays, $360,800,000,000.
Fiscal year 2011:
(A) New budget authority, $373,900,000,000.
(B) Outlays, $372,300,000,000.

(14) Social Security (650): This function is comprised of spending for the Old-Age, Survivors, and Disability Insurance programs, commonly known as Social Security. Social Security consists of two parts, each tied to a trust fund. The Old-Age and Survivors Insurance (OASI) program provides monthly benefits to eligible retired workers and their families and survivors. The Disability Insurance (DI) program provides monthly benefits to eligible disabled workers and their families. The policy of this resolution is that there shall be budget authority of $11,000,000,000 and outlays of $11,000,000,000 in fiscal year 2002, and budget authority of $150,900,000,000 and outlays of $150,900,000,000 over fiscal years 2002 through 2011. This is greater than the level of the Committee-passed resolution by $100 billion of discretionary budget authority in fiscal year 2002, and $3.1 billion of discretionary budget authority and $2.7 billion of discretionary outlays over fiscal years 2002 through 2011, better to address priorities such as but not limited to: protecting the Social Security Trust Fund from any diversion of its surplus, to extend the solvency of this essential program for today's retirees and for future generations, and maintaining the inflation-adjusted level of appropriations for social security administrative costs, with $3 billion more in funding than provided in the Committee-approved Republican Budget Resolution, thereby protecting the level of service for all elderly, disabled, and survivor beneficiaries.

Fiscal year 2002:
(A) New budget authority, $11,000,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2003:
(A) New budget authority, $11,700,000,000.
(B) Outlays, $11,700,000,000.
Fiscal year 2004:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $12,500,000,000.
Fiscal year 2005:
(A) New budget authority, $13,300,000,000.
(B) Outlays, $13,300,000,000.
Fiscal year 2006:
(A) New budget authority, $14,200,000,000.
(B) Outlays, $14,200,000,000.
Fiscal year 2007:
(A) New budget authority, $15,200,000,000.
(B) Outlays, $15,200,000,000.
Fiscal year 2008:
(A) New budget authority, $16,200,000,000.
(B) Outlays, $16,200,000,000.
Fiscal year 2009:
(A) New budget authority, $17,500,000,000.
(B) Outlays, $17,500,000,000.
Fiscal year 2010:
(A) New budget authority, $18,900,000,000.
(B) Outlays, $18,900,000,000.
Fiscal year 2011:
(A) New budget authority, $20,400,000,000.
(B) Outlays, $20,400,000,000.

(15) Veterans Benefits and Services (700): This function covers programs that offer benefits to military veterans. Those programs, most of which are run by the Department of Veterans Affairs, provide health care, disability compensation, pensions, life insurance, education and training, and guaranteed loans. The policy of this resolution is that there shall be budget authority of $52,400,000,000 and outlays of $51,700,000,000 in fiscal year 2002, and budget authority of $606,400,000,000 and outlays of $602,000,000,000 over fiscal years 2002 through 2011. This is greater than the level of the Committee-passed resolution by $100 million of budget authority and $100 million of outlays in fiscal year 2002, and $12.4 billion of budget authority and $11.9 billion of outlays over fiscal years 2002 through 2011, better to address priorities such as but not limited to: increasing funding for appropriated veterans programs by $100 million for 2002 over the levels in the Committee-approved Republican resolution, to meet the needs of the VHA, and to increase Department of Veterans Affairs personnel and technology for claims processing and administration, reaffirming our commitment to veterans by adequately funding the Department of Veterans Affairs; avoiding shifts from one program to another to meet current crises; ensuring that veterans are able to receive, in a timely manner, the benefits Congress intended for them; and increasing mandatory programs for veterans by raising the education benefit in the Montgomery GI bill from $650 to $1100, and enhancing certain burial benefits as provided in H.R. 801.

Fiscal year 2002:
(A) New budget authority, $52,400,000,000.
(B) Outlays, $51,700,000,000.
Fiscal year 2003:
(A) New budget authority, $53,900,000,000.
(B) Outlays, $53,500,000,000.
Fiscal year 2004:
(A) New budget authority, $56,200,000,000.
(B) Outlays, $55,100,000,000.
Fiscal year 2005:
(A) New budget authority, $60,300,000,000.
(B) Outlays, $59,900,000,000.
Fiscal year 2006:
(A) New budget authority, $59,900,000,000.
(B) Outlays, $59,400,000,000.
Fiscal year 2007:
(A) New budget authority, $59,300,000,000.
(B) Outlays, $58,900,000,000.
Fiscal year 2008:
(A) New budget authority, $63,400,000,000.
(B) Outlays, $63,000,000,000.
Fiscal year 2009:
(A) New budget authority, $65,000,000,000.
(B) Outlays, $64,600,000,000.
Fiscal year 2010:
(A) New budget authority, $67,000,000,000.

(B) Outlays, $66,600,000,000.
Fiscal year 2011:
(A) New budget authority, $69,000,000,000.
(B) Outlays, $68,600,000,000.

(16) Administration of Justice (750): This function covers programs that provide judicial services, law enforcement, and prison operation. The Federal Bureau of Investigation, the Customs Service, the Drug Enforcement Administration, and the Federal court system are all supported under this function. The policy of this resolution is that there shall be budget authority of $32,400,000,000 and outlays of $31,400,000,000 in fiscal year 2002, and budget authority of $378,400,000,000 and outlays of $374,700,000,000 over fiscal years 2002 through 2011. This is greater than the level of the Committee-passed resolution (which cuts funding for the Justice Department in nominal dollars) by $1.5 billion of budget authority and $1.1 billion of outlays in fiscal year 2002, and $19.1 billion of budget authority and $18 billion of outlays over fiscal years 2002 through 2011, better to address priorities such as but not limited to maintaining inflation-adjusted levels of appropriations for every program, specifically including: the Community Oriented Policing Services (COPS) program, which provides funds to local communities to hire additional community police officers; all of the Department of Justice's law enforcement and legal divisions, the Treasury Department's United States Customs Service; the Treasury Department's Bureau of Alcohol, Tobacco, and Firearms (ATF); and State and local law enforcement assistance.
Fiscal year 2002:
(A) New budget authority, $32,400,000,000.
(B) Outlays, $31,400,000,000.
Fiscal year 2003:
(A) New budget authority, $32,500,000,000.
(B) Outlays, $32,800,000,000.
Fiscal year 2004:
(A) New budget authority, $35,300,000,000.
(B) Outlays, $35,500,000,000.
Fiscal year 2005:
(A) New budget authority, $36,400,000,000.
(B) Outlays, $36,300,000,000.
Fiscal year 2006:
(A) New budget authority, $37,500,000,000.
(B) Outlays, $37,000,000,000.
Fiscal year 2007:
(A) New budget authority, $38,500,000,000.
(B) Outlays, $38,000,000,000.
Fiscal year 2008:
(A) New budget authority, $39,700,000,000.
(B) Outlays, $39,200,000,000.
Fiscal year 2009:
(A) New budget authority, $40,800,000,000.
(B) Outlays, $40,300,000,000.
Fiscal year 2010:
(A) New budget authority, $42,000,000,000.
(B) Outlays, $41,500,000,000.
Fiscal year 2011:
(A) New budget authority, $43,300,000,000.
(B) Outlays, $42,700,000,000.

(17) General Government (800): This function covers the central management and policy responsibilities of both the legislative and executive branches of the Federal Government. Among the agencies it funds are the General Services Administration and the Internal Revenue Service. The policy of this resolution is that there shall be budget authority of $17,200,000,000 and outlays of $16,800,000,000 in fiscal year 2002, and budget authority of $177,100,000,000 and outlays of $174,600,000,000 over fiscal years 2002 through 2011. This is greater than the level of the Committee-passed resolution by $500 million of budget authority and $500 million of outlays in fiscal year 2002, and $600 million of budget authority and $1.2 billion of outlays over fiscal years 2002 through 2011, better to address priorities such as but not limited to maintaining inflation-adjusted levels of appropriations, above the level of the Committee-approved Republican Budget Resolution, and enactment of election reform legislation guaranteeing State and local election jurisdictions sufficient funds to replace outdated and outmoded voting technologies.
Fiscal year 2002:
(A) New budget authority, $17,200,000,000.
(B) Outlays, $16,800,000,000.
Fiscal year 2003:
(A) New budget authority, $16,300,000,000.
(B) Outlays, $16,800,000,000.
Fiscal year 2004:
(A) New budget authority, $16,700,000,000.
(B) Outlays, $16,800,000,000.
Fiscal year 2005:
(A) New budget authority, $17,000,000,000.
(B) Outlays, $16,700,000,000.
Fiscal year 2006:
(A) New budget authority, $17,500,000,000.
(B) Outlays, $17,100,000,000.
Fiscal year 2007:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,500,000,000.
Fiscal year 2008:
(A) New budget authority, $18,000,000,000.
(B) Outlays, $17,700,000,000.
Fiscal year 2009:
(A) New budget authority, $18,400,000,000.
(B) Outlays, $18,000,000,000.
Fiscal year 2010:
(A) New budget authority, $18,700,000,000.
(B) Outlays, $18,300,000,000.
Fiscal year 2011:
(A) New budget authority, $19,400,000,000.
(B) Outlays, $18,900,000,000.

(18) Net Interest (900): This function includes the debt-servicing obligation of the Federal Government for the sum of all of its past budget deficits. The policy of this resolution is that there shall be budget authority of $259,600,000,000 and outlays of $259,600,000,000 in fiscal year 2002, and budget authority of $2,311,000,000,000 and outlays of $2,311,000,000,000 over fiscal years 2002 through 2011, which is $71.6 billion of budget authority and $71.6 billion of outlays less than the Committee-passed resolution over fiscal years 2002 through 2011, to address priorities such as but not limited to: the most rapid retirement of debt possible, faster than under the President's budget, and faster still than under the Committee-approved Republican Budget Resolution, and the consequent maximum reduction in the Federal Government's net interest costs, to strengthen the budget and the economy for the demographic challenges ahead.
Fiscal year 2002:
(A) New budget authority, $259,600,000,000.
(B) Outlays, $259,600,000,000.
Fiscal year 2003:
(A) New budget authority, $254,500,000,000.
(B) Outlays, $254,500,000,000.
Fiscal year 2004:
(A) New budget authority, $249,300,000,000.
(B) Outlays, $249,300,000,000.
Fiscal year 2005:
(A) New budget authority, $241,800,000,000.
(B) Outlays, $241,800,000,000.
Fiscal year 2006:
(A) New budget authority, $236,000,000,000.
(B) Outlays, $236,000,000,000.
Fiscal year 2007:
(A) New budget authority, $230,500,000,000.
(B) Outlays, $230,500,000,000.
Fiscal year 2008:
(A) New budget authority, $223,400,000,000.
(B) Outlays, $223,400,000,000.
Fiscal year 2009:
(A) New budget authority, $215,100,000,000.
(B) Outlays, $215,100,000,000.
Fiscal year 2010:
(A) New budget authority, $205,500,000,000.
(B) Outlays, $205,500,000,000.
Fiscal year 2011:
(A) New budget authority, $195,300,000,000.
(B) Outlays, $195,300,000,000.

(19) Allowances (920): This function may include amounts to reflect proposals that would affect multiple budget functions. The policy of this resolution is that there shall be budget authority of $5,000,000,000 and outlays of $1,800,000,000 in fiscal year 2002, and budget authority of $50,000,000,000 and outlays of $45,500,000,000 over fiscal years 2002 through 2011, to address priorities such as but not limited to a reserve fund for unforeseen contingencies such as floods, earthquakes, and other natural disasters.
Fiscal year 2002:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $1,800,000,000.
Fiscal year 2003:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $4,000,000,000.
Fiscal year 2004:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $4,800,000,000.
Fiscal year 2005:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $4,900,000,000.
Fiscal year 2006:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $5,000,000,000.
Fiscal year 2007:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $5,000,000,000.
Fiscal year 2008:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $5,000,000,000.
Fiscal year 2009:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $5,000,000,000.
Fiscal year 2010:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $5,000,000,000.
Fiscal year 2011:
(A) New budget authority, $5,000,000,000.
(B) Outlays, $5,000,000,000.

(20) Undistributed Offsetting Receipts (950): This function comprises major offsetting receipt items that would distort the funding levels of other functional categories if they were distributed to them. The policy of this resolution is that there shall be budget authority of −$38,700,000,000 and outlays of −$38,700,000,000 in fiscal year 2002, and budget authority of −$514,900,000,000 and outlays of −$514,900,000,000 over fiscal years 2002 through 2011, to address priorities such as but not limited to adjusting rates of compensation for civilian employees of the United States at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services. The budget resolution does not include the provision contained in the President's budget that assumes the opening of the Arctic National Wildlife Refuge (ANWR) for oil drilling. The budget resolution does not extend a provision included in the February Blueprint and the Committee-approved Republican Budget Resolution that increases agency contributions for employees covered by the civil service retirement system.
Fiscal year 2002:
(A) New budget authority, −$38,700,000,000.
(B) Outlays, −$38,700,000,000.
Fiscal year 2003:
(A) New budget authority, −$49,100,000,000.
(B) Outlays, −$49,100,000,000.
Fiscal year 2004:
(A) New budget authority, −$57,600,000,000.
(B) Outlays, −$57,600,000,000.
Fiscal year 2005:
(A) New budget authority, −$55,300,000,000.
(B) Outlays, −$55,300,000,000.
Fiscal year 2006:
(A) New budget authority, −$48,600,000,000.
(B) Outlays, −$48,600,000,000.
Fiscal year 2007:
(A) New budget authority, −$46,900,000,000.
(B) Outlays, −$46,900,000,000.
Fiscal year 2008:
(A) New budget authority, −$51,400,000,000.
(B) Outlays, −$51,400,000,000.
Fiscal year 2009:
(A) New budget authority, −$52,600,000,000.
(B) Outlays, −$52,600,000,000.

Fiscal year 2010:

(A) New budget authority, −$54,400,000,000.

(B) Outlays, −$54,400,000,000.

Fiscal year 2011:

(A) New budget authority, −$60,300,000,000.

(B) Outlays, −$60,300,000,000.

SEC. 4. RECONCILIATION.

(a) SUBMISSION BY HOUSE COMMITTEE ON WAYS AND MEANS FOR TAX RELIEF IN FISCAL YEAR 2001.—Not later than May 1, 2001, the House Committee on Ways and Means shall report to the House a reconciliation bill that consists of changes in laws within its jurisdiction to reduce revenues by not more than $60 billion during fiscal year 2001.

(b) SUBMISSIONS BY THE HOUSE COMMITTEE ON WAYS AND MEANS FOR ENHANCED STATUTORY PROTECTIONS AND SOLVENCY EXTENSION FOR MEDICARE AND SOCIAL SECURITY.—

(1) TAKING MEDICARE OFF-BUDGET AND REAFFIRMING THE OFF-BUDGET STATUS OF SOCIAL SECURITY.—Not later than June 8, 2001, the House Committee on Ways and Means shall report to the House Committee on the Budget a reconciliation bill that changes laws within its jurisdiction to designate the Medicare HI surplus as having the same off-budget status as the Social Security surplus, and that reaffirms the off-budget status of the Social Security surplus. Pursuant to this and without exception:

(A) 100 percent of the Social Security surplus in each fiscal year from 2002 through 2011 shall be saved by purchasing from the Treasury special non-marketable bonds, which can be redeemed only to pay for Social Security benefits stipulated in current law;

(B) 100 percent of the Medicare HI surplus in each fiscal year from 2002 through 2011 shall be saved by purchasing from the Treasury special non-marketable bonds for the Medicare HI trust fund, which can be redeemed only to pay for Medicare HI benefits stipulated in current law; and

(C) the Treasury shall use the proceeds of sales of special non-marketable bonds to the Social Security and Medicare HI trust funds exclusively for redeeming publicly held debt.

(2) EXTENDING SOCIAL SECURITY AND MEDICARE SOLVENCY.—Not later than June 8, 2001, the House Committee on Ways and Means shall submit legislation to the House Committee on the Budget providing for the annual remittance from the General Fund of the Treasury to the Hospital Insurance (Medicare Part A) Trust Fund and to the Old Age and Survivors Insurance Trust Fund of an amount equal to one-third of the projected on-budget, that is non-Social Security, non-Medicare HI, surplus, currently projected to be $910 billion from fiscal year 2002 through fiscal year 2011. Such remittances shall be equally divided between the two trust funds, with the objective of extending their solvency to at least 2040 and 2050, respectively. Such remittances shall be derived exclusively from the on-budget, that is non-Social Security, non-Medicare HI, surplus over that ten-year period.

(c) SUBMISSIONS BY THE HOUSE COMMITTEE ON WAYS AND MEANS FOR RESPONSIBLE TAX RELIEF.—

(1) SUBMISSION.—Not later than June 8, 2001, the House Committee on Ways and Means shall submit legislation to the House Committee on the Budget reducing revenues in amounts which, when combined with the debt service costs of tax adjustments made in fiscal year 2001, does not exceed $34 billion in fiscal year 2002, $300 billion for fiscal years 2002 through 2006, and $737 billion for fiscal years 2002 through 2011.

(2) POLICY ASSUMPTIONS.—Within the framework of this budget resolution, which provides for the extension of the solvency of the Social Security and Medicare trust funds, the policy of this resolution is that there shall be net tax relief, which when combined with the debt service costs of tax adjustments made in fiscal year 2001, does not exceed $34 billion in fiscal year 2002, $300 billion in fiscal years 2002 through 2006, or $737 billion in fiscal years 2002 through 2011. Such tax relief shall include but not be limited to provisions that—

(A) create a new income tax bracket, taxing income at a rate below the current 15 percent rate;

(B) mitigate the marriage penalty including that created through the earned income credit;

(C) increase the earned income credit for working families with children;

(D) eliminate estate taxes on all but the very largest estates; and

(E) grant other tax relief, such as modification of the individual alternative minimum tax and enhancement of tax incentives for retirement savings.

(3) FLEXIBILITY FOR THE COMMITTEE ON WAYS AND MEANS.—If the reconciliation submission by the Committee on Ways and Means alters the Internal Revenue Code of 1986 in ways that are scored by the Joint Committee on Taxation as outlay changes, as through legislation affecting refundable tax credits, the submission shall be considered to meet the revenue requirements of the reconciliation directive if the net cost of the revenue and outlay changes does not exceed the revenue amount set forth for that committee in paragraph 1 of this subsection. Upon the submission of such legislation, the chairman of the House Committee on the Budget shall adjust the budget aggregates in this resolution and allocations made under this resolution accordingly.

(d) SUBMISSIONS BY HOUSE COMMITTEES ON ENERGY AND COMMERCE AND WAYS AND MEANS FOR MEDICARE PRESCRIPTION DRUGS.—

(1) Not later than June 8, 2001, the House Committees named in paragraph (2) shall report the following changes in laws within their jurisdiction to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2)(A) The House Committee on Energy and Commerce shall increase outlays by not more than the following: $94,000,000 for fiscal year 2002, $97,865,000,000 for the period fiscal year 2002 through 2006, and $330,000,000,000 for the period of fiscal year 2002 through 2011.

(B) The House Committee on Ways and Means shall increase outlays by not more than the following: $94,000,000 for fiscal year 2002, $97,865,000,000 for the period fiscal year 2002 through 2006, and $330,000,000,000 for the period of fiscal year 2002 through 2011.

(e) OTHER SUBMISSIONS BY HOUSE COMMITTEES.—

(1) SUBMISSIONS.—Not later than June 8, 2001, the House Committees named in paragraph (2) shall report the following changes in laws within their jurisdiction to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2)(A) SUBMISSION BY HOUSE COMMITTEE ON AGRICULTURE FOR ASSISTANCE TO FARMERS, RESTORING FOOD STAMPS FOR LEGAL IMMIGRANTS, AND ENHANCING THE NUTRITIONAL SAFETY NET.—The House Committee on Agriculture shall increase outlays by not more than the following: $8,381,000,000 for fiscal year 2002, $29,158,000,000 for the period fiscal year 2002 through 2006, and $54,019,000,000 for the period of fiscal year 2002 through 2011.

(B) SUBMISSION BY HOUSE COMMITTEE ON EDUCATION AND WORKFORCE FOR STUDENT LOAN FORGIVENESS FOR MATH AND SCIENCE TEACHERS.—The House Committee on Education and the Workforce shall increase outlays by not more than the following: $5,000,000 for fiscal year 2001, $5,000,000 for fiscal year 2002, $32,000,000 for the period fiscal year 2002 through 2006, and $82,000,000 for the period of fiscal year 2002 through 2011.

(C) SUBMISSION BY HOUSE COMMITTEE ON ENERGY AND COMMERCE FOR THE FAMILY OPPORTUNITY ACT AND FOR PROVIDING ACCESS TO HEALTH INSURANCE FOR LOW-INCOME FAMILIES.—The House Committee on Energy and Commerce shall increase outlays by not more than the following: $97,000,000 for fiscal year 2002, $13,475,000,000 for the period fiscal year 2002 through 2006, and $50,021,000,000 for the period of fiscal year 2002 through 2011.

(D) SUBMISSION BY HOUSE COMMITTEE ON VETERANS AFFAIRS FOR EXPANSION OF MONTGOMERY GI BILL EDUCATION BENEFITS, BURIAL BENEFITS, AND OTHER BENEFITS.—The House Committee on Veterans Affairs shall increase outlays by not more than the following: $264,000,000 for fiscal year 2002, $3,205,000,000 for the period fiscal year 2002 through 2006, and $7,087,000,000 for the period of fiscal year 2002 through 2011.

(E) SUBMISSION BY HOUSE COMMITTEE ON WAYS AND MEANS FOR EXTENDING TANF SUPPLEMENTAL GRANTS, INCREASING TITLE XX (SOCIAL SERVICES BLOCK GRANT), PROMOTING SAFE AND STABLE FAMILIES, PROVIDING INDEPENDENT LIVING VOUCHERS FOR FOSTER CHILDREN, INCREASING THE CHILD CARE AND DEVELOPMENT FUND, AND RESTORING EQUITY IN SSI AND MEDICAID BENEFITS FOR CERTAIN LEGAL IMMIGRANTS.—The House Committee on Ways and Means shall increase outlays by not more than the following: $714,000,000 for fiscal year 2002, $9,411,000,000 for the period fiscal year 2002 through 2006, and $31,091,000,000 for the period of fiscal year 2002 through 2011.

SEC. 5. TREATMENT OF OASDI ADMINISTRATIVE EXPENSES.

In the House, in addition to amounts in this resolution, allocations to the Committee on Appropriations shall include the following amounts, which are assumed to be used for the Administrative expenses of the Social Security Administration, and, for purposes of section 302(f)(1) of the Congressional Budget Act of 1974, those allocations shall be considered to be allocations made under section 302(a) of that Act: $3,597,000,000 in new budget authority and $3,542,000,000 in outlays.

SEC. 6. RESERVE FUND FOR SPECIAL EDUCATION.

In the House, whenever the Committee on Appropriations reports a bill or joint resolution, or an amendment thereto is offered or a conference report thereon is submitted, that provides new budget authority for any fiscal year from 2002 through 2011 of at least the level appropriated in the previous fiscal year adjusted for inflation for programs authorized under the Individuals with Disabilities Education Act (IDEA), part B grants to States, the Committee on the Budget shall increase the appropriate allocations of new budget authority and outlays for that fiscal year by $1,500,000,000 (and adjust any other appropriate levels), an amount to be used solely for programs authorized under the Individuals with Disabilities Education Act (IDEA), part B grants to States. However, no such adjustment shall exceed the amount by which the bill exceeds the applicable allocation.

SEC. 7. FUNDS ALREADY APPROPRIATED FOR ARREARAGES TO THE UNITED NATIONS.

For purposes of enforcing the allocations in this resolution, any outlays scored from authorizing legislation releasing previously appropriated funding for the United Nations is assumed not to be new outlays.

SEC. 8. SENSE OF CONGRESS REGARDING THE STABILIZATION OF CERTAIN FEDERAL PAYMENTS TO STATES, COUNTIES, AND BOROUGHS.

It is the sense of Congress that Federal revenue-sharing payments to States, counties, and boroughs pursuant to the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500), the Act of August 28, 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f–1 et seq.), and sections 13982 and 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note) should be stabilized and maintained for the long-term benefit of schools, roads, public services, and communities, and that providing such permanent, stable funding is a priority of the 106th Congress.

SEC. 9. SENSE OF CONGRESS ON THE IMPORTANCE OF THE NATIONAL SCIENCE FOUNDATION.

(a) FINDINGS.—The Congress finds that—

(1) the levels in this concurrent budget resolution for function 250 (General Science, Space, and Technology) for fiscal year 2002 are $300,000,000 above the level in the House Republican budget resolution and over ten years (fiscal years 2002 to 2011), the levels in this concurrent resolution are $3,100,000,000 above the levels in the House Republican budget resolution;

(2) the National Science Foundation is the largest supporter of basic research in the Federal Government;

(3) the National Science Foundation is the second largest supporter of university-based research;

(4) research conducted by the grantees of the National Science Foundation has led to innovations that have dramatically improved the quality of life of all Americans;

(5) because basic research funded by the National Science Foundation is high-risk, cutting edge, fundamental, and may not produce tangible benefits for over a decade, the Federal Government is uniquely suited to support such research; and

(6) the National Science Foundation's focus on peer-reviewed, merit-based grants represents a model for research agencies across the Federal Government.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the function 250 levels assume an increase for National Science Foundation that is sufficient for it to continue its critical role in funding basic research, cultivating America's intellectual infrastructure, and leading to innovations that assure the Nation's economic future.

SEC. 10. FEDERAL EMPLOYEE PAY.

(a) FINDINGS.—The House of Representatives finds the following:

(1) Members of the uniformed services and civilian employees of the United States make significant contributions to the general welfare of the Nation.

(2) Increases in the pay of members of the uniformed services and of civilian employees of the United States have not kept pace with increases in the overall pay levels of workers in the private sector, so that there now exists—

(A) a 32 percent gap between compensation levels of Federal civilian employees and compensation levels of private sector workers; and

(B) an estimated 10 percent gap between compensation levels of members of the uniformed services and compensation levels of private sector workers.

(3) The President's budget proposal for fiscal year 2002 includes a 4.6 percent pay raise for military personnel.

(4) The Office of Management and Budget has requested that Federal agencies plan their fiscal year 2002 budgets with a 3.6 percent pay raise for civilian Federal employees.

(5) In almost every year during the past 2 decades, there have been equal adjustments in the compensation of members of the uniformed services and the compensation of civilian employees of the United States.

(b) SENSE OF THE HOUSE OF REPRESENTATIVES.—It is the sense of the House of Representatives that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.

SEC. 11. ASSET BUILDING FOR THE WORKING POOR.

(a) FINDINGS.—Congress find the following:

(1) For the vast majority of United States households, the pathway to the economic mainstream and financial security is not through spending and consumption, but through savings, investing, and the accumulation of assets.

(2) One-third of all Americans have no assets available for investment and another 20 percent have only negligible assets. The situation is even more serious for minority households; for example, 60 percent of African-American households have no or negative financial assets.

(3) Nearly 50 percent of all children in America live in households that have no assets available for investment, including 40 percent of Caucasian children and 73 percent of African-American children.

(4) Up to 20 percent of all United States households do not deposit their savings in financial institutions and, thus, do not have access to the basic financial tools that make asset accumulation possible.

(5) Public policy can have either a positive or a negative impact on asset accumulation. Traditional public assistance programs based on income and consumption have rarely been successful in supporting the transition to economic self-sufficiency. Tax policy, through $288,000,000,000 in annual tax incentives, has helped lay the foundation for the great middle class.

(6) Lacking an income tax liability, low-income working families cannot take advantage of asset development incentives available through the Federal tax code.

(7) Individual Development Accounts have proven to be successful in helping low-income working families save and accumulate assets. Individual Development Accounts have been used to purchase long-term, high-return assets, including homes, postsecondary education and training, and small business.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Federal tax code should support a significant expansion of Individual Development Accounts so that millions of low-income, working families can save, build assets, and move their lives forward; thus, making positive contributions to the economic and social well-being of the United States, as well as to its future.

SEC. 12. FEDERAL FIRE PREVENTION ASSISTANCE.

(a) FINDINGS.—Congress finds the following:

(1) Increased demands on firefighting and emergency medical personnel have made it difficult for local governments to adequately fund necessary fire safety precautions.

(2) The Government has an obligation to protect the health and safety of the firefighting personnel of the United States and to ensure that they have the financial resources to protect the public.

(3) The high rates in the United States of death, injury, and property damage caused by fires demonstrates a critical need for Federal investment in support of firefighting personnel.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government should support the core operations of the Federal Emergency Management Agency by providing needed fire grant programs to assist our firefighters and rescue personnel as they respond to more than 17,000,000 emergency calls annually. To accomplish this task, Congress supports preservation of the Assistance to Firefighters grant program. Continued support of the Assistance to Firefighters grant program will enable local firefighters to adequately protect the lives of countless Americans put at risk by insufficient fire protection.

SEC. 13. FUNDING FOR GRADUATE MEDICAL EDUCATION AT CHILDREN'S TEACHING HOSPITALS

It is the sense of Congress that:

(1) Function 550 of the President's budget should include an appropriate level of funding for graduate medical education conducted at independent children's teaching hospitals in order to ensure access to care by millions of children nationwide.

(2) An emphasis should be placed on the role played by community health centers in underserved rural and urban communities. An increase in funding for community health centers should not come at the expense of the Community Access Program. Both programs should be funded adequately, with the intention of doubling funding for increased capacity for community health centers, in addition to keeping the Community Access Program operational.

(3) The medicare program should emphasize such preventive medical services as those provided by vision rehabilitation professionals in saving Government funds and preserving the independence of a growing number of seniors in the coming years.

(4) Funding under function 550 should also reflect the importance of the Ryan White CARE Act to persons afflicted with HIV/AIDS. Funds allocated from the CARE Act serve as the safety net for thousands of low-income people living with HIV/AIDS who reside in metropolitan areas but are ineligible for entitlement programs. Moreover, the CARE Act provides critically needed grants directly to existing community-based clinics and public health providers to develop and deliver both early and ongoing comprehensive services to persons with HIV/AIDS.

SEC. 14. SENSE OF THE CONGRESS ON PRESERVING HEALTH CARE SERVICES AND PROFESSIONAL HEALTH CARE TRAINING.

(a) FINDINGS.—The Congress finds that—

(1) it recognizes the need to maintain the national network devoted to providing health care services and supports its continuation;

(2) without adequate resources devoted to research and development of new technologies, modern medicine cannot meet the challenges of the new century; and

(3) without adequate resources devoted to the recruitment and training of skilled caregivers in all setting, the latest technologies may never benefit the American people.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that to preserve funding for vital health care services, address shortages in health care professions, such as nursing, as well as health care research, the Congress should support fully funding these programs, specifically including health care professions training, and other health-related programs, at a level sufficient to support continuation of current services.

It was decided in the negative ..... { Yeas ..... 183 / Nays 243

¶30.15 [Roll No. 69]

AYES—183

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

NOES—243

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

NOT VOTING—6

Baldwin
Becerra
Gordon
Lampson
Rothman
Sisisky

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. SHIMKUS, assumed the Chair.

When Mr. LATOURETTE, Chairman, reported the concurrent resolution, as amended pursuant to said resolution and the foregoing order of the House, back to the House.

The previous question having been ordered by said resolution.

The question being put, viva voce,

Will the House agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 222 / Nays 105

¶30.16 [Roll No. 70]

YEAS—222

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

NAYS—205

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Barcia
Barrett
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hefley
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey

Mascara	Owens	Skelton
Matheson	Pallone	Slaughter
Matsui	Pascrell	Smith (WA)
McCarthy (MO)	Pastor	Snyder
McCarthy (NY)	Paul	Solis
McCollum	Payne	Spratt
McDermott	Pelosi	Stark
McGovern	Peterson (MN)	Stenholm
McIntyre	Phelps	Strickland
McKinney	Pomeroy	Stupak
McNulty	Price (NC)	Tanner
Meehan	Rahall	Tauscher
Meek (FL)	Rangel	Taylor (MS)
Meeks (NY)	Reyes	Thompson (CA)
Menendez	Rivers	Thompson (MS)
Millender-McDonald	Rodriguez	Thurman
Miller, George	Roemer	Tierney
Mink	Ross	Towns
Moakley	Roybal-Allard	Turner
Mollohan	Rush	Udall (CO)
Moore	Sabo	Udall (NM)
Moran (VA)	Sanchez	Velazquez
Murtha	Sanders	Visclosky
Nadler	Sandlin	Waters
Napolitano	Sawyer	Watt (NC)
Neal	Schakowsky	Waxman
Oberstar	Schiff	Weiner
Obey	Scott	Wexler
Olver	Serrano	Woolsey
Ortiz	Sherman	Wu
	Shows	Wynn

NOT VOTING—6

Baldwin	Gordon	Rothman
Becerra	Lampson	Sisisky

So the concurrent resolution was agreed to.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶30.17 PROVIDING FOR THE CONSIDERATION OF H.R. 6

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 107–31) the resolution (H. Res. 104) providing for consideration of the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability.

When said resolution and report were referred to the House Calendar and ordered printed.

¶30.18 MEXICO—UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore, Mr. SHIMKUS, by unanimous consent, announced that the Speaker, pursuant to 22 United States Code 276h, appointed to the Mexico-United States Interparliamentary Group, on the part of the House, the following Member: Mr. KOLBE, Chairman.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶30.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. BALDWIN, for today; and

To Mr. BECERRA, for today.

And then,

¶30.20 ADJOURNMENT

On motion of Mr. McINNIS, at 8 o'clock and 36 minutes p.m., the House adjourned.

¶30.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 104. Resolution providing for consideration of the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability (Rept. No. 107–31). Referred to the House Calendar.

¶30.22 PUBLIC BILLS AND RESOLUTIONS

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

By Mrs. MORELLA (for herself, Mr. GORDON, Mr. BOEHLERT, Mr. BARCIA, Mr. EHLERS, Mr. ETHERIDGE, and Mr. GUTKNECHT):

H.R. 1259. A bill to amend the National Institute of Standards and Technology Act to enhance the ability of the National Institute of Standards and Technology to improve computer security, and for other purposes; to the Committee on Science.

By Mr. KERNS:

H.R. 1260. A bill to prohibit the cloning of humans, and for other purposes; to the Committee on the Judiciary.

By Mr. HORN:

H.R. 1261. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to impose a limit on the Federal share of the costs of the Long Beach Desalinization Research and Development Project in Los Angeles County, California; to the Committee on Resources.

By Mr. RODRIGUEZ:

H.R. 1262. A bill to amend subchapter IV of chapter 53 of title 5, United States Code, relating to prevailing rate systems for Federal employees; to the Committee on Government Reform.

By Mr. McINNIS (for himself, Mr. HEFLEY, Mr. TANCREDO, Mr. SCHAFFER, Mr. UDALL of Colorado, and Ms. DEGETTE):

H.R. 1263. A bill to amend the Internal Revenue Code of 1986 to expand S corporation eligibility for banks, and for other purposes; to the Committee on Ways and Means.

By Mr. RANGEL (for himself and Mr. PASCRELL):

H.R. 1264. A bill to amend the Internal Revenue Code of 1986 to provide individual income tax rate reductions, tax relief to families with children, marriage penalty relief, and to immediately eliminate the estate tax for two-thirds of all decedents currently subject to the estate tax; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself and Mr. FOLEY):

H.R. 1265. A bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters; to the Committee on Ways and Means.

By Mr. BONIOR (for himself, Mr. BARR of Georgia, Mr. CONYERS, Mr. TOM DAVIS of Virginia, Ms. JACKSON-LEE of Texas, Mr. DINGELL, Mr. TOOMEY, Ms. McKINNEY, Mr. HINCHEY, and Mr. TOWNS):

H.R. 1266. A bill to ensure that no alien is removed, denied a benefit under the Immigration and Nationality Act, or otherwise deprived of liberty, based on evidence that is kept secret from the alien; to the Committee on the Judiciary.

By Mr. CRANE (for himself, Ms. DUNN, Mr. SMITH of Washington, and Mr. HASTINGS of Washington):

H.R. 1267. A bill to amend the Internal Revenue Code of 1986 to provide tax treatment for foreign investment through a United States regulated investment company comparable to the tax treatment for direct foreign investment and investment through a foreign mutual fund; to the Committee on Ways and Means.

By Mr. CRANE (for himself, Mr. NEAL of Massachusetts, Mr. SAM JOHNSON of Texas, Ms. DUNN, and Mrs. JOHNSON of Connecticut):

H.R. 1268. A bill to amend the Internal Revenue Code of 1986 to include wireless telecommunications equipment in the definition of qualified technological equipment for purposes of determining the depreciation treatment of such equipment; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself, Mrs. LOWEY, Mrs. MORELLA, Ms. KILPATRICK, Mr. HINCHEY, Mr. SERRANO, Mr. RANGEL, Ms. SLAUGHTER, Mrs. MEEK of Florida, Mr. FROST, Mr. PASTOR, Ms. DELAURO, Ms. McKINNEY, Mr. HILLIARD, Mr. WEXLER, Mrs. MALONEY of New York, Mr. SANDERS, Mr. BACA, Ms. BROWN of Florida, Mr. HALL of Ohio, Mr. DELAHUNT, Mr. FRANK, Mr. ABERCROMBIE, Ms. JACKSON-LEE of Texas, Mr. McGOVERN, Mr. GEORGE MILLER of California, Mr. WAXMAN, Ms. WOOLSEY, Mr. FILNER, Ms. RIVERS, Mr. OWENS, Mr. BROWN of Ohio, Mr. McNULTY, Mr. ENGEL, Mr. RUSH, Ms. LEE, Mrs. McCARTHY of New York, Ms. WATERS, Mr. WEINER, Ms. PELOSI, Mr. BOUCHER, Ms. SCHAKOWSKY, Mr. SABO, Mr. GONZALEZ, Mr. McDERMOTT, Mr. LAMPSON, Mr. BRADY of Pennsylvania, Ms. BALDWIN, Ms. CARSON of Indiana, Mr. NADLER, Mr. ALLEN, Mr. BLUMENAUER, and Mr. SHERMAN):

H.R. 1269. A bill to improve global health by increasing assistance to developing nations with high levels of infectious disease and premature death, by improving children's and women's health and nutrition, by reducing unintended pregnancies, and by combating the spread of infectious diseases, particularly HIV/AIDS, and for other purposes; to the Committee on International Relations.

By Mr. DEFAZIO:

H.R. 1270. A bill to increase accountability for Government spending and to reduce wasteful Government spending; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Armed Services, Science, Resources, Financial Services, International Relations, Veterans' Affairs, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DIAZ-BALART (for himself, Mr. MENENDEZ, Ms. ROS-LEHTINEN, Mr. ANDREWS, Mr. BACHUS, Mr. BARTLETT of Maryland, Mr. BILIRAKIS, Mr. BLUNT, Mr. BOEHNER, Mr. BONILLA, Mr. BRYANT, Mr. BURTON of Indiana, Mr. CANNON, Mr. CHABOT, Mr. COOKSEY, Mr. COX, Mr. CRENSHAW, Mr. CROWLEY, Mr. CUNNINGHAM, Mr. DAVIS of Illinois, Mr. DELAY, Mr. DEUTSCH, Mr. DOOLITTLE, Mr. DREIER, Mr. DUNCAN, Mr. ENGEL, Mr. FOLEY, Mr. FOSSELLA, Mr. FRELINGHUYSEN, Mr. GANSKE, Mr. GILMAN, Mr. GOSS, Mr. GRAHAM, Mr. GUTIERREZ, Mr. GUTKNECHT, Mr. HANSEN, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HORN, Mr. HUNTER, Mr. HUTCH-

INSON, Mr. JENKINS, Mr. JONES of North Carolina, Mr. KELLER, Mr. KENNEDY of Rhode Island, Mr. KERNS, Mr. KING, Mr. KINGSTON, Mr. KIRK, Mr. LANTOS, Mr. LINDER, Mr. LUCAS of Oklahoma, Mr. MANZULLO, Mr. MCINNIS, Mr. MCKEON, Mrs. MEEK of Florida, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NEY, Mr. PALLONE, Mr. PASCRELL, Mr. PENCE, Mr. PETERSON of Minnesota, Mr. POMBO, Ms. PRYCE of Ohio, Mr. PUTNAM, Mr. REYNOLDS, Mr. ROHRABACHER, Mr. SCARBOROUGH, Mr. SCHROCK, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAW, Mr. SHERMAN, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. STEARNS, Mr. SWEENEY, Mr. TANCREDO, Mr. TRAFICANT, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, Mr. WEXLER, Mr. WHITFIELD, Mr. WICKER, and Mr. WOLF):

H.R. 1271. A bill to assist the internal opposition in Cuba, and to further help the Cuban people to regain their freedom; to the Committee on International Relations.

By Mr. FOLEY (for himself and Mr. BECERRA):

H.R. 1272. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers using the income forecast method of depreciation to treat costs contingent on income in the same manner as fixed costs to the extent determined by reference to the estimated income under such method, and for other purposes; to the Committee on Ways and Means.

By Mr. HOSTETTLER (for himself, Mr. WICKER, Mr. BARTLETT of Maryland, Mr. BLUNT, Mr. RADANOVICH, Mr. PETERSON of Pennsylvania, Mr. SOUDER, Mr. SMITH of New Jersey, Mr. PICKERING, Mr. DOOLITTLE, Mr. SESSIONS, Mr. ISTOOK, Mr. HEFLEY, Mr. DEMINT, Mr. RILEY, Mr. ISSA, Mr. PITTS, Mr. SCHAFFER, Mr. HAYWORTH, Mr. JONES of North Carolina, Mr. TERRY, Mr. AKIN, Mr. HOEKSTRA, Mr. SHOWS, Mr. BAKER, Mr. LEWIS of Kentucky, and Mr. SMITH of Texas):

H.R. 1273. A bill to amend the Revised Statutes of the United States to eliminate the chilling effect on the constitutionally protected expression of religion by State and local officials that results from the threat that potential litigants may seek damages and attorney's fees; to the Committee on the Judiciary.

By Mr. HUNTER (for himself, Mr. GOSS, Mr. GILCHREST, Ms. ROS-LEHTINEN, Mr. RAMSTAD, Mrs. BONO, Mr. CRANE, and Ms. BERKLEY):

H.R. 1274. A bill to amend the Internal Revenue Code of 1986 to provide that tips received for certain services shall not be subject to income or employment taxes; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. MCNULTY, Mr. BOEHLERT, Mr. LARSON of Connecticut, Ms. DUNN, Mr. NEAL of Massachusetts, Mr. FOLEY, Mr. ALLEN, Mr. HUNTER, Ms. BALDWIN, Mr. WALDEN of Oregon, Mr. UDALL of Colorado, Mr. SHAYS, Mr. HINCHEY, Mr. SIMMONS, Mr. WYNN, Mr. PETERSON of Minnesota, Ms. DELAURO, Mr. NETHERCUTT, Ms. RIVERS, Mr. HORN, Mr. MALONEY of Connecticut, Mr. GILCHREST, Mr. SANDERS, Mr. SWEENEY, and Mr. INSLEE):

H.R. 1275. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for certain energy-efficient property; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself and Mr. THOMPSON of Mississippi):

H.R. 1276. A bill to expand the enforcement options under the Federal Meat Inspection Act and the Poultry Products Inspection Act to include the imposition of civil money penalties; to the Committee on Agriculture.

By Mrs. LOWEY:

H.R. 1277. A bill to amend the Internal Revenue Code of 1986 to reduce estate tax rates by 20 percent, to increase the unified credit against estate and gift taxes to the equivalent of a $2,500,000 exclusion and to provide an inflation adjustment of such amount, and for other purposes; to the Committee on Ways and Means.

By Ms. MCKINNEY:

H.R. 1278. A bill to redesignate the Federal building located at 935 Pennsylvania Avenue Northwest in the District of Columbia as the "Frank F. Church Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. ROTHMAN:

H.R. 1279. A bill to reestablish the annual assay commission; to the Committee on Financial Services.

By Mr. SHOWS (for himself, Mr. BALDACCI, Mr. FILNER, and Mr. BISHOP):

H.R. 1280. A bill to amend title 38, United States Code, to provide for the annual determination of the rate of the basic benefit of active duty educational assistance under the Montgomery GI Bill, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VITTER:

H.R. 1281. A bill to declare the policy of the United States with respect to deployment of a National Missile Defense System; to the Committee on Armed Services.

By Mr. VITTER:

H.R. 1282. A bill to provide for a testing program for the Navy Theater-Wide system and the Theater High-Altitude Area Defense system; to the Committee on Armed Services.

By Mr. VITTER:

H.R. 1283. A bill to establish the policy of the United States with respect to deployment of missile defense systems capable of defending allies of the United States against ballistic missile attack; to the Committee on Armed Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WATTS of Oklahoma (for himself, Mr. HALL of Ohio, and Mr. HASTERT):

H.R. 1284. A bill to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, Education and the Workforce, Financial Services, Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOORE (for himself and Mr. HOLDEN):

H.R. 1285. A bill to amend the Internal Revenue Code of 1986 to reduce and simplify the estate tax; to the Committee on Ways and Means.

By Mr. WALDEN of Oregon (for himself, Mr. SKELTON, and Mrs. CUBIN):

H. Con. Res. 89. Concurrent resolution mourning the death of Ron Sander at the hands of terrorist kidnappers in Ecuador and welcoming the release from captivity of Arnie Alford, Steve Derry, Jason Weber, and David Bradley, and supporting efforts by the United States to combat such terrorism; to the Committee on International Relations.

By Mr. BACA (for himself, Mr. ABERCROMBIE, Mr. ACEVEDO-VILA, Mr. BARRETT, Mr. BECERRA, Mr. BERMAN, Mr. BONIOR, Mr. BRADY of Pennsylvania, Mr. CLAY, Ms. DELAURO, Mr. EVANS, Mr. FILNER, Mr. FROST, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HILLIARD, Mr. HINOJOSA, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. INSLEE, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Mr. MENENDEZ, Ms. MCCARTHY of Missouri, Ms. MILLENDER-MCDONALD, Ms. MCKINNEY, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. PASTOR, Mr. RANGEL, Mr. REYES, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Ms. SANCHEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SCHIFF, Ms. SOLIS, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. WAXMAN, Mr. WEXLER, Mr. FRANK, Ms. BALDWIN, and Mr. NADLER):

H. Res. 105. A resolution expressing the sense of the House of Representatives regarding Cesar E. Chavez; to the Committee on Government Reform.

By Ms. KAPTUR (for herself, Ms. CARSON of Indiana, Mr. COSTELLO, Mr. CUMMINGS, Ms. DELAURO, Ms. ESHOO, Mr. FILNER, Ms. HOOLEY of Oregon, Ms. KILPATRICK, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mrs. MORELLA, Mrs. NAPOLITANO, Ms. RIVERS, Mr. SANDERS, Ms. SCHAKOWSKY, and Mrs. THURMAN):

H. Res. 106. A resolution expressing the sense of the House of Representatives that the artwork displayed in the Capitol, the Capitol Visitor Center, and the office buildings of the House of Representatives should represent the contributions of women to American society; to the Committee on House Administration.

¶30.23 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. THOMPSON of California introduced a bill (H.R. 1286) for the relief of Kuan-Fan Hsieh; which was referred to the Committee on the Judiciary.

¶30.24 ADDITIONAL SPONSORS

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

H.R. 10: Mr. SCHIFF.

H.R. 13: Mr. CROWLEY and Mr. PETRI.

H.R. 28: Ms. BERKLEY, Mr. PALLONE, and Mr. PASCRELL.

H.R. 40: Ms. MCCARTHY of Missouri.

H.R. 41: Mr. LANTOS, Mr. WATKINS, Mr. KENNEDY of Rhode Island, Mr. ROTHMAN, Mr. UDALL of Colorado, and Mr. LATOURETTE.

H.R. 51: Mr. FOLEY.

H.R. 67: Mr. FOLEY.

H.R. 68: Mr. LANGEVIN, Ms. SLAUGHTER, Mr. TURNER, and Mr. WELDON of Florida.

H.R. 80: Mr. ISAKSON and Mr. GOSS.

H.R. 82: Mr. DAVIS of Illinois.

H.R. 144: Mr. MURTHA, Mr. BONIOR, and Mr. HOLDEN.

H.R. 147: Mr. BONIOR.

H.R. 162: Ms. VELAZQUEZ, Mr. JACKSON of Illinois, Mr. WEINER, Mr. WALSH, Mr. FILNER, Mr. ENGEL, Mrs. MALONEY of New York, and Mr. HOLDEN.

H.R. 179: Mr. REHBERG and Mr. GUTIERREZ.

H.R. 183: Ms. PELOSI, Mr. JEFFERSON, Ms. SOLIS, Mr. LANGEVIN, and Mr. GONZALEZ.

H.R. 184: Mr. DAVIS of Illinois, Mr. BLUMENAUER, and Mr. GEORGE MILLER of California.

H.R. 189: Mr. BACHUS, Mr. HEFLEY, and Mr. GOODLATTE.
H.R. 190: Mr. LINDER.
H.R. 199: Mr. EHRLICH, Ms. HART, Mr. BAKER, Mr. MCHUGH, Mr. TANCREDO, and Mr. GREEN of Wisconsin.
H.R. 201: Mr. TANCREDO.
H.R. 229: Mr. SCHAFFER.
H.R. 230: Mr. HALL of Ohio and Mrs. CLAYTON.
H.R. 231: Mr. BONIOR.
H.R. 236: Mr. KOLBE.
H.R. 238: Mr. DICKS and Mr. MCDERMOTT.
H.R. 287: Mrs. MALONEY of New York.
H.R. 294: Mr. NETHERCUTT.
H.R. 303: Mr. TIAHRT, Mr. KENNEDY of Minnesota, Mr. PETERSON of Pennsylvania, Mr. DEUTSCH, and Mr. KINGSTON.
H.R. 318: Mr. KUCINICH, Mr. KIRK, Mr. PALLONE, Mr. ENGEL, Ms. MILLENDER-MCDONALD, Mr. BONIOR, Mr. FARR of California, Mr. PASCRELL, Mr. HOLDEN, Mr. FOSSELLA, Ms. DELAURO, Mr. HONDA, Mr. ISRAEL, and Mr. SIMMONS.
H.R. 340: Mr. WU.
H.R. 380: Mr. COSTELLO.
H.R. 389: Mr. DELAHUNT.
H.R. 429: Mr. BAIRD.
H.R. 499: Mr. GEORGE MILLER of California and Mr. MCGOVERN.
H.R. 500: Mr. DAVIS of Illinois and Mr. SERRANO.
H.R. 503: Mr. WAMP.
H.R. 510: Mr. SCHAFFER and Mr. FLETCHER.
H.R. 525: Mr. BLUMENAUER.
H.R. 526: Ms. BERKLEY, Mr. GONZALEZ, Ms. ROYBAL-ALLARD, Mr. UDALL of Colorado, and Mr. ISRAEL.
H.R. 599: Ms. ESHOO, Mr. KENNEDY of Rhode Island, Mr. WEINER, Mr. WALSH, Mrs. MALONEY of New York, Mr. KLECZKA, Mr. SESSIONS, Mr. HOLDEN, and Mr. GEORGE MILLER of California.
H.R. 602: Mr. WU, Mrs. BONO, Mrs. CLAYTON, Mr. CLEMENT, Mr. CLYBURN, Mr. CONDIT, Mr. CUMMINGS, Mr. DINGELL, Mr. FOLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NEAL of Massachusetts, Ms. VELAZQUEZ, Mr. BARCIA, Mr. HYDE, and Mr. HASTINGS of Florida.
H.R. 611: Mr. BARCIA, Mr. BERMAN, Mrs. NAPOLITANO, Mr. MARKEY, Mr. LUCAS of Kentucky, Mr. HORN, Ms. DUNN, Mr. BAIRD, Ms. CARSON of Indiana, Ms. PELOSI, Mr. HONDA, Mr. DICKS, Mr. EHRLICH, Mr. NEAL of Massachusetts, Ms. ROYBAL-ALLARD, Mr. KENNEDY of Rhode Island, Mr. MCDERMOTT, Mr. HOLT, Mr. HYDE, and Mr. CAPUANO.
H.R. 612: Mr. SCHROCK, Mr. SANDLIN, Mr. TAYLOR of Mississippi, and Mr. BISHOP.
H.R. 620: Ms. BROWN of Florida and Mr. MALONEY of Connecticut.
H.R. 622: Mr. HEFLEY, Mr. BASS, and Mr. OLVER.
H.R. 648: Mr. HAYWORTH.
H.R. 654: Ms. SANCHEZ.
H.R. 676: Mr. OSE.
H.R. 683: Mr. ROSS, Mr. JEFFERSON, Mr. ENGEL, Mr. SANDLIN, and Mr. GONZALEZ.
H.R. 692: Mr. TURNER, Mr. NEY, and Mr. REHBERG.
H.R. 710: Mr. MCDERMOTT, Mr. TANCREDO, and Mr. SHERMAN.
H.R. 712: Mr. SPRATT.
H.R. 730: Mr. KUCINICH and Mr. LIPINSKI.
H.R. 737: Mr. ANDREWS.
H.R. 742: Mr. PETERSON of Minnesota.
H.R. 758: Mr. LAFALCE and Ms. KILPATRICK.
H.R. 817: Mr. CONYERS.
H.R. 818: Ms. NORTON, Mr. BROWN of Ohio, Mr. KUCINICH, Mr. DAVIS of Illinois, Mr. ROHRABACHER, and Mr. BLAGOJEVICH.
H.R. 831: Mr. PAUL, Mr. LATOURETTE, Mr. CROWLEY, Mr. CAMP, Mr. FOLEY, and Mr. BASS.
H.R. 840: Mr. MOORE, Mr. WEXLER, Mr. RANGEL, Mr. COYNE, Ms. NORTON, Mr. GONZALEZ, Mr. WAXMAN, Mr. FROST, Mr. NEAL of Massachusetts, and Mr. KOLBE.
H.R. 853: Mr. HALL of Texas.
H.R. 875: Ms. WATERS, Ms. VELAZQUEZ, Ms. MILLENDER-MCDONALD, Mrs. MEEK of Florida, Ms. HARMAN, Ms. KILPATRICK, Ms. ROYBAL-ALLARD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEHAN, Mr. BECERRA, Mr. GEORGE MILLER of California, and Ms. DELAURO.
H.R. 876: Mr. LATHAM, Mr. LUCAS of Oklahoma, and Mr. FILNER.
H.R. 906: Mr. HONDA, Mr. SIMMONS, Mr. BONIOR, Mr. TOWNS, Mr. MEEKS of New York, Ms. NORTON, Mrs. MALONEY of New York, and Ms. SOLIS.
H.R. 911: Mr. WALSH and Mr. KOLBE.
H.R. 917: Mr. LANGEVIN.
H.R. 933: Mrs. MALONEY of New York, Mr. HINCHEY, and Mr. HASTINGS of Florida.
H.R. 936: Mrs. THURMAN, Mr. LANTOS, and Mr. PORTMAN.
H.R. 968: Mr. GOODE, Mr. HANSEN, Mr. KUCINICH, Mr. ENGLISH, Mr. VITTER, Ms. HART, Mr. MCCRERY, Mr. HUTCHINSON, and Mr. RYUN of Kansas.
H.R. 969: Mr. BLUNT.
H.R. 981: Mr. GEKAS.
H.R. 993: Mr. SESSIONS.
H.R. 1016: Mr. HOLDEN.
H.R. 1030: Mrs. JO ANN DAVIS of Virginia, Mr. BURTON of Indiana, Mr. MCNULTY, Mr. HOLDEN, Mr. SHERWOOD, and Ms. DUNN.
H.R. 1076: Mr. STUPAK, Ms. ESHOO, Mr. LAMPSON, Mr. FARR of California. Mr. PAUL, Mr. UDALL of New Mexico, Mr. MCGOVERN, Mr. SHOWS, Mr. BLAGOJEVICH, Mr. KENNEDY of Rhode Island, Ms. ROYBAL-ALLARD, Mr. DEUTSCH, Mr. INSLEE, Mr. HASTINGS of Florida, Mr. BOUCHER, Mr. LOBIONDO, Ms. VELAZQUEZ, Mr. NADLER, Mr. OWENS, and Mr. CROWLEY.
H.R. 1108: Mr. EVANS.
H.R. 1110: Mr. BOUCHER.
H.R. 1111: Mr. ESHOO Mr. MEEHAN, Mr. KIND, Mr. SIMMONS, Ms. DEGETTE, and Ms. ROYBAL-ALLARD.
H.R. 1117: Mr. WEXLER.
H.R. 1140: Mrs. JO ANN DAVIS of Virginia, Mr. GEPHARDT, Mr. OTTER, Ms. DEGETTE, Mr. GOODLATTE, Mr. BOSWELL, Mr. BURR of North Carolina, Ms. NORTON, Mrs. MYRICK, Mr. SNYDER, Mr. ENGLISH, Mrs. MEEK of Florida, Mr. GANSKE, Mr. DINGELL, Mr. THUNE, Mrs. MCCARTHY of New York, Mr. HASTINGS of Washington, Mr. TRAFICANT, Mr. WALSH, Mr. MOLLOHAN, Mr. NEY, Mr. REYES Mr. KILDEE, Mr. WELDON of Pennsylvania, Mr. MCGOVERN, Mr. BONILLA, Mrs. NAPOLITANO, Mr. MCHUGH, and Mrs. THURMAN.
H.R. 1160: Mr. FARR of California, Mr. KLECZKA, Mr. MCDERMOTT, and Mr. MARKEY.
H.R. 1170: Mr. WAXMAN.
H.R. 1172: Mr. CLYBURN, Mr. LUCAS of Kentucky, Mr. PALLONE, Mr. KANJORSKI, and Mr. SHERMAN.
H.R. 1179: Mr. FLETCHER.
H.R. 1181: Mr. UPTON, Mr. SIMMONS, Mr. WALSH, Mrs. MORELLA, Mrs. EMERSON, Ms. HART, Mr. GORDON, Mr. OSE, and Mr. KOLBE.
H.R. 1187: Mr. WHITFIELD and Ms. NORTON.
H.R. 1192: Mr. CAPUANO.
H.R. 1202: Mr. FOLEY, Mr. SAXTON, and Mr. HINCHEY.
H.R. 1257: Mr. NORWOOD.
H.J. Res. 36: Mr. HAYES and Mr. TERRY.
H.J. Res. 40: Ms. CARSON of Indiana and Mr. DINGELL.
H. Con. Res. 4: Mr. ISSA and Mr. FRELINGHUYSEN.
H. Con. Res. 12: Mr. MCGOVERN.
H. Con. Res. 26: Mr. FARR of California.
H. Con. Res. 54: Mr. WAMP, Mr. ALLEN, Mr. CRENSHAW, Mr. MCCRERY, and Mr. GOODE.
H. Con. Res. 64: Mr. GREEN of Texas.
H. Res. 72: Mr. LAFALCE and Mr. STEARNS.

THURSDAY, MARCH 29, 2001 (31)

The House was called to order by the SPEAKER.

¶31.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, March 28, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶31.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1396. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Donald L. Kerrick, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1397. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant Jack W. Klimp, United States Marine Corps, and his advancement to the grade of lieutenant on the retired list; to the Committee on Armed Services.

1398. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed issuance of an export license to Canada [Transmittal No. DTC 029–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1399. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed issuance of an export license to Japan [Transmittal No. DTC 030–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1400. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed issuance of an export license to Belgium [Transmittal No. DTC 031–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1401. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed issuance of an export license to Norway [Transmittal No. DTC 007–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1402. A letter from the Director of Government Affairs, Commission On International Religious Freedom, transmitting the Commission's report entitled, ''Report Of The United States Commission On International Religious Freedom On Sudan''; to the Committee on International Relations.

1403. A letter from the Chief Financial Officer, Export-Import Bank, transmitting the 2000 annual report in compliance with the Inspector General Act Amendments of 1988, pursuant to 5 app; to the Committee on Government Reform.

1404. A letter from the Vice President for Legal Affairs, General Counsel and Corporate Secretary, Legal Services Corporation, transmitting a copy of the annual report in

compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

¶31.3 PROVIDING FOR THE CONSIDERATION OF H.R. 6

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 104):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

Pending consideration of said resolution.

¶31.4 ORDER OF BUSINESS—CONSIDERATION OF H.R. 6

On motion of Ms. PRYCE of Ohio, by unanimous consent,

Ordered, That the amendment recommended by the Committee on Ways and Means, now printed in the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability, and proposed to be considered as adopted in the pending resolution, be modified by the amendment at the desk.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BONILLA, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 249 / Nays ..... 171 }

¶31.5 [Roll No. 71]

YEAS—249

Aderholt	Goode	Peterson (PA)
Akin	Goodlatte	Petri
Armey	Goss	Pickering
Bachus	Graham	Pitts
Baker	Granger	Platts
Ballenger	Graves	Pombo
Barcia	Green (WI)	Portman
Barr	Greenwood	Pryce (OH)
Bartlett	Grucci	Putnam
Barton	Gutknecht	Quinn
Bass	Hall (OH)	Radanovich
Bereuter	Hansen	Ramstad
Berkley	Hart	Rangel
Berry	Hastings (WA)	Regula
Biggert	Hayes	Rehberg
Bilirakis	Hayworth	Reyes
Bishop	Hefley	Riley
Blagojevich	Herger	Rodriguez
Blunt	Hilleary	Roemer
Boehlert	Hinojosa	Rogers (KY)
Boehner	Hobson	Rogers (MI)
Bonilla	Hoekstra	Rohrabacher
Bono	Holt	Ross
Boswell	Horn	Roukema
Brady (TX)	Hostettler	Roybal-Allard
Brown (SC)	Houghton	Royce
Bryant	Hulshof	Ryan (WI)
Burr	Hunter	Ryun (KS)
Burton	Hutchinson	Sandlin
Buyer	Hyde	Saxton
Callahan	Isakson	Scarborough
Calvert	Issa	Schaffer
Camp	Istook	Schiff
Cannon	Jenkins	Schrock
Cantor	Johnson (IL)	Sensenbrenner
Capito	Johnson, Sam	Sessions
Castle	Jones (NC)	Shadegg
Chabot	Keller	Shaw
Chambliss	Kelly	Shays
Coble	Kennedy (MN)	Sherwood
Collins	Kerns	Shimkus
Combest	King (NY)	Shows
Cooksey	Kingston	Simmons
Cox	Kirk	Simpson
Cramer	Knollenberg	Skeen
Crane	Kolbe	Smith (MI)
Crenshaw	LaHood	Smith (NJ)
Cubin	Largent	Smith (TX)
Culberson	Latham	Smith (WA)
Cunningham	LaTourette	Snyder
Davis (CA)	Lewis (CA)	Souder
Davis, Jo Ann	Lewis (KY)	Spence
Davis, Tom	Linder	Stearns
Deal	LoBiondo	Stump
DeLay	Lucas (KY)	Sununu
DeMint	Lucas (OK)	Sweeney
Diaz-Balart	Manzullo	Tancredo
Dooley	McCarthy (NY)	Tauzin
Doolittle	McCrery	Taylor (NC)
Dreier	McHugh	Terry
Duncan	McInnis	Thomas
Dunn	McKeon	Thornberry
Ehlers	McKinney	Thune
Ehrlich	Mica	Tiahrt
Emerson	Miller (FL)	Tiberi
English	Miller, Gary	Toomey
Eshoo	Moore	Traficant
Ferguson	Moran (KS)	Turner
Flake	Morella	Upton
Fletcher	Myrick	Vitter
Foley	Nethercutt	Walden
Ford	Ney	Walsh
Fossella	Northup	Wamp
Frelinghuysen	Norwood	Watkins
Frost	Nussle	Watts (OK)
Gallegly	Ortiz	Weldon (FL)
Ganske	Osborne	Weldon (PA)
Gekas	Ose	Weller
Gibbons	Otter	Whitfield
Gilchrest	Oxley	Wicker
Gillmor	Pascrell	Wilson
Gilman	Paul	Wolf
Gonzalez	Pence	Young (FL)

NAYS—171

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

NOT VOTING—12

Baldwin	Lampson	Ros-Lehtinen
Everett	Leach	Rothman
Gordon	Pelosi	Sisisky
Johnson (CT)	Reynolds	Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶31.6 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, March 28, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that the yeas had it.

Mr. MCNULTY demanded a recorded vote on agreeing to the Chair's approval of said journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 354 / Nays ..... 62 }

¶31.7 [Roll No. 72]

AYES—354

Abercrombie	Aderholt	Allen
Ackerman	Akin	Andrews

Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Rahall
Rangel
Regula
Rehberg
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Strickland
Stump
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NOES—62

Baird
Baldacci
Bonior
Borski
Brady (PA)
Brown (FL)
Capuano
Clyburn
Costello
Crane
DeFazio
English
Filner
Gibbons
Gutierrez
Gutknecht
Hefley
Hilleary
Hilliard
Hinchey
Holt
Hooley
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (MN)
Kucinich
LaFalce
Lee
Lewis (GA)
LoBiondo
McDermott
McGovern
McNulty
Menendez
Miller, George
Moore
Oberstar
Obey
Pallone
Pomeroy
Ramstad
Sabo
Schaffer
Slaughter
Stark
Stenholm
Stupak
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Turner
Udall (CO)
Udall (NM)
Visclosky
Waters
Watt (NC)
Wu

NOT VOTING—16

Baldwin
Blunt
Gordon
Johnson (CT)
Lampson
Leach
Meek (FL)
Nussle
Radanovich
Reynolds
Ros-Lehtinen
Rothman
Royce
Sisisky
Weller
Young (AK)

So the Journal was approved.

¶31.8 MARRIAGE TAX PENALTY RELIEF

Mr. THOMAS, pursuant to House Resolution 104, called up the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability.

Pending consideration of said bill.

Pursuant to House Resolution 104, the following amendment in the nature of a substitute recommended by the Committee on Ways and Means, as modified by the previous order by unanimous consent, was considered as agreed to:

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Marriage Penalty and Family Tax Relief Act of 2001''.

(b) SECTION 15 NOT TO APPLY.—No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

SEC. 2. ELIMINATION OF MARRIAGE PENALTY IN STANDARD DEDUCTION.

(a) IN GENERAL.—Paragraph (2) of section 63(c) of the Internal Revenue Code of 1986 (relating to standard deduction) is amended—

(1) by striking ''$5,000'' in subparagraph (A) and inserting ''200 percent of the dollar amount in effect under subparagraph (C) for the taxable year'';

(2) by adding ''or'' at the end of subparagraph (B);

(3) by striking ''in the case of'' and all that follows in subparagraph (C) and inserting ''in any other case.''; and

(4) by striking subparagraph (D).

(b) TECHNICAL AMENDMENTS.—

(1) Subparagraph (B) of section 1(f)(6) of such Code is amended by striking ''(other than with'' and all that follows through ''shall be applied'' and inserting ''(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied''.

(2) Paragraph (4) of section 63(c) of such Code is amended by adding at the end the following flush sentence:

''The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 3. PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET.

(a) IN GENERAL.—Subsection (f) of section 1 of the Internal Revenue Code of 1986 (relating to adjustments in tax tables so that inflation will not result in tax increases) is amended by adding at the end the following new paragraph:

''(8) PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET.—

''(A) IN GENERAL.—With respect to taxable years beginning after December 31, 2003, in prescribing the tables under paragraph (1)—

''(i) the maximum taxable income in the lowest rate bracket in the table contained in subsection (a) (and the minimum taxable income in the next higher taxable income bracket in such table) shall be the applicable percentage of the maximum taxable income in the lowest rate bracket in the table contained in subsection (c) (after any other adjustment under this subsection), and

''(ii) the comparable taxable income amounts in the table contained in subsection (d) shall be ½ of the amounts determined under clause (i).

''(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the applicable percentage shall be determined in accordance with the following table:

"For taxable years beginning in calendar year—	***The applicable percentage is—***
2004	*172*
2005	*178*
2006	*183*
2007	*189*
2008	*195*
2009 and thereafter	*200.*

''(C) ROUNDING.—If any amount determined under subparagraph (A)(i) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.''

(b) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(1) Subsection (d) of section 24 of such Code is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 32 of such Code is amended by striking subsection (h).

(c) INCREASE IN ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNT FOR JOINT RETURNS.—

(1) IN GENERAL.—Subsection (d) of section 55 of such Code is amended by adding at the end the following new paragraph:

''(4) ADJUSTMENT OF EXEMPTION AMOUNT FOR JOINT RETURNS.—

''(A) IN GENERAL.—The dollar amount applicable under paragraph (1)(A) for 2008 and each even-numbered calendar year thereafter—

''(i) shall be $500 greater than the dollar amount applicable under paragraph (1)(A) for the prior even-numbered calendar year, and

''(ii) shall apply to taxable years beginning in such even-numbered calendar year and in the succeeding calendar year.

In no event shall the dollar amount applicable under paragraph (1)(A) exceed twice the dollar amount applicable under paragraph (1)(B).

''(B) EXEMPTION AMOUNTS FOR 2005, 2006, AND 2007.—The dollar amount applicable under paragraph (1)(A) shall be—

''(i) $46,000 for taxable years beginning in 2005, and

''(ii) $46,500 for taxable years beginning in 2006 or 2007.''

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (1) of section 55(d) of such Code is amended by striking ''and'' at the end of subparagraph (B), by striking subparagraph (C), and by inserting after subparagraph (B) the following new subparagraphs:

''(C) 50 percent of the dollar amount applicable under paragraph (1)(A) in the case of a married individual who files a separate return, and

''(D) $22,500 in the case of an estate or trust.''

(B) Subparagraph (C) of section 55(d)(3) of such Code is amended by striking ''paragraph (1)(C)'' and inserting ''subparagraph (C) or (D) of paragraph (1)''.

(C) The last sentence of section 55(d)(3) of such Code is amended—

(i) by striking ''paragraph (1)(C)(i)'' and inserting ''paragraph (1)(C)'', and

(ii) by striking ''$165,000 or (ii) $22,500'' and inserting ''the minimum amount of such income (as so determined) for which the exemption amount under paragraph (1)(C) is zero, or (ii) such exemption amount (determined without regard to this paragraph)''.

(d) TECHNICAL AMENDMENTS.—

(1) Subparagraph (A) of section 1(f)(2) of such Code is amended by inserting ''except as provided in paragraph (8),'' before ''by increasing''.

(2) The heading for subsection (f) of section 1 of such Code is amended by inserting ''PHASE-OUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET;'' before ''ADJUSTMENTS''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years beginning after December 31, 2003.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2001.

(3) SUBSECTION (c).—The amendments made by subsection (c) shall apply to taxable years beginning after December 31, 2004.

SEC. 4. MARRIAGE PENALTY RELIEF FOR EARNED INCOME CREDIT; EARNED INCOME TO INCLUDE ONLY AMOUNTS INCLUDIBLE IN GROSS INCOME.

(a) IN GENERAL.—Paragraph (2) of section 32(b) of the Internal Revenue Code of 1986 (relating to percentages and amounts) is amended—

(1) by striking ''AMOUNTS.—The earned'' and inserting ''AMOUNTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the earned''; and

(2) by adding at the end the following new subparagraph:

''(B) JOINT RETURNS.—In the case of a joint return, the earned income amount determined under subparagraph (A) shall be 110 percent of the otherwise applicable amount. If any amount determined under the preceding sentence is not a multiple of $10, such amount shall be rounded to the nearest multiple of $10.''

(b) EARNED INCOME TO INCLUDE ONLY AMOUNTS INCLUDIBLE IN GROSS INCOME.—Clause (i) of section 32(c)(2)(A) of such Code (defining earned income) is amended by inserting '', but only if such amounts are includible in gross income for the taxable year'' after ''other employee compensation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 5. MODIFICATIONS TO CHILD TAX CREDIT.

(a) INCREASE IN PER CHILD AMOUNT.—Subsection (a) of section 24 of the Internal Revenue Code of 1986 (relating to child tax credit) is amended to read as follows:

''(a) ALLOWANCE OF CREDIT.—

''(1) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year with respect to each qualifying child of the taxpayer an amount equal to the per child amount.

''(2) PER CHILD AMOUNT.—For purposes of paragraph (1), the per child amount shall be determined as follows:

"In the case of any taxable year beginning in—	***The per child amount is—***
2001 and 2002	*$600*
2003	*700*
2004	*800*
2005	*900*
2006 or thereafter	*1,000.''*

(b) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Subsection (b) of section 24 of such Code is amended by adding at the end the following new paragraph:

''(3) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under this subpart (other than this section) and section 27 for the taxable year.''.

(2) CONFORMING AMENDMENTS.—

(A) The heading for section 24(b) of such Code is amended to read as follows: ''LIMITATIONS.—''.

(B) The heading for section 24(b)(1) of such Code is amended to read as follows: ''LIMITATION BASED ON ADJUSTED GROSS INCOME.—''.

(C) Section 24(d) of such Code is amended—

(i) by striking ''section 26(a)'' each place it appears and inserting ''subsection (b)(3)'', and

(ii) in paragraph (1)(B) by striking ''aggregate amount of credits allowed by this subpart'' and inserting ''amount of credit allowed by this section''.

(D) Paragraph (1) of section 26(a) of such Code is amended by inserting ''(other than section 24)'' after ''this subpart''.

(E) Subsection (c) of section 23 of such Code is amended by striking ''and section 1400C'' and inserting ''and sections 24 and 1400C''.

(F) Subparagraph (C) of section 25(e)(1) of such Code is amended by inserting '', 24,'' after ''sections 23''.

(G) Section 904(h) of such Code is amended by inserting ''(other than section 24)'' after ''chapter''.

(H) Subsection (d) of section 1400C of such Code is amended by inserting ''and section 24'' after ''this section''.

(c) ADDITIONAL CREDIT FOR FAMILIES WITH 3 OR MORE CHILDREN AVAILABLE TO ALL FAMILIES.—Subsection (d) of section 24 of such Code is amended—

(1) in paragraph (1) by striking ''In the case of a taxpayer with three or more qualifying children for any taxable year, the'' and inserting ''The'', and

(2) in the subsection heading by striking ''WITH 3 OR MORE CHILDREN'' and inserting ''PAYING SOCIAL SECURITY TAXES''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2001.

SEC. 6. PROTECTION OF SOCIAL SECURITY AND MEDICARE.

The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 419, Mr. RANGEL submitted the following further amendment in the nature of a substitute:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''Tax Reduction Act of 2001''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) SECTION 15 NOT TO APPLY.—No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

TITLE I—INDIVIDUAL INCOME TAX RATE REDUCTIONS; EXPANSION OF EARNED INCOME CREDIT ASSISTANCE

SEC. 101. INDIVIDUAL INCOME TAX RATE REDUCTIONS.

(a) IN GENERAL.—Section 1 is amended by adding at the end the following new subsection:

''(i) 12 PERCENT RATE BRACKET.—

''(1) IN GENERAL.—In the case of taxable years beginning after December 31, 2000—

''(A) the rate of tax under subsections (a), (b), (c), and (d) on taxable income not over the initial bracket amount shall be 12 percent, and

''(B) the 15 percent rate of tax shall apply only to taxable income over the initial bracket amount.

''(2) INITIAL BRACKET AMOUNT.—For purposes of this subsection—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the initial bracket amount is—

''(i) $20,000 in the case of subsection (a),

''(ii) 80 percent of the dollar amount in clause (i) in the case of subsection (b), and

''(iii) 50 percent of the dollar amount in clause (i) in the case of subsections (c) and (d).

''(B) PHASEIN.—The initial bracket amount is—

''(i) ¼ the amount otherwise applicable under subparagraph (A) in the case of taxable years beginning during 2001, and

''(ii) ½ such amount otherwise applicable under subparagraph (A) in the case of taxable years beginning during 2002.

''(3) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2003, the $20,000 amount under paragraph (2)(A)(i) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under subsection (f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2002' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING RULES.—If any amount after adjustment under subparagraph (A) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.

''(4) ADJUSTMENT OF TABLES.—The Secretary shall adjust the tables prescribed under subsection (f) carry out this subsection.''

(b) ADJUSTMENT IN COMPUTATION OF ALTERNATIVE MINIMUM TAX.—Paragraph (2) of section 55(a) is amended to read as follows:

''(2) the sum of—

''(A) the regular tax for the taxable year, plus

''(B) in the case of an individual, 3 percent of so much of the individual's taxable income for the taxable year as is taxed at 12 percent.''

(c) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(1) Subsection (d) of section 24 is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 32 is amended by striking subsection (h).

(d) CONFORMING AMENDMENT.—Subclause (II) of section 1(g)(7)(B)(ii) is amended by striking ''15 percent'' and inserting ''12 percent''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(f) PROTECTION OF SOCIAL SECURITY AND MEDICARE.—The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

SEC. 102. MODIFICATIONS TO EARNED INCOME TAX CREDIT.

(a) INCREASES IN PERCENTAGES AND AMOUNTS USED TO DETERMINE CREDIT; MARRIAGE PENALTY RELIEF.—

(1) IN GENERAL.—Subsection (b) of section 32 is amended to read as follows:

''(b) PERCENTAGES AND AMOUNTS.—

''(1) PERCENTAGES.—The credit percentage, the initial phaseout percentage, and the final phaseout percentage shall be determined as follows:

''In the case of an eligible individual with:	The credit percentage is:	The initial phaseout percentage is:	The final phaseout percentage is:
1 qualifying child	34	15.98	18.98
2 or more qualifying children	40	21.06	24.06
No qualifying children	7.65	7.65	7.65.

''(2) AMOUNTS.—

''(A) IN GENERAL.—The earned income amount and the initial phaseout amount shall be determined as follows:

''In the case of an eligible individual with:	The earned income amount is:	The initial phaseout amount is:
1 qualifying child	$8,140	$13,470
2 or more qualifying children	$10,820	$13,470
No qualifying children	$4,900	$6,130.

In the case of a joint return where there is at least 1 qualifying child, the initial phaseout amount shall be $2,500 greater than the amount otherwise applicable under the preceding sentence.

''(B) FINAL PHASEOUT AMOUNT.—The final phaseout amount is $26,000 ($28,500 in the case of a joint return).''

(2) MODIFICATION OF COMPUTATION OF PHASEOUT.—Paragraph (2) of section 32(a) is amended to read as follows:

''(2) PHASEOUT OF CREDIT.—The amount of the credit allowable to a taxpayer under paragraph (1) for any taxable year shall be reduced (but not below zero) by the sum of—

''(A) the initial phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the initial phaseout amount but does not exceed the final phaseout amount, plus

''(B) the final phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the final phaseout amount.''

(3) TOTAL INCOME.—Paragraph (5) of section 32(c) is amended to read as follows:

''(5) TOTAL INCOME.—The term 'total income' means adjusted gross income determined without regard to—

''(A) the deductions referred to in paragraphs (6), (7), (9), (10), (15), (16), and (17) of section 62(a),

''(B) the deduction allowed by section 162(l), and

''(C) the deduction allowed by section 164(f).''

(4) CONFORMING AMENDMENTS.—

(A) Subsection (j) of section 32 is amended to read as follows:

''(j) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2002, each of the dollar amounts in subsection (b)(2) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3), for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any dollar amount, after being increased under paragraph (1), is not a multiple of $10, such dollar amount shall be rounded to the nearest multiple of $10.''

(B) Subparagraph (C) of section 32(c)(1) is amended by striking ''modified adjusted gross income'' and inserting ''total income''.

(C) Paragraph (2) of section 32(f) is amended to read as follows:

''(2) REQUIREMENTS FOR TABLES.—

''(A) IN GENERAL.—The provisions of subsection (a)(1) and the provisions of subsection (a)(2) shall be reflected in separate tables prescribed under paragraph (1).

''(B) SUBSECTION (a)(1) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(1) shall have income brackets of not greater than $50 each for earned income between $0 and the earned income amount.

''(C) SUBSECTION (a)(2) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(2) shall have income brackets of not greater than $50 each for total income (or, if greater, the earned income) above the initial phaseout threshold.''

(b) REPEAL OF DENIAL OF CREDIT WHERE INVESTMENT INCOME.—Section 32 is amended by striking subsection (i).

(c) EARNED INCOME TO INCLUDE ONLY AMOUNTS INCLUDIBLE IN GROSS INCOME.—

(1) IN GENERAL.—Section 32(c)(2)(A)(i) (defining earned income) is amended by inserting '', but only if such amounts are includible in gross income for the taxable year'' after ''other employee compensation''.

(2) CONFORMING AMENDMENT.—Section 32(c)(2)(B) is amended by striking ''and'' at the end of clause (iv), by striking the period at the end of clause (v) and inserting '', and'', and by adding at the end the following new clause:

''(vi) the requirement under subparagraph (A)(i) that an amount be includible in gross income shall not apply if such amount is exempt from tax under section 7873 or is derived directly from restricted and allotted land under the Act of February 8, 1887 (commonly known as the Indian General Allotment Act) (25 U.S.C. 331 et seq.) or from land held under Acts or treaties containing an exception provision similar to the Indian General Allotment Act.''

(d) MODIFICATION OF JOINT RETURN REQUIREMENT.—Subsection (d) of section 32 is amended to read as follows:

''(d) MARRIED INDIVIDUALS.—

''(1) IN GENERAL.—If the taxpayer is married at the close of the taxable year, the credit shall be allowed under subsection (a) only if the taxpayer and his spouse file a joint return for the taxable year.

''(2) MARITAL STATUS.—For purposes of paragraph (1), an individual legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married.

''(3) CERTAIN MARRIED INDIVIDUALS LIVING APART.—For purposes of paragraph (1), if—

''(A) an individual—

''(i) is married and files a separate return, and

''(ii) has a qualifying child who is a son, daughter, stepson, or stepdaughter of such individual, and

''(B) during the last 6 months of such taxable year, such individual and such individual's spouse do not have the same principal place of abode,

such individual shall not be considered as married.''

(e) EXPANSION OF MATHEMATICAL ERROR AUTHORITY.—Paragraph (2) of section 6213(g) is amended by striking ''and'' at the end of subparagraph (K), by striking the period at the end of subparagraph (L) and inserting '', and'', and by inserting after subparagraph (L) the following new subparagraph:

''(M) the entry on the return claiming the credit under section 32 with respect to a child if, according to the Federal Case Registry of Child Support Orders established under section 453(h) of the Social Security Act, the taxpayer is a noncustodial parent of such child.''

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE II—MARRIAGE PENALTY RELIEF

SEC. 201. MARRIAGE PENALTY RELIEF.

(a) STANDARD DEDUCTION.—

(1) IN GENERAL.—Paragraph (2) of section 63(c) (relating to standard deduction) is amended—

(A) by striking ''$5,000'' in subparagraph (A) and inserting ''twice the dollar amount in effect under subparagraph (C) for the taxable year'',

(B) by adding ''or'' at the end of subparagraph (B),

(C) by striking ''in the case of'' and all that follows in subparagraph (C) and inserting ''in any other case.'', and

(D) by striking subparagraph (D).

(2) INCREASE ALLOWED AS DEDUCTION IN DETERMINING MINIMUM TAX.—Subparagraph (E) of section 56(b)(1) is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply to so much of the standard deduction under subparagraph (A) of section 63(c)(2) as exceeds the amount which would be such deduction but for the amendment made by section 201(a)(1) of the Tax Reduction Act of 2001.

(3) TECHNICAL AMENDMENTS.—

(A) Subparagraph (B) of section 1(f)(6) is amended by striking ''(other than with'' and all that follows through ''shall be applied'' and inserting ''(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied''.

(B) Paragraph (4) of section 63(c) is amended by adding at the end the following flush sentence:

''The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

After further debate.

Pursuant to House Resolution 104, the previous question was ordered on the bill, as amended, and the further amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to said further amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the nays had it.

Mr. RANGEL objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 196 / Nays 231

¶31.9 [Roll No. 73]

YEAS—196

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Barrett
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dooley
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Edwards
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Jackson-Lee (TX)
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Jones (OH)
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Kildee
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Larson (CT)
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Lewis (GA)
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Lowey
Luther
Maloney (CT)
Maloney (NY)
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Pallone
Pascrell
Pastor
Payne
Pelosi
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Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Wexler
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Burr
Burton
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Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capuano
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DeLay
DeMint
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Duncan
Dunn
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Ferguson
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Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
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Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
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LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
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Linder
Lipinski
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Lucas (KY)
Lucas (OK)
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Matheson
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Baldwin
Lampson
Ros-Lehtinen
Rothman
Sisisky

So the further amendment in the nature of a substitute was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. RANGEL moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. REFUND OF 2000 INDIVIDUAL INCOMES TAXES.

(a) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 (relating to rules of special application) is amended by adding at the end the following new section:

"SEC. 6428. REFUND OF 2000 INDIVIDUAL INCOME TAXES.

''(a) IN GENERAL.—Except as otherwise provided in this section, each individual shall be treated as having made a payment against the tax imposed by chapter 1 for such individual's first taxable year beginning in 2000 in an amount equal to 100 percent of the amount of such individual's net Federal tax liability for such taxable year.

''(b) MAXIMUM PAYMENT.—The amount treated as paid by reason of this section shall not exceed $300 ($600 in the case of a married couple filing a joint return.

''(c) NET FEDERAL TAX LIABILITY.—For purposes of this section—

''(1) IN GENERAL.—The term 'net Federal tax liability' means the amount equal to the excess (if any) of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under part IV of subchapter A (other than the credits allowable subpart C thereof, relating to refundable credits).

''(2) FAMILIES WITH CHILDREN.—In the case of a taxpayer with 1 or more qualifying children (as defined in section 32) for the taxpayer's first taxable year beginning in 2000, such taxpayer's net Federal tax liability for such year shall be the amount determined under paragraph (1) increased by 7.65 percent of the taxpayer's taxable earned income for such year. For purposes of the preceding sentence, the term 'taxable earned income' means earned income as defined in section 32 but only to the extent includible in gross income.

''(d) DATE PAYMENT DEEMED MADE.—The payment provided by this section shall be deemed made on the later of—

''(1) the date prescribed by law (determined without extensions) for filing the return of tax imposed by chapter 1 for the taxable year, or

''(2) the date on which the taxpayer files his return of tax imposed by chapter 1 for the taxable year.

''(e) CERTAIN PERSONS NOT ELIGIBLE.—This section shall not apply to—

''(1) any estate or trust, and

''(2) any nonresident alien individual.

''(f) WITHHOLDING CREDIT CERTIFICATES IN LIEU OF PAYMENTS IN CERTAIN CASES.—

''(1) IN GENERAL.—To the extent that the amount treated as paid under this section would (but for this subsection) exceed the taxpayer's net income tax liability for the taxable year—

''(A) the amount of such excess shall not be treated as paid under this section, and

''(B) the Secretary shall issue to the taxpayer a withholding credit certificate in the amount of such excess.

''(2) UTILIZATION OF WITHHOLDING CREDIT CERTIFICATE.—A withholding credit certificate issued under paragraph (1) may be furnished by the individual to such individual's employer.

''(3) FURNISHED TO EMPLOYER.—If a withholding credit certificate issued under paragraph (1) is furnished by an individual to such individual's employer, the amount of the certificate shall operate as a reduction in the liability for employment taxes that would otherwise be withheld from the individual's wages.

''(5) NET INCOME TAX LIABILITY.—For purposes of this subsection, the term 'net income tax liability' means net Federal tax liability determined without regard to subsection (c)(2).''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 65 of such Code is amended by adding at the end the following new item:

''Sec. 6428. Refund of 2000 individual income taxes.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(d) PROTECTION OF SOCIAL SECURITY AND MEDICARE.—The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

(e) COMPLIANCE WITH BUDGET RULES.—The aggregate amount of refunds and withholding credit certificates provided by this Act before October 1, 2001, shall not exceed $15,000,000,000. The Secretary of the Treasury may implement the limitation of the preceding sentence by providing pro rata reductions or otherwise. The limitations of this subsection shall cease to apply at such time as the congressional budget resolution for

fiscal year 2001 is adjusted to permit full payments authorized under this section.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the nays had it.

Mr. RANGEL demanded a recorded vote on motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 184 / Nays 240

¶31.10 [Roll No. 74]

AYES—184

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

NOES—240

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Castle
Chabot
Chambliss
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Baldwin
Hutchinson
Lampson
Ney
Ros-Lehtinen
Rothman
Sisisky
Stupak

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the yeas had it.

Mr. RANGEL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 282 / Nays 144

¶31.11 [Roll No. 75]

YEAS—282

Aderholt
Akin
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clement
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Everett
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Langevin
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Mascara
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—144

Abercrombie	Honda	Obey
Ackerman	Hoyer	Olver
Allen	Inslee	Ortiz
Andrews	Jackson (IL)	Owens
Baca	Jackson-Lee (TX)	Pallone
Baldacci	Jefferson	Pascrell
Becerra	Johnson, E. B.	Pastor
Bentsen	Jones (OH)	Payne
Berman	Kanjorski	Pelosi
Blumenauer	Kaptur	Peterson (MN)
Bonior	Kennedy (RI)	Pomeroy
Borski	Kildee	Price (NC)
Brady (PA)	Kilpatrick	Rahall
Brown (FL)	Kind (WI)	Rangel
Brown (OH)	Kleczka	Reyes
Capuano	Kucinich	Rivers
Cardin	LaFalce	Roybal-Allard
Clayton	Lantos	Rush
Clyburn	Larson (CT)	Sabo
Conyers	Lee	Sanchez
Coyne	Levin	Sanders
Crowley	Lewis (GA)	Sawyer
Cummings	Lofgren	Schakowsky
Davis (IL)	Lowey	Scott
DeFazio	Maloney (NY)	Serrano
DeGette	Markey	Sherman
Delahunt	Matsui	Slaughter
DeLauro	McCarthy (MO)	Snyder
Dicks	McCollum	Solis
Dingell	McDermott	Spratt
Doggett	McGovern	Stark
Dooley	McNulty	Stenholm
Eshoo	Meehan	Strickland
Evans	Meek (FL)	Stupak
Farr	Meeks (NY)	Tanner
Fattah	Menendez	Thompson (CA)
Filner	Millender-McDonald	Thompson (MS)
Frank	Miller, George	Thurman
Frost	Mink	Tierney
Gephardt	Moakley	Udall (NM)
Gonzalez	Mollohan	Velazquez
Green (TX)	Moran (VA)	Visclosky
Gutierrez	Murtha	Waters
Hall (OH)	Nadler	Watt (NC)
Hastings (FL)	Napolitano	Waxman
Hilliard	Neal	Weiner
Hinchey	Oberstar	Wexler
Hinojosa		Woolsey
Hoeffel		

NOT VOTING—7

Baldwin	Lampson	Sisisky
Gilman	Ros-Lehtinen	
Hutchinson	Rothman	

So the bill was passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, the 15-percent rate bracket, and the earned income credit, to increase the child credit, and for other purposes.''.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶31.12 ADJOURNMENT OVER

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That when the House adjourns on Friday, March 30, 2001, it adjourn to meet on Tuesday, April 3, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶31.13 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, April 4, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶31.14 THE LATE HONORABLE NORMAN SISISKY

Mr. WOLF submitted the following privileged resolution (H. Res. 107):

Resolved, That the House has heard with profound sorrow of the death of the Honorable Norman Sisisky, a Representative from the Commonwealth of Virginia.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of applicable accounts of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

When said resolution was considered. After debate,

On motion of Mr. WOLF, by unanimous consent, the previous question was ordered on the resolution to its adoption or rejection and, under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶31.15 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—NATIONAL COMMISSION TO ENSURE CONSUMER INFORMATION AND CHOICE IN THE AIRLINE INDUSTRY

The SPEAKER pro tempore, Mr. OTTER, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 29, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 228(d)(1) of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (P.L. 106–181), I hereby appoint the following individual to the National Commission to Ensure Consumer Information and Choice in the Airline Industry:

Mr. Thomas P. Dunne, Sr. of Maryland Heights, MO.

Yours Very Truly,
RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶31.16 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. BALDWIN, for today.

And then,

¶31.17 ADJOURNMENT

On motion of Mr. BACA, pursuant to the provisions of House Resolution 107 heretofore agreed to, at 4 o'clock and 28 minutes p.m., the House adjourned out of respect for the late Honorable Norman Sisisky until 10 a.m., Friday, March 30, 2001.

¶31.18 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. WATTS of Oklahoma (for himself, Mr. HALL of Ohio, and Mr. HASTERT):

H.R. 7. A bill to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELDON of Florida (for himself, Mr. NADLER, Mr. BURTON of Indiana, Mr. FRANK, Mr. SESSIONS, Mr. MCGOVERN, Mr. HORN, Ms. MCCARTHY of Missouri, and Mr. TURNER):

H.R. 1287. A bill to amend the Public Health Service Act with respect to the Vaccine Injury Compensation Program; to the Committee on Energy and Commerce.

By Mrs. KELLY (for herself, Mr. GILMAN, Mr. SHAYS, Mrs. LOWEY, and Mr. ENGEL):

H.R. 1288. A bill to amend title 49, United States Code, relating to the airport noise and access review program; to the Committee on Transportation and Infrastructure.

By Mr. LANTOS (for himself, Mr. MCGOVERN, Ms. SOLIS, Mr. BONIOR, Mr. FRANK, Mr. HILLIARD, Ms. KILPATRICK, Mr. THOMPSON of Mississippi, Mr. KILDEE, Ms. MCKINNEY, Mr. KUCINICH, Ms. ROYBAL-ALLARD, Ms. LEE, Mrs. NAPOLITANO, Ms. WOOLSEY, Mr. FILNER, Ms. KAPTUR, Mr. BACA, Mr. DELAHUNT, Mr. BRADY of Pennsylvania, and Mr. BORSKI):

H.R. 1289. A bill to amend the Fair Labor Standards Act of 1938 to prohibit forced overtime hours for certain licensed health care employees; to the Committee on Education and the Workforce.

By Mr. JACKSON of Illinois (for himself, Mr. BLAGOJEVICH, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. DEFAZIO, Mr. HASTINGS of Florida, and Mr. KENNEDY of Rhode Island):

H.R. 1290. A bill to amend title VII of the Civil Rights Act of 1964 to make such title fully applicable to the judicial branch of the Federal Government; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. ARMEY, Mr. DINGELL, Mr. HAYWORTH, Mr. REYES, Mr. STUMP, Ms. BROWN of Florida, Mr. BILIRAKIS, Ms. CARSON of Indiana, Mr. SPENCE, Mr. RODRIGUEZ, Mr. BUYER, Mr. SHOWS, Mr. QUINN, Ms. BERKLEY, Mr. MCKEON, Mr. UDALL of New Mexico, Mr. SIMPSON, Mr. SIMMONS, Mr. CRENSHAW, Mr. BROWN of South Carolina, Mr. PICKERING, Mr. EHRLICH, Ms. BALDWIN, Mr. GREEN of Texas, Mr. SANDERS, Mrs. WILSON, Mr. RYUN of Kansas, Mr. SAXTON, Mr. NEAL of Massachusetts, Mr. SMITH of Texas, Mr. HOLT, Mr. DREIER, Mr. GILMAN, Mr. JENKINS, Mr. HANSEN, Mr. LUCAS of Oklahoma, Mr. LANGEVIN, Mr. WHITFIELD, Mr. MALONEY of Connecticut, Mr.

PALLONE, Mr. COSTELLO, Mr. ANDREWS, Mr. BRADY of Pennsylvania, Mr. BRADY of Texas, Mr. SCHROCK, Mrs. ROUKEMA, Ms. MCKINNEY, Mr. RANGEL, Mr. TAYLOR of North Carolina, Mr. HILLEARY, Mr. JONES of North Carolina, Mr. KING, Mrs. JO ANN DAVIS of Virginia, Mr. CHAMBLISS, Mrs. TAUSCHER, Mr. LOBIONDO, and Mr. LEWIS of Kentucky):

H.R. 1291. A bill to amend title 38, United States Code, to increase the amount of educational benefits for veterans under the Montgomery GI Bill; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SKELTON:

H.R. 1292. A bill to require the President to develop and implement a strategy for homeland security; to the Committee on Armed Services, and in addition to the Committees on Transportation and Infrastructure, the Judiciary, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEY (for himself, Mrs. JONES of Ohio, Mr. GILLMOR, Mr. LATOURETTE, and Mr. JONES of North Carolina):

H.R. 1293. A bill to amend the Federal Deposit Insurance Act to ensure the continued stability of the Federal deposit insurance system with respect to banks and savings associations, and for other purposes; to the Committee on Financial Services.

By Mr. BACA (for himself, Ms. MCKINNEY, Mr. SMITH of New Jersey, Mr. CRAMER, Mr. SHERMAN, Ms. ROYBAL-ALLARD, Mr. WEXLER, Mr. TAYLOR of Mississippi, Mrs. KELLY, Mrs. THURMAN, Mr. RANGEL, and Mr. REYES):

H.R. 1294. A bill to amend titles 10 and 14, United States Code, to provide for the use of gold in the metal content of the Medal of Honor; to the Committee on Armed Services.

By Mr. BACA (for himself, Mr. GONZALEZ, Mr. KILDEE, Ms. CARSON of Indiana, and Mr. GRUCCI):

H.R. 1295. A bill to authorize the Secretary of Health and Human Services to make matching grants available to the States in order to encourage the establishment of State license plate programs to provide funds for the treatment of breast cancer, for research on such cancer, and for educational activities regarding such cancer; to the Committee on Energy and Commerce.

By Mrs. BONO (for herself, Mr. GRAHAM, Mr. DELAHUNT, Mr. SENSENBRENNER, Mr. BRADY of Texas, Mr. TERRY, Mr. SHADEGG, Mr. BUYER, Mr. ABERCROMBIE, Mr. HUTCHINSON, Mr. BALDACCI, Mr. HASTINGS of Florida, Mr. SHERMAN, Mr. SHIMKUS, Ms. PRYCE of Ohio, Mr. DOOLITTLE, Mr. UDALL of New Mexico, Mr. ISAKSON, Mr. GREEN of Wisconsin, Mr. GALLEGLY, Mr. CUNNINGHAM, Mr. ENGLISH, Mr. PETERSON of Pennsylvania, Mr. DIAZ-BALART, Mr. CALVERT, Mr. ALLEN, Mr. CHABOT, Mr. CHAMBLISS, Mr. GARY G. MILLER of California, Ms. NORTON, Mr. SIMPSON, Mr. SHERWOOD, Mr. MICA, and Ms. DELAURO):

H.R. 1296. A bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts; to the Committee on the Judiciary.

By Mr. BRADY of Texas:

H.R. 1297. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the National Heart, Lung, and Blood Institute with respect to research on pulmonary hypertension; to the Committee on Energy and Commerce.

By Mr. BRADY of Texas (for himself and Mrs. JOHNSON of Connecticut):

H.R. 1298. A bill to provide for the expansion of human clinical trials qualifying for the orphan drug credit; to the Committee on Ways and Means.

By Mr. CAPUANO (for himself, Mr. STUPAK, Mrs. THURMAN, Mr. KING, and Mr. BRADY of Pennsylvania):

H.R. 1299. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to members of the Armed Forces who serve on active duty during a taxable year; to the Committee on Ways and Means.

By Ms. CARSON of Indiana (for herself, Ms. NORTON, Mr. JEFFERSON, Mr. HASTINGS of Florida, Mr. HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WATT of North Carolina, Mrs. CHRISTENSEN, Mrs. JONES of Ohio, Mr. DAVIS of Illinois, Mr. MEEKS of New York, Mr. CLYBURN, Mr. TOWNS, Mr. CLAY, Ms. MCKINNEY, Mr. BISHOP, Ms. BROWN of Florida, Mr. OWENS, Mr. THOMPSON of Mississippi, Ms. JACKSON-LEE of Texas, Mr. JACKSON of Illinois, Mr. WYNN, Mr. FORD, Mr. RUSH, Mr. FATTAH, and Ms. MILLENDER-MCDONALD):

H.R. 1300. A bill to amend part D of title IV of the Social Security Act to provide grants to States to encourage media campaigns to promote responsible fatherhood skills, and for other purposes; to the Committee on Ways and Means.

By Mr. CRANE:

H.R. 1301. A bill to amend the Internal Revenue Code of 1986 to apply the capital gains tax rates to capital gains earned by designated settlement funds; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 1302. A bill to prohibit certain foreign assistance to countries that consistently oppose the United States position in the United Nations General Assembly; to the Committee on International Relations.

By Ms. DUNN:

H.R. 1303. A bill to amend the Internal Revenue Code of 1986 to clarify the rules relating to lessee construction allowances and to contributions to the capital of retailers; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. TANNER, Mr. MCHUGH, Mrs. THURMAN, Mr. ABERCROMBIE, and Mr. FROST):

H.R. 1304. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for recycling or remanufacturing equipment; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. POMEROY, Mr. ARMEY, Mr. BARCIA, Mr. BEREUTER, Mr. BOEHNER, Mr. BONILLA, Mr. BONIOR, Mrs. BONO, Mr. CHAMBLISS, Mr. COOKSEY, Mr. COX, Mr. CUNNINGHAM, Ms. DUNN, Mr. EHRLICH, Mr. FOLEY, Mr. FROST, Ms. GRANGER, Mr. HEFLEY, Mr. HINOJOSA, Mr. HOLDEN, Mr. ISAKSON, Mr. JEFFERSON, Mr. JOHN, Mr. SAM JOHNSON of Texas, Mrs. KELLY, Mr. KING, Mr. KNOLLENBERG, Mr. KOLBE, Mr. MCCRERY, Mr. MCINNIS, Mr. GARY G. MILLER of California, Mr. NETHERCUTT, Mr. NEY, Mr. OTTER, Mr. POMBO, Ms. PRYCE of Ohio, Mr. RAHALL, Mr. REYNOLDS, Mr. ROHRABACHER, Mr. SANDLIN, Mr. SAXTON, Mr. SCHAFFER, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHOWS, Mr. SCHROCK, Mr. SIMMONS, Mr. SIMPSON, Mr. SMITH of New Jersey, Mr. TANCREDO, Mr. TERRY, Mr. THORNBERRY, Mr. TOOMEY, Mr. WALSH, and Mr. QUINN):

H.R. 1305. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level; to the Committee on Ways and Means.

By Mr. GUTIERREZ (for himself, Mr. EHLERS, Mr. LAFALCE, Mr. HINCHEY, Ms. BALDWIN, Mr. FARR of California, Mr. ENGEL, Ms. WOOLSEY, Mr. BONIOR, Mr. RODRIGUEZ, Ms. CARSON of Indiana, Ms. ROS-LEHTINEN, Mr. LANTOS, Ms. MCKINNEY, Ms. ROYBAL-ALLARD, Mr. BLAGOJEVICH, Mr. FRANK, Mr. ORTIZ, Mr. BARRETT, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. SANDERS, Mr. EVANS, Mr. MENENDEZ, Mr. FILNER, Mr. BERMAN, Ms. ESHOO, Mr. DAVIS of Illinois, Mrs. LOWEY, Ms. NORTON, Mrs. THURMAN, Ms. LEE, Ms. BROWN of Florida, Mrs. NAPOLITANO, Mr. WEXLER, Mr. CONYERS, Mrs. JONES of Ohio, Mr. COSTELLO, Mr. HINOJOSA, Mr. OWENS, Mr. GEORGE MILLER of California, Mr. FROST, Ms. SOLIS, Mrs. MALONEY of New York, Mr. BECERRA, Mr. REYES, Mr. CUMMINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HONDA, Mr. ACEVEDO-VILA, Mr. DEUTSCH, Mr. SERRANO, Ms. SCHAKOWSKY, Ms. SANCHEZ, Mr. WYNN, Mr. CAPUANO, and Ms. LOFGREN):

H.R. 1306. A bill to amend the Electronic Fund Transfer Act to require additional disclosures relating to exchange rates in transfers involving international transactions; to the Committee on Financial Services.

By Mr. HOYER (for himself and Mr. WYNN):

H.R. 1307. A bill to amend chapter 89 of title 5, United States Code, to increase the Government contribution for Federal employee health insurance; to the Committee on Government Reform.

By Mr. HULSHOF (for himself and Mr. BISHOP):

H.R. 1308. A bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. BLUMENAUER, Mrs. WILSON, Mr. MCGOVERN, Mr. SIMMONS, Mr. GEORGE MILLER of California, Ms. MCKINNEY, Mr. FATTAH, Mr. ABERCROMBIE, and Mr. MALONEY of Connecticut):

H.R. 1309. A bill to amend the Internal Revenue Code of 1986 to encourage contributions by individuals of capital gain real property for conservation purposes, to encourage qualified conservation contributions, and to modify the rules governing the estate tax exclusion for land subject to a qualified conservation easement; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. ANDREWS, Ms. BALDWIN, Mr. BARRETT, Mr. BLUMENAUER, Mr. GILCHREST, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. PALLONE, Mr. TANCREDO, Mrs. TAUSCHER, Mr. UDALL of Colorado, and Mr. UDALL of New Mexico):

H.R. 1310. A bill to reform the Army Corps of Engineers; to the Committee on Transportation and Infrastructure.

By Mr. LAFALCE (for himself, Mr. TOWNS, Mr. KANJORSKI, Mr. DINGELL, and Mr. MARKEY):

H.R. 1311. A bill to amend the Securities Exchange Act of 1934 to reduce fees on securities transactions; to the Committee on Financial Services.

By Mr. LATOURETTE:

H.R. 1312. A bill to amend the Family and Medical Leave Act of 1993 to permit leave after the death of a spouse for widows and widowers with minor children; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN:

H.R. 1313. A bill to provide grants to local educational agencies that agree to begin school for secondary students after 9:00 in the morning; to the Committee on Education and the Workforce.

By Mrs. LOWEY (for herself, Mr. ENGEL, Mr. GILMAN, and Mrs. KELLY):

H.R. 1314. A bill to provide an enhanced penalty for threatening to kill, injure, or intimidate an individual, or to cause property damage, by means of fire or an explosive on school property; to the Committee on the Judiciary.

By Mr. MOLLOHAN:

H.R. 1315. A bill to extend the deadline for commencement of construction of certain hydroelectric projects located in the State of West Virginia; to the Committee on Energy and Commerce.

By Mr. NUSSLE (for himself, Mr. TANNER, Mr. CAMP, Mr. LEWIS of Georgia, Mrs. THURMAN, Mr. BOEHLERT, Mr. BOSWELL, Mr. GANSKE, Mr. GILLMOR, Mr. INSLEE, Mr. LATHAM, Mr. LEACH, Mr. MARKEY, Mr. SMITH of New Jersey, and Mr. SNYDER):

H.R. 1316. A bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for energy efficient appliances; to the Committee on Ways and Means.

By Mr. NUSSLE (for himself and Mr. HERGER):

H.R. 1317. A bill to amend the Internal Revenue Code of 1986 to clarify that qualified personal service corporations may continue to use the cash method of accounting, and for other purposes; to the Committee on Ways and Means.

By Mr. PITTS:

H.R. 1318. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan; to the Committee on Ways and Means.

By Mr. RUSH (for himself, Mr. ENGLISH, Ms. HART, Mr. OLVER, Mr. TOWNS, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Mr. BRADY of Pennsylvania, Mrs. JONES of Ohio, Ms. LEE, Ms. MCKINNEY, Ms. SCHAKOWSKY, Mr. FRANK, Mr. PASCRELL, Ms. JACKSON-LEE of Texas, Mr. LUTHER, Mr. HINOJOSA, Mr. GUTIERREZ, Mr. CUMMINGS, Mrs. MEEK of Florida, Ms. NORTON, Mr. GONZALEZ, and Mrs. TAUSCHER):

H.R. 1319. A bill to amend the Consumer Credit Protection Act and other banking laws to protect consumers who avail themselves of payday loans from usurious interest rates and exorbitant fees, perpetual debt, the use of criminal actions to collect debts, and other unfair practices by payday lenders, to encourage the States to license and closely regulate payday lenders, and for other purposes; to the Committee on Financial Services.

By Mr. SABO:

H.R. 1320. A bill to amend title II of the Social Security Act to establish an effective real annual rate of interest at 6 percent for special obligations issued to the Social Security trust funds; to the Committee on Ways and Means.

By Mr. THUNE (for himself, Mr. HINCHEY, Ms. KAPTUR, Mr. COOKSEY, Mr. WYNN, and Mr. BOSWELL):

H.R. 1321. A bill to amend the conservation provisions of the Food Security Act of 1985 to establish a voluntary, incentive-based conservation security program; to the Committee on Agriculture.

By Mr. TIERNEY (for himself, Mr. ANDREWS, Mr. KILDEE, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. FRANK, Mr. MURTHA, Mr. OBERSTAR, Mr. HILLIARD, Mr. FROST, Mr. KUCINICH, Mr. HINCHEY, Mrs. MINK of Hawaii, Mr. GEORGE MILLER of California, Mr. CONYERS, Mr. BONIOR, Mrs. CHRISTENSEN, Mr. SANDERS, Mr. CAPUANO, Mr. DEFAZIO, Mr. BORSKI, Mr. OLVER, Mr. LEWIS of Georgia, Mr. EVANS, Mr. HOLDEN, Mr. FATTAH, Mr. TOWNS, Mr. DELAHUNT, Mr. WAXMAN, Mr. GONZALEZ, Mr. PAYNE, Ms. HOOLEY of Oregon, Ms. MILLENDER-MCDONALD, Mr. HASTINGS of Florida, Mr. MEEHAN, Mr. BRADY of Pennsylvania, Mr. FILNER, Ms. SCHAKOWSKY, Mrs. THURMAN, Mr. MCDERMOTT, Ms. SANCHEZ, Mr. DINGELL, Mr. ABERCROMBIE, Mr. THOMPSON of Mississippi, Ms. NORTON, Mr. BROWN of Ohio, Ms. MCKINNEY, Mr. SHERMAN, Ms. KILPATRICK, Mr. DAVIS of Illinois, Mr. CROWLEY, Mr. MARKEY, Mr. OWENS, Mr. BERMAN, Mr. KLECZKA, Mr. UNDERWOOD, Mrs. MALONEY of New York, Mrs. NAPOLITANO, and Ms. LEE):

H.R. 1322. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide emergency protection for retiree health benefits; to the Committee on Education and the Workforce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELAZQUEZ (for herself, Mr. CROWLEY, Mr. SERRANO, Mr. OWENS, Ms. BROWN of Florida, Mr. BALDACCI, and Mr. MCGOVERN):

H.R. 1323. A bill to narrow the digital divide; to the Committee on Education and the Workforce.

By Ms. VELAZQUEZ (for herself, Mr. MANZULLO, Mr. HALL of Ohio, Mr. BOEHNER, Mr. BRADY of Pennsylvania, Mr. HOBSON, Mr. UDALL of New Mexico, Mr. BARTLETT of Maryland, Mr. GONZALEZ, Mrs. JONES of Ohio, Mr. UDALL of Colorado, Mr. DAVIS of Illinois, Mrs. NAPOLITANO, Mr. PHELPS, Mrs. CHRISTENSEN, Mr. LANGEVIN, Mr. PASCRELL, Ms. MILLENDER-MCDONALD, Mr. BAIRD, and Mr. WYNN):

H.R. 1324. A bill to require Federal agencies to follow certain procedures with respect to the bundling of procurement contract requirements, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD:

H.R. 1325. A bill to designate the facility of the United States Postal Service located at 3160 Irvin Cobb Drive in Paducah, Kentucky, as the ''Morgan Station''; to the Committee on Government Reform.

By Mr. WHITFIELD:

H.R. 1326. A bill to designate the facility of the United States Postal Service located at 203 West Paige Street in Tompkinville, Kentucky, as the ''Tim Lee Carter Post Office Building''; to the Committee on Government Reform.

By Mr. WHITFIELD:

H.R. 1327. A bill to amend the Immigration and Nationality Act to prohibit H–2A workers from bringing law suits against employers except in the State in which the employer resides or has its principal place of business; to the Committee on the Judiciary.

By Mr. CASTLE (for himself, Mrs. ROUKEMA, Mr. TRAFICANT, Mr. PLATTS, Mr. JONES of North Carolina, Mr. MCNULTY, Mrs. MORELLA, Mr. OSE, Mr. MCHUGH, Mr. GILMAN, Mr. RODRIGUEZ, Mr. WOLF, Mr. HOYER, Mr. MCGOVERN, Mr. UDALL of New Mexico, Ms. LEE, Mr. ENGEL, Mr. NEY, Mr. BLAGOJEVICH, Ms. BALDWIN, Mr. CRAMER, Mr. HYDE, Mr. HILLEARY, Mr. MEEHAN, Mr. GORDON, Mr. GREENWOOD, Ms. KILPATRICK, Mr. KING, Ms. NORTON, Mr. FRANK, Mr. BUYER, Mr. KILDEE, Mr. CAPUANO, Mr. FERGUSON, Mr. STENHOLM, Mr. WELDON of Pennsylvania, Mr. GONZALEZ, Mr. LANTOS, Mr. ISSA, Mr. CANTOR, Ms. MCKINNEY, Ms. MCCARTHY of Missouri, Mr. TIERNEY, Mr. WYNN, Mr. HEFLEY, Mr. PASTOR, Mr. WALSH, Mr. MORAN of Virginia, Mr. SANDLIN, Mr. BOEHLERT, Mr. VISCLOSKY, and Mr. KUCINICH):

H.J. Res. 42. A joint resolution memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emittsburg, Maryland; to the Committee on the Judiciary.

By Mr. SERRANO (for himself, Mr. REYES, Ms. ROYBAL-ALLARD, Mr. ORTIZ, Ms. ROS-LEHTINEN, Mr. PASTOR, Mr. BECERRA, Mr. BONILLA, Mr. DIAZ-BALART, Mr. GUTIERREZ, Mr. MENENDEZ, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. HINOJOSA, Mr. RODRIGUEZ, Ms. SANCHEZ, Mr. BACA, Mr. GONZALEZ, Mrs. NAPOLITANO, Ms. SOLIS, Mr. ACEVEDO-VILA, and Mr. HOYER):

H. Con. Res. 90. Concurrent resolution authorizing the printing of a revised and updated version of the House document entitled ''Hispanic Americans in Congress''; to the Committee on House Administration.

By Mr. SMITH of New Jersey (for himself and Mr. DOYLE):

H. Con. Res. 91. Concurrent resolution recognizing the importance of increasing awareness of the autism spectrum disorder, and supporting programs for greater research and improved treatment of autism and improved training and support for individuals with autism and those who care for them; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS:

H. Con. Res. 92. Concurrent resolution expressing the sense of the Congress that Harriet Tubman should have been paid a pension for her service as a nurse and scout in the United States Army during the Civil War; to the Committee on Armed Services.

By Mr. WOLF:

H. Res. 107. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Norman Sisisky, a Representative from the Commonwealth of Virginia; considered and agreed to.

By Mr. BAKER (for himself, Mrs. MORELLA, Mr. KING, Mr. BALDACCI, Ms. ROS-LEHTINEN, Mr. SMITH of New Jersey, Mr. BLAGOJEVICH, Mr. HINCHEY, Mr. VITTER, Mr. JACKSON of Illinois, Mr. SPRATT, Mr. MASCARA, Mr.

RAHALL, Mr. HOSTETTLER, Mr. GONZALEZ, Mr. GOODE, Mr. WOLF, Mrs. BIGGERT, and Mrs. JO ANN DAVIS of Virginia):

H. Res. 108. A resolution expressing the sense of the House of Representatives that a commemorative postage stamp should be issued on the subject of autism awareness; to the Committee on Government Reform.

By Mrs. THURMAN (for herself, Mr. ABERCROMBIE, Mr. BALLENGER, Mr. BLAGOJEVICH, Mr. FROST, Mr. MCINTYRE, and Mr. OSE):

H. Res. 109. A resolution recognizing the anniversary of the signing of the Declaration of Arbroath and supporting the establishment of a National Tartan Day to recognize the outstanding achievements and contributions made by Scottish Americans to the United States; to the Committee on Government Reform.

¶31.19 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

12. The SPEAKER presented a memorial of the Senate of the State of Nevada, relative to Resolution No. 9 memorializing the United States Congress that the men aboard the C–54 that crashed on Mt. Charleston on November 17, 1955, G.M. Pappas, P.E. Winham, C.D. Farris, G.R. Fasolas, J.H. Gains, E.J. Urolatis, J.W. Brown, W.H. Marr, J.F. Bray, R.H. Kreimendahl, T.J. O'Donnell, F.F, Hanks, H.C. Silent, and R.J. Hruda, will be long remembered for their contribution to our national security which cost them their lives; and to declare the crash site of U.S.A.F. 9068 near the summit of Mt. Charleston as the ''Silent Heros of the Cold War National Monument''; jointly to the Committees on Armed Services and Resources.

13. Also, a memorial of the Senate of the Commonwealth of Virginia, relative to Resolution No. 401 memorializing the United States Congress to urge the United States Coast Guard to provide funding from the Oil Spill Liability Trust Fund to remove the oil contained in the 27 vessels of the United States Maritime Administration's James River Reserve Fleet classified as in dire need of scrapping; jointly to the Committees on Transportation and Infrastructure and Armed Services.

¶31.20 ADDITIONAL SPONSORS

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

H.R. 8: Mr. STEARNS.
H.R. 17: Mrs. KELLY.
H.R. 21: Mr. ANDREWS.
H.R. 31: Mr. HEFLEY.
H.R. 36: Mr. HINCHEY, Mr. BOUCHER, Mr. KUCINICH, Mr. BONIOR, Mr. EVANS, Mr. BARCIA, and Mr. COSTELLO.
H.R. 37: Mr. GEORGE MILLER of California, Mr. LANTOS, and Mr. GRAVES.
H.R. 179: Mr. GRAVES, Mr. OSE, and Mr. CLAY.
H.R. 184: Mr. CLEMENT, Ms. KAPTUR, and Mr. SANDERS.
H.R. 199: Mr. NETHERCUTT, Mr. SHERMAN, Mr. OSE, and Mr. GILMAN.
H.R. 208: Mr. FOLEY.
H.R. 220: Mr. SENSENBRENNER.
H.R. 239: Mr. HOLT and Mr. ANDREWS.
H.R. 244: Mr. SHOWS and Mr. MCGOVERN.
H.R. 265: Mr. BALDACCI, Ms. BROWN of Florida, and Mr. UDALL of Colorado.
H.R. 267: Mr. ACEVEDO-VILA, and Mr. GUTIERREZ.
H.R. 280: Mr. GOODE, Mr. WELDON of Florida, Mr. STUMP, and Mr. TANCREDO.
H.R. 281: Mr. VITTER, Mr. LANGEVIN, Mr. GALLEGLY, Mr. UDALL of New Mexico, and Mr. GORDON.
H.R. 298: Mr. SCHAFFER and Ms. MCKINNEY.
H.R. 303: Mr. KIRK, Mrs. MORELLA, Mr. SKEEN, Mr. SIMPSON, Mr. GONZALEZ, and Mr. SHAW.
H.R. 324: Mr. BARCIA, Mr. DOOLEY of California, Mr. DEAL of Georgia, Mr. PETRI, Mr. EHLERS, and Mr. MCGOVERN.
H.R. 325: Mr. BOSWELL and Mrs. CAPITO.
H.R. 336: Ms. WOOLSEY, Mr. FOLEY, Mr. GONZALEZ, and Mr. BONIOR.
H.R. 356: Mr. SHOWS and Mr. BILIRAKIS.
H.R. 369: Mr. WAMP.
H.R. 381: Mr. ISTOOK and Mr. MICA.
H.R. 382: Mr. BARR of Georgia.
H.R. 397: Mr. MALONEY of Connecticut, Mr. HASTINGS of Florida, Mr. SOUDER, Mr. DIAZ-BALART, Mr. GILCHREST, Mr. COYNE, Mr. WOLF, Mr. MOAKLEY, and Mr. ALLEN.
H.R. 415: Mr. FROST and Mr. BLAGOJEVICH.
H.R. 435: Mr. KIRK.
H.R. 436: Mr. FROST, Mr. BACHUS, Mr. HINCHEY, Mr. PHELPS, and Mr. MATSUI.
H.R. 457: Mr. DAVIS of Illinois.
H.R. 475: Mr. WELDON of Pennsylvania, Mr. HILLEARY, Mr. FERGUSON, Mr. HAYES, Mr. ISAKSON, Mr. REHBERG, Mr. SESSIONS, and Mr. HASTINGS of Florida.
H.R. 481: Mr. LAFALCE.
H.R. 489: Mr. CRAMER, Mr. EDWARDS, and Mr. NEY.
H.R. 490: Ms. MCCOLLUM, Mr. FARR of California, Mr. FLETCHER, Mr. ANDREWS, Mr. TOWNS, Mr. TAYLOR of North Carolina, Mr. NEY, Mr. LUCAS of Kentucky, Mr. STRICKLAND, and Mr. PETERSON of Minnesota.
H.R. 498: Mr. TIBERI, Mr. MARKEY, Mr. THOMPSON of California, Ms. SOLIS, Mr. OSE, Mr. LAMPSON, Mr. FLETCHER, Mr. UDALL of Colorado, Mrs. BIGGERT, and Mr. MCINTYRE.
H.R. 499: Ms. WOOLSEY and Ms. MCKINNEY.
H.R. 500: Mr. MCGOVERN and Ms. LEE.
H.R. 507: Mr. BACA and Mr. BARR of Georgia.
H.R. 510: Mr. QUINN.
H.R. 572: Ms. MCCARTHY of Missouri, Mr. YOUNG of Florida, and Mr. GOODE.
H.R. 582: Mr. GARY G. MILLER of California.
H.R. 602: Mr. CONYERS, Mr. PETERSON of Minnesota, Mr. SHAYS, Mr. THOMPSON of California, Mr. RODRIGUEZ, Ms. GRANGER, Mr. KIND, Mr. SHOWS, Mr. UPTON, Mr. BACHUS, Mr. BISHOP, Mr. MOLLOHAN, Mr. ORTIZ, and Mr. RAHALL.
H.R. 606: Ms. BALDWIN and Mr. SANDERS.
H.R. 612: Ms. ESHOO, Mr. OWENS, Mr. NADLER, and Mr. HOLDEN.
H.R. 622: Mr. COMBEST, Mr. DIAZ-BALART, Mr. GOSS, Mr. HOUGHTON, Mr. MCKEON, Mr. POMBO, Mr. SUNUNU, Mr. YOUNG of Alaska, Mr. UPTON, and Mr. WELLER.
H.R. 623: Ms. CARSON of Indiana.
H.R. 650: Mr. BALLENGER.
H.R. 671: Mr. OLVER, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. MOAKLEY, and Mr. FRANK.
H.R. 674: Mr. ABERCROMBIE, Mr. OSE, Ms. CARSON of Indiana, and Mr. ISRAEL.
H.R. 680: Mr. FRANK.
H.R. 708: Mrs. THURMAN, Mr. KILDEE, Mr. WAXMAN, and Mr. CRAMER.
H.R. 714: Ms. BROWN of Florida, Ms. SANCHEZ, Ms. HOOLEY of Oregon, Mr. MEEHAN, Mr. LANGEVIN, and Ms. MCCOLLUM.
H.R. 716: Mr. BENTSEN.
H.R. 717: Mr. SAXTON, Mr. POMEROY, Mr. INSLEE, Mr. PALLONE, Mr. WAMP, Mrs. BONO, Mr. SHIMKUS, Mr. CALLAHAN, Mr. CUNNINGHAM, Mr. RANGEL, Mr. HILLIARD, Mr. BLAGOJEVICH, Mr. GUTIERREZ, Mr. LEWIS of Georgia, Mrs. NAPOLITANO, Mr. WHITFIELD, Mr. GRAVES, Mr. THUNE, Mr. MORAN of Kansas, Mr. ENGLISH, Mr. HORN, Mr. CLEMENT, Mr. MCNULTY, Mr. TRAFICANT, Mr. COYNE, Mrs. JONES of Ohio, Mr. BRADY of Pennsylvania, Mr. NETHERCUTT, Mr. CARDIN, Mr. CRANE, Mr. HASTINGS of Washington, Mr. UDALL of New Mexico, Mr. YOUNG of Alaska, Mr. GEORGE MILLER of California, Mr. CRENSHAW, Mr. PENCE, Ms. LOFGREN, Ms. HARMAN, Mr. DUNCAN, Ms. HART, Mr. HAYES, Mr. BOSWELL, Mr. HOYER, Mrs. WILSON, Ms. WOOLSEY, Mr. MOORE, Mr. HILL, Mr. KILDEE, Mr. MOLLOHAN, Mr. WYNN, Mrs. CLAYTON, Mr. BORSKI, Mr. MASCARA, Mr. CONYERS, Mr. KUCINICH, Mr. ACKERMAN, Mr. HINOJOSA, Mr. FROST, Mr. DIAZ-BALART, Mr. MENENDEZ, Mr. SABO, Mr. MATHESON, Mr. PHELPS, Mr. EVANS, Mr. TAYLOR of Mississippi, Mr. FILNER, Ms. VELAZQUEZ, Mr. MCDERMOTT, Ms. BERKLEY, Mrs. TAUSCHER, Mr. ROSS, Mrs. MCCARTHY of New York, Mr. MARKEY, Mr. BARRETT, Mr. TAYLOR of North Carolina, Mr. NEY, Mr. BARR of Georgia, Mr. BACA, Ms. MILLENDER-MCDONALD, Mr. BLUNT, Mr. STUPAK, Mr. LARGENT, and Ms. KAPTUR.
H.R. 718: Mr. CRENSHAW and Mr. LANGEVIN.
H.R. 737: Mr. OWENS.
H.R. 738: Mr. DOYLE, Ms. GRANGER, Mr. TURNER, Mr. BURTON of Indiana, and Mr. LUCAS of Oklahoma.
H.R. 760: Mr. ENGLISH and Mr. HONDA.
H.R. 781: Mr. MEEKS of New York, Mr. LAMPSON, Mr. BAIRD, Mr. MENENDEZ, Ms. MCKINNEY, and Mrs. THURMAN.
H.R. 782: Ms. MCKINNEY.
H.R. 804: Mr. HEFLEY.
H.R. 808: Mr. SHOWS, Mrs. LOWEY, Mr. OWENS, Mr. WAMP, Mr. LUCAS of Kentucky, Mr. MOORE, Mr. GEKAS, Mr. LANTOS, and Mr. STUPAK.
H.R. 817: Mr. STRICKLAND.
H.R. 835: Mr. LARGENT, Mr. GALLEGLY, Mr. DAVIS of Illinois, and Mr. OSE.
H.R. 848: Mr. HOLDEN, Mr. PETERSON of Minnesota, Mrs. ROUKEMA, Mr. JEFFERSON, Mr. MATSUI, Mr. BAIRD, Ms. LEE, Mr. LUCAS of Oklahoma, and Ms. MCCARTHY of Missouri.
H.R. 868: Mr. ANDREWS, Mr. BALDACCI, Mr. EDWARDS, Mr. SENSENBRENNER, Mr. CARSON of Oklahoma, Mr. FELINGHUYSEN, Mr. THOMPSON of Mississippi, Mr. UDALL of Colorado, Mr. RAMSTAD, Mr. MANZULLO, Mr. BLUMENAUER, Mr. WATTS of Oklahoma, Mr. GIBBONS, Mr. COSTELLO, Mrs. ROUKEMA, and Mr. BALLENGER.
H.R. 876: Mr. TIERNEY.
H.R. 888: Ms. SCHAKOWSKY.
H.R. 913: Mr. BARCIA.
H.R. 918: Mr. WEXLER, Mr. FARR of California, Mr. WU, Mr. BOUCHER, Ms. SCHAKOWSKY, Mr. KUCINICH, Mrs. NORTHUP, Mr. HOLT, Mr. UDALL of New Mexico, Mr. SANDLIN, Ms. LOFGREN, Ms. ESHOO, Mr. TIERNEY, and Mr. DAVIS of Illinois.
H.R. 938: Mr. BALDACCI and Ms. DEGETTE.
H.R. 954: Mr. UDALL of New Mexico and Mr. SMITH of Washington.
H.R. 956: Mr. ALLEN, Mr. HOLDEN, Mr. BLAGOJEVICH, Mr. CAPUANO, and Mrs. MINK of Hawaii.
H.R. 959: Mr. WALDEN of Oregon and Ms. HOOLEY of Oregon.
H.R. 970: Ms. SCHAKOWSKY, Ms. MCCOLLUM, and Mr. BLAGOJEVICH.
H.R. 984: Mr. WELLER, Mr. BACHUS, Mr. GRUCCI, Mr. HAYWORTH, Mr. CRANE, Mr. CARDIN, and Mr. YOUNG of Alaska.
H.R. 985: Mr. PICKERING.
H.R. 990: Mr. HULSHOF, Mr. DOYLE, Ms. MCKINNEY, and Mr. BOYD.
H.R. 993: Mr. DEAL of Georgia.
H.R. 1001: Mr. DEFAZIO.
H.R. 1011: Mr. BRADY of Pennsylvania, Mr. WALSH, Mr. INSLEE, Mr. OBERSTAR, Mrs. EMERSON, Mr. BOUCHER, Mr. LIPINSKI, and Ms. WOOLSEY.
H.R. 1017: Mr. WOLF.
H.R. 1020: Mr. MICA, Mr. SWEENEY, Mr. PETERSON of Pennsylvania, Mr. NEAL of Massachusetts, Mr. FERGUSON, Mr. MASCARA, and Mr. ALLEN.
H.R. 1025: Mr. SCHROCK and Mrs. JONES of Ohio.
H.R. 1035: Mr. ABERCROMBIE, Mr. GONZALEZ, Mr. EVANS, Mr. WYNN, and Mr. LANGEVIN.
H.R. 1043: Mr. PALLONE, Mr. FRANK, Ms. WOOLSEY, and Mr. CAPUANO.

H.R. 1044: Mr. PALLONE, Mr. FRANK, and Ms. WOOLSEY.
H.R. 1084: Mr. GREEN of Wisconsin.
H.R. 1088: Mr. FRELINGHUYSEN and Mr. MATSUI.
H.R. 1090: Mr. HORN, Mr. BORSKI, Mr. LANTOS, and Mr. CLEMENT.
H.R. 1093: Mr. SIMPSON, Mr. TERRY, Ms. KAPTUR, Mr. SCHAFFER, Mr. BALDACCI, Mr. MORAN of Kansas, Mr. BLAGOJEVICH, Mr. THOMPSON of Mississippi, Mr. NETHERCUTT, and Mr. RILEY.
H.R. 1094: Mr. SIMPSON, Mr. GRAVES, Ms. KAPTUR, Mr. SCHAFFER, Mr. SESSIONS, Mr. BALDACCI, Mr. MORAN of Kansas, Mr. BLAGOJEVICH, Mr. THOMPSON of Mississippi, Mr. NETHERCUTT, and Mr. RILEY.
H.R. 1097: Mr. WELDON of Florida, Mr. GILCHREST, Ms. DELAURO, and Mr. CAPUANO.
H.R. 1100: Mr. RYUN of Kansas.
H.R. 1109: Mr. GRAHAM, Mr. WATKINS, Mr. SOUDER, Mr. HALL of Texas, and Mr. SCHROCK.
H.R. 1110: Mr. HUTCHINSON and Mr. PAYNE.
H.R. 1111: Mr. PALLONE.
H.R. 1121: Mr. DEFAZIO.
H.R. 1129: Mr. FROST and Mr. KUCINICH.
H.R. 1130: Mr. FROST.
H.R. 1135: Mr. KUCINICH and Mr. MCGOVERN.
H.R. 1136: Mr. TAYLOR of Mississippi, Mr. FROST, Mr. BARR of Georgia, Mr. HOLDEN, Ms. WOOLSEY, and Mr. GANSKE.
H.R. 1140: Mr. OSBORNE, Mr. CLAY, Mr. KERNS, Mr. ETHERIDGE, Mrs. MORELLA, Mr. PALLONE, Mr. LEWIS of Kentucky, Mr. BOUCHER, Mr. WICKER, and Mr. LUCAS of Oklahoma.
H.R. 1170: Mrs. MORELLA, Mr. HINCHEY, and Mr. FRANK.
H.R. 1179: Mr. KENNEDY of Minnesota.
H.R. 1192: Mr. BORSKI and Mr. MCGOVERN.
H.R. 1193: Mr. HASTINGS of Florida and Mr. DOOLITTLE.
H.R. 1198: Mr. ISAKSON, Mrs. BONO, Mr. CHABOT, Mr. PAUL, Mr. FILNER, Mr. MEEKS of New York, Mr. BILIRAKIS, Mr. CHAMBLISS, Mr. HASTINGS of Florida, Mr. ENGEL, Mr. UDALL of New Mexico, Mr. SCHROCK, Mr. POMBO, Mr. HEFLEY, and Mr. BACHUS.
H.R. 1201: Mr. DAVIS of Illinois, Ms. KILPATRICK, and Ms. CARSON of Indiana.
H.R. 1212: Mr. JOHNSON of Illinois.
H.R. 1215: Mr. DEAL of Georgia.
H.R. 1242: Mr. RANGEL.
H.R. 1254: Mr. MCNULTY, Mr. OBERSTAR, Mr. BALDACCI, and Mr. MCHUGH.
H.R. 1273: Mr. GUTKNECHT.
H.J. Res. 13: Mr. HONDA.
H.J. Res. 27: Mr. GOODE.
H.J. Res. 36: Mr. MCINTYRE, Mr. SHERWOOD, and Mr. RYAN of Wisconsin.
H. Con. Res. 20: Mr. ROTHMAN, Mrs. ROUKEMA, Mr. GOODLATTE, and Mr. LANGEVIN.
H. Con. Res. 23: Mr. AKIN.
H. Con. Res. 45: Ms. WOOLSEY, Mr. ENGEL, Mr. TANCREDO, and Mr. MOORE.
H. Con. Res. 49: Mr. GOODE.
H. Con. Res. 52: Mr. ROTHMAN, Mr. VISCLOSKY, Mr. MCGOVERN, and Mrs. MALONEY of New York.
H. Con. Res. 72: Mr. ROHRABACHER, Mr. RYAN of Wisconsin, Mr. SHOWS, and Mr. FALEOMAVAEGA.
H. Con. Res. 73: Mr. BLUMENAUER, Mr. BARR of Georgia, Mr. PLATTS, Mrs. NORTHUP, Mr. GILMAN, and Mr. LIPINSKI.
H. Con. Res. 81: Ms. MCKINNEY, Ms. BALDWIN, Mr. GEORGE MILLER of California, Mr. HOLDEN, and Mr. MCGOVERN.
H. Res. 17: Mr. STARK, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, and Ms. BALDWIN.
H. Res. 18: Mr. GEORGE MILLER of California, Ms. SOLIS, Mr. KIND, Mr. MARKEY, Ms. BROWN of Florida, Mr. HINCHEY, and Mr. OWENS.
H. Res. 56: Mr. GILMAN.
H. Res. 87: Mrs. CHRISTENSEN, Mr. MOORE, Mr. ACEVEDO-VILA, and Ms. SANCHEZ.
H. Res. 97: Mrs. CAPPS, Mr. SERRANO, Mr. WYNN, Mr. LEWIS of Georgia, Mr. ROSS, Mr. PAYNE, Mr. CROWLEY, Ms. RIVERS, Mr. FROST, Mr. ACKERMAN, Mr. HINCHEY, Mr. OWENS, Mr. PETERSON of Minnesota, Mr. MCNULTY, Mrs. CHRISTENSEN, Mr. LANGEVIN, and Ms. WOOLSEY.

FRIDAY, MARCH 30, 2001 (32)

¶32.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SHAW, who laid before the House the following communication:

WASHINGTON, DC,
March 30, 2001.

I hereby appoint the Honorable E. CLAY SHAW, Jr. to act as Speaker pro tempore on this day.

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

¶32.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHAW, announced he had examined and approved the Journal of the proceedings of Thursday, March 29, 2001.

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

¶32.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1405. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Onions Grown in South Texas; Decreased Assessment Rate [Docket No. FV01–959–1 IFR] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1406. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Raisins Produced from Grapes Grown in California; Reduction in Production Cap for 2001 Diversion Program [Docket No. FV01–989–1 FIRA] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1407. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Vidalia Onions Grown in Georgia; Increased Assessment Rate [Docket No. FV01–955–1 FR] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1408. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Coniothyrium minitans Strain CON/M/91–08; Exemption from the Requirement of a Tolerance [OPP–301107; FRL–6772–1] (RIN: 2070–AB78) received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1409. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District [CA 179–0275; FRL–6954–9] received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1410. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—New Stationary Sources; Supplemental Delegation of Authority to the State of South Carolina [SC–AT–2001–01; FRL–6956–1] received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1411. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Approval of Several NOx Emission Trading Orders as Single Source SIP Revisions [CT064–7222A; A–1–FRL–6942–6] received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1412. A letter from the Deputy Archivist, National Archives and Records Administration, transmitting the Administration's final rule—NARA Freedom of Information Act Regulations (RIN: 3095–AA72) received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1413. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2001–28] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1414. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out Inventories [Rev. Rul. 2001–18] received March 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶32.4 APPOINTMENT OF FUNERAL COMMITTEE OF THE LATE NORMAN SISISKY

The SPEAKER pro tempore, Mr. SHAW, pursuant to House Resolution 107, announced the Speaker appointed the following members to attend the funeral for the late Honorable Norman Sisisky, on the part of the House: Messrs. WOLF, GEPHARDT, BOUCHER, MORAN of Virginia, GOODLATTE, SCOTT, Tom DAVIS of Virginia, GOODE, CANTOR, Ms. Jo Ann DAVIS of Virginia, Messrs. SCHROCK and SKELTON.

And then,

¶32.5 ADJOURNMENT

On motion of Mr. DEFAZIO, pursuant to the special order agreed to on Thursday, March 29, 2001, at 10 o'clock and 10 minutes a.m., the House adjourned until 12:30 p.m. on Tuesday, April 3, 2001.

¶32.6 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HOBSON (for himself, Mrs. CAPITO, Mrs. JONES of Ohio, and Mr. TANNER):

H.R. 1328. A bill to amend title XVIII of the Social Security Act to provide enhanced reimbursement for mammography services under the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 1329. A bill to amend the Internal Revenue Code of 1986 to make the credit for in-

creasing research activities permanent; to the Committee on Ways and Means.

¶32.7 ADDITIONAL SPONSORS

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

H.R. 500: Mr. TOWNS.

H.R. 612: Mr. LEWIS of Kentucky and Mr. MCINTYRE.

H.R. 690: Ms. SLAUGHTER, Mr. LAFALCE, and Mr. NEAL of Massachusetts.

H.R. 824: Mr. WAMP and Mr. SCHROCK.

H.R. 911: Mr. SAWYER.

H.R. 964: Ms. CARSON of Indiana and Mr. STARK.

H.R. 1184: Mrs. MEEK of Florida, Mr. BLUMENAUER, Mr. BOUCHER, and Mr. DEUTSCH.

H. Res. 86: Mr. HASTINGS of Florida, Mr. FILNER, Mr. EVANS, Mr. WYNN, Mr. WEXLER, Mr. GEORGE MILLER of California, Mr. FROST, Mr. HINCHEY, Mr. LANGEVIN, and Mr. LEVIN.

TUESDAY, APRIL 3, 2001 (33)

¶33.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. ADERHOLT, who laid before the House the following communication:

WASHINGTON, DC,
April 3, 2001.

I hereby appoint the Honorable ROBERT B. ADERHOLT to act as Speaker pro tempore on this day.

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

¶33.2 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. ADERHOLT, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶33.3 RECESS—12:54 P.M.

The SPEAKER pro tempore, Mr. ADERHOLT, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 54 minutes p.m. until 2 o'clock p.m.

¶33.4 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. EMERSON, called the House to order.

¶33.5 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. EMERSON, announced she had examined and approved the Journal of the proceedings of Friday, March 30, 2001.

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

¶33.6 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1415. A letter from the Regulatory Contact, Grain Inspection, Packers, and Stockyards Administration, Department of Agriculture, transmitting the Department's final rule—Fees for Commodity and Rice Inspection Services (RIN: 0580–AA74) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1416. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting notification that the Commander of Air Combat Command (ACC) is initiating a single-function cost comparison of the ACC Communications Group to include functions such as configuration and interoperability management, data-link, desktop software development, and Ground Tactical Air Control System at Langley Air Force Base, Virginia, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

1417. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Joseph W. Mobley, United States Navy, and his advancement to the grade of Vice Admiral on the retired list; to the Committee on Armed Services.

1418. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Edward Moore, Jr., United States Navy, and his advancement to the grade of Vice Admiral on the retired list; to the Committee on Armed Services.

1419. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Equal Credit Opportunity [Regulation B; Docket No. R–1040] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1420. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Truth in Savings [Regulation DD; Docket No. R–1044] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1421. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Consumer Leasing [Regulation M; Docket No. R–1042] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1422. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Truth in Lending [Regulation Z; Docket No. R–1043] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1423. A letter from the Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Affairs, transmitting the Department's final rule—Assessments (RIN: 2550–AA15) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1424. A letter from the Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development, transmitting the Department's final rule—Rules of Practice and Procedure (RIN: 2550–AA16) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1425. A letter from the Assistant General Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting the Department's final rule—Allocation of Operating Subsidies Under the Operating Fund Formula [Docket No. FR–4425–I–12] (RIN: 2577–AB88) received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1426. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporaton's final rule—Rescission of Deposit Broker Notification, Recordkeeping and Reporting Requirements (RIN: 3064–AC48) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1427. A letter from the Acting Assistant Secretary for Mine Safety and Health, Department of Labor, transmitting the Department's final rule—Diesel Particulate Matter Exposure of Underground Coal Miners; Delay of Effective Dates (RIN: 1219–AA74) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1428. A letter from the Acting Assistant Secretary for Mine Safety and Health, Department of Labor, transmitting the Department's final rule—Diesel Particulate Matter Exposure of Underground Metal and Nonmetal Miners; Delay of Effective Dates (RIN: 1219–AB11) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1429. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1430. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Device; Exemption From Premarket Notification; Class II Devices; Pharmacy Compounding Systems [Docket No. 00P–1554] received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1431. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to Australia for defense articles and services (Transmittal No. 01–04), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1432. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report pursuant to title VIII of Publc Law 101–246, the Foreign Relations Authorization Act for Fiscal Year 1990–91, as amended; to the Committee on International Relations.

1433. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–597, ''21st Century Financial Modernization Act of 2000'' received April 03, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

1434. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Fiscal Year 2000 Annual Program Performance Report; to the Committee on Government Reform.

1435. A letter from the Acting Assistant Secretary, Policy, Management and Budget and Chief Financial Officer, Department of the Interior, transmitting the Department's Annual Accountability Report for Fiscal Year 2000; to the Committee on Government Reform.

1436. A letter from the Secretary, Department of Labor, transmitting an Annual Report on Performance and Accountability for FY 2000; to the Committee on Government Reform.

1437. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's FY 2000 Performance Report; to the Committee on Government Reform.

1438. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting the Corporation's Fiscal Year 2000 Annual Program Performance Report and the Fiscal Year 2002 Performance Plan; to the Committee on Government Reform.

1439. A letter from the Director, Office of Government Ethics, transmitting the Annual Program Performance Report for FY 2000; to the Committee on Government Reform.

1440. A letter from the Chair, Railroad Retirement Board, transmitting an Annual Program Performance Report for Fiscal Year 2000; to the Committee on Government Reform.

1441. A letter from the Acting Administrator, U.S. Agency for International Development, transmitting a report on FY 2000 Accountability; to the Committee on Government Reform.

1442. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Arkansas River Basin Population of the Arkansas River Shiner (RIN: 1018–AG12) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1443. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Groundfish Fisheries Off Alaska; Final 2001 Harvest Specifications and Associated Management Measures for the Groundfish Fisheries Off Alaska [Docket No. 010112012–1070–02; I.D. 011101B] (RIN: 0648–A082) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1444. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels 60 Feet Length Overall and Longer Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands [Docket No. 010112013–1013–01; I.D. 032601B] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1445. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Closure of Fishery for Pacific Mackerel [Docket No. 000831250–0250–01; 031901D] received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1446. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's ''Major'' final rule—Disaster Assistance; Cerro Grande Fire Assistance (RIN: 3067–AD12) received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1447. A letter from the Secretary, Judicial Conference of the United States, transmitting the Biennial Survey of Article III Judgeship Needs in the U.S. courts of appeals and the U.S. district courts; to the Committee on the Judiciary.

1448. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden, as of December 31, 2000 and 1999, pursuant to 36 U.S.C. 4610; to the Committee on the Judiciary.

1449. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's ''Major'' final rule—Assistance to Firefighters Grant Program (RIN: 3067–AD21) received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

1450. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Claims Based on the Effects of Tobacco Products (RIN: 2900–AJ59) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1451. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Signature by Mark (RIN: 2900–AK07) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1452. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action on Decision: Farmland Industries, Inc. v. Commissioner—received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶33.7 CHESAPEAKE BAY OFFICE OF NOAA

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 642) to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. GILCHREST and Mr. UNDERWOOD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GILCHREST demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, April 4, 2001.

¶33.8 PERMISSION TO FILE REPORT

On motion of Mr. SENSENBRENNER, by unanimous consent, the Committee on the Judiciary was granted permission until Friday, April 20, 2001, to file legislative reports on the following measures: (H.R. 392) for the relief of Nancy B. Wilson; (H.R. 503) to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, and for other purposes; (H.R. 863) to provide grants to ensure increased accountability for juvenile offenders; (H.R. 1209) to amend the Immigration and Nationality Act to determine whether an alien is a child, for purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes; and (H.J. Res. 41) proposing an amendment to the Constitution of the United States with respect to tax limitations.

¶33.9 IMPROVING AMERICA'S SCHOOLS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 768) to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. SENSENBRENNER and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶33.10 SHAKEN BABY SYNDROME AWARENESS

Mr. PLATTS moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 59); as amended:

Whereas more than 1,000,000 children were abused or neglected in the United States during the most recent year for which Government data is available regarding child abuse and neglect;

Whereas more than 3 children die from abuse or neglect each day in the United States;

Whereas, in 1998, 37.9 percent of all fatalities of children under the age of 1 were caused by child abuse or neglect, and 77.5 percent of all fatalities of children under the age of 5 were caused by child abuse or neglect;

Whereas head trauma, including the trauma known as shaken baby syndrome, is the leading cause of death of abused children;

Whereas shaken baby syndrome is the loss of vision, brain damage, paralysis, seizures, or death that is caused by severely or violently shaking a baby;

Whereas an estimated 3,000 babies, usually younger than 1 year of age, are diagnosed with shaken baby syndrome every year, with thousands more misdiagnosed or undetected;

Whereas shaken baby syndrome often results in permanent, irreparable brain damage or death;

Whereas the medical costs associated with caring for a baby suffering from shaken baby syndrome often exceed $1,000,000 in the first few years of the life of the baby;

Whereas the most effective method for ending the occurrence of shaken baby syndrome is to prevent the abuse which causes it;

Whereas educational and prevention programs regarding shaken baby syndrome may prevent enormous medical costs and unquantifiable grief at minimal cost;

Whereas programs to prevent shaken baby syndrome have been shown to raise awareness and provide critically important information about shaken baby syndrome to parents, caregivers, day care workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas programs and techniques to prevent child abuse and shaken baby syndrome are supported by the Shaken Baby Alliance, Children's Defense Fund, National Children's Alliance, American Humane Association,

Prevent Child Abuse America, National Exchange Club Foundation, Child Welfare League of America, National Association of Children's Hospitals and Related Institutions, Center for Child Protection and Family Support, Inc., American Academy of Pediatrics, and American Medical Association; and

Whereas increased awareness of shaken baby syndrome and of the techniques to prevent it would help end the abuse that causes shaken baby syndrome: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) strongly supports efforts to protect children from abuse and neglect; and

(2) encourages the people of the United States to educate themselves regarding shaken baby syndrome and the techniques to prevent it.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. PLATTS and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: ''A concurrent resolution expressing the sense of Congress regarding the prevention of shaken baby syndrome.''.

A motion to reconsider the votes whereby the rules were suspended and said concurrent resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶33.11 HUMAN RIGHTS IN CUBA

Ms. ROS-LEHTINEN moved to suspend the rules and agree to the following resolution (H. Res. 91):

Whereas, according to the Department of State and international human rights organizations, the Government of Cuba continues to commit widespread and well-documented human rights violations against the Cuban people and to detain hundreds more as political prisoners;

Whereas the Castro regime systematically violates all of the fundamental civil and political rights of the Cuban people, denying freedoms of speech, press, assembly, movement, religion, and association, the right to change their government, and the right to due process and fair trials;

Whereas, in law and in practice, the Government of Cuba restricts the freedom of religion of the Cuban people and engages in efforts to control and monitor religious institutions through surveillance, infiltration, evictions, restrictions on access to computer and communication equipment, and harassment of religious professionals and lay persons;

Whereas the totalitarian regime of Fidel Castro actively suppresses all peaceful opposition and dissent by the Cuban people using undercover agents, informers, rapid response brigades, Committees for the Defense of the Revolution, surveillance, phone tapping, intimidation, defamation, arbitrary detention, house arrest, arbitrary searches, evictions, travel restrictions, politically-motivated dismissals from employment, and forced exile;

Whereas workers' rights are effectively denied by a system in which foreign investors are forced to contract labor from the Government of Cuba and to pay the regime in hard currency knowing that the regime will pay less than 5 percent of these wages in local currency to the workers themselves;

Whereas these abuses by the Government of Cuba violate internationally accepted norms of conduct;

Whereas the House of Representatives is mindful of the admonishment of former Mexican President Ernesto Zedillo during the last Ibero-American Summit in Havana, Cuba, that ''[t]here can be no sovereign nations without free men and women [. . . m]en and women who can freely exercise their essential freedoms: freedom of thought and opinion, freedom of participation, freedom of dissent, freedom of decision'';

Whereas President Vaclav Havel, an essential figure in the Czech Republic's transition to democracy, has counseled that ''[w]e thus know that by voicing open criticism of undemocratic conditions in Cuba, we encourage all the brave Cubans who endure persecution and years of prison for their loyalty to the ideals of freedom and human dignity'';

Whereas former President Lech Walesa, leader of the Polish solidarity movement, has urged the world to ''mobilize its resources, just as was done in support of Polish Solidarnosc and the Polish workers, to express their support for Cuban workers and to monitor labor rights'' in Cuba;

Whereas efforts to document, expose, and address human rights abuses in Cuba are complicated by the fact that the Government of Cuba continues to deny international human rights and humanitarian monitors access to the country;

Whereas Pax Christi further reports that these efforts are complicated because ''a conspiracy of silence has fallen over Cuba'' in which diplomats and entrepreneurs refuse even to discuss labor rights and other human rights issues in Cuba, some ''for fear of endangering the relations with the Cuban government'', and businessmen investing in Cuba ''openly declare that the theme of human rights was not of their concern'';

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva provides an excellent forum to spotlight human rights and expressing international support for improved human rights performance in Cuba and elsewhere;

Whereas the goal of United States policy in Cuba is to promote a peaceful transition to democracy through an active policy of assisting the forces of change on the island;

Whereas the United States may provide assistance through appropriate nongovernmental organizations to help individuals and organizations to promote nonviolent democratic change and promote respect for human rights in Cuba; and

Whereas the President is authorized to engage in democracy-building efforts in Cuba, including the provision of (1) publications and other informational materials on transitions to democracy, human rights, and market economies to independent groups in Cuba, (2) humanitarian assistance to victims of political repression and their families, (3) support for democratic and human rights groups in Cuba, and (4) support for visits and permanent deployment of democratic and international human rights monitors in Cuba: Now, therefore, be it

Resolved, That—

(1) the House of Representatives condemns the repressive and totalitarian actions of the Government of Cuba against the Cuban people; and

(2) it is the sense of the House of Representatives that the President—

(A) should have an action-oriented policy of directly assisting the Cuban people and independent organizations, modeled on United States support under former President Ronald Reagan, including support by United States trade unions, for Poland's Solidarity movement (''Solidarnosc''), to strengthen the forces of change and to improve human rights within Cuba; and

(B) should make all efforts necessary at the meeting of the United Nations Human Rights Commission in Geneva in 2001 to obtain the passage by the Commission of a resolution condemning the Government of Cuba for its human rights abuses, and to secure the appointment of a Special Rapporteur for Cuba.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Ms. ROS-LEHTINEN and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶33.12 HUMAN RIGHTS VIOLATIONS IN CHINA AND TIBET

Ms. ROS-LEHTINEN moved to suspend the rules and agree to the following resolution (H. Res. 56); as amended:

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas, according to the Department of State and international human rights organizations, the Government of the People's Republic of China continues to commit widespread and well-documented human rights abuses in China and Tibet;

Whereas the People's Republic of China has yet to demonstrate its willingness to abide by internationally accepted norms of freedom of belief, expression, and association by repealing or amending laws and decrees that restrict those freedoms;

Whereas the Government of the People's Republic of China continues to ban and criminalize groups it labels as cults or heretical organizations;

Whereas the Government of the People's Republic of China has repressed unregistered religious congregations and spiritual movements, including Falun Gong, and persists in persecuting persons on the basis of unauthorized religious activities using such measures as harassment, prolonged detention, physical abuse, incarceration, and closure or destruction of places of worship;

Whereas authorities in the People's Republic of China have continued their efforts to

extinguish expressions of protest or criticism, have detained scores of citizens associated with attempts to organize a peaceful opposition, to expose corruption, to preserve their ethnic minority identity, or to use the Internet for the free exchange of ideas, and have sentenced many citizens so detained to harsh prison terms;

Whereas Chinese authorities continue to exert control over religious and cultural institutions in Tibet, abusing human rights through instances of torture, arbitrary arrest, and detention of Tibetans without public trial for peacefully expressing their political or religious views;

Whereas bilateral human rights dialogues between several nations and the People's Republic of China have yet to produce substantial adherence to international norms; and

Whereas the People's Republic of China has signed the International Covenant on Civil and Political Rights, but has yet to take the steps necessary to make the treaty legally binding: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly supports the decision of the United States Government to offer and solicit cosponsorship for a resolution at the 57th Session of the United Nations Human Rights Commission in Geneva, Switzerland, calling upon the Government of the People's Republic of China to end its human rights abuses in China and Tibet, in compliance with its international obligations; and

(2) urges the United States Government to take the lead in organizing multilateral support to obtain passage by the Commission of such resolution.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Ms. ROS-LEHTINEN and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LANTOS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶33.13 SMALL BUSINESS INTEREST CHECKING

Mr. OXLEY moved to suspend the rules and pass the bill (H.R. 974) to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. OXLEY and Mr. LAFALCE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHAYS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to repeal the prohibition on the payment of interest on demand deposits, to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶33.14 WOMEN IN CONGRESS

Mr. NEY moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 66):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. PRINTING OF REVISED VERSION OF "WOMEN IN CONGRESS, 1917–1990".

(a) IN GENERAL.—An updated version of House Document 101–238, entitled ''Women in Congress, 1917–1990'' (as revised by the Library of Congress), shall be printed as a House document by the Public Printer, with illustrations and suitable binding, under the direction of the Committee on House Administration of the House of Representatives.

(b) NUMBER OF COPIES.—In addition to the usual number, there shall be printed 30,700 copies of the document referred to in subsection (a), of which—

(1) 25,000 shall be for the use of the Committee on House Administration of the House of Representatives; and

(2) 5,700 shall be for the use of the Committee on Rules and Administration of the Senate.

The SPEAKER pro tempore, Mr. SHAYS, recognized Mr. NEY and Mr. HOYER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SHAYS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HOYER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SHAYS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, April 4, 2001.

¶33.15 RECESS—5:08 P.M.

The SPEAKER pro tempore, Mr. SHAYS, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 8 minutes p.m. until approximately 6 o'clock p.m.

¶33.16 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶33.17 ADDITIONAL APPOINTMENTS OF FUNERAL COMMITTEE OF THE LATE NORMAN SISISKY

The SPEAKER, pro tempore, Mr. SIMPSON, pursuant to House Resolution 107, announced the Speaker appointed as additional members to attend the funeral for the late Honorable Norman Sisisky the following Members on the part of the House:

Messrs. WAXMAN, FROST, SENSENBRENNER, HOYER, LEVIN, SPRATT, CONDIT, EDWARDS, REYES, and TURNER.

¶33.18 H.R. 768—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 768) to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 414 / Nays ..... 0 }

¶33.19 [Roll No. 76]

YEAS—414

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

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

NOT VOTING—17

Becerra
Collins
Culberson
Cunningham
Hulshof
Istook
Kingston
Latham
Maloney (NY)
McKinney
Moakley
Mollohan
Rush
Scarborough
Walden
Wolf
Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶33.20 H. RES. 91—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 91) expressing the sense of the House of Representatives regarding the human rights situation in Cuba.

The question being put,

Will the House suspend the rules and agree to said resolution?

It was decided in the affirmative ..... { Yeas ..... 347; Nays ..... 44; Answered present 22

¶33.21 [Roll No. 77]

YEAS—347

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kirk
Knollenberg
Kolbe
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moore
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wu
Young (AK)
Young (FL)

NAYS—44

Baird
Baldwin
Barrett
Clay
Clyburn
Conyers
Coyne
Cummings
Dooley
Fattah
Filner
Gonzalez
Hilliard
Hinchey
Inslee
Jackson (IL)
Jefferson
Jones (OH)
Kilpatrick
Kleczka
Kucinich
Lampson
Lee
Lewis (GA)
McDermott
McGovern
Meeks (NY)
Miller, George
Nadler
Oberstar
Olver
Paul
Payne
Rangel
Sabo
Sanders
Schakowsky
Serrano
Stark
Thompson (MS)
Towns
Velazquez
Waters
Wynn

ANSWERED "PRESENT"—22

Barcia
Bishop
Blumenauer
Brown (FL)
Capuano
Clayton
Davis (IL)
DeFazio
Delahunt
Farr
Larson (CT)
Lowey
McCollum
Moran (VA)
Napolitano
Owens
Pelosi
Peterson (MN)
Rodriguez
Slaughter
Tierney
Watt (NC)

NOT VOTING—18

Becerra
Castle
Cunningham
Hulshof
Istook
Jackson-Lee (TX)
Kingston
Latham
Maloney (NY)
McKinney
Moakley
Mollohan
Obey
Rush
Scarborough
Walden
Wolf
Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶33.22 H. RES. 56 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend

the rules and pass the resolution (H. Res. 56) urging the appropriate representative of the United States to the United Nations Commission on Human Rights to introduce at the annual meeting of the Commission a resolution calling upon the People's Republic of China to end its human rights violations in China and Tibet, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said resolution, as amended?

It was decided in the affirmative ..... { Yeas ..... 406; Nays ..... 6; Answered present 6

¶33.23 [Roll No. 78]

YEAS—406

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

NAYS—6

Clyburn, Hastings (FL), Hilliard, Paul, Smith (MI), Waters

ANSWERED ''PRESENT''—6

Crane, Hinchey, Kucinich, Ortiz, Thurman, Watt (NC)

NOT VOTING—13

Becerra, Hulshof, Kingston, Latham, Moakley, Mollohan, Riley, Rush, Scarborough, Schakowsky, Walden, Wolf, Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''A resolution strongly supporting the decision of the United States Government to offer and solicit cosponsorship for a resolution at the 57th Session of the United Nations Human Rights Commission in Geneva, Switzerland, calling upon the People's Republic of China to end its human rights abuses in China and Tibet, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

¶33.24 PERMISSION TO FILE REPORT

On motion of Mr. OXLEY, by unanimous consent, the Committee on Financial Services was granted permission until midnight on Tuesday, April 17, 2001, to file a report to accompany the bill (H.R. 1088) to amend the Securities and Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes.

¶33.25 ADJOURNMENT OF THE TWO HOUSES

Mr. OXLEY submitted the following privileged concurrent resolution (H. Con. Res. 93):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday, April 4, 2001, or Thursday, April 5, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, April 24, 2001, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Friday, April 6, 2001, Saturday, April 7, 2001, Sunday, April 8, 2001, or Monday, April 9, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 23, 2001, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

Sec. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the votes whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶33.26 PROVIDING FOR THE CONSIDERATION OF H.R. 8

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–39) the resolution (H. Res. 111) providing for consideration of the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶33.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BECERRA, for today and balance of the week;

To Mr. LATHAM, for today and April 4;

To Mr. WALDEN, for today; and

To Mr. WOLF, for today.

And then,

¶33.28 ADJOURNMENT

On motion of Mr. HAYWORTH, at 9 o'clock and 44 minutes p.m., the House adjourned.

¶33.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 768. A bill to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws (Rept. No. 107–32). Referred to the Committee on the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 601. A bill to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes; with an amendment (Rept. No. 107–33). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 601. A bill to ensure the continued access of hunters to those Federal lands included within the boundaries of the Craters of the Moon National Monument in the State of Idaho pursuant to Presidential Proclamation 7373 of November 9, 2000, and to continue the applicability of the Taylor Grazing Act to the disposition of grazing fees arising from the use of such lands, and for other purposes; with amendments (Rept. No. 107–34). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 581. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management (Rept. No. 107–35). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 182. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; with amendments (Rept. No. 107–36). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 8. A bill to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes; with an amendment (Rept. No. 107–37). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 974. A bill to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, and for other purposes, with amendments (Rept. No. 107–38). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 111. Resolution providing for consideration of the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes, (Rept. No. 107–39). Referred to the House Calendar.

¶33.30 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. FERGUSON (for himself, Mr. KENNEDY of Rhode Island, Mr. SMITH of New Jersey, Mr. SCHROCK, Mr. SAXTON, Mr. QUINN, Mr. LATOURETTE, Mr. ROGERS of Michigan, Mr. PLATTS, Mrs. KELLY, Mr. SWEENEY, Mr. GILMAN, Mrs. JOHNSON of Connecticut, Mrs. ROUKEMA, Mr. GILCHREST, Mr. OXLEY, Mr. GRUCCI, Mr. BURTON of Indiana, Mr. NEY, Mr. BOEHLERT, Mr. REYNOLDS, Mr. WELDON of Pennsylvania, Mr. MCHUGH, Mr. WALSH, Mrs. BIGGERT, Mr. DAVIS of Illinois, Mr. HINCHEY, Mrs. JONES of Ohio, Mr. MCDERMOTT, Mr. CONYERS, Mr. OWENS, Mr. OBERSTAR, Mr. KUCINICH, Mr. MCGOVERN, Mr. UDALL of Colorado, Mr. BALDACCI, Mr. FRANK, Ms. BROWN of Florida, Mr. THOMPSON of Mississippi, Mr. LANGEVIN, Mr. SHIMKUS, Mr. EHLERS, Mr. SHERWOOD, Mr. LOBIONDO, Mrs. CAPITO, Mr. ENGLISH, Mr. LANTOS, and Mr. HOUGHTON):

H.R. 1330. A bill to amend the Individuals with Disabilities Education Act to fully fund 40 percent of the average per pupil expenditure for programs under part B of such Act; to the Committee on Education and the Workforce.

By Mr. ARMEY (for himself, Mr. LIPINSKI, Mr. CANNON, Mr. FORD, Mr. BONILLA, Mr. BLAGOJEVICH, Mr. BALLENGER, Mrs. BONO, Mr. BUYER, Mr. CANTOR, Mrs. JO ANN DAVIS of Virginia, Mr. TOM DAVIS of Virginia, Mr. FOSSELLA, Mr. GILLMOR, Ms. HART, Mr. HOSTETTLER, Mr. ISAKSON, Mr. KOLBE, Mr. MCHUGH, Ms. PRYCE of Ohio, Mr. REHBERG, Mr. ROGERS of Michigan, Mr. SENSENBRENNER, Mr. SMITH of New Jersey, and Mr. TANCREDO):

H.R. 1331. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself and Mr. BOUCHER):

H.R. 1332. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on the Judiciary.

By Mr. BERMAN (for himself and Mr. BOUCHER):

H.R. 1333. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on the Judiciary.

By Mr. GILMAN (for himself, Mr. NADLER, and Mrs. MALONEY of New York):

H.R. 1334. A bill to convey certain Federal properties on Governors Island, New York; to the Committee on Resources, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALLEN (for himself, Mr. SAXTON, Mr. BALDACCI, Mrs. MALONEY of New York, Ms. BALDWIN, Mr. BLUMENAUER, Ms. DEGETTE, Mr. DELAHUNT, Mr. HINCHEY, Mrs. JONES of Ohio, Mr. KUCINICH, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. SANDERS, Mr. THOMPSON of Mississippi, Mr. TIERNEY, and Ms. WOOLSEY):

H.R. 1335. A bill to reduce emissions of mercury, carbon dioxide, nitrogen oxides, and sulfur dioxide from fossil fuel-fired electric utility generating units operating in the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Financial Services, Transportation and Infrastructure, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER (for himself, Mr. UDALL of Colorado, Mr. FOLEY, Mr. VITTER, Mrs. THURMAN, Mr. TAUZIN, Mr. TANCREDO, Mr. MCCRERY, Mr. SHOWS, Mr. SESSIONS, Mr. DELAY, and Mr. HERGER):

H.R. 1336. A bill to amend the Internal Revenue Code of 1986 to extend the period for filing for a credit or refund of individual income taxes to 7 years; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii (for herself, Mr. ABERCROMBIE, and Mr. KENNEDY of Rhode Island):

H.R. 1337. A bill to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BENTSEN:

H.R. 1338. A bill to provide for the designation of an Assistant Secretary of State for Victims of International Terrorism; to the Committee on International Relations.

By Mr. BERRY:

H.R. 1339. A bill to provide market loss assistance during fiscal year 2001 to owners and producers on farms who are eligible for a final payment for fiscal year 2001 under production flexibility contracts entered into under the Agricultural Market Transition Act; to the Committee on Agriculture.

By Mr. BILIRAKIS (for himself, Mr. BROWN of Ohio, Mr. UPTON, Mr. LANTOS, Ms. HART, Mr. GREEN of Texas, Mr. BALDACCI, and Ms. MCKINNEY):

H.R. 1340. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate that part or all of any income tax refund be paid over for use in biomedical research conducted through the National Institutes of Health; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS:

H.R. 1341. A bill to amend the Internal Revenue Code of 1986 to provide capital gain treatment under section 631(b) of such Code for outright sales of timber by landowners; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 1342. A bill to amend the Internal Revenue Code of 1986 reduce individual captial gains rates; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mrs. MORELLA, Ms. BALDWIN, Mr. FRANK, Mr. GEPHARDT, Mr. SKELTON, Mr. KOLBE, Mr. FOLEY, Mr. SHAYS, Mrs. KELLY, Mr. BERMAN, Mr. BOUCHER, Mr. NADLER, Ms. LOFGREN, Ms. JACK-

SON-LEE of Texas, Mr. MEEHAN, Mr. DELAHUNT, Mr. WEXLER, Mr. WEINER, Mr. SCHIFF, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Mr. BAIRD, Mr. BALDACCI, Mr. BARRETT, Mr. BECERRA, Mr. BENTSEN, Ms. BERKLEY, Mrs. BIGGERT, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mr. BORSKI, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. COYNE, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. DOOLEY of California, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FILNER, Mr. FORD, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GILMAN, Mr. GONZALEZ, Mr. GREENWOOD, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. JEFFERSON, Mrs. JOHNSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KIRK, Mr. KLECZKA, Mr. KUCINICH, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LEACH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. LUTHER, Mr. MALONEY of Connecticut, Mrs. MALONEY of New York, Mr. MARKEY, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MOORE, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PRICE of North Carolina, Ms. PRYCE of Ohio, Mr. QUINN, Mr. RANGEL, Mr. REYES, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Mr. SANDLIN, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHERMAN, Mr. SIMMONS, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SNYDER, Ms. SOLIS, Mr. STARK, Mr. STRICKLAND, Mrs. TAUSCHER, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Mrs. THURMAN, Mr. TIERNEY, Mr. TOWNS, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. VISCLOSKY, Mr. WALSH, Mr. WAXMAN, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 1343. A bill to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANK (for himself, Ms. BALDWIN, Mr. BLUMENAUER, Mr. CONYERS, Mr. DEFAZIO, Mr. NADLER, Mr. OLVER, Ms. PELOSI, Mr. STARK, and Ms. WOOLSEY):

H.R. 1344. A bill to provide for the medical use of marijuana in accordance with the laws of the various States; to the Committee on Energy and Commerce.

By Mr. FRANK:

H.R. 1345. A bill to amend the Immigration and Nationality Act to establish a Board of Visa Appeals within the Department of State to review decisions of consular officers concerning visa applications, revocations, and cancellations; to the Committee on the Judiciary.

By Mr. FRANK:

H.R. 1346. A bill to amend title 18, United States Code, to eliminate the prohibitions on the transmission of abortion related matters, and for other purposes; to the Committee on the Judiciary.

By Mr. GIBBONS (for himself and Ms. BERKLEY):

H.R. 1347. A bill to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the ''Joseph E. Dini, Jr. Post Office''; to the Committee on Government Reform.

By Mr. HUTCHINSON (for himself and Ms. HOOLEY of Oregon):

H.R. 1348. A bill to provide funds to the National Center for Rural Law Enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. ISAKSON:

H.R. 1349. A bill to repeal the 50 percent limitation on courses offered through telecommunications for student financial assistance programs; to the Committee on Education and the Workforce.

By Ms. SANCHEZ (for herself, Mr. ABERCROMBIE, Mr. ALLEN, Mr. BACA, Mr. BALDACCI, Ms. BALDWIN, Mr. BENTSEN, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BROWN of Ohio, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. CUMMINGS, Mr. DAVIS of Florida, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. DOOLEY of California, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. FROST, Ms. HARMAN, Mr. HINCHEY, Ms. NORTON, Mr. HOLT, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mrs. JOHNSON of Connecticut, Ms. KILPATRICK, Mr. LANTOS, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MEEHAN, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. NADLER, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PAYNE, Ms. RIVERS, Mr. RODRIGUEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHAYS, Mr. SIMMONS, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mrs. THURMAN, Mrs. JONES of Ohio, Mr. TIERNEY, Mr. TOWNS, Ms. VELAZQUEZ, Ms. WATERS, Mr. WAXMAN, Mr. WEXLER, Ms. WOOLSEY, Mr. WYNN, and Mr. SHERMAN):

H.R. 1350. A bill to restore freedom of choice to women in the uniformed services serving outside the United States; to the Committee on Armed Services.

By Mrs. JOHNSON of Connecticut (for herself, Mr. QUINN, Mr. FILNER, Mr. SIMMONS, Mr. SHOWS, Mr. HILLEARY, Mr. HILL, Mr. PETRI, Mr. LUTHER, Mr. FOLEY, Mr. HALL of Ohio, Mr. BARCIA, Mr. SHAYS, Mr. OLVER, Mr. HORN, Mr. STRICKLAND, Mr. BARR of Georgia, Ms. WOOLSEY, Mr. FOSSELLA, Mrs. MEEK of Florida, Mr. JOHNSON of Illinois, Mr. MASCARA, Mr. BOEHLERT, Ms. DELAURO, Mr. BARTLETT of Maryland, Mr. LAFALCE, Mr. GOODLATTE, Mr. DAVIS of Florida, Mr. LAHOOD, Mr. LAMPSON, Mr. ENGLISH, Mr. LEVIN, Mr. CAMP, Mr. BALDACCI, Mr. SHIMKUS, Mr. MALONEY of Connecticut, Mr. WYNN, Ms. HOOLEY of Oregon, Mr. FRANK, Mr. FALEOMAVAEGA, Mr. JEFFERSON, Mr. DAVIS of Illinois, Mr. COYNE, Ms. MCKINNEY, Ms. CARSON of Indiana, Mr. LARSON of Connecticut, Mrs. THURMAN, Mrs. JONES of Ohio, Mr. MCNULTY, Mr. DOYLE, Mr. SKELTON, Mr. PAYNE, and Mr. DEAL of Georgia):

H.R. 1351. A bill to amend title 38, United States Code, to provide for Government furnished headstones or markers for the marked graves of veterans; to the Committee on Veterans' Affairs.

By Mr. JONES of North Carolina:

H.R. 1352. A bill to amend title 10, United States Code, to codify and make modifications to certain provisions relating to ''Buy American'' requirements; to the Committee on Armed Services.

By Mr. KENNEDY of Minnesota:

H.R. 1353. A bill to amend the Public Health Service Act and titles XVIII and XIX of the Social Security Act to sustain access to vital emergency medical services in rural areas; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING (for himself, Mr. GRAHAM, Mr. WEINER, Ms. SLAUGHTER, Mr. BLAGOJEVICH, Mrs. MCCARTHY of New York, Mrs. MYRICK, Mrs. MALONEY of New York, Mr. SHOWS, Ms. ESHOO, Mr. THOMPSON of Mississippi, Mr. LANGEVIN, Mr. TRAFICANT, Mr. ISRAEL, Mr. SERRANO, Mr. ANDREWS, Ms. HOOLEY of Oregon, Mr. NADLER, Mrs. ROUKEMA, Ms. JACKSON-LEE of Texas, Mr. BRADY of Pennsylvania, Mrs. THURMAN, Mr. MCNULTY, and Mrs. KELLY):

H.R. 1354. A bill to amend title XVIII of the Social Security Act to provide enhanced reimbursement for, and expanded capacity to, mammography services under the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAFALCE (for himself and Ms. WATERS):

H.R. 1355. A bill to merge the deposit insurance funds at the Federal Deposit Insurance Corporation; to the Committee on Financial Services.

By Mrs. LOWEY:

H.R. 1356. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that foods containing spices, flavoring, or coloring derived from meat, poultry, other animal products (including insects), or known allergens bear labeling stating that fact and their names; to the Committee on Energy and Commerce.

By Mr. MCCRERY (for himself, Mr. NEAL of Massachusetts, Mr. BRADY of Pennsylvania, Mr. CAMP, Mr. CRANE, Ms. DUNN, Mr. ENGLISH, Mr. FOLEY, Mr. HAYWORTH, Mr. HERGER, Mr. HOUGHTON, Mr. HULSHOF, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON of Texas, Mr. KLECZKA, Mr. LEWIS of Kentucky, Mr. MATSUI, Mr. MCDERMOTT, Mr. MCNULTY, Mr. POMEROY, Mr. RAMSTAD, Mr. RYAN of Wisconsin, Mr. SHAW, Mr. TANNER, Mr. WATKINS, and Mr. WELLER):

H.R. 1357. A bill to amend the Internal Revenue Code of 1986 to permanently extend the

subpart F exemption for active financing income; to the Committee on Ways and Means.

By Mr. McDERMOTT (for himself and Mr. ROYCE):

H.R. 1358. A bill to remove the sanctions imposed on India and Pakistan as a result of the detonation by those countries of nuclear explosive devices in 1998, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McNULTY:

H.R. 1359. A bill to amend the Internal Revenue Code of 1986 to expand and extend the ability of certain exempt organizations to avoid recognizing a gain on the sale of property used directly in the performance of an exempt function; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself, Mr. KING, Mr. ABERCROMBIE, Ms. LEE, Ms. SLAUGHTER, and Mr. QUINN):

H.R. 1360. A bill to ensure project labor agreements are permitted in certain circumstances; to the Committee on Education and the Workforce.

By Mr. NETHERCUTT (for himself, Mr. LAFALCE, and Mrs. CAPPS):

H.R. 1361. A bill to provide for coverage of all medically necessary pancreas transplantation procedures under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself and Mr. ABERCROMBIE):

H.R. 1362. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Education and the Workforce.

By Mr. OTTER (for himself, Mr. HANSEN, Mr. YOUNG of Alaska, Mr. MICA, Mr. RADANOVICH, Mr. SIMPSON, Mr. GIBBONS, Mr. BASS, Mr. JONES of North Carolina, Mr. CANNON, Mr. NETHERCUTT, Mr. McINNIS, Mr. SCHAFFER, Mr. COOKSEY, Mr. HEFLEY, Mr. HERGER, Mr. STUMP, Mr. GILCHREST, Mr. HASTINGS of Washington, Mr. ISAKSON, Mr. HAYES, Mr. WALDEN of Oregon, Mr. REHBERG, Mr. FLAKE, and Mr. BOSWELL):

H.R. 1363. A bill to help ensure general aviation aircraft access to Federal land and to the airspace over that land; to the Committee on Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 1364. A bill to restore to taxpayers awareness of the true cost of government by eliminating the withholding of income taxes by employers and requiring individuals to pay income taxes in monthly installments, and for other purposes; to the Committee on Ways and Means.

By Mrs. ROUKEMA (for herself, Mr. FLETCHER, Mr. WU, Mr. CALLAHAN, Mr. GILMAN, Mrs. MORELLA, Mr. CONYERS, and Mr. BOEHLERT):

H.R. 1365. A bill to amend title III of the Elementary and Secondary Education Act of 1965 to provide for digital education partnerships; to the Committee on Education and the Workforce.

By Ms. SANCHEZ (for herself, Mr. LEWIS of California, Mrs. TAUSCHER, Mr. CONDIT, Mr. FARR of California, Mr. BACA, Mrs. CAPPS, Mr. COX, Mr. WAXMAN, Mr. GARY G. MILLER of California, Mr. BERMAN, Mr. FILNER, Ms. SOLIS, Mr. LANTOS, Mr. MATSUI, and Mr. HONDA):

H.R. 1366. A bill to designate the United States Post Office building located at 3101 West Sunflower Avenue in Santa Ana, California, as the ''Hector G. Godinez Post Office Building''; to the Committee on Government Reform.

By Mr. SAXTON (for himself and Mr. SIMMONS):

H.R. 1367. A bill to provide for the conservation and rebuilding of overfished stocks of Atlantic highly migratory species of fish, and for other purposes; to the Committee on Resources.

By Mr. SAXTON:

H.R. 1368. A bill to amend the Internal Revenue Code of 1986 to remove the requirement of a mandatory beginning date for distributions from individual retirement plans; to the Committee on Ways and Means.

By Mr. SCHIFF (for himself, Mr. STENHOLM, Mr. MOORE, Mr. HILL, Mr. JOHN, Mr. BOYD, Ms. HARMAN, Mr. THOMPSON of California, Mr. TURNER, Mr. ROSS, Mr. TAYLOR of Mississippi, and Mr. BISHOP):

H.R. 1369. A bill to amend the Congressional Budget Act of 1974 to require a three-fifths majority vote in the House of Representatives or Senate to waive the point of order against considering spending or revenue legislation for a fiscal year before a concurrent resolution on the budget is in place for that fiscal year, and for other purposes; to the Committee on Rules.

By Mr. SOUDER:

H.R. 1370. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to authorize the Secretary of the Interior to provide for maintenance and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities, and for other purposes; to the Committee on Resources.

By Mr. STARK (for himself, Mr. MATSUI, Mr. FILNER, Mrs. MALONEY of New York, Mr. GUTIERREZ, Mr. FRANK, Ms. SOLIS, Ms. McCARTHY of Missouri, Mr. GEORGE MILLER of California, Mr. CRAMER, Mr. LEVIN, Mr. ALLEN, Mr. DOGGETT, Mr. KENNEDY of Rhode Island, Mr. CONYERS, and Ms. CARSON of Indiana):

H.R. 1371. A bill to provide for grants to State child welfare systems to improve quality standards and outcomes, and to authorize the forgiveness of loans made to certain students who become child welfare workers; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS:

H.R. 1372. A bill to prohibit the expenditure of Federal funds to conduct or support research on the cloning of humans, and to express the sense of the Congress that other countries should establish substantially equivalent restrictions; to the Committee on Energy and Commerce, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 1373. A bill to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the ''Robert W. Davis Post Office Building''; to the Committee on Government Reform.

By Mr. STUPAK:

H.R. 1374. A bill to designate the facility of the United States Postal Service located at 600 Calumet Street in Lake Linden, Michigan, as the ''Philip E. Ruppe Post Office Building''; to the Committee on Government Reform.

By Mr. STUPAK (for himself, Mr. WATKINS, Mr. FROST, Mr. PAUL, Mr. COSTELLO, Mrs. EMERSON, Mr. FARR of California, and Mr. OSBORNE):

H.R. 1375. A bill to amend title XVIII of the Social Security Act to adjust the labor costs relating to items and services furnished in a geographically reclassified hospital for which reimbursement under the Medicare Program is provided on a prospective basis; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself, Mr. BLUMENAUER, Mr. MATSUI, Mr. FARR of California, Mr. OSE, Mr. RADANOVICH, and Mr. DOOLEY of California):

H.R. 1376. A bill to amend the Internal Revenue Code of 1986 to provide that transfers of family-owned business interests shall be exempt from estate taxation; to the Committee on Ways and Means.

By Mr. THORNBERRY (for himself, Mr. CUNNINGHAM, Mr. SAM JOHNSON of Texas, and Mrs. TAUSCHER):

H.R. 1377. A bill to ensure that military personnel do not lose the right to cast votes in elections in their domicile as a result of their service away from the domicile, to amend the Uniformed and Overseas Citizens Absentee Voting Act to extend the voter registration and absentee ballot protections for absent uniformed services personnel under such Act to State and local elections, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Veterans' Affairs, the Judiciary, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 1378. A bill to authorize grants for certain water and waste disposal facility projects in rural areas; to the Committee on Agriculture.

By Mr. UDALL of Colorado:

H.R. 1379. A bill to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes; to the Committee on Resources.

By Mr. UDALL of Colorado (for himself and Ms. DEGETTE):

H.R. 1380. A bill to designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado; to the Committee on Resources.

By Mr. UDALL of Colorado:

H.R. 1381. A bill to direct the Secretary of the Interior to establish the Cooperative Landscape Conservation Program; to the Committee on Resources.

By Mr. UDALL of Colorado:

H.R. 1382. A bill to authorize increased fines for improper use of vehicles that results in damage to public lands or national forests, and for other purposes; to the Committee on Resources, and in addition to the Committees on Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of New Mexico (for himself, Mr. HAYWORTH, Mr. KILDEE, Mr. WATTS of Oklahoma, Mr. CAMP, Mr. KENNEDY of Rhode Island, Ms. DELAURO, and Mr. BROWN of Ohio):

H.R. 1383. A bill to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional Medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Cancer Prevention and Treatment Act of 2000; to the Committee on Energy and Commerce.

By Mr. UDALL of New Mexico (for himself and Mr. CANNON):

H.R. 1384. A bill to amend the National Trails System Act to designate the Navajo Long Walk to Bosque Redondo as a national historic trail; to the Committee on Resources.

By Mr. OXLEY:

H. Con. Res. 93. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

By Mr. ABERCROMBIE (for himself, Mrs. MORELLA, Ms. BALDWIN, Mr. BLUMENAUER, Mr. BALDACCI, Ms. BROWN of Florida, Mr. CONYERS, Ms. DELAURO, Mr. ENGEL, Mr. FILNER, Mr. HONDA, Ms. MCCARTHY of Missouri, Mr. MCNULTY, Mrs. MINK of Hawaii, Ms. NORTON, Mr. RODRIGUEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SLAUGHTER, Ms. SOLIS, Mrs. TAUSCHER, Mr. WYNN, Mr. PASTOR, Mr. BACA, Ms. CARSON of Indiana, Mr. LANTOS, and Mr. GUTIERREZ):

H. Con. Res. 94. Concurrent resolution recognizing the significance of Equal Pay Day to demonstrate the disparity between wages paid to men and women; to the Committee on Government Reform.

By Mr. TANCREDO:

H. Con. Res. 95. Concurrent resolution supporting a National Charter Schools Week; to the Committee on Education and the Workforce.

By Mr. TRAFICANT:

H. Con. Res. 96. Concurrent resolution expressing the sense of Congress that the People's Republic of China should release immediately the crew members of the United States Navy EP-3E Aries II reconnaissance aircraft that made an emergency landing on the Chinese island of Hainan on April 1, 2001, and should release immediately and intact that aircraft in accordance with international law; to the Committee on International Relations.

By Mr. BERMAN (for himself and Mr. BOUCHER):

H. Res. 110. A resolution providing that it shall not be in order in the House of Representatives to consider certain funding measures for the United States Patent and Trademark Office; to the Committee on Rules.

By Mr. FOLEY (for himself, Mr. STENHOLM, Mr. SIMMONS, Mr. KOLBE, Mr. SWEENEY, Mr. MILLER of Florida, Mr. KELLER, Mrs. THURMAN, Mr. SHERWOOD, Mr. MOORE, Ms. HART, Mrs. JO ANN DAVIS of Virginia, Mrs. WILSON, Mrs. MINK of Hawaii, Mr. THUNE, and Mr. BUYER):

H. Res. 112. A resolution recognizing the upcoming 100th anniversary of the 4-H Youth Development Program and commending such program for service to the youth of the world; to the Committee on Education and the Workforce.

By Mr. MCKEON:

H. Res. 113. A resolution urging the House of Representatives to support events such as the "Increase the Peace Day"; to the Committee on Education and the Workforce.

¶33.31 MEMORIALS

Under clause 3 of rule XII,

14. The SPEAKER presented a memorial of the Legislature of the State of Maine, relative to Resolution H.P. 958 memorializing the United States Congress to either provide 40% of the national average per pupil expenditure to assist states and local education agencies with the excess costs of educating children with disabilities or amend the Individuals with Disabilities Education Act to allow states more flexibility in implementing its mandates; to the Committee on Education and the Workforce.

¶33.32 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. JACKSON-LEE of Texas:

H.R. 1385. A bill for the relief of Gao Zhan; to the Committee on the Judiciary.

By Mr. ROTHMAN:

H.R. 1386. A bill for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko; to the Committee on the Judiciary.

¶33.33 ADDITIONAL SPONSORS

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

H.R. 8: Mr. THOMAS and Mr. HASTERT.

H.R. 10: Mr. GEKAS, Ms. BALDWIN, Mr. ISRAEL, Mr. GUTIERREZ, Mr. DOOLITTLE, and Ms. CARSON of Indiana.

H.R. 17: Mr. OSBORNE and Mr. BOSWELL.

H.R. 21: Mr. CLEMENT and Mr. WAMP.

H.R. 25: Mrs. MINK of Hawaii, Mr. SIMMONS, and Ms. SLAUGHTER.

H.R. 28: Mr. HULSHOF, Mrs. WILSON, and Mr. WEXLER.

H.R. 31: Mr. SPENCE.

H.R. 51: Mr. MCINTYRE, Mrs. BIGGERT, and Ms. SANCHEZ.

H.R. 61: Mr. PETRI.

H.R. 126: Mr. BONIOR and Mr. KUCINICH.

H.R. 128: Mr. BONIOR, Ms. LEE, and Mr. NADLER.

H.R. 134: Mr. FOLEY.

H.R. 144: Mr. GONZALEZ.

H.R. 162: Mr. LAFALCE, Ms. SOLIS, Mr. DELAHUNT, Mr. CLYBURN, Mr. DOYLE, and Ms. SLAUGHTER.

H.R. 168: Mr. GILLMOR and Mr. TOM DAVIS of Virginia.

H.R. 179: Mrs. DAVIS of California, Mrs. BIGGERT, Mr. UNDERWOOD, Mr. HAYES, and Ms. SANCHEZ.

H.R. 183: Mr. PALLONE.

H.R. 184: Mr. TOWNS.

H.R. 214: Mr. BALLENGER and Mr. KENNEDY of Minnesota.

H.R. 236: Mr. FERGUSON, Ms. SOLIS, Mr. GIBBONS, and Mr. LEWIS of Kentucky.

H.R. 280: Mr. LAHOOD, Mr. LATOURETTE, Mr. DUNCAN, Mr. TAYLOR of North Carolina, Mrs. BONO, Mr. TAYLOR of Mississippi, Mr. NORWOOD, Mr. RILEY, Mr. TRAFICANT, Mr. WATKINS, Mr. ROHRABACHER, Mr. SPENCE, and Mr. PETRI.

H.R. 281: Ms. HART, Mrs. LOWEY, Mr. CRAMER, and Mr. RUSH.

H.R. 285: Mr. GONZALEZ, Mr. NADLER, Mr. CAPUANO, and Mr. GUTIERREZ.

H.R. 288: Mrs. BIGGERT.

H.R. 290: Mr. FOLEY.

H.R. 298: Mr. CRANE and Mr. PLATTS.

H.R. 303: Mr. SCOTT and Mr. CLAY.

H.R. 320: Mr. FOLEY.

H.R. 326: Mr. LANGEVIN and Mr. SHERMAN.

H.R. 336: Mr. ENGLISH and Mr. RUSH.

H.R. 340: Mr. CAPUANO, Mr. CROWLEY, Mr. FRANK, and Mrs. JONES of Ohio.

H.R. 347: Mr. CLEMENT.

H.R. 356: Ms. MCCARTHY of Missouri.

H.R. 374: Mr. HEFLEY and Mr. ISSA.

H.R. 380: Ms. JACKSON-LEE of Texas and Mr. KILDEE.

H.R. 382: Mr. GOODE.

H.R. 385: Mr. CALVERT.

H.R. 394: Mr. STUPAK, Mr. GILLMOR, Mr. BARR of Georgia, Mr. MORAN of Kansas, Mr. PETERSON of Minnesota, Mr. FROST, Mr. HANSEN, Mr. DICKS, Mr. MCGOVERN, Mr. MCINTYRE, and Mr. PLATTS.

H.R. 396: Mr. BARR of Georgia, Mr. WOLF, Mrs. CAPITO, and Mr. PETERSON of Minnesota.

H.R. 400: Mr. GRUCCI, Mr. GILMAN, Mr. PHELPS, Mr. RYUN of Kansas, Ms. SCHAKOWSKY, Mr. GUTIERREZ, Mr. COSTELLO, Mr. BLAGOJEVICH, Mr. RUSH, Mr. JACKSON of Illinois, Mrs. CUBIN, Mr. BUYER, and Mr. OSE.

H.R. 432: Mr. KUCINICH and Ms. KAPTUR.

H.R. 433: Mr. KUCINICH and Ms. KAPTUR.

H.R. 458: Ms. HART.

H.R. 466: Ms. SLAUGHTER.

H.R. 475: Mr. SIMMONS and Mr. SCHROCK.

H.R. 476: Mr. ENGLISH and Mr. BARTON of Texas.

H.R. 478: Mr. HINCHEY.

H.R. 482: Mr. CANTOR, Mr. PENCE, Mr. HILLEARY, and Mr. HAYES.

H.R. 499: Mr. WAXMAN, Mr. LANTOS, Mrs. LOWEY, Mr. EVANS, Ms. SOLIS, Mr. PASCRELL, Mr. NADLER, Mr. GUTIERREZ and Mr. WEXLER.

H.R. 500: Mr. RUSH and Mr. RANGEL.

H.R. 512: Mr. ISRAEL, Mr. OLVER, Mr. FOLEY, Mr. STENHOLM, Mr. BLAGOJEVICH, Mr. CAPUANO, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. KLECZKA, Mr. UDALL of New Mexico, and Mr. LAHOOD.

H.R. 513: Mr. ISRAEL, Mr. OLVER, Mr. FOLEY, Mr. SHOWS, Mr. CAPUANO, Mr. KLECZKA, Ms. BALDWIN, Mr. UDALL of New Mexico, Ms. HART, and Ms. VELAZQUEZ.

H.R. 514: Mr. FOLEY.

H.R. 521: Mr. FRANK.

H.R. 525: Mr. KENNEDY of Rhode Island and Mr. GRAHAM.

H.R. 527: Mr. FOLEY, Mr. SHAW, and Ms. HART.

H.R. 537: Mr. ROYCE, Mrs. BIGGERT, Mr. HASTINGS of Florida, and Mr. PASCRELL.

H.R. 544: Mr. LANGEVIN, Mr. NADLER, and Ms. SLAUGHTER.

H.R. 548: Mrs. ROUKEMA, Mr. MICA, Mr. BALDACCI, and Mr. SKEEN.

H.R. 571: Mr. JONES of North Carolina, Ms. CARSON of Indiana, and Ms. MCKINNEY.

H.R. 572: Mr. KING, Mr. MCNULTY, Mrs. KELLY, Mr. DEFAZIO, Mr. COYNE, Mr. HYDE, Mr. STEARNS, Mr. CLEMENT, Ms. CARSON of Indiana, and Ms. HOOLEY of Oregon.

H.R. 577: Mr. CLEMENT.

H.R. 579: Mr. GUTIERREZ.

H.R. 596: Mr. MATSUI.

H.R. 599: Mr. LAFALCE, Ms. SOLIS, Mr. SANDERS, Mr. DELAHUNT, Ms. CARSON of Indiana, and Mr. RUSH.

H.R. 602: Mr. CLAY, Mr. GORDON, and Mr. HONDA.

H.R. 606: Mr. CRENSHAW, Mr. DAVIS of Florida, and Mr. RANGEL.

H.R. 611: Mr. BENTSEN, Mr. UDALL of Colorado, Ms. SOLIS, Mr. BALDACCI, Mr. LANTOS, Mr. PENCE, Mr. DELAHUNT, and Mr. PETRI.

H.R. 612: Mr. KENNEDY of Rhode Island, Ms. SLAUGHTER, Mrs. MALONEY of New York, and Mr. BORSKI.

H.R. 619: Mr. ABERCROMBIE, Mr. CONYERS, and Mr. POMEROY.

H.R. 630: Mr. SKELTON.

H.R. 634: Mrs. BIGGERT, Mr. COX, Mr. KINGSTON, Mr. RYAN of Wisconsin, and Mr. BASS.

H.R. 638: Mr. ENGEL.

H.R. 659: Mrs. MALONEY of New York, Mr. DEFAZIO, Ms. DELAURO, and Ms. BALDWIN.

H.R. 662: Mr. BUYER, Mr. BONILLA, Mr. COMBEST, Mr. MCHUGH, Mr. WYNN, Mr. MOORE,

Mr. UDALL of Colorado, Mr. DEAL of Georgia, Mr. WELDON of Pennsylvania, Mr. SESSIONS, Mr. MCCRERY, Mr. HERGER, Mr. BARTLETT of Maryland, Mr. RYUN of Kansas, Mr. BALDACCI, Mr. UPTON, Mr. BOYD, Ms. HART, Ms. DELAURO, Mr. JOHNSON of Illinois, Mr. WATKINS, Mr. SCARBOROUGH, and Mr. TRAFICANT.

H.R. 663: Mr. WYNN, Mr. SANDERS, Mr. FILNER, and Mr. REYES.

H.R. 664: Ms. LOFGREN, Mr. KENNEDY of Rhode Island, Ms. CARSON of Indiana, Mr. KILDEE, Mr. MATSUI, Mr. MOORE, Mr. HILL, Mr. FLETCHER, Mr. BLUNT, Mr. LUCAS of Oklahoma, Mr. RODRIGUEZ, Mr. OWENS, and Mr. ISRAEL.

H.R. 665: Mr. CARSON of Oklahoma.

H.R. 672: Mr. FARR of California.

H.R. 683: Ms. JACKSON-LEE of Texas and Mr. HONDA.

H.R. 686: Mr. HASTINGS of Florida, Mr. BOUCHER, Mr. KIND, Mr. CLEMENT, Mr. BALDACCI, and Mrs. JONES of Ohio.

H.R. 687: Mr. BOUCHER, Mr. BALDACCI, Mr. MCGOVERN, and Mr. CAPUANO.

H.R. 696: Mrs. CHRISTENSEN, Mr. MCNULTY, Mr. CAPUANO, Mr. FRANK, Mr. PAYNE, and Mr. FILNER.

H.R. 699: Ms. WOOLSEY.

H.R. 717: Ms. DELAURO, Mr. SMITH of Washington, Mr. BONILLA, Mr. TERRY, Mr. FERGUSON, Mr. PAYNE, Mr. MEEHAN, Mr. CARSON of Oklahoma, Ms. SCHAKOWSKY, and Mr. SWEENEY.

H.R. 737: Mr. MCGOVERN, Mr. SHIMKUS, and Mr. SANDLIN.

H.R. 770: Mr. HONDA.

H.R. 774: Mrs. JOHNSON of Connecticut and Mr. LAHOOD.

H.R. 776: Mr. LAHOOD.

H.R. 777: Mr. LAHOOD.

H.R. 781: Mr. STARK, Mr. SABO, Ms. HARMAN, Mr. OBERSTAR, and Mr. DAVIS of Illinois.

H.R. 782: Mr. FROST.

H.R. 786: Ms. MCKINNEY.

H.R. 790: Mrs. MALONEY of New York.

H.R. 804: Mr. LEWIS of Kentucky.

H.R. 808: Mrs. MALONEY of New York, Ms. DEGETTE, Mr. GILLMOR, Mr. ROTHMAN, Mr. JENKINS, Mr. LEWIS of Georgia, Mr. GREENWOOD, Mr. WU, Mr. REYES, Ms. SLAUGHTER, Mr. GILCHREST, and Mr. MALONEY of Connecticut.

H.R. 817: Mr. GOODE.

H.R. 818: Mr. WELDON of Pennsylvania, Mr. WEXLER, and Mr. MCCARTHY of Missouri.

H.R. 822: Ms. WOOLSEY.

H.R. 823: Mr. CUNNINHAM.

H.R. 826: Mr. LEWIS of Kentucky.

H.R. 827: Mr. OSE, Mr. PASCRELL, and Mr. MENENDEZ.

H.R. 870: Mrs. CAPPS, Mr. LATOURETTE, Mr. CLAY, and Ms. SANCHEZ.

H.R. 876: Mr. BOUCHER and Mr. THORNBERRY.

H.R. 883: Mr. PETERSON of Minnesota, Mr. DELAY, Mr. SHOWS, Mr. HILLEARY, Mr. GREEN of Wisconsin, Mr. OTTER, Mr. GIBBONS, Mr. STUMP, Mr. MANZULLO, Mr. DOOLITTLE, Mr. HUTCHINSON, Mr. CUNNINGHAM, Mr. STEARNS, Ms. EMERSON, Mr. JONES of North Carolina, Mr. BURTON of Indiana, Mr. SESSIONS, Mr. BERRY, Mr. SKEEN, Mr. SIMPSON, Mr. NETHERCUTT, Mr. CALVERT, Mr. SAM JOHNSON of Texas, Mr. SCHAFFER, Mr. BUYER, Mr. AKIN, Mr. REHBERG, Mr. TANCREDO, and Mr. DUNCAN.

H.R. 899: Mr. SHIMKUS.

H.R. 907: Mr. LARSON of Connecticut.

H.R. 909: Mr. POMEROY.

H.R. 911: Mr. LANTOS and Mr. MATSUI.

H.R. 912: Mr. SOUDER, Mr. MURTHA, Mr. CRANE, Mr. LEVIN, and Mr. BRADY of Pennsylvania.

H.R. 913: Mr. DAVIS of Illinois.

H.R. 914: Mr. SAM JOHNSON of Texas.

H.R. 917: Ms. ESHOO.

H.R. 919: Mr. MCGOVERN and Ms. HART.

H.R. 949: Mr. KOLBE, Ms. HART, and Mr. HASTINGS of Washington.

H.R. 951: Mr. BEREUTER, Mr. CONYERS, Ms. MCCARTHY of Missouri, Mr. GOODE, Mr. UDALL of New Mexico, Ms. BALDWIN, Mr. CLAY, Mr. OSBORNE, and Mr. HINCHEY.

H.R. 959: Ms. JACKSON-LEE of Texas, Mrs. TAUSCHER, Mr. GONZALEZ, and Mr. DEFAZIO.

H.R. 969: Mr. BROWN of South Carolina, Mr. PLATTS, Mr. HYDE, and Mr. WELDON of Florida.

H.R. 974: Mr. SHERMAN.

H.R. 993: Mr. HYDE.

H.R. 1004: Ms. BROWN of Florida.

H.R. 1008: Mr. OSE, Mr. LATHAM, and Mr. SOUDER.

H.R. 1014: Mr. MOORE, Mr. HASTINGS of Florida, Ms. NORTON, Mrs. MALONEY of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ABERCROMBIE, Mr. FILNER, Mr. EVANS, Mr. LEWIS of Georgia, Mrs. MINK of Hawaii, and Ms. BROWN of Florida.

H.R. 1016: Mr. TRAFICANT and Mr. SHOWS.

H.R. 1019: Mr. GUTKNECHT, Mr. SENSENBRENNER, Mr. SESSIONS, Mrs. MYRICK, and Mr. SPENCE.

H.R. 1024: Mr. CRANE, Mr. BACHUS, Mr. MATSUI, Mr. CRENSHAW, Mr. SHAW, Mr. PETRI, Mrs. JOHNSON of Connecticut, Mr. ENGLISH, and Mr. LEWIS of Georgia.

H.R. 1051: Ms. CARSON of Indiana, and Mr. DAVIS of Illinois.

H.R. 1052: Mr. DINGELL, Mr. ISRAEL, and Mr. DAVIS of Illinois.

H.R. 1053: Mr. DAVIS of Illinois.

H.R. 1054: Mr. DAVIS of Illinois.

H.R. 1055: Mr. DAVIS of Illinois.

H.R. 1056: Mr. DAVIS of Illinois.

H.R. 1057: Mr. DAVIS of Illinois.

H.R. 1058: Mr. DAVIS of Illinois.

H.R. 1059: Mr. DAVIS of Illinois.

H.R. 1060: Mr. FRANK, Mr. LANTOS, and Mr. DAVIS of Illinois.

H.R. 1061: Mr. DAVIS of Illinois.

H.R. 1072: Mr. HASTINGS of Washington, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. BALDACCI, and Mr. PAUL.

H.R. 1073: Mr. ROTHMAN, Mr. HILL, Mr. MATSUI, Ms. WOOLSEY, Mr. SHERMAN, Mr. KANJORSKI, Ms. HOOLEY of Oregon, Ms. LEE, Mr. MCNULTY, Mr. NEAL of Massachusetts, Mrs. JONES of Ohio, Mr. BACA, Mr. BLUMENAUER, Mr. TOM DAVIS of Virginia, Mr. GORDON, Mr. DOYLE, Mr. HILLIARD, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. LIPINSKI, Mr. HOLT, Mr. HASTINGS of Florida, Mr. MENENDEZ, Ms. NORTON, Mrs. ROUKEMA, Mr. SANDERS, Mrs. EMERSON, Mr. ISRAEL, Mr. MALONEY of Connecticut, Mr. DICKS, Ms. PELOSI, Mr. OWENS, Mr. ENGEL, Ms. MCCARTHY of Missouri, Mr. BAIRD, Mr. GOODE, Mr. KENNEDY of Rhode Island, Mr. TOWNS, Mr. WELLER, Mr. STRICKLAND, Mr. WYNN, and Mr. CAPUANO.

H.R. 1075: Mr. CONDIT.

H.R. 1078: Mr. OBERSTAR.

H.R. 1082: Mr. BARCIA, Mr. GUTKNECHT, Mr. CLEMENT, and Mr. SANCHEZ.

H.R. 1086: Mr. BLAGOJEVICH.

H.R. 1088: Mr. LATOURETTE.

H.R. 1089: Mr. LATOURETTE and Mr. RUSH.

H.R. 1100: Mr. HOSTETTLER.

H.R. 1117: Mr. BLAGOJEVICH, Mr. SIMMONS, Mrs. LOWEY, Mr. RANGEL, Mr. HONDA, Mr. KENNEDY of Rhode Island, and Mr. DELAHUNT.

H.R. 1119: Mr. MCGOVERN.

H.R. 1127: Mr. SESSIONS.

H.R. 1129: Mr. MCGOVERN and Mr. CLEMENT.

H.R. 1130: Mr. MCGOVERN and Mr. GEORGE MILLER of California.

H.R. 1135: Mr. CLEMENT and Mr. PICKERING.

H.R. 1136: Mr. DAVIS of Illinois and Mr. CLEMENT.

H.R. 1137: Mr. HINCHEY and Mr. FROST.

H.R. 1144: Mr. RUSH.

H.R. 1150: Mr. PICKERING.

H.R. 1155: Mr. CAMP, MR. FRELINGHUYSEN, Mr. BILIRAKIS, Ms. PRYCE of Ohio, Mrs. THURMAN, Mr. BAIRD, Ms. BERKLEY, and Mr. SCHIFF.

H.R. 1162: Mr. DEFAZIO, Mr. SERRANO, and Mr. FATTAH.

H.R. 1170: Mr. LANTOS, Mr. OBERSTAR, Mr. NADLER, and Mr. UNDERWOOD.

H.R. 1180: Ms. BALDWIN, Ms. ROYBAL-ALLARD, Mr. HAYWORTH, and Mr. HASTINGS of Florida.

H.R. 1195: Mr. GUTIERREZ and Mr. KING.

H.R. 1203: Mr. NETHERCUTT and Mr. OTTER.

H.R. 1227: Mr. ENGLISH.

H.R. 1230: Ms. KILPATRICK, Mr. BROWN of Ohio, Ms. RIVERS, Mr. PETERSON of Minnesota, Mrs. MINK of Hawaii, Mr. LEVIN, Mr. CONYERS, and Mr. RANGEL.

H.R. 1234: Mr. GEORGE MILLER of California, Mr. CLAY, and Mrs. MEEK of Florida.

H.R. 1238: Mrs. JOHNSON of Connecticut, Mr. FOLEY, and Ms. NORTON.

H.R. 1242: Ms. ROS-LEHTINEN.

H.R. 1252: Mr. BLUMENAUER, Mr. BERMAN, Mr. REYES, Ms. WOOLSEY, Ms. KILPATRICK, Ms. VELAZQUEZ, Mrs. MINK of Hawaii, Ms. SLAUGHTER, Mr. CONYERS, and Mr. RUSH.

H.R. 1271: Mr. BURR of North Carolina, Mr. HASTINGS of Florida, Mrs. NORTHUP, Mr. VITTER, and Ms. BERKLEY.

H.R. 1274: Mr. WAMP.

H.R. 1280: Mr. CRANE, Ms. MCKINNEY, Mr. FROST, and Mr. BORSKI.

H.R. 1291: Mr. ROGERS of Michigan and Mr. SKELTON.

H.R. 1300: Mrs. MEEK of Florida and Mr. LEWIS of Georgia.

H.R. 1306: Mr. MCGOVERN, Mr. GONZALEZ, Ms. DELAURO, Mr. PASCRELL, Mr. CLAY, and Mr. RUSH.

H.R. 1307: Mr. WAXMAN, Mr. WOLF and Mr. DAVIS of Illinois.

H.R. 1308: Mr. HASTERT, Mr. BRADY of Texas, Mr. DOOLITTLE, and Mr. SESSIONS.

H.R. 1311: Mr. FRANK.

H.R. 1323: Mr. RANGEL, Mr. HASTINGS of Washington, Mr. UNDERWOOD, and Mrs. NAPOLITANO.

H.J. Res. 15: Mr. RAHALL and Mr. LEACH.

H.J. Res. 20: Mr. RYUN of Kansas and Mr. BARTON of Texas.

H.J. Res. 36: Mr. GEKAS, Mr. PETERSON of Pennsylvania, Mr. GRAVES, Mr. LINDER, and Mr. TIBERI.

H.J. Res. 40: Mr. KOLBE.

H. Con. Res. 17: Mr. TIERNEY, Mr. THOMPSON of California, Ms. DELAURO, Mr. KOLBE, Mr. BENTSEN and Mrs. JOHNSON of Connecticut.

H. Con. Res. 26: Mr. FRANK.

H. Con. Res. 42: Mr. PASCRELL and Mr. LEVIN.

H. Con. Res. 58: Mr. HORN.

H. Con. Res. 59: Mrs. ROUKEMA, and Mr. BILIRAKIS.

H. Con. Res. 72: Mr. MCGOVERN, Ms. HART, and Mr. PICKERING.

H. Con. Res. 89: Ms. HOOLEY of Oregon, Mr. SIMPSON, and Mr. ROHRABACHER.

H. Res. 56: Ms. SCHAKOWSKY, Mr. DEFAZIO, Ms. DELAURO, Mrs. LOWEY and Mr. PAYNE.

H. Res. 91: Mr. HOEFFEL.

H. Res. 97: Mr. BORSKI, Mr. GEORGE MILLER of California, Ms. KAPTUR, Mr. OLVER, Mrs. NAPOLITANO, Mr. MEEKS of New York, Mrs. BIGGERT, Ms. CARSON of Indiana, Mr. KLECZKA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BARRETT, Mr. FOLEY, Mr. SCOTT, Mr. KUCINICH, Mr. SANDERS, Mr. FILNER, Ms. VELAZQUEZ, and Ms. DELAURO.

H. Res. 109: Mr. EVANS, Mr. RANGEL, and Mr. SPRATT.

¶33.34 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 933: Mr. TOWNS.

H.R. 1193: Mr. DOOLITTLE.

WEDNESDAY, APRIL 4, 2001 (34)

¶34.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SUNUNU, who laid before the House the following communication:

WASHINGTON, DC,
April 4, 2001.

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

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

¶34.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SUNUNU, announced he had examined and approved the Journal of the proceedings of Tuesday, April 3, 2001.

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

¶34.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1453. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Ethametsulfuron Methyl; Pesticide Tolerance [OPP–301111; FRL–6773–7] (RIN: 2070–AB78) received March 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1454. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a letter requesting that Section 361 of the National Defense Authorization Act for Fiscal Year 1997 which authorized the Services to expend appropriated funds for recruiting functions be continued beyond the September 30, 2001, deadline as a permanent authorization, pursuant to Public Law 104—201, section 361(a) (110 Stat. 2491); to the Committee on Armed Services.

1455. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Electronic Fund Transfers [Regulation E; Docket No. R–1041] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1456. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA–7750] received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1457. A letter from the Acting Chair, National Credit Union Administration, transmitting an Annual Report for FY 2000 entitled, ''Entering the 21st Century''; to the Committee on Financial Services.

1458. A letter from the Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; Use of Restraint and Seclusion in Residential Treatment Facilities Providing Inpatient Psychiatric Services to Individuals Under Age 21: Delay of Effective Date [HCFA–2065–F] (RIN: 0938–AJ96) received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1459. A letter from the Executive Secretary, Department of Health and Human Services, transmitting the Department's final rule—Protection of Human Research Subjects: Delay of Effective Date (RIN: 0925–AA14) received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1460. A letter from the Executive Secretary, Department of Health and Human Services, transmitting the Department's final rule—Opioid Drugs in Maintenance and Detoxification Treatment of Opiate Addiction; Repeal of Current Regulations and Issuance of New Regulations: Delay of Effective Date and Resultant Amendments to the Final Rule (RIN: 0910–AA52) received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1461. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Food Starch-Modified by Amylolytic Enzymes [Docket No. 99F–2082] received April 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1462. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Polychlorinated Biphenyls (PCB's); Return of PCB Waste from U.S. Territories Outside the Customs Territory of the United States [OPPTS–66020A; FRL–6764–9] received March 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1463. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 115–1115a; FRL–6961–9] received March 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1464. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval of Operating Permits Program in Washington [FRL–6952–3] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1465. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Conversion of the Conditional Approval of the 15 Percent Plan and 1990 VOC Emission Inventory for the Pittsburgh-Beaver Valley Ozone Nonattainment Area to a Full Approval [PA 120–4110a; FRL–6961–4] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1466. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 114–1114a; FRL–6964–1] received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1467. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Amendements to Vehicle Inspection Maintenance Program Requirements Incorporating the Onboard Diagnostic Check [FRL–6962–9] (RIN: 2060–AJ03) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1468. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Key West, Florida) [MM Docket No. 00–70; RM–9843] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1469. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Reno, Nevada) [MM Docket No. 00–234 ; RM–9999] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1470. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Weston, West Virginia) [MM Docket No. 00–242; RM–9998] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1471. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Orono, Maine) [MM Docket No. 00–243; RM–9981] received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1472. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (La Crosse, Wisconsin) [MM Docket No. 00–236; RM–10000] received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1473. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Lead, South Dakota) [MM Docket No. 00–235; RM–9992] received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1474. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (New Orleans, Louisiana) [MM Docket No. 00–188; RM–9969] received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1475. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Station (Lowry City, Missouri) [MM Docket No. 00–145; RM–9845] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1476. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Bowling Green, Bardstown, Lebanon Junction, and Auburn, Kentucky and Byrdstown, Tennessee) [MM Docket No. 99–326; RM–9755; RM–9910] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1477. A letter from the Assistant to the Chief, International Bureau/Telecommunications Division, Federal Communications Commission, transmitting the Commission's final rule—2000 Biennial Regulatory Review [IB Docket No. 00–202] Policy and Rules Concerning the International, Interexchange Marketplace—received March 28, 2001, pursu-

ant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1478. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Russia [Transmittal No. DTC 046–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1479. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on nuclear nonproliferation in South Asia for the period of October 1, 2000, through March 31, 2000, pursuant to 22 U.S.C. 2376(c); to the Committee on International Relations.

1480. A letter from the Acting Secretary for Legislative Affairs, Department of State, transmitting a report on chemical and biological weapons proliferation control efforts for the period of February 1, 2000 to January 31, 2001, pursuant to 22 U.S.C. 5606; to the Committee on International Relations.

1481. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1482. A letter from the Senior Vice President, CFO, Potomac Electric Power Company, transmitting a copy of the Balance Sheet of Potomac Electric Power Company as of December 31, 2000, pursuant to D.C. Code section 43—513; to the Committee on Government Reform.

1483. A letter from the Comptroller General, General Accounting Office, transmitting List of all reports issued or released by the GAO in February 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

1484. A letter from the President, African Development Foundation, transmitting a Report on African Development Foundation's Financial Statements, Internal Controls, and Compliance For Fiscal Year 2000; to the Committee on Government Reform.

1485. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Commttee's final rule—Additions to and Deletions from the Procurement List—received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1486. A letter from the Acting Chief Executive Officer, Corporation For National Service, transmitting the Corporation's Performance Report for FY 2000; to the Committee on Government Reform.

1487. A letter from the Secretary, Department of the Treasury, transmitting the Financial Report of the United States Government for Fiscal Year 2000; to the Committee on Government Reform.

1488. A letter from the Secretary, Department of the Treasury, transmitting a Program Performance Report for FY 2000; to the Committee on Government Reform.

1489. A letter from the Secretary, Department of Commerce, transmitting the Department's Accountability Report for FY 2000; to the Committee on Government Reform.

1490. A letter from the Secretary, Department of Housing and Urban Development, transmitting a copy of the Government National Mortgage Association management report for the fiscal year ended September 30, 2000, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

1491. A letter from the Secretary, Department of State, transmitting an Annual Program Performance Report of FY 2000; to the Committee on Government Reform.

1492. A letter from the Secretary, Department of Veterans' Affairs, transmitting an Annual Performance Report for FY 2000; to the Committee on Government Reform.

1493. A letter from the Secretary, Department of Veterans' Affairs, transmitting the Department's Annual Accountability Report for FY 2000; to the Committee on Government Reform.

1494. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the Bank's Annual Performance Report for FY 2000, pursuant to 12 U.S.C. 635g(a); to the Committee on Government Reform.

1495. A letter from the Director, Federal Emergency Management Agency, transmitting the Agency's Annual Performance Report for FY 2000; to the Committee on Government Reform.

1496. A letter from the Acting Congressional Liaison, Federal Labor Relations Authority, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1497. A letter from the Director and Inspector General, National Science Foundation, transmitting the Foundation's Accountability Report for FY 2000; to the Committee on Government Reform.

1498. A letter from the Director, National Science Foundation, transmitting the Foundation's Performance Report for FY 2000; to the Committee on Government Reform.

1499. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a Performance and Accountability Report of FY 2000 and our Inspector General FY2000 Performance Report, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

1500. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting a report on the Fiscal Year 2001 Revised Final Annual Performance Plan; to the Committee on Government Reform.

1501. A letter from the Chairman, Occupational Safety And Health Review Commission, transmitting the Commission's Annual Program Performance Report for Fiscal Year 2000; to the Committee on Government Reform.

1502. A letter from the Director, Office of Federal Housing Enterprise Oversight, transmitting an Program Performance Report for FY 2000; to the Committee on Government Reform.

1503. A letter from the Deputy Director, Peace Corps, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1504. A letter from the Acting Director, Trade and Development Agency, transmitting the Agency's Performance Report for FY 2000; to the Committee on Government Reform.

1505. A letter from the Acting Executive Secretary, U.S. Agency For International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1506. A letter from the Chairman, United States International Trade Commission, transmitting a Program Performance Report for FY 2000; to the Committee on Government Reform.

1507. A letter from the Assistant to the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Federal Aid in Sports Fish Restoration Program; Participation by the District of Columbia and U.S. Insular Territories and Commonwealths (RIN: 1018–AD83) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1508. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels 60 Feet Length Overall and Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 032301B] received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1509. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Hook-and-line Gear in the Bering Sea and Aleutian Islands [Docket No. 010112013–1013–01; I.D. 032301A] received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1510. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 032001D] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1511. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District in the Gulf of Alaska [Docket No. 000211039–0039–01; I.D. 032001B] received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1512. A letter from the Congressional Medal of Honor Society of the United States of America, transmitting the annual financial report of the Society for calendar year 2000, pursuant to 36 U.S.C. 1101(19) and 1103; to the Committee on the Judiciary.

1513. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Adding Colombia to the List of Countries Whose Citizens or Nationals Are Ineligible for Transit Without Visa (TWOV) Privileges to the United States Under the TWOV Program [INS No. 2129–AG16] (RIN: 1115–01) received April 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1514. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—VISAS: Nonimmigrant Visa Fees—Fee Reduction for Border Crossing Cards for Mexicans Under Age 15 (RIN: 1400–AA97) received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1515. A letter from the Acting Secretary of the Army, Department of Defense, transmitting a report on the navigation improvements for the Port Jersey Channel, Bayonne, New Jersey; to the Committee on Transportation and Infrastructure.

1516. A letter from the Acting Secretary of the Army, Department of Defense, transmitting a report on the Success Dam, Tule River Basin, California; to the Committee on Transportation and Infrastructure.

1517. A letter from the Administrator, FAA, Department of Transportation, transmitting a report on Alternative Power Sources For Flight Data Recorders And Cockpit Voice Recorders; to the Committee on Transportation and Infrastructure.

1518. A letter from the Senior Trial Attorney, Office of the Secretary, Department of Transportation, transmitting the Department's final rule—Extension of Computer Reservations Systems (CRS) Regulations

[Docket No. OST–2001–9054] (RIN: 2105–AD00) received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1519. A letter from the Administrator, Environmental Protection Agency, transmitting a report on the Great Lakes Ecosystem in the years 1998–2000; to the Committee on Transportation and Infrastructure.

1520. A letter from the Chairman, Federal Maritime Commission, transmitting the 39th Annual Report of the Federal Maritime Commission for fiscal year 2000, pursuant to 46 U.S.C. app. 1118; to the Committee on Transportation and Infrastructure.

1521. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Announcement and Report Concerning Advance Pricing Agreements—received March 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1522. A letter from the Director, Defense Security Cooperation Agency, transmitting a report authorizing the transfer of up to $100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104—107, section 540(c) (110 Stat. 736); jointly to the Committees on International Relations and Appropriations.

1523. A letter from the Chairman, Federal Prison Industries, Inc., Department of Justice, transmitting the 2000 Annual Report of the Federal Prison Industries, Inc. (FPI), pursuant to 18 U.S.C. 4127; jointly to the Committees on the Judiciary and Government Reform.

1524. A letter from the Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs; Hospital Conditions of Participation: Anesthesia Services: Delay of Effective Date [HCFA–3049–F2] (RIN: 0938–AK08) received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

1525. A letter from the Chairman of the Board and the Acting Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's 2000 Annual Report, pursuant to 29 U.S.C. 1308; jointly to the Committees on Education and the Workforce, Ways and Means, and Government Reform.

1526. A letter from the Chairman, Federal Election Commission, transmitting the Comission's FY 2002 Budget Request, pursuant to 2 U.S.C. 437d(d)(1); jointly to the Committees on House Administration, Appropriations, and Government Reform.

¶34.4 H. CON. RES. 66—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SUNUNU, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 66) authorizing the printing of a revised and updated version of the House document entitled ''Women in Congress, 1917-1990''.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 414 / Nays 1

¶34.5 [Roll No. 79]

YEAS—414

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

NAYS—1

Paul

NOT VOTING—16

Becerra
Bereuter
Fattah
Fossella
Gordon
Johnson, Sam
Kennedy (RI)
Latham
Matsui
McKinney
Meek (FL)
Rush
Tierney
Whitfield
Woolsey
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶34.6 PROVIDING FOR THE CONSIDERATION OF H.R. 8

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 111):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period, and for other purposes. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways

and Means; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SUNUNU, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 413 / Nays ..... 12 }

¶34.7 [Roll No. 80]

YEAS—413

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

NAYS—12

Baird
DeFazio
Filner
Hilliard
Kleczka
Lee
McKinney
Nadler
Owens
Thompson (MS)
Udall (CO)
Wu

NOT VOTING—6

Becerra
Kennedy (RI)
Kirk
Latham
Rush
Woolsey

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶34.8 H.R. 642—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SUNUNU, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 642) to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 406 / Nays ..... 13 }

¶34.9 [Roll No. 81]

YEAS—406

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo

Lofgren	Pastor	Skelton
Lowey	Payne	Slaughter
Lucas (KY)	Pelosi	Smith (MI)
Lucas (OK)	Pence	Smith (NJ)
Luther	Peterson (MN)	Smith (TX)
Maloney (CT)	Peterson (PA)	Smith (WA)
Maloney (NY)	Petri	Snyder
Manzullo	Phelps	Solis
Markey	Pickering	Souder
Mascara	Pitts	Spence
Matheson	Platts	Spratt
Matsui	Pombo	Stark
McCarthy (MO)	Pomeroy	Stenholm
McCarthy (NY)	Portman	Strickland
McCollum	Price (NC)	Stump
McCrery	Pryce (OH)	Stupak
McDermott	Putnam	Sununu
McGovern	Quinn	Tanner
McHugh	Radanovich	Tauscher
McInnis	Rahall	Tauzin
McIntyre	Ramstad	Taylor (MS)
McKeon	Rangel	Taylor (NC)
McKinney	Regula	Terry
McNulty	Rehberg	Thomas
Meehan	Reyes	Thompson (CA)
Meek (FL)	Reynolds	Thompson (MS)
Meeks (NY)	Riley	Thornberry
Menendez	Rivers	Thune
Mica	Rodriguez	Thurman
Millender-McDonald	Roemer	Tiahrt
	Rogers (KY)	Tiberi
Miller (FL)	Rogers (MI)	Tierney
Miller, Gary	Rohrabacher	Towns
Miller, George	Ros-Lehtinen	Traficant
Mink	Ross	Turner
Moakley	Rothman	Udall (CO)
Mollohan	Roukema	Udall (NM)
Moore	Roybal-Allard	Upton
Moran (KS)	Ryan (WI)	Velazquez
Moran (VA)	Ryun (KS)	Visclosky
Morella	Sabo	Vitter
Murtha	Sanchez	Walden
Myrick	Sanders	Walsh
Nadler	Sandlin	Wamp
Napolitano	Sawyer	Waters
Neal	Saxton	Watkins
Nethercutt	Schakowsky	Watt (NC)
Ney	Schiff	Watts (OK)
Northup	Schrock	Waxman
Norwood	Scott	Weiner
Nussle	Serrano	Weldon (FL)
Oberstar	Sessions	Weldon (PA)
Obey	Shadegg	Weller
Olver	Shaw	Wexler
Ortiz	Shays	Whitfield
Osborne	Sherman	Wicker
Ose	Sherwood	Wilson
Otter	Shimkus	Wolf
Owens	Shows	Wu
Oxley	Simmons	Wynn
Pallone	Simpson	Young (AK)
Pascrell	Skeen	Young (FL)

NAYS—13

Akin	Paul	Stearns
Coble	Royce	Tancredo
English	Scarborough	Toomey
Flake	Schaffer	
Jones (NC)	Sensenbrenner	

NOT VOTING—12

Armey	Cannon	Leach
Becerra	Davis (CA)	Rush
Boehner	Kennedy (RI)	Sweeney
Borski	Latham	Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶34.10 DEATH TAX ELIMINATION

On motion of Mr. THOMAS, pursuant to House Resolution 111, the House considered the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes.

Pending consideration of said bill.

Pursuant to House Resolution 111, the following amendment in the nature of a substitute, recommended by the Committee on Ways and Means now printed in the bill, was considered as agreed to:

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Death Tax Elimination Act of 2001''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

TITLE I—REPEAL OF ESTATE, GIFT, AND GENERATION-SKIPPING TAXES

Sec. 101. Repeal of estate, gift, and generation-skipping taxes.

TITLE II—REDUCTIONS OF ESTATE AND GIFT TAX RATES PRIOR TO REPEAL

Sec. 201. Additional reductions of estate and gift tax rates.

TITLE III—UNIFIED CREDIT REPLACED WITH UNIFIED EXEMPTION AMOUNT

Sec. 301. Unified credit against estate and gift taxes replaced with unified exemption amount.

TITLE IV—CARRYOVER BASIS AT DEATH; OTHER CHANGES TAKING EFFECT WITH REPEAL

Sec. 401. Termination of step-up in basis at death.

Sec. 402. Treatment of property acquired from a decedent dying after December 31, 2010.

TITLE V—CONSERVATION EASEMENTS

Sec. 501. Expansion of estate tax rule for conservation easements.

TITLE VI—MODIFICATIONS OF GENERATION-SKIPPING TRANSFER TAX

Sec. 601. Deemed allocation of GST exemption to lifetime transfers to trusts; retroactive allocations.

Sec. 602. Severing of trusts.

Sec. 603. Modification of certain valuation rules.

Sec. 604. Relief provisions.

TITLE VII—EXTENSION OF TIME FOR PAYMENT OF ESTATE TAX

Sec. 701. Increase in number of allowable partners and shareholders in closely held businesses.

TITLE I—REPEAL OF ESTATE, GIFT, AND GENERATION-SKIPPING TAXES

SEC. 101. REPEAL OF ESTATE, GIFT, AND GENERATION-SKIPPING TAXES.

(a) IN GENERAL.—Subtitle B is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to the estates of decedents dying, and gifts and generation-skipping transfers made, after December 31, 2010.

TITLE II—REDUCTIONS OF ESTATE AND GIFT TAX RATES PRIOR TO REPEAL

SEC. 201. ADDITIONAL REDUCTIONS OF ESTATE AND GIFT TAX RATES.

(a) MAXIMUM RATE OF TAX REDUCED TO 50 PERCENT.—

(1) IN GENERAL.—The table contained in section 2001(c)(1) is amended by striking the two highest brackets and inserting the following:

''Over $2,500,000 ..... $1,025,800, plus 50% of the excess over $2,500,000.''.

(2) PHASE-IN OF REDUCED RATE.—Subsection (c) of section 2001 is amended by adding at the end the following new paragraph:

''(3) PHASE-IN OF REDUCED RATE.—In the case of decedents dying, and gifts made, during 2002, the last item in the table contained in paragraph (1) shall be applied by substituting '53%' for '50%'.''.

(b) REPEAL OF PHASEOUT OF GRADUATED RATES.—Subsection (c) of section 2001 is amended by striking paragraph (2) and redesignating paragraph (3), as added by subsection (a), as paragraph (2).

(c) ADDITIONAL REDUCTIONS OF RATES OF TAX.—Subsection (c) of section 2001, as so amended, is amended by adding at the end the following new paragraph:

''(3) PHASEDOWN OF TAX.—In the case of estates of decedents dying, and gifts made, during any calendar year after 2003 and before 2011—

''(A) IN GENERAL.—Except as provided in subparagraph (C), the tentative tax under this subsection shall be determined by using a table prescribed by the Secretary (in lieu of using the table contained in paragraph (1)) which is the same as such table; except that—

''(i) each of the rates of tax shall be reduced by the number of percentage points determined under subparagraph (B), and

''(ii) the amounts setting forth the tax shall be adjusted to the extent necessary to reflect the adjustments under clause (i).

''(B) PERCENTAGE POINTS OF REDUCTION.—

''For calendar year:	***The number of percentage points is:***
2004	*1.0*
2005	*2.0*
2006	*3.0*
2007	*5.0*
2008	*7.0*
2009	*9.0*
2010	*11.0.*

''(C) COORDINATION WITH INCOME TAX RATES.—The reductions under subparagraph (A)—

''(i) shall not reduce any rate under paragraph (1) below the lowest rate in section 1(c) applicable to the taxable year which includes the date of death (or, in the case of a gift, the date of the gift), and

''(ii) shall not reduce the highest rate under paragraph (1) below the highest rate in section 1(c) for such taxable year.

''(D) COORDINATION WITH CREDIT FOR STATE DEATH TAXES.—Rules similar to the rules of subparagraph (A) shall apply to the table contained in section 2011(b) except that the Secretary shall prescribe percentage point reductions which maintain the proportionate relationship (as in effect before any reduction under this paragraph) between the credit under section 2011 and the tax rates under subsection (c).''.

(d) EFFECTIVE DATES.—

(1) SUBSECTIONS (a) AND (b).—The amendments made by subsections (a) and (b) shall apply to estates of decedents dying, and gifts made, after December 31, 2001.

(2) SUBSECTION (c).—The amendment made by subsection (c) shall apply to estates of decedents dying, and gifts made, after December 31, 2003.

TITLE III—UNIFIED CREDIT REPLACED WITH UNIFIED EXEMPTION AMOUNT

SEC. 301. UNIFIED CREDIT AGAINST ESTATE AND GIFT TAXES REPLACED WITH UNIFIED EXEMPTION AMOUNT.

(a) IN GENERAL.—

(1) ESTATE TAX.—Subsection (b) of section 2001 (relating to computation of tax) is amended to read as follows:

''(b) COMPUTATION OF TAX.—

''(1) IN GENERAL.—The tax imposed by this section shall be the amount equal to the excess (if any) of—

''(A) the tentative tax determined under paragraph (2), over

''(B) the aggregate amount of tax which would have been payable under chapter 12 with respect to gifts made by the decedent after December 31, 1976, if the provisions of subsection (c) (as in effect at the decedent's death) had been applicable at the time of such gifts.

''(2) TENTATIVE TAX.—For purposes of paragraph (1), the tentative tax determined under this paragraph is a tax computed under subsection (c) on the excess of—

''(A) the sum of—

''(i) the amount of the taxable estate, and

''(ii) the amount of the adjusted taxable gifts, over

''(B) the exemption amount for the calendar year in which the decedent died.

''(3) EXEMPTION AMOUNT.—For purposes of paragraph (2), the term 'exemption amount' means the amount determined in accordance with the following table:

"In the case of calendar year:	The exemption amount is:
2002 and 2003	$700,000
2004	$850,000
2005	$950,000
2006 or thereafter	$1,000,000.

''(4) ADJUSTED TAXABLE GIFTS.—For purposes of paragraph (2), the term 'adjusted taxable gifts' means the total amount of the taxable gifts (within the meaning of section 2503) made by the decedent after December 31, 1976, other than gifts which are includible in the gross estate of the decedent.''.

(2) GIFT TAX.—Subsection (a) of section 2502 (relating to computation of tax) is amended to read as follows:

''(a) COMPUTATION OF TAX.—

''(1) IN GENERAL.—The tax imposed by section 2501 for each calendar year shall be the amount equal to the excess (if any) of—

''(A) the tentative tax determined under paragraph (2) for such calendar year, over

''(B) the aggregate amount of tax that would have been payable under this chapter with respect to gifts made by the donor in preceding calendar periods if the tax had been computed under the provisions of section 2001(c) as in effect for such calendar year.

''(2) TENTATIVE TAX.—For purposes of paragraph (1), the tentative tax determined under this paragraph for a calendar year is a tax computed under section 2001(c) on the excess of—

''(A) the aggregate sum of the taxable gifts for such calendar year and for each of the preceding calendar periods, over

''(B) the exemption amount under section 2001(b)(3) for such calendar year.''.

(b) REPEAL OF UNIFIED CREDITS.—

(1) Section 2010 (relating to unified credit against estate tax) is hereby repealed.

(2) Section 2505 (relating to unified credit against gift tax) is hereby repealed.

(c) CONFORMING AMENDMENTS.—

(1)(A) Subsection (b) of section 2011 is amended—

(i) by striking ''adjusted'' in the table; and

(ii) by striking the last sentence.

(B) Subsection (f) of section 2011 is amended by striking '', reduced by the amount of the unified credit provided by section 2010''.

(2) Subsection (a) of section 2012 is amended by striking ''and the unified credit provided by section 2010''.

(3) Subparagraph (A) of section 2013(c)(1) is amended by striking ''2010,''.

(4) Paragraph (2) of section 2014(b) is amended by striking ''2010, 2011,'' and inserting ''2011''.

(5) Clause (ii) of section 2056A(b)(12)(C) is amended to read as follows:

''(ii) to treat any reduction in the tax imposed by paragraph (1)(A) by reason of the credit allowable under section 2010 (as in effect on the day before the date of the enactment of the Death Tax Elimination Act of 2001) or the exemption amount allowable under section 2001(b) with respect to the decedent as a credit under section 2505 (as so in effect) or exemption under section 2501 (as the case may be) allowable to such surviving spouse for purposes of determining the amount of the exemption allowable under section 2501 with respect to taxable gifts made by the surviving spouse during the year in which the spouse becomes a citizen or any subsequent year,''.

(6) Subsection (a) of section 2057 is amended by striking paragraphs (2) and (3) and inserting the following new paragraph:

''(2) MAXIMUM DEDUCTION.—The deduction allowed by this section shall not exceed the excess of $1,300,000 over the exemption amount (as defined in section 2001(b)(3)).''.

(7) Subsection (b) of section 2101 is amended to read as follows:

''(b) COMPUTATION OF TAX.—

''(1) IN GENERAL.—The tax imposed by this section shall be the amount equal to the excess (if any) of—

''(A) the tentative tax determined under paragraph (2), over

''(B) a tentative tax computed under section 2001(c) on the amount of the adjusted taxable gifts.

''(2) TENTATIVE TAX.—For purposes of paragraph (1), the tentative tax determined under this paragraph is a tax computed under section 2001(c) on the excess of—

''(A) the sum of—

''(i) the amount of the taxable estate, and

''(ii) the amount of the adjusted taxable gifts, over

''(B) the exemption amount for the calendar year in which the decedent died.

''(3) EXEMPTION AMOUNT.—

''(A) IN GENERAL.—The term 'exemption amount' means $60,000.

''(B) RESIDENTS OF POSSESSIONS OF THE UNITED STATES.—In the case of a decedent who is considered to be a nonresident not a citizen of the United States under section 2209, the exemption amount under this paragraph shall be the greater of—

''(i) $60,000, or

''(ii) that proportion of $175,000 which the value of that part of the decedent's gross estate which at the time of his death is situated in the United States bears to the value of his entire gross estate wherever situated.

''(C) SPECIAL RULES.—

''(i) COORDINATION WITH TREATIES.—To the extent required under any treaty obligation of the United States, the exemption amount allowed under this paragraph shall be equal to the amount which bears the same ratio to the exemption amount under section 2001(b)(3) (for the calendar year in which the decedent died) as the value of the part of the decedent's gross estate which at the time of his death is situated in the United States bears to the value of his entire gross estate wherever situated. For purposes of the preceding sentence, property shall not be treated as situated in the United States if such property is exempt from the tax imposed by this subchapter under any treaty obligation of the United States.

''(ii) COORDINATION WITH GIFT TAX EXEMPTION AND UNIFIED CREDIT.—If an exemption has been allowed under section 2501 (or a credit has been allowed under section 2505 as in effect on the day before the date of the enactment of the Death Tax Elimination Act of 2001) with respect to any gift made by the decedent, each dollar amount contained in subparagraph (A) or (B) or the exemption amount applicable under clause (i) of this subparagraph (whichever applies) shall be reduced by the exemption so allowed under section 2501 (or, in the case of such a credit, by the amount of the gift for which the credit was so allowed).''.

(8) Section 2102 is amended by striking subsection (c).

(9)(A) Paragraph (1) of section 2107(a) is amended by striking ''the table contained in''.

(B) Paragraph (1) of section 2107(c) is amended to read as follows:

''(1) EXEMPTION AMOUNT.—For purposes of subsection (a), the exemption amount under section 2001 shall be $60,000.''

(C) Paragraph (3) of section 2107(c) is amended by striking the second sentence.

(D) The heading of subsection (c) of section 2107 is amended to read as follows:

''(c) EXEMPTION AMOUNT AND CREDITS.—''.

(10) Paragraph (1) of section 6018(a) is amended by striking ''the applicable exclusion amount in effect under section 2010(c)'' and inserting ''the exemption amount under section 2001(b)(3)''.

(11) Subparagraph (A) of section 6601(j)(2) is amended to read as follows:

''(A) the amount of the tentative tax which would be determined under the rate schedule set forth in section 2001(c) if the amount with respect to which such tentative tax is to be computed were $1,000,000, or''.

(12) The table of sections for part II of subchapter A of chapter 11 is amended by striking the item relating to section 2010.

(13) The table of sections for subchapter A of chapter 12 is amended by striking the item relating to section 2505.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying and gifts made after December 31, 2001.

TITLE IV—CARRYOVER BASIS AT DEATH; OTHER CHANGES TAKING EFFECT WITH REPEAL

SEC. 401. TERMINATION OF STEP-UP IN BASIS AT DEATH.

Section 1014 (relating to basis of property acquired from a decedent) is amended by adding at the end the following new subsection:

''(f) TERMINATION.—This section shall not apply with respect to decedents dying after December 31, 2010.''.

SEC. 402. TREATMENT OF PROPERTY ACQUIRED FROM A DECEDENT DYING AFTER DECEMBER 31, 2010.

(a) GENERAL RULE.—Part II of subchapter O of chapter 1 (relating to basis rules of general application) is amended by inserting after section 1021 the following new section:

"SEC. 1022. TREATMENT OF PROPERTY ACQUIRED FROM A DECEDENT DYING AFTER DECEMBER 31, 2010.

''(a) IN GENERAL.—Except as otherwise provided in this section—

''(1) property acquired from a decedent dying after December 31, 2010, shall be treated for purposes of this subtitle as transferred by gift, and

''(2) the basis of the person acquiring property from such a decedent shall be the lesser of—

''(A) the adjusted basis of the decedent, or

''(B) the fair market value of the property at the date of the decedent's death.

''(b) BASIS INCREASE FOR CERTAIN PROPERTY.—

''(1) IN GENERAL.—In the case of property to which this subsection applies, the basis of such property under subsection (a) shall be increased by its basis increase under this subsection.

''(2) BASIS INCREASE.—For purposes of this subsection—

''(A) IN GENERAL.—The basis increase under this subsection for any property is the portion of the aggregate basis increase which is allocated to the property pursuant to this section.

''(B) AGGREGATE BASIS INCREASE.—In the case of any estate, the aggregate basis increase under this subsection is $1,300,000.

''(C) LIMIT INCREASED BY UNUSED BUILT-IN LOSSES AND LOSS CARRYOVERS.—The limitation under subparagraph (B) shall be increased by—

''(i) the sum of the amount of any capital loss carryover under section 1212(b), and the amount of any net operating loss carryover under section 172, which would (but for the decedent's death) be carried from the decedent's last taxable year to a later taxable year of the decedent, plus

''(ii) the sum of the amount of any losses that would have been allowable under section 165 if the property acquired from the decedent had been sold at fair market value immediately before the decedent's death.

''(3) DECEDENT NONRESIDENTS WHO ARE NOT CITIZENS OF THE UNITED STATES.—In the case of a decedent nonresident not a citizen of the United States—

''(A) paragraph (2)(B) shall be applied by substituting '$60,000' for '$1,300,000', and

''(B) paragraph (2)(C) shall not apply.

''(c) ADDITIONAL BASIS INCREASE FOR PROPERTY ACQUIRED BY SURVIVING SPOUSE.—

''(1) IN GENERAL.—In the case of property to which this subsection applies and which is qualified spousal property, the basis of such property under subsection (a) (as increased, if any, under subsection (b)) shall be increased by its spousal property basis increase.

''(2) SPOUSAL PROPERTY BASIS INCREASE.—For purposes of this subsection—

''(A) IN GENERAL.—The spousal property basis increase for property referred to in paragraph (1) is the portion of the aggregate spousal property basis increase which is allocated to the property pursuant to this section.

''(B) AGGREGATE SPOUSAL PROPERTY BASIS INCREASE.—In the case of any estate, the aggregate spousal property basis increase is $3,000,000.

''(3) QUALIFIED SPOUSAL PROPERTY.—For purposes of this subsection, the term 'qualified spousal property' means—

''(A) outright transfer property, and

''(B) qualified terminable interest property.

''(4) OUTRIGHT TRANSFER PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'outright transfer property' means any interest in property acquired from the decedent by the decedent's surviving spouse.

''(B) EXCEPTION.—Subparagraph (A) shall not apply where, on the lapse of time, on the occurrence of an event or contingency, or on the failure of an event or contingency to occur, an interest passing to the surviving spouse will terminate or fail—

''(i)(I) if an interest in such property passes or has passed (for less than an adequate and full consideration in money or money's worth) from the decedent to any person other than such surviving spouse (or the estate of such spouse), and

''(II) if by reason of such passing such person (or his heirs or assigns) may possess or enjoy any part of such property after such termination or failure of the interest so passing to the surviving spouse, or

''(ii) if such interest is to be acquired for the surviving spouse, pursuant to directions of the decedent, by his executor or by the trustee of a trust.

For purposes of this subparagraph, an interest shall not be considered as an interest which will terminate or fail merely because it is the ownership of a bond, note, or similar contractual obligation, the discharge of which would not have the effect of an annuity for life or for a term.

''(C) INTEREST OF SPOUSE CONDITIONAL ON SURVIVAL FOR LIMITED PERIOD.—For purposes of this paragraph, an interest passing to the surviving spouse shall not be considered as an interest which will terminate or fail on the death of such spouse if—

''(i) such death will cause a termination or failure of such interest only if it occurs within a period not exceeding 6 months after the decedent's death, or only if it occurs as a result of a common disaster resulting in the death of the decedent and the surviving spouse, or only if it occurs in the case of either such event; and

''(ii) such termination or failure does not in fact occur.

''(5) QUALIFIED TERMINABLE INTEREST PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified terminable interest property' means property—

''(i) which passes from the decedent, and

''(ii) in which the surviving spouse has a qualifying income interest for life.

''(B) QUALIFYING INCOME INTEREST FOR LIFE.—The surviving spouse has a qualifying income interest for life if—

''(i) the surviving spouse is entitled to all the income from the property, payable annually or at more frequent intervals, or has a usufruct interest for life in the property, and

''(ii) no person has a power to appoint any part of the property to any person other than the surviving spouse.

Clause (ii) shall not apply to a power exercisable only at or after the death of the surviving spouse. To the extent provided in regulations, an annuity shall be treated in a manner similar to an income interest in property (regardless of whether the property from which the annuity is payable can be separately identified).

''(C) PROPERTY INCLUDES INTEREST THEREIN.—The term 'property' includes an interest in property.

''(D) SPECIFIC PORTION TREATED AS SEPARATE PROPERTY.—A specific portion of property shall be treated as separate property. For purposes of the preceding sentence, the term 'specific portion' only includes a portion determined on a fractional or percentage basis.

''(d) DEFINITIONS AND SPECIAL RULES FOR APPLICATION OF SUBSECTIONS (b) AND (c).—

''(1) PROPERTY TO WHICH SUBSECTIONS (b) AND (c) APPLY.—

''(A) IN GENERAL.—The basis of property acquired from a decedent may be increased under subsection (b) or (c) only if the property was owned by the decedent at the time of death.

''(B) RULES RELATING TO OWNERSHIP.—

''(i) JOINTLY HELD PROPERTY.—In the case of property which was owned by the decedent and another person as joint tenants with right of survivorship or tenants by the entirety—

''(I) if the only such other person is the surviving spouse, the decedent shall be treated as the owner of only 50 percent of the property,

''(II) in any case (to which subclause (I) does not apply) in which the decedent furnished consideration for the acquisition of the property, the decedent shall be treated as the owner to the extent of the portion of the property which is proportionate to such consideration, and

''(III) in any case (to which subclause (I) does not apply) in which the property has been acquired by gift, bequest, devise, or inheritance by the decedent and any other person as joint tenants with right of survivorship and their interests are not otherwise specified or fixed by law, the decedent shall be treated as the owner to the extent of the value of a fractional part to be determined by dividing the value of the property by the number of joint tenants with right of survivorship.

''(ii) REVOCABLE TRUSTS.—The decedent shall be treated as owning property transferred by the decedent during life to a revocable trust to pay all of the income during the decedent's life to the decedent or at the direction of the decedent.

''(iii) POWERS OF APPOINTMENT.—The decedent shall not be treated as owning any property by reason of holding a power of appointment with respect to such property.

''(iv) COMMUNITY PROPERTY.—Property which represents the surviving spouse's one-half share of community property held by the decedent and the surviving spouse under the community property laws of any State or possession of the United States or any foreign country shall be treated for purposes of this section as owned by, and acquired from, the decedent if at least one-half of the whole of the community interest in such property is treated as owned by, and acquired from, the decedent without regard to this clause.

''(C) PROPERTY ACQUIRED BY DECEDENT BY GIFT WITHIN 3 YEARS OF DEATH.—

''(i) IN GENERAL.—Subsections (b) and (c) shall not apply to property acquired by the decedent by gift or by inter vivos transfer for less than adequate and full consideration in money or money's worth during the 3-year period ending on the date of the decedent's death.

''(ii) EXCEPTION FOR CERTAIN GIFTS FROM SPOUSE.—Clause (i) shall not apply to property acquired by the decedent from the decedent's spouse unless, during such 3-year period, such spouse acquired the property in whole or in part by gift or by inter vivos transfer for less than adequate and full consideration in money or money's worth.

''(D) STOCK OF CERTAIN ENTITIES.—Subsections (b) and (c) shall not apply to—

''(i) stock or securities a foreign personal holding company,

''(ii) stock of a DISC or former DISC,

''(iii) stock of a foreign investment company, or

''(iv) stock of a passive foreign investment company unless such company is a qualified electing fund (as defined in section 1295) with respect to the decedent.

''(2) FAIR MARKET VALUE LIMITATION.—The adjustments under subsection (b) and (c) shall not increase the basis of any interest in property acquired from the decedent above its fair market value in the hands of the decedent as of the date of the decedent's death.

''(3) ALLOCATION RULES.—

''(A) IN GENERAL.—The executor shall allocate the adjustments under subsections (b) and (c) on the return required by section 6018.

''(B) CHANGES IN ALLOCATION.—Any allocation made pursuant to subparagraph (A) may be changed only as provided by the Secretary.

''(4) INFLATION ADJUSTMENT OF BASIS ADJUSTMENT AMOUNTS.—

''(A) IN GENERAL.—In the case of decedents dying in a calendar year after 2011, the $1,300,000, $60,000, and $3,000,000 dollar amounts in subsections (b) and (c)(2)(B) shall each be increased by an amount equal to the product of—

''(i) such dollar amount, and

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year, determined by substituting '2010' for '1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any increase determined under subparagraph (A) is not a multiple of—

''(i) $100,000 in the case of the $1,300,000 amount,

''(ii) $5,000 in the case of the $60,000 amount, and

''(iii) $250,000 in the case of the $3,000,000 amount,

such increase shall be rounded to the next lowest multiple thereof.

''(e) PROPERTY ACQUIRED FROM THE DECEDENT.—For purposes of this section, the following property shall be considered to have been acquired from the decedent:

''(1) Property acquired by bequest, devise, or inheritance, or by the decedent's estate from the decedent.

''(2) Property transferred by the decedent during his lifetime in trust to pay the income for life to or on the order or direction of the decedent, with the right reserved to the decedent at all times before his death—

''(A) to revoke the trust, or

''(B) to make any change in the enjoyment thereof through the exercise of a power to alter, amend, or terminate the trust.

''(3) Any other property passing from the decedent by reason of death to the extent that such property passed without consideration.

''(f) COORDINATION WITH SECTION 691.—This section shall not apply to property which constitutes a right to receive an item of income in respect of a decedent under section 691.

''(g) CERTAIN LIABILITIES DISREGARDED.—In determining whether gain is recognized on the acquisition of property—

''(1) from a decedent by a decedent's estate or any beneficiary, and

''(2) from the decedent's estate by any beneficiary,

and in determining the adjusted basis of such property, liabilities in excess of basis shall be disregarded.

''(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section.''.

(b) INFORMATION RETURNS, ETC.—

(1) IN GENERAL.—Subpart C of part II of subchapter A of chapter 61 is amended to read as follows:

"Subpart C—Returns Relating to Transfers During Life or at Death

''Sec. 6018. Returns relating to large transfers at death.

''Sec. 6019. Returns relating to large lifetime gifts.

"SEC. 6018. RETURNS RELATING TO LARGE TRANSFERS AT DEATH.

"(a) IN GENERAL.—If this section applies to property acquired from a decedent, the executor of the estate of such decedent shall make a return containing the information specified in subsection (c) with respect to such property.

"(b) PROPERTY TO WHICH SECTION APPLIES.—

"(1) LARGE TRANSFERS.—This section shall apply to all property (other than cash) acquired from a decedent if the fair market value of such property acquired from the decedent exceeds the dollar amount applicable under section 1022(b)(2)(B) (without regard to section 1022(b)(2)(C)).

"(2) TRANSFERS OF CERTAIN GIFTS RECEIVED BY DECEDENT WITHIN 3 YEARS OF DEATH.—This section shall apply to any appreciated property acquired from the decedent if—

"(A) subsections (b) and (c) of section 1022 do not apply to such property by reason of section 1022(d)(1)(C), and

"(B) such property was required to be included on a return required to be filed under section 6019.

"(3) NONRESIDENTS NOT CITIZENS OF THE UNITED STATES.—In the case of a decedent who is a nonresident not a citizen of the United States, paragraphs (1) and (2) shall be applied—

"(A) by taking into account only—

"(i) tangible property situated in the United States, and

"(ii) other property acquired from the decedent by a United States person, and

"(B) by substituting the dollar amount applicable under section 1022(b)(3) for the dollar amount referred to in paragraph (1).

"(4) RETURNS BY TRUSTEES OR BENEFICIARIES.—If the executor is unable to make a complete return as to any property acquired from or passing from the decedent, the executor shall include in the return a description of such property and the name of every person holding a legal or beneficial interest therein. Upon notice from the Secretary such person shall in like manner make a return as to such property.

"(c) INFORMATION REQUIRED TO BE FURNISHED.—The information specified in this subsection with respect to any property acquired from the decedent is—

"(1) the name and TIN of the recipient of such property,

"(2) an accurate description of such property,

"(3) the adjusted basis of such property in the hands of the decedent and its fair market value at the time of death,

"(4) the decedent's holding period for such property,

"(5) sufficient information to determine whether any gain on the sale of the property would be treated as ordinary income,

"(6) the amount of basis increase allocated to the property under subsection (b) or (c) of section 1022, and

"(7) such other information as the Secretary may by regulations prescribe.

"(d) PROPERTY ACQUIRED FROM DECEDENT.—For purposes of this section, section 1022 shall apply for purposes of determining the property acquired from a decedent.

"(e) STATEMENTS TO BE FURNISHED TO CERTAIN PERSONS.—Every person required to make a return under subsection (a) shall furnish to each person whose name is required to be set forth in such return (other than the person required to make such return) a written statement showing—

"(1) the name, address, and phone number of the person required to make such return, and

"(2) the information specified in subsection (c) with respect to property acquired from, or passing from, the decedent to the person required to receive such statement.

The written statement required under the preceding sentence shall be furnished not later than 30 days after the date that the return required by subsection (a) is filed.

"SEC. 6019. RETURNS RELATING TO LARGE LIFETIME GIFTS.

"(a) IN GENERAL.—If the value of the aggregate gifts of property made by an individual to any United States person during a calendar year exceeds $25,000, such individual shall make a return for such year setting forth—

"(1) the name and TIN of the donee,

"(2) an accurate description of such property,

"(3) the adjusted basis of such property in the hands of the donor at the time of the gift,

"(4) the donor's holding period for such property,

"(5) sufficient information to determine whether any gain on the sale of the property would be treated as ordinary income, and

"(6) such other information as the Secretary may by regulations prescribe.

"(b) EXCEPTIONS.—Subsection (a) shall not apply to—

"(1) CASH.—Any gift of cash.

"(2) GIFTS TO CHARITY.—Any gift to an organization described in section 501(c) and exempt from tax under section 501(a) but only if no interest in the property is held for the benefit of any person other than such an organization.

"(3) WAIVER OF CERTAIN PENSION RIGHTS individual waives, before the death of a participant, any survivor benefit, or right to such benefit, under section 401(a)(11) or 417, subsection (a) shall not apply to such waiver.

"(4) REPORTING ELSEWHERE.—Any gift required to be reported to the Secretary under any other provision of this title.

"(c) STATEMENTS TO BE FURNISHED TO CERTAIN PERSONS.—Every person required to make a return under subsection (a) shall furnish to each person whose name is required to be set forth in such return a written statement showing—

"(1) the name, address, and phone number of the person required to make such return, and

"(2) the information specified in subsection (a) with respect to property received by the person required to receive such statement.

The written statement required under the preceding sentence shall be furnished on or before January 31 of the year following the calendar year for which the return under subsection (a) was required to be made."

(2) TIME FOR FILING SECTION 6018 RETURNS.—

(A) RETURNS RELATING TO LARGE TRANSFERS AT DEATH.—Subsection (a) of section 6075 is amended to read as follows:

"(a) RETURNS RELATING TO LARGE TRANSFERS AT DEATH.—The return required by section 6018 with respect to a decedent shall be filed with the return of the tax imposed by chapter 1 for the decedent's last taxable year or such later date specified in regulations prescribed by the Secretary."

(B) RETURNS RELATING TO LARGE LIFETIME GIFTS.—

(i) The heading for section 6075(b) is amended to read as follows:

"(b) RETURNS RELATING TO LARGE LIFETIME GIFTS.—".

(ii) Paragraph (1) of section 6075(b) is amended by striking "(relating to gift taxes)" and inserting "(relating to returns relating to large lifetime gifts)".

(iii) Paragraph (3) of section 6075(b) is amended—

(I) by striking "ESTATE TAX RETURN" and inserting "SECTION 6018 RETURN", and

(II) by striking "(relating to estate tax returns)" and inserting "(relating to returns relating to large transfers at death)".

(3) PENALTIES.—Part I of subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end the following new section:

"SEC. 6716. FAILURE TO FILE INFORMATION WITH RESPECT TO CERTAIN TRANSFERS AT DEATH AND GIFTS.

"(a) INFORMATION REQUIRED TO BE FURNISHED TO THE SECRETARY.—Any person required to furnish any information under section 6018 or 6019 who fails to furnish such information on the date prescribed therefor (determined with regard to any extension of time for filing) shall pay a penalty of $10,000 ($500 in the case of information required to be furnished under section 6018(b)(2) or 6019) for each such failure.

"(b) INFORMATION REQUIRED TO BE FURNISHED TO BENEFICIARIES.—Any person required to furnish in writing to each person described in section 6018(e) or 6019(c) the information required under such section who fails to furnish such information shall pay a penalty of $50 for each such failure.

"(c) REASONABLE CAUSE EXCEPTION.—No penalty shall be imposed under subsection (a) or (b) with respect to any failure if it is shown that such failure is due to reasonable cause.

"(d) INTENTIONAL DISREGARD.—If any failure under subsection (a) or (b) is due to intentional disregard of the requirements under sections 6018 and 6019, the penalty under such subsection shall be 5 percent of the fair market value (as of the date of death or, in the case of section 6019, the date of the gift) of the property with respect to which the information is required.

"(e) DEFICIENCY PROCEDURES NOT TO APPLY.—Subchapter B of chapter 63 (relating to deficiency procedures for income, estate, gift, and certain excise taxes) shall not apply in respect of the assessment or collection of any penalty imposed by this section."

(4) CLERICAL AMENDMENTS.—

(A) The table of sections for part I of subchapter B of chapter 68 is amended by adding at the end the following new item:

"Sec. 6716. Failure to file information with respect to certain transfers at death and gifts."

(B) The item relating to subpart C in the table of subparts for part II of subchapter A of chapter 61 is amended to read as follows:

"Subpart C. Returns relating to transfers during life or at death."

(c) EXCLUSION OF GAIN ON SALE OF PRINCIPAL RESIDENCE MADE AVAILABLE TO HEIR OF DECEDENT IN CERTAIN CASES.—Subsection (d) of section 121 (relating to exclusion of gain from sale of principal residence) is amended by adding at the end the following new paragraph:

"(9) PROPERTY ACQUIRED FROM A DECEDENT.—The exclusion under this section shall apply to property sold by—

"(A) the estate of a decedent, and

"(B) any individual who acquired such property from the decedent (within the meaning of section 1022),

determined by taking into account the ownership and use by the decedent."

(d) TRANSFERS OF APPRECIATED CARRYOVER BASIS PROPERTY TO SATISFY PECUNIARY BEQUEST.—

(1) IN GENERAL.—Section 1040 (relating to transfer of certain farm, etc., real property) is amended to read as follows:

"SEC. 1040. USE OF APPRECIATED CARRYOVER BASIS PROPERTY TO SATISFY PECUNIARY BEQUEST.

"(a) IN GENERAL.—If the executor of the estate of any decedent satisfies the right of any person to receive a pecuniary bequest with appreciated property, then gain on such exchange shall be recognized to the estate only to the extent that, on the date of such exchange, the fair market value of such property exceeds such value on the date of death.

"(b) SIMILAR RULE FOR CERTAIN TRUSTS.—To the extent provided in regulations prescribed by the Secretary, a rule similar to the rule provided in subsection (a) shall apply where—

"(1) by reason of the death of the decedent, a person has a right to receive from a trust a specific dollar amount which is the equivalent of a pecuniary bequest, and

"(2) the trustee of a trust satisfies such right with property.

"(c) BASIS OF PROPERTY ACQUIRED IN EXCHANGE DESCRIBED IN SUBSECTION (a) OR (b).—The basis of property acquired in an exchange with respect to which gain realized is not recognized by reason of subsection (a) or (b) shall be

the basis of such property immediately before the exchange increased by the amount of the gain recognized to the estate or trust on the exchange.''

(2) The item relating to section 1040 in the table of sections for part III of subchapter O of chapter 1 is amended to read as follows:

''Sec. 1040. Use of appreciated carryover basis property to satisfy pecuniary bequest.''

(e) ANTI-ABUSE RULES.—Section 7701 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) PURPORTED GIFTS MAY BE DISREGARDED.—For purposes of subtitle A, the Secretary may treat a transfer which purports to be a gift as having never been transferred if, in connection with such transfer—

''(1)(A) the transferor (or any person related to or designated by the transferor or such person) has received anything of value in connection with such transfer from the transferee directly or indirectly, or

''(B) there is an understanding or expectation that the transferor (or such person) will receive anything of value in connection with such transfer from the transferee directly or indirectly, and

''(2) the Secretary determines that such treatment is appropriate to prevent avoidance of tax imposed by subtitle A.''

(f) MISCELLANEOUS AMENDMENTS RELATED TO CARRYOVER BASIS.—

(1) RECOGNITION OF GAIN ON TRANSFERS TO NONRESIDENTS.—

(A) Subsection (a) of section 684 is amended by inserting ''or to a nonresident not a citizen of the United States'' after ''or trust''.

''(B) Subsection (b) of section 684 is amended by striking ''any person'' and inserting ''any United States person''.

*(C) The section heading for section 684 is amended by inserting ''**AND NONRESIDENT ALIENS**'' after ''**ESTATES**''.*

(D) The item relating to section 684 in the table of sections for subpart F of part I of subchapter J of chapter 1 is amended by inserting ''and nonresident aliens'' after ''estates''.

(2) CAPITAL GAIN TREATMENT FOR INHERITED ART WORK OR SIMILAR PROPERTY.—

(A) IN GENERAL.—Subparagraph (C) of section 1221(a)(3) (defining capital asset) is amended by inserting ''(other than by reason of section 1022)'' after ''is determined''.

(B) COORDINATION WITH SECTION 170.—Paragraph (1) of section 170(e) (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end the following: ''For purposes of this paragraph, the determination of whether property is a capital asset shall be made without regard to the exception contained in section 1221(a)(3)(C) for basis determined under section 1022.''.

(3) DEFINITION OF EXECUTOR.—Section 7701(a) (relating to definitions) is amended by adding at the end the following:

''(47) EXECUTOR.—The term 'executor' means the executor or administrator of the decedent, or, if there is no executor or administrator appointed, qualified, and acting within the United States, then any person in actual or constructive possession of any property of the decedent.''.

(4) CERTAIN TRUSTS.—Subparagraph (A) of section 4947(a)(2) is amended by inserting ''642(c),'' after ''170(f)(2)(B),''.

(5) OTHER AMENDMENTS.—

(A) Section 1246 is amended by striking subsection (e).

(B) Subsection (e) of section 1291 is amended—

(i) by striking ''(e),'', and

(ii) by striking ''; except that'' and all that follows and inserting a period.

(C) Section 1296 is amended by striking subsection (i).

(6) CLERICAL AMENDMENT.—The table of sections for part II of subchapter O of chapter 1 is amended by inserting after the item relating to section 1021 the following new item:

''Sec. 1022. Treatment of property acquired from a decedent dying after December 31, 2010.''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to estates of decedents dying after December 31, 2010.

(2) PURPORTED GIFTS, ETC.—The amendments made by subsections (e) and (f)(1) shall apply to transfers after December 31, 2010.

(3) SECTION 4947.—The amendment made by subsection (f)(4) shall apply to deductions for taxable years beginning after December 31, 2010.

(h) STUDY.—The Secretary of the Treasury or the Secretary's delegate shall conduct a study of—

(1) opportunities for avoidance of the income tax, if any, and

(2) potential increases in income tax revenues, by reason of the enactment of this Act. The study shall be submitted to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate not later than December 31, 2002.

TITLE V—CONSERVATION EASEMENTS

SEC. 501. EXPANSION OF ESTATE TAX RULE FOR CONSERVATION EASEMENTS.

(a) WHERE LAND IS LOCATED.—Clause (i) of section 2031(c)(8)(A) (defining land subject to a conservation easement) is amended—

(1) by striking ''25 miles'' each place it appears and inserting ''50 miles''; and

(2) striking ''10 miles'' and inserting ''25 miles''.

(b) CLARIFICATION OF DATE FOR DETERMINING VALUE OF LAND AND EASEMENT.—Section 2031(c)(2) (defining applicable percentage) is amended by adding at the end the following new sentence: ''The values taken into account under the preceding sentence shall be such values as of the date of the contribution referred to in paragraph (8)(B).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying after December 31, 2000.

TITLE VI—MODIFICATIONS OF GENERATION-SKIPPING TRANSFER TAX

SEC. 601. DEEMED ALLOCATION OF GST EXEMPTION TO LIFETIME TRANSFERS TO TRUSTS; RETROACTIVE ALLOCATIONS.

(a) IN GENERAL.—Section 2632 (relating to special rules for allocation of GST exemption) is amended by redesignating subsection (c) as subsection (e) and by inserting after subsection (b) the following new subsections:

''(c) DEEMED ALLOCATION TO CERTAIN LIFETIME TRANSFERS TO GST TRUSTS.—

''(1) IN GENERAL.—If any individual makes an indirect skip during such individual's lifetime, any unused portion of such individual's GST exemption shall be allocated to the property transferred to the extent necessary to make the inclusion ratio for such property zero. If the amount of the indirect skip exceeds such unused portion, the entire unused portion shall be allocated to the property transferred.

''(2) UNUSED PORTION.—For purposes of paragraph (1), the unused portion of an individual's GST exemption is that portion of such exemption which has not previously been—

''(A) allocated by such individual,

''(B) treated as allocated under subsection (b) with respect to a direct skip occurring during or before the calendar year in which the indirect skip is made, or

''(C) treated as allocated under paragraph (1) with respect to a prior indirect skip.

''(3) DEFINITIONS.—

''(A) INDIRECT SKIP.—For purposes of this subsection, the term 'indirect skip' means any transfer of property (other than a direct skip) subject to the tax imposed by chapter 12 made to a GST trust.

''(B) GST TRUST.—The term 'GST trust' means a trust that could have a generation-skipping transfer with respect to the transferor unless—

''(i) the trust instrument provides that more than 25 percent of the trust corpus must be distributed to or may be withdrawn by one or more individuals who are non-skip persons—

''(I) before the date that the individual attains age 46,

''(II) on or before one or more dates specified in the trust instrument that will occur before the date that such individual attains age 46, or

''(III) upon the occurrence of an event that, in accordance with regulations prescribed by the Secretary, may reasonably be expected to occur before the date that such individual attains age 46;

''(ii) the trust instrument provides that more than 25 percent of the trust corpus must be distributed to or may be withdrawn by one or more individuals who are non-skip persons and who are living on the date of death of another person identified in the instrument (by name or by class) who is more than 10 years older than such individuals;

''(iii) the trust instrument provides that, if one or more individuals who are non-skip persons die on or before a date or event described in clause (i) or (ii), more than 25 percent of the trust corpus either must be distributed to the estate or estates of one or more of such individuals or is subject to a general power of appointment exercisable by one or more of such individuals;

''(iv) the trust is a trust any portion of which would be included in the gross estate of a non-skip person (other than the transferor) if such person died immediately after the transfer;

''(v) the trust is a charitable lead annuity trust (within the meaning of section 2642(e)(3)(A)) or a charitable remainder annuity trust or a charitable remainder unitrust (within the meaning of section 664(d)); or

''(vi) the trust is a trust with respect to which a deduction was allowed under section 2522 for the amount of an interest in the form of the right to receive annual payments of a fixed percentage of the net fair market value of the trust property (determined yearly) and which is required to pay principal to a non-skip person if such person is alive when the yearly payments for which the deduction was allowed terminate.

For purposes of this subparagraph, the value of transferred property shall not be considered to be includible in the gross estate of a non-skip person or subject to a right of withdrawal by reason of such person holding a right to withdraw so much of such property as does not exceed the amount referred to in section 2503(b) with respect to any transferor, and it shall be assumed that powers of appointment held by non-skip persons will not be exercised.

''(4) AUTOMATIC ALLOCATIONS TO CERTAIN GST TRUSTS.—For purposes of this subsection, an indirect skip to which section 2642(f) applies shall be deemed to have been made only at the close of the estate tax inclusion period. The fair market value of such transfer shall be the fair market value of the trust property at the close of the estate tax inclusion period.

''(5) APPLICABILITY AND EFFECT.—

''(A) IN GENERAL.—An individual—

''(i) may elect to have this subsection not apply to—

''(I) an indirect skip, or

''(II) any or all transfers made by such individual to a particular trust, and

''(ii) may elect to treat any trust as a GST trust for purposes of this subsection with respect to any or all transfers made by such individual to such trust.

''(B) ELECTIONS.—

''(i) ELECTIONS WITH RESPECT TO INDIRECT SKIPS.—An election under subparagraph (A)(i)(I) shall be deemed to be timely if filed on a timely filed gift tax return for the calendar year in which the transfer was made or deemed to have been made pursuant to paragraph (4) or on such later date or dates as may be prescribed by the Secretary.

''(ii) OTHER ELECTIONS.—An election under clause (i)(II) or (ii) of subparagraph (A) may be made on a timely filed gift tax return for the calendar year for which the election is to become effective.

''(d) RETROACTIVE ALLOCATIONS.—

''(1) IN GENERAL.—If—

''(A) a non-skip person has an interest or a future interest in a trust to which any transfer has been made,

''(B) such person—

''(i) is a lineal descendant of a grandparent of the transferor or of a grandparent of the transferor's spouse or former spouse, and

''(ii) is assigned to a generation below the generation assignment of the transferor, and

''(C) such person predeceases the transferor,

then the transferor may make an allocation of any of such transferor's unused GST exemption to any previous transfer or transfers to the trust on a chronological basis.

''(2) SPECIAL RULES.—If the allocation under paragraph (1) by the transferor is made on a gift tax return filed on or before the date prescribed by section 6075(b) for gifts made within the calendar year within which the non-skip person's death occurred—

''(A) the value of such transfer or transfers for purposes of section 2642(a) shall be determined as if such allocation had been made on a timely filed gift tax return for each calendar year within which each transfer was made,

''(B) such allocation shall be effective immediately before such death, and

''(C) the amount of the transferor's unused GST exemption available to be allocated shall be determined immediately before such death.

''(3) FUTURE INTEREST.—For purposes of this subsection, a person has a future interest in a trust if the trust may permit income or corpus to be paid to such person on a date or dates in the future.''.

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 2632(b) is amended by striking ''with respect to a prior direct skip'' and inserting ''or subsection (c)(1)''.

(c) EFFECTIVE DATES.—

(1) DEEMED ALLOCATION.—Section 2632(c) of the Internal Revenue Code of 1986 (as added by subsection (a)), and the amendment made by subsection (b), shall apply to transfers subject to chapter 11 or 12 made after December 31, 2000, and to estate tax inclusion periods ending after December 31, 2000.

(2) RETROACTIVE ALLOCATIONS.—Section 2632(d) of the Internal Revenue Code of 1986 (as added by subsection (a)) shall apply to deaths of non-skip persons occurring after December 31, 2000.

SEC. 602. SEVERING OF TRUSTS.

(a) IN GENERAL.—Subsection (a) of section 2642 (relating to inclusion ratio) is amended by adding at the end the following new paragraph:

''(3) SEVERING OF TRUSTS.—

''(A) IN GENERAL.—If a trust is severed in a qualified severance, the trusts resulting from such severance shall be treated as separate trusts thereafter for purposes of this chapter.

''(B) QUALIFIED SEVERANCE.—For purposes of subparagraph (A)—

''(i) IN GENERAL.—The term 'qualified severance' means the division of a single trust and the creation (by any means available under the governing instrument or under local law) of two or more trusts if—

''(I) the single trust was divided on a fractional basis, and

''(II) the terms of the new trusts, in the aggregate, provide for the same succession of interests of beneficiaries as are provided in the original trust.

''(ii) TRUSTS WITH INCLUSION RATIO GREATER THAN ZERO.—If a trust has an inclusion ratio of greater than zero and less than 1, a severance is a qualified severance only if the single trust is divided into two trusts, one of which receives a fractional share of the total value of all trust assets equal to the applicable fraction of the single trust immediately before the severance. In such case, the trust receiving such fractional share shall have an inclusion ratio of zero and the other trust shall have an inclusion ratio of 1.

''(iii) REGULATIONS.—The term 'qualified severance' includes any other severance permitted under regulations prescribed by the Secretary.

''(C) TIMING AND MANNER OF SEVERANCES.—A severance pursuant to this paragraph may be made at any time. The Secretary shall prescribe by forms or regulations the manner in which the qualified severance shall be reported to the Secretary.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to severances after December 31, 2000.

SEC. 603. MODIFICATION OF CERTAIN VALUATION RULES.

(a) GIFTS FOR WHICH GIFT TAX RETURN FILED OR DEEMED ALLOCATION MADE.—Paragraph (1) of section 2642(b) (relating to valuation rules, etc.) is amended to read as follows:

''(1) GIFTS FOR WHICH GIFT TAX RETURN FILED OR DEEMED ALLOCATION MADE.—If the allocation of the GST exemption to any transfers of property is made on a gift tax return filed on or before the date prescribed by section 6075(b) for such transfer or is deemed to be made under section 2632 (b)(1) or (c)(1)—

''(A) the value of such property for purposes of subsection (a) shall be its value as finally determined for purposes of chapter 12 (within the meaning of section 2001(f)(2)), or, in the case of an allocation deemed to have been made at the close of an estate tax inclusion period, its value at the time of the close of the estate tax inclusion period, and

''(B) such allocation shall be effective on and after the date of such transfer, or, in the case of an allocation deemed to have been made at the close of an estate tax inclusion period, on and after the close of such estate tax inclusion period.''.

(b) TRANSFERS AT DEATH.—Subparagraph (A) of section 2642(b)(2) is amended to read as follows:

''(A) TRANSFERS AT DEATH.—If property is transferred as a result of the death of the transferor, the value of such property for purposes of subsection (a) shall be its value as finally determined for purposes of chapter 11; except that, if the requirements prescribed by the Secretary respecting allocation of post-death changes in value are not met, the value of such property shall be determined as of the time of the distribution concerned.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers subject to chapter 11 or 12 of the Internal Revenue Code of 1986 made after December 31, 2000.

SEC. 604. RELIEF PROVISIONS.

(a) IN GENERAL.—Section 2642 is amended by adding at the end the following new subsection:

''(g) RELIEF PROVISIONS.—

''(1) RELIEF FROM LATE ELECTIONS.—

''(A) IN GENERAL.—The Secretary shall by regulation prescribe such circumstances and procedures under which extensions of time will be granted to make—

''(i) an allocation of GST exemption described in paragraph (1) or (2) of subsection (b), and

''(ii) an election under subsection (b)(3) or (c)(5) of section 2632.

Such regulations shall include procedures for requesting comparable relief with respect to transfers made before the date of the enactment of this paragraph.

''(B) BASIS FOR DETERMINATIONS.—In determining whether to grant relief under this paragraph, the Secretary shall take into account all relevant circumstances, including evidence of intent contained in the trust instrument or instrument of transfer and such other factors as the Secretary deems relevant. For purposes of determining whether to grant relief under this paragraph, the time for making the allocation (or election) shall be treated as if not expressly prescribed by statute.

''(2) SUBSTANTIAL COMPLIANCE.—An allocation of GST exemption under section 2632 that demonstrates an intent to have the lowest possible inclusion ratio with respect to a transfer or a trust shall be deemed to be an allocation of so much of the transferor's unused GST exemption as produces the lowest possible inclusion ratio. In determining whether there has been substantial compliance, all relevant circumstances shall be taken into account, including evidence of intent contained in the trust instrument or instrument of transfer and such other factors as the Secretary deems relevant.''.

(b) EFFECTIVE DATES.—

(1) RELIEF FROM LATE ELECTIONS.—Section 2642(g)(1) of the Internal Revenue Code of 1986 (as added by subsection (a)) shall apply to requests pending on, or filed after, December 31, 2000.

(2) SUBSTANTIAL COMPLIANCE.—Section 2642(g)(2) of such Code (as so added) shall apply to transfers subject to chapter 11 or 12 of the Internal Revenue Code of 1986 made after December 31, 2000. No implication is intended with respect to the availability of relief from late elections or the application of a rule of substantial compliance on or before such date.

TITLE VII—EXTENSION OF TIME FOR PAYMENT OF ESTATE TAX

SEC. 701. INCREASE IN NUMBER OF ALLOWABLE PARTNERS AND SHAREHOLDERS IN CLOSELY HELD BUSINESSES.

(a) IN GENERAL.—Paragraphs (1)(B)(ii), (1)(C)(ii), and (9)(B)(iii)(I) of section 6166(b) (relating to definitions and special rules) are each amended by striking ''15'' and inserting ''45''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying after December 31, 2001.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 111, the following further amendment in the nature of a substitute was submitted by Mr. RANGEL:

Strike all after the enacting clause and insert the following:

SECTION 1. AMENDMENT OF 1986 CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. INCREASE IN EXEMPTION EQUIVALENT OF UNIFIED CREDIT.

(a) IN GENERAL.—Subsection (c) of section 2010 (relating to applicable credit amount) is amended by striking the table and inserting the following new table:

''In the case of estates of decedents dying, and gifts made, during:	The applicable exclusion amount is:
2002	$2,000,000
2003 and 2004	$2,100,000
2005 and 2006	$2,200,000
2007 and 2008	$2,300,000
2009	$2,400,000
2010 or thereafter	$2,500,000.''

(b) REPEAL OF SPECIAL BENEFIT FOR FAMILY-OWNED BUSINESS INTERESTS.—

(1) Section 2057 is hereby repealed.

(2) Paragraph (10) of section 2031(c) is amended by inserting ''(as in effect on the day before the date of the enactment of this parenthetical)'' before the period.

(3) The table of sections for part IV of subchapter A of chapter 11 is amended by striking the item relating to section 2057.

(c) CORRECTION OF TECHNICAL ERROR AFFECTING LARGEST ESTATES.—Paragraph (2) of section 2001(c) is amended by striking ''$10,000,000'' and all that follows and insert-

ing ''$10,000,000. The amount of the increase under the preceding sentence shall not exceed the sum of the applicable credit amount under section 2010(c) and $359,200.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying, and gifts made, after December 31, 2001.

SEC. 3. CREDIT FOR STATE DEATH TAXES REPLACED WITH DEDUCTION FOR SUCH TAXES.

(a) REPEAL OF CREDIT.—Section 2011 (relating to credit for State death taxes) is hereby repealed.

(b) DEDUCTION FOR STATE DEATH TAXES.—Part IV of subchapter A of chapter 11 is amended by adding at the end the following new section:

"SEC. 2058. STATE DEATH TAXES.

''(a) ALLOWANCE OF DEDUCTION.—For purposes of the tax imposed by section 2001, the value of the taxable estate shall be determined by deducting from the value of the gross estate the amount of any estate, inheritance, legacy, or succession taxes actually paid to any State or the District of Columbia, in respect of any property included in the gross estate (not including any such taxes paid with respect to the estate of a person other than the decedent).

''(b) PERIOD OF LIMITATIONS.—The deduction allowed by this section shall include only such taxes as were actually paid and deduction therefor claimed within 4 years after the filing of the return required by section 6018, except that—

''(1) If a petition for redetermination of a deficiency has been filed with the Tax Court within the time prescribed in section 6213(a), then within such 4-year period or before the expiration of 60 days after the decision of the Tax Court becomes final.

''(2) If, under section 6161 or 6166, an extension of time has been granted for payment of the tax shown on the return, or of a deficiency, then within such 4-year period or before the date of the expiration of the period of the extension.

''(3) If a claim for refund or credit of an overpayment of tax imposed by this chapter has been filed within the time prescribed in section 6511, then within such 4-year period or before the expiration of 60 days from the date of mailing by certified mail or registered mail by the Secretary to the taxpayer of a notice of the disallowance of any part of such claim, or before the expiration of 60 days after a decision by any court of competent jurisdiction becomes final with respect to a timely suit instituted upon such claim, whichever is later.

Refund based on the deduction may (despite the provisions of sections 6511 and 6512) be made if claim therefor is filed within the period above provided. Any such refund shall be made without interest.''

(c) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 2012 is amended by striking ''the credit for State death taxes provided by section 2011 and''.

(2) Subparagraph (A) of section 2013(c)(1) is amended by striking ''2011,''.

(3) Paragraph (2) of section 2014(b) is amended by striking '', 2011,''.

(4) Sections 2015 and 2016 are each amended by striking ''2011 or''.

(5) Subsection (d) of section 2053 is amended to read as follows:

''(d) CERTAIN FOREIGN DEATH TAXES.—

''(1) IN GENERAL.—Notwithstanding the provisions of subsection (c)(1)(B) of this section, for purposes of the tax imposed by section 2001, the value of the taxable estate may be determined, if the executor so elects before the expiration of the period of limitation for assessment provided in section 6501, by deducting from the value of the gross estate the amount (as determined in accordance with regulations prescribed by the Secretary) of any estate, succession, legacy, or inheritance tax imposed by and actually paid to any foreign country, in respect of any property situated within such foreign country and included in the gross estate of a citizen or resident of the United States, upon a transfer by the decedent for public, charitable, or religious uses described in section 2055. The determination under this paragraph of the country within which property is situated shall be made in accordance with the rules applicable under subchapter B (sec. 2101 and following) in determining whether property is situated within or without the United States. Any election under this paragraph shall be exercised in accordance with regulations prescribed by the Secretary.

''(2) CONDITION FOR ALLOWANCE OF DEDUCTION.—No deduction shall be allowed under paragraph (1) for a foreign death tax specified therein unless the decrease in the tax imposed by section 2001 which results from the deduction provided in paragraph (1) will inure solely for the benefit of the public, charitable, or religious transferees described in section 2055 or section 2106(a)(2). In any case where the tax imposed by section 2001 is equitably apportioned among all the transferees of property included in the gross estate, including those described in sections 2055 and 2106(a)(2) (taking into account any exemptions, credits, or deductions allowed by this chapter), in determining such decrease, there shall be disregarded any decrease in the Federal estate tax which any transferees other than those described in sections 2055 and 2106(a)(2) are required to pay.

''(3) EFFECT ON CREDIT FOR FOREIGN DEATH TAXES OF DEDUCTION UNDER THIS SUBSECTION.—

''(A) ELECTION.—An election under this subsection shall be deemed a waiver of the right to claim a credit, against the Federal estate tax, under a death tax convention with any foreign country for any tax or portion thereof in respect of which a deduction is taken under this subsection.

''(B) CROSS REFERENCE.—

"See section 2014(f) for the effect of a deduction taken under this paragraph on the credit for foreign death taxes."

(6) Subparagraph (A) of section 2056A(b)(10) is amended—

(A) by striking ''2011,'', and

(B) by inserting ''2058,'' after ''2056,''.

(7)(A) Subsection (a) of section 2102 is amended to read as follows:

''(a) IN GENERAL.—The tax imposed by section 2101 shall be credited with the amounts determined in accordance with sections 2012 and 2013 (relating to gift tax and tax on prior transfers).''

(B) Section 2102 is amended by striking subsection (b) and by redesignating subsection (c) as subsection (b).

(C) Section 2102(b)(5) (as redesignated by subparagraph (B)) and section 2107(c)(3) are each amended by striking ''2011 to 2013, inclusive,'' and inserting ''2012 and 2013''.

(8) Subsection (a) of section 2106 is amended by adding at the end the following new paragraph:

''(4) STATE DEATH TAXES.—The amount which bears the same ratio to the State death taxes as the value of the property, as determined for purposes of this chapter, upon which State death taxes were paid and which is included in the gross estate under section 2103 bears to the value of the total gross estate under section 2103. For purposes of this paragraph, the term 'State death taxes' means the taxes described in section 2011(a).''

(9) Section 2201 is amended—

(A) by striking ''as defined in section 2011(d)'', and

(B) by adding at the end the following new flush sentence:

''For purposes of this section, the additional estate tax is the difference between the tax imposed by section 2001 or 2101 and the amount equal to 125 percent of the maximum credit provided by section 2011(b), as in effect before its repeal by the Tax Reduction Act of 2001.''

(10) Paragraph (2) of section 6511(i) is amended by striking ''2011(c), 2014(b),'' and inserting ''2014(b)''.

(11) Subsection (c) of section 6612 is amended by striking ''section 2011(c) (relating to refunds due to credit for State taxes),''.

(12) The table of sections for part II of subchapter A of chapter 11 is amended by striking the item relating to section 2011.

(13) The table of sections for part IV of subchapter A of chapter 11 is amended by adding at the end the following new item:

''Sec. 2058. State death taxes.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying after December 31, 2001.

SEC. 4. VALUATION RULES FOR CERTAIN TRANSFERS OF NONBUSINESS ASSETS; LIMITATION ON MINORITY DISCOUNTS.

(a) IN GENERAL.—Section 2031 (relating to definition of gross estate) is amended by redesignating subsection (d) as subsection (f) and by inserting after subsection (c) the following new subsections:

''(d) VALUATION RULES FOR CERTAIN TRANSFERS OF NONBUSINESS ASSETS.—For purposes of this chapter and chapter 12—

''(1) IN GENERAL.—In the case of the transfer of any interest in an entity other than an interest which is actively traded (within the meaning of section 1092)—

''(A) the value of any nonbusiness assets held by the entity shall be determined as if the transferor had transferred such assets directly to the transferee (and no valuation discount shall be allowed with respect to such nonbusiness assets), and

''(B) the nonbusiness assets shall not be taken into account in determining the value of the interest in the entity.

''(2) NONBUSINESS ASSETS.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'nonbusiness asset' means any asset which is not used in the active conduct of 1 or more trades or businesses.

''(B) EXCEPTION FOR CERTAIN PASSIVE ASSETS.—Except as provided in subparagraph (C), a passive asset shall not be treated for purposes of subparagraph (A) as used in the active conduct of a trade or business unless—

''(i) the asset is property described in paragraph (1) or (4) of section 1221(a) or is a hedge with respect to such property, or

''(ii) the asset is real property used in the active conduct of 1 or more real property trades or businesses (within the meaning of section 469(c)(7)(C)) in which the transferor materially participates and with respect to which the transferor meets the requirements of section 469(c)(7)(B)(ii).

For purposes of clause (ii), material participation shall be determined under the rules of section 469(h), except that section 469(h)(3) shall be applied without regard to the limitation to farming activity.

''(C) EXCEPTION FOR WORKING CAPITAL.—Any asset (including a passive asset) which is held as a part of the reasonably required working capital needs of a trade or business shall be treated as used in the active conduct of a trade or business.

''(3) PASSIVE ASSET.—For purposes of this subsection, the term 'passive asset' means any—

''(A) cash or cash equivalents,

''(B) except to the extent provided by the Secretary, stock in a corporation or any

other equity, profits, or capital interest in any entity,

''(C) evidence of indebtedness, option, forward or futures contract, notional principal contract, or derivative,

''(D) asset described in clause (iii), (iv), or (v) of section 351(e)(1)(B),

''(E) annuity,

''(F) real property used in 1 or more real property trades or businesses (as defined in section 469(c)(7)(C)),

''(G) asset (other than a patent, trademark, or copyright) which produces royalty income,

''(H) commodity,

''(I) collectible (within the meaning of section 401(m)), or

''(J) any other asset specified in regulations prescribed by the Secretary.

''(4) LOOK-THRU RULES.—

''(A) IN GENERAL.—If a nonbusiness asset of an entity consists of a 10-percent interest in any other entity, this subsection shall be applied by disregarding the 10-percent interest and by treating the entity as holding directly its ratable share of the assets of the other entity. This subparagraph shall be applied successively to any 10-percent interest of such other entity in any other entity.

''(B) 10-PERCENT INTEREST.—The term '10-percent interest' means—

''(i) in the case of an interest in a corporation, ownership of at least 10 percent (by vote or value) of the stock in such corporation,

''(ii) in the case of an interest in a partnership, ownership of at least 10 percent of the capital or profits interest in the partnership, and

''(iii) in any other case, ownership of at least 10 percent of the beneficial interests in the entity.

''(5) COORDINATION WITH SUBSECTION (b).—Subsection (b) shall apply after the application of this subsection.

''(e) LIMITATION ON MINORITY DISCOUNTS.—For purposes of this chapter and chapter 12, in the case of the transfer of any interest in an entity other than an interest which is actively traded (within the meaning of section 1092), no discount shall be allowed by reason of the fact that the transferee does not have control of such entity if the transferee and members of the family (as defined in section 2032A(e)(2)) of the transferee have control of such entity.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers after the date of the enactment of this Act.

SEC. 5. EXPANSION OF ESTATE TAX RULE FOR CONSERVATION EASEMENTS.

(a) REPEAL OF LOCATION REQUIREMENT.—Subparagraph (A) of section 2031(c)(8) (defining land subject to a conservation easement) is amended by striking clause (i) and redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(b) CLARIFICATION OF DATE FOR DETERMINING VALUE OF LAND AND EASEMENT.—Section 2031(c)(2) (defining applicable percentage) is amended by adding at the end the following new sentence: ''The values taken into account under the preceding sentence shall be such values as of the date of the contribution referred to in paragraph (8)(B).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying after December 31, 2000.

Amend the title so as to read: ''A bill to amend the Internal Revenue Code of 1986 to provide estate tax relief.''.

After further debate,

Pursuant to House Resolution 111, the previous question was ordered on the bill, as amended, and the further amendment in the nature of a substitute.

The question being put, viva voce,

Will the House now agree to said further amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. RANGEL objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 201 / Nays 227

¶34.11 [Roll No. 82]

YEAS—201

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

NAYS—227

Abercrombie	Ballenger	Bilirakis
Aderholt	Barr	Blunt
Akin	Bartlett	Boehlert
Armey	Barton	Boehner
Bachus	Bass	Bonilla
Baker	Biggert	Bono
Brady (TX)	Herger	Pryce (OH)
Brown (SC)	Hilleary	Putnam
Bryant	Hilliard	Quinn
Burr	Hobson	Radanovich
Burton	Hoekstra	Ramstad
Buyer	Horn	Regula
Callahan	Hostettler	Rehberg
Calvert	Houghton	Reynolds
Camp	Hulshof	Riley
Cannon	Hunter	Rogers (KY)
Cantor	Hutchinson	Rogers (MI)
Capito	Hyde	Rohrabacher
Chabot	Isakson	Ros-Lehtinen
Chambliss	Issa	Roukema
Clyburn	Istook	Royce
Coble	Jackson (IL)	Ryan (WI)
Collins	Jenkins	Ryun (KS)
Combest	Johnson (CT)	Saxton
Cooksey	Johnson (IL)	Scarborough
Cox	Johnson, Sam	Schaffer
Crane	Jones (NC)	Schrock
Crenshaw	Kanjorski	Sensenbrenner
Cubin	Keller	Sessions
Culberson	Kelly	Shadegg
Cunningham	Kennedy (MN)	Shaw
Davis, Jo Ann	Kerns	Shays
Davis, Tom	King (NY)	Sherwood
Deal	Kingston	Shimkus
DeLay	Kirk	Simmons
DeMint	Knollenberg	Simpson
Diaz-Balart	Kolbe	Skeen
Doolittle	LaHood	Smith (MI)
Dreier	Largent	Smith (NJ)
Duncan	LaTourette	Smith (TX)
Dunn	Leach	Souder
Ehlers	Lee	Spence
Ehrlich	Lewis (CA)	Stearns
Emerson	Lewis (KY)	Stump
English	Linder	Sununu
Everett	LoBiondo	Sweeney
Ferguson	Lucas (OK)	Tancredo
Flake	Manzullo	Tauzin
Fletcher	McCrery	Taylor (NC)
Foley	McHugh	Terry
Fossella	McInnis	Thomas
Frelinghuysen	McKeon	Thompson (MS)
Gallegly	Mica	Thornberry
Ganske	Miller (FL)	Thune
Gekas	Miller, Gary	Tiahrt
Gibbons	Moran (KS)	Tiberi
Gilchrest	Murtha	Toomey
Gillmor	Myrick	Towns
Gilman	Nethercutt	Traficant
Goode	Ney	Upton
Goodlatte	Northup	Vitter
Gordon	Norwood	Walden
Goss	Nussle	Walsh
Graham	Osborne	Wamp
Granger	Ose	Watkins
Graves	Otter	Watts (OK)
Green (WI)	Oxley	Weldon (FL)
Greenwood	Paul	Weldon (PA)
Grucci	Pence	Weller
Gutknecht	Peterson (PA)	Whitfield
Hansen	Petri	Wicker
Hart	Pickering	Wilson
Hastings (WA)	Pitts	Wolf
Hayes	Platts	Young (AK)
Hayworth	Pombo	Young (FL)
Hefley	Portman	

NOT VOTING—3

Becerra	Kennedy (RI)	Latham

So, the further amendment in the nature of a substitute was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. POMEROY moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with an amendment in the nature of a substitute that: (1) provides immediate relief from estate and gift taxes by increasing the estate and gift tax exemption with a goal of providing an exemption level that eliminates estate and gift tax liability for over two-thirds of those currently subject to the tax and exempts at least 99% of all farms from estate and gift taxes; (2) in no event increases the exemption to a level less than the increased exemption provided

in H.R. 8, as introduced; (3) does not have growing budgetary costs like those shown in the Committee report that begin at $4 million in fiscal year 2002 and grow to $49.2 billion in fiscal year 2011, the last fiscal year beginning before the bill is fully effective; and (4) in no event includes provisions that would result in net tax increases (through additional capital gains tax levies) on the estates of certain decedents (such as farmers with average debt levels) with net assets below current law estate tax exemption levels.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. POMEROY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 192 / Nays 235

¶34.12 [Roll No. 83]

AYES—192

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

NOES—235

Abercrombie
Aderholt
Akin
Andrews
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Becerra
Green (TX)
Kennedy (RI)
Latham

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House now pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. THOMAS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 274 / Nays 154

¶34.13 [Roll No. 84]

YEAS—274

Abercrombie
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (OK)
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Farr
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinojosa
Hobson
Hoekstra
Holt
Honda
Hooley
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larsen (WA)
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm

Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—154

Ackerman
Allen
Baldacci
Baldwin
Barrett
Bentsen
Berman
Blagojevich
Blumenauer
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clyburn
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Evans
Fattah
Filner
Frank
Frost
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill
Hilliard
Hinchey
Hoeffel
Holden
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Taylor (MS)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—3

Becerra
Kennedy (RI)
Latham

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶34.14 SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. WAMP, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until Tuesday, April 24, 2001, the Speaker, Majority Leader, and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶34.15 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. WAMP, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, April 25, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶34.16 APPOINTMENT OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication, which was read as follows:

WASHINGTON, DC,
April 4, 2001.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through April 24, 2001.

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

¶34.17 COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, announced that the Speaker, pursuant to clause 5(a)(4)(A) of rule X, named the following Members of the House to be available to serve on investigative subcommittees of the Committee on Standards of Official Conduct for the 107th Congress: Messrs. GEKAS, CHABOT, LATOURETTE, SHADEGG, WICKER, MORAN of Kansas, FOSSELLA, GREEN of Wisconsin, and TERRY.

¶34.18 PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore, Mr. KERNS, by unanimous consent, announced that the Speaker, pursuant to clause 11 of rule X and clause 11 of rule I, appointed to the Permanent Select Committee on Intelligence, the following Member: Mr. PETERSON of Minnesota, to fill the existing vacancy thereon.

¶34.19 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 93. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that pursuant to Public Law 106–554, the Chair, on behalf of the President pro tempore, appoints the Senator from Tennessee (Mr. FRIST) to the Board of Trustees for the Center for Russian Leadership Development.

The message also announced that pursuant to Public Law 100–458, the Chair, on behalf of the Democratic Leader, reappoints William F. Winter, of Mississippi, to the Board of Trustees of the John C. Stennis Center for Public Service Training and Development, effective October 11, 2000.

The message also announced that pursuant to section 194(a) of title 14, United States Code, as amended by Public Law 101–595, and upon the recommendation of the Chairman of the Committee on Commerce, Science, and Transportation, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Coast Guard Academy—

the Senator from Arizona (Mr. MCCAIN), ex officio, as Chairman of the Committee on Commerce, Science, and Transportation; and

the Senator from Illinois (Mr. FITZGERALD), Committee on Commerce, Science, and Transportation.

The message also announced that pursuant to section 1295(b) of title 46, United States Code, as amended by Public Law 101–595, and upon the recommendation of the Chairman of the Committee on Commerce, Science, and Transportation, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Merchant Marine Academy—

the Senator from Arizona (Mr. MCCAIN), ex officio, as Chairman of the Committee on Commerce, Science, and Transportation; and

the Senator from Maine (Ms. SNOWE), Committee on Commerce, Science, and Transportation.

The message also announced that pursuant to Public Law 106–310, the Chair, on behalf of the Democratic Leader, announces the appointment of the following individuals to serve as members of the Commission on Indian and Native Alaskan Health Care:

Sara DeCoteau, of South Dakota.

Carole Anne Heart, of South Dakota.

The message also announced that pursuant to Public Law 106–533, the Chair, on behalf of the Democratic Leader, announces the appointment of the following Senators to serve as members of the Congressional Recognition for Excellence in Arts Education Awards Board:

The Senator from Hawaii (Mr. AKAKA).

The Senator from South Dakota (Mr. JOHNSON).

¶34.20 ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 132. An Act to designate the facility of the United States Postal Service located at 620 Jacaranda Street in Lanai City, Hawaii, as the ''Goro Hokama Post Office Building''.

H.R. 395. An Act to designate the facility of the United States Postal Service located at 2305 Minton Road in West Melbourne, Florida, as the ''Ronald W Reagan Post Office of West Melbourne, Florida''.

And then,

¶34.21 ADJOURNMENT

On motion of Mr. SHERMAN, pursuant to the provisions of House Concurrent Resolution 93, at 6 o'clock and 58 minutes p.m., the House adjourned until 2 p.m. on Tuesday, April 24, 2001.

¶34.22 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on International Relations. House Concurrent Resolution 73. Resolution expressing the sense of Congress that the 2008 Olympic Games should not be held in Beijing unless the Government of the People's Republic of China releases all political prisoners, ratifies the International Covenant on Civil and Political Rights, and observes internationally recognized human rights; with amendments (Rept. No. 107–40). Referred to the House Calendar.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 718. A bill to protect individuals, families, and Internet service providers from unsolicited and unwanted electronic mail; with an amendment (Rept. No. 107–41 Pt. 1). Ordered to be printed.

¶34.23 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker.

H.R. 718. Referral to the Committee on the Judiciary extended for a period ending not later than June 5, 2001.

H.R. 981. Referral to the Committee on the Budget extended for a period ending not later than September 5, 2001.

¶34.24 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GANSKE (for himself, Mrs. EMERSON, Mr. FRANK, Mr. WYNN, Mr. HORN, Mr. GILCHREST, Mr. TRAFICANT, Mr. LEACH, Mr. JONES of North Carolina, Mr. JOHNSON of Illinois, Mr. SANDERS, Mr. GUTKNECHT, and Mr. TERRY):

H.R. 1387. A bill to amend the Social Security Act to improve access to prescription drugs for low-income Medicare beneficiaries, the Internal Revenue Code and other Acts to improve access to health care coverage for seniors, the self-employed, and children, and to amend the Federal Food, Drug, and Cosmetic Act to improve meaningful access to reasonably priced prescription drugs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GANSKE:

H.R. 1388. A bill to authorize funding for the National 4–H Program Centennial Initiative; to the Committee on Agriculture.

By Mr. DEFAZIO:

H.R. 1389. A bill to amend the Head Start Act to authorize the appropriation of $11,500,000,000 for fiscal year 2002; to the Committee on Education and the Workforce.

H.R. 1390. A bill to establish a child care provider scholarship program; to the Committee on Education and the Workforce.

H.R. 1391. A bill to amend the Child Abuse Prevention and Treatment Act to provide for an increase in the authorization of appropriations for community-based family resource and support grants under that Act; to the Committee on Education and the Workforce.

H.R. 1392. A bill to amend the Incentive Grants for Local Delinquency Prevention Program Act to authorize appropriations for fiscal year 2002 through 2006; to the Committee on Education and the Workforce.

H.R. 1393. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide financial assistance for the prevention of juvenile crime; to the Committee on Education and the Workforce.

H.R. 1394. A bill to increase the maximum amount of defense funds that may be obligated to carry out the National Guard civilian youth opportunities program; to the Committee on Armed Services.

H.R. 1395. A bill to increase discretionary funding for certain grant programs established under the ''Edward Byrne Memorial State and Local Law Enforcement Assistance Programs''; to the Committee on the Judiciary.

H.R. 1396. A bill to encourage States to require a holding period for any student expelled for bringing a gun to school; to the Committee on Education and the Workforce.

H.R. 1397. A bill to allow States to develop or expand instant gun checking capabilities, to allow a tax credit for the purchase of safe storage devices for firearms, to promote the fitting of handguns with child safety locks, and to prevent children from injuring themselves and others with firearms; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. BONIOR, Mrs. MINK of Hawaii, Mr. PASTOR, Mr. SAWYER, Mr. MCNULTY, Mr. PASCRELL, Mr. MATSUI, Mr. BARRETT, and Mr. LEVIN):

H.R. 1398. A bill to amend the Internal Revenue Code of 1986 to provide individual income tax rate reductions, tax relief to families with children, marriage penalty relief, and to immediately eliminate the estate tax for two-thirds of all decedents currently subject to the estate tax; to the Committee on Ways and Means.

By Mr. VISCLOSKY:

H.R. 1399. A bill to assure that the services of a nonemergency department physician are available to hospital patients 24-hours-a-day, seven days a week in all non-Federal hospitals with at least 100 licensed beds; to the Committee on Energy and Commerce.

By Mr. ALLEN (for himself, Mr. WAXMAN, Mr. STARK, Mr. BERRY, Mr. BONIOR, Mr. FROST, Mr. OBEY, Mrs. THURMAN, Mr. DOGGETT, Mr. BROWN of Ohio, Mr. GREEN of Texas, Ms. DELAURO, Mr. PALLONE, Mr. SHOWS, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr. HINCHEY, Mr. BALDACCI, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. BACA, Mr. BAIRD, Ms. BALDWIN, Mr. BARRETT, Ms. BERKLEY, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BORSKI, Mr. BOYD, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mrs. CLAYTON, Mr. CLEMENT, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. HASTINGS of Florida, Ms. HOOLEY of Oregon, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KLECZKA, Mr. KUCINICH, Mr. LAMPSON, Mr. LANTOS, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. MARKEY, Mr. MASCARA, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. ORTIZ, Mr. OWENS, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PHELPS, Mr. POMEROY, Mr. RAHALL, Mr. REYES, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mr. SANDLIN, Mr. SAWYER, Mr. SERRANO, Ms. SLAUGHTER, Mr. STRICKLAND, Mr. STUPAK, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Ms. VELAZQUEZ, Ms. WATERS, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, and Mr. WYNN):

H.R. 1400. A bill to provide for substantial reductions in the price of prescription drugs for Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PHELPS (for himself, Mr NETHERCUTT, and Mr. RUSH):

H.R. 1401. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income loan payments received under the National Health Service Corps Loan Repayment Program established in the Public Health Service Act; to the Committee on Ways and Means.

By Mr. THOMAS:

H.R. 1402. A bill to amend the Endangered Species Act of 1973 to reform the regulatory process under that Act; to the Committee on Resources.

H.R. 1403. A bill to reform Federal land management activities relating to endangered species conservation; to the Committee on Resources.

H.R. 1404. A bill to amend the Endangered Species Act of 1973 to reform provisions relating to liability for civil and criminal penalties under that Act; to the Committee on Resources.

By Mr. SMITH of New Jersey (for himself and Mr. LANTOS):

H.R. 1405. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic centers and programs for the treatment of victims of torture; to the Committee on Energy and Commerce.

By Mr. EVANS (for himself, Mr. REYES, Mrs. CAPPS, and Mr. DOYLE):

H.R. 1406. A bill to amend title 38, United States Code, to improve presumptive compensation benefits for veterans with ill-defined illnesses resulting from the Persian Gulf War, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. MICA, Mr. LIPINSKI, Mr. HUTCHINSON, Mr. DEFAZIO, Mr. HORN, Ms. MILLENDER-MCDONALD, Mr. QUINN, Ms. NORTON, Mr. EHLERS, Mr. BACHUS, Mr. BAKER, Mr. COOKSEY, Mr. LOBIONDO, Mr. ISAKSON, Mr. HAYES, Mr. JOHNSON of Illinois, Mr. KENNEDY of Minnesota, and Mr. KIRK):

H.R. 1407. A bill to amend title 49, United States Code, to permit air carriers to meet and discuss their schedules in order to reduce flight delays, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROGERS of Michigan (for himself, Mr. OXLEY, Mrs. KELLY, Mr. BACHUS, and Mr. TIBERI):

H.R. 1408. A bill to safeguard the public from fraud in the financial services industry, to streamline and facilitate the anitfraud information-sharing efforts of Federal and State regulators, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on the Judiciary, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provi-

sions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER:

H.R. 1409. A bill to reform the regulation of certain housing-related Government-sponsored enterprises, and for other purposes; to the Committee on Financial Services.

By Mr. ISTOOK (for himself, Mr. DELAHUNT, Mr. BACHUS, Mr. CAPUANO, Mr. CONYERS, Mr. HUTCHINSON, Mr. FOLEY, Mr. FROST, Mr. ISAKSON, Mr. GORDON, Mr. LAHOOD, and Mr. MATSUI):

H.R. 1410. A bill to foster innovation and technological advancement in the development of the Internet and electronic commerce, and to assist the States in simplifying their sales and use taxes; to the Committee on the Judiciary.

By Mr. WELLER (for himself, Mr. NEAL of Massachusetts, Mrs. KELLY, Mr. TAUZIN, Mr. GOODLATTE, Mr. COX, Mr. CUNNINGHAM, Mr. ISSA, Mrs. WILSON, and Mr. EHRLICH):

H.R. 1411. A bill to amend the Internal Revenue Code of 1986 to allow qualified technological equipment and computer software to be expensed, and for other purposes; to the Committee on Ways and Means.

By Mr. COLLINS (for himself, Mr. LEWIS of Georgia, Mr. HYDE, Mr. CONYERS, Mr. SENSENBRENNER, Mr. BACHUS, Mr. BARR of Georgia, Mr. BECERRA, Mr. BERMAN, Mr. BLUNT, Mr. BOEHNER, Mr. BOUCHER, Mr. CAMP, Mr. CARDIN, Mr. COMBEST, Mr. CONDIT, Mr. CRANE, Mr. DAVIS of Illinois, Mr. DEAL of Georgia, Mr. DOOLITTLE, Ms. DUNN, Mr. EDWARDS, Mr. FARR of California, Mr. FOLEY, Mr. FRANK, Mr. GILLMOR, Mr. GOODE, Mr. GOODLATTE, Mr. GONZALEZ, Mr. GRAHAM, Mr. HALL of Texas, Mr. HALL of Ohio, Mr. HAYWORTH, Mr. HERGER, Mr. HOBSON, Mr. HOUGHTON, Mr. HUTCHINSON, Mr. ISAKSON, Mr. JEFFERSON, Mr. SAM JOHNSON of Texas, Mrs. JONES of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mr. KING, Mr. KLECZKA, Mr. LATOURETTE, Ms. LEE, Mr. LEWIS of Kentucky, Mr. MATSUI, Ms. MCKINNEY, Mr. MCNULTY, Mr. OXLEY, Mr. PHELPS, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. REYES, Ms. ROYBAL-ALLARD, Mr. SAWYER, Mr. SCARBOROUGH, Mr. SCOTT, Mr. SESSIONS, Mr. SHIMKUS, Mr. SPENCE, Mr. STRICKLAND, Mr. TANNER, Mr. TIBERI, Mr. THOMPSON of California, Mr. THORNBERRY, Mrs. THURMAN, Mr. VITTER, Mr. WATKINS, Mr. WELDON OF FLORIDA, Mr. WELLER, Mr. PITTS, and Mr. REGULA):

H.R. 1412. A bill to amend the Internal Revenue Code of 1986 to provide relief for payment of asbestos-related claims; to the Committee on Ways and Means.

By Mr. WAXMAN (for himself, Mr. GEPHARDT, Mr. BONIOR, Mr. DINGELL, Mr. PALLONE, Mr. BROWN of Ohio, Ms. DELAURO, Mr. FROST, Mr. CONYERS, Mr. EVANS, Mr. LANTOS, Mr. OBERSTAR, Mr. OBEY, Mrs. CAPPS, Mr. MARKEY, Mr. MATSUI, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. INSLEE, Mr. FARR of California, Mr. DAVIS of Illinois, Mr. ABERCROMBIE, Mr. MCGOVERN, Mr. JEFFERSON, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Mr. RUSH, Mrs. JONES of Ohio, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, Mr. MEEKS of New York, Mrs. MINK of Hawaii, Mr. OWENS, Mr. PAYNE, Ms. PELOSI, Mr. HONDA, Mr. MORAN of Virginia, Mr. KILDEE, Mr. HILLIARD, Mr. HOLT, Mr. ALLEN, Mr. BERMAN, Mr. NCNULTY, Mr. CROWLEY, Mr. GUTIERREZ, Mr. PASCRELL, Mr. KENNEDY of Rhode Island, Mr. THOMPSON of California, Mr. LEVIN, Mrs. MALONEY of New York, Mr. STRICKLAND, Mr. WEINER, Ms. LEE, Mr. SERRANO, Mr. CAPUANO, Ms. SOLIS, Mr. HASTINGS of Florida, Ms. WOOLSEY, Mr. WEXLER, Mr. HOYER, Mrs. DAVIS of California, Ms. ESHOO, Mr. FILNER, Ms. HARMAN, Ms. LOFGREN, Ms. MILLENDER-MCDONALD, Ms. ROYBAL-ALLARD, Ms. SANCHEZ, Mr. SCHIFF, Mr. SHERMAN, Mr. STARK, Mrs. TAUSCHER, Ms. WATERS, Ms. DEGETTE, Mr. UDALL of Colorado, Mr. DEFAZIO, Ms. HOOLEY of Oregon, Mr. WU, Ms. RIVERS, Mr. CARSON of Oklahoma, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CLAYTON, Mr. DOGGETT, Mr. LARSON of Connecticut, Mr. BALDACCI, Mr. DELAHUNT, Mr. FRANK, Mr. MEEHAN, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. TIERNEY, Mr. LANGEVIN, Ms. BALDWIN, Mr. BARRETT, Mr. BLAGOJEVICH, Mr. COSTELLO, Mr. JACKSON of Illinois, Ms. KAPTUR, Mr. KUCINICH, Mr. SAWYER, Mr. SPRATT, Ms. KILPATRICK, Mr. LUTHER, Mr. DEUTSCH, Mr. MALONEY of Connecticut, Mr. LAMPSON, Mr. BENTSEN, Mr. GREEN of Texas, Mr. GONZALEZ, Ms. MCCOLLUM, Mr. CLAY, Mr. NADLER, Mr. STUPAK, Mr. SCOTT, Mr. PRICE of North Carolina, Mr. BECERRA, Mr. ROTHAM, Mr. BLUMENAUER, Mr. LEWIS of Georgia, Ms. MCCARTHY of Missouri, Ms. MCKINNEY, Mr. EDWARDS, Mr. ENGEL, Mr. KLECZKA, Mr. MENENDEZ, Mr. POMEROY, Mrs. MEEK of Florida, Ms. VELAZQUEZ, Mr. VISCLOSKY, Mr. WYNN, Mr. TOWNS, Mr. DAVIS of Florida, Mr. ANDREWS, Mr. HOEFFEL, Mr. ETHERIDGE, Mr. KANJORSKI, Mr. ACKERMAN, Mr. BORSKI, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Mr. CARDIN, Mr. CLEMENT, Mr. FATTAH, Mr. HALL of Ohio, Mr. HINOJOSA, Mr. ISRAEL, Mr. LAFALCE, Mr. LIPINSKI, Mr. MASCARA, Mrs. MCCARTHY of New York, Mr. MOAKLEY, Mr. MURTHA, Mrs. NAPOLITANO, Mr. RANGEL, Mr. SKELTON, Ms. SLAUGHTER, Mrs. THURMAN, Mr. WATT of North Carolina, Mr. HOLDEN, Mr. KIND, and Mr. BAIRD):

H.R. 1413. A bill to codify the rule establishing a maximum contaminant level for arsenic published in the Federal Register by the Environmental Protection Agency on January 22, 2001, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RANGEL (for himself, Mr. MCNULTY, Mr. TOWNS, Mr. LAFALCE, Ms. SLAUGHTER, Mr. HINCHEY, Mr. CROWLEY, Mrs. MALONEY of New York, Mr. SERRANO, and Mr. GILMAN):

H.R. 1414. A bill to amend the Internal Revenue Code of 1986 to expand the work opportunity tax credit for small business jobs creation; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. MCNULTY, Mr. TOWNS, Mr. LAFALCE, Ms. SLAUGHTER, Mr. HINCHEY, Mr. CROWLEY, Mrs. MALONEY of New York, and Mr. SERRANO):

H.R. 1415. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit to holders of bonds financing new communications technologies, and for other purposes; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mr. HINCHEY, Mr. RANGEL, Mrs. MALONEY of New York, Mr. MCNULTY, Ms. SLAUGHTER, and Mr. BOEHLERT):

H.R. 1416. A bill to provide grants and other incentives to promote new communications technologies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HINCHEY (for himself, Mr. QUINN, Mr. LAFALCE, Mr. MCNULTY, Ms. SLAUGHTER, Mrs. MALONEY of New York, Mr. RANGEL, Mr. SERRANO, and Mr. TOWNS):

H.R. 1417. A bill to expand the Manufacturing Extension Program to bring the new economy to small and medium-sized businesses; to the Committee on Financial Services.

By Mr. QUINN (for himself, Mr. HINCHEY, Mr. LAFALCE, Mr. MCNULTY, Ms. SLAUGHTER, and Mrs. MALONEY of New York):

H.R. 1418. A bill to provide for business incubator activities, and for other purposes; to the Committee on Financial Services.

By Mr. HINCHEY (for himself, Mr. LAFALCE, Mr. MCNULTY, Ms. SLAUGHTER, Mrs. MALONEY of New York, Mr. SERRANO, Mr. RANGEL, and Mr. TOWNS):

H.R. 1419. A bill to establish regional skills alliances, and for other purposes; to the Committee on Education and the workforce.

By Mr. HALL of Ohio (for himself, Mr. WOLF, Mrs. EMERSON, Mrs. CLAYTON, and Mr. GOODLATTE):

H.R. 1420. A bill to establish the Bill Emerson and Mickey Leland memorial fellowship programs, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACKERMAN (for himself, Mr. ALLEN, Ms. BALDWIN, Mr. BASS, Mr. BERMAN, Mr. BLUMENAUER, Mr. BORSKI, Mr. CLYBURN, Mr. CONYERS, Mr. CROWLEY, Mr. DELAHUNT, Mr. DEUTSCH, Mr. DOYLE, Mr. ENGEL, Mr. EVANS, Mr. FILNER, Mr. FOLEY, Mr. FRANK, Mr. FRELINGHUYSEN, Mr. GILMAN, Mr. GOSS, Mr. HINCHEY, Mr. HOLT, Mr. HORN, Mr. INSLEE, Mrs. KELLY, Mr. KILDEE, Mr. KLECZKA, Mr. KUCINICH, Mr. LANTOS, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mrs. LOWEY, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. MOORE, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. PALLONE, Mr. PASCRELL, Ms. PELOSI, Mr. PHELPS, Ms. RIVERS, Mrs. ROUKEMA, Mr. SABO, Mr. SMITH of Washington, Mr. SMITH of New Jersey, Mr. TIERNEY, Mr. TOWNS, Mr. UDALL of Colorado, Mr. WEINER, Ms. WOOLSEY, Mrs. MALONEY of New York, Ms. MCKINNEY, Mrs. MORELLA, Mr. STARK, Mr. RANGEL, Ms. JACKSON-LEE of Texas, Mr. MALONEY of Connecticut, Mrs. MCCARTHY of New York, Mr. WEXLER, Mr. SHAYS, Mrs. TAUSCHER, Mr. ABERCROMBIE, Ms. SLAUGHTER, Ms. KILPATRICK, Mr. GALLEGLY, Ms. CARSON of Indiana, Mr. BARCIA, Ms. SCHAKOWSKY, Mr. DEFAZIO, Mr. ANDREWS, Ms. DELAURO, Mr. RUSH, Mrs. JOHNSON of Connecticut, Mr. WOLF, Mr. BONIOR, Mr. HYDE, Ms. ROYBAL-ALLARD, and Mrs. CLAYTON):

H.R. 1421. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory cattle, sheep, swine, horses, mules, or goats, and for other purposes; to the Committee on Agriculture.

By Mr. ANDREWS:

H.R. 1422. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide, in the case of an employee welfare benefit plan providing benefits in the event of disability, an exemption from preemption under such title for State tort ac-

tions to recover damages arising from the failure of the plan to timely provide such benefits; to the Committee on Education and the Workforce.

By Mr. BACA:

H.R. 1423. A bill to provide for quality remedial education by encouraging increased partnerships between middle and high schools with community and technical colleges which have experience in remedial education services; to the Committee on Education and the Workforce.

H.R. 1424. A bill to amend the Telemarketing and Consumer Fraud and Abuse Prevention Act to direct the Federal Trade Commission to prescribe rules that prohibit certain deceptive and abusive recovery practices in connection with telemarketing; to the Committee on Energy and Commerce.

By Mr. BACA (for himself, Mr. FATTAH, Ms. MCCARTHY of Missouri, Mr. SABO, Ms. MILLENDER-MCDONALD, Mr. BOYD, Mr. MOORE, Mr. FALEOMAVAEGA, Ms. SOLIS, Mr. JACKSON of Illinois, Mr. FILNER, Mr. RAHALL, and Mr. RANGEL):

H.R. 1425. A bill to provide for the award of a gold medal on behalf of the Congress to Tiger Woods, in recognition of his service to the Nation in promoting excellence and good sportsmanship, and in breaking barriers with grace and dignity by showing that golf is a sport for all people; to the Committee on Financial Services.

By Mr. BASS:

H.R. 1426. A bill to amend the Consumer Product Safety Act to provide that low-speed electric personal assistive mobility devices are consumer products subject to that Act; to the Committee on Energy and Commerce.

By Mr. BENTSEN (for himself and Mr. BRADY of Texas):

H.R. 1427. A bill to amend the Internal Revenue Code of 1986 to permit the issuance of tax-exempt bonds for certain air and water pollution control facilities; to the Committee on Ways and Means.

By Mr. BEREUTER (for himself, Mr. BLUMENAUER, and Mr. COSTELLO):

H.R. 1428. A bill to amend the National Flood Insurance Act of 1968 to reduce losses to properties for which repetitiveness flood insurance claim payments have been made; to the Committee on Financial Services.

By Ms. BERKLEY (for herself, Mr. UDALL of Colorado, Mr. FROST, Ms. SLAUGHTER, Mr. SERRANO, Mrs. THURMAN, Mr. SANDLIN, Mr. WEXLER, Mr. LANTOS, Mr. BAIRD, Ms. LEE, Ms. CARSON of Indiana, Mr. ACEVEDO-VILA, Mr. GUTIERREZ, and Mr. MCGOVERN):

H.R. 1429. A bill to improve academic and social outcomes for students and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities during after school hours; to the Committee on Education and the Workforce.

By Mrs. BIGGERT:

H.R. 1430. A bill to provide States with funds to support State, regional, and local school construction; to the Committee on Education and the Workforce.

By Mr. BILIRAKIS (for himself, Mr. OTTER, Mr. NORWOOD, Mr. SAWYER, Mr. SCARBOROUGH, Mr. SHIMKUS, Mrs. THURMAN, and Mr. TRAFICANT):

H.R. 1431. A bill to provide additional authority to the Office of Ombudsman of the Environmental Protection Agency; to the Committee on Energy and Commerce.

By Mr. BISHOP (for himself, Mr. KINGSTON, Mr. LEWIS of Georgia, Mr. DEAL of Georgia, Mr. NORWOOD, and Mr. COLLINS):

H.R. 1432. A bill to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the ''Major Lyn McIntosh Post Office Building''; to the Committee on Government Reform.

By Mr. BLUMENAUER (for himself, Mr. ABERCROMBIE, Mr. FARR of California, Mr. GILCHREST, Mr. GILLMOR, Mr. HOEFFEL, Mr. ISAKSON, Mrs. JONES of Ohio, Mr. PALLONE, and Mr. UDALL of Colorado):

H.R. 1433. A bill to authorize the Secretary of Housing and Urban Development to make grants to assist States, tribal governments, and Native Hawaiian organizations in their efforts to develop or update land use planning legislation in order to promote more environmentally compatible and effective urban development, improved quality of life, regionalism, sustainable economic development, and environmental stewardship, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mr. RANGEL, Mr. FOLEY, Mr. LEVIN, Mr. GORDON, Mr. MANZULLO, Mr. RYAN of Wisconsin, and Mr. LATOURETTE):

H.R. 1434. A bill to amend the Internal Revenue Code of 1986 to restore and make permanent the exclusion from gross income for amounts received under qualified group legal services plans and to increase the maximum amount of the exclusion; to the Committee on Ways and Means.

By Mrs. CAPPS (for herself, Mr. EVANS, Mr. TOWNS, Ms. JACKSON-LEE of Texas, Mr. LUTHER, Ms. NORTON, Mr. MOORE, Mr. KILDEE, Mr. ROSS, Mr. OWENS, Ms. WOOLSEY, Mr. DOYLE, Mr. LANTOS, Mr. GONZALEZ, Ms. MCKINNEY, Mr. BLUMENAUER, Mr. SANDERS, Mr. HOLDEN, Ms. WATERS, Mr. HONDA, Mr. PASCRELL, Mrs. MALONEY of New York, Mrs. CHRISTENSEN, Mr. STRICKLAND, Mr. MEEHAN, Mrs. NAPOLITANO, Mr. MASCARA, Mr. NEAL of Massachusetts, Mr. HINOJOSA, Mr. BOUCHER, Mr. SHERMAN, Ms. DELAURO, Mr. WYNN, Ms. KILPATRICK, Mr. MOLLOHAN, Mr. UDALL of New Mexico, Mr. FILNER, Mr. FALEOMAVAEGA, Mr. COYNE, Ms. HOOLEY of Oregon, Mr. FROST, Mr. LEWIS of Georgia, Mr. RAHALL, Mr. MORAN of Virginia, Mr. OBERSTAR, Mr. WEXLER, Mr. BECERRA, Mr. RODRIGUEZ, Mr. KIND, Ms. SLAUGHTER, Mr. UNDERWOOD, Mr. BERMAN, Ms. BALDWIN, Ms. CARSON of Indiana, Mrs. TAUSCHER, Mr. STUPAK, Mr. EHRLICH, and Mr. ENGLISH):

H.R. 1435. A bill to authorize the Secretary of Veterans Affairs to award grants to provide for a national toll-free hotline to provide information and assistance to veterans; to the Committee on Veterans' Affairs.

By Mrs. CAPPS (for herself, Mrs. KELLY, Mrs. MCCARTHY of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DELAURO, Mr. GILMAN, Ms. HOOLEY of Oregon, Mr. LARSON of Connecticut, Mr. TOWNS, Mr. LANGEVIN, Mr. STENHOLM, Mr. PASCRELL, Mr. DEFAZIO, Mr. RUSH, Mr. BALDACCI, Mr. FROST, Mr. POMEROY, Mr. MATSUI, Ms. SOLIS, Mr. BARRETT, Mr. LANTOS, Mr. MCGOVERN, Mr. KIND, Mr. ABERCROMBIE, Mr. GREEN of Texas, Ms. ESHOO, Mr. WYNN, and Mr. DINGELL):

H.R. 1436. A bill to amend the Public Health Service Act, titles XVIII and XIX of the Social Security Act, and the Internal Revenue Code of 1986 which respect to alleviating the nursing profession shortage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS (for himself, Mr. NORWOOD, Mr. DEAL of Georgia, and Mr. CHAMBLISS):

H.R. 1437. A bill to amend the Internal Revenue Code of 1986 to reduce the maximum estate and gift tax rate to 45 percent, to replace the unified credit against the estate and gift tax with a unified exemption amount, and to increase the gift exclusion amount; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 1438. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for taxpayers owning certain commercial power takeoff vehicles; to the Committee on Ways and Means.

By Mr. COYNE (for himself and Mr. WELLER):

H.R. 1439. A bill to amend the Internal Revenue Code of 1986 to extend permanently environmental remediation costs; to the Committee on Ways and Means.

By Mrs. DAVIS of California:

H.R. 1440. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans permit enrollees direct access to services of obstetrical and gynecological physician services directly and without a referral; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEMINT (for himself, Mr. STENHOLM, and Mr. ARMEY):

H.R. 1441. A bill to amend the Fair Labor Standards Act of 1938 to provide an exemption to States which adopt certain minimum wage laws; to the Committee on Education and the Workforce.

By Mr. DEUTSCH:

H.R. 1442. A bill to amend the Internal Revenue Code of 1986 to increase the unified credit against estate and gift taxes to the equivalent of a $5,000,000 exclusion and to provide an inflation adjustment of such amount; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself, Mr. STARK, Mr. MATSUI, Mr. CARDIN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. TANNER, Mrs. THURMAN, Mr. POMEROY, Mr. GONZALEZ, Mr. HOLT, Mr. SHERMAN, Mr. CAPUANO, and Mr. ETHERIDGE):

H.R. 1443. A bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to disclose taxpayer identity information through mass communications to notify persons entitled to tax refunds; to the Committee on Ways and Means.

By Mr. DOOLITTLE (for himself, Mr. DELAY, Mr. ARMEY, Mr. BLUNT, Mrs. CUBIN, Mr. COX, Mr. DREIER, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BARTON of Texas, Mrs. BONO, Mr. BRYANT, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CAMP, Mr. CANNON, Mr. CANTOR, Mr. CULBERSON, Mr. CUNNINGHAM, Mr. FLAKE, Mr. GIBBONS, Mr. HANSEN, Mr. HEFLEY, Mr. HERGER, Mr. HOEKSTRA, Mr. HOSTETTLER, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. LARGENT, Mr. LEWIS of Kentucky, Mr. MCINNIS, Mr.

GARY G. MILLER of California, Mr. NORWOOD, Mr. OXLEY, Mr. PENCE, Mr. PICKERING, Mr. POMBO, Mr. RADANOVICH, Mr. ROHRABACHER, Mr. RYUN of Kansas, Mr. SCHROCK, Mr. SESSIONS, Mr. SHADEGG, Mr. SIMPSON, Mr. SKEEN, Mr. SPENCE, Mr. TANCREDO, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TIAHRT, Mr. TOOMEY, Mr. WELDON of Florida, Mr. WHITFIELD, Mr. YOUNG of Alaska, Mr. MCCRERY, Mr. BOEHNER, Mr. EVERETT, Mr. COLLINS, Ms. PRYCE of Ohio, Mr. LEWIS of California, Mr. WATKINS, Ms. DUNN, Mr. HAYWORTH, Mr. CRANE, Mr. PETERSON of Pennsylvania, Mr. NETHERCUTT, Mr. KNOLLENBERG, Mr. HASTINGS of Washington, Mr. ISSA, Mr. CHAMBLISS, and Mr. BURR of North Carolina):

H.R. 1444. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH (for himself and Mr. GALLEGLY):

H.R. 1445. A bill to amend the Federal Election Campaign Act of 1971 to require candidates for election to the House of Representatives or Senate to raise not less than 50 percent of their contributions from residents of the States the candidates seek to represent and not less than 50 percent of their contributions from individuals, and for other purposes; to the Committee on House Administration.

By Mr. ENGLISH:

H.R. 1446. A bill to provide trade negotiating authority; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FALEOMAVAEGA:

H.R. 1447. A bill to amend the Federal Election Campaign Act of 1971 to clarify the right of nationals of the United States to make contributions in connection with an election to political office; to the Committee on House Administration.

H.R. 1448. A bill to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself and Mr. ACKERMAN):

H.R. 1449. A bill to amend the Immigration and Nationality Act to provide that aliens who commit acts of torture or war crimes abroad are inadmissible and removable and to establish within the Criminal Division of the Department of Justice an Office of Special Investigations having responsibilities under that Act with respect to all alien participants in war crimes or acts of genocide or torture abroad; to the Committee on the Judiciary.

By Mr. FOLEY (for himself, Mr. MICA, Mrs. THURMAN, Mr. DAVIS of Florida, Mr. STEARNS, Mrs. MEEK of Florida, Mr. WEXLER, Mr. DIAZ-BALART, and Ms. ROS-LEHTINEN):

H.R. 1450. A bill to direct the Department of Veterans Affairs to establish a new veterans benefits office in the State of Florida, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FOLEY (for himself, Mr. POMEROY, and Mr. TANNER):

H.R. 1451. A bill to amend title XVIII of the Social Security Act to provide for the fair treatment of certain physician pathology services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK (for himself, Mr. FROST, Mr. DIAZ-BALART, Mr. MCGOVERN, Mr. KENNEDY of Rhode Island, Ms. JACKSON-LEE of Texas, Mr. BALDACCI, Mr. CAPUANO, Mr. DELAHUNT, Mr. FILNER, Mr. MCDERMOTT, Mrs. MINK of Hawaii, Mr. RANGEL, Mr. RODRIGUEZ, Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, and Mr. LANGEVIN):

H.R. 1452. A bill to amend the Immigration and Nationality Act to permit certain long-term permanent resident aliens to seek cancellation of removal under such Act, and for other purposes; to the Committee on the Judiciary.

By Mr. GALLEGLY:

H.R. 1453. A bill to strengthen warning labels on smokeless tobacco products; to the Committee on Energy and Commerce.

H.R. 1454. A bill to prohibit the importation of bidi cigarettes; to the Committee on Ways and Means.

By Mr. GOODE (for himself, Mr. RYUN of Kansas, Mr. COOKSEY, Mr. THUNE, Mr. BARR of Georgia, Mr. BARCIA, Mr. HEFLEY, Mr. HALL of Texas, and Mr. PAUL):

H.R. 1455. A bill to repeal section 658 of Public Law 104–208, commonly referred to as the Lautenberg amendment; to the Committee on the Judiciary.

By Mr. GOODE (for himself, Mr. SCHROCK, Mr. TOM DAVIS of Virginia, Mr. SCOTT, Mr. MORAN of Virginia, and Mr. BOUCHER):

H.R. 1456. A bill to expand the boundary of the Booker T. Washington National Monument, and for other purposes; to the Committee on Resources.

By Mr. GUTIERREZ (for himself, Mr. SERRANO, Ms. BROWN of Florida, Mr. BONIOR, Mr. FRANK, Mr. BLAGOJEVICH, Mr. OWENS, Mr. CUMMINGS, Mr. MCDERMOTT, Mr. FARR of California, Mr. CAPUANO, Mr. HILLIARD, Mr. JACKSON of Illinois, Mr. MATSUI, Mr. COSTELLO, Mr. MCNULTY, Mr. THOMPSON of Mississippi, Mr. RUSH, Ms. VELAZQUEZ, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Mr. PAYNE, Mrs. MINK of Hawaii, Ms. SCHAKOWSKY, Mr. EVANS, Ms. WATERS, Mr. WYNN, Mr. FILNER, Mr. REYES, Ms. NORTON, Mr. STARK, Mr. NADLER, Ms. MCKINNEY, Mr. FATTAH, Mr. CONYERS, Ms. BALDWIN, Mr. RODRIGUEZ, Mr. KUCINICH, Mr. GEORGE MILLER of California, Mr. JEFFERSON, Ms. WOOLSEY, Mr. MALONEY of Connecticut, Ms. LEE, Ms. PELOSI, Mr. STRICKLAND, Mr. TOWNS, Ms. ROYBAL-ALLARD, Ms. MILLENDER-MCDONALD, Mr. ORTIZ, Mr. BACA, Mr. CLAY, Mr. MOAKLEY, Mrs. JONES of Ohio, Mr. LIPINSKI, Mr. ENGEL, Mr. HOEFFEL, Mrs. CHRISTENSEN, Ms. KILPATRICK, Ms. CARSON of Indiana, Mr. DEFAZIO, Mr. GONZALEZ, Mr. HINCHEY, Mrs. NAPOLITANO, Mr. PHELPS, Mr. BRADY of Pennsylvania, and Mr. GREEN of Texas):

H.R. 1457. A bill to provide for livable wages for Federal Government workers and workers hired under Federal contracts; to the Committee on Government Reform, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HAYES (for himself, Mr. GRAHAM, Mr. DEMINT, and Mr. MCINTYRE):

H.R. 1458. A bill to limit the exceptions to certain ''Buy American'' requirements, and to expand such requirements; to the Committee on Armed Services.

By Mr. HAYWORTH (for himslef, Mr. ENGLISH, Mr. MATSUI, Mr. WELLER, Mr. NEAL of Massachusetts, Mr. HOUGHTON, Ms. BALDWIN, Mr. KING, Mr. SPRATT, and Mr. GRAHAM):

H.R. 1459. A bill to amend the Internal Revenue Code of 1986 to improve electric reliability, enhance transmission infrastructure, and to facilitate access to the electric transmission grid; to the Committee on Ways and Means.

By Mr. HEFLEY:

H.R. 1460. A bill to amend section 922 of chapter 44 of title 18, United States Code, to protect the rights of citizens under the Second Amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.R. 1461. A bill to amend the National Parks Omnibus Management Act of 1998 to remove the exemption for nonprofit organizations from the general requirement to obtain commercial use authorizations; to the Committee on Resources.

By Mr. HEFLEY (for himself, Mr. OTTER, Mr. CANNON, and Mr. KENNEDY of Rhode Island):

H.R. 1462. A bill to require the Secretary of the Interior to establish a program to provide assistance through states to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private land; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER (for himself, Mr. CRANE, Mr. ENGLISH, Mr. FOLEY, Mr. HOUGHTON, Mr. MATSUI, Mr. MCKEON, Mr. RAMSTAD, and Mr. NEAL of Massachusetts):

H.R. 1463. A bill to amend the Internal Revenue Code of 1986 to treat distributions from publicly traded partnerships as qualifiying income of regulated investment companies, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLDEN (for himself, Mr. STARK, Mrs. BONO, Mr. CRAMER, Ms. HOOLEY of Oregon, Mr. MCINTYRE, Mr. BRADY of Pennsylvania, Mr. SNYDER, Mr. GORDON, Mr. SKELTON, Mr. DOYLE, Mr. TURNER, Mr. BORSKI, Mr. LAHOOD, Mr. TAYLOR of North Carolina, Mr. FROST, Mr. LATOURETTE, Mr. FRANK, Mr. PAUL, Mr. KILDEE, Mr. ANDREWS, Mrs. CAPPS, Ms. RIVERS, Mr. BOUCHER, Mr. MCNULTY, Mr. BALDACCI, Mr. MASCARA, Mr. GONZALEZ, Mr. WELDON of Pennsylvania, Mr. FILNER, Mr. LANTOS, Mr. GOODE, Ms. BROWN of Florida, Mr. BOEHLERT, Mrs. JONES of Ohio, Mr. CROWLEY, Mr. STUPAK, Mr. PASTOR, Ms. SCHAKOWSKY, Mr. HINCHEY, Ms. HART, Mrs. EMERSON, Mr. NEY, Mr. GEORGE MILLER of California, Mr. BARRETT, Mr. GILLMOR, Mr. DEFAZIO, Mr. EVANS, Mr. CONDIT, Ms. BERKLEY, Mr. KUCINICH, Mr. COSTELLO, Mr. CLEMENT, Ms. SOLIS, Mr. SERRANO, Ms.

McCARTHY of Missouri, Mr. SHAYS, Mr. COYNE, Mr. BOSWELL, and Mr. SMITH of New Jersey):

H.R. 1464. A bill to amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies, subject to a reduction of 50 percent if the receipient dies during the first 15 days of such month, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLT (for himself, Mr. GEORGE MILLER of California, Mr. UDALL of New Mexico, Mr. HINCHEY, Mr. PALLONE, Mr. BLUMENAUER, Mrs. MINK of Hawaii, Mr. NADLER, Mr. LEWIS of Georgia, Mr. HOEFFEL, Ms. McKINNEY, Ms. DeGETTE, Mr. MOORE, Mr. FARR of California, Mr. KUCINICH, Mr. CAPUANO, Mr. MARKEY, and Mr. UDALL of Colorado):

H.R. 1465. A bill to restrict the use of snowmobiles in units of the National Park System; to the Committee on Resources.

By Mr. HOSTETTLER (for himself, Mr. RYUN of Kansas, Ms. McKINNEY, Mr. SCHAFFER, Mr. BARTLETT of Maryland, Mr. PITTS, Mr. CHABOT, Mr. PENCE, Mr. SOUDER, Mr. JONES of North Carolina, Mr. GOODE, Mr. COX, Mr. DOOLITTLE, Mr. SMITH of Michigan, Mr. GIBBONS, Mr. CANTOR, Mr. SCHROCK, Mr. SMITH of New Jersey, Mr. ISTOOK, Mr. PAUL, Mr. SESSIONS, Mrs. JO ANN DAVIS of Virginia, Mrs. TAUSCHER, and Mr. ISSA):

H.R. 1466. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any enlistment, accession, reenlistment, or retention bonus paid to a member of the Armed Forces; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. TANCREDO, Mr. KINGSTON, Mr. WAMP, Mr. JONES of North Carolina, Mr. HAYES, Mr. BARTLETT of Maryland, Mr. GIBBONS, Ms. KAPTUR, Mr. SPENCE, Mr. BROWN of Ohio, Mr. STEARNS, Mr. BARR of Georgia, Mr. EVERETT, Mr. BURTON of Indiana, Mrs. CUBIN, Mr. DeFAZIO, Mr. SANDERS, Mr. HEFLEY, Mr. GRAHAM, Mr. SMITH of New Jersey, Mr. ROHRABACHER, Mr. NORWOOD, Mr. LIPINSKI, Mr. ADERHOLT, Mr. DUNCAN, Mr. HOSTETTLER, Mr. BILIRAKIS, Mr. GILMAN, Mr. TAYLOR of North Carolina, Mr. ROGERS of Michigan, Mr. TAYLOR of Mississippi, and Mr. CAPUANO):

H.R. 1467. A bill to withdraw nondiscriminatory treatment (normal trade relations treatment) from the People's Republic of China; to the Committee on Ways and Means.

By Mr. INSLEE (for himself, Mr. BACA, Mr. BECERRA, Mr. BAIRD, Mr. BERMAN, Mr. BLUMENAUER, Mrs. CAPPS, Mr. CAPUANO, Mr. CONDIT, Mrs. DAVIS of California, Mr. DeFAZIO, Mr. DICKS, Ms. ESHOO, Mr. FARR of California, Mr. FILNER, Mr. GEPHARDT, Ms. HARMAN, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. LANTOS, Mr. LARSEN of Washington, Ms. LOFGREN, Ms. LEE, Mr. MATSUI, Mr. McDERMOTT, Mr. GEORGE MILLER of California, Ms. MILLENDER-McDONALD, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. SMITH of Washington, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of California, Ms. WATERS, Mr. WAXMAN, Ms. WOOLSEY, and Mr. WU):

H.R. 1468. A bill to establish the dysfunctional wholesale power market in the Western United States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOHN:

H.R. 1469. A bill to amend title 38, United States Code, to provide for grants to repair veterans memorials; to the Committee on Veterans' Affairs.

By Mrs. JOHNSON of Connecticut (for herself, Mr. LEVIN, Mr. SHAW, Mr. CARDIN, Mr. HAYWORTH, Mr. MATSUI, Mr. WATKINS, Mr. KLECZKA, Mr. CAMP, Mr. RANGEL, Mr. RAMSTAD, Mr. COYNE, Mr. ENGLISH, Mr. JEFFERSON, Mr. HOUGHTON, Mr. McDERMOTT, Mr. WALSH, Mr. McNULTY, Mr. LoBIONDO, Mr. BECERRA, Mr. SIMMONS, Mr. STARK, Mr. KIRK, Mr. GEORGE MILLER of California, Mr. SHAYS, Ms. BALDWIN, Mr. SHIMKUS, Mr. CAPUANO, Mr. SAXTON, Mr. BLAGOJEVICH, Mrs. MORELLA, Mr. DOYLE, Mr. SMITH of New Jersey, Mr. ABERCROMBIE, Mr. SANDLIN, Ms. ROYBAL-ALLARD, Mr. MALONEY of Connecticut, Mr. ALLEN, Mr. HINCHEY, Mrs. MALONEY of New York, Mr. McGOVERN, Ms. SANCHEZ, Ms. RIVERS, Mr. LARSON of Connecticut, Mr. STRICKLAND, Ms. SCHAKOWSKY, Mrs. MINK of Hawaii, Mr. MENENDEZ, Mr. BALDACCI, Mr. BARRETT, Mr. BERMAN, Mr. CRAMER, Ms. DeLAURO, Mr. ENGEL, Mr. FROST, Mr. HALL of Ohio, Mr. HILLIARD, Mr. HOLDEN, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Mr. LaFALCE, Ms. LEE, and Ms. PELOSI):

H.R. 1470. A bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, and restore for fiscal year 2002 the ability of States to transfer up to 10 percent of funds from the program of block grants to States for temporary assistance for needy families to carry out activities under the Social Services Block Grant; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself and Mr. CARDIN):

H.R. 1471. A bill to provide more child support money to families leaving welfare, to simplify the rules governing the assisgnment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. HALL of Texas, Ms. RIVERS, Mr. ETHERIDGE, Mr. ISRAEL, Mr. COSTELLO, Ms. JACKSON-LEE of Texas, Mr. WU, Mr. UDALL of Colorado, Mr. LARSON of Connecticut, Ms. LOFGREN, Ms. WOOLSEY, Mr. GORDON, Mr. BACA, Mr. BARCIA, Mr. BAIRD, and Mr. MOORE):

H.R. 1472. A bill to authorize appropriations for fiscal years 2002, 2003, 2004, and 2005 for the National Science Foundation, and for other purposes; to the Committee on Science.

By Mr. JONES of North Carolina:

H.R. 1473. A bill to provide for expedited consideration by Congress of supplemental appropriations bills for the Department of Defense and the Coast Guard to meet critical national security needs; to the Committee on Rules.

By Mr. JONES of North Carolina (for himself, Mr. CLEMENT, Mr. BAKER, Mr. TAYLOR of Mississippi, Mr. BOEHLERT, Mr. SHOWS, Mr. TAUZIN, Mrs. CUBIN, Mr. GUTKNECHT, Mr. BRADY of Texas, Mr. HERGER, Mr. ENGLISH, Mr. OTTER, Mr. HANSEN, Mr. ARMEY, Mr. REHBERG, and Mr. BARCIA):

H.R. 1474. A bill to amend the Federal Water Pollution Control Act relating to wetlands mitigation banking, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KILDEE (for himself, Mr. NEY, Mr. SAWYER, Mr. SAXTON, Mr. SCOTT, Mr. SMITH of New Jersey, Mr. STARK, Mr. STRICKLAND, Mr. STUPAK, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. TRAFICANT, Mr. UDALL of New Mexico, Mr. WATT of North Carolina, Ms. WOOLSEY, Mr. KENNEDY of Minnesota, Ms. ROYBAL-ALLARD, Mr. LANGEVIN, Mr. RANGEL, Ms. SOLIS, Mr. MALONEY of Connecticut, Mr. BONIOR, Mr. SHAYS, Mr. PETERSON of Minnesota, Mr. BOSWELL, Mr. BORSKI, Ms. SCHAKOWSKY, Mr. CLEMENT, Mr. LaTOURETTE, Mr. KUCINICH, Mr. SHIMKUS, Mr. BARCIA, Mr. BALDACCI, Mr. YOUNG of Alaska, Mr. CRAMER, Mr. WEXLER, Mr. ABERCROMBIE, Mr. ALLEN, Mr. BERMAN, Mr. BOYD, Mrs. CAPPS, Ms. CARSON of Indiana, Mr. CONYERS, Mr. COSTELLO, Mr. CROWLEY, Mr. DAVIS of Florida, Mr. TOM DAVIS of Virginia, Mr. DELAHUNT, Mr. DICKS, Mr. DUNCAN, Mr. FARR of California, Mr. FILNER, Mr. FLETCHER, Mr. FROST, Mr. GREEN of Texas, Mr. GREEN of Wisconsin, Mr. ANDREWS, Ms. BALDWIN, Mr. BARRETT, Ms. BERKLEY, Mr. GUTKNECHT, Mr. HALL of Ohio, Mr. HINCHEY, Mr. HOLT, Mr. HOYER, Mr. INSLEE, Mr. KANJORSKI, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KING, Mr. KLECZKA, Mr. LaFALCE, Mr. LaHOOD, Mr. LANTOS, Mr. LEWIS of Georgia, Mr. LoBIONDO, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mrs. MALONEY of New York, Mr. MARKEY, Mr. MATSUI, Mrs. McCARTHY of New York, Ms. McCARTHY of Missouri, Ms. McCOLLUM, Mr. McGOVERN, Mr. McHUGH, Ms. McKINNEY, Mr. McNULTY, Mrs. MEEK of Florida, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOORE, Mr. MORAN of Virginia, Mrs. MORELLA, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. ORTIZ, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Ms. PELOSI, Mr. POMEROY, Mr. QUINN, Mr. RAHALL, Mr. RAMSTAD, Ms. RIVERS, Mr. RODRIGUEZ, Mrs. ROUKEMA, Mr. SABO, Ms. SANCHEZ, and Mr. SANDERS):

H.R. 1475. A bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; to the Committee on Education and the Workforce.

By Mr. KIND:

H.R. 1476. A bill to establish or expand prekindergarten early learning programs; to the Committee on Education and the Workforce.

By Mr. KIND (for himself and Mr. McGOVERN):

H.R. 1477. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit to elementary and secondary school teachers for teaching expenses; to the Committee on Ways and Means.

By Mr. KLECZKA:

H.R. 1478. A bill to protect the privacy of the individuals with respect to the Social Security number and other personal information, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNOLLENBERG (for himself, Mr. BARR of Georgia, Mr. BURR of North Carolina, Mr. BARTLETT of

Maryland, Mr. CAMP, Mr. DUNCAN, Mr. EHRLICH, Mr. FOLEY, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GOODLATTE, Ms. GRANGER, Mr. GRAVES, Mr. GUTKNECHT, Mr. ISTOOK, Mr. JOHN, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. LAHOOD, Mr. MCHUGH, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NETHERCUTT, Mr. PAUL, Mr. PITTS, Mr. ROHRABACHER, Mr. SHIMKUS, Mr. SIMPSON, Mr. SKEEN, Mr. SOUDER, Mr. STUMP, Mr. TAYLOR of North Carolina, Mr. THORNBERRY, Mr. UPTON, and Mr. YOUNG of Alaska):

H.R. 1479. A bill to amend the Energy Policy and Conservation Act to eliminate certain regulation of plumbing supplies; to the Committee on Energy and Commerce.

By Mr. LAFALCE (for himself, Mr. KANJORSKI, Mr. FRANK, Ms. WATERS, Mr. TOWNS, Mr. DINGELL, and Mr. MARKEY):

H.R. 1480: A bill to amend the Securities and Exchange Act of 1934 to reduce fees on securities transactions; to the Committee on Financial Services.

By Mr. LAFALCE (for himself and Mr. FRANK):

H.R. 1481. A bill to prevent the premature shutdown of certain FHA mortgage insurance programs; to the Committee on Financial Services.

By Mr. LANGEVIN (for himself, Ms. MCKINNEY, Mr. FRANK, Mr. MCGOVERN, Mr. BALDACCI, Mr. HONDA, Mr. LEWIS of Georgia, and Mrs. MEEK of Florida): A bill to establish a grant program administered by the Federal Elections Commission for the purpose of assisting States to upgrade voting systems to use more advanced and accurate voting devices and to enhance participation by military personnel in national elections; to the Committee on House Administration, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. KILDEE, Ms. WATERS, Mr. MCHUGH, Mr. CAMP, Ms. LEE, Mr. FROST, Mr. UDALL of Colorado, Mr. KUCINICH, Mr. RYAN of Wisconsin, Mr. MCGOVERN, Mr. BARCIA, Mr. FILNER, Mr. MORAN of Virginia, Mr. MOAKLEY Mr. FOLEY, Mr. DOYLE, Ms. PRYCE of Ohio, Mr. HOUGHTON, Mr. EVANS, Mrs. THURMAN, Mr. WAXMAN, Mr. ETHERIDGE, Mr. WALSH, Mr. SAWYER, Mr. SIMMONS, Mr. BEREUTER, Mr. JEFFERSON, Ms. KILPATRICK, Mr. HORN, Ms. RIVERS, Mr. COYNE, Mr. BALDACCI, Ms. BALDWIN, Mr. FARR of California, Mr. ENGLISH, Mr. MATSUI, Mr. DINGELL, and Mr. TIERNEY):

H.R. 1483. A bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for employer-provided educational assistance programs, and for other purposes; to the Committee on Ways and Means.

By Mr. LEVIN (for himself, Mr. RANGEL, Mr. GEPHARDT, Mr. BONIOR, Mr. MATSUI, Mr. NEAL of Massachusetts, Mr. JEFFERSON, Mr. BECERRA, Mr. DOGGETT, Mr. TANNER, Mr. MORAN of Virginia, Ms. CARSON of Indiana, Mrs. TAUSCHER, Mr. MEEKS of New York, Mr. LANTOS, Mr. FRANK, Mr. HINCHEY, Mr. BERMAN, Mr. POMEROY, Mr. MCNULTY, Mr. MCDERMOTT, Mr. LEWIS of Georgia, and Mr. CARDIN):

H.R. 1484. A bill to implement the agreement establishing a United States-Jordan free trade area; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO:

H.R. 1485. A bill to require that health plans provide coverage for a minimum hospital stay for mastectomies and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN (for herself, Mr. HONDA, and Mr. PRICE of North Carolina):

H.R. 1486. A bill to amend the Internal Revenue Code of 1986 to encourage qualified conservation contributions by allowing an estate tax deduction for such contributions made by the heirs of the estate; to the Committee on Ways and Means.

By Ms. LOFGREN (for herself, Mrs. TAUSCHER, Ms. SANCHEZ, Mr. FARR of California, Ms. WOOLSEY, Mr. JEFFERSON, Mr. MATSUI, Ms. ESHOO, Mr. HONDA, Ms. HARMAN, Mr. BAIRD, Ms. PELOSI, Mr. SHERMAN, and Mr. MORAN of Virginia):

H.R. 1487. A bill to amend the Internal Revenue Code of 1986 to repeal the alternative minimum tax treatment of incentive stock options, thereby changing the taxable event from the exercise of the stock option to the sale of stock; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mrs. MORELLA, Mr. TIERNEY, Mrs. MALONEY of New York, Mr. FRANK, Mr. DEFAZIO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCKINNEY, Mr. LANTOS, and Ms. CARSON of Indiana):

H.R. 1488. A bill to restore the jurisdiction of the Consumer Product Safety Commission over amusement park rides which are at a fixed site, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARKEY (for himself, Mrs. MORELLA, Mr. BRADY of Pennsylvania, Mrs. MALONEY of New York, Mr. GEORGE MILLER of California, Mr. OWENS, Mr. MCGOVERN, Mr. SANDERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BROWN of Ohio, Mr. CUMMINGS, Ms. CARSON of Indiana, Mrs. JONES of Ohio, Mrs. MINK of Hawaii, Mrs. CHRISTENSEN, Mr. RUSH, Ms. WOOLSEY, Ms. MCKINNEY, Mr. LEWIS of Georgia, Mr. GREEN of Texas, Mr. NADLER, Ms. BALDWIN, Mr. CROWLEY, Mr. TOWNS, and Mr. SANDLIN):

H.R. 1489. A bill to amend certain Federal civil rights statutes to prevent the involuntary application of arbitration to claims that arise from unlawful employment discrimination based on race, color, religion, sex, national origin, age, or disability, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committees concerned.

By Mr. MARKEY (for himself, Mr. SMITH of New Jersey, Mr. KING, Mr. MCDERMOTT, Mr. HOLT, Mr. MATSUI, Mr. WAXMAN, Mr. BALDACCI, Mr. MEEHAN, Mr. HILLIARD, Mr. RILEY, Ms. SLAUGHTER, Mrs. MINK of Hawaii, Mr. KUCINICH, Mr. GUTIERREZ, Mr. BONIOR, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. DELAHUNT, Mr. GORDON, Mr. INSLEE, Mr. REYES, Mr. ANDREWS, and Mr. DEFAZIO):

H.R. 1490. A bill to amend title XVIII of the Social Security Act to clarify the definition of homebound with respect to home health services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MATHESON (for himself, Mr. HANSEN, and Mr. CANNON):

H.R. 1491. A bill to assist in the preservation of archaeological, paleontological, zoological, geological, and botanical artifacts through construction of a new facility for the University of Utah Museum of Natural History, Salt Lake City, Utah; to the Committee on Resources.

By Mr. MATSUI:

H.R. 1492. A bill to amend the Internal Revenue Code of 1986 to enhance the competitiveness of the United States leasing industry; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 1493. A bill to amend the Internal Revenue Code of 1986 to enhance the competitiveness of the United States leasing industry; to the Committee on Ways and Means.

By Ms. MCKINNEY (for herself, Mr. LEACH, Mr. DELAHUNT, Mr. OLVER, Mrs. LOWEY, Mr. SAWYER, Mr. BLAGOJEVICH, Mr. BROWN of Ohio, Mr. SANDERS, Mr. LEWIS of Georgia, Mr. WEXLER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FILNER, Mr. WEINER, Mr. PALLONE, Mrs. MEEK of Florida, Mr. BONIOR, Mr. LANTOS, Ms. PELOSI, Mr. FATTAH, Mr. SCOTT, Mr. OWENS, Mr. CLAY, Mr. STARK, Ms. RIVERS, Ms. MCCARTHY of Missouri, Mr. HOLT, Mr. CUMMINGS, Mrs. MCCARTHY of New York, Mrs. NAPOLITANO, Mr. WAXMAN, Mr. SHERMAN, Mr. NADLER, Mr. MORAN of Virginia, Ms. BALDWIN, Mr. MARKEY, Mr. MCDERMOTT, Mr. BERMAN, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. PASCRELL, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Mr. HOEFFEL, Mr. THOMPSON of Mississippi, Mr. WYNN, Ms. NORTON, Mr. EVANS, Mr. BORSKI, Mr. HASTINGS of Florida, Mr. ROTHMAN, Mr. TIERNEY, Mr. CAPUANO, Mr. KUCINICH, Mr. MCGOVERN, Ms. DELAURO, Ms. ROYBAL-ALLARD, Mr. SERRANO, Ms. BROWN of Florida, Ms. WOOLSEY, Mr. SIMMONS, Mr. CONYERS, Ms. SOLIS, Ms. LEE, Mr. HINCHEY, Ms. SLAUGHTER, Ms. CARSON of Indiana, Ms. SANCHEZ, Mr. TOWNS, Ms. BERKLEY, Mr. KLECZKA, Mrs. DAVIS of California, and Mr. BECERRA):

H.R. 1494. A bill to save taxpayers money, reduce the deficit, cut corporate welfare, protect communities from wildfires, and protect and restore America's natural heritage by eliminating the fiscally wasteful and ecologically destructive commercial logging program on Federal public lands, restoring native biodiversity in our Federal public forests, and facilitating the economic recovery and diversification of communities affected by the Federal logging program; to the Committee on Resources, and in addition to the Committees on Agriculture, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-MCDONALD:

H.R. 1495. A bill to direct the Equal Employment Opportunity Commission to prepare a report about how the Fair Labor Standards Act of 1938 has been used by public

and private sector employers to foster or exacerbate pay inequity; to the Committee on Education and the Workforce.

By Mr. MORAN of Virginia (for himself and Mr. WYNN):

H.R. 1496. A bill to allow credit under the Federal Employees' Retirement System for certain Government service which was performed abroad after December 31, 1988, and before May 24, 1998; to the Committee on Government Reform.

By Mr. MURTHA (for himself, Mr. HOLDEN, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. RODRIGUEZ, Mr. TAYLOR of Mississippi, Mr. CAPUANO, and Mr. LARSON of Connecticut):

H.R. 1497. A bill to revoke the authority to extend permanent normal trade relations to the People's Republic of China; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself, Mr. RANGEL, Mr. MATSUI, Mr. COYNE, and Mr. ANDREWS):

H.R. 1498. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit for elective deferrals and IRA contributions and to allow small employers credits for pension plan startup costs and for pension plan contributions; to the Committee on Ways and Means.

By Ms. NORTON (for herself, Mrs. MORELLA, and Mr. TOM DAVIS of Virginia):

H.R. 1499. A bill to amend the District of Columbia College Access Act of 1999 to permit individuals who graduated from a secondary school prior to 1998 and individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school to participate in the tuition assistance programs under such Act, and for other purposes; to the Committee on Government Reform.

By Mr. NUSSLE:

H.R. 1500. A bill to amend the Individuals with Disabilities Education Act to allow State educational agencies and local educational agencies to establish and implement uniform policies with respect to discipline and order applicable to all children within their jurisdiction to ensure safety and an appropriate educational atmosphere in their schools; to the Committee on Education and the Workforce.

By Mr. OSBORNE (for himself, Mr. KELLER, and Mr. FORD):

H.R. 1501. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize the Secretary of Education to make grants to support local mentoring programs for children in need, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PALLONE (for himself and Mr. PASTOR):

H.R. 1502. A bill to clarify the citizenship eligibility for certain members of the Tohono O'odham Nation of Arizona, and for other purposes; to the Committee on the Judiciary.

By Mr. PALLONE:

H.R. 1503. A bill to prohibit the Department of the Interior from expending any funds for a mid-Atlantic coast offshore oil and gas lease sale; to the Committee on Resources.

By Ms. PELOSI (for herself, Ms. DUNN, Mr. RANGEL, Mr. MCDERMOTT, Mrs. MORELLA, Mrs. CHRISTENSEN, Mr. FOLEY, Mr. LEWIS of Georgia, Mr. TOWNS, Mr. DEUTSCH, Mr. SERRANO, Ms. WOOLSEY, Mr. JEFFERSON, Mr. FILNER, Mr. MCNULTY, Ms. ROYBAL-ALLARD, Mr. LANTOS, Mr. ENGLISH, Mrs. THURMAN, Ms. DELAURO, Ms. MILLENDER-MCDONALD, and Mr. WYNN):

H.R. 1504. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for research related to developing vaccines against widespread diseases and ensure that such vaccines are affordable and widely distributed; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETRI (for himself, Mr. OBEY, Mr. SENSENBRENNER, Mr. KIND, Ms. BALDWIN, Mr. GREEN of Wisconsin, and Mr. RYAN of Wisconsin):

H.R. 1505. A bill to amend the Agricultural Adjustment Act to prohibit the Secretary of Agriculture from basing minimum prices for Class I milk on the distance or transportation costs from any location that is not within a marketing area, except under certain circumstances, and for other purposes; to the Committee on Agriculture.

By Mr. PICKERING (for himself, Mr. THOMPSON of California, Mr. HAYES, Mr. PHELPS, Mr. JONES of North Carolina, Mr. LEACH, Mr. THOMPSON of Mississippi, Mrs. EMERSON, Mr. MCHUGH, Mr. MORAN of Kansas, Mr. BEREUTER, Mr. DELAHUNT, Mr. BOEHLERT, Mr. COOKSEY, Mr. DINGELL, Mr. CHAMBLISS, Mr. DICKS, Mr. KOLBE, Mr. JOHN, Mr. CUNNINGHAM, Mr. BENTSEN, Mr. WICKER, Mr. TURNER, Mr. STUPAK, Ms. BROWN of Florida, Mr. BURR of North Carolina, Mr. DEAL of Georgia, Ms. PRYCE of Ohio, Mr. SCHAFFER, Mrs. THURMAN, Mr. WATKINS, Mr. REGULA, Mr. HUTCHINSON, Mr. GUTKNECHT, Mr. CALVERT, Mr. WELDON of Pennsylvania, Mr. PRICE of North Carolina, and Mr. ROSS):

H.R. 1506. A bill to amend the Food Security Act of 1985 to authorize the annual enrollment of land in the wetlands reserve program, to extend the program through 2005, and for other purposes; to the Committee on Agriculture.

By Mr. RAMSTAD (for himself and Mr. LEWIS of Kentucky):

H.R. 1507. A bill to amend the Internal Revenue Code of 1986 to classify certain franchise operation property as 15-year depreciable property; to the Committee on Ways and Means.

By Mrs. ROUKEMA:

H.R. 1508. A bill to amend title X of the Elementary and Secondary Education Act of 1965 to provide for elementary and secondary school counseling programs; to the Committee on Education and the Workforce.

By Ms. ROYBAL-ALLARD (for herself, Mr. WOLF, Ms. PELOSI, Mr. WAMP, Mr. WAXMAN, Mrs. MORELLA, Mrs. LOWEY, and Mr. COOKSEY):

H.R. 1509. A bill to amend the Public Health Service Act to provide for a national media campaign to reduce and prevent underage drinking in the United States; to the Committee on Energy and Commerce.

By Mr. RYAN of Wisconsin (for himself and Mr. POMEROY):

H.R. 1510. A bill to establish a demonstration project to waive certain nurse aide training requirements for specially trained individuals who perform certain specific tasks in nursing facilities participating in the medicare or medicaid programs, and to conditionally authorize the use of resident assistants in such nursing facilities; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYUN of Kansas (for himself, Mrs. DAVIS of California, Mr. SHOWS, Mr. GIBBONS, and Mr. TIAHRT):

H.R. 1511. A bill to amend title 10, United States Code, to eliminate the requirement that covered beneficiaries under chapter 55 of such title obtain a nonavailability-of-health-care statement with respect to obstetrics and gynecological care related to a pregnancy; to the Committee on Armed Services.

By Mr. SANDERS (for himself, Mr. KUCINICH, Mr. BONIOR, Mr. CONYERS, Mr. HILLIARD, Ms. LEE, Mr. DEFAZIO, Mr. ABERCROMBIE, Mr. NADLER, Ms. KAPTUR, Mr. HINCHEY, Mr. OLVER, Mr. SERRANO, Mr. THOMPSON of Mississippi, Mr. CLAY, Ms. CARSON of Indiana, Ms. WOOLSEY, Mr. PAYNE, Ms. MCKINNEY, Mr. PASTOR, Ms. NORTON, Mr. OWENS, Mr. MCGOVERN, and Mr. FILNER):

H.R. 1512. A bill to amend title XVIII of the Social Security Act to provide a prescription benefit program for all Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT (for himself, Mr. CAPUANO, Mr. JEFFERSON, Mr. TOWNS, Mr. OWENS, Mr. JACKSON of Illinois, Mr. PAYNE, Mr. CONYERS, Ms. LEE, Mr. TIERNEY, Ms. CARSON of Indiana, and Mr. BACA):

H.R. 1513. A bill to provide for fairness and accuracy in high stakes educational decisions for students; to the Committee on Education and the Workforce.

By Mr. SHAW (for himself, Mr. STARK, Mr. RAMSTAD, Mr. NEAL of Massachusetts, Ms. DUNN, Mr. COYNE, Mr. ENGLISH, Mr. MATSUI, Mr. LEWIS of Georgia, Mrs. JOHNSON of Connecticut, Mr. KLECZKA, Mr. HOUGHTON, Mr. LEVIN, Mr. HAYWORTH, Mr. BECERRA, Mr. WATKINS, Mr. MCDERMOTT, Mr. BRADY of Texas, Mr. CARDIN, Mr. POMEROY, and Mrs. THURMAN):

H.R. 1514. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on persons who acquire structured settlement payments in factoring transactions, and for other purposes; to the Committee on Ways and Means.

By Mr. SHAW:

H.R. 1515. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment for foreign tax credit limitation purposes of certain transfers of intangible property; to the Committee on Ways and Means.

By Mr. SHAW:

H.R. 1516. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAW (for himself and Mr. BACHUS):

H.R. 1517. A bill to amend title XVIII of the Social Security Act to increase the per resident payment floor for direct graduate medical education payments under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provi-

sions as fall within the jurisdiction of the committee concerned.

By Mr. SIMMONS:

H.R. 1518. A bill to require the Secretary of the Interior to include on the National Register of Historic Places the Avery Point Lighthouse in Groton, Connecticut, and provide $200,000 for the restoration of that lighthouse; to the Committee on Resources.

By Mr. SIMPSON:

H.R. 1519. A bill to provide grants for special environmental assistance for the regulation of communities and habitat (''SEARCH grants'') to small communities; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Mrs. MORELLA, Mr. HASTINGS of Florida, Mr. ALLEN, Mr. BACA, Mr. BALDACCI, Mr. BLAGOJEVICH, Mr. BONIOR, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. COYNE, Mr. CRAMER, Mr. DOYLE, Ms. ESHOO, Mr. FILNER, Mr. FOLEY, Mr. FROST, Mr. GONZALEZ, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. HILLIARD, Mr. HINCHEY, Mr. KANJORSKI, Mr. LANTOS, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MCINTYRE, Mr. MCNULTY, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, Mr. MOORE, Mr. MORAN of Virginia, Mr. PASCRELL, Mr. PAYNE, Mr. PLATTS, Mr. RANGEL, Mr. RUSH, Ms. SANCHEZ, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. SPRATT, Mr. STARK, Mrs. THURMAN, Mr. TIERNEY, Mr. TOWNS, and Ms. WOOLSEY):

H.R. 1520. A bill to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to require coverage for colorectal cancer screenings for group health plans and group and individual health insurance coverage; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan (for himself, Mr. KINGSTON, Mr. AKIN, Mr. HOSTETTLER, Mr. SCHAFFER, Mr. HOEKSTRA, Mr. DEMINT, Mr. LARGENT, Mr. BARTLETT of Maryland, Mr. FLAKE, Mr. SAM JOHNSON of Texas, Mr. DOOLITTLE, Mr. GOODE, Mr. JONES of North Carolina, Mr. SOUDER, and Mr. TANCREDO):

H.R. 1521. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide for sequestration of Federal spending in excess of 18 percent of gross domestic product; to the Committee on the Budget.

By Mr. STARK (for himself, Mr. MATSUI, Mr. FARR of California, Mr. GUTIERREZ, Mr. FRANK, Mr. BLAGOJEVICH, Ms. SCHAKOWSKY, Ms. DELAURO, Mr. FROST, Mr. MCNULTY, Mr. KENNEDY of Rhode Island, Ms. KAPTUR, Mr. WAXMAN, Mr. STRICKLAND, and Mr. BALDACCI):

H.R. 1522. A bill to amend title XVIII of the Social Security Act to expand and improve coverage of mental health services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO:

H.R. 1523. A bill to amend title 18, United States Code, to increase the age of persons considered to be minors for the purposes of the prohibition on transporting obscene materials to minors; to the Committee on the Judiciary.

By Mr. THOMAS (for himself, Mr. LIPINSKI, Mrs. JOHNSON of Connecticut, Mr. PETERSON of Minnesota, Mr. CRANE, Mr. PHELPS, Mr. MCCRERY, Mr. DEUTSCH, Mr. CAMP, Mr. HALL of Texas, Mr. RAMSTAD, Mr. LUCAS of Kentucky, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. ENGLISH, Mr. HAYWORTH, Mr. MCINNIS, Mr. LEWIS of Kentucky, Mr. BRADY of Texas, Mr. ARMEY, Mr. DELAY, Mr. MILLER of Florida, Mr. PAUL, Mr. ROGERS of Michigan, Mr. FOSSELLA, Mr. TANCREDO, Mr. SCHAFFER, Mr. WALSH, Mr. REYNOLDS, Mr. COOKSEY, Mr. SESSIONS, Mr. OSE, Ms. HART, and Mrs. KELLY):

H.R. 1524. A bill to amend the Internal Revenue Code of 1986 to expand the availability of Archer medical savings accounts; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself, Mr. FRANK, Mr. FILNER, Mrs. TAUSCHER, Mr. BALDACCI, Mr. BROWN of Ohio, Mr. FROST, and Mr. MCGOVERN):

H.R. 1525. A bill to increase the authorization of funds under the Library Services and Technology Act, to provide funds for construction of libraries under such Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. THUNE (for himself and Mr. HILL):

H.R. 1526. A bill to prohibit excessive concentration resulting from mergers among certain purchasers, processors, and sellers of livestock, poultry, and basic agricultural commodities; to require the Attorney General to establish an Office of Special Counsel for Agriculture, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT (for himself, Mr. SOUDER, Mr. WICKER, Mr. PAUL, Mr. JONES of North Carolina, and Mr. BARTLETT of Maryland):

H.R. 1527. A bill to provide funding flexibility to States and local educational agencies with respect to programs to provide special education and related services to children with disabilities; to the Committee on Education and the Workforce.

By Mr. TOWNS:

H.R. 1528. A bill to amend title XIX of the Social Security Act to assure coverage for legal immigrant children and pregnant women under the Medicaid Program and the State children's health insurance program (SCHIP); to the Committee on Energy and Commerce.

By Mr. TRAFICANT:

H.R. 1529. A bill to authorize assistance for electric power utility privatization efforts in the Federal Republic of Nigeria; to the Committee on International Relations.

By Mr. WAXMAN (for himself, Mr. BERRY, Mr. STARK, Mr. BROWN of Ohio, and Mr. DEUTSCH):

H.R. 1530. A bill to ensure the timely availability of generic drugs through enhancement of drug approval and antitrust laws enforced by the Food and Drug Administration and the Federal Trade Commission regarding brand name drugs and generic drugs; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER (for himself, Mr. KUCINICH, Mr. STARK, Mr. PASCRELL, Mr. LANTOS, Ms. MCKINNEY, Ms. ROYBAL-ALLARD, Mrs. CHRISTENSEN, Mr. LAFALCE, and Mr. HILL):

H.R. 1531. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to monitor complaints regarding the quality of wireless telephone service; to the Committee on Energy and Commerce.

By Mr. WEINER:

H.R. 1532. A bill to amend the Internal Revenue Code of 1986 to repeal the inclusion in gross income of Social Security benefits; to the Committee on Ways and Means.

By Mr. WELDON of Florida (for himself, Mr. SENSENBRENNER, Mr. PETRI, Mr. ROYCE, Mr. SMITH of New Jersey, Mr. BACHUS, Mr. NORWOOD, Mr. LARGENT, Mr. PITTS, Mr. STEARNS, and Mr. SOUDER):

H.R. 1533. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide additional protections to victims of rape; to the Committee on the Judiciary.

By Mr. WHITFIELD (for himself, Mr. STRICKLAND, Mr. UDALL of Colorado, Mr. BROWN of Ohio, Ms. BERKLEY, Mr. GIBBONS, Mr. WAMP, Mr. CONYERS, Mr. DUNCAN, and Mr. HILLEARY):

H.R. 1534. A bill to designate the Federal agencies responsible for implementing the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF:

H.R. 1535. A bill to amend title 18, United States Code, to authorize pilot projects under which private companies in the United States may use Federal inmate labor to produce items that would otherwise be produced by foreign labor, to revise the authorities and operations of Federal Prison Industries, and for other purposes; to the Committee on the Judiciary.

By Ms. WOOLSEY (for herself, Mr. BACA, Mr. COSTELLO, Mr. ETHERIDGE, Mr. HOLT, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. KIND, Mr. LAMPSON, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. OLVER, Mr. PAYNE, Ms. RIVERS, Ms. SANCHEZ, Mr. SCOTT, Mr. TIERNEY, and Mr. WU):

H.R. 1536. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to local educational agencies to encourage girls to pursue studies and careers in science, mathematics, engineering, and technology; to the Committee on Education and the Workforce.

By Mr. KNOLLENBERG:

H.J. Res. 43. Joint resolution expressing Congressional disapproval of a rule issued by the Department of Energy with respect to residential central air conditioners and heat pumps; to the Committee on Energy and Commerce.

H.J. Res. 44. Joint resolution expressing Congressional disapproval of a rule issued by the Department of Energy with respect to clothes washers; to the Committee on Energy and Commerce.

By Mr. ANDREWS (for himself, Mr. BILIRAKIS, Mr. MCGOVERN, Mrs. MORELLA, Ms. LEE, Mr. CAPUANO, Mr. BLAGOJEVICH, Mrs. MALONEY of New York, Mr. MCNULTY, Mr. ACKERMAN, and Mr. KNOLLENBERG):

H. Con. Res. 97. Concurrent resolution expressing the sense of the Congress regarding

Turkey's claims of sovereignty over islands and islets in the Aegean Sea; to the Committee on International Relations.

By Ms. BERKLEY (for herself, Mrs. NAPOLITANO, Mr. STARK, Mr. ACKERMAN, Mr. HINCHEY, Ms. CARSON of Indiana, and Mr. HINOJOSA):

H. Con. Res. 98. Concurrent resolution expressing the sense of the Congress in support of National Children's Memorial Flag Day; to the Committee on Education and the Workforce.

By Mr. CONYERS (for himself, Ms. SCHAKOWSKY, Mr. TIERNEY, Ms. LEE, Mrs. CHRISTENSEN, Mr. BONIOR, Mr. KUCINICH, Mr. HILLIARD, Mr. HINCHEY, Mr. NADLER, Mr. PAYNE, Mr. FATTAH, Mr. DEFAZIO, Mr. LEWIS of Georgia, Ms. BALDWIN, Mrs. JONES of Ohio, Mr. FRANK, Mr. WAXMAN, Ms. MCKINNEY, Mr. LANGEVIN, Mr. GEORGE MILLER of California, Mr. HASTINGS of Florida, Mrs. MINK of Hawaii, Mr. OLVER, Mr. THOMPSON of Mississippi, Mr. STARK, Ms. CARSON of Indiana, and Mr. CAPUANO):

H. Con. Res. 99. Concurrent resolution directing Congress to enact legislation by October 2004 that provides access to comprehensive health care for all Americans; to the Committee on Energy and Commerce.

By Mr. DUNCAN:

H. Con. Res. 100. Concurrent resolution commending Clear Channel Communications and the American Football Coaches Association for their dedication and efforts for protecting children by providing a vital means for locating the Nation's missing, kidnapped, and runaway children; to the Committee on Education and the Workforce.

By Mr. ENGEL (for himself, Mr. ACKERMAN, Mr. LANTOS, Mr. WEINER, Mr. SHERMAN, Mr. ROHRABACHER, Mr. SMITH of New Jersey, Mr. KING, Mr. WICKER, and Mr. SAXTON):

H. Con. Res. 101. Concurrent resolution expressing the sense of Congress that the International Committee of the Red Cross should immediately recognize the Megen David Adom Society, and for other purposes; to the Committee on International Relations.

By Mr. LEACH (for himself and Mr. PAYNE):

H. Con. Res. 102. Concurrent resolution relating to efforts to reduce hunger in sub-Saharan Africa; to the Committee on International Relations.

By Mrs. MALONEY of New York:

H. Con. Res. 103. Concurrent resolution honoring The American Society for the Prevention of Cruelty to Animals for its 135 years of service to the people of the United States and their animals; to the Committee on Agriculture.

By Mr. SHOWS (for himself, Mr. SMITH of New Jersey, Mr. EVANS, Mr. ANDREWS, Mr. BACA, Mr. BACHUS, Mr. BALDACCI, Ms. BALDWIN, Mr. BARCIA, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BERMAN, Mr. BILIRAKIS, Mr. BOEHLERT, Ms. BROWN of Florida, Mr. BROWN of South Carolina, Mr. BROWN of Ohio, Mr. BUYER, Mr. CLEMENT, Mr. CONDIT, Mr. COSTELLO, Mr. CUMMINGS, Mr. DAVIS of Florida, Mrs. DAVIS of California, Mr. DINGELL, Mrs. EMERSON, Mr. FILNER, Mr. FOLEY, Mr. FOSSELLA, Mr. FROST, Mr. GIBBONS, Mr. GILCHREST, Mr. GRAVES, Mr. GREEN of Texas, Mr. GRUCCI, Mr. HALL of Texas, Ms. HART, Mr. HASTINGS of Florida, Mr. HAYWORTH, Mr. HILL, Mr. HINCHEY, Mr. HOLDEN, Mr. HUTCHINSON, Mrs. JONES of Ohio, Mr. JONES of North Carolina, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KING, Mr. KIRK, Mr. KUCINICH, Mr. LAHOOD, Mr. LAMPSON, Mr. LANGEVIN, Mr. MALONEY of Connecticut, Mr. MCINTYRE, Ms. MCKINNEY, Mr. MCNULTY, Mr. MOORE, Mrs. NORTHUP, Mr. OSE, Mr. PALLONE, Mr. QUINN, Mr. REYES, Mr. RODRIGUEZ, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mr. SAXTON, Mr. SIMMONS, Mr. SNYDER, Mr. SPENCE, Mr. STUPAK, Mr. TIERNEY, Mr. TURNER, and Mr. UDALL of New Mexico):

H. Con. Res. 104. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued by the United States Postal Service honoring the members of the Armed Forces who have been awarded the Purple Heart; to the Committee on Government Reform.

By Mr. CALVERT (for himself, Mr. BOSWELL, Mr. BAIRD, Mr. CANNON, Mr. HERGER, Ms. HOOLEY of Oregon, Mr. MATSUI, Mr. LARSEN of Washington, Mr. WAMP, Mr. RADANOVICH, Mr. SMITH of Washington, Mr. NETHERCUTT, Mr. BERRY, Mr. DICKS, Mr. BACA, Mr. HUTCHINSON, Mr. MORAN of Kansas, Mr. BEREUTER, Mrs. TAUSCHER, Mr. LATHAM, Mr. MATHESON, Mr. CONDIT, Mrs. NORTHUP, Mr. OSE, Mr. EVANS, Mr. ROSS, Mr. WATTS of Oklahoma, Mr. SCHAFFER, Mr. SANDLIN, Mr. HILLEARY, Ms. BERKLEY, Mr. GILMAN, Mr. OSBORNE, Ms. DUNN, Mr. SESSIONS, Mr. INSLEE, Mrs. BONO, Mr. MCINNIS, Ms. SANCHEZ, Mr. MCDERMOTT, Mr. PETERSON of Pennsylvania, Mr. TIAHRT, Mr. SHOWS, Mr. LUCAS of Oklahoma, Ms. MCCARTHY of Missouri, Mr. UDALL of New Mexico, Mr. REYES, Mrs. EMERSON, Mr. GRAVES, Mr. HULSHOF, Mr. LEACH, Mr. GOODLATTE, Mr. THOMAS, Mr. HORN, Mr. POMBO, Mr. MCGOVERN, and Mr. SMITH of New Jersey):

H. Res. 114. Resolution recognizing the bravery, dedication, and commitment of Federal, State, county, city, and other law enforcement officers for their daily efforts in battling the use and production of methamphetamine; to the Committee on the Judiciary.

By Mr. GREEN of Texas (for himself, Mr. SANDERS, Mr. DICKS, Mr. BURTON of Indiana, Mr. BACHUS, Mr. HINCHEY, Mr. CLYBURN, Mr. DAVIS of Florida, Mr. WAMP, Mr. LAHOOD, Mr. PRICE of North Carolina, Mr. BLUMENAUER, Mr. HOLT, Mr. DOYLE, Mr. GORDON, Mr. MORAN of Virginia, Mr. WATKINS, Mr. WICKER, Mr. FRANK, Mr. KINGSTON, Ms. HOOLEY of Oregon, Mr. BOUCHER, Mr. LUTHER, Mr. EHLERS, Mr. CASTLE, Mr. SERRANO, Mr. BALDACCI, Ms. MCCOLLUM, Mr. UPTON, Mr. COYNE, Mr. MCINTYRE, Mr. CLEMENT, Mr. SNYDER, Mr. GREENWOOD, Mr. GONZALEZ, Ms. CARSON of Indiana, Mr. BRADY of Pennsylvania, Mr. DEUTSCH, Mr. CRAMER, Mr. BLAGOJEVICH, and Ms. SLAUGHTER):

H. Res. 115. Resolution expressing the sense of the House of Representatives concerning health promotion and disease prevention; to the Committee on Energy and Commerce.

By Mr. HEFLEY (for himself, Ms. BALDWIN, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BERMAN, Mr. BONIOR, Mr. BORSKI, Mr. BROWN of Ohio, Mr. CASTLE, Mr. CLEMENT, Mr. COOKSEY, Mr. COSTELLO, Mr. CRAMER, Mr. EHRLICH, Mr. FERGUSON, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GILMAN, Mr. GONZALEZ, Mr. HOLDEN, Mr. HORN, Mr. HYDE, Mr. INSLEE, Mr. ISSA, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KING, Mr. KNOLLENBERG, Mr. KUCINICH, Mr. LANGEVIN, Mr. LANTOS, Ms. LOFGREN, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCINNIS, Ms. MCKINNEY, Mr. MCNULTY, Mr. MOORE, Mr. NETHERCUTT, Mr. PASCRELL, Mr. PASTOR, Mr. RODRIGUEZ, Mr. ROYCE, Mr. SAXTON, Mr. SESSIONS, Mr. SIMMONS, Mr. SOUDER, Mr. STUPAK, Mr. SUNUNU, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WALSH, Mr. WOLF, and Mr. WYNN):

H. Res. 116. Resolution commemorating the dedication and sacrifices of the men and women of the United States who were killed or disabled while serving as law enforcement officers; to the Committee on Government Reform.

By Ms. LEE (for herself, Mr. WAXMAN, Ms. JACKSON-LEE of Texas, Mr. SANDERS, Mr. HASTINGS of Florida, Mr. WEXLER, Mr. FRANK, Ms. RIVERS, Ms. DELAURO, Mr. OLVER, Mr. NADLER, Mr. BALDACCI, Mr. SMITH of Washington, Mr. ALLEN, Mr. FILNER, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. HINCHEY, Mr. PAYNE, Mr. LEWIS of Georgia, Ms. CARSON of Indiana, Ms. MCKINNEY, Ms. MCCOLLUM, Mr. DAVIS of Illinois, Mrs. MINK of Hawaii, Mr. HONDA, Mr. KUCINICH, Mr. RUSH, Ms. WOOLSEY, Mr. BERMAN, Ms. SCHAKOWSKY, Mr. UDALL of Colorado, Ms. BALDWIN, Ms. PELOSI, Mr. OWENS, Mr. STARK, Ms. SOLIS, Mr. PALLONE, Mr. FARR of California, Mr. MCGOVERN, Ms. ESHOO, and Mrs. THURMAN):

H. Res. 117. Resolution expressing the sense of Congress that the United States should develop, promote, and implement policies to reduce emissions of fossil fuel generated carbon dioxide with the goal of achieving stabilization of greenhouse gas emissions in the United States at the 1990 level by the year 2010; to the Committee on Energy and Commerce.

¶34.25 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

15. The SPEAKER presented a memorial of the Legislature of the State of Kansas, relative to Resolution No. 1607 memorializing the United States Congress to encourage the development of a federal energy policy that considers all possible future sources of energy; to the Committee on Energy and Commerce.

16. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Resolution No. 651 memorializing the United States Congress to express its commitment to the principles represented by the Electoral College, for its embodiment of the well-balanced framework of this nation's state and federal governments, and for its role in assuring the preservation of the liberty enjoyed by all citizens; to the Committee on House Administration.

17. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Resolution No. 39 memorializing the United States Congress to support the Railroad Retirement and Survivors' Improvement Act in the 107th Congress; to the Committee on House Administration.

18. Also, a memorial of the Legislature of the State of Wyoming, relative to Resolution No. 4 memorializing the United States Congress to establish a Northern Rocky Mountain Grizzly Bear and Gray Wolf Management Trust to find management of these wildlife populations; to the Committee on Resources.

19. Also, a memorial of the General Assembly of the State of North Dakota, relative to Resolution No. 3031 memorializing the United States Congress to prepare and submit an amendment to the Constitution of the United States to add a new article pro-

viding as follows: "Neither the Supreme Court nor any inferior court of the United States shall have the power to instuct or order a state or political subdivision thereof, or an official of such a state or political subdivision, to levy or increase taxes"; to the Committee on the Judiciary.

20. Also, a memorial of the House of Representatives of the State of Michigan, relative to Resolution No. 24 memorializing the United States Congress to enact legislation that offers a regional solution to the problems of nonindigenous species being released in the ballast water of ships on the Great Lakes; to the Committee on Transportation and Infrastructure.

21. Also, a memorial of the Senate of the Commonwealth of Massachusetts, relative to a Resolution memorializing the United States Congress to enact legislation to provide parity of benefits to all retired career military personnel; jointly to the Committees on Armed Services and Veterans' Affairs.

22. Also, a memorial of the House of Representatives of the State of Kansas, relative to Resolution No. 5011 memorializing the United States Congress to address, for rectification, the aforementioned concerns regarding the health care coverage of our retired military veterans and their immediate families; jointly to the Committees on Veterans' Affairs and Armed Services.

23. Also, a memorial of the Legislature of the State of Kansas, relative to Resolution No. 5011 memorializing the United States Congress to address, for rectification, the aforementioned concerns regarding the health care coverage of our retired military veterans and their immediate families; jointly to the Committees on Veterans' Affairs and Armed Services.

¶34.26 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. McINTYRE:

H.R. 1537. A bill for the relief of Perla Franccesca Segovia; to the Committee on the Judiciary.

By Mr. PETRI:

H.R. 1538. A bill for the relief of Thomas McDermott, Sr.; to the Committee on Resources.

By Mr. TRAFICANT:

H.R. 1539. A bill for the relief of Ghassan Mohamad Rajeh; to the Committee on the Judiciary.

¶34.27 ADDITIONAL SPONSORS

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

H.R. 1: Ms. GRANGER, Mr. FRELINGHUYSEN, Mr. MICA, and Mr. TIAHRT.
H.R. 10: Mr. WICKER.
H.R. 15: Mr. FLAKE, Mr. SHAYS, Mr. CANTOR, and Mrs. EMERSON.
H.R. 21: Mr. WATT of North Carolina.
H.R. 25: Mr. SANDERS and Mr. CROWLEY.
H.R. 31: Mr. BOUCHER and Mr. ADERHOLT.
H.R. 39: Mr. JOHN, Mr. BISHOP, Mr. STENHOLM, and Mr. BACA.
H.R. 40: Mr. CUMMINGS.
H.R. 41: Mr. PAUL, Mr. BLUMENAUER, and Mr. SCHAFFER.
H.R. 42: Mr. EDWARDS.
H.R. 46: Mrs. MEEK of Florida.
H.R. 96: Ms. HART.
H.R. 97: Mr. LATOURETTE, Mr. KILDEE, and Mr. ACKERMAN.
H.R. 99: Mr. STUMP.
H.R. 100: Mr. CRAMER and Mr. CALVERT.
H.R. 101: Mr. CRAMER and Mr. CALVERT.
H.R. 102: Mr. CRAMER and Mr. CALVERT.
H.R. 123: Mrs. EMERSON.
H.R. 134: Mr. RYAN of Wisconsin.
H.R. 144: Mr. KLECZKA.
H.R. 150: Mr. SHIMKUS and Mr. HYDE.
H.R. 168: Mr. OTTER.
H.R. 179: Mr. AKIN.
H.R. 228: Mr. BONIOR, Mr. LUTHER, Mr. PRICE of North Carolina, Ms. SLAUGHTER, and Mr. SPRATT.
H.R. 230: Mrs. THURMAN.
H.R. 236: Mr. LARGENT, Mr. HOBSON, Mr. WALDEN of Oregon, and Mr. TIAHRT.
H.R. 239: Mr. TOWNS, Ms. ROS-LEHTINEN, AND MR. WAXMAN.
H.R. 245: Mr. KILDEE, Mrs. THURMAN, and Mr. LAMPSON.
H.R. 280: Mr. WELDON of Pennsylvania and Mr. GIBBONS.
H.R. 281: Mr. HILLIARD and Mr. GRUCCI.
H.R. 285: Mr. SANDLIN.
H.R. 287: Mrs. LOWEY.
H.R. 298: Mr. KUCINICH.
H.R. 303: Ms. SANCHEZ, Mr. RUSH, Mr. BARR of Georgia, Mr. GILCHREST, and Mr. FALEOMAVAEGA.
H.R. 317: Mr. CRANE.
H.R. 322: Mr. PUTNAM and Mr. EHRLICH.
H.R. 323: Mr. GREEN of Texas and Mr. BARRETT.
H.R. 324: Mr. MCHUGH and Mr. SMITH of New Jersey.
H.R. 330: Mr. REHBERG.
H.R. 340: Mr. LANGEVIN.
H.R. 357: Mr. FRANK and Ms. MCCOLLUM.
H.R. 371: Mr. THOMPSON of Mississippi.
H.R. 379: Mr. BEREUTER and Mr. KELLER.
H.R. 415: Mr. HONDA.
H.R. 425: Ms. SCHAKOWSKY and Mr. RAMSTAD.
H.R. 435: Ms. SANCHEZ.
H.R. 436: Mr. HOUGHTON, Mr. UDALL of Colorado, Mr. BLUMENAUER, Mrs. ROUKEMA, Mr. CAMP, and Mr. RUSH.
H.R. 437: Mr. EHRLICH and Mr. COLLINS.
H.R. 439: Mr. FOLEY.
H.R. 440: Mr. STEARNS, Mr. RAHALL, Mr. COYNE, Mr. FOLEY, Mrs. MINK of Hawaii, and Mr. FRANK.
H.R. 442: Mr. FOLEY.
H.R. 457: Mr. LANGEVIN.
H.R. 459: Mr. ROTHMAN.
H.R. 460: Mr. HINCHEY and Ms. KAPTUR.
H.R. 478: Mr. CARSON of Oklahoma and Mrs. THURMAN.
H.R. 481: Ms. SANCHEZ.
H.R. 488: Mrs. NAPOLITANO.
H.R. 499: Mr. RANGEL.
H.R. 503: Mr. PENCE.
H.R. 507: Mr. RAHALL and Mr. DOOLITTLE.
H.R. 510: Mr. MOORE, Mr. PETERSON of Pennsylvania, and Mr. SANDLIN.
H.R. 516: Mr. REHBERG, Mr. BAIRD, and Mr. NUSSLE.
H.R. 525: Mrs. THURMAN.
H.R. 526: Mr. SCHIFF and Mr. DICKS.
H.R. 536: Mr. SMITH of New Jersey, Mr. HONDA, Mr. SANDLIN, Ms. MCKINNEY, and Mr. OBERSTAR.
H.R. 570: Mr. SANDLIN.
H.R. 572: Mr. FRANK, Ms. ROS-LEHTINEN, Mr. STUPAK, and Mr. HOSTETTLER.
H.R. 577: Mrs. THURMAN.
H.R. 582: Mr. RANGEL.
H.R. 600: Mr. BARCIA, Mr. SAWYER, Mr. SCHROCK, Mr. CROWLEY, Mr. BAIRD, Mr. PHELPS, Mr. SHOWS, Mr. LAFALCE, Mr. SMITH of Washington, Mr. OSBORNE, Mr. FERGUSON, Mr. LEWIS of Georgia, Mr. BACHUS, Mr. WAMP, and Mrs. NAPOLITANO.
H.R. 606: Mr. WU, Mr. ENGEL, Mr. KUCINICH, Mr. SIMMONS, and Mr. TOWNS.
H.R. 611: Mr. HOBSON, Mrs. DAVIS of California, Mr. SCHIFF, Mr. COYNE, Mr. HULSHOF, and Mr. BLAGOJEVICH.
H.R. 612: Mr. SCHIFF, Mr. PETERSON of Minnesota, and Mr. JENKINS.
H.R. 620: Mr. RANGEL.
H.R. 622: Mr. GEORGE MILLER of California, Mr. SAXTON, Mr. KILDEE, Ms. VELAZQUEZ, Mr. HILLEARY, Mr. CLYBURN, Mr. ABERCROMBIE, and Mr. DEAL of Georgia.
H.R. 633: Ms. MCKINNEY, Mr. HASTINGS of Florida, Mr. GANSKE, Mrs. LOWEY, Mr. LANGEVIN, and Mr. MORAN of Virginia.
H.R. 634: Mr. GRUCCI, Mr. PICKERING, Mr. PORTMAN, and Mr. REHBERG.
H.R. 647: Mr. TIAHRT, Mr. BOUCHER, Mr. SCHAFFER, and Mr. TOM DAVIS of Virginia.
H.R. 648: Mr. OSBORNE,
H.R. 661: Mrs. THURMAN.
H.R. 668: Mr. SAWYER, Mr. THOMPSON of California, Mr. SIMMONS, Ms. DUNN, Mr. FRELINGHUYSEN, Ms. SLAUGHTER, and Mr. STUPAK.
H.R. 683: Mr. BLUMENAUER.
H.R. 686: Mr. STUPAK.
H.R. 687: Mr. SANDLIN.
H.R. 692: Mr. KIND.
H.R. 698: Ms. SCHAKOWSKY and Ms. MCKINNEY.
H.R. 701: Mr. MCDERMOTT, Mr. WATTS of Oklahoma, Ms. RIVERS, Mrs. BONO, Ms. VELAZQUEZ, Mr. NEY, Mr. PASTOR, Mr. LAHOOD, Mr. GORDON, Mr. SMITH of New Jersey, Mr. HEFLEY, Mr. ACEVEDO-VILA, Mr. KENNEDY of Rhode Island, Mr. SKELTON, Mr. ISAKSON, Mrs. LOWEY, Mr. LUCAS of Kentucky, Mr. SANDERS, Mr. UDALL of New Mexico, Mr. RODRIGUEZ, Mr. SIMMONS, Mr. BRADY of Texas, Ms. CARSON of Indiana, Mr. SCHIFF, Mr. QUINN, Mr. BISHOP, Mr. GOSS, Mr. MCGOVERN, Mr. BORSKI, Mr. GEKAS, Mr. MCINNIS, Mr. BENTSEN, Mr. CAMP, Mr. SAWYER, Mr. FROST, Mr. BONIOR, Mrs. CAPPS, Mr. GREEN of Texas, Mr. MOAKLEY, Mr. RANGEL, Mr. UPTON, and Mr. LEACH.
H.R. 717: Mr. SMITH of Texas, Mr. LUCAS of Oklahoma, Mr. ADERHOLT, Mr. PLATTS, Mr. GIBBONS, Mr. SERRANO, Mr. EVERETT, Mr. COLLINS, Mr. GILCHREST, Mrs. CUBIN, Mr. CAMP, Mr. BASS, Mr. BALLENGER, Mr. CANTOR, Mr. BRADY of Texas, Mr. CULBERSON, Mr. KIND, Ms. SANCHEZ, Mr. RAMSTAD, Mr. WAXMAN, Mr. LUTHER, Ms. MCCOLLUM, and Mr. SUNUNU.
H.R. 721: Ms. VELAZQUEZ, Mr. TRAFICANT, Mr. SANDLIN, Mr. ROTHMAN, Mr. LEACH, Mr. CLEMENT, Mr. DOYLE, Mr. GILMAN, Mr. RUSH, Mr. LAMPSON, Mr. ACEVEDO-VILA, Mr. BRADY of Pennsylvania, and Mr. LEWIS of Georgia.
H.R. 730: Mr. STUPAK.
H.R. 737: Mr. RYAN of Wisconsin and Ms. BALDWIN.
H.R. 742: Ms. RIVERS and Mr. FARR of California.
H.R. 746: Mr. BROWN of South Carolina, Mr. MCDERMOTT, and Mr. BUYER.
H.R. 747: Ms. SANCHEZ and Ms. SOLIS.
H.R. 752: Mr. GORDON.
H.R. 755: Mr. GREEN of Texas, Mr. BARRETT, Mrs. CAPPS, Mr. MARKEY, and Mr. LUTHER.
H.R. 758: Mr. LANGEVIN.
H.R. 761: Mr. MCNULTY, Mr. ACEVEDO-VILA, and Mr. BALDACCI.
H.R. 762: Ms. SANCHEZ.
H.R. 764: Mr. FOLEY.
H.R. 765: Mr. BERMAN and Mrs. MINK of Hawaii.
H.R. 777: Mr. SHIMKUS.
H.R. 781: Mr. KIND and Mr. HOEFFEL.
H.R. 782: Mr. SMITH of New Jersey and Mr. SHAYS.
H.R. 783: Mr. SCHAFFER.
H.R. 791: Mr. HASTERT, Mr. SHIMKUS, Mr. PHELPS, and Mr. HYDE.
H.R. 792: Mr. SPENCE, Mr. RUSH, and Mr. LEWIS of Georgia.
H.R. 795: Mrs. LOWEY.
H.R. 804: Mrs. THURMAN.
H.R. 808: Mr. DELAHUNT, Mr. GEPHARDT, and Mr. ADERHOLT.
H.R. 817: Ms. BALDWIN.
H.R. 827: Mr. FILNER.
H.R. 830: Mr. TIAHRT, Mr. GRAHAM, Mr. PUTNAM, Mr. PLATTS, Mr. SAXTON, and Mr. RILEY.
H.R. 840: Mr. ISAKSON, Mr. UDALL of Colorado, Mr. KUCINICH, Ms. PELOSI, and Mr. SHAYS.

H.R. 848: Mr. BLUNT, Mr. FOLEY, Mr. OWENS, Ms. ROYBAL-ALLARD, Ms. MCCOLLUM, Ms. VELAZQUEZ, Mr. TRAFICANT, and Mr. KILDEE.

H.R. 850: Mr. BARCIA, Mr. SOUDER, Mr. MCINTYRE, and Mr. GRUCCI.

H.R. 853: Mrs. LOWEY.

H.R. 868: Mr. LANGEVIN, Mr. OSE, Mr. MOAKLEY, Mr. LUCAS of Oklahoma, Mr. BAIRD, Mr. RILEY, Mr. HERGER, Mr. YOUNG of Alaska, and Mr. GRAHAM.

H.R. 869: Mr. OXLEY, Mr. SCHIFF, Mr. DOOLEY of California, and Mrs. BIGGERT.

H.R. 876: Mrs. JOHNSON of Connecticut and Mr. BENTSEN.

H.R. 877: Mr. GILLMOR and Mr. HOBSON.

H.R. 883: Mr. HASTINGS of Washington.

H.R. 902: Mr. GORDON, Mrs. JO ANN DAVIS of Virginia, Ms. ROS-LEHTINEN, and Mr. SMITH of New Jersey.

H.R. 918: Mr. ROGERS of Michigan, Mr. MORAN of Virginia, Mr. DEFAZIO, and Mr. ALLEN.

H.R. 920: Mr. DAVIS of Illinois.

H.R. 933: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. THOMPSON of Mississippi, Mr. SANDLIN, and Mr. LANGEVIN.

H.R. 938: Mr. WYNN, Mr. WAXMAN, and Mrs. MORELLA.

H.R. 951: Mr. GRAHAM.

H.R. 959: Mr. LANTOS, Mr. CALVERT, and Mr. BERMAN.

H.R. 967: Mr. BRADY of Pennsylvania, Mr. TIERNEY, Mr. OBERSTAR, Mr. MCINTYRE, Mrs. LOWEY, Mr. EVANS, Mr. NADLER, Mr. DOYLE, Mr. GUTIERREZ, Ms. SCHAKOWSKY, Mr. SMITH of New Jersey, Mrs. MORELLA, Mr. GILLMOR, and Mr. EHLERS.

H.R. 968: Mr. GILCHREST, Ms. HOOLEY of Oregon, Mr. MASCARA, Mr. ROSS, Ms. MCKINNEY, Mr. PLATTS, Mr. LAHOOD, Mr. CALVERT, Mr. GILLMOR, Mr. RAHALL, Mr. MCINTYRE, Mr. PICKERING, Mrs. JONES of Ohio, and Mrs. THURMAN.

H.R. 971: Mr. BAIRD.

H.R. 975: Mr. CARSON of Oklahoma, Mr. LATHAM, Mr. SHOWS, Mr. NADLER, and Mr. HILLIARD.

H.R. 978: Mr. FROST, Mr. LAHOOD, Mr. GREEN of Wisconsin, Mrs. THURMAN.

H.R. 984: Mr. HULSHOF, Mr. GRAVES, and Mr. PLATTS,

H.R. 985: Ms. KILPATRICK.

H.R. 986: Mr. BLUNT.

H.R. 990: Mr. OLVER

H.R. 993: Mr. SCHAFFER.

H.R. 999: Mr. KUCINICH.

H.R. 1007: Mr. BOEHLERT and Mr. LANGEVIN.

H.R. 1011: Mr. DAVIS of Illinois, Mr. BARCIA, Mr. FILNER, Mr. GORDON, Mr. OSBORNE, Mr. RUSH, and Mr. MCKEON.

H.R. 1016: Mrs. THURMAN.

H.R. 1018: Mr. MILLER of Florida.

H.R. 1020: Mr. DUNCAN, Mr. BISHOP, Mr. YOUNG of Alaska, Mr. HOUGHTON, and Mr. GOODE.

H.R. 1030: Mr. UDALL of Colorado.

H.R. 1035: Mrs. MORELLA, Ms. DELAURO, Mr. HINCHEY, and Ms. HARMAN.

H.R. 1037: Mr. TOOMEY, Mr. FOLEY, Mr. TERRY, and Mrs. CAPITO.

H.R. 1066: Mr. HONDA.

H.R. 1073: Mr. LANGEVIN, Mr. STUPAK, Mr. SCHIFF, and Mrs. THURMAN.

H.R. 1076: Mr. BONIOR, Ms. JACKSON-LEE of Texas, Mrs. LOWEY, Mrs. CLAYTON, Mr. VISCLOSKY, Mr. THOMPSON of California, Mr. EVANS, Ms. PELOSI, Mr. CLEMENT, Mr. WU, Ms. WOOLSEY, Mrs. MEEK of Florida, Ms. SLAUGHTER, Mr. TIERNEY, Mr. BORSKI, Mr. RAHALL, Mr. GONZALEZ, Mr. DOYLE, and Mr. WEINER.

H.R. 1084: Mr. BARRETT and Mrs. THURMAN.

H.R. 1086: Mr. BARRETT.

H.R. 1092: Mr. MCGOVERN, Mr. GREENWOOD, Mr. SHIMKUS, Mr. MCNULTY, Mr. COSTELLO, Mr. GILLMOR, Mr. MOORE, Mr. BALDACCI, Mr. PAUL, Ms. CARSON of Indiana, and Mr. STUPAK.

H.R. 1093: Mr. JOHNSON of Illinois, Mr. GILLMOR, Mr. SHIMKUS, Mr. HINCHEY, and Mr. SOUDER.

H.R. 1094: Mr. JOHNSON of Illinois, Mr. GILLMOR, Mr. SHIMKUS, Mr. HINCHEY, and Mr. SOUDER.

H.R. 1096: Mr. WATKINS, Mrs. MINK of Hawaii, and Mr. SANDLIN.

H.R. 1097: Mr. ANDREWS, Mrs. ROUKEMA, and Mr. HOEFFEL.

H.R. 1101: Mr. FOSSELLA and Mr. COOKSEY.

H.R. 1111: Mrs. MALONEY of New York and Mr. MALONEY of Connecticut.

H.R. 1121: Mr. MCHUGH.

H.R. 1128: Mr. SCHAFFER.

H.R. 1140: Mr. WOLF, Mr. HINCHEY, Mr. SESSIONS, Mr. INSLEE, Mr. CHAMBLISS, Mr. ROSS, Mr. SHERWOOD, Mrs. MALONEY of New York, Mr. NORWOOD, Mr. WU, Ms. DUNN, Mr. OWENS, Mr. CAMP, Mr. KIND, Mr. HYDE, Mr. MOORE, Mr. JONES of North Carolina, Mr. BENTSEN, Mr. JENKINS, Mr. DICKS, Mr. GUTKNECHT, Mr. ABERCROMBIE, Mr. CALLAHAN, Mr. MORAN of Virginia, Mr. SKEEN, Ms. SCHAKOWSKY, Mr. CASTLE, Mr. LAFALCE, Mr. BASS, Mr. SCOTT, Mr. LINDER, Ms. JACKSON-LEE of Texas, Mr. GRAHAM, Mr. PHELPS, Mrs. CUBIN, Mr. TOWNS, Mr. ROGERS of Kentucky, Mr. LEWIS of Georgia, Mr. AKIN, Mr. SABO, Mr. GEKAS, Mr. EDWARDS, Mr. OXLEY, Ms. BALDWIN, Mr. KELLER, Mr. GONZALEZ, Mr. HULSHOF, Mr. JEFFERSON, Mr. GIBBONS, Mr. BAIRD, Mr. ROEMER, Mr. THOMPSON of Mississippi, Mr. GUTIERREZ, Mr. FILNER, Mr. HASTINGS of Florida, Mr. GREEN of Texas, Mr. CONDIT, Mr. LAMPSON, Mr. JOHN, Mr. LANTOS, Mr. BROWN of Ohio, Mr. HOLT, Mr. MOAKLEY, Mr. BRADY of Pennsylvania, Mr. RODRIGUEZ, Mr. DAVIS of Florida, Mr. STARK, Mr. LUCAS of Kentucky, Mr. WATT of North Carolina, Mr. EVANS, Ms. LEE, Mrs. MINK of Hawaii, Mr. BISHOP, Mr. COYNE, Mr. SPRATT, Mr. THOMPSON of California, Mr. GEORGE MILLER of California, Mr. STRICKLAND, Mr. STUPAK, Mr. KENNEDY of Rhode Island, Ms. CARSON of Indiana, Mr. BACA, Mr. HILLIARD, Mr. OLVER, Mr. HILL, Mr. MCDERMOTT, Mr. FRANK, Mr. BERMAN, Ms. SLAUGHTER, Mr. CLYBURN, Mr. LANGEVIN, Mr. KUCINICH, Mr. BECERRA, Mr. MARKEY, Mr. CROWLEY, Mr. WEINER, Mr. SAWYER, Mr. DEUTSCH, Mr. PRICE of North Carolina, Mr. CAPUANO, Mr. FORD, Mr. MCINTYRE, Mr. ROTHMAN, Mr. ENGEL, Mr. PASCRELL, and Mr. ORTIZ.

H.R. 1151: Ms. MCKINNEY, Mr. THOMPSON of Mississippi, Mr. ABERCROMBIE, Mr. WEXLER, and Ms. BALDWIN.

H.R. 1170: Mr. GREEN of Texas.

H.R. 1171: Mr. SKEEN, Mr. ISAKSON, Mr. LEWIS of Kentucky, and Mr. PETERSON of Minnesota.

H.R. 1172: Ms. JACKSON-LEE of Texas, Mr. HALL of Ohio, Ms. SOLIS, Mr. SMITH of Texas, Mr. BAKER, Mr. CRAMER, Mr. COOKSEY, Mr. CAPUANO, and Mr. KINGSTON.

H.R. 1174: Mr. DOOLITTLE.

H.R. 1182: Mr. FROST and Mr. RYAN of Wisconsin.

H.R. 1185: Ms. WATERS.

H.R. 1194: Ms. BALDWIN, Mr. KLECZKA, Ms. WOOLSEY, and Mr. SANDERS.

H.R. 1201: Mr. CARSON of Oklahoma.

H.R. 1202: Mr. MCHUGH, Mr. ABERCROMBIE, Mr. KENNEDY of Rhode Island, Mrs. CAPPS, Mr. LANGEVIN, and Mrs. ROUKEMA.

H.R. 1210: Mr. GONZALEZ.

H.R. 1212: Mr. HYDE.

H.R. 1213: Mr. WOLF, Mr. ROEMER, Mr. CAMP, Mr. BORSKI, Mr. TAYLOR of Mississippi, Mr. HOSTETTLER, Mr. SMITH of Michigan, and Mr. COYNE.

H.R. 1214: Mr. WOLF, Mr. BORSKI, Mr. TAYLOR of Mississippi, and Mr. HOSTETTLER.

H.R. 1220: Mr. SMITH of Texas.

H.R. 1238: Mr. HUTCHINSON and Mr. HAYWORTH.

H.R. 1242: Ms. LOFGREN and Mrs. LOWEY.

H.R. 1252: Mr. HASTINGS of Florida, Mr. NADLER, Mrs. JONES of Ohio, Mr. LEWIS of Georgia, Mr. FILNER, Mrs. DAVIS of California, Ms. MILLENDER-MCDONALD, Mr. LANTOS, Mr. KENNEDY of Rhode Island, Mr. SERRANO, Mr. BALDACCI, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. INSLEE, and Mrs. THURMAN.

H.R. 1254: Mr. NADLER.

H.R. 1255: Mr. NADLER, Mr. CUMMINGS, Ms. ESHOO, Mrs. MINK of Hawaii, and Mrs. THURMAN.

H.R. 1256: Mr. MCGOVERN, Mr. DEFAZIO, Mr. LANGEVIN, Mr. HINCHEY, Mr. CROWLEY, Ms. ROYBAL-ALLARD, Mr. SERRANO, Mr. WEINER, Mr. BECERRA, Ms. DELAURO, and Mr. DAVIS of Florida.

H.R. 1275: Ms. WOOLSEY, Mr. BONIOR, Mr. MARKEY, Mr. SIMPSON, Mr. ABERCROMBIE, Mr. BALDACCI, Mr. DOOLEY of California, Ms. DEGETTE, Ms. SLAUGHTER, Mr. RAMSTAD, and Ms. BERKLEY.

H.R. 1280: Mr. STUPAK.

H.R. 1291: Mr. WELDON of Pennsylvania and Mr. DOYLE.

H.R. 1293: Mr. BUYER, Mrs. KELLY, Mr. FOLEY, and Mr. BALDACCI.

H.R. 1296: Mr. ROYCE, Mr. PITTS, Mr. COOKSEY, Mr. GANSKE, Mr. LATOURETTE, Ms. HART, Mr. CUMMINGS, Mr. CONYERS, Mr. GILLMOR, Mr. POMEROY, Mr. TOOMEY, Mrs. WILSON, Mr. BURR of North Carolina, Mr. HORN, Mr. BLUNT, Mr. JONES of North Carolina, Mr. SUNUNU, and Mr. EHRLICH.

H.R. 1299: Mr. GRAHAM.

H.R. 1301: Mr. PORTMAN.

H.R. 1304: Ms. HART, Mr. DAVIS of Illinois, and Mr. CLEMENT.

H.R. 1305: Mr. ABERCROMBIE, Mr. BACHUS, Mr. CANTOR, Mr. CRANE, Mrs. EMERSON, Mr. GREEN of Wisconsin, Mr. ISSA, Mr. PLATTS, Mr. TAUZIN, Mr. RODRIGUEZ, and Mr. TIAHRT.

H.R. 1316: Mr. HINCHEY, Ms. DEGETTE, and Mr. PETRI.

H.R. 1331: Ms. MCKINNEY, Mr. DEMINT, and Mr. SCHAFFER.

H.R. 1340: Ms. CARSON of Indiana.

H.R. 1343: Mr. STUPAK and Mr. FATTAH.

H.R. 1348: Mr. RAMSTAD.

H.R. 1350: Mr. ENGEL, Mr. GUTIERREZ, Mr. HILLIARD, Mr. KIND, Ms. PELOSI, and Ms. SLAUGHTER.

H.R. 1351: Mr. REYES, Mrs. KELLY, Mr. HOBSON, Mr. STUPAK, and Mr. JENKINS.

H.R. 1354: Mr. WALSH.

H.R. 1357: Mrs. THURMAN.

H.R. 1365: Mr. BERMAN.

H.R. 1371: Mr. CARDIN.

H.R. 1375: Mr. SANDLIN.

H.R. 1377: Mr. SCHROCK, Mr. HAYES, and Mr. GRAHAM.

H.J. Res. 13: Mr. GUTIERREZ and Mr. DAVIS of Illinois.

H.J. Res. 36: Mr. POMEROY.

H.J. Res. 41: Mr. TIAHRT, Mr. CHABOT, Mr. KELLER, Mr. ISSA, and Mr. FLAKE.

H.J. Res. 42: Mr. PASCRELL, Mr. DAVIS of Illinois, Mrs. LOWEY, Mr. GRUCCI, and Ms. LOFGREN.

H. Con. Res. 3: Ms. MCKINNEY, Ms. LEE, Mr. SERRANO, Ms. ROYBAL-ALLARD, and Mr. BACA.

H. Con. Res. 9: Mr. MCDERMOTT.

H. Con. Res. 12: Ms. BALDWIN.

H. Con. Res. 25: Mr. HILL.

H. Con. Res. 45: Mr. TIAHRT, Mr. TERRY, Mr. SIMMONS, Mr. OXLEY, Mr. SOUDER, and Mr. PRICE of North Carolina.

H. Con. Res. 52: Mr. BROWN of Ohio and Mr. FRANK.

H. Con. Res. 60: Mr. WEXLER.

H. Con. Res. 63: Mr. LUTHER, Mr. WEXLER, and Ms. BALDWIN.

H. Con. Res. 67: Mr. HINCHEY and Mr. SOUDER.

H. Con. Res. 68: Ms. KAPTUR, Mr. HAYWORTH and Mr. ROHRABACHER.

H. Con. Res. 91: Mr. ROTHMAN.

H. Con. Res. 94: Mr. GONZALEZ, Mrs. NAPOLITANO, Ms. SANCHEZ, Mr. WATT of North Carolina, and Mr. REYES.

H. Res. 17: Mr. BROWN of Ohio and Mr. HOLT.

H. Res. 18: Mr. FROST, Mr. DELAHUNT, Mr. SMITH of Washington, Mrs. MINK of Hawaii, and Mr. HILLIARD.

H. Res. 72: Mrs. MALONEY of New York and Mr. COYNE.

H. Res. 87: Ms. WOOLSEY, Mr. WALDEN of Oregon, Mrs. CLAYTON, Mr. PRICE of North Carolina, Mr. BLUMENAUER, and Mr. RUSH.

H. Res. 97: Ms. MCCARTHY of Missouri, Mr. CLAY, Mr. GUTIERREZ, Ms. SLAUGHTER, Mr. HONDA, and Mr. JACKSON of Illinois.

H. Res. 106: Mr. HOYER, Mr. LANGEVIN, and Mr. CROWLEY.

H. Res. 112: Ms. KAPTUR, Mr. HILLIARD, Mr. TERRY, and Ms. CARSON of Indiana.

¶34.28 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 877: Mr. WAMP.
H.R. 1076: Mr. PAUL.
H.R. 1187: Mr. SANDERS.

TUESDAY, APRIL 24, 2001 (35)

The House was called to order by the SPEAKER.

¶35.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, April 4, 2001.

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

¶35.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1527. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Nectarines and Peaches Grown in California; Revision of Handling Requirements for Fresh Nectarines and Peaches [Docket No. FV01–916–1 IFR] received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1528. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fenpyroximate; Time-Limited Pesticide Tolerance [OPP–301109; FRL–6773–2] (RIN: 2070–AB78) received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1529. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Imidacloprid; Pesticide Tolerance [OPP–301114; FRL–6777–6] (RIN: 2070–AB78) received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1530. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Zoxamide 3, 5-dichloro-N- (3-chloro-1-ethyl-1-methyl-2-oxopropyl) -4-methylbenzamide; Pesticide Tolerance [OPP–301110; FRL–6774–8] (RIN: 2070–AB78) received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1531. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the Administration's final rule—Federal Agricultural Mortgage Corporation; Risk-Based Capital Requirements (RIN: 3052–AB56) received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1532. A letter from the the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of April 1, 2001, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 107—58); to the Committee on Appropriations and ordered to be printed.

1533. A communication from the President of the United States, transmitting a request to make funds available for the Disaster Relief program of the Federal Emergency Management Agency, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; (H. Doc. No. 107—59); to the Committee on Appropriations and ordered to be printed.

1534. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting an Annual Report for FY 2000; to the Committee on Financial Services.

1535. A letter from the Deputy Director, National Institute on Disability and Rehabilitation Research, Department of Education, transmitting Final Priorities—Recreational Programs, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

1536. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Software Quality Assurance—received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1537. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Reporting Unofficial Foreign Travel—received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1538. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule— Stabilization, Packaging, and Storage of Plutonium-Bearing Materials [DOE-STD–3013–2000] received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1539. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Light Truck Average Fuel Economy Standard, Model Year 2003 [Docket No. NHTSA–2001–8977] (RIN: 2127–AI35) received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1540. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production [FRL–6965–5] (RIN: 2060–AH22) received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1541. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978; Standards of Performance for Industrial—Commercial—Institutional Steam Generating Units [FRL–6965–4] (RIN: 2060–AE56) received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1542. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Transportation Conformity: Idaho [ID–00–001; FRL–6957–1] received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1543. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Avalon, Fountain Valley, Adelanto, Ridgecrest and Riverside, California) [MM Docket No. 99–329; RM–9701] received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1544. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Hastings, Nebraska) [MM Docket No. 00–241; RM–9968] received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1545. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Huachuca City, Arizona) [MM Docket No. 00–208; RM–9977]; (Rio Rico, Arizona) [MM Docket No. 00–209; RM–9978]; (Pine Level, Alabama) [MM Docket No. 00–211; RM–9993] received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1546. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hinton, Whiting, and Underwood, Iowa; and Blair, Nebraska) [MM Docket No. 99–94; RM–9532; RM–9834] received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1547. A letter from the Chief, Market Disputes Resolution Division, Enforcement Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Telecommunications Act of 1996 [CC Docket No. 96–238] Amendment of Rules Governing Procedures to be Followed When Formal Complaints are Filed Against Common Carriers—received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1548. A communication from the President of the United States, transmitting progress toward a negotiated settlement of the Cyprus question covering the period February 1 through March 31, 2001, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

1549. A communication from the President of the United States, transmitting a report on the status of efforts to obtain Iraq's compliance with various resolutions adopted by the United Nations Security Council, pursuant to 50 U.S.C. 1541; (H. Doc. No. 107—56); to the Committee on International Relations and ordered to be printed.

1550. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to significant narcotics traffickers centered in Colombia that was declared in Executive Order 12978 of October 21, 1995, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 107—57); to the Committee on International Relations and ordered to be printed.

1551. A letter from the Lieutenant General, USAF, Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to the Republic of Korea for defense articles and services (Transmittal No. 01–06), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1552. A letter from the Lieutenant General, USAF, Director, Defense Security Cooperation Agency, transmitting a report of enhancement or upgrade of sensitivity of technology or capability (Transmittal No. 0A–01), pursuant to 22 U.S.C. 2776(b)(5)(A); to the Committee on International Relations.

1553. A letter from the Lieutenant General, USAF, Director, Defense Security Cooperation Agency, transmitting a report of enhancement or upgrade of sensitivity of technology or capability (Transmittal No. 0B–01), pursuant to 22 U.S.C. 2776(b)(5)(A); to the Committee on International Relations.

1554. A letter from the Lieutentant General, USAF, Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to the Republic of Korea for defense articles and services (Transmittal No. 01–08), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1555. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the Republic of Korea [Transmittal No. DTC 132–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1556. A communication from the President of the United States, transmitting the second report on the Status Of The Ratification Of World Intellectual Property Organization Copyright Treaty and The World Intellectual Property Organization Performances and Phonograms Treaty; to the Committee on International Relations.

1557. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Entity List: Revisions and Additions [Docket No. 9704–28099–0127–10] (RIN: 0694–AB60) received April 9, 2001; to the Committee on International Relations.

1558. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–580, ''Storm Water Permit Compliance Amendment Act of 2000'' received April 19, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1559. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–26, ''Motor Vehicle Excessive Idling Exemption Temporary Amendment Act of 2001'' received April 19, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1560. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–27, ''Eastern Avenue Tour Bus Parking Prohibition Temporary Amendment Act of 2001'' received April 19, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1561. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–28, ''Medicaid Provider Fraud Prevention Temporary Amendment Act of 2001'' received April 19, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1562. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–29, ''Homestead and Senior Citizen Real Property Tax Temporary Act of 2001'' received April 19, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1563. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–35, ''Closing of a Public Alley in Square 873, S.O. 99–68 Act of 2001'' received April 19, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1564. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–36, ''Uniform Per Student Funding Formula For Public Schools and Public Charter Schools Temporary Amendment Act of 2001'' received April 19, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1565. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–37, ''Attendance and School Safety Temporary Act of 2001'' received April 19, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1566. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–38, ''Real Property Tax Clarity and Litter Control Administration Temporary Amendment Act of 2001'' received April 19, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1567. A letter from the Comptroller General, General Accounting Office, transmitting a report on the failure of the Department of Defense to provide access to certain records to the General Accounting Office, pursuant to 31 U.S.C. 716(b)(1); to the Committee on Government Reform.

1568. A letter from the Secretary, Department of Agriculture, transmitting the FY 2000 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

1569. A letter from the Secretary, Department of Commerce, transmitting the Department's FY 2000 Annual Program Performance Report and FY 2002 Annual Performance Plan; to the Committee on Government Reform.

1570. A letter from the Associate General Counsel for General Law, Federal Emergency Management Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1571. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting the Board's FY 2000 performance report; to the Committee on Government Reform.

1572. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 032101H] received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1573. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Steller Sea Lion Research Initiative (SSLRI) [Docket No. 00–1220361; I.D. 022801A] (RIN: 0648–ZB03) received April 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1574. A letter from the the Chief Justice, the Supreme Court of the United States, transmitting amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Court, pursuant to 28 U.S.C. 2075; (H. Doc. No. 107—60); to the Committee on the Judiciary and ordered to be printed.

1575. A letter from the the Chief Justice, the Supreme Court of the United States, transmitting amendments to the Federal Rules of Civil Procedure that have been adopted by the Court, pursuant to 28 U.S.C. 2072; (H. Doc. No. 107—61); to the Committee on the Judiciary and ordered to be printed.

1576. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Nonimmigrant Classes; Legal Immigration Family Equity Act Nonimmigrants, V and K Classification—received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1577. A letter from the Acting Secretary of the Army, Department of Defense, transmitting a report on the construction of a flood damage reduction project for the Upper Des Plaines River, Illinois; to the Committee on Transportation and Infrastructure.

1578. A letter from the Acting Secretary of the Army, Department of Defense, transmitting a report on the recreation and commercial navigation project at Ponce de Leon Inlet, Volusia County, Florida; to the Committee on Transportation and Infrastructure.

1579. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Prohibited Area P–49 Crawford; TX [Docket No. FAA–2001–9059; Airspace Docket No. 01–AWA–1] (RIN: 2120–AA66) received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1580. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace: Harrisonburg, VA [Airspace Docket No. 00–AEA–13FR] received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1581. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace: Waynesboro, VA [Airspace Docket No. 01–AEA–14FR] received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1582. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Cooperative Research and Development Agreements—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

1583. A letter from the Co-chair, National Assessment Synthesis Team and Co-director, The Ecosystems Center, Marine Biological Laboratory, transmitting a report entitled, ''Climate Change Impacts On The United States: The Potential Consequences Of Climate Variability And Change''; to the Committee on Science.

1584. A letter from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Emergency Medical Services and Evacuation— received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

1585. A letter from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Safety and Health (Short Form)—received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

1586. A letter from the Chief, Regulatory Policy Officer, Bureau of Alcohol, Tobacco, and Firearms, Department of the Treasury, transmitting the Department's final rule—Puerto Rican Tobacco Products and Cigarette Papers and Tubes Shipped From Puerto Rico to the United States [T.D. ATF–444] (RIN: 1512–AC24) received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1587. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Announcement and Report Concerning Pre-Filing Agreements—

received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1588. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Publication of Inflation Adjustment Factor, Nonconventional Source Fuel Credit, and Reference Price for Calendar Year 2000—received April 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1589. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–22] received April 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1590. A letter from the Secretary, Department of State, transmitting a report assessing the voting practices of the governments of UN member states in the General Assembly and Security Council for 2000, and evaluating the actions and responsiveness of those governments to United States policy on issues of special importance to the United States, pursuant to Public Law 101—167, section 527(a) (103 Stat. 1222); Public Law 101—246, section 406(a) (104 Stat. 66); jointly to the Committees on International Relations and Appropriations.

¶35.3 MESSAGE FROM THE SENATE

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

S. 700. An Act to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States.

S. Con. Res. 7. Concurrent resolution expressing the sense of Congress that the United States should establish an international education policy to further national security, foreign policy, and economic competitiveness, promote mutual understanding and cooperation among nations, and for other purposes.

S. Con. Res. 23. Concurrent resolution expressing the sense of Congress with respect to the involvement of the Government of Libya in the terrorist bombing of Pan Am Flight 103, and for other purposes.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 83. Concurrent resolution establishing the congressional budget for the United States Government for the fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of the fiscal years 2003 through 2011.

The message also announced that the Senate insists upon its amendment to the resolution (H. Con. Res. 83) ''Concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints

Mr. DOMENICI, Mr. GRASSLEY, Mr. NICKLES, Mr. GRAMM, Mr. BOND, Mr. CONRAD, Mr. HOLLINGS, Mr. SARBANES, and Mrs. MURRAY, to be the conferees on the part of the Senate.

The message also announced that pursuant to Public Law 100–696, the Chair, on behalf of the President pro tempore, appoints the Senator from Ohio (Mr. DEWINE) as a member of the United States Capitol Preservation Commission.

The message also announced that pursuant to Public Law 94–118, the Chair, on behalf of the President pro tempore, reappoints the Senator from Alaska (Mr. MURKOWSKI) to the Japan-United States Friendship Commission.

The message also announced that pursuant to Public Law 94–118, the Chair, on behalf of the President pro tempore, reappoints the Senator from West Virginia (Mr. ROCKEFELLER) to the Japan-United States Friendship Commission.

¶35.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. STEARNS, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 9, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 9, 2001 at 9:43 a.m.

That the Senate PASSED without amendment H. Con. Res. 43.

With best wishes, I am
Sincerely,

MARTHA MORRISON,
Deputy Clerk of the House.

¶35.5 UNITED STATES-CHINA SECURITY REVIEW COMMISSION

The SPEAKER pro tempore, Mr. STEARNS, by unanimous consent, announced that the Speaker, pursuant to Section 1238(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398), and the order of the House of Wednesday, April 4, 2001, appointed on Thursday, April 5, 2001, to the United States-China Security Review Commission, Mr. Stephen D. Bryen of Maryland; Ms. June Teufel Dreyer of Florida; Mr. James R. Lilley of Maryland; from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶35.6 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. STEARNS, laid before the House the following communication from Ms. Jill Rohret, District Scheduler, office of the Honorable James A. Leach:

CONGRESS OF THE UNITED STATES,
April 5, 2001.

Hon. DENNIS J. HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the District Court for Iowa, Johnson County.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

JILL ROHRET,
District Scheduler.

¶35.7 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. STEARNS, laid before the House the following communication from Ms. Rachel Schrepferman, Staff Assistant, office of the Honorable James A. Leach:

CONGRESS OF THE UNITED STATES,
April 6, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the District Court for Iowa, Johnson County.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

RACHEL SCHREPFERMAN,
Staff Assistant.

¶35.8 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. STEARNS, laid before the House the following communication from Mr. SHERMAN:

BRAD SHERMAN,
24th District, California, April 18, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the Municipal Court for Los Angeles County, California.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

BRAD SHERMAN,
Member of Congress.

¶35.9 TAIWAN IN WORLD HEALTH ORGANIZATION

Mr. LEACH moved to suspend the rules and pass the bill (H.R. 428) concerning the participation of Taiwan in the World Health Organization; as amended.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. LEACH and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LEACH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. STEARNS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶35.10 INCREASE THE PEACE DAY

Mr. McKEON moved to suspend the rules and agree to the following resolution (H. Res. 113):

Whereas in order to promote non-violence, respect and responsibility, the students of Challenger Middle School in Lake Los Angeles, California, in conjunction with the Museum of Tolerance in Los Angeles, hold each year an ''Increase the Peace Day'' program on April 20; and

Whereas as part of the program, students signed the following pledge:

''I will honor the memory of the victims of school violence by committing myself to finding a peaceful solution to my own conflicts with others.

''I will not hit another person for any reason.

''I will not threaten another person, even as a joke.

''I will report all rumors of violence to the nearest adult and to all adults who will listen to me.

''I will smile at students I don't know when I make eye contact.

''I will talk to my parents about what takes place in school.

''I will remind myself and others that the diversity of the United States is one of our main strengths.

''I will be aware that I have choices in life and that I am responsible for my own actions.

''I will be considerate of other people and their feelings.

''I will not spread rumors.

''I will not call other people names that are hurtful to them.

''I will help make the world a better place one smile at a time.

''I will ask for help when I am confused or lonely.

''I will make others aware of these pledges in order to spread this message of peace.

''I will take the responsibility as a citizen of this great nation to make our country a more peaceful place by doing my own part to Increase the Peace.'': Now, therefore, be it

Resolved, That the House of Representatives urges schools across the United States to participate in similar ''Increase the Peace Day'' events.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. McKEON and Ms. SOLIS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶35.11 RECESS—2:40 P.M.

The SPEAKER pro tempore, Mr. STEARNS, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 40 minutes p.m., until approximately 5 o'clock p.m.

¶35.12 AFTER RECESS—5:07 P.M.

The SPEAKER pro tempore, Mr. GIBBONS, called the House to order.

¶35.13 CONGRESSIONAL BUDGET FY 2002

On motion of Mr. NUSSLE, by unanimous consent, the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. NUSSLE, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶35.14 MOTION TO INSTRUCT CONFEREES—H. CON. RES. 83

Mr. SPRATT moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the concurrent resolution (H. Con. Res. 83) be instructed, within the scope of the conference, (1) to increase the funding for education in the House resolution to provide for the maximum feasible funding; (2) to provide that the costs of coverage for prescription drugs under Medicare not be taken from the surplus of the Federal Hospital Insurance Trust Fund; (3) to increase the funding provided for Medicare prescription drug coverage to the level set by the Senate amendment; and (4) to insist that the on-budget surplus set forth in the resolution for any fiscal year not be less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. GIBBONS, announced that the nays had it.

Mr. SPRATT objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 200 / Nays 207

¶35.15 [Roll No. 85]

YEAS—200

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

NAYS—207

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Condit
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte

Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Isakson
Issa
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Manzullo
McCrery
McInnis
McKeon
Miller (FL)
Miller, Gary
Moran (KS)
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—24

Abercrombie
Brown (FL)
Cantor
Capps
Davis (CA)
Filner
Holden
Hunter
Istook
Linder
McHugh
McKinney
Mica
Moakley
Myrick
Payne
Roybal-Allard
Schiff
Smith (TX)
Stark
Taylor (NC)
Vitter
Weller
Whitfield

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶35.16 APPOINTMENT OF CONFEREES—H. CON. RES. 83

Thereupon, the SPEAKER pro tempore, Mr. GIBBONS, by unanimous consent, appointed Messrs. NUSSLE, SUNUNU, and SPRATT as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶35.17 H.R. 428—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 428) concerning the participation of Taiwan in the World Health Organization; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 407 / Nays ..... 0 }

¶35.18 [Roll No. 86]

YEAS—407

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

NOT VOTING—24

Abercrombie
Berman
Brown (FL)
Cantor
Capps
Davis (CA)
Filner
Holden
Hunter
Linder
McHugh
McKinney
Mica
Moakley
Myrick
Payne
Roybal-Allard
Schiff
Smith (TX)
Stark
Taylor (NC)
Vitter
Weller
Whitfield

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶35.19 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 41

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 107–49) the resolution (H. Res. 118) providing for the consideration of the joint resolution (H.J. Res. 41) proposing an amendment to the Constitution of the United States with respect to tax limitations.

When said resolution and report were referred to the House Calendar and ordered printed.

¶35.20 PROVIDING FOR THE CONSIDERATION OF H.R. 503

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 107–50) the resolution (H. Res. 119) providing for the consideration of the bill (H.R. 503) to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶35.21 SENATE CONCURRENT RESOLUTIONS REFERRED

Concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 7. Concurrent resolution expressing the sense of Congress that the United States should establish an international education policy to further national security, foreign policy, and economic competitiveness, promote mutual understanding and cooperation among nations, and for other purposes; to the Committee on International Relations; in addition to the Committee on Education and the Workforce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. Con. Res. 23. Concurrent resolution expressing the sense of Congress with respect to the involvement of the Government of Libya in the terrorist bombing of Pan Am Flight 103, and for other purposes; to the Committee on International Relations.

¶35.22 BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on April 5, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 132. To designate the facility of the United States Postal Service located at 620 Jacaranda Street in Lanai City, Hawaii, as the ''Goro Hokama Post Office Building.''

H.R. 395. To designate the facility of the United States Postal Service located at 2305 Minton Road in West Melbourne, Florida, as the ''Ronald W. Reagan Post Office of West Melbourne, Florida.''

¶35.23 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ABERCROMBIE, for today and until 1 p.m. on April 25;

To Mr. HOLDEN, for today; and

To Ms. ROYBAL-ALLARD, for today and balance of the week.

And then,

¶35.24 ADJOURNMENT

On motion of Mr. ROHRABACHER, at 11 o'clock and 57 minutes p.m., the House adjourned.

¶35.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on April 3, 2001 the following reports were filed on April 20, 2001]

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 503. A bill to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, and for other purposes (Rept. No. 107–42 Pt. 1). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.J. Res. 41. A resolution proposing an amendment to the Constitution of the United States with respect to tax limitations; with an amendment (Rept. No. 107–43). Referred to the House Calendar, and ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 392. A bill for the relief of Nancy B. Wilson (Rept. No. 107–44). Referred to the Private Calendar and ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1209. A bill to amend the Immigration and Nationality Act to determine whether an alien is a child, for purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes (Rept. No. 107–45). Referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 863. A bill to provide grants to ensure increased accountability for juvenile offenders; with an amendment (Rept. No. 107–46). Referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

[Submitted April 24, 2001]

Mr. HANSEN: Committee on Resources. H.R. 146. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes (Rept. No. 107–47). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 309. A bill to provide for the determination of withholding tax rates under the Guam income tax (Rept. No. 107–48). Referred to the Committee of the Whole House on the State of the Union.

Mr. SESSIONS: Committee on Rules. H. Res. 118. A resolution providing for consideration of the joint resolution (H.J.Res. 41) proposing an amendment to the Constitution of the United States with respect to tax limitations. (Rept. No. 107–49). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. H. Res. 119. A resolution providing for consideration of the bill (H.R. 503) to amend title 18, United States code, and the Uniform code of Military Justice to protect unborn children from assault and murder, and for other purposes (Rept. No. 107–50). Referred to the House Calendar.

¶35.26 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on April 20, 2001]

H.R. 503. Referral to the Committee on Armed Services extended for a period ending not later than April 24, 2001.

¶35.27 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII, The Committee on Armed Services discharged from further consideration of H.R. 503. Referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶35.28 PUBLIC BILLS AND RESOLUTIONS

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

By Ms. VELÁZQUEZ (for herself, Mr. PALLONE, Mr. GUTIERREZ, and Ms. MCKINNEY):

H.R. 1540. A bill to amend the Public Health Service Act to prohibit discrimination regarding exposure to hazardous substances, and for other purposes; to the Committee on Energy and Commerce.

By Mr. EVANS (for himself, Mr. REYES, and Ms. BROWN of Florida):

H.R. 1541. A bill to amend title 38, United States Code, to provide the Secretary of Veterans Affairs authority to furnish certain benefits for certain diseases occurring in children of Vietnam-era veterans upon a determination that such diseases have a positive association with parental exposure to a herbicide agent; to the Committee on Veterans' Affairs.

By Mr. TAUZIN (for himself, Mr. DINGELL, Mr. GOODLATTE, Mr. BOUCHER, Mr. ENGLISH, Mr. FROST, Mr. SMITH of Washington, Mr. LUCAS of Kentucky, Mr. WHITFIELD, Mr. MURTHA, Mr. COLLINS, Mr. BLAGOJEVICH, Mr. FOSSELLA, Mr. DICKS, Mr. GILLMOR, Mr. BARTON of Texas, Mr. KIND, Mr. GREENWOOD, Mr. MEEKS of New York, Mr. CAMP, Mr. BALDACCI, Mr. RAHALL, Mr. HOLDEN, Mrs. MCCARTHY of New York, Mr. BRADY of Pennsylvania, Mr. SIMPSON, Mr. BOYD, Mrs. NORTHUP, Mr. ENGEL, Mr. SANDLIN, Mr. EVERETT, Mr. BOEHNER, Mr. REYNOLDS, Mr. WELDON of Pennsylvania, Mr. SESSIONS, Mr. BONIOR, Mr. MALONEY of Connecticut, Mr. BUYER, Mr. CUNNINGHAM, Mr. MCCRERY, Mr. BISHOP, Mr. LAMPSON, Mr. VITTER, Mr. BASS, Mr. ACKERMAN, Mr. BLUNT, Mr. MCHUGH, Mr. RYAN of Wisconsin, Mr. QUINN, Mr. BACA, Mr. GONZALEZ, Mr. BAKER, Mr. WALSH, Mr. GREEN of Texas, Mr. WEXLER, Mr. OXLEY, Mr. RADANOVICH, Mr. DIAZ-BALART, Mr. COOKSEY, Mr. CLEMENT, Mr. LARSEN of Washington, Mr. SCHROCK, Mr. PETRI, Mr. WATKINS, Ms. ROS-LEHTINEN, Mr. HILLIARD, Mr. OTTER, Mr. SHADEGG, Mr. BRYANT, Mr. PLATTS, Mr. PUTNAM, Mr. CUMMINGS, Mr. RODRIGUEZ, Mr. CONDIT, Mr. BURR of North Carolina, and Mr. WYNN):

H.R. 1542. A bill to deregulate the Internet and high speed data services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SESSIONS (for himself and Ms. JACKSON-LEE of Texas):

H.R. 1543. A bill to amend the Fair Credit Reporting Act to exempt certain communications from the definition of consumer report, and for other purposes; to the Committee on Financial Services.

By Mr. BRADY of Texas:

H.R. 1544. A bill to amend the Internal Revenue Code of 1986 to exempt State and local political committees from duplicative notification and reporting requirements made applicable to political organizations by Public Law 106–230; to the Committee on Ways and Means.

By Mr. ANDREWS (for himself and Mr. GRAHAM):

H.R. 1545. A bill to amend the Fair Labor Standards Act of 1938 to clarify the exemption from the minimum wage and overtime compensation requirements of that Act for certain computer professionals; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 1546. A bill to allow States to spend certain funds to establish and maintain peer mediation programs; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 1547. A bill to establish a grant program in the Department of Defense to assist States and local governments in improving their ability to prevent and respond to domestic terrorism; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently

determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 1548 A bill to phase out the incineration of solid waste, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 1549. A bill to establish a demonstration program to provide comprehensive health assessments for students; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTLETT of Maryland:

H.R. 1550. A bill to change the deadline for income tax returns for calendar year taxpayers from the 15th of April to the first Monday in November; to the Committee on Ways and Means.

By Mr. BENTSEN:

H.R. 1551. A bill to amend the National Flood Insurance Act of 1968 to reduce losses caused by repetitive flooding, and for other purposes; to the Committee on Financial Services.

By Mr. COX (for himself, Mr. GOODLATTE, and Mr. TOM DAVIS of Virginia):

H.R. 1552. A bill to extend the moratorium enacted by the Internet Tax Freedom Act through 2006, and for other purposes; to the Committee on the Judiciary.

By Mr. DREIER (for himself, Ms. LOFGREN, Mr. FLAKE, and Mr. HONDA):

H.R. 1553. A bill to repeal export controls on high performance computers; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 1554. A bill to provide for a one-year procurement moratorium for the Marine Corps V–22 Osprey tilt-rotor aircraft program in order to provide a needed time out and to allow for a safety and performance reliability evaluation of that aircraft; to the Committee on Armed Services.

By Mr. FOLEY (for himself, Mr. TANNER, and Mr. MCCRERY):

H.R. 1555. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for meal and entertainment expenses of small businesses; to the Committee on Ways and Means.

By Mr. FOLEY (for himself and Mr. NEAL of Massachusetts):

H.R. 1556. A bill to amend title XVIII of the Social Security Act to increase the amount of payment for inpatient hospital services under the Medicare Program, and to freeze the reduction in payments to hospitals for indirect costs of medical education; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAHAM:

H.R. 1557. A bill to amend the Elementary and Secondary Education Act of 1965 to permit local educational agencies to use funds made available under the innovative education program to support certain community service programs; to the Committee on Education and the Workforce.

By Mr. HILLIARD (for himself, Mr. FILNER, Mr. MCGOVERN, Mr. CLYBURN, Mrs. JONES of Ohio, Mr. FRANK, Ms. CARSON of Indiana, Mr. CLAY, Mr. KUCINICH, Mr. JEFFERSON, Mrs. MEEK of Florida, Mr. RANGEL, Mr. WYNN, Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, Ms. LEE, Ms. MCKINNEY, Mr. NADLER, and Mrs. CHRISTENSEN):

H.R. 1558. A bill to prohibit States from denying any individual the right to register to vote for an election for Federal office, or the right to vote in an election for Federal office, on the grounds that the individual has been convicted of a Federal crime, and for other purposes; to the Committee on the Judiciary.

By Mr. HILLIARD (for himself, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Mr. FILNER, Mr. RANGEL, Mr. WYNN, Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, Ms. LEE, Ms. MCKINNEY, Mrs. CHRISTENSEN, and Mr. JACKSON of Illinois):

H.R. 1559. A bill to require that general Federal elections be held over the 48-hour period that begins with the first Saturday in November, to prohibit States from preventing citizens who are registered to vote from voting in Federal elections and from carrying out certain law enforcement activities which have the effect of intimidating individuals from voting, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 1560. A bill to increase the numerical limitation on the number of asylees whose status may be adjusted to that of an alien lawfully admitted for permanent residence; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas (for herself and Mr. SERRANO):

H.R. 1561. A bill to amend the Immigration and Nationality Act with respect to the record of admission for permanent residence in the case of certain aliens; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.R. 1562. A bill a bill to replace the Immigration and Naturalization Service with the Office of the Associate Attorney General for Immigration Affairs, the Bureau of Immigration Services, and the Bureau of Immigration Enforcement, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas (for herself and Mr. SERRANO):

H.R. 1563. A bill to assist aliens who were transplanted to the United States as children in continuing their education and otherwise integrating into American society; to the Committee on the Judiciary.

By Mr. KUCINICH (for himself, Mrs. JONES of Ohio, Mr. LATOURETTE, Mr. FROST, Mr. BROWN of Ohio, Mr. SAWYER, and Mr. HINCHEY):

H.R. 1564. A bill to fund capital projects of State and local governments, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAHOOD:

H.R. 1565. A bill to award a congressional gold medal to Brian Lamb; to the Committee on Financial Services.

By Mr. LEACH:

H.R. 1566. A bill to urge the President to initiate consultations with the Governments of Singapore, Australia, and New Zealand to determine the feasibility and desirability of negotiations to create a free trade area between the United States and those countries; to the Committee on Ways and Means.

By Ms. LEE (for herself and Ms. WATERS):

H.R. 1567. A bill to encourage the provision of multilateral debt cancellation for countries eligible to be considered for assistance under the Heavily Indebted Poor Countries (HIPC) Initiative or heavily affected by HIV/AIDS, and for other purposes; to the Committee on Financial Services.

By Mr. MCDERMOTT (for himself, Mrs. MINK of Hawaii, Mr. KLECZKA, Mr. GILCHREST, Mr. FROST, Mr. BROWN of Ohio, Mr. FRANK, Mr. MATSUI, Mr. BRADY of Pennsylvania, Mr. WEXLER, Ms. RIVERS, Mr. BONIOR, Mr. HINCHEY, Mr. MOAKLEY, Mr. EVANS, Mr. BOUCHER, Mr. SANDERS, Mr. CLAY, Ms. CARSON of Indiana, Mr. KUCINICH, Mr. RUSH, Mr. STARK, Mr. BALDACCI, Mr. SANDLIN, Mrs. THURMAN, Mr. LAFALCE, Mr. MCGOVERN, Mr. STUPAK, Mr. KILDEE, Mr. LATOURETTE, Mr. GEORGE MILLER of California, Mr. HILLIARD, and Mr. MORAN of Virginia):

H.R. 1568. A bill to amend title XVIII of the Social Security Act to remove the restriction on coverage of periodic health examinations under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OWENS:

H.R. 1569. A bill to establish a commission to study the establishment of a national education museum and archive for the United States; to the Committee on Education and the Workforce.

By Mr. OWENS:

H.R. 1570. A bill to amend the Elementary and Secondary Education Act of 1965 to provide up-to-date school library media resources and well-trained, professionally certified school library media specialists for elementary schools and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. OWENS:

H.R. 1571. A bill to provide for permanent resident status for any alien orphan physically present in the United States who is less than 12 years of age and to provide for deferred enforced departure status for any alien physically present in the United States who is the natural and legal parent of a child born in the United States who is less than 18 years of age; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 1572. A bill to amend the Immigration and Nationality Act to provide for legal permanent resident status for certain undocumented or nonimmigrant aliens; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 1573. A bill to amend the Internal Revenue Code of 1986 to provide more revenue for the Social Security system by imposing a tax on certain unearned income and to provide tax relief for more than 80,000,000 individuals and families who pay more in Social Security taxes than income taxes by reduc-

ing the rate of the old age, survivors, and disability insurance Social Security payroll tax; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 1574. A bill to provide for prices of pharmaceutical products that are fair to the producer and the consumer, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 1575. A bill to amend the Internal Revenue Code of 1986 to suspend all motor fuel taxes for six months, and to permanently repeal the 4.3-cent per gallon increases in motor fuel taxes enacted in 1993; to the Committee on Ways and Means.

By Mr. UDALL of Colorado:

H.R. 1576. A bill to designate the James Peak Wilderness and Protection Area in the Arapaho and Roosevelt National Forests in the State of Colorado, and for other purposes; to the Committee on Resources.

By Mr. HOEKSTRA (for himself, Mr. FRANK, Mr. COLLINS, Mrs. MALONEY of New York, Mr. SENSENBRENNER, Mr. COBLE, Mr. HILLEARY, Ms. BALDWIN, Mr. JENKINS, Mr. KLECZKA, Mr. TOM DAVIS of Virginia, Mr. RAHALL, Ms. HART, Mr. MCGOVERN, Mr. BLUNT, Mr. GORDON, Mr. BURR of North Carolina, Mr. SMITH of Washington, Mr. LAHOOD, Mr. NEY, Mr. HILLIARD, Mr. LOBIONDO, Mr. JONES of North Carolina, Mr. ENGLISH, Mr. DOYLE, Mr. MCHUGH, Mr. EHLERS, Ms. CARSON of Indiana, Mr. SESSIONS, Mr. CAMP, Mr. KUCINICH, Mr. ROYCE, Mr. SOUDER, and Mr. TANNER):

H.R. 1577. A bill to amend title 18, United States Code, to require Federal Prison Industries to compete for its contracts minimizing its unfair competition with non-inmate workers and the firms that employ them and increasing the likelihood that Federal agencies get the best value for taxpayers dollars, to require that Federal Prison Industries fully and timely perform its Government contracts by empowering Federal contracting officers with the contract administration tools generally available to assure full and timely performance of other Government contracts, to enhance the opportunities for effective public participation in decisions to expand the activities of Federal Prison Industries, to provide to Federal agencies temporary preferential contract award authority to ease the transition of Federal Prison Industries to obtaining inmate work opportunities through other than its mandatory source status, to provide additional work opportunities for Federal inmates by authorizing Federal Prison Industries to provide inmate workers to nonprofit entities with protections against commercial activities, and for other purposes; to the Committee on the Judiciary.

By Mr. STEARNS:

H. Con. Res. 105. Concurrent resolution expressing the sense of the Congress that the Congress should have the power to prohibit desecration of the flag of the United States; to the Committee on the Judiciary.

By Mr. GRUCCI (for himself and Mr. ENGLISH):

H. Res. 120. Resolution urging cemeteries to maintain the flags placed on the grave sites of American veterans on Memorial Day through at least May 31; to the Committee on Veterans' Affairs.

By Mr. GEORGE MILLER of California (for himself, Mr. ABERCROMBIE, Mr. BONIOR, Mr. COYNE, Mr. EVANS, Mr. FILNER, Ms. KAPTUR, Mr. KILDEE, Ms. MCKINNEY, Mr. NADLER, Mr. PAYNE, Ms. PELOSI, Ms. SANCHEZ, Mr. SHOWS, Mr. SMITH of New Jersey, Ms. SOLIS, and Mr. STARK):

H. Res. 121. Resolution expressing the sincerest condolences of the House of Representatives to the families of the 42 people, including 37 children, killed in the March 6, 2001, explosion of the Fanglin elementary school in the Jianxi province of the People's Republic of China, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H. Res. 122. Resolution expressing the sense of the House of Representatives that India should be a permanent member of the United Nations Security Council; to the Committee on International Relations.

¶35.29 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

24. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Resolution 8 memorializing the United States Congress to enact H.R. 1041 that amends section 1917(b)(1)(c) of the Social Security Act by deleting the date of May 14, 1993, for states to have long term care partnership plans approved, affording states throughout the nation the ability to give their citizens the same rights to participate in these types of programs; to the Committee on Energy and Commerce.

25. Also, a memorial of the General Assembly of the State of North Dakota, relative to Resolution No. 4028 memorializing the United States Congress to call a convention pursuant to Article V of the United States Constitution; to the Committee on the Judiciary.

26. Also, a memorial of the House of Representatives of the State of Indiana, relative to Resolution 22 memorializing the United States Congress to rename the Federal Building in New Albany, Indiana, in honor of former Congressman Lee Hamilton; to the Committee on Transportation and Infrastructure.

27. Also, a memorial of the House of Representatives of the State of Ohio, relative to Resolution 8 memorializing the United States Congress to take all actions that are necessary to stop the dumping of foreign steel in the United States, including the amendment of existing foreign trade laws or the enactment of new foreign trade law to address the crisis in the steel industry; to the Committee on Ways and Means.

28. Also, a memorial of the House of Representatives of the State of Michigan, relative to Resolution 40 memorializing the United States Congress to repeal the federal excise tax on telephone and other communications services; to the Committee on Ways and Means.

29. Also, a memorial of the Legislature of the State of Wyoming, relative to a Resolution memorializing the United States Congress to immediately secure the construction of critically needed new electric generation facilities, oil, and gas pipeline and transmission facilities using Wyoming Power River Basin super compliant coal, Wyoming gas and other available Wyoming natural resources; jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

¶35.30 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GONZALEZ:

H.R. 1578. A bill for the relief of Abecnego Monje Ortiz, Dolores Ortiz, and Eneyda Monje Ortiz; to the Committee on the Judiciary.

By Mr. GUTIERREZ:

H.R. 1579. A bill for the relief of Juan Gonzalez and Mayra Valenzuela; to the Committee on the Judiciary.

¶35.31 ADDITIONAL SPONSORS

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

H.R. 7: Mr. PITTS, Mr. KOLBE, Mrs. NORTHUP, Mr. GREEN of Wisconsin, Mr. BACHUS, Mr. TIAHRT, Mr. BARR of Georgia, Mr. BROWN of South Carolina, Mr. SMITH of New Jersey, and Mr. CRENSHAW.

H.R. 10: Mr. HOSTETTLER, Mr. SHIMKUS, Mr. PETERSON of Minnesota, Mr. HANSEN, Mrs. CLAYTON, Mr. TIERNEY, Mr. ABERCROMBIE, Mr. GRUCCI, Mr. GILMAN, Ms. MCCOLLUM, Ms. ROS-LEHTINEN, Mr. REHBERG, Mrs. NAPOLITANO, and Mr. JOHNSON of Illinois.

H.R. 13: Mr. MCHUGH and Mr. SWEENEY.

H.R. 17: Mr. WAXMAN, Mr. LAHOOD, Mr. BLAGOJEVICH, Mr. PETRI, and Mr. FORD.

H.R. 25: Mrs. ROUKEMA.

H.R. 28: Mr. RAHALL and Mr. WEINER.

H.R. 31: Mr. WHITFIELD, Mr. GIBBONS, Mr. TAYLOR of North Carolina, Mr. CONDIT, Mr. TAYLOR of Mississippi, Mr. WATKINS, and Mr. BILIRAKIS.

H.R. 36: Mr. BLUMENAUER and Mr. EHLERS.

H.R. 37: Mr. CANNON and Mr. BOEHLERT.

H.R. 39: Mr. TIAHRT Mr. VITTER, and Mr. SHIMKUS.

H.R. 41: Mr. CARDIN, Ms. WOOLSEY, and Ms. ROYBAL-ALLARD.

H.R. 46: Mr. SANDERS.

H.R. 65: Mr. BROWN of Ohio.

H.R. 68: Mr. GOODE, Mr. STENHOLM, Ms. LEE, and Mr. PRICE of North Carolina.

H.R. 80: Mr. COX.

H.R. 82: Mr. LATOURETTE.

H.R. 115: Mr. MEEKS of New York.

H.R. 117: Mr. KILDEE, Mr. WU, and Mr. KUCINICH.

H.R. 144: Ms. RIVERS.

H.R. 162: Mr. LUTHER, Mr. BROWN of Ohio, Mr. CARDIN, Ms. ESHOO, Mr. LANGEVIN, Mr. BISHOP, Mr. CARSON of Oklahoma, Mr. HOEFFEL, Mr. CRAMER, Mr. INSLEE, Mr. TOWNS, Mrs. TAUSCHER, Ms. HOOLEY of Oregon, Mr. BORSKI, Mr. ACKERMAN, Ms. JACKSON-LEE of Texas, Mr. GREENWOOD, Mr. LATOURETTE, Mr. PASCRELL, Mr. COSTELLO, and Mr. BLAGOJEVICH.

H.R. 168: Mr. CRENSHAW and Mrs. JO ANN DAVIS of Virginia.

H.R. 175: Mr. HEFLEY, Mr. RADANOVICH, Mr. SOUDER, Mr. BLUNT, and Mr. CULBERSON.

H.R. 179: Mr. GIBBONS, Mr. RYAN of Wisconsin, Ms. ESHOO, Mr. GORDON, and Mr. PRICE of North Carolina.

H.R. 187: Mr. BEREUTER.

H.R. 214: Mr. HONDA.

H.R. 218: Mr. KING, Mr. BURR of North Carolina, Mr. HOSTETTLER, Mr. HALL of Texas, Mr. PICKERING, Mr. GORDON, Mr. CLEMENT, Mrs. MCCARTHY of New York, Mr. BONILLA, Mr. SHERMAN, Mr. PETERSON of Pennsylvania, Mr. STRICKLAND, Mr. MALONEY of Connecticut, and Mr. COX.

H.R. 250: Mr. SNYDER, Ms. ROS-LEHTINEN, Mr. NADLER, Mr. MATHESON, Mr. OSBORNE, Mr. MARKEY, Mr. KENNEDY of Rhode Island, Mr. SABO, Mrs. CAPITO, Mr. LEWIS of Georgia, Mr. PETERSON of Pennsylvania, Mr. LAFALCE, Mr. JOHN, Mr. DUNCAN, Mr. RYAN of Wisconsin, and Mr. CAPUANO.

H.R. 259: Mr. BARTLETT of Maryland.

H.R. 261: Mr. LEWIS of California and Mr. COX.

H.R. 267: Mr. HOBSON, Mr. LUCAS of Oklahoma, Mr. YOUNG of Alaska, Mr. LEWIS of Kentucky, Mr. DAVIS of Florida, and Mr. HILLIARD.

H.R. 280: Mr. BARTLETT of Maryland and Mr. LINDER.

H.R. 281: Mr. HILLEARY.

H.R. 293: Mr. LARSEN of Washington, Mr. MCDERMOTT, Ms. SANCHEZ, Mr. UDALL of New Mexico, Mr. BONIOR, and Ms. SLAUGHTER.

H.R. 294: Mr. REHBERG.

H.R. 296: Mr. PAYNE.

H.R. 298: Mr. SOUDER, Mr. FRANK, Ms. HART, and Mr. COSTELLO.

H.R. 303: Mr. BURTON of Indiana, Mr. INSLEE, Mr. GOSS, Mr. ROGERS of Kentucky, Mr. LARGENT, Mrs. JOHNSON of Connecticut, Mr. REYNOLDS, Mr. GARY G. MILLER of California, Mr. PRICE of North Carolina, Mr. HINOJOSA, Mrs. DAVIS of California, Mr. LANGEVIN, Mr. HONDA, Mrs. LOWEY, Mr. ISRAEL, and Mr. DOOLEY of California.

H.R. 318: Ms. SCHAKOWSKY, Mrs. MORELLA, Mr. GILCHREST, Mr. FERGUSON, and Ms. LOFGREN.

H.R. 336: Mr. FALEOMAVAEGA and Mr. UDALL of Colorado.

H.R. 348: Mr. DEUTSCH.

H.R. 429: Ms. WATERS.

H.R. 436: Mr. PLATTS, Mr. BENTSEN, Mr. HOEFFEL, and Mr. CAPUANO.

H.R. 458: Mr. MILLER of Florida, Mr. ENGLISH, and Mr. SESSIONS.

H.R. 476: Mr. TIAHRT and Mr. BLUNT.

H.R. 478: Mr. BOYD.

H.R. 500: Ms. MCKINNEY, Mr. ENGEL, and Mr. CAPUANO.

H.R. 503: Mr. WOLF, Mr. WICKER, Mr. GRAVES, Mr. PICKERING, Mr. RYAN of Wisconsin, and Mr. KINGSTON.

H.R. 510: Mr. FALEOMAVAEGA and Mr. BERRY.

H.R. 512: Ms. HOOLEY of Oregon, Mr. BONIOR, and Mr. BOEHLERT.

H.R. 513: Mr. FALEOMAVAEGA, Mr. BOEHLERT, Ms. NORTON, and Mr. LAFALCE.

H.R. 516: Mr. MURTHA.

H.R. 525: Mr. TOM DAVIS of Virginia.

H.R. 526: Mr. SNYDER, Ms. MCCOLLUM, Mr. ROSS, Mr. DAVIS of Illinois, Mr. MALONEY of Connecticut, and Ms. DELAURO.

H.R. 527: Mr. HERGER, Mr. HOSTETTLER, and Mr. SIMPSON.

H.R. 542: Mr. SESSIONS.

H.R. 548: Mr. WATTS of Oklahoma, Mr. DOYLE, Mrs. WILSON, Mr. GRAHAM, Mr. JONES of North Carolina, Mr. BOYD, Mr. CARSON of Oklahoma, Mr. MILLER of Florida, Mr. MOLLOHAN, Mr. WICKER, Mr. HOLT, Mr. INSLEE, Mr. STEARNS, Mr. HUTCHINSON, Mr. FRANK, Mr. PAUL, Mr. CUNNINGHAM, Ms. HOOLEY of Oregon, Mr. YOUNG of Alaska, Mr. SPRATT, Mr. BAIRD, Mr. COYNE, Mr. FILNER, Mr. TANCREDO, Mr. HAYES, Mr. DUNCAN, Mr. WALDEN of Oregon, Mr. ISAKSON, Mr. BONILLA, Mr. DEFAZIO, Mr. BLUMENAUER, Mr. SMITH of New Jersey, Mr. JEFFERSON, Ms. MCCARTHY of Missouri, Mr. CRENSHAW, Mr. BACA, Mrs. EMERSON, Mr. ROSS, Ms. PELOSI, Mr. LANTOS, Mr. GORDON, Mr. BLUNT, Mr. SANDERS, and Mrs. THURMAN.

H.R. 549: Mr. HOUGHTON, Mr. NEY, and Mr. GEKAS.

H.R. 566: Mr. LANGEVIN.

H.R. 572: Mr. MANZULLO, Mr. MCINTYRE, and Mr. CONYERS.

H.R. 582: Ms. MILLENDER-MCDONALD, Mr. HOLDEN, and Mrs. THURMAN.

H.R. 586: Mr. OSBORNE, Mrs. CLAYTON, and Mr. UDALL of Colorado.

H.R. 595: Ms. MCKINNEY, Mr. MCINTYRE, Mr. KING, Mr. SCHIFF, Mr. WEXLER, Mrs. THURMAN, Mr. LANGEVIN, and Mr. EVANS.

H.R. 599: Ms. KAPTUR, Ms. WOOLSEY, Mrs. DAVIS of California, Ms. BALDWIN, Mr. LANGEVIN, Mr. BONIOR, Mrs. MORELLA, Mr. PASCRELL, and Mr. ROTHMAN.

H.R. 602: Ms. HART, Mr. MCINTYRE, and Mr. ROTHMAN.

H.R. 604: Mr. BLAGOJEVICH, Mr. DAVIS of Illinois, Mr. KILDEE, Mr. LANTOS, and Mrs. MCKINNEY.

H.R. 606: Mr. KENNEDY of Rhode Island, Mr. BECERRA, Mr. DINGELL, Mr. KILDEE, Ms. PELOSI, Mr. MCNULTY, Mr. OWENS, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. UDALL of New Mexico, Mr. BERRY, Mr. NEAL of Massachusetts, Mr. COSTELLO, and Mr. HUTCHINSON.

H.R. 608: Mr. STRICKLAND.

H.R. 612: Mr. JONES of North Carolina, Mr. KUCINICH, Mr. LARSON of Connecticut, Mr. NEY, Mr. FRELINGHUYSEN, Mr. CONYERS, Mr. NEAL of Massachusetts, and Ms. JACKSON-LEE of Texas.

H.R. 619: Ms. LOFGREN.

H.R. 623: Mrs. TAUSCHER.

H.R. 631: Ms. SLAUGHTER.

H.R. 639: Mr. FOLEY, Ms. CARSON of Indiana, Mrs. THURMAN, MS. SLAUGHTER, Mr. LANTOS, and Mr. DIAZ-BALART.

H.R. 661: Mr. GANSKE, Mr. POMEROY, and Mr. PORTMAN.

H.R. 663: Mr. GONZALEZ, Mr. HOLDEN, and Ms. MCKINNEY.

H.R. 665: Mr. BISHOP, Mrs. CLAYTON, Mrs. DAVIS of California, Ms. HARMAN, Mr. ISRAEL, Mr. LEVIN, Ms. LOFGREN, and Mr. STUPAK.

H.R. 682: Mr. SABO.

H.R. 687: Mr. ENGLISH, Mr. WAXMAN, and Mr. HONDA.

H.R. 730: Mr. BOUCHER and Ms. MILLENDER-MCDONALD.

H.R. 737: Ms. MILLENDER-MCDONALD, Mr. JOHNSON of Illinois, Mr. HONDA, Mr. PRICE of North Carolina, Mr. BERRY, and Mr. HOLDEN.

H.R. 746: Mr. KERNS and Mr. TIAHRT.

H.R. 747: Mr. COX.

H.R. 752: Mrs. MCCARTHY of New York.

H.R. 755: Mr. SABO, Ms. DEGETTE, Mr. BECERRA, Mr. BOUCHER, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 760: Mr. HOLDEN and Mr. SHAYS.

H.R. 762: Mr. BACA.

H.R. 770: Ms. SANCHEZ, Ms. KAPTUR, Mrs. JO ANN DAVIS of Virginia, Mr. VISCLOSKY, Mr. GUTIERREZ, and Mrs. MCCARTHY of New York.

H.R. 778: Mr. BLUMENAUER, Mr. CALVERT, Mr. UDALL of Colorado, Ms. DEGETTE, Ms. HARMAN, Ms. SLAUGHTER, and Ms. MCCOLLUM.

H.R. 782: Ms. HART, Mr. SCHIFF, Mr. FARR of California, Mr. STARK, and Mr. BOUCHER.

H.R. 783: Ms. MCKINNEY.

H.R. 786: Mr. GONZALEZ and Ms. PELOSI.

H.R. 792: Mr. KENNEDY of Rhode Island, Ms. RIVERS, Mr. MCDERMOTT, and Mr. STARK.

H.R. 805: Mr. TIAHRT and Mr. HILL.

H.R. 817: Mr. DOOLITTLE, Mr. JENKINS, Mr. GARY G. MILLER of California, and Mr. HASTINGS of Washington.

H.R. 822: Ms. ESHOO, Mr. LANGEVIN, and Mr. KENNEDY of Rhode Island.

H.R. 826: Mr. HAYWORTH, Mr. GOODE, Mr. SOUDER, Mr. RYUN of Kansas, and Mr. SMITH of Michigan.

H.R. 827: Mr. HILLEARY, Mr. GONZALEZ, and Mr. SOUDER.

H.R. 831: Mr. BALDACCI, Mr. HORN, Mr. MCHUGH, Mr. MCGOVERN, Mr. RAHALL, Mr. DAVIS of Florida, Mr. COYNE, Mr. RAMSTAD, Mr. HOBSON, Mr. HILLIARD, Mr. SANDLIN, Mr. GANSKE, Mr. GORDON, Mr. BACA, Mr. ABERCROMBIE, Mr. GONZALEZ, Mr. WEXLER, Ms. HART, Mr. HALL of Ohio, Ms. SLAUGHTER, Mr. HOLDEN, Mr. EHRLICH, Mr. MOAKLEY, Mr. PRICE of North Carolina, Mr. MORAN of Kansas, and Mrs. NAPOLITANO.

H.R. 840: Mrs. MORELLA, Mr. RAMSTAD, and Mrs. THURMAN.

H.R. 844: Mr. KING, Mr. FRANK, Mr. MCNULTY, Mr. ENGLISH, Ms. VELÁZQUEZ, Mr. BOEHLERT, and Mr. WEINER.

H.R. 862: Ms. LOFGREN.

H.R. 868: Mr. NUSSLE, Mr. PENCE, Mrs. EMERSON, Mr. TRAFICANT, Mr. PHELPS, Mr. BARTLETT of Maryland, Ms. DELAURO, Mr. FERGUSON, Mr. FARR of California, Mr. WAMP, Mr. HOLDEN, Mr. STUMP, Mr. LANTOS, Mr. LATOURETTE, and Mr. PUTNAM.

H.R. 869: Mr. GREEN of Wisconsin, Mrs. MORELLA, and Ms. HART.

H.R. 876: Mr. GONZALEZ, Mr. DICKS, Ms. BERKLEY, Mr. STENHOLM, and Mr. INSLEE.

H.R. 877: Mr. RYUN of Kansas and Mr. TIAHRT.

H.R. 885: Mr. RUSH.

H.R. 906: Mr. GILCHREST, Mr. GRUCCI, Mr. HOEFFEL, and Mr. BLUMENAUER.

H.R. 912: Mr. PORTMAN, Mr. KLECZKA, Mrs. DAVIS of California, Mr. RUSH, and Mrs. THURMAN.

H.R. 917: Mr. SABO.

H.R. 921: Mrs. THURMAN.

H.R. 931: Mr. ARMEY, Mr. BLUNT, Mr. MCGOVERN, Mr. SHAYS, Mr. ROHRABACHER, Mr. BROWN of Ohio, Ms. SCHAKOWSKY, Mr. DOYLE, and Mr. SOUDER.

H.R. 933: Mr. BONIOR, Mr. DAVIS of Illinois, and Mr. PALLONE.

H.R. 937: Mr. STUMP.

H.R. 948: Mr. RODRIGUEZ, Mr. BALDACCI, Mr. FRANK, Mr. LANTOS, Mr. RAHALL, Ms. ESHOO, Mr. LAFALCE, Mr. MCNULTY, Mr. LOBIONDO, Mr. HOLDEN, Mr. CLAY, Ms. SCHAKOWSKY, and Ms. RIVERS.

H.R. 951: Mr. JONES of North Carolina, Mr. HOLDEN, Mr. TOOMEY, Mr. LARGENT, Mr. BENTSEN, Mr. PRICE of North Carolina, Mrs. THURMAN, Ms. DEGETTE, Mr. SANDERS, Mrs. MORELLA, Mr. BISHOP, Ms. MCCOLLUM, and Mr. FRANK.

H.R. 952: Ms. MCCARTHY of Missouri, Ms. SLAUGHTER, Mr. BLUNT, Mr. HOBSON, Mr. JONES of North Carolina, Mrs. CAPPS, Ms. KAPTUR, Ms. RIVERS, Mr. GEPHARDT, and Mr. NEAL of Massachusetts.

H.R. 954: Mr. STRICKLAND, Mr. SANDERS, Mrs. CAPPS, Mr. BOEHLERT, Mrs. THURMAN, Mr. BLUMENAUER, Mr. BALDACCI, Mr. WU, Mr. DICKS, Ms. MCKINNEY, Mr. PAYNE, and Mrs. DAVIS of California.

H.R. 962: Mr. RUSH.

H.R. 967: Mr. RANGEL, Mr. WEXLER, Mrs. ROUKEMA, Mr. BONIOR, Ms. ESHOO, Mr. FARR of California, Mr. LANGEVIN, Mr. GOODE, Mr. KING, Mrs. MINK of Hawaii, Mr. GALLEGLY, and Ms. MCCOLLUM.

H.R. 968: Mr. BONIOR, Mr. KILDEE, Mr. FALEOMAVAEGA, Mr. PAUL, Mr. WICKER, Mr. COSTELLO, Mr. SCHROCK, and Mr. SANDLIN.

H.R. 969: Mr. LAHOOD, Mr. NEY, Mr. CHAMBLISS, and Mr. BUYER.

H.R. 1001: Mr. SANDLIN.

H.R. 1004: Mr. CLYBURN.

H.R. 1016: Mr. BARTLETT of Maryland.

H.R. 1018: Mr. TIBERI.

H.R. 1020: Mr. MORAN of Kansas, Mr. NADLER, Mr. LARSEN of Washington, Mr. MCHUGH, Mr. HOLDEN, Mr. FILNER, Mr. PLATTS, Mr. ROSS, Mr. SANDERS, Mr. BASS, Mr. DEFAZIO, Ms. HART, Mr. BALDACCI, Mr. VISCLOSKY, Mr. GANSKE, Mr. WATKINS, Mr. TIAHRT, Mr. PETRI, Mr. BOEHLERT, Mr. HAYES, Mr. ENGLISH, Mr. HILL, Mr. HERGER, Ms. KAPTUR, Mr. LIPINSKI, and Mr. GEKAS.

H.R. 1029: Mr. HOEKSTRA, Mr. SCHAFFER, Mr. PITTS, Mr. CANTOR, Mr. TIAHRT, and Mr. SOUDER.

H.R. 1051: Mr. GEORGE MILLER of California and Mr. RUSH.

H.R. 1052: Mr. KANJORSKI and Mr. RUSH.

H.R. 1053: Mrs. MALONEY of New York, Mr. GEORGE MILLER of California, and Mr. RUSH.

H.R. 1054: Mrs. MALONEY of New York, Mr. GEORGE MILLER of California, and Mr. RUSH.

H.R. 1055: Mr. GEORGE MILLER of California and Mr. RUSH.

H.R. 1056: Mrs. MALONEY of New York, Mr. GEORGE MILLER of California, and Mr. RUSH.

H.R. 1057: Mrs. MALONEY of New York, Mr. GEORGE MILLER of California, and Mr. RUSH.

H.R. 1058: Mr. GEORGE MILLER of California and Mr. RUSH.

H.R. 1059: Mr. GEORGE MILLER of California.

H.R. 1060: Mr. GONZALEZ, Mr. GEORGE MILLER of California, and Mr. RUSH.

H.R. 1061: Mrs. MALONEY of New York, Mr. GEORGE MILLER of California, and Mr. RUSH.

H.R. 1072: Mr. BLAGOJEVICH and Ms. MCKINNEY.

H.R. 1076: Mr. PAYNE, Ms. WATERS, Ms. RIVERS, Mr. RODRIGUEZ, Mr. MURTHA, Mr. EDWARDS, Mr. HINCHEY, Mr. STRICKLAND, Ms. MCCARTHY of Missouri, Ms. MILLENDER-MCDONALD, Ms. HOOLEY of Oregon, Mr. TRAFICANT, and Mr. ACKERMAN.

H.R. 1082: Mr. SANDLIN, Mr. GREEN of Wisconsin, Mr. TERRY, Mr. PUTNAM, Mr. PASCRELL, Mr. HAYES, and Mr. LATHAN.

H.R. 1083: Mr. WU.

H.R. 1084: Ms. KAPTUR.

H.R. 1086: Mr. BONIOR.

H.R. 1097: Mr. MCKEON, Mr. TIERNEY, Mr. BERMAN, Mr. COYNE, Ms. MCKINNEY, and Mr. LANTOS.

H.R. 1112: Mr. STARK, Mr. WAXMAN, and Mr. RUSH.

H.R. 1116: Ms. LOFGREN.

H.R. 1121: Mrs. EMERSON, Mr. OBERSTAR, Mr. LATOURETTE, Mr. HINCHEY, Ms. DELAURO, Mr. SANDERS, Mrs. LOWEY, Mr. BALDACCI, Mr. GEORGE MILLER of California, Ms. KAPTUR, and Ms. MCKINNEY.

H.R. 1136: Mr. FALEOMAVAEGA.

H.R. 1137: Mr. HEFLEY, Ms. HART, Mr. SERRANO, and Mr. MORAN of Virginia.

H.R. 1138: Mr. SCHAFFER, Mr. DAVIS of Illinois, Mr. YOUNG of Alaska, Mr. PICKERING, and Mr. SESSIONS.

H.R. 1140: Mr. COMBEST, Mr. BARTON of Texas, Mr. KENNEDY of Minnesota, Mr. GALLEGLY, Mr. REHBERG, Mrs. BONO, Mr. MANZULLO, Mr. BURTON of Indiana, Mr. ROGERS of Michigan, Mr. PORTMAN, Mr. RAMSTAD, Mr. PICKERING, Mr. SCHROCK, Mr. PUTNAM, Mr. COBLE, Mr. STUMP, Mr. TIBERI, Ms. GRANGER, Mr. HANSEN, Mr. MCINNIS, Mr. WEXLER, Mr. TANNER, Mr. GORDON, Mr. ACKERMAN, Mr. BOYD, Mr. DAVIS of Illinois, Mrs. CAPPS, Ms. MCCARTHY of Missouri, Ms. PELOSI, MR. CRAMER, Ms. RIVERS, Mr. SCHIFF, Mr. WAXMAN, Ms. WOOLSEY, Mr. LEVIN, Mr. HONDA, Mr. SMITH of Washington, Mr. HALL of Ohio, Ms. LOFGREN, and Mr. SERRANO.

H.R. 1143: Ms. WOOLSEY, Mr. FARR of California, Mr. DAVIS of Florida, Mr. RUSH, Mr. BACA, Mr. QUINN, Mrs. TAUSCHER, Mr. FRANK, Mr. STARK, Mr. TOWNS, Mr. LANTOS, and Mr. MCNULTY.

H.R. 1147: Mr. GREENWOOD and Ms. MCKINNEY.

H.R. 1155: Mr. BECERRA, Mr. KIND, Ms. MCCARTHY of Missouri, Mr. JACKSON of Illinois, Mr. ROTHMAN, Mr. MASCARA, Mr. BOSWELL, and Mr. LATOURETTE.

H.R. 1160: Mr. SABO.

H.R. 1165: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1170: Mrs. NAPOLITANO, Mr. FARR of California, Mr. ROSS, Mr. FALEOMAVAEGA, Mr. ENGEL, Mrs. CAPPS, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, and Ms. ESHOO.

H.R. 1177: Ms. ESHOO and Mrs. MORELLA.

H.R. 1182: Mr. TOOMEY.

H.R. 1184: Mr. GUTIERREZ, Mr. RANGEL, Mr. CLEMENT, Mr. LANGEVIN, Mr. HOYER, and Mr. BONIOR.

H.R. 1187: Mr. BLAGOJEVICH, Mr. GILMAN, Mr. PASCRELL, Mr. SCHIFF, Mr. WEXLER, Mr. CROWLEY, and Mr. BORSKI.

H.R. 1192: Ms. MCCOLLUM, Ms. MCKINNEY, Mr. KUCINICH, Ms. BROWN of Florida, Mr. SHOWS, Mr. DOYLE, Mrs. MALONEY of New York, Mr. OBERSTAR, Mr. SIMMONS, Mr. GUTKNECHT, Mr. ANDREWS, Mr. MATSUI, Mr. CARSON of Oklahoma, Mr. JOHNSON of Illinois, Ms. RIVERS, Mr. BLAGOJEVICH, Mr. CARDIN, Mr. OLVER, Mr. MARKEY, Mr. FORD, and Mr. DEFAZIO.

H.R. 1194: Ms. CARSON of Indiana, Mr. PORTMAN, and Mr. TIERNEY.

H.R. 1227: Mr. BARR of Georgia.

H.R. 1234: Mr. HASTINGS of Florida, Mr. MEEKS of New York, and Ms. MILLENDER-MCDONALD.

H.R. 1238: Mr. COYNE, Mrs. MORELLA, and Mr. JEFFERSON.

H.R. 1242: Mr. TOWNS, Mr. MEEKS of New York, Mrs. MALONEY of New York, Mrs. MORELLA, Mr. TOM DAVIS of Virginia, Mr. NADLER, Mr. MCNULTY, Mr. TERRY, Ms. VELÁZQUEZ, Mr. CAPUANO, and Ms. JACKSON-LEE of Texas.

H.R. 1252: Mr. SAXTON, Mr. HOLT, Ms. ROYBAL-ALLARD, Mr. FRANK, Mr. OWENS, Mr. JACKSON of Illinois, Ms. BROWN of Florida, Mr. HILLIARD, Mr. RAHALL, Ms. HARMAN, Mr. PASCRELL, Mr. STARK, Mr. FROST, Ms. BALDWIN, Mr. FARR of California, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Ms. SOLIS, Mr. VISCLOSKY, Mrs. CLAYTON, Mrs. MALONEY of New York, and Mr. THOMPSON of Mississippi.

H.R. 1255: Ms. KAPTUR, Ms. PELOSI, Mr. RUSH, and Mr. ENGEL.

H.R. 1271: Mr. WELDON of Pennsylvania.

H.R. 1275: Mrs. THURMAN, Mr. KIRK, Mr. STRICKLAND, Ms. MCKINNEY, Mr. SMITH of Washington, Mr. FILNER, and Mr. SMITH of New Jersey.

H.R. 1276: Ms. KAPTUR and Mr. GEORGE MILLER of California.

H.R. 1280: Ms. HART, Ms. NORTON, Mr. BACA, Mr. NEAL of Massachusetts, and Mr. FRANK.

H.R. 1291: Ms. HART, Mr. RAHALL, Mr. BACA, Mr. BONIOR, Ms. NORTON, Mr. PAYNE, Mr. PASTOR, Mr. GOODE, and Ms. ROYBAL-ALLARD.

H.R. 1296: Mr. HULSHOF, Mr. GONZALEZ, Mrs. EMERSON, Mr. BARTON of Texas, Mr. JENKINS, Mr. PETRI, Mr. SMITH of Texas, and Mr. TOM DAVIS of Virginia.

H.R. 1305: Mr. BARR of Georgia, Mr. BARRETT, Mr. BURR of North Carolina, Mr. CLAY, Mrs. CLAYTON, Mr. COBLE, Mr. COLLINS, Mr. GEPHARDT, Mr. GILLMOR, Mr. HULSHOF, Mr. NUSSLE, Mr. OBERSTAR, Mr. ROGERS of Michigan, Mr. TIBERI, and Mr. VITTER.

H.R. 1306: Mr. STARK, Mr. WAXMAN, and Mr. DOYLE.

H.R. 1307: Mr. BONIOR, Mr. KILDEE, Mr. BALDACCI, Mr. MCGOVERN, and Ms. LEE.

H.R. 1313: Ms. MCKINNEY.

H.R. 1324: Mr. ROSS, Mr. CARSON of Oklahoma, Mrs. MINK of Hawaii, Mr. ACEVEDO-VILÁ, AND MR. BONILLA.

H.R. 1328: Mr. HALL of Ohio, Mr. OBERSTAR, Mr. GANSKE, Mr. NEY, Mr. GILLMOR, Mr. LATOURETTE, Ms. MILLENDER-MCDONALD, and Mr. BACA.

H.R. 1330: Mr. BORSKI, Mrs. MINK of Hawaii, Mr. SANDLIN, Mr. GUTIERREZ, Mr. FILNER, Mr. LEVIN, Mr. STARK, Mr. BONIOR, Mr. STEARNS, Mr. HONDA, Mr. PRICE of North Carolina, and Mr. BROWN of Ohio.

H.R. 1335: Ms. DELAURO and Mrs. MINK of Hawaii.

H.R. 1340: Mr. SMITH of New Jersey.

H.R. 1351: Mr. OWENS.

H.R. 1354: Mr. WYNN, Mr. MCDERMOTT, Mr. LATOURETTE, Ms. MCKINNEY, Mr. ABERCROMBIE, Mr. PALLONE, Mr. RUSH, Mrs. MORELLA, Mr. OBERSTAR, Mr. BROWN of Ohio, Mr. BALDACCI, and Mr. TOWNS.

H.R. 1358: Ms. JACKSON-LEE of Texas, Mr. CROWLEY, Mr. HOLT, Mr. WEXLER, and Mr. PALLONE.

H.R. 1360: Mr. TIERNEY, Mr. BARRETT, Mr. MCGOVERN, Mr. PALLONE, Mr. FALEOMAVAEGA, Ms. BROWN of Florida, Mr. KIND, Mr. OLVER, Mr. RAHALL, Mr. CAPUANO, Mrs. MINK of Hawaii, Mr. HASTINGS of Florida, and Mr. BALDACCI.

H.R. 1366: Mrs. NAPOLITANO, Ms. LEE, Mr. OSE, Mr. THOMAS, Mr. RADANOVICH, Ms. WOOLSEY, Mr. DOOLITTLE, Mr. HORN, Mr. HERGER, Mr. GEORGE MILLER of California, Mr. ROHRABACHER, Mr. SHERMAN, Mr. CALVERT, and Mr. STARK.

H.R. 1367: Mr. LEWIS of California, Mr. PALLONE, and Mr. BOUCHER.

H.R. 1371: Ms. SCHAKOWSKY, Ms. MILLENDER-MCDONALD, Mr. KUCINICH, Mr. SANDERS, Mr. WEXLER, Mrs. TAUSCHER, Mr. WAXMAN, and Mr. LANTOS.

H.R. 1375: Mr. SOUDER, Mr. RANGEL, and Mr. MCINTYRE.

H.R. 1377: Mr. BARTLETT of Maryland, Mr. HUTCHINSON, Mr. CRENSHAW, and Mrs. WILSON.

H.R. 1388: Mr. LUCAS of Oklahoma, Mrs. CLAYTON, Mr. THOMPSON of Mississippi, Mr. BERRY, Mr. BALDACCI, Mr. SHIMKUS, Mr. SKELTON, and Mr. HILLIARD.

H.R. 1400: Mr. UDALL of Colorado, Mr. HILLIARD, Mr. SABO, Mr. GONZALEZ, Mr. LANGEVIN, Mr. ROSS, Mr. ACKERMAN, and Mr. RODRIGUEZ.

H.R. 1416: Mr. CROWLEY.

H.R. 1431: Mr. CARSON of Oklahoma, Mr. KUCINICH, and Ms. DEGETTE.

H.R. 1436: Mr. WHITFIELD, Mr. BROWN of Ohio, Mr. BONIOR, Mr. GEORGE MILLER of California, Ms. SLAUGHTER, Mr. STARK, and Mr. MCNULTY.

H.R. 1438: Mrs. THURMAN.

H.R. 1450: Mr. CRENSHAW, Ms. BROWN of Florida, and Mr. DEUTSCH.

H.R. 1452: Ms. LEE, Mr. STARK, Mr. ABERCROMBIE, and Mr. GUTIERREZ.

H.R. 1462: Mr. SCHAFFER.

H.R. 1464: Ms. BALDWIN, Mr. FORD, Mr. FARR of California, Mr. NADLER, Mr. BLUMENAUER, Mrs. THURMAN, and Mr. RODRIGUEZ.

H.R. 1467: Mr. OTTER, Mr. SHOWS, and Mr. GOODE.

H.R. 1468: Ms. ROYBAL-ALLARD.

H.R. 1470: Mr. SABO, Mr. SAWYER, and Mr. LANTOS.

H.R. 1471: Mrs. THURMAN.

H.R. 1488: Ms. ESHOO.

H.R. 1490: Mr. PRICE of North Carolina, Mr. GALLEGLY, and Mr. HUTCHINSON.

H.R. 1496: Mr. WOLF.

H.R. 1497: Mr. SHERMAN and Mr. SHOWS.

H.R. 1498: Mr. JEFFERSON.

H.R. 1501: Mr. BEREUTER.

H.R. 1507: Mrs. THURMAN, Mr. GOODE, and Mr. EVERETT.

H.R. 1522: Mr. GREEN of Texas, Mr. KUCINICH, Mr. MCDERMOTT, Mrs. THURMAN, Mr. RUSH, Mr. GEORGE MILLER of California, Ms. LEE, Mr. PRICE of North Carolina, Mr. BOUCHER, Mr. LANTOS, and Mr. FILNER.

H.J. Res. 13: Ms. RIVERS.

H.J. Res. 20: Mr. UNDERWOOD.

H.J. Res. 36: Mr. SCHAFFER, Mr. COMBEST, Mr. BLUNT, Mr. COSTELLO, Mr. PICKERING, Mr. MANZULLO, Mr. LARGENT, Mrs. ROUKEMA, Mr. BARTLETT of Maryland, and Mr. BALDACCI.

H. Con. Res. 25: Mr. WELLER, Mr. STARK, and Mr. ROTHMAN.

H. Con. Res. 37: Mr. BEREUTER.

H. Con. Res. 42: Mr. TIERNEY, Mrs. MALONEY of New York, Mr. CONYERS, Mr. DICKS, Mr. MALONEY of Connecticut, and Mr. PASTOR.

H. Con. Res. 45: Mrs. WILSON, Ms. JACKSON-LEE of Texas, Mr. BONIOR, and Mr. HOLT.

H. Con. Res. 58: Mr. CROWLEY, Mr. BONIOR, and Mr. BLAGOJEVICH.

H. Con. Res. 67: Mr. ROHRABACHER, Mr. BARTLETT of Maryland, and Mr. KING.

H. Con. Res. 68: Mr. WYNN, Mr. WAMP, Mr. SHOWS, Mr. BONIOR, and Mr. FRANK.

H. Con. Res. 72: Mr. KUCINICH, Mr. SOUDER, and Mr. RUSH.

H. Con. Res. 89: Mr. AKIN, Mr. GRAVES, Mrs. EMERSON, Mr. HULSHOF, Mr. BLUMENAUER, Mr. OTTER, Ms. DUNN, and Mr. DEFAZIO.

H. Con. Res. 95: Mr. BOEHNER, Mr. PETRI, Mr. HOEKSTRA, Mr. ROEMER, Mr. BURR of North Carolina, Mr. FLETCHER, Mr. KELLER, Mr. DEMINT, Mr. MCKEON, Mr. SCHAFFER, Mr. SMITH of New Jersey, Mr. CASTLE, and Mr. ISAKSON.

H. Con. Res. 97: Mr. BONIOR, Mr. BACA, and Mr. SHERMAN.

H. Con. Res. 98: Ms. SCHAKOWSKY, Mr. GONZALEZ, Ms. MILLENDER-MCDONALD, Mr. MCGOVERN, Mrs. MORELLA, Mr. HONDA, Ms. BROWN of Florida, and Mr. SCHIFF.

H. Con. Res. 104: Mrs. CLAYTON, Ms. SCHAKOWSKY, Mr. KILDEE, Mr. FALEOMAVAEGA, Mrs. LOWEY, Mr. MCKEON, and Mr. LEVIN.

H. Res. 13: Ms. SLAUGHTER and Ms. ROS-LEHTINEN.

H. Res. 14: Mr. LANGEVIN.

H. Res. 75: Mr. MANZULLO.

H. Res. 87: Mr. COYNE, Ms. SCHAKOWSKY, Mr. LANGEVIN, and Mr. DEFAZIO.

H. Res. 97: Mr. LEVIN and Mr. LANTOS.

H. Res. 112: Mr. SHIMKUS and Mr. SAM JOHNSON of Texas.

H. Res. 117: Mr. BROWN of Ohio, Mr. MATSUI, Mr. SCHIFF, Mr. CONYERS, Mr. BLUMENAUER, and Mr. PASCRELL.

¶35.32 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H. R. 641: Mr. OSBORNE.

H. R. 1310: Mrs. MALONEY of New York.

WEDNESDAY, APRIL 25, 2001 (36)

¶36.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. BIGGERT, who laid before the House the following communication:

WASHINGTON, DC,
April 25, 2001.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

¶36.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Tuesday, April 24, 2001.

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

¶36.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1591. A letter from the Acting Administrator, Farm Services Agency, Department of Agriculture, transmitting the Department's final rule—Diary Price Support, Diary Recourse Loan, Livestock Assistance, American Indian Livestock Feed, and Pasture Recovery Programs (RIN: 0560–AG32) received April 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1592. A letter from the Acting Administrator, Farm Services Agency, Department of Agriculture, transmitting the Department's final rule—2000 Crop Disaster Program (RIN: 0560–AG36) received April 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1593. A letter from the Acting Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Dairy and Cranberry Market Loss Assistance Programs, Honey Marketing Assistance Loan and LDP Program, Sugar Nonrecourse Loan Program, and Payment Limitations for Marketing Loan Gains and Loan Deficiency Payments (RIN: 0560–AG34) received April 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1594. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Propiconazole; Time-Limited Pesticide Tolerances [OPP–301115; FRL–6778–1] (RIN: 2070–AB78) received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1595. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Metolachlor; Extension of Tolerance for Emergency Exemptions [OPP–301118; FRL–6778–6] (RIN: 2070–AB78) received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1596. A letter from the Chief, General and International Law Division, Department of Transportation, transmitting the Department's final rule—Audit Appeals; Policy and Procedure [Docket No. MARAD–2000–8284] (RIN: 2133–AB42) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1597. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Gasoline Volatility Requirements for Allegheny County [PA160–4107a; FRL–6962–3] received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1598. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—EPA International ''Green'' Buildings Initiative—received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1599. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Implementation of the Wassennar Arrangement List of Dual-Use Items: Revisions to Microprocessors, Grapic Accelerators, and External Interconnects Equipment [Docket No. 010108008–1008–01] (RIN: 0694–AC39) received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1600. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revisions to the Export Administration Regulations as a result of the addition of Brazil, Latvia, and Ukraine to the Nuclear Suppliers Group, and other revisions [Docket No. 001212346–0346–01] (RIN: 0694–AB50) received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1601. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–43, ''Closing of a Portion of South Avenue, N.E., S.O. 00–91 Act of 2001'' received April 24, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1602. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–576, ''Brownfield Revitalization Amendment Act of 2000'' received April 24, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1603. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the Department's final rule—Privacy Act of 1974; Implementation—received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1604. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Adjustments From Cape Falcon, OR to Humbug Mountain, OR [Docket No. 000501119–0119–01; I.D. 031501B] received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1605. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock Within the Shelikof Strait Conservation Area in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 032901B] received April 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1606. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Gulf of Alaska, southeast of Narrow Cape, Kodiak Island, AK [COTP Western Alaska-01–001] (RIN: 2115–AA97) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1607. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Shaw Cove, CT [CGD01–01–018] (RIN: 2115–AE47) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1608. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulations: Hackensack River, NJ [CGD01–01–010] received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1609. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Crescent Beach Bridge (SR 206), Crescent Beach, FL [CGD07–01–019] (RIN: 2115–AE47) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1610. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Lessee Construction Allowances For Short-Term Leases [Rev. Rul. 2001–20] received April 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶36.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 66. Concurrent resolution authorizing the printing of a revised and updated version of the House document entitled ''Women in Congress, 1917–1990''.

¶36.5 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 41

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 118):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 41) proposing an amendment to the Constitution of the United States with respect to tax limi-

tations. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) an amendment in the nature of a substitute printed in the Congressional Record pursuant to clause 8 of rule XVIII, if offered by the Minority Leader or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶36.6 TAX LIMITATION CONSTITUTIONAL AMENDMENT

Mr. SENSENBRENNER, pursuant to House Resolution 118, called up the joint resolution (H.J. Res. 41) proposing an amendment to the Constitution of the United States with respect to tax limitations.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 118, the previous question was considered as ordered.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. SHAYS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WATT of North Carolina objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 232 / Nays ..... 189 }

¶36.7 [Roll No. 87]

YEAS—232

Aderholt	Bishop	Cantor
Akin	Blunt	Capito
Andrews	Boehner	Castle
Armey	Bonilla	Chabot
Bachus	Bono	Chambliss
Baker	Boswell	Coble
Ballenger	Brady (TX)	Collins
Barcia	Brown (SC)	Combest
Barr	Bryant	Condit
Bartlett	Burr	Cox
Barton	Burton	Cramer
Bass	Buyer	Crane
Berkley	Callahan	Crenshaw
Berry	Calvert	Cubin
Biggert	Camp	Culberson
Bilirakis	Cannon	Cunningham
Davis, Jo Ann	Johnson, Sam	Roemer
Davis, Tom	Jones (NC)	Rogers (KY)
Deal	Keller	Rogers (MI)
DeLay	Kelly	Rohrabacher
DeMint	Kennedy (MN)	Ros-Lehtinen
Diaz-Balart	Kerns	Roukema
Doolittle	King (NY)	Royce
Duncan	Kingston	Ryan (WI)
Dunn	Kirk	Ryun (KS)
Ehlers	Knollenberg	Sanchez
Ehrlich	Kolbe	Sandlin
Emerson	LaHood	Saxton
English	Largent	Scarborough
Etheridge	Latham	Schaffer
Everett	LaTourette	Schrock
Ferguson	Leach	Sensenbrenner
Flake	Lewis (CA)	Sessions
Fletcher	Lewis (KY)	Shadegg
Foley	Linder	Shays
Fossella	LoBiondo	Sherman
Frelinghuysen	Lucas (KY)	Sherwood
Gallegly	Lucas (OK)	Shimkus
Ganske	Maloney (CT)	Shows
Gekas	Manzullo	Simmons
Gibbons	McCarthy (NY)	Simpson
Gilchrest	McCrery	Skeen
Gilman	McInnis	Skelton
Goode	McIntyre	Smith (MI)
Goodlatte	McKeon	Smith (NJ)
Gordon	Mica	Souder
Goss	Miller (FL)	Spence
Graham	Miller, Gary	Stearns
Granger	Moran (KS)	Stump
Graves	Myrick	Sununu
Green (TX)	Nethercutt	Sweeney
Green (WI)	Ney	Tancredo
Greenwood	Northup	Tauzin
Grucci	Norwood	Taylor (MS)
Gutknecht	Nussle	Taylor (NC)
Hall (TX)	Osborne	Terry
Hansen	Ose	Thornberry
Harman	Otter	Thune
Hart	Oxley	Tiahrt
Hastert	Pallone	Tiberi
Hastings (WA)	Paul	Toomey
Hayes	Pence	Traficant
Hayworth	Peterson (PA)	Upton
Hefley	Petri	Walden
Herger	Pickering	Walsh
Hilleary	Pitts	Wamp
Hobson	Platts	Watkins
Hoekstra	Pombo	Weldon (FL)
Horn	Portman	Weldon (PA)
Hulshof	Pryce (OH)	Weller
Hunter	Putnam	Whitfield
Hutchinson	Quinn	Wicker
Isakson	Radanovich	Wilson
Issa	Ramstad	Wolf
Istook	Regula	Young (AK)
Jenkins	Rehberg	Young (FL)
John	Reynolds	
Johnson (IL)	Riley	

NAYS—189

Abercrombie	Davis (FL)	Hostettler
Ackerman	Davis (IL)	Houghton
Allen	DeFazio	Hoyer
Baca	DeGette	Hyde
Baird	Delahunt	Inslee
Baldacci	DeLauro	Israel
Baldwin	Deutsch	Jackson (IL)
Barrett	Dicks	Jackson-Lee (TX)
Becerra	Dingell	Jefferson
Bentsen	Doggett	Johnson (CT)
Bereuter	Dooley	Johnson, E. B.
Berman	Doyle	Jones (OH)
Blagojevich	Dreier	Kanjorski
Blumenauer	Edwards	Kaptur
Boehlert	Engel	Kennedy (RI)
Bonior	Eshoo	Kildee
Borski	Evans	Kilpatrick
Boucher	Farr	Kind (WI)
Boyd	Fattah	Kleczka
Brady (PA)	Filner	Kucinich
Brown (FL)	Ford	LaFalce
Brown (OH)	Frank	Lampson
Capuano	Frost	Langevin
Cardin	Gephardt	Lantos
Carson (IN)	Gillmor	Larsen (WA)
Carson (OK)	Gonzalez	Larson (CT)
Clay	Hastings (FL)	Lee
Clayton	Hill	Levin
Clement	Hilliard	Lewis (GA)
Clyburn	Hinchey	Lipinski
Conyers	Hinojosa	Lofgren
Costello	Hoeffel	Lowey
Coyne	Holden	Luther
Crowley	Holt	Maloney (NY)
Cummings	Honda	Markey
Davis (CA)	Hooley	Mascara
Matheson	Owens	Solis
Matsui	Pascrell	Spratt
McCarthy (MO)	Pastor	Stark
McCollum	Payne	Stenholm
McDermott	Pelosi	Strickland
McGovern	Peterson (MN)	Stupak
McKinney	Phelps	Tanner
McNulty	Pomeroy	Tauscher
Meehan	Price (NC)	Thomas
Meek (FL)	Rahall	Thompson (CA)
Meeks (NY)	Rangel	Thompson (MS)
Menendez	Reyes	Thurman
Millender-McDonald	Rivers	Tierney
Miller, George	Rodriguez	Towns
Mink	Ross	Turner
Mollohan	Rothman	Udall (CO)
Moore	Rush	Udall (NM)
Morella	Sabo	Velazquez
Murtha	Sanders	Visclosky
Nadler	Sawyer	Waters
Napolitano	Schakowsky	Watt (NC)
Neal	Schiff	Waxman
Oberstar	Scott	Weiner
Obey	Serrano	Wexler
Olver	Shaw	Woolsey
Ortiz	Slaughter	Wu
	Smith (WA)	Wynn
	Snyder	

NOT VOTING—11

Capps	McHugh	Smith (TX)
Cooksey	Moakley	Vitter
Gutierrez	Moran (VA)	Watts (OK)
Hall (OH)	Roybal-Allard	

So, less than two-thirds of the Members present having voted in favor thereof, the joint resolution was not passed.

A motion to reconsider the vote whereby the joint resolution was not passed was, by unanimous consent, laid on the table.

And then,

¶36.8 ADJOURNMENT

On motion of Mr. MATHESON, at 4 o'clock and 7 minutes p.m., the House adjourned.

¶36.9 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CHAMBLISS:

H.R. 1580. A bill to provide that Commodity Futures Trading Commission employees may be paid on a par with employees of other government financial institutions; to the Committee on Agriculture, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUNN (for herself, Mr. BISHOP, Mr. ALLEN, Mr. BAIRD, Mr. BALDACCI, Mr. BARTON of Texas, Mr. BLUMENAUER, Mr. BLUNT, Mr. CALLAHAN, Mr. CAMP, Mr. COLLINS, Mr. COOKSEY, Mrs. EMERSON, Mr. ENGLISH, Mr. HERGER, Mr. HILLIARD, Mr. HUTCHINSON, Mr. ISAKSON, Mr. LARSEN of Washington, Mr. LEWIS of Kentucky, Mr. GREEN of Wisconsin, Mr. MCCRERY, Mr. THOMPSON of California, Mrs. JOHNSON of Connecticut, Mr. OBERSTAR, Mr. OTTER, Mr. PICKERING, Mr. ROSS, Mr. SCHAFFER, Mr. SHOWS, Mr. SIMPSON, Mr. STUPAK, Mr. SMITH of Washington, Mrs. THURMAN, Mr. WALDEN of Oregon, and Mr. WICKER):

H.R. 1581. A bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities; to the Committee on Ways and Means.

By Mr. GUTIERREZ:

H.R. 1582. A bill to amend the Immigration and Nationality Act to adjust the status of

certain long-staying alien children, to lower high school drop out rates for certain immigrant children, and to restore the right of State and local governments to decide whom they will admit to their State and local colleges and universities; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HILL (for himself, Mr. VISCLOSKY, Mr. PENCE, Mr. ROEMER, Mr. SOUDER, Mr. BUYER, Mr. BURTON of Indiana, Mr. KERNS, Mr. HOSTETTLER, and Ms. CARSON of Indiana):

H.R. 1583. A bill to designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the ''Lee H. Hamilton Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. HOEKSTRA (for himself, Mr. TANCREDO, Mr. SESSIONS, Mr. SAM JOHNSON of Texas, Mr. WELDON of Florida, Mr. DEMINT, Mr. BAKER, Mr. ARMEY, Mr. SENSENBRENNER, Mr. KOLBE, and Mr. SCHAFFER):

H.R. 1584. A bill to amend the Internal Revenue Code of 1986 to require that each employer show on the W–2 form of each employee the employer's share of taxes for old-age, survivors, and disability insurance and for hospital insurance for the employee as well as the total amount of such taxes for such employee; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1585. A bill to provide for a study regarding the proximity of federally assisted housing to hazardous waste sites; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KANJORSKI (for himself, Mr. SHAYS, Mr. SESSIONS, Mr. EVANS, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mr. TIERNEY, Mr. MCGOVERN, Mr. FRANK, and Mr. DELAHUNT):

H.R. 1586. A bill to amend chapter 84 of title 5, United States Code, to make certain temporary Federal service performed for the Federal Deposit Insurance Corporation creditable for retirement purposes; to the Committee on Government Reform.

By Ms. MCKINNEY (for herself, Mr. EVANS, Mr. REYES, and Ms. BROWN of Florida):

H.R. 1587. A bill to amend title 38, United States Code, to repeal the 30-year manifestation period for a presumption of service-connection for respiratory cancers occurring in veterans who served in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975; to the Committee on Veterans' Affairs.

By Mrs. MINK of Hawaii (for herself and Mr. ABERCROMBIE):

H.R. 1588. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for the conversion of cooperative housing corporations into condominiums; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 1589. A bill to amend the Caribbean Basin Economic Recovery Act to provide trade benefits for socks and hosiery; to the Committee on Ways and Means.

By Mr. RAMSTAD:

H.R. 1590. A bill to amend the Internal Revenue Code of 1986 to allow up to $500 of health benefits and dependent care assistance in flexible spending accounts and similar arrangements to be carried forward to the succeeding taxable year or to be included in gross income upon termination of such accounts and arrangements; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Ms. MCKINNEY, and Mr. MCGOVERN):

H.R. 1591. A bill to prohibit the United States Government from providing financing for nongovernmental organizations or individuals to carry out military, law enforcement, armed rescue, or other related operations in the countries of the Andean region, including any operations relating to narcotics control efforts; to the Committee on International Relations.

By Mr. THORNBERRY (for himself, Mr. JONES of North Carolina, Mr. GRAVES, Mr. DELAY, and Mr. OTTER):

H.R. 1592. A bill to amend the Land and Water Conservation Fund Act of 1965 to provide greater protection of private property rights; to the Committee on Resources.

By Mr. PAUL:

H.J. Res. 45. A joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes and prohibiting the Untied States Government from engaging in the business in competition with its citizens; to the Committee on the Judiciary.

By Mr. SKELTON:

H. Con. Res. 106. Concurrent resolution commending the crew of the United States Navy EP–3 Aries II reconnaissance aircraft that on April 1, 2001, while flying in international airspace off the coast of China, was involved in a mid-air collision with a Chinese fighter aircraft for their outstanding performance of duty and exemplary conduct and expressing the sense of Congress concerning continued United States reconnaissance and surveillance flights in the area; to the Committee on Armed Services.

By Mr. WELDON of Florida (for himself and Mr. CRAMER):

H. Con. Res. 107. Concurrent resolution expressing a declaration of space leadership; to the Committee on Science, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan:

H. Con. Res. 108. Concurrent resolution honoring the National Science Foundation for 50 years of service to the Nation; to the Committee on Science.

By Mr. LATOURETTE:

H. Con. Res. 109. Concurrent resolution honoring the services and sacrifices of the United States merchant marine; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE (for himself, Mr. SHADEGG, Mr. TOOMEY, Mr. SESSIONS, Mr. DEMINT, Mr. OTTER, Mrs. MYRICK, Mr. TANCREDO, Mr. SAM JOHNSON of Texas, Mr. DOOLITTLE, Mr. RYUN of Kansas, and Mr. RYAN of Wisconsin):

H. Res. 123. A resolution amending the rules of the House of Representatives to prohibit the inclusion in any legislation of any provision which makes a decrease in Federal income taxes contingent upon another event or circumstance; to the Committee on Rules.

¶36.10 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mrs. TAUSCHER introduced A bill (H.R. 1593) for the relief of Bruce Watson Pairman and Daniele Paule Pairman; which was referred to the Committee on the Judiciary.

¶36.11 ADDITIONAL SPONSORS

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

H.R. 10: Mr. PITTS, Mr. DELAY, Mrs. CUBIN, and Ms. SANCHEZ.

H.R. 21: Mr. LOBIONDO and Mrs. NORTHUP.

H.R. 61: Mrs. BIGGERT.

H.R. 68: Mrs. THURMAN.

H.R. 99: Mr. MILLER of Florida.

H.R. 123: Mr. BUYER and Mr. KOLBE.

H.R. 128: Mr. OLVER, Mr. OBERSTAR, Ms. MCKINNEY, Mrs. CAPPS, Mr. GEORGE MILLER of California, and Ms. BALDWIN.

H.R. 169: Mr. CUMMINGS, Mr. GREEN of Wisconsin, Mr. COYNE, Ms. SANCHEZ, Mr. SANDLIN, Mr. MCGOVERN, Mr. KUCINICH, Ms. MCKINNEY, Mr. WELDON of Florida, and Mr. ARMEY.

H.R. 220: Mr. SKEEN and Mr. REHBERG.

H.R. 270: Mr. BONIOR and Ms. SCHAKOWSKY.

H.R. 325: Mr. GEORGE MILLER of California, Ms. KILPATRICK, Ms. NORTON, Mr. GILCHREST, and Mr. MALONEY of Connecticut.

H.R. 353: Mr. TIAHRT.

H.R. 389: Mr. FILNER.

H.R. 397: Mr. SCHIFF, Ms. SOLIS, Ms. SANCHEZ, Mr. HOBSON, and Mr. CLEMENT.

H.R. 435: Ms. WOOLSEY.

H.R. 436: Mr. ROGERS of Kentucky and Mr. GREEN of Texas.

H.R. 458: Mr. GREENWOOD.

H.R. 460: Mr. DEFAZIO and Ms. LEE.

H.R. 490: Mr. BOEHLERT, Mr. ROGERS of Kentucky, Mr. KILDEE, Mr. BLUMENAUER, Mr. REHBERG, Ms. MCKINNEY, Mr. FRANK, Mrs. DAVIS of California, Mr. PICKERING, and Mr. OLVER.

H.R. 499: Mr. PAYNE, Ms. DELAURO, Mr. GONZALEZ, Ms. KILPATRICK, and Mr. RUSH.

H.R. 500: Mr. LANTOS.

H.R. 521: Mr. ABERCROMBIE.

H.R. 525: Mr. COSTELLO.

H.R. 527: Mr. EVERETT and Mr. RILEY.

H.R. 531: Mr. LANTOS.

H.R. 555: Mr. THOMPSON of Mississippi and Mr. CAPUANO.

H.R. 579: Mr. LANGEVIN.

H.R. 594: Mr. FALEOMAVAEGA.

H.R. 611: Ms. DEGETTE, Mr. ENGLISH, Mr. ROGERS of Kentucky, Mr. OLVER, Mr. LEWIS of Kentucky, Mr. WAXMAN, Mr. ROSS, Mr. MURTHA, Mr. ENGEL, Mrs. JONES of Ohio, Mr. DOYLE, Mrs. MINK of Hawaii, Mr. ETHERIDGE, Ms. MCCOLLUM, and Mr. INSLEE.

H.R. 619: Mr. MORAN of Virginia.

H.R. 622: Mr. WATT of North Carolina, Mr. GONZALEZ, Mr. MALONEY of Connecticut, Mrs. TAUSCHER, and Mr. BROWN of Ohio.

H.R. 641: Mr. DAVIS of Illinois, Mr. JOHN, Mr. SHOWS, Mr. OWENS, Mr. Dooley of California, Mr. MORAN of Virginia, Mr. JEFFERSON, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HANSEN, and Mr. MCINNIS.

H.R. 648: Mr. RYUN of Kansas and Mr. BOEHLERT.

H.R. 662: Mr. WICKER, Mr. PETERSON of Pennsylvania, Mr. RODRIGUEZ, Mr. TERRY, Mr. GEKAS, Mr. KENNEDY of Minnesota, Mr. HALL of Texas, Mr. HAYWORTH, Mr. STUPAK, Mr. LUCAS of Kentucky, Mr. CLEMENT, Ms. MCKINNEY, Mr. SCHAFFER, Mr. HILLEARY, Mr. FOLEY, Mr. ROGERS of Kentucky, Mrs. KELLY, Ms. KAPTUR, Mr. BOEHLERT, Mr. BERRY, Mr. GILCHREST, Mr. HILLIARD, Mr. CONDIT, and Mr. PUTNAM.

H.R. 663: Mr. ISAKSON, Mr. CUNNINGHAM, and Ms. MCCOLLUM.

H.R. 678: Mr. LEVIN and Mr. ISRAEL.

H.R. 712: Mrs. THURMAN.

H.R. 717: Mr. ENGEL, Mr. HUTCHINSON, Mr. ROGERS of Kentucky, Mr. OWENS, Mr. CAS-

TLE, Mr. HOLT, Mr. REYES, Mr. BERRY, Mr. SIMMONS, and Ms. ESHOO.

H.R. 730: Mr. SMITH of New Jersey and Mr. HOLT.

H.R. 739: Mr. FARR of California.

H.R. 744: Mr. LANGEVIN and Mr. BENTSEN.

H.R. 773: Mr. CAPUANO.

H.R. 781: Mr. HINOJOSA.

H.R. 786: Mr. HOEFFEL.

H.R. 793: Mr. PALLONE.

H.R. 818: Mr. HOYER and Mr. RUSH.

H.R. 827: Mr. WELLER.

H.R. 864: Mr. RYUN of Kansas.

H.R. 868: Mr. EVERETT, Mr. ROGERS of Michigan, Mr. TURNER, Mr. BOUCHER, and Mr. WALDEN of Oregon.

H.R. 911: Mr. GUTIERREZ.

H.R. 913: Mr. WEXLER.

H.R. 966: Mr. FLAKE and Mr. RYUN of Kansas.

H.R. 997: Mr. PAUL.

H.R. 1014: Mr. CLAY, Mr. WEXLER, Mr. RANGEL, Mr. UNDERWOOD, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. MCGOVERN, Ms. DEGETTE, Ms. SCHAKOWSKY, Ms. LEE, Ms. WATERS, Mr. BERMAN, Mrs. NAPOLITANO, Mr. CUMMINGS, and Ms. WOOLSEY.

H.R. 1024: Mr. BECERRA, Mr. HAYWORTH, Mr. ARMEY, Mr. LEWIS of Kentucky, Mr. SAM JOHNSON of Texas, Mr. SESSIONS, Ms. DUNN, Mr. DEMINT, Mr. CARDIN, and Mr. CAMP.

H.R. 1032: Ms. SCHAKOWSKY and Mr. LATOURETTE.

H.R. 1073: Ms. SOLIS, Mr. GONZALEZ, Mr. UDALL of Colorado, Mr. PAYNE, Mr. BLAGOJEVICH, Mr. BEREUTER, Mr. LEACH, Mr. BOUCHER, Mrs. LOWEY, Ms. VELAZQUEZ, and Mr. MEEKS of New York.

H.R. 1089: Mr. BOUCHER, Ms. LOFGREN, and Ms. HART.

H.R. 1090: Mr. UDALL of New Mexico.

H.R. 1117: Mr. SABO, Ms. MILLENDER-MCDONALD, Ms. CARSON of Indiana, Mr. LEWIS of Georgia, Ms. MCCARTHY of Missouri, and Mr. HASTINGS of Florida.

H.R. 1139: Ms. MCKINNEY, Mr. GALLEGLY, and Mr. BASS.

H.R. 1146: Mr. SAM JOHNSON of Texas, Mr. HALL of Texas, and Mr. EVERETT.

H.R. 1174: Mr. SCHAFFER, Mr. SUNUNU, and Mr. STEARNS.

H.R. 1177: Mr. SMITH of Washington.

H.R. 1195: Ms. LOFGREN, Mr. OWENS, Mrs. MCCARTHY of New York, Mr. TOWNS, Mr. NADLER, Mr. LAFALCE, Mr. MEEKS of New York, Mr. WYNN, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. ABERCROMBIE, Ms. MCKINNEY, Mr. CROWLEY, Mr. RUSH, Ms. PELOSI, Ms. MCCOLLUM, Ms. VELAZQUEZ, Ms. SOLIS, and Mr. FRANK.

H.R. 1198: Mr. SKEEN, Mr. BAKER, Mr. SIMMONS, Mr. HYDE, Mr. EHRLICH, Ms. HOOLEY of Oregon, Mr. WEXLER, Mr. BLAGOJEVICH, and Mr. GOODE.

H.R. 1201: Mr. RUSH.

H.R. 1230: Mr. STUPAK, Mr. KILDEE, Ms. KAPTUR, Mr. BOEHLERT, Ms. BALDWIN, and Mr. GEORGE MILLER of California.

H.R. 1266: Mr. ABERCROMBIE, Mr. BALDACCI, Ms. BALDWIN, Mr. BLUMENAUER, Mr. CAPUANO, Mr. COYNE, Mr. ENGLISH, Mr. EVANS, Mr. FLAKE, Mr. FRANK, Mr. HASTINGS of Florida, Mr. HOLT, Ms. KILPATRICK, Mr. KING, Mr. KUCINICH, Ms. LEE, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Mr. MOORE, Mr. RAHALL, Ms. RIVERS, Mr. SANDERS, Mr. SUNUNU, Mr. UDALL of Colorado, and Ms. WOOLSEY.

H.R. 1291: Mr. HINOJOSA, Mr. FROST, Mr. LUCAS of Kentucky, and Mr. ROGERS of Kentucky.

H.R. 1308: Mr. RYUN of Kansas.

H.R. 1328: Ms. PRYCE of Ohio.

H.R. 1330: Mr. RODRIGUEZ.

H.R. 1331: Mr. BARTON of Texas, Mr. RYUN of Kansas, and Mr. HOEFFEL.

H.R. 1342: Mr. FLAKE.

H.R. 1358: Mr. KUCINICH.

H.R. 1363: Ms. HART.

H.R. 1405: Ms. LOFGREN.

H.R. 1407: Mr. BEREUTER.

H.R. 1408: Mr. SHOWS and Mr. SHERMAN.

H.R. 1413: Ms. CARSON of Indiana, Mr. MOLLOHAN, Mr. REYES, Mr. RODRIGUEZ, Mr. FORD, Mr. RAHALL, and Mr. SMITH of Washington.

H.R. 1429: Ms. MILLENDER-MCDONALD and Mr. BLAGOJEVICH.

H.R. 1441: Mr. BALLENGER, Mr. BROWN of South Carolina, Mr. CULBERSON, Mr. DOOLITTLE, Mr. FLAKE, Mr. HAYWORTH, Mr. HEFLEY, Mr. HOEKSTRA, Mr. ISTOOK, Mr. LARGENT, Mr. MCCRERY, Mr. MILLER of Florida, Mr. OTTER, Mr. PAUL, Mr. PITTS, Mr. ROHRABACHER, Mr. RYUN of Kansas, Mr. SCHAFFER, Mr. SHADEGG, Mr. SWEENEY, Mr. TANCREDO, Mr. TERRY, Mr. TOOMEY, Mr. VITTER, and Mr. WICKER.

H.R. 1443: Ms. SCHAKOWSKY, Mr. BEREUTER, Mr. MALONEY of Connecticut, Ms. SLAUGHTER, and Ms. KILPATRICK.

H.R. 1459: Mrs. THURMAN, Mr. SHIMKUS, Mrs. JOHNSON of Connecticut, Mr. CRANE, Mr. RAMSTAD, Mr. PETRI, Mr. BOUCHER, and Mr. STEARNS.

H.R. 1462: Mr. UDALL of Colorado.

H.R. 1464: Mr. TOWNS.

H.R. 1485: Mrs. MYRICK.

H.R. 1486: Mr. STARK.

H.R. 1487: Mr. TOM DAVIS of Virginia, Mr. ISSA, Mr. COX, and Mr. UDALL of Colorado.

H.R. 1494: Mr. GUTIERREZ, Mr. NEAL of Massachusetts, Mr. SCHIFF, Mr. MCNULTY, Ms. MILLENDER-MCDONALD, Ms. VELAZQUEZ, Mr. ENGEL, Mr. RANGEL, and Mr. COYNE.

H.R. 1498: Mr. TIERNEY.

H.R. 1524: Mr. SMITH of New Jersey, Mr. NORWOOD, Mr. RYUN of Kansas, Mr. TOOMEY, and Mr. GANSKE.

H.R. 1531: Mrs. LOWEY.

H.R. 1541: Mr. SANDERS, Mr. GUTIERREZ, Mr. KILDEE, Mr. FALEOMAVAEGA, and Ms. MCKINNEY.

H.R. 1542: Mr. SWEENEY, Mr. GRUCCI, and Mr. TURNER.

H.R. 1567: Ms. SCHAKOWSKY, Mr. SANDERS, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CONYERS, Ms. BROWN of Florida, and Ms. JACKSON-LEE of Texas.

H.J. Res. 36: Mr. SMITH of Washington.

H.J. Res. 38: Mr. STUMP, Mr. GOODE, Mr. BARTLETT of Maryland, and Mr. FLAKE.

H. Con. Res. 26: Mrs. CAPPS.

H. Con. Res. 52: Mrs. CAPPS.

H. Con. Res. 58: Mr. SCHIFF.

H. Con. Res. 61: Mr. BONIOR, Mr. SIMMONS, and Mrs. JOHNSON of Connecticut.

H. Con. Res. 81: Mr. BALDACCI, Mr. FROST, Mr. RANGEL, Mr. MCHUGH, Mr. EVANS, Mr. HINCHEY, Ms. SCHAKOWSKY, Mr. HILLIARD, Mr. KUCINICH, Mr. CLEMENT, Mr. LANGEVIN, Mr. WAXMAN, Ms. KILPATRICK, Mr. CONYERS, Mr. LANTOS, and Ms. PELOSI.

H. Con. Res. 91: Mr. BLAGOJEVICH, Mr. MOORE, Mr. TURNER, Mr. BROWN of Ohio, Mrs. KELLY, Mrs. ROUKEMA, Mr. FRANK, Mr. LAFALCE, Mr. BALDACCI, Mr. HORN, Mr. GILMAN, Mr. KING, Mr. TOM DAVIS of Virginia, Mr. RAHALL, Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. LUCAS of Kentucky, Mr. PLATTS, Ms. ROS-LEHTINEN, and Ms. RIVERS.

H. Con. Res. 98: Mrs. MALONEY of New York and Mr. LIPINSKI.

H. Con. Res. 101: Mr. SCHIFF, Mr. FILNER, Ms. BERKLEY, Mr. BERMAN, Mr. LEVIN, Mr. WEXLER, and Mrs. LOWEY.

H. Con. Res. 103: Mr. SHAYS, Mr. EVANS, Mr. FILNER, Mr. DOYLE, Mr. KLECZKA, Mr. FRANK, Mrs. MORELLA, Ms. KAPTUR, Mr. COSTELLO, Mr. STARK, Ms. MCKINNEY, Mr. SIMMONS, Ms. RIVERS, Mr. LIPINSKI, and Mr. KUCINICH.

H. Res. 23: Ms. SANCHEZ.

H. Res. 120: Mr. WELLER.

THURSDAY, APRIL 26, 2001 (37)

¶37.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. RYAN of Wisconsin, who laid before the House the following communication:

WASHINGTON, DC,
April 26, 2001.

I hereby appoint the Honorable PAUL RYAN to act as Speaker pro tempore on this day.

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

¶37.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced he had examined and approved the Journal of the proceedings of Wednesday, April 25, 2001.

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

¶37.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1611. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Packaging and Transfer or Transportation of Materials of National Security Interest—received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1612. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Explosive Detection Program—received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1613. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Extension of DOE O 311.1A, Equal Employment Opportunity and Diversity Program—received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1614. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Security Conditions—received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1615. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Guide of Good Practices for Occupational Radiological Protection in Uranium Facilities— received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1616. A letter from the Chief, Enforcement Bureau, Federal Communications Commission, transmitting the Commission's final rule—Industry Guidance on the Commission's Case Law Interpreting 18 U.S.C. Section 1464 and Enforcemnet Policies Regarding Broadcast Indecency [File No. EB–00–IH–0089] received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1617. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Air Force's proposed lease of defense articles to Turkey (Transmittal No. 03–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

1618. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of

a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 010–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

1619. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for defense articles and defense services to Norway [Transmittal No. DTC 013–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1620. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with France [Transmittal No. DTC 015–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

1621. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Italy [Transmittal No. DTC 014–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

1622. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Canada [Transmittal No. DTC 008–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1623. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Republic of Korea [Transmittal No. DTC 016–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1624. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Italy [Transmittal No. DTC 035–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1625. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1626. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Approaches to Annapolis Harbor, Spa Creek, and Severn River, Annapolis, Maryland [CGD05–01–004] (RIN: 2115–AE46) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1627. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Western Branch, Elizabeth River, Portsmouth, VA [CGD05–01–003] (RIN: 2115–AE46) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1628. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Fireworks Display, East River, New York, NY [CGD01–01–026] (RIN: 2115–AA97) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1629. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Mission Bay, San Diego, CA [COTP San Diego, CA; 01–002] (RIN: 2115–AA97) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1630. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—DOE Facilities Technology Partnering Programs—received April 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

¶37.4 MESSAGE FROM THE SENATE

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

S. 350. An Act to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

¶37.5 HOUSE OF REPRESENTATIVES PAGE BOARD

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, by unanimous consent, announced that the Speaker, pursuant to section 127 of Public Law 97-377 (2 United States Code 88b-3), appointed to the House of Representatives Page Board, the following Members: Mr. SHIMKUS and Mrs. WILSON.

¶37.6 FIRST FLIGHT CENTENNIAL FEDERAL ADVISORY BOARD

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, by unanimous consent, pursuant to section 12(b)(1) of the Centennial of Flight Commemoration Act (36 United States Code 143), and upon recommendation of the Minority Leader, announced the Speaker appointed the following citizen of the United States to the First Flight Centennial Federal Advisory Board: Mr. Neil Armstrong, Lebanon, Ohio, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶37.7 JAMES MADISON COMMEMORATION ADVISORY COMMITTEE

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, by unanimous consent, pursuant to section 5(b) of the James Madison Commemoration Commission Act (Public Law 106-550), announced the Speaker appointed to the James Madison Commemoration Advisory Committee, Dr. Charles R. Kesler, Claremont, California and Mr. Randy Wright, Richmond, Virginia, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶37.8 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 24, 2001.

Hon. DENNIS HASTERT,
Speaker of the House,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Thank you for appointing me to serve on the House Permanent Select Committee on Intelligence.

In keeping with the Democratic Caucus rules and Rules of the House that limit me to serving on no more than two full committees I am resigning from my seat on the House Committee on Veterans' Affairs.

Please notify me as to the disposition of this request. If you cannot reach me directly at 226–3787, please notify my Chief of Staff, Mark Brownell, at 225–2165.

Thank you in advance for your prompt attention to this matter.

Sincerely,

COLLIN C. PETERSON,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶37.9 PROVIDING FOR THE CONSIDERATION OF H.R. 503

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 119):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 503) to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, and for other purposes. The bill shall be considered as read for amendment. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) two hours of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) the further amendment printed in the Congressional Record pursuant to clause 8 of rule XVIII and numbered 1, if offered by Representative Lofgren of California or her designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶37.10 UNBORN VICTIMS OF VIOLENCE

Mr. SENSENBRENNER, pursuant to House Resolution 119, called up the bill (H.R. 503) to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, and for other purposes.

Pending consideration of said bill.

Pursuant to House Resolution 119, the following amendment, printed in House Report 107-50, was considered as adopted:

Page 7, strike the matter after line 11 and insert the following:

''919a. Art. 119a. Causing death of or bodily injury to unborn children.''.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 119, the following further amendment in the nature of a substitute printed in the Congressional Record and numbered 1 was submitted by Ms. LOFGREN:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Motherhood Protection Act of 2001''.

SEC. 2. CRIMES AGAINST A WOMAN—TERMINATING HER PREGNANCY.

(a) Whoever engages in any violent or assaultive conduct against a pregnant woman resulting in the conviction of the person so engaging for a violation of any of the provisions of law set forth in subsection (c), and thereby causes an interruption to the normal course of the pregnancy resulting in prenatal injury (including termination of the pregnancy), shall, in addition to any penalty imposed for the violation, be punished as provided in subsection (b).

(b) The punishment for a violation of subsection (a) is—

(1) if the relevant provision of law set forth in subsection (c) is set forth in paragraph (1), (2), or (3) of that subsection, a fine under title 18, United States Code, or imprisonment for not more than 20 years, or both, but if the interruption terminates the pregnancy, a fine under title 18, United States Code, or imprisonment for any term of years or for life, or both; and

(2) if the relevant provision of law is set forth in subsection (c)(4), the punishment shall be such punishment (other than the death penalty) as the court martial may direct.

(c) The provisions of law referred to in subsection (a) are the following:

(1) Sections 36, 37, 43, 111, 112, 113, 114, 115, 229, 242, 245, 247, 248, 351, 831, 844(d), (f), (h)(1), and (i), 934(j), 930, 1111, 1112, 1114, 1116, 1118, 1119, 1120, 1121, 1153(a), 1201(a), 1203(a), 1365(a), 1501, 1503, 1505, 1512, 1513, 1751, 1864, 1951, 1952(a)(1)(B), (a)(2)(B), and (a)(3)(B), 1958, 1959, 1992, 2113, 2114, 2116, 2118, 2119, 2191, 2231, 2241(a), 2245, 2261, 2261A, 2280, 2281, 2332, 2332a, 2332b, 2340A, and 2441 of title 18, United States Code.

(2) Section 408(e) of the Controlled Substances Act of 1970 (21 U.S.C. 848).

(3) Section 202 of the Atomic Energy Act of 1954 (42 U.S.C. 2283).

(4) Sections 918, 919(a), 919(b)(2), 920(a), 922, 924, 926, and 928 of title 10, United States Code (articles 118, 119(a), 119(b)(2), 120(a), 122, 124, 126, and 128).

After debate,

Pursuant to House Resolution 119, the previous question was ordered on the bill, as amended, and the further amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to said further amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the nays had it.

Ms. LOFGREN demanded a recorded vote on agreeing to said further amendment in the nature of a substitute, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 196 / Nays 229

¶37.11 [Roll No. 88]

AYES—196

Abercrombie	Gephardt	Moran (VA)
Ackerman	Gilman	Morella
Allen	Gonzalez	Nadler
Andrews	Gordon	Napolitano
Baca	Granger	Neal
Baird	Green (TX)	Obey
Baldacci	Greenwood	Olver
Baldwin	Gutierrez	Ose
Barrett	Harman	Owens
Bass	Hastings (FL)	Pallone
Becerra	Hill	Pascrell
Bentsen	Hilliard	Pastor
Berkley	Hinchey	Payne
Berman	Hinojosa	Pelosi
Biggert	Hobson	Pomeroy
Bishop	Hoeffel	Price (NC)
Blagojevich	Holt	Pryce (OH)
Blumenauer	Honda	Rangel
Boehlert	Hooley	Reyes
Bonior	Horn	Rivers
Bono	Houghton	Rodriguez
Boswell	Hoyer	Ross
Boucher	Inslee	Rothman
Boyd	Israel	Roukema
Brady (PA)	Jackson (IL)	Rush
Brown (FL)	Jackson-Lee (TX)	Sabo
Brown (OH)	Jefferson	Sanchez
Capuano	Johnson (CT)	Sanders
Cardin	Johnson, E. B.	Sandlin
Carson (IN)	Kaptur	Sawyer
Carson (OK)	Kelly	Schakowsky
Castle	Kennedy (RI)	Schiff
Clay	Kilpatrick	Scott
Clayton	Kind (WI)	Serrano
Clyburn	Kirk	Shays
Condit	Kleczka	Sherman
Conyers	Kolbe	Simmons
Coyne	Lampson	Slaughter
Crowley	Larsen (WA)	Smith (WA)
Cummings	Larson (CT)	Snyder
Davis (CA)	Lee	Solis
Davis (FL)	Levin	Spratt
Davis (IL)	Lewis (GA)	Stark
DeFazio	Lofgren	Strickland
DeGette	Lowey	Sweeney
Delahunt	Luther	Tanner
DeLauro	Maloney (CT)	Tauscher
Deutsch	Maloney (NY)	Thomas
Dicks	Markey	Thompson (CA)
Dingell	Matheson	Thompson (MS)
Doggett	Matsui	Thurman
Dooley	McCarthy (MO)	Tierney
Dunn	McCarthy (NY)	Towns
Edwards	McCollum	Turner
Engel	McDermott	Udall (CO)
Eshoo	McGovern	Udall (NM)
Etheridge	McKinney	Upton
Evans	Meehan	Velazquez
Farr	Meeks (NY)	Waters
Fattah	Menendez	Watt (NC)
Filner	Millender-McDonald	Waxman
Foley	Miller, George	Weiner
Ford	Mink	Wexler
Frank	Moore	Woolsey
Frelinghuysen	Moran (KS)	Wu
Frost	Murtha	Wynn

NOES—229

Aderholt	Burr	Crenshaw
Akin	Burton	Cubin
Armey	Buyer	Culberson
Bachus	Callahan	Cunningham
Baker	Calvert	Davis, Jo Ann
Ballenger	Camp	Davis, Tom
Barcia	Cannon	Deal
Barr	Cantor	DeLay
Bartlett	Capito	DeMint
Barton	Chabot	Diaz-Balart
Bereuter	Chambliss	Doolittle
Berry	Clement	Doyle
Bilirakis	Coble	Dreier
Blunt	Collins	Duncan
Boehner	Combest	Ehlers
Bonilla	Cooksey	Ehrlich
Borski	Costello	Emerson
Brady (TX)	Cox	English
Brown (SC)	Cramer	Everett
Bryant	Crane	Ferguson
Flake	LaTourette	Ros-Lehtinen
Fletcher	Lewis (CA)	Royce
Fossella	Lewis (KY)	Ryan (WI)
Gallegly	Linder	Ryun (KS)
Ganske	Lipinski	Saxton
Gekas	LoBiondo	Scarborough
Gibbons	Lucas (KY)	Schaffer
Gilchrest	Lucas (OK)	Schrock
Gillmor	Manzullo	Sensenbrenner
Goode	Mascara	Sessions
Goodlatte	McCrery	Shadegg
Goss	McHugh	Shaw
Graham	McInnis	Sherwood
Graves	McIntyre	Shimkus
Green (WI)	McKeon	Shows
Grucci	McNulty	Simpson
Gutknecht	Mica	Skeen
Hall (OH)	Miller (FL)	Skelton
Hall (TX)	Miller, Gary	Smith (MI)
Hansen	Mollohan	Smith (NJ)
Hart	Moran (KS)	Smith (TX)
Hastings (WA)	Murtha	Souder
Hayes	Myrick	Spence
Hayworth	Nethercutt	Stearns
Hefley	Ney	Stenholm
Herger	Northup	Stump
Hilleary	Norwood	Stupak
Hoekstra	Nussle	Sununu
Holden	Oberstar	Tancredo
Hostettler	Ortiz	Tauzin
Hulshof	Osborne	Taylor (MS)
Hunter	Otter	Taylor (NC)
Hutchinson	Oxley	Terry
Hyde	Paul	Thornberry
Isakson	Pence	Thune
Issa	Peterson (MN)	Tiahrt
Istook	Peterson (PA)	Tiberi
Jenkins	Petri	Toomey
John	Phelps	Traficant
Johnson (IL)	Pickering	Visclosky
Johnson, Sam	Pitts	Vitter
Jones (NC)	Platts	Walden
Jones (OH)	Pombo	Walsh
Kanjorski	Portman	Wamp
Keller	Putnam	Watkins
Kennedy (MN)	Quinn	Watts (OK)
Kerns	Radanovich	Weldon (FL)
Kildee	Rahall	Weldon (PA)
King (NY)	Ramstad	Weller
Kingston	Regula	Whitfield
Knollenberg	Rehberg	Wicker
Kucinich	Reynolds	Wilson
LaFalce	Riley	Wolf
LaHood	Roemer	Young (AK)
Langevin	Rogers (KY)	Young (FL)
Largent	Rogers (MI)	
Latham	Rohrabacher	

NOT VOTING—6

Capps	Leach	Moakley
Lantos	Meek (FL)	Roybal-Allard

So the further amendment in the nature of a substitute was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

It was decided in the affirmative ..... { Yeas ..... 252 / Nays ..... 172 / Answered present 1

¶37.12 [Roll No. 89]

YEAS—252

Aderholt	Berry	Burr
Akin	Bilirakis	Burton
Armey	Bishop	Buyer
Bachus	Blunt	Callahan
Baker	Boehner	Calvert
Ballenger	Bonilla	Camp
Barcia	Bonior	Cannon
Barr	Borski	Cantor
Bartlett	Brady (TX)	Capito
Barton	Brown (SC)	Castle
Bereuter	Bryant	Chabot

Chambliss
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—172

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Condit
Conyers
Coyne
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank
Frelinghuysen
Frost
Gephardt
Gilman
Gonzalez
Green (TX)
Greenwood
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kelly
Kennedy (RI)
Kilpatrick
Kirk
Kleczka
Kolbe
Lampson
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Price (NC)
Reyes
Rivers
Rodriguez
Rothman
Roukema
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Stark
Strickland
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—1

Rush

NOT VOTING—7

Capps
Jones (OH)
Lantos
Leach
Meek (FL)
Moakley
Roybal-Allard

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶37.13 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. SENSENBRENNER, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, cross references, and punctuation, and to make such technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

¶37.14 ADJOURNMENT OVER

On motion of Mr. PLATTS, by unanimous consent,

Ordered, That when the House adjourns on Friday, April 27, 2001, it adjourn to meet on Tuesday, May 1, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶37.15 PRIVATE CALENDAR BUSINESS DISPENSED WITH

On motion of Mr. PLATTS, by unanimous consent,

Ordered, That business in order on Tuesday, May 1, 2001, under clause 5, rule XV, the Private Calendar rule, be dispensed with.

¶37.16 HOUR OF MEETING

On motion of Mr. PLATTS, by unanimous consent,

Ordered, That when the House adjourns on Tuesday, May 1, 2001, it adjourn to meet at 9 o'clock a.m. on Wednesday, May 2, 2001, for the purpose of receiving former Members of Congress.

¶37.17 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. PLATTS, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, May 2, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶37.18 CHILDREN'S MEMORIAL FLAG DAY

On motion of Mr. FLETCHER, by unanimous consent, the Committee on Education and the Workforce was discharged from further consideration of the following concurrent resolution (H. Con. Res. 110):

Whereas among the world's 26 richest nations, the United States accounted for 73 percent of child homicide victims;

Whereas at least 3 children a day die from physical abuse or chronic neglect in the United States;

Whereas April has been designated as National Child Abuse Prevention Month, an annual tradition started by President Jimmy Carter in 1979; and

Whereas the fourth Friday of each April is National Children's Memorial Flag Day, when many State and local governmental agencies and private organizations fly the Children's Memorial Flag to remember children lost to violence and to heighten public awareness of the need for communities to help vulnerable children and families: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports National Children's Memorial Flag Day; and

(2) encourages national, State, and local agencies and private organizations to fly the Children's Memorial Flag—

(A) to remember children lost to violence; and

(B) to raise public awareness about the continuing problem of violence against children.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶37.19 COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, announced that the Speaker, pursuant to section 3 of Public Law 94-304, as amended by section 1 of Public Law 99-7, appointed to the Commission on Security and Cooperation in Europe, on the part of the House, the following Members: Messrs. HOYER, CARDIN, Ms. SLAUGHTER, and Mr. HASTINGS of Florida.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶37.20 BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, announced that the Speaker, pursuant to 14 United States Code 194(a), appointed

to the Board of Visitors of the United States Coast Guard Academy, on the part of the House, the following Member: Mr. TAYLOR of Mississippi.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶37.21 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 350. An Act to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes; to the Committee on Energy and Commerce, in addition to the Committee on Transportation and Infrastructure for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶37.22 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. LEACH, for today.

And then,

¶37.23 ADJOURNMENT

On motion of Mr. BROWN of Ohio, at 3 o'clock and 37 minutes p.m., the House adjourned.

¶37.24 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MOAKLEY (for himself, Mr. DELAHUNT, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. RIVERS, and Mr. FILNER):

H.R. 1594. A bill to provide for increased accountability with respect to the education and training of foreign military personnel, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 1595. A bill to protect innocent children; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. FOLEY, Mr. SAM JOHNSON of Texas, Mr. SCHAFFER, Mr. RANGEL, Mr. WATKINS, Mr. JONES of North Carolina, Mrs. THURMAN, and Mr. LEWIS of Kentucky):

H.R. 1596. A bill to amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services and the Foreign Service, and other employees, in determining the exclusion of gain from the sale of a principal residence; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Ms. BALDWIN, Mr. STARK, Mr. CONYERS, Mr. ROHRABACHER, Mr. LATOURETTE, and Mr. SANDERS):

H.R. 1597. A bill to repeal the Military Selective Service Act; to the Committee on Armed Services.

By Mr. HOUGHTON (for himself, Mr. CARDIN, Mr. RAMSTAD, Mr. UDALL of New Mexico, Mr. FOLEY, Mr. ENGLISH, Mrs. JOHNSON of Connecticut, Mr. HOEFFEL, Mr. COYNE, Mr. NADLER, Mrs. THURMAN, Mr. NEAL of Massachusetts, Mr. MATSUI, Mr. SHAYS, Mr. WAXMAN, Mr. WELDON of Pennsylvania, Mr. HORN, Ms. ROS-LEHTINEN, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. PAYNE, Mrs. KELLY, Ms. DUNN, and Mr. MCHUGH):

H.R. 1598. A bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 1599. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on the sale of animals which are raised and sold as part of an educational program; to the Committee on Ways and Means.

By Mr. HOUGHTON (for himself, Mr. RANGEL, Mr. SAM JOHNSON of Texas, Mr. CRANE, Mr. ARMEY, Ms. DUNN, Mr. MATSUI, Mr. JEFFERSON, Mr. LEWIS of Georgia, Mrs. JOHNSON of Connecticut, Mr. WATKINS, Mr. FOLEY, Mr. RAMSTAD, Mr. HERGER, Ms. HART, Mrs. THURMAN, Mr. BECERRA, Mr. HAYWORTH, Mr. POMEROY, and Mr. ENGLISH):

H.R. 1600. A bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the use of foreign tax credits under the alternative minimum tax; to the Committee on Ways and Means.

By Mr. MCINNIS (for himself, Mr. TANNER, Mr. HAYWORTH, Mr. MATSUI, Mr. POMEROY, Mr. RAMSTAD, and Mr. ENGLISH):

H.R. 1601. A bill to amend the Internal Revenue Code of 1986 to facilitate electric cooperative participation in a competitive electric power industry; to the Committee on Ways and Means.

By Mr. BALLENGER:

H.R. 1602. A bill to amend the Fair Labor Standards Act of 1938 to provide that an employee's "regular rate" for purposes of calculating overtime compensation will not be affected by certain additional payments; to the Committee on Education and the Workforce.

By Mr. WELLER (for himself, Mrs. JOHNSON of Connecticut, and Mr. ENGLISH):

H.R. 1603. A bill to amend the Internal Revenue Code of 1986 to grant relief to participants in multiemployer plans from certain section 415 limits on retirement plans; to the Committee on Ways and Means.

By Mr. BARRETT (for himself and Mrs. WILSON):

H.R. 1604. A bill to amend title XIX of the Social Security Act to increase the floor for treatment as an extremely low DSH State to 3 percent in fiscal year 2002; to the Committee on Energy and Commerce.

By Mrs. BONO (for herself and Mr. CONDIT):

H.R. 1605. A bill to require that perishable agricultural commodities be labeled or marked as to their country of origin and to establish penalties for violations of such labeling requirements; to the Committee on Agriculture.

By Mr. CLYBURN (for himself, Mr. BISHOP, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLEMENT, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. FATTAH, Mr. FORD, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Ms. LEE, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mrs. JONES of Ohio, Ms. WATERS, Mr. WATT of North Carolina, and Mr. WYNN):

H.R. 1606. A bill to amend section 507 of the Omnibus Parks and Public Lands Management Act of 1996 to authorize additional appropriations for historically black colleges and universities, to decrease the matching requirement related to such appropriations, and for other purposes; to the Committee on Resources.

By Mr. DEFAZIO (for himself, Mr. STARK, Ms. BALDWIN, and Mr. GEORGE MILLER of California):

H.R. 1607. A bill to amend the Military Selective Service Act to suspend the registration requirement and the activities of civilian local boards, civilian appeal boards, and similar local agencies of the Selective Service System, except during national emergencies, and to require the Director of Selective Service to prepare a report regarding the development of a viable standby registration program for use only during national emergencies; to the Committee on Armed Services.

By Mr. EHLERS:

H.R. 1608. A bill to amend title 18 of the United States Code to prohibit human cloning; to the Committee on the Judiciary.

By Mr. ENGLISH (for himself, Mr. TANNER, Mr. RILEY, Mr. KENNEDY of Minnesota, Mr. HILLIARD, and Mr. CRAMER):

H.R. 1609. A bill to amend title XVIII of the Social Security Act to provide for national standardized payment amounts for inpatient hospital services furnished under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ETHERIDGE:

H.R. 1610. A bill to amend the Agricultural Reconciliation Act of 1993 to make leaf tobacco an eligible commodity for the Market Access Program; to the Committee on Agriculture.

By Mr. GALLEGLY:

H.R. 1611. A bill to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty with regard to income limits for the IRA deduction for active participants in pension plans; to the Committee on Ways and Means.

By Mr. HANSEN:

H.R. 1612. A bill to amend the Internal Revenue Code of 1986 to remove the cover over of tax for Puerto Rico; to the Committee on Ways and Means.

By Mr. HINCHEY (for himself, Mr. MORAN of Virginia, Mr. BROWN of Ohio, Mr. BOUCHER, Mr. TIERNEY, Mr. BONIOR, Mr. PRICE of North Carolina, Ms. BALDWIN, Mr. PALLONE, Mr. CAPUANO, Mrs. MALONEY of New York, Mr. FILNER, Mr. MARKEY, Mr. PASCRELL, Mr. LEVIN, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Ms. BROWN of Florida, Mr. DELAHUNT, Mr. SHAYS, Ms. HOOLEY of Oregon, Ms. KILPATRICK, Mrs. TAUSCHER, Mr. SANDERS, Mr. MALONEY of Connecticut, Mr. BLAGOJEVICH, Mr. SERRANO, Mr. ALLEN, Mr. STARK, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Ms. WOOLSEY, Mr. BAIRD, Mr. DEFAZIO, Mr. MCNULTY, Ms. DELAURO, Mr. JACKSON of Illinois,

Mr. McGOVERN, Mr. BECERRA, Ms. LEE, Mr. WEINER, Mr. SHERMAN, Mr. WYNN, Mr. PAYNE, Mr. SMITH of Washington, Mr. COYNE, Mr. UDALL of Colorado, Mr. CLAY, Mr. CONYERS, Mr. HOLT, Mr. EVANS, Mr. KUCINICH, Mr. NEAL of Massachusetts, Mrs. MEEK of Florida, Mr. GONZALEZ, Mr. FATTAH, Mr. BENTSEN, Mr. MATSUI, Mr. SMITH of New Jersey, Mr. REYES, Mr. INSLEE, Mr. OLVER, Mr. HILLIARD, Mr. SAWYER, Mr. MOORE, Mr. LEWIS of Georgia, Mrs. JONES of Ohio, Mr. HALL of Ohio, Mr. LUTHER, Mr. THOMPSON of Mississippi, Mr. GEORGE MILLER of California, Mr. KLECZKA, Mrs. NAPOLITANO, Mr. DEUTSCH, Mr. KILDEE, Mr. HOEFFEL, Mr. FERGUSON, Ms. ROYBAL-ALLARD, Ms. RIVERS, Mr. WAXMAN, Mr. CROWLEY, Mr. MEEHAN, Mr. WEXLER, Mr. SIMMONS, Ms. WATERS, Mr. CARDIN, Mr. NADLER, Mrs. MINK of Hawaii, Ms. McCOLLUM, Ms. DeGETTE, Mr. BLUMENAUER, Ms. SCHAKOWSKY, Mr. ANDREWS, Ms. McCARTHY of Missouri, Ms. KAPTUR, Ms. ESHOO, Mr. ENGEL, Ms. VELAZQUEZ, Mrs. LOWEY, Ms. BERKLEY, Mr. LANGEVIN, Mr. MENENDEZ, Mr. TOWNS, Mrs. KELLY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SABO, Mr. DAVIS of Illinois, Mr. ROTHMAN, Mr. KENNEDY of Rhode Island, Mr. FARR of California, Mr. LEACH, Mr. THOMPSON of California, Mr. SPRATT, Mrs. MORELLA, Mr. MURTHA, Mr. OWENS, Ms. McKINNEY, Ms. JACKSON-LEE of Texas, Mr. FRANK, Mr. CLEMENT, Mr. ACKERMAN, Ms. MILLENDER-McDONALD, Mr. JEFFERSON, Mr. CLYBURN, Mr. HILL, Mr. BERMAN, Mr. GUTIERREZ, Mr. UDALL of New Mexico, Mr. STRICKLAND, Mr. RUSH, Mr. HONDA, Mr. BARRETT, Mr. BALDACCI, Mr. WU, Mr. CUMMINGS, Mr. FORD, Mr. MEEKS of New York, Mr. LARSEN of Washington, Mrs. DAVIS of California, Mr. PHELPS, Ms. SANCHEZ, Ms. LOFGREN, Ms. CARSON of Indiana, and Ms. SOLIS):

H.R. 1613. A bill to designate certain Federal land in the State of Utah as wilderness, and for other purposes; to the Committee on Resources.

By Mr. HOEFFEL (for himself and Mr. MALONEY of Connecticut):

H.R. 1614. A bill to amend the Elementary and Secondary Education Act of 1965, to reauthorize and make improvements to that Act, and for other purposes; to the Committee on Education and the Workforce.

By Ms. JACKSON-LEE of Texas:

H.R. 1615. A bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings; to the Committee on the Judiciary.

By Mr. KELLER (for himself and Mr. DIAZ-BALART):

H.R. 1616. A bill to amend the Immigration and Nationality Act to provide for the granting of United States citizenship, through the issuance of a certificate of citizenship, to any person who, after obtaining the status of an alien lawfully admitted for permanent residence, completes 3 years of honorable service on active duty in the Armed Forces, and for other purposes; to the Committee on the Judiciary.

By Mr. KUCINICH (for himself, Mr. ANDREWS, and Mr. SOUDER):

H.R. 1617. A bill to promote youth entrepreneurship education; to the Committee on Education and the Workforce.

By Ms. LOFGREN:

H.R. 1618. A bill to amend the Internal Revenue Code of 1986 to allow an individual who is entitled to receive child support a refundable credit equal to the amount of unpaid child support and to increase the tax liability of the individual required to pay such support by the amount of the unpaid child support; to the Committee on Ways and Means.

By Ms. LOFGREN:

H.R. 1619. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on capital losses applicable to individuals; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself, Mr. HORN, Mr. McNULTY, Mr. DEUTSCH, Ms. LEE, Ms. BERKLEY, Mr. BERMAN, Ms. PELOSI, Mr. ENGEL, Mr. NEAL of Massachusetts, Mr. WEXLER, Ms. McCARTHY of Missouri, Mr. LANTOS, Ms. JACKSON-LEE of Texas, Mr. RODRIGUEZ, and Mr. McGOVERN):

H.R. 1620. A bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Education and the Workforce.

By Ms. McKINNEY (for herself and Mr. LEWIS of Georgia):

H.R. 1621. A bill to establish the Arabia Mountain and National Heritage Area in the State of Georgia, and for other purposes; to the Committee on Resources.

By Mr. GEORGE MILLER of California (for himself, Mrs. MINK of Hawaii, Ms. WOOLSEY, Ms. SOLIS, Mr. ANDREWS, Mr. WU, Mr. KILDEE, and Mr. HINOJOSA):

H.R. 1622. A bill to reduce the costs of Federal student loans to students and their families, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PICKERING (for himself and Mr. CHAMBLISS):

H.R. 1623. A bill to provide for the preservation and restoration of historic buildings at historically women's public colleges or universities; to the Committee on Resources.

By Ms. PRYCE of Ohio (for herself, Mr. HOBSON, Mr. FOLEY, Mrs. CAPPS, Mr. BLUNT, Mr. HALL of Ohio, Mrs. MYRICK, Mr. SNYDER, Mr. EHRLICH, and Mr. BENTSEN):

H.R. 1624. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of all oral anticancer drugs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAMSTAD:

H.R. 1625. A bill to establish the Samuel Kelner Commission on Youth; to the Committee on Education and the Workforce.

By Mr. RAMSTAD (for himself and Mr. TOM DAVIS of Virginia):

H.R. 1626. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative discipliniary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law enforcement discipline, and accountability, and due process laws; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 1627. A bill to redesignate the Federal building located at 1100 Pennsylvania Avenue, NW, in the District of Columbia, and known as the Old Post Office Pavilion, as the ''Paul Leroy Robeson Old Post Office Pavilion''; to the Committee on Transportation and Infrastructure.

By Mr. RODRIGUEZ:

H.R. 1628. A bill to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail; to the Committee on Resources.

By Mrs. ROUKEMA (for herself and Mr. FRANK):

H.R. 1629. A bill to increase the mortgage loan limits under the National Housing Act for multifamily housing mortgage insurance; to the Committee on Financial Services.

By Mr. SAXTON (for himself and Mr. ARMEY):

H.R. 1630. A bill to encourage the International Monetary Fund to fully implement transparency and efficiency policies; to the Committee on Financial Services.

By Mr. SCARBOROUGH (for himself, Mr. DAVIS of Florida, Mr. SHAW, Mr. STEARNS, Mr. WEXLER, Mr. DEUTSCH, Mrs. THURMAN, Mr. KELLER, Mr. HASTINGS of Florida, Ms. BROWN of Florida, Mr. CRENSHAW, Mr. BILIRAKIS, and Mr. FOLEY):

H.R. 1631. A bill to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the State of Florida, and for other purposes; to the Committee on Resources.

By Mr. SHADEGG (for himself, Mr. ARMEY, Mr. SHERMAN, Mr. SOUDER, and Mr. FLAKE):

H.R. 1632. A bill to provide for the compensation of the people and Government of the United States who suffered damages as a result of the attack on, and occupation of, Kuwait by Iraq in 1990; to the Committee on International Relations.

By Mr. STUPAK:

H.R. 1633. A bill to reaffirm and clarify the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe, and for other purposes; to the Committee on Resources.

By Mr. STUPAK:

H.R. 1634. A bill to provide for and approve the settlement of certain land claims of the Bay Mills Indian Community and the Sault Ste. Marie Tribe of Chippewa Indians; to the Committee on Resources.

By Mr. STUPAK:

H.R. 1635. A bill to provide that the first $5,000 received from the income of an Indian tribe by any member of the tribe who has attained 50 years of age shall be disregarded in determining the eligibility of the member or the member's household for benefits, and the amount or kind of any benefits of the member or household, under various means-tested public assistance programs; to the Committee on Resources, and in addition to the Committees on Agriculture, Financial Services, Energy and Commerce, Education and the Workforce, Veterans' Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THUNE (for himself, Mr. POMEROY, Mrs. EMERSON, Mr. JOHNSON of Illinois, Mr. KENNEDY of Minnesota, Mr. GRAVES, Mr. SHIMKUS, Mrs. CLAYTON, and Mr. MORAN of Kansas):

H.R. 1636. A bill to amend the Internal Revenue Code of 1986 to allow allocation of small ethanol producer credit to patrons of cooperative, and for other purposes; to the Committee on Ways and Means.

By Mr. TIERNEY (for himself, Mr. BLAGOJEVICH, Ms. LOFGREN, Mr. MORAN of Virginia, Mr. STARK, Mr. CLAY, Mr. FARR of California, Mr. CONYERS, Mr. CARSON of Oklahoma, Ms. WOOLSEY, Mr. LANTOS, Mr. DAVIS of Illinois, Ms. KAPTUR, Mr. McDERMOTT, Mr. BARRETT, Mr. HOEFFEL, Mr. PASCRELL, Mr. EVANS, Mr. KIND, Mrs. MALONEY of New

York, Mr. FRANK, Mr. MARKEY, Ms. BALDWIN, Mr. BLUMENAUER, Mr. FATTAH, Mr. WAXMAN, Mr. PALLONE, Mr. KUCINICH, Ms. LEE, Ms. MCKINNEY, Mr. CAPUANO, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Ms. ESHOO, Mr. FORD, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. LEWIS of Georgia, Mr. MCGOVERN, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. NADLER, Mr. OLVER, Ms. PELOSI, Mr. RODRIGUEZ, Mr. SANDERS, Ms. SCHAKOWSKY, and Mr. WEINER):

H.R. 1637. A bill to reform the financing of Federal elections, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Energy and Commerce, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOOMEY (for himself, Ms. HOOLEY of Oregon, Mr. GEORGE MILLER of California, Ms. KAPTUR, Mr. SWEENEY, Mr. HALL of Ohio, Mr. PALLONE, Mr. MENENDEZ, Mr. WATT of North Carolina, Mr. THOMPSON of California, and Ms. DELAURO):

H.R. 1638. A bill to amend title XVIII of the Social Security Act to provide that geographic reclassifications of hospitals from one urban area to another urban area do not result in lower wage indexes in the urban area in which the hospital was originally classified; to the Committee on Ways and Means.

By Mr. TOOMEY (for himself and Mr. SCHAFFER):

H.R. 1639. A bill to establish limits on medical malpractice claims, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOOMEY (for himself, Mr. PAUL, and Mr. SCHAFFER):

H.R. 1640. A bill to amend title XVIII of the Social Security Act to facilitate the use of private contracts under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS:

H.R. 1641. A bill to amend title XIX of the Social Security Act to require States that provide Medicaid prescription drug coverage to cover drugs medically necessary to treat obesity; to the Committee on Energy and Commerce.

By Ms. WATERS (for herself, Mr. BACHUS, Mrs. MALONEY of New York, Mr. SANDERS, and Ms. LEE):

H.R. 1642. A bill to urge reforms of the Enhanced Heavily Indebted Poor Countries (HIPC) Initiative, and for other purposes; to the Committee on Financial Services.

By Mr. WEINER:

H.R. 1643. A bill to provide for the recognition of Jerusalem as the capital of Israel; to the Committee on International Relations.

By Mr. WELDON of Florida (for himself and Mr. STUPAK):

H.R. 1644. A bill to amend title 18, United States Code, to prohibit human cloning; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELDON of Pennsylvania (for himself and Ms. DEGETTE):

H.R. 1645. A bill to amend title XVIII of the Social Security Act to designate certified diabetes educators recognized by the National Certification Board of Diabetes Educators as certified providers for purposes of outpatient diabetes education services under part B of the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY (for herself, Mr. FLETCHER, Mr. HINCHEY, Mr. ACKERMAN, Mr. SCHIFF, Ms. BROWN of Florida, Mrs. MORELLA, Ms. MILLENDER-MCDONALD, Ms. SCHAKOWSKY, Ms. CARSON of Indiana, Mrs. NAPOLITANO, Mr. HINOJOSA, Mr. HONDA, Mr. GONZALEZ, Mr. LIPINSKI, and Mr. STARK):

H. Con. Res. 110. Concurrent resolution expressing the sense of the Congress in support of National Children's Memorial Flag Day; to the Committee on Education and the Workforce. considered and agreed to.

By Mr. BOEHLERT:

H. Con. Res. 111. Concurrent resolution commending the President for proclaiming May 6–12, 2001, as Global Science and Technology Week; to the Committee on Science.

By Mr. PAYNE:

H. Con. Res. 112. Concurrent resolution regarding the human rights situation in Sudan, including the practice of chattel slavery; to the Committee on International Relations.

By Mr. PAYNE:

H. Con. Res. 113. Concurrent resolution regarding human rights violations and oil development in Sudan; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H. Con. Res. 114. Concurrent resolution expressing the Sense of the Congress with respect Paul Leroy Robeson; to the Committee on Government Reform.

By Mr. SANDERS (for himself, Mr. GILMAN, Ms. DELAURO, Mrs. MORELLA, Mr. STARK, Mrs. TAUSCHER, Mr. SERRANO, Mr. GEORGE MILLER of California, Ms. PELOSI, Mr. LIPINSKI, Mrs. THURMAN, Mrs. MALONEY of New York, Mr. FRANK, Ms. LEE, Mrs. MINK of Hawaii, Mr. BISHOP, Mr. BLAGOJEVICH, Ms. BALDWIN, Mrs. MCCARTHY of New York, Ms. CARSON of Indiana, Mr. FILNER, Mr. RUSH, Mrs. MEEK of Florida, Mr. KUCINICH, Ms. SANCHEZ, and Ms. NORTON):

H. Con. Res. 115. Concurrent resolution supporting the goals and ideas of a National Child Care Worthy Wage Day; to the Committee on Education and the Workforce.

By Mr. SHIMKUS (for himself, Mr. COX, Mr. LIPINSKI, Mr. WOLF, Mr. BORSKI, Mr. KUCINICH, Mr. KNOLLENBERG, Mr. SCHAFFER, Mr. HILLEARY, Mr. MCNULTY, and Mr. ENGLISH):

H. Con. Res. 116. Concurrent resolution recommending the integration of Lithuania, Latvia, and Estonia into the North Atlantic Treaty Organization (NATO); to the Committee on International Relations.

By Mr. CRENSHAW:

H. Res. 124. A resolution recognizing the importance of children in the United States and supporting the goals and ideas of American Youth Day; to the Committee on Education and the Workforce.

By Mrs. MORELLA (for herself, Mr. TOM DAVIS of Virginia, Ms. NORTON, Mr. KNOLLENBERG, Mr. PETRI, Mr. MORAN of Virginia, Mr. DOOLITTLE, Mr. FRANK, and Mr. CLAY):

H. Res. 125. A resolution expressing the sense of the House of Representatives that the National Capital Planning Commission should adopt a plan that permanently returns Pennsylvania Avenue to the use of residents, commuters, and visitors to the Nation's capital and that protects the security of the people who live and work in the White House, and that the President should adopt and implement such a plan; to the Committee on Government Reform.

By Mr. RANGEL:

H. Res. 126. A resolution expressing the sense of the House of Representatives that Sugar Ray Robinson should be recognized for his athletic achievements and commitment to young people; to the Committee on Government Reform.

¶37.25 ADDITIONAL SPONSORS

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

H.R. 10: Mr. THOMAS.

H.R. 17: Mrs. JOHNSON of Connecticut.

H.R. 25: Mr. LAFALCE.

H.R. 37: Mr. BLUMENAUER and Ms. SANCHEZ.

H.R. 57: Mr. BACA.

H.R. 97: Mr. MALONEY of Connecticut, Mr. SWEENEY, Mrs. BONO, Mr. THOMPSON of Mississippi, and Mr. THOMPSON of California.

H.R. 98: Mr. WALDEN of Oregon, Mr. SCHAFFER, Mr. GREEN of Wisconsin, Mr. LARSEN of Washington, Mr. SHERMAN, and Mr. BEREUTER.

H.R. 127: Mr. CRANE and Ms. SANCHEZ.

H.R. 157: Mr. LATOURETTE.

H.R. 179: Mr. MCINNIS and Ms. WATERS.

H.R. 190: Mr. PAUL.

H.R. 199: Mr. HOLT, Mr. BURR of North Carolina, Mr. NEY, Mrs. THURMAN, Mr. HYDE, Mr. DOOLITTLE, and Mr. WALSH.

H.R. 219: Mr. MICA.

H.R. 224: Mr. LARGENT.

H.R. 232: Ms. SANCHEZ.

H.R. 236: Mr. BRADY of Texas and Mrs. WILSON.

H.R. 267: Mr. GREEN of Wisconsin, and Mr. REHBERG.

H.R. 270: Mr. ANDREWS and Mr. SABO.

H.R. 280: Mr. GUTKNECHT and Mr. DEAL of Georgia.

H.R. 336: Ms. WATERS.

H.R. 340: Mr. SANDLIN, Mr. HASTINGS of Florida, Ms. BROWN of Florida, Mrs. THURMAN, Mr. OLVER, and Ms. WATERS.

H.R. 436: Mr. SKELTON, Mr. NUSSLE, and Mr. TRAFICANT.

H.R. 437: Mr. FOLEY and Mr. LARGENT.

H.R. 458: Mr. ARMEY, Mr. BROWN of South Carolina, and Mr. GREEN of Wisconsin.

H.R. 464: Mr. RANGEL, Mrs. MALONEY of New York, Ms. SLAUGHTER, Mr. MCHUGH, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. DAVIS of Illinois, Mr. EVANS, Mrs. MINK of Hawaii, Mr. KUCINICH, Mr. FROST, and Ms. KILPATRICK.

H.R. 478: Mr. FROST.

H.R. 491: Mr. LANTOS, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. ROHRABACHER, Mr. TOWNS, Mr. GEORGE MILLER of California, Mr. FROST, Mr. HONDA, and Mr. MCGOVERN.

H.R. 500: Mr. BONIOR.

H.R. 510: Mrs. MALONEY of New York and Mr. BACA.

H.R. 519: Mr. CUNNINGHAM.

H.R. 570: Mr. BRYANT, Mr. GONZALEZ, Mr. LAHOOD, and Mr. HUTCHINSON.

H.R. 580: Mr. SANDLIN, Mr. MURTHA, Mr. QUINN, Mr. PALLONE, Mr. FROST, Mrs. MORELLA, Mr. PAYNE, and Mr. BALDACCI.

H.R. 583: Mr. TOM DAVIS of Virginia, Mr. BLUNT, Mr. THUNE, and Mrs. ROUKEMA.

H.R. 600: Mr. BISHOP, Mr. HILLEARY, Mr. GONZALEZ, Mr. HYDE, Mr. BLUMENAUER, Mr.

FARR of California, Mr. PASTOR, Mr. ROTHMAN, Mr. POMEROY, Ms. WOOLSEY, Mr. LUCAS of Kentucky, Mr. LEVIN, and Ms. ROYBAL-ALLARD.

H.R. 612: Mr. RUSH, Ms. SANCHEZ, Ms. WATERS, Mr. PENCE, Mr. STEARNS, and Mr. GREEN of Texas.

H.R. 622: Mr. MICA.

H.R. 623: Ms. WATERS.

H.R. 638: Mr. TOWNS, Mr. SABO, Ms. WOOLSEY, Mr. CONYERS, and Mr. MATSUI.

H.R. 654: Mr. BACA.

H.R. 659: Mr. GUTIERREZ, Mr. HILL, and Mr. SUNUNU.

H.R. 664: Mr. GALLEGLY, Ms. SCHAKOWSKY, Mr. CLEMENT, Mr. STUMP, Mr. CONYERS, Mr. CONDIT, Mr. LAMPSON, Ms. SOLIS, Mr. HALL of Texas, Mr. FRELINGHUYSEN, Ms. WATERS, Mr. UDALL of Colorado, Ms. MCCOLLUM, Mr. SKEEN, Mr. WELLER, Mr. FARR of California, Mrs. CLAYTON, and Mr. SANDLIN.

H.R. 668: Mr. STRICKLAND, Mr. LATOURETTE, Mr. CUNNINGHAM, Ms. MCCOLLUM, Ms. BROWN of Florida, Mr. RAMSTAD, and Mr. TIBERI.

H.R. 686: Mrs. TAUSCHER and Ms. LOFGREN.

H.R. 690: Mr. MARKEY.

H.R. 713: Ms. BALDWIN, Mr. BALDACCI, Mr. WU, Mr. THOMPSON of Mississippi, and Ms. PELOSI.

H.R. 716: Mr. MCKEON, Mr. RAMSTAD, and Mr. BALLENGER.

H.R. 717: Mr. PETERSON of Pennsylvania, Mrs. MALONEY of New York, Mr. LUCAS of Kentucky, Mr. SPRATT, Mr. HEFLEY, Mr. PASTOR, AND MR. PASCRELL.

H.R. 721: Ms. CARSON of Indiana, Mr. LOBIONDO, Mr. SHOWS, Mr. LAFALCE, Mr. BERRY, Mr. ORTIZ, and Mr. MENENDEZ.

H.R. 752: Mr. ISSA.

H.R. 770: Mr. SAWYER.

H.R. 774: Mr. SHAYS and Mr. GUTIERREZ.

H.R. 777: Mrs. EMERSON, Mr. SHAYS, and Mr. KILDEE.

H.R. 783: Ms. SANCHEZ.

H.R. 790: Mrs. THURMAN.

H.R. 808: Mr. ROSS, Mr. REGULA, Mr. LATOURETTE, Mr. GRAHAM, Ms. DELAURO, MRS. CLAYTON, Ms. MILLENDER-MCDONALD, MR. HOYER, Mr. FORD, Mr. BACA, Mr. MATHESON, Mr. DUNCAN, Mr. KERNS, Mr. NORWOOD, Ms. VELAZQUEZ, Mr. LAFALCE, Mr. LOBIONDO, and Mr. JOHN.

H.R. 848: Mr. JOHNSON of Illinois, Ms. DELAURO, Mr. RODRIGUEZ, Ms. SOLIS, Ms. SCHAKOWSKY, Mr. RUSH, Mr. CONYERS, Mrs. THURMAN, Mr. SHOWS, Mr. LAMPSON, Mr. HALL of Texas, and Mr. WYNN.

H.R. 862: Ms. SANCHEZ.

H.R. 868: Mr. BROWN of South Carolina, Mr. BARCIA, Mr. OTTER, Mr. MICA, Mr. LARGENT, Mr. GEKAS, and Mr. DIAZ-BALART.

H.R. 912: Mr. SWEENEY, Mr. COSTELLO, Mr. KANJORSKI, and Mr. DOGGETT.

H.R. 917: Mr. WEINER.

H.R. 951: Mr. UDALL of Colorado, Mrs. JO ANN DAVIS of Virginia, Mr. LUTHER, Mr. SCHAFFER, Mr. RILEY, Mr. DELAHUNT, Mr. LUCAS of Kentucky, and Mr. GARY G. MILLER of California.

H.R. 954: Mr. ALLEN and Ms. CARSON of Indiana.

H.R. 959: Mr. HONDA and Ms. SANCHEZ.

H.R. 964: Mrs. LOWEY and Ms. SANCHEZ.

H.R. 968: Mr. BILIRAKIS, Ms. KILPATRICK, Mr. OBERSTAR, and Ms. SANCHEZ.

H.R. 969: Mr. SAM JOHNSON of Texas, Mr. PITTS, and Mr. BACHUS.

H.R. 978: Mr. ABERCROMBIE and Mr. BOEHLERT.

H.R. 984: Mr. BLUNT and Mr. FILNER.

H.R. 985: Mrs. THURMAN, Mr. SMITH of New Jersey, and Mr. RAMSTAD.

H.R. 1005: Mr. OSBORNE.

H.R. 1016: Mr. MCNULTY.

H.R. 1019: Mr. COX, Mr. DOOLITTLE, and Mr. SCARBOROUGH.

H.R. 1020: Mr. CUMMINGS, Mr. BERRY, Mr. HILLIARD, Mr. BOYD, Mr. RYUN of Kansas, Mr. KLECZKA, Mr. KANJORSKI, Mr. CARSON of Oklahoma, Mr. TOWNS, Mr. STUPAK, Mr. PASCRELL, and Mr. GREENWOOD.

H.R. 1026: Mrs. THURMAN and Mr. ROSS.

H.R. 1035: Mr. MCDERMOTT.

H.R. 1037: Mr. FERGUSON.

H.R. 1043: Mr. INSLEE and Mr. LEVIN.

H.R. 1044: Mr. INSLEE.

H.R. 1088: Mr. OTTER.

H.R. 1093: Mr. BEREUTER.

H.R. 1094: Mr. BEREUTER.

H.R. 1119: Ms. MILLENDER-MCDONALD.

H.R. 1121: Mrs. THURMAN.

H.R. 1127: Mr. NEY and Mr. BARTON of Texas.

H.R. 1129: Ms. MILLENDER-MCDONALD and Ms. MCKINNEY.

H.R. 1130: Ms. MILLENDER-MCDONALD and Ms. MCKINNEY.

H.R. 1134: Mr. LAHOOD, Mr. GREEN of Wisconsin, Ms. BALDWIN, Mr. MORAN of Kansas, and Mr. RAMSTAD.

H.R. 1143: Mr. PALLONE, Mr. DOOLEY of California, and Mr. FROST.

H.R. 1162: Ms. DEGETTE, Mr. GONZALEZ, Mr. WAXMAN, and Ms. BALDWIN.

H.R. 1170: Mrs. THURMAN, Ms. WOOLSEY and Mr. ORTIZ.

H.R. 1180: Mr. WAXMAN and Mr. BEREUTER.

H.R. 1189: Ms. SANCHEZ and Mr. JACKSON of Illinois.

H.R. 1192: Mr. CLAY, Mr. UPTON, Mr. LEWIS of Kentucky, Mr. TIERNEY, Mr. OWENS, Mr. PAYNE, Mr. HOLT, Mr. PICKERING, Ms. CARSON of Indiana, Mr. POMEROY, Mr. JOHN, Mr. FRANK, Mr. MOLLOHAN, Mr. WYNN, Ms. DELAURO, Mr. SANDERS, Ms. NORTON, Mrs. MORELLA, Mr. NEAL of Massachusetts, Mr. FERGUSON, Mr. BEREUTER.

H.R. 1194: Mr. OBERSTAR and Mr. KIND.

H.R. 1195: Mr. FROST, Ms. SCHAKOWSKY, Mr. BONIOR, and Ms. DEGETTE.

H.R. 1199: Ms. MCCOLLUM, Mr. OBERSTAR, Mr. LUTHER, Mr. RAMSTAD, Mr. KENNEDY of Minnesota, Mr. ABERCROMBIE, Mr. MOORE, Ms. DEGETTE, Mr. UNDERWOOD, Mr. HINCHEY, Mrs. MINK of Hawaii, Mr. MCDERMOTT, and Mr. MCGOVERN.

H.R. 1220: Mr. BONILLA, Mr. THORNBERRY, Mr. NETHERCUTT, Mr. GILMAN, Mr. STENHOLM, and Mr. PAUL.

H.R. 1252: Ms. PELOSI and Ms. SANCHEZ.

H.R. 1256: Mr. HOLT, Mr. NADLER, Mr. FRANK, Mr. TOWNS, Mr. OWENS, Mr. NEAL of Massachusetts, Mr. ROTHMAN, Mr. CUMMINGS, Ms. BERKLEY, Mr. ENGEL, Mr. CARDIN, Ms. ESHOO, Ms. PELOSI, Mrs. DAVIS of California, Mr. MEEKS of New York, Mrs. LOWEY, Ms. VELAZQUEZ, Mr. FARR of California, Mr. GUTIERREZ, Mr. EVANS, Mr. STARK, Mr. MARKEY, Mr. SHERMAN, Mr. MATSUI, Mr. BALDACCI, Mr. ACKERMAN, Mr. PASCRELL, Mrs. CAPPS, Mr. RUSH, Mr. LIPINSKI, Ms. HOOLEY of Oregon, Mr. LOBIONDO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SLAUGHTER, Mr. REYES, Ms. NORTON, Mr. UDALL of Colorado, Mr. GRUCCI, Mrs. CLAYTON, Mrs. MINK of Hawaii, Ms. DEGETTE, Ms. SANCHEZ, and Mr. WALSH.

H.R. 1257: Mr. KIND, Mr. GONZALEZ, and Mr. HOLDEN.

H.R. 1262: Mr. SANDLIN, Mr. OWENS, Mr. DAVIS of Illinois, Mr. PAYNE, Ms. JACKSON-LEE of Texas, Mr. FILNER, Mr. FARR of California, Ms. SCHAKOWSKY, and Mr. KUCINICH.

H.R. 1263: Mr. TURNER.

H.R. 1271: Mr. MICA.

H.R. 1280: Mr. FOLEY and Ms. WATERS.

H.R. 1285: Mr. HINCHEY.

H.R. 1287: Mr. BENTSEN.

H.R. 1291: Ms. SANCHEZ, Mr. STEARNS, and Mr. ALLEN.

H.R. 1304: Ms. SANCHEZ.

H.R. 1306: Mr. SCHIFF.

H.R. 1330: Mrs. MORELLA, and Mrs. DAVIS of California.

H.R. 1342: Mr. DEAL of Georgia, Mr. CRANE, Mr. FOLEY, and Mr. GOODE.

H.R. 1354: Mr. SWEENEY, Mr. HOLDEN, Mr. HILLEARY, Mr. HONDA, Mr. JEFFERSON, Mr. CLYBURN, and Ms. SOLIS.

H.R. 1357: Mr. COLLINS, Mr. FERGUSON, and Mr. LEVIN.

H.R. 1358: Mr. KNOLLENBERG.

H.R. 1366: Ms. HARMAN, Mrs. DAVIS of California, Ms. ROYBAL-ALLARD, Mrs. BONO, Ms. LOFGREN, and Mr. ROYCE.

H.R. 1367: Ms. SANCHEZ.

H.R. 1369: Ms. ESHOO.

H.R. 1372: Mr. BROWN of South Carolina.

H.R. 1389: Ms. BROWN of Florida and Ms. HOOLEY of Oregon.

H.R. 1390: Ms. BROWN of Florida and Ms. HOOLEY of Oregon.

H.R. 1391: Ms. BROWN of Florida and Ms. HOOLEY of Oregon.

H.R. 1392: Ms. BROWN of Florida and Ms. HOOLEY of Oregon.

H.R. 1393: Ms. BROWN of Florida and Ms. HOOLEY of Oregon.

H.R. 1394: Ms. BROWN of Florida and Ms. HOOLEY of Oregon.

H.R. 1395: Ms. BROWN of Florida and Ms. HOOLEY of Oregon.

H.R. 1396: Ms. BROWN of Florida and Ms. HOOLEY of Oregon.

H.R. 1397: Ms. BROWN of Florida and Ms. HOOLEY of Oregon.

H.R. 1407: Mr. SWEENEY.

H.R. 1412: Mr. SPRATT, Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. KIRK, Mr. BARTON of Texas, Mr. MCDERMOTT, Mr. NEY, Mr. DEMINT, and Mr. ROYCE.

H.R. 1434: Mr. MATSUI, Mr. EHLERS, Mr. LAFALCE, and Ms. RIVERS.

H.R. 1436: Mr. FRANK, Mr. HOEFFEL, Mr. ISRAEL, and Mr. OBERSTAR.

H.R. 1438: Mr. KLECZKA, Mr. CHAMBLISS, and Mr. SMITH of Michigan.

H.R. 1464: Ms. SANCHEZ.

H.R. 1475: Mr. CARDIN, Mr. ROTHMAN, Mr. EHRLICH, Mr. RUSH, Mr. SCHIFF, Ms. MILLENDER-MCDONALD, Mr. DAVIS of Illinois, Mr. LEVIN, Mr. MATHESON, Mr. MCDERMOTT, Mr. WAXMAN, Mrs. THURMAN, Mr. LIPINSKI, Mr. SMITH of Washington, Mr. MEEHAN, Mr. WALSH, Mr. WHITFIELD, Mrs. KELLY, Mr. BOEHLERT, and Ms. WATERS.

H.R. 1476: Mr. SANDLIN.

H.R. 1477: Mrs. JONES of Ohio.

H.R. 1479: Mr. BARCIA, Mr. DEAL of Georgia, Mr. HERGER, Mr. MORAN of Kansas, Mr. PICKERING, and Mr. WAMP.

H.R. 1487: Mr. ISAKSON, Mr. WU, Mr. LANTOS, and Mr. PRICE of North Carolina.

H.R. 1510: Mr. HOEKSTRA, Mr. BOUCHER, Mr. GOODE, Mr. MCDERMOTT, Mr. BALDACCI, Mr. FROST, Mr. PETRI, Mr. MCHUGH, and Mr. SCHAFFER.

H.R. 1512: Mr. BROWN of Ohio.

H.R. 1523: Mrs. ROUKEMA, Mr. ENGLISH, and Mr. SMITH of New Jersey.

H.R. 1524: Mr. WELLER, Mr. SENSENBRENNER, Mr. MICA, and Mr. CANNON.

H.R. 1541: Mr. MURTHA, Mr. FILNER, Mr. SIMMONS, and Mr. PASCRELL.

H.R. 1553: Mr. TOM DAVIS of Virginia.

H.R. 1592: Mr. SIMPSON.

H.J. Res. 6: Mr. WEINER.

H.J. Res. 36: Mr. MOAKLEY, Mr. PLATTS, Mr. BRYANT, and Mr. STUPAK.

H. Con. Res. 16: Mr. PAYNE, Ms. LEE, Mr. LANTOS, Mr. MEEKS of New York, Mr. HILLIARD, Mrs. MEEK of Florida, Mr. TOWNS, Mr. CROWLEY, Ms. KILPATRICK, Mr. FALEOMAVAEGA, and Mr. THOMPSON of Mississippi.

H. Con. Res. 17: Mr. SANDLIN, Mr. CARSON of Indiana, Ms. LEE, and Mr. PALLONE.

H. Con. Res. 23: Mr. SESSIONS.

H. Con. Res. 58: Mr. GALLEGLY and Mr. TOWNS.

H. Con. Res. 68: Mr. BLAGOJEVICH, Mr. STUPAK, and Ms. NORTON.

H. Con. Res. 104: Ms. WATERS and Ms. SANCHEZ.

H. Res. 72: Mr. DEUTSCH.

H. Res. 120: Mr. SWEENEY.

H. Res. 123: Mr. HAYWORTH, Mr. PENCE, Mr. HOSTETTLER, and Mr. COLLINS.

¶37.26 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1051: Mr. KANJORSKI.

FRIDAY, APRIL 27, 2001 (38)

¶38.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. KIRK, who laid before the House the following communication:

WASHINGTON, DC,
April 27, 2001.

I hereby appoint the Honorable MARK STEVEN KIRK to act as Speaker pro tempore on this day.

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

¶38.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. KIRK, announced he had examined and approved the Journal of the proceedings of Thursday, April 26, 2001.

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

¶38.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1631. A letter from the Secretary, Department of Defense, transmitting a report on the retirement of Lieutenant General Eugene L. Tattini, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1632. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a report on the 2000 Military Exit Survey; to the Committee on Armed Services.

1633. A letter from the Deputy Secretary, Department of Defense, transmitting a Report on Fiscal Year 2001 Funds Obligated in Support of the Procurement of a Vaccine for the Biological Agent Anthrax; to the Committee on Armed Services.

1634. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting an annual report on the activities of the Multinational Force and Observers to implement the Treaty of Peace between Egypt and Israel, pursuant to 22 U.S.C. 3425; to the Committee on International Relations.

1635. A letter from the Chairman, International Fund for Ireland, transmitting a copy of the 2000 Annual Report of the Fund; to the Committee on International Relations.

1636. A letter from the Acting Deputy Attorney General, Office of the Deputy Attorney General, transmitting a copy of the 2000 Annual Report on activities pertaining to the Freedom of Information Act; to the Committee on Government Reform.

1637. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B4–601, A300 B4–603, A300 B4–620, A300 B4–605R, A300 B4–622R, and A300 F4–605R Airplanes [Docket No. 2000–NM–105–AD; Amendment 39–12157; AD 2001–06–10] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1638. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330–301, –321, –322, –341, and –342 Series Airplanes [Docket No. 2000–NM–316–AD; Amendment 39–12158; AD 2001–06–11] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1639. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company Models 172R and 172S Airplanes [Docket No. 2001–CE–14–AD; Amendment 39–12164; AD 2001–06–17] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1640. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–80A3 Series Turbofan Engines [Docket No. 98–NE–35–AD; Amendment 39–12156; AD 2001–06–09] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1641. A letter from the Secretary, Department of Transportation, transmitting an Annual Report Required Pursuant to the National Shipbuilding and Shipyard Conversion Act of 1993; to the Committee on Transportation and Infrastructure.

1642. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The Cessna Aircraft Company Model 172RG Airplanes [Docket No. 2000–CE–24–AD; Amendment 39–12153; AD 2001–06–06] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1643. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Phillipsburg, KS [Airspace Docket No. 01–ACE–2] received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1644. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Omaha, NE; Collection [Airspace Docket No. 00–ACE–35] received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1645. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Rome, NY [Airspace Docket No. 00–AEA–05FR] received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1646. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Fore River Bridge Repairs—Weymouth, Massachusetts [CGD1–01–024] (RIN: 2115–AA97] received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1647. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revocation of Class D Airspace, Fort Worth Carswell AFB, TX [Airspace Docket No. 2001–ASW–04] received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1648. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace; Valdosta Moody AFB, GA [Airspace Docket No. 01–ASO–2] received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1649. A letter from the Secretary, Department of Veterans' Affairs, transmitting a report on cases recommended for equitable relief, pursuant to 38 U.S.C. 503(c); to the Committee on Veterans' Affairs.

1650. A letter from the President, U.S. Institute of Peace, transmitting a report of the audit of the Institute's accounts for fiscal year 2000, pursuant to 22 U.S.C. 4607(h); jointly to the Committees on International Relations and Education and the Workforce.

1651. A letter from the Director, Financial Services, The Library of Congress, transmitting a report on the Capitol Preservation Commission's Financial Statements For September 30, 2000; jointly to the Committees on House Administration and Government Reform.

¶38.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 256. An Act to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

And then,

¶38.5 ADJOURNMENT

On motion of Mr. COLLINS, pursuant to the special order agreed to on Thursday, April 26, 2001, at 10 o'clock and 5 minutes a.m., the House adjourned until 12:30 p.m. on Tuesday, May 1, 2001.

¶38.6 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. HYDE (for himself and Mr. LANTOS) introduced a bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes; which was referred to the Committee on International Relations.

¶38.7 ADDITIONAL SPONSORS

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

H.R. 10: Mr. ADERHOLT and Mr. KERNS.

H.R. 298: Mr. TOWNS and Ms. WATERS.

H.R. 448: Mr. CUNNINGHAM, Mr. SESSIONS, Mrs. MINK of Hawaii, Ms. MCKINNEY, Mr. THORNBERRY, Mr. COX, Mr. SCHAFFER, Mr. RYUN of Kansas, and Mr. HOSTETTLER.

H.R. 500: Ms. SANCHEZ.

H.R. 525: Mr. FOLEY.

H.R. 684: Mr. HOUGHTON, Mrs. MORELLA, Ms. JACKSON-LEE of Texas, Mr. TOWNS, Mr. WYNN, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. CROWLEY, Ms. LEE, Ms. KILPATRICK, Mrs. CLAYTON, Mr. RANGEL, and Ms. WOOLSEY.

H.R. 701: Mr. GILLMOR, Mr. EHLERS, Mr. SCOTT, Mr. DEFAZIO, Mr. HOEFFEL, Ms. NORTON, Mr. MICA, Ms. HOOLEY of Oregon, Mr. LEVIN, Mrs. NAPOLITANO, Mr. BASS, Mr. NEAL of Massachusetts, Mr. BACHUS, Ms. JACKSON-LEE of Texas, Mr. ALLEN, Mr. BARCIA, Mr. CUMMINGS, Mr. REYES, Mr. TIERNEY, Mrs. CLAYTON, Mr. KLECZKA, Mr. FRANK, Mrs. TAUSCHER, Ms. MCKINNEY, Mr. LAMPSON, Mr. MENENDEZ, Mrs. JOHNSON of Connecticut, Mr. COSTELLO, Mr. PLATTS, Mr. MCNULTY, Mr. COBLE, Mr. WU, Mr. MARKEY, Mr. WEXLER, Mr. ETHERIDGE, Mr. MATHESON, Ms. MCCOLLUM, Mr. SMITH of Washington, Mr. CLAY, Mr. GILCHREST, Mr. ROSS, Mr. MASCARA, Mr.

BALDACCI, Mr. CARSON of Oklahoma, Ms. SANCHEZ, Mr. FALEOMAVAEGA, Ms. PELOSI, Mr. SHOWS, and Mr. GUTKNECHT.

H.R. 770: Ms. SOLIS.

H.R. 936: Mr. MEEKS of New York and Ms. SANCHEZ.

H.R. 954: Mr. PASTOR, Mr. GILMAN, Ms. LEE, and Mr. FROST.

H.R. 1111: Mrs. MORELLA, Mr. BACA, Mr. LANGEVIN, Mr. SABO, Mr. LEACH, Mr. HONDA, Mrs. MINK of Hawaii, Mr. FARR of California, and Ms. CARSON of Indiana.

H.R. 1140: Mr. DEAL of Georgia, Mr. ADERHOLT, Mr. KIRK, Mr. RILEY, Ms. ROS-LEHTINEN, Mr. GRAVES, Mr. ALLEN, Mr. HINOJOSA, Mr. NEAL of Massachusetts, Ms. MILLENDER-MCDONALD, Mr. POMEROY, Mr. FATTAH, Ms. SANCHEZ, and Mr. BARR of Georgia.

H.R. 1213: Mrs. JOHNSON of Connecticut and Ms. RIVERS.

H.R. 1215: Mr. HUTCHINSON and Mr. UPTON.

H.R. 1293: Mrs. CHRISTENSEN, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Mr. PAYNE, Ms. MCKINNEY, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Mrs. CLAYTON, Mr. OWENS, and Mr. VISCLOSKY.

H.R. 1328: Mr. EHRLICH and Ms. WATERS.

H.R. 1488: Mr. FALEOMAVAEGA.

H.R. 1541: Mr. RODRIGUEZ, Mr. SHOWS, Mr. UDALL of New Mexico, and Ms. WOOLSEY.

H.R. 1581: Mr. HASTINGS of Washington and Mr. WU.

H.J. Res. 36: Mr. JONES of North Carolina, Mr. LUCAS of Oklahoma, Mr. HASTINGS of Washington, and Mrs. CUBIN.

TUESDAY, MAY 1, 2001 (39)

The House was called to order at 12:30 p.m. by the SPEAKER.

¶39.1 MESSAGE FROM THE SENATE

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

S. 560. An Act for the relief of Rita Mirembe Revell (a.k.a. Margaret Rita Mirembe).

¶39.2 ''MORNING-HOUR DEBATE''

The SPEAKER, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶39.3 RECESS—1:10 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess until at 1 o'clock and 10 minutes p.m. until 2 o'clock p.m.

¶39.4 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, called the House to order.

¶39.5 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced he had examined and approved the Journal of the proceedings of Friday, April 27.

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

¶39.6 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule IV, were referred as follows:

1652. A letter from the Secretary, American Battle Monuments Commission, transmitting the Commission's FY 2000 Annual Program Performance Report; to the Committee on Government Reform.

1653. A letter from the Secretary, American Battle Monuments Commission, transmitting the Commission's revised Annual Performance Plan for FY 2002; to the Committee on Government Reform.

1654. A letter from the Chairman, Broadcasting Board Of Governors, transmitting the Annual Program Performance Report on the FY 2000 Performance Plan; to the Committee on Government Reform.

1655. A letter from the Staff Director, Commission On Civil Rights, transmitting the Commission's FY 2000 Government Performance and Results Act Report; to the Committee on Government Reform.

1656. A letter from the Acting Chairman, Commodity Futures Trading Commission, transmitting the Commission's FY 2000 Performance Report; to the Committee on Government Reform.

1657. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Performance Report for FY 2000; to the Committee on Government Reform.

1658. A letter from the Secretary, Department of Transportation, transmitting the 6-month report in compliance with the Inspector General Act of 1988, pursuant to 5 app; to the Committee on Government Reform.

1659. A letter from the Secretary, Department of Transportation, transmitting the Department's FY 2002 Performance Plan and FY 2000 Performance Report; to the Committee on Government Reform.

1660. A letter from the Inspector General, Department of Veterans' Affairs, transmitting the Office of Inspector General's Strategic Plan for 2001–2006; to the Committee on Government Reform.

1661. A letter from the United States Trade Representative, Executive Office of the President, transmitting the FY 2002 Performance Plan and FY 2000 Annual Performance Report; to the Committee on Government Reform.

1662. A letter from the Chairman, Federal Communications Commission, transmitting the Commission's FY 2000 Annual Program Performance Report; to the Committee on Government Reform.

1663. A letter from the Chairman, Federal Labor Relations Authority, transmitting the FY 2000 Annual Program Performance Report; to the Committee on Government Reform.

1664. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's FY 2002 Final Annual Performance Plan; to the Committee on Government Reform.

1665. A letter from the Chairman, Federal Trade Commission, transmitting the Commission's FY 2000 Performance Report; to the Committee on Government Reform.

1666. A letter from the Comptroller General, General Accounting Office, transmitting the Office's Performance and Accountability report for FY 2000 and Performance Plan for FY 2002; to the Committee on Government Reform.

1667. A letter from the Acting Administrator, General Services Administration, transmitting the Administration's FY 2000 Annual Performance Report; to the Committee on Government Reform.

1668. A letter from the Director, Holocaust Memorial Museum, transmitting the FY 2000 Annual Performance Report; to the Committee on Government Reform.

1669. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's FY 2001–FY 2006 Strategic Plan and FY 2002 Performance Plan; to the Committee on Government Reform.

1670. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's FY 2000 Performance Report; to the Committee on Government Reform.

1671. A letter from the Chairman and the Acting General Counsel, National Labor Relations Board, transmitting the Board's FY 2000 Annual Program Performance Report and the FY 2002 Annual Performance Plan; to the Committee on Government Reform.

1672. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's FY 2002 Budget Estimates and Performance Plan; to the Committee on Government Reform.

1673. A letter from the Attorney General, Office of the Attorney General, transmitting the FY 2000 Performance Report and FY 2002 Performance Plan; to the Committee on Government Reform.

1674. A letter from the Special Counsel, Office of Special Counsel, transmitting the Counsel's FY 2000 Annual Performance Report; to the Committee on Government Reform.

1675. A letter from the Chairman, Tennessee Valley Authority, transmitting the FY 2000 Annual Program Performance Report; to the Committee on Government Reform.

1676. A letter from the Acting Administrator, U.S. Agency for International Development, transmitting the Agency's FY 2000 Performance Overview Report; to the Committee on Government Reform.

1677. A communication from the President of the United States, transmitting a letter in support of legislation to extend the window created under section 245 (i) of the Immigration and Nationality Act during which qualified immigrants may obtain legal residence in the United States without being forced to first leave the country and their families for several years; (H. Doc. No. 107–62); to the Committee on the Judiciary and ordered to be printed.

1678. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Twenty-Third Annual Report to Congress pursuant to section 7A of the Clayton Act, pursuant to 15 U.S.C. 18a(j); to the Committee on the Judiciary.

1679. A letter from the Secretary, Department of Health and Human Services, transmitting the seventh annual report entitled, ''Monitoring the Impact of Medicare Physician Payment Reform on Utilization and Access''; jointly to the Committees on Ways and Means and Energy and Commerce.

¶39.7 ORDER OF BUSINESS—RECESSES

On motion of Mr. HEFLEY, by unanimous consent,

Ordered, That at any time on Wednesday, May 2, 2001, the Speaker may declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting former Members of Congress.

¶39.8 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. HASTINGS of Washington, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 27, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, Capitol Building.

DEAR MR. SPEAKER: Effective April 27, 2001, I hereby resign from the Committee on Small Business. If you have any questions regarding this matter, please ask your staff

to call my Administrative Assistant, Bob Holste at 5–5406.

Sincerely,

PHIL ENGLISH,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶39.9 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

The SPEAKER pro tempore, Mr. HASTINGS of Washington, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES, OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, April 30, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 1404 of Public Law 99–661 (20 U.S.C. 4703), I hereby appoint the following individual to the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation: Mr. Ralph M. Hall, Texas.

Yours Very Truly,

RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶39.10 BRITISH-AMERICAN INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, announced that the Speaker, pursuant to 22 United States Code 2761, appointed to the British-American Interparliamentary Group, on the part of the House, the following Members: Messrs. PETRI and GALLEGLY.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶39.11 AUTISM AWARENESS

Mr. GREENWOOD moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 91):

Whereas the Autism Society of America, Cure Autism Now, the National Alliance for Autism Research, Unlocking Autism, and numerous other organizations commemorate April 27 as Autism Awareness Day and April as Autism Awareness Month;

Whereas autism is a developmental disorder that is typically diagnosed during the first three years of life;

Whereas autism has robbed at least 400,000 Americans of their ability to communicate and interact with others;

Whereas autism affects at least 1 in every 500 children in America;

Whereas autism is 4 times more likely in boys than in girls, and can affect anyone regardless of race, ethnicity, or other factors;

Whereas the cost of specialized treatment in a developmental center for autistic persons is approximately $80,000 per individual per year;

Whereas the cost of special education programs for school-aged children with autism is often more than $30,000 per individual per year;

Whereas the cost nationally of caring for persons affected by autism is estimated at more than $13 billion per year; and

Whereas, despite the fact that autism is one of the most common developmental disorders, many professionals in the medical and educational fields are still unaware of the best methods to diagnose and treat the disorder: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports the goals and ideas of Autism Awareness Day and Month;

(2) recognizes and commends the parents and relatives of autistic children for their sacrifice and dedication in providing for the special needs of their autistic children and absorbing significant financial costs for specialized education and support services;

(3) supports the goal of increasing Federal funding for aggressive research to learn the root causes of autism, identify the best methods of early intervention and treatment, and promote understanding of the special needs of autistic persons;

(4) urges the Department of Health and Human Services to continue to press for the swift and full implementation of the Children's Health Act of 2000, particularly the establishment of not less than three ''Centers of Excellence'' at the Centers for Disease Control and Prevention and not less than five ''Centers of Excellence'' at the National Institutes of Health, in order to monitor the prevalence of autism at a national level, leading to a better understanding of autism and related disorders;

(5) stresses the need to begin early intervention services soon after a child has been diagnosed with autism, noting that early intervention strategies, including Applied Behavioral Analysis, are the primary therapeutic options for young autistic persons;

(6) supports the goal of federally funding 40 percent of the costs of the Individuals with Disabilities Education Act to States and local school districts, recognizing that the inadequacy of this funding has adversely affected the ability of school districts to appropriately respond to the rising number of autism cases in our schools;

(7) urges Federal, State, and local governments to allocate sufficient resources to teacher training initiatives to alleviate the shortage of appropriately trained teachers that have the skills and support necessary to teach, assist, and respond to the special needs of autistic students in our school systems; and

(8) recognizes the importance of worker training programs that are tailored to the needs of developmentally disabled persons, including those with autism, and notes that autistic persons can be, and are, productive members of the workforce if they are given appropriate support, training, and early intervention services.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, recognized Mr. GREENWOOD and Mr. DOYLE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶39.12 CRATERS OF THE MOON

Mr. HEFLEY moved to suspend the rules and pass the bill (H.R. 601) to ensure the continued access of hunters to those Federal lands included within the boundaries of the Craters of the Moon National Monument in the State of Idaho pursuant to Presidential Proclamation 7373 of November 9, 2000, and to continue the applicability of the Taylor Grazing Act to the disposition of grazing fees arising from the use of such lands, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, recognized Mr. HEFLEY and Mr. UNDERWOOD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to redesignate certain lands within the Craters of the Moon National Monument, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶39.13 EIGHT MILE RIVER WILD AND SCENIC RIVER STUDY

Mr. HEFLEY moved to suspend the rules and pass the bill (H.R. 182) to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, recognized Mr. HEFLEY and Mr. UNDERWOOD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Wild and Scenic Rivers Act to designate a segment of the Eightmile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶39.14 GUAM FOREIGN INVESTMENT EQUITY

Mr. HEFLEY moved to suspend the rules and pass the bill (H.R. 309) to provide for the determination of withholding tax rates under the Guam income tax.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, recognized Mr. HEFLEY and Mr. UNDERWOOD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶39.15 NATIONAL CHARTER SCHOOLS WEEK

Mr. KELLER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 95); as amended:

Whereas charter schools are public schools authorized by a designated public body and operating on the principles of accountability, parental involvement, choice, and autonomy;

Whereas in exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations;

Whereas 36 States, the District of Columbia, and the Commonwealth of Puerto Rico have passed laws authorizing charter schools;

Whereas 35 States, the District of Columbia, and the Commonwealth of Puerto Rico will have received more than $500,000,000 in grants from the Federal Government by the end of the current fiscal year for planning, startup, and implementation of charter schools since their authorization in 1994 under part C of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8061 et seq.);

Whereas 34 States, the District of Columbia, and the Commonwealth of Puerto Rico are serving approximately 550,000 students in more than 2,150 charter schools during the 2000 to 2001 school year;

Whereas charter schools can be vehicles both for improving student achievement for students who attend them and for stimulating change and improvement in all public schools and benefiting all public school students;

Whereas charter schools in many States serve significant numbers of students with lower income, minority students, and students with disabilities;

Whereas the Charter Schools Expansion Act of 1998 (Public Law 105–278) amended the Federal grant program for charter schools authorized by part C of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8061 et seq.) to strengthen accountability provisions at the Federal, State, and local levels to ensure that charter public schools are of high quality and are truly accountable to the public;

Whereas 7 of 10 charter schools report having a waiting list;

Whereas students in charter schools nationwide have similar demographic characteristics as students in all public schools;

Whereas charter schools have enjoyed broad bipartisan support from the Administration, the Congress, State governors and legislatures, educators, and parents across the Nation; and

Whereas charter schools are laboratories of reform and serve as models of how to educate children as effectively as possible: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) the Congress acknowledges and commends the charter school movement for its contribution to improving our Nation's public school system; and

(2) it is the sense of the Congress that—

(A) a National Charter Schools Week should be established; and

(B) the President should issue a proclamation calling on the people of the United States to conduct appropriate programs, ceremonies, and activities to demonstrate support for charter schools in communities throughout the Nation.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, recognized Mr. KELLER and Mr. ROEMER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that two-thirds of the Members present had voted in the affirmative.

Mr. KELLER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶39.16 4-H YOUTH DEVELOPMENT PROGRAM

Mr. KELLER moved to suspend the rules and agree to the following resolution (H. Res. 112):

Whereas the 4–H Youth Development Program celebrates its 100th anniversary in 2002;

Whereas the 4–H Youth Development program sponsors clubs in rural and urban areas throughout the world;

Whereas the 4–H Clubs have grown to over 5.6 million annual participants ranging from 5 to 19 years of age;

Whereas today's 4–H Clubs are very diverse, offering agricultural, career development, information technology, and general life skills programs; and

Whereas the 4–H Youth Development Program continues to make great contributions toward the development of well-rounded youth: Now, therefore, be it

Resolved, That the House of Representatives recognizes the upcoming 100th anniversary of the 4–H Youth Development Program and commends such program for service to the youth of the world.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, recognized Mr. KELLER and Mrs. MINK, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶39.17 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, May 1, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 44 U.S.C. 2702, I hereby reappoint the following individual to the Advisory Committee on the Records of Congress:

Dr. Joseph Cooper of Baltimore, MD

Yours very truly,

RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶39.18 RECESS—4:13 P.M.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 13 minutes p.m., until approximately 6 o'clock p.m.

¶39.19 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, called the House to order.

¶39.20 JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore, Mr. ISAKSON, by unanimous consent, announced that the Speaker, pursuant to 15 United States Code 1024(a), appointed to the Joint Economic Committee, on the part of the House, the following Members: Messrs. RYAN of Wisconsin, SMITH of Texas, Ms. DUNN, Messrs. ENGLISH, PUTNAM, STARK, Mrs. MALONEY of New York, and Mr. WATT of North Carolina.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶39.21 H. CON. RES. 91—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule

XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 91) recognizing the importance of increasing awareness of the autism spectrum disorder, and supporting programs for greater research and improved treatment of autism and improved training and support for individuals with autism and those who care for them.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 418; Nays ..... 1 }

¶39.22 [Roll No. 90]

YEAS—418

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

NAYS—1

Paul

NOT VOTING—12

Buyer
Ganske
Gutierrez
Hobson
John
Millender-McDonald
Moakley
Rothman
Serrano
Smith (WA)
Weiner
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶39.23 H. CON. RES. 95—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 95) supporting a National Charter Schools Week; as amended.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 404; Nays ..... 6; Answered present 7 }

¶39.24 [Roll No. 91]

YEAS—404

Abercrombie
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson

Matsui	Platts	Smith (TX)
McCarthy (MO)	Pombo	Snyder
McCarthy (NY)	Pomeroy	Solis
McCollum	Portman	Souder
McCrery	Price (NC)	Spence
McDermott	Pryce (OH)	Spratt
McGovern	Putnam	Stark
McHugh	Quinn	Stearns
McInnis	Radanovich	Stenholm
McIntyre	Rahall	Strickland
McKeon	Ramstad	Stump
McKinney	Rangel	Stupak
McNulty	Regula	Sununu
Meehan	Rehberg	Sweeney
Meek (FL)	Reyes	Tancredo
Meeks (NY)	Reynolds	Tanner
Menendez	Riley	Tauscher
Mica	Rodriguez	Tauzin
Miller (FL)	Roemer	Taylor (MS)
Miller, Gary	Rogers (KY)	Taylor (NC)
Miller, George	Rogers (MI)	Terry
Mink	Rohrabacher	Thomas
Mollohan	Ros-Lehtinen	Thompson (CA)
Moore	Ross	Thompson (MS)
Moran (KS)	Roukema	Thornberry
Moran (VA)	Roybal-Allard	Thune
Morella	Royce	Thurman
Murtha	Rush	Tiahrt
Myrick	Ryan (WI)	Tiberi
Nadler	Ryun (KS)	Toomey
Napolitano	Sabo	Towns
Neal	Sanchez	Traficant
Nethercutt	Sanders	Turner
Ney	Sandlin	Udall (CO)
Northup	Sawyer	Udall (NM)
Norwood	Saxton	Upton
Nussle	Scarborough	Velazquez
Oberstar	Schaffer	Visclosky
Obey	Schakowsky	Vitter
Olver	Schiff	Walden
Ortiz	Schrock	Walsh
Osborne	Scott	Wamp
Ose	Sensenbrenner	Watkins
Otter	Sessions	Watt (NC)
Oxley	Shadegg	Watts (OK)
Pallone	Shaw	Waxman
Pascrell	Shays	Weldon (FL)
Pastor	Sherman	Weldon (PA)
Paul	Sherwood	Weller
Payne	Shimkus	Wexler
Pelosi	Shows	Whitfield
Pence	Simmons	Wicker
Peterson (MN)	Simpson	Wilson
Peterson (PA)	Skeen	Wolf
Petri	Skelton	Woolsey
Phelps	Slaughter	Wu
Pickering	Smith (MI)	Wynn
Pitts	Smith (NJ)	Young (AK)

NAYS—6

Ackerman	Crowley	Tierney
Capuano	Hilliard	Waters

ANSWERED ''PRESENT''—7

Bonior	Kucinich	Rivers
Johnson, E. B.	Lee	
Jones (OH)	Owens	

NOT VOTING—14

Allen	Hobson	Rothman
Berkley	John	Serrano
Buyer	Millender-McDonald	Smith (WA)
Ganske	Moakley	Weiner
Gutierrez		Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶39.25 PROVIDING FOR THE CONSIDERATION OF H.R. 10

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–53) the resolution (H. Res. 127) providing for consideration of the bill (H.R. 10) to provide for pension reform, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶39.26 VERONICA ''RONI'' BOWERS AND CHARITY BOWERS

On motion of Mr. BALLENGER, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following concurrent resolution (H. Con. Res. 117):

Whereas James and Veronica ''Roni'' Bowers of Muskegon, Michigan, served as missionaries affiliated with the Calvary Church of Fruitport, Michigan, and the Association of Baptists for World Evangelism;

Whereas the Bowerses conducted their Christian mission work with their children, Cory and Charity, serving the native tribes along the Amazon River in Peru since 1995;

Whereas on Friday, April 20, 2001, the Bowerses were flying in an Association of Baptists for World Evangelism plane piloted by Kevin Donaldson, traveling from the Peru-Brazil border to the city of Iquitos, Peru, after attempting to secure necessary visa documents for their adopted daughter, Charity;

Whereas the plane was mistakenly attacked by a fighter jet of the Peruvian Air Force in an apparent attempted anti-drug interdiction effort that may have also involved personnel of the United States;

Whereas Roni and Charity Bowers were killed, and pilot Kevin Donaldson was severely injured in the attack;

Whereas Kevin Donaldson, despite his injuries, was able to safely land his plane on the Amazon River, saving the lives of his other passengers; and

Whereas the family, friends, and co-workers of Roni and Charity Bowers have displayed a shining example of their faith and grace in the face of this terrible tragedy: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses and conveys its deepest and most heartfelt sympathies to Jim and Cory Bowers and to their extended families, friends, co-workers, and fellow missionaries at the Association of Baptists for World Evangelism, for the loss of Veronica ''Roni'' Bowers and Charity Bowers in an attack by a fighter jet of the Peruvian Air Force on the plane in which they were traveling;

(2) commends Kevin Donaldson for his heroic actions in safely landing the plane and wishes Mr. Donaldson a speedy and complete recovery from his injuries; and

(3) strongly encourages the Governments of the United States and Peru to work together as expeditiously as possible to determine all the circumstances that led to this unfortunate and regrettable incident and to ensure that an incident of this kind never occurs again.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶39.27 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 560. An Act for the relief of Rita Mirembe Revell (a.k.a. Margaret Rita Mirembe); to the Committee on the Judiciary.

¶39.28 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 256.—To extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted. Referred to the Judiciary Jan. 30, 2001. Reported Feb. 26, 2001; Rept. No. 107–2. Union Calendar. Rules suspended. Passed House Feb. 28, 2001; Roll No. 17: 408–2. Received in Senate Mar. 1, 2001. Passed Senate Apr. 26, 2001.

And then,

¶39.29 ADJOURNMENT

On motion of Mr. McINNIS, pursuant to the special order agreed to on Thursday, April 26, 2001, at 8 o'clock and 58 minutes p.m., the House adjourned until 9 o'clock a.m. on Wednesday, May 2, 2001.

¶39.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 10. A bill to provide for pension reform, and for other purposes; with an amendment (Rept. No. 107–51 Pt. 1).

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 10. A bill to provide for pension reform, and for other purposes; with an amendment (Rept. No. 107–51 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 127. Resolution providing for consideration of the bill (H.R. 10) to provide for pension reform, and for other purposes (Rept. No. 107–53). Referred to the House Calendar.

¶39.31 REPORTED BILLS SEQUENTIALLY REFERRED

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

Mr. OXLEY: Committee on Financial Services. H.R. 1088. A bill to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes, with an amendment; referred to the Committee on Government Reform for a period ending not later than May 2, 2001, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(h), rule X. (Rept. No. 107–52, Pt. I).

¶39.32 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BARTON of Texas:

H.R. 1647. A bill to provide for electricity emergencies; to the Committee on Energy and Commerce, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UPTON (for himself and Mr. TOWNS):

H.R. 1648. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to assure access to covered emergency hospital services and emergency ambulance services under a prudent layperson test under group health plans and health insurance coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS (for himself and Mr. KUCINICH):

H.R. 1649. A bill to provide grants to States to establish, expand, or enhance prekindergarten programs for children who are not yet enrolled in kindergarten; to the Committee on Education and the Workforce.

By Mr. GEORGE MILLER of California (for himself, Mr. GILMAN, Mr. SANDERS, Mr. KILDEE, Mrs. MORELLA, Mr. SCOTT, and Mrs. DAVIS of California):

H.R. 1650. A bill to establish the Child Care Provider Retention and Development Grant Program and the Child Care Provider Scholarship Program; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 1651. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income health care subsidy payments made to employers by local governments on behalf of volunteer firefighters; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 1652. A bill to amend the Internal Revenue Code of 1986 to reduce the amount of the earned income credit; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 1653. A bill to direct the Secretary of Education to conduct a study to determine the best means of developing a national standard by which to measure the rate at which students drop out of secondary schools in the United States, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GREEN of Wisconsin:

H.R. 1654. A bill to provide for the conveyance of certain National Forest System lands to the towns of Laona and Wabeno, Wisconsin; to the Committee on Agriculture.

By Mr. GREEN of Wisconsin (for himself, Mr. LANTOS, Mr. SOUDER, Mr. WATKINS, and Mr. GORDON):

H.R. 1655. A bill to amend title 18, United States Code, to punish the placing of sexual explicit photographs on the Internet without the permission of the persons photographed; to the Committee on the Judiciary.

By Mr. GREENWOOD (for himself, Mr. MCCRERY, Mr. TOWNS, Mr. FOLEY, Mr. MCDERMOTT, Mr. ACEVEDO-VILA, Mr. RANGEL, and Mr. SERRANO):

H.R. 1656. A bill to amend title XVIII of the Social Security Act to increase payments under the Medicare Program to Puerto Rico hospitals; to the Committee on Ways and Means.

By Mr. HERGER (for himself, Mr. MATSUI, Mr. FOLEY, Mr. RAMSTAD, Mrs. THURMAN, Mr. JONES of North Carolina, and Mr. PETERSON of Minnesota):

H.R. 1657. A bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for electricity produced from biomass, and for other purposes; to the Committee on Ways and Means.

By Mr. HILL:

H.R. 1658. A bill to eliminate the Federal quota and price support programs for Burley tobacco, to compensate quota holders for the lost quota value, to provide transition payments to producers of Burley tobacco, and to provide assistance to communities adversely affected by the elimination of the quota and price support programs; to the Committee on Agriculture.

By Mr. HOUGHTON (for himself and Mr. HALL of Ohio):

H.R. 1659. A bill to amend the Internal Revenue Code of 1986 to clarify the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. FROST, Mr. MCGOVERN, Mrs. MEEK of Florida, Mr. SANDLIN, Mr. HASTINGS of Florida, Mr. BOUCHER, Mr. RODRIGUEZ, Mr. MEEKS of New York, Mrs. CHRISTENSEN, Mrs. JONES of Ohio, Ms. CARSON of Indiana, Ms. LEE, Mr. RANGEL, Mr. BACA, Mr. ETHERIDGE, Mr. OWENS, Mr. CUMMINGS, Ms. WOOLSEY, and Ms. KILPATRICK):

H.R. 1660. A bill to develop a demonstration program through the National Science Foundation to encourage interest in the fields of mathematics, science, and information technology; to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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

H.R. 1661. A bill to extend indefinitely the authority of the States of Washington, Oregon, and California to manage a Dungeness crab fishery until the effective date of a fishery management plan for the fishery under the Magnuson-STEVENS Fishery Conservation and Management Act; to the Committee on Resources.

By Mr. GEORGE MILLER of California (for himself, Mr. PALLONE, Mr. RAHALL, Mr. KILDEE, Mr. HAYWORTH, Mr. WAXMAN, Mr. OBERSTAR, Mr. FILNER, Mr. BONIOR, Mrs. MINK of Hawaii, Mr. CARSON of Oklahoma, Mr. LARSEN of Washington, Mr. MCDERMOTT, Ms. LEE, Ms. MILLENDER-MCDONALD, Mr. BACA, Mr. ABERCROMBIE, Mrs. BONO, Mr. KIND, Mr. FRANK, Mr. STUPAK, Mr. FROST, Mr. KENNEDY of Rhode Island, Mr. UDALL of New Mexico, Mr. INSLEE, Mr. NETHERCUTT, Mr. BALDACCI, Mr. FALEOMAVAEGA, Mr. BLUMENAUER, Ms. LOFGREN, Mr. LANTOS, Mr. JEFFERSON, Mr. CANNON, Mr. CONDIT, Mr. TOWNS, Mr. BLAGOJEVICH, Mr. TAYLOR of North Carolina, Mr. WATKINS, Mr. ALLEN, Mrs. NAPOLITANO, Mr. HINCHEY, Ms. MCCOLLUM, Mr. UDALL of Colorado, Mr. LUCAS of Oklahoma, Mr. CAMP, Ms. KILPATRICK, and Mr. HONDA):

H.R. 1662. A bill to improve the implementation of the Federal responsibility for the care and education of Indian people by improving the services and facilities of Federal Indian health programs and encouraging maximum participation of Indians in such programs, and for other purposes; to the Committee on Resources, and in addition to the Committees on Energy and Commerce, Ways and Means, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOAKLEY:

H.R. 1663. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to extend the basic period for health care continuation from 18 months to 5 years; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OSE:

H.R. 1664. A bill to authorize the Secretary of the Interior or the Secretary of the Army to waive any restriction on operation of any of certain Bureau of Reclamation facilities or Corps of Engineers facilities, respectively, as necessary to address an emergency electric power shortage declared by the Governor of a State to which power from that facility can be transmitted; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 1665. A bill to prohibit the destruction during fiscal year 2002 of intercontinental ballistic missile silos in the United States; to the Committee on Armed Services.

By Mr. QUINN:

H.R. 1666. A bill to establish a uniform closing time for the operation of polls on the date of the election of the President and Vice President; to the Committee on House Administration.

By Ms. RIVERS:

H.R. 1667. A bill to amend the Solid Waste Disposal Act to require a refund value for certain beverage containers, to provide resources for State pollution prevention and recycling programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROEMER (for himself, Mr. DELAHUNT, Mr. HOUGHTON, Mr. OLVER, Mr. NEAL of Massachusetts, Mr. MCGOVERN, Mr. FRANK, Mr. MEEHAN, Mr. TIERNEY, Mr. MARKEY, Mr. CAPUANO, Mr. MOAKLEY, Mr. GREENWOOD, Mrs. JOHNSON of Connecticut, Mr. SOUDER, Mr. KIND, and Mrs. CHRISTENSEN):

H.R. 1668. A bill to authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his family; to the Committee on Resources.

By Mr. THOMPSON of California (for himself, Mr. LEWIS of California, Mr. BACA, Mr. BERMAN, Mrs. BONO, Mr. CALVERT, Mr. CONDIT, Mr. CUNNINGHAM, Mrs. DAVIS of California, Mr. DOOLITTLE, Mr. DREIER, Mr. FILNER, Ms. HARMAN, Mr. HERGER, Mr. HONDA, Mr. HORN, Mr. HUNTER, Mr. INSLEE, Mr. ISSA, Ms. LOFGREN, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. OSE, Mr. RADANOVICH, Ms. SANCHEZ, Mr. SHERMAN, Mrs. TAUSCHER, Mr. WAXMAN, Ms. WOOLSEY, Mr. MATSUI, Ms. PELOSI, Mr. BLUMENAUER, Mr. SCHIFF, Mrs. CAPPS, Mr. LANTOS, Ms. WATERS, Ms. LEE, Ms. ESHOO, Mr. THOMAS, Mr. FARR of California, and Mr. MCKEON):

H.R. 1669. A bill to provide incentives to encourage private sector efforts to reduce earthquake losses, to establish a national disaster mitigation program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such pro-

visions as fall within the jurisdiction of the committee concerned.

By Mr. VITTER (for himself, Mr. CRANE, and Mr. MCCRERY):

H.R. 1670. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Mrs. LOWEY, Ms. ROYBAL-ALLARD, Ms. KAPTUR, Mr. HINCHEY, Mr. BROWN of Ohio, Mr. KILDEE, Mr. LIPINSKI, Ms. PELOSI, Mr. LANTOS, Mrs. JONES of Ohio, Mrs. CHRISTENSEN, Mr. MCGOVERN, Mr. SERRANO, Ms. MCKINNEY, Mr. ROEMER, Mr. WEINER, Ms. SCHAKOWSKY, Mr. WEXLER, Mr. MCDERMOTT, Mr. RANGEL, Mr. GUTIERREZ, and Mr. FALEOMAVAEGA):

H.R. 1671. A bill to consolidate in a single independent agency in the executive branch the responsibilities regarding food safety, labeling, and inspection currently divided among several Federal agencies; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CARSON of Indiana:

H.J. Res. 46. A joint resolution proposing an amendment to the Constitution of the United States relating to incarceration for minor traffic offenses; to the Committee on the Judiciary.

By Mr. HOEKSTRA (for himself, Mr. WELDON of Pennsylvania, Mr. GEKAS, Ms. PELOSI, Mr. EHLERS, Mr. UPTON, Ms. KILPATRICK, Ms. RIVERS, Mrs. JO ANN DAVIS of Virginia, Mr. HOEFFEL, Mr. FLAKE, Mr. LEVIN, Mr. BALLENGER, Mr. SCHAFFER, Mr. SMITH of Michigan, Mr. BLUMENAUER, Mr. KNOLLENBERG, Mr. WATTS of Oklahoma, Mr. PITTS, Mr. CAMP, Mr. OSE, Mr. SOUDER, Mr. MICA, Mr. DAVIS of Florida, Mr. BEREUTER, Mr. TANCREDO, and Mr. CANTOR):

H. Con. Res. 117. Concurrent resolution expressing sympathy to the family, friends, and co-workers of Veronica ''Roni'' Bowers and Charity Bowers; to the Committee on International Relations. considered and agreed to.

By Ms. BERKLEY (for herself, Ms. ROS-LEHTINEN, Mr. FROST, Ms. DELAURO, Mrs. LOWEY, Mr. ACKERMAN, Ms. SLAUGHTER, Mr. CANTOR, Mr. PALLONE, Mr. DELAHUNT, Mr. TOWNS, Mrs. JONES of Ohio, Mrs. NAPOLITANO, Mr. WEINER, Mr. MOORE, Mr. WEXLER, Ms. BALDWIN, Mrs. MALONEY of New York, Mr. MCDERMOTT, Mr. CARDIN, Mr. HOLDEN, Mr. MCNULTY, Mr. BERMAN, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. ENGEL, Mr. KIRK, Mr. GUTIERREZ, Mr. LEVIN, Mr. GONZALEZ, Ms. NORTON, Mr. LANGEVIN, Mr. NADLER, Mrs. MINK of Hawaii, Mr. KUCINICH, Ms. MCKINNEY, Mr. HONDA, Mr. HINCHEY, Mr. HOEFFEL, Mr. CROWLEY, Mr. SCHIFF, Mr. HASTINGS of Florida, Mr. DEUTSCH, Mrs. MORELLA, Mr. NEAL of Massachusetts, Mr. ABERCROMBIE, Ms. WOOLSEY, Mr. HOLT, Mr. FILNER, Ms. SOLIS, Mr. MATHESON, Ms. KILPATRICK, Mr. MATSUI, Mrs. CAPPS, Mr. GIBBONS, Mr. FOLEY, Mr. FRANK, and Mr. MCGOVERN):

H. Con. Res. 118. Concurrent resolution urging the return of portraits painted by Dina Babbitt during her internment at Auschwitz that are now in the possession of the Auschwitz-Birkenau State Museum; to the Committee on International Relations.

By Mr. CRANE:

H. Con. Res. 119. Concurrent resolution expressing the sense of the Congress with respect to the right of all Americans to keep and bear arms in defense of life or liberty and in the pursuit of all other legitimate endeavors; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin (for himself, Ms. SANCHEZ, Mr. SCHAFFER, and Mr. HEFLEY):

H. Con. Res. 120. Concurrent resolution Sxpressing the sense of the Congress that Social Security reform measures should not force State and local government employees into Social Security coverage; to the Committee on Ways and Means.

By Mr. HOEFFEL (for himself, Mr. ENGEL, Mr. PLATTS, Mr. TANCREDO, Ms. KAPTUR, Mr. SHERMAN, and Mr. ABERCROMBIE):

H. Con. Res. 121. Concurrent resolution expressing the sense of Congress that the United States Government should conduct a policy review of its relations with the People's Republic of China; to the Committee on International Relations.

By Ms. DELAURO (for herself, Mr. ACKERMAN, Mr. ALLEN, Mr. BALDACCI, Ms. BALDWIN, Mr. BARRETT, Mr. BENTSEN, Ms. BERKLEY, Mr. BERMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BONIOR, Ms. BROWN of Florida, Mr. BROWN of South Carolina, Mrs. CAPPS, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DELAHUNT, Mr. ENGEL, Ms. ESHOO, Mr. FORD, Mr. FRANK, Mr. FROST, Mr. GREEN of Texas, Mr. HILLIARD, Mr. HINCHEY, Ms. HOOLEY of Oregon, Mr. HORN, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK, Mr. KUCINICH, Mr. LANGEVIN, Mr. LANTOS, Ms. LEE, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mrs. MALONEY of New York, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mr. MEEHAN, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. PAYNE, Ms. PELOSI, Mr. RANGEL, Ms. RIVERS, Mr. RUSH, Ms. SANCHEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SHOWS, Ms. SLAUGHTER, Mr. STARK, Mr. STUPAK, Mrs. THURMAN, Mrs. JONES of Ohio, Mr. WATT of North Carolina, Mr. WAXMAN, Mr. WEXLER, Ms. WOOLSEY, and Mr. WYNN):

H. Res. 128. A resolution recognizing the unique effects that proposals to reform Social Security may have on women; to the Committee on Ways and Means.

¶39.33 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

30. The SPEAKER presented a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial 103 memorializing the United States Congress to request the President to impose a moratorium on the roadless regulations pending careful review and study; to the Committee on Agriculture.

31. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial 107 memorializing the United States Congress to support a moratorium on all imports of live cattle, precooked beef, all beef products, and potentially contaminated feed ingredients for a period of three years or until importers can prove that the meat, live animals and feed ingredients are free of Bovine Spongiform Encephalopathy for the protection of the United States cattle industry; to the Committee on Agriculture.

32. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial 108 memorializing the United States Congress to enact legislation that mandates country of origin labeling for meat, and to require that products labeled ''U.S. Produced'' be born, raised and processed completely in the United States; to the Committee on Agriculture.

33. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial 109 memorializing the United States Congress to support safeguards to prevent movement of Foot and Mouth Disease on persons, on other animals not directly susceptible to the virus but which could be passive carriers, and on inanimate objects; and we support a moratorium on all imports of cloven-hoofed animals and products thereof, for a period of three years or until importers can prove that cloven-hoofed animals and products thereof are free of Foot and Mouth Disease for the protection of the American livestock owners; to the Committee on Agriculture.

34. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to Resolution 68 memorializing the United States Congress to enact H.R. 20, that was introduced on January 3, 2001, and that modifies provisions of the Clean Air Act, regarding the oxygen content of reformulated gasoline and improves the regulation of the fuel additive methyl tertiary butyl ether (MTBE); to the Committee on Energy and Commerce.

35. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial 102 memorializing the United States Congress to respectfully request that the President refuse to designate the requested Owyhee-Bruneau Canyonlands National Monument without prior consultation with the Governor of Idaho, the State Land Board, the Idaho Legislature, and local government officials in Owyhee County, and without subjecting the request to public review and input; to the Committee on Resources.

36. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to Resolution 144 memorializing the United States Congress to call on the City of Philadelphia to erect and maintain flashing warning lights in front of every elementary school building; to the Committee on Transportation and Infrastructure.

37. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial 106 memorializing the United States Congress to request that President direct the Office of the U.S. Trade Representative and the Secretary of Commerce to make the problem of subsidized Canadian lumber imports a top priority; to the Committee on Ways and Means.

38. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial 105 memorializing the United States Congress to enact legislation enacting pilot projects such as those recommended in the report submitted to the Idaho Board of Land Commissioners entitled, ''Breaking the GridLock: Federal Lands Pilot Projects in Idaho.''; jointly to the Committees on Agriculture and Resources.

39. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial 104 memorializing the United States Congress in the interest of protecting the integrity and posterity of our forest and wild lands, wildlife habitat, watershed, air quality, human health and safety, and private property, the U.S. Forest Service and other federal land management agencies

must immediately implement a cohesive strategy to reduce the overabundance of forest fuels that place these resources at high risk of catastrophic wildfire; jointly to the Committees on Agriculture and Resources.

40. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to Resolution 149 memorializing the United States Congress to urge the President of the United States, the Department of the Interior and the Environmental Protection Agency and the Governor to immediately implement the safe and effective cleanup of this fuel-oil spill in order to protect the health and welfare of the affected citizens of Hazleton, Pennsylvania; jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

¶39.34 ADDITIONAL SPONSORS

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

H.R. 10: Mr. TOM DAVIS of Virginia, Mr. VITTER, Mr. REYES, Mr. BROWN of South Carolina, Mr. MORAN of Virginia, and Mr. BROWN of Ohio.

H.R. 12: Mr. TRAFICANT, Mr. HONDA, Mr. SMITH of Washington, Mr. RADANOVICH, and Mrs. MORELLA.

H.R. 13: Mr. FILNER.

H.R. 17: Mr. CRAMER, Mr. JOHNSON of Illinois, and Mr. BISHOP.

H.R. 28: Ms. PELOSI and Mr. LUTHER.

H.R. 31: Mr. BROWN of South Carolina, Mrs. CUBIN, and Mr. HASTINGS of Washington.

H.R. 41: Mr. TANCREDO, Mr. FARR of California, Mr. WAMP, Mr. CHAMBLISS, and Mr. BERMAN.

H.R. 61: Mr. KENNEDY of Rhode Island.

H.R. 81: Mr. HEFLEY.

H.R. 87: Mr. MCGOVERN and Ms. LEE.

H.R. 122: Mrs. BONO, Mr. MILLER of Florida, Mr. BRYANT, Mr. SAXTON, Mr. RAMSTAD, Mr. LEWIS of Kentucky, Mrs. EMERSON, Mr. GREEN of Wisconsin, Mr. HUTCHINSON, Mr. LINDER, Mr. DEMINT, Mrs. WILSON, Mr. SPENCE, and Mr. GALLEGLY.

H.R. 133: Mr. BERMAN.

H.R. 162: Mrs. DAVIS of California, Mr. MICA, Mr. GONZALEZ, Mr. HONDA, Ms. MILLINDER-MCDONALD, Mrs. THURMAN, and Mr. COYNE.

H.R. 168: Mr. ROHRABACHER.

H.R. 184: Ms. SANCHEZ.

H.R. 218: Mr. SESSIONS, Mr. CHAMBLISS, Mr. STUMP, Mr. CANTOR, Mr. RAMSTAD, and Mrs. THURMAN.

H.R. 239: Mr. BEREUTER and Mr. LANGEVIN.

H.R. 268: Mr. BERMAN.

H.R. 280: Mr. WAMP and Mr. HILLEARY.

H.R. 281: Mr. JONES of North Carolina and Mr. MCGOVERN.

H.R. 303: Ms. WATER, Mr. QUINN, Mr. BENTSEN, Mr. HOBSON, Mr. ADERHOLT, Mr. TIBERI, and Mr. WELDON of Pennsylvania.

H.R. 326: Mr. TIERNEY.

H.R. 331: Mr. CAMP, Mr. STENHOLM, and Mr. RYUN of Kansas.

H.R. 337: Mr. GREEN of Wisconsin.

H.R. 340: Mr. BOUCHER.

H.R. 345: Mr. WU.

H.R. 356: Mr. SCHROCK, Mr. HOSTETTLER, and Mr. FALEOMAVAEGA.

H.R. 419: Mrs. MEEK of Florida.

H.R. 429: Mr. FARR of California.

H.R. 436: Mr. CUNNINGHAM, Mr. GANSKE, Mr. GREEN of Wisconsin, Mr. LATOURETTE, Mr. BONIOR, Mr. MORAN of Kansas, Mr. JONES of North Carolina, Mr. COSTELLO, and Mr. MCINNIS.

H.R. 439: Mr. CRAMER.

H.R. 440: Mr. ALLEN, Ms. SANCHEZ, Mr. FALEOMAVAEGA, Mr. GUTIERREZ, Mr. CONYERS, and Mr. NEAL of Massachusetts.

H.R. 441: Mr. CUNNINGHAM and Mrs. DAVIS of California.

H.R. 456: Mr. GOODE and Mr. PENCE.

H.R. 458: Mr. RYUN of Kansas.

H.R. 476: Mr. WAMP.

H.R. 500: Mr. GILMAN.

H.R. 506: Mr. JACKSON of Illinois.

H.R. 526: Mr. FARR of California, Mr. ACKERMAN, Mrs. MALONEY of New York, Ms. RIVERS, Mr. EDWARDS, Mr. COSTELLO, Ms. BROWN of Florida, Ms. BALDWIN, and Mr. LANGEVIN.

H.R. 527: Mr. CLEMENT and Mr. ADERHOLT.

H.R. 544: Mr. BERMAN.

H.R. 572: Ms. SANCHEZ and Mr. PASCRELL.

H.R. 582: Mr. HOLT.

H.R. 586: Mr. LANGEVIN, Mr. WAMP, Mr. WYNN, and Mrs. NORTHUP.

H.R. 591: Mr. ABERCROMBIE.

H.R. 599: Mr. HONDA.

H.R. 600: Mr. REHBERG, Mr. BLAGOJEVICH, Mr. COYNE, Mr. BURR of North Carolina, and Mrs. MORELLA.

H.R. 602: Mr. ISRAEL.

H.R. 606: Mr. WYNN and Ms. KILPATRICK.

H.R. 612: Mr. ROSS, Mr. REHBERG, Mr. CLEMENT, and Mr. ROGERS of Michigan.

H.R. 632: Mr. SIMMONS, Mr. OLVER, Mr. REYES, and Mr. MOORE.

H.R. 653: Mr. BLAGOJEVICH.

H.R. 665: Mr. ACKERMAN.

H.R. 671: Mr. LANTOS, Mr. EVANS, Mr. NADLER, Ms. SOLIS, and Ms. SCHAKOWSKY.

H.R. 686: Mrs. THURMAN, Ms. SANCHEZ, and Mr. JACKSON of Illinois.

H.R. 693: Mr. PAYNE, Mr. ABERCROMBIE, and Mr. DAVIS of Illinois.

H.R. 701: Mr. EHRLICH.

H.R. 704: Mr. PAUL.

H.R. 718: Mr. RAMSTAD and Mr. GIBBONS.

H.R. 730: Mr. NEAL of Massachusetts and Mr. HINCHEY.

H.R. 737: Mr. PASCRELL and Mr. NORWOOD.

H.R. 742: Ms. WOOLSEY and Mr. STARK.

H.R. 755: Mrs. BIGGERT, Mr. LANTOS, Ms. BERKLEY, Mr. WYNN, and Mr. ISRAEL.

H.R. 786: Mr. FILNER.

H.R. 804: Mr. JEFFERSON.

H.R. 817: Mr. BONIOR.

H.R. 824: Mr. LUCAS of Kentucky and Mr. FOLEY.

H.R. 826: Mr. LUCAS of Kentucky.

H.R. 827: Mr. CRAMER.

H.R. 829: Mr. JACKSON of Illinois.

H.R. 832: Mr. HEFLEY and Mr. MCHUGH.

H.R. 853: Ms. SANCHEZ.

H.R. 854: Mr. FILNER, Mr. SCHROCK, Mr. HALL of Texas, Mr. RUSH, Mr. BACA, Mr. PRICE of North Carolina, Ms. ESHOO, Mr. WAXMAN, Mr. DOOLEY of California, Mr. FRANK, Mr. GREEN of Texas, Mrs. BONO, Mr. MCINTYRE, Mr. MOORE, Mrs. TAUSCHER, Mr. FARR of California, Ms. PELOSI, and Mr. CRAMER.

H.R. 868: Mr. SPENCE, Mr. CALLAHAN, Mr. GANSKE, Ms. WOOLSEY, Mr. TIERNEY, Mr. DEFAZIO, Mr. HEFLEY, Ms. MCKINNEY, Mr. BOEHNER, Mr. JOHNSON of Illinois, Mr. ADERHOLT, Ms. HOOLEY of Oregon, Mr. SKELTON, Mr. CANTOR, Mr. MCINNIS, Mr. HUTCHINSON, Ms. MCCARTHY of Missouri, Mr. BRYANT, Mr. MORAN of Kansas, and Mrs. NORTHUP.

H.R. 875: Mr. LANGEVIN, Ms. WOOLSEY, Mr. BAIRD, and Mr. BERMAN.

H.R. 876: Mr. MOORE, Ms. DUNN, Mr. FROST, Mr. BECERRA, Mr. ABERCROMBIE, Mrs. CAPPS, Mr. EHLERS, Mrs. BONO, Mr. GREEN of Texas, Mr. OLVER, Mr. SCOTT, Mr. PAUL, Mr. STRICKLAND, Mrs. JONES of Ohio, Mr. LARGENT, Ms. RIVERS, Mr. RODRIGUEZ, Mr. CUMMINGS, and Ms. BALDWIN.

H.R. 877: Mr. PLATTS, Mr. BLUNT, and Mr. PUTNAM.

H.R. 899: Ms. SANCHEZ.

H.R. 914: Mr. PAUL.

H.R. 921: Mr. HAYWORTH, Mr. RAMSTAD, Mr. FROST, Mr. LANTOS, Mr. TANCREDO, and Mr. BENTSEN.

H.R. 945: Mr. FRANK.

H.R. 952: Mr. EVANS, Mr. LEVIN, and Ms. SANCHEZ..

H.R. 954: Mr. LARSEN of Washington, Mr. HASTINGS of Washington, Mr. MCGOVERN, Mr. FILNER, Ms. HOOLEY of Oregon, Mr. DEFAZIO, and Mr. KENNEDY of Rhode Island.

H.R. 972: Mr. BACA, Mr. RUSH, Mr. BALDACCI, Mr. LANGEVIN, Mr. CLAY, Mr. FROST, and Mr. KILDEE.

H.R. 978: Mr. SHERMAN.

H.R. 995: Mr. CANNON.

H.R. 996: Mr. CANNON.

H.R. 1001: Mr. FRANK, Mr. BOUCHER, and Mr. TOWNS.

H.R. 1011: Mr. LARSON of Connecticut, Mr. KILDEE, Mr. GALLEGLY, Mrs. MORELLA, and Mr. TANNER.

H.R. 1013: Mr. SOUDER, Mr. CHAMBLISS, Mr. NORWOOD, Mr. KINGSTON, Mr. COLLINS, Mr. LINDER, and Ms. SANCHEZ.

H.R. 1017: Mr. KELLER.

H.R. 1030: Mr. PRICE of North Carolina, Mr. LEWIS of Kentucky, Mr. SWEENEY, Mr. WAMP, and Mr. SMITH of Michigan.

H.R. 1043: Mr. RUSH.

H.R. 1073: Mr. LAMPSON, Ms. SANCHEZ, Mr. SPENCE, Ms. MCCOLLUM, Mr. WATT of North Carolina, Mr. GREEN of Texas, Mr. MOLLOHAN, Mr. BROWN of Ohio, Mr. EDWARDS, and Mrs. DAVIS of California.

H.R. 1076: Mr. WYNN.

H.R. 1079: Mr. FLETCHER.

H.R. 1086: Mr. MCGOVERN.

H.R. 1089: Ms. RIVERS.

H.R. 1090: Mrs. THURMAN, Mr. ABERCROMBIE, Mr. CRAMER, Mr. SIMPSON, Mr. SCHIFF, Mr. FROST, Mr. SHIMKUS, and Mr. WAMP.

H.R. 1092: Mr. EHRLICH, Mr. HOLDEN, Mrs. MINK of Hawaii, Mr. GORDON, and Mr. SANDERS.

H.R. 1097: Mr. PLATTS, Mr. INSLEE, Ms. RIVERS, Mr. PASCRELL, and Mr. SAWYER.

H.R. 1100: Mr. DELAY.

H.R. 1109: Mr. MCKEON, MR. HASTINGS of Washington, Mr. HAYWORTH, Mr. BEREUTER, and Mr. DELAY.

H.R. 1119: Mr. BONIOR.

H.R. 1136: Mr. HINOJOSA, Mr. RUSH, Mr. WELLER, and Ms. WATERS.

H.R. 1143: Mr. PAYNE, Ms. DELAURO, and Mr. LAFALCE.

H.R. 1170: Mr. KILDEE.

H.R. 1172: Mr. SCHIFF, Mr. WAXMAN, Mr. SNYDER, Mr. PUTNAM, Mr. VITTER, Mr. HOEFFEL, Mr. PICKERING, Mr. ETHERIDGE, Mr. ROGERS of Kentucky, Mr. PITTS, Mr. COLLINS, and Mr. HOLT.

H.R. 1177: Mr. QUINN and Mr. ANDREWS.

H.R. 1179: Mr. REHBERG.

H.R. 1182: Mr. FOLEY.

H.R. 1191: Mr. JEFFERSON and Mr. FALEOMAVAEGA.

H.R. 1192: Mr. DELAHUNT, Mr. PASTOR, Ms. PELOSI, Mr. MORAN of Virginia, Ms. BERKLEY,, Mr. MOAKLEY, and Mr. WATKINS.

H.R. 1198: Mr. QUINN, Mr. STUPAK, Mr. STEARNS, Mr. HASTINGS of Washington, Mr. JONES of North Carolina, Ms. SANCHEZ, Mr. VITTER, Ms. CARSON of Indiana, and Mrs. ROUKEMA.

H.R. 1201: Mr. BOUCHER and Mr. SIMMONS.

H.R. 1220: Mr. SANDLIN, Mr. HEFLEY, and Mr. TANCREDO.

H.R. 1230: Mr. TOWNS and Mr. ALLEN.

H.R. 1232: Mr. OBERSTAR, Mr. SHOWS, and Ms. WOOLSEY.

H.R. 1242: Ms. SOLIS, Mr. OWENS, and Mr. BECERRA.

H.R. 1252: Mr. EVANS, Mr. MCGOVERN, Mr. BARCIA, and Mr. CLEMENT.

H.R. 1266: Mr. HORN, Mr. LAMPSON, Mr. TIAHRT, and Ms. WATERS.

H.R. 1268: Mr. HERGER.

H.R. 1271: Mr. ARMEY and Mrs. JO ANN DAVIS of Virginia.

H.R. 1275: Mr. BERMAN.

H.R. 1276: Mr. MCGOVERN and Mr. BROWN of Ohio.

H.R. 1280: Mr. RAHALL, Ms. BROWN of Florida, and Mrs. JONES of Ohio.

H.R. 1289: Mr. LANGEVIN, Mr. GUTIERREZ, Mr. PETERSON of Minnesota, Mr. GEORGE MILLER of California, Mr. HONDA, Ms. MILLENDER-MCDONALD, Ms. MCCARTHY of Missouri, Ms. NORTON, Ms. RIVERS, and Mr. HOLDEN.

H.R. 1291: Mr. CLEMENT.

H.R. 1305: Mr. ANDREWS, Mr. BISHOP, Mr. CALVERT, Mr. CAPUANO, Mr. COSTELLO, Mr. DEAL of Georgia, Mrs. JO ANN DAVIS of Virginia, Ms. HART, Mr. HAYWORTH, Mr. HILLEARY, Mr. HOSTETTLER, Ms. ROS-LEHTINEN, Mr. LAHOOD, Mr. LEWIS of Kentucky, Mr. MCHUGH, Mr. MOORE, Mr. OXLEY, Mr. PETRI, Ms. RIVERS, Mr. ROSS, Mr. ROYCE, Mr. SHADEGG, Mr. TOWNS, and Mr. TURNER.

H.R. 1306: Mr. CLEMENT.

H.R. 1307: Mr. DOYLE, Mr. ALLEN, Mr. STUPAK, Mr. COYNE, and Mr. MCHUGH.

H.R. 1318: Mr. ACKERMAN.

H.R. 1340: Mr. MCNULTY and Ms. ESHOO.

H.R. 1351: Mr. DIAZ-BALART, Mr. COOKSEY, and Mr. GILLMOR.

H.R. 1353: Mr. GUTKNECHT, Mr. POMEROY, and Mrs. JONES of Ohio.

H.R. 1354: Mr. FALEOMAVAEGA, Ms. WOOLSEY, Mr. MCGOVERN, Mr. PAYNE, Ms. BALDWIN, and Mr. FRANK.

H.R. 1357: Mr. MCINNIS.

H.R. 1363: Mr. PASTOR, Mr. HOLDEN, and Mr. PETERSON of Minnesota.

H.R. 1366: Mr. SCHIFF, Mr. ISSA, and Ms. MILLENDER-MCDONALD.

H.R. 1367: Mr. CROWLEY.

H.R. 1369: Ms. SANCHEZ.

H.R. 1377: Mr. FILNER, Mr. SCHAFFER, Mr. SIMMONS, Mrs. BONO, Mr. COMBEST, and Mr. GIBBONS.

H.R. 1383: Ms. MILLENDER-MCDONALD, Mr. WAXMAN, Ms. CARSON of Indiana, Mrs. MINK of Hawaii, Mr. HILLIARD, Mr. SANDERS, Mr. OBERSTAR, Mr. BLAGOJEVICH, Mr. TOWNS, Mr. BONIOR, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Ms. ESHOO, Mr. BALDACCI, Mr. SKEEN, Mr. EHRLICH, Mr. POMEROY, Ms. BALDWIN, Mr. MARKEY, Mr. FRANK, Mr. CONDIT, Mrs. NAPOLITANO, Mr. FROST, Mr. PALLONE, Mrs. JONES of Ohio, Mr. CARSON of Oklahoma, and Mr. CONYERS.

H.R. 1388: Ms. RIVERS, Mr. FOLEY, Mr. HINOJOSA, Mr. MORAN of Kansas, Mrs. EMERSON, Mr. JOHNSON of Illinois, Mr. POMEROY, Mrs. THURMAN, Mr. SIMMONS, Mr. GIBBONS, Mr. KOLBE, and Mr. PICKERING.

H.R. 1398: Mr. GREEN of Texas, Mr. OBEY, Mr. HASTINGS of Florida, Mr. SHERMAN, and Ms. DELAURO.

H.R. 1401: Mr. TOWNS, Mr. SANDLIN, Mr. DAVIS of Illinois, and Mr. HASTINGS of Florida.

H.R. 1405: Mr. RAMSTAD.

H.R. 1407: Mrs. KELLY.

H.R. 1413: Mr. BARCIA.

H.R. 1433: Ms. MCKINNEY, Ms. PELOSI, Mr. FROST, Mr. FRANK, Mr. BAKER, and Mr. CLEMENT.

H.R. 1458: Mr. HINCHEY and Mr. GOODE.

H.R. 1470: Ms. WATERS and Mr. WAXMAN.

H.R. 1471: Mr. COYNE.

H.R. 1489: Mr. SERRANO, Ms. NORTON, and Mr. STARK.

H.R. 1490: Mr. ISAKSON.

H.R. 1494: Mr. ABERCROMBIE.

H.R. 1511: Mr. PAUL, Mr. GOODE, Mr. DEMINT, Mr. PITTS, Mr. AKIN, Mr. DOOLEY of California, Mrs. MYRICK, Ms. SANCHEZ, Mr. MORAN of Virginia, and Mr. HALL of Texas.

H.R. 1512: Ms. WATERS and Ms. VELAZQUEZ.

H.R. 1520: Mr. PALLONE, Mr. WEXLER, Mr. LANGEVIN, and Mr. CLEMENT.

H.R. 1534: Mr. GILLMOR and Mr. ROGERS of Kentucky.

H.R. 1536: Mr. GREEN of Texas, Mr. ACKERMAN, and Mrs. THURMAN.

H.R. 1541: Mr. FRANK, Ms. CARSON of Indiana, Mr. WEXLER, and Mr. MASCARA.

H.R. 1553: Mr. HOEFFEL, Mr. DOOLEY of California, Mr. KOLBE, and Mr. ENGLISH.

H.R. 1556: Mr. CRAMER, Mrs. ROUKEMA, Mr. HILLIARD, Mr. JEFFERSON, and Mr. ROSS.

H.R. 1581: Mr. TAYLOR of North Carolina and Mr. JONES of North Carolina.

H.R. 1585: Ms. JACKSON-LEE of Texas, Mr. RANGEL, Ms. MCKINNEY, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. CUMMINGS, Mr. CLAY, and Ms. KILPATRICK.

H.R. 1594: Mr. STARK, Ms. BALDWIN, Mr. CAPUANO, Mr. WYNN, Mr. HINCHEY, Ms. LEE, Ms. MCKINNEY, Ms. CARSON of Indiana, Mr. BLAGOJEVICH, Ms. HOOLEY of Oregon, Ms. PELOSI, and Mr. LAFALCE.

H.R. 1601: Mr. HERGER, Mrs. THURMAN, Mr. LEWIS of Kentucky, and Mr. CLEMENT.

H.R. 1609: Mr. SHERWOOD, Mr. ADERHOLT, Mr. HILLEARY, Mr. HUTCHINSON, Mr. BOSWELL, Mr. CALLAHAN, Mr. GRAHAM, and Mr. PETERSON of Pennsylvania.

H.R. 1610: Mr. MCINTYRE, Mr. JONES of North Carolina, Mr. GOODE, Mr. BOUCHER, Mr. GORDON, Mr. WHITFIELD, Mr. JENKINS, and Mr. LEWIS of Kentucky.

H.R. 1620: Mr. FROST and Mr. BARCIA.

H.J. Res. 36: Mr. CANTOR.

H. Con. Res. 3: Mr. BONIOR, Mrs. CAPPS, and Ms. DEGETTE.

H. Con. Res. 42: Mr. FILNER, Mr. ETHERIDGE, and Mr. COSTELLO.

H. Con. Res. 58: Mr. BROWN of Ohio.

H. Con. Res. 67: Mr. TANCREDO.

H. Con. Res. 68: Mr. HINCHEY, Mr. VISCLOSKY, and Ms. ROS-LEHTINEN.

H. Con. Res. 91: Mr. LANGEVIN, Mr. BURTON of Indiana, Mr. CLEMENT, and Mrs. MORELLA.

H. Con. Res. 95: Mr. ISSA, Ms. SANCHEZ, Mr. SIMMONS, Mr. RYUN of Kansas, Mrs. NORTHUP, and Mr. VITTER.

H. Con. Res. 97: Mr. LEWIS of California, Mr. FILNER, and Ms. SANCHEZ.

H. Con. Res. 103: Mr. BLUMENAUER, Ms. SANCHEZ, Mr. TOWNS, Ms. SOLIS, and Mr. FARR of California.

H. Con. Res. 106: Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. KAPTUR, Mr. KING, Mr. SHAYS, Mr. UNDERWOOD, Mr. EVANS, Mr. TURNER, Ms. JACKSON-LEE of Texas, Mr. CROWLEY, Mr. GRAVES, Mrs. MORELLA, Mr. FROST, and Mr. SANDERS.

H. Con. Res. 109: Mr. GEKAS, Mr. ISAKSON, Mr. GOODE, Mr. PASTOR, Mr. SIMMONS, Mr. JONES of North Carolina, Mr. LANGEVIN, and Mr. GILCHREST.

H. Con. Res. 115: Mr. WAXMAN, Mr. MCGOVERN, Mr. JACKSON of Illinois, and Ms. JACKSON-LEE of Texas.

H. Con. Res. 116: Mr. FROST.

H. Res. 16: Mr. GOODE.

H. Res. 18: Mr. SABO.

H. Res. 72: Mr. WAMP.

H. Res. 97: Ms. SCHAKOWSKY and Mr. WAXMAN.

H. Res. 112: Mr. OTTER, Mr. PUTNAM, and Mr. POMEROY.

H. Res. 120: Mr. SIMMONS, Mr. WYNN, and Ms. CARSON of Indiana.

¶39.35 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1467: Mr. OTTER.

WEDNESDAY, MAY 2, 2001 (40)

The House was called to order by the SPEAKER.

¶40.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, May 1, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶40.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1680. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Michael J. Byron, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1681. A letter from the Secretary, Department of Energy, transmitting the Department's Annual Report for the Strategic Petroleum Reserve, covering calendar year 2000, pursuant to 42 U.S.C. 6245(a); to the Committee on Energy and Commerce.

1682. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's annual report on international terrorism entitled, ''Patterns of Global Terrorism: 2000,'' pursuant to 22 U.S.C. 2656f; to the Committee on International Relations.

1683. A letter from the Acting Director, Office of Personnel Management, President's Pay Agent, transmitting a report justifying the reasons for the extension of General Schedule (GS) locality-based comparability payments to non-GS categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); to the Committee on Government Reform.

1684. A letter from the Director, Federal Emergency Management Agency, transmitting the Agency's Final Annual Performance Plan for FY 2002; to the Committee on Government Reform.

1685. A letter from the Director, Administrative Office of the U.S. Courts, transmitting the annual report on applications for court orders made to federal and state courts to permit the interception of wire, oral, or electronic communications during calendar year 2000, pursuant to 18 U.S.C. 2519(3); to the Committee on the Judiciary.

1686. A letter from the President, The Foundation of the Federal Bar Association, transmitting a copy of the Association's audit report for the fiscal year ending September 30, 2000, pursuant to 36 U.S.C. 1101(22) and 1103; to the Committee on the Judiciary.

1687. A letter from the Chairman, U.S. Naval Sea Cadet Corps, transmitting the annual and financial reports for the year 2000, pursuant to Public Law 87–655; to the Committee on the Judiciary.

1688. A letter from the Chairman, Amtrak Reform Council, transmitting the Second Annual Report entitled, ''Intercity Rail Passenger Service In America: Status, Problems, And Options For Reform,'' pursuant to Public Law 105–134 section 203(h) (111 Stat. 2581); to the Committee on Transportation and Infrastructure.

1689. A letter from the Acting Vice President, Communications, Tennessee Valley Authority, transmitting a copy of the Authority's statistical summary for Fiscal Year 2000, pursuant to 16 U.S.C. 831h(a); to the Committee on Transportation and Infrastructure.

1690. A letter from the Attorney General, transmitting the 2000 annual report on the

number of applications that were made for orders and extension of orders approving electronic surveillance under the Foreign Intelligence Surveillance Act, pursuant to 50 U.S.C. 1807; to the Committee on Intelligence (Permanent Select).

1691. A letter from the General Counsel, General Accounting Office, transmitting a report entitled, ''Elections: The Scope of Congressional Authority in Election Administration''; jointly to the Committees on House Administration and the Judiciary.

1692. A letter from the Secretary, Department of Health and Human Services, transmitting a draft bill entitled, ''HCFA Claims Processing User Fee Act of 2001''; jointly to the Committees on Ways and Means and Energy and Commerce.

¶40.3 RECESS FOR RECEPTION OF FORMER MEMBERS—9:07 A.M.

The SPEAKER, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 7 minutes a.m., subject to the call of the Chair.

¶40.4 AFTER RECESS—10:46 A.M.

The SPEAKER pro tempore, Mr. BASS, called the House to order.

¶40.5 PROCEEDINGS DURING RECESS

On motion of Mr. GIBBONS, by unanimous consent, the proceedings had during the recess to receive former Members were ordered to be printed in the Record.

¶40.6 PROVIDING FOR THE CONSIDERATION OF H.R. 10

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 127):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 10) to provide for pension reform, and for other purposes. The bill shall be considered as read for amendment. In lieu of the amendment recommended by the Committee on Ways and Means and the amendment recommended by the Committee on Education and the Workforce now printed in the bill, the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) 90 minutes of debate on the bill, as amended, with 60 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, which may be offered only by a Member designated in the report, shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BASS, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 404 / Nays ..... 24 }

¶40.7 [Roll No. 92]

YEAS—404

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

NAYS—24

Conyers
DeFazio
Deutsch
Filner
Frank
Hastings (FL)
Hilliard
Hinchey
Lee
Matsui
McDermott
McGovern
Neal
Oberstar
Obey
Olver
Owens
Sabo
Sanders
Stark
Tierney
Visclosky
Waters
Watt (NC)

NOT VOTING—3

Johnson (CT)
Moakley
Tiahrt

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶40.8 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, May 1, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BASS, announced that the yeas had it.

Mr. McNULTY demanded a recorded vote on the Speaker's approval of the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

When there appeared ....
Yeas 377
Nays 47
Answered present 1

¶40.9 [Roll No. 93]

AYES—377

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

NOES—47

Aderholt
Borski
Brady (PA)
Capuano
Condit
Costello
Crane
English
Etheridge
Filner
Hastings (FL)
Hefley
Hilliard
Hinchey
Hooley
Hulshof
Kennedy (MN)
LoBiondo
Markey
McDermott
McNulty
Miller, George
Moore
Neal
Oberstar
Pallone
Pastor
Peterson (MN)
Ramstad
Rothman
Sabo
Schaffer
Slaughter
Stark
Stenholm
Strickland
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Waters
Weller
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—6

Hutchinson
Jefferson
Johnson (CT)
Meeks (NY)
Moakley
Tiahrt

So the Journal was approved.

¶40.10 COMPREHENSIVE RETIREMENT SECURITY AND PENSION REFORM

Mr. THOMAS, pursuant to House Resolution 127, called up the bill (H.R. 10) to provide for pension reform, and for other purposes.

Pending consideration of said bill,

Pursuant to House Resolution 127, in lieu of the amendment recommended by the Committee on Ways and Means and the amendment recommended by the Committee on Education and the Workforce printed in the bill, the following amendment in the nature of a substitute printed in the Congressional Record and numbered 1, was considered as agreed to:

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Comprehensive Retirement Security and Pension Reform Act of 2001''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; references; table of contents.

TITLE I—INDIVIDUAL RETIREMENT ACCOUNT PROVISIONS

Sec. 101. Modification of IRA contribution limits.

TITLE II—EXPANDING COVERAGE

Sec. 201. Increase in benefit and contribution limits.
Sec. 202. Plan loans for subchapter S owners, partners, and sole proprietors.
Sec. 203. Modification of top-heavy rules.
Sec. 204. Elective deferrals not taken into account for purposes of deduction limits.
Sec. 205. Repeal of coordination requirements for deferred compensation plans of State and local governments and tax-exempt organizations.
Sec. 206. Elimination of user fee for requests to IRS regarding pension plans.
Sec. 207. Deduction limits.
Sec. 208. Option to treat elective deferrals as after-tax contributions.
Sec. 209. Availability of qualified plans to self-employed individuals who are exempt from the self-employment tax by reason of their religious beliefs.
Sec. 210. Certain nonresident aliens excluded in applying minimum coverage requirements.

TITLE III—ENHANCING FAIRNESS FOR WOMEN

Sec. 301. Catch-up contributions for individuals age 50 or over.
Sec. 302. Equitable treatment for contributions of employees to defined contribution plans.
Sec. 303. Faster vesting of certain employer matching contributions.
Sec. 304. Modifications to minimum distribution rules.
Sec. 305. Clarification of tax treatment of division of section 457 plan benefits upon divorce.
Sec. 306. Provisions relating to hardship distributions.
Sec. 307. Waiver of tax on nondeductible contributions for domestic or similar workers.

TITLE IV—INCREASING PORTABILITY FOR PARTICIPANTS

Sec. 401. Rollovers allowed among various types of plans.
Sec. 402. Rollovers of IRAs into workplace retirement plans.
Sec. 403. Rollovers of after-tax contributions.
Sec. 404. Hardship exception to 60-day rule.
Sec. 405. Treatment of forms of distribution.
Sec. 406. Rationalization of restrictions on distributions.
Sec. 407. Purchase of service credit in governmental defined benefit plans.
Sec. 408. Employers may disregard rollovers for purposes of cash-out amounts.
Sec. 409. Minimum distribution and inclusion requirements for section 457 plans.

TITLE V—STRENGTHENING PENSION SECURITY AND ENFORCEMENT

Sec. 501. Repeal of percent of current liability funding limit.
Sec. 502. Maximum contribution deduction rules modified and applied to all defined benefit plans.
Sec. 503. Excise tax relief for sound pension funding.

Sec. 504. Excise tax on failure to provide notice by defined benefit plans significantly reducing future benefit accruals.
Sec. 505. Treatment of multiemployer plans under section 415.
Sec. 506. Protection of investment of employee contributions to 401(k) plans.
Sec. 507. Periodic pension benefits statements.
Sec. 508. Prohibited allocations of stock in S corporation ESOP.

TITLE VI—REDUCING REGULATORY BURDENS

Sec. 601. Modification of timing of plan valuations.
Sec. 602. ESOP dividends may be reinvested without loss of dividend deduction.
Sec. 603. Repeal of transition rule relating to certain highly compensated employees.
Sec. 604. Employees of tax-exempt entities.
Sec. 605. Clarification of treatment of employer-provided retirement advice.
Sec. 606. Reporting simplification.
Sec. 607. Improvement of employee plans compliance resolution system.
Sec. 608. Repeal of the multiple use test.
Sec. 609. Flexibility in nondiscrimination, coverage, and line of business rules.
Sec. 610. Extension to all governmental plans of moratorium on application of certain nondiscrimination rules applicable to State and local plans.
Sec. 611. Notice and consent period regarding distributions.
Sec. 612. Annual report dissemination.
Sec. 613. Technical corrections to SAVER Act.

TITLE VII—OTHER ERISA PROVISIONS

Sec. 701. Missing participants.
Sec. 702. Reduced PBGC premium for new plans of small employers.
Sec. 703. Reduction of additional PBGC premium for new and small plans.
Sec. 704. Authorization for PBGC to pay interest on premium overpayment refunds.
Sec. 705. Substantial owner benefits in terminated plans.
Sec. 706. Civil penalties for breach of fiduciary responsibility.
Sec. 707. Benefit suspension notice.
Sec. 708. Studies.

TITLE VIII—PLAN AMENDMENTS

Sec. 801. Provisions relating to plan amendments.

TITLE I—INDIVIDUAL RETIREMENT ACCOUNTS

SEC. 101. MODIFICATION OF IRA CONTRIBUTION LIMITS.

(a) INCREASE IN CONTRIBUTION LIMIT.—

(1) IN GENERAL.—Paragraph (1)(A) of section 219(b) (relating to maximum amount of deduction) is amended by striking ''$2,000'' and inserting ''the deductible amount''.

(2) DEDUCTIBLE AMOUNT.—Section 219(b) is amended by adding at the end the following new paragraph:

''(5) DEDUCTIBLE AMOUNT.—For purposes of paragraph (1)(A)—

''(A) IN GENERAL.—The deductible amount shall be determined in accordance with the following table:

"For taxable years beginning in:	The deductible amount is:
2002	$3,000
2003	$4,000
2004 and thereafter	$5,000.

''(B) CATCH-UP CONTRIBUTIONS FOR INDIVIDUALS 50 OR OLDER.—In the case of an individual who has attained the age of 50 before the close of the taxable year, the deductible amount for taxable years beginning in 2002 or 2003 shall be $5,000.

''(C) COST-OF-LIVING ADJUSTMENT.—

''(i) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2004, the $5,000 amount under subparagraph (A) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2003' for 'calendar year 1992' in subparagraph (B) thereof.

''(ii) ROUNDING RULES.—If any amount after adjustment under clause (i) is not a multiple of $500, such amount shall be rounded to the next lower multiple of $500.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 408(a)(1) is amended by striking ''in excess of $2,000 on behalf of any individual'' and inserting ''on behalf of any individual in excess of the amount in effect for such taxable year under section 219(b)(1)(A)''.

(2) Section 408(b)(2)(B) is amended by striking ''$2,000'' and inserting ''the dollar amount in effect under section 219(b)(1)(A)''.

(3) Section 408(b) is amended by striking ''$2,000'' in the matter following paragraph (4) and inserting ''the dollar amount in effect under section 219(b)(1)(A)''.

(4) Section 408(j) is amended by striking ''$2,000''.

(5) Section 408(p)(8) is amended by striking ''$2,000'' and inserting ''the dollar amount in effect under section 219(b)(1)(A)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE II—EXPANDING COVERAGE

SEC. 201. INCREASE IN BENEFIT AND CONTRIBUTION LIMITS.

(a) DEFINED BENEFIT PLANS.—

(1) DOLLAR LIMIT.—

(A) Subparagraph (A) of section 415(b)(1) (relating to limitation for defined benefit plans) is amended by striking ''$90,000'' and inserting ''$160,000''.

(B) Subparagraphs (C) and (D) of section 415(b)(2) are each amended by striking ''$90,000'' each place it appears in the headings and the text and inserting ''$160,000''.

(C) Paragraph (7) of section 415(b) (relating to benefits under certain collectively bargained plans) is amended by striking ''the greater of $68,212 or one-half the amount otherwise applicable for such year under paragraph (1)(A) for '$90,000' '' and inserting ''one-half the amount otherwise applicable for such year under paragraph (1)(A) for '$160,000' ''.

(2) LIMIT REDUCED WHEN BENEFIT BEGINS BEFORE AGE 62.—Subparagraph (C) of section 415(b)(2) is amended by striking ''the social security retirement age'' each place it appears in the heading and text and inserting ''age 62'' and by striking the second sentence.

(3) LIMIT INCREASED WHEN BENEFIT BEGINS AFTER AGE 65.—Subparagraph (D) of section 415(b)(2) is amended by striking ''the social security retirement age'' each place it appears in the heading and text and inserting ''age 65''.

(4) COST-OF-LIVING ADJUSTMENTS.—Subsection (d) of section 415 (related to cost-of-living adjustments) is amended—

(A) by striking ''$90,000'' in paragraph (1)(A) and inserting ''$160,000''; and

(B) in paragraph (3)(A)—

(i) by striking ''$90,000'' in the heading and inserting ''$160,000''; and

(ii) by striking ''October 1, 1986'' and inserting ''July 1, 2001''.

(5) CONFORMING AMENDMENTS.—

(A) Section 415(b)(2) is amended by striking subparagraph (F).

(B) Section 415(b)(9) is amended to read as follows:

''(9) SPECIAL RULE FOR COMMERCIAL AIRLINE PILOTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), in the case of any participant who is a commercial airline pilot, if, as of the time of the participant's retirement, regulations prescribed by the Federal Aviation Administration require an individual to separate from service as a commercial airline pilot after attaining any age occurring on or after age 60 and before age 62, paragraph (2)(C) shall be applied by substituting such age for age 62.

''(B) INDIVIDUALS WHO SEPARATE FROM SERVICE BEFORE AGE 60.—If a participant described in subparagraph (A) separates from service before age 60, the rules of paragraph (2)(C) shall apply.''.

(C) Section 415(b)(10)(C)(i) is amended by striking ''applied without regard to paragraph (2)(F)''.

(b) DEFINED CONTRIBUTION PLANS.—

(1) DOLLAR LIMIT.—Subparagraph (A) of section 415(c)(1) (relating to limitation for defined contribution plans) is amended by striking ''$30,000'' and inserting ''$40,000''.

(2) COST-OF-LIVING ADJUSTMENTS.—Subsection (d) of section 415 (related to cost-of-living adjustments) is amended—

(A) by striking ''$30,000'' in paragraph (1)(C) and inserting ''$40,000''; and

(B) in paragraph (3)(D)—

(i) by striking ''$30,000'' in the heading and inserting ''$40,000''; and

(ii) by striking ''October 1, 1993'' and inserting ''July 1, 2001''.

(c) QUALIFIED TRUSTS.—

(1) COMPENSATION LIMIT.—Sections 401(a)(17), 404(l), 408(k), and 505(b)(7) are each amended by striking ''$150,000'' each place it appears and inserting ''$200,000''.

(2) BASE PERIOD AND ROUNDING OF COST-OF-LIVING ADJUSTMENT.—Subparagraph (B) of section 401(a)(17) is amended—

(A) by striking ''October 1, 1993'' and inserting ''July 1, 2001''; and

(B) by striking ''$10,000'' both places it appears and inserting ''$5,000''.

(d) ELECTIVE DEFERRALS.—

(1) IN GENERAL.—Paragraph (1) of section 402(g) (relating to limitation on exclusion for elective deferrals) is amended to read as follows:

''(1) IN GENERAL.—

''(A) LIMITATION.—Notwithstanding subsections (e)(3) and (h)(1)(B), the elective deferrals of any individual for any taxable year shall be included in such individual's gross income to the extent the amount of such deferrals for the taxable year exceeds the applicable dollar amount.

''(B) APPLICABLE DOLLAR AMOUNT.—For purposes of subparagraph (A), the applicable dollar amount shall be the amount determined in accordance with the following table:

"For taxable years beginning in calendar year:	The applicable dollar amount:
2002	$11,000
2003	$12,000
2004	$13,000
2005	$14,000
2006 or thereafter	$15,000.''.

(2) COST-OF-LIVING ADJUSTMENT.—Paragraph (5) of section 402(g) is amended to read as follows:

''(5) COST-OF-LIVING ADJUSTMENT.—In the case of taxable years beginning after December 31, 2006, the Secretary shall adjust the $15,000 amount under paragraph (1)(B) at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning July

1, 2005, and any increase under this paragraph which is not a multiple of $500 shall be rounded to the next lowest multiple of $500.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 402(g) (relating to limitation on exclusion for elective deferrals), as amended by paragraphs (1) and (2), is further amended by striking paragraph (4) and redesignating paragraphs (5), (6), (7), (8), and (9) as paragraphs (4), (5), (6), (7), and (8), respectively.

(B) Paragraph (2) of section 457(c) is amended by striking ''402(g)(8)(A)(iii)'' and inserting ''402(g)(7)(A)(iii)''.

(C) Clause (iii) of section 501(c)(18)(D) is amended by striking ''(other than paragraph (4) thereof)''.

(e) DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS.—

(1) IN GENERAL.—Section 457 (relating to deferred compensation plans of State and local governments and tax-exempt organizations) is amended—

(A) in subsections (b)(2)(A) and (c)(1) by striking ''$7,500'' each place it appears and inserting ''the applicable dollar amount''; and

(B) in subsection (b)(3)(A) by striking ''$15,000'' and inserting ''twice the dollar amount in effect under subsection (b)(2)(A)''.

(2) APPLICABLE DOLLAR AMOUNT; COST-OF-LIVING ADJUSTMENT.—Paragraph (15) of section 457(e) is amended to read as follows:

''(15) APPLICABLE DOLLAR AMOUNT.—

''(A) IN GENERAL.—The applicable dollar amount shall be the amount determined in accordance with the following table:

''For taxable years beginning in calendar year:	**The applicable dollar amount:**
2002	$11,000
2003	$12,000
2004	$13,000
2005	$14,000
2006 or thereafter	$15,000.

''(B) COST-OF-LIVING ADJUSTMENTS.—In the case of taxable years beginning after December 31, 2006, the Secretary shall adjust the $15,000 amount under subparagraph (A) at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning July 1, 2005, and any increase under this paragraph which is not a multiple of $500 shall be rounded to the next lowest multiple of $500.''.

(f) SIMPLE RETIREMENT ACCOUNTS.—

(1) LIMITATION.—Clause (ii) of section 408(p)(2)(A) (relating to general rule for qualified salary reduction arrangement) is amended by striking ''$6,000'' and inserting ''the applicable dollar amount''.

(2) APPLICABLE DOLLAR AMOUNT.—Subparagraph (E) of 408(p)(2) is amended to read as follows:

''(E) APPLICABLE DOLLAR AMOUNT; COST-OF-LIVING ADJUSTMENT.—

''(i) IN GENERAL.—For purposes of subparagraph (A)(ii), the applicable dollar amount shall be the amount determined in accordance with the following table:

''For taxable years beginning in calendar year:	**The applicable dollar amount:**
2002	$7,000
2003	$8,000
2004	$9,000
2005 or thereafter	$10,000.

''(ii) COST-OF-LIVING ADJUSTMENT.—In the case of a year beginning after December 31, 2005, the Secretary shall adjust the $10,000 amount under clause (i) at the same time and in the same manner as under section 415(d), except that the base period taken into account shall be the calendar quarter beginning July 1, 2004, and any increase under this subparagraph which is not a multiple of $500 shall be rounded to the next lower multiple of $500.''.

(3) CONFORMING AMENDMENTS.—

(A) Subclause (I) of section 401(k)(11)(B)(i) is amended by striking ''$6,000'' and inserting ''the amount in effect under section 408(p)(2)(A)(ii)''.

(B) Section 401(k)(11) is amended by striking subparagraph (E).

(g) ROUNDING RULE RELATING TO DEFINED BENEFIT PLANS AND DEFINED CONTRIBUTION PLANS.—Paragraph (4) of section 415(d) is amended to read as follows:

''(4) ROUNDING.—

''(A) $160,000 AMOUNT.—Any increase under subparagraph (A) of paragraph (1) which is not a multiple of $5,000 shall be rounded to the next lowest multiple of $5,000.

''(B) $40,000 AMOUNT.—Any increase under subparagraph (C) of paragraph (1) which is not a multiple of $1,000 shall be rounded to the next lowest multiple of $1,000.''.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 202. PLAN LOANS FOR SUBCHAPTER S OWNERS, PARTNERS, AND SOLE PROPRIETORS.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—Subparagraph (B) of section 4975(f)(6) (relating to exemptions not to apply to certain transactions) is amended by adding at the end the following new clause:

''(iii) LOAN EXCEPTION.—For purposes of subparagraph (A)(i), the term 'owner-employee' shall only include a person described in subclause (II) or (III) of clause (i).''.

(b) AMENDMENT OF ERISA.—Section 408(d)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1108(d)(2)) is amended by adding at the end the following new subparagraph:

''(C) For purposes of paragraph (1)(A), the term 'owner-employee' shall only include a person described in clause (ii) or (iii) of subparagraph (A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 203. MODIFICATION OF TOP-HEAVY RULES.

(a) SIMPLIFICATION OF DEFINITION OF KEY EMPLOYEE.—

(1) IN GENERAL.—Section 416(i)(1)(A) (defining key employee) is amended—

(A) by striking ''or any of the 4 preceding plan years'' in the matter preceding clause (i);

(B) by striking clause (i) and inserting the following:

''(i) an officer of the employer having an annual compensation greater than $150,000,'';

(C) by striking clause (ii) and redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively; and

(D) by striking the second sentence in the matter following clause (iii), as redesignated by subparagraph (C).

(2) CONFORMING AMENDMENT.—Section 416(i)(1)(B)(iii) is amended by striking ''and subparagraph (A)(ii)''.

(b) MATCHING CONTRIBUTIONS TAKEN INTO ACCOUNT FOR MINIMUM CONTRIBUTION REQUIREMENTS.—Section 416(c)(2)(A) (relating to defined contribution plans) is amended by adding at the end the following: ''Employer matching contributions (as defined in section 401(m)(4)(A)) shall be taken into account for purposes of this subparagraph.''.

(c) DISTRIBUTIONS DURING LAST YEAR BEFORE DETERMINATION DATE TAKEN INTO ACCOUNT.—

(1) IN GENERAL.—Paragraph (3) of section 416(g) is amended to read as follows:

''(3) DISTRIBUTIONS DURING LAST YEAR BEFORE DETERMINATION DATE TAKEN INTO ACCOUNT.—

''(A) IN GENERAL.—For purposes of determining—

''(i) the present value of the cumulative accrued benefit for any employee, or

''(ii) the amount of the account of any employee,

such present value or amount shall be increased by the aggregate distributions made with respect to such employee under the plan during the 1-year period ending on the determination date. The preceding sentence shall also apply to distributions under a terminated plan which if it had not been terminated would have been required to be included in an aggregation group.

''(B) 5-YEAR PERIOD IN CASE OF IN-SERVICE DISTRIBUTION.—In the case of any distribution made for a reason other than separation from service, death, or disability, subparagraph (A) shall be applied by substituting '5-year period' for '1-year period'.''.

(2) BENEFITS NOT TAKEN INTO ACCOUNT.—Subparagraph (E) of section 416(g)(4) is amended—

(A) by striking ''LAST 5 YEARS'' in the heading and inserting ''LAST YEAR BEFORE DETERMINATION DATE''; and

(B) by striking ''5-year period'' and inserting ''1-year period''.

(d) DEFINITION OF TOP-HEAVY PLANS.—Paragraph (4) of section 416(g) (relating to other special rules for top-heavy plans) is amended by adding at the end the following new subparagraph:

''(H) CASH OR DEFERRED ARRANGEMENTS USING ALTERNATIVE METHODS OF MEETING NONDISCRIMINATION REQUIREMENTS.—The term 'top-heavy plan' shall not include a plan which consists solely of—

''(i) a cash or deferred arrangement which meets the requirements of section 401(k)(12), and

''(ii) matching contributions with respect to which the requirements of section 401(m)(11) are met.

If, but for this subparagraph, a plan would be treated as a top-heavy plan because it is a member of an aggregation group which is a top-heavy group, contributions under the plan may be taken into account in determining whether any other plan in the group meets the requirements of subsection (c)(2).''.

(e) FROZEN PLAN EXEMPT FROM MINIMUM BENEFIT REQUIREMENT.—Subparagraph (C) of section 416(c)(1) (relating to defined benefit plans) is amended—

(A) by striking ''clause (ii)'' in clause (i) and inserting ''clause (ii) or (iii)''; and

(B) by adding at the end the following:

''(iii) EXCEPTION FOR FROZEN PLAN.—For purposes of determining an employee's years of service with the employer, any service with the employer shall be disregarded to the extent that such service occurs during a plan year when the plan benefits (within the meaning of section 410(b)) no key employee or former key employee.''.

(f) ELIMINATION OF FAMILY ATTRIBUTION.—Section 416(i)(1)(B) (defining 5-percent owner) is amended by adding at the end the following new clause:

''(iv) FAMILY ATTRIBUTION DISREGARDED.—Solely for purposes of applying this paragraph (and not for purposes of any provision of this title which incorporates by reference the definition of a key employee or 5-percent owner under this paragraph), section 318 shall be applied without regard to subsection (a)(1) thereof in determining whether any person is a 5-percent owner.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 204. ELECTIVE DEFERRALS NOT TAKEN INTO ACCOUNT FOR PURPOSES OF DEDUCTION LIMITS.

(a) IN GENERAL.—Section 404 (relating to deduction for contributions of an employer to an employees' trust or annuity plan and

compensation under a deferred payment plan) is amended by adding at the end the following new subsection:

''(n) ELECTIVE DEFERRALS NOT TAKEN INTO ACCOUNT FOR PURPOSES OF DEDUCTION LIMITS.—Elective deferrals (as defined in section 402(g)(3)) shall not be subject to any limitation contained in paragraph (3), (7), or (9) of subsection (a), and such elective deferrals shall not be taken into account in applying any such limitation to any other contributions.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

SEC. 205. REPEAL OF COORDINATION REQUIREMENTS FOR DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Subsection (c) of section 457 (relating to deferred compensation plans of State and local governments and tax-exempt organizations), as amended by section 201, is amended to read as follows:

''(c) LIMITATION.—The maximum amount of the compensation of any one individual which may be deferred under subsection (a) during any taxable year shall not exceed the amount in effect under subsection (b)(2)(A) (as modified by any adjustment provided under subsection (b)(3)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to years beginning after December 31, 2001.

SEC. 206. ELIMINATION OF USER FEE FOR REQUESTS TO IRS REGARDING PENSION PLANS.

(a) ELIMINATION OF CERTAIN USER FEES.—The Secretary of the Treasury or the Secretary's delegate shall not require payment of user fees under the program established under section 10511 of the Revenue Act of 1987 for requests to the Internal Revenue Service for determination letters with respect to the qualified status of a pension benefit plan maintained solely by one or more eligible employers or any trust which is part of the plan. The preceding sentence shall not apply to any request—

(1) made after the later of—

(A) the fifth plan year the pension benefit plan is in existence; or

(B) the end of any remedial amendment period with respect to the plan beginning within the first 5 plan years; or

(2) made by the sponsor of any prototype or similar plan which the sponsor intends to market to participating employers.

(b) PENSION BENEFIT PLAN.—For purposes of this section, the term ''pension benefit plan'' means a pension, profit-sharing, stock bonus, annuity, or employee stock ownership plan.

(c) ELIGIBLE EMPLOYER.—For purposes of this section, the term ''eligible employer'' has the same meaning given such term in section 408(p)(2)(C)(i)(I) of the Internal Revenue Code of 1986. The determination of whether an employer is an eligible employer under this section shall be made as of the date of the request described in subsection (a).

(d) DETERMINATION OF AVERAGE FEES CHARGED.—For purposes of any determination of average fees charged, any request to which subsection (a) applies shall not be taken into account.

(e) EFFECTIVE DATE.—The provisions of this section shall apply with respect to requests made after December 31, 2001.

SEC. 207. DEDUCTION LIMITS.

(a) STOCK BONUS AND PROFIT SHARING TRUSTS.—

(1) IN GENERAL.—Subclause (I) of section 404(a)(3)(A)(i) (relating to stock bonus and profit sharing trusts) is amended by striking ''15 percent'' and inserting ''20 percent''.

(2) CONFORMING AMENDMENT.—Subparagraph (C) of section 404(h)(1) is amended by striking ''15 percent'' each place it appears and inserting ''20 percent''.

(b) COMPENSATION.—

(1) IN GENERAL.—Section 404(a) (relating to general rule) is amended by adding at the end the following:

''(12) DEFINITION OF COMPENSATION.—For purposes of paragraphs (3), (7), (8), and (9), the term 'compensation otherwise paid or accrued during the taxable year' shall include amounts treated as 'participant's compensation' under subparagraph (C) or (D) of section 415(c)(3).''.

(2) CONFORMING AMENDMENTS.—

(A) Subparagraph (B) of section 404(a)(3) is amended by striking the last sentence.

(B) Clause (i) of section 4972(c)(6)(B) is amended by striking ''(within the meaning of section 404(a))'' and inserting ''(within the meaning of section 404(a) and as adjusted under section 404(a)(12))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 208. OPTION TO TREAT ELECTIVE DEFERRALS AS AFTER-TAX CONTRIBUTIONS.

(a) IN GENERAL.—Subpart A of part I of subchapter D of chapter 1 (relating to deferred compensation, etc.) is amended by inserting after section 402 the following new section:

''SEC. 402A. OPTIONAL TREATMENT OF ELECTIVE DEFERRALS AS PLUS CONTRIBUTIONS.

''(a) GENERAL RULE.—If an applicable retirement plan includes a qualified plus contribution program—

''(1) any designated plus contribution made by an employee pursuant to the program shall be treated as an elective deferral for purposes of this chapter, except that such contribution shall not be excludable from gross income, and

''(2) such plan (and any arrangement which is part of such plan) shall not be treated as failing to meet any requirement of this chapter solely by reason of including such program.

''(b) QUALIFIED PLUS CONTRIBUTION PROGRAM.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified plus contribution program' means a program under which an employee may elect to make designated plus contributions in lieu of all or a portion of elective deferrals the employee is otherwise eligible to make under the applicable retirement plan.

''(2) SEPARATE ACCOUNTING REQUIRED.—A program shall not be treated as a qualified plus contribution program unless the applicable retirement plan—

''(A) establishes separate accounts ('designated plus accounts') for the designated plus contributions of each employee and any earnings properly allocable to the contributions, and

''(B) maintains separate recordkeeping with respect to each account.

''(c) DEFINITIONS AND RULES RELATING TO DESIGNATED PLUS CONTRIBUTIONS.—For purposes of this section—

''(1) DESIGNATED PLUS CONTRIBUTION.—The term 'designated plus contribution' means any elective deferral which—

''(A) is excludable from gross income of an employee without regard to this section, and

''(B) the employee designates (at such time and in such manner as the Secretary may prescribe) as not being so excludable.

''(2) DESIGNATION LIMITS.—The amount of elective deferrals which an employee may designate under paragraph (1) shall not exceed the excess (if any) of—

''(A) the maximum amount of elective deferrals excludable from gross income of the employee for the taxable year (without regard to this section), over

''(B) the aggregate amount of elective deferrals of the employee for the taxable year which the employee does not designate under paragraph (1).

''(3) ROLLOVER CONTRIBUTIONS.—

''(A) IN GENERAL.—A rollover contribution of any payment or distribution from a designated plus account which is otherwise allowable under this chapter may be made only if the contribution is to—

''(i) another designated plus account of the individual from whose account the payment or distribution was made, or

''(ii) a Roth IRA of such individual.

''(B) COORDINATION WITH LIMIT.—Any rollover contribution to a designated plus account under subparagraph (A) shall not be taken into account for purposes of paragraph (1).

''(d) DISTRIBUTION RULES.—For purposes of this title—

''(1) EXCLUSION.—Any qualified distribution from a designated plus account shall not be includible in gross income.

''(2) QUALIFIED DISTRIBUTION.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified distribution' has the meaning given such term by section 408A(d)(2)(A) (without regard to clause (iv) thereof).

''(B) DISTRIBUTIONS WITHIN NONEXCLUSION PERIOD.—A payment or distribution from a designated plus account shall not be treated as a qualified distribution if such payment or distribution is made within the 5-taxable-year period beginning with the earlier of—

''(i) the first taxable year for which the individual made a designated plus contribution to any designated plus account established for such individual under the same applicable retirement plan, or

''(ii) if a rollover contribution was made to such designated plus account from a designated plus account previously established for such individual under another applicable retirement plan, the first taxable year for which the individual made a designated plus contribution to such previously established account.

''(C) DISTRIBUTIONS OF EXCESS DEFERRALS AND CONTRIBUTIONS AND EARNINGS THEREON.—The term 'qualified distribution' shall not include any distribution of an excess deferral under section 402(g)(2) or any excess contribution under section 401(k)(8), and any income on the excess deferral or contribution.

''(3) TREATMENT OF DISTRIBUTIONS OF CERTAIN EXCESS DEFERRALS.—Notwithstanding section 72, if any excess deferral under section 402(g)(2) attributable to a designated plus contribution is not distributed on or before the 1st April 15 following the close of the taxable year in which such excess deferral is made, the amount of such excess deferral shall—

''(A) not be treated as investment in the contract, and

''(B) be included in gross income for the taxable year in which such excess is distributed.

''(4) AGGREGATION RULES.—Section 72 shall be applied separately with respect to distributions and payments from a designated plus account and other distributions and payments from the plan.

''(e) OTHER DEFINITIONS.—For purposes of this section—

''(1) APPLICABLE RETIREMENT PLAN.—The term 'applicable retirement plan' means—

''(A) an employees' trust described in section 401(a) which is exempt from tax under section 501(a), and

''(B) a plan under which amounts are contributed by an individual's employer for an annuity contract described in section 403(b).

''(2) ELECTIVE DEFERRAL.—The term 'elective deferral' means any elective deferral described in subparagraph (A) or (C) of section 402(g)(3).''.

(b) EXCESS DEFERRALS.—Section 402(g) (relating to limitation on exclusion for elective deferrals) is amended—

(1) by adding at the end of paragraph (1)(A) (as added by section 201(d)(1)) the following new sentence: ''The preceding sentence shall not apply to so much of such excess as does not exceed the designated plus contributions of the individual for the taxable year.''; and

(2) by inserting ''(or would be included but for the last sentence thereof)'' after ''paragraph (1)'' in paragraph (2)(A).

(c) ROLLOVERS.—Subparagraph (B) of section 402(c)(8) is amended by adding at the end the following:

''If any portion of an eligible rollover distribution is attributable to payments or distributions from a designated plus account (as defined in section 402A), an eligible retirement plan with respect to such portion shall include only another designated plus account and a Roth IRA.''.

(d) REPORTING REQUIREMENTS.—

(1) W–2 INFORMATION.—Section 6051(a)(8) is amended by inserting '', including the amount of designated plus contributions (as defined in section 402A)'' before the comma at the end.

(2) INFORMATION.—Section 6047 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

''(f) DESIGNATED PLUS CONTRIBUTIONS.—The Secretary shall require the plan administrator of each applicable retirement plan (as defined in section 402A) to make such returns and reports regarding designated plus contributions (as so defined) to the Secretary, participants and beneficiaries of the plan, and such other persons as the Secretary may prescribe.''.

(e) CONFORMING AMENDMENTS.—

(1) Section 408A(e) is amended by adding after the first sentence the following new sentence: ''Such term includes a rollover contribution described in section 402A(c)(3)(A).''.

(2) The table of sections for subpart A of part I of subchapter D of chapter 1 is amended by inserting after the item relating to section 402 the following new item:

''Sec. 402A. Optional treatment of elective deferrals as plus contributions.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 209. AVAILABILITY OF QUALIFIED PLANS TO SELF-EMPLOYED INDIVIDUALS WHO ARE EXEMPT FROM THE SELF-EMPLOYMENT TAX BY REASON OF THEIR RELIGIOUS BELIEFS.

(a) IN GENERAL.—Subparagraph (A) of section 401(c)(2) (defining earned income) is amended by adding at the end thereof the following new sentence: ''For purposes of this part only (other than sections 419 and 419A), this subparagraph shall be applied as if the term 'trade or business' for purposes of section 1402 included service described in section 1402(c)(6).''.

(b) SIMPLE RETIREMENT ACCOUNTS.—Clause (ii) of section 408(p)(6)(A) (defining self-employed) is amended by adding at the end the following new sentence: ''The preceding sentence shall be applied as if the term 'trade or business' for purposes of section 1402 included service described in section 1402(c)(6).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 210. CERTAIN NONRESIDENT ALIENS EXCLUDED IN APPLYING MINIMUM COVERAGE REQUIREMENTS.

(a) IN GENERAL.—Subparagraph (C) of section 410(b)(3) (relating to exclusion of certain employees) is amended by inserting '', determined without regard to the reference to subchapter D in the last sentence thereof'' after ''section 861(a)(3)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning after December 31, 2001.

TITLE III—ENHANCING FAIRNESS FOR WOMEN

SEC. 301. CATCH-UP CONTRIBUTIONS FOR INDIVIDUALS AGE 50 OR OVER.

(a) IN GENERAL.—Section 414 (relating to definitions and special rules) is amended by adding at the end the following new subsection:

''(v) CATCH-UP CONTRIBUTIONS FOR INDIVIDUALS AGE 50 OR OVER.—

''(1) IN GENERAL.—An applicable employer plan shall not be treated as failing to meet any requirement of this title solely because the plan permits an eligible participant to make additional elective deferrals in any plan year.

''(2) LIMITATION ON AMOUNT OF ADDITIONAL DEFERRALS.—A plan shall not permit additional elective deferrals under paragraph (1) for any year in an amount greater than the lesser of—

''(A) $5,000, or

''(B) the excess (if any) of—

''(i) the participant's compensation for the year, over

''(ii) any other elective deferrals of the participant for such year which are made without regard to this subsection.

''(3) TREATMENT OF CONTRIBUTIONS.—In the case of any contribution to a plan under paragraph (1), such contribution shall not, with respect to the year in which the contribution is made—

''(A) be subject to any otherwise applicable limitation contained in section 402(g), 402(h)(2), 404(a), 404(h), 408(p)(2)(A)(ii), 415, or 457, or

''(B) be taken into account in applying such limitations to other contributions or benefits under such plan or any other such plan.

''(4) APPLICATION OF NONDISCRIMINATION RULES.—

''(A) IN GENERAL.—An applicable employer plan shall not be treated as failing to meet the nondiscrimination requirements under section 401(a)(4) with respect to benefits, rights, and features if the plan allows all eligible participants to make the same election with respect to the additional elective deferrals under this subsection.

''(B) AGGREGATION.—For purposes of subparagraph (A), all plans maintained by employers who are treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as 1 plan.

''(5) ELIGIBLE PARTICIPANT.—For purposes of this subsection, the term 'eligible participant' means, with respect to any plan year, a participant in a plan—

''(A) who has attained the age of 50 before the close of the plan year, and

''(B) with respect to whom no other elective deferrals may (without regard to this subsection) be made to the plan for the plan year by reason of the application of any limitation or other restriction described in paragraph (3) or comparable limitation contained in the terms of the plan.

''(6) OTHER DEFINITIONS AND RULES.—For purposes of this subsection—

''(A) APPLICABLE EMPLOYER PLAN.—The term 'applicable employer plan' means—

''(i) an employees' trust described in section 401(a) which is exempt from tax under section 501(a),

''(ii) a plan under which amounts are contributed by an individual's employer for an annuity contract described in section 403(b),

''(iii) an eligible deferred compensation plan under section 457 of an eligible employer as defined in section 457(e)(1)(A), and

''(iv) an arrangement meeting the requirements of section 408 (k) or (p).

''(B) ELECTIVE DEFERRAL.—The term 'elective deferral' has the meaning given such term by subsection (u)(2)(C).

''(C) EXCEPTION FOR SECTION 457 PLANS.—This subsection shall not apply to an applicable employer plan described in subparagraph (A)(iii) for any year to which section 457(b)(3) applies.

''(D) COST-OF-LIVING ADJUSTMENT.—In the case of a year beginning after December 31, 2006, the Secretary shall adjust annually the $5,000 amount in paragraph (2)(A) for increases in the cost-of-living at the same time and in the same manner as adjustments under section 415(d); except that the base period taken into account shall be the calendar quarter beginning July 1, 2005, and any increase under this subparagraph which is not a multiple of $500 shall be rounded to the next lower multiple of $500.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions in taxable years beginning after December 31, 2001.

SEC. 302. EQUITABLE TREATMENT FOR CONTRIBUTIONS OF EMPLOYEES TO DEFINED CONTRIBUTION PLANS.

(a) EQUITABLE TREATMENT.—

(1) IN GENERAL.—Subparagraph (B) of section 415(c)(1) (relating to limitation for defined contribution plans) is amended by striking ''25 percent'' and inserting ''100 percent''.

(2) APPLICATION TO SECTION 403(b).—Section 403(b) is amended—

(A) by striking ''the exclusion allowance for such taxable year'' in paragraph (1) and inserting ''the applicable limit under section 415'';

(B) by striking paragraph (2); and

(C) by inserting ''or any amount received by a former employee after the fifth taxable year following the taxable year in which such employee was terminated'' before the period at the end of the second sentence of paragraph (3).

(3) CONFORMING AMENDMENTS.—

(A) Subsection (f) of section 72 is amended by striking ''section 403(b)(2)(D)(iii))'' and inserting ''section 403(b)(2)(D)(iii), as in effect before the enactment of the Comprehensive Retirement Security and Pension Reform Act of 2001)''.

(B) Section 404(a)(10)(B) is amended by striking '', the exclusion allowance under section 403(b)(2),''.

(C) Section 404(j) is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR MONEY PURCHASE PLANS.—For purposes of paragraph (1)(B), in the case of a defined contribution plan which is subject to the funding standards of section 412, section 415(c)(1)(B) shall be applied by substituting '25 percent' for '100 percent'.''.

(D) Section 415(a)(2) is amended by striking '', and the amount of the contribution for such portion shall reduce the exclusion allowance as provided in section 403(b)(2)''.

(E) Section 415(c)(3) is amended by adding at the end the following new subparagraph:

''(E) ANNUITY CONTRACTS.—In the case of an annuity contract described in section 403(b), the term 'participant's compensation' means the participant's includible compensation determined under section 403(b)(3).''.

(F) Section 415(c) is amended by striking paragraph (4).

(G) Section 415(c)(7) is amended to read as follows:

''(7) CERTAIN CONTRIBUTIONS BY CHURCH PLANS NOT TREATED AS EXCEEDING LIMIT.—

''(A) IN GENERAL.—Notwithstanding any other provision of this subsection, at the election of a participant who is an employee of a church or a convention or association of churches, including an organization de-

scribed in section 414(e)(3)(B)(ii), contributions and other additions for an annuity contract or retirement income account described in section 403(b) with respect to such participant, when expressed as an annual addition to such participant's account, shall be treated as not exceeding the limitation of paragraph (1) if such annual addition is not in excess of $10,000.

''(B) $40,000 AGGREGATE LIMITATION.—The total amount of additions with respect to any participant which may be taken into account for purposes of this subparagraph for all years may not exceed $40,000.

''(C) ANNUAL ADDITION.—For purposes of this paragraph, the term 'annual addition' has the meaning given such term by paragraph (2).''.

(H) Subparagraph (B) of section 402(g)(7) (as redesignated by section 201) is amended by inserting before the period at the end the following: ''(as in effect before the enactment of the Comprehensive Retirement Security and Pension Reform Act of 2001)''.

(I) Section 664(g) is amended—

(i) in paragraph (3)(E) by striking ''limitations under section 415(c)'' and inserting ''applicable limitation under paragraph (7)'', and

(ii) by adding at the end the following new paragraph:

''(7) APPLICABLE LIMITATION.—

''(A) IN GENERAL.—For purposes of paragraph (3)(E), the applicable limitation under this paragraph with respect to a participant is an amount equal to the lesser of—

''(i) $30,000, or

''(ii) 25 percent of the participant's compensation (as defined in section 415(c)(3)).

''(B) COST-OF-LIVING ADJUSTMENT.—The Secretary shall adjust annually the $30,000 amount under subparagraph (A)(i) at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning October 1, 1993, and any increase under this subparagraph which is not a multiple of $5,000 shall be rounded to the next lowest multiple of $5,000.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning after December 31, 2001.

(b) SPECIAL RULES FOR SECTIONS 403(b) AND 408.—

(1) IN GENERAL.—Subsection (k) of section 415 is amended by adding at the end the following new paragraph:

''(4) SPECIAL RULES FOR SECTIONS 403(B) AND 408.—For purposes of this section, any annuity contract described in section 403(b) for the benefit of a participant shall be treated as a defined contribution plan maintained by each employer with respect to which the participant has the control required under subsection (b) or (c) of section 414 (as modified by subsection (h)). For purposes of this section, any contribution by an employer to a simplified employee pension plan for an individual for a taxable year shall be treated as an employer contribution to a defined contribution plan for such individual for such year.''.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendment made by paragraph (1) shall apply to limitation years beginning after December 31, 1999.

(B) EXCLUSION ALLOWANCE.—Effective for limitation years beginning in 2000, in the case of any annuity contract described in section 403(b) of the Internal Revenue Code of 1986, the amount of the contribution disqualified by reason of section 415(g) of such Code shall reduce the exclusion allowance as provided in section 403(b)(2) of such Code.

(3) MODIFICATION OF 403(b) EXCLUSION ALLOWANCE TO CONFORM TO 415 MODIFICATION.—The Secretary of the Treasury shall modify the regulations regarding the exclusion allowance under section 403(b)(2) of the Internal Revenue Code of 1986 to render void the requirement that contributions to a defined benefit pension plan be treated as previously excluded amounts for purposes of the exclusion allowance. For taxable years beginning after December 31, 1999, such regulations shall be applied as if such requirement were void.

(c) DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS.—

(1) IN GENERAL.—Subparagraph (B) of section 457(b)(2) (relating to salary limitation on eligible deferred compensation plans) is amended by striking ''33⅓ percent'' and inserting ''100 percent''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to years beginning after December 31, 2001.

SEC. 303. FASTER VESTING OF CERTAIN EMPLOYER MATCHING CONTRIBUTIONS.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—Section 411(a) (relating to minimum vesting standards) is amended—

(1) in paragraph (2) in the matter preceding subparagraph (A), by striking ''A plan'' and inserting ''Except as provided in paragraph (12), a plan''; and

(2) by adding at the end the following:

''(12) FASTER VESTING FOR MATCHING CONTRIBUTIONS.—In the case of matching contributions (as defined in section 401(m)(4)(A)), paragraph (2) shall be applied—

''(A) by substituting '3 years' for '5 years' in subparagraph (A), and

''(B) by substituting the following table for the table contained in subparagraph (B):

"Years of service:	The nonforfeitable percentage is:
2	20
3	40
4	60
5	80
6	100.''.

(b) AMENDMENT OF ERISA.—Section 203(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(a)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking ''A plan'' and inserting ''Except as provided in paragraph (4), a plan'', and

(2) by adding at the end the following:

''(4) In the case of matching contributions (as defined in section 401(m)(4)(A) of the Internal Revenue Code of 1986), paragraph (2) shall be applied—

''(A) by substituting '3 years' for '5 years' in subparagraph (A), and

''(B) by substituting the following table for the table contained in subparagraph (B):

"Years of service:	The nonforfeitable percentage is:
2	20
3	40
4	60
5	80
6	100.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to contributions for plan years beginning after December 31, 2001.

(2) COLLECTIVE BARGAINING AGREEMENTS.—In the case of a plan maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers ratified by the date of the enactment of this Act, the amendments made by this section shall not apply to contributions on behalf of employees covered by any such agreement for plan years beginning before the earlier of—

(A) the later of—

(i) the date on which the last of such collective bargaining agreements terminates (determined without regard to any extension thereof on or after such date of the enactment); or

(ii) January 1, 2002; or

(B) January 1, 2006.

(3) SERVICE REQUIRED.—With respect to any plan, the amendments made by this section shall not apply to any employee before the date that such employee has 1 hour of service under such plan in any plan year to which the amendments made by this section apply.

SEC. 304. MODIFICATIONS TO MINIMUM DISTRIBUTION RULES.

(a) LIFE EXPECTANCY TABLES.—The Secretary of the Treasury shall modify the life expectancy tables under the regulations relating to minimum distribution requirements under sections 401(a)(9), 408(a)(6) and (b)(3), 403(b)(10), and 457(d)(2) of the Internal Revenue Code to reflect current life expectancy.

(b) REPEAL OF RULE WHERE DISTRIBUTIONS HAD BEGUN BEFORE DEATH OCCURS.—

(1) IN GENERAL.—Subparagraph (B) of section 401(a)(9) is amended by striking clause (i) and redesignating clauses (ii), (iii), and (iv) as clauses (i), (ii), and (iii), respectively.

(2) CONFORMING CHANGES.—

(A) Clause (i) of section 401(a)(9)(B) (as so redesignated) is amended—

(i) by striking ''FOR OTHER CASES'' in the heading; and

(ii) by striking ''the distribution of the employee's interest has begun in accordance with subparagraph (A)(ii)'' and inserting ''his entire interest has been distributed to him''.

(B) Clause (ii) of section 401(a)(9)(B) (as so redesignated) is amended by striking ''clause (ii)'' and inserting ''clause (i)''.

(C) Clause (iii) of section 401(a)(9)(B) (as so redesignated) is amended—

(i) by striking ''clause (iii)(I)'' and inserting ''clause (ii)(I)'';

(ii) by striking ''clause (iii)(III)'' in subclause (I) and inserting ''clause (ii)(III)'';

(iii) by striking ''the date on which the employee would have attained age 70½,'' in subclause (I) and inserting ''April 1 of the calendar year following the calendar year in which the spouse attains 70½,''; and

(iv) by striking ''the distributions to such spouse begin,'' in subclause (II) and inserting ''his entire interest has been distributed to him,''.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this subsection shall apply to years beginning after December 31, 2001.

(B) DISTRIBUTIONS TO SURVIVING SPOUSE.—

(i) IN GENERAL.—In the case of an employee described in clause (ii), distributions to the surviving spouse of the employee shall not be required to commence prior to the date on which such distributions would have been required to begin under section 401(a)(9)(B) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of this Act).

(ii) CERTAIN EMPLOYEES.—An employee is described in this clause if such employee dies before—

(I) the date of the enactment of this Act, and

(II) the required beginning date (within the meaning of section 401(a)(9)(C) of the Internal Revenue Code of 1986) of the employee.

(c) REDUCTION IN EXCISE TAX.—

(1) IN GENERAL.—Subsection (a) of section 4974 is amended by striking ''50 percent'' and inserting ''10 percent''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to years beginning after December 31, 2001.

SEC. 305. CLARIFICATION OF TAX TREATMENT OF DIVISION OF SECTION 457 PLAN BENEFITS UPON DIVORCE.

(a) IN GENERAL.—Section 414(p)(11) (relating to application of rules to governmental and church plans) is amended—

(1) by inserting ''or an eligible deferred compensation plan (within the meaning of section 457(b))'' after ''subsection (e))''; and

(2) in the heading, by striking ''GOVERNMENTAL AND CHURCH PLANS'' and inserting ''CERTAIN OTHER PLANS''.

(b) WAIVER OF CERTAIN DISTRIBUTION REQUIREMENTS.—Paragraph (10) of section 414(p) is amended by striking ''and section 409(d)'' and inserting ''section 409(d), and section 457(d)''.

(c) TAX TREATMENT OF PAYMENTS FROM A SECTION 457 PLAN.—Subsection (p) of section 414 is amended by redesignating paragraph (12) as paragraph (13) and inserting after paragraph (11) the following new paragraph:

''(12) TAX TREATMENT OF PAYMENTS FROM A SECTION 457 PLAN.—If a distribution or payment from an eligible deferred compensation plan described in section 457(b) is made pursuant to a qualified domestic relations order, rules similar to the rules of section 402(e)(1)(A) shall apply to such distribution or payment.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers, distributions, and payments made after December 31, 2001.

SEC. 306. PROVISIONS RELATING TO HARDSHIP DISTRIBUTIONS.

(a) SAFE HARBOR RELIEF.—

(1) IN GENERAL.—The Secretary of the Treasury shall revise the regulations relating to hardship distributions under section 401(k)(2)(B)(i)(IV) of the Internal Revenue Code of 1986 to provide that the period an employee is prohibited from making elective and employee contributions in order for a distribution to be deemed necessary to satisfy financial need shall be equal to 6 months.

(2) EFFECTIVE DATE.—The revised regulations under this subsection shall apply to years beginning after December 31, 2001.

(b) HARDSHIP DISTRIBUTIONS NOT TREATED AS ELIGIBLE ROLLOVER DISTRIBUTIONS.—

(1) MODIFICATION OF DEFINITION OF ELIGIBLE ROLLOVER.—Subparagraph (C) of section 402(c)(4) (relating to eligible rollover distribution) is amended to read as follows:

''(C) any distribution which is made upon hardship of the employee.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to distributions made after December 31, 2001.

SEC. 307. WAIVER OF TAX ON NONDEDUCTIBLE CONTRIBUTIONS FOR DOMESTIC OR SIMILAR WORKERS.

(a) IN GENERAL.—Section 4972(c)(6) (relating to exceptions to nondeductible contributions), as amended by section 502, is amended by striking ''or'' at the end of subparagraph (A), by striking the period and inserting '', and'' at the end of subparagraph (B), and by inserting after subparagraph (B) the following new subparagraph:

''(C) so much of the contributions to a simple retirement account (within the meaning of section 408(p)) or a simple plan (within the meaning of section 401(k)(11)) which are not deductible when contributed solely because such contributions are not made in connection with a trade or business of the employer.''

(b) EXCLUSION OF CERTAIN CONTRIBUTIONS.—Section 4972(c)(6) is amended by adding at the end the following new sentence: ''Subparagraph (C) shall not apply to contributions made on behalf of the employer or a member of the employer's family (as defined in section 447(e)(1)).''.

(c) NO INFERENCE.—Nothing in the amendments made by this section shall be construed to infer the proper treatment of nondeductible contributions under the laws in effect before such amendments.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE IV—INCREASING PORTABILITY FOR PARTICIPANTS

SEC. 401. ROLLOVERS ALLOWED AMONG VARIOUS TYPES OF PLANS.

(a) ROLLOVERS FROM AND TO SECTION 457 PLANS.—

(1) ROLLOVERS FROM SECTION 457 PLANS.—

(A) IN GENERAL.—Section 457(e) (relating to other definitions and special rules) is amended by adding at the end the following:

''(16) ROLLOVER AMOUNTS.—

''(A) GENERAL RULE.—In the case of an eligible deferred compensation plan established and maintained by an employer described in subsection (e)(1)(A), if—

''(i) any portion of the balance to the credit of an employee in such plan is paid to such employee in an eligible rollover distribution (within the meaning of section 402(c)(4) without regard to subparagraph (C) thereof),

''(ii) the employee transfers any portion of the property such employee receives in such distribution to an eligible retirement plan described in section 402(c)(8)(B), and

''(iii) in the case of a distribution of property other than money, the amount so transferred consists of the property distributed,

then such distribution (to the extent so transferred) shall not be includible in gross income for the taxable year in which paid.

''(B) CERTAIN RULES MADE APPLICABLE.—The rules of paragraphs (2) through (7) (other than paragraph (4)(C)) and (9) of section 402(c) and section 402(f) shall apply for purposes of subparagraph (A).

''(C) REPORTING.—Rollovers under this paragraph shall be reported to the Secretary in the same manner as rollovers from qualified retirement plans (as defined in section 4974(c)).''.

(B) DEFERRAL LIMIT DETERMINED WITHOUT REGARD TO ROLLOVER AMOUNTS.—Section 457(b)(2) (defining eligible deferred compensation plan) is amended by inserting ''(other than rollover amounts)'' after ''taxable year''.

(C) DIRECT ROLLOVER.—Paragraph (1) of section 457(d) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by inserting after subparagraph (B) the following:

''(C) in the case of a plan maintained by an employer described in subsection (e)(1)(A), the plan meets requirements similar to the requirements of section 401(a)(31).

Any amount transferred in a direct trustee-to-trustee transfer in accordance with section 401(a)(31) shall not be includible in gross income for the taxable year of transfer.''.

(D) WITHHOLDING.—

(i) Paragraph (12) of section 3401(a) is amended by adding at the end the following:

''(E) under or to an eligible deferred compensation plan which, at the time of such payment, is a plan described in section 457(b) maintained by an employer described in section 457(e)(1)(A); or''.

(ii) Paragraph (3) of section 3405(c) is amended to read as follows:

''(3) ELIGIBLE ROLLOVER DISTRIBUTION.—For purposes of this subsection, the term 'eligible rollover distribution' has the meaning given such term by section 402(f)(2)(A).''.

(iii) LIABILITY FOR WITHHOLDING.—Subparagraph (B) of section 3405(d)(2) is amended by striking ''or'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', or'', and by adding at the end the following:

''(iv) section 457(b) and which is maintained by an eligible employer described in section 457(e)(1)(A).''.

(2) ROLLOVERS TO SECTION 457 PLANS.—

(A) IN GENERAL.—Section 402(c)(8)(B) (defining eligible retirement plan) is amended by striking ''and'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting '', and'', and by inserting after clause (iv) the following new clause:

''(v) an eligible deferred compensation plan described in section 457(b) which is maintained by an eligible employer described in section 457(e)(1)(A).''.

(B) SEPARATE ACCOUNTING.—Section 402(c) is amended by adding at the end the following new paragraph:

''(10) SEPARATE ACCOUNTING.—Unless a plan described in clause (v) of paragraph (8)(B) agrees to separately account for amounts rolled into such plan from eligible retirement plans not described in such clause, the plan described in such clause may not accept transfers or rollovers from such retirement plans.''.

(C) 10 PERCENT ADDITIONAL TAX.—Subsection (t) of section 72 (relating to 10-percent additional tax on early distributions from qualified retirement plans) is amended by adding at the end the following new paragraph:

''(9) SPECIAL RULE FOR ROLLOVERS TO SECTION 457 PLANS.—For purposes of this subsection, a distribution from an eligible deferred compensation plan (as defined in section 457(b)) of an eligible employer described in section 457(e)(1)(A) shall be treated as a distribution from a qualified retirement plan described in section 4974(c)(1) to the extent that such distribution is attributable to an amount transferred to an eligible deferred compensation plan from a qualified retirement plan (as defined in section 4974(c)).''.

(b) ALLOWANCE OF ROLLOVERS FROM AND TO 403(b) PLANS.—

(1) ROLLOVERS FROM SECTION 403(b) PLANS.—Section 403(b)(8)(A)(ii) (relating to rollover amounts) is amended by striking ''such distribution'' and all that follows and inserting ''such distribution to an eligible retirement plan described in section 402(c)(8)(B), and''.

(2) ROLLOVERS TO SECTION 403(b) PLANS.—Section 402(c)(8)(B) (defining eligible retirement plan), as amended by subsection (a), is amended by striking ''and'' at the end of clause (iv), by striking the period at the end of clause (v) and inserting '', and'', and by inserting after clause (v) the following new clause:

''(vi) an annuity contract described in section 403(b).''.

(c) EXPANDED EXPLANATION TO RECIPIENTS OF ROLLOVER DISTRIBUTIONS.—Paragraph (1) of section 402(f) (relating to written explanation to recipients of distributions eligible for rollover treatment) is amended by striking ''and'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting '', and'', and by adding at the end the following new subparagraph:

''(E) of the provisions under which distributions from the eligible retirement plan receiving the distribution may be subject to restrictions and tax consequences which are different from those applicable to distributions from the plan making such distribution.''.

(d) SPOUSAL ROLLOVERS.—Section 402(c)(9) (relating to rollover where spouse receives distribution after death of employee) is amended by striking ''; except that'' and all that follows up to the end period.

(e) CONFORMING AMENDMENTS.—

(1) Section 72(o)(4) is amended by striking ''and 408(d)(3)'' and inserting ''403(b)(8), 408(d)(3), and 457(e)(16)''.

(2) Section 219(d)(2) is amended by striking ''or 408(d)(3)'' and inserting ''408(d)(3), or 457(e)(16)''.

(3) Section 401(a)(31)(B) is amended by striking ''and 403(a)(4)'' and inserting '', 403(a)(4), 403(b)(8), and 457(e)(16)''.

(4) Subparagraph (A) of section 402(f)(2) is amended by striking ''or paragraph (4) of section 403(a)'' and inserting '', paragraph (4) of section 403(a), subparagraph (A) of section

403(b)(8), or subparagraph (A) of section 457(e)(16)''.

(5) Paragraph (1) of section 402(f) is amended by striking ''from an eligible retirement plan''.

(6) Subparagraphs (A) and (B) of section 402(f)(1) are amended by striking ''another eligible retirement plan'' and inserting ''an eligible retirement plan''.

(7) Subparagraph (B) of section 403(b)(8) is amended to read as follows:

''(B) CERTAIN RULES MADE APPLICABLE.—The rules of paragraphs (2) through (7) and (9) of section 402(c) and section 402(f) shall apply for purposes of subparagraph (A), except that section 402(f) shall be applied to the payor in lieu of the plan administrator.''.

(8) Section 408(a)(1) is amended by striking ''or 403(b)(8),'' and inserting ''403(b)(8), or 457(e)(16)''.

(9) Subparagraphs (A) and (B) of section 415(b)(2) are each amended by striking ''and 408(d)(3)'' and inserting ''403(b)(8), 408(d)(3), and 457(e)(16)''.

(10) Section 415(c)(2) is amended by striking ''and 408(d)(3)'' and inserting ''408(d)(3), and 457(e)(16)''.

(11) Section 4973(b)(1)(A) is amended by striking ''or 408(d)(3)'' and inserting ''408(d)(3), or 457(e)(16)''.

(f) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

(2) REASONABLE NOTICE.—No penalty shall be imposed on a plan for the failure to provide the information required by the amendment made by subsection (c) with respect to any distribution made before the date that is 90 days after the date on which the Secretary of the Treasury issues a safe harbor rollover notice after the date of the enactment of this Act, if the administrator of such plan makes a reasonable attempt to comply with such requirement.

(3) SPECIAL RULE.—Notwithstanding any other provision of law, subsections (h)(3) and (h)(5) of section 1122 of the Tax Reform Act of 1986 shall not apply to any distribution from an eligible retirement plan (as defined in clause (iii) or (iv) of section 402(c)(8)(B) of the Internal Revenue Code of 1986) on behalf of an individual if there was a rollover to such plan on behalf of such individual which is permitted solely by reason of any amendment made by this section.

SEC. 402. ROLLOVERS OF IRAS INTO WORKPLACE RETIREMENT PLANS.

(a) IN GENERAL.—Subparagraph (A) of section 408(d)(3) (relating to rollover amounts) is amended by adding ''or'' at the end of clause (i), by striking clauses (ii) and (iii), and by adding at the end the following:

''(ii) the entire amount received (including money and any other property) is paid into an eligible retirement plan for the benefit of such individual not later than the 60th day after the date on which the payment or distribution is received, except that the maximum amount which may be paid into such plan may not exceed the portion of the amount received which is includible in gross income (determined without regard to this paragraph).

For purposes of clause (ii), the term 'eligible retirement plan' means an eligible retirement plan described in clause (iii), (iv), (v), or (vi) of section 402(c)(8)(B).''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 403(b) is amended by striking ''section 408(d)(3)(A)(iii)'' and inserting ''section 408(d)(3)(A)(ii)''.

(2) Clause (i) of section 408(d)(3)(D) is amended by striking ''(i), (ii), or (iii)'' and inserting ''(i) or (ii)''.

(3) Subparagraph (G) of section 408(d)(3) is amended to read as follows:

''(G) SIMPLE RETIREMENT ACCOUNTS.—In the case of any payment or distribution out of a simple retirement account (as defined in subsection (p)) to which section 72(t)(6) applies, this paragraph shall not apply unless such payment or distribution is paid into another simple retirement account.''.

(c) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

(2) SPECIAL RULE.—Notwithstanding any other provision of law, subsections (h)(3) and (h)(5) of section 1122 of the Tax Reform Act of 1986 shall not apply to any distribution from an eligible retirement plan (as defined in clause (iii) or (iv) of section 402(c)(8)(B) of the Internal Revenue Code of 1986) on behalf of an individual if there was a rollover to such plan on behalf of such individual which is permitted solely by reason of the amendments made by this section.

SEC. 403. ROLLOVERS OF AFTER-TAX CONTRIBUTIONS.

(a) ROLLOVERS FROM EXEMPT TRUSTS.—Paragraph (2) of section 402(c) (relating to maximum amount which may be rolled over) is amended by adding at the end the following: ''The preceding sentence shall not apply to such distribution to the extent—

''(A) such portion is transferred in a direct trustee-to-trustee transfer to a qualified trust which is part of a plan which is a defined contribution plan and which agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible, or

''(B) such portion is transferred to an eligible retirement plan described in clause (i) or (ii) of paragraph (8)(B).''.

(b) OPTIONAL DIRECT TRANSFER OF ELIGIBLE ROLLOVER DISTRIBUTIONS.—Subparagraph (B) of section 401(a)(31) (relating to limitation) is amended by adding at the end the following:

''The preceding sentence shall not apply to such distribution if the plan to which such distribution is transferred—

''(i) agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible, or

''(ii) is an eligible retirement plan described in clause (i) or (ii) of section 402(c)(8)(B).''.

(c) RULES FOR APPLYING SECTION 72 TO IRAS.—Paragraph (3) of section 408(d) (relating to special rules for applying section 72) is amended by inserting at the end the following:

''(H) APPLICATION OF SECTION 72.—

''(i) IN GENERAL.—If—

''(I) a distribution is made from an individual retirement plan, and

''(II) a rollover contribution is made to an eligible retirement plan described in section 402(c)(8)(B)(iii), (iv), (v), or (vi) with respect to all or part of such distribution,

then, notwithstanding paragraph (2), the rules of clause (ii) shall apply for purposes of applying section 72.

''(ii) APPLICABLE RULES.—In the case of a distribution described in clause (i)—

''(I) section 72 shall be applied separately to such distribution,

''(II) notwithstanding the pro rata allocation of income on, and investment in, the contract to distributions under section 72, the portion of such distribution rolled over to an eligible retirement plan described in clause (i) shall be treated as from income on the contract (to the extent of the aggregate income on the contract from all individual retirement plans of the distributee), and

''(III) appropriate adjustments shall be made in applying section 72 to other distributions in such taxable year and subsequent taxable years.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 404. HARDSHIP EXCEPTION TO 60-DAY RULE.

(a) EXEMPT TRUSTS.—Paragraph (3) of section 402(c) (relating to transfer must be made within 60 days of receipt) is amended to read as follows:

''(3) TRANSFER MUST BE MADE WITHIN 60 DAYS OF RECEIPT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), paragraph (1) shall not apply to any transfer of a distribution made after the 60th day following the day on which the distributee received the property distributed.

''(B) HARDSHIP EXCEPTION.—The Secretary may waive the 60-day requirement under subparagraph (A) where the failure to waive such requirement would be against equity or good conscience, including casualty, disaster, or other events beyond the reasonable control of the individual subject to such requirement.''.

(b) IRAS.—Paragraph (3) of section 408(d) (relating to rollover contributions), as amended by section 403, is amended by adding after subparagraph (H) the following new subparagraph:

''(I) WAIVER OF 60-DAY REQUIREMENT.—The Secretary may waive the 60-day requirement under subparagraphs (A) and (D) where the failure to waive such requirement would be against equity or good conscience, including casualty, disaster, or other events beyond the reasonable control of the individual subject to such requirement.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 405. TREATMENT OF FORMS OF DISTRIBUTION.

(a) PLAN TRANSFERS.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—Paragraph (6) of section 411(d) (relating to accrued benefit not to be decreased by amendment) is amended by adding at the end the following:

''(D) PLAN TRANSFERS.—

''(i) IN GENERAL.—A defined contribution plan (in this subparagraph referred to as the 'transferee plan') shall not be treated as failing to meet the requirements of this subsection merely because the transferee plan does not provide some or all of the forms of distribution previously available under another defined contribution plan (in this subparagraph referred to as the 'transferor plan') to the extent that—

''(I) the forms of distribution previously available under the transferor plan applied to the account of a participant or beneficiary under the transferor plan that was transferred from the transferor plan to the transferee plan pursuant to a direct transfer rather than pursuant to a distribution from the transferor plan,

''(II) the terms of both the transferor plan and the transferee plan authorize the transfer described in subclause (I),

''(III) the transfer described in subclause (I) was made pursuant to a voluntary election by the participant or beneficiary whose account was transferred to the transferee plan,

''(IV) the election described in subclause (III) was made after the participant or beneficiary received a notice describing the consequences of making the election, and

''(V) the transferee plan allows the participant or beneficiary described in subclause (III) to receive any distribution to which the participant or beneficiary is entitled under the transferee plan in the form of a single sum distribution.

''(ii) EXCEPTION.—Clause (i) shall apply to plan mergers and other transactions having

the effect of a direct transfer, including consolidations of benefits attributable to different employers within a multiple employer plan.

''(E) ELIMINATION OF FORM OF DISTRIBUTION.—Except to the extent provided in regulations, a defined contribution plan shall not be treated as failing to meet the requirements of this section merely because of the elimination of a form of distribution previously available thereunder. This subparagraph shall not apply to the elimination of a form of distribution with respect to any participant unless—

''(i) a single sum payment is available to such participant at the same time or times as the form of distribution being eliminated, and

''(ii) such single sum payment is based on the same or greater portion of the participant's account as the form of distribution being eliminated.''.

(2) AMENDMENT OF ERISA.—Section 204(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)) is amended by adding at the end the following:

''(4)(A) A defined contribution plan (in this subparagraph referred to as the 'transferee plan') shall not be treated as failing to meet the requirements of this subsection merely because the transferee plan does not provide some or all of the forms of distribution previously available under another defined contribution plan (in this subparagraph referred to as the 'transferor plan') to the extent that—

''(i) the forms of distribution previously available under the transferor plan applied to the account of a participant or beneficiary under the transferor plan that was transferred from the transferor plan to the transferee plan pursuant to a direct transfer rather than pursuant to a distribution from the transferor plan;

''(ii) the terms of both the transferor plan and the transferee plan authorize the transfer described in clause (i);

''(iii) the transfer described in clause (i) was made pursuant to a voluntary election by the participant or beneficiary whose account was transferred to the transferee plan;

''(iv) the election described in clause (iii) was made after the participant or beneficiary received a notice describing the consequences of making the election; and

''(v) the transferee plan allows the participant or beneficiary described in clause (iii) to receive any distribution to which the participant or beneficiary is entitled under the transferee plan in the form of a single sum distribution.

''(B) Subparagraph (A) shall apply to plan mergers and other transactions having the effect of a direct transfer, including consolidations of benefits attributable to different employers within a multiple employer plan.

''(5) Except to the extent provided in regulations promulgated by the Secretary of the Treasury, a defined contribution plan shall not be treated as failing to meet the requirements of this subsection merely because of the elimination of a form of distribution previously available thereunder. This paragraph shall not apply to the elimination of a form of distribution with respect to any participant unless—

''(A) a single sum payment is available to such participant at the same time or times as the form of distribution being eliminated; and

''(B) such single sum payment is based on the same or greater portion of the participant's account as the form of distribution being eliminated.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning after December 31, 2001.

(b) REGULATIONS.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—Paragraph (6)(B) of section 411(d) (relating to accrued benefit not to be decreased by amendment) is amended by inserting after the second sentence the following new sentence: ''The Secretary shall by regulations provide that this subparagraph shall not apply to any plan amendment which reduces or eliminates benefits or subsidies which create significant burdens or complexities for the plan and plan participants and does not adversely affect the rights of any participant in a more than de minimis manner.''.

(2) AMENDMENT OF ERISA.—Section 204(g)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)(2)) is amended by inserting before the last sentence the following new sentence: ''The Secretary of the Treasury shall by regulations provide that this paragraph shall not apply to any plan amendment which reduces or eliminates benefits or subsidies which create significant burdens or complexities for the plan and plan participants and does not adversely affect the rights of any participant in a more than de minimis manner.''.

(3) SECRETARY DIRECTED.—Not later than December 31, 2003, the Secretary of the Treasury is directed to issue regulations under section 411(d)(6) of the Internal Revenue Code of 1986 and section 204(g) of the Employee Retirement Income Security Act of 1974, including the regulations required by the amendment made by this subsection. Such regulations shall apply to plan years beginning after December 31, 2003, or such earlier date as is specified by the Secretary of the Treasury.

SEC. 406. RATIONALIZATION OF RESTRICTIONS ON DISTRIBUTIONS.

(a) MODIFICATION OF SAME DESK EXCEPTION.—

(1) SECTION 401(k).—

(A) Section 401(k)(2)(B)(i)(I) (relating to qualified cash or deferred arrangements) is amended by striking ''separation from service'' and inserting ''severance from employment''.

(B) Subparagraph (A) of section 401(k)(10) (relating to distributions upon termination of plan or disposition of assets or subsidiary) is amended to read as follows:

''(A) IN GENERAL.—An event described in this subparagraph is the termination of the plan without establishment or maintenance of another defined contribution plan (other than an employee stock ownership plan as defined in section 4975(e)(7)).''.

(C) Section 401(k)(10) is amended—

(i) in subparagraph (B)—

(I) by striking ''An event'' in clause (i) and inserting ''A termination''; and

(II) by striking ''the event'' in clause (i) and inserting ''the termination'';

(ii) by striking subparagraph (C); and

(iii) by striking ''OR DISPOSITION OF ASSETS OR SUBSIDIARY'' in the heading.

(2) SECTION 403(b).—

(A) Paragraphs (7)(A)(ii) and (11)(A) of section 403(b) are each amended by striking ''separates from service'' and inserting ''has a severance from employment''.

(B) The heading for paragraph (11) of section 403(b) is amended by striking ''SEPARATION FROM SERVICE'' and inserting ''SEVERANCE FROM EMPLOYMENT''.

(3) SECTION 457.—Clause (ii) of section 457(d)(1)(A) is amended by striking ''is separated from service'' and inserting ''has a severance from employment''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 407. PURCHASE OF SERVICE CREDIT IN GOVERNMENTAL DEFINED BENEFIT PLANS.

(a) 403(b) PLANS.—Subsection (b) of section 403 is amended by adding at the end the following new paragraph:

''(13) TRUSTEE-TO-TRUSTEE TRANSFERS TO PURCHASE PERMISSIVE SERVICE CREDIT.—No amount shall be includible in gross income by reason of a direct trustee-to-trustee transfer to a defined benefit governmental plan (as defined in section 414(d)) if such transfer is—

''(A) for the purchase of permissive service credit (as defined in section 415(n)(3)(A)) under such plan, or

''(B) a repayment to which section 415 does not apply by reason of subsection (k)(3) thereof.''.

(b) 457 PLANS.—Subsection (e) of section 457 is amended by adding after paragraph (16) the following new paragraph:

''(17) TRUSTEE-TO-TRUSTEE TRANSFERS TO PURCHASE PERMISSIVE SERVICE CREDIT.—No amount shall be includible in gross income by reason of a direct trustee-to-trustee transfer to a defined benefit governmental plan (as defined in section 414(d)) if such transfer is—

''(A) for the purchase of permissive service credit (as defined in section 415(n)(3)(A)) under such plan, or

''(B) a repayment to which section 415 does not apply by reason of subsection (k)(3) thereof.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to trustee-to-trustee transfers after December 31, 2001.

SEC. 408. EMPLOYERS MAY DISREGARD ROLLOVERS FOR PURPOSES OF CASH-OUT AMOUNTS.

(a) QUALIFIED PLANS.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—Section 411(a)(11) (relating to restrictions on certain mandatory distributions) is amended by adding at the end the following:

''(D) SPECIAL RULE FOR ROLLOVER CONTRIBUTIONS.—A plan shall not fail to meet the requirements of this paragraph if, under the terms of the plan, the present value of the nonforfeitable accrued benefit is determined without regard to that portion of such benefit which is attributable to rollover contributions (and earnings allocable thereto). For purposes of this subparagraph, the term 'rollover contributions' means any rollover contribution under sections 402(c), 403(a)(4), 403(b)(8), 408(d)(3)(A)(ii), and 457(e)(16).''.

(2) AMENDMENT OF ERISA.—Section 203(e) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(c)) is amended by adding at the end the following:

''(4) A plan shall not fail to meet the requirements of this subsection if, under the terms of the plan, the present value of the nonforfeitable accrued benefit is determined without regard to that portion of such benefit which is attributable to rollover contributions (and earnings allocable thereto). For purposes of this subparagraph, the term 'rollover contributions' means any rollover contribution under sections 402(c), 403(a)(4), 403(b)(8), 408(d)(3)(A)(ii), and 457(e)(16) of the Internal Revenue Code of 1986.''.

(b) ELIGIBLE DEFERRED COMPENSATION PLANS.—Clause (i) of section 457(e)(9)(A) is amended by striking ''such amount'' and inserting ''the portion of such amount which is not attributable to rollover contributions (as defined in section 411(a)(11)(D))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 409. MINIMUM DISTRIBUTION AND INCLUSION REQUIREMENTS FOR SECTION 457 PLANS.

(a) MINIMUM DISTRIBUTION REQUIREMENTS.—Paragraph (2) of section 457(d) (relating to distribution requirements) is amended to read as follows:

''(2) MINIMUM DISTRIBUTION REQUIREMENTS.—A plan meets the minimum distribution requirements of this paragraph if such plan meets the requirements of section 401(a)(9).''.

(b) INCLUSION IN GROSS INCOME.—

(1) YEAR OF INCLUSION.—Subsection (a) of section 457 (relating to year of inclusion in gross income) is amended to read as follows:

''(a) YEAR OF INCLUSION IN GROSS INCOME.—

''(1) IN GENERAL.—Any amount of compensation deferred under an eligible deferred compensation plan, and any income attributable to the amounts so deferred, shall be includible in gross income only for the taxable year in which such compensation or other income—

''(A) is paid to the participant or other beneficiary, in the case of a plan of an eligible employer described in subsection (e)(1)(A), and

''(B) is paid or otherwise made available to the participant or other beneficiary, in the case of a plan of an eligible employer described in subsection (e)(1)(B).

''(2) SPECIAL RULE FOR ROLLOVER AMOUNTS.—To the extent provided in section 72(t)(9), section 72(t) shall apply to any amount includible in gross income under this subsection.''.

(2) CONFORMING AMENDMENTS.—

(A) So much of paragraph (9) of section 457(e) as precedes subparagraph (A) is amended to read as follows:

''(9) BENEFITS OF TAX EXEMPT ORGANIZATION PLANS NOT TREATED AS MADE AVAILABLE BY REASON OF CERTAIN ELECTIONS, ETC.—In the case of an eligible deferred compensation plan of an employer described in subsection (e)(1)(B)—''.

(B) Section 457(d) is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR GOVERNMENT PLAN.—An eligible deferred compensation plan of an employer described in subsection (e)(1)(A) shall not be treated as failing to meet the requirements of this subsection solely by reason of making a distribution described in subsection (e)(9)(A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

TITLE V—STRENGTHENING PENSION SECURITY AND ENFORCEMENT

SEC. 501. REPEAL OF PERCENT OF CURRENT LIABILITY FUNDING LIMIT.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—Section 412(c)(7) (relating to full-funding limitation) is amended—

(1) by striking ''the applicable percentage'' in subparagraph (A)(i)(I) and inserting ''in the case of plan years beginning before January 1, 2004, the applicable percentage''; and

(2) by amending subparagraph (F) to read as follows:

''(F) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A)(i)(I), the applicable percentage shall be determined in accordance with the following table:

''In the case of any plan year beginning in—	**The applicable percentage is—**
2002	165
2003	170.''.

(b) AMENDMENT OF ERISA.—Section 302(c)(7) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1082(c)(7)) is amended—

(1) by striking ''the applicable percentage'' in subparagraph (A)(i)(I) and inserting ''in the case of plan years beginning before January 1, 2004, the applicable percentage''; and

(2) by amending subparagraph (F) to read as follows:

''(F) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A)(i)(I), the applicable percentage shall be determined in accordance with the following table:

''In the case of any plan year beginning in—	**The applicable percentage is—**
2002	165
2003	170.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2001.

SEC. 502. MAXIMUM CONTRIBUTION DEDUCTION RULES MODIFIED AND APPLIED TO ALL DEFINED BENEFIT PLANS.

(a) IN GENERAL.—Subparagraph (D) of section 404(a)(1) (relating to special rule in case of certain plans) is amended to read as follows:

''(D) SPECIAL RULE IN CASE OF CERTAIN PLANS.—

''(i) IN GENERAL.—In the case of any defined benefit plan, except as provided in regulations, the maximum amount deductible under the limitations of this paragraph shall not be less than the unfunded termination liability (determined as if the proposed termination date referred to in section 4041(b)(2)(A)(i)(II) of the Employee Retirement Income Security Act of 1974 were the last day of the plan year).

''(ii) PLANS WITH LESS THAN 100 PARTICIPANTS.—For purposes of this subparagraph, in the case of a plan which has less than 100 participants for the plan year, termination liability shall not include the liability attributable to benefit increases for highly compensated employees (as defined in section 414(q)) resulting from a plan amendment which is made or becomes effective, whichever is later, within the last 2 years before the termination date.

''(iii) RULE FOR DETERMINING NUMBER OF PARTICIPANTS.—For purposes of determining whether a plan has more than 100 participants, all defined benefit plans maintained by the same employer (or any member of such employer's controlled group (within the meaning of section 412(l)(8)(C))) shall be treated as one plan, but only employees of such member or employer shall be taken into account.

''(iv) PLANS MAINTAINED BY PROFESSIONAL SERVICE EMPLOYERS.—Clause (i) shall not apply to a plan described in section 4021(b)(13) of the Employee Retirement Income Security Act of 1974.''.

(b) CONFORMING AMENDMENT.—Paragraph (6) of section 4972(c), as amended by section 207, is amended to read as follows:

''(6) EXCEPTIONS.—In determining the amount of nondeductible contributions for any taxable year, there shall not be taken into account so much of the contributions to one or more defined contribution plans which are not deductible when contributed solely because of section 404(a)(7) as does not exceed the greater of—

''(A) the amount of contributions not in excess of 6 percent of compensation (within the meaning of section 404(a)) paid or accrued (during the taxable year for which the contributions were made) to beneficiaries under the plans, or

''(B) the sum of—

''(i) the amount of contributions described in section 401(m)(4)(A), plus

''(ii) the amount of contributions described in section 402(g)(3)(A).

For purposes of this paragraph, the deductible limits under section 404(a)(7) shall first be applied to amounts contributed to a defined benefit plan and then to amounts described in subparagraph (B).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2001.

SEC. 503. EXCISE TAX RELIEF FOR SOUND PENSION FUNDING.

(a) IN GENERAL.—Subsection (c) of section 4972 (relating to nondeductible contributions) is amended by adding at the end the following new paragraph:

''(7) DEFINED BENEFIT PLAN EXCEPTION.—In determining the amount of nondeductible contributions for any taxable year, an employer may elect for such year not to take into account any contributions to a defined benefit plan except to the extent that such contributions exceed the full-funding limitation (as defined in section 412(c)(7), determined without regard to subparagraph (A)(i)(I) thereof). For purposes of this paragraph, the deductible limits under section 404(a)(7) shall first be applied to amounts contributed to defined contribution plans and then to amounts described in this paragraph. If an employer makes an election under this paragraph for a taxable year, paragraph (6) shall not apply to such employer for such taxable year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

SEC. 504. EXCISE TAX ON FAILURE TO PROVIDE NOTICE BY DEFINED BENEFIT PLANS SIGNIFICANTLY REDUCING FUTURE BENEFIT ACCRUALS.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—

(1) IN GENERAL.—Chapter 43 (relating to qualified pension, etc., plans) is amended by adding at the end the following new section:

''SEC. 4980F. FAILURE OF APPLICABLE PLANS REDUCING BENEFIT ACCRUALS TO SATISFY NOTICE REQUIREMENTS.

''(a) IMPOSITION OF TAX.—There is hereby imposed a tax on the failure of any applicable pension plan to meet the requirements of subsection (e) with respect to any applicable individual.

''(b) AMOUNT OF TAX.—

''(1) IN GENERAL.—The amount of the tax imposed by subsection (a) on any failure with respect to any applicable individual shall be $100 for each day in the noncompliance period with respect to such failure.

''(2) NONCOMPLIANCE PERIOD.—For purposes of this section, the term 'noncompliance period' means, with respect to any failure, the period beginning on the date the failure first occurs and ending on the date the notice to which the failure relates is provided or the failure is otherwise corrected.

''(c) LIMITATIONS ON AMOUNT OF TAX.—

''(1) TAX NOT TO APPLY WHERE FAILURE NOT DISCOVERED AND REASONABLE DILIGENCE EXERCISED.—No tax shall be imposed by subsection (a) on any failure during any period for which it is established to the satisfaction of the Secretary that any person subject to liability for the tax under subsection (d) did not know that the failure existed and exercised reasonable diligence to meet the requirements of subsection (e).

''(2) TAX NOT TO APPLY TO FAILURES CORRECTED WITHIN 30 DAYS.—No tax shall be imposed by subsection (a) on any failure if—

''(A) any person subject to liability for the tax under subsection (d) exercised reasonable diligence to meet the requirements of subsection (e), and

''(B) such person provides the notice described in subsection (e) during the 30-day period beginning on the first date such person knew, or exercising reasonable diligence would have known, that such failure existed.

''(3) OVERALL LIMITATION FOR UNINTENTIONAL FAILURES.—

''(A) IN GENERAL.—If the person subject to liability for tax under subsection (d) exercised reasonable diligence to meet the requirements of subsection (e), the tax imposed by subsection (a) for failures during the taxable year of the employer (or, in the case of a multiemployer plan, the taxable year of the trust forming part of the plan) shall not exceed $500,000. For purposes of the preceding sentence, all multiemployer plans of which the same trust forms a part shall be treated as 1 plan.

''(B) TAXABLE YEARS IN THE CASE OF CERTAIN CONTROLLED GROUPS.—For purposes of this paragraph, if all persons who are treated as a single employer for purposes of this section do not have the same taxable year, the taxable years taken into account shall be determined under principles similar to the principles of section 1561.

''(4) WAIVER BY SECRETARY.—In the case of a failure which is due to reasonable cause and not to willful neglect, the Secretary may waive part or all of the tax imposed by subsection (a) to the extent that the payment of such tax would be excessive or otherwise inequitable relative to the failure involved.

''(d) LIABILITY FOR TAX.—The following shall be liable for the tax imposed by subsection (a):

''(1) In the case of a plan other than a multiemployer plan, the employer.

''(2) In the case of a multiemployer plan, the plan.

''(e) NOTICE REQUIREMENTS FOR PLANS SIGNIFICANTLY REDUCING BENEFIT ACCRUALS.—

''(1) IN GENERAL.—If an applicable pension plan is amended to provide for a significant reduction in the rate of future benefit accrual, the plan administrator shall provide written notice to each applicable individual (and to each employee organization representing applicable individuals).

''(2) NOTICE.—The notice required by paragraph (1) shall be written in a manner calculated to be understood by the average plan participant and shall provide sufficient information (as determined in accordance with regulations prescribed by the Secretary) to allow applicable individuals to understand the effect of the plan amendment. The Secretary may provide a simplified form of notice for, or exempt from any notice requirement, a plan—

''(A) which has fewer than 100 participants who have accrued a benefit under the plan, or

''(B) which offers participants the option to choose between the new benefit formula and the old benefit formula.

''(3) TIMING OF NOTICE.—Except as provided in regulations, the notice required by paragraph (1) shall be provided within a reasonable time before the effective date of the plan amendment.

''(4) DESIGNEES.—Any notice under paragraph (1) may be provided to a person designated, in writing, by the person to which it would otherwise be provided.

''(5) NOTICE BEFORE ADOPTION OF AMENDMENT.—A plan shall not be treated as failing to meet the requirements of paragraph (1) merely because notice is provided before the adoption of the plan amendment if no material modification of the amendment occurs before the amendment is adopted.

''(f) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) APPLICABLE INDIVIDUAL.—The term 'applicable individual' means, with respect to any plan amendment—

''(A) each participant in the plan, and

''(B) any beneficiary who is an alternate payee (within the meaning of section 414(p)(8)) under an applicable qualified domestic relations order (within the meaning of section 414(p)(1)(A)),

whose rate of future benefit accrual under the plan may reasonably be expected to be significantly reduced by such plan amendment.

''(2) APPLICABLE PENSION PLAN.—The term 'applicable pension plan' means—

''(A) any defined benefit plan, or

''(B) an individual account plan which is subject to the funding standards of section 412.

Such term shall not include a governmental plan (within the meaning of section 414(d)) or a church plan (within the meaning of section 414(e)) with respect to which the election provided by section 410(d) has not been made.

''(3) EARLY RETIREMENT.—A plan amendment which eliminates or significantly reduces any early retirement benefit or retirement-type subsidy (within the meaning of section 411(d)(6)(B)(i)) shall be treated as having the effect of significantly reducing the rate of future benefit accrual.

''(g) NEW TECHNOLOGIES.—The Secretary may by regulations allow any notice under subsection (e) to be provided by using new technologies.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 43 is amended by adding at the end the following new item:

''Sec. 4980F. Failure of applicable plans reducing benefit accruals to satisfy notice requirements.''.

(b) AMENDMENT OF ERISA.—Section 204(h) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(h)) is amended by adding at the end the following new paragraphs:

''(3)(A) An applicable pension plan to which paragraph (1) applies shall not be treated as meeting the requirements of such paragraph unless, in addition to any notice required to be provided to an individual or organization under such paragraph, the plan administrator provides the notice described in subparagraph (B) to each applicable individual (and to each employee organization representing applicable individuals).

''(B) The notice required by subparagraph (A) shall be written in a manner calculated to be understood by the average plan participant and shall provide sufficient information (as determined in accordance with regulations prescribed by the Secretary of the Treasury) to allow applicable individuals to understand the effect of the plan amendment. The Secretary of the Treasury may provide a simplified form of notice for, or exempt from any notice requirement, a plan—

''(i) which has fewer than 100 participants who have accrued a benefit under the plan, or

''(ii) which offers participants the option to choose between the new benefit formula and the old benefit formula.

''(C) Except as provided in regulations prescribed by the Secretary of the Treasury, the notice required by subparagraph (A) shall be provided within a reasonable time before the effective date of the plan amendment.

''(D) Any notice under subparagraph (A) may be provided to a person designated, in writing, by the person to which it would otherwise be provided.

''(E) A plan shall not be treated as failing to meet the requirements of subparagraph (A) merely because notice is provided before the adoption of the plan amendment if no material modification of the amendment occurs before the amendment is adopted.

''(F) The Secretary of the Treasury may by regulations allow any notice under this paragraph to be provided by using new technologies.

''(4) For purposes of paragraph (3)—

''(A) The term 'applicable individual' means, with respect to any plan amendment—

''(i) each participant in the plan; and

''(ii) any beneficiary who is an alternate payee (within the meaning of section 206(d)(3)(K)) under an applicable qualified domestic relations order (within the meaning of section 206(d)(3)(B)(i)),

whose rate of future benefit accrual under the plan may reasonably be expected to be significantly reduced by such plan amendment.

''(B) The term 'applicable pension plan' means—

''(i) any defined benefit plan; or

''(ii) an individual account plan which is subject to the funding standards of section 412 of the Internal Revenue Code of 1986.

''(C) A plan amendment which eliminates or significantly reduces any early retirement benefit or retirement-type subsidy (within the meaning of subsection (g)(2)(A)) shall be treated as having the effect of significantly reducing the rate of future benefit accrual.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan amendments taking effect on or after the date of the enactment of this Act.

(2) TRANSITION.—Until such time as the Secretary of the Treasury issues regulations under sections 4980F(e)(2) and (3) of the Internal Revenue Code of 1986, and section 204(h)(3) of the Employee Retirement Income Security Act of 1974, as added by the amendments made by this section, a plan shall be treated as meeting the requirements of such sections if it makes a good faith effort to comply with such requirements.

(3) SPECIAL NOTICE RULE.—

(A) IN GENERAL.—The period for providing any notice required by the amendments made by this section shall not end before the date which is 3 months after the date of the enactment of this Act.

(B) REASONABLE NOTICE.—The amendments made by this section shall not apply to any plan amendment taking effect on or after the date of the enactment of this Act if, before April 25, 2001, notice was provided to participants and beneficiaries adversely affected by the plan amendment (or their representatives) which was reasonably expected to notify them of the nature and effective date of the plan amendment.

(d) STUDY.—The Secretary of the Treasury shall prepare a report on the effects of conversions of traditional defined benefit plans to cash balance or hybrid formula plans. Such study shall examine the effect of such conversions on longer service participants, including the incidence and effects of ''wear away'' provisions under which participants earn no additional benefits for a period of time after the conversion. As soon as practicable, but not later than 60 days after the date of the enactment of this Act, the Secretary shall submit such report, together with recommendations thereon, to the Committee on Ways and Means and the Committee on Education and the Workforce of the House of Representatives and the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate.

SEC. 505. TREATMENT OF MULTIEMPLOYER PLANS UNDER SECTION 415.

(a) COMPENSATION LIMIT.—

(1) IN GENERAL.—Paragraph (11) of section 415(b) (relating to limitation for defined benefit plans) is amended to read as follows:

''(11) SPECIAL LIMITATION RULE FOR GOVERNMENTAL AND MULTIEMPLOYER PLANS.—In the case of a governmental plan (as defined in section 414(d)) or a multiemployer plan (as defined in section 414(f)), subparagraph (B) of paragraph (1) shall not apply.''.

(2) CONFORMING AMENDMENT.—Section 415(b)(7) (relating to benefits under certain collectively bargained plans) is amended by inserting ''(other than a multiemployer plan)'' after ''defined benefit plan'' in the matter preceding subparagraph (A).

(b) COMBINING AND AGGREGATION OF PLANS.—

(1) COMBINING OF PLANS.—Subsection (f) of section 415 (relating to combining of plans) is amended by adding at the end the following:

''(3) EXCEPTION FOR MULTIEMPLOYER PLANS.—Notwithstanding paragraph (1) and subsection (g), a multiemployer plan (as defined in section 414(f)) shall not be combined or aggregated—

''(A) with any other plan which is not a multiemployer plan for purposes of applying subsection (b)(1)(B) to such other plan, or

''(B) with any other multiemployer plan for purposes of applying the limitations established in this section.''.

(2) CONFORMING AMENDMENT FOR AGGREGATION OF PLANS.—Subsection (g) of section 415 (relating to aggregation of plans) is amended by striking ''The Secretary'' and inserting ''Except as provided in subsection (f)(3), the Secretary''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 506. PROTECTION OF INVESTMENT OF EMPLOYEE CONTRIBUTIONS TO 401(K) PLANS.

(a) IN GENERAL.—Section 1524(b) of the Taxpayer Relief Act of 1997 is amended to read as follows:

''(b) EFFECTIVE DATE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to elective deferrals for plan years beginning after December 31, 1998.

''(2) NONAPPLICATION TO PREVIOUSLY ACQUIRED PROPERTY.—The amendments made by this section shall not apply to any elective deferral which is invested in assets consisting of qualifying employer securities, qualifying employer real property, or both, if such assets were acquired before January 1, 1999.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply as if included in the provision of the Taxpayer Relief Act of 1997 to which it relates.

SEC. 507. PERIODIC PENSION BENEFITS STATEMENTS.

(a) IN GENERAL.—Section 105(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025 (a)) is amended to read as follows:

''SEC. 105. (a)(1)(A) The administrator of an individual account plan shall furnish a pension benefit statement—

''(i) to a plan participant at least once annually, and

''(ii) to a plan beneficiary upon written request.

''(B) The administrator of a defined benefit plan shall furnish a pension benefit statement—

''(i) at least once every 3 years to each participant with a nonforfeitable accrued benefit who is employed by the employer maintaining the plan at the time the statement is furnished to participants, and

''(ii) to a plan participant or plan beneficiary of the plan upon written request.

''(2) A pension benefit statement under paragraph (1)—

''(A) shall indicate, on the basis of the latest available information—

''(i) the total benefits accrued, and

''(ii) the nonforfeitable pension benefits, if any, which have accrued, or the earliest date on which benefits will become nonforfeitable,

''(B) shall be written in a manner calculated to be understood by the average plan participant, and

''(C) may be provided in written, electronic, or other appropriate form.

''(3)(A) In the case of a defined benefit plan, the requirements of paragraph (1)(B)(i) shall be treated as met with respect to a participant if the administrator provides the participant at least once each year with notice of the availability of the pension benefit statement and the ways in which the participant may obtain such statement. Such notice shall be provided in written, electronic, or other appropriate form, and may be included with other communications to the participant if done in a manner reasonably designed to attract the attention of the participant.

''(B) The Secretary may provide that years in which no employee or former employee benefits (within the meaning of section 410(b) of the Internal Revenue Code of 1986) under the plan need not be taken into account in determining the 3-year period under paragraph (1)(B)(i).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 105 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025) is amended by striking subsection (d).

(2) Section 105(b) of such Act (29 U.S.C. 1025(b)) is amended to read as follows:

''(b) In no case shall a participant or beneficiary of a plan be entitled to more than one statement described in subsection (a)(1)(A) or (a)(1)(B)(ii), whichever is applicable, in any 12-month period.''.

(c) MODEL STATEMENTS.—The Secretary of Labor shall develop a model benefit statement, written in a manner calculated to be understood by the average plan participant, that may be used by plan administrators in complying with the requirements of section 105 of the Employee Retirement Income Security Act of 1974.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2002.

SEC. 508. PROHIBITED ALLOCATIONS OF STOCK IN S CORPORATION ESOP.

(a) IN GENERAL.—Section 409 (relating to qualifications for tax credit employee stock ownership plans) is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) PROHIBITED ALLOCATIONS OF SECURITIES IN AN S CORPORATION.—

''(1) IN GENERAL.—An employee stock ownership plan holding employer securities consisting of stock in an S corporation shall provide that no portion of the assets of the plan attributable to (or allocable in lieu of) such employer securities may, during a nonallocation year, accrue (or be allocated directly or indirectly under any plan of the employer meeting the requirements of section 401(a)) for the benefit of any disqualified person.

''(2) FAILURE TO MEET REQUIREMENTS.—

''(A) IN GENERAL.—If a plan fails to meet the requirements of paragraph (1), the plan shall be treated as having distributed to any disqualified person the amount allocated to the account of such person in violation of paragraph (1) at the time of such allocation.

''(B) CROSS REFERENCE.—

"For excise tax relating to violations of paragraph (1) and ownership of synthetic equity, see section 4979A.

''(3) NONALLOCATION YEAR.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'nonallocation year' means any plan year of an employee stock ownership plan if, at any time during such plan year—

''(i) such plan holds employer securities consisting of stock in an S corporation, and

''(ii) disqualified persons own at least 50 percent of the number of shares of stock in the S corporation.

''(B) ATTRIBUTION RULES.—For purposes of subparagraph (A)—

''(i) IN GENERAL.—The rules of section 318(a) shall apply for purposes of determining ownership, except that—

''(I) in applying paragraph (1) thereof, the members of an individual's family shall include members of the family described in paragraph (4)(D), and

''(II) paragraph (4) thereof shall not apply.

''(ii) DEEMED-OWNED SHARES.—Notwithstanding the employee trust exception in section 318(a)(2)(B)(i), individual shall be treated as owning deemed-owned shares of the individual.

Solely for purposes of applying paragraph (5), this subparagraph shall be applied after the attribution rules of paragraph (5) have been applied.

''(4) DISQUALIFIED PERSON.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'disqualified person' means any person if—

''(i) the aggregate number of deemed-owned shares of such person and the members of such person's family is at least 20 percent of the number of deemed-owned shares of stock in the S corporation, or

''(ii) in the case of a person not described in clause (i), the number of deemed-owned shares of such person is at least 10 percent of the number of deemed-owned shares of stock in such corporation.

''(B) TREATMENT OF FAMILY MEMBERS.—In the case of a disqualified person described in subparagraph (A)(i), any member of such person's family with deemed-owned shares shall be treated as a disqualified person if not otherwise treated as a disqualified person under subparagraph (A).

''(C) DEEMED-OWNED SHARES.—

''(i) IN GENERAL.—The term 'deemed-owned shares' means, with respect to any person—

''(I) the stock in the S corporation constituting employer securities of an employee stock ownership plan which is allocated to such person under the plan, and

''(II) such person's share of the stock in such corporation which is held by such plan but which is not allocated under the plan to participants.

''(ii) PERSON'S SHARE OF UNALLOCATED STOCK.—For purposes of clause (i)(II), a person's share of unallocated S corporation stock held by such plan is the amount of the unallocated stock which would be allocated to such person if the unallocated stock were allocated to all participants in the same proportions as the most recent stock allocation under the plan.

''(D) MEMBER OF FAMILY.—For purposes of this paragraph, the term 'member of the family' means, with respect to any individual—

''(i) the spouse of the individual,

''(ii) an ancestor or lineal descendant of the individual or the individual's spouse,

''(iii) a brother or sister of the individual or the individual's spouse and any lineal descendant of the brother or sister, and

''(iv) the spouse of any individual described in clause (ii) or (iii).

A spouse of an individual who is legally separated from such individual under a decree of divorce or separate maintenance shall not be treated as such individual's spouse for purposes of this subparagraph.

''(5) TREATMENT OF SYNTHETIC EQUITY.—For purposes of paragraphs (3) and (4), in the case of a person who owns synthetic equity in the S corporation, except to the extent provided in regulations, the shares of stock in such corporation on which such synthetic equity is based shall be treated as outstanding stock in such corporation and deemed-owned shares of such person if such treatment of synthetic equity of 1 or more such persons results in—

''(A) the treatment of any person as a disqualified person, or

''(B) the treatment of any year as a nonallocation year.

For purposes of this paragraph, synthetic equity shall be treated as owned by a person in the same manner as stock is treated as owned by a person under the rules of paragraphs (2) and (3) of section 318(a). If, without regard to this paragraph, a person is treated as a disqualified person or a year is treated as a nonallocation year, this paragraph shall not be construed to result in the person or year not being so treated.

''(6) DEFINITIONS.—For purposes of this subsection—

''(A) EMPLOYEE STOCK OWNERSHIP PLAN.—The term 'employee stock ownership plan' has the meaning given such term by section 4975(e)(7).

''(B) EMPLOYER SECURITIES.—The term 'employer security' has the meaning given such term by section 409(l).

''(C) SYNTHETIC EQUITY.—The term 'synthetic equity' means any stock option, warrant, restricted stock, deferred issuance stock right, or similar interest or right that gives the holder the right to acquire or receive stock of the S corporation in the future. Except to the extent provided in regulations, synthetic equity also includes a stock appreciation right, phantom stock unit, or similar right to a future cash payment based on the value of such stock or appreciation in such value.

''(7) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection.''.

(b) COORDINATION WITH SECTION 4975(e)(7).—The last sentence of section 4975(e)(7) (defining employee stock ownership plan) is amended by inserting '', section 409(p),'' after ''409(n)''.

(c) EXCISE TAX.—

(1) APPLICATION OF TAX.—Subsection (a) of section 4979A (relating to tax on certain prohibited allocations of employer securities) is amended—

(A) by striking ''or'' at the end of paragraph (1), and

(B) by striking all that follows paragraph (2) and inserting the following:

''(3) there is any allocation of employer securities which violates the provisions of section 409(p), or a nonallocation year described in subsection (e)(2)(C) with respect to an employee stock ownership plan, or

''(4) any synthetic equity is owned by a disqualified person in any nonallocation year,

there is hereby imposed a tax on such allocation or ownership equal to 50 percent of the amount involved.''.

(2) LIABILITY.—Section 4979A(c) (defining liability for tax) is amended to read as follows:

''(c) LIABILITY FOR TAX.—The tax imposed by this section shall be paid—

''(1) in the case of an allocation referred to in paragraph (1) or (2) of subsection (a), by—

''(A) the employer sponsoring such plan, or

''(B) the eligible worker-owned cooperative,

which made the written statement described in section 664(g)(1)(E) or in section 1042(b)(3)(B) (as the case may be), and

''(2) in the case of an allocation or ownership referred to in paragraph (3) or (4) of subsection (a), by the S corporation the stock in which was so allocated or owned.''.

(3) DEFINITIONS.—Section 4979A(e) (relating to definitions) is amended to read as follows:

''(e) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) DEFINITIONS.—Except as provided in paragraph (2), terms used in this section have the same respective meanings as when used in sections 409 and 4978.

''(2) SPECIAL RULES RELATING TO TAX IMPOSED BY REASON OF PARAGRAPH (3) OR (4) OF SUBSECTION (a).—

''(A) PROHIBITED ALLOCATIONS.—The amount involved with respect to any tax imposed by reason of subsection (a)(3) is the amount allocated to the account of any person in violation of section 409(p)(1).

''(B) SYNTHETIC EQUITY.—The amount involved with respect to any tax imposed by reason of subsection (a)(4) is the value of the shares on which the synthetic equity is based.

''(C) SPECIAL RULE DURING FIRST NONALLOCATION YEAR.—For purposes of subparagraph (A), the amount involved for the first nonallocation year of any employee stock ownership plan shall be determined by taking into account the total value of all the deemed-owned shares of all disqualified persons with respect to such plan.

''(D) STATUTE OF LIMITATIONS.—The statutory period for the assessment of any tax imposed by this section by reason of paragraph (3) or (4) of subsection (a) shall not expire before the date which is 3 years from the later of—

''(i) the allocation or ownership referred to in such paragraph giving rise to such tax, or

''(ii) the date on which the Secretary is notified of such allocation or ownership.''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after December 31, 2004.

(2) EXCEPTION FOR CERTAIN PLANS.—In the case of any—

(A) employee stock ownership plan established after March 14, 2001, or

(B) employee stock ownership plan established on or before such date if employer securities held by the plan consist of stock in a corporation with respect to which an election under section 1362(a) of the Internal Revenue Code of 1986 is not in effect on such date,

the amendments made by this section shall apply to plan years ending after March 14, 2001.

TITLE VI—REDUCING REGULATORY BURDENS

SEC. 601. MODIFICATION OF TIMING OF PLAN VALUATIONS.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—Paragraph (9) of section 412(c) (relating to annual valuation) is amended to read as follows:

''(9) ANNUAL VALUATION.—

''(A) IN GENERAL.—For purposes of this section, a determination of experience gains and losses and a valuation of the plan's liability shall be made not less frequently than once every year, except that such determination shall be made more frequently to the extent required in particular cases under regulations prescribed by the Secretary.

''(B) VALUATION DATE.—

''(i) CURRENT YEAR.—Except as provided in clause (ii), the valuation referred to in subparagraph (A) shall be made as of a date within the plan year to which the valuation refers or within one month prior to the beginning of such year.

''(ii) ELECTION TO USE PRIOR YEAR VALUATION.—The valuation referred to in subparagraph (A) may be made as of a date within the plan year prior to the year to which the valuation refers if—

''(I) an election is in effect under this clause with respect to the plan, and

''(II) as of such date, the value of the assets of the plan are not less than 125 percent of the plan's current liability (as defined in paragraph (7)(B)).

''(iii) ADJUSTMENTS.—Information under clause (ii) shall, in accordance with regulations, be actuarially adjusted to reflect significant differences in participants.

''(iv) ELECTION.—An election under clause (ii), once made, shall be irrevocable without the consent of the Secretary.''.

(b) AMENDMENT OF ERISA.—Paragraph (9) of section 302(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(c)) is amended—

(1) by inserting ''(A)'' after ''(9)''; and

(2) by adding at the end the following:

''(B)(i) Except as provided in clause (ii), the valuation referred to in subparagraph (A) shall be made as of a date within the plan year to which the valuation refers or within one month prior to the beginning of such year.

''(ii) The valuation referred to in subparagraph (A) may be made as of a date within the plan year prior to the year to which the valuation refers if—

''(I) an election is in effect under this clause with respect to the plan; and

''(II) as of such date, the value of the assets of the plan are not less than 125 percent of the plan's current liability (as defined in paragraph (7)(B)).

''(iii) Information under clause (ii) shall, in accordance with regulations, be actuarially adjusted to reflect significant differences in participants.

''(iv) An election under clause (ii), once made, shall be irrevocable without the consent of the Secretary of the Treasury.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2001.

SEC. 602. ESOP DIVIDENDS MAY BE REINVESTED WITHOUT LOSS OF DIVIDEND DEDUCTION.

(a) IN GENERAL.—Section 404(k)(2)(A) (defining applicable dividends) is amended by striking ''or'' at the end of clause (ii), by redesignating clause (iii) as clause (iv), and by inserting after clause (ii) the following new clause:

''(iii) is, at the election of such participants or their beneficiaries—

''(I) payable as provided in clause (i) or (ii), or

''(II) paid to the plan and reinvested in qualifying employer securities, or''.

(b) STANDARDS FOR DISALLOWANCE.—Section 404(k)(5)(A) (relating to disallowance of deduction) is amended by inserting ''avoidance or'' before ''evasion''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 603. REPEAL OF TRANSITION RULE RELATING TO CERTAIN HIGHLY COMPENSATED EMPLOYEES.

(a) IN GENERAL.—Paragraph (4) of section 1114(c) of the Tax Reform Act of 1986 is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to plan years beginning after December 31, 2001.

SEC. 604. EMPLOYEES OF TAX-EXEMPT ENTITIES.

(a) IN GENERAL.—The Secretary of the Treasury shall modify Treasury Regulations section 1.410(b)–6(g) to provide that employees of an organization described in section 403(b)(1)(A)(i) of the Internal Revenue Code of 1986 who are eligible to make contributions under section 403(b) of such Code pursuant to a salary reduction agreement may be treated as excludable with respect to a plan under section 401(k) or (m) of such Code that is provided under the same general arrangement as a plan under such section 401(k), if—

(1) no employee of an organization described in section 403(b)(1)(A)(i) of such Code is eligible to participate in such section 401(k) plan or section 401(m) plan; and

(2) 95 percent of the employees who are not employees of an organization described in section 403(b)(1)(A)(i) of such Code are eligible to participate in such plan under such section 401(k) or (m).

(b) EFFECTIVE DATE.—The modification required by subsection (a) shall apply as of the same date set forth in section 1426(b) of the Small Business Job Protection Act of 1996.

SEC. 605. CLARIFICATION OF TREATMENT OF EMPLOYER-PROVIDED RETIREMENT ADVICE.

(a) IN GENERAL.—Subsection (a) of section 132 (relating to exclusion from gross income) is amended by striking ''or'' at the end of paragraph (5), by striking the period at the end of paragraph (6) and inserting '', or'', and by adding at the end the following new paragraph:

''(7) qualified retirement planning services.''.

(b) QUALIFIED RETIREMENT PLANNING SERVICES DEFINED.—Section 132 is amended by re-

designating subsection (m) as subsection (n) and by inserting after subsection (l) the following:

''(m) QUALIFIED RETIREMENT PLANNING SERVICES.—

''(1) IN GENERAL.—For purposes of this section, the term 'qualified retirement planning services' means any retirement planning advice or information provided to an employee and his spouse by an employer maintaining a qualified employer plan.

''(2) NONDISCRIMINATION RULE.—Subsection (a)(7) shall apply in the case of highly compensated employees only if such services are available on substantially the same terms to each member of the group of employees normally provided education and information regarding the employer's qualified employer plan.

''(3) QUALIFIED EMPLOYER PLAN.—For purposes of this subsection, the term 'qualified employer plan' means a plan, contract, pension, or account described in section 219(g)(5).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 606. REPORTING SIMPLIFICATION.

(a) SIMPLIFIED ANNUAL FILING REQUIREMENT FOR OWNERS AND THEIR SPOUSES.—

(1) IN GENERAL.—The Secretary of the Treasury and the Secretary of Labor shall modify the requirements for filing annual returns with respect to one-participant retirement plans to ensure that such plans with assets of $250,000 or less as of the close of the plan year need not file a return for that year.

(2) ONE-PARTICIPANT RETIREMENT PLAN DEFINED.—For purposes of this subsection, the term ''one-participant retirement plan'' means a retirement plan that—

(A) on the first day of the plan year—

(i) covered only the employer (and the employer's spouse) and the employer owned the entire business (whether or not incorporated); or

(ii) covered only one or more partners (and their spouses) in a business partnership (including partners in an S or C corporation);

(B) meets the minimum coverage requirements of section 410(b) of the Internal Revenue Code of 1986 without being combined with any other plan of the business that covers the employees of the business;

(C) does not provide benefits to anyone except the employer (and the employer's spouse) or the partners (and their spouses);

(D) does not cover a business that is a member of an affiliated service group, a controlled group of corporations, or a group of businesses under common control; and

(E) does not cover a business that leases employees.

(3) OTHER DEFINITIONS.—Terms used in paragraph (2) which are also used in section 414 of the Internal Revenue Code of 1986 shall have the respective meanings given such terms by such section.

(b) SIMPLIFIED ANNUAL FILING REQUIREMENT FOR PLANS WITH FEWER THAN 25 EMPLOYEES.—In the case of plan years beginning after December 31, 2002, the Secretary of the Treasury and the Secretary of Labor shall provide for the filing of a simplified annual return for any retirement plan which covers less than 25 employees on the first day of a plan year and which meets the requirements described in subparagraphs (B), (D), and (E) of subsection (a)(2).

(c) EFFECTIVE DATE.—The provisions of this section shall take effect on January 1, 2002.

SEC. 607. IMPROVEMENT OF EMPLOYEE PLANS COMPLIANCE RESOLUTION SYSTEM.

The Secretary of the Treasury shall continue to update and improve the Employee Plans Compliance Resolution System (or any successor program) giving special attention to—

(1) increasing the awareness and knowledge of small employers concerning the availability and use of the program;

(2) taking into account special concerns and circumstances that small employers face with respect to compliance and correction of compliance failures;

(3) extending the duration of the self-correction period under the Self-Correction Program for significant compliance failures;

(4) expanding the availability to correct insignificant compliance failures under the Self-Correction Program during audit; and

(5) assuring that any tax, penalty, or sanction that is imposed by reason of a compliance failure is not excessive and bears a reasonable relationship to the nature, extent, and severity of the failure.

SEC. 608. REPEAL OF THE MULTIPLE USE TEST.

(a) IN GENERAL.—Paragraph (9) of section 401(m) is amended to read as follows:

''(9) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection and subsection (k), including regulations permitting appropriate aggregation of plans and contributions.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

SEC. 609. FLEXIBILITY IN NONDISCRIMINATION, COVERAGE, AND LINE OF BUSINESS RULES.

(a) NONDISCRIMINATION.—

(1) IN GENERAL.—The Secretary of the Treasury shall, by regulation, provide that a plan shall be deemed to satisfy the requirements of section 401(a)(4) of the Internal Revenue Code of 1986 if such plan satisfies the facts and circumstances test under section 401(a)(4) of such Code, as in effect before January 1, 1994, but only if—

(A) the plan satisfies conditions prescribed by the Secretary to appropriately limit the availability of such test; and

(B) the plan is submitted to the Secretary for a determination of whether it satisfies such test.

Subparagraph (B) shall only apply to the extent provided by the Secretary.

(2) EFFECTIVE DATES.—

(A) REGULATIONS.—The regulation required by paragraph (1) shall apply to years beginning after December 31, 2003.

(B) CONDITIONS OF AVAILABILITY.—Any condition of availability prescribed by the Secretary under paragraph (1)(A) shall not apply before the first year beginning not less than 120 days after the date on which such condition is prescribed.

(b) COVERAGE TEST.—

(1) IN GENERAL.—Section 410(b)(1) (relating to minimum coverage requirements) is amended by adding at the end the following:

''(D) In the case that the plan fails to meet the requirements of subparagraphs (A), (B) and (C), the plan—

''(i) satisfies subparagraph (B), as in effect immediately before the enactment of the Tax Reform Act of 1986,

''(ii) is submitted to the Secretary for a determination of whether it satisfies the requirement described in clause (i), and

''(iii) satisfies conditions prescribed by the Secretary by regulation that appropriately limit the availability of this subparagraph.

Clause (ii) shall apply only to the extent provided by the Secretary.''.

(2) EFFECTIVE DATES.—

(A) IN GENERAL.—The amendment made by paragraph (1) shall apply to years beginning after December 31, 2003.

(B) CONDITIONS OF AVAILABILITY.—Any condition of availability prescribed by the Secretary under regulations prescribed by the Secretary under section 410(b)(1)(D) of the Internal Revenue Code of 1986 shall not apply before the first year beginning not less than 120 days after the date on which such condition is prescribed.

(c) LINE OF BUSINESS RULES.—The Secretary of the Treasury shall, on or before December 31, 2003, modify the existing regulations issued under section 414(r) of the Internal Revenue Code of 1986 in order to expand (to the extent that the Secretary determines appropriate) the ability of a pension plan to demonstrate compliance with the line of business requirements based upon the facts and circumstances surrounding the design and operation of the plan, even though the plan is unable to satisfy the mechanical tests currently used to determine compliance.

SEC. 610. EXTENSION TO ALL GOVERNMENTAL PLANS OF MORATORIUM ON APPLICATION OF CERTAIN NONDISCRIMINATION RULES APPLICABLE TO STATE AND LOCAL PLANS.

(a) IN GENERAL.—

(1) Subparagraph (G) of section 401(a)(5) of the Internal Revenue Code of 1986 and subparagraph (H) of section 401(a)(26) are each amended by striking ''section 414(d))'' and all that follows and inserting ''section 414(d)).''.

(2) Subparagraph (G) of section 401(k)(3) and paragraph (2) of section 1505(d) of the Taxpayer Relief Act of 1997 are each amended by striking ''maintained by a State or local government or political subdivision thereof (or agency or instrumentality thereof)''.

(b) CONFORMING AMENDMENTS.—

(1) The heading for subparagraph (G) of section 401(a)(5) is amended to read as follows: ''GOVERNMENTAL PLANS.—''.

(2) The heading for subparagraph (H) of section 401(a)(26) is amended to read as follows: ''EXCEPTION FOR GOVERNMENTAL PLANS.—''.

(3) Subparagraph (G) of section 401(k)(3) is amended by inserting ''GOVERNMENTAL PLANS.—'' after ''(G)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 611. NOTICE AND CONSENT PERIOD REGARDING DISTRIBUTIONS.

(a) EXPANSION OF PERIOD.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—

(A) IN GENERAL.—Subparagraph (A) of section 417(a)(6) is amended by striking ''90-day'' and inserting ''180-day''.

(B) MODIFICATION OF REGULATIONS.—The Secretary of the Treasury shall modify the regulations under sections 402(f), 411(a)(11), and 417 of the Internal Revenue Code of 1986 to substitute ''180 days'' for ''90 days'' each place it appears in Treasury Regulations sections 1.402(f)–1, 1.411(a)–11(c), and 1.417(e)–1(b).

(2) AMENDMENT OF ERISA.—

(A) IN GENERAL.—Section 205(c)(7)(A) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1055(c)(7)(A)) is amended by striking ''90-day'' and inserting ''180-day''.

(B) MODIFICATION OF REGULATIONS.—The Secretary of the Treasury shall modify the regulations under part 2 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 to the extent that they relate to sections 203(e) and 205 of such Act to substitute ''180 days'' for ''90 days'' each place it appears.

(3) EFFECTIVE DATE.—The amendments made by paragraph (1)(A) and (2)(A) and the modifications required by paragraph (1)(B) shall apply to years beginning after December 31, 2001.

(b) CONSENT REGULATION INAPPLICABLE TO CERTAIN DISTRIBUTIONS.—

(1) IN GENERAL.—The Secretary of the Treasury shall modify the regulations under section 411(a)(11) of the Internal Revenue Code of 1986 and under section 205 of the Employee Retirement Income Security Act of

1974 to provide that the description of a participant's right, if any, to defer receipt of a distribution shall also describe the consequences of failing to defer such receipt.

(2) EFFECTIVE DATE.—The modifications required by paragraph (1) shall apply to years beginning after December 31, 2001.

SEC. 612. ANNUAL REPORT DISSEMINATION.

(a) REPORT AVAILABLE THROUGH ELECTRONIC MEANS.—Section 104(b)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1024(b)(3)) is amended by adding at the end the following new sentence: ''The requirement to furnish information under the previous sentence shall be satisfied if the administrator makes such information reasonably available through electronic means or other new technology.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to reports for years beginning after December 31, 2000.

SEC. 613. TECHNICAL CORRECTIONS TO SAVER ACT.

Section 517 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1147) is amended—

(1) in subsection (a), by striking ''2001 and 2005 on or after September 1 of each year involved'' and inserting ''2001, 2005, and 2009 in the month of September of each year involved'';

(2) in subsection (b), by adding at the end the following new sentence: ''To effectuate the purposes of this paragraph, the Secretary may enter into a cooperative agreement, pursuant to the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301 et seq.), with the American Savings Education Council or any other appropriate, qualified entity.'';

(3) in subsection (e)(2)—

(A) by striking ''Committee on Labor and Human Resources'' in subparagraph (D) and inserting ''Committee on Health, Education, Labor, and Pensions'';

(B) by striking subparagraph (F) and inserting the following:

''(F) the Chairman and Ranking Member of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations of the House of Representatives and the Chairman and Ranking Member of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations of the Senate;'';

(C) by redesignating subparagraph (G) as subparagraph (J); and

(D) by inserting after subparagraph (F) the following new subparagraphs:

''(G) the Chairman and Ranking Member of the Committee on Finance of the Senate;

''(H) the Chairman and Ranking Member of the Committee on Ways and Means of the House of Representatives;

''(I) the Chairman and Ranking Member of the Subcommittee on Employer-Employee Relations of the Committee on Education and the Workforce of the House of Representatives; and'';

(4) in subsection (e)(3)—

(A) by striking ''There shall be not more than 200 additional participants.'' in subparagraph (A) and inserting ''The participants in the National Summit shall also include additional participants appointed under this subparagraph.'';

(B) by striking ''one-half shall be appointed by the President,'' in subparagraph (A)(i) and inserting ''not more than 100 participants shall be appointed under this clause by the President,'';

(C) by striking ''one-half shall be appointed by the elected leaders of Congress'' in subparagraph (A)(ii) and inserting ''not more than 100 participants shall be appointed under this clause by the elected leaders of Congress'';

(D) by redesignating subparagraph (B) as subparagraph (C); and

(E) by inserting after subparagraph (A) the following new subparagraph:

''(B) PRESIDENTIAL AUTHORITY FOR ADDITIONAL APPOINTMENTS.—The President, in consultation with the elected leaders of Congress referred to in subsection (a), may appoint under this subparagraph additional participants to the National Summit. The number of such additional participants appointed under this subparagraph may not exceed the lesser of 3 percent of the total number of all additional participants appointed under this paragraph, or 10. Such additional participants shall be appointed from persons nominated by the organization referred to in subsection (b)(2) which is made up of private sector businesses and associations partnered with Government entities to promote long term financial security in retirement through savings and with which the Secretary is required thereunder to consult and cooperate and shall not be Federal, State, or local government employees.'';

(5) in subsection (e)(3)(C) (as redesignated), by striking ''January 31, 1998'' and inserting ''May 1, 2001, May 1, 2005, and May 1, 2009, for each of the subsequent summits, respectively'';

(6) in subsection (f)(1)(C), by inserting '', no later than 90 days prior to the date of the commencement of the National Summit,'' after ''comment'';

(7) in subsection (g), by inserting '', in consultation with the congressional leaders specified in subsection (e)(2),'' after ''report'' the first place it appears;

(8) in subsection (i)—

(A) by striking ''beginning on or after October 1, 1997'' in paragraph (1) and inserting ''2001, 2005, and 2009''; and

(B) by adding at the end the following new paragraph:

''(3) RECEPTION AND REPRESENTATION AUTHORITY.—The Secretary is hereby granted reception and representation authority limited specifically to the events at the National Summit. The Secretary shall use any private contributions accepted in connection with the National Summit prior to using funds appropriated for purposes of the National Summit pursuant to this paragraph.''; and

(9) in subsection (k)—

(A) by striking ''shall enter into a contract on a sole-source basis'' and inserting ''may enter into a contract on a sole-source basis''; and

(B) by striking ''fiscal year 1998'' and inserting ''fiscal years 2001, 2005, and 2009''.

TITLE VII—OTHER ERISA PROVISIONS

SEC. 701. MISSING PARTICIPANTS.

(a) IN GENERAL.—Section 4050 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1350) is amended by redesignating subsection (c) as subsection (e) and by inserting after subsection (b) the following new subsections:

''(c) MULTIEMPLOYER PLANS.—The corporation shall prescribe rules similar to the rules in subsection (a) for multiemployer plans covered by this title that terminate under section 4041A.

''(d) PLANS NOT OTHERWISE SUBJECT TO TITLE.—

''(1) TRANSFER TO CORPORATION.—The plan administrator of a plan described in paragraph (4) may elect to transfer a missing participant's benefits to the corporation upon termination of the plan.

''(2) INFORMATION TO THE CORPORATION.—To the extent provided in regulations, the plan administrator of a plan described in paragraph (4) shall, upon termination of the plan, provide the corporation information with respect to benefits of a missing participant if the plan transfers such benefits—

''(A) to the corporation, or

''(B) to an entity other than the corporation or a plan described in paragraph (4)(B)(ii).

''(3) PAYMENT BY THE CORPORATION.—If benefits of a missing participant were transferred to the corporation under paragraph (1), the corporation shall, upon location of the participant or beneficiary, pay to the participant or beneficiary the amount transferred (or the appropriate survivor benefit) either—

''(A) in a single sum (plus interest), or

''(B) in such other form as is specified in regulations of the corporation.

''(4) PLANS DESCRIBED.—A plan is described in this paragraph if—

''(A) the plan is a pension plan (within the meaning of section 3(2))—

''(i) to which the provisions of this section do not apply (without regard to this subsection), and

''(ii) which is not a plan described in paragraphs (2) through (11) of section 4021(b), and

''(B) at the time the assets are to be distributed upon termination, the plan—

''(i) has missing participants, and

''(ii) has not provided for the transfer of assets to pay the benefits of all missing participants to another pension plan (within the meaning of section 3(2)).

''(5) CERTAIN PROVISIONS NOT TO APPLY.—Subsections (a)(1) and (a)(3) shall not apply to a plan described in paragraph (4).''.

(b) CONFORMING AMENDMENTS.—Section 206(f) of such Act (29 U.S.C. 1056(f)) is amended—

(1) by striking ''title IV'' and inserting ''section 4050''; and

(2) by striking ''the plan shall provide that,''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made after final regulations implementing subsections (c) and (d) of section 4050 of the Employee Retirement Income Security Act of 1974 (as added by subsection (a)), respectively, are prescribed.

SEC. 702. REDUCED PBGC PREMIUM FOR NEW PLANS OF SMALL EMPLOYERS.

(a) IN GENERAL.—Subparagraph (A) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)) is amended—

(1) in clause (i), by inserting ''other than a new single-employer plan (as defined in subparagraph (F)) maintained by a small employer (as so defined),'' after ''single-employer plan,'',

(2) in clause (iii), by striking the period at the end and inserting '', and'', and

(3) by adding at the end the following new clause:

''(iv) in the case of a new single-employer plan (as defined in subparagraph (F)) maintained by a small employer (as so defined) for the plan year, $5 for each individual who is a participant in such plan during the plan year.''.

(b) DEFINITION OF NEW SINGLE-EMPLOYER PLAN.—Section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended by adding at the end the following new subparagraph:

''(F)(i) For purposes of this paragraph, a single-employer plan maintained by a contributing sponsor shall be treated as a new single-employer plan for each of its first 5 plan years if, during the 36-month period ending on the date of the adoption of such plan, the sponsor or any member of such sponsor's controlled group (or any predecessor of either) did not establish or maintain a plan to which this title applies with respect to which benefits were accrued for substantially the same employees as are in the new single-employer plan.

''(ii)(I) For purposes of this paragraph, the term 'small employer' means an employer

which on the first day of any plan year has, in aggregation with all members of the controlled group of such employer, 100 or fewer employees.

''(II) In the case of a plan maintained by two or more contributing sponsors that are not part of the same controlled group, the employees of all contributing sponsors and controlled groups of such sponsors shall be aggregated for purposes of determining whether any contributing sponsor is a small employer.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plans established after December 31, 2001.

SEC. 703. REDUCTION OF ADDITIONAL PBGC PREMIUM FOR NEW AND SMALL PLANS.

(a) NEW PLANS.—Subparagraph (E) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(E)) is amended by adding at the end the following new clause:

''(v) In the case of a new defined benefit plan, the amount determined under clause (ii) for any plan year shall be an amount equal to the product of the amount determined under clause (ii) and the applicable percentage. For purposes of this clause, the term 'applicable percentage' means—

''(I) 0 percent, for the first plan year.

''(II) 20 percent, for the second plan year.

''(III) 40 percent, for the third plan year.

''(IV) 60 percent, for the fourth plan year.

''(V) 80 percent, for the fifth plan year.

For purposes of this clause, a defined benefit plan (as defined in section 3(35)) maintained by a contributing sponsor shall be treated as a new defined benefit plan for each of its first 5 plan years if, during the 36-month period ending on the date of the adoption of the plan, the sponsor and each member of any controlled group including the sponsor (or any predecessor of either) did not establish or maintain a plan to which this title applies with respect to which benefits were accrued for substantially the same employees as are in the new plan.''.

(b) SMALL PLANS.—Paragraph (3) of section 4006(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)), as amended by section 702(b), is amended—

(1) by striking ''The'' in subparagraph (E)(i) and inserting ''Except as provided in subparagraph (G), the'', and

(2) by inserting after subparagraph (F) the following new subparagraph:

''(G)(i) In the case of an employer who has 25 or fewer employees on the first day of the plan year, the additional premium determined under subparagraph (E) for each participant shall not exceed $5 multiplied by the number of participants in the plan as of the close of the preceding plan year.

''(ii) For purposes of clause (i), whether an employer has 25 or fewer employees on the first day of the plan year is determined taking into consideration all of the employees of all members of the contributing sponsor's controlled group. In the case of a plan maintained by two or more contributing sponsors, the employees of all contributing sponsors and their controlled groups shall be aggregated for purposes of determining whether the 25-or-fewer-employees limitation has been satisfied.''.

(c) EFFECTIVE DATES.—

(1) SUBSECTION (a).—The amendments made by subsection (a) shall apply to plans established after December 31, 2001.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to plan years beginning after December 31, 2001.

SEC. 704. AUTHORIZATION FOR PBGC TO PAY INTEREST ON PREMIUM OVERPAYMENT REFUNDS.

(a) IN GENERAL.—Section 4007(b) of the Employment Retirement Income Security Act of 1974 (29 U.S.C. 1307(b)) is amended—

(1) by striking ''(b)'' and inserting ''(b)(1)'', and

(2) by inserting at the end the following new paragraph:

''(2) The corporation is authorized to pay, subject to regulations prescribed by the corporation, interest on the amount of any overpayment of premium refunded to a designated payor. Interest under this paragraph shall be calculated at the same rate and in the same manner as interest is calculated for underpayments under paragraph (1).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to interest accruing for periods beginning not earlier than the date of the enactment of this Act.

SEC. 705. SUBSTANTIAL OWNER BENEFITS IN TERMINATED PLANS.

(a) MODIFICATION OF PHASE-IN OF GUARANTEE.—Section 4022(b)(5) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322(b)(5)) is amended to read as follows:

''(5)(A) For purposes of this paragraph, the term 'majority owner' means an individual who, at any time during the 60-month period ending on the date the determination is being made—

''(i) owns the entire interest in an unincorporated trade or business,

''(ii) in the case of a partnership, is a partner who owns, directly or indirectly, 50 percent or more of either the capital interest or the profits interest in such partnership, or

''(iii) in the case of a corporation, owns, directly or indirectly, 50 percent or more in value of either the voting stock of that corporation or all the stock of that corporation.

For purposes of clause (iii), the constructive ownership rules of section 1563(e) of the Internal Revenue Code of 1986 shall apply (determined without regard to section 1563(e)(3)(C)).

''(B) In the case of a participant who is a majority owner, the amount of benefits guaranteed under this section shall equal the product of—

''(i) a fraction (not to exceed 1) the numerator of which is the number of years from the later of the effective date or the adoption date of the plan to the termination date, and the denominator of which is 10, and

''(ii) the amount of benefits that would be guaranteed under this section if the participant were not a majority owner.''.

(b) MODIFICATION OF ALLOCATION OF ASSETS.—

(1) Section 4044(a)(4)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1344(a)(4)(B)) is amended by striking ''section 4022(b)(5)'' and inserting ''section 4022(b)(5)(B)''.

(2) Section 4044(b) of such Act (29 U.S.C. 1344(b)) is amended—

(A) by striking ''(5)'' in paragraph (2) and inserting ''(4), (5),'', and

(B) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively, and by inserting after paragraph (2) the following new paragraph:

''(3) If assets available for allocation under paragraph (4) of subsection (a) are insufficient to satisfy in full the benefits of all individuals who are described in that paragraph, the assets shall be allocated first to benefits described in subparagraph (A) of that paragraph. Any remaining assets shall then be allocated to benefits described in subparagraph (B) of that paragraph. If assets allocated to such subparagraph (B) are insufficient to satisfy in full the benefits described in that subparagraph, the assets shall be allocated pro rata among individuals on the basis of the present value (as of the termination date) of their respective benefits described in that subparagraph.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 4021 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1321) is amended—

(A) in subsection (b)(9), by striking ''as defined in section 4022(b)(6)'', and

(B) by adding at the end the following new subsection:

''(d) For purposes of subsection (b)(9), the term 'substantial owner' means an individual who, at any time during the 60-month period ending on the date the determination is being made—

''(1) owns the entire interest in an unincorporated trade or business,

''(2) in the case of a partnership, is a partner who owns, directly or indirectly, more than 10 percent of either the capital interest or the profits interest in such partnership, or

''(3) in the case of a corporation, owns, directly or indirectly, more than 10 percent in value of either the voting stock of that corporation or all the stock of that corporation.

For purposes of paragraph (3), the constructive ownership rules of section 1563(e) of the Internal Revenue Code of 1986 shall apply (determined without regard to section 1563(e)(3)(C)).''.

(2) Section 4043(c)(7) of such Act (29 U.S.C. 1343(c)(7)) is amended by striking ''section 4022(b)(6)'' and inserting ''section 4021(d)''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to plan terminations—

(A) under section 4041(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1341(c)) with respect to which notices of intent to terminate are provided under section 4041(a)(2) of such Act (29 U.S.C. 1341(a)(2)) after December 31, 2001, and

(B) under section 4042 of such Act (29 U.S.C. 1342) with respect to which proceedings are instituted by the corporation after such date.

(2) CONFORMING AMENDMENTS.—The amendments made by subsection (c) shall take effect on January 1, 2002.

SEC. 706. CIVIL PENALTIES FOR BREACH OF FIDUCIARY RESPONSIBILITY.

(a) IMPOSITION AND AMOUNT OF PENALTY MADE DISCRETIONARY.—Section 502(l)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132(l)(1)) is amended—

(1) by striking ''shall'' and inserting ''may'', and

(2) by striking ''equal to'' and inserting ''not greater than''.

(b) APPLICABLE RECOVERY AMOUNT.—Section 502(l)(2) of such Act (29 U.S.C. 1132(l)(2)) is amended by inserting after ''fiduciary or other person'' the following: ''(or from any other person on behalf of any such fiduciary or other person)''.

(c) OTHER RULES.—Section 502(l) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132(l)) is amended by adding at the end the following new paragraphs:

''(5) A person shall be jointly and severally liable for the penalty described in paragraph (1) to the same extent that such person is jointly and severally liable for the applicable recovery amount on which the penalty is based.

''(6) No penalty shall be assessed under this subsection unless the person against whom the penalty is assessed is given notice and opportunity for a hearing with respect to the violation and applicable recovery amount.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any breach of fiduciary responsibility or other violation of part 4 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 occurring on or after the date of the enactment of this Act.

SEC. 707. BENEFIT SUSPENSION NOTICE.

(a) MODIFICATION OF REGULATION.—The Secretary of Labor shall modify the regula-

tion under subparagraph (B) of section 203(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(a)(3)(B)) to provide that the notification required by such regulation in connection with any suspension of benefits described in such subparagraph—

(1) in the case of an employee who returns to service under the plan after commencement of payment of benefits under the plan—

(A) shall be made during the first calendar month or payroll period in which the plan withholds payments, and

(B) if a reduced rate of future benefit accrual will apply to the returning employee (as of the first date of participation in the plan by the employee after returning to work), shall include a statement that the rate of future benefit accrual will be reduced, and

(2) in the case of any employee who is not described in paragraph (1)—

(A) may be included in the summary plan description for the plan furnished in accordance with section 104(b) of such Act (29 U.S.C. 1024(b)), rather than in a separate notice, and

(B) need not include a copy of the relevant plan provisions.

(b) EFFECTIVE DATE.—The modification made under this section shall apply to plan years beginning after December 31, 2001.

SEC. 708. STUDIES.

(a) MODEL SMALL EMPLOYER GROUP PLANS STUDY.—As soon as practicable after the date of the enactment of this Act, the Secretary of Labor, in consultation with the Secretary of the Treasury, shall conduct a study to determine—

(1) the most appropriate form or forms of—

(A) employee pension benefit plans which would—

(i) be simple in form and easily maintained by multiple small employers, and

(ii) provide for ready portability of benefits for all participants and beneficiaries,

(B) alternative arrangements providing comparable benefits which may be established by employee or employer associations, and

(C) alternative arrangements providing comparable benefits to which employees may contribute in a manner independent of employer sponsorship, and

(2) appropriate methods and strategies for making pension plan coverage described in paragraph (1) more widely available to American workers.

(b) MATTERS TO BE CONSIDERED.—In conducting the study under subsection (a), the Secretary of Labor shall consider the adequacy and availability of existing employee pension benefit plans and the extent to which existing models may be modified to be more accessible to both employees and employers.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Labor shall report the results of the study under subsection (a), together with the Secretary's recommendations, to the Committee on Education and the Workforce and the Committee on Ways and Means of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate. Such recommendations shall include one or more model plans described in subsection (a)(1)(A) and model alternative arrangements described in subsections (a)(1)(B) and (a)(1)(C) which may serve as the basis for appropriate administrative or legislative action.

(d) STUDY ON EFFECT OF LEGISLATION.—Not later than 5 years after the date of the enactment of this Act, the Secretary of Labor shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the effect of the provisions of this Act on pension plan coverage, including any change in—

(1) the extent of pension plan coverage for low and middle-income workers,

(2) the levels of pension plan benefits generally,

(3) the quality of pension plan coverage generally,

(4) workers' access to and participation in pension plans, and

(5) retirement security.

TITLE VIII—PLAN AMENDMENTS

SEC. 801. PROVISIONS RELATING TO PLAN AMENDMENTS.

(a) IN GENERAL.—If this section applies to any plan or contract amendment—

(1) such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in subsection (b)(2)(A); and

(2) except as provided by the Secretary of the Treasury, such plan shall not fail to meet the requirements of section 411(d)(6) of the Internal Revenue Code of 1986 or section 204(g) of the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(b) AMENDMENTS TO WHICH SECTION APPLIES.—

(1) IN GENERAL.—This section shall apply to any amendment to any plan or annuity contract which is made—

(A) pursuant to any amendment made by this Act, or pursuant to any regulation issued under this Act; and

(B) on or before the last day of the first plan year beginning on or after January 1, 2004.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), this paragraph shall be applied by substituting ''2006'' for ''2004''.

(2) CONDITIONS.—This section shall not apply to any amendment unless—

(A) during the period—

(i) beginning on the date the legislative or regulatory amendment described in paragraph (1)(A) takes effect (or in the case of a plan or contract amendment not required by such legislative or regulatory amendment, the effective date specified by the plan); and

(ii) ending on the date described in paragraph (1)(B) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect; and

(B) such plan or contract amendment applies retroactively for such period.

Pursuant to House Resolution 127, the time for debate was divided among Mr. THOMAS and Mr. RANGEL for 30 minutes each, and Mr. BOEHNER and Mr. ANDREWS for 15 minutes each.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 127, Mr. NEAL submitted the following further amendment in the nature of a substitute in House Report 107–53:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Comprehensive Retirement Security and Pension Reform Act of 2001''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; references; table of contents.*

TITLE I—INDIVIDUAL RETIREMENT ACCOUNT PROVISIONS

Sec. 101. Modification of IRA contribution limits.

TITLE II—EXPANDING COVERAGE

Sec. 201. Increase in benefit and contribution limits.
Sec. 202. Plan loans for subchapter S owners, partners, and sole proprietors.
Sec. 203. Modification of top-heavy rules.
Sec. 204. Elective deferrals not taken into account for purposes of deduction limits.
Sec. 205. Repeal of coordination requirements for deferred compensation plans of State and local governments and tax-exempt organizations.
Sec. 206. Elimination of user fee for requests to IRS regarding pension plans.
Sec. 207. Deduction limits.
Sec. 208. Option to treat elective deferrals as after-tax contributions.
Sec. 209. Availability of qualified plans to self-employed individuals who are exempt from the self-employment tax by reason of their religious beliefs.
Sec. 210. Certain nonresident aliens excluded in applying minimum coverage requirements.
Sec. 211. Refundable credit to certain individuals for elective deferrals and IRA contributions.
Sec. 212. Credit for pension plan startup costs of small employers.
Sec. 213. Credit for qualified pension plan contributions of small employers.

TITLE III—ENHANCING FAIRNESS FOR WOMEN

Sec. 301. Catch-up contributions for individuals age 50 or over.
Sec. 302. Equitable treatment for contributions of employees to defined contribution plans.
Sec. 303. Faster vesting of certain employer matching contributions.
Sec. 304. Modifications to minimum distribution rules.
Sec. 305. Clarification of tax treatment of division of section 457 plan benefits upon divorce.
Sec. 306. Provisions relating to hardship distributions.
Sec. 307. Waiver of tax on nondeductible contributions for domestic or similar workers.

TITLE IV—INCREASING PORTABILITY FOR PARTICIPANTS

Sec. 401. Rollovers allowed among various types of plans.
Sec. 402. Rollovers of IRAs into workplace retirement plans.
Sec. 403. Rollovers of after-tax contributions.
Sec. 404. Hardship exception to 60-day rule.
Sec. 405. Treatment of forms of distribution.
Sec. 406. Rationalization of restrictions on distributions.
Sec. 407. Purchase of service credit in governmental defined benefit plans.
Sec. 408. Employers may disregard rollovers for purposes of cash-out amounts.
Sec. 409. Minimum distribution and inclusion requirements for section 457 plans.

TITLE V—STRENGTHENING PENSION SECURITY AND ENFORCEMENT

Sec. 501. Repeal of percent of current liability funding limit.
Sec. 502. Maximum contribution deduction rules modified and applied to all defined benefit plans.
Sec. 503. Excise tax relief for sound pension funding.
Sec. 504. Excise tax on failure to provide notice by defined benefit plans significantly reducing future benefit accruals.
Sec. 505. Treatment of multiemployer plans under section 415.
Sec. 506. Protection of investment of employee contributions to 401(k) plans.
Sec. 507. Periodic pension benefits statements.
Sec. 508. Prohibited allocations of stock in S corporation ESOP.

TITLE VI—REDUCING REGULATORY BURDENS

Sec. 601. Modification of timing of plan valuations.
Sec. 602. ESOP dividends may be reinvested without loss of dividend deduction.
Sec. 603. Repeal of transition rule relating to certain highly compensated employees.
Sec. 604. Employees of tax-exempt entities.
Sec. 605. Clarification of treatment of employer-provided retirement advice.
Sec. 606. Reporting simplification.
Sec. 607. Improvement of employee plans compliance resolution system.
Sec. 608. Repeal of the multiple use test.
Sec. 609. Flexibility in nondiscrimination, coverage, and line of business rules.
Sec. 610. Extension to all governmental plans of moratorium on application of certain nondiscrimination rules applicable to State and local plans.
Sec. 611. Notice and consent period regarding distributions.
Sec. 612. Annual report dissemination.
Sec. 613. Technical corrections to SAVER Act.

TITLE VII—OTHER ERISA PROVISIONS

Sec. 701. Missing participants.
Sec. 702. Reduced PBGC premium for new plans of small employers.
Sec. 703. Reduction of additional PBGC premium for new and small plans.
Sec. 704. Authorization for PBGC to pay interest on premium overpayment refunds.
Sec. 705. Substantial owner benefits in terminated plans.
Sec. 706. Civil penalties for breach of fiduciary responsibility.
Sec. 707. Benefit suspension notice.
Sec. 708. Studies.

TITLE VIII—PLAN AMENDMENTS

Sec. 801. Provisions relating to plan amendments.

TITLE I—INDIVIDUAL RETIREMENT ACCOUNTS

SEC. 101. MODIFICATION OF IRA CONTRIBUTION LIMITS.

(a) INCREASE IN CONTRIBUTION LIMIT.—

(1) IN GENERAL.—Paragraph (1)(A) of section 219(b) (relating to maximum amount of deduction) is amended by striking ''$2,000'' and inserting ''the deductible amount''.

(2) DEDUCTIBLE AMOUNT.—Section 219(b) is amended by adding at the end the following new paragraph:

''(5) DEDUCTIBLE AMOUNT.—For purposes of paragraph (1)(A)—

''(A) IN GENERAL.—The deductible amount shall be determined in accordance with the following table:

"For taxable years beginning in:	The deductible amount is:
2002	$3,000
2003	$4,000
2004 and thereafter	$5,000.

''(B) CATCH-UP CONTRIBUTIONS FOR INDIVIDUALS 50 OR OLDER.—In the case of an individual who has attained the age of 50 before the close of the taxable year, the deductible amount for taxable years beginning in 2002 or 2003 shall be $5,000.

''(C) COST-OF-LIVING ADJUSTMENT.—

''(i) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2004, the $5,000 amount under subparagraph (A) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2003' for 'calendar year 1992' in subparagraph (B) thereof.

''(ii) ROUNDING RULES.—If any amount after adjustment under clause (i) is not a multiple of $500, such amount shall be rounded to the next lower multiple of $500.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 408(a)(1) is amended by striking ''in excess of $2,000 on behalf of any individual'' and inserting ''on behalf of any individual in excess of the amount in effect for such taxable year under section 219(b)(1)(A)''.

(2) Section 408(b)(2)(B) is amended by striking ''$2,000'' and inserting ''the dollar amount in effect under section 219(b)(1)(A)''.

(3) Section 408(b) is amended by striking ''$2,000'' in the matter following paragraph (4) and inserting ''the dollar amount in effect under section 219(b)(1)(A)''.

(4) Section 408(j) is amended by striking ''$2,000''.

(5) Section 408(p)(8) is amended by striking ''$2,000'' and inserting ''the dollar amount in effect under section 219(b)(1)(A)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE II—EXPANDING COVERAGE

SEC. 201. INCREASE IN BENEFIT AND CONTRIBUTION LIMITS.

(a) DEFINED BENEFIT PLANS.—

(1) DOLLAR LIMIT.—

(A) Subparagraph (A) of section 415(b)(1) (relating to limitation for defined benefit plans) is amended by striking ''$90,000'' and inserting ''$160,000''.

(B) Subparagraphs (C) and (D) of section 415(b)(2) are each amended by striking ''$90,000'' each place it appears in the headings and the text and inserting ''$160,000''.

(C) Paragraph (7) of section 415(b) (relating to benefits under certain collectively bargained plans) is amended by striking ''the greater of $68,212 or one-half the amount otherwise applicable for such year under paragraph (1)(A) for '$90,000' '' and inserting ''one-half the amount otherwise applicable for such year under paragraph (1)(A) for '$160,000' ''.

(2) LIMIT REDUCED WHEN BENEFIT BEGINS BEFORE AGE 62.—Subparagraph (C) of section 415(b)(2) is amended by striking ''the social security retirement age'' each place it appears in the heading and text and inserting ''age 62'' and by striking the second sentence.

(3) LIMIT INCREASED WHEN BENEFIT BEGINS AFTER AGE 65.—Subparagraph (D) of section 415(b)(2) is amended by striking ''the social security retirement age'' each place it appears in the heading and text and inserting ''age 65''.

(4) COST-OF-LIVING ADJUSTMENTS.—Subsection (d) of section 415 (related to cost-of-living adjustments) is amended—

(A) by striking ''$90,000'' in paragraph (1)(A) and inserting ''$160,000''; and

(B) in paragraph (3)(A)—

(i) by striking ''$90,000'' in the heading and inserting ''$160,000''; and

(ii) by striking ''October 1, 1986'' and inserting ''July 1, 2001''.

(5) CONFORMING AMENDMENTS.—

(A) Section 415(b)(2) is amended by striking subparagraph (F).

(B) Section 415(b)(9) is amended to read as follows:

''(9) SPECIAL RULE FOR COMMERCIAL AIRLINE PILOTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), in the case of any participant who is a commercial airline pilot, if, as of the time of the participant's retirement, regulations prescribed by the Federal Aviation Administration require an individual to separate from service as a commercial airline pilot after attaining any age occurring on or after age 60 and before age 62, paragraph (2)(C) shall be applied by substituting such age for age 62.

''(B) INDIVIDUALS WHO SEPARATE FROM SERVICE BEFORE AGE 60.—If a participant described in subparagraph (A) separates from service before age 60, the rules of paragraph (2)(C) shall apply.''.

(C) Section 415(b)(10)(C)(i) is amended by striking ''applied without regard to paragraph (2)(F)''.

(b) DEFINED CONTRIBUTION PLANS.—

(1) DOLLAR LIMIT.—Subparagraph (A) of section 415(c)(1) (relating to limitation for defined contribution plans) is amended by striking ''$30,000'' and inserting ''$40,000''.

(2) COST-OF-LIVING ADJUSTMENTS.—Subsection (d) of section 415 (related to cost-of-living adjustments) is amended—

(A) by striking ''$30,000'' in paragraph (1)(C) and inserting ''$40,000''; and

(B) in paragraph (3)(D)—

(i) by striking ''$30,000'' in the heading and inserting ''$40,000''; and

(ii) by striking ''October 1, 1993'' and inserting ''July 1, 2001''.

(c) QUALIFIED TRUSTS.—

(1) COMPENSATION LIMIT.—Sections 401(a)(17), 404(l), 408(k), and 505(b)(7) are each amended by striking ''$150,000'' each place it appears and inserting ''$200,000''.

(2) BASE PERIOD AND ROUNDING OF COST-OF-LIVING ADJUSTMENT.—Subparagraph (B) of section 401(a)(17) is amended—

(A) by striking ''October 1, 1993'' and inserting ''July 1, 2001''; and

(B) by striking ''$10,000'' both places it appears and inserting ''$5,000''.

(d) ELECTIVE DEFERRALS.—

(1) IN GENERAL.—Paragraph (1) of section 402(g) (relating to limitation on exclusion for elective deferrals) is amended to read as follows:

''(1) IN GENERAL.—

''(A) LIMITATION.—Notwithstanding subsections (e)(3) and (h)(1)(B), the elective deferrals of any individual for any taxable year shall be included in such individual's gross income to the extent the amount of such deferrals for the taxable year exceeds the applicable dollar amount.

''(B) APPLICABLE DOLLAR AMOUNT.—For purposes of subparagraph (A), the applicable dollar amount shall be the amount determined in accordance with the following table:

"For taxable years beginning in calendar year:	The applicable dollar amount:
2002	$11,000
2003	$12,000
2004	$13,000
2005	$14,000
2006 or thereafter	$15,000.''.

(2) COST-OF-LIVING ADJUSTMENT.—Paragraph (5) of section 402(g) is amended to read as follows:

''(5) COST-OF-LIVING ADJUSTMENT.—In the case of taxable years beginning after Decem-

ber 31, 2006, the Secretary shall adjust the $15,000 amount under paragraph (1)(B) at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning July 1, 2005, and any increase under this paragraph which is not a multiple of $500 shall be rounded to the next lowest multiple of $500.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 402(g) (relating to limitation on exclusion for elective deferrals), as amended by paragraphs (1) and (2), is further amended by striking paragraph (4) and redesignating paragraphs (5), (6), (7), (8), and (9) as paragraphs (4), (5), (6), (7), and (8), respectively.

(B) Paragraph (2) of section 457(c) is amended by striking ''402(g)(8)(A)(iii)'' and inserting ''402(g)(7)(A)(iii)''.

(C) Clause (iii) of section 501(c)(18)(D) is amended by striking ''(other than paragraph (4) thereof)''.

(e) DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS.—

(1) IN GENERAL.—Section 457 (relating to deferred compensation plans of State and local governments and tax-exempt organizations) is amended—

(A) in subsections (b)(2)(A) and (c)(1) by striking ''$7,500'' each place it appears and inserting ''the applicable dollar amount''; and

(B) in subsection (b)(3)(A) by striking ''$15,000'' and inserting ''twice the dollar amount in effect under subsection (b)(2)(A)''.

(2) APPLICABLE DOLLAR AMOUNT; COST-OF-LIVING ADJUSTMENT.—Paragraph (15) of section 457(e) is amended to read as follows:

''(15) APPLICABLE DOLLAR AMOUNT.—

''(A) IN GENERAL.—The applicable dollar amount shall be the amount determined in accordance with the following table:

''For taxable years beginning in calendar year:	The applicable dollar amount:
2002	$11,000
2003	$12,000
2004	$13,000
2005	$14,000
2006 or thereafter	$15,000.

''(B) COST-OF-LIVING ADJUSTMENTS.—In the case of taxable years beginning after December 31, 2006, the Secretary shall adjust the $15,000 amount under subparagraph (A) at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning July 1, 2005, and any increase under this paragraph which is not a multiple of $500 shall be rounded to the next lowest multiple of $500.''.

(f) SIMPLE RETIREMENT ACCOUNTS.—

(1) LIMITATION.—Clause (ii) of section 408(p)(2)(A) (relating to general rule for qualified salary reduction arrangement) is amended by striking ''$6,000'' and inserting ''the applicable dollar amount''.

(2) APPLICABLE DOLLAR AMOUNT.—Subparagraph (E) of 408(p)(2) is amended to read as follows:

''(E) APPLICABLE DOLLAR AMOUNT; COST-OF-LIVING ADJUSTMENT.—

''(i) IN GENERAL.—For purposes of subparagraph (A)(ii), the applicable dollar amount shall be the amount determined in accordance with the following table:

''For taxable years beginning in calendar year:	The applicable dollar amount:
2002	$7,000
2003	$8,000
2004	$9,000
2005 or thereafter	$10,000.

''(ii) COST-OF-LIVING ADJUSTMENT.—In the case of a year beginning after December 31, 2005, the Secretary shall adjust the $10,000 amount under clause (i) at the same time and in the same manner as under section 415(d), except that the base period taken into account shall be the calendar quarter beginning July 1, 2004, and any increase under this subparagraph which is not a multiple of $500 shall be rounded to the next lower multiple of $500.''.

(3) CONFORMING AMENDMENTS.—

(A) Subclause (I) of section 401(k)(11)(B)(i) is amended by striking ''$6,000'' and inserting ''the amount in effect under section 408(p)(2)(A)(ii)''.

(B) Section 401(k)(11) is amended by striking subparagraph (E).

(g) ROUNDING RULE RELATING TO DEFINED BENEFIT PLANS AND DEFINED CONTRIBUTION PLANS.—Paragraph (4) of section 415(d) is amended to read as follows:

''(4) ROUNDING.—

''(A) $160,000 AMOUNT.—Any increase under subparagraph (A) of paragraph (1) which is not a multiple of $5,000 shall be rounded to the next lowest multiple of $5,000.

''(B) $40,000 AMOUNT.—Any increase under subparagraph (C) of paragraph (1) which is not a multiple of $1,000 shall be rounded to the next lowest multiple of $1,000.''.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 202. PLAN LOANS FOR SUBCHAPTER S OWNERS, PARTNERS, AND SOLE PROPRIETORS.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—Subparagraph (B) of section 4975(f)(6) (relating to exemptions not to apply to certain transactions) is amended by adding at the end the following new clause:

''(iii) LOAN EXCEPTION.—For purposes of subparagraph (A)(i), the term 'owner-employee' shall only include a person described in subclause (II) or (III) of clause (i).''.

(b) AMENDMENT OF ERISA.—Section 408(d)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1108(d)(2)) is amended by adding at the end the following new subparagraph:

''(C) For purposes of paragraph (1)(A), the term 'owner-employee' shall only include a person described in clause (ii) or (iii) of subparagraph (A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 203. MODIFICATION OF TOP-HEAVY RULES.

(a) SIMPLIFICATION OF DEFINITION OF KEY EMPLOYEE.—

(1) IN GENERAL.—Section 416(i)(1)(A) (defining key employee) is amended—

(A) by striking ''or any of the 4 preceding plan years'' in the matter preceding clause (i);

(B) by striking clause (i) and inserting the following:

''(i) an officer of the employer having an annual compensation greater than $150,000,'';

(C) by striking clause (ii) and redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively; and

(D) by striking the second sentence in the matter following clause (iii), as redesignated by subparagraph (C).

(2) CONFORMING AMENDMENT.—Section 416(i)(1)(B)(iii) is amended by striking ''and subparagraph (A)(ii)''.

(b) MATCHING CONTRIBUTIONS TAKEN INTO ACCOUNT FOR MINIMUM CONTRIBUTION REQUIREMENTS.—Section 416(c)(2)(A) (relating to defined contribution plans) is amended by adding at the end the following: ''Employer matching contributions (as defined in section 401(m)(4)(A)) shall be taken into account for purposes of this subparagraph.''.

(c) DISTRIBUTIONS DURING LAST YEAR BEFORE DETERMINATION DATE TAKEN INTO ACCOUNT.—

(1) IN GENERAL.—Paragraph (3) of section 416(g) is amended to read as follows:

''(3) DISTRIBUTIONS DURING LAST YEAR BEFORE DETERMINATION DATE TAKEN INTO ACCOUNT.—

''(A) IN GENERAL.—For purposes of determining—

''(i) the present value of the cumulative accrued benefit for any employee, or

''(ii) the amount of the account of any employee,

such present value or amount shall be increased by the aggregate distributions made with respect to such employee under the plan during the 1-year period ending on the determination date. The preceding sentence shall also apply to distributions under a terminated plan which if it had not been terminated would have been required to be included in an aggregation group.

''(B) 5-YEAR PERIOD IN CASE OF IN-SERVICE DISTRIBUTION.—In the case of any distribution made for a reason other than separation from service, death, or disability, subparagraph (A) shall be applied by substituting '5-year period' for '1-year period'.''.

(2) BENEFITS NOT TAKEN INTO ACCOUNT.—Subparagraph (E) of section 416(g)(4) is amended—

(A) by striking ''LAST 5 YEARS'' in the heading and inserting ''LAST YEAR BEFORE DETERMINATION DATE''; and

(B) by striking ''5-year period'' and inserting ''1-year period''.

(d) DEFINITION OF TOP-HEAVY PLANS.—Paragraph (4) of section 416(g) (relating to other special rules for top-heavy plans) is amended by adding at the end the following new subparagraph:

''(H) CASH OR DEFERRED ARRANGEMENTS USING ALTERNATIVE METHODS OF MEETING NONDISCRIMINATION REQUIREMENTS.—The term 'top-heavy plan' shall not include a plan which consists solely of—

''(i) a cash or deferred arrangement which meets the requirements of section 401(k)(12), and

''(ii) matching contributions with respect to which the requirements of section 401(m)(11) are met.

If, but for this subparagraph, a plan would be treated as a top-heavy plan because it is a member of an aggregation group which is a top-heavy group, contributions under the plan may be taken into account in determining whether any other plan in the group meets the requirements of subsection (c)(2).''.

(e) FROZEN PLAN EXEMPT FROM MINIMUM BENEFIT REQUIREMENT.—Subparagraph (C) of section 416(c)(1) (relating to defined benefit plans) is amended—

(A) by striking ''clause (ii)'' in clause (i) and inserting ''clause (ii) or (iii)''; and

(B) by adding at the end the following:

''(iii) EXCEPTION FOR FROZEN PLAN.—For purposes of determining an employee's years of service with the employer, any service with the employer shall be disregarded to the extent that such service occurs during a plan year when the plan benefits (within the meaning of section 410(b)) no key employee or former key employee.''.

(f) ELIMINATION OF FAMILY ATTRIBUTION.—Section 416(i)(1)(B) (defining 5-percent owner) is amended by adding at the end the following new clause:

''(iv) FAMILY ATTRIBUTION DISREGARDED.—Solely for purposes of applying this paragraph (and not for purposes of any provision of this title which incorporates by reference the definition of a key employee or 5-percent owner under this paragraph), section 318 shall be applied without regard to subsection (a)(1) thereof in determining whether any person is a 5-percent owner.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 204. ELECTIVE DEFERRALS NOT TAKEN INTO ACCOUNT FOR PURPOSES OF DEDUCTION LIMITS.

(a) IN GENERAL.—Section 404 (relating to deduction for contributions of an employer to an employees' trust or annuity plan and compensation under a deferred payment plan) is amended by adding at the end the following new subsection:

''(n) ELECTIVE DEFERRALS NOT TAKEN INTO ACCOUNT FOR PURPOSES OF DEDUCTION LIMITS.—Elective deferrals (as defined in section 402(g)(3)) shall not be subject to any limitation contained in paragraph (3), (7), or (9) of subsection (a), and such elective deferrals shall not be taken into account in applying any such limitation to any other contributions.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

SEC. 205. REPEAL OF COORDINATION REQUIREMENTS FOR DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Subsection (c) of section 457 (relating to deferred compensation plans of State and local governments and tax-exempt organizations), as amended by section 201, is amended to read as follows:

''(c) LIMITATION.—The maximum amount of the compensation of any one individual which may be deferred under subsection (a) during any taxable year shall not exceed the amount in effect under subsection (b)(2)(A) (as modified by any adjustment provided under subsection (b)(3)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to years beginning after December 31, 2001.

SEC. 206. ELIMINATION OF USER FEE FOR REQUESTS TO IRS REGARDING PENSION PLANS.

(a) ELIMINATION OF CERTAIN USER FEES.—The Secretary of the Treasury or the Secretary's delegate shall not require payment of user fees under the program established under section 10511 of the Revenue Act of 1987 for requests to the Internal Revenue Service for determination letters with respect to the qualified status of a pension benefit plan maintained solely by one or more eligible employers or any trust which is part of the plan. The preceding sentence shall not apply to any request—

(1) made after the later of—

(A) the fifth plan year the pension benefit plan is in existence; or

(B) the end of any remedial amendment period with respect to the plan beginning within the first 5 plan years; or

(2) made by the sponsor of any prototype or similar plan which the sponsor intends to market to participating employers.

(b) PENSION BENEFIT PLAN.—For purposes of this section, the term ''pension benefit plan'' means a pension, profit-sharing, stock bonus, annuity, or employee stock ownership plan.

(c) ELIGIBLE EMPLOYER.—For purposes of this section, the term ''eligible employer'' has the same meaning given such term in section 408(p)(2)(C)(i)(I) of the Internal Revenue Code of 1986. The determination of whether an employer is an eligible employer under this section shall be made as of the date of the request described in subsection (a).

(d) DETERMINATION OF AVERAGE FEES CHARGED.—For purposes of any determination of average fees charged, any request to which subsection (a) applies shall not be taken into account.

(e) EFFECTIVE DATE.—The provisions of this section shall apply with respect to requests made after December 31, 2001.

SEC. 207. DEDUCTION LIMITS.

(a) STOCK BONUS AND PROFIT SHARING TRUSTS.—

(1) IN GENERAL.—Subclause (I) of section 404(a)(3)(A)(i) (relating to stock bonus and profit sharing trusts) is amended by striking ''15 percent'' and inserting ''20 percent''.

(2) CONFORMING AMENDMENT.—Subparagraph (C) of section 404(h)(1) is amended by striking ''15 percent'' each place it appears and inserting ''20 percent''.

(b) COMPENSATION.—

(1) IN GENERAL.—Section 404(a) (relating to general rule) is amended by adding at the end the following:

''(12) DEFINITION OF COMPENSATION.—For purposes of paragraphs (3), (7), (8), and (9), the term 'compensation otherwise paid or accrued during the taxable year' shall include amounts treated as 'participant's compensation' under subparagraph (C) or (D) of section 415(c)(3).''.

(2) CONFORMING AMENDMENTS.—

(A) Subparagraph (B) of section 404(a)(3) is amended by striking the last sentence.

(B) Clause (i) of section 4972(c)(6)(B) is amended by striking ''(within the meaning of section 404(a))'' and inserting ''(within the meaning of section 404(a) and as adjusted under section 404(a)(12))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 208. OPTION TO TREAT ELECTIVE DEFERRALS AS AFTER-TAX CONTRIBUTIONS.

(a) IN GENERAL.—Subpart A of part I of subchapter D of chapter 1 (relating to deferred compensation, etc.) is amended by inserting after section 402 the following new section:

''SEC. 402A. OPTIONAL TREATMENT OF ELECTIVE DEFERRALS AS PLUS CONTRIBUTIONS.

''(a) GENERAL RULE.—If an applicable retirement plan includes a qualified plus contribution program—

''(1) any designated plus contribution made by an employee pursuant to the program shall be treated as an elective deferral for purposes of this chapter, except that such contribution shall not be excludable from gross income, and

''(2) such plan (and any arrangement which is part of such plan) shall not be treated as failing to meet any requirement of this chapter solely by reason of including such program.

''(b) QUALIFIED PLUS CONTRIBUTION PROGRAM.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified plus contribution program' means a program under which an employee may elect to make designated plus contributions in lieu of all or a portion of elective deferrals the employee is otherwise eligible to make under the applicable retirement plan.

''(2) SEPARATE ACCOUNTING REQUIRED.—A program shall not be treated as a qualified plus contribution program unless the applicable retirement plan—

''(A) establishes separate accounts ('designated plus accounts') for the designated plus contributions of each employee and any earnings properly allocable to the contributions, and

''(B) maintains separate recordkeeping with respect to each account.

''(c) DEFINITIONS AND RULES RELATING TO DESIGNATED PLUS CONTRIBUTIONS.—For purposes of this section—

''(1) DESIGNATED PLUS CONTRIBUTION.—The term 'designated plus contribution' means any elective deferral which—

''(A) is excludable from gross income of an employee without regard to this section, and

''(B) the employee designates (at such time and in such manner as the Secretary may prescribe) as not being so excludable.

''(2) DESIGNATION LIMITS.—The amount of elective deferrals which an employee may designate under paragraph (1) shall not exceed the excess (if any) of—

''(A) the maximum amount of elective deferrals excludable from gross income of the employee for the taxable year (without regard to this section), over

''(B) the aggregate amount of elective deferrals of the employee for the taxable year which the employee does not designate under paragraph (1).

''(3) ROLLOVER CONTRIBUTIONS.—

''(A) IN GENERAL.—A rollover contribution of any payment or distribution from a designated plus account which is otherwise allowable under this chapter may be made only if the contribution is to—

''(i) another designated plus account of the individual from whose account the payment or distribution was made, or

''(ii) a Roth IRA of such individual.

''(B) COORDINATION WITH LIMIT.—Any rollover contribution to a designated plus account under subparagraph (A) shall not be taken into account for purposes of paragraph (1).

''(d) DISTRIBUTION RULES.—For purposes of this title—

''(1) EXCLUSION.—Any qualified distribution from a designated plus account shall not be includible in gross income.

''(2) QUALIFIED DISTRIBUTION.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified distribution' has the meaning given such term by section 408A(d)(2)(A) (without regard to clause (iv) thereof).

''(B) DISTRIBUTIONS WITHIN NONEXCLUSION PERIOD.—A payment or distribution from a designated plus account shall not be treated as a qualified distribution if such payment or distribution is made within the 5-taxable-year period beginning with the earlier of—

''(i) the first taxable year for which the individual made a designated plus contribution to any designated plus account established for such individual under the same applicable retirement plan, or

''(ii) if a rollover contribution was made to such designated plus account from a designated plus account previously established for such individual under another applicable retirement plan, the first taxable year for which the individual made a designated plus contribution to such previously established account.

''(C) DISTRIBUTIONS OF EXCESS DEFERRALS AND CONTRIBUTIONS AND EARNINGS THEREON.—The term 'qualified distribution' shall not include any distribution of an excess deferral under section 402(g)(2) or any excess contribution under section 401(k)(8), and any income on the excess deferral or contribution.

''(3) TREATMENT OF DISTRIBUTIONS OF CERTAIN EXCESS DEFERRALS.—Notwithstanding section 72, if any excess deferral under section 402(g)(2) attributable to a designated plus contribution is not distributed on or before the 1st April 15 following the close of the taxable year in which such excess deferral is made, the amount of such excess deferral shall—

''(A) not be treated as investment in the contract, and

''(B) be included in gross income for the taxable year in which such excess is distributed.

''(4) AGGREGATION RULES.—Section 72 shall be applied separately with respect to distributions and payments from a designated plus account and other distributions and payments from the plan.

''(e) OTHER DEFINITIONS.—For purposes of this section—

''(1) APPLICABLE RETIREMENT PLAN.—The term 'applicable retirement plan' means—

''(A) an employees' trust described in section 401(a) which is exempt from tax under section 501(a), and

''(B) a plan under which amounts are contributed by an individual's employer for an annuity contract described in section 403(b).

''(2) ELECTIVE DEFERRAL.—The term 'elective deferral' means any elective deferral described in subparagraph (A) or (C) of section 402(g)(3).''.

(b) EXCESS DEFERRALS.—Section 402(g) (relating to limitation on exclusion for elective deferrals) is amended—

(1) by adding at the end of paragraph (1)(A) (as added by section 201(d)(1)) the following new sentence: ''The preceding sentence shall not apply to so much of such excess as does not exceed the designated plus contributions of the individual for the taxable year.''; and

(2) by inserting ''(or would be included but for the last sentence thereof)'' after ''paragraph (1)'' in paragraph (2)(A).

(c) ROLLOVERS.—Subparagraph (B) of section 402(c)(8) is amended by adding at the end the following:

''If any portion of an eligible rollover distribution is attributable to payments or distributions from a designated plus account (as defined in section 402A), an eligible retirement plan with respect to such portion shall include only another designated plus account and a Roth IRA.''.

(d) REPORTING REQUIREMENTS.—

(1) W–2 INFORMATION.—Section 6051(a)(8) is amended by inserting '', including the amount of designated plus contributions (as defined in section 402A)'' before the comma at the end.

(2) INFORMATION.—Section 6047 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

''(f) DESIGNATED PLUS CONTRIBUTIONS.—The Secretary shall require the plan administrator of each applicable retirement plan (as defined in section 402A) to make such returns and reports regarding designated plus contributions (as so defined) to the Secretary, participants and beneficiaries of the plan, and such other persons as the Secretary may prescribe.''.

(e) CONFORMING AMENDMENTS.—

(1) Section 408A(e) is amended by adding after the first sentence the following new sentence: ''Such term includes a rollover contribution described in section 402A(c)(3)(A).''.

(2) The table of sections for subpart A of part I of subchapter D of chapter 1 is amended by inserting after the item relating to section 402 the following new item:

''Sec. 402A. Optional treatment of elective deferrals as plus contributions.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 209. AVAILABILITY OF QUALIFIED PLANS TO SELF-EMPLOYED INDIVIDUALS WHO ARE EXEMPT FROM THE SELF-EMPLOYMENT TAX BY REASON OF THEIR RELIGIOUS BELIEFS.

(a) IN GENERAL.—Subparagraph (A) of section 401(c)(2) (defining earned income) is amended by adding at the end thereof the following new sentence: ''For purposes of this part only (other than sections 419 and 419A), this subparagraph shall be applied as if the term 'trade or business' for purposes of section 1402 included service described in section 1402(c)(6).''.

(b) SIMPLE RETIREMENT ACCOUNTS.—Clause (ii) of section 408(p)(6)(A) (defining self-employed) is amended by adding at the end the following new sentence: ''The preceding sentence shall be applied as if the term 'trade or business' for purposes of section 1402 included service described in section 1402(c)(6).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 210. CERTAIN NONRESIDENT ALIENS EXCLUDED IN APPLYING MINIMUM COVERAGE REQUIREMENTS.

(a) IN GENERAL.—Subparagraph (C) of section 410(b)(3) (relating to exclusion of certain employees) is amended by inserting '', determined without regard to the reference to subchapter D in the last sentence thereof'' after ''section 861(a)(3)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning after December 31, 2001.

SEC. 211. REFUNDABLE CREDIT TO CERTAIN INDIVIDUALS FOR ELECTIVE DEFERRALS AND IRA CONTRIBUTIONS.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 35 as section 36 and by inserting after section 34 the following new section:

''SEC. 35. ELECTIVE DEFERRALS AND IRA CONTRIBUTIONS BY CERTAIN INDIVIDUALS.

''(a) ALLOWANCE OF CREDIT.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the applicable percentage of so much of the qualified retirement savings contributions of the eligible individual for the taxable year as do not exceed $2,000.

''(b) APPLICABLE PERCENTAGE.—For purposes of this section, the applicable percentage is the percentage determined in accordance with the following table:

Adjusted Gross Income						Applicable percentage
Joint return		Head of a household		All other cases		
Over	Not over	Over	Not over	Over	Not over	
$0	$25,000	$0	$18,750	$0	$12,500	50
25,000	35,000	18,750	26,250	12,500	17,500	45
35,000	45,000	26,250	33,750	17,500	22,500	35
45,000	55,000	33,750	41,250	22,500	27,500	25
55,000	75,000	41,250	56,250	27,500	37,500	15
75,000	.....	56,250	.....	37,500	.....	0

''(c) ELIGIBLE INDIVIDUAL.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible individual' means any individual if—

''(A) such individual has attained the age of 18 as of the close of the taxable year, and

''(B) the compensation (as defined in section 219(f)(1)) includible in the gross income of the individual (or, in the case of a joint return, of the taxpayer) for such taxable year is at least $5,000.

''(2) DEPENDENTS AND FULL-TIME STUDENTS NOT ELIGIBLE.—The term 'eligible individual' shall not include—

''(A) any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which such individual's taxable year begins, and

''(B) any individual who is a student (as defined in section 151(c)(4)).

''(3) INDIVIDUALS RECEIVING CERTAIN RETIREMENT DISTRIBUTIONS NOT ELIGIBLE.—

''(A) IN GENERAL.—The term 'eligible individual' shall not include, with respect to a taxable year, any individual who received during the testing period—

''(i) any distribution from a qualified retirement plan (as defined in section 4974(c)), or from an eligible deferred compensation plan (as defined in section 457(b)), which is includible in gross income, or

''(ii) any distribution from a Roth IRA which is not a qualified rollover contribution (as defined in section 408A(e)) to a Roth IRA.

''(B) TESTING PERIOD.—For purposes of subparagraph (A), the testing period, with respect to a taxable year, is the period which includes—

''(i) such taxable year,

''(ii) the preceding taxable year, and

''(iii) the period after such taxable year and before the due date (without extensions) for filing the return of tax for such taxable year.

''(C) EXCEPTED DISTRIBUTIONS.—There shall not be taken into account under subparagraph (A)—

''(i) any distribution referred to in section 72(p), 401(k)(8), 401(m)(6), 402(g)(2), 404(k), or 408(d)(4),

''(ii) any distribution to which section 408A(d)(3) applies, and

''(iii) any distribution before January 1, 2002.

''(D) TREATMENT OF DISTRIBUTIONS RECEIVED BY SPOUSE OF INDIVIDUAL.—For purposes of determining whether an individual is an eligible individual for any taxable year, any distribution received by the spouse of such individual shall be treated as received by such individual if such individual and spouse file a joint return for such taxable year and for the taxable year during which the spouse receives the distribution.

''(d) QUALIFIED RETIREMENT SAVINGS CONTRIBUTIONS.—For purposes of this section, the term 'qualified retirement savings contributions' means the sum of—

''(1) the amount of the qualified retirement contributions (as defined in section 219(e)) made by the eligible individual,

''(2) the amount of—

''(A) any elective deferrals (as defined in section 402(g)(3)) of such individual, and

''(B) any elective deferral of compensation by such individual under an eligible deferred compensation plan (as defined in section 457(b)) of an eligible employer described in section 457(e)(1)(A), and

''(3) the amount of voluntary employee contributions by such individual to any qualified retirement plan (as defined in section 4974(c)).

''(e) ADJUSTED GROSS INCOME.—For purposes of this section, adjusted gross income shall be determined without regard to sections 911, 931, and 933.

''(f) INVESTMENT IN THE CONTRACT.—Notwithstanding any other provision of law, a qualified retirement savings contribution shall not fail to be included in determining the investment in the contract for purposes of section 72 by reason of the credit under this section.

''(g) TRANSITIONAL RULES.—In the case of taxable years beginning before January 1, 2008—

''(1) CONTRIBUTION LIMIT.—Subsection (a) shall be applied by substituting for '$2,000'—

''(A) $600 in the case of taxable years beginning in 2002, 2003, or 2004, and

''(B) $1,000 in the case of taxable years beginning in 2005, 2006, or 2007.

''(2) APPLICABLE PERCENTAGE.—The applicable percentage shall be determined under the following table (in lieu of the table in subsection (b)):

Adjusted Gross Income						Applicable percentage
Joint return		Head of a household		All other cases		
Over	Not over	Over	Not over	Over	Not over	
$0	$20,000	$0	$15,000	$0	$10,000	50
20,000	25,000	15,000	18,750	10,000	12,500	45
25,000	30,000	18,750	22,500	12,500	15,000	35
30,000	35,000	22,500	26,250	15,000	17,500	25
35,000	40,000	26,250	30,000	17,500	20,000	15
40,000	.....	30,000	.....	20,000	.....	0.''

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting before the period '', or from section 35 of such Code''.

(2) The table of sections for subpart C of part IV of subchapter A of chapter 1 of such Code is amended by striking the last item and inserting the following new items:

''Sec. 35. Elective deferrals and IRA contributions by certain individuals.

''Sec. 36. Overpayments of tax.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 212. CREDIT FOR PENSION PLAN STARTUP COSTS OF SMALL EMPLOYERS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business related credits) is amended by adding at the end the following new section:

''SEC. 45E. SMALL EMPLOYER PENSION PLAN STARTUP COSTS.

''(a) GENERAL RULE.—For purposes of section 38, in the case of an eligible employer, the small employer pension plan startup cost credit determined under this section for any taxable year is an amount equal to 50 percent of the qualified startup costs paid or incurred by the taxpayer during the taxable year.

''(b) DOLLAR LIMITATION.—The amount of the credit determined under this section for any taxable year shall not exceed—

''(1) $1,000 for the first credit year,

''(2) $500 for each of the 2 taxable years immediately following the first credit year, and

''(3) zero for any other taxable year.

''(c) ELIGIBLE EMPLOYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible employer' has the meaning given such term by section 408(p)(2)(C)(i).

''(2) EMPLOYERS MAINTAINING QUALIFIED PLANS DURING 1998 NOT ELIGIBLE.—Such term shall not include an employer if such employer (or any predecessor employer) maintained a qualified plan (as defined in section 408(p)(2)(D)(ii)) with respect to which contributions were made, or benefits were accrued, for service in 1998. If only individuals other than employees described in subparagraph (A) or (B) of section 410(b)(3) are eligible to participate in the qualified employer plan referred to in subsection (d)(1), then the preceding sentence shall be applied without regard to any qualified plan in which only employees so described are eligible to participate.

''(d) OTHER DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED STARTUP COSTS.—

''(A) IN GENERAL.—The term 'qualified startup costs' means any ordinary and necessary expenses of an eligible employer which are paid or incurred in connection with—

''(i) the establishment or administration of an eligible employer plan, or

''(ii) the retirement-related education of employees with respect to such plan.

''(B) PLAN MUST HAVE AT LEAST 2 PARTICIPANTS.—Such term shall not include any expense in connection with a plan that does not have at least 2 individuals who are eligible to participate.

''(C) PLAN MUST BE ESTABLISHED BEFORE JANUARY 1, 2010.—Such term shall not include any expense in connection with a plan established after December 31, 2009.

''(2) ELIGIBLE EMPLOYER PLAN.—The term 'eligible employer plan' means a qualified employer plan within the meaning of section 4972(d), or a qualified payroll deduction arrangement within the meaning of section 408(q)(1) (whether or not an election is made under section 408(q)(2)). A qualified payroll deduction arrangement shall be treated as an eligible employer plan only if all employees of the employer who—

''(A) have been employed for 90 days, and

''(B) are not described in subparagraph (A) or (C) of section 410(b)(3),

are eligible to make the election under section 408(q)(1)(A).

''(3) FIRST CREDIT YEAR.—The term 'first credit year' means—

''(A) the taxable year which includes the date that the eligible employer plan to which such costs relate becomes effective, or

''(B) at the election of the eligible employer, the taxable year preceding the taxable year referred to in subparagraph (A).

''(e) SPECIAL RULES.—For purposes of this section—

''(1) AGGREGATION RULES.—All persons treated as a single employer under subsection (a) or (b) of section 52, or subsection (n) or (o) of section 414, shall be treated as one person. All eligible employer plans shall be treated as 1 eligible employer plan.

''(2) DISALLOWANCE OF DEDUCTION.—No deduction shall be allowed for that portion of the qualified startup costs paid or incurred for the taxable year which is equal to the credit determined under subsection (a).

''(3) ELECTION NOT TO CLAIM CREDIT.—This section shall not apply to a taxpayer for any taxable year if such taxpayer elects to have this section not apply for such taxable year.''

(b) CREDIT ALLOWED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b) of such Code (defining current year business credit) is amended by striking ''plus'' at the end of paragraph (12), by striking the period at the end of paragraph (13) and inserting '', plus'', and by adding at the end the following new paragraph:

''(14) in the case of an eligible employer (as defined in section 45E(c)), the small employer pension plan startup cost credit determined under section 45E(a).''

(c) CONFORMING AMENDMENTS.—

(1) Section 39(d) of such Code is amended by adding at the end the following new paragraph:

''(10) NO CARRYBACK OF SMALL EMPLOYER PENSION PLAN STARTUP COST CREDIT BEFORE JANUARY 1, 2002.—No portion of the unused business credit for any taxable year which is attributable to the small employer pension plan startup cost credit determined under section 45E may be carried back to a taxable year beginning before January 1, 2002.''

(2) Subsection (c) of section 196 of such Code is amended by striking ''and'' at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting '', and'', and by adding at the end the following new paragraph:

''(10) the small employer pension plan startup cost credit determined under section 45E(a).''

(3) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45E. Small employer pension plan startup costs.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to costs paid or incurred in taxable years beginning after December 31, 2001.

SEC. 213. CREDIT FOR QUALIFIED PENSION PLAN CONTRIBUTIONS OF SMALL EMPLOYERS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business related credits) is amended by adding at the end the following new section:

''SEC. 45F. SMALL EMPLOYER PENSION PLAN CONTRIBUTIONS.

''(a) GENERAL RULE.—For purposes of section 38, in the case of an eligible employer, the small employer pension plan contribution credit determined under this section for any taxable year is an amount equal to 50 percent of the amount which would (but for subsection (f)(1)) be allowed as a deduction under section 404 for such taxable year for qualified employer contributions made to any qualified retirement plan on behalf of any nonhighly compensated employee.

''(b) CREDIT LIMITED TO 3 YEARS.—The credit allowable by this section shall be allowed only with respect to the period of 3 taxable years beginning with the taxable year in which the qualified retirement plan becomes effective.

''(c) QUALIFIED EMPLOYER CONTRIBUTION.—For purposes of this section—

''(1) DEFINED CONTRIBUTION PLANS.—In the case of a defined contribution plan, the term 'qualified employer contribution' means the amount of nonelective and matching contributions to the plan made by the employer on behalf of any nonhighly compensated employee to the extent such amount does not exceed 3 percent of such employee's compensation from the employer for the year.

''(2) DEFINED BENEFIT PLANS.—In the case of a defined benefit plan, the term 'qualified employer contribution' means the amount of employer contributions to the plan made on behalf of any nonhighly compensated employee to the extent that the accrued benefit of such employee derived from such contributions for the year do not exceed the equivalent (as determined under regulations prescribed by the Secretary and without re-

gard to contributions and benefits under the Social Security Act) of 3 percent of such employee's compensation from the employer for the year.

''(d) QUALIFIED RETIREMENT PLAN.—

''(1) IN GENERAL.—The term 'qualified retirement plan' means any plan described in section 401(a) which includes a trust exempt from tax under section 501(a) if the plan meets—

''(A) the contribution requirements of paragraph (2),

''(B) the vesting requirements of paragraph (3), and

''(C) the distributions requirements of paragraph (4).

''(2) CONTRIBUTION REQUIREMENTS.—

''(A) IN GENERAL.—The requirements of this paragraph are met if, under the plan—

''(i) the employer is required to make nonelective contributions of at least 1 percent of compensation (or the equivalent thereof in the case of a defined benefit plan) for each nonhighly compensated employee who is eligible to participate in the plan, and

''(ii) except in the case of a defined benefit plan, allocations of nonelective employer contributions are either in equal dollar amounts for all employees covered by the plan or bear a uniform relationship to the total compensation, or the basic or regular rate of compensation, of the employees covered by the plan.

''(B) COMPENSATION LIMITATION.—The compensation taken into account under subparagraph (A) for any year shall not exceed the limitation in effect for such year under section 401(a)(17).

''(3) VESTING REQUIREMENTS.—The requirements of this paragraph are met if the plan satisfies the requirements of subparagraph (A) or (B).

''(A) 3-YEAR VESTING.—A plan satisfies the requirements of this subparagraph if an employee who has completed at least 3 years of service has a nonforfeitable right to 100 percent of the employee's accrued benefit derived from employer contributions.

''(B) 5-YEAR GRADED VESTING.—A plan satisfies the requirements of this subparagraph if an employee has a nonforfeitable right to a percentage of the employee's accrued benefit derived from employer contributions determined under the following table:

"Years of service:	The nonforfeitable percentage is:
1	20
2	40
3	60
4	80
5	100.

''(4) DISTRIBUTION REQUIREMENTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the requirements of this paragraph are met if, under the plan—

''(i) in the case of a profit-sharing or stock bonus plan, amounts are distributable only as provided in section 401(k)(2)(B), and

''(ii) in the case of a pension plan, amounts are distributable subject to the limitations applicable to other distributions from the plan.

''(B) DISTRIBUTIONS WITHIN 5 YEARS AFTER SEPARATION, ETC.—In no event shall a plan meet the requirements of this paragraph unless, under the plan, amounts distributed—

''(i) after separation from service or severance from employment, and

''(ii) within 5 years after the date of the earliest employer contribution to the plan,

may be distributed only in a direct trustee-to-trustee transfer to a plan having the same distribution restrictions as the distributing plan.

''(e) OTHER DEFINITIONS.—For purposes of this section—

''(1) ELIGIBLE EMPLOYER.—The term 'eligible employer' has the meaning given such term by section 408(p)(2)(C)(i).

''(2) NONHIGHLY COMPENSATED EMPLOYEES.—The term 'highly compensated employee' has the meaning given such term by section 414(q) (determined without regard to section 414(q)(1)(B)(ii)).

''(f) SPECIAL RULES.—

''(1) DISALLOWANCE OF DEDUCTION.—No deduction shall be allowed for that portion of the qualified employer contributions paid or incurred for the taxable year which is equal to the credit determined under subsection (a).

''(2) ELECTION NOT TO CLAIM CREDIT.—This section shall not apply to a taxpayer for any taxable year if such taxpayer elects to have this section not apply for such taxable year.

''(g) RECAPTURE OF CREDIT ON FORFEITED CONTRIBUTIONS.—If any accrued benefit which is forfeitable by reason of subsection (d)(3) is forfeited, the employer's tax imposed by this chapter for the taxable year in which the forfeiture occurs shall be increased by 35 percent of the employer contributions from which such benefit is derived to the extent such contributions were taken into account in determining the credit under this section.

''(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be appropriate to carry out the purposes of this section, including regulations to prevent the abuse of the purposes of this section through the use of multiple plans.

''(i) TERMINATION.—This section shall not apply to any plan established after December 31, 2009.''

(b) CREDIT ALLOWED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b) of such Code (defining current year business credit) is amended by striking ''plus'' at the end of paragraph (13), by striking the period at the end of paragraph (14) and inserting '', plus'', and by adding at the end the following new paragraph:

''(15) in the case of an eligible employer (as defined in section 45F(e)), the small employer pension plan contribution credit determined under section 45F(a).''

(c) CONFORMING AMENDMENTS.—

(1) Section 39(d) of such Code is amended by adding at the end the following new paragraph:

''(11) NO CARRYBACK OF SMALL EMPLOYER PENSION PLAN CONTRIBUTION CREDIT BEFORE JANUARY 1, 2002.—No portion of the unused business credit for any taxable year which is attributable to the small employer pension plan contribution credit determined under section 45F may be carried back to a taxable year beginning before January 1, 2002.''

(2) Subsection (c) of section 196 of such Code is amended by striking ''and'' at the end of paragraph (9), by striking the period at the end of paragraph (10) and inserting '', and'', and by adding at the end the following new paragraph:

''(11) the small employer pension plan contribution credit determined under section 45F(a).''

(3) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45F. Small employer pension plan contributions.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions paid or incurred in taxable years beginning after December 31, 2001.

TITLE III—ENHANCING FAIRNESS FOR WOMEN

SEC. 301. CATCH-UP CONTRIBUTIONS FOR INDIVIDUALS AGE 50 OR OVER.

(a) IN GENERAL.—Section 414 (relating to definitions and special rules) is amended by adding at the end the following new subsection:

''(v) CATCH-UP CONTRIBUTIONS FOR INDIVIDUALS AGE 50 OR OVER.—

''(1) IN GENERAL.—An applicable employer plan shall not be treated as failing to meet any requirement of this title solely because the plan permits an eligible participant to make additional elective deferrals in any plan year.

''(2) LIMITATION ON AMOUNT OF ADDITIONAL DEFERRALS.—A plan shall not permit additional elective deferrals under paragraph (1) for any year in an amount greater than the lesser of—

''(A) $5,000, or

''(B) the excess (if any) of—

''(i) the participant's compensation for the year, over

''(ii) any other elective deferrals of the participant for such year which are made without regard to this subsection.

''(3) TREATMENT OF CONTRIBUTIONS.—In the case of any contribution to a plan under paragraph (1), such contribution shall not, with respect to the year in which the contribution is made—

''(A) be subject to any otherwise applicable limitation contained in section 402(g), 402(h)(2), 404(a), 404(h), 408(p)(2)(A)(ii), 415, or 457, or

''(B) be taken into account in applying such limitations to other contributions or benefits under such plan or any other such plan.

''(4) APPLICATION OF NONDISCRIMINATION RULES.—

''(A) IN GENERAL.—An applicable employer plan shall not be treated as failing to meet the nondiscrimination requirements under section 401(a)(4) with respect to benefits, rights, and features if the plan allows all eligible participants to make the same election with respect to the additional elective deferrals under this subsection.

''(B) AGGREGATION.—For purposes of subparagraph (A), all plans maintained by employers who are treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as 1 plan.

''(5) ELIGIBLE PARTICIPANT.—For purposes of this subsection, the term 'eligible participant' means, with respect to any plan year, a participant in a plan—

''(A) who has attained the age of 50 before the close of the plan year, and

''(B) with respect to whom no other elective deferrals may (without regard to this subsection) be made to the plan for the plan year by reason of the application of any limitation or other restriction described in paragraph (3) or comparable limitation contained in the terms of the plan.

''(6) OTHER DEFINITIONS AND RULES.—For purposes of this subsection—

''(A) APPLICABLE EMPLOYER PLAN.—The term 'applicable employer plan' means—

''(i) an employees' trust described in section 401(a) which is exempt from tax under section 501(a),

''(ii) a plan under which amounts are contributed by an individual's employer for an annuity contract described in section 403(b),

''(iii) an eligible deferred compensation plan under section 457 of an eligible employer as defined in section 457(e)(1)(A), and

''(iv) an arrangement meeting the requirements of section 408 (k) or (p).

''(B) ELECTIVE DEFERRAL.—The term 'elective deferral' has the meaning given such term by subsection (u)(2)(C).

''(C) EXCEPTION FOR SECTION 457 PLANS.—This subsection shall not apply to an applicable employer plan described in subparagraph (A)(iii) for any year to which section 457(b)(3) applies.

''(D) COST-OF-LIVING ADJUSTMENT.—In the case of a year beginning after December 31, 2006, the Secretary shall adjust annually the $5,000 amount in paragraph (2)(A) for increases in the cost-of-living at the same time and in the same manner as adjustments under section 415(d); except that the base pe-

riod taken into account shall be the calendar quarter beginning July 1, 2005, and any increase under this subparagraph which is not a multiple of $500 shall be rounded to the next lower multiple of $500.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions in taxable years beginning after December 31, 2001.

SEC. 302. EQUITABLE TREATMENT FOR CONTRIBUTIONS OF EMPLOYEES TO DEFINED CONTRIBUTION PLANS.

(a) EQUITABLE TREATMENT.—

(1) IN GENERAL.—Subparagraph (B) of section 415(c)(1) (relating to limitation for defined contribution plans) is amended by striking ''25 percent'' and inserting ''100 percent''.

(2) APPLICATION TO SECTION 403(b).—Section 403(b) is amended—

(A) by striking ''the exclusion allowance for such taxable year'' in paragraph (1) and inserting ''the applicable limit under section 415'';

(B) by striking paragraph (2); and

(C) by inserting ''or any amount received by a former employee after the fifth taxable year following the taxable year in which such employee was terminated'' before the period at the end of the second sentence of paragraph (3).

(3) CONFORMING AMENDMENTS.—

(A) Subsection (f) of section 72 is amended by striking ''section 403(b)(2)(D)(iii))'' and inserting ''section 403(b)(2)(D)(iii), as in effect before the enactment of the Comprehensive Retirement Security and Pension Reform Act of 2001)''.

(B) Section 404(a)(10)(B) is amended by striking '', the exclusion allowance under section 403(b)(2),''.

(C) Section 404(j) is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR MONEY PURCHASE PLANS.—For purposes of paragraph (1)(B), in the case of a defined contribution plan which is subject to the funding standards of section 412, section 415(c)(1)(B) shall be applied by substituting '25 percent' for '100 percent'.''.

(D) Section 415(a)(2) is amended by striking '', and the amount of the contribution for such portion shall reduce the exclusion allowance as provided in section 403(b)(2)''.

(E) Section 415(c)(3) is amended by adding at the end the following new subparagraph:

''(E) ANNUITY CONTRACTS.—In the case of an annuity contract described in section 403(b), the term 'participant's compensation' means the participant's includible compensation determined under section 403(b)(3).''.

(F) Section 415(c) is amended by striking paragraph (4).

(G) Section 415(c)(7) is amended to read as follows:

''(7) CERTAIN CONTRIBUTIONS BY CHURCH PLANS NOT TREATED AS EXCEEDING LIMIT.—

''(A) IN GENERAL.—Notwithstanding any other provision of this subsection, at the election of a participant who is an employee of a church or a convention or association of churches, including an organization described in section 414(e)(3)(B)(ii), contributions and other additions for an annuity contract or retirement income account described in section 403(b) with respect to such participant, when expressed as an annual addition to such participant's account, shall be treated as not exceeding the limitation of paragraph (1) if such annual addition is not in excess of $10,000.

''(B) $40,000 AGGREGATE LIMITATION.—The total amount of additions with respect to any participant which may be taken into account for purposes of this subparagraph for all years may not exceed $40,000.

''(C) ANNUAL ADDITION.—For purposes of this paragraph, the term 'annual addition' has the meaning given such term by paragraph (2).''.

(H) Subparagraph (B) of section 402(g)(7) (as redesignated by section 201) is amended by inserting before the period at the end the following: ''(as in effect before the enactment of the Comprehensive Retirement Security and Pension Reform Act of 2001)''.

(I) Section 664(g) is amended—

(i) in paragraph (3)(E) by striking ''limitations under section 415(c)'' and inserting ''applicable limitation under paragraph (7)'', and

(ii) by adding at the end the following new paragraph:

''(7) APPLICABLE LIMITATION.—

''(A) IN GENERAL.—For purposes of paragraph (3)(E), the applicable limitation under this paragraph with respect to a participant is an amount equal to the lesser of—

''(i) $30,000, or

''(ii) 25 percent of the participant's compensation (as defined in section 415(c)(3)).

''(B) COST-OF-LIVING ADJUSTMENT.—The Secretary shall adjust annually the $30,000 amount under subparagraph (A)(i) at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning October 1, 1993, and any increase under this subparagraph which is not a multiple of $5,000 shall be rounded to the next lowest multiple of $5,000.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning after December 31, 2001.

(b) SPECIAL RULES FOR SECTIONS 403(b) AND 408.—

(1) IN GENERAL.—Subsection (k) of section 415 is amended by adding at the end the following new paragraph:

''(4) SPECIAL RULES FOR SECTIONS 403(B) AND 408.—For purposes of this section, any annuity contract described in section 403(b) for the benefit of a participant shall be treated as a defined contribution plan maintained by each employer with respect to which the participant has the control required under subsection (b) or (c) of section 414 (as modified by subsection (h)). For purposes of this section, any contribution by an employer to a simplified employee pension plan for an individual for a taxable year shall be treated as an employer contribution to a defined contribution plan for such individual for such year.''.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendment made by paragraph (1) shall apply to limitation years beginning after December 31, 1999.

(B) EXCLUSION ALLOWANCE.—Effective for limitation years beginning in 2000, in the case of any annuity contract described in section 403(b) of the Internal Revenue Code of 1986, the amount of the contribution disqualified by reason of section 415(g) of such Code shall reduce the exclusion allowance as provided in section 403(b)(2) of such Code.

(3) MODIFICATION OF 403(b) EXCLUSION ALLOWANCE TO CONFORM TO 415 MODIFICATION.—The Secretary of the Treasury shall modify the regulations regarding the exclusion allowance under section 403(b)(2) of the Internal Revenue Code of 1986 to render void the requirement that contributions to a defined benefit pension plan be treated as previously excluded amounts for purposes of the exclusion allowance. For taxable years beginning after December 31, 1999, such regulations shall be applied as if such requirement were void.

(c) DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS.—

(1) IN GENERAL.—Subparagraph (B) of section 457(b)(2) (relating to salary limitation on eligible deferred compensation plans) is amended by striking ''33⅓ percent'' and inserting ''100 percent''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to years beginning after December 31, 2001.

SEC. 303. FASTER VESTING OF CERTAIN EMPLOYER MATCHING CONTRIBUTIONS.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—Section 411(a) (relating to minimum vesting standards) is amended—

(1) in paragraph (2) in the matter preceding subparagraph (A), by striking ''A plan'' and inserting ''Except as provided in paragraph (12), a plan''; and

(2) by adding at the end the following:

''(12) FASTER VESTING FOR MATCHING CONTRIBUTIONS.—In the case of matching contributions (as defined in section 401(m)(4)(A)), paragraph (2) shall be applied—

''(A) by substituting '3 years' for '5 years' in subparagraph (A), and

''(B) by substituting the following table for the table contained in subparagraph (B):

"Years of service:	The nonforfeitable percentage is:
2	20
3	40
4	60
5	80
6	100.''.

(b) AMENDMENT OF ERISA.—Section 203(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(a)) is amended—

(1) in paragraph (2), by striking ''A plan'' and inserting ''Except as provided in paragraph (4), a plan'', and

(2) by adding at the end the following:

''(4) In the case of matching contributions (as defined in section 401(m)(4)(A) of the Internal Revenue Code of 1986), paragraph (2) shall be applied—

''(A) by substituting '3 years' for '5 years' in subparagraph (A), and

''(B) by substituting the following table for the table contained in subparagraph (B):

"Years of service:	The nonforfeitable percentage is:
2	20
3	40
4	60
5	80
6	100.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to contributions for plan years beginning after December 31, 2001.

(2) COLLECTIVE BARGAINING AGREEMENTS.—In the case of a plan maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers ratified by the date of the enactment of this Act, the amendments made by this section shall not apply to contributions on behalf of employees covered by any such agreement for plan years beginning before the earlier of—

(A) the later of—

(i) the date on which the last of such collective bargaining agreements terminates (determined without regard to any extension thereof on or after such date of the enactment); or

(ii) January 1, 2002; or

(B) January 1, 2006.

(3) SERVICE REQUIRED.—With respect to any plan, the amendments made by this section shall not apply to any employee before the date that such employee has 1 hour of service under such plan in any plan year to which the amendments made by this section apply.

SEC. 304. MODIFICATIONS TO MINIMUM DISTRIBUTION RULES.

(a) LIFE EXPECTANCY TABLES.—The Secretary of the Treasury shall modify the life expectancy tables under the regulations re-

lating to minimum distribution requirements under sections 401(a)(9), 408(a)(6) and (b)(3), 403(b)(10), and 457(d)(2) of the Internal Revenue Code to reflect current life expectancy.

(b) REPEAL OF RULE WHERE DISTRIBUTIONS HAD BEGUN BEFORE DEATH OCCURS.—

(1) IN GENERAL.—Subparagraph (B) of section 401(a)(9) is amended by striking clause (i) and redesignating clauses (ii), (iii), and (iv) as clauses (i), (ii), and (iii), respectively.

(2) CONFORMING CHANGES.—

(A) Clause (i) of section 401(a)(9)(B) (as so redesignated) is amended—

(i) by striking ''FOR OTHER CASES'' in the heading; and

(ii) by striking ''the distribution of the employee's interest has begun in accordance with subparagraph (A)(ii)'' and inserting ''his entire interest has been distributed to him''.

(B) Clause (ii) of section 401(a)(9)(B) (as so redesignated) is amended by striking ''clause (ii)'' and inserting ''clause (i)''.

(C) Clause (iii) of section 401(a)(9)(B) (as so redesignated) is amended—

(i) by striking ''clause (iii)(I)'' and inserting ''clause (ii)(I)'';

(ii) by striking ''clause (iii)(III)'' in subclause (I) and inserting ''clause (ii)(III)'';

(iii) by striking ''the date on which the employee would have attained age 70½,'' in subclause (I) and inserting ''April 1 of the calendar year following the calendar year in which the spouse attains 70½,''; and

(iv) by striking ''the distributions to such spouse begin,'' in subclause (II) and inserting ''his entire interest has been distributed to him,''.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this subsection shall apply to years beginning after December 31, 2001.

(B) DISTRIBUTIONS TO SURVIVING SPOUSE.—

(i) IN GENERAL.—In the case of an employee described in clause (ii), distributions to the surviving spouse of the employee shall not be required to commence prior to the date on which such distributions would have been required to begin under section 401(a)(9)(B) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of this Act).

(ii) CERTAIN EMPLOYEES.—An employee is described in this clause if such employee dies before—

(I) the date of the enactment of this Act, and

(II) the required beginning date (within the meaning of section 401(a)(9)(C) of the Internal Revenue Code of 1986) of the employee.

(c) REDUCTION IN EXCISE TAX.—

(1) IN GENERAL.—Subsection (a) of section 4974 is amended by striking ''50 percent'' and inserting ''10 percent''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to years beginning after December 31, 2001.

SEC. 305. CLARIFICATION OF TAX TREATMENT OF DIVISION OF SECTION 457 PLAN BENEFITS UPON DIVORCE.

(a) IN GENERAL.—Section 414(p)(11) (relating to application of rules to governmental and church plans) is amended—

(1) by inserting ''or an eligible deferred compensation plan (within the meaning of section 457(b))'' after ''subsection (e))''; and

(2) in the heading, by striking ''GOVERNMENTAL AND CHURCH PLANS'' and inserting ''CERTAIN OTHER PLANS''.

(b) WAIVER OF CERTAIN DISTRIBUTION REQUIREMENTS.—Paragraph (10) of section 414(p) is amended by striking ''and section 409(d)'' and inserting ''section 409(d), and section 457(d)''.

(c) TAX TREATMENT OF PAYMENTS FROM A SECTION 457 PLAN.—Subsection (p) of section 414 is amended by redesignating paragraph (12) as paragraph (13) and inserting after paragraph (11) the following new paragraph:

''(12) TAX TREATMENT OF PAYMENTS FROM A SECTION 457 PLAN.—If a distribution or payment from an eligible deferred compensation plan described in section 457(b) is made pursuant to a qualified domestic relations order, rules similar to the rules of section 402(e)(1)(A) shall apply to such distribution or payment.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers, distributions, and payments made after December 31, 2001.

SEC. 306. PROVISIONS RELATING TO HARDSHIP DISTRIBUTIONS.

(a) SAFE HARBOR RELIEF.—

(1) IN GENERAL.—The Secretary of the Treasury shall revise the regulations relating to hardship distributions under section 401(k)(2)(B)(i)(IV) of the Internal Revenue Code of 1986 to provide that the period an employee is prohibited from making elective and employee contributions in order for a distribution to be deemed necessary to satisfy financial need shall be equal to 6 months.

(2) EFFECTIVE DATE.—The revised regulations under this subsection shall apply to years beginning after December 31, 2001.

(b) HARDSHIP DISTRIBUTIONS NOT TREATED AS ELIGIBLE ROLLOVER DISTRIBUTIONS.—

(1) MODIFICATION OF DEFINITION OF ELIGIBLE ROLLOVER.—Subparagraph (C) of section 402(c)(4) (relating to eligible rollover distribution) is amended to read as follows:

''(C) any distribution which is made upon hardship of the employee.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to distributions made after December 31, 2001.

SEC. 307. WAIVER OF TAX ON NONDEDUCTIBLE CONTRIBUTIONS FOR DOMESTIC OR SIMILAR WORKERS.

(a) IN GENERAL.—Section 4972(c)(6) (relating to exceptions to nondeductible contributions), as amended by section 502, is amended by striking ''and'' at the end of subparagraph (A), by striking the period and inserting '', and'' at the end of subparagraph (B), and by inserting after subparagraph (B) the following new subparagraph:

''(C) so much of the contributions to a simple retirement account (within the meaning of section 408(p)) or a simple plan (within the meaning of section 401(k)(11)) which are not deductible when contributed solely because such contributions are not made in connection with a trade or business of the employer.''

(b) EXCLUSION OF CERTAIN CONTRIBUTIONS.—Section 4972(c)(6) is amended by adding at the end the following new sentence: ''Subparagraph (C) shall not apply to contributions made on behalf of the employer or a member of the employer's family (as defined in section 447(e)(1)).''.

(c) NO INFERENCE.—Nothing in the amendments made by this section shall be construed to infer the proper treatment of nondeductible contributions under the laws in effect before such amendments.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE IV—INCREASING PORTABILITY FOR PARTICIPANTS

SEC. 401. ROLLOVERS ALLOWED AMONG VARIOUS TYPES OF PLANS.

(a) ROLLOVERS FROM AND TO SECTION 457 PLANS.—

(1) ROLLOVERS FROM SECTION 457 PLANS.—

(A) IN GENERAL.—Section 457(e) (relating to other definitions and special rules) is amended by adding at the end the following:

''(16) ROLLOVER AMOUNTS.—

''(A) GENERAL RULE.—In the case of an eligible deferred compensation plan established and maintained by an employer described in subsection (e)(1)(A), if—

''(i) any portion of the balance to the credit of an employee in such plan is paid to such employee in an eligible rollover distribution (within the meaning of section 402(c)(4) without regard to subparagraph (C) thereof),

''(ii) the employee transfers any portion of the property such employee receives in such distribution to an eligible retirement plan described in section 402(c)(8)(B), and

''(iii) in the case of a distribution of property other than money, the amount so transferred consists of the property distributed,

then such distribution (to the extent so transferred) shall not be includible in gross income for the taxable year in which paid.

''(B) CERTAIN RULES MADE APPLICABLE.—The rules of paragraphs (2) through (7) (other than paragraph (4)(C)) and (9) of section 402(c) and section 402(f) shall apply for purposes of subparagraph (A).

''(C) REPORTING.—Rollovers under this paragraph shall be reported to the Secretary in the same manner as rollovers from qualified retirement plans (as defined in section 4974(c)).''.

(B) DEFERRAL LIMIT DETERMINED WITHOUT REGARD TO ROLLOVER AMOUNTS.—Section 457(b)(2) (defining eligible deferred compensation plan) is amended by inserting ''(other than rollover amounts)'' after ''taxable year''.

(C) DIRECT ROLLOVER.—Paragraph (1) of section 457(d) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by inserting after subparagraph (B) the following:

''(C) in the case of a plan maintained by an employer described in subsection (e)(1)(A), the plan meets requirements similar to the requirements of section 401(a)(31).

Any amount transferred in a direct trustee-to-trustee transfer in accordance with section 401(a)(31) shall not be includible in gross income for the taxable year of transfer.''.

(D) WITHHOLDING.—

(i) Paragraph (12) of section 3401(a) is amended by adding at the end the following:

''(E) under or to an eligible deferred compensation plan which, at the time of such payment, is a plan described in section 457(b) maintained by an employer described in section 457(e)(1)(A); or''.

(ii) Paragraph (3) of section 3405(c) is amended to read as follows:

''(3) ELIGIBLE ROLLOVER DISTRIBUTION.—For purposes of this subsection, the term 'eligible rollover distribution' has the meaning given such term by section 402(f)(2)(A).''.

(iii) LIABILITY FOR WITHHOLDING.—Subparagraph (B) of section 3405(d)(2) is amended by striking ''or'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', or'', and by adding at the end the following:

''(iv) section 457(b) and which is maintained by an eligible employer described in section 457(e)(1)(A).''.

(2) ROLLOVERS TO SECTION 457 PLANS.—

(A) IN GENERAL.—Section 402(c)(8)(B) (defining eligible retirement plan) is amended by striking ''and'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting '', and'', and by inserting after clause (iv) the following new clause:

''(v) an eligible deferred compensation plan described in section 457(b) which is maintained by an eligible employer described in section 457(e)(1)(A).''.

(B) SEPARATE ACCOUNTING.—Section 402(c) is amended by adding at the end the following new paragraph:

''(10) SEPARATE ACCOUNTING.—Unless a plan described in clause (v) of paragraph (8)(B) agrees to separately account for amounts rolled into such plan from eligible retire-

ment plans not described in such clause, the plan described in such clause may not accept transfers or rollovers from such retirement plans.''.

(C) 10 PERCENT ADDITIONAL TAX.—Subsection (t) of section 72 (relating to 10-percent additional tax on early distributions from qualified retirement plans) is amended by adding at the end the following new paragraph:

''(9) SPECIAL RULE FOR ROLLOVERS TO SECTION 457 PLANS.—For purposes of this subsection, a distribution from an eligible deferred compensation plan (as defined in section 457(b)) of an eligible employer described in section 457(e)(1)(A) shall be treated as a distribution from a qualified retirement plan described in section 4974(c)(1) to the extent that such distribution is attributable to an amount transferred to an eligible deferred compensation plan from a qualified retirement plan (as defined in section 4974(c)).''.

(b) ALLOWANCE OF ROLLOVERS FROM AND TO 403(b) PLANS.—

(1) ROLLOVERS FROM SECTION 403(b) PLANS.—Section 403(b)(8)(A)(ii) (relating to rollover amounts) is amended by striking ''such distribution'' and all that follows and inserting ''such distribution to an eligible retirement plan described in section 402(c)(8)(B), and''.

(2) ROLLOVERS TO SECTION 403(b) PLANS.—Section 402(c)(8)(B) (defining eligible retirement plan), as amended by subsection (a), is amended by striking ''and'' at the end of clause (iv), by striking the period at the end of clause (v) and inserting '', and'', and by inserting after clause (v) the following new clause:

''(vi) an annuity contract described in section 403(b).''.

(c) EXPANDED EXPLANATION TO RECIPIENTS OF ROLLOVER DISTRIBUTIONS.—Paragraph (1) of section 402(f) (relating to written explanation to recipients of distributions eligible for rollover treatment) is amended by striking ''and'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting '', and'', and by adding at the end the following new subparagraph:

''(E) of the provisions under which distributions from the eligible retirement plan receiving the distribution may be subject to restrictions and tax consequences which are different from those applicable to distributions from the plan making such distribution.''.

(d) SPOUSAL ROLLOVERS.—Section 402(c)(9) (relating to rollover where spouse receives distribution after death of employee) is amended by striking ''; except that'' and all that follows up to the end period.

(e) CONFORMING AMENDMENTS.—

(1) Section 72(o)(4) is amended by striking ''and 408(d)(3)'' and inserting ''403(b)(8), 408(d)(3), and 457(e)(16)''.

(2) Section 219(d)(2) is amended by striking ''or 408(d)(3)'' and inserting ''408(d)(3), or 457(e)(16)''.

(3) Section 401(a)(31)(B) is amended by striking ''and 403(a)(4)'' and inserting '', 403(a)(4), 403(b)(8), and 457(e)(16)''.

(4) Subparagraph (A) of section 402(f)(2) is amended by striking ''or paragraph (4) of section 403(a)'' and inserting '', paragraph (4) of section 403(a), subparagraph (A) of section 403(b)(8), or subparagraph (A) of section 457(e)(16)''.

(5) Paragraph (1) of section 402(f) is amended by striking ''from an eligible retirement plan''.

(6) Subparagraphs (A) and (B) of section 402(f)(1) are amended by striking ''another eligible retirement plan'' and inserting ''an eligible retirement plan''.

(7) Subparagraph (B) of section 403(b)(8) is amended to read as follows:

''(B) CERTAIN RULES MADE APPLICABLE.—The rules of paragraphs (2) through (7) and (9) of section 402(c) and section 402(f) shall apply for purposes of subparagraph (A), except that section 402(f) shall be applied to the payor in lieu of the plan administrator.''.

(8) Section 408(a)(1) is amended by striking ''or 403(b)(8),'' and inserting ''403(b)(8), or 457(e)(16)''.

(9) Subparagraphs (A) and (B) of section 415(b)(2) are each amended by striking ''and 408(d)(3)'' and inserting ''403(b)(8), 408(d)(3), and 457(e)(16)''.

(10) Section 415(c)(2) is amended by striking ''and 408(d)(3)'' and inserting ''408(d)(3), and 457(e)(16)''.

(11) Section 4973(b)(1)(A) is amended by striking ''or 408(d)(3)'' and inserting ''408(d)(3), or 457(e)(16)''.

(f) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

(2) REASONABLE NOTICE.—No penalty shall be imposed on a plan for the failure to provide the information required by the amendment made by subsection (c) with respect to any distribution made before the date that is 90 days after the date on which the Secretary of the Treasury issues a safe harbor rollover notice after the date of the enactment of this Act, if the administrator of such plan makes a reasonable attempt to comply with such requirement.

(3) SPECIAL RULE.—Notwithstanding any other provision of law, subsections (h)(3) and (h)(5) of section 1122 of the Tax Reform Act of 1986 shall not apply to any distribution from an eligible retirement plan (as defined in clause (iii) or (iv) of section 402(c)(8)(B) of the Internal Revenue Code of 1986) on behalf of an individual if there was a rollover to such plan on behalf of such individual which is permitted solely by reason of any amendment made by this section.

SEC. 402. ROLLOVERS OF IRAS INTO WORKPLACE RETIREMENT PLANS.

(a) IN GENERAL.—Subparagraph (A) of section 408(d)(3) (relating to rollover amounts) is amended by adding ''or'' at the end of clause (i), by striking clauses (ii) and (iii), and by adding at the end the following:

''(ii) the entire amount received (including money and any other property) is paid into an eligible retirement plan for the benefit of such individual not later than the 60th day after the date on which the payment or distribution is received, except that the maximum amount which may be paid into such plan may not exceed the portion of the amount received which is includible in gross income (determined without regard to this paragraph).

For purposes of clause (ii), the term 'eligible retirement plan' means an eligible retirement plan described in clause (iii), (iv), (v), or (vi) of section 402(c)(8)(B).''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 403(b) is amended by striking ''section 408(d)(3)(A)(iii)'' and inserting ''section 408(d)(3)(A)(ii)''.

(2) Clause (i) of section 408(d)(3)(D) is amended by striking ''(i), (ii), or (iii)'' and inserting ''(i) or (ii)''.

(3) Subparagraph (G) of section 408(d)(3) is amended to read as follows:

''(G) SIMPLE RETIREMENT ACCOUNTS.—In the case of any payment or distribution out of a simple retirement account (as defined in subsection (p)) to which section 72(t)(6) applies, this paragraph shall not apply unless such payment or distribution is paid into another simple retirement account.''.

(c) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

(2) SPECIAL RULE.—Notwithstanding any other provision of law, subsections (h)(3) and (h)(5) of section 1122 of the Tax Reform Act of 1986 shall not apply to any distribution from an eligible retirement plan (as defined in clause (iii) or (iv) of section 402(c)(8)(B) of the Internal Revenue Code of 1986) on behalf of an individual if there was a rollover to such plan on behalf of such individual which is permitted solely by reason of the amendments made by this section.

SEC. 403. ROLLOVERS OF AFTER-TAX CONTRIBUTIONS.

(a) ROLLOVERS FROM EXEMPT TRUSTS.—Paragraph (2) of section 402(c) (relating to maximum amount which may be rolled over) is amended by adding at the end the following: ''The preceding sentence shall not apply to such distribution to the extent—

''(A) such portion is transferred in a direct trustee-to-trustee transfer to a qualified trust which is part of a plan which is a defined contribution plan and which agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible, or

''(B) such portion is transferred to an eligible retirement plan described in clause (i) or (ii) of paragraph (8)(B).''.

(b) OPTIONAL DIRECT TRANSFER OF ELIGIBLE ROLLOVER DISTRIBUTIONS.—Subparagraph (B) of section 401(a)(31) (relating to limitation) is amended by adding at the end the following:

''The preceding sentence shall not apply to such distribution if the plan to which such distribution is transferred—

''(i) agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible, or

''(ii) is an eligible retirement plan described in clause (i) or (ii) of section 402(c)(8)(B).''.

(c) RULES FOR APPLYING SECTION 72 TO IRAS.—Paragraph (3) of section 408(d) (relating to special rules for applying section 72) is amended by inserting at the end the following:

''(H) APPLICATION OF SECTION 72.—

''(i) IN GENERAL.—If—

''(I) a distribution is made from an individual retirement plan, and

''(II) a rollover contribution is made to an eligible retirement plan described in section 402(c)(8)(B)(iii), (iv), (v), or (vi) with respect to all or part of such distribution,

then, notwithstanding paragraph (2), the rules of clause (ii) shall apply for purposes of applying section 72.

''(ii) APPLICABLE RULES.—In the case of a distribution described in clause (i)—

''(I) section 72 shall be applied separately to such distribution,

''(II) notwithstanding the pro rata allocation of income on, and investment in, the contract to distributions under section 72, the portion of such distribution rolled over to an eligible retirement plan described in clause (i) shall be treated as from income on the contract (to the extent of the aggregate income on the contract from all individual retirement plans of the distributee), and

''(III) appropriate adjustments shall be made in applying section 72 to other distributions in such taxable year and subsequent taxable years.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 404. HARDSHIP EXCEPTION TO 60-DAY RULE.

(a) EXEMPT TRUSTS.—Paragraph (3) of section 402(c) (relating to transfer must be made within 60 days of receipt) is amended to read as follows:

''(3) TRANSFER MUST BE MADE WITHIN 60 DAYS OF RECEIPT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), paragraph (1) shall not apply to any transfer of a distribution made after the 60th day following the day on which the distributee received the property distributed.

''(B) HARDSHIP EXCEPTION.—The Secretary may waive the 60-day requirement under subparagraph (A) where the failure to waive such requirement would be against equity or good conscience, including casualty, disaster, or other events beyond the reasonable control of the individual subject to such requirement.''.

(b) IRAS.—Paragraph (3) of section 408(d) (relating to rollover contributions), as amended by section 403, is amended by adding after subparagraph (H) the following new subparagraph:

''(I) WAIVER OF 60-DAY REQUIREMENT.—The Secretary may waive the 60-day requirement under subparagraphs (A) and (D) where the failure to waive such requirement would be against equity or good conscience, including casualty, disaster, or other events beyond the reasonable control of the individual subject to such requirement.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 405. TREATMENT OF FORMS OF DISTRIBUTION.

(a) PLAN TRANSFERS.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—Paragraph (6) of section 411(d) (relating to accrued benefit not to be decreased by amendment) is amended by adding at the end the following:

''(D) PLAN TRANSFERS.—

''(i) IN GENERAL.—A defined contribution plan (in this subparagraph referred to as the 'transferee plan') shall not be treated as failing to meet the requirements of this subsection merely because the transferee plan does not provide some or all of the forms of distribution previously available under another defined contribution plan (in this subparagraph referred to as the 'transferor plan') to the extent that—

''(I) the forms of distribution previously available under the transferor plan applied to the account of a participant or beneficiary under the transferor plan that was transferred from the transferor plan to the transferee plan pursuant to a direct transfer rather than pursuant to a distribution from the transferor plan,

''(II) the terms of both the transferor plan and the transferee plan authorize the transfer described in subclause (I),

''(III) the transfer described in subclause (I) was made pursuant to a voluntary election by the participant or beneficiary whose account was transferred to the transferee plan,

''(IV) the election described in subclause (III) was made after the participant or beneficiary received a notice describing the consequences of making the election, and

''(V) the transferee plan allows the participant or beneficiary described in subclause (III) to receive any distribution to which the participant or beneficiary is entitled under the transferee plan in the form of a single sum distribution.

''(ii) EXCEPTION.—Clause (i) shall apply to plan mergers and other transactions having the effect of a direct transfer, including consolidations of benefits attributable to different employers within a multiple employer plan.

''(E) ELIMINATION OF FORM OF DISTRIBUTION.—Except to the extent provided in regulations, a defined contribution plan shall not be treated as failing to meet the requirements of this section merely because of the elimination of a form of distribution previously available thereunder. This subparagraph shall not apply to the elimination of a form of distribution with respect to any participant unless—

''(i) a single sum payment is available to such participant at the same time or times as the form of distribution being eliminated, and

''(ii) such single sum payment is based on the same or greater portion of the participant's account as the form of distribution being eliminated.''.

(2) AMENDMENT OF ERISA.—Section 204(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)) is amended by adding at the end the following:

''(4)(A) A defined contribution plan (in this subparagraph referred to as the 'transferee plan') shall not be treated as failing to meet the requirements of this subsection merely because the transferee plan does not provide some or all of the forms of distribution previously available under another defined contribution plan (in this subparagraph referred to as the 'transferor plan') to the extent that—

''(i) the forms of distribution previously available under the transferor plan applied to the account of a participant or beneficiary under the transferor plan that was transferred from the transferor plan to the transferee plan pursuant to a direct transfer rather than pursuant to a distribution from the transferor plan;

''(ii) the terms of both the transferor plan and the transferee plan authorize the transfer described in clause (i);

''(iii) the transfer described in clause (i) was made pursuant to a voluntary election by the participant or beneficiary whose account was transferred to the transferee plan;

''(iv) the election described in clause (iii) was made after the participant or beneficiary received a notice describing the consequences of making the election; and

''(v) the transferee plan allows the participant or beneficiary described in clause (iii) to receive any distribution to which the participant or beneficiary is entitled under the transferee plan in the form of a single sum distribution.

''(B) Subparagraph (A) shall apply to plan mergers and other transactions having the effect of a direct transfer, including consolidations of benefits attributable to different employers within a multiple employer plan.

''(5) Except to the extent provided in regulations promulgated by the Secretary of the Treasury, a defined contribution plan shall not be treated as failing to meet the requirements of this subsection merely because of the elimination of a form of distribution previously available thereunder. This paragraph shall not apply to the elimination of a form of distribution with respect to any participant unless—

''(A) a single sum payment is available to such participant at the same time or times as the form of distribution being eliminated; and

''(B) such single sum payment is based on the same or greater portion of the participant's account as the form of distribution being eliminated.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning after December 31, 2001.

(b) REGULATIONS.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—Paragraph (6)(B) of section 411(d) (relating to accrued benefit not to be decreased by amendment) is amended by inserting after the second sentence the following new sentence: ''The Secretary shall by regulations provide that this subparagraph shall not apply to any plan amendment which reduces or eliminates benefits or subsidies which create significant burdens or complexities for the plan and plan participants and does not adversely affect the rights of any participant in a more than de minimis manner.''.

(2) AMENDMENT OF ERISA.—Section 204(g)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)(2)) is amended by inserting before the last sentence the following new sentence: ''The Secretary of the Treasury shall by regulations provide that this paragraph shall not apply to any plan amendment which reduces or eliminates benefits or subsidies which create significant burdens or complexities for the plan and plan participants and does not adversely affect the rights of any participant in a more than de minimis manner.''.

(3) SECRETARY DIRECTED.—Not later than December 31, 2003, the Secretary of the Treasury is directed to issue regulations under section 411(d)(6) of the Internal Revenue Code of 1986 and section 204(g) of the Employee Retirement Income Security Act of 1974, including the regulations required by the amendment made by this subsection. Such regulations shall apply to plan years beginning after December 31, 2003, or such earlier date as is specified by the Secretary of the Treasury.

SEC. 406. RATIONALIZATION OF RESTRICTIONS ON DISTRIBUTIONS.

(a) MODIFICATION OF SAME DESK EXCEPTION.—

(1) SECTION 401(k).—

(A) Section 401(k)(2)(B)(i)(I) (relating to qualified cash or deferred arrangements) is amended by striking ''separation from service'' and inserting ''severance from employment''.

(B) Subparagraph (A) of section 401(k)(10) (relating to distributions upon termination of plan or disposition of assets or subsidiary) is amended to read as follows:

''(A) IN GENERAL.—An event described in this subparagraph is the termination of the plan without establishment or maintenance of another defined contribution plan (other than an employee stock ownership plan as defined in section 4975(e)(7)).''.

(C) Section 401(k)(10) is amended—

(i) in subparagraph (B)—

(I) by striking ''An event'' in clause (i) and inserting ''A termination''; and

(II) by striking ''the event'' in clause (i) and inserting ''the termination'';

(ii) by striking subparagraph (C); and

(iii) by striking ''OR DISPOSITION OF ASSETS OR SUBSIDIARY'' in the heading.

(2) SECTION 403(b).—

(A) Paragraphs (7)(A)(ii) and (11)(A) of section 403(b) are each amended by striking ''separates from service'' and inserting ''has a severance from employment''.

(B) The heading for paragraph (11) of section 403(b) is amended by striking ''SEPARATION FROM SERVICE'' and inserting ''SEVERANCE FROM EMPLOYMENT''.

(3) SECTION 457.—Clause (ii) of section 457(d)(1)(A) is amended by striking ''is separated from service'' and inserting ''has a severance from employment''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 407. PURCHASE OF SERVICE CREDIT IN GOVERNMENTAL DEFINED BENEFIT PLANS.

(a) 403(b) PLANS.—Subsection (b) of section 403 is amended by adding at the end the following new paragraph:

''(13) TRUSTEE-TO-TRUSTEE TRANSFERS TO PURCHASE PERMISSIVE SERVICE CREDIT.—No amount shall be includible in gross income by reason of a direct trustee-to-trustee transfer to a defined benefit governmental plan (as defined in section 414(d)) if such transfer is—

''(A) for the purchase of permissive service credit (as defined in section 415(n)(3)(A)) under such plan, or

''(B) a repayment to which section 415 does not apply by reason of subsection (k)(3) thereof.''.

(b) 457 PLANS.—Subsection (e) of section 457 is amended by adding after paragraph (16) the following new paragraph:

''(17) TRUSTEE-TO-TRUSTEE TRANSFERS TO PURCHASE PERMISSIVE SERVICE CREDIT.—No amount shall be includible in gross income by reason of a direct trustee-to-trustee transfer to a defined benefit governmental plan (as defined in section 414(d)) if such transfer is—

''(A) for the purchase of permissive service credit (as defined in section 415(n)(3)(A)) under such plan, or

''(B) a repayment to which section 415 does not apply by reason of subsection (k)(3) thereof.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to trustee-to-trustee transfers after December 31, 2001.

SEC. 408. EMPLOYERS MAY DISREGARD ROLLOVERS FOR PURPOSES OF CASH-OUT AMOUNTS.

(a) QUALIFIED PLANS.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—Section 411(a)(11) (relating to restrictions on certain mandatory distributions) is amended by adding at the end the following:

''(D) SPECIAL RULE FOR ROLLOVER CONTRIBUTIONS.—A plan shall not fail to meet the requirements of this paragraph if, under the terms of the plan, the present value of the nonforfeitable accrued benefit is determined without regard to that portion of such benefit which is attributable to rollover contributions (and earnings allocable thereto). For purposes of this subparagraph, the term 'rollover contributions' means any rollover contribution under sections 402(c), 403(a)(4), 403(b)(8), 408(d)(3)(A)(ii), and 457(e)(16).''.

(2) AMENDMENT OF ERISA.—Section 203(e) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(c)) is amended by adding at the end the following:

''(4) A plan shall not fail to meet the requirements of this subsection if, under the terms of the plan, the present value of the nonforfeitable accrued benefit is determined without regard to that portion of such benefit which is attributable to rollover contributions (and earnings allocable thereto). For purposes of this subparagraph, the term 'rollover contributions' means any rollover contribution under sections 402(c), 403(a)(4), 403(b)(8), 408(d)(3)(A)(ii), and 457(e)(16) of the Internal Revenue Code of 1986.''.

(b) ELIGIBLE DEFERRED COMPENSATION PLANS.—Clause (i) of section 457(e)(9)(A) is amended by striking ''such amount'' and inserting ''the portion of such amount which is not attributable to rollover contributions (as defined in section 411(a)(11)(D))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 409. MINIMUM DISTRIBUTION AND INCLUSION REQUIREMENTS FOR SECTION 457 PLANS.

(a) MINIMUM DISTRIBUTION REQUIREMENTS.—Paragraph (2) of section 457(d) (relating to distribution requirements) is amended to read as follows:

''(2) MINIMUM DISTRIBUTION REQUIREMENTS.—A plan meets the minimum distribution requirements of this paragraph if such plan meets the requirements of section 401(a)(9).''.

(b) INCLUSION IN GROSS INCOME.—

(1) YEAR OF INCLUSION.—Subsection (a) of section 457 (relating to year of inclusion in gross income) is amended to read as follows:

''(a) YEAR OF INCLUSION IN GROSS INCOME.—

''(1) IN GENERAL.—Any amount of compensation deferred under an eligible deferred compensation plan, and any income attributable to the amounts so deferred, shall be includible in gross income only for the taxable year in which such compensation or other income—

''(A) is paid to the participant or other beneficiary, in the case of a plan of an eligible employer described in subsection (e)(1)(A), and

''(B) is paid or otherwise made available to the participant or other beneficiary, in the case of a plan of an eligible employer described in subsection (e)(1)(B).

''(2) SPECIAL RULE FOR ROLLOVER AMOUNTS.—To the extent provided in section 72(t)(9), section 72(t) shall apply to any amount includible in gross income under this subsection.''.

(2) CONFORMING AMENDMENTS.—

(A) So much of paragraph (9) of section 457(e) as precedes subparagraph (A) is amended to read as follows:

''(9) BENEFITS OF TAX EXEMPT ORGANIZATION PLANS NOT TREATED AS MADE AVAILABLE BY REASON OF CERTAIN ELECTIONS, ETC.—In the case of an eligible deferred compensation plan of an employer described in subsection (e)(1)(B)—''.

(B) Section 457(d) is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR GOVERNMENT PLAN.—An eligible deferred compensation plan of an employer described in subsection (e)(1)(A) shall not be treated as failing to meet the requirements of this subsection solely by reason of making a distribution described in subsection (e)(9)(A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

TITLE V—STRENGTHENING PENSION SECURITY AND ENFORCEMENT

SEC. 501. REPEAL OF PERCENT OF CURRENT LIABILITY FUNDING LIMIT.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—Section 412(c)(7) (relating to full-funding limitation) is amended—

(1) by striking ''the applicable percentage'' in subparagraph (A)(i)(I) and inserting ''in the case of plan years beginning before January 1, 2004, the applicable percentage''; and

(2) by amending subparagraph (F) to read as follows:

''(F) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A)(i)(I), the applicable percentage shall be determined in accordance with the following table:

''In the case of any plan year beginning in—	**The applicable percentage is—**
2002	165
2003	170.''.

(b) AMENDMENT OF ERISA.—Section 302(c)(7) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1082(c)(7)) is amended—

(1) by striking ''the applicable percentage'' in subparagraph (A)(i)(I) and inserting ''in the case of plan years beginning before January 1, 2004, the applicable percentage''; and

(2) by amending subparagraph (F) to read as follows:

''(F) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A)(i)(I), the applicable percentage shall be determined in accordance with the following table:

''In the case of any plan year beginning in—	**The applicable percentage is—**
2002	165
2003	170.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2001.

SEC. 502. MAXIMUM CONTRIBUTION DEDUCTION RULES MODIFIED AND APPLIED TO ALL DEFINED BENEFIT PLANS.

(a) IN GENERAL.—Subparagraph (D) of section 404(a)(1) (relating to special rule in case of certain plans) is amended to read as follows:

''(D) SPECIAL RULE IN CASE OF CERTAIN PLANS.—

''(i) IN GENERAL.—In the case of any defined benefit plan, except as provided in regulations, the maximum amount deductible under the limitations of this paragraph shall not be less than the unfunded termination liability (determined as if the proposed termination date referred to in section 4041(b)(2)(A)(i)(II) of the Employee Retirement Income Security Act of 1974 were the last day of the plan year).

''(ii) PLANS WITH LESS THAN 100 PARTICIPANTS.—For purposes of this subparagraph, in the case of a plan which has less than 100 participants for the plan year, termination liability shall not include the liability attributable to benefit increases for highly compensated employees (as defined in section 414(q)) resulting from a plan amendment which is made or becomes effective, whichever is later, within the last 2 years before the termination date.

''(iii) RULE FOR DETERMINING NUMBER OF PARTICIPANTS.—For purposes of determining whether a plan has more than 100 participants, all defined benefit plans maintained by the same employer (or any member of such employer's controlled group (within the meaning of section 412(l)(8)(C))) shall be treated as one plan, but only employees of such member or employer shall be taken into account.

''(iv) PLANS MAINTAINED BY PROFESSIONAL SERVICE EMPLOYERS.—Clause (i) shall not apply to a plan described in section 4021(b)(13) of the Employee Retirement Income Security Act of 1974.''.

(b) CONFORMING AMENDMENT.—Paragraph (6) of section 4972(c), as amended by section 207, is amended to read as follows:

''(6) EXCEPTIONS.—In determining the amount of nondeductible contributions for any taxable year, there shall not be taken into account so much of the contributions to one or more defined contribution plans which are not deductible when contributed solely because of section 404(a)(7) as does not exceed the greater of—

''(A) the amount of contributions not in excess of 6 percent of compensation (within the meaning of section 404(a)) paid or accrued (during the taxable year for which the contributions were made) to beneficiaries under the plans, or

''(B) the sum of—

''(i) the amount of contributions described in section 401(m)(4)(A), plus

''(ii) the amount of contributions described in section 402(g)(3)(A).

For purposes of this paragraph, the deductible limits under section 404(a)(7) shall first be applied to amounts contributed to a defined benefit plan and then to amounts described in subparagraph (B).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2001.

SEC. 503. EXCISE TAX RELIEF FOR SOUND PENSION FUNDING.

(a) IN GENERAL.—Subsection (c) of section 4972 (relating to nondeductible contributions) is amended by adding at the end the following new paragraph:

''(7) DEFINED BENEFIT PLAN EXCEPTION.—In determining the amount of nondeductible contributions for any taxable year, an employer may elect for such year not to take into account any contributions to a defined benefit plan except to the extent that such contributions exceed the full-funding limitation (as defined in section 412(c)(7), determined without regard to subparagraph (A)(i)(I) thereof). For purposes of this paragraph, the deductible limits under section 404(a)(7) shall first be applied to amounts

contributed to defined contribution plans and then to amounts described in this paragraph. If an employer makes an election under this paragraph for a taxable year, paragraph (6) shall not apply to such employer for such taxable year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

SEC. 504. EXCISE TAX ON FAILURE TO PROVIDE NOTICE BY DEFINED BENEFIT PLANS SIGNIFICANTLY REDUCING FUTURE BENEFIT ACCRUALS.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—

(1) IN GENERAL.—Chapter 43 (relating to qualified pension, etc., plans) is amended by adding at the end the following new section:

''SEC. 4980F. FAILURE OF APPLICABLE PLANS REDUCING BENEFIT ACCRUALS TO SATISFY NOTICE REQUIREMENTS.

''(a) IMPOSITION OF TAX.—There is hereby imposed a tax on the failure of any applicable pension plan to meet the requirements of subsection (e) with respect to any applicable individual.

''(b) AMOUNT OF TAX.—

''(1) IN GENERAL.—The amount of the tax imposed by subsection (a) on any failure with respect to any applicable individual shall be $100 for each day in the noncompliance period with respect to such failure.

''(2) NONCOMPLIANCE PERIOD.—For purposes of this section, the term 'noncompliance period' means, with respect to any failure, the period beginning on the date the failure first occurs and ending on the date the notice to which the failure relates is provided or the failure is otherwise corrected.

''(c) LIMITATIONS ON AMOUNT OF TAX.—

''(1) TAX NOT TO APPLY WHERE FAILURE NOT DISCOVERED AND REASONABLE DILIGENCE EXERCISED.—No tax shall be imposed by subsection (a) on any failure during any period for which it is established to the satisfaction of the Secretary that any person subject to liability for the tax under subsection (d) did not know that the failure existed and exercised reasonable diligence to meet the requirements of subsection (e).

''(2) TAX NOT TO APPLY TO FAILURES CORRECTED WITHIN 30 DAYS.—No tax shall be imposed by subsection (a) on any failure if—

''(A) any person subject to liability for the tax under subsection (d) exercised reasonable diligence to meet the requirements of subsection (e), and

''(B) such person provides the notice described in subsection (e) during the 30-day period beginning on the first date such person knew, or exercising reasonable diligence would have known, that such failure existed.

''(3) OVERALL LIMITATION FOR UNINTENTIONAL FAILURES.—

''(A) IN GENERAL.—If the person subject to liability for tax under subsection (d) exercised reasonable diligence to meet the requirements of subsection (e), the tax imposed by subsection (a) for failures during the taxable year of the employer (or, in the case of a multiemployer plan, the taxable year of the trust forming part of the plan) shall not exceed $500,000. For purposes of the preceding sentence, all multiemployer plans of which the same trust forms a part shall be treated as 1 plan.

''(B) TAXABLE YEARS IN THE CASE OF CERTAIN CONTROLLED GROUPS.—For purposes of this paragraph, if all persons who are treated as a single employer for purposes of this section do not have the same taxable year, the taxable years taken into account shall be determined under principles similar to the principles of section 1561.

''(4) WAIVER BY SECRETARY.—In the case of a failure which is due to reasonable cause and not to willful neglect, the Secretary may waive part or all of the tax imposed by subsection (a) to the extent that the payment of such tax would be excessive or otherwise inequitable relative to the failure involved.

''(d) LIABILITY FOR TAX.—The following shall be liable for the tax imposed by subsection (a):

''(1) In the case of a plan other than a multiemployer plan, the employer.

''(2) In the case of a multiemployer plan, the plan.

''(e) NOTICE REQUIREMENTS FOR PLANS SIGNIFICANTLY REDUCING BENEFIT ACCRUALS.—

''(1) IN GENERAL.—If an applicable pension plan is amended to provide for a significant reduction in the rate of future benefit accrual, the plan administrator shall provide written notice to each applicable individual (and to each employee organization representing applicable individuals).

''(2) NOTICE.—The notice required by paragraph (1) shall be written in a manner calculated to be understood by the average plan participant and shall provide sufficient information (as determined in accordance with regulations prescribed by the Secretary) to allow applicable individuals to understand the effect of the plan amendment. The Secretary may provide a simplified form of notice for, or exempt from any notice requirement, a plan—

''(A) which has fewer than 100 participants who have accrued a benefit under the plan, or

''(B) which offers participants the option to choose between the new benefit formula and the old benefit formula.

''(3) TIMING OF NOTICE.—Except as provided in regulations, the notice required by paragraph (1) shall be provided within a reasonable time before the effective date of the plan amendment.

''(4) DESIGNEES.—Any notice under paragraph (1) may be provided to a person designated, in writing, by the person to which it would otherwise be provided.

''(5) NOTICE BEFORE ADOPTION OF AMENDMENT.—A plan shall not be treated as failing to meet the requirements of paragraph (1) merely because notice is provided before the adoption of the plan amendment if no material modification of the amendment occurs before the amendment is adopted.

''(f) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) APPLICABLE INDIVIDUAL.—The term 'applicable individual' means, with respect to any plan amendment—

''(A) each participant in the plan, and

''(B) any beneficiary who is an alternate payee (within the meaning of section 414(p)(8)) under an applicable qualified domestic relations order (within the meaning of section 414(p)(1)(A)),

whose rate of future benefit accrual under the plan may reasonably be expected to be significantly reduced by such plan amendment.

''(2) APPLICABLE PENSION PLAN.—The term 'applicable pension plan' means—

''(A) any defined benefit plan, or

''(B) an individual account plan which is subject to the funding standards of section 412.

Such term shall not include a governmental plan (within the meaning of section 414(d)) or a church plan (within the meaning of section 414(e)) with respect to which the election provided by section 410(d) has not been made.

''(3) EARLY RETIREMENT.—A plan amendment which eliminates or significantly reduces any early retirement benefit or retirement-type subsidy (within the meaning of section 411(d)(6)(B)(i)) shall be treated as having the effect of significantly reducing the rate of future benefit accrual.

''(g) NEW TECHNOLOGIES.—The Secretary may by regulations allow any notice under subsection (e) to be provided by using new technologies.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 43 is amended by adding at the end the following new item:

''Sec. 4980F. Failure of applicable plans reducing benefit accruals to satisfy notice requirements.''.

(b) AMENDMENT OF ERISA.—Section 204(h) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(h)) is amended by adding at the end the following new paragraphs:

''(3)(A) An applicable pension plan to which paragraph (1) applies shall not be treated as meeting the requirements of such paragraph unless, in addition to any notice required to be provided to an individual or organization under such paragraph, the plan administrator provides the notice described in subparagraph (B) to each applicable individual (and to each employee organization representing applicable individuals).

''(B) The notice required by subparagraph (A) shall be written in a manner calculated to be understood by the average plan participant and shall provide sufficient information (as determined in accordance with regulations prescribed by the Secretary of the Treasury) to allow applicable individuals to understand the effect of the plan amendment. The Secretary of the Treasury may provide a simplified form of notice for, or exempt from any notice requirement, a plan—

''(i) which has fewer than 100 participants who have accrued a benefit under the plan, or

''(ii) which offers participants the option to choose between the new benefit formula and the old benefit formula.

''(C) Except as provided in regulations prescribed by the Secretary of the Treasury, the notice required by subparagraph (A) shall be provided within a reasonable time before the effective date of the plan amendment.

''(D) Any notice under subparagraph (A) may be provided to a person designated, in writing, by the person to which it would otherwise be provided.

''(E) A plan shall not be treated as failing to meet the requirements of subparagraph (A) merely because notice is provided before the adoption of the plan amendment if no material modification of the amendment occurs before the amendment is adopted.

''(F) The Secretary of the Treasury may by regulations allow any notice under this paragraph to be provided by using new technologies.

''(4) For purposes of paragraph (3)—

''(A) The term 'applicable individual' means, with respect to any plan amendment—

''(i) each participant in the plan; and

''(ii) any beneficiary who is an alternate payee (within the meaning of section 206(d)(3)(K)) under an applicable qualified domestic relations order (within the meaning of section 206(d)(3)(B)(i)),

whose rate of future benefit accrual under the plan may reasonably be expected to be significantly reduced by such plan amendment.

''(B) The term 'applicable pension plan' means—

''(i) any defined benefit plan; or

''(ii) an individual account plan which is subject to the funding standards of section 412 of the Internal Revenue Code of 1986.

''(C) A plan amendment which eliminates or significantly reduces any early retirement benefit or retirement-type subsidy (within the meaning of subsection (g)(2)(A)) shall be treated as having the effect of significantly reducing the rate of future benefit accrual.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan amendments taking effect on or after the date of the enactment of this Act.

(2) TRANSITION.—Until such time as the Secretary of the Treasury issues regulations under sections 4980F(e)(2) and (3) of the Internal Revenue Code of 1986, and section 204(h)(3) of the Employee Retirement Income Security Act of 1974, as added by the amendments made by this section, a plan shall be treated as meeting the requirements of such sections if it makes a good faith effort to comply with such requirements.

(3) SPECIAL NOTICE RULE.—

(A) IN GENERAL.—The period for providing any notice required by the amendments made by this section shall not end before the date which is 3 months after the date of the enactment of this Act.

(B) REASONABLE NOTICE.—The amendments made by this section shall not apply to any plan amendment taking effect on or after the date of the enactment of this Act if, before April 25, 2001, notice was provided to participants and beneficiaries adversely affected by the plan amendment (or their representatives) which was reasonably expected to notify them of the nature and effective date of the plan amendment.

(d) STUDY.—The Secretary of the Treasury shall prepare a report on the effects of conversions of traditional defined benefit plans to cash balance or hybrid formula plans. Such study shall examine the effect of such conversions on longer service participants, including the incidence and effects of ''wear away'' provisions under which participants earn no additional benefits for a period of time after the conversion. As soon as practicable, but not later than 60 days after the date of the enactment of this Act, the Secretary shall submit such report, together with recommendations thereon, to the Committee on Ways and Means and the Committee on Education and the Workforce of the House of Representatives and the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate.

SEC. 505. TREATMENT OF MULTIEMPLOYER PLANS UNDER SECTION 415.

(a) COMPENSATION LIMIT.—

(1) IN GENERAL.—Paragraph (11) of section 415(b) (relating to limitation for defined benefit plans) is amended to read as follows:

''(11) SPECIAL LIMITATION RULE FOR GOVERNMENTAL AND MULTIEMPLOYER PLANS.—In the case of a governmental plan (as defined in section 414(d)) or a multiemployer plan (as defined in section 414(f)), subparagraph (B) of paragraph (1) shall not apply.''.

(2) CONFORMING AMENDMENT.—Section 415(b)(7) (relating to benefits under certain collectively bargained plans) is amended by inserting ''(other than a multiemployer plan)'' after ''defined benefit plan'' in the matter preceding subparagraph (A).

(b) COMBINING AND AGGREGATION OF PLANS.—

(1) COMBINING OF PLANS.—Subsection (f) of section 415 (relating to combining of plans) is amended by adding at the end the following:

''(3) EXCEPTION FOR MULTIEMPLOYER PLANS.—Notwithstanding paragraph (1) and subsection (g), a multiemployer plan (as defined in section 414(f)) shall not be combined or aggregated—

''(A) with any other plan which is not a multiemployer plan for purposes of applying subsection (b)(1)(B) to such other plan, or

''(B) with any other multiemployer plan for purposes of applying the limitations established in this section.''.

(2) CONFORMING AMENDMENT FOR AGGREGATION OF PLANS.—Subsection (g) of section 415 (relating to aggregation of plans) is amended by striking ''The Secretary'' and inserting ''Except as provided in subsection (f)(3), the Secretary''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 506. PROTECTION OF INVESTMENT OF EMPLOYEE CONTRIBUTIONS TO 401(K) PLANS.

(a) IN GENERAL.—Section 1524(b) of the Taxpayer Relief Act of 1997 is amended to read as follows:

''(b) EFFECTIVE DATE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to elective deferrals for plan years beginning after December 31, 1998.

''(2) NONAPPLICATION TO PREVIOUSLY ACQUIRED PROPERTY.—The amendments made by this section shall not apply to any elective deferral which is invested in assets consisting of qualifying employer securities, qualifying employer real property, or both, if such assets were acquired before January 1, 1999.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply as if included in the provision of the Taxpayer Relief Act of 1997 to which it relates.

SEC. 507. PERIODIC PENSION BENEFITS STATEMENTS.

(a) IN GENERAL.—Section 105(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025 (a)) is amended to read as follows:

''(a)(1) Except as provided in paragraph (2)—

''(A) the administrator of an individual account plan shall furnish a pension benefit statement—

''(i) to a plan participant at least once annually, and

''(ii) to a plan beneficiary upon written request, and

''(B) the administrator of a defined benefit plan shall furnish a pension benefit statement—

''(i) at least once every 3 years to each participant with a nonforfeitable accrued benefit who is employed by the employer maintaining the plan at the time the statement is furnished to participants, and

''(ii) to a plan participant or plan beneficiary of the plan upon written request.

''(2) Notwithstanding paragraph (1), the administrator of a plan to which more than 1 unaffiliated employer is required to contribute shall only be required to furnish a pension benefit statement under paragraph (1) upon the written request of a participant or beneficiary of the plan.

''(3) A pension benefit statement under paragraph (1)—

''(A) shall indicate, on the basis of the latest available information—

''(i) the total benefits accrued, and

''(ii) the nonforfeitable pension benefits, if any, which have accrued, or the earliest date on which benefits will become nonforfeitable,

''(B) shall be written in a manner calculated to be understood by the average plan participant, and

''(C) may be provided in written, electronic, telephonic, or other appropriate form.

''(4)(A) In the case of a defined benefit plan, the requirements of paragraph (1)(B)(i) shall be treated as met with respect to a participant if the administrator provides the participant at least once each year with notice of the availability of the pension benefit statement and the ways in which the participant may obtain such statement. Such notice shall be provided in written, electronic, telephonic, or other appropriate form, and may be included with other communications to the participant if done in a manner reasonably designed to attract the attention of the participant.

''(B) The Secretary may provide that years in which no employee or former employee benefits (within the meaning of section 410(b) of the Internal Revenue Code of 1986) under the plan need not be taken into account in determining the 3-year period under paragraph (1)(B)(i).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 105 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025) is amended by striking subsection (d).

(2) Section 105(b) of such Act (29 U.S.C. 1025(b)) is amended to read as follows:

''(b) In no case shall a participant or beneficiary of a plan be entitled to more than one statement described in subsection (a)(1)(A) or (a)(1)(B)(ii), whichever is applicable, in any 12-month period.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2002.

SEC. 508. PROHIBITED ALLOCATIONS OF STOCK IN S CORPORATION ESOP.

(a) IN GENERAL.—Section 409 (relating to qualifications for tax credit employee stock ownership plans) is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) PROHIBITED ALLOCATIONS OF SECURITIES IN AN S CORPORATION.—

''(1) IN GENERAL.—An employee stock ownership plan holding employer securities consisting of stock in an S corporation shall provide that no portion of the assets of the plan attributable to (or allocable in lieu of) such employer securities may, during a nonallocation year, accrue (or be allocated directly or indirectly under any plan of the employer meeting the requirements of section 401(a)) for the benefit of any disqualified person.

''(2) FAILURE TO MEET REQUIREMENTS.—

''(A) IN GENERAL.—If a plan fails to meet the requirements of paragraph (1), the plan shall be treated as having distributed to any disqualified person the amount allocated to the account of such person in violation of paragraph (1) at the time of such allocation.

''(B) CROSS REFERENCE.—

''For excise tax relating to violations of paragraph (1) and ownership of synthetic equity, see section 4979A.

''(3) NONALLOCATION YEAR.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'nonallocation year' means any plan year of an employee stock ownership plan if, at any time during such plan year—

''(i) such plan holds employer securities consisting of stock in an S corporation, and

''(ii) disqualified persons own at least 50 percent of the number of shares of stock in the S corporation.

''(B) ATTRIBUTION RULES.—For purposes of subparagraph (A)—

''(i) IN GENERAL.—The rules of section 318(a) shall apply for purposes of determining ownership, except that—

''(I) in applying paragraph (1) thereof, the members of an individual's family shall include members of the family described in paragraph (4)(D), and

''(II) paragraph (4) thereof shall not apply.

''(ii) DEEMED-OWNED SHARES.—Notwithstanding the employee trust exception in section 318(a)(2)(B)(i), individual shall be treated as owning deemed-owned shares of the individual.

Solely for purposes of applying paragraph (5), this subparagraph shall be applied after the attribution rules of paragraph (5) have been applied.

''(4) DISQUALIFIED PERSON.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'disqualified person' means any person if—

''(i) the aggregate number of deemed-owned shares of such person and the members of such person's family is at least 20 percent of the number of deemed-owned shares of stock in the S corporation, or

''(ii) in the case of a person not described in clause (i), the number of deemed-owned shares of such person is at least 10 percent of the number of deemed-owned shares of stock in such corporation.

''(B) TREATMENT OF FAMILY MEMBERS.—In the case of a disqualified person described in subparagraph (A)(i), any member of such person's family with deemed-owned shares shall be treated as a disqualified person if not otherwise treated as a disqualified person under subparagraph (A).

''(C) DEEMED-OWNED SHARES.—

''(i) IN GENERAL.—The term 'deemed-owned shares' means, with respect to any person—

''(I) the stock in the S corporation constituting employer securities of an employee stock ownership plan which is allocated to such person under the plan, and

''(II) such person's share of the stock in such corporation which is held by such plan but which is not allocated under the plan to participants.

''(ii) PERSON'S SHARE OF UNALLOCATED STOCK.—For purposes of clause (i)(II), a person's share of unallocated S corporation stock held by such plan is the amount of the unallocated stock which would be allocated to such person if the unallocated stock were allocated to all participants in the same proportions as the most recent stock allocation under the plan.

''(D) MEMBER OF FAMILY.—For purposes of this paragraph, the term 'member of the family' means, with respect to any individual—

''(i) the spouse of the individual,

''(ii) an ancestor or lineal descendant of the individual or the individual's spouse,

''(iii) a brother or sister of the individual or the individual's spouse and any lineal descendant of the brother or sister, and

''(iv) the spouse of any individual described in clause (ii) or (iii).

A spouse of an individual who is legally separated from such individual under a decree of divorce or separate maintenance shall not be treated as such individual's spouse for purposes of this subparagraph.

''(5) TREATMENT OF SYNTHETIC EQUITY.—For purposes of paragraphs (3) and (4), in the case of a person who owns synthetic equity in the S corporation, except to the extent provided in regulations, the shares of stock in such corporation on which such synthetic equity is based shall be treated as outstanding stock in such corporation and deemed-owned shares of such person if such treatment of synthetic equity of 1 or more such persons results in—

''(A) the treatment of any person as a disqualified person, or

''(B) the treatment of any year as a nonallocation year.

For purposes of this paragraph, synthetic equity shall be treated as owned by a person in the same manner as stock is treated as owned by a person under the rules of paragraphs (2) and (3) of section 318(a). If, without regard to this paragraph, a person is treated as a disqualified person or a year is treated as a nonallocation year, this paragraph shall not be construed to result in the person or year not being so treated.

''(6) DEFINITIONS.—For purposes of this subsection—

''(A) EMPLOYEE STOCK OWNERSHIP PLAN.—The term 'employee stock ownership plan' has the meaning given such term by section 4975(e)(7).

''(B) EMPLOYER SECURITIES.—The term 'employer security' has the meaning given such term by section 409(l).

''(C) SYNTHETIC EQUITY.—The term 'synthetic equity' means any stock option, warrant, restricted stock, deferred issuance stock right, or similar interest or right that gives the holder the right to acquire or receive stock of the S corporation in the future. Except to the extent provided in regulations, synthetic equity also includes a stock appreciation right, phantom stock unit, or similar right to a future cash payment based on the value of such stock or appreciation in such value.

''(7) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection.''.

(b) COORDINATION WITH SECTION 4975(e)(7).—The last sentence of section 4975(e)(7) (defining employee stock ownership plan) is amended by inserting '', section 409(p),'' after ''409(n)''.

(c) EXCISE TAX.—

(1) APPLICATION OF TAX.—Subsection (a) of section 4979A (relating to tax on certain prohibited allocations of employer securities) is amended—

(A) by striking ''or'' at the end of paragraph (1), and

(B) by striking all that follows paragraph (2) and inserting the following:

''(3) there is any allocation of employer securities which violates the provisions of section 409(p), or a nonallocation year described in subsection (e)(2)(C) with respect to an employee stock ownership plan, or

''(4) any synthetic equity is owned by a disqualified person in any nonallocation year,

there is hereby imposed a tax on such allocation or ownership equal to 50 percent of the amount involved.''.

(2) LIABILITY.—Section 4979A(c) (defining liability for tax) is amended to read as follows:

''(c) LIABILITY FOR TAX.—The tax imposed by this section shall be paid—

''(1) in the case of an allocation referred to in paragraph (1) or (2) of subsection (a), by—

''(A) the employer sponsoring such plan, or

''(B) the eligible worker-owned cooperative,

which made the written statement described in section 664(g)(1)(E) or in section 1042(b)(3)(B) (as the case may be), and

''(2) in the case of an allocation or ownership referred to in paragraph (3) or (4) of subsection (a), by the S corporation the stock in which was so allocated or owned.''.

(3) DEFINITIONS.—Section 4979A(e) (relating to definitions) is amended to read as follows:

''(e) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) DEFINITIONS.—Except as provided in paragraph (2), terms used in this section have the same respective meanings as when used in sections 409 and 4978.

''(2) SPECIAL RULES RELATING TO TAX IMPOSED BY REASON OF PARAGRAPH (3) OR (4) OF SUBSECTION (a).—

''(A) PROHIBITED ALLOCATIONS.—The amount involved with respect to any tax imposed by reason of subsection (a)(3) is the amount allocated to the account of any person in violation of section 409(p)(1).

''(B) SYNTHETIC EQUITY.—The amount involved with respect to any tax imposed by reason of subsection (a)(4) is the value of the shares on which the synthetic equity is based.

''(C) SPECIAL RULE DURING FIRST NONALLOCATION YEAR.—For purposes of subparagraph (A), the amount involved for the first nonallocation year of any employee stock ownership plan shall be determined by taking into account the total value of all the deemed-owned shares of all disqualified persons with respect to such plan.

''(D) STATUTE OF LIMITATIONS.—The statutory period for the assessment of any tax imposed by this section by reason of paragraph (3) or (4) of subsection (a) shall not expire before the date which is 3 years from the later of—

''(i) the allocation or ownership referred to in such paragraph giving rise to such tax, or

''(ii) the date on which the Secretary is notified of such allocation or ownership.''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after December 31, 2004.

(2) EXCEPTION FOR CERTAIN PLANS.—In the case of any—

(A) employee stock ownership plan established after March 14, 2001, or

(B) employee stock ownership plan established on or before such date if employer securities held by the plan consist of stock in a corporation with respect to which an election under section 1362(a) of the Internal Revenue Code of 1986 is not in effect on such date,

the amendments made by this section shall apply to plan years ending after March 14, 2001.

TITLE VI—REDUCING REGULATORY BURDENS

SEC. 601. MODIFICATION OF TIMING OF PLAN VALUATIONS.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—Paragraph (9) of section 412(c) (relating to annual valuation) is amended to read as follows:

''(9) ANNUAL VALUATION.—

''(A) IN GENERAL.—For purposes of this section, a determination of experience gains and losses and a valuation of the plan's liability shall be made not less frequently than once every year, except that such determination shall be made more frequently to the extent required in particular cases under regulations prescribed by the Secretary.

''(B) VALUATION DATE.—

''(i) CURRENT YEAR.—Except as provided in clause (ii), the valuation referred to in subparagraph (A) shall be made as of a date within the plan year to which the valuation refers or within one month prior to the beginning of such year.

''(ii) ELECTION TO USE PRIOR YEAR VALUATION.—The valuation referred to in subparagraph (A) may be made as of a date within the plan year prior to the year to which the valuation refers if—

''(I) an election is in effect under this clause with respect to the plan, and

''(II) as of such date, the value of the assets of the plan are not less than 125 percent of the plan's current liability (as defined in paragraph (7)(B)).

''(iii) ADJUSTMENTS.—Information under clause (ii) shall, in accordance with regulations, be actuarially adjusted to reflect significant differences in participants.

''(iv) ELECTION.—An election under clause (ii), once made, shall be irrevocable without the consent of the Secretary.''.

(b) AMENDMENT OF ERISA.—Paragraph (9) of section 302(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(c)) is amended—

(1) by inserting ''(A)'' after ''(9)''; and

(2) by adding at the end the following:

''(B)(i) Except as provided in clause (ii), the valuation referred to in subparagraph (A) shall be made as of a date within the plan year to which the valuation refers or within one month prior to the beginning of such year.

''(ii) The valuation referred to in subparagraph (A) may be made as of a date within the plan year prior to the year to which the valuation refers if—

''(I) an election is in effect under this clause with respect to the plan; and

''(II) as of such date, the value of the assets of the plan are not less than 125 percent of the plan's current liability (as defined in paragraph (7)(B)).

''(iii) Information under clause (ii) shall, in accordance with regulations, be actuarially adjusted to reflect significant differences in participants.

''(iv) An election under clause (ii), once made, shall be irrevocable without the consent of the Secretary of the Treasury.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2001.

SEC. 602. ESOP DIVIDENDS MAY BE REINVESTED WITHOUT LOSS OF DIVIDEND DEDUCTION.

(a) IN GENERAL.—Section 404(k)(2)(A) (defining applicable dividends) is amended by striking ''or'' at the end of clause (ii), by redesignating clause (iii) as clause (iv), and by inserting after clause (ii) the following new clause:

''(iii) is, at the election of such participants or their beneficiaries—

''(I) payable as provided in clause (i) or (ii), or

''(II) paid to the plan and reinvested in qualifying employer securities, or''.

(b) STANDARDS FOR DISALLOWANCE.—Section 404(k)(5)(A) (relating to disallowance of deduction) is amended by inserting ''avoidance or'' before ''evasion''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 603. REPEAL OF TRANSITION RULE RELATING TO CERTAIN HIGHLY COMPENSATED EMPLOYEES.

(a) IN GENERAL.—Paragraph (4) of section 1114(c) of the Tax Reform Act of 1986 is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to plan years beginning after December 31, 2001.

SEC. 604. EMPLOYEES OF TAX-EXEMPT ENTITIES.

(a) IN GENERAL.—The Secretary of the Treasury shall modify Treasury Regulations section 1.410(b)–6(g) to provide that employees of an organization described in section 403(b)(1)(A)(i) of the Internal Revenue Code of 1986 who are eligible to make contributions under section 403(b) of such Code pursuant to a salary reduction agreement may be treated as excludable with respect to a plan under section 401(k) or (m) of such Code that is provided under the same general arrangement as a plan under such section 401(k), if—

(1) no employee of an organization described in section 403(b)(1)(A)(i) of such Code is eligible to participate in such section 401(k) plan or section 401(m) plan; and

(2) 95 percent of the employees who are not employees of an organization described in section 403(b)(1)(A)(i) of such Code are eligible to participate in such plan under such section 401(k) or (m).

(b) EFFECTIVE DATE.—The modification required by subsection (a) shall apply as of the same date set forth in section 1426(b) of the Small Business Job Protection Act of 1996.

SEC. 605. CLARIFICATION OF TREATMENT OF EMPLOYER-PROVIDED RETIREMENT ADVICE.

(a) IN GENERAL.—Subsection (a) of section 132 (relating to exclusion from gross income) is amended by striking ''or'' at the end of paragraph (5), by striking the period at the end of paragraph (6) and inserting '', or'', and by adding at the end the following new paragraph:

''(7) qualified retirement planning services.''.

(b) QUALIFIED RETIREMENT PLANNING SERVICES DEFINED.—Section 132 is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following:

''(m) QUALIFIED RETIREMENT PLANNING SERVICES.—

''(1) IN GENERAL.—For purposes of this section, the term 'qualified retirement planning services' means any retirement planning advice or information provided to an employee and his spouse by an employer maintaining a qualified employer plan.

''(2) NONDISCRIMINATION RULE.—Subsection (a)(7) shall apply in the case of highly compensated employees only if such services are available on substantially the same terms to each member of the group of employees normally provided education and information regarding the employer's qualified employer plan.

''(3) QUALIFIED EMPLOYER PLAN.—For purposes of this subsection, the term 'qualified employer plan' means a plan, contract, pension, or account described in section 219(g)(5).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 606. REPORTING SIMPLIFICATION.

(a) SIMPLIFIED ANNUAL FILING REQUIREMENT FOR OWNERS AND THEIR SPOUSES.—

(1) IN GENERAL.—The Secretary of the Treasury and the Secretary of Labor shall modify the requirements for filing annual returns with respect to one-participant retirement plans to ensure that such plans with assets of $250,000 or less as of the close of the plan year need not file a return for that year.

(2) ONE-PARTICIPANT RETIREMENT PLAN DEFINED.—For purposes of this subsection, the term ''one-participant retirement plan'' means a retirement plan that—

(A) on the first day of the plan year—

(i) covered only the employer (and the employer's spouse) and the employer owned the entire business (whether or not incorporated); or

(ii) covered only one or more partners (and their spouses) in a business partnership (including partners in an S or C corporation);

(B) meets the minimum coverage requirements of section 410(b) of the Internal Revenue Code of 1986 without being combined with any other plan of the business that covers the employees of the business;

(C) does not provide benefits to anyone except the employer (and the employer's spouse) or the partners (and their spouses);

(D) does not cover a business that is a member of an affiliated service group, a controlled group of corporations, or a group of businesses under common control; and

(E) does not cover a business that leases employees.

(3) OTHER DEFINITIONS.—Terms used in paragraph (2) which are also used in section 414 of the Internal Revenue Code of 1986 shall have the respective meanings given such terms by such section.

(b) SIMPLIFIED ANNUAL FILING REQUIREMENT FOR PLANS WITH FEWER THAN 25 EMPLOYEES.—In the case of plan years beginning after December 31, 2002, the Secretary of the Treasury and the Secretary of Labor shall provide for the filing of a simplified annual return for any retirement plan which covers less than 25 employees on the first day of a plan year and which meets the requirements described in subparagraphs (B), (D), and (E) of subsection (a)(2).

(c) EFFECTIVE DATE.—The provisions of this section shall take effect on January 1, 2002.

SEC. 607. IMPROVEMENT OF EMPLOYEE PLANS COMPLIANCE RESOLUTION SYSTEM.

The Secretary of the Treasury shall continue to update and improve the Employee Plans Compliance Resolution System (or any successor program) giving special attention to—

(1) increasing the awareness and knowledge of small employers concerning the availability and use of the program;

(2) taking into account special concerns and circumstances that small employers face with respect to compliance and correction of compliance failures;

(3) extending the duration of the self-correction period under the Administrative Policy Regarding Self-Correction for significant compliance failures;

(4) expanding the availability to correct insignificant compliance failures under the Administrative Policy Regarding Self-Correction during audit; and

(5) assuring that any tax, penalty, or sanction that is imposed by reason of a compliance failure is not excessive and bears a reasonable relationship to the nature, extent, and severity of the failure.

SEC. 608. REPEAL OF THE MULTIPLE USE TEST.

(a) IN GENERAL.—Paragraph (9) of section 401(m) is amended to read as follows:

''(9) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection and subsection (k), including regulations permitting appropriate aggregation of plans and contributions.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

SEC. 609. FLEXIBILITY IN NONDISCRIMINATION, COVERAGE, AND LINE OF BUSINESS RULES.

(a) NONDISCRIMINATION.—

(1) IN GENERAL.—The Secretary of the Treasury shall, by regulation, provide that a plan shall be deemed to satisfy the requirements of section 401(a)(4) of the Internal Revenue Code of 1986 if such plan satisfies the facts and circumstances test under section 401(a)(4) of such Code, as in effect before January 1, 1994, but only if—

(A) the plan satisfies conditions prescribed by the Secretary to appropriately limit the availability of such test; and

(B) the plan is submitted to the Secretary for a determination of whether it satisfies such test.

Subparagraph (B) shall only apply to the extent provided by the Secretary.

(2) EFFECTIVE DATES.—

(A) REGULATIONS.—The regulation required by paragraph (1) shall apply to years beginning after December 31, 2003.

(B) CONDITIONS OF AVAILABILITY.—Any condition of availability prescribed by the Secretary under paragraph (1)(A) shall not apply before the first year beginning not less than 120 days after the date on which such condition is prescribed.

(b) COVERAGE TEST.—

(1) IN GENERAL.—Section 410(b)(1) (relating to minimum coverage requirements) is amended by adding at the end the following:

''(D) In the case that the plan fails to meet the requirements of subparagraphs (A), (B) and (C), the plan—

''(i) satisfies subparagraph (B), as in effect immediately before the enactment of the Tax Reform Act of 1986,

''(ii) is submitted to the Secretary for a determination of whether it satisfies the requirement described in clause (i), and

''(iii) satisfies conditions prescribed by the Secretary by regulation that appropriately limit the availability of this subparagraph.

Clause (ii) shall apply only to the extent provided by the Secretary.''.

(2) EFFECTIVE DATES.—

(A) IN GENERAL.—The amendment made by paragraph (1) shall apply to years beginning after December 31, 2003.

(B) CONDITIONS OF AVAILABILITY.—Any condition of availability prescribed by the Secretary under regulations prescribed by the Secretary under section 410(b)(1)(D) of the Internal Revenue Code of 1986 shall not apply before the first year beginning not less than 120 days after the date on which such condition is prescribed.

(c) LINE OF BUSINESS RULES.—The Secretary of the Treasury shall, on or before December 31, 2003, modify the existing regulations issued under section 414(r) of the Internal Revenue Code of 1986 in order to expand (to the extent that the Secretary determines appropriate) the ability of a pension plan to

demonstrate compliance with the line of business requirements based upon the facts and circumstances surrounding the design and operation of the plan, even though the plan is unable to satisfy the mechanical tests currently used to determine compliance.

SEC. 610. EXTENSION TO ALL GOVERNMENTAL PLANS OF MORATORIUM ON APPLICATION OF CERTAIN NONDISCRIMINATION RULES APPLICABLE TO STATE AND LOCAL PLANS.

(a) IN GENERAL.—

(1) Subparagraph (G) of section 401(a)(5) of the Internal Revenue Code of 1986 and subparagraph (H) of section 401(a)(26) are each amended by striking ''section 414(d))'' and all that follows and inserting ''section 414(d)).''.

(2) Subparagraph (G) of section 401(k)(3) and paragraph (2) of section 1505(d) of the Taxpayer Relief Act of 1997 are each amended by striking ''maintained by a State or local government or political subdivision thereof (or agency or instrumentality thereof)''.

(b) CONFORMING AMENDMENTS.—

(1) The heading for subparagraph (G) of section 401(a)(5) is amended to read as follows: ''GOVERNMENTAL PLANS.—''.

(2) The heading for subparagraph (H) of section 401(a)(26) is amended to read as follows: ''EXCEPTION FOR GOVERNMENTAL PLANS.—''.

(3) Subparagraph (G) of section 401(k)(3) is amended by inserting ''GOVERNMENTAL PLANS.—'' after ''(G)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 611. NOTICE AND CONSENT PERIOD REGARDING DISTRIBUTIONS.

(a) EXPANSION OF PERIOD.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—

(A) IN GENERAL.—Subparagraph (A) of section 417(a)(6) is amended by striking ''90-day'' and inserting ''180-day''.

(B) MODIFICATION OF REGULATIONS.—The Secretary of the Treasury shall modify the regulations under sections 402(f), 411(a)(11), and 417 of the Internal Revenue Code of 1986 to substitute ''180 days'' for ''90 days'' each place it appears in Treasury Regulations sections 1.402(f)–1, 1.411(a)–11(c), and 1.417(e)–1(b).

(2) AMENDMENT OF ERISA.—Section 205(c)(7)(A) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1055(c)(7)(A)) is amended by striking ''90-day'' and inserting ''180-day''.

(3) EFFECTIVE DATE.—The amendments made by paragraph (1)(A) and (2) and the modifications required by paragraph (1)(B) shall apply to years beginning after December 31, 2001.

(b) CONSENT REGULATION INAPPLICABLE TO CERTAIN DISTRIBUTIONS.—

(1) IN GENERAL.—The Secretary of the Treasury shall modify the regulations under section 411(a)(11) of the Internal Revenue Code of 1986 to provide that the description of a participant's right, if any, to defer receipt of a distribution shall also describe the consequences of failing to defer such receipt.

(2) EFFECTIVE DATE.—The modifications required by paragraph (1) shall apply to years beginning after December 31, 2001.

SEC. 612. ANNUAL REPORT DISSEMINATION.

(a) REPORT AVAILABLE THROUGH ELECTRONIC MEANS.—Section 104(b)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1024(b)(3)) is amended by adding at the end the following new sentence: ''The requirement to furnish information under the previous sentence shall be satisfied if the administrator makes such information reasonably available through electronic means or other new technology.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to reports for years beginning after December 31, 2000.

SEC. 613. TECHNICAL CORRECTIONS TO SAVER ACT.

Section 517 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1147) is amended—

(1) in subsection (a), by striking ''2001 and 2005 on or after September 1 of each year involved'' and inserting ''2001, 2005, and 2009 in the month of September of each year involved'';

(2) in subsection (b), by adding at the end the following new sentence: ''To effectuate the purposes of this paragraph, the Secretary may enter into a cooperative agreement, pursuant to the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301 et seq.), with the American Savings Education Council.'';

(3) in subsection (e)(2)—

(A) by striking ''Committee on Labor and Human Resources'' in subparagraph (D) and inserting ''Committee on Health, Education, Labor, and Pensions'';

(B) by striking subparagraph (F) and inserting the following:

''(F) the Chairman and Ranking Member of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations of the House of Representatives and the Chairman and Ranking Member of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations of the Senate;'';

(C) by redesignating subparagraph (G) as subparagraph (J); and

(D) by inserting after subparagraph (F) the following new subparagraphs:

''(G) the Chairman and Ranking Member of the Committee on Finance of the Senate;

''(H) the Chairman and Ranking Member of the Committee on Ways and Means of the House of Representatives;

''(I) the Chairman and Ranking Member of the Subcommittee on Employer-Employee Relations of the Committee on Education and the Workforce of the House of Representatives; and'';

(4) in subsection (e)(3)(A)—

(A) by striking ''There shall be no more than 200 additional participants.'' and inserting ''The participants in the National Summit shall also include additional participants appointed under this subparagraph.'';

(B) by striking ''one-half shall be appointed by the President,'' in clause (i) and inserting ''not more than 100 participants shall be appointed under this clause by the President,'', and by striking ''and'' at the end of clause (i);

(C) by striking ''one-half shall be appointed by the elected leaders of Congress'' in clause (ii) and inserting ''not more than 100 participants shall be appointed under this clause by the elected leaders of Congress'', and by striking the period at the end of clause (ii) and inserting ''; and'';

(D) by adding at the end the following new clause:

''(iii) The President, in consultation with the elected leaders of Congress referred to in subsection (a), may appoint under this clause additional participants to the National Summit. The number of such additional participants appointed under this clause may not exceed the lesser of 3 percent of the total number of all additional participants appointed under this paragraph, or 10. Such additional participants shall be appointed from persons nominated by the organization referred to in subsection (b)(2) which is made up of private sector businesses and associations partnered with Government entities to promote long term financial security in retirement through savings and with which the Secretary is required thereunder to consult and cooperate and shall not be Federal, State, or local government employees.'';

(5) in subsection (e)(3)(B), by striking ''January 31, 1998'' in subparagraph (B) and inserting ''May 1, 2001, May 1, 2005, and May 1, 2009, for each of the subsequent summits, respectively'';

(6) in subsection (f)(1)(C), by inserting '', no later than 90 days prior to the date of the commencement of the National Summit,'' after ''comment'' in paragraph (1)(C);

(7) in subsection (g), by inserting '', in consultation with the congressional leaders specified in subsection (e)(2),'' after ''report'';

(8) in subsection (i)—

(A) by striking ''beginning on or after October 1, 1997'' in paragraph (1) and inserting ''2001, 2005, and 2009''; and

(B) by adding at the end the following new paragraph:

''(3) RECEPTION AND REPRESENTATION AUTHORITY.—The Secretary is hereby granted reception and representation authority limited specifically to the events at the National Summit. The Secretary shall use any private contributions accepted in connection with the National Summit prior to using funds appropriated for purposes of the National Summit pursuant to this paragraph.''; and

(9) in subsection (k)—

(A) by striking ''shall enter into a contract on a sole-source basis'' and inserting ''may enter into a contract on a sole-source basis''; and

(B) by striking ''fiscal year 1998'' and inserting ''fiscal years 2001, 2005, and 2009''.

TITLE VII—OTHER ERISA PROVISIONS

SEC. 701. MISSING PARTICIPANTS.

(a) IN GENERAL.—Section 4050 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1350) is amended by redesignating subsection (c) as subsection (e) and by inserting after subsection (b) the following new subsections:

''(c) MULTIEMPLOYER PLANS.—The corporation shall prescribe rules similar to the rules in subsection (a) for multiemployer plans covered by this title that terminate under section 4041A.

''(d) PLANS NOT OTHERWISE SUBJECT TO TITLE.—

''(1) TRANSFER TO CORPORATION.—The plan administrator of a plan described in paragraph (4) may elect to transfer a missing participant's benefits to the corporation upon termination of the plan.

''(2) INFORMATION TO THE CORPORATION.—To the extent provided in regulations, the plan administrator of a plan described in paragraph (4) shall, upon termination of the plan, provide the corporation information with respect to benefits of a missing participant if the plan transfers such benefits—

''(A) to the corporation, or

''(B) to an entity other than the corporation or a plan described in paragraph (4)(B)(ii).

''(3) PAYMENT BY THE CORPORATION.—If benefits of a missing participant were transferred to the corporation under paragraph (1), the corporation shall, upon location of the participant or beneficiary, pay to the participant or beneficiary the amount transferred (or the appropriate survivor benefit) either—

''(A) in a single sum (plus interest), or

''(B) in such other form as is specified in regulations of the corporation.

''(4) PLANS DESCRIBED.—A plan is described in this paragraph if—

''(A) the plan is a pension plan (within the meaning of section 3(2))—

''(i) to which the provisions of this section do not apply (without regard to this subsection), and

''(ii) which is not a plan described in paragraphs (2) through (11) of section 4021(b), and

''(B) at the time the assets are to be distributed upon termination, the plan—

''(i) has missing participants, and

''(ii) has not provided for the transfer of assets to pay the benefits of all missing participants to another pension plan (within the meaning of section 3(2)).

''(5) CERTAIN PROVISIONS NOT TO APPLY.—Subsections (a)(1) and (a)(3) shall not apply to a plan described in paragraph (4).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made after final regulations implementing subsections (c) and (d) of section 4050 of the Employee Retirement Income Security Act of 1974 (as added by subsection (a)), respectively, are prescribed.

SEC. 702. REDUCED PBGC PREMIUM FOR NEW PLANS OF SMALL EMPLOYERS.

(a) IN GENERAL.—Subparagraph (A) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)) is amended—

(1) in clause (i), by inserting ''other than a new single-employer plan (as defined in subparagraph (F)) maintained by a small employer (as so defined),'' after ''single-employer plan,'',

(2) in clause (iii), by striking the period at the end and inserting '', and'', and

(3) by adding at the end the following new clause:

''(iv) in the case of a new single-employer plan (as defined in subparagraph (F)) maintained by a small employer (as so defined) for the plan year, $5 for each individual who is a participant in such plan during the plan year.''.

(b) DEFINITION OF NEW SINGLE-EMPLOYER PLAN.—Section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended by adding at the end the following new subparagraph:

''(F)(i) For purposes of this paragraph, a single-employer plan maintained by a contributing sponsor shall be treated as a new single-employer plan for each of its first 5 plan years if, during the 36-month period ending on the date of the adoption of such plan, the sponsor or any member of such sponsor's controlled group (or any predecessor of either) did not establish or maintain a plan to which this title applies with respect to which benefits were accrued for substantially the same employees as are in the new single-employer plan.

''(ii)(I) For purposes of this paragraph, the term 'small employer' means an employer which on the first day of any plan year has, in aggregation with all members of the controlled group of such employer, 100 or fewer employees.

''(II) In the case of a plan maintained by two or more contributing sponsors that are not part of the same controlled group, the employees of all contributing sponsors and controlled groups of such sponsors shall be aggregated for purposes of determining whether any contributing sponsor is a small employer.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plans established after December 31, 2001.

SEC. 703. REDUCTION OF ADDITIONAL PBGC PREMIUM FOR NEW AND SMALL PLANS.

(a) NEW PLANS.—Subparagraph (E) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(E)) is amended by adding at the end the following new clause:

''(v) In the case of a new defined benefit plan, the amount determined under clause (ii) for any plan year shall be an amount equal to the product of the amount determined under clause (ii) and the applicable percentage. For purposes of this clause, the term 'applicable percentage' means—

''(I) 0 percent, for the first plan year.

''(II) 20 percent, for the second plan year.

''(III) 40 percent, for the third plan year.

''(IV) 60 percent, for the fourth plan year.

''(V) 80 percent, for the fifth plan year.

For purposes of this clause, a defined benefit plan (as defined in section 3(35)) maintained by a contributing sponsor shall be treated as a new defined benefit plan for each of its first 5 plan years if, during the 36-month period ending on the date of the adoption of the plan, the sponsor and each member of any controlled group including the sponsor (or any predecessor of either) did not establish or maintain a plan to which this title applies with respect to which benefits were accrued for substantially the same employees as are in the new plan.''.

(b) SMALL PLANS.—Paragraph (3) of section 4006(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)), as amended by section 702(b), is amended—

(1) by striking ''The'' in subparagraph (E)(i) and inserting ''Except as provided in subparagraph (G), the'', and

(2) by inserting after subparagraph (F) the following new subparagraph:

''(G)(i) In the case of an employer who has 25 or fewer employees on the first day of the plan year, the additional premium determined under subparagraph (E) for each participant shall not exceed $5 multiplied by the number of participants in the plan as of the close of the preceding plan year.

''(ii) For purposes of clause (i), whether an employer has 25 or fewer employees on the first day of the plan year is determined taking into consideration all of the employees of all members of the contributing sponsor's controlled group. In the case of a plan maintained by two or more contributing sponsors, the employees of all contributing sponsors and their controlled groups shall be aggregated for purposes of determining whether the 25-or-fewer-employees limitation has been satisfied.''.

(c) EFFECTIVE DATES.—

(1) SUBSECTION (a).—The amendments made by subsection (a) shall apply to plans established after December 31, 2001.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to plan years beginning after December 31, 2001.

SEC. 704. AUTHORIZATION FOR PBGC TO PAY INTEREST ON PREMIUM OVERPAYMENT REFUNDS.

(a) IN GENERAL.—Section 4007(b) of the Employment Retirement Income Security Act of 1974 (29 U.S.C. 1307(b)) is amended—

(1) by striking ''(b)'' and inserting ''(b)(1)'', and

(2) by inserting at the end the following new paragraph:

''(2) The corporation is authorized to pay, subject to regulations prescribed by the corporation, interest on the amount of any overpayment of premium refunded to a designated payor. Interest under this paragraph shall be calculated at the same rate and in the same manner as interest is calculated for underpayments under paragraph (1).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to interest accruing for periods beginning not earlier than the date of the enactment of this Act.

SEC. 705. SUBSTANTIAL OWNER BENEFITS IN TERMINATED PLANS.

(a) MODIFICATION OF PHASE-IN OF GUARANTEE.—Section 4022(b)(5) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322(b)(5)) is amended to read as follows:

''(5)(A) For purposes of this paragraph, the term 'majority owner' means an individual who, at any time during the 60-month period ending on the date the determination is being made—

''(i) owns the entire interest in an unincorporated trade or business,

''(ii) in the case of a partnership, is a partner who owns, directly or indirectly, 50 percent or more of either the capital interest or the profits interest in such partnership, or

''(iii) in the case of a corporation, owns, directly or indirectly, 50 percent or more in value of either the voting stock of that corporation or all the stock of that corporation.

For purposes of clause (iii), the constructive ownership rules of section 1563(e) of the Internal Revenue Code of 1986 shall apply (determined without regard to section 1563(e)(3)(C)).

''(B) In the case of a participant who is a majority owner, the amount of benefits guaranteed under this section shall equal the product of—

''(i) a fraction (not to exceed 1) the numerator of which is the number of years from the later of the effective date or the adoption date of the plan to the termination date, and the denominator of which is 10, and

''(ii) the amount of benefits that would be guaranteed under this section if the participant were not a majority owner.''.

(b) MODIFICATION OF ALLOCATION OF ASSETS.—

(1) Section 4044(a)(4)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1344(a)(4)(B)) is amended by striking ''section 4022(b)(5)'' and inserting ''section 4022(b)(5)(B)''.

(2) Section 4044(b) of such Act (29 U.S.C. 1344(b)) is amended—

(A) by striking ''(5)'' in paragraph (2) and inserting ''(4), (5),'', and

(B) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively, and by inserting after paragraph (2) the following new paragraph:

''(3) If assets available for allocation under paragraph (4) of subsection (a) are insufficient to satisfy in full the benefits of all individuals who are described in that paragraph, the assets shall be allocated first to benefits described in subparagraph (A) of that paragraph. Any remaining assets shall then be allocated to benefits described in subparagraph (B) of that paragraph. If assets allocated to such subparagraph (B) are insufficient to satisfy in full the benefits described in that subparagraph, the assets shall be allocated pro rata among individuals on the basis of the present value (as of the termination date) of their respective benefits described in that subparagraph.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 4021 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1321) is amended—

(A) in subsection (b)(9), by striking ''as defined in section 4022(b)(6)'', and

(B) by adding at the end the following new subsection:

''(d) For purposes of subsection (b)(9), the term 'substantial owner' means an individual who, at any time during the 60-month period ending on the date the determination is being made—

''(1) owns the entire interest in an unincorporated trade or business,

''(2) in the case of a partnership, is a partner who owns, directly or indirectly, more than 10 percent of either the capital interest or the profits interest in such partnership, or

''(3) in the case of a corporation, owns, directly or indirectly, more than 10 percent in value of either the voting stock of that corporation or all the stock of that corporation.

For purposes of paragraph (3), the constructive ownership rules of section 1563(e) of the Internal Revenue Code of 1986 shall apply (determined without regard to section 1563(e)(3)(C)).''.

(2) Section 4043(c)(7) of such Act (29 U.S.C. 1343(c)(7)) is amended by striking ''section 4022(b)(6)'' and inserting ''section 4021(d)''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to plan terminations—

(A) under section 4041(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1341(c)) with respect to which notices of intent to terminate are provided under section 4041(a)(2) of such Act (29 U.S.C. 1341(a)(2)) after December 31, 2001, and

(B) under section 4042 of such Act (29 U.S.C. 1342) with respect to which proceedings are instituted by the corporation after such date.

(2) CONFORMING AMENDMENTS.—The amendments made by subsection (c) shall take effect on January 1, 2002.

SEC. 706. CIVIL PENALTIES FOR BREACH OF FIDUCIARY RESPONSIBILITY.

(a) IMPOSITION AND AMOUNT OF PENALTY MADE DISCRETIONARY.—Section 502(l)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132(l)(1)) is amended—

(1) by striking ''shall'' and inserting ''may'', and

(2) by striking ''equal to'' and inserting ''not greater than''.

(b) APPLICABLE RECOVERY AMOUNT.—Section 502(l)(2) of such Act (29 U.S.C. 1132(l)(2)) is amended to read as follows:

''(2) For purposes of paragraph (1), the term 'applicable recovery amount' means any amount which is recovered from any fiduciary or other person (or from any other person on behalf of any such fiduciary or other person) with respect to a breach or violation described in paragraph (1) on or after the 30th day following receipt by such fiduciary or other person of written notice from the Secretary of the violation, whether paid voluntarily or by order of a court in a judicial proceeding instituted by the Secretary under subsection (a)(2) or (a)(5). The Secretary may, in the Secretary's sole discretion, extend the 30-day period described in the preceding sentence.''.

(c) OTHER RULES.—Section 502(l) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132(l)) is amended by adding at the end the following new paragraph:

''(5) A person shall be jointly and severally liable for the penalty described in paragraph (1) to the same extent that such person is jointly and severally liable for the applicable recovery amount on which the penalty is based.

''(6) No penalty shall be assessed under this subsection unless the person against whom the penalty is assessed is given notice and opportunity for a hearing with respect to the violation and applicable recovery amount.''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to any breach of fiduciary responsibility or other violation of part 4 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 occurring on or after the date of enactment of this Act.

(2) TRANSITION RULE.—In applying the amendment made by subsection (b) (relating to applicable recovery amount), a breach or other violation occurring before the date of enactment of this Act which continues after the 180th day after such date (and which may have been discontinued at any time during its existence) shall be treated as having occurred after such date of enactment.

SEC. 707. BENEFIT SUSPENSION NOTICE.

(a) MODIFICATION OF REGULATION.—The Secretary of Labor shall modify the regulation under section 203(a)(3)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(a)(3)(B)) to provide that the notification required by such regulation—

(1) in the case of an employee who returns to work for a former employer after commencement of payment of benefits under the plan shall—

(A) be made during the first calendar month or payroll period in which the plan withholds payments, and

(B) if a reduced rate of future benefit accruals will apply to the returning employee (as of the first date of participation in the plan by the employee after returning to work), include a statement that the rate of future benefit accruals will be reduced, and

(2) in the case of any employee who is not described in paragraph (1)—

(A) may be included in the summary plan description for the plan furnished in accordance with section 104(b) of such Act (29 U.S.C. 1024(b)), rather than in a separate notice, and

(B) need not include a copy of the relevant plan provisions.

(b) EFFECTIVE DATE.—The modification made under this section shall apply to plan years beginning after December 31, 2001.

SEC. 708. STUDIES.

(a) MODEL SMALL EMPLOYER GROUP PLANS STUDY.—As soon as practicable after the date of the enactment of this Act, the Secretary of Labor, in consultation with the Secretary of the Treasury, shall conduct a study to determine—

(1) the most appropriate form or forms of—

(A) employee pension benefit plans which would—

(i) be simple in form and easily maintained by multiple small employers, and

(ii) provide for ready portability of benefits for all participants and beneficiaries,

(B) alternative arrangements providing comparable benefits which may be established by employee or employer associations, and

(C) alternative arrangements providing comparable benefits to which employees may contribute in a manner independent of employer sponsorship, and

(2) appropriate methods and strategies for making pension plan coverage described in paragraph (1) more widely available to American workers.

(b) MATTERS TO BE CONSIDERED.—In conducting the study under subsection (a), the Secretary of Labor shall consider the adequacy and availability of existing employee pension benefit plans and the extent to which existing models may be modified to be more accessible to both employees and employers.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Labor shall report the results of the study under subsection (a), together with the Secretary's recommendations, to the Committee on Education and the Workforce and the Committee on Ways and Means of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate. Such recommendations shall include one or more model plans described in subsection (a)(1)(A) and model alternative arrangements described in subsections (a)(1)(B) and (a)(1)(C) which may serve as the basis for appropriate administrative or legislative action.

(d) STUDY ON EFFECT OF LEGISLATION.—Not later than 5 years after the date of the enactment of this Act, the Secretary of Labor shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the effect of the provisions of this Act on pension plan coverage, including any change in—

(1) the extent of pension plan coverage for low and middle-income workers,

(2) the levels of pension plan benefits generally,

(3) the quality of pension plan coverage generally,

(4) workers' access to and participation in pension plans, and

(5) retirement security.

TITLE VIII—PLAN AMENDMENTS

SEC. 801. PROVISIONS RELATING TO PLAN AMENDMENTS.

(a) IN GENERAL.—If this section applies to any plan or contract amendment—

(1) such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in subsection (b)(2)(A); and

(2) except as provided by the Secretary of the Treasury, such plan shall not fail to meet the requirements of section 411(d)(6) of the Internal Revenue Code of 1986 or section 204(g) of the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(b) AMENDMENTS TO WHICH SECTION APPLIES.—

(1) IN GENERAL.—This section shall apply to any amendment to any plan or annuity contract which is made—

(A) pursuant to any amendment made by this Act, or pursuant to any regulation issued under this Act; and

(B) on or before the last day of the first plan year beginning on or after January 1, 2004.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), this paragraph shall be applied by substituting ''2006'' for ''2004''.

(2) CONDITIONS.—This section shall not apply to any amendment unless—

(A) during the period—

(i) beginning on the date the legislative or regulatory amendment described in paragraph (1)(A) takes effect (or in the case of a plan or contract amendment not required by such legislative or regulatory amendment, the effective date specified by the plan); and

(ii) ending on the date described in paragraph (1)(B) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect; and

(B) such plan or contract amendment applies retroactively for such period.

After debate,

¶40.11 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

After further debate,

Pursuant to House Resolution 127, the previous question was ordered on the bill, as amended, and the further amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to said further amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. QUINN, announced that the nays had it.

Mr. NEAL objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 207 / Nays 223

¶40.12 [Roll No. 94]

YEAS—207

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

NAYS—223

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

NOT VOTING—1

Moakley

So the further amendment in the nature of a substitute was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. SANDERS moved to recommit the bill to the Committee on Education and the Workforce and the Committee on Ways and Means with instructions to report the bill back to the House forthwith with the following amendment:

Strike section 504 and insert the following new section:

SEC. 504. TREATMENT OF PLAN AMENDMENTS SIGNIFICANTLY REDUCING FUTURE BENEFIT ACCRUALS.

(a) NOTICE REQUIREMENTS FOR DEFINED BENEFIT PLANS OF 100 OR MORE PARTICIPANTS.—

(1) PLAN REQUIREMENT.—Section 401(a) of the Internal Revenue Code of 1986 (relating to qualified pension, profit-sharing, and stock bonus plans) is amended by inserting after paragraph (34) the following new paragraph:

''(35) NOTICE REQUIREMENTS FOR DEFINED BENEFIT PLANS OF 100 OR MORE PARTICIPANTS SIGNIFICANTLY REDUCING FUTURE BENEFIT ACCRUALS.—

''(A) IN GENERAL.—If a large defined benefit plan adopts an amendment which has the effect of significantly reducing the rate of future benefit accrual of 1 or more participants, a trust which is part of such plan shall not constitute a qualified trust under this section unless, after adoption of such amendment and not less than 45 days before its effective date, the plan administrator provides—

''(i) a written statement of benefit change described in subparagraph (B) to each applicable individual, and

''(ii) a written notice setting forth the plan amendment and its effective date to each employee organization representing participants in the plan.

Any such notice may be provided to a person designated, in writing, by the person to which it would otherwise be provided. The plan administrator shall not be treated as failing to meet the requirements of this subparagraph merely because the statement or notice is provided before the adoption of the plan amendment if no material modification of the amendment occurs before the amendment is adopted.

''(B) STATEMENT OF BENEFIT CHANGE.—A statement of benefit change described in this subparagraph shall—

''(i) be written in a manner calculated to be understood by the average plan participant, and

''(ii) include the information described in subparagraph (C).

''(C) INFORMATION CONTAINED IN STATEMENT OF BENEFIT CHANGE.—The information described in this subparagraph includes the following:

''(i) Notice setting forth the plan amendment and its effective date.

''(ii) A comparison of the following amounts under the plan with respect to an applicable individual, determined both with and without regard to the plan amendment:

''(I) The accrued benefit and the present value of the accrued benefit as of the effective date.

''(II) The projected accrued benefit and the projected present value of the accrued benefit as of the date which is 3 years, 5 years, and 10 years from the effective date and as of the normal retirement age.

''(iii) A table of all annuity factors used to calculate benefits under the plan, presented in the form provided in section 72 and the regulations thereunder.

Benefits described in clause (ii) shall be stated separately and shall be calculated by using the applicable mortality table and the applicable interest rate under section 417(e)(3)(A).

''(D) LARGE DEFINED BENEFIT PLAN; APPLICABLE INDIVIDUAL.—For purposes of this paragraph—

''(i) LARGE DEFINED BENEFIT PLAN.—The term 'large defined benefit plan' means any defined benefit plan which had 100 or more participants who had accrued a benefit under the plan (whether or not vested) as of the last day of the plan year preceding the plan year in which the plan amendment becomes effective.

''(ii) APPLICABLE INDIVIDUAL.—The term 'applicable individual' means—

''(I) each participant in the plan, and

''(II) each beneficiary who is an alternate payee (within the meaning of section 414(p)(8)) under an applicable qualified domestic relations order (within the meaning of section 414(p)(1)(A)).

''(E) ACCRUED BENEFIT; PROJECTED RETIREMENT BENEFIT.—For purposes of this paragraph—

''(i) PRESENT VALUE OF ACCRUED BENEFIT.—The present value of an accrued benefit of any applicable individual shall be calculated as if the accrued benefit were in the form of a single life annuity commencing at the participant's normal retirement age (and by taking into account any early retirement subsidy).

''(ii) PROJECTED ACCRUED BENEFIT.—

''(I) IN GENERAL.—The projected accrued benefit of any applicable individual shall be

calculated as if the benefit were payable in the form of a single life annuity commencing at the participant's normal retirement age (and by taking into account any early retirement subsidy).

''(II) COMPENSATION AND OTHER ASSUMPTIONS.—Such benefit shall be calculated by assuming that compensation and all other benefit factors would increase for each plan year beginning after the effective date of the plan amendment at a rate equal to the median average of the CPI increase percentage (as defined in section 215(i) of the Social Security Act) for the 5 calendar years immediately preceding the calendar year before the calendar year in which such effective date occurs.

''(III) BENEFIT FACTORS.—For purposes of subclause (II), the term 'benefit factors' means social security benefits and all other relevant factors under section 411(b)(1)(A) used to compute benefits under the plan which had increased from the 2d plan year preceding the plan year in which the effective date of the plan amendment occurs to the 1st such preceding plan year.

''(iii) NORMAL RETIREMENT AGE.—The term 'normal retirement age' means the later of—

''(I) the date determined under section 411(a)(8), or

''(II) the date a plan participant attains age 62.''.

(2) AMENDMENTS TO ERISA.—

(A) BENEFIT STATEMENT REQUIREMENT.—Section 204(h) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(h)) is amended by adding at the end the following new paragraphs:

''(3)(A) If paragraph (1) applies to the adoption of a plan amendment by a large defined benefit plan, the plan administrator shall, after adoption of such amendment and not less than 45 days before its effective date, provide with the notice under paragraph (1) a written statement of benefit change described in subparagraph (B) to each applicable individual.

''(B) A statement of benefit change described in this subparagraph shall—

''(i) be written in a manner calculated to be understood by the average plan participant, and

''(ii) include the information described in subparagraph (C).

''(C) The information described in this subparagraph includes the following:

''(i) A comparison of the following amounts under the plan with respect to an applicable individual, determined both with and without regard to the plan amendment:

''(I) The accrued benefit and the present value of the accrued benefit as of the effective date.

''(II) The projected accrued benefit and the projected present value of the accrued benefit as of the date which is 3 years, 5 years, and 10 years from the effective date and as of the normal retirement age.

''(ii) A table of all annuity factors used to calculate benefits under the plan, presented in the form provided in section 72 of the Internal Revenue Code of 1986 and the regulations thereunder.

Benefits described in clause (i) shall be stated separately and shall be calculated by using the applicable mortality table and the applicable interest rate under section 417(e)(3)(A) of such Code.

''(D) For purposes of this paragraph—

''(i) The term 'large defined benefit plan' means any defined benefit plan which had 100 or more participants who had accrued a benefit under the plan (whether or not vested) as of the last day of the plan year preceding the plan year in which the plan amendment becomes effective.

''(ii) The term 'applicable individual' means an individual described in subparagraph (A) or (B) of paragraph (1).

''(E) For purposes of this paragraph—

''(i) The present value of an accrued benefit of any applicable individual shall be calculated as if the accrued benefit were in the form of a single life annuity commencing at the participant's normal retirement age (and by taking into account any early retirement subsidy).

''(ii)(I) The projected accrued benefit of any applicable individual shall be calculated as if the benefit were payable in the form of a single life annuity commencing at the participant's normal retirement age (and by taking into account any early retirement subsidy).

''(II) Such benefit shall be calculated by assuming that compensation and all other benefit factors would increase for each plan year beginning after the effective date of the plan amendment at a rate equal to the median average of the CPI increase percentage (as defined in section 215(i) of the Social Security Act) for the 5 calendar years immediately preceding the calendar year before the calendar year in which such effective date occurs.

''(III) For purposes of subclause (II), the term 'benefit factors' means social security benefits and all other relevant factors under section 204(b)(1)(A) used to compute benefits under the plan which had increased from the 2d plan year preceding the plan year in which the effective date of the plan amendment occurs to the 1st such preceding plan year.

''(iii) The term 'normal retirement age' means the later of—

''(I) the date determined under section 3(24), or

''(II) the date a plan participant attains age 62.

''(4) A plan administrator shall not be treated as failing to meet the requirements of this subsection merely because the notice or statement is provided before the adoption of the plan amendment if no material modification of the amendment occurs before the amendment is adopted.''.

(B) CONFORMING AMENDMENT.—Section 204(h)(1) of such Act (29 U.S.C. 1054(h)(1)) is amended by inserting ''(including any written statement of benefit change if required by paragraph (3))'' after ''written notice''.

(3) EFFECTIVE DATES.—

(A) IN GENERAL.—The amendments made by this subsection shall apply to plan amendments taking effect in plan years beginning after December 31, 1998.

(B) SPECIAL RULE.—The period for providing any notice required by the amendments made by this subsection shall not end before the date which is 3 months after the date of the enactment of this Act.

(b) AGE-BASED REDUCTIONS IN THE RATE AT WHICH BENEFITS ACCRUE UNDER A CASH BALANCE PLAN VIOLATE AGE DISCRIMINATION RULE.—

(1) DIRECTIVE.—The Secretary of the Treasury shall apply section 411(b)(1)(H) of the Internal Revenue Code of 1986 without regard to the portion of the preamble to Treasury Decision 8360 (56 Fed. Reg. 47524–47603, September 19, 1991) which relates to the allocation of interest adjustments through normal retirement age under a cash balance plan, as such preamble is and has been since its adoption without the force of law.

(2) SAFE HARBOR IF NOTICE AND ELECTION TO CONTINUE BENEFIT ACCRUALS UNDER FORMER DEFINED BENEFIT PLAN INSTEAD OF UNDER CASH BALANCE PLAN.—

(A) AMENDMENT TO INTERNAL REVENUE CODE.—Paragraph (1) of section 411(b) of the Internal Revenue Code of 1986 (relating to defined benefit plans) is amended by adding at the end the following new subparagraph:

''(I) ELECTION TO CONTINUE BENEFIT ACCRUALS UNDER FORMER DEFINED BENEFIT PLAN INSTEAD OF UNDER CASH BALANCE PLAN.—

''(i) IN GENERAL.—A large defined benefit plan that adopts an amendment which results in such plan becoming a cash balance plan shall be treated as not meeting the requirements of this paragraph unless such plan provides each participant with—

''(I) notice and a written statement of benefit change which meets the requirements of section 401(a)(35), and

''(II) an election to continue to accrue benefits under such plan, determined under the terms of such plan as in effect immediately before the effective date of such plan amendment.

''(ii) PROTECTED ACCRUED BENEFIT.—For purposes of clause (i), an accrued benefit shall include any early retirement benefit or retirement-type subsidy (within the meaning of subsection (d)(6)(B)(i)), but only with respect to a participant who satisfies (either before or after the effective date of the amendment) the conditions for the benefit or subsidy under the terms of the plan as in effect immediately before such date.

''(iii) TIMING OF ELECTION.—Except as provided in regulations, the election required by clause (i)(II) shall be provided within a reasonable time before the effective date of the amendment resulting in the plan becoming a cash balance plan.

''(iv) CASH BALANCE PLAN.—For purposes of this paragraph, the term 'cash balance plan' means a defined benefit plan under which the rate of benefit accrual of any 1 participant for a year of service is reduced as the years of service of such participant increase.''.

(B) AMENDMENT TO ERISA.—Section 204(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)) is amended by adding at the end the following new paragraph:

''(4)(A) For purposes of paragraph (1), in the case of a plan amendment adopted by a large defined benefit plan (as defined in subsection (h)(3)) which results in such plan becoming a cash balance plan, such defined benefit plan shall be treated as not satisfying the requirements of this section unless such plan provides each participant with—

''(i) notice and a written statement of benefit change which meets the requirements of subsection (h)(3), and

''(ii) an election to continue to accrue benefits under such plan, determined under the terms of such plan as in effect immediately before the effective date of such plan amendment.

''(B) For purposes of subparagraph (A), an accrued benefit shall include any early retirement benefit or retirement-type subsidy (within the meaning of paragraph (2)(A)), but only with respect to a participant who satisfies (either before or after the effective date of the amendment) the conditions for the benefit or subsidy under the terms of the plan as in effect immediately before such date.

''(C) Except as provided in regulations, the election required by subparagraph (A)(ii) shall be provided within a reasonable time before the effective date of the amendment resulting in the plan becoming a cash balance plan.

''(D) For purposes of this paragraph, the term 'cash balance plan' means a defined benefit plan under which the rate of benefit accrual of any 1 participant for a year of service is reduced as the years of service of such participant increase.''.

(3) EXCISE TAX ON FAILURE TO OFFER ELECTION.—

(A) IN GENERAL.—Chapter 43 of subtitle D of the Internal Revenue Code of 1986 (relating to qualified pension, etc., plans) is amended by adding at the end the following new section:

"SEC. 4980F. FAILURE TO OFFER ELECTION TO CONTINUE BENEFIT ACCRUALS UNDER FORMER DEFINED BENEFIT PLAN IN EVENT OF SIGNIFICANT REDUCTIONS IN FUTURE BENEFIT ACCRUALS.

"(a) IMPOSITION OF TAX.—There is hereby imposed a tax on the failure of any applicable pension plan to meet the requirements of subsection (d).

"(b) AMOUNT OF TAX.—

"(1) IN GENERAL.—The amount of the tax imposed by subsection (a) shall be 50 percent of the amount of the excess pension assets in such plan, determined as of the effective date of the amendment which has the effect of significantly reducing the rate of future benefit accrual of 1 or more participants.

"(2) EXCESS PENSION ASSETS.—For purposes of paragraph (1), the term 'excess pension assets' has the meaning given to such term by section 420(e)(2).

"(c) LIABILITY FOR TAX.—The following shall be liable for the tax imposed by subsection (a):

"(1) In the case of a plan other than a multiemployer plan, the employer.

"(2) In the case of a multiemployer plan, the plan.

For purposes of the preceding sentence, all multiemployer plans of which the same trust forms a part shall be treated as 1 plan. For purposes of this paragraph, if not all persons who are treated as a single employer for purposes of this section have the same taxable year, the taxable years taken into account shall be determined under principles similar to the principles of section 1561.

"(d) ELECTION TO CONTINUE BENEFIT ACCRUALS UNDER FORMER DEFINED BENEFIT PLAN IN EVENT OF SIGNIFICANT REDUCTIONS IN FUTURE BENEFIT ACCRUALS.—In the case that an applicable pension plan adopts an amendment which has the effect of significantly reducing the rate of future benefit accrual of 1 or more participants, the requirements of this subsection are met if the plan administrator provides each participant who has a nonforfeitable right to 100 percent of his accrued benefits with—

"(1) notice and a written statement of benefit change which meets the requirements of section 401(a)(35), and

"(2) an election to continue to accrue benefits under such plan, determined under the terms of such plan as in effect immediately before the effective date of such plan amendment.

"(e) TIMING OF ELECTION.—Except as provided in regulations, the election required by subsection (d) shall be provided within a reasonable time before the effective date of such amendment.

"(f) PROTECTED ACCRUED BENEFIT.—For purposes of this section, an accrued benefit shall include any early retirement benefit or retirement-type subsidy (within the meaning of section 411(d)(6)(B)(i)), but only with respect to a participant who satisfies (either before or after the effective date of the amendment) the conditions for the benefit or subsidy under the terms of the plan as in effect immediately before such date.

"(g) APPLICABLE PENSION PLAN.—For purposes of this section, the term 'applicable pension plan' means a defined benefit plan that is subject to the notice requirements of section 401(a)(35).".

(B) CLERICAL AMENDMENT.—The table of sections for chapter 43 of subtitle D of such Code is amended by adding at the end the following new item:

"Sec. 4980F. Failure to offer election to continue benefit accruals under former defined benefit plan in event of significant reductions in future benefit accruals.".

(4) EFFECTIVE DATES.—

(A) IN GENERAL.—The amendments made by this subsection shall apply to plans and plan amendments taking effect after December 31, 1998.

(B) SPECIAL RULE.—The period for providing any notice required by the amendments made by this subsection shall not end before the date which is 3 months after the date of the enactment of this Act.

(c) PREVENTION OF WEARING AWAY OF EMPLOYEE'S ACCRUED BENEFIT.—

(1) AMENDMENT TO INTERNAL REVENUE CODE.—Section 411(d)(6) of the Internal Revenue Code of 1986 (relating to accrued benefit may not be decreased by amendment) is amended by adding at the end the following new subparagraph:

"(D) TREATMENT OF PLAN AMENDMENTS WEARING AWAY ACCRUED BENEFIT.—

"(i) IN GENERAL.—For purposes of subparagraph (A), a plan amendment adopted by a large defined benefit plan shall be treated as reducing accrued benefits of a participant if, under the terms of the plan after the adoption of the amendment, the accrued benefit of the participant may at any time be less than the sum of—

"(I) the participant's accrued benefit for years of service before the effective date of the amendment, determined under the terms of the plan as in effect immediately before the effective date, plus

"(II) the participant's accrued benefit determined under the formula applicable to benefit accruals under the current plan as applied to years of service after such effective date.

"(ii) LARGE DEFINED BENEFIT PLAN.—For purposes of this subparagraph, the term 'large defined benefit plan' means any defined benefit plan which had 100 or more participants who had accrued a benefit under the plan (whether or not vested) as of the last day of the plan year preceding the plan year in which the plan amendment becomes effective.

"(iii) PROTECTED ACCRUED BENEFIT.—For purposes of this subparagraph, an accrued benefit shall include any early retirement benefit or retirement-type subsidy (within the meaning of subparagraph (B)(i)), but only with respect to a participant who satisfies (either before or after the effective date of the amendment) the conditions for the benefit or subsidy under the terms of the plan as in effect immediately before such date.".

(2) AMENDMENT OF ERISA.—Section 204(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)) is amended by adding at the end the following new paragraph:

"(5)(A) For purposes of paragraph (1), a plan amendment adopted by a large defined benefit plan shall be treated as reducing accrued benefits of a participant if, under the terms of the plan after the adoption of the amendment, the accrued benefit of the participant may at any time be less than the sum of—

"(i) the participant's accrued benefit for years of service before the effective date of the amendment, determined under the terms of the plan as in effect immediately before the effective date, plus

"(ii) the participant's accrued benefit determined under the formula applicable to benefit accruals under the current plan as applied to years of service after such effective date.

"(B) For purposes of this paragraph, the term 'large defined benefit plan' means any defined benefit plan which had 100 or more participants who had accrued a benefit under the plan (whether or not vested) as of the last day of the plan year preceding the plan year in which the plan amendment becomes effective.

"(C) For purposes of this paragraph, an accrued benefit shall include any early retirement benefit or retirement-type subsidy (within the meaning of paragraph (2)(A)), but only with respect to a participant who satisfies (either before or after the effective date of the amendment) the conditions for the benefit or subsidy under the terms of the plan as in effect immediately before such date.".

(3) EFFECTIVE DATE.—The amendments made by this su,bsection shall apply to plan amendments taking effect after December 31, 1998.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. QUINN, announced that the nays had it.

Mr. SANDERS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 153 / Nays 276

¶40.13 [Roll No. 95]

YEAS—153

Abercrombie	Hall (OH)	Murtha
Ackerman	Hastings (FL)	Nadler
Allen	Hilliard	Napolitano
Baca	Hinchey	Oberstar
Baldacci	Holden	Obey
Baldwin	Holt	Olver
Barcia	Honda	Ortiz
Barrett	Hooley	Owens
Becerra	Inslee	Pallone
Bentsen	Jackson (IL)	Pascrell
Berkley	Jackson-Lee (TX)	Pastor
Berman	Jefferson	Payne
Blagojevich	Johnson, E. B.	Pelosi
Blumenauer	Jones (OH)	Peterson (MN)
Bonior	Kanjorski	Phelps
Boucher	Kaptur	Rahall
Brown (FL)	Kennedy (RI)	Rangel
Brown (OH)	Kildee	Reyes
Capps	Kilpatrick	Rivers
Capuano	Kind (WI)	Rodriguez
Carson (IN)	Kleczka	Rothman
Carson (OK)	Kucinich	Roybal-Allard
Clay	LaFalce	Rush
Clayton	Langevin	Sabo
Clyburn	Lantos	Sanders
Conyers	Larsen (WA)	Sawyer
Costello	Lee	Schakowsky
Coyne	Levin	Scott
Cummings	Lewis (GA)	Serrano
Davis (IL)	Lofgren	Skelton
DeFazio	Lowey	Slaughter
DeGette	Luther	Solis
Delahunt	Maloney (CT)	Spratt
DeLauro	Maloney (NY)	Stark
Deutsch	Markey	Strickland
Dicks	Mascara	Stupak
Dingell	Matsui	Thompson (CA)
Doggett	McCollum	Thompson (MS)
Doyle	McDermott	Thurman
Edwards	McGovern	Tierney
Engel	McKinney	Towns
Eshoo	McNulty	Udall (CO)
Evans	Meehan	Udall (NM)
Farr	Meek (FL)	Velazquez
Fattah	Meeks (NY)	Visclosky
Filner	Menendez	Waters
Frank	Millender-McDonald	Watt (NC)
Frost	Miller, George	Waxman
Gephardt	Mink	Weiner
Green (TX)	Mollohan	Wexler
Gutierrez		Woolsey
Gutknecht		

NAYS—276

Aderholt	Bachus	Barr
Akin	Baird	Bartlett
Andrews	Baker	Barton
Armey	Ballenger	Bass

Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—2

Moakley
Royce

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. QUINN, announced that the yeas had it.

Mr. THOMAS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 407 / Nays 24

¶40.14 [Roll No. 96]

YEAS—407

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

NAYS—24

Conyers
Filner
Frank
Gutknecht
Hinchey
Jackson (IL)
Kucinich
LaFalce
Lee
Matsui
McDermott
Neal
Oberstar
Obey
Olver
Owens
Payne
Rangel
Roybal-Allard
Rush
Sabo
Sanders
Stark
Waters

NOT VOTING—1

Moakley

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶40.15 COMMITTEE ELECTION—MINORITY

Mr. FROST, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 129):

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

Committee on Resources: Mr. Miller of California to rank immediately after Mr. Rahall of West Virginia;

Committee on Science: Mr. Honda of California.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

¶40.16 MESSAGE FROM THE PRESIDENT—DISTRICT OF COLUMBIA COURTS FY 2002

The SPEAKER pro tempore, Mr. GRAVES, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with the District of Columbia Code, as amended, I am transmitting the District of Columbia Courts FY 2002 Budget Submission.

The District of Columbia Courts have submitted a FY 2002 budget request for $111.7 million for operating expenses, $41.4 million for capital improvements to courthouse facilities, and $39.7 million for Defender Services in the District of Columbia Courts. My FY 2002 budget includes recommended funding levels of $105.2 million for operations, $6.0 million for capital improvements, and $34.3 million for Defender Services. My transmittal of the District of Columbia Courts' budget request does not represent an endorsement of its contents.

I look forward to working with the Congress throughout the FY 2002 appropriations process.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 2, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (H. Doc. 107–63).

¶40.17 MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶40.18 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO THE SUDAN

The SPEAKER pro tempore, Mr. GRAVES, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 2, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–64).

¶40.19 RECESS—8:25 P.M.

The SPEAKER pro tempore, Mr. CANTOR, pursuant to clause 12 of rule I, declared the House in recess at 8 o'clock and 25 minutes p.m., subject to the call of the Chair.

¶40.20 AFTER RECESS—11:38 P.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶40.21 RECESS—11:39 P.M.

The SPEAKER pro tempore, Mr. DREIER, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 39 minutes p.m., subject to the call of the Chair.

THURSDAY, MAY 3 (LEGISLATIVE DAY OF MAY 2), 2001

¶40.22 AFTER RECESS—8:57 A.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶40.23 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–54) the resolution (H. Res. 130) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶40.24 BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on May 2, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 256. To extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

And then,

¶40.25 ADJOURNMENT

On motion of Mr. LINDER, at 8 o'clock and 58 minutes a.m., Thursday, May 3 (legislative day of Wednesday, May 2), 2001, the House adjourned.

¶40.26 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOSS: Committee on Rules. House Resolution 130. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 107–54). Referred to the House Calendar.

¶40.27 PUBLIC BILLS AND RESOLUTIONS

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

By Mrs. JONES of Ohio (for herself, Mrs. CHRISTENSEN, Mr. JEFFERSON, Ms. LEE, Mr. MEEKS of New York, Mr. RUSH, Mr. SCOTT, Mr. HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. PAYNE, Ms. MCKINNEY, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mrs. CLAYTON, Mr. OWENS, Mr. WYNN, Ms. PELOSI, Mrs. LOWEY, Ms. DELAURO, Mr. JACKSON of Illinois, Ms. NORTON, Ms. WOOLSEY, Mr. FRANK, Mr. BROWN of Ohio, Ms. SLAUGHTER, Mr. DAVIS of Illinois, Mr. FILNER, Mr. HASTINGS of Florida, Mr. DINGELL, Mr. CUMMINGS, Mr. WEXLER, Mr. THOMPSON of Mississippi, Mr. CAPUANO, Mrs. MEEK of Florida, Mr. FROST, and Mr. GONZALEZ):

H.R. 1672. A bill to provide for an increase in funding for research on uterine fibroids through the National Institutes of Health, and to provide for a program to provide information and education to the public on such fibroids; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS (for himself, Mr. SMITH of New Jersey, and Mr. MORAN of Kansas):

H.R. 1673. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate that part or all of any income tax refund be paid over for use in medical research conducted through the Department of Veterans Affairs; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDIN (for himself, Mrs. ROUKEMA, Mr. ABERCROMBIE, Mr. LANGEVIN, Mr. STARK, Mr. HOEFFEL, Mr. BLUMENAUER, Mrs. THURMAN, Mr. FARR of California, Mr. MCDERMOTT, Mr. SERRANO, Mr. LEVIN, Mr. WYNN, Mrs. MINK of Hawaii, Mr. DEFAZIO, Mrs. EMERSON, Mrs. NAPOLITANO, Ms. SLAUGHTER, Mr. THOMPSON of Mississippi, Mr. MCHUGH, Ms. BALDWIN, Ms. HOOLEY of Oregon, Mr. DELAHUNT, Mr. COYNE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BENTSEN, Mr. LEWIS of Georgia, Mr. GEORGE MILLER of California, Ms. RIVERS, Mr. SPENCE, Mr. BAKER, and Mr. RUSH):

H.R. 1674. A bill to assure access under group health plans and health insurance coverage to covered emergency medical services; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COX:

H.R. 1675. A bill to permanently extend the moratorium enacted by the Internet Tax Freedom Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DOGGETT (for himself, Mr. STARK, Mr. MATSUI, Mr. COYNE, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. MCNULTY, Mr. JEFFERSON, Mr. BECERRA, Mrs. THURMAN, Mr. ALLEN, Mr. BACA, Mr. BALDACCI, Mr. BENTSEN, Mr. CLEMENT, Mr. DAVIS of Florida, Mr. DOOLEY of California, Mr. EDWARDS, Mr. ETHERIDGE, Mr. FARR of California, Mr. FILNER, Mr. FROST, Mr. GONZALEZ, Mr. GORDON, Mr. GREEN of Texas, Mr. HALL of Ohio, Mr. HINCHEY, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. TURNER, Mr. LAFALCE, Mr. LAMPSON, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MOORE, Mr. NADLER, Mr. OLVER, Mr. REYES, Ms. RIVERS, Mr. RODRIGUEZ, Ms. SANCHEZ, Mr. SANDLIN, Mr. ORTIZ, Mr. STENHOLM, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 1676. A bill to amend the Internal Revenue Code of 1986 to avoid duplicate reporting of information on political activities of certain State and local political organiza-

tions, and for other purposes; to the Committee on Ways and Means.

By Ms. DUNN:

H.R. 1677. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for incremental hydropower for additional generating capacity and increased efficiency at existing dams licensed by the Federal Energy Regulatory Commission; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 1678. A bill to direct the Secretary of the Interior to sell certain land to the town of Kingston, Nevada, for use as an emergency medical air evacuation site and for other public uses; to the Committee on Resources.

By Mr. GRAHAM (for himself, Mr. STENHOLM, Mr. BURR of North Carolina, Mr. HASTINGS of Washington, Mr. WAMP, Mr. SIMPSON, Mr. NORWOOD, and Mrs. WILSON):

H.R. 1679. A bill to ensure that nuclear energy continues to contribute to the supply of electricity in the United States; to the Committee on Energy and Commerce, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEKSTRA (for himself, Mr. BARCIA, Mr. EHLERS, Mr. CAMP, Mr. UPTON, Mr. SMITH of Michigan, Mr. ROGERS of Michigan, Mr. STUPAK, Mr. MCHUGH, Mr. ENGLISH, Mr. WALSH, Mr. KUCINICH, and Ms. SLAUGHTER):

H.R. 1680. A bill to require the issuance of regulations pursuant to the National Invasive Species Act of 1996 to assure, to the maximum extent practicable, that vessels entering the Great Lakes do not discharge ballast water that introduces or spreads nonindigenous aquatic species and treat such ballast water and its sediments through the most effective and efficient techniques available, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HOEKSTRA (for himself, Mr. SCHAFFER, and Mr. CANTOR):

H.R. 1681. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions for scholarships to attend elementary and secondary schools, for upgrading elementary and secondary school facilities, and for expenses related to technology for elementary and secondary schools; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 1682. A bill to provide the Secretary of Health and Human Services and the Secretary of Education with increased authority with respect to asthma programs, and to provide for increased funding for such programs; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Mrs. MORELLA, Mr. PASCRELL, Mrs. KELLY, Mr. FROST, Mr. RANGEL, Ms. PELOSI, Mr. LANGEVIN, Mrs. THURMAN, Mr. MCNULTY, Ms. JACKSON-LEE of Texas, and Mr. TIERNEY):

H.R. 1683. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for qualified individuals for bone mass measurement (bone density testing) to prevent fractures associated with osteoporosis and to help women make informed choices about their reproductive and post-menopausal health care; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MINK of Hawaii:

H.R. 1684. A bill for the relief of the Philippine citizens collectively referred to as the ''Marcos Entourage''; to the Committee on the Judiciary.

By Mr. PALLONE:

H.R. 1685. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish therapeutic equivalence requirements for generic drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERSON of Minnesota:

H.R. 1686. A bill to amend title 49, United States Code, to limit the Federal Aviation Administration's authority to establish examination requirements for pilots, other than pilots involved in commercial operations; to the Committee on Transportation and Infrastructure.

By Mr. PETRI (for himself, Mr. MCHUGH, Mr. HORN, and Mr. SMITH of Texas):

H.R. 1687. A bill to establish a commission to study and make recommendations on marginal tax rates for the working poor; to the Committee on Ways and Means.

By Mr. SAXTON (for himself, Mr. DELAY, Mr. DUNCAN, Mr. MCHUGH, Mr. SCHAFFER, Mr. ROHRABACHER, Mr. PITTS, and Mr. PAUL):

H.R. 1688. A bill to direct the Secretary of the Treasury to instruct the United States Executive Director at the International Monetary Fund to oppose any new loan by the International Monetary Fund to any country that is acting to restrict oil production to the detriment of the United States economy, except in emergency circumstances; to the Committee on Financial Services.

By Mr. SCHAFFER (for himself, Mr. THOMPSON of California, Mr. DEAL of Georgia, Mr. CLEMENT, Mr. MCINNIS, Mr. SESSIONS, Mr. DOOLEY of California, Ms. DEGETTE, Mr. UDALL of Colorado, Mr. SHOWS, Mr. HILLIARD, Mr. THOMPSON of Mississippi, Mr. BOUCHER, Mr. SIMPSON, Mr. OTTER, and Mr. WICKER):

H.R. 1689. A bill to amend the Food Security Act of 1985, to establish a grassland reserve program to assist owners in restoring and conserving grassland; to the Committee on Agriculture.

By Ms. WATERS (for herself and Mr. SANDERS):

H.R. 1690. A bill to amend the Export-Import Bank Act of 1945 to prohibit the Export-Import Bank of the United States from assisting the export of any good or service to or by any company that is challenging an intellectual property law or government policy of a developing country, which regulates and promotes access to an HIV/AIDS pharmaceutical or medical technology; to the Committee on Financial Services.

By Mr. WELDON of Florida:

H.R. 1691. A bill to amend the Service Contract Act of 1965 to provide for the responsibility in certain cases of a parent corporation of a Federal contractor to provide health care benefits to retired employees of the contractor if the contractor fails to provide such benefits; to the Committee on Education and the Workforce.

By Mr. YOUNG of Alaska (for himself, Mr. HANSEN, Mr. RAHALL, Mr. GEORGE MILLER of California, Mr. HOUGHTON, Mr. RANGEL, Mr. FOLEY, Mr. KILDEE, Mr. MCINNIS, Mr. KENNEDY of Rhode Island, Mr. CAMP, Mr. ABERCROMBIE, Mr. HAYWORTH, Mrs. BONO, Mr. FROST, Mr. STUPAK, Mr. FALEOMAVAEGA, Mr. UDALL of Colorado, and Mr. PALLONE):

H.R. 1692. A bill to amend the Internal Revenue Code of 1986 to simplify and make more equitable the tax treatment of Settlement Trusts established pursuant to the Alaska Native Claims Settlement Act; to the Committee on Ways and Means.

By Mr. FRANK (for himself and Mr. HOEKSTRA):

H.J. Res. 47. A joint resolution proposing an amendment to the Constitution of the United States to make eligible for the Office of President a person who has been a United States citizen for twenty years; to the Committee on the Judiciary.

By Mr. NUSSLE:

H. Con. Res. 122. Concurrent resolution encouraging a combination of State legislative efforts and strong health education programs and activities to discourage smoking in children and adolescents; to the Committee on Energy and Commerce.

By Mr. FROST:

H. Res. 129. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

¶40.28 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

41. The SPEAKER presented a memorial of the House of Representatives of the State of Arkansas, relative to House Concurrent Resolution memorializing the United States Congress to take all reasonable action necessary to provide adequate and timely funding to the federal agencies responsible for the treatment and restoration work on damaged forestlands in Arkansas; to the Committee on Agriculture.

42. Also, a memorial of the House of Representatives of the State of Arkansas, relative to House Concurrent Resolution memorializing the United States Congress to review, with the goal of reducing, the paperwork created by federal laws and regulations related to special education; to the Committee on Education and the Workforce.

43. Also, a memorial of the Legislature of the State of Maine, relative to Joint Resolution memorializing the United States Congress to strengthen efforts to ensure that women are paid fairly for their work; to the Committee on Education and the Workforce.

44. Also, a memorial of the House of Representatives of the State of Arkansas, relative to House Concurrent Resolution memorializing the United States Congress to take all reasonable action to assure that prescription drugs are available and affordable to all citizens; to the Committee on Energy and Commerce.

45. Also, a memorial of the Senate of the State of Kansas, relative to Senate Resolution 1845 memorializing the United States Congress regarding the availability of prescription drugs to individual consumers and the need for assistance and relief from this circumstance; to the Committee on Energy and Commerce.

46. Also, a memorial of the Legislature of the State of Washington, relative to Senate Joint Memorial 8006 memorializing the U.S. Fish and Wildlife Service to apply for sufficient funding to construct the fish passage modifications necessary at the Leavenworth National Fish Hatchery, and that Congress shall see fit to appropriate the necessary funds; to the Committee on Resources.

47. Also, a memorial of the Legislature of the State of Kansas, relative to Senate Concurrent Resolution 1611 memorializing the United States Congress to oppose any legislation which would nullify the legal rights of the State of Kansas preserved by the Indian

Gaming Regulatory Act and the interpretation of such act by the decision of the Tenth Circuit Court of Appeals; to the Committee on Resources.

48. Also, a memorial of the Senate of the State of Georgia, relative to Senate Resolution 193 memorializing the United States Congress to enact legislation reclassifying water well drilling vehicles and equipment as agricultural equipment under the federal commercial driver's license laws; to the Committee on Transportation and Infrastructure.

49. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Memorial 4002 memorializing the United States Congress to take action necessary to amend the 1946 Rescission Act and honor our country's moral obligation to restore the Filipino veterans full United States veterans status with the military benefits that they deserve; to the Committee on Veterans' Affairs.

50. Also, a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution 8 memorializing the United States Congress to take all actions that are necessary to stop the dumping of foreign steel in the United States, including the amendment of existing foreign trade laws or the enactment of new foreign trade law to address the crisis in the steel industry; to the Committee on Ways and Means.

51. Also, a memorial of the Senate of the State of Mississippi, relative to Senate Resolution 15 memorializing the United States Congress to repeal the Federal Unified Gift and Estate Tax effective immediately; to the Committee on Ways and Means.

52. Also, a memorial of the House of Representatives of the State of Arkansas, relative to House Concurrent Resolution memorializing the United States Congress to support and enact the Railroad Retirement and Survivors Improvement Act in the 107th Congress; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

¶40.29 ADDITIONAL SPONSORS

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

H.R. 85: Mr. KOLBE.
H.R. 123: Mrs. CUBIN.
H.R. 168: Mr. ISAKSON.
H.R. 199: Mr. JONES of North Carolina and Mr. FOSSELLA.
H.R. 220: Mr. WAMP.
H.R. 267: Mr. FLETCHER, Mr. COOKSEY, Mr. COLLINS, and Mr. RAHALL.
H.R. 270: Mr. BERMAN.
H.R. 280: Mr. CALLAHAN and Mr. WICKER.
H.R. 303: Ms. JACKSON-LEE of Texas and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 326: Mr. MOAKLEY, Mr. DELAHUNT, Mr. OLVER, Mr. NEAL of Massachusetts, and Mr. MARKEY.
H.R. 336: Mr. HEFLEY and Mr. TANNER.
H.R. 357: Mr. CUMMINGS and Mr. PAYNE.
H.R. 371: Ms. MCKINNEY.
H.R. 396: Mr. GOODLATTE.
H.R. 415: Ms. KILPATRICK.
H.R. 436: Mr. RAHALL.
H.R. 448: Mr. HANSEN and Mr. HEFLEY.
H.R. 499: Mr. STARK and Mr. HASTINGS of Florida.
H.R. 504: Ms. VELAZQUEZ, Mr. FARR of California, and Mr. STRICKLAND.
H.R. 512: Mr. TRAFICANT, Mr. STUPAK, and Mr. COYNE.
H.R. 513: Mr. TRAFICANT, Mr. STUPAK, and Mr. COYNE.
H.R. 525: Mr. BAKER and Ms. HART.
H.R. 634: Mr. MCHUGH.
H.R. 635: Mr. MURTHA, Mr. ENGLISH, and Ms. HART.
H.R. 638: Mr. BROWN of Ohio.
H.R. 641: Mr. CANNON and Mr. SAXTON.
H.R. 664: Mr. SPENCE, Mr. PASTOR, Mr. BEREUTER, Mr. MOLLOHAN, Mr. CLAY, Ms. NORTON, Mr. SNYDER, Mr. DICKS, Mrs. DAVIS of California, and Mr. TIBERI.
H.R. 669: Mr. LANGEVIN.
H.R. 670: Mr. LANGEVIN and Mr. MEEHAN.
H.R. 699: Mr. SCARBOROUGH and Mr. SPENCE.
H.R. 716: Mr. GONZALEZ, Mr. GILLMOR, Mr. PASTOR, Mr. GOODLATTE, Mr. BERMAN, Mr. MANZULLO, Mr. DEFAZIO, Mr. SMITH of New Jersey, Mr. MCINNIS, and Mr. SCARBOROUGH.
H.R. 738: Mr. BALLENGER, Mr. BAIRD, and Mr. DEFAZIO.
H.R. 778: Mr. CONDIT and Mr. DOOLITTLE.
H.R. 781: Mr. LANGEVIN and Mr. WEXLER.
H.R. 782: Mr. GREEN of Wisconsin and Mr. MCGOVERN.
H.R. 786: Ms. DELAURO.
H.R. 818: Ms. SANCHEZ.
H.R. 839: Mr. BALLENGER.
H.R. 933: Mr. MCGOVERN and Mr. CLEMENT.
H.R. 950: Mr. BONILLA.
H.R. 953: Mr. MCDERMOTT, Mr. STRICKLAND, Mr. GANSKE, Mr. DEAL of Georgia, and Mr. WHITFIELD.
H.R. 1028: Mr. MCDERMOTT.
H.R. 1074: Mr. KUCINICH and Mrs. MINK of Hawaii.
H.R. 1078: Ms. SLAUGHTER.
H.R. 1082: Mr. UDALL of New Mexico.
H.R. 1101: Mr. ENGLISH, Mr. GANSKE, and Mr. LATHAM.
H.R. 1155: Mr. RAMSTAD, Mr. HASTINGS of Florida, Mr. DOOLEY of California, Ms. DELAURO, and Mr. OBERSTAR.
H.R. 1178: Mr. SANDERS, Mr. SESSIONS, Mr. STUPAK, and Mr. FROST.
H.R. 1180: Mr. BONIOR and Ms. SANCHEZ.
H.R. 1184: Mrs. MORELLA, Ms. SANCHEZ, and Mr. RUSH.
H.R. 1185: Mr. WYNN, Mr. CLYBURN, and Mr. CONYERS.
H.R. 1202: Mr. COYNE, Mr. GORDON, Mr. ISAKSON, Mr. UPTON, Mr. BOEHLERT, Mr. JEFFERSON, Mr. FILNER, Mrs. MINK of Hawaii, Mr. WAXMAN, Ms. DUNN, Mr. FRANK, Mr. BALDACCI, Mr. LATHAM, Mr. LATOURETTE, Mr. FROST, and Ms. SLAUGHTER.
Mrs. MORELLA, Mr. ETHERIDGE, Mr. BACA, Mr. TANNER, Mr. HOEFFEL, Mr. RANGEL, Mr. LANTOS, Mr. WALSH, Mr. MCINNIS, Mr. WELLER, Mr. EVANS, Mr. CAMP, Mr. DUNCAN, Mr. RUSH, and Mr. CLEMENT.
H.R. 1226: Ms. SOLIS, Mr. BONIOR, and Mr. HOLT.
H.R. 1234: Mr. BONIOR.
H.R. 1266: Mr. KILDEE and Mr. LIPINSKI.
H.R. 1287: Mr. WATKINS and Ms. DELAURO.
H.R. 1313: Mr. LAFALCE.
H.R. 1316: Mr. LATOURETTE and Mr. GREEN of Wisconsin.
H.R. 1319: Mr. VISCLOSKY, Mr. HOYER, Ms. SANCHEZ, and Mr. MCHUGH.
H.R. 1323: Mr. PAYNE.
H.R. 1331: Mr. SESSIONS, Mr. LATOURETTE, Mr. HASTINGS of Washington, Mr. PUTNAM, and Mr. DREIER.
H.R. 1340: Mr. PASCRELL.
H.R. 1350: Mr. SABO, Mrs. CLAYTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEVIN, and Ms. MCCARTHY of Missouri.
H.R. 1364: Mr. LARGENT.
H.R. 1366: Mr. DOOLEY of California, Mr. CUNNINGHAM, Ms. WATERS, and Mr. DREIER.
H.R. 1412: Mr. ENGLISH, Mr. SMITH of Texas, Mr. PETERSON of Pennsylvania, Mr. POMBO, and Mrs. KELLY.
H.R. 1436: Mr. MURTHA, Mrs. JONES of Ohio, Mr. PALLONE, Ms. HARMAN, Mr. KILDEE, Mr. PAYNE, Mr. LAFALCE, and Mrs. MALONEY of New York.
H.R. 1452: Mrs. MALONEY of New York and Mr. LAFALCE.
H.R. 1459: Mr. HERGER, Mr. FOLEY, Mr. SMITH of Texas, and Mr. TANNER.
H.R. 1487: Mr. INSLEE, Mr. FILNER, and Mrs. MORELLA.
H.R. 1506: Mr. SHOWS, Mr. BARTON of Texas, Mr. NEY, Mr. BARCIA, Mr. HILLIARD, Mr. SESSIONS, and Mr. OBERSTAR.
H.R. 1509: Mr. WICKER, Mrs. ROUKEMA, Mr. FILNER, Mrs. MEEK of Florida, and Mr. PASCRELL.
H.R. 1510: Mr. GREEN of Wisconsin, Mr. MCGOVERN, and Mr. HOBSON.
H.R. 1524: Mr. CULBERSON, Mr. CALVERT, and Mr. GARY G. MILLER of California.
H.R. 1535: Mr. SCOTT.
H.R. 1541: Ms. WATERS, Mr. LIPINSKI, and Mr. RAHALL.
H.R. 1542: Mr. GALLEGLY, Mr. BACHUS, Mr. FOLEY, Ms. GRANGER, Mr. CROWLEY, Mr. LEVIN, Mr. RANGEL, and Mr. VISCLOSKY.
H.R. 1565: Mr. LATOURETTE, Mr. HOUGHTON, Mr. WOLF, Mr. COSTELLO, Mr. QUINN, Mrs. NAPOLITANO, Mr. RUSH, Mr. KERNS, Mr. NADLER, Mr. JACKSON of Illinois, Mr. MOAKLEY, Mr. TRAFICANT, Mr. LIPINSKI, Mr. SHIMKUS, Mr. BONIOR, Mr. PHELPS, Mr. LEACH, Mr. CASTLE, Mr. BASS, Mr. OSE, Mr. HOBSON, Mr. CAMP, Mr. UPTON, and Mr. EVANS.
H.R. 1567: Mrs. JONES of Ohio.
H.R. 1599: Mr. GOODE and Mr. JONES of North Carolina.
H.R. 1609: Mr. WATKINS, Mr. ROSS, Mr. BISHOP, Mr. MCHUGH, and Mr. RAHALL.
H.R. 1624: Mr. WATKINS, Mr. GOODE, Mr. THOMPSON of California, Mr. STRICKLAND, Mr. LOBIONDO, Mr. FRANK, Mr. FROST, Mr. GREEN of Texas, and Mr. BALDACCI.
H.R. 1644: Mr. ARMEY.
H.R. 1667: Mr. PAYNE and Mr. FRANK.
H.J. Res. 38: Mr. MORAN of Kansas and Mr. CANTOR.
H. Con. Res. 20: Mr. MENENDEZ.
H. Con. Res. 23: Mr. OTTER.
H. Con. Res. 29: Mr. HOYER and Mr. GONZALEZ.
H. Con. Res. 36: Mr. THOMPSON of Mississippi, Ms. MILLENDER-MCDONALD, and Mr. WAMP.
H. Con. Res. 48: Mr. WAMP.
H. Con. Res. 56: Mr. TRAFICANT, Mrs. MINK of Hawaii, Mr. GIBBONS, Mrs. THURMAN, Mrs. TAUSCHER, Mrs. MEEK of Florida, and Mr. FILNER.
H. Con. Res. 60: Mr. WU, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Ms. BROWN of Florida, Mrs. MEEK of Florida, Ms. HOOLEY of Oregon, Mr. BLUMENAUER, and Mr. RODRIGUEZ.
H. Con. Res. 68: Mr. RODRIGUEZ.
H. Con. Res. 109: Mr. HORN and Mr. LIPINSKI.
H. Res. 72: Mr. MCGOVERN.
H. Res. 115: Mr. TOOMEY, Mr. BONIOR, Ms. BALDWIN, Mr. ISAKSON, Mr. LANGEVIN, Mr. LARGENT, and Mrs. MORELLA.

¶40.30 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

9. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 120 petitioning the United States Congress to enact legislation entitled the Federal Election Modernization Act of 2001 to provide funding for the replacement of Rockland County's voting machines with electronic voting machines; to the Committee on House Administration.

10. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 77 petitioning the United States Congress to enact legislation requiring states to give full faith and credit to warrants issued by state civil courts against alleged violators of state civil court child support orders and further authorizing and requiring state law enforcement and other appropriate state officials to execute such warrants and extradite such alleged violators to the issuing jurisdictions; to the Committee on the Judiciary.

11. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 76 petitioning the United States Congress to enact legislation permitting state courts to require violators of child support orders due to private individuals where no Temporary Assistance to Needy Families (TANF) is involved in the case to participate in work programs or other rehabilitative programs funded by the federal government for TANF cases; to the Committee on Ways and Means.

12. Also, a petition of a Citizen of Cody, Wyoming, relative to petitioning the United States Congress to redress the grievances of abuses of the Social Security Administration in concert with the Internal Revenue Service; to the Committee on Ways and Means.

13. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 118 petitioning the United States Congress and the New York State Legislature to enact legislation requiring health insurance companies to cover the purchase of hearing aids and providing similar coverage to government employees and to participants of the medicare programs; jointly to the Committees on Energy and Commerce, Government Reform, and Ways and Means.

¶40.31 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 39: Mr. REYES and Mr. LATOURETTE.

THURSDAY, MAY 3, 2001 (41)

¶41.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LAHOOD, who laid before the House the following communication:

WASHINGTON, DC,
May 3, 2001.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

¶41.2 MOTION TO ADJOURN

Mr. BONIOR moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. BONIOR objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 157 / Nays ..... 250 }

¶41.3 [Roll No. 97]

YEAS—157

Ackerman, Allen, Andrews, Baca, Baird, Baldacci, Baldwin, Barrett, Becerra, Bentsen, Berkley, Berry, Bishop, Blagojevich, Blumenauer, Bonior, Boswell, Boucher, Brady (PA), Brady (FL), Brown (OH), Capps, Cardin, Carson (OK), Clayton, Clyburn, Condit, Conyers, Crowley, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutsch, Dicks, Dingell, Doggett, Doyle, Engel, Eshoo, Etheridge, Evans, Farr, Fattah, Filner, Ford, Frank, Frost, Gephardt, Gonzalez, Gutierrez, Hall (OH), Hall (TX), Hastings (FL), Hill, Hilliard, Hinchey, Hinojosa, Hoeffel, Holt, Honda, Hooley, Hoyer, Inslee, Israel, Jackson-Lee (TX), Jefferson, John, Johnson, E. B., Jones (OH), Kanjorski, Kaptur, Kennedy (RI), Kucinich, LaFalce, Lampson, Langevin, Lantos, Larsen (WA), Larson (CT), Lee, Levin, Lewis (GA), Lowey, Lucas (KY), Luther, Maloney (CT), Maloney (NY), Markey, Matheson, Matsui, McCarthy (MO), McCollum, McIntyre, McNulty, Meehan, Meeks (NY), Menendez, Millender-McDonald, Miller, George, Mink, Moore, Nadler, Neal, Oberstar, Obey, Olver, Owens, Pallone, Pascrell, Pastor, Payne, Pelosi, Peterson (MN), Phelps, Pomeroy, Reyes, Ross, Roybal-Allard, Rush, Sabo, Sanders, Sandlin, Sawyer, Schakowsky, Scott, Serrano, Sherman, Shows, Skelton, Slaughter, Smith (WA), Snyder, Solis, Spratt, Stark, Stenholm, Strickland, Stupak, Tanner, Tauscher, Taylor (MS), Thompson (CA), Thompson (MS), Thurman, Tierney, Towns, Udall (CO), Udall (NM), Velazquez, Waters, Weiner, Wexler, Woolsey, Wynn

NAYS—250

Abercrombie, Aderholt, Akin, Bachus, Baker, Ballenger, Barcia, Barr, Bartlett, Barton, Bass, Bereuter, Berman, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Borski, Boyd, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Capuano, Carson (IN), Castle, Chabot, Chambliss, Clement, Coble, Collins, Combest, Cooksey, Costello, Cox, Cramer, Crane, Crenshaw, Cubin, Culberson, Cunningham, Davis, Jo Ann, Deal, DeMint, Diaz-Balart, Dooley, Doolittle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, English, Everett, Ferguson, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Gordon, Goss, Graham, Granger, Graves, Green (TX), Green (WI), Greenwood, Grucci, Gutknecht, Hansen, Harman, Hart, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hilleary, Hobson, Hoekstra, Holden, Horn, Hostettler, Hunter, Isakson, Issa, Istook, Jackson (IL), Jenkins, Johnson (CT), Johnson (IL), Johnson, Sam, Jones (NC), Keller, Kelly, Kennedy (MN), Kerns, Kildee, Kind (WI), King (NY), Kingston, Kirk, Kleczka, Knollenberg, Kolbe, LaHood, Latham, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, Lipinski, LoBiondo, Lofgren, Lucas (OK), Manzullo, Mascara, McCarthy (NY), McCrery, McDermott, McHugh, McInnis, McKeon, McKinney, Meek (FL), Mica, Miller (FL), Miller, Gary, Mollohan, Moran (KS), Moran (VA), Morella, Myrick, Napolitano, Nethercutt, Ney, Northup, Norwood, Osborne, Ose, Otter, Oxley, Paul, Pence, Peterson (PA), Petri, Pickering, Pitts, Platts, Pombo, Portman, Price (NC), Pryce (OH), Putnam, Quinn, Radanovich, Rahall, Ramstad, Rangel, Regula, Rehberg, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Royce, Ryan (WI), Ryun (KS), Sanchez, Saxton, Scarborough, Schaffer, Schiff, Schrock, Sensenbrenner, Shadegg, Shaw, Shays, Sherwood, Shimkus, Simmons, Simpson, Skeen, Smith (MI), Smith (NJ), Smith (TX), Souder, Spence, Stearns, Stump, Sununu, Sweeney, Tancredo, Taylor (NC), Terry, Thomas, Thornberry, Thune, Tiahrt, Tiberi, Toomey, Traficant, Turner, Upton, Visclosky, Vitter, Walden, Walsh, Wamp, Watkins, Watt (NC), Watts (OK), Waxman, Weldon (FL), Weldon (PA), Weller, Whitfield, Wilson, Wolf, Wu

NOT VOTING—24

Armey, Clay, Coyne, Davis (FL), Davis, Tom, Delahunt, DeLay, Emerson, Houghton, Hulshof, Hutchinson, Hyde, Kilpatrick, Largent, McGovern, Moakley, Murtha, Nussle, Ortiz, Sessions, Tauzin, Wicker, Young (AK), Young (FL)

So the motion to adjourn was not agreed to.

¶41.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, announced he had examined and approved the Journal of the proceedings of Wednesday, May 2, 2001.

Mr. GREEN of Texas, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. GREEN of Texas demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced that further proceedings on the approval of the journal were postponed.

¶41.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1693. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Flumioxazin; Pesticide Tolerances [OPP–301116; FRL–6778–5] (RIN: 2070–AB78) received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1694. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hexythiazox; Pesticide Tolerances [OPP–301117; FRL–6778–8] (RIN: 2070–AB78) received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1695. A letter from the the Comptroller General, the General Accounting Office,

transmitting a review of the President's first special impoundment message for fiscal year 2001, pursuant to 2 U.S.C. 685; (H. Doc. No. 107—65); to the Committee on Appropriations and ordered to be printed.

1696. A letter from the Secretary, Department of Agriculture, transmitting a report of a violation of the Anti-Deficiency Act, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1697. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting notification that the Commander of the Air Force Reserve Command is initiating a multi-function cost comparison of the Base Operating Support functions at March Air Reserve Base, California, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

1698. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Nebraska [Region 7 Tracking No. 0124–1124 (b); FRL–6968–5] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1699. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Idaho [ID–01–01; FRL–6962–1] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1700. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District [CA191–0278a; FRL–6963–1] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1701. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District and Imperial County Air Pollution Control District [CA 241–0274a; FRL–6954–8] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1702. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Post 96 Rate of Progress Plan, Motor Vehicle Emissions Budgets (MVEB) and Contingency Measures for the Houston/Galveston (HGA) Ozone Nonattainment Area [TX–101–1–7394a; FRL–6969–3] received April 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1703. A letter from the General Counsel, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1704. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Addition to the Procurement List—received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1705. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1706. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1707. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1708. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1709. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1710. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1711. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1712. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1713. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1714. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1715. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1716. A letter from the Attorney, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1717. A letter from the Attorney, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1718. A letter from the Deputy General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1719. A letter from the Acting Director, Office of Personnel Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1720. A letter from the Acting Director, Office of Personnel Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1721. A letter from the Administrator, National Nuclear Security Administration, Department of Energy, transmitting a letter to provide additional information supporting the National Ignition Facility certification package; jointly to the Committees on Armed Services and Appropriations.

¶41.6 RECESS—10:30 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 30 minutes a.m., subject to the call of the Chair.

¶41.7 AFTER RECESS—11:33 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶41.8 SUBMISSION OF CONFERENCE REPORT—H.CON. RES. 83

Mr. NUSSLE submitted a conference report (Rept. No. 107–55) on the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; together with a statement thereon, for printing in the Record under the rule.

¶41.9 MOTION TO ADJOURN

Mr. CAPUANO moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. CAPUANO objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 171 / Nays ..... 239 }

¶41.10 [Roll No. 98]

YEAS—171

Abercrombie	Delahunt	Kind (WI)
Allen	DeLauro	LaFalce
Andrews	Deutsch	Lampson
Baca	Dicks	Langevin
Baird	Dingell	Lantos
Baldacci	Doggett	Larsen (WA)
Baldwin	Doyle	Larson (CT)
Barrett	Engel	Lee
Bentsen	Eshoo	Levin
Berkley	Etheridge	Lewis (GA)
Berman	Evans	Lofgren
Berry	Farr	Lowey
Bishop	Ford	Lucas (KY)
Bonior	Frank	Luther
Borski	Frost	Maloney (NY)
Boswell	Gephardt	Markey
Boyd	Gonzalez	Matheson
Brady (PA)	Gutierrez	Matsui
Brown (FL)	Hall (OH)	McCollum
Brown (OH)	Harman	McDermott
Capps	Hastings (FL)	McGovern
Capuano	Hill	McIntyre
Cardin	Hilliard	McNulty
Carson (IN)	Hinchey	Meehan
Carson (OK)	Hoeffel	Meek (FL)
Castle	Holt	Meeks (NY)
Clay	Honda	Menendez
Clayton	Hooley	Millender-McDonald
Clement	Hoyer	Miller, George
Clyburn	Inslee	Mink
Conyers	Israel	Moore
Coyne	Jefferson	Moran (VA)
Crowley	John	Nadler
Cummings	Johnson, E. B.	Napolitano
Davis (CA)	Jones (OH)	Neal
Davis (FL)	Kaptur	Oberstar
Davis (IL)	Kennedy (RI)	Obey
DeFazio	Kildee	Olver
DeGette	Kilpatrick	

Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NAYS—239

Aderholt
Akin
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson (IL)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
McCarthy (NY)
McHugh
McInnis
McKeon
McKinney
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Saxton
Scarborough
Schaffer
Schrock
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—22

Ackerman
Armey
Becerra
Boucher
Callahan
Edwards
Filner
Gordon
Grucci
Hefley
Hinojosa
Hulshof
Johnson, Sam
Jones (NC)
Largent
McCarthy (MO)
McCrery
Moakley
Sensenbrenner
Stark
Taylor (NC)
Weldon (PA)

So the motion to adjourn was not agreed to.

¶41.11 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, May 2, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The vote was taken by electronic device.

When there appeared { Yeas ..... 299 / Nays ..... 107 }

¶41.12 [Roll No. 99]

YEAS—299

Akin
Andrews
Baca
Baker
Baldwin
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Coyne
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLauro
DeMint
Deutsch
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Keller
Kelly
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Larson (CT)
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (NY)
McCollum
McHugh
McInnis
McIntyre
McKeon
McKinney
Meek (FL)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schiff
Schrock
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stump
Sununu
Tauzin
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—107

Abercrombie
Aderholt
Allen
Bachus
Baird
Baldacci
Barrett
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson (IN)
Clay
Clement
Condit
Conyers
Costello
Crane
Crowley
Davis (IL)
DeFazio
Delahunt
Dicks
Dingell
Doggett
Engel
English
Farr
Frost
Gephardt
Gonzalez
Gutierrez
Gutknecht
Hastings (FL)
Hill
Hilleary
Hilliard
Hinchey
Hooley
Jackson (IL)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kilpatrick
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Latham
Lee
Levin
Lewis (GA)
LoBiondo
Matheson
McDermott
McGovern
McNulty
Meehan
Meeks (NY)
Menendez
Miller, George
Moore
Neal
Oberstar
Obey
Olver
Pallone
Pastor
Peterson (MN)
Phelps
Pomeroy
Ramstad
Sabo
Sanchez
Schaffer
Schakowsky
Scott
Sherman
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Weiner
Weller
Wicker
Wu

NOT VOTING—25

Ackerman
Armey
Becerra
Boucher
Callahan
DeLay
Edwards
Filner
Gordon
Grucci
Hefley
Hinojosa
Hulshof
Johnson, Sam
Jones (NC)
Largent
McCarthy (MO)
McCrery
Moakley
Sensenbrenner
Slaughter
Stark
Taylor (NC)
Turner
Weldon (PA)

So the Journal was approved.

FRIDAY, MAY 4 (LEGISLATIVE DAY OF MAY 3), 2001

¶41.13 RECESS—12:08 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule

I, declared the House in recess at 12 o'clock and 8 minutes a.m. subject to the call of the Chair.

¶41.14 AFTER RECESS—1:56 A.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶41.15 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 107–56) the resolution (H. Res. 131) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶41.16 ADJOURNMENT OVER

On motion of Mr. GOSS, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, May 7, 2001, at 2 o'clock p.m.

¶41.17 HOUR OF MEETING

On motion of Mr. GOSS, by unanimous consent,

Ordered, That when the House adjourns on Monday, May 7, 2001, it adjourn to meet at 12:30 p.m. on Tuesday, May 8, 2001, for ''morning-hour debate''.

¶41.18 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GOSS, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, May 9, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶41.19 BOARD OF DIRECTORS OF THE VIETNAM EDUCATION FOUNDATION

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, announced that the Speaker, pursuant to section 205(a) of the Vietnam Education Foundation Act of 2000 (Public Law 106-554), and upon the recommendation of the Minority Leader, appointed to the Board of Directors of the Vietnam Education Foundation, on the part of the House, the following Member: Mr. George MILLER of California.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶41.20 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ARMEY, for today and balance of the week;

To Mr. GRUCCI, for today and balance of the week;

To Mr. SENSENBRENNER, for today; and

To Mr. STARK, for today after 6 p.m.

And then,

¶41.21 ADJOURNMENT

On motion of Mr. GOSS, pursuant to the special order heretofore agreed to, at 2 o'clock and 21 minutes a.m., Friday, May 4 (legislative day of Thursday, May 3), 2001, the House adjourned.

¶41.22 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NUSSLE: Committee of Conference. Conference report on House Concurrent Resolution 83. Resolution establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (Rept. No. 107–55). Ordered to be printed.

May 4 (legislative day of May 3), 2001

Mr. GOSS: Committee on Rules. House Resolution 131. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 107–56). Referred to the House Calendar.

¶41.23 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HALL of Texas (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WOOLSEY, Mr. BARCIA, Mr. ETHERIDGE, Mr. UDALL of Colorado, Mr. LARSON of Connecticut, Mr. GORDON, Mr. COSTELLO, Ms. RIVERS, Ms. JACKSON-LEE of Texas, Mr. BACA, Mr. LAMPSON, Mr. MATHESON, Mr. HOEFFEL, and Mr. ISRAEL):

H.R. 1693. A bill to improve science, mathematics, and technology education in elementary and secondary schools, advance knowledge on the effective uses of information technologies in education, increase participation in science, mathematics, and engineering careers by groups underrepresented in those fields, provide for more effective coordination of public and private sector efforts to improve science, mathematics, and technology education, and for other purposes; to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMBO (for himself, Mr. PAUL, Mr. EHRLICH, Mr. SHADEGG, Mr. JONES of North Carolina, Mr. SCARBOROUGH, Mr. CHABOT, Mr. TAYLOR of North Carolina, Mr. MCHUGH, Mr. BONILLA, Mr. RADANOVICH, Mr. OSE, and Mr. THORNBERRY):

H.R. 1694. A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 4.3-cent increases in highway motor fuel taxes; to the Committee on Ways and Means.

By Mr. POMBO (for himself, Mrs. BONO, Mr. HERGER, Mr. RADANOVICH, Mr. CUNNINGHAM, Mr. HAYWORTH, Mr. GARY G. MILLER of California, Mr. SCHAFFER, Mr. GIBBONS, Mr. DOOLITTLE, Mr. HUNTER, and Mr. HOSTETTLER):

H.R. 1695. A bill to amend section 211 of the Clean Air Act to prohibit the use of certain fuel additives; to the Committee on Energy and Commerce.

By Mr. STUMP (for himself, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. EVANS, Mr. HANSEN, Mr. RAHALL, Mr. HYDE, Ms. KAPTUR, Mr. SPENCE, Mr. DINGELL, Mr. HALL of Texas, Mr. HOUGHTON, Mr. SKEEN, Mr. REGULA, Mr. GILMAN, Mr. BALLENGER, Mr. BURTON of Indiana, Mr. HEFLEY, Mr. CALLAHAN, Mr. EVERETT, and Ms. LOFGREN):

H.R. 1696. A bill to expedite the construction of the World War II memorial in the District of Columbia; to the Committee on Resources, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. CANNON, Mr. NADLER, and Mr. ISSA):

H.R. 1697. A bill to amend the Clayton Act to ensure the application of the antitrust laws to local telephone monopolies, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CANNON (for himself, Mr. CONYERS, Mr. ISSA, and Mr. NADLER):

H.R. 1698. A bill to ensure the application of the antitrust laws to local telephone monopolies, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LOBIONDO, and Ms. BROWN of Florida):

H.R. 1699. A bill to authorize appropriations for the Coast Guard for fiscal year 2002; to the Committee on Transportation and Infrastructure.

By Mr. MCGOVERN (for himself, Mrs. EMERSON, Mr. HALL of Ohio, Mr. JOHNSON of Illinois, Ms. KAPTUR, Mr. LEACH, Mrs. CLAYTON, Mr. MANZULLO, Mr. NETHERCUTT, Mr. THUNE, Mr. BOSWELL, Mr. GREEN of Wisconsin, Mr. BARRETT, and Ms. BALDWIN):

H.R. 1700. A bill to establish an international food for education and infant and child nutrition program to be carried out under section 416(b) of the Agricultural Act of 1949; to the Committee on Agriculture, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES of North Carolina (for himself, Mr. MALONEY of Connecticut, Mr. FROST, Mr. BOEHNER, Mr. JEFFERSON, Mr. KANJORSKI, Mr. WATTS of Oklahoma, Mr. ROSS, Mr. FORD, Mr. SESSIONS, Mr. SANDLIN, Mr. WAMP, Mr. BAKER, and Mr. ISAKSON):

H.R. 1701. A bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes; to the Committee on Financial Services.

By Mr. WELLER (for himself, Mr. CARDIN, Mrs. JOHNSON of Connecticut, Mr. CRANE, and Mr. FOLEY):

H.R. 1702. A bill to amend section 468A of the Internal Revenue Code of 1986 with respect to deductions for decommissioning costs of nuclear powerplants; to the Committee on Ways and Means.

By Mr. WU (for himself, Mr. ISAKSON, Mr. POMEROY, Ms. MCCOLLUM, and Mr. WELDON of Florida):

H.R. 1703. A bill to amend the Elementary and Secondary Education Act of 1965 to provide technology for tomorrow's teachers; to the Committee on Education and the Workforce.

By Mr. ARMEY (for himself, Mr. MORAN of Virginia, and Mr. COX):

H.R. 1704. A bill to enable drivers to choose a more affordable form of auto insurance that also provides for more adequate and timely compensation for accident victims, and for other purposes; to the Committee on Financial Services.

By Mr. BEREUTER (for himself and Mr. LANGEVIN):

H.R. 1705. A bill to amend title 32, United States Code, to authorize members and units of the National Guard to conduct and participate in athletic competitions and small arms competitions in conjunction with required training, and for other purposes; to the Committee on Armed Services.

By Mr. BEREUTER:

H.R. 1706. A bill to amend the Water Resources Development Act of 1992 to authorize the Secretary of the Army to reimburse non-Federal interests for managing recreation facilities and natural resources at water resource development projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BERMAN (for himself and Mr. ROHRABACHER):

H.R. 1707. A bill to provide that the Secretary of Commerce has jurisdiction over exports of commercial satellites and related items, to provide certain procedures for exports of commercial satellites and related items, and for other purpose; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of Ohio (for himself, Mr. BERRY, Mr. STARK, Mr. ALLEN, Mr. SANDERS, Mr. BONIOR, Ms. LEE, Mr. LATOURETTE, Mr. WYNN, Mr. LANGEVIN, Mr. DAVIS of Illinois, Mr. BARRETT, Mr. BALDACCI, Ms. SCHAKOWSKY, Mr. GREEN of Texas, Mrs. JONES of Ohio, Mr. NADLER, Mr. LEWIS of Georgia, Mr. GEORGE MILLER of California, and Mr. DEFAZIO):

H.R. 1708. A bill to amend title 35, United States Code, to provide for compulsory licensing of certain patented inventions relating to health; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CUBIN:

H.R. 1710. A bill to ensure the orderly development of coal, coalbed methane, natural gas, and oil in common areas of the Powder River Basin, Wyoming and Montana, and for other purposes; to the Committee on Resources.

By Ms. DUNN (for herself, Mr. TANNER, Mr. HERGER, and Mr. MATSUI):

H.R. 1711. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of bonds issued to acquire renewable resources on land subject to conservation easement; to the Committee on Ways and Means.

By Mr. FALEOMAVAEGA:

H.R. 1712. A bill to authorize the Secretary of the Interior to make minor adjustments to the boundary of the National Park of American Samoa to include certain portions of the islands of Ofu and Olosega within the park, and for other purposes; to the Committee on Resources.

By Mr. GUTIERREZ (for himself, Mrs. MORELLA, Mr. MENENDEZ, Ms. SOLIS, Mrs. NAPOLITANO, Mr. LAFALCE, Ms. VELAZQUEZ, Mr. RANGEL, Mr. RODRIGUEZ, Mr. DOOLEY of California, Mr. SERRANO, Ms. SANCHEZ, Ms. ROYBAL-ALLARD, Mr. BACA, and Mr. REYES):

H.R. 1713. A bill to amend the Immigration and Nationality Act to restore the scope of eligibility for adjustment of status under section 245(i) of that Act to that in effect before November 1997; to the Committee on the Judiciary.

By Mr. HEFLEY (for himself, Mr. MCINNIS, and Mr. SCHAFFER):

H.R. 1714. A bill to authorize the Secretary of the Interior to enter into contracts for the use of excess storage and conveyance capacity in certain east slope facilities of the Fryingpan-Arkansas Project, Colorado, and to conduct studies for the enlargement of Pueblo Dam and Reservoir and Sugar Loaf Dam and Turquoise Lake, Fryingpan-Arkansas Project, Colorado, and for other purposes; to the Committee on Resources.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1715. A bill to designate the facility of the United States Postal Service located at 8624 Ferguson Road in Dallas, Texas, as the ''Cesar E. Chavez Post Office Building''; to the Committee on Government Reform.

By Mr. KIRK (for himself, Mr. LARSEN of Washington, Mrs. JO ANN DAVIS of Virginia, Mrs. DAVIS of California, Mr. SCHROCK, Mr. MCHUGH, Mr. THOMPSON of California, Mr. SAXTON, Mr. OBERSTAR, Mr. GREEN of Wisconsin, Mr. FILNER, Mr. SIMMONS, Mr. RUSH, Mr. PLATTS, Mr. COSTELLO, Mrs. EMERSON, Mr. PHELPS, Mr. HONDA, Mr. RODRIGUEZ, Mr. PETERSON of Minnesota, Mr. EDWARDS, and Mr. MCINTYRE):

H.R. 1716. A bill to amend the impact aid program under the Elementary and Secondary Education Act of 1965 to improve the delivery of payments under the program to local educational agencies; to the Committee on Education and the Workforce.

By Mr. KLECZKA:

H.R. 1717. A bill to amend title 38, United States Code, to require Department of Veterans Affairs pharmacies to dispense medications to veterans for prescriptions written by private practitioners, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LEWIS of Georgia (for himself, Mr. WATTS of Oklahoma, Mr. GEPHARDT, Mr. ARMEY, Mr. FROST, Mr. BONIOR, Mr. RANGEL, Mr. HOYER, Mr. LAHOOD, Mr. FRANK, Mr. MCDERMOTT, Mr. ETHERIDGE, Mr. LAMPSON, Mr. BORSKI, Mr. MATHESON, Mr. STARK, Mr. DAVIS of Illinois, Mr. SANDERS, Mr. HONDA, Mr. TOM DAVIS of Virginia, Mr. PASCRELL, Ms. KAPTUR, Mr. HOUGHTON, Mr. LUCAS of Kentucky, Mr. BISHOP, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. FATTAH, Mr. FORD, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Ms. LEE, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RUSH, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, Mr. WATT of North Carolina, Mr. MCINTYRE, Mr. JOHNSON of Illinois, Mr. BARRETT, and Mr. LANTOS):

H.R. 1718. A bill to establish the National Museum of African American History and Culture within the Smithsonian Institution; to the Committee on House Administration.

By Mr. LEWIS of Georgia:

H.R. 1719. A bill to amend the Internal Revenue Code of 1986 to exclude United States savings bond income from gross income if used to pay long-term care expenses; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 1720. A bill to amend title XVIII of the Social Security Act to eliminate cost-sharing under the Medicare Program for bone mass measurements; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN:

H.R. 1721. A bill to amend the Consolidated Farm and Rural Development Act to enable farmers and ranchers to obtain farm ownership loans for the purpose of refinancing loans; to the Committee on Agriculture.

By Ms. LOFGREN:

H.R. 1722. A bill to amend the Internal Revenue Code of 1986 to increase the amount excluded from gain on the sale of a principal residence for both single and joint filers to $1,000,000; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself and Mrs. MYRICK):

H.R. 1723. A bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; to the Committee on Energy and Commerce.

By Mrs. LOWEY (for herself and Mr. OBERSTAR):

H.R. 1724. A bill to provide that service of the members of the organization known as the United States Cadet Nurse Corps during World War II constituted active military service for purposes of laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Mr. FATTAH, and Mrs. MORELLA):

H.R. 1725. A bill to authorize an annual Federal contribution to the District of Columbia to reimburse the District for the costs incurred in providing public safety services for demonstrations and other activities which occur in the District of Columbia because the District is the seat of the Federal Government; to the Committee on Government Reform.

By Mr. OWENS:

H.R. 1726. A bill to provide for adjustment of immigration status for certain aliens granted temporary protected status in the United States because of conditions in Montserrat; to the Committee on the Judiciary.

By Mr. RAMSTAD:

H.R. 1727. A bill to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 1728. A bill to amend the Internal Revenue Code of 1986 to repeal the personal holding company tax; to the Committee on Ways and Means.

By Ms. SANCHEZ:

H.R. 1729. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to increase the ceiling on the

Federal share of the costs of phase I of the Orange County, California, Regional Water Reclamation Project; to the Committee on Resources.

By Mr. SAXTON:

H.R. 1730. A bill to amend the Federal Water Pollution Control Act relating to marine sanitation devices; to the Committee on Transportation and Infrastructure.

By Mr. SESSIONS (for himself, Mr. HALL of Texas, Mr. WELDON of Florida, and Mr. DOOLITTLE):

H.R. 1731. A bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained age 62; to the Committee on Ways and Means.

By Mr. SHERMAN:

H.R. 1732. A bill to require the Securities and Exchange Commission to review the annual reports of accounting standards-setting bodies; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. RANGEL, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, Mrs. THURMAN, Mr. BROWN of Ohio, Mr. COYNE, Mr. CONYERS, Mr. FRANK, Mr. TIERNEY, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, and Mr. LAFALCE):

H.R. 1733. A bill to amend the Social Security Act to guarantee comprehensive health care coverage for all children born after 2001; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWEENEY (for himself, Mr. DINGELL, Mr. CROWLEY, Ms. LEE, Mr. DEFAZIO, Mr. MCHUGH, Mr. FRANK, Mr. GILMAN, Mr. MCNULTY, Mr. MOORE, Ms. SLAUGHTER, Mrs. KELLY, Ms. DELAURO, Mr. LAFALCE, Mr. ENGLISH, Mr. BALDACCI, Mr. TERRY, Mr. NEY, Mr. UDALL of Colorado, Mr. NADLER, Mr. HINCHEY, Mr. KANJORSKI, Mrs. LOWEY, Mr. LARSON of Connecticut, Mr. FILNER, and Mrs. MINK of Hawaii):

H.R. 1734. A bill to amend title 49, United States Code, to establish consumer protections for airline passengers, to promote air carrier competition, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS (for himself and Mr. UPTON):

H.R. 1735. A bill to amend the Communications Act of 1934 to improve operations of the Telecommunications Development Fund; to the Committee on Energy and Commerce.

By Mr. TRAFICANT:

H.R. 1736. A bill to require that a commemorative postage stamp be issued recognizing the courage of the American Indian at the Battle of the Little Big Horn; to the Committee on Government Reform.

By Mr. TRAFICANT:

H.R. 1737. A bill to amend title 18, United States Code, to provide that witnesses at Federal grand jury proceedings have the right to the assistance of counsel; to the Committee on the Judiciary.

By Mr. TRAFICANT:

H.R. 1738. A bill to provide a grant under the urban park and recreation recovery program to assist in the development of a Millennium Cultural Cooperative Park in Youngstown, Ohio; to the Committee on Resources.

By Mr. UDALL of Colorado:

H.R. 1739. A bill to require the Council on Environmental Quality to conduct a study on urban sprawl and smart growth, and to ensure the consideration by Federal agencies of urban sprawl in the preparation of their environmental reviews under the National Environmental Policy Act of 1969; to the Committee on Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER:

H.R. 1740. A bill to repeal the wool and mohair subsidy provided in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001; to the Committee on Agriculture.

By Mr. WEINER:

H.R. 1741. A bill to direct the Secretary of Transportation to prohibit the commercial operation of supersonic transport category aircraft that do not comply with stage 3 noise levels; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H. Con. Res. 123. Concurrent resolution calling for the immediate release of all political prisoners in Cuba, including Dr. Oscar Elias Biscet, and for other purposes; to the Committee on International Relations.

By Mr. DAVIS of Illinois (for himself, Mr. DELAY, Mr. ARMEY, Mr. RUSH, Mr. SHAW, Mr. TERRY, Mr. SMITH of Texas, and Mr. RYUN of Kansas):

H. Con. Res. 124. Concurrent resolution promoting national unity and family renewal; to the Committee on Government Reform.

By Mr. DREIER (for himself and Mr. LANTOS):

H. Con. Res. 125. Concurrent resolution recognizing the founding of the Alliance for Reform and Democracy in Asia, and for other purposes; to the Committee on International Relations.

By Mr. DUNCAN:

H. Con. Res. 126. Concurrent resolution expressing the sense of the Congress that the United States Trade Representative should investigate whether any price control program governing the cost of medication in Mexico or Canada violates any trade agreement; to the Committee on Ways and Means.

By Mr. RANGEL:

H. Con. Res. 127. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued by the United States Postal Service honoring Roy Campanella, and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued; to the Committee on Government Reform.

By Mr. CAPUANO (for himself, Mr. DOYLE, Mr. NEAL of Massachusetts, Mr. BORSKI, Mr. KING, Mr. MCGOVERN, Mr. MCNULTY, Mr. PALLONE, Mr. CROWLEY, and Mr. GILMAN):

H. Res. 132. A resolution recognizing the historical significance of the sacrifices made by the Irish Republican hunger strikers of 1981 and the subsequent political impact their actions had on the Northern Ireland peace process; to the Committee on International Relations.

¶41.24 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. CARSON of Indiana introduced a bill (H.R. 1709) for the relief of Adela T. and Darryl Bailor; which was referred to the Committee on the Judiciary.

¶41.25 ADDITIONAL SPONSORS

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

H.R. 7: Mr. EHRLICH.

H.R. 25: Mr. SERRANO.

H.R. 36: Mr. TERRY, Mr. CASTLE, Mr. BOEHLERT, and Mr. WELLER.

H.R. 60: Ms. WATERS, Mr. HILLIARD, Mr. FILNER, and Mrs. CHRISTENSEN.

H.R. 72: Mr. DAVIS of Illinois.

H.R. 73: Mrs. MCCARTHY of New York and Mr. TRAFICANT.

H.R. 75: Ms. WOOLSEY.

H.R. 100: Mrs. CLAYTON.

H.R. 101: Mrs. CLAYTON.

H.R. 102: Mrs. CLAYTON.

H.R. 123: Mr. ADERHOLT and Mr. LINDER.

H.R. 169: Ms. WATERS.

H.R. 179: Mr. MASCARA and Mr. YOUNG of Alaska.

H.R. 184: Mr. LANGEVIN.

H.R. 185: Mr. GONZALEZ.

H.R. 225: Mr. LANGEVIN.

H.R. 238: Mr. GALLEGLY.

H.R. 250: Mr. MOAKLEY, Mr. PLATTS, Mr. OTTER, Mr. TANCREDO, Mr. FERGUSON, Mr. ROGERS of Kentucky, and Mr. KENNEDY of Minnesota.

H.R. 267: Mr. OLVER.

H.R. 280: Mr. BURR of North Carolina.

H.R. 285: Ms. WATERS and Mrs. LOWEY.

H.R. 311: Mr. PLATTS.

H.R. 320: Mrs. MALONEY of New York.

H.R. 325: Mrs. MINK of Hawaii and Mr. THOMPSON of California.

H.R. 336: Mrs. MALONEY of New York.

H.R. 346: Mr. SANDLIN.

H.R. 380: Mr. PHELPS.

H.R. 436: Mr. SHERWOOD and Mr. CRANE.

H.R. 440: Mr. WATKINS.

H.R. 442: Mr. RODRIGUEZ, Ms. NORTON, and Mr. KUCINICH.

H.R. 481: Ms. RIVERS.

H.R. 482: Mr. SHADEGG, Mr. CRANE, and Mr. PITTS.

H.R. 488: Mr. LEACH, Mr. LOBIONDO, Ms. VELAZQUEZ, and Ms. SOLIS.

H.R. 491: Mr. RANGEL and Ms. LOFGREN.

H.R. 527: Mr. EHRLICH.

H.R. 548: Ms. ROYBAL-ALLARD, Mr. DIAZ-BALART, Mr. HOLDEN, Mr. PLATTS, Mr. MASCARA, Mr. PETERSON of Minnesota, Ms. WOOLSEY, Mr. BOEHNER, Mr. STUPAK, Mr. HOEFFEL, Mr. OLVER, Mr. ALLEN, Mr. LUCAS of Kentucky, Mr. SCHAFFER, Mr. DEUTSCH, Mr. GILLMOR, Mrs. JO ANN DAVIS of Virginia, Ms. BROWN of Florida, Mr. PUTNAM, Mr. SPENCE, Mr. CLEMENT, Mr. JENKINS, Mr. ADERHOLT, Mr. BARR of Georgia, Mr. ENGEL, Mr. MCGOVERN, Mr. RODRIGUEZ, and Mr. BAKER.

H.R. 555: Ms. NORTON and Mr. EVANS.

H.R. 598: Mr. WAMP, Mr. DEUTSCH, Mr. QUINN, Mr. WELLER, Mr. FOSSELLA, Mr. SESSIONS, Mr. ENGEL, Mr. MCNULTY, Mr. WICKER, Mr. WATTS of Oklahoma, Mr. ENGLISH, and Mr. SOUDER.

H.R. 612: Mr. LUCAS of Kentucky, Mr. VITTER, and Mr. BURR of North Carolina.

H.R. 622: Mr. BARCIA.

H.R. 634: Mr. HOSTETTLER.

H.R. 635: Mr. BORSKI, Mr. HOLDEN, Mr. BRADY of Pennsylvania, Mr. FATTAH, and Mr. PETERSON of Pennsylvania.

H.R. 638: Mr. HOLT.

H.R. 647: Mr. GILLMOR.

H.R. 656: Mr. CRANE.

H.R. 660: Mr. FROST and Mr. TIERNEY.

H.R. 674: Mr. HONDA.

H.R. 676: Mr. SIMMONS, Mr. SHAYS, Mr. LEACH, and Mr. NUSSLE.

H.R. 755: Ms. MILLENDER-MCDONALD, Ms. MCCOLLUM, and Mr. CARDIN.

H.R. 760: Mr. KANJORSKI.

H.R. 770: Mrs. THURMAN.

H.R. 776: Mr. BEREUTER.

H.R. 777: Mr. BEREUTER.

H.R. 782: Mr. CASTLE.

H.R. 822: Mrs. WILSON.

H.R. 827: Ms. VELAZQUEZ.

H.R. 868: Mr. KINGSTON, Mr. KENNEDY of Minnesota, Mr. PASCRELL, Mr. PETERSON of Pennsylvania, Mr. KERNS, Mr. PASTOR, Mr.

WELDON of Pennsylvania, Mrs. MALONEY of New York, Ms. JACKSON-LEE of Texas, Mr. RYAN of Wisconsin, Mr. CHAMBLISS, Mr. UDALL of New Mexico, and Mr. FLAKE.

H.R. 885: Mrs. THURMAN.

H.R. 898: Mr. BOUCHER, Mr. GEORGE MILLER of California, Mr. HILLIARD, Mr. HINCHEY, Mr. HOLT, Mr. BLUMENAUER, Mr. FROST, Mr. ABERCROMBIE, Mr. RAHALL, Ms. DELAURO, Mr. TOWNS, Mr. WYNN, Mr. DEFAZIO, Ms. RIVERS, Mr. PALLONE, Mr. GREEN of Texas, Mr. BALDACCI, Mr. BENTSEN, and Mr. FILNER.

H.R. 909: Mr. CARDIN, Mr. HAYWORTH, and Mr. BRADY of Texas.

H.R. 912: Mr. BOYD and Mr. JOHNSON of Illinois.

H.R. 918: Mr. COSTELLO, Mr. LATOURETTE, Mr. FERGUSON, Mr. HUTCHINSON, Mr. GREEN of Wisconsin, Ms. BERKLEY, Mr. ROTHMAN, Mr. RAHALL, Mr. GONZALEZ, Mr. SCHIFF, and Mr. SCHAFFER.

H.R. 940: Mr. CUNNINGHAM.

H.R. 951: Mr. COOKSEY, Mr. GREENWOOD, Mr. MATSUI, Mr. MCINNIS, Mr. KANJORSKI, Mr. TOM DAVIS of Virginia, Mr. CAPUANO, Mr. GEKAS, and Mr. LANGEVIN.

H.R. 968: Mr. COX, Mr. MCGOVERN, Ms. RIVERS, and Mr. FLETCHER.

H.R. 969: Mr. TIAHRT.

H.R. 994: Mr. CROWLEY and Mr. LEWIS of Georgia.

H.R. 1001: Ms. HART.

H.R. 1003: Mr. KOLBE and Mr. NETHERCUTT.

H.R. 1020: Mr. SCARBOROUGH, Mr. PHELPS, Mr. BLUMENAUER, Mr. SIMMONS, Mrs. CAPITO, Mr. BONIOR, Mr. PASTOR, Mr. MOLLOHAN, Mr. GRAVES, Mr. ROGERS of Michigan, Mr. BARCIA, and Mr. COOKSEY.

H.R. 1032: Mr. KIRK and Mr. LAFALCE.

H.R. 1037: Mr. FOSSELLA.

H.R. 1060: Mr. KILDEE.

H.R. 1089: Mr. CAMP.

H.R. 1096: Mr. BARCIA.

H.R. 1110: Mr. JONES of North Carolina.

H.R. 1140: Mr. VITTER, Mrs. NORTHUP, Mr. DIAZ-BALART, Mr. CANTOR, Mrs. JOHNSON of Connecticut, Mr. CANNON, Mr. SHERMAN, Mr. LARSON of Connecticut, Mr. DOGGETT, and Mr. MEEHAN.

H.R. 1167: Mr. SIMMONS, Mrs. CLAYTON, Ms. SCHAKOWSKY, Mr. BONIOR, Mr. UDALL of New Mexico, Mr. SPRATT, Mr. BLAGOJEVICH, Mr. DEUTSCH, Mr. GRUCCI, Mr. GEORGE MILLER of California, Mr. INSLEE, Mr. TOWNS, Mrs. DAVIS of California, Mr. MCDERMOTT, Mr. WALSH, Mr. BENTSEN, Mr. DICKS, Ms. SANCHEZ, Mr. RUSH, Mr. WYNN, Ms. LEE, Ms. SLAUGHTER, and Mr. WEXLER.

H.R. 1168: Mr. SIMMONS, Mrs. CLAYTON, Ms. SCHAKOWSKY, Mr. BONIOR, Mr. UDALL of New Mexico, Mr. SPRATT, Mr. BLAGOJEVICH, Mr. DEUTSCH, Mr. GRUCCI, Mr. GEORGE MILLER of California, Mr. INSLEE, Mr. TOWNS, Mrs. DAVIS of California, Mr. MCDERMOTT, Mr. WALSH, Mr. BENTSEN, Mr. DICKS, Mr. RUSH, Mr. SABO, Mr. SPENCE, Ms. SLAUGHTER, Mr. WEXLER, Mr. ISAKSON, Ms. HOOLEY of Oregon, Mr. BAIRD, Mr. TOM DAVIS of Virginia, Mr. JEFFERSON, Ms. BALDWIN, and Ms. LEE.

H.R. 1170: Mr. ETHERIDGE, Mr. RAHALL, Mr. PRICE of North Carolina, Mr. LANGEVIN, and Mr. ABERCROMBIE.

H.R. 1191: Mr. REYES.

H.R. 1198: Mr. KERNS.

H.R. 1199: Mr. WATT of North Carolinia.

H.R. 1203: Mr. HASTINGS of Washington, Mr. REHBERG, and Mr. YOUNG of Alaska.

H.R. 1230: Mr. BLUMENAUER, Mr. BONIOR, and Mr. ABERCROMBIE.

H.R. 1232: Mr. RANGEL.

H.R. 1238: Mrs. THURMAN.

H.R. 1242: Mr. GILCHREST.

H.R. 1255: Ms. SANCHEZ.

H.R. 1266: Ms. ESHOO, Ms. HART, Mr. RODRIGUEZ, and Ms. SANCHEZ.

H.R. 1280: Mr. SANDERS, Mrs. DAVIS of California, Mr. RANGEL, and Mr. UDALL of New Mexico.

H.R. 1287: Mr. DIAZ-BALART.

H.R. 1291: Mr. MCGOVERN.

H.R. 1293: Mr. HILLIARD, Mr. CUMMINGS, Mr. THOMPSON of Mississippi, Mr. DAVIS of Illinois, Mr. LEWIS of Georgia, Mr. HASTINGS of Florida, and Mr. MEEKS of New York.

H.R. 1296: Ms. SANCHEZ, Ms. GRANGER, Mr. CLEMENT, Mr. GOODE, Mr. SCHROCK, Mr. OTTER, and Mr. ROSS.

H.R. 1306: Mr. RANGEL.

H.R. 1307: Mr. ANDREWS, Mr. RUSH, Mr. BERMAN, Mr. COSTELLO, Mr. PASTOR, and Mr. EVANS.

H.R. 1329: Mr. PAUL, Mr. GREEN of Wisconsin, Mr. SMITH of Texas, Mr. FERGUSON, Mrs. MORELLA, Mr. EHLERS, Mr. ROHRABACHER, Mrs. MINK of Hawaii, Mr. SESSIONS, Mr. CUNNINGHAM, Mr. FROST, Mr. CALVERT, and Mr. GONZALEZ.

H.R. 1330: Mr. PENCE.

H.R. 1339: Mr. HUTCHINSON, Mr. SHOWS, Mr. ROSS, Mrs. EMERSON, and Mr. BOSWELL.

H.R. 1342: Mr. SAM JOHNSON of Texas and Mr. RADANOVICH.

H.R. 1344: Mr. GEORGE MILLER of California and Mr. ANDREWS.

H.R. 1354: Ms. CARSON of Indiana.

H.R. 1357: Mr. CROWLEY and Mr. CARDIN.

H.R. 1360: Ms. ESHOO, Mr. WYNN, Mr. HILLIARD, Mrs. JONES of Ohio, and Mr. MOORE.

H.R. 1366: Ms. ESHOO and Mr. THOMPSON of California.

H.R. 1375: Mr. OTTER and Mr. MORAN of Kansas.

H.R. 1377: Mr. SHIMKUS, Mr. BRADY of Texas, Mr. SHOWS, Mr. ENGLISH, Mr. HALL of Texas, and Mr. BONILLA.

H.R. 1398: Mr. MCGOVERN.

H.R. 1401: Mr. SCHAFFER, Mr. COSTELLO, Mr. FROST, Mr. GREEN of Texas, Mr. FRANK, and Mr. BALDACCI.

H.R. 1405: Ms. ESHOO.

H.R. 1407: Mr. BLUMENAUER.

H.R. 1408: Mr. CANTOR and Mr. HOBSON.

H.R. 1429: Ms. JACKSON-LEE of Texas.

H.R. 1431: Mr. UDALL of Colorado, Mr. HASTINGS of Florida, and Mr. SIMPSON.

H.R. 1434: Ms. JACKSON-LEE of Texas, Mr. JACKSON of Illinois, Mr. NEAL of Massachusetts, and Mr. ACEVEDO-VILA.

H.R. 1438: Mr. HAYWORTH and Mr. HULSHOF.

H.R. 1441: Mr. SMITH of Michigan.

H.R. 1455: Mrs. CUBIN, Mr. BONILLA, Mr. PETRI, Mr. GIBBONS, Mr. DEAL of Georgia, Mr. STUMP, Mr. OTTER, and Mr. RAHALL.

H.R. 1464: Mr. JONES of North Carolina, Mr. CALVERT, and Mr. SHOWS.

H.R. 1465: Ms. SCHAKOWSKY, Ms. SOLIS, and Mr. STARK.

H.R. 1469: Ms. CARSON of Indiana, Mr. WYNN, Mr. SANDERS, Mr. FRANK, and Mr. ENGLISH.

H.R. 1474: Mr. PICKERING.

H.R. 1481: Mr. RAMSTAD.

H.R. 1484: Mr. RAHALL, Mr. WEXLER, Ms. MILLENDER-MCDONALD, Mr. WAXMAN, Mr. EVANS and Mr. PASCRELL.

H.R. 1487: Mr. EVANS, Mr. FOSSELLA, Mr. WAXMAN, and Mr. MCGOVERN.

H.R. 1507: Mr. STUMP and Mr. EHRLICH.

H.R. 1522: Ms. RIVERS, Mr. MCGOVERN, Mr. RAHALL, and Mr. BERMAN.

H.R. 1553: Mr. SMITH of Washington, Mr. REYNOLDS, Mr. SESSIONS, and Ms. ESHOO.

H.R. 1567: Mr. LAFALCE and Mr. RUSH.

H.R. 1581: Mr. SANDLIN.

H.R. 1585: Mr. PAYNE, Mr. KUCINICH, Ms. BROWN of Florida, Mr. FATTAH, Ms. NORTON, Mrs. CLAYTON, and Mr. FRANK.

H.R. 1592: Mrs. EMERSON.

H.R. 1598: Ms. SLAUGHTER, Mr. MCINNIS, Ms. KILPATRICK, Mr. BLAGOJEVICH, and Mr. FROST.

H.R. 1600: Mr. COLLINS, Mr. MCINNIS, Mr. CAMP, and Mrs. MORELLA.

H.R. 1601: Mr. ROSS.

H.R. 1620: Mr. LOWEY.

H.R. 1631: Mr. MEEKS of New York.

H.R. 1632: Mr. CROWLEY and Mr. TANCREDO.

H.R. 1642: Mr. CROWLEY, Mr. PAYNE, Ms. KAPTUR, Mr. HILLIARD, Mr. HASTINGS of Florida, Ms. BROWN of Florida, Mr. CONYERS, Mr. WYNN, Ms. CARSON of Indiana, Mrs. CLAYTON, Ms. BALDWIN, Ms. NORTON, Mr. NADLER, Mr. FILNER, Mr. CLYBURN, Ms. SCHAKOWSKY, Ms. WOOLSEY, Ms. MCKINNEY, Mr. STARK, Mr. RANGEL, Mr. CLAY, Mr. ABERCROMBIE, Mr. KUCINICH, Mr. RAHALL, Ms. JACKSON-LEE of Texas, and Mr. EVANS.

H.R. 1643: Mr. CANTOR, Mr. NADLER, Mr. CROWLEY, and Mr. HOEFFEL.

H.R. 1644: Mr. KUCINICH, Mr. SENSENBRENNER, Mr. SMITH of New Jersey, Mr. KERNS, Mr. ADERHOLT, Mr. PITTS, Mr. RYUN of Kansas, Mr. BURTON of Indiana, Mr. BROWN of South Carolina, Mr. DEMINT, Mr. VITTER, Mr. TIAHRT, Mr. WOLF, Mr. SMITH of Texas, and Ms. HART.

H.R. 1657: Mr. KENNEDY of Minnesota, Mr. OSE, and Mr. NEAL of Massachusetts.

H.R. 1683: Ms. BERKLEY.

H.J. Res. 13: Ms. SANCHEZ and Ms. NORTON.

H.J. Res. 36: Mr. KENNEDY of Minnesota and Mrs. NORTHUP.

H.J. Res. 38: Mr. AKIN.

H. Con. Res. 5: Mr. FROST, Mr. FILNER, and Mr. GONZALEZ.

H. Con. Res. 54: Mr. BOYD, Mr. LAHOOD, and Mr. BERRY.

H. Con. Res. 56: Mr. FROST, Mr. BALDACCI, Mr. JOHNSON of Illinois, Mr. BRYANT, Mr. HOSTETTLER, Mr. SCHAFFER, and Mr. ROHRABACHER.

H. Con. Res. 58: Mr. EVANS.

H. Con. Res. 68: Mr. SMITH of New Jersey.

H. Con. Res. 73: Mr. LATOURETTE and Mr. FLAKE.

H. Con. Res. 97: Mr. MATSUI.

H. Con. Res. 106: Mr. COSTELLO, Mr. PASTOR, Mr. LIPINSKI, Mr. JOHNSON of Illinois, Mr. MCNULTY, Mr. FOSSELLA, and Mr. ETHERIDGE.

H. Res. 99: Mr. ROTHMAN, Mr. MOORE, Mr. ROSS, Mr. THOMPSON of California, Mr. BERRY, Mr. BACA, Mr. KING, Mr. HOYER, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. WU, Ms. BALDWIN, Mr. PALLONE, Mr. RANGEL, Mr. PAYNE, Mr. FORD, Mr. ANDREWS, Mr. RODRIGUEZ, Ms. VELAZQUEZ, Mr. ENGEL, Mr. BALDACCI, Mr. PASCRELL, Mr. MOLLOHAN, Mr. TURNER, Mr. MEEKS of New York, Mr. LANGEVIN, Ms. SLAUGHTER, Mr. MCGOVERN, and Mrs. MALONEY of New York.

H. Res. 116: Mr. CALVERT, Ms. GRANGER, Mr. LAHOOD, Mr. NEY, Mr. SABO, Ms. SANCHEZ, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. TANCREDO, Mrs. THURMAN, and Mr. WATT of North Carolina.

H. Res. 120: Ms. JACKSON-LEE of Texas.

MONDAY, MAY 7, 2001 (42)

¶42.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PETRI, who laid before the House the following communication:

WASHINGTON, DC,
May 7, 2001.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

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

¶42.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PETRI, announced he had examined and approved the Journal of the proceedings of Thursday, May 3, 2001.

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

¶42.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1722. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Pine Shoot Beetle; Addition to Quarantined Areas [Docket No. 99–101–2] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1723. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Imported Fire Ant; Addition to Quarantined Areas [Docket No. 00–076–2] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1724. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Tuberculosis Testing for Imported Cattle [Docket No. 00–102–1] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1725. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Brucellosis in Cattle; State and Area Classifications; South Dakota [Docket No. 00–103–2] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1726. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Irish Potatoes Grown in Washington; Exemption From Handling and Assessment Regulations for Potatoes Shipped for Experimental Purposes [Docket No. FV00–946–1 FIR] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1727. A communication from the President of the United States, transmitting requests for FY 2002 budget amendments for the Departments of Energy, Housing and Urban Development, the Interior, Justice, Transportation, and the Treasury; the Executive Office of the President; and Federal Drug Control Programs; (H. Doc. No. 107–66); to the Committee on Appropriations and ordered to be printed.

1728. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Daniel W. Christman, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1729. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Turkey, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

1730. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Venezuela, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

1731. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Recreational Programs (RIN: 1820–ZA12) received April 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1732. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (RIN: 1901–AA87) received April 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1733. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Reclassification of Six Cardiovascular Preamendments Class III Devices into Class II [Docket No. 99N–0035] received April 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1734. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Irradiation in the Production, Processing, and Handling of Animal Feed and Pet Food; Irradiation [Docket No. 99F–2799] received April 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1735. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Irradiation in the Production, Processing, and Handling of Food [Docket No. 94F–0008] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1736. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Additions to the Final Guidelines for the Certification and Recertification of the Operators of Community and Nontransient Noncommunity Public Water Systems; Final Allocation Methodology for Funding to States for the Operator Certification Expense Reimbursement Grants Program [FRL–6967–3] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1737. A letter from the Deputy Chief, Accounting Policy Division, Federal Communications Commission, transmitting the Commission's final rule—Federal-State Joint Board on Universal Service [CC Docket No. 96–45] Children's Internet Protection Act—received April 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1738. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Switzerland for defense articles and services (Transmittal No. 01–05), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1739. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to the United Arab Emirates for defense articles and services (Transmittal No. 01–07), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1740. A letter from the Director, Defense Security Cooperation Agency, transmitting a report of enhancement or upgrade of sensitivity of technology or capability for Israel (Transmittal No. 0C–01), pursuant to 22 U.S.C. 2776(b)(5)(A); to the Committee on International Relations.

1741. A letter from the Director, Defense Security Cooperation Agency, transmitting a report of enhancement or upgrade of sensitivity of technology or capability for Republic of Korea (Transmittal No. 01–0A), pursuant to 22 U.S.C. 2776(b)(5)(A); to the Committee on International Relations.

1742. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting the annual report on Military Assistance, Military Exports, and Military Imports for Fiscal Year 2000; to the Committee on International Relations.

1743. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on Overseas Surplus Property; to the Committee on International Relations.

1744. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a Final Report on the Investigation of the Death of Father Kaiser; to the Committee on International Relations.

1745. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual SEED Report pursuant to Section 704 of the Support for East European Democracy Act; to the Committee on International Relations.

1746. A letter from the President, African Development Foundation, transmitting the Annual Performance Report for FY 2000; to the Committee on Government Reform.

1747. A letter from the Deputy Assistant Secretary of the Army, Department of the Army, transmitting a report on the Army's Annual Financial Statement for FY 2000; to the Committee on Government Reform.

1748. A letter from the Chairman, U.S. Equal Employment Opportunity Commission, transmitting a set of documents to meet requirements under the Government Performance and Results Act for Fiscal Years 2000–2002; to the Committee on Government Reform.

1749. A letter from the Acting Director, U.S. Trade and Development Agency, transmitting a report on Financial Statements for FY 2000; to the Committee on Government Reform.

1750. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Utah Regulatory Program [SPATS UT–038–FOR] received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1751. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a Report on Denial of Visas to Confiscators of American Property; to the Committee on the Judiciary.

1752. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Certification of Evidence for Proof of Service (RIN: 2900–AJ55) received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1753. A letter from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting the Department's final rule—Amendment To Wool Duty Refund Program [T.D. 01–33] (RIN: 1515–AC85) received April 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1754. A letter from the Administrator, National Nuclear Security Administration, Department of Energy, transmitting a letter providing the certification required by the Energy and Water Development Appropriations Act, FY 2001 with respect to the National Ignition Facility being constructed at the Lawrence Livermore National Laboratory including a report entitled, ''A Comprehensive Study of the Role of High-Energy-Density Physics in the Stockpile Stewardship Program''; jointly to the Committees on Armed Services and Appropriations.

1755. A letter from the Board Members, Railroad Retirement Board, transmitting

the Congressional Justification of Budget Estimates for Fiscal Year 2002; jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

And then,

¶42.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. PETRI, by unanimous consent, and pursuant to the special order agreed to on Thursday, May 4 (legislative day of May 3), 2001, at 2 o'clock and 3 minutes p.m., declared the House adjourned until 12:30 p.m. on Tuesday, May 8, 2001.

¶42.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on May 4, 2001]

Mr. HYDE: Committee on International Relations. H.R. 1646. A bill to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes; with an amendment (Rept. No. 107–57). Referred to the Committee of the Whole House on the State of the Union.

¶42.6 PUBLIC BILLS AND RESOLUTIONS

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

By Mrs. WILSON:

H.R. 1742. A bill to make scholarships available to individuals who are outstanding secondary school graduates or exceptional certified leaders and who demonstrate a commitment to and capacity for the profession of teaching, in order to enable and encourage those individuals to pursue teaching careers in education at the preschool, elementary or secondary level or improve their teaching skills through further education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BLAGOJEVICH (for himself and Mr. TIBERI):

H.R. 1743. A bill to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers; to the Committee on Education and the Workforce.

By Mr. KENNEDY of Rhode Island:

H.R. 1744. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to increase the amount paid to families of public safety officers killed in the line of duty; to the Committee on the Judiciary.

By Mr. FILNER (for himself, Mr. SMITH of New Jersey, Mr. PALLONE, Mr. KIRK, and Mr. BONIOR):

H. Res. 133. A resolution calling for the immediate and unconditional release from prison of certain Kurdish members of the Parliament of the Republic of Turkey; to the Committee on International Relations.

¶42.7 ADDITIONAL SPONSORS

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

H.R. 159: Mr. SPENCE.

H.R. 460: Mr. BONIOR.

H.R. 547: Mr. BONIOR, Mr. KILDEE, and Mr. WEXLER.

H.R. 663: Mr. LAMPSON and Mrs. JOHNSON of Connecticut.

H.R. 673: Mr. PASTOR.

H.R. 1406: Mr. CROWLEY and Mr. PAUL.

H.R. 1494: Ms. WATERS, Mrs. CHRISTENSEN, and Mr. FORD.

H.R. 1541: Ms. LEE and Ms. BERKLEY.

H.R. 1587: Mr. FRANK, Mr. FROST, Mrs. JONES of Ohio, Mr. WYNN, Mr. SANDERS, Mr. FILNER, Mrs. THURMAN, Mr. HALL of Ohio, Mr. KILDEE, Mr. SHOWS, Mr. JACKSON of Illinois, Mr. RANGEL, Mr. HINCHEY, Ms. LEE, and Mr. CROWLEY.

TUESDAY, MAY 8, 2001 (43)

¶43.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. ISSA, who laid before the House the following communication:

WASHINGTON, DC,
May 8, 2001.

I hereby appoint the Honorable DARRELL E. ISSA to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶43.2 RECESS—1:04 P.M.

The SPEAKER pro tempore, Mr. ISSA, pursuant to clause 12 of rule I, declared the House in recess at 1 o'clock 4 minutes p.m. until 2 o'clock p.m.

¶43.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. GIBBONS, called the House to order.

¶43.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GIBBONS, announced he had examined and approved the Journal of the proceedings of Monday, May 7, 2001.

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

¶43.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1756. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Opting Out of Segregation (RIN: 3038–AB67) received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1757. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Privacy of Consumer Financial Information (RIN: 3038–AB68) received April 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1758. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Additional Safeguards for Children in Clinical Investigations of FDA-Regulated Products [Docket No. 00N–0074] (RIN: 0910–AC07) received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1759. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [FRL–6968–6] received April 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1760. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Oxygenated Gasoline Program [DC049–2026a; FRL–6973–7] received April 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1761. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Reasonably Available Control Technology Requirements for Volatile Organic Compounds and Nitrogen Oxides [PA143–4115a; FRL–6973–4] received April 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1762. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants: South Carolina [SC–038–200102(a); FRL–6973–9] received April 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1763. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality State Implementation Plans (SIP); Texas: Control of Gasoline Volatility [TX–114–2–7494; FRL–6969–4] received April 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1764. A letter from the Senior Legal Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Memorandum Opinion and Order addressing pending petitions for reconsideration of the Report and Order [WT Docket No. 98–143] received April 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1765. A letter from the Senior Legal Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Communications Assistance for Law Enforcement Act [CC Docket No. 97–213] received April 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1766. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 039–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1767. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Spain [Transmittal No. DTC 012–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1768. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, GSA, Department of Defense, transmitting the Department's final rule—Federal Acquisition Regulation; Contractor Responsibility, Labor Relations Costs, and Costs Relating to Legal and Other Proceedings (RIN: 9000–AI40) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1769. A letter from the Assistant Secretary for Budget and Programs, Department of Transportation, transmitting copies of the inventories of commercial positions in the Department of Transportation; to the Committee on Government Reform.

1770. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule—Participants' Choices of Investment Funds—received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1771. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule—Employee Elections to Contribute to the Thrift Savings Plan—received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1772. A letter from the Chief, Division of Scientific Authority, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Changes in List of Species in Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (RIN: 1018–AH63) received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1773. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Bay Checkerspot Butterfly (RIN: 1018–AH61) received April 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1774. A letter from the Deputy Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule —Use and Distribution of the San Carlos Apache Tribe Development Trust Fund and San Carlos Apache Tribe Lease Fund (RIN: 1076–AE10) received April 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1775. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2000–2001 Catch Specifications for Gulf Group King Mackerel [Docket No. 001005281–0369–02; I.D. 082900C] (RIN: 0648–AN85) received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1776. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Documentation of Immigrants and Nonimmigrants—Visa Classification Symbols—received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1777. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Premerger Notification; Antitrust Improvements Act Notification and Report Form—received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1778. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes Powered by General Electric Engines [Docket No. 99–NM–127–AD; Amendment 39–12159; AD 2001–06–12] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1779. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30242; Amdt. No. 428] received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1780. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, –700, –700C, and –800 Series Airplanes [Docket No. 99–NM–312–AD; Amendment 39–12162; AD 2001–06–15] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1781. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30241; Amdt. No. 2045] received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1782. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30240; Amdt. No. 2044] received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1783. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft, Inc. Models PA–31, PA–31–300, PA–31–325, PA–31–350, PA–31P, PA–31T, PA–31T1, PA–31T2, PA–31T3, and PA–31P–350 Airplanes [Docket No. 99–CE–29–AD; Amendment 39–12148; AD 2001–06–01] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1784. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica, S.A. (EMBRAER), Model EMB–120 Series Airplanes [Docket No. 2001–NM–36–AD; Amendment 39–12165; AD 2001–06–18] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1785. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dowty Aerospace Propellers Model R381/6–123–F/5 Propellers, Correction [Docket No. 99–NE–43–AD; Amendment 39–12143; AD 99–18–18 R1] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1786. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket No. 2000–CE–70–AD; Amendment 39–12152; AD 200106–05] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1787. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket No. 2000–CE–70–AD; Amendment 39–12152; AD 200106–05] (RIN: 2120–AA64) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1788. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Red Mountain Viticultural Area (99R–367P) [T.D. ATF–448; Re: Notice No. 897] (RIN: 1512–AA07) received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1789. A letter from the Administrator, Office of Workforce Development, Department of Labor, transmitting the Department's final rule—Treatment of Indian Tribes under Federal Unemployment Compensation Law—Amendments made by the Consolidated Appropriations Act, 2001—received April 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1790. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 2001–27] received April 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1791. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Appeals Coordinated Issue Settlement Guideline Excise Tax Specialty Area; Excise Tax On Virtual Private Networks—received April 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1792. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, Miscellaneous [Rev. Proc. 2001–30] received April 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1793. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting a report on the proposed fiscal year 2002 budget; jointly to the Committees on Agriculture and Government Reform.

1794. A letter from the Secretary, Department of Energy, transmitting the Department's Annual Report to Congress on activities of the Department of Energy in response to recommendations and other interactions with the Defense Nuclear Facilities Safety Board, pursuant to 42 U.S.C. 2286e(b); jointly to the Committees on Energy and Commerce and Armed Services.

1795. A letter from the Inspector General, Railroad Retirement Board, transmitting the Board's budget justification for the Office of Inspector General for fiscal year 2002; jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

¶43.6 NATIONAL SCIENCE FOUNDATION

Mr. SMITH of Michigan moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 108):

Whereas Congress created the National Science Foundation in 1950 to promote the progress of science, to advance the national health, prosperity, and welfare, and to secure the national defense;

Whereas the National Science Foundation Act of 1950 was signed into law by President Harry S. Truman on May 10, 1950;

Whereas the National Science Foundation strengthens the economy and improves the quality of life in the United States as the Federal Government's only agency dedicated to the support of education and fundamental research in all scientific and engineering disciplines;

Whereas the National Science Foundation has worked continuously and successfully to ensure that the United States maintains its leadership in discovery, learning, and innovation in the sciences, mathematics, and engineering;

Whereas the National Science Foundation has supported the research of more than half of the United States Nobel laureates in physics, chemistry, and economics;

Whereas the National Science Foundation has been the lead Federal agency in a number of national science initiatives, such as those in information technology and nanotechnology;

Whereas the National Science Foundation funds almost 20,000 research and education projects in science and engineering at over 2,000 colleges and universities, elementary and secondary schools, nonprofit organizations, and small businesses throughout our Nation;

Whereas the National Science Foundation's innovative education programs work to ensure that every American student receives a solid foundation in science, technology, and mathematics through support for the training and education of teachers, the public, and students of all ages and backgrounds, and by supporting research into new teaching tools, curricula, and methodologies;

Whereas the programs funded by the National Science Foundation are an exemplary demonstration of the value of scientific peer review in selecting the most innovative and technically excellent research activities using a network of over 50,000 scientists and engineers each year;

Whereas the National Science Foundation's international programs promote new partnerships and cooperative projects between United States scientists and engineers and their foreign colleagues, and such partnerships play a key role in establishing and strengthening diplomatic and economic ties; and

Whereas research supported by the National Science Foundation has led to discoveries, technologies, and products which affect our daily lives, including a greater understanding of bacteria, viruses, and the structure of DNA; medical diagnostic tools, such as Magnetic Resonance Imaging (MRI); the Internet, web browsers, and fiber optics, which have revolutionized global communication; polymer materials used in products ranging from clothing to automobiles; Doppler radar used for accurate weather forecasting; artificial skin that can help recovering burn victims; economic research in game and decision theory which has led to a greater understanding of economic cycles; and discoveries of new planets, black holes, and insights into the nature of the universe: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the significance of the anniversary of the founding of the National Science Foundation;

(2) acknowledges the completion of 50 years of achievement and service by the National Science Foundation to the United States; and

(3) reaffirms its commitment for the next 50 years to support research, education, and technological advancement and discovery through the National Science Foundation, the premier scientific agency in the Federal Government.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. SMITH of Michigan and Ms. Eddie Bernice JOHNSON of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of Michigan objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶43.7 NATIONAL PEACE OFFICERS MEMORIAL

Mr. LATOURETTE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 74):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

The National Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the 20th annual National Peace Officers' Memorial Service, on the Capitol Grounds on May 15, 2001, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, in order to honor the law enforcement officers who died in the line of duty during 2000.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—The event authorized by section 1 shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) EXPENSES AND LIABILITIES.—The National Fraternal Order of Police and its auxiliary shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the National Fraternal Order of Police and its auxiliary are authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event authorized by section 1.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event authorized by section 1.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. LATOURETTE and Mr. CARSON of Oklahoma, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶43.8 RECESS—2:55 P.M.

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 55 minutes p.m., until approximately 5 o'clock p.m.

¶43.9 AFTER RECESS—5 P.M.

The SPEAKER pro tempore, Mr. GUTKNECHT, called the House to order.

¶43.10 MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore, Mr. GUTKNECHT, by unanimous consent, announced that the Speaker, pursuant to 22 United States Code 276h and clause 10 of rule I, appointed to the Mexico-United States Interparliamentary Group, in addition to Mr. Kolbe, Chairman, appointed on March 28, 2001, on the part of the House, the following Members: Messrs. BALLENGER, Vice Chairman, DREIER, STENHOLM, BARTON, FILNER, LEWIS of Kentucky, MANZULLO, Ms. GRANGER, Messrs. REYES, and THOMPSON of California.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶43.11 NATIONAL COMMITTEE ON VITAL AND HEALTH STATISTICS

The SPEAKER pro tempore, Mr. GUTKNECHT, by unanimous consent announced that the Speaker, pursuant to section 306(k) of the Public Health Service Act (42 United States Code 242k), reappointed the following member of the National Committee on Vital and Health Statistics for a term of four years: Mr. Jeffrey S. Blair of Albuquerque, New Mexico, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶43.12 PROVIDING FOR THE CONSIDERATION OF H. CON. RES. 83

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 107–58) the resolution (H. Res. 134) providing for recommittal of the conference report to accompany the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

When said resolution and report were referred to the House Calendar and ordered printed.

¶43.13 PROVIDING FOR THE CONSIDERATION OF H.R. 581

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 107–59) the resolution (H. Res. 135) providing for consideration of the bill (H.R. 581) to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related

Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management.

When said resolution and report were referred to the House Calendar and ordered printed.

¶43.14 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 131):

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider reports from the Committee on Rules on the same day they are presented to the House is waived with respect to resolutions reported on the legislative day of May 8, 2001, providing for consideration or disposition of any conference report to accompany the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

When said resolution was considered.

After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection.

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶43.15 RECESS—5:49 P.M.

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 49 minutes p.m., until approximately 6 o'clock p.m.

¶43.16 AFTER RECESS—6:01 P.M.

The SPEAKER pro tempore, Mr. THORNBERRY, called the House to order.

¶43.17 H. CON. RES. 108—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 108) honoring the National Science Foundation for 50 years of service to the Nation.

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶43.18 H. RES. 131—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced the further unfinished business to be the question on agreeing to the resolution (H. Res. 131) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolution reported from the Committee on Rules.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 214 / Nays ..... 200 }

¶43.19 [Roll No. 100]

YEAS—214

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Sununu
Tancredo
Tauzin
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—200

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

NOT VOTING—17

Ackerman
Allen
Costello
Cubin
Gutierrez
Inslee
Jones (OH)
LaHood
Lampson
McDermott
Miller, George
Paul
Peterson (PA)
Rivers
Stump
Sweeney
Taylor (NC)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶43.20 PROVIDING FOR RECOMMITTAL OF THE CONFERENCE REPORT TO ACCOMPANY H. CON. RES. 83

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 134):

Resolved, That upon adoption of this resolution the conference report to accompany the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 is hereby recommitted to the committee of conference.

When said resolution was considered.

After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 409 / Nays ..... 1 }

¶43.21 [Roll No. 101]

YEAS—409

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

NAYS—1

Capuano

NOT VOTING—21

Ackerman
Allen
Clement
Costello
Cubin
DeGette
Dooley
Fattah
Frost
Gutierrez
Hall (OH)
Inslee
Issa
Jones (OH)
LaHood
McDermott
Rivers
Stump
Sweeney
Taylor (NC)
Weldon (PA)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶43.22 SUBMISSION OF CONFERENCE REPORT—H. CON. RES. 83

Mr. NUSSLE submitted a conference report (Rept. No. 107–60) on the bill (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; together with a statement thereon, for printing in the Record under the rule.

¶43.23 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H. CON. RES. 83

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 107–61) the resolution (H. Res. 136) waiving points of order against the conference report to accompany the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

When said resolution and report were referred to the House Calendar and ordered printed.

¶43.24 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mrs. JONES of Ohio, for today;

To Mr. STUMP, for today and May 9 and 10; and

To Mr. TAYLOR of North Carolina, for today.

And then,

¶43.25 ADJOURNMENT

On motion of Mr. SIMPSON, at 9 o'clock and 50 minutes p.m., the House adjourned.

¶43.26 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOSS: Committee on Rules. House Resolution 134. Resolution providing for recommittal of the conference report to accompany the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003

through 2011. (Rept. No. 107–58). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 135. Resolution providing for consideration of the bill (H.R. 581) to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management (Rept. No. 107–59). Referred to the House Calendar.

Mr. NUSSLE: Committee of Conference. Conference report on House Concurrent Resolution 83. Resolution establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (Rept. No. 107–60) Ordered to be printed.

Mr. GOSS: Committee on Rules. House Resolution 136. Resolution waiving points of order against the conference report to accompany the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (Rept. No. 107–61). Referred to the House Calendar.

¶43.27 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1088. Referral to the Committee on Government Reform extended for a period ending not later than May 9, 2001.

¶43.28 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GILMAN:

H.R. 1745. A bill to provide that all American citizens living abroad shall (for purposes of the apportionment of Representatives in Congress among the several States and for other purposes) be included in future decennial censuses of population, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER (for himself, Mr. SIMMONS, and Mr. SMITH of New Jersey):

H.R. 1746. A bill to amend title 38, United States Code, to require that the Secretary of Veterans Affairs establish a single ''1–800'' telephone number for access by the public to veterans benefits counselors of the Department of Veterans Affairs and to ensure that such counselors have available to them information about veterans benefits provided by all Federal departments and agencies and by State governments; to the Committee on Veterans' Affairs.

By Mrs. KELLY:

H.R. 1747. A bill to amend title 18, United States Code, to prohibit taking a child hostage in order to evade arrest; to the Committee on the Judiciary.

By Mr. CANTOR (for himself, Mr. WOLF, Mrs. JO ANN DAVIS of Virginia, Mr. TOM DAVIS of Virginia, Mr. GOODE, Mr. MORAN of Virginia, Mr. SCHROCK, Mr. BOUCHER, Mr. SCOTT, and Mr. GOODLATTE):

H.R. 1748. A bill to designate the facility of the United States Postal Service located at 805 Glen Burnie Road in Richmond, Virginia, as the ''Tom Bliley Post Office Building''; to the Committee on Government Reform.

By Mrs. JO ANN DAVIS of Virginia (for herself, Mr. SCHROCK, Mr. SCOTT, Mr. GOODE, Mr. GOODLATTE, Mr. CANTOR, Mr. MORAN of Virginia, Mr. BOUCHER, Mr. WOLF, and Mr. TOM DAVIS of Virginia):

H.R. 1749. A bill to designate the facility of the United States Postal Service located at 685 Turnberry Road in Newport News, Virginia, as the ''Herbert H. Bateman Post Office Building''; to the Committee on Government Reform.

By Mr. DINGELL (for himself, Mr. DOYLE, Ms. JACKSON-LEE of Texas, Mr. BONIOR, Mr. FRANK, Mr. COYNE, Mr. ENGEL, Mr. KUCINICH, Mr. BOUCHER, Mrs. CHRISTENSEN, Mr. ETHERIDGE, Ms. KILPATRICK, Mr. BROWN of Ohio, Ms. DELAURO, Mrs. MINK of Hawaii, Mr. CLEMENT, Mr. JOHN, Ms. RIVERS, Mr. ALLEN, Mr. LEVIN, Mr. GORDON, Mr. BALDACCI, Mr. ACEVEDO-VILA, Mr. LEWIS of Georgia, Mr. HOLDEN, Mr. MATSUI, Mr. HINOJOSA, Mr. JEFFERSON, Ms. SOLIS, and Mr. KILDEE):

H.R. 1750. A bill to amend the Federal Water Pollution Control Act to authorize funding for the State water pollution control revolving fund program for fiscal year 2002 through 2006; to the Committee on Transportation and Infrastructure.

By Mr. DINGELL (for himself, Mr. DOYLE, Ms. JACKSON-LEE of Texas, Mr. BONIOR, Mr. FRANK, Mr. COYNE, Mr. ENGEL, Mr. KUCINICH, Mr. BOUCHER, Mrs. CHRISTENSEN, Mr. ETHERIDGE, Ms. KILPATRICK, Mr. BROWN of Ohio, Ms. DELAURO, Mrs. MINK of Hawaii, Mr. CLEMENT, Mr. JOHN, Ms. RIVERS, Mr. ALLEN, Mr. LEVIN, Mr. GORDON, Mr. BALDACCI, Mr. ACEVEDO-VILA, Mr. LEWIS of Georgia, Mr. HOLDEN, Mr. MATSUI, Mr. HINOJOSA, Mr. JEFFERSON, Ms. SOLIS, and Mr. KILDEE):

H.R. 1751. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for fiscal years 2002 through 2006 for the municipal construction grant program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FOLEY:

H.R. 1752. A bill to amend the Internal Revenue Code of 1986 to modify the at-risk rules for publicly traded nonrecourse debt; to the Committee on Ways and Means.

By Mr. GOODLATTE (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. SCHROCK, Mr. SCOTT, Mr. GOODE, Mr. CANTOR, Mr. MORAN of Virginia, Mr. BOUCHER, Mr. WOLF, and Mr. TOM DAVIS of Virginia):

H.R. 1753. A bill to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Post Office Building''; to the Committee on Government Reform.

By Mr. HOUGHTON (for himself, Mr. RANGEL, Mr. SWEENEY, Mr. EHRLICH, Mr. SAM JOHNSON of Texas, Mr. OXLEY, and Mr. MCHUGH):

H.R. 1754. A bill to amend the Internal Revenue Code of 1986 to provide that ancestors and lineal descendants of past or present members of the Armed Forces shall be taken into account in determining whether a veterans' organization is exempt from tax; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself and Mr. NEAL of Massachusetts):

H.R. 1755. A bill to amend the Internal Revenue Code of 1986 to prevent the use of reinsurance with foreign persons to enable domestic nonlife insurance companies to evade United States income taxation; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 1756. A bill to amend section 313 of the Tariff Act of 1930 to make certain products eligible for drawback and to simplify and clarify certain drawback provisions; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 1757. A bill to amend section 313 of the Tariff Act of 1930 to make certain products eligible for drawback; to the Committee on Ways and Means.

By Mr. LAFALCE:

H.R. 1758. A bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the Medicare Program of certain beta interferons and other biologicals and drugs approved by the Food and Drug Administration for treatment of mulitple sclerosis; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT (for himself and Ms. DUNN):

H.R. 1759. A bill to amend title XVIII of the Social Security Act to provide for payment under the Medicare Program for more frequent hemodialysis treatments; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MENENDEZ (for himself, Mr. TOM DAVIS of Virginia, Mr. LANTOS, Mr. MCDERMOTT, Mr. PAYNE, Mr. MORAN of Virginia, Mr. WEXLER, Ms. SOLIS, Mr. ACKERMAN, Mr. FOLEY, Mr. SHAW, Mr. HONDA, Mr. GUTIERREZ, Mr. ORTIZ, Mr. BECERRA, Mr. PASTOR, Mr. SERRANO, Ms. VELAZQUEZ, Mr. RODRIGUEZ, Mr. REYES, Mrs. NAPOLITANO, Mr. HINOJOSA, Mr. UNDERWOOD, Mr. GONZALEZ, Ms. ROYBAL-ALLARD, Mr. BACA, Mr. DELAHUNT, Mr. FILNER, Mr. BERMAN, Mr. CROWLEY, Mr. CAPUANO, Mrs. MORELLA, Mr. KUCINICH, and Ms. PELOSI):

H.R. 1760. A bill to authorize emergency disaster assistance for recovery from the earthquakes of January and February 2001 in the Republic of India and the Republic of El Salvador, and for other purposes; to the Committee on International Relations.

By Mr. MORAN of Virginia (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. SCHROCK, Mr. SCOTT, Mr. GOODE, Mr. GOODLATTE, Mr. CANTOR, Mr. BOUCHER, Mr. WOLF, and Mr. TOM DAVIS of Virginia):

H.R. 1761. A bill to designate the facility of the United States Postal Service located at 8588 Richmond Highway in Alexandria, Virginia, as the ''Herb E. Harris Post Office Building''; to the Committee on Government Reform.

By Mr. PAUL:

H.R. 1762. A bill to restore the second amendment rights of all Americans; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY:

H.R. 1763. A bill to amend title XIX of the Social Security Act to increase the personal

needs allowance applied to institutionalized individuals under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. STRICKLAND (for himself, Mr. ABERCROMBIE, Ms. BALDWIN, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. CAPUANO, Mr. CONDIT, Mr. DELAHUNT, Mr. FRANK, Mr. GILMAN, Mr. HOEFFEL, Mr. HOLDEN, Mr. HORN, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. LAFALCE, Mr. LANTOS, Mr. MCNULTY, Mr. MCGOVERN, Mrs. MINK of Hawaii, Mr. OLVER, Mr. OWENS, Mr. PAYNE, Ms. PELOSI, Mr. RUSH, Mr. STUPAK, Mr. SWEENEY, Mr. TIERNEY, Mr. EVANS, Mr. UDALL of New Mexico, and Mr. BROWN of Ohio):

H.R. 1764. A bill to ensure that the incarceration of inmates is not provided by private contractors or vendors and that persons charged or convicted of an offense against the United States shall be housed in facilities managed and maintained by Federal, State, or local governments; to the Committee on the Judiciary.

By Mr. UPTON (for himself, Mr. STEARNS, Mr. FOSSELLA, Mr. TERRY, Mr. SHIMKUS, Mr. GREEN of Texas, Mr. SAWYER, Mr. GORDON, Mr. RUSH, Mr. BOUCHER, Mr. EHRLICH, Mr. TOWNS, Mr. GILLMOR, and Mr. BILIRAKIS):

H.R. 1765. A bill to increase penalties for common carrier violations of the Communications Act of 1934, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WOLF (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. SCHROCK, Mr. SCOTT, Mr. GOODE, Mr. GOODLATTE, Mr. CANTOR, Mr. MORAN of Virginia, Mr. BOUCHER, and Mr. TOM DAVIS of Virginia):

H.R. 1766. A bill to designate the facility of the United States Postal Service located at 4270 John Marr Drive in Annandale, Virginia, as the ''Stan Parris Post Office Building''; to the Committee on Government Reform.

By Mr. WOLF (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. SCHROCK, Mr. SCOTT, Mr. GOODE, Mr. GOODLATTE, Mr. CANTOR, Mr. MORAN of Virginia, Mr. BOUCHER, and Mr. TOM DAVIS of Virginia):

H.R. 1767. A bill to designate the facility of the United States Postal Service located at 205 South Main Street in Culpepper, Virginia, as the ''D. French Slaughter Post Office Building''; to the Committee on Government Reform.

By Mr. LANTOS (for himself and Mr. SMITH of New Jersey):

H. Con. Res. 128. Concurrent resolution expressing the sense of the Congress that the continued participation of the Russian Federation in the Group of Eight must be conditioned on the Russian Federation's voluntary acceptance of and adherence to the norms and standards of democracy; to the Committee on International Relations.

By Mrs. MCCARTHY of New York (for herself and Ms. NORTON):

H. Con. Res. 129. Concurrent resolution expressing the sense of Congress regarding the establishment of Million Mom March Day; to the Committee on Government Reform.

By Mr. UNDERWOOD (for himself, Mr. WU, Mr. HONDA, Mr. ABERCROMBIE, Mr. FALEOMAVAEGA, Mr. MATSUI, Mrs. MINK of Hawaii, Ms. PELOSI, Mr. BECERRA, Ms. BERKLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ESHOO, Mr. FILNER, Mr. LANTOS, Ms. LEE, Ms. LOFGREN, Mrs. MORELLA, Mr. STARK, Ms. ROYBAL-ALLARD, Ms. VELAZQUEZ, and Ms. JACKSON-LEE of Texas):

H. Con. Res. 130. Concurrent resolution authorizing printing of the book entitled ''Asian and Pacific Islander Americans in Congress''; to the Committee on House Administration.

By Mr. SMITH of New Jersey (for himself, Mr. HOYER, Mr. PITTS, Mr. CARDIN, Mr. WAMP, and Mr. HASTINGS of Florida):

H. Res. 137. A resolution congratulating the Kalmyk community of the United States on the 50th anniversary of their emigration to the United States from displaced persons camps in Germany after World War II; to the Committee on International Relations.

¶43.29 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. BONIOR introduced A bill (H.R. 1768) for the relief of Thomas Patrick McEvoy; which was referred to the Committee on the Judiciary.

¶43.30 ADDITIONAL SPONSORS

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

H.R. 17: Ms. CARSON of Indiana.

H.R. 25: Mr. SHAYS, Mr. BLUMENAUER, and Mr. PASCRELL.

H.R. 41: Mr. WOLF, Mr. ISSA, Ms. ESHOO, Mr. HEFLEY, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 51: Mr. HEFLEY.

H.R. 61: Mr. MCINTYRE.

H.R. 68: Mr. LEWIS of Kentucky, Mr. JOHNSON of Illinois, Mr. LAMPSON, Mr. DINGELL, and Mr. OTTER.

H.R. 80: Mr. GOODE.

H.R. 133: Mr. OWENS.

H.R. 148: Mr. MALONEY of Connecticut.

H.R. 168: Mr. BAKER.

H.R. 183: Ms. BERKLEY.

H.R. 218: Mr. LARSEN of Washington.

H.R. 280: Mr. PETERSON of Pennsylvania and Mr. DOOLITTLE.

H.R. 281: Mr. BORSKI.

H.R. 286: Ms. NORTON.

H.R. 287: Mr. LANGEVIN.

H.R. 294: Mr. WAMP.

H.R. 303: Mr. OTTER and Mr. SESSIONS.

H.R. 321: Mr. FILNER, Mr. EVANS, Mr. MCGOVERN, Mr. CONYERS, Ms. WATERS, Mr. BLAGOJEVICH, Ms. LEE, Mr. CUMMINGS, Mr. HOEFFEL, and Ms. SCHAKOWSKY.

H.R. 326: Mr. SCHIFF and Mr. YOUNG of Alaska.

H.R. 331: Mr. MCCRERY, Mr. OTTER, and Mr. WATKINS.

340: Mr. MCNULTY.

348: Mr. DOOLEY of California and Mr. DIAZ-BALART.

H.R. 394: Mr. GILCHREST, Mr. JONES of North Carolina, Mr. BARTON of Texas, Mr. WICKER, Mr. KILDEE, Mr. SMITH of Washington, Mr. HOEFFEL, Mr. OBERSTAR, Mr. FALEOMAVAEGA, Mr. HEFLEY, Mr. SKELTON, Ms. HOOLEY of Oregon, and Mr. TIAHRT.

H.R. 400: Mr. HOSTETTLER, Mr. TIAHRT, and Mr. PICKERING.

H.R. 432: Ms. KILPATRICK.

H.R. 433: Ms. KILPATRICK.

H.R. 439: Mr. HEFLEY.

H.R. 442: Mr. HEFLEY, Mrs. DAVIS of California, Mr. FROST, Mr. BACA, Mrs. JONES of Ohio, Ms. BROWN of Florida, and Mr. FALEOMAVAEGA.

H.R. 448: Mr. PAUL, and Mr. HOLT.

H.R. 458: Mrs. BIGGERT.

H.R. 510: Mr. DEFAZIO and Mr. MCINTYRE.

H.R. 511: Mr. RODRIGUEZ.

H.R. 536: Ms. MILLENDER-MCDONALD, Mr. LATOURETTE, and Mr. LUTHER.

H.R. 537: Ms. MILLENDER-MCDONALD and Mr. RUSH.

H.R. 547: Ms. DELAURO.

H.R. 570: Mr. PASTOR, Mr. SCHIFF, Mr. FILNER, and Mr. CAPUANO.

H.R. 572: Mr. CALVERT, Mr. WATTS of Oklahoma, Mr. DEUTSCH, and Mr. LANGEVIN.

H.R. 580: Mr. MCGOVERN, Mr. RUSH, Ms. MILLENDER-MCDONALD, Mr. KILDEE, and Mr. BENTSEN.

H.R. 582: Mr. WAMP.

H.R. 586: Mr. BEREUTER, Mr. MANZULLO, Mr. FOLEY, Mr. WALDEN of Oregon, and Mr. RYAN of Wisconsin.

H.R. 590: Ms. RIVERS and Mr. ABERCROMBIE.

H.R. 602: Mr. BECERRA and Mr. QUINN.

H.R. 606: Mr. CONDIT and Mr. MATSUI.

H.R. 609: Mr. RODRIGUEZ.

H.R. 611: Mr. POMEROY, Ms. BERKLEY, Mr. FARR of California, Mr. BLUMENAUER, Mr. LARSEN of Washington, and Mr. BEREUTER.

H.R. 612: Mr. ISRAEL and Mr. WEXLER.

H.R. 622: Ms. MILLENDER-MCDONALD, Mr. LAFALCE, Mr. POMEROY, Mr. PHELPS, and Mr. RAMSTAD.

H.R. 633: Mr. BONIOR and Ms. HOOLEY of Oregon.

H.R. 635: Mr. MASCARA, Mr. HOEFFEL, Mr. GEKAS, Mr. PLATTS, Mr. WELDON of Pennsylvania, and Mr. GREENWOOD.

H.R. 638: Mr. WATT of North Carolina.

H.R. 654: Mr. OWENS.

H.R. 663: Mr. PRICE of North Carolina.

H.R. 664: Ms. PRYCE of Ohio, Mr. RAMSTAD, Mr. HASTINGS of Florida, Ms. LEE, Mr. PLATTS, Mr. ORTIZ, and Mr. BRADY of Pennsylvania.

H.R. 668: Mr. GUTKNECHT, Mr. EHLERS, Mr. CROWLEY, Mr. WHITFIELD, Mr. JEFFERSON, Ms. MCKINNEY, Mr. BASS, Mr. GREENWOOD, and Mr. JOHNSON of Illinois.

H.R. 678: Mr. BONIOR and Mr. SMITH of Washington.

H.R. 686: Mr. PALLONE and Mr. MEEKS of New York.

H.R. 701: Mr. HOLT, Mrs. THURMAN, Mr. FOLEY, Ms. DEGETTE, Mr. EVANS, Mr. MCINTYRE, Mr. ENGEL, Mr. ROEMER, Mr. BLAGOJEVICH, Mr. SHERMAN, Mr. TOM DAVIS of Virginia, Mr. GUTIERREZ, Mr. CLEMENT, Mr. LIPINSKI, Mr. DEUTSCH, Mr. ORTIZ, Mr. CLYBURN, Mr. ENGLISH, Mr. INSLEE, and Ms. HART.

H.R. 708: Ms. SLAUGHTER.

H.R. 710: Mr. DOYLE and Mr. HOBSON.

H.R. 716: Ms. BROWN of Florida and Mrs. MALONEY of New York.

H.R. 730: Mr. KILDEE.

H.R. 737: Mr. MASCARA and Mr. KIRK.

H.R. 742: Mr. RAHALL, Mr. BARRETT, and Mr. BLUMENAUER.

H.R. 755: Mr. EVANS, Ms. HOOLEY of Oregon, Mr. SHERMAN, Ms. SCHAKOWSKY, and Mr. DAVIS of Illinois.

H.R. 758: Mr. SANDLIN.

H.R. 778: Mrs. THURMAN and Mr. HOLT.

H.R. 786: Mr. RANGEL and Mrs. JONES of Ohio.

H.R. 814: Mr. OWENS.

H.R. 823: Mr. OWENS.

H.R. 875: Mr. OWENS.

H.R. 876: Mr. BOSWELL, Mr. DIAZ-BALART, Mr. EVANS, Ms. MCKINNEY, Mr. POMEROY, Mr. HINCHEY, Mr. MCNULTY, Mr. BERMAN, Mr. GANSKE, Ms. DELAURO, Ms. DEGETTE, Mr. CAPUANO, Ms. PELOSI, Mr. PALLONE, Mr. FRANK, Mr. SAXTON, Mr. WU, Mr. SNYDER, and Mr. WALSH.

H.R. 879: Mr. STRICKLAND, Mr. FARR of California, and Mr. GORDON.

H.R. 917: Mrs. CLAYTON.

H.R. 921: Ms. MILLENDER-MCDONALD, Mr. BARCIA, Mr. SCHAFFER, Mr. MCINNIS, and Mr. JEFFERSON.

H.R. 936: Mr. FOLEY, Mr. WYNN, Mr. THOMPSON of Mississippi, and Ms. SOLIS.

H.R. 945: Mr. OWENS.

H.R. 948: Mr. PETERSON of Minnesota, Mr. KLECZKA, Mr. DELAHUNT, Ms. MCKINNEY, Ms. MCCOLLUM, Mr. HOLT, Mr. FARR of California, and Mr. BROWN of Ohio.

H.R. 950: Mr. ADERHOLT and Mr. DOOLITTLE.

H.R. 953: Mr. BROWN of Ohio and Mr. BILIRAKIS.

H.R. 954: Ms. SOLIS.

H.R. 972: Ms. MILLENDER-MCDONALD and Mr. ANDREWS. 071

H.R. 981: Mr. GILLMOR and Mr. HEFLEY.
H.R. 1004: Mr. JEFFERSON and Mr. FRANK.
H.R. 1013: Mr. WHITFIELD and Mr. BOSWELL.
H.R. 1020: Mr. LATOURETTE, Mr. DEMINT, Mr. DINGELL, Mr. MCNULTY, Ms. MCKINNEY, Mr. KIRK, Mr. COBLE, Mr. REHBERG, and Mr. BROWN of South Carolina.
H.R. 1048: Mr. FILNER, Mr. EVANS, Mr. MCGOVERN, Mr. CONYERS, Ms. WATERS, Mr. BLAGOJEVICH, Ms. LEE, Mr. CUMMINGS, Mr. HOEFFEL, and Ms. SCHAKOWSKY.
H.R. 1072: Mr. DEAL of Georgia and Mr. TIERNEY.
H.R. 1073: Mr. CONDIT, Mr. WU, Mr. PASCRELL, Mr. REYES, Ms. LOFGREN, Mr. HOEFFEL, Mr. LOBIONDO, and Mr. PLATTS.
H.R. 1076: Mr. LAFALCE, Mr. ROSS, Mr. PALLONE, Mr. MATHESON, and Mr. HOLT.
H.R. 1090: Mr. CUNNINGHAM, Mr. HUTCHINSON, Mr. REYES and Mr. PICKERING.
H.R. 1108: Mr. FILNER and Mr. PASCRELL.
H.R. 1109: Mr. GARY G. MILLER of California, Mr. LINDER, Mrs. CUBIN, Mr. BURR of North Carolina, Mr. PUTNAM, and Mr. GANSKE.
H.R. 1110: Mr. HEFLEY.
H.R. 1143: Ms. SANCHEZ, Mrs. MALONEY of New York, and Mr. SANDLIN.
H.R. 1146: Mr. DUNCAN.
H.R. 1155: Mr. TOM DAVIS of Virginia, Ms. LEE, Mr. ABERCROMBIE, and Mr. COYNE.
H.R. 1170: Mrs. LOWEY and Mr. ACKERMAN.
H.R. 1192: Mr. BRADY of Pennsylvania, Mr. LANGEVIN, Mr. WHITFIELD, Mr. LEACH, and Mr. THOMPSON of California.
H.R. 1199: Mr. GUTKNECHT.
H.R. 1210: Mr. KIND.
H.R. 1232: Ms. MCCOLLUM and Mr. FALEOMAVAEGA.
H.R. 1242: Mr. FRANK.
H.R. 1252: Mr. RANGEL and Mrs. LOWEY.
H.R. 1254: Ms. KAPTUR, Mr. WALSH, and Mr. KILDEE.
H.R. 1266: Mr. HYDE, Mr. LEVIN, Mr. MCGOVERN, and Mr. SMITH of Washington.
H.R. 1271: Mr. ROTHMAN and Mr. BARR of Georgia.
H.R. 1280: Mr. GORDON.
H.R. 1290: Mr. FALEOMAVAEGA.
H.R. 1293: Mr. ROYCE and Mr. STENHOLM.
H.R. 1306: Ms. JACKSON-LEE of Texas.
H.R. 1310: Mr. TIBERI and Mrs. NAPOLITANO.
H.R. 1330: Mr. CONDIT.
H.R. 1340: Mr. KILDEE.
H.R. 1345: Mr. OWENS.
H.R. 1351: Ms. JACKSON-LEE of Texas, Mr. WOLF, Mr. GREEN of Wisconsin, Ms. HART, Ms. BROWN of Florida and Mr. GORDON.
H.R. 1354: Mr. KILDEE, Mr. SMITH of New Jersey, Mr. HORN, and Mr. CROWLEY.
H.R. 1358: Mr. BAIRD.
H.R. 1367: Mr. HOLT, Mr. ABERCROMBIE, and Mr. GREENWOOD.
H.R. 1401: Mr. MCHUGH, Mr. PAUL, Ms. DEGETTE, and Mr. CAPUANO.
H.R. 1406: Mr. MEEKS of New York, Mr. RODRIGUEZ, Mrs. LEE, and Mr. FILNER.
H.R. 1407: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1408: Mr. GILLMOR, Mr. NEY, and Mrs. ROUKEMA.
H.R. 1413: Mr. SAXTON, Mr. CUMMINGS, and Mr. COYNE.
H.R. 1433: Mr. SCHIFF, Ms. SOLIS, and Mr. PASCRELL.
H.R. 1449: Mr. OWENS.
H.R. 1451: Mr. GANSKE.
H.R. 1490: Mr. BOEHLERT, Mr. COLLINS, and Mr. LANGEVIN.
H.R. 1501: Mrs. BIGGERT, Mr. SIMMONS, and Mr. GREEN of Wisconsin.
H.R. 1510: Mr. SOUDER.
H.R. 1520: Mr. SHOWS.
H.R. 1522: Mr. KILDEE.
H.R. 1535: Ms. CARSON of Indiana, Mr. RANGEL, and Ms. MILLENDER-MCDONALD.
H.R. 1536: Mr. FROST, Ms. MILLENDER-MCDONALD, Ms. LOFGREN, Ms. LEE, and Ms. MCKINNEY.
H.R. 1542: Mr. HILLEARY, Mr. BONILLA, Mr. FLETCHER, and Mr. BENTSEN.
H.R. 1556: Mr. MCHUGH, Mr. RAHALL, Mr. BISHOP, and Mr. WALSH.
H.R. 1568: Mr. MCNULTY.
H.R. 1581: Mr. RILEY.
H.R. 1582: Mr. OWENS.
H.R. 1585: Mr. FILNER, Ms. LEE, Mr. BISHOP, and Mr. HILLIARD.
H.R. 1589: Mr. BURR of North Carolina.
H.R. 1594: Ms. SLAUGHTER, Mr. GEORGE MILLER of California, Mr. EVANS, Mr. KUCINICH, Mr. SERRANO, Mr. WAXMAN, and Mr. BONIOR.
H.R. 1597: Mrs. MINK of Hawaii.
H.R. 1599: Mr. OTTER.
H.R. 1601: Mr. SCHAFFER, Mr. SKELTON, and Mr. HILLEARY.
H.R. 1620: Mr. WAXMAN.
H.R. 1622: Mr. KUCINICH and Ms. MCCOLLUM.
H.R. 1624: Mr. PETERSON of Minnesota, Mr. BERRY, Mr. TOWNS, Mr. JEFFERSON, Mr. BISHOP, Mr. LANTOS, Mr. ANDREWS, Mr. KILDEE, Mrs. MORELLA, Mr. SMITH of New Jersey, and Mr. NEY.
H.R. 1630: Mr. TOOMEY.
H.R. 1642: Mr. MCGOVERN, Mr. DOOLEY of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CHRISTENSEN, and Mr. FRANK.
H.R. 1644: Mrs. MYRICK, Mr. TANCREDO, Mr. SHADEGG, Mr. LARGENT, Mr. SOUDER, Mr. PICKERING, Mrs. JO ANN DAVIS of Virginia, Mr. KING, Mr. SHOWS, Mr. KILDEE, and Mr. MCINTYRE.
H.R. 1650: Mr. STARK.
H.R. 1651: Mr. PASCRELL, Mr. MCGOVERN, and Mr. FILNER.
H.R. 1674: Mr. EVANS, Mr. KENNEDY of Rhode Island, Mr. SHADEGG, Ms. DEGETTE, Mr. KILDEE, Mr. GONZALEZ, and Mr. COOKSEY.
H.R. 1688: Mr. GILLMOR, Mr. SOUDER, and Mr. NEY.
H.R. 1690: Mrs. CLAYTON, Ms. MCKINNEY, Mr. THOMPSON of Mississippi, Ms. CARSON of Indiana, and Mr. KILDEE.
H.R. 1711: Mr. MCINNIS.
H.R. 1713: Mr. ACKERMAN, Mr. BLAGOJEVICH, Mr. BECERRA, of Mr. FRANK.
H.R. 1727: Mr. WELLER, Mr. NEAL of Massachusetts, Mr. FOLEY, Mr. MCINNIS, Mr. WATKINS, Mr. LEWIS of Kentucky, Mr. HAYWORTH, Mr. CUNNINGHAM, Mr. STUPAK, Mr. RYAN of Wisconsin, and Mr. SUNUNU.
H.R. 1733: Ms. LEE, Ms. MILLENDER-MCDONALD, and Mr. KILDEE.
H.J. Res. 13: Ms. LEE, Ms. MILLENDER-MCDONALD, and Mr. SMITH of New Jersey.
H.J. Res. 38: Mr. BARR of Georgia.
H.J. Res. 42: Mr. LOBIONDO, Mr. MILLER of Florida, Mr. FILNER, Ms. DELAURO, Mrs. EMERSON, Mr. FOSSELLA, Mrs. THURMAN, and Mr. LANGEVIN.
H. Con. Res. 25: Mr. CRANE, Mr. COX, Ms. SANCHEZ, Mr. ROYCE, and Mr. WEXLER.
H. Con. Res. 56: Mrs. MYRICK and Mr. CANTOR.
H. Con. Res. 60: Ms. LEE, Mr. SANDERS, and Mr. DEFAZIO.
H. Con. Res. 68: Mr. NEY and Mr. AKIN.
H. Con. Res. 89: Mr. WU.
H. Con. Res. 97: Mr. ROYCE.
H. Con. Res. 102: Mr. MORAN of Virginia, Mrs. MORELLA, Mr. PETRI, Mr. PRICE of North Carolina, Mr. BEREUTER, Mr. COSTELLO, Mr. HALL of Ohio, Mr. PETERSON of Minnesota, Mrs. CLAYTON, Mr. FILNER, Mr. ABERCROMBIE, Mr. LANTOS, Mr. MCGOVERN, and Ms. RIVERS.
H. Con. Res. 104: Mr. BAKER, Mr. PASCRELL, and Mr. THOMPSON of Mississippi.
H. Con. Res. 108: Mr. BOEHLERT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HALL of Texas, Mr. MATHESON, Mr. ETHERIDGE, Mr. GUTKNECHT, Mr. JOHNSON of Illinois, Mr. EHLERS, Mr. SMITH of Texas, Mrs. MORELLA, Mr. ROHRABACHER, Ms. JACKSON-LEE of Texas, Mr. HOLT, Ms. RIVERS, Mr. HONDA, Ms. HART, Mr. BACA, Mrs. BIGGERT, Mr. SHAYS, Mr. BARTLETT of Maryland, and Mr. GRUCCI.
H. Con. Res. 115: Mr. SMITH of New Jersey, Mr. BROWN of Ohio, Ms. MCKINNEY, and Mr. BONIOR.
H. Res. 73: Mr. SHERMAN.
H. Res. 97: Mr. KILDEE.
H. Res. 108: Ms. BALDWIN, Ms. HART, Mr. LEVIN, Mrs. NORTHUP, Mr. WELDON of Florida, Mr. BILIRAKIS, and Mr. SCHAFFER.
H. Res. 117: Ms. SANCHEZ, Mr. CROWLEY, and Ms. WATERS.
H. Res. 120: Mr. PASCRELL and Ms. MCKINNEY.
H. Res. 123: Mr. ISTOOK and Mr. KELLER.

¶43.31 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1613: Mr. PASCRELL.

WEDNESDAY, MAY 9, 2001 (44)

The House was called to order by the SPEAKER.

¶44.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, May 8, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared ....
Yeas 335
Nays 70
Answered present 1

¶44.2 [Roll No. 102]

YEAS—335

Akin	Brown (SC)	Davis (IL)
Andrews	Bryant	Davis, Jo Ann
Armey	Burr	Davis, Tom
Baca	Burton	DeGette
Bachus	Buyer	DeLauro
Baker	Callahan	DeMint
Baldacci	Calvert	Deutsch
Baldwin	Camp	Diaz-Balart
Ballenger	Cannon	Doggett
Barcia	Cantor	Dooley
Barr	Capito	Doolittle
Barrett	Capps	Doyle
Bartlett	Cardin	Dreier
Bass	Carson (IN)	Duncan
Becerra	Carson (OK)	Dunn
Bentsen	Castle	Edwards
Bereuter	Chabot	Ehlers
Berkley	Chambliss	Ehrlich
Berman	Clayton	Emerson
Berry	Clement	Engel
Biggert	Clyburn	Eshoo
Bilirakis	Coble	Etheridge
Bishop	Collins	Evans
Blagojevich	Combest	Everett
Blumenauer	Condit	Fattah
Blunt	Cooksey	Ferguson
Boehlert	Cox	Flake
Boehner	Coyne	Fletcher
Bonilla	Cramer	Foley
Bono	Crenshaw	Ford
Boswell	Cummings	Fossella
Boucher	Cunningham	Frank
Boyd	Davis (CA)	Frelinghuysen
Brady (TX)	Davis (FL)	Frost

Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Stearns
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—70

Ackerman
Aderholt
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Clay
Costello
Crowley
Deal
DeFazio
Dicks
Dingell
English
Farr
Filner
Gutknecht
Harman
Hastings (FL)
Hefley
Hilleary
Hilliard
Hinchey
Hooley
Hulshof
Jackson-Lee (TX)
Johnson, E.B.
Jones (OH)
Kennedy (MN)
Kennedy (RI)
Kilpatrick
Kucinich
LaFalce
Langevin
Larsen (WA)
Lee
LoBiondo
McDermott
McGovern
McNulty
Menendez
Miller, George
Moore
Oberstar
Olver
Pallone
Phelps
Pomeroy
Ramstad
Riley
Sabo
Schaffer
Stark
Stenholm
Strickland
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Weller

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—25

Abercrombie
Allen
Baird
Barton
Conyers
Crane
Cubin
Culberson
Delahunt
DeLay
Gephardt
Hall (OH)
Maloney (CT)
McCollum
Moakley
Moran (VA)
Napolitano
Obey
Peterson (MN)
Rivers
Schakowsky
Spratt
Stump
Whitfield
Young (AK)

So the Journal was approved.

¶44.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1796. A letter from the Acting Administrator, FSA, Department of Agriculture, transmitting the Department's final rule—Wool and Mohair Market Loss Assistance Program and Apple Market Loss Assistance Program (RIN: 0560–AG35) received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1797. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Brucellosis in Cattle; State and Area Classifications; Oklahoma [Docket No. 01–016–1] received April 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1798. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Plant Protection Act; Revisions to Authority Citations [Docket No. 00–063–2] received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1799. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Energy Conservation Program for Consumer Products; Central Air Conditioners and Heat Pumps Energy Conservation Standards [Docket No. EE–RM–98–440] (RIN: 1904–AA77) received April 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1800. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human, transmitting the Department's final rule—Revision to Requirements for Licensed Anti-Human Globulin and Blood Grouping Reagents; Confirmation of Effective Date [Docket No. 00N–1586] received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1801. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Illinois [IL197–1a; FRL–6970–6] received April 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1802. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Rhode Island; Plan for Controlling Emissions From Existing Hospital/Medical/Infectious Waste Incinerators [Docket No. RI040–7167a; FRL–6971–1] received April 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1803. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New York; Motor Vehicle Inspection and Maintenance Program [Region II Docket No. 45–216; FRL–6924–3] received April 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1804. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Butte County Air Quality Management District [CA 153–0195a; FRL–6958–1] received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1805. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona State Implementation Plan, Pinal-Gila Counties Air Quality Control District and Pinal County Air Quality Control District [AZ 099–0032a; FRL–6967–8] received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1806. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.606(b), Table of Allotments, Television Broadcast Stations (New Iberia, Louisiana) [MM Docket No. 01–2; RM–10036] received April 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1807. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Kankakee and Park Forest, Illinois) [MM Docket No. 99–330; RM–9677] received April 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1808. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Monticello, Arkansas and Bastrop, Louisiana) [MM Docket No. 99–141; RM–9339] received April 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1809. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Jacksonville, North Carolina) [MM Docket No. 01–3; RM–10010] received April 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1810. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–48, ''Prevention of Unauthorized Switching of Customer Natural Gas Accounts Temporary Act of 2001'' received May 9, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1811. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–46, ''Dedication and Designation of Tremont Street, S.E., Act of 2001'' received May 9, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1812. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–49, ''Arena Fee Rate Adjustment and Elimination Temporary Act of 2001'' received May 9, 2001, pursuant to D.C.

Code section 1—233(c)(1); to the Committee on Government Reform.

1813. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–47, ''Approval of the Extension of the Term of Comcast Cablevision of the District, LLC's Franchise Temporary Act of 2001'' received May 9, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1814. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–54, ''Moratorium on the Construction of Certain Telecommunications Towers Temporary Act of 2001'' received May 9, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1815. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–45, ''Closing of Public Alleys in Square 697, S.O. 98–270, Act of 2001'' received May 9, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1816. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–50, ''Master Facility Plan Requirement Temporary Amendment Act of 2001'' received May 9, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1817. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–52, ''Brownfield Revitalization Temporary Amendment Act of 2001'' received May 9, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1818. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1819. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1820. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1821. A letter from the Executive Resources and Special Programs Division, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1822. A letter from the Chairman, National Labor Relations Board, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1823. A letter from the Executive Services Staff, Social Security Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1824. A letter from the Congressional Liaison, U.S. Trade and Development Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1825. A letter from the the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2001, through March 31, 2001 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 107—67); to the Committee on House Administration and ordered to be printed.

1826. A letter from the Deputy Assistant Secretary, Indian Affairs, Department of the Interior, transmitting the Department's final rule—Law and Order on Indian Reservations (RIN: 1076–AE15) received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1827. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 042601A] received May 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1828. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Pelagic Longline Fishery; Sea Turtle Protection; Shark Drift Gillnet Fishery [Docket No. 010319072–1072–01; I.D. 110600A] (RIN: 0648–A076) received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1829. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Model 750 Airplanes [Docket No. 2000–NM–63–AD; Amendment 39–12169; AD 2001–07–04] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1830. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes Powered by General Electric or Pratt & Whitney Engines [Docket No. 2000–NM–157–AD; Amendment 39–12170; AD 2001–07–05] (RIN: 2120–AA64) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1831. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes [Docket No. 2000–NM–178–AD; Amendment 39–12171; AD 2001–07–06] (RIN: 2120–AA64) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1832. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, –700, –800, and –700C Series Airplanes [Docket No. 2001–NM–48–AD; Amendment 39–12186; AD 2001–08–09] (RIN: 2120–AA64) received May 03, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1833. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes Equipped With Pratt & Whitney Model PW4400 Series Engines [Docket No. 2001–NM–43–AD; Amendment 39–12173; AD 2001–07–08] (RIN: 2120–AA64) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1834. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Bassett, NE; Correction [Airspace Docket No. 00–ACE–39] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1835. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Molokai, HI [Airspace Docket No. 00–AWP–12] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1836. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Safety Incentive Grants for Use of Seat Belts-Allocations Based on State Seat Belt Use Rates [Docket No. NHTSA–98–4494] (RIN: 2127–AH38) received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1837. A letter from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting the Department's final rule—Licenses for Certain Worsted Wool Fabrics Subject to Tariff-Rate Quota [T.D. 01–35] (RIN: 1515–AC83) received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1838. A letter from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting the Department's final rule—Rules of Origin for Textile and Apparel Products [T.D. 01–36] (RIN: 1515–AC80) received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1839. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definitions Relating to Corporate Reorganizations [Rev. Rul. 2001–24] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1840. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definitions Relating to Corporate Reorganizations [Rev. Rul. 2001–25] received May 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1841. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Rev. Rul. 2001–29] received April 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1842. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out, Inventories [Rev. Rul. 2001–23] received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1843. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Rev. Rul. 2001–32] received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1844. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Credit—received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶44.4 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H. CON. RES. 83

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 136):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011. All points of order against the conference report

and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to final adoption without intervening motion except one hour of debate equally divided and controlled by chairman and ranking minority member of the Committee on the Budget.

When said resolution was considered.

After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 218 / Nays ..... 208 }

¶44.5 [Roll No. 103]

YEAS—218

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

NAYS—208

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

NOT VOTING—5

Cubin
Pomeroy
Rivers
Stump
Weldon (PA)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶44.6 CONGRESSIONAL BUDGET FY 2002

Mr. NUSSLE, pursuant to House Resolution 136, called up the following conference report (Rept. No. 107–60):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 83), establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2002.

(a) DECLARATION.—Congress determines and declares that the concurrent resolution on the budget for fiscal year 2001 is revised and replaced and that this resolution is the concurrent resolution on the budget for fiscal year 2002 including the appropriate budgetary levels for fiscal years 2003 through 2011 as authorized by section 301 of the Congressional Budget Act of 1974 (2 U.S.C. 632).

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2002.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Major functional categories.
Sec. 103. Reconciliation in the Senate.
Sec. 104. Reconciliation in the House.

TITLE II—BUDGET ENFORCEMENT AND RULEMAKING

Subtitle A—Budget Enforcement

Sec. 201. Restrictions on advance appropriations in the House.
Sec. 202. Restrictions on advance appropriations in the Senate.
Sec. 203. Mechanism for implementing increase of fiscal year 2002 discretionary spending limits.
Sec. 204. Compliance with section 13301 of the Budget Enforcement Act of 1990.

Subtitle B—Reserve Funds

Sec. 211. Reserve fund for Medicare.
Sec. 212. Reserve fund for Family Opportunity Act.
Sec. 213. Reserve fund for agriculture.
Sec. 214. Reserve fund for additional tax cuts and debt reduction.
Sec. 215. Technical reserve fund for student loans.
Sec. 216. Reserve fund for health insurance for the uninsured.
Sec. 217. Reserve fund for defense in the Senate.
Sec. 218. Strategic reserve fund in the House.

Subtitle C—Miscellaneous Provisions

Sec. 221. Application and effect of changes in allocations and aggregates.
Sec. 222. Exercise of rulemaking powers.

TITLE III—SENSE OF THE SENATE AND CONGRESS PROVISIONS

Subtitle A—Sense of the Senate

Sec. 301. Sense of the Senate on conservation.
Sec. 302. Sense of the Senate on aids and other infectious diseases.
Sec. 303. Sense of the Senate on consolidated health centers.

Sec. 304. Funding for Department of Justice programs for State and local law enforcement assistance.
Sec. 305. Sense of the Senate regarding United States Coast Guard fiscal year 2002 funding.
Sec. 306. Strengthening our national food safety infrastructure.
Sec. 307. Sense of the Senate with respect to increasing funds for renewable energy research and development.
Sec. 308. Sense of the Senate with respect to increased education funding.

Subtitle B—Sense of the Congress

Sec. 311. Asset building for the working poor.
Sec. 312. Federal fire prevention assistance.
Sec. 313. Funding for graduate medical education at children's teaching hospitals.
Sec. 314. Concurrent retirement and disability benefits to retired members of the Armed Forces.
Sec. 315. Federal employee pay.
Sec. 316. Sales tax deduction.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 2001 through 2011:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2001: $1,630,462,000,000.
Fiscal year 2002: $1,638,202,000,000.
Fiscal year 2003: $1,706,044,000,000.
Fiscal year 2004: $1,780,310,000,000.
Fiscal year 2005: $1,852,646,000,000.
Fiscal year 2006: $1,901,304,000,000.
Fiscal year 2007: $1,994,674,000,000.
Fiscal year 2008: $2,089,726,000,000.
Fiscal year 2009: $2,193,954,000,000.
Fiscal year 2010: $2,318,055,000,000.
Fiscal year 2011: $2,436,550,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2001: $0.
Fiscal year 2002: −$65,286,000,000.
Fiscal year 2003: −$76,067,000,000.
Fiscal year 2004: −$84,025,000,000.
Fiscal year 2005: −$97,124,000,000.
Fiscal year 2006: −$138,279,000,000.
Fiscal year 2007: −$141,081,000,000.
Fiscal year 2008: −$153,084,000,000.
Fiscal year 2009: −$166,162,000,000.
Fiscal year 2010: −$171,247,000,000.
Fiscal year 2011: −$191,343,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2001: $1,653,681,000,000.
Fiscal year 2002: $1,510,948,000,000.
Fiscal year 2003: $1,668,530,000,000.
Fiscal year 2004: $1,733,617,000,000.
Fiscal year 2005: $1,814,079,000,000.
Fiscal year 2006: $1,866,139,000,000.
Fiscal year 2007: $1,945,112,000,000.
Fiscal year 2008: $2,025,075,000,000.
Fiscal year 2009: $2,102,398,000,000.
Fiscal year 2010: $2,186,341,000,000.
Fiscal year 2011: $2,277,143,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2001: $1,600,529,000,000.
Fiscal year 2002: $1,476,841,000,000.
Fiscal year 2003: $1,641,515,000,000.
Fiscal year 2004: $1,709,251,000,000.
Fiscal year 2005: $1,790,389,000,000.
Fiscal year 2006: $1,837,846,000,000.
Fiscal year 2007: $1,912,602,000,000.
Fiscal year 2008: $1,994,838,000,000.
Fiscal year 2009: $2,071,497,000,000.
Fiscal year 2010: $2,154,203,000,000.
Fiscal year 2011: $2,243,394,000,000.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2001: $29,933,000,000.
Fiscal year 2002: $161,361,000,000.
Fiscal year 2003: $64,529,000,000.
Fiscal year 2004: $71,059,000,000.
Fiscal year 2005: $62,257,000,000.
Fiscal year 2006: $63,458,000,000.
Fiscal year 2007: $82,072,000,000.
Fiscal year 2008: $94,888,000,000.
Fiscal year 2009: $122,457,000,000.
Fiscal year 2010: $163,852,000,000.
Fiscal year 2011: $193,156,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2001: $5,660,699,000,000.
Fiscal year 2002: $5,603,812,000,000.
Fiscal year 2003: $5,654,952,000,000.
Fiscal year 2004: $5,700,089,000,000.
Fiscal year 2005: $5,751,561,000,000.
Fiscal year 2006: $5,803,295,000,000.
Fiscal year 2007: $5,832,676,000,000.
Fiscal year 2008: $5,847,714,000,000.
Fiscal year 2009: $5,988,315,000,000.
Fiscal year 2010: $6,343,661,000,000.
Fiscal year 2011: $6,720,963,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of the debt held by the public are as follows:

Fiscal year 2001: $3,243,211,000,000.
Fiscal year 2002: $2,924,234,000,000.
Fiscal year 2003: $2,691,176,000,000.
Fiscal year 2004: $2,437,771,000,000.
Fiscal year 2005: $2,170,550,000,000.
Fiscal year 2006: $1,882,764,000,000.
Fiscal year 2007: $1,555,637,000,000.
Fiscal year 2008: $1,194,633,000,000.
Fiscal year 2009: $939,000,000,000.
Fiscal year 2010: $878,000,000,000.
Fiscal year 2011: $818,000,000,000.

(7) SOCIAL SECURITY.—

(A) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under section 311 of the Congressional Budget Act of 1974 (2 U.S.C. 642), the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2001: $504,109,000,000.
Fiscal year 2002: $532,308,000,000.
Fiscal year 2003: $560,938,000,000.
Fiscal year 2004: $588,674,000,000.
Fiscal year 2005: $620,060,000,000.
Fiscal year 2006: $649,221,000,000.
Fiscal year 2007: $679,935,000,000.
Fiscal year 2008: $712,454,000,000.
Fiscal year 2009: $746,439,000,000.
Fiscal year 2010: $782,029,000,000.
Fiscal year 2011: $819,185,000,000.

(B) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under section 311 of the Congressional Budget Act of 1974 (2 U.S.C. 642), the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2001: $343,562,000,000.
Fiscal year 2002: $356,646,000,000.
Fiscal year 2003: $369,521,000,000.
Fiscal year 2004: $382,488,000,000.
Fiscal year 2005: $394,844,000,000.
Fiscal year 2006: $407,020,000,000.
Fiscal year 2007: $419,285,000,000.
Fiscal year 2008: $432,293,000,000.
Fiscal year 2009: $448,317,000,000.
Fiscal year 2010: $465,780,000,000.
Fiscal year 2011: $483,963,000,000.

(C) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2001:
(A) New budget authority, $3,431,000,000.
(B) Outlays, $3,371,000,000.
Fiscal year 2002:
(A) New budget authority, $3,579,000,000.
(B) Outlays, $3,525,000,000.
Fiscal year 2003:
(A) New budget authority, $3,695,000,000.
(B) Outlays, $3,655,000,000.
Fiscal year 2004:
(A) New budget authority, $3,819,000,000.
(B) Outlays, $3,763,000,000.
Fiscal year 2005:
(A) New budget authority, $3,939,000,000.
(B) Outlays, $3,881,000,000.
Fiscal year 2006:
(A) New budget authority, $4,064,000,000.
(B) Outlays, $4,004,000,000.
Fiscal year 2007:
(A) New budget authority, $4,194,000,000.
(B) Outlays, $4,132,000,000.
Fiscal year 2008:
(A) New budget authority, $4,331,000,000.
(B) Outlays, $4,267,000,000.
Fiscal year 2009:
(A) New budget authority, $4,471,000,000.
(B) Outlays, $4,405,000,000.
Fiscal year 2010:
(A) New budget authority, $4,619,000,000.
(B) Outlays, $4,551,000,000.
Fiscal year 2011:
(A) New budget authority, $4,773,000,000.
(B) Outlays, $4,702,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 2002 through 2011 for each major functional category are:

(1) National Defense (050):
Fiscal year 2001:
(A) New budget authority, $316,873,000,000.
(B) Outlays, $302,371,000,000.
Fiscal year 2002:
(A) New budget authority, $324,832,000,000.
(B) Outlays, $319,137,000,000.
Fiscal year 2003:
(A) New budget authority, $333,646,000,000.
(B) Outlays, $326,643,000,000.
Fiscal year 2004:
(A) New budget authority, $342,294,000,000.
(B) Outlays, $335,184,000,000.
Fiscal year 2005:
(A) New budget authority, $350,876,000,000.
(B) Outlays, $347,073,000,000.
Fiscal year 2006:
(A) New budget authority, $359,807,000,000.
(B) Outlays, $353,482,000,000.
Fiscal year 2007:
(A) New budget authority, $369,023,000,000.
(B) Outlays, $359,774,000,000.
Fiscal year 2008:
(A) New budget authority, $378,505,000,000.
(B) Outlays, $372,416,000,000.
Fiscal year 2009:
(A) New budget authority, $388,323,000,000.
(B) Outlays, $382,242,000,000.
Fiscal year 2010:
(A) New budget authority, $398,338,000,000.
(B) Outlays, $392,227,000,000.
Fiscal year 2011:
(A) New budget authority, $408,821,000,000.
(B) Outlays, $402,579,000,000.
(2) International Affairs (150):
Fiscal year 2001:
(A) New budget authority, $22,424,000,000.
(B) Outlays, $19,670,000,000.
Fiscal year 2002:
(A) New budget authority, $23,214,000,000.
(B) Outlays, $19,082,000,000.
Fiscal year 2003:
(A) New budget authority, $23,750,000,000.
(B) Outlays, $19,554,000,000.
Fiscal year 2004:
(A) New budget authority, $24,214,000,000.
(B) Outlays, $20,164,000,000.
Fiscal year 2005:
(A) New budget authority, $24,911,000,000.
(B) Outlays, $20,431,000,000.
Fiscal year 2006:
(A) New budget authority, $25,504,000,000.

(B) Outlays, $20,900,000,000.
Fiscal year 2007:
(A) New budget authority, $26,107,000,000.
(B) Outlays, $21,494,000,000.
Fiscal year 2008:
(A) New budget authority, $26,482,000,000.
(B) Outlays, $22,031,000,000.
Fiscal year 2009:
(A) New budget authority, $26,937,000,000.
(B) Outlays, $22,650,000,000.
Fiscal year 2010:
(A) New budget authority, $27,458,000,000.
(B) Outlays, $23,235,000,000.
Fiscal year 2011:
(A) New budget authority, $28,065,000,000.
(B) Outlays, $23,766,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2001:
(A) New budget authority, $21,043,000,000.
(B) Outlays, $19,612,000,000.
Fiscal year 2002:
(A) New budget authority, $21,583,000,000.
(B) Outlays, $20,725,000,000.
Fiscal year 2003:
(A) New budget authority, $22,055,000,000.
(B) Outlays, $21,361,000,000.
Fiscal year 2004:
(A) New budget authority, $22,379,000,000.
(B) Outlays, $21,945,000,000.
Fiscal year 2005:
(A) New budget authority, $22,839,000,000.
(B) Outlays, $22,429,000,000.
Fiscal year 2006:
(A) New budget authority, $23,323,000,000.
(B) Outlays, $22,847,000,000.
Fiscal year 2007:
(A) New budget authority, $23,812,000,000.
(B) Outlays, $23,280,000,000.
Fiscal year 2008:
(A) New budget authority, $24,303,000,000.
(B) Outlays, $23,743,000,000.
Fiscal year 2009:
(A) New budget authority, $24,816,000,000.
(B) Outlays, $24,239,000,000.
Fiscal year 2010:
(A) New budget authority, $25,335,000,000.
(B) Outlays, $24,749,000,000.
Fiscal year 2011:
(A) New budget authority, $25,879,000,000
(B) Outlays, $25,274,000,000.
(4) Energy (270):
Fiscal year 2001:
(A) New budget authority, $1,225,000,000.
(B) Outlays, −$115,000,000.
Fiscal year 2002:
(A) New budget authority, $1,360,000,000.
(B) Outlays, −$19,000,000.
Fiscal year 2003:
(A) New budget authority, $1,328,000,000.
(B) Outlays, −$72,000,000.
Fiscal year 2004:
(A) New budget authority, $1,309,000,000.
(B) Outlays, −$120,000,000.
Fiscal year 2005:
(A) New budget authority, $1,254,000,000.
(B) Outlays, −$91,000,000.
Fiscal year 2006:
(A) New budget authority, $1,336,000,000.
(B) Outlays, −$3,000,000.
Fiscal year 2007:
(A) New budget authority, $1,411,000,000.
(B) Outlays, $71,000,000.
Fiscal year 2008:
(A) New budget authority, $1,882,000,000.
(B) Outlays, $440,000,000.
Fiscal year 2009:
(A) New budget authority, $1,998,000,000.
(B) Outlays, $579,000,000.
Fiscal year 2010:
(A) New budget authority, $2,021,000,000.
(B) Outlays, $703,000,000.
Fiscal year 2011:
(A) New budget authority, $1,990,000,000.
(B) Outlays, $691,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2001:
(A) New budget authority, $28,833,000,000.
(B) Outlays, $26,361,000,000.
Fiscal year 2002:
(A) New budget authority, $30,381,000,000.
(B) Outlays, $28,652,000,000.
Fiscal year 2003:
(A) New budget authority, $31,263,000,000.
(B) Outlays, $30,368,000,000.
Fiscal year 2004:
(A) New budget authority, $32,249,000,000.
(B) Outlays, $31,506,000,000.
Fiscal year 2005:
(A) New budget authority, $33,091,000,000.
(B) Outlays, $32,365,000,000.
Fiscal year 2006:
(A) New budget authority, $33,965,000,000.
(B) Outlays, $33,281,000,000.
Fiscal year 2007:
(A) New budget authority, $34,767,000,000.
(B) Outlays, $34,126,000,000.
Fiscal year 2008:
(A) New budget authority, $35,691,000,000.
(B) Outlays, $34,903,000,000.
Fiscal year 2009:
(A) New budget authority, $37,064,000,000.
(B) Outlays, $36,194,000,000.
Fiscal year 2010:
(A) New budget authority, $38,111,000,000.
(B) Outlays, $37,190,000,000.
Fiscal year 2011:
(A) New budget authority, $39,137,000,000.
(B) Outlays, $38,190,000,000.
(6) Agriculture (350):
Fiscal year 2001:
(A) New budget authority, $31,790,000,000.
(B) Outlays, $29,154,000,000.
Fiscal year 2002:
(A) New budget authority, $26,265,000,000.
(B) Outlays, $24,593,000,000.
Fiscal year 2003:
(A) New budget authority, $26,507,000,000.
(B) Outlays, $24,924,000,000.
Fiscal year 2004:
(A) New budget authority, $26,562,000,000.
(B) Outlays, $25,120,000,000.
Fiscal year 2005:
(A) New budget authority, $26,406,000,000.
(B) Outlays, $24,915,000,000.
Fiscal year 2006:
(A) New budget authority, $25,452,000,000.
(B) Outlays, $23,853,000,000.
Fiscal year 2007:
(A) New budget authority, $24,083,000,000.
(B) Outlays, $22,509,000,000.
Fiscal year 2008:
(A) New budget authority, $22,723,000,000.
(B) Outlays, $21,134,000,000.
Fiscal year 2009:
(A) New budget authority, $21,921,000,000.
(B) Outlays, $20,441,000,000.
Fiscal year 2010:
(A) New budget authority, $21,553,000,000.
(B) Outlays, $20,174,000,000.
Fiscal year 2011:
(A) New budget authority, $21,703,000,000.
(B) Outlays, $20,319,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2001:
(A) New budget authority, $2,516,000,000.
(B) Outlays, −$771,000,000.
Fiscal year 2002:
(A) New budget authority, $10,174,000,000.
(B) Outlays, $6,587,000,000.
Fiscal year 2003:
(A) New budget authority, $11,394,000,000.
(B) Outlays, $5,952,000,000.
Fiscal year 2004:
(A) New budget authority, $16,042,000,000.
(B) Outlays, $11,733,000,000.
Fiscal year 2005:
(A) New budget authority, $16,163,000,000.
(B) Outlays, $12,387,000,000.
Fiscal year 2006:
(A) New budget authority, $16,138,000,000.
(B) Outlays, $11,790,000,000.
Fiscal year 2007:
(A) New budget authority, $16,245,000,000.
(B) Outlays, $12,061,000,000.
Fiscal year 2008:
(A) New budget authority, $16,404,000,000.
(B) Outlays, $11,894,000,000.
Fiscal year 2009:
(A) New budget authority, $16,479,000,000.
(B) Outlays, $11,934,000,000.
Fiscal year 2010:
(A) New budget authority, $16,597,000,000.
(B) Outlays, $11,889,000,000.
Fiscal year 2011:
(A) New budget authority, $16,714,000,000.
(B) Outlays, $11,915,000,000.
(8) Transportation (400):
Fiscal year 2001:
(A) New budget authority, $62,130,000,000.
(B) Outlays, $51,681,000,000.
Fiscal year 2002:
(A) New budget authority, $64,965,000,000.
(B) Outlays, $56,167,000,000.
Fiscal year 2003:
(A) New budget authority, $62,392,000,000.
(B) Outlays, $60,521,000,000.
Fiscal year 2004:
(A) New budget authority, $64,154,000,000.
(B) Outlays, $62,662,000,000.
Fiscal year 2005:
(A) New budget authority, $65,907,000,000.
(B) Outlays, $64,225,000,000.
Fiscal year 2006:
(A) New budget authority, $67,794,000,000.
(B) Outlays, $65,702,000,000.
Fiscal year 2007:
(A) New budget authority, $69,637,000,000.
(B) Outlays, $66,577,000,000.
Fiscal year 2008:
(A) New budget authority, $71,490,000,000.
(B) Outlays, $67,775,000,000.
Fiscal year 2009:
(A) New budget authority, $73,377,000,000.
(B) Outlays, $69,221,000,000.
Fiscal year 2010:
(A) New budget authority, $76,412,000,000.
(B) Outlays, $70,588,000,000.
Fiscal year 2011:
(A) New budget authority, $78,652,000,000.
(B) Outlays, $72,183,000,000.
(9) Community and Regional Development (450):
Fiscal year 2001:
(A) New budget authority, $11,225,000,000.
(B) Outlays, $11,366,000,000.
Fiscal year 2002:
(A) New budget authority, $11,892,000,000.
(B) Outlays, $11,730,000,000.
Fiscal year 2003:
(A) New budget authority, $12,067,000,000.
(B) Outlays, $11,731,000,000.
Fiscal year 2004:
(A) New budget authority, $12,350,000,000.
(B) Outlays, $11,967,000,000.
Fiscal year 2005:
(A) New budget authority, $12,664,000,000.
(B) Outlays, $11,913,000,000.
Fiscal year 2006:
(A) New budget authority, $12,933,000,000.
(B) Outlays, $11,936,000,000.
Fiscal year 2007:
(A) New budget authority, $13,198,000,000.
(B) Outlays, $12,181,000,000.
Fiscal year 2008:
(A) New budget authority, $13,476,000,000.
(B) Outlays, $12,444,000,000.
Fiscal year 2009:
(A) New budget authority, $13,759,000,000.
(B) Outlays, $12,696,000,000.
Fiscal year 2010:
(A) New budget authority, $14,048,000,000.
(B) Outlays, $12,962,000,000.
Fiscal year 2011:
(A) New budget authority, $14,340,000,000.
(B) Outlays, $13,233,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2001:
(A) New budget authority, $76,951,000,000.
(B) Outlays, $69,850,000,000.
Fiscal year 2002:
(A) New budget authority, $81,234,000,000.
(B) Outlays, $76,742,000,000.
Fiscal year 2003:
(A) New budget authority, $82,805,000,000.
(B) Outlays, $81,479,000,000.

Fiscal year 2004:
(A) New budget authority, $84,386,000,000.
(B) Outlays, $83,574,000,000.
Fiscal year 2005:
(A) New budget authority, $87,122,000.000.
(B) Outlays, $85,819,000,000.
Fiscal year 2006:
(A) New budget authority, $89,233,000,000.
(B) Outlays, $87,924,000,000.
Fiscal year 2007:
(A) New budget authority, $91,327,000,000.
(B) Outlays, $89,955,000,000.
Fiscal year 2008:
(A) New budget authority, $93,501,000,000.
(B) Outlays, $92,115,000,000.
Fiscal year 2009:
(A) New budget authority, $95,780,000,000.
(B) Outlays, $94,341,000,000.
Fiscal year 2010:
(A) New budget authority, $98,113,000,000.
(B) Outlays, $96,654,000,000.
Fiscal year 2011:
(A) New budget authority, $100,517,000,000.
(B) Outlays, $99,017,000,000.
(11) Health (550):
Fiscal year 2001:
(A) New budget authority, $180,104,000,000.
(B) Outlays, $173,012,000,000.
Fiscal year 2002:
(A) New budget authority, $198,775,000,000.
(B) Outlays, $196,668,000,000.
Fiscal year 2003:
(A) New budget authority, $221,150,000,000.
(B) Outlays, $219,770,000,000.
Fiscal year 2004:
(A) New budget authority, $235,474,000,000.
(B) Outlays, $234,672,000,000.
Fiscal year 2005:
(A) New budget authority, $242,661,000,000.
(B) Outlays, $241,084,000,000.
Fiscal year 2006:
(A) New budget authority, $259,125,000,000.
(B) Outlays, $257,594,000,000.
Fiscal year 2007:
(A) New budget authority, $278,882,000,000.
(B) Outlays, $276,575,000,000.
Fiscal year 2008:
(A) New budget authority, $299,116,000,000.
(B) Outlays, $297,091,000,000.
Fiscal year 2009:
(A) New budget authority, $320,791,000,000.
(B) Outlays, $319,017,000,000.
Fiscal year 2010:
(A) New budget authority, $345,380,000,000.
(B) Outlays, $343,729,000,000.
Fiscal year 2011:
(A) New budget authority, $372,407,000,000.
(B) Outlays, $370,945,000,000.
(12) Medicare (570):
Fiscal year 2001:
(A) New budget authority, $217,531,000,000.
(B) Outlays, $217,708,000,000.
Fiscal year 2002:
(A) New budget authority, $229,179,000,000.
(B) Outlays, $229,121,000,000.
Fiscal year 2003:
(A) New budget authority, $244,838,000,000.
(B) Outlays, $244,596,000,000.
Fiscal year 2004:
(A) New budget authority, $271,378,000,000.
(B) Outlays, $271,579,000,000.
Fiscal year 2005:
(A) New budget authority, $306,158,000,000.
(B) Outlays, $306,079,000,000.
Fiscal year 2006:
(A) New budget authority, $326,564,000,000.
(B) Outlays, $326,298,000,000.
Fiscal year 2007:
(A) New budget authority, $363,686,000,000.
(B) Outlays, $363,901,000,000.
Fiscal year 2008:
(A) New budget authority, $393,686,000,000.
(B) Outlays, $393,578,000,000.
Fiscal year 2009:
(A) New budget authority, $424,278,000,000.
(B) Outlays, $423,993,000,000.
Fiscal year 2010:
(A) New budget authority, $458,957,000,000.
(B) Outlays, $459,194,000,000.
Fiscal year 2011:
(A) New budget authority, $497,379,000,000.
(B) Outlays, $497,366,000,000.
(13) Income Security (600):
Fiscal year 2001:
(A) New budget authority, $255,942,000,000.
(B) Outlays, $256,932,000,000.
Fiscal year 2002:
(A) New budget authority, $273,840,000,000.
(B) Outlays, $272,122,000,000.
Fiscal year 2003:
(A) New budget authority, $283,864,000,000.
(B) Outlays, $282,611,000,000.
Fiscal year 2004:
(A) New budget authority, $295,030,000,000.
(B) Outlays, $293,420,000,000.
Fiscal year 2005:
(A) New budget authority, $309,192,000,000.
(B) Outlays, $307,667,000,000.
Fiscal year 2006:
(A) New budget authority, $316,761,000,000.
(B) Outlays, $315,312,000,000.
Fiscal year 2007:
(A) New budget authority, $324,056,000,000.
(B) Outlays, $322,627,000,000.
Fiscal year 2008:
(A) New budget authority, $338,278,000,000.
(B) Outlays, $336,950,000,000.
Fiscal year 2009:
(A) New budget authority, $349,561,000,000.
(B) Outlays, $347,987,000,000.
Fiscal year 2010:
(A) New budget authority, $360,308,000,000.
(B) Outlays, $358,600,000,000.
Fiscal year 2011:
(A) New budget authority, $371,593,000,000.
(B) Outlays, $369,419,000,000.
(14) Social Security (650):
Fiscal year 2001:
(A) New budget authority, $9,805,000,000.
(B) Outlays, $9,805,000,000.
Fiscal year 2002:
(A) New budget authority, $11,004,000,000.
(B) Outlays, $11,003,000,000.
Fiscal year 2003:
(A) New budget authority, $11,733,000,000.
(B) Outlays, $11,733,000,000.
Fiscal year 2004:
(A) New budget authority, $12,496,000,000.
(B) Outlays, $12,496,000,000.
Fiscal year 2005:
(A) New budget authority, $13,308,000,000.
(B) Outlays, $13,308,000,000.
Fiscal year 2006:
(A) New budget authority, $14,207,000,000.
(B) Outlays, $14,207,000,000.
Fiscal year 2007:
(A) New budget authority, $15,168,000,000.
(B) Outlays, $15,168,000,000.
Fiscal year 2008:
(A) New budget authority, $16,241,000,000.
(B) Outlays, $16,241,000,000.
Fiscal year 2009:
(A) New budget authority, $17,483,000,000.
(B) Outlays, $17,483,000,000.
Fiscal year 2010:
(A) New budget authority, $18,878,000,000.
(B) Outlays, $18,878,000,000.
Fiscal year 2011:
(A) New budget authority, $20,388,000,000.
(B) Outlays, $20,388,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2001:
(A) New budget authority, $46,675,000,000.
(B) Outlays, $45,926,000,000.
Fiscal year 2002:
(A) New budget authority, $51,512,000,000.
(B) Outlays, $50,921,000,000.
Fiscal year 2003:
(A) New budget authority, $53,801,000,000.
(B) Outlays, $53,408,000,000.
Fiscal year 2004:
(A) New budget authority, $56,161,000,000.
(B) Outlays, $55,744,000,000.
Fiscal year 2005:
(A) New budget authority, $60,317,000,000.
(B) Outlays, $59,847,000,000.
Fiscal year 2006:
(A) New budget authority, $59,863,000,000.
(B) Outlays, $59,368,000,000.
Fiscal year 2007:
(A) New budget authority, $59,345,000,000.
(B) Outlays, $58,853,000,000.
Fiscal year 2008:
(A) New budget authority, $63,407,000,000.
(B) Outlays, $62,971,000,000.
Fiscal year 2009:
(A) New budget authority, $64,981,000,000.
(B) Outlays, $64,570,000,000.
Fiscal year 2010:
(A) New budget authority, $66,973,000,000.
(B) Outlays, $66,555,000,000.
Fiscal year 2011:
(A) New budget authority, $69,063,000,000.
(B) Outlays, $68,632,000,000.
(16) Administration of Justice (750):
Fiscal year 2001:
(A) New budget authority, $30,577,000,000.
(B) Outlays, $30,003,000,000.
Fiscal year 2002:
(A) New budget authority, $32,431,000,000.
(B) Outlays, $31,436,000,000.
Fiscal year 2003:
(A) New budget authority, $32,545,000,000.
(B) Outlays, $32,809,000,000.
Fiscal year 2004:
(A) New budget authority, $35,330,000,000.
(B) Outlays, $35,543,000,000.
Fiscal year 2005:
(A) New budget authority, $36,420,000,000.
(B) Outlays, $36,347,000,000.
Fiscal year 2006:
(A) New budget authority, $37,466,000,000.
(B) Outlays, $37,036,000,000.
Fiscal year 2007:
(A) New budget authority, $38,543,000,000.
(B) Outlays, $38,013,000,000.
Fiscal year 2008:
(A) New budget authority, $39,665,000,000.
(B) Outlays, $39,152,000,000.
Fiscal year 2009:
(A) New budget authority, $40,822,000,000.
(B) Outlays, $40,292,000,000.
Fiscal year 2010:
(A) New budget authority, $42,021,000,000.
(B) Outlays, $41,483,000,000.
Fiscal year 2011:
(A) New budget authority, $43,284,000,000.
(B) Outlays, $42,728,000,000.
(17) General Government (800):
Fiscal year 2001:
(A) New budget authority, $16,307,000,000.
(B) Outlays, $16,065,000,000.
Fiscal year 2002:
(A) New budget authority, $16,496,000,000.
(B) Outlays, $16,193,000,000.
Fiscal year 2003:
(A) New budget authority, $16,651,000,000.
(B) Outlays, $16,493,000,000.
Fiscal year 2004:
(A) New budget authority, $17,082,000,000.
(B) Outlays, $16,978,000,000.
Fiscal year 2005:
(A) New budget authority, $17,560,000,000.
(B) Outlays, $17,201,000,000.
Fiscal year 2006:
(A) New budget authority, $18,068,000,000.
(B) Outlays, $17,641,000,000.
Fiscal year 2007:
(A) New budget authority, $18,609,000,000.
(B) Outlays, $18,144,000,000.
Fiscal year 2008:
(A) New budget authority, $18,791,000,000.
(B) Outlays, $18,445,000,000.
Fiscal year 2009:
(A) New budget authority, $19,377,000,000.
(B) Outlays, $18,882,000,000.
Fiscal year 2010:
(A) New budget authority, $19,968,000,000.
(B) Outlays, $19,437,000,000.
Fiscal year 2011:
(A) New budget authority, $20,599,000,000.
(B) Outlays, $20,048,000,000.
(18) Net Interest (900):
Fiscal year 2001:
(A) New budget authority, $275,467,000,000.
(B) Outlays, $275,467,000,000.
Fiscal year 2002:

(A) New budget authority, $259,162,000,000.
(B) Outlays, $259,162,000,000.
Fiscal year 2003:
(A) New budget authority, $252,364,000,000.
(B) Outlays, $252,364,000,000.
Fiscal year 2004:
(A) New budget authority, $247,310,000,000.
(B) Outlays, $247,310,000,000.
Fiscal year 2005:
(A) New budget authority, $240,115,000,000.
(B) Outlays, $240,115,000,000.
Fiscal year 2006:
(A) New budget authority, $235,642,000,000.
(B) Outlays, $235,642,000,000.
Fiscal year 2007:
(A) New budget authority, $232,136,000,000.
(B) Outlays, $232,136,000,000.
Fiscal year 2008:
(A) New budget authority, $227,484,000,000.
(B) Outlays, $227,484,000,000.
Fiscal year 2009:
(A) New budget authority, $221,933,000,000.
(B) Outlays, $221,933,000,000.
Fiscal year 2010:
(A) New budget authority, $214,899,000,000.
(B) Outlays, $214,899,000,000.
Fiscal year 2011:
(A) New budget authority, $207,328,000,000.
(B) Outlays, $207,328,000,000.
(19) Allowances (920):
Fiscal year 2001:
(A) New budget authority, $84,528,000,000.
(B) Outlays, $84,697,000,000.
Fiscal year 2002:
(A) New budget authority, −$103,548,000,000.
(B) Outlays, −$99,379,000,000.
Fiscal year 2003:
(A) New budget authority, −$6,115,000,000.
(B) Outlays, −$5,222,000,000.
Fiscal year 2004:
(A) New budget authority, −$6,268,000,000.
(B) Outlays, −$5,912,000,000.
Fiscal year 2005:
(A) New budget authority, −$6,423,000,000.
(B) Outlays, −$6,263,000,000.
Fiscal year 2006:
(A) New budget authority, −$6,580,000,000.
(B) Outlays, −$6,503,000,000.
Fiscal year 2007:
(A) New budget authority, −$6,744,000,000.
(B) Outlays, −$6,665,000,000.
Fiscal year 2008:
(A) New budget authority, −$6,908,000,000.
(B) Outlays, −$6,828,000,000.
Fiscal year 2009:
(A) New budget authority, −$7,079,000,000.
(B) Outlays, −$6,994,000,000.
Fiscal year 2010:
(A) New budget authority, −$7,251,000,000.
(B) Outlays, −$7,165,000,000.
Fiscal year 2011:
(A) New budget authority, −$7,429,000,000.
(B) Outlays, −$7,340,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2001:
(A) New budget authority, −$38,265,000,000.
(B) Outlays, −$38,265,000,000.
Fiscal year 2002:
(A) New budget authority, −$38,803,000,000.
(B) Outlays, −$38,803,000,000.
Fiscal year 2003:
(A) New budget authority, −$49,508,000,000.
(B) Outlays, −$49,508,000,000.
Fiscal year 2004:
(A) New budget authority, −$56,315,000,000.
(B) Outlays, −$56,315,000,000.
Fiscal year 2005:
(A) New budget authority, −$46,463,000,000.
(B) Outlays, −$46,463,000,000.
Fiscal year 2006:
(A) New budget authority, −$50,461,000,000.
(B) Outlays, −$50,461,000,000.
Fiscal year 2007:
(A) New budget authority, −$48,179,000,000.
(B) Outlays, −$48,179,000,000.
Fiscal year 2008:
(A) New budget authority, −$49,141,000,000.
(B) Outlays, −$49,141,000,000.
Fiscal year 2009:
(A) New budget authority, −$50,203,000,000.
(B) Outlays, −$50,203,000,000.
Fiscal year 2010:
(A) New budget authority, −$51,778,000,000.
(B) Outlays, −$51,778,000,000.
Fiscal year 2011:
(A) New budget authority, −$53,287,000,000.
(B) Outlays, −$53,287,000,000.

SEC. 103. RECONCILIATION IN THE SENATE.

(a) IN GENERAL.—Subject to subsection (b), the Senate Committee on Finance shall report a reconciliation bill not later than May 18, 2001, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than $1,250,000,000,000 and increase the total level of outlays by not more than $100,000,000,000 for the period of fiscal years 2001 through 2011: Provided, That $100,000,000,000 of these revenues and outlays shall only be available for fiscal years 2001 through 2002.

(b) SURPLUS.—Legislation described in subsection (a) may not, when taken together with all other previously-enacted legislation (except for legislation enacted pursuant to section 211), reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

(c) SENSE OF CONGRESS.—It is the sense of the Congress that of the total amount reconciled in subsection (a), $100,000,000,000 will be for an economic stimulus package over the next 2 years.

SEC. 104. RECONCILIATION IN THE HOUSE.

(a) IN GENERAL.—Subject to subsection (b), the Committee on Ways and Means of the House of Representatives shall report to the House of Representatives a reconciliation bill not later than May 18, 2001 that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than $1,250,000,000,000 for the period of years 2001 through 2011 and the total level of outlays may be increased by not more than $100,000,000,000 for the period of fiscal years 2001 through 2011.

(b) SURPLUS.—Legislation described in subsection (a) may not, when taken together with all other previously-enacted legislation (except for legislation enacted pursuant to section 211), reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

(c) SENSE OF CONGRESS.—It is the sense of the Congress that of the total amount reconciled in subsection (a), $100,000,000,000 will be for an economic stimulus package over the next 2 years.

TITLE II—BUDGET ENFORCEMENT AND RULEMAKING

Subtitle A—Budget Enforcement

SEC. 201. RESTRICTIONS ON ADVANCE APPROPRIATIONS IN THE HOUSE.

(a) IN GENERAL.—(1) In the House, except as provided in subsection (b), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) EXCEPTION.—In the House, an advance appropriation may be provided—

(1) for fiscal year 2003 for programs, projects, activities or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $23,159,000,000 in new budget authority; and

(2) for the Corporation for Public Broadcasting.

(c) DEFINITION.—In this section, the term ''advance appropriation'' means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2002 that first becomes available for any fiscal year after 2002.

SEC. 202. RESTRICTIONS ON ADVANCE APPROPRIATIONS IN THE SENATE.

(a) IN GENERAL.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any reported bill or joint resolution, or amendment thereto or conference report thereon, that would provide an advance appropriation.

(b) EXCEPTION.—An advance appropriation may be provided—

(1) for fiscal year 2003 for programs, projects, activities or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $23,159,000,000 in new budget authority; and

(2) for the Corporation for Public Broadcasting.

(c) APPLICATION OF POINT OF ORDER IN THE SENATE.—

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

(2) FORM OF THE POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(3) CONFERENCE REPORTS.—If a point of order is sustained under subsection (a) against a conference report in the Senate, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(d) DEFINITION.—In this section, the term ''advance appropriation'' means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2002 that first becomes available for any fiscal year after 2002.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the Budget Enforcement Act of 1990 should be amended to address procedures for advance appropriations for fiscal years beginning with fiscal year 2003.

SEC. 203. MECHANISM FOR IMPLEMENTING INCREASE OF FISCAL YEAR 2002 DISCRETIONARY SPENDING LIMITS.

(a) FINDINGS.—The Senate finds the following:

(1) Unless and until the discretionary spending limit for fiscal year 2002 (as set out in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985) is increased, aggregate appropriations which exceed the current law limits would still be out of order in the Senate and subject to a supermajority vote.

(2) Except for a necessary adjustment included in function 920 (to comply with section 312(b) of the Congressional Budget Act of 1974), the functional totals contained in this concurrent resolution envision a level of discretionary spending for fiscal year 2002 as follows:

(A) For the discretionary category: $659,540,000,000 in new budget authority and $647,780,000,000 in outlays.

(B) For the highway category: $28,489,000,000 in outlays.

(C) For the mass transit category: $5,275,000,000 in outlays.

(D) For the conservation category: $1,760,000,000 in new budget authority and $1,232,000,000 in outlays.

(3) To facilitate the Senate completing its legislative responsibilities for the 1st Session of the 107th Congress in a timely fashion, it is imperative that the Senate consider legislation which establishes appropriate discretionary spending

limits for fiscal year 2002 through 2006 as soon as possible.

(b) ADJUSTMENT TO ALLOCATIONS AND OTHER BUDGETARY AGGREGATES AND LEVELS.—Whenever a bill or joint resolution becomes law that increases the discretionary spending limit for fiscal year 2002 set out in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, the chairman of the Committee on the Budget of the Senate shall increase the allocation called for in section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate Committee on Appropriations and shall also appropriately adjust all other budgetary aggregates and levels contained in this resolution.

(c) SENATE DEFENSE FIREWALL.—

(1) DEFINITION.—In this subsection, for purposes of enforcement in the Senate for fiscal year 2002, the term ''discretionary spending limit'' means—

(A) for the defense category, $325,070,000,000 in new budget authority; and

(B) for the nondefense category, $336,230,000,000 in new budget authority.

(2) POINT OF ORDER IN THE SENATE.—

(A) IN GENERAL.—After the adjustment to the section 302(a) allocation to the Committee on Appropriations is made pursuant to subsection (b) and except as provided in subparagraph (B), it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that exceeds any discretionary spending limit set forth in this subsection.

(B) EXCEPTION.—This paragraph shall not apply if a declaration of war by Congress is in effect.

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

SEC. 204. COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT ACT OF 1990.

(a) IN GENERAL.—In the House of Representatives, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 13301 of the Budget Enforcement Act of 1990, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of such Act to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration.

(b) SPECIAL RULE.—In the House of Representatives, for purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts provided for the Social Security Administration.

Subtitle B—Reserve Funds

SEC. 211. RESERVE FUND FOR MEDICARE.

(a) MEDICARE REFORM AND PRESCRIPTION DRUGS.—If the Committee on Finance of the Senate or the Committee on Ways and Means or the Committee on Energy and Commerce of the House of Representatives reports a bill or joint resolution, or an amendment is offered thereto, or a conference report thereon is submitted, which reforms the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and improves the access of beneficiaries under that program to prescription drugs, the appropriate chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $0 for fiscal year 2002, $59,100,000,000 for the period of fiscal years 2002 through 2006, and $300,000,000,000 for the period of fiscal years 2002 through 2011.

(b) MEDICARE PAYMENTS TO HOME HEALTH AGENCIES.—

(1) IN GENERAL.—Subject to paragraph (2), if the Senate Committee on Finance or the House Committee on Ways and Means or Committee on Energy and Commerce report a bill, or if an amendment thereto is offered or a conference report thereon is submitted, that repeals the 15 percent reduction in payments under the medicare program to home health agencies enacted by the Balanced Budget Act of 1997 and now scheduled to go into effect on October 1, 2002, the appropriate chairman of the Committee on the Budget may increase the allocation of new budget authority and outlays to that committee and other appropriate budgetary aggregates and levels by the amount the amount provided by that measure for that purpose, but not to exceed $0 in new budget authority and outlays in 2002, $4,000,000,000 for the period 2002 through 2006, and $13,700,000,000 for the period 2002 through 2011.

(2) SURPLUS.—Legislation described in paragraph (1) may not, when taken together with all other previously-enacted legislation (except for legislation enacted pursuant to subsection (a)), reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

SEC. 212. RESERVE FUND FOR FAMILY OPPORTUNITY ACT.

(a) IN GENERAL.—Subject to subsection (b), if the Committee on Finance of the Senate or the Committee on Energy and Commerce of the House of Representatives reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted, that provides States with the opportunity to expand medicaid coverage for children with special needs, allowing families of disabled children with the opportunity to purchase coverage under the medicaid program for such children (commonly referred to as the ''Family Opportunity Act of 2001''), the appropriate chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $227,000,000 in new budget authority and $180,000,000 in outlays for fiscal year 2002, $3,035,000,000 in new budget authority and $2,724,000,000 in outlays for the period of fiscal years 2002 through 2006, and $8,337,000,000 in new budget authority and $7,867,000,000 in outlays for the period of fiscal years 2002 through 2011.

(b) SURPLUS.—Legislation described in subsection (a) may not, when taken together with all other previously-enacted legislation (except for legislation enacted pursuant to section 211), reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

SEC. 213. RESERVE FUND FOR AGRICULTURE .

(a) IN GENERAL.—(1) Subject to subsection (b), if the Committee on Agriculture, Nutrition, and Forestry of the Senate or the Committee on Agriculture of the House of Representatives reports a bill, or an amendment thereto is offered, or a conference report thereon is submitted, to reauthorize the Federal Agriculture Improvement Act of 1996, title I of that Act, and other appropriate agricultural production legislation, the appropriate Chairman of the Committee on the Budget may increase the allocation of new budget authority and outlays to that committee for fiscal years 2003 through 2011 by the amount of new budget authority (and the outlays resulting therefrom) provided by that measure for that purpose not to exceed $66,150,000,000 in new budget authority and outlays for fiscal years 2003 through 2011.

(2) In the House of Representatives, if an adjustment is made under paragraph (1), the Chairman of the Committee on the Budget may adjust the fiscal year 2002 level by an amount not to exceed the adjustment that is made for fiscal year 2003 (and reduce the adjustment made for fiscal year 2003 by that amount).

(b) SURPLUS.—Legislation described in subsection (a) may not, when taken together with all other previously-enacted legislation (except for legislation enacted pursuant to section 211), reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

SEC. 214. RESERVE FUND FOR ADDITIONAL TAX CUTS AND DEBT REDUCTION.

If the report provided pursuant to section 202(e)(2) of the Congressional Budget Act of 1974, the budget and economic outlook: update (for fiscal years 2002 through 2011), estimates an on-budget surplus for any of fiscal years 2001 through 2011 that exceeds the estimated on-budget surplus set forth in the Congressional Budget Office's January 2001 budget and economic outlook for such fiscal year, the chairman of the Committee on the Budget of the House may, in an amount not to exceed the increase in such surplus for that fiscal year—

(1) reduce the recommended level of Federal revenues and make other appropriate adjustments (including the reconciliation instructions) for that fiscal year;

(2) reduce the appropriate level of the public debt, increase the amount of the surplus, and make other appropriate adjustments for that fiscal year; or

(3) any combination of paragraphs (1) and (2).

SEC. 215. TECHNICAL RESERVE FUND FOR STUDENT LOANS.

(a) IN GENERAL.—Subject to subsection (b), if the Committee on Health, Education, Labor, and Pensions of the Senate reports a bill, or an amendment thereto is offered, or a conference report thereon is submitted, or the Committee on Education and the Workforce of the House of Representatives reports a bill, or an amendment is offered, or a conference report is submitted, that provides additional resources for legislation that repeals the replacement interest rate structure for student loans scheduled to occur on July 1, 2003, the appropriate Chairman of the Committee on the Budget may increase the allocation of new budget authority and outlays to the appropriate committee—

(1) for fiscal years 2001 and 2002 by the amount of new budget authority (and the outlays resulting therefrom) provided by that measure for that purpose not to exceed $110,000,000 in new budget authority and $100,000,000 outlays;

(2) for fiscal years 2001 through 2006 by the amount of new budget authority (and the outlays resulting therefrom) provided by that measure for that purpose not to exceed $3,440,000,000 in new budget authority and $2,840,000,000 outlays; and

(3) for fiscal years 2001 through 2011 by the amount of new budget authority (and the outlays resulting therefrom) provided by that measure for that purpose not to exceed $7,665,000,000 in new budget authority and $6,590,000,000 outlays.

(b) SURPLUS.—Legislation described in subsection (a) may not, when taken together with all other previously-enacted legislation (except for legislation enacted pursuant to section 211), reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

SEC. 216. RESERVE FUND FOR HEALTH INSURANCE FOR THE UNINSURED.

(a) IN GENERAL.—Subject to subsection (b), if the Committee on Finance of the Senate or the Committee on Energy and Commerce or Committee on Ways and Means of the House of Representatives report a bill or joint resolution, or an amendment thereto is offered, or a con-

ference report thereon is submitted, that provides health insurance for the uninsured (including a measure providing for tax deductions for the purchase of health insurance for, among others, moderate income individuals not receiving health insurance from their employers), the appropriate chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) and may revise the revenue aggregates and other appropriate budgetary aggregates and allocations in this resolution by the amount provided by that measure for that purpose, but not to exceed $28,000,000,000 in new budget authority and outlays for the period of fiscal years 2002 through 2004 or $28,000,000,000 in revenues for the period of fiscal years 2002 through 2004 or any combination of budget authority and outlays or revenues as long as the sum of all revisions does not exceed $28,000,000,000. The chairman of the appropriate Committee on the Budget is authorized to allocate these resources over a period of time longer than that specified in the previous sentence.

(b) SURPLUS.—Legislation described in subsection (a) may not, when taken together with all other previously-enacted legislation (except for legislation enacted pursuant to section 211), reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

SEC. 217. RESERVE FUND FOR DEFENSE IN THE SENATE.

(a) IN GENERAL.—Subject to subsection (b), if the President submits a budget amendment and the Committee on Appropriations or the Committee on Armed Services of the Senate reports a bill, or an amendment thereto is offered, or a conference report thereon is submitted, that provides additional resources for defense spending in response to the recommendations of the President's National Defense Review, the Chairman of the Committee on the Budget may increase the allocation of new budget authority and outlays to that committee for fiscal year 2002 by the amount of new budget authority (and the outlays resulting therefrom) provided by that measure for that purpose.

(b) SURPLUS.—Legislation described in subsection (a) may not, when taken together with all other previously-enacted legislation (except for legislation enacted pursuant to section 211), reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

SEC. 218. STRATEGIC RESERVE FUND IN THE HOUSE.

(a) ADJUSTMENTS.—In the House of Representatives, the chairman of the Committee on the Budget may adjust the appropriate aggregates and committee allocations of new budget authority (and outlays flowing therefrom) for fiscal year 2002 for a bill making appropriations for the Department of Defense and, for fiscal years 2002 through 2011, a bill making authorizations for the Department of Defense, a bill providing a prescription drug benefit, and any other appropriate legislation. The chairman may also make adjustments for amendments to or conference reports on such bills. In making adjustments under this subsection, the chairman shall consider, as appropriate, the recommendations of the President's National Defense Review and any statement of administrative policy or supplemental budget request relating to any legislation referred to in this subsection.

(b) LIMITATIONS.—(1) The adjustments for any bill referred to in subsection (a) shall be in an amount not to exceed the amount by which such bill breaches the applicable allocation or aggregate.

(2) Legislation described in subsection (a) may not, when taken together with all other previously-enacted legislation (except for legislation enacted pursuant to section 211), reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

Subtitle C—Miscellaneous Provisions

SEC. 221. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committees on the Budget of the House of Representatives and the Senate; and

(2) such chairman, as applicable, may make any other necessary adjustments to such levels to carry out this resolution.

(d) ENFORCEMENT IN THE HOUSE.—

(1) IN GENERAL.—In the House of Representatives, for the purpose of enforcing this concurrent resolution, sections 302(f) and 311(a) of the Congressional Budget Act of 1974 shall apply to fiscal year 2002 and the total for fiscal year 2002 and the four ensuing fiscal years.

(2) APPROPRIATE LEVELS.—For purposes of enforcement of the Congressional Budget Act of 1974 in the House of Representatives, the appropriate levels of total new budget authority and total budget outlays for fiscal years 2002 through 2011 prescribed by this resolution pursuant to section 301(a)(1) of such Act shall be based upon the table entitled ''Conference Report Fiscal Year 2002, Budget Resolution Total Spending and Revenues'' in conjunction with the provisions of title II of this resolution.

(e) ENFORCEMENT IN THE SENATE.—The Senate, for purposes of enforcement of the Congressional Budget Act of 1974 and this resolution, measures discharged pursuant to Senate Resolution 8 shall be considered as if the measure had been reported from the committee of jurisdiction.

SEC. 222. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change those rules (so far as they relate to that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

TITLE III—SENSE OF THE SENATE AND CONGRESS PROVISIONS

Subtitle A—Sense of the Senate

SEC. 301. SENSE OF THE SENATE ON CONSERVATION.

It is the sense of the Senate that conservation funding is a priority of the One Hundred Seventh Congress.

SEC. 302. SENSE OF THE SENATE ON AIDS AND OTHER INFECTIOUS DISEASES.

Notwithstanding any other provision of this resolution, it is the sense of the Senate that:

(1) FINDINGS.—The Senate finds the following:

(A) HIV/AIDS, having already infected over 58 million people worldwide, is devastating the health, economies, and social structures in dozens of countries in Africa, and increasingly in Asia, the Caribbean and Eastern Europe.

(B) AIDS has wiped out decades of progress in improving the lives of families in the developing world. As the leading cause of death in Africa, AIDS has killed 17 million and will claim the lives of one quarter of the population, mostly productive adults, in the next decade. In addition, 13 million children have been orphaned by AIDS—a number that will rise to 40 million by 2010.

(C) The Agency for International Development, along with the Centers for Disease Control, Department of Labor, and Department of Defense have been at the forefront of the international battle to control HIV/AIDS, with global assistance totaling $330,000,000 from the United States Agency for International Development and $136,000,000 from other agencies in fiscal year 2001, primarily focused on targeted prevention programs.

(D) While prevention is key, treatment and care for those affected by HIV/AIDS is an increasingly critical component of the global response. Improving health systems, providing home-based care, treating AIDS-associated diseases like tuberculosis, providing for family support and orphan care, and making antiretroviral drugs against HIV available will reduce social and economic damage to families and communities.

(E) Pharmaceutical companies recently dramatically reduced the prices of antiretroviral drugs to the poorest countries. With sufficient resources, it is now possible to improve treatment options in countries where health systems are able to deliver and monitor the medications.

(F) The United Nations AIDS program estimates it will cost at least $3,000,000,000 for basic AIDS prevention and care services in Sub-Saharan Africa alone, and at least $2,000,000,000 more if antiretroviral drugs are provided widely. In Africa, only $500,000,000 is currently available from all donors, lending agencies and African governments themselves.

(2) SENSE OF THE SENATE.—It is the sense of the Senate that the spending levels in this budget resolution shall be increased by $200,000,000 in fiscal year 2002 and by $500,000,000 in 2003 and for each year thereafter for the purpose of helping the neediest countries cope with the burgeoning costs of prevention, care and treatment of those affected by HIV/AIDS and associated infectious diseases.

SEC. 303. SENSE OF THE SENATE ON CONSOLIDATED HEALTH CENTERS.

It is the sense of the Senate that appropriations for consolidated health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b) should be increased by 100 percent over the next 5 fiscal years in order to double the number of individuals who receive health services at community, migrant, homeless, and public housing health centers.

SEC. 304. FUNDING FOR DEPARTMENT OF JUSTICE PROGRAMS FOR STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE.

It is the sense of the Senate that the levels in this resolution assume increased funding for fiscal year 2002 for the Department of Justice State and local law enforcement grant programs.

SEC. 305. SENSE OF THE SENATE REGARDING UNITED STATES COAST GUARD FISCAL YEAR 2002 FUNDING.

It is the sense of the Senate that any level of budget authority and outlays in fiscal year 2002 below the level assumed in this resolution for the Coast Guard would require the Coast Guard to—

(1) close numerous units and reduce overall mission capability, including the counter narcotics interdiction mission which was authorized under the Western Hemisphere Drug Elimination Act;

(2) reduce the number of personnel of an already streamlined workforce; and

(3) reduce operations in a manner that would have a detrimental impact on the sustainability

of valuable fish stocks in the North Atlantic and Pacific Northwest and its capacity to stem the flow of illicit drugs and illegal immigration into the United States.

SEC. 306. STRENGTHENING OUR NATIONAL FOOD SAFETY INFRASTRUCTURE.

(a) FINDING.—The Senate finds that the United States food supply is one of the safest in the world, but in order to maintain the integrity of our food supply in the face of emerging threats, we must make the necessary investments now, in a time of surplus.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the appropriate amount should be invested at the Food and Drug Administration and the Center for Disease Control food activities next year in order to strengthen our national food safety infrastructure by—

(1) increasing the number of inspectors within the Food and Drug Administration to enable the Food and Drug Administration to inspect high-risk sites at least annually;

(2) supporting research that enables us to meet emerging threats;

(3) improving surveillance to identify and trace the sources and incidence of food-borne illness;

(4) otherwise maintaining at least current funding levels for food safety initiatives in the Food and Drug Administration and the United States Department of Agriculture; and

(5) providing additional funds should such needs arise due to emerging food safety threats.

SEC. 307. SENSE OF THE SENATE WITH RESPECT TO INCREASING FUNDS FOR RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

It is the sense of the Senate that the Senate recognizes the importance of renewable energy resources and that providing for such technologies should be increased by at least $450,000,000 for fiscal year 2002 and at a rate in excess of inflation in subsequent years.

SEC. 308. SENSE OF THE SENATE WITH RESPECT TO INCREASED EDUCATION FUNDING.

It is the Sense of the Senate that—

(1) this budget resolution makes available up to $6.2 billion in discretionary budget authority for funding domestic priorities in excess of the President's request; and

(2) funding for discretionary education programs (including Head Start and funds for the Department of Education in excess of the President's request of $44.5 billion in discretionary budget authority for fiscal year 2002) is one such priority; and

(3) these additional funds for education should be devoted to high priority programs including Head Start, the Individuals with Disabilities Education Act, education for the disadvantaged, Impact Aid, state assessment tests, Pell Grants, reading improvement programs, school construction, and teacher and classroom quality programs.

Subtitle B—Sense of the Congress

SEC. 311. ASSET BUILDING FOR THE WORKING POOR.

(a) FINDINGS.—Congress find the following:

(1) For the vast majority of United States households, the pathway to the economic mainstream and financial security is not through spending and consumption, but through savings, investing, and the accumulation of assets.

(2) One-third of all Americans have no assets available for investment and another 20 percent have only negligible assets. The situation is even more serious for minority households; for example, 60 percent of African-American households have no or negative financial assets.

(3) Nearly 50 percent of all children in America live in households that have no assets available for investment, including 40 percent of Caucasian children and 73 percent of African-American children.

(4) Up to 20 percent of all United States households do not deposit their savings in financial institutions and, thus, do not have access to the basic financial tools that make asset accumulation possible.

(5) Public policy can have either a positive or a negative impact on asset accumulation. Traditional public assistance programs based on income and consumption have rarely been successful in supporting the transition to economic self-sufficiency. Tax policy, through $288,000,000,000 in annual tax incentives, has helped lay the foundation for the great middle class.

(6) Lacking an income tax liability, low-income working families cannot take advantage of asset development incentives available through the Federal tax code.

(7) Individual Development Accounts have proven to be successful in helping low-income working families save and accumulate assets. Individual Development Accounts have been used to purchase long-term, high-return assets, including homes, postsecondary education and training, and small business.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Federal tax code should support a significant expansion of Individual Development Accounts so that millions of low-income, working families can save, build assets, and move their lives forward; thus, making positive contributions to the economic and social well-being of the United States, as well as to its future.

SEC. 312. FEDERAL FIRE PREVENTION ASSISTANCE.

(a) FINDINGS.—Congress finds the following:

(1) Increased demands on firefighting and emergency medical personnel have made it difficult for local governments to adequately fund necessary fire safety precautions.

(2) The Government has an obligation to protect the health and safety of the firefighting personnel of the United States and to ensure that they have the financial resources to protect the public.

(3) The high rates in the United States of death, injury, and property damage caused by fires demonstrates a critical need for Federal investment in support of firefighting personnel.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government should support the core operations of the Federal Emergency Management Agency by providing needed fire grant programs to assist our firefighters and rescue personnel as they respond to more than 17,000,000 emergency calls annually. To accomplish this task, Congress supports preservation of the Assistance to Firefighters grant program. Continued support of the Assistance to Firefighters grant program will enable local firefighters to adequately protect the lives of countless Americans put at risk by insufficient fire protection.

SEC. 313. FUNDING FOR GRADUATE MEDICAL EDUCATION AT CHILDREN'S TEACHING HOSPITALS.

It is the sense of Congress that:

(1) Function 550 includes an appropriate level of funding for graduate medical education conducted at independent children's teaching hospitals in order to ensure access to care by millions of children nationwide.

(2) An emphasis should be placed on the role played by community health centers in underserved rural and urban communities.

(3) Funding under function 550 should also reflect the importance of the Ryan White CARE Act to persons afflicted with HIV/AIDS.

SEC. 314. CONCURRENT RETIREMENT AND DISABILITY BENEFITS TO RETIRED MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress finds that the Secretary of Defense is the appropriate official for evaluating the existing standards for the provision of concurrent retirement and disability benefits to retired members of the Armed Forces and the need to change these standards.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense should report not later than 180 days after the date of adoption of this resolution to the congressional committees of jurisdiction on the provision of concurrent retirement and disability benefits to retired members of the Armed Forces;

(2) the report should address the number of individuals retired from the Armed Forces who would otherwise be eligible for disability compensation, the comparability of the policy to Office of Personnel Management guidelines for civilian Federal retirees, the applicability of this policy to prevailing private sector standards, the number of individuals potentially eligible for concurrent benefits who receive other forms of Federal assistance and the cost of that assistance, and alternative initiatives that would accomplish the same end as concurrent receipt of military retired pay and disability compensation;

(3) the Secretary of Defense should submit legislation that he considers appropriate;

(4) upon receiving such report, the committees of jurisdiction, working with the Committees on the Budget of the House and Senate, should consider appropriate legislation; and

(5) CBO and OMB should report not later than 30 days after the date of adoption of this resolution to the Committees on the Budget on the risk that provision of full concurrent receipt of military retired pay and disability compensation would reduce the surplus below the level of the Medicare Hospital Insurance Trust Fund.

SEC. 315. FEDERAL EMPLOYEE PAY.

(a) FINDINGS.—Congress finds the following:

(1) Members of the uniformed services and civilian employees of the United States make significant contributions to the general welfare of the Nation.

(2) Increases in the pay of members of the uniformed services and of civilian employees of the United States have not kept pace with increases in the overall pay levels of workers in the private sector, so that there now exists—

(A) a 32 percent gap between compensation levels of Federal civilian employees and compensation levels of private sector workers; and

(B) an estimated 10 percent gap between compensation levels of members of the uniformed services and compensation levels of private sector workers.

(3) The President's budget proposal for fiscal year 2002 includes a 4.6 percent pay raise for military personnel.

(4) The Office of Management and Budget has requested that Federal agencies plan their fiscal year 2002 budgets with a 3.6 percent pay raise for civilian Federal employees.

(5) In almost every year during the past 2 decades, there have been equal adjustments in the compensation of members of the uniformed services and the compensation of civilian employees of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.

SEC. 316. SALES TAX DEDUCTION.

(a) FINDINGS.—Congress finds that—

(1) in 1986 the ability to deduct State sales taxes was eliminated from the Federal tax code;

(2) the States of Tennessee, Texas, Wyoming, Washington, Florida, Nevada, and South Dakota have no State income tax;

(3) the citizens of those seven States continue to be treated unfairly by paying significantly more in taxes to the Government than taxpayers with an identical profile in different State because they are prohibited from deducting their State sales taxes from their Federal income taxes in lieu of a State income tax;

(4) the design of the Federal tax code is preferential in its treatment of States with State income taxes over those without State income taxes;

(5) the current Federal tax code infringes upon States' rights to tax their citizens as they see fit in that the Federal tax code exerts unjust

influence on States without State income taxes to impose one their citizens;

(6) the current surpluses that our Government holds provide an appropriate time and opportunity to allow taxpayers to deduct either their State sales taxes or their State income taxes from their Federal income tax returns; and

(7) over 50 Members of the House of Representatives have cosponsored legislation to restore the sales tax deduction option to the Federal tax code.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Committee on Ways and Means and the Committee on Finance should consider legislation that makes State sales tax deductible against Federal income taxes.

And the Senate agree to the same.

PETE V. DOMENICI,
CHUCK GRASSLEY,
DON NICKLES,
PHIL GRAMM,
KIT BOND,
Managers on the Part of the Senate.
JIM NUSSLE,
JOHN E. SUNUNU,
Managers on the Part of the House.

When said conference report was considered.

After debate,

Pursuant to House Resolution 136, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 221 / Nays ..... 207 }

¶44.7 [Roll No. 104]

YEAS—221

Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Barr, Bartlett, Barton, Bereuter, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Castle, Chabot, Chambliss, Coble, Collins, Combest, Condit, Cooksey, Cox, Cramer, Crane, Crenshaw, Culberson, Cunningham, Davis, Jo Ann, Davis, Tom, Deal, DeLay, DeMint, Diaz-Balart, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Ferguson, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hall (TX), Hansen, Hart, Hastert, Hastings (WA), Hayes, Hayworth, Herger, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Houghton, Hulshof, Hunter, Hutchinson, Hyde, Isakson, Issa, Istook, Jenkins, John, Johnson (CT), Johnson (IL), Johnson, Sam, Jones (NC), Keller, Kelly, Kennedy (MN), Kerns, King (NY), Kingston, Kirk, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, LoBiondo, Lucas (KY), Lucas (OK), Manzullo, McCrery, McHugh, McInnis, McKeon, Mica, Miller, Gary, Moran (KS), Morella, Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Osborne, Ose, Otter, Oxley, Pence, Peterson (PA), Petri, Pickering, Pitts, Platts, Pombo, Portman, Pryce (OH), Putnam, Quinn, Radanovich, Ramstad, Regula, Rehberg, Reynolds, Riley, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryan (WI), Ryun (KS), Saxton, Scarborough, Schaffer, Schrock, Sensenbrenner, Sessions, Shadegg, Shaw, Shays, Sherwood, Shimkus, Simmons, Simpson, Skeen, Smith (MI), Smith (NJ), Smith (TX), Souder, Spence, Stearns, Sununu, Sweeney, Tancredo, Tauzin, Taylor (NC), Terry, Thomas, Thornberry, Thune, Tiahrt, Tiberi, Toomey, Traficant, Upton, Vitter, Walden, Walsh, Wamp, Watkins, Watts (OK), Weldon (FL), Weldon (PA), Weller, Whitfield, Wicker, Wilson, Wolf, Young (AK), Young (FL)

NAYS—207

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

NOT VOTING—4

Cubin, Miller (FL), Rivers, Stump

So the conference report was agreed to.

Ordered, That the Clerk notify the Senate thereof.

¶44.8 PROVIDING FOR THE CONSIDERATION OF H.R. 581

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 135):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 581) to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 311 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶44.9 GREAT FALLS HISTORIC DISTRICT STUDY

On motion of Mr. HEFLEY, by unanimous consent, the House considered the bill (H.R. 146) to authorize the Secretary of the Interior to study the suitability and feasibility of designating

the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes.

When said bill was considered and read twice.

The bill was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶44.10 MAD COW DISEASE

On motion of Mr. EVERETT, by unanimous consent, the bill of the Senate (S. 700) to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶44.11 WILDLAND FIRE MANAGEMENT

The SPEAKER pro tempore, Mr. MICA, pursuant to House Resolution 135 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 581) to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management.

The SPEAKER pro tempore, Mr. MICA, by unanimous consent, designated Mrs. MORELLA as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. MICA, assumed the Chair.

When Mrs. MORELLA, Chairman, pursuant to House Resolution 135, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Add at the end the following new section:

SEC. 2. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased using funds provided under section 1, it is the sense of the Congress that entities receiving the funds should, in expending the funds, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF FUNDS.—In expending funds provided under section 1, the head of each Federal agency receiving such funds shall provide to each recipient of the funds a notice describing the statement made in subsection (a) by the Congress.

(c) NOTICE OF REPORT.—Any entity which receives funds under section 1 shall report any expenditures on foreign-made items to the Congress within 180 days of the expenditure.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. MICA, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶44.12 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶44.13 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO IRAN

The SPEAKER pro tempore, Ms. HART, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 9, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–68).

¶44.14 RECESS—5:28 P.M.

The SPEAKER pro tempore, Mr. BROWN of South Carolina, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 28 minutes p.m., subject to the call of the Chair.

¶44.15 AFTER RECESS—6:25 P.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶44.16 PROVIDING FOR THE CONSIDERATION OF H.R. 1646

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 107–62) the resolution (H. Res. 138) providing for consideration of the bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶44.17 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. INSLEE, for May 8.

And then,

¶44.18 ADJOURNMENT

On motion of Mr. DIAZ-BALART, at 6 o'clock and 26 minutes p.m., the House adjourned.

¶44.19 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DIAZ-BALART: Committee on Rules. House Resolution 138. Resolution providing for consideration of the bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes (Rept. No. 107–62). Referred to the House Calendar.

¶44.20 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1088. Referral to the Committee on Government Reform extended for a period ending not later than May 10, 2001.

¶44.21 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. WELLER (for himself, Mr. MORAN of Virginia, Mr. MCGOVERN, Mr. ROGERS of Michigan, Mr. BOUCHER, Mr. HONDA, Mr. GORDON, Mr. VITTER, Mr. COX, Mr. TOM DAVIS of Virginia, Mr. GOODLATTE, Mr. CANNON, Mr. KENNEDY of Minnesota, Mr. OSE, and Mrs. KELLY):

H.R. 1769. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for information technology training expenses, and for other purposes; to the Committee on Ways and Means.

By Mr. BARTLETT of Maryland (for himself, Mr. HUNTER, Mr. PAUL, Mr. CAMP, Mr. DOOLITTLE, Mr. EHRLICH, Mr. EVERETT, Mr. GILCHREST, Mr. GRAHAM, Mr. HAYWORTH, Mr. MCKEON, Mr. ROHRABACHER, Mr. STEARNS, Mr. TRAFICANT, Mr. WELDON of Florida, and Mr. JONES of North Carolina):

H.R. 1770. A bill to prohibit the purchasing, issuing, or wearing of berets as standard Army headgear (other than for certain specialized units) until the Secretary of the Army certifies to Congress that the Army ammunition shortfall has been eliminated; to the Committee on Armed Services.

By Mr. BROWN of Ohio (for himself, Mr. BILIRAKIS, Mr. DINGELL, Mr. WAXMAN, Mr. GANSKE, Mr. TOWNS, Ms. SLAUGHTER, Mr. PALLONE, Ms. DEGETTE, Mr. GREEN of Texas, Mr. SAWYER, Mr. FILNER, Ms. LEE, Mrs. JONES of Ohio, Mr. KILDEE, Mr. HIN-

CHEY, Mr. CAPUANO, Mr. KUCINICH, Mr. TIERNEY, and Mr. DEFAZIO):

H.R. 1771. A bill to provide for funding for the top priority action items in the interagency public health action plan that has been developed in response to the problem of antimicrobial resistance, to the extent that the activities involved are within the jurisdiction of the Department of Health and Human Services; to the Committee on Energy and Commerce.

By Mr. CANNON:

H.R. 1772. A bill to provide for an exchange of certain property between the United States and Ephraim City, Utah; to the Committee on Resources.

By Mr. ENGLISH (for himself and Mrs. THURMAN):

H.R. 1773. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of a principal residence by a first-time homebuyer; to the Committee on Ways and Means.

By Mr. FLETCHER (for himself, Mr. DOOLEY of California, Mr. HASTERT, Mr. ARMEY, Ms. VELAZQUEZ, Mr. FROST, Mr. BAKER, Mr. BALLENGER, Mr. BRYANT, Mr. CALVERT, Mr. CANTOR, Mr. COLLINS, Mr. COOKSEY, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. EHLERS, Mrs. EMERSON, Mr. GONZALEZ, Mr. GOSS, Mr. GREENWOOD, Ms. HART, Mr. HERGER, Mr. HILLEARY, Mrs. KELLY, Mr. KOLBE, Mr. LIPINSKI, Mr. LUCAS of Kentucky, Mr. MCHUGH, Mr. MALONEY of Connecticut, Mr. MANZULLO, Mr. GARY G. MILLER of California, Mr. MORAN of Virginia, Mrs. NORTHUP, Mr. OSE, Mr. PENCE, Mr. PETRI, Ms. PRYCE of Ohio, Mr. REHBERG, Ms. SANCHEZ, Mr. SCHAFFER, Mr. SESSIONS, Mr. SHAYS, Mr. SMITH of Washington, Mr. UPTON, Mr. WAMP, Mr. WATKINS, Mr. WELDON of Florida, and Mr. WYNN):

H.R. 1774. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees; to the Committee on Education and the Workforce.

By Mr. GALLEGLY:

H.R. 1775. A bill to amend title 18, United States Code, to create an offense of solicitation or recruitment of persons in criminal street gang activity; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREEN of Texas:

By Mr. HOLT:

H.R. 1777. A bill to amend the Internal Revenue Code of 1986 to make higher education more affordable by providing a tax deduction for higher education expenses, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas (for herself and Ms. CARSON of Indiana):

H.R. 1778. A bill to provide for the collection of data on traffic stops; to the Committee on the Judiciary.

By Mr. LANTOS (for himself, Mr. KIRK, Mr. ACKERMAN, Mr. PAYNE, Mr. BOUCHER, Mr. ABERCROMBIE, Mr. ROHRABACHER, Ms. PELOSI, Mr. STARK, Ms. BALDWIN, Mr. KUCINICH, Mr. DELAHUNT, Mr. BROWN of Ohio, Mr. SHERMAN, Mr. MCGOVERN, Mr. KING, Mr. HOEFFEL, Mr. FALEOMAVAEGA, Mr. GILMAN, Mr. FRANK, Mr. COX, Mr. WEXLER, Mr. MENENDEZ, Mr. WOLF, Mr. BONIOR, Ms. MCKINNEY, Mr. ALLEN, Ms. KAPTUR, Mr. HINCHEY, Mr. RODRIGUEZ, Ms. LOFGREN, Mr. BLUNT, Mr. EVANS, Mr. TOWNS, Mr. SUNUNU, Mr. BERMAN, Mr. SANDERS, Mr. TANCREDO, and Ms. MCCOLLUM):

H.R. 1779. A bill to support the aspirations of the Tibetan people to safeguard their distinct identity; to the Committee on International Relations.

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

H.R. 1780. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for contributions to a volunteer firefighter savings account; to the Committee on Ways and Means.

By Ms. LOFGREN (for herself, Mr. NETHERCUTT, Mr. HALL of Texas, Mr. CUNNINGHAM, Mr. HOLT, Mr. CALVERT, Mr. GORDON, Mr. TOM DAVIS of Virginia, Mr. HONDA, Mr. ISSA, Mrs. THURMAN, Mr. DOOLITTLE, Mr. FILNER, Mr. WAMP, Ms. HARMAN, Ms. LEE, Mrs. DAVIS of California, Mr. BACA, and Mrs. TAUSCHER):

H.R. 1781. A bill to require the Secretary of Energy to develop a plan for a magnetic fusion burning plasma experiment for the purpose of accelerating the scientific understanding and development of fusion as a long term energy source, and for other purposes; to the Committee on Science.

By Mr. MANZULLO:

H.R. 1782. A bill to amend the Trade Act of 1974 to provide for the position of Assistant United States Trade Representative for Small Business; to the Committee on Ways and Means.

By Mr. MANZULLO:

H.R. 1783. A bill to amend the Internal Revenue Code of 1986 to provide a safe harbor for determining that certain individuals are not employees; to the Committee on Ways and Means.

By Mrs. MORELLA (for herself, Mrs. MALONEY of New York, Mr. WAXMAN, Mr. TOM DAVIS of Virginia, Ms. SLAUGHTER, Mr. MCNULTY, Mr. HONDA, Ms. BROWN of Florida, Mrs. THURMAN, Ms. ESHOO, Mr. LANTOS, Ms. LEE, Mr. WYNN, Mr. FROST, Ms. NORTON, Ms. MCCARTHY of Missouri, Mr. HILLIARD, Mr. HORN, Ms. BALDWIN, Ms. MILLENDER-MCDONALD, Mrs. CHRISTENSEN, Ms. DELAURO, Ms. JACKSON-LEE of Texas, Mr. WEXLER, Ms. SOLIS, Mrs. ROUKEMA, Mr. KILDEE, Ms. KAPTUR, Ms. HARMAN, Ms. SCHAKOWSKY, Mr. BENTSEN, and Mrs. JONES of Ohio):

H.R. 1784. A bill to establish an Office on Women's Health within the Department of Health and Human Services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NEAL of Massachusetts:

H.R. 1785. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of gain recognition through swap funds; to the Committee on Ways and Means.

By Mr. OBEY (for himself, Mr. GUTKNECHT, Mr. SANDERS, Ms. BALDWIN, and Mr. MCHUGH):

H.R. 1786. A bill to impose tariff-rate quotas on certain casein and milk protein concentrates; to the Committee on Ways and Means.

By Mr. PETERSON of Minnesota:

H.R. 1787. A bill to amend the Indian Health Care Improvement Act require that certain technical medical employees of the Indian Health Service be compensated for time during which they are required to be on-call; to the Committee on Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H.R. 1788. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of cooperative housing corporations; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. FOLEY, Mr. DAVIS of Florida, Mr. SCARBOROUGH, Mrs. MEEK of Florida, Ms. ROS-LEHTINEN, Ms. BROWN of Florida, Mr. MICA, Mr. DIAZ-BALART, Mr. WEXLER, Mr. PUTNAM, Mrs. THURMAN, Mr. CRENSHAW, Mr. KELLER, Mr. GOSS, Mr. BILIRAKIS, Mr. DEUTSCH, and Mr. WELDON of Florida):

H.R. 1789. A bill to amend the Internal Revenue Code of 1986 to exempt from income tax State-created organizations providing property and casualty insurance for property for which such coverage is otherwise unavailable; to the Committee on Ways and Means.

By Mr. SMITH of Michigan (for himself, Mr. ROGERS of Michigan, Mr. BARCIA, Mr. HOEKSTRA, Mr. UPTON, Mr. CAMP, Mr. EHLERS, Ms. RIVERS, Mr. STUPAK, and Mr. BONIOR):

H.R. 1790. A bill to reauthorize the tree loss assistance program to compensate orchardists and tree farmers who plant trees for commercial purposes but lose the trees as a result of a natural disaster; to the Committee on Agriculture.

By Mr. TRAFICANT:

H.R. 1791. A bill to provide a grant under the Land and Water Conservation Fund Act of 1965 to assist in the development of a Millennium Cultural Cooperative Park in Youngstown, Ohio; to the Committee on Resources.

By Mr. WATTS of Oklahoma:

H.R. 1792. A bill to amend title 49, United States Code, to ensure that air carriers meet their obligations under the Airline Customer Service Agreement, and provide improved passenger service in order to meet public convenience and necessity; to the Committee on Transportation and Infrastructure.

By Mr. CUMMINGS:

H. Res. 139. A resolution expressing the sense of Congress regarding commitment to the Voting Rights Act of 1965; to the Committee on the Judiciary.

¶44.22 ADDITIONAL SPONSORS

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

H.R. 17: Mr. BALDACCI.
H.R. 21: Mr. GREEN of Wisconsin.
H.R. 25: Mr. HOUGHTON.
H.R. 80: Mr. BOUCHER.
H.R. 82: Mr. BOUCHER.
H.R. 123: Mr. HASTINGS of Washington and Mr. WALDEN of Oregon.
H.R. 192: Mr. SAXTON.
H.R. 224: Mrs. BONO.
H.R. 228: Mr. AKIN, Ms. MILLENDER-MCDONALD, Mr. RODRIGUEZ, and Mr. SMITH of New Jersey.
H.R. 239: Mr. BLAGOJEVICH and Mr. BORSKI.
H.R. 298: Mr. KERNS and Mr. BONIOR.
H.R. 389: Mr. BONIOR.
H.R. 397: Mr. DEUTSCH, Mr. WAXMAN, Ms. JACKSON-LEE of Texas, Mr. AKIN, Mr. LANGEVIN, and Mr. CONDIT.
H.R. 425: Mr. MATHESON.
H.R. 436: Mr. ROGERS of Michigan and Mr. BAIRD.
H.R. 440: Ms. JACKSON-LEE of Texas, Mr. SANDERS, Ms. BROWN of Florida, and Mr. GORDON.
H.R. 442: Mr. MCINNIS, Mr. RANGEL, and Ms. MCKINNEY.
H.R. 458: Mr. HAYWORTH.
H.R. 490: Mr. MARKEY, Mr. MCGOVERN, Mr. WICKER, Mr. EHRLICH, and Mr. WU.

H.R. 500: Mr. CONYERS and Mr. RODRIGUEZ.
H.R. 534: Mr. BARR of Georgia, Mr. ENGLISH, Mr. SPENCE, Mr. RAHALL, Mr. WATKINS, and Mr. JONES of North Carolina.
H.R. 586: Mr. SHAW and Mr. CRANE.
H.R. 606: Mr. CAPUANO, and Mr. BALDACCI.
H.R. 622: Mr. WATKINS, Mr. MATHESON, Mr. SAWYER, and Mr. SMITH of Washington.
H.R. 678: Mr. DEUTSCH.
H.R. 690: Mr. OLVER and Ms. DEGETTE.
H.R. 696: Mr. DAVIS of Illinois, Ms. KILPATRICK, Ms. MCKINNEY, and Mr. CUMMINGS.
H.R. 717: Mr. REHBERG, Mr. GALLEGLY, Mr. WELDON of Pennsylvania, Mr. ISRAEL, Mr. HOUGHTON, Mr. KENNEDY of Minnesota, and Mr. KIRK.
H.R. 737: Mrs. BIGGERT.
H.R. 746: Mr. EVANS and Mr. COLLINS.
H.R. 781: Mr. OLVER, Ms. LOFGREN, Mr. GONZALEZ, Mr. RANGEL, Ms. HOOLEY of Oregon, Mr. KILDEE, Ms. SOLIS, and Mr. HASTINGS of Florida.
H.R. 783: Ms. HART.
H.R. 786: Mr. SAWYER and Mr. CLAY.
H.R. 805: Mr. COOKSEY.
H.R. 808: Mr. BRYANT, Mr. PRICE of North Carolina, Ms. SOLIS, Mr. HILL, Mr. SKELTON, Mr. MCHUGH, Mr. FATTAH, Mr. HOLT, Mr. NADLER, and Mr. SMITH of New Jersey.
H.R. 822: Mr. RAMSTAD.
H.R. 832: Mr. SHIMKUS.
H.R. 840: Ms. RIVERS, Mr. TIERNEY, Mr. HOEFFEL, Mrs. MINK of Hawaii, and Mr. OLVER.
H.R. 854: Ms. ROYBAL-ALLARD, Mr. EVANS, Mr. BERMAN, Mr. MCHUGH, Mr. HORN, Mr. DREIER, Ms. LEE, Mr. KILDEE, Mr. BOUCHER, Mr. STRICKLAND, and Mr. STUPAK.
H.R. 902: Mrs. EMERSON, Mr. WEXLER, Mr. ENGLISH, Mr. SANDLIN, and Mr. LOBIONDO.
H.R. 917: Mr. RANGEL.
H.R. 932: Mr. MATHESON.
H.R. 936: Mr. BROWN of Ohio.
H.R. 954: Mr. SMITH of New Jersey.
H.R. 964: Mr. SHAYS, Mr. BERMAN, Mr. GUTIERREZ, and Mr. OWENS.
H.R. 968: Mr. SOUDER.
H.R. 975: Mr. MORAN of Kansas, Mr. SUNUNU, Mr. BONIOR, Mr. FORD, and Mr. JENKINS.
H.R. 978: Mr. JONES of North Carolina and Mrs. MEEK of Florida.
H.R. 992: Mr. SHAYS.
H.R. 994: Mr. HASTINGS of Florida.
H.R. 1005: Mr. BARCIA.
H.R. 1008: Mr. TIAHRT, Mr. PICKERING, and Mr. WELLER.
H.R. 1037: Mr. BLUNT.
H.R. 1073: Mr. MASCARA, Ms. CARSON of Indiana, Mr. LARSEN of Washington, Mr. PETERSON of Pennsylvania, Mr. BRADY of Pennsylvania, Mr. TOOMEY, Ms. WATERS, and Mr. TIERNEY.
H.R. 1086: Mr. BAIRD.
H.R. 1110: Mr. STRICKLAND, Mr. LAFALCE, and Mr. VITTER.
H.R. 1127: Mr. KINGSTON and Mr. HORN.
H.R. 1129: Mr. HINCHEY.
H.R. 1130: Mr. HINCHEY.
H.R. 1140: Mr. HOBSON, Mr. HOSTETTLER, Mr. OSE, Mr. ISSA, Mr. DOOLEY of California, Ms. SOLIS, Ms. HARMAN, Mr. BROWN of South Carolina, and Mr. RADANOVICH.
H.R. 1151: Mr. BOUCHER.
H.R. 1162: Mr. DEUTSCH.
H.R. 1185: Ms. BALDWIN and Ms. CARSON of Indiana.
H.R. 1189: Mr. SANDERS.
H.R. 1192: Mr. STRICKLAND.
H.R. 1195: Mr. DOOLEY of California, Mr. REYES, Mr. BECERRA, Ms. ROS-LEHTINEN, and Ms. HART.
H.R. 1199: Ms. KILPATRICK.
H.R. 1201: Ms. MILLENDER-MCDONALD, Mr. FRANK, Mrs. MINK of Hawaii, and Mr. GUTIERREZ.
H.R. 1212: Mr. TANCREDO.
H.R. 1232: Ms. MCKINNEY, Mr. BOUCHER, and Mrs. MINK of Hawaii.
M.R. 1242: Mr. OSBORNE.
H.R. 1262: Ms. BROWN of Florida, Ms. MCKINNEY, and Mr. GONZALEZ.
H.R. 1266: Mr. DOOLEY of California, Mr. NEY, Mr. OWENS, and Mr. RANGEL.
H.R. 1276: Mr. KUCINICH and Ms. DELAURO.
H.R. 1291: Mr. PETERSON of Minnesota, Mrs. THURMAN, and Mr. PETERSON of Pennsylvania.
H.R. 1292: Mr. REYES and Mr. TAYLOR of Mississippi.
H.R. 1305: Mr. BALLENGER, Mr. FILNER, Mr. GREEN of Texas, Mr. GUTKNECHT, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KINGSTON, Mr. MATSUI, Mrs. MEEK of Florida, Ms. MCKINNEY, Mr. MILLER of Florida, Mr. PAUL, Mr. RANGEL, Mr. SHAW, Mr. STUMP, Mr. FORD, Mr. LANGEVIN, and Mr. REHBERG.
H.R. 1306: Mr. KUCINICH.
H.R. 1307: Mr. MORAN of Virginia, Mrs. JO ANN DAVIS of Virginia, and Ms. KILPATRICK.
H.R. 1323: Ms. LEE, Ms. MCKINNEY, and Ms. MILLENDER-MCDONALD.
H.R. 1334: Mr. SWEENEY, Mr. QUINN, Mr. WALSH, Mr. MCHUGH, Mr. KING, Mrs. KELLY, Mr. BOEHLERT, Mr. GRUCCI, Mr. REYNOLDS, Mr. FOSSELLA, Mr. MCNULTY, Mr. HINCHEY, Ms. VELAZQUEZ, Ms. SLAUGHTER, Mr. TOWNS, Mr. ENGEL, Mrs. MCCARTHY of New York, Mr. CROWLEY, Mr. SERRANO, Mr. OWENS, Mr. WEINER, Mrs. LOWEY, Mr. LAFALCE, Mr. ISRAEL, and Mr. ACKERMAN.
H.R. 1342: Mr. FOSSELLA, Mr. BURR of North Carolina, Mr. SESSIONS, and Mr. HEFLEY.
H.R. 1354: Mr. RANGEL and Mr. HEFLEY.
H.R. 1377: Mr. CROWLEY, Mr. SOUDER, Ms. MCKINNEY, Mr. SESSIONS, Mr. FLETCHER, Mr. CALVERT, Ms. PRYCE of Ohio, and Ms. SOLIS.
H.R. 1382: Ms. MCKINNEY.
H.R. 1388: Mr. CLEMENT, Mr. ISAKSON, Mr. CHAMBLISS, Mr. CLYBURN, and Mr. ROEMER.
H.R. 1406: Ms. MCKINNEY.
H.R. 1436: Mrs. MINK of Hawaii, Mr. KENNEDY of Rhode Island, Mr. THOMPSON of California, Mr. BORSKI, Mr. WEXLER, Mr. FORD, Mr. ENGEL, Mrs. ROUKEMA, Mr. JEFFERSON, Mr. FILNER, Mrs. EMERSON, Mr. LARSEN of Washington, Mr. DOOLEY of California, and Mr. HINCHEY.
H.R. 1454: Mr. MCDERMOTT, Mr. LANTOS, Mr. DOGGETT, Mr. LIPINSKI, Mr. SOUDER, Ms. MILLENDER-MCDONALD, and Mr. SMITH of New Jersey.
H.R. 1459: Mr. WATKINS and Mr. RODRIGUEZ.
H.R. 1464: Mr. REHBERG.
H.R. 1482: Ms. SANCHEZ.
H.R. 1487: Mr. RAMSTAD and Mr. GILMAN.
H.R. 1494: Mr. CROWLEY and Mr. DAVIS of Illinois.
H.R. 1540: Mr. FILNER Mr. THOMPSON of Mississippi, and Mr. CLYBURN.
H.R. 1541: Mr. BONIOR.
H.R. 1556: Mrs. MALONEY of New York, Mr. LAFALCE, and Mr. BALDACCI.
H.R. 1561: Mr. OWENS.
H.R. 1562: Mr. OWENS.
H.R. 1563: Mr. OWENS.
H.R. 1581: Mr. WATKINS and Mr. SESSIONS.
H.R. 1585: Mr. BRADY of Pennsylvania, Mr. HALL of Ohio, Mr. DAVIS of Illinois, Mr. LANTOS, and Mr. HONDA.
H.R. 1586: Mr. BONIOR.
H.R. 1592: Mr. STUMP.
H.R. 1597: Mr. FRANK.
H.R. 1599: Mr. SHIMKUS.
H.R. 1609: Mr. HOUGHTON, Mr. GANSKE, Mr. BACHUS, Mr. EVERETT, Mr. COMBEST, Mr. LAFALCE, Mr. WALSH, and Mr. BALDACCI.
H.R. 1613: Mr. KIRK and Mr. PETERSON of Minnesota.
H.R. 1615: Ms. ROS-LEHTINEN and Mr. OWENS.
H.R. 1624: Mr. THOMPSON of Mississippi, Mr. CRAMER, Mr. YOUNG of Alaska, Mr. BARCIA, Mr. TANNER and Mr. NETHERCUTT.
H.R. 1626: Mr. FROST.
H.R. 1644: Mr. GOODE, Mr. LEWIS of Kentucky, Mr. AKIN, Mr. CANTOR, Mr. BACHUS, Mr. JONES of North Carolina, Mr. DOOLITTLE, and Mr. TERRY.
H.R. 1677: Mr. OTTER, Mr. SIMPSON, Mr. HASTINGS of Washington, Mr. NETHERCUTT, and Mr. GRAHAM.
H.R. 1713: Ms. SCHAKOWSKY, Mr. GREEN of Texas, Ms. LOFGREN, Mr. BONIOR, Mr. CROWLEY, and Mr. OWENS.
H.R. 1727: Mr. STARK, Mr. SHAW, Mr. PORTMAN, Mr. ENGLISH, and Mr. CRANE.
H.R. 1765: Mr. GANSKE.
H.J. Res. 36: Mr. CULBERSON and Mr. GOODLATTE.
H. Con. Res. 12: Mr. BONIOR.
H. Con. Res. 63: Mrs. THURMAN and Ms. SANCHEZ.
H. Con. Res. 104: Mr. FRANK and Mr. MCGOVERN.
H. Con. Res. 106: Mr. ENGLISH, Mr. SCHAFFER, Ms. HART, Mr. KLECZKA, Mrs. MYRICK, Mr. HUTCHINSON, and Mr. HAYWORTH.
H. Con. Res. 120: Mr. SESSIONS.
H. Res. 86: Mr. CUMMINGS, Mr. HONDA, Mr. THOMPSON of Mississippi, Mr. WATT of North Carolina, Mr. SABO, Mr. LUTHER, Mr. MATSUI, Mr. TIERNEY, Ms. RIVERS, Ms. WATERS, and Ms. JACKSON-LEE of Texas.
H. Res. 106: Mrs. JONES of Ohio.
H. Res. 120: Mr. GIBBONS.

THURSDAY, MAY 10, 2001 (45)

The House was called to order by the SPEAKER.

¶45.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, May 9, 2001.

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

¶45.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1845. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of Germany, Italy, and Spain Because of BSE [Docket No. 01–008–1] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1846. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Honey Research, Promotion, and Consumer Information Order; Amendments [FV–00–701 FR] (RIN: 0581–AB84) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1847. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Final Free and Restricted Percentages for the 2000–2001 Crop Year for Tart Cherries [Docket No. FV01–930–2 FR] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1848. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Suspension of Provisions Under the Federal Marketing Order for Tart Cherries [Docket No. FV00–930–6 FIR] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1849. A letter from the Secretary, Department of Defense, transmitting a letter on the

approved retirement of Lieutenant General Robert F. Raggio, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1850. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral John W. Craine, Jr., United States Navy, and his advancement to the grade of Vice Admiral on the retired list; to the Committee on Armed Services.

1851. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Walter S. Hogle, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1852. A letter from the Deputy Secretary, Department of Defense, transmitting a report entitled, ''Installation First Responder Preparedness,'' as required by Section 1031 of the Floyd D. Spence National Defense Authorization Act for FY 2001; to the Committee on Armed Services.

1853. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Department's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received April 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1854. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report entitled, ''Report to Congress on Abnormal Occurrences, Fiscal Year 2000,'' for events at licensed nuclear facilities, pursuant to 42 U.S.C. 5848; to the Committee on Energy and Commerce.

1855. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Russia [Transmittal No. DTC 038–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1856. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Russia, Ukraine, Norway, United Kingdom, and Cayman Islands [Transmittal No. DTC 048–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1857. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1858. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the designation of certain organizations as ''foreign terrorist organizations''; to the Committee on International Relations.

1859. A communication from the President of the United States, transmitting the First Annual Report on the Inter-American Convention Against Corruption; to the Committee on International Relations.

1860. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1861. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's second annual performance report for FY 2000; to the Committee on Government Reform.

1862. A letter from the Regulatory Contact, National Archives and Records Administration, transmitting the Administration's final rule—John F. Kennedy Assassination Records Collection Rules, Correction (RIN: 3095–AB00) received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1863. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Great Lakes Breeding Population of the Piping Plover (RIN: 1018–AG14) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1864. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report regarding the results of a study on the impact of the Twenty-First Amendment Enforcement Act, which Congress enacted on October 28, 2000 as section 2004 of the Victims of Trafficking and Violence Protection Act of 2000; to the Committee on the Judiciary.

1865. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0070 and Mark 0100 Series Airplanes [Docket No. 2000–NM–290–AD; Amendment 39–12172; AD 2001–07–07] (RIN: 2120–AA64) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1866. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10 and MD–11 Series Airplanes, and KC–10A (Military) Airplanes [Docket No. 99–NM–108–AD; Amendment 39–12147; AD 2001–05–10] (RIN: 2120–AA64) received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1867. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS–350B, BA, B1, B2, and D; and AS–355E, F, F1, F2, and N Helicopters [Docket No. 2000–SW–30–AD; Amendment 39–12043; AD 2000–25–08] (RIN: 2120–AA64) received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1868. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330–301, –321, –322, –341, and –342 Series Airplanes; and Model A340–211, –212, –213, –311, –312, and –313 Series Airplanes [Docket No. 2000–NM–117–AD; Amendment 39–12167; AD 2001–07–02] (RIN: 2120–AA64) received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1869. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330–301, –321, –322 Series Airplanes; and Model A340 Series Airplanes [Docket No. 2000–NM–119–AD; Amendment 39–12150; AD 2001–06–03] (RIN: 2120–AA64) received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1870. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, –700, and –800 Series Airplanes [Docket No. 2001–NM–19–AD; Amendment 39–12155; AD 2001–06–08] (RIN: 2120–AA64) received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1871. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8–33, –42, –55, and –61 Series Airplanes [Docket No. 2000–NM–254–AD; Amendment 39–12151; AD 2001–06–04] (RIN: 2120–AA64) received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1872. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 99–NM–60–AD; Amendment 39–12149; AD 2001–06–02] (RIN: 2120–AA64) received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1873. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D Airspace; Shreveport Downtown Airport, Shreveport, LA [Airspace Docket No. 2000–ASW–20] received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1874. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Bay City, TX [Airspace Docket No. 2001–ASW–05] received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1875. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Bowling Green, MO [Airspace Docket No. 00–ACE–36] received April 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1876. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace; Seneca Falls, NY [Airspace Docket No. 00–AEA–15FR] received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1877. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace; Salisbury, MD [Airspace Docket No. 00–AEA–03FR] received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1878. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30238; Amdt. No. 2042] received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1879. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30239; Amdt. No. 2043] received April 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1880. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30237; Amdt. No. 2041] received April 20, 2001, pursu-

ant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1881. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of the Dimensions of the Grand Canyon National Park Special Flight Rules Area and Flight Free Zones [Docket No. FAA–2001–9218] (RIN: 2120–AG74) received April 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1882. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Review of Benefit Claims Decisions (RIN: 2900–AJ99) received May 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1883. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Evaluation of Medicare's Competitive Bidding Demonstration for Durable Medical Equipment, Prosthetics, Orthotics, and Supplies''; jointly to the Committees on Ways and Means and Energy and Commerce.

¶45.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H. Con. Res. 74. Concurrent resolution authorizing the use of the Capitol Grounds for the 20th annual National Peace Officers' Memorial Service.

H. Con. Res. 108. Concurrent resolution honoring the National Science Foundation for 50 years of service to the Nation.

The message also announced that the Senate has passed with amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 428. An Act concerning the participation of Taiwan in the World Health Organization.

The message also announced that pursuant to section 9355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Idaho (Mr. CRAIG), from the Committee on Appropriations, to the Board of Visitors of the United States Air Force Academy.

The message also announced that pursuant to section 9355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, reappoints the following Senators to the Board of Visitors of the United States Air Force Academy—

the Senator from South Carolina (Mr. HOLLINGS) (from the Committee on Appropriations); and

the Senator from Georgia (Mr. CLELAND) (At Large).

The message also announced that pursuant to section 4355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Ohio (Mr. DEWINE), from the Committee on Appropriations, to the Board of Visitors of the United States Military Academy.

The message also announced that pursuant to section 4355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Military Academy—

the Senator from Rhode Island (Mr. REED) (At Large); and

the Senator from Louisiana (Mrs. LANDRIEU) (from the Committee on Appropriations).

The message also announced that pursuant to section 6968(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Mississippi (Mr. COCHRAN), from the Committee on Appropriations, to the Board of Visitors of the United States Naval Academy.

The message also announced that pursuant to section 6968(a) of title 10, United States Code, the Chair, on behalf of the Vice President, reappoints the following Senators to the Board of Visitors of the United States Naval Academy—

the Senator from Maryland (Mr. SARBANES) (At Large); and

the Senator from Maryland (Ms. MIKULSKI) (from the Committee on Appropriations).

The message also announced that pursuant to section 194(a) of title 14, United States Code, as amended by Public Law 101–595, and upon the recommendation of the Chairman of the Committee on Commerce, Science, and Transportation, the Chair, on behalf of the Vice President, reappoints the following Senators to the Board of Visitors of the United States Coast Guard Academy—

the Senator from South Carolina (Mr. HOLLINGS) (from the Committee on Commerce, Science, and Transportation); and

the Senator from Washington (Mrs. MURRAY) (At Large).

The message also announced that pursuant to section 1295(b) of title 46, United States Code, as amended by Public Law 101–595, and upon the recommendation of the Chairman of the Committee on Commerce, Science, and Transportation, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Merchant Marine Academy—

the Senator from North Carolina (Mr. EDWARDS) (from the Committee on Commerce, Science, and Transportation); and

the Senator from Louisiana (Mr. BREAUX) (At Large).

¶45.4 PROVIDING FOR THE CONSIDERATION OF H.R. 1646

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 138):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Except as specified in section 2 of this resolution, each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The chairman of the Committee of the Whole may recognize for consideration of any amendment printed in the report of the Committee on Rules out of the order printed, but not sooner than one hour after the Majority Leader or his designee announces from the floor a request to that effect.

When said resolution was considered.

After debate,

On motion of Mr. DIAZ-BALART, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 226 / Nays ..... 192 }

¶45.5 [Roll No. 105]

YEAS—226

Aderholt	Biggert	Burton
Akin	Bilirakis	Buyer
Armey	Blunt	Callahan
Bachus	Boehlert	Calvert
Baker	Boehner	Camp
Ballenger	Bonilla	Cannon
Barcia	Bono	Cantor
Barr	Boyd	Capito
Bartlett	Brady (TX)	Castle
Barton	Brown (SC)	Chabot
Bass	Bryant	Chambliss
Bereuter	Burr	Coble

Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NAYS—192

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

NOT VOTING—13

Abercrombie
Clement
Cubin
Delahunt
Engel
Hunter
Menendez
Moakley
Rivers
Ros-Lehtinen
Sensenbrenner
Stump
Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶45.6 DEPARTMENT OF STATE AUTHORIZATION

The SPEAKER pro tempore, Mr. QUINN, pursuant to House Resolution 138 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes.

The SPEAKER pro tempore, Mr. QUINN, by unanimous consent, designated Mr. LAHOOD, as Chairman of the Committee of the Whole; and after some time spent therein,

¶45.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DELAY:

Page 90, after line 8, add the following:

Subtitle B—American Servicemembers' Protection Act

SEC. 631. SHORT TITLE.

This subtitle may be cited as the ''American Servicemembers' Protection Act of 2001''.

SEC. 632. FINDINGS.

Congress makes the following findings:

(1) On July 17, 1998, the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, meeting in Rome, Italy, adopted the ''Rome Statute of the International Criminal Court.'' The vote on whether to proceed with the Statute was 120 in favor to 7 against, with 21 countries abstaining. The United States voted against final adoption of the Rome Statute.

(2) As of April 30, 2001, 139 countries had signed the Rome Statute and 30 had ratified it. Pursuant to Article 126 of the Rome Statute, the Statute will enter into force on the first day of the month after the 60th day following the date on which the 60th country deposits an instrument ratifying the Statute.

(3) Since adoption of the Rome Statute, a Preparatory Commission for the International Criminal Court has met regularly to draft documents to implement the Rome Statute, including Rules of Procedure and Evidence, Elements of Crimes, and a definition of the Crime of Aggression.

(4) During testimony before the Congress following the adoption of the Rome Statute, the lead United States negotiator, Ambassador David Scheffer stated that the United States could not sign the Rome Statute because certain critical negotiating objectives of the United States had not been achieved. As a result, he stated: ''We are left with consequences that do not serve the cause of international justice.''

(5) Ambassador Scheffer went on to tell the Congress that: ''Multinational peacekeeping forces operating in a country that has joined the treaty can be exposed to the Court's jurisdiction even if the country of the individual peacekeeper has not joined the treaty. Thus, the treaty purports to establish an arrangement whereby United States armed forces operating overseas could be conceivably prosecuted by the international court even if the United States has not agreed to be bound by the treaty. Not only is this contrary to the most fundamental principles of treaty law, it could inhibit the ability of the United States to use its military to meet alliance obligations and participate in multinational operations, including humanitarian interventions to save civilian lives. Other contributors to peacekeeping operations will be similarly exposed.''.

(6) Notwithstanding these concerns, President Clinton directed that the United States sign the Rome Statute on December 31, 2000. In a statement issued that day, he stated that in view of the unremedied deficiencies of the Rome Statute, ''I will not, and do not recommend that my successor submit the Treaty to the Senate for advice and consent until our fundamental concerns are satisfied''.

(7) Any American prosecuted by the International Criminal Court will, under the Rome Statute, be denied procedural protections to which all Americans are entitled under the Bill of Rights to the United States Constitution, such as the right to trial by jury.

(8) Members of the Armed Forces of the United States deserve the full protection of the United States Constitution wherever they are stationed or deployed around the world to protect the vital national interests of the United States. The United States Government has an obligation to protect the members of its Armed Forces, to the maximum extent possible, against criminal prosecutions carried out by United Nations officials under procedures that deny them their constitutional rights.

(9) In addition to exposing members of the Armed Forces of the United States to the risk of international criminal prosecution, the Rome Statute creates a risk that the President and other senior elected and appointed officials of the United States Government may be prosecuted by the International Criminal Court. Particularly if the Preparatory Commission agrees on a definition of the Crime of Aggression over United States objections, senior United States officials may be at risk of criminal prosecution for national security decisions involving such matters as responding to acts of terrorism, preventing the proliferation of weapons of mass destruction, and deterring aggression. No less than members of the Armed

Forces of the United States, senior officials of the United States Government deserve the full protection of the United States Constitution with respect to official actions taken by them to protect the national interests of the United States.

SEC. 633. WAIVER AND TERMINATION OF PROHIBITIONS OF THIS ACT.

(a) AUTHORITY TO INITIALLY WAIVE SECTIONS 635 AND 637.—The President is authorized to waive the prohibitions and requirements of sections 635 and 637 for a single period of one year. Such a waiver may be issued only if the President at least 15 days in advance of exercising such authority—

(1) notifies the appropriate congressional committees of the intention to exercise such authority; and

(2) determines and reports to the appropriate congressional committees that the International Criminal Court has entered into a binding agreement that—

(A) prohibits the International Criminal Court from seeking to exercise jurisdiction over the following persons with respect to actions undertaken by them in an official capacity:

(i) covered United States persons;

(ii) covered allied persons; and

(iii) individuals who were covered United States persons or covered allied persons; and

(B) ensures that no person described in subparagraph (A) will be arrested, detained, prosecuted, or imprisoned by or on behalf of the International Criminal Court.

(b) AUTHORITY TO EXTEND WAIVER OF SECTIONS 635 AND 637.—The President is authorized to waive the prohibitions and requirements of sections 635 and 637 for successive periods of one year each upon the expiration of a previous waiver pursuant to subsection (a) or this subsection. Such a waiver may be issued only if the President at least fifteen days in advance of exercising such authority—

(1) notifies the appropriate congressional committees of the intention to exercise such authority; and

(2) determines and reports to the appropriate congressional committees that the International Criminal Court—

(A) remains party to, and has continued to abide by, a binding agreement that—

(i) prohibits the International Criminal Court from seeking to exercise jurisdiction over the following persons with respect to actions undertaken by them in an official capacity:

(I) covered United States persons;

(II) covered allied persons; and

(III) individuals who were covered United States persons or covered allied persons; and

(ii) ensures that no person described in clause (i) will be arrested, detained, prosecuted, or imprisoned by or on behalf of the International Criminal Court; and

(B) has taken no steps to arrest, detain, prosecute, or imprison any person described in clause (i) of subparagraph (A).

(c) AUTHORITY TO WAIVE SECTIONS 634 AND 636 WITH RESPECT TO AN INVESTIGATION OR PROSECUTION OF A NAMED INDIVIDUAL.—The President is authorized to waive the prohibitions and requirements of sections 634 and 636 to the degree they would prevent United States cooperation with an investigation or prosecution of a named individual by the International Criminal Court. Such a waiver may be issued only if the President at least 15 days in advance of exercising such authority—

(1) notifies the appropriate congressional committees of the intention to exercise such authority; and

(2) determines and reports to the appropriate congressional committees that—

(A) a waiver pursuant to subsection (a) or (b) of the prohibitions and requirements of sections 635 and 637 is in effect;

(B) there is reason to believe that the named individual committed the crime or crimes that are the subject of the International Criminal Court's investigation or prosecution;

(C) it is in the national interest of the United States for the International Criminal Court's investigation or prosecution of the named individual to proceed; and

(D) in investigating events related to actions by the named individual, none of the following persons will be investigated, arrested, detained, prosecuted, or imprisoned by or on behalf of the International Criminal Court with respect to actions undertaken by them in an official capacity:

(i) Covered United States persons.

(ii) Covered allied persons.

(iii) Individuals who were covered United States persons or covered allied persons.

(d) TERMINATION OF WAIVER PURSUANT TO SUBSECTION (c).—Any waiver or waivers exercised pursuant to subsection (c) of the prohibitions and requirements of sections 634 and 636 shall terminate at any time that a waiver pursuant to subsection (a) or (b) of the prohibitions and requirements of sections 635 and 637 expires and is not extended pursuant to subsection (b).

(e) TERMINATION OF PROHIBITIONS OF THIS ACT.—The prohibitions and requirements of sections 634, 635, 636, and 637 shall cease to apply, and the authority of section 638 shall terminate, if the United States becomes a party to the International Criminal Court pursuant to a treaty made under article II, section 2, clause 2 of the Constitution of the United States.

SEC. 634. PROHIBITION ON COOPERATION WITH THE INTERNATIONAL CRIMINAL COURT.

(a) CONSTRUCTION.—The provisions of this section—

(1) apply only to cooperation with the International Criminal Court and shall not be construed to apply to cooperation with an ad hoc international criminal tribunal established by the United Nations Security Council before or after the date of the enactment of this Act to investigate and prosecute war crimes committed in a specific country or during a specific conflict; and

(2) shall not be construed to prohibit—

(A) any action permitted under section 638;

(B) any other action taken by members of the Armed Forces of the United States outside the territory of the United States while engaged in military operations involving the threat or use of force when necessary to protect such personnel from harm or to ensure the success of such operations; or

(C) communication by the United States to the International Criminal Court of its policy with respect to a particular matter.

(b) PROHIBITION ON RESPONDING TO REQUESTS FOR COOPERATION.—No agency or entity of the United States Government or of any State or local government, including any court, may cooperate with the International Criminal Court in response to a request for cooperation submitted by the International Criminal Court pursuant to Part 9 of the Rome Statute.

(c) PROHIBITION ON SPECIFIC FORMS OF COOPERATION AND ASSISTANCE.—No agency or entity of the United States Government or of any State or local government, including any court, may provide financial support or other cooperation, support, or assistance to the International Criminal Court, including by undertaking any action described in the following articles of the Rome Statute with the purpose or intent of cooperating with, or otherwise providing support or assistance to, the International Criminal Court:

(1) Article 89 (relating to arrest, extradition, and transit of suspects).

(2) Article 92 (relating to provisional arrest of suspects).

(3) Article 93 (relating to seizure of property, asset forfeiture, execution of searches and seizures, service of warrants and other judicial process, taking of evidence, and similar matters).

(d) RESTRICTION ON ASSISTANCE PURSUANT TO MUTUAL LEGAL ASSISTANCE TREATIES.—The United States shall exercise its rights to limit the use of assistance provided under all treaties and executive agreements for mutual legal assistance in criminal matters, multilateral conventions with legal assistance provisions, and extradition treaties, to which the United States is a party, and in connection with the execution or issuance of any letter rogatory, to prevent the transfer to, or other use by, the International Criminal Court of any assistance provided by the United States under such treaties and letters rogatory.

(e) PROHIBITION ON INVESTIGATIVE ACTIVITIES OF AGENTS.—No agent of the International Criminal Court may conduct, in the United States or any territory subject to the jurisdiction of the United States, any investigative activity relating to a preliminary inquiry, investigation, prosecution, or other proceeding at the International Criminal Court.

SEC. 635. RESTRICTION ON UNITED STATES PARTICIPATION IN CERTAIN UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) POLICY.—Effective beginning on the date on which the Rome Statute enters into force pursuant to Article 126 of the Rome Statute, the President should use the voice and vote of the United States in the United Nations Security Council to ensure that each resolution of the Security Council authorizing any peacekeeping operation under chapter VI of the charter of the United Nations or peace enforcement operation under chapter VII of the charter of the United Nations permanently exempts, at a minimum, members of the Armed Forces of the United States participating in such operation from criminal prosecution by the International Criminal Court for actions undertaken by such personnel in connection with the operation.

(b) RESTRICTION.—Members of the Armed Forces of the United States may not participate in any peacekeeping operation under chapter VI of the charter of the United Nations or peace enforcement operation under chapter VII of the charter of the United Nations, the creation of which is authorized by the United Nations Security Council on or after the date that the Rome Statute enters into effect pursuant to Article 126 of the Rome Statute, unless the President has submitted to the appropriate congressional committees a certification described in subsection (c) with respect to such operation.

(c) CERTIFICATION.—The certification referred to in subsection (b) is a certification by the President that members of the Armed Forces of the United States are able to participate in the peacekeeping or peace enforcement operation without risk of criminal prosecution by the International Criminal Court because—

(1) in authorizing the operation, the United Nations Security Council permanently exempted, at a minimum, members of the Armed Forces of the United States participating in the operation from criminal prosecution by the International Criminal Court for actions undertaken by them in connection with the operation;

(2) each country in which members of the Armed Forces of the United States participating in the operation will be present is either not a party to the International Criminal Court and has not invoked the jurisdiction of the International Criminal Court pursuant to Article 12 of the Rome Statute, or has entered into an agreement in accordance with Article 98 of the Rome Statute pre-

venting the International Criminal Court from proceeding against members of the Armed Forces of the United States present in that country; or

(3) the United States has taken other appropriate steps to guarantee that members of the Armed Forces of the United States participating in the operation will not be prosecuted by the International Criminal Court for actions undertaken by such personnel in connection with the operation.

SEC. 636. PROHIBITION ON DIRECT OR INDIRECT TRANSFER OF CERTAIN CLASSIFIED NATIONAL SECURITY INFORMATION TO THE INTERNATIONAL CRIMINAL COURT.

(a) DIRECT TRANSFER.—Not later than the date on which the Rome Statute enters into force, the President shall ensure that appropriate procedures are in place to prevent the transfer of classified national security information to the International Criminal Court.

(b) INDIRECT TRANSFER.—Not later than the date on which the Rome Statute enters into force, the President shall ensure that appropriate procedures are in place to prevent the transfer of classified national security information relevant to matters under consideration by the International Criminal Court to the United Nations and to the government of any country that is a party to the International Criminal Court unless the United Nations or that government, as the case may be, has provided written assurances that such information will not be made available to the International Criminal Court.

(c) CONSTRUCTION.—The provisions of this section shall not be construed to prohibit any action permitted under section 638.

SEC. 637. PROHIBITION OF UNITED STATES MILITARY ASSISTANCE TO PARTIES TO THE INTERNATIONAL CRIMINAL COURT.

(a) PROHIBITION OF MILITARY ASSISTANCE.—Subject to subsections (b) and (c), no United States military assistance may be provided to the government of a country that is a party to the International Criminal Court.

(b) WAIVER.—The President may waive the prohibition of subsection (a) with respect to a particular country—

(1) for one or more periods not exceeding one year each, if the President determines and reports to the appropriate congressional committees that it is vital to the national interest of the United States to waive such prohibition; and

(2) permanently, if the President determines and reports to the appropriate congressional committees that such country has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(c) EXEMPTION.—The prohibition of subsection (a) shall not apply to the government of—

(1) a NATO member country;

(2) a major non-NATO ally (including, inter alia, Australia, Egypt, Israel, Japan, the Republic of Korea, and New Zealand); or

(3) Taiwan.

SEC. 638. AUTHORITY TO FREE MEMBERS OF THE ARMED FORCES OF THE UNITED STATES AND CERTAIN OTHER PERSONS HELD CAPTIVE BY OR ON BEHALF OF THE INTERNATIONAL CRIMINAL COURT.

(a) AUTHORITY.—The President is authorized to use all means necessary and appropriate to bring about the release from captivity of any person described in subsection (b) who is being detained or imprisoned against that person's will by or on behalf of the International Criminal Court.

(b) PERSONS AUTHORIZED TO BE FREED.—The authority of subsection (a) shall extend to the following persons:

(1) Covered United States persons.

(2) Covered allied persons.

(3) Individuals detained or imprisoned for official actions taken while the individual was a covered United States person or a covered allied person, and in the case of a covered allied person, upon the request of such government.

(c) AUTHORIZATION OF LEGAL ASSISTANCE.—When any person described in subsection (b) is arrested, detained, prosecuted, or imprisoned by or on behalf of the International Criminal Court, the authority under subsection (a) may be used—

(1) for the provision of legal representation and other legal assistance to that person (including, in the case of a person entitled to assistance under section 1037 of title 10, United States Code, representation and other assistance in the manner provided in that section); and

(2) for the provision of exculpatory evidence on behalf of that person.

(d) BRIBES AND OTHER INDUCEMENTS NOT AUTHORIZED.—Subsection (a) does not authorize the payment of bribes or the provision of other incentives to induce the release from captivity of a person described in subsection (b).

SEC. 639. ALLIANCE COMMAND ARRANGEMENTS.

(a) REPORT ON ALLIANCE COMMAND ARRANGEMENTS.—Not later than 6 months after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report with respect to each military alliance to which the United States is party—

(1) describing the degree to which members of the Armed Forces of the United States may, in the context of military operations undertaken by or pursuant to that alliance, be placed under the command or operational control of foreign military officers subject to the jurisdiction of the International Criminal Court because they are nationals of a party to the International Criminal Court; and

(2) evaluating the degree to which members of the Armed Forces of the United States engaged in military operations undertaken by or pursuant to that alliance may be exposed to greater risks as a result of being placed under the command or operational control of foreign military officers subject to the jurisdiction of the International Criminal Court.

(b) DESCRIPTION OF MEASURES TO ACHIEVE ENHANCED PROTECTION FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES.—Not later than one year after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a description of modifications to command and operational control arrangements within military alliances to which the United States is a party that could be made in order to reduce any risks to members of the Armed Forces of the United States identified pursuant to subsection (a)(2).

(c) SUBMISSION IN CLASSIFIED FORM.—The report under subsection (a), and the description of measures under subsection (b), or appropriate parts thereof, may be submitted in classified form.

SEC. 640. WITHHOLDINGS.

Funds withheld from the United States share of assessments to the United Nations or any other international organization during any fiscal year pursuant to section 705 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–460), are authorized to be transferred to the Embassy Security, Construction and Maintenance Account of the Department of State.

SEC. 641. NONDELEGATION.

The authorities vested in the President by sections 633, 635(c), and 637(b) may not be delegated by the President pursuant to section 301 of title 3, United States Code, or any other provision of law.

SEC. 642. DEFINITIONS.

As used in this Act and in sections 705 and 706 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) CLASSIFIED NATIONAL SECURITY INFORMATION.—The term ''classified national security information'' means information that is classified or classifiable under Executive Order 12958 or a successor Executive order.

(3) COVERED ALLIED PERSONS.—The term ''covered allied persons'' means military personnel, elected or appointed officials, and other persons employed by or working on behalf of the government of a NATO member country, a major non-NATO ally (including, inter alia, Australia, Egypt, Israel, Japan, the Republic of Korea, and New Zealand), or Taiwan, for so long as that government is not a party to the International Criminal Court and wishes its officials and other persons working on its behalf to be exempted from the jurisdiction of the International Criminal Court.

(4) COVERED UNITED STATES PERSONS.—The term ''covered United States persons'' means members of the Armed Forces of the United States, elected or appointed officials of the United States Government, and other persons employed by or working on behalf of the United States Government, for so long as the United States is not a party to the International Criminal Court.

(5) EXTRADITION.—The terms ''extradition'' and ''extradite'' include both ''extradition'' and ''surrender'' as those terms are defined in article 102 of the Rome Statute.

(6) INTERNATIONAL CRIMINAL COURT.—The term ''International Criminal Court'' means the court established by the Rome Statute.

(7) MAJOR NON-NATO ALLY.—The term ''major non-NATO ally'' means a country that has been so designated in accordance with section 517 of the Foreign Assistance Act of 1961.

(8) PARTY TO THE INTERNATIONAL CRIMINAL COURT.—The term ''party to the International Criminal Court'' means a government that has deposited an instrument of ratification, acceptance, approval, or accession to the Rome Statute, and has not withdrawn from the Rome Statute pursuant to Article 127 thereof.

(9) PEACEKEEPING OPERATION UNDER CHAPTER VI OF THE CHARTER OF THE UNITED NATIONS OR PEACE ENFORCEMENT OPERATION UNDER CHAPTER VII OF THE CHARTER OF THE UNITED NATIONS.—The term ''peacekeeping operation under chapter VI of the charter of the United Nations or peace enforcement operation under chapter VII of the charter of the United Nations'' means any military operation to maintain or restore international peace and security that—

(A) is authorized by the United Nations Security Council under chapter VI or VII of the charter of the United Nations; and

(B) is paid for from assessed contributions of United Nations members that are made available for peacekeeping or peace enforcement activities.

(10) ROME STATUTE.—The term ''Rome Statute'' means the Rome Statute of the International Criminal Court, adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an

International Criminal Court on July 17, 1998.

(11) SUPPORT.—The term ''support'' means assistance of any kind, including financial support, material support, services, intelligence sharing, law enforcement cooperation, the training or detail of personnel, and the arrest or detention of individuals.

(12) UNITED STATES MILITARY ASSISTANCE.—The term ''United States military assistance'' means—

(A) assistance provided under chapters 2 through 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.);

(B) defense articles or defense services furnished with the financial assistance of the United States Government, including through loans and guarantees; or

(C) military training or education activities provided by any agency or entity of the United States Government.

Such term does not include activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

It was decided in the affirmative ..... { Yeas ..... 282; Nays ..... 137; Answered present 1

¶45.8 [Roll No. 106]

AYES—282

Aderholt, Akin, Andrews, Armey, Baca, Bachus, Baker, Ballenger, Barcia, Barr, Bartlett, Barton, Bass, Bentsen, Bereuter, Berry, Biggert, Bilirakis, Bishop, Blunt, Boehlert, Boehner, Bonilla, Bono, Boswell, Boucher, Brady (PA), Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Carson (OK), Castle, Chabot, Chambliss, Clay, Coble, Collins, Combest, Condit, Cooksey, Costello, Cox, Cramer, Crane, Crenshaw, Culberson, Cunningham, Davis (CA), Davis, Jo Ann, Davis, Tom, Deal, DeFazio, DeLay, DeMint, Dicks, Dingell, Dooley, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, English, Etheridge, Everett, Ferguson, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Frost, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Gordon, Goss, Graham, Granger, Graves, Green (TX), Green (WI), Greenwood, Grucci, Gutknecht, Hall (TX), Hansen, Harman, Hart, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill, Hilleary, Hobson, Hoekstra, Holden, Horn, Hostettler, Hulshof, Hutchinson, Hyde, Inslee, Isakson, Issa, Istook, Jackson-Lee (TX), Jenkins, John, Johnson (IL), Johnson, Sam, Jones (NC), Kanjorski, Kaptur, Keller, Kelly, Kennedy (MN), Kerns, Kildee, King (NY), Kingston, Kirk, Knollenberg, Kolbe, LaHood, Langevin, Largent, Larsen (WA), LaTourette, Lewis (CA), Lewis (KY), Linder, Lipinski, LoBiondo, Lucas (KY), Lucas (OK), Maloney (CT), Manzullo, Mascara, Matheson, McCrery, McHugh, McInnis, McIntyre, McKeon, McNulty, Menendez, Mica, Miller (FL), Miller, Gary, Mollohan, Moore, Moran (KS), Murtha, Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Ortiz, Osborne, Ose, Otter, Oxley, Pallone, Pascrell, Pence, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pitts, Platts, Pombo, Portman, Price (NC), Pryce (OH), Putnam, Quinn, Radanovich, Rahall, Ramstad, Regula, Rehberg, Reyes, Reynolds, Riley, Roemer, Rogers (KY), Rogers (MI), Rohrabacher, Ross, Rothman, Roukema, Royce, Ryan (WI), Ryun (KS), Sanchez, Sandlin, Saxton, Scarborough, Schaffer, Schiff, Schrock, Sessions, Shadegg, Shaw, Shays, Sherwood, Shimkus, Shows, Simmons, Simpson, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Souder, Spence, Spratt, Stearns, Stenholm, Strickland, Stupak, Sununu, Sweeney, Tancredo, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thornberry, Thune, Thurman, Tiahrt, Tiberi, Toomey, Traficant, Turner, Upton, Visclosky, Vitter, Walden, Walsh, Wamp, Watkins, Watts (OK), Weldon (FL), Weller, Whitfield, Wicker, Wilson, Wolf, Young (AK), Young (FL)

NOES—137

Abercrombie, Ackerman, Allen, Baird, Baldacci, Baldwin, Barrett, Becerra, Berkley, Berman, Blagojevich, Blumenauer, Bonior, Borski, Boyd, Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson (IN), Clayton, Clement, Clyburn, Conyers, Coyne, Crowley, Cummings, Davis (FL), Davis (IL), DeGette, Delahunt, DeLauro, Deutsch, Doggett, Engel, Eshoo, Evans, Farr, Fattah, Filner, Ford, Frank, Gephardt, Gonzalez, Gutierrez, Hall (OH), Hastings (FL), Hilliard, Hinchey, Hinojosa, Hoeffel, Holt, Honda, Hooley, Houghton, Hoyer, Israel, Jackson (IL), Jefferson, Johnson (CT), Johnson, E. B., Jones (OH), Kennedy (RI), Kilpatrick, Kind (WI), Kleczka, Kucinich, LaFalce, Lampson, Lantos, Larson (CT), Leach, Lee, Levin, Lewis (GA), Lofgren, Lowey, Luther, Maloney (NY), Markey, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McDermott, McGovern, McKinney, Meehan, Meek (FL), Meeks (NY), Millender-McDonald, Miller, George, Mink, Moran (VA), Morella, Nadler, Napolitano, Neal, Oberstar, Obey, Olver, Owens, Pastor, Payne, Pelosi, Pomeroy, Rangel, Rodriguez, Roybal-Allard, Rush, Sabo, Sanders, Sawyer, Schakowsky, Scott, Serrano, Sherman, Slaughter, Snyder, Solis, Stark, Thompson (CA), Thompson (MS), Tierney, Towns, Udall (CO), Udall (NM), Velazquez, Waters, Watt (NC), Waxman, Weiner, Wexler, Woolsey, Wu, Wynn

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—11

Cubin, Diaz-Balart, Emerson, Hunter, Latham, Moakley, Rivers, Ros-Lehtinen, Sensenbrenner, Stump, Weldon (PA)

So the amendment was agreed to.

¶45.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HYDE:

Page 76, after line 12, insert the following new subsection (and redesignate the subsequent subsections accordingly):

(a) ADDITIONAL RESTRICTION ON RELEASE OF ARREARAGE PAYMENTS RELATING TO UNITED STATES MEMBERSHIP ON THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS AND USE OF SECRET BALLOTS.—In addition to the satisfaction of all other preconditions applicable to the obligation and expenditure of funds authorized to be appropriated by section 911(a)(3) of the United Nations Reform Act of 1999, such funds may not be obligated or expended until the Secretary of State certifies to the appropriate congressional committees that—

(1) the United States has obtained full membership on the United Nations Commission on Human Rights for a term commencing after May 3, 2001; and

(2)(A) neither the United Nations nor any specialized agency of the United Nations takes any action or exercises any authority by any vote of the membership of the body by a secret ballot which prevents the identification of each vote with the member casting the ballot; or

(B) a detailed analysis of voting within the United Nations and specialized agencies of the United Nations has demonstrated to the satisfaction of the Secretary of State that the use of secret ballots can serve the interests of the United States and that analysis has been transmitted to the appropriate congressional committees.

It was decided in the affirmative ..... { Yeas ..... 252; Nays ..... 165; Answered present 1

¶45.10 [Roll No. 107]

AYES—252

Abercrombie, Aderholt, Akin, Andrews, Armey, Baca, Baker, Ballenger, Barcia, Barr, Bartlett, Barton, Bass, Bentsen, Berry, Bilirakis, Bishop, Blunt, Boehner, Bonilla, Bono, Boyd, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Capuano, Carson (OK), Chabot, Chambliss, Coble, Collins, Combest, Condit, Cooksey, Costello, Cox, Cramer, Crane, Crenshaw, Culberson, Cunningham, Davis (CA), Davis, Jo Ann, Deal, DeFazio, DeLay, DeMint, Dingell, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehrlich, English, Etheridge, Everett, Ferguson, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Frost, Gallegly, Ganske, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Gordon, Graham, Granger, Graves, Green (TX), Green (WI), Greenwood, Grucci, Gutknecht, Hall (TX), Hansen, Hart, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill, Hilleary, Hobson, Hoekstra, Holden, Hooley, Horn, Hostettler, Hulshof, Hyde, Isakson, Israel, Issa, Istook, Jenkins, Johnson (IL), Johnson, Sam, Jones (NC), Kanjorski, Kaptur, Keller, Kennedy (MN), Kerns, Kildee, Kind (WI), King (NY), Kingston, Kirk, Knollenberg, LaHood, Lampson, Langevin, Lantos, Largent, LaTourette, Lewis (CA), Lewis (KY), Linder, Lipinski, LoBiondo, Lucas (KY), Lucas (OK), Maloney (CT), Manzullo, Markey, Mascara, Matheson, McCarthy (NY), McCrery, McInnis, McIntyre, McKeon, Menendez

Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—165

Ackerman
Bachus
Baird
Baldacci
Baldwin
Barrett
Becerra
Bereuter
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson (IN)
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Dooley
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank
Gonzalez
Goodlatte
Goss
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Houghton
Hutchinson
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kelly
Kennedy (RI)
Kilpatrick
Kleczka
Kolbe
Kucinich
LaFalce
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Pomeroy
Price (NC)
Rahall
Rangel
Rodriguez
Rothman
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (MI)
Smith (WA)
Snyder
Solis
Stark
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Walsh
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

ANSWERED "PRESENT"—1

Hoyer

NOT VOTING—13

Allen
Cubin
Diaz-Balart
Emerson
Hunter
Latham
Moakley
Rivers
Ros-Lehtinen
Roybal-Allard
Sensenbrenner
Stump
Thune

So the amendment was agreed to.

¶45.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TANCREDO:

Page 16, strike line 21 and all that follows through line 10 on page 17.

Page 117, strike line 5 and all that follows through line 2 on page 119.

It was decided in the negative ..... { Yeas ..... 193 / Nays 225

¶45.12 [Roll No. 108]

AYES—193

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
LaHood
Largent
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sessions
Shadegg
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Sununu
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—225

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Engel
English
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Ganske
Gephardt
Gilchrest
Gonzalez
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Reyes
Rodriguez
Roemer
Ross
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shaw
Shays
Sherman
Slaughter
Smith (MI)
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Wexler
Whitfield
Woolsey
Wu
Wynn

NOT VOTING—13

Allen
Cubin
Diaz-Balart
Emerson
Eshoo
Hunter
Latham
Moakley
Portman
Rivers
Ros-Lehtinen
Sensenbrenner
Stump

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. GUTKNECHT, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶45.13 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, May 14, 2001, at 2 o'clock p.m.

¶45.14 HOUR OF MEETING

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns on Monday, May 14, 2001, it adjourn to meet at 12:30 p.m. on Tuesday,

May 15, 2001, for ''morning-hour debate''.

¶45.15 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, May 16, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶45.16 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mrs. EMERSON, for today after 12 o'clock noon and balance of the week; and

To Mr. SENSENBRENNER, for today.

And then,

¶45.17 ADJOURNMENT

On motion of Mr. PAUL, pursuant to the special order heretofore agreed to, at 2 o'clock and 36 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, May 14, 2001.

¶45.18 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1088. Referral to the Committee on Government Reform extended for a period ending not later than May 18, 2001.

¶45.19 PUBLIC BILLS AND RESOLUTIONS

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

By Mrs. MORELLA (for herself, Mr. WYNN, and Mr. PUTNAM):

H.R. 1793. A bill to amend title XIX of the Social Security Act to permit a State waiver authority to provide medical assistance in cases of congenital heart defects; to the Committee on Energy and Commerce.

By Mr. DELAY (for himself, Mr. MURTHA, Mr. HYDE, Mr. GILMAN, and Mr. SMITH of New Jersey):

H.R. 1794. A bill to protect United States military personnel and other elected and appointed officials of the United States Government against criminal prosecution by an international criminal court to which the United States is not party; to the Committee on International Relations.

By Mr. ACKERMAN (for himself, Mr. GILMAN, and Mr. LANTOS):

H.R. 1795. A bill to require the imposition of sanctions with respect to the Palestine Liberation Organization (PLO) or the Palestinian Authority if the President determines that these entities have not complied with certain commitments made by the entities, and for other purposes; to the Committee on International Relations.

By Mr. BLUMENAUER:

H.R. 1796. A bill to amend the Internal Revenue Code of 1986 to treat charitable remainder pet trusts in a similar manner as charitable remainder annuity trusts and charitable remainder unitrusts; to the Committee on Ways and Means.

By Ms. DUNN:

H.R. 1797. A bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for qualified energy management devices, and for other purposes; to the Committee on Ways and Means.

By Ms. DUNN (for herself, Mr. EHRLICH, Mr. MCDERMOTT, and Mr. RAMSTAD):

H.R. 1798. A bill to amend title XVIII of the Social Security Act to establish procedures for determining payment amounts for new clinical diagnostic laboratory tests for which payment is made under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODE (for himself, Mr. GOODLATTE, Mr. CANTOR, Mr. TOM DAVIS of Virginia, Mr. SCHROCK, Mr. MORAN of Virginia, Mrs. JO ANN DAVIS of Virginia, Mr. WOLF, Mr. SCOTT, and Mr. BOUCHER):

H.R. 1799. A bill to designate a United States Post Office located in Nathalie, Virginia, as the ''Lewis F. Payne United States Post Office''; to the Committee on Government Reform.

By Mr. KIND (for himself, Mr. LEACH, Mr. GILCHREST, Mr. EVANS, Mr. NUSSLE, Mr. PETERSON of Minnesota, Mr. DINGELL, Mr. BLUMENAUER, Mr. KILDEE, Ms. BALDWIN, Mr. SMITH of Washington, Mr. PALLONE, Mr. LUTHER, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Ms. MCCOLLUM, Mr. DEFAZIO, Mr. MANZULLO, Mr. TANNER, Mr. PETRI, and Mr. FORD):

H.R. 1800. A bill to establish the Upper Mississippi River Stewardship Initiative to monitor and reduce sediment and nutrient loss in the Upper Mississippi River; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GRANGER:

H.R. 1801. A bill to designate the United States courthouse located at 501 West 10th Street in Fort Worth, Texas, as the ''Eldon B. Mahon United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. HERGER (for himself, Mr. JEFFERSON, and Mr. ENGLISH):

H.R. 1802. A bill to amend the Internal Revenue Code of 1986 to modify the depreciation of property used in the generation of electricity; to the Committee on Ways and Means.

By Mr. HINCHEY:

H.R. 1803. A bill to provide for public library construction and technology enhancement; to the Committee on Education and the Workforce.

By Mr. HINCHEY:

H.R. 1804. A bill to require Medicare providers to disclose publicly staffing and performance in order to promote improved consumer information and choice; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUTCHINSON (for himself, Mr. HOLDEN, Mr. BURR of North Carolina, Mr. MORAN of Virginia, Mr. CHABOT, and Mr. DOOLEY of California):

H.R. 1805. A bill to provide small businesses certain protections from litigation excesses and to limit the product liability of nonmanufacturer product sellers; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY of Rhode Island (for himself, Mr. FRANK, Mr. CUMMINGS, Ms. MCCOLLUM, Mr. HASTINGS of Florida, Ms. BROWN of Florida, Ms. JACKSON-LEE of Texas, Mr. CLAY, Mr. BRADY of Pennsylvania, Mr. MCNULTY, Mr. RANGEL, Mr. DELAHUNT, Mr. BERMAN, Mr. MCGOVERN, Mr. HILLIARD, Mr. PAYNE, Mr. WYNN, Mr. LANTOS, Mr. CAPUANO, Mr. MEEKS of New York, Mr. LANGEVIN, and Mr. OWENS):

H.R. 1806. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence; to the Committee on the Judiciary.

By Mr. KOLBE:

H.R. 1807. A bill to establish the High Level Commission on Immigrant Labor Policy; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself and Mr. QUINN):

H.R. 1808. A bill to amend title 38, United States Code, to provide housing loan benefits for the purchase of residential cooperative apartment units; to the Committee on Veterans' Affairs.

By Mrs. MALONEY of New York (for herself, Mrs. KELLY, Mr. RANGEL, Mr. GILMAN, Mr. BONIOR, Mr. QUINN, Mr. FROST, Mr. SMITH of New Jersey, Ms. PELOSI, Mrs. MORELLA, Mr. TOWNS, Mr. WYNN, Mr. OBERSTAR, Mrs. MINK of Hawaii, Ms. WOOLSEY, Mr. BALDACCI, Mr. GONZALEZ, Mr. LANGEVIN, Mrs. THURMAN, Ms. MILLENDER-MCDONALD, Mr. HASTINGS of Florida, Ms. LEE, Mr. HILLIARD, Mr. LEWIS of Georgia, Mr. LANTOS, Mr. CUMMINGS, Mr. WEXLER, Ms. JACKSON-LEE of Texas, Mrs. TAUSCHER, Mr. CAPUANO, Ms. HARMAN, Mr. MEEKS of New York, and Mr. KILDEE):

H.R. 1809. A bill to amend the Employee Retirement Income Security Act of 1974, Public Health Service Act, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage of cancer screening; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCGOVERN (for himself, Mr. SCARBOROUGH, Mr. MOAKLEY, Mrs. MORELLA, Mr. SHAYS, and Mr. EVANS):

H.R. 1810. A bill to repeal the statutory authority for the Western Hemisphere Institute for Security Cooperation (the successor institution to the United States Army School of the Americas) in the Department of Defense, to provide for the establishment of a joint congressional task force to conduct an assessment of the kind of education and training that is appropriate for the Department of Defense to provide to military personnel of Latin American nations, and for other purposes; to the Committee on Armed Services.

By Mr. MCINNIS:

H.R. 1811. A bill to provide permanent funding for the payment in lieu of taxes program, and for other purposes; to the Committee on Resources.

By Mr. MENENDEZ (for himself, Mr. BONIOR, Mr. FROST, Mr. ETHERIDGE, Mr. BALDACCI, Mr. BENTSEN, Mr. GORDON, Mr. HINOJOSA, Mr. HOLT, Ms.

WOOLSEY, Mr. DEFAZIO, Mr. EVANS, Mr. HOEFFEL, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Ms. MCCARTHY of Missouri, Mr. ORTIZ, Ms. HOOLEY of Oregon, Mr. STRICKLAND, and Ms. SCHAKOWSKY):

H.R. 1812. A bill to develop programs that enhance school safety for our children; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Kansas:

H.R. 1813. A bill to amend title 10, United States Code, to revise the rules under the military Survivor Benefit Plan for termination of an annuity paid to a surviving spouse upon remarriage before age 55; to the Committee on Armed Services.

By Mr. OLVER (for himself, Ms. DELAURO, Mr. LARSON of Connecticut, Mrs. JOHNSON of Connecticut, Mr. BASS, Mr. NEAL of Massachusetts, and Mr. MALONEY of Connecticut):

H.R. 1814. A bill to amend the National Trails System Act to designate the Metacomet-Monadnock-Sunapee-Mattabesett Trail extending through western New Hampshire, western Massachusetts, and central Connecticut for study for potential addition to the National Trails System; to the Committee on Resources.

By Mr. OLVER (for himself, Mr. GILCHREST, Mr. INSLEE, Mrs. JOHNSON of Connecticut, Ms. LOFGREN, Mr. BOEHLERT, Mr. UDALL of Colorado, Ms. SOLIS, and Mr. GREENWOOD):

H.R. 1815. A bill to amend title 49, United States Code, to require phased increases in the fuel efficiency standards applicable to light trucks; to required fuel economy standards for automobiles up to 10,000 pounds gross vehicle weight; to raise the fuel economy of the Federal fleet of vehicles, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 1816. A bill to amend the Federal Food, Drug, and Cosmetic Act to safeguard public health and provide to consumers food that is safe, unadulterated, and honestly presented; to the Committee on Energy and Commerce.

By Mr. PALLONE:

H.R. 1817. A bill to establish a comprehensive program to ensure the safety of food products intended for human consumption which are regulated by the Food and Drug Administration; to the Committee on Energy and Commerce.

By Mr. PETERSON of Minnesota (for himself and Mr. DELAHUNT):

H.R. 1818. A bill to amend title 22, United States Code, to eliminate authority for employees and agents of the United States to assist foreign countries in interdiction of aircraft suspected of drug-related operations; to the Committee on International Relations.

By Mr. SHOWS (for himself, Ms. BALDWIN, Mr. BARCIA, Mr. BONIOR, Mr. BOSWELL, Mr. BOUCHER, Mr. BOYD, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. BURR of North Carolina, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CONDIT, Mr. CONYERS, Mr. COSTELLO, Mr. CRAMER, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. EVANS, Mr. FILNER, Mr. FRANK, Mr. GILLMOR, Mr. GONZALEZ, Mr. GOODE, Ms. HART, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOLDEN, Mr. JACKSON of Illinois, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK, Mr. KUCINICH, Mr. LATOURETTE, Ms. LEE, Mr. LEWIS of Georgia, Ms. MCCARTHY of Missouri, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCINTYRE, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. MURTHA, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEY, Mr. NORWOOD, Mr. PALLONE, Mr. PICKERING, Mr. QUINN, Mr. REYES, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. SANDERS, Mr. STRICKLAND, Mr. STUPAK, Mr. TAYLOR of Mississippi, Mr. THOMPSON of Mississippi, Mrs. THURMAN, Mr. TURNER, Ms. VELAZQUEZ, Mr. WHITFIELD, and Ms. WOOLSEY):

H.R. 1819. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives and job training grants for communities affected by the migration of businesses and jobs to Canada or Mexico as a result of the North American Free Trade Agreement; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SNYDER:

H.R. 1820. A bill to amend the Defense Base Closure and Realignment Act of 1990 to authorize an additional round of military base closures and realignments using a two-step process that first identifies those military bases that may not be considered for closure or realignment; to the Committee on Armed Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THUNE (for himself and Mrs. EMERSON):

H.R. 1821. A bill to amend the Internal Revenue Code of 1986 to reestablish the marketing aspects of farmers' cooperatives in relation to adding value to a farmer's product by feeding it to animals and selling the animals and to grant a declaratory judgment remedy relating to the status and classification of farmers' cooperatives; to the Committee on Ways and Means.

By Mr. UDALL of Colorado (for himself, Mr. PORTMAN, Mr. ISAKSON, Mr. WAMP, Mr. SERRANO, Mr. ETHERIDGE, and Mr. GREEN of Wisconsin):

H.R. 1822. A bill to improve academic and social outcomes for teenage youth; to the Committee on Education and the Workforce.

By Mr. UDALL of New Mexico (for himself, Mr. REYES, Ms. SOLIS, Mr. BACA, Ms. SANCHEZ, Mr. GONZALEZ, Mr. MENENDEZ, Mr. ACEVEDO-VILA, Mr. HINOJOSA, Mr. PASTOR, Mrs. NAPOLITANO, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Ms. VELAZQUEZ, and Mr. UNDERWOOD):

H.R. 1823. A bill to establish a Presidential commission to determine and evaluate the validity of certain land claims arising out of the Treaty of Guadalupe-Hidalgo of 1848 involving the descendants of persons who were Mexican citizens at the time of the Treaty; to the Committee on Resources.

By Mr. SMITH of New Jersey (for himself, Mr. HOYER, Mr. PITTS, Mr. CARDIN, Mr. WAMP, and Mr. HASTINGS of Florida):

H. Con. Res. 131. Concurrent resolution congratulating the Baltic nations of Estonia, Latvia, and Lithuania on the tenth anniversary of the reestablishment of their full independence; to the Committee on International Relations.

By Mrs. TAUSCHER (for herself and Mr. DREIER):

H. Con. Res. 132. Concurrent resolution expressing the sense of Congress on the importance of promoting electronic commerce, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAVES:

H. Res. 140. A resolution expressing the sense of the House of Representatives that the United States Postal Service should take all appropriate measures to ensure the continuation of its 6-day mail delivery service; to the Committee on Government Reform.

¶45.20 ADDITIONAL SPONSORS

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

H.R. 12: Ms. SANCHEZ and Ms. MCCOLLUM.
H.R. 17: Mr. MCNULTY and Ms. MCCOLLUM.
H.R. 39: Mr. HYDE.
H.R. 65: Mr. LOBIONDO.
H.R. 157: Mr. ENGLISH, Mr. CROWLEY, Ms. CARSON of Indiana, Mr. FILNER, and Mr. LIPINSKI.
H.R. 168: Mr. CANTOR.
H.R. 179: Mr. MATHESON and Mr. TOOMEY.
H.R. 214: Mr. SCHIFF and Ms. LEE.
H.R. 280: Mrs. EMERSON.
H.R. 286: Mr. BONIOR.
H.R. 303: Mr. HUNTER, Mr. AKIN, and Mr. CROWLEY.
H.R. 354: Mr. SMITH of New Jersey.
H.R. 432: Mr. GREEN of Texas.
H.R. 433: Mr. GREEN of Texas.
H.R. 461: Mr. ENGEL.
H.R. 516: Ms. SANCHEZ and Ms. BERKLEY.
H.R. 526: Ms. LEE, Mr. SHERMAN, Mr. OWENS, and Mr. SKELTON.
H.R. 570: Mr. NADLER, Mr. ENGLISH, and Ms. HOOLEY of Oregon.
H.R. 583: Mr. GREEN of Wisconsin.
H.R. 599: Ms. SANCHEZ.
H.R. 600: Mr. MASCARA, Mr. KIRK, Mr. SCHIFF, and Mr. CAPUANO.
H.R. 635: Mr. KANJORSKI, Mr. PITTS, and Mr. SHERWOOD.
H.R. 662: Mr. WELLER, Mr. REHBERG, Mr. MCINNIS, Mr. SWEENEY, and Mr. CHAMBLISS.
H.R. 665: Mr. MOORE.
H.R. 674: Mr. BONIOR.
H.R. 678: Mr. BLUNT.
H.R. 687: Mr. CARSON of Oklahoma and Mr. WATT of North Carolina.
H.R. 721: Mr. MCHUGH, Mr. TOWNS, Mr. HOEFFEL, Mr. MCINTYRE, Mr. GONZALEZ, and Mr. OWENS.
H.R. 786: Mr. DELAHUNT.
H.R. 817: Mr. GILLMOR.
H.R. 823: Ms. JACKSON-LEE of Texas.
H.R. 831: Ms. VELAZQUEZ, Mr. UPTON, Mr. HOEFFEL, Mr. MANZULLO, Mr. LANGEVIN, Mr. TANNER, Mr. TERRY, Mr. UDALL of Colorado, Ms. WOOLSEY, Mrs. KELLY, Ms. MCCARTHY of Missouri, Mr. ROGERS of Michigan, Mr. KENNEDY of Minnesota, Mr. PUTNAM, Mr. TOM DAVIS of Virginia, Mr. HASTINGS of Washington, Mr. KENNEDY of Rhode Island, Mr. CANTOR, Mr. SENSENBRENNER, Mr. MASCARA, Mr. LOBIONDO, Ms. PRYCE of Ohio, Mr. GRAVES, Mr. KILDEE, Mr. QUINN, Mr. GALLEGLY, and Mr. SWEENEY.
H.R. 848: Mr. SCHIFF, Mr. CRAMER, Mr. NEY, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Mrs. MORELLA, Mr. MASCARA, and Mr. CLAY.
H.R. 912: Mr. NETHERCUTT and Mr. MEEHAN.
H.R. 933: Mr. TIERNEY.
H.R. 938: Mr. MCKINNEY, Ms. LEE, Ms. ESHOO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DELAHUNT, Mr. TIERNEY, and Mr. FILNER.
H.R. 951: Mr. SOUDER, Mr. ROGERS of Michigan, Mr. KENNEDY of Rhode Island, Mr. WELLER, Mr. TANCREDO, Mr. SIMPSON, and Mr. BLUNT.
H.R. 963: Mr. FALEOMAVAEGA.

H.R. 967: Ms. DELAURO, Mr. PLATTS, Ms. WOOLSEY, Ms. NORTON, Mr. GREENWOOD, Mr. SOUDER, Mr. BORSKI, and Ms. KILPATRICK.

H.R. 994: Mr. LANTOS.

H.R. 1020: Mr. LAHOOD, Mr. OBERSTAR, Mr. MEEKS of New York, and Mr. GILLMOR.

H.R. 1024: Mr. HERGER, Mr. DEFAZIO, Mr. SIMMONS, Mr. MCINNIS, Mr. OTTER, Mr. RAMSTAD, Mr. CLAY, Mr. WELLER, Mr. COOKSEY, Mr. DUNCAN, Mr. GRAVES, and Mr. NETHERCUTT.

H.R. 1026: Ms. MCCARTHY of Missouri.

H.R. 1035: Mr. BOUCHER, Mr. WOLF, and Mr. SCHIFF.

H.R. 1036: Ms. BALDWIN, Mr. DEFAZIO, Mr. MALONEY of Connecticut, Mr. MCGOVERN, Mr. UDALL of Colorado, Mr. CAPUANO, Mr. CROWLEY, Mr. POMEROY, Mr. PASCRELL, Mr. HOLDEN, Mr. BRADY of Pennsylvania, Mr. HOEFFEL, Mr. INSLEE, Mr. WEINER, Mr. LARSON of Connecticut, Mr. SMITH of Washington, Mr. MOORE, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. BERMAN, Mr. RODRIGUEZ, Ms. PELOSI, Mr. PRICE of North Carolina, Ms. JACKSON-LEE of Texas, Mr. FRANK, Mr. HILL, Mr. DAVIS of Illinois, Mrs. CLAYTON, Ms. MILLENDER-MCDONALD, Ms. SLAUGHTER, Mr. SANDERS, Mr. NADLER, Mr. ISRAEL, Mr. CARSON of Oklahoma, Mr. MURTHA, Mr. BLUMENAUER, Mr. DELAHUNT, Mr. ETHERIDGE, Mr. CLAY, Mr. STARK, Mr. REYES, Mr. UNDERWOOD, Ms. ESHOO, Ms. ROYBAL-ALLARD, Mr. FARR of California, Mr. SCHIFF, Ms. BERKLEY, Mr. UDALL of New Mexico, Mr. GONZALEZ, Mr. LEWIS of Georgia, Mr. BLAGOJEVICH, Mr. LARSEN of Washington, Ms. DEGETTE, and Mrs. CAPPS.

H.R. 1071: Mr. BALDACCI, Ms. BALDWIN, Mrs. CHRISTENSEN, Mr. FRANK, Ms. KILPATRICK, and Mr. THOMPSON of Mississippi.

H.R. 1093: Mrs. THURMAN and Mr. HAYES.

H.R. 1094: Mrs. THURMAN, Mr. HAYES, and Mr. LATHAM.

H.R. 1121: Mr. REHBERG.

H.R. 1143: Mr. WYNN, Ms. PELOSI, and Ms. KILPATRICK.

H.R. 1155: Mr. GIBBONS, Mr. HEFLEY, Mr. LARSON of Connecticut, and Ms. ESHOO.

H.R. 1170: Mr. STRICKLAND and Mr. BALDACCI.

H.R. 1171: Mr. TERRY and Mr. LATHAM.

H.R. 1181: Mrs. ROUKEMA.

H.R. 1220: Mr. SOUDER and Mr. COMBEST.

H.R. 1238: Ms. MCCARTHY of Missouri.

H.R. 1265: Mr. BEREUTER, Mr. OLVER, Mr. MCGOVERN, Ms. LEE, Mr. ALLEN, Mr. SANDERS, Mr. MCDERMOTT, and Mr. REHBERG.

H.R. 1280: Ms. KILPATRICK.

H.R. 1285: Mr. CROWLEY.

H.R. 1291: Mr. TIAHRT and Mr. EDWARDS.

H.R. 1296: Mr. NEY, Mr. SESSIONS, Mr. TURNER, Mr. PUTNAM, Mr. THORNBERRY, and Mr. GREEN of Texas.

H.R. 1305: Mr. PENCE and Mr. UPTON.

H.R. 1335: Ms. SOLIS and Mr. MCGOVERN.

H.R. 1354: Mr. HALL of Ohio and Mr. MEEKS of New York.

H.R. 1360: Ms. WOOLSEY and Mr. BAIRD.

H.R. 1400: Mr. BOSWELL.

H.R. 1401: Mr. GONZALEZ, Mr. DOOLEY of California, Mr. TANCREDO, and Mrs. EMERSON.

H.R. 1406: Mr. ENGLISH, Ms. CARSON of Indiana, Mr. GONZALEZ, and Mr. HASTINGS of Florida.

H.R. 1441: Mr. OSE, Mr. BAKER, and Mr. NORWOOD.

H.R. 1494: Mr. FRANK.

H.R. 1509: Mr. GONZALEZ, Mr. UNDERWOOD, Ms. PRYCE of Ohio, and Mr. FRANK.

H.R. 1511: Mr. PICKERING, Mr. DOOLITTLE, Mr. TAYLOR of Mississippi, and Mr. SMITH of New Jersey.

H.R. 1541: Mr. SNYDER, Mr. EDWARDS, and Mr. HOLDEN.

H.R. 1543: Mr. HINCHEY and Mr. COOKSEY.

H.R. 1587: Ms. WOOLSEY, Mr. PASCRELL, and Ms. CARSON of Indiana.

H.R. 1596: Mr. SNYDER.

H.R. 1598: Mr. KILDEE, Mr. FRANK, Ms. WATERS, Mr. SWEENEY, and Mr. MOORE.

H.R. 1600: Mrs. KELLY and Mr. SHAYS.

H.R. 1601: Mr. WATKINS, Mr. BARR of Georgia, and Mr. JENKINS.

H.R. 1602: Mr. BOEHNER, Mr. NORWOOD, Mr. BARR of Georgia, and Mr. DEMINT.

H.R. 1611: Mr. OTTER, Mr. SESSIONS, and Mr. FOLEY.

H.R. 1623: Mr. ISAKSON, Mr. COBLE, Mr. CALLAHAN, Mr. SPRATT, and Mr. NORWOOD.

H.R. 1624: Mr. BONIOR, Mr. LUCAS of Oklahoma, Mr. OWENS, Ms. ESHOO, and Mr. BARRETT.

H.R. 1636: Mr. GUTKNECHT.

H.R. 1642: Mr. LAFALCE, Mr. JACKSON of Illinois, Mr. MEEKS of New York, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, and Mr. LEACH.

H.R. 1650: Mr. FRANK, Mrs. MINK of Hawaii, Mr. BONIOR, and Ms. NORTON.

H.R. 1666: Mr. ENGLISH.

H.R. 1690: Mr. RANGEL, Ms. KILPATRICK, Ms. LEE, Mr. CLAY, Mr. CONYERS, and Mr. PAUL.

H.R. 1696: Mrs. ROUKEMA, Mr. ISAKSON, and Mr. BOEHLERT.

H.R. 1716: Mr. HORN, Mr. FRANK, and Mr. HASTINGS of Florida.

H.R. 1750: Ms. CARSON of Indiana, Mr. MCGOVERN, and Mr. STUPAK.

H.R. 1751: Ms. CARSON of Indiana, Mr. MCGOVERN, and Mr. STUPAK.

H.R. 1776: Mr. BENTSEN, Ms. JACKSON-LEE of Texas, and Mr. LAMPSON.

H.R. 1786: Mr. BOYD, Mr. HINCHEY, and Mr. HILLIARD.

H. Con. Res. 42: Ms. KILPATRICK, Ms. CARSON of Indiana, and Ms. RIVERS.

H. Con. Res. 56: Mr. DINGELL, Mr. YOUNG of Florida, Ms. WATERS, Mr. MCHUGH, and Mr. NEY.

H. Con. Res. 104: Mr. MASCARA, Mr. WOLF, and Ms. SOLIS.

¶45.21 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 162 petitioning the United States Congress to condemn the invitation extended by President George W. Bush to Ian Paisley and the anti-Catholic rhetoric that Ian Paisley espouses; and that the Legislature reaffirms its support for peace and freedom in Northern Ireland; to the Committee on International Relations.

¶45.22 DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1271: Mr. DAVIS of Illinois.

MONDAY, MAY 14, 2001 (46)

¶46.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. WOLF, who laid before the House the following communication:

WASHINGTON, DC,
May 14, 2001.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore on this day.

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

¶46.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WOLF, announced he had examined and approved the Journal of the proceedings of Thursday, May 10, 2001.

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

¶46.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1884. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Forchlorfenuron; Time-Limited Pesticide Tolerance [OPP–301122; FRL–6781–4] (RIN: 2070–AB78) received May 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1885. A letter from the Deputy Secretary, Department of Defense, transmitting the National Defense Stockpile Requirements Report for 2001, pursuant to 50 U.S.C. 98h–5; to the Committee on Armed Services.

1886. A letter from the Principal Deputy Under Secretary, Acquisition and Technology, Department of Defense, transmitting a letter submitting revisions to both the FY 2001 and FY 2002 Annual Materials Plans (AMPs); to the Committee on Armed Services.

1887. A letter from the Deputy Secretary, Department of Defense, transmitting a letter regarding the Secretary's report pursuant to Section 374 of Public Law 106–398, the Floyd D. Spence National Defense Authorization Act for FY 2001 which was due on March 15, 2001, will now be submitted shortly along with additional data; to the Committee on Armed Services.

1888. A letter from the Deputy Secretary, Department of Defense, transmitting a letter regarding a report on the warranty claims recovery pilot program; to the Committee on Armed Services.

1889. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a report on TRICARE Case Management and Custodial Care Policies required by Section 703, of the National Defense Authorization Act for FY 2000; to the Committee on Armed Services.

1890. A letter from the Chief Financial Officer, Export-Import Bank of the United States, transmitting a draft of proposed legislation, ''To amend the Export-Import Bank Act of 1945, as amended''; to the Committee on Financial Services.

1891. A letter from the Acting Assistant Secretary, OSHA, Department of Labor, transmitting the Department's final rule—Ergonomics Program [Docket No. S–777] (RIN: 1218–AB36) received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1892. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Maryland; Approval of Revisions to Volatile Organic Compounds Regulations and Miscellaneous Revisions [MD 064/109/111/113–3065a; FRL–6973–3] received May 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1893. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Allocation of Fiscal Year 2001 Youth and the Environment Training and Employment Program Funds—received May 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1894. A letter from the Chairman, Nuclear Waste Technical Review Board, transmitting the Board's report entitled, ''Report to the U.S. Congress and the Secretary of Energy'' for January to December 2000, pursuant to 42

U.S.C. 10268; to the Committee on Energy and Commerce.

1895. A letter from the Chairman, Commission on International Religious Freedom, transmitting the Commission's Annual Report, pursuant to 22 U.S.C. 6412 Public Law 105–292 section 102; to the Committee on International Relations.

1896. A letter from the Executive Director, District of Columbia Retirement Board, transmitting the Board's annual report for fiscal year 2000, pursuant to D.C. Code section 1–732 and 1–734(a)(1)(A); to the Committee on Government Reform.

1897. A letter from the Interim Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting the Agency's FY 2002 Budget Request and Annual Performance Plan; to the Committee on Government Reform.

1898. A letter from the Secretary, Department of Agriculture, transmitting the Department's Annual Program Performance Report for FY 2000; to the Committee on Government Reform.

1899. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1900. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1901. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1902. A letter from the Assistant Director for Budget and Administration, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1903. A letter from the Chair, United States Sentencing Commission, transmitting amendments to sentencing guidelines, policy statements, and official commentary; to the Committee on the Judiciary.

1904. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, will exceed $5 million for the response to the emergency declared on December 4, 2000 as a result of snow which severely impacted the State of New York on November 19–21, 2000, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

1905. A letter from the Deputy Assistant Secretary of the Army, Department of Defense, transmitting the Department's final rule—United States Marine Corps Restricted Area, New River, North Carolina, and Vicinity—received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1906. A letter from the Acting Secretary of the Army, Department of Defense, transmitting the feasibility report and environmental assessment for Salt Creek, Graham, TX, pursuant to Section 101(a)(30) of the Water Resources Development Act (WRDA) of 1999; to the Committee on Transportation and Infrastructure.

1907. A letter from the Acting Administrator, General Services Administration, transmitting an informational copy of an alteration prospectus for the Federal Trade Commission building in Washington, DC, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

1908. A letter from the Acting Administrator, General Services Administration, transmitting an informational copy of the fiscal year 2002 GSA's Public Buildings Service Capital Investment and Leasing Program, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

1909. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Disease Associated With Exposure to Certain Herbicide Agents: Type 2 Diabetes (RIN: 2900–AK63) received May 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1910. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Reasonable Charges for Medical Care or Services (RIN: 2900–AK73) received May 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1911. A communication from the President of the United States, transmitting a legislative agenda for international trade; (H. Doc. No. 107–69); to the Committee on Ways and Means and ordered to be printed.

1912. A letter from the Acting Deputy Administrator for Defense Programs, National Nuclear Security Administration, Department of Energy, transmitting a letter to correct information contained in the National Ignition Facility follow-up letter submitted to Congress on April 13, 2001; jointly to the Committees on Armed Services and Appropriations.

1913. A letter from the Managing Director, Financial Management and Assurance, General Accounting Office, transmitting a report entitled, ''FINANCIAL AUDIT: Capitol Preservation Fund's Fiscal Years 2000 and 1999 Financial Statements,'' pursuant to 31 U.S.C. section 9105(a)(4); jointly to the Committees on House Administration and Government Reform.

1914. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that shrimp harvested with technology that may adversely affect certain species of sea turtles may not be imported into the United States unless the President makes specific certifications to the Congress annually by May 1, pursuant to Public Law 101–162, section 609(b)(2) (103 Sat. 1038); jointly to the Committees on Resources and Appropriations.

¶46.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOLF, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, May 10, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 10, 2001 at 2:48 p.m.

That the Senate agreed to conference report H. Con. Res. 83.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶46.5 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore, Mr. WOLF, by unanimous consent, announced that the Speaker, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 United States Code 6431) amended by Public Law 106-55, reappointed to the Commission on International Religious Freedom for a term of two years, Ms. Nina Shea of Washington, D.C., from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶46.6 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—CONGRESSIONAL AWARD BOARD

The SPEAKER pro tempore, Mr. WOLF, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 4 of the Congressional Award Act (2 U.S.C. 803), I hereby appoint the following Member to serve on the Congressional Award Board:

Ms. Sheila Jackson-Lee, TX.

Yours Very Truly,

RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶46.7 PRIVATE CALENDAR BUSINESS DISPENSED WITH

On motion of Mr. OBERSTAR, by unanimous consent,

Ordered, That business in order on Tuesday, May 15, 2001, under clause 5, rule XV, the Private Calendar rule, be dispensed with.

And then,

¶46.8 ADJOURNMENT

On motion of Mr. OBERSTAR, pursuant to the special order heretofore agreed to on Thursday, May 10, 2001, at 2 o'clock and 7 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, May 15, 2001.

¶46.9 REPORTED BILL SEQUENTIALLY REFERRED

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

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 1. A bill to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind, with an amendment (Rept. No. 107–63, Pt. 1); referred to the Committee on the Judiciary for a period ending not later than May 15, 2001, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X.

¶46.10 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. TOM DAVIS of Virginia:

H.R. 1824. A bill to increase the rate of pay for certain offices and positions within the executive and judicial branches of the Government, respectively, and for other purposes; to the Committee on Government Re-

form, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT:

H.R. 1825. A bill to amend the Electronic Fund Transfer Act to safeguard consumers in connection with the utilization of certain debit cards; to the Committee on Financial Services.

By Mr. DUNCAN:

H.R. 1826. A bill to amend the Higher Education Act of 1965 to reauthorize the Alternate Routes to Teacher Certification and Licensure program; to the Committee on Education and the Workforce.

By Mr. HUTCHINSON (for himself, Mr. SHERWOOD, Mr. ETHERIDGE, Mr. MCGOVERN, Mr. ADERHOLT, Mr. CALLAHAN, Mr. HILLIARD, Mr. RILEY, Mr. BACHUS, Mr. EVERETT, Mr. CRAMER, Mr. BERRY, Mr. ROSS, Mr. SNYDER, Mr. MALONEY of Connecticut, Ms. DELAURO, Mr. LARSON of Connecticut, Mrs. JOHNSON of Connecticut, Mr. SIMMONS, Mr. CASTLE, Mrs. THURMAN, Ms. BROWN of Florida, Mr. FOLEY, Mr. BOYD, Mr. LEWIS of Georgia, Mr. ISAKSON, Mr. DEAL of Georgia, Mr. BISHOP, Mr. KINGSTON, Mr. CHAMBLISS, Mr. COLLINS, Ms. MCKINNEY, Mr. NORWOOD, Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. FLETCHER, Mr. LEWIS of Kentucky, Mr. LUCAS of Kentucky, Mr. BAKER, Mr. VITTER, Mr. MCCRERY, Mr. COOKSEY, Mr. JEFFERSON, Mr. JOHN, Mr. TAUZIN, Mr. OLVER, Mr. NEAL of Massachusetts, Mr. CAPUANO, Mr. WYNN, Mr. BARTLETT of Maryland, Mr. HOYER, Mr. GILCHREST, Mr. CUMMINGS, Mr. EHRLICH, Mrs. MORELLA, Mr. CARDIN, Mr. BALDACCI, Mr. ALLEN, Mr. AKIN, Mrs. EMERSON, Mr. HULSHOF, Mr. GRAVES, Mr. BLUNT, Ms. MCCARTHY of Missouri, Mr. SKELTON, Mr. TAYLOR of Mississippi, Mr. PICKERING, Mr. WICKER, Mr. SHOWS, Mr. THOMPSON of Mississippi, Mr. MCINTYRE, Mr. PRICE of North Carolina, Mr. BALLENGER, Mrs. MYRICK, Mr. HAYES, Mr. BURR of North Carolina, Mr. WATT of North Carolina, Mr. COBLE, Mrs. CLAYTON, Mr. TAYLOR of North Carolina, Mr. JONES of North Carolina, Mr. BASS, Mr. ANDREWS, Mr. FERGUSON, Mr. FRELINGHUYSEN, Mrs. ROUKEMA, Mr. SAXTON, Mr. HOLT, Mr. LOBIONDO, Mr. ACKERMAN, Mr. FOSSELLA, Mr. ENGEL, Mr. GRUCCI, Mrs. KELLY, Mr. KING, Mr. LAFALCE, Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. MCNULTY, Mr. MEEKS of New York, Mr. NADLER, Mr. RANGEL, Mr. REYNOLDS, Ms. SLAUGHTER, Mr. TOWNS, Mr. GILMAN, Mr. QUINN, Mr. WALSH, Mr. BOEHLERT, Mr. HOUGHTON, Mr. MCHUGH, Mr. SWEENEY, Mr. CROWLEY, Mr. HINCHEY, Mr. WEINER, Mr. ISRAEL, Mr. LATOURETTE, Mr. WATKINS, Mr. CARSON of Oklahoma, Mr. GREENWOOD, Mr. WELDON of Pennsylvania, Mr. PITTS, Mr. ENGLISH, Mr. PETERSON of Pennsylvania, Ms. HART, Mr. MASCARA, Mr. KANJORSKI, Mr. DOYLE, Mr. HOEFFEL, Mr. HOLDEN, Mr. PLATTS, Mr. GEKAS, Mr. BRADY of Pennsylvania, Mr. BORSKI, Mr. FATTAH, Mr. KENNEDY of Rhode Island, Mr. LANGEVIN, Mr. CLYBURN, Mr. SPENCE, Mr. SPRATT, Mr. GRAHAM, Mr. JENKINS, Mr. FORD, Mr. HILLEARY, Mr. WAMP, Mr. TANNER, Mr. TURNER, Ms. JACKSON-LEE of Texas, Mr. LAMPSON, Mr. SANDLIN, Mr. BENTSEN, Mr. BOUCHER, Mr. GOODE, Mr. WOLF, Mr. SCOTT, Mr. SANDERS, Mr. RAHALL, Mr. MOLLOHAN, Mrs. CAPITO, and Mr. FROST):

H.R. 1827. A bill to reauthorize the consent of Congress to the Northeast Interstate Dairy Compact and to grant the consent of Congress to the Southern Dairy Compact, a Pacific Northwest Dairy Compact, and an Intermountain Dairy Compact; to the Committee on the Judiciary.

By Mr. SAWYER:

H.R. 1828. A bill to require the President to report annually to the Congress on the effects of the imposition of unilateral economic sanctions by the United States; to the Committee on International Relations, and in addition to the Committees on Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶46.11 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

53. The SPEAKER presented a memorial of the Legislature of the State of Washington, relative to Senate Joint Resolution 8019 memorializing the Secretary of Agriculture to review the department's policies regarding the conservation reserve enhancement program and alter those policies to allow the inclusion in the program of lands that are currently used to produce perennial horticultural crops; to the Committee on Agriculture.

54. Also, a memorial of the General Assembly of the State of Ohio, relative to Senate Resolution 126 memorializing the United States Congress to reintroduce and pass the New Markets for State-Inspected Meat Act as a means of assisting small meat-packing operations and to restore fairness to the meat industry in this country; to the Committee on Agriculture.

55. Also, a memorial of the Legislature of the State of Montana, relative to House Joint Resolution 44 memorializing the United States Congress for federal intervention to stabilize wholesale electricity prices in the west; to the Committee on Energy and Commerce.

56. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 7 memorializing the United States Congress to support the amendment to 42 U.S.C. Section 1396p (Liens, Adjustments and Recoveries), to exempt veterans in State Veterans Homes from having liens placed on their property if they participate in the Medicaid Program; to the Committee on Energy and Commerce.

57. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 9 memorializing the United State Congress to urge the Secretary of State or other appropriate officials, to facilitate discussions between the interested parties in order to provide redress for the American soldiers who were taken as prisoners of war by the Japanese government during World War II and forced to perform slave labor under inhumane conditions for the benefit of private Japanese companies; to the Committee on International Relations.

58. Also, a memorial of the Legislature of the State of Alaska, relative to Legislative Resolution No. 5 memorializing the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production; to the Committee on Resources.

59. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 4 memorializing the United States Congress to direct the National Park Service to stop closing land to hunting within the expanded Craters of the Moon National Monument; to the Committee on Resources.

60. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 5 memorializing the United States Congress that wolf recovery efforts in Idaho be discontinued immediately, and wolves be removed by whatever means necessary; to the Committee on Resources.

61. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 8 memorializing the United States Congress to take actions deemed necessary for the success of the Clearwater Basin Elk Habitat Initiative; to the Committee on Resources.

62. Also, a memorial of the Senate of the Commonwealth of The Mariana Islands, relative to Senate Resolution No. 12–33 memorializing the United States Congress to adopt an amendment to the Constitution of the United States, to add a new article on the Subject of Judicial Taxation; to the Committee on the Judiciary.

63. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 6 memorializing the United States Congress to support congressional enactment of federal property rights legislation which would at a minimum include codification of the requirements of Executive Order 12630; to the Committee on the Judiciary.

64. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 63 memorializing the United States Congress to investigate airfare pricing, especially in markets where mergers have eroded competition; to the Committee on Transportation and Infrastructure.

65. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 2 memorializing the United States Congress to restore the daily passenger rail service of the Pioneer; to the Committee on Transportation and Infrastructure.

66. Also, a memorial of the Legislature of the State of Washington, relative to Senate Joint Memorial 8016 memorializing the United States Congress to emphasize the importance of the free and fair trade of upland aquacultural products in its relations with the government of Canada; to the Committee on Ways and Means.

67. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 10 memorializing the United States Congress that we endorse President George W. Bush's plan for cutting taxes and we respectfully request that Congress enact necessary measures to implement the President's tax relief plan; to the Committee on Ways and Means.

68. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 1 memorializing the United States Congress to make it so no amendments or other modifications be made to the Electoral College system and that the Electoral College be continued in its present form for all future presidential elections; jointly to the Committees on House Administration and the Judiciary.

69. Also, a memorial of the Legislature of the State of Nevada, relative to Assembly Joint Resolution 6 memorializing the United States Congress to refrain from enacting any measure to repeal the ability of Nevada to license and regulate sports wagering in its current form and to enact the National Collegiate and Amateur Athletic Protection Act of 2001; jointly to the Committees on the Judiciary and Education and the Workforce.

70. Also, a memorial of the Legislature of the State of New Mexico, relative to House

Joint Memorial 60 memorializing the United States Congress to strengthen requirements for inspection and maintenance of all pipelines that carry potentially dangerous, explosive or environmentally hazardous substances; jointly to the Committees on Transportation and Infrastructure and Energy and Commerce.

¶46.12 ADDITIONAL SPONSORS

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

H.R. 31: Mr. SKEEN.

H.R. 394: Mr. MCHUGH, Mr. REHBERG, and Mr. SMITH of New Jersey.

H.R. 612: Mr. SCOTT, Mr. GONZALEZ, Ms. DEGETTE, Ms. BROWN of Florida, Mr. HONDA, and Mr. PAYNE.

H.R. 622: Mr. HOYER, Ms. JACKSON-LEE of Texas, Mr. KENNEDY of Minnesota, Ms. MCKINNEY, Mr. OWENS, Mr. ROGERS of Kentucky, Mr. ISSA, and Ms. NORTON.

H.R. 638: Mr. PALLONE.

H.R. 746: Mr. MORAN of Kansas.

H.R. 868: Mr. BONILLA, Mr. FORD, Mr. UNDERWOOD, Mr. BRADY of Pennsylvania, Mr. GILCHREST, Mr. SCHROCK, Mr. BOSWELL, Mr. FRANK, Mrs. CHRISTENSEN, Mr. HINOJOSA, Mr. REHBERG, Mr. HOEFFEL, Mr. QUINN, Ms. WATERS, Mr. SPRATT, Mr. WELDON of Florida, Mr. HAYES, Mr. LATHAM, and Mr. KOLBE.

H.R. 1090: Mr. ENGLISH, Mr. GORDON, Mr. BONILLA, Ms. HOOLEY of Oregon, and Mr. RYUN of Kansas.

H.R. 1161: Mr. HYDE.

H.R. 1330: Mr. WHITFIELD.

H.R. 1331: Mr. OSE, Mr. CALVERT, Mr. HYDE, and Mr. PENCE.

H.R. 1406: Ms. BROWN of Florida.

H.R. 1545: Mr. ISAKSON.

H.R. 1553: Mr. SMITH of Texas, Mrs. TAUSCHER, and Mr. MCDERMOTT.

H.R. 1644: Mr. TAYLOR of Mississippi, Mr. LUCAS of Kentucky, Mr. STENHOLM, Mr. PETERSON of Minnesota, Mr. LINDER, Mr. HOEKSTRA, Mr. ISTOOK, Mr. HAYES, MR. SCARBOROUGH, MR. HYDE, Mr. WAMP, Mr. HULSHOF, Mr. STEARNS, Mr. COOKSEY, Mr. GARY G. MILLER of California, Mr. KELLER, and Mr. PENCE.

H.R. 1781: Mr. SPRATT, Mrs. BONO, and Mr. LARSON of Connecticut.

H.R. 1802: Mr. CARDIN.

H. Con. Res. 4: Mr. ROTHMAN and Ms. ROS-LEHTINEN.

H. Con. Res. 81: Mr. BERMAN and Mr. KILDEE.

H. Res. 116: Mr. BRADY of Texas, Mr. ENGLISH, Mr. FOSSELLA, Mr. ISAKSON, Ms. KAPTUR, Mr. KINGSTON, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mrs. MINK of Hawaii, Mr. NEAL of Massachusetts, Mr. PLATTS, Mr. RAMSTAD, MR. REYES, MR. ROGERS of Michigan, and Mr. SHIMKUS.

TUESDAY, MAY 15, 2001 (47)

¶47.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. DUNCAN, who laid before the House the following communication:

WASHINGTON, DC,
May 15, 2001.

I hereby appoint the Honorable JOHN J. DUNCAN, Jr., to act as Speaker pro tempore on this day.

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

¶47.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 802. An Act to authorize the Public Safety Officer Medal of Valor, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 39. An Act to provide a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty, and for other purposes.

S. 166. An Act to limit access to body armor by violent felons and to facilitate the donation of Federal surplus body armor to State and local law enforcement agencies.

The message also announced that pursuant to Public Law 106–554, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, appoints the Senator from Nebraska (Mr. HAGEL) to the Board of Directors of the Vietnam Education Foundation.

The message also announced that pursuant to Public Law 100–696, the Chair, on behalf of the Democratic Leader, announces the appointment of the Senator from Illinois (Mr. DURBIN) as a member of the United States Capitol Preservation Commission, vice the Senator from California (Mrs. FEINSTEIN).

¶47.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. DUNCAN, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶47.4 RECESS—1:02 P.M.

The SPEAKER pro tempore, Mr. DUNCAN, pursuant to clause 12 of rule I, declared the House in recess at 1 o'clock 2 minutes p.m. until 2 o'clock p.m.

¶47.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. GIBBONS, called the House to order.

¶47.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GIBBONS, announced he had examined and approved the Journal of the proceedings of Monday, May 14, 2001.

Mr. BALLENGER, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. GIBBONS, announced that the yeas had it.

Mr. BALLENGER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶47.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1915. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sucroglycerides; Exemption from the Requirement of a Tolerance [OPP–301119; FRL–6778–9] (RIN: 2070–AB78) received May 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1916. A letter from the Attorney-Advisor, Division of General and International Law, Department of Transportation, transmitting the Department's final rule—Audit Appeals; Policy and Procedure [Docket No. MARAD–2000–8284] (RIN: 2133–AB42) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1917. A letter from the Federal Register Liaison Officer Alternate, Department of the Treasury, transmitting the Department's final rule—Conversion from Stock Form Depository Institution to Federal Stock Association [No. 2001–34] (RIN: 1550–AB46) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1918. A letter from the Deputy Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Commission Guidance to Broker-Dealers on the Use of Electronic Storage Media under the Electronic Signatures in Global and National Commerce Act of 2000 with Respect to Rule 17a-4(f) [Release No. 34–44238] received May 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1919. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Recordkeeping Requirements for Transfer Agents [Release No. 34–44227; File No. S7–17–99] (RIN: 3235–AH74) received May 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1920. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of the Redesignation of Shelby County, Tennessee, to Attainment for Lead [TN 240–1–200103a; FRL–6974–6] received May 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1921. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Ozone; Beaumont/Port Arthur Ozone Nonattainment Area [FRL–6976–1] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1922. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Identification Rule: Revisions to the Mixture and Derived from Rules [FRL–6975–2] (RIN: 2050–AE07) received May 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1923. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Storage, Treatment, Transportation, and Disposal of Mixed Waste [FRL–6975–1] (RIN: 2050–AE45) received May 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1924. A letter from the Deputy Director, Institute of Museum and Library Services, transmitting the FY 2000 Annual Program Performance Report; to the Committee on Government Reform.

1925. A letter from the Inspector General, International Trade Commission, transmitting the Semiannual report of the Inspector General of the International Trade Commission for the period of October 1, 2000, through March 31, 2001, pursuant to 5 U.S.C. app.

(Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

1926. A letter from the Acting Chairman, Securities and Exchange Commission, transmitting the Commission's Government Performance and Results Act Annual Performance Plan for FY 2002 and the Annual Performance Report for FY 2000; to the Committee on Government Reform.

1927. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Missouri Regulatory Program and Abandoned Mine Land Reclamation Plan [SPATS No. MO–033–FOR] received May 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1928. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Oklahoma Regulatory Program [SPATS No. OK–025–FOR] received May 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1929. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—American Lobster; Interstate Fishery Management Plans; Cancellation of Moratorium [Docket No. 010125024–1089–02; I.D. 121500D] (RIN: 0648–AO88) received May 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1930. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Western Regulatory Area of the Gulf of Alaska [Docket No 010112013–1013–01; I.D. 042501D] received May 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1931. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Emergency Medical Equipment [Docket No. FAA–2000–7119; Amendment No. 121–280 and 135–78] (RIN: 2120–AG89) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1932. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Emergency Exits [Docket No. 28154; Amendment No. 121–283] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1933. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials: Temporary Reduction of Registration Fees [Docket No. RSPA–00–8439 (HM–208D)] (RIN: 2137–AD53) received May 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶47.8 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

¶47.9 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO BURMA

The SPEAKER pro tempore, Mr. GIBBONS, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 15, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–70).

¶47.10 MESSAGE FROM THE PRESIDENT—CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO BURMA

The SPEAKER pro tempore, Mr. GIBBONS, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to Burma is to continue in effect beyond May 20, 2001. The most recent notice continuing this emergency was published in the *Federal Register* on May 19, 2000.

As long as the Government of Burma continues is policies of committing large-scale repression of the democratic opposition in Burma, this situation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to maintain in force these emergency authorities beyond May 20, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 15, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–71).

¶47.11 WORLD WAR II MEMORIAL

Mr. STUMP moved to suspend the rules and pass the bill (H.R. 1696) to expedite the construction of the World War II memorial in the District of Columbia.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. STUMP and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. DAVIS of Illinois demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶47.12 COMMEMORATING LAW ENFORCEMENT OFFICERS

Mr. OTTER moved to suspend the rules and agree to the following resolution (H. Res. 116); as amended:

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 700,000 law enforcement officers, both men and women, at great risk to their personal safety, serve their fellow citizens as guardians of peace;

Whereas these peace officers are on the front line in preserving the right of the children of the United States to receive an education in a crime-free environment, a right that is all too often threatened by the insidious fear caused by violence in schools;

Whereas 151 peace officers lost their lives in the line of duty in 2000, and a total of nearly 15,000 men and women serving as peace officers have made that supreme sacrifice;

Whereas every year, 1 in 9 peace officers is assaulted, 1 in 25 is injured, and 1 in 4,400 is killed in the line of duty; and

Whereas on May 15, 2001, more than 15,000 peace officers are expected to gather in the Nation's Capital to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) all peace officers slain in the line of duty should be honored and recognized; and

(2) the President should issue a proclamation calling upon the people of the United States to honor and recognize such officers with appropriate ceremonies and respect.

The SPEAKER pro tempore, Mr. BARR, recognized Mr. OTTER and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. BARR, announced that two-thirds of the Members present had voted in the affirmative.

Mr. OTTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BARR, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶47.13 FALLEN HERO SURVIVOR BENEFIT

Mr. RAMSTAD moved to suspend the rules and pass the bill (H.R. 1727) to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty; as amended.

The SPEAKER pro tempore, Mr. BARR, recognized Mr. RAMSTAD and Mr. MCNULTY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BARR, announced that two-thirds of the Members present had voted in the affirmative.

Mr. RAMSTAD demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BARR, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶47.14 FOSTER CARE PROMOTION

Mr. LEWIS of Kentucky moved to suspend the rules and pass the bill (H.R. 586) to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BARR, recognized Mr. LEWIS of Kentucky and Mr. McNULTY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BARR, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LEWIS of Kentucky demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BARR, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶47.15 TAIWAN IN WORLD HEALTH ORGANIZATION

Mr. LEACH moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 428) concerning the participation of Taiwan in the World Health Organization:

Strike out all after the enacting clause and insert:

SECTION 1. CONCERNING THE PARTICIPATION OF TAIWAN IN THE WORLD HEALTH ORGANIZATION (WHO).

(a) FINDINGS.—The Congress makes the following findings:

(1) Good health is important to every citizen of the world and access to the highest standards of health information and services is necessary to improve the public health.

(2) Direct and unobstructed participation in international health cooperation forums and programs is beneficial for all parts of the world, especially with today's greater potential for the cross-border spread of various infectious diseases such as the human immunodeficiency virus (HIV), tuberculosis, and malaria.

(3) Taiwan's population of 23,500,000 people is larger than that of ¾ of the member states already in the World Health Organization (WHO).

(4) Taiwan's achievements in the field of health are substantial, including one of the highest life expectancy levels in Asia, maternal and infant mortality rates comparable to those of western countries, the eradication of such infectious diseases as cholera, smallpox, and the plague, and the first to eradicate polio and provide children with hepatitis B vaccinations.

(5) The United States Centers for Disease Control and Prevention and its Taiwan counterpart agencies have enjoyed close collaboration on a wide range of public health issues.

(6) In recent years Taiwan has expressed a willingness to assist financially and technically in international aid and health activities supported by the WHO.

(7) On January 14, 2001, an earthquake, registering between 7.6 and 7.9 on the Richter scale, struck El Salvador. In response, the Taiwanese government sent 2 rescue teams, consisting of 90 individuals specializing in firefighting, medicine, and civil engineering. The Taiwanese Ministry of Foreign Affairs also donated $200,000 in relief aid to the Salvadoran Government.

(8) The World Health Assembly has allowed observers to participate in the activities of the organization, including the Palestine Liberation Organization in 1974, the Order of Malta, and the Holy See in the early 1950's.

(9) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations.

(10) Public Law 106–137 required the Secretary of State to submit a report to the Congress on efforts by the executive branch to support Taiwan's participation in international organizations, in particular the WHO.

(11) In light of all benefits that Taiwan's participation in the WHO can bring to the state of health not only in Taiwan, but also regionally and globally, Taiwan and its 23,500,000 people should have appropriate and meaningful participation in the WHO.

(b) PLAN.—The Secretary of State is authorized—

(1) to initiate a United States plan to endorse and obtain observer status for Taiwan at the annual week-long summit of the World Health Assembly in May 2001 in Geneva, Switzerland; and

(2) to instruct the United States delegation to Geneva to implement that plan.

(c) REPORT.—Not later than 14 days after the date of the enactment of this Act, the Secretary of State shall submit a written report to the Congress in unclassified form containing the plan authorized under subsection (b).

The SPEAKER pro tempore, Mr. BARR, recognized Mr. LEACH and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. BARR, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LEACH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BARR, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶47.16 RECESS—3:56 P.M.

The SPEAKER pro tempore, Mr. BARR, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 56 minutes p.m., until approximately 6 o'clock p.m.

¶47.17 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. DUNCAN, called the House to order.

¶47.18 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, May 14, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. DUNCAN, announced that the yeas had it.

So the Journal was approved.

¶47.19 H.R. 1696—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1696) to expedite the construction of the World War II memorial in the District of Columbia.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 400 / Nays 15

¶47.20 [Roll No. 109]

YEAS—400

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

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

NAYS—15

Bereuter
Berman
Clay
Gilchrest
Harman
Hinchey
LaFalce
Lee
Miller, George
Oberstar
Snyder
Stark
Stupak
Taylor (NC)
Waxman

NOT VOTING—16

Allen
Brady (PA)
Fattah
Hall (OH)
McInnis
McIntyre
Mollohan
Obey
Platts
Portman
Ros-Lehtinen
Sanchez
Slaughter
Souder
Whitfield
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶47.21 H. RES. 116—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 116) commemorating the dedication and sacrifices of the men and women of the United States who were killed or disabled while serving as law enforcement officers; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 416 / Nays 0

¶47.22 [Roll No. 110]

YEAS—416

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

NOT VOTING—15

Allen
Brady (PA)
Fattah
Gordon
Hall (OH)
Horn
Istook
McInnis
McIntyre
Mollohan
Ros-Lehtinen
Sanchez
Slaughter
Souder
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

By unanimous consent, the title was amended so as to read: ''A resolution acknowledging the dedication and sacrifices of the men and women of the United States who were killed or disabled while serving as law enforcement officers.''.

A motion to reconsider the votes whereby the rules were suspended and

said resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

¶47.23 H.R. 1727—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1727) to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 419 / Nays ..... 0 }

¶47.24 [Roll No. 111]

YEAS—419

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

NOT VOTING—12

Allen
Biggert
Brady (PA)
Fattah
Hall (OH)
McInnis
McIntyre
Ros-Lehtinen
Sanchez
Slaughter
Souder
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶47.25 H.R. 586—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 586) to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 420 / Nays ..... 0 }

¶47.26 [Roll No. 112]

YEAS—420

Abercrombie
Ackerman
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)

Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—11

Allen
Boehner
Brady (PA)
Fattah
Hall (OH)
McIntyre
Ros-Lehtinen
Sanchez
Slaughter
Souder
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶47.27 H.R. 428—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 428) concerning the participation of Taiwan in the World Health Organization.

The question being put,

Will the House suspend the rules and agree to said amendment?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 415 / Nays ..... 0 }

¶47.28 [Roll No. 113]

YEAS—415

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

NOT VOTING—16

Allen
Bishop
Brady (PA)
Capuano
Fattah
Frank
Hall (OH)
Johnson (CT)
McIntyre
Quinn
Ros-Lehtinen
Sanchez
Slaughter
Souder
Weller
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶47.29 PROVIDING FOR THE CONSIDERATION OF H.R. 622

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported (Rept. No. 107–67) the resolution (H. Res. 141) providing for consideration of the bill (H.R. 622) to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶47.30 RECESS—8:01 P.M.

The SPEAKER pro tempore, Mr. GRAVES, pursuant to clause 12 of rule I, declared the House in recess at 8 o'clock and 1 minute p.m., subject to the call of the Chair.

¶31.31 AFTER RECESS—11:40 P.M.

The SPEAKER pro tempore, Mr. SESSIONS, called the House to order.

¶47.32 PROVIDING FOR THE CONSIDERATION OF H.R. 1836

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107– 68) the resolution (H. Res. 142) providing for consideration of the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

When said resolution and report were referred to the House Calendar and ordered printed.

¶47.33 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 166. An Act to limit access to body armor by violent felons and to facilitate the donation of Federal surplus body armor to State and local law enforcement agencies; to the Committee on the Judiciary; in addition to the Committee on Government Reform for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶47.34 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HALL of Ohio, for today; and

To Ms. SLAUGHTER, for today.

And then,

¶47.35 ADJOURNMENT

On motion of Mr. REYNOLDS, at 11 o'clock and 41 minutes p.m., the House adjourned.

¶47.36 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 622. A bill to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes; with an amendment (Rept. 107–64). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 1727. A bill to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty; with an amendment (Rept. 107–65). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 586. A bill to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies, and for other purposes; with an amendment (Rept. 107–66). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 141. Resolution providing for consideration of the bill (H.R. 622) to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes (Rept. 107–67). Referred to the House Calendar.

Mr. REYNOLDS: Committee on Rules. House Resolution 142. Resolution providing for consideration of the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002 (Rept. 107–68). Referred to the House Calendar.

¶47.37 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 1 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶47.38 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LARSON of Connecticut (for himself, Mr. STUPAK, Mr. CAPUANO, Mr. FILNER, Ms. LEE, Mr. HONDA, and Mr. WYNN):

H.R. 1829. A bill to amend the Individuals with Disabilities Education Act to provide full funding for assistance for education of all children with disabilities; to the Committee on Education and the Workforce.

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

H.R. 1830. A bill to ensure the energy self-sufficiency of the United States by 2011, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILLMOR (for himself, Mr. PALLONE, Mr. DUNCAN, Mr. DEFAZIO, Mr. SHIMKUS, Mr. DINGELL, Mr. YOUNG of Alaska, Mr. OBERSTAR, Mr. TAUZIN, Mr. STUPAK, Mr. OTTER, Mr. PASCRELL, Mr. EHRLICH, Mr. TOWNS, Mr. THUNE, Mr. BLUMENAUER, Mr. GREENWOOD, Mr. GORDON, Mr. LOBIONDO, Mr. HOLDEN, Mr. LARGENT, Mr. DEUTSCH, Mr. FERGUSON, Mr. BARCIA, Mr. BILIRAKIS, Mr. SAWYER, Mr. PETRI, Mr. SANDLIN, Mrs. BONO, Mr. JOHN, Mr. BOEHLERT, Mr. FILNER, Mr. WALDEN of Oregon, Mr. DOYLE, Mr. COOKSEY, Mr. MASCARA, Mrs. WILSON, Mrs. CAPPS, Mr. BAKER, Mr. RAHALL, Mr. BASS, Mr. STRICKLAND, Mr. JOHNSON of Illinois, Mr. BERRY, Mr. BLUNT, Mr. BROWN of Ohio, Mr. GILCHREST, Mr. BARRETT, Mr. BUYER, Mr. HORN, Mr. EVANS, Mr. SIMMONS, Mr. KIND, Mr. EHLERS, Mr. SPRATT, Mr. SHERWOOD, Mr. LIPINSKI, Mr. BACHUS, Mr. SHOWS, Mr. SWEENEY, Mr. GARY G. MILLER of California, Mr. REYNOLDS, Mr. CRAMER, and Mr. MCHUGH):

H.R. 1831. A bill to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS (for himself, Mr. SHADEGG, Mr. WYNN, Mr. GRAHAM, Mr. HALL of Texas, Mr. DEMINT, Mr. CLYBURN, Mr. HASTINGS of Washington, Mr. SPRATT, Mr. NETHERCUTT, Ms. DUNN, Mr. RADANOVICH, Mr. BURR of North Carolina, and Mr. BROWN of South Carolina):

H.R. 1832. A bill to improve the Federal licensing process for hydroelectric projects; to the Committee on Energy and Commerce.

By Mr. SMITH of Michigan:

H.R. 1833. A bill to amend the Internal Revenue Code of 1986 to suspend all motor fuel taxes for six months; to the Committee on Ways and Means.

By Mr. SMITH of Michigan (for himself, Mr. PUTNAM, Mr. PETRI, Mr. BARTLETT of Maryland, and Mr. ENGLISH):

H.R. 1834. A bill to require the Department of Energy to study potential regulatory improvements that may help alleviate high fuel prices; to the Committee on Energy and Commerce.

By Mr. WELLER (for himself, Mr. LEWIS of Georgia, Mr. MATSUI, Mr. COLLINS, Mr. MCDERMOTT, Mr. TOM DAVIS of Virginia, Mr. ISAKSON, Mr. MORAN of Virginia, Mr. MEEKS of New York, Mrs. JONES of Ohio, Mrs. TAUSCHER, Ms. DEGETTE, Mr. BOUCHER, Ms. MCKINNEY, Mr. GIBBONS, Mr. LANTOS, Mr. BERMAN, Mr. QUINN, Mr. UDALL of Colorado, Mr. STRICKLAND, and Mr. TURNER):

H.R. 1835. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income computers and Internet access provided by an employer for the personal use of employees; to the Committee on Ways and Means.

By Mr. THOMAS:

H.R. 1836. A bill to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002; to the Committee on Ways and Means.

By Mr. ACKERMAN:

H.R. 1837. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to withhold highways funds from any State that permits an individual to use a hand-held mobile telephone while operating a motor vehicle; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas:

H.R. 1838. A bill to amend the Tariff Act of 1930 to modify the provisions relating to drawback claims, and for other purposes; to the Committee on Ways and Means.

By Mr. CAMP (for himself and Mrs. THURMAN):

H.R. 1839. A bill to amend title XVIII of the Social Security Act to provide adequate coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received an organ transplant, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM DAVIS of Virginia (for himself, Mr. DELAY, Mr. SMITH of New Jersey, Mr. ROHRABACHER, and Ms. SANCHEZ):

H.R. 1840. A bill to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees; to the Committee on the Judiciary.

By Mr. FILNER (for himself, Mr. HALL of Ohio, Mr. JEFFERSON, Mr. KIND, Mr. GUTIERREZ, Mr. ANDREWS, Mr. TAYLOR of Mississippi, Mr. PRICE of North Carolina, Mr. FARR of California, Mr. GORDON, Mr. MCGOVERN, Mr. MCHUGH, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. BONIOR, Mr. SAXTON, Mr. RUSH, Ms. RIVERS, Mr. TOWNS, Mr. RAHALL, Mr. LANTOS, Mr. FROST, Mr. LEVIN, Ms. JACKSON-LEE of Texas, Mr. FRANK, Mr. GILMAN, Mrs. CLAYTON, Mr. REYES, Mr. HOLDEN, Ms. BROWN of Florida, Mr. CONYERS, and Mr. DAVIS of Illinois):

H.R. 1841. A bill to amend the definition of a law enforcement officer under subchapter

III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions; to the Committee on Government Reform.

By Mr. FRANK (for himself and Mr. MCGOVERN):

H.R. 1842. A bill to reinstate the authority of the Federal Communications Commission and local franchising authorities to regulate the rates for cable television service; to the Committee on Energy and Commerce.

By Mr. GRAVES:

H.R. 1843. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to local educational agencies for teacher recruitment, retention, and training, and to amend the Higher Education Act of 1965 to expand the program of loan forgiveness for teachers; to the Committee on Education and the Workforce.

By Mr. GRAVES:

H.R. 1844. A bill to amend the Elementary and Secondary Education Act of 1965 to provide teachers, principals, and other school professionals the tools they need to undertake reasonable actions to maintain order, discipline, and an appropriate educational environment; to the Committee on Education and the Workforce.

By Mr. GREEN of Texas:

H.R. 1845. A bill to provide that no more than 50 percent of funding made available under the Low-Income Home Energy Assistance Act of 1981 for any fiscal year be provided for home heating purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRUCCI:

H.R. 1846. A bill to amend section 254 of the Communications Act of 1934 to require schools and libraries receiving universal service assistance to block access to Internet services that enable users to access the World Wide Web and transfer electronic mail in an anonymous manner; to the Committee on Energy and Commerce.

By Mr. GRUCCI:

H.R. 1847. A bill to require the Attorney General to identify organizations that recruit juveniles to participate in violent and illegal activities related to the environment or to animal rights; and to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide assistance to States to carry out activities to prevent the participation of juveniles in such activities; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Mr. MATSUI, and Mr. SESSIONS):

H.R. 1848. A bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of semiconductor manufacturing equipment; to the Committee on Ways and Means.

By Mrs. MALONEY of New York:

H.R. 1849. A bill to amend the Child Nutrition Act of 1966 to provide vouchers for the purchase of educational books for infants and children participating in the special supplemental nutrition program for women, infants, and children under that Act; to the Committee on Education and the Workforce.

By Mrs. ROUKEMA (for herself and Mr. FRANK):

H.R. 1850. A bill to extend the Commission on Affordable Housing and Health Facility Needs for Seniors in the 21st Century and to make technical corrections to the law governing the Commission; to the Committee on Financial Services.

By Mrs. TAUSCHER (for herself, Mr. ETHERIDGE, Mr. CONDIT, Ms. VELAZQUEZ, Mr. FROST, Mr. UNDERWOOD, Mr. MCGOVERN, Mr. FILNER, and Mrs. THURMAN):

H.R. 1851. A bill to establish State infrastructure banks for education; to the Committee on Education and the Workforce.

By Mr. THOMPSON of Mississippi:

H.R. 1852. A bill to amend the Natural Gas Act to limit the extent to which natural gas prices charged to end users may be increased; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Mississippi:

H.R. 1853. A bill to amend the Internal Revenue Code of 1986 to extend enterprise communities for the same period as empowerment zones; to the Committee on Ways and Means.

By Mr. TIAHRT (for himself, Mr. PITTS, Mr. BURTON of Indiana, Mr. SMITH of New Jersey, Mr. STEARNS, Mr. GUTKNECHT, Mr. RYUN of Kansas, Mr. BARR of Georgia, Mr. ENGLISH, Mr. HOEKSTRA, Mr. JONES of North Carolina, Mr. WELDON of Florida, Mr. TANCREDO, Mr. GRAHAM, and Mr. LEWIS of Kentucky):

H.R. 1854. A bill to amend the General Education Act to allow parents access to certain information about their children; to the Committee on Education and the Workforce.

By Ms. VELAZQUEZ:

H.R. 1855. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize a grant program to enhance parental involvement in elementary and secondary schools; to the Committee on Education and the Workforce.

By Mr. WATTS of Oklahoma:

H.R. 1856. A bill to provide relief from Federal tax liability arising from the settlement of claims brought by African American farmers against the Department of Agriculture for discrimination in farm credit and benefit programs and to exclude amounts received under such settlement from means-based determinations under programs funded in whole or in part with Federal funds; to the Committee on Ways and Means.

By Mr. HUNTER (for himself and Mr. BASS):

H.J. Res. 48. A joint resolution authorizing the President to issue to the late Colonel William Mitchell, United States Army, a posthumous commission in the grade of brigadier general; to the Committee on Armed Services.

By Mr. FLAKE (for himself, Mr. GILMAN, Mr. CANTOR, and Mr. WEXLER):

H. Con. Res. 133. Concurrent resolution expressing the sense of Congress relating to remarks by the President of Syria concerning Israel; to the Committee on International Relations.

By Mr. LATOURETTE:

H. Con. Res. 134. Concurrent resolution authorizing the use of the Capitol Grounds for the National Book Festival; to the Committee on Transportation and Infrastructure.

By Mr. SCHAFFER (for himself, Mr. DEUTSCH, Mr. BARTLETT of Maryland, Mr. ROHRABACHER, Mr. HINCHEY, Mr. KING, Ms. KAPTUR, Mr. SOUDER, Mr. WATKINS, Mr. FRANK, Mr. ROYCE, Mr. SMITH of Michigan, Mr. TIAHRT, Mr. HEFLEY, Mr. SCHROCK, Mr. RYUN of Kansas, Mr. RILEY, Mr. ACKERMAN, Mr. BARR of Georgia, Mr. CHABOT, Mr. BURTON of Indiana, Ms. CARSON of Indiana, Mr. HOLDEN, Mr. CARSON of Oklahoma, Mr. WEXLER, Mr. MCNULTY, Mr. NADLER, Mr. BROWN of Ohio, Mr. GALLEGLY, Mr. SHERMAN, Mr. HASTINGS of Florida, Mr. PENCE, Mr. BERMAN, Mr. TOOMEY, Mr. FALEOMAVAEGA, Mr. ISSA, and Mr. HOEFFEL):

H. Con. Res. 135. Concurrent resolution expressing the sense of the Congress welcoming President Chen Shui-bian of Taiwan to the United States; to the Committee on International Relations.

¶47.39 MEMORIALS

Under clause 3 of rule XII,

The SPEAKER presented a memorial of the Legislature of the State of Maine, relative to the Joint Resolution memorializing the United States Congress to Abandon Plans to Conduct a Feasibility Study Concerning the Establishment of a National Park in Maine's North Woods; to the Committee on Resources.

¶47.40 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. GUTIERREZ introduced a bill (H.R. 1857) for the relief of Ana Esparza and Maria Munoz; which was referred to the Committee on the Judiciary.

¶47.41 ADDITIONAL SPONSORS

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

H.R. 7: Mr. LEWIS of Kentucky, Mr. LEACH, and Mr. ENGLISH.

H.R. 25: Mr. FOSSELLA.

H.R. 68: Mr. SIMPSON.

H.R. 105: Mr. RYAN of Wisconsin.

H.R. 144: Mr. DAVIS of Illinois.

H.R. 157: Mr. OWENS and Mr. RAHALL.

H.R. 168: Mr. CALVERT and Mrs. THURMAN.

H.R. 169: Mr. BERMAN and Mr. DAVIS of Illinois.

H.R. 179: Mr. COMBEST.

H.R. 210: Mr. RAHALL.

H.R. 214: Mrs. JO ANN DAVIS of Virginia.

H.R. 219: Mr. SHERMAN.

H.R. 236: Mr. RODRIGUEZ and Mr. HONDA.

H.R. 267: Mr. OSBORNE.

H.R. 270: Mr. OLVER.

H.R. 274: Mr. WYNN, Mr. FROST, Ms. JACKSON-LEE of Texas, and Mr. LANGEVIN.

H.R. 280: Mr. GRAHAM.

H.R. 282: Mr. SHIMKUS.

H.R. 287: Ms. DELAURO.

H.R. 303: Mrs. NAPOLITANO, Mr. GRAHAM, and Mr. SKELTON.

H.R. 336: Mr. RODRIGUEZ.

H.R. 419: Mr. MURTHA.

H.R. 436: Mr. STUPAK, Mr. KUCINICH, and Mrs. NAPOLITANO.

H.R. 437: Mr. LEWIS of Kentucky.

H.R. 439: Mr. DAVIS of Illinois and Mr. HASTINGS of Florida.

H.R. 442: Mr. CLAY and Mr. STUPAK.

H.R. 448: Mr. BOEHLERT.

H.R. 457: Mr. HONDA.

H.R. 482: Mr. WAMP.

H.R. 500: Mr. HASTINGS of Florida.

H.R. 510: Mr. PETERSON of Minnesota and Mr. SAXTON.

H.R. 527: Mr. CLAY and Mr. PORTMAN.

H.R. 531: Mr. OWENS.

H.R. 586: Mr. ROGERS of Kentucky and Mr. BROWN of South Carolina.

H.R. 590: Mr. FRANK and Mrs. MORELLA.

H.R. 598: Mrs. KELLY, Mr. OTTER, Mrs. TAUSCHER, Mr. PHELPS, Mr. SWEENEY, Mr. DREIER, Mr. BLAGOJEVICH, Mr. HAYWORTH, Mr. HOLDEN, Mr. BLUNT, Mr. TERRY, and Mr. KIRK.

H.R. 602: Mr. TIAHRT, Mr. LATOURETTE, Mrs. NORTHUP, Mr. GILLMOR, Mr. KIRK, Mr. LARSEN of Washington, Mr. BOSWELL, Mr. TAYLOR of Mississippi, Mr. POMEROY, and Mrs. DAVIS of California.

H.R. 606: Ms. WATERS.

H.R. 609: Mr. SAXTON.
H.R. 626: Mr. CHAMBLISS and Mr. GILMAN.
H.R. 627: Mr. LATHAM, Mr. HOBSON, and Mr. CHAMBLISS.
H.R. 638: Mr. BALDACCI.
H.R. 664: Mr. TOOMEY, Mr. PETERSON of Pennsylvania, Mr. SCHIFF, Mr. CAPUANO, Mr. MOAKLEY, and Mr. PHELPS.
H.R. 665: Mr. HASTINGS of Florida.
H.R. 668: Mr. GRUCCI, Mr. LEWIS of Georgia, Mr. LUCAS of Oklahoma, Mrs. EMERSON, and Mr. ROGERS of Michigan.
H.R. 678: Mrs. NAPOLITANO.
H.R. 686: Mr. FRANK, Mr. TURNER, Mr. GONZALEZ, Ms. WATERS, Ms. NORTON, and Mr. DOYLE.
H.R. 691: Mr. ROGERS of Michigan.
H.R. 693: Mr. LANGEVIN.
H.R. 701: Ms. WOOLSEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BARR of Georgia, Mrs. MINK of Hawaii, Mr. POMEROY, Mr. NORWOOD, Mr. PRICE of North Carolina, Ms. SOLIS, and Mr. KIRK.
H.R. 702: Mr. MCKINNEY.
H.R. 716: Mr. DICKS.
H.R. 730: Mr. BROWN of Ohio.
H.R. 737: Ms. ESHOO and Mr. ROYCE.
H.R. 742: Mrs. TAUSCHER, Mr. DEFAZIO, and Mr. MEEKS of New York.
H.R. 744: Mr. RAMSTAD.
H.R. 796: Ms. VELAZQUEZ.
H.R. 797: Ms. VELAZQUEZ.
H.R. 798: Ms. VELAZQUEZ.
H.R. 804: Mr. OTTER, Mr. BOEHNER, Mr. PAUL, and Mr. SCHROCK.
H.R. 826: Mr. BLUNT and Mr. TIBERI.
H.R. 827: Mr. VISCLOSKY.
H.R. 844: Mr. ANDREWS and Mr. PASCRELL.
H.R. 854: Mr. SAWYER, Ms. DELAURO, and Mr. MATSUI.
H.R. 876: Mr. DEFAZIO, Mr. KENNEDY of Minnesota, Mr. MCGOVERN, Mr. BONIOR, Mr. BLUMENAUER, Mr. BALDACCI, Mr. LEVIN, Mr. MCDERMOTT, Mr. TOWNS, Mr. SCARBOROUGH, Mr. LEACH, and Mr. KUCINICH.
H.R. 896: Mrs. CUBIN.
H.R. 914: Mr. NETHERCUTT, Mr. BRADY of Texas, Mr. WYNN, Mr. ISSA, Mr. BALLENGER, and Mr. BOEHNER.
H.R. 917: Mr. HASTINGS of Florida.
H.R. 931: Mr. TERRY, Mr. RANGEL, Mrs. NORTHUP, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. THORNBERRY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOSWELL, and Mr. AKIN.
H.R. 953: Mr. KUCINICH.
H.R. 954: Mr. BARRETT and Ms. KAPTUR.
H.R. 969: Mr. GRAHAM.
H.R. 976: Mr. HONDA.
H.R. 978: Mr. RYUN of Kansas and Ms. HART.
H.R. 985: Mr. STUPAK.
H.R. 986: Mr. TRAFICANT.
H.R. 1007: Mr. SANDLIN and Mr. CUNNINGHAM.
H.R. 1017: Ms. JACKSON-LEE of Texas.
H.R. 1025: Mr. SKEEN and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1035: Ms. CARSON of Indiana, Mrs. CLAYTON, and Ms. NORTON.
H.R. 1073: Mrs. CLAYTON, Mr. SMITH of Washington, Mrs. MINK of Hawaii, and Mr. PHELPS.
H.R. 1110: Mr. STENHOLM.
H.R. 1127: Mr. PAUL.
H.R. 1129: Ms. HARMAN.
H.R. 1140: Mr. SOUDER, Mr. SPENCE, Mr. BRADY of Texas, Mr. MCCRERY, and Mr. BARRETT.
H.R. 1145: Mr. GREENWOOD and Ms. MCKINNEY.
H.R. 1153: Mrs. MINK of Hawaii.
H.R. 1158: Mr. RYUN of Kansas.
H.R. 1170: Mr. DEFAZIO and Mr. PASCRELL.
H.R. 1184: Mr. ROTHMAN and Mr. WAMP.
H.R. 1192: Mr. WELDON of Pennsylvania, Mrs. CAPPS, Mr. SKEEN, Mr. STUPAK, Mr. BOUCHER, and Mr. PRICE of North Carolina.
H.R. 1233: Mr. DAVIS of Illinois, and Mr. HASTINGS of Florida.
H.R. 1262: Mr. MCGOVERN, Mr. MEEKS of New York, Ms. NORTON, Mr. PETERSON of Minnesota, and Mr. HINOJOSA.
H.R. 1266: Mr. DEFAZIO, Mr. KNOLLENBERG, and Mr. MATHESON.
H.R. 1272: Mrs. JOHNSON of Connecticut and Mr. ENGLISH.
H.R. 1273: Mr. TANCREDO, Mr. PENCE, and Mr. SKEEN.
H.R. 1305: Mr. CROWLEY, Mr. HOYER, Mr. SKEEN, and Mr. BOSWELL.
H.R. 1320: Mr. FRANK, Mr. KUCINICH, and Mr. KILDEE.
H.R. 1351: Ms. WATERS.
H.R. 1353: Mr. UPTON, Mr. BALDACCI, Mr. LAFALCE, Mr. WICKER, Mr. GOODE, Mr. PETERSON of Minnestoa, and Mr. GREEN of Wisconsin.
H.R. 1354: Ms. NORTON, Mr. JENKINS, Mrs. NAPOLITANO, and Mr. TOM DAVIS of Virginia.
H.R. 1358: Mr. ISRAEL.
H.R. 1360: Ms. DEGETTE and Mr. LOBIONDO.
H.R. 1367: Mr. LANTOS.
H.R. 1372: Mr. WELDON of Florida.
H.R. 1377: Mr. RYUN of Kansas, Mr. LEWIS of Kentucky, Mr. EDWARDS, Mr. BARTON of Texas, Mr. BARR of Georgia, Mr. SKEEN, Mr. DOOLITTLE, and Mr. COSTELLO.
H.R. 1398: Mr. MEEKS of New York.
H.R. 1413: Mr. LARSEN of Washington and Mr. PHELPS.
H.R. 1433: Mr. FILNER and Ms. KAPTUR.
H.R. 1434: Mr. MCHUGH and Mr. MCNULTY.
H.R. 1450: Mr. PUTNAM.
H.R. 1455: Mr. DOOLITTLE and Mr. NEY.
H.R. 1458: Mr. LANGEVIN.
H.R. 1468: Mr. LANGEVIN.
H.R. 1470: Mr. SANDERS.
H.R. 1471: Ms. MILLENDER-MCDONALD.
H.R. 1476: Ms. MILLENDER-MCDONALD, Mr. BOUCHER, and Mr. SIMMONS.
H.R. 1477: Mr. OTTER, Mr. SANDLIN, and Ms. KILPATRICK.
H.R. 1483: Mr. PAUL, Mr. LATOURETTE, Mr. POMEROY, Mr. MCINNIS, Mr. HULSHOF, Mr. HUTCHINSON, Mr. HONDA, and Mr. DOOLEY of California.
H.R. 1492: Mr. COYNE.
H.R. 1523: Mr. HEFLEY, Mr. RYUN of Kansas, and Mr. OSBORNE.
H.R. 1542: Mr. RILEY, Mr. REYES, Mr. BERRY, Mr. SHOWS, and Ms. BROWN of Florida.
H.R. 1545: Mr. DEAL of Georgia.
H.R. 1553: Mr. SCHIFF, Mrs. CAPPS, and Mr. ACKERMAN.
H.R. 1556: Mr. MEEKS of New York, Ms. DELAURO, Mr. COYNE, Mr. KING, Mr. THOMPSON of Mississippi, Mr. BOEHLERT, Mr. CROWLEY, Mrs. JONES of Ohio, Mr. MALONEY of Connecticut, and Mr. QUINN.
H.R. 1575: Mr. BARR of Georgia, Mr. SMITH of Michigan, Mr. PAUL, Ms. HART, and Mr. JOHNSON of Illinois.
H.R. 1577: Mr. NORWOOD, Mr. DEAL of Georgia, Ms SANCHEZ, Mr. CHAMBLISS, Mr. BARTLETT of Maryland, Mr. TOOMEY, Ms. GRANGER, Mr. GILLMOR, Mr. FERGUSON, Mr. CALLAHAN, Mr. MALONEY of Connecticut, Mr. HOSTETTLER, Mr. COYNE, Mrs. MYRICK, Mr. HEFLEY, Mr. BRADY of Texas, Mr. SMITH of New Jersey, Mr. BORSKI, Mr. KNOLLENBERG, Mr. ROGERS of Michigan, Mr. FILNER, Mr. UPTON, Mr. HILL, Mr. BALDACCI, Mr. MCINTYRE, Mr. STUMP, Mr. FROST, Mr. KIRK, Mr. MANZULLO, Mr. OLVER, and Ms. MCKINNEY.
H.R. 1581: Mr. VITTER, Mr. CRAMER, and Mr. BOEHNER.
H.R. 1586: Mr. NEAL of Massachusetts and Mr. GONZALEZ.
H.R. 1597: Ms. MCKINNEY.
H.R. 1609: Mr. OBERSTAR, Mr. UDALL of New Mexico, Ms. DELAURO, and Mr. SANDLIN.
H.R. 1624: Mr. ISAKSON, Mr. FERGUSON, Mr. WU, Mr. RILEY, Mr. POMEROY, Ms. HOOLEY of Oregon, Mr. PHELPS, Ms. BALDWIN, and Mr. SHOWS.
H.R. 1644: Mr. HOSTETTLER, Mr. GRAHAM, and Mr. SKELTON.
H.R. 1645: Mr. ISAKSON, Mr. HALL of Ohio, Mr. PICKERING, Mr. GEKAS, Mr. CRAMER, Mr. MCNULTY, Mrs. MINK of Hawaii, Mr. HINOJOSA, Mr. EVANS, Mr. SCHAFFER, and Mr. GREENWOOD.
H.R. 1649: Mr. GEORGE MILLER of California.
H.R. 1650: Ms. BROWN of Florida, Ms. DELAURO, Mr. CUMMINGS, Mr. LATOURETTE, Mr. KUCINICH, and Mr. KENNEDY of Rhode Island.
H.R. 1651: Mr. ENGLISH.
H.R. 1657: Mr. CARDIN.
H.R. 1671: Mr. CROWLEY, Ms. LEE, Mr. KUCINICH, Ms. KILPATRICK, Mr. FROST, and Ms. RIVERS.
H.R. 1677: Mr. SCHAFFER and Mr. TOWNS.
H.R. 1683: Ms. LEE, Ms. HART, Ms. MCCOLLUM, and Mr. CROWLEY.
H.R. 1687: Mrs. JOHNSON of Connecticut.
H.R. 1696: Mr. HAYWORTH, Mr. SIMPSON, Ms. CARSON of Indiana, Mr. BAKER, Mr. SAXTON, and Mrs. JO ANN DAVIS of Virginia.
H.R. 1711: Mr. FOLEY.
H.R. 1713: Mrs. CLAYTON, Mr. BERMAN, Mr. FROST, Ms. DELAURO, Mrs. MINK of Hawaii, and Mr. MORAN of Virginia.
H.R. 1716: Mr. REHBERG, Ms. SOLIS, and Mr. UDALL of New Mexico.
H.R. 1746: Mr. HAYWORTH, Mr. KING, Mrs. JONES of Ohio, Mr. ROGERS of Michigan, Ms. MCKINNEY, Mr. VITTER, Mr. STUMP, and Mr. ENGLISH.
H.R. 1781: Mr. OLVER, Mrs. MORELLA, Mr. CROWLEY, and Ms. WOOLSEY.
H.R. 1784: Mr. BONIOR, Ms. PELOSI, Mr. JACKSON of Illinois, Ms. MCCOLLUM, and Mr. MCINTYRE.
H.R. 1786: Mr. SIMPSON and Mr. RILEY.
H.R. 1798: Mrs. ROUKEMA.
H.R. 1809: Ms. SCHAKOWSKY, Mr. REYES, and Mr. MCINTYRE.
H.R. 1819: Mr. PAYNE and Mrs. JONES of Ohio.
H.J. Res. 12: Mr. KERNS.
H.J. Res. 36: Mr. HANSEN, Mrs. CAPITO, Mr. CRANE, and Mr. CLEMENT.
H.J. Res. 38: Mr. GOODLATTE.
H. Con. Res. 17: Mr. STRICKLAND and Mr. SNYDER.
H. Con. Res. 30: Mr. CULBERSON and Mr. TIAHRT.
H. Con. Res. 48: Mr. TANCREDO.
H. Con. Res. 54: Mr. CRAMER and Mr. BAIRD.
H. Con. Res. 58: Mr. ROHRABACHER.
H. Con. Res. 67: Mr. HAYWORTH.
H. Con. Res. 94: Mr. BROWN of Ohio, Ms. VALAZQUEZ, Ms. MILLENDER-MCDONALD, Mr. SCHIFF, Mr. WAXMAN, and Mr. PASCRELL.
H. Con. Res. 97: Mr. STARK.
H. Con. Res. 104: Ms. NORTON and Mrs. CAPPS.
H. Con. Res. 106: Mr. SCHROCK, Mr. YOUNG of Florida, Ms. CARSON of Indiana, and Mr. HORN.
H. Con. Res. 116: Mr. COSTELLO.
H. Con. Res. 120: Mr. TIBERI.
H. Res. 17: Mr. BARRETT.
H. Res. 120: Mr. GILMAN and Mr. REYNOLDS.
H. Res. 139: Mr. CONYERS, Mr. CLAY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Ms. JACKSON-LEE of Texas, Ms. SOLIS, Mr. GUTIERREZ, Mr. CLYBURN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCKINNEY, Mr. LEWIS of Georgia, Mr. JEFFERSON, Mr. OWENS, Ms. CARSON of Indiana, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Mr. THOMPSON of Mississippi, Mrs. CLAYTON, Ms. LEE, and Mr. FATTAH.

¶47.42 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 701: Mr. WATTS of Oklahoma.

WEDNESDAY, MAY 16, 2001 (48)

¶48.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LAHOOD, who laid before the House the following communication:

WASHINGTON, DC,
May 16, 2001.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

¶48.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, announced he had examined and approved the Journal of the proceedings of Tuesday, May 15, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶48.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1934. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the Department's FY 2000 Chief Information Officer Annual Information Assurance Report; to the Committee on Armed Services.

1935. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Application of Sections 23A and 23B of the Federal Reserve Act to Derivative Transactions with Affiliates and Intraday Extensions of Credit to Affiliates [Miscellaneous Interpretations; Docket No. R–1104] received May 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1936. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-B–7412] received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1937. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1938. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7759] received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1939. A letter from the Acting Assistant Secretary, OSHA, Department of Labor, transmitting the Department's final rule—Occupational Exposure to Cotton Dust [Docket No. H–052G] (RIN: 1218–AB90) received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1940. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Medical Device Reporting Regulations; Technical Amendment [Docket No. 98N–0170] received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1941. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No. 00F–1487] received May 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1942. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revision to Interim Approval Requirements [FRL–6980–6] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1943. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1944. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1945. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1946. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1947. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1948. A letter from the Director, Office of Budget, Department of Housing and Urban Development, transmitting the Department's FY 2002 Annual Performance Plan; to the Committee on Government Reform.

1949. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1950. A letter from the Chair, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a copy of the Authority's Acts and fiscal impact statement; to the Committee on Government Reform.

1951. A letter from the Chair, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a copy of the Authority's resolutions and orders; to the Committee on Government Reform.

1952. A letter from the General Counsel, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1953. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. 28293 (FAA–2000–7952); Amendment No. 121–284, 125–37, 135–81, and 145–26] (RIN: 2120–AF71) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1954. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes [Docket No. 2001–NM–67–AD; Amendment 39–12190; AD 2000–26–09 R1] (RIN: 2120–AA64) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1955. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319 and A320 Series Airplanes Equipped with Elevator and Aileron Computer (ELAC) L80 Standard [Docket No. 2001–NM–79–AD; Amendment 39–12203; AD 2001–08–26] (RIN: 2120–AA64) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1956. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30244; Amdt. No. 2047] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1957. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Commuter Operations and General Certification and Operations Requirements [Docket No. 28154, Admt. Nos. 21–79, 43–37, 45–22, 65–41, 91–267, 142–4, 145–25, 161–2, and 170–3] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1958. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D and Class E Airspace; Oxford, CT [Airspace Docket No. 2000–ANE–91] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1959. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Grant, NE [Airspace Docket No. 00–ACE–37] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1960. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Ogallala, NE; Correction [Airspace Docket No. 00–ACE–38] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1961. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace; Culpepper, VA [Airspace Docket No. 00–AEA–12FR] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1962. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revocation of Class E Airspace; Gage, OK [Airspace Docket No. 2000–ASW–21] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1963. A letter from the Acting Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—New Markets Venture Capital Program

(RIN: 3245–AE40) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

1964. A letter from the Comptroller General, General Accounting Office, transmitting the financial audit of the Federal Deposit Insurance Corporation's 2000 and 1999 Financial Statements, pursuant to 31 U.S.C. section 9105(a)(4); jointly to the Committees on Financial Services and Government Reform.

¶48.4 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, May 15, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. NUSSLE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
Yeas 348
Nays 53
Answered present 1

¶48.5 [Roll No. 114]

YEAS—348

Abercrombie
Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Cox
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Lipinski
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—53

Aderholt
Baird
Bonior
Borski
Brady (PA)
Capuano
Costello
Crane
Crowley
DeFazio
English
Filner
Gephardt
Gillmor
Gutierrez
Gutknecht
Hastings (FL)
Hefley
Hilleary
Hilliard
Jones (OH)
Kennedy (MN)
Kennedy (RI)
Kucinich
LaFalce
Larsen (WA)
Lewis (GA)
LoBiondo
Lowey
McDermott
Menendez
Miller, George
Moore
Oberstar
Pallone
Peterson (MN)
Ramstad
Roemer
Sabo
Schaffer
Slaughter
Stark
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Waters
Weiner
Weller

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—29

Bereuter
Blunt
Boyd
Burr
Clement
Collins
Coyne
Dunn
Fossella
Hall (OH)
Hinchey
Hunter
Hutchinson
Jefferson
Johnson, E. B.
Johnson, Sam
Linder
Moakley
Nadler
Rangel
Ros-Lehtinen
Roukema
Sanders
Scarborough
Sweeney
Thomas
Watts (OK)
Wicker
Young (AK)

So the Journal was approved.

¶48.6 DEPARTMENT OF STATE AUTHORIZATION

The SPEAKER pro tempore, Mr. GUTKNECHT, pursuant to House Resolution 138 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes.

Mr. LAHOOD, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶48.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HYDE:

Page 27, strike line 9 and all that follows through line 2 on page 30.

It was decided in the affirmative .....
Yeas 218
Nays 210

¶48.8 [Roll No. 115]

AYES—218

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Blunt
Boehner
Bonilla
Bono
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Everett
Ferguson
Flake
Fletcher
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goss
Graham
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner

Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—210

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Dunn
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank
Frelinghuysen
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Greenwood
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Horn
Houghton
Hoyer
Inslee
Isakson
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Ross
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—4

Ehrlich
Hooley
Moakley
Ros-Lehtinen

So the amendment was agreed to.

The SPEAKER pro tempore, Mr. SHIMKUS, assumed the Chair.

When Mr. LAHOOD, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶48.9 PROVIDING FOR THE CONSIDERATION OF H.R. 1836

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 142):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent, and (3) one motion to recommit with or without instructions.

SEC. 2. Upon receipt of a message from the Senate transmitting H.R. 1836 with Senate amendments thereto, it shall be in order to consider in the House a motion offered by the chairman of the Committee on Ways and Means or his designee that the House disagree to the Senate amendments and request or agree to a conference with the Senate thereon.

When said resolution was considered.

After debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that the yeas had it.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 220
Nays 207

¶48.10 [Roll No. 116]

YEAS—220

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

NAYS—207

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan

Moore	Roemer	Strickland
Moran (VA)	Ross	Stupak
Murtha	Rothman	Tanner
Nadler	Roybal-Allard	Tauscher
Napolitano	Rush	Taylor (MS)
Neal	Sabo	Thompson (CA)
Oberstar	Sanchez	Thompson (MS)
Obey	Sanders	Thurman
Olver	Sandlin	Tierney
Ortiz	Sawyer	Towns
Owens	Schakowsky	Traficant
Pallone	Schiff	Turner
Pascrell	Scott	Udall (CO)
Pastor	Serrano	Udall (NM)
Payne	Sherman	Velazquez
Pelosi	Shows	Visclosky
Peterson (MN)	Skelton	Waters
Phelps	Slaughter	Watt (NC)
Pomeroy	Smith (WA)	Waxman
Price (NC)	Snyder	Weiner
Rahall	Solis	Woolsey
Reyes	Spratt	Wu
Rivers	Stark	Wynn
Rodriguez	Stenholm	

NOT VOTING—5

Cubin	Lewis (KY)	Wexler
Hansen	Moakley	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶48.11 ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION

Mr. THOMAS, pursuant to House Resolution 142, called up the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 142, Mr. RANGEL submitted the following amendment in the nature of a substitute:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''Tax Reduction Act of 2001''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) SECTION 15 NOT TO APPLY.—No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

(d) TABLE OF CONTENTS.—

Sec. 1. Short title.

TITLE I—REFUND OF 2000 INDIVIDUAL INCOME TAXES

Sec. 101. Refund of 2000 individual income taxes.

TITLE II—INDIVIDUAL INCOME TAX RATE REDUCTIONS; EXPANSION OF EARNED INCOME CREDIT ASSISTANCE

Sec. 201. Individual income tax rate reductions.

Sec. 202. Modifications to earned income tax credit.

TITLE III—MARRIAGE PENALTY RELIEF

Sec. 301. Marriage penalty relief.

TITLE I—REFUND OF 2000 INDIVIDUAL INCOME TAXES

SEC. 101. REFUND OF 2000 INDIVIDUAL INCOME TAXES.

(a) IN GENERAL.—Subchapter B of chapter 65 (relating to rules of special application) is amended by adding at the end the following new section:

''SEC. 6428. REFUND OF 2000 INDIVIDUAL INCOME TAXES.

''(a) IN GENERAL.—Except as otherwise provided in this section, each individual shall be treated as having made a payment against the tax imposed by chapter 1 for such individual's first taxable year beginning in 2000 in an amount equal to 100 percent of the amount of such individual's net Federal tax liability for such taxable year.

''(b) MAXIMUM PAYMENT.—The amount treated as paid by reason of this section shall not exceed $300 ($600 in the case of a married couple filing a joint return).

''(c) NET FEDERAL TAX LIABILITY.—For purposes of this section—

''(1) IN GENERAL.—The term 'net Federal tax liability' means the amount equal to the excess (if any) of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under part IV of subchapter A (other than the credits allowable subpart C thereof, relating to refundable credits).

''(2) FAMILIES WITH CHILDREN.—In the case of a taxpayer with 1 or more qualifying children (as defined in section 32) for the taxpayer's first taxable year beginning in 2000, such taxpayer's net Federal tax liability for such year shall be the amount determined under paragraph (1) increased by 7.65 percent of the taxpayer's taxable earned income for such year. For purposes of the preceding sentence, the term 'taxable earned income' means earned income as defined in section 32 but only to the extent includible in gross income.

''(d) DATE PAYMENT DEEMED MADE.—The payment provided by this section shall be deemed made on the later of—

''(1) the date prescribed by law (determined without extensions) for filing the return of tax imposed by chapter 1 for the taxable year, or

''(2) the date on which the taxpayer files his return of tax imposed by chapter 1 for the taxable year.

''(e) CERTAIN PERSONS NOT ELIGIBLE.—This section shall not apply to—

''(1) any estate or trust, and

''(2) any nonresident alien individual.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 65 is amended by adding at the end the following new item:

''Sec. 6428. Refund of 2000 individual income taxes.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning in 2000.

(d) PROTECTION OF SOCIAL SECURITY AND MEDICARE.—The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

TITLE II—INDIVIDUAL INCOME TAX RATE REDUCTIONS; EXPANSION OF EARNED INCOME CREDIT ASSISTANCE

SEC. 201. INDIVIDUAL INCOME TAX RATE REDUCTIONS.

(a) IN GENERAL.—Section 1 is amended by adding at the end the following new subsection:

''(i) 12 PERCENT RATE BRACKET.—

''(1) IN GENERAL.—In the case of taxable years beginning after December 31, 2001—

''(A) the rate of tax under subsections (a), (b), (c), and (d) on taxable income not over the initial bracket amount shall be 12 percent, and

''(B) the 15 percent rate of tax shall apply only to taxable income over the initial bracket amount.

''(2) INITIAL BRACKET AMOUNT.—For purposes of this subsection, the initial bracket amount is—

''(A) $20,000 in the case of subsection (a),

''(B) 80 percent of the dollar amount in subparagraph (A) in the case of subsection (b), and

''(C) 50 percent of the dollar amount in subparagraph (B) in the case of subsections (c) and (d).

''(3) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2002, the $20,000 amount under paragraph (2)(A)(i) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under subsection (f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING RULES.—If any amount after adjustment under subparagraph (A) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.

''(4) ADJUSTMENT OF TABLES.—The Secretary shall adjust the tables prescribed under subsection (f) to carry out this subsection.''

(b) ADJUSTMENT IN COMPUTATION OF ALTERNATIVE MINIMUM TAX.—Paragraph (2) of section 55(a) is amended to read as follows:

''(2) the sum of—

''(A) the regular tax for the taxable year, plus

''(B) in the case of an individual, 3 percent of so much of the individual's taxable income for the taxable year as is taxed at 12 percent.''

(c) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(1) Subsection (d) of section 24 is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 32 is amended by striking subsection (h).

(d) CONFORMING AMENDMENT.—Subclause (II) of section 1(g)(7)(B)(ii) is amended by striking ''15 percent'' and inserting ''12 percent''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(f) PROTECTION OF SOCIAL SECURITY AND MEDICARE.—The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

SEC. 202. MODIFICATIONS TO EARNED INCOME TAX CREDIT.

(a) INCREASES IN PERCENTAGES AND AMOUNTS USED TO DETERMINE CREDIT; MARRIAGE PENALTY RELIEF.—

(1) IN GENERAL.—Subsection (b) of section 32 is amended to read as follows:

''(b) PERCENTAGES AND AMOUNTS.—

''(1) PERCENTAGES.—The credit percentage, the initial phaseout percentage, and the final phaseout percentage shall be determined as follows:

''In the case of an eligible individual with:	The credit percentage is:	The initial phaseout percentage is:	The final phaseout percentage is:
1 qualifying child	34	15.98	18.98
2 or more qualifying children	40	21.06	24.06
No qualifying children ..	7.65	7.65	7.65

''(2) AMOUNTS.—

''(A) IN GENERAL.—The earned income amount and the initial phaseout amount shall be determined as follows:

"In the case of an eligible individual with:	The earned income amount is:	The initial phaseout amount is:
1 qualifying child	$8,140	$13,470
2 or more qualifying children	$11,120	$13,470
No qualifying children	$4,900	$6,130.

In the case of a joint return where there is at least 1 qualifying child, the initial phaseout amount shall be $2,500 greater than the amount otherwise applicable under the preceding sentence.

"(B) FINAL PHASEOUT AMOUNT.—The final phaseout amount is $26,000 ($28,500 in the case of a joint return)."

(2) MODIFICATION OF COMPUTATION OF PHASEOUT.—Paragraph (2) of section 32(a) is amended to read as follows:

"(2) PHASEOUT OF CREDIT.—The amount of the credit allowable to a taxpayer under paragraph (1) for any taxable year shall be reduced (but not below zero) by the sum of—

"(A) the initial phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the initial phaseout amount but does not exceed the final phaseout amount, plus

"(B) the final phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the final phaseout amount."

(3) TOTAL INCOME.—Paragraph (5) of section 32(c) is amended to read as follows:

"(5) TOTAL INCOME.—The term 'total income' means adjusted gross income determined without regard to—

"(A) the deductions referred to in paragraphs (6), (7), (9), (10), (15), (16), and (17) of section 62(a),

"(B) the deduction allowed by section 162(l), and

"(C) the deduction allowed by section 164(f)."

(4) CONFORMING AMENDMENTS.—

(A) Subsection (j) of section 32 is amended to read as follows:

"(j) INFLATION ADJUSTMENT.—

"(1) IN GENERAL.—In the case of any taxable year beginning after 2002, each of the dollar amounts in subsection (b)(2) shall be increased by an amount equal to—

"(A) such dollar amount, multiplied by

"(B) the cost-of-living adjustment determined under section 1(f)(3), for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.

"(2) ROUNDING.—If any dollar amount, after being increased under paragraph (1), is not a multiple of $10, such dollar amount shall be rounded to the nearest multiple of $10."

(B) Subparagraph (C) of section 32(c)(1) is amended by striking "modified adjusted gross income" and inserting "total income".

(C) Paragraph (2) of section 32(f) is amended to read as follows:

"(2) REQUIREMENTS FOR TABLES.—

"(A) IN GENERAL.—The provisions of subsection (a)(1) and the provisions of subsection (a)(2) shall be reflected in separate tables prescribed under paragraph (1).

"(B) SUBSECTION (a)(1) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(1) shall have income brackets of not greater than $50 each for earned income between $0 and the earned income amount.

"(C) SUBSECTION (a)(2) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(2) shall have income brackets of not greater than $50 each for total income (or, if greater, the earned income) above the initial phaseout threshold."

(b) REPEAL OF DENIAL OF CREDIT WHERE INVESTMENT INCOME.—Section 32 is amended by striking subsection (i).

(c) EARNED INCOME TO INCLUDE ONLY AMOUNTS INCLUDIBLE IN GROSS INCOME.—

(1) IN GENERAL.—Section 32(c)(2)(A)(i) (defining earned income) is amended by inserting ", but only if such amounts are includible in gross income for the taxable year" after "other employee compensation".

(2) CONFORMING AMENDMENT.—Section 32(c)(2)(B) is amended by striking "and" at the end of clause (iv), by striking the period at the end of clause (v) and inserting ", and", and by adding at the end the following new clause:

"(vi) the requirement under subparagraph (A)(i) that an amount be includible in gross income shall not apply if such amount is exempt from tax under section 7873 or is derived directly from restricted and allotted land under the Act of February 8, 1887 (commonly known as the Indian General Allotment Act) (25 U.S.C. 331 et seq.) or from land held under Acts or treaties containing an exception provision similar to the Indian General Allotment Act."

(d) MODIFICATION OF JOINT RETURN REQUIREMENT.—Subsection (d) of section 32 is amended to read as follows:

"(d) MARRIED INDIVIDUALS.—

"(1) IN GENERAL.—If the taxpayer is married at the close of the taxable year, the credit shall be allowed under subsection (a) only if the taxpayer and his spouse file a joint return for the taxable year.

"(2) MARITAL STATUS.—For purposes of paragraph (1), an individual legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married.

"(3) CERTAIN MARRIED INDIVIDUALS LIVING APART.—For purposes of paragraph (1), if—

"(A) an individual —

"(i) is married and files a separate return, and

"(ii) has a qualifying child who is a son, daughter, stepson, or stepdaughter of such individual, and

"(B) during the last 6 months of such taxable year, such individual and such individual's spouse do not have the same principal place of abode,

such individual shall not be considered as married."

(e) EXPANSION OF MATHEMATICAL ERROR AUTHORITY.—Paragraph (2) of section 6213(g) is amended by striking "and" at the end of subparagraph (K), by striking the period at the end of subparagraph (L) and inserting ", and", and by inserting after subparagraph (L) the following new subparagraph:

"(M) the entry on the return claiming the credit under section 32 with respect to a child if, according to the Federal Case Registry of Child Support Orders established under section 453(h) of the Social Security Act, the taxpayer is a noncustodial parent of such child."

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE III—MARRIAGE PENALTY RELIEF

SEC. 301. MARRIAGE PENALTY RELIEF.

(a) STANDARD DEDUCTION.—

(1) IN GENERAL.—Paragraph (2) of section 63(c) (relating to standard deduction) is amended—

(A) by striking "$5,000" in subparagraph (A) and inserting "twice the dollar amount in effect under subparagraph (C) for the taxable year",

(B) by adding "or" at the end of subparagraph (B),

(C) by striking "in the case of" and all that follows in subparagraph (C) and inserting "in any other case.", and

(D) by striking subparagraph (D).

(2) INCREASE ALLOWED AS DEDUCTION IN DETERMINING MINIMUM TAX.—Subparagraph (E) of section 56(b)(1) is amended by adding at the end the following new sentence: "The preceding sentence shall not apply to so much of the standard deduction under subparagraph (A) of section 63(c)(2) as exceeds the amount which would be such deduction but for the amendment made by section 201(a)(1) of the Tax Reduction Act of 2001.

(3) TECHNICAL AMENDMENTS.—

(A) Subparagraph (B) of section 1(f)(6) is amended by striking "(other than with" and all that follows through "shall be applied" and inserting "(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied".

(B) Paragraph (4) of section 63(c) is amended by adding at the end the following flush sentence:

"The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

After debate,

Pursuant to House Resolution 142, the previous question was ordered on the bill and the amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to said amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. SWEENEY, announced that the nays had it.

Mr. RANGEL objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 188 / Nays ..... 239 }

¶48.12 [Roll No. 117]

YEAS—188

Abercrombie	DeGette	Jones (OH)
Ackerman	Delahunt	Kaptur
Allen	DeLauro	Kennedy (RI)
Andrews	Deutsch	Kildee
Baca	Dicks	Kilpatrick
Baird	Dingell	Kind (WI)
Baldacci	Dooley	Kleczka
Baldwin	Doyle	Kucinich
Barcia	Edwards	LaFalce
Barrett	Engel	Lampson
Becerra	Eshoo	Langevin
Bentsen	Etheridge	Lantos
Berkley	Evans	Larsen (WA)
Berman	Farr	Larson (CT)
Bishop	Fattah	Lee
Blagojevich	Filner	Levin
Blumenauer	Ford	Lewis (GA)
Bonior	Frank	Lofgren
Borski	Frost	Lowey
Boswell	Gephardt	Luther
Boucher	Gonzalez	Maloney (CT)
Brady (PA)	Green (TX)	Maloney (NY)
Brown (FL)	Gutierrez	Markey
Brown (OH)	Hall (OH)	Mascara
Capps	Harman	Matheson
Capuano	Hastings (FL)	Matsui
Cardin	Hilliard	McCarthy (MO)
Carson (IN)	Hinchey	McCarthy (NY)
Carson (OK)	Hinojosa	McCollum
Clay	Hoeffel	McDermott
Clayton	Holt	McGovern
Clement	Honda	McIntyre
Clyburn	Hooley	McKinney
Conyers	Hoyer	McNulty
Costello	Inslee	Meehan
Coyne	Israel	Meek (FL)
Crowley	Jackson (IL)	Meeks (NY)
Cummings	Jackson-Lee (TX)	Menendez
Davis (CA)	Jefferson	Millender-McDonald
Davis (FL)	John	Miller, George
Davis (IL)	Johnson, E. B.	Mink
DeFazio		

Moakley
Mollohan
Moore
Moran (VA)
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—239

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

NOT VOTING—4

Cramer
Cubin
Napolitano
Phelps

So the amendment in the nature of a substitute was not agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SWEENEY, announced that the yeas had it.

Mr. THOMAS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 230 / Nays 197

¶48.13 [Roll No. 118]

YEAS—230

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—197

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

NOT VOTING—5

Cannon
Cooksey
Cubin
Horn
Schakowsky

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶48.14 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 1646

On motion of Mr. HYDE, by unanimous consent,

Ordered, That, during further consideration of the bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes, in the Committee of the Whole House on the state of the Union, pursuant to House Resolution 138, it may be in order at any time for the chairman of the Committee on International Relations or a designee to offer en bloc amendments numbered 5, 6, as modified, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 24, 25, and 26 printed in House Report 107-62 or germane modifications of any such amendment; that amendments en bloc pursuant to this order be considered as read (except that modifications be reported), be debatable for 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations or their designees, not be subject to amendment, and not be subject to a demand for a division of the question in the House or in the Committee of the Whole; and that the original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

¶48.15 DEPARTMENT OF STATE AUTHORIZATION

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to House Resolution 138 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes.

Mr. SIMPSON, Acting Chairman, assumed the chair; and after some time spent therein,

¶48.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. LANTOS:

Page 153, after line 23, add the following:

SEC. 863. ASSISTANCE TO LEBANON.

(a) MILITARY ASSISTANCE.—Notwithstanding any other provision of law, the President shall not provide assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training) to the armed forces of the Government of Lebanon unless the President certifies to the appropriate congressional committees that—

(1) the armed forces of Lebanon have been deployed to the internationally recognized border between Lebanon and Israel; and

(2) the Government of Lebanon is effectively asserting its authority in the area in which such forces have been deployed.

(b) ECONOMIC ASSISTANCE.—If the President has not made the certification described in subsection (a) within 6 months after the date of the enactment of this Act, the President shall provide to the appropriate congressional committees a plan to terminate assistance to Lebanon provided under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund).

It was decided in the affirmative { Yeas ..... 216 / Nays ..... 210 }

¶48.17 [Roll No. 119]

AYES—216

Ackerman	Grucci	Pence
Andrews	Gutierrez	Peterson (MN)
Armey	Hall (TX)	Phelps
Bachus	Harman	Pickering
Ballenger	Hart	Pitts
Bartlett	Hastings (FL)	Platts
Bentsen	Hayworth	Pombo
Berkley	Hefley	Portman
Berman	Hill	Ramstad
Bilirakis	Hilleary	Rangel
Bishop	Hilliard	Reyes
Blagojevich	Hobson	Reynolds
Blunt	Hoeffel	Riley
Bonilla	Holden	Rodriguez
Boswell	Holt	Ros-Lehtinen
Boyd	Honda	Ross
Brown (FL)	Hooley	Rothman
Brown (OH)	Hoyer	Roukema
Brown (SC)	Hunter	Ryan (WI)
Bryant	Inslee	Ryun (KS)
Burr	Israel	Sanchez
Camp	Istook	Sandlin
Cantor	Jackson-Lee (TX)	Saxton
Cardin	Jefferson	Scarborough
Carson (OK)	Johnson (IL)	Schaffer
Chabot	Johnson, Sam	Schakowsky
Clyburn	Jones (OH)	Schiff
Coble	Kelly	Schrock
Condit	Kennedy (RI)	Scott
Costello	King (NY)	Sensenbrenner
Coyne	Kingston	Shadegg
Cramer	Kirk	Shaw
Crenshaw	LaFalce	Shays
Crowley	Lampson	Sherman
Cunningham	Langevin	Sherwood
Davis (CA)	Lantos	Shows
Davis (FL)	Larsen (WA)	Skelton
Davis, Jo Ann	Larson (CT)	Slaughter
Davis, Tom	Lewis (GA)	Smith (NJ)
Deal	LoBiondo	Solis
DeGette	Lowey	Souder
Delahunt	Lucas (KY)	Spence
DeLauro	Maloney (CT)	Spratt
DeLay	Maloney (NY)	Stearns
Deutsch	Manzullo	Stenholm
Diaz-Balart	Markey	Strickland
Dooley	Mascara	Stupak
Doyle	Matheson	Sweeney
Duncan	Matsui	Tancredo
Edwards	McCarthy (NY)	Tauscher
Ehrlich	McCollum	Taylor (MS)
Emerson	McInnis	Terry
Engel	McIntyre	Thompson (CA)
English	McNulty	Thune
Etheridge	Meehan	Thurman
Evans	Meek (FL)	Tiahrt
Fattah	Meeks (NY)	Tiberi
Ferguson	Menendez	Towns
Filner	Millender-McDonald	Turner
Flake	Moore	Udall (CO)
Fletcher	Moran (KS)	Udall (NM)
Foley	Morella	Velazquez
Fossella	Nadler	Visclosky
Frelinghuysen	Neal	Vitter
Frost	Nussle	Walden
Gallegly	Ose	Wamp
Gilman	Otter	Waxman
Gonzalez	Owens	Weiner
Goode	Pallone	Weller
Gordon	Pastor	Wexler
Graham	Paul	Wu
Graves		Wynn
Green (TX)		

NOES—210

Abercrombie	Barton	Brady (TX)
Aderholt	Bass	Burton
Akin	Becerra	Buyer
Allen	Bereuter	Callahan
Baca	Berry	Calvert
Baird	Biggert	Cannon
Baker	Blumenauer	Capito
Baldacci	Boehlert	Capps
Baldwin	Boehner	Capuano
Barcia	Bonior	Carson (IN)
Barr	Bono	Castle
Barrett	Boucher	Chambliss
Clay	Johnson, E. B.	Peterson (PA)
Clayton	Jones (NC)	Petri
Clement	Kanjorski	Pomeroy
Collins	Kaptur	Price (NC)
Combest	Keller	Pryce (OH)
Conyers	Kennedy (MN)	Putnam
Cooksey	Kerns	Quinn
Cox	Kildee	Radanovich
Crane	Kilpatrick	Rahall
Culberson	Kind (WI)	Regula
Cummings	Kleczka	Rehberg
Davis (IL)	Knollenberg	Rivers
DeFazio	Kolbe	Roemer
DeMint	Kucinich	Rogers (KY)
Dicks	LaHood	Rogers (MI)
Dingell	Largent	Rohrabacher
Doggett	Latham	Roybal-Allard
Doolittle	LaTourette	Royce
Dreier	Leach	Rush
Dunn	Lee	Sabo
Ehlers	Levin	Sanders
Eshoo	Lewis (CA)	Sawyer
Everett	Lewis (KY)	Serrano
Farr	Linder	Sessions
Ford	Lipinski	Shimkus
Frank	Lofgren	Simmons
Ganske	Lucas (OK)	Simpson
Gekas	Luther	Smith (MI)
Gephardt	McCarthy (MO)	Smith (TX)
Gibbons	McCrery	Smith (WA)
Gilchrest	McDermott	Snyder
Gillmor	McGovern	Stark
Goodlatte	McHugh	Stump
Goss	McKeon	Sununu
Granger	McKinney	Tanner
Green (WI)	Mica	Tauzin
Greenwood	Miller (FL)	Taylor (NC)
Gutknecht	Miller, Gary	Thomas
Hall (OH)	Miller, George	Thompson (MS)
Hansen	Mink	Thornberry
Hastings (WA)	Mollohan	Tierney
Hayes	Moran (VA)	Toomey
Herger	Murtha	Traficant
Hinchey	Myrick	Upton
Hinojosa	Napolitano	Walsh
Hoekstra	Nethercutt	Waters
Horn	Ney	Watkins
Hostettler	Northup	Watt (NC)
Houghton	Norwood	Watts (OK)
Hulshof	Oberstar	Weldon (FL)
Hutchinson	Obey	Weldon (PA)
Hyde	Olver	Whitfield
Isakson	Ortiz	Wicker
Issa	Osborne	Wilson
Jackson (IL)	Oxley	Wolf
Jenkins	Pascrell	Woolsey
John	Payne	Young (AK)
Johnson (CT)	Pelosi	Young (FL)

NOT VOTING—5

Borski	Cubin	Skeen
Brady (PA)	Moakley	

So the amendment was agreed to.

After some further time,

The SPEAKER pro tempore, Mr. GIBBONS, assumed the Chair.

When Mr. SIMPSON, Acting Chairman, pursuant to House Resolution 138, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Relations Authorization Act, Fiscal Years 2002 and 2003''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Definitions.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

Sec. 101. Administration of foreign affairs.
Sec. 102. International commissions.
Sec. 103. United States educational and cultural programs.
Sec. 104. Contributions to international organizations.
Sec. 105. Contributions for international peacekeeping activities.
Sec. 106. Grants to the Asia Foundation.
Sec. 107. Voluntary contributions to international organizations.
Sec. 108. Migration and refugee assistance.

Subtitle B—United States International Broadcasting Activities

Sec. 121. Authorizations of appropriations.

TITLE II—AUTHORITIES AND ACTIVITIES OF THE DEPARTMENT OF STATE

Subtitle A—Basic Authorities and Activities

Sec. 201. Continuation of reporting requirements.
Sec. 202. Continuation of other reports.
Sec. 203. Royal Ulster Constabulary training.
Sec. 204. Report concerning elimination of Colombian opium.
Sec. 205. Repeal of provision regarding housing for foreign agricultural attache.
Sec. 206. Human rights monitoring.
Sec. 207. Correction of Fishermen's Protective Act of 1967.
Sec. 208. International litigation fund.
Sec. 209. Emergency evacuation services.
Sec. 210. Implementation of the Intercountry Adoption Act of 2000.
Sec. 211. Report concerning the effect of Plan Colombia on Ecuador.
Sec. 212. Report concerning efforts to promote Israel's diplomatic relations with other countries.
Sec. 213. Reports on activities in the Republic of Colombia.
Sec. 214. Report concerning the German Foundation ''Remembrance, Responsibility, and the Future''.

Subtitle B—Consular Authorities

Sec. 231. Machine readable visas.
Sec. 232. Establishment of a consular branch office in Lhasa, Tibet.
Sec. 233. Establishment of a diplomatic or consular post in Equatorial Guinea.
Sec. 234. Processing of visa applications.
Sec. 235. United States policy with respect to Jerusalem as the capital of Israel.
Sec. 236. Denial of visas to supporters of Colombian illegal armed groups.

Subtitle C—Migration and Refugees

Sec. 251. United States policy regarding the involuntary return of refugees.
Sec. 252. Report on overseas refugee processing.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Organizational Matters

Sec. 301. Comprehensive workforce plan.
Sec. 302. ''Rightsizing'' overseas posts.
Sec. 303. Qualifications of certain officers of the Department of State.
Sec. 304. United States Special Coordinator for Tibetan Issues.
Sec. 305. United States Special Envoy for Sudan Issues.

Subtitle B—Personnel Matters

Sec. 331. Report concerning retired members of the Foreign Service and Civil Service who are registered agents of a government of a foreign country.
Sec. 332. Tibetan language training.
Sec. 333. Dependents on family visitation travel.
Sec. 334. Thomas Jefferson Star.
Sec. 335. Health education and disease prevention programs.
Sec. 336. Training authorities.
Sec. 337. Foreign national retirement plans.
Sec. 338. Presidential rank awards.
Sec. 339. Emergency medical advance payments.
Sec. 340. Unaccompanied air baggage.
Sec. 341. Special agent authorities.
Sec. 342. Report concerning minority employment.
Sec. 343. Use of funds authorized for minority recruitment.
Sec. 344. Correction of time limit for grievance filing.
Sec. 345. Clarification of separation for cause.

TITLE IV—UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS OF THE DEPARTMENT OF STATE

Sec. 401. Extension of requirement for scholarships for Tibetans and Burmese.
Sec. 402. Nonprofit entities for cultural programs.
Sec. 403. Fulbright-Hays authorities.
Sec. 404. Ethical issues in international health research.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

Sec. 501. Eliminating staff positions for the Advisory Board for Cuba Broadcasting.
Sec. 502. Reports on broadcasting personnel.
Sec. 503. Personal services contracting pilot program.
Sec. 504. Pay parity for senior executives of Radio Free Europe and Radio Liberty.
Sec. 505. Repeal of ban on United States transmitter in Kuwait.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

Subtitle A—International Organizations and Commissions

Sec. 601. United Nations arrears payments and reform.
Sec. 602. Travel by advisory committee members to Great Lakes Fishery Commission annual meeting.
Sec. 603. United States policy on composition of the United Nations Human Rights Commission.
Sec. 604. United States membership in the International Organization for Migration.
Sec. 605. Report relating to Commission on Security and Cooperation in Europe.
Sec. 606. Reports to Congress on United Nations activities.

Subtitle B—American Servicemembers' Protection Act

Sec. 631. Short title.
Sec. 632. Findings.
Sec. 633. Waiver and termination of prohibitions of this Act.
Sec. 634. Prohibition on cooperation with the International Criminal Court.
Sec. 635. Restriction on United States participation in certain United Nations peacekeeping operations.
Sec. 636. Prohibition on direct or indirect transfer of certain classified national security information to the International Criminal Court.
Sec. 637. Prohibition of United States military assistance to parties to the International Criminal Court.
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TITLE XI—FREEDOM INVESTMENT ACT OF 2001

Sec. 1101. Short title.
Sec. 1102. Findings.
Sec. 1103. Salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.
Sec. 1104. Human Rights and Democracy Fund.
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SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) DEPARTMENT.—The term ''Department'' means the Department of State.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under ''Administration of Foreign Affairs'' to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law, including public diplomacy activities and the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Diplomatic and Consular Programs'' of the Department of State, $3,705,140,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(B) LIMITATIONS.—

(i) WORLDWIDE SECURITY UPGRADES.—Of the amounts authorized to be appropriated by subparagraph (A), $487,735,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003 are authorized to be appropriated only for worldwide security upgrades.

(ii) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated by subparagraph (A), $16,000,000 for the fiscal year 2002 and $20,000,000 for the fiscal year 2003 are authorized to be appropriated only for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.

(iii) RECRUITMENT OF MINORITY GROUPS.—Of the amounts authorized to be appropriated by subparagraph (A), $2,000,000 for the fiscal year 2002 and $2,000,000 for the fiscal year 2003 are authorized to be appropriated only for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(iv) MOBILE LIBRARY FOR UNITED STATES INTERESTS SECTION IN CUBA.—Of the amounts authorized to be appropriated by subparagraph (A), $70,000 for the fiscal year 2002 and $70,000 for the fiscal year 2003 are authorized to be appropriated only for the establishment and operation of a mobile library at the United States Interests Section in Cuba primarily for use by dissidents and democracy activists in Cuba.

(2) CAPITAL INVESTMENT FUND.—For ''Capital Investment Fund'' of the Department of State, $210,000,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—In addition to amounts otherwise authorized to be appropriated for ''Embassy Security, Construction and Maintenance'' by section 604 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 604 of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–470), there are authorized to be appropriated for ''Embassy Security, Construction and Maintenance'', $475,046,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(4) REPRESENTATION ALLOWANCES.—For ''Representation Allowances'', $9,000,000 for the fiscal year 2002 and $9,000,000 for the fiscal year 2003.

(5) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For ''Emergencies in the Diplomatic and Consular Service'', $15,500,000 for the fiscal year 2002 and $15,500,000 for the fiscal year 2003.

(6) OFFICE OF THE INSPECTOR GENERAL.—For ''Office of the Inspector General'', $29,264,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(7) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For ''Payment to the American Institute in Taiwan'', $17,044,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(8) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—

(A) AMOUNTS AUTHORIZED TO BE APPROPRIATED.—For ''Protection of Foreign Missions and Officials'', $10,000,000 for the fiscal year 2002 and $10,000,000 for the fiscal year 2003.

(B) AVAILABILITY OF FUNDS.—Each amount appropriated pursuant to this paragraph is authorized to remain available through September 30 of the fiscal year following the fiscal year for which the amount was appropriated.

(9) REPATRIATION LOANS.—For ''Repatriation Loans'', $1,219,000 for the fiscal year 2002 and $1,219,000 for the fiscal year 2003, for administrative expenses.

SEC. 102. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under ''International Com-

missions'' for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For ''International Boundary and Water Commission, United States and Mexico''—

(A) for ''Salaries and Expenses'', $7,452,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003; and

(B) for ''Construction'', $25,654,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For ''International Boundary Commission, United States and Canada'', $989,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(3) INTERNATIONAL JOINT COMMISSION.—For ''International Joint Commission'', $7,282,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For ''International Fisheries Commissions'', $19,780,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

SEC. 103. UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS.

The following amounts are authorized to be appropriated for the Department of State to carry out international activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the Center for Cultural and Technical Interchange Between East and West Act of 1960, the Dante B. Fascell North-South Center Act of 1991, and the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—

(i) IN GENERAL.—For the ''Fulbright Academic Exchange Programs'' (other than programs described in subparagraph (B)), $125,000,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(ii) NEW CENTURY SCHOLARS INITIATIVE—HIV/AIDS.—Of the amounts authorized to be appropriated under clause (i), up to $1,000,000 for the fiscal year 2002 and up to $1,000,000 for the fiscal year 2003 are authorized to be available only for HIV/AIDS research and mitigation strategies under the Health Issues in a Border-Less World academic program of the New Century Scholars Initiative.

(iii) TIBETAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2002 and $500,000 for the fiscal year 2003 are authorized to be available for ''Ngawang Choephel Exchange Programs'' (formerly known as educational and cultural exchanges with Tibet) under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319).

(B) OTHER EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(i) IN GENERAL.—For other educational and cultural exchange programs authorized by law, $117,000,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(ii) SOUTH PACIFIC EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $750,000 for the fiscal year 2002 and $750,000 for the fiscal year 2003 are authorized to be available for ''South Pacific Exchanges''.

(iii) EAST TIMORESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2002 and $500,000 for the fiscal year 2003 are authorized to be available for ''East Timorese Scholarships''.

(iv) AFRICAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2002 and $500,000 for the fiscal year 2003 are authorized to be available only for ''Educational and Cultural Exchanges with Sub-Saharan Africa''.

(v) ISRAEL-ARAB PEACE PARTNERS PROGRAM.—Of the amounts authorized to be appropriated under clause (i), $750,000 for the fiscal year 2002 and $750,000 for the fiscal year 2003 are authorized to be available only for people-to-people activities (with a focus on young people) to support the Middle East peace process involving participants from Israel, the Palestinian Authority, Arab countries, and the United States, to be known as the ''Israel-Arab Peace Partners Program''.

(vi) SUDANESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2002 and $500,000 for the fiscal year 2003 are authorized to be available only for scholarships for students from southern Sudan for secondary or postsecondary education in the United States, to be known as ''Sudanese Scholarships''.

(2) NATIONAL ENDOWMENT FOR DEMOCRACY.—For the ''National Endowment for Democracy'', $36,000,000 for the fiscal year 2002 and $40,000,000 for the fiscal year 2003.

(3) REAGAN-FASCELL DEMOCRACY FELLOWS.—For a fellowship program, to be known as the ''Reagan-Fascell Democracy Fellows'', for democracy activists and scholars from around the world at the International Forum for Democratic Studies in Washington, D.C., to study, write, and exchange views with other activists and scholars and with Americans, $1,000,000 for the fiscal year 2002 and $1,000,000 for the fiscal year 2003.

(4) DANTE B. FASCELL NORTH-SOUTH CENTER.—For ''Dante B. Fascell North-South Center'' $4,000,000 for the fiscal year 2002 and $4,000,000 for the fiscal year 2003.

(5) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For the ''Center for Cultural and Technical Interchange between East and West'', $13,500,000 for the fiscal year 2002 and $13,500,000 for the fiscal year 2003.

SEC. 104. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated under the heading ''Contributions to International Organizations'' $944,067,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(2) UNESCO.—

(A) Of the amounts authorized to be appropriated under paragraph (1), $59,800,000 for the fiscal year 2002 and $59,800,000 for the fiscal year 2003 is authorized to be appropriated only for payment of assessed contributions of the United States to the United Nations Educational, Scientific and Cultural Organization (UNESCO).

(B) Of the amounts authorized to be appropriated under paragraph (1) for the fiscal year 2002, $5,500,000 is authorized to be appropriated only for payments to the UNESCO Working Capital Fund.

(b) AVAILABILITY OF FUNDS FOR CIVIL BUDGET OF NATO.—Of the amounts authorized to be appropriated under the heading ''Contributions to International Organizations'' for fiscal year 2002 and for each fiscal year thereafter such sums as may be necessary are authorized for the United States assessment for the civil budget of the North Atlantic Treaty Organization.

(c) PROHIBITION ON FUNDING OTHER FRAMEWORK TREATY-BASED ORGANIZATIONS.—None of the funds made available for the 2002–2003 biennium budget under subsection (a) for United States contributions to the regular budget of the United Nations shall be available for the United States proportionate share of any other framework treaty-based organization, including the Framework Convention on Global Climate Change, the International Seabed Authority, and the International Criminal Court.

(d) FOREIGN CURRENCY EXCHANGE RATES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated by subsection (a), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2002 and 2003 to offset adverse fluctuations in foreign currency exchange rates.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

(e) REFUND OF EXCESS CONTRIBUTIONS.—The United States shall continue to insist that the United Nations and its specialized and affiliated agencies shall credit or refund to each member of the agency concerned its proportionate share of the amount by which the total contributions to the agency exceed the expenditures of the regular assessed budgets of these agencies.

SEC. 105. CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

There are authorized to be appropriated under the heading ''Contributions for International Peacekeeping Activities'' $844,139,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

SEC. 106. GRANTS TO THE ASIA FOUNDATION.

Section 404 of the Asia Foundation Act (title IV of Public Law 98–164; 22 U.S.C. 4403), is amended to read as follows:

''SEC. 404. There are authorized to be appropriated to the Secretary of State $15,000,000 for the fiscal year 2002 and $15,000,000 for the fiscal year 2003 for grants to The Asia Foundation pursuant to this title.''.

SEC. 107. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Department of State for ''Voluntary Contributions to International Organizations'', $186,000,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(b) LIMITATIONS ON AUTHORIZATIONS OF APPROPRIATIONS.—

(1) WORLD FOOD PROGRAM.—Of the amounts authorized to be appropriated under subsection (a), $5,000,000 for the fiscal year 2002 and $5,000,000 for the fiscal year 2003 are authorized to be appropriated only for a United States contribution to the World Food Program.

(2) UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amounts authorized to be appropriated under subsection

(a), $5,000,000 for the fiscal year 2002 and $5,000,000 for the fiscal year 2003 are authorized to be appropriated only for a United States contribution to the United Nations Voluntary Fund for Victims of Torture.

(3) ORGANIZATION OF AMERICAN STATES.—Of the amounts authorized to be appropriated under subsection (a), $240,000 for the fiscal year 2002 and $240,000 for the fiscal year 2003 are authorized to be appropriated only for a United States contribution to the Organization of American States for the Office of the Special Rapporteur for Freedom of Expression in the Western Hemisphere, solely for the purpose of conducting investigations, including field visits, to establish a network of nongovernmental organizations, and to hold hemispheric conferences, of which $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Cuba, $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Peru, $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Colombia, and $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Haiti.

(c) RESTRICTIONS ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT PROGRAM.—

(1) LIMITATION.—Of the amounts made available under subsection (a) for each of the fiscal years 2002 and 2003 for United States voluntary contributions to the United Nations Development Program an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification by the Secretary of State that all programs and activities of the United Nations Development Program (including United Nations Development Program—Administered Funds) in Burma—

(A) are focused on eliminating human suffering and addressing the needs of the poor;

(B) are undertaken only through international or private voluntary organizations that have been deemed independent of the State Peace and Development Council (SPDC) (formerly known as the State Law and Order Restoration Council (SLORC)), after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma;

(C) provide no financial, political, or military benefit to the SPDC; and

(D) are carried out only after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma.

(d) UNICEF.—There is authorized to be appropriated $120,000,000 for the fiscal year 2002 for a United States voluntary contribution to UNICEF.

(e) ORGANIZATIONS AND PROGRAMS THAT SUPPORT COERCIVE ABORTION OR INVOLUNTARY STERILIZATION.—None of the funds authorized to be appropriated by this Act may be made available to any organization or program which, as determined by the President of the United States, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization.

(f) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

SEC. 108. MIGRATION AND REFUGEE ASSISTANCE.

(a) MIGRATION AND REFUGEE ASSISTANCE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Department of State for ''Migration and Refugee Assistance'' for authorized activities, $817,000,000 for the fiscal year 2002 and $817,000,000 for the fiscal year 2003.

(2) LIMITATIONS.—

(A) TIBETAN REFUGEES IN INDIA AND NEPAL.—Of the amounts authorized to be appropriated in paragraph (1), $2,000,000 for the fiscal year 2002 and $2,000,000 for the fiscal year 2003 are authorized to be available for humanitarian assistance, including food, medicine, clothing, and medical and vocational training, to Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

(B) REFUGEES RESETTLING IN ISRAEL.—Of the amounts authorized to be appropriated in paragraph (1), $60,000,000 for the fiscal year 2002 and $60,000,000 for the fiscal year 2003 are authorized to be available only for assistance for refugees resettling in Israel from other countries.

(C) HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.—Of the amounts authorized to be appropriated in paragraph (1), $2,000,000 for the fiscal year 2002 and $2,000,000 for the fiscal year 2003 are authorized to be available for humanitarian assistance (including food, medicine, clothing, and medical and vocational training) to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to this section are authorized to remain available until expended.

Subtitle B—United States International Broadcasting Activities

SEC. 121. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated to carry out the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act, and to carry out other authorities in law consistent with such purposes:

(1) INTERNATIONAL BROADCASTING OPERATIONS.—

(A) IN GENERAL.—For ''International Broadcasting Operations'', $428,234,000 for the fiscal year 2002, and such sums as may be necessary for the fiscal year 2003.

(B) LIMITATIONS.—

(i) TRANSMISSION FACILITIES IN BELIZE.—Of the amounts authorized to be appropriated under subparagraph (A), $750,000 for the fiscal year 2002 is authorized to be appropriated only for enhancements to and costs of transmission from the facilities in Belize.

(ii) RADIO FREE ASIA.—Of the amounts authorized to be appropriated under subparagraph (A), $30,000,000 for the fiscal year 2002 and $30,000,000 for the fiscal year 2003 are authorized to be appropriated only for ''Radio Free Asia''.

(2) BROADCASTING CAPITAL IMPROVEMENTS.—For ''Broadcasting Capital Improvements'', $16,900,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(3) BROADCASTING TO CUBA.—For ''Broadcasting to Cuba'', $25,000,000 for the fiscal year 2002 and $25,000,000 for the fiscal year 2003.

(b) CONTINUATION OF ADDITIONAL AUTHORIZATION FOR BROADCASTING TO THE PEOPLE'S REPUBLIC OF CHINA AND NEIGHBORING COUNTRIES.—Section 701 of Public Law 106–286 (22 U.S.C. 7001) is amended—

(1) in subsection (a) by striking ''2001'' and inserting ''2002''; and

(2) in subsection (b)(1) by striking ''2001 and 2002'' and inserting ''2001, 2002, and 2003''.

(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS FOR MIDDLE EAST RADIO NETWORK OF VOICE OF AMERICA.—In addition to such amounts as are made available for the Middle East Radio Network of Voice of America pursuant to the authorization of appropriations under subsection (a), there is authorized to be appropriated $15,000,000 for the fiscal year 2002 for the Middle East Radio Network of Voice of America.

TITLE II—AUTHORITIES AND ACTIVITIES OF THE DEPARTMENT OF STATE

Subtitle A—Basic Authorities and Activities

SEC. 201. CONTINUATION OF REPORTING REQUIREMENTS.

(a) REPORTS ON CLAIMS BY UNITED STATES FIRMS AGAINST THE GOVERNMENT OF SAUDI ARABIA.—Section 2801(b)(1) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277), is amended by striking ''seventh'' and inserting ''eleventh''.

(b) REPORTS ON DETERMINATIONS UNDER TITLE IV OF THE LIBERTAD ACT.—Section 2802(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277), is amended by striking ''September 30, 2001,'' and inserting ''September 30, 2003,''.

(c) RELATIONS WITH VIETNAM.—Section 2805 of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277), is amended by striking ''September 30, 2001,'' and inserting ''September 30, 2003,''.

(d) REPORTS ON BALLISTIC MISSILE COOPERATION WITH RUSSIA.—Section 2705(d) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277), is amended by striking ''and January 1, 2001,'' and inserting ''January 1, 2001, January 1, 2002, and January 1, 2003''.

SEC. 202. CONTINUATION OF OTHER REPORTS.

(a) SEMIANNUAL REPORTS ON UNITED STATES SUPPORT FOR MEMBERSHIP OR PARTICIPATION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS.—Section 704(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 704(a) of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113, appendix G; 113 Stat. 1501A–460), is amended by striking ''and 2001,'' and inserting '', 2001, 2002, and 2003,''.

(b) REPORT ON TERRORIST ACTIVITY IN WHICH UNITED STATES CITIZENS WERE KILLED AND RELATED MATTERS.—Section 805(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 805(a) of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–470), is amended by striking ''October 1, 2001,'' and inserting ''October 1, 2003,''.

(c) REPORT ON COMPLIANCE WITH THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION.—Section 2803(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as contained in division G of Public Law 105–277), is amended in the first sentence by striking ''2001,'' and inserting ''2003,''.

SEC. 203. ROYAL ULSTER CONSTABULARY TRAINING.

(a) REPORT ON PAST TRAINING PROGRAMS.—Section 405(b) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted into law by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–447), is amended in the matter preceding paragraph (1)—

(1) by striking ''The President'' and inserting ''Not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2002 and 2003, the President''; and

(2) by striking ''during fiscal years 1994 through 1999'' and inserting ''during each of the fiscal years 1994 through 2000''.

(b) REPORT ON RELATED MATTERS.—Section 405 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) REPORT ON RELATED MATTERS.—Not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2002 and 2003, the President shall report on the following:

''(1) The extent to which the Government of the United Kingdom has implemented the recommendations relating to the 175 policing reforms contained in the Patten Commission report issued on September 9, 1999, including a description of the progress of the integration of human rights, as well as recruitment procedures aimed at increasing Catholic representation, in the new Northern Ireland police force.

''(2) The status of the investigations into the murders of Patrick Finucane, Rosemary Nelson, and Robert Hamill, including the extent to which progress has been made on recommendations for independent judicial inquiries into these murders.''.

(c) CONFORMING AMENDMENTS.—Section 405 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001, as amended by subsections (a) and (b), is further amended—

(1) in subsection (a)—

(A) by striking ''the report required by subsection (b)'' and inserting ''the reports required by subsections (b) and (c)''; and

(B) by striking ''subsection (c)(1)'' and inserting ''subsection (d)(1)''; and

(2) in subsection (d)(2) (as redesignated)—

(A) in the heading, by striking ''2001'' and inserting ''2003''; and

(B) by striking ''2001'' and inserting ''2003''.

SEC. 204. REPORT CONCERNING ELIMINATION OF COLOMBIAN OPIUM.

(a) FINDINGS.—The Congress makes the following findings:

(1) There is a growing heroin crisis in the United States resulting from increasingly cheap, pure, and deadly heroin flooding into this country, much of it from Colombia.

(2) Interdicting heroin entering the United States is difficult, in part because it can be trafficked in such small quantities.

(3) Destruction of opium, from which heroin is derived, at its source in Colombia is traditionally one of the best strategies to combat the heroin crisis according to Federal law enforcement officials.

(b) REPORT TO CONGRESS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, through the Bureau of International Narcotics and Law Enforcement, shall submit to the Congress a report which outlines a comprehensive strategy to address the crisis of heroin in the United States due to opium originating from Colombia including destruction of opium at its source.

SEC. 205. REPEAL OF PROVISION REGARDING HOUSING FOR FOREIGN AGRICULTURAL ATTACHE.

Section 738 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–387; 114 Stat. 1549A–34) is repealed.

SEC. 206. HUMAN RIGHTS MONITORING.

Funds authorized to be appropriated for the Bureau of Democracy, Human Rights, and Labor pursuant to section 101(1)(B)(ii) are authorized to be available to fund positions at United States posts abroad that are primarily responsible for following human rights developments in foreign countries and that are assigned at the recommendation of such bureau in conjunction with the relevant regional bureau.

SEC. 207. CORRECTION OF FISHERMEN'S PROTECTIVE ACT OF 1967.

Section 7(a)(3) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(A)(3)), is amended by striking ''Secretary of Commerce'' and inserting ''Secretary of State''.

SEC. 208. INTERNATIONAL LITIGATION FUND.

Section 38 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710), is amended by adding at the end the following new subsection:

''(e) RETENTION OF FUNDS.—

''(1) IN GENERAL.—To reimburse the expenses of the United States Government in preparing or prosecuting a claim against a foreign government or other foreign entity, the Secretary of State shall retain 1.5 percent of any amount between $100,000 and $5,000,000, and one percent of any amount over $5,000,000, received per claim under chapter 34 of the Act of February 27, 1896 (22 U.S.C. 2668a; 29 Stat. 32).

''(2) TREATMENT.—Amounts retained under the authority of paragraph (1) shall be deposited into the fund under subsection (d).''.

SEC. 209. EMERGENCY EVACUATION SERVICES.

Section 4(b)(2)(A) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2671(b)(2)(A)), is amended to read as follows:

''(A) the evacuation when their lives are endangered by war, civil unrest, or natural disaster of: (i) United States Government employees and their dependents; and (ii) private United States citizens or third-country nationals, on a reimbursable basis to the extent feasible, with such reimbursements to be credited to the applicable Department of State appropriation and to remain available until expended. No reimbursement shall be required which is greater than the amount the person evacuated would have been charged for a commercial air fare at the lowest rate available immediately prior to the onset of the war, civil unrest, or natural disaster giving rise to the evacuation;''.

SEC. 210. IMPLEMENTATION OF THE INTERCOUNTRY ADOPTION ACT OF 2000.

The Secretary of State, acting through the Assistant Secretary of State for Consular Affairs, shall consult with the appropriate congressional committees on a regular basis on the implementation of the Intercountry Adoption Act of 2000 (Public Law 106–279; 42 U.S.C. 14901 et seq.).

SEC. 211. REPORT CONCERNING THE EFFECT OF PLAN COLOMBIA ON ECUADOR.

(a) FINDINGS.—The Congress makes the following findings:

(1) There is a growing alarm concerning the spillover effect of Plan Colombia on Ecuador, a frontline state. The northern region of Ecuador, including the Sucumbios province, is an area of particular concern. It faces the Colombian Putumayo zone, where there is no presence of military or law enforcement personnel.

(2) Activities relating to the implementation of Plan Colombia have resulted in incursions on Ecuadorian territory by drug traffickers and guerrilla and paramilitary groups from Colombia and a concomitant increase in the levels of violence and delinquency. Recent kidnappings of American and other foreign nationals, as well as discoveries of clandestine cocaine laboratories, are especially troublesome.

(3) Ecuador is receiving an influx of Colombian refugees and its own indigenous communities have been displaced from their ancestral villages.

(4) Ecuador has demonstrated its moral and political commitment in the fight against drugs. The agreement signed in November 1999 with the United States to establish a forward operating location in Manta is a clear sign of this active stance.

(5) Ecuador is implementing a comprehensive program aimed at reinforcing its security mechanisms in the northern border, as well as converting the area into a buffer zone of peace and development.

(b) REPORT TO CONGRESS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, through the Bureau of International Narcotics and Law Enforcement, shall submit to Congress a report which outlines a comprehensive strategy to address the spillover effect of Plan Colombia on Ecuador.

SEC. 212. REPORT CONCERNING EFFORTS TO PROMOTE ISRAEL'S DIPLOMATIC RELATIONS WITH OTHER COUNTRIES.

(a) FINDINGS.—The Congress makes the following findings:

(1) Israel is a friend and ally of the United States whose security is vital to regional stability and United States interests.

(2) Israel currently maintains diplomatic relations with 162 countries. Approximately 25 countries do not have any diplomatic relations with Israel and another four countries have only limited relations.

(3) The government of Israel has been actively seeking to establish formal relations with a number of countries.

(4) The United States should assist its ally, Israel, in its efforts to establish diplomatic relations.

(5) After 52 years of existence, Israel deserves to be treated as an equal nation by its neighbors and the world community.

(b) REPORT CONCERNING UNITED STATES EFFORTS TO PROMOTE ISRAEL'S DIPLOMATIC RELATIONS WITH OTHER COUNTRIES.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit a report which includes the following information (in classified or unclassified form, as appropriate) to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives:

(1) Actions taken by representatives of the United States to encourage other countries to establish full diplomatic relations with Israel.

(2) Specific responses solicited and received by the Secretary of State from countries that do not maintain full diplomatic relations with Israel with respect to the status of negotiations to enter into diplomatic relations with Israel.

(3) Other measures being undertaken, and measures that will be undertaken, by the United States to ensure and promote Israel's full participation in the world diplomatic community.

SEC. 213. REPORTS ON ACTIVITIES IN THE REPUBLIC OF COLOMBIA.

(a) REPORT ON REFORM ACTIVITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on the status

of activities funded or authorized, in whole or in part, by the Department of State in the Republic of Colombia to promote alternative development, recovery and resettlement of internally displaced persons, judicial reform, the peace process, and human rights.

(2) CONTENTS.—Each such report shall contain the following:

(A) A summary of activities described in paragraph (1) during the previous 180-day period.

(B) An estimated timetable for the conduct of such activities in the subsequent 180-day period.

(C) An explanation of any delays in meeting timetables contained in previous reports submitted in accordance with this subsection.

(D) An assessment of steps to be taken to correct any delays in meeting such timetables.

(b) REPORT ON CERTAIN COUNTERNARCOTICS ACTIVITIES.—

(1) DECLARATION OF POLICY.—It is the policy of the United States to encourage the transfer of counternarcotics activities carried out in the Republic of Colombia by United States businesses that have entered into agreements with the Department of State to conduct such activities, to Colombian nationals, in particular personnel of the Colombian antinarcotics police, when properly qualified personnel are available.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not later than March 1 of each year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on the activities of United States businesses that have entered into agreements with the Department of State to carry out counternarcotics activities in the Republic of Colombia.

(3) CONTENTS.—Each such report shall contain the following:

(A) The name of each United States business described in paragraph (2) and description of the counternarcotics activities carried out by the business in Colombia.

(B) The total value of all payments by the Department of State to each such business for such activities.

(C) A written statement justifying the decision by the Department of State to enter into an agreement with each such business for such activities.

(D) An assessment of the risks to personal safety and potential involvement in hostilities incurred by employees of each such business as a result of their activities in Colombia.

(E) A plan to provide for the transfer of the counternarcotics activities carried out by such United States businesses to Colombian nationals, in particular personnel of the Colombian antinarcotics police.

(4) DEFINITION.—In this subsection, the term ''United States business'' means any corporation, partnership, or other organization that employs three or more individuals and is organized under the laws of the United States.

SEC. 214. REPORT CONCERNING THE GERMAN FOUNDATION "REMEMBRANCE, RESPONSIBILITY, AND THE FUTURE".

(a) REPORT CONCERNING THE GERMAN FOUNDATION ''REMEMBRANCE, RESPONSIBILITY, AND THE FUTURE''.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until all funds made available to the German Foundation have been disbursed, the Secretary of State shall report to the appropriate congressional committees on the status of the implementation of the Agreement and, to the extent possible, on whether or not—

(1) during the 180-day period preceding the date of the report, the German Bundestag has authorized the allocation of funds to the Foundation, in accordance with section 17 of the law on the creation of the Foundation, enacted by the Federal Republic of Germany on August 8, 2000;

(2) the entire sum of DM 10,000,000,000 has been made available to the German Foundation in accordance with Annex B to the Joint Statement of July 17, 2000;

(3) during the 180-day period preceding the date of the report, any company or companies investigating a claim, who are members of ICHEIC, were required to provide to the claimant, within 90 days after receiving the claim, a status report on the claim, or a decision that included—

(A) an explanation of the decision, pursuant to those standards of ICHEIC to be applied in approving claims;

(B) all documents relevant to the claim that were retrieved in the investigation; and

(C) an explanation of the procedures for appeal of the decision;

(4) during the 180-day period preceding the date of the report, any entity that elected to determine claims under Article 1(4) of the Agreement was required to comply with the standards of proof, criteria for publishing policyholder names, valuation standards, auditing requirements, and decisions of the Chairman of ICHEIC;

(5) during the 180-day period preceding the date of the report, an independent process to appeal decisions made by any entity that elected to determine claims under Article 1(4) of the Agreement was available to and accessible by any claimant wishing to appeal such a decision, and the appellate body had the jurisdiction and resources necessary to fully investigate each claim on appeal and provide a timely response;

(6) an independent audit of compliance by every entity that has elected to determine claims under Article 1(4) of the Agreement has been conducted; and

(7) the administrative and operational expenses incurred by the companies that are members of ICHEIC are appropriate for the administration of claims described in paragraph (3).

The Secretary of State's report shall include the Secretary's justification for each determination under this subsection.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the resolution of slave and forced labor claims is an urgent issue for aging Holocaust survivors, and the German Bundestag should allocate funds for disbursement by the German Foundation to Holocaust survivors as soon as possible; and

(2) ICHEIC should work in consultation with the Secretary of State in gathering the information required for the report under subsection (a).

(c) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term ''Agreement'' means the Agreement between the Government of the United States of America and the Government of the Federal Republic of Germany concerning the Foundation ''Remembrance, Responsibility and the Future'', done at Berlin July 17, 2000.

(2) ANNEX B TO THE JOINT STATEMENT OF JULY 17, 2000.—The term ''Annex B to the Joint Statement of July 17, 2000'' means Annex B to the Joint Statement on occasion of the final plenary meeting concluding international talks on the preparation of the Federal Foundation ''Remembrance, Responsibility and the Future'', done at Berlin on July 17, 2000.

(3) GERMAN FOUNDATION.—The term ''German Foundation'' means the Foundation ''Remembrance, Responsibility and the Future'' referred to in the Agreement.

(4) ICHEIC.—The term ''ICHEIC'' means the International Commission on Holocaust Era Insurance Claims referred to in Article 1(4) of the Agreement.

Subtitle B—Consular Authorities

SEC. 231. MACHINE READABLE VISAS.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351 note), is amended in the first sentence of paragraph (3)—

(1) by striking ''2001, and 2002,'' and inserting ''2001, 2002, and 2003,''; and

(2) by striking ''and $316,715,000 for fiscal year 2002'' and inserting ''$414,000,000 for fiscal year 2002, and $422,000,000 for fiscal year 2003,''.

SEC. 232. ESTABLISHMENT OF A CONSULAR BRANCH OFFICE IN LHASA, TIBET.

The Secretary of State shall make best efforts to establish a branch office in Lhasa, Tibet, of the United States Consulate General in Chengdu, People's Republic of China, to monitor political, economic, and cultural developments in Tibet.

SEC. 233. ESTABLISHMENT OF A DIPLOMATIC OR CONSULAR POST IN EQUATORIAL GUINEA.

The Secretary of State shall establish a diplomatic or consular post in Equatorial Guinea.

SEC. 234. PROCESSING OF VISA APPLICATIONS.

It shall be the policy of the Department of State to process immigrant visa applications of immediate relatives of United States citizens and nonimmigrant K–1 visa applications of fiances of United States citizens within 30 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service. In the case of an immigrant visa application where the sponsor of such applicant is a relative other than an immediate relative, it should be the policy of the Department of State to process such an application within 60 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service.

SEC. 235. UNITED STATES POLICY WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL.

(a) CONGRESSIONAL STATEMENT OF POLICY.—The Congress maintains its commitment to relocating the United States Embassy in Israel to Jerusalem and urges the President, pursuant to the Jerusalem Embassy Act of 1995 (Public Law 104–45; 109 Stat. 398), to immediately begin the process of relocating the United States Embassy in Israel to Jerusalem.

(b) LIMITATION ON USE OF FUNDS FOR CONSULATE IN JERUSALEM.—None of the funds authorized to be appropriated by this Act may be expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(c) LIMITATION ON USE OF FUNDS FOR PUBLICATIONS.—None of the funds authorized to be appropriated by this Act may be available for the publication of any official government document which lists countries and their capital cities unless the publication identifies Jerusalem as the capital of Israel.

(d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR PASSPORT PURPOSES.—For purposes of the registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon the request of the citizen or the citizen's legal guardian, record the place of birth as Israel.

SEC. 236. DENIAL OF VISAS TO SUPPORTERS OF COLOMBIAN ILLEGAL ARMED GROUPS.

(a) DENIAL OF VISAS TO PERSONS SUPPORTING COLOMBIAN INSURGENT AND PARAMILITARY GROUPS.—Subject to subsection (b), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

(1) has willfully provided direct or indirect support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC); or

(2) has willfully conspired to allow, facilitate, or promote the illegal activities of any group listed in paragraph (1).

(b) WAIVER.—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that issuance of a visa to the alien is necessary to support the peace process in Colombia, for urgent humanitarian reasons, for significant public benefit, or to further the national security interests of the United States.

Subtitle C—Migration and Refugees

SEC. 251. UNITED STATES POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES.

(a) IN GENERAL.—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return by the United States of any person to a country in which the person has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, except on grounds recognized as precluding protection as a refugee under the United Nations Convention Relating to the Status of Refugees of July 28, 1951, and the Protocol Relating to the Status of Refugees of January 31, 1967, subject to the reservations contained in the United States Senate Resolution of Ratification.

(b) MIGRATION AND REFUGEE ASSISTANCE.—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return of any person to any country unless the Secretary of State first notifies the appropriate congressional committees, except that in the case of an emergency involving a threat to human life the Secretary of State shall notify the appropriate congressional committees as soon as practicable.

(c) INVOLUNTARY RETURN DEFINED.—As used in this section, the term ''to effect the involuntary return'' means to require, by means of physical force or circumstances amounting to a threat thereof, a person to return to a country against the person's will, regardless of whether the person is physically present in the United States and regardless of whether the United States acts directly or through an agent.

SEC. 252. REPORT ON OVERSEAS REFUGEE PROCESSING.

(a) REPORT ON OVERSEAS REFUGE PROCESSING.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall provide to the appropriate congressional committees a report on overseas processing of refugees for admission to the United States.

(b) CONTENTS.—The report shall include the following detailed information:

(1) United States procedures for the identification of refugees who are particularly vulnerable or whose individual circumstances otherwise suggest an urgent need for resettlement, including the extent to which the Department now insists on referral by the United Nations High Commissioner for Refugees as a prerequisite to consideration of such refugees for resettlement in the United States, together with a plan for the expanded use of alternatives to such referral, including the use of field-based nongovernmental organizations to identify refugees in urgent need of resettlement.

(2) The extent to which the Department makes use in overseas refugee processing of the designation of groups of refugees who are of special concern to the United States, together with the reasons for any decline in such use over the last 10 years and a plan for making more generous use of such categories in the future.

(3) The extent to which the United States currently provides opportunities for resettlement in the United States of individuals who are close family members of citizens or lawful residents of the United States, together with the reasons for any decline in the extent of such provision over the last 10 years and a plan for expansion of such opportunities in the future.

(4) The extent to which opportunities for resettlement in the United States are currently provided to ''urban refugees'' and others who do not currently reside in refugee camps, together with a plan for increasing such opportunities, particularly for refugees who are in urgent need of resettlement, who are members of refugee groups of special interest to the United States, or who are close family members of United States citizens or lawful residents.

(5) The Department's assessment of the feasibility and desirability of modifying the Department's current list of refugee priorities to create an additional category for refugees whose need for resettlement is based on a long period of residence in a refugee camp with no immediate prospect of safe and voluntary repatriation to their country of origin or last permanent residence.

(6) The extent to which the Department uses private voluntary agencies to assist in the identification of refugees for admission to the United States, including the Department's assessment of the advantages and disadvantages of private voluntary agencies, the reasons for any decline in the Department's use of voluntary agencies over the last 10 years, and a plan for the expanded use of such agencies.

(7) The extent to which the per capita reception and placement grant to voluntary agencies assisting in resettlement of refugees has kept up over the last 10 years with the cost to such agencies of providing such services.

(8) An estimate of the cost of each change in current practice or procedure discussed in the report, together with an estimate of any increase in the annual refugee admissions ceiling that would be necessary to implement each change.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Organizational Matters

SEC. 301. COMPREHENSIVE WORKFORCE PLAN.

(a) WORKFORCE PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a comprehensive workforce plan for the Department of State for the fiscal years 2002 through 2006. The plan shall consider personnel needs in both the civil service and the Foreign Service and expected domestic and overseas personnel allocations. The workforce plan should set forth the detailed mission of the Department, the definition of work to be done and cyclical personnel needs based on expected retirements and the time required to hire, train, and deploy new personnel.

(b) DOMESTIC STAFFING MODEL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall compile and submit to the appropriate congressional committees a domestic staffing model for the Department of State.

SEC. 302. "RIGHTSIZING" OVERSEAS POSTS.

(a) ''RIGHTSIZING'' AT THE DEPARTMENT OF STATE.—

(1) IN GENERAL.—The Secretary of State shall establish a task force within the Department of State on the issue of ''rightsizing'' overseas posts.

(2) PRELIMINARY REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report which outlines the status, plans, and activities of the task force. In addition to such other information as the Secretary considers appropriate, the report shall include the following:

(A) The objectives of the task force.

(B) Measures for achieving the objectives under subparagraph (A).

(C) The official of the Department with primary responsibility for the issue of ''rightsizing''.

(D) The plans of the Department for the reallocation of staff and resources based on changing needs at overseas posts and in the metropolitan Washington, D.C. area.

(3) PERIODIC REPORTS.—Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter during the fiscal years 2002 and 2003, the Secretary of State shall submit to the appropriate congressional committees a report reviewing the activities and progress of the task force established under paragraph (1).

(b) INTERAGENCY WORKING GROUP.—

(1) ESTABLISHMENT.—The Secretary of State shall establish an interagency working group on the issue of ''rightsizing'' the overseas presence of the United States Government.

(2) PRELIMINARY REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report which outlines the status, plans, and activities of the interagency working group. In addition to such other information as the Secretary considers appropriate, the report shall include the following:

(A) The objectives of the working group.

(B) Measures for achieving the objectives under subparagraph (A).

(C) The official of each agency with primary responsibility for the issue of ''rightsizing''.

(3) PERIODIC REPORTS.—Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter during the fiscal years 2002 and 2003, the Secretary of State shall submit to the appropriate congressional committees a report reviewing the activities and progress of the working group established under paragraph (1).

SEC. 303. QUALIFICATIONS OF CERTAIN OFFICERS OF THE DEPARTMENT OF STATE.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), is amended—

(1) by striking subsections (f) and (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) QUALIFICATIONS OF CERTAIN OFFICERS OF THE DEPARTMENT OF STATE.—

''(1) OFFICER HAVING PRIMARY RESPONSIBILITY FOR PERSONNEL MANAGEMENT.—The officer of the Department of State with primary responsibility for assisting the Secretary of State with respect to matters relating to personnel in the Department of State, or that officer's principal deputy, shall have substantial professional qualifications in the field of human resource policy and management.

''(2) OFFICER HAVING PRIMARY RESPONSIBILITY FOR DIPLOMATIC SECURITY.—The officer of the Department of State with primary responsibility for assisting the Secretary of State with respect to diplomatic security, or that officer's principal deputy, shall have substantial professional qualifications in the fields of (A) management, and (B) Federal law enforcement, intelligence, or security.

''(3) OFFICER HAVING PRIMARY RESPONSIBILITY FOR INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT.—The officer of the Department of State with primary responsibility for assisting the Secretary of State with respect to international narcotics and law enforcement, or that officer's principal deputy, shall have substantial professional qualifications in the fields of management and Federal law enforcement.''.

SEC. 304. UNITED STATES SPECIAL COORDINATOR FOR TIBETAN ISSUES.

(a) UNITED STATES SPECIAL COORDINATOR FOR TIBETAN ISSUES.—There shall be within the Department of State a United States Special Coordinator for Tibetan Issues.

(b) CONSULTATION.—The Secretary of State shall consult with the chairman and ranking minority member of the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives prior to the designation of the special coordinator.

(c) CENTRAL OBJECTIVE.—The central objective of the special coordinator is to promote substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives.

(d) DUTIES AND RESPONSIBILITIES.—The special coordinator shall—

(1) coordinate United States Government policies, programs, and projects concerning Tibet;

(2) vigorously promote the policy of seeking to protect the distinct religious, cultural, linguistic, and national identity of Tibet, and pressing for improved respect for human rights;

(3) maintain close contact with religious, cultural, and political leaders of the Tibetan people, including regular travel to Tibetan areas of the People's Republic of China, and to Tibetan refugee settlements in India and Nepal;

(4) consult with Congress on policies relevant to Tibet and the future and welfare of the Tibetan people;

(5) make efforts to establish contacts in the foreign ministries of other countries to pursue a negotiated solution for Tibet; and

(6) take all appropriate steps to ensure adequate resources, staff, and bureaucratic support to fulfill the duties and responsibilities of the special coordinator.

SEC. 305. UNITED STATES SPECIAL ENVOY FOR SUDAN ISSUES.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), is amended by inserting after subsection (f) (as added by section 303 of this Act) the following new subsection (g):

''(g) UNITED STATES SPECIAL ENVOY FOR SUDAN ISSUES.—

''(1) IN GENERAL.—There shall be within the Department of State a United States Special Envoy for Sudan Issues who shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) DUTIES.—In addition to such duties as the President and Secretary of State shall prescribe, the envoy shall work for a peaceful resolution of the conflict in Sudan and an end to abuses of human rights, including religious freedom, in Sudan.''.

Subtitle B—Personnel Matters

SEC. 331. REPORT CONCERNING RETIRED MEMBERS OF THE FOREIGN SERVICE AND CIVIL SERVICE WHO ARE REGISTERED AGENTS OF A GOVERNMENT OF A FOREIGN COUNTRY.

The Secretary of State shall submit, annually, a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Affairs of the Senate which lists members of the Foreign Service and the civil service who have retired, have been issued an identification which authorizes access to facilities of the Department of State, and are registered under the Foreign Agents Registration Act of 1938 as an agent of a government of a foreign country. The report shall specify each individual and the governments represented by that individual.

SEC. 332. TIBETAN LANGUAGE TRAINING.

The Secretary of State shall ensure that Tibetan language training is available to Foreign Service officers, and that every effort is made to ensure that a Tibetan-speaking Foreign Service officer is assigned to the consulate in China responsible for tracking developments in Tibet.

SEC. 333. DEPENDENTS ON FAMILY VISITATION TRAVEL.

(a) IN GENERAL.—Section 901(8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(8)), is amended by striking ''Service'' and inserting ''Service, and members of his or her family,''.

(b) PROMULGATION OF GUIDANCE.—The Secretary shall promulgate guidance for the implementation of the amendment made by subsection (a) to ensure its implementation in a manner which does not substantially increase the total amount of travel expenses paid or reimbursed by the Department for travel under section 901 of the Foreign Service Act of 1980.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date on which guidance for implementation of such amendment is issued by the Secretary.

SEC. 334. THOMAS JEFFERSON STAR.

Section 36A of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708a), is amended—

(1) in the section heading by striking ''FOREIGN SERVICE'' and inserting ''THOMAS JEFFERSON''; and

(2) by striking ''Foreign Service star'' each place it appears and inserting ''Thomas Jefferson Star''.

SEC. 335. HEALTH EDUCATION AND DISEASE PREVENTION PROGRAMS.

Section 904(b) of the Foreign Service Act of 1980 (22 U.S.C. 4084(b)), is amended by striking ''families, and (3)'' and inserting ''families, (3) health education and disease prevention programs for all employees, and (4)''.

SEC. 336. TRAINING AUTHORITIES.

Section 2205(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted in division G of Public Law 105–277), is amended by striking paragraph (3).

SEC. 337. FOREIGN NATIONAL RETIREMENT PLANS.

Section 408(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3968(a)(1)), is amended in the third sentence by striking ''(C)'' and all that follows through ''covered employees.'' and inserting ''(C) payments by the Government and employees to: (i) a trust or other fund in a financial institution in order to finance future benefits for employees, including provision for retention in the fund of accumulated interest and dividends for the benefit of covered employees; or (ii) a Foreign Service National Savings Fund established in the Treasury of the United States, which: (I) shall be administered by the Secretary of State, at whose direction the Secretary of the Treasury shall invest amounts not required for the current needs of the fund; and (II) shall be public monies, which are authorized to be appropriated and remain available without fiscal year limitation to pay benefits, to be invested in public debt obligations bearing interest at rates determined by the Secretary of the Treasury taking into consideration current average market yields on outstanding marketable obligations of the United States of comparable maturity, and to pay administrative expenses.''.

SEC. 338. PRESIDENTIAL RANK AWARDS.

(a) COMPARABLE TO PAYMENTS TO MERITORIOUS EXECUTIVES AND DISTINGUISHED EXECUTIVES.—Section 405(b)(3) of the Foreign Service Act of 1980 (22 U.S.C. 3965(b)(3)), is amended by striking the second sentence and inserting ''Payments under this paragraph to a member of the Senior Foreign Service may not exceed, in any fiscal year, the percentage of base pay established under section 4507(e)(1) of title 5, United States Code, for a Meritorious Executive, except that payments of the percentage of the base pay established under section 4507(e)(2) of title 5, United States, Code, for Distinguished Executives may be made in any fiscal year to up to 1 percent of the members of the Senior Foreign Service.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 2001.

SEC. 339. EMERGENCY MEDICAL ADVANCE PAYMENTS.

Section 5927(a)(3) of title 5, United States Code, is amended to read as follows:

''(3) to an employee compensated pursuant to section 408 of the Foreign Service Act of 1980, who—

''(A) pursuant to government authorization is located outside the country of employment; and

''(B) requires medical treatment outside the country of employment in circumstances specified by the President in regulations.''.

SEC. 340. UNACCOMPANIED AIR BAGGAGE.

Section 5924(4)(B) of title 5, United States Code, is amended by inserting after the first sentence the following: ''At the option of the employee, in lieu of the transportation of the baggage of a dependent child from the dependent's school, the costs incurred to store the baggage at or in the vicinity of the school during the dependent's annual trip between the school and the employee's duty station may be paid or reimbursed to the employee. The amount of the payment or reimbursement may not exceed the cost that the government would incur to transport the baggage.''.

SEC. 341. SPECIAL AGENT AUTHORITIES.

Section 37(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)), is amended in paragraph (3)(F) by inserting ''or President-elect'' after ''President''.

SEC. 342. REPORT CONCERNING MINORITY EMPLOYMENT.

During each of the years 2002 and 2003, the Secretary of State shall submit a comprehensive report to the Congress concerning the status of employment of members of minority groups at the Department of State, including the Civil Service, the Foreign Service, and State Department employees serving abroad. The report shall include the following data (reported in terms of real numbers and percentages and not as ratios):

(1) For the last preceding Foreign Service examination and promotion cycles for which such information is available—

(A) the numbers and percentages of members of all minority groups taking the written Foreign Service examination;

(B) the numbers and percentages of members of all minority groups successfully completing and passing the written Foreign Service examination;

(C) the numbers and percentages of members of all minority groups successfully completing and passing the oral Foreign Service examination;

(D) the numbers and percentages of members of all minority groups entering the junior officers class of the Foreign Service;

(E) the numbers and percentages of members of all minority groups who are Foreign Service officers at each grade; and

(F) the numbers of and percentages of members of all minority groups promoted at each grade of the Foreign Service Officer Corps.

(2) For the last preceding year for Civil Service employment at the Department of State for which such information is available—

(A) numbers and percentages of members of all minority groups entering the Civil Service;

(B) the number and percentages of members of all minority groups who are civil service employees at each grade of the Civil Service; and

(C) the number of and percentages of members of all minority groups promoted at each grade of the Civil Service.

SEC. 343. USE OF FUNDS AUTHORIZED FOR MINORITY RECRUITMENT.

(a) CONDUCT OF RECRUITMENT ACTIVITIES.—(1) IN GENERAL.—Amounts authorized to be appropriated for minority recruitment under section 101(1)(B)(iii) shall be used only for activities directly related to minority recruitment, such as recruitment materials designed to target members of minority groups and the travel expenses of recruitment trips to colleges, universities, and other institutions or locations.

(2) LIMITATION.—Amounts authorized to be appropriated for minority recruitment under section 101(1)(B)(iii) may not be used to pay salaries of employees of the Department of State.

(b) RECRUITMENT ACTIVITIES AT ACADEMIC INSTITUTIONS.—The Secretary of State shall expand the recruitment efforts of the Department of State to include not less than 25 percent of the part B institutions (as defined under section 322 of the Higher Education Act of 1965) in the United States and not less than 25 percent of the Hispanic-serving institutions (as defined in section 502(a)(5) of such Act) in the United States.

(c) EVALUATION OF RECRUITMENT EFFORTS.—The Secretary of State shall establish a database relating to efforts to recruit members of minority groups into the Foreign Service and the Civil Service and shall report to the appropriate congressional committees annually on the evaluation of efforts to recruit such individuals, including an analysis of the information collected in the database created under this subsection. For each of the years 2002 and 2003, such a report may be part of the report required under section 342.

SEC. 344. CORRECTION OF TIME LIMIT FOR GRIEVANCE FILING.

Section 1104(a) of the Foreign Service Act of 1980 (22 U.S.C. 4134(a)), is amended in the first sentence by striking ''but in no case less than two years after the occurrence giving rise to the grievance'' and inserting ''but in no case more than three years after the occurrence giving rise to the grievance.''.

SEC. 345. CLARIFICATION OF SEPARATION FOR CAUSE.

Section 610(a) of the Foreign Service Act of 1980 (22 U.S.C. 4010(a)), is amended—

(a) in paragraph (1), by inserting ''decide to'' after ''may'';

(b) by striking paragraphs (2), (3), (4), (5) and (6) and inserting the following:

''(2) When the Secretary decides under paragraph (1) to separate, on the basis of misconduct, any member of the service (other than a United States citizen employed under section 311 who is not a family member) who either (A) is serving under a career appointment, or (B) is serving under a limited appointment, the member may not be separated from the Service until the member receives a hearing before the Foreign Service Grievance Board and the Board decides that cause for separation has been established, unless the member waives the right to such a hearing in writing, or the member's appointment has expired, whichever occurs first.

''(3) If the Board decides that cause for separation has not been established, the Board may direct the Department to pay reasonable attorneys fees to the extent and in the manner provided by section 1107(b)(5). A hearing under this paragraph shall be conducted in accordance with the hearing procedures applicable to grievances under section 1106 and shall be in lieu of any other administrative procedure authorized or required by this or any other law. Section 1110 shall apply to proceedings under this paragraph.

''(4) Notwithstanding the hearing required by paragraph (2), when the Secretary decides to separate a member of the Service for cause, the member shall be placed on leave without pay. If the member does not waive the right to a hearing, and the Board decides that cause for separation has not been established, the member shall be reinstated with back pay.''.

TITLE IV—UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS OF THE DEPARTMENT OF STATE

SEC. 401. EXTENSION OF REQUIREMENT FOR SCHOLARSHIPS FOR TIBETANS AND BURMESE.

Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2151 note), is amended by striking ''for the fiscal year 2000'' and inserting ''for each of the fiscal years 2002 and 2003''.

SEC. 402. NONPROFIT ENTITIES FOR CULTURAL PROGRAMS.

(a) FINDINGS.—The Congress makes the following findings:

(1) It is in the national interest of the United States to promote mutual understanding between the people of the United States and other nations.

(2) Among the means to be used in achieving this objective are a wide range of international educational and cultural exchange programs, including the J. William Fulbright Educational Exchange Program and the International Visitors Program.

(3) Cultural diplomacy, especially the presentation abroad of the finest of America's creative, visual and performing arts, is an especially effective means of advancing the United States national interest.

(4) The financial support available for international cultural and scholarly exchanges has declined by approximately 10 percent in recent years.

(5) Funds appropriated for the purpose of ensuring that the excellence, diversity, and vitality of the arts in the United States are presented to foreign audiences by, and in cooperation with, our diplomatic and consular representatives have declined dramatically.

(6) One of the ways to deepen and expand cultural and educational exchange programs is through the establishment of nonprofit entities to encourage the participation and financial support of corporations and other private sector contributors.

(7) The United States private sector should be encouraged to cooperate closely with the Secretary of State and representatives of the Department to expand and spread appreciation of United States cultural and artistic accomplishments.

(b) AUTHORITY TO ESTABLISH NONPROFIT ENTITIES.—Section 105 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2255), is amended by striking subsection (g) and inserting the following:

''(g) NONPROFIT ENTITIES FOR CULTURAL PROGRAMMING.—

''(1) The Secretary of State is authorized to provide for the establishment of private nonprofit entities to assist in carrying out the purposes of this subsection. Any such entity shall not be considered an agency or instrumentality of the United States Government and employees of such an entity shall not be considered employees of the United States Government for any purpose.

''(2) An entity established pursuant to the authority of paragraph (1) may carry out the following:

''(A) Encourage participation and support by United States corporations and other elements of the private sector for cultural, arts, and educational exchange programs which will enhance international appreciation of America's cultural and artistic accomplishments.

''(B) Solicit and receive contributions from the private sector to support cultural, arts, and educational exchange programs.

''(C) Provide grants and other assistance for such programs.

''(3) The Secretary of State is authorized to make such arrangements as are necessary to carry out the purposes of any entity established pursuant to paragraph (1) including the following:

''(A) The solicitation and receipt of funds for an entity.

''(B) Designation of a program in recognition of such contributions.

''(C) Appointment of members of the board of directors or other body established to administer an entity, including the appointment of employees of the United States Government as ex officio nonvoting members of such a board or other administrative body.

''(D) Making recommendations with respect to specific artistic and cultural programs to be carried out by the entity.

''(4) For fiscal years 2002 and 2003, not to exceed $500,000 of funds available to the Department of State are authorized to be made available for each fiscal year for administrative and other costs for the establishment of entities pursuant to paragraph (1). An entity established pursuant to paragraph (1) is authorized to invest amounts made available to the entity by the Department of State, and such amounts, as well as interest or earnings on such amounts, may be used by the entity to carry out its purposes.

''(5) Each entity established pursuant to paragraph (1) shall submit an annual report on the sources and amount of funds and other resources received and the programs funded by the entity to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

''(6) The financial transactions of each entity established under paragraph (1) for each fiscal year shall be the subject of an independent audit. A report of each such audit shall be made available to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.''.

SEC. 403. FULBRIGHT-HAYS AUTHORITIES.

Section 112(d) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460(d), is amended by striking ''operating under the authority of this Act and consistent with'' and inserting ''which operate under the authority of this Act or promote''.

SEC. 404. ETHICAL ISSUES IN INTERNATIONAL HEALTH RESEARCH.

(a) IN GENERAL.—The Secretary shall make available funds for public diplomacy and international exchanges, including, as appropriate, funds for international visitor programs and scholarships available under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961 and other similar statutes, to provide opportunities to researchers in developing countries to obtain scholarships and otherwise participate in activities related to ethical issues in human subject research, as described in subsection (b).

(b) ETHICAL ISSUES IN HUMAN SUBJECT RESEARCH.—For purposes of subsection (a), ''activities related to ethical issues in human subject research'' include courses of study,

conferences, and fora on development of and compliance with international ethical standards for clinical trials involving human subjects, particularly with respect to responsibilities of researchers to individuals and local communities participating in such trials, and on management and monitoring of such trials based on such international ethical standards.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

SEC. 501. ELIMINATING STAFF POSITIONS FOR THE ADVISORY BOARD FOR CUBA BROADCASTING.

(a) ELIMINATING POSITION OF STAFF DIRECTOR.—

(1) Section 245 of the Television Broadcasting to Cuba Act (22 U.S.C. 1465c note), is amended by striking subsection (d).

(2) Any funds made available through the elimination of the position under the amendment made by paragraph (1) shall be made available for broadcasting to Cuba.

(b) PROHIBITING PAID STAFF POSITIONS.—The Advisory Board for Cuba Broadcasting is not authorized to employ administrative or support staff who are compensated by the Advisory Board.

SEC. 502. REPORTS ON BROADCASTING PERSONNEL.

Not later than 3 months after the date of the enactment of this Act and every 6 months thereafter during the fiscal years 2002 and 2003, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report regarding high-level personnel of the Broadcasting Board of Governors and efforts to diversify the workforce. Each report shall include the following information, reported separately, for the International Broadcasting Bureau, Radio Free Europe/Radio Liberty, and Radio Free Asia:

(1) A list of all personnel positions at and above the GS–13 pay level.

(2) The number and percentage of women and members of minority groups in positions under paragraph (1).

(3) The increase or decrease in the representation of women and members of minority groups in positions under paragraph (1) from previous years.

(4) The recruitment budget for each broadcasting entity and the aggregate budget.

(5) Information concerning the recruitment efforts of the Broadcasting Board of Governors relating to women and members of minority groups, including the percentage of the recruitment budget utilized for such efforts.

SEC. 503. PERSONAL SERVICES CONTRACTING PILOT PROGRAM.

(a) IN GENERAL.—The Director of the International Broadcasting Bureau is authorized to establish a pilot program for the purpose of hiring United States citizens or aliens as personal services contractors, without regard to civil service and classification laws, for service in the United States as broadcasters, producers, and writers in the International Broadcasting Bureau to respond to new or emerging broadcasting needs or to augment broadcast services.

(b) LIMITATION ON AUTHORITY.—The Director is authorized to use such pilot program authority subject to the following limitations:

(1) The Director shall determine that existing personnel resources are insufficient and the need is of limited or unknown duration.

(2) The Director shall approve each contract for a personal services contractor.

(3) The length of any personal services contract may not exceed 2 years, unless the Director finds that exceptional circumstances justify an extension of not more than 1 additional year.

(4) Not more than 50 United States citizens or aliens shall be employed at any time as personal services contractors under the pilot program.

(c) TERMINATION OF AUTHORITY.—The authority to award personal services contracts under the pilot program authorized by this section shall terminate on December 31, 2005. A contract entered into prior to the termination date under this subsection may remain in effect for a period not to exceed 6 months after such termination date.

SEC. 504. PAY PARITY FOR SENIOR EXECUTIVES OF RADIO FREE EUROPE AND RADIO LIBERTY.

Section 308(h)(1) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207(h)(1)), is amended—

(1) by inserting after subparagraph (B) the following new subparagraph:

''(C) Notwithstanding the limitations under subparagraph (A), grant funds provided under this section may be used by RFE/RL, Incorporated to pay up to two employees employed in Washington, D.C. salary or other compensation not to exceed the rate of pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.''; and

(2) in subparagraph (A) by striking ''(B),'' and inserting ''(B) or (C),''.

SEC. 505. REPEAL OF BAN ON UNITED STATES TRANSMITTER IN KUWAIT.

The Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), is amended—

(1) by striking section 226; and

(2) by striking the item relating to section 226 in the table of sections.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

SEC. 601. UNITED NATIONS ARREARS PAYMENTS AND REFORM.

(a) ADDITIONAL RESTRICTION ON RELEASE OF ARREARAGE PAYMENTS RELATING TO UNITED STATES MEMBERSHIP ON THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS AND USE OF SECRET BALLOTS.—In addition to the satisfaction of all other preconditions applicable to the obligation and expenditure of funds authorized to be appropriated by section 911(a)(3) of the United Nations Reform Act of 1999, such funds may not be obligated or expended until the Secretary of State certifies to the appropriate congressional committees that—

(1) the United States has obtained full membership on the United Nations Commission on Human Rights for a term commencing after May 3, 2001; and

(2)(A) neither the United Nations nor any specialized agency of the United Nations takes any action or exercises any authority by any vote of the membership of the body by a secret ballot which prevents the identification of each vote with the member casting the ballot; or

(B) a detailed analysis of voting within the United Nations and specialized agencies of the United Nations has demonstrated to the satisfaction of the Secretary of State that the use of secret ballots can serve the interests of the United States and that analysis has been transmitted to the appropriate congressional committees.

(b) ADDITIONAL RESTRICTION ON RELEASE OF ARREARAGE PAYMENTS RELATING TO GENERAL ACCOUNTING OFFICE REPORT ON UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING OPERATIONS.—

(1) In addition to the satisfaction of all other preconditions applicable to the obligation and expenditure of funds authorized to be appropriated by section 911(a)(3) of the United Nations Reform Act of 1999, such funds may not be obligated or expended until the date on which the General Accounting Office submits a report to Congress under paragraph (2) or September 30, 2001, whichever occurs first.

(2) Not later than September 30, 2001, the General Accounting Office, in consultation with the Department of Defense, shall submit to the Congress a detailed accounting of United States contributions to United Nations peacekeeping operations during the period 1990 through 2001, including a review of any reimbursement by the United Nations for such contributions.

(c) ADDITIONAL RESTRICTIONS ON RELEASE OF ARREARAGE PAYMENTS RELATING TO UNITED STATES SOVEREIGNTY.—In addition to the satisfaction of all other preconditions applicable to the obligation and expenditure of funds authorized to be appropriated by section 911(a)(2) of the United Nations Reform Act of 1999, such funds may not be obligated or expended until the Secretary of State certifies to the appropriate congressional committees that the following conditions are satisfied:

(1) SUPREMACY OF THE UNITED STATES CONSTITUTION.—No action has been taken by the United Nations or any of its specialized or affiliated agencies that requires the United States to violate the United States Constitution or any law of the United States.

(2) NO UNITED NATIONS SOVEREIGNTY.—Neither the United Nations nor any of its specialized or affiliated agencies—

(A) has exercised sovereignty over the United States; or

(B) has taken any steps that require the United States to cede sovereignty.

(3) NO UNITED NATIONS TAXATION.—

(A) NO LEGAL AUTHORITY.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has the authority under United States law to impose taxes or fees on United States nationals.

(B) NO TAXES OR FEES.—Except as provided in subparagraph (D), a tax or fee has not been imposed on any United States national by the United Nations or any of its specialized or affiliated agencies.

(C) NO TAXATION PROPOSALS.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has, on or after October 1, 1996, officially approved any formal effort to develop, advocate, or promote any proposal concerning the imposition of a tax or fee on any United States national in order to raise revenue for the United Nations or any such agency.

(D) EXCEPTION.—This paragraph does not apply to—

(i) fees for publications or other kinds of fees that are not tantamount to a tax on United States citizens;

(ii) the World Intellectual Property Organization; or

(iii) the staff assessment costs of the United Nations and its specialized or affiliated agencies.

(4) NO STANDING ARMY.—The United Nations has not, on or after October 1, 1996, budgeted any funds for, nor taken any official steps to develop, create, or establish any special agreement under Article 43 of the United Nations Charter to make available to the United Nations, on its call, the armed forces of any member of the United Nations.

(5) NO INTEREST FEES.—The United Nations has not, on or after October 1, 1996, levied interest penalties against the United States or any interest on arrearages on the annual assessment of the United States, and neither the United Nations nor its specialized agencies have, on or after October 1, 1996, amended their financial regulations or taken any other action that would permit interest penalties to be levied against the United States or otherwise charge the United States any interest on arrearages on its annual assessment.

(6) UNITED STATES REAL PROPERTY RIGHTS.—Neither the United Nations nor any

of its specialized or affiliated agencies has exercised authority or control over any United States national park, wildlife preserve, monument, or real property, nor has the United Nations nor any of its specialized or affiliated agencies implemented plans, regulations, programs, or agreements that exercise control or authority over the private real property of United States citizens located in the United States without the approval of the property owner.

(7) TERMINATION OF BORROWING AUTHORITY.—

(A) PROHIBITION ON AUTHORIZATION OF EXTERNAL BORROWING.—On or after the date of the enactment of this Act, neither the United Nations nor any specialized agency of the United Nations has amended its financial regulations to permit external borrowing.

(B) PROHIBITION OF UNITED STATES PAYMENT OF INTEREST COSTS.—The United States has not, on or after October 1, 1984, paid its share of any interest costs made known to or identified by the United States Government for loans incurred, on or after October 1, 1984, by the United Nations or any specialized agency of the United Nations through external borrowing.

(d) AMENDMENTS TO THE UNITED NATIONS REFORM ACT OF 1999.—The United Nations Reform Act of 1999 (title IX of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–475), is amended as follows:

(1) Section 912(c) is amended by striking ''section 911'' and inserting ''section 911(a)(3)''.

(2) Section 931(b) is amended by—

(A) striking paragraph (2); and

(B) redesignating paragraph (3) as paragraph (2).

(3) Section 941(a)(2) is amended—

(A) by striking ''also'';

(B) by striking ''in subsection (b)(4)'' both places it appears; and

(C) by striking ''satisfied, if the other conditions in subsection (b) are satisfied'' and inserting ''satisfied''.

(4) Section 941(b)(3) is amended—

(A) in the paragraph heading by striking ''NEW BUDGET PROCEDURES'' and inserting ''BUDGET PRACTICES'';

(B) by striking ''has established and'';

(C) by striking ''procedures'' and inserting ''practices''; and

(D) in subparagraphs (A) and (B) by striking ''require'' both places it appears and inserting in both places ''result in''.

(5) Section 941(b)(9) is amended—

(A) in the paragraph heading by striking ''NEW BUDGET PROCEDURES'' and inserting ''BUDGET PRACTICES'';

(B) by striking ''Each designated specialized agency has established procedures to—'' and inserting ''The practices of each designated specialized agency—''; and

(C) in subparagraphs (A), (B), and (C) by striking ''require'' each of the 3 places it appears such subparagraphs and inserting in the 3 places ''result in''.

(e) AMENDMENT TO UNITED NATIONS PARTICIPATION ACT.—Section 6 of the United Nations Participation Act of 1945 (22 U.S.C. 287d), is amended to read as follows:

''SEC. 6. AGREEMENTS WITH SECURITY COUNCIL.

''(a) Any agreement described in subsection (b) that is concluded by the President with the Security Council shall not be effective unless approved by the Congress by appropriate Act or joint resolution.

''(b) An agreement referred to in subsection (a) is an agreement providing for the numbers and types of United States Armed Forces, their degree of readiness and general locations, or the nature of facilities and assistance, including rights of passage, to be made available to the Security Council for the purpose of maintaining international peace and security in accordance with Article 43 of the Charter of the United Nations.

''(c) Except as provided in section 7, nothing in this section may be construed as an authorization to the President by the Congress to make available United States Armed Forces, facilities, or assistance to the Security Council.''.

(f) AMENDMENT TO PUBLIC LAW 103–236.—Section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287e note), is amended—

(1) by striking ''for any fiscal year after fiscal year 1995'' and inserting ''for—

''(A) fiscal years 1996 through 2001, and any fiscal year after fiscal year 2003''; and

(2) by striking ''operation.'' and inserting ''operation; and

''(B) fiscal years 2002 and 2003 shall not be available for the payment of the United States assessed contribution for a United Nations peacekeeping operation in an amount which is greater than 28.15 percent of the total of all assessed contributions for that operation.''.

(g) CONFORMING AMENDMENT TO PUBLIC LAW 92–544.—The last sentence of the paragraph headed ''Contributions to International Organizations'' in Public Law 92–544 (22 U.S.C. 287e note) is amended—

(1) by striking ''Appropriations are authorized'' and inserting ''Subject to section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236, 22 U.S.C. 287e note), as amended, appropriations are authorized''; and

(2) by striking ''(other than United Nations peacekeeping operations) conducted'' and inserting ''conducted by or under the auspices of the United Nations or''.

(h) CONFORMING AMENDMENT TO PUBLIC LAW 105–277.—The undesignated paragraph under the heading ''ARREARAGE PAYMENTS'' in title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as enacted into law by section 101(b) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; 112 Stat. 2681–96) is amended by striking ''member, and the share of the budget for each assessed United Nations peacekeeping operation does not exceed 25 percent for any single United Nations member.'' and inserting ''member.''.

(i) CONFORMING AMENDMENT TO PUBLIC LAW 106–113.—The undesignated paragraph under the heading ''ARREARAGE PAYMENTS'' in title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(1) of division B of Public Law 106–113; appendix A; 113 Stat. 1501A–42) is amended—

(1) in the first proviso, by striking ''the share of the total of all assessed contributions for any designated specialized agency of the United Nations does not exceed 22 percent for any single member of the agency, and''; and

(2) by inserting immediately after the first proviso ''*Provided further*, That, none of the funds appropriated or otherwise made available under this heading for payment of arrearages may be obligated or expended with respect to a designated specialized agency of the United Nations until such time as the share of the total of all assessed contributions for that designated specialized agency does not exceed 22 percent for any member of the agency:''.

(j) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 602. TRAVEL BY ADVISORY COMMITTEE MEMBERS TO GREAT LAKES FISHERY COMMISSION ANNUAL MEETING.

Section 4(c) of the Great Lakes Fishery Act of 1956 (70 Stat. 242; 16 U.S.C. 933(c)), is amended in the second sentence—

(1) by striking ''five'' and inserting ''ten''; and

(2) by striking ''each'' and inserting ''the annual''.

SEC. 603. UNITED STATES POLICY ON COMPOSITION OF THE UNITED NATIONS HUMAN RIGHTS COMMISSION.

(a) FINDINGS.—The Congress makes the following findings:

(1) The United Nations Human Rights Commission is an important organ of the United Nations that plays a significant role in monitoring international human rights developments and can make an important contribution to advancing human rights around the world.

(2) The membership of the Commission, however, continues to include countries that are themselves human rights violators.

(3) Countries that are on the Commission have a special duty to ensure that they are prepared to allow human rights monitors into their own country to investigate allegations of human rights violations.

(b) UNITED STATES POLICY ON MEMBERSHIP OF THE COMMISSION.—The President, acting through the Secretary of State, the United States Permanent Representative to the United Nations, and other appropriate United States Government officials, shall use the voice and vote of the United States at the United Nations to oppose membership on the United Nations Commission on Human Rights for any country that does not provide a standing invitation to allow the following persons to monitor human rights in the territory of such country:

(1) Designated United Nations human rights investigators and rapporteurs.

(2) Representatives from nongovernmental organizations that focus on human rights.

SEC. 604. UNITED STATES MEMBERSHIP IN THE INTERNATIONAL ORGANIZATION FOR MIGRATION.

(a) CONTINUATION OF MEMBERSHIP.—The President is authorized to continue membership for the United States in the International Organization for Migration in accordance with the constitution of such organization approved in Venice, Italy, on October 19, 1953, as amended in Geneva, Switzerland, on November 24, 1998, upon entry into force of such amendments.

(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of assisting in the movement of refugees and migrants, there are authorized to be appropriated such amounts as may be necessary from time to time for payment by the United States of its contributions to the International Organization for Migration and all necessary salaries and expenses incidental to United States participation in such organization.

SEC. 605. REPORT RELATING TO COMMISSION ON SECURITY AND COOPERATION IN EUROPE.

Section 5 of the Act entitled ''An Act to establish a Commission on Security and Cooperation in Europe'' (Public Law 94–304; 22 U.S.C. 3005) is amended to read as follows:

''SEC. 5. In order to assist the Commission in carrying out its duties, the Secretary of State shall submit to the Commission an annual report discussing the overall United States policy objectives that are advanced through meetings of decision-making bodies of the Organization on Security and Cooperation in Europe (OSCE), the OSCE implementation review process, and other activities of the OSCE. The report shall also include a summary of specific United States policy objectives with respect to participating states

where there is a particular concern relating to the implementation of Organization on Security and Cooperation in Europe commitments or where an OSCE presence exists. Such summary shall address the role played by Organization on Security and Cooperation in Europe institutions, mechanisms, or field activities in achieving United States policy objectives. Each annual report shall cover the period January 1 through December 31, shall be submitted not more than 90 days after the end of the reporting period, and shall be posted on the website of the Department of State.''.

SEC. 606. REPORTS TO CONGRESS ON UNITED NATIONS ACTIVITIES.

(a) AMENDMENTS TO UNITED NATIONS PARTICIPATION ACT.—Section 4 of the United Nations Participation Act (22 U.S.C. 287b), is amended—

(1) by striking subsections (b) and (c);

(2) by inserting after subsection (a) the following new subsection:

''(b) ANNUAL REPORT ON FINANCIAL CONTRIBUTIONS.—Not later than July 1 of each year, the Secretary of State shall submit a report to the designated congressional committees on the extent and disposition of all financial contributions made by the United States during the preceding year to international organizations in which the United States participates as a member.'';

(3) in subsection (e)(5) by striking subparagraph (B) and inserting the following:

''(B) ANNUAL REPORT.—The President shall submit an annual report to the designated congressional committees on all assistance provided by the United States during the preceding calendar year to the United Nations to support peacekeeping operations. Each such report shall describe the assistance provided for each such operation, listed by category of assistance.''; and

(4) by redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f) respectively.

(b) CONFORMING AMENDMENTS.—

(1) Section 2 of Public Law 81–806 (22 U.S.C. 262a) is amended by striking the last sentence.

(2) Section 409 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note), is amended by striking subsection (d).

Subtitle B—American Servicemembers' Protection Act

SEC. 631. SHORT TITLE.

This subtitle may be cited as the ''American Servicemembers' Protection Act of 2001''.

SEC. 632. FINDINGS.

Congress makes the following findings:

(1) On July 17, 1998, the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, meeting in Rome, Italy, adopted the ''Rome Statute of the International Criminal Court.'' The vote on whether to proceed with the Statute was 120 in favor to 7 against, with 21 countries abstaining. The United States voted against final adoption of the Rome Statute.

(2) As of April 30, 2001, 139 countries had signed the Rome Statute and 30 had ratified it. Pursuant to Article 126 of the Rome Statute, the Statute will enter into force on the first day of the month after the 60th day following the date on which the 60th country deposits an instrument ratifying the Statute.

(3) Since adoption of the Rome Statute, a Preparatory Commission for the International Criminal Court has met regularly to draft documents to implement the Rome Statute, including Rules of Procedure and Evidence, Elements of Crimes, and a definition of the Crime of Aggression.

(4) During testimony before the Congress following the adoption of the Rome Statute, the lead United States negotiator, Ambassador David Scheffer stated that the United States could not sign the Rome Statute because certain critical negotiating objectives of the United States had not been achieved. As a result, he stated: ''We are left with consequences that do not serve the cause of international justice.''.

(5) Ambassador Scheffer went on to tell the Congress that: ''Multinational peacekeeping forces operating in a country that has joined the treaty can be exposed to the Court's jurisdiction even if the country of the individual peacekeeper has not joined the treaty. Thus, the treaty purports to establish an arrangement whereby United States armed forces operating overseas could be conceivably prosecuted by the international court even if the United States has not agreed to be bound by the treaty. Not only is this contrary to the most fundamental principles of treaty law, it could inhibit the ability of the United States to use its military to meet alliance obligations and participate in multinational operations, including humanitarian interventions to save civilian lives. Other contributors to peacekeeping operations will be similarly exposed.''.

(6) Notwithstanding these concerns, President Clinton directed that the United States sign the Rome Statute on December 31, 2000. In a statement issued that day, he stated that in view of the unremedied deficiencies of the Rome Statute, ''I will not, and do not recommend that my successor submit the Treaty to the Senate for advice and consent until our fundamental concerns are satisfied''.

(7) Any American prosecuted by the International Criminal Court will, under the Rome Statute, be denied procedural protections to which all Americans are entitled under the Bill of Rights to the United States Constitution, such as the right to trial by jury.

(8) Members of the Armed Forces of the United States deserve the full protection of the United States Constitution wherever they are stationed or deployed around the world to protect the vital national interests of the United States. The United States Government has an obligation to protect the members of its Armed Forces, to the maximum extent possible, against criminal prosecutions carried out by United Nations officials under procedures that deny them their constitutional rights.

(9) In addition to exposing members of the Armed Forces of the United States to the risk of international criminal prosecution, the Rome Statute creates a risk that the President and other senior elected and appointed officials of the United States Government may be prosecuted by the International Criminal Court. Particularly if the Preparatory Commission agrees on a definition of the Crime of Aggression over United States objections, senior United States officials may be at risk of criminal prosecution for national security decisions involving such matters as responding to acts of terrorism, preventing the proliferation of weapons of mass destruction, and deterring aggression. No less than members of the Armed Forces of the United States, senior officials of the United States Government deserve the full protection of the United States Constitution with respect to official actions taken by them to protect the national interests of the United States.

SEC. 633. WAIVER AND TERMINATION OF PROHIBITIONS OF THIS ACT.

(a) AUTHORITY TO INITIALLY WAIVE SECTIONS 635 AND 637.—The President is authorized to waive the prohibitions and requirements of sections 635 and 637 for a single period of 1 year. Such a waiver may be issued only if the President at least 15 days in advance of exercising such authority—

(1) notifies the appropriate congressional committees of the intention to exercise such authority; and

(2) determines and reports to the appropriate congressional committees that the International Criminal Court has entered into a binding agreement that—

(A) prohibits the International Criminal Court from seeking to exercise jurisdiction over the following persons with respect to actions undertaken by them in an official capacity:

(i) covered United States persons;

(ii) covered allied persons; and

(iii) individuals who were covered United States persons or covered allied persons; and

(B) ensures that no person described in subparagraph (A) will be arrested, detained, prosecuted, or imprisoned by or on behalf of the International Criminal Court.

(b) AUTHORITY TO EXTEND WAIVER OF SECTIONS 635 AND 637.—The President is authorized to waive the prohibitions and requirements of sections 635 and 637 for successive periods of 1 year each upon the expiration of a previous waiver pursuant to subsection (a) or this subsection. Such a waiver may be issued only if the President at least 15 days in advance of exercising such authority—

(1) notifies the appropriate congressional committees of the intention to exercise such authority; and

(2) determines and reports to the appropriate congressional committees that the International Criminal Court—

(A) remains party to, and has continued to abide by, a binding agreement that—

(i) prohibits the International Criminal Court from seeking to exercise jurisdiction over the following persons with respect to actions undertaken by them in an official capacity:

(I) covered United States persons;

(II) covered allied persons; and

(III) individuals who were covered United States persons or covered allied persons; and

(ii) ensures that no person described in clause (i) will be arrested, detained, prosecuted, or imprisoned by or on behalf of the International Criminal Court; and

(B) has taken no steps to arrest, detain, prosecute, or imprison any person described in clause (i) of subparagraph (A).

(c) AUTHORITY TO WAIVE SECTIONS 634 AND 636 WITH RESPECT TO AN INVESTIGATION OR PROSECUTION OF A NAMED INDIVIDUAL.—The President is authorized to waive the prohibitions and requirements of sections 634 and 636 to the degree they would prevent United States cooperation with an investigation or prosecution of a named individual by the International Criminal Court. Such a waiver may be issued only if the President at least 15 days in advance of exercising such authority—

(1) notifies the appropriate congressional committees of the intention to exercise such authority; and

(2) determines and reports to the appropriate congressional committees that—

(A) a waiver pursuant to subsection (a) or (b) of the prohibitions and requirements of sections 635 and 637 is in effect;

(B) there is reason to believe that the named individual committed the crime or crimes that are the subject of the International Criminal Court's investigation or prosecution;

(C) it is in the national interest of the United States for the International Criminal Court's investigation or prosecution of the named individual to proceed; and

(D) in investigating events related to actions by the named individual, none of the following persons will be investigated, arrested, detained, prosecuted, or imprisoned by or on behalf of the International Criminal Court with respect to actions undertaken by them in an official capacity:

(i) Covered United States persons.

(ii) Covered allied persons.

(iii) Individuals who were covered United States persons or covered allied persons.

(d) TERMINATION OF WAIVER PURSUANT TO SUBSECTION (c).—Any waiver or waivers exercised pursuant to subsection (c) of the prohibitions and requirements of sections 634 and 636 shall terminate at any time that a waiver pursuant to subsection (a) or (b) of the prohibitions and requirements of sections 635 and 637 expires and is not extended pursuant to subsection (b).

(e) TERMINATION OF PROHIBITIONS OF THIS ACT.—The prohibitions and requirements of sections 634, 635, 636, and 637 shall cease to apply, and the authority of section 638 shall terminate, if the United States becomes a party to the International Criminal Court pursuant to a treaty made under article II, section 2, clause 2 of the Constitution of the United States.

SEC. 634. PROHIBITION ON COOPERATION WITH THE INTERNATIONAL CRIMINAL COURT.

(a) CONSTRUCTION.—The provisions of this section—

(1) apply only to cooperation with the International Criminal Court and shall not be construed to apply to cooperation with an ad hoc international criminal tribunal established by the United Nations Security Council before or after the date of the enactment of this Act to investigate and prosecute war crimes committed in a specific country or during a specific conflict; and

(2) shall not be construed to prohibit—

(A) any action permitted under section 638;

(B) any other action taken by members of the Armed Forces of the United States outside the territory of the United States while engaged in military operations involving the threat or use of force when necessary to protect such personnel from harm or to ensure the success of such operations; or

(C) communication by the United States to the International Criminal Court of its policy with respect to a particular matter.

(b) PROHIBITION ON RESPONDING TO REQUESTS FOR COOPERATION.—No agency or entity of the United States Government or of any State or local government, including any court, may cooperate with the International Criminal Court in response to a request for cooperation submitted by the International Criminal Court pursuant to Part 9 of the Rome Statute.

(c) PROHIBITION ON SPECIFIC FORMS OF COOPERATION AND ASSISTANCE.—No agency or entity of the United States Government or of any State or local government, including any court, may provide financial support or other cooperation, support, or assistance to the International Criminal Court, including by undertaking any action described in the following articles of the Rome Statute with the purpose or intent of cooperating with, or otherwise providing support or assistance to, the International Criminal Court:

(1) Article 89 (relating to arrest, extradition, and transit of suspects).

(2) Article 92 (relating to provisional arrest of suspects).

(3) Article 93 (relating to seizure of property, asset forfeiture, execution of searches and seizures, service of warrants and other judicial process, taking of evidence, and similar matters).

(d) RESTRICTION ON ASSISTANCE PURSUANT TO MUTUAL LEGAL ASSISTANCE TREATIES.—The United States shall exercise its rights to limit the use of assistance provided under all treaties and executive agreements for mutual legal assistance in criminal matters, multilateral conventions with legal assistance provisions, and extradition treaties, to which the United States is a party, and in connection with the execution or issuance of any letter rogatory, to prevent the transfer to, or other use by, the International Criminal Court of any assistance provided by the United States under such treaties and letters rogatory.

(e) PROHIBITION ON INVESTIGATIVE ACTIVITIES OF AGENTS.—No agent of the International Criminal Court may conduct, in the United States or any territory subject to the jurisdiction of the United States, any investigative activity relating to a preliminary inquiry, investigation, prosecution, or other proceeding at the International Criminal Court.

SEC. 635. RESTRICTION ON UNITED STATES PARTICIPATION IN CERTAIN UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) POLICY.—Effective beginning on the date on which the Rome Statute enters into force pursuant to Article 126 of the Rome Statute, the President should use the voice and vote of the United States in the United Nations Security Council to ensure that each resolution of the Security Council authorizing any peacekeeping operation under chapter VI of the charter of the United Nations or peace enforcement operation under chapter VII of the charter of the United Nations permanently exempts, at a minimum, members of the Armed Forces of the United States participating in such operation from criminal prosecution by the International Criminal Court for actions undertaken by such personnel in connection with the operation.

(b) RESTRICTION.—Members of the Armed Forces of the United States may not participate in any peacekeeping operation under chapter VI of the charter of the United Nations or peace enforcement operation under chapter VII of the charter of the United Nations, the creation of which is authorized by the United Nations Security Council on or after the date that the Rome Statute enters into effect pursuant to Article 126 of the Rome Statute, unless the President has submitted to the appropriate congressional committees a certification described in subsection (c) with respect to such operation.

(c) CERTIFICATION.—The certification referred to in subsection (b) is a certification by the President that members of the Armed Forces of the United States are able to participate in the peacekeeping or peace enforcement operation without risk of criminal prosecution by the International Criminal Court because—

(1) in authorizing the operation, the United Nations Security Council permanently exempted, at a minimum, members of the Armed Forces of the United States participating in the operation from criminal prosecution by the International Criminal Court for actions undertaken by them in connection with the operation;

(2) each country in which members of the Armed Forces of the United States participating in the operation will be present is either not a party to the International Criminal Court and has not invoked the jurisdiction of the International Criminal Court pursuant to Article 12 of the Rome Statute, or has entered into an agreement in accordance with Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against members of the Armed Forces of the United States present in that country; or

(3) the United States has taken other appropriate steps to guarantee that members of the Armed Forces of the United States participating in the operation will not be prosecuted by the International Criminal Court for actions undertaken by such personnel in connection with the operation.

SEC. 636. PROHIBITION ON DIRECT OR INDIRECT TRANSFER OF CERTAIN CLASSIFIED NATIONAL SECURITY INFORMATION TO THE INTERNATIONAL CRIMINAL COURT.

(a) DIRECT TRANSFER.—Not later than the date on which the Rome Statute enters into force, the President shall ensure that appropriate procedures are in place to prevent the transfer of classified national security information to the International Criminal Court.

(b) INDIRECT TRANSFER.—Not later than the date on which the Rome Statute enters into force, the President shall ensure that appropriate procedures are in place to prevent the transfer of classified national security information relevant to matters under consideration by the International Criminal Court to the United Nations and to the government of any country that is a party to the International Criminal Court unless the United Nations or that government, as the case may be, has provided written assurances that such information will not be made available to the International Criminal Court.

(c) CONSTRUCTION.—The provisions of this section shall not be construed to prohibit any action permitted under section 638.

SEC. 637. PROHIBITION OF UNITED STATES MILITARY ASSISTANCE TO PARTIES TO THE INTERNATIONAL CRIMINAL COURT.

(a) PROHIBITION OF MILITARY ASSISTANCE.—Subject to subsections (b) and (c), no United States military assistance may be provided to the government of a country that is a party to the International Criminal Court.

(b) WAIVER.—The President may waive the prohibition of subsection (a) with respect to a particular country—

(1) for one or more periods not exceeding 1 year each, if the President determines and reports to the appropriate congressional committees that it is vital to the national interest of the United States to waive such prohibition; and

(2) permanently, if the President determines and reports to the appropriate congressional committees that such country has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(c) EXEMPTION.—The prohibition of subsection (a) shall not apply to the government of—

(1) a NATO member country;

(2) a major non-NATO ally (including, inter alia, Australia, Egypt, Israel, Japan, the Republic of Korea, and New Zealand); or

(3) Taiwan.

SEC. 638. AUTHORITY TO FREE MEMBERS OF THE ARMED FORCES OF THE UNITED STATES AND CERTAIN OTHER PERSONS HELD CAPTIVE BY OR ON BEHALF OF THE INTERNATIONAL CRIMINAL COURT.

(a) AUTHORITY.—The President is authorized to use all means necessary and appropriate to bring about the release from captivity of any person described in subsection (b) who is being detained or imprisoned against that person's will by or on behalf of the International Criminal Court.

(b) PERSONS AUTHORIZED TO BE FREED.—The authority of subsection (a) shall extend to the following persons:

(1) Covered United States persons.

(2) Covered allied persons.

(3) Individuals detained or imprisoned for official actions taken while the individual was a covered United States person or a covered allied person, and in the case of a covered allied person, upon the request of such government.

(c) AUTHORIZATION OF LEGAL ASSISTANCE.—When any person described in subsection (b) is arrested, detained, prosecuted, or imprisoned by or on behalf of the International

Criminal Court, the authority under subsection (a) may be used—

(1) for the provision of legal representation and other legal assistance to that person (including, in the case of a person entitled to assistance under section 1037 of title 10, United States Code, representation and other assistance in the manner provided in that section); and

(2) for the provision of exculpatory evidence on behalf of that person.

(d) BRIBES AND OTHER INDUCEMENTS NOT AUTHORIZED.—Subsection (a) does not authorize the payment of bribes or the provision of other incentives to induce the release from captivity of a person described in subsection (b).

SEC. 639. ALLIANCE COMMAND ARRANGEMENTS.

(a) REPORT ON ALLIANCE COMMAND ARRANGEMENTS.—Not later than 6 months after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report with respect to each military alliance to which the United States is party—

(1) describing the degree to which members of the Armed Forces of the United States may, in the context of military operations undertaken by or pursuant to that alliance, be placed under the command or operational control of foreign military officers subject to the jurisdiction of the International Criminal Court because they are nationals of a party to the International Criminal Court; and

(2) evaluating the degree to which members of the Armed Forces of the United States engaged in military operations undertaken by or pursuant to that alliance may be exposed to greater risks as a result of being placed under the command or operational control of foreign military officers subject to the jurisdiction of the International Criminal Court.

(b) DESCRIPTION OF MEASURES TO ACHIEVE ENHANCED PROTECTION FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES.—Not later than 1 year after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a description of modifications to command and operational control arrangements within military alliances to which the United States is a party that could be made in order to reduce any risks to members of the Armed Forces of the United States identified pursuant to subsection (a)(2).

(c) SUBMISSION IN CLASSIFIED FORM.—The report under subsection (a), and the description of measures under subsection (b), or appropriate parts thereof, may be submitted in classified form.

SEC. 640. WITHHOLDINGS.

Funds withheld from the United States share of assessments to the United Nations or any other international organization during any fiscal year pursuant to section 705 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–460), are authorized to be transferred to the Embassy Security, Construction and Maintenance Account of the Department of State.

SEC. 641. NONDELEGATION.

The authorities vested in the President by sections 633, 635(c), and 637(b) may not be delegated by the President pursuant to section 301 of title 3, United States Code, or any other provision of law.

SEC. 642. DEFINITIONS.

As used in this Act and in sections 705 and 706 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) CLASSIFIED NATIONAL SECURITY INFORMATION.—The term ''classified national security information'' means information that is classified or classifiable under Executive Order No. 12958 or a successor Executive order.

(3) COVERED ALLIED PERSONS.—The term ''covered allied persons'' means military personnel, elected or appointed officials, and other persons employed by or working on behalf of the government of a NATO member country, a major non-NATO ally (including, inter alia, Australia, Egypt, Israel, Japan, the Republic of Korea, and New Zealand), or Taiwan, for so long as that government is not a party to the International Criminal Court and wishes its officials and other persons working on its behalf to be exempted from the jurisdiction of the International Criminal Court.

(4) COVERED UNITED STATES PERSONS.—The term ''covered United States persons'' means members of the Armed Forces of the United States, elected or appointed officials of the United States Government, and other persons employed by or working on behalf of the United States Government, for so long as the United States is not a party to the International Criminal Court.

(5) EXTRADITION.—The terms ''extradition'' and ''extradite'' include both ''extradition'' and ''surrender'' as those terms are defined in article 102 of the Rome Statute.

(6) INTERNATIONAL CRIMINAL COURT.—The term ''International Criminal Court'' means the court established by the Rome Statute.

(7) MAJOR NON-NATO ALLY.—The term ''major non-NATO ally'' means a country that has been so designated in accordance with section 517 of the Foreign Assistance Act of 1961.

(8) PARTY TO THE INTERNATIONAL CRIMINAL COURT.—The term ''party to the International Criminal Court'' means a government that has deposited an instrument of ratification, acceptance, approval, or accession to the Rome Statute, and has not withdrawn from the Rome Statute pursuant to Article 127 thereof.

(9) PEACEKEEPING OPERATION UNDER CHAPTER VI OF THE CHARTER OF THE UNITED NATIONS OR PEACE ENFORCEMENT OPERATION UNDER CHAPTER VII OF THE CHARTER OF THE UNITED NATIONS.—The term ''peacekeeping operation under chapter VI of the charter of the United Nations or peace enforcement operation under chapter VII of the charter of the United Nations'' means any military operation to maintain or restore international peace and security that—

(A) is authorized by the United Nations Security Council under chapter VI or VII of the charter of the United Nations; and

(B) is paid for from assessed contributions of United Nations members that are made available for peacekeeping or peace enforcement activities.

(10) ROME STATUTE.—The term ''Rome Statute'' means the Rome Statute of the International Criminal Court, adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court on July 17, 1998.

(11) SUPPORT.—The term ''support'' means assistance of any kind, including financial support, material support, services, intelligence sharing, law enforcement cooperation, the training or detail of personnel, and the arrest or detention of individuals.

(12) UNITED STATES MILITARY ASSISTANCE.—The term ''United States military assistance'' means—

(A) assistance provided under chapters 2 through 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.);

(B) defense articles or defense services furnished with the financial assistance of the United States Government, including through loans and guarantees; or

(C) military training or education activities provided by any agency or entity of the United States Government.

Such term does not include activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—General Provisions

SEC. 701. AMENDMENTS TO THE IRAN NONPROLIFERATION ACT OF 2000.

(a) REPORTS ON PROLIFERATION TO IRAN.—Section 2 of the Iran Nonproliferation Act of 2000 (Public Law 106–178; 114 Stat. 39; 50 U.S.C. 1701 note), is amended by inserting after subsection (d) the following new subsection:

''(e) CONTENT OF REPORTS.—Each report under subsection (a) shall contain, with respect to each foreign person identified in such report, a brief description of the type and quantity of the goods, services, or technology transferred by that person to Iran, the circumstances surrounding the transfer, the usefulness of the transfer to Iranian weapons programs, and the probable awareness or lack thereof of the transfer on the part of the government with primary jurisdiction over the person.''.

(b) DETERMINATION EXEMPTING FOREIGN PERSONS FROM CERTAIN MEASURES UNDER THE ACT.—Section 5(a)(2) of such Act is amended by striking ''systems'' and inserting ''systems, or conventional weapons''.

SEC. 702. AMENDMENTS TO THE NORTH KOREA THREAT REDUCTION ACT OF 1999.

Section 822(a) of the North Korea Threat Reduction Act of 1999 (subtitle B of title VIII of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–472), is amended by striking ''such agreement,'' both places it appears and inserting in both places ''such agreement (or that are controlled under the Export Trigger List of the Nuclear Suppliers Group),''.

SEC. 703. AMENDMENTS TO THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998.

(a) REPEAL OF TERMINATION OF COMMISSION.—The International Religious Freedom Act of 1998 (22 U.S.C. 6401 et seq.), is amended by striking section 209.

(b) AUTHORIZATIONS OF APPROPRIATIONS.—Section 207(a) of such Act (22 U.S.C. 6435(a)) is amended by inserting ''for each of the fiscal years 2002 and 2003'' after ''$3,000,000''.

(c) ELECTION OF CHAIR OF COMMISSION.—Section 201(d) of such Act (22 U.S.C. 6431(d)) is amended by striking ''in each calendar'' and inserting ''after May 30 of each''.

(d) PROCUREMENT OF NONGOVERNMENTAL SERVICES.—Section 208(c)(1) of such Act (22 U.S.C. 6435a(c)(1)) is amended by striking ''authority other than that allowed under this title'' and inserting ''authority, in excess of $75,000 annually, except as otherwise provided in this title''.

(e) DONATION OF SERVICES.—Section 208(d)(1) of such Act (22 U.S.C. 6435a(d)(1)) is amended by striking ''services or'' both places it appears.

(f) ESTABLISHMENT OF STAGGERED TERMS OF MEMBERS OF COMMISSION.—Section 201(c) of such Act (22 U.S.C. 6431(c)) is amended by adding after paragraph (1) the following new paragraph:

''(2) ESTABLISHMENT OF STAGGERED TERMS.—Notwithstanding paragraph (1), members of the Commission appointed to serve on the Commission during the period May 15, 2003, through May 14, 2005, shall be appointed to terms in accordance with the

provisions of this paragraph. Of the three members of the Commission appointed by the President under subsection (b)(1)(B)(i), two shall be appointed to a 1-year term and one shall be appointed to a 2-year term. Of the three members of the Commission appointed by the President pro tempore of the Senate under subsection (b)(1)(B)(ii), one of the appointments made upon the recommendation of the leader in the Senate of the political party that is not the political party of the President shall be appointed to a 1-year term, and the other two appointments under such clause shall be 2-year terms. Of the three members of the Commission appointed by the Speaker of the House of Representatives under subsection (b)(1)(B)(iii), one of the appointments made upon the recommendation of the leader in the House of the political party that is not the political party of the President shall be to a 1-year term, and the other two appointments under such clause shall be 2-year terms. The term of each member of the Commission appointed to a 1-year term shall be considered to have begun on May 15, 2003, and shall end on May 14, 2004, regardless of the date of the appointment to the Commission. Each vacancy which occurs upon the expiration of the term of a member appointed to a 1-year term shall be filled by the appointment of a successor to a 2-year term.''.

(g) VACANCIES.—Section 201(g) of such Act (22 U.S.C. 6431(g)) is amended by adding at the end the following: ''A member may serve after the expiration of that member's term until a successor has taken office. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.''.

SEC. 704. CONTINUATION OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) AUTHORITY TO CONTINUE COMMISSION.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted in division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999: Public Law 105–277), is amended by striking ''October 1, 2001'' and inserting ''October 1, 2005''.

(b) REPEAL.—Section 404(c) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 404(c) of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–446), is amended by striking paragraph (2).

SEC. 705. PARTICIPATION OF SOUTH ASIA COUNTRIES IN INTERNATIONAL LAW ENFORCMENT.

The Secretary of State shall ensure, where practicable, that appropriate government officials from countries in the South Asia region shall be eligible to attend courses at the International Law Enforcement Academy located in Bangkok, Thailand, and Budapest, Hungary, consistent with other provisions of law, with the goal of enhancing regional cooperation in the fight against transnational crime.

SEC. 706. PARTICIPATION BY SMALL BUSINESSES IN PROCUREMENT CONTRACTS OF USAID.

(a) STUDY.—The Administrator of the United States Agency for International Development shall conduct a study to determine what industries are under-represented by small businesses in the procurement contracts of the Agency.

(b) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the designated congressional committees a report that contains the following:

(1) The results of the study conducted pursuant to subsection (a).

(2)(A) A specific plan of outreach to include measurable achievement milestones, to increase both the total numbers of contracts and the percentage of total contract dollars to small business, small disadvantaged business, women-owned businesses (as such terms are defined in the Small Business Act), and small businesses participating in the program under section 8(a) of such Act.

(B) The plan shall include proposals for all contracts (Washington, D.C.-based, field-based, and host country contracts) issued by the Agency or on behalf of the Agency.

(C) The plan shall include proposals and milestones of the Agency to increase the amount of subcontracting to businesses described in subparagraph (A) by the prime contractors of the Agency.

(D) The milestones described in subparagraph (C) shall include a description of how the Agency will use failure to meet goals by prime contractors as a ranking factor in evaluating any other submissions from this vendor for future contracts by the Agency.

(c) SEMIANNUAL REPORT.—The Administrator shall submit to the designated congressional committees on a semiannual basis a report that contains a description of the percentage of total contract dollars awarded and the total numbers of contracts awarded to businesses described in subsection (b)(2)(A), including a description of achievements toward measurable milestones for both direct contracts of the Agency, host country contracts, and for subcontracting by prime contractors of the Agency.

(d) DEFINITION.—In this section, the term ''designated congressional committees'' means—

(1) the Committee on International Relations and the Committee on Small Business of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Small Business of the Senate.

SEC. 707. ANNUAL HUMAN RIGHTS COUNTRY REPORTS ON CHILD SOLDIERS.

(a) COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(f)), is amended—

(1) in paragraph (7), by striking ''and'' at the end and inserting a semicolon;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9)(A) wherever applicable, a description of the nature and extent of—

''(i) the recruitment and conscription of individuals under the age of 18 by armed forces of the government of the country, government-supported paramilitaries, or other armed groups, and the participation of such individuals in such groups; and

''(ii) the participation of such individuals in conflict;

''(B) what steps, if any, taken by the government of the country to eliminate such practices; and

''(C) such other information related to the use by the country of individuals under the age of 18 as soldiers, as determined to be appropriate by the Secretary of State.''.

(b) COUNTRIES RECEIVING SECURITY ASSISTANCE.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)), is amended by inserting after the sixth sentence the following: ''Each report under this section shall also include (i) wherever applicable, a description of the nature and extent of the recruitment and conscription of individuals under the age of 18 by armed forces of the government of the country, government-supported paramilitaries, or other armed groups, the participation of such individuals in such groups, and the participation of such individuals in conflict, (ii) what steps, if any, taken by the government of the country to eliminate such practices, and (iii) such other information related to the use by the country of individuals under the age of 18 as soldiers, as determined to be appropriate by the Secretary of State.''.

SEC. 708. AMENDMENTS TO THE VICTIMS OF TRAFFICKING AND VIOLENCE PROTECTION ACT OF 2000.

(a) ASSISTANCE FOR VICTIMS IN OTHER COUNTRIES.—Section 107(a)(1) of the Victims of Trafficking and Violence Protection Act of 2000 is amended by adding at the end the following: ''In addition, such programs and initiatives shall, to the maximum extent practicable, include the following:

''(A) Support for local in-country nongovernmental organization-operated hotlines, culturally and linguistically appropriate protective shelters, and regional and international nongovernmental organization networks and databases on trafficking, including support to assist nongovernmental organizations in establishing service centers and systems that are mobile and extend beyond large cities.

''(B) Support for nongovernmental organizations and advocates to provide legal, social, and other services and assistance to trafficked individuals, particularly those individuals in detention.

''(C) Education and training for trafficked women and girls upon their return home.

''(D) The safe reintegration of trafficked individuals into an appropriate community or family, with full respect for the wishes, dignity, and safety of the trafficked individual.

''(E) Support for increasing or developing programs to assist families of victims in locating, repatriating, and treating their trafficked family members.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 113 of the Victims of Trafficking and Violence Protection Act of 2000 is amended—

(1) in subsection (a), by striking ''for fiscal year 2002'' and inserting ''for each of the fiscal years 2002 and 2003'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''and $10,000,000 for fiscal year 2002'' and inserting '', $10,000,000 for fiscal year 2002, and $15,000,000 for fiscal year 2003''; and

(B) in paragraph (2), by striking ''for fiscal year 2001'' and inserting ''for each of the fiscal years 2001, 2002, and 2003''; and

(3) in paragraphs (1) and (2) of subsection (e), by striking ''and $10,000,000 for fiscal year 2002'' each place it appears and inserting '', $10,000,000 for fiscal year 2002, and $15,000,000 for fiscal year 2003''.

SEC. 709. REPORT ON EXTRADITION EFFORTS BETWEEN THE UNITED STATES AND FOREIGN GOVERNMENTS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in conjunction with the Attorney General, shall prepare and submit to the Congress a report on efforts between the United States and the governments of foreign countries to extradite to the United States individuals described in paragraph (2).

(2) INDIVIDUALS DESCRIBED.—An individual described in this paragraph is an individual who is being held in custody by the government of a foreign country (or who is otherwise known to be in the foreign country), and with respect to which a competent authority of the United States—

(A) has charged with a major extraditable offense described in paragraph (3);

(B) has found guilty of committing a major extraditable offense described in paragraph (3); or

(C) is seeking extradition in order to complete a judicially pronounced penalty of dep-

rivation of liberty for a major extraditable offense described in paragraph (3).

(3) MAJOR EXTRADITABLE OFFENSES DESCRIBED.—A major extraditable offense described in this paragraph is an offense of murder, attempted murder, manslaughter, aggravated assault, kidnapping, abduction, or other false imprisonment, drug trafficking, terrorism, or rape.

(b) ADDITIONAL INFORMATION.—The report required under subsection (a) shall also include the following:

(1) The aggregate number of individuals described in subsection (a)(2) who are being held in custody by all governments of foreign countries (or are otherwise known to be in the foreign countries), including the name of each such foreign country and the number of such individuals held in custody by the government of each such foreign country.

(2) The aggregate number of requests by competent authorities of the United States to extradite to the United States such individuals that have been denied by each foreign government, the reasons why such individuals have not been so extradited, and the specific actions the United States has taken to obtain extradition.

(c) ADDITIONAL REQUIREMENT.—In preparing the report under subsection (a), the Secretary of State, in conjunction with the Attorney General—

(1) shall establish procedures under which a competent authority of a State, which is requesting extradition of 1 or more individuals from a foreign country as described in subsection (a)(2) and with respect to which the foreign country has failed to comply with such request, may submit to the Attorney General appropriate information with respect to such extradition request; and

(2) shall include information received under paragraph (1) in the report under subsection (a).

SEC. 710. PAYMENT OF ANTI-TERRORISM JUDGMENTS.

Section 2002(a)(2)(A)(ii) of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1542)), is amended by inserting ''June 6, 2000,'' after ''March 15, 2000,''.''.

Subtitle B—Sense of Congress Provisions

SEC. 731. SENSE OF CONGRESS RELATING TO HIV/AIDS AND UNITED NATIONS PEACEKEEPING OPERATIONS.

It is the sense of the Congress that the President should direct the Secretary of State and the United States Representative to the United Nations to urge the United Nations to adopt an HIV/AIDS mitigation strategy as a component of United Nations peacekeeping operations.

SEC. 732. SENSE OF CONGRESS RELATING TO HIV/AIDS TASK FORCE.

It is the sense of the Congress that the Secretary of State should establish an international HIV/AIDS intervention, mitigation, and coordination task force to coordinate activities on international HIV/AIDS programs administered by agencies of the Federal Government and to work with international public and private entities working to combat the HIV/AIDS pandemic.

SEC. 733. SENSE OF CONGRESS CONDEMNING THE DESTRUCTION OF PRE-ISLAMIC STATUES IN AFGHANISTAN BY THE TALIBAN REGIME.

(a) FINDINGS.—The Congress makes the following findings:

(1) Many of the oldest and most significant Buddhist statues in the world are in Afghanistan, which, at the time that many of the statues were carved, was one of the most cosmopolitan regions in the world and hosted merchants, travelers, and artists from China, India, central Asia, and the Roman Empire.

(2) Such statues are part of the common heritage of mankind, which must be preserved for future generations.

(3) On February 26, 2001, the leader of the Taliban regime, Mullah Mohammad Omar, ordered the destruction of all pre-Islamic statues in Afghanistan, among them a pair of 1,600-year-old, 100-foot-tall statues of Buddha that are carved out of a mountainside.

(4) The religion of Islam and Buddhist statues have coexisted in Afghanistan as part of the unique historical and cultural heritage of that nation for more than 1,100 years.

(5) The destruction of the pre-Islamic statues contradicts the basic tenet of the Islamic religion that other religions should be tolerated.

(6) People of all faiths and nationalities have condemned the destruction of the statues in Afghanistan, including Muslim communities around the world.

(7) The destruction of the statues violates the United Nations Convention Concerning the Protection of the World Cultural and Natural Heritage, which was ratified by Afghanistan on March 20, 1979.

(b) SENSE OF CONGRESS.—The Congress—

(1) joins with people and governments around the world in condemning the destruction of pre-Islamic statues in Afghanistan by the Taliban regime;

(2) urges the Taliban regime to stop destroying such statues; and

(3) calls upon the Taliban regime to grant international organizations immediate access to Afghanistan to survey the damage and facilitate international efforts to preserve and safeguard the remaining statues.

SEC. 734. SENSE OF CONGRESS RELATING TO RESOLUTION OF THE TAIWAN STRAIT ISSUE.

It is the sense of the Congress that Taiwan is a mature democracy that fully respects human rights and it is the policy of the United States that any resolution of the Taiwan Strait issue must be peaceful and include the assent of the people of Taiwan.

SEC. 735. SENSE OF CONGRESS RELATING TO ARSENIC CONTAMINATION IN DRINKING WATER IN BANGLADESH.

(a) FINDINGS.—In the early 1970s, the United Nations Children's Fund (UNICEF) and the Bangladeshi Department of Public Health Engineering, in an attempt to bring clean drinking water to the people of Bangladesh, installed tube wells to access shallow aquifers. This was done to provide an alternative to contaminated surface water sources. However, at the time the wells were installed, arsenic was not recognized as a problem in water supplies and standard water testing procedures did not include arsenic tests. Naturally occurring inorganic arsenic contamination of water in those tube-wells was confirmed in 1993 in the Nawabganj district in Bangladesh. The health effects of ingesting arsenic-contaminated drinking water appear slowly. This makes preventative measures, including drawing arsenic out of the existing tube well and finding alternate sources of water, critical to preventing future contamination in large numbers of the Bangladeshi population. Health effects of exposure to arsenic in both adults and children include skin lesions, skin cancer, and mortality from internal cancers.

(b) SENSE OF CONGRESS.—The Secretary of State should work with appropriate United States Government agencies, national laboratories, universities in the United States, the Government of Bangladesh, international financial institutions and organizations, and international donors to identify a long term solution to the arsenic-contaminated drinking water problem.

(c) REPORT TO CONGRESS.—The Secretary of State should report to the Congress on proposals to bring about arsenic-free drinking water to Bangladeshis and to facilitate treatment for those who have already been affected by arsenic-contaminated drinking water in Bangladesh.

SEC. 736. SENSE OF CONGRESS RELATING TO DISPLAY OF THE AMERICAN FLAG AT THE AMERICAN INSTITUTE IN TAIWAN.

It is the sense of the Congress that the chancery of the American Institute in Taiwan and the residence of the director of the American Institute in Taiwan should publicly display the flag of the United States in the same manner as United States embassies, consulates, and official residences throughout the world.

SEC. 737. SENSE OF CONGRESS REGARDING HUMAN RIGHTS VIOLATIONS IN WEST PAPUA AND ACEH, INCLUDING THE MURDER OF JAFAR SIDDIQ HAMZAH, AND ESCALATING VIOLENCE IN MALUKU AND CENTRAL KALIMANTAN.

(a) FINDINGS.—The Congress makes the following findings:

(1) Human rights violations by elements of the Indonesian Government continue to worsen in West Papua (Irian Jaya) and Aceh, while other areas including the Moluccas (Maluku) and Central Kalimantan have experienced outbreaks of violence by militia forces and other organized groups.

(2) Seven West Papuans were shot dead by Indonesian security forces following a flag-raising ceremony in the town of Merauke on December 2, 2000, and in a separate incident four others were reportedly killed by Indonesian security forces after a West Papuan flag was raised in Tiom on December 18, 2000.

(3) Indonesian police have attacked peaceful West Papuan civilians, including students in their dormitories at Cenderawasih University on December 6, 2000. This attack resulted in the beating and arrests of some 100 students as well as the deaths of three students, including one in police custody in the capital city of Jayapura.

(4) To escape Indonesian security forces, hundreds of peaceful West Papuans have sought safety in refugee camps across the border in the neighboring state of Papua New Guinea (PNG).

(5) The Indonesian armed forces have announced that they are initiating ''limited military operations'' in Aceh, where the Exxon-Mobil gas company has suspended operations due to security concerns.

(6) On September 7, 2000, the body of Acehnese human rights lawyer Jafar Siddiq Hamzah, who had been missing for a month, was identified along with four other badly decomposed bodies, whose faces were bashed in and whose hands and feet were bound with barbed wire, in a forested area outside of Medan, in North Sumatra.

(7) Hamzah, a permanent resident of the United States who resided in Queens, New York, was last seen alive on August 5, 2000, in Medan, after which he failed to keep an appointment and his family lost all contact with him.

(8) As the founder and director of the International Forum on Aceh, which works for peace and human rights in Aceh, Hamzah was an important voice of moderation and an internationally known representative of his people who made irreplaceable contributions to peace and respect for human rights in his homeland.

(9) The Indonesian government has failed to release the results of Jafar Siddiq Hamzah's autopsy report, and the inaccessibility of the report has delayed the investigation which could lead to bringing the murderers to justice.

(10) There is supporting documentation from the United States Department of State and other reliable sources that Indonesian military and police forces have committed widespread acts of torture, rape, disappearance and extra-judicial executions against West Papuan and Acehnese civilians.

(11) In Maluku, where Muslim and Christian peoples lived in peace and respected with each other for decades, thousands have been killed and tens of thousands displaced during outbreaks of violence over the past 3 years.

(12) Militia forces known as the Laskar Jihad have arrived from Java and other islands outside Maluku to inflame hatred and perpetrate violence against Christians, and to create religious intolerance among the people of Maluku, and the Laskar Jihad has been openly encouraged by some Indonesian leaders including Amien Rais, Chair of the People's Consultative Assembly.

(13) Muslim and Christian leaders alike have called for the arrest of militia leaders in Maluku and asking for international assistance in ending this devastating conflict.

(14) The most recent instance of widespread violence in Indonesia has broken out on the island of Kalimantan (Borneo), in the province of Central Kalimantan, where indigenous Dayaks brutally attacked migrant Madurese, killing hundreds and causing thousands of others to flee.

(15) The people of the island of Madura who were resettled in Kalimantan under the auspices of the Soeharto government's transmigration program, which served to strengthen the political control of the regime, have become scapegoats for official government policy, while the Dayaks have suffered from this policy and from official exploitation of the natural resources of their homeland.

(b) SENSE OF CONGRESS.—The Congress—

(1) expresses its deep concern over ongoing human rights violations committed by Indonesian military and police forces against civilians in West Papua and Aceh, as well as over violence by militias and others in Maluku, Central Kalimantan, and elsewhere in Indonesia;

(2) calls upon the United States Department of State to publicly protest the reemergence of political imprisonment in Indonesia and to take necessary steps to release, immediately and unconditionally, all political prisoners, including Rev. Obed Komba, Rev. Yudas Meage, Yafet Yelemaken, Murjono Murib and Amelia Yigibalom of West Papua, and Muhammad Nazar of Aceh, all adopted by Amnesty International as Prisoners of Conscience, and student demonstrators Matius Rumbrapuk, Laon Wenda, Jenderal Achmad Yani, Joseph Wenda and Hans Gobay of West Papua;

(3) calls upon the Department of State to support and encourage the Government of Indonesia to engage in peaceful dialogue with respected West Papuan community leaders and other members of West Papuan civil society, as prescribed by the 1999 Terms of Reference for the National Dialogue on Irian Jaya, and to urge the Governor of West Papua to create an environment conducive to the peaceful repatriation of West Papuan refugees and ''illegal border crossers'' who now reside in Papua New Guinea;

(4) calls upon the United States Government to press the Government of Indonesia to permit access to West Papua and Aceh, including the project areas of the United States-owned Freeport mine and ExxonMobil facilities, by independent human rights and environmental monitors, including the United Nations special rapporteurs on torture and extra-judicial execution, as well as by humanitarian nongovernmental organizations;

(5) calls upon the United States Government to press for the withdrawal of nonorganic troops from West Papua and Aceh, and an overall reduction of force numbers in those areas, particularly along the PNG border;

(6) calls upon the Government of Indonesia to release the autopsy report of Jafar Siddiq Hamzah immediately, to conduct a thorough, open, and transparent investigation of the murder of Hamzah and the four others with whom he was found, to offer full access and support to independent investigators and forensics experts brought in to examine these cases, and to ensure that the perpetrators of these atrocities are brought to justice through open and fair trials;

(7) condemns the recent atrocities in Central Kalimantan the failure of Indonesian police and other security forces to intervene to stop these atrocities, as well as the underlying social and economic conditions caused by systematic transmigration programs, imported labor, and inequitable and destructive exploitation of local natural resources that have worsened the poverty and discrimination which were contributing factors in their commission;

(8) condemns comparable Indonesian Government policies in Maluku and the failure of Indonesian police and other security forces in and around Ambon to halt sectarian violence, including the operations of the Laskar Jihad militia;

(9) calls upon the Government of Indonesia to take decisive action to halt sectarian violence in Maluku and to arrest those guilty of violence, including Laskar Jihad militia leaders and armed forces officers guilty of complicity in their operations against civilians, and to make significant progress towards rehabilitation and reestablishment of local communities displaced by the violence and rebuild the physical infrastructure of the communities;

(10) calls upon the Department of State to support United Nations and other international delegations and monitoring efforts by international and nongovernmental agencies in West Papua, Aceh, Maluku, Central Kalimantan, West Timor, and other areas of Indonesia in order to deter further human rights violations, and to encourage and support international and nongovernmental agencies in efforts to help the people of Indonesia rebuild and rehabilitate communities torn by violence, particularly by assisting in the return of internally displaced peoples and in efforts at reconciliation within and among communities;

(11) calls upon the Department of State to ensure that all appropriate information regarding current conditions in the West Papua, Aceh, Maluku, Kalimantan, and elsewhere in Indonesia is included in the Annual Country Reports on Human Rights Practices and the Annual Report on International Religious Freedom;

(12) calls upon the Government of Indonesia to devote official attention, in an atmosphere of openness and transparency and oversight, to investigations into the numerous cases of disappearances, extrajudicial killings, and other serious human rights violations in West Papua, Aceh, Maluku, Central Kalimantan, elsewhere in Indonesia, and occupied East Timor; and

(13) calls upon the United States Government to continue to insist upon vigorous investigation into all such violations, and upon trials according to international standards for military and police officers, militia leaders, and others accused of such violations.

SEC. 738. SENSE OF CONGRESS SUPPORTING PROPERLY CONDUCTED ELECTIONS IN KOSOVA DURING 2001.

(a) FINDINGS.—The Congress makes the following findings:

(1) Former Yugoslav President Slobodan Milosevic perpetrated a brutal campaign of ethnic cleansing against the ethnic Albanian population of Kosova, resulting in thousands of deaths and rapes and the displacement of nearly 1 million people.

(2) Prior to the disintegration of the former Yugoslavia, Kosova was a separate political and legal entity with a separate and distinct financial sector, police force, government, education system, judiciary, and health care system.

(3) During that time, the people of Kosova successfully administered the province.

(4) During the Milosevic era, Kosovar citizens demonstrated again their ability to govern themselves by creating parallel governmental and social institutions.

(5) Local elections held in Kosova in 2000 were considered free and fair by international observers.

(6) United Nations Security Council Resolution 1244 authorizes the United Nations Mission in Kosova to provide for transitional administration while establishing and overseeing the development of democratic and self-governing institutions, including the holding of elections, to ensure conditions for a peaceful and normal life for all inhabitants of Kosova.

(7) The United Nations Mission in Kosova and the Organization for Security and Cooperation in Europe should ensure that the conditions for properly conducted elections in Kosova are in place prior to the election.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the United Nations Mission in Kosova should hold properly conducted elections throughout Kosova during the year 2001;

(2) the only way to maintain a true and lasting peace in the region is through the creation of democratic Kosovar institutions with real governing authority and responsibility, and Kosova-wide jurisdiction;

(3) all persons, regardless of ethnicity, are encouraged to participate in elections throughout Kosova; and

(4) the United States should work with the United Nations Mission in Kosova and the Organization for Security and Cooperation in Europe to ensure that the transition to Kosovar self-government under the terms and conditions of United Nations Security Council Resolution 1244 proceeds peacefully, successfully, expeditiously, and in a spirit of ethnic inclusiveness.

SEC. 739. SENSE OF CONGRESS RELATING TO POLICY REVIEW OF RELATIONS WITH THE PEOPLE'S REPUBLIC OF CHINA.

It is the sense of Congress that—

(1) the President of the United States and his advisors should be commended for their success and the diplomatic skill with which they negotiated the safe return of the 24 American crew members of the United States Navy reconnaissance aircraft that made an emergency landing on the Chinese island of Hainan on April 1, 2001; and

(2) the United States Government should conduct a policy review of the nature of its relations with the Government of the People's Republic of China in light of recent events.

SEC. 740. SENSE OF CONGRESS RELATING TO BROADCASTING IN THE MACEDONIAN LANGUAGE BY RADIO FREE EUROPE.

It is the sense of the Congress that the Broadcasting Board of Governors should initiate surrogate broadcasting by Radio Free Europe in the Macedonian language to Macedonian-speaking areas of the Former Yugoslav Republic of Macedonia.

SEC. 741. SENSE OF CONGRESS RELATING TO MAGEN DAVID ADOM SOCIETY.

(a) FINDINGS.—Congress finds the following:

(1) It is the mission of the International Red Cross and Red Crescent Movement to prevent and alleviate human suffering wherever it may be found, without discrimination.

(2) The International Red Cross and Red Crescent Movement is a worldwide institu-

tion in which all national Red Cross and Red Crescent societies have equal status.

(3) The Magen David Adom Society is the national humanitarian society in the state of Israel.

(4) The Magen David Adom Society follows all the principles of the International Red Cross and Red Crescent Movement.

(5) Since the founding of the Magen David Adom Society in 1930, the American Red Cross has regarded it as a sister national society and close working ties have been established between the two societies.

(6) The Magen David Adom Society has used the Red Shield of David as its humanitarian emblem since its founding in 1930 for the same purposes that other national Red Cross and Red Crescent societies use their respective emblems.

(7) Since 1949 Magen David Adom has been refused admission into the International Red Cross and Red Crescent Movement and has been relegated to observer status without a vote because it has used the Red Shield of David.

(8) Magen David Adom is the only humanitarian organization equivalent to a national Red Cross or Red Crescent society in a sovereign nation that is denied membership into the International Red Cross and Red Crescent Movement.

(9) The American Red Cross has consistently advocated recognition and membership of the Magen David Adom Society in the International Red Cross and Red Crescent Movement.

(10) The House of Representatives adopted H. Res. 464 on May 3, 2000, and the Senate adopted S. Res. 343 on October 18, 2000, expressing the sense of the House of Representatives and the sense of the Senate, respectively, that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society with its emblem, the Red Shield of David.

(11) The Secretary of State testified before the Committee on the Budget of the Senate on March 14, 2001, and stated that admission of Magen David Adom into the International Red Cross movement is a priority.

(12) The United States provided $119,230,000 for the International Committee of the Red Cross in fiscal year 2000.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the International Committee of the Red Cross should immediately recognize the Magen David Adom Society;

(2) the Federation of Red Cross and Red Crescent Societies should grant full membership to the Magen David Adom Society immediately following recognition by the International Committee of the Red Cross of the Magen David Adom Society as a full member of the International Committee of the Red Cross;

(3) the Red Shield of David should be accorded the same protections under international law as the Red Cross and the Red Crescent; and

(4) the United States should continue to press for full membership for the Magen David Adom in the International Red Cross Movement.

SEC. 742. SENSE OF CONGRESS URGING THE RETURN OF PORTRAITS PAINTED BY DINA BABBITT DURING HER INTERNMENT AT AUSCHWITZ THAT ARE NOW IN THE POSSESSION OF THE AUSCHWITZ-BIRKENAU STATE MUSEUM.

(a) FINDINGS.—The Congress makes the following findings:

(1) Dina Babbitt (formerly known as Dinah Gottliebova), a United States citizen now in her late 70's, has requested the return of watercolor portraits she painted while suffering a year-and-a-half-long internment at the Auschwitz death camp during World War II.

(2) Dina Babbitt was ordered to paint the portraits by the infamous war criminal Dr. Josef Mengele.

(3) Dina Babbitt's life, and her mother's life, were spared only because she painted portraits of doomed inmates of Auschwitz-Birkenau, under orders from Dr. Josef Mengele.

(4) These paintings are currently in the possession of the Auschwitz-Birkenau State Museum.

(5) Dina Babbitt is unquestionably the rightful owner of the artwork, since the paintings were produced by her own talented hands as she endured the unspeakable conditions that existed at the Auschwitz death camp.

(6) The artwork is not available for the public to view at the Auschwitz-Birkenau State Museum and therefore this unique and important body of work is essentially lost to history.

(7) This continued injustice can be righted through cooperation between agencies of the United States and Poland.

(b) SENSE OF CONGRESS.—The Congress—

(1) recognizes the moral right of Dina Babbitt to obtain the artwork she created, and recognizes her courage in the face of the evils perpetrated by the Nazi command of the Auschwitz-Birkenau death camp, including the atrocities committed by Dr. Josef Mengele;

(2) urges the President to make all efforts necessary to retrieve the seven watercolor portraits Dina Babbitt painted, while suffering a year-and-a-half-long internment at the Auschwitz death camp, and return them to her;

(3) urges the Secretary of State to make immediate diplomatic efforts to facilitate the transfer of the seven original watercolors painted by Dina Babbitt from the Auschwitz-Birkenau State Museum to Dina Babbitt, their rightful owner;

(4) urges the Government of Poland to immediately facilitate the return to Dina Babbitt of the artwork painted by her that is now in the possession of the Auschwitz-Birkenau State Museum; and

(5) urges the officials of the Auschwitz-Birkenau State Museum to transfer the seven original paintings to Dina Babbitt as expeditiously as possible.

SEC. 743. SENSE OF CONGRESS REGARDING VIETNAMESE REFUGEE FAMILIES.

It is the sense of the Congress that Vietnamese refugees who served substantial sentences in re-education camps due to their wartime associations with the United States and who, subsequently, were resettled in the United States should be permitted to include their unmarried sons and daughters as family members for purposes of such resettlement.

SEC. 744. SENSE OF CONGRESS RELATING TO MEMBERSHIP OF THE UNITED STATES IN UNESCO.

(a) FINDINGS.—The Congress makes the following findings:

(1) The United Nations Educational, Scientific, and Cultural Organization (UNESCO) was created in 1946 with the support of the United States as an integral part of the United Nations systems, designed to promote international cooperation and exchanges in the fields of education, science, culture, and communication with the larger purpose of constructing the defense of peace against intolerance and incitement to war.

(2) In 1984, the United States withdrew from membership in UNESCO over serious questions of internal management and political polarization.

(3) Since the United States withdrew from the organization, UNESCO addressed such criticisms by electing new leadership, tightening financial controls, cutting budget and staff, restoring recognition of intellectual property rights, and supporting the principle of a free and independent international press.

(4) In 1993, the General Accounting Office, after conducting an extensive review of UNESCO's progress in implementing changes, concluded that the organization's member states, the Director General of UNESCO, managers and employee associations demonstrated a commitment to management reform through their actions.

(5) On September 28, 2000, former Secretary of State George P. Schultz, who implemented the withdrawal of the United States from UNESCO with a letter to the organization's Director General in 1984, indicated his support for the United States renewal of membership in UNESCO.

(6) The participation of the United States in UNESCO programs offers a means for furthering the foreign policy interests of the United States through the promotion of cultural understanding and the spread of knowledge critical to strengthening civil society.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the President should take all necessary steps to renew the membership and participation of the United States in the United Nations Educational, Scientific and Cultural Organization (UNESCO).

SEC. 745. SENSE OF CONGRESS RELATING TO GLOBAL WARMING.

(a) FINDINGS.—The Congress makes the following findings:

(1) Global climate change poses a significant threat to national security, the American economy, public health and welfare, and the global environment.

(2) The Intergovernmental Panel on Climate Change (IPCC) has found that most of the observed warming over the last 50 years is attributable to human activities, including fossil fuel-generated carbon dioxide emissions.

(3) The IPCC has stated that global average surface temperatures have risen since 1861.

(4) The IPCC has stated that in the last 40 years, the global average sea level has risen, ocean heat content has increased, and snow cover and ice extent have decreased which threatens to inundate low-lying Pacific island nations and coastal regions throughout the world.

(5) The Environmental Protection Agency predicts that global warming will harm United States citizens by altering crop yields, causing sea levels to rise, and increasing the spread of tropical infectious diseases.

(6) Industrial nations are the largest producers today of fossil fuel-generated carbon dioxide emissions.

(7) The United States has ratified the United Nations Framework on Climate Change which states, in part, ''the Parties to the Convention are to implement policies with the aim of returning . . . to their 1990 levels anthropogenic emissions of carbon dioxide and other greenhouse gases''.

(8) The United Nations Framework Convention on Climate Change further states that ''developed country Parties should take the lead in combating climate change and the adverse effects thereof''.

(9) Action by the United States to reduce emissions, taken in concert with other industrialized nations, will promote action by developing countries to reduce their own emissions.

(10) A growing number of major American businesses are expressing a need to know how governments worldwide will respond to the threat of global warming.

(11) More efficient technologies and renewable energy sources will mitigate global warming and will make the United States economy more productive and create hundreds of thousands of jobs.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the United States should demonstrate international leadership and responsibility in mitigating the health, environmental, and economic threats posed by global warming by—

(1) taking responsible action to ensure significant and meaningful reductions in emissions of carbon dioxide and other greenhouse gases from all sectors; and

(2) continuing to participate in international negotiations with the objective of completing the rules and guidelines for the Kyoto Protocol in a manner that is consistent with the interests of the United States and that ensures the environmental integrity of the protocol.

SEC. 746. SENSE OF CONGRESS REGARDING THE BAN ON SINN FEIN MINISTERS FROM THE NORTH-SOUTH MINISTERIAL COUNCIL IN NORTHERN IRELAND.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Good Friday Agreement established the North-South Ministerial Council to bring together those with executive responsibilities in Northern Ireland and the Republic of Ireland to discuss matters of mutual interest on a cross-border and all-island basis.

(2) The Ulster Unionist Party, Social Democratic and Labour Party, Sinn Fein and the Democratic Unionist Party comprise the Northern Ireland executive.

(3) First Minister David Trimble continues to ban Sinn Fein Ministers Martin McGuiness and Bairbre de Brun from attending North-South Ministerial Council meetings.

(4) On January 30, 2001, the Belfast High Court ruled First Minister Trimble had acted illegally in preventing the Sinn Fein Ministers from attending the North-South Ministerial Council meetings.

(b) SENSE OF CONGRESS.—The Congress calls upon First Minister David Trimble to adhere to the terms of the Good Friday Agreement and lift the ban on the participation of Sinn Fein Ministers on the North-South Ministerial Council.

SEC. 747. SENSE OF CONGRESS RELATING TO THE NEGOTIATION OF EFFECTIVE EXTRADITION TREATIES.

(a) FINDINGS.—The Congress finds as follows:

(1) According to the Department of Justice, there are approximately 3,000 open extradition cases worldwide at any time.

(2) The United States has extradition treaties with only approximately 60 percent of the worlds nations.

(3) Of such treaties, nearly half were enacted prior to World War II and are seriously out of date.

(4) Treaties enacted prior to the 1970's are basically ineffective because only specific crimes listed in the treaties are extraditable offenses.

(5) Treaties negotiated since the 1970's are much more effective because they are flexible and reflect modern criminal justice issues such as international child abduction and cybercrimes.

(b) SENSE OF CONGRESS.—The Congress calls on the Secretary of State to develop and implement a process for negotiating new effective extradition treaties with countries with which the United States has no current extradition treay, as well as renegotiating old ineffective treaties, and to work closely with the Department of Justice in achieving these objectives.

SEC. 748. SENSE OF CONGRESS RELATING TO UPCOMING ELECTIONS IN FIJI, EAST TIMOR, AND PERU.

It is the sense of the Congress that—

(1) the upcoming national elections in Fiji and East Timor in August 2001 and Peru in June 2001 are crucial and should be conducted in a free, fair, and democratic manner; and

(2) the Secretary of State should send election monitors to Fiji, and should offer technical support, as appropriate, to East Timor and Peru, to support free and fair elections in these nations.

SEC. 749. SENSE OF CONGRESS REGARDING THE MURDER OF JOHN M. ALVIS.

(a) FINDINGS.—The Congress makes the following findings:

(1) On November 30, 2000, John M. Alvis was brutally murdered in Baku, Azerbaijan.

(2) John Alvis was serving his final two weeks of a two year full-time commitment to the International Republican Institute, an American nongovernmental organization carrying out assistance projects for the United States Government to help promote democracy and strengthen the rule of law in Azerbaijan.

(3) Almost immediately following the news of the murder of John M. Alvis, our United States Ambassador to Azerbaijan, Ross Wilson, raised the issue with the the President of Azerbaijan and with the Minister of Interior, and was assured that every effort would be made to carry out a prompt and thorough investigation.

(4) After the murder, 18 members of Congress, led by Congressman Kevin Brady and then-Chairman of the House International Relations Committee, Ben Gilman, wrote President Aliyev expressing the commitment of the Congress to seeing John's murder solved, and Senator John McCain wrote former President Clinton's Administration requesting the FBI's involvement.

(5) The United States Ambassador to Azerbaijan continues to raise this issue with Azerbaijani officials.

(6) The Government of Azerbaijan has cooperated with the FBI to find the individual or individuals responsible for killing John Alvis.

(7) United States President George W. Bush wrote Azerbaijan's President Hedar Aliyev and thanked Azerbaijan for its efforts to find the murderer or murderers of John M. Alvis.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States and the Congress is absolutely committed to ensuring that the truth of the murder of John M. Alvis is determined and the individual or individuals responsible for this heinous act are brought to justice; and

(2) the Congress—

(A) appreciates the efforts of the Government of Azerbaijan to find the murderer or murderers of John M. Alvis and urges it to continue to make it a high priority; and

(B) urges the United States Department of State to continue to raise the issue of the murder of John M. Alvis with the Government of Azerbaijan and to make this issue a priority item in relations between the Government of the United States and the Government of Azerbaijan.

SEC. 750. SENSE OF CONGRESS RELATING TO REMARKS BY THE PRESIDENT OF SYRIA CONCERNING ISRAEL.

(a) FINDINGS.—The Congress finds the following:

(1) On March 27, 2001, at the first regular Arab summit gathering in more than 10 years, President Bashar al-Assad used his speech to lash out at Israel.

(2) On March 28, 2001, the New York Times reported, ''In electing Mr. Sharon to be their leader, President Assad said, Israelis had chosen a man who hated anything to do with Arabs and had dedicated his career to killing them.''.

(3) President Assad additionally said, ''We say that the head of the government is a racist, it's a racist government, a racist army and security force,'' he said, adding that by extension, ''It is a racist society and it is even more racist than the Nazis.''.

(4) On March 28, 2001, State Department spokesman Richard Boucher described President Assad's remarks as, ''absolutely wrong . . . totally unacceptable and inappropriate.''.

(5) On March 29, 2001, the Bush administration's top Middle East diplomat, Assistant Secretary of State Edward Walker, responding to Assad's remarks stated, ''His statement at the Arab League was unacceptable, particularly his reference to Zionism as racism.''.

(6) On May 5, 2001, in his welcoming speech to Pope John Paul II, upon the Pope's arrival in Damascus, President Assad said, ''They, Israelis, try to kill all the principles of divine faiths with the same mentality of betraying Jesus Christ and torturing Him, and in the same way that they tried to commit treachery against Prophet Mohammad.''.

(7) On May 6, 2001, at the Umayyad Mosque, Muhammad Ziyadah, Syria's minister of religious affairs, said, ''We must be fully aware of what the enemies of God and malicious Zionism conspire to commit against Christianity and Islam.''.

(8) On May 7, 2001, State Department spokesman Richard Boucher condemned President Assad's remarks, ''Our view is that these comments are as regrettable as they are unacceptable. There's no place from anyone or from any side for statements that inflame religious passions and hatred.''.

(9) It is only through constructive diplomacy, and not through hateful, counterproductive speech, that peace can possibly be achieved in the Middle East.

(b) SENSE OF CONGRESS.—The Congress—

(1) condemns Syrian President Bashar al-Assad for his inflammatory remarks on March 27, 2001, and May 5, 2001;

(2) expresses its solidarity with the state and people of Israel at this time of crisis;

(3) calls upon President Assad and the Syrian Government to refrain from any future inflammatory remarks;

(4) commends the Administration for its swift response to President Assad's remarks; and

(5) urges the Administration to emphasize to Syrian Government officials the concerns of the United States about the negative impact such remarks make on Middle East peace negotiations.

SEC. 751. SENSE OF CONGRESS RELATING TO ENVIRONMENTAL CONTAMINATION AND HEALTH EFFECTS IN THE PHILIPPINES EMANATING FROM FORMER UNITED STATES MILITARY FACILITIES.

It is the sense of the Congress that—

(1) the Secretary of State, in cooperation with the Secretary of Defense, should continue to work with the Government of the Philippines and with appropriate non-governmental organizations in the United States and the Philippines to fully identify and share all relevant information concerning environmental contamination and health effects emanating from former United States military facilities in the Philippines following departure of the United States military forces from the Philippines in 1992;

(2) the United States and the Government of the Philippines should continue to build upon the agreements outlined in the Joint Statement by the United States and the Republic of the Philippines on a Framework for Bilateral Cooperation in the Environment and Public Health signed on July 27, 2000; and

(3) Congress should encourage an objective non-governmental study which would examine environmental contamination and health effects emanating from former United States military facilities in the Philippines, following departure of United States military forces from the Philippines in 1992.

SEC. 752. SENSE OF CONGRESS REGARDING THE LOCATION OF PEACE CORPS OFFICES ABROAD.

It is the sense of the Congress that, to the degree permitted by security considerations, the Secretary of State should give favorable consideration to requests by the Director of the Peace Corps that the Secretary exercise his authority under section 606(a)(2)(B) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)(2)(B)) to waive certain requirements of that Act in order to permit the Peace Corps to maintain offices in foreign countries at locations separate from the United States embassy.

SEC. 753. SENSE OF CONGRESS REGARDING THE MISTREATMENT OF UNITED STATES CIVILIAN PRISONERS INCARCERATED BY THE AXIS POWERS DURING WORLD WAR II.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Axis Powers captured and incarcerated 18,745 United States civilians who were living or traveling abroad during World War II, of which 1,704 died or were executed in captivity.

(2) These civilian prisoners of war were subjected to barbaric prison conditions and endured torture, starvation, and disease.

(3) The incarceration of these United States civilians and the conditions of such incarceration violated international human rights principles.

(4) The vast majority of these civilian prisoners of war have never received any formal recognition or compensation for their suffering, despite the physical and emotional trauma they endured.

(5) The incarceration of United States civilians by the Axis Powers during World War II and the conditions of such incarceration violated international human rights principles.

(b) SENSE OF CONGRESS.—The Congress—

(1) extends its sympathies to the brave men and women who endured the terrible hardships of such incarceration and to their families; and

(2) encourages foreign nations that incarcerated United States civilians during World War II to formally apologize to these individuals and their families.

SEC. 754. SENSE OF CONGRESS REGARDING PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act (including any amendment made by this Act), it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

SEC. 755. SENSE OF CONGRESS RELATING TO STATE DEPARTMENT TRAVEL WARNINGS FOR ISRAEL, THE WEST BANK, AND GAZA.

It is the sense of the Congress that—

(1) the Secretary of State should, in an effort to provide better and more accurate information to American citizens traveling abroad, review the current travel warning in place for Israel, the West Bank, and Gaza, to determine which areas present the highest threat to American citizens in the region and which areas may be visited safely; and

(2) the Secretary of State should revise the travel warning for Israel, the West Bank, and Gaza as appropriate based on the above determinations.

TITLE VIII—SECURITY ASSISTANCE

SEC. 801. SHORT TITLE.

This title may be cited as the ''Security Assistance Act of 2001''.

Subtitle A—Military and Related Assistance

CHAPTER 1—FOREIGN MILITARY SALES AND RELATED AUTHORITIES

SEC. 811. QUARTERLY REPORT ON PRICE AND AVAILABILITY ESTIMATES.

Chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.), is amended by adding at the end the following:

''SEC. 28. QUARTERLY REPORT ON PRICE AND AVAILABILITY ESTIMATES.

''(a) QUARTERLY REPORT.—Not later than 15 days after the end of each calendar quarter, the President shall transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report that contains the information described in subsection (b).

''(b) INFORMATION.—The information described in this subsection is the following:

''(1)(A) Each price and availability estimate provided by the United States Government during such calendar quarter to a foreign country with respect to a possible sale under this Act of major defense articles having a cost of $7,000,000 or more, or of any other defense articles or services having a cost of $25,000,000 or more.

''(B) The name of each foreign country to which an estimate described in subparagraph (A) was provided, the defense articles or services involved, the quantity of the articles or services involved, and the price estimate.

''(2)(A) Each request received by the United States Government from a foreign country during such calendar quarter for the issuance of a letter of offer to sell defense articles or defense services if the proposed sale does not include a price and availability estimate (as described in paragraph (1)(A)).

''(B) The name of each foreign country that makes a request described in subparagraph (A), the date of the request, the defense articles or services involved, the quantity of the articles or services involved, and the price and availability terms requested.''.

SEC. 812. OFFICIAL RECEPTION AND REPRESENTATION EXPENSES.

Section 43(c) of the Arms Export Control Act (22 U.S.C. 2792(c)), is amended by striking ''$72,500'' and inserting ''$86,500''.

SEC. 813. TREATMENT OF TAIWAN RELATING TO TRANSFERS OF DEFENSE ARTICLES AND SERVICES.

Notwithstanding any other provision of law, for purposes of the transfer or potential transfer of defense articles or defense services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or any other provision of law, Taiwan shall be treated as the equivalent of a major non-NATO ally.

SEC. 814. UNITED STATES POLICY WITH REGARD TO TAIWAN.

(a) CONSULTATION WITH CONGRESS.—Not later than 30 days prior to consultations with Taiwan described in subsection (b), the President shall consult, on a classified basis, with Congress regarding the following matters with respect to the availability of defense articles and services for Taiwan:

(1) The request by Taiwan to the United States for the purchase of defense articles and defense services.

(2) The President's assessment of the legitimate defense needs of Taiwan taking into account Taiwan's request described in paragraph (1).

(3) The decisionmaking process used by the President to consider such request.

(b) CONSULTATION WITH TAIWAN.—At least once every calendar year, the President, or the President's designee, shall consult with representatives of the armed forces of Taiwan, at not less than the level of Vice Chief of the General Staff, concerning the nature and quantity of defense articles and services to be made available to Taiwan in accordance with section 3(b) of the Taiwan Relations Act (22 U.S.C. 3302(b)). Such consultations shall take place in Washington, D.C.

CHAPTER 2—EXCESS DEFENSE ARTICLE AND DRAWDOWN AUTHORITIES

SEC. 821. EXCESS DEFENSE ARTICLES FOR CERTAIN EUROPEAN AND OTHER COUNTRIES.

(a) CENTRAL AND SOUTHERN EUROPEAN COUNTRIES.—Section 105 of Public Law 104–164 (110 Stat. 1427) is amended by striking ''2000 and 2001'' and inserting ''2001, 2002, and 2003''.

(b) CERTAIN OTHER COUNTRIES.—Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during each of the fiscal years 2002 and 2003, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Bulgaria, Croatia, Estonia, the Former Yugoslavia Republic of Macedonia, Georgia, Kyrgyzstan, Latvia, Lithuania, Mongolia, the Philippines, Slovakia, and Uzbekistan.

(c) CONTENT OF CONGRESSIONAL NOTIFICATION.—Each notification required to be submitted under section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)) with respect to a proposed transfer of a defense article described in subsection (b) shall include an estimate of the amount of funds to be expended under such subsection with respect to that transfer.

SEC. 822. LEASES OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES AND INTERNATIONAL ORGANIZATIONS.

Section 61(b) of the Arms Export Control Act (22 U.S.C. 2796(b)), is amended—

(1) by striking ''(b) Each lease agreement'' and inserting ''(b)(1) Each lease agreement''; and

(2) by striking ''of not to exceed five years'' and inserting ''which may not exceed (A) five years, and (B) a specified period of time required to complete major refurbishment work of the leased articles to be performed prior to the delivery of the leased articles,''; and

(3) by adding at the end the following:

''(2) In this subsection, the term 'major refurbishment work' means work for which the period of performance is 6 months or more.''.

SEC. 823. PRIORITY WITH RESPECT TO TRANSFER OF EXCESS DEFENSE ARTICLES.

Section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)), is amended by striking ''and to major non-NATO allies on such southern and southeastern flank'' and inserting '', to major non-NATO allies on such southern and southeastern flank, and to the Philippines''.

CHAPTER 3—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE

SEC. 831. INTERNATIONAL COUNTERPROLIFERATION EDUCATION AND TRAINING.

Chapter 9 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349bb et seq.), is amended—

(1) by redesignating sections 584 and 585 as sections 585 and 586, respectively; and

(2) by inserting after section 583 the following:

''SEC. 584. INTERNATIONAL COUNTER-PROLIFERATION EDUCATION AND TRAINING.

''(a) GENERAL AUTHORITY.—The President is authorized to furnish, on such terms and conditions consistent with this chapter (but whenever feasible on a reimbursable basis), education and training to foreign governmental and military personnel for the purpose of enhancing the nonproliferation and export control capabilities of such personnel

through their attendance in special courses of instruction in the United States.

''(b) ADMINISTRATION OF COURSES.—The Secretary of State shall have overall responsibility for the development and conduct of international nonproliferation education and training programs, but may rely upon any of the following agencies to recommend personnel for the education and training, and to administer specific courses of instruction:

''(1) The Department of Defense (including national weapons laboratories under contract with the Department).

''(2) The Department of Energy (including national weapons laboratories under contract with the Department).

''(3) The Department of Commerce.

''(4) The intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))).

''(5) The United States Customs Service.

''(6) The Federal Bureau of Investigation.

''(c) PURPOSES.—Education and training activities conducted under this section shall be—

''(1) of a technical nature, emphasizing techniques for detecting, deterring, monitoring, interdicting, and countering proliferation;

''(2) designed to encourage effective and mutually beneficial relations and increased understanding between the United States and friendly countries; and

''(3) designed to improve the ability of friendly countries to utilize their resources, including defense articles and defense services obtained by them from the United States, with maximum effectiveness, thereby contributing to greater self-reliance by such countries.''.

SEC. 832. ANNUAL REPORT ON THE PROLIFERATION OF MISSILES AND ESSENTIAL COMPONENTS OF NUCLEAR, BIOLOGICAL, AND CHEMICAL WEAPONS.

(a) REPORT.—

(1) IN GENERAL.—The President shall transmit to the designated congressional committees an annual report on the transfer by any country of weapons, technology, components, or materials that can be used to deliver, manufacture (including research and experimentation), or weaponize nuclear, biological, or chemical weapons (hereinafter in this section referred to as ''NBC weapons'') to any country other than a country referred to in subsection (c) that is seeking to possess or otherwise acquire such weapons, technology, or materials, or other system that the Secretary of State or Secretary of Defense has reason to believe could be used to develop, acquire, or deliver NBC weapons.

(2) DEADLINE FOR INITIAL REPORT.—The first such report shall be submitted not later than 90 days after the date of the enactment of this Act and on April 1 of each year thereafter.

(b) MATTERS TO BE INCLUDED.—Each such report shall include, but not be limited to—

(1) the transfer of all aircraft, cruise missiles, artillery weapons, unguided rockets and multiple rocket systems, and related bombs, shells, warheads and other weaponization technology and materials that the Secretary of State or the Secretary of Defense has reason to believe may be intended for the delivery of NBC weapons;

(2) international transfers of MTCR equipment or technology to any country that is seeking to acquire such equipment or any other system that the Secretary of State or the Secretary of Defense has reason to believe may be used to deliver NBC weapons; and

(3) the transfer of technology, test equipment, radioactive materials, feedstocks and cultures, and all other specialized materials that the Secretary of State or the Secretary of Defense has reason to believe could be used to manufacture NBC weapons.

(c) CONTENT OF REPORT.—Each such report shall include the following with respect to preceding calendar year:

(1) The status of missile, aircraft, and other NBC weapons delivery and weaponization programs in any such country, including efforts by such country or by any subnational group to acquire MTCR-controlled equipment, NBC-capable aircraft, or any other weapon or major weapon component which may be utilized in the delivery of NBC weapons, whose primary use is the delivery of NBC weapons, or that the Secretary of State or the Secretary of Defense has reason to believe could be used to deliver NBC weapons.

(2) The status of NBC weapons development, acquisition, manufacture, stockpiling, and deployment programs in any such country, including efforts by such country or by any subnational group to acquire essential test equipment, manufacturing equipment and technology, weaponization equipment and technology, and radioactive material, feedstocks or components of feedstocks, and biological cultures and toxins.

(3) A description of assistance provided by any person or government, after the date of the enactment of this Act, to any such country or subnational group in the acquisition or development of—

(A) NBC weapons;

(B) missile systems, as defined in the MTCR or that the Secretary of State or the Secretary of Defense has reason to believe may be used to deliver NBC weapons; and

(C) aircraft and other delivery systems and weapons that the Secretary of State or the Secretary of Defense has reason to believe could be used to deliver NBC weapons.

(4) A listing of those persons and countries which continue to provide such equipment or technology described in paragraph (3) to any country or subnational group as of the date of submission of the report, including the extent to which foreign persons and countries were found to have knowingly and materially assisted such programs.

(5) A description of the use of, or substantial preparations to use, the equipment of technology described in paragraph (3) by any foreign country or subnational group.

(6) A description of the diplomatic measures that the United States, and that other adherents to the MTCR and other arrangements affecting the acquisition and delivery of NBC weapons, have made with respect to activities and private persons and governments suspected of violating the MTCR and such other arrangements.

(7) An analysis of the effectiveness of the regulatory and enforcement regimes of the United States and other countries that adhere to the MTCR and other arrangements affecting the acquisition and delivery of NBC weapons in controlling the export of MTCR and other NBC weapons and delivery system equipment or technology.

(8) A summary of advisory opinions issued under section 11B(b)(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(b)(4)) and under section 73(d) of the Arms Export Control Act (22 U.S.C. 2797b(d)).

(9) An explanation of United States policy regarding the transfer of MTCR equipment or technology to foreign missile programs, including programs involving launches of space vehicles.

(10) A description of each transfer by any person or government during the preceding 12-month period which is subject to sanctions under the Iran-Iraq Arms Non-Proliferation Act of 1992 (title XVI of Public Law 102–484).

(d) EXCLUSIONS.—The countries excluded under subsection (a) are Australia, Belgium, Canada, the Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Spain, Turkey, the United Kingdom, and the United States.

(e) CLASSIFICATION OF REPORT.—The Secretary of State shall make every effort to submit all of the information required by this section in unclassified form. Whenever the Secretary submits any such information in classified form, the Secretary shall submit such classified information in an addendum and shall also submit concurrently a detailed summary, in unclassified form, of that classified information.

(f) DEFINITIONS.—In this section:

(1) DESIGNATED CONGRESSIONAL COMMITTEES.—The term ''designated congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on International Relations of the House of Representatives; and

(B) the Committees on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.

(2) MISSILE; MTCR; MTCR EQUIPMENT OR TECHNOLOGY.—The terms ''missile'', ''MTCR'', and ''MTCR equipment or technology'' have the meanings given those terms in section 74 of the Arms Export Control Act (22 U.S.C. 2797c).

(3) PERSON.—The term ''person'' means any United States or foreign individual, partnership, corporation, or other form of association, or any of its successor entities, parents, or subsidiaries.

(4) WEAPONIZE; WEAPONIZATION.—The term ''weaponize'' or ''weaponization'' means to incorporate into, or the incorporation into, usable ordnance or other militarily useful means of delivery.

(g) REPEALS.—

(1) IN GENERAL.—The following provisions of law are repealed:

(A) Section 1097 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (22 U.S.C. 2751 note).

(B) Section 308 of the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (22 U.S.C. 5606).

(C) Section 1607(a) of the Iran-Iraq Arms Non-Proliferation Act of 1992 (Public Law 102–484).

(D) Paragraph (d) of section 585 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (as contained in section 101(c) of title I of division A of Public Law 104–208).

(2) CONFORMING AMENDMENTS.—Section 585 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, is amended—

(A) in paragraph (b), by adding ''and'' at the end; and

(B) in paragraph (c), by striking ''; and'' and inserting a period.

SEC. 833. FIVE-YEAR INTERNATIONAL ARMS CONTROL AND NONPROLIFERATION STRATEGY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the appropriate congressional committees a 5-year international arms control and nonproliferation strategy. The strategy shall contain the following:

(1) A 5-year plan for the reduction of existing nuclear, chemical, and biological weapons and ballistic missiles and for controlling the proliferation of these weapons.

(2) Identification of the goals and objectives of the United States with respect to arms control and nonproliferation of weapons of mass destruction and their delivery systems.

(3) A description of the programs, projects, and activities of the Department of State intended to accomplish goals and objectives described in paragraph (2).

Subtitle B—Strengthening the Munitions Licensing Process

SEC. 841. LICENSE OFFICER STAFFING.

(a) FUNDING.—Of the amounts authorized to be appropriated under the appropriations account entitled ''DIPLOMATIC AND CONSULAR PROGRAMS'' for fiscal years 2002 and 2003, not less than $10,000,000 shall be made available each such fiscal year for the Office of Defense Trade Controls of the Department of State for salaries and expenses.

(b) ASSIGNMENT OF LICENSE REVIEW OFFICERS.—Effective January 1, 2002, the Secretary of State shall assign to the Office of Defense Trade Controls of the Department of State a sufficient number of license review officers to ensure that the average weekly caseload for each officer does not exceed 40.

(c) DETAILEES.—Given the priority placed on expedited license reviews in recent years by the Department of Defense, the Secretary of Defense should ensure that 10 military officers are continuously detailed to the Office of Defense Trade Controls of the Department of State on a nonreimbursable basis.

SEC. 842. FUNDING FOR DATABASE AUTOMATION.

Of the amounts authorized to be appropriated under the appropriations account entitled ''CAPITAL INVESTMENT FUND'' for fiscal years 2002 and 2003, not less than $4,000,000 shall be made available each such fiscal year for the Office of Defense Trade Controls of the Department of State for the modernization of information management systems.

SEC. 843. INFORMATION MANAGEMENT PRIORITIES.

(a) OBJECTIVE.—The Secretary of State shall establish a secure, Internet-based system for the filing and review of applications for export of Munitions List items.

(b) ESTABLISHMENT OF A MAINFRAME.—Of the amounts made available pursuant to section 842, not less than $3,000,000 each such fiscal year shall be made available to fully automate the Defense Trade Application System, and to ensure that the system—

(1) is an electronic system for the filing and review of Munitions List license applications;

(2) is secure, with modules available through the Internet; and

(3) is capable of exchanging data with—

(A) the Foreign Disclosure and Technology Information System and the USXPORTS systems of the Department of Defense;

(B) the Export Control System of the Central Intelligence Agency; and

(C) the Proliferation Information Network System of the Department of Energy.

(c) MUNITIONS LIST DEFINED.—In this section, the term ''Munitions List'' means the United States Munitions List of defense articles and defense services controlled under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

SEC. 844. IMPROVEMENTS TO THE AUTOMATED EXPORT SYSTEM.

(a) MANDATORY FILING.—The Secretary of Commerce, with the concurrence of the Secretary of State and the Secretary of the Treasury, shall publish regulations in the Federal Register to require, upon the effective date of those regulations, the mandatory filing through the Automated Export System for the remainder of exports that were not covered by regulations issued pursuant to section 1252(b) of the Security Assistance Act of 1999 (113 Stat. 1501A–506), as enacted into law by section 1000(a)(7) of Public Law 106–113.

(b) REQUIREMENT FOR INFORMATION SHARING.—The Secretary of State shall conclude an information sharing arrangement with the heads of United States Customs Service and the Census Bureau to adjust the Automated Export System to parallel information currently collected by the Department of State.

(c) SECRETARY OF TREASURY FUNCTIONS.—Section 303 of title 13, United States Code, is amended by striking '', other than by mail,''.

(d) FILING EXPORT INFORMATION, DELAYED FILINGS, PENALTIES FOR FAILURE TO FILE.—Section 304 of title 13, United States Code, is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''the penal sum of $1,000'' and inserting ''a penal sum of $10,000''; and

(B) in the third sentence, by striking ''a penalty not to exceed $100 for each day's delinquency beyond the prescribed period, but not more than $1,000, shall be exacted'' and inserting ''the Secretary of Commerce (and officers and employees of the Department of Commerce designated by the Secretary) may impose a civil penalty not to exceed $1,000 for each day's delinquency beyond the prescribed period, but not more than $10,000 per violation'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) Any person, other that a person described in subsection (a), required to submit export information, shall file such information in accordance with any rule, regulation, or order issued pursuant to this chapter. In the event any such information or reports are not filed within such prescribed period, the Secretary of Commerce (and officers and employees of the Department of Commerce designated by the Secretary) may impose a civil penalty not to exceed $1,000 for each day's delinquency beyond the prescribed period, but not more than $10,000 per violation.''.

(e) ADDITIONAL PENALTIES.—

(1) IN GENERAL.—Section 305 of title 13, United States Code, is amended to read as follows:

''§ 305. Penalties for unlawful export information activities

''(a) CRIMINAL PENALTIES.—(1) Any person who knowingly fails to file or knowingly submits false or misleading export information through the Shippers Export Declaration (SED) (or any successor document) or the Automated Export System (AES) shall be subject to a fine not to exceed $10,000 per violation or imprisonment for not more than 5 years, or both.

''(2) Any person who knowingly reports any information on or uses the SED or the AES to further any illegal activity shall be subject to a fine not to exceed $10,000 per violation or imprisonment for not more than 5 years, or both.

''(3) Any person who is convicted under this subsection shall, in addition to any other penalty, forfeit to the United States—

''(A) any of that person's interest in, security of, claim against, or property or contractual rights of any kind in the goods or tangible items that were the subject of the violation;

''(B) any of that person's interest in, security of, claim against, or property or contractual rights of any kind in tangible property that was used in the export or attempt to export that was the subject of the violation; and

''(C) any of that person's property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the violation.

''(b) CIVIL PENALTIES.—The Secretary (and officers and employees of the Department of Commerce specifically designated by the Secretary) may impose a civil penalty not to exceed $10,000 per violation on any person violating the provisions of this chapter or any rule, regulation, or order issued thereunder, except as provided in section 304. Such penalty may be in addition to any other penalty imposed by law.

''(c) CIVIL PENALTY PROCEDURE.—(1) When a civil penalty is sought for a violation of this section or of section 304, the charged party is entitled to receive a formal complaint specifying the charges and, at his or her request, to contest the charges in a hearing before an administrative law judge. Any such hearing shall be conducted in accordance with sections 556 and 557 of title 5, United States Code.

''(2) If any person fails to pay a civil penalty imposed under this chapter, the Secretary may ask the Attorney General to commence a civil action in an appropriate district court of the United States to recover the amount imposed (plus interest at currently prevailing rates from the date of the final order). No such action may be commenced more than 5 years after the order imposing the civil penalty becomes final. In such action, the validity, amount, and appropriateness of such penalty shall not be subject to review.

''(3) The Secretary may remit or mitigate any penalties imposed under paragraph (1) if, in his or her opinion—

''(A) the penalties were incurred without willful negligence or fraud; or

''(B) other circumstances exist that justify a remission or mitigation.

''(4) If, pursuant to section 306, the Secretary delegates functions under this section to another agency, the provisions of law of that agency relating to penalty assessment, remission or mitigation of such penalties, collection of such penalties, and limitations of actions and compromise of claims, shall apply.

''(5) Any amount paid in satisfaction of a civil penalty imposed under this section or section 304 shall be deposited into the general fund of the Treasury and credited as miscellaneous receipts.

''(d) ENFORCEMENT.—(1) The Secretary of Commerce may designate officers or employees of the Office of Export Enforcement to conduct investigations pursuant to this chapter. In conducting such investigations, those officers or employees may, to the extent necessary or appropriate to the enforcement of this chapter, exercise such authorities as are conferred upon them by other laws of the United States, subject to policies and procedures approved by the Attorney General.

''(2) The Commissioner of Customs may designate officers or employees of the Customs Service to enforce the provisions of this chapter, or to conduct investigations pursuant to this chapter.

''(e) REGULATIONS.—The Secretary of Commerce shall promulgate regulations for the implementation and enforcement of this section.

''(f) EXEMPTION.—The criminal fines provided for in this section are exempt from the provisions of section 3571 of title 18, United States Code.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of title 13, United States Code, is amended by striking the item relating to section 305 and inserting the following:

''305. Penalties for unlawful export information activities.''.

SEC. 845. CONGRESSIONAL NOTIFICATION OF REMOVAL OF ITEMS FROM THE MUNITIONS LIST.

Section 38(f)(1) of the Arms Export Control Act (22 U.S.C. 2778(f)(1)), is amended by striking the third sentence and inserting the following: ''The President may not remove any item from the Munitions List until 30 days after the date on which the President has provided notice of the proposed removal to the Committee on International Relations of the House of Representatives and to the

Committee on Foreign Relations of the Senate in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961. Such notice shall describe the nature of any controls to be imposed on that item under any other provision of law.''.

SEC. 846. CONGRESSIONAL NOTIFICATION THRESHOLDS FOR ALLIED COUNTRIES.

The Arms Export Control Act (22 U.S.C. 2751 et seq.), is amended—

(1) in paragraphs (1) and (3)(A) of section 3(d), by adding after ''at $50,000,000 or more'' each place it appears the following: ''(or, in the case of a transfer to a country which is a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, any major defense equipment valued (in terms of its original acquisition cost) at $25,000,000 or more, or of defense articles or defense services valued (in terms of its original acquisition cost) at $100,000,000 or more)'';

(2) in section 36(b)(1), by adding after ''for $14,000,000 or more'' the following: ''(or, in the case of a letter of offer to sell to a country which is a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, any major defense equipment under this Act for $25,000,000 or more, any defense articles or services for $100,000,000 or more, or any design and construction services for $300,000,000 or more)'';

(3) in section 36(b)(5)(C), by adding after ''or $200,000,000 or more in the case of design or construction services'' the following: ''(or, in the case of a letter of offer to sell to a country which is a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, any major defense equipment for $25,000,000 or more, any defense articles or services for $100,000,000 or more, or any design and construction services for $300,000,000 or more)'';

(4) in section 36(c)(1), by adding after ''$50,000,000 or more'' the following: ''(or, in the case of an application by a person (other than with regard to a sale under section 21 or section 22 of this Act) for a license for the export to a country which is a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, of any major defense equipment sold under a contract in the amount of $25,000,000 or more or of defense articles or defense services sold under a contract in the amount of $100,000,000 or more)''; and

(5) in section 63(a), by adding after ''$50,000,000 or more'' the following: ''(or, in the case of such an agreement with a country which is a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand: (i) major defense equipment valued (in terms of its replacement cost less any depreciation in its value) at $25,000,000 or more; or (ii) defense articles valued (in terms of their replacement cost less any depreciation in their value) at $100,000,000 or more)''.

Subtitle C—Authority to Transfer Naval Vessels

SEC. 851. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) AUTHORITY TO TRANSFER.—

(1) BRAZIL.—The President is authorized to transfer to the Government of Brazil the ''Newport'' class tank landing ship Peoria (LST 1183). Such transfer shall be on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(2) POLAND.—The President is authorized to transfer to the Government of Poland the ''Oliver Hazard Perry'' class guided missile frigate Wadsworth (FFG 9). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(3) TAIWAN.—The President is authorized to transfer to the Taipai Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act) the ''Kidd'' class guided missile destroyers Kidd (DDG 993), Callaghan (DDG 994), Scott (DDG 995), and Chandler (DDG 996). Such transfers shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(4) TURKEY.—The President is authorized to transfer to the ''Oliver Hazard Perry'' class guided missile frigates Estocin (FFG 15) and Samuel Eliot Morrison (FFG 13). Each such transfer shall be on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761). The President is further authorized to transfer to the Government of Turkey the ''Knox'' class frigates Capadanno (FF 1093), Thomas C. Hart (FF 1092), Donald B. Beary (FF 1085), McCandless (FF 1084), Reasoner (FF 1063), and Bowen (FF 1079). The transfer of these 6 ''Knox'' class frigates shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to authority provided by subsection (a) shall not be counted for the purposes of subsection (g) of that section in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

(c) COSTS OF TRANSFERS.—Notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1)), any expense incurred by the United States in connection with a transfer authorized to be made on a grant basis under subsection (a) shall be charged to the recipient.

(d) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a United States Navy shipyard or other shipyard located in the United States.

(e) EXPIRATION OF AUTHORITY.—The authority provided under subsection (a) shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

Subtitle D—Miscellaneous Provisions

SEC. 861. ANNUAL FOREIGN MILITARY TRAINING REPORTS.

Section 656(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416), is amended—

(1) by striking ''Not later than January 31 of each year,'' and inserting ''Upon written request by the chairman or ranking member of the Committee on International Relations of the House of Representatives or the Committee on Foreign Relations of the Senate,''; and

(2) by inserting ''of a country specified in the request'' after ''personnel''.

SEC. 862. REPORT RELATING TO INTERNATIONAL ARMS SALES CODE OF CONDUCT.

Section 1262(c) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted by section 1000(a)(7) of Public Law 106–113; 113 Stat 1501A–508), is amended—

(1) in paragraph (1)—

(A) by striking ''commencement of the negotiations under subsection (a),'' and inserting ''date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2002 and 2003,''; and

(B) by striking ''during these negotiations.'' and inserting ''to begin negotiations and any progress made to conclude an agreement during negotiations.''; and

(2) in paragraph (2), by striking ''subsection (a)'' and inserting ''subsection (b)''.

SEC. 863. ASSISTANCE TO LEBANON.

(a) MILITARY ASSISTANCE.—Notwithstanding any other provision of law, the President shall not provide assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training) to the armed forces of the Government of Lebanon unless the President certifies to the appropriate congressional committees that—

(1) the armed forces of Lebanon have been deployed to the internationally recognized border between Lebanon and Israel; and

(2) the Government of Lebanon is effectively asserting its authority in the area in which such forces have been deployed.

(b) ECONOMIC ASSISTANCE.—If the President has not made the certification described in subsection (a) within 6 months after the date of the enactment of this Act, the President shall provide to the appropriate congressional committees a plan to terminate assistance to Lebanon provided under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund).

TITLE IX—IRAN NUCLEAR PROLIFERATION PREVENTION ACT OF 2001

SEC. 901. SHORT TITLE.

This title may be cited as the ''Iran Nuclear Proliferation Prevention Act of 2001''.

SEC. 902. WITHHOLDING OF VOLUNTARY CONTRIBUTIONS TO THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR PROGRAMS AND PROJECTS IN IRAN.

Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227), is amended by adding at the end the following:

''(d) Notwithstanding subsection (c), the limitations of subsection (a) shall apply to programs and projects of the International Atomic Energy Agency in Iran, unless the Secretary of State makes a determination in writing to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that such programs and projects are consistent with United States nuclear nonproliferation and safety goals, will not provide Iran with training or expertise relevant to the development of nuclear weapons, and are not being used as a cover for the acquisition of sensitive nuclear technology. A determination made by the Secretary of State under the preceding sentence shall be effective for the 1-year period beginning on the date of the determination.''.

SEC. 903. ANNUAL REVIEW BY SECRETARY OF STATE OF PROGRAMS AND PROJECTS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY; UNITED STATES OPPOSITION TO PROGRAMS AND PROJECTS OF THE AGENCY IN IRAN.

(a) ANNUAL REVIEW.—

(1) IN GENERAL.—The Secretary of State shall undertake a comprehensive annual review of all programs and projects of the International Atomic Energy Agency in the countries described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and shall determine if such programs and projects are consistent with United States nuclear nonproliferation and safety goals.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary shall prepare and submit to the Congress a report containing the results of the review under paragraph (1).

(b) OPPOSITION TO CERTAIN PROGRAMS AND PROJECTS OF INTERNATIONAL ATOMIC ENERGY AGENCY.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to oppose programs of the Agency that are determined by the Secretary under the review conducted under subsection (a)(1) to be inconsistent with nuclear nonproliferation and safety goals of the United States.

SEC. 904. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary of State, in consultation with the United States representative to the International Atomic Energy Agency, shall prepare and submit to the Congress a report that—

(1) describes the total amount of annual assistance to Iran from the International Atomic Energy Agency, a list of Iranian officials in leadership positions at the Agency, the expected timeframe for the completion of the nuclear power reactors at the Bushehr nuclear power plant, and a summary of the nuclear materials and technology transferred to Iran from the Agency in the preceding year which could assist in the development of Iran's nuclear weapons program; and

(2) contains a description of all programs and projects of the International Atomic Energy Agency in each country described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and any inconsistencies between the technical cooperation and assistance programs and projects of the Agency and United States nuclear nonproliferation and safety goals in these countries.

(b) ADDITIONAL REQUIREMENT.—The report required to be submitted under subsection (a) shall be submitted in an unclassified form, to the extent appropriate, but may include a classified annex.

SEC. 905. SENSE OF CONGRESS.

It is the sense of the Congress that the United States Government should pursue internal reforms at the International Atomic Energy Agency that will ensure that all programs and projects funded under the Technical Cooperation and Assistance Fund of the Agency are compatible with United States nuclear nonproliferation policy and international nuclear nonproliferation norms.

TITLE X—EAST TIMOR TRANSITION TO INDEPENDENCE ACT OF 2001

SEC. 1001. SHORT TITLE.

This title may be cited as the ''East Timor Transition to Independence Act of 2001''.

SEC. 1002. FINDINGS.

Congress makes the following findings:

(1) On August 30, 1999, the East Timorese people voted overwhelmingly in favor of independence from Indonesia. Anti-independence militias, with the support of the Indonesian military, attempted to prevent then retaliated against this vote by launching a campaign of terror and violence, displacing 500,000 people and murdering at least 1,000 people.

(2) The violent campaign devastated East Timor's infrastructure, destroyed or severely damaged 60 to 80 percent of public and private property, and resulted in the collapse of virtually all vestiges of government, public services and public security.

(3) The Australian-led International Force for East Timor (INTERFET) entered East Timor in September 1999 and successfully restored order. On October 25, 1999, the United Nations Transitional Administration for East Timor (UNTAET) began to provide overall administration of East Timor, guide the people of East Timor in the establishment of a new democratic government, and maintain security and order.

(4) UNTAET and the East Timorese leadership currently anticipate that East Timor will become an independent nation as early as late 2001.

(5) East Timor is one of the poorest places in Asia. A large percentage of the population live below the poverty line, only 20 percent of East Timor's population is literate, most of East Timor's people remain unemployed, the annual per capita Gross National Product is $340, and life expectancy is only 56 years.

(6) The World Bank and the United Nations have estimated that it will require $300,000,000 in development assistance over the next 3 years to meet East Timor's basic development needs.

SEC. 1003. SENSE OF CONGRESS RELATING TO SUPPORT FOR EAST TIMOR.

It is the sense of Congress that the United States should—

(1) facilitate East Timor's transition to independence, support formation of broad-based democracy in East Timor, help lay the groundwork for East Timor's economic recovery, and strengthen East Timor's security;

(2) help ensure that the nature and pace of the economic transition in East Timor is consistent with the needs and priorities of the East Timorese people, that East Timor develops a strong and independent economic infrastructure, and that the incomes of the East Timorese people rise accordingly;

(3) begin to lay the groundwork, prior to East Timor's independence, for an equitable bilateral trade and investment relationship;

(4)(A) recognize East Timor, and establish diplomatic relations with East Timor, upon its independence;

(B) ensure that a fully functioning, fully staffed, adequately resourced, and securely maintained United States diplomatic mission is accredited to East Timor upon its independence; and

(C) in the period prior to East Timor's independence, ensure that the United States maintains an adequate diplomatic presence in East Timor, with resources sufficient to promote United States political, security, and economic interests with East Timor;

(5) support efforts by the United Nations and East Timor to ensure justice and accountability related to past atrocities in East Timor through—

(A) United Nations investigations;

(B) development of East Timor's judicial system, including appropriate technical assistance to East Timor from the Department of Justice, the Federal Bureau of Investigation, and the Drug Enforcement Administration;

(C) the possible establishment of an international tribunal for East Timor; and

(D) sharing with the United Nations Transitional Administration for East Timor (UNTAET) and East Timorese investigators any unclassified information relevant to past atrocities in East Timor gathered by the United States Government; and

(6)(A) as an interim step, support observer status for an official delegation from East Timor to observe and participate, as appropriate, in all deliberations of the Asia-Pacific Economic Cooperation (APEC) group, the Association of Southeast Asian Nations (ASEAN), and other international institutions; and

(B) after East Timor achieves independence, support full membership for East Timor in these and other international institutions, as appropriate.

SEC. 1004. BILATERAL ASSISTANCE.

(a) AUTHORITY.—The President, acting through the Administrator of the United States Agency for International Development, is authorized to—

(1) support the development of civil society, including nongovernmental organizations in East Timor;

(2) promote the development of an independent news media;

(3) support job creation, including support for small business and microenterprise programs, environmental protection, sustainable development, development of East Timor's health care infrastructure, educational programs, and programs strengthening the role of women in society;

(4) promote reconciliation, conflict resolution, and prevention of further conflict with respect to East Timor, including establishing accountability for past gross human rights violations;

(5) support the voluntary and safe repatriation and reintegration of refugees into East Timor; and

(6) support political party development, voter education, voter registration, and other activities in support of free and fair elections in East Timor.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the President to carry out this section $25,000,000 for fiscal year 2002.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

SEC. 1005. MULTILATERAL ASSISTANCE.

The Secretary of the Treasury should instruct the United States executive director at the International Board for Reconstruction and Development and the Asian Development Bank to use the voice, vote, and influence of the United States to support economic and democratic development in East Timor.

SEC. 1006. PEACE CORPS ASSISTANCE.

The Director of the Peace Corps is authorized to—

(1) provide English language and other technical training for individuals in East Timor as well as other activities which promote education, economic development, and economic self-sufficiency; and

(2) quickly address immediate assistance needs in East Timor using the Peace Corps Crisis Corps, to the extent practicable.

SEC. 1007. TRADE AND INVESTMENT ASSISTANCE.

(a) OPIC.—The President should initiate negotiations with the Government of East Timor (after independence for East Timor)—

(1) to apply to East Timor the existing agreement between the Overseas Private Investment Corporation and Indonesia; or

(2) to enter into a new agreement authorizing the Overseas Private Investment Corporation to carry out programs with respect to East Timor,

in order to expand United States investment in East Timor, emphasizing partnerships with local East Timorese enterprises.

(b) TRADE AND DEVELOPMENT AGENCY.—

(1) IN GENERAL.—The Director of the Trade and Development Agency is authorized to carry out projects in East Timor under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421).

(2) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There are authorized to be appropriated to the Trade and Development Agency to carry out this subsection $1,000,000 for fiscal year 2002.

(B) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subparagraph (A) are authorized to remain available until expended.

(c) EXPORT-IMPORT BANK.—The Export-Import Bank of the United States should expand its activities in connection with exports to East Timor to the extent such activities are requested and to the extent there is a reasonable assurance of repayment.

SEC. 1008. GENERALIZED SYSTEM OF PREFERENCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the President should encourage the Government of East Timor (after independence for East Timor) to seek to become eligible for duty-free treatment under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.; relating to generalized system of preferences).

(b) TECHNICAL ASSISTANCE.—The United States Trade Representative and the Commissioner of the United States Customs Service are authorized to provide technical assistance to the Government of East Timor (after independence for East Timor) in order to assist East Timor to become eligible for duty-free treatment under title V of the Trade Act of 1974.

SEC. 1009. BILATERAL INVESTMENT TREATY.

It is the sense of Congress that the President should seek to enter into a bilateral investment treaty with the Government of East Timor (after independence for East Timor) in order to establish a more stable legal framework for United States investment in East Timor.

SEC. 1010. PLAN FOR ESTABLISHMENT OF DIPLOMATIC FACILITIES IN EAST TIMOR.

(a) DEVELOPMENT OF DETAILED PLAN.—The Secretary of State shall develop a detailed plan for the official establishment of a United States diplomatic mission to East Timor, with a view to—

(1) recognize East Timor, and establish diplomatic relations with East Timor, upon its independence;

(2) ensure that a fully functioning, fully staffed, adequately resourced, and securely maintained United States diplomatic mission is accredited to East Timor upon its independence; and

(3) in the period prior to East Timor's independence, ensure that the United States maintains an adequate diplomatic presence in East Timor, with resources sufficient to promote United States political, security, and economic interests with East Timor.

(b) REPORT.—

(1) IN GENERAL.—Not later than 3 months after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report that contains the detailed plan described in subsection (a), including a timetable for the official opening of a facility in Dili, East Timor, the personnel requirements for the mission, the estimated costs for establishing the facility, and its security requirements.

(2) FORM OF REPORT.—The report submitted under this subsection shall be in unclassified form, with a classified annex as necessary.

(c) CONSULTATION.—Beginning 6 months after the submission of the report under subsection (b), and every 6 months thereafter until January 1, 2004, the Secretary of State shall consult with the chairmen and ranking members of the committees specified in that paragraph on the status of the implementation of the detailed plan described in subsection (a), including any revisions to the plan (including its timetable, costs, or requirements).

SEC. 1011. SECURITY ASSISTANCE FOR EAST TIMOR.

(a) STUDY AND REPORT.—

(1) STUDY.—The President shall conduct a study to determine—

(A) the extent to which East Timor's security needs can be met by the transfer of excess defense articles under section 516 of the Foreign Assistance Act of 1961;

(B) the extent to which international military education and training (IMET) assistance will enhance professionalism of the armed forces of East Timor, provide training in human rights, and promote respect for human rights and humanitarian law; and

(C) the terms and conditions under which such defense articles or training, as appropriate, should be provided.

(2) REPORT.—Not later than 3 months after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives a report that contains the findings of the study conducted under paragraph (1).

(b) AUTHORIZATION OF ASSISTANCE.—

(1) IN GENERAL.—Beginning on the date on which Congress receives the report transmitted under subsection (a), or the date on which Congress receives the certification transmitted under paragraph (2), whichever occurs later, the President is authorized—

(A) to transfer excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) to East Timor in accordance with such section; and

(B) to provide military education and training under chapter 5 of part II of such Act (22 U.S.C. 2347 et seq.) for the armed forces of East Timor in accordance with such chapter.

(2) CERTIFICATION.—A certification described in this paragraph is a certification that—

(A) East Timor has established an independent armed forces; and

(B) the assistance proposed to be provided pursuant to paragraph (1)—

(i) is in the national security interests of the United States; and

(ii) will promote both human rights in East Timor and the professionalization of the armed forces of East Timor.

SEC. 1012. AUTHORITY FOR RADIO BROADCASTING.

The Broadcasting Board of Governors is authorized to further the communication of information and ideas through the increased use of audio broadcasting to East Timor to ensure that radio broadcasting to that country serves as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

SEC. 1013. CONSULTATION REQUIREMENT.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter until January 1, 2004, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, the Secretary of the Treasury, the United States Trade Representative, the Secretary of Commerce, the Overseas Private Investment Corporation, the Director of the Trade and Development Agency, the President of the Export-Import Bank of the United States, the Secretary of Agriculture, and the Director of the Peace Corps, shall consult with the Chairman and ranking member of the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate concerning the information described in subsection (b).

(b) INFORMATION.—The information described in this subsection includes—

(1) developments in East Timor's political and economic situation in the period covered by the report, including an evaluation of any elections occurring in East Timor and the refugee reintegration process in East Timor;

(2)(A) in the initial consultation, a 2-year plan for United States foreign assistance to East Timor in accordance with section 904, prepared by the Administrator of the United States Agency for International Development, which outlines the goals for United States foreign assistance to East Timor during the 2-year period; and

(B) in each subsequent consultation, a description in detail of the expenditure of United States bilateral foreign assistance during the period covered by each such consultation;

(3) a description of the activities undertaken in East Timor by the International Bank for Reconstruction and Development, the Asian Development Bank, and other international financial institutions, and an evaluation of the effectiveness of these activities;

(4) an assessment of—

(A) the status of United States trade and investment relations with East Timor, including a detailed analysis of any trade and investment-related activity supported by the Overseas Private Investment Corporation, the Export-Import Bank of the United States, and the Trade and Development Agency during the period of time since the previous consultation; and

(B) the status of any negotiations with the United Nations Transitional Administration for East Timor (UNTAET) or East Timor to facilitate the operation of the United States trade agencies in East Timor;

(5) the nature and extent of United States-East Timor cultural, education, scientific, and academic exchanges, both official and unofficial, and any Peace Corps activities;

(6) a description of local agriculture in East Timor, emerging opportunities for producing, processing, and exporting indigenous agricultural products, and recommendations for appropriate technical assistance from the United States; and

(7) statistical data drawn from other sources on economic growth, health, education, and distribution of resources in East Timor.

TITLE XI—FREEDOM INVESTMENT ACT OF 2001

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Freedom Investment Act of 2001''.

SEC. 1102. FINDINGS.

Congress finds the following:

(1) Supporting human rights is in the national interests of the United States and is consistent with American values and beliefs.

(2) Defenders of human rights are changing our world in many ways, including protecting freedom and dignity, religious liberty, the rights of women and children, freedom of the press, the rights of workers, the environment, and the human rights of all persons.

(3) The United States must match its rhetoric on human rights with action and with sufficient resources to provide meaningful support for human rights and for the defenders of human rights.

(4) Providing one percent of amounts available annually for foreign affairs operations for human rights activities, including human rights monitoring, would be a minimal investment in protecting human rights around the world.

(5) The Department of State should have individuals in positions in foreign countries that are designated for monitoring human rights activities and developments in such countries, including the monitoring of arms exports.

SEC. 1103. SALARIES AND EXPENSES OF THE BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.

For fiscal year 2004 and each fiscal year thereafter, not less than 1 percent of the amounts made available to the Department of State under the heading ''Diplomatic and Consular Programs'', other than amounts made available for worldwide security upgrades and information resource management, are authorized to be made available only for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor, in-

cluding funding of positions at United States missions abroad that are primarily dedicated to following human rights developments in foreign countries and that are assigned at the recommendation of such Bureau in conjunction with the relevant regional bureau.

SEC. 1104. HUMAN RIGHTS AND DEMOCRACY FUND.

(a) ESTABLISHMENT OF FUND.—There is established a Human Rights and Democracy Fund (hereinafter in this section referred to as the ''Fund'') to be administered by the Assistant Secretary for Democracy, Human Rights and Labor.

(b) PURPOSES OF FUND.—The purposes of the Fund are—

(1) to support defenders of human rights;

(2) to assist the victims of human rights violations;

(3) to respond to human rights emergencies;

(4) to promote and encourage the growth of democracy, including the support for nongovernmental organizations in other countries; and

(5) to carry out such other related activities as are consistent with paragraphs (1) through (4).

(c) FUNDING.—Of the amounts made available to carry out chapter 1 and chapter 10 of part I of the Foreign Assistance Act of 1961 and chapter 4 of part II of such Act for each of the fiscal years 2002, 2003, and 2004, $27,000,000 for each such fiscal year is authorized to be made available only to the Fund for carrying out the purposes described in subsection (b).

SEC. 1105. REPORTS ON ACTIONS TAKEN BY THE UNITED STATES TO ENCOURAGE RESPECT FOR HUMAN RIGHTS.

(a) SECTION 116 REPORT.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)), is amended—

(1) in paragraph (7), by striking ''and'' at the end and inserting a semicolon;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9) for each country with respect to which a determination has been made that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, the extent to which the United States has taken or will take action to encourage an end to such practices in the country.''.

(b) SECTION 502B REPORT.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)), is amended by inserting after the 4th sentence the following: ''Such report shall also include, for each country with respect to which a determination has been made that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, the extent to which the United States has taken or will take action to encourage an end to such practices in the country.''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. HASTINGS of Florida moved to recommit the bill to the Committee on International Relations with instructions to report the bill back to the House forthwith with the following amendment:

Page 58, after line 20, insert the following:

SEC. 306. UNITED STATES SPECIAL COORDINATOR FOR KOREA.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to engage diplomatically with the Government of the Democratic People's Republic of Korea in order to reduce the threats from such government and to improve the stability of the Korean peninsula and surrounding countries until such time as the United States concludes that such efforts are no longer productive.

(b) ESTABLISHMENT—There shall be within the Department of State a United States Special Coordinator for Korea who shall be designated by the Secretary of State.

(c) CONSULTATION.—The Secretary of State shall consult with the chairman and ranking minority member of the appropriate congressional committees prior to the designation of the special coordinator.

(d) CENTRAL OBJECTIVES.—The central objectives of the special coordinator are as follows:

(1) To seek to reduce or eliminate the missile program of the Democratic People's Republic of Korea and its export of ballistic missile technology through steps that include resumption of the discussions between the United States and the Democratic People's Republic of Korea regarding a binding and verifiable agreement.

(2) To ensure the compliance of the Democratic People's Republic of Korea with the Non-Proliferation Treaty and the International Atomic Energy Agency agreement and increase the transparency of its nuclear activities.

(3) To reduce the conventional military threat of the Democratic People's Republic of Korea to the Republic of Korea.

(e) DUTIES AND RESPONSIBILITIES.—The special coordinator shall—

(1) serve as the primary advisor to the Secretary of State on security issues on the Korean Peninsula, including the central objectives outlined in subsection (d);

(2) coordinate United States Government policies, programs, and projects concerning security issues on the Korean Peninsula;

(3) oversee discussions and negotiations on issues concerning the central objectives in subsection (d);

(4) consult with the Governments of the Republic of Korea and Japan to coordinate negotiating strategy and overall policy toward the Democratic People's Republic of Korea;

(5) serve as the primary liaison to Congress on issues relating to the central objectives in subsection (d); and

(6) take all appropriate steps to ensure adequate resources, staff, and bureaucratic support to fulfill the responsibilities of the special coordinator.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. GIBBONS, announced that the nays had it.

Mr. HASTINGS of Florida demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative { Yeas ..... 189 / Nays ..... 239 }

¶48.18 [Roll No. 120]

[Roll No. 120]

AYES—189

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

NOES—239

Aderholt
Akin
Armey
Bachus
Baird
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette

Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matsui
McCrery
McHugh
McInnis
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rivers
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—3

Borski
Brady (PA)
Cubin

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. GIBBONS, announced that the yeas had it.

Mr. PAUL demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 352 / Nays 73

¶48.19 [Roll No. 121]

AYES—352

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kolbe
LaFalce
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Moore
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stenholm
Strickland
Stump
Stupak
Sweeney
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (NM)
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—73

Akin
Baird
Barr
Berry
Blunt
Bonior
Carson (IN)
Castle
Clay
Combest
Conyers
Cummings
Davis (IL)
DeFazio
DeGette
Dicks
Doolittle
Duncan
Emerson
Everett
Filner
Flake
Goode
Hefley
Hostettler
Inslee
Issa
Jackson (IL)
Jones (NC)
Jones (OH)
Kerns
Kilpatrick
Kleczka
Knollenberg
Kucinich
LaHood
Lee
Lucas (OK)
McDermott
McInnis
McKinney
Meeks (NY)
Mollohan
Moran (KS)
Moran (VA)
Otter
Paul
Payne
Pence
Petri
Pombo
Putnam
Rahall
Roemer
Rohrabacher
Royce
Sanders
Schaffer
Sensenbrenner
Slaughter
Solis
Stark
Stearns
Sununu
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (MS)
Udall (CO)
Upton
Watkins
Weldon (FL)

NOT VOTING—6

Borski
Brady (PA)
Cubin
Sabo
Shaw
Smith (TX)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶48.20 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. HYDE, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, cross references, and punctuation, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

¶48.21 RECESS—10:31 P.M.

The SPEAKER pro tempore, Mr. CANTOR, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 31 minutes p.m., subject to the call of the Chair.

¶48.22 AFTER RECESS—11:33 P.M.

The SPEAKER pro tempore, Mr. REYNOLDS, called the House to order.

¶48.23 PROVIDING FOR THE CONSIDERATION OF H.R. 1

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported (Rept. No. 107–69) the resolution (H. Res. 143) providing for consideration of the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

When said resolution and report were referred to the House Calendar and ordered printed.

¶48.24 ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 428. An Act concerning the participation of Taiwan in the World Health Organization.

H.R. 802. An Act to authorize the Public Safety Officer Medal of Valor, and for other purposes.

¶48.25 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 700. An Act to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States.

And then,

¶48.26 ADJOURNMENT

On motion of Ms. PRYCE of Ohio, at 11 o'clock and 34 minutes p.m., the House adjourned.

¶48.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 143. Resolution providing for consideration of the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind (Rept. No. 107–69). Referred to the House Calendar.

¶48.28 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BOEHLERT:

H.R. 1858. A bill to make improvements in mathematics and science education, and for other purposes; to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KANJORSKI (for himself, Mr. HORN, Mrs. MALONEY of New York, Mr. SANDERS, Mr. KUCINICH, Mr. HINCHEY, Mr. PALLONE, and Mr. ANDREWS):

H.R. 1859. A bill to assure quality and best value with respect to Federal construction projects by prohibiting the practice known as bid shopping; to the Committee on Government Reform.

By Mr. EHLERS (for himself and Mr. BARCIA):

H.R. 1860. A bill to reauthorize the Small Business Technology Transfer Program, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. ABERCROMBIE, Mr. ALLEN, Mr. BALDACCI, Mr. BILIRAKIS, Mr. BONIOR, Mr. BORSKI, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DOYLE, Mr. ENGLISH, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GANSKE, Mr. GREENWOOD, Mr. HASTINGS of Florida, Mr. HEFLEY, Mr. HINCHEY, Mr. HOEFFEL, Mr. HOLDEN, Mr. INSLEE, Mr. ISAKSON, Mrs. KELLY, Mr. KILDEE, Mr. KLECZKA, Mr. KUCINICH, Mr. LAHOOD, Mr. LATOURETTE, Ms. LEE, Mr. LEWIS of Georgia, Mr. MALONEY of Connecticut, Mr. MANZULLO, Mr. MASCARA, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Ms. MCKINNEY, Mr. GEORGE MILLER of California, Mr. MOORE, Mr. MORAN of Virginia, Ms. NORTON, Mr. PALLONE, Mr. PETERSON of Pennsylvania, Ms. PRYCE of Ohio, Mr. RODRIGUEZ, Ms. SANCHEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SHIMKUS, Mr. STRICKLAND, Mr. STUPAK, Mrs. THURMAN, Mr. UDALL of Colorado, Mr. WAXMAN, Mr. WELDON of Pennsylvania, and Mr. WOLF):

H.R. 1861. A bill to amend title 39, United States Code, to provide that the procedures relating to the closing or consolidation of a post office be extended to the relocation or construction of a post office, and for other purposes; to the Committee on Government Reform.

By Mr. BROWN of Ohio (for himself, Mrs. EMERSON, Mrs. THURMAN, Mr. PALLONE, Mr. BALDACCI, Mr. STUPAK, Mr. SHOWS, Mr. ALLEN, Ms. KAPTUR, Mr. SANDERS, and Mr. FRANK):

H.R. 1862. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals; to the Committee on Energy and Commerce.

By Mr. CAMP (for himself, Mr. EHLERS, Mr. FOLEY, and Mrs. JOHNSON of Connecticut):

H.R. 1863. A bill to amend the Internal Revenue Code of 1986 to expand the credit for electricity produced from certain renewable resources to energy produced from landfill gas; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Ms. DUNN, Mr. RAMSTAD, Mrs. BONO, and Mr. CANNON):

H.R. 1864. A bill to amend the Internal Revenue Code of 1986 to encourage and accelerate the nationwide production, retail sale, and consumer use of new motor vehicles that are powered by fuel cell technology, hybrid technology, battery electric technology, alternative fuels, or other advanced motor vehicle technologies, and for other purposes; to the Committee on Ways and Means.

By Mr. CANNON (for himself, Mr. HANSEN, Mr. SKEEN, Mr. MCINNIS, Mr. MATHESON, and Mr. UDALL of Colorado):

H.R. 1865. A bill to make technical amendments to the Radiation Exposure Compensation Act (42 U.S.C. 2210 note), provide compensation to certain claimants under such Act, and for other purposes; to the Committee on the Judiciary.

By Mr. COBLE:

H.R. 1866. A bill to amend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents; to the Committee on the Judiciary.

By Mr. DEAL of Georgia:

H.R. 1867. A bill to amend the Internal Revenue Code of 1986 to provide 5-year depreciation for certain horses placed in service after attaining age 7; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. ACKERMAN, Mr. CROWLEY, Mrs. MALONEY of New York, Mr. RANGEL, and Mr. SERRANO):

H.R. 1868. A bill to amend the Elementary and Secondary Education Act of 1965 to allow certain counties flexibility in spending funds; to the Committee on Education and the Workforce.

By Mr. FROST:

H.R. 1869. A bill to amend the Fair Labor Standards Act of 1938 to require an employer to notify the parent or guardian of an employee who is under the age of 18 or handicapped and who works at the same facility as an individual who has a criminal record that includes a conviction for a crime of violence; to the Committee on Education and the Workforce.

By Mr. GIBBONS:

H.R. 1870. A bill to provide for the sale of certain real property within the Newlands Project in Nevada, to the city of Fallon, Nevada; to the Committee on Resources.

By Mr. GREENWOOD:

H.R. 1871. A bill to modify certain vesting requirements for Railroad Retirement annuities; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANSEN:

H.R. 1872. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to individuals who donate their organs at death; to the Committee on Ways and Means.

By Mr. HAYWORTH (for himself and Mr. KILDEE):

H.R. 1873. A bill to reauthorize the funding for the Native American Housing and Self-Determination Act of 1996; to the Committee on Financial Services.

By Mr. HUNTER (for himself, Mr. ROYCE, Mr. CUNNINGHAM, Mr. DOOLITTLE, Mr. HERGER, Mr. OSE, Mr. POMBO, Mr. RADANOVICH, Mr. GALLEGLY, Mr. MCKEON, Mr. DREIER, Mr. HORN, Mr. LEWIS of California, Mr. GARY G. MILLER of California, Mr. CALVERT, Mrs. BONO, Mr. ROHRABACHER, Mr. COX, and Mr. ISSA):

H.R. 1874. A bill to allow any business or individual in any State experiencing a power emergency to operate any type of power generation available to ensure their economic stability, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUTCHINSON (for himself and Mrs. MORELLA):

H.R. 1875. A bill to amend the Violence Against Women Act of 2000 by expanding the legal assistance for victims of violence grant program to include legal assistance for victims of dating violence; to the Committee on the Judiciary.

By Mr. ISAKSON:

H.R. 1876. A bill to suspend temporarily the duty on nelfilcon polymer; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mrs. MALONEY of New York, Mr. GREEN of Wisconsin, Mr. SHOWS, Mr. ENGLISH, Ms. NORTON, and Ms. HART):

H.R. 1877. A bill to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes; to the Committee on the Judiciary.

By Mr. KIND:

H.R. 1878. A bill to provide supplemental payments to dairy producers based upon their annual milk marketings and to provide additional payments to dairy producers for any month in which the prices received by producers for milk for the preceding three months is less than a target price of $12.50 per hundredweight; to the Committee on Agriculture.

By Mr. RADANOVICH:

H.R. 1879. A bill to authorize the President to award a gold medal on behalf of the Congress to Peter F. Drucker, the father of modern management, in recognition of his accomplishments as a journalist, a writer, an economist, and a philosopher; to the Committee on Financial Services.

By Mr. SCHAFFER:

H.R. 1880. A bill to amend the Cache La Poudre River Corridor Act to make technical amendments; to the Committee on Resources.

By Mr. SENSENBRENNER:

H.R. 1881. A bill to amend the Internal Revenue Code of 1986 to provide that the graduated income tax rates that apply to principal campaign committees of candidates for Congress shall apply to all comparable committees of candidates for State and local offices; to the Committee on Ways and Means.

By Mr. UDALL of Colorado:

H.R. 1882. A bill to establish the Cultural Heritage Assistance Partnership Program in the Department of the Interior, and for other purposes; to the Committee on Resources.

By Mr. WALDEN of Oregon:

H.R. 1883. A bill to authorize the Secretary of the Interior to conduct a feasibility study on water optimization in the Burnt River

basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon; to the Committee on Resources.

By Mr. LINDER (for himself, Mr. KINGSTON, Mr. CHAMBLISS, Mr. BARR of Georgia, Mr. DEAL of Georgia, Mr. COLLINS, Mr. NORWOOD, Mr. LEWIS of Georgia, Mr. ISAKSON, and Ms. MCKINNEY):

H.R. 1884. A bill to honor Paul D. Coverdell; to the Committee on Education and the Workforce.

By Mrs. CAPPS (for herself, Mr. THOMPSON of California, Mr. SCARBOROUGH, Mr. BOEHLERT, Mr. FARR of California, Mr. GEORGE MILLER of California, Ms. LEE, Mr. PALLONE, Mr. LANTOS, Mrs. DAVIS of California, Ms. HOOLEY of Oregon, Ms. ROYBAL-ALLARD, Mr. HONDA, Mrs. NAPOLITANO, Mr. STARK, Ms. WOOLSEY, Mr. FILNER, Ms. SOLIS, Mr. SHERMAN, Ms. PELOSI, Ms. ESHOO, Mr. DAVIS of Florida, Mr. BLUMENAUER, Mrs. TAUSCHER, Mrs. THURMAN, Mr. WAXMAN, Ms. HARMAN, Mr. MATSUI, Mr. BERMAN, Mr. FRANK, Ms. LOFGREN, Mr. WEXLER, Ms. WATERS, Ms. MILLENDER-MCDONALD, Mr. ALLEN, Mr. WU, Ms. BROWN of Florida, Mr. MCDERMOTT, Mr. HORN, Mr. HASTINGS of Florida, Mr. KENNEDY of Rhode Island, Mr. DEFAZIO, Mr. DEUTSCH, Mr. SCHIFF, Mr. BECERRA, Mr. GILCHREST, Mr. SMITH of Washington, Mr. DELAHUNT, and Mr. ABERCROMBIE):

H. Con. Res. 136. Concurrent resolution expressing the sense of the Congress that the moratoria on new oil and natural gas leasing activity on submerged lands of the Outer Continental Shelf should be maintained; to the Committee on Resources.

¶48.29 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

72. The SPEAKER presented a memorial of the Senate of the State of Ohio, relative to Senate Resolution No. 126 memorializing the United States Congress to reintroduce and pass the New Markets for State-Inspected Meat Act as a means of assisting small meatpacking operations and to restore fairness to the meat industry in this country; to the Committee on Agriculture.

73. Also, a memorial of the Legislature of the State of Alaska, relative to Resolution No. 13 memorializing the United States Congress to amend the tax code to eliminate the marriage penalty; to the Committee on Ways and Means.

¶48.30 ADDITIONAL SPONSORS

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

H.R. 13: Mr. DUNCAN
H.R. 17: Mr. PLATTS.
H.R. 18: Mr. GILLMOR and Ms. HART.
H.R. 37: Mr. MOORE.
H.R. 40: Mr. DAVIS of Illinois.
H.R. 46: Mr. CLEMENT and Mr. HINCHEY.
H.R. 68: Mr. TIAHRT.
H.R. 80: Mr. PETERSON of Minnesota.
H.R. 115: Mr. MCDERMOTT and Ms. RIVERS.
H.R. 179: Mr. ADERHOLT.
H.R. 218: Mr. STUPAK, Mr. FROST, Mr. CROWLEY, Mr. RAHALL, Mr. COSTELLO, Mr. VITTER, Mr. BRADY of Texas Mr. DOYLE, and Mr. WHITFIELD.
H.R. 220: Mr. BURTON of Indiana.
H.R. 231: Mr. PRICE of North Carolina.
H.R. 267: Ms. SANCHEZ.
H.R. 303: Mr. PETRI.
H.R. 324: Mr. RANGEL, Mr. BLUMENAUER, Mr. GRUCCI, and Mr. SHERMAN.
H.R. 437: Mr. BARTLETT of Maryland.
H.R. 471: Mr. BROWN of Ohio.
H.R. 481: Mr. CLAY.
H.R. 491: Ms. MCKINNEY, Mr. BAIRD, Ms. ESHOO, Ms. PELOSI, Mr. WYNN, Mr. FARR of California, and Ms. WATERS.
H.R. 499: Mr. LANGEVIN, Ms. MCCOLLUM, Ms. BALDWIN, and Mr. ABERCROMBIE.
H.R. 500: Mr. HINCHEY.
H.R. 510: Mr. BRADY of Pennsylvania.
H.R. 511: Mr. FOLEY and Mr. GREEN of Texas.
H.R. 537: Mrs. JONES of Ohio, Mrs. MCCARTHY of New York, and Mr. ENGLISH.
H.R. 573: Mr. LEVIN.
H.R. 600: Mr. SKEEN, Mr. BENTSEN, and Mr. GRAHAM.
H.R. 606: Mr. SKELTON.
H.R. 612: Ms. KAPTUR and Mr. LATOURETTE.
H.R. 623: Mr. SAWYER.
H.R. 663: Mr. OWENS and Ms. MILLENDER-MCDONALD.
H.R. 717: Mr. BOEHNER and Mr. HYDE.
H.R. 755: Mr. BACA.
H.R. 782: Mrs. DAVIS of California.
H.R. 826: Mr. MICA and Mr. BISHOP.
H.R. 835: Mrs. NAPOLITANO and Mr. REHBERG.
H.R. 840: Mr. PLATTS and Mr. EVERETT.
H.R. 844: Mr. MASCARA.
H.R. 868: Mr. CLAY, Mr. BRADY of Texas, Mr. MCINTYRE, Mr. MORAN of Virginia, Ms. LOFGREN, Mrs. NAPOLITANO, Mr. MATHESON, and Mr. CLYBURN.
H.R. 876: Mr. UDALL of Colorado, Mr. BARRETT, Mr. SHAYS, Ms. LEE, and Mr. BARTLETT of Maryland.
H.R. 909: Mr. RYAN of Wisconsin.
H.R. 913: Mrs. MALONEY of New York.
H.R. 924: Mr. DELAHUNT.
H.R. 925: Mr. DELAHUNT.
H.R. 926: Mr. DELAHUNT.
H.R. 1073: Mr. HINOJOSA and Mr. PRICE of North Carolina.
H.R. 1089: Mr. HAYWORTH.
H.R. 1139: Mr. SCHIFF.
H.R. 1149: Ms. ESCHOO, Ms. MCKINNEY, Mr. SMITH of Washington, Mr. DOOLEY of California, and Mr. SCHIFF.
H.R. 1155: Mr. MENENDEZ and Ms. PELOSI.
H.R. 1203: Mr. WALDEN of Oregon.
H.R. 1220: Mr. GONZALEZ.
H.R. 1255: Mrs. MALONEY of New York and Mr. STRICKLAND.
H.R. 1262: Mrs. CLAYTON, Mr. PRICE of North Carolina, Mr. SHOWS, Mr. COYNE, and Mr. BACA.
H.R. 1265: Mr. SOUDER, Ms. PELOSI, and Ms. WOOLSEY.
H.R. 1304: Mr. DOYLE.
H.R. 1305: Mr. BERRY, Mr. CALLAHAN, Ms. DEGETTE, Mr. ROGERS of Kentucky, and Mr. KUCINICH.
H.R. 1307: Mr. CLAY, Mr. GORDON, Ms. NORTON, Mrs. CLAYTON, Mr. PRICE of North Carolina, and Mr. KUCINICH.
H.R. 1318: Mr. ISSA, Mr. COOKSEY, and Mr. BEREUTER.
H.R. 1343: Mr. GREEN of Texas.
H.R. 1354: Mr. GRUCCI and Mr. FARR of California.
H.R. 1357: Mrs. KELLY.
H.R. 1363: Mr. BARTLETT of Maryland.
H.R. 1366: Mr. BECERRA and Ms. PELOSI.
H.R. 1367: Mr. HUNTER.
H.R. 1400: Mr. CLAY and Ms. KILPATRICK.
H.R. 1408: Ms. KILPATRICK, Mr. WELDON of Florida, and Mrs. BIGGERT.
H.R. 1421: Ms. BERKLEY, Mr. PAYNE, Mr. SAXTON, Mr. BLAGOJEVICH, and Ms. LEE.
H.R. 1430: Mr. SIMMONS.
H.R. 1459: Mr. UDALL of Colorado, Mr. BLUNT, Mr. SHAW, Mr. MCDERMOTT, and Mr. KUCINICH.
H.R. 1468: Mr. KENNEDY of Rhode Island.
H.R. 1487: Mr. GALLEGLY.
H.R. 1522: Mr. MEEKS of New York.
H.R. 1524: Mr. HASTINGS of Washington and Mr. SKEEN.
H.R. 1532: Mr. GRUCCI.
H.R. 1541: Ms. SOLIS.
H.R. 1542: Mr. WELDON of Florida, Ms. BALDWIN, and Mr. TANCREDO.
H.R. 1543: Mr. FRANK.
H.R. 1553: Mr. ISAKSON, Mr. TOWNS, Mr. CANTOR, and Mr. MEEKS of New York.
H.R. 1556: Mr. TOWNS, Mr. FRANK, Mr. ADERHOLT, Mr. LEWIS of Georgia, and Mr. ENGLISH.
H.R. 1589: Mr. RANGEL.
H.R. 1597: Mr. DOOLITTLE.
H.R. 1599: Mrs. THURMAN.
H.R. 1603: Mr. SHERWOOD.
H.R. 1604: Ms. MCCOLLUM, Ms. DELAURO, Mr. ROSS, Mr. SABO, Mr. UDALL of New Mexico, and Mr. GREEN of Wisconsin.
H.R. 1609: Mr. SPENCE.
H.R. 1624: Mr. PICKERING, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DELAURO, Mr. WALDEN of Oregon, Mrs. CUBIN, Mr. SHAW, Ms. MILLENDER-MCDONALD, and Mr. KERNS.
H.R. 1628: Mr. GONZALEZ and Mr. FROST.
H.R. 1629: Mr. NEY, Mr. BACHUS, Mr. FROST, Mr. CAPUANO, and Mrs. KELLY.
H.R. 1631: Mrs. MEEK of Florida.
H.R. 1632: Mr. TOOMEY, Mr. BARTON of Texas, and Mr. ISAKSON.
H.R. 1638: Mrs. MCCARTHY of New York and Mr. GRUCCI.
H.R. 1644: Mr. LIPINSKI, Mr. STUMP, Mr. BAKER, Mr. BLUNT, Mr. CHABOT, Mr. GREEN of Wisconsin, and Mr. THORNBERRY.
H.R. 1650: Mr. BISHOP and Mr. HINOJOSA.
H.R. 1657: Mr. WELLER and Mr. HUNTER.
H.R. 1663: Mr. WAXMAN and Mr. STARK.
H.R. 1672: Mr. UDALL of New Mexico, Mr. UPTON, Mr. KILDEE, Mr. SANDERS, Mr. TIERNEY, and Mr. BONIOR.
H.R. 1674: Mr. WAXMAN, Mr. BALDACCI, Mr. ENGLISH, Mr. UDALL of Colorado, Mr. JEFFERSON, Mr. LAFALCE, and Mr. SANDLIN.
H.R. 1688: Mr. EVERETT.
H.R. 1700: Mr. MOAKLEY, Mr. SABO, Ms. CARSON of Indiana, Mr. GANSKE, Mr. MCHUGH, and Mr. SHIMKUS.
H.R. 1701: Mr. SHOWS, Mr. TURNER, Mr. HILLEARY, Mr. NETHERCUTT, Mr. CLEMENT, Mr. SIMPSON, Mr. HOLDEN, Mr. DUNCAN, Mr. HUTCHINSON, Mr. BEREUTER, Ms. PRYCE of Ohio, and Mr. SKELTON.
H.R. 1707: Mr. LAFALCE, Mrs. CAPPS, Mrs. TAUSCHER, Mr. FLAKE, Mr. ACKERMAN, Mr. WEXLER, Ms. ROYBAL-ALLARD, Mr. CALVERT, Mr. BOUCHER, and Ms. HARMAN.
H.R. 1713: Mr. ORTIZ, Mr. MCDERMOTT, and Mr. KUCINICH.
H.R. 1718: Mrs. MINK of Hawaii, Mr. HORN, Mr. RAHALL, Mrs. THURMAN, Mr. PALLONE, Mr. CONDIT, Mr. HALL of Ohio, Mr. ISAKSON, Mr. DOOLEY of California, Mr. FILNER, Mr. COOKSEY, Ms. RIVERS, Mr. CAPUANO, Mr. STEARNS, Mr. SHAYS, Mr. BROWN of Ohio, Mr. BALDACCI, Mr. BAIRD, Ms. PELOSI, Mr. BLAGOJEVICH, Mr. KENNEDY of Rhode Island, Mr. MORAN of Virginia, Ms. BROWN of Florida, Mr. SPRATT, Mr. HOLDEN, Mr. QUINN, Ms. ROYBAL-ALLARD, Mr. SMITH of New Jersey, Mr. MCGOVERN, and Mr. ISRAEL.
H.R. 1723: Mr. ACKERMAN, Mr. HINCHEY, Mr. OBERSTAR, Mr. CROWLEY, Mr. LANGEVIN, Mr. ISRAEL, Mr. NEAL of Massachusetts, Mr. QUINN, Mr. BOSWELL, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mr. MATSUI, Mr. RODRIGUEZ, Mr. BONIOR, Mr. ABERCROMBIE, Mr. SHAYS, Mr. KING, Mr. SKELTON, Mr. BALDACCI, Mr. BOUCHER, Ms. ESCHOO, Mrs. ROUKEMA, Mr. NUSSLE, Mr. WYNN, Mr. MORAN of Virginia, Mr. COYNE, Mr. KUCINICH, Ms. LEE, Ms. BALDWIN, Ms. HARMAN, Ms. HOOLEY of Oregon, Ms. NORTON, Mr. LAMPSON, and Ms. DELAURO.
H.R. 1733: Mr. CLAY.
H.R. 1750: Mr. LAFALCE and Mr. FILNER.
H.R. 1751: Mr. LAFALCE and Mr. FILNER.
H.R. 1762: Mr. ADERHOLT.
H.R. 1769: Mr. ISAKSON, Mr. GILMAN, Mr. ANDREWS, Ms. PRYCE of Ohio, and Mrs. MALONEY of New York.

H.R. 1770: Mr. BARR of Georgia, Mr. GILMAN, Mr. ROGERS of Michigan, Mr. ENGLISH, Mr. HOSTETTLER, Mr. ISSA, and Mr. DINGELL.

H.R. 1781: Mr. EHLERS, Mr. MATSUI, Mr. FRELINGHUYSEN, Mr. PAYNE, and Mr. ANDREWS.

H.R. 1801: Mr. TURNER, Mr. BRADY of Texas, Mr. SMITH of Texas, and Mr. FROST.

H.R. 1810: Mr. BOEHLERT.

H.R. 1819: Ms. SOLIS.

H.R. 1831: Mr. OXLEY, Mr. GANSKE, Ms. MCCARTHY of Missouri, Mr. BRADY of Texas, Mr. PICKERING, Mr. RADANOVICH, Mr. COSTELLO, Mr. BORSKI, and Mr. BAIRD.

H.J. Res. 13: Ms. WATERS.

H.J. Res. 28: Mr. CONYERS.

H.J. Res. 29: Mr. CONYERS, Mr. KUCINICH, and Mrs. CHRISTENSEN.

H.J. Res. 30: Mr. CONYERS.

H.J. Res. 31: Mr. CONYERS.

H.J. Res. 32: Mr. CONYERS.

H.J. Res. 33: Mr. CONYERS.

H.J. Res. 34: Mr. CONYERS.

H.J. Res. 36: Mr. CONDIT, Mr. JENKINS, and Mr. TIAHRT.

H.J. Res. 29: Mr. GANSKE and Mr. COSTELLO.

H.J. Res. 56: Mr. KUCINICH.

H.J. Res. 58: Mr. CANTOR.

H.J. Res. 97: Mr. GARY G. MILLER of California.

H.J. Res. 102: Mr. OSBORNE, Mr. STRICKLAND, Mrs. MINK of Hawaii, Mr. FRANK, Mr. COYNE, and Mr. WU.

H.J. Res. 116: Mr. BARCIA, Mr. SHAYS, and Mr. HOEFFEL.

H.J. Res. 135: Mr. PAUL, Mr. SCHIFF, Mr. TANCREDO, Mr. WU, and Mr. STUMP.

H. Res. 87: Ms. BERKLEY, Mr. DEUTSCH, and Ms. JACKSON-LEE of Texas.

H. Res. 120: Mr. RANGEL, Mr. KING, and Mr. EVANS.

THURSDAY, MAY 17, 2001 (49)

The House was called to order by the SPEAKER.

¶49.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, May 16, 2001.

Mr. DIAZ-BALART, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. DIAZ-BALART objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶49.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

1965. A letter from the the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of May 1, 2001, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 107–72); to the Committee on Appropriations and ordered to be printed.

1966. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Venezuela, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

1967. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–7320] received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1968. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–D–7503] received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1969. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program (NFIP); Letter of Map Revision and Letter of Map Revision Based on Fill Requests (RIN: 3067–AD13) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1970. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7761] received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1971. A letter from the Acting Chairman, National Credit Union Administration, transmitting notification that the Administration is establishing and adjusting schedules of compensation; to the Committee on Financial Services.

1972. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Runaway and Homeless Youth Program (RIN: 0970–AC04) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1973. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Effective Date Modification for the Determination of Nonattainment as of November 15, 1996, and Reclassification of the St. Louis Ozone Nonattainment Area; States of Missouri and Illinois [FRL–6980–7] received May 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1974. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 121–1121; FRL–6980–8] received May 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1975. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware; Nitrogen Oxides Budget Trading Program [DE 054–1031a; FRL–6981–4] received May 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1976. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Determination of Attainment of the NAAQS for PM–10 in the Weirton, West Virginia Nonattainment Area [WV057–6016; FRL–6979–8] received May 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1977. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting presidential certification and a memorandum of justification to permit U.S. contributions to the International Fund for Ireland with FY 2000 and 2001 Funds; to the Committee on International Relations.

1978. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Electronic and Information Technology Accessibility [FAC 97–27; FAR Case 1999–607] (RIN: 9000–AI69) received May 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1979. A letter from the Director, Selective Service System, transmitting the Performance Measurement Plan for FY 2002; to the Committee on Government Reform.

1980. A letter from the Director, Selective Service System, transmitting the FY 2000 Performance Report; to the Committee on Government Reform.

1981. A letter from the Secretary, Department of the Interior, transmitting the Department's report on the administration of the Marine Mammal Protection Act of 1972, pursuant to 16 U.S.C. 1373(f); to the Committee on Resources.

1982. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—North Dakota Regulatory Program [ND–040–FOR; North Dakota State Program Amendment XXIX] received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1983. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Final 2001 Specifications for the Atlantic Bluefish Fishery; Regulatory Amendment [Docket No. 010208032–1109–02; I.D. 121200L] (RIN: 0648–AM47) received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1984. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Spiny Dogfish Fishery; 2001 Specifications [Docket No. 010319071–1103–02; I.D. 030101H] (RIN: 0648–AN71) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1985. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, will exceed $5 million for the response to the emergency declared on January 24, 2001 as a result of snow which severely impacted the State of Wisconsin on December 11–31, 2000, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

1986. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt and Whitney PW4000 Series Turbofan Engines [Docket No. 2001–NE–09; Amendment 39–12212; AD 2001–08–52] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1987. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–300 Series Airplanes Equipped with Motive Flow Check Valves Having Part Number 106–0007–01 [Docket No. 2001–NM–45–AD; Amendment 39–12209; AD 2001–09–04] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1988. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes [Docket No. 2000–NM–352–AD; Amendment 39–12214; AD 2001–09–09] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1989. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft Corporation Model S–76A Helicopters [Docket No. 2000–SW–40–AD; Amendment 39–12216; AD 94–14–20 R1] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1990. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 707 and 720 Series Airplanes [Docket No. 2001–NM–42–AD; Amendment 39–12179; AD 2001–08–02] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1991. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream Model G–1159, G–1159A, G–1159B, G–IV and G–V Series Airplanes [Docket No. 2001–NM–83–AD; Amendment 39–12191; AD 2001–08–13] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1992. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 99–NM–275–AD; Amendment 39–12196; AD 2001–08–19] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1993. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 99–NM–274–AD; Amendment 39–12195; AD 2001–08–18] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1994. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 99–NM–273–AD; Amendment 39–12194; AD 2001–08–17] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1995. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A340 Series Airplanes Equipped with CFM International CFM56–5C Engines [Docket No. 2000–NM–180–AD; Amendment 39–12189; AD 2001–08–12] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1996. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777–200 Series Airplanes [Docket No. 2001–NM–73–AD; Amendment 39–12180; AD 2001–08–03] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1997. A letter from the Regulations Officer, FHA, Department of Transportation, transmitting the Department's final rule—Federal-Aid Project Agreement [FHWA Docket No. 2000–7426] (RIN: 2125–AE77) received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1998. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757–200, and –300 Series Airplanes [Docket No. 99–NM–124–AD; Amendment 39–12206; AD 2001–09–01] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1999. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; JanAero Devices 14D11 and 23D04 Series Fuel Regulator and Shutoff Valves [Docket No. 2001–CE–02–AD; Amendment 39–12178; AD 2001–08–01] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2000. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B4–620, A310–203, A310–221, and A310–222 Series Airplanes (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2001. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; MD Helicopters Inc. Model MD–900 Helicopters [Docket No. 2000–SW–15–AD; Amendment 39–12175; AD 2001–07–09] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2002. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—U.S. Flags for Burials of Certain Members of the Selected Reserve (RIN: 2900–AK56) received May 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

¶49.3 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, May 16, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. GOSS objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 336
- Nays 68
- Answered present 1

¶49.4 [Roll No. 122]

YEAS—336

Abercrombie	Andrews	Baker
Ackerman	Armey	Baldacci
Akin	Baca	Baldwin
Allen	Bachus	Ballenger
Barcia	Gibbons	Moran (KS)
Barr	Gilchrest	Moran (VA)
Barrett	Gillmor	Morella
Bartlett	Gonzalez	Murtha
Barton	Goode	Myrick
Bass	Goodlatte	Nadler
Becerra	Goss	Napolitano
Bentsen	Graham	Neal
Bereuter	Granger	Nethercutt
Berkley	Graves	Ney
Berman	Green (TX)	Northup
Berry	Green (WI)	Norwood
Biggert	Greenwood	Nussle
Bilirakis	Grucci	Ortiz
Bishop	Hall (TX)	Osborne
Blagojevich	Hansen	Ose
Blumenauer	Harman	Otter
Blunt	Hart	Owens
Boehlert	Hastings (WA)	Oxley
Boehner	Hayes	Pascrell
Bonilla	Hill	Paul
Bono	Hilleary	Payne
Boswell	Hinojosa	Pelosi
Boyd	Hobson	Pence
Brady (TX)	Hoeffel	Peterson (PA)
Brown (OH)	Hoekstra	Petri
Brown (SC)	Holden	Phelps
Bryant	Honda	Pickering
Burr	Hooley	Pitts
Burton	Horn	Platts
Buyer	Hostettler	Pombo
Callahan	Houghton	Portman
Calvert	Hoyer	Price (NC)
Camp	Hulshof	Pryce (OH)
Cannon	Hyde	Putnam
Cantor	Inslee	Quinn
Capito	Isakson	Radanovich
Capps	Israel	Rahall
Cardin	Issa	Regula
Carson (IN)	Istook	Rehberg
Carson (OK)	Jackson (IL)	Reyes
Castle	Jenkins	Reynolds
Chabot	John	Riley
Chambliss	Johnson (IL)	Rivers
Clay	Johnson, Sam	Rodriguez
Clayton	Jones (NC)	Roemer
Clement	Kanjorski	Rogers (KY)
Clyburn	Keller	Rogers (MI)
Coble	Kelly	Rohrabacher
Collins	Kennedy (RI)	Ros-Lehtinen
Combest	Kerns	Ross
Conyers	Kildee	Roukema
Cooksey	Kind (WI)	Royce
Cox	King (NY)	Rush
Coyne	Kingston	Ryan (WI)
Cramer	Kirk	Ryun (KS)
Crenshaw	Knollenberg	Sandlin
Culberson	Kolbe	Sawyer
Cunningham	Lampson	Saxton
Davis (CA)	Langevin	Scarborough
Davis (FL)	Lantos	Schakowsky
Davis (IL)	Largent	Schiff
Davis, Jo Ann	Larson (CT)	Schrock
Davis, Tom	Latham	Scott
Deal	LaTourette	Sensenbrenner
DeGette	Levin	Serrano
Delahunt	Lewis (CA)	Sessions
DeLay	Lewis (GA)	Shadegg
DeMint	Lewis (KY)	Shaw
Deutsch	Linder	Shays
Diaz-Balart	Lipinski	Sherman
Dicks	Lofgren	Sherwood
Dingell	Lowey	Shimkus
Doggett	Lucas (KY)	Shows
Dooley	Luther	Simmons
Doolittle	Maloney (CT)	Simpson
Dreier	Maloney (NY)	Skeen
Duncan	Manzullo	Skelton
Dunn	Markey	Smith (MI)
Edwards	Mascara	Smith (NJ)
Ehlers	Matheson	Smith (TX)
Ehrlich	Matsui	Smith (WA)
Emerson	McCarthy (MO)	Snyder
Engel	McCarthy (NY)	Solis
Eshoo	McCollum	Souder
Etheridge	McCrery	Spence
Everett	McHugh	Spratt
Farr	McInnis	Stearns
Fattah	McIntyre	Stump
Ferguson	McKeon	Sununu
Flake	Meehan	Tauscher
Fletcher	Meek (FL)	Tauzin
Foley	Meeks (NY)	Taylor (NC)
Ford	Mica	Terry
Fossella	Millender-McDonald	Thomas
Frank	Miller (FL)	Thornberry
Frelinghuysen	Miller, Gary	Thune
Gallegly	Mink	Tiahrt
Gekas	Mollohan	Tiberi
Gephardt		Tierney

Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NAYS—68

Aderholt
Baird
Bonior
Brown (FL)
Capuano
Condit
Costello
Crane
Crowley
Cummings
DeFazio
DeLauro
Evans
Filner
Frost
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hefley
Hilliard
Hinchey
Holt
Hutchinson
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (MN)
Kucinich
LaFalce
LaHood
Larsen (WA)
Lee
LoBiondo
McDermott
McGovern
McNulty
Menendez
Miller, George
Moore
Oberstar
Obey
Olver
Pallone
Pastor
Peterson (MN)
Pomeroy
Ramstad
Rothman
Sabo
Sanchez
Schaffer
Slaughter
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Udall (NM)
Visclosky
Waters
Wu

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—26

Borski
Boucher
Brady (PA)
Cubin
Doyle
English
Ganske
Gilman
Gordon
Hayworth
Herger
Hunter
Jefferson
Johnson (CT)
Kilpatrick
Kleczka
Leach
Lucas (OK)
McKinney
Moakley
Rangel
Roybal-Allard
Sanders
Weller
Wicker
Young (AK)

So the Journal was approved.

¶49.5 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 17, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the unofficial results received from Dick Filling, Commissioner, Bureau of Commissions, Elections and Legislation, Commonwealth of Pennsylvania, indicating that, according to the unofficial results of the Special Election held on May 15, 2001, the Honorable Bill Shuster was elected to the Office of Representative in Congress, from the Ninth Congressional District, Commonwealth of Pennsylvania.

With best wishes, I am,

Sincerely,

JEFF TRANDAHL,
Clerk.

¶49.6 ORDER OF BUSINESS—SWEARING IN OF MEMBER-ELECT

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Mr. Bill Shuster, 9th District of the State of Pennsylvania, has not been received by the Clerk of the House of Representatives, Mr. SHUSTER be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to his election.

Mr. SHUSTER then presented himself at the bar of the House and took the oath of office prescribed by law.

¶49.7 PROVIDING FOR THE CONSIDERATION OF H.R. 622

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 141):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 622) to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 415
Nays 1

¶49.8 [Roll No. 123]

YEAS—415

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

NAYS—1

Stark

NOT VOTING—16

Bilirakis	Ganske	Lucas (OK)
Borski	Gilman	Pence
Brady (PA)	Hunter	Radanovich
Condit	Kilpatrick	Tierney
Cooksey	Largent	
Cubin	Lewis (GA)	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶49.9 HOPE FOR CHILDREN

Mr. THOMAS, pursuant to House Resolution 141, called up the bill (H.R. 622) to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes.

When said bill was considered and read twice.

Pursuant to House Resolution 141, the following amendment recommended by the Committee on Ways and Means as printed in the bill was considered as agreed to:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Hope for Children Act''.

SEC. 2. INCREASED TAX INCENTIVES FOR ADOPTIONS.

(a) INCREASE IN MAXIMUM BENEFIT.—Section 23(b)(1) of the Internal Revenue Code of 1986 (relating to dollar limitation) is amended by striking ''$5,000'' and all that follows and inserting ''$10,000.''.

(b) BENEFITS MADE PERMANENT FOR ALL CHILDREN.—Paragraph (2) of section 23(d) of such Code is amended to read as follows:

''(2) ELIGIBLE CHILD.—The term 'eligible child' means any individual who—

''(A) has not attained age 18, or

''(B) is physically or mentally incapable of caring for himself.''.

(c) INCREASE IN PHASEOUT.—Clause (i) of section 23(b)(2)(A) of such Code (relating to income limitation) is amended by striking ''$75,000'' and inserting ''$150,000''.

(d) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Subsection (b) of section 23 of such Code is amended by adding at the end the following new paragraph:

''(4) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under this subpart (other than this section) and section 27 for the taxable year.''.

(2) CONFORMING AMENDMENTS.—

(A) Subsection (c) of section 23 of such Code is amended—

(i) by striking ''section 26(a)'' and inserting ''subsection (b)(4)'', and

(ii) by striking ''reduced by the sum of the credits allowable under this subpart (other than this section and section 1400C)''.

(B) Paragraph (1) of section 26(a) of such Code is amended by inserting ''(other than section 23)'' after ''this subpart''.

(C) Section 904(h) of such Code is amended by inserting ''(other than section 23)'' after ''chapter''.

(D) Subsection (d) of section 1400C of such Code is amended by inserting ''and section 23'' after ''this section''.

(e) AMENDMENTS RELATED TO EMPLOYER-PROVIDED ADOPTION ASSISTANCE.—

(1) Paragraph (1) of section 137(b) of such Code is amended by striking ''$5,000'' and all that follows and inserting ''$10,000.''.

(2) Subparagraph (A) of section 137(b)(2) of such Code is amended by striking ''$75,000'' and inserting ''$150,000''.

(3) Section 137 of such Code is amended by striking subsection (f) (relating to termination).

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(2) EXPENSES PAID OR INCURRED IN PRIOR YEARS.—Expenses paid or incurred during any taxable year beginning before January 1, 2002, may be taken into account in determining the credit under section 23 of the Internal Revenue Code of 1986 for a taxable year beginning on or after such date only to the extent the aggregate of such expenses does not exceed the applicable limitation under section 23(b)(1) of such Code as in effect on the day before the date of the enactment of this Act.

After debate,

Pursuant to House Resolution 141, the previous question was ordered on said bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. CAMP demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 420 / Nays ..... 0 }

¶49.10 [Roll No. 124]

YEAS—420

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

NOT VOTING—12

Borski	Condit	Cubin
Brady (PA)	Cox	Ganske

Gilman	Kennedy (RI)	Largent
Hunter	Kilpatrick	Lucas (OK)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶49.11 PROVIDING FOR THE CONSIDERATION OF H.R. 1

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 143):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1) a bill to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 219 / Nays ..... 201 }

¶49.12 [Roll No. 125]

YEAS—219

Aderholt	Granger	Pickering
Akin	Graves	Pitts
Armey	Green (WI)	Platts
Bachus	Greenwood	Pombo
Baker	Grucci	Portman
Ballenger	Gutknecht	Pryce (OH)
Barr	Hansen	Putnam
Bartlett	Hart	Quinn
Barton	Hastert	Radanovich
Bass	Hastings (WA)	Ramstad
Bereuter	Hayes	Regula
Biggert	Hayworth	Rehberg
Bilirakis	Hefley	Reynolds
Blunt	Herger	Riley
Boehlert	Hilleary	Rogers (KY)
Boehner	Hobson	Rogers (MI)
Bonilla	Hoekstra	Rohrabacher
Bono	Horn	Ros-Lehtinen
Brady (TX)	Hostettler	Roukema
Brown (SC)	Houghton	Royce
Bryant	Hulshof	Ryan (WI)
Burr	Hutchinson	Ryun (KS)
Burton	Hyde	Saxton
Buyer	Isakson	Scarborough
Callahan	Issa	Schaffer
Calvert	Istook	Schrock
Camp	Jenkins	Sensenbrenner
Cannon	Johnson (CT)	Sessions
Cantor	Johnson (IL)	Shadegg
Capito	Johnson, Sam	Shaw
Castle	Jones (NC)	Shays
Chabot	Keller	Sherwood
Chambliss	Kelly	Shimkus
Coble	Kennedy (MN)	Shuster
Collins	Kerns	Simmons
Combest	King (NY)	Simpson
Cooksey	Kingston	Skeen
Cox	Kirk	Smith (MI)
Crane	Knollenberg	Smith (NJ)
Crenshaw	Kolbe	Smith (TX)
Culberson	LaHood	Souder
Cunningham	Largent	Spence
Davis, Jo Ann	Latham	Stearns
Davis, Tom	LaTourette	Stump
Deal	Leach	Sununu
DeLay	Lewis (CA)	Sweeney
DeMint	Lewis (KY)	Tancredo
Diaz-Balart	Linder	Tauzin
Doolittle	LoBiondo	Taylor (NC)
Dreier	Manzullo	Terry
Duncan	McCrery	Thomas
Dunn	McHugh	Thornberry
Ehlers	McInnis	Thune
Ehrlich	McKeon	Tiahrt
Emerson	Mica	Tiberi
English	Miller (FL)	Toomey
Everett	Miller, Gary	Traficant
Ferguson	Moran (KS)	Upton
Flake	Morella	Vitter
Fletcher	Myrick	Walden
Foley	Nethercutt	Walsh
Fossella	Ney	Wamp
Frelinghuysen	Northup	Watkins
Gallegly	Norwood	Watts (OK)
Gekas	Nussle	Weldon (FL)
Gibbons	Osborne	Weldon (PA)
Gilchrest	Ose	Weller
Gillmor	Otter	Whitfield
Gilman	Oxley	Wicker
Goode	Paul	Wilson
Goodlatte	Pence	Wolf
Goss	Peterson (PA)	Young (AK)
Graham	Petri	Young (FL)

NAYS—201

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

NOT VOTING—13

Bishop	Ganske	Moran (VA)
Borski	Hunter	Thompson (MS)
Brady (PA)	Kilpatrick	Waters
Condit	Lucas (OK)	
Cubin	Meeks (NY)	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶49.13 NO CHILD LEFT BEHIND

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 143 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, designated Mr. HASTINGS of Washington as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. HASTINGS of Washington, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶49.14 CANADA-U.S. INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, announced that the Speaker, pursuant to 22 United States Code 276d and clause 10 of Rule I, on March 20, 2001, appointed to the Canada-United States Interparliamentary Group, in addition to Mr. Houghton of New York, Chairman, on the part of the House, the following Members: Messrs. GILMAN, DREIER, SHAW, STEARNS, PETERSON of Minnesota, MANZULLO, ENGLISH, and SOUDER.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶49.15 ADJOURNMENT OVER

On motion of Mr. SCHAFFER, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, May 21, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶49.16 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. SCHAFFER, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, May 23, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶49.17 WELCOMING PRESIDENT OF TAIWAN

On motion of Mr. GILMAN, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following concurrent resolution (H. Con. Res. 135):

Whereas for more than 50 years, a close relationship has existed between the United States and Taiwan, which has been of enormous economic, cultural, and strategic advantage to both countries;

Whereas the United States and Taiwan share common ideals and a vision for the 21st century;

Whereas freedom and democracy are the strongest foundations for peace and prosperity;

Whereas Taiwan has demonstrated an improved record on human rights and a commitment to democratic ideals of freedom of speech, freedom of the press, and free and fair elections routinely held in a multiparty system, as evidenced by the March 18, 2000, election of Chen Shui-bian as Taiwan's new president;

Whereas President Chen Shui-bian of Taiwan visited the United States on August 13, 2000, when several Members of Congress expressed interest in meeting with President Chen Shui-bian during his layover in Los Angeles, California, en route to Latin America;

Whereas the meeting with President Chen Shui-bian did not take place because of pressure from Washington and Beijing;

Whereas the Congress thereby lost the opportunity to communicate directly with President Chen Shui-bian about developments in the Asia-Pacific region and key elements of the relationship between the United States and Taiwan; and

Whereas the upcoming May 21, 2001, visit to the United States by President Chen Shui-bian of Taiwan is another significant opportunity to broaden and strengthen relations between the United States and Taiwan: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) warmly welcomes President Chen Shui-bian of Taiwan upon his visit to the United States;

(2) requests President Chen Shui-bian to communicate to the people of Taiwan the support of the Congress and of the people of the United States; and

(3) recognizes that the visit of President Chen Shui-bian to the United States is a significant step toward broadening and deepening the friendship and cooperation between the United States and Taiwan.

When said concurrent resolution was considered.

Mr. GILMAN submitted the following amendment in the nature of a substitute which was agreed to:

Strike all after the resolving clause and insert the following:

That the Congress—

(1) warmly welcomes President Chen Shui-bian of Taiwan upon his visit to the United States;

(2) requests President Chen Shui-bian to communicate to the people of Taiwan the support of the Congress and of the people of the United States; and

(3) recognizes that the visit of President Chen Shui-bian to the United States is another significant opportunity to broaden and strengthen the friendship and cooperation between the United States and Taiwan.

The concurrent resolution, as amended, was agreed to.

Mr. GILMAN submitted the following amendment to the preamble, which was agreed to:

Whereas for more than 50 years, a close relationship has existed between the United States and Taiwan, which has been of enormous economic, cultural, and strategic advantage to both countries;

Whereas the United States and Taiwan share common ideals and a vision for the 21st century;

Whereas freedom and democracy are the strongest foundations for peace and prosperity;

Whereas Taiwan has demonstrated an improved record on human rights and a commitment to democratic ideals of freedom of speech, freedom of the press, and free and fair elections routinely held in a multiparty system, as evidenced by the March 18, 2000, election of Chen Shui-bian as Taiwan's new president; and

Whereas the upcoming May 21, 2001, visit to the United States by President Chen Shui-bian of Taiwan is another significant opportunity to broaden and strengthen the friendship and cooperation between the United States and Taiwan:

A motion to reconsider the vote whereby said concurrent resolution, as amended, was agreed to and the preamble was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶49.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GANSKE, for today; and

To Ms. KILPATRICK, for today.

And then,

¶49.19 ADJOURNMENT

On motion of Mr. SIMPSON, pursuant to the special order heretofore agreed to, at 4 o'clock and 57 minutes p.m., the House adjourned until 12:30 p.m. on Monday, May 21, 2001.

¶49.20 OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 107th Congress, pursuant to the provisions of 2 U.S.C. 25:

Honorable BILL SHUSTER, Ninth Pennsylvania.

¶49.21 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GEKAS (for himself, Mr. SENSENBRENNER, Mr. KING, and Ms. ROS-LEHTINEN):

H.R. 1885. A bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings, and for other purposes; to the Committee on the Judiciary.

By Mr. COBLE:

H.R. 1886. A bill to amend title 35, United States Code, to provide for appeals by third parties in certain patent reexamination proceedings; to the Committee on the Judiciary.

By Mrs. MORELLA (for herself, Mr. TOM DAVIS of Virginia, Mr. HOYER, Mr. MORAN of Virginia, Mr. PLATTS, and Mrs. MINK of Hawaii):

H.R. 1887. A bill to amend the Law Enforcement Pay Equity Act of 2000 to permit certain annuitants of the retirement programs of the United States Park Police and United States Secret Service Uniformed Division to receive the adjustments in pension benefits to which such annuitants would otherwise be entitled as a result of the conversion of members of the United States Park Police and United States Secret Service Uniformed Division to a new salary schedule under the amendments made by such Act; to the Committee on Government Reform.

By Mr. ANDREWS:

H.R. 1888. A bill to eliminate corporate welfare; to the Committee on Ways and Means, and in addition to the Committees on Resources, Agriculture, Energy and Commerce, Transportation and Infrastructure, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as

fall within the jurisdiction of the committee concerned.

By Mr. BARCIA (for himself and Mr. WU):

H.R. 1889. A bill to improve the utilization of educational technologies in elementary and secondary education by creating an educational technology extension service; to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISTOOK (for himself, Mr. CUNNINGHAM, Mr. MILLER of Florida, Mrs. NORTHUP, and Mr. WICKER):

H.R. 1890. A bill to amend the National Labor Relations Act to provide for inflation adjustments to the mandatory jurisdiction thresholds of the National Labor Relations Board; to the Committee on Education and the Workforce.

By Mr. BRYANT (for himself and Mr. GORDON):

H.R. 1891. A bill to amend section 211 of the Clean Air Act to eliminate the phase-in period for the reduction of sulfur content in diesel fuel; to the Committee on Energy and Commerce.

By Mr. CALVERT (for himself, Mr. ISSA, Ms. WOOLSEY, Ms. LOFGREN, Mr. FRANK, Mr. SMITH of New Jersey, Mr. TERRY, Mr. KUCINICH, Mr. CANNON, Ms. ROYBAL-ALLARD, Mrs. CLAYTON, Mr. LEWIS of California, and Mr. CRANE):

H.R. 1892. A bill to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked; to the Committee on the Judiciary.

By Mrs. CLAYTON (for herself and Ms. CARSON of Indiana):

H.R. 1893. A bill to direct the Secretary of Education to conduct a study of the relative value of General Equivalency Diplomas and a review of policies and procedures to determine how the Department of Education can better serve the Nation's educational needs, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. CLAYTON (for herself, Mrs. EMERSON, Mr. PAYNE, Mr. BEREUTER, Ms. KAPTUR, Mr. LEACH, Ms. PELOSI, Mr. OSBORNE, Ms. ROYBAL-ALLARD, Mr. GILMAN, Mr. SERRANO, Mr. BOEHLERT, Mr. BISHOP, Mrs. MORELLA, Mr. BALDACCI, Mr. HOUGHTON, and Mr. HASTINGS of Florida):

H.R. 1894. A bill to supplement current activities in the exchange of agricultural and farming expertise by establishing a grant program to support bilateral exchange programs whereby African American and other American farmers share technical knowledge with African and Caribbean Basin farmers regarding maximization of crop yields, use of risk management tools, expansion of agricultural trade, use of new financial instruments to increase access to credit, and other ways to improve farming methods, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS (for himself, Mr. CARDIN, Mr. UDALL of Colorado, Mr. SAM JOHNSON of Texas, Mr. BLUNT, Mr. RAMSTAD, Mr. HORN, Mr. SHOWS, and Mr. MILLER of Florida):

H.R. 1895. A bill to amend the Internal Revenue Code of 1986 to establish a 2-year recovery period for depreciation of computers and peripheral equipment used in manufacturing; to the Committee on Ways and Means.

By Mr. DOOLEY of California:

H.R. 1896. A bill to provide assistance to States to expand and establish drug abuse treatment programs to enable such programs to provide services to individuals who voluntarily seek treatment for drug abuse; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mrs. BONO, and Mrs. MCCARTHY of New York):

H.R. 1897. A bill to amend the Public Health Service Act and the Internal Revenue Code to help solve the worsening shortage of registered nurses in hospitals and continuing care settings, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE:

H.R. 1898. A bill to amend the Arms Export Control Act to update the export licensing requirements under that Act, and for other purposes; to the Committee on International Relations.

By Mr. GILLMOR (for himself, Mr. BEREUTER, Mrs. JONES of Ohio, and Mr. NEY):

H.R. 1899. A bill to amend the Federal Deposit Insurance Act with respect to municipal deposits; to the Committee on Financial Services.

By Mr. GREENWOOD (for himself and Mr. SCOTT):

H.R. 1900. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KIND:

H.R. 1901. A bill to modify the manner in which the wage index adjustment to payments under the Medicare Program to hospitals for inpatient hospital services is calculated; to the Committee on Ways and Means.

By Mr. LANGEVIN (for himself, Mr. KENNEDY of Rhode Island, and Mr. FRANK):

H.R. 1902. A bill to amend the Fair Labor Standards Act of 1938 to prohibit forced overtime hours for certain health care employees who provide care to patients; to the Committee on Education and the Workforce.

By Mr. LANGEVIN (for himself, Mr. LANTOS, and Mr. BRADY of Pennsylvania):

H.R. 1903. A bill to establish a demonstration grant program to assist States in providing subsidies for group health insurance premiums for low-income, Medicaid-eligible individuals; to the Committee on Energy and Commerce.

By Ms. LOFGREN (for herself and Mr. CANNON):

H.R. 1904. A bill to establish an Office of Children's Services within the Department of Justice to coordinate and implement Government actions involving unaccompanied alien children, and for other purposes; to the Committee on the Judiciary.

By Mr. MALONEY of Connecticut:

H.R. 1905. A bill to amend title XVIII of the Social Security Act to assure access of Medicare beneficiaries to prescription drug coverage through the NICE drug benefit program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MINK of Hawaii (for herself and Mr. ABERCROMBIE):

H.R. 1906. A bill to amend the Act that established the Pu'uhonua O Honaunau National Historical Park to expand the boundaries of that park; to the Committee on Resources.

By Ms. NORTON (for herself, Mr. ACEVEDO-VILA, Mr. BACA, Mr. BISHOP, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. FATTAH, Mr. FORD, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Ms. LEE, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mrs. JONES of Ohio, Mr. UNDERWOOD, Ms. WATERS, Mr. WATT of North Carolina, and Mr. WYNN):

H.R. 1907. A bill to amend title 23, United States Code, to require States to adopt and enforce standards that prohibit the use of racial profiling in the enforcement of State laws regulating the use of Federal-aid highways, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. NUSSLE (for himself, Mr. POMEROY, and Mr. RAMSTAD):

H.R. 1908. A bill to amend the Internal Revenue Code of 1986 to clarify the exemption from tax for small property and casualty insurance companies; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. CARDIN, Mr. COYNE, Mr. MCNULTY, Mrs. THURMAN, and Mr. STARK):

H.R. 1909. A bill to amend part B of title IV of the Social Security Act to create a grant program to promote joint activities among Federal, State, and local public child welfare and alcohol and drug abuse prevention and treatment agencies; to the Committee on Ways and Means.

By Mr. SAXTON:

H.R. 1910. A bill to deny Federal public benefits to individuals who were participants in Nazi persecution; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON (for himself, Mr. MORAN of Kansas, Mr. ANDREWS, Mr. LOBIONDO, and Mr. KING):

H.R. 1911. A bill to establish a demonstration project to provide for Medicare reimbursement for health care services provided to certain Medicare-eligible veterans in selected facilities of the Department of Veterans Affairs; to the Committee on Ways and Means, and in addition to the Committees on Veterans' Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMMONS:

H.R. 1912. A bill to amend the Individuals with Disabilities Education Act to provide full funding for assistance for education of

all children with disabilities; to the Committee on Education and the Workforce.

By Mr. SKEEN:

H.R. 1913. A bill to require the valuation of nontribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation, and for other purposes; to the Committee on Resources.

By Mr. SMITH of Michigan (for himself and Ms. BALDWIN):

H.R. 1914. A bill to extend for 4 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

By Mr. SMITH of Michigan:

H.R. 1915. A bill to amend the Internal Revenue Code of 1986 to suspend for six months the 4.3 cent increase in motor fuel taxes enacted in 1993; to the Committee on Ways and Means.

By Mr. WAMP (for himself and Mr. STUPAK):

H.R. 1916. A bill to provide for the establishment, use, and enforcement of a consistent and comprehensive system for labeling violent content in audio and visual media products; to the Committee on Energy and Commerce.

By Mr. LANGEVIN (for himself, Mr. FRANK, and Mr. WEXLER):

H.J. Res. 49. A joint resolution requiring a study and report on reducing discriminatory pricing of health services for the uninsured to improve access to needed health care services; to the Committee on Energy and Commerce.

By Mr. SUNUNU (for himself, Mr. BASS, Mr. BALDACCI, and Mr. ALLEN):

H. Con. Res. 137. Concurrent resolution honoring the 129 sailors and civilians lost aboard the U.S.S. Thresher on April 10, 1963, and urging the Secretary of the Army to erect a memorial to this tragedy in Arlington National Cemetery; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OSE:

H. Con. Res. 138. Concurrent resolution supporting the goals and ideas of National Community Residential Care Month; to the Committee on Government Reform.

By Mr. JONES of North Carolina:

H. Res. 144. A resolution expressing the sense of the House of Representatives that bonuses for managerial personnel of the United States Postal Service should not be awarded in any year in which the Postal Service anticipates that it will operate at a deficit or in which a general increase in postal rates has been requested, has gone into effect, or is likely to become effective; to the Committee on Government Reform.

¶49.22 ADDITIONAL SPONSORS

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

H.R. 13: Mr. SHAW, Ms. MCKINNEY, Mr. LEWIS of Kentucky, Mr. DEFAZIO, and Mr. HERGER.

H.R. 31: Mr. FLAKE.

H.R. 94: Mrs. CHRISTENSEN.

H.R. 144: Mr. ABERCROMBIE.

H.R. 157: Mr. VISCLOSKY.

H.R. 168: Mr. TERRY.

H.R. 192: Mr. SHADEGG.

H.R. 214: Mrs. CHRISTENSEN.

H.R. 239: Mrs. MALONEY of New York, Mr. LEACH, Mrs. BIGGERT, Mr. WELDON of Pennsylvania, Mr. ROHRABACHER, Mrs. CAPPS, and Ms. DEGETTE.

H.R. 296: Mr. BARRETT.

H.R. 300: Mr. TERRY.

H.R. 326: Mr. BROWN of Ohio and Mr. STRICKLAND.

H.R. 396: Mr. MURTHA.

H.R. 425: Mr. FRANK.

H.R. 436: Mr. SCHIFF.

H.R. 460: Ms. WOOLSEY.

H.R. 476: Mr. HOSTETTLER.

H.R. 477: Mr. LANGEVIN, Mr. BONIOR, and Mr. FERGUSON.

H.R. 518: Mr. HOBSON.

H.R. 526: Mrs. NAPOLITANO and Mr. MASCARA.

H.R. 527: Mr. LINDER, Mr. TIAHRT, and Mr. BACHUS.

H.R. 572: Mr. WELDON of Florida and Mr. SMITH of New Jersey.

H.R. 598: Mr. CROWLEY and Mr. GUTIERREZ.

H.R. 606: Mr. LARSEN of Washington and Mr. ORTIZ.

H.R. 610: Mr. JOHNSON of Illinois.

H.R. 638: Mrs. MALONEY of New York.

H.R. 677: Mr. VISCLOSKY and Mr. MCHUGH.

H.R. 687: Mr. MURTHA.

H.R. 690: Mr. PALLONE.

H.R. 716: Mr. THOMPSON of Mississippi and Mr. CANTOR.

H.R. 718: Ms. JACKSON-LEE of Texas.

H.R. 746: Mr. GOODLATTE and Ms. CARSON of Indiana.

H.R. 781: Mr. BRADY of Pennsylvania, Mr. CONDIT, Mr. ACKERMAN, Mr. THOMPSON of Mississippi, Mr. SMITH of Washington, Mr. NEAL of Massachusetts, Mr. RAHALL, Mr. SKELTON and Mr. LAFALCE.

H.R. 794: Mr. BARCIA, Mr. THORNBERRY, Mr. CRAMER, and Mr. HINOJOSA.

H.R. 808: Mr. WELDON of Pennsylvania, Mr. BOEHLERT, Mr. HONDA, Mr. BENTSEN, Mr. UDALL of New Mexico, Mr. EHRLICH, Ms. PELOSI, Mr. THOMPSON of California, Mr. TANNER, Mr. PLATTS, and Mr. HINOJOSA.

H.R. 822: Mrs. MCCARTHY of New York.

H.R. 826: Mr. GREEN of Wisconsin, Mr. MCHUGH, and Mr. GRAHAM.

H.R. 830: Mr. LARGENT, Mr. FALEOMAVAEGA, Ms. SANCHEZ, and Mr. SCHROCK.

H.R. 848: Mr. COYNE, Mrs. NAPOLITANO, Ms. NORTON, Mr. DOOLEY of California, Mr. HINOJOSA, Mr. WAXMAN, Mr. PRICE of North Carolina, Mr. TURNER, and Mr. GEORGE MILLER of California.

H.R. 876: Mr. JEFFERSON and Mr. SHERMAN.

H.R. 902: Mr. SMITH of Washington, Mr. CANTOR, and Mr. STRICKLAND.

H.R. 909: Mr. WATKINS.

H.R. 912: Ms. DUNN and Mr. ROHRABACHER.

H.R. 914: Mr. BARTLETT of Maryland.

H.R. 917: Mrs. MCCARTHY of New York.

H.R. 921: Mr. KOLBE and Mrs. CHRISTENSEN.

H.R. 951: Mr. BAKER, Mr. CARSON of Oklahoma, Mr. CRAMER, Mr. TOWNS, Mr. SCHROCK, Mrs. WILSON, Mr. OTTER, Mr. CRANE, Mr. WOLF, and Mrs. MYRICK.

H.R. 968: Mr. KING, Mr. HONDA, Mr. CALLAHAN, Mr. CAMP, and Mr. GOODLATTE.

H.R. 975: Mr. OBERSTAR, Mrs. MALONEY of New York, Mrs. CHRISTENSEN, and Mr. SWEENEY.

H.R. 990: Mrs. CLAYTON, Mr. KILDEE, Mr. PLATTS, Mr. LATOURETTE, and Mr. KOLBE.

H.R. 1004: Mr. MCGOVERN and Mr. HASTINGS of Florida.

H.R. 1011: Mr. CLEMENT, Mr. SKEEN, and Mr. BALDACCI.

H.R. 1012: Mrs. JO ANN DAVIS of Virginia, Mr. UPTON, Mr. MCGOVERN, and Mr. PASCRELL.

H.R. 1013: Mr. FROST.

H.R. 1020: Mr. LUCAS of Oklahoma, Mr. JOHNSON of Illinois, Mr. SCHAFFER, Mr. SNYDER, Mr. COSTELLO, Mr. KENNEDY of Minnesota, Mr. BEREUTER, Mr. BOSWELL, Mr. HUTCHINSON, Mr. MCINTYRE, Mr. LOBIONDO, Mr. HOEFFEL, and Mr. THOMPSON of California.

H.R. 1041: Mr. PLATTS, Mrs. JOHNSON of Connecticut, and Mr. GREENWOOD.

H.R. 1052: Mr. WAXMAN.

H.R. 1055: Mr. KUCINICH.

H.R. 1056: Mr. KUCINICH.

H.R. 1057: Mr. KUCINICH.

H.R. 1058: Mr. KUCINICH.

H.R. 1059: Mr. KUCINICH.

H.R. 1060: Ms. SANCHEZ, Mrs. CLAYTON, and Mr. KUCINICH.

H.R. 1061: Mr. KUCINICH.

H.R. 1097: Mr. BOSWELL.

H.R. 1102: Mr. WATTS of Oklahoma, Mr. CHAMBLISS, Mr. BACHUS, Mr. ISAKSON, Mr. NORWOOD, Mr. CALLAHAN, and Mr. SPRATT.

H.R. 1110: Mr. LARGENT and Mr. TURNER.

H.R. 1143: Mr. OLVER, Mr. CROWLEY, Mr. MORAN of Virginia, Mr. HASTINGS of Florida, and Mr. SMITH of Washington.

H.R. 1192: Mr. BOSWELL.

H.R. 1198: Mr. DAVIS of Illinois, Mrs. MINK of Hawaii, Mr. TOWNS, Ms. MCKINNEY, Mr. STARK, and Mr. WU.

H.R. 1214: Mrs. JOHNSON of Connecticut and Mr. CRAMER.

H.R. 1266: Mr. PRICE of North Carolina.

H.R. 1273: Mr. MCINNIS, Mr. ROGERS of Kentucky, and Mr. WELDON of Florida.

H.R. 1296: Mr. SANDERS, Mr. REYES, Mr. BENTSEN, Mr. EDWARDS, Mrs. MORELLA, and Mr. JOHN.

H.R. 1304: Mr. RADANOVICH and Mr. FILNER.

H.R. 1305: Mr. CRAMER, Mr. HILLIARD, Mr. YOUNG of Alaska, and Mr. WHITFIELD.

H.R. 1329: Mr. GORDON.

H.R. 1344: Mr. CAPUANO and Mr. THOMPSON of California.

H.R. 1354: Mr. EVANS and Mrs. MINK of Hawaii.

H.R. 1363: Mr. KENNEDY of Rhode Island.

H.R. 1366: Mr. MCKEON, Mr. GALLEGLY, and Mr. POMBO.

H.R. 1367: Mr. HAYES.

H.R. 1383: Ms. WOOLSEY, Mr. GEORGE MILLER of California, Mr. LARGENT, Mr. PUTNAM, Mr. HONDA, Mrs. WILSON, Ms. PELOSI, Ms. ROYBAL-ALLARD, Mr. SMITH of Washington, Mr. INSLEE, Ms. BROWN of Florida, Mr. BACA, Mr. NETHERCUTT, Mr. DINGELL, Mr. RANGEL, Ms. KILPATRICK, Mr. MATHESON, Mr. BARRETT, Mr. BLUMENAUER, Mr. RAHALL, Mr. MATSUI, Mr. TIERNEY, Mr. SANDLIN, Mr. SHERMAN, Mr. LARSEN of Washington, Mr. HINOJOSA, Ms. NORTON, Ms. SOLIS, Mr. GONZALEZ, Mr. BAIRD, and Mr. FILNER.

H.R. 1411: Mr. RAMSTAD.

H.R. 1436: Ms. KILPATRICK, Mr. FOLEY, Ms. WOOSLEY, Mr. SAWYER, Ms. MCCARTHY of Missouri, Mr. WAXMAN, Mr. OWENS, Mr. BOUCHER, Mr. CROWLEY, Mrs. THURMAN, Mr. COOKSEY, Mr. MORAN of Virginia, Mrs. TAUSCHER, Mr. LIPINSKI, Mr. EVANS, Ms. BALDWIN, Mrs. MORELLA, Mr. STRICKLAND, Mr. KUCINICH, Ms. NORTON, Mrs. DAVIS of California, Mr. KING, Ms. MCCOLLUM, and Mr. BAIRD.

H.R. 1466: Mr. TIBERI, Mr. FOSSELLA, and Mr. TIAHRT.

H.R. 1490: Mr. RAHALL, Mr. MORAN of Virginia, Mr. ALLEN, Mrs. MCCARTHY of New York, Mr. HILLEARY, Mr. TIERNEY, and Mr. OLVER.

H.R. 1494: Mr. LAFALCE.

H.R. 1504: Mrs. TAUSCHER, Mr. FROST, and Mr. KIRK.

H.R. 1506: Mr. BOUCHER.

H.R. 1507: Mr. BLUNT, Mr. MALONEY of Connecticut, Mr. BALDACCI, Mr. GUTKNECHT, Mr. HUTCHINSON, and Mr. SHADEGG.

H.R. 1509: Mr. BROWN of Ohio and Ms. RIVERS.

H.R. 1536: Ms. HARMAN, Mr. CLEMENT, Ms. SOLIS, and Mr. STRICKLAND.

H.R. 1581: Mr. CRANE, Mr. MICA, and Mr. ABERCROMBIE.

H.R. 1585: Mrs. THURMAN, Mr. FROST, Mr. CLYBURN, Ms. CARSON of Indiana and Ms. ROYBAL-ALLARD.

H.R. 1587: Mr. BONIOR, Mr. ACEVEDO-VILÁ, Mr. COSTELLO, and Ms. HARMAN.

H.R. 1594: Ms. MCCOLLUM, Mr. UDALL of Colorado, and Mr. OLVER.

H.R. 1596: Mrs. CLAYTON, Mr. TERRY, Mr. KOLBE, Mrs. MINK of Hawaii, Mr. SHOWS, and Mrs. TAUSCHER.

H.R. 1598: Ms. ESHOO, Mr. GREENWOOD, and Mr. KUCINICH.
H.R. 1600: Mr. CARDIN.
H.R. 1601: Mr. UDALL of Colorado and Mrs. CUBIN.
H.R. 1605: Mrs. THURMAN and Mr. DEUTSCH.
H.R. 1613: Mr. WATT of North Carolina, Mr. SCHIFF, and Mr. LOBIONDO.
H.R. 1620: Ms. HARMAN and Mr. ANDREWS.
H.R. 1621: Mr. LANTOS.
H.R. 1626: Mrs. THURMAN.
H.R. 1642: Mr. OWENS, Mr. BROWN of Ohio, Mr. OBERSTAR, Mr. LEWIS of Georgia, Mr. BRADY of Pennsylvania, Mr. COSTELLO, Mr. MORAN of Virginia, Mr. CUMMINGS, Mr. TIERNEY, Ms. RIVERS, and Mr. HINOJOSA.
H.R. 1644: Mr. BRYANT, Mr. LAFALCE, Mr. HILLEARY, Mr. SCHAFFER, Mr. BARTON of Texas, Mr. BARR of Georgia, and Mr. GOODLATTE.
H.R. 1650: Mr. JACKSON of Illinois.
H.R. 1663: Mr. MCNULTY, Mr. FRANK, and Mr. MCGOVERN.
H.R. 1667: Mr. BONIOR, Mr. KILDEE, and Mr. CONYERS.
H.R. 1690: Mr. HASTINGS of Florida, Ms. BROWN of Florida, and Mr. WYNN.
H.R. 1699: Mr. BAKER, Mr. BROWN of South Carolina, Mr. COOKSEY, Mr. DEFAZIO, Mr. GILCHREST, Mr. HOLDEN, Mr. KIRK, Mr. MCGOVERN, Mr. SIMMONS, Mr. TAUZIN, Mr. BARCIA, Mr. CLEMENT, Mr. CRENSHAW, Mr. DICKS, Mr. GREEN of Texas, Mr. HOSTETTLER, Mr. LIPINSKI, Mr. MCINTYRE, and Mr. STUPAK.
H.R. 1707: Mr. RADANOVICH.
H.R. 1718: Mr. ENGLISH, Mr. SHIMKUS, Mr. MCNULTY, Ms. DELAURO, and Mr. LEACH.
H.R. 1723: Mr. PRICE of North Carolina, Mr. GRUCCI, Mr. DEUTSCH, and Mr. EVANS.
H.R. 1734: Mr. BOEHLERT and Mrs. CUBIN.
H.R. 1735: Mr. RADANOVICH, Mr. GREEN of Texas, Mr. RUSH, and Mr. SHIMKUS.
H.R. 1760: Mr. FRANK and Mr. BONIOR.
H.R. 1765: Mr. BLUNT.
H.R. 1780: Mr. REHBERG, Mr. FRANK, Mr. ENGLISH, Mr. GREEN of Wisconsin, Mr. KING, Mr. SMITH of Michigan, Mr. BALLENGER, Mr. MCNULTY, and Mr. BONIOR.
H.R. 1804: Mr. RUSH.
H.R. 1806: Mrs. CLAYTON, Mr. KUCINICH, Mr. MCDERMOTT, Mr. SERRANO, and Mr. BORSKI.
H.R. 1831: Mr. GREEN of Texas, Mr. HALL of Texas, Mr. BURR of North Carolina, Mr. UPTON, and Mr. LUTHER.
H.R. 1835: Ms. DUNN and Mr. MCNULTY.
H.R. 1842: Mr. KENNEDY of Rhode Island and Mr. HINCHEY.
H.R. 1878: Mr. OBEY and Ms. BALDWIN.
H. Con. Res. 42: Mr. MOORE and Mr. HOLT.
H. Con. Res. 45: Mr. ANDREWS and Mr. CROWLEY.
H. Con. Res. 56: Mr. PLATTS, Ms. HART, Mr. REYES, Mr. RYUN of Kansas, Mr. NETHERCUTT, Mr. CLEMENT, Mr. GOODLATTE, and Ms. CARSON of Indiana.
H. Con. Res. 109: Mr. ENGLISH, Mr. SPENCE, Mrs. THURMAN, Mrs. JO ANN DAVIS of Virginia, Mr. GREEN of Texas, Mr. MCGOVERN, Mr. KING, Mr. ABERCROMBIE, Mr. MCHUGH, Mr. GOODLATTE, and Ms. HARMAN.
H. Con. Res. 116: Mr. SMITH of Michigan and Mr. BONIOR.
H. Con. Res. 135: Mr. WYNN and Mr. LAMPSON.
H. Res. 97: Mr. NADLER.
H. Res. 114: Mr. WOLF, Mr. LANTOS, Mr. SOUDER, Ms. GRANGER, and Mr. BUYER.
H. Res. 117: Mr. ACKERMAN and Mr. CAPUANO.
H. Res. 125: Mr. MCGOVERN, Mr. WYNN, Mr. CUMMINGS, and Mr. BLUMENAUER.
H. Res. 139: Mrs. JONES of Ohio, Mr. FRANK, Mr. OLVER, and Mr. WATT of North Carolina.

MONDAY, MAY 21, 2001 (50)

¶50.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. PENCE, who laid before the House the following communication:

WASHINGTON, DC,
May 21, 2001.

I hereby appoint the Honorable MIKE PENCE to act as Speaker pro tempore on this day.

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

¶50.2 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶50.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. PENCE, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶50.4 RECESS—12:32 P.M.

The SPEAKER pro tempore, Mr. PENCE, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 32 minutes p.m. until 2 o'clock p.m.

¶50.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶50.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Thursday, May 17, 2001.

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

¶50.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2003. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of Whiteman Air Force Base (AFB), Missouri, has conducted a cost comparison to reduce the cost of the Heat Plant function, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2004. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of the U.S. Air Force Personnel Center is initiating a single-function cost comparison of the Personnel Computer Support function at Randolph Air Force Base (AFB), Texas, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2005. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Applicability of Section 23A of the Federal Reserve Act to the Purchase of Securities from Certain Affiliates [Miscellaneous Interpretations; Docket R–1015] received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2006. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Applicability of Section 23A of the Federal Reserve Act to Loans and Extensions of Credit Made by a Member Bank to a Third Party [Miscellaneous Interpretations; Docket R–1016] received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2007. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Assessment of Fees [Docket No. 01–08] (RIN: 1557–AB90) received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2008. A letter from the Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Definition of Terms in and Specific Exemptions for Banks, Savings Associations, and Savings Banks Under Sections 3(a)(4) and 3(a)(5) of the Securities Exchange Act of 1934 [Release No. 34–44291; File No. S7–12–01] (RIN: 3235–AI19) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2009. A letter from the Secretary, Department of Energy, transmitting the Department's Annual Report on Federal Government Energy Management and Conservation Programs during Fiscal Year 1999, pursuant to 42 U.S.C. 6361(c); to the Committee on Energy and Commerce.

2010. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; Home and Community-Based Services [HCFA–2010–FC] (RIN: 0938–AI67) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2011. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption; Alpha-Acetolactate Decarboxylase Enzyme Preparation [Docket No. 92F–0396] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2012. A letter from the Chairman, National Committee on Vital and Health Statistics, transmitting the Fourth Annual Report to Congress on the Implementation of the Administrative Simplification Provisions of the Health Insurance Portability and Accountability Act, pursuant to Public Law 104—191, section 263 (110 Stat. 2033); to the Committee on Energy and Commerce.

2013. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on proliferation of missiles and essential components of nuclear, biological, and chemical weapons, pursuant to 22 U.S.C. 2751 nt.; to the Committee on International Relations.

2014. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

2015. A letter from the Deputy Assistant Secretary, Export Administration, Department of Commerce, transmitting the Department's final rule—Entity List: Revisions and Additions [Docket No. 9704–28099–0127–10] (RIN: 0694–AB60) received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2016. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report concerning compliance by the Government of Cuba with the U.S.-Cuba Migration Accords of September 9, 1994, and May 2, 1995; to the Committee on International Relations.

2017. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2018. A letter from the Acting Chief Executive Officer, Corporation for National and

Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2019. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2020. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2021. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2022. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2023. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2024. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2025. A letter from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting a copy of the Sixtieth Financial Statements and Independent Auditor's Report for the period October 1, 1999 to September 30, 2000, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

2026. A letter from the Deputy Archivist, National Archives and Records Administration, transmitting the Administration's final rule—Records Disposition; Technical Amendments (RIN: 3095–AB02) received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2027. A letter from the Acting Executive Secretary, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2028. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule for Endangered Status for Astragalus pycnostachyus var. Lanosissimus (Ventura marsh milk-vetch) (RIN: 1018–AF61) received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2029. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 99–NM–272–AD; Amendment 39–12193; AD 2001–08–16] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2030. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 35–C33A, E33A, E33C, F33A, F33C, S35, V35, V35A, V35B, 36, and A36 Airplanes [Docket No. 99–CE–63–AD; Amendment 39–12185; AD 2001–08–08] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2031. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Flight Crewmember Flight Time Limitations and Rest Requirements—received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2032. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Parachute Operations [Docket No. FAA–1999–5483; Amendment No. 65–42, 91–268, 105–12 and 119–4] (RIN: 2120–AG52) received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2033. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the initial estimate of the applicable percentage increase in hospital inpatient payment rates for Federal Fiscal Year (FY) 2002, pursuant to Public Law 101–508, section 4002(g)(1)(B) (104 Stat. 1388—36); to the Committee on Ways and Means.

2034. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—National Medical Support Notice (RIN: 0970–AB97) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2035. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Child Support Enforcement Program; Incentive Payments, Audit Penalties (RIN: 0970–AB85) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2036. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—State Self-Assessment Review and Report (RIN: 0970–AB96) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2037. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Comprehensive Tribal Child Support Enforcement Programs (RIN: 0970–AB73) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2038. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the President's Determination No. 2001–13, entitled, ''Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization''; jointly to the Committees on International Relations and Appropriations.

2039. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Additional Supplier Standards [HCFA–6004–FC] (RIN: 0938–AH19) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

2040. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare, Medicaid, and CLIA Programs; Extension of Certain Effective Dates for Clinical Laboratory Requirements Under CLIA [HCFA–2024–FC2] (RIN: 0938–AI94) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

2041. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Criteria for Submitting Supplemental Practice Expense Survey Data [HCFA–1111–IFC] (RIN: 0938–AK14) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

¶50.8 ARTS EDUCATION AWARDS BOARD

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, announced that the Speaker, pursuant to the Congressional Award Act (2 United States Code 801), amended by Public Law 106-533, appointed to the Congressional Recognition for Excellence in Arts Education Awards Board, on the part of the House, the following Members: Mr. MCKEON and Mrs. BIGGERT.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶50.9 COMMISSION ON U.S. AEROSPACE INDUSTRY

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, announced that the Speaker, pursuant to section 1092(b) of the Floyd D. Spence National Defense Authorization Act for fiscal year 2001 (Public Law 106-398), appointed to the Commission on the Future of the United States Aerospace Industry: Mr. F. Whitten Peters of Washington, D.C. and Mrs. Tillie Fowler of Jacksonville, Florida, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶50.10 NATIONAL PEARL HARBOR REMEMBRANCE DAY

Mr. LATOURETTE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 56):

Whereas on December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the Armed Forces of the United States stationed at Pearl Harbor, Hawaii;

Whereas 2,403 members of the Armed Forces of the United States were killed in the attack on Pearl Harbor;

Whereas there are more than 12,000 members of the Pearl Harbor Survivors Association;

Whereas the 60th anniversary of the attack on Pearl Harbor will be December 7, 2001;

Whereas on August 23, 1994, Public Law 103–308 was enacted, designating December 7 of each year as National Pearl Harbor Remembrance Day; and

Whereas Public Law 103–308, reenacted as section 129 of title 36, United States Code, requests the President to issue each year a proclamation calling on the people of the United States to observe National Pearl Harbor Remembrance Day with appropriate ceremonies and activities, and all departments, agencies, and instrumentalities of the Federal Government, and interested organizations, groups, and individuals, to fly the flag of the United States at half-staff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress, on the occasion of the 60th anniversary of the December 7, 1941, attack on Pearl Harbor, Hawaii, pays tribute to—

(1) the United States citizens who died in the attack; and

(2) the members of the Pearl Harbor Survivors Association.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LATOURETTE and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WELLER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶50.11 ELDON B. MAHON UNITED STATES COURTHOUSE

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 1801) to designate the United States courthouse located at 501 West 10th Street in Fort Worth, Texas, as the ''Eldon B. Mahon United States Courthouse''.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Ms. GRANGER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶50.12 RON DE LUGO FEDERAL BUILDING

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 495) to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the ''Ron de Lugo Federal Building''.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶50.13 EAST FRONT OF CAPITOL GROUNDS FOR JOHN F. KENNEDY FOR THE PERFORMING ARTS

Mr. LATOURETTE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 76):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZING USE OF EAST FRONT OF CAPITOL GROUNDS FOR PERFORMANCES SPONSORED BY KENNEDY CENTER.

In carrying out its duties under section 4 of the John F. Kennedy Center Act (20 U.S.C. 76j), the John F. Kennedy Center for the Performing Arts, in cooperation with the National Park Service (in this resolution jointly referred to as the ''sponsor''), may sponsor public performances on the East Front of the Capitol Grounds at such dates and times as the Speaker of the House of Representatives and Committee on Rules and Administration of the Senate may approve jointly.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Any performance authorized under section 1 shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) ASSUMPTION OF LIABILITIES.—The sponsor shall assume full responsibility for all liabilities incident to all activities associated with the performance.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—In consultation with the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate, the Architect of the Capitol shall provide upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for a performance authorized under section 1.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board may make such additional arrangements as may be required to carry out the performance.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to a performance authorized by section 1.

SEC. 5. EXPIRATION OF AUTHORITY.

A performance may not be conducted under this resolution after September 30, 2001.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶50.14 GREATER WASHINGTON SOAP BOX DERBY

Mr. LATOURETTE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 79):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF SOAP BOX DERBY RACES ON CAPITOL GROUNDS.

The Greater Washington Soap Box Derby Association (in this resolution referred to as the ''Association'') shall be permitted to sponsor a public event, soap box derby races, on the Capitol Grounds on June 23, 2001, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that the Association shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, the Association is authorized to erect upon the Capitol Grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event to be carried out under this resolution.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶50.15 D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. LATOURETTE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 87):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF RUNNING OF D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN THROUGH CAPITOL GROUNDS.

On June 1, 2001, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 2001 District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the ''event'') may be run through the Capitol Grounds as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games at Gallaudet University in the District of Columbia.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶50.16 UNITED STATES MERCHANT MARINE

Mr. LATOURETTE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 109):

Whereas throughout our history, the United States merchant marine has served the Nation during times of war;

Whereas the merchant marine served as the Nation's first navy, and defeated the British Navy to help gain the Nation's independence;

Whereas during World War II more than 250,000 men and women served in the merchant marine, and faced dangers from the elements, and from mines, submarines, other armed enemy vessels, and aircraft;

Whereas during World War II vessels of the merchant marine fleet, such as the S.S. Lane Victory, provided critical logistical support to the Armed Forces by carrying equipment, supplies, and personnel necessary to the war effort;

Whereas President Franklin D. Roosevelt and many military leaders praised the role of the merchant marine as the ''Fourth Arm of Defense'' during World War II;

Whereas during World War II more than 6,800 members of the merchant marine were killed at sea, more than 11,000 were wounded, and more than 600 were taken prisoner;

Whereas 1 out of every 32 members of the merchant marine serving during World War II died in the line of duty, a higher percentage of war related deaths than in any of the armed services;

Whereas, at a time when the people of the United States are recognizing the contributions of the Armed Forces and civilian personnel to the national security, it is appropriate to recognize the service of the merchant marine; and

Whereas the merchant marine continues to serve and protect the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the service and sacrifice of members of the United States merchant marine;

(2) recognizes the critical role played by vessels of the United States merchant marine fleet in transporting equipment, supplies, and personnel in support of the Nation's defense;

(3) recognizes the historical significance of May 22 as National Maritime Day, so designated in 1933 to commemorate the anniversary of the first transoceanic voyage under steam propulsion, and finds it fitting and proper on this day of paying tribute to our maritime history to pay special honor to the merchant marine;

(4) encourages the American people and appropriate government agencies, through appropriate ceremonies and activities, to recognize the services and sacrifices of the United States merchant marine, and to observe this day by displaying the flag of the United States at their homes and other suitable places; and

(5) requests that all ships sailing under the United States flag prominently display the flag on this day.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LATOURETTE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶50.17 SMALL BUSINESS LIABILITY PROTECTION

Mr. GILLMOR moved to suspend the rules and pass the bill (H.R. 1831) to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. GILLMOR and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GILLMOR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶50.18 245(I) IMMIGRATION EXTENSION

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 1885) to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Mr. CONYERS, each for 20 minutes.

After debate,

On motion of Mr. CONYERS, the time for debate was extended for 30 minutes, equally divided and controlled by Mr. SENSENBRENNER and Mr. CONYERS.

After further debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶50.19 RECESS—4:31 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 31 minutes p.m., until approximately 6 o'clock p.m.

¶50.20 AFTER RECESS—6:00 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, called the House to order.

¶50.21 ORDERING OF YEAS AND NAYS VACATED—H.R. 1801 AND H. CON. RES. 109

On motion of Mr. LATOURETTE, by unanimous consent, the House vacated the ordering of the yeas and nays on the motions to suspend the rules relating to the bill (H.R. 1801) to designate the United States courthouse located at 501 West 10th Street in Fort Worth, Texas, as the ''Eldon B. Mahon United States Courthouse'', and the concurrent resolution (H. Con. Res. 109) honoring the services and sacrifices of the the United States Merchant Marines, to the end that the Chair put the question on each motion de novo.

¶50.22 H.R. 1801—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1801) to designate the United States courthouse located at 501 West 10th Street in Fort Worth, Texas, as the ''Eldon B. Mahon United States Courthouse''.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶50.23 H. CON. RES. 109—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 109) honoring the services and sacrifices of the United States Merchant Marine.

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶50.24 H. CON. RES. 56—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 56) expressing the sense of the Congress regarding National Pearl Harbor Remembrance Day.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 368 / Nays 0

¶50.25 [Roll No. 126]

YEAS—368

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

NOT VOTING—64

Abercrombie
Barr
Barrett
Berkley
Blumenauer
Carson (OK)
Clay
Cox
Coyne
Cubin
Emerson
Fossella
Graves
Gutknecht
Hansen
Hart
Hayworth
Hill
Hilleary
Hinchey
Hobson
Hostettler
Hulshof
Hutchinson
Johnson (IL)
Kelly
Kingston
Kirk
Lantos
Largent
Levin
Lewis (GA)
Lewis (KY)
Moakley
Mollohan
Neal
Ney
Otter
Owens
Pascrell
Pastor
Peterson (PA)
Phelps
Rahall
Riley
Rogers (KY)
Sanchez
Sanders
Scarborough
Schakowsky
Simpson
Strickland
Sweeney
Taylor (NC)
Thune
Tiberi
Toomey
Towns
Vitter
Wamp
Waters
Watts (OK)
Waxman
Weiner

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶50.26 H.R. 1885—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1885) to expand the class of beneficiaries who may apply for adjustment of status

under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 336 / Nays 43

¶50.27 [Roll No. 127]

YEAS—336

Ackerman
Akin
Allen
Andrews
Armey
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Barton
Bass
Becerra
Bentsen
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cooksey
Costello
Cramer
Crane
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Hayworth
Hilliard
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Stupak
Sununu
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thurman
Tiahrt
Tierney
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Watkins
Watt (NC)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—43

Aderholt
Bachus
Baker
Ballenger
Bartlett
Bereuter
Burton
Chambliss
Coble
Combest
Culberson
Deal
Duncan
Everett
Goode
Goodlatte
Graves
Gutknecht
Hayes
Hefley
Herger
Hunter
Johnson, Sam
Jones (NC)
Kerns
LoBiondo
Mica
Nethercutt
Norwood
Putnam
Rohrabacher
Roukema
Royce
Saxton
Schaffer
Sessions
Spence
Stearns
Stump
Tancredo
Taylor (MS)
Visclosky
Weldon (FL)

NOT VOTING—53

Abercrombie
Barr
Berkley
Blumenauer
Clay
Cox
Coyne
Cubin
Emerson
Fossella
Ganske
Gordon
Hansen
Hart
Hill
Hilleary
Hinchey
Hobson
Hostettler
Hulshof
Kelly
Kingston
Lantos
Largent
Levin
Lewis (GA)
Moakley
Mollohan
Neal
Ney
Owens
Pascrell
Peterson (PA)
Phelps
Rahall
Riley
Rogers (KY)
Sanchez
Sanders
Scarborough
Simpson
Strickland
Sweeney
Taylor (NC)
Thune
Tiberi
Toomey
Towns
Wamp
Waters
Watts (OK)
Waxman
Weiner

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶50.28 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1696. An Act to expedite the construction of the World War II memorial in the District of Columbia.

The message also announced that pursuant to Public Law 106–286, the Chair, on behalf of the President of the Senate, and after consultation with the Majority Leader, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China—

the Senator from New Hampshire (Mr. SMITH);

the Senator from Kansas (Mr. BROWNBACK);

the Senator from Arkansas (Mr. HUTCHINSON);

the Senator from Oregon (Mr. SMITH); and

the Senator from Nebraska (Mr. HAGEL), Chairman.

The message also announced that pursuant to Public Law 102–246, the Chair, on behalf of the Majority Leader, in consultation with the Democratic Leader, appoints Leo Hindery, Jr., of California, to the Library of Congress Trust Fund Board, vice Adele Hall, of Kansas.

The message also announced that pursuant to sections 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the Canada-United States Interparliamentary Group during the First Session of the One Hundred Seventh Congress, to be held in Canada, May 17–21, 2001:

The Senator from South Carolina (Mr. HOLLINGS).

The Senator from Vermont (Mr. LEAHY).

The Senator from Maryland (Mr. SARBANES).

The Senator from Hawaii (Mr. AKAKA).

The message also announced that pursuant to sections 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the Canada-United States Interparliamentary Group during the First Session of the One Hundred Seventh Congress, to be held in Canada, May 17–21, 2001:

The Senator from Iowa (Mr. GRASSLEY).

The Senator from Ohio (Mr. VOINOVICH).

The message also announced that in accordance with sections 1928a–1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the First Session of the One Hundred Seventh Congress, to be held in Vilnius, Lithuania, May 27–31, 2001—

the Senator from Ohio (Mr. VOINOVICH);

the Senator from Maryland (Mr. SARBANES);

the Senator from Maryland (Ms. MIKULSKI); and

the Senator from Illinois (Mr. DURBIN).

¶50.29 MESSAGE FROM THE PRESIDENT—U.S. TRADE AND INVESTMENT POLICY REGARDING SUB-SAHARA AFRICA

The SPEAKER pro tempore, Mr. ISAKSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 106 of title I of the Trade and Development Act of 2000 (Public Law 106–200), I transmit herewith the 2001 Comprehensive Report of the President on U.S. Trade and Investment Policy toward Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act.

GEORGE W. BUSH,
THE WHITE HOUSE, *May 18, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 107–73).

¶50.30 BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on May 18, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 428. Concerning the participation of Taiwan in the World Health Organization.

H.R. 802. To authorize the Public Safety Officer Medal of Valor, and for other purposes.

¶50.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HILL, for today;

To Mr. ABERCROMBIE, for today and May 22;

To Mr. HANSEN, for today and May 22;

To Mr. LEVIN, for today; and

To Mr. WATTS of Oklahoma, for today.

And then,

¶50.32 ADJOURNMENT

On motion of Mr. McINNIS, at 9 o'clock and 33 minutes p.m., the House adjourned.

¶50.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 1831. A bill to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Rept. No. 107–70 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 1831. A bill to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Rept. No. 107–70 Pt. 2). Referred to the Committee of the Whole House on the State of Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 495. A bill to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the ''Ron de Lugo Federal Building'' (Rept. No. 107–71). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 76. Resolution authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts (Rept. No. 107–72). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 79. Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Rept. No. 107–73). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 87. Resolution authorizing the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds (Rept. No. 107–74). Referred to the House Calendar.

¶50.34 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on May 18, 2001]

H.R. 1088. Referral to the Committee on Government Reform extended for a period ending not later than May 25, 2001.

¶50.35 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GILMAN:

H.R. 1917. A bill to amend title 38, United States Code, to provide for the payment of a monthly stipend to the surviving parents (known as ''Gold Star parents'') of members of the Armed Forces who die during a period of war; to the Committee on Veterans' Affairs.

By Mr. CANNON (for himself, Mr. BERMAN, and Ms. ROYBAL-ALLARD):

H.R. 1918. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine state residency for higher education purposes and to amend the Immigration and Nationality Act to cancel the removal and adjust the status of certain alien college-bound students who are long-term U.S. residents; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE:

H.R. 1919. A bill to remove civil liability barriers surrounding donating fire equipment to volunteer fire companies; to the Committee on the Judiciary.

By Mr. CHAMBLISS (for himself, Mr. RILEY, Mr. JONES of North Carolina, Mr. RODRIGUEZ, and Mr. BISHOP)

H.R. 1920. A bill to amend the provision of title 5, United States Code, commonly referred to as the ''Monroney amendment'', to read as it last did before the enactment of Public Law 99–145; to the Committee on Government Reform.

By Mr. DEFAZIO (for himself, Ms. LEE, Ms. BALDWIN, Mr. SANDERS, and Ms. McKINNEY):

H.R. 1921. A bill to eliminate the requirement for students to register with the selective service system in order to receive Federal student financial assistance; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEGETTE (for herself, Mr. ABERCROMBIE, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mrs. JONES of Ohio, Ms. NORTON, Ms. WOOLSEY, Mr. CAPUANO, Mr. DAVIS of Illinois, Mr. KENNEDY of Rhode Island, Mr. MEEHAN, Mr. NADLER, Mr. WEXLER, Mr. WYNN, Mr. COYNE, Mr. FRANK, Ms. SCHAKOWSKY, Mr. McGOVERN, Mr. GEORGE MILLER of California, Mr. BARRETT, Mrs. TAUSCHER, and Mr. MORAN of Virginia):

H.R. 1922. A bill to ban the importation of large capacity ammunition feeding devices, and to extend the ban on transferring such devices to those that were manufactured before the ban became law; to the Committee on the Judiciary.

By Mr. DEMINT (for himself and Mr. BAIRD):

H.R. 1923. A bill to amend the Internal Revenue Code of 1986 to provide for Start-up Success Accounts; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 1924. A bill to provide for the establishment of a commission to review and make recommendations to the Congress and the States on alternative and nontraditional routes to teacher certification; to the Committee on Education and the Workforce.

By Mr. EDWARDS:

H.R. 1925. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. McINNIS:

H.R. 1926. A bill to amend the Internal Revenue Code of 1986 to allow the capital loss deduction with respect to the sale or exchange of an individual's principal residence; to the Committee on Ways and Means.

By Mr. ROGERS of Michigan (for himself and Mr. GILLMOR):

H.R. 1927. A bill to authorize States to prohibit or impose certain limitations on the receipt of foreign municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STARK (for himself, Mr. RANGEL, Mr. MATSUI, Mr. McDERMOTT, Mr. LEWIS of Georgia, Mrs. THURMAN, Mr. WAXMAN, Mr. BONIOR, Mr. FROST, Ms. KAPTUR, Mr. FILNER, Mr. HILLIARD, Mr. RUSH, Mr. BENTSEN, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. DAVIS of Illinois, and Ms. BERKLEY):

H.R. 1928. A bill to amend title XVIII of the Social Security Act to provide for full payment rates under Medicare to hospitals for costs of direct graduate medical education of residents for residency training programs in specialties or subspecialties which the Secretary of Health and Human Services designates as critical need specialty or subspecialty training programs; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of New Mexico (for himself, Mr. EVANS, Mr. ABERCROMBIE, Mr. JEFFERSON, Mr. KENNEDY of Rhode Island, Mr. BONIOR, Mr. CARSON of Oklahoma, Mr. BACA, Ms. BROWN of Florida, Mr. GEORGE

MILLER of California, Mr. FILNER, Mr. PALLONE, Mr. UDALL of Colorado, Ms. PELOSI, and Mr. CONDIT):

H.R. 1929. A bill to amend title 38, United States Code, to extend the Native American veteran housing loan pilot program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WICKER:

H. Con. Res. 139. Concurrent resolution welcoming His Holiness Karekin II, Supreme Patriarch and Catholicos of All Armenians, on his visit to the United States and commemorating the 1700th anniversary of the acceptance of Christianity in Armenia; to the Committee on International Relations.

¶50.36 ADDITIONAL SPONSORS

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

H.R. 41: Mr. FILNER, Mr. MATHESON, Mr. PRICE of North Carolina, Mr. PLATTS, Mr. BOEHLERT, Mr. BARCIA, Mr. DREIER, and Mr. CAPUANO.

H.R. 85: Mr. PASTOR.

H.R. 87: Mr. FRANK and Mr. OWENS.

H.R. 157: Mr. BOEHLERT.

H.R. 168: Mr. PUTNAM.

H.R. 210: Mr. HAYWORTH.

H.R. 218: Mr. KELLER, Mr. UDALL of New Mexico, Mr. BOEHNER, Mr. CANNON, and Mr. CHABOT.

H.R. 250: Mr. PAUL, Mr. OXLEY, Mr. CHAMBLISS, Mr. CLYBURN, Mr. GREENWOOD, Mr. BARCIA, Mr. AKIN, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 287: Mr. HINCHEY.

H.R. 298: Mr. CLAY and Mr. ISSA.

H.R. 394: Mr. THORNBERRY and Mr. GOODLATTE.

H.R. 448: Mr. SHADEGG and Mr. BARTLETT of Maryland.

H.R. 572: Mr. ISAKSON and Mr. THOMPSON of California.

H.R. 590: Mr. BONIOR.

H.R. 595: Mrs. MALONEY of New York and Mr. TURNER.

H.R. 611: Mr. NETHERCUTT, Mr. CLAY, and Mr. TERRY.

H.R. 612: Mr. PETERSON of Pennsylvania, Mr. LANTOS, and Mr. BONIOR.

H.R. 619: Mr. SCHIFF.

H.R. 641: Mr. HASTINGS of Washington, Mr. HONDA, Ms. HARMAN, Mr. CLAY, Mr. BACA, Mr. LUCAS of Kentucky, Mr. SCHIFF, and Mr. HUNTER.

H.R. 663: Ms. SOLIS and Mr. ROSS.

H.R. 664: Mr. PRICE of North Carolina, Mr. GOODLATTE, Ms. DEGETTE, Ms. KILPATRICK, Ms. RIVERS, and Mr. DEUTSCH.

H.R. 686: Mr. CLAY and Mr. GUTIERREZ.

H.R. 737: Mr. LATOURETTE and Ms. WATERS.

H.R. 778: Ms. ESHOO.

H.R. 839: Mr. DAVIS of Florida.

H.R. 912: Mr. CAMP and Mr. WOLF.

H.R. 918: Mr. ROYCE, Mr. WAMP, Mrs. LOWEY, Ms. WOOLSEY, Mr. MATHESON, and Mr. RODRIGUEZ.

H.R. 936: Mr. MCDERMOTT, Ms. NORTON, and Mr. SMITH of Washington.

H.R. 953: Mr. MOORE and Mr. SNYDER.

H.R. 968: Mr. BAIRD, Mr. THORNBERRY, Ms. BALDWIN, and Mr. BALDACCI.

H.R. 981: Mr. ISAKSON, Mr. LUTHER, and Mr. SKEEN.

H.R. 1004: Mr. CLAY and Mr. WAXMAN.

H.R. 1017: Mr. PLATTS.

H.R. 1076: Mr. PASCRELL, Ms. MCCOLLUM, and Mr. THOMPSON of Mississippi.

H.R. 1089: Mr. TOWNS.

H.R. 1110: Mr. SPRATT.

H.R. 1165: Mr. GORDON and Mr. BAIRD.

H.R. 1178: Mr. ACEVEDO-VILA, Mr. PETERSON of Pennsylvania, Mr. CROWLEY, Ms. MCKINNEY, Mr. GRUCCI, Mrs. THURMAN, Mr. MCHUGH, Mr. SCHAFFER, and Ms. HART.

H.R. 1192: Mrs. MINK of Hawaii and Mr. PETERSON of Minnesota.

H.R. 1193: Ms. CARSON of Indiana.

H.R. 1275: Mr. KUCINICH.

H.R. 1280: Mrs. CHRISTENSEN.

H.R. 1291: Mr. NORWOOD, Mr. GRAHAM, and Ms. SCHAKOWSKY.

H.R. 1293: Mr. ROTHMAN, Mr. DOYLE, and Mr. MANZULLO.

H.R. 1305: Mrs. CUBIN.

H.R. 1336: Mr. BARR of Georgia.

H.R. 1338: Mr. GUTIERREZ and Ms. JACKSON-LEE of Texas.

H.R. 1340: Mr. DEUTSCH.

H.R. 1351: Mr. FARR of California.

H.R. 1354: Mr. LANTOS and Mr. JONES of North Carolina.

H.R. 1362: Ms. RIVERS and Mrs. MALONEY of New York.

H.R. 1366: Mr. HUNTER.

H.R. 1367: Mr. EHLERS.

H.R. 1377: Mr. ISAKSON, Mrs. THURMAN, Mr. BISHOP, and Mr. WICKER.

H.R. 1384: Mr. SKEEN and Mr. OLVER.

H.R. 1406: Mr. RUSH.

H.R. 1412: Mr. BASS, Mr. DINGELL, Ms. MILLENDER-MCDONALD, Mr. OSE, Mr. BROWN of Ohio, Mr. TERRY, and Mrs. TAUSCHER.

H.R. 1427: Mr. CROWLEY.

H.R. 1435: Mr. GALLEGLY, Mr. NEY, Mr. YOUNG of Alaska, Mrs. EMERSON, Mr. FARR of California, Mr. ACKERMAN, Ms. HART, Mr. LANGEVIN, Mr. WAXMAN, Mr. DEFAZIO, Mr. GUTIERREZ, and Mr. BONIOR.

H.R. 1438: Mr. FOLEY.

H.R. 1470: Mr. HOEFFEL and Mr. EVANS.

H.R. 1471: Mr. MATSUI and Mr. SIMMONS.

H.R. 1494: Mr. RUSH, Mr. MEEHAN, and Mr. WATT of North Carolina.

H.R. 1507: Mr. DREIER.

H.R. 1522: Mrs. CHRISTENSEN, Ms. BERKLEY, and Mr. NADLER.

H.R. 1541: Ms. SCHAKOWSKY and Mr. ENGLISH.

H.R. 1556: Mr. ENGEL, Mr. CAPUANO, Mr. ANDREWS, Mr. FOSSELLA, Mr. SWEENEY, Mr. OBERSTAR, Mr. MCDERMOTT, and Mr. NADLER.

H.R. 1585: Mr. FORD and Mr. GEORGE MILLER of California.

H.R. 1591: Mr. SERRANO and Ms. BALDWIN.

H.R. 1607: Ms. LEE and Mr. NADLER.

H.R. 1609: Mr. LEACH, Mr. CLYBURN, Mr. BERRY, and Mr. SESSIONS.

H.R. 1629: Mr. ISRAEL, Mr. GREEN of Wisconsin, Mr. CLAY, and Mr. ROSS.

H.R. 1635: Mr. BONIOR.

H.R. 1642: Mr. TOWNS, Mr. ANDREWS, Mrs. MORELLA, and Ms. PELOSI.

H.R. 1650: Mr. RODRIGUEZ, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, and Mr. GUTIERREZ.

H.R. 1657: Mr. MCINNIS.

H.R. 1663: Mr. KLECZKA, Mrs. THURMAN, and Mr. MCDERMOTT.

H.R. 1688: Mr. EHRLICH.

H.R. 1690: Mr. CUMMINGS, Mr. NADLER, and Mr. OWENS.

H.R. 1700: Mr. PETERSON of Pennsylvania and Mr. POMEROY.

H.R. 1704: Mr. DOOLEY of California.

H.R. 1705: Mr. ABERCROMBIE.

H.R. 1707: Ms. ESHOO.

H.R. 1733: Ms. SOLIS and Mr. NADLER.

H.R. 1734: Mr. SANDERS and Mr. BISHOP.

H.R. 1770: Mr. GUTKNECHT, Mr. GOODE, Mr. SCHAFFER, Mr. TANCREDO, Mr. SHOWS, Mr. BURTON of Indiana, and Mr. NORWOOD.

H.R. 1774: Mr. FOSSELLA, Mr. GRAHAM, Mr. GRAVES, Mrs. JO ANN DAVIS of Virginia, Mr. PETERSON of Pennsylvania, and Mr. SIMPSON.

H.R. 1781: Mr. WEINER, Mr. NORWOOD, and Mr. CAPUANO.

H.R. 1786: Mr. BARRETT, Mr. CALLAHAN, Mr. TURNER, and Mr. BOUCHER.

H.R. 1786: Mr. BARRETT, Mr. CALLAHAN, Mr. TURNER, and Mr. BOUCHER.

H.R. 1801: Mr. STENHOLM, Mr. HALL of Texas, Mr. ARMEY, Mr. THORNBERRY, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BARTON of Texas.

H.R. 1805: Mr. GOODE.

H.R. 1810: Mr. KENNEDY of Rhode Island, Mr. SABO, and Ms. LEE.

H.R. 1831: Mr. STEARNS, Mr. TURNER, Mrs. ROUKEMA, and Mr. CONDIT.

H.R. 1839: Mr. LATOURETTE, Mr. FROST, Mr. SNYDER, Mr. FRANK, Mr. LAFALCE, and Mr. KENNEDY of Rhode Island.

H.R. 1841: Mr. STUPAK, Mr. TOM DAVIS of Virginia, Mrs. THURMAN, Mr. SMITH of Washington, Mr. KUCINICH, Ms. DELAURO, Mr. BACA, Mr. HOLT, and Mr. BERMAN.

H.R. 1846: Mr. ENGLISH.

H.R. 1847: Mr. ENGLISH.

H.R. 1848: Mr. SMITH of Texas, Ms. LOFGREN, Mrs. CAPPS, and Mr. DOOLEY of California.

H.R. 1852: Mr. SANDERS, Ms. MCKINNEY, Ms. NORTON, Mr. FILNER, and Ms. KAPTUR.

H.R. 1885: Mr. COX.

H.R. 1907: Ms. SOLIS, Mr. SERRANO, and Mr. OBERSTAR.

H.J. Res. 20: Mr. GRAVES.

H.J. Res. 36: Mr. ROYCE, Mr. ROTHMAN, Mr. SANDLIN, Ms. DUNN, and Mr. HALL of Texas.

H. Con. Res. 3: Mr. KENNEDY of Rhode Island.

H. Con. Res. 42: Mr. LUCAS of Kentucky and Mr. BENTSEN.

H. Con. Res. 58: Mr. GUTIERREZ.

H. Con. Res. 81: Mr. NADLER.

H. Con. Res. 102: Mr. YOUNG of Alaska, Ms. BALDWIN, Mr. BOYD, Ms. CARSON of Indiana, and Mr. THOMPSON of Mississippi.

H. Con. Res. 104: Mr. RANGEL.

H. Con. Res. 109: Mr. YOUNG of Alaska and Mr. ACKERMAN.

H. Con. Res. 116: Mr. CROWLEY and Mr. LANTOS.

H. Res. 18: Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, Mr. ACKERMAN, Mr. NADLER, Mr. SHERMAN, Mr. BLAGOJEVICH, and Mr. DEFAZIO.

H. Res. 120: Mr. SERRANO.

TUESDAY, MAY 22, 2001 (51)

¶51.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 9 o'clock a.m. by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

WASHINGTON, DC,
May 22, 2001.

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

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶51.2 RECESS—9:02 A.M.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock 2 minutes a.m. until approximately 10 o'clock a.m.

¶51.3 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, called the House to order.

¶51.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced he had examined and approved the Journal of the proceedings of Monday, May 21, 2001.

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

¶51.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2042. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Decreased Assessment Rates [Docket No. FV01–930–1 FIR] received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2043. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Cyfluthrin; Pesticide Tolerances for Emergency Exemptions [OPP–301126; FRL–6781–8] (RIN: 2070–AB78) received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2044. A letter from the Chairman, Appraisal Subcommittee of the Federal Financial Institutions Examination Council, transmitting the 2000 Annual Report, pursuant to 12 U.S.C. 3332; to the Committee on Financial Services.

2045. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Attorney General's 2000 Annual Report, pursuant to the Equal Credit Opportunity Act Amendments of 1976; to the Committee on Financial Services.

2046. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Consumer Protections for Depository Institution Sales of Insurance; Change in Effective Date (RIN: 3064–AC37) received April 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2047. A letter from the Acting Assistant General Counsel, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule—Teacher Quality Enhancement Grants Program (RIN: 1840–AC65) received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2048. A letter from the Acting Assistant General Counsel, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule—Gaining Early Awareness and Readiness for Undergraduate Programs—received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2049. A letter from the Acting Assistant General Counsel, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule—Minority Science and Engineering Improvement Program—received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2050. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District [CA 169–0238; FRL–6980–4] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2051. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New York; Nitrogen Oxides Budget and Allowance Trading Program [Region II Docket No. NY48–221; FRL–6979–2] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2052. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New Jersey; Nitrogen Oxides Budget and Allowance Trading Program [Region II Docket No. NJ44–220; FRL–6979–1] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2053. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Maryland; Repeal of Petroleum Refinery Regulations [MD116–3067a; FRL–6979–6] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2054. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of VOC Emissions from Distilled Spirits Facilities [MD112–3066a; FRL–6979–3] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2055. A letter from the Attorney-Advisor, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Local Competition Provisions in the Telecommunications Act of 1996 [CC Docket No. 96–98] Intercarrier Compensation for ISP-Bound Traffic [CC Docket No. 99–68] received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2056. A letter from the Associate Bureau Chief, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Access Charge Reform [CC Docket No. 96–262] Reform of Access Charges Imposed by Competitive Local Exchange Carriers—received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2057. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Eugene, Oregon) [MM Docket No. 01–16; RM–10029] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2058. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Brighton and Stowe, Vermont) [MM Docket No. 00–134; RM–9922; RM–10023] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2059. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Aberdeen, Elma, and Montesano, Washington) [MM Docket No. 00–13; RM–9679] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2060. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Albuquerque, New Mexico) [MM Docket No. 01–28; RM–10043] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2061. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Wickenburg, Bagdad, and Aguila, Arizona) [MM Docket No. 00–166; RM–9951; RM–10015; RM–10016] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2062. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Lubbock, Texas) [MM Docket No. 01–17; RM–10037] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2063. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Establishment of a Class A Television Service [MM Docket No. 00–10] received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2064. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Reexamination of the Comparative Standards for Noncommercial Educational Applicants [MM Docket No. 95–31] received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2065. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's staff report entitled, ''Hydroelectric Licensing Policies, Procedures, and Regulations Comprehensive Review and Recommendations,'' pursuant to section 603 of the Energy Act of 2000; to the Committee on Energy and Commerce.

2066. A letter from the Secretary, Bureau of Consumer Protection, Federal Trade Commission, transmitting the Commission's final rule—Rule Concerning Disclosures Regarding Energy Consumption And Water Use Of Certain Home Appliances And Other Products Required Under The Energy Policy And Conservation Act (''Appliance Labeling Rule'')—received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2067. A communication from the President of the United States, transmitting a supplemental report, consistent with the War Powers Resolution, to help ensure that the Congress is kept fully informed on continued U.S. contributions in support of peacekeeping efforts in Kosovo; (H. Doc. No. 107–74); to the Committee on International Relations and ordered to be printed.

2068. A letter from the Chairman, Broadcasting Board of Governors, transmitting a draft of proposed legislation to authorize appropriations for Fiscal Years 2002 and 2003 for the Broadcasting Board of Governors; to the Committee on International Relations.

2069. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2070. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97–25; Introduction—received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2071. A letter from the Chairman, Merit Systems Protection Board, transmitting the

Board's 2001 draft legislation to reauthorize the Board for an additional five years; to the Committee on Government Reform.

2072. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Species in the Rock Sole/Flathead Sole/''Other Flatfish'' Fishery Category by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 042701A] received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2073. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Groundfish Observer Program [Docket No. 000301054–1054; I.D. 053000D] (RIN: 0648–AN27) received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2074. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 042701B] received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2075. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Sharpchin and Northern Rockfish in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 050101A] received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2076. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures; Corrections; Trip Limit Adjustments [Docket No. 001226367–0367–01; I.D. 121500E] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2077. A letter from the Deputy General Counsel, FBI, Department of Justice, transmitting the Department's final rule—National Instant Criminal Background Check System Regulation; Delay of Effective Date [AG Order No. 2425–2001; FBI 105F] (RIN: 1110–AA02) received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2078. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2001–34] received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2079. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definitions Relating to Corporate Reorganizations [Rev. Rul. 2001–26] received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2080. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—FOIA administrative appeals—received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2081. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's Federal Equal Opportunity Recruitment Program (FEORP) Accomplishments Report for Fiscal Year 2000; jointly to the Committees on Government Reform and International Relations.

¶51.6 WORLD WAR II MEMORIAL CONSTRUCTION

Mr. STUMP moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 1696) to expedite the construction of the World War II memorial in the District of Columbia:

Strike out all after the enacting clause and insert:

SECTION 1. APPROVAL OF WORLD WAR II MEMORIAL SITE AND DESIGN.

Notwithstanding any other provision of law, the World War II memorial described in plans approved by the Commission of Fine Arts on July 20, 2000 and November 16, 2000, and selected by the National Capital Planning Commission on September 21, 2000 and December 14, 2000, and in accordance with the special use permit issued by the Secretary of the Interior on January 23, 2001, and numbered NCR–NACC–5700–0103, shall be constructed expeditiously at the dedicated Rainbow Pool site in the District of Columbia in a manner consistent with such plans and permits, subject to design modifications, if any, approved in accordance with applicable laws and regulations.

SEC. 2. APPLICATION OF COMMEMORATIVE WORKS ACT.

Elements of the memorial design and construction not approved as of the date of enactment of this Act shall be considered and approved in accordance with the requirements of the Commemorative Works Act (40 U.S.C. 1001 et seq.).

SEC. 3. JUDICIAL REVIEW.

The decision to locate the memorial at the Rainbow Pool site in the District of Columbia and the actions by the Commission of Fine Arts on July 20, 2000 and November 16, 2000, the actions by the National Capital Planning Commission on September 21, 2000 and December 14, 2000, and the issuance of the special use permit identified in section 1 shall not be subject to judicial review.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. STUMP and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶51.7 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 1

On motion of Mr. BOEHNER, by unanimous consent,

Ordered, That during further consideration of the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind, pursuant to House Resolution 143, amendment numbered 3 in House Report 107-69 may be offered out of the specified order and immediately following amendment numbered 5.

¶51.8 NO CHILD LEFT BEHIND

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to House Resolution 143 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

Mr. HASTINGS of Washington, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶51.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. CAPPS:

In subsection (b) of section 4131 of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 401 of the bill—

(1) strike ''and'' at the end of paragraph (14);

(2) strike the period at the end of paragraph (15) and insert ''; and''; and

(3) add at the end the following:

''(16) programs for cardiopulmonary resuscitation (CPR) training in schools.

It was decided in the affirmative { Yeas ..... 421 / Nays ..... 2 }

¶51.10 [Roll No. 128]

AYES—421

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

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

NOES—2

Johnson, Sam
Souder

NOT VOTING—9

Abercrombie
Cubin
Greenwood
Hansen
McKinney
Moakley
Owens
Rogers (KY)
Walsh

So the amendment was agreed to.

¶51.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GRAVES:

In part F of title VIII of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 801 of the bill, add at the end the following:

"SEC. 8605. EFFECTIVE USE OF FEDERAL ELEMENTARY AND SECONDARY EDUCATION FUNDS.

"It is the sense of the Congress that the Secretary, State educational agencies, and local educational agencies should work together to ensure that not less than 95 percent of all funds appropriated to carry out elementary and secondary education programs under this Act is spent directly to improve the academic achievement of the Nation's children in their classrooms.

It was decided in the affirmative { Yeas ..... 422 / Nays ..... 0 }

¶51.12 [Roll No. 129]

AYES—422

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
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Davis, Tom
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Green (WI)
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Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
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Herger
Hill
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Hilliard
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Israel
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Jefferson
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Johnson, Sam
Jones (NC)
Jones (OH)
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Mascara
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Matsui
McCarthy (MO)
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McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Abercrombie
Cubin
Greenwood
Hansen
McCarthy (NY)
Moakley
Owens
Pickering
Rogers (KY)
Scarborough

So the amendment was agreed to.

After some further time,

¶51.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HOEKSTRA:

In section 1111(b)(4) of the Elementary and Secondary Education Act of 1965 as amended by section 104 of the bill—

(1) strike subparagraph (E) and insert the following:

''(E) measure the proficiency of students in the academic subjects in which a State has adopted challenging academic content and student performance standards and be administered at some time during—

''(i) grades 3 through 5;

''(ii) grades 6 through 9; and

''(iii) grades 10 through 12;''; and

(2) strike subparagraph (G).

It was decided in the negative ..... { Yeas ..... 173 / Nays 255

¶51.14 [Roll No. 130]

AYES—173

Ackerman
Akin
Baca
Baird
Baldwin
Barcia
Barrett
Bartlett
Barton
Becerra
Bereuter
Berkley
Berry
Bilirakis
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Cantor
Capuano
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Clyburn
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Conyers
Costello
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Davis (FL)
Davis (IL)
Davis, Jo Ann
DeFazio
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Doyle
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Gilchrest
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Gonzalez
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Graham
Green (TX)
Gutierrez
Gutknecht
Hastings (FL)
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Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (NC)
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McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meek (FL)
Meeks (NY)
Menendez
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Mollohan
Moran (KS)
Murtha
Myrick
Napolitano
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Owens
Pallone
Pascrell
Pastor
Paul
Payne
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Peterson (MN)
Phelps
Pickering
Pitts
Pombo
Ramstad
Rangel
Reyes
Riley
Rivers
Rodriguez
Ross
Rothman
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Shadegg
Sherman
Smith (MI)
Solis
Souder
Stearns
Strickland
Stupak
Tancredo
Terry
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Velazquez
Vitter
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Wexler
Woolsey
Wu

NOES—255

Aderholt
Allen
Andrews
Armey
Bachus
Baker
Baldacci
Ballenger
Barr
Bass
Bentsen
Berman
Biggert
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
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Frelinghuysen
Gallegly
Gekas
Gibbons
Gillmor
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Grucci
Hall (OH)
Hall (TX)
Harman
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hinchey
Hobson
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inslee
Isakson
Israel
Issa
Jenkins
John
Johnson (CT)
Johnson (IL)
Kanjorski
Keller
Kelly
Kennedy (RI)
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
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Larsen (WA)
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Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Maloney (CT)
Maloney (NY)
Mascara
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Moore
Moran (VA)
Morella
Nadler
Nethercutt
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pelosi
Peterson (PA)
Petri
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Roemer
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Rush
Sandlin
Saxton
Schiff
Schrock
Serrano
Sessions
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stark
Stenholm
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—5

Abercrombie
Cubin
Hansen
Moakley
Rogers (KY)

So the amendment was not agreed to.

¶51.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. DUNN:

In section 5115(b)(2) of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 501 of the bill, strike subparagraph (D) and insert the following:

''(D) to the extent that expenditures do not exceed 20 percent of the amount made available to a local educational agency under this subpart (except that this subparagraph shall not apply to the hiring and training of school resource officers pursuant to clause (ii)), law enforcement and security activities, including—

''(i) acquisition and installation of metal detectors;

''(ii) hiring and training of security personnel (including school resource officers), that are related to youth drug and violence prevention;

''(iii) reporting of criminal offenses on school property; and

''(iv) development of comprehensive school security assessments;

It was decided in the affirmative ..... { Yeas ..... 420 / Nays 3

¶51.16 [Roll No. 131]

AYES—420

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
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Buyer
Callahan
Calvert
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Carson (OK)
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Davis, Jo Ann
Davis, Tom
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DeMint
Deutsch
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Green (WI)
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Gutknecht
Hall (OH)
Hall (TX)
Harman
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Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hillary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
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Hoyer
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Jones (NC)
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Markey
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Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald

Miller (FL)	Reyes	Strickland
Miller, Gary	Reynolds	Stump
Miller, George	Riley	Stupak
Mink	Rivers	Sununu
Mollohan	Roemer	Sweeney
Moore	Rogers (MI)	Tancredo
Moran (KS)	Rohrabacher	Tanner
Moran (VA)	Ros-Lehtinen	Tauscher
Morella	Ross	Tauzin
Murtha	Rothman	Taylor (MS)
Myrick	Roukema	Taylor (NC)
Nadler	Roybal-Allard	Terry
Napolitano	Royce	Thomas
Neal	Rush	Thompson (CA)
Nethercutt	Ryan (WI)	Thompson (MS)
Ney	Ryun (KS)	Thornberry
Northup	Sabo	Thune
Norwood	Sanchez	Thurman
Nussle	Sanders	Tiahrt
Oberstar	Sandlin	Tiberi
Obey	Sawyer	Tierney
Olver	Saxton	Toomey
Ortiz	Scarborough	Towns
Osborne	Schakowsky	Traficant
Ose	Schiff	Turner
Otter	Schrock	Udall (CO)
Owens	Scott	Udall (NM)
Oxley	Sensenbrenner	Upton
Pallone	Serrano	Velazquez
Pascrell	Sessions	Visclosky
Pastor	Shadegg	Vitter
Paul	Shaw	Walden
Payne	Shays	Walsh
Pelosi	Sherman	Wamp
Pence	Sherwood	Waters
Peterson (PA)	Shimkus	Watkins
Petri	Shows	Watt (NC)
Phelps	Shuster	Watts (OK)
Pickering	Simmons	Waxman
Pitts	Simpson	Weiner
Platts	Skeen	Weldon (FL)
Pombo	Skelton	Weldon (PA)
Pomeroy	Slaughter	Weller
Portman	Smith (MI)	Wexler
Price (NC)	Smith (NJ)	Whitfield
Pryce (OH)	Smith (TX)	Wicker
Putnam	Smith (WA)	Wilson
Quinn	Snyder	Wolf
Radanovich	Solis	Woolsey
Rahall	Spence	Wu
Ramstad	Spratt	Wynn
Rangel	Stark	Young (AK)
Regula	Stearns	Young (FL)
Rehberg	Stenholm	

NOES—3

Johnson, Sam	Schaffer	Souder

NOT VOTING—9

Abercrombie	Granger	Peterson (MN)
Cubin	Hansen	Rodriguez
Ford	Moakley	Rogers (KY)

So the amendment was agreed to.

After some further time,

¶51.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TIBERI:

At the end of the provision proposed to be added by section 701 of the bill, add the following:

"PART C—LOCAL FLEXIBILITY DEMONSTRATION

"SEC. 7301. SHORT TITLE.

This part may be cited as the ''Local Flexibility Demonstration Act''.

"SEC. 7302. PURPOSE.

''The purpose of this part is to create options for local educational agencies—

''(1) to improve the academic achievement of all students, and to focus the resources of the Federal Government upon such achievement;

''(2) to improve teacher quality and subject matter mastery, especially in mathematics, reading, and science;

''(3) to empower parents and schools to effectively address the needs of their children and students;

''(4) to give local educational agencies maximum freedom in determining how to boost academic achievement and implement education reforms;

''(5) to eliminate Federal barriers to implementing effective local education programs;

''(6) to hold local educational agencies accountable for boosting the academic achievement of all students, especially disadvantaged children; and

''(7) to narrow achievement gaps between the lowest and highest performing groups of students so that no child is left behind.

"SEC. 7303. AGREEMENTS TO PROVIDE LOCAL FLEXIBILITY.

''(a) AUTHORITY.—Except as otherwise provided in this part, the Secretary shall enter into performance agreements—

''(1) with local educational agencies that meet their State's definition of adequate yearly progress, that submit approvable performance agreement proposals, and that are selected under paragraph (2); and

''(2) under which the agencies may consolidate and use funds as described in section 7304.

''(b) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall enter into performance agreements under this part with not more than 100 local educational agencies. Each such local educational agency shall be selected from among those local educational agencies that—

''(A) submit a proposed performance agreement to the Secretary and demonstrate, to the satisfaction of the Secretary, that the agreement)

''(i) has substantial promise of meeting the requirements of this part; and

''(ii) describes a plan to combine and use funds (as authorized under section 7304) under the agreement to meet the State's definition of adequate yearly progress);

''(B) provide information in the proposed performance agreement regarding how the local educational agency has notified the State of the local educational agency's intent to submit a proposed performance agreement; and

''(C) have consulted and involved parents and educators in the development of the proposed performance agreement.

''(2) GEOGRAPHIC DISTRIBUTION.—

''(A) IN GENERAL.—

''(i) INITIAL AGREEMENTS.—During the period of time that expires 3 years after the date of enactment of the No Child Left Behind Act of 2001, the Secretary may enter into not more than 2 performance agreements under this part with local educational agencies in each State.

''(ii) SUBSEQUENT AGREEMENTS.—After the expiration of the 3-year period beginning on the date of enactment of the No Child Left Behind Act of 2001, the Secretary may enter into performance agreements under this part with any number of local educational agencies in each State until the total number of such agreements equals 100.

''(B) URBAN AND RURAL AREAS.—If more than 2 local educational agencies in a State submit approvable performance agreements under this part, the Secretary shall select local educational agencies for performance agreements under this part in a manner that ensures an equitable distribution among such agencies serving urban and rural areas.

''(c) REQUIRED TERMS OF PERFORMANCE AGREEMENT.—Each performance agreement entered into with the Secretary under this part shall have each of the following terms:

''(1) TERM.—The performance agreement shall be for a term of 5 years.

''(2) APPLICATION OF PROGRAM REQUIREMENTS.—The performance agreement shall provide that no requirements of any program described in section 7304(b) and included by the local educational agency in the scope of the agreement shall apply to the agency, except as otherwise provided in this part.

''(3) LIST OF PROGRAMS.—The performance agreement shall list which of the programs described in section 7304(b) are included in the scope of the performance agreement.

''(4) USE OF FUNDS TO IMPROVE STUDENT ACHIEVEMENT.—The performance agreement shall contain a 5-year plan describing how the local educational agency intends to combine and use the funds from programs included in the scope of the performance agreement to advance the education priorities of the State and the local educational agency, meet the general purposes of the included programs, improve student achievement, and narrow achievement gaps.

''(5) LOCAL INPUT.—The performance agreement shall contain an assurance that the local educational agency will provide parents, teachers, and schools with notice and an opportunity to comment on the proposed terms of the performance agreement in accordance with State law.

''(6) FISCAL RESPONSIBILITIES.—The performance agreement shall contain an assurance that the local educational agency will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds consolidated and used under the performance agreement.

''(7) CIVIL RIGHTS.—The performance agreement shall contain an assurance that the local educational agency will meet the requirements of applicable Federal civil rights laws in carrying out the agreement and in consolidating and using the funds under the agreement.

''(8) PRIVATE SCHOOL PARTICIPATION.—The performance agreement shall contain an assurance that the local educational agency agrees that in consolidating and using funds under the performance agreement—

''(A) the local educational agency will provide for the equitable participation of students and professional staff in private schools; and

''(B) that sections 8504, 8505, and 8506 shall apply to all services and assistance provided with such funds in the same manner as such sections apply to services and assistance provided in accordance with section 8503.

''(9) ANNUAL REPORTS.—The performance agreement shall contain an assurance that the local educational agency agrees that not later than 1 year after the date on which the Secretary enters into the performance agreement, and annually thereafter during the term of the performance agreement, the local educational agency shall disseminate widely to parents and the general public, transmit to its State educational agency and the Secretary, distribute to print and broadcast media, and post on the Internet, a report that includes a detailed description of how the local educational agency used the funds consolidated under the agreement to improve student academic achievement and reduce achievement gaps.

''(c) APPROVAL.—Not later than 60 days after the receipt of a proposed performance agreement submitted by a local educational agency under this part, the Secretary shall approve the performance agreement or provide the local educational agency with a written determination that such agreement fails to satisfy the requirements of this part.

''(d) AMENDMENT TO PERFORMANCE AGREEMENT.—

''(1) IN GENERAL.—In each of the following circumstances, the Secretary shall agree to amend a performance agreement entered into with a local educational agency under this part:

''(A) REDUCTION IN SCOPE OF PERFORMANCE AGREEMENT.—Not later than 1 year after entering into the performance agreement, a State seeks to amend the agreement to re-

move from the scope any program described in section 7304(b).

''(B) EXPANSION OF SCOPE OF PERFORMANCE AGREEMENT.—Not later than 1 year after entering into the performance agreement, a State seeks to amend the agreement to include in its scope any additional program described in section 7304(b) or any additional achievement indicators for which the State will be held accountable.

''(2) APPROVAL OF AMENDMENT.—

''(1) IN GENERAL.—Not later than 60 days after the receipt of a proposed amendment to the performance agreement submitted by a local educational agency, the Secretary shall approve the amendment or provide the agency with a written determination that the amendment fails to satisfy the requirements of this part.

''(B) TREATMENT AS APPROVED.—Each amendment for which the Secretary fails to take the action required in subparagraph (A) in the time period described in such subparagraph shall be considered to be approved.

''(3) TREATMENT OF PROGRAM FUNDS WITHDRAWN FROM AGREEMENT.—Beginning on the effective date of an amendment executed under paragraph (1)(A), each program requirement of each program removed from the scope of a performance agreement shall apply to the local educational agency's use of funds made available under the program.

"SEC. 7304. CONSOLIDATION AND USE OF FUNDS.

''(a) IN GENERAL.—

''(1) AUTHORITY.—Under a performance agreement entered into under this part, a local educational agency may consolidate, subject to subsection (c), Federal funds made available to the agency under the provisions listed in subsection (b) and use such funds for any educational purpose permitted under this Act.

''(2) PROGRAM REQUIREMENTS.—Except as otherwise provided in this part, a local educational agency may use funds under paragraph (1) notwithstanding the program requirements of the program under which the funds were made available to the State.

''(b) ELIGIBLE PROGRAMS.—Funds made available under programs under each of the following provisions of this Act may be consolidated and used under subsection (a):

''(1) Title II.

''(2) Part A of title IV.

''(3) Subpart 1 of part A of title V.

''(4) Part B of title V.

"SEC. 7305. LIMITATIONS ON ADMINISTRATIVE EXPENDITURES.

Each local educational agency that has entered into a performance agreement with the Secretary under this part may use for administrative purposes not more than 4 percent of the total amount of funds allocated to the agency under the programs included in the scope of the performance agreement.

"SEC. 7306. PERFORMANCE REVIEW AND PENALTIES.

''(a) MIDTERM REVIEW.—The Secretary may not enter into a performance agreement under this part unless the agreement includes a provision permitting the Secretary, after notice and an opportunity for a hearing, to terminate the agreement if, during the term of the agreement, the local educational agency that is party to the agreement fails to make adequate yearly progress for 3 consecutive years.

''(b) FINAL REVIEW.—If, at the end of the 5-year term of a performance agreement entered into under this part, a local educational agency that is party to the agreement has not met the achievement goals contained in the performance agreement, the Secretary may not renew the agreement under section 7307 and, beginning on the date on which such term ends, the local educational agency shall be required to comply with each of the program requirements in effect on such date for each program included in the performance agreement.

"SEC. 7307. RENEWAL OF PERFORMANCE AGREEMENT.

''(a) IN GENERAL.—Except as provided in section 7306(b) and in accordance with this section, the Secretary shall renew for 1 additional 5-year term a performance agreement entered into under this part if the State that is party to the agreement has met or has substantially met, by the end of the original term of the agreement, the achievement goals contained in the agreement.

''(b) NOTIFICATION.—The Secretary may not renew a performance agreement under this part unless, not less than 6 months before the end of the original term of the agreement, the local educational agency seeking the renewal notifies the Secretary of its intention to renew.

''(c) EFFECTIVE DATE.—A renewal under this section shall be effective at the end of the original term of the agreement or on the date on which the local educational agency seeking renewal provides to the Secretary all data required under the agreement, whichever is later.

"SEC. 7308. REPORTS.

''(a) TRANSMITTAL TO CONGRESS.—Not later than 60 days after the Secretary receives a report described in section 7303(c)(9), the Secretary shall make the report available to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate.

''(b) LIMITATION.—A State in which a local educational agency that is party to a performance agreement entered into under this part is located may not require such local educational agency to provide any application information with respect to the programs included within the scope of such performance agreement other than that information that is required to be included in the report described in section 7303(c)(9).

"SEC. 7309. DEFINITIONS.

''In this part, the following definitions apply:

''(1) ADEQUATE YEARLY PROGRESS.—The term 'adequate yearly progress' means the adequate yearly progress determined by the State in which a local educational agency is located pursuant to section 1111(b)(2)(C).

''(2) ALL STUDENTS.—The term 'all students' means all students attending public schools or charter schools that are participating in the State's accountability and assessment system.''.

It was decided in the affirmative ..... { Yeas ..... 217 / Nays 209

¶51.18 [Roll No. 132]

AYES—217

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—209

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frost
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell

Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—6

Abercrombie
Cubin
Frank
Granger
Hansen
Moakley

So the amendment was agreed to.

¶51.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. VITTER:

In part E of title VIII of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 801 of the bill, after section 8519, insert the following (and redesignate succeeding paragraphs, and any cross-references thereto, accordingly):

"SEC. 8520. ARMED SERVICES RECRUITING.

''Any secondary school that receives Federal funds under this Act shall permit regular United States Armed Services recruitment activities on school grounds, in a manner reasonably accessible to all students of such school.

It was decided in the affirmative ..... { Yeas ..... 366 / Nays 57

¶51.20 [Roll No. 133]

AYES—366

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

NOES—57

Baldwin
Berkley
Blumenauer
Brady (PA)
Coyne
Davis (IL)
DeFazio
DeGette
Delahunt
Farr
Fattah
Filner
Gilchrest
Gutierrez
Hinchey
Holt
Honda
Hooley
Jackson (IL)
Jones (OH)
Kilpatrick
Kucinich
Lee
Lewis (GA)
Lofgren
Lowey
Markey
McDermott
McGovern
McKinney
Meehan
Meeks (NY)
Nadler
Neal
Oberstar
Pastor
Paul
Payne
Pelosi
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Schakowsky
Scott
Slaughter
Solis
Stark
Thompson (CA)
Tierney
Velazquez
Waters
Watt (NC)
Weiner
Woolsey
Wu

NOT VOTING—9

Abercrombie
Conyers
Cubin
DeMint
Frank
Hansen
Meek (FL)
Moakley
Olver

So the amendment was agreed to.

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. LAHOOD, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶51.21 H.R. 1931—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1831) to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 419 / Nays 0

¶51.22 [Roll No. 134]

YEAS—419

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

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

NOT VOTING—13

Abercrombie
Clyburn
Collins
Cubin
DeMint
Frank
Graham
Hansen
Hoyer
Moakley
Rangel
Rush
Solis

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶51.23 TRICENTENNIAL OF DETROIT

On motion of Mr. LATOURETTE, by unanimous consent, the Committee on Government Reform was discharged from further consideration of the following concurrent resolution (H. Con. Res. 80):

Whereas Detroit is the 10th most populous city in the United States and the most populous city in Michigan;

Whereas Detroit is the oldest major city in the Midwest, and 2001 is the 300th anniversary of Detroit's founding;

Whereas Detroit began as a French community on the Detroit River when Antoine de la Mothe Cadillac founded a strategic garrison and fur trading post on the site in 1701;

Whereas Detroit was named Fort Pontchartrain de' Etroit (meaning ''strait'') at the time of its founding and became known as Detroit because of its position along the Detroit River;

Whereas the Detroit region served as a strategic staging area during the French and Indian War, became a British possession in 1760, and was transferred to the British by the peace treaty of 1763;

Whereas the Ottawa Native American Chieftain Pontiac attempted a historic but unsuccessful campaign to wrest control of the garrison at Detroit from British hands in 1763;

Whereas in the nineteenth century, Detroit was a vocal center of antislavery advocacy and, for more than 40,000 individuals seeking freedom in Canada, an important stop on the Underground Railroad;

Whereas Detroit entrepreneurs, including Henry Ford, perfected the process of mass production and made automobiles affordable for people from all walks of life;

Whereas Detroit is the automotive capital of the Nation and an international leader in automobile manufacturing and trade;

Whereas the contributions of Detroit residents to civilian and military production have astounded the Nation, contributed to United States victory in World War II, and resulted in Detroit being called the Arsenal of Democracy;

Whereas residents of Detroit played a central role in the development of the organized labor movement and contributed to protections for workers' rights;

Whereas Detroit is home to the United Auto Workers Union and many other building and service trades and industrial unions;

Whereas Detroit has a rich sports tradition and has produced many sports legends, including Ty Cobb, Al Kaline, Willie Horton, Hank Greenberg, Mickey Cochrane, and Sparky Anderson of the Detroit Tigers; Dick ''Night Train'' Lane, Joe Schmidt, Billy Sims, Dutch Clark, and Barry Sanders of the Detroit Lions; Dave Bing, Bob Lanier, Isaiah Thomas, and Joe Dumars of the Detroit Pistons; Gordie Howe, Terry Sawchuk, Ted Lindsay, and Steve Yzerman of the Detroit Red Wings; boxing greats Joe Louis, Sugar Ray Robinson, and Thomas Hearns; and Olympic speed skater Jeanne Omelenchuk;

Whereas Detroit's cultural attractions include the Detroit Institute of Arts, the Charles H. Wright Museum of African-American History (the largest museum devoted exclusively to African-American art and culture), the Detroit Historical Museum, the Detroit Symphony, the Michigan Opera Theater, the Detroit Science Center, and the Dossin Great Lakes Museum;

Whereas several centers of educational excellence are located in Detroit, including Wayne State University, the University of Detroit Mercy, Marygrove College, Sacred Heart Seminary College, the Center for Creative Studies—College of Art and Design, and the Lewis College of Business (the only institution in Michigan designated as a ''Historically Black College'');

Whereas residents of Detroit played an integral role in developing the distinctly American sounds of jazz, rhythm and blues, rock 'n roll, and techno; and

Whereas Detroit was the home of Berry Gordy, who created the musical genre that has been called the Motown Sound, and many great musical artists, including Aretha Franklin, Anita Baker, and the Winans family: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION. 1. CONGRATULATING DETROIT AND ITS RESIDENTS.

The Congress, on the occasion of the tricentennial of the founding of the city of Detroit, congratulates Detroit and its residents for their important contributions to the economic, social, and cultural development of the United States.

SEC. 2. TRANSMITTAL.

The Clerk of the House of Representatives shall transmit copies of this resolution to the Mayor of Detroit and the City Council of Detroit.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

¶51.24 MESSAGE FROM THE SENATE

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

S. 27. An Act to amend the Federal election Campaign Act of 1971 to provide bipartisan campaign reform.

¶51.25 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 27. An Act to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; to the Committee on House Administration, in addition to the Committee on the Judiciary and the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶51.26 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1696. An Act to expedite the construction of the World War II memorial in the District of Columbia.

And then,

¶51.27 ADJOURNMENT

On motion of Mr.DEFAZIO, at 9 o'clock and 6 minutes p.m., the House adjourned.

¶51.28 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BRADY of Texas (for himself, Mr. DOGGETT, Mr. SHAW, Mr. FOLEY, Mrs. THURMAN, and Mr. THOMPSON of Mississippi):

H.R. 1930. A bill to reauthorize the supplemental grant for population increases in certain states under the temporary assistance to needy families program for fiscal year 2002; to the Committee on Ways and Means.

By Mr. WELDON of Florida (for himself, Mr. ORTIZ, Mrs. CAPPS, Mrs. MEEK of Florida, Mr. SMITH of Texas, Mr. SHAW, Mr. ENGLISH, Mr. FOLEY, Mr. CALVERT, Mr. DAVIS of Florida, Mr. LUCAS of Oklahoma, Mr. MCINNIS, and Mrs. THURMAN):

H.R. 1931. A bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 1932. A bill to preserve and protect archaeological sites and historical resources of the central Mississippi Valley through the establishment of the Mississippi Valley National Historical Park as a unit of the National Park System on former Eaker Air Force Base in Blytheville, Arkansas; to the Committee on Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BONILLA (for himself, Mr. COMBEST, Mr. STENHOLM, Mr. REYES, Mr. SKEEN, Mr. THORNBERRY, and Mr. UDALL of New Mexico):

H.R. 1933. A bill to amend the Internal Revenue Code of 1986 to provide for nonrecognition of gain on dispositions of dairy property which is certified by the Secretary of Agriculture as having been the subject of an agreement under the bovine tuberculosis eradication program, and for other purposes; to the Committee on Ways and Means.

By Mr. CRANE (for himself, Mr. MATSUI, Mr. RAMSTAD, Mr. BLUNT, Mr. DEAL of Georgia, Mr. CUNNINGHAM, Mr. LEWIS of Georgia, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. REYNOLDS, Mr. SESSIONS, Mr. DOOLITTLE, Mr. GORDON, Mr. BERMAN, Mr. PAUL, Mr. ISAKSON, Mr. SAM JOHNSON of Texas, Ms. LOFGREN, Mr. MORAN of Virginia, Ms. DELAURO, Mr. UDALL of Colorado, Mr. COX, Mr. SUNUNU, Mr. DOYLE, Mr. BLAGOJEVICH, Mr. EHRLICH, Mrs. THURMAN, Mr. HERGER, and Mr. GOODLATTE):

H.R. 1934. A bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of printed wiring board and printed wiring assembly equipment; to the Committee on Ways and Means.

By Mr. GALLEGLY (for himself, Mr. SPENCE, Mr. HINCHEY, Mr. WELDON of Pennsylvania, Mr. TAYLOR of Mississippi, Mr. MCKEON, Ms. MCKINNEY, Mrs. WILSON, Mr. BLAGOJEVICH, Mr. SCARBOROUGH, Mr. LANGEVIN, Mr. RYUN of Kansas, Ms. SANCHEZ, Mr. KIRK, Mrs. TAUSCHER, Mr. SCHROCK, Mrs. DAVIS of California, Mr. SIMMONS, Mr. BERMAN, Mr. BURTON of Indiana, Mr. DAVIS of Illinois, Mr. HYDE, Mr. RUSH, Mr. SOUDER, Mr. SANDERS, Mr. QUINN, Mr. WEINER, Ms. HART, Mr. STENHOLM, Mr. WELLER, Mr. CRAMER, Mr. FOSSELLA, Mrs. JONES of Ohio, Mr. KOLBE, Mr. FILNER, Mr. SCHAFFER, Mr. ROTHMAN, Mr. ENGLISH, Mr. SESSIONS, and Mr. WOLF):

H.R. 1935. A bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War; to the Committee on Armed Services.

By Mr. GOODLATTE (for himself, Mr. GOSS, and Mr. OSBORNE):

H.R. 1936. A bill to amend title 36, United States Code, to designate the oak tree as the national tree of the United States; to the Committee on the Judiciary.

By Mr. LARSEN of Washington (for himself, Mr. DICKS, Mr. INSLEE, and Mr. SMITH of Washington):

H.R. 1937. A bill to authorize the Secretary of the Interior to engage in certain feasibility studies of water resource projects in the State of Washington; to the Committee on Resources.

By Mr. MORAN of Kansas (for himself, Mr. COOKSEY, Mr. HAYES, and Mr. PICKERING):

H.R. 1938. A bill to extend and expand conservation programs administered by the Department of Agriculture; to the Committee on Agriculture.

By Mr. MORAN of Virginia (for himself, Mr. TOM DAVIS of Virginia, Mr. DAVIS of Illinois, Mr. WYNN, Ms. NORTON, and Mr. CUMMINGS):

H.R. 1939. A bill to amend chapter 84 of title 5, United States Code, to allow individuals who return to Government service after receiving a refund of retirement contributions to recapture credit for the service covered by that refund by repaying the amount that was so received, with interest; to the Committee on Government Reform.

By Mr. NADLER (for himself, Mr. WELLER, Ms. SCHAKOWSKY, Mr. LATOURETTE, Mr. WEINER, Mr. CARDIN, Mr. BERMAN, Mr. ENGEL, and Mr. WAXMAN):

H.R. 1940. A bill to provide that no Federal income tax shall be imposed on amounts received by victims of the Nazi regime or their heirs or estates, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OSE (for himself and Mr. HORN):

H.R. 1941. A bill to amend the Federal Power Act to provide the Federal Energy Regulatory Commission with authority to order certain refunds of electric rates, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERSON of Minnesota:

H.R. 1942. A bill to amend title 49, United States Code, to require the National Transportation Safety Board to investigate all fatal railroad grade crossing accidents; to the Committee on Transportation and Infrastructure.

By Mr. PICKERING (for himself, Mr. LATOURETTE, Mr. POMBO, Mrs. THURMAN, and Mr. HILLIARD):

H.R. 1943. A bill to amend the Public Health Service Act to establish scholarship and loan repayment programs regarding the provisions of veterinary services in veterinarian shortage areas; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS (for himself, Mr. HOEKSTRA, Mr. DEMINT, Mr. TANCREDO, Mr. ROYCE, Mr. GRAVES, Mr. RYUN of Kansas, Mr. HILLEARY, Mr. MANZULLO, Mr. ROGERS of Michigan, Mr. DOOLITTLE, Mr. WELDON of Florida, Mr. ADERHOLT, Mr. BURTON of Indiana, Mr. SHADEGG, Mr. TOOMEY, Mr. BARR of Georgia, Mr. HERGER, Ms. HART, Mr. BRADY of Texas, Mr. HOSTETTLER, Mr. VITTER, Mr. TERRY, Mr. HAYWORTH, Mr. SESSIONS, Mr. CHABOT, Mr. LEWIS of Kentucky, Mr. TIAHRT, Mr. SAM JOHNSON of Texas, Mr. PENCE, and Mr. NORWOOD):

H.R. 1944. A bill to provide dollars to the classroom; to the Committee on Education and the Workforce.

By Mr. QUINN (for himself, Mr. MEEHAN, and Mr. DOYLE):

H.R. 1945. A bill to amend the Federal Power Act and the Internal Revenue Code of 1986 to encourage the development and deployment of innovative and efficient energy technologies; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REHBERG:

H.R. 1946. A bill to require the Secretary of the Interior to construct the Rocky Boy's/North Central Montana Regional Water System in the State of Montana, to offer to enter into an agreement with the Chippewa Cree Tribe to plan, design, construct, operate, maintain and replace the Rocky Boy's Rural Water System, and to provide assistance to the North Central Montana Regional Water Authority for the planning, design, and construction of the noncore system, and for other purposes; to the Committee on Resources.

By Ms. SCHAKOWSKY (for herself and Ms. BERKLEY):

H.R. 1947. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that fragrances containing known toxic substances or allergens be labeled accordingly; to the Committee on Energy and Commerce.

By Mr. SHIMKUS (for himself, Mr. JACKSON of Illinois, Mr. BILIRAKIS, and Mr. BROWN of Ohio):

H.R. 1948. A bill to amend the Public Health Service Act with respect to the shortage of medical laboratory personnel; to the Committee on Energy and Commerce.

By Mr. THUNE (for himself, Mr. HINCHEY, Ms. KAPTUR, Mr. BOSWELL, Ms. BALDWIN, Mr. WYNN, Mr. OBERSTAR, Mr. BRADY of Texas, Mr. BEREUTER, Mrs. EMERSON, Ms. SLAUGHTER, Mr. SHIMKUS, Mr. RAMSTAD, Ms. MCCOLLUM, Mr. COOKSEY, and Mr. BOUCHER):

H.R. 1949. A bill to amend the Food Security Act of 1985 to establish the conservation security program; to the Committee on Agriculture, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WICKER (for himself, Mr. GARY G. MILLER of California, Mr. PENCE, Mr. RYUN of Kansas, Mr. HINOJOSA, and Mrs. NORTHUP):

H.R. 1950. A bill to amend the National Apprenticeship Act to provide that applications relating to apprenticeship programs are processed in a fair and timely manner, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WYNN:

H.R. 1951. A bill to prohibit certain transfers or assignments of franchises, and to prohibit certain fixing or maintaining of motor fuel prices, under the Petroleum Marketing Practices Act; to the Committee on Energy and Commerce.

By Mr. SABO (for himself, Ms. MCCOLLUM, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. LUTHER, Mr. KENNEDY of Minnesota, Mr. GUTKNECHT, and Mr. RAMSTAD):

H. Con. Res. 140. Concurrent resolution congratulating the University of Minnesota

and its faculty, staff, students, alumni, and friends, on the occasion of the 150th anniversary of the founding of the University of Minnesota, for outstanding teaching, research, and service to Minnesota, the Nation, and the world; to the Committee on Education and the Workforce.

By Mr. HAYES:

H. Res. 145. A resolution honoring the service and sacrifice of the United States Armed Forces military working dog teams for the part they have played in the Nation's military history; to the Committee on Armed Services.

¶51.29 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

74. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 42 memorializing the United States Congress to take steps to reduce the waiting lists that have developed over the last several years and end the unfortunate delay of benefits that have been earned by the deserving veterans of our United States military services; to the Committee on Veterans' Affairs.

75. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 54 memorializing the United States Congress to strongly support voluntary, individual, unorganized, and nonmandatory prayer in the public schools of this nation; jointly to the Committees on Education and the Workforce and the Judiciary.

76. Also, a memorial of the Legislature of the State of Maine, relative to a Joint Resolution memorializing the United States Congress to impose a moratorium on major airline industry mergers in order to fully and carefully consider all consequences; jointly to the Committees on Transportation and Infrastructure and the Judiciary.

¶51.30 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. SPRATT introduced a bill (H.R. 1952) for the relief of the R.E. Goodson Construction Company, Incorporated; which was referred to the Committee on the Judiciary.

¶51.31 ADDITIONAL SPONSORS

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

H.R. 7: Mr. HYDE, Mr. CHABOT, and Mr. SMITH of Texas.

H.R. 64: Mr. UPTON, Mrs. MORELLA, Mr. GILLMOR, Mr. GILMAN, Mr. HOUGHTON, Ms. GRANGER, Mr. BASS, Mr. GILCHREST, Mr. GREEN of Wisconsin, Ms. HART, Mr. HYDE, Mr. ABERCROMBIE, and Mr. BARCIA.

H.R. 98: Mr. ETHERIDGE, Mr. CONDIT, Mr. RADANOVICH, Mr. SIMPSON, and Mr. CALVERT.

H.R. 100: Mr. MATHESON.

H.R. 101: Mr. MATHESON.

H.R. 102: Mr. MATHESON.

H.R. 111: Mr. BENTSEN.

H.R. 162: Mr. BLUMENAUER, Mr. BERMAN, Ms. BROWN of Florida, Mr. MOLLOHAN, Ms. PELOSI, and Mr. QUINN.

H.R. 168: Mr. MORAN of Kansas.

H.R. 224: Mr. LUCAS of Oklahoma.

H.R. 236: Mr. ORTIZ and Mr. GRAHAM.

H.R. 265: Mr. GUTIERREZ and Ms. MCCARTHY of Missouri.

H.R. 303: Mr. KERNS.

H.R. 331: Mr. BEREUTER and Mr. FLETCHER.

H.R. 361: Mr. ROTHMAN.

H.R. 500: Ms. DEGETTE and Ms. WATERS.

H.R. 519: Ms. DELAURO.

H.R. 534: Mrs. THURMAN and Mrs. WILSON.

H.R. 551: Mrs. CHRISTENSEN.

H.R. 572: Mr. BACHUS, Mr. BORSKI, and Mr. DUNCAN.

H.R. 582: Mr. PITTS.

H.R. 599: Mr. HORN, Mr. NADLER, Mr. LEACH, Mr. MOLLOHAN, and Ms. RIVERS.

H.R. 608: Mr. AKIN.

H.R. 612: Mr. BARTLETT of Maryland.

H.R. 667: Mr. PLATTS.

H.R. 668: Mr. DEUTSCH, Mr. THOMPSON of Mississippi, Ms. JACKSON-LEE of Texas, and Mr. SANDERS.

H.R. 694: Mr. GOODLATTE.

H.R. 730: Mr. SHERMAN.

H.R. 770: Mr. ISRAEL and Ms. BERKLEY.

H.R. 786: Mr. MCGOVERN.

H.R. 823: Mr. BENTSEN.

H.R. 853: Mr. PETERSON of Minnesota.

H.R. 917: Mr. BORSKI.

H.R. 940: Mr. STENHOLM.

H.R. 972: Mr. KUCINICH and Mr. HINCHEY.

H.R. 981: Mr. YOUNG of Florida.

H.R. 984: Mr. WELDON of Florida.

H.R. 1014: Ms. SOLIS, Mr. WAXMAN, Mr. HOEFFEL, Ms. MILLENDER-MCDONALD, Mr. HONDA, Mr. OWENS, Ms. MCKINNEY, Mr. KUCINICH, Ms. ESHOO, Ms. PELOSI, Mr. THOMPSON of Mississippi, Mr. LANTOS, and Mr. MORAN of Virginia.

H.R. 1035: Mr. FILNER and Mr. RUSH.

H.R. 1073: Mr. ISAKSON, Mr. STARK, Ms. DEGETTE, Mr. DEUTSCH, Mr. MARKEY, Ms. ESHOO, and Mr. GUTIERREZ.

H.R. 1090: Mr. KUCINICH, Ms. RIVERS, Mr. KILDEE, and Mr. BONIOR.

H.R. 1093: Mr. RUSH.

H.R. 1094: Mr. RUSH.

H.R. 1161: Mr. DAVIS of Illinois and Mr. COSTELLO.

H.R. 1187: Mr. GOSS.

H.R. 1200: Ms. WOOLSEY.

H.R. 1266: Mr. BLAGOJEVICH and Mr. SHAYS.

H.R. 1291: Mr. BALDACCI.

H.R. 1305: Mr. MEEKS of New York.

H.R. 1316: Mr. UPTON, Mr. HUTCHINSON, Mr. BRYANT, and Mr. SANDERS.

H.R. 1338: Mr. LAMPSON.

H.R. 1340: Mrs. MORELLA.

H.R. 1354: Mr. GUTIERREZ and Mr. ENGEL.

H.R. 1357: Mr. BAKER.

H.R. 1360: Mr. HOEFFEL and Mrs. DAVIS of California.

H.R. 1363: Mr. TOOMEY, Mr. GRUCCI, Mr. KELLER, Mr. TIAHRT, and Mr. PETRI.

H.R. 1365: Mr. HOLIT and Ms. RIVERS.

H.R. 1375: Mr. GOODLATTE.

H.R. 1377: Mr. STUMP.

H.R. 1388: Mr. DEFAZIO, Mr. HULSHOF, Mr. BLUMENAUER, and Mr. BLUNT.

H.R. 1406: Mr. SANDERS.

H.R. 1427: Mr. FROST and Mr. GONZALEZ.

H.R. 1431: Ms. SOLIS and Ms. BERKLEY.

H.R. 1433: Mr. MCGOVERN.

H.R. 1434: Mr. CLAY, Mr. BLAGOJEVICH, and Ms. KILPATRICK.

H.R. 1443: Mr. MCGOVERN, Ms. SANCHEZ, and Mr. KUCINICH.

H.R. 1459: Ms. MCCARTHY of Missouri, Mr. GOODLATTE, Mr. BURTON of Indiana, and Mr. SCHAFFER.

H.R. 1463: Mr. HAYWORTH.

H.R. 1465: Mr. SHERMAN, Mr. PRICE of North Carolina, Mr. LANTOS, Mr. FRANK, Ms. WOOLSEY, and Ms. LEE.

H.R. 1469: Ms. MCKINNEY, Ms. SOLIS, Mrs. THURMAN, Mr. TIAHRT, Mrs. CHRISTENSEN, Mr. EHRLICH, and Mr. MCGOVERN.

H.R. 1508: Mr. BAIRD.

H.R. 1510: Mr. OSBORNE, Mr. SENSENBRENNER, Mr. BUYER, and Mr. BEREUTER.

H.R. 1511: Mr. SCHROCK, Ms. MCKINNEY, Mr. MORAN of Kansas, Mr. THORNBERRY, Mr. HOSTETTLER, Mr. FRANK, Mr. JONES of North Carolina, and Mr. BARTLETT of Maryland.

H.R. 1524: Mr. BUYER and Mr. KIRK.

H.R. 1536: Mr. BONIOR, Ms. SCHAKOWSKY, and Mr. RODRIGUEZ.

H.R. 1541: Mr. MCGOVERN.

H.R. 1567: Mr. CLAY and Mr. LEACH.

H.R. 1581: Mr. BAKER and Mr. CHABOT.

H.R. 1592: Mr. PETERSON of Pennsylvania.

H.R. 1597: Mr. SABO.

H.R. 1601: Mr. BLUNT.

H.R. 1609: Mr. HOLDEN and Mr. STENHOLM.

H.R. 1624: Mr. EVANS, Mrs. MEEK of Florida, Mr. KENNEDY of Rhode Island, Mr. DEFAZIO, Mr. FRELINGHUYSEN, Mr. SPENCE, Mr. MCDERMOTT, Mr. SIMMONS, Mr. ENGEL, Ms. JACKSON-LEE of Texas, Mr. BERMAN, Mr. HYDE, Mr. PUTNAM, Mr. KIRK, Mrs. MALONEY of New York, and Mr. STUPAK.

H.R. 1636: Mr. LAHOOD.

H.R. 1644: Mr. WHITFIELD, Mr. COSTELLO, Mr. PUTNAM, Mr. POMBO, and Mr. DREIER.

H.R. 1645: Mr. GOODLATTLE, Mr. HONDA, and Mrs. JO ANN DAVIS of Virginia.

H.R. 1651: Mr. RUSH and Ms. HART.

H.R. 1656: Mr. GUTIERREZ.

H.R. 1663: Ms. RIVERS.

H.R. 1667: Mr. SANDERS.

H.R. 1676: Mr. HOEFFEL.

H.R. 1692: Mr. SOUDER and Mr. WATKINS.

H.R. 1699: Mr. BLUMENAUER, Mrs. JO ANN DAVIS of Virginia, Mr. GILLMOR, Mr. LANTOS, Mr. NETHERCUTT, Mr. SMITH of New Jersey, and Mr. WELLER.

H.R. 1711: Mr. HASTINGS of Washington.

H.R. 1713: Mr. LANTOS, Ms. ROS-LEHTINEN, and Mr. FARR of California.

H.R. 1717: Mr. PAUL, Ms. MCKINNEY, Mr. FROST, Mr. FRANK, Mr. MCDERMOTT, and Ms. LEE.

H.R. 1718: Mr. MATSUI, Mr. GILCHREST, Ms. DEGETTE, Mr. MOORE, Ms. SCHAKOWSKY, Ms. ROS-LEHTINEN, Mr. SERRANO, Mr. VISCLOSKY, Mr. GEORGE MILLER of California, Mr. BERMAN, Mr. COX, Ms. MCCARTHY of Missouri, Mr. STUPAK, and Mr. LARSEN of Washington.

H.R. 1723: Mr. ROEMER, Mr. KLECZKA, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. KERNS, and Mr. NADLER.

H.R. 1746: Mr. FOSSELLA, Mr. BARTLETT of Maryland, Mr. RYUN of Kansas, and Mr. GRAHAM.

H.R. 1750: Mr. DEUTSCH and Mr. BAIRD.

H.R. 1751: Mr. DEUTSCH and Mr. BAIRD.

H.R. 1759: Ms. KILPATRICK, Mr. MCNULTY, Mr. GOODLATTE, Mr. GOODE, and Mr. MCGOVERN

H.R. 1770: Mr. SPENCE, Mr. PITTS, and Mr. RAMSTAD.

H.R. 1771: Mr. WYNN, Ms. WOOLSEY, Mr. BOUCHER, Mrs. MORELLA, Mr. NADLER, and Mr. RUSH.

H.R. 1786: Mr. BACHUS, Mr. ENGLISH, Mr. GOODE, Ms. EMERSON, and Mr. BAIRD.

H.R. 1824: Mr. MORAN of Virginia and Mr. MCGOVERN.

H.R. 1827: Mr. BARR of Georgia and Mr. LUCAS of Oklahoma.

H.R. 1842: Ms. MCKINNEY, Mr. THOMPSON of Mississippi, Ms. JACKSON-LEE of Texas, and Mr. STARK.

H.R. 1861: Mr. UDALL of New Mexico, Mr. SPRATT, Mr. SANDLIN, and Ms. SOLIS.

H.R. 1864: Mr. UPTON.

H.R. 1873: Mrs. WILSON.

H.R. 1879: Mr. HOUGHTON.

H.R. 1881: Mr. PETRI, Ms. BALDWIN, and Mr. EHLERS.

H.R. 1907: Ms. VELAZQUEZ.

H.R. 1908: Mr. DUNCAN.

H.R. 1921: Mr. FRANK.

H.R. 1929: Mr. UNDERWOOD, Mr. FALEOMAVAEGA, Mr. CONYERS, Ms. LEE, Mr. KIND, Mr. SMITH of Washington, and Mr. KILDEE.

H.J. Res. 6: Mr. COYNE.

H.J. Res. 15: Mrs. CAPITO.

H.J. Res. 20: Mr. COLLINS.

H.J. Res. 36: Mr. LAMPSON.

H. Con. Res. 23: Mr. GOODLATTE.

H. Con. Res. 36: Mr. MCINTYRE, Ms. RIVERS, and Mr. LEACH.

H. Con. Res. 61: Mr. GRAHAM.

H. Con. Res. 116: Mr. PITTS.

H. Con. Res. 137: Mr. WOLF, and Mr. ENGLISH.

H. Con. Res. 139: Mrs. MORELLA, Mrs. ROUKEMA, Mr. HONDA, Mr. KNOLLENBERG, Mr. DINGELL, Mr. BLAGOJEVICH, Ms. HART, Mr.

SWEENEY, Mr. HOEFFEL, Mr. MCGOVERN, Mr. COSTELLO, Mr. MCNULTY, Ms. MCKINNEY, Mr. SHERMAN, Mr. SAXTON, Mr. CROWLEY, Mrs. NAPOLITANO, Mr. HOLT, Mr. BILIRAKIS, Mr. SOUDER, Mr. PALLONE, Mr. SCHIFF, Mr. PICKERING, Mr. BACA, Ms. LEE, Mr. LEWIS of California, Ms. LOFGREN, Mr. RADANOVICH, Mr. TIAHRT, Mr. HOYER, Mr. GALLEGLY, Mrs. MALONEY of New York, Mr. SMITH of New Jersey, Mr. ROYCE, Mr. ROHRABACHER, Mr. COX, Ms. BERKLEY, Mr. MCKEON, and Mr. BONIOR.

H. Res. 14: Ms. RIVERS.

H. Res. 120: Ms. MCGOVERN and Mr. FOSSELLA.

H. Res. 123: Mr. CULBERSON.

¶51.32 PETITIONS, ETC.

Under clause 3 of rule XII,

15. The SPEAKER presented a petition of the Council of the City of Mansfield, Ohio, relative to Resolution 01–091 petitioning the United States Congress to take all actions that are necessary to stop the dumping of foreign steel in the United States, including the amendment of existing foreign trade laws or the enactment of new foreign trade law to address the crisis in the steel industry; to the Committee on Ways and Means.

WEDNESDAY, MAY 23, 2001 (52)

The House was called to order by the SPEAKER.

¶52.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, May 22, 2001.

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

¶52.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2082. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Minimum Financial Requirements for Futures Commission Merchants and Introducing Brokers; Amendment to the Capital Charge on Unsecured Receivables Due From Foreign Brokers (RIN: 3038–AB54) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2083. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Foreign Futures and Options Transactions—received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2084. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bacillus thuringiensis Cry3Bb1 and Cry2Ab2 Protein and the Genetic Material Necessary for its Production in Corn and Cotton; Exemption from the Requirement of a Tolerance [OPP–301123; FRL–6781–6] (RIN: 2070–AB78) received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2085. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Procedural Rules for DOE Nuclear Activities; General Statement of Enforcement Policy—received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2086. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans For Designated Facilities; New York [Region 2 Docket No. NY46–217a, FRL–6977–2] received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2087. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Section 112(1) Authority for Hazardous Air Pollutants; Equivalency by Permit Provisions; National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry; State of New Hampshire [FRL–6978–8] received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2088. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [FRL–6950–2] received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2089. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast [FRL–6978–5] (RIN: 2060–AF30) received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2090. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—NESHAPS: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors [FRL–6978–4] received May 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2091. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Arizona State Implementation Plan Revision, Coconino County, Mohave County, and Yuma County [AZ 094–0027a; FRL–6916–2] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2092. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Allocation of Drinking Water State Revolving Fund Monies [FRL–6978–7] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2093. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Approval of Revisions to Stage II Vapor Recovery Regulations for Southwest Pennsylvania [PA157–4112a; FRL–6981–5] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2094. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to authorize appropriations for the Nuclear Regulatory Commission for fiscal year 2002; to the Committee on Energy and Commerce.

2095. A letter from the District of Columbia Retirement Board, transmitting the personal financial disclosure statements of Board members, pursuant to D.C. Code section 1–732 and 1–734(a)(1)(A); to the Committee on Government Reform.

2096. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation; Administrative Amendments [FRL–6955–3] received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2097. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Special Regulations for the Preble's Meadow Jumping Mouse (RIN: 1018–AF30) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2098. A letter from the Fisheries Biologist, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Designated Critical Habitat: Critical Habitat for Johnson's Seagrass [Docket No. 991116305–0083–02; I.D. No. 110599D][A] (RIN: 0648–AL82) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2099. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; 2001 Management Measures [I.D. 042401D] (RIN:0648–AO49) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2100. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–27] received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2101. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Taxable Fuel Measurement [TD 8945] (RIN: 1545–AY85) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶52.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill and concurrent resolutions of the House of the following titles:

H.R. 1727. An Act to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty.

H. Con. Res. 76. Concurrent resolution authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts.

H. Con. Res. 79. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 87. Concurrent resolution authorizing the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds.

The message also announced that the Senate has passed concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. Con. Res. 40. Concurrent resolution expressing the sense of Congress regarding the designation of the week of May 20, 2001, as ''National Emergency Medical Services Week''.

S. Con. Res. 41. Concurrent resolution authorizing the use of the Capitol Grounds for the National Book Festival.

The message also announced that pursuant to Public Law 105–292, as

amended by Public Law 106–55, the Chair, on behalf of the President pro tempore, upon the recommendation of the Majority Leader, reappoints Michael K. Young, of Washington, D.C., to the United States Commission on International Religious Freedom.

The message also announced that pursuant to Public Law 106–554, the Chair, on behalf of the President pro tempore and upon the recommendation of the Democratic Leader, appoints the Senator from Massachusetts (Mr. KERRY) to the Board of Directors of the Vietnam Education Foundation.

¶52.4 NO CHILD LEFT BEHIND

The SPEAKER pro tempore, Mr. WALDEN, pursuant to House Resolution 143 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

Mr. HASTINGS of Washington, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

The Committee rose informally to receive a message from the President.

The SPEAKER pro tempore, Mr. SCHAFFER, assumed the Chair.

¶52.5 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

¶52.6 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ARMEY:

In section 104 of the bill, in paragraph (13) of section 1112(b) of the Elementary and Secondary Education Act of 1965 (as proposed to be amended by such section 104), strike ''public''.

In section 106 of the bill, in clause (ii) of section 1116(b)(7)(A) of the Elementary and Secondary Education Act of 1965 (as proposed to be amended by such section 106), strike subclause (II) and insert the following:

''(II) make funds available—

''(aa) to the economically disadvantaged child's parents to place the child in a private school in accordance with subsection (d)(2); or

''(bb) make funds available for supplementary educational services, in accordance with subsection (d)(1); and

In section 106 of the bill, in paragraph (8) of section 1116(b) of the Elementary and Secondary Education Act of 1965 (as proposed to be amended by such section 106), after ''paragraph (6)(D)(i)'' insert '', (7)(A)(ii)(II)(aa),''.

In section 106 of the bill, in subparagraph (A) of section 1116(b)(8) of the Elementary and Secondary Education Act of 1965 (as proposed to be amended by such section 106), strike ''public''.

In section 106 of the bill, in subsection (d) of section 1116 of the Elementary and Secondary Education Act of 1965 (as proposed to be amended by such section 106)—

(1) in paragraph (1) strike ''(1) In'' and insert the following:

''(1) SUPPLEMENTAL INSTRUCTIONAL SERVICES.—''

''(A) In

(2) strike ''this paragraph'' each place it appears and insert ''this subparagraph'';

(3) in paragraph (2) strike ''paragraph (1)'' and insert ''subparagraph (A)'';

(3) in paragraph (3)—

(A) strike ''paragraph (2)'' and insert ''subparagraph (B)''; and

(B) redesignate subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively (and indent accordingly);

(4) in paragraph (5)—

(A) in subparagraph (B), strike ''paragraph (6)'' and insert ''subparagraph (F)''; and

(B) redesignate subparagraphs (A) through (E) as clauses (i) through (v), respectively, (and indent accordingly);

(5) in paragraph (6)—

(A) strike ''paragraph (5)(c)'' insert ''subparagraph (E)(iii)''; and

(B) redesignate subparagraphs (A) through (D) as clauses (i) through (iv), respectively (and indent accordingly);

(6) in paragraph (7)—

(A) in subparagraph (B), strike ''subparagraph (A)'' and insert ''clause (i)''; and

(B) redesignate subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively (and indent accordingly);

(7) in paragraph (10)—

(A) in subparagraphs (C) and (D), redesignate clauses (i) and (ii) as subclauses (I) and (II), respectively (and indent accordingly);

(B) redesignate subparagraphs (A) through (D) as clauses (i) through (iv), respectively (and indent accordingly);

(8) redesignate paragraphs (2) through (11) as subparagraphs (B) through (K), respectively (and indent accordingly);

(9) at the end, insert the following:

''(2) PARENTAL CHOICE.—

''(A) IN GENERAL.—In any case described in section 1116(b)(7)(A)(ii)(II)(aa) the local educational agency shall permit the parents of each eligible child defined in paragraph (7)(A) to—

''(i) receive, from the agency, the child's share of funds allocated to the school under this part, calculated under subparagraph (B); and

''(ii) Notwithstanding any other provision of this Act, use those funds to pay the costs of attending a private school that agrees to—

''(I) assess the student in mathematics and reading and language arts each year during grades 3 through 8 and at least once during grades 10 through 12, using academic assessments that are comparable in what they measure to the academic assessments used by the State; and

''(II) provide the results of those assessments to the student's parents.

''(B) PER-CHILD AMOUNT.—The amount of a school's allocation under this part that it shall make available to the parents of an eligible child under subparagraph (A)(ii) is equal to the amount of the school's allocation under subpart 2 of this part divided by the number of eligible children enrolled in the school.

''(C) LIMITATION.—The amount of funds provided to the parents of a child under this paragraph shall not exceed the actual costs of the parents for sending the child to a private school and providing transportation to such school.

''(D) DURATION.—The local educational agency shall continue to provide funds to parents of a child attending a private school under this section until the child completes the grade corresponding to the highest grade offered at the public school the child previously attended.

''(E) NONDISCRIMINATION.—

''(i) IN GENERAL.—A private school participating in the choice program under this paragraph shall not discriminate on the basis of race, color, national origin, or sex in carrying out the provisions of this paragraph.

''(ii) APPLICABILITY AND CONSTRUCTION WITH RESPECT TO DISCRIMINATION ON THE BASIS OF SEX.—

''(I) APPLICABILITY.—With respect to discrimination on the basis of sex, clause (i) shall not apply to a private school that is controlled by a religious organization if the application of clause (i) is inconsistent with the religious tenets of the private school.

''(II) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—With respect to discrimination on the basis of sex, nothing in clause (i) shall be construed to prevent a parent from choosing, or a private school from offering, a single-sex school, class, or activity.

''(III) CONSTRUCTION.—With respect to discrimination on the basis of sex, nothing in clause (i) shall be construed to require any person, or public or private entity to provide or pay, or to prohibit any such person or entity from providing or paying, for any benefit or service, including the use of facilities, related to an abortion. Nothing in the preceding sentence shall be construed to permit a penalty to be imposed on any person or individual because such person or individual is seeking or has received any benefit or service related to a legal abortion.

''(iii) CHILDREN WITH DISABILITIES.—Nothing in this subsection shall be construed to alter or modify the provisions of the Individuals with Disabilities Education Act or the Rehabilitation Act of 1973.

''(iv) RULE OF CONSTRUCTION.—

''(I) IN GENERAL.—Nothing in this paragraph shall be construed to prevent any private school which is operated by, supervised by, controlled by, or connected to, a religious organization from employing, admitting, or giving preference to, persons of the same religion to the extent determined by such institution to promote the religious purpose for which the private school is established or maintained.

''(II) SECTARIAN PURPOSES.—Nothing in this paragraph shall be construed to prohibit the use of funds made available under this subsection for sectarian educational purposes, or to require a private school to remove religious art, icons, scripture, or other symbols.

''(F) DEFINITIONS.—As used in this paragraph, the term 'eligible child' means a child from a low-income family, as determined by the local educational agency for purposes of allocating funds to schools under section 1113(c)(1).''.

In section 401 of the bill, in section 4131(b) of the Elementary and Secondary Education Act of 1965 (as proposed to be amended by such section 401)—

(1) strike ''and'' at the end of paragraph (14);

(2) strike the period at the end of paragraph (15) and insert ''; and''; and

(3) insert the following:

''(16) activities to promote, implement, or expand private school choice for disadvantaged children in failing public schools.

In section 501 of the bill, in subparagraph (P) of section 5115(b)(2) of the Elementary and Secondary Education Act of 1965 (as proposed to be amended by such section 501), after ''including a public charter school,'' insert ''or a private school if no safe public school or public charter school can accommodate the student,''.

In section 801 of the bill, in section 8507 of the Elementary and Secondary Education Act of 1965 (as proposed to be amended by such section 801)—

(1) insert ''(a) IN GENERAL.—'' before ''Nothing''; and

(2) add at the end the following:

''(b) INAPPLICABILITY.—Subsection (a) shall not be construed to prohibit the use of funds made available to parents of eligible children for sectarian educational purposes under private school choice provisions of this Act, or to require an eligible private institution to remove religious art, icons, scripture, or other symbols.

It was decided in the negative ..... { Yeas ..... 155 / Nays 273

¶52.7 [Roll No. 135]

AYES—155

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Everett
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Goode
Goodlatte
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Hunter
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Manzullo
McCrery
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Myrick
Nethercutt
Northup
Norwood
Nussle
Otter
Oxley
Pence
Peterson (PA)
Petri
Pickering
Pitts
Portman
Putnam
Radanovich
Riley
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Vitter
Walsh
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wolf
Young (AK)

NOES—273

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Frank
Frost
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Graves
Green (TX)
Grucci
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Platts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Ross
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Serrano
Sherman
Shimkus
Shows
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Walden
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Wilson
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—5

Cubin
John
Moakley
Tanner
Visclosky

So the amendment was not agreed to.

¶52.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ARMEY:

After part C of title IV of the Elementary and Secondary Education Act of 1965, as amended by section 421 of the bill, add the following:

PART D—EDUCATIONAL OPPORTUNITY FUND

SEC. 431. EDUCATIONAL OPPORTUNITY FUND.

Title IV is amended by adding at the end the following:

"PART D—EDUCATIONAL OPPORTUNITY FUND

"SEC. 4411. PURPOSE.

''The purpose of this part is to determine the effectiveness of school choice in improving the academic achievement of disadvantaged students and the overall quality of public schools and local educational agencies.

"SEC. 4412. PROGRAM AUTHORIZED.

''The Secretary is authorized to make competitive awards to eligible entities to carry out and evaluate, through contracts or grants, not more than 5 research projects that demonstrate how school choice options increase the academic achievement of students, schools, and local educational agencies.

"SEC. 4413. ELIGIBLE ENTITIES.

''For purposes of this part an eligible entity is—

''(1) a State educational agency;

''(2) a county agency;

''(3) a municipal agency;

''(4) a local educational agency;

''(5) a nonprofit corporation; or

''(6) a consortia thereof.

"SEC. 4414. APPLICATIONS.

''Each eligible entity desiring an award under this part shall submit an application to the Secretary that shall include—

''(1) a description of the proposed research project, including a designation from which local educational agency or agencies eligible students will be selected to participate in a choice program;

''(2) a description of the annual costs of the project;

''(3) a description of the research design that the eligible entity will employ in carrying out the project;

''(4) a description of the project evaluation that will be conducted by an independent third party entity, including—

''(A) the name and qualifications of the independent entity that will conduct the evaluation; and

''(B) a description of how the evaluation will measure the academic achievement of students participating in the program, parental satisfaction and the effect of the project on the schools and agencies designated in paragraph (1);

''(5) a description of how the eligible entity will ensure the participation of students selected for the control group;

''(6) a description of the assessment that the eligible entity will use to assess annually the progress of participants in the research project in grades 3 through 8 in mathematics and reading and how it is comparable to assessments used by the agency or agencies described under paragraph (1);

''(7) an assurance that the eligible entity will assess all students that are participating in the program or in the control group at the beginning of the project;

''(8) an assurance that the eligible entity will report annually to the Secretary on the impact of the project on student achievement, including a discussion of the meaning and an attestation of validity of the achievement data;

''(9) an assurance that, if the number of students applying to participate in the project is greater than the number of students the project can serve, participants will be selected by lottery;

''(10) a description of how the amount that will be provided directly to students for tuition, fees, transportation, or supplemental services will be determined;

''(11) an assurance that schools participating under this part will abide by the nondiscrimination requirements set forth in section 4419;

''(12) an assurance that eligible students receiving assistance under this part will not be defined by reference to religion and that grants will be allocated on the basis of neutral, secular criteria that neither favor nor disfavor religion, and will be made available to children attending secular and nonsecular institutions on a nondiscriminatory basis; and

''(13) an assurance that no private school will be required to participate in the project without its consent.

"SEC. 4415. PRIORITIES.

"In awarding grants under this program, the Secretary shall give priority to applications that—

"(1) provide students and families with the widest range of educational options;

"(2) target resources to students and families that lack the financial resources to take advantage of available educational options;

"(3) are of sufficient size to have a significant impact on the public and private schools of the community that the project serves;

"(4) propose using rigorous methodologies and third party evaluators with experience in evaluating school choice proposals; and

"(5) propose serving students of varying age and grade levels.

"SEC. 4416. USE OF FUNDS.

"(a) IN GENERAL.—A grantee may reserve up to 10 percent of its award for research and evaluation activities, of which not more than 2 percent may be used for administrative purposes.

"(b) GRANTS TO STUDENTS.—A grantee shall use at least 90 percent of its award to provide grants to eligible students, who shall use the grants to—

"(1) pay the eligible educational expenses, including tuition, fees, and transportation expenses required to attend the school of their choice, but in no event more than $5,000 per student; or

"(2) purchase supplemental educational services.

"(c) ASSISTANCE.—All grants provided to students under this part shall be considered assistance to students rather than to schools.

"SEC. 4417. ELIGIBLE STUDENTS.

"For purposes of the activities funded under this part, an eligible student is defined as a student who—

"(1) is eligible for a free or reduced-price lunch subsidy under the National School Lunch program; and

"(2) attended a public elementary or secondary school or was not yet of school age in the year preceding participation in this program.

"SEC. 4418. REPORTING REQUIREMENTS.

"(a) IN GENERAL.—Each grantee receiving an award under this program shall, beginning with the second year of the project, report annually to the Secretary regarding—

"(1) the activities carried out during the preceding 12 months with program funds; and

"(2) the results of the assessments given to students participating in the program and students selected for the control group.

"(b) PERFORMANCE REPORTS.—In addition, each grantee shall, in the third year of the research project, report annually to the Secretary regarding—

"(1) the academic performance of students participating in the project; and

"(2) parental satisfaction; and

"(3) changes in the overall performance and quality of public and private elementary and secondary schools affected by the project, as well as other indicators such as teacher quality, innovative reforms, or special programs.

"(c) REPORT TO CONGRESS.—The Secretary shall submit to the appropriate congressional committees an annual report on the findings of the reports submitted under subsections (a) and (b), and include the comments of the independent review panel in accordance with section 4420(c)(2).

"SEC. 4419. NONDISCRIMINATION.

"(a) IN GENERAL.—A private school participating in the scholarship program under this part shall not discriminate on the basis of race, color, national origin, or sex in carrying out the provisions of this part.

"(b) APPLICABILITY AND CONSTRUCTION WITH RESPECT TO DISCRIMINATION ON THE BASIS OF SEX.—

"(1) APPLICABILITY.—With respect to discrimination on the basis of sex, subsection (a) shall not apply to a private school that is controlled by a religious organization if the application of subsection (a) is inconsistent with the religious tenets of the private school.

"(2) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—With respect to discrimination on the basis of sex, nothing in subsection (a) shall be construed to prevent a parent from choosing, or a private school from offering, a single-sex school, class, or activity.

"(3) CONSTRUCTION.—With respect to discrimination on the basis of sex, nothing in subsection (a) shall be construed to require any person, or public or private entity to provide or pay, or to prohibit any such person or entity from providing or paying, for any benefit or service, including the use of facilities, related to an abortion. Nothing in the preceding sentence shall be construed to permit a penalty to be imposed on any person or individual because such person or individual is seeking or has received any benefit or service related to a legal abortion.

"(c) CHILDREN WITH DISABILITIES.—Nothing in this part shall be construed to alter or modify the provisions of the Individuals with Disabilities Education Act or the Rehabilitation Act of 1973.

"(d) RULE OF CONSTRUCTION.—

"(1) IN GENERAL.—Nothing in this part shall be construed to prevent any eligible institution which is operated by, supervised by, controlled by, or connected to, a religious organization from employing, admitting, or giving preference to, persons of the same religion to the extent determined by such institution to promote the religious purpose for which the private school is established or maintained.

"(2) SECTARIAN PURPOSES.—Nothing in this part shall be construed to prohibit the use of funds made available under this part for sectarian educational purposes, or to require a private school to remove religious art, icons, scripture, or other symbols.

"SEC. 4420. INDEPENDENT REVIEW PANEL.

"(a) ESTABLISHMENT.—The Secretary shall establish an independent review panel to advise the Secretary on technical and methodological issues and in overseeing the activities funded under this part.

"(b) MEMBERSHIP.—The Secretary shall appoint members of the independent review panel from among qualified individuals who are—

"(A) specialists in school choice research, as well as experts in statistics, evaluation, research, and assessment; and

"(B) other individuals with technical expertise who will contribute to the overall rigor and quality of the evaluations.

"(c) POWERS.—The independent review panel shall consult with and advise the Secretary—

"(1) to ensure that the evaluations funded under this part adhere to the highest possible standards of quality with respect to research design and statistical analysis; and

"(2) to evaluate and comment on the degree to which annual reports submitted in accordance with section 4418 meet the requirements under paragraph (1) with such comments included with the report submitted to the appropriate Congressional committees.

"SEC. 4421. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated $50,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.".

It was decided in the negative ..... { Yeas ..... 186 / Nays 241

¶52.9 [Roll No. 136]

AYES—186

Aderholt	Graham	Pombo
Akin	Granger	Portman
Armey	Green (WI)	Pryce (OH)
Bachus	Greenwood	Putnam
Baker	Grucci	Radanovich
Ballenger	Gutknecht	Regula
Barr	Hall (TX)	Reynolds
Bartlett	Hansen	Riley
Barton	Hart	Rogers (KY)
Bass	Hastert	Rohrabacher
Bilirakis	Hastings (WA)	Ros-Lehtinen
Boehner	Hayes	Royce
Bonilla	Hayworth	Ryan (WI)
Bono	Hefley	Ryun (KS)
Brady (TX)	Herger	Saxton
Brown (SC)	Hilleary	Scarborough
Bryant	Hobson	Schaffer
Burton	Hunter	Schrock
Buyer	Hyde	Sensenbrenner
Callahan	Isakson	Sessions
Calvert	Issa	Shadegg
Camp	Istook	Shaw
Cannon	Jenkins	Shays
Cantor	Johnson, Sam	Sherwood
Capito	Jones (NC)	Shimkus
Chabot	Keller	Simmons
Chambliss	Kelly	Simpson
Coble	Kennedy (MN)	Smith (MI)
Collins	Kerns	Smith (NJ)
Combest	King (NY)	Smith (TX)
Cooksey	Kingston	Souder
Cox	Knollenberg	Spence
Crane	Kolbe	Stearns
Crenshaw	LaHood	Stump
Culberson	Largent	Sununu
Cunningham	Latham	Sweeney
Davis, Jo Ann	LaTourette	Tancredo
Deal	Lewis (CA)	Tauzin
DeLay	Lewis (KY)	Taylor (NC)
DeMint	Linder	Terry
Diaz-Balart	Lipinski	Thomas
Doolittle	Lucas (OK)	Thornberry
Dreier	Manzullo	Tiahrt
Duncan	McCrery	Tiberi
Dunn	McInnis	Toomey
Ehlers	McKeon	Traficant
Ehrlich	Mica	Upton
English	Miller (FL)	Vitter
Everett	Miller, Gary	Walden
Ferguson	Myrick	Walsh
Fletcher	Nethercutt	Wamp
Foley	Northup	Watkins
Fossella	Norwood	Watts (OK)
Frelinghuysen	Nussle	Weldon (FL)
Gallegly	Ose	Weldon (PA)
Ganske	Otter	Weller
Gibbons	Oxley	Whitfield
Gilchrest	Pence	Wicker
Gillmor	Peterson (PA)	Wilson
Goode	Petri	Wolf
Goodlatte	Pickering	Young (AK)
Goss	Pitts	Young (FL)

NOES—241

Abercrombie	Burr	Dooley
Ackerman	Capps	Doyle
Allen	Capuano	Edwards
Andrews	Cardin	Emerson
Baca	Carson (IN)	Engel
Baird	Carson (OK)	Eshoo
Baldacci	Castle	Etheridge
Baldwin	Clay	Evans
Barcia	Clayton	Farr
Barrett	Clement	Fattah
Becerra	Clyburn	Filner
Bentsen	Condit	Flake
Bereuter	Conyers	Ford
Berkley	Costello	Frank
Berman	Coyne	Frost
Berry	Cramer	Gekas
Biggert	Crowley	Gephardt
Bishop	Cummings	Gilman
Blagojevich	Davis (CA)	Gonzalez
Blumenauer	Davis (FL)	Gordon
Blunt	Davis (IL)	Graves
Boehlert	Davis, Tom	Green (TX)
Bonior	DeFazio	Gutierrez
Borski	DeGette	Hall (OH)
Boswell	Delahunt	Harman
Boucher	DeLauro	Hastings (FL)
Boyd	Deutsch	Hill
Brady (PA)	Dicks	Hilliard
Brown (FL)	Dingell	Hinchey
Brown (OH)	Doggett	Hinojosa

Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Platts
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Rehberg
Reyes
Rivers
Rodriguez
Roemer
Rogers (MI)
Ross
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Shuster
Skeen
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—6

Cubin
Hutchinson
Kennedy (RI)
Moakley
Tanner
Visclosky

So the amendment was not agreed to.

¶52.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HOEKSTRA:

In section 701 of the bill, in subparagraph (A) of section 7203(b)(1) of the Elementary and Secondary Education Act of 1965 (as proposed to be amended by such section 701), strike ''may transfer'' and all that follows through the end of such subparagraph and insert the following:

may transfer—

''(i) not more than 50 percent of the funds allocated to it under each of the provisions listed in paragraph (2) for a fiscal year to 1 or more of its allocations for such fiscal year under any other provision listed in paragraph (2); or

''(ii) not more than 75 percent of the funds allocated to it under each of the provisions listed in paragraph (2) for a fiscal year to 1 or more of its allocations for such fiscal year under any other provision listed in paragraph (2), if the local educational agency obtains State approval before making such transfer.

It was decided in the negative ..... { Yeas ..... 191 / Nays 236

¶52.11 [Roll No. 137]

AYES—191

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Northup
Norwood
Nussle
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shays
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—236

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

NOT VOTING—5

Cubin
Hutchinson
Kennedy (RI)
Moakley
Visclosky

So the amendment was not agreed to.

¶52.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. NORWOOD:

At the end of part A of title V of the Elementary and Secondary Education Act of 1965, as amended by section 501 of the bill, add the following:

''SEC. 5155. DISCIPLINE OF CHILDREN WITH DISABILITIES.

''(a) AUTHORITY OF SCHOOL PERSONNEL.—Each State receiving funds under this Act shall require each local educational agency to have in effect a policy under which school personnel of such agency may discipline (including expel or suspend) a child with a disability who—

''(1) carries or possesses a weapon to or at a school, on school premises, or to or at a school function, under the jurisdiction of a State or a local educational agency;

''(2) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance at a school, on school premises, or at a school function, under the jurisdiction of a State or a local educational agency; or

''(3) commits an aggravated assault or battery (as defined under State or local law) at a school, on school premises, or at a school function, under the jurisdiction of a State or local educational agency,

in the same manner in which such personnel may discipline a child without a disability. Such personnel may modify the disciplinary action on a case-by-case basis.

''(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to prevent a child with a disability who is disciplined pursuant to the authority provided under paragraph (1) or (2) of subsection (a) from asserting a defense that the carrying or posses-

sion of the weapon, or the possession or use of the illegal drugs (or the sale or solicitation of the controlled substance), as the case may be, was unintentional or innocent.

"(c) FREE APPROPRIATE PUBLIC EDUCATION.—

"(1) CEASING TO PROVIDE EDUCATION.—Notwithstanding any other provision of Federal law, a child expelled or suspended under subsection (a) shall not be entitled to continue educational services, including a free appropriate public education, required under Federal law during the term of such expulsion or suspension, if the State in which the local educational agency responsible for providing educational services to such child does not require a child without a disability to receive educational services after being expelled or suspended.

"(2) PROVIDING EDUCATION.—Notwithstanding paragraph (1), the local educational agency responsible for providing educational services to a child with a disability who is expelled or suspended under paragraph (1) may choose to continue to provide educational services or mental health services to such child. If the local educational agency so chooses to continue to provide the services—

"(A) nothing in any other provision of Federal law shall require the local educational agency to provide such child with any particular level of service; and

"(B) the location where the local educational agency provides the services shall be left to the discretion of the local educational agency.

"(d) DEFINITIONS.—In this section:

"(1) CONTROLLED SUBSTANCE.—The term 'controlled substance' has the meaning given the term in section 5151.

"(2) ILLEGAL DRUG.—The term 'illegal drug' means a controlled substance, but does not include such a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of Federal law.

"(3) WEAPON.—The term 'weapon' has the meaning given the term 'dangerous weapon' under subsection (g)(2) of section 930 of title 18, United States Code.

It was decided in the affirmative { Yeas ..... 246 / Nays ..... 181 }

¶52.13 [Roll No. 138]

AYES—246

Aderholt
Akin
Armey
Bachus
Baird
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Flake
Fletcher
Foley
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Holt
Horn
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaFalce
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCrery
McInnis
McKeon
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Shadegg
Shaw
Shays
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOES—181

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson (IN)
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Doyle
Dreier
Engel
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Frank
Frelinghuysen
Frost
Gephardt
Gilman
Gonzalez
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Honda
Hooley
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Mink
Moore
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sessions
Sherman
Slaughter
Solis
Souder
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Walsh
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—5

Cubin
Hutchinson
Moakley
Sherwood
Visclosky

So the amendment was agreed to.

¶52.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. STEARNS:

In section 1116(b) of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 106 of the bill, insert after paragraph (5) the following and redesignate any subsequent provisions accordingly:

"(6) ADDITIONAL NOTIFICATION.—Not less than once each year, each State educational agency shall provide the Secretary with the name of each school identified for school improvement under this subsection.

It was decided in the affirmative { Yeas ..... 361 / Nays ..... 67 }

¶52.15 [Roll No. 139]

AYES—361

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Condit
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Ford
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur

Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kingston
Kirk
Kleczka
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Watkins
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—67

Bachus
Bereuter
Bilirakis
Blumenauer
Blunt
Boehlert
Bonilla
Bryant
Cannon
Coble
Collins
Conyers
Cooksey
Cox
Culberson
Davis, Jo Ann
Davis, Tom
Duncan
Everett
Flake
Fossella
Frank
Gilchrest
Gillmor
Goode
Graham
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Hostettler
Jenkins
Johnson, Sam
Jones (NC)
Kerns
King (NY)
Kolbe
Largent
Manzullo
Mica
Moran (KS)
Myrick
Nethercutt
Paul
Pence
Petri
Pickering
Putnam
Ramstad
Rogers (MI)
Scarborough
Schaffer
Sensenbrenner
Shadegg
Shuster
Stump
Tancredo
Thornberry
Tiahrt
Toomey
Walden
Walsh
Wamp
Waters
Watts (OK)
Whitfield

NOT VOTING—4

Cubin
Hutchinson
Moakley
Visclosky

So the amendment was agreed to.

¶52.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TRAFICANT:

In the matter proposed to be inserted as part E of title VIII of the Elementary and Secondary Education Act of 1965 by section 801 of the bill, insert after section 8520 the following:

"SEC. 8521. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE; USE OF AMERICAN-MADE STEEL.

''(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

''(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

''(c) USE OF AMERICAN-MADE STEEL.—A school system receiving financial assistance under this Act for construction shall use American-made steel for such construction and shall comply with the requirements of the Buy American Act.''.

It was decided in the affirmative ..... { Yeas ..... 415 / Nays 9

¶52.17 [Roll No. 140]

AYES—415

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

NOES—9

Armey
Barton
Crane
Dreier
Flake
Kolbe
Paul
Shadegg
Stark

NOT VOTING—8

Baker
Cubin
Gilman
Hutchinson
John
Kennedy (RI)
Moakley
Visclosky

So the amendment was agreed to.

After some further time,

¶52.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BRADY of Texas:

Strike part D of title II of the Elementary and Secondary Education Act of 1965, as proposed to be added by section 203 of the bill, and insert the following:

"PART D—TEACHER LIABILITY PROTECTION

"SEC. 2301. SHORT TITLE.

''This part may be cited as the 'Paul Coverdell Teacher Liability Protection Act of 2001'.

"SEC. 2302. FINDINGS AND PURPOSE.

''(a) FINDINGS.—Congress makes the following findings:

''(1) The ability of teachers, principals and other school professionals to teach, inspire and shape the intellect of our Nation's elementary and secondary school students is deterred and hindered by frivolous lawsuits and litigation.

''(2) Each year more and more teachers, principals and other school professionals face lawsuits for actions undertaken as part of their duties to provide millions of school children quality educational opportunities.

''(3) Too many teachers, principals and other school professionals face increasingly severe and random acts of violence in the classroom and in schools.

''(4) Providing teachers, principals and other school professionals a safe and secure environment is an important part of the effort to improve and expand educational opportunities.

''(5) Clarifying and limiting the liability of teachers, principals and other school professionals who undertake reasonable actions to maintain order, discipline and an appropriate educational environment is an appropriate subject of Federal legislation because—

''(A) the scope of the problems created by the legitimate fears of teachers, principals and other school professionals about frivolous, arbitrary or capricious lawsuits against teachers is of national importance; and

''(B) millions of children and their families across the Nation depend on teachers, principals and other school professionals for the intellectual development of children.

''(b) PURPOSE.—The purpose of this part is to provide teachers, principals and other school professionals the tools they need to undertake reasonable actions to maintain order, discipline and an appropriate educational environment.

"SEC. 2303. PREEMPTION AND ELECTION OF STATE NONAPPLICABILITY.

''(a) PREEMPTION.—This part preempts the laws of any State to the extent that such laws are inconsistent with this part, except that this part shall not preempt any State law that provides additional protection from liability relating to teachers.

''(b) ELECTION OF STATE REGARDING NONAPPLICABILITY.—This part shall not apply to any civil action in a State court against a teacher with respect to claims arising within that State if such State enacts a statute in accordance with State requirements for enacting legislation—

''(1) citing the authority of this subsection;

''(2) declaring the election of such State that this part shall not apply, as of a date certain, to such civil action in the State; and

''(3) containing no other provisions.

"SEC. 2304. LIMITATION ON LIABILITY FOR TEACHERS.

''(a) LIABILITY PROTECTION FOR TEACHERS.—Except as provided in subsections (b) and (c), no teacher in a school shall be liable for harm caused by an act or omission of the teacher on behalf of the school if—

''(1) the teacher was acting within the scope of the teacher's employment or responsibilities related to providing educational services;

''(2) the actions of the teacher were carried out in conformity with local, State, and Federal laws, rules and regulations in furtherance of efforts to control, discipline, expel, or suspend a student or maintain order or control in the classroom or school;

''(3) if appropriate or required, the teacher was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred, where the activities were or practice was undertaken within the scope of the teacher's responsibilities;

''(4) the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the teacher; and

''(5) the harm was not caused by the teacher operating a motor vehicle, vessel, aircraft, or other vehicle for which the State requires the operator or the owner of the vehicle, craft, or vessel to—

''(A) possess an operator's license; or

''(B) maintain insurance.

''(b) CONCERNING RESPONSIBILITY OF TEACHERS TO SCHOOLS AND GOVERNMENTAL ENTITIES.—Nothing in this section shall be construed to affect any civil action brought by any school or any governmental entity against any teacher of such school.

''(c) EXCEPTIONS TO TEACHER LIABILITY PROTECTION.—If the laws of a State limit teacher liability subject to one or more of the following conditions, such conditions shall not be construed as inconsistent with this section:

''(1) A State law that requires a school or governmental entity to adhere to risk management procedures, including mandatory training of teachers.

''(2) A State law that makes the school or governmental entity liable for the acts or omissions of its teachers to the same extent as an employer is liable for the acts or omissions of its employees.

''(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.

''(d) LIMITATION ON PUNITIVE DAMAGES BASED ON THE ACTIONS OF TEACHERS.—

''(1) GENERAL RULE.—Punitive damages may not be awarded against a teacher in an action brought for harm based on the action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity unless the claimant establishes by clear and convincing evidence that the harm was proximately caused by an action of such teacher which constitutes willful or criminal misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed.

''(2) CONSTRUCTION.—Paragraph (1) does not create a cause of action for punitive damages and does not preempt or supersede any Federal or State law to the extent that such law would further limit the award of punitive damages.

''(e) EXCEPTIONS TO LIMITATIONS ON LIABILITY.—

''(1) IN GENERAL.—The limitations on the liability of a teacher under this part shall not apply to any misconduct that—

''(A) constitutes a crime of violence (as that term is defined in section 16 of title 18, United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18, United States Code) for which the defendant has been convicted in any court;

''(B) involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court;

''(C) involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law; or

''(D) where the defendant was under the influence (as determined pursuant to applicable State law) of intoxicating alcohol or any drug at the time of the misconduct.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect subsection (a)(3) or (d).

"SEC. 2305. LIABILITY FOR NONECONOMIC LOSS.

''(a) GENERAL RULE.—In any civil action against a teacher, based on an action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity, the liability of the teacher for noneconomic loss shall be determined in accordance with subsection (b).

''(b) AMOUNT OF LIABILITY.—

''(1) IN GENERAL.—Each defendant who is a teacher, shall be liable only for the amount of noneconomic loss allocated to that defendant in direct proportion to the percentage of responsibility of that defendant (determined in accordance with paragraph (2)) for the harm to the claimant with respect to which that defendant is liable. The court shall render a separate judgment against each defendant in an amount determined pursuant to the preceding sentence.

''(2) PERCENTAGE OF RESPONSIBILITY.—For purposes of determining the amount of noneconomic loss allocated to a defendant who is a teacher under this section, the trier of fact shall determine the percentage of responsibility of that defendant for the claimant's harm.

"SEC. 2306. RULE OF CONSTRUCTION.

''Nothing in this part shall be construed to affect any State or local law (including a rule or regulation) or policy pertaining to the use of corporal punishment.

"SEC. 2307. DEFINITIONS.

''For purposes of this part:

''(1) ECONOMIC LOSS.—The term 'economic loss' means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.

''(2) HARM.—The term 'harm' includes physical, nonphysical, economic, and noneconomic losses.

''(3) NONECONOMIC LOSSES.—The term 'noneconomic losses' means losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation and all other nonpecuniary losses of any kind or nature.

''(4) SCHOOL.—The term 'school' means a public or private kindergarten, a public or private elementary school or secondary school (as defined in section 14101, or a home school.

''(5) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

''(6) TEACHER.—The term 'teacher' means a teacher, instructor, principal, administrator, or other educational professional that works in a school, a local school board and any member of such board, and a local educational agency and any employee of such agency.

"SEC. 2308. APPLICABILITY.

''This part applies to any claim for harm caused by an act or omission of a teacher if that claim is filed on or after the effective date of the No Child Left Behind Act of 2001 without regard to whether the harm that is the subject of the claim or the conduct that caused the harm occurred before such effective date.''.

It was decided in the affirmative ..... { Yeas ..... 239 / Nays 189

¶52.19 [Roll No. 141]

AYES—239

Aderholt
Akin
Armey
Bachus
Baird
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Dicks
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Matheson
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—189

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dingell
Doggett
Doyle
Edwards
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Snyder
Solis
Stark
Strickland
Stupak
Tanner
Tauscher
Terry
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey

NOT VOTING—4

Cubin
Dooley
Moakley
Visclosky

So the amendment was agreed to.

¶52.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KIRK:

At the end of title VI of the bill, add the following:

SEC. 607. SENSE OF CONGRESS RELATING TO FULL FUNDING OF THE IMPACT AID PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) More than 90 percent of resources for school districts in the United States are raised from State and local property taxes.

(2) School districts that are affected by the presence of the Federal government, such as Federal property that is not subject to taxation, must still provide educational services to children who are federally connected by such activities of the Federal government.

(3) To mitigate this loss of funding, Congress has made ''impact aid'' payments to local educational agencies to reimburse the agencies for the costs of educating federally connected children.

(4) From 1950 to 1969, Congress provided full funding for the impact aid program to help defray the costs of educating federally connected children.

(5) For fiscal year 2000, Congress provided only 46 percent of the costs of educating federally connected children.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the House of Representatives, Senate, and Administration should work together to provide full funding for the impact aid program in future fiscal years in order to meet the needs of school districts affected by a Federal presence; and

(2) the full funding of the impact aid program will ensure that federally connected children will continue to receive a quality education.

It was decided in the affirmative ..... { Yeas ..... 425 / Nays 3

¶52.21 [Roll No. 142]

AYES—425

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

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

NOES—3

Obey
Sensenbrenner
Upton

NOT VOTING—4

Cubin
Hutchinson
Moakley
Visclosky

So the amendment was agreed to.

¶52.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. COX:

In part E of title VIII of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 801 of the bill—

(1) redesignate section 8520 as section 8521 (and correct any cross-references accordingly); and

(2) insert after section 8519 the following:

"SEC. 8520. AGGREGATE INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2002 EQUAL TO 11.5 PERCENT.

"Notwithstanding any other provision of this Act—

"(1) for fiscal year 2002, the aggregate amount of funds authorized to be appropriated under this Act shall be $20,528,782,360 (representing an increase of 11.5 percent over the aggregate amount appropriated for programs under this Act for fiscal year 2001); and

"(2) for each subsequent fiscal year covered by this Act, the aggregate amount of funds authorized to be appropriated under this Act shall be the amount appropriated for the preceding fiscal year, increased by 3.5 percent.

It was decided in the negative { Yeas ..... 101 / Nays ..... 326 }

¶52.23 [Roll No. 143]

AYES—101

Akin
Armey
Baker
Barr
Bartlett
Barton
Blunt
Bono
Brady (TX)
Bryant
Burton
Camp
Cannon
Cantor
Chabot
Coble
Combest
Cox
Crane
Crenshaw
Culberson
Davis, Jo Ann
Deal
DeLay
DeMint
Doolittle
Duncan
Ehrlich
Flake
Foley
Goode
Goodlatte
Graham
Granger
Gutknecht
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hoekstra
Hostettler
Hulshof
Hunter
Issa
Istook
Johnson, Sam
Jones (NC)
Kennedy (MN)
Kerns
Kingston
Knollenberg
Largent
Larson (CT)
Lewis (CA)
Lewis (KY)
Linder
Manzullo
McCrery
McInnis
Mica
Miller (FL)
Miller, Gary
Myrick
Norwood
Nussle
Otter
Pascrell
Paul
Pence
Pitts
Pombo
Portman
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Tancredo
Taylor (NC)
Thornberry
Tiahrt
Tiberi
Toomey
Vitter
Weldon (FL)
Young (AK)

NOES—326

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Buyer
Callahan
Calvert
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Hayes
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hyde
Inslee
Isakson
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Platts
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Quinn
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—5

Cubin
Hutchinson
Moakley
Rush
Visclosky

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. HASTINGS of Washington, assumed the Chair.

When Mr. SHIMKUS, Acting Chairman, pursuant to House Resolution 143, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''No Child Left Behind Act of 2001''.

SEC. 2. REFERENCES.

Except as otherwise specifically provided in this Act, whenever in this Act an amendment or repeal is expressed as the amendment or repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 3. TRANSITION.

Except as otherwise specifically provided in this Act, or any amendment made by this Act, any person or agency that was awarded a grant under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) prior to the date of the enactment of this Act shall continue to receive funds in accordance with the terms of such award, except that such funds may not be provided after the date that is one year after the effective date of this Act.

SEC. 4. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. References.
Sec. 3. Transition.
Sec. 4. Table of contents.
Sec. 5. Effective date.

TITLE I—IMPROVING THE ACADEMIC PERFORMANCE OF THE DISADVANTAGED

PART A—BASIC PROGRAM

Sec. 101. Disadvantaged children meet high academic standards.
Sec. 102. Authorization of appropriations.
Sec. 103. Reservation for school improvement.
Sec. 104. Basic programs.
Sec. 105. School choice.
Sec. 106. Academic assessment and local educational agency and school improvement.
Sec. 107. State assistance for school support and improvement.
Sec. 108. Academic achievement awards program.

PART B—STUDENT READING SKILLS IMPROVEMENT GRANTS

Sec. 111. Reading first; early reading first.
Sec. 112. Amendments to Even Start.
Sec. 113. Inexpensive book distribution program.

PART C—EDUCATION OF MIGRATORY CHILDREN

Sec. 121. State allocations.
Sec. 122. State applications; services.
Sec. 123. Authorized activities.
Sec. 124. Coordination of migrant education activities.

PART D—NEGLECTED OR DELINQUENT YOUTH

Sec. 131. Neglected or delinquent youth.
Sec. 132. Findings.
Sec. 133. Allocation of funds.
Sec. 134. State plan and State agency applications.
Sec. 135. Use of funds.
Sec. 136. Transition services.
Sec. 137. Purpose.
Sec. 138. Programs operated by local educational agencies.
Sec. 139. Local educational agency applications.
Sec. 140. Uses of funds.
Sec. 141. Program requirements.
Sec. 142. Program evaluations.

PART E—FEDERAL EVALUATIONS AND DEMONSTRATIONS

Sec. 151. Evaluations.
Sec. 152. Demonstrations of innovative practices.
Sec. 153. Ellender-close up fellowship program; dropout reporting.

PART F—COMPREHENSIVE SCHOOL REFORM

Sec. 161. School reform.

PART G—RURAL EDUCATION FLEXIBILITY AND ASSISTANCE

Sec. 171. Rural education.

PART H—GENERAL PROVISIONS OF TITLE I

Sec. 181. General provisions.

TITLE II—PREPARING, TRAINING, AND RECRUITING QUALITY TEACHERS

Sec. 201. Teacher quality training and recruiting fund.
Sec. 202. National writing project.
Sec. 203. Civic education; teacher liability protection.

TITLE III—EDUCATION OF LIMITED ENGLISH PROFICIENT AND IMMIGRANT CHILDREN; INDIAN AND ALASKA NATIVE EDUCATION

PART A—EDUCATION OF LIMITED ENGLISH PROFICIENT AND IMMIGRANT CHILDREN

Sec. 301. Programs authorized.
Sec. 302. Conforming amendment to Department of Education Organization Act.

PART B—INDIAN AND ALASKA NATIVE EDUCATION

Sec. 311. Elementary and Secondary Education Act of 1965.
Sec. 312. Alaska Native education.
Sec. 313. Amendments to the education amendments of 1978.
Sec. 314. Tribally Controlled Schools Act of 1988.
Sec. 315. Accountability for Bureau funded schools.

TITLE IV—PROMOTING INFORMED PARENTAL CHOICE AND INNOVATIVE PROGRAMS

PART A—INNOVATIVE PROGRAMS

Sec. 401. Promoting informed parental choice and innovative programs.
Sec. 402. Continuation of awards.

PART B—PUBLIC CHARTER SCHOOLS

Sec. 411. Public charter schools.
Sec. 412. Continuation of awards.

PART C—MAGNET SCHOOLS ASSISTANCE; WOMEN'S EDUCATIONAL EQUITY

Sec. 421. Magnet schools assistance.
Sec. 422. Women's educational equity.
Sec. 423. Continuation of awards.

TITLE V—21ST CENTURY SCHOOLS

Sec. 501. Safe schools.

TITLE VI—IMPACT AID PROGRAM

Sec. 601. Payments under section 8002 with respect to fiscal years in which insufficient funds are appropriated.
Sec. 602. Calculation of payment under section 8003 for small local educational agencies.
Sec. 603. Eligibility under section 8003 for certain heavily impacted local educational agencies.
Sec. 604. Construction.
Sec. 605. State consideration of payments in providing State aid.
Sec. 606. Authorization of appropriations.
Sec. 607. Repeal of existing title VI; transfer and redesignation of program.
Sec. 608. Sense of Congress relating to full funding of the impact aid program.

TITLE VII—ACCOUNTABILITY

Sec. 701. Flexibility and accountability.

TITLE VIII—GENERAL PROVISIONS

Sec. 801. General provisions.
Sec. 802. Comprehensive regional assistance centers.
Sec. 803. National diffusion network.
Sec. 804. Eisenhower regional mathematics and science education consortia.
Sec. 805. Technology-based technical assistance.
Sec. 806. Regional technical support and professional development.

TITLE IX—MISCELLANEOUS PROVISIONS

PART A—AMENDMENTS TO OTHER ACTS

SUBPART 1—NATIONAL EDUCATION STATISTICS ACT

Sec. 901. Amendment to NESA.

SUBPART 2—HOMELESS EDUCATION

Sec. 911. Short title.
Sec. 912. Findings.
Sec. 913. Purpose.
Sec. 914. Education for homeless children and youth.
Sec. 915. Technical amendment.

SUBPART 3—GENERAL EDUCATION PROVISIONS

Sec. 916. Information access and consent.

PART B—EQUAL ACCESS TO PUBLIC SCHOOL FACILITIES

Sec. 921. Short title.
Sec. 922. Equal access.
Sec. 923. Effective date.

PART C—REPEALS

Sec. 931. Repeals.

SEC. 5. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, this Act, and the amendments made by this Act, shall take effect on October 1, 2001, or on the date of the enactment of this Act, whichever occurs later.

TITLE I—IMPROVING THE ACADEMIC PERFORMANCE OF THE DISADVANTAGED

PART A—BASIC PROGRAM

SEC. 101. DISADVANTAGED CHILDREN MEET HIGH ACADEMIC STANDARDS.

Section 1001 is amended to read as follows:

"SEC. 1001. FINDINGS; STATEMENT OF PURPOSE; AND RECOGNITION OF NEED.

''(a) FINDINGS.—Congress finds the following:

''(1) The Constitution of the United States reserves to the States and to the people the responsibility for the general supervision of public education in kindergarten through the twelfth grade.

''(2) States, local educational agencies and schools should be given maximum flexibility in exchange for greater academic accountability, and be given greater freedom to build upon existing innovative approaches for education reform.

''(3) The best education decisions are made by those who know the students and who are responsible for implementing the decisions.

''(4) Educators and parents should retain the right and responsibility to educate their pupils and children free of excessive regulation by the Federal Government.

''(5) The Supreme Court has regarded the right of parents to direct the upbringing of their children as a fundamental right implicit in the concept of ordered liberty within the 14th Amendment to the Constitution, as specified in Meyer v. Nebraska, 262 U.S. 390 (1923), and Pierce v. Society of Sisters, 268 U.S. 510 (1925).

''(6) Schools that enroll high concentrations of children living in poverty face the greatest challenges, but effective educational strategies based on scientifically based research can succeed in educating children to high academic standards.

''(7) High-poverty schools are much more likely to be identified as failing to meet State academic standards for satisfactory progress. As a result, these schools are generally the most in need of additional resources and technical assistance to build the capacity of these schools to address the many needs of their students.

''(8) The educational progress of children participating in programs under this title is closely associated with their being taught by a highly qualified staff, particularly in

schools with the highest concentrations of poverty, where paraprofessionals, uncertified teachers, and teachers teaching out of field frequently provide instructional services.

''(9) Congress and the public would benefit from additional data evaluating the efficacy of the Elementary and Secondary Education Act of 1965.

''(10) Schools operating programs assisted under this part must be held accountable for the educational achievement of their students, when those students fail to demonstrate progress in achieving high academic standards, local educational agencies and States must take significant actions to improve the educational opportunities available to them.

''(b) PURPOSE AND INTENT.—The purpose and intent of this title are to ensure that all children have a fair and equal opportunity to obtain a high-quality education.

''(c) RECOGNITION OF NEED.—The Congress recognizes the following:

''(1) Educational needs are particularly great for low-achieving children in our Nation's highest-poverty schools, children with limited English proficiency, children of migrant workers, children with disabilities, Indian children, children who are neglected or delinquent, and young children who are in need of reading assistance and family literacy assistance.

''(2) Despite more than 3 decades of Federal assistance, a sizable achievement gap remains between minority and nonminority students, and between disadvantaged students and their more advantaged peers.

''(3) Too many students attend local schools that fail to provide them with a quality education, and are given no alternatives to enable them to receive a quality education.

''(4) States, local educational agencies, and schools need to be held accountable for improving the academic achievement of all students, and for identifying and turning around low-performing schools.

''(5) States and local educational agencies need to ensure that high quality academic assessments, accountability systems, teacher preparation and training, curriculum, and instructional materials are aligned with challenging State academic standards so that students, teachers, parents, and administrators can measure progress against common expectations for student academic achievement.

''(6) Federal education assistance is intended not only to increase pupil achievement overall, but also more specifically and importantly, to help ensure that all students, especially the disadvantaged, meet challenging academic achievement standards. It can only be determined if schools, local educational agencies, and States are reaching this goal if student achievement results are reported specifically by disadvantaged and minority status.''.

SEC. 102. AUTHORIZATION OF APPROPRIATIONS.

Section 1002 is amended to read as follows:

''SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

''(a) LOCAL EDUCATIONAL AGENCY GRANTS.—For the purpose of carrying out part A, other than section 1120(e), there are authorized to be appropriated $11,500,000,000 for fiscal year 2002, $13,000,000,000 for fiscal year 2003, $14,500,000,000 for fiscal year 2004, $16,000,000,000 for fiscal year 2005, and $17,200,000,000 for fiscal year 2006.

''(b) STUDENT READING SKILLS IMPROVEMENT GRANTS.—

''(1) READING FIRST.—For the purpose of carrying out subpart 1 of part B, there are authorized to be appropriated $900,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(2) EARLY READING FIRST.—For the purpose of carrying out subpart 2 of part B, there are authorized to be appropriated $75,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(3) EVEN START.—For the purpose of carrying out subpart 3 of part B, there are authorized to be appropriated $275,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(4) INEXPENSIVE BOOK DISTRIBUTION PROGRAM.—For the purpose of carrying out subpart 4 of part B, there are authorized to be appropriated such sums as may be necessary for fiscal year 2002 and each of the 4 succeeding fiscal years.

''(c) EDUCATION OF MIGRATORY CHILDREN.—For the purpose of carrying out part C, there are authorized to be appropriated $420,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(d) PREVENTION AND INTERVENTION PROGRAMS FOR YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT RISK OF DROPPING OUT.—For the purpose of carrying out part D, there are authorized to be appropriated $50,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(e) COMPREHENSIVE SCHOOL REFORM.—For the purpose of carrying out part F, there are authorized to be appropriated $260,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(f) RURAL EDUCATION.—For the purpose of carrying out part G, there are authorized to be appropriated $300,000,000 for fiscal year 2002 and such sums as may be necessary for each of 4 succeeding fiscal years to be distributed equally between subparts 1 and 2.

''(g) CAPITAL EXPENSES.—For the purpose of carrying out section 1120(e), there are authorized to be appropriated $6,000,000 for fiscal year 2002, and such sums as may be necessary for fiscal year 2003.

''(h) FEDERAL ACTIVITIES.—

''(1) SECTIONS 1501 AND 1502.—(A) For the purpose of carrying out section 1501, there are authorized to be appropriated $9,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(B) For the purpose of carrying out section 1502, there are authorized to be appropriated such sums as may be necessary for fiscal year 2002 and for each of the 4 succeeding fiscal years.

''(2) SECTION 1503.—For the purpose of carrying out section 1503, there are authorized to be appropriated such sums as may be necessary for fiscal year 2002 and for each of the 4 succeeding fiscal years.

''(i) STATE ADMINISTRATION.—

''(1) STATE RESERVATION.—Each State may reserve, from the sum of the amounts it receives under parts A, C, and D of this title, an amount equal to the greater of 1 percent of the amount it received under such parts for fiscal year 2001, or $400,000 ($50,000 for each outlying area), including any funds it receives under paragraph (2), to carry out administrative duties assigned under parts A, C, and D.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $10,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years for additional State administration grants. Any such additional grants shall be allocated among the States in proportion to the sum of the amounts received by each State for that fiscal year under parts A, C, and D of this title.

''(3) SPECIAL RULE.—The amount received by each State under paragraphs (1) and (2) may not exceed the amount of State funds expended by the State educational agency to administer elementary and secondary education programs in such State.

''(j) ASSISTANCE FOR LOCAL SCHOOL IMPROVEMENT.—

''(1) PROGRAM AUTHORIZED.—The Secretary shall award grants to States to provide subgrants to local educational agencies for the purpose of providing assistance for school improvement consistent with section 1116. Such grants shall be allocated among States, the Bureau of Indian Affairs, and the outlying areas, in proportion to the grants received by the State, the Bureau of Indian Affairs, and the outlying areas for the fiscal year under parts A, C, and D of this title. The Secretary shall expeditiously allocate a portion of such funds to States for the purpose of assisting local educational agencies and schools that were in school improvement status on the date preceding the date of the enactment of the No Child Left Behind Act of 2001.

''(2) REALLOCATIONS.—If a State does not apply for funds under this subsection, the Secretary shall reallocate such funds to other States in the same proportion funds are allocated under paragraph (1).

''(3) STATE APPLICATIONS.—Each State educational agency that desires to receive funds under this subsection shall submit an application to the Secretary at such time, and containing such information as the Secretary shall reasonably require, except that such requirement shall be waived if a State educational agency has submitted such information as part of its State plan under this part. Each State plan shall describe how such funds will be allocated to ensure that the State educational agency and local educational agencies comply with school improvement, corrective action, and restructuring requirements of section 1116.

''(4) LOCAL EDUCATIONAL AGENCY GRANTS.—A grant to a local educational agency under this subsection shall be—

''(A) of sufficient size and scope to support the activities required under sections 1116 and 1117, but not less than $50,000 and not more than $500,000 to each participating school;

''(B) integrated with funds awarded by the State under this Act; and

''(C) renewable for two additional 1-year periods if schools are making yearly progress consistent with State and local educational agency plans developed under section 1116.

''(5) PRIORITY.—The State, in awarding such grants, shall give priority to local educational agencies with the lowest achieving schools, that demonstrate the greatest need for such funds, and that demonstrate the strongest commitment to making sure such funds are used to provide adequate resources to enable the lowest achieving schools to meet the yearly progress goals under State and local school improvement, corrective action, and restructuring plans under section 1116.

''(6) ADMINISTRATIVE COSTS.—A State educational agency that receives a grant award under this subsection may reserve not more than 5 percent of such award for administration, evaluation, and technical assistance expenses.

''(7) LOCAL AWARDS.—Each local educational agency that applies for assistance under this subsection shall describe how it will provide the lowest achieving schools the resources necessary to meet yearly progress goals under State and local school improvement, corrective action, and restructuring plans under section 1116.

''(8) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated $500,000,000 for fiscal year 2002 and

such sums as may be necessary for each of the 4 succeeding fiscal years.''.

SEC. 103. RESERVATION FOR SCHOOL IMPROVEMENT.

Section 1003 is amended to read as follows:

''SEC. 1003. RESERVATION FOR SCHOOL IMPROVEMENT.

''(a) STATE RESERVATIONS.—Each State shall reserve 1 percent of the amount it receives under subpart 2 of part A for fiscal years 2002 and 2003, and 3 percent of the amount received under such subpart for fiscal years 2004 through 2006, to carry out subsection (b) and to carry out the State's responsibilities under sections 1116 and 1117, including carrying out the State educational agency's statewide system of technical assistance and support for local educational agencies.

''(b) USES.—Of the amount reserved under subsection (a) for any fiscal year, the State educational agency shall allocate at least 95 percent of that amount directly to local educational agencies for schools identified for school improvement, corrective action, and restructuring under section 1116(b) that have the greatest need for that assistance in amounts sufficient to have a significant impact in improving those schools.

''(c) PRIORITY.—The State educational agency, in allocating funds to local educational agencies under this section, shall give priority to local educational agencies that—

''(1) have the lowest achieving schools;

''(2) demonstrate the greatest need for such funds; and

''(3) demonstrate the strongest commitment to ensuring that such funds are used to enable the lowest achieving schools to meet the yearly progress goals under section 1116(b)(3)(A)(v).

''(d) UNUSED FUNDS.—If, after consultation with local educational agencies in the State, the State educational agency determines that the amount of funds reserved to carry out subsection (b) is greater than the amount needed to provide the assistance described in that subsection, it may allocate the excess amount to local educational agencies in accordance with either or both—

''(1) the relative allocations it made to those agencies for that fiscal year under subpart 2 of part A; or

''(2) section 1126(c).

''(e) SPECIAL RULE.—Notwithstanding any other provision of this section, the amount of funds reserved by the State under subsection (a) in any given fiscal year shall not decrease the amount of funds each local educational agency receives under subpart 2 below the amount received by such agency under such subpart in the preceding fiscal year.''.

SEC. 104. BASIC PROGRAMS.

The heading for part A of title I and sections 1111 through 1115 are amended to read as follows:

''PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

''Subpart 1—Basic Program Requirements

''SEC. 1111. STATE PLANS.

''(a) PLANS REQUIRED.—

''(1) IN GENERAL.—Any State desiring to receive a grant under this part shall submit to the Secretary, by March 1, 2002, a plan, developed in consultation with local educational agencies, teachers, principals, pupil services personnel, administrators (including administrators of programs described in other parts of this title), other staff, and parents, that satisfies the requirements of this section and that is coordinated with other programs under this Act, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), and the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

''(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 8302.

''(b) ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY.—

''(1) CHALLENGING ACADEMIC STANDARDS.—

''(A) Each State plan shall demonstrate that the State has adopted challenging academic content standards and challenging student academic achievement standards that will be used by the State, its local educational agencies, and its schools to carry out this part, except that a State shall not be required to submit such standards to the Secretary.

''(B) The academic standards required by subparagraph (A) shall be the same academic standards that the State applies to all schools and children in the State.

''(C) The State shall have such academic standards for all public elementary and secondary school children, including children served under this part, in subjects determined by the State, but including at least mathematics, reading or language arts, and science (beginning in the 2005–2006 school year), which shall include the same knowledge, skills, and levels of achievement expected of all children.

''(D) Academic standards under this paragraph shall include—

''(i) challenging academic content standards in academic subjects that—

''(I) specify what children are expected to know and be able to do;

''(II) contain coherent and rigorous content; and

''(III) encourage the teaching of advanced skills; and

''(ii) challenging student academic achievement standards that—

''(I) are aligned with the State's academic content standards;

''(II) describe 2 levels of high performance (proficient and advanced) that determine how well children are mastering the material in the State academic content standards; and

''(III) describe a third level of performance (basic) to provide complete information about the progress of the lower performing children toward achieving to the proficient and advanced levels of performance.

''(E) For the subjects in which students will be served under this part, but for which a State is not required by subparagraphs (A), (B), and (C) to develop, and has not otherwise developed such academic standards, the State plan shall describe a strategy for ensuring that students are taught the same knowledge and skills in such subjects and held to the same expectations as are all children.

''(F) Nothing in this part shall prohibit a State from revising any standard adopted under this part before or after the date of enactment of the No Child Left Behind Act of 2001.

''(2) ACCOUNTABILITY.—

''(A) IN GENERAL.—Each State plan shall demonstrate that the State has developed and is implementing a statewide State accountability system that has been or will be effective in ensuring that all local educational agencies, public elementary schools, and public secondary schools make adequate yearly progress as defined under subparagraph (B). Each State accountability system shall—

''(i) be based on the academic standards and academic assessments adopted under paragraphs (1) and (4) and take into account the performance of all public school students;

''(ii) be the same as the accountability system the State uses for all public schools or all local educational agencies in the State, except that public schools and local educational agencies not participating under this part are not subject to the requirements of section 1116; and

''(iii) include rewards and sanctions the State will use to hold local educational agencies and public schools accountable for student achievement and for ensuring that they make adequate yearly progress in accordance with the State's definition under subparagraph (B).

''(B) ADEQUATE YEARLY PROGRESS.—Each State plan shall demonstrate, based on academic assessments described under paragraph (4), what constitutes adequate yearly progress of the State, and of public schools and local educational agencies in the State, toward enabling all public school students to meet the State's student academic achievement standards, while working toward the goal of narrowing the achievement gaps in the State, local educational agency, and school.

''(C) DEFINITION.—'Adequate yearly progress' shall be defined by the State in a manner that—

''(i) applies the same high academic standards of academic performance to all public school students in the State;

''(ii) measures the progress of public schools and local educational agencies based primarily on the academic assessments described in paragraph (4);

''(iii) measures the student dropout rate, as defined for the Common Core of Data maintained by the National Center for Education Statistics established under section 403 of the National Education Statistics Act of 1994 (20 U.S.C. 9002);

''(iv) includes separate annual numerical objectives for continuing and significant improvement in each of the following (except that disaggregation of data under subclauses (II) and (III) shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal individually identifiable information about an individual student):

''(I) The achievement of all public school students.

''(II) The achievement of—

''(aa) economically disadvantaged students;

''(bb) students from major racial and ethnic groups;

''(cc) students with disabilities; and

''(dd) students with limited English proficiency;

''(III) solely for the purpose of determining adequate yearly progress of the State, the acquisition of English language proficiency by children with limited English proficiency;

''(v) at the State's discretion, may also include other academic measures such as promotion, completion of college preparatory courses, and high school completion (and for individual local educational agencies and schools, the acquisition of English language proficiency by children with limited English proficiency), except that inclusion of such other measures may not change which schools or local educational agencies would otherwise be subject to improvement or corrective action under section 1116 if the discretionary indicators were not included; and

''(vi) includes a timeline that—

''(I) uses as a baseline year the year following the date of enactment of the No Child Left Behind Act of 2001;

''(II) establishes a target year by which all members of each group of students described in subclauses (I) and (II) of clause (iii) shall meet or exceed the State's proficient level of

academic performance on the State academic assessment used for the purposes of this section and section 1116, except that the target year shall not be more than 12 years from the baseline year; and

''(III) for each year until and including the target year, establishes annual goals for the academic performance of each group of students described in subclauses (I) and (II) of clause (iii) on the State academic assessment that—

''(aa) indicates a minimum percentage of students who must meet the proficient level on the academic assessment, such that the minimum percentage is the same for each group of students described in subclauses (I) and (II) of clause (iii); or

''(bb) indicates an annual minimum amount by which the percentage of students who meet the proficient level among each group of students described in subclauses (I) and (II) of clause (iii) shall increase, such that the minimum increase for each group is equal to or greater than 100 percent minus the percentage of the group meeting the proficient level in the baseline year divided by the number of years from the baseline year to the target year established under clause (I).

''(D) ANNUAL IMPROVEMENT FOR SCHOOLS.—For a school to make adequate yearly progress under subparagraph (A), not less than 95 percent of each group of students described in subparagraph (C)(iii)(II) who are enrolled in the school are required to take the academic assessments, consistent with section 612(a)(17)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(17)(A)) and paragraph (4)(G)(ii), on which adequate yearly progress is based.

''(E) PUBLIC NOTICE AND COMMENT.—Each State shall ensure that in developing its plan, it diligently seeks public comment from a range of institutions and individuals in the State with an interest in improved student achievement and that the State makes and will continue to make a substantial effort to ensure that information under this part is widely known and understood by the public, parents, teachers, and school administrators throughout the State. Such efforts shall include, at a minimum, publication of such information and explanatory text, broadly to the public through such means as the Internet, the media, and public agencies.

''(3) STATE AUTHORITY.—If a State educational agency provides evidence, which is satisfactory to the Secretary, that neither the State educational agency nor any other State government official, agency, or entity has sufficient authority, under State law, to adopt curriculum content and student academic achievement standards, and academic assessments aligned with such academic standards, which will be applicable to all students enrolled in the State's public schools, then the State educational agency may meet the requirements of this subsection by—

''(A) adopting academic standards and academic assessments that meet the requirements of this subsection, on a statewide basis, limiting their applicability to students served under this part; or

''(B) adopting and implementing policies that ensure that each local educational agency in the State which receives grants under this part will adopt curriculum content and student academic achievement standards, and academic assessments aligned with such standards, which meet all of the criteria in this subsection and any regulations regarding such standards and assessments which the Secretary may publish, and which are applicable to all students served by each such local educational agency.

''(4) ACADEMIC ASSESSMENTS.—Each State plan shall demonstrate that the State has implemented a set of high-quality, yearly student academic assessments that include, at a minimum, academic assessments in mathematics, and reading or language arts, that will be used as the primary means of determining the yearly performance of the State and of each local educational agency and school in enabling all children to meet the State's challenging student academic achievement standards. Such assessments shall—

''(A) be the same academic assessments used to measure the performance of all children;

''(B) be aligned with the State's challenging content and student academic achievement standards and provide coherent information about student attainment of such standards;

''(C) be used for purposes for which such assessments are valid and reliable, and be consistent with relevant, recognized professional and technical standards for such assessments;

''(D) for the purposes of this part, be scored to ensure the performance of each student is evaluated solely against the State's challenging academic content standards and not relative to the score of other students;

''(E) except as otherwise provided for grades 3 through 8 under subparagraph (G), measure the proficiency of students in, at a minimum, mathematics and reading or language arts, and be administered not less than once during—

''(i) grades 3 through 5;

''(ii) grades 6 through 9; and

''(iii) grades 10 through 12;

''(F) involve multiple up-to-date measures of student achievement, including measures that assess critical thinking skills and understanding;

''(G) beginning not later than school year 2004-2005, measure the performance of students against the challenging State content and student academic achievement standards in each of grades 3 through 8 in, at a minimum, mathematics, and reading or language arts, except that the Secretary may provide the State 1 additional year if the State demonstrates that exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State, prevented full implementation of the academic assessments by that deadline and that it will complete implementation within the additional 1-year period;

''(H) provide for—

''(i) the participation in such assessments of all students;

''(ii) the reasonable adaptations and accommodations for students with disabilities defined under 602(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(3)) necessary to measure the achievement of such students relative to State content and State student academic achievement standards;

''(iii) the inclusion of limited English proficient students who shall be assessed, to the extent practicable, in the language and form most likely to yield accurate and reliable information on what such students know and can do in content areas;

''(iv) notwithstanding clause (iii), the academic assessment (using tests written in English) of reading or language arts of any student who has attended school in the United States (not including Puerto Rico) for 3 or more consecutive school years, except if the local educational agency determines, on a case-by-case individual basis, that academic assessments in another language and form would likely yield more accurate and reliable information on what such students know and can do, the local educational agency may assess such students in the appropriate language other than English for 1 additional year;

''(I) include students who have attended schools in a local educational agency for a full academic year but have not attended a single school for a full academic year, except that the performance of students who have attended more than one school in the local educational agency in any academic year shall be used only in determining the progress of the local educational agency;

''(J) produce individual student reports to be provided to parents, which include academic assessment scores, or other information on the attainment of student academic achievement standards; and

''(K) enable results to be disaggregated within each State, local educational agency, and school by gender, by each major racial and ethnic group, by English proficiency status, by migrant status, by students with disabilities as compared to nondisabled students, and by economically disadvantaged students as compared to students who are not economically disadvantaged.

''(L) be tests of objective knowledge, based on measurable, verifiable, and widely accepted professional testing and assessment standards, and shall not assess the personal opinions, attitudes, or beliefs of the student being assessed.

''(5) SPECIAL RULE.—Academic assessment measures in addition to those in paragraph (4) that do not meet the requirements of such paragraph may be included as additional measures, but may not be used in lieu of the academic assessments required in paragraph (4). Results on any additional measures under this paragraph shall not change which schools or local educational agencies would otherwise be subject to improvement or corrective action under section 1116 if the additional measures were not included.

''(6) LANGUAGE ASSESSMENTS.—Each State plan shall identify the languages other than English that are present in the participating student population and indicate the languages for which yearly student academic assessments are not available and are needed. The State shall make every effort to develop such assessments and may request assistance from the Secretary if linguistically accessible academic assessment measures are needed. Upon request, the Secretary shall assist with the identification of appropriate academic assessment measures in the needed languages, but shall not mandate a specific academic assessment or mode of instruction.

''(7) ACADEMIC ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY.—Each State plan shall demonstrate that local educational agencies in the State will, beginning no later than school year 2002–2003, annually assess the English proficiency of all students with limited English proficiency in their schools.

''(8) REQUIREMENT.—Each State plan shall describe—

''(A) how the State educational agency will assist each local educational agency and school affected by the State plan to develop the capacity to comply with each of the requirements of sections 1112(c)(1)(D), 1114(c), and 1115(c) that is applicable to such agency or school;

''(B) how the State educational agency will assist each local educational agency and school affected by the State plan to provide additional educational assistance to individual students assessed as needing help to achieve the State's challenging academic standards.

''(C) such other factors as the State considers appropriate to provide students an opportunity to achieve the knowledge and skills described in the challenging academic content standards adopted by the State.

''(9) USE OF ACADEMIC ASSESSMENT RESULTS TO IMPROVE STUDENT ACHIEVEMENT.—Each State plan shall describe how the State will ensure that the results of the State assessments described in paragraph (4)—

''(A) will be provided promptly, but not later than the end of the school year (consistent with 1116, to local educational agencies, schools, and teachers in a manner that is clear and easy to understand; and

''(B) be used by those local educational agencies, schools, and teachers to improve the educational achievement of individual students.

''(10) TECHNICAL ASSISTANCE ON ACADEMIC ASSESSMENT REQUIREMENTS.—The Secretary shall provide technical assistance to interested States regarding how to meet the requirements of paragraph (4).

''(c) OTHER PROVISIONS TO SUPPORT TEACHING AND LEARNING.—Each State plan shall contain assurances that—

''(1) the State shall produce, beginning with the 2003–2004 school year, the annual State report cards described in subsection (h)(1);

''(2) the State will participate, beginning in school year 2002–2003, in annual academic assessments of 4th and 8th grade reading and mathematics under—

''(A) the State National Assessment of Educational Progress carried out under section 411(b)(2) of the National Education Statistics Act of 1994 (20 U.S.C. 9010(b)(2)); or

''(B) another academic assessment selected by the State which meets the criteria of section 7101(b)(1)(B)(ii) of this Act;

''(3) the State educational agency shall work with other agencies, including educational service agencies or other local consortia, and institutions to provide technical assistance to local educational agencies and schools to carry out the State educational agency's responsibilities under this part, including technical assistance in providing professional development under section 1119A and technical assistance under section 1117; and

''(4)(A) where educational service agencies exist, the State educational agency shall consider providing professional development and technical assistance through such agencies; and

''(B) where educational service agencies do not exist, the State educational agency shall consider providing professional development and technical assistance through other cooperative agreements such as through a consortium of local educational agencies;

''(5) the State educational agency shall notify local educational agencies and the public of the content and student academic achievement standards and academic assessments developed under this section, and of the authority to operate schoolwide programs, and will fulfill the State educational agency's responsibilities regarding local educational agency improvement and school improvement under section 1116, including such corrective actions as are necessary;

''(6) the State educational agency shall provide the least restrictive and burdensome regulations for local educational agencies and individual schools participating in a program assisted under this part;

''(7) the State educational agency shall inform the Secretary and the public of how Federal laws, if at all, hinder the ability of States to hold local educational agencies and schools accountable for student academic performance;

''(8) the State educational agency will encourage schools to consolidate funds from other Federal, State, and local sources for schoolwide reform in schoolwide programs under section 1114;

''(9) the State educational agency shall modify or eliminate State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources for schoolwide programs under section 1114;

''(10) the State educational agency has involved the committee of practitioners established under section 1603(b) in developing the plan and monitoring its implementation;

''(11) the State educational agency shall inform local educational agencies of the local educational agency's authority to transfer funds under title VII, to obtain waivers under title VIII and, if the State is an Ed-Flex Partnership State, to obtain waivers under the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891a et seq.); and

''(12) the State educational agency shall encourage local educational agencies and individual schools participating in a program assisted under this part to offer family literacy services (using funds under this part), if the agency or school determines that a substantial number of students served under this part by the agency or school have parents who do not have a high school diploma or its recognized equivalent or who have low levels of literacy.

''(d) PEER REVIEW AND SECRETARIAL APPROVAL.—The Secretary shall—

''(1) establish a peer review process to assist in the review of State plans;

''(2) approve a State plan within 120 days of its submission unless the Secretary determines that the plan does not meet the requirements of this section;

''(3) if the Secretary determines that the State plan does not meet the requirements of subsection (a), (b), or (c), immediately notify the State of such determination and the reasons for such determination;

''(4) not decline to approve a State's plan before—

''(A) offering the State an opportunity to revise its plan;

''(B) providing technical assistance in order to assist the State to meet the requirements under subsections (a), (b), and (c); and

''(C) providing a hearing; and

''(5) have the authority to disapprove a State plan for not meeting the requirements of this part, but shall not have the authority to require a State, as a condition of approval of the State plan, to include in, or delete from, such plan one or more specific elements of the State's academic content standards or to use specific academic assessment instruments or items.

''(e) DURATION OF THE PLAN.—

''(1) IN GENERAL.—Each State plan shall—

''(A) be submitted for the first year for which this part is in effect after the date of the enactment of the No Child Left Behind Act of 2001;

''(B) remain in effect for the duration of the State's participation under this part; and

''(C) be periodically reviewed and revised by the State, as necessary, to reflect changes in the State's strategies and programs under this part.

''(2) ADDITIONAL INFORMATION.—If the State makes significant changes in its plan, such as the adoption of new or revised State academic content standards and State student achievement standards, new academic assessments, or a new definition of adequate yearly progress, the State shall submit such information to the Secretary.

''(f) LIMITATION ON CONDITIONS.—Officers and employees of the Federal Government are prohibited from mandating, directing, or controlling a State, local educational agency, or school's specific instructional content or student academic achievement standards and academic assessments, curriculum, or program of instruction, as a condition of eligibility to receive funds under this part.

''(g) PENALTIES.—

''(1) FAILURE TO MEET DEADLINES ENACTED IN 1994.—

''(A) IN GENERAL.—If a State fails to meet the deadlines established by the Improving America's Schools Act of 1994 (or under any waiver granted by the Secretary or under any compliance agreement with the Secretary) for demonstrating that it has in place challenging academic content standards and student achievement standards, and a system for measuring and monitoring adequate yearly progress, the Secretary shall withhold 25 percent of the funds that would otherwise be available for State administration and activities in each year until the Secretary determines that the State meets those requirements;

''(B) NO EXTENSION.—The Secretary shall not grant any additional waivers of, or enter into any additional compliance agreements to extend, the deadlines described in subparagraph (A) for any State.

''(2) FAILURE TO MEET REQUIREMENTS ENACTED IN 2001.—If a State fails to meet any of the requirements of this section, other than the requirements described in paragraph (1), the Secretary may withhold funds for State administration until the Secretary determines that the State has fulfilled those requirements.

''(h) REPORTS.—

''(1) ANNUAL STATE REPORT CARD.—

''(A) IN GENERAL.—Not later than the beginning of the 2003–2004 school year, a State that receives assistance under this Act shall prepare and disseminate an annual State report card.

''(B) IMPLEMENTATION.—The State report card shall be—

''(i) concise; and

''(ii) presented in a format and manner that parents can understand, and which, to the extent practicable, shall be in a language the parents can understand.

''(C) PUBLIC DISSEMINATION.—The State shall widely disseminate the information described in subparagraph (D) to all schools and local educational agencies in the State and make the information broadly available through public means, such as posting on the Internet, distribution to the media, and distribution through public agencies.

''(D) REQUIRED INFORMATION.—The State shall include in its annual State report card—

''(i) information, in the aggregate, on student achievement at each proficiency level on the State academic assessments described in subsection (b)(4) (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal individually identifiable information about an individual student);

''(ii) information that provides a comparison between the actual achievement levels of each group of students described in subclauses (I) and (II) of subsection (b)(2)(C) to the State's annual numerical objectives for each such group of students on each of the assessments required under this part;

''(iii) the percentage of students not tested (disaggregated by the same categories and subject to the same exception described in clause (i));

''(iv) the percentage of students who graduate from high school within 4 years of starting high school;

''(v) the percentage of students who take and complete advanced placement courses as compared to the population of the students eligible to take such courses, and the rate of passing of advanced placement tests;

''(vi) the professional qualifications of teachers in the aggregate, including the percentage of teachers teaching with emergency or provisional qualifications, and the per-

centage of class sections not taught by fully qualified teachers;

''(vii) such other information (such as dropout and school attendance rates; and average class size by grade level) as the State believes will best provide parents, students, and other members of the public with information on the progress of each of the State's public schools; and

''(viii) a clear and concise description of the State's accountability system, including: a description of the criteria by which the State evaluates school performance, and the criteria that the State has established, consistent with (b)(2)(B), to determine the status of schools regarding school improvement, corrective action, and reconstitution.

''(2) CONTENT OF LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

''(A) MINIMUM REQUIREMENTS.—The State shall ensure that each local educational agency collects appropriate data and includes in its annual report for each of its schools, at a minimum—

''(i) the information described in paragraph (1)(D) for each local educational agency and school; and

''(ii)(I) in the case of a local educational agency—

''(aa) the number and percentage of schools identified for school improvement and how long they have been so identified, including schools identified under section 1116(c) of this Act; and

''(bb) information that shows how students in its schools perform on the statewide academic assessment compared to students in the State as a whole; and

''(II) in the case of a school—

''(aa) whether it has been identified for school improvement; and

''(bb) information that shows how its students performed on the statewide academic assessment compared to students in the local educational agency and the State as a whole.

''(B) OTHER INFORMATION.—A local educational agency may include in its annual reports any other appropriate information whether or not such information is included in the annual State report.

''(C) PUBLIC DISSEMINATION.—The local educational agency shall, not later than the beginning of the 2003–2004 school year, publicly disseminate the information described in this paragraph to all schools in the district and to all parents of students attending those schools (to the extent practicable, in a language they can understand), and make the information broadly available through public means, such as posting on the Internet, distribution to the media, and distribution through public agencies.

''(3) PRE-EXISTING REPORT CARDS.—A State or local educational agency that was providing public report cards on the performance of students, schools, local educational agencies, or the State prior to the enactment of the No Child Left Behind Act of 2001 may use those reports for the purpose of this subsection, so long as any such report is modified, as may be needed, to contain the information required by this subsection.

''(4) ANNUAL STATE REPORT TO THE SECRETARY.—Each State receiving assistance under this Act shall report annually to the Secretary, and make widely available within the State—

''(A) beginning with school year 2001–2002, information on the State's progress in developing and implementing the academic assessment system described in subsection (b)(4);

''(B) beginning not later than school year 2004–2005, information on the achievement of students on the academic assessments required by that subsection, including the disaggregated results for the categories of students identified in subsection (b)(2)(C)(iii)(II);

''(C) beginning not later than school year 2002–2003, information on the acquisition of English proficiency by children with limited English proficiency; and

''(D) in any year before the State begins to provide the information described in subparagraph (B), information on the results of student academic assessments (including disaggregated results) required under this section.

''(5) PARENTS RIGHT-TO-KNOW.—

''(A) QUALIFICATIONS.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that they may request, and shall provide the parents upon request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

''(i) Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

''(ii) Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.

''(iii) The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.

''(iv) Whether the child is provided services by paraprofessionals and if so, their qualifications.

''(B) ADDITIONAL INFORMATION.—In addition to the information which parents may request under subparagraph (A), a school which receives funds under this part shall provide to each individual parent—

''(i) information on the level of performance of the individual student for whom they are the parent in each of the State academic assessments as required under this part; and

''(ii) timely notice that the student for whom they are the parent has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who is not fully qualified.

''(C) FORMAT.—The notice and information provided to parents under this paragraph shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

''(6) PLAN CONTENT.—A State shall include in its plan under subsection (b) an assurance that it has in effect a policy that meets the requirements of this section.

''(i) PRIVACY.—Information collected under this section shall be collected and disseminated in a manner that protects the privacy of individuals.

''(j) SPECIAL RULE WITH RESPECT TO BUREAU FUNDED SCHOOLS.—In determining the assessments to be used by each Bureau funded school receiving funds under this part, the following shall apply:

''(1) Each Bureau funded school which obtains accreditation by the State in which it is operating shall utilize the assessments the State has developed and implemented to meet the requirements of this section, or such other appropriate assessment as approved by the Secretary of the Interior.

''(2) Each Bureau funded school which obtains accreditation by a regional accreditation organization shall adopt an appropriate assessment, in consultation and with the approval of the Secretary of Interior and consistent with assessments adopted by other schools in the same State or region, that meets the requirements of this section.

''(3) Each Bureau funded school which obtains accreditation by a tribal accrediting agency or tribal division of education shall use an assessment developed by such agency or division, except that the Secretary of Interior shall ensure that such assessment meets the requirements of this section.

"SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

''(a) PLANS REQUIRED.—

''(1) SUBGRANTS.—A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that is coordinated with other programs under this Act, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the McKinney-Vento Homeless Assistance Act, and other Acts, as appropriate.

''(2) CONSOLIDATED APPLICATION.—The plan may be submitted as part of a consolidated application under section 8305.

''(b) PLAN PROVISIONS.—In order to help low achieving children achieve high academic standards, each local educational agency plan shall include—

''(1) a description of additional high-quality student academic assessments, if any, other than the academic assessments described in the State plan under section 1111, that the local educational agency and schools served under this part will use to—

''(A) determine the success of children served under this part in meeting the State's student academic achievement standards and provide information to teachers, parents, and students on the progress being made toward meeting the State student academic achievement standards described in section 1111(b)(1)(D)(ii);

''(B) assist in diagnosis, teaching, and learning in the classroom in ways that best enable low-achieving children served under this title to meet State academic standards and do well in the local curriculum; and

''(C) determine what revisions are needed to projects under this title so that such children meet the State's student academic achievement standards;

''(2) at the local educational agency's discretion, a description of any other indicators that will be used in addition to the academic assessments described in paragraph (1) for the uses described in such paragraph, except that results on any discretionary indicators shall not change which schools would otherwise be subject to improvement of corrective action under section 1118 if the additional measures are not included;

''(3) a description of how the local educational agency will provide additional educational assistance to individual students assessed as needing help to achieve the State's challenging academic standards;

''(4) a description of the strategy the local educational agency will use to provide professional development for teachers, and, if appropriate, pupil services personnel, administrators, parents and other staff, including local educational agency level staff in accordance with section 1119A;

''(5) a description of how the local educational agency will coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as—

''(A) Even Start, Head Start, Reading First, Early Reading First, and other preschool programs, including plans for the transition of participants in such programs to local elementary school programs; and

''(B) services for children with limited English proficiency or with disabilities, migratory children served under part C, neglected or delinquent youth, Indian children served under part B of title III, homeless

children, and immigrant children in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

''(6) an assurance that the local educational agency will participate, if selected, in the State National Assessment of Educational Progress in 4th and 8th grade reading and mathematics carried out under section 411(b)(2) of the Education Statistics Act of 1994 (20 U.S.C. 9010(b)(2)), or in another academic assessment pursuant to the State decision under section 7101(b)(1)(B)(ii);

''(7) a description of the poverty criteria that will be used to select school attendance areas under section 1113;

''(8) a description of how teachers, in consultation with parents, administrators, and pupil services personnel, in targeted assistance schools under section 1115, will identify the eligible children most in need of services under this part;

''(9) a general description of the nature of the programs to be conducted by such agency's schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, for neglected and delinquent children in community day school programs, and for homeless children;

''(10) a description of how the local educational agency will ensure that migratory children and formerly migratory children who are eligible to receive services under this part are selected to receive such services on the same basis as other children who are selected to receive services under this part;

''(11) if appropriate, a description of how the local educational agency will use funds under this part to support preschool programs for children, particularly children participating in Early Reading First, or in a Head Start or Even Start program, which services may be provided directly by the local educational agency or through a subcontract with the local Head Start agency designated by the Secretary of Health and Human Services under section 641 of the Head Start Act (42 U.S.C. 9836), agencies operating Even Start programs, Early Reading First, or another comparable public early childhood development program;

''(12) a description of the actions the local educational agency will take to assist its low-performing schools, including schools identified under section 1116 as in need of improvement;

''(13) a description of the actions the local educational agency will take to implement public school choice, consistent with the requirements of section 1116;

''(14) a description how the local educational agency will meet the requirements of section 1119(b)(1); and

''(15) a description of the services the local educational agency will provide homeless children, including services provided with funds reserved under section 1113(f)(3)(A).

''(c) ASSURANCES.—

''(1) IN GENERAL.—Each local educational agency plan shall provide assurances that the local educational agency will—

''(A) inform eligible schools and parents of schoolwide program authority and the ability of such schools to consolidate funds from Federal, State, and local sources;

''(B) provide technical assistance and support to schoolwide programs;

''(C) work in consultation with schools as the schools develop the schools' plans pursuant to section 1114 and assist schools as the schools implement such plans or undertake activities pursuant to section 1115 so that each school can make adequate yearly progress toward meeting the State student academic achievement standards;

''(D) fulfill such agency's school improvement responsibilities under section 1116, including taking corrective actions under paragraphs (7) and (8) of section 1116(b);

''(E) provide services to eligible children attending private elementary and secondary schools in accordance with section 1120, and timely and meaningful consultation with private school officials regarding such services;

''(F) take into account the experience of model programs for the educationally disadvantaged, and the findings of relevant scientifically based research indicating that services may be most effective if focused on students in the earliest grades at schools that receive funds under this part;

''(G) in the case of a local educational agency that chooses to use funds under this part to provide early childhood development services to low-income children below the age of compulsory school attendance, ensure that such services comply with the academic achievement standards established under section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a));

''(H) comply with the requirements of section 1119 regarding the qualifications of teachers and paraprofessionals;

''(I) inform eligible schools of the local educational agency's authority to obtain waivers on the school's behalf under title VIII of this Act, and if the State is an Ed-Flex Partnership State, to obtain waivers under the Education Flexibility Partnership Act of 1999; and

''(J) coordinate and collaborate, to the extent feasible and necessary as determined by the local educational agency, with other agencies providing services to children, youth, and families.

''(2) SPECIAL RULE.—In carrying out subparagraph (G) of paragraph (1), the Secretary—

''(A) shall consult with the Secretary of Health and Human Services on the implementation of such subparagraph and shall establish procedures (taking into consideration existing State and local laws, and local teacher contracts) to assist local educational agencies to comply with such subparagraph; and

''(B) shall disseminate to local educational agencies the Head Start academic achievement standards as in effect under section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)), and such agencies affected by such subparagraph shall plan for the implementation of such subparagraph (taking into consideration existing State and local laws, and local teacher contracts), including pursuing the availability of other Federal, State, and local funding sources to assist in compliance with such subparagraph.

''(3) INAPPLICABILITY.—The provisions of this subsection shall not apply to preschool programs using the Even Start model or to Even Start programs which are expanded through the use of funds under this part.

''(d) PLAN DEVELOPMENT AND DURATION.—

''(1) CONSULTATION.—Each local educational agency plan shall be developed in consultation with teachers, principals, administrators (including administrators of programs described in other parts of this title), and other appropriate school personnel, and with parents of children in schools served under this part.

''(2) DURATION.—Each such plan shall be submitted for the first year for which this part is in effect following the date of the enactment of the No Child Left Behind Act of 2001 and shall remain in effect for the duration of the agency's participation under this part.

''(3) REVIEW.—Each local educational agency shall periodically review, and as necessary, revise its plan.

''(e) STATE APPROVAL.—

''(1) IN GENERAL.—Each local educational agency plan shall be filed according to a schedule established by the State educational agency.

''(2) APPROVAL.—The State educational agency shall approve a local educational agency's plan only if the State educational agency determines that the local educational agency's plan—

''(A) enables schools served under this part to substantially help children served under this part meet the academic standards expected of all children described in section 1111(b)(1); and

''(B) meets the requirements of this section.

''(f) PROGRAM RESPONSIBILITY.—The local educational agency plan shall reflect the shared responsibility of schools, teachers, and the local educational agency in making decisions regarding activities under sections 1114 and 1115.

''(g) PARENTAL NOTIFICATION AND CONSENT FOR ENGLISH LANGUAGE INSTRUCTION.—

''(1) NOTIFICATION.—If a local educational agency uses funds under this part to provide English language instruction to limited English proficient children, the agency shall inform a parent or the parents of a child participating in an English language instruction program for limited English proficient children assisted under this part of—

''(A) the reasons for the identification of the child as being in need of English language instruction;

''(B) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;

''(C) how the English language instruction program will specifically help the child acquire English and meet age-appropriate academic standards for grade promotion and graduation;

''(D) what the specific exit requirements are for the program;

''(E) the expected rate of transition from the program into a classroom that is not tailored for limited English proficient children; and

''(F) the expected rate of graduation from high school for students in the program if funds under this part are used for children in secondary schools.

''(2) CONSENT.—

''(A) AGENCY REQUIREMENTS.—

''(i) INFORMED CONSENT.—For a child who has been identified as limited English proficient prior to the beginning of a school year, each local educational agency that receives funds under this part shall make a reasonable and substantial effort to obtain informed parental consent prior to the placement of a child in an English language instruction program for limited English proficient children funded under this part if the program does not include classes which exclusively or almost exclusively use the English language in instruction.

''(ii) WRITTEN CONSENT NOT OBTAINED.—If written consent is not obtained, the local educational agency shall maintain a written record that includes the date and the manner in which such informed consent was sought, including the specific efforts made to obtain such consent.

''(iii) PROOF OF EFFORT.—Notice, in an understandable form, of specific efforts made to obtain written consent and a copy of the written record required in clause (ii) shall be mailed or delivered in writing to a parent, parents, or guardian of a child prior to placing the child in a program described in clause (i) and shall include a final request for parental consent for such services. After such notice has been mailed or delivered in writing, the local educational agency shall provide appropriate educational services.

''(iv) SPECIAL RULE APPLICABLE DURING SCHOOL YEAR.—For those children who have not been identified as limited English proficient prior to the beginning of the school year, the local educational agency shall make a reasonable and substantial effort to obtain parental consent under this clause. For such children, the agency shall document, in writing, its specific efforts made to obtain such consent prior to placing the child in a program described in clause (i). After such documentation has been made, the local educational agency shall provide appropriate educational services to such child. The proof of documentation shall be mailed or delivered in writing to a parent or parents of the child in a timely manner and shall include information on how to have their child immediately removed from the program upon their request. Nothing in this clause shall be construed as exempting a local educational agency from complying with the notification requirements of subsection (g)(1) and the consent requirements of this paragraph.

''(3) PARENTAL RIGHTS.—A parent or the parents of a child participating in an English language instruction program for limited English proficient children assisted under this part shall—

''(A) select among methods of instruction, if more than one method is offered in the program; and

''(B) have the right to have their child immediately removed from the program upon their request.

''(4) RECEIPT OF INFORMATION.—A parent or the parents of a limited English proficient child who is identified for participation in an English language instruction program for limited English proficient children assisted under this part shall receive, in a manner and form understandable to the parent or parents, the information required by this subsection. At a minimum, the parent or parents shall receive—

''(A) timely information about English language instruction programs for limited English proficient children assisted under this part;

''(B) if a parent or parents of a participating child so desires, notice of opportunities for regular meetings for the purpose of formulating and responding to recommendations from the parent or parents; and

''(C) procedural information for removing a child from a program for limited English proficient children.

''(5) BASIS FOR ADMISSION OR EXCLUSION.—Students shall not be admitted to, or excluded from, any federally-assisted education program on the basis of a surname or language-minority status.

''SEC. 1113. ELIGIBLE SCHOOL ATTENDANCE AREAS.

''(a) DETERMINATION.—

''(1) IN GENERAL.—A local educational agency shall use funds received under this part only in eligible school attendance areas.

''(2) ELIGIBLE SCHOOL ATTENDANCE AREAS.—For the purposes of this part—

''(A) the term 'school attendance area' means, in relation to a particular school, the geographical area in which the children who are normally served by that school reside; and

''(B) the term 'eligible school attendance area' means a school attendance area in which the percentage of children from low-income families is at least as high as the percentage of children from low-income families in the local educational agency as a whole.

''(3) LOCAL EDUCATIONAL AGENCY DISCRETION.—

''(A) IN GENERAL.—Notwithstanding paragraph (2), a local educational agency may—

''(i) designate as eligible any school attendance area or school in which at least 35 percent of the children are from low-income families;

''(ii) use funds received under this part in a school that is not in an eligible school attendance area, if the percentage of children from low-income families enrolled in the school is equal to or greater than the percentage of such children in a participating school attendance area of such agency;

''(iii) designate and serve a school attendance area or school that is not eligible under subsection (b), but that was eligible and that was served in the preceding fiscal year, but only for 1 additional fiscal year; and

''(iv) elect not to serve an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if—

''(I) the school meets the comparability requirements of section 1120A(c);

''(II) the school is receiving supplemental funds from other State or local sources that are spent according to the requirements of section 1114 or 1115; and

''(III) the funds expended from such other sources equal or exceed the amount that would be provided under this part.

''(B) SPECIAL RULE.—Notwithstanding subparagraph (A)(iv), the number of children attending private elementary and secondary schools who are to receive services, and the assistance such children are to receive under this part, shall be determined without regard to whether the public school attendance area in which such children reside is assisted under subparagraph (A).

''(b) RANKING ORDER.—If funds allocated in accordance with subsection (f) are insufficient to serve all eligible school attendance areas, a local educational agency—

''(1) shall annually rank from highest to lowest according to the percentage of children from low-income families in each agency's eligible school attendance areas in the following order—

''(A) eligible school attendance areas in which the concentration of children from low-income families exceeds 75 percent; and

''(B) all remaining eligible school attendance areas in which the concentration of children from low-income families is 75 percent or lower either by grade span or for the entire local educational agency;

''(2) shall, within each category listed in paragraph (1), serve schools in rank order from highest to lowest according to the ranking assigned under paragraph (1);

''(3) notwithstanding paragraph (2), may give priority, within each such category and in rank order from highest to lowest subject to paragraph (4), to eligible school attendance areas that serve children in elementary schools; and

''(4) not serve a school described in paragraph (1)(B) before serving a school described in paragraph (1)(A).

''(c) LOW-INCOME MEASURES.—In determining the number of children ages 5 through 17 who are from low-income families, the local educational agency shall apply the measures described in paragraphs (1) and (2) of this subsection:

''(1) ALLOCATION TO PUBLIC SCHOOL ATTENDANCE AREAS.—The local educational agency shall use the same measure of poverty, which measure shall be the number of children ages 5 through 17 in poverty counted in the most recent census data approved by the Secretary, the number of children eligible for free and reduced priced lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid program, or a composite of such indicators, with respect to all school attendance areas in the local educational agency—

''(A) to identify eligible school attendance areas;

''(B) to determine the ranking of each area; and

''(C) to determine allocations under subsection (f).

''(2) ALLOCATION FOR EQUITABLE SERVICE TO PRIVATE SCHOOL STUDENTS.—

''(A) CALCULATION.—A local educational agency shall have the final authority, consistent with section 1120 to calculate the number of private school children, ages 5 through 17, who are low-income by—

''(i) using the same measure of low-income used to count public school children;

''(ii) using the results of a survey that, to the extent possible, protects the identity of families of private school students and allowing such survey results to be extrapolated if complete actual data are not available; or

''(iii) applying the low-income percentage of each participating public school attendance area, determined pursuant to this section, to the number of private school children who reside in that attendance area.

''(B) COMPLAINT PROCESS.—Any dispute regarding low-income data on private school students shall be subject to the complaint process authorized in section 8505.

''(d) EXCEPTION.—This section (other than subsections (a)(3) and (f)) shall not apply to a local educational agency with a total enrollment of less than 1,500 children.

''(e) WAIVER FOR DESEGREGATION PLANS.—The Secretary may approve a local educational agency's written request for a waiver of the requirements of subsections (a) and (f), and permit such agency to treat as eligible, and serve, any school that children attend under a desegregation plan ordered by a State or court or approved by the Secretary, or such a plan that the agency continues to implement after it has expired, if—

''(1) the number of economically disadvantaged children enrolled in the school is not less than 25 percent of the school's total enrollment; and

''(2) the Secretary determines on the basis of a written request from such agency and in accordance with such criteria as the Secretary establishes, that approval of that request would further the purposes of this part.

''(f) ALLOCATIONS.—

''(1) IN GENERAL.—A local educational agency shall allocate funds received under this part to eligible school attendance areas or eligible schools, identified under subsection (b) in rank order on the basis of the total number of children from low-income families in each area or school.

''(2) SPECIAL RULE.—(A) Except as provided in subparagraph (B), the per-pupil amount of funds allocated to each school attendance area or school under paragraph (1) shall be at least 125 percent of the per-pupil amount of funds a local educational agency received for that year under the poverty criteria described by the local educational agency in the plan submitted under section 1112, except that this paragraph shall not apply to a local educational agency that only serves schools in which the percentage of such children is 35 percent or greater.

''(B) A local educational agency may reduce the amount of funds allocated under subparagraph (A) for a school attendance area or school by the amount of any supplemental State and local funds expended in that school attendance area or school for programs that meet the requirements of section 1114 or 1115.

''(3) RESERVATION.—A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve—

''(A) homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live;

''(B) children in local institutions for neglected children; and

''(C) if appropriate, children in local institutions for delinquent children and neglected or delinquent children in community day school programs.

''(4) SCHOOL IMPROVEMENT RESERVATION.—In addition to the funding a local educational agency receives under section 1003(b), a local educational agency may reserve such funds as are necessary under this part to meet such agency's school improvement responsibilities under section 1116, including taking corrective actions under paragraphs (7) and (8) of section 1116(b).

''(5) FINANCIAL INCENTIVES AND REWARDS RESERVATION.—A local educational agency may reserve such funds as are necessary under this part to provide financial incentives and rewards to teachers who serve in schools eligible under subsection (b)(1)(A) and identified for improvement under section 1116(b)(1) for the purpose of attracting and retaining qualified and effective teachers.

"SEC. 1114. SCHOOLWIDE PROGRAMS.

''(a) PURPOSE.—The purpose of a schoolwide program under this section is—

''(1) to enable a local educational agency to consolidate funds under this part with other Federal, State, and local funds, to upgrade the entire educational program in a high poverty school; and

''(2) to help ensure that all children in such a school meet challenging State academic standards for student achievement, particularly those children who are most at-risk of not meeting those standards.

''(b) USE OF FUNDS FOR SCHOOLWIDE PROGRAMS.—

''(1) IN GENERAL.—A local educational agency may consolidate funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families.

''(2) IDENTIFICATION OF STUDENTS NOT REQUIRED.—

''(A) IN GENERAL.—No school participating in a schoolwide program shall be required to identify particular children under this part as eligible to participate in a schoolwide program or to provide supplemental services to such children.

''(B) SUPPLEMENT FUNDS.—A school participating in a schoolwide program shall use funds available to carry out this section only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-Federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and children with limited English proficiency.

''(3) EXEMPTION FROM STATUTORY AND REGULATORY REQUIREMENTS.—

''(A) EXEMPTION.—Except as provided in subsection (c), the Secretary may, through publication of a notice in the Federal Register, exempt schoolwide programs under this section from statutory or regulatory provisions of any other noncompetitive formula grant program administered by the Secretary (other than formula or discretionary grant programs under the Individuals with Disabilities Education Act, except as provided in section 613(a)(2)(D) of such Act), or any discretionary grant program administered by the Secretary, to support schoolwide programs if the intent and purposes of such other programs are met.

''(B) REQUIREMENTS.—A school that chooses to use funds from such other programs shall not be relieved of the requirements relating to health, safety, civil rights, student and parental participation and involvement, services to private school children, maintenance of effort, uses of Federal funds to supplement, not supplant non-Federal funds, or the distribution of funds to State or local educational agencies that apply to the receipt of funds from such programs.

''(C) RECORDS.—A school that consolidates funds from different Federal programs under this section shall not be required to maintain separate fiscal accounting records, by program, that identify the specific activities supported by those particular funds as long as it maintains records that demonstrate that the schoolwide program, considered as a whole addresses the intent and purposes of each of the Federal programs that were consolidated to support the schoolwide program.

''(4) PROFESSIONAL DEVELOPMENT.—Each school receiving funds under this part for any fiscal year shall devote sufficient resources to effectively carry out the activities described in subsection (c)(1)(D) in accordance with section 1119A for such fiscal year, except that a school may enter into a consortium with another school to carry out such activities.

''(c) COMPONENTS OF A SCHOOLWIDE PROGRAM.—

''(1) IN GENERAL.—A schoolwide program shall include the following components:

''(A) A comprehensive needs assessment of the entire school (including taking into account the needs of migratory children as defined in section 1309(2)) that is based on information which includes the performance of children in relation to the State academic content standards and the State student academic achievement standards described in section 1111(b)(1).

''(B) Schoolwide reform strategies that—

''(i) provide opportunities for all children to meet the State's proficient and advanced levels of student achievement described in section 1111(b)(1)(D);

''(ii) use effective methods and instructional strategies that are based upon scientifically based research that—

''(I) strengthen the core academic program in the school;

''(II) increase the amount and quality of learning time, such as providing an extended school year and before- and after-school and summer programs and opportunities, and help provide an enriched and accelerated curriculum; and

''(III) include strategies for meeting the educational needs of historically underserved populations;

''(iii)(I) address the needs of all children in the school, but particularly the needs of low-achieving children and those at risk of not meeting the State student academic achievement standards who are members of the target population of any program that is included in the schoolwide program; and

''(II) address how the school will determine if such needs have been met; and

''(iv) are consistent with, and are designed to implement, the State and local improvement plans, if any.

''(C) Instruction by fully qualified (as defined in section 8101) teachers.

''(D) In accordance with section 1119A and subsection (b)(4), high quality and ongoing professional development for teachers and paraprofessionals, and, where appropriate, pupil services personnel, parents, principals, and other staff to enable all children in the school to meet the State's student academic achievement standards.

''(E) Strategies to attract high quality teachers to high need schools, such as differential pay systems or performance based pay.

''(F) Strategies to increase parental involvement in accordance with section 1118, such as family literary services.

''(G) Plans for assisting preschool children in the transition from early childhood programs, such as Head Start, Even Start, Early Reading First, or a State-run preschool program, to local elementary school programs.

''(H) Measures to include teachers in the decisions regarding the use of academic assessments described in section 1111(b)(4) in order to provide information on, and to improve, the performance of individual students and the overall instructional program.

''(I) Activities to ensure that students who experience difficulty mastering the proficient or advanced levels of academic achievement standards required by section 1111(b) shall be provided with effective, timely additional assistance which shall include measures to ensure that students' difficulties are identified on a timely basis and to provide sufficient information on which to base effective assistance.

''(2) PLAN.—Any eligible school that desires to operate a schoolwide program shall first develop (or amend a plan for such a program that was in existence on the day before the effective date of the No Child Left Behind Act of 2001), a comprehensive plan for reforming the total instructional program in the school that—

''(A) incorporates the components described in paragraph (1);

''(B) describes how the school will use resources under this part and from other sources to implement those components; and

''(C) includes a list of State and local educational agency programs and other Federal programs under subsection (b)(3) that will be consolidated in the schoolwide program.

''(3) PLAN DEVELOPMENT.—The comprehensive plan shall be—

''(A) developed during a 1-year period, unless—

''(i) the local educational agency determines that less time is needed to develop and implement the schoolwide program; or

''(ii) the school operated a schoolwide program on the day preceding the effective date of the No Child Left Behind Act of 2001, in which case such school may continue to operate such program, but shall develop amendments to its existing plan during the first year of assistance after that date to reflect the provisions of this section;

''(B) developed with the involvement of parents and other members of the community to be served and individuals who will carry out such plan, including teachers, principals, and administrators (including administrators of programs described in other parts of this title), and, if appropriate, pupil services personnel, technical assistance providers, school staff, and, if the plan relates to a secondary school, students from such school;

''(C) in effect for the duration of the school's participation under this part and reviewed and revised, as necessary, by the school;

''(D) available to the local educational agency, parents, and the public, and the information contained in such plan shall be provided in a format, and to the extent practicable, in a language that they can understand; and

''(E) if appropriate, developed in coordination with programs under Reading First, Early Reading First, Even Start, Carl D. Perkins Vocational and Technical Education Act of 1998, and the Head Start Act.

''(d) ACCOUNTABILITY.—A schoolwide program under this section shall be subject to the school improvement provisions of section 1116.

''(e) PREKINDERGARTEN PROGRAM.—A school that is eligible for a schoolwide program under this section may use funds made available under this title to establish or enhance prekindergarten programs for 3-, 4-, and 5-year-old children, such as Even Start programs or Early Reading First programs.

"SEC. 1115. TARGETED ASSISTANCE SCHOOLS.

''(a) IN GENERAL.—In all schools selected to receive funds under section 1113(f) that are ineligible for a schoolwide program under section 1114, or that choose not to operate such a schoolwide program, a local educational agency may use funds received under this part only for programs that provide services to eligible children under subsection (b) identified as having the greatest need for special assistance.

''(b) ELIGIBLE CHILDREN.—

''(1) ELIGIBLE POPULATION.—(A) The eligible population for services under this section is—

''(i) children not older than age 21 who are entitled to a free public education through grade 12; and

''(ii) children who are not yet at a grade level at which the local educational agency provides a free public education.

''(B) From the population described in subparagraph (A), eligible children are children identified by the school as failing, or most at risk of failing, to meet the State's challenging student academic achievement standards on the basis of academic assessments under this part, and, as appropriate, on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade 2 may be selected solely on the basis of such criteria as teacher judgment, interviews with parents, and other appropriate measures.

''(2) CHILDREN INCLUDED.—(A)(i) Children with disabilities, migrant children, and children with limited English proficiency are eligible for services under this part on the same basis as other children.

''(ii) Funds received under this part may not be used to provide services that are otherwise required by law to be made available to such children but may be used to coordinate or supplement such services.

''(B) A child who, at any time in the 2 years preceding the year for which the determination is made, participated in a Head Start, Even Start, or Early Reading First program, or in preschool services under this title, is eligible for services under this part.

''(C)(i) A child who, at any time in the 2 years preceding the year for which the determination is made, received services under part C is eligible for services under this part.

''(ii) A child in a local institution for neglected or delinquent children or attending a community day program for such children is eligible for services under this part.

''(D) A child who is homeless and attending any school in the local educational agency is eligible for services under this part.

''(c) COMPONENTS OF A TARGETED ASSISTANCE SCHOOL PROGRAM.—

''(1) IN GENERAL.—To assist targeted assistance schools and local educational agencies to meet their responsibility to provide for all their students served under this title the opportunity to meet the State's challenging student academic achievement standards in subjects as determined by the State, each targeted assistance program under this section shall—

''(A) use such program's resources under this part to help participating children meet such State's challenging student academic achievement standards expected for all children;

''(B) ensure that planning for students served under this part is incorporated into existing school planning;

''(C) use effective methods and instructional strategies that are based upon scientifically based research that strengthens the core academic program of the school and that—

''(i) give primary consideration to providing extended learning time such as an extended school year, before- and after-school, and summer programs and opportunities;

''(ii) help provide an accelerated, high-quality curriculum, including applied learning; and

''(iii) minimize removing children from the regular classroom during regular school hours for instruction provided under this part;

''(D) coordinate with and support the regular education program, which may include services to assist preschool children in the transition from early childhood programs such as Head Start, Even Start, Early Reading First or State-run preschool programs to elementary school programs;

''(E) provide instruction by fully qualified teachers as defined in section 8101;

''(F) in accordance with subsection (e)(3) and section 1119A, provide opportunities for professional development with resources provided under this part, and, to the extent practicable, from other sources, for teachers, principals, and administrators and other school staff, including, if appropriate, pupil services personnel, who work with participating children in programs under this section or in the regular education program; and

''(G) provide strategies to increase parental involvement in accordance with section 1118, such as family literacy services.

''(2) REQUIREMENTS.—Each school conducting a program under this section shall assist participating children selected in accordance with subsection (b) to meet the State's proficient and advanced levels of achievement by—

''(A) the coordination of resources provided under this part with other resources; and

''(B) reviewing, on an ongoing basis, the progress of participating children and revising the targeted assistance program, if necessary, to provide additional assistance to enable such children to meet the State's challenging student academic achievement standards, such as an extended school year, before- and after-school, and summer programs and opportunities, training for teachers regarding how to identify students that require additional assistance, and training for teachers regarding how to implement student academic achievement standards in the classroom.

''(d) INTEGRATION OF PROFESSIONAL DEVELOPMENT.—To promote the integration of staff supported with funds under this part, public school personnel who are paid with funds received under this part may participate in general professional development and school planning activities.

''(e) SPECIAL RULES.—

''(1) SIMULTANEOUS SERVICE.—Nothing in this section shall be construed to prohibit a school from serving students served under this section simultaneously with students with similar educational needs, in the same educational settings where appropriate.

''(2) COMPREHENSIVE SERVICES.—If medical, nutrition, and other social services are not otherwise available to eligible children in a targeted assistance school and such school, if appropriate, has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers, and if funds are not reasonably available from other public or private sources to provide such services, then a portion of the funds provided under this part may be used as a last resort to provide such services, including—

''(A) the provision of basic medical equipment, such as eyeglasses and hearing aids; and

''(B) professional development necessary to assist teachers, pupil services personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children.

''(3) PROFESSIONAL DEVELOPMENT.—Each school receiving funds under this part for any fiscal year shall devote sufficient resources to carry out effectively the professional development activities described in subparagraph (F) of subsection (c)(1) in accordance with section 1119A for such fiscal year, except that a school may enter into a consortium with another school to carry out such activities.''.

SEC. 105. SCHOOL CHOICE.

Section 1115A is amended to read as follows:

"SEC. 1115A. SCHOOL CHOICE.

''(a) CHOICE PROGRAMS.—A local educational agency may use funds under this part, in combination with State, local, and private funds, to develop and implement public school choice programs, for children eligible for assistance under this part, which permit parents to select the public school that their child will attend.

''(b) CHOICE PLAN.—A local educational agency that chooses to implement a public school choice program shall first develop a plan that includes a description of how the local educational agency will use resources under this part and from other resources to implement the plan, and assurances that—

''(1) all eligible students across grade levels served under this part will have equal access to the program;

''(2) the plan will be developed with the involvement of parents and others in the community to be served and individuals who will carry out the plan, including administrators, teachers, principals, and other staff;

''(3) parents of eligible students in the local educational agency will be given prompt notice of the existence of the public school choice program and its availability to them, and a clear explanation of how the program will operate;

''(4) the program will include charter schools and any other public school and shall not include a school that is or has been identified as a school in school improvement or is or has been in corrective action for the past 2 consecutive years; and

''(5) such local educational agency will comply with the other requirements of this part.

''(c) TRANSPORTATION.—Transportation services or the costs of transportation may be provided by the local educational agency, except that such agency may not use more than a total of 15 percent of its allocation under this part for such purposes.''.

SEC. 106. ACADEMIC ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT.

The section heading and subsections (a) through (d) of section 1116 are amended to read as follows:

"SEC. 1116. ACADEMIC ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT.

''(a) LOCAL REVIEW.—Each local educational agency receiving funds under this part shall—

''(1) use the State academic assessments described in the State plan to review annually the progress of each school served under this part to determine whether the school is making adequate yearly progress as defined in section 1111(b)(2)(B);

''(2) publicize and disseminate to teachers and other staff, parents, students, and the community, the results of the annual review under paragraph (2);

''(3) review the effectiveness of the actions and activities the schools are carrying out under this part with respect to parental involvement assisted under this Act.

''(b) SCHOOL IMPROVEMENT.—

''(1) IN GENERAL.—

''(A) IDENTIFICATION.—A local educational agency shall identify for school improvement any elementary or secondary school served under this part that—

''(i) fails, for any year, to make adequate yearly progress as defined in the State's plan under section 1111(b)(2); or

''(ii) was in school improvement status under this section immediately before the effective date of the No Child Left Behind Act of 2001.

''(B) DEADLINE.—The identification described in subparagraph (A) shall take place not later than the first day of the school year following such failure to make adequate yearly progress.

''(C) APPLICATION.—This paragraph does not apply to a school if almost every student in the school is meeting the State's advanced level of performance.

''(D) REVIEW.—To determine if an elementary school or a secondary school that is conducting a targeted assistance program under section 1115 should be identified for school improvement under this subsection, a local educational agency may choose to review the progress of only the students in the school who are served, or are eligible for services, under this part.

''(E) PUBLIC SCHOOL CHOICE.—In the case of a school identified for school improvement under subparagraph (A), the local educational agency shall, not later than the first day of the school year following identification, provide all students enrolled in the school with the option to transfer to another public school within the local educational agency, including a public charter school, that has not been identified for school improvement under subparagraph (A), unless such an option is prohibited by State law.

''(F) TRANSFER.—Students who use the option to transfer under subparagraph (E) shall be enrolled in classes and other activities in the public school to which they transfer in the same manner as all other children at the public school.

''(2) OPPORTUNITY TO REVIEW AND PRESENT EVIDENCE; TIME LIMIT.—

''(A) IDENTIFICATION.—Before identifying an elementary school or a secondary school for school improvement under paragraph (1), for corrective action under paragraph (7), or for restructuring under paragraph (8), the local educational agency shall provide the school with an opportunity to review the school-level data, including academic assessment data, on which the proposed identification is based.

''(B) EVIDENCE.—If the principal of a school proposed for identification under paragraph (1), (7), or (8) believes, or a majority of the parents of the students enrolled in such school believe, that the proposed identification is in error for statistical or other substantive reasons, the principal may provide supporting evidence to the local educational agency, which shall consider that evidence before making a final determination.

''(C) FINAL DETERMINATION.—Not later than 30 days after a local educational agency provides the school with the opportunity to review such school level data, the local educational agency shall make public a final determination on the status of the school.

''(3) SCHOOL PLAN.—

''(A) REVISED PLAN.—After the resolution of a review under paragraph (2), each school identified under paragraph (1) for school improvement shall, not later than 3 months after being so identified, develop or revise a school plan, in consultation with parents, school staff, the local educational agency serving the school, the local school board, and other outside experts, for approval by such local educational agency. The school plan shall cover a 2-year period and—

''(i) incorporate scientifically based research strategies that strengthen the core academic subjects in the school and address the specific academic issues that caused the school to be identified for school improvement;

''(ii) adopt policies and practices concerning the school's core academic subjects that have the greatest likelihood of ensuring that all groups of students specified in section 1111(b)(2)(C)(iii)(I) and (II) and enrolled in the school will meet the State's proficient level of achievement on the State academic assessment described in section 1111(b)(4) not later than 10 years after the date of enactment of the No Child Left Behind Act of 2001;

''(iii) provide an assurance that the school shall reserve not less than 10 percent of the funds made available to the school under this part for each fiscal year that the school is in school improvement status, for the purpose of providing to the school's teachers and principal high-quality professional development that—

''(I) directly addresses the academic performance problem that caused the school to be identified for school improvement;

''(II) meets the requirements for professional development activities under section 1119A; and

''(III) is provided in a manner that affords greater opportunity for participating in such professional development;

''(iv) specify how the funds described in clause (iii) will be used to remove the school from school improvement status;

''(v) establish specific annual, measurable goals for continuous and significant progress by each group of students specified in section 1111(b)(2)(C)(iii)(I) and (II) and enrolled in the school that will ensure that all such groups of students shall meet the State's proficient level of achievement on the State academic assessment described in section 1111(b)(4) not later than 10 years after the date of enactment of the No Child Left Behind Act of 2001;

''(vi) identify how the school will provide written notification about the identification to parents of each student enrolled in such school, in a format and, to the extent practicable, in a language the parents can understand;

''(vii) specify the responsibilities of the school, the local educational agency, and the State educational agency serving the school under the plan, including the technical assistance to be provided by the local educational agency under paragraph (4);

''(viii) incorporate, as appropriate, extended learning time for students, such as before school, after school, during the summer and extension of the school year; and

''(ix) ensure that a mentoring program is available to teachers in the school who have been in the teaching profession for 3 years or less, which provides mentoring to beginning teachers from exemplary veteran teachers with expertise in the same subject matter that the beginning teachers will be teaching, to the extent practicable be school-based, and provides mentors time for activities such as coaching, observing, and assisting the teachers who are mentored.

''(B) CONDITIONAL APPROVAL.—The local educational agency may condition approval of a school plan on—

''(i) inclusion of one or more of the corrective actions specified in paragraph (6)(D)(ii); or

''(ii) feedback on the school improvement plan from parents and community leaders.

''(C) PLAN IMPLEMENTATION.—Except as provided in subparagraph (D), a school shall implement the school plan (including a revised plan) expeditiously, but not later than the beginning of the school year following the school year in which the failure to make adequate yearly progress took place.

''(D) Notwithstanding subparagraph (C), in a case in which a plan is not approved prior to the beginning of a school year, such plan shall be implemented immediately upon approval.

''(E) LOCAL EDUCATIONAL AGENCY APPROVAL.—The local educational agency shall—

''(i) establish a peer-review process to assist with review of a school plan prepared by a school served by the local educational agency; and

''(ii) promptly review the school plan, work with the school as necessary, and approve the school plan if it meets the requirements of this paragraph.

''(4) TECHNICAL ASSISTANCE.—

''(A) IN GENERAL.—For each school identified for school improvement under paragraph (1), the local educational agency serving the school shall provide technical assistance as the school develops and implements the school plan throughout the duration of such plan.

''(B) SPECIFIC ASSISTANCE.—Such technical assistance—

''(i) shall include assistance in analyzing data from the academic assessments required under section 1111(b)(4), and other samples of student work, to identify and address instructional problems and solutions;

''(ii) shall include assistance in identifying and implementing professional development, instructional strategies, and methods of instruction that are based upon scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for school improvement;

''(iii) shall include assistance in analyzing and revising the school's budget so that the school resources are more effectively allocated for the activities most likely to increase student achievement and to remove the school from school improvement status; and

''(iv) may be provided—

''(I) by the local educational agency, through mechanisms authorized under section 1117; or

''(II) by the State educational agency, an institution of higher education (in full compliance with all the reporting provisions of title II of the Higher Education Act of 1965), a private not-for-profit organization or for-profit organization, an educational service agency, or another entity with experience in helping schools improve performance.

''(C) SCIENTIFICALLY BASED RESEARCH.—Technical assistance provided under this section by a local educational agency or an entity approved by that agency shall be based on scientifically based research.

''(5) NOTIFICATION TO PARENTS.—A local educational agency shall promptly provide parents (in a format and, to the extent practicable, in a language they can understand) of each student in an elementary school or a secondary school identified for school improvement—

''(A) an explanation of what the school improvement identification means, and how the school identified for school improvement compares in terms of academic achievement to other elementary schools or secondary schools served by the local educational agency and the State educational agency involved;

''(B) the reasons for the identification;

''(C) an explanation of what the school identified for school improvement is doing to address the problem of low achievement;

''(D) an explanation of what the local educational agency or State educational agency is doing to help the school address the achievement problem;

''(E) an explanation of how parents described in this paragraph can become involved in addressing the academic issues that caused the school to be identified for school improvement; and

''(F) an explanation regarding the option of their child to transfer to another public school, including a public charter school.

''(6) Additional notification.—Not less than once each year, each State educational agency shall provide the Secretary with the name of each school identified for school improvement under this subsection.

''(7) CORRECTIVE ACTION.—

''(A) IN GENERAL.—In this subsection, the term 'corrective action' means action, consistent with State law, that—

''(i) substantially and directly responds to—

''(I) the consistent academic failure of a school that caused the local educational agency to take such action; and

''(II) any underlying staffing, curriculum, or other problems in the school; and

''(ii) is designed to increase substantially the likelihood that students enrolled in the school identified for corrective action will perform at the State's proficient and advanced levels of achievement on the State academic assessment described in section 1111(b)(4).

''(B) SYSTEM.—In order to help students served under this part meet challenging State academic standards, each local educational agency shall implement a system of corrective action in accordance with subparagraphs (C) through (F) and paragraphs (8) through (10).

''(C) ROLE OF LOCAL EDUCATIONAL AGENCY.—The local educational agency—

''(i) after providing public school choice under paragraph (1)(E) and technical assistance under paragraph (4), shall identify for corrective action and take corrective action with respect to any school served by the local educational agency under this part that—

''(I) fails to make adequate yearly progress, as defined by the State under section 1111(b)(2), at the end of the first full school year following identification under paragraph (1); or

''(II) was in school-improvement status for 2 years or in corrective-action status under this subsection immediately before the effective date of the No Child Left Behind Act of 2001; and

''(ii) shall continue to provide technical assistance consistent with paragraph (4) while instituting any corrective action under clause (i); and

''(D) REQUIREMENTS.—In the case of a school described in subparagraph (C)(i), the local educational agency shall both—

''(i) continue to provide all students enrolled in the school with the option to transfer to another public school within the local educational agency, including a public charter school, that has not been identified for school improvement under paragraph (1), unless such an option is prohibited by State law; and

''(ii) take at least one of the following corrective actions:

''(I) Replace the school staff which are relevant to the failure to make adequate yearly progress.

''(II) Institute and fully implement a new curriculum, including providing appropriate professional development for all relevant staff, that is based on scientifically based research and offers substantial promise of improving educational performance for low-performing students and the school meeting adequate yearly progress.

''(III) Significantly decrease management authority at the school level.

''(IV) Appoint an outside expert to advise the school on its progress toward meeting adequate yearly progress, based on its school plan under this subsection.

''(V) Extend the school year or school day.

''(VI) Restructure the internal organizational structure of the school.

''(E) DELAY.—A local educational agency may delay, for a period not to exceed 1 year, implementation of corrective action only if the school's failure to make adequate yearly progress was justified due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the local educational agency or school.

''(F) PUBLICATION AND DISSEMINATION.—The local educational agency shall publish and disseminate information regarding any corrective action the local educational agency takes under this paragraph at a school—

''(i) to the public and to the parents of each student enrolled in the school subject to corrective action;

''(ii) in a format and, to the extent practicable, in a language that the parents can understand; and

''(iii) through such means as the Internet, the media, and public agencies.

''(8) RESTRUCTURING.—

''(A) FAILURE TO MAKE ADEQUATE YEARLY PROGRESS.—If—

''(i) a school is subject to corrective action under paragraph (7) for one full school year, and at the end of such year continues to fail to make adequate yearly progress and students in the school who are from economically disadvantaged families are not making statistically significant progress in the subjects included in the State's definition of adequate yearly progress; or

''(ii) for 2 additional years a school subject to corrective action under paragraph (7) fails to make adequate yearly progress, the local educational agency shall—

''(I) provide all students enrolled in the school with the option to transfer to another public school within the local educational agency, including a public charter school, that has not been identified for school improvement under paragraph (1), unless prohibited by State law;

''(II) make supplemental instructional services available, consistent with subsection (d)(1); and

''(III) prepare a plan and make necessary arrangements to carry out subparagraph (B).

''(B) ALTERNATIVE GOVERNANCE.—Not later than the beginning of the school year following the year in which the local educational agency implements subparagraph (A), the local educational agency shall implement one of the following alternative governance arrangements for the school consistent with State law:

''(i) Reopening the school as a public charter school.

''(ii) Replacing the principal and all or most of the school staff that are relevant to the failure to make adequate yearly progress.

''(iii) Entering into a contract with an entity, such as a private management company, to operate the public school.

''(iv) Turning the operation of the school over to the State, if permitted under State law and agreed to by the State.

''(C) AVAILABLE RESULTS.—The State educational agency shall ensure that, for any school year in which a school is subject to school improvement under this subsection, the results of State academic assessments for that school are available to the local educational agency by the end of the school year in which the academic assessments are administered.

''(D) PROMPT NOTICE.—The local educational agency shall provide prompt notice to teachers and parents whenever subparagraph (A) or (B) applies, shall provide them adequate opportunity to comment before taking any action under those subparagraphs and, to the extent practicable, to participate in developing any plan under subparagraph (A)(ii)(III), and shall provide parents an explanation of the options under subparagraph (A)(i) and (ii).

''(9) TRANSPORTATION.—In any case described in paragraph (1)(E) for schools described in paragraphs (1)(A)(i), (7)(D)(i), and (8)(A)(ii)(I) the local educational agency—

''(A) shall provide, or shall pay for the provision of, transportation for the student to the public school the child attends; and

''(B) may use not more than a total of 15 percent of its allocation under this part for that purpose.

''(10) COOPERATIVE AGREEMENT.—In any case described in paragraph (1)(E), (7)(D)(i), or (8)(A)(ii)(I), if all public schools in the local educational agency to which a child may transfer to, are identified for school improvement, the agency shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in the area for a transfer.

''(11) DURATION.—If any school identified for corrective action or restructuring—

''(A) makes adequate yearly progress for 2 consecutive years, the local educational agency need no longer subject it to corrective action or restructuring nor identify it as in need of improvement; or

''(B) fails to make adequate yearly progress, but children from low-income families in the school make statistically significant educational progress for 1 year, the local educational agency shall place or continue as appropriate the school in corrective action under paragraph (7).

''(12) STATE RESPONSIBILITIES.—The State shall—

''(A) make technical assistance under section 1117 available to all schools identified for school improvement and restructuring under this subsection;

''(B) if it determines that a local educational agency has failed to carry out its responsibilities under this subsection, take such corrective actions as the State finds appropriate and in compliance with State law; and

''(C) ensure that academic assessment results under this part are provided to schools within the same school year in which the assessment was given.

''(c) STATE REVIEW AND LOCAL EDUCATIONAL AGENCY IMPROVEMENT.—

''(1) IN GENERAL.—A State shall—

''(A) annually review the progress of each local educational agency receiving funds under this part to determine whether schools receiving assistance under this part are making adequate yearly progress as defined in section 1111(b)(2) toward meeting the State's student academic achievement standards; and

''(B) publicize and disseminate to local educational agencies, teachers and other staff, parents, students, and the community the results of the State review consistent with section 1111, including statistically sound disaggregated results, as required by section 1111(b)(2).

''(2) IDENTIFICATION OF LOCAL EDUCATIONAL AGENCY FOR IMPROVEMENT.—A State shall identify for improvement any local educational agency that—

''(A) for 2 consecutive years failed to make adequate yearly progress as defined in the State's plan under section 1111(b)(2); or

''(B) was in improvement status under this section as this section was in effect on the day preceding the date of the enactment of the No Child Left Behind Act of 2001.

''(3) TRANSITION.—The 2-year period described in paragraph (2)(A) shall include any continuous period of time immediately preceding the date of the enactment of the No Child Left Behind Act of 2001, during which

a local educational agency did not make adequate yearly progress as defined in the State's plan, as such plan was in effect on the day preceding the date of such enactment.

''(4) TARGETED ASSISTANCE SCHOOLS.—For purposes of targeted assistance schools in a local educational agency, a State educational agency may choose to review the progress of only the students in such schools who are served or are eligible for services under this part.

''(5) OPPORTUNITY TO REVIEW AND PRESENT EVIDENCE.—

''(A) REVIEW.—Before identifying a local educational agency for improvement under paragraph (2), a State educational agency shall provide the local educational agency with an opportunity to review the local educational agency data, including academic assessment data, on which that proposed identification is based.

''(B) SUPPORTING EVIDENCE.—If the local educational agency believes that the proposed identification is in error for statistical or other substantive reasons, it may provide supporting evidence to the State educational agency, which such agency shall consider before making a final determination not later than 30 days after the State educational agency provides the local educational agency with the opportunity to review such data under subparagraph (A).

''(6) NOTIFICATION TO PARENTS.—The State educational agency shall promptly notify parents in a format, and to the extent practicable in a language they can understand, of each student enrolled in a school in a local educational agency identified for improvement, of the results of the review under paragraph (1) and, if the agency is identified as in need of improvement, the reasons for that identification and how parents can participate in upgrading the quality of the local educational agency.

''(7) LOCAL EDUCATIONAL AGENCY REVISIONS.—

''(A) PLAN.—Each local educational agency identified under paragraph (2) shall, not later than 3 months after being so identified, develop or revise a local educational agency plan, in consultation with parents, school staff, and others. Such plan shall—

''(i) incorporate scientifically based research strategies that strengthen the core academic program in the local educational agency;

''(ii) identify specific goals and objectives the local educational agency will undertake to make adequate yearly progress and which—

''(I) have the greatest likelihood of improving the performance of participating children in meeting the State's student academic achievement standards;

''(II) address the professional development needs of staff; and

''(III) include specific measurable achievement goals and targets for each of the groups of students identified in the disaggregated data pursuant to section 1111(b)(2)(C)(iii)(I) and (II);

''(iii) incorporate, as appropriate, extended learning time for students such as before school, after school, during the summer, and extension of the school year.

''(iv) identify how the local educational agency will provide written notification to parents in a format, and to the extent practicable in a language, that they can understand, pursuant to paragraph (6); and

''(v) specify the responsibilities of the State educational agency and the local educational agency under the plan.

''(B) IMPLEMENTATION.—The local educational agency shall implement its plan or revised plan expeditiously, but not later than the beginning of the school year after which the school has been identified for improvement.

''(8) STATE RESPONSIBILITY.—

''(A) IN GENERAL.—For each local educational agency identified under paragraph (2), the State shall provide technical or other assistance, if requested, as authorized under section 1117, to better enable the local educational agency—

''(i) to develop and implement its revised plan as approved by the State educational agency consistent with the requirements of this section; and

''(ii) to work with schools needing improvement.

''(B) TECHNICAL ASSISTANCE.—Technical assistance provided under this section by the State educational agency or an entity authorized by such agency shall be based upon scientifically based research.

''(9) CORRECTIVE ACTION.—In order to help students served under this part meet challenging State academic standards, each State shall implement a system of corrective action in accordance with the following:

''(A) IN GENERAL.—After providing technical assistance under paragraph (8) and subject to subparagraph (D), the State—

''(i) may take corrective action at any time with respect to a local educational agency that has been identified under paragraph (2);

''(ii) shall take corrective action with respect to any local educational agency that fails to make adequate yearly progress, as defined by the State, after the end of the second year following its identification under paragraph (2); and

''(iii) shall continue to provide technical assistance while instituting any corrective action under clause (i) or (ii).

''(B) DEFINITION.—As used in this paragraph, the term 'corrective action' means action, consistent with State law, that—

''(i) substantially and directly responds to the consistent academic failure that caused the State to take such action and to any underlying staffing, curricular, or other problems in the school; and

''(ii) is designed to meet the goal of having all students served under this part perform at the proficient and advanced performance levels.

''(C) CERTAIN LOCAL EDUCATIONAL AGENCIES.—In the case of a local educational agency described in this paragraph, the State educational agency shall take not less than one of the following corrective actions:

''(i) Withhold funds from the local educational agency.

''(ii) Replace the school district personnel who are relevant to the failure to make adequate year progress.

''(iii) Remove particular schools from the jurisdiction of the local educational agency and establish alternative arrangements for public governance and supervision of such schools.

''(iv) Appoint, through the State educational agency, a receiver or trustee to administer the affairs of the local educational agency in place of the superintendent and school board.

''(v) Abolish or restructure the local educational agency.

''(vi) Authorize students to transfer from a school operated by a local educational agency to a higher performing public school operated by another local educational agency, or to a public charter school and provide such students transportation (or the costs of transportation to such schools), in conjunction with not less than one additional action described under this paragraph.

''(D) HEARING.—Prior to implementing any corrective action, the State educational agency shall provide due process and a hearing to the affected local educational agency, if State law provides for such process and hearing.

''(E) PUBLICATION.—The State educational agency shall publish, and disseminate to parents and the public any corrective action it takes under this paragraph through such means as the Internet, the media, and public agencies.

''(F) DELAY.—A local educational agency may delay, for a period not to exceed 1 year, implementation of corrective action if the failure to make adequate yearly progress was justified due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the local educational agency or school.

''(10) SPECIAL RULE.—A local educational agency, that, for at least 2 of the 3 years following identification under paragraph (2), makes adequate yearly progress shall no longer be identified for improvement.

''(d) PARENTAL OPTIONS.—

''(1) In any case described in subsection (b)(7)(A)(ii)(II), the local educational agency shall permit the parents of each eligible child to obtain supplemental educational services for such child from a provider, as approved by the State educational agency in accordance with reasonable criteria that it shall adopt. Such criteria shall require a provider to demonstrate a record of effectiveness, or the potential of effectiveness, in providing supplemental instructional services to children, consistent with the instructional program of the local educational agency and the academic standards described under section 1111.

''(2) SELECTION.—In obtaining services under this paragraph, a parent shall select a provider that meets the criteria described under paragraph (1). The local educational agency shall provide assistance, upon request, to parents in the selection of a provider to provide supplemental instructional services.

''(3) CONTRACT.—In the case of the selection of a provider under paragraph (2) by a parent, the local educational agency shall enter into a contract with such provider. Such contract shall—

''(A) require the local educational agency to develop, with parents (and the provider they have chosen), a statement of specific performance goals for the student, how the student's progress will be measured, and a timetable for improving achievement;

''(B) provide for the termination of such contract with a provider that is unable to meet such goals and timetables; and

''(C) contain provisions with respect to the making of payments to the provider by the local educational agency.

''(4) ADDITIONAL LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES.—Each local educational agency subject to this paragraph shall provide annual notice to parents (if feasible, in the parents' language) of the availability of services under this paragraph and the eligible providers of those services.

''(5) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—Each State educational agency shall—

''(A) consult with local educational agencies and promote maximum participation by providers to ensure, to the extent practicable, that parents have as many choices of those providers as possible;

''(B) develop criteria consistent with paragraph (6) and apply such criteria to potential providers to determine which, based on the quality and effectiveness of their services, are eligible to participate;

''(C) maintain an updated list of approved providers across the State, from which parents may select;

''(D) develop and implement standards and techniques for monitoring the quality and effectiveness of the services offered by pro-

viders, and withdraw approval from those that fail to meet those standards for two consecutive years;

''(E) provide annual notice to potential providers of supplemental services of the opportunity to provide services under this paragraph and of the applicable procedures for obtaining approval from the State educational agency to be a provider of those services.

''(6) CRITERIA FOR PROVIDERS.—In order for a provider to be included on the State list under paragraph (5)(c), a provider shall agree to the following:

''(A) Provide parents of children receiving supplemental instructional services under this paragraph and the appropriate local educational agency with information on the progress of their children in increasing achievement, in a format and, to the extent practicable, a language such parents can understand.

''(B) Ensure that instruction and content used by the provider is consistent with the instruction and content used by the local educational agency and State.

''(C) Require a provider to meet all applicable Federal, State, and local health, safety and civil rights laws.

''(D) Ensure that all instruction and content under this paragraph shall be secular, neutral, and nonideological.

''(7) COSTS.—

''(A) The costs of administration of this paragraph and the costs of providing such supplemental instructional services shall be limited to the total of 40 percent of the per child allocation under subpart 2 of each school identified under subsection (b)(7)(A)(ii)(II);

''(B) ADDITIONAL FUNDS.—If the allocation under subparagraph (A) is insufficient to provide services for all eligible students that have selected a provider, a local educational agency may use funds under subpart 1 of part A of title IV to pay for additional costs;

''(C) TRANSPORTATION COSTS.—A local educational agency may use up to 15 percent of its allocation under subpart 2 for transportation costs.

''(8) FUNDS PROVIDED BY STATE EDUCATIONAL AGENCY.—Each State educational agency may use funds that it reserves under this part, and subpart 1 of part A of title IV to provide local educational agencies that do not have sufficient funds to provide services under this paragraph for all eligible students requesting such services.

''(9) DURATION.—The local educational agency shall continue to provide supplemental instructional services to enrolled children receiving such services under this paragraph until the child completes the grade corresponding to the highest grade offered at the public school which was identified for restructuring under subsection (b)(7), or until such school, so long as the child attends such school, is not identified under subsection (b)(1), (b)(6), or (b)(7), whichever comes earlier.

''(10) DEFINITIONS.—As used in this subsection, the term—

''(A) 'eligible child' means a child from a low-income family, as determined by the local educational agency for purposes of allocating funds to schools under section 1113(c)(1);

''(B) 'supplemental instructional services' means tutoring and other supplemental academic enrichment services that are in addition to instruction provided during the school day and are specifically designed to increase the academic achievement of eligible children on the academic assessments required under section 1111; and

''(C) 'provider' means a non-profit or a for-profit entity which has a demonstrated record of effectiveness or the potential of effectiveness—

''(i) in providing supplemental instructional services that are consistent with the instructional program of the local educational agency and the academic standards described under section 1111; and

''(ii) in sound fiscal management;

''(D) 'per child allocation' means an amount that is equal to at least—

''(i) the amount of the school's allocation under subpart 2; divided by

''(ii) the number of children from low-income families enrolled in the school.

''(11) PROHIBITION.—Nothing contained in this subsection shall permit the making of any payment for religious worship or instruction.

''(e) TREATMENT OF BUREAU FUNDED SCHOOLS.—For the purposes of applying the requirements of subsection (b) to schools funded by the Bureau of Indian Affairs, the Secretary of Interior shall implement such subsection in a manner that treats the appropriate tribe or tribal organization as a local educational agency for the purpose of implementing school improvement, corrective action and restructuring actions. If such tribe or tribal organization does not take the appropriate action required under subsection (b), the Secretary shall take such appropriate action as required under subsection (b) after final notice to such tribe or tribal organization.''.

SEC. 107. STATE ASSISTANCE FOR SCHOOL SUPPORT AND IMPROVEMENT.

Section 1117 is amended to read as follows:

"SEC. 1117. STATE ASSISTANCE FOR SCHOOL SUPPORT AND IMPROVEMENT.

''(a) SYSTEM FOR SUPPORT.—Each State shall establish a statewide system of intensive and sustained support and improvement for local educational agencies and schools receiving funds under this part, in order to increase the opportunity for all students in those agencies and schools to meet the State's academic content standards and student academic achievement standards.

''(b) PRIORITIES.—In carrying out this section, a State shall—

''(1) first, provide support and assistance to local educational agencies subject to corrective action under section 1116 and assist schools, in accordance with section 1116(b)(11), for which a local educational agency has failed to carry out its responsibilities under paragraphs (7) and (8) of section 1116(b);

''(2) second, provide support and assistance to other local educational agencies identified as in need of improvement under section 1116(b); and

''(3) third, provide support and assistance to other local educational agencies and schools participating under this part that need that support and assistance in order to achieve the purpose of this part.

''(c) APPROACHES.—In order to achieve the purpose described in subsection (a), each such system shall provide technical assistance and support through such approaches as—

''(1) school support teams, composed of individuals who are knowledgeable about scientifically based research and practice on teaching and learning, particularly about strategies for improving educational results for low-achieving children; and

''(2) the designation and use of ''Distinguished Educators'', chosen from schools served under this part that have been especially successful in improving academic achievement.

''(d) FUNDS.—Each State—

''(1) shall use funds reserved under section 1003(a); and

''(2) may use State administrative funds authorized under section 1002(i) for such purpose to establish a Statewide system of support.

''(e) ALTERNATIVES.—The State may devise additional approaches to providing the assistance described in paragraphs (1) and (2) of subsection (c), such as providing assistance through institutions of higher education and educational service agencies or other local consortia, and private providers of scientifically based technical assistance and the State may seek approval from the Secretary to use funds made available under section 1002(j) for such approaches as part of the State plan.''.

SEC. 108. ACADEMIC ACHIEVEMENT AWARDS PROGRAM.

Sections 1118 through 1127 are amended to read as follows:

"SEC. 1117A. ACADEMIC ACHIEVEMENT AWARDS PROGRAM.

''(a) ESTABLISHMENT OF ACADEMIC ACHIEVEMENT AWARDS PROGRAM.—

''(1) IN GENERAL.—Each State receiving a grant under this part may establish a program for making academic achievement awards to recognize and financially reward schools served under this part that have—

''(A) significantly closed the achievement gap between the groups of students defined in section 1111(b)(2); or

''(B) exceeded their adequate yearly progress goals, consistent with section 1111(b)(2), for 2 or more consecutive years.

''(2) AWARDS TO TEACHERS.—A State program under paragraph (1) may also recognize and provide financial awards to teachers teaching in a school described in such paragraph whose students consistently make significant gains in academic achievement in the areas in which the teacher provides instruction.

''(b) FUNDING.—

''(1) RESERVATION OF FUNDS BY STATE.—For the purpose of carrying out this section, each State receiving a grant under this part may reserve, from the amount (if any) by which the funds received by the State under this part for a fiscal year exceed the amount received by the State under this part for the preceding fiscal year, not more than 30 percent of such excess amount.

''(2) USE WITHIN 3 YEARS.—Notwithstanding any other provision of law, the amount reserved under paragraph (1) by a State for each fiscal year shall remain available to the State until expended for a period not exceeding 3 years.

''(3) SPECIAL ALLOCATION RULE FOR SCHOOLS IN HIGH-POVERTY AREAS.—

''(A) IN GENERAL.—Each State receiving a grant under this part shall distribute at least 75 percent of the amount reserved under paragraph (1) for each fiscal year to schools described in subparagraph (B), or to teachers teaching in such schools.

''(B) SCHOOL DESCRIBED.—A school described in subparagraph (A) is a school whose student population is in the highest quartile of schools statewide in terms of the percentage of children from low income families.

"SEC. 1118. PARENTAL INVOLVEMENT.

''(a) LOCAL EDUCATIONAL AGENCY POLICY.—

''(1) IN GENERAL.—A local educational agency may receive funds under this part only if such agency implements programs, activities, and procedures for the involvement of parents in programs assisted under this part consistent with the provisions of this section. Such activities shall be planned and implemented with meaningful consultation with parents of participating children.

''(2) WRITTEN POLICY.—Each local educational agency that receives funds under this part shall develop jointly with, agree upon with, and distribute to, parents of participating children a written parent involvement policy that is incorporated into the local educational agency's plan developed under section 1112, establishes the expectations for parent involvement, and describes how the local educational agency will—

''(A) involve parents in the joint development of the plan under section 1112, and the process of school review and improvement under section 1116;

''(B) provide the coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parent involvement;

''(C) build the schools' and parents' capacity for strong parent involvement as described in subsection (e);

''(D) coordinate and integrate parental involvement strategies under this part with parental involvement strategies under other programs, such as Head Start, Early Reading First, Reading First, Even Start, the Parents as Teachers Program, the Home Instruction Program for Preschool Youngsters, and State-run preschool programs;

''(E) conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy in improving the academic quality of the schools served under this part; and

''(F) involve parents in the activities of the schools served under this part.

''(3) RESERVATION.—

''(A) IN GENERAL.—Each local educational agency shall reserve not less than 1 percent of such agency's allocation under this part to carry out this section, including family literacy and parenting skills, except that this paragraph shall not apply if 1 percent of such agency's allocation under this part (other than funds allocated under section 1002(g) for the fiscal year for which the determination is made is $5,000 or less.

''(B) PARENTAL INPUT.—Parents of children receiving services under this part shall be involved in the decisions regarding how funds reserved under subparagraph (A) are allotted for parental involvement activities.

''(C) DISTRIBUTION OF FUNDS.—Not less than 95 percent of the funds reserved under subparagraph (A) shall be distributed to schools served under this part.

''(b) SCHOOL PARENTAL INVOLVEMENT POLICY.—

''(1) IN GENERAL.—Each school served under this part shall jointly develop with, and distribute to, parents of participating children a written parental involvement policy, agreed upon by such parents, that shall describe the means for carrying out the requirements of subsections (c) through (f). Parents shall be notified of the policy in a format, and to the extent practicable in a language they can understand. Such policy shall be updated periodically to meet the changing needs of parents and the school.

''(2) SPECIAL RULE.—If the school has a parental involvement policy that applies to all parents, such school may amend that policy, if necessary, to meet the requirements of this subsection.

''(3) AMENDMENT.—If the local educational agency has a school district-level parental involvement policy that applies to all parents, such agency may amend that policy, if necessary, to meet the requirements of this subsection.

''(4) PARENTAL COMMENTS.—If the plan under section 1112 is not satisfactory to the parents of participating children, the local educational agency shall submit any parent comments with such plan when such local educational agency submits the plan to the State.

''(c) POLICY INVOLVEMENT.—Each school served under this part shall—

''(1) convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation under this part and to explain this part, its requirements, and their right to be involved;

''(2) offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement;

''(3) involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs under this part, including the school parental involvement policy and the joint development of the schoolwide program plan under section 1114(c)(2) and (c)(3), except that if a school has in place a process for involving parents in the joint planning and design of its programs, the school may use that process, if such process includes an adequate representation of parents of participating children;

''(4) provide parents of participating children—

''(A) timely information about programs under this part;

''(B) a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and

''(5) if the schoolwide program plan under section 1114(c)(2) and (c)(3) is not satisfactory to the parents of participating children, submit any parent comments on the plan when the school makes the plan available to the local educational agency.

''(d) SHARED RESPONSIBILITIES FOR HIGH STUDENT PERFORMANCE.—As a component of the school-level parental involvement policy developed under subsection (b), each school served under this part shall agree with parents of children served under this part regarding how parents, the entire school staff, and students will share the responsibility for improved student achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high academic standards.

''(e) BUILDING CAPACITY FOR INVOLVEMENT.—To ensure effective involvement of parents and to support a partnership among the school, parents, and the community to improve student achievement, each school and local educational agency—

''(1) shall provide assistance to participating parents in such areas as understanding the State's academic content standards and State student academic achievement standards, State and local academic assessments, the requirements of this part, and how to monitor a child's progress and work with educators to improve the performance of their children;

''(2) shall provide materials and training to help parents to work with their children to improve their children's achievement;

''(3) shall educate teachers, pupil services personnel, principals and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;

''(4) shall coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool programs and other programs, to the extent feasible and appropriate;

''(5) shall ensure, to the extent possible, that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in the language used by such parents;

''(6) may involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training in improving instruction and services to the children of such parents in a format, and to the extent practicable, in a language the parent can understand;

''(7) may provide necessary literacy training from funds received under this part if the local educational agency has exhausted all other reasonably available sources of funding for such activities;

''(8) may pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;

''(9) may train parents to enhance the involvement of other parents;

''(10) may arrange for teachers or other educators, who work directly with participating children, to conduct in-home conferences with parents who are unable to attend such conferences at school;

''(11) may adopt and implement model approaches to improving parental involvement;

''(12) may establish a districtwide parent advisory council to provide advice on all matters related to parental involvement in programs supported under this part; and

''(13) may develop appropriate roles for community-based organizations and businesses in parent involvement activities.

''(f) ACCESSIBILITY.—In carrying out the parental involvement requirements of this part, local educational agencies and schools, to the extent practicable, shall provide full opportunities for the participation of parents with limited English proficiency or with disabilities and parents of migratory children, including providing information and school reports required under section 1111 in a format, and to the extent practicable, in a language such parents understand.

''SEC. 1119. QUALIFICATIONS FOR TEACHERS AND PARAPROFESSIONALS.

''(a) TEACHERS.—

''(1) IN GENERAL.—Each local educational agency receiving assistance under this part shall ensure that all teachers hired on or after the effective date of the No Child Left Behind Act of 2001 and teaching in a program supported with funds under this part are fully qualified.

''(2) PLAN.—Each State receiving assistance under this part shall develop and submit to the Secretary a plan to ensure that all teachers teaching within the State are fully qualified not later than December 31, 2005. Such plan shall include an assurance that the State will require each local educational agency and school receiving funds under this part publicly to report their annual progress on the agency's and the school's performance in increasing the percentage of classes in core academic areas taught by fully qualified teachers.

''(b) NEW PARAPROFESSIONALS.—

''(1) IN GENERAL.—Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals hired 1 year or more after the effective date of the No Child Left Behind Act of 2001 and working in a program supported with funds under this part shall—

''(A) have completed at least 2 years of study at an institution of higher education;

''(B) have obtained an associate's (or higher) degree; or

''(C) have met a rigorous standard of quality that demonstrates, through a formal academic assessment—

''(i) knowledge of, and the ability to assist in instructing reading, writing, and math; or

''(ii) knowledge of, and the ability to assist in instructing reading readiness, writing readiness, and math readiness, as appropriate.

''(2) CLARIFICATION.—For purposes of paragraph (1)(C), the receipt of a high school diploma (or its recognized equivalent) shall be necessary but not by itself sufficient to satisfy the requirements of such paragraph.

''(c) EXISTING PARAPROFESSIONALS.—Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals hired before the date that is 1 year after the effective date of the No Child Left Behind Act of 2001 and working in a program supported with funds under this part shall, not later than 3 years after such effective date, satisfy the requirements of subsection (b).

''(d) EXCEPTIONS FOR TRANSLATION AND PARENTAL INVOLVEMENT ACTIVITIES.—Subsections (b) and (c) shall not apply to a paraprofessional—

''(1) who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in programs under this part by acting as a translator; or

''(2) whose duties consist solely of conducting parental involvement activities consistent with section 1118.

''(e) GENERAL REQUIREMENT FOR ALL PARAPROFESSIONALS.—Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals working in a program supported with funds under this part, regardless of the paraprofessional's hiring date, possess a high school diploma or its recognized equivalent.

''(f) DUTIES OF PARAPROFESSIONALS.—

''(1) IN GENERAL.—Each local educational agency receiving assistance under this part shall ensure that a paraprofessional working in a program supported with funds under this part is not assigned a duty inconsistent with this subsection.

''(2) RESPONSIBILITIES PARAPROFESSIONALS MAY BE ASSIGNED.—A paraprofessional described in paragraph (1) may only be assigned—

''(A) to provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher;

''(B) to assist with classroom management, such as organizing instructional and other materials;

''(C) to provide assistance in a computer laboratory;

''(D) to conduct parental involvement activities;

''(E) to provide support in a library or media center;

''(F) to act as a translator; or

''(G) to provide instructional services to students.

''(3) ADDITIONAL LIMITATIONS.—A paraprofessional described in paragraph (1)—

''(A) may not provide any instructional service to a student unless the paraprofessional is working under the direct supervision of a fully qualified teacher; and

''(B) may not provide instructional services to students in the area of reading, writing, or math unless the paraprofessional has demonstrated, through a State or local academic assessment, the ability to effectively carry out reading, writing, or math instruction.

''(g) USE OF FUNDS.—

''(1) PROFESSIONAL DEVELOPMENT.—A local educational agency receiving funds under this part may use such funds to support ongoing training and professional development to assist teachers and paraprofessionals in satisfying the requirements of this section.

''(2) LIMITATION ON USE OF FUNDS FOR PARAPROFESSIONALS.—

''(A) IN GENERAL.—Beginning on and after the effective date of the No Child Left Behind Act of 2001, a local educational agency may not use funds received under this part to fund any paraprofessional hired after such date unless the hiring is to fill a vacancy created by the departure of another paraprofessional funded under this part and such new paraprofessional satisfies the requirements of subsection (b), except as provided in subsection (d).

''(B) EXCEPTION.—Subparagraph (A) shall not apply for a fiscal year to a local educational agency that can demonstrate to the State that all teachers under the jurisdiction of the agency are fully qualified.

''(h) VERIFICATION OF COMPLIANCE.—

''(1) IN GENERAL.—In verifying compliance with this section, each local educational agency at a minimum shall require that the principal of each school operating a program under section 1114 or 1115 annually attest in writing as to whether such school is in compliance with the requirements of this section.

''(2) AVAILABILITY OF INFORMATION.—Copies of attestations under paragraph (1)—

''(A) shall be maintained at each school operating a program under section 1114 or 1115 and at the main office of the local educational agency; and

''(B) shall be available to any member of the general public upon request.

"SEC. 1119A. PROFESSIONAL DEVELOPMENT.

''(a) PURPOSE.—The purpose of this section is to assist each local educational agency receiving assistance under this part in increasing the academic achievement of children served under this part through improved teacher quality.

''(b) PROFESSIONAL DEVELOPMENT ACTIVITIES.—Professional development activities under this section shall—

''(1) give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State or local academic content standards and student academic achievement standards;

''(2) support the recruiting, hiring, and training of fully qualified teachers, including teachers fully qualified through State and local alternative routes;

''(3) advance teacher understanding of effective instructional strategies based on scientifically based research for improving student achievement, at a minimum, in reading or language arts and mathematics;

''(4) be directly related to the curriculum and content areas in which the teacher provides instruction, except this requirement does not apply to activities that instruct in methods of improving student behavior;

''(5) be designed to enhance the ability of a teacher to understand and use the State's academic standards for the subject area in which the teacher provides instruction;

''(6) be tied to scientifically based research demonstrating the effectiveness of such professional development activities or programs in increasing student achievement or substantially increasing the knowledge and teaching skills of teachers;

''(7) be of sufficient intensity and duration (not to include 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teacher's performance in the classroom;

''(8) be developed with extensive participation of teachers, principals, parents, and administrators of schools to be served under this part;

''(9) be designed to give teachers of limited English proficient children, other teachers, and instructional staff the knowledge and skills to provide instruction and appropriate language and academic support services to such children, including the appropriate use of curriculum and academic assessments;

''(10) to the extent appropriate, provide training for teachers in the use of technology so that technology and its applications are effectively used in the classroom to improve teaching and learning in the curriculum and academic content areas in which the teachers provide instruction; and

''(11) as a whole, be regularly evaluated for their impact on increased teacher effectiveness and improved student achievement, with the findings of such evaluations used to improve the quality of professional development.

''(c) ADDITIONAL PROFESSIONAL DEVELOPMENT ACTIVITIES.—Such professional development activities may include—

''(1) instruction in the use of data and academic assessments to inform and instruct classroom practice;

''(2) instruction in ways that teachers, principals, pupil services personnel, and school administrators may work more effectively with parents;

''(3) the forming of partnerships with institutions of higher education to establish school-based teacher training programs that provide prospective teachers and novice teachers with an opportunity to work under the guidance of experienced teachers and college faculty;

''(4) the creation of career ladder programs for paraprofessionals (assisting teachers under this part) to obtain the education necessary for such paraprofessionals to become licensed and certified teachers; and

''(5) instruction in ways to teach special needs children.

''(d) PROGRAM PARTICIPATION.—Each local educational agency receiving assistance under this part may design professional development programs so that—

''(1) all school staff in schools participating in a schoolwide program under section 1114 can participate in professional development activities; and

''(2) all school staff in targeted assistance schools may participate in professional development activities if such participation will result in better addressing the needs of students served under this part.

''(e) PARENTAL PARTICIPATION.—Parents may participate in professional development activities under this part if the school determines that parental participation is appropriate.

''(f) CONSORTIA.—In carrying out such professional development programs, local educational agencies may provide services through consortia arrangements with other local educational agencies, educational service agencies or other local consortia, institutions of higher education, or other public or private institutions or organizations.

''(g) CONSOLIDATION OF FUNDS.—Funds provided under this part that are used for professional development purposes may be consolidated with funds provided under title II of this Act and other sources.

''(h) SPECIAL RULE.—No State educational agency shall require a school or a local educational agency to expend a specific amount of funds for professional development activities under this part, except that this paragraph shall not apply with respect to requirements under section 1116(b)(3)(A)(iii).

"SEC. 1120. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

''(a) GENERAL REQUIREMENT.—

''(1) IN GENERAL.—To the extent consistent with the number of eligible children identified under section 1115(b) in a local educational agency who are enrolled in private elementary and secondary schools, a local educational agency shall, after timely and meaningful consultation with appropriate private school officials, provide such children, on an equitable basis, special educational services or other benefits under this part (such as dual enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment) that address their needs, and shall ensure that teachers and families of these students participate, on an equitable basis, in services and activities developed pursuant to sections 1118 and 1119A.

''(2) SECULAR, NEUTRAL, NONIDEOLOGICAL.—Such educational services or other benefits, including materials and equipment, shall be secular, neutral, and nonideological.

''(3) EQUITY.—Educational services and other benefits for such private school children shall be equitable in comparison to services and other benefits for public school children participating under this part, and shall be provided in a timely manner.

''(4) EXPENDITURES.—Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools, which the local educational agency may determine each year or every 2 years.

''(5) PROVISION OF SERVICES.—The local educational agency shall provide services under this section directly or through contracts with public and private agencies, organizations, and institutions.

''(b) CONSULTATION.—

''(1) IN GENERAL.—To ensure timely and meaningful consultation, a local educational agency shall consult with appropriate private school officials during the design and development of such agency's programs under this part, on issues such as—

''(A) how the children's needs will be identified;

''(B) what services will be offered;

''(C) how, where, and by whom the services will be provided;

''(D) how the services will be academically assessed and how the results of that assessment will be used to improve those services;

''(E) the size and scope of the equitable services to be provided to the eligible private school children, and the amount of funds generated by low-income private school children in each participating attendance area;

''(F) the method or sources of data that are used under subsection (a)(4) and section 1113(c)(2) to determine the number of children from low-income families in participating school attendance areas who attend private schools; and

''(G) how and when the agency will make decisions about the delivery of services to such children, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third party providers.

If the local educational agency disagrees with the views of the private school officials on the provision of services, through a contract, the local educational agency shall provide in writing to such private school officials, an analysis of the reasons why the local educational agency has chosen not to use a contractor.

''(2) TIMING.—Such consultation shall include meetings of agency and private school officials and shall occur before the local educational agency makes any decision that affects the opportunities of eligible private school children to participate in programs under this part. Such meetings shall continue throughout implementation and assessment of services provided under this section.

''(3) DISCUSSION.—Such consultation shall include a discussion of service delivery mechanisms a local educational agency can use to provide equitable services to eligible private school children.

''(4) DOCUMENTATION.—Each local educational agency shall maintain in its records and provide to the State educational agency a written affirmation signed by officials of each participating private school that the consultation required by this section has occurred.

''(5) COMPLIANCE.—Private school officials shall have the right to appeal to the State as to whether the consultation provided for in this section was meaningful and timely, and that due consideration was given to the views of private school officials. If the private school wishes to appeal, the basis of the claim of noncompliance with this section by a local educational agency shall be provided to the State, and the local educational agency shall forward the documentation provided in subsection (b)(4) to the State.

''(c) PUBLIC CONTROL OF FUNDS.—

''(1) IN GENERAL.—The control of funds provided under this part, and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds and property.

''(2) PROVISION OF SERVICES.—(A) The provision of services under this section shall be provided—

''(i) by employees of a public agency; or

''(ii) through contract by such public agency with an individual, association, agency, or organization.

''(B) In the provision of such services, such employee, person, association, agency, or organization shall be independent of such private school and of any religious organization, and such employment or contract shall be under the control and supervision of such public agency.

''(d) STANDARDS FOR A BYPASS.—If a local educational agency is prohibited by law from providing for the participation on an equitable basis of eligible children enrolled in private elementary and secondary schools or if the Secretary determines that a local educational agency has substantially failed or is unwilling to provide for such participation, as required by this section, the Secretary shall—

''(1) waive the requirements of this section for such local educational agency;

''(2) arrange for the provision of services to such children through arrangements that shall be subject to the requirements of this section and sections 8505 and 8506; and

''(3) in making the determination, consider one or more factors, including the quality, size, scope, and location of the program and the opportunity of eligible children to participate.

''(e) CAPITAL EXPENSES.—

''(1) IN GENERAL.—(A) From the amount appropriated for this subsection under section 1002(g) for any fiscal year, each State is eligible to receive an amount that bears the same ratio to the amount so appropriated as the number of private school children who received services under this part in the State in the most recent year for which data satisfactory to the Secretary are available bears to the number of such children in all States in that same year.

''(B) The Secretary shall reallocate any amounts allocated under subparagraph (A) that are not used by a State for the purpose of this subsection to other States on the basis of their respective needs, as determined by the Secretary.

''(2) CAPITAL EXPENSES.—(A) A local educational agency may apply to the State educational agency for payments for capital expenses consistent with this subsection.

''(B) State educational agencies shall distribute such funds under this subsection to local educational agencies based on the degree of need set forth in their respective applications for assistance under this subsection.

''(3) USES OF FUNDS.—Any funds appropriated to carry out this subsection shall be used only for capital expenses incurred to provide equitable services for private school children under this section.

"SEC. 1120A. FISCAL REQUIREMENTS.

''(a) MAINTENANCE OF EFFORT.—A local educational agency may receive funds under this part for any fiscal year only if the State educational agency finds that the local educational agency has maintained its fiscal effort in accordance with section 8501 of this Act.

''(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS.—

''(1) IN GENERAL.—A State or local educational agency shall use funds received under this part only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of pupils participating in programs assisted under this part, and not to supplant such funds.

''(2) SPECIAL RULE.—No local educational agency shall be required to provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency's compliance with paragraph (1).

''(c) COMPARABILITY OF SERVICES.—

''(1) IN GENERAL.—(A) Except as provided in paragraphs (4) and (5), a local educational agency may receive funds under this part only if State and local funds will be used in schools served under this part to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving funds under this part.

''(B) If the local educational agency is serving all of such agency's schools under this part, such agency may receive funds under this part only if such agency will use State and local funds to provide services that, taken as a whole, are substantially comparable in each school.

''(C) A local educational agency may meet the requirements of subparagraphs (A) and (B) on a grade-span by grade-span basis or a school-by-school basis.

''(2) WRITTEN ASSURANCE.—(A) A local educational agency shall be considered to have met the requirements of paragraph (1) if such agency has filed with the State educational agency a written assurance that such agency has established and implemented—

''(i) a local educational agency-wide salary schedule;

''(ii) a policy to ensure equivalence among schools in teachers, administrators, and other staff; and

''(iii) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

''(B) For the purpose of subparagraph (A), in the determination of expenditures per pupil from State and local funds, or instructional salaries per pupil from State and local funds, staff salary differentials for years of employment shall not be included in such determinations.

''(C) A local educational agency need not include unpredictable changes in student enrollment or personnel assignments that occur after the beginning of a school year in determining comparability of services under this subsection.

''(3) PROCEDURES AND RECORDS.—Each local educational agency assisted under this part shall—

''(A) develop procedures for compliance with this subsection; and

''(B) maintain records that are updated biennially documenting such agency's compliance with this subsection.

''(4) INAPPLICABILITY.—This subsection shall not apply to a local educational agency that does not have more than one building for each grade span.

''(5) COMPLIANCE.—For the purpose of determining compliance with paragraph (1), a local educational agency may exclude State and local funds expended for—

''(A) English language instruction for children of limited English proficiency; and

''(B) excess costs of providing services to children with disabilities as determined by the local educational agency.

''(d) EXCLUSION OF FUNDS.—For the purpose of complying with subsections (b) and (c), a State or local educational agency may exclude supplemental State or local funds expended in any school attendance area or school for programs that meet the intent and purposes of this part.

"SEC. 1120B. COORDINATION REQUIREMENTS.

''(a) IN GENERAL.—Each local educational agency receiving assistance under this part shall carry out the activities described in subsection (b) with Head Start Agencies, and if feasible, other early childhood development programs such as Early Reading First.

''(b) ACTIVITIES.—The activities referred to in subsection (a) are activities that increase coordination between the local educational agency and a Head Start agency, and, if feasible, other early childhood development programs, such as Early Reading First serving children who will attend the schools of such agency, including—

''(1) developing and implementing a systematic procedure for receiving records regarding such children transferred with parental consent from a Head Start program or, where applicable, other early childhood development programs such as Early Reading First;

''(2) establishing channels of communication between school staff and their counterparts in such Head Start agencies (including teachers, social workers, and health staff) or other early childhood development programs such as Early Reading First, as appropriate, to facilitate coordination of programs;

''(3) conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start teachers or, if appropriate, teachers from other early childhood development programs such as Early Reading First, to discuss the developmental and other needs of individual children;

''(4) organizing and participating in joint transition related training of school staff, Head Start staff, Early Reading First staff and, where appropriate, other early childhood staff; and

''(5) linking the educational services provided in such local educational agency with the services provided in local Head Start agencies and Early Reading First programs.

''(c) COORDINATION OF REGULATIONS.—The Secretary shall work with the Secretary of Health and Human Services to coordinate regulations promulgated under this part with regulations promulgated under the Head Start Act.

"Subpart 2—Allocations

"SEC. 1121. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.

''(a) RESERVATION OF FUNDS.—From the amount appropriated for payments to States for any fiscal year under section 1002(a), the Secretary shall reserve a total of 1 percent to provide assistance to—

''(1) the outlying areas in the amount determined in accordance with subsection (b); and

''(2) the Secretary of the Interior in the amount necessary to make payments pursuant to subsection (d).

''(b) ASSISTANCE TO OUTLYING AREAS.—

''(1) FUNDS RESERVED.—From the amount made available for any fiscal year under subsection (a), the Secretary shall award grants to the outlying areas.

''(2) COMPETITIVE GRANTS.—For each of fiscal years 2002 and 2003, the Secretary shall carry out the competition described in paragraph (3), except that the amount reserved to carry out such competition shall not exceed the amount reserved under this section for the freely associated states for fiscal year 1999.

''(3) LIMITATION FOR COMPETITIVE GRANTS.—

''(A) COMPETITIVE GRANTS.—The Secretary shall use funds described in paragraph (2) to award grants, on a competitive basis, to the outlying areas and freely associated States to carry out the purposes of this part.

''(B) AWARD BASIS.—The Secretary shall award grants under subparagraph (A) on a competitive basis, pursuant to the recommendations of the Pacific Region Educational Laboratory in Honolulu, Hawaii.

''(C) ADMINISTRATIVE COSTS.—The Secretary may provide not more than 5 percent of the amount reserved for grants under this paragraph to pay the administrative costs of the Pacific Region Educational Laboratory under subparagraph (B).

''(4) SPECIAL RULE.—The provisions of Public Law 95–134, permitting the consolidation of grants by the outlying areas, shall not apply to funds provided to the freely associated States under this section.

''(c) DEFINITIONS.—For the purposes of subsections (a) and (b)—

''(1) the term 'freely associated States' means the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau; and

''(2) the term 'outlying area' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(d) ALLOTMENT TO THE SECRETARY OF THE INTERIOR.—

''(1) IN GENERAL.—The amount allotted for payments to the Secretary of the Interior under subsection (a)(2) for any fiscal year shall be, as determined pursuant to criteria established by the Secretary, the amount necessary to meet the special educational needs of—

''(A) Indian children on reservations served by elementary and secondary schools for Indian children operated or supported by the Department of the Interior; and

''(B) out-of-State Indian children in elementary and secondary schools in local educational agencies under special contracts with the Department of the Interior.

''(2) PAYMENTS.—From the amount allotted for payments to the Secretary of the Interior under subsection (a)(2), the Secretary of the Interior shall make payments to local educational agencies, upon such terms as the Secretary determines will best carry out the purposes of this part, with respect to out-of-State Indian children described in paragraph (1). The amount of such payment may not exceed, for each such child, the greater of—

''(A) 40 percent of the average per-pupil expenditure in the State in which the agency is located; or

''(B) 48 percent of such expenditure in the United States.

"SEC. 1122. AMOUNTS FOR BASIC GRANTS, CONCENTRATION GRANTS, AND TARGETED GRANTS.

''(a) ALLOCATION FORMULA.—Of the amount appropriated to carry out this part for each of fiscal years 2002 through 2006 (referred to in this subsection as the current fiscal year)—

''(1) an amount equal to the amount appropriated to carry out section 1124 for fiscal year 2001 shall be allocated in accordance with section 1124;

''(2) an amount equal to the amount appropriated to carry out section 1124A for fiscal year 2001 shall be allocated in accordance with section 1124A; and

''(3) an amount equal to 100 percent of the amount, if any, by which the amount appropriated under section 1002(a) for the current fiscal year exceeds the amount appropriated under such section for fiscal year 2001 shall be allocated in accordance with section 1125.

''(b) ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS.—

''(1) IN GENERAL.—If the sums available under this part for any fiscal year are insufficient to pay the full amounts that all local educational agencies in States are eligible to receive under sections 1124, 1124A, and 1125 for such year, the Secretary shall ratably reduce the allocations to such local educational agencies, subject to subsections (c) and (d) of this section.

''(2) ADDITIONAL FUNDS.—If additional funds become available for making payments under sections 1124, 1124A, and 1125 for such fiscal year, allocations that were reduced under paragraph (1) shall be increased on the same basis as they were reduced.

''(c) HOLD-HARMLESS AMOUNTS.—

''(1) AMOUNTS FOR SECTIONS 1124 AND 1125.—For each fiscal year, the amount made available to each local educational agency under each of sections 1124 and 1125 shall be—

''(A) not less than 95 percent of the amount made available in the preceding fiscal year if the number of children counted for grants under section 1124 is not less than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the local educational agency;

''(B) not less than 90 percent of the amount made available in the preceding fiscal year if the percentage described in subparagraph (A) is between 15 percent and 30 percent; and

''(C) not less than 85 percent of the amount made available in the preceding fiscal year if the percentage described in subparagraph (A) is below 15 percent.

''(2) AMOUNT FOR SECTION 1124A.—The amount made available to each local educational agency under section 1124A shall be not less than 85 percent of the amount made available in the preceding fiscal year.

''(3) PAYMENTS.—If sufficient funds are appropriated, the amounts described in paragraph (2) shall be paid to all local educational agencies that received grants under section 1124A for the preceding fiscal year, regardless of whether the local educational agency meets the minimum eligibility criteria for that fiscal year provided in section 1124A(a)(1)(A) except that a local educational agency that does not meet such minimum eligibility criteria for 4 consecutive years shall no longer be eligible to receive a hold harmless amount referred to in paragraph (2).

''(4) POPULATION DATA.—In any fiscal year for which the Secretary calculates grants on the basis of population data for counties, the Secretary shall apply the hold harmless percentages in paragraphs (1) and (2) to counties, and if the Secretary's allocation for a county is not sufficient to meet the hold-harmless requirements of this subsection for every local educational agency within that county, the State educational agency shall reallocate funds proportionately from all other local educational agencies in the State that are receiving funds in excess of the hold harmless amounts specified in this subsection.

''(d) RATABLE REDUCTIONS.—

''(1) IN GENERAL.—If the sums made available under this part for any fiscal year are insufficient to pay the full amounts that all States are eligible to receive under subsection (c) for such year, the Secretary shall ratably reduce such amounts for such year.

''(2) ADDITIONAL FUNDS.—If additional funds become available for making payments under subsection (c) for such fiscal year, amounts that were reduced under paragraph (1) shall be increased on the same basis as such amounts were reduced.

''(e) DEFINITION.—For the purpose of this section and sections 1124, 1124A, and 1125, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"SEC. 1124. BASIC GRANTS TO LOCAL EDUCATIONAL AGENCIES.

"(a) AMOUNT OF GRANTS.—

"(1) GRANTS FOR LOCAL EDUCATIONAL AGENCIES AND PUERTO RICO.—Except as provided in paragraph (4) and in section 1126, the grant that a local educational agency is eligible to receive under this section for a fiscal year is the amount determined by multiplying—

"(A) the number of children counted under subsection (c); and

"(B) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this subparagraph shall not be less than 32 percent or more than 48 percent, of the average per-pupil expenditure in the United States.

"(2) CALCULATION OF GRANTS.—

"(A) ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.—The Secretary shall calculate grants under this section on the basis of the number of children counted under subsection (c) for local educational agencies, unless the Secretary and the Secretary of Commerce determine that some or all of those data are unreliable or that their use would be otherwise inappropriate, in which case—

"(i) the two Secretaries shall publicly disclose the reasons for their determination in detail; and

"(ii) paragraph (3) shall apply.

"(B) ALLOCATIONS TO LARGE AND SMALL LOCAL EDUCATIONAL AGENCIES.—(i) For any fiscal year in which this paragraph applies, the Secretary shall calculate grants under this section for each local educational agency.

"(ii) The amount of a grant under this section for each large local educational agency shall be the amount determined under clause (i).

"(iii) For small local educational agencies, the State educational agency may either—

"(I) distribute grants under this section in amounts determined by the Secretary under clause (i); or

"(II) use an alternative method approved by the Secretary to distribute the portion of the State's total grants under this section that is based on those small agencies.

"(iv) An alternative method under clause (iii)(II) shall be based on population data that the State educational agency determines best reflect the current distribution of children in poor families among the State's small local educational agencies that meet the eligibility criteria of subsection (b).

"(v) If a small local educational agency is dissatisfied with the determination of its grant by the State educational agency under clause (iii)(II), it may appeal that determination to the Secretary, who shall respond not later than 45 days after receipt of such appeal.

"(vi) As used in this subparagraph—

"(I) the term 'large local educational agency' means a local educational agency serving an area with a total population of 20,000 or more; and

"(II) the term 'small local educational agency' means a local educational agency serving an area with a total population of less than 20,000.

"(3) ALLOCATIONS TO COUNTIES.—

"(A) CALCULATION.—For any fiscal year to which this paragraph applies, the Secretary shall calculate grants under this section on the basis of the number of children counted under section 1124(c) for counties, and State educational agencies shall suballocate county amounts to local educational agencies, in accordance with regulations issued by the Secretary.

"(B) DIRECT ALLOCATIONS.—In any State in which a large number of local educational agencies overlap county boundaries, or for which the State believes it has data that would better target funds than allocating them by county, the State educational agency may apply to the Secretary for authority to make the allocations under this part for a particular fiscal year directly to local educational agencies without regard to counties.

"(C) ASSURANCES.—If the Secretary approves the State educational agency's application under subparagraph (B), the State educational agency shall provide the Secretary an assurance that such allocations shall be made—

"(i) using precisely the same factors for determining a grant as are used under this part; or

"(ii) using data that the State educational agency submits to the Secretary for approval that more accurately target poverty.

"(D) APPEAL.—The State educational agency shall provide the Secretary an assurance that it shall establish a procedure through which a local educational agency that is dissatisfied with its determinations under subparagraph (B) may appeal directly to the Secretary for a final determination.

"(4) PUERTO RICO.—

"(A) IN GENERAL.—For each fiscal year, the grant which the Commonwealth of Puerto Rico shall be eligible to receive under this section shall be the amount determined by multiplying the number of children counted under subsection (c) for the Commonwealth of Puerto Rico by the product of—

"(i) the percentage which the average per-pupil expenditure in the Commonwealth of Puerto Rico is of the lowest average per-pupil expenditure of any of the 50 States; and

"(ii) 32 percent of the average per-pupil expenditure in the United States.

"(B) MINIMUM PERCENTAGE.—The percentage in subparagraph (A)(i) shall not be less than—

"(i) for fiscal year 2002, 77.5 percent;

"(ii) for fiscal year 2003, 80.0 percent;

"(iii) for fiscal year 2004, 82.5 percent; and

"(iv) for fiscal year 2005 and succeeding fiscal years, 85.0 percent.

"(C) LIMITATION.—If the application of subparagraph (B) would result in any of the 50 States or the District of Columbia receiving less under this part than it received under this part for the preceding fiscal year, the percentage in subparagraph (A) shall be the greater of the percentage in subparagraph (A)(i) or the percentage used for the preceding fiscal year.

"(5) DEFINITION.—For purposes of this subsection, the term 'State' does not include Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

"(b) MINIMUM NUMBER OF CHILDREN TO QUALIFY.—A local educational agency is eligible for a basic grant under this section for any fiscal year only if the number of children counted under subsection (c) for that agency is both—

"(1) 10 or more; and

"(2) more than 2 percent of the total school-age population in the agency's jurisdiction.

"(c) CHILDREN TO BE COUNTED.—

"(1) CATEGORIES OF CHILDREN.—The number of children to be counted for purposes of this section is the aggregate of—

"(A) the number of children aged 5 to 17, inclusive, in the school district of the local educational agency from families below the poverty level as determined under paragraph (2);

"(B) the number of children (determined under paragraph (4) for either the preceding year as described in that paragraph, or for the second preceding year, as the Secretary finds appropriate) aged 5 to 17, inclusive, in the school district of such agency in institutions for neglected and delinquent children (other than such institutions operated by the United States), but not counted pursuant to subpart 1 of part D for the purposes of a grant to a State agency, or being supported in foster homes with public funds; and

"(C) the number of children aged 5 to 17, inclusive, in the school district of such agency from families above the poverty level as determined under paragraph (4).

"(2) DETERMINATION OF NUMBER OF CHILDREN.—For the purposes of this section, the Secretary shall determine the number of children aged 5 to 17, inclusive, from families below the poverty level on the basis of the most recent satisfactory data, described in paragraph (3), available from the Department of Commerce. The District of Columbia and the Commonwealth of Puerto Rico shall be treated as individual local educational agencies. If a local educational agency contains two or more counties in their entirety, then each county will be treated as if such county were a separate local educational agency for purposes of calculating grants under this part. The total of grants for such counties shall be allocated to such a local educational agency, which local educational agency shall distribute to schools in each county within such agency a share of the local educational agency's total grant that is no less than the county's share of the population counts used to calculate the local educational agency's grant.

"(3) POPULATION UPDATES.—In fiscal year 2001 and every 2 years thereafter, the Secretary shall use updated data on the number of children, aged 5 to 17, inclusive, from families below the poverty level for local educational agencies or counties, published by the Department of Commerce, unless the Secretary and the Secretary of Commerce determine that use of the updated population data would be inappropriate or unreliable. If the Secretary and the Secretary of Commerce determine that some or all of the data referred to in this paragraph are inappropriate or unreliable, they shall publicly disclose their reasons. In determining the families which are below the poverty level, the Secretary shall utilize the criteria of poverty used by the Bureau of the Census in compiling the most recent decennial census, in such form as those criteria have been updated by increases in the Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics.

"(4) OTHER CHILDREN TO BE COUNTED.—For the purposes of this section, the Secretary shall determine the number of children aged 5 to 17, inclusive, from families above the poverty level on the basis of the number of such children from families receiving an annual income, in excess of the current criteria of poverty, from payments under a State program funded under part A of title IV of the Social Security Act; and in making such determinations the Secretary shall utilize the criteria of poverty used by the Bureau of the Census in compiling the most recent decennial census for a family of 4 in such form as those criteria have been updated by increases in the Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics. The Secretary shall determine the number of such children and the number of children aged 5 through 17 living in institutions for neglected or delinquent children, or being supported in foster homes with public funds, on the basis of the caseload data for the month of October of the preceding fiscal year (using, in the case of children described in the preceding sentence, the criteria of poverty and the form of such criteria required by such sentence which were determined for the calendar year preceding such month of October) or, to the extent that such data are not available to the Secretary before January of the calendar year in which the Secretary's determination is made, then on the basis of the most recent reliable data available to the Secretary at the time of such determination. The Secretary of Health and Human Services shall collect and transmit the information re-

quired by this subparagraph to the Secretary not later than January 1 of each year. For the purpose of this section, the Secretary shall consider all children who are in correctional institutions to be living in institutions for delinquent children.

''(5) ESTIMATE.—When requested by the Secretary, the Secretary of Commerce shall make a special updated estimate of the number of children of such ages who are from families below the poverty level (as determined under subparagraph (A) of this paragraph) in each school district, and the Secretary is authorized to pay (either in advance or by way of reimbursement) the Secretary of Commerce the cost of making this special estimate. The Secretary of Commerce shall give consideration to any request of the chief executive of a State for the collection of additional census information.

''(d) STATE MINIMUM.—Notwithstanding section 1122, the aggregate amount allotted for all local educational agencies within a State may not be less than the lesser of—

''(1) 0.25 percent of total grants under this section; or

''(2) the average of—

''(A) one-quarter of 1 percent of the total amount available for such fiscal year under this section; and

''(B) the number of children in such State counted under subsection (c) in the fiscal year multiplied by 150 percent of the national average per-pupil payment made with funds available under this section for that year.

"SEC. 1124A. CONCENTRATION GRANTS TO LOCAL EDUCATIONAL AGENCIES.

''(a) ELIGIBILITY FOR AND AMOUNT OF GRANTS.—

''(1) IN GENERAL.—(A) Except as otherwise provided in this paragraph, each local educational agency, in a State other than Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, which is eligible for a grant under section 1124 for any fiscal year is eligible for an additional grant under this section for that fiscal year if the number of children counted under section 1124(c) in the agency exceeds either—

''(i) 6,500; or

''(ii) 15 percent of the total number of children aged 5 through 17 in the agency.

''(B) Notwithstanding section 1122, no State described in subparagraph (A) shall receive less than the lesser of—

''(i) 0.25 percent of total grants; or

''(ii) the average of—

''(I) one-quarter of 1 percent of the sums available to carry out this section for such fiscal year; and

''(II) the greater of—

''(aa) $340,000; or

''(bb) the number of children in such State counted for purposes of this section in that fiscal year multiplied by 150 percent of the national average per-pupil payment made with funds available under this section for that year.

''(2) SPECIAL RULE.—For each county or local educational agency eligible to receive an additional grant under this section for any fiscal year the Secretary shall determine the product of—

''(A) the number of children counted under section 1124(c) for that fiscal year; and

''(B) the quotient resulting from the division of the amount determined for those agencies under section 1124(a)(1) for the fiscal year for which the determination is being made divided by the total number of children counted under section 1124(c) for that agency for that fiscal year.

''(3) AMOUNT.—The amount of the additional grant for which an eligible local educational agency or county is eligible under this section for any fiscal year shall be an amount which bears the same ratio to the amount available to carry out this section for that fiscal year as the product determined under paragraph (2) for such local educational agency for that fiscal year bears to the sum of such products for all local educational agencies in the United States for that fiscal year.

''(4) LOCAL ALLOCATIONS.—(A) Grant amounts under this section shall be determined in accordance with section 1124(a)(2) and (3).

''(B) For any fiscal year for which the Secretary allocates funds under this section on the basis of counties, a State may reserve not more than 2 percent of its allocation under this section to make grants to local educational agencies that meet the criteria of paragraph (1)(A)(i) or (ii) and are in ineligible counties that do not meet these criteria.

''(b) STATES RECEIVING MINIMUM GRANTS.—In States that receive the minimum grant under subsection (a)(1)(B), the State educational agency shall allocate such funds among the local educational agencies in each State either—

''(1) in accordance with paragraphs (2) and (4) of subsection (a); or

''(2) based on their respective concentrations and numbers of children counted under section 1124(c), except that only those local educational agencies with concentrations or numbers of children counted under section 1124(c) that exceed the statewide average percentage of such children or the statewide average number of such children shall receive any funds on the basis of this paragraph.

"SEC. 1125. TARGETED GRANTS TO LOCAL EDUCATIONAL AGENCIES.

''(a) ELIGIBILITY OF LOCAL EDUCATIONAL AGENCIES.—A local educational agency in a State is eligible to receive a targeted grant under this section for any fiscal year if the number of children in the local educational agency counted under subsection 1124(c), before application of the weighting factor described in subsection (c), is at least 10, and if the number of children counted for grants under section 1124 is at least 5 percent of the total population aged 5 to 17 years, inclusive, in the local educational agency. For each fiscal year for which the Secretary uses county population data to calculate grants, funds made available as a result of applying this subsection shall be reallocated by the State educational agency to other eligible local educational agencies in the State in proportion to the distribution of other funds under this section.

''(b) GRANTS FOR LOCAL EDUCATIONAL AGENCIES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—

''(1) IN GENERAL.—The amount of the grant that a local educational agency in a State or that the District of Columbia is eligible to receive under this section for any fiscal year shall be the product of—

''(A) the weighted child count determined under subsection (c); and

''(B) the amount in paragraph 1124(a)(1)(B).

''(2) PUERTO RICO.—For each fiscal year, the amount of the grant for which the Commonwealth of Puerto Rico is eligible under this section shall be equal to the number of children counted under subsection (c) for Puerto Rico, multiplied by the amount determined in subparagraph 1124(a)(4).

''(c) WEIGHTED CHILD COUNT.—

''(1) WEIGHTS FOR ALLOCATIONS TO COUNTIES.—

''(A) IN GENERAL.—For each fiscal year for which the Secretary uses county population data to calculate grants, the weighted child count used to determine a county's allocation under this section is the larger of the 2 amounts determined under clause (i) or (ii), as follows:

''(i) BY PERCENTAGE OF CHILDREN.—This amount is determined by adding—

''(I) the number of children determined under section 1124(c) for that county constituting up to 15 percent, inclusive, of the county's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(II) the number of such children constituting more than 15 percent, but not more than 19 percent, of such population, multiplied by 1.75;

''(III) the number of such children constituting more than 19 percent, but not more than 24.20 percent, of such population, multiplied by 2.5;

''(IV) the number of such children constituting more than 24.20 percent, but not more than 29.20 percent, of such population, multiplied by 3.25; and

''(V) the number of such children constituting more than 29.20 percent of such population, multiplied by 4.0.

''(ii) BY NUMBER OF CHILDREN.—This amount is determined by adding—

''(I) the number of children determined under section 1124(c) constituting up to 2,311, inclusive, of the county's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(II) the number of such children between 2,312 and 7,913, inclusive, in such population, multiplied by 1.5;

''(III) the number of such children between 7,914 and 23,917, inclusive, in such population, multiplied by 2.0;

''(IV) the number of such children between 23,918 and 93,810, inclusive, in such population, multiplied by 2.5; and

''(V) the number of such children in excess of 93,811 in such population, multiplied by 3.0.

''(B) PUERTO RICO.—Notwithstanding subparagraph (A), the weighted child count for Puerto Rico under this paragraph shall not be greater than the total number of children counted under subsection 1124(c) multiplied by 1.72.

''(2) WEIGHTS FOR ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—For each fiscal year for which the Secretary uses local educational agency data, the weighted child count used to determine a local educational agency's grant under this section is the larger of the 2 amounts determined under clauses (i) and (ii), as follows:

''(i) BY PERCENTAGE OF CHILDREN.—This amount is determined by adding—

''(I) the number of children determined under section 1124(c) for that local educational agency constituting up to 15.233 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(II) the number of such children constituting more than 15.233 percent, but not more than 22.706 percent, of such population, multiplied by 1.75;

''(III) the number of such children constituting more than 22.706 percent, but not more than 32.213 percent, of such population, multiplied by 2.5;

''(IV) the number of such children constituting more than 32.213 percent, but not more than 41.452 percent, of such population, multiplied by 3.25; and

''(V) the number of such children constituting more than 41.452 percent of such population, multiplied by 4.0.

''(ii) BY NUMBER OF CHILDREN.—This amount is determined by adding—

''(I) the number of children determined under section 1124(c) constituting up to 710, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(II) the number of such children between 711 and 2,384, inclusive, in such population, multiplied by 1.5;

''(III) the number of such children between 2,385 and 9,645, inclusive, in such population, multiplied by 2.0;

''(IV) the number of such children between 9,646 and 54,600, inclusive, in such population, multiplied by 2.5; and

''(V) the number of such children in excess of 54,601 in such population, multiplied by 3.0.

''(B) PUERTO RICO.—Notwithstanding subparagraph (A), the weighted child count for Puerto Rico under this paragraph shall not be greater than the total number of children counted under section 1124(c) multiplied by 1.72.

''(d) CALCULATION OF GRANT AMOUNTS.—Grants under this section shall be calculated in accordance with section 1124(a)(2) and (3).

''(e) STATE MINIMUM.—Notwithstanding any other provision of this section or section 1122, from the total amount available for any fiscal year to carry out this section, each State shall be allotted at least the lesser of—

''(1) 0.25 percent of total appropriations; or

''(2) the average of—

''(A) one-quarter of 1 percent of the total amount available to carry out this section; and

''(B) 150 percent of the national average grant under this section per child described in section 1124(c), without application of a weighting factor, multiplied by the State's total number of children described in section 1124(c), without application of a weighting factor.

''SEC. 1126. SPECIAL ALLOCATION PROCEDURES.

''(a) ALLOCATIONS FOR NEGLECTED CHILDREN.—

''(1) IN GENERAL.—If a State educational agency determines that a local educational agency in the State is unable or unwilling to provide for the special educational needs of children who are living in institutions for neglected children as described in subparagraph (B) of section 1124(c)(1), the State educational agency shall, if such agency assumes responsibility for the special educational needs of such children, receive the portion of such local educational agency's allocation under sections 1124, 1124A, and 1125 that is attributable to such children.

''(2) SPECIAL RULE.—If the State educational agency does not assume such responsibility, any other State or local public agency that does assume such responsibility shall receive that portion of the local educational agency's allocation.

''(b) ALLOCATIONS AMONG LOCAL EDUCATIONAL AGENCIES.—The State educational agency may allocate the amounts of grants under sections 1124, 1124A, and 1125 among the affected local educational agencies—

''(1) if two or more local educational agencies serve, in whole or in part, the same geographical area;

''(2) if a local educational agency provides free public education for children who reside in the school district of another local educational agency; or

''(3) to reflect the merger, creation, or change of boundaries of one or more local educational agencies.

''(c) REALLOCATION.—If a State educational agency determines that the amount of a grant a local educational agency would receive under sections 1124, 1124A, and 1125 is more than such local agency will use, the State educational agency shall make the excess amount available to other local educational agencies in the State that need additional funds in accordance with criteria established by the State educational agency.

''SEC. 1127. CARRYOVER AND WAIVER.

''(a) LIMITATION ON CARRYOVER.—Notwithstanding section 421 of the General Education Provisions Act or any other provision of law, not more than 15 percent of the funds allocated to a local educational agency for any fiscal year under this subpart (but not including funds received through any reallocation under this subpart) may remain available for obligation by such agency for 1 additional fiscal year.

''(b) WAIVER.—A State educational agency may, once every 3 years, waive the percentage limitation in subsection (a) if—

''(1) the agency determines that the request of a local educational agency is reasonable and necessary; or

''(2) supplemental appropriations for this subpart become available.

''(c) EXCLUSION.—The percentage limitation under subsection (a) shall not apply to any local educational agency that receives less than $50,000 under this subpart for any fiscal year.

''SEC. 1128. SECULAR, NEUTRAL, AND NONIDEOLOGICAL.

''Any school that receives funds under this part shall ensure that educational services or other benefits provided under this part, including materials and equipment, shall be secular, neutral, and nonideological.''.

PART B—STUDENT READING SKILLS IMPROVEMENT GRANTS

SEC. 111. READING FIRST; EARLY READING FIRST.

Part B of title I (20 U.S.C. 6361 et seq.) is amended—

(1) by striking the part heading and inserting the following:

''PART B—STUDENT READING SKILLS IMPROVEMENT GRANTS'';

(2) by redesignating sections 1201 through 1212 as sections 1231 through 1242, respectively; and

(3) by inserting after the part heading the following:

''Subpart 1—Reading First

''SEC. 1201. FINDINGS.

''The Congress finds as follows:

''(1) The 2000 National Assessment of Educational Progress found that 68 percent of fourth grade students in the United States are reading below the proficient level.

''(2) According to the 2000 National Assessment of Educational Progress report on reading, 63 percent of African Americans, 58 percent of Hispanic Americans, 60 percent of children living in poverty, and 47 percent of children in urban schools scored 'below basic' in reading.

''(3) More than ½ of the students placed in special education classes are identified as learning disabled and, for as many as 80 percent of the students so identified, reading is the primary difficulty.

''(4) It is estimated that, at a minimum, 10,000,000 children have difficulty learning to read. 10 to 15 percent of those children eventually drop out of high school, and only 2 percent complete a 4-year program at an institution of higher education.

''(5) It is estimated that the number of children who are typically identified as poor readers can be significantly reduced through the implementation of early identification and prevention programs that are based on scientifically based reading research.

''(6) The report issued by the National Reading Panel in 2000 found that the course of reading instruction that obtains maximum benefits for students includes explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension strategies.

''SEC. 1202. PURPOSES.

''The purposes of this subpart are as follows:

''(1) To provide assistance to States and local educational agencies in establishing reading programs for students in grades kindergarten through 3 that are based on scientifically based reading research, in order to ensure that every student can read at grade level or above not later than the end of the third grade.

''(2) To provide assistance to States and local educational agencies in preparing teachers, including special education teachers, through professional development and other support, so the teachers can identify specific reading barriers facing their students and so the teachers have the tools to effectively help their students learn to read.

''(3) To provide assistance to States and local educational agencies in selecting and administering rigorous diagnostic reading and screening assessment tools that are valid and reliable, document the effectiveness of this subpart in improving the reading skills of students, and improve classroom instruction.

''(4) To provide assistance to States and local educational agencies in selecting or developing effective classroom instructional materials, programs, and strategies to implement scientific research-based methods that have been proven to prevent or remediate reading failure.

''(5) To strengthen coordination among schools and early literacy programs in order to improve reading achievement for all children.

''SEC. 1203. FORMULA GRANTS TO STATES.

''(a) IN GENERAL.—

''(1) AUTHORIZATION TO MAKE GRANTS.—In the case of each State that in accordance with section 1204 submits to the Secretary an application for a 5-year period, the Secretary, subject to the application's approval, shall make a grant to the State for the uses specified in subsections (c) and (d). For each fiscal year, the funds provided under the grant shall equal the allotment determined for the State under subsection (b).

''(2) DURATION OF GRANTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), a grant under this section shall be awarded for a period of not more than 5 years.

''(B) INTERIM REVIEW.—

''(i) PROGRESS REPORT.—

''(I) SUBMISSION.—Not later than 60 days after the termination of the third year of the grant period, each State receiving a grant under this section shall submit a progress report to the Secretary.

''(II) INFORMATION INCLUDED.—The progress report shall include information on the progress the State, and local educational agencies within the State, are making in reducing the number of students served under this subpart in the first and second grades who are reading below grade level, as demonstrated by such information as teacher reports and school evaluations of mastery of the essential components of reading instruction. The report shall also include evidence from the State and its local educational agencies that they have significantly increased the number of students reading at grade level or above, significantly increased the percentages of students in ethnic, racial, and low-income populations who are reading at grade level or above, and successfully implemented this subpart.

''(ii) PEER REVIEW.—The progress report described in clause (i) shall be reviewed by the peer review panel convened under section 1204(c)(2).

''(iii) CONSEQUENCES OF INSUFFICIENT PROGRESS.—After the submission of the progress report described in clause (i), if the Secretary determines that the State is not making significant progress in meeting the purposes of this subpart, the Secretary may withhold from the State, in whole or in part, further payments under this section in accordance with section 455 of the General Education Provisions Act (20 U.S.C. 1234d) or take such other action authorized by law as

the Secretary deems necessary, including providing technical assistance upon request of the State.

''(b) DETERMINATION OF AMOUNT OF ALLOTMENTS.—

''(1) RESERVATIONS FROM APPROPRIATIONS.—From the total amount made available under section 1002(b)(1) to carry out this subpart for a fiscal year, the Secretary—

''(A) shall reserve ½ of 1 percent for allotments for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among these outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purposes of this subpart;

''(B) shall reserve ½ of 1 percent for the Secretary of the Interior for programs under this subpart in schools operated or funded by the Bureau of Indian Affairs;

''(C) shall reserve not more than 3 percent or $30,000,000, whichever is less, to carry out section 1206;

''(D) may reserve not more than 1 percent to carry out section 1207; and

''(E) shall reserve $5,000,000 to carry out section 1208.

''(2) STATE ALLOTMENTS.—From the total amount made available under section 1002(b)(1) to carry out this subpart for a fiscal year and not reserved under paragraph (1), the Secretary shall allot 80 percent under this section among each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(3) DETERMINATION OF STATE ALLOTMENT AMOUNTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall allot the amount made available under paragraph (2) for a fiscal year among the States described in such paragraph in proportion to the number of children, aged 5 to 17, who reside within the State from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available, compared to the number of such individuals who reside in all such States for that fiscal year.

''(B) EXCEPTIONS.—

''(i) IN GENERAL.—Subject to clause (ii), no State receiving an allotment under subparagraph (A) may receive less than ¼ of 1 percent of the total amount allotted under such subparagraph.

''(ii) PUERTO RICO.—The percentage of the amount allotted under subparagraph (A) that is allotted to the Commonwealth of Puerto Rico for a fiscal year may not exceed the percentage that was received by the Commonwealth of Puerto Rico of the funds allocated to all States under subpart 2 of part A for the preceding fiscal year.

''(4) REALLOTMENT.—If a State described in paragraph (2) does not apply for an allotment under this section for any fiscal year, or if the State's application is not approved, the Secretary shall reallot such amount to the remaining States in accordance with paragraph (3).

''(c) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) DISTRIBUTION OF SUBGRANTS.—The Secretary may make a grant to a State under this section only if the State agrees to expend at least 80 percent of the amount of the funds provided under the grant for the purpose of making, in accordance with this subsection, competitive subgrants to local educational agencies.

''(2) NOTICE.—A State receiving a grant under this section shall provide notice to all local educational agencies in the State of the availability of competitive subgrants under this subsection and of the requirements for applying for the subgrants.

''(3) LOCAL APPLICATIONS.—To be eligible to receive a subgrant under this subsection, a local educational agency shall submit an application to the State at such time, in such manner, and containing such information as the State may reasonably require.

''(4) LIMITATION TO CERTAIN LOCAL AGENCIES.—A State receiving a grant under this section may award subgrants under this subsection only to local educational agencies—

''(A) that have the highest percentages of students in grades kindergarten through 3 reading below grade level; and

''(B) that—

''(i) have jurisdiction over—

''(I) a geographic area that includes an area designated as an empowerment zone, or an enterprise community, under part I of subchapter U of chapter 1 of the Internal Revenue Code of 1986; or

''(II) a significant number of schools that are identified for school improvement under section 1116(b); or

''(ii) are located in areas having the greatest numbers or percentages of children aged 5 through 17 from low-income families.

''(5) STATE REQUIREMENT.—In distributing subgrant funds to local educational agencies under this subsection, a State shall provide funds in sufficient size and scope to enable local educational agencies to improve reading instruction, as determined by rigorous diagnostic reading and screening assessment tools.

''(6) LIMITATION TO CERTAIN SCHOOLS.—In distributing subgrant funds under this subsection, a local educational agency may provide funds only to schools—

''(A) that have the highest percentages of students in grades kindergarten through 3 reading below grade level; and

''(B) that—

''(i) are identified for school improvement under section 1116(b); or

''(ii) have the greatest numbers or percentages of children aged 5 through 17 from low-income families.

''(7) LOCAL USES OF FUNDS.—

''(A) REQUIRED USES.—Subject to paragraph (8), a local educational agency that receives a subgrant under this subsection shall use the funds provided under the subgrant to carry out the following activities:

''(i) Selecting and administering rigorous diagnostic reading and screening assessment tools.

''(ii) Selecting and implementing a program or programs of classroom reading instruction based on scientifically based reading research that—

''(I) includes the essential components of reading instruction; and

''(II) provides such instruction to all children, including children who—

''(aa) may have reading difficulties;

''(bb) are at risk of being referred to special education based on these difficulties;

''(cc) have been evaluated under section 614 of the Individuals with Disabilities Education Act but, in accordance with section 614(b)(5) of such Act, have not been identified as being a child with a disability (as defined in section 602 of such Act);

''(dd) are being served under such Act primarily due to being identified as being a child with a specific learning disability (as defined in section 602 of such Act) related to reading;

''(ee) are deficient in their phonemic awareness, phonics skills, vocabulary development, oral reading fluency, or comprehension strategies; or

''(ff) are identified as having limited English proficiency.

''(iii) Procuring classroom instructional materials based on scientifically based reading research.

''(iv) Providing professional development for teachers of grades kindergarten through 3, and special education teachers of grades kindergarten through 12, that—

''(I) will prepare these teachers in all of the essential components of reading instruction;

''(II) shall include—

''(aa) information, instructional materials, programs, strategies, and approaches based on scientifically based reading research, including early intervention and classroom reading materials and remedial programs and approaches; and

''(bb) instruction in the use of rigorous diagnostic reading and screening assessment tools and other procedures that effectively identify students who may be at risk for reading failure or who are having difficulty reading;

''(III) shall be provided by eligible professional development providers; and

''(IV) will assist teachers in becoming fully qualified in accordance with the requirements of section 1119.

''(B) OPTIONAL USES.—Subject to paragraph (8), a local educational agency that receives a subgrant under this subsection may use the funds provided under the subgrant to carry out the following activities:

''(i) Providing training to parents and other individuals who volunteer to be reading tutors in the essential components of reading instruction.

''(ii) Providing family literacy services, especially to parents enrolled in participating schools, through the use of library materials and reading programs, strategies, and approaches that are based on scientifically based reading research, to encourage reading and support their children's reading development.

''(8) LOCAL PLANNING AND ADMINISTRATION.—A local educational agency that receives a subgrant under this subsection may use not more than 2 percent of the funds provided under the subgrant for planning and administration.

''(d) OTHER STATE USES OF FUNDS.—

''(1) PROFESSIONAL DEVELOPMENT.—

''(A) IN GENERAL.—A State that receives a grant under this section may expend not more than 15 percent of the amount of the funds provided under the grant—

''(i) to develop and implement a program of in-service professional development for teachers of kindergarten through third grade, and special education teachers of grades kindergarten through 12, that—

''(I) will prepare these teachers in all of the essential components of reading instruction;

''(II) shall include—

''(aa) information on interventions, instructional materials, programs, and approaches based on scientifically based reading research, including early intervention and reading remediation materials, programs, and approaches; and

''(bb) instruction in the use of rigorous diagnostic reading and screening assessment tools and other procedures to improve instruction and effectively identify students who may be at risk for reading failure or who are having difficulty reading; and

''(III) shall be provided by eligible professional development providers;

''(ii) to strengthen and enhance professional development courses for students preparing, at all public institutions of higher education in the State, to teach kindergarten through third grades by—

''(I) reviewing such courses to determine whether their content is consistent with the findings of the most current scientifically based reading research, including findings on the essential components of reading instruction;

''(II) following up such reviews with recommendations to ensure that such institu-

tions offer courses that meet the highest standards; and

''(III) preparing a report on the results of such reviews, submitting it to the reading and literacy partnership for the State established under section 1204(d), and making it available for public review via the Internet; and

''(iii) to make recommendations on how the State's licensure and certification standards in the area of reading might be improved.

''(B) FUNDS NOT USED FOR PROFESSIONAL DEVELOPMENT.—Any portion of the funds described in subparagraph (A) that a State does not expend in accordance with such subparagraph shall be expended for the purpose of making subgrants in accordance with subsection (c).

''(2) OTHER STATE-LEVEL ACTIVITIES.—A State that receives a grant under this section may expend not more than 3 percent of the amount of the funds provided under the grant for one or more of the following authorized State activities:

''(A) Assisting local educational agencies in accomplishing the tasks required to design and implement a classroom reading program under this subpart, including—

''(i) selecting and implementing a program or programs of classroom reading instruction based on scientifically based reading research;

''(ii) selecting rigorous diagnostic reading and screening assessment tools; and

''(iii) identifying eligible professional development providers to help prepare reading teachers to teach students using the programs and assessments described in clauses (i) and (ii);

''(B) Providing to students in kindergarten through third grades, through appropriate providers, reading instruction that includes—

''(i) rigorous diagnostic reading and screening assessment tools; and

''(ii) as need is indicated by such assessments, instruction based on scientifically based reading research that includes the essential components of reading instruction.

''(3) PLANNING, ADMINISTRATION, AND REPORTING.—

''(A) IN GENERAL.—A State that receives a grant under this section shall expend not more than 2 percent of the amount of the funds provided under the grant for the activities described in this paragraph.

''(B) PLANNING AND ADMINISTRATION.—A State that receives a grant under this section may expend funds described in subparagraph (A) for—

''(i) planning and administration relating to the State uses of funds authorized under this subpart, including administering the distribution of competitive subgrants to local educational agencies under this section and section 1205; and

''(ii) assessing and evaluating, on a regular basis, local educational agency activities assisted under this subpart, with respect to whether they have been effective in increasing the number of children in first and second grades served under this subpart who can read at or above grade level.

''(C) ANNUAL REPORTING.—

''(i) IN GENERAL.—A State that receives a grant under this section shall expend funds provided under the grant to provide the Secretary annually with a report on the implementation of this subpart. The report shall include evidence that the State is fulfilling its obligations under this subpart. The report shall include a specific identification of those schools and local educational agencies that report the largest gains in reading achievement.

''(ii) PRIVACY PROTECTION.—Data in the report shall be set forth in a manner that protects the privacy of individuals.

''(iii) CONTRACT.—To the extent practicable, a State shall enter into a contract with an entity that conducts scientifically based reading research, under which contract the entity will produce the reports required to be submitted under this subparagraph.

"SEC. 1204. STATE FORMULA GRANT APPLICATIONS.

''(a) IN GENERAL.—A State that desires to receive a grant under section 1203 shall submit an application to the Secretary at such time and in such form as the Secretary may require. The application shall contain the information described in subsection (b).

''(b) CONTENTS.—An application under this section shall contain the following:

''(1) An assurance that the Governor of the State, in consultation with the State educational agency, has established a reading and literacy partnership described in subsection (d), and a description of how such partnership—

''(A) coordinated the development of the application; and

''(B) will assist in the oversight and evaluation of the State's activities under this subpart.

''(2) An assurance that the State will submit to the Secretary, at such time and in such manner as the Secretary may reasonably require, a State plan containing a description of a process—

''(A) to evaluate programs carried out by local educational agencies under this subpart;

''(B) to assist local educational agencies in identifying rigorous diagnostic reading and screening assessment tools; and

''(C) to assist local educational agencies in identifying interventions, and instructional materials, programs and approaches, based on scientifically based reading research, including early intervention and classroom reading materials and remedial programs and approaches.

''(3) An assurance that the State, and local educational agencies in the State, will participate in all national evaluations under this subpart.

''(c) APPROVAL OF APPLICATIONS.—

''(1) IN GENERAL.—The Secretary, in consultation with the peer review panel convened under paragraph (2), shall approve an application of a State under this section if such application meets the requirements of this section.

''(2) PEER REVIEW.—

''(A) IN GENERAL.—The Secretary, in consultation with the National Institute for Literacy, shall convene a panel to evaluate applications under this section. At a minimum, the panel shall include—

''(i) three individuals selected by the Secretary;

''(ii) three individuals selected by the National Institute for Literacy;

''(iii) three individuals selected by the National Research Council of the National Academy of Sciences; and

''(iv) three individuals selected by the National Institute of Child Health and Human Development.

''(B) EXPERTS.—The panel shall include experts who are competent, by virtue of their training, expertise, or experience, to evaluate applications under this section, and experts who provide professional development to teachers of reading to children and adults, and experts who provide professional development to other instructional staff, based on scientifically based reading research.

''(C) RECOMMENDATIONS.—The panel shall recommend grant applications from States under this section to the Secretary for funding or for disapproval.

''(d) READING AND LITERACY PARTNERSHIPS.—

''(1) IN GENERAL.—In order for a State to receive a grant under section 1203, the Governor of the State, in consultation with the State educational agency, shall establish a reading and literacy partnership.

''(2) REQUIRED PARTICIPANTS.—The reading and literacy partnership shall include the following participants:

''(A) The Governor of the State.

''(B) The chief State school officer.

''(C) The chairman and the ranking member of each committee of the State legislature that is responsible for education policy.

''(D) A representative, selected jointly by the Governor and the chief State school officer, of at least one local educational agency that is eligible to receive a subgrant under section 1203.

''(E) A representative, selected jointly by the Governor and the chief State school officer, of a community-based organization working with children to improve their reading skills, particularly a community-based organization using tutors and scientifically based reading research.

''(F) State directors of appropriate Federal or State programs with a strong reading component.

''(G) A parent of a public or private school student or a parent who educates their child or children in their home, selected jointly by the Governor and the chief State school officer.

''(H) A teacher, who may be a special education teacher, who successfully teaches reading and an instructional staff member, selected jointly by the Governor and the chief State school officer.

''(I) A family literacy service provider selected jointly by the Governor and the chief state school officer.

''(3) OPTIONAL PARTICIPANTS.—The reading and literacy partnership may include additional participants, who shall be selected jointly by the Governor and the chief State school officer, and who may include a representative of—

''(A) an institution of higher education operating a program of teacher preparation based on scientifically based reading research in the State;

''(B) a local educational agency;

''(C) a private nonprofit or for-profit eligible professional development provider providing instruction based on scientifically based reading research;

''(D) an adult education provider;

''(E) a volunteer organization that is involved in reading programs; or

''(F) a school library or a public library that offers reading or literacy programs for children or families.

"SEC. 1205. DISCRETIONARY GRANTS TO STATES.

''(a) IN GENERAL.—In the case of a State that, in accordance with sections 1203 and 1204, has received approval of an application for a 5-year formula grant, the Secretary may make additional 2-year discretionary grants to the State for the use specified in (d). For each fiscal year, the funds provided under the discretionary grant shall equal the allotment determined for the State under subsection (b).

''(b) DETERMINATION OF AMOUNT OF ALLOTMENTS.—From the total amount made available under section 1002(b)(1) to carry out this subpart for a fiscal year and not reserved under paragraph (1), the Secretary, upon the recommendation of the peer review panel convened under section 1204(c)(2), shall allot 20 percent under this section among the States described in subsection (a)—

''(1) for fiscal years 2002 and 2003, based upon a determination of such States' relative likelihood of effectively implementing a program under this subpart; and

''(2) for fiscal year 2004 and subsequent fiscal years, based upon such States' applications under subsection (c).

''(c) STATE DISCRETIONARY GRANT APPLICATIONS.—

''(1) IN GENERAL.—A State that desires to receive a grant under this section for a grant period that includes any fiscal year after fiscal year 2003 shall submit the information described in paragraph (3) to the Secretary at such time and in such form as the Secretary may require.

''(2) PEER REVIEW.—The peer review panel convened under section 1204(c)(2) shall review the information submitted under this subsection. The panel shall recommend such applications to the Secretary for funding or for disapproval.

''(3) INFORMATION.—The information described in this paragraph is the following:

''(A) An assurance that the State will award competitive subgrants to local educational agencies consistent with subsection (d)(4).

''(B) An assurance that the State will ensure that local educational agencies that receive a subgrant under subsection (d) use the funds provided under the subgrant in accordance with subsection (d)(5).

''(C) Evidence that the State has increased significantly the percentage of students reading at grade level or above.

''(D) Evidence that the State has been successful in increasing the percentage of students in ethnic, racial, and low-income populations who are reading at grade level or above.

''(E) Any additional evidence that demonstrates success in the implementation of this subpart.

''(d) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—The Secretary may make a grant to a State under this section only if the State agrees to expend 100 percent of the amount of the funds provided under the grant for the purpose of making competitive subgrants in accordance with this subsection to local educational agencies.

''(2) NOTICE.—A State receiving a grant under this section shall provide notice to all local educational agencies in the State of the availability of competitive subgrants under this subsection and of the requirements for applying for the subgrants.

''(3) APPLICATION.—To be eligible to receive a subgrant under this subsection, a local educational agency shall submit an application to the State at such time, in such manner, and containing such information as the State may reasonably require.

''(4) DISTRIBUTION.—

''(A) IN GENERAL.—A State shall distribute subgrants under this section through a competitive process based on relative need and the evidence described in this paragraph.

''(B) EVIDENCE USED IN ALL YEARS.—For all fiscal years, a State shall distribute subgrants under this section based on evidence that a local educational agency—

''(i) satisfies the requirements of section 1203(c)(4);

''(ii) will carry out its obligations under this subpart, particularly paragraph (5); and

''(iii) will work with other local educational agencies in the State that have not received a subgrant under this subsection to assist such non-receiving agencies in increasing the reading achievement of students.

''(C) EVIDENCE USED IN FISCAL YEARS AFTER 2003.—For fiscal year 2004 and subsequent fiscal years, a State shall distribute subgrants under this section based on the evidence described in subparagraph (B) and, in addition, evidence that a local educational agency—

''(i) has significantly increased the percentage of all students reading at grade level or above;

''(ii) has significantly increased the percentage of students in ethnic, racial, and low-income populations who are reading at grade level or above; and

''(iii) has demonstrated success in the implementation of this subpart.

''(5) LOCAL USES OF FUNDS.—A local educational agency that receives a subgrant under this subsection—

''(A) shall use the funds provided under the subgrant to carry out the activities described in section 1203(c)(7)(A); and

''(B) may use such funds to carry out the activities described in section 1203(c)(7)(B).

''(e) DEFINITION.—For purposes of this section, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"SEC. 1206. EXTERNAL EVALUATION.

''(a) IN GENERAL.—From funds reserved under section 1203(b)(1)(C), the Secretary shall contract with an independent outside organization for a 5-year, rigorous, scientifically valid, quantitative evaluation of this subpart.

''(b) PROCESS.—Such evaluation shall be conducted by an organization outside of the Department that is capable of designing and carrying out an independent evaluation that identifies the effects of specific activities carried out by States and local educational agencies under this subpart on improving reading instruction. Such evaluation shall use only data relating to students served under this subpart and shall take into account factors influencing student performance that are not controlled by teachers or education administrators.

''(c) ANALYSIS.—Such evaluation shall include the following:

''(1) An analysis of the relationship between each of the essential components of reading instruction and overall reading proficiency.

''(2) An analysis of whether assessment tools used by States and local educational agencies measure the essential components of reading instruction.

''(3) An analysis of how State reading standards correlate with the essential components of reading instruction.

''(4) An analysis of whether the receipt of a discretionary grant under section 1205 results in an increase in the number of children who read proficiently.

''(5) A measurement of the extent to which specific instructional materials improve reading proficiency.

''(6) A measurement of the extent to which specific rigorous diagnostic reading and screening assessment tools assist teachers in identifying specific reading deficiencies.

''(7) A measurement of the extent to which professional development programs implemented by States using funds received under this subpart improve reading instruction.

''(8) A measurement of how well students preparing to enter the teaching profession are prepared to teach the essential components of reading instruction.

''(9) An analysis of changes in students' interest in reading and time spent reading outside of school.

''(10) Any other analysis or measurement pertinent to this subpart that is determined to be appropriate by the Secretary.

''(d) PROGRAM IMPROVEMENT.—The findings of the evaluation conducted under this section shall be provided to States and local educational agencies on a periodic basis for use in program improvement.

"SEC. 1207. NATIONAL ACTIVITIES.

''From funds reserved under section 1203(b)(1)(D), the Secretary may provide technical assistance in achieving the purposes of this subpart to States, local educational agencies, and schools requesting such assistance.

"SEC. 1208. INFORMATION DISSEMINATION.

''(a) IN GENERAL.—From funds reserved under section 1203(b)(1)(E), the National Institute for Literacy, in collaboration with the Secretary of Education, the Secretary of Health and Human Services, and the Director of the National Institute for Child Health and Human Development—

''(1) shall disseminate information on scientifically based reading research pertaining to children, youth, and adults;

''(2) shall identify and disseminate information about schools, local educational agencies, and States that effectively developed and implemented classroom reading programs that meet the requirements of this subpart, including those effective States, local educational agencies, and schools identified through the evaluation and peer review provisions of this subpart; and

''(3) shall support the continued identification and dissemination of information on reading programs that contain the essential components of reading instruction as supported by scientifically based reading research, that can lead to improved reading outcomes for children, youth, and adults.

''(b) DISSEMINATION.—

''(1) IN GENERAL.—At a minimum, the National Institute for Literacy shall disseminate such information to—

''(A) recipients of Federal financial assistance under part A of this title, part A of title III, the Head Start Act, the Individuals with Disabilities Education Act, and the Adult Education and Family Literacy Act; and

''(B) each Bureau funded school (as defined in section 1141(3) of the Education Amendments of 1978).

''(2) USE OF EXISTING NETWORKS.—In carrying out this section, the National Institute for Literacy shall, to the extent practicable, utilize existing information and dissemination networks developed and maintained through other public and private entities.

"SEC. 1209. DEFINITIONS.

''For purposes of this subpart:

''(1) ELIGIBLE PROFESSIONAL DEVELOPMENT PROVIDER.—The term 'eligible professional development provider' means a provider of professional development in reading instruction to teachers, including special education teachers, that is based on scientifically based reading research.

''(2) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term 'essential components of reading instruction' means explicit and systematic instruction in—

''(A) phonemic awareness;

''(B) phonics;

''(C) vocabulary development;

''(D) oral reading fluency; and

''(E) reading comprehension strategies.

''(3) INSTRUCTIONAL STAFF.—The term 'instructional staff'—

''(A) means individuals who have responsibility for teaching children to read; and

''(B) includes principals, teachers, supervisors of instruction, librarians, library school media specialists, teachers of academic subjects other than reading, and other individuals who have responsibility for assisting children to learn to read.

''(4) READING.—The term 'reading' means a complex system of deriving meaning from print that requires all of the following:

''(A) The skills and knowledge to understand how phonemes, or speech sounds, are connected to print.

''(B) The ability to decode unfamiliar words.

''(C) The ability to read fluently.

''(D) Sufficient background information and vocabulary to foster reading comprehension.

''(E) The development of appropriate active strategies to construct meaning from print.

''(F) The development and maintenance of a motivation to read.

''(5) RIGOROUS DIAGNOSTIC READING AND SCREENING ASSESSMENT TOOLS.—The term

'rigorous diagnostic reading and screening assessment tools' means assessments that—

''(A) are valid, reliable, and based on scientifically based reading research;

''(B) measure progress in developing phonemic awareness and phonics skills, vocabulary, reading fluency, and reading comprehension;

''(C) identify students who may be at risk for reading failure or who are having difficulty reading; and

''(D) are used to improve instruction.

''(6) SCIENTIFICALLY BASED READING RESEARCH.—The term 'scientifically based reading research'—

''(A) means the application of rigorous, systematic, and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties; and

''(B) shall include research that—

''(i) employs systematic, empirical methods that draw on observation or experiment;

''(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

''(iii) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and

''(iv) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

"Subpart 2—Early Reading First

"SEC. 1221. PURPOSES.

''The purposes of this subpart are as follows:

''(1) To improve prereading skills in children aged 3 through 5, particularly children from low-income families, in high-quality oral language and literature-rich environments.

''(2) To provide professional development for early childhood teachers that prepares them with scientific research-based knowledge of early reading development to assist in developing the children's—

''(A) automatic recognition of the letters of the alphabet and letter sounds;

''(B) understanding that spoken words are made up of small segments of speech sounds and that certain letters regularly represent such speech sounds;

''(C) spoken vocabulary and oral comprehension abilities; and

''(D) understanding of semiotic concepts.

''(3) To use scientific research-based screening tools or other appropriate measures to determine whether preschool children are developing the skills identified in this section.

''(4) To identify and provide scientific research-based prereading language and literacy activities and instructional materials that can be used to assist in the development of prereading skills in children.

''(5) To integrate such scientific research-based instructional materials and literacy activities with existing programs of preschools, child care agencies and programs, and Head Start centers, and with family literacy services.

"SEC. 1222. LOCAL EARLY READING FIRST GRANTS.

''(a) PROGRAM AUTHORIZED.—From amounts appropriated under section 1002(b)(2), the Secretary shall make awards, on a competitive basis and for periods of not more than 5 years, to eligible applicants to enable such applicants to carry out activities that are consistent with the purposes of this subpart.

''(b) DEFINITION OF ELIGIBLE APPLICANT.—In this subpart, the term 'eligible applicant' means—

''(1) a local educational agency;

''(2) one or more public or private organizations or agencies, acting on behalf of one or more programs that serve children aged 3 through 5 (such as a program at a child care agency or program or Head Start center or a family literacy program), which organizations or agencies shall be located in a community served by a local educational agency; or

''(3) one or more local educational agencies in collaboration with one or more organizations or agencies described in paragraph (2).

''(c) APPLICATIONS.—An eligible applicant that desires to receive a grant under this subpart shall submit an application to the Secretary, which shall include a description of—

''(1) the programs to be served by the proposed project, including general demographic and socioeconomic information on the communities in which the proposed project will be administered;

''(2) how the proposed project will enhance the school readiness of children aged 3 through 5 in high-quality oral language and literature-rich environments;

''(3) how the proposed project will provide early childhood teachers with scientific research-based knowledge of early reading development and assist such teachers in developing the children's prereading skills;

''(4) how the proposed project will provide services and utilize instructional materials that are based on scientifically based reading research on early language acquisition, prereading activities, and the development of spoken vocabulary skills;

''(5) how the proposed project will integrate such instructional materials and literacy activities with existing preschool programs and family literacy services;

''(6) how the proposed project will help staff in the programs to meet the diverse needs of children in the community, including children with limited English proficiency and children with learning disabilities;

''(7) how the proposed project will help children, particularly children experiencing difficulty with spoken language, prereading, and early reading skills, to make the transition from preschool to formal classroom instruction in school;

''(8) how the activities conducted under this subpart will be coordinated with the eligible applicant's activities under subpart 1, if the applicant has received a subgrant under such subpart, at the kindergarten through third grade levels;

''(9) how the proposed project will evaluate the success of the activities supported under this subpart in enhancing the early language and reading development of children served by the project; and

''(10) such other information as the Secretary may require.

''(d) APPROVAL OF LOCAL APPLICATIONS.—The Secretary shall select applicants for funding under this subpart based on the quality of the applications and the recommendations of the peer review panel convened under section 1204(c)(2).

''(e) LOCAL USES OF FUNDS.—

''(1) REQUIRED ACTIVITIES.—An eligible applicant that receives a grant under this subpart shall use the funds provided under the grant to carry out the following activities:

''(A) Providing children aged 3 through 5 with high-quality oral language and literature-rich environments in which to acquire prereading skills.

''(B) Providing professional development for early childhood teachers that prepares them with scientific research-based knowledge of early reading development to assist in developing the children's—

''(i) automatic recognition of the letters of the alphabet and letter sounds;

''(ii) understanding that spoken words are made up of small segments of speech sounds and that certain letters regularly represent such speech sounds;

''(iii) spoken vocabulary and oral comprehension abilities; and

''(iv) understanding of semiotic concepts.

''(C) Identifying and providing scientific research-based prereading language and literacy activities and instructional materials for use in developing the children's—

''(i) automatic recognition of the letters of the alphabet;

''(ii) understanding that spoken words are made up of small segments of speech sounds and that certain letters regularly represent such speech sounds;

''(iii) spoken vocabulary and oral comprehension abilities; and

''(iv) understanding of semiotic concepts.

''(2) OPTIONAL ACTIVITIES.—An eligible applicant that receives a grant under this subpart may use the funds provided under the grant to carry out the following activities:

''(A) Using scientific research-based screening tools or other appropriate measures to determine whether preschool children are developing the skills identified in this subsection.

''(B) Integrating such instructional materials and literacy activities with programs of existing child care agencies or programs, preschools, and Head Start centers, and with family literacy services.

''(f) AWARD AMOUNTS.—The Secretary may establish a maximum award amount, or ranges of award amounts, for grants under this subpart.

"SEC. 1223. FEDERAL ADMINISTRATION.

''The Secretary shall consult with the Secretary of Health and Human Services in order to coordinate the activities undertaken under this subpart with programs under the Head Start Act (42 U.S.C. 9831 et seq.).

"SEC. 1224. REPORTING REQUIREMENTS.

''Each eligible applicant receiving a grant under this subpart shall report annually to the Secretary regarding the eligible applicant's progress in addressing the purposes of this subpart, including information on—

''(1) the research-based instruction, materials, and activities being used in the programs funded under the grant;

''(2) the types of programs funded under the grant and the ages of children served by such programs;

''(3) the qualifications of the program staff who provide early literacy instruction under such programs and the type of ongoing professional development provided to such staff; and

''(4) the curricula, materials, and activities used by the programs funded under the grant to support children's reading development.

"SEC. 1225. EVALUATION.

''From the total amount made available under section 1002(b)(2) for the period beginning October 1, 2002, and ending September 30, 2006, the Secretary shall reserve not more than $1,000,000 to conduct an independent evaluation of the effectiveness of this subpart.

"SEC. 1226. ADDITIONAL RESEARCH.

''From the amount made available under section 1002(b)(2) for each of the fiscal years 2002 through 2006, the Secretary shall reserve not more than $3,000,000 to conduct, in consultation with the National Institute for Child Health and Human Development, the National Institute for Literacy, and the Department of Health and Human Services, additional research on language and literacy development for children aged 3 through 5.''.

SEC. 112. AMENDMENTS TO EVEN START.

Part B of title I (20 U.S.C. 6361 et seq.), as amended by section 111, is further amended—

(1) by inserting before section 1231 (as so redesignated by section 111) the following:

"Subpart 3—William F. Goodling Even Start Family Literacy Programs";

(2) in each of sections 1231 through 1242 (as so redesignated by section 111)—

(A) by striking ''this part'' each place such term appears and inserting ''this subpart''; and

(B) by striking ''1002(b)'' each place such term appears and inserting ''1002(b)(3)'';

(3) in section 1231(4), by striking ''2252)'' and inserting ''1209)'';

(4) in section 1232—

(A) in subsection (b)—

(i) in paragraph (1)(A), by striking ''1209;'' and inserting ''1239;''; and

(ii) in paragraph (2), by striking ''1211(b)'' each place such term appears and inserting ''1241(b)''; and

(B) in subsection (c)—

(i) by amending paragraph (2)(C) to read as follows:

''(C) COORDINATION WITH SUBPART 1.—The consortium shall coordinate its activities with the activities of the reading and literacy partnership for the State established under section 1204(d), if the State receives a grant under section 1203.''; and

(ii) in paragraph (3), by striking ''2252).'' and inserting ''1209).'';

(5) in section 1233—

(A) by striking ''1202(d)(1)'' each place such term appears and inserting ''1232(d)(1)''; and

(B) by striking ''1210.'' and inserting ''1240.'';

(6) in section 1234—

(A) in subsection (b)—

(i) in paragraph (1)(A), by moving the margins of clauses (v) and (vi) 2 ems to the right; and

(ii) in paragraph (3), by striking ''1202(a)(1)(C)'' and inserting ''1232(a)(1)(C)''; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) by striking ''1203(a),'' and inserting ''1233(a),''; and

(II) by striking ''1203(b)'' and inserting ''1233(b)''; and

(ii) in paragraph (2), by striking ''1210.'' and inserting ''1240.'';

(7) in section 1235—

(A) in paragraph (10), by striking ''2252)'' and inserting ''1209)'';

(B) in paragraph (12), by striking ''2252),'' and inserting ''1209),''; and

(C) in paragraph (15), by striking ''program.'' and inserting ''program to be used for program improvement.'';

(8) in section 1237—

(A) in subsection (c)(1)—

(i) in subparagraph (B), by striking ''1205;'' and inserting ''1235;''; and

(ii) in subparagraph (F), by striking ''14306;'' and inserting ''8306;''; and

(B) in subsection (d), by striking ''14302.'' and inserting ''8302.'';

(9) in section 1238—

(A) in subsection (a)(1)—

(i) in subparagraph (A)(ii), by striking ''1205;'' and inserting ''1235;''; and

(ii) in subparagraph (F), by striking ''1204(b);'' and inserting ''1234(b);''; and

(B) in subsection (b)—

(i) in paragraph (3)—

(I) by striking ''1207(c)(1)(A)'' and inserting ''1237(c)(1)(A)''; and

(II) by striking ''1210.'' and inserting ''1240.'';

(ii) in paragraph (4), by striking ''1210,'' and inserting ''1240,''; and

(iii) in paragraph (5)(B), by striking ''1204(b).'' and inserting ''1234(b).'';

(10) in section 1239—

(A) by striking ''1202(b)(1),'' and inserting ''1232(b)(1),''; and

(B) by striking ''1205(10)'' and inserting ''1235(10)''; and

(11) in section 1241—

(A) in subsection (b)(1)—

(i) by striking ''1202(b)(2),'' and inserting ''1232(b)(2),''; and

(ii) by striking ''2252);'' and inserting ''1209);''; and

(B) in subsection (c), by striking ''2258,'' and inserting ''1208,''.

SEC. 113. INEXPENSIVE BOOK DISTRIBUTION PROGRAM.

(a) TRANSFER AND REDESIGNATION.—Part E of title X (20 U.S.C. 8131) is transferred and redesignated as subpart 4 of part B of title I. Section 10501 is redesignated as section 1251.

(b) PURPOSE.—Section 1251 (as so redesignated) is amended—

(1) by striking subsection (e);

(2) by redesignating subsection (d) as subsection (g);

(3) by redesignating subsections (a) through (c) as subsections (b) through (d), respectively; and

(4) by inserting before subsection (b) (as so redesignated) the following:

''(a) PURPOSE.—The purpose of this program is to establish and implement a model partnership between a governmental entity and a private entity, to help prepare young children for reading, and motivate older children to read, through the distribution of inexpensive books. Local reading motivation programs assisted under this section shall use such assistance to provide books, training for volunteers, motivational activities, and other essential literacy resources, and shall assign the highest priority to serving the youngest and neediest children in the United States.''.

(c) AUTHORIZATION.—Section 1251(b) (as so redesignated) is amended by striking ''books to students, that motivate children to read.'' and inserting ''books to young and school-aged children that motivate them to read.''.

(d) REQUIREMENTS OF CONTRACT.—Section 1251(c) (as so redesignated) is amended—

(1) in the matter preceding paragraph (1), by striking ''subsection (a)'' and inserting ''subsection (b)''; and

(2) in paragraph (4), by inserting ''training and'' before ''technical''.

(e) SPECIAL RULES FOR CERTAIN SUBCONTRACTORS; MULTI-YEAR CONTRACTS.—Section 1251 (as so redesignated) is amended by inserting after subsection (d) the following:

''(e) SPECIAL RULES FOR CERTAIN SUBCONTRACTORS.—

''(1) FUNDS FROM OTHER FEDERAL SOURCES.—Subcontractors operating programs under this section in low-income communities with a substantial number or percentage of children with special needs, as described in subsection (c)(3), may use funds from other Federal sources to pay the non-Federal share of the cost of the program, if those funds do not comprise more than 50 percent of the non-Federal share of the funds used for the cost of acquiring and distributing books.

''(2) WAIVER AUTHORITY.—Notwithstanding subsection (c), the contractor may waive, in whole or in part, the requirement in subsection (c)(1) for a subcontractor, if the subcontractor demonstrates that it would otherwise not be able to participate in the program, and enters into an agreement with the contractor with respect to the amount of the non-Federal share to which the waiver will apply. In a case in which such a waiver is granted, the requirement in subsection (c)(2) shall not apply.

''(f) MULTI-YEAR CONTRACTS.—The contractor may enter into a multi-year subcontract under this section, if—

''(1) the contractor believes that such subcontract will provide the subcontractor with additional leverage in seeking local commitments; and

''(2) the subcontract does not undermine the finances of the national program.''.

(f) CONTINUATION OF AWARDS.—Notwithstanding any other provision of this Act, any person or agency that was awarded a contract under part E of title X (20 U.S.C. 8131) prior to the date of the enactment of this Act shall continue to receive funds in accordance with the terms of such contract until the date on which the contract period terminates under such terms.

PART C—EDUCATION OF MIGRATORY CHILDREN

SEC. 121. STATE ALLOCATIONS.

Section 1303 (20 U.S.C. 6393) is amended—

(1) by amending subsection (a) to read as follows:

''(a) STATE ALLOCATIONS.—

''(1) FISCAL YEAR 2002.—For fiscal year 2002, each State (other than the Commonwealth of Puerto Rico) is entitled to receive under this part an amount equal to—

''(A) the sum of the estimated number of migratory children aged three through 21 who reside in the State full time and the full-time equivalent of the estimated number of migratory children aged three through 21 who reside in the State part time, as determined in accordance with subsection (d); multiplied by

''(B) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this paragraph shall not be less than 32 percent, nor more than 48 percent, of the average expenditure per pupil in the United States.

''(2) SUBSEQUENT YEARS.—

''(A) BASE AMOUNT.—

''(i) IN GENERAL.—Except as provided in subsection (b) and clause (ii), each State (other than the Commonwealth of Puerto Rico) is entitled to receive under this part, for fiscal year 2003 and succeeding fiscal years, an amount equal to—

''(I) the amount that such State received under this part for fiscal year 2002; plus

''(II) the amount allocated to the State under subparagraph (B).

''(ii) NONPARTICIPATING STATES.—In the case of a State (other than the Commonwealth of Puerto Rico) that did not receive any funds for fiscal year 2002 under this part, the State shall receive, for fiscal year 2003 and succeeding fiscal years, an amount equal to—

''(I) the amount that such State would have received under this part for fiscal year 2002 if its application under section 1304 for the year had been approved; plus

''(II) the amount allocated to the State under subparagraph (B).

''(B) ALLOCATION OF ADDITIONAL AMOUNT.—For fiscal year 2003 and succeeding fiscal years, the amount (if any) by which the funds appropriated to carry out this part for the year exceed such funds for fiscal year 2002 shall be allocated to a State (other than the Commonwealth of Puerto Rico) so that the State receives an amount equal to—

''(i) the sum of—

''(I) the number of identified eligible migratory children, aged 3 through 21, residing in the State during the previous year; and

''(II) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intersession programs provided by the State during such year; multiplied by

''(ii) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this clause may not be less than 32 percent, or more than 48 percent, of the average per-pupil expenditure in the United States.'';

(2) by amending subsection (b) to read as follows:

''(b) ALLOCATION TO PUERTO RICO.—

''(1) IN GENERAL.—For each fiscal year, the grant which the Commonwealth of Puerto Rico shall be eligible to receive under this

part shall be the amount determined by multiplying the number of children counted under subsection (a)(1)(A) for the Commonwealth of Puerto Rico by the product of—

''(A) the percentage which the average per pupil expenditure in the Commonwealth of Puerto Rico is of the lowest average per pupil expenditure of any of the 50 States; and

''(B) 32 percent of the average per pupil expenditure in the United States.

''(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than—

''(A) for fiscal year 2002, 77.5 percent;

''(B) for fiscal year 2003, 80.0 percent;

''(C) for fiscal year 2004, 82.5 percent; and

''(D) for fiscal year 2005 and succeeding fiscal years, 85.0 percent.

''(3) LIMITATION.—If the application of paragraph (2) would result in any of the 50 States or the District of Columbia receiving less under this part than it received under this part for the preceding fiscal year, the percentage in paragraph (1) shall be the greater of the percentage in paragraph (1)(A) or the percentage used for the preceding fiscal year.''; and

(3) by striking subsection (d) and redesignating subsection (e) as subsection (d).

SEC. 122. STATE APPLICATIONS; SERVICES.

(a) PROGRAM INFORMATION.—Section 1304(b) (20 U.S.C. 6394(b)) is amended—

(1) in paragraph (1), by striking ''addressed through'' and all that follows through the semicolon at the end and inserting the following:

''addressed through—

''(A) the full range of services that are available for migratory children from appropriate local, State, and Federal educational programs;

''(B) joint planning among local, State, and Federal educational programs serving migrant children, including programs under part A of title III;

''(C) the integration of services available under this part with services provided by those other programs; and

''(D) measurable program goals and outcomes;''; and

(2) in paragraph (5), by striking ''the requirements of paragraph (1);'' and inserting ''the numbers and needs of migratory children, the requirements of subsection (d), and the availability of funds from other Federal, State, and local programs;''.

(b) ASSURANCES.—Section 1304(c) (20 U.S.C. 6394(c)) is amended—

(1) in paragraph (1), by striking ''1306(b)(1);'' and inserting ''1306(a);'';

(2) in paragraph (2), by striking ''part F;'' and inserting ''part H;''

(3) in paragraph (3)—

(A) by striking ''appropriate'';

(B) by striking ''out, to the extent feasible,'' and inserting ''out''; and

(C) by striking ''1118;'' and inserting ''1118, unless extraordinary circumstances make implementation consistent with such section impractical;''; and

(4) in paragraph (7), by striking ''section 1303(e)'' and inserting ''paragraphs (1)(A) and (2)(B)(i) of section 1303(a)''.

SEC. 123. AUTHORIZED ACTIVITIES.

Section 1306 (20 U.S.C. 6396) is amended to read as follows:

"SEC. 1306. AUTHORIZED ACTIVITIES.

''(a) IN GENERAL.—

''(1) FLEXIBILITY.—Each State educational agency, through its local educational agencies, shall have the flexibility to determine the activities to be provided with funds made available under this part, except that such funds shall first be used to meet the identified needs of migratory children that result from their migratory lifestyle, and to permit these children to participate effectively in school.

''(2) UNADDRESSED NEEDS.—Funds provided under this part shall be used to address the needs of migratory children that are not addressed by services available from other Federal or non-Federal programs, except that migratory children who are eligible to receive services under part A of this title may receive those services through funds provided under that part, or through funds under this part that remain after the agency addresses the needs described in paragraph (1).

''(b) CONSTRUCTION.—Nothing in this part shall be construed to prohibit a local educational agency from serving migratory children simultaneously with students with similar educational needs in the same educational settings, where appropriate.

''(c) SPECIAL RULE.—Notwithstanding section 1114, a school that receives funds under this part shall continue to address the identified needs described in subsection (a)(1).''.

SEC. 124. COORDINATION OF MIGRANT EDUCATION ACTIVITIES.

(a) DURATION.—Section 1308(a)(2) (20 U.S.C. 6398(a)(2)) is amended by striking ''subpart'' and inserting ''subsection''.

(b) STUDENT RECORDS.—Section 1308(b) (20 U.S.C. 6398(b)) is amended to read as follows:

''(b) STUDENT RECORDS.—

''(1) ASSISTANCE.—The Secretary shall assist States in developing effective methods for the transfer of student records and in determining the number of migratory children in each State. The Secretary, in consultation with the States, shall determine the minimum data elements that each State receiving funds under this part shall collect and maintain. The Secretary shall assist States to implement a system of linking their student record transfer systems for the purpose of electronic records maintenance and transfer for migrant students.

''(2) NO COST FOR CERTAIN TRANSFERS.—A State educational agency or local educational agency receiving assistance under this part shall make student records available to another State or local educational agency that requests the records at no cost to the requesting agency, if the request is made in order to meet the needs of a migratory child.''.

(c) AVAILABILITY OF FUNDS.—Section 1308(c) (20 U.S.C. 6398(c)) is amended by striking ''$6,000,000'' and inserting ''$10,000,000''.

(d) INCENTIVE GRANTS.—Section 1308(d) (20 U.S.C. 6398(d)) is amended to read as follows:

''(d) INCENTIVE GRANTS.—From the amounts made available to carry out this section for any fiscal year, the Secretary may reserve not more than $3,000,000 to award grants of not more than $250,000 on a competitive basis to State educational agencies that propose a consortium arrangement with another State or other appropriate entity that the Secretary determines, pursuant to criteria that the Secretary shall establish, will improve the delivery of services to migratory children whose education is interrupted.''.

PART D—NEGLECTED OR DELINQUENT YOUTH

SEC. 131. NEGLECTED OR DELINQUENT YOUTH.

The heading for part D of title I is amended to read as follows:

"PART D—PREVENTION AND INTERVENTION PROGRAMS FOR NEGLECTED OR DELINQUENT CHILDREN AND YOUTH".

SEC. 132. FINDINGS.

Section 1401(a) (20 U.S.C. 6421(a)) is amended by striking paragraphs (6) through (9) and inserting the following:

''(6) Youth returning from correctional facilities need to be involved in programs that provide them with high-level skills and other support to help them stay in school and complete their education.

''(7) Pregnant and parenting teenagers are a high-at-risk group for dropping out of school and should be targeted by dropout prevention programs.''.

SEC. 133. ALLOCATION OF FUNDS.

Section 1412(b) (20 U.S.C. 6432(b)) is amended to read as follows:

''(b) SUBGRANTS TO STATE AGENCIES IN PUERTO RICO.—

''(1) IN GENERAL.—For each fiscal year, the amount of the subgrant which a State agency in the Commonwealth of Puerto Rico shall be eligible to receive under this part shall be the amount determined by multiplying the number of children counted under subparagraph (a)(1)(A) for the Commonwealth of Puerto Rico by the product of—

''(A) the percentage which the average per-pupil expenditure in the Commonwealth of Puerto Rico is of the lowest average per-pupil expenditure of any of the 50 States; and

''(B) 32 percent of the average per-pupil expenditure in the United States.

''(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than—

''(A) for fiscal year 2002, 77.5 percent;

''(B) for fiscal year 2003, 80.0 percent;

''(C) for fiscal year 2004, 82.5 percent; and

''(D) for fiscal year 2005 and succeeding fiscal years, 85.0 percent.

''(3) LIMITATION.—If the application of paragraph (2) would result in any of the 50 States or the District of Columbia receiving less under this part than it received under this part for the preceding fiscal year, the percentage in paragraph (1) shall be the greater of the percentage in paragraph (1)(A) or the percentage used for the preceding fiscal year.''.

SEC. 134. STATE PLAN AND STATE AGENCY APPLICATIONS.

Section 1414 (20 U.S.C. 6434) is amended to read as follows:

"SEC. 1414. STATE PLAN AND STATE AGENCY APPLICATIONS.

''(a) STATE PLAN.—

''(1) IN GENERAL.—Each State educational agency that desires to receive a grant under this part shall submit, for approval by the Secretary, a plan for meeting the educational needs of neglected and delinquent youth, for assisting in their transition from institutions to locally operated programs, and which is integrated with other programs under this Act or other Acts, as appropriate, consistent with section 8306.

''(2) CONTENTS.—Each such State plan shall—

''(A) describe the program goals, objectives, and performance measures established by the State that will be used to assess the effectiveness of the program in improving academic and vocational and technical skills of children in the program;

''(B) provide that, to the extent feasible, such children will have the same opportunities to learn as such children would have if such children were in the schools of local educational agencies in the State; and

''(C) contain assurances that the State educational agency will—

''(i) ensure that programs assisted under this part will be carried out in accordance with the State plan described in this subsection;

''(ii) carry out the evaluation requirements of section 1416;

''(iii) ensure that the State agencies receiving subgrants under this subpart comply with all applicable statutory and regulatory requirements; and

''(iv) provide such other information as the Secretary may reasonably require.

''(3) DURATION OF THE PLAN.—Each such State plan shall—

''(A) remain in effect for the duration of the State's participation under this part; and

''(B) be periodically reviewed and revised by the State, as necessary, to reflect changes in the State's strategies and programs under this part.

''(b) SECRETARIAL APPROVAL AND PEER REVIEW.—

''(1) SECRETARIAL APPROVAL.—The Secretary shall approve each State plan that meets the requirements of this part.

''(2) PEER REVIEW.—The Secretary may review any State plan with the assistance and advice of individuals with relevant expertise.

''(c) STATE AGENCY APPLICATIONS.—Any State agency that desires to receive funds to carry out a program under this part shall submit an application to the State educational agency that—

''(1) describes the procedures to be used, consistent with the State plan under section 1111, to assess the educational needs of the children to be served;

''(2) provides assurances that in making services available to youth in adult correctional facilities, priority will be given to such youth who are likely to complete incarceration within a 2-year period;

''(3) describes the program, including a budget for the first year of the program, with annual updates to be provided to the State educational agency;

''(4) describes how the program will meet the goals and objectives of the State plan under this subpart;

''(5) describes how the State agency will consult with experts and provide the necessary training for appropriate staff, to ensure that the planning and operation of institution-wide projects under section 1416 are of high quality;

''(6) describes how the agency will carry out the evaluation requirements of section 8651 and how the results of the most recent evaluation are used to plan and improve the program;

''(7) includes data showing that the agency has maintained fiscal effort required of a local educational agency, in accordance with section 8501;

''(8) describes how the programs will be coordinated with other appropriate State and Federal programs, such as job training programs, vocational and technical education programs, State and local dropout prevention programs, and special education programs;

''(9) describes how States will encourage correctional facilities receiving funds under this subpart to coordinate with local educational agencies or alternative education programs attended by incarcerated youth prior to their incarceration to ensure that student assessments and appropriate academic records are shared jointly between the correctional facility and the local educational agency or alternative education program;

''(10) describes how appropriate professional development will be provided to teachers and other staff;

''(11) designates an individual in each affected institution to be responsible for issues relating to the transition of children and youth from the institution to locally operated programs;

''(12) describes how the agency will endeavor to coordinate with businesses for training and mentoring for participating youth;

''(13) provides assurances that the agency will assist in locating alternative programs through which students can continue their education if students are not returning to school after leaving the correctional facility;

''(14) provides assurances that the agency will work with parents to secure parents' assistance in improving the educational achievement of their children and preventing their children's further involvement in delinquent activities;

''(15) provides assurances that the agency works with special education youth in order to meet an existing individualized education program and an assurance that the agency will notify the youth's local school if such youth—

''(A) is identified as in need of special education services while the youth is in the facility; and

''(B) intends to return to the local school;

''(16) provides assurances that the agency will work with youth who dropped out of school before entering the facility to encourage the youth to reenter school once the term of incarceration has been completed or provide the youth with the skills necessary to gain employment, continue the education of the youth, or achieve a secondary school diploma or the recognized equivalent if the youth does not intend to return to school;

''(17) provides assurances that teachers and other qualified staff are also trained to work with children with disabilities and other students with special needs, taking into consideration the unique needs of such students;

''(18) describes any additional services to be provided to youth, such as career counseling, distance learning, and assistance in securing student loans and grants; and

''(19) provides assurances that the program under this subpart will be coordinated with any programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) or other comparable programs, if applicable.''.

SEC. 135. USE OF FUNDS.

Section 1415(a) (20 U.S.C. 6435(a)) is amended—

(1) in paragraph (1)(B), by inserting '', vocational and technical training'' after ''secondary school completion'';

(2) in paragraph (2)(B)—

(A) in clause (i), by inserting ''and'' after the semicolon;

(B) in clause (ii), by striking ''; and'' and inserting a semicolon; and

(C) by striking clause (iii);

(3) in paragraph (2)(C), by striking ''part F of this title'' and inserting ''part H''; and

(4) in paragraph (2)(D), by striking ''section 14701'' and inserting ''section 8651''.

SEC. 136. TRANSITION SERVICES.

Section 1418(a) (20 U.S.C. 6438(a)) is amended by striking ''10 percent'' and inserting ''15 percent''.

SEC. 137. PURPOSE.

Section 1421(3) (20 U.S.C. 6451(3)) is amended to read as follows:

''(3) operate programs in local schools for youth returning from correctional facilities and programs which may also serve youth at risk of dropping out of school.''.

SEC. 138. PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES.

Section 1422 (20 U.S.C. 6452) is amended—

(1) in subsection (a), by striking ''retained'';

(2) by amending subsection (b) to read as follows:

''(b) SPECIAL RULE.—A local educational agency which includes a correctional facility that operates a school is not required to operate a program of support for children returning from such school to a school not operated by a correctional agency but served by such local educational agency if more than 30 percent of the youth attending the school operated by the correctional facility will reside outside the boundaries of the local educational agency after leaving such facility.''; and

(3) by adding at the end the following:

''(d) TRANSITIONAL AND ACADEMIC SERVICES.—Transitional and supportive programs operated in local educational agencies under this subpart shall be designed primarily to meet the transitional and academic needs of students returning to local educational agencies or alternative education programs from correctional facilities. Services to students at risk of dropping out of school shall not have a negative impact on meeting the transitional and academic needs of the students returning from correctional facilities.''.

SEC. 139. LOCAL EDUCATIONAL AGENCY APPLICATIONS.

Section 1423 (20 U.S.C. 6453) is amended by striking paragraphs (4) through (9) and inserting the following:

''(4) a description of the program operated by participating schools for children returning from correctional facilities and the types of services that such schools will provide such youth and other at-risk youth;

''(5) a description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the youth who will be returning from correctional facilities and, as appropriate, other at-risk youth expected to be served by the program and how the school will coordinate existing educational programs to meet the unique educational needs of such youth;

''(6) as appropriate, a description of how schools will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities, students at risk of dropping out of school, and other participating students, including prenatal health care and nutrition services related to the health of the parent and child, parenting and child development classes, child care, targeted reentry and outreach programs, referrals to community resources, and scheduling flexibility;

''(7) as appropriate, a description of any partnerships with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring services for participating students;

''(8) as appropriate, a description of how programs will involve parents in efforts to improve the educational achievement of their children, prevent the involvement of their children in delinquent activities, and encourage their children to remain in school and complete their education;

''(9) a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as job training programs and vocational and technical education programs serving this at-risk population of youth;''.

SEC. 140. USES OF FUNDS.

Section 1424 (20 U.S.C. 6454) is amended by striking paragraphs (1) through (3) and inserting the following:

''(1) programs that serve youth returning from correctional facilities to local schools, to assist in the transition of such youth to the school environment and help them remain in school in order to complete their education;

''(2) providing assistance to other youth at risk of dropping out of school, including pregnant and parenting teenagers;

''(3) the coordination of social, health, and other services, including day care, for participating youth, if the provision of such services will improve the likelihood that such youth will complete their education;

''(4) special programs to meet the unique academic needs of participating youth, including vocational and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and assistance in securing student loans or grants for postsecondary education; and

''(5) programs providing mentoring and peer mediation.''.

SEC. 141. PROGRAM REQUIREMENTS.

Section 1425 (20 U.S.C. 6455) is amended—

(1) in the section heading, by striking ''this section'' and inserting ''**this subpart**'';

(2) in the matter preceding paragraph (1), by striking ''this section'' and inserting ''this subpart'';

(3) in paragraph (1), by striking ''where feasible, ensure educational programs'' and inserting ''to the extent practicable, ensure that educational programs'';

(4) in paragraphs (3) and (8), by striking ''where feasible,'' and inserting ''to the extent practicable,'';

(5) in paragraph (9)—

(A) by striking ''this program'' and inserting ''this subpart'';

(B) by inserting ''and technical'' after ''vocational''; and

(C) by striking ''title I of the Workforce Investment Act of 1998'' and inserting ''other job training programs'';

(6) in paragraph (10), by inserting ''(42 U.S.C. 5601 et seq.)'' after ''Juvenile Justice and Delinquency Prevention Act of 1974''; and

(7) by amending paragraph (11) to read as follows:

''(11) if appropriate, work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for youth.''.

SEC. 142. PROGRAM EVALUATIONS.

Section 1431(a) (20 U.S.C. 6471(a)) is amended by striking ''sex, and if feasible,'' and inserting ''gender,''.

PART E—FEDERAL EVALUATIONS AND DEMONSTRATIONS

SEC. 151. EVALUATIONS.

Section 1501 (20 U.S.C. 6491) is amended to read as follows:

''SEC. 1501. EVALUATIONS.

''(a) NATIONAL ASSESSMENT.—

''(1) IN GENERAL.—In accordance with this section, the Secretary shall conduct a national assessment of programs assisted under this title.

''(2) ISSUES TO BE EXAMINED.—In conducting the assessment under this subsection, the Secretary shall examine—

''(A) the implementation of programs assisted under this title and the impact of such implementation on increasing student academic achievement, particularly schools with high concentrations of children living in poverty;

''(B) the implementation of State standards, assessments, and accountability systems developed under this title and the impact of such implementation on educational programs and instruction at the local level;

''(C) the impact of schoolwide programs and targeted assistance programs under this title on improving student academic achievement;

''(D) the extent to which varying models of comprehensive school reform are funded under this title, and the effect of the implementation of such models on improving achievement of disadvantaged students;

''(E) the costs as compared to the benefits of the activities assisted under this title;

''(F) the impact of school choice options under section 1116 on the academic achievement of disadvantaged students, on schools in school improvement, and on schools from which students have transferred under such options;

''(G) the extent to which actions authorized under section 1116 of this title are employed by State and local educational agencies to improve the academic achievement of students in low-performing schools, and the effectiveness of the implementation of such actions;

''(H) the extent to which technical assistance made available under this title is used to improve the achievement of students in low-performing schools, and the impact of such assistance on such achievement;

''(I) the extent to which State and local fiscal accounting requirements under this title limit the flexibility of schoolwide programs;

''(J) the impact of the professional development activities assisted under this title on instruction and student performance;

''(K) the extent to which the assistance made available under this title is targeted to disadvantaged students and schools that need them the most;

''(L) the effectiveness of Federal administration assistance made available under this title, including monitoring and technical assistance; and

''(M) such other issues as the Secretary considers appropriate.

''(3) SOURCES OF INFORMATION.—In conducting the assessment under this subsection, the Secretary shall use information from a variety of sources, including the National Assessment of Educational Progress (carried out under section 411 of the National Education Statistics Act of 1994 (20 U.S.C. 9010)), state evaluations, and other research studies.

''(4) COORDINATION.—In carrying out this subsection, the Secretary shall—

''(A) coordinate conducting the national assessment with conducting the longitudinal study described in subsection (c); and

''(B) ensure that the independent review panel described in subsection (d) participates in conducting the national assessment, including planning for and reviewing the assessment.

''(5) REPORTS.—

''(A) INTERIM REPORT.—Not later than 3 years after the date of enactment of the Leave No Child Behind Act of 2001, the Secretary shall transmit to the President and the Congress an interim report on the national assessment conducted under this subsection.

''(B) FINAL REPORT.—Not later than 4 years after the date of enactment of the Leave No Child Behind Act of 2001, the Secretary shall transmit to the President and the Congress a final report on the national assessment conducted under this subsection.

''(b) STUDIES AND DATA COLLECTION.—

''(1) IN GENERAL.—In addition to other activities described in this section, the Secretary may, directly or through the making of grants to or contracts with appropriate entities—

''(A) conduct studies and evaluations of the need for, and effectiveness of, each program authorized under this title;

''(B) collect the data necessary to comply with the Government Performance and Results Act of 1993; and

''(C) provide guidance and technical assistance to State educational agencies and local educational agencies in developing and maintaining management information systems through which such agencies can develop program performance indicators in order to improve services and performance.

''(2) MINIMUM INFORMATION.—Under this subsection, the Secretary shall collect, at a minimum, trend information on the effect of each program authorized under this title, which shall complement the data collected and reported under subsections (a) and (c).

''(c) NATIONAL LONGITUDINAL STUDY.—

''(1) IN GENERAL.—The Secretary shall conduct a longitudinal study of schools receiving assistance under this title.

''(2) ISSUES TO BE EXAMINED.—In carrying out this subsection, the Secretary shall ensure that the study referred to in paragraph (1) provides the Congress and educators with each of the following:

''(A) An accurate description and analysis of short-term and long-term effectiveness of the assistance made available under this title upon academic performance.

''(B) Information that can be used to improve the effectiveness of the assistance made available under this title in enabling students to meet challenging achievement standards.

''(C) An analysis of educational practices or model programs that are effective in improving the achievement of disadvantaged children.

''(D) An analysis of the costs as compared to the benefits of the assistance made available under this title in improving the achievement of disadvantaged children.

''(E) An analysis of the effects of the availability of school choice options under section 1116 on the academic achievement of disadvantaged students, on schools in school improvement, and on schools from which students have transferred under such options.

''(F) Such other information as the Secretary considers appropriate.

''(3) SCOPE.—In conducting the study referred to in paragraph (1), the Secretary shall ensure that the study—

''(A) bases its analysis on a nationally representative sample of schools participating in programs under this part;

''(B) to the extent practicable, includes in its analysis students who transfer to different schools during the course of the study; and

''(C) analyzes varying models or strategies for delivering school services, including—

''(i) schoolwide and targeted services; and

''(ii) comprehensive school reform models.

''(d) INDEPENDENT REVIEW PANEL.—

''(1) IN GENERAL.—The Secretary shall establish an independent review panel (in this subsection referred to as the 'Review Panel') to advise the Secretary on methodological and other issues that arise in carrying out subsections (a) and (c).

''(2) APPOINTMENT OF MEMBERS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall appoint members of the Review Panel from among qualified individuals who are—

''(i) specialists in statistics, evaluation, research, and assessment;

''(ii) education practitioners, including teachers, principals, and local and State superintendents; and

''(iii) other individuals with technical expertise who would contribute to the overall rigor and quality of the program evaluation.

''(B) LIMITATIONS.—In appointing members of the Review Panel under this subparagraph (A), the Secretary shall ensure that—

''(i) in order to ensure diversity, a majority of the number of individuals appointed under subparagraph (A)(i) represent disciplines or programs outside the field of education; and

''(ii) the total number of the individuals appointed under subparagraph (A)(ii) or (A)(iii) does not exceed ⅓ of the total number of the individuals appointed under this paragraph.

''(3) FUNCTIONS.—The Review Panel shall consult with and advise the Secretary—

''(A) to ensure that the assessment conducted under subsection (a) and the study conducted under subsection (c)—

''(i) adhere to the highest possible standards of quality with respect to research design, statistical analysis, and the dissemination of findings; and

''(ii) use valid and reliable measures to document program implementation and impacts; and

''(B) to ensure—

''(i) that the final report described in subsection (a)(5)(B) is reviewed not later than 120 days after its completion by not less than two independent experts in program evaluation;

''(ii) that such experts evaluate and comment on the degree to which the report complies with subsection (a); and

''(iii) that the comments of such experts are transmitted with the report under subsection (a)(5)(B).''.

SEC. 152. DEMONSTRATIONS OF INNOVATIVE PRACTICES.

(a) IN GENERAL.—Section 1502 (20 U.S.C. 6492) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by striking in subsection (a) ''(2) EVALUATION.—The Secretary'' and inserting ''(b) EVALUATION.—The Secretary'' and by moving such subsection (b) 2 ems to the left;

(3) by striking in subsection (a) ''Such projects shall include promising'' and all that follows through ''career guidance opportunities.'';

(4) by striking ''student performance standards'' and inserting ''student achievement standards'';

(5) by inserting ''academic'' after ''to meet challenging State''; and

(6) by striking ''(a) DEMONSTRATION PROGRAMS'' and all that follows through ''IN GENERAL.—From the'' and inserting ''(a) IN GENERAL.—From the''.

SEC. 153. ELLENDER-CLOSE UP FELLOWSHIP PROGRAM; DROPOUT REPORTING.

(a) IN GENERAL.—Part E of title I (20 U.S.C. 6491 et seq.) is further amended by adding at the end the following:

''SEC. 1503. ELLENDER-CLOSE UP FELLOWSHIP PROGRAM.

''(a) FINDINGS.—Congress finds the following:

''(1) It is a worthwhile goal to ensure that all students in America are prepared for responsible citizenship and that all students should have the opportunity to be involved in activities that promote and demonstrate good citizenship.

''(2) It is a worthwhile goal to ensure that America's educators have access to programs for the continued improvement of their professional skills.

''(3) Allen J. Ellender, a Senator from Louisiana and President pro tempore of the United States Senate, had a distinguished career in public service characterized by extraordinary energy and real concern for young people. Senator Ellender provided valuable support and encouragement to the Close Up Foundation, a nonpartisan, nonprofit foundation promoting knowledge and understanding of the Federal Government among young people and educators. Therefore, it is a fitting and appropriate tribute to Senator Ellender to provide fellowships in his name to students of limited economic means and the teachers who work with such students, so that such students and teachers may participate in the programs supported by the Close Up Foundation.

''(4) The Close Up Foundation is a nonpartisan, nonprofit, education foundation promoting civic responsibility and knowledge and understanding of the Federal Government among young people and educators. The Congress has consistently supported the Close Up Foundation's work with disadvantaged young people and their educators through the Allen J. Ellender Fellowship Program. Therefore, it is fitting and appropriate to continue support under the successor Ellender-Close Up Fellowship Program to students of limited economic means and the teachers who work with such students, so that such students and teachers may participate in the programs supported by the Close Up Foundation.

''(b) PROGRAM FOR MIDDLE AND SECONDARY SCHOOL STUDENTS.—

''(1) ESTABLISHMENT.—

''(A) GENERAL AUTHORITY.—In accordance with this subsection, the Secretary may make grants to the Close Up Foundation of Washington, District of Columbia, a nonpartisan, nonprofit foundation, for the purpose of assisting the Close Up Foundation in carrying out its programs of increasing civic responsibility and understanding of the Federal Government among middle and secondary school students.

''(B) USE OF FUNDS.—Grants under this subsection shall be used only to provide financial assistance to economically disadvantaged students who participate in the program described in subparagraph (A). Financial assistance received pursuant to this subsection by such students shall be known as Ellender-Close Up fellowships.

''(2) APPLICATIONS.—

''(A) APPLICATION REQUIRED.—No grant under this subsection may be made except upon an application at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(B) CONTENTS OF APPLICATION.—Each application submitted under this paragraph shall contain provisions to assure—

''(i) that fellowship grants are made to economically disadvantaged middle and secondary school students;

''(ii) that every effort will be made to ensure the participation of students from rural and small town areas, as well as from urban areas, and that in awarding fellowships to economically disadvantaged students, special consideration will be given to the participation of students with special educational needs, including students with disabilities, ethnic minority students, recent immigrants, and gifted and talented students; and

''(iii) the proper disbursement of the funds received under this subsection.

''(c) PROGRAM FOR MIDDLE AND SECONDARY SCHOOL TEACHERS.—

''(1) ESTABLISHMENT.—

''(A) GENERAL AUTHORITY.—In accordance with this subsection, the Secretary may make grants to the Close Up Foundation of Washington, District of Columbia, a nonpartisan, nonprofit foundation, for the purpose of assisting the Close Up Foundation in carrying out its programs of professional development for middle and secondary school teachers and to promote greater civic understanding and responsibility among the students of such teachers.

''(B) USE OF FUNDS.—Grants under this subsection shall be used only for financial assistance to teachers who participate in the program described in subparagraph (A). Financial assistance received pursuant to this subpart by such individuals shall be known as Ellender-Close Up fellowships.

''(2) APPLICATIONS.—

''(A) APPLICATION REQUIRED.—No grant under this subsection may be made except upon an application at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(B) CONTENTS OF APPLICATION.—Each application submitted under this paragraph shall contain provisions to assure—

''(i) that fellowship grants are made only to teachers who have worked with at least one student from such teacher's school who participates in the programs described in subsection (b);

''(ii) that no teacher in each school participating in the programs assisted under subsection (b) may receive more than one fellowship in any fiscal year; and

''(iii) the proper disbursement of the funds received under this subsection.

''(d) PROGRAMS FOR RECENT IMMIGRANTS AND STUDENTS OF MIGRANT PARENTS.—

''(1) ESTABLISHMENT.—

''(A) GENERAL AUTHORITY.—In accordance with this subsection, the Secretary may make grants to the Close Up Foundation of Washington, District of Columbia, a nonpartisan, nonprofit foundation, for the purpose of assisting the Close Up Foundation in carrying out its programs of increasing understanding of the Federal Government among economically disadvantaged recent immigrants and students of migrant parents.

''(B) USE OF FUNDS.—Grants under this subsection shall be used for financial assistance to economically disadvantaged older Americans, recent immigrants and students of migrant parents who participate in the program described in subsection (a). Financial assistance received pursuant to this subpart by such individuals shall be known as Ellender-Close Up fellowships.

''(2) APPLICATIONS.—

''(A) APPLICATION REQUIRED.—No grant under this subsection may be made except upon application at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(B) CONTENTS OF APPLICATION.—Each application submitted under this paragraph shall contain provisions—

''(i) to assure that fellowship grants are made to economically disadvantaged recent immigrants and students of migrant parents;

''(ii) to assure that every effort will be made to ensure the participation of recent immigrants and students of migrant parents from rural and small town areas, as well as from urban areas, and that in awarding fellowships, special consideration will be given to the participation of recent immigrants and students of migrant parents with special needs, including individuals with disabilities, ethnic minorities, and gifted and talented students;

''(iii) that fully describe the activities to be carried out with the proceeds of the grant; and

''(iv) to assure the proper disbursement of the funds received under this subsection.

''(e) GENERAL PROVISIONS.—

''(1) ADMINISTRATIVE PROVISIONS.—

''(A) GENERAL RULE.—Payments under this section may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of underpayment or overpayment.

''(B) AUDIT RULE.—The Comptroller General of the United States or any of the Comptroller General's duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to any grant under this section.

''(f) LIMITATION.—Of the funds appropriated to carry out this section under section 1002, the Secretary may use not more than 30 percent to carry out subsection (c) of this section.

''SEC. 1504. DROPOUT REPORTING.

''State educational agencies receiving funds under this title shall annually report to the National Center on Education Statistics (established under section 403 of the National Education Statistics Act of 1994 (20 U.S.C. 9002)) on the dropout rate of students in the State, as defined for the Center's Common Core of Data.''.

(b) CONTINUATION OF AWARDS.—Notwithstanding any other provision of this Act, any person or agency that was awarded a grant under part G of title X (20 U.S.C. 8161 et seq.) prior to the date of the enactment of this Act shall continue to receive funds in accordance with the terms of such award until the date on which the award period terminates under such terms.

PART F—COMPREHENSIVE SCHOOL REFORM

SEC. 161. SCHOOL REFORM.

Part F of title I is amended to read as follows:

''PART F—COMPREHENSIVE SCHOOL REFORM

''SEC. 1601. COMPREHENSIVE SCHOOL REFORM.

''(a) FINDINGS AND PURPOSE.—

''(1) FINDINGS.—Congress finds the following:

''(A) A number of schools across the country have shown impressive gains in student performance through the use of comprehensive models for schoolwide change that incorporate virtually all aspects of school operations.

''(B) No single comprehensive school reform model may be suitable for every school, however, schools should be encouraged to examine successful, externally developed comprehensive school reform approaches as they undertake comprehensive school reform.

''(C) Comprehensive school reform is an important means by which children are assisted in meeting challenging State student academic achievement standards.

''(2) PURPOSE.—The purpose of this section is to provide financial incentives for schools to develop comprehensive school reforms, based upon scientifically-based research and effective practices that include an emphasis on basic academics and parental involvement so that all children can meet challenging State content and academic achievement standards.

''(b) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary is authorized to provide grants to State educational agencies to provide subgrants to local educational agencies to carry out the purpose described in subsection (a)(2).

''(2) ALLOCATION.—

''(A) RESERVATION.—Of the amount appropriated under this section, the Secretary may reserve—

''(i) not more than 1 percent for schools supported by the Bureau of Indian Affairs and in the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands;

''(ii) not more than 1 percent to conduct national evaluation activities described under subsection (e); and

''(iii) not more than 2 percent of the amount appropriated in fiscal year 2002 to carry out this part, for quality initiatives described under subsection (f).

''(B) IN GENERAL.—Of the amount of funds remaining after the reservation under subparagraph (A), the Secretary shall allocate to each State for a fiscal year, an amount that bears the same ratio to the remainder for that fiscal year as the amount made available under section 1124 to the State for the preceding fiscal year bears to the total amount allocated under section 1124 to all States for that year.

''(C) REALLOCATION.—If a State does not apply for funds under this section, the Secretary shall reallocate such funds to other States that do apply in proportion to the amount allocated to such States under subparagraph (B).

''(c) STATE AWARDS.—

''(1) STATE APPLICATION.—

''(A) IN GENERAL.—Each State educational agency that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner and containing such other information as the Secretary may reasonably require.

''(B) CONTENTS.—Each State application shall also describe—

''(i) the process and selection criteria by which the State educational agency, using expert review, will select local educational agencies to receive subgrants under this section;

''(ii) how the agency will ensure that funds under this part are used only for comprehensive school reform programs that—

''(I) include each of the components described in subsection (d)(2);

''(II) have the capacity to improve the academic achievement of all students in core academic subjects within participating schools; and

''(III) are supported by technical assistance providers that have a successful track record, financial stability, and the capacity to deliver high-quality materials and professional development for school personnel.

''(iii) how the agency will disseminate materials regarding information on comprehensive school reforms that are based on scientifically-based research and effective practices;

''(iv) how the agency will evaluate annually the implementation of such reforms and measure the extent to which the reforms resulted in increased student academic performance; and

''(v) how the agency will provide, technical assistance to the local educational agency or consortia of local educational agencies, and to participating schools, in evaluating, developing, and implementing comprehensive school reform.

''(2) USES OF FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (E), a State educational agency that receives an award under this section shall use such funds to provide competitive grants to local educational agencies or consortia of local educational agencies in the State receiving funds under part A to support comprehensive school reforms in schools eligible for funds under such part.

''(B) GRANT REQUIREMENTS.—A grant to a local educational agency or consortium shall be—

''(i) of sufficient size and scope to support the initial costs of the comprehensive school reforms selected or designed by each school identified in the application of the local educational agency or consortium;

''(ii) in an amount not less than $50,000 to each participating school; and

''(iii) renewable for two additional 1-year periods after the initial 1-year grant is made if schools are making substantial progress in the implementation of their reforms.

''(C) PRIORITY.—The State, in awarding grants under this paragraph, shall give priority to local educational agencies that—

''(i) plan to use the funds in schools identified as being in need of improvement or corrective action under section 1116(c); or

''(ii) demonstrate a commitment to assist schools with budget allocation, professional development, and other strategies necessary to ensure the comprehensive school reforms are properly implemented and are sustained in the future.

''(D) GRANT CONSIDERATION.—In making subgrant awards under this part, the State educational agency shall take into account the equitable distribution of awards to different geographic regions within the State, including urban and rural areas, and to schools serving elementary and secondary students.

''(E) ADMINISTRATIVE COSTS.—A State educational agency that receives a grant award under this section may reserve not more than 5 percent of such award for administrative, evaluation, and technical assistance expenses.

''(F) SUPPLEMENT.—Funds made available under this section shall be used to supplement, not supplant, any other Federal, State, or local funds that would otherwise be available to carry out this section.

''(3) REPORTING.—Each State educational agency that receives an award under this section shall provide to the Secretary such information as the Secretary may require, including the names of local educational agencies and schools selected to receive subgrant awards under this section, the amount of such award, a description of the comprehensive school reforms selected and in use and a copy of the State's annual evaluation of the implementation of comprehensive school reforms supported under this part and student achievement results.

''(d) LOCAL AWARDS.—

''(1) IN GENERAL.—Each local educational agency or consortium that applies for a subgrant under this section shall—

''(A) identify which schools eligible for funds under part A plan to implement a comprehensive school reform program, including the projected costs of such a program;

''(B) describe the comprehensive school reforms based on scientifically-based research and effective practices that such schools will implement;

''(C) describe how the agency or consortium will provide technical assistance and support for the effective implementation of the school reforms based on scientifically-based research and effective practices selected by such schools; and

''(D) describe how the agency or consortium will evaluate the implementation of such reforms and measure the results achieved in improving student academic performance.

''(2) COMPONENTS OF THE PROGRAM.—A local educational agency that receives a subgrant award under this section shall provide such funds to schools that implement a comprehensive school reform program that—

''(A) employs proven strategies and proven methods for student learning, teaching, and school management that are based on scientifically-based research and effective practices and have been replicated successfully in similar schools;

''(B) integrates a comprehensive design for effective school functioning, including instruction, assessment, classroom management, professional development, parental involvement, and school management, that aligns the school's curriculum, technology, and professional development into a comprehensive reform plan for schoolwide change designed to enable all students to meet challenging State content and challenging student performance standards and addresses needs identified through a school needs assessment;

''(C) provides high-quality and continuous teacher and staff professional development;

''(D) includes measurable goals for student performance and benchmarks for meeting such goals;

''(E) is supported by teachers, principals, administrators, and other professional staff;

''(F) provides for the meaningful involvement of parents and the local community in planning and implementing school improvement activities;

''(G) uses high quality external technical support and assistance from an entity, which may be an institution of higher education, with experience and expertise in schoolwide reform and improvement;

''(H) includes a plan for the annual evaluation of the implementation of school reforms and the student results achieved;

''(I) identifies how other resources, including Federal, State, local, and private resources, available to the school will be used to coordinate services to support and sustain the school reform effort; and

''(J)(i) has been found, through rigorous field experiments in multiple sites, to significantly improve the academic performance of students participating in such activity or program as compared to similar students in similar schools, who have not participated in such activity or program; or

''(ii) has been found to have strong evidence that such model will significantly improve the performance of participating children.

''(3) SPECIAL RULE.—A school that receives funds to develop a comprehensive school reform program shall not be limited to using nationally available approaches, but may develop its own comprehensive school reform program for schoolwide change that complies with paragraph (2).

''(e) EVALUATION AND REPORT.—

''(1) IN GENERAL.—The Secretary shall develop a plan for a national evaluation of the programs developed pursuant to this section.

''(2) EVALUATION.—This national evaluation shall evaluate the implementation and results achieved by schools after 3 years of implementing comprehensive school reforms, and assess the effectiveness of comprehensive school reforms in schools with diverse characteristics.

''(3) REPORTS.—Prior to the completion of a national evaluation, the Secretary shall submit an interim report outlining first year implementation activities to the Committees on Education and the Workforce and Appropriations of the House of Representatives and the Committees on Health, Education, Labor, and Pensions and Appropriations of the Senate.

''(f) QUALITY INITIATIVES.—The Secretary, through grants or contracts, shall provide funds for the following activities:

''(1) TECHNICAL ASSISTANCE.—A joint public and private partnership that receives matching funds from private organizations, in order to assist States, local educational agencies, and schools in making informed decisions when approving or selecting providers of comprehensive school reform, consistent with the requirements described in subsection (d)(3).

''(2) OTHER ACTIVITIES.—Other activities that—

''(A) encourage the development of comprehensive reform models;

''(B) build the capacity of comprehensive school reform providers to increase the number of schools the providers can serve; and

''(C) ensure that schools served receive high quality services that meet the needs of their teachers and students.''.

PART G—RURAL EDUCATION FLEXIBILITY AND ASSISTANCE

SEC. 171. RURAL EDUCATION.

Title I is amended by adding at the end the following new part:

"PART G—RURAL EDUCATION FLEXIBILITY AND ASSISTANCE

"SEC. 1701. SHORT TITLE.

''This part may be cited as the 'Rural Education Initiative Act'.

"SEC. 1702. FINDINGS.

''Congress finds the following:

''(1) While there are rural education initiatives identified at the State and local level, no Federal education policy focuses on the specific and unique needs of rural school districts and schools.

''(2) Small school districts often cannot use Federal grant funds distributed by formula because the formula allocation does not provide enough revenue to carry out the program the grant is intended to fund.

''(3) Rural schools often cannot compete for Federal funding distributed by competitive grants because the schools lack the personnel needed to prepare grant applications and the resources to hire specialists in the writing of Federal grant proposals.

''(4) A critical problem for rural school districts involves the hiring and retention of qualified administrators and certified teachers (especially in reading, science, and mathematics). As a result, teachers in rural schools are almost twice as likely to provide instruction in three or more subject areas than teachers in urban schools. Rural schools also face other tough challenges, such as shrinking local tax bases, high transportation costs, aging buildings, limited course offerings, and limited resources.

"Subpart 1—Rural Education Flexibility

"SEC. 1711. FORMULA GRANT PROGRAM AUTHORIZED.

''(a) ALTERNATIVE USES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, an eligible local educational agency may use the applicable funding, that the agency is eligible to receive from the State educational agency for a fiscal year, to carry out local activities authorized in part A of title I, part A of title II, part A of title III, part A of title IV, or part A or B of title V.

''(2) NOTIFICATION.—An eligible local educational agency shall notify the State educational agency of the local educational agency's intention to use the applicable funding in accordance with paragraph (1) not later than a date that is established by the State educational agency for the notification.

''(b) ELIGIBILITY.—

''(1) IN GENERAL.—A local educational agency shall be eligible to use the applicable funding in accordance with subsection (a) if—

''(A)(i) the total number of students in average daily attendance at all of the schools served by the local educational agency is less than 600; and

''(ii) all of the schools served by the local educational agency are designated with a school locale code of 7 or 8 as determined by the Secretary of Education; or

''(B) the agency meets the criteria established in subparagraph (A)(i) and the Secretary, in accordance with paragraph (2), grants the local educational agency's request to waive the criteria described in subparagraph (A)(ii).

''(2) CERTIFICATION.—The Secretary shall determine whether or not to waive the criteria described in paragraph (1)(A)(ii) based on a demonstration by a local educational agency and concurrence by the State educational agency that the local educational agency is located in an area defined as rural by a governmental agency of the State.

''(c) APPLICABLE FUNDING.—In this section, the term 'applicable funding' means funds provided under part A of title II, section 3106, part A of title IV, subpart 1 of part A of title V, and section 5212(a)(2)(A).

''(d) DISBURSEMENT.—Each State educational agency that receives applicable funding for a fiscal year shall disburse the applicable funding to local educational agencies for alternative uses under this section for the fiscal year at the same time that the State educational agency disburses the applicable funding to local educational agencies that do not intend to use the applicable funding for such alternative uses for the fiscal year.

''(e) SUPPLEMENT NOT SUPPLANT.—Funds used under this section shall be used to supplement and not supplant any other Federal, State, or local education funds that would otherwise be available for the purpose of this subpart.

''(f) APPLICABLE RULE.—Except as otherwise provided in this subpart, funds transferred under this subpart are subject to each of the rules and requirements applicable to the funds allocated by the Secretary under the provision to which the transferred funds are transferred.

"SEC. 1712. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Secretary is authorized to award grants to eligible local educational agencies under section 1711(b) to enable the local educational agencies to support local or statewide education reform efforts intended to improve the academic achievement of elementary school and secondary school students and the quality of instruction provided for the students.

''(b) ALLOCATION.—

''(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary shall award a grant to an eligible local educational agency under section 1711(b) for a fiscal year in an amount equal to the initial amount determined under paragraph (2) for the fiscal year minus the total amount received under the provisions of law described under section 1711(c) for the preceding fiscal year.

''(2) DETERMINATION OF THE INITIAL AMOUNT.—The initial amount referred to in paragraph (1) is equal to $100 multiplied by the total number of students, over 50 students, in average daily attendance in such eligible agency plus $20,000, except that the initial amount may not exceed $60,000.

''(3) RATABLE ADJUSTMENT.—

''(A) IN GENERAL.—If the amount made available for this subpart for any fiscal year is not sufficient to pay in full the amounts that local educational agencies are eligible to receive under paragraph (1) for such year, the Secretary shall ratably reduce such amounts for such year.

''(B) ADDITIONAL AMOUNTS.—If additional funds become available for making payments under paragraph (1) for such fiscal year, payments that were reduced under subparagraph (A) shall be increased on the same basis as such payments were reduced.

''(4) CENSUS DETERMINATION.—

''(A) IN GENERAL.—Each local educational agency desiring a grant under this section shall conduct a census not later than December 1 of each year to determine the number of kindergarten through grade 12 students in average daily attendance at the schools served by the local educational agency.

''(B) SUBMISSION.—Each local educational agency shall submit the number described in subparagraph (A) to the Secretary not later than March 1 of each year.

''(c) DISBURSAL.—The Secretary shall disburse the funds awarded to a local educational agency under this section for a fiscal year not later than July 1 of that year.

''(d) SPECIAL RULE.—A local educational agency that is eligible to receive a grant under this subpart for a fiscal year shall be ineligible to receive funds for such fiscal year under subpart 2.

''(e) SUPPLEMENT NOT SUPPLANT.—Funds made available under this section shall be used to supplement and not supplant any other Federal, State, or local education funds.

"SEC. 1713. ACCOUNTABILITY.

''(a) ACADEMIC ACHIEVEMENT.—

''(1) IN GENERAL.—Each local educational agency that uses or receives funds under section 1711 or 1712 for a fiscal year shall administer an assessment consistent with section 1111.

''(2) SPECIAL RULE.—Each local educational agency that uses or receives funds under section 1711 or 1712 shall use the same assessment described in paragraph (1) for each year of participation in the program under such section.

''(b) STATE EDUCATIONAL AGENCY DETERMINATION REGARDING CONTINUING PARTICIPATION.—Each State educational agency that receives funding under the provisions of law described in section 1711(c) shall—

''(1) after the second year that a local educational agency participates in a program under section 1711 or 1712 and on the basis of the results of the assessments described in subsection (a), determine whether the schools served by the local educational agency participating in the program performed in accordance with section 1111; and

''(2) only permit those local educational agencies that so participated and make adequate yearly progress, as described in section 1111(b)(2), to continue to so participate.

"Subpart 2—Rural Education Assistance

"SEC. 1721. PROGRAM AUTHORIZED.

''(a) RESERVATIONS.—From amounts appropriated under section 1002(f) for this subpart for a fiscal year, the Secretary shall reserve ½ of 1 percent to make awards to elementary or secondary schools operated or supported by the Bureau of Indian Affairs to carry out the purpose of this subpart.

''(b) GRANTS TO STATES.—

''(1) IN GENERAL.—From amounts appropriated under section 1002(f) for this subpart that are not reserved under subsection (a), the Secretary shall award grants for a fiscal year to State educational agencies that have applications approved under section 1723 to enable the State educational agencies to award subgrants to eligible local educational agencies for local authorized activities described in subsection (c)(2).

''(2) ALLOCATION.—From amounts appropriated for this subpart, the Secretary shall allocate to each State educational agency for a fiscal year an amount that bears the same ratio to the amount of funds appropriated under section 1002(f) for this subpart that are not reserved under subsection (a) as the number of students in average daily attendance served by eligible local educational agencies in the State bears to the number of all such students served by eligible local educational agencies in all States for that fiscal year.

''(3) DIRECT AWARDS TO SPECIALLY QUALIFIED AGENCIES.—

''(A) NONPARTICIPATING STATE.—If a State educational agency elects not to participate in the program under this subpart or does not have an application approved under section 1723 a specially qualified agency in such State desiring a grant under this subpart shall submit an application under such section directly to the Secretary to receive an award under this subpart.

''(B) DIRECT AWARDS TO SPECIALLY QUALIFIED AGENCIES.—The Secretary may award, on a competitive basis, the amount the State educational agency is eligible to receive under paragraph (2) directly to specially qualified agencies in the State.

''(c) LOCAL AWARDS.—

''(1) ELIGIBILITY.—A local educational agency shall be eligible to receive funds under this subpart if—

''(A) 20 percent or more of the children aged 5 to 17, inclusive, served by the local educational agency are from families with incomes below the poverty line; and

''(B) all of the schools served by the agency are designated with a school code of 6, 7, or 8 as determined by the Secretary of Education.

''(2) USES OF FUNDS.—Grant funds awarded to local educational agencies or made available to schools under this subpart shall be used for—

''(A) teacher recruitment and retention, including the use of signing bonuses and other financial incentives;

''(B) teacher professional development, including programs that train teachers to utilize technology to improve teaching and to train special needs teachers;

''(C) educational technology, including software and hardware as described in part B of title V;

''(D) parental involvement activities; or

''(E) programs to improve student academic achievement.

"SEC. 1722. STATE DISTRIBUTION OF FUNDS.

''(a) AWARD BASIS.—A State educational agency shall award grants to eligible local educational agencies—

''(1) on a competitive basis; or

''(2) according to a formula based on the number of students in average daily attendance served by the eligible local educational agencies or schools (as appropriate) in the State, as determined by the State.

''(b) ADMINISTRATIVE COSTS.—A State educational agency receiving a grant under this subpart may not use more than 5 percent of the amount of the grant for State administrative costs.

"SEC. 1723. APPLICATIONS.

''Each State educational agency and specially qualified agency desiring to receive a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Such application shall include specific measurable goals and objectives relating to increased student academic achievement, decreased student dropout rates, or such other factors that the State educational agency or specially qualified agency may choose to measure.

"SEC. 1724. REPORTS.

''(a) STATE REPORTS.—Each State educational agency that receives a grant under this subpart shall provide an annual report to the Secretary. The report shall describe—

''(1) the method the State educational agency used to award grants to eligible local educational agencies and to provide assistance to schools under this subpart;

''(2) how local educational agencies and schools used funds provided under this subpart; and

''(3) the degree to which progress has been made toward meeting the goals and objectives described in the application submitted under section 1723.

''(b) SPECIALLY QUALIFIED AGENCY REPORT.—Each specially qualified agency that receives a grant under this subpart shall provide an annual report to the Secretary. Such report shall describe—

''(1) how such agency uses funds provided under this subpart; and

''(2) the degree to which progress has been made toward meeting the goals and objectives described in the application submitted under section 1723.

''(c) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the Committee on Education and the Workforce for the House of Representatives and the Committee on Health, Education, Labor, and Pensions for the Senate an annual report. The report shall describe—

''(1) the methods the State educational agency used to award grants to eligible local educational agencies and to provide assistance to schools under this subpart;

''(2) how eligible local educational agencies and schools used funds provided under this subpart; and

''(3) progress made in meeting specific measurable educational goals and objectives.

"SEC. 1725. PERFORMANCE REVIEW.

''Three years after a State educational agency or specially qualified agency receives funds under this part, the Secretary shall review the progress of such agency toward achieving the goals and objectives included in its application, to determine whether the agency has made progress toward meeting such goals and objectives. To review the performance of each agency, the Secretary shall—

''(1) review the use of funds of such agency under section 1721(c)(2); and

''(2) deny the provision of additional funds in subsequent fiscal years to an agency only if the Secretary determines, after notice and an opportunity for a hearing, that the agency's use of funds has been inadequate to justify continuation of such funding.

"SEC. 1726. DEFINITIONS.

''In this subpart—

''(1) The term 'poverty line' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

''(2) The term 'specially qualified agency' means an eligible local educational agency, located in a State that does not participate in a program under this subpart in a fiscal year, that may apply directly to the Secretary for a grant in such year under section 1721(b)(3)(A).

"Subpart 3—General Provisions

"SEC. 1731. DEFINITION.

''In this part, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.''.

PART H—GENERAL PROVISIONS OF TITLE I

SEC. 181. GENERAL PROVISIONS.

Title I is amended further by adding at the end the following:

"PART H—GENERAL PROVISIONS

"SEC. 1801. FEDERAL REGULATIONS.

''(a) IN GENERAL.—The Secretary is authorized to issue such regulations as are necessary to ensure reasonable compliance with this title.

''(b) NEGOTIATED RULEMAKING PROCESS.—

''(1) IN GENERAL.—Prior to publishing in the Federal Register proposed regulations to carry out this title, the Secretary shall obtain the advice and recommendations of representatives of Federal, State, and local administrators, parents, teachers, paraprofessionals, and members of local boards of education involved with the implementation and operation of programs under this title.

''(2) MEETINGS AND ELECTRONIC EXCHANGE.—Such advice and recommendation may be obtained through such mechanisms as regional meetings and electronic exchanges of information.

''(3) PROPOSED REGULATIONS.—After obtaining such advice and recommendations, and prior to publishing proposed regulations, the Secretary shall—

''(A) establish a negotiated rulemaking process on a minimum of three key issues, including—

''(i) accountability;

''(ii) implementation of assessments; and

''(iii) use of paraprofessionals;

''(B) select individuals to participate in such process from among individuals or groups which provided advice and recommendations, including representation from all geographic regions of the United States; and

''(C) prepare a draft of proposed regulations that shall be provided to the individuals selected by the Secretary under subparagraph (B) not less than 15 days prior to the first meeting under such process.

''(4) PROCESS.—Such process—

''(A) shall be conducted in a timely manner to ensure that final regulations are issued by the Secretary not later than 1 year after the date of the enactment of the No Child Left Behind Act of 2001; and

''(B) shall not be subject to the Federal Advisory Committee Act but shall otherwise follow the provisions of the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561 et seq.).

''(5) EMERGENCY SITUATION.—In an emergency situation in which regulations to carry out this title must be issued within a very limited time to assist State and local educational agencies with the operation of a program under this title, the Secretary may issue proposed regulations without following such process but shall, immediately thereafter and prior to issuing final regulations, conduct regional meetings to review such proposed regulations.

''(c) LIMITATION.—Regulations to carry out this part may not require local programs to follow a particular instructional model, such as the provision of services outside the regular classroom or school program.

"SEC. 1802. AGREEMENTS AND RECORDS.

''(a) AGREEMENTS.—All published proposed regulations shall conform to agreements that result from negotiated rulemaking described in section 1801 unless the Secretary reopens the negotiated rulemaking process or provides a written explanation to the participants involved in the process explaining why the Secretary decided to depart from and not adhere to such agreements.

''(b) RECORDS.—The Secretary shall ensure that an accurate and reliable record of agreements reached during the negotiations process is maintained.

"SEC. 1803. STATE ADMINISTRATION.

''(a) RULEMAKING.—

''(1) IN GENERAL.—Each State that receives funds under this title shall—

''(A) ensure that any State rules, regulations, and policies relating to this title conform to the purposes of this title and provide any such proposed rules, regulations, and policies to the committee of practitioners under subsection (b) for their review and comment;

''(B) minimize such rules, regulations, and policies to which their local educational agencies and schools are subject;

''(C) eliminate or modify State and local fiscal accounting requirements in order to facilitate the ability of schools to consolidate funds under schoolwide programs; and

''(D) identify any such rule, regulation, or policy as a State-imposed requirement.

''(2) SUPPORT AND FACILITATION.—State rules, regulations, and policies under this title shall support and facilitate local educational agency and school-level systemic reform designed to enable all children to meet the challenging State student academic achievement standards.

''(b) COMMITTEE OF PRACTITIONERS.—

''(1) IN GENERAL.—Each State educational agency shall create a State committee of practitioners to advise the State in carrying out its responsibilities under this title.

''(2) MEMBERSHIP.—Each such committee shall include—

''(A) as a majority of its members, representatives from local educational agencies;

''(B) administrators, including the administrators of programs described in other parts of this title;

''(C) teachers, including vocational educators;

''(D) parents;

''(E) members of local boards of education;

''(F) representatives of private school children; and

''(G) pupil services personnel.

''(3) DUTIES.—The duties of such committee shall include a review, prior to publication, of any proposed or final State rule or regulation pursuant to this title. In an emergency situation where such rule or regulation must be issued within a very limited time to assist local educational agencies with the operation of the program under this title, the State educational agency may issue a regulation without prior consultation, but shall immediately thereafter convene the State committee of practitioners to review the emergency regulation prior to issuance in final form.

"SEC. 1804. LOCAL ADMINISTRATIVE COST LIMITATION.

''(a) LOCAL ADMINISTRATIVE COST LIMITATION.—Each local educational agency may use not more than 4 percent of funds received under part A for administrative expenses.

''(b) REGULATIONS.—The Secretary, after consulting with State and local officials and other experts in school finance, shall develop and issue regulations that define the term administrative cost for purposes of this title. Such definition shall be consistent with generally accepted accounting principles. The Secretary shall publish final regulations on this section not later than 1 year after the date of the enactment of the No Child Left Behind Act of 2001.

"SEC. 1805. APPLICABILITY.

''Nothing in this title shall be construed to affect home schools nor shall any home schooled student be required to participate in any assessment referenced in this title.

"SEC. 1806. PRIVATE SCHOOLS.

''Nothing in this title shall be construed to affect any private school that does not receive funds or services under this title, nor shall any student who attends a private school that does not receive funds or services under this title be required to participate in any assessment referenced in this title.

"SEC. 1807. PRIVACY OF ASSESSMENT RESULTS.

''Any results from individual assessments referenced in this title which become part of the education records of the student shall have the protections as provided in section 444 of the General Education Provisions Act.''.

TITLE II—PREPARING, TRAINING, AND RECRUITING QUALITY TEACHERS

SEC. 201. TEACHER QUALITY TRAINING AND RECRUITING FUND.

Title II (20 U.S.C. 6601 et seq.) is amended to read as follows:

"TITLE II—PREPARING, TRAINING, AND RECRUITING QUALITY TEACHERS

"PART A—TEACHER QUALITY TRAINING AND RECRUITING FUND

"SEC. 2001. PURPOSE.

''The purpose of this part is to provide grants to States and local educational agencies in order to assist their efforts to increase student academic achievement through such strategies as improving teacher and principal quality and increasing the number of highly qualified teachers in the classroom.

"Subpart 1—Grants to States to Prepare, Train, and Recruit Qualified Teachers

"SEC. 2011. FORMULA GRANTS TO STATES.

''(a) IN GENERAL.—In the case of each State that in accordance with section 2013 submits to the Secretary an application for a fiscal year, the Secretary shall make a grant for the year to the State for the uses specified in section 2012. The grant shall consist of the allotment determined for the State under subsection (b).

''(b) DETERMINATION OF AMOUNT OF ALLOTMENTS.—

''(1) RESERVATION OF FUNDS.—From the amount made available to carry out this subpart for any fiscal year, the Secretary shall reserve—

''(A) ½ of 1 percent for allotments for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among these outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purpose of this part; and

''(B) ½ of 1 percent for the Secretary of the Interior for programs under this subpart for professional development activities for teachers, other staff, and administrators in schools operated or funded by the Bureau of Indian Affairs.

''(2) STATE ALLOTMENTS.—

''(A) HOLD HARMLESS.—

''(i) IN GENERAL.—Subject to subparagraph (B), from the total amount made available to carry out this subpart for any fiscal year and not reserved under paragraph (1), the Secretary shall allot to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico an amount equal to the total amount that such State received for fiscal year 2001 under—

''(I) section 2202(b) of this Act (as in effect on the day before the date of the enactment of the No Child Left Behind Act of 2001); and

''(II) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106–554).

''(ii) NONPARTICIPATING STATES.—In the case of a State that did not receive any funds for fiscal year 2001 under one or both of the provisions referred to in subclauses (I) and (II) of clause (i), the amount allotted to the State under such clause shall be the total amount that the State would have received for fiscal year 2001 if it had elected to participate in all of the programs for which it was eligible under each of the provisions referred to in such subclauses.

''(iii) RATABLE REDUCTION.—If the total amount made available to carry out this subpart for any fiscal year and not reserved under paragraph (1) is insufficient to pay the full amounts that all States are eligible to receive under clause (i) for any fiscal year, the Secretary shall ratably reduce such amounts for such fiscal year.

''(B) ALLOTMENT OF ADDITIONAL FUNDS.—

''(i) IN GENERAL.—Subject to clause (ii), for any fiscal year for which the total amount made available to carry out this subpart and not reserved under paragraph (1) exceeds the total amount required to make allotments under subparagraph (A), the Secretary shall allot such excess amount among the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico as follows:

''(I) 50 percent of such excess amount shall be allotted among such States on the basis of their relative populations of individuals aged 5 through 17, as determined by the Secretary on the basis of the most recent satisfactory data.

''(II) 50 percent of such excess amount shall be allotted among such States in proportion to the number of children, aged 5 to 17, who reside within the State from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available, compared to the number of such individuals who reside in all such States for that fiscal year.

''(ii) EXCEPTION.—No State receiving an allotment under clause (i) may receive less than ½ of 1 percent of the total excess amount allotted under such clause.

''(3) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallot such amount to the remaining States in accordance with this subsection.

"SEC. 2012. WITHIN-STATE ALLOCATIONS.

''(a) USE OF FUNDS.—Each State receiving a grant under this subpart shall use the funds provided under the grant in accordance with this section to carry out activities for the improvement of teaching and learning.

''(b) RESERVATION OF FUNDS.—

''(1) IN GENERAL.—A State that receives a grant under this subpart may reserve not more than 5 percent of the amount of the funds provided under the grant for—

''(A) one or more of the authorized State activities described in subsection (e); and

''(B) planning and administration related to carrying out such activities and making subgrants to local educational agencies under subparts 2 and 3.

''(2) LIMITATION ON ADMINISTRATIVE COSTS.—The amount reserved by a State under paragraph (1)(B) may not exceed 1 percent of the amount of the funds provided under the grant.

''(c) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—The Secretary may make a grant to a State under this subpart only if the State agrees to distribute the funds described in this subsection as subgrants to local educational agencies under subpart 3.

''(2) HOLD HARMLESS.—

''(A) IN GENERAL.—From the funds that a State receives under this subpart for any fiscal year that are not reserved under subsection (b), the State shall allot to each local educational agency an amount equal to the total amount that such agency received for fiscal year 2001 under—

''(i) section 2203(1)(B) of this Act (as in effect on the day before the date of the enactment of the No Child Left Behind Act of 2001); and

''(ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106–554).

''(B) NONPARTICIPATING AGENCIES.—In the case of a local educational agency that did not receive any funds for fiscal year 2001 under one or both of the provisions referred to in clauses (i) and (ii) of subparagraph (A), the amount allotted to the agency under such subparagraph shall be the total amount that the agency would have received for fiscal year 2001 if it had elected to participate in all of the programs for which it was eligible under each of the provisions referred to in such clauses.

''(C) RATABLE REDUCTION.—If the funds described in subparagraph (A) are insufficient to pay the full amounts that all local educational agencies are eligible to receive under such subparagraph for any fiscal year, the State shall ratably reduce such amounts for such fiscal year.

''(3) ALLOTMENT OF ADDITIONAL FUNDS.—

''(A) IN GENERAL.—For any fiscal year for which the funds that a State receives under this subpart that are not reserved under subsection (b) exceed the total amount required to make allotments under paragraph (2), the State shall distribute the amount described in subparagraph (B) through a formula under which—

''(i) 20 percent is allocated to local educational agencies in accordance with the relative enrollment in public and private nonprofit elementary and secondary schools within the boundaries of such agencies; and

''(ii) 80 percent is allocated to local educational agencies in proportion to the number of children, aged 5 to 17, who reside within the geographic area served by such agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available, compared to the number of such individuals who reside in the geographic areas served by all the local educational agencies in the State for that fiscal year.

''(B) CALCULATION OF AMOUNT.—

''(i) IN GENERAL.—The amount described in this subparagraph for a State for any fiscal year is the base amount for such State and year, plus any additional amount for such State and year.

''(ii) BASE AMOUNT.—For purposes of this subparagraph, the term 'base amount' means 50 percent of the funds that remain to a State after a State makes the reservations described in subsection (b) and the allotments described in paragraph (2).

''(iii) ADDITIONAL AMOUNT.—For purposes of this subparagraph, the term 'additional amount' means the amount (if any) by which the base amount for a State exceeds the maximum amount described in subsection (d)(2)(B).

''(d) MATH AND SCIENCE PARTNERSHIPS.—

''(1) IN GENERAL.—The Secretary may make a grant to a State under this subpart only if the State agrees to distribute the amount described in paragraph (2) through a competitive subgrant process in accordance with subpart 2.

''(2) AMOUNT DESCRIBED.—

''(A) IN GENERAL.—The amount described in this paragraph for a State for any fiscal year is 50 percent of the funds that the State receives under this subpart for the year that remain after the State makes the reservations described in subsection (b) and the allotments described in subsection (c)(2).

''(B) LIMITATION.—In no case may the amount described in this paragraph exceed a maximum amount calculated by multiplying the total amount of the funds that a State receives under this subpart for a fiscal year that the State does not reserve under subsection (b) by a percentage, selected by the State, that shall be not less than 15 nor more than 20 percent.

''(e) AUTHORIZED STATE ACTIVITIES.—The authorized State activities referred to in subsection (b)(1)(A) are the following:

''(1) Reforming teacher certification, recertification, or licensure requirements to ensure that—

''(A) teachers have the necessary teaching skills and academic content knowledge in the subject areas in which they are assigned to teach;

''(B) teacher certification, recertification, or licensure requirements are aligned with the State's challenging State academic content standards; and

''(C) teachers have the knowledge and skills necessary to help students meet challenging State student achievement standards.

''(2) Carrying out programs that—

''(A) include support during the initial teaching or leadership experience, such as mentoring programs that—

''(i) provide—

''(I) mentoring to beginning teachers from veteran teachers with expertise in the same subject matter that the beginning teachers will be teaching; or

''(II) similar mentoring to principals or superintendents;

''(ii) provide mentors time for activities such as coaching, observing, and assisting the teachers or school leaders who are mentored; and

''(iii) use standards or assessments for guiding beginning teachers that are consistent with the State's student achievement standards and with the requirements for professional development activities under section 2033; and

''(B) establish, expand, or improve alternative routes to State certification of teachers, especially in the areas of mathematics and science, for highly qualified individuals with a baccalaureate degree, including midcareer professionals from other occupations, paraprofessionals, former military personnel, and recent college or university graduates with records of academic distinction who demonstrate the potential to become highly effective teachers.

''(3) Developing and implementing effective mechanisms to assist local educational agencies and schools in effectively recruiting and retaining highly qualified and effective teachers and principals.

''(4) Reforming tenure systems and implementing teacher testing and other procedures to expeditiously remove ineffective teachers from the classroom.

''(5) Developing enhanced performance systems to measure the effectiveness of specific professional development programs and strategies.

''(6) Providing technical assistance to local educational agencies consistent with this part.

''(7) Funding projects to promote reciprocity of teacher certification or licensure between or among States, except that no reciprocity agreement developed under this paragraph or developed using funds provided under this part may lead to the weakening of any State teaching certification or licensing requirement.

''(8) Developing or assisting local educational agencies in the development and utilization of proven, innovative strategies to deliver intensive professional development programs that are both cost-effective and easily accessible, such as through the use of technology and distance learning.

''(9) Providing assistance to local educational agencies for the development and implementation of innovative professional development programs that train teachers to use technology to improve teaching and learning and are consistent with the requirements of section 2033.

''(10) Developing or assisting local educational agencies in developing merit-based performance systems, rigorous assessments for teachers, and strategies which provide differential and bonus pay for teachers in high-need subject areas such as reading, math, and science and in high-poverty schools and districts.

''(11) Providing assistance to local educational agencies for the development and implementation of professional development programs for principals that enable them to be effective school leaders and prepare all students to achieve challenging State content and student achievement standards, including the development and support of school leadership academies to help exceptionally talented aspiring or current principals and superintendents become outstanding managers and educational leaders.

''(12) Developing, or assisting local educational agencies in developing, teacher advancement initiatives that promote professional growth and emphasize multiple career paths (such as career teacher, mentor teacher, and master teacher) and pay differentiation.

''(f) COORDINATION.—States receiving grants under section 202 of the Higher Education Act of 1965 shall coordinate the use of such funds with activities carried out under this section.

''SEC. 2013. APPLICATIONS BY STATES.

''(a) IN GENERAL.—To be eligible to receive a grant under this subpart, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(b) CONTENTS.—Each application under this section shall include the following:

''(1) A description of how the State will ensure that a local educational agency receiving a subgrant under subpart 3 will comply with the requirements of such subpart.

''(2) A description of how the State will use funds under this part to meet the requirements of section 1119(a)(2).

''(3) A description of how the State will coordinate professional development activities authorized under this part with professional development activities provided under other Federal, State, and local programs, including those authorized under title I, part A of title III, parts A and B of title V, and (where applicable) the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act. The application shall also describe the comprehensive strategy that the State will take as part of such coordination effort, to ensure that teachers are trained in the utilization of technology so that technology and its applications are effectively used in the classroom to improve teaching and learning in all curriculum and content areas, as appropriate.

''(4) A description of how the State will encourage the development of proven, innovative strategies to deliver intensive professional development programs that are both cost-effective and easily accessible, such as through the use of technology and distance learning.

''(5) A description of how the State will ensure that local educational agencies will comply with the requirements under section 2033, especially with respect to ensuring the participation of teachers, principals, and parents.

''(c) APPLICATION APPROVAL.—A State application submitted to the Secretary under this section shall be deemed approved by the Secretary unless the Secretary makes a written determination, within 90 days after receiving the application, that the application is in violation of the provisions of this subpart. The Secretary shall not finally disapprove a State application except after giving the State notice and opportunity for a hearing.

"Subpart 2—Math and Science Partnerships

"SEC. 2021. PURPOSE.

''The purpose of this subpart is to improve the achievement of students in the areas of mathematics and science by encouraging States, institutions of higher education, and local educational agencies to participate in programs that—

''(1) focus on education and training of mathematics and science teachers that improves teachers' knowledge and skills and encourages intellectual growth;

''(2) improve mathematics and science teaching by encouraging institutions of higher education to assume greater responsibility for improving mathematics and science teacher education through the establishment of a comprehensive, integrated system of recruiting, training, and advising such teachers; and

''(3) bring mathematics and science teachers in elementary and secondary schools together with scientists, mathematicians, and engineers to increase the subject matter knowledge of teachers and improve their teaching skills through the use of sophisticated laboratory equipment and work space, computing facilities, libraries, and other resources that institutions of higher education are better able to provide than the schools.

"SEC. 2022. APPLICATION REQUIREMENTS.

''(a) IN GENERAL.—An eligible partnership seeking to receive a subgrant from a State under this subpart shall submit an application to the State at such time, in such manner, and accompanied by such information as the State may require.

''(b) PARTNERSHIP APPLICATION CONTENTS.—Each such application shall include—

''(1) an assessment of the teacher quality and professional development of all the schools and agencies participating in the eligible partnership with respect to the teaching and learning of mathematics and science;

''(2) a description of how the activities to be carried out by the eligible partnership will be aligned with State academic content standards in mathematics and science and with other educational reform activities that promote student achievement in mathematics and science;

''(3) a description of how the activities to be carried out by the eligible partnership will be based on a review of relevant research, and an explanation of why the activities are expected to improve student achievement and to strengthen the quality of mathematics and science instructions; and

''(4) a description of—

''(A) how the eligible partnership will carry out the activities described in section 2023(c); and

''(B) the eligible partnership's evaluation and accountability plan described in section 2024.

"SEC. 2023. MATH AND SCIENCE PARTNERSHIP SUBGRANTS.

''(a) IN GENERAL.—From the amount described in section 2012(d), the State educational agency, working in conjunction with the State agency for higher education (if such agencies are separate), shall award subgrants on a competitive basis to eligible partnerships to enable such partnerships to carry out activities described in subsection (c).

''(b) DURATION.—The State shall award subgrants under this subpart for a period of not less than 2 and not more than 5 years.

''(c) AUTHORIZED ACTIVITIES.—A recipient of funds provided under this subpart may use the funds for the following activities related to elementary or secondary schools:

''(1) Establishing and operating mathematics and science summer professional development workshops or institutes for elementary and secondary school teachers that—

''(A) shall—

''(i) directly relate to the curriculum and content areas in which the teacher provides instruction, and focus only secondarily on pedagogy;

''(ii) enhance the ability of a teacher to understand and use the State's academic content standards for mathematics and science and to select appropriate curricula;

''(iii) train teachers to use curricula that are—

''(I) based on scientific research;

''(II) aligned with State academic content standards; and

''(III) object-centered, experiment-oriented, and concept- and content-based; and

''(iv) provide supplemental assistance and follow-up training during the school year for summer institute graduates; and

''(B) may include—

''(i) programs that provide prospective teachers and novice teachers opportunities to work under the guidance of experienced teachers and college faculty;

''(ii) instruction in the use of data and assessments to inform and instruct classroom practice; and

''(iii) professional development activities, including supplemental and follow-up activities, such as curriculum alignment, distance learning, and activities that train teachers to utilize technology in the classroom.

''(2) Recruiting to the teaching profession—

''(A) students studying mathematics, engineering, and science; or

''(B) mathematicians, engineers, and scientists currently working in the field.

''(3) Establishing and operating programs to bring teachers into contact with working scientists, mathematicians, and engineers, to expand teacher content knowledge of and research in science and mathematics.

''(d) PRIORITY.—In awarding subgrants under this subpart, States shall give priority to applications seeking funding for the activity described in subsection (c)(1).

''(e) COORDINATION.—Partnerships receiving grants under section 203 of the Higher Education Act of 1965 (20 U.S.C. 1023) shall coordinate the use of such funds with any related activities carried out by such partnership with funds made available under this subpart.

"SEC. 2024. EVALUATION AND ACCOUNTABILITY PLAN.

''(a) IN GENERAL.—Each eligible partnership receiving a subgrant under this subpart shall develop an evaluation and accountability plan for activities assisted under this subpart that includes rigorous performance objectives that measure the impact of activities funded under this subpart.

''(b) CONTENTS.—The plan—

''(1) shall include measurable goals to increase the number of mathematics and science teachers who participate in content-based professional development activities; and

''(2) may include objectives and measures for—

''(A) improved student achievement on State mathematics and science assessments;

''(B) increased participation by students in advanced courses in mathematics and science;

''(C) increased percentages of elementary school teachers with academic majors or minors, or group majors or minors, in mathematics, engineering, or the sciences; and

''(D) increased percentages of secondary school classes in mathematics and science taught by teachers with academic majors in mathematics and science, respectively.

"SEC. 2025. REPORTS; REVOCATION OF SUBGRANTS.

''(a) REPORTS.—Each eligible partnership receiving a subgrant under this subpart annually shall report to the State regarding the eligible partnership's progress in meeting the performance objectives described in section 2024.

''(b) REVOCATION.—If the State determines that an eligible partnership that receives a subgrant under this subpart for 5 years is not making substantial progress in meeting the performance objectives described in section 2024 by the end of the third year of the subgrant, the subgrant payments shall not be made for the fourth and fifth years.

"SEC. 2026. DEFINITIONS.

''In this subpart:

''(1) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership that—

''(A) shall include—

''(i) a State educational agency;

''(ii) a mathematics or science department of a private independent institution of higher education or a State-supported public institution of higher education; and

''(iii) a high need local educational agency; and

''(B) may include—

''(i) another institution of higher education or the teacher training department of such an institution;

''(ii) additional local educational agencies, public charter schools, public or private elementary or secondary schools, or a consortium of such schools;

''(iii) a business; or

''(iv) a nonprofit organization of demonstrated effectiveness, including a museum or research institution.

''(2) SUMMER PROFESSIONAL DEVELOPMENT WORKSHOP OR INSTITUTE.—The term 'summer professional development workshop or institute' means a workshop or institute that—

''(A) is conducted during a period of not less than 2 weeks;

''(B) includes as a component a program that provides direct interaction between students and faculty; and

''(C) provides for follow-up training during the academic year that is conducted in the classroom for a period of not less than 3 consecutive or nonconsecutive days, except that—

''(i) if the workshop or institute is conducted during a two-week period, the follow-up training shall be conducted for a period of at least 4 days; and

''(ii) if the follow-up training is for teachers in rural school districts, it may be conducted through distance learning.

"Subpart 3—Subgrants to Local Educational Agencies

"SEC. 2031. LOCAL USE OF FUNDS.

''(a) IN GENERAL.—Subject to subsection (b), each local educational agency that receives a subgrant under this subpart may use the subgrant to carry out the following activities:

''(1) Initiatives to assist in recruiting and hiring fully qualified teachers who will be assigned teaching positions within their field, including—

''(A) providing signing bonuses or other financial incentives, such as differential pay, for teachers to teach in academic subject areas in which there exists a shortage of such fully qualified teachers within a school or the local educational agency;

''(B) establishing programs that—

''(i) recruit professionals from other fields and provide such professionals with alternative routes to teacher certification; and

''(ii) provide increased opportunities for minorities, individuals with disabilities, and other individuals underrepresented in the teaching profession; and

''(C) implementing hiring policies that ensure comprehensive recruitment efforts as a way to expand the applicant pool, such as through identifying teachers certified through alternative routes, coupled with a system of intensive screening designed to hire the most qualified applicant.

''(2) Initiatives to promote retention of highly qualified teachers and principals, particularly within elementary and secondary schools with a high percentage of low-achieving students, including programs that provide—

''(A) mentoring to newly hired teachers, such as from master teachers, or principals or superintendents;

''(B) incentives, including financial incentives, to retain teachers who have a record of success in helping low-achieving students improve their academic success; or

''(C) incentives, including financial incentives, to principals who have a record of improving the performance of all students, but particularly students from economically disadvantaged families and students from racial and ethnic minority groups.

''(3) Programs and activities that are designed to improve the quality of the teacher force, such as—

''(A) innovative professional development programs (which may be through partnerships including institutions of higher education), including programs that train teachers and principals to utilize technology to improve teaching and learning, are consistent with the requirements of section 2033, and are coordinated with part B of title V;

''(B) development and utilization of proven, cost-effective strategies for the implementation of professional development activities, such as through the utilization of technology and distance learning;

''(C) tenure reform;

''(D) merit pay;

''(E) testing of elementary and secondary school teachers in the subject areas taught by such teachers;

''(F) professional development programs that provide instruction in how to teach children with different learning styles, particularly children with disabilities and children with special learning needs (including those who are gifted and talented); and

''(G) professional development programs that provide instruction in methods of improving student behavior in the classroom and how to identify early and appropriate interventions to help children described in subparagraph (F) learn.

''(4) Teacher opportunity payments, consistent with section 2034.

''(5) Professional activities designed to improve the quality of principals and superintendents, including the development and support of academies to help exceptionally talented aspiring or current principals and superintendents become outstanding managers and educational leaders.

''(6) Hiring fully qualified teachers, including teachers who become fully qualified through State and local alternative routes, and special education teachers, in order to reduce class size, particularly in the early grades.

''(7) Teacher advancement initiatives that promote professional growth and emphasize multiple career paths (such as career teacher, mentor teacher, and master teacher) and pay differentiation.

''(b) SPECIAL RULE.—

''(1) IN GENERAL.—For any fiscal year for which the amount described in section 2012(d)(2)(A) for a State is less than 15 percent of the total amount of the funds that the State receives under this subpart for the year that the State does not reserve under section 2012(b), each local educational agency that receives a subgrant under this subpart from the State shall use the funds to comply with paragraph (2).

''(2) REQUIREMENT.—A local educational agency required to comply with this paragraph shall use not less than the amount expended by the agency under section 2206(b) of this Act (as in effect on the day before the date of the enactment of the No Child Left Behind Act of 2001), for the fiscal year preceding the year in which such enactment occurs, to carry out professional development activities in mathematics and science.

''SEC. 2032. LOCAL APPLICATIONS.

''(a) IN GENERAL.—A local educational agency seeking to receive a subgrant from a State under this subpart shall submit an application to the State—

''(1) at such time as the State shall require; and

''(2) which is coordinated with other programs under this Act, or other Acts, as appropriate.

''(b) LOCAL APPLICATION CONTENTS.—The local application described in subsection (a), shall include, at a minimum, the following:

''(1) An assurance that the local educational agency will target funds to schools within the jurisdiction of the local educational agency that—

''(A) have the lowest proportion of fully qualified teachers;

''(B) have the largest average class size; or

''(C) are identified for school improvement under section 1116(b).

''(2) A description of how the local educational agency will coordinate professional development activities authorized under this subpart with professional development activities provided through other Federal, State, and local programs, including those authorized under title I, part A of title III, parts A and B of title V, and (where applicable) the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act.

''(3) A description of how the local educational agency will integrate funds under this subpart with funds received under part B of title V that are used for professional development to train teachers to utilize technology to improve teaching and learning.

''(4) A description of how the local educational agency has collaborated with teachers, principals, parents, and administrators in the preparation of the application.

''SEC. 2033. PROFESSIONAL DEVELOPMENT FOR TEACHERS.

''(a) REQUIREMENTS FOR PROFESSIONAL DEVELOPMENT ACTIVITIES.—Professional development activities under this subpart shall—

''(1) meet the requirements of section 1119(a)(2);

''(2) support professional development activities that give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State academic content standards and student achievement standards;

''(3) support the recruiting, hiring, and training of fully qualified teachers, including teachers fully qualified through State and local alternative routes;

''(4) advance teacher understanding of effective instructional strategies based on scientifically based research for improving student achievement, at a minimum, in reading or language arts and mathematics;

''(5) be directly related to the curriculum and content areas in which the teacher provides instruction, except that this paragraph shall not apply to subparagraphs (F) and (G) of section 2031(3);

''(6) be designed to enhance the ability of a teacher to understand and use the State's standards for the subject area in which the teacher provides instruction;

''(7) be tied to scientifically based research demonstrating the effectiveness of such professional development activities or programs in increasing student achievement or substantially increasing the knowledge and teaching skills of teachers;

''(8) be of sufficient intensity and duration (not to include 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teacher's performance in the classroom;

''(9) be developed with extensive participation of teachers, principals, parents, and administrators of schools to be served under this subpart;

''(10) be designed to give teachers of limited English proficient children, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to such children, including the appropriate use of curriculum and assessments;

''(11) to the extent appropriate, provide training for teachers and principals in the use of technology so that technology and its applications are effectively used in the classroom to improve teaching and learning in the curriculum and academic content areas in which the teachers provide instruction;

''(12) as a whole, be regularly evaluated for their impact on increased teacher effectiveness and improved student achievement, with the findings of such evaluations used to improve the quality of professional development; and

''(13) provide instruction in methods of teaching children with special needs.

''(b) PROFESSIONAL DEVELOPMENT ACTIVITIES.—Professional development activities under this subpart may include—

''(1) instruction in the use of data and assessments to inform and instruct classroom practice;

''(2) instruction in ways that teachers, principals, pupil services personnel, and school administrators may work more effectively with parents;

''(3) the forming of partnerships with institutions of higher education to establish school-based teacher training programs that provide prospective teachers and novice teachers with an opportunity to work under the guidance of experienced teachers and college faculty;

''(4) the creation of programs for paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under this part) to obtain the education necessary for such paraprofessionals to become licensed and certified teachers; and

''(5) activities that provide follow-up training to teachers who have participated in professional development activities which are designed to ensure that the knowledge and skills learned by the teacher are implemented in the classroom.

''(c) ACCOUNTABILITY.—

''(1) IN GENERAL.—If, after any fiscal year, a State determines that the programs or activities funded by a local educational agency fail to meet the requirements of subsection (a), the State shall notify the agency that—

''(A) it may be subject to paragraph (2); and

''(B) technical assistance is available from the State to help the agency meet those requirements.

''(2) REQUIREMENT TO PROVIDE TEACHER OPPORTUNITY PAYMENTS.—A local educational agency that has been notified by a State for 2 consecutive years under paragraph (1) shall

expend under section 2034 for the succeeding fiscal year a proportion of the amount the agency receives under this subpart that is equal to the proportion of the amount the agency received under this part for the preceding fiscal year that the agency used for professional development.

"SEC. 2034. TEACHER OPPORTUNITY PAYMENTS.

"(a) IN GENERAL.—A local educational agency receiving funds under this subpart may (or, in the case of a local educational agency described in section 2033(c)(2), shall) provide funds directly to a teacher or a group of teachers seeking opportunities to participate in a professional development activity of their choice that meets the requirements of section 2033(a) and is selected in consultation with the principal in order to coordinate such professional development with other reform efforts at the school.

"(b) NOTICE TO TEACHERS.—Local educational agencies distributing funds under this section shall establish and implement a timely process through which proper notice of availability of funds will be given to all teachers within schools identified by the agency and shall develop a process whereby teachers will have regular consultation with and be specifically recommended by principals to participate in such program by virtue of—

"(1) a teacher not being fully qualified to teach in the subject or subjects in which they teach; or

"(2) a teacher's need for additional assistance to ensure that the teacher's students make progress toward meeting challenging State academic content standards and student achievement standards.

"(c) SELECTION OF TEACHERS.—If adequate funding is not available to provide payments under this section to all teachers seeking such assistance or identified as needing such assistance pursuant to subsection (b), a local educational agency shall establish procedures for selecting teachers that give priority to teachers described in paragraph (1) or (2) of subsection (b).

"Subpart 4—Mid-Career Transitions to Teaching

"CHAPTER 1—TROOPS-TO-TEACHERS PROGRAM

"SEC. 2041. AUTHORIZATION OF TROOPS-TO-TEACHERS PROGRAM.

"(a) PROGRAM AUTHORIZED.—The Secretary may carry out a program (to be known as the 'Troops-to-Teachers Program')—

"(1) to assist eligible members and former members of the Armed Forces described in section 2042 to obtain certification or licensure as fully qualified elementary school teachers, secondary school teachers, or vocational or technical teachers; and

"(2) to facilitate the employment of such members in elementary schools or secondary schools or as vocational or technical teachers.

"(b) ADMINISTRATION OF PROGRAM.—The Secretary shall enter into a memorandum of agreement with the Secretary of Defense under which the Secretary of Defense, acting through the Defense Activity for Non-Traditional Education Support of the Department of Defense, will perform the actual administration of the Program, other than section 2045. Using funds appropriated to the Secretary to carry out this chapter, the Secretary shall transfer to the Secretary of Defense such amounts as may be necessary to administer the Program pursuant to the memorandum of agreement.

"(c) INFORMATION REGARDING PROGRAM.—The Secretary shall provide to the Secretary of Defense, for distribution as part of preseparation counseling provided under section 1142 of title 10, United States Code, to members of the Armed Forces described in section 2042, information regarding the Troops-to-Teachers Program and applications to participate in the program.

"(d) PLACEMENT ASSISTANCE AND REFERRAL SERVICES.—As part of the Troops-to-Teachers Program, the Secretary may, with the agreement of the Secretary of Defense, provide placement assistance and referral services regarding employment opportunities with local educational agencies to members of the Armed Forces who are discharged or released from active duty under other than adverse conditions. Unless the member is also selected to participate in the Program under section 2042, a member receiving placement assistance and referral services under the authority of this subsection is not eligible for financial assistance under section 2043.

"SEC. 2042. RECRUITMENT AND SELECTION OF PROGRAM PARTICIPANTS.

"(a) ELIGIBLE MEMBERS.—The following members and former members of the Armed Forces are eligible for selection to participate in the Troops-to-Teachers Program:

"(1) Any member who—

"(A) on or after October 1, 1999, becomes entitled to retired or retainer pay in the manner provided in title 10 or title 14, United States Code; or

"(B) on or after the date of the enactment of the No Child Left Behind Act of 2001, has an approved date of voluntary retirement and, as of the date the member submits an application to participate in the Program, has one year or less of active duty remaining before retirement.

"(2) Any member who, on or after the date of the enactment of the No Child Left Behind Act of 2001—

"(A) is separated or released from active duty after six or more years of continuous active duty immediately before the separation or release; and

"(B) executes a reserve commitment agreement for a period of three years under subsection (e)(2).

"(3) Any member who, on or after the date of the enactment of the No Child Left Behind Act of 2001, is retired or separated for physical disability under chapter 61 of title 10, United States Code.

"(4) Any member who—

"(A) during the period beginning on October 1, 1990, and ending on September 30, 1999, was involuntarily discharged or released from active duty for purposes of a reduction of force after six or more years of continuous active duty immediately before the discharge or release; or

"(B) applied for the teacher placement program administered under section 1151 of title 10, United States Code, before its repeal, and who satisfied the eligibility criteria specified in subsection (c) of such section 1151.

"(b) SUBMISSION OF APPLICATIONS.—

"(1) FORM AND SUBMISSION.—Selection of eligible members and former members of the Armed Forces to participate in the Troops-to-Teachers Program shall be made on the basis of applications submitted to the Secretary within the time periods specified in paragraph (2). An application shall be in such form and contain such information as the Secretary may require.

"(2) TIME FOR SUBMISSION.—An application shall be considered to be submitted on a timely basis under paragraph (1) if—

"(A) in the case of a member or former member of the Armed Forces described in paragraph (1), (2), or (3) of subsection (a), the application is submitted not later than four years after the date on which the member is retired or separated or released from active duty, whichever applies to the member; or

"(B) in the case of a member or former member described in subsection (a)(4), the application is submitted not later than September 30, 2003.

"(c) SELECTION CRITERIA.—

"(1) ESTABLISHMENT.—Subject to paragraphs (2) and (3), the Secretary shall prescribe the criteria to be used to select eligible members and former members of the Armed Forces to participate in the Troops-to-Teachers Program.

"(2) EDUCATIONAL BACKGROUND.—If a member or former member of the Armed Forces described in paragraph (1), (2), or (3) of subsection (a) is applying for assistance for placement as an elementary or secondary school teacher, the Secretary shall require the member to have received a baccalaureate or advanced degree from an accredited institution of higher education. If such a member is applying for assistance for placement as a vocational or technical teacher, the Secretary shall require the member—

"(A) to have received the equivalent of one year of college from an accredited institution of higher education and have six or more years of military experience in a vocational or technical field; or

"(B) to otherwise meet the certification or licensure requirements for a vocational or technical teacher in the State in which the member seeks assistance for placement under the Program.

"(3) HONORABLE SERVICE.—A member or former member of the Armed Forces is eligible to participate in the Troops-to-Teachers Program only if the member's last period of service in the Armed Forces was characterized as honorable. If the member is selected to participate in the Program before the retirement of the member or the separation or release of the member from active duty, the member may continue to participate in the Program only if, upon the retirement or separation or release from active duty, the member's last period of service is characterized as honorable.

"(d) SELECTION PRIORITIES.—In selecting eligible members and former members of the Armed Forces to receive assistance for placement as elementary or secondary school teachers or vocational or technical teachers, the Secretary shall give priority to members who have educational or military experience in science, mathematics, special education, or vocational or technical subjects and agree to seek employment as science, mathematics, or special education teachers in elementary or secondary schools or in other schools under the jurisdiction of a local educational agency.

"(e) OTHER CONDITIONS ON SELECTION.—

"(1) SELECTION SUBJECT TO FUNDING.—The Secretary may not select an eligible member or former member of the Armed Forces to participate in the Troops-to-Teachers Program under this section and receive financial assistance under section 2043 unless the Secretary has sufficient appropriations for the Program available at the time of the selection to satisfy the obligations to be incurred by the United States under section 2043 with respect to the member.

"(2) RESERVE COMMITMENT AGREEMENT.—The Secretary may not select an eligible member or former member of the Armed Forces described in subsection (a)(2)(A) to participate in the Troops-to-Teachers Program under this section and receive financial assistance under section 2043 unless—

"(A) the Secretary notifies the Secretary concerned and the member that the Secretary has reserved a full stipend or bonus under section 2043 for the member; and

"(B) the member executes a written agreement with the Secretary concerned to serve as a member of the Selected Reserve of a reserve component of the Armed Forces for a period of three years (in addition to any other reserve commitment the member may have).

"SEC. 2043. PARTICIPATION AGREEMENT AND FINANCIAL ASSISTANCE.

''(a) PARTICIPATION AGREEMENT.—An eligible member or former member of the Armed Forces selected to participate in the Troops-to-Teachers Program under section 2042 and receive financial assistance under this section shall be required to enter into an agreement with the Secretary in which the member agrees—

''(1) to obtain, within such time as the Secretary may require, certification or licensure as a fully qualified elementary school teacher, secondary school teacher, or vocational or technical teacher; and

''(2) to accept an offer of full-time employment as a fully qualified elementary school teacher, secondary school teacher, or vocational or technical teacher for not less than three school years with a local educational agency or public charter school, to begin the school year after obtaining that certification or licensure.

''(b) VIOLATION OF PARTICIPATION AGREEMENT; EXCEPTIONS.—A participant in the Troops-to-Teachers Program shall not be considered to be in violation of the participation agreement entered into under subsection (a) during any period in which the participant—

''(1) is pursuing a full-time course of study related to the field of teaching at an institution of higher education;

''(2) is serving on active duty as a member of the Armed Forces;

''(3) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

''(4) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

''(5) is seeking and unable to find full-time employment as a fully qualified teacher in an elementary or secondary school or as a vocational or technical teacher for a single period not to exceed 27 months; or

''(6) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the Secretary.

''(c) STIPEND FOR PARTICIPANTS.—

''(1) STIPEND AUTHORIZED.—Subject to paragraph (2), the Secretary may pay to a participant in the Troops-to-Teachers Program selected under section 2042 a stipend in an amount up to $5,000.

''(2) LIMITATION.—The total number of stipends that may be paid under paragraph (1) in any fiscal year may not exceed 3,000.

''(d) BONUS FOR PARTICIPANTS.—

''(1) BONUS AUTHORIZED.—Subject to paragraph (2), the Secretary may, in lieu of paying a stipend under subsection (c), pay a bonus of $10,000 to a participant in the Troops-to-Teachers Program selected under section 2042 who agrees in the participation agreement under subsection (a) to accept full-time employment as a fully qualified elementary school teacher, secondary school teacher, or vocational or technical teacher for not less than three years in a high need school.

''(2) LIMITATION.—The total number of bonuses that may be paid under paragraph (1) in any fiscal year may not exceed 1,000.

''(3) HIGH NEED SCHOOL DEFINED.—For purposes of this subsection, the term 'high need school' means a public elementary school, public secondary school, or public charter school that meets one or more of the following criteria:

''(A) At least 50 percent of the students enrolled in the school were children counted under subsection (c) of section 1124 for purposes of making grants under such section to local educational agencies, when such counting was most recently performed.

''(B) The school has a large percentage of students who qualify for assistance under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

''(C) The school meets any other criteria established by the Secretary in consultation with the National Assessment Governing Board.

''(e) TREATMENT OF STIPEND AND BONUS.—A stipend or bonus paid under this section to a participant in the Troops-to-Teachers Program shall be taken into account in determining the eligibility of the participant for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(f) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—

''(1) REIMBURSEMENT REQUIRED.—A participant in the Troops-to-Teachers Program who is paid a stipend or bonus under this section shall be required to repay the stipend or bonus under the following circumstances:

''(A) The participant fails to obtain teacher certification or licensure or employment as a fully qualified elementary school teacher, secondary school teacher, or vocational or technical teacher as required by the participation agreement under subsection (a).

''(B) The participant voluntarily leaves, or is terminated for cause, from employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher during the three years of required service in violation of the participation agreement.

''(C) The participant executed a written agreement with the Secretary concerned under section 2042(e)(2) to serve as a member of a reserve component of the Armed Forces for a period of three years and fails to complete the required term of service.

''(2) AMOUNT OF REIMBURSEMENT.—A participant required to reimburse the Secretary for a stipend or bonus paid to the participant under this section shall pay an amount that bears the same ratio to the amount of the stipend or bonus as the unserved portion of required service bears to the three years of required service. Any amount owed by the participant shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the reimbursement is determined to be due for securities having maturities of ninety days or less and shall accrue from the day on which the participant is first notified of the amount due.

''(3) TREATMENT OF OBLIGATION.—The obligation to reimburse the Secretary under this subsection is, for all purposes, a debt owing the United States. A discharge in bankruptcy under title 11, United States Code, shall not release a participant from the obligation to reimburse the Secretary.

''(4) EXCEPTIONS TO REIMBURSEMENT REQUIREMENT.—A participant shall be excused from reimbursement under this subsection if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician. The Secretary may also waive reimbursement in cases of extreme hardship to the participant, as determined by the Secretary.

''(g) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—The receipt by a participant in the Troops-to-Teachers Program of a stipend or bonus under this section shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 of title 38, United States Code, or chapter 1606 of title 10, United States Code.

"SEC. 2044. PARTICIPATION BY STATES.

''(a) DISCHARGE OF STATE ACTIVITIES THROUGH CONSORTIA OF STATES.—The Secretary may permit States participating in the Troops-to-Teachers Program to carry out activities authorized for such States under the Program through one or more consortia of such States.

''(b) ASSISTANCE TO STATES.—

''(1) GRANTS AUTHORIZED.—Subject to paragraph (2), the Secretary may make grants to States participating in the Troops-to-Teachers Program, or to consortia of such States, in order to permit such States or consortia of States to operate offices for purposes of recruiting eligible members and former members of the Armed Forces for participation in the Program and facilitating the employment of participants in the Program as elementary school teachers, secondary school teachers, and vocational or technical teachers.

''(2) LIMITATION.—The total amount of grants under paragraph (1) in any fiscal year may not exceed $4,000,000.

"SEC. 2045. SUPPORT OF INNOVATIVE PRE-RETIREMENT TEACHER CERTIFICATION PROGRAMS.

''(a) DEVELOPMENT, IMPLEMENTATION AND DEMONSTRATION.—The Secretary may enter into a memorandum of agreement with a State, an institution of higher education, or a consortia of States or institutions of higher education, to develop, implement, and demonstrate teacher certification programs for members of the Armed Forces described in section 2042(a)(1)(B) for the purpose of assisting such members to consider and prepare for a career as a fully qualified elementary school teacher, secondary school teacher, or vocational or technical teacher upon their retirement from the Armed Forces.

''(b) PROGRAM ELEMENTS.—A teacher certification program under subsection (a) must—

''(1) provide recognition of military experience and training as related to licensure or certification requirements;

''(2) provide courses of instruction that may be conducted on or near a military installation;

''(3) incorporate alternative approaches to achieve teacher certification, such as innovative methods to gaining field-based teaching experiences, and assessment of background and experience as related to skills, knowledge, and abilities required of elementary school teachers, secondary school teachers, or vocational or technical teachers;

''(4) provide for courses to also be delivered via distance education methods; and

''(5) address any additional requirements or specifications as established by the Secretary.

''(c) APPLICATION PROCEDURES.—A State or institution of higher education (or a consortia of States or institutions of higher education) that has a program leading to State approved teacher certification programs may submit a proposal to the Secretary for consideration under subsection (a). The Secretary shall give preference to proposals that provide for a sharing of the costs to carry out the teacher certification program.

''(d) CONTINUATION OF PROGRAMS.—The purpose of this section is to provide funding to develop, implement, and demonstrate teacher certification programs under subsection (a). Upon successful completion of the demonstration phase, the continued operation of the teacher certification programs shall not be the responsibility of the Secretary.

''(e) FUNDING LIMITATION.—The total amount obligated by the Secretary under this section in any fiscal year may not exceed $5,000,000.

"SEC. 2046. REPORTING REQUIREMENTS.

''(a) REPORT REQUIRED.—Not later than March 31 of each year, the Secretary (in consultation with the Secretary of Defense and the Secretary of Transportation) and the Comptroller General shall each submit to Congress a report on the effectiveness of the

Troops-to-Teachers Program in the recruitment and retention of qualified personnel by local educational agencies and public charter schools.

''(b) ELEMENTS OF REPORT.—The report under subsection (a) shall include information on the following:

''(1) The number of participants in the Troops-to-Teachers Program.

''(2) The schools in which the participants are employed.

''(3) The grade levels at which the participants teach.

''(4) The subject matters taught by the participants.

''(5) The rates of retention of the participants by the local educational agencies and public charter schools employing the participants.

''(6) Such other matters as the Secretary or the Comptroller General, as the case may be, considers appropriate.

''(c) RECOMMENDATIONS.—The report of the Comptroller General under this section shall also include any recommendations of the Comptroller General regarding any means of improving the Troops-to-Teachers Program, including means of enhancing the recruitment and retention of participants in the Program.

"SEC. 2047. DEFINITIONS.

''For purposes of this chapter:

''(1) ARMED FORCES.—The term 'Armed Forces' means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

''(2) PROGRAM.—The term 'Program' means the Troops-to-Teachers Program authorized by this subpart.

''(3) RESERVE COMPONENT.—The term 'reserve component' means—

''(A) the Army National Guard of the United States;

''(B) the Army Reserve;

''(C) the Naval Reserve;

''(D) the Marine Corps Reserve;

''(E) the Air National Guard of the United States;

''(F) the Air Force Reserve; and

''(G) the Coast Guard Reserve.

''(4) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of the Army, with respect to matters concerning a reserve component of the Army;

''(B) the Secretary of the Navy, with respect to matters concerning a reserve component of the Navy;

''(C) the Secretary of the Air Force, with respect to matters concerning a reserve component of the Air Force; and

''(D) the Secretary of Transportation, with respect to matters concerning the Coast Guard Reserve.

"CHAPTER 2—TRANSITION TO TEACHING

"SEC. 2048. PROFESSIONALS SEEKING TO CHANGE CAREERS.

''(a) PURPOSE.—The purpose of this section is to address the need of high-need local educational agencies for highly qualified teachers in particular subject areas, such as mathematics, science, foreign languages, bilingual education, and special education, needed by those agencies, following the model of the program under chapter 1, by recruiting, preparing, placing, and supporting career-changing professionals who have knowledge and experience that will help them become such teachers.

''(b) PROGRAM AUTHORIZED.—The Secretary may award grants, contracts, or cooperative agreements to institutions of higher education and public and private nonprofit agencies or organizations to carry out programs authorized by this section.

''(c) APPLICATION.—Each applicant that desires an award under subsection (b) shall submit an application to the Secretary containing such information as the Secretary requires, including—

''(1) a description of the target group of career-changing professionals upon which the applicant will focus its recruitment efforts in carrying out its program under this section, including a description of the characteristics of that target group that shows how the knowledge and experience of its members are relevant to meeting the purpose of this section;

''(2) a description of the training that program participants will receive and how that training will relate to their certification as teachers;

''(3) a description of how the applicant will collaborate, as needed, with other institutions, agencies, or organizations to recruit, train, place, support, and provide teacher induction programs to program participants under this section, including evidence of the commitment of those institutions, agencies, or organizations to the applicant's program;

''(4) a description of how the applicant will evaluate the progress and effectiveness of its program, including—

''(A) the program's goals and objectives;

''(B) the performance indicators the applicant will use to measure the program's progress; and

''(C) the outcome measures that will be used to determine the program's effectiveness; and

''(5) such other information and assurances as the Secretary may require.

''(d) USES OF FUNDS AND PERIOD OF SERVICE.—

''(1) AUTHORIZED ACTIVITIES.—Funds under this section may be used for—

''(A) recruiting program participants, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that would train, place, and support them;

''(B) training stipends and other financial incentives for program participants, not to exceed $5,000 per participant;

''(C) assisting institutions of higher education or other providers of teacher training to tailor their training to meet the particular needs of professionals who are changing their careers to teaching;

''(D) placement activities, including identifying high-need local educational agencies with a need for the particular skills and characteristics of the newly trained program participants and assisting those participants to obtain employment in those local educational agencies; and

''(E) post-placement induction or support activities for program participants.

''(2) PERIOD OF SERVICE.—A program participant in a program under this section who completes his or her training shall serve in a high-need local educational agency for at least 3 years.

''(3) REPAYMENT.—The Secretary shall establish such requirements as the Secretary determines appropriate to ensure that program participants who receive a training stipend or other financial incentive under paragraph (1)(B), but fail to complete their service obligation under paragraph (2), repay all or a portion of such stipend or other incentive.

''(e) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall make awards under this section that support programs in different geographic regions of the United States.

''(f) DEFINITION.—As used in this section, the term 'program participants' means career-changing professionals who—

''(1) hold at least a baccalaureate degree;

''(2) demonstrate interest in, and commitment to, becoming a teacher; and

''(3) have knowledge and experience that are relevant to teaching a high-need subject area in a high-need local educational agency.

"Subpart 5—Funding

"SEC. 2051. AUTHORIZATIONS OF APPROPRIATIONS.

''(a) IN GENERAL.—For the purpose of carrying out this part, other than subpart 4, there are authorized to be appropriated $3,600,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2006.

''(b) SUBPART 4.—For the purpose of carrying out subpart 4, there are authorized to be appropriated $50,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2006.

"Subpart 6—General Provisions

"SEC. 2061. DEFINITIONS.

''For purposes of this part—

''(1) ARTS AND SCIENCES.—The term 'arts and sciences' means—

''(A) when referring to an organizational unit of an institution of higher education, any academic unit that offers one or more academic majors in disciplines or content areas corresponding to the academic subject matter areas in which teachers provide instruction; and

''(B) when referring to a specific academic subject matter area, the disciplines or content areas in which academic majors are offered by the arts and sciences organizational unit.

''(2) BEGINNING TEACHER.—The term 'beginning teacher' means an educator in a public school who has not yet been teaching 3 full school years.

''(3) MENTORING PROGRAM.—The term 'mentoring program' means to provide professional support and development, instruction, and guidance to beginning teachers, but does not include a teacher or individual who begins to work in a supervisory position.

''(4) PUBLICLY REPORT.—The term 'publicly report', when used with respect to the dissemination of information, means that the information is made widely available to the public, including parents and students, through such means as the Internet and major print and broadcast media outlets.''.

SEC. 202. NATIONAL WRITING PROJECT.

(a) TRANSFER AND REDESIGNATION.—Part K of title X (20 U.S.C. 8331 et seq.) is transferred and redesignated as part B of title II. Sections 10991 and 10992 are redesignated as sections 2101 and 2102, respectively.

(b) EVALUATION.—Section 2102(g) (as so redesignated) is amended—

(1) in paragraph (1), by striking ''14701.'' and inserting ''8651.''; and

(2) in paragraph (2), by striking ''1994'' and inserting ''2002''.

(c) REAUTHORIZATION.—Section 2102(i) (as so redesignated) is amended by striking ''$4,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years,'' and inserting ''such sums as may be necessary for fiscal year 2002 and the four succeeding fiscal years,''.

(d) CONTINUATION OF AWARDS.—Notwithstanding any other provision of this Act, any person or agency that was awarded a grant or contract under part K of title X (20 U.S.C. 8331 et seq.) prior to the date of the enactment of this Act shall continue to receive funds in accordance with the terms of such award until the date on which the award period terminates under such terms.

SEC. 203. CIVIC EDUCATION; TEACHER LIABILITY PROTECTION.

(a) IN GENERAL.—Title II, as amended by sections 201 and 202, is further amended by adding at the end the following:

"PART C—CIVIC EDUCATION

"SEC. 2201. SHORT TITLE.

''This part may be cited as the 'Education for Democracy Act'.

"SEC. 2202. FINDINGS.

''The Congress finds that—

''(1) college freshmen surveyed in 1999 by the Higher Education Research Institute at the University of California at Los Angeles demonstrated higher levels of disengagement, both academically and politically, than any previous entering class of students;

''(2) college freshmen in 1999 demonstrated the lowest levels of political interest in the 20-year history of surveys conducted by the Higher Education Research Institute at the University of California at Los Angeles;

''(3) United States secondary school students expressed relatively low levels of interest in politics and economics in a 1999 Harris survey;

''(4) the 32d Annual Phi Delta Kappa/Gallup Poll of 2000 indicated that preparing students to become responsible citizens was the most important purpose of public schools;

''(5) Americans surveyed by the Organization of Economic Cooperation and Development indicated that only 59 percent had confidence that schools have a major effect on the development of good citizenship;

''(6) teachers too often do not have sufficient expertise in the subjects that they teach, and 50 percent of all secondary school history students in America are being taught by teachers with neither a major nor a minor in history;

''(7) secondary school students correctly answered fewer than 50 percent of the questions on a national test of economic knowledge in a 1999 Harris survey;

''(8) the 1998 National Assessment of Educational Progress indicated that students have only superficial knowledge of, and lacked a depth of understanding regarding, civics;

''(9) civics and economic education are important not only to developing citizenship competencies in the United States but also are critical to supporting political stability and economic health in other democracies, particularly emerging democratic market economies;

''(10) more than 75 percent of Americans surveyed by the National Constitution Center in 1997 admitted that they knew only some or very little about the Constitution of the United States; and

''(11) the Constitution of the United States is too often viewed within the context of history and not as a living document that shapes current events.

''SEC. 2203. PURPOSE.

''It is the purpose of this part—

''(1) to improve the quality of civics and government education by educating students about the history and principles of the Constitution of the United States, including the Bill of Rights;

''(2) to foster civic competence and responsibility; and

''(3) to improve the quality of civic education and economic education through cooperative civic education and economic education exchange programs with emerging democracies.

''SEC. 2204. AUTHORITY.

''The Secretary may make grants to, or enter into contracts with—

''(1) the Center for Civic Education to carry out civic education activities in accordance with sections 2205 and 2206; and

''(2) the National Council on Economic Education to carry out economic education activities in accordance with section 2206.

''SEC. 2205. WE THE PEOPLE PROGRAM.

''(a) USE OF FUNDS.—The Center for Civic Education may use funds made available under grants or contracts under section 2204(1) only to carry out activities—

''(1) under the Citizen and the Constitution program in accordance with subsection (b); and

''(2) under the Project Citizen program in accordance with subsection (c).

''(b) CITIZEN AND THE CONSTITUTION PROGRAM.—

''(1) EDUCATIONAL ACTIVITIES.—The Center for Civic Education—

''(A) shall use funds made available under grants or contracts under section 2204(1)—

''(i) to continue and expand the educational activities of the program entitled the 'We the People... The Citizen and the Constitution' administered by the Center for Civic Education;

''(ii) to carry out activities to enhance student attainment of challenging academic content standards in civics and government;

''(iii) to provide a course of instruction on the basic principles of the Nation's constitutional democracy and the history of the Constitution of the United States, including the Bill of Rights;

''(iv) to provide, at the request of a participating school, school and community simulated congressional hearings following the course of instruction described in clause (iii); and

''(v) to provide an annual national competition of simulated congressional hearings for secondary school students who wish to participate in such a program; and

''(B) may use assistance made available under section 2204(1)—

''(i) to provide advanced sustained and ongoing training of teachers about the Constitution of the United States and the political system of the United States;

''(ii) to provide materials and methods of instruction, including teacher training, that utilize the latest advancements in educational technology; and

''(iii) to provide civic education materials and services to address specific problems such as the prevention of school violence and the abuse of drugs and alcohol.

''(2) AVAILABILITY OF PROGRAM.—As a condition of receipt of funds under grants or contracts under section 2204(1), the Secretary shall require the Center for Civic Education to make the education program authorized under this subsection available to public and private elementary schools and secondary schools, including Bureau-funded schools, in each of the 435 congressional districts, and in the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(c) PROJECT CITIZEN.—

''(1) EDUCATIONAL ACTIVITIES.—The Center for Civic Education—

''(A) shall use funds made available under grants or contracts under section 2204(1)—

''(i) to continue and expand the educational activities of the program entitled the 'We the People... Project Citizen' program administered by the Center;

''(ii) to carry out activities to enhance student attainment of challenging academic content standards in civics and government;

''(iii) to provide a course of instruction at the middle school level on the roles of State and local governments in the Federal system established by the Constitution of the United States; and

''(iv) to provide an annual national showcase or competition; and

''(B) may use funds made available under grants or contracts under section 2204(1)—

''(i) to provide optional school and community simulated State legislative hearings;

''(ii) to provide advanced sustained and ongoing training of teachers on the roles of State and local governments in the Federal system established by the Constitution of the United States;

''(iii) to provide materials and methods of instruction, including teacher training, that utilize the latest advancements in educational technology; and

''(iv) to provide civic education materials and services to address specific problems such as the prevention of school violence and the abuse of drugs and alcohol.

''(2) AVAILABILITY OF PROGRAM.—As a condition of receipt of funds under grants or contracts under section 2204(1), the Secretary shall require the Center for Civic Education to make the education program authorized under this subsection available to public and private middle schools, including Bureau-funded schools, in each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(d) BUREAU-FUNDED SCHOOL DEFINED.—In this section, the term 'Bureau-funded school' has the meaning given such term in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026).

''SEC. 2206. COOPERATIVE CIVIC EDUCATION AND ECONOMIC EDUCATION EXCHANGE PROGRAMS.

''(a) USE OF FUNDS.—The Center for Civic Education and the National Council on Economic Education may use funds made available under grants or contracts under section 2204(2) only to carry out cooperative education exchange programs that—

''(1) make available to educators from eligible countries exemplary curriculum and teacher training programs in civics and government education, and economics education, developed in the United States;

''(2) assist eligible countries in the adaptation, implementation, and institutionalization of programs described in paragraph (1);

''(3) create and implement programs for civics and government education, and economic education, for students that draw upon the experiences of the participating eligible countries;

''(4) provide means for the exchange of ideas and experiences in civics and government education, and economic education, among political, educational, governmental, and private sector leaders of participating eligible countries; and

''(5) provide support for—

''(A) independent research and evaluation to determine the effects of educational programs on students' development of the knowledge, skills, and traits of character essential for the preservation and improvement of constitutional democracy; and

''(B) effective participation in and the preservation and improvement of an efficient market economy.

''(b) ACTIVITIES.—In carrying out the cooperative education exchange programs assisted under this section, the Center for Civic Education and the National Council on Economic Education shall—

''(1) provide to the participants from eligible countries—

''(A) seminars on the basic principles of United States constitutional democracy and economic system, including seminars on the major governmental and economic institutions and systems in the United States, and visits to such institutions;

''(B) visits to school systems, institutions of higher education, and nonprofit organizations conducting exemplary programs in civics and government education, and economic education, in the United States;

''(C) translations and adaptations with respect to United States civics and government education, and economic education, curricular programs for students and teachers, and in the case of training programs for teachers translations and adaptations into forms useful in schools in eligible countries, and joint research projects in such areas; and

''(D) independent research and evaluation assistance—

''(i) to determine the effects of the cooperative education exchange programs on stu-

dents' development of the knowledge, skills, and traits of character essential for the preservation and improvement of constitutional democracy; and

''(ii) to identify effective participation in and the preservation and improvement of an efficient market economy;

''(2) provide to the participants from the United States—

''(A) seminars on the histories, economies, and systems of government of eligible countries;

''(B) visits to school systems, institutions of higher education, and organizations conducting exemplary programs in civics and government education, and economic education, located in eligible countries;

''(C) assistance from educators and scholars in eligible countries in the development of curricular materials on the history, government, and economy of such countries that are useful in United States classrooms;

''(D) opportunities to provide onsite demonstrations of United States curricula and pedagogy for educational leaders in eligible countries; and

''(E) independent research and evaluation assistance to determine—

''(i) the effects of the cooperative education exchange programs assisted under this section on students' development of the knowledge, skills, and traits of character essential for the preservation and improvement of constitutional democracy; and

''(ii) effective participation in and improvement of an efficient market economy; and

''(3) assist participants from eligible countries and the United States to participate in international conferences on civics and government education, and economic education, for educational leaders, teacher trainers, scholars in related disciplines, and educational policymakers.

''(c) PARTICIPANTS.—The primary participants in the cooperative education exchange programs assisted under this section shall be educational leaders in the areas of civics and government education, and economic education, including teachers, curriculum and teacher training specialists, scholars in relevant disciplines, and educational policymakers, and government and private sector leaders from the United States and eligible countries.

''(d) CONSULTATION.—The Secretary may make a grant, or enter into a contract, under section 2204(2) only if the Secretary of State concurs with the Secretary that such grant, or contract, is consistent with the foreign policy of the United States.

''(e) AVOIDANCE OF DUPLICATION.—With the concurrence of the Secretary of State, the Secretary shall ensure that—

''(1) the activities carried out under the programs assisted under this section are not duplicative of other activities conducted in eligible countries; and

''(2) any institutions in eligible countries, with which the Center for Civic Education or the National Council on Economic Education may work in conducting such activities, are creditable.

''(f) ELIGIBLE COUNTRY DEFINED.—In this section, the term 'eligible country' means a Central European country, an Eastern European country, Lithuania, Latvia, Estonia, the independent states of the former Soviet Union as defined in section 3 of the FREEDOM Support Act (22 U.S.C. 5801), the Republic of Ireland, the province of Northern Ireland in the United Kingdom, and any developing country (as such term is defined in section 209(d) of the Education for the Deaf Act) if the Secretary, with the concurrence of the Secretary of State, determines that such developing country has a democratic form of government.

"SEC. 2207. FUNDING.

''(a) AUTHORIZATION OF APPROPRIATIONS.—

''(1) WE THE PEOPLE PROGRAM.—There are authorized to be appropriated to carry out sections 2204(1) and 2205 such sums as may be necessary for each of fiscal years 2002 through 2006.

''(2) COOPERATIVE CIVIC EDUCATION AND ECONOMIC EDUCATION EXCHANGE PROGRAMS.—There are authorized to be appropriated to carry out sections 2204(2) and 2206 such sums as may be necessary for each of fiscal years 2002 through 2006.

''(b) LIMITATION.—In each fiscal year, the Secretary may use not more than 50 percent of the amount appropriated under subsection (a)(2) for assistance for economic educational activities.

"PART D—TEACHER LIABILITY PROTECTION

"SEC. 2301. SHORT TITLE.

''This part may be cited as the 'Paul Coverdell Teacher Liability Protection Act of 2001'.

"SEC. 2302. FINDINGS AND PURPOSE.

''(a) FINDINGS.—Congress makes the following findings:

''(1) The ability of teachers, principals and other school professionals to teach, inspire and shape the intellect of our Nation's elementary and secondary school students is deterred and hindered by frivolous lawsuits and litigation.

''(2) Each year more and more teachers, principals and other school professionals face lawsuits for actions undertaken as part of their duties to provide millions of school children quality educational opportunities.

''(3) Too many teachers, principals and other school professionals face increasingly severe and random acts of violence in the classroom and in schools.

''(4) Providing teachers, principals and other school professionals a safe and secure environment is an important part of the effort to improve and expand educational opportunities.

''(5) Clarifying and limiting the liability of teachers, principals and other school professionals who undertake reasonable actions to maintain order, discipline and an appropriate educational environment is an appropriate subject of Federal legislation because—

''(A) the scope of the problems created by the legitimate fears of teachers, principals and other school professionals about frivolous, arbitrary or capricious lawsuits against teachers is of national importance; and

''(B) millions of children and their families across the Nation depend on teachers, principals and other school professionals for the intellectual development of children.

''(b) PURPOSE.—The purpose of this part is to provide teachers, principals and other school professionals the tools they need to undertake reasonable actions to maintain order, discipline and an appropriate educational environment.

"SEC. 2303. PREEMPTION AND ELECTION OF STATE NONAPPLICABILITY.

''(a) PREEMPTION.—This part preempts the laws of any State to the extent that such laws are inconsistent with this part, except that this part shall not preempt any State law that provides additional protection from liability relating to teachers.

''(b) ELECTION OF STATE REGARDING NONAPPLICABILITY.—This part shall not apply to any civil action in a State court against a teacher with respect to claims arising within that State if such State enacts a statute in accordance with State requirements for enacting legislation—

''(1) citing the authority of this subsection;

''(2) declaring the election of such State that this part shall not apply, as of a date certain, to such civil action in the State; and

''(3) containing no other provisions.

"SEC. 2304. LIMITATION ON LIABILITY FOR TEACHERS.

''(a) LIABILITY PROTECTION FOR TEACHERS.—Except as provided in subsections (b) and (c), no teacher in a school shall be liable for harm caused by an act or omission of the teacher on behalf of the school if—

''(1) the teacher was acting within the scope of the teacher's employment or responsibilities related to providing educational services;

''(2) the actions of the teacher were carried out in conformity with local, State, and Federal laws, rules and regulations in furtherance of efforts to control, discipline, expel, or suspend a student or maintain order or control in the classroom or school;

''(3) if appropriate or required, the teacher was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred, where the activities were or practice was undertaken within the scope of the teacher's responsibilities;

''(4) the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the teacher; and

''(5) the harm was not caused by the teacher operating a motor vehicle, vessel, aircraft, or other vehicle for which the State requires the operator or the owner of the vehicle, craft, or vessel to—

''(A) possess an operator's license; or

''(B) maintain insurance.

''(b) CONCERNING RESPONSIBILITY OF TEACHERS TO SCHOOLS AND GOVERNMENTAL ENTITIES.—Nothing in this section shall be construed to affect any civil action brought by any school or any governmental entity against any teacher of such school.

''(c) EXCEPTIONS TO TEACHER LIABILITY PROTECTION.—If the laws of a State limit teacher liability subject to one or more of the following conditions, such conditions shall not be construed as inconsistent with this section:

''(1) A State law that requires a school or governmental entity to adhere to risk management procedures, including mandatory training of teachers.

''(2) A State law that makes the school or governmental entity liable for the acts or omissions of its teachers to the same extent as an employer is liable for the acts or omissions of its employees.

''(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.

''(d) LIMITATION ON PUNITIVE DAMAGES BASED ON THE ACTIONS OF TEACHERS.—

''(1) GENERAL RULE.—Punitive damages may not be awarded against a teacher in an action brought for harm based on the action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity unless the claimant establishes by clear and convincing evidence that the harm was proximately caused by an action of such teacher which constitutes willful or criminal misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed.

''(2) CONSTRUCTION.—Paragraph (1) does not create a cause of action for punitive damages and does not preempt or supersede any Federal or State law to the extent that such law would further limit the award of punitive damages.

''(e) EXCEPTIONS TO LIMITATIONS ON LIABILITY.—

''(1) IN GENERAL.—The limitations on the liability of a teacher under this part shall not apply to any misconduct that—

''(A) constitutes a crime of violence (as that term is defined in section 16 of title 18,

United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18, United States Code) for which the defendant has been convicted in any court;

''(B) involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court;

''(C) involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law; or

''(D) where the defendant was under the influence (as determined pursuant to applicable State law) of intoxicating alcohol or any drug at the time of the misconduct.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect subsection (a)(3) or (d).

''SEC. 2305. LIABILITY FOR NONECONOMIC LOSS.

''(a) GENERAL RULE.—In any civil action against a teacher, based on an action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity, the liability of the teacher for noneconomic loss shall be determined in accordance with subsection (b).

''(b) AMOUNT OF LIABILITY.—

''(1) IN GENERAL.—Each defendant who is a teacher, shall be liable only for the amount of noneconomic loss allocated to that defendant in direct proportion to the percentage of responsibility of that defendant (determined in accordance with paragraph (2)) for the harm to the claimant with respect to which that defendant is liable. The court shall render a separate judgment against each defendant in an amount determined pursuant to the preceding sentence.

''(2) PERCENTAGE OF RESPONSIBILITY.—For purposes of determining the amount of noneconomic loss allocated to a defendant who is a teacher under this section, the trier of fact shall determine the percentage of responsibility of that defendant for the claimant's harm.

''SEC. 2306. RULE OF CONSTRUCTION.

''Nothing in this part shall be construed to affect any State or local law (including a rule or regulation) or policy pertaining to the use of corporal punishment.

''SEC. 2307. DEFINITIONS.

''For purposes of this part:

''(1) ECONOMIC LOSS.—The term 'economic loss' means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.

''(2) HARM.—The term 'harm' includes physical, nonphysical, economic, and noneconomic losses.

''(3) NONECONOMIC LOSSES.—The term 'noneconomic losses' means losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation and all other nonpecuniary losses of any kind or nature.

''(4) SCHOOL.—The term 'school' means a public or private kindergarten, a public or private elementary school or secondary school (as defined in section 14101, or a home school.

''(5) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

''(6) TEACHER.—The term 'teacher' means a teacher, instructor, principal, administrator, or other educational professional that works in a school, a local school board and any member of such board, and a local educational agency and any employee of such agency.

''SEC. 2308. APPLICABILITY.

''This part applies to any claim for harm caused by an act or omission of a teacher if that claim is filed on or after the effective date of the No Child Left Behind Act of 2001 without regard to whether the harm that is the subject of the claim or the conduct that caused the harm occurred before such effective date.''.

TITLE III—EDUCATION OF LIMITED ENGLISH PROFICIENT AND IMMIGRANT CHILDREN; INDIAN AND ALASKA NATIVE EDUCATION

PART A—EDUCATION OF LIMITED ENGLISH PROFICIENT AND IMMIGRANT CHILDREN

SEC. 301. PROGRAMS AUTHORIZED.

(a) TITLE HEADING.—The heading for title III is amended to read as follows:

''TITLE III—EDUCATION OF LIMITED ENGLISH PROFICIENT AND IMMIGRANT CHILDREN; INDIAN AND ALASKA NATIVE EDUCATION''.

(b) SHORT TITLE.—Section 3101 (20 U.S.C. 6801) is repealed.

(c) LIMITATION ON AVAILABILITY OF CERTAIN FUNDS FOR SCHOOLS.—

(1) IN GENERAL.—Section 3601 (20 U.S.C. 7001)—

(A) is transferred to part B of title V (as amended by section 501) and inserted after section 5204 (as so amended);

(B) is redesignated as section 5205; and

(C) is amended by striking ''this title'' each place such term appears and inserting ''this part''.

(2) PART HEADING REPEAL.—The part heading for part F of title III is repealed.

(d) LIMITED ENGLISH PROFICIENT AND IMMIGRANT CHILDREN.—Parts A through E of title III (20 U.S.C. 6811 et seq.) are amended to read as follows:

''PART A—EDUCATION OF LIMITED ENGLISH PROFICIENT AND IMMIGRANT CHILDREN

''Subpart 1—English Language and Academic Instructional Programs

''SEC. 3101. SHORT TITLE.

''This subpart may be cited as the 'English Language Proficiency and Academic Achievement Act'.

''SEC. 3102. FINDINGS AND PURPOSES.

''(a) FINDINGS.—The Congress finds as follows:

''(1) English is the common language of the United States and every citizen and other person residing in the United States should have a command of the English language in order to develop to their full potential.

''(2) Limited English proficient children, including recent immigrant children, must overcome a number of challenges in receiving an education in order to participate fully in American society, including—

''(A) segregated educational programs;

''(B) disproportionate and improper placement in special education and other special programs due to the use of inappropriate evaluation procedures;

''(C) the limited English proficiency of their parents, which hinders the parents' ability to fully participate in the education of their children; and

''(D) a need for additional teachers and other staff who are professionally trained and qualified to serve such children.

''(3) States and local educational agencies need assistance in developing the capacity to provide programs of instruction that offer and provide an equal educational opportunity to children who need special assistance because English is not their dominant language.

''(4) Since 1979, the number of limited English proficient children attending school in the United States has more than doubled to greater than 4,000,000, and demographic trends indicate the population of limited English proficient children will continue to increase.

''(5) Native Americans, including native residents of the outlying areas, and Native American languages (as such terms are defined in section 103 of the Native American Languages Act) have a unique status under Federal law that requires special policies within the broad purposes of this part to serve the educational needs of language minority students in the United States.

''(6) Research, evaluation, and data collection capabilities in the field of instruction for limited English proficient children need to be strengthened so that educators and other staff teaching limited English proficient children in the classroom can better identify and promote programs, program implementation strategies, and instructional practices that result in the effective education of limited English proficient children.

''(7) The Federal Government has a special and continuing obligation to ensure that States and local educational agencies provide children of limited English proficiency the same educational opportunities afforded other children.

''(b) PURPOSES.—The purposes of this part are—

''(1) to help ensure that children who are limited English proficient, including recent immigrant children, attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging State academic content standards and challenging State student academic achievement standards expected of all children;

''(2) to develop high-quality programs designed to assist local educational agencies in teaching limited English proficient children;

''(3) to assist local educational agencies to develop and enhance their capacity to provide high-quality instructional programs designed to prepare limited English proficient students, including recent immigrant students, to enter all-English instructional settings within 3 years; and

''(4) to provide State educational agencies and local educational agencies with the flexibility to implement instructional programs, tied to scientifically based reading research and sound research and theory on teaching limited English proficient children, that the agencies believe to be the most effective for teaching English.

''SEC. 3103. PARENTAL NOTIFICATION AND CONSENT FOR ENGLISH LANGUAGE INSTRUCTION.

''(a) NOTIFICATION.—If a local educational agency uses funds under this subpart to provide English language instruction to limited English proficient children, the agency shall inform a parent or the parents of a child participating in an English language instruction program for limited English proficient children assisted under this subpart of—

''(1) the reasons for the identification of the child as being in need of English language instruction;

''(2) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;

''(3) how the English language instruction program will specifically help the child acquire English and meet age-appropriate standards for grade promotion and graduation;

''(4) what the specific exit requirements are for the program;

''(5) the expected rate of transition from the program into a classroom that is not tailored for limited English proficient children; and

''(6) the expected rate of graduation from high school for the program if funds under this subpart are used for children in secondary schools.

''(b) CONSENT.—

''(1) AGENCY REQUIREMENTS.—

''(A) INFORMED CONSENT.—For a child who has been identified as limited English proficient prior to the beginning of the school year, each local educational agency that receives funds under this subpart shall make a reasonable and substantial effort to obtain informed parental consent prior to the placement of a child in an English language instruction program for limited English proficient children funded under this subpart, if the program does not include classes which exclusively or almost exclusively use the English language in instruction.

''(B) WRITTEN CONSENT NOT OBTAINED.—

''(i) IN GENERAL.—If written consent is not obtained, the local educational agency shall maintain a written record that includes the date and the manner in which such informed consent was sought, including the specific efforts made to obtain such consent.

''(ii) PROOF OF EFFORT.—Notice, in an understandable form, of specific efforts made to obtain written consent and a copy of the written record described in clause (i) shall be mailed or delivered in writing to a parent or the parents of a child prior to placing the child in a program described in subparagraph (A), and shall include a final request for parental consent for such services. After such notice has been mailed or delivered in writing, the local educational agency shall provide appropriate educational services.

''(iii) SPECIAL RULE APPLICABLE DURING SCHOOL YEAR.—For those children who have not been identified as limited English proficient prior to the beginning of the school year, the local educational agency shall make a reasonable and substantial effort to obtain parental consent under this clause. For such children, the agency shall document, in writing, its specific efforts to obtain such consent prior to placing the child in a program described in subparagraph (A). After such documentation has been made, the local educational agency shall provide appropriate educational services to such child. The proof of documentation shall be mailed or delivered in writing to a parent or the parents of the child in a timely manner and shall include information on how to have their child immediately removed from the program upon their request. Nothing in this clause shall be construed as exempting a local educational agency from complying with the notification requirements of subsection (a) and the consent requirements of this paragraph.

''(2) PARENTAL RIGHTS.—A parent or the parents of a child participating in an English language instruction program for limited English proficient children assisted under this subpart—

''(A) shall select among methods of instruction, if more than one method is offered in the program; and

''(B) shall have the right to have their child immediately removed from the program upon their request.

''(c) RECEIPT OF INFORMATION.—A parent or the parents of a child identified for participation in an English language instruction program for limited English proficient children assisted under this subpart shall receive, in a manner and form understandable to the parent or parents, the information required by this subsection. At a minimum, the parent or parents shall receive—

''(1) timely information about English language instruction programs for limited English proficient children assisted under this part;

''(2) if a parent or the parents of a participating child so desire, notice of opportunities for regular meetings for the purpose of formulating and responding to recommendations from the parent or parents; and

''(3) procedural information for removing a child from a program for limited English proficient children.

''(d) BASIS FOR ADMISSION OR EXCLUSION.—Students shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.

''SEC. 3104. TESTING OF LIMITED ENGLISH PROFICIENT CHILDREN.

''(a) IN GENERAL.—Assessments of limited English proficient children participating in programs funded under this subpart, to the extent practicable, shall be in the language and form most likely to yield accurate and reliable information on what such students know and can do in content areas.

''(b) SPECIAL RULE.—Notwithstanding subsection (a), in the case of an assessment of reading or language arts of any student who has attended school in the United States (excluding Puerto Rico) for 3 or more consecutive school years, the assessment shall be in the form of a test written in English, except that, if the entity administering the assessment determines, on a case-by-case individual basis, that assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the entity may assess such student in such language or form for 1 additional year.

''SEC. 3105. FORMULA GRANTS TO STATES.

''(a) IN GENERAL.—In the case of each State that in accordance with section 3107 submits to the Secretary an application for a fiscal year, the Secretary shall make a grant for the year to the State for the purposes specified in subsection (b). The grant shall consist of the allotment determined for the State under subsection (c).

''(b) PURPOSES OF GRANTS.—

''(1) REQUIRED EXPENDITURES.—The Secretary may make a grant under subsection (a) only if the State involved agrees that the State will expend at least 95 percent of its allotment under subsection (c) for the purpose of making subgrants to eligible entities to provide assistance to limited English proficient children in accordance with sections 3108 and 3109.

''(2) AUTHORIZED EXPENDITURES.—Subject to paragraph (3), a State that receives a grant under subsection (a) may expend not more than 5 percent of its allotment under subsection (c) for one or more of the following purposes:

''(A) Carrying out—

''(i) professional development activities, and other activities, that assist personnel in meeting State and local certification requirements for teaching limited English proficient children; and

''(ii) other activities that provide such personnel with the skills and knowledge necessary to educate limited English proficient children.

''(B) Providing scholarships and fellowships to students who agree to teach limited English proficient children once they graduate.

''(C) Planning, administration, and interagency coordination related to the subgrants referred to in paragraph (1).

''(D) Providing technical assistance and other forms of assistance to local educational agencies that—

''(i) educate limited English proficient children; and

''(ii) are not receiving a subgrant from a State under this subpart.

''(E) Providing bonuses to subgrantees whose performance has been exceptional in terms of the speed with which children enrolled in the subgrantee's programs and activities attain English language proficiency and meet challenging State academic content standards and challenging State student academic achievement standards.

''(3) LIMITATION ON ADMINISTRATIVE COSTS.—In carrying out paragraph (2), a State that receives a grant under subsection (a) may expend not more than 2 percent of its allotment under subsection (c) for the purposes described in paragraph (2)(C).

''(c) DETERMINATION OF ALLOTMENT AMOUNTS.—

''(1) RESERVATIONS.—From the amount appropriated under section 3110 to carry out this subpart for each fiscal year, the Secretary shall reserve—

''(A) .5 percent of such amount for payments to entities that are considered to be local educational agencies under section 3106(a) for activities approved by the Secretary;

''(B) .5 percent of such amount for payments to outlying areas, to be allotted in accordance with their respective needs for assistance under this subpart, as determined by the Secretary, for activities, approved by the Secretary, consistent with this part; and

''(C) ½ of 1 percent of such amount for evaluation of the programs under this part and for dissemination of best practices.

''(2) CONTINUATION AWARDS.—Before making awards to States under paragraph (3) for any fiscal year, the Secretary shall make continuation awards to recipients of grants under subpart 1 of part A of the Bilingual Education Act, as that Act was in effect on the day before the effective date of the No Child Left Behind Act of 2001, in order to allow such recipients to continue to receive funds in accordance with the terms of their grant until the date on which the grant period otherwise would have terminated if the No Child Left Behind Act of 2001 had not been enacted.

''(3) STATE ALLOTMENTS.—

''(A) IN GENERAL.—From the amount appropriated under section 3110 to carry out this subpart for each fiscal year that remains after carrying out paragraphs (1) and (2), the Secretary shall allot to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico an amount which bears the same ratio to such amount as the total number of children and youth who are limited English proficient and who reside in such State bears to the total number of such children and youth residing in all such States that, in accordance with section 3107, submit to the Secretary an application for the year.

''(B) REALLOTMENT.—

''(i) IN GENERAL.—If any State described in subparagraph (A) does not submit to the Secretary an application for a fiscal year, or submits an application (or any modification to an application) that the Secretary, after reasonable notice and opportunity for a hearing, determines does not satisfy the requirements of this subpart, the Secretary—

''(I) shall endeavor to make the State's allotment available on a competitive basis to specially qualified agencies within the State that satisfy the requirements applicable to eligible entities under section 3108 and any additional requirements that may be imposed by the Secretary; and

''(II) shall reallot any portion of such allotment remaining after the application of subclause (I) to the remaining States in accordance with subparagraph (A).

''(ii) REQUIREMENTS ON SPECIALLY QUALIFIED AGENCIES.—If a specially qualified agency receives funds under this subparagraph, the requirements of subsection (b) shall not apply to the agency. In lieu of those require-

ments, the specially qualified agency shall expend the funds for the authorized activities described in section 3108(b) and otherwise shall satisfy the requirements of section 3108.

''(C) SPECIAL RULE FOR PUERTO RICO.—The total amount allotted to Puerto Rico for any fiscal year under subparagraph (A) shall not exceed .5 percent of the total amount allotted to all States for that fiscal year.

''(4) USE OF DATA FOR DETERMINATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), for the purpose of determining the number of children and youth who are limited English proficient and reside in a State and in all States for each fiscal year, the Secretary shall use the most recent satisfactory data available from the Bureau of the Census and the American Community Survey available from the Department of Commerce.

''(B) EXCEPTION.—If the data described in subparagraph (A) are more than 4 years old or unavailable, the Secretary shall use the most recent satisfactory data provided by the States, such as enrollment data and data that reflect the number of students taking the English proficiency assessments in the States.

''(5) NO REDUCTION PERMITTED BASED ON TEACHING METHOD.—The Secretary may not reduce a State's allotment based on the State's selection of any method of instruction as its preferred method of teaching the English language to children who are limited English proficient.

"SEC. 3106. NATIVE AMERICAN AND ALASKA NATIVE CHILDREN IN SCHOOL.

''(a) ELIGIBLE ENTITIES.—For the purpose of carrying out programs under this part for individuals served by elementary, secondary, and postsecondary schools operated predominately for Native American or Alaska Native children, the following shall be considered to be a local educational agency:

''(1) An Indian tribe.

''(2) A tribally sanctioned educational authority.

''(3) A Native Hawaiian or Native American Pacific Islander native language educational organization.

''(4) An elementary or secondary school that is operated or funded by the Bureau of Indian Affairs, or a consortium of such schools.

''(5) An elementary or secondary school operated under a contract with or grant from the Bureau of Indian Affairs, in consortium with another such school or a tribal or community organization.

''(6) An elementary or secondary school operated by the Bureau of Indian Affairs and an institution of higher education, in consortium with an elementary or secondary school operated under a contract with or grant from the Bureau of Indian Affairs or a tribal or community organization.

''(b) SUBMISSION OF APPLICATIONS FOR ASSISTANCE.—Notwithstanding any other provision of this part, an entity that is considered to be a local educational agency under subsection (a), and that desires to submit an application for Federal financial assistance under this subpart, shall submit the application to the Secretary. In all other respects, such an entity shall be eligible for a subgrant under this subpart on the same basis as any other local educational agency.

"SEC. 3107. APPLICATIONS BY STATES.

''For purposes of section 3105, an application submitted by a State for a grant under such section for a fiscal year is in accordance with this section if the application—

''(1) describes the process that the State will use in making competitive subgrants to eligible entities under section 3109(c);

''(2) contains an agreement that, in carrying out this subpart, the State will address the needs of school systems of all sizes and in all geographic areas, including rural and urban schools;

''(3) contains an agreement that competitive subgrants to eligible entities under section 3109(c) shall be of sufficient size and scope to allow such entities to carry out high quality education programs for limited English proficient children;

''(4) contains an agreement that the State will coordinate its programs and activities under this subpart with its other programs and activities under this Act and other Acts, as appropriate;

''(5) contains an agreement that the State—

''(A) shall monitor the progress of students enrolled in programs and activities receiving assistance under this subpart in attaining English proficiency and in attaining challenging State academic content standards and challenging State student academic achievement standards;

''(B) shall establish standards and benchmarks for English language development that are aligned with State academic content and achievement standards; and

''(C) will ensure that eligible entities comply with section 3104 to annually test children in English who have been in the United States for 3 or more consecutive years;

''(6) contains an assurance that the State will develop high-quality annual assessments to measure English language proficiency and require eligible entities receiving a subgrant under this subpart annually to assess the English proficiency of all children with limited English proficiency participating in a program funded under this subpart;

''(7) contains an agreement that the State will develop annual performance objectives for raising the level of English proficiency of each limited English proficient student, and that these objectives shall include percentage increases in performance on annual assessments in reading, writing, speaking, and listening comprehension as compared to the preceding school year; and

''(8) contains an agreement that the State will require eligible entities receiving a subgrant under this subpart to use the subgrant in ways that will build such recipient's capacity to continue to offer high-quality English language instruction and programs which assist limited English proficient children in attaining challenging State academic content standards and challenging State student academic achievement standards once assistance under this subpart is no longer available.

"SEC. 3108. SUBGRANTS TO ELIGIBLE ENTITIES.

''(a) PURPOSES OF SUBGRANTS.—A State may make a subgrant to an eligible entity from funds received by the State under this subpart only if the entity agrees to expend the funds to improve the education of limited English proficient children and their families, through the acquisition of English and the attainment of challenging State academic content standards and challenging State student academic achievement standards, using approaches and methodologies based on scientifically based reading research and sound research and theory on teaching limited English proficient children, by—

''(1) developing and implementing new English language and academic content instructional programs for children who are limited English proficient, including programs of early childhood education and kindergarten through 12th grade education;

''(2) carrying out highly focused, innovative, locally designed projects to expand or enhance existing English language and academic content instruction programs for limited English proficient children;

''(3) implementing, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs and operations relating to English language and academic content instruction for limited English proficient students; or

''(4) implementing, within the entire jurisdiction of a local educational agency, agencywide programs for restructuring, reforming, and upgrading all relevant programs and operations relating to English language and academic content instruction for limited English proficient students.

''(b) AUTHORIZED SUBGRANTEE ACTIVITIES.—

''(1) IN GENERAL.—Subject to paragraph (2), a State may make a subgrant to an eligible entity from funds received by the State under this subpart in order that the eligible entity may achieve one of the purposes described in subsection (a) by undertaking one or more of the following activities to improve the understanding, and use, of the English language, based on a child's learning skills and attainment of challenging State academic content standards and challenging State student academic achievement standards:

''(A) Upgrading program objectives and effective instructional strategies.

''(B) Improving the instruction program for limited English proficient students by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures.

''(C) Providing—

''(i) tutorials and academic or vocational education for limited English proficient children; and

''(ii) intensified instruction.

''(D) Developing and implementing elementary or secondary school English language instructional programs that are coordinated with other relevant programs and services.

''(E) Providing professional development to classroom teachers, principals, administrators, and other school or community-based organizational personnel to improve the instruction and assessment of children who are limited English proficient children.

''(F) Improving the English language proficiency and academic performance of limited English proficient children.

''(G) Improving the instruction of limited English proficient children by providing for the acquisition or development of education technology or instructional materials, access to and participation in electronic networks for materials, training and communications, and incorporation of such resources in curricula and programs, such as those funded under this subpart.

''(H) Developing tutoring programs for limited English proficient children that provide early intervention and intensive instruction in order to improve academic achievement, to increase graduation rates among limited English proficient children, and to prepare students for transition as soon as possible into classrooms where instruction is not tailored for limited English proficient children.

''(I) Providing family literacy services and parent outreach and training activities to limited English proficient children and their families to improve their English language skills and assist parents in helping their children to improve their academic performance.

''(J) Other activities that are consistent with the purposes of this part.

''(2) MOVING CHILDREN OUT OF SPECIALIZED CLASSROOMS.—Any program or activity undertaken by an eligible entity using a subgrant from a State under this subpart shall be designed to assist students enrolled in the program or activity to attain English proficiency and meet challenging State academic content standards and challenging State student academic achievement standards as soon as possible, but not later than after 3 consecutive years of attendance in United States schools (excluding schools in

Puerto Rico), and to move into a classroom where instruction is not tailored for limited English proficient children.

''(c) SELECTION OF METHOD OF INSTRUCTION.—To receive a subgrant from a State under this subpart, an eligible entity shall select one or more methods or forms of instruction to be used in the programs and activities undertaken by the entity to assist limited English proficient children to attain English proficiency and meet challenging State academic content standards and challenging State student academic achievement standards. Such selection shall be consistent with sections 3134 and 3135.

''(d) DURATION OF SUBGRANTS.—The duration of a competitive subgrant made by a State under section 3109(c) shall be determined by the State in its discretion.

''(e) APPLICATIONS BY ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To receive a subgrant from a State under this subpart, an eligible entity shall submit an application to the State at such time, in such form, and containing such information as the State may require.

''(2) REQUIRED DOCUMENTATION.—The application shall—

''(A) describe the programs and activities proposed to be developed, implemented, and administered under the subgrant;

''(B) describe how the eligible entity will use the subgrant funds to satisfy the requirement in subsection (b)(2); and

''(C) describe how the eligible entity, using the disaggregated results of the student assessments required under section 1111(b)(4) and other measures available, will annually review the progress of elementary and secondary schools within its jurisdiction, or served by it, to determine if such schools are making the adequate yearly progress necessary to ensure that limited English proficient students attending the schools will meet the State's proficient level of performance on the State assessment described in section 1111(b)(4), and will hold such schools accountable for making such progress.

''(3) REQUIREMENTS FOR APPROVAL.—The application shall contain assurances that—

''(A) the eligible entity will use qualified personnel who have appropriate training and professional credentials in teaching English to children who are limited English proficient, and who are proficient in English, including written and oral communication skills;

''(B) if the eligible entity includes one or more local educational agencies, each such agency is complying with section 3103(b) prior to, and throughout, each school year;

''(C) the eligible entity annually will assess the English proficiency of all children with limited English proficiency participating in programs funded under this subpart;

''(D) the eligible entity has based its proposal on scientifically based reading research and sound research and theory on teaching limited English proficient children;

''(E) the eligible entity has described in the application how students enrolled in the programs and activities proposed in the application will be proficient in English after 3 academic years of enrollment;

''(F) the eligible entity will ensure that programs will enable children to speak, read, write, and comprehend the English language and meet challenging State academic content standards and challenging State student academic achievement standards; and

''(G) the eligible entity is not in violation of any State law, including State constitutional law, regarding the education of limited English proficient children, consistent with sections 3134 and 3135.

''(4) QUALITY.—For the purposes of awarding competitive subgrants under section 3109(c), a State shall consider the quality of each application and ensure that it is of sufficient size and scope to meet the purposes of this subpart.

"SEC. 3109. DISTRIBUTION OF SUBGRANTS TO ELIGIBLE ENTITIES.

''(a) IN GENERAL.—A State shall expend at least 95 percent of its allotment under section 3105(c) each fiscal year for the purpose of making subgrants to eligible entities within the State that have approved applications, in accordance with subsections (b) and (c).

''(b) FORMULA SUBGRANTS.—

''(1) RESERVATION.—75 percent of the amount expended by a State for subgrants under this subpart shall be reserved for subgrants to eligible entities described in subsection (a) in which, during the fiscal year for which the subgrant is to be made, the number of limited English proficient children and youth who are enrolled in public and nonpublic elementary or secondary schools located in geographic areas under the jurisdiction of, or served by, such entities is equal to at least 500 students, or 3 percent of the total number of children and youth enrolled in such schools during such fiscal year, whichever is less.

''(2) ALLOTMENT.—From the amount reserved under paragraph (1), the State shall allot to each eligible entity described in such paragraph a percentage based on the ratio of—

''(A) the number of limited English proficient children and youth who are enrolled in public and nonpublic elementary or secondary schools located in geographic areas under the jurisdiction of, or served by, such entity during the fiscal year for which the allotment is to be made; to

''(B) the number of such children and youth in all such eligible entities.

''(3) REALLOTMENT.—Whenever a State determines that an allotment made to an eligible entity under this subsection for a fiscal year will not be used by the entity for the purpose for which it was made, the State shall, in accordance with such rules as it deems appropriate, reallot such amount, consistent with paragraph (2), to other eligible entities in the State for carrying out that purpose.

''(c) COMPETITIVE SUBGRANTS.—25 percent of the amount expended by a State for subgrants under this subpart shall be reserved for competitive subgrants to eligible entities described in subsection (a) that the State determines—

''(1) have experienced significant increases, as compared to the previous 2 years, in the percentage or number of children and youth with limited English proficiency, including recent immigrant children, that have enrolled in public and nonpublic elementary or secondary schools in the geographic areas under the jurisdiction of, or served by, such entities during the fiscal year for which the subgrant is to be made; or

''(2) do not satisfy the requirements of subsection (b)(1) but have significant needs for programs under this subpart.

"SEC. 3110. AUTHORIZATION OF APPROPRIATIONS.

''For the purpose of carrying out this subpart, there are authorized to be appropriated $750,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.

"Subpart 2—Administration

"SEC. 3121. EVALUATIONS.

''(a) IN GENERAL.—Each eligible entity that receives a subgrant from a State under subpart 1 shall provide the State, at the conclusion of every second fiscal year during which the subgrant is received, with an evaluation, in a form prescribed by the State, of—

''(1) the programs and activities conducted by the entity with funds received under subpart 1 during the 2 immediately preceding fiscal years;

''(2) the progress made by students in learning the English language and meeting challenging State academic content standards and challenging State student academic achievement standards;

''(3) the number and percentage of students in the programs and activities attaining English language proficiency by the end of each school year, as determined by a valid and reliable assessment of English proficiency; and

''(4) the progress made by students in meeting challenging State academic content standards and challenging State student academic achievement standards for each of the 2 years after such students are no longer receiving services under this part.

''(b) USE OF EVALUATION.—An evaluation provided by an eligible entity under subsection (a) shall be used by the entity and the State—

''(1) for improvement of programs and activities;

''(2) to determine the effectiveness of programs and activities in assisting children who are limited English proficient to attain English proficiency (as measured consistent with subsection (d)) and meet challenging State academic content standards and challenging State student academic achievement standards; and

''(3) in determining whether or not to continue funding for specific programs or projects.

''(c) EVALUATION COMPONENTS.—An evaluation provided by an eligible entity under subsection (a) shall include—

''(1) an evaluation of whether students enrolling in a program or activity conducted by the entity with funds received under subpart 1—

''(A) have attained English proficiency and are meeting challenging State academic content academic and challenging State student academic achievement standards; and

''(B) have achieved a working knowledge of the English language that is sufficient to permit them to perform, in English, in a classroom that is not tailored to limited English proficient children; and

''(2) such other information as the State may require.

''(d) EVALUATION MEASURES.—In prescribing the form of an evaluation provided by an entity under subsection (a), a State shall approve evaluation measures, as applicable, for use under subsection (c) that are designed to assess—

''(1) oral language proficiency in kindergarten;

''(2) oral language proficiency, including speaking and listening skills, in first grade;

''(3) both oral language proficiency, including speaking and listening skills, and reading and writing proficiency in grades 2 and higher; and

''(4) attainment of challenging State student academic achievement standards.

"SEC. 3122. REPORTING REQUIREMENTS.

''(a) STATES.—Based upon the evaluations provided to a State under section 3121, each State that receives a grant under subpart 1 shall prepare and submit every second year to the Secretary a report on programs and activities undertaken by the State under such subpart and the effectiveness of such programs and activities in improving the education provided to children who are limited English proficient.

''(b) SECRETARY.—Every second year, the Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on—

''(1) programs and activities undertaken by States under subpart 1 and the effectiveness

of such programs and activities in improving the education provided to children who are limited English proficient;

''(2) the types of instructional programs used under subpart 1 to teach limited English proficient children;

''(3) the number of programs or projects, if any, that were terminated because they were not able to reach program goals;

''(4) the number of limited English proficient children served under subpart 1 who were transitioned out of special instructional programs funded under such subpart into classrooms where instruction is not tailored for limited English proficient children; and

''(5) other information gathered from the reports submitted under subsection (a).

''SEC. 3123. COORDINATION WITH RELATED PROGRAMS.

''In order to maximize Federal efforts aimed at serving the educational needs of children and youth of limited English proficiency, the Secretary shall coordinate and ensure close cooperation with other programs serving language-minority and limited English proficient students that are administered by the Department and other agencies.

''Subpart 3—General Provisions

''SEC. 3131. DEFINITIONS.

''For purposes of this part:

''(1) CHILDREN AND YOUTH.—The term 'children and youth' means individuals aged 3 through 21.

''(2) COMMUNITY-BASED ORGANIZATION.—The term 'community-based organization' means a private nonprofit organization of demonstrated effectiveness or Indian tribe or tribally sanctioned educational authority which is representative of a community or significant segments of a community and which provides educational or related services to individuals in the community. Such term includes a Native Hawaiian or Native American Pacific Islander native language educational organization.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) one or more local educational agencies; or

''(B) one or more local educational agencies in collaboration with an institution of higher education, community-based organization, or State educational agency.

''(4) NATIVE HAWAIIAN OR NATIVE AMERICAN PACIFIC ISLANDER NATIVE LANGUAGE EDUCATIONAL ORGANIZATION.—The term 'Native Hawaiian or Native American Pacific Islander native language educational organization' means a nonprofit organization with a majority of its governing board and employees consisting of fluent speakers of the traditional Native American languages used in their educational programs and with not less than 5 years successful experience in providing educational services in traditional Native American languages.

''(5) NATIVE LANGUAGE.—The term 'native language', when used with reference to an individual who is limited English proficient, means the language normally used by such individual.

''(6) SPECIALLY QUALIFIED AGENCY.—The term 'specially qualified agency', when used with respect to a fiscal year, means an eligible entity located in a State that, for that year—

''(A) does not submit to the Secretary an application under sections 3105(a) and 3107; or

''(B) submits an application (or any modification to an application) that the Secretary, after reasonable notice and opportunity for a hearing, determines does not satisfy the requirements of subpart 1.

''(7) TRIBALLY SANCTIONED EDUCATIONAL AUTHORITY.—The term 'tribally sanctioned educational authority' means—

''(A) any department or division of education operating within the administrative structure of the duly constituted governing body of an Indian tribe; and

''(B) any nonprofit institution or organization that is—

''(i) chartered by the governing body of an Indian tribe to operate a school described in section 3106(a) or otherwise to oversee the delivery of educational services to members of the tribe; and

''(ii) approved by the Secretary for the purpose of carrying out programs under subpart 1 for individuals served by a school described in section 3106(a).

''SEC. 3132. RULES OF CONSTRUCTION.

''Nothing in subpart 1 shall be construed—

''(1) to prohibit a local educational agency from serving limited English proficient children and youth simultaneously with students with similar educational needs, in the same educational settings where appropriate;

''(2) to require a State or a local educational agency to establish, continue, or eliminate any particular type of instructional program for limited English proficient children; or

''(3) to limit the preservation or use of Native American languages as defined in the Native American Languages Act of 1990.

''SEC. 3133. LIMITATION ON FEDERAL REGULATIONS.

''The Secretary shall issue regulations under this part only to the extent that such regulations are necessary to ensure compliance with the specific requirements of this part.

''SEC. 3134. LEGAL AUTHORITY UNDER STATE LAW.

''Nothing in this part shall be construed to negate or supersede State law, or the legal authority under State law of any State agency, State entity, or State public official, over programs that are under the jurisdiction of the State agency, entity, or official.

''SEC. 3135. CIVIL RIGHTS.

''Nothing in this part shall be construed in a manner inconsistent with any Federal law guaranteeing a civil right.

''SEC. 3136. PROGRAMS FOR NATIVE AMERICANS AND PUERTO RICO.

''Programs authorized under subpart 1 that serve Native American children, Native Pacific Island children, and children in the Commonwealth of Puerto Rico, notwithstanding any other provision of subpart 1, may include programs of instruction, teacher training, curriculum development, evaluation, and testing designed for Native American children learning and studying Native American languages and children of limited Spanish proficiency, except that a primary outcome of programs serving such children shall be increased English proficiency among such children.''.

SEC. 302. CONFORMING AMENDMENT TO DEPARTMENT OF EDUCATION ORGANIZATION ACT.

(a) IN GENERAL.—

(1) RENAMING OF OFFICE.—The Department of Education Organization Act is amended by striking ''Office of Bilingual Education and Minority Languages Affairs'' each place such term appears in the text and inserting ''Office of Educational Services for Limited English Proficient Children''.

(2) CONFORMING AMENDMENT.—Section 209 of the Department of Education Organization Act is amended by striking ''Director of Bilingual Education and Minority Languages Affairs,'' and inserting ''Director of Educational Services for Limited English Proficient Children,''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION 209.—The section heading for section 209 of the Department of Education Organization Act is amended to read as follows:

''OFFICE OF EDUCATIONAL SERVICES FOR LIMITED ENGLISH PROFICIENT CHILDREN''.

(2) SECTION 216.—The section heading for section 216 of the Department of Education Organization Act is amended to read as follows:

''SEC. 216. OFFICE OF EDUCATIONAL SERVICES FOR LIMITED ENGLISH PROFICIENT CHILDREN.''.

(3) TABLE OF CONTENTS.—

(A) SECTION 209.—The table of contents of the Department of Education Organization Act is amended by amending the item relating to section 209 to read as follows:

''Sec. 209. Office of Educational Services for Limited English Proficient Children.''.

(B) SECTION 216.—The table of contents of the Department of Education Organization Act is amended by amending the item relating to section 216 to read as follows:

''Sec. 216. Office of Educational Services for Limited English Proficient Children.''.

PART B—INDIAN AND ALASKA NATIVE EDUCATION

SEC. 311. ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

(a) IN GENERAL.—Title III (as amended by section 301 of this Act) is further amended by adding at the end the following new part:

''PART B—INDIAN AND ALASKA NATIVE EDUCATION

''Subpart 1—Indian Education

''SEC. 3201. FINDINGS.

''Congress finds that—

''(1) the Federal Government has a special responsibility to ensure that educational programs for all American Indian and Alaska Native children and adults—

''(A) are based on high-quality, internationally competitive academic content standards and student academic achievement standards and build on Indian culture and the Indian community;

''(B) assist local educational agencies, Indian tribes, and other entities and individuals in providing Indian students the opportunity to achieve such standards; and

''(C) meet the unique educational and culturally related academic needs of American Indian and Alaska Native students;

''(2) since the date of the enactment of the initial Indian Education Act in 1972, the level of involvement of Indian parents in the planning, development, and implementation of educational programs that affect such parents and their children has increased significantly, and schools should continue to foster such involvement;

''(3) although the number of Indian teachers, administrators, and university professors has increased since 1972, teacher training programs are not recruiting, training, or retraining a sufficient number of Indian individuals as educators to meet the needs of a growing Indian student population in elementary, secondary, vocational, adult, and higher education;

''(4) the dropout rate for Indian students is unacceptably high; 9 percent of Indian students who were eighth graders in 1988 had dropped out of school by 1990;

''(5) during the period from 1980 to 1990, the percentage of Indian individuals living at or below the poverty level increased from 24 percent to 31 percent, and the readiness of Indian children to learn is hampered by the high incidence of poverty, unemployment, and health problems among Indian children and their families; and

''(6) research related specifically to the education of Indian children and adults is very limited, and much of the research is of poor quality or is focused on limited local or regional issues.

"SEC. 3202. PURPOSE.

''(a) PURPOSE.—It is the purpose of this subpart to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities to meet the unique educational and culturally related academic needs of American Indians and Alaska Natives, so that such students can achieve to the same challenging State academic achievement standards expected of all other students.

''(b) PROGRAMS.—this subpart carries out the purpose described in subsection (a) by authorizing programs of direct assistance for—

''(1) meeting the unique educational and culturally related academic needs of American Indians and Alaska Natives;

''(2) the education of Indian children and adults;

''(3) the training of Indian persons as educators and counselors, and in other professions serving Indian people; and

''(4) research, evaluation, data collection, and technical assistance.

"CHAPTER 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES

"SEC. 3211. PURPOSE.

''It is the purpose of this chapter to support local educational agencies in their efforts to reform elementary and secondary school programs that serve Indian students in order to ensure that such programs—

''(1) are based on challenging State academic content standards and State student academic achievement standards that are used for all students; and

''(2) are designed to assist Indian students in meeting those standards and assist the Nation in reaching the National Education Goals.

"SEC. 3212. GRANTS TO LOCAL EDUCATIONAL AGENCIES.

''(a) IN GENERAL.—

''(1) ENROLLMENT REQUIREMENTS.—A local educational agency shall be eligible for a grant under this chapter for any fiscal year if the number of Indian children eligible under section 3217 and who were enrolled in the schools of the agency, and to whom the agency provided free public education, during the preceding fiscal year—

''(A) was at least 10; or

''(B) constituted not less than 25 percent of the total number of individuals enrolled in the schools of such agency.

''(2) EXCLUSION.—The requirement of paragraph (1) shall not apply in Alaska, California, or Oklahoma, or with respect to any local educational agency located on, or in proximity to, a reservation.

''(b) INDIAN TRIBES.—

''(1) IN GENERAL.—If a local educational agency that is eligible for a grant under this chapter does not establish a parent committee under section 3214(c)(4) for such grant, an Indian tribe that represents not less than one-half of the eligible Indian children who are served by such local educational agency may apply for such grant.

''(2) SPECIAL RULE.—The Secretary shall treat each Indian tribe applying for a grant pursuant to paragraph (1) as if such Indian tribe were a local educational agency for purposes of this chapter, except that any such tribe is not subject to section 3214(c)(4), section 3218(c), or section 3219.

"SEC. 3213. AMOUNT OF GRANTS.

''(a) AMOUNT OF GRANT AWARDS.—

''(1) IN GENERAL.—Except as provided in subsection (b) and paragraph (2), the Secretary shall allocate to each local educational agency which has an approved application under this chapter an amount equal to the product of—

''(A) the number of Indian children who are eligible under section 3217 and served by such agency; and

''(B) the greater of—

''(i) the average per pupil expenditure of the State in which such agency is located; or

''(ii) 80 percent of the average per pupil expenditure in the United States.

''(2) REDUCTION.—The Secretary shall reduce the amount of each allocation determined under paragraph (1) in accordance with subsection (e).

''(b) MINIMUM GRANT.—

''(1) IN GENERAL.—Notwithstanding subsection (e), a local educational agency or an Indian tribe (as authorized under section 3212(b)) that is eligible for a grant under section 3212, and a school that is operated or supported by the Bureau of Indian Affairs that is eligible for a grant under subsection (d), that submits an application that is approved by the Secretary, shall, subject to appropriations, receive a grant under this chapter in an amount that is not less than $3,000.

''(2) CONSORTIA.—Local educational agencies may form a consortium for the purpose of obtaining grants under this chapter.

''(3) INCREASE.—The Secretary may increase the minimum grant under paragraph (1) to not more than $4,000 for all grantees if the Secretary determines such increase is necessary to ensure the quality of the programs provided.

''(c) DEFINITION.—For the purpose of this section, the term 'average per pupil expenditure of a State' means an amount equal to—

''(1) the sum of the aggregate current expenditures of all the local educational agencies in the State, plus any direct current expenditures by the State for the operation of such agencies, without regard to the sources of funds from which such local or State expenditures were made, during the second fiscal year preceding the fiscal year for which the computation is made; divided by

''(2) the aggregate number of children who were included in average daily attendance for whom such agencies provided free public education during such preceding fiscal year.

''(d) SCHOOLS OPERATED OR SUPPORTED BY THE BUREAU OF INDIAN AFFAIRS.—(1) Subject to subsection (e), in addition to the grants awarded under subsection (a), the Secretary shall allocate to the Secretary of the Interior an amount equal to the product of—

''(A) the total number of Indian children enrolled in schools that are operated by—

''(i) the Bureau of Indian Affairs; or

''(ii) an Indian tribe, or an organization controlled or sanctioned by an Indian tribal government, for the children of that tribe under a contract with, or grant from, the Department of the Interior under the Indian Self-Determination Act or the Tribally Controlled Schools Act of 1988; and

''(B) the greater of—

''(i) the average per pupil expenditure of the State in which the school is located; or

''(ii) 80 percent of the average per pupil expenditure in the United States.

''(2) Any school described in paragraph (1)(A) that wishes to receive an allocation under this chapter shall submit an application in accordance with section 3214, and shall otherwise be treated as a local educational agency for the purpose of this chapter, except that such school shall not be subject to section 3214(c)(4), section 3218(c), or section 3219.

''(e) RATABLE REDUCTIONS.—If the sums appropriated for any fiscal year under section 3252(a) are insufficient to pay in full the amounts determined for local educational agencies under subsection (a)(1) and for the Secretary of the Interior under subsection (d), each of those amounts shall be ratably reduced.

"SEC. 3214. APPLICATIONS.

''(a) APPLICATION REQUIRED.—Each local educational agency that desires to receive a grant under this chapter shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(b) COMPREHENSIVE PROGRAM REQUIRED.—Each application submitted under subsection (a) shall include a comprehensive program for meeting the needs of Indian children served by the local educational agency, including the language and cultural needs of the children, that—

''(1) provides programs and activities to meet the culturally related academic needs of American Indian and Alaska Native students;

''(2)(A) is consistent with State and local plans under other provisions of this Act; and

''(B) includes academic content and student performance goals for such children, and benchmarks for attaining such goals, that are based on the challenging State standards under title I;

''(3) explains how Federal, State, and local programs, especially under title I, will meet the needs of such students;

''(4) demonstrates how funds made available under this chapter will be used for activities described in section 3215;

''(5) describes the professional development opportunities that will be provided, as needed, to ensure that—

''(A) teachers and other school professionals who are new to the Indian community are prepared to work with Indian children; and

''(B) all teachers who will be involved in programs assisted under this chapter have been properly trained to carry out such programs; and

''(6) describes how the local educational agency—

''(A) will periodically assess the progress of all Indian children enrolled in the schools of the local educational agency, including Indian children who do not participate in programs assisted under this chapter, in meeting the goals described in paragraph (2);

''(B) will provide the results of each assessment referred to in subparagraph (A) to—

''(i) the committee of parents described in subsection (c)(4); and

''(ii) the community served by the local educational agency; and

''(C) is responding to findings of any previous assessments that are similar to the assessments described in subparagraph (A).

''(c) ASSURANCES.—Each application submitted under subsection (a) shall include assurances that—

''(1) the local educational agency will use funds received under this chapter only to supplement the level of funds that, in the absence of the Federal funds made available under this chapter, such agency would make available for the education of Indian children, and not to supplant such funds;

''(2) the local educational agency will submit such reports to the Secretary, in such form and containing such information, as the Secretary may require to—

''(A) carry out the functions of the Secretary under this chapter; and

''(B) determine the extent to which funds provided to the local educational agency under this chapter are effective in improving the educational achievement of Indian students served by such agency;

''(3) the program for which assistance is sought—

''(A) is based on a comprehensive local assessment and prioritization of the unique

educational and culturally related academic needs of the American Indian and Alaska Native students to whom the local educational agency is providing an education;

''(B) will use the best available talents and resources, including individuals from the Indian community; and

''(C) was developed by such agency in open consultation with parents of Indian children and teachers, and, if appropriate, Indian students from secondary schools, including public hearings held by such agency to provide the individuals described in this subparagraph a full opportunity to understand the program and to offer recommendations regarding the program; and

''(4) the local educational agency developed the program with the participation and written approval of a committee—

''(A) that is composed of, and selected by—

''(i) parents of Indian children in the local educational agency's schools and teachers; and

''(ii) if appropriate, Indian students attending secondary schools;

''(B) a majority of whose members are parents of Indian children;

''(C) that sets forth such policies and procedures, including policies and procedures relating to the hiring of personnel, as will ensure that the program for which assistance is sought will be operated and evaluated in consultation with, and with the involvement of, parents of the children, and representatives of the area, to be served;

''(D) with respect to an application describing a schoolwide program in accordance with section 3215(c), that has—

''(i) reviewed in a timely fashion the program; and

''(ii) determined that the program will not diminish the availability of culturally related activities for American Indian and Alaskan Native students; and

''(E) that has adopted reasonable bylaws for the conduct of the activities of the committee and abides by such bylaws.

"SEC. 3215. AUTHORIZED SERVICES AND ACTIVITIES.

''(a) GENERAL REQUIREMENTS.—Each local educational agency that receives a grant under this chapter shall use the grant funds, in a manner consistent with the purpose specified in section 3211, for services and activities that—

''(1) are designed to carry out the comprehensive program of the local educational agency for Indian students, and described in the application of the local educational agency submitted to the Secretary under section 3214(b);

''(2) are designed with special regard for the language and cultural needs of the Indian students; and

''(3) supplement and enrich the regular school program of such agency.

''(b) PARTICULAR ACTIVITIES.—The services and activities referred to in subsection (a) may include—

''(1) culturally related activities that support the program described in the application submitted by the local educational agency;

''(2) early childhood and family programs that emphasize school readiness;

''(3) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic content standards and State student academic achievement standards;

''(4) integrated educational services in combination with other programs that meet the needs of Indian children and their families;

''(5) career preparation activities to enable Indian students to participate in programs such as the programs supported by the Carl D. Perkins Vocational and Technical Education Act of 1998, including programs for tech-prep, mentoring, and apprenticeship;

''(6) activities to educate individuals concerning substance abuse and to prevent substance abuse;

''(7) the acquisition of equipment, but only if the acquisition of the equipment is essential to meet the purposes described in section 3211; and

''(8) family literacy services.

''(c) SCHOOLWIDE PROGRAMS.—Notwithstanding any other provision of law, a local educational agency may use funds made available to such agency under this chapter to support a schoolwide program under section 1114 if—

''(1) the committee composed of parents established pursuant to section 3214(c)(4) approves the use of the funds for the schoolwide program; and

''(2) the schoolwide program is consistent with the purposes described in section 3211.

''(d) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of the funds provided to a grantee under this chapter for any fiscal year may be used for administrative purposes.

"SEC. 3216. INTEGRATION OF SERVICES AUTHORIZED.

''(a) PLAN.—An entity receiving funds under this chapter may submit a plan to the Secretary for the integration of education and related services provided to Indian students.

''(b) COORDINATION OF PROGRAMS.—Upon the receipt of an acceptable plan, the Secretary, in cooperation with each Federal agency providing grants for the provision of education and related services to the applicant, shall authorize the applicant to coordinate, in accordance with such plan, its federally funded education and related services programs, or portions thereof, serving Indian students in a manner that integrates the program services involved into a single, coordinated, comprehensive program and reduces administrative costs by consolidating administrative functions.

''(c) PROGRAMS AFFECTED.—The funds that may be consolidated in a demonstration project under any such plan referred to in subsection (b) shall include funds for any Federal program exclusively serving Indian children or the funds reserved under any program to exclusively serve Indian children under which the applicant is eligible for receipt of funds under a statutory or administrative formula for the purposes of providing education and related services which would be used to serve Indian students.

''(d) PLAN REQUIREMENTS.—For a plan to be acceptable pursuant to subsection (b), it shall—

''(1) identify the programs or funding sources to be consolidated;

''(2) be consistent with the purposes of this section authorizing the services to be integrated in a demonstration project;

''(3) describe a comprehensive strategy which identifies the full range of potential educational opportunities and related services to be provided to assist Indian students to achieve the goals set forth in this chapter;

''(4) describe the way in which services are to be integrated and delivered and the results expected from the plan;

''(5) identify the projected expenditures under the plan in a single budget;

''(6) identify the local, State, or tribal agency or agencies to be involved in the delivery of the services integrated under the plan;

''(7) identify any statutory provisions, regulations, policies, or procedures that the applicant believes need to be waived in order to implement its plan;

''(8) set forth measures of student achievement and performance goals designed to be met within a specified period of time; and

''(9) be approved by a parent committee formed in accordance with section 3214(c)(4), if such a committee exists.

''(e) PLAN REVIEW.—Upon receipt of the plan from an eligible entity, the Secretary shall consult with the Secretary of each Federal department providing funds to be used to implement the plan, and with the entity submitting the plan. The parties so consulting shall identify any waivers of statutory requirements or of Federal departmental regulations, policies, or procedures necessary to enable the applicant to implement its plan. Notwithstanding any other provision of law, the Secretary of the affected department or departments shall have the authority to waive any regulation, policy, or procedure promulgated by that department that has been so identified by the applicant or department, unless the Secretary of the affected department determines that such a waiver is inconsistent with the intent of this chapter or those provisions of the statute from which the program involved derives its authority which are specifically applicable to Indian students.

''(f) PLAN APPROVAL.—Within 90 days after the receipt of an applicant's plan by the Secretary, the Secretary shall inform the applicant, in writing, of the Secretary's approval or disapproval of the plan. If the plan is disapproved, the applicant shall be informed, in writing, of the reasons for the disapproval and shall be given an opportunity to amend its plan or to petition the Secretary to reconsider such disapproval.

''(g) RESPONSIBILITIES OF DEPARTMENT OF EDUCATION.—Not later than 180 days after the date of the enactment of the No Child Left Behind Act of 2001, the Secretary of Education, the Secretary of the Interior, and the head of any other Federal department or agency identified by the Secretary of Education, shall enter into an interdepartmental memorandum of agreement providing for the implementation of the demonstration projects authorized under this section. The lead agency head for a demonstration program under this section shall be—

''(1) the Secretary of the Interior, in the case of applicant meeting the definition of contract or grant school under title XI of the Education Amendments of 1978; or

''(2) the Secretary of Education, in the case of any other applicant.

''(h) RESPONSIBILITIES OF LEAD AGENCY.—The responsibilities of the lead agency shall include—

''(1) the use of a single report format related to the plan for the individual project which shall be used by an eligible entity to report on the activities undertaken under the project;

''(2) the use of a single report format related to the projected expenditures for the individual project which shall be used by an eligible entity to report on all project expenditures;

''(3) the development of a single system of Federal oversight for the project, which shall be implemented by the lead agency; and

''(4) the provision of technical assistance to an eligible entity appropriate to the project, except that an eligible entity shall have the authority to accept or reject the plan for providing such technical assistance and the technical assistance provider.

''(i) REPORT REQUIREMENTS.—A single report format shall be developed by the Secretary, consistent with the requirements of this section. Such report format, together with records maintained on the consolidated program at the local level, shall contain such information as will allow a determination that the eligible entity has complied with the requirements incorporated in its ap-

proved plan, including the demonstration of student achievement, and will provide assurances to each Secretary that the eligible entity has complied with all directly applicable statutory requirements and with those directly applicable regulatory requirements which have not been waived.

''(j) NO REDUCTION IN AMOUNTS.—In no case shall the amount of Federal funds available to an eligible entity involved in any demonstration project be reduced as a result of the enactment of this section.

''(k) INTERAGENCY FUND TRANSFERS AUTHORIZED.—The Secretary is authorized to take such action as may be necessary to provide for an interagency transfer of funds otherwise available to an eligible entity in order to further the purposes of this section.

''(l) ADMINISTRATION OF FUNDS.—

''(1) IN GENERAL.—Program funds shall be administered in such a manner as to allow for a determination that funds from specific a program or programs are spent on allowable activities authorized under such program, except that the eligible entity shall determine the proportion of the funds granted which shall be allocated to such program.

''(2) SEPARATE RECORDS NOT REQUIRED.—Nothing in this section shall be construed as requiring the eligible entity to maintain separate records tracing any services or activities conducted under its approved plan to the individual programs under which funds were authorized, nor shall the eligible entity be required to allocate expenditures among such individual programs.

''(m) OVERAGE.—All administrative costs may be commingled and participating entities shall be entitled to the full amount of such costs (under each program or department's regulations), and no overage shall be counted for Federal audit purposes, provided that the overage is used for the purposes provided for under this section.

''(n) FISCAL ACCOUNTABILITY.—Nothing in this subpart shall be construed so as to interfere with the ability of the Secretary or the lead agency to fulfill the responsibilities for the safeguarding of Federal funds pursuant to the Single Audit Act of 1984.

''(o) REPORT ON STATUTORY OBSTACLES TO PROGRAM INTEGRATION.—

''(1) PRELIMINARY REPORT.—Not later than 2 years after the date of the enactment of the No Child Left Behind Act of 2001, the Secretary of Education shall submit a preliminary report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives on the status of the implementation of the demonstration program authorized under this section.

''(2) FINAL REPORT.—Not later than 5 years after the date of the enactment of the No Child Left Behind Act of 2001, the Secretary of Education shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives on the results of the implementation of the demonstration program authorized under this section. Such report shall identify statutory barriers to the ability of participants to integrate more effectively their education and related services to Indian students in a manner consistent with the purposes of this section.

''(p) DEFINITIONS.—For the purposes of this section, the term 'Secretary' means—

''(1) the Secretary of the Interior, in the case of applicant meeting the definition of contract or grant school under title XI of the Education Amendments of 1978; or

''(2) the Secretary of Education, in the case of any other applicant.

"SEC. 3217. STUDENT ELIGIBILITY FORMS.

''(a) IN GENERAL.—The Secretary shall require that, as part of an application for a grant under this chapter, each applicant shall maintain a file, with respect to each Indian child for whom the local educational agency provides a free public education, that contains a form that sets forth information establishing the status of the child as an Indian child eligible for assistance under this chapter and that otherwise meets the requirements of subsection (b).

''(b) FORMS.—

''(1) IN GENERAL.—The form described in subsection (a) shall include—

''(A) either—

''(i)(I) the name of the tribe or band of Indians (as described in section 3251(3)) with respect to which the child claims membership;

''(II) the enrollment number establishing the membership of the child (if readily available); and

''(III) the name and address of the organization that maintains updated and accurate membership data for such tribe or band of Indians; or

''(ii) if the child is not a member of a tribe or band of Indians, the name, the enrollment number (if readily available), and the organization (and address thereof) responsible for maintaining updated and accurate membership rolls of the tribe of any parent or grandparent of the child from whom the child claims eligibility;

''(B) a statement of whether the tribe or band of Indians with respect to which the child, parent, or grandparent of the child claims membership is federally recognized;

''(C) the name and address of the parent or legal guardian of the child;

''(D) a signature of the parent or legal guardian of the child that verifies the accuracy of the information supplied; and

''(E) any other information that the Secretary considers necessary to provide an accurate program profile.

''(2) MINIMUM INFORMATION.—In order for a child to be eligible to be counted for the purpose of computing the amount of a grant award made under section 3213, an eligibility form prepared pursuant to this section for a child shall include—

''(A) the name of the child;

''(B) the name of the tribe or band of Indians (as described in section 3251(3)) with respect to which the child claims eligibility; and

''(C) the dated signature of the parent or guardian of the child.

''(3) FAILURE.—The failure of an applicant to furnish any information described in this subsection other than the information described in paragraph (2) with respect to any child shall have no bearing on the determination of whether the child is an eligible Indian child for the purposes of determining the amount of a grant award made under section 3213.

''(c) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect a definition contained in section 3251.

''(d) FORMS AND STANDARDS OF PROOF.—The forms and the standards of proof (including the standard of good faith compliance) that were in use during the 1985–1986 academic year to establish the eligibility of a child for entitlement under the Indian Elementary and Secondary School Assistance Act shall be the forms and standards of proof used—

''(1) to establish such eligibility; and

''(2) to meet the requirements of subsection (a).

''(e) DOCUMENTATION.—For purposes of determining whether a child is eligible to be counted for the purpose of computing the amount of a grant under section 3213, the membership of the child, or any parent or grandparent of the child, in a tribe or band of Indians may be established by proof other than an enrollment number, notwithstanding the availability of an enrollment number for a member of such tribe or band. Nothing in subsection (b) shall be construed to require the furnishing of an enrollment number.

''(f) MONITORING AND EVALUATION REVIEW.—

''(1) IN GENERAL.—(A) For each fiscal year, in order to provide such information as is necessary to carry out the responsibility of the Secretary to provide technical assistance under this chapter, the Secretary shall conduct a monitoring and evaluation review of a sampling of the recipients of grants under this chapter. The sampling conducted under this subparagraph shall take into account the size of the local educational agency and the geographic location of such agency.

''(B) A local educational agency may not be held liable to the United States or be subject to any penalty, by reason of the findings of an audit that relates to the date of completion, or the date of submission, of any forms used to establish, before April 28, 1988, the eligibility of a child for entitlement under the Indian Elementary and Secondary School Assistance Act.

''(2) FALSE INFORMATION.—Any local educational agency that provides false information in an application for a grant under this chapter shall—

''(A) be ineligible to apply for any other grant under this subpart; and

''(B) be liable to the United States for any funds that have not been expended.

''(3) EXCLUDED CHILDREN.—A student who provides false information for the form required under subsection (a) shall not be counted for the purpose of computing the amount of a grant under section 3213.

''(g) TRIBAL GRANT AND CONTRACT SCHOOLS.—Notwithstanding any other provision of this section, in awarding funds under this chapter to a tribal school that receives a grant or contract from the Bureau of Indian Affairs, the Secretary shall use only one of the following, as selected by the school:

''(1) A count of the number of students in those schools certified by the Bureau.

''(2) A count of the number of students for whom the school has eligibility forms that comply with this section.

''(h) TIMING OF CHILD COUNTS.—For purposes of determining the number of children to be counted in calculating the amount of a local educational agency's grant under this chapter (other than in the case described in subsection (g)(1)), the local educational agency shall—

''(1) establish a date on, or a period not longer than 31 consecutive days during which, the agency counts those children, so long as that date or period occurs before the deadline established by the Secretary for submitting an application under section 3214; and

''(2) determine that each such child was enrolled, and receiving a free public education, in a school of the agency on that date or during that period, as the case may be.

"SEC. 3218. PAYMENTS.

''(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary shall pay to each local educational agency that submits an application that is approved by the Secretary under this chapter the amount determined under section 3213. The Secretary shall notify the local educational agency of the amount of the payment not later than June 1 of the year for which the Secretary makes the payment.

''(b) PAYMENTS TAKEN INTO ACCOUNT BY THE STATE.—The Secretary may not make a grant under this chapter to a local educational agency for a fiscal year if, for such fiscal year, the State in which the local educational agency is located takes into consideration payments made under this chapter in determining the eligibility of the local edu-

cational agency for State aid, or the amount of the State aid, with respect to the free public education of children during such fiscal year or the preceding fiscal year.

''(c) REDUCTION OF PAYMENT FOR FAILURE TO MAINTAIN FISCAL EFFORT.—

''(1) IN GENERAL.—The Secretary may not pay a local educational agency the full amount of a grant award determined under section 3213 for any fiscal year unless the State educational agency notifies the Secretary, and the Secretary determines that, with respect to the provision of free public education by the local educational agency for the preceding fiscal year, the combined fiscal effort of the local educational agency and the State, computed on either a per student or aggregate expenditure basis, was not less than 90 percent of the amount of the combined fiscal effort, computed on the same basis, for the second preceding fiscal year.

''(2) FAILURE TO MAINTAIN EFFORT.—If, for any fiscal year, the Secretary determines that a local educational agency failed to maintain the fiscal effort of such agency at the level specified in paragraph (1), the Secretary shall—

''(A) reduce the amount of the grant that would otherwise be made to such agency under this chapter in the exact proportion of such agency's failure to maintain its fiscal effort at such level; and

''(B) not use the reduced amount of the agency's expenditures for the preceding year to determine compliance with paragraph (1) for any succeeding fiscal year, but shall use the amount of expenditures that would have been required to comply with paragraph (1).

''(3) WAIVER.—(A) The Secretary may waive the requirement of paragraph (1), for not more than 1 year at a time, if the Secretary determines that the failure to comply with such requirement is due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the agency's financial resources.

''(B) The Secretary shall not use the reduced amount of such agency's expenditures for the fiscal year preceding the fiscal year for which a waiver is granted to determine compliance with paragraph (1) for any succeeding fiscal year, but shall use the amount of expenditures that would have been required to comply with paragraph (1) in the absence of the waiver.

''(d) REALLOCATIONS.—The Secretary may reallocate, in a manner that the Secretary determines will best carry out the purpose of this chapter, any amounts that—

''(1) based on estimates made by local educational agencies or other information, the Secretary determines will not be needed by such agencies to carry out approved programs under this chapter; or

''(2) otherwise become available for reallocation under this chapter.

"SEC. 3219. STATE EDUCATIONAL AGENCY REVIEW.

''Before submitting an application to the Secretary under section 3214, a local educational agency shall submit the application to the State educational agency, which may comment on such application. If the State educational agency comments on the application, it shall comment on all applications submitted by local educational agencies in the State and shall provide those comments to the respective local educational agencies, with an opportunity to respond.

"CHAPTER 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

"SEC. 3221. IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN.

''(a) PURPOSE.—

''(1) IN GENERAL.—It is the purpose of this section to support projects to develop, test, and demonstrate the effectiveness of services and programs to improve educational opportunities and achievement of Indian children.

''(2) COORDINATION.—The Secretary shall take such actions as are necessary to achieve the coordination of activities assisted under this chapter with—

''(A) other programs funded under this Act; and

''(B) other Federal programs operated for the benefit of American Indian and Alaska Native children.

''(b) ELIGIBLE ENTITIES.—For the purpose of this section, the term 'eligible entity' means a State educational agency, local educational agency, Indian tribe, Indian organization, federally supported elementary and secondary school for Indian students, Indian institution, including an Indian institution of higher education, or a consortium of such institutions.

''(c) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—The Secretary shall award grants to eligible entities to enable such entities to carry out activities that meet the purpose specified in subsection (a)(1), including—

''(A) innovative programs related to the educational needs of educationally disadvantaged children;

''(B) educational services that are not available to such children in sufficient quantity or quality, including remedial instruction, to raise the achievement of Indian children in one or more of the core academic subjects of English, mathematics, science, foreign languages, art, history, and geography;

''(C) bilingual and bicultural programs and projects;

''(D) special health and nutrition services, and other related activities, that address the unique health, social, and psychological problems of Indian children;

''(E) special compensatory and other programs and projects designed to assist and encourage Indian children to enter, remain in, or reenter school, and to increase the rate of secondary school graduation;

''(F) comprehensive guidance, counseling, and testing services;

''(G) early childhood and kindergarten programs, including family-based preschool programs that emphasize school readiness and parental skills, and the provision of services to Indian children with disabilities;

''(H) partnership projects between local educational agencies and institutions of higher education that allow secondary school students to enroll in courses at the postsecondary level to aid such students in the transition from secondary school to postsecondary education;

''(I) partnership projects between schools and local businesses for career preparation programs designed to provide Indian youth with the knowledge and skills such youth need to make an effective transition from school to a high-skill, high-wage career;

''(J) programs designed to encourage and assist Indian students to work toward, and gain entrance into, an institution of higher education;

''(K) family literacy services; or

''(L) other services that meet the purpose described in subsection (a)(1).

''(2) PROFESSIONAL DEVELOPMENT.—Professional development of teaching professionals and paraprofessional may be a part of any program assisted under this section.

''(d) GRANT REQUIREMENTS AND APPLICATIONS.—

''(1) GRANT REQUIREMENTS.—(A) The Secretary may make multiyear grants under this section for the planning, development, pilot operation, or demonstration of any activity described in subsection (c) for a period not to exceed 5 years.

''(B) In making multiyear grants under this section, the Secretary shall give priority to applications that present a plan for combining two or more of the activities described in subsection (c) over a period of more than 1 year.

''(C) The Secretary shall make a grant payment to an eligible entity after the initial year of the multiyear grant only if the Secretary determines that the eligible entity has made substantial progress in carrying out the activities assisted under the grant in accordance with the application submitted under paragraph (2) and any subsequent modifications to such application.

''(D)(i) In addition to awarding the multiyear grants described in subparagraph (A), the Secretary may award grants to eligible entities for the dissemination of exemplary materials or programs assisted under this section.

''(ii) The Secretary may award a dissemination grant under this subparagraph if, prior to awarding the grant, the Secretary determines that the material or program to be disseminated has been adequately reviewed and has demonstrated—

''(I) educational merit; and

''(II) the ability to be replicated.

''(2) APPLICATION.—(A) Any eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

''(B) Each application submitted to the Secretary under subparagraph (A), other than an application for a dissemination grant under paragraph (1)(D), shall contain—

''(i) a description of how parents of Indian children and representatives of Indian tribes have been, and will be, involved in developing and implementing the activities for which assistance is sought;

''(ii) assurances that the applicant will participate, at the request of the Secretary, in any national evaluation of activities assisted under this section;

''(iii) information demonstrating that the proposed program is either a research-based program (which may be a research-based program that has been modified to be culturally appropriate for the students who will be served);

''(iv) a description of how the applicant will incorporate the proposed services into the ongoing school program once the grant period is over; and

''(v) such other assurances and information as the Secretary may reasonably require.

''(e) ADMINISTRATIVE COSTS.—Not more than 5 percent of the funds provided to a grantee under this chapter for any fiscal year may be used for administrative purposes.

"SEC. 3222. PROFESSIONAL DEVELOPMENT FOR TEACHERS AND EDUCATION PROFESSIONALS.

''(a) PURPOSES.—The purposes of this section are—

''(1) to increase the number of qualified Indian individuals in teaching or other education professions that serve Indian people;

''(2) to provide training to qualified Indian individuals to enable such individuals to become teachers, administrators, teacher aides, social workers, and ancillary educational personnel; and

''(3) to improve the skills of qualified Indian individuals who serve in the capacities described in paragraph (2).

''(b) ELIGIBLE ENTITIES.—For the purpose of this section, the term 'eligible entity' means—

''(1) an institution of higher education, including an Indian institution of higher education;

''(2) a State or local educational agency, in consortium with an institution of higher education; and

''(3) an Indian tribe or organization, in consortium with an institution of higher education.

''(c) PROGRAM AUTHORIZED.—The Secretary is authorized to award grants to eligible entities having applications approved under this section to enable such entities to carry out the activities described in subsection (d).

''(d) AUTHORIZED ACTIVITIES.—

''(1) IN GENERAL.—Grant funds under this section shall be used to provide support and training for Indian individuals in a manner consistent with the purposes of this section. Such activities may include but are not limited to, continuing programs, symposia, workshops, conferences, and direct financial support.

''(2) SPECIAL RULES.—(A) For education personnel, the training received pursuant to a grant under this section may be inservice or preservice training.

''(B) For individuals who are being trained to enter any field other than teaching, the training received pursuant to a grant under this section shall be in a program that results in a graduate degree.

''(e) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner and accompanied by such information, as the Secretary may reasonably require.

''(f) SPECIAL RULE.—In making grants under this section, the Secretary—

''(1) shall consider the prior performance of the eligible entity; and

''(2) may not limit eligibility to receive a grant under this section on the basis of—

''(A) the number of previous grants the Secretary has awarded such entity; or

''(B) the length of any period during which such entity received such grants.

''(g) GRANT PERIOD.—Each grant under this section shall be awarded for a period of not more than 5 years.

''(h) SERVICE OBLIGATION.—

''(1) IN GENERAL.—The Secretary shall require, by regulation, that an individual who receives training pursuant to a grant made under this section—

''(A) perform work—

''(i) related to the training received under this section; and

''(ii) that benefits Indian people; or

''(B) repay all or a prorated part of the assistance received.

''(2) REPORTING.—The Secretary shall establish, by regulation, a reporting procedure under which a grant recipient under this section shall, not later than 12 months after the date of completion of the training, and periodically thereafter, provide information concerning the compliance of such recipient with the work requirement under paragraph (1).

"CHAPTER 3—NATIONAL RESEARCH ACTIVITIES

"SEC. 3231. NATIONAL ACTIVITIES.

''(a) AUTHORIZED ACTIVITIES.—The Secretary may use funds made available under section 3252(b) for each fiscal year to—

''(1) conduct research related to effective approaches for the education of Indian children and adults;

''(2) evaluate federally assisted education programs from which Indian children and adults may benefit;

''(3) collect and analyze data on the educational status and needs of Indians; and

''(4) carry out other activities that are consistent with the purpose of this subpart.

''(b) ELIGIBILITY.—The Secretary may carry out any of the activities described in subsection (a) directly or through grants to, or contracts or cooperative agreements with Indian tribes, Indian organizations, State educational agencies, local educational agencies, institutions of higher education, including Indian institutions of higher education, and other public and private agencies and institutions.

''(c) COORDINATION.—Research activities supported under this section—

''(1) shall be carried out in consultation with the Office of Educational Research and Improvement to assure that such activities are coordinated with and enhance the research and development activities supported by the Office; and

''(2) may include collaborative research activities which are jointly funded and carried out by the Office of Indian Education Programs and the Office of Educational Research and Improvement.

"CHAPTER 4—FEDERAL ADMINISTRATION

"SEC. 3241. NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION.

''(a) MEMBERSHIP.—There is established a National Advisory Council on Indian Education (hereafter in this section referred to as the 'Council'), which shall—

''(1) consist of 15 Indian members, who shall be appointed by the President from lists of nominees furnished, from time-to-time, by Indian tribes and organizations; and

''(2) represent different geographic areas of the United States.

''(b) DUTIES.—The Council shall—

''(1) advise the Secretary concerning the funding and administration (including the development of regulations and administrative policies and practices) of any program, including any program established under this subpart—

''(A) with respect to which the Secretary has jurisdiction; and

''(B)(i) that includes Indian children or adults as participants; or

''(ii) that may benefit Indian children or adults;

''(2) make recommendations to the Secretary for filling the position of Director of Indian Education whenever a vacancy occurs; and

''(3) submit to the Congress, not later than June 30 of each year, a report on the activities of the Council, including—

''(A) any recommendations that the Council considers appropriate for the improvement of Federal education programs that include Indian children or adults as participants, or that may benefit Indian children or adults; and

''(B) recommendations concerning the funding of any program described in subparagraph (A).

"SEC. 3242. PEER REVIEW.

''The Secretary may use a peer review process to review applications submitted to the Secretary under chapter 2 or 3.

"SEC. 3243. PREFERENCE FOR INDIAN APPLICANTS.

''In making grants under chapter 2 or 3, the Secretary shall give a preference to Indian tribes, organizations, and institutions of higher education under any program with respect to which Indian tribes, organizations, and institutions are eligible to apply for grants.

"SEC. 3244. MINIMUM GRANT CRITERIA.

''The Secretary may not approve an application for a grant under subpart 2 unless the application is for a grant that is—

''(1) of sufficient size, scope, and quality to achieve the purpose or objectives of such grant; and

''(2) based on relevant research findings.

"CHAPTER 5—DEFINITIONS; AUTHORIZATIONS OF APPROPRIATIONS

"SEC. 3251. DEFINITIONS.

''For the purposes of this subpart:

''(1) ADULT.—The term 'adult' means an individual who—

''(A) has attained the age of 16 years; or

''(B) has attained an age that is greater than the age of compulsory school attendance under an applicable State law.

''(2) FREE PUBLIC EDUCATION.—The term 'free public education' means education that is—

''(A) provided at public expense, under public supervision and direction, and without tuition charge; and

''(B) provided as elementary or secondary education in the applicable State or to preschool children.

''(3) INDIAN.—The term 'Indian' means an individual who is—

''(A) a member of an Indian tribe or band, as membership is defined by the tribe or band, including—

''(i) any tribe or band terminated since 1940; and

''(ii) any tribe or band recognized by the State in which the tribe or band resides;

''(B) a descendant, in the first or second degree, of an individual described in subparagraph (A);

''(C) considered by the Secretary of the Interior to be an Indian for any purpose;

''(D) an Eskimo, Aleut, or other Alaska Native; or

''(E) a member of an organized Indian group that received a grant under the Indian Education Act of 1988 as it was in effect the day preceding the date of the enactment of the Improving America's Schools Act of 1994.

"SEC. 3252. AUTHORIZATIONS OF APPROPRIATIONS.

''(a) CHAPTER 1.—For the purpose of carrying out chapter 1 of this subpart, there are authorized to be appropriated $100,000,000 for fiscal year 2002, and such sums as may be necessary for each of fiscal years 2003 through 2006.

''(b) CHAPTERS 2 AND 3.—For the purpose of carrying out chapters 2 and 3 of this subpart, there are authorized to be appropriated $25,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2006.''.

(b) SAVINGS PROVISION.—Funds appropriated for part A of title IX of the Elementary and Secondary Education Act of 1965 (as in effect on the day before the date of the enactment of this Act) shall be available for use under subpart 1 of part B of title III of such Act, as added by this section.

SEC. 312. ALASKA NATIVE EDUCATION.

(a) IN GENERAL.—Part B of title III (as added by section 311 of this Act) is further amended by adding at the end the following new subpart:

"Subpart 2—Alaska Native Education

"SEC. 3301. SHORT TITLE.

''This subpart may be cited as the 'Alaska Native Educational Equity, Support, and Assistance Act'.

"SEC. 3302. FINDINGS.

''The Congress finds and declares:

''(1) The attainment of educational success is critical to the betterment of the conditions, long-term well-being and preservation of the culture of Alaska Natives.

''(2) It is the policy of the Federal Government to encourage the maximum participation by Alaska Natives in the planning and the management of Alaska Native education programs.

''(3) Alaska Native children enter and exit school with serious educational handicaps.

''(4) The educational achievement of Alaska Native children is far below national norms. In addition to low Native performance on standardized tests, Native student dropout rates are high, and Natives are significantly underrepresented among holders of baccalaureate degrees in the State of Alaska. As a result, Native students are being denied their opportunity to become

full participants in society by grade school and high school educations that are condemning an entire generation to an underclass status and a life of limited choices.

''(5) The programs authorized herein, combined with expanded Head Start, infant learning and early childhood education programs, and parent education programs are essential if educational handicaps are to be overcome.

''(6) The sheer magnitude of the geographic barriers to be overcome in delivering educational services in rural and village Alaska should be addressed through the development and implementation of innovative, model programs in a variety of areas.

''(7) Congress finds that Native children should be afforded the opportunity to begin their formal education on a par with their non-Native peers. The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

"SEC. 3303. PURPOSE.

''It is the purpose of this subpart to—

''(1) recognize the unique educational needs of Alaska Natives;

''(2) authorize the development of supplemental educational programs to benefit Alaska Natives;

''(3) supplement existing programs and authorities in the area of education to further the purposes of this subpart; and

''(4) provide direction and guidance to appropriate Federal, State and local agencies to focus resources, including resources made available under this subpart, on meeting the educational needs of Alaska Natives.

"SEC. 3304. PROGRAM AUTHORIZED.

''(a) GENERAL AUTHORITY.—

''(1) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to, or enter into contracts with, Alaska Native organizations, educational entities with experience in developing or operating Alaska Native programs or programs of instruction conducted in Alaska Native languages, and consortia of such organizations and entities to carry out programs that meet the purpose of this subpart.

''(2) PERMISSIBLE ACTIVITIES.—Programs under this subpart may include—

''(A) the development and implementation of plans, methods, and strategies to improve the education of Alaska Natives;

''(B) the development of curricula and educational programs that address the educational needs of Alaska Native students, including—

''(i) curriculum materials that reflect the cultural diversity or the contributions of Alaska Natives;

''(ii) instructional programs that make use of Native Alaskan languages; and

''(iii) networks that introduce successful programs, materials, and techniques to urban and rural schools;

''(C) professional development activities for educators, including—

''(i) programs to prepare teachers to address the cultural diversity and unique needs of Alaska Native students;

''(ii) in-service programs to improve the ability of teachers to meet the unique needs of Alaska Native students; and

''(iii) recruiting and preparing teachers who are Alaska Natives, reside in communities with high concentrations of Alaska Native students, or are likely to succeed as teachers in isolated, rural communities and engage in cross-cultural instruction;

''(D) the development and operation of home instruction programs for Alaska Native preschool children, the purpose of which is to ensure the active involvement of parents in their children's education from the earliest ages;

''(E) family literacy services;

''(F) the development and operation of student enrichment programs in science and mathematics that—

''(i) are designed to prepare Alaska Native students from rural areas, who are preparing to enter high school, to excel in science and math; and

''(ii) provide appropriate support services to the families of such students that are needed to enable such students to benefit from the program;

''(G) research and data collection activities to determine the educational status and needs of Alaska Native children and adults;

''(H) other research and evaluation activities related to programs under this subpart; and

''(I) other activities, consistent with the purposes of this subpart, to meet the educational needs of Alaska Native children and adults.

''(3) HOME INSTRUCTION PROGRAMS.—Home instruction programs for Alaska Native preschool children under paragraph (2)(D) may include—

''(A) programs for parents and their infants, from prenatal through age three;

''(B) preschool programs; and

''(C) training, education, and support for parents in such areas as reading readiness, observation, story-telling, and critical thinking.

''(b) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of funds provided to a grantee under this section for any fiscal year may be used for administrative purposes.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $15,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2006 to carry out this subpart.

"SEC. 3305. ADMINISTRATIVE PROVISIONS.

''(a) APPLICATION REQUIRED.—No grant may be made under this subpart, nor any contract be entered into under this subpart, unless an application is submitted to the Secretary in such form, in such manner, and containing such information as the Secretary may determine necessary to carry out the provisions of this subpart.

''(b) APPLICATIONS.—State and local educational agencies may apply for an award under this subpart only as subpart of a consortium involving an Alaska Native organization. This consortium may include other eligible applicants.

''(c) CONSULTATION REQUIRED.—Each applicant for funding shall provide for ongoing advice from and consultation with representatives of the Alaska Native community.

''(d) LOCAL EDUCATIONAL AGENCY COORDINATION.—Each applicant for an award under this subpart shall inform each local educational agency serving students who would participate in the project about its application.

"SEC. 3306. DEFINITIONS.

''For purposes of this subpart—

''(1) the term 'Alaska Native' has the same meaning as the term 'Native' has in section 3(b) of the Alaska Native Claims Settlement Act; and

''(2) the term 'Alaska Native organization' means a federally recognized tribe, consortium of tribes, regional nonprofit Native association, and other Alaska Native organizations that—

''(A) has or commits to acquire expertise in the education of Alaska Natives; and

''(B) has Alaska Natives in substantive and policy-making positions within the organization.''.

(b) SAVINGS PROVISION.—Funds appropriated for part C of title IX of the Elementary and Secondary Education Act of 1965 (as in effect on the day before the date of the enactment of this Act) shall be available for use under subpart 2 of part B of title III of such Act, as added by this section.

SEC. 313. AMENDMENTS TO THE EDUCATION AMENDMENTS OF 1978.

Part B of title XI of the Education Amendments of 1978 (25 U.S.C. 2001 et seq.) is amended to read as follows:

"PART B—BUREAU OF INDIAN AFFAIRS PROGRAMS

"SEC. 1120. FINDING AND POLICY.

''(a) FINDING.—Congress finds and recognizes that the Federal Government has the sole responsibility for the operation and financial support of the Bureau of Indian Affairs funded school system that it has established on or near Indian reservations and Indian trust lands throughout the Nation for Indian children.

''(b) POLICY.—It is the policy of the United States to work in full cooperation with Indian tribes toward the goal of assuring that the programs of the Bureau of Indian Affairs funded school system are of the highest quality and meet the unique educational and cultural needs of Indian children.

"SEC. 1121. ACCREDITATION AND STANDARDS FOR THE BASIC EDUCATION OF INDIAN CHILDREN IN BUREAU OF INDIAN AFFAIRS SCHOOLS.

''(a) PURPOSE.—The purpose of the standards implemented under this section shall be to afford Indian students being served by a school funded by the Bureau of Indian Affairs the same opportunities as all other students in the United States to achieve the same challenging State academic achievement standards expected of all students.

''(b) STUDIES AND SURVEYS RELATING TO STANDARDS.—Not later than 1 year after the date of the enactment of the No Child Left Behind Act of 2001, the Secretary, in consultation with the Secretary of Education, consortia of education organizations, and Indian organizations and tribes, and making the fullest use possible of other existing studies, surveys, and plans, shall carry out by contract with an Indian organization, studies and surveys to establish and revise standards for the basic education of Indian children attending Bureau funded schools. Such studies and surveys shall take into account factors such as academic needs, local cultural differences, type and level of language skills, geographic isolation, and appropriate teacher-student ratios for such children, and shall be directed toward the attainment of equal educational opportunity for such children.

''(c) REVISION OF MINIMUM ACADEMIC STANDARDS.—

''(1) IN GENERAL.—Not later than 2 years after the date of the enactment of the No Child Left Behind Act of 2001, the Secretary shall—

''(A) propose revisions to the minimum academic standards published in the Federal Register on September 9, 1995 (50 Fed. Reg. 174) for the basic education of Indian children attending Bureau funded schools in accordance with the purpose described in subsection (a) and the findings of the studies and surveys conducted under subsection (b);

''(B) publish such proposed revisions to such standards in the Federal Register for the purpose of receiving comments from the tribes, tribal school boards, Bureau funded schools, and other interested parties; and

''(C) consistent with the provisions of this section and section 1131, take such actions as are necessary to coordinate standards implemented under this section with the Comprehensive School Reform Plan developed by the Bureau and—

''(i) with the standards of the improvement plans for the States in which any school operated by the Bureau of Indian Affairs is located; or

''(ii) in the case where schools operated by the Bureau are within the boundaries of reservation land of one tribe but within the boundaries of more than one State, with the standards of the State improvement plan of one such State selected by the tribe.

''(2) FURTHER REVISIONS.—Not later that 6 months after the close of the comment period, the Secretary shall establish final standards, distribute such standards to all tribes and publish such final standards in the Federal Register. The Secretary shall revise such standards periodically as necessary. Prior to any revision of such final standards, the Secretary shall distribute such proposed revision to all the tribes, and publish such proposed revision in the Federal Register, for the purpose of receiving comments from the tribes and other interested parties.

''(3) APPLICABILITY OF STANDARDS.—Except as provided in subsection (e), the final standards published under paragraph (2) shall apply to all Bureau funded schools not accredited under subsection (f), and may also serve as a model for educational programs for Indian children in public schools.

''(4) CONSIDERATIONS WHEN ESTABLISHING AND REVISING STANDARDS.—In establishing and revising such standards, the Secretary shall take into account the unique needs of Indian students and support and reinforcement of the specific cultural heritage of each tribe.

''(d) ALTERNATIVE OR MODIFIED STANDARDS.—The Secretary shall provide alternative or modified standards in lieu of the standards established under subsection (c), where necessary, so that the programs of each school are in compliance with the minimum accreditation standards required for schools in the State or region where the school is located.

''(e) WAIVER OF STANDARDS; ALTERNATIVE STANDARDS.—A tribal governing body, or the local school board so designated by the tribal governing body, shall have the local authority to waive, in part or in whole, the standards established under subsections (c) and (d) if such standards are deemed by such body to be inappropriate. The tribal governing body or designated school board shall, not later than 60 days after a waiver under this subsection, submit to the Secretary a proposal for alternative standards that take into account the specific needs of the tribe's children. Such alternative standards shall be established by the Secretary unless specifically rejected by the Secretary for good cause and in writing to the affected tribes or local school board, which rejection shall be final and not subject to review.

''(f) ACCREDITATION AND IMPLEMENTATION OF STANDARDS.—

''(1) DEADLINE FOR MEETING STANDARDS.—Not later the second academic year after publication of the standards, to the extent necessary funding is provided, all Bureau funded schools shall meet the standards established under subsections (c) and (d) or shall be accredited—

''(A) by a tribal accrediting body, if the accreditation standards of the tribal accrediting body have been accepted by formal action of the tribal governing body and are equal to or exceed the accreditation standards of the State or region in which the school is located;

''(B) by a regional accreditation agency; or

''(C) by State accreditation standards for the State in which it is located.

''(2) DETERMINATION OF STANDARDS TO BE APPLIED.—The accreditation type or standards applied for each school shall be determined by the school board of the school, in consultation with the Administrator of the school, provided that in the case where the School Board and the Administrator fail to agree on the type of accreditation and standards to apply, the decision of the school board with the approval of the tribal governing body shall be final.

''(3) ASSISTANCE TO SCHOOL BOARDS.—The Secretary, through contracts and grants, shall assist school boards of contract or grant schools in implementation of the standards established under subsections (c) and (d), if the school boards request that such standards, in part or in whole, be implemented.

''(4) FISCAL CONTROL AND FUND ACCOUNTING STANDARDS.—The Bureau shall, either directly or through contract with an Indian organization, establish a consistent system of reporting standards for fiscal control and fund accounting for all contract and grant schools. Such standards shall provide data comparable to those used by Bureau operated schools.

''(g) ANNUAL PLAN FOR MEETING OF STANDARDS.—Except as provided in subsections (e) and (f), the Secretary shall begin to implement the standards established under this section immediately upon the date of their establishment. On an annual basis, the Secretary shall submit to the appropriate committees of Congress, all Bureau funded schools, and the tribal governing bodies of such schools a detailed plan to bring all Bureau schools and contract or grant schools up to the level required by the applicable standards established under this section. Such plan shall include detailed information on the status of each school's educational program in relation to the applicable standards established under this section, specific cost estimates for meeting such standards at each school and specific timelines for bringing each school up to the level required by such standards.

''(h) CLOSURE OR CONSOLIDATION OF SCHOOLS.—

''(1) IN GENERAL.—Except as specifically required by statute, no school or peripheral dormitory operated by the Bureau on or after January 1, 1992, may be closed or consolidated or have its program substantially curtailed unless done according to the requirements of this subsection.

''(2) EXCEPTIONS.—This subsection shall not apply—

''(A) in those cases where the tribal governing body, or the local school board concerned (if so designated by the tribal governing body), requests closure or consolidation; or

''(B) when a temporary closure, consolidation, or substantial curtailment is required by plant conditions which constitute an immediate hazard to health and safety.

''(3) REGULATIONS.—The Secretary shall, by regulation, promulgate standards and procedures for the closure, transfer to another authority, consolidation, or substantial curtailment of Bureau schools, in accordance with the requirements of this subsection.

''(4) NOTICE.—Whenever closure, transfer to another authority, consolidation, or substantial curtailment of a school is under active consideration or review by any division of the Bureau or the Department of the Interior, the affected tribe, tribal governing body, and designated local school board, will be notified immediately, kept fully and currently informed, and afforded an opportunity to comment with respect to such consideration or review. When a formal decision is made to close, transfer to another authority, consolidate, or substantially curtail a school, the affected tribe, tribal governing body, and designated school board shall be notified at least 6 months prior to the end of the school year preceding the proposed closure date. Copies of any such notices and information shall be transmitted promptly to the appropriate committees of Congress and published in the Federal Register.

''(5) REPORT.—The Secretary shall make a report to the appropriate committees of Congress, the affected tribe, and the designated school board describing the process of the active consideration or review referred to in paragraph (4). The report shall include a study of the impact of such action on the student population, identify those students with particular educational and social needs, and ensure that alternative services are available to such students. Such report shall include the description of the consultation conducted between the potential service provider, current service provider, parents, tribal representatives and the tribe or tribes involved, and the Director of the Office of Indian Education Programs within the Bureau regarding such students.

''(6) LIMITATION ON CERTAIN ACTIONS.—No irrevocable action may be taken in furtherance of any such proposed school closure, transfer to another authority, consolidation, or substantial curtailment (including any action which would prejudice the personnel or programs of such school) prior to the end of the first full academic year after such report is made.

''(7) TRIBAL GOVERNING BODY APPROVAL REQUIRED FOR CERTAIN ACTIONS.—The Secretary may terminate, contract, transfer to any other authority, consolidate, or substantially curtail the operation or facilities of—

''(A) any Bureau funded school that is operated on or after of January 1, 1999;

''(B) any program of such a school that is operated on or after January 1, 1999; or

''(C) any school board of a school operated under a grant under the Tribally Controlled Schools Act of 1988,

only if the tribal governing body approves such action.

''(i) APPLICATION FOR CONTRACTS OR GRANTS FOR NON-BUREAU FUNDED SCHOOLS OR EXPANSION OF BUREAU FUNDED SCHOOLS.—

''(1) IN GENERAL.—(A)(i) The Secretary shall only consider the factors described in subparagraph (B) in reviewing—

''(I) applications from any tribe for the awarding of a contract or grant for a school that is not a Bureau funded school; and

''(II) applications from any tribe or school board of any Bureau funded school for—

''(aa) a school which is not a Bureau funded school; or

''(bb) the expansion of a Bureau funded school which would increase the amount of funds received by the Indian tribe or school board under section 1127.

''(ii) With respect to applications described in this subparagraph, the Secretary shall give consideration to all the factors described in subparagraph (B), but no such application shall be denied based primarily upon the geographic proximity of comparable public education.

''(B) With respect to applications described in subparagraph (A) the Secretary shall consider the following factors relating to the program and services that are the subject of the application:

''(i) The adequacy of the facilities or the potential to obtain or provide adequate facilities.

''(ii) Geographic and demographic factors in the affected areas.

''(iii) The adequacy of the applicant's program plans or, in the case of a Bureau funded school, of projected needs analysis done either by the tribe or the Bureau.

''(iv) Geographic proximity of comparable public education.

''(v) The stated needs of all affected parties, including students, families, tribal governments at both the central and local levels, and school organizations.

''(vi) Adequacy and comparability of programs already available.

''(vii) Consistency of available programs with tribal educational codes or tribal legislation on education.

''(viii) The history and success of these services for the proposed population to be served, as determined from all factors, including but not limited to standardized examination performance.

''(2) DETERMINATION ON APPLICATION.—(A) The Secretary shall make a determination of whether to approve any application described in paragraph (1)(A) not later than 180 days after such application is submitted to the Secretary.

''(B) If the Secretary fails to make the determination with respect to an application by the date described in subparagraph (A), the application shall be treated a having been approved by the Secretary.

''(3) REQUIREMENTS FOR APPLICATIONS.—(A) Notwithstanding paragraph (2)(B), an application described in paragraph (1)(A) may be approved by the Secretary only if—

''(i) the application has been approved by the tribal governing body of the students served by (or to be served by) the school or program that is the subject of the application; and

''(ii) written evidence of such approval is submitted with the application.

''(B) Each application described in paragraph (1)(A) shall provide information concerning each of the factors described in paragraph (1)(B).

''(4) DENIAL OF APPLICATIONS.—Whenever the Secretary makes a determination to deny approval of any application described in paragraph (1)(A), the Secretary shall—

''(A) state the objections in writing to the applicant not later 180 days after the application is submitted to the Secretary;

''(B) provide assistance to the applicant to overcome stated objections; and

''(C) provide the applicant a hearing, under the same rules and regulations pertaining to the Indian Self-Determination and Education Assistance Act and an opportunity to appeal the objections raised by the Secretary.

''(5) EFFECTIVE DATE OF A SUBJECT APPLICATION.—(A) Except as otherwise provided in this paragraph, the action which is the subject of any application described in paragraph (1)(A) that is approved by the Secretary shall become effective at the beginning of the academic year following the fiscal year in which the application is approved, or at an earlier date determined by the Secretary.

''(B) If an application is treated as having been approved by the Secretary under paragraph (2)(B), the action that is the subject of the application shall become effective on the date that is 18 months after the date on which the application is submitted to the Secretary, or at an earlier date determined by the Secretary.

''(6) STATUTORY CONSTRUCTION.—Nothing in this section shall be read so as to preclude the expansion of grades and related facilities at a Bureau funded school where such expansion and the maintenance of such expansion is occasioned or paid for with non-Bureau funds.

''(j) GENERAL USE OF FUNDS.—Funds received by Bureau funded schools from the Bureau of Indian Affairs and under any program from the Department of Education or any other Federal agency for the purpose of providing education or related services may be used for schoolwide projects to improve the educational program for all Indian students.

''(k) STUDY ON ADEQUACY OF FUNDS AND FORMULAS.—The Comptroller General shall conduct a study, in consultation with Indian tribes and local school boards, to determine the adequacy of funding, and formulas used by the Bureau to determine funding, for programs operated by Bureau funded schools, taking into account unique circumstances applicable to Bureau funded schools, as well as expenditures for comparable purposes in public schools nationally. Upon completion of the study, the Secretary of the Interior shall take such action as necessary to ensure distribution of the findings of the study to all affected Indian tribes, local school boards, and associations of local school boards.

"SEC. 1122. NATIONAL CRITERIA FOR HOME-LIVING SITUATIONS.

''(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Education, Indian organizations and tribes, and Bureau funded schools, shall revise the national standards for home-living (dormitory) situations to include such factors as heating, lighting, cooling, adult-child ratios, needs for counselors (including special needs related to off-reservation home-living (dormitory) situations), therapeutic programs, space, and privacy. Such standards shall be implemented in Bureau operated schools, and shall serve as minimum standards for contract or grant schools. Once established, any revisions of such standards shall be developed according to the requirements established under section 1138A.

''(b) IMPLEMENTATION.—The Secretary shall implement the revised standards established under this section immediately upon their completion.

''(c) PLAN.—At the time of each annual budget submission for Bureau educational services is presented, the Secretary shall submit to the appropriate committees of Congress, the tribes, and the affected schools, and publish in the Federal Register, a detailed plan to bring all Bureau funded schools that provide home-living (dormitory) situations up to the standards established under this section. Such plan shall include a statement of the relative needs of each Bureau funded home-living (dormitory) school, projected future needs of each Bureau funded home-living (dormitory) school, detailed information on the status of each school in relation to the standards established under this section, specific cost estimates for meeting each standard for each such school, aggregate cost estimates for bringing all such schools into compliance with the criteria established under this section, and specific timelines for bringing each school into compliance with such standards.

''(d) WAIVER.—The criteria established under this section may be waived in the same manner as the standards provided under section 1121(c) may be waived.

''(e) CLOSURE FOR FAILURE TO MEET STANDARDS PROHIBITED.—No school in operation on or before January 1, 1987 (regardless of compliance or noncompliance with the criteria established under this section), may be closed, transferred to another authority, consolidated, or have its program substantially curtailed for failure to meet the criteria.

"SEC. 1123. CODIFICATION OF REGULATIONS.

''(a) PART 32 OF TITLE 25 OF CODE OF FEDERAL REGULATIONS.—The provisions of part 32 of title 25 of the Code of Federal Regulations, as in effect on January 1, 1987, are incorporated into this Act and shall be treated as though such provisions are set forth in this subsection. Such provisions may be altered only by means of an Act of Congress. To the extent that such provisions of part 32 do not conform with this Act or any statutory provision of law enacted before November 1, 1978, the provisions of this Act and the provisions of such other statutory law shall govern.

''(b) REGULATION DEFINED.—For purposes of this part, the term 'regulation' means any rules, regulations, guidelines, interpretations, orders, or requirements of general applicability prescribed by any officer or employee of the executive branch.

"SEC. 1124. SCHOOL BOUNDARIES.

''(a) ESTABLISHMENT BY SECRETARY.—The Secretary shall establish, by regulation, separate geographical attendance areas for each Bureau funded school.

''(b) ESTABLISHMENT BY TRIBAL BODY.—In any case where there is more than one Bureau funded school located on an Indian reservation, at the direction of the tribal governing body, the relevant school boards of the Bureau funded schools on the reservation may, by mutual consent, establish the relevant attendance areas for such schools, subject to the approval of the tribal governing body. Any such boundaries so established shall be accepted by the Secretary.

''(c) BOUNDARY REVISIONS.—

''(1) IN GENERAL.—On or after July 1, 2001, no geographical attendance area shall be revised or established with respect to any Bureau funded school unless the tribal governing body or the local school board concerned (if so designated by the tribal governing body) has been afforded—

''(A) at least 6 months notice of the intention of the Bureau to revise or establish such attendance area; and

''(B) the opportunity to propose alternative boundaries.

Any tribe may petition the Secretary for revision of existing attendance area boundaries. The Secretary shall accept such proposed alternative or revised boundaries unless the Secretary finds, after consultation with the affected tribe or tribes, that such revised boundaries do not reflect the needs of the Indian students to be served or do not provide adequate stability to all of the affected programs. The Secretary shall cause such revisions to be published in the Federal Register.

''(2) TRIBAL RESOLUTION DETERMINATION.—Nothing in this section shall be interpreted as denying a tribal governing body the authority, on a continuing basis, to adopt a tribal resolution allowing parents the choice of the Bureau funded school their children may attend, regardless of the attendance boundaries established under this section.

''(d) FUNDING RESTRICTIONS.—The Secretary shall not deny funding to a Bureau funded school for any eligible Indian student attending the school solely because that student's home or domicile is outside of the geographical attendance area established for that school under this section. No funding shall be made available without tribal authorization to enable a school to provide transportation for any student to or from the school and a location outside the approved attendance area of the school.

''(e) RESERVATION AS BOUNDARY.—In any case where there is only one Bureau funded program located on an Indian reservation, the attendance area for the program shall be the boundaries (established by treaty, agreement, legislation, court decisions, or executive decisions and as accepted by the tribe) of the reservation served, and those students residing near the reservation shall also receive services from such program.

''(f) OFF-RESERVATION HOME-LIVING (DORMITORY) SCHOOLS.—Notwithstanding any geographical attendance areas, attendance at off-reservation home-living (dormitory) schools shall include students requiring special emphasis programs to be implemented at each off-reservation home-living (dormitory) school. Such attendance shall be coordinated between education line officers, the family, and the referring and receiving programs.

"SEC. 1125. FACILITIES CONSTRUCTION.

''(a) COMPLIANCE WITH HEALTH AND SAFETY STANDARDS.—The Secretary shall immediately begin to bring all schools, dormitories, and other Indian education-related facilities operated by the Bureau or under

contract or grant with the Bureau into compliance with all applicable tribal, Federal, or State health and safety standards, whichever provides greater protection (except that the tribal standards to be applied shall be no greater than any otherwise applicable Federal or State standards), with section 504 of the Rehabilitation Act of 1973, and with the Americans with Disabilities Act of 1990. Nothing in this section shall require termination of the operations of any facility which does not comply with such provisions and which is in use on the date of the enactment of the No Child Left Behind Act of 2001.

''(b) COMPLIANCE PLAN.—At the time that the annual budget request for Bureau educational services is presented, the Secretary shall submit to the appropriate committees of Congress a detailed plan to bring all facilities covered under subsection (a) of this section into compliance with the standards referred to in subsection (a). Such plan shall include detailed information on the status of each facility's compliance with such standards, specific cost estimates for meeting such standards at each school, and specific timelines for bringing each school into compliance with such standards.

''(c) CONSTRUCTION PRIORITIES.—

''(1) SYSTEM TO ESTABLISH PRIORITIES.—On an annual basis the Secretary shall submit to the appropriate committees of Congress and cause to be published in the Federal Register, the system used to establish priorities for replacement and construction projects for Bureau funded schools and home-living schools, including boarding schools and dormitories. At the time any budget request for education is presented, the Secretary shall publish in the Federal Register and submit with the budget request the current list of all Bureau funded school construction priorities.

''(2) LONG-TERM CONSTRUCTION AND REPLACEMENT LIST.—In addition to the plan submitted under subsection (b), the Secretary shall—

''(A) not later than 18 months after the date of the enactment of the No Child Left Behind Act of 2001, establish a long-term construction and replacement list for all Bureau funded schools;

''(B) using the list prepared under subparagraph (A), propose a list for the orderly replacement of all Bureau funded education-related facilities over a period of 40 years to enable planning and scheduling of budget requests;

''(C) cause the list prepared under subsection (B) to be published in the Federal Register and allow a period of not less than 120 days for public comment;

''(D) make such revisions to the list prepared under subparagraph (B) as are appropriate based on the comments received; and

''(E) cause the final list to be published in the Federal Register.

''(3) EFFECT ON OTHER LIST.—Nothing in this section shall be construed as interfering with or changing in any way the construction priority list as it exists on the date of the enactment of the No Child Left Behind Act of 2001.

''(d) HAZARDOUS CONDITION AT BUREAU SCHOOL.—

''(1) CLOSURE OR CONSOLIDATION.—A Bureau funded school may be closed or consolidated, and the programs of a Bureau funded school may be substantially curtailed by reason of plant conditions that constitute an immediate hazard to health and safety only if a health and safety officer of the Bureau determines that such conditions exist at the Bureau funded school.

''(2) INSPECTION.—(A) After making a determination described in paragraph (1), the Bureau health and safety officer shall conduct an inspection of the condition of such plant accompanied by an appropriate tribal, county, municipal, or State health and safety officer in order to determine whether conditions at such plant constitute an immediate hazard to health and safety. Such inspection shall be completed by not later than the date that is 30 days after the date on which the action described in paragraph (1) is taken. No further negative action may be taken unless the findings are concurred in by the second, non-Bureau of Indian Affairs inspector.

''(B) If the health and safety officer conducting the inspection of a plant required under subparagraph (A) determines that conditions at the plant do not constitute an immediate hazard to health and safety, any consolidation or curtailment that was made under paragraph (1) shall immediately cease and any school closed by reason of conditions at the plant shall be reopened immediately.

''(C) If a Bureau funded school is temporarily closed or consolidated or the programs of a Bureau funded school are substantially curtailed under this subsection and the Secretary determines that the closure, consolidation, or curtailment will exceed 1 year, the Secretary shall submit to the Congress, by not later than 6 months after the date on which the closure, consolidation, or curtailment was initiated, a report which sets forth the reasons for such temporary actions, the actions the Secretary is taking to eliminate the conditions that constitute the hazard, and an estimated date by which such actions will be concluded.

''(e) FUNDING REQUIREMENT.—

''(1) DISTRIBUTION OF FUNDS.—Beginning with the fiscal year following the year of the date of the enactment of the No Child Left Behind Act of 2001, all funds appropriated for the operations and maintenance of Bureau funded schools shall be distributed by formula to the schools. No funds from this account may be retained or segregated by the Bureau to pay for administrative or other costs of any facilities branch or office, at any level of the Bureau.

''(2) REQUIREMENTS FOR CERTAIN USES.—No funds shall be withheld from the distribution to the budget of any school operated under contract or grant by the Bureau for maintenance or any other facilities or road related purpose, unless such school has consented, as a modification to the contract or in writing for grants schools, to the withholding of such funds, including the amount thereof, the purpose for which the funds will be used, and the timeline for the services to be provided. The school may, at the end of any fiscal year, cancel an agreement under this paragraph upon giving the Bureau 30 days notice of its intent to do so.

''(f) NO REDUCTION IN FEDERAL FUNDING.—Nothing in this section shall be construed to diminish any Federal funding due to the receipt by the school of funding for facilities improvement or construction from a State or any other source.

"SEC. 1126. BUREAU OF INDIAN AFFAIRS EDUCATION FUNCTIONS.

''(a) FORMULATION AND ESTABLISHMENT OF POLICY AND PROCEDURE; SUPERVISION OF PROGRAMS AND EXPENDITURES.—The Secretary shall vest in the Assistant Secretary for Indian Affairs all functions with respect to formulation and establishment of policy and procedure and supervision of programs and expenditures of Federal funds for the purpose of Indian education administered by the Bureau. The Assistant Secretary shall carry out such functions through the Director of the Office of Indian Education Programs.

''(b) DIRECTION AND SUPERVISION OF PERSONNEL OPERATIONS.—Not later than 6 months after the date of the enactment of the No Child Left Behind Act of 2001, the Director of the Office of Indian Education Programs shall direct and supervise the operations of all personnel directly and substantially involved in the provision of education services by the Bureau, including school or institution custodial or maintenance personnel, facilities management, contracting, procurement, and finance personnel. The Assistant Secretary for Indian Affairs shall coordinate the transfer of functions relating to procurement, contracts, operation, and maintenance of schools and other support functions to the Director.

''(c) EVALUATION OF PROGRAMS; SERVICES AND SUPPORT FUNCTIONS; TECHNICAL AND COORDINATING ASSISTANCE.—Education personnel who are under the direction and supervision of the Director of the Office of Indian Education Programs in accordance with the first sentence of subsection (b) shall—

''(1) monitor and evaluate Bureau education programs;

''(2) provide all services and support functions for education programs with respect to personnel matters involving staffing actions and functions; and

''(3) provide technical and coordinating assistance in areas such as procurement, contracting, budgeting, personnel, curriculum, and operation and maintenance of school facilities.

''(d) CONSTRUCTION, IMPROVEMENT, OPERATION, AND MAINTENANCE OF FACILITIES.—

''(1) PLAN FOR CONSTRUCTION.—The Assistant Secretary shall submit in the annual budget a plan—

''(A) for school facilities to be constructed under section 1125(c);

''(B) for establishing priorities among projects and for the improvement and repair of educational facilities, which together shall form the basis for the distribution of appropriated funds; and

''(C) for capital improvements to be made over the five succeeding years.

''(2) PROGRAM FOR OPERATION AND MAINTENANCE.—

''(A) ESTABLISHMENT.—The Assistant Secretary shall establish a program, including the distribution of appropriated funds, for the operation and maintenance of education facilities. Such program shall include—

''(i) a method of computing the amount necessary for each educational facility;

''(ii) similar treatment of all Bureau funded schools;

''(iii) a notice of an allocation of appropriated funds from the Director of the Office of Indian Education Programs directly to the education line officers and appropriate school officials;

''(iv) a method for determining the need for, and priority of, facilities repair and maintenance projects, both major and minor. In making such determination, the Assistant Secretary shall cause to be conducted a series of meetings at the agency and area level with representatives of the Bureau funded schools in those areas and agencies to receive comment on the lists and prioritization of such projects; and

''(v) a system for the conduct of routine preventive maintenance.

''(B) LOCAL SUPERVISORS.—The appropriate education line officers shall make arrangements for the maintenance of education facilities with the local supervisors of the Bureau maintenance personnel. The local supervisors of Bureau maintenance personnel shall take appropriate action to implement the decisions made by the appropriate education line officers, except that no funds under this chapter may be authorized for expenditure unless such appropriate education line officer is assured that the necessary maintenance has been, or will be, provided in a reasonable manner.

''(3) IMPLEMENTATION.—The requirements of this subsection shall be implemented as soon as practicable after the date of the en-

actment of the No Child Left Behind Act of 2001.

''(e) ACCEPTANCE OF GIFTS AND BEQUESTS.—Notwithstanding any other provision of law, the Director shall promulgate guidelines for the establishment of mechanisms for the acceptance of gifts and bequests for the use and benefit of particular schools or designated Bureau operated education programs, including, where appropriate, the establishment and administration of trust funds. When a Bureau operated program is the beneficiary of such a gift or bequest, the Director shall make provisions for monitoring its use and shall report to the appropriate committees of Congress the amount and terms of such gift or bequest, the manner in which such gift or bequest shall be used, and any results achieved by such action.

''(f) FUNCTIONS CLARIFIED.—For the purpose of this section, the term 'functions' includes powers and duties.

"SEC. 1127. ALLOTMENT FORMULA.

''(a) FACTORS CONSIDERED; REVISION TO REFLECT STANDARDS.—

''(1) FORMULA.—The Secretary shall establish, by regulation adopted in accordance with section 1138A, a formula for determining the minimum annual amount of funds necessary to sustain each Bureau funded school. In establishing such formula, the Secretary shall consider—

''(A) the number of eligible Indian students served and total student population of the school;

''(B) special cost factors, such as—

''(i) the isolation of the school;

''(ii) the need for special staffing, transportation, or educational programs;

''(iii) food and housing costs;

''(iv) maintenance and repair costs associated with the physical condition of the educational facilities;

''(v) special transportation and other costs of isolated and small schools;

''(vi) the costs of home-living (dormitory) arrangements, where determined necessary by a tribal governing body or designated school board;

''(vii) costs associated with greater lengths of service by education personnel;

''(viii) the costs of therapeutic programs for students requiring such programs; and

''(ix) special costs for gifted and talented students;

''(C) the cost of providing academic services which are at least equivalent to those provided by public schools in the State in which the school is located; and

''(D) such other relevant factors as the Secretary determines are appropriate.

''(2) REVISION OF FORMULA.—Upon the establishment of the standards required in sections 1121 and 1122, the Secretary shall revise the formula established under this subsection to reflect the cost of funding such standards. Not later than January 1, 2003, the Secretary shall review the formula established under this section and shall take such steps as are necessary to increase the availability of counseling and therapeutic programs for students in off-reservation home-living (dormitory) schools and other Bureau operated residential facilities. Concurrent with such action, the Secretary shall review the standards established under section 1122 to be certain that adequate provision is made for parental notification regarding, and consent for, such counseling and therapeutic programs.

''(b) PRO RATA ALLOTMENT.—Notwithstanding any other provision of law, Federal funds appropriated for the general local operation of Bureau funded schools shall be allotted pro rata in accordance with the formula established under subsection (a).

''(c) ANNUAL ADJUSTMENT; RESERVATION OF AMOUNT FOR SCHOOL BOARD ACTIVITIES.—

''(1) ANNUAL ADJUSTMENT.—For fiscal year 2003, and for each subsequent fiscal year, the Secretary shall adjust the formula established under subsection (a) to ensure that the formula does the following:

''(A) Uses a weighted unit of 1.2 for each eligible Indian student enrolled in the seventh and eighth grades of the school in considering the number of eligible Indian students served by the school.

''(B) Considers a school with an enrollment of less than 50 eligible Indian students as having an average daily attendance of 50 eligible Indian students for purposes of implementing the adjustment factor for small schools.

''(C) Takes into account the provision of residential services on less than a 9-month basis at a school when the school board and supervisor of the school determine that a less than 9-month basis will be implemented for the school year involved.

''(D) Uses a weighted unit of 2.0 for each eligible Indian student that—

''(i) is gifted and talented; and

''(ii) is enrolled in the school on a full-time basis,

in considering the number of eligible Indian students served by the school.

''(E) Uses a weighted unit of 0.25 for each eligible Indian student who is enrolled in a yearlong credit course in an Indian or Native language as part of the regular curriculum of a school, in considering the number of eligible Indian students served by such school. The adjustment required under this subparagraph shall be used for such school after—

''(i) the certification of the Indian or Native language curriculum by the school board of such school to the Secretary, together with an estimate of the number of full-time students expected to be enrolled in the curriculum in the second school year for which the certification is made; and

(ii) the funds appropriated for allotment under this section are designated by the appropriations Act appropriating such funds as the amount necessary to implement such adjustment at such school without reducing allotments made under this section to any school by virtue of such adjustment.

''(2) RESERVATION OF AMOUNT.—

''(A) IN GENERAL.—From the funds allotted in accordance with the formula established under subsection (a) for each Bureau school, the local school board of such school may reserve an amount which does not exceed the greater of—

''(i) $8,000; or

''(ii) the lesser of—

''(I) $15,000; or

''(II) 1 percent of such allotted funds,

for school board activities for such school, including (notwithstanding any other provision of law) meeting expenses and the cost of membership in, and support of, organizations engaged in activities on behalf of Indian education.

''(B) TRAINING.—Each school board shall see that each new member of the school board receives, within 12 months of the individual's assuming a position on the school board, 40 hours of training relevant to that individual's service on the board. Such training may include legal issues pertaining to schools funded by the Bureau, legal issues pertaining to school boards, ethics, and other topics deemed appropriate by the school board.

''(d) RESERVATION OF AMOUNT FOR EMERGENCIES.—The Secretary shall reserve from the funds available for distribution for each fiscal year under this section an amount which, in the aggregate, shall equal 1 percent of the funds available for such purpose for that fiscal year. Such funds shall be used, at the discretion of the Director of the Office of Indian Education Programs, to meet emergencies and unforeseen contingencies affecting the education programs funded under this section. Funds reserved under this subsection may only be expended for education services or programs, including emergency repairs of educational facilities, at a schoolsite (as defined by section 5204(c)(2) of the Tribally Controlled Schools Act of 1988). Funds reserved under this subsection shall remain available without fiscal year limitation until expended. However, the aggregate amount available from all fiscal years may not exceed 1 percent of the current year funds. Whenever, the Secretary makes funds available under this subsection, the Secretary shall report such action to the appropriate committees of Congress within the annual budget submission.

''(e) SUPPLEMENTAL APPROPRIATIONS.—Supplemental appropriations enacted to meet increased pay costs attributable to school level personnel shall be distributed under this section.

''(f) ELIGIBLE INDIAN STUDENT DEFINED.—For the purpose of this section, the term 'eligible Indian student' means a student who—

''(1) is a member of or is at least one-fourth degree Indian blood descendant of a member of an Indian tribe which is eligible for the special programs and services provided by the United States through the Bureau because of their status as Indians; and

''(2) resides on or near an Indian reservation or meets the criteria for attendance at a Bureau off-reservation home-living (dormitory) school.

''(g) TUITION.—

''(1) IN GENERAL.—An eligible Indian student may not be charged tuition for attendance at a Bureau school or contract or grant school. A student attending a Bureau school under paragraph (2)(C) may not be charged tuition for attendance at such a school.

''(2) ATTENDANCE OF NON-INDIAN STUDENTS AT BUREAU SCHOOLS.—The Secretary may permit the attendance at a Bureau school of a student who is not an eligible Indian student if—

''(A) the Secretary determines that the student's attendance will not adversely affect the school's program for eligible Indian students because of cost, overcrowding, or violation of standards or accreditation;

''(B) the school board consents;

''(C) the student is a dependent of a Bureau, Indian Health Service, or tribal government employee who lives on or near the schoolsite; or

''(D) a tuition is paid for the student that is not more than that charged by the nearest public school district for out-of-district students, and shall be in addition to the school's allocation under this section.

''(3) ATTENDANCE OF NON-INDIAN STUDENTS AT CONTRACT AND GRANT SCHOOLS.—The school board of a contract or grant school may permit students who are not eligible Indian students under this subsection to attend its contract school or grant school and any tuition collected for those students shall be in addition to funding received under this section.

''(h) FUNDS AVAILABLE WITHOUT FISCAL YEAR LIMITATION.—Notwithstanding any other provision of law, at the election of the school board of a Bureau school made at any time during the fiscal year, a portion equal to not more than 15 percent of the funds allocated with respect to a school under this section for any fiscal year shall remain available to the school for expenditure without fiscal year limitation. The Assistant Secretary shall take steps as may be necessary to implement this provision.

''(i) STUDENTS AT RICHFIELD DORMITORY, RICHFIELD, UTAH.—Tuition for out-of-State Indian students in home-living (dormitory) arrangements at the Richfield dormitory in Richfield, Utah, who attend Sevier County high schools in Richfield, Utah, shall be paid

from the Indian school equalization program funds authorized in this section and section 1130 at a rate not to exceed the amounts per weighted student unit for that year for the instruction of such students. No additional administrative cost funds shall be added to the grant.

"SEC. 1128. ADMINISTRATIVE COST GRANTS.

''(a) GRANTS; EFFECT UPON APPROPRIATED AMOUNTS.—

''(1) GRANTS.—Subject to the availability of appropriated funds, the Secretary shall provide grants to each tribe or tribal organization operating a contract school or grant school in the amount determined under this section with respect to the tribe or tribal organization for the purpose of paying the administrative and indirect costs incurred in operating contract or grant schools, provided that no school operated as a stand-alone institution shall receive less than $200,000 per year for these purposes, in order to—

''(A) enable tribes and tribal organizations operating such schools, without reducing direct program services to the beneficiaries of the program, to provide all related administrative overhead services and operations necessary to meet the requirements of law and prudent management practice; and

''(B) carry out other necessary support functions which would otherwise be provided by the Secretary or other Federal officers or employees, from resources other than direct program funds, in support of comparable Bureau operated programs.

''(2) EFFECT UPON APPROPRIATED AMOUNTS.—Amounts appropriated to fund the grants provided under this section shall be in addition to, and shall not reduce, the amounts appropriated for the program being administered by the contract or grant school.

''(b) DETERMINATION OF GRANT AMOUNT.—

''(1) IN GENERAL.—The amount of the grant provided to each tribe or tribal organization under this section for each fiscal year shall be determined by applying the administrative cost percentage rate of the tribe or tribal organization to the aggregate of the Bureau elementary and secondary functions operated by the tribe or tribal organization for which funds are received from or through the Bureau. The administrative cost percentage rate determined under subsection (c) does not apply to other programs operated by the tribe or tribal organization.

''(2) DIRECT COST BASE FUNDS.—The Secretary shall—

''(A) reduce the amount of the grant determined under paragraph (1) to the extent that payments for administrative costs are actually received by an Indian tribe or tribal organization under any Federal education program included in the direct cost base of the tribe or tribal organization; and

''(B) take such actions as may be necessary to be reimbursed by any other department or agency of the Federal Government for the portion of grants made under this section for the costs of administering any program for Indians that is funded by appropriations made to such other department or agency.

''(c) ADMINISTRATIVE COST PERCENTAGE RATE.—

''(1) IN GENERAL.—For purposes of this section, the administrative cost percentage rate for a contract or grant school for a fiscal year is equal to the percentage determined by dividing—

''(A) the sum of—

''(i) the amount equal to—

''(I) the direct cost base of the tribe or tribal organization for the fiscal year, multiplied by

''(II) the minimum base rate; plus

''(ii) the amount equal to—

''(I) the standard direct cost base; multiplied by

''(II) the maximum base rate; by

''(B) the sum of—

''(i) the direct cost base of the tribe or tribal organization for the fiscal year; plus

''(ii) the standard direct cost base.

''(2) ROUNDING.—The administrative cost percentage rate shall be determined to the 1/100 of a decimal point.

''(d) COMBINING FUNDS.—

''(1) IN GENERAL.—Funds received by a tribe or contract or grant school as grants under this section for tribal elementary or secondary educational programs may be combined by the tribe or contract or grant school into a single administrative cost account without the necessity of maintaining separate funding source accounting.

''(2) INDIRECT COST FUNDS.—Indirect cost funds for programs at the school which share common administrative services with tribal elementary or secondary educational programs may be included in the administrative cost account described in paragraph (1).

''(e) AVAILABILITY OF FUNDS.—Funds received as grants under this section with respect to tribal elementary or secondary education programs shall remain available to the contract or grant school without fiscal year limitation and without diminishing the amount of any grants otherwise payable to the school under this section for any fiscal year beginning after the fiscal year for which the grant is provided.

''(f) TREATMENT OF FUNDS.—Funds received as grants under this section for Bureau funded programs operated by a tribe or tribal organization under a contract or agreement shall not be taken into consideration for purposes of indirect cost underrecovery and overrecovery determinations by any Federal agency for any other funds, from whatever source derived.

''(g) TREATMENT OF ENTITY OPERATING OTHER PROGRAMS.—In applying this section and section 105 of the Indian Self-Determination and Education Assistance Act with respect to an Indian tribe or tribal organization that—

''(1) receives funds under this section for administrative costs incurred in operating a contract or grant school or a school operated under the Tribally Controlled Schools Act of 1988; and

''(2) operates one or more other programs under a contract or grant provided under the Indian Self-Determination and Education Assistance Act,

the Secretary shall ensure that the Indian tribe or tribal organization is provided with the full amount of the administrative costs that are associated with operating the contract or grant school, and of the indirect costs, that are associated with all of such other programs, provided that funds appropriated for implementation of this section shall be used only to supply the amount of the grant required to be provided by this section.

''(h) DEFINITIONS.—For purposes of this section:

''(1) ADMINISTRATIVE COST.—(A) The term 'administrative cost' means the costs of necessary administrative functions which—

''(i) the tribe or tribal organization incurs as a result of operating a tribal elementary or secondary educational program;

''(ii) are not customarily paid by comparable Bureau operated programs out of direct program funds; and

''(iii) are either—

''(I) normally provided for comparable Bureau programs by Federal officials using resources other than Bureau direct program funds; or

''(II) are otherwise required of tribal self-determination program operators by law or prudent management practice.

''(B) The term 'administrative cost' may include—

''(i) contract or grant (or other agreement) administration;

''(ii) executive, policy, and corporate leadership and decisionmaking;

''(iii) program planning, development, and management;

''(iv) fiscal, personnel, property, and procurement management;

''(v) related office services and record keeping; and

''(vi) costs of necessary insurance, auditing, legal, safety and security services.

''(2) BUREAU ELEMENTARY AND SECONDARY FUNCTIONS.—The term 'Bureau elementary and secondary functions' means—

''(A) all functions funded at Bureau schools by the Office;

''(B) all programs—

''(i) funds for which are appropriated to other agencies of the Federal Government; and

''(ii) which are administered for the benefit of Indians through Bureau schools; and

''(C) all operation, maintenance, and repair funds for facilities and government quarters used in the operation or support of elementary and secondary education functions for the benefit of Indians, from whatever source derived.

''(3) DIRECT COST BASE.—(A) Except as otherwise provided in subparagraph (B), the direct cost base of a tribe or tribal organization for the fiscal year is the aggregate direct cost program funding for all tribal elementary or secondary educational programs operated by the tribe or tribal organization during—

''(i) the second fiscal year preceding such fiscal year; or

''(ii) if such programs have not been operated by the tribe or tribal organization during the two preceding fiscal years, the first fiscal year preceding such fiscal year.

''(B) In the case of Bureau elementary or secondary education functions which have not previously been operated by a tribe or tribal organization under contract, grant, or agreement with the Bureau, the direct cost base for the initial year shall be the projected aggregate direct cost program funding for all Bureau elementary and secondary functions to be operated by the tribe or tribal organization during that fiscal year.

''(4) MAXIMUM BASE RATE.—The term 'maximum base rate' means 50 percent.

''(5) MINIMUM BASE RATE.—The term 'minimum base rate' means 11 percent.

''(6) STANDARD DIRECT COST BASE.—The term 'standard direct cost base' means $600,000.

''(7) TRIBAL ELEMENTARY OR SECONDARY EDUCATIONAL PROGRAMS.—The term 'tribal elementary or secondary educational programs' means all Bureau elementary and secondary functions, together with any other Bureau programs or portions of programs (excluding funds for social services that are appropriated to agencies other than the Bureau and are expended through the Bureau, funds for major subcontracts, construction, and other major capital expenditures, and unexpended funds carried over from prior years) which share common administrative cost functions, that are operated directly by a tribe or tribal organization under a contract, grant, or agreement with the Bureau.

''(i) STUDIES FOR DETERMINATION OF FACTORS AFFECTING COSTS; BASE RATES LIMITS; STANDARD DIRECT COST BASE; REPORT TO CONGRESS.—

''(1) STUDIES.—Not later than 120 days after the date of the enactment of the No Child Left Behind Act of 2001, the Director of the Office of Indian Education Programs shall—

''(A) conduct such studies as may be needed to establish an empirical basis for determining relevant factors substantially affecting required administrative costs of tribal elementary and secondary education pro-

grams, using the formula set forth in subsection (c); and

''(B) conduct a study to determine—

''(i) a maximum base rate which ensures that the amount of the grants provided under this section will provide adequate (but not excessive) funding of the administrative costs of the smallest tribal elementary or secondary educational programs;

''(ii) a minimum base rate which ensures that the amount of the grants provided under this section will provide adequate (but not excessive) funding of the administrative costs of the largest tribal elementary or secondary educational programs; and

''(iii) a standard direct cost base which is the aggregate direct cost funding level for which the percentage determined under subsection (c) will—

''(I) be equal to the median between the maximum base rate and the minimum base rate; and

''(II) ensure that the amount of the grants provided under this section will provide adequate (but not excessive) funding of the administrative costs of tribal elementary or secondary educational programs closest to the size of the program.

''(2) GUIDELINES.—The studies required under paragraph (1) shall—

''(A) be conducted in full consultation (in accordance with section 1131) with—

''(i) the tribes and tribal organizations that are affected by the application of the formula set forth in subsection (c); and

''(ii) all national and regional Indian organizations of which such tribes and tribal organizations are typically members;

''(B) be conducted onsite with a representative statistical sample of the tribal elementary or secondary educational programs under a contract entered into with a nationally reputable public accounting and business consulting firm;

''(C) take into account the availability of skilled labor; commodities, business and automatic data processing services, related Indian preference and Indian control of education requirements, and any other market factors found substantially to affect the administrative costs and efficiency of each such tribal elementary or secondary educational program studied in order to assure that all required administrative activities can reasonably be delivered in a cost effective manner for each such program, given an administrative cost allowance generated by the values, percentages, or other factors found in the studies to be relevant in such formula;

''(D) identify, and quantify in terms of percentages of direct program costs, any general factors arising from geographic isolation, or numbers of programs administered, independent of program size factors used to compute a base administrative cost percentage in such formula; and

''(E) identify any other incremental cost factors substantially affecting the costs of required administrative cost functions at any of the tribal elementary or secondary educational programs studied and determine whether the factors are of general applicability to other such programs, and (if so) how the factors may effectively be incorporated into such formula.

''(3) CONSULTATION WITH INSPECTOR GENERAL.—In carrying out the studies required under this subsection, the Director shall obtain the input of, and afford an opportunity to participate to, the Inspector General of the Department of the Interior.

''(4) CONSIDERATION OF DELIVERY OF ADMINISTRATIVE SERVICES.—Determinations described in paragraph (2)(C) shall be based on what is practicable at each location studied, given prudent management practice, irrespective of whether required administrative services were actually or fully delivered at these sites, or whether other services were delivered instead, during the period of the study.

''(5) REPORT.—Upon completion of the studies conducted under paragraph (1), the Director shall submit to Congress a report on the findings of the studies, together with determinations based upon such studies that would affect the definitions set forth under subsection (e) that are used in the formula set forth in subsection (c).

''(6) PROJECTION OF COSTS.—The Secretary shall include in the Bureau's justification for each appropriations request beginning in the first fiscal year after the completion of the studies conducted under paragraph (1), a projection of the overall costs associated with the formula set forth in subsection (c) for all tribal elementary or secondary education programs which the Secretary expects to be funded in the fiscal year for which the appropriations are sought.

''(7) DETERMINATION OF PROGRAM SIZE.—For purposes of this subsection, the size of tribal elementary or secondary educational programs is determined by the aggregate direct cost program funding level for all Bureau funded programs which share common administrative cost functions.

''(j) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated such sums as necessary to carry out this section.

''(2) REDUCTIONS.—If the total amount of funds necessary to provide grants to tribes and tribal organizations in the amounts determined under subsection (b) for a fiscal year exceeds the amount of funds appropriated to carry out this section for such fiscal year, the Secretary shall reduce the amount of each grant determined under subsection (b) for such fiscal year by an amount that bears the same relationship to such excess as the amount of such grants determined under subsection (b) bears to the total of all grants determined under subsection (b) section for all tribes and tribal organizations for such fiscal year.

''(k) APPLICABILITY TO SCHOOLS OPERATING UNDER TRIBALLY CONTROLLED SCHOOLS ACT OF 1988.—The provisions of this section shall also apply to those schools operating under the Tribally Controlled Schools Act of 1988.

"SEC. 1129. DIVISION OF BUDGET ANALYSIS.

''(a) ESTABLISHMENT.—Not later than 12 months after the date of the enactment of the No Child Left Behind Act of 2001, the Secretary shall establish within the Office of Indian Education Programs a Division of Budget Analysis (hereinafter referred to as the 'Division'). Such Division shall be under the direct supervision and control of the Director of the Office.

''(b) FUNCTIONS.—In consultation with the tribal governing bodies and tribal school boards, the Director of the Office, through the Division, shall conduct studies, surveys, or other activities to gather demographic information on Bureau funded schools and project the amount necessary to provide Indian students in such schools the educational program set forth in this part.

''(c) ANNUAL REPORTS.—Not later than the date that the Assistant Secretary for Indian Affairs makes the annual budget submission, for each fiscal year after the date of the enactment of the No Child Left Behind Act of 2001, the Director of the Office shall submit to the appropriate committees of Congress (including the Appropriations committees), all Bureau funded schools, and the tribal governing bodies of such schools, a report which shall contain—

''(1) projections, based upon the information gathered pursuant to subparagraph (b) and any other relevant information, of amounts necessary to provide Indian students in Bureau funded schools the educational program set forth in this part;

''(2) a description of the methods and formulas used to calculate the amounts projected pursuant to paragraph (1); and

''(3) such other information as the Director of the Office considers appropriate.

''(d) USE OF REPORTS.—The Director of the Office and the Assistant Secretary for Indian Affairs shall use the annual report required by subsection (c) when preparing their annual budget submissions.

"SEC. 1130. UNIFORM DIRECT FUNDING AND SUPPORT.

''(a) ESTABLISHMENT OF SYSTEM AND FORWARD FUNDING.—

''(1) IN GENERAL.—The Secretary shall establish, by regulation adopted in accordance with section 1138, a system for the direct funding and support of all Bureau funded schools. Such system shall allot funds in accordance with section 1127. All amounts appropriated for distribution under this section may be made available under paragraph (2).

''(2) TIMING FOR USE OF FUNDS.—(A) For the purposes of affording adequate notice of funding available pursuant to the allotments made under section 1127, amounts appropriated in an appropriations Act for any fiscal year shall become available for obligation by the affected schools on July 1 of the fiscal year in which such amounts are appropriated without further action by the Secretary, and shall remain available for obligation through the succeeding fiscal year.

''(B) The Secretary shall, on the basis of the amount appropriated in accordance with this paragraph—

''(i) publish, not later than July 1 of the fiscal year for which the funds are appropriated, allotments to each affected school made under section 1127 of 85 percent of such appropriation; and

''(ii) publish, not later than September 30 of such fiscal year, the allotments to be made under section 1127 of the remaining 15 percent of such appropriation, adjusted to reflect the actual student attendance.

''(3) LIMITATION.—(A) Notwithstanding any other provision of law or regulation, the supervisor of a Bureau funded school may expend an aggregate of not more than $50,000 of the amount allotted the school under section 1127 to acquire materials, supplies, equipment, services, operation, and maintenance for the school without competitive bidding if—

''(i) the cost for any single item purchased does not exceed $15,000;

''(ii) the school board approves the procurement;

''(iii) the supervisor certifies that the cost is fair and reasonable;

''(iv) the documents relating to the procurement executed by the supervisor or other school staff cite this paragraph as authority for the procurement; and

''(v) the transaction is documented in a journal maintained at the school clearly identifying when the transaction occurred, what was acquired and from whom, the price paid, the quantities acquired, and any other information the supervisor or school board considers relevant.

''(B) Not later than 6 months after the date of the enactment of the No Child Left Behind Act of 2001, the Secretary shall cause to be sent to each supervisor of a Bureau operated program and school board chairperson, the education line officer or officers of each agency and area, and the Bureau Division in charge of procurement, at both the local and national levels, notice of this paragraph.

''(C) The Director shall be responsible for determining the application of this paragraph, including the authorization of specific individuals to carry out this paragraph, and shall be responsible for the provision of guidelines on the use of this paragraph and adequate training on such guidelines.

''(4) EFFECT OF SEQUESTRATION ORDER.—If a sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 reduces the amount of funds available for allotment under section 1127 for any fiscal year by more than 7 percent of the amount of funds available for allotment under such section during the preceding fiscal year—

''(A) to fund allotments under section 1127, the Secretary, notwithstanding any other law, may use—

''(i) funds appropriated for the operation of any Bureau school that is closed or consolidated; and

''(ii) funds appropriated for any program that has been curtailed at any Bureau school; and

''(B) the Secretary may waive the application of the provisions of section 1121(h) with respect to the closure or consolidation of a school, or the curtailment of a program at a school, during such fiscal year if the funds described in clauses (i) and (ii) of subparagraph (A) with respect to such school are used to fund allotments made under section 1127 for such fiscal year.

''(b) LOCAL FINANCIAL PLANS FOR EXPENDITURE OF FUNDS.—

''(1) PLAN REQUIRED.—In the case of all Bureau operated schools, allotted funds shall be expended on the basis of local financial plans which ensure meeting the accreditation requirements or standards for the school established pursuant to section 1121 and which shall be prepared by the local school supervisor in active consultation with the local school board for each school. The local school board for each school shall have the authority to ratify, reject, or amend such financial plan, and expenditures thereunder, and, on its own determination or in response to the supervisor of the school, to revise such financial plan to meet needs not foreseen at the time of preparation of the financial plan.

''(2) The supervisor—

''(A) shall put into effect the decisions of the school board;

''(B) shall provide the appropriate local union representative of the education employees with copies of proposed draft financial plans and all amendments or modifications thereto, at the same time such copies are submitted to the local school board; and

''(C) may appeal any such action of the local school board to the appropriate education line officer of the Bureau agency by filing a written statement describing the action and the reasons the supervisor believes such action should be overturned. A copy of such statement shall be submitted to the local school board and such board shall be afforded an opportunity to respond, in writing, to such appeal. After reviewing such written appeal and response, the appropriate education line officer may, for good cause, overturn the action of the local school board. The appropriate education line officer shall transmit the determination of such appeal in the form of a written opinion to such board and to such supervisor identifying the reasons for overturning such action.

''(c) USE OF SELF-DETERMINATION GRANTS FUNDS.—Funds for self-determination grants under section 103(a)(2) of the Indian Self-Determination and Education Assistance Act shall not be used for providing technical assistance and training in the field of education by the Bureau unless such services are provided in accordance with a plan, agreed to by the tribe or tribes affected and the Bureau, under which control of education programs is intended to be transferred to such tribe or tribes within a specific period of time negotiated under such agreement. The Secretary may approve applications for funding tribal divisions of education and development of tribal codes of education from funds appropriated pursuant to section 104(a) of such Act.

''(d) TECHNICAL ASSISTANCE AND TRAINING.—In the exercise of its authority under this section, a local school board may request technical assistance and training from the Secretary, and the Secretary shall, to the greatest extent possible, provide such services, and make appropriate provisions in the budget of the Office for such services.

''(e) SUMMER PROGRAM OF ACADEMIC AND SUPPORT SERVICES.—

''(1) IN GENERAL.—A financial plan under subsection (b) for a school may include, at the discretion of the local administrator and the school board of such school, a provision for a summer program of academic and support services for students of the school. Any such program may include activities related to the prevention of alcohol and substance abuse. The Assistant Secretary for Indian Affairs shall provide for the utilization of any such school facility during any summer in which such utilization is requested.

''(2) USE OF OTHER FUNDS.—Notwithstanding any other provision of law, funds authorized under the Act of April 16, 1934, and this Act may be used to augment the services provided in each summer program at the option, and under the control, of the tribe or Indian controlled school receiving such funds.

''(3) TECHNICAL ASSISTANCE AND PROGRAM COORDINATION.—The Assistant Secretary for Indian Affairs, acting through the Director of the Office, shall provide technical assistance and coordination for any program described in paragraph (1) and shall, to the extent possible, encourage the coordination of such programs with any other summer programs that might benefit Indian youth, regardless of the funding source or administrative entity of any such program.

''(f) COOPERATIVE AGREEMENTS.—

''(1) IN GENERAL.—From funds allotted to a Bureau school under section 1127, the Secretary shall, if specifically requested by the tribal governing body (as defined in section 1141), implement any cooperative agreement entered into between the tribe, the Bureau school board, and the local public school district which meets the requirements of paragraph (2) and involves the school. The tribe, the Bureau school board, and the local public school district shall determine the terms of the agreement. Such agreement may encompass coordination of all or any part of the following:

''(A) Academic program and curriculum, unless the Bureau school is currently accredited by a State or regional accrediting entity and would not continue to be so accredited.

''(B) Support services, including procurement and facilities maintenance.

''(C) Transportation.

''(2) EQUAL BENEFIT AND BURDEN.—Each agreement entered into pursuant to the authority provided in paragraph (1) shall confer a benefit upon the Bureau school commensurate with the burden assumed, though this requirement shall not be construed so as to require equal expenditures or an exchange of similar services.

''(g) PRODUCT OR RESULT OF STUDENT PROJECTS.—Notwithstanding any other provision of law, where there is agreement on action between the superintendent and the school board of a Bureau funded school, the product or result of a project conducted in whole or in major part by a student may be given to that student upon the completion of such project.

''(h) NOT CONSIDERED FEDERAL FUNDS FOR MATCHING REQUIREMENTS.—Notwithstanding any other provision of law, funds received by a Bureau funded school under this part shall not be considered Federal funds for the purposes of meeting a matching funds requirement for any Federal program.

''SEC. 1131. POLICY FOR INDIAN CONTROL OF INDIAN EDUCATION.

''(a) FACILITATION OF INDIAN CONTROL.—It shall be the policy of the Secretary and the Bureau, in carrying out the functions of the Bureau, to facilitate tribal control of Indian affairs in all matters relating to education.

''(b) CONSULTATION WITH TRIBES.—

''(1) IN GENERAL.—All actions under this Act shall be done with active consultation with tribes.

''(2) REQUIREMENTS.—The consultation required under paragraph (1) means a process involving the open discussion and joint deliberation of all options with respect to potential issues or changes between the Bureau and all interested parties. During such discussions and joint deliberations, interested parties (including tribes and school officials) shall be given an opportunity to present issues including proposals regarding changes in current practices or programs which will be considered for future action by the Bureau. All interested parties shall be given an opportunity to participate and discuss the options presented or to present alternatives, with the views and concerns of the interested parties given effect unless the Secretary determines, from information available from or presented by the interested parties during one or more of the discussions and deliberations, that there is a substantial reason for another course of action. The Secretary shall submit to any Member of Congress, within 18 days of the receipt of a written request by such Member, a written explanation of any decision made by the Secretary which is not consistent with the views of the interested parties.

''SEC. 1132. INDIAN EDUCATION PERSONNEL.

''(a) IN GENERAL.—Chapter 51, subchapter III of chapter 53, and chapter 63 of title 5, United States Code, relating to classification, pay and leave, respectively, and the sections of such title relating to the appointment, promotion, hours of work, and removal of civil service employees, shall not apply to educators or to education positions (as defined in subsection (p)).

''(b) REGULATIONS.—Not later than 60 days after the date of the enactment of the No Child Left Behind Act of 2001, the Secretary shall prescribe regulations to carry out this section. Such regulations shall include—

''(1) the establishment of education positions;

''(2) the establishment of qualifications for educators and education personnel;

''(3) the fixing of basic compensation for educators and education positions;

''(4) the appointment of educators;

''(5) the discharge of educators;

''(6) the entitlement of educators to compensation;

''(7) the payment of compensation to educators;

''(8) the conditions of employment of educators;

''(9) the leave system for educators;

''(10) the annual leave and sick leave for educators; and

''(11) such matters as may be appropriate.

''(c) QUALIFICATIONS OF EDUCATORS.—

''(1) REQUIREMENTS.—In prescribing regulations to govern the qualifications of educators, the Secretary shall require—

''(A)(i) that lists of qualified and interviewed applicants for education positions be maintained in each agency and area office of the Bureau from among individuals who have applied at the agency or area level for an education position or who have applied at the national level and have indicated in such application an interest in working in certain areas or agencies; and

''(ii) that a list of qualified and interviewed applicants for education positions be maintained in the Office from among indi-

viduals who have applied at the national level for an education position and who have expressed interest in working in an education position anywhere in the United States;

''(B) that a local school board shall have the authority to waive on a case-by-case basis, any formal education or degree qualifications established by regulation pursuant to subsection (b)(2), in order for a tribal member to be hired in an education position to teach courses on tribal culture and language and that subject to subsection (e)(2), a determination by a school board that such a person be hired shall be instituted supervisor; and

''(C) that it shall not be a prerequisite to the employment of an individual in an education position at the local level that such individual's name appear on the national list maintained pursuant to subparagraph (A)(ii) or that such individual has applied at the national level for an education position.

''(2) EXCEPTION FOR CERTAIN TEMPORARY EMPLOYMENT.—The Secretary may authorize the temporary employment in an education position of an individual who has not met the certification standards established pursuant to regulations, if the Secretary determines that failure to do so would result in that position remaining vacant.

''(d) HIRING OF EDUCATORS.—

''(1) REQUIREMENTS.—In prescribing regulations to govern the appointment of educators, the Secretary shall require—

''(A)(i) that educators employed in a Bureau operated school (other than the supervisor of the school) shall be hired by the supervisor of the school. In cases where there are no qualified applicants available, such supervisor may consult the national list maintained pursuant to subsection (c)(1)(A)(ii);

''(ii) each school supervisor shall be hired by the education line officer of the agency office of the Bureau in which the school is located;

''(iii) educators employed in an agency office of the Bureau shall be hired by the superintendent for education of the agency office; and

''(iv) each education line officer and educators employed in the Office of the Director of Indian Education Programs shall be hired by the Director;

''(B) that before an individual is employed in an education position in a school by the supervisor of a school (or with respect to the position of supervisor, by the appropriate agency education line officer), the local school board for the school shall be consulted. A determination by such school board that such individual should or should not be so employed shall be instituted by the supervisor (or with respect to the position of supervisor, by the agency superintendent for education);

''(C) that before an individual may be employed in an education position at the agency level, the appropriate agency school board shall be consulted, and that a determination by such school board that such individual should or should not be employed shall be instituted by the agency superintendent for education; and

''(D) that before an individual may be employed in an education position in the Office of the Director (other than the position of Director), the national school boards representing all Bureau schools shall be consulted.

''(2) INFORMATION REGARDING APPLICATION AT NATIONAL LEVEL.—Any individual who applies at the local level for an education position shall state on such individual's application whether or not such individual has applied at the national level for an education position in the Bureau. If such individual is employed at the local level, such individual's name shall be immediately forwarded to the Secretary, who shall, as soon as practicable but in no event in more than 30 days, ascertain the accuracy of the statement made by such individual pursuant to the first sentence of this paragraph. Notwithstanding subsection (e), if the individual's statement is found to have been false, such individual, at the Secretary's discretion, may be disciplined or discharged. If the individual has applied at the national level for an education position in the Bureau, the appointment of such individual at the local level shall be conditional for a period of 90 days, during which period the Secretary may appoint a more qualified individual (as determined by the Secretary) from the list maintained at the national level pursuant to subsection (c)(1)(A)(ii) to the position to which such individual was appointed.

''(3) STATUTORY CONSTRUCTION.—Except as expressly provided, nothing in this section shall be construed as conferring upon local school boards authority over, or control of, educators at Bureau funded schools or the authority to issue management decisions.

''(e) DISCHARGE AND CONDITIONS OF EMPLOYMENT OF EDUCATORS.—

''(1) REGULATIONS.—In prescribing regulations to govern the discharge and conditions of employment of educators, the Secretary shall require—

''(A) that procedures be established for the rapid and equitable resolution of grievances of educators;

''(B) that no educator may be discharged without notice of the reasons therefore and opportunity for a hearing under procedures that comport with the requirements of due process; and

''(C) that educators employed in Bureau schools be notified 30 days prior to the end of the school year whether their employment contract will be renewed for the following year.

''(2) PROCEDURES FOR DISCHARGE.—The supervisor of a Bureau school may discharge (subject to procedures established under paragraph (1)(B)) for cause (as determined under regulations prescribed by the Secretary) any educator employed in such school. Upon giving notice of proposed discharge to an educator, the supervisor involved shall immediately notify the local school board for the school of such action. A determination by the local school board that such educator shall not be discharged shall be followed by the supervisor. The supervisor shall have the right to appeal such action to the education line officer of the appropriate agency office of the Bureau. Upon such an appeal, the agency education line officer may, for good cause and in writing to the local school board, overturn the determination of the local school board with respect to the employment of such individual.

''(3) RECOMMENDATIONS OF SCHOOL BOARDS FOR DISCHARGE.—Each local school board for a Bureau school shall have the right—

''(A) to recommend to the supervisor of such school that an educator employed in the school be discharged; and

''(B) to recommend to the education line officer of the appropriate agency office of the Bureau and to the Director of the Office, that the supervisor of the school be discharged.

''(f) APPLICABILITY OF INDIAN PREFERENCE LAWS.—

''(1) IN GENERAL.—Notwithstanding any provision of the Indian preference laws, such laws shall not apply in the case of any personnel action under this section respecting an applicant or employee not entitled to Indian preference if each tribal organization concerned grants a written waiver of the application of such laws with respect to such personnel action and states that such waiver is necessary. This paragraph shall not relieve the Bureau's responsibility to issue timely and adequate announcements and advertisements concerning any such personnel action if such action is intended to fill a vacancy (no matter how such vacancy is created).

''(2) TRIBAL ORGANIZATION DEFINED.—For purposes of this subsection, the term 'tribal organization' means—

''(A) the recognized governing body of any Indian tribe, band, nation, pueblo, or other organized community, including a Native village (as defined in section 3(c) of the Alaska Native Claims Settlement Act); or

''(B) in connection with any personnel action referred to in this subsection, any local school board as defined in section 1141 which has been delegated by such governing body the authority to grant a waiver under this subsection with respect to personnel action.

''(3) INDIAN PREFERENCE LAW DEFINED.—The term 'Indian preference laws' means section 12 of the Act of June 18, 1934, or any other provision of law granting a preference to Indians in promotions and other personnel actions. Such term shall not include section 7(b) of the Indian Self-Determination and Education Assistance Act.

''(g) COMPENSATION OR ANNUAL SALARY.—

''(1) IN GENERAL.—(A) Except as otherwise provided in this section, the Secretary shall fix the basic compensation for educators and education positions at rates in effect under the General Schedule for individuals with comparable qualifications, and holding comparable positions, to whom chapter 51 of title 5, United States Code, is applicable or on the basis of the Federal Wage System schedule in effect for the locality, and for the comparable positions, the rates of compensation in effect for the senior executive service.

''(B) The Secretary shall establish the rate of basic compensation, or annual salary rates, for the positions of teachers and counselors (including dormitory counselors and home-living counselors) at the rates of basic compensation applicable (on the date of the enactment of the No Child Left Behind Act of 2001 and thereafter) to comparable positions in the overseas schools under the Defense Department Overseas Teachers Pay Act. The Secretary shall allow the local school boards authority to implement only the aspects of the Defense Department Overseas Teacher pay provisions that are considered essential for recruitment and retention. Implementation of such provisions shall not be construed to require the implementation of the Act in its entirety.

''(C)(i) Beginning with the fiscal year following the date of the enactment of the No Child Left Behind Act of 2001, each school board may set the rate of compensation or annual salary rate for teachers and counselors (including academic counselors) who are new hires at the school and who have not worked at the school on the date of implementation of this provision, at rates consistent with the rates paid for individuals in the same positions, with the same tenure and training, in any other school within whose boundaries the Bureau school lies. In instances where the adoption of such rates cause a reduction in the payment of compensation from that which was in effect for the fiscal year following the date of the enactment of the No Child Left Behind Act of 2001, the new rate may be applied to the compensation of employees of the school who worked at the school on of the date of the enactment of that Act by applying those rates to each contract renewal such that the reduction takes effect in three equal installments. Where adoption of such rates lead to an increase in the payment of compensation from that which was in effect for the fiscal year following the date of the enactment of the No Child Left Behind Act of 2001, the school board may make such rates applicable

at the next contract renewal such that either—

''(I) the increase occurs in its entirety; or

''(II) the increase is applied in three equal installments.

''(ii) The establishment of rates of basic compensation and annual salary rates under subparagraphs (B) and (C) shall not preclude the use of regulations and procedures used by the Bureau prior to April 28, 1988, in making determinations regarding promotions and advancements through levels of pay that are based on the merit, education, experience, or tenure of the educator.

''(D) The establishment of rates of basic compensation and annual salary rates under subparagraphs (B) and (C) shall not affect the continued employment or compensation of an educator who was employed in an education position on October 31, 1979, and who did not make an election under subsection (p) is in effect on January 1, 1990.

''(2) POST-DIFFERENTIAL RATES.—(A) The Secretary may pay a post-differential rate not to exceed 25 percent of the rate of basic compensation, on the basis of conditions of environment or work which warrant additional pay as a recruitment and retention incentive.

''(B)(i) Upon the request of the supervisor and the local school board of a Bureau school, the Secretary shall grant the supervisor of the school authorization to provide one or more post-differentials under subparagraph (A) unless the Secretary determines for clear and convincing reasons (and advises the board in writing of those reasons) that certain of the requested post-differentials should be disapproved or decreased because there is no disparity of compensation for the involved employees or positions in the Bureau school, as compared with the nearest public school, that is either—

''(I) at least 5 percent; or

''(II) less than 5 percent and affects the recruitment or retention of employees at the school.

''(ii) A request under clause (i) shall be deemed granted at the end of the 60th day after the request is received in the Central Office of the Bureau unless before that time the request is approved, approved with modification, or disapproved by the Secretary.

''(iii) The Secretary or the supervisor of a Bureau school may discontinue or decrease a post-differential authorized under this subparagraph at the beginning of a school year if—

''(I) the local school board requests that such differential be discontinued or decreased; or

''(II) the Secretary or the supervisor determines for clear and convincing reasons (and advises the board in writing of those reasons) that there is no disparity of compensation that would affect the recruitment or retention of employees at the school after the differential is discontinued or decreased.

''(iv) On or before February 1 of each year, the Secretary shall submit to Congress a report describing the requests and grants of authority under this subparagraph during the previous year and listing the positions contracted under those grants of authority.

''(h) LIQUIDATION OF REMAINING LEAVE UPON TERMINATION.—Upon termination of employment with the Bureau, any annual leave remaining to the credit of an individual within the purview of this section shall be liquidated in accordance with sections 5551(a) and 6306 of title 5, United States Code, except that leave earned or accrued under regulations prescribed pursuant to subsection (b)(10) of this section shall not be so liquidated.

''(i) TRANSFER OF REMAINING SICK LEAVE UPON TRANSFER, PROMOTION, OR REEMPLOYMENT.—In the case of any educator who is transferred, promoted, or reappointed, without break in service, to a position in the Federal Government under a different leave system, any remaining leave to the credit of such person earned or credited under the regulations prescribed pursuant to subsection (b)(10) shall be transferred to such person's credit in the employing agency on an adjusted basis in accordance with regulations which shall be prescribed by the Office of Personnel Management.

''(j) INELIGIBILITY FOR EMPLOYMENT OF VOLUNTARILY TERMINATED EDUCATORS.—An educator who voluntarily terminates employment with the Bureau before the expiration of the existing employment contract between such educator and the Bureau shall not be eligible to be employed in another education position in the Bureau during the remainder of the term of such contract.

''(k) DUAL COMPENSATION.—In the case of any educator employed in an education position described in subsection (l)(1)(A) who—

''(1) is employed at the close of a school year;

''(2) agrees in writing to serve in such position for the next school year; and

''(3) is employed in another position during the recess period immediately preceding such next school year, or during such recess period receives additional compensation referred to in section 5533 of title 5, United States Code, relating to dual compensation, shall not apply to such educator by reason of any such employment during a recess period for any receipt of additional compensation.

''(l) VOLUNTARY SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Secretary may, subject to the approval of the local school board concerned, accept voluntary services on behalf of Bureau schools. Nothing in this part shall be construed to require Federal employees to work without compensation or to allow the use of volunteer services to displace or replace Federal employees. An individual providing volunteer services under this section is a Federal employee only for purposes of chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

''(m) PRORATION OF PAY.—

''(1) ELECTION OF EMPLOYEE.—Notwithstanding any other provision of law, including laws relating to dual compensation, the Secretary, at the election of the employee, shall prorate the salary of an employee employed in an education position for the academic school year over the entire 12-month period. Each educator employed for the academic school year shall annually elect to be paid on a 12-month basis or for those months while school is in session. No educator shall suffer a loss of pay or benefits, including benefits under unemployment or other Federal or federally assisted programs, because of such election.

''(2) CHANGE OF ELECTION.—During the course of such year the employee may change election once.

''(3) LUMP SUM PAYMENT.—That portion of the employee's pay which would be paid between academic school years may be paid in a lump sum at the election of the employee.

''(4) DEFINITIONS.—For purposes of this subsection, the terms 'educator' and 'education position' have the meanings contained in paragraphs (1) and (2) of subsection (o). This subsection applies to those individuals employed under the provisions of section 1132 of this title or title 5, United States Code.

''(n) EXTRACURRICULAR ACTIVITIES.—

''(1) STIPEND.—Notwithstanding any other provision of law, the Secretary may provide, for each Bureau area, a stipend in lieu of overtime premium pay or compensatory time off. Any employee of the Bureau who performs additional activities to provide services to students or otherwise support the school's academic and social programs may elect to be compensated for all such work on the basis of the stipend. Such stipend shall be paid as a supplement to the employee's base pay.

''(2) ELECTION NOT TO RECEIVE STIPEND.—If an employee elects not to be compensated through the stipend established by this subsection, the appropriate provisions of title 5, United States Code, shall apply.

''(3) APPLICABILITY OF SUBSECTION.—This subsection applies to all Bureau employees, whether employed under section 1132 of this title or title 5, United States Code.

''(o) DEFINITIONS.—For the purpose of this section—

''(1) EDUCATION POSITION.—The term 'education position' means a position in the Bureau the duties and responsibilities of which—

''(A) are performed on a school-year basis principally in a Bureau school and involve—

''(i) classroom or other instruction or the supervision or direction of classroom or other instruction;

''(ii) any activity (other than teaching) which requires academic credits in educational theory and practice equal to the academic credits in educational theory and practice required for a bachelor's degree in education from an accredited institution of higher education;

''(iii) any activity in or related to the field of education notwithstanding that academic credits in educational theory and practice are not a formal requirement for the conduct of such activity; or

''(iv) support services at, or associated with, the site of the school; or

''(B) are performed at the agency level of the Bureau and involve the implementation of education-related programs other than the position for agency superintendent for education.

''(2) EDUCATOR.—The term 'educator' means an individual whose services are required, or who is employed, in an education position.

''(p) COVERED INDIVIDUALS; ELECTION.—This section shall apply with respect to any educator hired after November 1, 1979 (and to any educator who elected for coverage under that provision after November 1, 1979) and to the position in which such individual is employed. The enactment of this section shall not affect the continued employment of an individual employed on October 31, 1979 in an education position, or such person's right to receive the compensation attached to such position.

"SEC. 1133. COMPUTERIZED MANAGEMENT INFORMATION SYSTEM.

''(a) ESTABLISHMENT OF SYSTEM.—Not later than July 1, 2003, the Secretary shall establish within the Office, a computerized management information system, which shall provide processing and information to the Office. The information provided shall include information regarding—

''(1) student enrollment;

''(2) curriculum;

''(3) staffing;

''(4) facilities;

''(5) community demographics;

''(6) student assessment information;

''(7) information on the administrative and program costs attributable to each Bureau program, divided into discreet elements;

''(8) relevant reports;

''(9) personnel records;

''(10) finance and payroll; and

''(11) such other items as the Secretary deems appropriate.

''(b) IMPLEMENTATION OF SYSTEM.—Not later than July 1, 2004, the Secretary shall complete implementation of such a system at each field office and Bureau funded school.

"SEC. 1134. UNIFORM EDUCATION PROCEDURES AND PRACTICES.

''The Secretary shall cause the various divisions of the Bureau to formulate uniform procedures and practices with respect to such concerns of those divisions as relate to education, and shall report such practices and procedures to the Congress.

"SEC. 1135. RECRUITMENT OF INDIAN EDUCATORS.

''The Secretary shall institute a policy for the recruitment of qualified Indian educators and a detailed plan to promote employees from within the Bureau. Such plan shall include opportunities for acquiring work experience prior to actual work assignment.

"SEC. 1136. BIENNIAL REPORT; AUDITS.

''(a) BIENNIAL REPORTS.—The Secretary shall submit to each appropriate committee of Congress, all Bureau funded schools, and the tribal governing bodies of such schools, a detailed biennial report on the state of education within the Bureau and any problems encountered in Indian education during the 2-year period covered by the report. Such report shall contain suggestions for the improvement of the Bureau educational system and for increasing tribal or local Indian control of such system. Such report shall also include the current status of tribally controlled community colleges. The annual budget submission for the Bureau's education programs shall include—

''(1) information on the funds provided to previously private schools under section 208 of the Indian Self-Determination and Education Assistance Act, and recommendations with respect to the future use of such funds;

''(2) the needs and costs of operations and maintenance of tribally controlled community colleges eligible for assistance under the Tribally Controlled Community College Assistance Act of 1978 and recommendations with respect to meeting such needs and costs; and

''(3) the plans required by sections 1121 (g), 1122(c), and 1125(b).

''(b) FINANCIAL AND COMPLIANCE AUDITS.—The Inspector General of the Department of the Interior shall establish a system to ensure that financial and compliance audits are conducted of each Bureau operated school at least once in every 3 years. Audits of Bureau schools shall be based upon the extent to which such school has complied with its local financial plan under section 1130.

"SEC. 1137. RIGHTS OF INDIAN STUDENTS.

''The Secretary shall prescribe such rules and regulations as are necessary to ensure the constitutional and civil rights of Indian students attending Bureau funded schools, including such students' right to privacy under the laws of the United States, such students' right to freedom of religion and expression, and such students' right to due process in connection with disciplinary actions, suspensions, and expulsions.

"SEC. 1138. REGULATIONS.

''(a) IN GENERAL.—The Secretary is authorized to issue only such regulations as are necessary to ensure compliance with the specific provision of this Act. The Secretary shall publish proposed regulations in the Federal Register, shall provide a period of not less than 90 days for public comment thereon, and shall place in parentheses after each regulatory section the citation to any statutory provision providing authority to promulgate such regulatory provision.

''(b) MISCELLANEOUS.—

''(1) CONSTRUCTION.—The provisions of this Act shall supersede any conflicting provisions of law (including any conflicting regulations) in effect on the day before the date of the enactment of this Act and the Secretary is authorized to repeal any regulation inconsistent with the provisions of this Act.

''(2) LEGAL AUTHORITY TO BE STATED.—Regulations issued to implement this Act shall contain, immediately following each substantive provision of such regulations, citations to the particular section or sections of statutory law or other legal authority upon which provision is based.

"SEC. 1138A. REGIONAL MEETINGS AND NEGOTIATED RULEMAKING.

''(a) MEETINGS.—

''(1) IN GENERAL.—The Secretary shall obtain tribal involvement in the development of proposed regulations under this part and the Tribally Controlled Schools Act of 1988. The Secretary shall obtain the advice of and recommendations from representatives of Indian tribes with Bureau funded schools on their reservations, Indian tribes whose children attend Bureau funded off-reservation boarding schools, school boards, administrators or employees of Bureau funded schools, and parents and teachers of students enrolled in Bureau funded schools.

''(2) ISSUES.—The Secretary shall provide for a comprehensive discussion and exchange of information concerning the implementation of this part and the Tribally Controlled Schools Act of 1988 through such mechanisms as regional meetings and electronic exchanges of information. The Secretary shall take into account the information received through such mechanisms in the development of proposed regulations and shall publish a summary of such information in the Federal Register together with such proposed regulations.

''(b) DRAFT REGULATIONS.—

''(1) IN GENERAL.—After obtaining the advice and recommendations described in subsection (a)(1) and before publishing proposed regulations in the Federal Register, the Secretary shall prepare draft regulations implementing this part and the Tribally Controlled Schools Act of 1988 and shall submit such regulations to a negotiated rulemaking process. Participants in the negotiations process shall be chosen by the Secretary from individuals nominated by the entities described in subsection (a)(1). To the maximum extent possible, the Secretary shall ensure that the tribal representative membership chosen pursuant to the preceding sentence reflects the proportionate share of students from tribes served by the Bureau funded school system. The negotiation process shall be conducted in a timely manner in order that the final regulations may issued by the Secretary no later than 18 months after the enactment of this section.

''(2) NOTIFICATION TO CONGRESS.—If draft regulations implementing this part and the Tribally Controlled Schools Act of 1988 are not issued in final form by the deadline provided in paragraph (1), the Secretary shall notify the appropriate committees of Congress of which draft regulations were not issued in final form by the deadline and the reason such final regulations were not issued.

''(3) EXPANSION OF NEGOTIATED RULEMAKING.—All regulations pertaining to this part and the Tribally Controlled Schools Act of 1988 that are promulgated after the date of the enactment of this subsection shall be subject to a negotiated rulemaking (including the selection of the regulations to be negotiated), unless the Secretary determines that applying such a requirement with respect to given regulations is impracticable, unnecessary, or contrary to the public interest (within the meaning of section 553(b)(3)(B) of title 5), and publishes the basis for such determination in the Federal Register at the same time as the proposed regulations in question are first published. All published proposed regulations shall conform to agreements resulting from such negotiated rulemaking unless the Secretary reopens the negotiated rulemaking process or provides a written explanation to the participants in that process why the Secretary has decided to depart from such agreements. Such negotiated rulemaking shall be conducted in accordance with the provisions of subsection (a), and the Secretary shall ensure that a clear and reliable record of agreements reached during the negotiation process is maintained.

''(c) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act shall apply to activities carried out under this section.

"SEC. 1139. EARLY CHILDHOOD DEVELOPMENT PROGRAM.

''(a) IN GENERAL.—The Secretary shall provide grants to tribes, tribal organizations, and consortia of tribes and tribal organizations to fund early childhood development programs that are operated by such tribes, organizations, or consortia.

''(b) AMOUNT OF GRANTS.—

''(1) IN GENERAL.—The total amount of the grants provided under subsection (a) with respect to each tribe, tribal organization, or consortium of tribes or tribal organizations for each fiscal year shall be equal to the amount which bears the same relationship to the total amount appropriated under the authority of subsection (g) for such fiscal year (less amounts provided under subsection (f)) as—

''(A) the total number of children under 6 years of age who are members of—

''(i) such tribe;

''(ii) the tribe that authorized such tribal organization; or

''(iii) any tribe that—

''(I) is a member of such consortium; or

''(II) authorizes any tribal organization that is a member of such consortium; bears to

''(B) the total number of all children under 6 years of age who are members of any tribe that—

''(i) is eligible to receive funds under subsection (a);

''(ii) is a member of a consortium that is eligible to receive such funds; or

''(iii) authorizes a tribal organization that is eligible to receive such funds.

''(2) LIMITATION.—No grant may be provided under subsection (a)—

''(A) to any tribe that has less than 500 members;

''(B) to any tribal organization which is authorized—

''(i) by only one tribe that has less than 500 members; or

''(ii) by one or more tribes that have a combined total membership of less than 500 members; or

''(C) to any consortium composed of tribes, or tribal organizations authorized by tribes, that have a combined total tribal membership of less than 500 members.

''(c) APPLICATION.—

''(1) IN GENERAL.—A grant may be provided under subsection (a) to a tribe, tribal organization, or consortia of tribes and tribal organizations only if the tribe, organization, or consortia submits to the Secretary an application for the grant at such time and in such form as the Secretary shall prescribe.

''(2) CONTENTS.—Applications submitted under paragraph (1) shall set forth the early childhood development program that the applicant desires to operate.

''(d) REQUIREMENT OF PROGRAMS FUNDED.—The early childhood development programs that are funded by grants provided under subsection (a)—

''(1) shall coordinate existing programs and may provide services that meet identified needs of parents and children under 6 years of age which are not being met by existing programs, including—

''(A) prenatal care;
''(B) nutrition education;
''(C) health education and screening;
''(D) family literacy services;
''(E) educational testing; and
''(F) other educational services;
''(2) may include instruction in the language, art, and culture of the tribe; and
''(3) shall provide for periodic assessment of the program.
''(e) COORDINATION OF FAMILY LITERACY PROGRAMS.—Family literacy programs operated under this section and other family literacy programs operated by the Bureau of Indian Affairs shall be coordinated with family literacy programs for Indian children under part B of title I of the Elementary and Secondary Education Act of 1965 in order to avoid duplication and to encourage the dissemination of information on quality family literacy programs serving Indians.
''(f) ADMINISTRATIVE COSTS.—The Secretary shall, out of funds appropriated under subsection (g), include in the grants provided under subsection (a) amounts for administrative costs incurred by the tribe, tribal organization, or consortium of tribes in establishing and maintaining the early childhood development program.
''(g) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out the provisions of this section, there are authorized to be appropriated $10,000,000 for fiscal year 2002 and such sums as may be necessary for each of the fiscal years 2003, 2004, 2005, and 2006.

"SEC. 1140. TRIBAL DEPARTMENTS OR DIVISIONS OF EDUCATION.

''(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall provide grants and technical assistance to tribes for the development and operation of tribal departments of education for the purpose of planning and coordinating all educational programs of the tribe.
''(b) GRANTS.—Grants provided under this section shall—
''(1) be based on applications from the governing body of the tribe;
''(2) reflect factors such as geographic and population diversity;
''(3) facilitate tribal control in all matters relating to the education of Indian children on Indian reservations (and on former Indian reservations in Oklahoma);
''(4) provide for the development of coordinated educational programs on Indian reservations (and on former Indian reservations in Oklahoma) (including all preschool, elementary, secondary, and higher or vocational educational programs funded by tribal, Federal, or other sources) by encouraging tribal administrative support of all Bureau funded educational programs as well as encouraging tribal cooperation and coordination with all educational programs receiving financial support from State agencies, other Federal agencies, or private entities;
''(5) provide for the development and enforcement of tribal educational codes, including tribal educational policies and tribal standards applicable to curriculum, personnel, students, facilities, and support programs; and
''(6) otherwise comply with regulations for grants under section 103(a) of the Indian Self-Determination and Educational Assistance Act that are in effect on the date that application for such grants are made.
''(c) PRIORITIES.—
''(1) IN GENERAL.—In making grants under this section, the Secretary shall give priority to any application that—
''(A) includes assurances from the majority of Bureau funded schools located within the boundaries of the reservation of the applicant that the tribal department of education to be funded under this section will provide coordinating services and technical assistance to all of such schools, including the submission to each applicable agency of a unified application for funding for all of such schools which provides that—
''(i) no administrative costs other than those attributable to the individual programs of such schools will be associated with the unified application; and
''(ii) the distribution of all funds received under the unified application will be equal to the amount of funds provided by the applicable agency to which each of such schools is entitled under law;
''(B) includes assurances from the tribal governing body that the tribal department of education funded under this section will administer all contracts or grants (except those covered by the other provisions of this title and the Tribally Controlled Community College Assistance Act of 1978) for education programs administered by the tribe and will coordinate all of the programs to the greatest extent possible;
''(C) includes assurances for the monitoring and auditing by or through the tribal department of education of all education programs for which funds are provided by contract or grant to ensure that the programs meet the requirements of law; and
''(D) provides a plan and schedule for—
''(i) the assumption over the term of the grant by the tribal department of education of all assets and functions of the Bureau agency office associated with the tribe, insofar as those responsibilities relate to education; and
''(ii) the termination by the Bureau of such operations and office at the time of such assumption,
except that when mutually agreeable between the tribal governing body and the Assistant Secretary, the period in which such assumption is to occur may be modified, reduced, or extended after the initial year of the grant.
''(2) TIME PERIOD OF GRANT.—Subject to the availability of appropriated funds, grants provided under this section shall be provided for a period of 3 years and the grant may, if performance by the grantee is satisfactory to the Secretary, be renewed for additional 3-year terms.
''(d) TERMS, CONDITIONS, OR REQUIREMENTS.—The Secretary shall not impose any terms, conditions, or requirements on the provision of grants under this section that are not specified in this section.
''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out the provisions of this section, there are authorized to be appropriated $2,000,000 for fiscal year 2002 and such sums as may be necessary for each of the fiscal years 2003, 2004, 2005, and 2006.

"SEC. 1141. DEFINITIONS.

''For the purposes of this part, unless otherwise specified:
''(1) AGENCY SCHOOL BOARD.—The term 'agency school board' means a body, the members of which are appointed by all of the school boards of the schools located within an agency, including schools operated under contract or grant, and the number of such members shall be determined by the Secretary in consultation with the affected tribes, except that, in agencies serving a single school, the school board of such school shall fulfill these duties, and in agencies having schools or a school operated under contract or grant, one such member at least shall be from such a school.
''(2) BUREAU.—The term 'Bureau' means the Bureau of Indian Affairs of the Department of the Interior.
''(3) BUREAU FUNDED SCHOOL.—The term 'Bureau funded school' means—
''(A) a Bureau school;
''(B) a contract or grant school; or
''(C) a school for which assistance is provided under the Tribally Controlled Schools Act of 1988.
''(4) BUREAU SCHOOL.—The term 'Bureau school' means a Bureau operated elementary or secondary day or boarding school or a Bureau operated dormitory for students attending a school other than a Bureau school.
''(5) CONTRACT OR GRANT SCHOOL.—The term 'contract or grant school' means an elementary or secondary school or dormitory which receives financial assistance for its operation under a contract, grant or agreement with the Bureau under section 102, 103(a), or 208 of the Indian Self-Determination and Education Assistance Act, or under the Tribally Controlled Schools Act of 1988.
''(6) EDUCATION LINE OFFICER.—The term 'education line officer' means education personnel under the supervision of the Director, whether located in the central, area, or agency offices.
''(7) FAMILY LITERACY SERVICES.—The term 'family literacy services' has the meaning given that term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).
''(8) FINANCIAL PLAN.—The term 'financial plan' means a plan of services provided by each Bureau school.
''(9) INDIAN ORGANIZATION.—the term 'Indian organization' means any group, association, partnership, corporation, or other legal entity owned or controlled by a federally recognized Indian tribe or tribes, or a majority of whose members are members of federally recognized tribes.
''(10) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State, and includes any State agency which directly operates and maintains facilities for providing free public education.
''(11) LOCAL SCHOOL BOARD.—The term 'local school board', when used with respect to a Bureau school, means a body chosen in accordance with the laws of the tribe to be served or, in the absence of such laws, elected by the parents of the Indian children attending the school, except that in schools serving a substantial number of students from different tribes, the members shall be appointed by the governing bodies of the tribes affected, and the number of such members shall be determined by the Secretary in consultation with the affected tribes.
''(12) OFFICE.—The term 'Office' means the Office of Indian Education Programs within the Bureau.
''(13) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.
''(14) SUPERVISOR.—The term 'supervisor' means the individual in the position of ultimate authority at a Bureau school.
''(15) TRIBAL GOVERNING BODY.—The term 'tribal governing body' means, with respect to any school, the tribal governing body, or tribal governing bodies, that represent at least 90 percent of the students served by such school.
''(16) TRIBE.—The term 'tribe' means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.''.

SEC. 314. TRIBALLY CONTROLLED SCHOOLS ACT OF 1988.

Sections 5202 through 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) are amended to read as follows:

"SEC. 5202. FINDINGS.

''Congress, after careful review of the Federal Government's historical and special legal relationship with, and resulting responsibilities to, Indians, finds that—

''(1) the Indian Self-Determination and Education Assistance Act, which was a product of the legitimate aspirations and a recognition of the inherent authority of Indian nations, was and is a crucial positive step towards tribal and community control;

''(2) the Bureau of Indian Affairs' administration and domination of the contracting process under such Act has not provided the full opportunity to develop leadership skills crucial to the realization of self-government and has denied Indians an effective voice in the planning and implementation of programs for the benefit of Indians which are responsive to the true needs of Indian communities;

''(3) Indians will never surrender their desire to control their relationships both among themselves and with non-Indian governments, organizations, and persons;

''(4) true self-determination in any society of people is dependent upon an educational process which will ensure the development of qualified people to fulfill meaningful leadership roles;

''(5) the Federal administration of education for Indian children has not effected the desired level of educational achievement or created the diverse opportunities and personal satisfaction that education can and should provide;

''(6) true local control requires the least possible Federal interference; and

''(7) the time has come to enhance the concepts made manifest in the Indian Self-Determination and Education Assistance Act.

"SEC. 5203. DECLARATION OF POLICY.

''(a) RECOGNITION.—Congress recognizes the obligation of the United States to respond to the strong expression of the Indian people for self-determination by assuring maximum Indian participation in the direction of educational services so as to render such services more responsive to the needs and desires of those communities.

''(b) COMMITMENT.—Congress declares its commitment to the maintenance of the Federal Government's unique and continuing trust relationship with and responsibility to the Indian people through the establishment of a meaningful Indian self-determination policy for education which will deter further perpetuation of Federal bureaucratic domination of programs.

''(c) NATIONAL GOAL.—Congress declares that a major national goal of the United States is to provide the resources, processes, and structure which will enable tribes and local communities to effect the quantity and quality of educational services and opportunities which will permit Indian children to compete and excel in the life areas of their choice and to achieve the measure of self-determination essential to their social and economic well-being.

''(d) EDUCATIONAL NEEDS.—Congress affirms the reality of the special and unique educational needs of Indian peoples, including the need for programs to meet the linguistic and cultural aspirations of Indian tribes and communities. These may best be met through a grant process.

''(e) FEDERAL RELATIONS.—Congress declares its commitment to these policies and its support, to the full extent of its responsibility, for Federal relations with the Indian Nations.

''(f) TERMINATION.—Congress hereby repudiates and rejects House Resolution 108 of the 83d Congress and any policy of unilateral termination of Federal relations with any Indian Nation.

"SEC. 5204. GRANTS AUTHORIZED.

''(a) IN GENERAL.—

''(1) ELIGIBILITY.—The Secretary shall provide grants to Indian tribes, and tribal organizations that—

''(A) operate contract schools under title XI of the Education Amendments of 1978 and notify the Secretary of their election to operate the schools with assistance under this part rather than continuing as contract school;

''(B) operate other tribally controlled schools eligible for assistance under this part and submit applications (which are approved by their tribal governing bodies) to the Secretary for such grants; or

''(C) elect to assume operation of Bureau funded schools with the assistance under this part and submit applications (which are approved by their tribal governing bodies) to the Secretary for such grants.

''(2) DEPOSIT OF FUNDS.—Grants provided under this part shall be deposited into the general operating fund of the tribally controlled school with respect to which the grant is made.

''(3) USE OF FUNDS.—(A) Except as otherwise provided in this paragraph, grants provided under this part shall be used to defray, at the discretion of the school board of the tribally controlled school with respect to which the grant is provided, any expenditures for education related activities for which any funds that compose the grant may be used under the laws described in section 5205(a), including, but not limited to, expenditures for—

''(i) school operations, academic, educational, residential, guidance and counseling, and administrative purposes; and

''(ii) support services for the school, including transportation.

''(B) Grants provided under this part may, at the discretion of the school board of the tribally controlled school with respect to which such grant is provided, be used to defray operations and maintenance expenditures for the school if any funds for the operation and maintenance of the school are allocated to the school under the provisions of any of the laws described in section 5205(a).

''(b) LIMITATIONS.—

''(1) ONE GRANT PER TRIBE OR ORGANIZATION PER FISCAL YEAR.—Not more than one grant may be provided under this part with respect to any Indian tribe or tribal organization for any fiscal year.

''(2) NONSECTARIAN USE.—Funds provided under any grant made under this part may not be used in connection with religious worship or sectarian instruction.

''(3) ADMINISTRATIVE COSTS LIMITATION.—Funds provided under any grant under this part may not be expended for administrative costs (as defined in section 1128(h)(1) of the Education Amendments of 1978) in excess of the amount generated for such costs under section 1128 of such Act.

''(c) LIMITATION ON TRANSFER OF FUNDS AMONG SCHOOLSITES.—

''(1) IN GENERAL.—In the case of a grantee that operates schools at more than one schoolsite, the grantee may expend not more than the lesser of—

''(A) 10 percent of the funds allocated for such schoolsite under section 1128 of the Education Amendments of 1978; or

''(B) $400,000 of such funds, at any other schoolsite.

''(2) DEFINITION OF SCHOOLSITE.—For purposes of this subsection, the term 'schoolsite' means the physical location and the facilities of an elementary or secondary educational or residential program operated by, or under contract or grant with, the Bureau for which a discreet student count is identified under the funding formula established under section 1127 of the Education Amendments of 1978.

''(d) NO REQUIREMENT TO ACCEPT GRANTS.—Nothing in this part may be construed—

''(1) to require a tribe or tribal organization to apply for or accept; or

''(2) to allow any person to coerce any tribe or tribal organization to apply for, or accept, a grant under this part to plan, conduct, and administer all of, or any portion of, any Bureau program. Such applications and the timing of such applications shall be strictly voluntary. Nothing in this part may be construed as allowing or requiring any grant with any entity other than the entity to which the grant is provided.

''(e) NO EFFECT ON FEDERAL RESPONSIBILITY.—Grants provided under this part shall not terminate, modify, suspend, or reduce the responsibility of the Federal Government to provide a program.

''(f) RETROCESSION.—

''(1) IN GENERAL.—Whenever a tribal governing body requests retrocession of any program for which assistance is provided under this part, such retrocession shall become effective upon a date specified by the Secretary that is not later than 120 days after the date on which the tribal governing body requests the retrocession. A later date as may be specified if mutually agreed upon by the Secretary and the tribal governing body. If such a program is retroceded, the Secretary shall provide to any Indian tribe served by such program at least the same quantity and quality of services that would have been provided under such program at the level of funding provided under this part prior to the retrocession.

''(2) STATUS AFTER RETROCESSION.—The tribe requesting retrocession shall specify whether the retrocession is to status as a Bureau operated school or as a school operated under contract under title XI of the Education Amendments of 1978.

''(3) TRANSFER OF EQUIPMENT AND MATERIALS.—Except as otherwise determined by the Secretary, the tribe or tribal organization operating the program to be retroceded must transfer to the Secretary (or to the tribe or tribal organization which will operate the program as a contract school) the existing equipment and materials which were acquired—

''(A) with assistance under this part; or

''(B) upon assumption of operation of the program under this part if the school was a Bureau funded school under title XI of the Education Amendments of 1978 before receiving assistance under this part.

''(g) PROHIBITION OF TERMINATION FOR ADMINISTRATIVE CONVENIENCE.—Grants provided under this part may not be terminated, modified, suspended, or reduced solely for the convenience of the administering agency.

"SEC. 5205. COMPOSITION OF GRANTS.

''(a) IN GENERAL.—The grant provided under this part to an Indian tribe or tribal organization for any fiscal year shall consist of—

''(1) the total amount of funds allocated for such fiscal year under sections 1127 and 1128 of the Education Amendments of 1978 with respect to the tribally controlled schools eligible for assistance under this part which are operated by such Indian tribe or tribal organization, including, but not limited to, funds provided under such sections, or under any other provision of law, for transportation costs;

''(2) to the extent requested by such Indian tribe or tribal organization, the total amount of funds provided from operations and maintenance accounts and, notwithstanding section 105 of the Indian Self-Determination Act, or any other provision of law, other facilities accounts for such schools for such fiscal year (including but not limited to those referenced under section 1126(d) of the Education Amendments of 1978 or any other law); and

''(3) the total amount of funds that are allocated to such schools for such fiscal year under—

''(A) title I of the Elementary and Secondary Education Act of 1965;

''(B) the Individuals with Disabilities Education Act; and

''(C) any other Federal education law, that are allocated to such schools for such fiscal year.

''(b) SPECIAL RULES.—

''(1) IN GENERAL.—(A) Funds allocated to a tribally controlled school by reason of paragraph (1) or (2) of subsection (a) shall be subject to the provisions of this part and shall not be subject to any additional restriction, priority, or limitation that is imposed by the Bureau with respect to funds provided under—

''(i) title I of the Elementary and Secondary Education Act of 1965;

''(ii) the Individuals with Disabilities Education Act; or

''(iii) any Federal education law other than title XI of the Education Amendments of 1978.

''(B) Indian tribes and tribal organizations to which grants are provided under this part, and tribally controlled schools for which such grants are provided, shall not be subject to any requirements, obligations, restrictions, or limitations imposed by the Bureau that would otherwise apply solely by reason of the receipt of funds provided under any law referred to in clause (i), (ii), or (iii) of subparagraph (A).

''(2) SCHOOLS CONSIDERED CONTRACT SCHOOLS.—Tribally controlled schools for which grants are provided under this part shall be treated as contract schools for the purposes of allocation of funds under sections 1126(d), 1127, and 1128 of the Education Amendments of 1978.

''(3) SCHOOLS CONSIDERED BUREAU SCHOOLS.—Tribally controlled schools for which grants are provided under this chapter shall be treated as Bureau schools for the purposes of allocation of funds provided under—

''(A) title I of the Elementary and Secondary Education Act of 1965;

''(B) the Individuals with Disabilities Education Act; and

''(C) any other Federal education law, that are distributed through the Bureau.

''(4) ACCOUNTS; USE OF CERTAIN FUNDS.—(A) Notwithstanding section 5204(a)(2), with respect to funds from facilities improvement and repair, alteration and renovation (major or minor), health and safety, or new construction accounts included in the grant under section 5204(a), the grantee shall maintain a separate account for such funds. At the end of the period designated for the work covered by the funds received, the grantee shall submit to the Secretary a separate accounting of the work done and the funds expended to the Secretary. Funds received from these accounts may only be used for the purpose for which they were appropriated and for the work encompassed by the application or submission under which they were received.

''(B) Notwithstanding subparagraph (A), a school receiving a grant under this part for facilities improvement and repair may use such grant funds for new construction if the tribal government or other organization provides funding for the new construction equal to at least 25 percent of the total cost of such new construction.

''(C) Where the appropriations measure or the application submission does not stipulate a period for the work covered by the funds so designated, the Secretary and the grantee shall consult and determine such a period prior to the transfer of the funds. A period so determined may be extended upon mutual agreement of the Secretary and the grantee.

''(5) ENFORCEMENT OF REQUEST TO INCLUDE FUNDS.—If the Secretary fails to carry out a request made under subsection (a)(2) within 180 days of a request filed by an Indian tribe or tribal organization to include in such tribe or organization's grant the funds described in subsection (a)(2), the Secretary shall be deemed to have approved such request and the Secretary shall immediately amend the grant accordingly. Such tribe or organization may enforce its rights under subsection (a)(2) and this paragraph, including any denial or failure to act on such tribe or organization's request, pursuant to the disputes authority described in section 5209(e).

"SEC. 5206. ELIGIBILITY FOR GRANTS.

''(a) RULES.—

''(1) IN GENERAL.—A tribally controlled school is eligible for assistance under this part if the school—

''(A) on April 28, 1988, was a contract school under title XI of the Education Amendments of 1978 and the tribe or tribal organization operating the school submits to the Secretary a written notice of election to receive a grant under this part;

''(B) was a Bureau operated school under title XI of the Education Amendments of 1978 and has met the requirements of subsection (b);

''(C) is a school for which the Bureau has not provided funds, but which has met the requirements of subsection (c); or

''(D) is a school with respect to which an election has been made under paragraph (2) and which has met the requirements of subsection (b).

''(2) NEW SCHOOLS.—Any application which has been submitted under the Indian Self-Determination and Education Assistance Act by an Indian tribe for a school which is not in operation on the date of the enactment of the No Child Left Behind Act of 2001 shall be reviewed under the guidelines and regulations for applications submitted under the Indian Self-Determination and Education Assistance Act that were in effect at the time the application was submitted, unless the Indian tribe or tribal organization elects to have the application reviewed under the provisions of subsection (b).

''(b) ADDITIONAL REQUIREMENTS FOR BUREAU FUNDED SCHOOLS AND CERTAIN ELECTING SCHOOLS.—

''(1) BUREAU FUNDED SCHOOLS.—A school that was a Bureau funded school under title XI of the Education Amendments of 1978 on the date of the enactment of the No Child Left Behind Act of 2001, and any school with respect to which an election is made under subsection (a)(2), meets the requirements of this subsection if—

''(A) the Indian tribe or tribal organization that operates, or desires to operate, the school submits to the Secretary an application requesting that the Secretary—

''(i) transfer operation of the school to the Indian tribe or tribal organization, if the Indian tribe or tribal organization is not already operating the school; and

''(ii) make a determination as to whether the school is eligible for assistance under this part; and

''(B) the Secretary makes a determination that the school is eligible for assistance under this part.

''(2) CERTAIN ELECTING SCHOOLS.—(A) By not later than the date that is 120 days after the date on which an application is submitted to the Secretary under paragraph (1)(A), the Secretary shall determine—

''(i) in the case of a school which is not being operated by the Indian tribe or tribal organization, whether to transfer operation of the school to the Indian tribe or tribal organization; and

''(ii) whether the school is eligible for assistance under this part.

''(B) In considering applications submitted under paragraph (1)(A), the Secretary—

''(i) shall transfer operation of the school to the Indian tribe or tribal organization, if the tribe or tribal organization is not already operating the school; and

''(ii) shall determine that the school is eligible for assistance under this part, unless the Secretary finds by clear and convincing evidence that the services to be provided by the Indian tribe or tribal organization will be deleterious to the welfare of the Indians served by the school.

''(C) In considering applications submitted under paragraph (1)(A), the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in operating the school with respect to—

''(i) equipment;

''(ii) bookkeeping and accounting procedures;

''(iii) ability to adequately manage a school; or

''(iv) adequately trained personnel.

''(c) ADDITIONAL REQUIREMENTS FOR A SCHOOL WHICH IS NOT A BUREAU FUNDED SCHOOL.—

''(1) IN GENERAL.—A school which is not a Bureau funded school under title XI of the Education Amendments of 1978 meets the requirements of this subsection if—

''(A) the Indian tribe or tribal organization that operates, or desires to operate, the school submits to the Secretary an application requesting a determination by the Secretary as to whether the school is eligible for assistance under this part; and

''(B) the Secretary makes a determination that a school is eligible for assistance under this part.

''(2) DEADLINE FOR DETERMINATION BY SECRETARY.—(A) By not later than the date that is 180 days after the date on which an application is submitted to the Secretary under paragraph (1)(A), the Secretary shall determine whether the school is eligible for assistance under this part.

''(B) In making the determination under subparagraph (A), the Secretary shall give equal consideration to each of the following factors:

''(i) with respect to the applicant's proposal—

''(I) the adequacy of facilities or the potential to obtain or provide adequate facilities;

''(II) geographic and demographic factors in the affected areas;

''(III) adequacy of the applicant's program plans;

''(IV) geographic proximity of comparable public education; and

''(V) the needs as expressed by all affected parties, including but not limited to students, families, tribal governments at both the central and local levels, and school organizations; and

''(ii) with respect to all education services already available—

''(I) geographic and demographic factors in the affected areas;

''(II) adequacy and comparability of programs already available;

''(III) consistency of available programs with tribal education codes or tribal legislation on education; and

''(IV) the history and success of these services for the proposed population to be served, as determined from all factors including, if relevant, standardized examination performance.

''(C) The Secretary may not make a determination under this paragraph that is primarily based upon the geographic proximity of comparable public education.

''(D) Applications submitted under paragraph (1)(A) shall include information on the factors described in subparagraph (B)(i), but

the applicant may also provide the Secretary such information relative to the factors described in subparagraph (B)(ii) as the applicant considers appropriate.

''(E) If the Secretary fails to make a determination under subparagraph (A) with respect to an application within 180 days after the date on which the Secretary received the application, the Secretary shall be treated as having made a determination that the tribally controlled school is eligible for assistance under the title and the grant shall become effective 18 months after the date on which the Secretary received the application, or on an earlier date, at the Secretary's discretion.

''(d) FILING OF APPLICATIONS AND REPORTS.—

''(1) IN GENERAL.—All applications and reports submitted to the Secretary under this part, and any amendments to such applications or reports, shall be filed with the education line officer designated by the Director of the Office of Indian Education Programs of the Bureau of Indian Affairs. The date on which such filing occurs shall, for purposes of this part, be treated as the date on which the application or amendment was submitted to the Secretary.

''(2) SUPPORTING DOCUMENTATION.—Any application that is submitted under this chapter shall be accompanied by a document indicating the action taken by the tribal governing body in authorizing such application.

''(e) EFFECTIVE DATE FOR APPROVED APPLICATIONS.—Except as provided by subsection (c)(2)(E), a grant provided under this part, and any transfer of the operation of a Bureau school made under subsection (b), shall become effective beginning the academic year succeeding the fiscal year in which the application for the grant or transfer is made, or at an earlier date determined by the Secretary.

''(f) DENIAL OF APPLICATIONS.—

''(1) IN GENERAL.—Whenever the Secretary refuses to approve a grant under this chapter, to transfer operation of a Bureau school under subsection (b), or determines that a school is not eligible for assistance under this part, the Secretary shall—

''(A) state the objections in writing to the tribe or tribal organization within the allotted time;

''(B) provide assistance to the tribe or tribal organization to overcome all stated objections.

''(C) at the request of the tribe or tribal organization, provide the tribe or tribal organization a hearing on the record under the same rules and regulations that apply under the Indian Self-Determination and Education Assistance Act; and

''(D) provide an opportunity to appeal the objection raised.

''(2) TIMELINE FOR RECONSIDERATION OF AMENDED APPLICATIONS.—The Secretary shall reconsider any amended application submitted under this part within 60 days after the amended application is submitted to the Secretary.

''(g) REPORT.—The Bureau shall submit an annual report to the Congress on all applications received, and actions taken (including the costs associated with such actions), under this section at the same time that the President is required to submit to Congress the budget under section 1105 of title 31, United States Code.

"SEC. 5207. DURATION OF ELIGIBILITY DETERMINATION.

''(a) IN GENERAL.—If the Secretary determines that a tribally controlled school is eligible for assistance under this part, the eligibility determination shall remain in effect until the determination is revoked by the Secretary, and the requirements of subsection (b) or (c) of section 5206, if applicable, shall be considered to have been met with respect to such school until the eligibility determination is revoked by the Secretary.

''(b) ANNUAL REPORTS.—

''(1) IN GENERAL.—Each recipient of a grant provided under this part shall complete an annual report which shall be limited to—

''(A) an annual financial statement reporting revenue and expenditures as defined by the cost accounting established by the grantee;

''(B) an annual financial audit conducted pursuant to the standards of the Single Audit Act of 1984;

''(C) an annual submission to the Secretary of the number of students served and a brief description of programs offered under the grant; and

''(D) a program evaluation conducted by an impartial evaluation review team, to be based on the standards established for purposes of subsection (c)(1)(A)(ii).

''(2) EVALUATION REVIEW TEAMS.—Where appropriate, other tribally controlled schools and representatives of tribally controlled community colleges shall make up members of the evaluation review teams.

''(3) EVALUATIONS.—In the case of a school which is accredited, evaluations will be conducted at intervals under the terms of accreditation.

''(4) SUBMISSION OF REPORT.—

''(A) TO TRIBALLY GOVERNING BODY.—Upon completion of the report required under paragraph (a), the recipient of the grant shall send (via first class mail, return receipt requested) a copy of such annual report to the tribal governing body (as defined in section 1132(f) of the Education Amendments of 1978) of the tribally controlled school.

''(B) TO SECRETARY.—Not later than 30 days after receiving written confirmation that the tribal governing body has received the report send pursuant to subsection (A), the recipient of the grant shall send a copy of the report to the Secretary.

''(c) REVOCATION OF ELIGIBILITY.—

''(1) IN GENERAL.—(A) The Secretary shall not revoke a determination that a school is eligible for assistance under this part if—

''(i) the Indian tribe or tribal organization submits the reports required under subsection (b) with respect to the school; and

''(ii) at least one of the following subclauses applies with respect to the school:

''(I) The school is certified or accredited by a State or regional accrediting association or is a candidate in good standing for such accreditation under the rules of the State or regional accrediting association, showing that credits achieved by the students within the education programs are, or will be, accepted at grade level by a State certified or regionally accredited institution.

''(II) A determination made by the Secretary that there is a reasonable expectation that the accreditation described in subclause (I), or the candidacy in good standing for such accreditation, will be reached by the school within 3 years and that the program offered by the school is beneficial to the Indian students.

''(III) The school is accredited by a tribal department of education if such accreditation is accepted by a generally recognized regional or State accreditation agency.

''(IV) The schools accept the standards promulgated under section 1121 of the Education Amendments of 1978 and an evaluation of performance is conducted under this section in conformance with the regulations pertaining to Bureau operated schools by an impartial evaluator chosen by the grantee, but no grantee shall be required to comply with these standards to a higher degree than a comparable Bureau operated school.

''(V) A positive evaluation of the school is conducted by an impartial evaluator agreed upon by the Secretary and the grantee every 2 years under standards adopted by the contractor under a contract for a school entered into under the Indian Self-Determination and Education Assistance Act (or revisions of such standards agreed to by the Secretary and the grantee) prior to the date of the enactment of this Act. If the Secretary and the grantee other than the tribal governing body fail to agree on such an evaluator, the tribal governing body shall choose the evaluator or perform the evaluation. If the Secretary and a grantee which is the tribal governing body fail to agree on such an evaluator, this subclause shall not apply.

''(B) The choice of standards employed for the purpose of subparagraph (A)(ii) shall be consistent with section 1121(e) of the Education Amendments of 1978.

''(2) NOTICE REQUIREMENTS FOR REVOCATION.—The Secretary shall not revoke a determination that a school is eligible for assistance under this part, or reassume control of a school that was a Bureau school prior to approval of an application submitted under section 5206(b)(1)(A) until the Secretary—

''(A) provides notice to the tribally controlled school and the tribal governing body (within the meaning of section 1141(14) of the Education Amendments of 1978) of the tribally controlled school which states—

''(i) the specific deficiencies that led to the revocation or resumption determination; and

''(ii) the actions that are needed to remedy such deficiencies; and

''(B) affords such authority an opportunity to effect the remedial actions.

''(3) TECHNICAL ASSISTANCE.—The Secretary shall provide such technical assistance as is practicable to effect such remedial actions. Such notice and technical assistance shall be in addition to a hearing and appeal to be conducted pursuant to the regulations described in section 5206(f)(1)(C).

''(d) APPLICABILITY OF SECTION PURSUANT TO ELECTION UNDER SECTION 5209(b).—With respect to a tribally controlled school which receives assistance under this part pursuant to an election made under section 5209(b)—

''(1) subsection (b) of this section shall apply; and

''(2) the Secretary may not revoke eligibility for assistance under this part except in conformance with subsection (c) of this section.

"SEC. 5208. PAYMENT OF GRANTS; INVESTMENT OF FUNDS.

''(a) PAYMENTS.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the Secretary shall make payments to grantees under this part in two payments, of which—

''(A) the first payment shall be made not later than July 15 of each year in an amount equal to 85 percent of the amount which the grantee was entitled to receive during the preceding academic year; and

''(B) the second payment, consisting of the remainder to which the grantee is entitled for the academic year, shall be made not later than December 1 of each year.

''(2) NEWLY FUNDED SCHOOLS.—For any school for which no payment under this part was made from Bureau funds in the preceding academic year, full payment of the amount computed for the first academic year of eligibility under this part shall be made not later than December 1 of the academic year.

''(3) LATE FUNDING.—With regard to funds for grantees that become available for obligation on October 1 of the fiscal year for which such funds are appropriated, the Secretary shall make payments to grantees not later than December 1 of the fiscal year.

''(4) APPLICABILITY OF CERTAIN TITLE 31 PROVISIONS.—The provisions of chapter 39 of Title 31, United States Code, shall apply to the payments required to be made by paragraphs (1), (2), and (3).

''(5) RESTRICTIONS.—Paragraphs (1), (2), and (3) shall be subject to any restriction on amounts of payments under this part that are imposed by a continuing resolution or other Act appropriating the funds involved.

''(b) INVESTMENT OF FUNDS.—

''(1) TREATMENT OF INTEREST AND INVESTMENT INCOME.—Notwithstanding any other provision of law, any interest or investment income that accrues to any funds provided under this part after such funds are paid to the Indian tribe or tribal organization and before such funds are expended for the purpose for which such funds were provided under this part shall be the property of the Indian tribe or tribal organization and shall not be taken into account by any officer or employee of the Federal Government in determining whether to provide assistance, or the amount of assistance, under any provision of Federal law. Such interest income shall be spent on behalf of the school.

''(2) PERMISSIBLE INVESTMENTS.—Funds provided under this part may be invested by the Indian tribe or tribal organization before such funds are expended for the purposes of this part so long as such funds are—

''(A) invested by the Indian tribe or tribal organization only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States, or securities that are guaranteed or insured by the United States; or

''(B) deposited only into accounts that are insure by and agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

''(c) RECOVERIES.—For the purposes of underrecovery and overrecovery determinations by any Federal agency for any other funds, from whatever source derived, funds received under this part shall not be taken into consideration.

''SEC. 5209. APPLICATION WITH RESPECT TO INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.

''(a) CERTAIN PROVISIONS TO APPLY TO GRANTS.—The following provisions of the Indian Self-Determination and Education Assistance Act (and any subsequent revisions thereto or renumbering thereof), shall apply to grants provided under this part:

''(1) Section 5(f) (relating to single agency audit).

''(2) Section 6 (relating to criminal activities; penalties).

''(3) Section 7 (relating to wage and labor standards).

''(4) Section 104 (relating to retention of Federal employee coverage).

''(5) Section 105(f) (relating to Federal property).

''(6) Section 105(k) (relating to access to Federal sources of supply).

''(7) Section 105(l) (relating to lease of facility used for administration and delivery of services).

''(8) Section 106(e) (relating to limitation on remedies relating to cost allowances).

''(9) Section 106(i) (relating to use of funds for matching or cost participation requirements).

''(10) Section 106(j) (relating to allowable uses of funds).

''(11) Section 108(c) (Model Agreements provisions (1)(a)(5) (relating to limitations of costs), (1)(a)(7) (relating to records and monitoring), (1)(a)(8) (relating to property), and (a)(1)(9) (relating to availability of funds).

''(12) Section 109 (relating to reassumption).

''(13) Section 111 (relating to sovereign immunity and trusteeship rights unaffected).

''(b) ELECTION FOR GRANT IN LIEU OF CONTRACT.—

''(1) IN GENERAL.—Contractors for activities to which this part applies who have entered into a contract under the Indian Self-Determination and Education Assistance Act that is in effect upon the date of the enactment of the No Child Left Behind Act of 2001 may, by giving notice to the Secretary, elect to have the provisions of this part apply to such activity in lieu of such contract.

''(2) EFFECTIVE DATE OF ELECTION.—Any election made under paragraph (1) shall take effect on the later of—

''(A) October 1 of the fiscal year succeeding the fiscal year in which such election is made; or

''(B) 60 days after the date of such election.

''(3) EXCEPTION.—In any case in which the 60-day period referred to in paragraph (2)(B) is less than 60 days before the beginning of the succeeding fiscal year, such election shall not take effect until the fiscal year after the fiscal year succeeding the election.

''(c) NO DUPLICATION.—No funds may be provided under any contract entered into under the Indian Self-Determination and Education Assistance Act to pay any expenses incurred in providing any program or services if a grant has been made under this part to pay such expenses.

''(d) TRANSFERS AND CARRYOVERS.—

''(1) BUILDINGS, EQUIPMENT, SUPPLIES, MATERIALS.—A tribe or tribal organization assuming the operation of—

''(A) a Bureau school with assistance under this part shall be entitled to the transfer or use of buildings, equipment, supplies, and materials to the same extent as if it were contracting under the Indian Self-Determination and Education Assistance Act; or

''(B) a contract school with assistance under this part shall be entitled to the transfer or use of buildings, equipment, supplies and materials that were used in the operation of the contract school to the same extent as if it were contracting under the Indian Self-Determination and Education Assistance Act.

''(2) FUNDS.—Any tribe or tribal organization which assumes operation of a Bureau school with assistance under this part and any tribe or tribal organization which elects to operate a school with assistance under this part rather that to continue as a contract school shall be entitled to any funds which would carryover from the previous fiscal year as if such school were operated as a contract school.

''(e) EXCEPTIONS, PROBLEMS, AND DISPUTES.—Any exception or problem cited in an audit conducted pursuant to section 5207(b)(2), any dispute regarding a grant authorized to be made pursuant to this part or any amendment to such grant, and any dispute involving an administrative cost grant under section 1128 of the Education Amendments of 1978 shall be administered under the provisions governing such exceptions, problems, or disputes in the case of contracts under the Indian Self-Determination and Education Assistance Act of 1975. The Equal Access to Justice Act shall apply to administrative appeals filed after September 8, 1988, by grantees regarding a grant under this part, including an administrative cost grant.

''SEC. 5210. ROLE OF THE DIRECTOR.

''Applications for grants under this part, and all application modifications, shall be reviewed and approved by personnel under the direction and control of the Director of the Office of Indian Education Programs. Required reports shall be submitted to education personnel under the direction and control of the Director of such Office.

''SEC. 5211. REGULATIONS.

''The Secretary is authorized to issue regulations relating to the discharge of duties specifically assigned to the Secretary by this part. In all other matters relating to the details of planning, development, implementing, and evaluating grants under this part, the Secretary shall not issue regulations. Regulations issued pursuant to this part shall not have the standing of a Federal statute for the purposes of judicial review.

''SEC. 5212. THE TRIBALLY CONTROLLED GRANT SCHOOL ENDOWMENT PROGRAM.

''(a) IN GENERAL.—

''(1) TRUST FUNDS.—Each school receiving grants under this part may establish, at a Federally insured banking and savings institution, a trust fund for the purposes of this section.

''(2) AUTHORITY OF SCHOOLS REGARDING TRUST FUNDS.—The school may provide—

''(A) for the deposit into the trust fund, only funds from non-Federal sources, except that the interest on funds received from grants under this part may be used for this purpose;

''(B) for the deposit in the account of any earnings on funds deposited in the account; and

''(C) for the sole use of the school any noncash, in-kind contributions of real or personal property, such property may at any time be converted to cash.

''(b) INTEREST.—Interest from the fund established under subsection (a) may periodically be withdrawn and used, at the discretion of the school, to defray any expenses associated with the operation of the school.

''SEC. 5213. DEFINITIONS.

''For the purposes of this part:

''(1) BUREAU.—The term 'Bureau' means the Bureau of Indian Affairs of the Department of the Interior.

''(2) ELIGIBLE INDIAN STUDENT.—The term 'eligible Indian student' has the meaning of such term in section 1127(f) of the Education Amendments of 1978.

''(3) INDIAN TRIBE.—The term 'Indian tribe' means any Indian tribe, band, nation, or other organized group or community, including Alaska Native Village or regional corporations (as defined in or established pursuant to the Alaskan Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

''(4) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

''(5) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''(6) TRIBAL ORGANIZATION.—(A) The term 'tribal organization' means—

''(i) the recognized governing body of any Indian tribe; or

''(ii) any legally established organization of Indians which—

''(I) is controlled, sanctioned, or chartered by such governing body or is democratically elected by the adult members of the Indian community to be served by such organization; and

''(II) includes the maximum participation of Indians in all phases of its activities.

''(B) In any case in which a grant is provided under this part to an organization to provide services benefiting more than one In-

dian tribe, the approval of the governing bodies of Indian tribes representing 80 percent of those students attending the tribally controlled school shall be considered a sufficient tribal authorization for such grant.

''(7) TRIBALLY CONTROLLED SCHOOL.—The term 'tribally controlled school' means a school operated by a tribe or a tribal organization, enrolling students in kindergarten through grade 12, including preschools, which is not a local educational agency and which is not directly administered by the Bureau of Indian Affairs.''.

SEC. 315. ACCOUNTABILITY FOR BUREAU FUNDED SCHOOLS.

Notwithstanding the provisions of section 7102 of the Elementary and Secondary Education Act of 1965, the Secretary shall limit any reduction of administrative funding for the Bureau of Indian Affairs under such section to no more than 50 percent of the amount that may be reserved for administration under such Act.

TITLE IV—PROMOTING INFORMED PARENTAL CHOICE AND INNOVATIVE PROGRAMS

PART A—INNOVATIVE PROGRAMS

SEC. 401. INNOVATIVE PROGRAMS.

Title IV is amended to read as follows:

''TITLE IV—PROMOTING INFORMED PARENTAL CHOICE AND INNOVATIVE PROGRAMS

''PART A—INNOVATIVE PROGRAMS

''Subpart 1—State and Local Innovative Programs

''SEC. 4101. FINDINGS AND STATEMENT OF PURPOSE.

''(a) FINDINGS.—Congress finds that this subpart—

''(1) provides flexibility to meet local needs;

''(2) promotes local and State education reforms;

''(3) contributes to the improvement of academic achievement for all students;

''(4) provides funding for critical activities; and

''(5) provides services for private school students.

''(b) STATEMENT OF PURPOSE.—It is the purpose of programs under this subpart—

''(1) to provide funding to enable States and local educational agencies to implement promising educational reform programs and school improvement initiatives based on scientifically based research;

''(2) to provide a continuing source of innovation and educational improvement, including support for library services and instructional and media materials; and

''(3) to meet the educational needs of all students, including at-risk youth.

''(c) STATE AND LOCAL RESPONSIBILITY.—

''(1) IN GENERAL.—The States shall have the basic responsibility for the administration of funds made available under this subpart, but such administration shall be carried out with a minimum of paperwork.

''(2) DESIGN AND IMPLEMENTATION.—Notwithstanding paragraph (1), local educational agencies, school superintendents and principals, and classroom teachers and supporting personnel shall be mainly responsible for the design and implementation of programs assisted under this subpart, because such agencies and individuals have the most direct contact with students and are most likely to be able to design programs to meet the educational needs of students in their own school districts.

''CHAPTER 1—STATE AND LOCAL PROGRAMS

''SEC. 4111. ALLOCATION TO STATES.

''(a) RESERVATIONS.—From the sums appropriated to carry out this subpart for each fiscal year, the Secretary shall reserve not more than 1 percent for payments to outlying areas to be allotted in accordance with their respective needs.

''(b) ALLOCATION OF REMAINDER.—From the remainder of such sums, the Secretary shall allocate, and make available in accordance with this subpart, to each State an amount which bears the same ratio to the amount of such remainder as the school-age population of the State bears to the school-age population of all States, except that no State shall receive less than an amount equal to ½ of 1 percent of such remainder.

''SEC. 4112. ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.

''(a) DISTRIBUTION RULE.—

''(1) IN GENERAL.—Subject to paragraph (2), from the sums made available each year to carry out this subpart, the State shall distribute not less than 85 percent to local educational agencies within such State according to the relative enrollments in public and private, nonprofit schools within the jurisdictions of such agencies, adjusted, in accordance with criteria approved by the Secretary, to provide higher per-pupil allocations to local educational agencies that have the greatest numbers or percentages of children whose education imposes a higher than average cost per child, such as—

''(A) children living in areas with high concentrations of economically disadvantaged families;

''(B) children from economically disadvantaged families; and

''(C) children living in sparsely populated areas.

''(2) EXCEPTION.—100 percent of any amount by which the funds paid to a State under this subpart for a fiscal year exceed the amount of such funds paid to the State for fiscal year 2001 shall be distributed to local educational agencies and used locally for innovative assistance described in section 4131(b).

''(3) LIMITATION ON USE OF FUNDS FOR ADMINISTRATION.—In each fiscal year, a State may use not more than 25 percent of the funds available for State programs under this subpart for State administration under section 4121.

''(b) CALCULATION OF ENROLLMENTS.—

''(1) IN GENERAL.—The calculation of relative enrollments under subsection (a)(1) shall be on the basis of the total of—

''(A) the number of children enrolled in public schools; and

''(B) the number of children enrolled in private, nonprofit schools whose parents would like their children to participate in programs or projects assisted under this subpart, for the fiscal year preceding the fiscal year for which the determination is made.

''(2) CONSTRUCTION.—Nothing in this subsection shall diminish the responsibility of each local educational agency to contact, on an annual basis, appropriate officials from private nonprofit schools within the areas served by such agencies in order to determine whether such schools desire that their children participate in programs assisted under this chapter.

''(3) ADJUSTMENTS.—

''(A) IN GENERAL.—Relative enrollments calculated under subsection (a)(1) shall be adjusted, in accordance with criteria approved by the Secretary under subparagraph (B), to provide higher per-pupil allocations only to local educational agencies that serve the greatest numbers or percentages of—

''(i) children living in areas with high concentrations of economically disadvantaged families;

''(ii) children from economically disadvantaged families; or

''(iii) children living in sparsely populated areas.

''(B) CRITERIA.—The Secretary shall review criteria submitted by a State for adjusting allocations under paragraph (1) and shall approve such criteria only if the Secretary determines that such criteria are reasonably calculated to produce an adjusted allocation that reflects the relative needs of the State's local educational agencies based on the factors set forth in subparagraph (A).

''(c) PAYMENT OF ALLOCATIONS.—

''(1) DISTRIBUTION.—From the funds paid to a State under this subpart for a fiscal year, a State shall distribute to each eligible local educational agency that has submitted an application as required in section 4133 the amount of such local educational agency's allocation, as determined under subsection (a).

''(2) ADDITIONAL FUNDS.—

''(A) IN GENERAL.—Additional funds resulting from higher per-pupil allocations provided to a local educational agency on the basis of adjusted enrollments of children described in subsection (a)(1) may, in the discretion of the local educational agency, be allocated for expenditures to provide services for children enrolled in public and private, nonprofit schools in direct proportion to the number of children described in subsection (a)(1) and enrolled in such schools within the local educational agency.

''(B) ELECTION.—In any fiscal year, any local educational agency that elects to allocate such additional funds in the manner described in subparagraph (A) shall allocate all additional funds to schools within the local educational agency in such manner.

''(C) CONSTRUCTION.—Subparagraphs (A) and (B) may not be construed to require any school to limit the use of the additional funds described in subparagraph (A) to the provision of services to specific students or categories of students.

''CHAPTER 2—STATE PROGRAMS

''SEC. 4121. STATE USE OF FUNDS.

''A State may use funds made available for State use under this subpart only for—

''(1) State administration of programs under this subpart including—

''(A) supervision of the allocation of funds to local educational agencies;

''(B) planning, supervision, and processing of State funds; and

''(C) monitoring and evaluation of programs and activities under this subpart;

''(2) support for planning, designing, and initial implementation of charter schools as described in part B;

''(3) statewide education reform and school improvement activities and technical assistance and direct grants to local educational agencies which assist such agencies under section 4131; and

''(4) support for arrangements that provide for independent analysis to measure and report on school district achievement.

''SEC. 4122. STATE APPLICATIONS.

''(a) APPLICATION REQUIREMENTS.—If a State seeks to receive assistance under this subpart, the individual, entity, or agency responsible for public elementary and secondary education policy under the State constitution or State law shall submit to the Secretary an application that—

''(1) provides for an annual statewide summary of how assistance under this subpart is contributing toward improving student achievement or improving the quality of education for students;

''(2) provides information setting forth the allocation of such funds required to implement section 4142;

''(3) provides that the State will keep such records and provide such information to the Secretary as may be required for fiscal audit and program evaluation (consistent with the responsibilities of the Secretary under this section);

''(4) provides assurance that, apart from technical and advisory assistance and moni-

toring compliance with this subpart, the State has not exercised and will not exercise any influence in the decisionmaking processes of local educational agencies as to the expenditure made pursuant to an application under section 4133;

''(5) contains assurances that there is compliance with the specific requirements of this subpart; and

''(6) provides for timely public notice and public dissemination of the information provided under paragraph (2).

''(b) STATEWIDE SUMMARY.—The statewide summary referred to in subsection (a)(1) shall be submitted to the Secretary and shall be derived from the evaluation information submitted by local educational agencies to the State under section 4133(a)(2)(H). The format and content of such summary shall be in the discretion of the State and may include statistical measures such as the number of students served by each type of innovative assistance described in section 4131(b), including the number of teachers trained.

''(c) PERIOD OF APPLICATION.—An application filed by the State under subsection (a) shall be for a period not to exceed 3 years, and may be amended annually as may be necessary to reflect changes without filing a new application.

''(d) AUDIT LIMITATION.—Each local educational agency receiving less than an average of $5,000 under this subpart may not be audited more frequently than once every 5 years.

''CHAPTER 3—LOCAL INNOVATIVE EDUCATION PROGRAMS

''SEC. 4131. USE OF FUNDS.

''(a) IN GENERAL.—Funds made available to local educational agencies under section 4112 shall be used for innovative assistance programs described in subsection (b).

''(b) INNOVATIVE ASSISTANCE.—The innovative assistance programs referred to in subsection (a) may include—

''(1) professional development activities and the hiring of teachers, including activities carried out in accordance with title II, that give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State or local academic content standards and student achievement standards;

''(2) technology related to the implementation of school-based reform programs, including professional development to assist teachers, and other school officials, regarding how to use effectively such equipment and software;

''(3) programs for the development or acquisition and use of instructional and educational materials, including library services and materials (including media materials), academic assessments, reference materials, computer software and hardware for instructional use, and other curricular materials that are tied to high academic standards, that will be used to improve student achievement, and that are part of an overall education reform program;

''(4) promising education reform projects, including effective schools and magnet schools;

''(5) programs to improve the academic skills of disadvantaged elementary and secondary school students and to prevent students from dropping out of school;

''(6) programs to combat illiteracy;

''(7) programs to provide for the educational needs of gifted and talented children;

''(8) planning, designing, and initial implementation of charter schools as described in part B;

''(9) school improvement programs or activities under sections 1116 and 1117;

''(10) community service programs that use qualified school personnel to train and mobilize young people to measurably strengthen their communities through nonviolence, responsibility, compassion, respect, and moral courage;

''(11) activities to promote consumer, economic, and personal finance education, such as disseminating and encouraging the best practices for teaching the basic principles of economics and promoting the concept of achieving financial literacy through the teaching of personal financial management skills (including the basic principles involved with earning, spending, saving, and investing);

''(12) activities to promote, implement, or expand public school choice;

''(13) programs to hire and support school nurses;

''(14) expanding and improving school-based mental health services, including early identification of drug use and violence, assessment, and direct individual or group counseling services provided to students, parents, and school personnel by qualified school based mental health services personnel;

''(15) alternative educational programs for those students who have been expelled or suspended from their regular educational setting, including programs to assist students to reenter the regular educational setting upon return from treatment or alternative educational programs;

''(16) programs to establish or enhance prekindergarten programs for children ages 3 through 5;

''(17) academic intervention programs that are operated jointly with community-based organizations and that support academic enrichment and counseling programs conducted during the school day (including during extended school day or extended school year programs) for students most-at-risk of not meeting challenging State academic standards or not completing secondary school;

''(18) programs for cardiopulmonary resuscitation (CPR) training in schools; and

''(19) programs to establish smaller learning communities.

''SEC. 4132. ADMINISTRATIVE AUTHORITY.

''In order to conduct the activities authorized by this subpart, each State or local educational agency may use funds made available under this subpart to make grants to, and to enter into contracts with, local educational agencies, institutions of higher education, libraries, museums, and other public and private nonprofit agencies, organizations, and institutions, including religious organizations.

''SEC. 4133. LOCAL APPLICATIONS.

''(a) CERTIFICATION.—

''(1) IN GENERAL.—A local educational agency or a consortium of such agencies may receive an allocation of funds under this subpart for any year for which the agency or consortium submits an application under this section that is certified by the State to meet the requirements of this section.

''(2) CONTENTS OF APPLICATION.—The State shall certify each application that—

''(A) describes locally identified needs relative to the purposes of this subpart and to the innovative assistance described in section 4131(b);

''(B) based on the needs identified in subparagraph (A), sets forth the planned allocation of funds among innovative assistance programs described in section 4131 and describes the programs, projects, and activities designed to carry out such innovative assistance programs that the local educational agency intends to support;

''(C) contains information setting forth the allocation of such funds required to implement section 4142;

''(D) describes how assistance under this subpart will contribute to improving student academic achievement;

''(E) provides assurances of compliance with the provisions of this subpart, including the participation of children enrolled in private, nonprofit schools in accordance with section 4142;

''(F) provides assurance that the local educational agency will keep such records, and provide such information to the State as may be reasonably required for fiscal audit and program evaluation, consistent with the responsibilities of the State under this subpart;

''(G) provides in the allocation of funds for the assistance authorized by this subpart, and in the design, planning, and implementation of such programs, for systematic consultation with parents of children attending elementary and secondary schools in the area served by the local educational agency, with teachers and administrative personnel in such schools, and with other groups involved in the implementation of this subpart (such as librarians, school counselors, and other pupil services personnel) as may be considered appropriate by the local educational agency; and

''(H) provides assurance that—

''(i) programs, services, and activities will be evaluated annually;

''(ii) such evaluation will be used to determine and implement appropriate changes in program services and activities for the subsequent year;

''(iii) such evaluation will describe how assistance under this subpart contributed toward improving student academic achievement; and

''(iv) such evaluation will be submitted to the State in the time and manner requested by the State.

''(b) TIME PERIOD TO WHICH APPLICATION RELATES.—An application submitted by a local educational agency under subsection (a) may seek allocations under this part for a period of time not to exceed 3 fiscal years and may be amended annually as may be necessary to reflect changes without the filing of a new application.

''(c) LOCAL EDUCATIONAL AGENCY DISCRETION.—

''(1) IN GENERAL.—Subject to the limitations and requirements of this subpart, a local educational agency shall have complete discretion in determining how funds made available under this chapter will be divided among programs and activities described in section 4131.

''(2) LIMITATION.—In exercising the discretion described in paragraph (1), a local educational agency shall ensure that expenditures under this chapter carry out the purposes of this subpart and are used to meet the educational needs within the schools of such local educational agency.

''CHAPTER 4—GENERAL PROVISIONS

''SEC. 4141. MAINTENANCE OF EFFORT; FEDERAL FUNDS SUPPLEMENTARY.

''(a) MAINTENANCE OF EFFORT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a State is entitled to receive its full allocation of funds under this subpart for any fiscal year only if the Secretary determines that either the combined fiscal effort per student or the aggregate expenditures within the State with respect to the provision of free public education for the fiscal year preceding the fiscal year for which the determination is made was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the fiscal year that is 2 fiscal years before the fiscal year for which the determination is made.

''(2) REDUCTION OF FUNDS.—The Secretary shall reduce the amount of the allocation of funds under this subpart in any fiscal year in

the exact proportion to which the State fails to meet the requirements of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), and no such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

''(3) WAIVER.—The Secretary may waive, for 1 fiscal year only, the requirements of this section if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.

''(b) FEDERAL FUNDS SUPPLEMENTARY.—A State or local educational agency may use and allocate funds received under this subpart only to supplement and, to the extent practical, to increase the level of funds that would, in the absence of Federal funds made available under this subpart, be made available from non-Federal sources, and in no case may such funds be used so as to supplant funds from non-Federal sources.

''SEC. 4142. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

''(a) PARTICIPATION ON EQUITABLE BASIS.—

''(1) IN GENERAL.—To the extent consistent with the number of children in the school district of a local educational agency which is eligible to receive funds under this subpart or which serves the area in which a program or project assisted under this subpart is located, who are enrolled in private nonprofit elementary and secondary schools, or with respect to instructional or personnel training programs funded by the State from funds made available for State use, such agency, after consultation with appropriate private school officials—

''(A) shall provide for the benefit of such children in such schools secular, neutral, and nonideological services, materials, and equipment, including the participation of the teachers of such children (and other educational personnel serving such children) in training programs, and the repair or minor remodeling of public facilities as may be necessary for their provision (consistent with subsection (c) of this section); or

''(B) if such services, materials, and equipment are not feasible or necessary in one or more such private schools as determined by the local educational agency after consultation with the appropriate private school officials, shall provide such other arrangements as will assure equitable participation of such children in the purposes and benefits of this subpart.

''(2) OTHER PROVISIONS FOR SERVICES.—If no program or project is carried out under paragraph (1) in the school district of a local educational agency, the State shall make arrangements, such as through contracts with nonprofit agencies or organizations, under which children in private schools in such district are provided with services and materials to the extent that would have occurred if the local educational agency had received funds under this subpart.

''(3) APPLICATION OF REQUIREMENTS.—The requirements of this section relating to the participation of children, teachers, and other personnel serving such children shall apply to programs and projects carried out under this subpart by a State or local educational agency, whether directly or through grants to or contracts with other public or private agencies, institutions, or organizations.

''(b) EQUAL EXPENDITURES.—

''(1) IN GENERAL.—Expenditures for programs pursuant to subsection (a) shall be equal (consistent with the number of children to be served) to expenditures for programs under this subpart for children enrolled in the public schools of the local educational agency.

''(2) CONCENTRATED PROGRAMS.—Taking into account the needs of the individual children and other factors which relate to the expenditures referred to in paragraph (1), and when funds available to a local educational agency under this subpart are used to concentrate programs or projects on a particular group, attendance area, or grade or age level, children enrolled in private schools who are included within the group, attendance area, or grade or age level selected for such concentration shall, after consultation with the appropriate private school officials, be assured equitable participation in the purposes and benefits of such programs or projects.

''(c) ADMINISTRATIVE RULES.—

''(1) FUNDS AND PROPERTY.—The control of funds provided under this subpart, and title to materials, equipment, and property repaired, remodeled, or constructed with such funds, shall be in a public agency for the uses and purposes provided in this subpart, and a public agency shall administer such funds and property.

''(2) PROVISION OF SERVICES.—The provision of services pursuant to this subpart shall be provided by employees of a public agency or through contract by such public agency with a person, an association, agency, or corporation who or which, in the provision of such services, is independent of such private school and of any religious organizations, and such employment or contract shall be under the control and supervision of such public agency, and the funds provided under this subpart shall not be commingled with State or local funds.

''(d) WAIVER.—

''(1) STATE PROHIBITION WAIVER.—If by reason of any provision of law a State or local educational agency is prohibited from providing for the participation in programs of children enrolled in private elementary and secondary schools, as required by this section, the Secretary shall waive such requirements and shall arrange for the provision of services to such children through arrangements which shall be subject to the requirements of this section.

''(2) FAILURE TO COMPLY.—If the Secretary determines that a State or a local educational agency has substantially failed or is unwilling to provide for the participation on an equitable basis of children enrolled in private elementary and secondary schools as required by this section, the Secretary may waive such requirements and shall arrange for the provision of services to such children through arrangements which shall be subject to the requirements of this section.

''(e) WITHHOLDING OF ALLOCATION.—Pending final resolution of any investigation or complaint that could result in a waiver under subsection (d)(1) or (d)(2), the Secretary may withhold from the allocation of the affected State or local educational agency the amount estimated by the Secretary to be necessary to pay the cost of services to be provided by the Secretary under such subsection.

''(f) TERM OF DETERMINATIONS.—Any determination by the Secretary under this section shall continue in effect until the Secretary determines that there will no longer be any failure or inability on the part of the State or local educational agency to meet the requirements of subsections (a) and (b).

''(g) PAYMENT FROM STATE ALLOTMENT.—When the Secretary arranges for services pursuant to this section, the Secretary shall, after consultation with the appropriate public and private school officials, pay the cost of such services, including the administrative costs of arranging for those services, from the appropriate allotment of the State under this subpart.

''(h) REVIEW.—

''(1) WRITTEN OBJECTIONS.—The Secretary shall not take any final action under this section until the State and the local educational agency affected by such action have had an opportunity, for not less than 45 days after receiving written notice thereof, to submit written objections and to appear before the Secretary or the Secretary's designee to show cause why that action should not be taken.

''(2) COURT ACTION.—If a State or local educational agency is dissatisfied with the Secretary's final action after a proceeding under paragraph (1), such agency may, not later than 60 days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based this action, as provided in section 2112 of title 28, United States Code.

''(3) REMAND TO SECRETARY.—The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence and the Secretary may make new or modified findings of fact and may modify the Secretary's previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

''(4) COURT REVIEW.—Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set such action aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

''(i) PRIOR DETERMINATION.—Any bypass determination by the Secretary under chapter 2 of title I of this Act (as such chapter was in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994) shall, to the extent consistent with the purposes of this title, apply to programs under this title.

''SEC. 4143. FEDERAL ADMINISTRATION.

''(a) TECHNICAL ASSISTANCE.—The Secretary, upon request, shall provide technical assistance to States and local educational agencies under this subpart.

''(b) RULEMAKING.—The Secretary shall issue regulations under this subpart only to the extent that such regulations are necessary to ensure that there is compliance with the specific requirements and assurances required by this subpart.

''(c) AVAILABILITY OF APPROPRIATIONS.—Notwithstanding any other provision of law, unless expressly in limitation of this subsection, funds appropriated in any fiscal year to carry out activities under this subpart shall become available for obligation on July 1 of such fiscal year and shall remain available for obligation until the end of the subsequent fiscal year.

''SEC. 4144. DEFINITIONS.

''In this subpart, the following definitions apply:

''(1) SCHOOL-AGE POPULATION.—The term 'school-age population' means the population aged 5 through 17.

''(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''SEC. 4145. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this subpart $450,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2006.

"Subpart 2—Arts Education

"SEC. 4151. ASSISTANCE FOR ARTS EDUCATION.

''(a) FINDINGS.—The Congress finds that—

''(1) every student can benefit from an education in the arts;

''(2) a growing body of research indicates that education in the arts may provide cognitive benefits and bolster academic achievement, beginning at an early age and continuing through secondary school;

''(3) qualified arts teachers and a sequential curriculum are the basis and core for substantive arts education for students;

''(4) the arts should be taught according to rigorous academic standards under arts education programs that provide mechanisms under which educators are accountable to parents, school officials, and the community;

''(5) opportunities to participate in the arts have enabled individuals with disabilities of all ages to participate more fully in school and community activities; and

''(6) arts education is a valuable part of the elementary and secondary school curriculum.

''(b) PURPOSES.—The purposes of this subpart are to—

''(1) support systemic education reform by strengthening arts education as an integral part of the elementary and secondary school curriculum; and

''(2) help ensure that all students meet challenging State academic content standards and challenging State student academic achievement standards in the arts.

''(c) AUTHORITY.—In accordance with this subpart, the Secretary may make grants to, or enter into contracts or cooperative agreements with, eligible entities described in subsection (d).

''(d) ELIGIBLE ENTITIES.—The Secretary may make assistance available under subsection (c) to each of the following entities:

''(1) States.

''(2) Local educational agencies.

''(3) Institutions of higher education.

''(4) Museums or other cultural institutions.

''(5) Any other public or private agencies, institutions, and organizations.

''(e) USE OF FUNDS.—Assistance made available under this subpart may be used only for—

''(1) research on arts education;

''(2) planning, developing, acquiring, expanding, improving, or disseminating model school-based arts education programs;

''(3) the development of model State arts education assessments based on State academic standards;

''(4) the development and implementation of curriculum frameworks for arts education;

''(5) the development of model inservice professional development programs for arts educators and other instructional staff;

''(6) supporting collaborative activities with Federal agencies or institutions, arts educators, and organizations representing the arts, including State and local arts agencies involved in arts education;

''(7) supporting model projects or programs in the performing arts for children and youth or programs which assure the participation in mainstream settings in arts and education programs of individuals with disabilities through arrangements made with organizations such as the John F. Kennedy Center for the Performing Arts and VSA arts;

''(8) supporting model projects or programs to integrate arts education into the regular elementary and secondary school curriculum; or

''(9) other activities that further the purposes of this subpart.

''(f) CONDITIONS.—As conditions of receiving assistance made available under this subpart, the Secretary shall require each entity receiving such assistance—

''(1) to coordinate, to the extent practicable, each project or program carried out with such assistance with appropriate activities of public or private cultural agencies, institutions, and organizations, including museums, arts education associations, libraries, and theaters; and

''(2) to use such assistance only to supplement and not to supplant any other assistance or funds made available from non-Federal sources for the activities assisted under this subpart.

''(g) CONSULTATION.—In carrying out this part, the Secretary shall consult with Federal agencies or institutions, arts educators (including professional arts education associations), and organizations representing the arts including State and local arts agencies involved in arts education.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subpart such sums as may be necessary for each of fiscal years 2002 through 2006.

"Subpart 3—Gifted and Talented Children

"SEC. 4161. SHORT TITLE.

''This subpart may be cited as the 'Jacob K. Javits Gifted and Talented Students Education Act of 2001'.

"SEC. 4162. FINDINGS AND PURPOSE.

''(a) FINDINGS.—Congress finds the following:

''(1) While the families and communities of some gifted and talented students can provide private educational programs with appropriately trained staff to supplement public educational offerings, most gifted and talented students, especially those from inner cities, rural communities, or low-income families, must rely on the services and personnel available in public schools. In order to ensure that there are equal educational opportunities for all gifted and talented students in the United States, the public schools should provide gifted and talented education programs carried out by qualified professionals.

''(2) Due to the wide dispersal of students who are gifted and talented and the national interest in a well-educated populace, it is the Federal Government that can most effectively and appropriately conduct scientifically based research and development to ensure that there is a national capacity to educate students who are gifted and talented in the 21st century.

''(3) Many State and local educational agencies lack the specialized resources and trained personnel necessary to consistently plan and implement effective programs for the identification of gifted and talented students and for the provision of educational services and programs appropriate for the needs of such students.

''(4) Because gifted and talented students are generally more advanced academically, are generally able to learn more quickly, and generally study in more depth and complexity than others their age, they require educational opportunities and experiences that are different from those usually available to other students.

''(5) A typical elementary school student who is academically gifted and talented has already mastered 35 to 50 percent of the content to be learned in several subjects in any school year before that year begins. Without an advanced and challenging curriculum, such a student may lose motivation and develop poor study habits that are difficult to break.

''(6) Classes in elementary and secondary schools in the United States consist of students with a wide variety of traits, characteristics, and needs. Although most teachers receive some training to meet the needs of students with limited English proficiency, students with disabilities, and students from diverse cultural and racial backgrounds, few receive training to meet the needs of students who are gifted and talented.

''(b) PURPOSE.—The purpose of this subpart is to initiate a coordinated program of scientifically based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary and secondary schools nationwide to meet the special educational needs of gifted and talented students.

"SEC. 4163. RULE OF CONSTRUCTION.

Nothing in this subpart shall be construed to prohibit a recipient of funds under this subpart from serving gifted and talented students simultaneously with students with similar educational needs, in the same educational settings where appropriate.

"SEC. 4164. AUTHORIZED PROGRAMS.

''(a) ESTABLISHMENT OF PROGRAM.—

''(1) IN GENERAL.—From the sums available to carry out this subpart in any fiscal year, the Secretary (after consultation with experts in the field of the education of gifted and talented students) shall make grants to, or enter into contracts with, State educational agencies, local educational agencies, institutions of higher education, other public agencies, and other private agencies and organizations (including Indian tribes and Indian organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) and Native Hawaiian organizations) to assist such agencies, institutions, and organizations in carrying out programs or projects authorized by this subpart that are designed to meet the educational needs of gifted and talented students, including the training of personnel in the education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.

''(2) APPLICATION.—

''(A) IN GENERAL.—Each entity seeking assistance under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(B) CONTENTS.—Each application submitted under this paragraph shall describe how—

''(i) the proposed gifted and talented services, materials, and methods can be adapted, if appropriate, for use by all students; and

''(ii) the proposed programs can be evaluated.

''(b) USE OF FUNDS.—Programs and projects assisted under this section may include each of the following:

''(1) Conducting—

''(A) scientifically based research on methods and techniques for identifying and teaching gifted and talented students, and for using gifted and talented programs and methods to serve all students; and

''(B) program evaluations, surveys, and the collection, analysis, and development of information needed to accomplish the purpose of this subpart.

''(2) Professional development (including fellowships) for personnel (including leadership personnel) involved in the education of gifted and talented students.

''(3) Establishment and operation of model projects and exemplary programs for serving gifted and talented students, including innovative methods for identifying and educating students who may not be served by traditional gifted and talented programs, including summer programs, mentoring programs, service learning programs, and cooperative programs involving business, industry, and education.

''(4) Implementing innovative strategies, such as cooperative learning, peer tutoring, and service learning.

''(5) Programs of technical assistance and information dissemination, including assistance and information with respect to how gifted and talented programs and methods, where appropriate, may be adapted for use by all students.

''(c) ESTABLISHMENT OF NATIONAL CENTER.—

''(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall establish a National Center for Research and Development in the Education of Gifted and Talented Children and Youth through grants to or contracts with one or more institutions of higher education or State educational agencies, or a combination or consortium of such institutions and agencies and other public or private agencies and organizations, for the purpose of carrying out activities described in paragraph (1) of subsection (b).

''(2) DIRECTOR.—The National Center established under paragraph (1) shall be headed by a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be agreed upon through arrangements with institutions of higher education, State or local educational agencies, or other public or private agencies and organizations.

''(d) LIMITATION.—Not more than 30 percent of the funds available in any fiscal year to carry out the programs and projects authorized by this section may be used to conduct activities pursuant to subsection (b)(1) or subsection (c).

''(e) COORDINATION.—Scientifically based research activities supported under this subpart—

''(1) shall be carried out in consultation with the Office of Educational Research and Improvement to ensure that such activities are coordinated with and enhance the research and development activities supported by such Office; and

''(2) may include collaborative scientifically based research activities which are jointly funded and carried out with such Office.

"SEC. 4165. PROGRAM PRIORITIES.

''(a) GENERAL PRIORITY.—In carrying out this subpart, the Secretary shall give highest priority to programs and projects designed to develop new information that—

''(1) improves the capability of schools to plan, conduct, and improve programs to identify and serve gifted and talented students; and

''(2) assists schools in the identification of, and provision of services to, gifted and talented students who may not be identified and served through traditional assessment methods (including economically disadvantaged individuals, individuals of limited English proficiency, and individuals with disabilities).

''(b) SERVICE PRIORITY.—In approving applications for assistance under section 4164(a)(2), the Secretary shall ensure that in each fiscal year not less than 50 percent of the applications approved under such section address the priority described in subsection (a)(2) of this section.

"SEC. 4166. GENERAL PROVISIONS.

''(a) PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND TEACHERS.—In making grants and entering into contracts under this subpart, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary and secondary schools, including the participation of teachers and other personnel in professional development programs serving such children.

''(b) REVIEW, DISSEMINATION, AND EVALUATION.—The Secretary shall—

''(1) use a peer review process in reviewing applications under this subpart;

''(2) ensure that information on the activities and results of programs and projects funded under this subpart is disseminated to appropriate State and local educational agencies and other appropriate organizations, including nonprofit private organizations; and

''(3) evaluate the effectiveness of programs under this subpart in accordance with section 8651, both in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to the Congress not later than 2 years after the date of the enactment of the No Child Left Behind Act of 2001.

''(c) PROGRAM OPERATIONS.—The Secretary shall ensure that the programs under this subpart are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—

''(1) administer and coordinate the programs authorized under this subpart;

''(2) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the availability of educational services and programs designed to meet such needs; and

''(3) assist the Assistant Secretary of the Office of Educational Research and Improvement in identifying research priorities which reflect the needs of gifted and talented students.

"SEC. 4167. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this subpart such sums as may be necessary for each of fiscal years 2002 through 2006.''.

SEC. 402. CONTINUATION OF AWARDS.

Notwithstanding any other provision of this Act, any person or agency that was awarded a grant under part B or D of title X (20 U.S.C. 8031 et seq., 8091 et seq.) prior to the date of the enactment of this Act shall continue to receive funds in accordance with the terms of such award until the date on which the award period terminates under such terms.

PART B—PUBLIC CHARTER SCHOOLS

SEC. 411. PUBLIC CHARTER SCHOOLS.

Title IV, as amended by section 401, is further amended by adding at the end the following:

"PART B—PUBLIC CHARTER SCHOOLS

"SEC. 4201. FINDINGS AND PURPOSE.

''(a) FINDINGS.—The Congress finds that—

''(1) enhancement of parent and student choices among public schools can assist in promoting comprehensive educational reform and give more students the opportunity to meet challenging State academic content standards and State student academic achievement standards, if sufficiently diverse and high-quality choices, and genuine opportunities to take advantage of such choices, are available to all students;

''(2) useful examples of such choices can come from States and communities that experiment with methods of offering teachers and other educators, parents, and other members of the public the opportunity to design and implement new public schools and to transform existing public schools;

''(3) charter schools are a mechanism for testing a variety of educational approaches and should, therefore, be exempted from restrictive rules and regulations if the leadership of such schools commits to attaining specific and ambitious educational results for educationally disadvantaged students consistent with challenging State academic content standards and State student academic achievement standards for all students;

''(4) charter schools can embody the necessary mixture of enhanced choice, exemption from restrictive regulations, and a focus on learning gains;

''(5) charter schools, including charter schools that are schools-within-schools, can help reduce school size, and this reduction can have a significant effect on student achievement;

''(6) the Federal Government should test, evaluate, and disseminate information on a variety of charter school models in order to help demonstrate the benefits of this promising educational reform; and

''(7) there is a strong documented need for cash-flow assistance to charter schools that are starting up, because State and local operating revenue streams are not immediately available.

''(b) PURPOSE.—It is the purpose of this part to increase national understanding of the charter schools model by—

''(1) providing financial assistance for the planning, program design and initial implementation of charter schools;

''(2) evaluating the effects of such schools, including the effects on students, student academic achievement, staff, and parents; and

''(3) expanding the number of high-quality charter schools available to students across the Nation.

"SEC. 4202. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Secretary may award grants to State educational agencies having applications approved pursuant to section 4203 to enable such agencies to conduct a charter school grant program in accordance with this part.

''(b) SPECIAL RULE.—If a State educational agency elects not to participate in the program authorized by this part or does not have an application approved under section 4203, the Secretary may award a grant to an eligible applicant that serves such State and has an application approved pursuant to section 4203(c).

''(c) PROGRAM PERIODS.—

''(1) GRANTS TO STATES.—Grants awarded to State educational agencies under this part shall be awarded for a period of not more than 3 years.

''(2) GRANTS TO ELIGIBLE APPLICANTS.—Grants awarded by the Secretary to eligible applicants or subgrants awarded by State educational agencies to eligible applicants under this part shall be awarded for a period of not more than 3 years, of which the eligible applicant may use—

''(A) not more than 18 months for planning and program design;

''(B) not more than 2 years for the initial implementation of a charter school; and

''(C) not more than 2 years to carry out dissemination activities described in section 4204(f)(6)(B).

''(d) LIMITATION.—A charter school may not receive—

''(1) more than one grant for activities described in subparagraphs (A) and (B) of subsection (c)(2); or

''(2) more than one grant for activities under subparagraph (C) of subsection (c)(2).

''(e) PRIORITY TREATMENT.—

''(1) IN GENERAL.—In awarding grants under this part from any funds appropriated under section 4211, the Secretary shall give priority to States to the extent that the States meet the criteria described in paragraph (2) and one or more of the criteria described in subparagraph (A), (B), or (C) of paragraph (3).

''(2) REVIEW AND EVALUATION PRIORITY CRITERIA.—The criteria referred to in paragraph (1) is that the State provides for periodic review and evaluation by the authorized public chartering agency of each charter school, at least once every 5 years unless required more frequently by State law, to determine wheth-

er the charter school is meeting the terms of the school's charter, and is meeting or exceeding the academic performance requirements and goals for charter schools as set forth under State law or the school's charter.

''(3) PRIORITY CRITERIA.—The criteria referred to in paragraph (1) are the following:

''(A) The State has demonstrated progress, in increasing the number of high quality charter schools that are held accountable in the terms of the schools' charters for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which a State educational agency or eligible applicant applies for a grant under this part.

''(B) The State—

''(i) provides for one authorized public chartering agency that is not a local educational agency, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to such State law; or

''(ii) in the case of a State in which local educational agencies are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

''(C) The State ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures.

''(f) AMOUNT CRITERIA.—In determining the amount of a grant to be awarded under this part to a State educational agency, the Secretary shall take into consideration the number of charter schools that are operating, or are approved to open, in the State.

"SEC. 4203. APPLICATIONS.

''(a) APPLICATIONS FROM STATE AGENCIES.—Each State educational agency desiring a grant from the Secretary under this part shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may require.

''(b) CONTENTS OF A STATE EDUCATIONAL AGENCY APPLICATION.—Each application submitted pursuant to subsection (a) shall—

''(1) describe the objectives of the State educational agency's charter school grant program and how such objectives will be fulfilled, including steps taken by the State educational agency to inform teachers, parents, and communities of the State educational agency's charter school grant program; and

''(2) describe how the State educational agency—

''(A) will inform each charter school in the State regarding—

''(i) Federal funds that the charter school is eligible to receive; and

''(ii) Federal programs in which the charter school may participate;

''(B) will ensure that each charter school in the State receives the charter school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the charter school; and

''(C) will disseminate best or promising practices of charter schools to each local educational agency in the State; and

''(3) contain assurances that the State educational agency will require each eligible applicant desiring to receive a subgrant to submit an application to the State educational agency containing—

''(A) a description of the educational program to be implemented by the proposed charter school, including—

''(i) how the program will enable all students to meet challenging State student academic achievement standards;

''(ii) the grade levels or ages of children to be served; and

''(iii) the curriculum and instructional practices to be used;

''(B) a description of how the charter school will be managed;

''(C) a description of—

''(i) the objectives of the charter school; and

''(ii) the methods by which the charter school will determine its progress toward achieving those objectives;

''(D) a description of the administrative relationship between the charter school and the authorized public chartering agency;

''(E) a description of how parents and other members of the community will be involved in the planning, program design and implementation of the charter school;

''(F) a description of how the authorized public chartering agency will provide for continued operation of the school once the Federal grant has expired, if such agency determines that the school has met the objectives described in subparagraph (C)(i);

''(G) a request and justification for waivers of any Federal statutory or regulatory provisions that the applicant believes are necessary for the successful operation of the charter school, and a description of any State or local rules, generally applicable to public schools, that will be waived for, or otherwise not apply to, the school;

''(H) a description of how the subgrant funds or grant funds, as appropriate, will be used, including a description of how such funds will be used in conjunction with other Federal programs administered by the Secretary;

''(I) a description of how students in the community will be—

''(i) informed about the charter school; and

''(ii) given an equal opportunity to attend the charter school;

''(J) an assurance that the eligible applicant will annually provide the Secretary and the State educational agency such information as may be required to determine if the charter school is making satisfactory progress toward achieving the objectives described in subparagraph (C)(i);

''(K) an assurance that the applicant will cooperate with the Secretary and the State educational agency in evaluating the program assisted under this part;

''(L) a description of how a charter school that is considered a local educational agency under State law, or a local educational agency in which a charter school is located, will comply with sections 613(a)(5) and 613(e)(1)(B) of the Individuals with Disabilities Education Act;

''(M) if the eligible applicant desires to use subgrant funds for dissemination activities under section 4202(c)(2)(C), a description of those activities and how those activities will involve charter schools and other public schools, local educational agencies, developers, and potential developers; and

''(N) such other information and assurances as the Secretary and the State educational agency may require.

''(c) CONTENTS OF ELIGIBLE APPLICANT APPLICATION.—Each eligible applicant desiring a grant pursuant to section 4202(b) shall submit an application to the State educational agency or Secretary, respectively, at such time, in such manner, and accompanied by such information as the State educational agency or Secretary, respectively, may reasonably require.

''(d) CONTENTS OF APPLICATION.—Each application submitted pursuant to subsection (c) shall contain—

''(1) the information and assurances described in subparagraphs (A) through (N) of subsection (b)(3), except that for purposes of this subsection subparagraphs (J), (K), and (N) of such subsection shall be applied by striking 'and the State educational agency' each place such term appears;

''(2) assurances that the State educational agency—

''(A) will grant, or will obtain, waivers of State statutory or regulatory requirements; and

''(B) will assist each subgrantee in the State in receiving a waiver under section 4204(e); and

''(3) assurances that the eligible applicant has provided its authorized public chartering authority timely notice, and a copy, of the application, except that the State educational agency (or the Secretary, in the case of an application submitted to the Secretary) may waive this requirement in the case of an application for a precharter planning grant or subgrant if the authorized public chartering authority to which a charter school proposal will be submitted has not been determined at the time the grant or subgrant application is submitted.

"SEC. 4204. ADMINISTRATION.

''(a) SELECTION CRITERIA FOR STATE EDUCATIONAL AGENCIES.—The Secretary shall award grants to State educational agencies under this part on the basis of the quality of the applications submitted under section 4203(b), after taking into consideration such factors as—

''(1) the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students to achieving State academic content standards and State student academic achievement standards and, in general, a State's education improvement plan;

''(2) the degree of flexibility afforded by the State educational agency to charter schools under the State's charter schools law;

''(3) the ambitiousness of the objectives for the State charter school grant program;

''(4) the quality of the strategy for assessing achievement of those objectives;

''(5) the likelihood that the charter school grant program will meet those objectives and improve educational results for students;

''(6) the number of high quality charter schools created under this part in the State; and

''(7) in the case of State educational agencies that propose to use grant funds to support dissemination activities under section 4202(c)(2)(C), the quality of those activities and the likelihood that those activities will improve student academic achievement.

''(b) SELECTION CRITERIA FOR ELIGIBLE APPLICANTS.—The Secretary shall award grants to eligible applicants under this part on the basis of the quality of the applications submitted under section 4203(c), after taking into consideration such factors as—

''(1) the quality of the proposed curriculum and instructional practices;

''(2) the degree of flexibility afforded by the State educational agency and, if applicable, the local educational agency to the charter school;

''(3) the extent of community support for the application;

''(4) the ambitiousness of the objectives for the charter school;

''(5) the quality of the strategy for assessing achievement of those objectives;

''(6) the likelihood that the charter school will meet those objectives and improve educational results for students; and

''(7) in the case of an eligible applicant that proposes to use grant funds to support dissemination activities under section 4202(c)(2)(C), the quality of those activities and the likelihood that those activities will improve student achievement.

''(c) PEER REVIEW.—The Secretary, and each State educational agency receiving a grant under this part, shall use a peer review process to review applications for assistance under this part.

''(d) DIVERSITY OF PROJECTS.—The Secretary and each State educational agency receiving a grant under this part, shall award subgrants under this part in a manner that, to the extent possible, ensures that such grants and subgrants—

''(1) are distributed throughout different areas of the Nation and each State, including urban and rural areas; and

''(2) will assist charter schools representing a variety of educational approaches, such as approaches designed to reduce school size.

''(e) WAIVERS.—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority except any such requirement relating to the elements of a charter school described in section 4210(1), if—

''(1) the waiver is requested in an approved application under this part; and

''(2) the Secretary determines that granting such a waiver will promote the purpose of this part.

''(f) USE OF FUNDS.—

''(1) STATE EDUCATIONAL AGENCIES.—Each State educational agency receiving a grant under this part shall use such grant funds to award subgrants to one or more eligible applicants in the State to enable such applicant to plan and implement a charter school in accordance with this part, except that the State educational agency may reserve not more than 10 percent of the grant funds to support dissemination activities described in paragraph (6).

''(2) ELIGIBLE APPLICANTS.—Each eligible applicant receiving funds from the Secretary or a State educational agency shall use such funds to plan and implement a charter school, or to disseminate information about the charter school and successful practices in the charter school, in accordance with this part.

''(3) ALLOWABLE ACTIVITIES.—An eligible applicant receiving a grant or subgrant under this part may use the grant or subgrant funds only for—

''(A) post-award planning and design of the educational program, which may include—

''(i) refinement of the desired educational results and of the methods for measuring progress toward achieving those results; and

''(ii) professional development of teachers and other staff who will work in the charter school; and

''(B) initial implementation of the charter school, which may include—

''(i) informing the community about the school;

''(ii) acquiring necessary equipment and educational materials and supplies;

''(iii) acquiring or developing curriculum materials; and

''(iv) other initial operational costs that cannot be met from State or local sources.

''(4) ADMINISTRATIVE EXPENSES.—Each State educational agency receiving a grant pursuant to this part may reserve not more than 5 percent of such grant funds for administrative expenses associated with the charter school grant program assisted under this part. A local educational agency may not deduct funds for administrative fees or expenses from a subgrant awarded to an eligible applicant.

''(5) REVOLVING LOAN FUNDS.—Each State educational agency receiving a grant pursuant to this part may reserve not more than 10 percent of the grant amount for the establishment of a revolving loan fund. Such fund may be used to make loans to eligible applicants that have received a subgrant under this part, under such terms as may be determined by the State educational agency, for the initial operation of the charter school grant program of such recipient until such time as the recipient begins receiving ongoing operational support from State or local financing sources.

''(6) DISSEMINATION.—

''(A) IN GENERAL.—A charter school may apply for funds under this part, whether or not the charter school has applied for or received funds under this part for planning, program design, or implementation, to carry out the activities described in subparagraph (B) if the charter school has been in operation for at least 3 consecutive years and has demonstrated overall success, including—

''(i) substantial progress in improving student academic achievement;

''(ii) high levels of parent satisfaction; and

''(iii) the management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school.

''(B) ACTIVITIES.—A charter school described in subparagraph (A) may use funds reserved under paragraph (1) to assist other schools in adapting the charter school's program (or certain aspects of the charter school's program), or to disseminate information about the charter school, through such activities as—

''(i) assisting other individuals with the planning and start-up of one or more new public schools, including charter schools, that are independent of the assisting charter school and the assisting charter school's developers, and that agree to be held to at least as high a level of accountability as the assisting charter school;

''(ii) developing partnerships with other public schools, including charter schools, designed to improve student academic achievement in each of the schools participating in the partnership;

''(iii) developing curriculum materials, academic assessments, and other materials that promote increased student academic achievement and are based on successful practices within the assisting charter school; and

''(iv) conducting evaluations and developing materials that document the successful practices of the assisting charter school and that are designed to improve student academic achievement in other schools.

''(g) TRIBALLY CONTROLLED SCHOOLS.—Each State that receives a grant under this part and designates a tribally controlled school as a charter school shall not consider payments to a school under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2507) in determining—

''(1) the eligibility of the school to receive any other Federal, State, or local aid; or

''(2) the amount of such aid.

"SEC. 4205. NATIONAL ACTIVITIES.

''(a) IN GENERAL.—The Secretary shall reserve for each fiscal year the greater of 5 percent or $5,000,000 of the amount appropriated to carry out this part, except that in no fiscal year shall the total amount so reserved exceed $8,000,000, to carry out the following activities:

''(1) To provide charter schools, either directly or through State educational agencies, with—

''(A) information regarding—

''(i) Federal funds that charter schools are eligible to receive; and

''(ii) other Federal programs in which charter schools may participate; and

''(B) assistance in applying for Federal education funds that are allocated by formula, including assistance with filing deadlines and submission of applications.

''(2) To provide for other evaluations or studies that include the evaluation of the impact of charter schools on student academic achievement, including information regarding—

''(A) students attending charter schools reported on the basis of race, age, disability, gender, limited English proficiency, and previous enrollment in public school; and

''(B) the professional qualifications of teachers within a charter school and the turnover of the teaching force.

''(3) To provide—

''(A) information to applicants for assistance under this part;

''(B) assistance to applicants for assistance under this part with the preparation of applications under section 4203;

''(C) assistance in the planning and startup of charter schools;

''(D) training and technical assistance to existing charter schools; and

''(E) for the dissemination to other public schools of best or promising practices in charter schools.

''(4) To provide (including through the use of one or more contracts that use a competitive bidding process) for the collection of information regarding the financial resources available to charter schools, including access to private capital, and to widely disseminate to charter schools any such relevant information and model descriptions of successful programs.

''(b) CONSTRUCTION.—Nothing in this section shall be construed to require charter schools to collect any data described in subsection (a).

"SEC. 4206. FEDERAL FORMULA ALLOCATION DURING FIRST YEAR AND FOR SUCCESSIVE ENROLLMENT EXPANSIONS.

''(a) IN GENERAL.—For purposes of the allocation to schools by the States or their agencies of funds under part A of title I, and any other Federal funds which the Secretary allocates to States on a formula basis, the Secretary and each State educational agency shall take such measures as are necessary to ensure that every charter school receives the Federal funding for which the charter school is eligible not later than 5 months after the charter school first opens, notwithstanding the fact that the identity and characteristics of the students enrolling in that charter school are not fully and completely determined until that charter school actually opens. The measures similarly shall ensure that every charter school expanding its enrollment in any subsequent year of operation receives the Federal funding for which the charter school is eligible not later than 5 months after such expansion.

''(b) ADJUSTMENT AND LATE OPENINGS.—

''(1) IN GENERAL.—The measures described in subsection (a) shall include provision for appropriate adjustments, through recovery of funds or reduction of payments for the succeeding year, in cases where payments made to a charter school on the basis of estimated or projected enrollment data exceed the amounts that the school is eligible to receive on the basis of actual or final enrollment data.

''(2) RULE.—For charter schools that first open after November 1 of any academic year, the State, in accordance with guidance provided by the Secretary and applicable Federal statutes and regulations, shall ensure that such charter schools that are eligible for the funds described in subsection (a) for such academic year have a full and fair opportunity to receive those funds during the charter schools' first year of operation.

"SEC. 4207. SOLICITATION OF INPUT FROM CHARTER SCHOOL OPERATORS.

''To the extent practicable, the Secretary shall ensure that administrators, teachers, and other individuals directly involved in the operation of charter schools are consulted in the development of any rules or regulations required to implement this part, as well as in the development of any rules or regulations relevant to charter schools that are required to implement part A of title I, the Individuals with Disabilities Education

Act (20 U.S.C. 1400 et seq.), or any other program administered by the Secretary that provides education funds to charter schools or regulates the activities of charter schools.

"SEC. 4208. RECORDS TRANSFER.

"State educational agencies and local educational agencies, to the extent practicable, shall ensure that a student's records and, if applicable, a student's individualized education program as defined in section 602(11) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(11)), are transferred to a charter school upon the transfer of the student to the charter school, to another public school upon the transfer of the student from a charter school to another public school, and to a private school upon the transfer of the student from a charter or public school to the private school (with the written consent of a parent of the student), in accordance with applicable State law.

"SEC. 4209. PAPERWORK REDUCTION.

"To the extent practicable, the Secretary and each authorized public chartering agency shall ensure that implementation of this part results in a minimum of paperwork for any eligible applicant or charter school.

"SEC. 4210. DEFINITIONS.

"As used in this part:

"(1) The term 'charter school' means a public school that—

"(A) in accordance with a specific State statute authorizing the granting of charters to schools, is exempted from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph;

"(B) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

"(C) operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;

"(D) provides a program of elementary or secondary education, or both;

"(E) is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

"(F) does not charge tuition;

"(G) complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, and part B of the Individuals with Disabilities Education Act;

"(H) is a school to which parents choose to send their children, and that admits students on the basis of a lottery, or in another nondiscriminatory manner consistent with State law, if more students apply for admission than can be accommodated;

"(I) agrees to comply with the same Federal and State audit requirements as do other elementary and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;

"(J) meets all applicable Federal, State, and local health and safety requirements;

"(K) operates in accordance with State law; and

"(L) has a written performance contract with the authorized public chartering agency in the State that includes a description of how student academic achievement will be measured in charter schools pursuant to State academic assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school.

"(2) The term 'developer' means an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out.

"(3) The term 'eligible applicant' means a developer that has—

"(A) applied to an authorized public chartering authority; and

"(B) provided adequate and timely notice to that authority under section 4203(d)(3).

"(4) The term 'authorized public chartering agency' means a State educational agency, local educational agency, or other public entity that has the authority pursuant to State law and approved by the Secretary to authorize or approve a charter school.

"SEC. 4211. AUTHORIZATION OF APPROPRIATIONS.

"For the purpose of carrying out this part, there are authorized to be appropriated $225,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.".

SEC. 412. CONTINUATION OF AWARDS.

Notwithstanding any other provision of this Act, any person or agency that was awarded a grant or subgrant under subpart 1 of part C of title X (20 U.S.C. 8061 et seq.) prior to the date of the enactment of this Act shall continue to receive funds in accordance with the terms of such award until the date on which the award period terminates under such terms.

PART C—MAGNET SCHOOLS ASSISTANCE; WOMEN'S EDUCATIONAL EQUITY

SEC. 421. MAGNET SCHOOLS ASSISTANCE.

Title IV, as amended by sections 401 and 411, is further amended by adding at the end the following:

"PART C—MAGNET SCHOOLS ASSISTANCE; WOMEN'S EDUCATIONAL EQUITY

"Subpart 1—Magnet Schools Assistance

"SEC. 4301. FINDINGS.

"The Congress finds as follows:

"(1) Magnet schools are a significant part of the Nation's efforts to achieve voluntary desegregation in our schools.

"(2) The use of magnet schools has increased dramatically since the inception of the magnet schools assistance program under this Act, with approximately 2,000,000 students nationwide attending such schools, of whom more than 65 percent are non-white.

"(3) Magnet schools offer a wide range of distinctive programs that have served as models for school improvement efforts.

"(4) It is in the best interests of the United States—

"(A) to continue the Federal Government's support of local educational agencies that are implementing court-ordered desegregation plans and local educational agencies that are voluntarily seeking to foster meaningful interaction among students of different racial and ethnic backgrounds, beginning at the earliest stage of such students' education;

"(B) to ensure that all students have equitable access to a quality education that will prepare them to function well in a highly competitive economy;

"(C) to maximize the ability of local educational agencies to plan, develop, implement, and continue effective and innovative magnet schools that contribute to State and local systemic reform; and

"(D) to ensure that grant recipients provide adequate data that demonstrate an ability to improve student academic achievement.

"SEC. 4302. STATEMENT OF PURPOSE.

"The purpose of this part is to assist in the desegregation of schools served by local educational agencies by providing financial assistance to eligible local educational agencies for—

"(1) the elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority students;

"(2) the development and implementation of magnet school projects that will assist local educational agencies in achieving systemic reforms and providing all students the opportunity to meet challenging State academic content standards and student academic achievement standards;

"(3) the development and design of innovative educational methods and practices that promote diversity and increase choices in public elementary and secondary schools and educational programs; and

"(4) courses of instruction within magnet schools that will substantially strengthen the knowledge of academic subjects and the grasp of tangible and marketable vocational and technical skills of students attending such schools.

"SEC. 4303. PROGRAM AUTHORIZED.

"The Secretary, in accordance with this part, is authorized to make grants to eligible local educational agencies, and consortia of such agencies where appropriate, to carry out the purpose of this part for magnet schools that are—

"(1) part of an approved desegregation plan; and

"(2) designed to bring students from different social, economic, ethnic, and racial backgrounds together.

"SEC. 4304. DEFINITION.

"For the purpose of this part, the term 'magnet school' means a public elementary or secondary school or public elementary or secondary education center that offers a special curriculum capable of attracting substantial numbers of students of different racial backgrounds.

"SEC. 4305. ELIGIBILITY.

"A local educational agency, or consortium of such agencies where appropriate, is eligible to receive assistance under this part to carry out the purpose of this part if such agency or consortium—

"(1) is implementing a plan undertaken pursuant to a final order issued by a court of the United States, or a court of any State, or any other State agency or official of competent jurisdiction, that requires the desegregation of minority-group-segregated children or faculty in the elementary and secondary schools of such agency; or

"(2) without having been required to do so, has adopted and is implementing, or will, if assistance is made available to such local educational agency or consortium of such agencies under this part, adopt and implement a plan that has been approved by the Secretary as adequate under title VI of the Civil Rights Act of 1964 for the desegregation of minority-group-segregated children or faculty in such schools.

"SEC. 4306. APPLICATIONS AND REQUIREMENTS.

"(a) APPLICATIONS.—An eligible local educational agency, or consortium of such agencies, desiring to receive assistance under this part shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may reasonably require.

"(b) INFORMATION AND ASSURANCES.—Each such application shall include—

"(1) a description of—

"(A) how assistance made available under this part will be used to promote desegregation, including how the proposed magnet school project will increase interaction among students of different social, economic, ethnic, and racial backgrounds;

"(B) the manner and extent to which the magnet school project will increase student academic achievement in the instructional area or areas offered by the school;

"(C) how an applicant will continue the magnet school project after assistance under

this part is no longer available, including, if applicable, an explanation of why magnet schools established or supported by the applicant with funds under this part cannot be continued without the use of funds under this part;

''(D) how funds under this part will be used to improve student academic performance for all students attending the magnet schools; and

''(E) the criteria to be used in selecting students to attend the proposed magnet school projects; and

''(2) assurances that the applicant will—

''(A) use funds under this part for the purpose specified in section 4302;

''(B) employ fully qualified teachers in the courses of instruction assisted under this part;

''(C) not engage in discrimination based on race, religion, color, national origin, sex, or disability in—

''(i) the hiring, promotion, or assignment of employees of the agency or other personnel for whom the agency has any administrative responsibility;

''(ii) the assignment of students to schools, or to courses of instruction within the school, of such agency, except to carry out the approved plan; and

''(iii) designing or operating extracurricular activities for students;

''(D) carry out a high-quality education program that will encourage greater parental decisionmaking and involvement; and

''(E) give students residing in the local attendance area of the proposed magnet school projects equitable consideration for placement in those projects.

''SEC. 4307. PRIORITY.

''In approving applications under this part, the Secretary shall give priority to applicants that—

''(1) demonstrate the greatest need for assistance, based on the expense or difficulty of effectively carrying out an approved desegregation plan and the projects for which assistance is sought;

''(2) propose to carry out new magnet school projects, or significantly revise existing magnet school projects; and

''(3) propose to select students to attend magnet school projects by methods such as lottery, rather than through academic examination.

''SEC. 4308. USE OF FUNDS.

''(a) IN GENERAL.—Grant funds made available under this part may be used by an eligible local educational agency or consortium of such agencies—

''(1) for planning and promotional activities directly related to the development, expansion, continuation, or enhancement of academic programs and services offered at magnet schools;

''(2) for the acquisition of books, materials, and equipment, including computers and the maintenance and operation thereof, necessary for the conduct of programs in magnet schools;

''(3) for the payment, or subsidization of the compensation, of elementary and secondary school teachers who are fully qualified, and instructional staff where applicable, who are necessary for the conduct of programs in magnet schools;

''(4) with respect to a magnet school program offered to less than the entire student population of a school, for instructional activities that—

''(A) are designed to make available the special curriculum that is offered by the magnet school project to students who are enrolled in the school but who are not enrolled in the magnet school program; and

''(B) further the purpose of this part; and

''(5) for activities, which may include professional development, that will build the recipient's capacity to operate magnet school programs once the grant period has ended.

''(b) SPECIAL RULE.—Grant funds under this part may be used in accordance with paragraphs (2) and (3) of subsection (a) only if the activities described in such paragraphs are directly related to improving the students' academic performance based on the State's challenging academic content standards and student academic achievement standards or directly related to improving the students' reading skills or knowledge of mathematics, science, history, geography, English, foreign languages, art, or music, or to improving vocational and technical skills.

''SEC. 4309. PROHIBITIONS.

''(a) TRANSPORTATION.—Grants under this part may not be used for transportation or any activity that does not augment academic improvement.

''(b) PLANNING.—A local educational agency shall not expend funds under this part after the third year that such agency receives funds under this part for such project.

''SEC. 4310. LIMITATIONS.

''(a) DURATION OF AWARDS.—A grant under this part shall be awarded for a period that shall not exceed three fiscal years.

''(b) LIMITATION ON PLANNING FUNDS.—A local educational agency may expend for planning not more than 50 percent of the funds received under this part for the first year of the project, 15 percent of such funds for the second such year, and 10 percent of such funds for the third such year.

''(c) AMOUNT.—No local educational agency or consortium awarded a grant under this part shall receive more than $4,000,000 under this part in any one fiscal year.

''(d) TIMING.—To the extent practicable, the Secretary shall award grants for any fiscal year under this part not later than July 1 of the applicable fiscal year.

''SEC. 4311. EVALUATIONS.

''(a) RESERVATION.—The Secretary may reserve not more than 2 percent of the funds appropriated under section 4312(a) for any fiscal year to carry out evaluations, technical assistance, and dissemination projects with respect to magnet school projects and programs assisted under this part.

''(b) CONTENTS.—Each evaluation described in subsection (a), at a minimum, shall address—

''(1) how and the extent to which magnet school programs lead to educational quality and improvement;

''(2) the extent to which magnet school programs enhance student access to quality education;

''(3) the extent to which magnet school programs lead to the elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority students; and

''(4) the extent to which magnet school programs differ from other school programs in terms of the organizational characteristics and resource allocations of such magnet school programs.

''SEC. 4312. AUTHORIZATION OF APPROPRIATIONS; RESERVATION.

''(a) AUTHORIZATION.—For the purpose of carrying out this part, there are authorized to be appropriated $125,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(b) AVAILABILITY OF FUNDS FOR GRANTS TO AGENCIES NOT PREVIOUSLY ASSISTED.—In any fiscal year for which the amount appropriated pursuant to subsection (a) exceeds $75,000,000, the Secretary shall give priority to using such amounts in excess of $75,000,000 to award grants to local educational agencies or consortia of such agencies that did not receive a grant under this part in the preceding fiscal year.''.

SEC. 422. WOMEN'S EDUCATIONAL EQUITY.

(a) TRANSFER AND REDESIGNATION.—Part B of title V (20 U.S.C. 7231 et seq.) is transferred and redesignated as subpart 2 of part C of title IV. Sections 5201 through 5208 are redesignated as sections 4321 through 4328, respectively.

(b) REPORT.—Section 4326 (as so redesignated) is amended by striking ''January 1, 1999,'' and inserting ''January 1, 2005,''.

(c) EVALUATION AND DISSEMINATION.—Section 4327(a) (as so redesignated) is amended—

(1) by striking ''14701,'' and inserting ''8651,''; and

(2) by striking ''January 1, 1998.'' and inserting ''January 1, 2004.''.

(d) REAUTHORIZATION.—Section 4328 (as so redesignated) is amended by striking ''$5,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years,'' and inserting ''$3,000,000 for fiscal year 2002 and such sums as may be necessary for each of the four succeeding fiscal years,''.

(e) OTHER CONFORMING AMENDMENTS.—

(1) SHORT TITLE.—Section 4321(a) (as so redesignated) is amended to read as follows:

''(a) SHORT TITLE.—This subpart may be cited as the 'Women's Educational Equity Act of 2001'.''.

(2) REFERENCES.—Subpart 2 of part C of title IV (as so redesignated) is amended—

(A) by striking ''this part'' each place such term appears and inserting ''this subpart''; and

(B) by striking ''5203(b)'' each place such term appears and inserting ''4423(b)''.

SEC. 423. CONTINUATION OF AWARDS.

Notwithstanding any other provision of this Act, any person or agency that was awarded a grant under part A of title V (20 U.S.C. 7201 et seq.), or a grant, contract, or cooperative agreement under part B of such title (20 U.S.C. 7231 et seq.), prior to the date of the enactment of this Act shall continue to receive funds in accordance with the terms of such award until the date on which the award period terminates under such terms.

TITLE V—21ST CENTURY SCHOOLS

SEC. 501. SAFE SCHOOLS.

Title V, except part B (which is transferred and redesignated as subpart 2 of part C of title IV by section 422(a) of this Act) is amended to read as follows:

''TITLE V—21ST CENTURY SCHOOLS

''PART A—SUPPORTING VIOLENCE AND DRUG PREVENTION AND ACADEMIC ENRICHMENT

''SEC. 5001. SHORT TITLE.

''This part may be cited as the '21st Century Schools Act of 2001'.

''SEC. 5002. PURPOSE.

''The purpose of this part is to support programs that prevent the use of illegal drugs, prevent violence, provide quality before and after school activities and supervision for school age youth, involve parents and communities, and are coordinated with related Federal, State, and community efforts and resources to foster a safe and drug-free learning environment in which students increase their academic achievement, through the provision of Federal assistance to—

''(1) States for grants to local educational agencies and consortia of such agencies to establish, operate, and improve local programs of drug and violence prevention in elementary and secondary schools;

''(2) States for grants to local educational agencies, community-based organizations, and other public entities and private organizations, for before and after school programs for youth; and

''(3) States and public and private nonprofit and for-profit organizations to conduct training, demonstrations, and evaluations.

"SEC. 5003. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated—

"(1) $475,000,000 for fiscal year 2002, and such sums as may be necessary for each of the 4 succeeding fiscal years, for State grants under subpart 1;

"(2) $900,000,000 for fiscal year 2002, and such sums as may be necessary for each of the four succeeding fiscal years, for State grants under subpart 2; and

"(3) $60,000,000 for fiscal year 2002, and for each of the 4 succeeding fiscal years, for national programs under subpart 3.

"Subpart 1—Safe Schools

"SEC. 5111. RESERVATIONS AND ALLOTMENTS.

"(a) RESERVATIONS.—From the amount made available under section 5003(1) to carry out this subpart for each fiscal year, the Secretary—

"(1) shall reserve 1 percent or $4,750,000 (whichever is greater) of such amount for grants to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with the Secretary's determination of their respective needs and to carry out programs described in this subpart;

"(2) shall reserve 1 percent or $4,750,000 (whichever is greater) of such amount for the Secretary of the Interior to carry out programs described in this subpart for Indian youth;

"(3) shall reserve 0.2 percent of such amount for Native Hawaiians to be used to carry out programs described in this subpart;

"(4) notwithstanding section 3 of the Leave No Child Behind Act of 2001, shall reserve an amount necessary to make continuation grants to grantees under part I of title X of this Act (under the terms of those grants), as such part existed on the day before the effective date of the Leave No Child Behind Act of 2001; and

"(5) notwithstanding section 3 of the Leave No Child Behind Act of 2001, shall reserve an amount necessary to make continuation grants to grantees under the Safe Schools/Healthy Students initiative (under the terms of those grants), as it existed on the day before the date of the effective date of the Leave No Child Behind Act of 2001.

"(b) STATE ALLOTMENTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary, for each fiscal year, shall allocate among the States—

"(A) one-half of the remainder not reserved under subsection (a) according to the ratio between the school-aged population of each State and the school-aged population of all the States; and

"(B) one-half of such remainder according to the ratio between the amount each State received under part A of title I for the preceding year and the sum of such amounts received by all the States.

"(2) MINIMUM.—For any fiscal year, no State shall be allotted under this subsection an amount that is less than ½ of 1 percent of the total amount allotted to all the States under this subsection.

"(c) REALLOTMENT OF UNUSED FUNDS.—If any State does not apply for an allotment under this subpart for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this section.

"(d) DEFINITION.—For the purposes of this section, the term 'Native Hawaiian' means any individual any of whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.

"SEC. 5112. RESERVATION OF STATE FUNDS FOR SAFE SCHOOLS.

"(a) STATE RESERVATION FOR THE GOVERNOR.—

"(1) IN GENERAL.—The chief executive officer of a State may reserve not more than 20 percent of the total amount allocated to a State under section 5111(b) for each fiscal year to award competitive grants and contracts to local educational agencies, community-based organizations, and other public entities and private organizations for programs or activities to support community efforts that complement activities of local educational agencies described in section 5115. Such officer shall award grants based on—

"(A) the quality of the activity or program proposed; and

"(B) how the program or activity is aligned with the appropriate principles of effectiveness described in section 5114(a).

"(2) SPECIAL CONSIDERATION.—In awarding funds under subparagraph (A), a chief executive officer shall give special consideration to grantees that pursue a comprehensive approach to drug and violence prevention by providing and incorporating mental health services in their programs.

"(3) ADMINISTRATIVE COSTS.—The chief executive officer of a State may use not more than 1 percent of the amount described in subparagraph (A) for the administrative costs incurred in carrying out the duties of such officer under this section.

"(b) STATE FUNDS.—

"(1) ADDITIONAL RESERVATIONS.—Each State shall reserve an amount equal to the total amount allotted to a State under section 5111(b), less the amount reserved under subsection (a) and paragraphs (2) and (3) of this subsection, for each fiscal year for its local educational agencies.

"(2) STATE ACTIVITIES.—A State may use not more than 4 percent of the total amount available under subsection (a) for State activities described in subsection (c).

"(3) STATE ADMINISTRATION.—A State may use not more than 1 percent of the amount made available under subsection (a) for the administrative costs of carrying out its responsibilities under this subpart.

"(c) ACTIVITIES.—

"(1) IN GENERAL.—A State shall use a portion of the funds described in subsection (b)(2), either directly, or through grants and contracts, to plan, develop, and implement capacity building, technical assistance, evaluation, program improvement services, and coordination activities for local educational agencies, community-based organizations, other public entities, and private organizations that are designed to support the implementation of programs and activities under this subpart.

"(2) DATA COLLECTION.—

"(A) STATISTICS.—A State may use a portion of the funds, not to exceed 20 percent, described in subsection (b)(2), either directly or through grants and contracts, to establish and implement a statewide system of collecting data regarding statistics on—

"(i) truancy rates; and

"(ii) the frequency, seriousness, and incidence of violence and drug related offenses resulting in suspensions and expulsion in elementary and secondary schools in States.

"(B) COMPILATION OF STATISTICS.—The statistics shall be compiled in accordance with definitions as determined in the State criminal code, but shall not identify victims of crimes or persons accused of crimes. The collected data shall include, incident reports by school officials, anonymous student surveys, and anonymous teacher surveys.

"(C) REPORTING.—Such data and statistics shall be reported to the public and shall be reported on a school-by-school basis.

"(D) LIMITATION.—Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, or practices with respect to crimes on school property or school security.

"(3) SAFE SCHOOLS.—The State shall establish and implement a statewide policy requiring that students attending persistently dangerous public elementary and secondary schools, as determined by the State, or who become a victim of a violent criminal offense, as defined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary or secondary school, within the local educational agency, including a public charter school and allowing payment of reasonable transportation costs and tuition costs for such students.

"SEC. 5113. STATE APPLICATION.

"(a) IN GENERAL.—In order to receive an allotment under section 5111 for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that—

"(1) describes the activities to be funded under section 5112(c);

"(2) describes how activities funded under this subpart will support State academic achievement standards in accordance with section 1111;

"(3) describes how funds under this subpart will be coordinated with programs under this Act, and other programs, as appropriate, in accordance with the provisions of section 8306;

"(4) provides an assurance that the application was developed in consultation and coordination with appropriate State officials and others, including the chief executive officer, the chief State school officer, the head of the State alcohol and drug abuse agency, the heads of the State health and mental health agencies, the head of the State criminal justice planning agency, the head of the State child welfare agency, the head of the State board of education, or their designees, and representatives of parents, students, and community-based organizations;

"(5) provides an assurance that the State will cooperate with, and assist, the Secretary in conducting data collection as required by section 5116(a);

"(6) provides an assurance that the local educational agencies in the State will comply with the provisions of section 8503 pertaining to the participation of private school children and teachers in the programs and activities under this subpart;

"(7) provides an assurance that funds under this subpart will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this subpart, be made available for programs and activities authorized under this subpart, and in no case supplant such State, local, and other non-Federal funds;

"(8) describes the results of the State's needs and resources assessment for violence and illegal drug use prevention which shall be based on the results of on-going evaluation (which may include data on the incidence and prevalence, age of onset, perception of health risk and perception of social disapproval of violence and illegal drug use by youth in schools and communities and the prevalence of risk and protective factors or other scientifically based research variables in the school and community);

"(9)(A) provides a statement of the State's performance measures for drug and violence prevention programs and activities to be funded under this part that shall be developed in consultation between the State and local officials and that consist of—

"(i) performance indicators for drug and violence prevention programs and activities; and

"(ii) levels of performance for each performance indicator;

"(B) a description of the procedures the State will use for assessing and publicly reporting progress toward meeting those performance measures; and

''(C) a plan for monitoring the implementation of, and providing technical assistance regarding, the activities and programs conducted by local educational agencies, community-based organizations, other public entities, and private organizations under this subpart;

''(10) provides an assurance that the State will consult with a representative sample of local educational agencies in the development of the definition of 'persistently dangerous school' for the purposes of section 5112(c)(3);

''(11) provides a description of how the State defines 'persistently dangerous school' for the purposes of section 5112(c)(3); and

''(12) provides an assurance that the State application will be available for public review after submission of the application.

''(b) GENERAL APPROVAL.—A State application submitted pursuant to subsection (a) shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 90-day period beginning on the date that the Secretary receives the application, that the application is in violation of this subpart.

''(c) DISAPPROVAL.—The Secretary shall not finally disapprove a State application, except after giving the State notice and opportunity for a hearing.

"SEC. 5114. FORMULA GRANT PROGRAM.

''(a) IN GENERAL.—

''(1) FUNDS TO LOCAL EDUCATIONAL AGENCIES.—A State shall provide the amount made available to the State under this subpart, less the amounts reserved under sections 5111 and 5112 to local educational agencies for drug and violence prevention and education as follows:

''(A) 60 percent of such amount based on the relative amount such agencies received under part A of title I for the preceding fiscal year.

''(B) 40 percent of such amount to local educational agencies based on the relative enrollments in public and private nonprofit elementary and secondary schools within the boundaries of such agencies.

''(2) ADMINISTRATIVE COSTS.—Of the amount received under paragraph (1), a local educational agency may use not more than 1 percent for the administrative costs of carrying out its responsibilities under this subpart.

''(3) RETURN OF FUNDS TO STATE; REALLOCATION.—

''(A) RETURN.—Except as provided in subparagraph (B), upon the expiration of the 1-year period beginning on the date that a local educational agency receives its allocation—

''(i) such agency shall return to the State any funds from such allocation that remain unobligated; and

''(ii) the State shall reallocate any such amount to local educational agencies that have submitted plans for using such amount for programs or activities on a timely basis.

''(B) CARRYOVER.—In any fiscal year, a local educational agency, may retain for obligation in the succeeding fiscal year—

''(i) an amount equal to not more than 25 percent of the allocation it received under this subpart for such fiscal year; or

''(ii) upon a demonstration of good cause by such agency and approval by the State, an amount that exceeds 25 percent of such allocation.

''(b) ELIGIBILITY.—To be eligible to receive a subgrant under this subpart, a local educational agency desiring a subgrant shall submit an application to the State. Such an application shall be amended, as necessary, to reflect changes in the activities and programs of the local educational agency.

''(c) DEVELOPMENT.—

''(1) CONSULTATION.—

''(A) IN GENERAL.—A local educational agency shall develop its application through timely and meaningful consultation with State and local government representatives, representatives of schools to be served, school personnel, and community organizations with relevant and demonstrated expertise in drug and violence prevention activities, students and parents.

''(B) CONTINUED CONSULTATION.—On an ongoing basis, the local educational agency shall consult with such representatives and organizations in order to seek advice regarding how best to coordinate such agency's activities under this subpart with other related strategies, programs, and activities being conducted in the community.

''(2) DESIGN AND DEVELOPMENT.—To ensure timely and meaningful consultation, a local educational agency at the initial stages of design and development of a program or activity shall consult, in accordance with this subsection, with appropriate entities and persons on issues regarding the design and development of the program or activity, including efforts to meet the principles of effectiveness described in section 5115(a).

''(d) CONTENTS OF APPLICATIONS.—

''(1) IN GENERAL.—An application submitted by a local educational agency under this section shall contain—

''(A) an assurance that the activities or programs to be funded support State academic achievement goals in accordance with section 1111;

''(B) a detailed explanation of the local educational agency's comprehensive plan for drug and violence prevention, which shall include a description of—

''(i) how the plan will be coordinated with programs under this Act, other Federal, State, and local programs for drug and violence prevention, in accordance with the provisions of section 8306;

''(ii) the local educational agency's performance measures for drug and violence prevention programs and activities, that shall consist of—

''(I) performance indicators for drug and violence prevention programs and activities; and

''(II) levels of performance for each performance indicator;

''(iii) how such agency will assess and publicly report progress toward attaining its performance measures;

''(iv) the drug and violence prevention activity or program to be funded, including how the activity or program will meet the principles of effectiveness described in section 5115(a), and the means of evaluating such activity or program; and

''(v) how the services will be targeted to schools and students with the greatest need;

''(C) a certification that a meaningful assessment has been conducted to determine community needs (including consultation with community leaders, businesses, and school officials), available resources and capacity in the public and private sector (which may include an analysis based on data reasonably available at the time on the incidence and prevalence, age of onset, perception of health risk, and perception of social disapproval of drug use and violence by youth in schools and communities, prevalence of risk and protective factors, buffers or assets, or other scientifically based research variables in the school and community), the findings of such assessments;

''(D) an assurance that funds under this subpart will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this subpart, be made available for programs and activities authorized under this subpart, and in no case supplant such State, local, and other non-Federal funds;

''(E) a description of the mechanisms used to provide effective notice to the community of an intention to submit an application under this title;

''(F) an assurance that drug prevention programs supported under this part convey a clear and consistent message that the illegal use of drugs is wrong and harmful;

''(G) an assurance that the local educational agency has established and implemented a student code of conduct policy that clearly states responsibilities of students, teachers, and administrators in maintaining a classroom environment that allows a teacher to communicate effectively with all students in the class, that allows all students in the class to learn, has consequences that are fair and appropriate for violations, and is enforced equitably;

''(H) an assurance that the application and any waiver request will be available for public review after submission of the application; and

''(I) such other information and assurances as the State may reasonably require.

''(2) GENERAL APPROVAL.—A local educational agency's application submitted to the State under this subpart shall be deemed to be approved by the State unless the State makes a written determination, prior to the expiration of the 90-day period beginning on the date that the State receives the application, that the application is in violation of this subpart.

''(3) DISAPPROVAL.—The State shall not finally disapprove a local educational agency application, except after giving such agency notice and an opportunity for a hearing.

"SEC. 5115. AUTHORIZED ACTIVITIES.

''(a) PRINCIPLES OF EFFECTIVENESS.—

''(1) IN GENERAL.—For a program or activity developed pursuant to this subpart to meet the principles of effectiveness, such program or activity shall—

''(A) be based upon an assessment of objective data regarding the incidence of violence and illegal drug use in the elementary and secondary schools and communities to be served, including an objective analysis of the current conditions and consequences regarding violence and illegal drug use, including delinquency and serious discipline problems, among students who attend such schools (including private school students who participate in the drug and violence prevention program) that is based on ongoing local assessment or evaluation activities;

''(B) be based upon an established set of performance measures aimed at ensuring that the elementary and secondary schools and communities to be served by the program have a drug-free, safe, and orderly learning environment; and

''(C) be based upon scientifically based research that provides evidence that the program to be used will reduce violence and illegal drug use.

''(2) PERIODIC EVALUATION.—The program or activity shall undergo a periodic evaluation to assess its progress toward reducing violence and illegal drug use in schools to be served based on performance measures described in section 5114(d)(1)(B)(ii) The results shall be used to refine, improve, and strengthen the program, and to refine the performance measures. The results shall also be made available to the public upon request, with public notice of such availability provided.

''(3) WAIVER.—A local educational agency may apply to the State for a waiver of the requirement of paragraph (1)(C) to allow innovative activities or programs that demonstrate substantial likelihood of success.

''(b) LOCAL EDUCATIONAL AGENCY ACTIVITIES.—

''(1) PROGRAM REQUIREMENTS.—A local educational agency shall use funds made avail-

able under section 5114 to develop, implement, and evaluate comprehensive programs and activities, which are coordinated with other school and community-based services and programs, that shall—

''(A) support State academic achievement goals in accordance with section 1111;

''(B) be consistent with the principles of effectiveness described in subsection (a);

''(C) be designed to—

''(i) prevent or reduce violence and illegal drug use, delinquency, serious discipline problems, and poor academic achievement and illegal drug use; and

''(ii) create a well disciplined environment conducive to learning, which includes consultation between teachers, principals, and other school personnel to identify early warning signs of drug use and violence and to provide behavioral interventions as part of classroom management efforts; and

''(D) include activities to promote the involvement of parents in the activity or program, to promote coordination with community groups and coalitions, and government agencies, and to distribute information about the local educational agency's needs, goals, and programs under this subpart.

''(2) AUTHORIZED ACTIVITIES.—Each local educational agency or consortium of such agencies, that receives a subgrant under this subpart may use such funds to carry out activities, such as—

''(A) developmentally appropriate drug and violence prevention programs in both elementary and secondary schools that incorporate a variety of prevention strategies and activities, which may include—

''(i) teaching students that most people do not use illegal drugs;

''(ii) teaching students to recognize social and peer pressure to use illegal drugs and the skills for resisting illegal drug use;

''(iii) teaching students about the dangers of emerging drugs;

''(iv) engaging students in the learning process;

''(v) incorporating activities in secondary schools that reinforce prevention activities implemented in elementary schools; and

''(vi) involving families and communities in setting clear expectations against violence and illegal drug use and enforcing appropriate consequences for violence and illegal drug use;

''(B) training of school personnel and parents in youth drug and violence prevention, including training in early identification, intervention, and prevention of threatening behavior;

''(C) community-wide strategies for reducing violence and illegal drug use, and illegal gang activity;

''(D) to the extent that expenditures do not exceed 20 percent of the amount made available to a local educational agency under this subpart (except that this subparagraph shall not apply to the hiring and training of school resource officers pursuant to clause (ii)), law enforcement and security activities, including—

''(i) acquisition and installation of metal detectors;

''(ii) hiring and training of security personnel (including school resource officers), that are related to youth drug and violence prevention;

''(iii) reporting of criminal offenses on school property; and

''(iv) development of comprehensive school security assessments;

''(E) expanding and improving school-based mental health services, including early identification of violence and illegal drug use, assessment, and direct individual or group counseling services provided to students, parents, and school personnel by qualified school based mental health services personnel;

''(F) establishing and maintaining peer mediation programs that include educating and training peer mediators and a designated faculty supervisor and purchasing necessary materials to facilitate training and the mediation process;

''(G) alternative education programs or services that reduce the need for suspensions or expulsions or programs or services for students who have been expelled or suspended from the regular educational settings, including programs or services to assist students to reenter the regular education setting upon return from treatment or alternative education programs;

''(H) counseling, mentoring, and referral services, and other student assistance practices and programs, including assistance provided by qualified school based mental health services personnel and the training of teachers by school-based mental health service providers in appropriate identification and intervention techniques for students, at risk of violent behavior and drug use;

''(I) activities that reduce truancy;

''(J) age appropriate, developmentally based violence prevention and education programs that address the legal, health, personal, and social consequences of illegal drug use and violent and disruptive behavior and that include activities designed to help students develop a sense of individual responsibility and respect for the rights of others, and to resolve conflicts without violence;

''(K) providing guidance to students that encourages students to seek advice for anxiety, threats of violence, or actual violence and to confide in a trusted adult regarding an uncomfortable or threatening situation;

''(L) the development of educational programs that prevent school based crime, including preventing crimes motivated by hate that result in acts of physical violence at school and any programs or published materials that address school based crime shall not recommend or require any action that abridges or infringes upon the constitutionally protected rights of free speech, religion, and equal protection of students, their parents, or legal guardians;

''(M) testing students for illegal drug use or conducting student locker searches for illegal drugs or drug paraphernalia consistent with the 4th amendment to the Constitution;

''(N) emergency intervention services following traumatic crisis events, such as a shooting, major accident, or a drug-related incident, that has disrupted the learning environment;

''(O) establishing and implementing a system for transferring suspension and expulsion records by a local educational agency to any public or private elementary or secondary school;

''(P) allowing students attending a persistently dangerous public elementary or secondary school, as determined by the State, or who become a victim of a violent criminal offense, as defined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, to attend a safe public elementary or secondary school, within the local educational agency, including a public charter school, and allowing payment of reasonable transportation costs and tuition costs for such students;

''(Q) the development and implementation of character education and training programs that reflect values, that take into account the views of parents or guardians of the student for whom the program is intended, which may include honesty, citizenship, courage, justice, respect, personal responsibility, and trustworthiness;

''(R) establishing and maintaining a school violence hotline;

''(S) activities to ensure students' safe travel to and from school, including pedestrian and bicycle safety education; and

''(T) the evaluation of any of the activities authorized under this subsection and the collection of any data required by this part.

"SEC. 5116. EVALUATION AND REPORTING.

''(a) DATA COLLECTION.—

''(1) IN GENERAL.—The National Center for Education Statistics shall report, and when appropriate, collect data to determine the frequency, seriousness, and incidence of illegal drug use and violence by youth in schools and communities in the States, using if appropriate, data submitted by the States pursuant to subsection (b).

''(2) REPORT.—The Secretary shall submit to the Congress a report on the data collected under this subsection.

''(b) STATE REPORT.—

''(1) IN GENERAL.—Not later than October 1, 2004, and every third year thereafter, the chief executive officer of a State, in consultation with the State educational agency, shall submit to the Secretary a report on the implementation and effectiveness of State and local programs under this subpart.

''(2) SPECIAL RULE.—The report required by this subsection shall be—

''(A) based on the State's ongoing evaluation activities, and shall include data on the prevalence of violence and illegal drug use by youth in schools and communities; and

''(B) made available to the public upon request, with public notice of such availability provided.

''(c) LOCAL EDUCATIONAL AGENCY REPORT.—Each local educational agency receiving funds under this subpart shall submit to the State such information, and at such intervals as the State reasonably requires to complete the State report required by subsection (b), information on the prevalence of violence and illegal drug use by youth in the schools and the community and the progress of the local educational agency toward meeting its performance measures. The report shall be made available to the public upon request, with public notice of such availability provided.

"Subpart 2—21st Century Schools

"SEC. 5121. STATE ALLOTMENTS FOR 21ST CENTURY SCHOOLS.

''(a) STATE ALLOTMENTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), from the amount made available under section 5003(2) to carry out this subpart for each fiscal year, the Secretary shall allocate among the States—

''(A) one-half of such amount according to the ratio between the school-aged population of each State and the school-aged population of all the States; and

''(B) one-half of such amount according to the ratio between the amount each State received under part A of title I for the preceding year and the sum of such amounts received by all the States.

''(2) MINIMUM.—For any fiscal year, no State shall be allotted under this subsection an amount that is less than ½ of 1 percent of the total amount allotted to all the States under this subsection.

''(b) REALLOTMENT OF UNUSED FUNDS.—If any State does not apply for an allotment under this subpart for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this section.

''(c) STATE FUNDS.—

''(1) IN GENERAL.—Each State that receives a grant under this subpart shall reserve an amount equal to the amount allotted to such State under subsection (a), less the amount reserved under paragraphs (2) and (3) of this subsection, for each fiscal year for its local educational agencies.

''(2) STATE ADMINISTRATION.—A State may use not more than 1 percent of the amount

made available under subsection (a) for the administrative costs of carrying out its responsibilities under this subpart.

''(3) STATE ACTIVITIES.—A State may use not more than 4 percent of the amount made available under subsection (a) for the following activities:

''(A) Monitoring and evaluation of programs and activities assisted under this subpart.

''(B) Providing capacity building, training, and technical assistance under this subpart.

''SEC. 5122. STATE APPLICATION.

''(a) IN GENERAL.—In order to receive an allotment under section 5121(a) for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that—

''(1) designates the State educational agency as the agency responsible for the administration and supervision of programs assisted under this subpart;

''(2) describes the competitive procedures and criteria the State will use to ensure that grants under this subpart will support quality extended learning opportunities;

''(3) an assurance that the program will primarily target students who attend schools eligible for schoolwide programs under section 1114;

''(4) describes the steps the State will take to ensure that programs implement effective strategies, including providing ongoing technical assistance and training, evaluation, and dissemination of promising practices;

''(5) describe how activities funded under this subpart will support State academic achievement goals in accordance with section 1111;

''(6) describe how funds under this subpart will be coordinated with programs under this Act, and other programs; as appropriate, in accordance with the provisions of section 8306;

''(7) provides an assurance that funds under this subpart will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this subpart, be made available for programs and activities authorized under this subpart; and in no case supplant such State, local, and other non-Federal funds:

''(8) provides an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, the heads of the State health and mental health agencies or their designees, representatives of teachers, parents, students, the business community, and community-based organizations, including religious organizations;

''(9) describes the results of the State's needs and resources assessment for before and after school activities, which shall be based on the results of on-going State evaluation activities;

''(10) describes how the State will evaluate the effectiveness of programs and activities carried out under this subpart which shall include at a minimum—

''(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities; and

''(B) public dissemination of the evaluations of programs and activities carried out under this subpart; and

''(11) provides for timely public notice of intent to file application and an assurance that the application will be available for public review after submission of the application.

''(b) GENERAL APPROVAL.—A State application submitted pursuant to subsection (a) shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 90-day period beginning on the date that the Secretary receives the application, that the application is in violation of this subpart.

''(c) DISAPPROVAL.—The Secretary shall not finally disapprove a State application, except after giving the State notice and opportunity for a hearing.

''SEC. 5123. COMPETITIVE GRANT PROGRAM.

''(a) IN GENERAL.—A State that receives funds under this subpart shall provide the amount made available under section 5121 to eligible entities for 21st century community learning programs in accordance with this subpart.

''(b) ELIGIBILITY.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this subpart, an eligible entity desiring a subgrant shall submit an application to the State that contains—

''(A) a description of the before and after school activity to be funded including—

''(i) an assurance that the program will take place in a safe and easily accessible facility;

''(ii) a description of how students participating in the center will travel safely to and from the community learning center and back home; and

''(iii) a description of how the eligible applicant will disseminate information about the project (including its location) to the community in a manner that is understandable and accessible.

''(B) a description of how the activity is expected to improve student academic performance;

''(C) a description of how the activity will meet the principles of effectiveness described in section 5124;

''(D) an assurance that the program will primarily target students who attend schools eligible for schoolwide programs under section 1114;

''(E) provides an assurance that funds under this subpart will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this subpart, be made available for programs and activities authorized under this subpart; and in no case supplant such State, local, and other non-Federal funds;

''(F) a description of the partnership with local educational agency, a community-based organization, and another public entity or private organization, if appropriate;

''(G) a certification that a meaningful assessment has been conducted to determine community needs, available resources and capacity in the findings of such assessments, and a description of the mechanisms used to provide effective notice to the community of an intention to submit an application under this subpart;

''(H) a description of the applicants experience, or promise of success, in providing educational or related activities that will compliment and enhance the student's academic achievement;

''(I) an assurance that the applicant will develop a plan to continue the activity after funding under this subpart ends;

''(J) an assurance that the application and any waiver request will be available for public review after submission of the application; and

''(K) such other information and assurances as the State may reasonably require.

''(2) ELIGIBLE ENTITY.—An eligible entity under this subpart is a local educational agency, community-based organization, and other public entity or private organization or a consortium of two or more of such groups.

''(c) PEER REVIEW.—In reviewing local applications under this section, a State shall use a peer review process or other methods of assuring the quality of such applications.

''(d) GEOGRAPHIC DIVERSITY.—To the extent practicable, a State shall distribute funds equitably among geographic areas within the State.

''(e) DURATION OF AWARDS.—Grants under this subpart may be awarded for a period of not less than 3 years and not more than 5 years.

''(f) AMOUNT OF AWARDS.—A grant awarded under this subpart may not be made in an amount of less than $50,000.

''(g) PRIORITY.—In making awards under this subpart, the State shall give priority to applications submitted by applicants proposing to target services to students who attend schools that have been identified as in need of improvement under section 1116.

''(h) PERMISSIVE LOCAL MATCH.—

''(1) IN GENERAL.—A State may require an eligible entity to match funds awarded under this subpart, except that such match may not exceed the amount of the grant award.

''(2) SLIDING SCALE.—The amount of a match under paragraph (1) shall be established based on a sliding fee scale that takes into account—

''(A) the relative poverty of the population to be targeted by the eligible entity; and

''(B) the ability of the eligible entity to obtain such matching funds.

''(3) IN-KIND CONTRIBUTIONS.—Each State that requires an eligible entity to match funds under this subsection shall permit such entity to provide all or any portion of such match in the form of in-kind contributions.

''(4) CONSIDERATION.—Notwithstanding this subsection, a State shall not consider an eligible entity's ability to match funds when determining which eligible entities will receive subgrants under this subpart.

''SEC. 5124. LOCAL ACTIVITIES.

''(a) PRINCIPLES OF EFFECTIVENESS.—

''(1) IN GENERAL.—For a program or activity developed pursuant to this subpart to meet the principles of effectiveness, such program or activity shall—

''(A) be based upon an assessment of objective data regarding the need for before and after school programs and activities in such schools and communities;

''(B) be based upon an established set of performance measures aimed at ensuring the availability of quality extended learning opportunities; and

''(C) if appropriate, be based upon scientifically based research that provides evidence that the program will help students meet State and local performance standards to be used.

''(2) PERIODIC EVALUATION.—The program or activity shall undergo a periodic evaluation to assess its progress toward achieving its goal of providing quality extended learning opportunities. The results shall be used to refine, improve, and strengthen the program, and to refine the performance measures. The results shall also be made available to the public upon request, with public notice of such availability provided.

''(b) SERVICES.—Each eligible entity that receives a subgrant under this subpart shall use such funds to establish or expand activities in community learning centers that—

''(1) provide quality extended learning opportunities to help students, particularly students who attend low-performing schools, to meet State and local student performance standards in the core academic subjects, such as reading and mathematics; and

''(2) provide students with additional activities, such as drug and violence prevention programs, art and music programs, technology education programs, recreational activity, and character education programs that are linked to, and reinforce, the regular academic program of schools those students attend.

''(c) AUTHORIZED ACTIVITIES.—Each eligible entity that receives a subgrant under this

subpart may use such funds to carry out activities, such as—

''(1) before and after school activities (including summer school programs) that advance student achievement, including—

''(A) remedial education activities and academic enrichment learning programs, including providing additional assistance to students in order to allow them to improve their academic achievement;

''(B) math and science education activities;

''(C) arts and music education activities;

''(D) entrepreneurial education programs;

''(E) tutoring services (including those provided by senior citizen volunteers) and mentoring programs;

''(F) recreational activities;

''(G) telecommunications and technology education programs;

''(H) expanded library service hours;

''(I) programs that promote parental involvement; and

''(J) programs that provide assistance to students who have been truant, suspended, or expelled to allow them to improve their academic achievement; and

''(2) establishing or enhancing programs or initiatives that improve academic achievement.

''(d) DEFINITION.—For the purpose of this section, a 'community learning center' is an entity that assists students to meet State and local content and student performance standards in core academic subjects, such as reading and mathematics, by providing them with quality extended learning opportunities and related activities (such as drug and violence-prevention programs, art and music programs, recreational programs, technology education programs, and character education programs) that are linked to, and reinforce, the regular academic program of schools attended by the students served and is operated by a local educational agency, community-based organization, other public entity or private organization or a consortium of two or more such groups. Community learning centers shall operate outside school hours, such as before or after school, during the summer, or when school is not in session.

"Subpart 3—National Programs

"SEC. 5131. FEDERAL ACTIVITIES.

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—From funds made available to carry out this part under section 5003(3), the Secretary, in consultation with the Secretary of Health and Human Services, the Director of the Office of National Drug Control Policy, and the Attorney General, shall evaluate the effectiveness of programs and activities that prevent violence and the illegal use of drugs by youth, that promote safety and discipline for students in elementary and secondary schools, and that provide before and after school supervision and academic enrichment, based on the needs reported by States and local educational agencies.

''(2) COORDINATION.—The Secretary shall carry out activities described in paragraph (1) directly, or through grants, contracts, or cooperative agreements with public and private nonprofit and for-profit organizations, and individuals, or through agreements with other Federal agencies, and shall coordinate such activities with other appropriate Federal activities.

''(3) PROGRAMS.—Activities described in paragraph (1) may include—

''(A) demonstrations and rigorous scientifically based evaluations of innovative approaches to drug and violence prevention and before and after school activities based on needs reported by State and local educational agencies;

''(B) the provision of information on drug abuse education and prevention to the Secretary of Health and Human Services for dissemination by the clearinghouse for alcohol and drug abuse information established under section 501(d)(16) of the Public Health Service Act;

''(C) the provision of information on violence prevention and school safety to the Attorney General for dissemination; and

''(D) continuing technical assistance to chief executive officers, State agencies, and local educational agencies to build capacity to develop and implement high-quality, effective programs consistent with the principles of effectiveness.

''(b) PEER REVIEW.—The Secretary shall use a peer review process in reviewing applications for funds under this section.

"Subpart 4—Gun Possession

"SEC. 5141. GUN-FREE SCHOOL REQUIREMENTS.

''(a) REQUIREMENTS.—

''(1) STATE LAW.—Each State receiving funds under this Act shall—

''(A) have in effect a State law requiring each local educational agency to expel from school for a period of not less than one year a student who is determined to have possessed a firearm in or at a school or on school grounds under the jurisdiction of a local educational agency in that State, except that such State law shall allow the chief administering officer of such local educational agency to modify such expulsion requirement for a student on a case-by-case basis; and

''(B) require each local educational agency to adopt a policy requiring each elementary and secondary school to refer to the criminal justice or juvenile delinquency system any student who possesses a firearm in school.

''(2) CONSTRUCTION.—Nothing in this part shall be construed to prevent a State from allowing a local educational agency that has expelled a student from such student's regular school setting from providing educational services to such student in an alternative setting.

''(b) REPORT TO STATE.—Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under this Act shall provide to the State, in the application requesting such assistance—

''(1) an assurance that such local educational agency is in compliance with the requirements of subsection (a); and

''(2) a description of the circumstances surrounding incidents of possessions and any expulsions imposed under the State law required by subsection (a)(1), including—

''(A) the name of the school concerned;

''(B) the number of students expelled from such school for firearm possession; and

''(C) the type of firearm concerned.

''(c) SPECIAL RULE.—The provisions of this section shall be construed in a manner consistent with the Individuals with Disabilities Education Act.

''(d) DEFINITIONS.—For the purpose of this subpart—

''(1) the term 'firearm' has the same meaning given to such term under section 921(a)(3) of title 18, United States Code; and

''(2) the term 'school' does not include a home school, regardless of whether a home school is treated as a private school under State law.

"Subpart 5—General Provisions

"SEC. 5151. DEFINITIONS.

''For the purposes of this part, the following terms have the following meanings:

''(1) BEFORE AND AFTER SCHOOL ACTIVITIES.—The term 'before and after school activities' means academic, recreational, and enrichment activities for school-age youth outside of the regular school hours or school year.

''(2) CONTROLLED SUBSTANCE.—The term 'controlled substance' means a drug or other substance identified under Schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

''(3) DRUG.—The term 'drug' includes controlled substances; the illegal use of alcohol and tobacco; and the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

''(4) DRUG AND VIOLENCE PREVENTION.—The term 'drug and violence prevention' means—

''(A) with respect to drugs, prevention, early intervention, rehabilitation referral, or education related to the illegal use of drugs; and

''(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and harassment and fosters individual responsibility and respect for the rights of others.

''(5) NONPROFIT.—The term 'nonprofit,' as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

''(6) SCHOOL-AGED POPULATION.—The term 'school-aged population' means the population aged 5 through 17, as determined by the Secretary on the basis of the most recent satisfactory data available from the Department of Commerce.

''(7) SCHOOL BASED MENTAL HEALTH SERVICES PROVIDER.—The term 'school based mental health services provider' includes a State licensed or State certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide such services to children and adolescents.

''(8) SCHOOL PERSONNEL.—The term 'school personnel' includes teachers, principals, administrators, guidance counselors, social workers, psychologists, nurses, librarians, and other support staff who are employed by a school or who perform services for the school on a contractual basis.

''(9) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"SEC. 5152. MESSAGE AND MATERIALS.

''(a) 'WRONG AND HARMFUL' MESSAGE.—Drug prevention programs supported under this title shall convey a clear and consistent message that the illegal use of drugs is wrong and harmful.

''(b) CURRICULUM.—The Secretary shall not prescribe the use of specific curricula for programs supported under this part.

"SEC. 5153. PARENTAL CONSENT.

''Upon receipt of written notification from the parents or legal guardians of a student, the local educational agency shall withdraw such student from any program or activity funded under this title. The local educational agency shall make reasonable efforts to inform parents or legal guardians of the content of such programs or activities funded under this title, other than classroom instruction.

"SEC. 5154. PROHIBITED USES OF FUNDS.

''No funds under this part may be used for—

''(1) construction (except for minor remodeling needed to accomplish the purposes of this part); or

''(2) medical services, drug treatment or rehabilitation, except for pupil services or referral to treatment for students who are victims of, or witnesses to, use of drugs or crime.

"SEC. 5155. DISCIPLINE OF CHILDREN WITH DISABILITIES.

''(a) AUTHORITY OF SCHOOL PERSONNEL.—Each State receiving funds under this Act shall require each local educational agency to have in effect a policy under which school personnel of such agency may discipline (including expel or suspend) a child with a disability who—

''(1) carries or possesses a weapon to or at a school, on school premises, or to or at a school function, under the jurisdiction of a State or a local educational agency;

''(2) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance at a school, on school premises, or at a school function, under the jurisdiction of a State or a local educational agency; or

''(3) commits an aggravated assault or battery (as defined under State or local law) at a school, on school premises, or at a school function, under the jurisdiction of a State or local educational agency,

in the same manner in which such personnel may discipline a child without a disability. Such personnel may modify the disciplinary action on a case-by-case basis.

''(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to prevent a child with a disability who is disciplined pursuant to the authority provided under paragraph (1) or (2) of subsection (a) from asserting a defense that the carrying or possession of the weapon, or the possession or use of the illegal drugs (or the sale or solicitation of the controlled substance), as the case may be, was unintentional or innocent.

''(c) FREE APPROPRIATE PUBLIC EDUCATION.—

''(1) CEASING TO PROVIDE EDUCATION.—Notwithstanding any other provision of Federal law, a child expelled or suspended under subsection (a) shall not be entitled to continue educational services, including a free appropriate public education, required under Federal law during the term of such expulsion or suspension, if the State in which the local educational agency responsible for providing educational services to such child does not require a child without a disability to receive educational services after being expelled or suspended.

''(2) PROVIDING EDUCATION.—Notwithstanding paragraph (1), the local educational agency responsible for providing educational services to a child with a disability who is expelled or suspended under paragraph (1) may choose to continue to provide educational services or mental health services to such child. If the local educational agency so chooses to continue to provide the services—

''(A) nothing in any other provision of Federal law shall require the local educational agency to provide such child with any particular level of service; and

''(B) the location where the local educational agency provides the services shall be left to the discretion of the local educational agency.

''(d) DEFINITIONS.—In this section:

''(1) CONTROLLED SUBSTANCE.—The term 'controlled substance' has the meaning given the term in section 5151.

''(2) ILLEGAL DRUG.—The term 'illegal drug' means a controlled substance, but does not include such a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of Federal law.

''(3) WEAPON.—The term 'weapon' has the meaning given the term 'dangerous weapon' under subsection (g)(2) of section 930 of title 18, United States Code.

"PART B—ENHANCING EDUCATION THROUGH TECHNOLOGY

"SEC. 5201. SHORT TITLE.

''This part may be cited as the 'Enhancing Education Through Technology Act of 2001'.

"SEC. 5202. PURPOSES.

''The purposes of this part are as follows:

''(1) To provide assistance to States and localities for implementing innovative technology initiatives that lead to increased student academic achievement and that may be evaluated for effectiveness and replicated if successful.

''(2) To encourage the establishment or expansion of initiatives, including those involving public-private partnerships, designed to increase access to technology, particularly in high-need local educational agencies.

''(3) To assist States and localities in the acquisition, development, interconnection, implementation, improvement, and maintenance of an effective educational technology infrastructure in a manner that expands access to technology for students (particularly for disadvantaged students) and teachers.

''(4) To promote initiatives that provide school teachers, principals, and administrators with the capacity to effectively integrate technology into curriculum that is aligned with challenging State academic content and student academic achievement standards, through such means as high quality professional development programs.

''(5) To enhance the ongoing professional development of teachers, principals, and administrators by providing constant access to training to updated research in teaching and learning via electronic means.

''(6) To support the development of electronic networks and other innovative methods, such as distance learning, of delivering challenging courses and curricula for students who would otherwise not have access to such courses and curricula, particularly in geographically remote regions.

''(7) To support the rigorous evaluation of programs funded under this part, particularly the impact of such initiatives on student academic performance, and ensure that timely information on the results of such evaluations is widely accessible through electronic means.

''(8) To support local efforts for the use of technology to promote parent and family involvement in education and communication among students, parents, teachers, principals, and administrators.

"SEC. 5203. AUTHORIZATION OF APPROPRIATIONS; FUNDING RULE.

''(a) IN GENERAL.—There are authorized to be appropriated—

''(1) to carry out subparts 1 and 2 of this part—

''(A) $1,000,000,000 for fiscal year 2002; and

''(B) such sums as may be necessary for each of fiscal years 2003 through 2006; and

''(2) to carry out subpart 3 of this part—

''(A) $24,500,000 for fiscal year 2002; and

''(B) such sums as may be necessary for each of fiscal years 2003 through 2006.

''(b) ALLOCATION OF FUNDS BETWEEN NATIONAL AND STATE AND LOCAL INITIATIVES.—The amount of funds made available under subsection (a) shall be allocated as follows:

''(1) Not less than 95 percent shall be made available for State and local technology initiatives under subpart 1.

''(2) Not more than 5 percent may be made available for activities of the Secretary under subpart 2, of which not more than $15,000,000 may be used for the study required by section 5221(a)(1).

"SEC. 5204. DEFINITIONS.

''In this part:

''(1) The term 'distance learning' means the transmission of educational or instructional programming to geographically dispersed individuals and groups via telecommunications.

''(2) The term 'eligible local entity' means—

''(A) a high-need local educational agency; or

''(B) an eligible local partnership.

''(3) The term 'eligible local partnership' means a partnership that includes at least one high-need local educational agency and at least one—

''(A) local educational agency that can demonstrate that teachers in schools served by that agency are effectively integrating technology and proven teaching practices into instruction, based on scientifically based research, that result in improvement in—

''(i) classroom instruction in the core academic subject areas; and

''(ii) the preparation of students to meet challenging State academic content and student academic achievement standards;

''(B) institution of higher education that is in full compliance with the reporting requirements of section 207(f) of the Higher Education Act of 1965 (20 U.S.C. 1027(f)) and that has not been identified by its State as low-performing under section 208 of such Act (20 U.S.C. 1028);

''(C) for-profit business or organization that develops, designs, manufactures, or produces technology products or services, or has substantial expertise in the application of technology; or

''(D) public or private nonprofit organization with demonstrated experience in the application of educational technology.

''(4) The term 'high-need local educational agency' means a local educational agency that—

''(A) is among the local educational agencies in the State with the highest numbers or percentages of children from families with incomes below the poverty line, as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2));

''(B) includes one or more schools identified under section 1116; and

''(C) has a substantial need for assistance in acquiring and using technology.

"Subpart 1—State and Local Technology for Success Grants

"SEC. 5211. DETERMINATION OF AMOUNT OF STATE ALLOTMENT.

''(a) IN GENERAL.—Except as otherwise provided in this subpart, each State shall be eligible to receive a grant under this subpart for a fiscal year in an allotment determined as follows:

''(1) 50 percent shall bear the same relationship to the amount made available under section 5203(b)(1) for such year as the amount such State received under part A for title I for such year bears to the amount received for such year under such part by all States.

''(2) 50 percent shall be determined on the basis of the State's relative population of individuals age 5 through 17, as determined by the Secretary on the basis of the most recent satisfactory data.

''(b) RESERVATION OF FUNDS FOR BUREAU OF INDIAN AFFAIRS AND OUTLYING AREAS.—Of the amount made available to carry out this subpart under section 5203(b)(1) for a fiscal year—

''(1) the Secretary shall reserve ½ of 1 percent for the Secretary of the Interior for programs under this subpart for schools operated or funded by the Bureau of Indian Affairs; and

''(2) the Secretary shall reserve ½ of 1 percent to provide assistance under this subpart to the outlying areas.

''(c) MINIMUM ALLOTMENT.—The amount of any State's allotment under subsection (a)

for any fiscal year may not be less than ½ of 1 percent of the amount made available under section 5203(b)(1) for such year.

''(d) REALLOTMENT OF UNUSED FUNDS.—If any State does not apply for an allotment under this subpart for a fiscal year, or does not use its entire allotment for that fiscal year, the Secretary shall reallot the amount of the State's allotment, or the unused portion thereof, to the remaining States in accordance with this section.

"SEC. 5212. USE OF ALLOTMENT BY STATE.

''(a) IN GENERAL.—Of the amount provided to a State from its allotment under section 5211—

''(1) the State may use not more than 5 percent to carry out activities under section 5215; and

''(2) subject to subsection (b), not less than 95 percent shall be distributed by the State as follows:

''(A) 60 percent of such amount shall—

''(i) be awarded to local educational agencies that have submitted applications to the State under section 5214 (which, in the case of a local educational agency that is an eligible local entity, may be combined with an application for funds awarded under subparagraph (B)), in an amount that bears the same relationship to the amount made available under section 5211(a) for such year as the amount such local educational agency received under part A of title I for such year bears to the amount received for such year under such part by all local educational agencies within the State; and

''(ii) be used for the activities described in section 5216.

''(B) 40 percent of such amount shall be awarded through a State-determined competitive process to eligible local entities that have submitted applications to the State under section 5214 (which, in the case of an eligible local entity that is a local educational agency, may be combined with an application for funds provided under subparagraph (A)), to be used to carry out activities consistent with activities described in section 5216.

''(b) CONTINUATION OF AWARDS.—Notwithstanding section 3 of the No Child Left Behind Act of 2001, a State shall make continuation awards on multiyear grants awarded by the State under section 3132(a)(2) (as in effect on the day preceding the date of enactment of such Act) from the funds described in subsection (a)(2) for the shorter of—

''(1) the duration of the original grant period; or

''(2) two years after the date of enactment of such Act.

"SEC. 5213. STATE APPLICATIONS.

''(a) IN GENERAL.—To be eligible to receive a grant under this subpart, a State shall submit an application to the Secretary containing a new or updated statewide, long-range strategic educational technology plan (which shall consider the educational technology needs of local educational agencies), and such other information as the Secretary may reasonably require, at such time and in such manner as the Secretary may specify.

''(b) CONTENTS.—Each State application submitted under this section shall include the following:

''(1) A description of how the State will use funds provided under this subpart to improve the academic achievement of all students and to improve the capacity of all teachers to provide instruction in the State through the use of education technology.

''(2) A description of the State's goals for using advanced technology to improve student achievement aligned to challenging State academic content and student academic achievement standards.

''(3) A description of how the State will take steps (including through public and private partnerships) to ensure that all students and teachers in the State, particularly those residing or teaching in districts served by high-need local educational agencies, will have increased access to educational technology.

''(4) A description of—

''(A) how the State will ensure ongoing integration of technology into instructional strategies and school curricula in all schools in the State, so that technology will be fully integrated into those schools by December 31, 2006; and

''(B) the process and accountability measures the State will use for the evaluation of such integration, including whether such integration—

''(i) has increased the ability of teachers to teach effectively; and

''(ii) has enabled students to meet challenging State academic content and student academic achievement standards.

''(5) A description of how the State will encourage the development and utilization of innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology and distance learning, particularly for those areas of the State that would not otherwise have access to such courses and curricula due to geographical isolation or insufficient resources.

''(6) An assurance that financial assistance provided under this subpart shall supplement, not supplant, State and local funds.

''(7) A description of how the State will ensure that every teacher and principal within a school funded under this subpart will be computer-literate and proficient (as determined by the State) by December 31, 2006.

''(8) A description of how the State will ensure that each grant under section 5212(a)(2)(B) to an eligible local applicant is of sufficient duration, size, scope, and quality to carry out the purposes of this part effectively.

''(9) A description of how the State educational agency will provide technical assistance to eligible local applicants, and its capacity for providing such assistance, including developing public and private partnerships under this part.

''(c) DEEMED APPROVAL.—A State application submitted to the Secretary under this section shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 90-day period that begins on the date the Secretary receives the complete application, that the application does not reasonably meet the purposes of this subpart.

''(d) DISAPPROVAL.—The Secretary may issue a final disapproval of a State's application under this subpart only after giving the State notice and an opportunity for a hearing.

''(e) DISSEMINATION OF INFORMATION ON STATE APPLICATIONS.—The Secretary shall make information on State applications under this subpart widely available to schools and the general public, including through dissemination on the Internet, in a timely and user-friendly manner.

"SEC. 5214. LOCAL APPLICATIONS.

''(a) IN GENERAL.—An applicant seeking to receive funds from a State under this subpart shall submit to the State an application containing a new or updated long-range local strategic educational technology plan consistent with the objectives of the statewide education technology plan described in section 5213(a), and such other information as the State may reasonably require, at such time, and in such manner as the State may specify.

''(b) CONTENTS OF LOCAL APPLICATION.—Each local application described in this section shall include the following:

''(1) A description of how the applicant will use Federal funds provided under this subpart to improve the academic achievement of all students and to improve the capacity of all teachers to provide instruction through the use of education technology. Such a description may include how the applicant will provide release time for teachers (which may include the provision of a substitute teacher).

''(2) A description of the applicant's specific goals for using advanced technology to improve student achievement aligned to challenging State academic content and student academic achievement standards.

''(3) A description of—

''(A) how the applicant will take steps to ensure that all students and teachers in schools served by the local educational agency (particularly those in high-poverty and high-need schools) have increased access to educational technology; and

''(B) how such technology will be used to improve the academic achievement for such students.

''(4) A description of how the applicant will promote—

''(A) the utilization of teaching strategies and curricula, based on scientifically based research, which effectively integrate technology into instruction, leading to improvements in student academic achievement as measured by challenging State academic content and student academic achievement standards; and

''(B) sustained and intensive, high-quality professional development consistent with section 2033 (as applicable), based on scientifically based research, which increases teacher and principal capacity to create improved learning environments through the integration of technology into instruction through proven strategies and improved content as described in subparagraph (A).

''(5) A description of how the applicant will integrate technology (including software and other electronically delivered learning materials) across the curriculum and a time line for such integration, including a description of how the applicant will make effective use of new and emerging technologies and teaching practices that are linked to such emerging technologies to provide challenging content and improved classroom instruction.

''(6) A description of how the applicant will coordinate education technology activities funded under this subpart, including professional development, with any such activities provided under other Federal, State, and local programs, including those authorized under title I, title II, title IV, and the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.).

''(7) A description of the accountability measures and process the applicant will use for the evaluation of the extent to which funds provided under this subpart were effective in integrating technology into school curriculum, increasing the ability of teachers to teach, and enabling students to meet challenging State academic content and student academic achievement standards.

''(8) A description of how the applicant will encourage the development and utilization of innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology and distance learning, particularly for those areas that would not otherwise have access to such courses and curricula due to geographical isolation or insufficient resources.

''(9) A description of what steps the applicant has taken, or will take, to comply with section 5205(a)(1).

''(10) If requested by the State—

''(A) a description of how the applicant will use funds provided under this subpart in a

manner that is consistent with any statewide education technology priorities that may be established by the State consistent with this subpart; and

''(B) a description of how any technology obtained with funds provided under this subpart will be integrated with funds provided previously under title III (as in effect on the day preceding the date of enactment of the No Child Left Behind Act of 2001), as appropriate.

"SEC. 5215. STATE ACTIVITIES.

''(a) IN GENERAL.—From funds made available under section 5212(a)(1), a State shall carry out activities and assist local efforts to carry out the purposes of this subpart, which may include the following activities:

''(1) Developing, or assisting applicants in the development and utilization of, innovative strategies to deliver rigorous academic programs through the use of technology and distance learning, and providing other technical assistance to such applicants throughout the State, with a priority to high-need local educational agencies.

''(2) Establishing or supporting public-private initiatives, such as interest-free or reduced-cost loans, for the acquisition of educational technology for high-need local educational agencies and students attending schools served by such agencies.

''(3) Assisting applicants in providing sustained and intensive, high-quality professional development based on scientifically based research in the integration of advanced technologies (including emerging technologies) into curriculum and in using those technologies to create new learning environments, including training in the use of technology to—

''(A) access data and resources to develop curricula and instructional materials;

''(B) enable teachers—

''(i) to use the Internet to communicate with parents, other teachers, principals, and administrators; and

''(ii) to retrieve Internet-based learning resources; and

''(C) lead to improvements in classroom instruction in the core academic subject areas, which effectively prepare students to meet challenging State academic content and student academic achievement standards.

''(4) Assisting applicants in providing all students (including students with disabilities and students with limited English proficiency) and teachers with access to educational technology.

''(5) Establishing or expanding access to technology in areas served by high-need local educational agencies, with special emphasis on access provided through technology centers in partnership with libraries and with the support of the private sector.

''(6) Developing enhanced performance measurement systems to determine the effectiveness of education technology programs funded under this subpart, particularly in determining the extent to which education technology funded under this subpart has been successfully integrated into teaching strategies and school curriculum, has increased the ability of teachers to teach, and has enabled students to meet challenging State academic content and student academic achievement standards.

''(7) Collaborating with other States on distance learning, including making advanced courses available to students who would otherwise not have access to such courses.

''(b) LIMITATION ON ADMINISTRATIVE COSTS.—Of the 5 percent of the State's allotment under section 5211 which may be used to carry out activities under this section, not more than 40 percent may be used by the State for administrative costs.

"SEC. 5216. LOCAL ACTIVITIES.

''(a) PROFESSIONAL DEVELOPMENT.—A recipient of funds made available under section 5212(a)(2)(A) shall use not less than 20 percent of such funds to provide sustained and intensive, high-quality professional development, consistent with section 2033 (as applicable), based on scientifically based research in the integration of advanced technologies (including emerging technologies) into curriculum and in using those technologies to create new learning environments, including professional development in the use of technology to—

''(1) access data and resources to develop curricula and instructional materials;

''(2) enable teachers—

''(i) to use the Internet to communicate with parents, other teachers, principals, and administrators; and

''(ii) to retrieve Internet-based learning resources; and

''(3) lead to improvements in classroom instruction in the core academic subject areas, which effectively prepare students to meet challenging State academic content and student academic achievement standards.

''(b) WAIVER.—Subsection (a) does not apply to a recipient of funds under section 5212(a)(2)(A) that demonstrates, to the satisfaction of the State, that such recipient already provides sustained and intensive, high-quality professional development based on scientifically based research in the integration of technology (including emerging technologies) into the curriculum.

''(c) OTHER ACTIVITIES.—In addition to the activities described in subsection (a), a recipient of funds distributed by a State under section 5212(a)(2)(A) shall use such funds to carry out other activities consistent with this subpart, which may include the following:

''(1) Adapting or expanding existing and new applications of technology to enable teachers to increase student academic achievement through the use of teaching practices and advanced technologies that are based on scientifically based research and are designed to prepare students to meet challenging State academic content and student academic achievement standards, and for developing and utilizing innovative strategies to deliver rigorous academic programs.

''(2) Expanding, acquiring, implementing, applying, and maintaining education technology as a means to improve the academic achievement of all students.

''(3) The establishment or expansion of initiatives, particularly those involving public-private partnerships, designed to increase access to technology for students and teachers, with special emphasis on the access of high-need local educational agencies to technology.

''(4) Using technology to promote parent and family involvement, and support communications between students, parents, and teachers.

''(5) Acquiring proven and effective curricula that include integrated technology and are designed to help students achieve challenging State academic content and student academic achievement standards.

''(6) Using technology to collect, manage, and analyze data to inform school improvement efforts.

''(7) Implementing enhanced performance measurement systems to determine the effectiveness of education technology programs funded under this subpart, particularly in determining the extent to which education technology funded under this subpart has been successfully integrated into teaching strategies and school curriculum, has increased the ability of teachers to teach, and has enabled students to meet challenging State academic content and student academic achievement standards.

''(8) Preparing one or more teachers in elementary and secondary schools as technology leaders who are provided with the means to serve as experts and train other teachers in the effective use of technology.

''(9) Establishing or expanding access to technology in areas served by high-need local educational agencies, with special emphasis for access provided through technology centers in partnership with libraries and with the support of the private sector.

"Subpart 2—National Technology Activities

"SEC. 5221. NATIONAL ACTIVITIES.

''(a) IN GENERAL.—Using funds made available under section 5203(b)(2), the Secretary—

''(1) shall—

''(A) conduct an independent, long-term study, utilizing scientifically based research methods and control groups, on the effect of educational technology on improving student academic achievement;

''(B) include in the study an identification of uses of educational technology (including how teachers can integrate technology into the curricula) that have a measurable positive impact on student achievement;

''(C) establish an independent review panel to advise the Secretary on methodological and other issues that arise in conducting this long-term study; and

''(D) submit to the Congress interim reports, when appropriate, and a final report, to be submitted not later than 6 months before the end of fiscal year 2006, on the findings of the study;

''(2) may fund national technology initiatives that are supported by scientifically based research and utilize technology in education, through the competitive award of grants or contracts, pursuant to a peer review process, to States, local educational agencies, eligible local entities, institutions of higher education, public agencies, and private nonprofit or for-profit agencies; and

''(3) may provide technical assistance (directly or through the competitive award of grants or contracts) to States, local educational agencies, and other recipients of funds under this part in order to assist such States, local educational agencies, and other recipients to achieve the purposes of this part.

''(b) NATIONAL TECHNOLOGY INITIATIVES.—

''(1) USE OF FUNDS.—In funding national technology initiatives under subsection (a)(2), the Secretary—

''(A) shall place a priority on projects that—

''(i) develop innovative models using electronic networks or other forms of distance learning to provide challenging courses that are otherwise not readily available to students in a particular school district, particularly in rural areas; or

''(ii) increase access to technology to students served by high-need local educational agencies; and

''(B) shall, in order to identify effective uses of educational technology that have a measurable positive impact on student achievement and as specified in paragraph (3)—

''(i) develop tools and provide resources and support, including technical assistance, for recipients of funds under subsection (a)(2) to effectively evaluate their activities; and

''(ii) disseminate the evaluations made under paragraph (2)(A)(ii).

''(2) REQUIREMENTS FOR RECIPIENTS OF FUNDS.—

''(A) APPLICATION.—In order to receive a grant or contract under subsection (a)(2), an entity shall submit an application to the Secretary (at such time and in such form as the Secretary may require), and shall include in the application—

''(i) a description of the project proposed to be carried out with the grant or contract and

how it would carry out the purposes of subsection (a)(2); and

''(ii) a detailed plan for an independent evaluation, supported by scientifically based research principles, of the project to determine the impact on the academic achievement of students served under such project, as measured by challenging State academic content and student academic achievement standards.

''(B) NON-FEDERAL SHARE.—

''(i) IN GENERAL.—Subject to clauses (ii) and (iii), the Secretary may require any recipient of a grant or contract under subsection (a)(2) to share in the cost of the activities assisted under such grant or contract, which may be in the form of cash or in-kind contributions, fairly valued.

''(ii) INCREASE.—The Secretary may increase the non-Federal share required of a recipient of a grant or contract under subsection (a)(2) after the first year such recipient receives funds under such grant or contract.

''(iii) MAXIMUM.—The non-Federal share required under this subsection may not exceed 50 percent of the cost of the activities assisted under a grant or contract under this subpart.

''(iv) NOTICE.—The Secretary shall publish, in the Federal Register, the non-Federal share required under this subparagraph.

''(3) EVALUATION AND DISSEMINATION.—The Secretary shall make information on each project funded with a grant or contract under subsection (a)(2) widely available to schools and the general public, including through dissemination on the Internet, in a timely and user-friendly manner. This information shall, at a minimum, include—

''(A) upon the awarding of such a grant or contract under subsection (a)(2), the identification of the grant or contract recipient, the amount of the grant or contract, the stated goals of the grant or contract, the methods by which the grant or contract will be evaluated in meeting such stated goals, and the timeline for meeting such goals;

''(B) not later than 3 months after the completion of the first year of the project period, information on the progress of the grant or contract recipient in carrying out the grant or contract, including a detailed description of the use of the funds provided, the extent to which the stated goals have been reached, and the results (or progress of) the evaluation of the project; and

''(C) not later than 3 months after the completion of the second year of the project period (and updated thereafter as appropriate), a followup to the information described in subparagraph (B).

"Subpart 3—Ready to Learn, Ready to Teach

"SEC. 5231. READY TO LEARN TELEVISION.

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary shall award grants to or enter into contracts or cooperative agreements with eligible entities described in paragraph (3) to—

''(A) develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;

''(B) facilitate the development (directly or through contracts with producers of children and family educational television programming) of educational programming for preschool and elementary school children and accompanying support materials and services that directly promote the effective use of such programming;

''(C) facilitate the development of programming and digital content especially designed for nationwide distribution over digital broadcasting channels and the Internet, containing Ready to Learn-based children's programming and resources for parents and caregivers;

''(D) enable such entities to contract with other entities (such as public telecommunications entities) so that programs under this section are disseminated and distributed by the most appropriate distribution technologies to the widest possible audience appropriate to be served by the programming; and

''(E) develop and disseminate training and support materials, including interactive programs and programs adaptable to distance learning technologies which are designed to—

''(i) promote school readiness; and

''(ii) promote the effective use of programming developed under subparagraphs (B) and (C) among parents, Head Start providers, Even Start and providers of family literacy services, child care providers, early childhood development personnel, and elementary school teachers, public libraries, and after school program personnel caring for preschool and elementary school children.

''(2) AVAILABILITY.—In making grants, contracts, or cooperative agreements under this subsection, the Secretary shall ensure that recipients increase the effective use of the programming under this section by making it widely available with support materials, as appropriate, to young children, their parents, child care workers, Head Start providers, Even Start and providers of family literacy services.

''(3) ELIGIBLE ENTITIES DESCRIBED.—In this section, an 'eligible entity' means a nonprofit entity (including a public telecommunications entity) which is able—

''(A) to demonstrate a capacity for the development and national distribution of educational and instructional television programming of high quality which is accessible by a large majority of disadvantaged preschool and elementary school children; and

''(B) to demonstrate—

''(i) a capacity to contract with the producers of children's television programming for the purpose of developing educational television programming of high quality which is accessible by a large majority of disadvantaged preschool and elementary school children, and

''(ii) consistent with the entity's mission and nonprofit nature, a capacity to negotiate such contracts in a manner which returns to the entity an appropriate share of any ancillary income from sales of any program-related products.

''(4) CAP ON ADMINISTRATIVE COSTS.—An entity receiving a grant, contract, or cooperative agreement from the Secretary under this subsection may not use more than 5 percent of the amounts received under the grant, contract, or cooperative agreement for the expenses of administering the grant, contract, or cooperative agreement.

''(5) COORDINATION OF ACTIVITIES.—An entity receiving a grant, contract, or cooperative agreement from the Secretary under this subsection shall work with the Secretary and the Secretary of Health and Human Services to—

''(A) maximize the utilization by preschool and elementary school children of the programming under this section and to make such programming widely available to federally funded programs serving such populations; and

''(B) coordinate with Federal programs that have major training components for early childhood development (including Head Start, Even Start, family literacy services, and State training activities funded under the Child Care Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.)) regarding the availability and utilization of materials developed with funds provided under this section to enhance parent and child care provider skills in early childhood development and education.

''(b) APPLICATIONS.—Any entity desiring a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(c) REPORT AND EVALUATION..—

''(1) ANNUAL REPORT BY GRANT RECIPIENTS TO SECRETARY.—Each entity receiving funds under this section shall prepare and submit to the Secretary an annual report which contains such information as the Secretary may require. At a minimum, the report shall describe the program activities undertaken with funds received under this section, including information regarding—

''(A) the programming that has been developed directly or indirectly by the entity and the target population of the programs developed;

''(B) the support and training materials that have been developed to accompany the programming and the method by which such materials are distributed to consumers and users of the programming;

''(C) the means by which the programming has been distributed, including the distance learning technologies that have been utilized to make programming available and the geographic distribution achieved through such technologies; and

''(D) the initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development and distribution and broadcast of educational and instructional programming.

''(2) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the relevant committees of Congress a biannual report on the activities funded and carried out under this section, and shall include in the report—

''(A) a summary of the programming developed using funds provided under this section; and

''(B) a description of the training materials developed using funds provided under this section, the manner in which outreach has been conducted to inform parents and child care providers of the availability of such materials, and the manner in which such materials have been distributed.

''(d) FUNDING RULE.—Not less than 60 percent of the amounts authorized to be appropriated under section 5233 for any fiscal year shall be used to carry out subparagraphs (B) and (C) of subsection (a)(1).

"SEC. 5232. READY TO TEACH.

''(a) IN GENERAL.—The Secretary may carry out any of the following activities:

''(1) Awarding grants to a nonprofit telecommunications entity (or a partnership of such entities) for the purpose of carrying out a national telecommunications-based program to improve the teaching of core academic subjects and to assist elementary and secondary school teachers in preparing all students to achieve State academic content standards.

''(2) Awarding grants to or entering into contracts or cooperative agreements with a local public telecommunications entity to develop, produce, and distribute educational and instructional video programming which is designed for use by elementary and secondary school students, created for or adaptable to State academic content standards, and capable of distribution through digital broadcasting and school digital networks.

''(b) APPLICATIONS.—

''(1) IN GENERAL.—Any telecommunications entity or partnership of such entities desiring a grant under this section shall submit an application to the Secretary.

''(2) SPECIFIC REQUIREMENTS FOR NATIONAL TELECOMMUNICATIONS-BASED PROGRAM.—Each

application for a grant under subsection (a)(1) shall—

''(A) demonstrate that the applicant will use the existing publicly funded telecommunications infrastructure, the Internet, and school digital networks (where available) to deliver video, voice, and data in an integrated service to train teachers in the use of materials and learning technologies for achieving State academic content standards;

''(B) assure that the program for which assistance is sought will be conducted in cooperation with States as appropriate, local educational agencies, and State or local nonprofit public telecommunications entities;

''(C) assure that a significant portion of the benefits available for elementary and secondary schools from the program for which assistance is sought will be available to schools of local educational agencies which have a high percentage of children counted for the purpose of part A of title I; and

''(D) contain such additional assurances as the Secretary may reasonably require.

''(c) APPROVAL OF APPLICATIONS; NUMBER OF DEMONSTRATION SITES.—In approving applications under this section, the Secretary shall assure that—

''(1) the national telecommunications-based program under subsection (a)(1) is conducted at elementary and secondary school sites in at least 15 States; and

''(2) grants under subsection (a)(2) are awarded on a competitive basis and for a period of 3 years to entities which—

''(A) enter into multiyear collaborative arrangements for content development with State educational agencies, local educational agencies, institutions of higher education, businesses, or other agencies and organizations, and

''(B) contribute non-Federal matching funds (including funds provided for transitions to digital broadcasting as well as in-kind contributions) to the activities assisted with the grant in an amount not less than 100 percent of the amount of the grant.

"PART C—CHARACTER EDUCATION

"SEC. 5301. CHARACTER EDUCATION PROGRAM.

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary may make grants to State educational agencies, local educational agencies, or consortia of such agencies for the design and implementation of character education programs that—

''(A) can be integrated into State academic content standards for the core academic subjects; and

''(B) can be carried out in conjunction with other educational reform efforts.

''(2) DURATION.—Each grant under this section shall be made for a period not to exceed 5 years, of which the grant recipient may not use more than 1 year for planning and program design.

''(b) CONTRACTS UNDER PROGRAM.—

''(1) EVALUATION.—Each agency or consortium receiving assistance under this section may contract with outside sources, including institutions of higher education and private and nonprofit organizations (including religious organizations), for the purposes of—

''(A) evaluating the program for which the assistance is made available;

''(B) measuring the integration of such program into the curriculum and teaching methods of schools where the program is carried out; and

''(C) measuring the success of such program in fostering the elements of character selected by the recipient under subsection (c)(1).

''(2) MATERIALS AND PROGRAM DEVELOPMENT.—Each agency or consortium receiving assistance under this section may contract with outside sources, including institutions of higher education and private and nonprofit organizations (including religious organizations), for assistance in—

''(A) developing secular curricula, materials, teacher training, and other activities related to character education; and

''(B) integrating secular character education into the curriculum and teaching methods of schools where the program is carried out.

''(c) ELEMENTS OF CHARACTER.—

''(1) SELECTION.—

''(A) IN GENERAL.—Each agency or consortium receiving assistance under this section may select the elements of character that will be taught under the program for which the assistance is made available.

''(B) CONSIDERATION OF VIEWS.—In selecting elements of character under paragraph (1), the agency or consortium shall consider the views of the parents or guardians of the students to be taught under the program.

''(2) EXAMPLE ELEMENTS.—Elements of character selected under this subsection may include any of the following:

''(A) Trustworthiness.

''(B) Respect.

''(C) Responsibility.

''(D) Fairness.

''(E) Caring.

''(F) Citizenship.

''(G) Giving.

''(d) APPLICATION.—

''(1) IN GENERAL.—Each agency or consortium seeking assistance under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

''(2) REQUIRED INFORMATION.—Each application for assistance under this section shall include information that—

''(A) demonstrates that the program for which the assistance is sought has clear goals and objectives that are based on scientifically based research;

''(B) describes the activities that will be carried out with the assistance and how such activities will meet the goals and objectives described in paragraph (1); and

''(C) describes how the program for which the assistance is sought will be linked to other efforts to improve educational achievement, including—

''(i) broader educational reforms that are being instituted by the applicant or its partners; and

''(ii) applicable State academic content standards for student achievement.

''(e) SELECTION OF RECIPIENTS.—

''(1) PEER REVIEW.—

''(A) IN GENERAL.—In selecting agencies or consortia to receive assistance under this section from among the applicants for such assistance, the Secretary shall use a peer review process that includes the participation of experts in the field of character education.

''(B) USE OF FUNDS.—The Secretary may use funds appropriated under this section for the cost of carrying out peer reviews under this paragraph.

''(2) SELECTION CRITERIA.—Each selection under paragraph (1) shall be made on the basis of the quality of the application submitted, taking into consideration such factors as—

''(A) the extent of parental, student, and community involvement in the program; and

''(B) the likelihood that the goals of the program will be realistically achieved.

''(3) EQUITABLE DISTRIBUTION.—In making selections under this subsection, the Secretary shall ensure, to the extent practicable under paragraph (2), that the programs assisted under this section are equitably distributed among the geographic regions of the United States, and among urban, suburban, and rural areas.

''(f) EVALUATIONS.—

''(1) IN GENERAL.—As a condition of receiving assistance under this section, the Secretary shall require each agency or consortium receiving such assistance to transmit to the Secretary, not later than 5 years after such receipt, a report containing an evaluation of each program assisted.

''(2) ATTAINMENT OF GOALS AND OBJECTIVES.—In conducting an evaluation referred to in paragraph (1), each agency or consortium shall evaluate the degree to which each program for which assistance was made available attained the goals and objectives for the program as described in the application for assistance submitted under subsection (d).

''(3) DISSEMINATION.—The Secretary shall—

''(A) make each evaluation received under this subsection publicly available; and

''(B) provide public notice (through such means as the Internet, the media, and public agencies) of the availability of each such evaluation after it is received by the Secretary.

''(g) MATCHING FUNDS.—As a condition of receiving assistance under this section, the Secretary may require that each agency or consortium receiving such assistance provide matching funds from non-Federal sources.

"SEC. 5302. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part $50,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2006.

"PART D—ELEMENTARY AND SECONDARY SCHOOL COUNSELING PROGRAMS

"SEC. 5401. ELEMENTARY AND SECONDARY SCHOOL COUNSELING PROGRAMS.

''(a) FINDINGS.—Congress finds as follows:

''(1) The Surgeon General reported in January 2001 that 1 in 10 children suffer from mental illnesses severe enough to impair development and fewer than 1 in 5 children get treatment for mental illnesses.

''(2) The Surgeon General reported that the burden of suffering by children with mental health needs and their families has created a health crisis in this country. Growing numbers of children are suffering needlessly because their emotional, behavioral, and developmental needs are not being met by the very institutions and systems that were created to take care of them.

''(3) As a result of the concern about the failure of the healthcare system to reach children and adolescents with mental illnesses, there is currently great interest in developing new models for the delivery of mental health and counseling services that can reach underserved groups efficiently.

''(4) Schools are a sensible point of intervention because of their central position in many children's lives and development, especially when families are unable to assume a leading role.

''(5) School-based mental health and counseling services allow for the identification of children in need of treatment much earlier in their development.

''(6) Establishing mental health and counseling services in schools provides access to underserved youth with or at risk of emotional or behavioral problems.

''(7) The Surgeon General's 2000 report on youth violence concludes that effective treatment can divert a significant proportion of delinquent and violent youths from future violence and crime.

''(8) Mental health and counseling services can play an important role in violence prevention on all levels, including preventing problem behaviors from developing; identifying and serving specific, at-risk populations; and reducing the deleterious effects of violence on victims and witnesses.

''(9) An evaluation of the model program for the elementary school counseling dem-

onstration program established pursuant to this section prior to the date of enactment of the Elementary and Secondary Counseling Improvement Act of 2001 found that the number of referrals to the principal's office decreased by nearly half, the use of force, weapons, and threatening of others also decreased, school suspensions were reduced, and students felt safer.

''(10) The report produced by the Institute of Medicine, 'Schools and Health: Our Nation's Investment', recommended a student-to-school counselor ratio of 250:1, student-to-school psychologist ratio of 1000:1, and a student-to-school social worker ratio of 800:1. The United States average student-to-counselor ratio is 551:1. Ratios for school psychologists and school social workers also exceed the recommended levels.

''(b) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—The Secretary may use funds provided under this section to award grants to local educational agencies to enable such agencies to establish or expand elementary and secondary school counseling programs which meet the requirements of subsection (c).

''(2) PRIORITY.—In awarding grants under this section, the Secretary shall give special consideration to applications describing programs which—

''(A) demonstrate the greatest need for new or additional counseling services among children in the schools served by the applicant, in part, by providing information on current ratios of students to school counselors, students to school social workers, and students to school psychologists;

''(B) propose the most promising and innovative approaches for initiating or expanding school counseling; and

''(C) show the greatest potential for replication and dissemination.

''(3) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall ensure an equitable geographic distribution among the regions of the United States and among urban, suburban, and rural local educational agencies.

''(4) DURATION.—A grant under this section shall be awarded for a period not to exceed 3 years.

''(5) MAXIMUM GRANT.—A grant awarded under this program shall not exceed $400,000 for any fiscal year.

''(6) SUPPLEMENT.—Assistance made available under this section shall be used to supplement, and may not supplant, other Federal, State, or local funds used for providing school-based counseling and mental health services to students.

''(c) REQUIREMENTS FOR COUNSELING PROGRAMS.—Each program funded under this section shall—

''(1) be comprehensive in addressing the counseling and educational needs of all students;

''(2) use a developmental, preventive approach to counseling;

''(3) increase the range, availability, quantity, and quality of counseling services in the elementary and secondary schools of the local educational agency;

''(4) expand counseling services through qualified school counselors, school psychologists, school social workers, and child and adolescent psychiatrists;

''(5) use innovative approaches to increase children's understanding of peer and family relationships, work and self, decision-making, or academic and career planning, or to improve peer interaction;

''(6) provide counseling services in settings that meet the range of needs of students;

''(7) include inservice training, including training for teachers in appropriate identification and intervention techniques for disciplining and teaching students at risk of violent behavior, by school counselors, school psychologists, school social workers, and child and adolescent psychiatrists;

''(8) involve parents of participating students in the design, implementation, and evaluation of a counseling program;

''(9) involve community groups, social service agencies, or other public or private entities in collaborative efforts to enhance the program;

''(10) evaluate annually the effectiveness and outcomes of the counseling services and activities assisted under this section;

''(11) ensure a team approach to school counseling in the elementary and secondary schools of the local educational agency by working toward ratios recommended by the American School Health Association of one school counselor to 250 students, one school social worker to 800 students, and one school psychologist to 1,000 students; and

''(12) ensure that school counselors, school psychologists, school social workers, or child and adolescent psychiatrists paid from funds made available under this section spend a majority of their time at the school in activities directly related to the counseling process.

''(d) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 3 percent of the amounts made available under this section in any fiscal year may be used for administrative costs to carry out this section.

''(e) DEFINITIONS.—For purposes of this section—

''(1) the term 'school counselor' means an individual who has documented competence in counseling children and adolescents in a school setting and who—

''(A) possesses State licensure or certification granted by an independent professional regulatory authority;

''(B) in the absence of such State licensure or certification, possesses national certification in school counseling or a specialty of counseling granted by an independent professional organization; or

''(C) holds a minimum of a master's degree in school counseling from a program accredited by the Council for Accreditation of Counseling and Related Educational Programs or the equivalent;

''(2) the term 'school psychologist' means an individual who—

''(A) possesses a minimum of 60 graduate semester hours in school psychology from an institution of higher education and has completed 1,200 clock hours in a supervised school psychology internship, of which 600 hours shall be in the school setting;

''(B) possesses State licensure or certification in the State in which the individual works; or

''(C) in the absence of such State licensure or certification, possesses national certification by the National School Psychology Certification Board;

''(3) the term 'school social worker' means an individual who—

''(A) holds a master's degree in social work from a program accredited by the Council on Social Work Education; and

''(B) is licensed or certified by the State in which services are provided; or

''(C) in the absence of such State licensure or certification, possesses a national credential or certification as a 'school social work specialist' granted by an independent professional organization; and

''(4) the term 'child and adolescent psychiatrist' means an individual who—

''(A) possesses State medical licensure; and

''(B) has completed residency training programs in general and child and adolescent psychiatry.

''(f) REPORT.—Not later than 1 year after assistance is made available under this section, the Secretary shall make publicly available the information from applicants regarding the ratios of students to school counselors, students to school social workers, and students to school psychologists.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2002 through 2006.

"PART E—MENTORING PROGRAMS

"SEC. 5501. DEFINITIONS.

''In this part, the following definitions apply:

''(1) CHILD WITH GREATEST NEED.—The term 'child with greatest need' means a child at risk of educational failure, dropping out of school, or involvement in criminal or delinquent activities, or that has lack of strong positive role models.

''(2) MENTOR.—The term 'mentor' means an individual who works with a child to provide a positive role model for the child, to establish a supportive relationship with the child, and to provide the child with academic assistance and exposure to new experiences and examples of opportunity that enhance the ability of the child to become a responsible adult.

''(3) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"SEC. 5502. PURPOSES.

''The purposes of this part are to make assistance available to promote mentoring programs for children with greatest need—

''(1) to assist such children in receiving support and guidance from a caring individual;

''(2) to improve the academic performance of such children;

''(3) to improve interpersonal relationships between such children and their peers, teachers, other adults, and family members;

''(4) to reduce the dropout rate of such children; and

''(5) to reduce juvenile delinquency and involvement in gangs by such children.

"SEC. 5503. GRANT PROGRAM.

''(a) IN GENERAL.—In accordance with this section, the Secretary may make grants to eligible entities to assist such entities in establishing and supporting mentoring programs and activities that—

''(1) are designed to link children with greatest need (particularly such children living in rural areas, high crime areas, or troubled home environments, or such children experiencing educational failure) with responsible adults or students in secondary school, who—

''(A) have received training and support in mentoring;

''(B) have been screened using appropriate reference checks, child and domestic abuse record checks, and criminal background checks; and

''(C) are interested in working with youth; and

''(2) are intended to achieve one or more of the following goals:

''(A) Provide general guidance to children with greatest need.

''(B) Promote personal and social responsibility among children with greatest need.

''(C) Increase participation by children with greatest need in, and enhance their ability to benefit from, elementary and secondary education.

''(D) Discourage illegal use of drugs and alcohol, violence, use of dangerous weapons, promiscuous behavior, and other criminal, harmful, or potentially harmful activity by children with greatest need.

''(E) Encourage children with greatest need to participate in community service and community activities.

''(F) Encourage children with greatest need to set goals for themselves or to plan for their futures, including encouraging such children to make graduation from secondary school a goal and to make plans for postsecondary education or training.

''(G) Discourage involvement of children with greatest need in gangs.

''(b) ELIGIBLE ENTITIES.—Each of the following is an entity eligible to receive a grant under subsection (a):

''(1) A local educational agency.

''(2) A nonprofit, community-based organization.

''(3) A partnership between an agency referred to in paragraph (1) and an organization referred to in paragraph (2).

''(c) USE OF FUNDS.—

''(1) IN GENERAL.—Each entity receiving a grant under this section shall use the grant funds for activities that establish or implement a mentoring program, including—

''(A) hiring of mentoring coordinators and support staff;

''(B) providing for the professional development of mentoring coordinators and support staff;

''(C) recruitment, screening, and training of mentors;

''(D) reimbursement of schools, if appropriate, for the use of school materials or supplies in carrying out the program;

''(E) dissemination of outreach materials;

''(F) evaluation of the program using scientifically based methods; and

''(G) such other activities as the Secretary may reasonably prescribe by rule.

''(2) PROHIBITED USES.—Notwithstanding paragraph (1), an entity receiving a grant under this section may not use the grant funds—

''(A) to directly compensate mentors;

''(B) to obtain educational or other materials or equipment that would otherwise be used in the ordinary course of the entity's operations;

''(C) to support litigation of any kind; or

''(D) for any other purpose reasonably prohibited by the Secretary by rule.

''(d) TERM OF GRANT.—Each grant made under this section shall be available for expenditure for a period of 3 years.

''(e) APPLICATION.—Each eligible entity seeking a grant under this section shall submit to the Secretary an application that includes—

''(1) a description of the mentoring plan the applicant proposes to carry out with such grant;

''(2) information on the children expected to be served by the mentoring program for which such grant is sought;

''(3) a description of the mechanism that applicant will use to match children with mentors based on the needs of the children;

''(4) an assurance that no mentor will be assigned to mentor so many children that the assignment would undermine either the mentor's ability to be an effective mentor or the mentor's ability to establish a close relationship (a one-on-one relationship, where practicable) with each mentored child;

''(5) an assurance that mentoring programs will provide children with a variety of experiences and support, including—

''(A) emotional support;

''(B) academic assistance; and

''(C) exposure to experiences that children might not otherwise encounter on their own;

''(6) an assurance that mentoring programs will be monitored to ensure that each child assigned a mentor benefits from that assignment and that there will be a provision for the assignment of a new mentor if the relationship between the original mentor is not beneficial to the child;

''(7) information on the method by which mentors and children will be recruited to the mentor program;

''(8) information on the method by which prospective mentors will be screened;

''(9) information on the training that will be provided to mentors; and

''(10) information on the system that the applicant will use to manage and monitor information relating to the program's reference checks, child and domestic abuse record checks, and criminal background checks and to its procedure for matching children with mentors.

''(f) SELECTION.—

''(1) COMPETITIVE BASIS.—In accordance with this subsection, the Secretary shall select grant recipients from among qualified applicants on a competitive basis.

''(2) PRIORITY.—In selecting grant recipients under paragraph (1), the Secretary shall give priority to each applicant that—

''(A) serves children with greatest need living in rural areas, high crime areas, or troubled home environments, or who attend schools with violence problems;

''(B) provides background screening of mentors, training of mentors, and technical assistance in carrying out mentoring programs;

''(C) proposes a mentoring program under which each mentor will be assigned to not more children than the mentor can serve effectively; or

''(D) proposes a school-based mentoring program.

''(3) OTHER CONSIDERATIONS.—In selecting grant recipients under paragraph (1), the Secretary shall also consider—

''(A) the degree to which the location of the programs proposed by each applicant contributes to a fair distribution of programs with respect to urban and rural locations;

''(B) the quality of the mentoring programs proposed by each applicant, including—

''(i) the resources, if any, the applicant will dedicate to providing children with opportunities for job training or postsecondary education;

''(ii) the degree to which parents, teachers, community-based organizations, and the local community have participated, or will participate, in the design and implementation of the applicant's mentoring program;

''(iii) the degree to which the applicant can ensure that mentors will develop longstanding relationships with the children they mentor;

''(iv) the degree to which the applicant will serve children with greatest need in the 4th, 5th, 6th, 7th, and 8th grades; and

''(v) the degree to which the program will continue to serve children from the 4th grade through graduation from secondary school; and

''(C) the capability of each applicant to effectively implement its mentoring program.

''(4) GRANT TO EACH STATE.—Notwithstanding any other provision of this subsection, in selecting grant recipients under paragraph (1), the Secretary shall select not less than 1 grant recipient from each State for which there is a qualified applicant.

''(g) MODEL SCREENING GUIDELINES.—

''(1) IN GENERAL.—Based on model screening guidelines developed by the Office of Juvenile Programs of the Department of Justice, the Secretary shall develop and distribute to program participants specific model guidelines for the screening of mentors who seek to participate in programs to be assisted under this part.

''(2) BACKGROUND CHECKS.—The guidelines developed under this subsection shall include, at a minimum, a requirement that potential mentors be subject to reference checks, child and domestic abuse record checks, and criminal background checks.

''SEC. 5504. STUDY BY GENERAL ACCOUNTING OFFICE.

''(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to identify successful school-based mentoring programs, and the elements, policies, or procedures of such programs that can be replicated.

''(b) REPORT.—Not later than 3 years after the date of enactment of the Mentoring for Success Act, the Comptroller General shall submit a report to the Secretary and Congress containing the results of the study conducted under this section.

''(c) USE OF INFORMATION.—The Secretary shall use information contained in the report referred to in subsection (b)—

''(1) to improve the quality of existing mentoring programs assisted under this part and other mentoring programs assisted under this Act; and

''(2) to develop models for new programs to be assisted or carried out under this Act.

''SEC. 5505. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out section 5503 $50,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2006.''.

TITLE VI—IMPACT AID PROGRAM

SEC. 601. PAYMENTS UNDER SECTION 8002 WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.

(a) FOUNDATION PAYMENTS FOR PRE-1995 RECIPIENTS.—Section 8002(h)(1) (20 U.S.C. 7702(h)(1)) is amended—

(1) in subparagraph (A), by striking ''and was eligible to receive a payment under section 2 of the Act of September 30, 1950'' and inserting ''and that filed, or has been determined pursuant to statute to have filed a timely application, and met, or has been determined pursuant to statute to meet, the eligibility requirements of section 2(a)(1)(C) of the Act of September 30, 1950''; and

(2) in subparagraph (B), by striking ''(or if the local educational agency was not eligible to receive a payment under such section 2 for fiscal year 1994'' and inserting ''(or if the local educational agency did not meet, or has not been determined pursuant to statute to meet, the eligibility requirements of section 2(a)(1)(C) of the Act of September 30, 1950 for fiscal year 1994''.

(b) PAYMENTS FOR 1995 RECIPIENTS.—Section 8002(h)(2) (20 U.S.C. 7702(h)(2)) is amended—

(1) in subparagraph (A), by adding at the end before the period '', or whose application for fiscal year 1995 was determined pursuant to statute to be timely filed for purposes of payments for subsequent fiscal years''; and

(2) in subparagraph (B)(ii), by striking ''for each local educational agency that received a payment under this section for fiscal year 1995'' and inserting ''for each local educational agency described in subparagraph (A)''.

(c) REMAINING FUNDS.—Section 8002(h)(4)(B) (20 U.S.C. 7702(h)(4)(B)) is amended—

(1) by striking ''(in the same manner as percentage shares are determined for local educational agencies under paragraph (2)(B)(ii))'' and inserting ''(by dividing the maximum amount that the agency is eligible to receive under subsection (b) by the total of the maximum amounts for all such agencies)''; and

(2) by striking '', except that for the purpose of calculating a local educational agency's assessed value of the Federal property'' and inserting '', except that, for purposes of calculating a local educational agency's maximum amount under subsection (b)''.

(d) APPLICATION FOR PAYMENT.—Notwithstanding any other provision of law, the Sec-

retary shall treat as timely filed an application under section 8002 (20 U.S.C. 7702) from Academy School District 20, Colorado, for a payment for fiscal year 1999, and shall process that application from funds appropriated for that section for fiscal year 2001.

SEC. 602. CALCULATION OF PAYMENT UNDER SECTION 8003 FOR SMALL LOCAL EDUCATIONAL AGENCIES.

Section 8003(b)(3)(B)(iv) (20 U.S.C. 7703(b)(3)(B)(iv)) is amended by inserting after ''of the State in which the agency is located'' the following: ''or less than the average per pupil expenditure of all the States''.

SEC. 603. ELIGIBILITY UNDER SECTION 8003 FOR CERTAIN HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.

(a) ELIGIBILITY.—Section 8003(b)(2)(C) (20 U.S.C. 7703(b)(2)(C)) is amended—

(1) in clauses (i) and (ii) by inserting after ''Federal military installation'' each place it appears the following: ''(or if the agency is a qualified local educational agency as described in clause (iv))''; and

(2) by adding at the end the following:

''(iv) QUALIFIED LOCAL EDUCATIONAL AGENCY.—A qualified local educational agency described in this clause is an agency that meets the following requirements:

''(I) The boundaries of the agency are the same as island property designated by the Secretary of the Interior to be property that is held in trust by the Federal Government.

''(II) The agency has no taxing authority.

''(III) The agency received a payment under paragraph (1) for fiscal year 2001.''.

(b) EFFECTIVE DATE.—The Secretary shall consider an application for a payment under section 8003(b)(2) for fiscal year 2002 from a qualified local educational agency described in section 8003(b)(2)(C)(iv), as added by subsection (a), as meeting the requirements of section 8003(b)(2)(C)(iii), and shall provide a payment under section 8003(b)(2) for fiscal year 2002, if the agency submits to the Secretary an application for payment under such section not later than 60 days after the date of the enactment of this Act.

SEC. 604. CONSTRUCTION.

(a) SCHOOL FACILITY EMERGENCY AND MODERNIZATION GRANTS.—Section 8007(b) (20 U.S.C. 7707(b)) is amended to read as follows:

''(b) SCHOOL FACILITY EMERGENCY AND MODERNIZATION GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From 60 percent of the amount appropriated for each fiscal year under section 8014(e), the Secretary—

''(A) shall award emergency grants in accordance with this subsection to eligible local educational agencies to enable the agencies to carry out emergency repairs of school facilities; and

''(B) shall award modernization grants in accordance with this subsection to eligible local educational agencies to enable the agencies to carry out the modernization of school facilities.

''(2) PRIORITY.—In approving applications from local educational agencies for emergency grants and modernization grants under this subsection, the Secretary shall give priority to applications for emergency grants and, among such applications for emergency grants, shall give priority to those applications of local educational agencies based on the severity of the emergency.

''(3) ELIGIBILITY REQUIREMENTS.—

''(A) EMERGENCY GRANTS.—A local educational agency is eligible to receive an emergency grant under this subsection only if—

''(i) the agency (or in the case of a local educational agency that does not have the authority to tax or issue bonds, the agency's fiscal agent)—

''(I) has no practical capacity to issue bonds;

''(II) has minimal capacity to issue bonds and is at 75 percent of the agency's limit of bonded indebtedness; or

''(III) does not meet the requirements of subclauses (I) and (II) but is eligible to receive funds under section 8003(b)(2) for the fiscal year; and

''(ii) the agency is eligible to receive assistance under subsection (a) for the fiscal year and has a school facility emergency, as determined by the Secretary, that poses a health or safety hazard to the students and school personnel assigned to the school facility.

''(B) MODERNIZATION GRANTS.—A local educational agency is eligible to receive a modernization grant under this subsection only if—

''(i) the agency (or in the case of a local educational agency that does not have the authority to tax or issue bonds, the agency's fiscal agent) meets the requirements of subclause (I), (II), or (III) of subparagraph (A)(i);

''(ii) the agency is eligible to receive assistance under section 8002 for the fiscal year and has an assessed value of real property per student that may be taxed for school purposes that is less than the average of the assessed value of real property per student that may be taxed for school purposes in the State in which the local educational agency is located; and

''(iii) the agency has facility needs resulting from actions of the Federal Government, such as enrollment increases due to the expansion of Federal activities, housing privatization, or the acquisition of Federal property.

''(C) RULE OF CONSTRUCTION.—For purposes of subparagraph (A)(i), a local educational agency—

''(i) has no practical capacity to issue bonds if the total assessed value of real property that may be taxed for school purposes is less than $25,000,000; and

''(ii) has minimal capacity to issue bonds if the total assessed value of real property that may be taxed for school purposes is not less than $25,000,000 but not more than $50,000,000.

''(4) AWARD CRITERIA.—In awarding emergency grants and modernization grants under this subsection, the Secretary shall consider the following factors:

''(A) The ability of the local educational agency to respond to the emergency, or to pay for the modernization project, as the case may be, as measured by—

''(i) the agency's level of bonded indebtedness;

''(ii) the assessed value of real property per student that may be taxed for school purposes compared to the average of the assessed value of real property per student that may be taxed for school purposes in the State in which the agency is located;

''(iii) the agency's total tax rate for school purposes (or, if applicable, for capital expenditures) compared to the average total tax rate for school purposes (or the average capital expenditure tax rate, if applicable) in the State in which the agency is located; and

''(iv) funds that are available to the agency, from any other source, including section 8007(a), that may be used for capital expenditures.

''(B) The percentage of property in the agency that is nontaxable due to the presence of the Federal Government.

''(C) The number and percentages of children described in subparagraphs (A), (B), (C), and (D) of section 8003(a)(1) served in the school facility with the emergency or served in the school facility proposed for modernization, as the case may be.

''(D) In the case of an emergency grant, the severity of the emergency, as measured by the threat that the condition of the school facility poses to the health, safety, and well-being of students.

''(E) In the case of a modernization grant—

''(i) the severity of the need for modernization, as measured by such factors as—

''(I) overcrowding, as evidenced by the use of portable classrooms; or

''(II) the agency's inability to maximize the use of technology or offer a curriculum in accordance with contemporary State standards due to the physical limitations of the current school facility; and

''(ii) the age of the school facility proposed for modernization.

''(5) OTHER AWARD PROVISIONS.—

''(A) GENERAL PROVISIONS.—

''(i) LIMITATIONS ON AMOUNT OF FUNDS.—

''(I) IN GENERAL.—The amount of funds provided under an emergency grant or a modernization grant awarded under this subsection to a local educational agency that meets the requirements of subclause (II) or (III) of paragraph (3)(A)(i)—

''(aa) shall not exceed 50 percent of the total cost of the project to be assisted under this subsection; and

''(bb) shall not exceed $3,000,000 during any 5-year period.

''(II) IN-KIND CONTRIBUTIONS.—A local educational agency may use in-kind contributions to meet the matching requirement of subclause (I)(aa).

''(ii) PROHIBITIONS ON USE OF FUNDS.—A local educational agency may not use funds provided under an emergency grant or modernization grant awarded under this subsection for—

''(I) a project for a school facility for which the agency does not have full title or other interest; or

''(II) stadiums or other facilities primarily used for athletic contests, exhibitions, or other events for which admission is charged to the general public.

''(iii) SUPPLEMENT NOT SUPPLANT.—A local educational agency shall use funds provided under an emergency grant or modernization grant awarded under this subsection only to supplement the amount of funds that would, in the absence of the Federal funds provided under the grant, be made available from non-Federal sources to carry out emergency repairs of school facilities or to carry out the modernization of school facilities, as the case may be, and not to supplant such funds.

''(B) EMERGENCY GRANTS.—

''(i) PROHIBITION ON USE OF FUNDS.—A local educational agency that is awarded an emergency grant under this subsection may not use amounts under the grant for the complete or partial replacement of an existing school facility unless such replacement is less expensive or more cost-effective to correct the identified emergency.

''(ii) CARRY-OVER OF CERTAIN APPLICATIONS.—In the case of a local educational agency that applies for an emergency grant under this subsection for a fiscal year and does not receive the grant for the fiscal year, the Secretary—

''(I) shall, upon the request of the agency, treat the application as an application for an emergency grant under this subsection for the subsequent fiscal year in accordance with the priority requirements of paragraph (2); and

''(II) shall allow the agency to amend or otherwise update the application, as appropriate.

''(6) APPLICATION.—A local educational agency that desires to receive an emergency grant or a modernization grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each application shall contain the following:

''(A) The information described in clauses (i) through (iv) of paragraph (4)(A) and subparagraphs (B) and (C) of paragraph (4).

''(B) In the case of an application for an emergency grant—

''(i) a description of the school facility deficiency that poses a health or safety hazard to the occupants of the facility and a description of how the deficiency will be repaired; and

''(ii) a signed statement from an appropriate local official certifying that a deficiency in the school facility threatens the health or safety of the occupants of the facility or that prevents the use of all or a portion of the building.

''(C) In the case of an application for a modernization grant—

''(i) an explanation of the need for the school facility modernization project; and

''(ii) the date on which original construction of the facility to be modernized was completed.

''(D) A description of the project for which a grant under this subsection would be used, including a cost estimate for the project.

''(E) A description of the interest in, or authority over, the school facility involved, such as an ownership interest or a lease arrangement.

''(F) Such other information and assurances as the Secretary may reasonably require.

''(7) REPORT.—

''(A) IN GENERAL.—Not later than January 1 of each year, the Secretary shall prepare and submit to the appropriate congressional committees a report that contains a justification for each grant awarded under this subsection for the prior fiscal year.

''(B) DEFINITION.—In this paragraph, the term 'appropriate congressional committees' means—

''(i) the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives; and

''(ii) the Committee on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 8014(e) (20 U.S.C. 7714(e)) is amended by striking ''for each of the three succeeding fiscal years'' and inserting ''for fiscal year 2001, $150,000,000 for fiscal year 2002, and such sums as may be necessary for each of the four succeeding fiscal years''.

SEC. 605. STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID.

Section 8009(b)(1) (20 U.S.C. 7709(b)(1)) is amended by inserting after ''section 8003(a)(2)(B)'' the following: ''and, with respect to a local educational agency that receives a payment under section 8003(b)(2), the amount in excess of the amount that the agency would receive if the agency were deemed to be an agency eligible to receive a payment under section 8003(b)(1) and not section 8003(b)(2)''.

SEC. 606. AUTHORIZATION OF APPROPRIATIONS.

Section 8014 (20 U.S.C. 7714) is amended by striking ''three succeeding fiscal years'' each place it appears and inserting ''six succeeding fiscal years''.

SEC. 607. REPEAL OF EXISTING TITLE VI; TRANSFER AND REDESIGNATION OF PROGRAM.

(a) REPEAL OF EXISTING TITLE VI.—Title VI (20 U.S.C. 7301 et seq.) is repealed.

(b) TRANSFER AND REDESIGNATION OF PROGRAM.—(1) Title VIII (20 U.S.C. 7701 et seq.)—

(A) is transferred from the current placement of the title and inserted after title V; and

(B) is redesignated as title VI.

(2) Title VI (as redesignated by paragraph (1)(B)) is amended—

(A) by redesignating sections 8001 through 8005 (20 U.S.C. 7701–7705) as sections 6001 through 6005, respectively; and

(B) by redesignating sections 8007 through 8014 (20 U.S.C. 7707–7714) as sections 6006 through 6013, respectively.

(c) CONFORMING AMENDMENTS.—(1) Title VI (as redesignated by subsection (b)) is amended by striking ''8002'', ''8003'', ''8004'', ''8005'', ''8008'', ''8009'', ''8011'', ''8013'', and ''8014'' each place such terms appear and inserting ''6002'', ''6003'', ''6004'', ''6005'', ''6007'', ''6008'', ''6010'', ''6012'', and ''6013'', respectively.

(2) Section 6005 (as redesignated by subsection (b)) is amended in the heading by striking ''8002 and 8003'' and inserting ''6002 and 6003''.

(3) Section 6009(c)(1) (as redesignated by subsection (b)) is amended in the heading by striking ''8003'' and inserting ''6003''.

(d) SAVINGS PROVISION.—Funds appropriated for title VIII of the Elementary and Secondary Education Act of 1965 (as in effect on the day before the date of the enactment of this Act) shall be available for use under title VI of such Act, as added by this section.

SEC. 608. SENSE OF CONGRESS RELATING TO FULL FUNDING OF THE IMPACT AID PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) More than 90 percent of resources for school districts in the United States are raised from State and local property taxes.

(2) School districts that are affected by the presence of the Federal Government, such as Federal property that is not subject to taxation, must still provide educational services to children who are federally connected by such activities of the Federal Government.

(3) To mitigate this loss of funding, Congress has made ''impact aid'' payments to local educational agencies to reimburse the agencies for the costs of educating federally connected children.

(4) From 1950 to 1969, Congress provided full funding for the impact aid program to help defray the costs of educating federally connected children.

(5) For fiscal year 2000, Congress provided only 46 percent of the costs of educating federally connected children.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the House of Representatives, the Senate, and the Administration should work together to provide full funding for the impact aid program in future fiscal years in order to meet the needs of school districts affected by a Federal presence; and

(2) the full funding of the impact aid program will ensure that federally connected children will continue to receive a quality education.

TITLE VII—ACCOUNTABILITY

SEC. 701. FLEXIBILITY AND ACCOUNTABILITY.

Title VII is amended to read as follows:

''TITLE VII—FLEXIBILITY AND ACCOUNTABILITY

''PART A—STATE ACCOUNTABILITY FOR IMPROVING ACADEMIC ACHIEVEMENT

''SEC. 7101. STATE FINANCIAL AWARDS.

''(a) IN GENERAL.—Beginning in the 2002–2003 school year, the Secretary shall make in accordance with this section financial awards, to be known as 'Achievement in Education Awards', to States that have made significant progress in improving educational achievement.

''(b) CRITERIA OF PROGRESS.—For the purposes of subsection (a), the Secretary shall judge progress using each of the following criteria, giving the greatest weight to the criterion described in paragraph (1):

''(1) The progress of the State's students from economically disadvantaged families and students from racial and ethnic minority groups—

''(A) on the assessments administered by the State under section 1111; and

''(B) beginning in the 2003–2004 school year, on assessments of 4th and 8th grade reading and mathematics under—

''(i) the State assessments carried out as part of the National Assessment of Educational Progress under section 411 of the National Education Statistics Act of 1994 (20 U.S.C. 9010); or

''(ii) an assessment selected by the State that—

''(I) is administered annually;

''(II) yields high quality data that are valid and reliable;

''(III) meets widely recognized professional and technical standards, including specific and rigorous test security procedures;

''(IV) is developed by an entity independent from each State and local government agency in the State in a manner that protects against any conflict of interest;

''(V) has no test questions that are identical to the test questions used by the assessment used to meet the State assessment requirements under section 1111;

''(VI) provides results in such a form that they may be expressed in terms of achievement levels that are consistent with the achievement levels (basic, proficient, and advanced) set forth in section 1111;

''(VII) provides results in such a form that they may be disaggregated, at a minimum, according to income level and major racial and ethnic group; and

''(VIII) is administered to all students or to a representative sample of students in the 4th and 8th grades statewide, with a sample size that is sufficiently large to produce statistically significant estimates of statewide student achievement.

''(2) The overall improvement in the achievement of all of the State's students, as measured by—

''(A) the assessments administered by the State under section 1111; and

''(B) beginning in the 2003–2004 school year, the assessments described in paragraph (1)(B).

''(3) The progress of the State in improving the English proficiency of students who enter school with limited English proficiency.

''(c) OTHER CONSIDERATIONS.—In judging a State's progress under subsection (a), the Secretary may also consider—

''(1) the progress of the State in increasing the percentage of students who graduate from secondary schools; and

''(2) the progress of the State in increasing the percentage of students who take advanced coursework (such as Advanced Placement or International Baccalaureate courses) and who pass the exams associated with such coursework.

''(d) AMOUNT.—The Secretary shall determine the amount of an award under subsection (a) based on—

''(1) the school-age population of the State; and

''(2) the degree of progress shown by a State with respect to the criteria set forth in subsections (b) and (c).

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—A State receiving a financial award under this section shall use the proceeds of such award only to make financial awards to public elementary and secondary schools in the State that have made the most significant progress with respect to the criteria described in subsection (b).

''(2) USE BY SCHOOLS.—In consultation with the school's teachers, the principal of each elementary or secondary school that receives a financial award from a State under this section shall use the proceeds of such award at the school for any educational purpose permitted under State law.

''(3) RESPONSIBLE STATE AGENCY.—The State educational agency for each State shall be the agency responsible for making awards under this subsection.

''(f) PEER REVIEW.—In selecting States for awards under subsection (a), the Secretary shall use a peer-review process.

''(g) COSTS OF INDEPENDENT ASSESSMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make grants to States to offset the costs of administering assessments administered by the States to meet the requirements of (b)(1)(B)(ii).

''(2) LIMITATIONS.—Grants made by the Secretary in any year to a State under paragraph (1)—

''(A) may be awarded only to offset the costs of a single administration of an assessment described in such paragraph in the State for that year; and

''(B) may not exceed the costs of administering in the State for that year the State assessments that would be carried out under the National Assessment of Educational Progress described in subsection (b)(1)(B).

''(3) ALLOCATION.—The Secretary may determine the appropriate methodology of allocating grants to States under this subsection.

''SEC. 7102. STATE SANCTIONS.

''(a) FAILURE TO MAKE PROGRESS.—

''(1) LOSS OF ADMINISTRATIVE FUNDS.—The Secretary shall reduce, by 30 percent, the amount of funding that a State may reserve for State administration under the State formula grant programs authorized by this Act if the Secretary determines that, for 2 consecutive years—

''(A) the State's students from economically disadvantaged families and students from racial and ethnic minority groups failed to make adequate yearly progress on the assessments administered by the State under section 1111; and

''(B) the State's students from economically disadvantaged families and students from racial and ethnic minority groups failed to make measurable progress in reading and mathematics, as measured by the 4th and 8th grade assessments described in subsection (b)(1)(B).

''(2) FURTHER REDUCTIONS.—In each of the first 2 years after the years described in paragraph (1), the Secretary may increase the reduction described in such paragraph by any amount not more than a total of an additional 45 percent.

''(b) OTHER FAILURES.—In addition to any action taken under subsection (a)(1) or (a)(2), the Secretary shall reduce, by 20 percent, the amount of funding that a State may reserve for State administration under the State formula grant programs authorized by this Act if the Secretary determines that, for 2 consecutive years, the State failed to make adequate yearly progress—

''(1) with respect to the achievement of children with limited English proficiency under section 1111(b)(2)(C)(iii)(II)(dd); or

''(2) with respect to the acquisition of English language proficiency by children with limited English proficiency under section 1111(b)(2)(C)(iii)(III).

''(c) USE OF FUNDS FOR IMPROVEMENT.—

''(1) IN GENERAL.—The Secretary shall require that any funds reduced under this section be allocated by the State to local educational agencies in the State for school improvement purposes described in section 1116.

''(2) TREATMENT OF FUNDS.—Funds described in paragraph (1) shall not count toward the amounts that are required to be reserved by a State for school improvement under section 1003.

''SEC. 7103. DEVELOPMENT OF STATE STANDARDS AND ASSESSMENTS.

''(a) IN GENERAL.—The Secretary shall make financial awards to States to enable the States—

''(1) to pay the costs of the development of the additional State assessments and standards required by section 1111(b), including the costs of working in voluntary partnerships with other States, at the sole discretion of each such State, in developing such assessments and standards if a State chooses to do so; and

''(2) if a State has developed the assessments and standards referred to in paragraph (1), to administer such assessments or to carry out other activities described in this title and other activities related to ensuring accountability for results in the State's schools and local educational agencies, such as—

''(A) developing academic content and achievement standards and aligned assessments in other subjects not required by section 1111;

''(B) developing assessments of English language proficiency necessary to comply with section 1111(b)(7);

''(C) assuring the continued validity and reliability of State assessments;

''(D) refining State assessments to ensure their continued alignment with the State's academic content standards and to improve the alignment of curricula and instruction materials;

''(E) providing for multiple measures to increase the reliability and validity of student and school classifications;

''(F) strengthening the capacity of local educational agencies and schools to provide all students the opportunity to increase educational achievement;

''(G) expanding the range of accommodations available to students with limited English proficiency and students with disabilities to improve the rates of inclusion of such students; and

''(H) improving the dissemination of information on student achievement and school performance to parents and the community.

''(b) BONUSES.—The Secretary shall make a one-time bonus payment to each State that completes the development of the assessments described in subsection (a) ahead of the deadline set forth in section 1111.

''SEC. 7104. FUNDING.

''(a) AUTHORIZATION OF APPROPRIATIONS.—

''(1) AWARDS AND BONUS PAYMENTS.—For the purposes of making awards under section 7101 and bonus payments under section 7103(b), there are authorized to be appropriated $40,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2006.

''(2) GRANTS FOR INDEPENDENT ASSESSMENTS; ADMINISTRATION OF STATE ASSESSMENTS UNDER NAEP.—For the purposes of making grants to offset the costs of independent assessments under section 7101(g) and for the purposes of administering the State assessments carried out under the National Assessment of Educational Progress referred to in section 7101(b)(1)(B)(i), there are authorized to be appropriated to the Secretary $69,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2006.

''(3) DEVELOPMENT AND ADMINISTRATION OF STATE STANDARDS AND ASSESSMENTS.—For the purposes of carrying out subsection 7103(a), there are authorized to be appropriated $400,000,000 for fiscal year 2002 and such sums as may be necessary for each of the fiscal years 2003 through 2005.

''(b) ALLOCATION OF APPROPRIATED FUNDS.—From each of the amounts appropriated under subsection (a), the Secretary shall allocate to the States—

''(1) 50 percent based on the relative number of children aged 5 to 17 in each State; and

''(2) 50 percent allocated equally among the States.

''PART B—FUNDING FLEXIBILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES

''SEC. 7201. SHORT TITLE.

''This part may be cited as the 'State and Local Transferability Act'.

''SEC. 7202. PURPOSE.

''The purpose of this part is to allow States and local educational agencies the flexibility—

''(1) to target Federal funds to Federal programs that most effectively address the unique needs of States and localities; and

''(2) to transfer Federal funds allocated to other activities to allocations for activities authorized under title I programs.

''SEC. 7203. TRANSFERABILITY OF FUNDS.

''(a) TRANSFERS BY STATES.—

''(1) IN GENERAL.—In accordance with this part, a State may transfer up 50 percent of the nonadministrative State funds allocated to the State for use for State-level activities under each of the following provisions to one or more of the State's allocations under any other of such provisions:

''(A) Part A of Title II.

''(B) Subpart 1 of part A of title IV.

''(C) Part A or B of title V.

''(2) SUPPLEMENTAL FUNDS FOR TITLE I.—In accordance with this part, a State may transfer any funds allocated to the State under a provision listed in paragraph (1) to its allocation under title I.

''(b) TRANSFERS BY LOCAL EDUCATIONAL AGENCIES.—

''(1) AUTHORITY TO TRANSFER FUNDS.—

''(A) IN GENERAL.—In accordance with this part, a local educational agency (except a local educational agency identified for improvement under section 1116(c)(2) or subject to corrective action under section 1116(c)(9)) may transfer not more than 50 percent of the funds allocated to it under each of the provisions listed in paragraph (2) for a fiscal year to one or more of its allocations for such fiscal year under any other provision listed in paragraph (2).

''(B) AGENCIES IDENTIFIED FOR IMPROVEMENT.—A local educational agency identified for improvement under section 1116(c)(2) may transfer in accordance with this part not more than 30 percent of the funds allocated to it under each of the provisions listed in paragraph (2)—

''(i) to its allocation for school improvement under section 1003;

''(ii) to any other allocation if such transferred funds are used only for local educational agency improvement activities consistent with section 1116(d).

''(C) SUPPLEMENTAL FUNDS FOR TITLE I.—In accordance with this part, a local educational agency may transfer funds allocated to such agency under a provision listed in paragraph (2) to its allocation under title I.

''(2) APPLICABLE PROVISIONS.—A local educational agency may transfer funds under subparagraph (A) or (B) from allocations made under each of the following provisions:

''(A) Title II.

''(B) Subpart 1 of part A of title IV.

''(C) Subpart 1 of part A of title V or section 5212(a)(2)(A).

''(c) NO TRANSFER OF TITLE I FUNDS.—A State or a local educational agency may not transfer under this part to any other program any funds allocated to it under title I.

''(d) MODIFICATION OF PLANS AND APPLICATIONS; NOTIFICATION.—

''(1) STATE TRANSFERS.—Each State that makes a transfer of funds under this section shall—

''(A) modify to account for such transfer each State plan, or application submitted by the State, to which such funds relate;

''(B) not later than 30 days after the date of such transfer, submit a copy of such modified plan or application to the Secretary; and

''(C) not later than 30 days before the effective date of such transfer, notify the Secretary of such transfer.

''(2) LOCAL TRANSFERS.—Each local educational agency that makes a transfer under this section shall—

''(A) modify to account for such transfer each local plan, or application submitted by the agency, to which such funds relate;

''(B) not later than 30 days after the date of such transfer, submit a copy of such modified plan or application to the State; and

''(C) not later than 30 days before the effective date of such transfer, notify the State of such transfer.

''(e) APPLICABLE RULES.—

''(1) IN GENERAL.—Except as otherwise provided in this part, funds transferred under this section are subject to each of the rules and requirements applicable to the funds allocated by the Secretary under the provision to which the transferred funds are transferred.

''(2) CONSULTATION.—Each State educational agency or local educational agency that transfers funds under this section shall conduct consultations in accordance with section 8503(c), if such transfer transfers funds from a program that provides for the participation of students, teachers, or other educational personnel, from private schools.

"PART C—LOCAL FLEXIBILITY DEMONSTRATION

"SEC. 7301. SHORT TITLE.

''This part may be cited as the 'Local Flexibility Demonstration Act'.

"SEC. 7302. PURPOSE.

''The purpose of this part is to create options for local educational agencies—

''(1) to improve the academic achievement of all students, and to focus the resources of the Federal Government upon such achievement;

''(2) to improve teacher quality and subject matter mastery, especially in mathematics, reading, and science;

''(3) to empower parents and schools to effectively address the needs of their children and students;

''(4) to give local educational agencies maximum freedom in determining how to boost academic achievement and implement education reforms;

''(5) to eliminate Federal barriers to implementing effective local education programs;

''(6) to hold local educational agencies accountable for boosting the academic achievement of all students, especially disadvantaged children; and

''(7) to narrow achievement gaps between the lowest and highest performing groups of students so that no child is left behind.

"SEC. 7303. AGREEMENTS TO PROVIDE LOCAL FLEXIBILITY.

''(a) AUTHORITY.—Except as otherwise provided in this part, the Secretary shall enter into performance agreements—

''(1) with local educational agencies that meet their State's definition of adequate yearly progress, that submit approvable performance agreement proposals, and that are selected under paragraph (2); and

''(2) under which the agencies may consolidate and use funds as described in section 7304.

''(b) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall enter into performance agreements under this part with not more than 100 local educational agencies. Each such local educational agency shall be selected from among those local educational agencies that—

''(A) submit a proposed performance agreement to the Secretary and demonstrate, to the satisfaction of the Secretary, that the agreement—

''(i) has substantial promise of meeting the requirements of this part; and

''(ii) describes a plan to combine and use funds (as authorized under section 7304) under the agreement to meet the State's definition of adequate yearly progress;

''(B) provide information in the proposed performance agreement regarding how the local educational agency has notified the State of the local educational agency's intent to submit a proposed performance agreement; and

''(C) have consulted and involved parents and educators in the development of the proposed performance agreement.

''(2) GEOGRAPHIC DISTRIBUTION.—

''(A) IN GENERAL.—

''(i) INITIAL AGREEMENTS.—During the period of time that expires 3 years after the date of enactment of the No Child Left Behind Act of 2001, the Secretary may enter into not more than 2 performance agreements under this part with local educational agencies in each State.

''(ii) SUBSEQUENT AGREEMENTS.—After the expiration of the 3-year period beginning on the date of enactment of the No Child Left Behind Act of 2001, the Secretary may enter into performance agreements under this part with any number of local educational agencies in each State until the total number of such agreements equals 100.

''(B) URBAN AND RURAL AREAS.—If more than 2 local educational agencies in a State submit approvable performance agreements under this part, the Secretary shall select local educational agencies for performance agreements under this part in a manner that ensures an equitable distribution among such agencies serving urban and rural areas.

''(c) REQUIRED TERMS OF PERFORMANCE AGREEMENT.—Each performance agreement entered into with the Secretary under this part shall have each of the following terms:

''(1) TERM.— The performance agreement shall be for a term of 5 years.

''(2) APPLICATION OF PROGRAM REQUIREMENTS.—The performance agreement shall provide that no requirements of any program described in section 7304(b) and included by the local educational agency in the scope of the agreement shall apply to the agency, except as otherwise provided in this part.

''(3) LIST OF PROGRAMS.—The performance agreement shall list which of the programs described in section 7304(b) are included in the scope of the performance agreement.

''(4) USE OF FUNDS TO IMPROVE STUDENT ACHIEVEMENT.— The performance agreement shall contain a 5-year plan describing how the local educational agency intends to combine and use the funds from programs included in the scope of the performance agreement to advance the education priorities of the State and the local educational agency, meet the general purposes of the included programs, improve student achievement, and narrow achievement gaps.

''(5) LOCAL INPUT.—The performance agreement shall contain an assurance that the local educational agency will provide parents, teachers, and schools with notice and an opportunity to comment on the proposed terms of the performance agreement in accordance with State law.

''(6) FISCAL RESPONSIBILITIES.—The performance agreement shall contain an assurance that the local educational agency will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds consolidated and used under the performance agreement.

''(7) CIVIL RIGHTS.—The performance agreement shall contain an assurance that the local educational agency will meet the requirements of applicable Federal civil rights laws in carrying out the agreement and in consolidating and using the funds under the agreement.

''(8) PRIVATE SCHOOL PARTICIPATION.—The performance agreement shall contain an assurance that the local educational agency agrees that in consolidating and using funds under the performance agreement—

''(A) the local educational agency will provide for the equitable participation of students and professional staff in private schools; and

''(B) that sections 8504, 8505, and 8506 shall apply to all services and assistance provided with such funds in the same manner as such sections apply to services and assistance provided in accordance with section 8503.

''(9) ANNUAL REPORTS.—The performance agreement shall contain an assurance that the local educational agency agrees that not later than 1 year after the date on which the Secretary enters into the performance agreement, and annually thereafter during the term of the performance agreement, the local educational agency shall disseminate widely to parents and the general public, transmit to its State educational agency and the Secretary, distribute to print and broadcast media, and post on the Internet, a report that includes a detailed description of how the local educational agency used the funds consolidated under the agreement to improve student academic achievement and reduce achievement gaps.

''(c) APPROVAL.—Not later than 60 days after the receipt of a proposed performance agreement submitted by a local educational agency under this part, the Secretary shall approve the performance agreement or provide the local educational agency with a written determination that such agreement fails to satisfy the requirements of this part.

''(d) AMENDMENT TO PERFORMANCE AGREEMENT.—

''(1) IN GENERAL.—In each of the following circumstances, the Secretary shall agree to amend a performance agreement entered into with a local educational agency under this part:

''(A) REDUCTION IN SCOPE OF PERFORMANCE AGREEMENT.—Not later than 1 year after entering into the performance agreement, a State seeks to amend the agreement to remove from the scope any program described in section 7304(b).

''(B) EXPANSION OF SCOPE OF PERFORMANCE AGREEMENT.—Not later than 1 year after entering into the performance agreement, a State seeks to amend the agreement to include in its scope any additional program described in section 7304(b) or any additional achievement indicators for which the State will be held accountable.

''(2) APPROVAL OF AMENDMENT.—

''(1) IN GENERAL.—Not later than 60 days after the receipt of a proposed amendment to the performance agreement submitted by a local educational agency, the Secretary shall approve the amendment or provide the agency with a written determination that the amendment fails to satisfy the requirements of this part.

''(B) TREATMENT AS APPROVED.—Each amendment for which the Secretary fails to take the action required in subparagraph (A) in the time period described in such subparagraph shall be considered to be approved.

''(3) TREATMENT OF PROGRAM FUNDS WITHDRAWN FROM AGREEMENT.—Beginning on the effective date of an amendment executed under paragraph (1)(A), each program requirement of each program removed from the scope of a performance agreement shall apply to the local educational agency's use of funds made available under the program.

"SEC. 7304. CONSOLIDATION AND USE OF FUNDS.

''(a) IN GENERAL.—

''(1) AUTHORITY.—Under a performance agreement entered into under this part, a

local educational agency may consolidate, subject to subsection (c), Federal funds made available to the agency under the provisions listed in subsection (b) and use such funds for any educational purpose permitted under this Act.

''(2) PROGRAM REQUIREMENTS.—Except as otherwise provided in this part, a local educational agency may use funds under paragraph (1) notwithstanding the program requirements of the program under which the funds were made available to the State.

''(b) ELIGIBLE PROGRAMS.—Funds made available under programs under each of the following provisions of this Act may be consolidated and used under subsection (a):

''(1) Title II.

''(2) Part A of title IV.

''(3) Subpart 1 of part A of title V.

''(4) Part B of title V.

''SEC. 7305. LIMITATIONS ON ADMINISTRATIVE EXPENDITURES.

''Each local educational agency that has entered into a performance agreement with the Secretary under this part may use for administrative purposes not more than 4 percent of the total amount of funds allocated to the agency under the programs included in the scope of the performance agreement.

''SEC. 7306. PERFORMANCE REVIEW AND PENALTIES.

''(a) MIDTERM REVIEW.—The Secretary may not enter into a performance agreement under this part unless the agreement includes a provision permitting the Secretary, after notice and an opportunity for a hearing, to terminate the agreement if, during the term of the agreement, the local educational agency that is party to the agreement fails to make adequate yearly progress for 3 consecutive years.

''(b) FINAL REVIEW.—If, at the end of the 5-year term of a performance agreement entered into under this part, a local educational agency that is party to the agreement has not met the achievement goals contained in the performance agreement, the Secretary may not renew the agreement under section 7307 and, beginning on the date on which such term ends, the local educational agency shall be required to comply with each of the program requirements in effect on such date for each program included in the performance agreement.

''SEC. 7307. RENEWAL OF PERFORMANCE AGREEMENT.

''(a) IN GENERAL.—Except as provided in section 7306(b) and in accordance with this section, the Secretary shall renew for 1 additional 5-year term a performance agreement entered into under this part if the State that is party to the agreement has met or has substantially met, by the end of the original term of the agreement, the achievement goals contained in the agreement.

''(b) NOTIFICATION.—The Secretary may not renew a performance agreement under this part unless, not less than 6 months before the end of the original term of the agreement, the local educational agency seeking the renewal notifies the Secretary of its intention to renew.

''(c) EFFECTIVE DATE.—A renewal under this section shall be effective at the end of the original term of the agreement or on the date on which the local educational agency seeking renewal provides to the Secretary all data required under the agreement, whichever is later.

''SEC. 7308. REPORTS.

''(a) TRANSMITTAL TO CONGRESS.—Not later than 60 days after the Secretary receives a report described in section 7303(c)(9), the Secretary shall make the report available to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate.

''(b) LIMITATION.—A State in which a local educational agency that is party to a performance agreement entered into under this part is located may not require such local educational agency to provide any application information with respect to the programs included within the scope of such performance agreement other than that information that is required to be included in the report described in section 7303(c)(9).

''SEC. 7309. DEFINITIONS.

''In this part, the following definitions apply:

''(1) ADEQUATE YEARLY PROGRESS.—The term 'adequate yearly progress' means the adequate yearly progress determined by the State in which a local educational agency is located pursuant to section 1111(b)(2)(C).

''(2) ALL STUDENTS.—The term 'all students' means all students attending public schools or charter schools that are participating in the State's accountability and assessment system.''.

TITLE VIII—GENERAL PROVISIONS

SEC. 801. GENERAL PROVISIONS.

The Elementary and Secondary Education Act of 1965, as amended by this Act, is further amended by adding at the end of title VII the following:

''TITLE VIII—GENERAL PROVISIONS

''PART A—DEFINITIONS

''SEC. 8101. DEFINITIONS.

''Except as otherwise provided, for the purposes of this Act, the following terms have the following meanings:

''(1) Average daily attendance—

''(A) Except as provided otherwise by State law or this paragraph, the term 'average daily attendance' means—

''(i) the aggregate number of days of attendance of all students during a school year; divided by

''(ii) the number of days school is in session during such school year.

''(B) The Secretary shall permit the conversion of average daily membership (or other similar data) to average daily attendance for local educational agencies in States that provide State aid to local educational agencies on the basis of average daily membership or such other data.

''(C) If the local educational agency in which a child resides makes a tuition or other payment for the free public education of the child in a school located in another school district, the Secretary shall, for purposes of this Act—

''(i) consider the child to be in attendance at a school of the agency making such payment; and

''(ii) not consider the child to be in attendance at a school of the agency receiving such payment.

''(D) If a local educational agency makes a tuition payment to a private school or to a public school of another local educational agency for a child with disabilities, as defined in paragraph (5), the Secretary shall, for the purposes of this Act, consider such child to be in attendance at a school of the agency making such payment.

''(2) AVERAGE PER-PUPIL EXPENDITURE.—The term 'average per-pupil expenditure' means, in the case of a State or of the United States—

''(A) without regard to the source of funds—

''(i) the aggregate current expenditures, during the third fiscal year preceding the fiscal year for which the determination is made (or, if satisfactory data for that year are not available, during the most recent preceding fiscal year for which satisfactory data are available) of all local educational agencies in the State or, in the case of the United States for all States (which, for the purpose of this paragraph, means the 50 States and the District of Columbia); plus

''(ii) any direct current expenditures by the State for the operation of such agencies; divided by

''(B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.

''(3) BEGINNING TEACHER.—The term 'beginning teacher' means an educator in a public school who has been teaching less than a total of 3 complete school years.

''(4) CHILD.—The term 'child' means any person within the age limits for which the State provides free public education.

''(5) CHILD WITH DISABILITY.—The term 'child with a disability' means a child—

''(A) with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (hereinafter referred to as 'emotional disturbance'), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and

''(B) who, by reason thereof, needs special education and related services.

''(6) COMMUNITY-BASED ORGANIZATION.—The term 'community-based organization' means a public or private nonprofit organization of demonstrated effectiveness that—

''(A) is representative of a community or significant segments of a community; and

''(B) provides educational or related services to individuals in the community.

''(7) CONSOLIDATED LOCAL APPLICATION.—The term 'consolidated local application' means an application submitted by a local educational agency pursuant to section 14305.

''(8) CONSOLIDATED LOCAL PLAN.—The term 'consolidated local plan' means a plan submitted by a local educational agency pursuant to section 14305.

''(9) CONSOLIDATED STATE APPLICATION.—The term 'consolidated State application' means an application submitted by a State educational agency pursuant to section 14302.

''(10) CONSOLIDATED STATE PLAN.—The term 'consolidated State plan' means a plan submitted by a State educational agency pursuant to section 14302.

''(11) COUNTY.—The term 'county' means one of the divisions of a State used by the Secretary of Commerce in compiling and reporting data regarding counties.

''(12) COVERED PROGRAM.—The term 'covered program' means each of the programs authorized by—

''(A) part A of title I;

''(B) part B of title I;

''(C) part C of title I;

''(D) part D of title I;

''(E) part F of title I;

''(F) part G of title I;

''(G) part A of title II;

''(H) part A of title III;

''(I) part A of title V;

''(J) part B of title V; and

''(K) part A of title IV:

''(13) CURRENT EXPENDITURES.—The term 'current expenditures' means expenditures for free public education—

''(A) including expenditures for administration, instruction, attendance, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities; but

''(B) not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds received under title I and part A of title IV.

''(14) DEPARTMENT.—The term 'Department' means the Department of Education.

''(15) EDUCATIONAL SERVICE AGENCY.—The term 'educational service agency' means a regional public multiservice agency author-

ized by State statute to develop, manage, and provide services or programs to local educational agencies.

''(16) EFFECTIVE SCHOOLS PROGRAM.—The term 'effective schools program' means a school-based program that may encompass preschool through secondary school levels and that has the objectives of—

''(A) promoting school-level planning, instructional improvement, and staff development;

''(B) increasing the academic achievement levels of all children and particularly educationally disadvantaged children; and

''(C) achieving as ongoing conditions in the school the following factors identified through scientifically based research as distinguishing effective from ineffective schools:

''(i) Strong and effective administrative and instructional leadership that creates consensus on instructional goals and organizational capacity for instructional problem solving.

''(ii) Emphasis on the acquisition of basic and advanced academic skills.

''(iii) A safe and orderly school environment that allows teachers and pupils to focus their energies on academic achievement.

''(iv) Continuous review of students and programs to evaluate the effects of instruction.

''(17) ELEMENTARY SCHOOL.—The term 'elementary school' means a nonprofit institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under State law.

''(18) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term 'essential components of reading instruction' means explicit and systematic instruction in—

''(A) phonemic awareness;

''(B) phonics;

''(C) vocabulary development;

''(D) reading fluency; and

''(E) reading comprehension strategies.

''(19) FAMILY LITERACY SERVICES.—The term 'family literacy services' means services provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following activities:

''(A) Interactive literacy activities between parents and their children.

''(B) Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.

''(C) Parent literacy training that leads to economic self-sufficiency.

''(D) An age-appropriate education to prepare children for success in school and life experiences.

''(20) FREE PUBLIC EDUCATION.—The term 'free public education' means education that is provided—

''(A) at public expense, under public supervision and direction, and without tuition charge; and

''(B) as elementary or secondary school education as determined under applicable State law, except that such term does not include any education provided beyond grade 12.

''(21) FULLY QUALIFIED.—The term 'fully qualified'—

''(A) when used with respect to a public elementary or secondary school teacher means that the teacher has obtained State certification as a teacher (including certification obtained through alternative routes to certification) or passed the State teacher licensing exam and holds a license to teach in such State, except that when used with respect to any teacher teaching in a public charter school, means that the teacher meets the requirements set forth in the State's public charter school law; and

''(B) when used with respect to—

''(i) an elementary school teacher, means that the teacher holds a bachelor's degree and demonstrates knowledge and teaching skills in reading, writing, mathematics, science, and other areas of the elementary school curriculum; and

''(ii) a middle or secondary school teacher, means that the teacher holds a bachelor's degree and demonstrates a high level of competency in all subject areas in which he or she teaches through—

''(I) a passing level of performance on a rigorous State or local academic subject areas test; or

''(II) completion of an academic major in each of the subject areas in which he or she provides instruction.

''(22) GIFTED AND TALENTED.—The term 'gifted and talented', when used with respect to students, children or youth, means students, children or youth who give evidence of high performance capability in areas such as intellectual, creative, artistic, or leadership capacity, or in specific academic fields, and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities.

''(23) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given that term in section 101 of the Higher Education Act of 1965.

''(24) LIMITED ENGLISH PROFICIENT STUDENT.—The term 'limited English proficient student' means an individual aged 5 through 17 enrolled in an elementary school or secondary school—

''(A) who—

''(i) was not born in the United States or whose native language is a language other than English;

''(ii)(I) is a Native American or Alaska Native, or a native resident of the outlying areas; and

''(II) comes from an environment where a language other than English has had a significant impact on such individual's level of English language proficiency; or

''(iii) is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

''(B) who has sufficient difficulty speaking, reading, writing, or understanding the English language, and whose difficulties may deny the individual—

''(i) the ability to meet the State's proficient level of performance on State assessments described in section 1111(b)(4) in core academic subjects; or

''(ii) the opportunity to participate fully in society.

''(25) LOCAL EDUCATIONAL AGENCY.—(A) The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools.

''(B) The term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

''(C) The term includes an elementary or secondary school funded by the Bureau of Indian Affairs but only to the extent that such inclusion makes such school eligible for programs for which specific eligibility is not provided to such school in another provision of law and such school does not have a student population that is smaller than the student population of the local educational agency receiving assistance under this Act with the smallest student population, except that such school shall not be subject to the jurisdiction of any State educational agency other than the Bureau of Indian Affairs.

''(D) The term includes educational service agencies and consortia of such agencies.

''(26) MENTORING.—The term 'mentoring' means a program in which an adult works with a child or youth on a 1-to-1 basis, establishing a supportive relationship, providing academic assistance, and introducing the child or youth to new experiences that enhance the child or youth's ability to excel in school and become a responsible citizen.

''(27) NATIVE AMERICAN AND NATIVE AMERICAN LANGUAGE.—The terms 'Native American' and 'Native American language' shall have the same meaning given such terms in section 103 of the Native American Languages Act of 1990.

''(28) OTHER STAFF.—The term 'other staff' means pupil services personnel, librarians, career guidance and counseling personnel, education aides, and other instructional and administrative personnel.

''(29) OUTLYING AREA.—The term 'outlying area' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, and through fiscal year 2003 and for the purpose of any discretionary grant program, includes the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

''(30) PARENT.—The term 'parent' includes a legal guardian, or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare).

''(31) PUPIL SERVICES PERSONNEL; PUPIL SERVICES.—(A) The term 'pupil services personnel' means school counselors, school social workers, school psychologists, and other qualified professional personnel involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as such term is defined in section 602(22) of the Individuals with Disabilities Education Act) as part of a comprehensive program to meet student needs.

''(B) The term 'pupil services' means the services provided by pupil services personnel.

''(32) READING.—The term 'reading' means a complex system of deriving meaning from print that requires all of the following:

''(A) Skills and knowledge to understand how phonemes, or speech sounds are connected in print.

''(B) Ability to decode unfamiliar words.

''(C) Ability to read fluently.

''(D) Sufficient background information and vocabulary to foster reading comprehensions.

''(E) Development of appropriate active strategies to construct meaning from print.

''(F) Development and maintenance of a motivation to read.

''(33) RIGOROUS DIAGNOSTIC READING AND SCREENING ASSESSMENT TOOLS.—The term 'rigorous diagnostic reading and screening assessment tools' means a diagnostic reading assessment that—

''(A) is valid, reliable, and grounded on scientifically based reading research;

''(B) measures progress in developing phonemic awareness and phonics skills, vocabulary, reading fluency, and reading comprehension;

''(C) identifies students who may be at risk for reading failure or who are having difficulty reading; and

''(D) are used to improve instruction.

''(34) SCIENTIFICALLY BASED RESEARCH.—The term 'scientifically based research'—

''(A) means the application of rigorous, systematic, and objective procedures to obtain valid knowledge relevant to education activities and programs; and

''(B) shall include research that—

''(i) employs systematic, empirical methods that draw on observation or experiment;

''(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

''(iii) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations;

''(iv) is evaluated using randomized experiments in which individuals, entities, programs, or activities are randomly assigned to different variations (including a control condition) to compare the relative effects of the variations; and

''(v) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

''(35) SECONDARY SCHOOL.—The term 'secondary school' means a nonprofit institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under State law, except that such term does not include any education beyond grade 12.

''(36) SECRETARY.—The term 'Secretary' means the Secretary of Education.

''(37) STATE.—The term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

''(38) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' means the agency primarily responsible for the State supervision of public elementary and secondary schools.

''(39) TECHNOLOGY.—The term 'technology' means the latest state-of-the-art technology products and services.

"SEC. 8102. APPLICABILITY OF TITLE.

''Parts B, C, D, and E of this title do not apply to title VI of this Act.

"SEC. 8103. APPLICABILITY TO BUREAU OF INDIAN AFFAIRS OPERATED SCHOOLS.

''For purposes of any competitive program under this Act, a consortia of schools operated by the Bureau of Indian Affairs, a school operated under a contract or grant with the Bureau of Indian Affairs in consortia with another contract or grant school or tribal or community organization, or a Bureau of Indian Affairs school in consortia with an institution of higher education, a contract or grant school and tribal or community organization shall be given the same consideration as a local educational agency.

"PART B—FLEXIBILITY IN THE USE OF ADMINISTRATIVE AND OTHER FUNDS

"SEC. 8201. CONSOLIDATION OF STATE ADMINISTRATIVE FUNDS FOR ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.

''(a) CONSOLIDATION OF ADMINISTRATIVE FUNDS.—

''(1) IN GENERAL.—A State educational agency may consolidate the amounts specifically made available to such agency for State administration under one or more of the programs under paragraph (2) if such State educational agency can demonstrate that the majority of such agency's resources are derived from non-Federal sources.

''(2) APPLICABILITY.—This section applies to any program under this Act under which funds are authorized to be used for administration, and such other programs as the Secretary may designate.

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—A State educational agency shall use the amount available under this section for the administration of the programs included in the consolidation under subsection (a).

''(2) ADDITIONAL USES.—A State educational agency may also use funds available under this section for administrative activities designed to enhance the effective and coordinated use of funds under programs included in the consolidation under subsection (a), such as—

''(A) the coordination of such programs with other Federal and non-Federal programs;

''(B) the establishment and operation of peer-review mechanisms under this Act;

''(C) the administration of this title;

''(D) the dissemination of information regarding model programs and practices;

''(E) technical assistance under any program under this Act;

''(F) State level activities designed to carry out this title;

''(G) training personnel engaged in audit and other monitoring activities; and

''(H) implementation of the Cooperative Audit Resolution and Oversight Initiative of the Department of Education.

''(c) RECORDS.—A State educational agency that consolidates administrative funds under this section shall not be required to keep separate records, by individual program, to account for costs relating to the administration of programs included in the consolidation under subsection (a).

''(d) REVIEW.—To determine the effectiveness of State administration under this section, the Secretary may periodically review the performance of State educational agencies in using consolidated administrative funds under this section and take such steps as the Secretary finds appropriate to ensure the effectiveness of such administration.

''(e) UNUSED ADMINISTRATIVE FUNDS.—If a State educational agency does not use all of the funds available to such agency under this section for administration, such agency may use such funds during the applicable period of availability as funds available under one or more programs included in the consolidation under subsection (a).

"SEC. 8202. SINGLE LOCAL EDUCATIONAL AGENCY STATES.

''A State educational agency that also serves as a local educational agency, in such agency's applications or plans under this Act, shall describe how such agency will eliminate duplication in the conduct of administrative functions.

"SEC. 8203. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.

''(a) GENERAL AUTHORITY.—In accordance with regulations of the Secretary and for any fiscal year, a local educational agency, with the approval of its State educational agency, may consolidate and use for the administration of one or more programs under this Act (or such other programs as the Secretary shall designate) not more than the percentage, established in each such program, of the total available for the local educational agency under such programs.

''(b) STATE PROCEDURES.—Within one-year from the date of enactment of the No Child Left Behind Act of 2001, a State educational agency shall, in collaboration with local educational agencies in the State, establish procedures for responding to requests from local educational agencies to consolidate administrative funds under subsection (a) and for establishing limitations on the amount of funds under such programs that may be used for administration on a consolidated basis.

''(c) CONDITIONS.—A local educational agency that consolidates administrative funds under this section for any fiscal year shall not use any other funds under the programs included in the consolidation for administration for that fiscal year.

''(d) USES OF ADMINISTRATIVE FUNDS.—A local educational agency that consolidates administrative funds under this section may use such consolidated funds for the administration of such programs and for uses, at the school district and school levels, comparable to those described in section 8201(b)(2).

''(e) RECORDS.—A local educational agency that consolidates administrative funds under this section shall not be required to keep separate records, by individual program, to account for costs relating to the administration of such programs included in the consolidation.

"SEC. 8204. CONSOLIDATED SET-ASIDE FOR DEPARTMENT OF THE INTERIOR FUNDS.

''(a) GENERAL AUTHORITY.—

''(1) TRANSFER.—The Secretary shall transfer to the Department of the Interior, as a consolidated amount for covered programs, the Indian education programs under subpart 1 of part B of title III, and the education for homeless children and youth program under subtitle B of title VII of the Stewart B. McKinney Homeless Assistance Act, the amounts allotted to the Department of the Interior under those programs.

''(2) AGREEMENT.—(A) The Secretary and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of the programs specified in paragraph (1), for the distribution and use of those program funds under terms that the Secretary determines best meet the purposes of those programs.

''(B) The agreement shall—

''(i) set forth the plans of the Secretary of the Interior for the use of the amount transferred and the performance measures to assess program effectiveness, including measurable goals and objectives; and

''(ii) be developed in consultation with Indian tribes.

''(b) ADMINISTRATION.—The Department of the Interior may use not more than 1.5 percent of the funds consolidated under this section for such department's costs related to the administration of the funds transferred under this section.

"PART C—COORDINATION OF PROGRAMS; CONSOLIDATED STATE AND LOCAL PLANS AND APPLICATIONS

"SEC. 8301. PURPOSE.

''The purposes of this part are to improve teaching and learning through greater coordination between programs and to provide greater flexibility to State and local authorities by allowing the consolidation of State and local plans, applications, and reporting.

"SEC. 8302. OPTIONAL CONSOLIDATED STATE PLANS OR APPLICATIONS.

''(a) GENERAL AUTHORITY.—

''(1) SIMPLIFICATION.—In order to simplify application requirements and reduce the burden for States under this Act, the Secretary, in accordance with subsection (b), shall establish procedures and criteria under which a State educational agency, in consultation with the State's Governor, may submit a consolidated State plan or a consolidated State application meeting the requirements of this section for—

''(A) any programs under this Act in which the State participates; and

''(B) such other programs as the Secretary may designate.

''(2) CONSOLIDATED APPLICATIONS AND PLANS.—A State educational agency, in consultation with the State's Governor, that submits a consolidated State plan or a consolidated State application under this section shall not be required to submit a separate State plan or application for a program included in the consolidated State plan or application.

''(b) COLLABORATION.—

''(1) IN GENERAL.—In establishing criteria and procedures under this section, the Secretary shall collaborate with Governors,

State educational agencies and, as appropriate, with other State agencies, local educational agencies, public and private nonprofit agencies, organizations, and institutions, private schools, and representatives of parents, students, and teachers.

''(2) CONTENTS.—Through the collaborative process described in paragraph (1), the Secretary shall establish, for each program under the Act to which this section applies, the descriptions, information, assurances, and other material required to be included in a consolidated State plan or consolidated State application.

''(3) NECESSARY MATERIALS.—The Secretary shall require only descriptions, information, assurances, and other materials that are absolutely necessary for the consideration of the consolidated State plan or consolidated State application.

''SEC. 8303. CONSOLIDATED REPORTING.

''In order to simplify reporting requirements and reduce reporting burdens, the Secretary shall establish procedures and criteria under which a State educational agency, in consultation with the State's Governor, may submit a consolidated State annual report. Such report shall contain information about the programs included in the report, including the State's performance under those programs, and other matters as the Secretary determines, such as monitoring activities. Such a report shall take the place of separate individual annual reports for the programs subject to it.

''SEC. 8304. GENERAL APPLICABILITY OF STATE EDUCATIONAL AGENCY ASSURANCES.

''(a) ASSURANCES.—A State educational agency, in consultation with the State's Governor, that submits a consolidated State plan or consolidated State application under this Act, whether separately or under section 8302, shall have on file with the Secretary a single set of assurances, applicable to each program for which such plan or application is submitted, that provides that—

''(1) each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;

''(2)(A) the control of funds provided under each such program and title to property acquired with program funds will be in a public agency, in a nonprofit private agency, institution, or organization, or in an Indian tribe if the law authorizing the program provides for assistance to such entities; and

''(B) the public agency, nonprofit private agency, institution, or organization, or Indian tribe will administer such funds and property to the extent required by the authorizing law;

''(3) the State will adopt and use proper methods of administering each such program, including—

''(A) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program;

''(B) the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation; and

''(C) the adoption of written procedures for the receipt and resolution of complaints alleging violations of law in the administration of such programs;

''(4) the State will cooperate in carrying out any evaluation of each such program conducted by or for the Secretary or other Federal officials;

''(5) the State will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the State under each such program;

''(6) the State will—

''(A) make reports to the Secretary as may be necessary to enable the Secretary to perform the Secretary's duties under each such program; and

''(B) maintain such records, provide such information to the Secretary, and afford access to the records as the Secretary may find necessary to carry out the Secretary's duties; and

''(7) before the plan or application was submitted to the Secretary, the State has afforded a reasonable opportunity for public comment on the plan or application and has considered such comment.

''(b) GEPA PROVISION.—Section 441 of the General Education Provisions Act shall not apply to programs under this Act.

''SEC. 8305. CONSOLIDATED LOCAL PLANS OR APPLICATIONS.

''(a) GENERAL AUTHORITY.—A local educational agency receiving funds under more than one program under this Act may submit plans or applications to the State educational agency under such programs on a consolidated basis. The State educational agency shall make any consolidated local plans and applications available to the Governor.

''(b) REQUIRED CONSOLIDATED PLANS OR APPLICATIONS.—A State that has an approved consolidated State plan or application under section 8302 may require local educational agencies in the State receiving funds under more than one program included in the consolidated State plan or consolidated State application to submit consolidated local plans or applications under such programs, but may not require such agencies to submit separate plans.

''(c) COLLABORATION.—A State educational agency, in consultation with the Governor, shall collaborate with local educational agencies in the State in establishing procedures for the submission of the consolidated State plans or consolidated State applications under this section.

''(d) NECESSARY MATERIALS.—The State shall require only descriptions, information, assurances, and other material that are absolutely necessary for the consideration of the local educational agency plan or application.

''SEC. 8306. OTHER GENERAL ASSURANCES.

''(a) ASSURANCES.—Any applicant other than a State that submits a plan or application under this Act, shall have on file with the State a single set of assurances, applicable to each program for which a plan or application is submitted, that provides that—

''(1) each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;

''(2)(A) the control of funds provided under each such program and title to property acquired with program funds will be in a public agency or in a nonprofit private agency, institution, organization, or Indian tribe, if the law authorizing the program provides for assistance to such entities; and

''(B) the public agency, nonprofit private agency, institution, or organization, or Indian tribe will administer such funds and property to the extent required by the authorizing statutes;

''(3) the applicant will adopt and use proper methods of administering each such program, including—

''(A) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program; and

''(B) the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation;

''(4) the applicant will cooperate in carrying out any evaluation of each such program conducted by or for the State educational agency, the Secretary or other Federal officials;

''(5) the applicant will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to such applicant under each such program;

''(6) the applicant will—

''(A) make reports to the Governor and State educational agency and the Secretary as may be necessary to enable such agency and the Secretary to perform their duties under each such program; and

''(B) maintain such records, provide such information, and afford access to the records as the Governor and State educational agency or the Secretary may find necessary to carry out the State's or the Secretary's duties; and

''(7) before the application was submitted, the applicant afforded a reasonable opportunity for public comment on the application and has considered such comment.

''(b) GEPA PROVISION.—Section 442 of the General Education Provisions Act shall not apply to programs under this Act.

''PART D—WAIVERS

''SEC. 8401. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

''(a) IN GENERAL.—Except as provided in subsection (c), the Secretary may waive any statutory or regulatory requirement of this Act or the Carl D. Perkins Vocational and Technical Education Act of 1998 for a State educational agency, local educational agency, Indian tribe, or school through a local educational agency, that—

''(1) receives funds under a program authorized by this Act; and

''(2) requests a waiver under subsection (b).

''(b) REQUEST FOR WAIVER.—

''(1) IN GENERAL.—A State educational agency, local educational agency, or Indian tribe which desires a waiver shall submit a waiver application to the Secretary that—

''(A) indicates each Federal program affected and each statutory or regulatory requirement requested to be waived;

''(B) describes the purpose and overall expected results of waiving each such requirement;

''(C) describes, for each school year, specific, measurable, educational goals for the State educational agency and for each local educational agency, Indian tribe, or school that would be affected by the waiver; and

''(D) explains why the waiver will assist the State educational agency and each affected local educational agency, Indian tribe, or school in reaching such goals.

''(2) ADDITIONAL INFORMATION.—Such requests—

''(A) may provide for waivers of requirements applicable to State educational agencies, local educational agencies, Indian tribes, and schools; and

''(B) shall be developed and submitted—

''(i)(I) by local educational agencies (on behalf of such agencies and schools) to State educational agencies; and

''(II) by State educational agencies (on behalf of, and based upon the requests of, local educational agencies) to the Secretary; or

''(ii) by Indian tribes (on behalf of schools operated by such tribes) to the Secretary.

''(3) GENERAL REQUIREMENTS.—

''(A) In the case of a waiver request submitted by a State educational agency acting in its own behalf, the State educational agency shall—

''(i) provide all interested local educational agencies in the State with notice and a reasonable opportunity to comment on the request;

''(ii) submit the comments to the Secretary; and

''(iii) provide notice and information to the public regarding the waiver request in the manner that the applying agency customarily provides similar notices and information to the public.

''(B) In the case of a waiver request submitted by a local educational agency that receives funds under this Act—

''(i) such request shall be reviewed by the State educational agency and be accompanied by the comments, if any, of such State educational agency; and

''(ii) notice and information regarding the waiver request shall be provided to the public by the agency requesting the waiver in the manner that such agency customarily provides similar notices and information to the public.

''(c) RESTRICTIONS.—The Secretary shall not waive under this section any statutory or regulatory requirements relating to—

''(1) the allocation or distribution of funds to States, local educational agencies, or other recipients of funds under this Act;

''(2) maintenance of effort;

''(3) comparability of services;

''(4) use of Federal funds to supplement, not supplant, non-Federal funds;

''(5) equitable participation of private school students and teachers;

''(6) parental participation and involvement;

''(7) applicable civil rights requirements;

''(8) the requirement for a charter school under part B of title IV; or

''(9) the prohibitions regarding—

''(A) State aid in section 8502;

''(B) use of funds for religious worship or instruction in section 8507; and

''(C) activities in section 8513.

''(d) DURATION AND EXTENSION OF WAIVER.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the duration of a waiver approved by the Secretary under this section may be for a period not to exceed 5 years.

''(2) EXTENSION.—The Secretary may extend the period described in paragraph (1) if the Secretary determines that—

''(A) the waiver has been effective in enabling the State or affected recipients to carry out the activities for which the waiver was requested and the waiver has contributed to improved student performance; and

''(B) such extension is in the public interest.

''(e) REPORTS.—

''(1) LOCAL WAIVER.—A local educational agency that receives a waiver under this section shall at the end of the second year for which a waiver is received under this section, and each subsequent year, submit a report to the State educational agency that—

''(A) describes the uses of such waiver by such agency or by schools;

''(B) describes how schools continued to provide assistance to the same populations served by the programs for which waivers are requested; and

''(C) evaluates the progress of such agency and of schools in improving the quality of instruction or the academic performance of students.

''(2) STATE WAIVER.—A State educational agency that receives reports required under paragraph (1) shall annually submit a report to the Secretary that is based on such reports and contains such information as the Secretary may require.

''(3) INDIAN TRIBE WAIVER.—An Indian tribe that receives a waiver under this section shall annually submit a report to the Secretary that—

''(A) describes the uses of such waiver by schools operated by such tribe; and

''(B) evaluates the progress of such schools in improving the quality of instruction or the academic performance of students.

''(4) REPORT TO CONGRESS.—Beginning in fiscal year 2002 and each subsequent year, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report—

''(A) summarizing the uses of waivers by State educational agencies, local educational agencies, Indian tribes, and schools; and

''(B) describing whether such waivers—

''(i) increased the quality of instruction to students; or

''(ii) improved the academic performance of students.

''(f) TERMINATION OF WAIVERS.—The Secretary shall terminate a waiver under this section if the Secretary determines, after notice and an opportunity for a hearing, that the performance of the State or other recipient affected by the waiver has been inadequate to justify a continuation of the waiver or if the waiver is no longer necessary to achieve its original purposes.

''(g) PUBLICATION.—A notice of the Secretary's decision to grant each waiver under subsection (a) shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties, including educators, parents, students, advocacy and civil rights organizations, and the public.

"PART E—UNIFORM PROVISIONS

"SEC. 8501. MAINTENANCE OF EFFORT.

''(a) IN GENERAL.—A local educational agency may receive funds under a covered program for any fiscal year only if the State educational agency finds that either the combined fiscal effort per student or the aggregate expenditures of such agency and the State with respect to the provision of free public education by such agency for the preceding fiscal year was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

''(b) REDUCTION IN CASE OF FAILURE TO MEET.—

''(1) IN GENERAL.—The State educational agency shall reduce the amount of the allocation of funds under a covered program in any fiscal year in the exact proportion to which a local educational agency fails to meet the requirement of subsection (a) of this section by falling below 90 percent of both the combined fiscal effort per student and aggregate expenditures (using the measure most favorable to such local agency).

''(2) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under subsection (a) of this section for subsequent years.

''(c) WAIVER.—The Secretary may waive the requirements of this section if the Secretary determines that such a waiver would be equitable due to—

''(1) exceptional or uncontrollable circumstances such as a natural disaster; or

''(2) a precipitous decline in the financial resources of the local educational agency.

"SEC. 8502. PROHIBITION REGARDING STATE AID.

''A State shall not take into consideration payments under this Act (other than under title VI) in determining the eligibility of any local educational agency in such State for State aid, or the amount of State aid, with respect to free public education of children.

"SEC. 8503. PARTICIPATION BY PRIVATE SCHOOL CHILDREN AND TEACHERS.

''(a) PRIVATE SCHOOL PARTICIPATION.—

''(1) IN GENERAL.—Except as otherwise provided in this Act, to the extent consistent with the number of eligible children in areas served by a State educational agency, local educational agency, educational service agency, consortium of such agencies, or another entity receiving financial assistance under a program specified in subsection (b), who are enrolled in private elementary and secondary schools in areas served by such agency, consortium or entity, such agency, consortium or entity shall, after timely and meaningful consultation with appropriate private school officials, provide such children and their teachers or other educational personnel, on an equitable basis, special educational services or other benefits that address their needs under such program.

''(2) SECULAR, NEUTRAL, AND NONIDEOLOGICAL SERVICES OR BENEFITS.—Educational services or other benefits, including materials and equipment, provided under this section, shall be secular, neutral, and nonideological.

''(3) SPECIAL RULE.—Educational services and other benefits provided under this section for such private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating in such program and shall be provided in a timely manner.

''(4) EXPENDITURES.—Expenditures for educational services and other benefits provided under this section to eligible private school children, their teachers, and other educational personnel serving such children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children.

''(5) PROVISION OF SERVICES.—Such agency, consortium or entity described in subsection (a)(1) of this section may provide such services directly or through contracts with public and private agencies, organizations, and institutions.

''(b) APPLICABILITY.—

''(1) IN GENERAL.—This section applies to programs under—

''(A) part B, subpart 1 of title I;

''(B) part C of title I;

''(C) part A of title II;

''(D) part A of title III;

''(E) part A of title V; and

''(F) part B of title V.

''(2) DEFINITION.—For the purposes of this section, the term 'eligible children' means children eligible for services under a program described in paragraph (1).

''(c) CONSULTATION.—

''(1) IN GENERAL.—To ensure timely and meaningful consultation, a State educational agency, local educational agency, educational service agency, consortium of such agencies or entity shall consult with appropriate private school officials during the design and development of the programs under this Act, on issues such as—

''(A) how the children's needs will be identified;

''(B) what services will be offered;

''(C) how, where, and by whom the services will be provided;

''(D) how the services will be assessed and how the results of the assessment will be used to improve such services;

''(E) the size and scope of the equitable services to be provided to the eligible private school children, teachers, and other educational personnel and the amount of funds available for such services; and

''(F) how and when the agency, consortium, or entity will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third party providers.

''(2) DISAGREEMENT.—If the agency, consortium or entity disagrees with the views of the private school officials on the provision of services through a contract, the agency, consortium, or entity shall provide in writing to such private school officials an analysis of the reasons why the local educational agency has chosen not to use a contractor.

''(3) TIMING.—Such consultation shall occur before the agency, consortium, or entity makes any decision that affects the opportunities of eligible private school chil-

dren, teachers, and other educational personnel to participate in programs under this Act, and shall continue throughout the implementation and assessment of activities under this section.

''(4) DISCUSSION REQUIRED.—Such consultation shall include a discussion of service delivery mechanisms that the agency, consortium, or entity could use to provide equitable services to eligible private school children, teachers, administrators, and other staff.

''(d) PUBLIC CONTROL OF FUNDS.—

''(1) IN GENERAL.—The control of funds used to provide services under this section, and title to materials, equipment, and property purchased with such funds, shall be in a public agency for the uses and purposes provided in this Act, and a public agency shall administer such funds and property.

''(2) PROVISION OF SERVICES.—

''(A) The provision of services under this section shall be provided—

''(i) by employees of a public agency; or

''(ii) through contract by such public agency with an individual, association, agency, organization, or other entity.

''(B) In the provision of such services, such employee, person, association, agency, organization or other entity shall be independent of such private school and of any religious organization, and such employment or contract shall be under the control and supervision of such public agency.

''(C) Funds used to provide services under this section shall not be commingled with non-Federal funds.

"SEC. 8504. STANDARDS FOR BY-PASS.

''If, by reason of any provision of law, a State educational agency, local educational agency, educational service agency, consortium, or other entity of such agencies, is prohibited from providing for the participation in programs of children enrolled in, or teachers or other educational personnel from, private elementary and secondary schools, on an equitable basis, or if the Secretary determines that such agency consortium or entity has substantially failed or is unwilling to provide for such participation, as required by section 8503, the Secretary shall—

''(1) waive the requirements of that section for such agency, consortium, or entity;

''(2) arrange for the provision of equitable services to such children, teachers, or other educational personnel through arrangements that shall be subject to the requirements of this section and of sections 8503, 8505, and 8506; and

''(3) in making the determination, consider one or more factors, including the quality, size, scope, location of the program and the opportunity of private school children, teachers, and other educational personnel to participate.

"SEC. 8505. COMPLAINT PROCESS FOR PARTICIPATION OF PRIVATE SCHOOL CHILDREN.

''(a) PROCEDURES FOR COMPLAINTS.—The Secretary shall develop and implement written procedures for receiving, investigating, and resolving complaints from parents, teachers, or other individuals and organizations concerning violations of section 8503 by a State educational agency, local educational agency, educational service agency, consortium of such agencies or entity. Such individual or organization shall submit such complaint to the State educational agency for a written resolution by the State educational agency within a reasonable period of time.

''(b) APPEALS TO SECRETARY.—Such resolution may be appealed by an interested party to the Secretary not later than 30 days after the State educational agency resolves the complaint or fails to resolve the complaint within a reasonable period of time. Such appeal shall be accompanied by a copy of the State educational agency's resolution, and a complete statement of the reasons supporting the appeal. The Secretary shall investigate and resolve each such appeal not later than 120 days after receipt of the appeal.

"SEC. 8506. BY-PASS DETERMINATION PROCESS.

''(a) REVIEW.—

''(1) IN GENERAL.—

''(A) The Secretary shall not take any final action under section 8504 until the State educational agency, local educational agency, educational service agency, consortium of such agencies or entity affected by such action has had an opportunity, for not less than 45 days after receiving written notice thereof, to submit written objections and to appear before the Secretary to show cause why that action should not be taken.

''(B) Pending final resolution of any investigation or complaint that could result in a determination under this section, the Secretary may withhold from the allocation of the affected State or local educational agency the amount estimated by the Secretary to be necessary to pay the cost of those services.

''(2) PETITION FOR REVIEW.—

''(A) If such affected agency consortium or entity is dissatisfied with the Secretary's final action after a proceeding under paragraph (1), such agency consortium or entity may, within 60 days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action.

''(B) A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary.

''(C) The Secretary upon receipt of the copy of the petition shall file in the court the record of the proceedings on which the Secretary based this action, as provided in section 2112 of title 28, United States Code.

''(3) FINDINGS OF FACT.—

''(A) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence and the Secretary may then make new or modified findings of fact and may modify the Secretary's previous action, and shall file in the court the record of the further proceedings.

''(B) Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

''(4) JURISDICTION.—

''(A) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set such action aside, in whole or in part.

''(B) The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

''(b) DETERMINATION.—Any determination by the Secretary under this section shall continue in effect until the Secretary determines, in consultation with such agency, consortium or entity and representatives of the affected private school children, teachers, or other educational personnel that there will no longer be any failure or inability on the part of such agency or consortium to meet the applicable requirements of section 8503 or any other provision of this Act.

''(c) PAYMENT FROM STATE ALLOTMENT.—When the Secretary arranges for services pursuant to this section, the Secretary shall, after consultation with the appropriate public and private school officials, pay the cost of such services, including the administrative costs of arranging for those services, from the appropriate allocation or allocations under this Act.

''(d) PRIOR DETERMINATION.—Any by-pass determination by the Secretary under this Act as in effect on the day preceding the date of enactment of the No Child Left Behind Act of 2001 shall remain in effect to the extent the Secretary determines that such determination is consistent with the purpose of this section.

"SEC. 8507. PROHIBITION AGAINST FUNDS FOR RELIGIOUS WORSHIP OR INSTRUCTION.

''Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction.

"SEC. 8508. APPLICABILITY.

''Nothing in this Act shall be construed to affect home schools, whether or not a home school is treated as a home school or a private school under State law (consistent with section 8509), nor shall any home schooled student be required to participate in any assessment referenced in this Act.

"SEC. 8509. PRIVATE SCHOOLS.

''Nothing in this Act shall be construed to affect any private school that does not receive funds or services under this Act nor shall any student who attends a private school that does not receive funds or services under this Act be required to participate in any assessment referenced in this Act.

"SEC. 8510. PRIVACY OF ASSESSMENT RESULTS.

''Any results from individual assessments referenced in this Act which become part of the education records of the student shall have the protections as provided in section 444 of the General Education Provisions Act.

"SEC. 8511. GENERAL PROVISION REGARDING NONRECIPIENT NONPUBLIC SCHOOLS.

''Nothing in this Act, or any other Act administered by the Department, shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to bar private, religious, or home schools from participation in programs or services under this Act.

"SEC. 8512. SCHOOL PRAYER.

''As a condition for receipt of funds under this Act, a local educational agency shall certify in writing to the Secretary that no policy of the agency prevents or otherwise denies participation in constitutionally protected prayer in public schools.

"SEC. 8513. GENERAL PROHIBITIONS.

''(a) PROHIBITION.—None of the funds authorized under this Act shall be used—

''(1) to develop or distribute materials, or operate programs or courses of instruction directed at youth that are designed to promote or encourage, sexual activity, whether homosexual or heterosexual;

''(2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds;

''(3) to provide sex education or HIV prevention education in schools unless such instruction is age appropriate and emphasizes the health benefits of abstinence; or

''(4) to operate a program of contraceptive distribution in schools.

''(b) LOCAL CONTROL.—Nothing in this section shall be construed to—

''(1) authorize an officer or employee of the Federal Government to direct, review, or control a State, local educational agency, or schools' instructional content, curriculum, and related activities;

''(2) limit the application of the General Education Provisions Act (20 U.S.C.A. 1221 et seq.);

''(3) require the distribution of scientifically or medically false or inaccurate mate-

rials or to prohibit the distribution of scientifically or medically true or accurate materials; or

''(4) create any legally enforceable right.

"SEC. 8514. PROHIBITION ON FEDERAL MANDATES, DIRECTION, AND CONTROL.

''(a) GENERAL PROHIBITION.—Officers and employees of the Federal Government are prohibited from mandating, directing, or controlling a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources, or mandating a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

''(b) PROHIBITION OF FEDERAL MANDATES, DIRECTION, OR CONTROL.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's specific instructional content or academic achievement standards and assessments, curriculum, or program of instruction as a condition of eligibility to receive funds under this Act.

''(c) EQUALIZED SPENDING.—Nothing in this Act shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.

''(d) BUILDING STANDARDS.—Nothing in this Act shall be construed to mandate national school building standards for a State, local agency, or school.

"SEC. 8515. RULEMAKING.

''The Secretary shall issue regulations under this Act only to the extent that such regulations are necessary to ensure that there is compliance with the specific requirements and assurances required by this Act.

"SEC. 8516. REPORT ON DEPARTMENT AUDITS.

''The Secretary shall report to the Congress not later than 180 days after the date of enactment of the No Child Left Behind Act of 2001 regarding how the Secretary shall ensure that audits conducted by Department employees of activities assisted under this Act comply with changes to this Act made by the No Child Left Behind Act of 2001, particularly with respect to permitting children with similar educational needs to be served in the same educational settings, where appropriate.

"SEC. 8517. STUDY OF TESTING.

''(a) IN GENERAL.—The Secretary shall provide for a study of the effects of testing on students in elementary and secondary schools. Such study may include—

''(1) overall improvement or decline in what students are learning based on independent measures;

''(2) changes in course offerings, teaching practices, course content, and instructional material;

''(3) changes in rates of teacher and administrator turnover;

''(4) changes in dropout, grade retention and graduation rates for students;

''(5) costs of preparing for, conducting and grading the assessments in terms of dollars expended by the school district and time expended by students and teachers; and

''(6) such other effects as the Secretary may deem appropriate.

''(b) REPORT.—Not later than 2 years after the date of enactment of the No Child Left Behind Act of 2001, the Secretary shall transmit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report on the study conducted under subsection (a).

''(c) SUBSEQUENT CONGRESSIONAL CONSIDERATION.—After receipt of the report described in subsection (b), Congress may consider whether it is appropriate to enact legislation to mitigate any negative effects on students in elementary or secondary schools caused by testing.

"SEC. 8518. REQUIRED APPROVAL OR CERTIFICATION PROHIBITED.

''(a) IN GENERAL.—Notwithstanding any other provision of Federal law, no State shall be required to have academic content standards or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

''(b) CONSTRUCTION.—Nothing in this section shall be construed to affect requirements under title I of this Act.

"SEC. 8519. PROHIBITION ON ENDORSEMENT OF CURRICULUM.

''Notwithstanding any other prohibition of Federal law, no funds provided to the Department of Education or to any applicable program may be used by the Department to endorse, approve, or sanction any curriculum designed to be used in an elementary or secondary school.

"SEC. 8520. RULE OF CONSTRUCTION ON PERSONALLY IDENTIFIABLE INFORMATION.

''Nothing in this Act shall be construed to permit the development of a national database of personally identifiable information on individuals involved in studies or in data collection efforts under this Act.

"SEC. 8521. ARMED SERVICES RECRUITING.

''Any secondary school that receives Federal funds under this Act shall permit regular United States Armed Services recruitment activities on school grounds, in a manner reasonably accessible to all students of such school.

"SEC. 8522. SEVERABILITY.

''If any provision of this Act is held invalid, the remainder of this Act shall be unaffected thereby.

"SEC. 8523. ENCOURAGE EDUCATION SAVINGS.

''To the extent practicable, the Secretary shall promote education savings accounts in States that have qualified State tuition programs (as defined in section 529 of the Internal Revenue Code of 1986).

"SEC. 8524. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE; USE OF AMERICAN-MADE STEEL.

''(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

''(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

''(c) USE OF AMERICAN-MADE STEEL.—A school system receiving financial assistance under this Act for construction shall use American-made steel for such construction and shall comply with the requirements of the Buy American Act.

"PART F—SENSE OF CONGRESS

"SEC. 8601. PAPERWORK REDUCTION.

''(a) FINDINGS.—The Congress finds that—

''(1) instruction and other classroom activities provide the greatest opportunity for students, especially at-risk and disadvantaged students, to attain high standards and achieve academic success;

''(2) one of the greatest obstacles to establishing an effective, classroom-centered education system is the cost of paperwork compliance;

''(3) paperwork places a burden on teachers and administrators who must complete Federal and State forms to apply for Federal funds and absorbs time and money which otherwise would be spent on students;

''(4) the Education at a Crossroads Report released in 1998 by the Education Subcommittee on Oversight and Investigations states that requirements by the Department of Education result in more than 48,600,000 hours of paperwork per year; and

''(5) paperwork distracts from the mission of schools, encumbers teachers, and administrators with nonacademic responsibilities, and competes with teaching and classroom activities which promote learning and achievement.

''(b) SENSE OF CONGRESS.—It is the sense of Congress that Federal and State educational agencies should reduce the paperwork requirements placed on schools, teachers, principles, and other administrators.

"SEC. 8602. PROHIBITION ON MANDATORY NATIONAL CERTIFICATION OF TEACHERS AND PARAPROFESSIONALS.

''(a) PROHIBITION ON MANDATORY TESTING OR CERTIFICATION.—Notwithstanding any other provision of law, the Secretary is prohibited from using Federal funds to plan, develop, implement, or administer any mandatory national teacher or paraprofessional test or certification.

''(b) PROHIBITION ON WITHHOLDING FUNDS.—The Secretary is prohibited from withholding funds from any State or local educational agency if such State or local educational agency fails to adopt a specific method of teacher or paraprofessional certification.

"SEC. 8603. PROHIBITION ON FEDERALLY SPONSORED TESTING.

''Notwithstanding any other provision of Federal law, no funds provided under this Act to the Secretary or to the recipient of any award may be used to develop, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law.

"SEC. 8604. SENSE OF CONGRESS REGARDING MEMORIALS.

''It is the sense of Congress that—

''(1) the saying of a prayer, the reading of a scripture, or the performance of religious music, as part of a memorial service that is held on the campus of a public elementary or secondary school in order to honor the memory of any person slain on that campus is not objectionable under this Act; and

''(2) the design and construction of any memorial which includes religious symbols, motifs, or sayings that is placed on the campus of a public elementary or secondary school in order to honor the memory of any person slain on that campus is not objectionable under this Act.

"SEC. 8605. EFFECTIVE USE OF FEDERAL ELEMENTARY AND SECONDARY EDUCATION FUNDS.

''It is the sense of the Congress that the Secretary, State educational agencies, and local educational agencies should work together to ensure that not less than 95 percent of all funds appropriated to carry out elementary and secondary education programs under this Act is spent directly to improve the academic achievement of the Nation's children in their classrooms.

"PART G—EVALUATIONS

"SEC. 8651. EVALUATIONS.

''(a) RESERVATION OF FUNDS.—Except as provided in subsections (b) and (c), the Secretary may reserve not more than 0.5 percent of the amount appropriated to carry out each categorical program and demonstration project authorized under this Act—

''(1) to conduct—

''(A) comprehensive evaluations of the program or project; and

''(B) studies of the effectiveness of the programs or project and its administrative impact on schools and local educational agencies;

''(2) to evaluate the aggregate short- and long-term effects and cost efficiencies across

Federal programs assisted or authorized under this Act and related Federal preschool, elementary and secondary programs under any other Federal law; and

''(3) to increase the usefulness of evaluations of grant recipients in order to ensure the continuous progress of the program or project by improving the quality, timeliness, efficiency, and utilization of information relating to performance under the program or project.

''(b) TITLE I EXCLUDED.—The Secretary may not reserve under subsection (a) funds appropriated to carry out any program authorized under title I.

''(c) EVALUATION ACTIVITIES AUTHORIZED ELSEWHERE.—If, under any other provision of this Act (other than title I), funds are authorized to be reserved or used for evaluation activities with respect to a program or project, the Secretary may not reserve additional funds under this section for the evaluation of such program or project.''.

SEC. 802. COMPREHENSIVE REGIONAL ASSISTANCE CENTERS.

(a) IN GENERAL.—Part A of title XIII (20 U.S.C. 8621 et seq.)—

(1) is transferred to the end of title VIII, as amended by section 801; and

(2) is redesignated as part H.

(b) REDESIGNATION OF SECTIONS.—Sections 13101 through 13105 are redesignated as sections 8701 through 8705, respectively.

(c) CONFORMING AMENDMENTS.—

(1) REQUIREMENTS.—Section 8702(a) (as redesignated by subsection (b)) is amended—

(A) by striking ''section 13101(a)'' and inserting ''section 8701(a)''; and

(B) in paragraph (7), by striking ''section 13201'' and inserting ''section 8751''.

(2) MAINTENANCE OF SERVICE.—Section 8703(b) (as redesignated by subsection (b)) is amended—

(A) in paragraph (1), by striking ''section 13102'' and inserting ''section 8702''; and

(B) in paragraph (2)—

(i) by striking ''section 13201'' and inserting ''section 8751''; and

(ii) by striking ''section 13401'' and inserting ''section 8851''.

(3) TRANSITION.—Section 8704(b)(1) (as redesignated by subsection (b)) is amended by striking ''section 13105'' and inserting ''section 8705''.

SEC. 803. NATIONAL DIFFUSION NETWORK.

(a) IN GENERAL.—Part B of title XIII (20 U.S.C. 8651 et seq.)—

(1) is transferred to the end of title VIII, as amended by section 802; and

(2) is redesignated as part I.

(b) REDESIGNATION OF SECTIONS.—Sections 13201 and 13202 are redesignated as sections 8751 and 8752, respectively.

(c) CONFORMING AMENDMENT.—Section 8751 (as redesignated by subsection (b)) is amended—

(1) in subsection (e)(3), by striking ''under part C'' through the end thereof and inserting ''under part F; and''; and

(2) in subsection (f)(4), by striking ''section 13401'' and inserting ''section 8851''.

SEC. 804. EISENHOWER REGIONAL MATHEMATICS AND SCIENCE EDUCATION CONSORTIA.

(a) IN GENERAL.—Part C of title XIII (20 U.S.C. 8671 et seq.)—

(1) is transferred to the end of title VIII, as amended by section 803; and

(2) is redesignated as part J.

(b) REDESIGNATION OF SECTIONS.—Sections 13301 through 13308 are redesignated as sections 8801 through 8808, respectively.

(c) CONFORMING AMENDMENTS.—

(1) GRANT AUTHORIZATION.—Section 8801(a)(3) (as redesignated by subsection (b)) is amended by striking ''section 13308'' and inserting ''section 8808''.

(2) USE OF FUNDS.—Section 8802 (as redesignated by subsection (b)) is amended—

(A) by striking ''section 13304'' and inserting ''section 8804'';

(B) in paragraph (2), by striking ''13301(a)(1)'' and inserting ''8801(a)(1)''; and

(C) in paragraph (3), by striking ''13301(a)(1)'' and inserting ''8801(a)(1)''.

(3) PAYMENTS.—Section 8805 (as redesignated by subsection (b)) is amended in each of subsections (a) and (c) by striking ''section 13303'' and inserting ''section 8803''.

(4) EVALUATION.—Section 8806(a) (as redesignated by subsection (b)) is amended by striking ''section 14701'' and inserting ''section 8651''.

(5) DEFINITIONS.—Section 8807(4) (as redesignated by subsection (b)) is amended by striking ''section 13301'' and inserting ''section 8801''.

SEC. 805. TECHNOLOGY-BASED TECHNICAL ASSISTANCE.

(a) IN GENERAL.—Part D of title XIII (20 U.S.C. 8701)—

(1) is transferred to the end of title VIII, as amended by section 804; and

(2) is redesignated as part K.

(b) REDESIGNATION OF SECTION.—Section 13401 is redesignated as section 8851.

SEC. 806. REGIONAL TECHNICAL SUPPORT AND PROFESSIONAL DEVELOPMENT.

(a) IN GENERAL.—Subpart 3 of part A of title III (20 U.S.C. 6861 et seq.)—

(1) is transferred to the end of title VIII, as amended by section 805; and

(2) is redesignated as part L.

(b) REDESIGNATION OF SECTION.—Section 3141 is redesignated as section 8901.

(c) CONFORMING AMENDMENT.—Section 8901 (as redesignated by subsection (b)) is amended by striking ''part C of title XIII'' and inserting ''part J''.

TITLE IX—MISCELLANEOUS PROVISIONS

PART A—AMENDMENTS TO OTHER ACTS

Subpart 1—National Education Statistics Act

SEC. 901. AMENDMENT TO NESA.

Section 411 of the National Education Statistics Act of 1994 (20 U.S.C. 9010) is amended—

(1) by amending subsection (b)(2) to read as follows:

''(2) STATE ASSESSMENTS.—(A) The Commissioner, in carrying out the National Assessment—

''(i) may conduct State assessments of student achievement in grades 4, 8, and 12; and

''(ii) shall conduct annual State assessments of student achievement in reading and mathematics in grades 4 and 8 in order for States to carry out section 1111(c)(2) of the Elementary and Secondary Education Act of 1965.

''(B)(i) Except as provided in clause (ii), a participating State shall review and give permission for the release of results from any test of its students administered as a part of a State assessment prior to the release of the data. Refusal by a State to release its data shall not restrict the release of data from other States that have approved the release of that data.

''(ii) A State participating in the annual State assessments of its students in reading and mathematics in grades 4 and 8 shall be deemed to have given its permission to release its data if it has an approved plan under section 1111 of the Elementary and Secondary Education Act of 1965.''; and

(2) by amending subsection (d) to read as follows:

''(d) PARTICIPATION.—

''(1) NATIONAL AND REGIONAL PARTICIPATION.—Participation in the national and regional assessments by State and local educational agencies shall be voluntary.

''(2) STATE PARTICIPATION.—Participation in assessments made on a State basis shall be voluntary.''.

Subpart 2—Homeless Education

SEC. 911. SHORT TITLE.

This subpart may be cited as the ''McKinney-Vento Homeless Education Assistance Improvements Act of 2001''.

SEC. 912. FINDINGS.

Congress makes the following findings:

(1) An estimated 1,000,000 children in the United States will experience homelessness in 2001.

(2) Homelessness has a devastating impact on the educational opportunities of children and youth. Homeless children go hungry at more than twice the rate of other children, have four times the rate of delayed development, and are twice as likely to repeat a grade.

(3) Despite steady progress in school enrollment and attendance resulting from the passage in 1987 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.), homeless students still face numerous barriers to education, including residency, guardianship and registration requirements, delays in the transfer of school records, and inadequate transportation service.

(4) School is one of the few secure factors in the lives of homeless children and youth, providing stability, structure, and accomplishment during a time of great upheaval.

(5) Homeless children and youth require educational stability and the opportunity to maintain regular and consistent attendance in school, so that they acquire the skills necessary to escape poverty and lead productive, healthy lives as adults.

(6) In the 14 years since the passage of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.), educators and service providers have learned much about policies and practices which help remove the barriers described.

SEC. 913. PURPOSE.

The purpose of this subpart is to strengthen subtitle B of title VII of Public Law 100–77 (42 U.S.C. 11431 et seq.) by amending it—

(1) to include innovative practices, proven to be effective in helping homeless children and youth enroll, attend, and succeed in school; and

(2) to help ensure that all children and youth impacted by the loss of fixed, regular, and adequate housing receive a quality education and secure their chance for a brighter future.

SEC. 914. EDUCATION FOR HOMELESS CHILDREN AND YOUTH.

Subtitle B of title VII of Public Law 100–77 (42 U.S.C. 11431 et seq.) is amended to read as follows:

''Subtitle B—Education for Homeless Children and Youth

''SEC. 721. STATEMENT OF POLICY.

''It is the policy of the Congress that—

''(1) each State educational agency ensure that each child of a homeless individual and each homeless youth has equal access to the same free, public education, including a public preschool education, as provided to other children and youth;

''(2) in any State that has a compulsory residency requirement as a component of the State's compulsory school attendance laws or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youth, the State review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youth are afforded the same free, public education as provided to other children and youth;

''(3) homelessness alone is not sufficient reason to separate students from the mainstream school environment; and

''(4) homeless children and youth must have access to the education and other serv-

ices that such children and youth need to ensure that such children and youth have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

"SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.

''(a) GENERAL AUTHORITY.—The Secretary is authorized to make grants to States in accordance with the provisions of this section to enable such States to carry out the activities described in subsections (d), (e), (f), and (g).

''(b) APPLICATION.—No State may receive a grant under this section unless the State educational agency submits an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

''(c) ALLOCATION AND RESERVATIONS.—

''(1) IN GENERAL.—Subject to paragraph (2) and section 724(d), from the amounts appropriated for each fiscal year under section 726, the Secretary is authorized to allot to each State an amount that bears the same ratio to the amount appropriated for such year under section 726 as the amount allocated under section 1122 of the Elementary and Secondary Education Act of 1965 to the State for that year bears to the total amount allocated under section 1122 of such Act to all States for that year, except that no State shall receive less than $125,000 or ½ of 1 percent of the amount appropriated under section 726, whichever is greater.

''(2) RESERVATION.—(A) The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 726 to be allocated by the Secretary among the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to their respective need for assistance under this subtitle, as determined by the Secretary.

''(B)(i) The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 726 to the Department of the Interior for programs for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), that are consistent with the purposes of this Act.

''(ii) The Secretary and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of this part, for the distribution and use of the funds described in clause (i) under terms that the Secretary determines best meet the purposes of the programs described in such clause. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the amounts transferred, including appropriate goals, objectives, and milestones.

''(3) STATE DEFINED.—As used in this subsection, the term 'State' shall not include the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(d) ACTIVITIES.—Grants under this section shall be used—

''(1) to carry out the policies set forth in section 721 in the State;

''(2) to provide activities for, and services to, homeless children, including preschool-aged homeless children, and youth that enable such children and youth to enroll in, attend, and succeed in school, or, if appropriate, in preschool programs;

''(3) to establish or designate an Office of Coordinator of Education of Homeless Children and Youth in the State educational agency in accordance with subsection (f);

''(4) to prepare and carry out the State plan described in subsection (g); and

''(5) to develop and implement professional development programs for school personnel to heighten their awareness of, and capacity to respond to, specific problems in the education of homeless children and youth.

''(e) STATE AND LOCAL GRANTS.—

''(1) MINIMUM DISBURSEMENTS BY STATES.—From the sums made available each year to carry out this subtitle, the State educational agency shall distribute not less than 75 percent in grants to local educational agencies for the purposes of carrying out section 723, except that States funded at the minimum level set forth in subsection (c)(1) shall distribute not less than 50 percent in grants to local educational agencies for the purposes of carrying out section 723.

''(2) USE BY STATE EDUCATIONAL AGENCY.—A State educational agency may use funds made available for State use under this subtitle to conduct activities under subsection (f) directly or through grants.

''(3) PROHIBITION ON SEGREGATING HOMELESS STUDENTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) and section 723(a)(2)(B)(ii), in providing a free public education to a homeless child or youth, no State receiving funds under this subtitle shall segregate such child or youth, either in a separate school or in a separate program within a school, based solely on such child's or youth's status as homeless.

''(B) EXCEPTION.—A State that operates a separate school for homeless children as of the day preceding the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001—

''(i) shall remain eligible to receive, and to distribute to local educational agencies, funds under this subtitle for such school; and

''(ii) shall not distribute to local educational agencies in the State any funds received under this subtitle for use by any such schools not in operation as of such date of enactment.

''(f) FUNCTIONS OF THE OFFICE OF COORDINATOR.—The Coordinator of Education of Homeless Children and Youth established in each State shall—

''(1) gather, to the extent possible, reliable, valid, and comprehensive information on the nature and extent of the problems homeless children and youth have in gaining access to public preschool programs and to public elementary and secondary schools, the difficulties in identifying the special needs of such children and youth, any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties, and the success of the program under this subtitle in assisting homeless children and youth to enroll in, attend, and succeed in, school;

''(2) develop and carry out the State plan described in subsection (g);

''(3) collect and transmit to the Secretary information gathered pursuant to paragraphs (1) and (2) at such time and in such manner as the Secretary may require;

''(4) facilitate coordination between the State educational agency, the State social services agency, and other agencies providing services to homeless children and youth, including homeless children, including preschool-aged homeless children, and youth, and families of such children and youth;

''(5) in order to improve the provision of comprehensive education and related services to homeless children and youth and their families, coordinate and collaborate with—

''(A) educators, including child development and preschool program personnel;

''(B) State and local providers of services to homeless and runaway children and youth and homeless families (including domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, and transitional living programs for homeless youth);

''(C) local educational agency liaisons for homeless children and youth; and

''(D) State and local community organizations and groups representing homeless children and youth and their families; and

''(6) provide technical assistance to local educational agencies, in coordination with local liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of paragraphs (3) through (7) of subsection (g).

''(g) STATE PLAN.—

''(1) IN GENERAL.—Each State shall submit to the Secretary a plan to provide for the education of homeless children and youth within the State, which plan shall—

''(A) describe how such children and youth are or will be given the opportunity to meet the same challenging State student academic achievement standards all students are expected to meet;

''(B) describe the procedures the State educational agency will use to identify such children and youth in the State and to assess their special needs;

''(C) describe procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth;

''(D) describe programs for school personnel (including principals, attendance officers, teachers, enrollment personnel, and pupil services personnel) to heighten the awareness of such personnel of the specific needs of runaway and homeless youth;

''(E) describe procedures that ensure that homeless children and youth who meet the relevant eligibility criteria are able to participate in Federal, State, or local food programs;

''(F) describe procedures that ensure that—

''(i) homeless children have equal access to the same public preschool programs, administered by the State agency, as provided to other children;

''(ii) homeless youth and youth separated from the public schools are identified and accorded equal access to appropriate secondary education and support services; and

''(iii) homeless children and youth who meet the relevant eligibility criteria are able to participate in Federal, State, or local before- and after-school care programs;

''(G) address problems set forth in the report provided to the Secretary under subsection (f)(3);

''(H) address other problems with respect to the education of homeless children and youth, including problems caused by enrollment delays that are caused by—

''(i) immunization and medical records requirements;

''(ii) residency requirements;

''(iii) lack of birth certificates, school records, or other documentation;

''(iv) guardianship issues; or

''(v) uniform or dress code requirements;

''(I) demonstrate that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the enrollment and retention of homeless children and youth in schools in the State; and

''(J) contain assurances that—

''(i) except as provided in subsection (e)(3)(B), State and local educational agencies will adopt policies and practices to ensure that homeless children and youth are not segregated solely on the basis of their status as homeless;

''(ii) local educational agencies will designate an appropriate staff person, who may also be a coordinator for other Federal programs, as a liaison for homeless children and

youth, to carry out the duties described in paragraph (6)(A); and

''(iii) the State and its local educational agencies will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison) to and from the school of origin, as determined in paragraph (3)(A), in accordance with the following, as applicable:

''(I) If the homeless child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.

''(II) If the homeless child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing his or her education in the school of origin, begins living in the area served by another local educational agency, the local educational agency of origin and the local educational agency in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school or origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

''(2) COMPLIANCE.—

''(A) IN GENERAL.—Each plan adopted under this subsection shall also describe how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (7).

''(B) COORDINATION.—Such plan shall indicate what technical assistance the State will furnish to local educational agencies and how compliance efforts will be coordinated with the local liaisons established under this subchapter.

''(3) LOCAL EDUCATIONAL AGENCY REQUIREMENTS.—

''(A) IN GENERAL.—The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest, either—

''(i) continue the child's or youth's education in the school of origin for the duration of homelessness—

''(I) in any case in which a family becomes homeless between academic years or during the academic year; or

''(II) for the remainder of the academic year, if the child becomes permanently housed during the academic year; or

''(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

''(B) BEST INTEREST.—In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

''(i) to the extent feasible, keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian;

''(ii) provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the homeless child's or youth's parent or guardian if the local educational agency sends such child or youth to a school other than the school of origin or a school requested by the parent or guardian; and

''(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(2) assists in placement or enrollment decisions under this subparagraph and provides notice to such youth of the right to appeal under subparagraph (E).

''(C) ENROLLMENT.—(i) The school selected in accordance with this paragraph shall immediately enroll pursuant to section 725(3) the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

''(ii) The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

''(iii) If the child or youth needs to obtain immunizations or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the liaison who shall assist in obtaining necessary immunizations or immunization or medical records in accordance with subparagraph (E).

''(D) RECORDS.—Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, of each homeless child or youth shall be maintained—

''(i) so that the records are available, in a timely fashion, when a child or youth enters a new school or school district; and

''(ii) in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

''(E) ENROLLMENT DISPUTES.—If a dispute arises over school selection or enrollment in a school—

''(i) the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;

''(ii) the parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision;

''(iii) the child, youth, parent, or guardian shall be referred to the local liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(A) as expeditiously as possible after receiving notice of the dispute; and

''(iv) in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

''(F) PLACEMENT CHOICE.—The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

''(G) SCHOOL OF ORIGIN DEFINED.—In this paragraph, the term 'school of origin' means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

''(H) CONTACT INFORMATION.—Nothing in this subtitle shall prohibit a local educational agency from requiring a parent or guardian of a homeless child to submit contact information required by the local educational agency of a parent or guardian of a nonhomeless child.

''(4) COMPARABLE SERVICES.—Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school selected under paragraph (3), including—

''(A) transportation services;

''(B) educational services for which the child or youth meets the eligibility criteria, such as services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for students with limited-English proficiency;

''(C) programs in vocational and technical education;

''(D) programs for gifted and talented students; and

''(E) school nutrition programs.

''(5) COORDINATION.—

''(A) IN GENERAL.—Each local educational agency serving homeless children and youth that receives assistance under this subtitle shall coordinate—

''(i) the provision of services under this subtitle with local social services agencies and other agencies or programs providing services to homeless children and youth and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); and

''(ii) with other local educational agencies on interdistrict issues, such as transportation or transfer of school records.

''(B) HOUSING ASSISTANCE.—If applicable, each State and local educational agency that receives assistance under this subtitle shall coordinate with State and local housing agencies responsible for developing the comprehensive housing affordability strategy described in section 105 of the Cranston-Gonzales National Affordable Housing Act (42 U.S.C. 12705) to minimize educational disruption for children and youth who become homeless.

''(C) COORDINATION PURPOSE.—The coordination required under subparagraphs (A) and (B) shall be designed to—

''(i) ensure that homeless children and youth have access and reasonable proximity to available education and related support services; and

''(ii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

''(6) LIAISON.—

''(A) DUTIES.—Each local liaison for homeless children and youth, designated under paragraph (1)(J)(ii), shall ensure that—

''(i) homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;

''(ii) homeless children and youth enroll in, and have an equal opportunity to succeed in, schools of that agency;

''(iii) homeless families, children, and youth receive educational services for which such families, children, and youth are eligible, including Head Start and Even Start programs and preschool programs administered by the local educational agency, and referrals to health care services, dental services, mental health services, and other appropriate services;

''(iv) the parents or guardians of homeless children and youth are informed of the education and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

''(v) public notice of the educational rights of homeless children and youth is disseminated where such children and youth receive services under this Act, such as schools, family shelters, and soup kitchens;

''(vi) enrollment disputes are mediated in accordance with subsection (g)(3)(E); and

''(vii) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(ii), and is assisted in accessing transportation to the school selected in accordance with paragraph (3)(A).

''(B) NOTICE.—State coordinators whose duties are described under subsection (d) and local educational agencies shall inform school personnel, service providers, and ad-

vocates working with homeless families of the duties of the liaisons.

''(C) LOCAL AND STATE COORDINATION.—Local educational agency liaisons for homeless children and youth shall, as a part of their duties, coordinate and collaborate with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youth.

''(7) REVIEW AND REVISIONS.—

''(A) IN GENERAL.—Each State educational agency and local educational agency that receives assistance under this subtitle, shall review and revise any policies that may act as barriers to the enrollment of homeless children and youth in schools selected in accordance with paragraph (3).

''(B) CONSIDERATION.—In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship.

''(C) SPECIAL ATTENTION.—Special attention shall be given to ensuring the enrollment and attendance of homeless children and youth who are not currently attending school.

"SEC. 723. LOCAL EDUCATIONAL AGENCY GRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.

''(a) GENERAL AUTHORITY.—

''(1) IN GENERAL.—The State educational agency shall, in accordance with section 722(e) and from amounts made available to such agency under section 726, make grants to local educational agencies for the purpose of facilitating the enrollment, attendance, and success in school of homeless children and youth.

''(2) SERVICES.—

''(A) IN GENERAL.—Services under paragraph (1)—

''(i) may be provided through programs on school grounds or at other facilities;

''(ii) shall, to the maximum extent practicable, be provided through existing programs and mechanisms that integrate homeless children and youth with nonhomeless children and youth; and

''(iii) shall be designed to expand or improve services provided as part of a school's regular academic program, but not to replace such services provided under such program.

''(B) SERVICES ON SCHOOL GROUNDS.—If services under paragraph (1) are provided on school grounds, schools—

''(i) may use funds under this subtitle to provide the same services to other children and youth who are determined by the local educational agency to be at risk of failing in, or dropping out of, schools, subject to the requirements of clause (ii); and

''(ii) except as otherwise provided in section 722(e)(3)(B), shall not provide services in settings within a school that segregates homeless children and youth from other children and youth, except as is necessary for short periods of time—

''(I) for health and safety emergencies; or

''(II) to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youth.

''(3) REQUIREMENT.—Services provided under this section shall not replace the regular academic program and shall be designed to expand upon or improve services provided as part of the school's regular academic program.

''(b) APPLICATION.—A local educational agency that desires to receive a grant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as the State educational agency may reasonably require. Each such application shall include—

''(1) an assessment of the educational and related needs of homeless children and youth, as defined in section 725(1) and (2), in the area served by such agency (which may be undertaken as part of needs assessments for other disadvantaged groups);

''(2) a description of the services and programs for which assistance is sought to address the needs identified in paragraph (1);

''(3) an assurance that the local educational agency's combined fiscal effort per student, or the aggregate expenditures of that agency and the State with respect to the provision of free public education by such agency for the fiscal year preceding the fiscal year for which the determination is made, was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made;

''(4) an assurance that the applicant complies with, or will use requested funds to comply with, paragraphs (3) through (7) of section 722(g); and

''(5) a description of policies and procedures, consistent with section 722(e)(3)(B), that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and youth.

''(c) AWARDS.—

''(1) IN GENERAL.—The State educational agency shall, in accordance with the requirements of this subtitle and from amounts made available to it under section 726, make competitive subgrants to local educational agencies that submit applications under subsection (b). Such subgrants shall be awarded on the basis of the need of such agencies for assistance under this subtitle and the quality of the applications submitted.

''(2) NEED.—In determining need under paragraph (1), the State educational agency may consider the number of homeless children and youth enrolled in preschool, elementary, and secondary schools within the area served by the agency, and shall consider the needs of such children and youth and the ability of the agency to meet such needs. Such agency may also consider—

''(A) the extent to which the proposed use of funds would facilitate the enrollment, retention, and educational success of homeless children and youth;

''(B) the extent to which the application—

''(i) reflects coordination with other local and State agencies that serve homeless children and youth; and

''(ii) meets the requirements of section 722(g)(3);

''(C) the extent to which the applicant exhibits in the application and in current practice a commitment to education for all homeless children and youth; and

''(D) such other criteria as the State agency determines appropriate.

''(3) QUALITY.—In determining the quality of applications under paragraph (1), the State educational agency shall consider—

''(A) the applicant's needs assessment under subsection (b)(1) and the likelihood that the program presented in the application will meet such needs;

''(B) the types, intensity, and coordination of the services to be provided under the program;

''(C) the involvement of parents or guardians;

''(D) the extent to which homeless children and youth will be integrated within the regular education program;

''(E) the quality of the applicant's evaluation plan for the program;

''(F) the extent to which services provided under this subtitle will be coordinated with other available services; and

''(G) such other measures as the State educational agency considers indicative of a high-quality program.

''(4) DURATION OF GRANTS.—Grants awarded under this section shall be for terms not to exceed 3 years.

''(d) AUTHORIZED ACTIVITIES.—A local educational agency may use funds awarded under this section for activities to carry out the purpose of this subtitle, including—

''(1) the provision of tutoring, supplemental instruction, and enriched educational services that are linked to the achievement of the same challenging State academic content standards and challenging State student academic achievement standards the State establishes for other children and youth;

''(2) the provision of expedited evaluations of the strengths and needs of homeless children and youth, including needs and eligibility for programs and services (such as educational programs for gifted and talented students, children with disabilities, and students with limited-English proficiency, services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, programs in vocational and technical education, and school nutrition programs);

''(3) professional development and other activities for educators and pupil services personnel that are designed to heighten the understanding and sensitivity of such personnel to the needs of homeless children and youth, the rights of such children and youth under this Act, and the specific educational needs of runaway and homeless youth;

''(4) the provision of referral services to homeless children and youth for medical, dental, mental, and other health services;

''(5) the provision of assistance to defray the excess cost of transportation for students pursuant to section 722(g)(4)(A), not otherwise provided through Federal, State, or local funding, where necessary to enable students to attend the school selected under section 722(g)(3);

''(6) the provision of developmentally appropriate early childhood education programs, not otherwise provided through Federal, State, or local funding, for preschool-aged children;

''(7) the provision of services and assistance to attract, engage, and retain homeless youth (as described in paragraphs (1) and (2) of section 725) in public school programs and services provided to nonhomeless youth;

''(8) the provision for homeless children and youth of before- and after-school, mentoring, and summer programs in which a teacher or other qualified individual provides tutoring, homework assistance, and supervision of educational activities;

''(9) if necessary, the payment of fees and other costs associated with tracking, obtaining, and transferring records necessary to enroll homeless children and youth in school, including birth certificates, immunization or medical records, academic records, guardianship records, and evaluations for special programs or services;

''(10) the provision of education and training to the parents of homeless children and youth about the rights of, and resources available to, such children and youth;

''(11) the development of coordination between schools and agencies providing services to homeless children and youth, as described in section 722(g)(5);

''(12) the provision of pupil services (including violence prevention counseling) and referrals for such services;

''(13) activities to address the particular needs of homeless children and youth that may arise from domestic violence;

''(14) the adaptation of space and purchase of supplies for nonschool facilities made

available under subsection (a)(2) to provide services under this subsection;

''(15) the provision of school supplies, including those supplies to be distributed at shelters or temporary housing facilities, or other appropriate locations; and

''(16) the provision of other extraordinary or emergency assistance needed to enable homeless children and youth to attend school.

''SEC. 724. SECRETARIAL RESPONSIBILITIES.

''(a) REVIEW OF PLANS.—In reviewing the State plan submitted by a State educational agency under section 722(g), the Secretary shall use a peer review process and shall evaluate whether State laws, policies, and practices described in such plans adequately address the problems of homeless children and youth relating to access to education and placement as described in such plans.

''(b) TECHNICAL ASSISTANCE.—The Secretary shall provide support and technical assistance to the State educational agencies to assist such agencies to carry out their responsibilities under this subtitle, if requested by the State educational agency.

''(c) NOTICE.—The Secretary shall, before the next school year that begins after the date of the enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, create and disseminate nationwide a public notice of the educational rights of homeless children and youth and disseminate such notice to other Federal agencies, programs, and grantees, including Head Start grantees, Health Care for the Homeless grantees, Emergency Food and Shelter grantees, and homeless assistance programs administered by the Department of Housing and Urban Development.

''(d) EVALUATION AND DISSEMINATION.—The Secretary shall conduct evaluation and dissemination activities of programs designed to meet the educational needs of homeless elementary and secondary school students, and may use funds appropriated under section 726 to conduct such activities.

''(e) SUBMISSION AND DISTRIBUTION.—The Secretary shall require applications for grants under this subtitle to be submitted to the Secretary not later than the expiration of the 60-day period beginning on the date that funds are available for purposes of making such grants and shall make such grants not later than the expiration of the 120-day period beginning on such date.

''(f) DETERMINATION BY SECRETARY.—The Secretary, based on the information received from the States and information gathered by the Secretary under subsection (e), shall determine the extent to which State educational agencies are ensuring that each homeless child and homeless youth has access to a free appropriate public education as described in section 721(1).

''(g) INFORMATION.—

''(1) IN GENERAL.—From funds appropriated under section 726, the Secretary shall, either directly or through grants, contracts, or cooperative agreements, periodically collect and disseminate data and information regarding—

''(A) the number and location of homeless children and youth;

''(B) the education and related services such children and youth receive;

''(C) the extent to which such needs are being met; and

''(D) such other data and information as the Secretary deems necessary and relevant to carry out this subtitle.

''(2) COORDINATION.—The Secretary shall coordinate such collection and dissemination with other agencies and entities that receive assistance and administer programs under this subtitle.

''(h) REPORT.—Not later than 4 years after the date of the enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, the Secretary shall prepare and submit to the President and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the status of education of homeless children and youth, which shall include information on—

''(1) the education of homeless children and youth; and

''(2) the actions of the Department and the effectiveness of the programs supported under this subtitle.

''SEC. 725. DEFINITIONS.

''In this subtitle:

''(1) The term 'homeless children and youth'—

''(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1));

''(B) includes—

''(i) children and youth who are living in doubled-up accommodations sharing the housing of another due to loss of housing, economic hardship or a similar reason, are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations, are living in emergency or transitional shelters, are abandoned in hospitals, or are awaiting foster care placement;

''(ii) individuals who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C)); and

''(iii) children and youth who are living in cars, parks, public spaces, abandoned buildings or substandard housing, bus or train stations, or similar settings; and

''(C) does not include migratory children (as such term is defined in section 1309(2) of the Elementary and Secondary Education Act of 1965), unless such children are staying in accommodations not fit for habitation.

''(2) The term 'unaccompanied youth' includes youth not in the physical custody of a parent or guardian.

''(3) The terms 'enroll' and 'enrollment' include within their meaning the right to attend classes and to participate fully in school activities.

''(4) The terms 'local educational agency' and 'State educational agency' have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965.

''(5) The term 'Secretary' means the Secretary of Education.

''(6) The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''SEC. 726. AUTHORIZATION OF APPROPRIATIONS.

''For the purpose of carrying out this subtitle, there are authorized to be appropriated $60,000,000 for fiscal year 2002 and such sums as may be necessary for each of the fiscal years 2003 through 2006.''.

SEC. 915. TECHNICAL AMENDMENT.

(a) IN GENERAL.—Section 1 of Public Law 106–400 (42 U.S.C. 11301) is amended by striking ''Section 1 of'' and inserting ''Section 101 of''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be deemed to be effective on the date of the enactment of Public Law 106–400.

Subpart 3—General Education Provisions

SEC. 916. INFORMATION ACCESS AND CONSENT.

(a) IN GENERAL.—Section 445 of the General Education Provisions Act (20 U.S.C. 1232h) is amended by—

(1) redesignating subsections (c) through (e) as subsections (d) through (f), respectively; and

(2) by striking subsections (a) and (b) and inserting the following:

''(a) ACCESS TO INFORMATION.—No funds shall be made available under any applicable program to any educational agency or institution that has a policy of denying, or that effectively prevents, the parent of an elementary school or secondary school student served by such agency or at such institution, as the case may be—

''(1) the right to inspect and review any instructional material used with respect to the educational curriculum of the student. Each educational agency or institution shall establish appropriate procedures for the granting of a request by parents for access to the instructional material. The granting of each such request shall be made in a reasonable period of time, but shall not exceed 45 days, after the date of the request;

''(2) the right to inspect and review a survey, analysis, or evaluation that is subject to subsection (c)(7) before the survey, analysis, or evaluation is given to a student.

''(b) RESTRICTION ON SEEKING INFORMATION FROM MINORS.—

''(1) IN GENERAL.—Notwithstanding any other provision of Federal law, no funds shall be made available under any program administered by the Secretary to any educational agency or institution that administers or provides a survey, analysis, or evaluation to a student without the prior, informed, written consent of the parent or guardian of a student concerning—

''(A) political affiliations or beliefs of the student or the student's parent;

''(B) mental or psychological problems potentially embarrassing to the student or the student's family;

''(C) sex behavior or attitudes;

''(D) illegal, antisocial, or self-incriminating behavior;

''(E) appraisals of other individuals with whom the minor has a familial relationship;

''(F) relationships that are legally recognized as privileged, including those with lawyers, physicians, and members of the clergy; and

''(G) religious practices affiliations or beliefs.

''(2) EXPLANATION.—In seeking the consent of the parent an educational agency or institution must provide an accurate explanation, in writing, of the types of items listed in subparagraphs (A) through (G) of paragraph (1) that are contained in the survey and the purpose, if known, for including those items.

''(c) RESTRICTION ON MEDICAL TESTING AND TREATMENT OF MINORS.—

''(1) CONSENT REQUIRED.—Except as provided in paragraph (2), no funds shall be made available under any applicable program to an educational agency or institution that requires or otherwise causes the student without the prior, written, informed consent of the parent or a guardian of a minor to undergo medical or mental health examination, testing, treatment, or immunization (except in the case of a medical emergency).

''(2) EXCEPTION.—Paragraph (1) shall not apply to medical or mental health examinations, testing, treatment, or immunizations of students expressly permitted by State law without written parental consent.

''(3) DEFINITIONS.—For the purpose of this section, the term 'educational agency or institution' means any elementary, middle, or secondary school, any school district or local board of education, and any State educational agency that is the recipient of funds under any program administered by the Secretary, except that it does not apply to postsecondary institutions.

''(4) INSTRUCTIONAL MATERIAL.—In this subsection the term 'instructional material' means a textbook, audio/visual material, informational material accessible through

Internet sites, material in digital or electronic formats, instructional manual, or journal, or any other material supplementary to the education of a student.

''(5) RULES OF CONSTRUCTION.—(A) Nothing in this section shall be construed to supersede the Family Educational Rights and Privacy Act (20 U.S.C. 1232g).

''(B) The term 'instructional material' does not include academic tests or assessments.

''(6) APPLICATION.—

''(A) CERTAIN SURVEYS, ANALYSIS, AND EVALUATIONS.—Subsection (b) shall not apply to surveys, analysis, or evaluations administered to a student as part of the Individuals with Disabilities Act (20 U.S.C. 1400 et seq.).

''(B) PARENTAL CONSENT.—Nothing in subsection (c) shall be construed to supersede or otherwise affect the parental consent requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

''(C) STUDENT RIGHTS.—The rights provided parents under this Act transfer to the student once the student turns 18 years old or is an emancipated minor at any age.

''(7) STATE LAW EXCEPTION.—Educational agencies and institutions residing in a State that has a law that provides parents rights comparable to the rights contained herein may seek exemption from this Act by obtaining a waiver from the office designated by the Secretary to administer this Act. This office may grant a waiver to educational agencies and institutions upon review of State law.''.

PART B—EQUAL ACCESS TO PUBLIC SCHOOL FACILITIES

SEC. 921. SHORT TITLE.

This part may be cited as the ''Boy Scouts of America Equal Access Act''.

SEC. 922. EQUAL ACCESS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no funds made available through the Department of Education shall be provided to any public elementary school, public secondary school, local educational agency, or State educational agency, if the school or a school served by the agency—

(1) has a designated open forum; and

(2) denies equal access or a fair opportunity to meet to, or discriminates against, any group affiliated with the Boy Scouts of America or any other youth group that wishes to conduct a meeting within that designated open forum, on the basis of the membership or leadership criteria of the Boy Scouts of America or of the youth group that prohibit the acceptance of homosexuals, or individuals who reject the Boy Scouts' or the youth group's oath of allegiance to God and country, as members or leaders.

(b) TERMINATION OF ASSISTANCE AND OTHER ACTION.—

(1) DEPARTMENTAL ACTION.—The Secretary is authorized and directed to effectuate subsection (a) by issuing, and securing compliance with, rules or orders with respect to a public school or agency that receives funds made available through the Department of Education and that denies equal access, or a fair opportunity to meet, or discriminates, as described in subsection (a).

(2) PROCEDURE.—The Secretary shall issue and secure compliance with the rules or orders, under paragraph (1), in a manner consistent with the procedure used by a Federal department or agency under section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–1).

(3) JUDICIAL REVIEW.—Any action taken by the Secretary under paragraph (1) shall be subject to the judicial review described in section 603 of that Act (42 U.S.C. 2000d–2). Any person aggrieved by the action may obtain that judicial review in the manner, and to the extent, provided in section 603 of that Act.

(c) DEFINITIONS AND RULE.—

(1) DEFINITIONS.—In this section:

(A) ELEMENTARY SCHOOL; LOCAL EDUCATIONAL AGENCY; SECONDARY SCHOOL; STATE EDUCATIONAL AGENCY.—The terms ''elementary school'', ''local educational agency'', ''secondary school'', and ''State educational agency'' have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (as in effect after the effective date of this Act).

(B) SECRETARY.—The term ''Secretary'' means the Secretary of Education, acting through the Assistant Secretary for Civil Rights of the Department of Education.

(C) YOUTH GROUP.—The term ''youth group'' means any group or organization intended to serve young people under the age of 21.

(2) RULE.—For purposes of this section, an elementary school or secondary school has a designated open forum whenever the school involved grants an offering to or opportunity for 1 or more youth or community groups to meet on school premises or in school facilities before or after the hours during which attendance at the school is compulsory.

SEC. 923. EFFECTIVE DATE.

Notwithstanding section 5, this part takes effect 1 day after the date of the enactment of this Act.

PART C—REPEALS

SEC. 931. REPEALS.

The following provisions are repealed:

(1) GOALS.—Parts A and C of title II and title VI of Goals 2000: Educate America Act.

(2) TROOPS-TO-TEACHERS PROGRAM ACT OF 1999.—The Troops-to-Teachers Program Act of 1999 (title XVII of Public Law 106–65; 20 U.S.C. 9301 et seq.).

(3) ESEA.—

(A) Title IX, relating to Indian, Native Hawaiian, and Alaska Native education.

(B) Parts A, B, C, D, F, G, I, J, L, of title X, relating to programs of national significance.

(C) Title XI, relating to coordinated services.

(D) Title XII, relating to education infrastructure.

(E) The title heading of title XIII and sections 13001 and 13002.

(F) Title XIV, relating to general provisions.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. OWENS moved to recommit the bill to the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with the following amendment:

Page 926, after line 12, insert the following (and redesignate provisions and conform the table of contents accordingly):

TITLE IX—SCHOOL IMPROVEMENT PROGRAMS

SEC. 901. SCHOOL IMPROVEMENT PROGRAMS.

The Elementary and Secondary Education Act of 1965, as amended by this Act, is further amended by adding at the end the following:

''TITLE IX—SCHOOL IMPROVEMENT PROGRAMS

''PART A—SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION; ASSISTANCE FOR CHILDREN WITH DISABILITIES; TECHNOLOGY ACTIVITIES

''SEC. 9101. GRANT PROGRAM.

''(a) GRANTS TO NATIVE AMERICAN SCHOOLS AND STATE EDUCATIONAL AGENCIES.—

''(1) ALLOCATION OF FUNDS.—Of the amount made available to carry out this section for any fiscal year, the Secretary shall allocate—

''(A) $75,000,000 for grants to impacted local educational agencies (as defined in paragraph (3)) for school repair, renovation, and construction;

''(B) $3,250,000 for grants to outlying areas for school repair and renovation in high-need schools and communities, allocated on such basis, and subject to such terms and conditions, as the Secretary determines appropriate;

''(C) $25,000,000 for grants to public entities, private nonprofit entities, and consortia of such entities, for use in accordance with part B; and

''(D) the remainder to State educational agencies in proportion to the amount each State received under part A of title I for the previous fiscal year, except that no State shall receive less than 0.5 percent of the amount allocated under this subparagraph.

''(2) DETERMINATION OF GRANT AMOUNT.—

''(A) DETERMINATION OF WEIGHTED STUDENT UNITS.—For purposes of computing the grant amounts under paragraph (1)(A) for any fiscal year, the Secretary shall determine the results obtained by the computation made under section 6003 with respect to children described in subsection (a)(1)(C) of such section and computed under subsection (a)(2)(B) of such section for such year—

''(i) for each impacted local educational agency that receives funds under this section; and

''(ii) for all such agencies together.

''(B) COMPUTATION OF PAYMENT.—The Secretary shall calculate the amount of a grant to an impacted local educational agency by—

''(i) dividing the amount described in paragraph (1)(A) by the results of the computation described in subparagraph (A)(ii); and

''(ii) multiplying the number derived under clause (i) by the results of the computation described in subparagraph (A)(i) for such agency.

''(3) DEFINITION.—For purposes of this section, the term 'impacted local educational agency' means, for any fiscal year—

''(A) a local educational agency that receives a basic support payment under section 6003(b) for such fiscal year; and

''(B) with respect to which the number of children determined under section 6003(a)(1)(C) for the preceding school year constitutes at least 50 percent of the total student enrollment in the schools of the agency during such school year.

''(b) WITHIN-STATE ALLOCATIONS.—

''(1) ADMINISTRATIVE COSTS.—

''(A) STATE EDUCATIONAL AGENCY ADMINISTRATION.—Except as provided in subparagraph (B), each State educational agency may reserve not more than 1 percent of its allocation under subsection (a)(1)(D) for the purpose of administering the distribution of grants under this subsection.

''(B) STATE ENTITY ADMINISTRATION.—If the State educational agency transfers funds to a State entity described in paragraph (2)(A), the agency shall transfer to such entity 0.75 of the amount reserved under this paragraph for the purpose of administering the distribution of grants under this subsection.

''(2) RESERVATION FOR COMPETITIVE SCHOOL REPAIR AND RENOVATION GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—Subject to the reservation under paragraph (1), of the funds allocated to a State educational agency under subsection (a)(1)(D), the State educational agency shall distribute 75 percent of such funds to local educational agencies or, if such State educational agency is not responsible for the financing of education facilities, the agency shall transfer such funds to the State entity responsible for the financing of education facilities (referred to in this sec-

tion as the 'State entity') for distribution by such entity to local educational agencies in accordance with this paragraph, to be used, consistent with subsection (c), for school repair and renovation.

''(B) COMPETITIVE GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—The State educational agency or State entity shall carry out a program of competitive grants to local educational agencies for the purpose described in subparagraph (A). Of the total amount available for distribution to such agencies under this paragraph, the State educational agency or State entity, shall, in carrying out the competition—

''(I) award to high poverty local educational agencies described in clause (ii), in the aggregate, at least an amount which bears the same relationship to such total amount as the aggregate amount such local educational agencies received under part A of title I for the previous fiscal year bears to the aggregate amount received for such fiscal year under such part by all local educational agencies in the State;

''(II) award to rural local educational agencies in the State, in the aggregate, at least an amount which bears the same relationship to such total amount as the aggregate amount such rural local educational agencies received under part A of title I for the previous fiscal year bears to the aggregate amount received for such fiscal year under such part by all local educational agencies in the State; and

''(III) award the remaining funds to local educational agencies not receiving an award under subclause (I) or (II), including high poverty and rural local educational agencies that did not receive such an award.

''(ii) HIGH POVERTY LOCAL EDUCATIONAL AGENCIES.—A local educational agency is described in this clause if—

''(I) the percentage described in subparagraph (C)(i) with respect to the agency is 30 percent or greater; or

''(II) the number of children described in such subparagraph with respect to the agency is at least 10,000.

''(C) CRITERIA FOR AWARDING GRANTS.—In awarding competitive grants under this paragraph, a State educational agency or State entity shall take into account the following criteria:

''(i) The percentage of poor children 5 to 17 years of age, inclusive, in a local educational agency.

''(ii) The need of a local educational agency for school repair and renovation, as demonstrated by the condition of its public school facilities.

''(iii) The fiscal capacity of a local educational agency to meet its needs for repair and renovation of public school facilities without assistance under this section, including its ability to raise funds through the use of local bonding capacity and otherwise.

''(iv) In the case of a local educational agency that proposes to fund a repair or renovation project for a charter school or schools, the extent to which the school or schools have access to funding for the project through the financing methods available to other public schools or local educational agencies in the State.

''(v) The likelihood that the local educational agency will maintain, in good condition, any facility whose repair or renovation is assisted under this section.

''(D) POSSIBLE MATCHING REQUIREMENT.—

''(i) IN GENERAL.—A State educational agency or State entity may require local educational agencies to match funds awarded under this subsection.

''(ii) MATCH AMOUNT.—The amount of a match described in clause (i) may be established by using a sliding scale that takes into account the relative poverty of the population served by the local educational agency.

''(3) RESERVATION FOR COMPETITIVE IDEA OR TECHNOLOGY GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—Subject to the reservation under paragraph (1), of the funds allocated to a State educational agency under subsection (a)(1)(D), the State educational agency shall distribute 25 percent of such funds to local educational agencies through competitive grant processes, to be used for the following:

''(i) To carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

''(ii) For technology activities that are carried out in connection with school repair and renovation, including—

''(I) wiring;

''(II) acquiring hardware and software;

''(III) acquiring connectivity linkages and resources; and

''(IV) acquiring microwave, fiber optics, cable, and satellite transmission equipment.

''(B) CRITERIA FOR AWARDING IDEA GRANTS.—In awarding competitive grants under subparagraph (A) to be used to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), a State educational agency shall take into account the following criteria:

''(i) The need of a local educational agency for additional funds for a student whose individually allocable cost for expenses related to the Individuals with Disabilities Education Act substantially exceeds the State's average per-pupil expenditure.

''(ii) The need of a local educational agency for additional funds for special education and related services under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

''(iii) The need of a local educational agency for additional funds for assistive technology devices (as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)) or assistive technology services (as so defined) for children being served under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

''(iv) The need of a local educational agency for additional funds for activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) in order for children with disabilities to make progress toward meeting the performance goals and indicators established by the State under section 612(a)(16) of such Act (20 U.S.C. 1412).

''(C) CRITERIA FOR AWARDING TECHNOLOGY GRANTS.—In awarding competitive grants under subparagraph (A) to be used for technology activities that are carried out in connection with school repair and renovation, a State educational agency shall take into account the need of a local educational agency for additional funds for such activities, including the need for the activities described in subclauses (I) through (IV) of subparagraph (A)(ii).

''(c) RULES APPLICABLE TO SCHOOL REPAIR AND RENOVATION.—With respect to funds made available under this section that are used for school repair and renovation, the following rules shall apply:

''(1) PERMISSIBLE USES OF FUNDS.—School repair and renovation shall be limited to one or more of the following:

''(A) Emergency repairs or renovations to public school facilities only to ensure the health and safety of students and staff, including—

''(i) repairing, replacing, or installing roofs, electrical wiring, plumbing systems, or sewage systems;

''(ii) repairing, replacing, or installing heating, ventilation, or air conditioning systems (including insulation); and

''(iii) bringing public schools into compliance with fire and safety codes.

''(B) School facilities modifications necessary to render public school facilities accessible in order to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

''(C) School facilities modifications necessary to render public school facilities accessible in order to comply with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

''(D) Asbestos abatement or removal from public school facilities.

''(E) Renovation, repair, and acquisition needs related to the building infrastructure of a charter school.

''(2) IMPERMISSIBLE USES OF FUNDS.—No funds received under this section may be used for—

''(A) payment of maintenance costs in connection with any projects constructed in whole or in part with Federal funds provided under this section;

''(B) the construction of new facilities, except for facilities for an impacted local educational agency (as defined in subsection (a)(3)); or

''(C) stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public.

''(3) CHARTER SCHOOLS.—A public charter school that constitutes a local educational agency under State law shall be eligible for assistance under the same terms and conditions as any other local educational agency.

''(4) SUPPLEMENT, NOT SUPPLANT.—Excluding the uses described in subparagraphs (B) and (C) of paragraph (1), a local educational agency shall use Federal funds subject to this subsection only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for school repair and renovation.

''(d) SPECIAL RULE.—Each local educational agency that receives funds under this section shall ensure that, if it carries out repair or renovation through a contract, any such contract process ensures the maximum number of qualified bidders, including small, minority, and women-owned businesses, through full and open competition.

''(e) PUBLIC COMMENT.—Each local educational agency receiving funds under paragraph (2) or (3) of subsection (b)—

''(1) shall provide parents, educators, and all other interested members of the community the opportunity to consult on the use of funds received under such paragraph;

''(2) shall provide the public with adequate and efficient notice of the opportunity described in paragraph (1) in a widely read and distributed medium; and

''(3) shall provide the opportunity described in paragraph (1) in accordance with any applicable State and local law specifying how the comments may be received and how the comments may be reviewed by any member of the public.

''(f) REPORTING.—

''(1) LOCAL REPORTING.—Each local educational agency receiving funds under subsection (a)(1)(D) shall submit a report to the State educational agency, at such time as the State educational agency may require, describing the use of such funds for—

''(A) school repair and renovation (and construction, in the case of an impacted local educational agency (as defined in subsection (a)(3)));

''(B) activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); and

''(C) technology activities that are carried out in connection with school repair and renovation, including the activities described in subclauses (I) through (IV) of subsection (b)(3)(A)(ii).

''(2) STATE REPORTING.—Each State educational agency shall submit to the Secretary, not later than December 31 of each year (beginning with 2003), a report on the use of funds received under subsection (a)(1)(D) by local educational agencies for—

''(A) school repair and renovation (and construction, in the case of an impacted local educational agency (as defined in subsection (a)(3)));

''(B) activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); and

''(C) technology activities that are carried out in connection with school repair and renovation, including the activities described in subclauses (I) through (IV) of subsection (b)(3)(A)(ii).

''(3) ADDITIONAL REPORTS.—Each entity receiving funds allocated under subparagraph (A) or (B) of section (a)(1) shall submit to the Secretary, not later than December 31 of each year (beginning with 2003), a report on its uses of funds under this section, in such form and containing such information as the Secretary may require.

''(g) APPLICABILITY OF PART B OF IDEA.—If a local educational agency uses funds received under this section to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), such part (including provisions respecting the participation of private school children), and any other provision of law that applies to such part, shall apply to such use.

''(h) REALLOCATION.—If a State educational agency does not apply for an allocation of funds under subsection (a)(1)(D) for any fiscal year, or does not use its entire allocation for any fiscal year, the Secretary may reallocate the amount of the State educational agency's allocation (or the remainder thereof, as the case may be) to the remaining State educational agencies in accordance with subsection (a)(1)(D).

''(i) PARTICIPATION OF PRIVATE SCHOOLS.—

''(1) IN GENERAL.—Section 4142 shall apply to subsection (b)(2) in the same manner as it applies to activities under subpart 1 of part A of title IV, except that—

''(A) such section shall not apply with respect to the title to any real property renovated or repaired with assistance provided under this section;

''(B) the term 'services' as used in section 4142 with respect to funds under this section shall be provided only to private, nonprofit elementary or secondary schools with a rate of child poverty of at least 40 percent and may include for purposes of subsection (b)(2) only—

''(i) modifications of school facilities necessary to meet the standards applicable to public schools under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

''(ii) modifications of school facilities necessary to meet the standards applicable to public schools under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

''(iii) asbestos abatement or removal from school facilities; and

''(C) notwithstanding the requirements of section 4142(b), expenditures for services provided using funds made available under subsection (b)(2) shall be considered equal for purposes of such section if the per-pupil expenditures for services described in subparagraph (B) for students enrolled in private nonprofit elementary and secondary schools that have child poverty rates of at least 40 percent are consistent with the per-pupil expenditures under this section for children enrolled in the public schools in the school district of the local educational agency receiving funds under this section.

''(2) REMAINING FUNDS.—If the expenditure for services described in paragraph (1)(B) is less than the amount calculated under paragraph (1)(C) because of insufficient need for such services, the remainder shall be available to the local educational agency for renovation and repair of public school facilities.

''(3) APPLICATION.—If any provision of this section, or the application thereof, to any person or circumstances is judicially determined to be invalid, the provisions of the remainder of the section and the application to other persons or circumstances shall not be affected thereby.

''(j) DEFINITIONS.—For purposes of this section:

''(1) CHARTER SCHOOL.—The term 'charter school' has the meaning given such term in section 4210(1).

''(2) POOR CHILDREN AND CHILD POVERTY.—The terms 'poor children' and 'child poverty' refer to children 5 to 17 years of age, inclusive, who are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant (42 U.S.C. 9902(2)) applicable to a family of the size involved for the most recent fiscal year for which data satisfactory to the Secretary are available.

''(3) RURAL LOCAL EDUCATIONAL AGENCY.—The term 'rural local educational agency' means a local educational agency that the State determines is located in a rural area using objective data and a commonly employed definition of the term 'rural'.

''(4) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(k) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $2,000,000,000 for fiscal year 2002 and such sums as may be necessary for fiscal years 2003 through 2006.

"PART B—CREDIT ENHANCEMENT INITIATIVES TO ASSIST CHARTER SCHOOL FACILITY ACQUISITION, CONSTRUCTION, AND RENOVATION

"SEC. 9201. PURPOSE.

''The purpose of this part is to provide one-time grants to eligible entities to permit them to demonstrate innovative credit enhancement initiatives that assist charter schools to address the cost of acquiring, constructing, and renovating facilities.

"SEC. 9202. GRANTS TO ELIGIBLE ENTITIES.

''(a) IN GENERAL.—The Secretary shall use 100 percent of the amount available to carry out this part to award not less than three grants to eligible entities having applications approved under this part to demonstrate innovative methods of assisting charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

''(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted, and shall make a determination of which are sufficient to merit approval and which are not. The Secretary shall award at least one grant to an eligible entity described in section 9210(2)(A), at least one grant to an eligible entity described in section 9210(2)(B), and at least one grant to an eligible entity described in section 9210(2)(C), if applications are submitted that permit the Secretary to do so without approving an application that is not of sufficient quality to merit approval.

''(c) GRANT CHARACTERISTICS.—Grants under this part shall be of a sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

''(d) SPECIAL RULE.—In the event the Secretary determines that the funds available are insufficient to permit the Secretary to award not less than three grants in accordance with subsections (a) through (c), such three-grant minimum and the second sentence of subsection (b) shall not apply, and the Secretary may determine the appropriate number of grants to be awarded in accordance with subsection (c).

"SEC. 9203. APPLICATIONS.

''(a) IN GENERAL.—To receive a grant under this part, an eligible entity shall submit to the Secretary an application in such form as the Secretary may reasonably require.

''(b) CONTENTS.—An application under subsection (a) shall contain—

''(1) a statement identifying the activities proposed to be undertaken with funds received under this part, including how the applicant will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;

''(2) a description of the involvement of charter schools in the application's development and the design of the proposed activities;

''(3) a description of the applicant's expertise in capital market financing;

''(4) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools;

''(5) a description of how the applicant possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought;

''(6) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that charter schools within the State receive the funding they need to have adequate facilities; and

''(7) such other information as the Secretary may reasonably require.

"SEC. 9204. CHARTER SCHOOL OBJECTIVES.

''An eligible entity receiving a grant under this part shall use the funds deposited in the reserve account established under section 9205(a) to assist one or more charter schools to access private sector capital to accomplish one or both of the following objectives:

''(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

''(2) The construction of new facilities, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

"SEC. 9205. RESERVE ACCOUNT.

''(a) USE OF FUNDS.—To assist charter schools to accomplish the objectives described in section 9204, an eligible entity receiving a grant under this part shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under this part (other than funds used for administrative costs in accordance with section 9206) in a reserve account established and maintained by the entity for this purpose. Amounts deposited in such account shall be used by the entity for one or more of the following purposes:

''(1) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in section 9204.

''(2) Guaranteeing and insuring leases of personal and real property for an objective described in section 9204.

''(3) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

''(4) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

''(b) INVESTMENT.—Funds received under this part and deposited in the reserve account shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

''(c) REINVESTMENT OF EARNINGS.—Any earnings on funds received under this part shall be deposited in the reserve account established under subsection (a) and used in accordance with such subsection.

''SEC. 9206. LIMITATION ON ADMINISTRATIVE COSTS.

''An eligible entity may use not more than 0.25 percent of the funds received under this part for the administrative costs of carrying out its responsibilities under this part.

''SEC. 9207. AUDITS AND REPORTS.

''(a) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under this part shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

''(b) REPORTS.—

''(1) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under this part annually shall submit to the Secretary a report of its operations and activities under this part.

''(2) CONTENTS.—Each such annual report shall include—

''(A) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

''(B) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under subsection (a) during the reporting period;

''(C) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under this part in leveraging private funds;

''(D) a listing and description of the charter schools served during the reporting period;

''(E) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in section 9204; and

''(F) a description of the characteristics of lenders and other financial institutions participating in the activities undertaken by the eligible entity under this part during the reporting period.

''(3) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under paragraph (1) and shall provide a comprehensive annual report to the Congress on the activities conducted under this part.

''SEC. 9208. NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATIONS.

''No financial obligation of an eligible entity entered into pursuant to this part (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds which may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this part.

''SEC. 9209. RECOVERY OF FUNDS.

''(a) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

''(1) all of the funds in a reserve account established by an eligible entity under section 9205(a) if the Secretary determines, not earlier than 2 years after the date on which the entity first received funds under this part, that the entity has failed to make substantial progress in carrying out the purposes described in section 9205(a); or

''(2) all or a portion of the funds in a reserve account established by an eligible entity under section 9205(a) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in section 9205(a).

''(b) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in subsection (a) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in section 9205(a).

''(c) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act (20 U.S.C. 1234 et seq.) shall apply to the recovery of funds under subsection (a).

''(d) CONSTRUCTION.—This section shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act (20 U.S.C. 1234 et seq.).

''SEC. 9210. DEFINITIONS.

''In this part:

''(1) The term 'charter school' has the meaning given such term in section 4210(1).

''(2) The term 'eligible entity' means—

''(A) a public entity, such as a State or local governmental entity;

''(B) a private nonprofit entity; or

''(C) a consortium of entities described in subparagraphs (A) and (B).''.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the nays had it.

Mr. OWENS demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 207 / Nays 223

¶52.24 [Roll No. 144]

AYES—207

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

NOES—223

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo

McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—3

Cubin
Moakley
Visclosky

So the motion to recommit with instructions was not agreed to.

On motion of Mr. BOEHNER, by unanimous consent,

Ordered, That additional time of ten minutes for debate be equally divided between Mr. BOEHNER and Mr. George MILLER of California for 5 minutes each.

After debate,

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the yeas had it.

Mr. BOEHNER demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 384 / Nays 45

¶52.25 [Roll No. 145]

AYES—384

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

NOES—45

Akin
Bartlett
Conyers
Crane
DeMint
Doolittle
Duncan
Filner
Flake
Frank
Gilchrest
Goode
Hefley
Herger
Hilliard
Hoekstra
Hostettler
Johnson, Sam
Jones (NC)
Kerns
Lewis (KY)
Manzullo
Moran (KS)
Paul
Payne
Pence
Pitts
Pombo
Rivers
Rohrabacher
Ryun (KS)
Sabo
Scarborough
Schaffer
Scott
Sensenbrenner
Sessions
Shadegg
Souder
Stearns
Stump
Tancredo
Waters
Watt (NC)
Weldon (FL)

NOT VOTING—4

Cubin
Larson (CT)
Moakley
Visclosky

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶52.26 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1836. An Act to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1836) ''An Act to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002'' requests a conference with the House on the disagreeing votes of the two Houses thereon; and appoints Mr. GRASSLEY, Mr. HATCH, Mr. MURKOWSKI, Mr. NICKLES, Mr. GRAMM, Mr. BAUCUS, Mr. ROCKEFELLER, Mr. DASCHLE, and Mr. BREAUX, to be the conferees on the part of the Senate.

¶52.27 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. UPTON, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to make technical corrections and conforming changes.

¶52.28 ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION

On motion of Mr. THOMAS, pursuant to section 2 of House resolution 142, the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. THOMAS, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶52.29 MOTION TO INSTRUCT CONFEREES—H.R. 1836

Mr. STARK moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 1836, to the maximum extent permitted within the scope of the conference, be instructed to produce a conference report in which: (1) the revenue losses and associated debt service costs do not grow as a percentage of gross domestic product on either a long or short term basis. In order to do so, (a) the conference report shall not include phase-ins longer than 5 years, delayed effective dates, or sunsets, (b) the conference report shall include provisions on all of the following issues: marriage penalty relief, increasing per-child tax credit, estate tax relief, pension reform legislation, and permanent extension of the research credit, and (c) the conference report shall adjust the current law alternative minimum tax so that it does not disallow the benefits of the tax reductions contained in the bill; (2) the conference report shall be designed so that its revenue loss and associated debt service costs for each fiscal year do not exceed the projected non-Social Security/non-Medicare surplus for such fiscal year. For purposes of the preceding sentence, the projected non-Social Security/non-Medicare surplus for any fiscal year is the projected amount of the surplus for such year determined by disregarding the receipts and disbursements of the Social Security and Medicare Trust Funds and by reducing the projected surplus for any year by its ratable portion of $300 billion over the 10-year budget period; (3) the conference report provides benefits to every family with children that has income or payroll tax liability and the conference report includes inflation adjustments so that the benefits provided to families with children are not reduced over time; and (4) the conference committee shall be required to meet in preparing the conference report pursuant to House Rule XXII.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the nays had it.

Mr. STARK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 198 / Nays ..... 210 }

¶52.30 [Roll No. 146]

YEAS—198

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

NAYS—210

Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Barr, Bartlett, Barton, Bass, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cantor, Capito, Castle, Chabot, Coble, Collins, Combest, Condit, Cooksey, Cox, Crane, Crenshaw, Cunningham, Davis, Jo Ann, Davis, Tom, Deal, DeLay, DeMint, Diaz-Balart, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Ferguson, Flake, Fletcher, Foley, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goss, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hall (TX), Hansen, Hart, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Houghton, Hulshof, Hunter, Hutchinson, Hyde, Isakson, Issa, Istook, Jenkins, Johnson (CT), Johnson (IL), Johnson, Sam, Jones (NC), Keller, Kelly, Kennedy (MN), Kerns, King (NY), Kingston, Kirk, Knollenberg, Kolbe, Latham, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, LoBiondo, Lucas (OK), Manzullo, McCrery, McHugh, McInnis, McKeon, Mica, Miller (FL), Miller, Gary, Moran (KS), Morella, Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Osborne, Ose, Otter, Paul, Pence, Peterson (MN), Peterson (PA), Petri, Pickering, Pitts, Platts, Pombo, Portman, Pryce (OH), Putnam, Quinn, Ramstad, Regula, Rehberg, Reynolds, Riley, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryan (WI), Ryun (KS), Saxton, Schaffer, Schrock, Sensenbrenner, Sessions, Shadegg, Shays, Sherwood, Shimkus, Shuster, Simmons, Simpson, Skeen, Smith (MI), Smith (NJ), Smith (TX), Souder, Spence, Stearns, Stump, Sununu, Sweeney, Tancredo, Tauzin, Taylor (NC), Terry, Thomas, Thornberry, Thune, Tiahrt, Tiberi, Toomey, Traficant, Upton, Vitter, Walden, Walsh, Wamp, Watkins, Watts (OK), Weldon (FL), Weldon (PA), Weller, Wicker, Wolf, Young (FL)

NOT VOTING—24

Becerra, Bereuter, Cannon, Chambliss, Clement, Cubin, Culberson, Dicks, Dooley, Frost, Graham, LaHood, Largent, Moakley, Murtha, Oxley, Rahall, Scarborough, Shaw, Smith (WA), Visclosky, Whitfield, Wilson, Young (AK)

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶52.31 APPOINTMENT OF CONFEREES—H.R. 1836

Thereupon, the SPEAKER pro tempore, Mr. THORNBERRY, by unanimous consent, appointed Messrs. THOMAS, ARMEY and RANGEL, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶52.32 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–76) the resolution (H. Res. 147) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolution reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶52.33 HIS HOLINESS KAREKIN II, SUPREME PATRIARCH AND CATHOLICOS OF ALL ARMENIANS

On motion of Mr. CANTOR, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following concurrent resolution (H. Con. Res. 139):

Whereas the Armenian people have lived in their homeland for more than 3,000 years and created a unique civilization;

Whereas two of Jesus Christ's own disciples, Saint Thaddeus and Saint Bartholomew, introduced Christianity in Armenia and were the original founders of the Armenian Church;

Whereas in 301 A.D., Saint Gregory the Illuminator Christianized the entire country of Armenia, was consecrated the first Catholicos of Armenia, and baptized King Drtad of Armenia as a Christian;

Whereas in 301 A.D., King Drtad declared Christianity to be the official religion of Armenia, making it the first Christian state in the world;

Whereas Armenian Church leaders opened schools, cared for the sick and needy, and created alphabets for Armenia and Georgia to make the Scriptures more accessible to the people;

Whereas Armenians' devotion to God led them to create distinctive styles of manuscript illumination, architecture, sculpture, and textiles, that are recognized as masterpieces of Christian art and as major contributions to world art;

Whereas the Armenian Church has persevered in its faith throughout the past 17 centuries in cultures that were hospitable to it and others that were hostile;

Whereas the Armenian Church actively participates in ecumenical bodies and movements, uniting Christians of all denominations world-wide;

Whereas more than 100 communities throughout the United States will celebrate the 1700th anniversary of the acceptance of Christianity in Armenia with special worship and ecumenical services;

Whereas in celebration of the 1700th anniversary, His Holiness Karekin II will visit the United States;

Whereas the 1700th anniversary is an appropriate occasion to celebrate the ideals and values shared by the people of the United States, the people of Armenia, and the Armenian Church in America;

Whereas representatives of the Christian, Jewish, and Muslim faiths, including representatives of the Armenian Church, the National Conference of Catholic Bishops, and the National Council of Churches of Christ in the U.S.A., will celebrate an ecumenical prayer service on May 30, 2001, at the Catholic Basilica of the National Shrine of the Immaculate Conception on the occasion of the 1700th anniversary;

Whereas the Armenian Church, the National Conference of Catholic Bishops, and the National Council of Churches of Christ in the U.S.A. have chosen the theme ''Walking Together in the Light of Our Lord'' as the message to embrace the ecumenical spirit of brotherhood on the occasion of the 1700th anniversary; and

Whereas the Armenian Church has established parishes throughout the United States and has contributed to the quality of religious life in this Nation: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) congratulates the Republic of Armenia on the occasion of the 1700th anniversary of the acceptance of Christianity in Armenia;

(2) welcomes His Holiness Karekin II, Supreme Patriarch and Catholicos of All Armenians, on his visit to the United States; and

(3) joins with the people of Armenia, the Armenian Church in America, and His Holiness Karekin II in celebrating the ideals and values they share with the people of the United States.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶52.34 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO LIBERIA

The SPEAKER pro tempore, Mr. THORNBERRY, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b) (IEEPA), and section 301 of the National Emergencies Act, 50 U.S.C. 1631, I hereby report that I have exercised my statutory authority to expand the scope of an existing national emergency in response to the unusual and extraordinary threat posed to the foreign policy of the United States by the Government of Liberia's complicity in the illicit trade in diamonds from Sierra Leone by the insurgent Revolutionary United Front of Sierra Leone (RUF) and by the Government of Liberia's other forms of support for the RUF. I also have exercised my statutory authority to issue an Executive Order that prohibits the importation into the United States of all rough diamonds from Liberia, whether or not such diamonds originated in Liberia. These actions are mandated in part by United Nations Security Council Resolution 1343 of March 7, 2001.

The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to issue regulations in exercise of my authorities under the IEEPA and the United Nations Participation Act, 22 U.S.C. 287c, to implement this prohibition. All Federal agencies are also directed to take actions within their authority to carry out the provisions of the Executive Order.

I am enclosing a copy of the Executive Order I have issued. The Order was effective at 12:01 a.m. eastern daylight time on May 23, 2001.

I have authorized these measures in furtherance of Executive Order 13194 of January 18, 2001, and in response to the Government of Liberia's continuing facilitation of and participation in the RUF's illicit trade in diamonds from Sierra Leone and its other forms of support for the RUF. The Government of Liberia's actions in this regard constitute an unusual and extraordinary threat to the foreign policy of the United States because they directly challenge United States foreign policy objectives in the region and the rule-based international order that is crucial to the peace and prosperity of the United States.

In Executive Order 13194, President Clinton responded to the RUF's illicit arms-for-diamonds trade that fuels the brutal, decade-long civil war in Sierra Leone by declaring a national emergency and, consistent with United Nations Security Council Resolution 1306, by prohibiting the importation into the United States of all rough diamonds from Sierra Leone except for those importations controlled through the certificate of origin regime of the Government of Sierra Leone. In a report issued on December 14, 2000, the United Nations Panel of Experts established pursuant to resolution 1306 found that diamonds represent a major and primary source of income for the RUF to sustain and advance its military activities; that the bulk of the RUF diamonds leaves Sierra Leone through Liberia; and that such illicit trade cannot be conducted without the permission and involvement of Liberian government officials at the highest levels. The Panel recommended, among other things, a complete embargo on all diamonds from Liberia until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone.

On March 7, 2001, the Security Council unanimously adopted resolution 1343 to impose sanctions against the Government of Liberia. The resolution determined that the Government of Liberia's active support for the RUF in Sierra Leone and other armed rebel groups in neighboring countries constitutes a threat to international peace and security in the region and decided that all states shall impose an immediate arms embargo on Liberia and also shall impose travel and diamond bans on Liberia on May 7, 2001, unless the Council determined before that date that the Government of Liberia had ceased its support for the RUF and for other armed rebel groups and, in particular, had taken a number of concrete steps identified in the resolution. In furtherance of this resolution, the Secretaries of State, Commerce, and Defense have taken steps, under their respective authorities, to implement the arms embargo.

With regard to the travel ban and diamond embargo, the Government of Liberia has failed, notwithstanding the two-month implementation period granted by resolution 1343, to honor its commitments to cease its support for the RUF and other armed rebel groups. As a result, the Security Council did not determine that Liberia has complied with the demands of the Council.

In Proclamation 7359 of October 10, 2000, President Clinton suspended the entry as immigrants and nonimmigrants of persons who plan, engage in, or benefit from activities that support the RUF or that otherwise impede the peace process in Sierra Leone. The application of that Proclamation implements the travel ban imposed by resolution 1343.

Finally, for the reasons discussed above and in the enclosed Executive Order, I also have found that the Government of Liberia's continuing facilitation of and participation in the RUF's illicit trade in diamonds from Sierra Leone and its other forms of

support for the RUF contribute to the unusual and extraordinary threat to the foreign policy of the United States described in Executive Order 13194 with respect to which the President declared a national emergency. In order to deal with that threat, and consistent with resolution 1343 and this finding, I have taken action to prohibit the importation into the United States of all rough diamonds from Liberia, whether or not such diamonds originated there, in order to contribute to the international effort to bring a prompt end to the illicit arms-for-diamonds trade by which the RUF perpetuates the tragic conflict in Sierra Leone. This action, as well as those discussed above, also expresses our outrage at the Government of Liberia's ongoing contribution to human suffering in Sierra Leone and other neighboring countries, as well as its continuing failure to abide by international norms and the rule of law.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 23, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–75).

¶52.35 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 41. Concurrent resolution authorizing the use of the Capitol Grounds for the National Book Festival; to the Committee on Transportation and Infrastructure.

¶52.36 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1727. An Act to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty.

¶52.37 BILL PRESENTED TO THE PRESIDENT

Mr. Trandahl, Clerk of the House, reported that on this day he presented to the President, for his approval, a bill of the House of the following title:

H.R. 1696. To expedite the construction of the World War II memorial in the District of Columbia.

¶52.38 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. VISCLOSKY, for today.

And then,

¶52.39 ADJOURNMENT

On motion of Mr. GANSKE, at 11 o'clock and 59 minutes p.m., the House adjourned.

¶52.40 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 819. A bill to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building'' (Rept. No. 107–75). Referred to the House Calendar.

Mr. REYNOLDS: Committee on Rules. House Resolution 147. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 107–76). Referred to the House Calendar.

¶52.41 REPORTED BILL SEQUENTIALLY REFERRED

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

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 1407. A bill to amend title 49, United States Code, to permit air carriers to meet and discuss their schedules in order to reduce flight delays, and for other purposes, with an amendment; referred to the Committee on Judiciary for a period ending not later than July 9, 2001, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X (Rept. No. 107–77, Pt. I).

¶52.42 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LANTOS (for himself, Ms. ESHOO, Ms. PELOSI, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of California, Ms. LEE, Mr. HONDA, and Ms. LOFGREN):

H.R. 1953. A bill to revise the boundaries of Golden Gate National Recreation Area in the State of California, to extend the term of the advisory commission for the recreation area, and for other purposes; to the Committee on Resources.

By Mr. GILMAN (for himself, Mr. BERMAN, Mr. ARMEY, Mr. GEPHARDT, Ms. PRYCE of Ohio, Mr. LANTOS, Mr. COX, Mr. ACKERMAN, Mr. BLUNT, Mr. WAXMAN, Mr. ADERHOLT, Mr. ANDREWS, Mr. BACA, Mr. BAIRD, Mr. BAKER, Ms. BALDWIN, Mr. BASS, Mr. BECERRA, Mr. BENTSEN, Ms. BERKLEY, Mr. BOEHLERT, Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BLAGOJEVICH, Mr. BONILLA, Mrs. BONO, Mr. BORSKI, Mr. BOYD, Mr. BROWN of Ohio, Mr. BROWN of South Carolina, Mr. BRYANT, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CANTOR, Mrs. CAPPS, Mr. CARSON of Oklahoma, Mr. CAPUANO, Mr. CARDIN, Mr. COBLE, Mr. CONDIT, Mr. COSTELLO, Mr. CRENSHAW, Mr. CROWLEY, Mr. DAVIS of Florida, Mrs. JO ANN DAVIS of Virginia, Mrs. DAVIS of California, Mr. TOM DAVIS of Virginia, Ms. DEGETTE, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mr. DOYLE, Mr. EHLERS, Mr. ENGEL, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. FERGUSON, Mr. FILNER, Mr. FLAKE, Mr. FOLEY, Mr. FORD, Mr. FOSSELLA, Mr. FRANK, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GANSKE, Mr. GALLEGLY, Mr. GEKAS, Mr. GILCHREST, Mr. GILLMOR, Mr. GONZALEZ, Mr. GORDON, Mr. GOSS, Mr. GRAHAM, Ms. GRANGER, Mr. GRAVES, Mr. GRUCCI, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Ms. HARMAN, Ms. HART, Mr. HAYES, Mr. HAYWORTH, Mr. HILLEARY, Mr. HOEFFEL, Mr. HOLT, Mr. HOLDEN, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. HUNTER, Mr. HUTCHINSON, Mr. ISRAEL, Mr. ISSA, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KING, Mr. KINGSTON, Mr. KIRK, Mr. KNOLLENBERG, Mr. LANGEVIN, Mr. LAMPSON, Mr. LARSON of Connecticut, Mr. LATOURETTE, Mr. LEACH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. LOBIONDO, Mrs. LOWEY, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCCRERY, Mr. MCGOVERN, Mr. MCINNIS, Mr. MCKEON, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. MARKEY, Mr. MASCARA, Mr. MATSUI, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. MICA, Ms. MILLENDER-MCDONALD, Mr. MILLER of Florida, Mr. GEORGE MILLER of California, Mrs. MORELLA, Mr. MURTHA, Mrs. MYRICK, Mr. NADLER, Mrs. NORTHUP, Mr. NORWOOD, Mr. OSE, Mr. OTTER, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Ms. PELOSI, Mr. PHELPS, Mr. PITTS, Mr. PLATTS, Mr. PUTNAM, Mr. RAMSTAD, Mr. REHBERG, Mr. REYNOLDS, Mr. RILEY, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROHRABACHER, Mr. ROGERS of Michigan, Ms. ROS-LEHTINEN, Mr. ROTHMAN, Mrs. ROUKEMA, Mr. RYUN of Kansas, Mr. SABO, Mr. SANDLIN, Mr. SAXTON, Mr. SCARBOROUGH, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHROCK, Mr. SESSIONS, Mr. SHAW, Mr. SHADEGG, Mr. SHERMAN, Mr. SHOWS, Mr. SIMMONS, Mr. SKELTON, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Ms. SOLIS, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. STUPAK, Mr. SWEENEY, Mr. TANNER, Mrs. TAUSCHER, Mr. TAUZIN, Mr. TERRY, Mr. THOMPSON of California, Mrs. THURMAN, Mr. TIBERI, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Mr. VISCLOSKY, Mr. VITTER, Mr. WAMP, Mr. WEINER, Mr. WELDON of Florida, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WEXLER, Mr. WICKER, Ms. WOOLSEY, Mr. WU, and Mr. YOUNG of Alaska):

H.R. 1954. A bill to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006; to the Committee on International Relations, and in addition to the Committees on Financial Services, Ways and Means, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. DUNCAN, and Mr. DEFAZIO):

H.R. 1955. A bill to redesignate the Raystown Lake located on the Raystown Branch of the Juniata River in Pennsylvania, as the ''Bud Shuster Lake''; to the Committee on Transportation and Infrastructure.

By Mr. PICKERING (for himself, Mr. COMBEST, Mr. SIMPSON, Mr. OTTER, Mrs. THURMAN, and Mr. HAYES):

H.R. 1956. A bill to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVANS (for himself, Ms. BERKLEY, Mr. FILNER, Ms. BROWN of Florida, Mr. RODRIGUEZ, Mr. UDALL of New Mexico, Ms. MCKINNEY, Mr. FALEOMAVAEGA, Mr. FROST, Ms. PELOSI, Mr. SANDERS, and Mr. WYNN):

H.R. 1957. A bill to amend title 38, United States Code, to expand the list of diseases presumed to be service connected in the case of radiation-exposed veterans and to expand the circumstances deemed to have been radiation-risk activities for members of the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. ABERCROMBIE (for himself, Mrs. TAUSCHER, Ms. MCKINNEY, Mr. BARTLETT of Maryland, Mr. HANSEN, Mr. FILNER, Mrs. MINK of Hawaii, Mr. KUCINICH, and Mr. ORTIZ):

H.R. 1958. A bill to amend title 38, United States Code, to permit the transfer of entitlement to educational assistance the Montgomery GI Bill by members of the Armed Forces, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 1959. A bill to amend the Internal Revenue Code of 1986 to allow a deduction from gross income to individuals for expenses paid in using mass transit facilities; to the Committee on Ways and Means.

By Mr. BEREUTER:

H.R. 1960. A bill to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan; to the Committee on Financial Services.

By Mr. BLUNT (for himself, Mr. GREEN of Texas, Mrs. EMERSON, Ms. BROWN of Florida, Ms. KILPATRICK, Mr. ISAKSON, Mr. DAVIS of Illinois, Mr. MCCRERY, Mr. OXLEY, Ms. MCCARTHY of Missouri, Mrs. MALONEY of New York, Mr. BONIOR, Mr. FILNER, Mr. BROWN of Ohio, Mr. GONZALEZ, Mr. MCNULTY, Ms. JACKSON-LEE of Texas, and Ms. CARSON of Indiana):

H.R. 1961. A bill to promote research to identify and evaluate the health effects of breast implants; to ensure that women receive accurate information about such implants and to encourage the Food and Drug Administration to thoroughly review the implant manufacturers' standing with the agency; to the Committee on Energy and Commerce.

By Mr. BUYER (for himself and Mr. TAYLOR of Mississippi):

H.R. 1962. A bill to amend title 10, United States Code, to modify the time for use by members of the Selected Reserve of entitlement to certain educational assistance; to the Committee on Armed Services.

By Mr. COSTELLO:

H.R. 1963. A bill to amend the National Trails System Act to designate the route taken by American soldier and frontiersman George Rogers Clark and his men during the Revolutionary War to capture the British forts at Kaskaskia and Cahokia, Illinois, and Vincennes, Indiana, for study for potential addition to the National Trails System; to the Committee on Resources.

By Mr. DEFAZIO (for himself, Mr. BARTON of Texas, Mr. BURR of North Carolina, Mr. EVANS, Mr. FRANK, Mr. PAUL, Mr. ROYCE, Mr. SANDERS, and Mr. WYNN):

H.R. 1964. A bill to allow patients access to drugs and medical devices recommended and provided by health care practitioners under strict guidelines, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GEKAS:

H.R. 1965. A bill to clarify the Administrative Dispute Resolution Act of 1996 to authorize the Merit Systems Protection Board to establish under such Act a 3-year pilot program that will provide a voluntary early intervention alternative dispute resolution process to assist Federal agencies and employees in resolving certain personnel actions, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOSTETTLER (for himself, Mr. STEARNS, Mr. SESSIONS, Mr. STUMP, Mr. SCHAFFER, Mr. BOUCHER, and Mr. JONES of North Carolina):

H.R. 1966. A bill to establish certain uniform legal principles of liability with respect to manufacturers of products; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KUCINICH (for himself, Mr. BONIOR, Mr. VISCLOSKY, Ms. MCKINNEY, Mr. SANDERS, Mr. FILNER, Mr. HALL of Ohio, Mr. SHERMAN, Ms. LEE, Ms. WOOLSEY, Mr. KANJORSKI, Mr. DAVIS of Illinois, Ms. CARSON of Indiana, and Mr. MCGOVERN):

H.R. 1967. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on oil and natural gas (and products thereof) and to allow an income tax credit for purchases of fuel-efficient passenger vehicles, and to allow grants for mass transit; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Mr. BOEHLERT, Mr. CAPUANO, Mr. GILCHREST, Mr. WYNN, Mr. MCHUGH, Mr. GREEN of Texas, Mr. RANGEL, Mr. MCDERMOTT, Mrs. THURMAN, Mr. GORDON, Ms. MCCARTHY of Missouri, Mr. JEFFERSON, Mr. DAVIS of Illinois, Mr. FROST, Mr. ROEMER, Mr. DOOLEY of California, Mr. EVANS, Mr. BLAGOJEVICH, Ms. NORTON, Mr. ABERCROMBIE, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Mr. STENHOLM, Mr. MCNULTY, Mr. SANDERS, Mr. FRANK, Mr. CONYERS, Mrs. MINK of Hawaii, Mr. TIERNEY, Ms. MCKINNEY, Ms. BALDWIN, Mr. CUMMINGS, Mrs. JONES of Ohio, Mr. BAIRD, Mr. NADLER, Mr. MCGOVERN, and Mr. PHELPS):

H.R. 1968. A bill to amend the Public Health Service Act and the Internal Revenue Code of 1986 with respect to the National Health Service Corps; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT:

H.R. 1969. A bill to amend the Internal Revenue Code of 1986 to provide an interest-free source of capital to cover the costs of installing residential solar energy equipment; to the Committee on Ways and Means.

By Mr. MCNULTY (for himself, Mr. EVANS, Mr. LEACH, and Mr. SWEENEY):

H.R. 1970. A bill to amend title 10, United States Code, to authorize Army arsenals to undertake to fulfill orders or contracts for articles or services in advance of the receipt of payment under certain circumstances; to the Committee on Armed Services.

By Mrs. MEEK of Florida:

H.R. 1971. A bill to amend the National Voter Registration Act of 1993 to require States to give notice and an opportunity for review prior to removing individuals from the official list of eligible voters in elections for Federal office by reason of criminal conviction, and for other purposes; to the Committee on House Administration.

By Mr. NORWOOD:

H.R. 1972. A bill to provide for the creation of an additional category of laborers or mechanics known as helpers under the Davis-Bacon Act; to the Committee on Education and the Workforce.

By Mr. NORWOOD:

H.R. 1973. A bill to provide for review in the Court of International Trade of certain determinations of binational panels under the North American Free Trade Agreement; to the Committee on Ways and Means.

By Mr. OSE (for himself and Mr. HORN):

H.R. 1974. A bill to amend the Federal Power Act to provide the Federal Energy Regulatory Commission with authority to order certain refunds of electric rates, to require the Commission to expand its market mitigation plan, and to provide the Secretary of Energy with authority to revoke the market mitigation plan under certain circumstances, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHADEGG (for himself, Ms. DUNN, Mr. POMEROY, Mr. GORDON, Mr. PICKERING, Mr. FOLEY, Mr. TERRY, Mr. KIRK, Mr. LEWIS of Kentucky, Mr. TANCREDO, Mr. BUYER, Mr. TANNER, and Mr. PENCE):

H.R. 1975. A bill to modify the deadline for initial compliance with the standards and implementation specifications promulgated under section 1173 of the Social Security Act, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado (for himself and Mr. HEFLEY):

H.R. 1976. A bill to clarify the authority of the Secretary of Defense to respond to environmental emergencies; to the Committee on Armed Services.

By Mr. UNDERWOOD (for himself and Mr. SCHAFFER):

H.R. 1977. A bill to provide for a nonvoting delegate to the House of Representatives to represent the Commonwealth of the Northern Mariana Islands; to the Committee on Resources.

By Ms. WATERS (for herself, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CONYERS, Mr. CUMMINGS, Mr. FATTAH, Mr. FRANK, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Mr. MCGOVERN, Mr. MEEKS of New York, Mrs. MINK of Hawaii, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Mr. WYNN, Ms. MCKINNEY, and Mr. WATT of North Carolina):

H.R. 1978. A bill to concentrate Federal resources aimed at the prosecution of drug offenses on those offenses that are major; to the Committee on the Judiciary, and in addition to the Committee on Energy and Com-

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

By Mr. WICKER:

H.R. 1979. A bill to amend title 49, United States Code, to provide assistance for the construction of certain air traffic control towers; to the Committee on Transportation and Infrastructure.

By Mrs. ROUKEMA (for herself, Mr. LAFALCE, Mrs. MORELLA, Mr. GRUCCI, Mr. DUNCAN, Mr. COYNE, Mr. LAMPSON, Ms. DELAURO, Mr. PASCRELL, Mr. CAPUANO, Mr. MASCARA, Mr. DAVIS of Illinois, Mr. BONIOR, Mr. ENGLISH, Mr. DEFAZIO, Mr. DOYLE, and Mr. MICA):

H. Con. Res. 141. Concurrent resolution expressing the sense of the Congress that the entertainment industry should stop the negative and unfair stereotyping of Italian-Americans, and should undertake an initiative to present Italian-Americans in a more balanced and positive manner; to the Committee on Energy and Commerce.

By Mr. SAXTON (for himself, Mr. JONES of North Carolina, Mr. KING, Mr. MCINTYRE, Mr. NADLER, Mr. PALLONE, Mrs. ROUKEMA, Mr. SMITH of New Jersey, Ms. SOLIS, Mr. CASTLE, Mr. GRUCCI, Mr. ENGLISH, Mr. LOBIONDO, and Mr. LAMPSON):

H. Con. Res. 142. Concurrent resolution expressing the sense of Congress that Federal participation in the funding of Corps of Engineers projects for shore protection and beach replenishment should not be reduced; to the Committee on Transportation and Infrastructure.

By Mr. RANGEL:

H. Res. 146. A resolution providing for consideration of the bill (H.R. 1076) to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools; to the Committee on Rules.

¶52.43 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

77. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to House Concurrent Resolution No. 87 memorializing the United States Congress to establish and fund a U.S. Department of Agriculture—Pacific Basin Agricultural Research Center-managed cacao germplasm center in Hawaii; to the Committee on Agriculture.

78. Also, a memorial of the Legislature of the State of Nevada, relative to Joint Resolution No. 1 memorializing the President and the United States Congress to increase federal funding for special education to 40 percent level authorized by the Individuals with Disabilities Education Act so that the State of Nevada and other states can fully meet the needs of children with disabilities; to the Committee on Education and the Workforce.

79. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 38 memorializing the United States Congress to appropriate funds for forty per cent of special education and related services for children with disabilities; to the Committee on Education and the Workforce.

80. Also, a memorial of the General Assembly of the State of Missouri, relative to a Resolution memorializing the United States Congress, that before considering any other education initiatives, the Individuals with Disabilities Education Act (IDEA) receive prompt and full funding, and the reporting requirements of IDEA be significantly reduced; to the Committee on Education and the Workforce.

81. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 27 memorializing the United States Congress to authorize the Governor of the State of Hawaii, or designee, to take all necessary actions to establish a sister-state affiliation with the Province of Thua Thien-Hue; to the Committee on International Relations.

82. Also, a memorial of the Legislature of the State of Nevada, relative to Senate Joint Resolution No. 14 memorializing the United States Congress to adopt legislation that dedicates the Old Spanish Trail and the Antonio Armijo Route of the Old Spanish Trail as a National Historic Trail; to the Committee on Resources.

83. Also, a memorial of the Legislature of the State of Nevada, relative to Senate Joint Resolution No. 2 memorializing the United States Congress to oppose the designation of a national monument by the President of the United States without obtaining the approval of each state and local government in which the national monument is located; to the Committee on Resources.

84. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 56 memorializing the United States Congress to support the acquisition of Kahuku Ranch by the United States National Park Service for expansion of the Hawaii Volcanoes National Park; to the Committee on Resources.

85. Also, a memorial of the Legislature of the State of Hawaii, relative to House Concurrent Resolution No. 50 memorializing the United States Congress and Hawaii's congressional delegation to support legislation to equalize reparations for Japanese of Latin American ancestry interned during World War II; to the Committee on the Judiciary.

¶52.44 ADDITIONAL SPONSORS

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

H.R. 7: Mr. GILLMOR and Mr. HEFLEY.

H.R. 13: Mr. ROSS, Ms. DELAURO, Ms. PRYCE of Ohio, and Mr. KILDEE.

H.R. 17: Mr. FRANK.

H.R. 94: Mr. WOLF.

H.R. 168: Mr. PENCE, Mr. KNOLLENBERG, and Mr. PASCRELL.

H.R. 179: Mr. SUNUNU, Mr. GRUCCI, and Mr. HILLIARD.

H.R. 184: Mrs. CLAYTON and Mrs. EMERSON.

H.R. 189: Mr. CUNNINGHAM.

H.R. 303: Mr. GRUCCI and Mr. OSE.

H.R. 380: Ms. VELAZQUEZ.

H.R. 415: Ms. MILLENDER-MCDONALD, Ms. MCKINNEY, Mr. BOUCHER, Mr. STUPAK, and Mr. GUTIERREZ.

H.R. 425: Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. BROWN of Ohio, Mrs. MALONEY of New York, Mr. CONYERS, and Mr. ENGEL.

H.R. 440: Mrs. CHRISTENSEN.

H.R. 442: Mrs. CHRISTENSEN and Mr. HINOJOSA.

H.R. 475: Mr. WATTS of Oklahoma.

H.R. 500: Ms. WOOLSEY, Mr. BLUMENAUER, and Ms. BALDWIN.

H.R. 526: Mr. HORN, Ms. VELAZQUEZ, Mr. WATT of North Carolina, Ms. PELOSI, Ms. DEGETTE, and Mr. MEEKS of New York.

H.R. 534: Mr. BRADY of Texas.

H.R. 548: Mr. KINGSTON, Mr. FLETCHER, Mr. GIBBONS, Mr. BLAGOJEVICH, Mrs. MORELLA, Mr. DEMINT, Mr. HAYWORTH, Mr. VITTER, Mr. AKIN, Mrs. JOHNSON of Connecticut, Mr. BROWN of Ohio, Mr. UDALL of New Mexico, Mr. SMITH of Washington, Mr. CRAMER, Mr. BOSWELL, Mr. EDWARDS, Mr. BRYANT, Mr. KING, Mr. GREEN of Texas, Mr. COLLINS, Mr. WOLF, Mr. ISRAEL, Mr. HEFLEY, and Mr. MCNULTY.

H.R. 563: Mr. ISSA.

H.R. 572: Mr. KILDEE, Ms. WOOLSEY, Mr. MENENDEZ, and Mr. BROWN of Ohio.

H.R. 600: Mr. SANDLIN, Mr. CRANE, Mr. QUINN, and Mrs. MALONEY of New York.

H.R. 606: Mr. SCHROCK.

H.R. 634: Mr. GOODLATTE, Mr. CRENSHAW, and Mr. SCHROCK.

H.R. 635: Mr. SHUSTER.

H.R. 664: Ms. ESHOO and Mr. MARKEY.

H.R. 699: Mr. NORWOOD and Mr. PAUL.

H.R. 705: Mr. PETERSON of Pennsylvania.

H.R. 730: Ms. SANCHEZ.

H.R. 746: Mr. UDALL of New Mexico.

H.R. 762: Ms. LEE.

H.R. 781: Ms. DEGETTE.

H.R. 804: Mr. WATTS of Oklahoma and Mr. RAMSTAD.

H.R. 818: Mr. QUINN.

H.R. 826: Mr. GIBBONS.

H.R. 865: Mrs. CHRISTENSEN.

H.R. 876: Mr. MEEHAN, Mr. GUTIERREZ, Mr. GEORGE MILLER of California, Mr. BEREUTER, Mr. BARTON of Texas, Mrs. TAUSCHER, Mr. CALVERT, Mr. WELDON of Florida, Mr. NEAL of Massachusetts, Mr. MANZULLO, and Mr. STUPAK.

H.R. 877: Mr. ROGERS of Michigan, Mr. BURTON of Indiana, and Mr. HALL of Texas.

H.R. 912: Mr. TOM DAVIS of Virginia.

H.R. 938: Mr. SAWYER and Mr. CUMMINGS.

H.R. 964: Mr. TIERNEY.

H.R. 978: Mr. SANDERS and Mr. ISAKSON.

H.R. 1072: Ms. WATERS.

H.R. 1079: Mr. ROGERS of Kentucky.

H.R. 1090: Mr. CARDIN.

H.R. 1101: Mrs. CAPITO.

H.R. 1140: Mr. CALVERT, Mr. SHUSTER, Mr. GREENWOOD, and Mr. MALONEY of Connecticut.

H.R. 1170: Mr. STUPAK and Mr. GUTIERREZ.

H.R. 1185: Mr. OWENS.

H.R. 1186: Mr. DEFAZIO.

H.R. 1192: Mr. SABO, Mr. SCHIFF, Mr. CONDIT, and Mr. WATTS of Oklahoma.

H.R. 1198: Mr. RAHALL, Ms. SCHAKOWSKY, Ms. ESHOO, and Mr. ETHERIDGE.

H.R. 1202: Mr. SOUDER, Ms. HOOLEY of Oregon, Mr. SMITH of New Jersey, Mr. SANDLIN, Ms. BERKLEY, Mr. BONIOR, Ms. KILPATRICK, Mr. DEUTSCH, Mr. HOLDEN, Mr. MCNULTY, and Mr. GOODLATTE.

H.R. 1211: Mr. HALL of Texas, Mr. FILNER, and Mr. RADANOVICH.

H.R. 1220: Mr. LAMPSON, Mr. EHRLICH, and Mr. ADERHOLT.

H.R. 1232: Mr. HINOJOSA and Mr. BALDACCI.

H.R. 1242: Mr. SABO.

H.R. 1262: Mr. PASTOR, Mr. GUTIERREZ, Mr. UDALL of New Mexico, Mr. RUSH, Mr. HOLDEN, Ms. VELAZQUEZ, Mrs. CAPPS, and Mr. MCNULTY.

H.R. 1280: Mr. WYNN and Mr. SANDLIN.

H.R. 1289: Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, Mr. LAFALCE, Ms. SCHAKOWSKY, and Mr. MEEKS of New York.

H.R. 1296: Mrs. JO ANN DAVIS of Virginia, Mr. HAYES, Mr. KLECZKA, Mr. GIBBONS, Ms. BALDWIN, Mr. COLLINS, Mr. JEFFERSON, Mr. STENHOLM, Mr. LEWIS of Georgia, Mr. RAHALL, Mr. THOMPSON of Mississippi, and Mr. HANSEN.

H.R. 1305: Mr. KLECZKA, Mr. BAKER, Mr. PASCRELL, and Ms. SANCHEZ.

H.R. 1307: Mrs. MALONEY of New York, Ms. RIVERS, and Mr. ENGEL.

H.R. 1329: Ms. HART and Ms. SANCHEZ.

H.R. 1330: Ms. WATERS.

H.R. 1331: Mr. PLATTS, Mr. JONES of North Carolina, and Mr. THOMPSON of Mississippi.

H.R. 1343: Mr. DOYLE, Mr. FERGUSON, and Mr. BARCIA.

H.R. 1401: Mr. MCINTYRE, Mr. MCDERMOTT, Mr. FARR of California, Mr. STRICKLAND, Mr. ALLEN, Mr. WELDON of Florida, Mr. BAIRD, Mr. JONES of North Carolina, Mr. MASCARA, Mr. QUINN, and Mr. BARTLETT of Maryland.

H.R. 1405: Mr. COYNE.

H.R. 1408: Mr. NORWOOD.

H.R. 1421: Mr. CAPUANO, Mr. MORAN of Virginia, Mr. FARR of California, Mr. DAVIS of Illinois, Mr. COSTELLO, Mr. SHERMAN, Mr.

WYNN, Mr. WAXMAN, Mr. KENNEDY of Rhode Island, and Ms. SOLIS.
H.R. 1441: Mr. SUNUNU.
H.R. 1451: Mr. GORDON.
H.R. 1487: Mr. CALVERT, Mr. WOLF, and Mr. FRANK.
H.R. 1494: Mrs. MALONEY of New York and Mr. ANDREWS.
H.R. 1506: Mr. BERRY.
H.R. 1525: Mr. SANDLIN, Ms. SCHAKOWSKY, Ms. WATERS, Mr. WAXMAN, Ms. ESHOO, Mrs. DAVIS of California, Mrs. MORELLA, Ms. MCCARTHY of Missouri, Mr. PASCRELL, Mr. CLEMENT, Mr. BOUCHER, Mr. BLAGOJEVICH, Mr. RAHALL, Ms. CARSON of Indiana, Mr. BISHOP, and Ms. MCKINNEY.
H.R. 1541: Ms. PELOSI.
H.R. 1543: Mr. TANCREDO and Mr. NORWOOD.
H.R. 1553: Mr. CALVERT.
H.R. 1556: Mr. OXLEY, Mr. PASCRELL, Mr. LATOURETTE, and Mr. BRADY of Pennsylvania.
H.R. 1585: Mr. CONYERS.
H.R. 1586: Mr. MEEHAN.
H.R. 1587: Mr. TOWNS.
H.R. 1597: Mr. FOLEY.
H. R. 1604: Mr. LUTHER, Mr. WATKINS, and Ms. BALDWIN.
H.R. 1609: Mr. BRADY of Pennsylvania.
H.R. 1623: Mr. BROWN of Ohio.
H.R. 1628: Mr. TURNER.
H.R. 1629: Mr. MCHUGH, Mr. FILNER, Mr. KENNEDY of Rhode Island, Mr. GUTIERREZ, Ms. VELAZQUEZ, and Ms. CARSON of Indiana.
H.R. 1644: Mr. HERGER, Mr. SHIMKUS, Mr. WATKINS, Mr. MANZULLO, Mr. REHBERG, Mr. MCCRERY, Mr. HALL of Texas, Mr. RAHALL, and Ms. ROS-LEHTINEN.
H.R. 1651: Ms. SANCHEZ.
H.R. 1657: Ms. DUNN and Mr. JEFFERSON.
H.R. 1661: Mr. INSLEE.
H.R. 1662: Mr. SIMMONS, Mr. GREEN of Wisconsin, Mr. DINGELL, and Mr. GALLEGLY.
H.R. 1672: Mr. REYES, Mr. RODRIGUEZ, Mrs. NAPOLITANO, Mr. GUTIERREZ, Mr. BECERRA, Ms. VELAZQUEZ, Ms. SOLIS, Mr. PASTOR, Ms. MCCARTHY of Missouri, and Mr. GALLEGLY.
H.R. 1677: Mr. MCHUGH and Ms. HART.
H.R. 1683: Mr. BLAGOJEVICH.
H.R. 1688: Mr. HULSHOF.
H.R. 1700: Mr. BEREUTER.
H.R. 1713: Mr. WU and Ms. BALDWIN.
H.R. 1715: Mr. GONZALEZ, Mr. SANDLIN, Mr. ORTIZ, Mr. BACA, Mr. RODRIGUEZ, Mr. HINOJOSA, Mr. LAMPSON, Mr. GREEN of Texas, Mr. FROST, Mr. BRADY of Texas, Ms. GRANGER, Mr. HALL of Texas, Mr. SAM JOHNSON of Texas, Mr. CULBERSON, Mr. STENHOLM, Mr. EDWARDS, and Ms. JACKSON-LEE of Texas.
H.R. 1716: Mr. BARTLETT of Maryland.
H.R. 1782: Ms. JACKSON-LEE of Texas.
H.R. 1786: Mrs. THURMAN.
H.R. 1793: Ms. RIVERS.
H.R. 1809: Ms. MCKINNEY, Mr. ALLEN, Ms. DEGETTE, Mr. RUSH, and Mr. BLAGOJEVICH.
H.R. 1810: Ms. HOOLEY of Oregon, Ms. SCHAKOWSKY, Ms. RIVERS, Mrs. MCCARTHY of New York, and Mr. COSTELLO.
H.R. 1819: Ms. SANCHEZ.
H.R. 1825: Mr. LUTHER, Mr. HINCHEY, Mr. FRANK, Mr. HINOJOSA, Mr. TIERNEY, and Ms. BALDWIN.
H.R. 1837: Mr. LAFALCE.
H.R. 1839: Mr. MCHUGH.
H.R. 1861: Mr. KANJORSKI and Mr. OSE.
H.R. 1892: Mr. BACA, Mr. HONDA, Mr. SESSIONS, Mr. PASTOR, and Mr. SCHIFF.
H.R. 1907: Mr. CONYERS.
H.R. 1941: Mr. ROYCE.
H.R. 1943: Mr. SHOWS.
H.R. 1944: Mr. SCHAFFER and Mr. CRANE.
H.J. Res. 36: Mr. BONILLA, Mr. DOOLITTLE, Mr. SPENCE, Mr. BENTSEN, Mr. MASCARA, Mr. MCHUGH, Mr. MENENDEZ, Mr. MORAN of Kansas, Mr. SKEEN, Mr. WHITFIELD, and Mr. BASS.
H. Con. Res. 17: Mr. PAYNE and Mr. HASTINGS of Florida.
H. Con. Res. 33: Mr. HOEKSTRA, Ms. SANCHEZ, Mr. CONDIT, Mr. KENNEDY of Minnesota, Mr. RYUN of Kansas, Mr. COMBEST, Mr. LOBIONDO, Mr. ROGERS of Kentucky, Mr. LEWIS of Kentucky, Mr. WHITFIELD, Mr. MCKEON, Mr. WAMP, Mr. JONES of North Carolina, Mr. WELDON of Pennsylvania, Mr. SPENCE, and Mr. GOODE.
H. Con. Res. 42: Mr. WATT of North Carolina and Mr. ENGEL.
H. Con. Res. 116: Mr. ROGERS of Michigan, Mrs. KELLY, and Mr. GILMAN.
H. Con. Res. 139: Mr. LANTOS, Mr. GILMAN, Ms. ROS-LEHTINEN, Ms. ESHOO, Mr. ENGEL, Mr. KUCINICH, Mr. LOBIONDO, Mr. JACKSON of Illinois, and Mr. KIRK.
H. Res. 75: Mr. FOLEY, Mr. PAUL, and Mr. RAHALL.

THURSDAY, MAY 24, 2001 (53)

The House was called to order by the SPEAKER.

¶53.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, May 23, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶53.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2102. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Changes in Reporting Levels for Large Trader Reports (RIN: 3038–ZA10) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2103. A letter from the Acting Deputy Under Secretary, Department of Agriculture, transmitting the Department's final rule—Rural Business Enterprise Grants and Television Demonstration Grants (RIN: 0570–AA32) received May 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2104. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Mandatory Inspection of Ratites and Squabs [Docket No. 01–045IF] (RIN: 0583–AC84) received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2105. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Thiamethoxam; Pesticide Tolerance [OPP–301132; FRL–6784–7] (RIN: 2070–AB78) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2106. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Extension of Tolerances for Emergency Exemptions (Multiple Chemicals) [OPP–301124; FRL–6782–1] (RIN: 2070–AB78) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2107. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Aspergillus flavus AF36; Extension of Temporary Exemption From the Requirement of a Tolerance [OPP–301124; FRL–6781–7] (RIN: 2070–AB78) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2108. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the Administration's final rule—Eligibility and Scope of Financing (RIN: 3052–AB90) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2109. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Air Force, pursuant to 31 U.S.C. 1517(a)(2); to the Committee on Appropriations.

2110. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act which occurred in the Department of the Navy, pursuant to 31 U.S.C. 1341(a); to the Committee on Appropriations.

2111. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency act which occurred in the Department of the Army, pursuant to 31 U.S.C. 1341(a); to the Committee on Appropriations.

2112. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of Elmendorf Air Force Base (AFB), Alaska, has conducted a cost comparison to reduce the cost of the Base Supply function, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2113. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of Patrick Air Force Base, Florida, has conducted a cost comparison to reduce the cost of the Supply and Transportation functions, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2114. A letter from the Assistant Secretary, Force Management Policy, Department of Defense, transmitting the annual report on the number of waivers granted to aviators who fail to meet operational flying duty requirements; to the Committee on Armed Services.

2115. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Credit by Brokers and Dealers; List of Foreign Margin Stocks [Regulation T] received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2116. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Government Securities Act Regulations: Definition of Government Securities (RIN: 1505–AA82) received May 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2117. A letter from the Secretary, Department of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund (ESF) for fiscal year 2000, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Financial Services.

2118. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—

Changes in Flood Elevation Determinations—received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2119. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2120. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-D–7509] received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2121. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2122. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule—Gastroenterology-Urology Devices; Classification of Tissue Culture Media for Human Ex Vivo Tissue and Cell Culture Processing Applications [Docket No. 01P–0087] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2123. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Colorado's Petition To Relax the Federal Gasoline Reid Vapor Pressure Volatility Standard For 2001 [FRL–6984–7] received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2124. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Promulgation of Attainment Date Extension for the Fairbanks North Star Borough Carbon Monoxide Nonattainment Area, Alaska [Docket No. AK–01–003b; FRL–6986–4] received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2125. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Indiana [IN126–1a; FRL–6986–2] received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2126. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California and Arizona State Implementation Plans, Antelope Valley Air Pollution Control District and Maricopa County Environmental Services Department [CA 224–0279a; FRL–6982–6] received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2127. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Notice of Availability of Funds for Source Water Protection [FRL–6984–2] received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2128. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Primary Drinking Water Regulations; Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring: Delay of Effective Date [WH-FRL–6983–8] (RIN: 2040–AB75) received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2129. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; State of West Virginia; Control of Emmissions from Existing Municipal Soild Waste Landfills [WV–042–6011a; FRL–6983–6] received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2130. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Withdrawal of Direct Final Rule; Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; National Primary Drinking Water Regulations and National Secondary Drinking Water Regulations; Methods Update [FRL–6974–7] (RIN: 2040–AD59) received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2131. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan Louisiana; Nonattainment Major Stationary Source Revision [LA40–1–7338a; FRL–6988–4] received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2132. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Determination of Attainment of the 1–Hour Ozone Standard for the Phoenix Metropolitan Area, Arizona and Determination Regarding Applicability of Certain Clean Air Act Requirements [AZ–098–0025; FRL–6989–1] received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2133. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Virginia; Clarifying Revisions to 9 VAC 5 Chapter 40 Fuel Burning Equipment [VA107–5049; FRL–6987–9] received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2134. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Indiana [IN132–1a; FRL–6985–3] received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2135. A letter from the Associate Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—In the Matter of 2000 Biennial Regulatory Review—Review of Policy and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers; Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996, Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers, First Report and Order, CC Docket No. 00–257 and Fourth Report and Order, CC Docket No. 94–129, FCC 01–156—received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2136. A letter from the Director, Lieutenant General, USAF, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Australia for defense articles and services (Transmittal No. 01–11), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2137. A letter from the Director, Lieutentant General, USAF, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to France for defense articles and services (Transmittal No. 01–10), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2138. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Sweden [Transmittal No. DTC 033–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2139. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Italy and France [Transmittal No. DTC 032–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2140. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement with Mexico and Canada [Transmittal No. DTC 061–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2141. A letter from the Chairman, Commission on International Religious Freedom, transmitting an Addendum to the May 1, 2001 Annual Report, covering Egypt and Saudi Arabia; to the Committee on International Relations.

2142. A letter from the Acting Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, Foreign Terrorist Organizations, and Specially Designated Narcotics Traffickers: Additional Designations of Specially Designated Narcotics Traffickers and Removal of Specially Designated National of Cuba—received May 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2143. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the United States Macau Policy Act; to the Committee on International Relations.

2144. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary's determination that eight countries are not cooperating fully with U.S. antiterrorism efforts: Afghanistan, Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria; to the Committee on International Relations.

2145. A letter from the Secretary, Department of Health and Human Services, transmitting the Semiannual Report to Congress for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2146. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2147. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2148. A letter from the Assistant Director for Executive and Political Personnel, De-

partment of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2149. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2150. A letter from the Chair, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a report on Resolution and Order Concerning the Fiscal Year 2001 Supplemental Budget Request Act of 2001; to the Committee on Government Reform.

2151. A letter from the Executive Resources and Special Programs Division, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2152. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97–25; Introduction—received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2153. A letter from the Director of Legislative Affairs, Railroad Retirement Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2001, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

2154. A letter from the Assistant Secretary, Lands and Minerals Management, Department of the Interior, transmitting the Department's final rule—Application Procedures [WO–850–1820–XZ–24–1A] (RIN: 1004–AD34) received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2155. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Abandoned Mine Land (AML) Fee Collection and Coal Production Reporting On the OSM–1 Form (RIN: 1029–AB95) received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2156. A letter from the Acting Assistant Secretary for Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting the Department's final rule—Small Refiner Administrative Fee (RIN: 1010–AC70) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2157. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Riverside Fairy Shrimp (RIN: 1018–AG34) received May 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2158. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States, Atlantic Sea Scallop Fishery; Framework Adjustment 14 [Docket No. 010410087–1087–01; I.D. 031401B] (RIN: 0648–AO07) received May 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2159. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Deep-Sea Red Crab Fishery [Docket No. 010413094–1094–01; I.D. 032101A] (RIN: 0648–AP10) received May 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2160. A letter from the Acting Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Improved Individual Fishing Quota Program [Docket No. 001108316–1083–02; I.D. 060600B] (RIN: 0648–AK50) received May 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2161. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States, Atlantic Herring Fisheries; 2000 Specifications; Adjustment; Closure [Docket No. 000105004–0260–02; I.D. 120400A] (RIN: 0648–AI78) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2162. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by the Offshore Component in the Western Regulatory Area in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 051401A] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2163. A letter from the Acting Division Chief, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Naval Activities [Docket No. 000218048–1095–03; I.D. 013100A] (RIN: 0648–AN59) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2164. A letter from the Acting Chief, Marine Mammal Conservation Division, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations [Docket No. 001128334–0334–01; I.D. 101800A] (RIN: 0648–AN88) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2165. A letter from the Acting Chief, Marine Mammal Conservation Division, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations; Remove and Reserve Gear Marking Requirements for Northeast U.S. Fisheries [Docket No. 991222346–0312–03; I.D. 111300E] (RIN: 0648–AN40) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2166. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Commercial Quota Harvested for North Carolina [Docket No. 010208032–1109–02; I.D. 050801D] received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2167. A letter from the Acting Chief, Marine Mammal Conservation Division, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan [Docket No. 010510119–1119–01; I.D. 050901B] (RIN: 0648–AP27) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2168. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fisheries by Vessels Using Hook-and-Line Gear in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 043001B] received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2169. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Financial Assistance for Research and Development Projects in Chesapeake Bay to Strenghten, Develop and/or Improve the Stock Conditions of the Chesapeake Bay Fisheries [Docket No. 010412091–1091–01; I.D. 040501D] (RIN: 0648–ZB05) received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2170. A letter from the Director for Financial Management and Deputy Chief Financial Officer, Department of Commerce, transmitting the Department's final rule—Civil Monetary Penalties; Adjustment for Inflation [Docket No. 001024293–0293–01] (RIN: 0690–AA31) received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2171. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule— Adjustment of Status for Certain Syrian Nationals Granted Asylum in the United States [INS No. 2122–01] (RIN: 1115–AG17) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2172. A letter from the General Counsel, U.S. Marshals Service, Department of Justice, transmitting the Department's final rule—Revision to United States Marshals Service Fees for Services [USMS No. 100F; AG Order No. 2316–2000] (RIN: 1105–AA64) received May 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2173. A letter from the Acting Secretary of the Army, Department of Defense, transmitting the Final Feasibility Report and Environmental Impact Statement Navigation Study for Jacksonville Harbor, Duval County, Florida, pursuant to Section 101 (a)(17) of the Water Resources Development Act (WRDA) of 1999; to the Committee on Transportation and Infrastructure.

2174. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Chillicothe, MO [Airspace Docket No. 01–ACE–4] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2175. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Cabool, MO [Airspace Docket No. 01–ACE–3] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2176. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Monroe City, MO [Airspace Docket No. 01–ACE–1] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2177. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Olathe, KS [Air-

space Docket No. 01–ACE–5] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2178. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, El Centro, CA [Airspace Docket No. 01–AWP–1] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2179. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace, Sugar Land, TX [Airspace Docket No. 2001–ASW–03] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2180. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Farmington, NM [Airspace Docket No. 2001–ASW–08] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2181. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Bethel, AK [Airspace Docket No. 00–AAL–20] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2182. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30248; Amdt. No. 2051] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2183. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30247; Amdt. No. 2050] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2184. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30243; Amdt. No. 2046] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2185. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30245; Amdt. No. 2048] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2186. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30246; Amdt. No. 2049] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2187. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310–324, A310–325, and A300 B4–622R Series Airplanes Equipped with Pratt & Whitney PW4000 Series Engines [Docket No. 2001–NM–68–AD; Amendment 39–12210; AD 2001–09–05] (RIN: 2120–AA64) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2188. A letter from the Program Analyst, FAA, Department of Transportation, transmitting]he Department's final rule—Airworthiness Directives; Airbus Model A300–243, –341, –342, and –343 Series Airplanes Equipped with Rolls Royce Trent 700 Series Engines [Docket No. 2000–NM–389–AD; Amendment 39–12221; AD 2001–09–14] (RIN: 2120–AA64) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2189. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Turbomeca S.A. Arrius Models 2B, 2B1, and 2F Turboshaft Engines [Docket No. 2000–NE–12–AD; Amendment 39–12191; AD 2001–08–14] (RIN: 2120–AA64) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2190. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerostar Aircraft Corporation Models PA–60–600 (Aerostar 600), PA–60–601 (AeroStar 601), PA–60–601P (Aerostar 601P), PA–60–602P (Aerostar 602P), and PA–60–700P (Aerostar 700P) Airplanes [Docket No. 2000–CE–31–AD; Amendment 39–12187; AD 2001–08–10] (RIN:2120–AA64) received May 21,2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2191. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–200 and –300 Series Airplanes Equipped with a Main Deck Cargo Door Installed in Accordance with Supplemental Type Certificate (STC) SA2969SO [Docket No. 2000–NM–295–AD; Amendment 39–12184; AD 2001–08–07] (RIN: 2120–AA64) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2192. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 2001–NM–94–AD; Amendment 39–12201; AD 2001–08–24] (RIN: 2120–AA64) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2193. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–7–100, –101, –102, and –103 Series Airplanes [Docket No. 2000–NM–181–AD; Amendment 39–12182; AD 2001–08–05] (RIN: 2120–AA64) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2194. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and EMB–145 Series Airplanes [Docket No. 2001–NM–123–AD; Amendment 39–12226; AD 2001–10–01] (RIN: 2120–AA64) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2195. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 412 Helicopters and Agusta S.p.A. Model AB412 Helicopters [Docket No. 99–SW–27–AD; Amendment 39–12217; AD 2001–09–11] (RIN: 2120–AA64) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2196. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company Models 206H and T206H Airplanes [Docket No. 2000–CE–75–AD; Amendment 39–12211; AD 2001–09–06] (RIN: 2120–AA64) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2197. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Shaw Cove, CT [CGD01–01–046] (RIN: 2115–AE47) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2198. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Charleston Harbor, S.C. [CGD07–01–023] (RIN: 2115–AE46) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2199. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Taunton River, MA [CGD01–01–037] (RIN: 2115–AE47) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2200. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations: San Diego Crew Classic [CGD11–01–004] (RIN: 2115–AE46) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2201. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulation: Harvard-Yale Regatta, Thames River, New London, CT [CGD01–01–034] (RIN: 2115–AE46) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2202. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Lake Pontchartrain, LA [CGD08–01–008] (RIN: 2115–AE47) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2203. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulations: Tampa Bay, Florida [COTP Tampa 00–054] (RIN: 2115–AA97) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2204. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Kennebec River, ME [CGD01–01–023] (RIN: 2115–AE47) received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2205. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Effluent Limitations Guidelines and New Source Performance Standards for the Oil and Gas Extraction Point Source Category; OMB Approval Under the Paperwork Reduction Act: Technical Amendment; Correction [FRL–6987–5] (RIN: 2040–AD14) received May 23, 2001, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2206. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Chesapeake Bay Program FY 2002 Request for Proposals—received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2207. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Disaster Assistance; Public Assistance Program and Community Disaster Loan Program (RIN: 3067–AD20) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2208. A letter from the Acting Administrator, Small Business Administration, transmitting the Annual Report on Minority Small Business and Capital Ownership Development for Fiscal Year 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

2209. A letter from the Chief, Regulations Office, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Rev. Proc. 2001–33] received May 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2210. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Zone Academy Bonds; Obligations of States and Political Subdivisions [TD 8903] (RIN: 1545–AY03) received May 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2211. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Federal Employment Tax Deposits—De Minimis Rule [TD 8946] (RIN: 1545–AY47) received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2212. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund; determination of correct tax liability [Rev. Proc. 2001–37] received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2213. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Coverage of Employees of State and Local Governments; Office of Management and Budget Control Number (RIN: 0960–AE69) received May 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2214. A letter from the Director of Legislative Affairs, Railroad Retirement Board, transmitting a copy of the Board's Consumer Price Index Report; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

2215. A letter from the Secretary, Judicial Conference of the United States, transmitting a draft of proposed legislation entitled, ''Federal Courts Improvement Act of 2001''; jointly to the Committees on the Judiciary, Education and the Workforce, and Government Reform.

¶53.3 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, May 23, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. MCNULTY, objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 336
- Nays 71
- Answered present 1

¶53.4 [Roll No. 147]

YEAS—336

Abercrombie, Ackerman, Akin, Allen, Andrews, Armey, Baca, Bachus, Baker, Baldwin, Ballenger, Barcia, Barr, Barrett, Bartlett, Barton, Bass, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilirakis, Bishop, Blagojevich, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bono, Boswell, Boucher, Boyd, Brady (TX), Brown (FL), Brown (SC), Bryant, Burr, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Capps, Cardin, Carson (IN), Carson (OK), Castle, Chabot, Chambliss, Clay, Clayton, Clement, Clyburn, Coble, Collins, Combest, Conyers, Cooksey, Cox, Coyne, Cramer, Crenshaw, Culberson, Cummings, Cunningham, Davis (CA), Davis (FL), Davis (IL), Davis, Jo Ann, Davis, Tom, Deal, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Dicks, Dingell, Dooley, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, Eshoo, Etheridge, Evans, Everett, Farr, Fattah, Ferguson, Flake, Fletcher, Foley, Ford, Fossella, Frank, Frelinghuysen, Frost, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gilman, Gonzalez, Goode, Goodlatte, Gordon, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutierrez, Hall (TX), Hansen, Harman, Hart, Hastings (WA), Hayes, Hayworth, Herger, Hill, Hobson, Hoeffel, Holden, Holt, Honda, Hooley, Horn, Hostettler, Houghton, Hoyer, Hunter, Hutchinson, Hyde, Inslee, Isakson, Israel, Issa, Istook, Jackson (IL), Jenkins, John, Johnson (CT), Johnson (IL), Johnson, Sam, Jones (NC), Kanjorski, Kaptur, Keller, Kelly, Kennedy (RI), Kerns, Kildee, Kilpatrick, Kind (WI), King (NY), Kingston, Kirk, Kleczka, Knollenberg, Kolbe, LaFalce, LaHood, Lampson, Langevin, Lantos, Largent, Latham, Leach, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Markey, Mascara, Matheson, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McHugh, McInnis, McIntyre, McKeon, McKinney, Meehan, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Mollohan, Moran (KS), Moran (VA), Morella, Myrick, Napolitano, Ney, Northup, Norwood, Nussle, Obey, Ortiz, Osborne, Ose, Otter, Owens, Oxley, Pascrell, Pastor, Paul, Payne, Pelosi, Pence, Peterson (PA), Petri, Pickering, Pitts, Platts, Pombo, Portman, Price (NC), Pryce (OH), Putnam, Quinn, Radanovich, Regula, Rehberg, Reyes, Reynolds, Rivers, Rodriguez, Roemer, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Ross, Rothman, Roukema, Roybal-Allard, Royce, Rush, Ryan (WI), Ryun (KS), Sanchez, Sanders, Sandlin, Sawyer, Saxton, Scarborough, Schiff, Schrock, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Sherwood, Shimkus, Shows, Shuster, Simmons, Simpson, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Solis, Spence, Spratt, Stearns, Stump, Sununu, Tauscher, Tauzin, Taylor (NC), Terry, Thomas, Thornberry, Thune, Thurman, Tiahrt, Tiberi, Tierney, Toomey, Towns, Traficant, Udall (CO), Upton, Vitter, Walden, Walsh, Wamp, Watkins, Watt (NC), Watts (OK), Waxman, Weiner, Weldon (FL), Weldon (PA), Whitfield, Wicker, Wilson, Wolf, Woolsey, Wu, Wynn

NAYS—71

Aderholt, Baird, Baldacci, Bonior, Borski, Brady (PA), Brown (OH), Capuano, Condit, Costello, Crane, Crowley, DeFazio, Doggett, English, Filner, Gephardt, Green (TX), Gutknecht, Hastings (FL), Hefley, Hilleary, Hilliard, Hinchey, Hoekstra, Hulshof, Jefferson, Johnson, E. B., Jones (OH), Kennedy (MN), Kucinich, Larsen (WA), Lee, Levin, LoBiondo, McDermott, McGovern, McNulty, Meeks (NY), Miller, George, Mink, Moore, Neal, Oberstar, Olver, Pallone, Peterson (MN), Phelps, Pomeroy, Ramstad, Rangel, Riley, Sabo, Schaffer, Schakowsky, Scott, Slaughter, Stark, Stenholm, Strickland, Stupak, Sweeney, Tanner, Taylor (MS), Thompson (CA), Thompson (MS), Turner, Udall (NM), Visclosky, Waters, Weller

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—24

Becerra, Burton, Cubin, Diaz-Balart, Gillmor, Hall (OH), Hinojosa, Jackson-Lee (TX), Larson (CT), LaTourette, Manzullo, McCrery, Meek (FL), Menendez, Moakley, Murtha, Nadler, Nethercutt, Rahall, Souder, Velazquez, Wexler, Young (AK), Young (FL)

So the Journal was approved.

¶53.5 RECESS—11:07 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 7 minutes a.m. subject to the call of the Chair.

¶53.6 AFTER RECESS—5:01 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶53.7 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept.

No. 107–80) the resolution (H. Res. 149) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶53.8 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–81) the resolution (H. Res. 150) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶53.9 HOUR OF MEETING

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 o'clock a.m. on Friday, May 25, 2001.

¶53.10 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 24, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 24, 2001 at 2:58 p.m.

That the Senate passed with amendments H.R. 8801.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶53.11 VETERANS' OPPORTUNITIES

On motion of Mr. SMITH of New Jersey, by unanimous consent, the bill (H.R. 801) to amend title 38, United States Code, to expand eligibility for CHAMPVA, to provide for family coverage and retroactive expansion of the increase in maximum benefits under Servicemembers' Group Life Insurance, to make technical amendments, and for other purposes; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans' Survivor Benefits Improvements Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.
Sec. 3. Eligibility for benefits under CHAMPVA for veterans' survivors who are eligible for hospital insurance benefits under the medicare program.
Sec. 4. Family coverage under Servicemembers' Group Life Insurance.
Sec. 5. Retroactive applicability of increase in maximum SGLI benefit for members dying in performance of duty on or after October 1, 2000.
Sec. 6. Expansion of outreach efforts to eligible dependents.
Sec. 7. Technical amendments to the Montgomery GI Bill statute.
Sec. 8. Miscellaneous technical amendments.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. ELIGIBILITY FOR BENEFITS UNDER CHAMPVA FOR VETERANS' SURVIVORS WHO ARE ELIGIBLE FOR HOSPITAL INSURANCE BENEFITS UNDER THE MEDICARE PROGRAM.

Subsection (d) of section 1713 is amended to read as follows:

''(d)(1)(A) An individual otherwise eligible for medical care under this section who is also entitled to hospital insurance benefits under part A of the medicare program is eligible for medical care under this section only if the individual is also enrolled in the supplementary medical insurance program under part B of the medicare program.

''(B) The limitation in subparagraph (A) does not apply to an individual who—

''(i) has attained 65 years of age as of the date of the enactment of the Veterans' Survivor Benefits Improvements Act of 2001; and

''(ii) is not enrolled in the supplementary medical insurance program under part B of the medicare program as of that date.

''(2) Subject to paragraph (3), if an individual described in paragraph (1) receives medical care for which payment may be made under both this section and the medicare program, the amount payable for such medical care under this section shall be the amount by which (A) the costs for such medical care exceed (B) the sum of—

''(i) the amount payable for such medical care under the medicare program; and

''(ii) the total amount paid or payable for such medical care by third party payers other than the medicare program.

''(3) The amount payable under this subsection for medical care may not exceed the total amount that would be paid under subsection (b) if payment for such medical care were made solely under subsection (b).

''(4) In this paragraph:

''(A) The term 'medicare program' means the program of health insurance administered by the Secretary of Health and Human Services under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

''(B) The term 'third party' has the meaning given that term in section 1729(i)(3) of this title.''.

SEC. 4. FAMILY COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) INSURABLE DEPENDENTS.—(1) Section 1965 is amended by adding at the end the following new paragraph:

''(10) The term 'insurable dependent', with respect to a member, means the following:

''(A) The member's spouse.

''(B) The member's child, as defined in the first sentence of section 101(4)(A) of this title.''.

(2) Section 101(4)(A) is amended in the matter preceding clause (i) by inserting ''(other than with respect to a child who is an insurable dependent under section 1965(10)(B) of such chapter)'' after ''except for purposes of chapter 19 of this title''.

(b) INSURANCE COVERAGE.—(1) Subsection (a) of section 1967 is amended to read as follows:

''(a)(1) Subject to an election under paragraph (2), any policy of insurance purchased by the Secretary under section 1966 of this title shall automatically insure the following persons against death:

''(A) In the case of any member of a uniformed service on active duty (other than active duty for training)—

''(i) the member; and

''(ii) each insurable dependent of the member.

''(B) Any member of a uniformed service on active duty for training or inactive duty training scheduled in advance by competent authority.

''(C) In the case of any member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 1965(5)(B) of this title—

''(i) the member; and

''(ii) each insurable dependent of the member.

''(2)(A) A member may elect in writing not to be insured under this subchapter.

''(B) A member may elect in writing not to insure the member's spouse under this subchapter.

''(3)(A) Subject to subparagraphs (B) and (C), the amount for which a person is insured under this subchapter is as follows:

''(i) In the case of a member, $250,000.

''(ii) In the case of a member's spouse, $100,000.

''(iii) In the case of a member's child, $10,000.

''(B) A member may elect in writing to be insured or to insure the member's spouse in an amount less than the amount provided for under subparagraph (A). The member may not elect to insure the member's child in an amount less than $10,000. The amount of insurance so elected shall, in the case of a member or spouse, be evenly divisible by $10,000.

''(C) In no case may the amount of insurance coverage under this subsection of a member's spouse exceed the amount of insurance coverage of the member.

''(4)(A) An insurable dependent of a member is not insured under this chapter unless the member is insured under this subchapter.

''(B) An insurable dependent who is a child may not be insured at any time by the insurance coverage under this chapter of more than one member. If an insurable dependent who is a child is otherwise eligible to be insured by the coverage of more than one member under this chapter, the child shall be insured by the coverage of the member whose eligibility for insurance under this subchapter occurred first, except that if that member does not have legal custody of the child, the child shall be insured by the coverage of the member who has legal custody of the child.

''(5) The insurance shall be effective with respect to a member and the insurable dependents of the member on the latest of the following dates:

''(A) The first day of active duty or active duty for training.

''(B) The beginning of a period of inactive duty training scheduled in advance by competent authority.

''(C) The first day a member of the Ready Reserve meets the qualifications set forth in section 1965(5)(B) of this title.

''(D) The date certified by the Secretary to the Secretary concerned as the date Servicemembers' Group Life Insurance under this subchapter for the class or group concerned takes effect.

''(E) In the case of an insurable dependent who is a spouse, the date of marriage of the spouse to the member.

''(F) In the case of an insurable dependent who is a child, the date of birth of such child or, if the child is not the natural child of the member, the date on which the child acquires status as an insurable dependent of the member.''.

(2) Subsection (c) of such section is amended by striking the first sentence and inserting the following: ''If a person eligible for insurance under this subchapter is not so insured, or is insured for less than the maximum amount provided for the person under subparagraph (A) of subsection (a)(3), by reason of an election made by a member under subparagraph (B) of that

subsection, the person may thereafter be insured under this subchapter in the maximum amount or any lesser amount elected as provided in such subparagraph (B) upon written application by the member, proof of good health of each person (other than a child) to be so insured, and compliance with such other terms and conditions as may be prescribed by the Secretary.''.

(c) TERMINATION OF COVERAGE.—(1) Subsection (a) of section 1968 is amended—

(A) in the matter preceding paragraph (1), by inserting ''and any insurance thereunder on any insurable dependent of such a member,'' after ''any insurance thereunder on any member of the uniformed services,''; and

(B) by adding at the end the following new paragraph:

''(5) With respect to an insurable dependent of the member, insurance under this subchapter shall cease—

''(A) 120 days after the date of an election made in writing by the member to terminate the coverage; or

''(B) on the earliest of—

''(i) 120 days after the date of the member's death;

''(ii) 120 days after the date of termination of the insurance on the member's life under this subchapter; or

''(iii) 120 days after the termination of the dependent's status as an insurable dependent of the member.''.

(2) Such subsection is further amended—

(A) in the matter preceding paragraph (1), by striking '', and such insurance shall cease—'' and inserting ''and such insurance shall cease as follows:'';

(B) by striking ''with'' after the paragraph designation in each of paragraphs (1), (2), (3), and (4) and inserting ''With'';

(C) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''thirty-one days—'' and inserting ''31 days, insurance under this subchapter shall cease—'';

(ii) in subparagraph (A)—

(I) by striking ''one hundred and twenty days'' after ''(A)'' and inserting ''120 days''; and

(II) by striking ''prior to the expiration of one hundred and twenty days'' and inserting ''before the end of 120 days''; and

(iii) by striking the semicolon at the end of subparagraph (B) and inserting a period;

(D) in paragraph (2)—

(i) by striking ''thirty-one days'' and inserting ''31 days,'';

(ii) by striking ''one hundred and twenty days'' both places it appears and inserting ''120 days''; and

(iii) by striking the semicolon at the end and inserting a period;

(E) in paragraph (3)—

(i) by inserting a comma after ''competent authority'';

(ii) by striking ''one hundred and twenty days'' both places it appears and inserting ''120 days''; and

(iii) by striking ''; and'' at the end and inserting a period; and

(F) in paragraph (4), by inserting ''insurance under this subchapter shall cease'' before ''120 days after '' the first place it appears.

(3) Subsection (b)(1)(A) of such section is amended by inserting ''(to insure against death of the member only)'' after ''converted to Veterans' Group Life Insurance''.

(d) PREMIUMS.—Section 1969 is amended by adding at the end the following new subsections:

''(g)(1)(A) During any period in which a spouse of a member is insured under this subchapter and the member is on active duty, there shall be deducted each month from the member's basic or other pay until separation or release from active duty an amount determined by the Secretary as the premium allocable to the pay period for providing that insurance coverage. No premium may be charged for providing insurance coverage for a child.

''(B) During any month in which a member is assigned to the Ready Reserve of a uniformed service under conditions which meet the qualifications set forth in section 1965(5)(B) of this title and the spouse of the member is insured under a policy of insurance purchased by the Secretary under section 1966 of this title, there shall be contributed from the appropriation made for active duty pay of the uniformed service concerned an amount determined by the Secretary (which shall be the same for all such members) as the share of the cost attributable to insuring the spouse of such member under this policy, less any costs traceable to the extra hazards of such duty in the uniformed services. Any amounts so contributed on behalf of any individual shall be collected by the Secretary concerned from such individual (by deduction from pay or otherwise) and shall be credited to the appropriation from which such contribution was made.

''(2)(A) The Secretary shall determine the premium amounts to be charged for life insurance coverage for spouses of members under this subchapter.

''(B) The premium amounts shall be determined on the basis of sound actuarial principles and shall include an amount necessary to cover the administrative costs to the insurer or insurers providing such insurance.

''(C) Each premium rate for the first policy year shall be continued for subsequent policy years, except that the rate may be adjusted for any such subsequent policy year on the basis of the experience under the policy, as determined by the Secretary in advance of that policy year.

''(h) Any overpayment of a premium for insurance coverage for an insurable dependent of a member that is terminated under section 1968(a)(5) of this title shall be refunded to the member.''.

(e) PAYMENTS OF INSURANCE PROCEEDS.—Section 1970 is amended by adding at the end the following new subsection:

''(i) Any amount of insurance in force on an insurable dependent of a member under this subchapter on the date of the dependent's death shall be paid, upon the establishment of a valid claim therefor, to the member or, in the event of the member's death before payment to the member can be made, then to the person or persons entitled to receive payment of the proceeds of insurance on the member's life under this subchapter.''.

(f) CONVERSION OF SGLI TO PRIVATE LIFE INSURANCE.—Section 1968(b) is amended by adding at the end the following new paragraph:

''(3)(A) In the case of a policy purchased under this subchapter for an insurable dependent who is a spouse, upon election of the spouse, the policy may be converted to an individual policy of insurance under the same conditions as described in section 1977(e) of this title (with respect to conversion of a Veterans' Group Life Insurance policy to such an individual policy) upon written application for conversion made to the participating company selected by the spouse and payment of the required premiums. Conversion of such policy to Veterans' Group Life Insurance is prohibited.

''(B) In the case of a policy purchased under this subchapter for an insurable dependent who is a child, such policy may not be converted under this subsection.''.

(g) EFFECTIVE DATE AND INITIAL IMPLEMENTATION.—(1) The amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act.

(2) Each Secretary concerned, acting in consultation with the Secretary of Veterans Affairs, shall take such action as is necessary to ensure that during the period between the date of the enactment of this Act and the effective date determined under paragraph (1) each eligible member—

(A) is furnished an explanation of the insurance benefits available for dependents under the amendments made by this section; and

(B) is afforded an opportunity before such effective date to make elections that are authorized under those amendments to be made with respect to dependents.

(3) For purposes of paragraph (2):

(A) The term ''Secretary concerned'' has the meaning given that term in section 101 of title 38, United States Code.

(B) The term ''eligible member'' means a member of the uniformed services described in subparagraph (A) or (C) of section 1967(a)(1) of title 38, United States Code, as amended by subsection (b)(1).

SEC. 5. RETROACTIVE APPLICABILITY OF INCREASE IN MAXIMUM SGLI BENEFIT FOR MEMBERS DYING IN PERFORMANCE OF DUTY ON OR AFTER OCTOBER 1, 2000.

(a) APPLICABILITY OF INCREASE IN BENEFIT.—Notwithstanding subsection (c) of section 312 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1854), the amendments made by subsection (a) of that section shall take effect on October 1, 2000, with respect to any member of the uniformed services who died in the performance of duty (as determined by the Secretary concerned) during the period beginning on October 1, 2000, and ending at the close of March 31, 2001, and who on the date of death was insured under the Servicemembers' Group Life Insurance program under subchapter III of chapter 19 of title 38, United States Code, for the maximum coverage available under that program.

(b) DEFINITIONS.—In this section:

(1) The term ''Secretary concerned'' has the meaning given that term in section 101(25) of title 38, United States Code.

(2) The term ''uniformed services'' has the meaning given that term in section 1965(6) of title 38, United States Code.

SEC. 6. EXPANSION OF OUTREACH EFFORTS TO ELIGIBLE DEPENDENTS.

(a) AVAILABILITY OF OUTREACH SERVICES FOR CHILDREN, SPOUSES, SURVIVING SPOUSES, AND DEPENDENT PARENTS.—Paragraph (2) of section 7721(b) is amended to read as follows:

''(2) the term 'eligible dependent' means a spouse, surviving spouse, child, or dependent parent of a person who served in the active military, naval, or air service.''.

(b) IMPROVED OUTREACH PROGRAM.—(1) Subchapter II of chapter 77 is amended by adding at the end the following new section:

''§ 7727. Outreach for eligible dependents

''(a) In carrying out this subchapter, the Secretary shall ensure that the needs of eligible dependents are fully addressed.

''(b) The Secretary shall ensure that the availability of outreach services and assistance for eligible dependents under this subchapter is made known through a variety of means, including the Internet, announcements in veterans publications, and announcements to the media.''.

(2) The table of sections at the beginning of that chapter is amended by inserting after the item relating to section 7726 the following new item:

''7727. Outreach for eligible dependents.''.

SEC. 7. TECHNICAL AMENDMENTS TO THE MONTGOMERY GI BILL STATUTE.

(a) CLARIFICATION OF ELIGIBILITY REQUIREMENT FOR BENEFITS.—

(1) IN GENERAL.—Clause (i) of section 3011(a)(1)(A), as amended by section 103(a)(1)(A) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1825), is amended by striking ''serves an obligated period of active duty of'' and inserting ''(I) in the case of an individual whose obligated period of active duty is three years or more, serves at least three years of continuous active duty in the Armed Forces, or (II) in the case of an individual whose obligated period of active duty is less than three years, serves''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if enacted

on November 1, 2000, immediately after the enactment of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419).

(b) ENTITLEMENT CHARGE FOR OFF-DUTY TRAINING AND EDUCATION.—

(1) IN GENERAL.—Section 3014(b)(2) is amended—

(A) in subparagraph (A), by striking ''(without regard to'' and all that follows through ''this subsection''; and

(B) by adding at the end the following new subparagraph:

''(C) The number of months of entitlement charged under this chapter in the case of an individual who has been paid a basic educational assistance allowance under this subsection shall be equal to the number (including any fraction) determined by dividing the total amount of such educational assistance allowance paid the individual by the full-time monthly institutional rate of educational assistance which such individual would otherwise be paid under subsection (a)(1), (b)(1), (c)(1), (d)(1), or (e)(1) of section 3015 of this title, as the case may be.''.

(2) CONFORMING AMENDMENTS.—(A) Section 3015 is amended—

(i) in subsections (a)(1) and (b)(1), by inserting ''subsection (h)'' after ''from time to time under''; and

(ii) by striking the subsection that was inserted as subsection (g) by section 1602(b)(3)(C) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–359) and redesignated as subsection (h) by 105(b)(2) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1829).

(B) Section 3032(b) is amended—

(i) by striking ''the lesser of'' and inserting ''the least of the following:'';

(ii) by striking ''or'' after ''chapter,''; and

(iii) by inserting before the period at the end the following: '', or (3) the amount of the charges of the educational institution elected by the individual under section 3014(b)(1) of this title''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if enacted on November 1, 2000, immediately after the enactment of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419).

(c) INCREMENTAL INCREASES FOR CONTRIBUTING ACTIVE DUTY MEMBERS.—

(1) ACTIVE DUTY PROGRAM.—Section 3011(e), as added by section 105(a)(1) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1828), is amended—

(A) in paragraph (2), by inserting '', but not more frequently than monthly'' before the period;

(B) in paragraph (3), by striking ''$4'' and inserting ''$20''; and

(C) in paragraph (4)—

(i) by striking ''Secretary. The'' and inserting ''Secretary of the military department concerned. That''; and

(ii) by striking ''by the Secretary''.

(2) SELECTED RESERVE PROGRAM.—Section 3012(f), as added by section 105(a)(2) of such Act, is amended—

(A) in paragraph (2), by inserting '', but not more frequently than monthly'' before the period;

(B) in paragraph (3), by striking ''$4'' and inserting ''$20''; and

(C) in paragraph (4)—

(i) by striking ''Secretary. The'' and inserting ''Secretary of the military department concerned. That''; and

(ii) by striking ''by the Secretary''.

(3) INCREASED ASSISTANCE AMOUNT.—Section 3015(g), as added by section 105(b)(3) of such Act, is amended—

(A) in the matter preceding paragraph (1), by inserting ''effective as of the first day of the enrollment period following receipt of such contributions from such individual by the Secretary concerned,'' after ''by section 3011(e) or 3012(f) of this title,''; and

(B) in paragraph (1)—

(i) by striking ''$1'' and inserting ''$5'';

(ii) by striking ''$4'' and inserting ''$20''; and

(iii) by inserting ''of this title'' after ''section 3011(e) or 3012(f)''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of section 105 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1828).

(d) DEATH BENEFITS.—

(1) IN GENERAL.—Paragraph (1) of section 3017(b) is amended to read as follows:

''(1) the total of—

''(A) the amount reduced from the individual's basic pay under section 3011(b), 3012(c), 3018(c), 3018A(b), 3018B(b), 3018C(b), or 3018C(e) of this title;

''(B) the amount reduced from the individual's retired pay under section 3018C(e) of this title;

''(C) the amount collected from the individual by the Secretary under section 3018B(b), 3018C(b), or 3018C(e) of this title; and

''(D) the amount of any contributions made by the individual under section 3011(c) or 3012(f) of this title, less''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as of May 1, 2001.

(e) CLARIFICATION OF CONTRIBUTIONS REQUIRED BY VEAP PARTICIPANTS WHO ENROLL IN BASIC EDUCATIONAL ASSISTANCE.—

(1) CLARIFICATION.—Section 3018C(b), as amended by section 104(b) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1828), is amended by striking ''or (e)''.

(2) TREATMENT OF CERTAIN CONTRIBUTIONS.—Any amount collected under section 3018C(b) of title 38, United States Code (whether by reduction in basic pay under paragraph (1) of that section, collection under paragraph (2) of that section, or both), with respect to an individual who enrolled in basic educational assistance under section 3018C(e) of that title, during the period beginning on November 1, 2000, and ending on the date of the enactment of this Act, shall be treated as an amount collected with respect to the individual under section 3018C(e)(3)(A) of that title (whether as a reduction in basic pay under clause (i) of that section, a collection under clause (ii) of that section, or both) for basic educational assistance under section 3018C of that title.

(f) CLARIFICATION OF TIME PERIOD FOR ELECTION OF BEGINNING OF CHAPTER 35 ELIGIBILITY FOR DEPENDENTS.—

(1) IN GENERAL.—(A) Section 3512(a)(3)(B), as amended by section 112 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1831), is amended to read as follows:

''(B) the eligible person elects that beginning date by not later than the end of the 60-day period beginning on the date on which the Secretary provides written notice to that person of that person's opportunity to make such election, such notice including a statement of the deadline for the election imposed under this subparagraph; and''.

(B) Section 3512(a)(3)(C), as so amended, is amended by striking ''between the dates described in'' and inserting ''the date determined pursuant to''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if enacted on November 1, 2000, immediately after the enactment of the Veterans Benefits and Health Care Improvement Act of 2000.

SEC. 8. MISCELLANEOUS TECHNICAL AMENDMENTS.

(a) TITLE 38, UNITED STATES CODE.—Title 38, United States Code, is amended as follows:

(1) Effective as of November 1, 2000, section 107 is amended—

(A) in the second sentence of subsection (a), by inserting ''or (d)'' after ''subsection (c)'';

(B) by redesignating the second subsection (c) (added by section 332(a)(2) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419)) as subsection (d); and

(C) in subsection (d), as so redesignated, by striking ''In'' in paragraph (1) and inserting ''With respect to benefits under chapter 23 of this title, in''.

(2) Section 1710B(c)(2)(B) is amended by striking ''on the date of the enactment of the Veterans Millennium Health Care and Benefits Act'' and inserting ''November 30, 1999''.

(3) Section 2301(f) is amended—

(A) in the matter in paragraph (1) preceding subparagraph (A), by striking ''(as'' and all that follows through ''in section'' and inserting ''(as described in section''; and

(B) in paragraph (2), by striking ''subparagraphs'' and inserting ''subparagraph''.

(4) Section 3452 is amended—

(A) in subsection (a)(1)—

(i) by striking ''or'' at the end of subparagraph (A); and

(ii) by striking ''clause (B) of this paragraph'' in subparagraph (C) and inserting ''subparagraph (B)'';

(B) in subsection (a)(2)—

(i) by striking ''paragraph (1)(A) or (B)'' and inserting ''subparagraph (A) or (B) of paragraph (1)''; and

(ii) by striking ''one hundred and eighty days'' and inserting ''180 days'';

(C) in subsection (a)(3), by striking ''section 511(d) of title 10'' and inserting ''section 12103(d) of title 10''; and

(D) in subsection (e), by striking ''chapter 4C of title 29,'' and inserting ''the Act of August 16, 1937, popularly known as the 'National Apprenticeship Act' (29 U.S.C. 50 et seq.),''.

(5) Section 3462(a) is amended by striking paragraph (3).

(6) Section 3512 is amended—

(A) in subsection (a)(5), by striking ''clause (4) of this subsection'' and inserting ''paragraph (4)''; and

(B) in subsection (b)(2), by striking ''willfull'' and inserting ''willful''.

(7) Section 3674 is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A)—

(I) by striking '', effective at the beginning of fiscal year 1988,''; and

(II) by striking ''section 3674A(a)(4)'' and inserting ''section 3674A(a)(3)'';

(ii) in subparagraph (B), by striking ''paragraph (3)(A)'' and inserting ''paragraph (3)''; and

(iii) in subparagraph (C), by striking ''section 3674A(a)(4)'' and inserting ''section 3674A(a)(3)''; and

(B) in subsection (c)—

(i) by striking ''on September 30, 1978, and''; and

(ii) by striking ''thereafter,''.

(8) Section 3674A(a)(2) is amended by striking ''clause (1)'' and inserting ''paragraph (1)''.

(9) Section 3734(a) is amended—

(A) by striking ''United States Code,'' in the matter preceding paragraph (1); and

(B) by striking ''appropriations in'' in paragraph (2) and inserting ''appropriations for''.

(10) Section 4104 is amended—

(A) in subsection (a)(1)—

(i) by striking ''Beginning with fiscal year 1988,'' and inserting ''For any fiscal year,'';

(ii) by striking ''clause'' in subparagraph (B) and inserting ''subparagraph''; and

(iii) by striking ''clauses'' in subparagraph (C) and inserting ''subparagraphs'';

(B) in subsection (a)(4), by striking ''on or after July 1, 1988''; and

(C) in subsection (b)—

(i) by striking ''shall—'' in the matter preceding paragraph (1) and inserting ''shall perform the following functions:''

(ii) by capitalizing the initial letter of the first word of each of paragraphs (1) through (12);

(iii) by striking the semicolon at the end of each of paragraphs (1) through (10) and inserting a period; and

(iv) by striking ''; and'' at the end of paragraph (11) and inserting a period.

(11) Section 4303(13) is amended by striking the second period at the end.

(12) Section 5103(b)(1) is amended by striking ''1 year'' and inserting ''one year''.

(13) Section 5701(g) is amended by striking ''clause'' in paragraphs (2)(B) and (3) and inserting ''subparagraph''.

(14)(A) Section 7367 is repealed.

(B) The table of sections at the beginning of chapter 73 is amended by striking the item relating to section 7367.

(15) Section 8125(d) is amended—

(A) in paragraph (1), by striking ''(beginning in 1992)'';

(B) in paragraph (2), by striking ''(beginning in 1993)''; and

(C) by striking paragraph (3).

(16) The following provisions are each amended by striking ''hereafter'' and inserting ''hereinafter'': sections 545(a)(1), 1710B(e)(1), 3485(a)(1), 3537(a), 3722(a), 3763(a), 5121(a), 7101(a), 7105(b)(1), 7671, 7672(e)(1)(B), 7681(a)(1), 7801, and 8520(a).

(b) PUBLIC LAW 106–419.—Effective as of November 1, 2000, and as if included therein as originally enacted, the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419) is amended as follows:

(1) Section 111(f)(3) (114 Stat. 1831) is amended by striking ''3654'' and inserting ''3564''.

(2) Section 323(a)(1) (114 Stat. 1855) is amended by inserting a comma in the second quoted matter therein after ''duty''.

(3) Section 401(e)(1) (114 Stat. 1860) is amended by striking ''this'' both places it appears in quoted matter and inserting ''This''.

(4) Section 402(b) (114 Stat. 1861) is amended by striking the close quotation marks and period at the end of the table in paragraph (2) of the matter inserted by the amendment made that section.

(c) PUBLIC LAW 102–590.—Section 3(a)(1) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (38 U.S.C. 7721 note) is amended by striking '', during,''.

Amend the title so as to read: ''An Act to amend title 38, United States Code, to expand eligibility for CHAMPVA, to provide for family coverage and retroactive expansion of the increase in maximum benefits under Servicemembers' Group Life Insurance, to make technical amendments, and for other purposes.''.

On motion of Mr. SMITH of New Jersey, said Senate amendments were agreed to.

A motion to reconsider the vote whereby said Senate amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶53.12 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 24, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on May 24, 2001 at 3:00 p.m. and said to contain a message from the President whereby he submits copies of a notice extending the Yugoslavia emergencies.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶53.13 NATIONAL EMERGENCY WITH RESPECT TO YUGOSLAVIA

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergencies declared with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) (the ''FRY (S&M)'') in 1992 and with respect to Kosovo in 1998, are to continue beyond May 30, 2001, and June 9, 2001, respectively. The most recent notice continuing these emergencies was published in the *Federal Register* on May 26, 2000.

With respect to the 1992 national emergency, on December 27, 1995, President Clinton issued Presidential Determination 96–7, directing the Secretary of the Treasury, *inter alia,* to suspend the application of sanctions imposed on the FRY (S&M) and to continue to block property previously blocked until provision of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the ''Resolution''), as an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialed in Dayton on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the ''Peace Agreement'').

Sanctions against both the FRY (S&M) and the Bosnian Serbs were subsequently terminated by United Nations Security Council Resolution 1074 of October 1, 1996. This termination, however, did not end the requirement of the Resolution that those blocked funds and assets that are subject to claims and encumbrances remain blocked, until unblocked in accordance with applicable law.

Until the status of all remaining blocked property is resolved, the Peace Agreement implemented, and the terms of the Resolution met, this situation continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that the 1992 emergency, and the measures adopted pursuant thereto, must continue beyond May 30, 2001.

With respect to the 1998 national emergency regarding Kosovo, on January 17, 2001, President Clinton issued Executive Order 13192 in view of the peaceful democratic transition begun in the FRY (S&M); the continuing need to promote full implementation of the United Nations Security Council Resolution 827 of May 25, 1993, and subsequent resolutions calling for all states to cooperate fully with the International Criminal Tribunal for the former Yugoslavia (ICTY); the illegitimate control over FRY (S&M) political institutions and economic resources or enterprises exercised by former President Slobodan Milosevic, his close associates and other persons, and those individuals' capacity to repress democracy or perpetrate or promote further human rights abuses; and the continuing threat to regional stability and implementation of the Peace Agreement. The order lifts and modifies, with respect to future transactions, most of the economic sanctions imposed against the FRY (S&M) in 1998 and 1999 with regard to the situation in Kosovo. At the same time, the order imposes restrictions on transactions with certain persons described in section 1(a) of the order, namely Slobodan Milosevic, his close associates and supporters and persons under open indictment for war crimes by ICTY. The order also provides for the continued blocking of property or interests in property blocked prior to the order's effective date due to the need to address claims or encumbrances involving such property.

Because the crisis with respect to the situation in Kosovo and with respect to Slobodan Milosevic, his close associates and supporters and persons under open indictment for war crimes by ICTY has not been resolved, and because the status of all previously blocked property has yet to be resolved, this situation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that the emergency declared with respect to Kosovo, and the measures adopted pursuant thereto, must continue beyond June 9, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 24, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–76).

¶53.14 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 24, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed

envelope received from the White House on May 24, 2001 at 3:00 p.m. and said to contain a message from the President whereby he submits a periodic six-month report on the Yugoslavia emergencies.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶53.15 NATIONAL EMERGENCY WITH RESPECT TO YUGOSLAVIA

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c) and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the Yugoslavia (Serbia and Montenegro) emergency declared in Executive Order 12808 on May 30, 1992, and with respect to the Kosovo emergency declared in Executive Order 13088 on June 9, 1998.

GEORGE W. BUSH.
THE WHITE HOUSE, *May 24, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–77).

¶53.16 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—COMMISSION ON THE FUTURE OF THE UNITED STATES AREOSPACE INDUSTRY

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, May 24, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 1092(b) of the Floyd D. Spence National Defense Authorization Act, I hereby appoint the following individual for appointment to the Commission on the Future of the United States Aerospace Industry: R. Thomas Buffenbarger of Brookeville, Maryland.

Yours Very Truly,
RICHARD A. GEPHARDT.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶53.17 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which were thereupon signed by the Speaker:

H.R. 801. Veterans' Survivor Benefits Improvements Act of 2001.

¶53.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BECERRA, for today and balance of the week;

To Mr. GILLMOR, for today; and

To Mrs. MEEK of Florida, for today after 12 p.m.

And then,

¶53.19 ADJOURNMENT

On motion of Mr. TANCREDO, pursuant to the special order heretofore agreed to, at 7 o'clock and 18 minutes p.m., the House adjourned until 10 o'clock a.m. on Friday, May 25, 2001.

¶53.20 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 691. A bill to extend the authorization of funding for child passenger protection education grants through fiscal year 2003 (Rept. No. 107–78). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 1699. A bill to authorize appropriations for the Coast Guard for fiscal year 2002 (Rept. No. 107–79). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 149. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 107–80). Referred to the House Calendar.

Mr. REYNOLDS: Committee on Rules. House Resolution 150. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 107–81). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 1140. A bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries; with an amendment (Rept. No. 107–82 Pt. 1). Ordered to be printed.

¶53.21 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1140. Referral to the Committee on Ways and Means extended for a period ending not later than July 12, 2001.

¶53.22 REPORTED BILL SEQUENTIALLY REFERRED

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

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 1542. A bill to deregulate the Internet and high speed data services, and for other purposes, with an amendment; referred to the Committee on Judiciary for a period ending not later than June 18, 2001, for consideration of such provisions of the bill and amendment recommended by the Committee on Energy and Commerce as propose to narrow the purview of the Attorney General under section 271 of the Communications Act of 1934 (Rept. No. 107–83, Pt. 1.).

¶53.23 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HYDE:

H.R. 1980. A bill to amend the Internal Revenue Code of 1986 to reduce the highway gasoline excise tax rate by 6.8 cents per gallon, the rate that originally was enacted to reduce the deficit but which remains in effect as a source of funding for the Highway Trust Fund; to the Committee on Ways and Means.

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

H.R. 1981. A bill to make emergency supplemental appropriations for fiscal year 2001 for the Department of Veterans Affairs; to the Committee on Appropriations.

By Mrs. BIGGERT (for herself, Mr. BALLENGER, Mr. NORWOOD, Ms. DUNN, Mr. BOEHNER, Mr. STENHOLM, Ms. GRANGER, Mrs. ROUKEMA, Ms. PRYCE of Ohio, Mrs. MYRICK, Mr. GREENWOOD, Mrs. NORTHUP, Mrs. BONO, Mr. SAM JOHNSON of Texas, Mr. HOEKSTRA, Mr. MCKEON, Mrs. JO ANN DAVIS of Virginia, Mr. GRAHAM, Mr. HILLEARY, Mr. TANCREDO, Mr. DEMINT, Mr. ISAKSON, Mr. GOODLATTE, Mr. CULBERSON, Mr. KELLER, Mr. EHRLICH, Mr. TAYLOR of North Carolina, Mr. SMITH of Michigan, Mr. MILLER of Florida, Mr. RILEY, Mr. CUNNINGHAM, Mr. PITTS, Mr. KOLBE, and Mr. REYNOLDS):

H.R. 1982. A bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector; to the Committee on Education and the Workforce.

By Mr. BALLENGER (for himself, Mr. STUMP, Ms. WATERS, Mr. RADANOVICH, Mr. SCHROCK, Mr. CALVERT, Mr. DUNCAN, Mr. CONDIT, Mr. RAHALL, Mr. PAUL, Mr. MICA, Mr. SESSIONS, Mr. TRAFICANT, Mr. SUNUNU, Mrs. MYRICK, Mr. SCHAFFER, Mr. PICKERING, and Mr. EHRLICH):

H.R. 1983. A bill to amend title 10, United States Code, to revise the rules relating to the court-ordered apportionment of the retired pay of members of the Armed Forces to former spouses, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR of Georgia (for himself, Mr. HALL of Texas, Mr. JENKINS, Mr. SHOWS, and Mr. COBLE):

H.R. 1984. A bill to reaffirm English as the official language of the United States, to establish an uniform English language rule for naturalization,and to avoid misconstructions of the English language texts of the Laws of the United States, pursuant to Congress' powers to provide for the General Welfare of the United States and to establish an uniform Rule of Naturalization under Article I, Section 8, of the Constitution; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself, Mr. CONDIT, Mr. RADANOVICH, Mrs. NAPOLITANO, Mr. OSE, Mr. DOOLEY of California, Mr. THOMAS, Mr. SCHIFF, Mr. DREIER, Ms. MILLENDER-MCDONALD, Mr. DOOLITTLE, Ms. SANCHEZ, Mr. GALLEGLY, Mrs. DAVIS of California, Mr. MCKEON, Mr. FILNER, Mr. HORN, Mr. ROYCE, Mr. LEWIS of California, Mr. BACA, Mr. GARY G. MILLER of California, Mrs. BONO, Mr. ISSA, Mr. HUNTER, Mr. COX, Mr. ROHRABACHER, and Mr. POMBO):

H.R. 1985. A bill to authorize funding through the Secretary of the Interior for the implementation of a comprehensive program in California to achieve increased water yield and environmental benefits, as well as

improved water system reliability, water quality, water use efficiency, watershed management, water transfers, and levee protection; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS (for himself, Mr. LEWIS of Georgia, Mr. MCCRERY, Mr. SHAW, Mr. JOHN, Mr. SPRATT, Mr. LUCAS of Kentucky, Mrs. THURMAN, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. COOKSEY, Ms. MCKINNEY, Mr. TANNER, Mr. WHITFIELD, Mr. ISAKSON, Mr. ADERHOLT, Mr. BRYANT, Mr. KINGSTON, Mr. CHAMBLISS, Mr. LINDER, and Mr. DEAL of Georgia):

H.R. 1986. A bill to amend the Internal Revenue Code of 1986 to allow the proceeds from bonds to be used for prepayments for natural gas; to the Committee on Ways and Means.

By Mr. COLLINS (for himself, Mr. NEAL of Massachusetts, Mr. SAM JOHNSON of Texas, Mr. ENGLISH, Mrs. JOHNSON of Connecticut, Mr. CHAMBLISS, Mr. BARR of Georgia, Mr. JEFFERSON, Ms. DUNN, and Mr. HOBSON):

H.R. 1987. A bill to amend the Internal Revenue Code of 1986 to allow distilled spirits wholesalers a credit against income tax for their cost of carrying Federal excise taxes prior to the sale of the product bearing the tax; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. CARDIN, Mr. HOUGHTON, and Mr. LEVIN):

H.R. 1988. A bill to amend United States trade laws to address more effectively import crises; to the Committee on Ways and Means.

By Mr. GILCHREST:

H.R. 1989. A bill to reauthorize various fishery conservation management programs; to the Committee on Resources.

By Mr. GEORGE MILLER of California (for himself, Mr. GILMAN, Mr. SANDERS, Mr. KILDEE, Mrs. MORELLA, Mr. SCOTT, Mrs. DAVIS of California, Mr. STARK, Ms. NORTON, Mr. FRANK, Mrs. MINK of Hawaii, Mr. BONIOR, Ms. BROWN of Florida, Ms. DELAURO, Mr. CUMMINGS, Mr. LATOURETTE, Mr. KUCINICH, Mr. KENNEDY of Rhode Island, Mr. BISHOP, Mr. HINOJOSA, Mr. JACKSON of Illinois, Mr. RODRIGUEZ, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, Mr. GUTIERREZ, and Mr. OWENS):

H.R. 1990. A bill to leave no child behind; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Agriculture, the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HEFLEY:

H.R. 1991. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Colorado Springs, Colorado, metropolitan area; to the Committee on Veterans' Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISAKSON (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. CASTLE, and Mr. GOODLATTE):

H.R. 1992. A bill to amend the Higher Education Act of 1965 to expand the opportunities for higher education via telecommunications; to the Committee on Education and the Workforce.

By Mrs. JOHNSON of Connecticut (for herself, Mr. THOMAS, Mrs. THURMAN, Mr. CRANE, Mr. SHAW, Mr. MCCRERY, Mr. CAMP, Mr. RAMSTAD, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. ENGLISH, Mr. HAYWORTH, and Mr. FOLEY):

H.R. 1993. A bill to amend title XVIII of the Social Security Act to delay from July 1 to the third Monday in September the deadline for MedicareChoice organizations to report plan information, including information on the adjusted community rates; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. EDWARDS, Ms. JACKSON-LEE of Texas, Mrs. MEEK of Florida, Mr. OWENS, Mr. SCOTT, Mrs. CLAYTON, Mr. CLAY, Mr. JACKSON of Illinois, Mr. THOMPSON of Mississippi, Mr. CUMMINGS, Mrs. JONES of Ohio, Mr. HILLIARD, Mr. LEWIS of Georgia, Mr. WATT of North Carolina, and Ms. LEE):

H.R. 1994. A bill to waive the time limitation specified by law for the award of certain military decorations in order to allow the posthumous award of the congressional medal of honor to Doris Miller for actions while a member of the Navy during World War II; to the Committee on Armed Services.

By Mr. JONES of North Carolina (for himself and Mr. SIMMONS):

H.R. 1995. A bill to advance the current timetable for the elimination of out-of-pocket housing costs for members of the uniformed services entitled to the basic allowance for housing for military housing areas inside the United States; to the Committee on Armed Services.

By Mr. LEWIS of Georgia (for himself, Mr. HOUGHTON, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mr. COYNE, Mr. CUMMINGS, Mr. DINGELL, Mr. FROST, Mr. JACKSON of Illinois, Mr. JEFFERSON, Ms. KILPATRICK, Ms. LEE, Mr. MCDERMOTT, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MINK of Hawaii, Mr. RAHALL, Ms. RIVERS, Ms. SCHAKOWSKY, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. TIERNEY, and Mr. WYNN):

H.R. 1996. A bill to prohibit racial or other discriminatory profiling relating to detentions and searches of travelers by the United States Customs Service, and for other purposes; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself and Mr. REYNOLDS):

H.R. 1997. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to increase the ability of absent uniformed services voters and overseas voters to participate in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. MANZULLO:

H.R. 1998. A bill to provide standards for the enactment of Federal crimes, to sunset those Federal crimes that do not meet those standards, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUSSLE:

H.R. 1999. A bill to amend the Clean Air Act to prohibit the use of methyl tertiary butyl ether as a fuel additive, to require Federal vehicles to use ethanol fuel, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUSSLE:

H.R. 2000. A bill to encourage the use of agricultural products in producing renewable energy; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARCIA (for himself, Mr. HUNTER, Mr. CAMP, Mrs. THURMAN, Mr. RYAN of Wisconsin, Mr. TANNER, Mr. SHAW, Mr. COLLINS, Mr. RAMSTAD, Mr. FOLEY, Mr. MCINNIS, Mr. WATKINS, Ms. DUNN, Mr. ISAKSON, Mr. DICKS, Mr. CANNON, Mr. JOHN, Mr. CUNNINGHAM, Mr. MORAN of Kansas, Mr. SMITH of Texas, Mr. BOSWELL, Mr. ROGERS of Michigan, Mr. REHBERG, and Mr. PETERSON of Minnesota):

H.R. 2001. A bill to amend the Internal Revenue Code of 1986 to simplify the application of the excise tax imposed on bows and arrows; to the Committee on Ways and Means.

By Mr. POMBO (for himself and Mr. PETERSON of Minnesota):

H.R. 2002. A bill to consolidate and revise the authority of the Secretary of Agriculture relating to protection of animal health; to the Committee on Agriculture, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROUKEMA (for herself, Mr. SMITH of New Jersey, Mr. FERGUSON, Mr. SAXTON, Mr. LOBIONDO, Mr. FRELINGHUYSEN, and Mr. PASCRELL):

H.R. 2003. A bill to amend title XVIII of the Social Security Act to provide that geographic reclassifications of hospitals from one urban area to another urban area do not result in lower wage indexes in the urban area in which the hospital was originally classified; to the Committee on Ways and Means.

By Mr. SMITH of Michigan:

H.R. 2004. A bill to provide for the establishment of a Department of Agriculture research program to enhance and develop the nitrogen-fixing ability of legumes and other commercial crops; to the Committee on Agriculture.

By Mr. STARK (for himself and Mr. MOAKLEY):

H.R. 2005. A bill to amend the Internal Revenue Code of 1986, the Employee Retirement Income Security Act of 1974, and the Public Health Service Act to extend the basic period for health care continuation coverage from 18 months to 5 years, to permit a further extension of continuation coverage for individuals age 55 or older, and to provide for a 50 percent refundable tax credit towards premiums for COBRA continuation coverage; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS (for himself, Mr. SMITH of New Jersey, Mr. STUMP, Mr. BILIRAKIS, Mr. BUYER, Mr. PICKERING, Mr. PITTS, Mr. LATOURETTE, Mr. FOLEY, Mrs. THURMAN, Ms. HART,

Mrs. JO ANN DAVIS of Virginia, and Mr. MCKEON):

H.R. 2006. A bill to amend titles 10 and 18, United States Code, and the Revised Statutes to remove the uncertainty regarding the authority of the Department of Defense to permit buildings located on military installations and reserve component facilities to be used as polling places in Federal, State, and local elections for public office; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 2007. A bill to assist poor communities with public elementary and secondary school construction; to the Committee on Education and the Workforce.

By Mr. WATT of North Carolina (for himself, Mrs. CHRISTENSEN, Mr. JONES of North Carolina, Mr. MCGOVERN, Ms. SOLIS, and Mr. UDALL of Colorado):

H.R. 2008. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the International Civil Rights Center and Museum, located in Greensboro, North Carolina, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. WEINER (for himself, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. BALDACCI, Ms. BALDWIN, Mr. BARRETT, Ms. BERKLEY, Mr. BERMAN, Mr. BERRY, Mr. BLAGOJEVICH, Mr. BONIOR, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mr. BOUCHER, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Mr. CARSON of Oklahoma, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CLEMENT, Mr. CONYERS, Mr. COSTELLO, Mr. COYNE, Mr. CRAMER, Mr. CROWLEY, Mr. DAVIS of Illinois, Mr. DAVIS of Florida, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. DOOLEY of California, Mr. DOYLE, Mr. EDWARDS, Mr. ENGEL, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GEPHARDT, Mr. GONZALEZ, Mr. GORDON, Mr. GREEN of Texas, Mr. HALL of Ohio, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HOEFFEL, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHN, Mrs. JONES of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mr. KELLER, Mr. KENNEDY of Rhode Island, Mr. KLECZKA, Mr. KUCINICH, Mr. LAFALCE, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LEACH, Ms. LEE, Mr. LEWIS of Georgia, Ms. LOFGREN, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MATHESON, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCINTYRE, Ms. MCKINNEY, Mr. MCNULTY, Mr. MEEHAN, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MOORE, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NADLER, Ms. NORTON, Mr. OLVER, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. POMEROY, Mr. QUINN, Mr. RAHALL, Mr. REYES, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROSS, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Ms. SANCHEZ, Mr. SANDERS, Mr. SANDLIN, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHROCK, Mr. SCOTT, Mr. SERRANO, Mr. SHERMAN, Ms. SLAUGHTER, Ms. SOLIS, Mr. SPRATT, Mr. STUPAK, Mrs. TAUSCHER, Mr. TIERNEY, Mr. THOMPSON of Mississippi, Mrs. THURMAN, Mr. THOMPSON of California, Mr. TOWNS, Mr. TURNER, Mr. UDALL of New Mexico, Mr. VISCLOSKY, Mr. WEXLER, and Mr. WYNN):

H.R. 2009. A bill to provide reliable officers, technology, education, community prosecutors, and training in our neighborhoods; to the Committee on the Judiciary.

By Mr. RUSH (for himself, Mr. HILLIARD, Mr. SANDERS, Ms. CARSON of Indiana, Ms. MCKINNEY, Mr. GONZALEZ, Mr. RANGEL, Ms. KILPATRICK, Mr. ROSS, Mr. FILNER, Mrs. CLAYTON, Mr. CUMMINGS, Ms. NORTON, Mr. CLYBURN, Ms. SCHAKOWSKY, Mr. CLAY, Mr. HOLT, Mr. MCGOVERN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BONIOR, Mr. TOWNS, Mrs. JONES of Ohio, Ms. BROWN of Florida, Mr. THOMPSON of Mississippi, Mr. WYNN, Mr. FATTAH, Mr. HINCHEY, Mr. BLAGOJEVICH, Mr. JOHNSON of Illinois, Mr. ENGEL, Mr. DAVIS of Illinois, Mr. FROST, Mr. FORD, Mr. JEFFERSON, Mr. OWENS, Mr. PALLONE, Mr. SHIMKUS, Ms. LEE, Mr. UDALL of Colorado, Ms. JACKSON-LEE of Texas, Mr. MEEKS of New York, Mr. COSTELLO, Mr. LIPINSKI, Mr. JACKSON of Illinois, Mr. CONYERS, Mr. BRADY of Pennsylvania, Mr. PAYNE, Mr. KUCINICH, Mr. BARRETT, Mr. SERRANO, Ms. SOLIS, Ms. DELAURO, Mrs. MINK of Hawaii, Mr. STARK, Mr. LAMPSON, Mr. GUTIERREZ, Mrs. MORELLA, Mr. MCNULTY, Mr. HONDA, Mr. ANDREWS, Mrs. CHRISTENSEN, Mr. BORSKI, Mr. LEWIS of Georgia, Mr. NADLER, Mr. WATT of North Carolina, and Ms. WATERS):

H. Con. Res. 143. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued honoring Paul Leroy Robeson; to the Committee on Government Reform.

By Mr. KILDEE (for himself and Mr. UPTON):

H. Con. Res. 144. Concurrent resolution expressing the sense of Congress regarding the Republic of Korea's ongoing practice of limiting United States motor vehicles access to its domestic market; to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEY:

H. Res. 148. A resolution electing Members to serve on the Joint Committee on Printing and the Joint Committee of Congress on the Library; to the Committee on House Administration.

By Mr. WELLER (for himself and Mr. MATSUI):

H. Res. 151. A resolution expressing the sense of the House of Representatives on the importance of promoting fair, efficient, and simple cross-border tax collection regimes that maintain market neutrality and promote free trade on all sales distribution channels within a globally networked economy; to the Committee on Ways and Means.

By Mr. OBERSTAR (for himself, Mr. BORSKI, Mr. BROWN of Ohio, Mr. GEPHARDT, Mr. TOWNS, Mr. HOLDEN, Mr. DINGELL, Mr. FILNER, Mr. RODRIGUEZ, Mr. LIPINSKI, Mr. PASCRELL, Mr. BACA, Mr. HONDA, Mr. BALDACCI, Mr. QUINN, Ms. BERKLEY, Mr. CLEMENT, Mr. RAHALL, Mr. CRAMER, Mr. DEFAZIO, Mr. CUMMINGS, Mr. COSTELLO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NADLER, Mr. SANDLIN, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. MATHESON, Mr. LARSEN of Washington, Mr. BERRY, Mrs. DAVIS of California, and Mr. MASCARA):

H. Res. 152. A resolution urging the President to continue to delay granting Mexico-domiciled motor carriers authority to operate in the United States beyond the commercial zone until the President certifies that such carriers are able and willing to comply with United States motor carrier safety, driver safety, vehicle safety, and environmental laws and regulations; that the United States is able to adequately enforce such laws and regulations at the United States-Mexico border and in each State; and that granting such operating authority will not endanger the health, safety, and welfare of United States citizens; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Energy and Commerce, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶53.24 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

86. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 97 memorializing the United States Congress to obtain funding for forty percent of the cost of special education and related services for children with disabilities; to the Committee on Education and the Workforce.

87. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 47 memorializing the United States Congress to appropriate funds for forty per cent of special education and related services for children with disabilities; to the Committee on Education and the Workforce.

88. Also, a memorial of the Legislative of the State of Missouri, relative to House Concurrent Resolution No. 12 memorializing the United States Congress to consider establishing a strong remedial federal energy policy that delegates emergency powers to individual state; to the Committee on Energy and Commerce.

89. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 149 memorializing the United States Congress to request the United Nations to consider the establishment of a center for the health, welfare, and rights of children and youth in Hawaii; to the Committee on International Relations.

90. Also, a memorial of the Legislature of the State of Montana, relative to House Joint Resolution 18 memorializing the United States Congress and the President to formally recognize the bicentennial anniversary of the Lewis and Clark Expedition and actively plan for and support appropriate celebrations of events commemorating the Expedition, an adventure that is unprecedented in America's history; to the Committee on Government Reform.

91. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 84 memorializing the United States Congress to recognize federally the Hawaiian people as an indigenous group, with all the

rights to which that status is entitled; to the Committee on Resources.

92. Also, a memorial of the House of Representatives of the State of Ohio, relative to House Concurrent Resolution No. 35 memorializing the Ohio Congressional Delegation to support and work to pass a tax relief plan and, in doing so, give due consideration of the plan offered by President Bush; to the Committee on Ways and Means.

93. Also, a memorial of the House of Representatives of the Commonwealth of Puerto Rico, relative to a Resolution memorializing the United States Congress to conduct a comprehensive study concerning the ways and means by which the Government of Puerto Rico may help in the development, promotion and implementation of the expansion of the Free Trade Zone of the Americas; to the Committee on Ways and Means.

94. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 98 memorializing the United States Congress and the United Nations to review the actions taken in 1959 relevant to Hawaii's Statehood; jointly to the Committees on International Relations and Resources.

¶53.25 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RANGEL:

H.R. 2010. A bill for the relief of Kadiatou Diallo, Laouratou Diallo, Ibrahima Diallo, Abdoul Diallo, and Mamadou Bobo Diallo; to the Committee on the Judiciary.

By Ms. WOOLSEY:

H.R. 2011. A bill for the relief of Zhenfu Ge; to the Committee on the Judiciary.

¶53.26 ADDITIONAL SPONSORS

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

H.R. 26: Ms. VELAZQUEZ.
H.R. 36: Mr. SCHROCK, Mrs. TAUSCHER, and Mrs. CAPITO.
H.R. 123: Mr. BOEHLERT, Mr. CANTOR, Mr. DOOLITTLE, and Mr. JOHNSON of Illinois.
H.R. 154: Mr. BALDACCI.
H.R. 162: Mr. OLVER, Mr. MORAN of Virginia, Mr. CONYERS, Mr. FORD, and Mr. ROSS.
H.R. 173: Ms. VELAZQUEZ.
H.R. 174: Ms. VELAZQUEZ.
H.R. 185: Mr. MCGOVERN.
H.R. 218: Mr. MCHUGH, Mr. LARGENT, Mr. COLLINS, Mr. THOMPSON of Mississippi, Ms. HART, and Mr. JOHN.
H.R. 236: Mr. STUMP and Mr. SENSENBRENNER.
H.R. 239: Mr. ISAKSON.
H.R. 244: Mr. BAIRD.
H.R. 257: Mr. PAUL and Mr. FLAKE.
H.R. 281: Mr. PHELPS.
H.R. 288: Mr. RUSH.
H.R. 303: Ms. PELOSI.
H.R. 322: Mr. GIBBONS.
H.R. 326: Mr. LATOURETTE.
H.R. 353: Mr. WAMP, Mr. GOODE, and Mr. CANTOR.
H.R. 448: Mr. CALVERT.
H.R. 475: Mr. ROGERS of Kentucky.
H.R. 510: Mr. MOAKLEY.
H.R. 526: Mr. THOMPSON of Mississippi and Mr. WEXLER.
H.R. 572: Mr. LIPINSKI.
H.R. 599: Mr. ROSS.
H.R. 602: Mrs. JO ANN DAVIS of Virginia and Mr. REGULA.
H.R. 611: Mr. BROWN of Ohio and Mr. TANNER.
H.R. 612: Mr. GRUCCI, Ms. WOOLSEY, Mr. HORN, Mr. DIAZ-BALART, and Mr. DOOLITTLE.
H.R. 630: Mr. PLATTS.
H.R. 662: Mr. BARTON of Texas and Mr. ISAKSON.
H.R. 721: Mr. CLAY, Mr. BISHOP, Mr. LUCAS of Kentucky, Mr. JACKSON of Illinois, Mr. LIPINSKI, Mrs. CAPPS, Ms. KAPTUR, Mr. CAPUANO, Mrs. DAVIS of California, Mr. PASTOR, Mr. MALONEY of Connecticut, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. UDALL of New Mexico, Mr. MARKEY, Mr. BERMAN, Mr. PHELPS, Mr. OLVER, Mr. CARSON of Oklahoma, and Mr. HINOJOSA.
H.R. 760: Ms. LEE.
H.R. 808: Mr. POMEROY, Mr. NEAL of Massachusetts, Mr. EDWARDS, Mr. ACKERMAN, Mr. FERGUSON, Mr. BORSKI, Mr. LARSON of Connecticut, Mr. ORTIZ, Mr. BALDACCI, Mr. MARKEY, Mr. GILMAN, and Mr. HUNTER.
H.R. 848: Ms. RIVERS, Mr. LANTOS, Mr. MCHUGH, Mr. KING, Ms. ESHOO, and Ms. SANCHEZ.
H.R. 868: Ms. MCCOLLUM, Mr. RADANOVICH, Mr. MALONEY of Connecticut, Mr. KIRK, Mr. GONZALEZ, Mr. BEREUTER, and Mr. BURTON of Indiana.
H.R. 870: Mr. PLATTS.
H.R. 908: Mr. KUCINICH and Ms. SANCHEZ.
H.R. 937: Mr. PLATTS.
H.R. 943: Mr. SAWYER, Mr. THOMPSON of California, Mr. FROST, Mr. DEFAZIO, and Ms. ROYBAL-ALLARD.
H.R. 948: Mr. OBERSTAR, Mr. SABO, Mr. BLAGOJEVICH, Mr. POMEROY, and Mrs. LOWEY.
H.R. 951: Mr. BONIOR, Mr. SPRATT, Mr. PLATTS, Mr. LANTOS, Mr. DOYLE, Mr. WATTS of Oklahoma, Mr. THOMPSON of Mississippi, Mr. ROGERS of Kentucky, Mr. COYNE, and Mr. WICKER.
H.R. 981: Mr. HYDE, Mr. KOLBE, and Mr. LAHOOD.
H.R. 1021: Mr. DEAL of Georgia and Mr. BARTLETT of Maryland.
H.R. 1024: Mrs. CAPITO, Mr. BRADY of Texas, Mr. YOUNG of Alaska, Mr. TANNER, and Mr. BLUNT.
H.R. 1030: Mr. COLLINS, Mr. DEAL of Georgia, Mr. MASCARA, Mr. BLUNT, Mr. LUCAS of Kentucky, Mr. MICA, Mr. BARTLETT of Maryland, Mr. SUNUNU, Mr. CRANE, Mr. DUNCAN, Mr. BALDACCI, Mr. DEFAZIO, Ms. MCKINNEY, Mr. SMITH of Washington, Mr. DREIER, Mr. PUTNAM, Mr. RUSH, Mr. CHABOT, Mr. KILDEE, and Mr. KIND.
H.R. 1073: Ms. BROWN of Florida, Mr. INSLEE, Mr. PASTOR, and Mr. PETERSON of Minnesota.
H.R. 1089: Mr. WELLER.
H.R. 1092: Mr. JONES of North Carolina, Mr. PRICE of North Carolina, Ms. RIVERS, and Mr. BLAGOJEVICH.
H.R. 1097: Mr. SANDERS.
H.R. 1110: Mr. PRICE of North Carolina, Mr. FRELINGHUYSEN, and Mr. BROWN of South Carolina.
H.R. 1134: Mr. HALL of Ohio and Mr. LATOURETTE.
H.R. 1140: Mrs. LOWEY and Mr. OBEY.
H.R. 1170: Mr. CARDIN.
H.R. 1172: Mr. LANGEVIN, Mr. HUTCHINSON, Ms. DEGETTE, Mr. PETERSON of Pennsylvania, Mr. WHITFIELD, Mr. SMITH of New Jersey, Mr. WAMP, Mr. TURNER, Mr. MOORE, Mr. KING, Ms. MCCARTHY of Missouri, Mr. HAYES, Mr. HORN, Mr. JENKINS, Mr. DIAZ-BALART, Mr. NETHERCUTT, Mr. SPRATT, Mr. SUNUNU, Mr. SESSIONS, and Mr. GILLMOR.
H.R. 1195: Mr. MCGOVERN, Mr. FILNER, and Mr. ROTHMAN.
H.R. 1212: Mr. BROWN of South Carolina and Mr. WATT of North Carolina.
H.R. 1234: Mrs. CHRISTENSEN.
H.R. 1254: Mr. PLATTS and Mrs. ROUKEMA.
H.R. 1266: Mr. FARR of California, Mr. ROGERS of Michigan, and Mr. PLATTS.
H.R. 1271: Ms. DUNN.
H.R. 1280: Ms. WOOLSEY and Mr. BOUCHER.
H.R. 1291: Mr. GRUCCI and Mr. PLATTS.
H.R. 1298: Mr. PRICE of North Carolina.
H.R. 1305: Mr. DOYLE and Mrs. THURMAN.
H.R. 1308: Mr. SOUDER.
H.R. 1317: Mrs. THURMAN.
H.R. 1331: Mr. GREENWOOD.
H.R. 1338: Mr. WYNN and Mr. TURNER.
H.R. 1340: Mr. KIND and Ms. KILPATRICK.
H.R. 1344: Ms. LEE.
H.R. 1402: Mr. WALDEN of Oregon.
H.R. 1403: Mr. WALDEN of Oregon.
H.R. 1404: Mr. WALDEN of Oregon.
H.R. 1405: Mr. CARDIN.
H.R. 1435: Ms. SCHAKOWSKY.
H.R. 1436: Mr. MOORE, Ms. MCKINNEY, Mr. ANDREWS, Mr. MCDERMOTT, Mr. BERMAN, Mr. GONZALEZ, Ms. LEE, Mr. HASTINGS of Florida, Mr. NEAL of Massachusetts, Mr. SCHIFF, Ms. RIVERS, Mr. HORN, Ms. LOFGREN, Mr. GORDON, Mr. BARCIA, Mr. MEEKS of New York, Ms. JACKSON-LEE of Texas, Mr. TIERNEY, Ms. KAPTUR, Mr. GILLMOR, Mr. PLATTS, and Mr. ALLEN.
H.R. 1452: Ms. LOFGREN.
H.R. 1465: Mr. CARSON of Oklahoma, Ms. SLAUGHTER, and Mr. TIERNEY.
H.R. 1514: Mr. WELLER and Mr. LANGEVIN.
H.R. 1544: Mr. ENGLISH.
H.R. 1594: Mr. SANDERS, Ms. SCHAKOWSKY, Mrs. LOWEY, Mr. BLUMENAUER, and Mr. TIERNEY.
H.R. 1596: Mr. CALVERT, Mr. KENNEDY of Rhode Island, Mr. FOSSELLA, Mr. BILIRAKIS, Mr. BENTSEN, and Mr. REYES.
H.R. 1598: Mr. BENTSEN.
H.R. 1600: Mr. EHRLICH, Mr. SIMMONS, Mr. DAVIS of Florida, and Mr. JACKSON of Illinois.
H.R. 1609: Mr. PETERSON of Minnesota.
H.R. 1636: Mr. SCHAFFER and Mr. NUSSLE.
H.R. 1638: Mr. ISRAEL and Mr. KING.
H.R. 1642: Mr. LANTOS, Mr. BLUMENAUER, and Mr. SERRANO.
H.R. 1644: Mr. KINGSTON, Mr. DIAZ-BALART, Mr. WATTS of Oklahoma, and Mr. HANSEN.
H.R. 1645: Ms. WOOLSEY and Mr. GONZALEZ.
H.R. 1663: Mr. OWENS.
H.R. 1674: Mr. VITTER, Mr. BAIRD, Mr. NADLER, Mr. BROWN of Ohio, and Ms. LOFGREN.
H.R. 1681: Mr. TANCREDO, Mr. PITTS, Mr. CHABOT, Mr. SOUDER, Mr. PENCE, Mr. PAUL, and Mr. HILLEARY.
H.R. 1690: Mr. GUTIERREZ.
H.R. 1699: Mr. MCHUGH, Mr. FOLEY, Mr. TAYLOR of Mississippi, and Mr. SOUDER.
H.R. 1700: Mr. SOUDER.
H.R. 1713: Mr. LAMPSON.
H.R. 1718: Mr. KUCINICH, Mr. EDWARDS, Mr. OLVER, Mr. SIMMONS, Mr. WAMP, Mr. UPTON, Mr. DELAY, and Mr. COSTELLO.
H.R. 1731: Mr. RILEY, Mr. DEMINT, Mr. PAUL, Mr. FROST, Mr. BARR of Georgia, Mr. CALVERT, Mrs. EMERSON, Mr. CRENSHAW, Ms. HART, Mr. HORN, Mr. FLAKE, and Mr. SOUDER.
H.R. 1734: Ms. HART, Ms. MCKINNEY, Mr. WALSH, and Mr. OWENS.
H.R. 1754: Mr. LAFALCE, Mr. PAUL, Mr. GOODE, Mr. BALDACCI, Mr. SAWYER, Mr. FRANK, Mr. RAHALL, Mr. MCGOVERN, Mr. SESSIONS, and Mrs. THURMAN.
H.R. 1760: Mr. PALLONE.
H.R. 1779: Mr. BLUMENAUER, Mrs. MINK of Hawaii, Mr. RAHALL, Mr. CAPUANO, Mr. KENNEDY of Rhode Island, Mr. WAXMAN, Ms. RIVERS, Ms. DELAURO, Ms. LEE, Mr. WELDON of Pennsylvania, Ms. ROS-LEHTINEN, Ms. ESHOO, and Ms. CARSON of Indiana.
H.R. 1781: Mr. SIMPSON, Ms. BALDWIN, and Mr. SHIMKUS.
H.R. 1786: Mr. SENSENBRENNER and Mr. HOLDEN.
H.R. 1804: Mr. FROST and Mr. SANDLIN.
H.R. 1808: Mr. FOSSELLA, Mr. CROWLEY, Ms. MCKINNEY, Mr. EVANS, Mr. ENGLISH, Mr. FROST, Mr. FILNER, Mr. MCHUGH, Ms. PELOSI, and Mr. FRANK.
H.R. 1810: Mr. LUTHER.
H.R. 1814: Mr. UDALL of New Mexico and Mr. SIMMONS.
H.R. 1815: Mr. HORN.
H.R. 1829: Ms. NORTON, Mr. MALONEY of Connecticut, and Mr. GUTIERREZ.
H.R. 1835: Mr. LUCAS of Kentucky and Mrs. THURMAN.
H.R. 1842: Mr. LAFALCE and Mr. CONYERS.

H.R. 1896: Mr. SCHIFF and Ms. PELOSI,

H.R. 1910: Mr. FOLEY, Ms. ROS-LEHTINEN, Mr. SESSIONS, and Mrs. THURMAN.

H.R. 1922: Mrs. MALONEY of New York and Mrs. LOWEY.

H.R. 1936: Mr. PETERSON of Pennsylvania.

H.R. 1938: Mr. SCHAFFER.

H.R. 1948: Mr. BLAGOJEVICH and Mr. BOSWELL.

H.R. 1971: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MILLENDER-MCDONALD, Ms. KILPATRICK, Mrs. CLAYTON, Mr. FORD, Ms. PELOSI, Mrs. NAPOLITANO, Mr. BACA, Mr. ROTHMAN, Mr. KANJORSKI, Mr. MEEKS of New York, Mr. DEUTSCH, Mr. RUSH, Mr. MATSUI, Mrs. MALONEY of New York, Mr. JACKSON of Illinois, Mr. BLAGOJEVICH, Mr. HOYER, Mr. LIPINSKI, Mr. PHELPS, Ms. ROYBAL-ALLARD, Mr. TURNER, Mr. BERRY, Mr. SPRATT, Ms. MCCARTHY of Missouri, Mr. BOUCHER, Mr. CROWLEY, Mr. LAMPSON, Mr. RODRIGUEZ, Ms. KAPTUR, Mr. KUCINICH, Ms. HOOLEY of Oregon, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. SANCHEZ, Mr. HOLT, Mrs. MINK of Hawaii, Mr. MCDERMOTT, Ms. BERKLEY, Mr. ABERCROMBIE, Mr. DELAHUNT, Mr. CONDIT, Mr. FARR of California, Mr. BLUMENAUER, Mr. OWENS, Mr. UDALL of Colorado, Mr. MCNULTY, and Mr. NADLER.

H.J. Res. 6: Mr. GILMAN and Mr. MCNULTY.

H.J. Res. 23: Mr. LAHOOD.

H.J. Res. 36: Mr. MALONEY of Connecticut, Mr. WYNN, Mr. COLLINS, Mr. FERGUSON, Mr. LATOURETTE, Mr. BURR of North Carolina, Mr. LAHOOD, Mr. BOSWELL, Mr. CHAMBLISS, Mr. PORTMAN, Mr. KNOLLENBERG, Ms. KAPTUR, and Mr. KELLER.

H. Con. Res. 22: Mr. ISAKSON, Mr. SKEEN, and Mr. RYUN of Kansas.

H. Con. Res. 42: Mr. ROTHMAN.

H. Con. Res. 46: Mr. FILNER, Mr. CRANE, Mr. EVANS, Mr. RYUN of Kansas, Mr. SCHROCK, Mr. MALONEY of Connecticut, Mr. COSTELLO, Mr. DOOLITTLE, and Mr. KANJORSKI.

H. Con. Res. 60: Mr. BONIOR, Mr. GUTIERREZ, and Mr. GOODE.

H. Con. Res. 89: Mr. BENTSEN.

H. Con. Res. 102: Mr. MOAKLEY, Mr. ALLEN, Mr. BROWN of Ohio, Mr. CONYERS, and Mr. BLAGOJEVICH.

H. Con. Res. 116: Mr. BLUNT, Mr. BEREUTER, Mr. FLAKE, and Mr. KING.

H. Con. Res. 136: Mrs. MEEK of Florida, Mr. BONIOR, Mr. LARSEN of Washington, Mr. MARKEY, Ms. SANCHEZ, and Mr. CONDIT.

H. Con. Res. 137: Ms. KAPTUR, Mr. FRANK, Ms. MCKINNEY, and Mr. KIRK.

H. Res. 120: Ms. MCCOLLUM.

H. Res. 132: Mr. BLAGOJEVICH, Mr. KIRK, Mrs. LOWEY, and Ms. SANCHEZ.

H. Res. 139: Ms. SANCHEZ.

¶53.27 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

16. The SPEAKER presented a petition of the Council of the City of Mansfield, Ohio, relative to Resolution No. 01–091 petitioning the United States Congress to take all actions necessary to stop the dumping of foreign steel in the United States, including the amendment of the existing foreign trade laws or the enactment of new foreign trade law to address the crisis in the steel industry; to the Committee on Ways and Means.

17. Also, a petition of the City Council of Strongsville, Ohio, relative to Resolution No. 80 petitioning the United States Congress to repond to the crisis facing the domestic steel industry; jointly to the Committees on Ways and Means and Financial Services.

FRIDAY, MAY 25, 2001 (54)

¶54.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. BIGGERT, who laid before the House the following communication:

WASHINGTON, DC,
May 25, 2001.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

¶54.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Thursday, May 24, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶54.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2216. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Tobacco Fees and Charges for Permissive Inspection and Certification; Fee Revisions [Docket No. TB–00–04] (RIN: 0581–AB86) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2217. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral James F. Amerault, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

2218. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Brazil, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

2219. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule—Maintenance of Effort—Minimum Number of Annual Bank Board of Directors Meetings [No. 2001–06] (RIN: 3069–AB05) received May 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2220. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries [AD FRL–6967–5] (RIN: 2060–AD94) received May 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2221. A letter from the Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Federal-State Joint Board on Universal Service [CC Docket No. 96–45] Multi-Association Group Plan of Regulation of Interstate Services of Non-Price Cap Incumbent Local Exchange Carriers and Interexchange Carriers [CC Docket No. 00–256] received May 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2222. A letter from the Deputy Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Jurisdictional Separations and Referral to the Federal-State Joint Board [CC Docket No. 80–286] received May 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2223. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the Republic of Korea [Transmittal No. DTC 058–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2224. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 051–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2225. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Germany [Transmittal No. DTC 053–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2226. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Saudi Arabia [Transmittal No. DTC 009–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2227. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel [Transmittal No. DTC 011–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2228. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Norway, Belgium, The Netherlands, Denmark, Portugal, SABCA [Transmittal No. DTC 036–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2229. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to France [Transmittal No. DTC 040–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2230. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed Technical Assistance Agreement for the export of defense articles or defense services sold commercially to France [Transmittal No. DTC 037–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2231. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 059–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2232. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Republic of Korea [Transmittal No. DTC 060–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2233. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Belgium [Transmittal No. DTC 057–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2234. A letter from the Executive Director, District of Columbia Retirement Board, transmitting the personal financial disclosure statements of Board members, pursuant to D.C. Code section 1–732 and 1–734(a)(1)(A); to the Committee on Government Reform.

2235. A letter from the Attorney/Advisor, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2236. A letter from the Chairman, Federal Maritime Commission, transmitting a copy of the Federal Maritime Commission's Inspector General's Semiannual Report for the period October 1, 2000, through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2237. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Inland Waterways Navigation Regulations; Ports and Waterways Safety [CGD 09–00–010] (RIN: 2115–AG01) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2238. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Shipping Safety Fairways and Anchorage Area, Gulf of Mexico [CGD 08–00–012] (RIN: 2115–AG02) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2239. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulations; Guayanilla, Puerto Rico [COTP San Juan 00–095] (RIN: 2115–AA97) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶54.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 581. An Act to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 143. An Act to amend the Securities Act of 1933 and the Securities Exchange Act of 1934, to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission, and for other purposes.

S. 378. An Act to redesignate the Federal building located at 3348 South Kedzie Avenue, Chicago, Illinois, as the ''Paul Simon Chicago Job Corps Center''.

S. 468. An Act to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building''.

S. 757. An Act to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''.

S. 774. An Act to designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the ''Lee H. Hamilton Federal Building and United States Courthouse''.

¶54.5 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶54.6 RECESS—11:15 A.M.

The SPEAKER pro tempore, Mr. KIRK, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 15 minutes a.m., subject to the call of the Chair.

¶54.7 AFTER RECESS—5:30 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶54.8 MESSAGE FROM THE PRESIDENT—PEACE PROCESS IN BOSNIA AND HERZEGOVINA

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by the Levin Amendment to the 1998 Supplemental Appropriations and Rescissions Act (section 7(b) of Public Law 105–174) and section 1203(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261), I transmit herewith a report on progress made toward achieving benchmarks for a sustainable peace process in Bosnia and Herzegovina.

In July 2000, the fourth semiannual report was sent to the Congress detailing progress towards achieving the ten benchmarks that were adopted by the Peace Implementation Council and the North Atlantic Council in order to evaluate implementation of the Dayton Accords. This fifth report, which also includes supplemental reporting as required by section 1203(a) of Public Law 105–261, provides an updated assessment of progress on the benchmarks covering the period July 1, 2000, to February 28, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 25, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations, the Committee on Appropriations, and the Committee on Armed Services and ordered to be printed (H. Doc. 107–78).

¶54.9 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication, which was read as follows:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, May 23, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Capitol, Washington, DC.

DEAR MR. SPEAKER: Enclosed please find copies of resolutions approved by the Committee on Transportation and Infrastructure on May 16, 2001, in accordance with 40 U.S.C. §606 and 40 U.S.C. §610.

Sincerely,

DON YOUNG,
Chairman.

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶54.10 RECESS—5:39 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 39 minutes p.m., subject to the call of the Chair.

SATURDAY, MAY 26 (LEGISLATIVE DAY OF MAY 25), 2001

¶54.11 AFTER RECESS—5:17 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶54.12 SUBMISSION OF CONFERENCE REPORT—H.R. 1836

Mr. THOMAS submitted a conference report (Rept. No. 107–84) on the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002; together with a statement thereon, for printing in the Record under the rule.

¶54.13 RECESS—5:18 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 18 minutes a.m., subject to the call of the Chair.

¶54.14 AFTER RECESS—6:51 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶54.15 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 1836

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept.

No. 107–85) the resolution (H. Res. 153) waiving points of order against the conference report to accompany the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

When said resolution and report were referred to the House Calendar and ordered printed.

¶54.16 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 1836

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 153):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The yeas and nays shall be considered as ordered on the question of adoption of the conference report and on any subsequent conference report or motion to dispose of an amendment between the houses on H.R. 1836. Clause 5(b) of rule XXI shall not apply to the bill, amendments thereto, or conference reports thereon.

Pursuant to clause 6(a)(1) of rule XIII, the question being put, viva voce,

Will the House now consider said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, the House decided to consider said resolution.

After debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 213 / Nays ..... 177 }

¶54.17 [Roll No. 148]

YEAS—213

Aderholt	Brown (SC)	Condit
Akin	Bryant	Cooksey
Armey	Burr	Cox
Bachus	Burton	Crane
Baker	Buyer	Crenshaw
Ballenger	Callahan	Culberson
Barr	Calvert	Cunningham
Bartlett	Camp	Davis, Jo Ann
Bass	Cannon	Davis, Tom
Bereuter	Cantor	Deal
Biggert	Capito	DeLay
Bilirakis	Castle	DeMint
Blunt	Chabot	Diaz-Balart
Boehlert	Chambliss	Doolittle
Boehner	Coble	Dreier
Bonilla	Collins	Duncan
Bono	Combest	Dunn
Ehlers	Kerns	Ros-Lehtinen
Ehrlich	Kingston	Roukema
Emerson	Kirk	Royce
English	Knollenberg	Ryan (WI)
Everett	Kolbe	Ryun (KS)
Ferguson	LaHood	Saxton
Flake	Largent	Schaffer
Fletcher	Latham	Schrock
Foley	LaTourette	Sensenbrenner
Fossella	Leach	Sessions
Frelinghuysen	Lewis (CA)	Shadegg
Gallegly	Lewis (KY)	Shaw
Ganske	Linder	Shays
Gekas	LoBiondo	Sherwood
Gibbons	Lucas (OK)	Shimkus
Gilchrest	Manzullo	Shuster
Gilman	McCrery	Simmons
Goode	McHugh	Simpson
Goodlatte	McInnis	Skeen
Goss	McKeon	Smith (MI)
Graham	Mica	Smith (NJ)
Granger	Miller (FL)	Smith (TX)
Graves	Miller, Gary	Souder
Green (WI)	Moran (KS)	Spence
Greenwood	Morella	Stearns
Grucci	Myrick	Stump
Gutknecht	Nethercutt	Sununu
Hall (TX)	Ney	Sweeney
Hansen	Northup	Tancredo
Hart	Norwood	Tauzin
Hastert	Nussle	Taylor (NC)
Hastings (WA)	Osborne	Terry
Hayes	Otter	Thomas
Hayworth	Oxley	Thornberry
Herger	Paul	Thune
Hilleary	Pence	Tiahrt
Hobson	Peterson (PA)	Tiberi
Hoekstra	Petri	Toomey
Horn	Pickering	Traficant
Hostettler	Pitts	Upton
Houghton	Platts	Vitter
Hulshof	Pombo	Walden
Hunter	Portman	Wamp
Hutchinson	Pryce (OH)	Watkins
Hyde	Putnam	Watts (OK)
Issa	Radanovich	Weldon (FL)
Istook	Ramstad	Weldon (PA)
Jenkins	Regula	Weller
Johnson (CT)	Rehberg	Whitfield
Johnson (IL)	Reynolds	Wicker
Johnson, Sam	Riley	Wilson
Keller	Rogers (KY)	Wolf
Kelly	Rogers (MI)	Young (AK)
Kennedy (MN)	Rohrabacher	Young (FL)

NAYS—177

Abercrombie	Edwards	Lantos
Allen	Engel	Larsen (WA)
Andrews	Eshoo	Larson (CT)
Baird	Etheridge	Lee
Baldacci	Evans	Levin
Baldwin	Farr	Lewis (GA)
Barcia	Fattah	Lofgren
Barrett	Filner	Lowey
Berkley	Ford	Lucas (KY)
Berman	Frank	Luther
Berry	Frost	Maloney (CT)
Blagojevich	Gephardt	Maloney (NY)
Bonior	Gonzalez	Markey
Borski	Gordon	Mascara
Boswell	Green (TX)	Matheson
Boucher	Gutierrez	Matsui
Brady (PA)	Harman	McCarthy (NY)
Brown (FL)	Hill	McCollum
Brown (OH)	Hilliard	McGovern
Capps	Hinchey	McKinney
Capuano	Hinojosa	McNulty
Cardin	Holden	Meehan
Carson (IN)	Holt	Meeks (NY)
Carson (OK)	Hooley	Menendez
Clay	Hoyer	Miller, George
Clement	Inslee	Mink
Clyburn	Israel	Mollohan
Conyers	Jackson (IL)	Moore
Costello	Jackson-Lee (TX)	Moran (VA)
Cramer	Jefferson	Murtha
Crowley	John	Nadler
Cummings	Johnson, E. B.	Napolitano
Davis (CA)	Jones (OH)	Neal
Davis (FL)	Kanjorski	Obey
Davis (IL)	Kennedy (RI)	Olver
DeFazio	Kildee	Ortiz
DeGette	Kilpatrick	Owens
Delahunt	Kind (WI)	Pallone
DeLauro	Kleczka	Pascrell
Deutsch	Kucinich	Pastor
Dicks	LaFalce	Payne
Dingell	Lampson	Pelosi
Dooley	Langevin	Peterson (MN)
Doyle	Pomeroy	Phelps
Price (NC)	Scott	Thompson (CA)
Rangel	Serrano	Thompson (MS)
Reyes	Sherman	Thurman
Rivers	Shows	Tierney
Roemer	Slaughter	Turner
Ross	Smith (WA)	Udall (CO)
Rothman	Snyder	Udall (NM)
Roybal-Allard	Solis	Velazquez
Sabo	Spratt	Visclosky
Sanchez	Stark	Watt (NC)
Sanders	Stenholm	Weiner
Sandlin	Strickland	Wexler
Sawyer	Stupak	Woolsey
Schakowsky	Tanner	Wu
Schiff	Tauscher	
	Taylor (MS)	

NOT VOTING—43

Ackerman	Hastings (FL)	Moakley
Baca	Hefley	Oberstar
Barton	Hoeffel	Ose
Becerra	Honda	Quinn
Bentsen	Isakson	Rahall
Bishop	Jones (NC)	Rodriguez
Blumenauer	Kaptur	Rush
Boyd	King (NY)	Scarborough
Brady (TX)	Lipinski	Skelton
Clayton	McCarthy (MO)	Towns
Coyne	McDermott	Walsh
Cubin	McIntyre	Waters
Doggett	Meek (FL)	Waxman
Gillmor	Millender-McDonald	Wynn
Hall (OH)		

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶54.18 ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION

Mr. THOMAS, pursuant to House Resolution 153, called up the following conference report (Rept. No. 107–84):

The committee of conference on the disagreeing votes of he two Houses on the amendment of the Senate to the bill (H.R. 1836), to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the State amendment, insert the following:

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Economic Growth and Tax Relief Reconciliation Act of 2001''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; references; table of contents.

TITLE I—INDIVIDUAL INCOME TAX RATE REDUCTIONS

Sec. 101. Reduction in income tax rates for individuals.

Sec. 102. Repeal of phaseout of personal exemptions.

Sec. 103. Phaseout of overall limitation on itemized deductions.

TITLE II—TAX BENEFITS RELATING TO CHILDREN

Sec. 201. Modifications to child tax credit.

Sec. 202. Expansion of adoption credit and adoption assistance programs.

Sec. 203. Refunds disregarded in the administration of Federal programs and federally assisted programs.

Sec. 204. Dependent care credit.
Sec. 205. Allowance of credit for employer expenses for child care assistance.
TITLE III—MARRIAGE PENALTY RELIEF
Sec. 301. Elimination of marriage penalty in standard deduction.
Sec. 302. Phaseout of marriage penalty in 15-percent bracket.
Sec. 303. Marriage penalty relief for earned income credit; earned income to include only amounts includible in gross income; simplification of earned income credit.
TITLE IV—AFFORDABLE EDUCATION PROVISIONS
Subtitle A—Education Savings Incentives
Sec. 401. Modifications to education individual retirement accounts.
Sec. 402. Modifications to qualified tuition programs.
Subtitle B—Educational Assistance
Sec. 411. Extension of exclusion for employer-provided educational assistance.
Sec. 412. Elimination of 60-month limit and increase in income limitation on student loan interest deduction.
Sec. 413. Exclusion of certain amounts received under the National Health Service Corps Scholarship Program and the F. Edward Hebert Armed Forces Health Professions Scholarship and Financial Assistance Program.
Subtitle C—Liberalization of Tax-Exempt Financing Rules for Public School Construction
Sec. 421. Additional increase in arbitrage rebate exception for governmental bonds used to finance educational facilities.
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Sec. 901. Sunset of provisions of Act.

TITLE I—INDIVIDUAL INCOME TAX RATE REDUCTIONS

SEC. 101. REDUCTION IN INCOME TAX RATES FOR INDIVIDUALS.

(a) IN GENERAL.—Section 1 (relating to tax imposed) is amended by adding at the end the following new subsection:

''(i) RATE REDUCTIONS AFTER 2000.—

''(1) 10-PERCENT RATE BRACKET.—

''(A) IN GENERAL.—In the case of taxable years beginning after December 31, 2000—

''(i) the rate of tax under subsections (a), (b), (c), and (d) on taxable income not over the initial bracket amount shall be 10 percent, and

''(ii) the 15 percent rate of tax shall apply only to taxable income over the initial bracket amount but not over the maximum dollar amount for the 15-percent rate bracket.

''(B) INITIAL BRACKET AMOUNT.—For purposes of this paragraph, the initial bracket amount is—

''(i) $14,000 ($12,000 in the case of taxable years beginning before January 1, 2008) in the case of subsection (a),

''(ii) $10,000 in the case of subsection (b), and

''(iii) ½ the amount applicable under clause (i) (after adjustment, if any, under subparagraph (C)) in the case of subsections (c) and (d).

''(C) INFLATION ADJUSTMENT.—In prescribing the tables under subsection (f) which apply with respect to taxable years beginning in calendar years after 2000—

''(i) the Secretary shall make no adjustment to the initial bracket amount for any taxable year beginning before January 1, 2009,

''(ii) the cost-of-living adjustment used in making adjustments to the initial bracket amount for any taxable year beginning after December 31, 2008, shall be determined under subsection (f)(3) by substituting '2007' for '1992' in subparagraph (B) thereof, and

''(iii) such adjustment shall not apply to the amount referred to in subparagraph (B)(iii).

If any amount after adjustment under the preceding sentence is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.

''(D) COORDINATION WITH ACCELERATION OF 10 PERCENT RATE BRACKET BENEFIT FOR 2001.—This paragraph shall not apply to any taxable year to which section 6428 applies.

''(2) REDUCTIONS IN RATES AFTER JUNE 30, 2001.—In the case of taxable years beginning in a calendar year after 2000, the corresponding percentage specified for such calendar year in the following table shall be substituted for the otherwise applicable tax rate in the tables under subsections (a), (b), (c), (d), and (e).

In the case of taxable years beginning during calendar year:	The corresponding percentages shall be substituted for the following percentages:			
	28%	31%	36%	39.6%
2001	27.5%	30.5%	35.5%	39.1%
2002 and 2003	27.0%	30.0%	35.0%	38.6%
2004 and 2005	26.0%	29.0%	34.0%	37.6%
2006 and thereafter	25.0%	28.0%	33.0%	35.0%

''(3) ADJUSTMENT OF TABLES.—The Secretary shall adjust the tables prescribed under subsection (f) to carry out this subsection.''.

(b) ACCELERATION OF 10 PERCENT RATE BRACKET BENEFIT FOR 2001.—

(1) IN GENERAL.—Subchapter B of chapter 65 (relating to abatements, credits, and refunds) is amended by adding at the end the following new section:

"SEC. 6428. ACCELERATION OF 10 PERCENT INCOME TAX RATE BRACKET BENEFIT FOR 2001.

''(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by chapter 1 for the taxpayer's first taxable year beginning in 2001 an amount equal to 5 percent of so much of the taxpayer's taxable income as does not exceed the initial bracket amount (as defined in section 1(i)(1)(B)).

''(b) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed by subsection (a) shall not exceed the excess (if any) of—

''(1) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(2) the sum of the credits allowable under part IV of subchapter A of chapter 1 (other than the credits allowable under subpart C thereof, relating to refundable credits).

''(c) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means any individual other than—

''(1) any estate or trust,

''(2) any nonresident alien individual, and

''(3) any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which the individual's taxable year begins.

''(d) SPECIAL RULES.—

''(1) COORDINATION WITH ADVANCE REFUNDS OF CREDIT.—

''(A) IN GENERAL.—The amount of credit which would (but for this paragraph) be allowable under this section shall be reduced (but not below zero) by the aggregate refunds and credits made or allowed to the taxpayer under subsection (e). Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(b)(1).

''(B) JOINT RETURNS.—In the case of a refund or credit made or allowed under subsection (e) with respect to a joint return, half of such refund or credit shall be treated as having been made or allowed to each individual filing such return.

''(2) COORDINATION WITH ESTIMATED TAX.—The credit under this section shall be treated for purposes of section 6654(f) in the same manner as a credit under subpart A of part IV of subchapter A of chapter 1.

''(e) ADVANCE REFUNDS OF CREDIT BASED ON PRIOR YEAR DATA.—

''(1) IN GENERAL.—Each individual who was an eligible individual for such individual's first taxable year beginning in 2000 shall be treated as having made a payment against the tax imposed by chapter 1 for such first taxable year in an amount equal to the advance refund amount for such taxable year.

''(2) ADVANCE REFUND AMOUNT.—For purposes of paragraph (1), the advance refund amount is the amount that would have been allowed as a credit under this section for such first taxable year if this section (other than subsection (d) and this subsection) had applied to such taxable year.

''(3) TIMING OF PAYMENTS.—In the case of any overpayment attributable to this subsection, the Secretary shall, subject to the provisions of this title, refund or credit such overpayment as rapidly as possible and, to the extent practicable, before October 1, 2001. No refund or credit shall be made or allowed under this subsection after December 31, 2001.

''(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.''.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 65 is amended by adding at the end the following new item:

''Sec. 6428. Acceleration of 10 percent income tax rate bracket benefit for 2001.''.

(c) CONFORMING AMENDMENTS.—

(1) Subparagraph (B) of section 1(g)(7) is amended by striking ''15 percent'' in clause (ii)(II) and inserting ''10 percent.''.

(2) Section 1(h) is amended—

(A) by striking ''28 percent'' both places it appears in paragraphs (1)(A)(ii)(I) and (1)(B)(i) and inserting ''25 percent'', and

(B) by striking paragraph (13).

(3) Section 15 is amended by adding at the end the following new subsection:

''(f) RATE REDUCTIONS ENACTED BY ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001.—This section shall not apply to any change in rates under subsection (i) of section 1 (relating to rate reductions after 2000).''.

(4) Section 531 is amended by striking ''equal to'' and all that follows and inserting ''equal to the product of the highest rate of tax under section 1(c) and the accumulated taxable income.''.

(5) Section 541 is amended by striking ''equal to'' and all that follows and inserting ''equal to the product of the highest rate of tax under section 1(c) and the undistributed personal holding company income.''.

(6) Section 3402(p)(1)(B) is amended by striking ''7, 15, 28, or 31 percent'' and inserting ''7 percent, any percentage applicable to any of the 3 lowest income brackets in the table under section 1(c),''.

(7) Section 3402(p)(2) is amended by striking ''15 percent'' and inserting ''10 percent''.

(8) Section 3402(q)(1) is amended by striking ''equal to 28 percent of such payment'' and inserting ''equal to the product of the third lowest rate of tax applicable under section 1(c) and such payment''.

(9) Section 3402(r)(3) is amended by striking ''31 percent'' and inserting ''the fourth lowest rate of tax applicable under section 1(c)''.

(10) Section 3406(a)(1) is amended by striking ''equal to 31 percent of such payment'' and inserting ''equal to the product of the fourth lowest rate of tax applicable under section 1(c) and such payment''.

(11) Section 13273 of the Revenue Reconciliation Act of 1993 is amended by striking ''28 percent'' and inserting ''the third lowest rate of tax applicable under section 1(c) of the Internal Revenue Code of 1986''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(2) AMENDMENTS TO WITHHOLDING PROVISIONS.—The amendments made by paragraphs (6), (7), (8), (9), (10), and (11) of subsection (c) shall apply to amounts paid after the 60th day after the date of the enactment of this Act. References to income brackets and rates of tax in such paragraphs shall be applied without regard to section 1(i)(1)(D) of the Internal Revenue Code of 1986.

SEC. 102. REPEAL OF PHASEOUT OF PERSONAL EXEMPTIONS.

(a) IN GENERAL.—Paragraph (3) of section 151(d) (relating to exemption amount) is amended by adding at the end the following new subparagraphs:

''(E) REDUCTION OF PHASEOUT.—

''(i) IN GENERAL.—In the case of taxable years beginning after December 31, 2005, and before January 1, 2010, the reduction under subparagraph (A) shall be equal to the applicable fraction of the amount which would (but for this subparagraph) be the amount of such reduction.

''(ii) APPLICABLE FRACTION.—For purposes of clause (i), the applicable fraction shall be determined in accordance with the following table:

"For taxable years beginning in calendar year—	**The applicable fraction is—**
2006 and 2007	2/3
2008 and 2009	1/3.

''(F) TERMINATION.—This paragraph shall not apply to any taxable year beginning after December 31, 2009.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2005.

SEC. 103. PHASEOUT OF OVERALL LIMITATION ON ITEMIZED DEDUCTIONS.

(a) IN GENERAL.—Section 68 is amended by adding at the end the following new subsections:

''(f) PHASEOUT OF LIMITATION.—

''(1) IN GENERAL.—In the case of taxable years beginning after December 31, 2005, and before January 1, 2010, the reduction under subsection (a) shall be equal to the applicable fraction of the amount which would (but for this subsection) be the amount of such reduction.

''(2) APPLICABLE FRACTION.—For purposes of paragraph (1), the applicable fraction shall be determined in accordance with the following table:

"For taxable years beginning in calendar year—	**The applicable fraction is—**
2006 and 2007	2/3
2008 and 2009	1/3.

''(g) TERMINATION.—This section shall not apply to any taxable year beginning after December 31, 2009.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2005.

TITLE II—TAX BENEFITS RELATING TO CHILDREN

SEC. 201. MODIFICATIONS TO CHILD TAX CREDIT.

(a) INCREASE IN PER CHILD AMOUNT.—Subsection (a) of section 24 (relating to child tax credit) is amended to read as follows:

''(a) ALLOWANCE OF CREDIT.—

''(1) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year with respect to each qualifying child of the taxpayer an amount equal to the per child amount.

''(2) PER CHILD AMOUNT.—For purposes of paragraph (1), the per child amount shall be determined as follows:

"In the case of any taxable year beginning in—	**The per child amount is—**
2001, 2002, 2003, or 2004	$ 600
2005, 2006, 2007, or 2008	700
2009	800
2010 or thereafter	1,000.''.

(b) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Subsection (b) of section 24 (relating to child tax credit) is amended by adding at the end the following new paragraph:

''(3) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under this subpart (other than this section) and section 27 for the taxable year.''.

(2) CONFORMING AMENDMENTS.—

(A) The heading for section 24(b) is amended to read as follows: ''LIMITATIONS.—''.

(B) The heading for section 24(b)(1) is amended to read as follows: ''LIMITATION BASED ON ADJUSTED GROSS INCOME.—''.

(C) Section 24(d), as amended by subsection (c), is amended—

(i) by striking ''section 26(a)'' each place it appears and inserting ''subsection (b)(3)'', and

(ii) in paragraph (1)(B) by striking ''aggregate amount of credits allowed by this subpart'' and inserting ''amount of credit allowed by this section''.

(D) Paragraph (1) of section 26(a) is amended by inserting ''(other than section 24)'' after ''this subpart''.

(E) Subsection (c) of section 23 is amended by striking ''and section 1400C'' and inserting ''and sections 24 and 1400C''.

(F) Subparagraph (C) of section 25(e)(1) is amended by inserting '', 24,'' after ''sections 23''.

(G) Section 904(h) is amended by inserting ''(other than section 24)'' after ''chapter''.

(H) Subsection (d) of section 1400C is amended by inserting ''and section 24'' after ''this section''.

(c) REFUNDABLE CHILD CREDIT.—

(1) IN GENERAL.—So much of section 24(d) (relating to additional credit for families with 3 or more children) as precedes paragraph (2) is amended to read as follows:

''(d) PORTION OF CREDIT REFUNDABLE.—

''(1) IN GENERAL.—The aggregate credits allowed to a taxpayer under subpart C shall be increased by the lesser of—

''(A) the credit which would be allowed under this section without regard to this subsection and the limitation under section 26(a), or

''(B) the amount by which the amount of credit allowed by this section (determined without regard to this subsection) would increase if the limitation imposed by section 26(a) were increased by the greater of—

''(i) 15 percent (10 percent in the case of taxable years beginning before January 1, 2005) of so much of the taxpayer's earned income (within the meaning of section 32) which is taken into account in computing taxable income for the taxable year as exceeds $10,000, or

''(ii) in the case of a taxpayer with 3 or more qualifying children, the excess (if any) of—

''(I) the taxpayer's social security taxes for the taxable year, over

''(II) the credit allowed under section 32 for the taxable year.

The amount of the credit allowed under this subsection shall not be treated as a credit allowed under this subpart and shall reduce the amount of credit otherwise allowable under subsection (a) without regard to section 26(a).''.

(2) INFLATION ADJUSTMENT.—Subsection (d) of section 24 is amended by adding at the end the following new paragraph:

''(4) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2001, the $10,000 amount contained in paragraph (1)(B) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2000' for 'calendar year 1992' in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of $50.''

(3) CONFORMING AMENDMENT.—Section 32 is amended by striking subsection (n).

(d) ELIMINATION OF REDUCTION OF CREDIT TO TAXPAYER SUBJECT TO ALTERNATIVE MINIMUM TAX PROVISION.—Section 24(d) is amended—

(1) by striking paragraph (2), and

(2) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2001.

SEC. 202. EXPANSION OF ADOPTION CREDIT AND ADOPTION ASSISTANCE PROGRAMS.

(a) IN GENERAL.—

(1) ADOPTION CREDIT.—Section 23(a)(1) (relating to allowance of credit) is amended to read as follows:

''(1) IN GENERAL.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter—

''(A) in the case of an adoption of a child other than a child with special needs, the amount of the qualified adoption expenses paid or incurred by the taxpayer, and

''(B) in the case of an adoption of a child with special needs, $10,000.''.

(2) ADOPTION ASSISTANCE PROGRAMS.—Section 137(a) (relating to adoption assistance programs) is amended to read as follows:

''(a) IN GENERAL.—Gross income of an employee does not include amounts paid or expenses incurred by the employer for adoption expenses in connection with the adoption of a child by an employee if such amounts are furnished pursuant to an adoption assistance program. The amount of the exclusion shall be—

''(1) in the case of an adoption of a child other than a child with special needs, the amount of the qualified adoption expenses paid or incurred by the taxpayer, and

''(2) in the case of an adoption of a child with special needs, $10,000.''.

(b) DOLLAR LIMITATIONS.—

(1) DOLLAR AMOUNT OF ALLOWED EXPENSES.—

(A) ADOPTION EXPENSES.—Section 23(b)(1) (relating to allowance of credit) is amended—

(i) by striking ''$5,000'' and inserting ''$10,000'',

(ii) by striking ''($6,000, in the case of a child with special needs)'', and

(iii) by striking ''subsection (a)'' and inserting ''subsection (a)(1)(A)''.

(B) ADOPTION ASSISTANCE PROGRAMS.—Section 137(b)(1) (relating to dollar limitations for adoption assistance programs) is amended—

(i) by striking ''$5,000'' and inserting ''$10,000'', and

(ii) by striking ''($6,000, in the case of a child with special needs)'', and

(iii) by striking ''subsection (a)'' and inserting ''subsection (a)(1)''.

(2) PHASE-OUT LIMITATION.—

(A) ADOPTION EXPENSES.—Clause (i) of section 23(b)(2)(A) (relating to income limitation) is amended by striking ''$75,000'' and inserting ''$150,000''.

(B) ADOPTION ASSISTANCE PROGRAMS.—Section 137(b)(2)(A) (relating to income limitation) is amended by striking ''$75,000'' and inserting ''$150,000''.

(c) YEAR CREDIT ALLOWED.—Section 23(a)(2) (relating to year credit allowed) is amended by adding at the end the following new flush sentence:

''In the case of the adoption of a child with special needs, the credit allowed under paragraph (1) shall be allowed for the taxable year in which the adoption becomes final.''.

(d) REPEAL OF TERMINATIONS.—

(1) CHILDREN WITHOUT SPECIAL NEEDS.—Paragraph (2) of section 23(d) (relating to definition of eligible child) is amended to read as follows:

''(2) ELIGIBLE CHILD.—The term 'eligible child' means any individual who—

''(A) has not attained age 18, or

''(B) is physically or mentally incapable of caring for himself.''.

(2) ADOPTION ASSISTANCE PROGRAMS.—Section 137 (relating to adoption assistance programs) is amended by striking subsection (f).

(e) ADJUSTMENT OF DOLLAR AND INCOME LIMITATIONS FOR INFLATION.—

(1) ADOPTION CREDIT.—Section 23 (relating to adoption expenses) is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) ADJUSTMENTS FOR INFLATION.—In the case of a taxable year beginning after December 31, 2002, each of the dollar amounts in subsection (a)(1)(B) and paragraphs (1) and (2)(A)(i) of subsection (b) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.''.

(2) ADOPTION ASSISTANCE PROGRAMS.—Section 137 (relating to adoption assistance programs), as amended by subsection (d), is amended by adding at the end the following new subsection:

''(f) ADJUSTMENTS FOR INFLATION.—In the case of a taxable year beginning after December 31, 2002, each of the dollar amounts in subsection (a)(2) and paragraphs (1) and (2)(A) of subsection (b) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.''.

(f) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Subsection (b) of section 23 is amended by adding at the end the following new paragraph:

''(4) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under this subpart (other than this section) and section 27 for the taxable year.''

(2) CONFORMING AMENDMENTS.—

(A) Section 23(c), as amended by section 201(b), is amended—

(i) by striking ''section 26(a)'' and inserting ''subsection (b)(4)'', and

(ii) by striking ''reduced by the sum of the credits allowable under this subpart (other than this section and sections 24 and 1400C)''.

(B) Section 24(b)(3)(B), as added by section 201(b), is amended by striking ''this section'' and inserting ''this section and section 23''.

(C) Sections 26(a)(1), 904(h), and 1400C(d), as amended by section 201(b), are each amended by striking ''section 24'' and inserting ''sections 23 and 24''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(2) SUBSECTION (a).—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2002.

SEC. 203. REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.

Any payment considered to have been made to any individual by reason of section 24 of the Internal Revenue Code of 1986, as amended by section 201, shall not be taken into account as income and shall not be taken into account as resources for the month of receipt and the following month, for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

SEC. 204. DEPENDENT CARE CREDIT.

(a) INCREASE IN DOLLAR LIMIT.—Subsection (c) of section 21 (relating to expenses for household and dependent care services necessary for gainful employment) is amended—

(1) by striking ''$2,400'' in paragraph (1) and inserting ''$3,000'', and

(2) by striking ''$4,800'' in paragraph (2) and inserting ''$6,000''.

(b) INCREASE IN APPLICABLE PERCENTAGE.—Section 21(a)(2) (defining applicable percentage) is amended—

(1) by striking ''30 percent'' and inserting ''35 percent'', and

(2) by striking ''$10,000'' and inserting ''$15,000''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2002.

SEC. 205. ALLOWANCE OF CREDIT FOR EMPLOYER EXPENSES FOR CHILD CARE ASSISTANCE.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business related credits), as amended by section 619, is further amended by adding at the end the following:

''SEC. 45F. EMPLOYER-PROVIDED CHILD CARE CREDIT.

''(a) IN GENERAL.—For purposes of section 38, the employer-provided child care credit determined under this section for the taxable year is an amount equal to the sum of—

''(1) 25 percent of the qualified child care expenditures, and

''(2) 10 percent of the qualified child care resource and referral expenditures,

of the taxpayer for such taxable year.

''(b) DOLLAR LIMITATION.—The credit allowable under subsection (a) for any taxable year shall not exceed $150,000.

''(c) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED CHILD CARE EXPENDITURE.—

''(A) IN GENERAL.—The term 'qualified child care expenditure' means any amount paid or incurred—

''(i) to acquire, construct, rehabilitate, or expand property—

''(I) which is to be used as part of a qualified child care facility of the taxpayer,

''(II) with respect to which a deduction for depreciation (or amortization in lieu of depreciation) is allowable, and

''(III) which does not constitute part of the principal residence (within the meaning of section 121) of the taxpayer or any employee of the taxpayer,

''(ii) for the operating costs of a qualified child care facility of the taxpayer, including costs related to the training of employees, to scholarship programs, and to the providing of increased compensation to employees with higher levels of child care training, or

''(iii) under a contract with a qualified child care facility to provide child care services to employees of the taxpayer.

''(B) FAIR MARKET VALUE.—The term 'qualified child care expenditures' shall not include expenses in excess of the fair market value of such care.

''(2) QUALIFIED CHILD CARE FACILITY.—

''(A) IN GENERAL.—The term 'qualified child care facility' means a facility—

''(i) the principal use of which is to provide child care assistance, and

''(ii) which meets the requirements of all applicable laws and regulations of the State or local government in which it is located, including the licensing of the facility as a child care facility.

Clause (i) shall not apply to a facility which is the principal residence (within the meaning of section 121) of the operator of the facility.

''(B) SPECIAL RULES WITH RESPECT TO A TAXPAYER.—A facility shall not be treated as a qualified child care facility with respect to a taxpayer unless—

''(i) enrollment in the facility is open to employees of the taxpayer during the taxable year,

''(ii) if the facility is the principal trade or business of the taxpayer, at least 30 percent of the enrollees of such facility are dependents of employees of the taxpayer, and

''(iii) the use of such facility (or the eligibility to use such facility) does not discriminate in favor of employees of the taxpayer who are highly compensated employees (within the meaning of section 414(q)).

''(3) QUALIFIED CHILD CARE RESOURCE AND REFERRAL EXPENDITURE.—

''(A) IN GENERAL.—The term 'qualified child care resource and referral expenditure' means any amount paid or incurred under a contract to provide child care resource and referral services to an employee of the taxpayer.

''(B) NONDISCRIMINATION.—The services shall not be treated as qualified unless the provision of such services (or the eligibility to use such services) does not discriminate in favor of employees of the taxpayer who are highly compensated employees (within the meaning of section 414(q)).

''(d) RECAPTURE OF ACQUISITION AND CONSTRUCTION CREDIT.—

''(1) IN GENERAL.—If, as of the close of any taxable year, there is a recapture event with respect to any qualified child care facility of the taxpayer, then the tax of the taxpayer under this chapter for such taxable year shall be increased by an amount equal to the product of—

''(A) the applicable recapture percentage, and

''(B) the aggregate decrease in the credits allowed under section 38 for all prior taxable years which would have resulted if the qualified child care expenditures of the taxpayer described in subsection (c)(1)(A) with respect to such facility had been zero.

''(2) APPLICABLE RECAPTURE PERCENTAGE.—

''(A) IN GENERAL.—For purposes of this subsection, the applicable recapture percentage shall be determined from the following table:

The applicable recapture percentage is:	***''If the recapture event occurs in:***
Years 1–3	*100*
Year 4	*85*
Year 5	*70*
Year 6	*55*
Year 7	*40*
Year 8	*25*
Years 9 and 10	*10*
Years 11 and thereafter	*0.*

''(B) YEARS.—For purposes of subparagraph (A), year 1 shall begin on the first day of the taxable year in which the qualified child care facility is placed in service by the taxpayer.

''(3) RECAPTURE EVENT DEFINED.—For purposes of this subsection, the term 'recapture event' means—

''(A) CESSATION OF OPERATION.—The cessation of the operation of the facility as a qualified child care facility.

''(B) CHANGE IN OWNERSHIP.—

''(i) IN GENERAL.—Except as provided in clause (ii), the disposition of a taxpayer's interest in a qualified child care facility with respect to which the credit described in subsection (a) was allowable.

''(ii) AGREEMENT TO ASSUME RECAPTURE LIABILITY.—Clause (i) shall not apply if the person acquiring such interest in the facility agrees in writing to assume the recapture liability of the person disposing of such interest in effect immediately before such disposition. In the event of such an assumption, the person acquiring the interest in the facility shall be treated as the taxpayer for purposes of assessing any recapture liability (computed as if there had been no change in ownership).

''(4) SPECIAL RULES.—

''(A) TAX BENEFIT RULE.—The tax for the taxable year shall be increased under paragraph (1) only with respect to credits allowed by reason of this section which were used to reduce tax liability. In the case of credits not so used to reduce tax liability, the carryforwards and carrybacks under section 39 shall be appropriately adjusted.

''(B) NO CREDITS AGAINST TAX.—Any increase in tax under this subsection shall not be treated as a tax imposed by this chapter for purposes of determining the amount of any credit under subpart A, B, or D of this part.

''(C) NO RECAPTURE BY REASON OF CASUALTY LOSS.—The increase in tax under this subsection shall not apply to a cessation of operation of the facility as a qualified child care facility by reason of a casualty loss to the extent such loss is restored by reconstruction or replacement within a reasonable period established by the Secretary.

''(e) SPECIAL RULES.—For purposes of this section—

''(1) AGGREGATION RULES.—All persons which are treated as a single employer under subsections (a) and (b) of section 52 shall be treated as a single taxpayer.

''(2) PASS-THRU IN THE CASE OF ESTATES AND TRUSTS.—Under regulations prescribed by the Secretary, rules similar to the rules of subsection (d) of section 52 shall apply.

''(3) ALLOCATION IN THE CASE OF PARTNERSHIPS.—In the case of partnerships, the credit shall be allocated among partners under regulations prescribed by the Secretary.

''(f) NO DOUBLE BENEFIT.—

''(1) REDUCTION IN BASIS.—For purposes of this subtitle—

''(A) IN GENERAL.—If a credit is determined under this section with respect to any property by reason of expenditures described in subsection (c)(1)(A), the basis of such property shall be reduced by the amount of the credit so determined.

''(B) CERTAIN DISPOSITIONS.—If, during any taxable year, there is a recapture amount determined with respect to any property the basis of which was reduced under subparagraph (A), the basis of such property (immediately before the event resulting in such recapture) shall be increased by an amount equal to such recapture amount. For purposes of the preceding sentence, the term 'recapture amount' means any increase in tax (or adjustment in carrybacks or carryovers) determined under subsection (d).

''(2) OTHER DEDUCTIONS AND CREDITS.—No deduction or credit shall be allowed under any other provision of this chapter with respect to the amount of the credit determined under this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b), as amended by section 619, is amended by striking ''plus'' at the end of paragraph (13), by striking the period at the end of paragraph (14) and inserting '', plus'', and by adding at the end the following:

''(15) the employer-provided child care credit determined under section 45F.''.

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following:

''Sec. 45F. Employer-provided child care credit.''

(3) Section 1016(a) is amended by striking ''and'' at the end of paragraph (26), by striking the period at the end of paragraph (27) and inserting '', and'', and by adding at the end the following:

''(28) in the case of a facility with respect to which a credit was allowed under section 45F, to the extent provided in section 45F(f)(1).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE III—MARRIAGE PENALTY RELIEF

SEC. 301. ELIMINATION OF MARRIAGE PENALTY IN STANDARD DEDUCTION.

(a) IN GENERAL.—Paragraph (2) of section 63(c) (relating to standard deduction) is amended—

(1) by striking ''$5,000'' in subparagraph (A) and inserting ''the applicable percentage of the dollar amount in effect under subparagraph (C) for the taxable year'';

(2) by adding ''or'' at the end of subparagraph (B);

(3) by striking ''in the case of'' and all that follows in subparagraph (C) and inserting ''in any other case.''; and

(4) by striking subparagraph (D).

(b) APPLICABLE PERCENTAGE.—Section 63(c) (relating to standard deduction) is amended by adding at the end the following new paragraph:

''(7) APPLICABLE PERCENTAGE.—For purposes of paragraph (2), the applicable percentage shall be determined in accordance with the following table:

"For taxable years beginning in calendar year—	The applicable percentage is—
2005	174
2006	184
2007	187
2008	190
2009 and thereafter	200.''.

(c) TECHNICAL AMENDMENTS.—

(1) Subparagraph (B) of section 1(f)(6) is amended by striking ''(other than with'' and all that follows through ''shall be applied'' and inserting ''(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied''.

(2) Paragraph (4) of section 63(c) is amended by adding at the end the following flush sentence:

''The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2004.

SEC. 302. PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET.

(a) IN GENERAL.—Section 1(f) (relating to adjustments in tax tables so that inflation will not result in tax increases) is amended by adding at the end the following new paragraph:

''(8) PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET.—

''(A) IN GENERAL.—With respect to taxable years beginning after December 31, 2004, in prescribing the tables under paragraph (1)—

''(i) the maximum taxable income in the 15-percent rate bracket in the table contained in subsection (a) (and the minimum taxable income in the next higher taxable income bracket in such table) shall be the applicable percentage of the maximum taxable income in the 15-percent rate bracket in the table contained in subsection (c) (after any other adjustment under this subsection), and

''(ii) the comparable taxable income amounts in the table contained in subsection (d) shall be ½ of the amounts determined under clause (i).

''(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the applicable percentage shall be determined in accordance with the following table:

"For taxable years beginning in calendar year—	The applicable percentage is—
2005	180
2006	187
2007	193
2008 and thereafter	200.

''(C) ROUNDING.—If any amount determined under subparagraph (A)(i) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.''.

(b) TECHNICAL AMENDMENTS.—

(1) Subparagraph (A) of section 1(f)(2) is amended by inserting ''except as provided in paragraph (8),'' before ''by increasing''.

(2) The heading for subsection (f) of section 1 is amended by inserting ''PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET;'' before ''ADJUSTMENTS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2004.

SEC. 303. MARRIAGE PENALTY RELIEF FOR EARNED INCOME CREDIT; EARNED INCOME TO INCLUDE ONLY AMOUNTS INCLUDIBLE IN GROSS INCOME; SIMPLIFICATION OF EARNED INCOME CREDIT.

(a) INCREASED PHASEOUT AMOUNT.—

(1) IN GENERAL.—Section 32(b)(2) (relating to amounts) is amended—

(A) by striking ''AMOUNTS.—The earned'' and inserting ''AMOUNTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the earned'', and

(B) by adding at the end the following new subparagraph:

''(B) JOINT RETURNS.—In the case of a joint return filed by an eligible individual and such individual's spouse, the phaseout amount determined under subparagraph (A) shall be increased by—

''(i) $1,000 in the case of taxable years beginning in 2002, 2003, and 2004,

''(ii) $2,000 in the case of taxable years beginning in 2005, 2006, and 2007, and

''(iii) $3,000 in the case of taxable years beginning after 2007.''.

(2) INFLATION ADJUSTMENT.—Paragraph (1)(B) of section 32(j) (relating to inflation adjustments) is amended to read as follows:

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined—

''(i) in the case of amounts in subsections (b)(2)(A) and (i)(1), by substituting 'calendar year 1995' for 'calendar year 1992' in subparagraph (B) thereof, and

''(ii) in the case of the $3,000 amount in subsection (b)(2)(B)(iii), by substituting 'calendar year 2007' for 'calendar year 1992' in subparagraph (B) of such section 1.''.

(3) ROUNDING.—Section 32(j)(2)(A) (relating to rounding) is amended by striking ''subsection (b)(2)'' and inserting ''subsection (b)(2)(A) (after being increased under subparagraph (B) thereof)''.

(b) EARNED INCOME TO INCLUDE ONLY AMOUNTS INCLUDIBLE IN GROSS INCOME.—Clause (i) of section 32(c)(2)(A) (defining earned income) is amended by inserting '', but only if such amounts are includible in gross income for the taxable year'' after ''other employee compensation''.

(c) REPEAL OF REDUCTION OF CREDIT TO TAXPAYERS SUBJECT TO ALTERNATIVE MINIMUM TAX.—Section 32(h) is repealed.

(d) REPLACEMENT OF MODIFIED ADJUSTED GROSS INCOME WITH ADJUSTED GROSS INCOME.—

(1) IN GENERAL.—Section 32(a)(2)(B) is amended by striking ''modified''.

(2) CONFORMING AMENDMENTS.—

(A) Section 32(c) is amended by striking paragraph (5).

(B) Section 32(f)(2)(B) is amended by striking ''modified'' each place it appears.

(e) RELATIONSHIP TEST.—

(1) IN GENERAL.—Clause (i) of section 32(c)(3)(B) (relating to relationship test) is amended to read as follows:

''(i) IN GENERAL.—An individual bears a relationship to the taxpayer described in this subparagraph if such individual is—

''(I) a son, daughter, stepson, or stepdaughter, or a descendant of any such individual,

''(II) a brother, sister, stepbrother, or stepsister, or a descendant of any such individual, who the taxpayer cares for as the taxpayer's own child, or

''(III) an eligible foster child of the taxpayer.''.

(2) ELIGIBLE FOSTER CHILD.—

(A) IN GENERAL.—Clause (iii) of section 32(c)(3)(B) is amended to read as follows:

''(iii) ELIGIBLE FOSTER CHILD.—For purposes of clause (i), the term 'eligible foster child' means an individual not described in subclause (I) or (II) of clause (i) who—

''(I) is placed with the taxpayer by an authorized placement agency, and

''(II) the taxpayer cares for as the taxpayer's own child.''.

(B) CONFORMING AMENDMENT.—Section 32(c)(3)(A)(ii) is amended by striking ''except as provided in subparagraph (B)(iii),''.

(f) 2 OR MORE CLAIMING QUALIFYING CHILD.—Section 32(c)(1)(C) is amended to read as follows:

''(C) 2 OR MORE CLAIMING QUALIFYING CHILD.—

''(i) IN GENERAL.—Except as provided in clause (ii), if (but for this paragraph) an individual may be claimed, and is claimed, as a qualifying child by 2 or more taxpayers for a taxable year beginning in the same calendar year, such individual shall be treated as the qualifying child of the taxpayer who is—

''(I) a parent of the individual, or

''(II) if subclause (I) does not apply, the taxpayer with the highest adjusted gross income for such taxable year.

''(ii) MORE THAN 1 CLAIMING CREDIT.—If the parents claiming the credit with respect to any qualifying child do not file a joint return together, such child shall be treated as the qualifying child of—

''(I) the parent with whom the child resided for the longest period of time during the taxable year, or

''(II) if the child resides with both parents for the same amount of time during such taxable year, the parent with the highest adjusted gross income.''.

(g) EXPANSION OF MATHEMATICAL ERROR AUTHORITY.—Paragraph (2) of section 6213(g) is amended by striking ''and'' at the end of subparagraph (K), by striking the period at the end of subparagraph (L) and inserting '', and'', and by inserting after subparagraph (L) the following new subparagraph:

''(M) the entry on the return claiming the credit under section 32 with respect to a child if, according to the Federal Case Registry of Child Support Orders established under section 453(h) of the Social Security Act, the taxpayer is a noncustodial parent of such child.''

(h) CLERICAL AMENDMENT.—Subparagraph (E) of section 32(c)(3) is amended by striking ''subparagraphs (A)(ii) and (B)(iii)(II)'' and inserting ''subparagraph (A)(ii)''.

(i) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(2) SUBSECTION (g).—The amendment made by subsection (g) shall take effect on January 1, 2004.

TITLE IV—AFFORDABLE EDUCATION PROVISIONS

Subtitle A—Education Savings Incentives

SEC. 401. MODIFICATIONS TO EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS.

(a) MAXIMUM ANNUAL CONTRIBUTIONS.—

(1) IN GENERAL.—Section 530(b)(1)(A)(iii) (defining education individual retirement account) is amended by striking ''$500'' and inserting ''$2,000''.

(2) CONFORMING AMENDMENT.—Section 4973(e)(1)(A) is amended by striking ''$500'' and inserting ''$2,000''.

(b) MODIFICATION OF AGI LIMITS TO REMOVE MARRIAGE PENALTY.—Section 530(c)(1) (relating to reduction in permitted contributions based on adjusted gross income) is amended—

(1) by striking ''$150,000'' in subparagraph (A)(ii) and inserting ''$190,000'', and

(2) by striking ''$10,000'' in subparagraph (B) and inserting ''$30,000''.

(c) TAX-FREE EXPENDITURES FOR ELEMENTARY AND SECONDARY SCHOOL EXPENSES.—

(1) IN GENERAL.—Section 530(b)(2) (defining qualified higher education expenses) is amended to read as follows:

''(2) QUALIFIED EDUCATION EXPENSES.—

''(A) IN GENERAL.—The term 'qualified education expenses' means—

''(i) qualified higher education expenses (as defined in section 529(e)(3)), and

''(ii) qualified elementary and secondary education expenses (as defined in paragraph (4)).

''(B) QUALIFIED STATE TUITION PROGRAMS.—Such term shall include any contribution to a qualified State tuition program (as defined in section 529(b)) on behalf of the designated beneficiary (as defined in section 529(e)(1)); but there shall be no increase in the investment in the contract for purposes of applying section 72 by reason of any portion of such contribution which is not includible in gross income by reason of subsection (d)(2).''.

(2) QUALIFIED ELEMENTARY AND SECONDARY EDUCATION EXPENSES.—Section 530(b) (relating to definitions and special rules) is amended by adding at the end the following new paragraph:

''(4) QUALIFIED ELEMENTARY AND SECONDARY EDUCATION EXPENSES.—

''(A) IN GENERAL.—The term 'qualified elementary and secondary education expenses' means—

''(i) expenses for tuition, fees, academic tutoring, special needs services in the case of a special needs beneficiary, books, supplies, and other equipment which are incurred in connection with the enrollment or attendance of the designated beneficiary of the trust as an elementary or secondary school student at a public, private, or religious school,

''(ii) expenses for room and board, uniforms, transportation, and supplementary items and services (including extended day programs) which are required or provided by a public, private, or religious school in connection with such enrollment or attendance, and

''(iii) expenses for the purchase of any computer technology or equipment (as defined in section 170(e)(6)(F)(i)) or Internet access and related services, if such technology, equipment, or services are to be used by the beneficiary and the beneficiary's family during any of the years the beneficiary is in school.

Clause (iii) shall not include expenses for computer software designed for sports, games, or hobbies unless the software is predominantly educational in nature.

''(B) SCHOOL.—The term 'school' means any school which provides elementary education or secondary education (kindergarten through grade 12), as determined under State law.''.

(3) CONFORMING AMENDMENTS.—Section 530 is amended—

(A) by striking ''higher'' each place it appears in subsections (b)(1) and (d)(2), and

(B) by striking ''HIGHER'' in the heading for subsection (d)(2).

(d) WAIVER OF AGE LIMITATIONS FOR CHILDREN WITH SPECIAL NEEDS.—Section 530(b)(1) (defining education individual retirement account) is amended by adding at the end the following flush sentence:

''The age limitations in subparagraphs (A)(ii) and (E), and paragraphs (5) and (6) of subsection (d), shall not apply to any designated beneficiary with special needs (as determined under regulations prescribed by the Secretary).''.

(e) ENTITIES PERMITTED TO CONTRIBUTE TO ACCOUNTS.—Section 530(c)(1) (relating to reduction in permitted contributions based on adjusted gross income) is amended by striking ''The maximum amount which a contributor'' and inserting ''In the case of a contributor who is an individual, the maximum amount the contributor''.

(f) TIME WHEN CONTRIBUTIONS DEEMED MADE.—

(1) IN GENERAL.—Section 530(b) (relating to definitions and special rules), as amended by subsection (c)(2), is amended by adding at the end the following new paragraph:

''(5) TIME WHEN CONTRIBUTIONS DEEMED MADE.—An individual shall be deemed to have made a contribution to an education individual retirement account on the last day of the preceding taxable year if the contribution is made on account of such taxable year and is made not later than the time prescribed by law for filing the return for such taxable year (not including extensions thereof).''.

(2) EXTENSION OF TIME TO RETURN EXCESS CONTRIBUTIONS.—Subparagraph (C) of section 530(d)(4) (relating to additional tax for distributions not used for educational expenses) is amended—

(A) by striking clause (i) and inserting the following new clause:

''(i) such distribution is made before the first day of the sixth month of the taxable year following the taxable year, and'', and

(B) by striking ''DUE DATE OF RETURN'' in the heading and inserting ''CERTAIN DATE''.

(g) COORDINATION WITH HOPE AND LIFETIME LEARNING CREDITS AND QUALIFIED TUITION PROGRAMS.—

(1) IN GENERAL.—Section 530(d)(2)(C) is amended to read as follows:

''(C) COORDINATION WITH HOPE AND LIFETIME LEARNING CREDITS AND QUALIFIED TUITION PROGRAMS.—For purposes of subparagraph (A)—

''(i) CREDIT COORDINATION.—The total amount of qualified higher education expenses with respect to an individual for the taxable year shall be reduced—

''(I) as provided in section 25A(g)(2), and

''(II) by the amount of such expenses which were taken into account in determining the credit allowed to the taxpayer or any other person under section 25A.

''(ii) COORDINATION WITH QUALIFIED TUITION PROGRAMS.—If, with respect to an individual for any taxable year—

''(I) the aggregate distributions during such year to which subparagraph (A) and section 529(c)(3)(B) apply, exceed

''(II) the total amount of qualified education expenses (after the application of clause (i)) for such year,

the taxpayer shall allocate such expenses among such distributions for purposes of determining the amount of the exclusion under subparagraph (A) and section 529(c)(3)(B).''.

(2) CONFORMING AMENDMENTS.—

(A) Subsection (e) of section 25A is amended to read as follows:

''(e) ELECTION NOT TO HAVE SECTION APPLY.—A taxpayer may elect not to have this section apply with respect to the qualified tuition and related expenses of an individual for any taxable year.''.

(B) Section 135(d)(2)(A) is amended by striking ''allowable'' and inserting ''allowed''.

(C) Section 530(d)(2)(D) is amended—

(i) by striking ''or credit'' and inserting '', credit, or exclusion'', and

(ii) by striking ''CREDIT OR DEDUCTION'' in the heading and inserting ''DEDUCTION, CREDIT, OR EXCLUSION''.

(D) Section 4973(e)(1) is amended by adding ''and'' at the end of subparagraph (A), by striking subparagraph (B), and by redesignating subparagraph (C) as subparagraph (B).

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 402. MODIFICATIONS TO QUALIFIED TUITION PROGRAMS.

(a) ELIGIBLE EDUCATIONAL INSTITUTIONS PERMITTED TO MAINTAIN QUALIFIED TUITION PROGRAMS.—

(1) IN GENERAL.—Section 529(b)(1) (defining qualified State tuition program) is amended—

(A) by inserting ''or by 1 or more eligible educational institutions'' after ''maintained by a State or agency or instrumentality thereof'' in the matter preceding subparagraph (A), and

(B) by adding at the end the following new flush sentence:

''Except to the extent provided in regulations, a program established and maintained by 1 or more eligible educational institutions shall not be treated as a qualified tuition program unless such program provides that amounts are held in a qualified trust and such program has received a ruling or determination that such program meets the applicable requirements for a qualified tuition program. For purposes of the preceding sentence, the term 'qualified trust' means a trust which is created or organized in the United States for the exclusive benefit of designated beneficiaries and with respect to which the requirements of paragraphs (2) and (5) of section 408(a) are met.''.

(2) PRIVATE QUALIFIED TUITION PROGRAMS LIMITED TO BENEFIT PLANS.—Clause (ii) of section 529(b)(1)(A) is amended by inserting ''in the case of a program established and maintained by a State or agency or instrumentality thereof,'' before ''may make''.

(3) ADDITIONAL TAX ON NONQUALIFIED WITHDRAWALS.—Section 529 is amended—

(A) by striking paragraph (3) of subsection (b) and by redesignating paragraphs (4), (5), (6), and (7) of such subsection as paragraphs (3), (4), (5), and (6), respectively, and

(B) by adding at the end of subsection (c) the following new paragraph:

''(6) ADDITIONAL TAX.—The tax imposed by section 530(d)(4) shall apply to any payment or distribution from a qualified tuition program in the same manner as such tax applies to a payment or distribution from an education individual retirement account. This paragraph shall not apply to any payment or distribution in any taxable year beginning before January 1, 2004, which is includible in gross income but used for qualified higher education expenses of the designated beneficiary.''.

(4) CONFORMING AMENDMENTS.—

(A) Sections 72(e)(9), 135(c)(2)(C), 135(d)(1)(D), 529, 530(b)(2)(B), 4973(e), and 6693(a)(2)(C) are amended by striking ''qualified State tuition'' each place it appears and inserting ''qualified tuition''.

(B) The headings for sections 72(e)(9) and 135(c)(2)(C) are amended by striking ''QUALIFIED STATE TUITION'' each place it appears and inserting ''QUALIFIED TUITION''.

(C) The headings for sections 529(b) and 530(b)(2)(B) are amended by striking ''QUALIFIED STATE TUITION'' each place it appears and inserting ''QUALIFIED TUITION''.

*(D) The heading for section 529 is amended by striking ''**STATE**''.*

(E) The item relating to section 529 in the table of sections for part VIII of subchapter F of chapter 1 is amended by striking ''State''.

(b) EXCLUSION FROM GROSS INCOME OF EDUCATION DISTRIBUTIONS FROM QUALIFIED TUITION PROGRAMS.—

(1) IN GENERAL.—Section 529(c)(3)(B) (relating to distributions) is amended to read as follows:

''(B) DISTRIBUTIONS FOR QUALIFIED HIGHER EDUCATION EXPENSES.—For purposes of this paragraph—

''(i) IN-KIND DISTRIBUTIONS.—No amount shall be includible in gross income under subparagraph (A) by reason of a distribution which consists of providing a benefit to the distributee which, if paid for by the distributee, would constitute payment of a qualified higher education expense.

''(ii) CASH DISTRIBUTIONS.—In the case of distributions not described in clause (i), if—

''(I) such distributions do not exceed the qualified higher education expenses (reduced by expenses described in clause (i)), no amount shall be includible in gross income, and

''(II) in any other case, the amount otherwise includible in gross income shall be reduced by an amount which bears the same ratio to such amount as such expenses bear to such distributions.

''(iii) EXCEPTION FOR INSTITUTIONAL PROGRAMS.—In the case of any taxable year beginning before January 1, 2004, clauses (i) and (ii) shall not apply with respect to any distribution during such taxable year under a qualified tuition program established and maintained by 1 or more eligible educational institutions.

''(iv) TREATMENT AS DISTRIBUTIONS.—Any benefit furnished to a designated beneficiary under a qualified tuition program shall be treated as a distribution to the beneficiary for purposes of this paragraph.

''(v) COORDINATION WITH HOPE AND LIFETIME LEARNING CREDITS.—The total amount of qualified higher education expenses with respect to an individual for the taxable year shall be reduced—

''(I) as provided in section 25A(g)(2), and

''(II) by the amount of such expenses which were taken into account in determining the credit allowed to the taxpayer or any other person under section 25A.

''(vi) COORDINATION WITH EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS.—If, with respect to an individual for any taxable year—

''(I) the aggregate distributions to which clauses (i) and (ii) and section 530(d)(2)(A) apply, exceed

''(II) the total amount of qualified higher education expenses otherwise taken into account under clauses (i) and (ii) (after the application of clause (v)) for such year,

the taxpayer shall allocate such expenses among such distributions for purposes of determining the amount of the exclusion under clauses (i) and (ii) and section 530(d)(2)(A).''.

(2) CONFORMING AMENDMENTS.—

(A) Section 135(d)(2)(B) is amended by striking ''the exclusion under section 530(d)(2)'' and inserting ''the exclusions under sections 529(c)(3)(B) and 530(d)(2)''.

(B) Section 221(e)(2)(A) is amended by inserting ''529,'' after ''135,''.

(c) ROLLOVER TO DIFFERENT PROGRAM FOR BENEFIT OF SAME DESIGNATED BENEFICIARY.—Section 529(c)(3)(C) (relating to change in beneficiaries) is amended—

(1) by striking ''transferred to the credit'' in clause (i) and inserting ''transferred—

''(I) to another qualified tuition program for the benefit of the designated beneficiary, or

''(II) to the credit'',

(2) by adding at the end the following new clause:

''(iii) LIMITATION ON CERTAIN ROLLOVERS.—Clause (i)(I) shall not apply to any transfer if such transfer occurs within 12 months from the date of a previous transfer to any qualified tuition program for the benefit of the designated beneficiary.'', and

(3) by inserting ''OR PROGRAMS'' after ''BENEFICIARIES'' in the heading.

(d) MEMBER OF FAMILY INCLUDES FIRST COUSIN.—Section 529(e)(2) (defining member of family) is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and by inserting ''; and'', and by adding at the end the following new subparagraph:

''(D) any first cousin of such beneficiary.''.

(e) ADJUSTMENT OF LIMITATION ON ROOM AND BOARD DISTRIBUTIONS.—Section 529(e)(3)(B)(ii) is amended to read as follows:

''(ii) LIMITATION.—The amount treated as qualified higher education expenses by reason of clause (i) shall not exceed—

''(I) the allowance (applicable to the student) for room and board included in the cost of attendance (as defined in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll), as in effect on the date of the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001) as determined by the eligible educational institution for such period, or

''(II) if greater, the actual invoice amount the student residing in housing owned or operated by the eligible educational institution is charged by such institution for room and board costs for such period.''.

(f) SPECIAL NEEDS SERVICES.—Subparagraph (A) of section 529(e)(3) (defining qualified higher education expenses) is amended to read as follows:

''(A) IN GENERAL.—The term 'qualified higher education expenses' means—

''(i) tuition, fees, books, supplies, and equipment required for the enrollment or attendance of a designated beneficiary at an eligible educational institution; and

''(ii) expenses for special needs services in the case of a special needs beneficiary which are incurred in connection with such enrollment or attendance.''.

(g) TECHNICAL AMENDMENTS.—Section 529(c)(3)(D) is amended—

(1) by inserting ''except to the extent provided by the Secretary,'' before ''all distributions'' in clause (ii), and

(2) by inserting ''except to the extent provided by the Secretary,'' before ''the value'' in clause (iii).

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

Subtitle B—Educational Assistance

SEC. 411. EXTENSION OF EXCLUSION FOR EMPLOYER-PROVIDED EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Section 127 (relating to exclusion for educational assistance programs) is amended by striking subsection (d) and by redesignating subsection (e) as subsection (d).

(b) REPEAL OF LIMITATION ON GRADUATE EDUCATION.—The last sentence of section 127(c)(1) is amended by striking '', and such term also does not include any payment for, or the provision of any benefits with respect to, any graduate level course of a kind normally taken by an individual pursuing a program leading to a law, business, medical, or other advanced academic or professional degree''.

(c) CONFORMING AMENDMENT.—Section 51A(b)(5)(B)(iii) is amended by striking ''or would be so excludable but for section 127(d)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to expenses relating to courses beginning after December 31, 2001.

SEC. 412. ELIMINATION OF 60-MONTH LIMIT AND INCREASE IN INCOME LIMITATION ON STUDENT LOAN INTEREST DEDUCTION.

(a) ELIMINATION OF 60-MONTH LIMIT.—

(1) IN GENERAL.—Section 221 (relating to interest on education loans), as amended by section 402(b)(2)(B), is amended by striking subsection (d) and by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

(2) CONFORMING AMENDMENT.—Section 6050S(e) is amended by striking ''section 221(e)(1)'' and inserting ''section 221(d)(1)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to any loan interest paid after December 31, 2001, in taxable years ending after such date.

(b) INCREASE IN INCOME LIMITATION.—

(1) IN GENERAL.—Section 221(b)(2)(B) (relating to amount of reduction) is amended by striking clauses (i) and (ii) and inserting the following:

''(i) the excess of—

''(I) the taxpayer's modified adjusted gross income for such taxable year, over

''(II) $50,000 ($100,000 in the case of a joint return), bears to

''(ii) $15,000 ($30,000 in the case of a joint return).''.

(2) CONFORMING AMENDMENT.—Section 221(g)(1) is amended by striking ''$40,000 and $60,000 amounts'' and inserting ''$50,000 and $100,000 amounts''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years ending after December 31, 2001.

SEC. 413. EXCLUSION OF CERTAIN AMOUNTS RECEIVED UNDER THE NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP PROGRAM AND THE F. EDWARD HEBERT ARMED FORCES HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 117(c) (relating to the exclusion from gross income amounts received as a qualified scholarship) is amended—

(1) by striking ''Subsections (a)'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a)'', and

(2) by adding at the end the following new paragraph:

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to any amount received by an individual under—

''(A) the National Health Service Corps Scholarship Program under section 338A(g)(1)(A) of the Public Health Service Act, or

''(B) the Armed Forces Health Professions Scholarship and Financial Assistance program under subchapter I of chapter 105 of title 10, United States Code.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to amounts received in taxable years beginning after December 31, 2001.

Subtitle C—Liberalization of Tax-Exempt Financing Rules for Public School Construction

SEC. 421. ADDITIONAL INCREASE IN ARBITRAGE REBATE EXCEPTION FOR GOVERNMENTAL BONDS USED TO FINANCE EDUCATIONAL FACILITIES.

(a) IN GENERAL.—Section 148(f)(4)(D)(vii) (relating to increase in exception for bonds financing public school capital expenditures) is amended by striking ''$5,000,000'' the second place it appears and inserting ''$10,000,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to obligations issued in calendar years beginning after December 31, 2001.

SEC. 422. TREATMENT OF QUALIFIED PUBLIC EDUCATIONAL FACILITY BONDS AS EXEMPT FACILITY BONDS.

(a) TREATMENT AS EXEMPT FACILITY BOND.—Subsection (a) of section 142 (relating to exempt facility bond) is amended by striking ''or'' at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting '', or'', and by adding at the end the following new paragraph:

''(13) qualified public educational facilities.''.

(b) QUALIFIED PUBLIC EDUCATIONAL FACILITIES.—Section 142 (relating to exempt facility bond) is amended by adding at the end the following new subsection:

''(k) QUALIFIED PUBLIC EDUCATIONAL FACILITIES.—

''(1) IN GENERAL.—For purposes of subsection (a)(13), the term 'qualified public educational facility' means any school facility which is—

''(A) part of a public elementary school or a public secondary school, and

''(B) owned by a private, for-profit corporation pursuant to a public-private partnership agreement with a State or local educational agency described in paragraph (2).

''(2) PUBLIC-PRIVATE PARTNERSHIP AGREEMENT DESCRIBED.—A public-private partnership agreement is described in this paragraph if it is an agreement—

''(A) under which the corporation agrees—

''(i) to do 1 or more of the following: construct, rehabilitate, refurbish, or equip a school facility, and

''(ii) at the end of the term of the agreement, to transfer the school facility to such agency for no additional consideration, and

''(B) the term of which does not exceed the term of the issue to be used to provide the school facility.

''(3) SCHOOL FACILITY.—For purposes of this subsection, the term 'school facility' means—

''(A) any school building,

''(B) any functionally related and subordinate facility and land with respect to such building, including any stadium or other facility primarily used for school events, and

''(C) any property, to which section 168 applies (or would apply but for section 179), for use in a facility described in subparagraph (A) or (B).

''(4) PUBLIC SCHOOLS.—For purposes of this subsection, the terms 'elementary school' and 'secondary school' have the meanings given such terms by section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801), as in effect on the date of the enactment of this subsection.

''(5) ANNUAL AGGREGATE FACE AMOUNT OF TAX-EXEMPT FINANCING.—

''(A) IN GENERAL.—An issue shall not be treated as an issue described in subsection (a)(13) if the aggregate face amount of bonds issued by the State pursuant thereto (when added to the aggregate face amount of bonds previously so issued during the calendar year) exceeds an amount equal to the greater of—

''(i) $10 multiplied by the State population, or

''(ii) $5,000,000.

''(B) ALLOCATION RULES.—

''(i) IN GENERAL.—Except as otherwise provided in this subparagraph, the State may allocate the amount described in subparagraph (A) for any calendar year in such manner as the State determines appropriate.

''(ii) RULES FOR CARRYFORWARD OF UNUSED LIMITATION.—A State may elect to carry forward an unused limitation for any calendar year for 3 calendar years following the calendar year in which the unused limitation arose under rules similar to the rules of section 146(f), except that the only purpose for which the carryforward may be elected is the issuance of exempt facility bonds described in subsection (a)(13).''.

(c) EXEMPTION FROM GENERAL STATE VOLUME CAPS.—Paragraph (3) of section 146(g) (relating to exception for certain bonds) is amended—

(1) by striking ''or (12)'' and inserting ''(12), or (13)'', and

(2) by striking ''and environmental enhancements of hydroelectric generating facilities'' and inserting ''environmental enhancements of hydroelectric generating facilities, and qualified public educational facilities''.

(d) EXEMPTION FROM LIMITATION ON USE FOR LAND ACQUISITION.—Section 147(h) (relating to certain rules not to apply to mortgage revenue bonds, qualified student loan bonds, and qualified 501(c)(3) bonds) is amended by adding at the end the following new paragraph:

''(3) EXEMPT FACILITY BONDS FOR QUALIFIED PUBLIC-PRIVATE SCHOOLS.—Subsection (c) shall not apply to any exempt facility bond issued as part of an issue described in section 142(a)(13) (relating to qualified public educational facilities).''.

(e) CONFORMING AMENDMENT.—The heading for section 147(h) is amended by striking ''MORTGAGE REVENUE BONDS, QUALIFIED STUDENT LOAN BONDS, AND QUALIFIED 501(c)(3) BONDS'' and inserting ''CERTAIN BONDS''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after December 31, 2001.

Subtitle D—Other Provisions

SEC. 431. DEDUCTION FOR HIGHER EDUCATION EXPENSES.

(a) DEDUCTION ALLOWED.—Part VII of subchapter B of chapter 1 (relating to additional itemized deductions for individuals) is amended by redesignating section 222 as section 223 and by inserting after section 221 the following:

''SEC. 222. QUALIFIED TUITION AND RELATED EXPENSES.

''(a) ALLOWANCE OF DEDUCTION.—In the case of an individual, there shall be allowed as a deduction an amount equal to the qualified tuition and related expenses paid by the taxpayer during the taxable year.

''(b) DOLLAR LIMITATIONS.—

''(1) IN GENERAL.—The amount allowed as a deduction under subsection (a) with respect to the taxpayer for any taxable year shall not exceed the applicable dollar limit.

''(2) APPLICABLE DOLLAR LIMIT.—

''(A) 2002 AND 2003.—In the case of a taxable year beginning in 2002 or 2003, the applicable dollar limit shall be equal to—

''(i) in the case of a taxpayer whose adjusted gross income for the taxable year does not exceed $65,000 ($130,000 in the case of a joint return), $3,000, and—

''(ii) in the case of any other taxpayer, zero.

''(B) 2004 AND 2005.—In the case of a taxable year beginning in 2004 or 2005, the applicable dollar amount shall be equal to—

''(i) in the case of a taxpayer whose adjusted gross income for the taxable year does not exceed $65,000 ($130,000 in the case of a joint return), $4,000,

''(ii) in the case of a taxpayer not described in clause (i) whose adjusted gross income for the taxable year does not exceed $80,000 ($160,000 in the case of a joint return), $2,000, and

''(iii) in the case of any other taxpayer, zero.

''(C) ADJUSTED GROSS INCOME.—For purposes of this paragraph, adjusted gross income shall be determined—

''(i) without regard to this section and sections 911, 931, and 933, and

''(ii) after application of sections 86, 135, 137, 219, 221, and 469.

''(c) NO DOUBLE BENEFIT.—

''(1) IN GENERAL.—No deduction shall be allowed under subsection (a) for any expense for which a deduction is allowed to the taxpayer under any other provision of this chapter.

''(2) COORDINATION WITH OTHER EDUCATION INCENTIVES.—

''(A) DENIAL OF DEDUCTION IF CREDIT ELECTED.—No deduction shall be allowed under subsection (a) for a taxable year with respect to the qualified tuition and related expenses with respect to an individual if the taxpayer or any other person elects to have section 25A apply with respect to such individual for such year.

''(B) COORDINATION WITH EXCLUSIONS.—The total amount of qualified tuition and related expenses shall be reduced by the amount of such expenses taken into account in determining any amount excluded under section 135, 529(c)(1), or 530(d)(2). For purposes of the preceding sentence, the amount taken into account in determining the amount excluded under section 529(c)(1) shall not include that portion of the distribution which represents a return of any contributions to the plan.

''(3) DEPENDENTS.—No deduction shall be allowed under subsection (a) to any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which such individual's taxable year begins.

''(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) QUALIFIED TUITION AND RELATED EXPENSES.—The term 'qualified tuition and related expenses' has the meaning given such term by section 25A(f). Such expenses shall be reduced in the same manner as under section 25A(g)(2).

''(2) IDENTIFICATION REQUIREMENT.—No deduction shall be allowed under subsection (a) to a taxpayer with respect to the qualified tuition and related expenses of an individual unless the taxpayer includes the name and taxpayer identification number of the individual on the return of tax for the taxable year.

''(3) LIMITATION ON TAXABLE YEAR OF DEDUCTION.—

''(A) IN GENERAL.—A deduction shall be allowed under subsection (a) for qualified tuition and related expenses for any taxable year only to the extent such expenses are in connection with enrollment at an institution of higher education during the taxable year.

''(B) CERTAIN PREPAYMENTS ALLOWED.—Subparagraph (A) shall not apply to qualified tuition and related expenses paid during a taxable year if such expenses are in connection with an academic term beginning during such taxable year or during the first 3 months of the next taxable year.

''(4) NO DEDUCTION FOR MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—If the taxpayer is a married individual (within the meaning of section 7703), this section shall apply only if the taxpayer and the taxpayer's spouse file a joint return for the taxable year.

''(5) NONRESIDENT ALIENS.—If the taxpayer is a nonresident alien individual for any portion of the taxable year, this section shall apply only if such individual is treated as a resident alien of the United States for purposes of this chapter by reason of an election under subsection (g) or (h) of section 6013.

''(6) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary or appropriate to carry out this section, including regulations requiring recordkeeping and information reporting.

''(e) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 2005.''.

(b) DEDUCTION ALLOWED IN COMPUTING ADJUSTED GROSS INCOME.—Section 62(a) is amended by inserting after paragraph (17) the following:

''(18) HIGHER EDUCATION EXPENSES.—The deduction allowed by section 222.''.

(c) CONFORMING AMENDMENTS.—

(1) Sections 86(b)(2), 135(c)(4), 137(b)(3), and 219(g)(3) are each amended by inserting ''222,'' after ''221,''.

(2) Section 221(b)(2)(C) is amended by inserting ''222,'' before ''911''.

(3) Section 469(i)(3)(F) is amended by striking ''and 221'' and inserting '', 221, and 222''.

(4) The table of sections for part VII of subchapter B of chapter 1 is amended by striking the item relating to section 222 and inserting the following:

''Sec. 222. Qualified tuition and related expenses.

''Sec. 223. Cross reference.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to payments made in taxable years beginning after December 31, 2001.

TITLE V—ESTATE, GIFT, AND GENERATION-SKIPPING TRANSFER TAX PROVISIONS

Subtitle A—Repeal of Estate and Generation-Skipping Transfer Taxes

SEC. 501. REPEAL OF ESTATE AND GENERATION-SKIPPING TRANSFER TAXES.

(a) ESTATE TAX REPEAL.—Subchapter C of chapter 11 of subtitle B (relating to miscellaneous) is amended by adding at the end the following new section:

''SEC. 2210. TERMINATION.

''(a) IN GENERAL.—Except as provided in subsection (b), this chapter shall not apply to the estates of decedents dying after December 31, 2009.

''(b) CERTAIN DISTRIBUTIONS FROM QUALIFIED DOMESTIC TRUSTS.—In applying section 2056A with respect to the surviving spouse of a decedent dying before January 1, 2010—

''(1) section 2056A(b)(1)(A) shall not apply to distributions made after December 31, 2020, and

''(2) section 2056A(b)(1)(B) shall not apply after December 31, 2009.''.

(b) GENERATION-SKIPPING TRANSFER TAX REPEAL.—Subchapter G of chapter 13 of subtitle B (relating to administration) is amended by adding at the end the following new section:

''SEC. 2664. TERMINATION.

''This chapter shall not apply to generation-skipping transfers after December 31, 2009.''.

(c) CONFORMING AMENDMENTS.—

(1) The table of sections for subchapter C of chapter 11 is amended by adding at the end the following new item:

''Sec. 2210. Termination.''.

(2) The table of sections for subchapter G of chapter 13 is amended by adding at the end the following new item:

''Sec. 2664. Termination.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to the estates of decedents dying, and generation-skipping transfers, after December 31, 2009.

Subtitle B—Reductions of Estate and Gift Tax Rates

SEC. 511. ADDITIONAL REDUCTIONS OF ESTATE AND GIFT TAX RATES.

(a) MAXIMUM RATE OF TAX REDUCED TO 50 PERCENT.—The table contained in section 2001(c)(1) is amended by striking the two highest brackets and inserting the following:

''Over $2,500,000	*$1,025,800, plus 50% of the excess over $2,500,000.''.*

(b) REPEAL OF PHASEOUT OF GRADUATED RATES.—Subsection (c) of section 2001 is amended by striking paragraph (2).

(c) ADDITIONAL REDUCTIONS OF MAXIMUM RATE OF TAX.—Subsection (c) of section 2001, as amended by subsection (b), is amended by adding at the end the following new paragraph:

''(2) PHASEDOWN OF MAXIMUM RATE OF TAX.—

''(A) IN GENERAL.—In the case of estates of decedents dying, and gifts made, in calendar years after 2002 and before 2010, the tentative tax under this subsection shall be determined by using a table prescribed by the Secretary (in lieu of using the table contained in paragraph (1)) which is the same as such table; except that—

''(i) the maximum rate of tax for any calendar year shall be determined in the table under subparagraph (B), and

''(ii) the brackets and the amounts setting forth the tax shall be adjusted to the extent necessary to reflect the adjustments under subparagraph (A).

''(B) MAXIMUM RATE.—

"In calendar year:	***The maximum rate is:***
2003	*49 percent*
2004	*48 percent*
2005	*47 percent*
2006	*46 percent*
2007, 2008, and 2009	*45 percent.''.*

(d) MAXIMUM GIFT TAX RATE REDUCED TO MAXIMUM INDIVIDUAL RATE AFTER 2009.—Subsection (a) of section 2502 (relating to rate of tax) is amended to read as follows:

''(a) COMPUTATION OF TAX.—

''(1) IN GENERAL.—The tax imposed by section 2501 for each calendar year shall be an amount equal to the excess of—

''(A) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for such calendar year and for each of the preceding calendar periods, over

''(B) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for each of the preceding calendar periods.

''(2) RATE SCHEDULE.—

"If the amount with respect to which the tentative tax to be computed is:	***The tentative tax is:***
Not over $10,000	*18% of such amount.*
Over $10,000 but not over $20,000.	*$1,800, plus 20% of the excess over $10,000.*
Over $20,000 but not over $40,000.	*$3,800, plus 22% of the excess over $20,000.*
Over $40,000 but not over $60,000.	*$8,200, plus 24% of the excess over $40,000.*
Over $60,000 but not over $80,000.	*$13,000, plus 26% of the excess over $60,000.*
Over $80,000 but not over $100,000.	*$18,200, plus 28% of the excess over $80,000.*
Over $100,000 but not over $150,000.	*$23,800, plus 30% of the excess over $100,000.*
Over $150,000 but not over $250,000.	*$38,800, plus 32% of the excess over $150,000.*
Over $250,000 but not over $500,000.	*$70,800, plus 34% of the excess over $250,000.*
Over $500,000	*$155,800, plus 35% of the excess over $500,000.''.*

(e) TREATMENT OF CERTAIN TRANSFERS IN TRUST.—Section 2511 (relating to transfers in general) is amended by adding at the end the following new subsection:

''(c) TREATMENT OF CERTAIN TRANSFERS IN TRUST.—Notwithstanding any other provision of this section and except as provided in regulations, a transfer in trust shall be treated as a taxable gift under section 2503, unless the trust is treated as wholly owned by the donor or the donor's spouse under subpart E of part I of subchapter J of chapter 1.''.

(f) EFFECTIVE DATES.—

(1) SUBSECTIONS (a) AND (b).—The amendments made by subsections (a) and (b) shall apply to estates of decedents dying, and gifts made, after December 31, 2001.

(2) SUBSECTION (c).—The amendment made by subsection (c) shall apply to estates of decedents dying, and gifts made, after December 31, 2002.

(3) SUBSECTIONS (d) AND (e).—The amendments made by subsections (d) and (e) shall apply to gifts made after December 31, 2009.

Subtitle C—Increase in Exemption Amounts

SEC. 521. INCREASE IN EXEMPTION EQUIVALENT OF UNIFIED CREDIT, LIFETIME GIFTS EXEMPTION, AND GST EXEMPTION AMOUNTS.

(a) IN GENERAL.—Subsection (c) of section 2010 (relating to applicable credit amount) is amended by striking the table and inserting the following new table:

"In the case of estates of decedents dying during:	***The applicable exclusion amount is:***
2002 and 2003	*$1,000,000*
2004 and 2005	*$1,500,000*
2006, 2007, and 2008	*$2,000,000*
2009	*$3,500,000.''.*

(b) LIFETIME GIFT EXEMPTION INCREASED TO $1,000,000.—

(1) FOR PERIODS BEFORE ESTATE TAX REPEAL.—Paragraph (1) of section 2505(a) (relating to unified credit against gift tax) is amended by inserting ''(determined as if the applicable exclusion amount were $1,000,000)'' after ''calendar year''.

(2) FOR PERIODS AFTER ESTATE TAX REPEAL.—Paragraph (1) of section 2505(a) (relating to unified credit against gift tax), as amended by paragraph (1), is amended to read as follows:

''(1) the amount of the tentative tax which would be determined under the rate schedule set forth in section 2502(a)(2) if the amount with respect to which such tentative tax is to be computed were $1,000,000, reduced by''.

(c) GST EXEMPTION.—

(1) IN GENERAL.—Subsection (a) of 2631 (relating to GST exemption) is amended by striking ''of $1,000,000'' and inserting ''amount''.

(2) EXEMPTION AMOUNT.—Subsection (c) of section 2631 is amended to read as follows:

''(c) GST EXEMPTION AMOUNT.—For purposes of subsection (a), the GST exemption amount for any calendar year shall be equal to the applicable exclusion amount under section 2010(c) for such calendar year.''.

(d) REPEAL OF SPECIAL BENEFIT FOR FAMILY-OWNED BUSINESS INTERESTS.—Section 2057 (relating to family-owned business interests) is amended by adding at the end the following new subsection:

''(j) TERMINATION.—This section shall not apply to the estates of decedents dying after December 31, 2003.''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the amendments made by this section shall apply to estates of decedents dying, and gifts made, after December 31, 2001.

(2) SUBSECTION (b)(2).—The amendments made by subsection (b)(2) shall apply to gifts made after December 31, 2009.

(3) SUBSECTIONS (c) AND (d).—The amendments made by subsections (c) and (d) shall apply to estates of decedents dying, and generation-skipping transfers, after December 31, 2003.

Subtitle D—Credit for State Death Taxes

SEC. 531. REDUCTION OF CREDIT FOR STATE DEATH TAXES.

(a) IN GENERAL.—Section 2011(b) (relating to amount of credit) is amended—

(1) by striking ''CREDIT.—The credit allowed'' and inserting ''CREDIT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the credit allowed'',

(2) by striking ''For purposes'' and inserting the following:

''(3) ADJUSTED TAXABLE ESTATE.—For purposes'', and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) REDUCTION OF MAXIMUM CREDIT.—

''(A) IN GENERAL.—In the case of estates of decedents dying after December 31, 2001, the credit allowed by this section shall not exceed the applicable percentage of the credit otherwise determined under paragraph (1).

''(B) APPLICABLE PERCENTAGE.—

"In the case of estates of decedents dying during:	***The applicable percentage is:***
2002	*75 percent*
2003	*50 percent*
2004	*25 percent.''.*

(b) EFFECTIVE DATE.—The amendments made by this subsection shall apply to estates of decedents dying after December 31, 2001.

SEC. 532. CREDIT FOR STATE DEATH TAXES REPLACED WITH DEDUCTION FOR SUCH TAXES.

(a) REPEAL OF CREDIT.—Section 2011 (relating to credit for State death taxes) is amended by adding at the end the following new subsection:

''(g) TERMINATION.—This section shall not apply to the estates of decedents dying after December 31, 2004.''.

(b) DEDUCTION FOR STATE DEATH TAXES.—Part IV of subchapter A of chapter 11 is amended by adding at the end the following new section:

"SEC. 2058. STATE DEATH TAXES.

''(a) ALLOWANCE OF DEDUCTION.—For purposes of the tax imposed by section 2001, the value of the taxable estate shall be determined by deducting from the value of the gross estate the amount of any estate, inheritance, legacy, or succession taxes actually paid to any State or the District of Columbia, in respect of any property included in the gross estate (not including any such taxes paid with respect to the estate of a person other than the decedent).

''(b) PERIOD OF LIMITATIONS.—The deduction allowed by this section shall include only such taxes as were actually paid and deduction therefor claimed before the later of—

''(1) 4 years after the filing of the return required by section 6018, or

''(2) if—

''(A) a petition for redetermination of a deficiency has been filed with the Tax Court within the time prescribed in section 6213(a), the expiration of 60 days after the decision of the Tax Court becomes final,

''(B) an extension of time has been granted under section 6161 or 6166 for payment of the tax shown on the return, or of a deficiency, the date of the expiration of the period of the extension, or

''(C) a claim for refund or credit of an overpayment of tax imposed by this chapter has been filed within the time prescribed in section 6511, the latest of the expiration of—

''(i) 60 days from the date of mailing by certified mail or registered mail by the Secretary to the taxpayer of a notice of the disallowance of any part of such claim,

''(ii) 60 days after a decision by any court of competent jurisdiction becomes final with respect to a timely suit instituted upon such claim, or

''(iii) 2 years after a notice of the waiver of disallowance is filed under section 6532(a)(3).

Notwithstanding sections 6511 and 6512, refund based on the deduction may be made if the claim for refund is filed within the period provided in the preceding sentence. Any such refund shall be made without interest.''.

(c) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 2012 is amended by striking ''the credit for State death taxes provided by section 2011 and''.

(2) Subparagraph (A) of section 2013(c)(1) is amended by striking ''2011,''.

(3) Paragraph (2) of section 2014(b) is amended by striking '', 2011,''.

(4) Sections 2015 and 2016 are each amended by striking ''2011 or''.

(5) Subsection (d) of section 2053 is amended to read as follows:

''(d) CERTAIN FOREIGN DEATH TAXES.—

''(1) IN GENERAL.—Notwithstanding the provisions of subsection (c)(1)(B), for purposes of the tax imposed by section 2001, the value of the taxable estate may be determined, if the executor so elects before the expiration of the period of limitation for assessment provided in section 6501, by deducting from the value of the gross estate the amount (as determined in accordance with regulations prescribed by the Secretary) of any estate, succession, legacy, or inheritance tax imposed by and actually paid to any foreign country, in respect of any property situated within such foreign country and included in the gross estate of a citizen or resident of the United States, upon a transfer by the decedent for public, charitable, or religious uses described in section 2055. The determination under this paragraph of the country within which property is situated shall be made in accordance with the rules applicable under subchapter B (sec. 2101 and following) in determining whether property is situated within or without the United States. Any election under this paragraph shall be exercised in accordance with regulations prescribed by the Secretary.

''(2) CONDITION FOR ALLOWANCE OF DEDUCTION.—No deduction shall be allowed under paragraph (1) for a foreign death tax specified therein unless the decrease in the tax imposed by section 2001 which results from the deduction provided in paragraph (1) will inure solely for the benefit of the public, charitable, or religious transferees described in section 2055 or section 2106(a)(2). In any case where the tax imposed by section 2001 is equitably apportioned among all the transferees of property included in the gross estate, including those described in sections 2055 and 2106(a)(2) (taking into account any exemptions, credits, or deductions allowed by this chapter), in determining such decrease, there shall be disregarded any decrease in the Federal estate tax which any transferees other than those described in sections 2055 and 2106(a)(2) are required to pay.

''(3) EFFECT ON CREDIT FOR FOREIGN DEATH TAXES OF DEDUCTION UNDER THIS SUBSECTION.—

''(A) ELECTION.—An election under this subsection shall be deemed a waiver of the right to claim a credit, against the Federal estate tax, under a death tax convention with any foreign country for any tax or portion thereof in respect of which a deduction is taken under this subsection.

''(B) CROSS REFERENCE.—

''See section 2014(f) for the effect of a deduction taken under this paragraph on the credit for foreign death taxes.''.

(6) Subparagraph (A) of section 2056A(b)(10) is amended—

(A) by striking ''2011,'', and

(B) by inserting ''2058,'' after ''2056,''.

(7)(A) Subsection (a) of section 2102 is amended to read as follows:

''(a) IN GENERAL.—The tax imposed by section 2101 shall be credited with the amounts determined in accordance with sections 2012 and 2013 (relating to gift tax and tax on prior transfers).''.

(B) Section 2102 is amended by striking subsection (b) and by redesignating subsection (c) as subsection (b).

(C) Section 2102(b)(5) (as redesignated by subparagraph (B)) and section 2107(c)(3) are each amended by striking ''2011 to 2013, inclusive,'' and inserting ''2012 and 2013''.

(8) Subsection (a) of section 2106 is amended by adding at the end the following new paragraph:

''(4) STATE DEATH TAXES.—The amount which bears the same ratio to the State death taxes as the value of the property, as determined for purposes of this chapter, upon which State death taxes were paid and which is included in the gross estate under section 2103 bears to the value of the total gross estate under section 2103. For purposes of this paragraph, the term 'State death taxes' means the taxes described in section 2011(a).''.

(9) Section 2201 is amended—

(A) by striking ''as defined in section 2011(d)'', and

(B) by adding at the end the following new flush sentence:

''For purposes of this section, the additional estate tax is the difference between the tax imposed by section 2001 or 2101 and the amount equal to 125 percent of the maximum credit provided by section 2011(b), as in effect before its repeal by the Economic Growth and Tax Relief Reconciliation Act of 2001.''.

(10) Section 2604 (relating to credit for certain State taxes) is amended by adding at the end the following new subsection:

''(c) TERMINATION.—This section shall not apply to the generation-skipping transfers after December 31, 2004.''.

(11) Paragraph (2) of section 6511(i) is amended by striking ''2011(c), 2014(b),'' and inserting ''2014(b)''.

(12) Subsection (c) of section 6612 is amended by striking ''section 2011(c) (relating to refunds due to credit for State taxes),''.

(13) The table of sections for part II of subchapter A of chapter 11 is amended by striking the item relating to section 2011.

(14) The table of sections for part IV of subchapter A of chapter 11 is amended by adding at the end the following new item:

''Sec. 2058. State death taxes.''.

(15) The table of sections for subchapter A of chapter 13 is amended by striking the item relating to section 2604.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying, and generation-skipping transfers, after December 31, 2004.

Subtitle E—Carryover Basis at Death; Other Changes Taking Effect With Repeal

SEC. 541. TERMINATION OF STEP-UP IN BASIS AT DEATH.

Section 1014 (relating to basis of property acquired from a decedent) is amended by adding at the end the following new subsection:

''(f) TERMINATION.—This section shall not apply with respect to decedents dying after December 31, 2009.''.

SEC. 542. TREATMENT OF PROPERTY ACQUIRED FROM A DECEDENT DYING AFTER DECEMBER 31, 2009.

(a) GENERAL RULE.—Part II of subchapter O of chapter 1 (relating to basis rules of general application) is amended by inserting after section 1021 the following new section:

''SEC. 1022. TREATMENT OF PROPERTY ACQUIRED FROM A DECEDENT DYING AFTER DECEMBER 31, 2009.

''(a) IN GENERAL.—Except as otherwise provided in this section—

''(1) property acquired from a decedent dying after December 31, 2009, shall be treated for purposes of this subtitle as transferred by gift, and

''(2) the basis of the person acquiring property from such a decedent shall be the lesser of—

''(A) the adjusted basis of the decedent, or

''(B) the fair market value of the property at the date of the decedent's death.

''(b) BASIS INCREASE FOR CERTAIN PROPERTY.—

''(1) IN GENERAL.—In the case of property to which this subsection applies, the basis of such property under subsection (a) shall be increased by its basis increase under this subsection.

''(2) BASIS INCREASE.—For purposes of this subsection—

''(A) IN GENERAL.—The basis increase under this subsection for any property is the portion of the aggregate basis increase which is allocated to the property pursuant to this section.

''(B) AGGREGATE BASIS INCREASE.—In the case of any estate, the aggregate basis increase under this subsection is $1,300,000.

''(C) LIMIT INCREASED BY UNUSED BUILT-IN LOSSES AND LOSS CARRYOVERS.—The limitation under subparagraph (B) shall be increased by—

''(i) the sum of the amount of any capital loss carryover under section 1212(b), and the amount of any net operating loss carryover under section 172, which would (but for the decedent's death) be carried from the decedent's last taxable year to a later taxable year of the decedent, plus

''(ii) the sum of the amount of any losses that would have been allowable under section 165 if the property acquired from the decedent had been sold at fair market value immediately before the decedent's death.

''(3) DECEDENT NONRESIDENTS WHO ARE NOT CITIZENS OF THE UNITED STATES.—In the case of a decedent nonresident not a citizen of the United States—

''(A) paragraph (2)(B) shall be applied by substituting '$60,000' for '$1,300,000', and

''(B) paragraph (2)(C) shall not apply.

''(c) ADDITIONAL BASIS INCREASE FOR PROPERTY ACQUIRED BY SURVIVING SPOUSE.—

''(1) IN GENERAL.—In the case of property to which this subsection applies and which is qualified spousal property, the basis of such property under subsection (a) (as increased under subsection (b)) shall be increased by its spousal property basis increase.

''(2) SPOUSAL PROPERTY BASIS INCREASE.—For purposes of this subsection—

''(A) IN GENERAL.—The spousal property basis increase for property referred to in paragraph (1) is the portion of the aggregate spousal property basis increase which is allocated to the property pursuant to this section.

''(B) AGGREGATE SPOUSAL PROPERTY BASIS INCREASE.—In the case of any estate, the aggregate spousal property basis increase is $3,000,000.

''(3) QUALIFIED SPOUSAL PROPERTY.—For purposes of this subsection, the term 'qualified spousal property' means—

''(A) outright transfer property, and

''(B) qualified terminable interest property.

''(4) OUTRIGHT TRANSFER PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'outright transfer property' means any interest in property acquired from the decedent by the decedent's surviving spouse.

''(B) EXCEPTION.—Subparagraph (A) shall not apply where, on the lapse of time, on the occurrence of an event or contingency, or on the failure of an event or contingency to occur, an interest passing to the surviving spouse will terminate or fail—

''(i)(I) if an interest in such property passes or has passed (for less than an adequate and full consideration in money or money's worth) from the decedent to any person other than such surviving spouse (or the estate of such spouse), and

''(II) if by reason of such passing such person (or his heirs or assigns) may possess or enjoy any part of such property after such termination or failure of the interest so passing to the surviving spouse, or

''(ii) if such interest is to be acquired for the surviving spouse, pursuant to directions of the decedent, by his executor or by the trustee of a trust.

For purposes of this subparagraph, an interest shall not be considered as an interest which will terminate or fail merely because it is the ownership of a bond, note, or similar contractual obligation, the discharge of which would not have the effect of an annuity for life or for a term.

''(C) INTEREST OF SPOUSE CONDITIONAL ON SURVIVAL FOR LIMITED PERIOD.—For purposes of this paragraph, an interest passing to the surviving spouse shall not be considered as an interest which will terminate or fail on the death of such spouse if—

''(i) such death will cause a termination or failure of such interest only if it occurs within

a period not exceeding 6 months after the decedent's death, or only if it occurs as a result of a common disaster resulting in the death of the decedent and the surviving spouse, or only if it occurs in the case of either such event, and

''(ii) such termination or failure does not in fact occur.

''(5) QUALIFIED TERMINABLE INTEREST PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified terminable interest property' means property—

''(i) which passes from the decedent, and

''(ii) in which the surviving spouse has a qualifying income interest for life.

''(B) QUALIFYING INCOME INTEREST FOR LIFE.—The surviving spouse has a qualifying income interest for life if—

''(i) the surviving spouse is entitled to all the income from the property, payable annually or at more frequent intervals, or has a usufruct interest for life in the property, and

''(ii) no person has a power to appoint any part of the property to any person other than the surviving spouse.

Clause (ii) shall not apply to a power exercisable only at or after the death of the surviving spouse. To the extent provided in regulations, an annuity shall be treated in a manner similar to an income interest in property (regardless of whether the property from which the annuity is payable can be separately identified).

''(C) PROPERTY INCLUDES INTEREST THEREIN.—The term 'property' includes an interest in property.

''(D) SPECIFIC PORTION TREATED AS SEPARATE PROPERTY.—A specific portion of property shall be treated as separate property. For purposes of the preceding sentence, the term 'specific portion' only includes a portion determined on a fractional or percentage basis.

''(d) DEFINITIONS AND SPECIAL RULES FOR APPLICATION OF SUBSECTIONS (b) AND (c).—

''(1) PROPERTY TO WHICH SUBSECTIONS (b) AND (c) APPLY.—

''(A) IN GENERAL.—The basis of property acquired from a decedent may be increased under subsection (b) or (c) only if the property was owned by the decedent at the time of death.

''(B) RULES RELATING TO OWNERSHIP.—

''(i) JOINTLY HELD PROPERTY.—In the case of property which was owned by the decedent and another person as joint tenants with right of survivorship or tenants by the entirety—

''(I) if the only such other person is the surviving spouse, the decedent shall be treated as the owner of only 50 percent of the property,

''(II) in any case (to which subclause (I) does not apply) in which the decedent furnished consideration for the acquisition of the property, the decedent shall be treated as the owner to the extent of the portion of the property which is proportionate to such consideration, and

''(III) in any case (to which subclause (I) does not apply) in which the property has been acquired by gift, bequest, devise, or inheritance by the decedent and any other person as joint tenants with right of survivorship and their interests are not otherwise specified or fixed by law, the decedent shall be treated as the owner to the extent of the value of a fractional part to be determined by dividing the value of the property by the number of joint tenants with right of survivorship.

''(ii) REVOCABLE TRUSTS.—The decedent shall be treated as owning property transferred by the decedent during life to a qualified revocable trust (as defined in section 645(b)(1)).

''(iii) POWERS OF APPOINTMENT.—The decedent shall not be treated as owning any property by reason of holding a power of appointment with respect to such property.

''(iv) COMMUNITY PROPERTY.—Property which represents the surviving spouse's one-half share of community property held by the decedent and the surviving spouse under the community property laws of any State or possession of the United States or any foreign country shall be treated for purposes of this section as owned by, and acquired from, the decedent if at least one-half of the whole of the community interest in such property is treated as owned by, and acquired from, the decedent without regard to this clause.

''(C) PROPERTY ACQUIRED BY DECEDENT BY GIFT WITHIN 3 YEARS OF DEATH.—

''(i) IN GENERAL.—Subsections (b) and (c) shall not apply to property acquired by the decedent by gift or by inter vivos transfer for less than adequate and full consideration in money or money's worth during the 3-year period ending on the date of the decedent's death.

''(ii) EXCEPTION FOR CERTAIN GIFTS FROM SPOUSE.—Clause (i) shall not apply to property acquired by the decedent from the decedent's spouse unless, during such 3-year period, such spouse acquired the property in whole or in part by gift or by inter vivos transfer for less than adequate and full consideration in money or money's worth.

''(D) STOCK OF CERTAIN ENTITIES.—Subsections (b) and (c) shall not apply to—

''(i) stock or securities of a foreign personal holding company,

''(ii) stock of a DISC or former DISC,

''(iii) stock of a foreign investment company, or

''(iv) stock of a passive foreign investment company unless such company is a qualified electing fund (as defined in section 1295) with respect to the decedent.

''(2) FAIR MARKET VALUE LIMITATION.—The adjustments under subsections (b) and (c) shall not increase the basis of any interest in property acquired from the decedent above its fair market value in the hands of the decedent as of the date of the decedent's death.

''(3) ALLOCATION RULES.—

''(A) IN GENERAL.—The executor shall allocate the adjustments under subsections (b) and (c) on the return required by section 6018.

''(B) CHANGES IN ALLOCATION.—Any allocation made pursuant to subparagraph (A) may be changed only as provided by the Secretary.

''(4) INFLATION ADJUSTMENT OF BASIS ADJUSTMENT AMOUNTS.—

''(A) IN GENERAL.—In the case of decedents dying in a calendar year after 2010, the $1,300,000, $60,000, and $3,000,000 dollar amounts in subsections (b) and (c)(2)(B) shall each be increased by an amount equal to the product of—

''(i) such dollar amount, and

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year, determined by substituting '2009' for '1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any increase determined under subparagraph (A) is not a multiple of—

''(i) $100,000 in the case of the $1,300,000 amount,

''(ii) $5,000 in the case of the $60,000 amount, and

''(iii) $250,000 in the case of the $3,000,000 amount,

such increase shall be rounded to the next lowest multiple thereof.

''(e) PROPERTY ACQUIRED FROM THE DECEDENT.—For purposes of this section, the following property shall be considered to have been acquired from the decedent:

''(1) Property acquired by bequest, devise, or inheritance, or by the decedent's estate from the decedent.

''(2) Property transferred by the decedent during his lifetime—

''(A) to a qualified revocable trust (as defined in section 645(b)(1)), or

''(B) to any other trust with respect to which the decedent reserved the right to make any change in the enjoyment thereof through the exercise of a power to alter, amend, or terminate the trust.

''(3) Any other property passing from the decedent by reason of death to the extent that such property passed without consideration.

''(f) COORDINATION WITH SECTION 691.—This section shall not apply to property which constitutes a right to receive an item of income in respect of a decedent under section 691.

''(g) CERTAIN LIABILITIES DISREGARDED.—

''(1) IN GENERAL.—In determining whether gain is recognized on the acquisition of property—

''(A) from a decedent by a decedent's estate or any beneficiary other than a tax-exempt beneficiary, and

''(B) from the decedent's estate by any beneficiary other than a tax-exempt beneficiary,

and in determining the adjusted basis of such property, liabilities in excess of basis shall be disregarded.

''(2) TAX-EXEMPT BENEFICIARY.—For purposes of paragraph (1), the term 'tax-exempt beneficiary' means—

''(A) the United States, any State or political subdivision thereof, any possession of the United States, any Indian tribal government (within the meaning of section 7871), or any agency or instrumentality of any of the foregoing,

''(B) an organization (other than a cooperative described in section 521) which is exempt from tax imposed by chapter 1,

''(C) any foreign person or entity (within the meaning of section 168(h)(2)), and

''(D) to the extent provided in regulations, any person to whom property is transferred for the principal purpose of tax avoidance.

''(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section.''.

(b) INFORMATION RETURNS, ETC.—

(1) LARGE TRANSFERS AT DEATH.—So much of subpart C of part II of subchapter A of chapter 61 as precedes section 6019 is amended to read as follows:

"Subpart C—Returns Relating to Transfers During Life or at Death

''Sec. 6018. Returns relating to large transfers at death.

''Sec. 6019. Gift tax returns.

"SEC. 6018. RETURNS RELATING TO LARGE TRANSFERS AT DEATH.

''(a) IN GENERAL.—If this section applies to property acquired from a decedent, the executor of the estate of such decedent shall make a return containing the information specified in subsection (c) with respect to such property.

''(b) PROPERTY TO WHICH SECTION APPLIES.—

''(1) LARGE TRANSFERS.—This section shall apply to all property (other than cash) acquired from a decedent if the fair market value of such property acquired from the decedent exceeds the dollar amount applicable under section 1022(b)(2)(B) (without regard to section 1022(b)(2)(C)).

''(2) TRANSFERS OF CERTAIN GIFTS RECEIVED BY DECEDENT WITHIN 3 YEARS OF DEATH.—This section shall apply to any appreciated property acquired from the decedent if—

''(A) subsections (b) and (c) of section 1022 do not apply to such property by reason of section 1022(d)(1)(C), and

''(B) such property was required to be included on a return required to be filed under section 6019.

''(3) NONRESIDENTS NOT CITIZENS OF THE UNITED STATES.—In the case of a decedent who is a nonresident not a citizen of the United States, paragraphs (1) and (2) shall be applied—

''(A) by taking into account only—

''(i) tangible property situated in the United States, and

''(ii) other property acquired from the decedent by a United States person, and

''(B) by substituting the dollar amount applicable under section 1022(b)(3) for the dollar amount referred to in paragraph (1).

''(4) RETURNS BY TRUSTEES OR BENEFICIARIES.—If the executor is unable to make a complete return as to any property acquired from or passing from the decedent, the executor shall include in the return a description of such property and the name of every person holding a legal or beneficial interest therein. Upon notice from the Secretary, such person shall in like manner make a return as to such property.

''(c) INFORMATION REQUIRED TO BE FURNISHED.—The information specified in this subsection with respect to any property acquired from the decedent is—

''(1) the name and TIN of the recipient of such property,

''(2) an accurate description of such property,

''(3) the adjusted basis of such property in the hands of the decedent and its fair market value at the time of death,

''(4) the decedent's holding period for such property,

''(5) sufficient information to determine whether any gain on the sale of the property would be treated as ordinary income,

''(6) the amount of basis increase allocated to the property under subsection (b) or (c) of section 1022, and

''(7) such other information as the Secretary may by regulations prescribe.

''(d) PROPERTY ACQUIRED FROM DECEDENT.—For purposes of this section, section 1022 shall apply for purposes of determining the property acquired from a decedent.

''(e) STATEMENTS TO BE FURNISHED TO CERTAIN PERSONS.—Every person required to make a return under subsection (a) shall furnish to each person whose name is required to be set forth in such return (other than the person required to make such return) a written statement showing—

''(1) the name, address, and phone number of the person required to make such return, and

''(2) the information specified in subsection (c) with respect to property acquired from, or passing from, the decedent to the person required to receive such statement.

The written statement required under the preceding sentence shall be furnished not later than 30 days after the date that the return required by subsection (a) is filed.''.

(2) GIFTS.—Section 6019 (relating to gift tax returns) is amended—

(A) by striking ''Any individual'' and inserting ''(a) IN GENERAL.—Any individual'', and

(B) by adding at the end the following new subsection:

''(b) STATEMENTS TO BE FURNISHED TO CERTAIN PERSONS.—Every person required to make a return under subsection (a) shall furnish to each person whose name is required to be set forth in such return (other than the person required to make such return) a written statement showing—

''(1) the name, address, and phone number of the person required to make such return, and

''(2) the information specified in such return with respect to property received by the person required to receive such statement.

The written statement required under the preceding sentence shall be furnished not later than 30 days after the date that the return required by subsection (a) is filed.''.

(3) TIME FOR FILING SECTION 6018 RETURNS.—

(A) RETURNS RELATING TO LARGE TRANSFERS AT DEATH.—Subsection (a) of section 6075 is amended to read as follows:

''(a) RETURNS RELATING TO LARGE TRANSFERS AT DEATH.—The return required by section 6018 with respect to a decedent shall be filed with the return of the tax imposed by chapter 1 for the decedent's last taxable year or such later date specified in regulations prescribed by the Secretary.''.

(B) CONFORMING AMENDMENTS.—Paragraph (3) of section 6075(b) is amended—

(i) by striking ''ESTATE TAX RETURN'' in the heading and inserting ''SECTION 6018 RETURN'', and

(ii) by striking ''(relating to estate tax returns)'' and inserting ''(relating to returns relating to large transfers at death)''.

(4) PENALTIES.—Part I of subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end the following new section:

''SEC. 6716. FAILURE TO FILE INFORMATION WITH RESPECT TO CERTAIN TRANSFERS AT DEATH AND GIFTS.

''(a) INFORMATION REQUIRED TO BE FURNISHED TO THE SECRETARY.—Any person required to furnish any information under section 6018 who fails to furnish such information on the date prescribed therefor (determined with regard to any extension of time for filing) shall pay a penalty of $10,000 ($500 in the case of information required to be furnished under section 6018(b)(2)) for each such failure.

''(b) INFORMATION REQUIRED TO BE FURNISHED TO BENEFICIARIES.—Any person required to furnish in writing to each person described in section 6018(e) or 6019(b) the information required under such section who fails to furnish such information shall pay a penalty of $50 for each such failure.

''(c) REASONABLE CAUSE EXCEPTION.—No penalty shall be imposed under subsection (a) or (b) with respect to any failure if it is shown that such failure is due to reasonable cause.

''(d) INTENTIONAL DISREGARD.—If any failure under subsection (a) or (b) is due to intentional disregard of the requirements under sections 6018 and 6019(b), the penalty under such subsection shall be 5 percent of the fair market value (as of the date of death or, in the case of section 6019(b), the date of the gift) of the property with respect to which the information is required.

''(e) DEFICIENCY PROCEDURES NOT TO APPLY.—Subchapter B of chapter 63 (relating to deficiency procedures for income, estate, gift, and certain excise taxes) shall not apply in respect of the assessment or collection of any penalty imposed by this section.''.

(5) CLERICAL AMENDMENTS.—

(A) The table of sections for part I of subchapter B of chapter 68 is amended by adding at the end the following new item:

''Sec. 6716. Failure to file information with respect to certain transfers at death and gifts.''.

(B) The item relating to subpart C in the table of subparts for part II of subchapter A of chapter 61 is amended to read as follows:

''Subpart C. Returns relating to transfers during life or at death.''.

(c) EXCLUSION OF GAIN ON SALE OF PRINCIPAL RESIDENCE MADE AVAILABLE TO HEIR OF DECEDENT IN CERTAIN CASES.—Subsection (d) of section 121 (relating to exclusion of gain from sale of principal residence) is amended by adding at the end the following new paragraph:

''(9) PROPERTY ACQUIRED FROM A DECEDENT.—The exclusion under this section shall apply to property sold by—

''(A) the estate of a decedent,

''(B) any individual who acquired such property from the decedent (within the meaning of section 1022), and

''(C) a trust which, immediately before the death of the decedent, was a qualified revocable trust (as defined in section 645(b)(1)) established by the decedent,

determined by taking into account the ownership and use by the decedent.''.

(d) TRANSFERS OF APPRECIATED CARRYOVER BASIS PROPERTY TO SATISFY PECUNIARY BEQUEST.—

(1) IN GENERAL.—Section 1040 (relating to transfer of certain farm, etc., real property) is amended to read as follows:

''SEC. 1040. USE OF APPRECIATED CARRYOVER BASIS PROPERTY TO SATISFY PECUNIARY BEQUEST.

''(a) IN GENERAL.—If the executor of the estate of any decedent satisfies the right of any person to receive a pecuniary bequest with appreciated property, then gain on such exchange shall be recognized to the estate only to the extent that, on the date of such exchange, the fair market value of such property exceeds such value on the date of death.

''(b) SIMILAR RULE FOR CERTAIN TRUSTS.—To the extent provided in regulations prescribed by the Secretary, a rule similar to the rule provided in subsection (a) shall apply where—

''(1) by reason of the death of the decedent, a person has a right to receive from a trust a specific dollar amount which is the equivalent of a pecuniary bequest, and

''(2) the trustee of a trust satisfies such right with property.

''(c) BASIS OF PROPERTY ACQUIRED IN EXCHANGE DESCRIBED IN SUBSECTION (a) OR (b).—The basis of property acquired in an exchange with respect to which gain realized is not recognized by reason of subsection (a) or (b) shall be the basis of such property immediately before the exchange increased by the amount of the gain recognized to the estate or trust on the exchange.''.

(2) The item relating to section 1040 in the table of sections for part III of subchapter O of chapter 1 is amended to read as follows:

''Sec. 1040. Use of appreciated carryover basis property to satisfy pecuniary bequest.''.

(e) AMENDMENTS RELATED TO CARRYOVER BASIS.—

(1) RECOGNITION OF GAIN ON TRANSFERS TO NONRESIDENTS.—

(A) Subsection (a) of section 684 is amended by inserting ''or to a nonresident alien'' after ''or trust''.

(B) Subsection (b) of section 684 is amended to read as follows:

''(b) EXCEPTIONS.—

''(1) TRANSFERS TO CERTAIN TRUSTS.—Subsection (a) shall not apply to a transfer to a trust by a United States person to the extent that any United States person is treated as the owner of such trust under section 671.

''(2) LIFETIME TRANSFERS TO NONRESIDENT ALIENS.—Subsection (a) shall not apply to a lifetime transfer to a nonresident alien.''.

(C) The section heading for section 684 is amended by inserting ''**AND NONRESIDENT ALIENS**'' after ''**ESTATES**''.

(D) The item relating to section 684 in the table of sections for subpart F of part I of subchapter J of chapter 1 is amended by inserting ''and nonresident aliens'' after ''estates''.

(2) CAPITAL GAIN TREATMENT FOR INHERITED ART WORK OR SIMILAR PROPERTY.—

(A) IN GENERAL.—Subparagraph (C) of section 1221(a)(3) (defining capital asset) is amended by inserting ''(other than by reason of section 1022)'' after ''is determined''.

(B) COORDINATION WITH SECTION 170.—Paragraph (1) of section 170(e) (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end the following: ''For purposes of this paragraph, the determination of whether property is a capital asset shall be made without regard to the exception contained in section 1221(a)(3)(C) for basis determined under section 1022.''.

(3) DEFINITION OF EXECUTOR.—Section 7701(a) (relating to definitions) is amended by adding at the end the following:

''(47) EXECUTOR.—The term 'executor' means the executor or administrator of the decedent, or, if there is no executor or administrator appointed, qualified, and acting within the United States, then any person in actual or constructive possession of any property of the decedent.''.

(4) CERTAIN TRUSTS.—Subparagraph (A) of section 4947(a)(2) is amended by inserting ''642(c),'' after ''170(f)(2)(B),''.

(5) OTHER AMENDMENTS.—

(A) Section 1246 is amended by striking subsection (e).

(B) Subsection (e) of section 1291 is amended—

(i) by striking ''(e),''; and

(ii) by striking ''; except that'' and all that follows and inserting a period.

(C) Section 1296 is amended by striking subsection (i).

(6) CLERICAL AMENDMENT.—The table of sections for part II of subchapter O of chapter 1 is amended by inserting after the item relating to section 1021 the following new item:

''Sec. 1022. Treatment of property acquired from a decedent dying after December 31, 2009.''.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to estates of decedents dying after December 31, 2009.

(2) TRANSFERS TO NONRESIDENTS.—The amendments made by subsection (e)(1) shall apply to transfers after December 31, 2009.

(3) SECTION 4947.—The amendment made by subsection (e)(4) shall apply to deductions for taxable years beginning after December 31, 2009.

Subtitle F—Conservation Easements

SEC. 551. EXPANSION OF ESTATE TAX RULE FOR CONSERVATION EASEMENTS.

(a) REPEAL OF CERTAIN RESTRICTIONS ON WHERE LAND IS LOCATED.—Clause (i) of section 2031(c)(8)(A) (defining land subject to a qualified conservation easement) is amended to read as follows:

''(i) which is located in the United States or any possession of the United States,''.

(b) CLARIFICATION OF DATE FOR DETERMINING VALUE OF LAND AND EASEMENT.—Section 2031(c)(2) (defining applicable percentage) is amended by adding at the end the following new sentence: ''The values taken into account under the preceding sentence shall be such values as of the date of the contribution referred to in paragraph (8)(B).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying after December 31, 2000.

Subtitle G—Modifications of Generation-Skipping Transfer Tax

SEC. 561. DEEMED ALLOCATION OF GST EXEMPTION TO LIFETIME TRANSFERS TO TRUSTS; RETROACTIVE ALLOCATIONS.

(a) IN GENERAL.—Section 2632 (relating to special rules for allocation of GST exemption) is amended by redesignating subsection (c) as subsection (e) and by inserting after subsection (b) the following new subsections:

''(c) DEEMED ALLOCATION TO CERTAIN LIFETIME TRANSFERS TO GST TRUSTS.—

''(1) IN GENERAL.—If any individual makes an indirect skip during such individual's lifetime, any unused portion of such individual's GST exemption shall be allocated to the property transferred to the extent necessary to make the inclusion ratio for such property zero. If the amount of the indirect skip exceeds such unused portion, the entire unused portion shall be allocated to the property transferred.

''(2) UNUSED PORTION.—For purposes of paragraph (1), the unused portion of an individual's GST exemption is that portion of such exemption which has not previously been—

''(A) allocated by such individual,

''(B) treated as allocated under subsection (b) with respect to a direct skip occurring during or before the calendar year in which the indirect skip is made, or

''(C) treated as allocated under paragraph (1) with respect to a prior indirect skip.

''(3) DEFINITIONS.—

''(A) INDIRECT SKIP.—For purposes of this subsection, the term 'indirect skip' means any transfer of property (other than a direct skip) subject to the tax imposed by chapter 12 made to a GST trust.

''(B) GST TRUST.—The term 'GST trust' means a trust that could have a generation-skipping transfer with respect to the transferor unless—

''(i) the trust instrument provides that more than 25 percent of the trust corpus must be distributed to or may be withdrawn by one or more individuals who are non-skip persons—

''(I) before the date that the individual attains age 46,

''(II) on or before one or more dates specified in the trust instrument that will occur before the date that such individual attains age 46, or

''(III) upon the occurrence of an event that, in accordance with regulations prescribed by the Secretary, may reasonably be expected to occur before the date that such individual attains age 46,

''(ii) the trust instrument provides that more than 25 percent of the trust corpus must be distributed to or may be withdrawn by one or more individuals who are non-skip persons and who are living on the date of death of another person identified in the instrument (by name or by class) who is more than 10 years older than such individuals,

''(iii) the trust instrument provides that, if one or more individuals who are non-skip persons die on or before a date or event described in clause (i) or (ii), more than 25 percent of the trust corpus either must be distributed to the estate or estates of one or more of such individuals or is subject to a general power of appointment exercisable by one or more of such individuals,

''(iv) the trust is a trust any portion of which would be included in the gross estate of a non-skip person (other than the transferor) if such person died immediately after the transfer,

''(v) the trust is a charitable lead annuity trust (within the meaning of section 2642(e)(3)(A)) or a charitable remainder annuity trust or a charitable remainder unitrust (within the meaning of section 664(d)), or

''(vi) the trust is a trust with respect to which a deduction was allowed under section 2522 for the amount of an interest in the form of the right to receive annual payments of a fixed percentage of the net fair market value of the trust property (determined yearly) and which is required to pay principal to a non-skip person if such person is alive when the yearly payments for which the deduction was allowed terminate.

For purposes of this subparagraph, the value of transferred property shall not be considered to be includible in the gross estate of a non-skip person or subject to a right of withdrawal by reason of such person holding a right to withdraw so much of such property as does not exceed the amount referred to in section 2503(b) with respect to any transferor, and it shall be assumed that powers of appointment held by non-skip persons will not be exercised.

''(4) AUTOMATIC ALLOCATIONS TO CERTAIN GST TRUSTS.—For purposes of this subsection, an indirect skip to which section 2642(f) applies shall be deemed to have been made only at the close of the estate tax inclusion period. The fair market value of such transfer shall be the fair market value of the trust property at the close of the estate tax inclusion period.

''(5) APPLICABILITY AND EFFECT.—

''(A) IN GENERAL.—An individual—

''(i) may elect to have this subsection not apply to—

''(I) an indirect skip, or

''(II) any or all transfers made by such individual to a particular trust, and

''(ii) may elect to treat any trust as a GST trust for purposes of this subsection with respect to any or all transfers made by such individual to such trust.

''(B) ELECTIONS.—

''(i) ELECTIONS WITH RESPECT TO INDIRECT SKIPS.—An election under subparagraph (A)(i)(I) shall be deemed to be timely if filed on a timely filed gift tax return for the calendar year in which the transfer was made or deemed to have been made pursuant to paragraph (4) or on such later date or dates as may be prescribed by the Secretary.

''(ii) OTHER ELECTIONS.—An election under clause (i)(II) or (ii) of subparagraph (A) may be made on a timely filed gift tax return for the calendar year for which the election is to become effective.

''(d) RETROACTIVE ALLOCATIONS.—

''(1) IN GENERAL.—If—

''(A) a non-skip person has an interest or a future interest in a trust to which any transfer has been made,

''(B) such person—

''(i) is a lineal descendant of a grandparent of the transferor or of a grandparent of the transferor's spouse or former spouse, and

''(ii) is assigned to a generation below the generation assignment of the transferor, and

''(C) such person predeceases the transferor,

then the transferor may make an allocation of any of such transferor's unused GST exemption to any previous transfer or transfers to the trust on a chronological basis.

''(2) SPECIAL RULES.—If the allocation under paragraph (1) by the transferor is made on a gift tax return filed on or before the date prescribed by section 6075(b) for gifts made within the calendar year within which the non-skip person's death occurred—

''(A) the value of such transfer or transfers for purposes of section 2642(a) shall be determined as if such allocation had been made on a timely filed gift tax return for each calendar year within which each transfer was made,

''(B) such allocation shall be effective immediately before such death, and

''(C) the amount of the transferor's unused GST exemption available to be allocated shall be determined immediately before such death.

''(3) FUTURE INTEREST.—For purposes of this subsection, a person has a future interest in a trust if the trust may permit income or corpus to be paid to such person on a date or dates in the future.''.

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 2632(b) is amended by striking ''with respect to a prior direct skip'' and inserting ''or subsection (c)(1)''.

(c) EFFECTIVE DATES.—

(1) DEEMED ALLOCATION.—Section 2632(c) of the Internal Revenue Code of 1986 (as added by subsection (a)), and the amendment made by subsection (b), shall apply to transfers subject to chapter 11 or 12 made after December 31, 2000, and to estate tax inclusion periods ending after December 31, 2000.

(2) RETROACTIVE ALLOCATIONS.—Section 2632(d) of the Internal Revenue Code of 1986 (as added by subsection (a)) shall apply to deaths of non-skip persons occurring after December 31, 2000.

SEC. 562. SEVERING OF TRUSTS.

(a) IN GENERAL.—Subsection (a) of section 2642 (relating to inclusion ratio) is amended by adding at the end the following new paragraph:

''(3) SEVERING OF TRUSTS.—

''(A) IN GENERAL.—If a trust is severed in a qualified severance, the trusts resulting from such severance shall be treated as separate trusts thereafter for purposes of this chapter.

''(B) QUALIFIED SEVERANCE.—For purposes of subparagraph (A)—

''(i) IN GENERAL.—The term 'qualified severance' means the division of a single trust and the creation (by any means available under the governing instrument or under local law) of two or more trusts if—

''(I) the single trust was divided on a fractional basis, and

''(II) the terms of the new trusts, in the aggregate, provide for the same succession of interests of beneficiaries as are provided in the original trust.

''(ii) TRUSTS WITH INCLUSION RATIO GREATER THAN ZERO.—If a trust has an inclusion ratio of greater than zero and less than 1, a severance is a qualified severance only if the single trust is divided into two trusts, one of which receives a fractional share of the total value of all trust assets equal to the applicable fraction of the single trust immediately before the severance. In such case, the trust receiving such fractional share shall have an inclusion ratio of zero and the other trust shall have an inclusion ratio of 1.

''(iii) REGULATIONS.—The term 'qualified severance' includes any other severance permitted under regulations prescribed by the Secretary.

''(C) TIMING AND MANNER OF SEVERANCES.—A severance pursuant to this paragraph may be made at any time. The Secretary shall prescribe by forms or regulations the manner in which the qualified severance shall be reported to the Secretary.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to severances after December 31, 2000.

SEC. 563. MODIFICATION OF CERTAIN VALUATION RULES.

(a) GIFTS FOR WHICH GIFT TAX RETURN FILED OR DEEMED ALLOCATION MADE.—Paragraph (1) of section 2642(b) (relating to valuation rules, etc.) is amended to read as follows:

''(1) GIFTS FOR WHICH GIFT TAX RETURN FILED OR DEEMED ALLOCATION MADE.—If the allocation of the GST exemption to any transfers of property is made on a gift tax return filed on or before the date prescribed by section 6075(b) for such transfer or is deemed to be made under section 2632 (b)(1) or (c)(1)—

''(A) the value of such property for purposes of subsection (a) shall be its value as finally determined for purposes of chapter 12 (within the meaning of section 2001(f)(2)), or, in the case of an allocation deemed to have been made at the close of an estate tax inclusion period, its value at the time of the close of the estate tax inclusion period, and

''(B) such allocation shall be effective on and after the date of such transfer, or, in the case of an allocation deemed to have been made at the close of an estate tax inclusion period, on and after the close of such estate tax inclusion period.''.

(b) TRANSFERS AT DEATH.—Subparagraph (A) of section 2642(b)(2) is amended to read as follows:

''(A) TRANSFERS AT DEATH.—If property is transferred as a result of the death of the transferor, the value of such property for purposes of subsection (a) shall be its value as finally determined for purposes of chapter 11; except that, if the requirements prescribed by the Secretary respecting allocation of post-death changes in value are not met, the value of such property shall be determined as of the time of the distribution concerned.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers subject to chapter 11 or 12 of the Internal Revenue Code of 1986 made after December 31, 2000.

SEC. 564. RELIEF PROVISIONS.

(a) IN GENERAL.—Section 2642 is amended by adding at the end the following new subsection:

''(g) RELIEF PROVISIONS.—

''(1) RELIEF FROM LATE ELECTIONS.—

''(A) IN GENERAL.—The Secretary shall by regulation prescribe such circumstances and procedures under which extensions of time will be granted to make—

''(i) an allocation of GST exemption described in paragraph (1) or (2) of subsection (b), and

''(ii) an election under subsection (b)(3) or (c)(5) of section 2632.

Such regulations shall include procedures for requesting comparable relief with respect to transfers made before the date of the enactment of this paragraph.

''(B) BASIS FOR DETERMINATIONS.—In determining whether to grant relief under this paragraph, the Secretary shall take into account all relevant circumstances, including evidence of intent contained in the trust instrument or instrument of transfer and such other factors as the Secretary deems relevant. For purposes of determining whether to grant relief under this paragraph, the time for making the allocation (or election) shall be treated as if not expressly prescribed by statute.

''(2) SUBSTANTIAL COMPLIANCE.—An allocation of GST exemption under section 2632 that demonstrates an intent to have the lowest possible inclusion ratio with respect to a transfer or a trust shall be deemed to be an allocation of so much of the transferor's unused GST exemption as produces the lowest possible inclusion ratio. In determining whether there has been substantial compliance, all relevant circumstances shall be taken into account, including evidence of intent contained in the trust instrument or instrument of transfer and such other factors as the Secretary deems relevant.''.

(b) EFFECTIVE DATES.—

(1) RELIEF FROM LATE ELECTIONS.—Section 2642(g)(1) of the Internal Revenue Code of 1986 (as added by subsection (a)) shall apply to requests pending on, or filed after, December 31, 2000.

(2) SUBSTANTIAL COMPLIANCE.—Section 2642(g)(2) of such Code (as so added) shall apply to transfers subject to chapter 11 or 12 of the Internal Revenue Code of 1986 made after December 31, 2000. No implication is intended with respect to the availability of relief from late elections or the application of a rule of substantial compliance on or before such date.

Subtitle H—Extension of Time for Payment of Estate Tax

SEC. 571. INCREASE IN NUMBER OF ALLOWABLE PARTNERS AND SHAREHOLDERS IN CLOSELY HELD BUSINESSES.

(a) IN GENERAL.—Paragraphs (1)(B)(ii), (1)(C)(ii), and (9)(B)(iii)(I) of section 6166(b) (relating to definitions and special rules) are each amended by striking ''15'' and inserting ''45''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying after December 31, 2001.

SEC. 572. EXPANSION OF AVAILABILITY OF INSTALLMENT PAYMENT FOR ESTATES WITH INTERESTS QUALIFYING LENDING AND FINANCE BUSINESSES.

(a) IN GENERAL.—Section 6166(b) (relating to definitions and special rules) is amended by adding at the end the following new paragraph:

''(10) STOCK IN QUALIFYING LENDING AND FINANCE BUSINESS TREATED AS STOCK IN AN ACTIVE TRADE OR BUSINESS COMPANY.—

''(A) IN GENERAL.—If the executor elects the benefits of this paragraph, then—

''(i) STOCK IN QUALIFYING LENDING AND FINANCE BUSINESS TREATED AS STOCK IN AN ACTIVE TRADE OR BUSINESS COMPANY.—For purposes of this section, any asset used in a qualifying lending and finance business shall be treated as an asset which is used in carrying on a trade or business.

''(ii) 5-YEAR DEFERRAL FOR PRINCIPAL NOT TO APPLY.—The executor shall be treated as having selected under subsection (a)(3) the date prescribed by section 6151(a).

''(iii) 5 EQUAL INSTALLMENTS ALLOWED.—For purposes of applying subsection (a)(1), '5' shall be substituted for '10'.

''(B) DEFINITIONS.—For purposes of this paragraph—

''(i) QUALIFYING LENDING AND FINANCE BUSINESS.—The term 'qualifying lending and finance business' means a lending and finance business, if—

''(I) based on all the facts and circumstances immediately before the date of the decedent's death, there was substantial activity with respect to the lending and finance business, or

''(II) during at least 3 of the 5 taxable years ending before the date of the decedent's death, such business had at least 1 full-time employee substantially all of whose services were the active management of such business, 10 full-time, nonowner employees substantially all of whose services were directly related to such business, and $5,000,000 in gross receipts from activities described in clause (ii).

''(ii) LENDING AND FINANCE BUSINESS.—The term 'lending and finance business' means a trade or business of—

''(I) making loans,

''(II) purchasing or discounting accounts receivable, notes, or installment obligations,

''(III) engaging in rental and leasing of real and tangible personal property, including entering into leases and purchasing, servicing, and disposing of leases and leased assets,

''(IV) rendering services or making facilities available in the ordinary course of a lending or finance business, and

''(V) rendering services or making facilities available in connection with activities described in subclauses (I) through (IV) carried on by the corporation rendering services or making facilities available, or another corporation which is a member of the same affiliated group (as defined in section 1504 without regard to section 1504(b)(3)).

''(iii) LIMITATION.—The term 'qualifying lending and finance business' shall not include any interest in an entity, if the stock or debt of such entity or a controlled group (as defined in section 267(f)(1)) of which such entity was a member was readily tradable on an established securities market or secondary market (as defined by the Secretary) at any time within 3 years before the date of the decedent's death.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to estates of decedents dying after December 31, 2001.

SEC. 572. CLARIFICATION OF AVAILABILITY OF INSTALLMENT PAYMENT.

(a) IN GENERAL.—Subparagraph (B) of section 6166(b)(8) (relating to all stock must be non-readily-tradable stock) is amended to read as follows:

''(B) ALL STOCK MUST BE NON-READILY-TRADABLE STOCK.—

''(i) IN GENERAL.—No stock shall be taken into account for purposes of applying this paragraph unless it is non-readily-tradable stock (within the meaning of paragraph (7)(B)).

''(ii) SPECIAL APPLICATION WHERE ONLY HOLDING COMPANY STOCK IS NON-READILY-TRADABLE STOCK.—If the requirements of clause (i) are not met, but all of the stock of each holding company taken into account is non-readily-tradable, then this paragraph shall apply, but subsection (a)(1) shall be applied by substituting '5' for '10'.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to estates of decedents dying after December 31, 2001.

Subtitle I—Other Provisions

SEC. 581. WAIVER OF STATUTE OF LIMITATION FOR TAXES ON CERTAIN FARM VALUATIONS.

If on the date of the enactment of this Act (or at any time within 1 year after the date of the enactment) a refund or credit of any overpayment of tax resulting from the application of section 2032A(c)(7)(E) of the Internal Revenue Code of 1986 is barred by any law or rule of law, the refund or credit of such overpayment shall, nevertheless, be made or allowed if claim therefor is filed before the date 1 year after the date of the enactment of this Act.

TITLE VI—PENSION AND INDIVIDUAL RETIREMENT ARRANGEMENT PROVISIONS

Subtitle A—Individual Retirement Accounts

SEC. 601. MODIFICATION OF IRA CONTRIBUTION LIMITS.

(a) INCREASE IN CONTRIBUTION LIMIT.—

(1) IN GENERAL.—Paragraph (1)(A) of section 219(b) (relating to maximum amount of deduction) is amended by striking ''$2,000'' and inserting ''the deductible amount''.

(2) DEDUCTIBLE AMOUNT.—Section 219(b) is amended by adding at the end the following new paragraph:

''(5) DEDUCTIBLE AMOUNT.—For purposes of paragraph (1)(A)—

''(A) IN GENERAL.—The deductible amount shall be determined in accordance with the following table:

"For taxable years beginning in:	The deductible amount is:
2002 through 2004	$3,000
2005 through 2007	$4,000
2008 and thereafter	$5,000.

''(B) CATCH-UP CONTRIBUTIONS FOR INDIVIDUALS 50 OR OLDER.—

''(i) IN GENERAL.—In the case of an individual who has attained the age of 50 before the close of the taxable year, the deductible amount for such taxable year shall be increased by the applicable amount.

''(ii) APPLICABLE AMOUNT.—For purposes of clause (i), the applicable amount shall be the amount determined in accordance with the following table:

"For taxable years beginning in:	The applicable amount is:
2002 through 2005	$500
2006 and thereafter	$1,000.

''(C) COST-OF-LIVING ADJUSTMENT.—

''(i) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2008, the $5,000 amount under subparagraph (A) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2007' for 'calendar year 1992' in subparagraph (B) thereof.

''(ii) ROUNDING RULES.—If any amount after adjustment under clause (i) is not a multiple of $500, such amount shall be rounded to the next lower multiple of $500.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 408(a)(1) is amended by striking ''in excess of $2,000 on behalf of any individual'' and inserting ''on behalf of any individual in excess of the amount in effect for such taxable year under section 219(b)(1)(A)''.

(2) Section 408(b)(2)(B) is amended by striking ''$2,000'' and inserting ''the dollar amount in effect under section 219(b)(1)(A)''.

(3) Section 408(b) is amended by striking ''$2,000'' in the matter following paragraph (4) and inserting ''the dollar amount in effect under section 219(b)(1)(A)''.

(4) Section 408(j) is amended by striking ''$2,000''.

(5) Section 408(p)(8) is amended by striking ''$2,000'' and inserting ''the dollar amount in effect under section 219(b)(1)(A)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 602. DEEMED IRAS UNDER EMPLOYER PLANS.

(a) IN GENERAL.—Section 408 (relating to individual retirement accounts) is amended by redesignating subsection (q) as subsection (r) and by inserting after subsection (p) the following new subsection:

''(q) DEEMED IRAS UNDER QUALIFIED EMPLOYER PLANS.—

''(1) GENERAL RULE.—If—

''(A) a qualified employer plan elects to allow employees to make voluntary employee contributions to a separate account or annuity established under the plan, and

''(B) under the terms of the qualified employer plan, such account or annuity meets the applicable requirements of this section or section 408A for an individual retirement account or annuity,

then such account or annuity shall be treated for purposes of this title in the same manner as an individual retirement plan and not as a qualified employer plan (and contributions to such account or annuity as contributions to an individual retirement plan and not to the qualified employer plan). For purposes of subparagraph (B), the requirements of subsection (a)(5) shall not apply.

''(2) SPECIAL RULES FOR QUALIFIED EMPLOYER PLANS.—For purposes of this title, a qualified employer plan shall not fail to meet any requirement of this title solely by reason of establishing and maintaining a program described in paragraph (1).

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) QUALIFIED EMPLOYER PLAN.—The term 'qualified employer plan' has the meaning given such term by section 72(p)(4); except such term shall not include a government plan which is not a qualified plan unless the plan is an eligible deferred compensation plan (as defined in section 457(b)).

''(B) VOLUNTARY EMPLOYEE CONTRIBUTION.—The term 'voluntary employee contribution' means any contribution (other than a mandatory contribution within the meaning of section 411(c)(2)(C))—

''(i) which is made by an individual as an employee under a qualified employer plan which allows employees to elect to make contributions described in paragraph (1), and

''(ii) with respect to which the individual has designated the contribution as a contribution to which this subsection applies.''.

(b) AMENDMENT OF ERISA.—

(1) IN GENERAL.—Section 4 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1003) is amended by adding at the end the following new subsection:

''(c) If a pension plan allows an employee to elect to make voluntary employee contributions to accounts and annuities as provided in section 408(q) of the Internal Revenue Code of 1986, such accounts and annuities (and contributions thereto) shall not be treated as part of such plan (or as a separate pension plan) for purposes of any provision of this title other than section 403(c), 404, or 405 (relating to exclusive benefit, and fiduciary and co-fiduciary responsibilities).''.

(2) CONFORMING AMENDMENT.—Section 4(a) of such Act (29 U.S.C. 1003(a)) is amended by inserting ''or (c)'' after ''subsection (b)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2002.

Subtitle B—Expanding Coverage

SEC. 611. INCREASE IN BENEFIT AND CONTRIBUTION LIMITS.

(a) DEFINED BENEFIT PLANS.—

(1) DOLLAR LIMIT.—

(A) Subparagraph (A) of section 415(b)(1) (relating to limitation for defined benefit plans) is amended by striking ''$90,000'' and inserting ''$160,000''.

(B) Subparagraphs (C) and (D) of section 415(b)(2) are each amended in the headings and the text, by striking ''$90,000'' and inserting ''$160,000'',

(C) Paragraph (7) of section 415(b) (relating to benefits under certain collectively bargained plans) is amended by striking ''the greater of $68,212 or one-half the amount otherwise applicable for such year under paragraph (1)(A) for '$90,000' '' and inserting ''one-half the amount otherwise applicable for such year under paragraph (1)(A) for '$160,000' ''.

(2) LIMIT REDUCED WHEN BENEFIT BEGINS BEFORE AGE 62.—Subparagraph (C) of section 415(b)(2) is amended by striking ''the social security retirement age'' each place it appears in the heading and text and inserting ''age 62'' and by striking the second sentence.

(3) LIMIT INCREASED WHEN BENEFIT BEGINS AFTER AGE 65.—Subparagraph (D) of section 415(b)(2) is amended by striking ''the social security retirement age'' each place it appears in the heading and text and inserting ''age 65''.

(4) COST-OF-LIVING ADJUSTMENTS.—Subsection (d) of section 415 (related to cost-of-living adjustments) is amended—

(A) by striking ''$90,000'' in paragraph (1)(A) and inserting ''$160,000''; and

(B) in paragraph (3)(A)—

(i) by striking ''$90,000'' in the heading and inserting ''$160,000''; and

(ii) by striking ''October 1, 1986'' and inserting ''July 1, 2001''.

(5) CONFORMING AMENDMENTS.—

(A) Section 415(b)(2) is amended by striking subparagraph (F).

(B) Section 415(b)(9) is amended to read as follows:

''(9) SPECIAL RULE FOR COMMERCIAL AIRLINE PILOTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), in the case of any participant who is a commercial airline pilot, if, as of the time of the participant's retirement, regulations prescribed by the Federal Aviation Administration require an individual to separate from service as a commercial airline pilot after attaining any age occurring on or after age 60 and before age 62, paragraph (2)(C) shall be applied by substituting such age for age 62.

''(B) INDIVIDUALS WHO SEPARATE FROM SERVICE BEFORE AGE 60.—If a participant described in subparagraph (A) separates from service before age 60, the rules of paragraph (2)(C) shall apply.''.

(C) Section 415(b)(10)(C)(i) is amended by striking ''applied without regard to paragraph (2)(F)''.

(b) DEFINED CONTRIBUTION PLANS.—

(1) DOLLAR LIMIT.—Subparagraph (A) of section 415(c)(1) (relating to limitation for defined contribution plans) is amended by striking ''$30,000'' and inserting ''$40,000''.

(2) COST-OF-LIVING ADJUSTMENTS.—Subsection (d) of section 415 (related to cost-of-living adjustments) is amended—

(A) by striking ''$30,000'' in paragraph (1)(C) and inserting ''$40,000''; and

(B) in paragraph (3)(D)—

(i) by striking ''$30,000'' in the heading and inserting ''$40,000''; and

(ii) by striking ''October 1, 1993'' and inserting ''July 1, 2001''.

(c) QUALIFIED TRUSTS.—

(1) COMPENSATION LIMIT.—Sections 401(a)(17), 404(l), 408(k), and 505(b)(7) are each amended by striking ''$150,000'' each place it appears and inserting ''$200,000''.

(2) BASE PERIOD AND ROUNDING OF COST-OF-LIVING ADJUSTMENT.—Subparagraph (B) of section 401(a)(17) is amended—

(A) by striking ''October 1, 1993'' and inserting ''July 1, 2001''; and

(B) by striking ''$10,000'' both places it appears and inserting ''$5,000''.

(d) ELECTIVE DEFERRALS.—

(1) IN GENERAL.—Paragraph (1) of section 402(g) (relating to limitation on exclusion for elective deferrals) is amended to read as follows:

''(1) IN GENERAL.—

''(A) LIMITATION.—Notwithstanding subsections (e)(3) and (h)(1)(B), the elective deferrals of any individual for any taxable year shall be included in such individual's gross income to the extent the amount of such deferrals for the taxable year exceeds the applicable dollar amount.

''(B) APPLICABLE DOLLAR AMOUNT.—For purposes of subparagraph (A), the applicable dollar amount shall be the amount determined in accordance with the following table:

''For taxable years beginning in calendar year:	***The applicable dollar amount:***
2002	*$11,000*
2003	*$12,000*
2004	*$13,000*
2005	*$14,000*
2006 or thereafter	*$15,000.''.*

(2) COST-OF-LIVING ADJUSTMENT.—Paragraph (5) of section 402(g) is amended to read as follows:

''(5) COST-OF-LIVING ADJUSTMENT.—In the case of taxable years beginning after December 31, 2006, the Secretary shall adjust the $15,000 amount under paragraph (1)(B) at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning July 1, 2005, and any increase under this paragraph which is not a multiple of $500 shall be rounded to the next lowest multiple of $500.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 402(g) (relating to limitation on exclusion for elective deferrals), as amended by paragraphs (1) and (2), is further amended by striking paragraph (4) and redesignating paragraphs (5), (6), (7), (8), and (9) as paragraphs (4), (5), (6), (7), and (8), respectively.

(B) Paragraph (2) of section 457(c) is amended by striking ''402(g)(8)(A)(iii)'' and inserting ''402(g)(7)(A)(iii)''.

(C) Clause (iii) of section 501(c)(18)(D) is amended by striking ''(other than paragraph (4) thereof)''.

(e) DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS.—

(1) IN GENERAL.—Section 457 (relating to deferred compensation plans of State and local governments and tax-exempt organizations) is amended—

(A) in subsections (b)(2)(A) and (c)(1) by striking ''$7,500'' each place it appears and inserting ''the applicable dollar amount''; and

(B) in subsection (b)(3)(A) by striking ''$15,000'' and inserting ''twice the dollar amount in effect under subsection (b)(2)(A)''.

(2) APPLICABLE DOLLAR AMOUNT; COST-OF-LIVING ADJUSTMENT.—Paragraph (15) of section 457(e) is amended to read as follows:

''(15) APPLICABLE DOLLAR AMOUNT.—

''(A) IN GENERAL.—The applicable dollar amount shall be the amount determined in accordance with the following table:

''For taxable years beginning in calendar year:	***The applicable dollar amount:***
2002	*$11,000*
2003	*$12,000*
2004	*$13,000*
2005	*$14,000*
2006 or thereafter	*$15,000.*

''(B) COST-OF-LIVING ADJUSTMENTS.—In the case of taxable years beginning after December 31, 2006, the Secretary shall adjust the $15,000 amount under subparagraph (A) at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning July 1, 2005, and any increase under this paragraph which is not a multiple of $500 shall be rounded to the next lowest multiple of $500.''.

(f) SIMPLE RETIREMENT ACCOUNTS.—

(1) LIMITATION.—Clause (ii) of section 408(p)(2)(A) (relating to general rule for qualified salary reduction arrangement) is amended by striking ''$6,000'' and inserting ''the applicable dollar amount''.

(2) APPLICABLE DOLLAR AMOUNT.—Subparagraph (E) of 408(p)(2) is amended to read as follows:

''(E) APPLICABLE DOLLAR AMOUNT; COST-OF-LIVING ADJUSTMENT.—

''(i) IN GENERAL.—For purposes of subparagraph (A)(ii), the applicable dollar amount shall be the amount determined in accordance with the following table:

''For years beginning in calendar year:	***The applicable dollar amount:***
2002	*$7,000*
2003	*$8,000*
2004	*$9,000*
2005 or thereafter	*$10,000.*

''(ii) COST-OF-LIVING ADJUSTMENT.—In the case of a year beginning after December 31, 2005, the Secretary shall adjust the $10,000 amount under clause (i) at the same time and in the same manner as under section 415(d), except that the base period taken into account shall be the calendar quarter beginning July 1, 2004, and any increase under this subparagraph which is not a multiple of $500 shall be rounded to the next lower multiple of $500.''.

(3) CONFORMING AMENDMENTS.—

(A) Subclause (I) of section 401(k)(11)(B)(i) is amended by striking ''$6,000'' and inserting ''the amount in effect under section 408(p)(2)(A)(ii)''.

(B) Section 401(k)(11) is amended by striking subparagraph (E).

(g) CERTAIN COMPENSATION LIMITS.—

(1) IN GENERAL.—Subparagraph (A) of section 401(c)(2) (defining earned income) is amended by adding at the end thereof the following new sentence: ''For purposes of this part only (other than sections 419 and 419A), this subparagraph shall be applied as if the term 'trade or business' for purposes of section 1402 included service described in section 1402(c)(6).''.

(2) SIMPLE RETIREMENT ACCOUNTS.—Clause (ii) of section 408(p)(6)(A) (defining self-employed) is amended by adding at the end the following new sentence: ''The preceding sentence shall be applied as if the term 'trade or business' for purposes of section 1402 included service described in section 1402(c)(6).''.

(h) ROUNDING RULE RELATING TO DEFINED BENEFIT PLANS AND DEFINED CONTRIBUTION PLANS.—Paragraph (4) of section 415(d) is amended to read as follows:

''(4) ROUNDING.—

''(A) $160,000 AMOUNT.—Any increase under subparagraph (A) of paragraph (1) which is not a multiple of $5,000 shall be rounded to the next lowest multiple of $5,000.

''(B) $40,000 AMOUNT.—Any increase under subparagraph (C) of paragraph (1) which is not a multiple of $1,000 shall be rounded to the next lowest multiple of $1,000.''.

(i) EFFECTIVE DATES.—

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

(2) DEFINED BENEFIT PLANS.—The amendments made by subsection (a) shall apply to years ending after December 31, 2001.

SEC. 612. PLAN LOANS FOR SUBCHAPTER S OWNERS, PARTNERS, AND SOLE PROPRIETORS.

(a) IN GENERAL.—Subparagraph (B) of section 4975(f)(6) (relating to exemptions not to apply to certain transactions) is amended by adding at the end the following new clause:

''(iii) LOAN EXCEPTION.—For purposes of subparagraph (A)(i), the term 'owner-employee' shall only include a person described in subclause (II) or (III) of clause (i).''.

(b) AMENDMENT OF ERISA.—Section 408(d)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1108(d)(2)) is amended by adding at the end the following new subparagraph:

''(C) For purposes of paragraph (1)(A), the term 'owner-employee' shall only include a person described in clause (ii) or (iii) of subparagraph (A).''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

SEC. 613. MODIFICATION OF TOP-HEAVY RULES.

(a) SIMPLIFICATION OF DEFINITION OF KEY EMPLOYEE.—

(1) IN GENERAL.—Section 416(i)(1)(A) (defining key employee) is amended—

(A) by striking ''or any of the 4 preceding plan years'' in the matter preceding clause (i);

(B) by striking clause (i) and inserting the following:

''(i) an officer of the employer having an annual compensation greater than $130,000,'';

(C) by striking clause (ii) and redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively; and

(D) by striking the second sentence in the matter following clause (iii), as redesignated by subparagraph (C), and by inserting the following: ''in the case of plan years beginning after December 31, 2002, the $130,000 amount in clause (i) shall be adjusted at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning July 1, 2001, and any increase under this sentence which is not a multiple of $5,000 shall be rounded to the next lower multiple of $5,000.''.

(2) CONFORMING AMENDMENT.—Section 416(i)(1)(B)(iii) is amended by striking ''and subparagraph (A)(ii)''.

(b) MATCHING CONTRIBUTIONS TAKEN INTO ACCOUNT FOR MINIMUM CONTRIBUTION REQUIREMENTS.—Section 416(c)(2)(A) (relating to defined contribution plans) is amended by adding at the end the following: ''Employer matching contributions (as defined in section 401(m)(4)(A)) shall be taken into account for purposes of this subparagraph (and any reduction under this sentence shall not be taken into account in determining whether section 401(k)(4)(A) applies).''.

(c) DISTRIBUTIONS DURING LAST YEAR BEFORE DETERMINATION DATE TAKEN INTO ACCOUNT.—

(1) IN GENERAL.—Paragraph (3) of section 416(g) is amended to read as follows:

''(3) DISTRIBUTIONS DURING LAST YEAR BEFORE DETERMINATION DATE TAKEN INTO ACCOUNT.—

''(A) IN GENERAL.—For purposes of determining—

''(i) the present value of the cumulative accrued benefit for any employee, or

''(ii) the amount of the account of any employee,

such present value or amount shall be increased by the aggregate distributions made with respect to such employee under the plan during the 1-year period ending on the determination date. The preceding sentence shall also apply to distributions under a terminated plan which if it had not been terminated would have been required to be included in an aggregation group.

''(B) 5-YEAR PERIOD IN CASE OF IN-SERVICE DISTRIBUTION.—In the case of any distribution made for a reason other than separation from service, death, or disability, subparagraph (A) shall be applied by substituting '5-year period' for '1-year period'.''.

(2) BENEFITS NOT TAKEN INTO ACCOUNT.—Subparagraph (E) of section 416(g)(4) is amended—

(A) by striking ''LAST 5 YEARS'' in the heading and inserting ''LAST YEAR BEFORE DETERMINATION DATE''; and

(B) by striking ''5-year period'' and inserting ''1-year period''.

(d) DEFINITION OF TOP-HEAVY PLANS.—Paragraph (4) of section 416(g) (relating to other special rules for top-heavy plans) is amended by adding at the end the following new subparagraph:

''(H) CASH OR DEFERRED ARRANGEMENTS USING ALTERNATIVE METHODS OF MEETING NONDISCRIMINATION REQUIREMENTS.—The term 'top-heavy plan' shall not include a plan which consists solely of—

''(i) a cash or deferred arrangement which meets the requirements of section 401(k)(12), and

''(ii) matching contributions with respect to which the requirements of section 401(m)(11) are met.

If, but for this subparagraph, a plan would be treated as a top-heavy plan because it is a member of an aggregation group which is a top-heavy group, contributions under the plan may be taken into account in determining whether any other plan in the group meets the requirements of subsection (c)(2).''.

(e) FROZEN PLAN EXEMPT FROM MINIMUM BENEFIT REQUIREMENT.—Subparagraph (C) of section 416(c)(1) (relating to defined benefit plans) is amended—

(A) by striking ''clause (ii)'' in clause (i) and inserting ''clause (ii) or (iii)''; and

(B) by adding at the end the following:

''(iii) EXCEPTION FOR FROZEN PLAN.—For purposes of determining an employee's years of service with the employer, any service with the employer shall be disregarded to the extent that such service occurs during a plan year when the plan benefits (within the meaning of section 410(b)) no key employee or former key employee.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 614. ELECTIVE DEFERRALS NOT TAKEN INTO ACCOUNT FOR PURPOSES OF DEDUCTION LIMITS.

(a) IN GENERAL.—Section 404 (relating to deduction for contributions of an employer to an employees' trust or annuity plan and compensation under a deferred payment plan) is amended by adding at the end the following new subsection:

''(n) ELECTIVE DEFERRALS NOT TAKEN INTO ACCOUNT FOR PURPOSES OF DEDUCTION LIMITS.—Elective deferrals (as defined in section 402(g)(3)) shall not be subject to any limitation contained in paragraph (3), (7), or (9) of subsection (a), and such elective deferrals shall not be taken into account in applying any such limitation to any other contributions.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

SEC. 615. REPEAL OF COORDINATION REQUIREMENTS FOR DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Subsection (c) of section 457 (relating to deferred compensation plans of State and local governments and tax-exempt organizations), as amended by section 611, is amended to read as follows:

''(c) LIMITATION.—The maximum amount of the compensation of any one individual which may be deferred under subsection (a) during any taxable year shall not exceed the amount in effect under subsection (b)(2)(A) (as modified by any adjustment provided under subsection (b)(3)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to years beginning after December 31, 2001.

SEC. 616. DEDUCTION LIMITS.

(a) MODIFICATION OF LIMITS.—

(1) STOCK BONUS AND PROFIT SHARING TRUSTS.—

(A) IN GENERAL.—Subclause (I) of section 404(a)(3)(A)(i) (relating to stock bonus and profit sharing trusts) is amended by striking ''15 percent'' and inserting ''25 percent''.

(B) CONFORMING AMENDMENT.—Subparagraph (C) of section 404(h)(1) is amended by striking ''15 percent'' each place it appears and inserting ''25 percent''.

(2) DEFINED CONTRIBUTION PLANS.—

(A) IN GENERAL.—Clause (v) of section 404(a)(3)(A) (relating to stock bonus and profit sharing trusts) is amended to read as follows:

''(v) DEFINED CONTRIBUTION PLANS SUBJECT TO THE FUNDING STANDARDS.—Except as provided by the Secretary, a defined contribution plan which is subject to the funding standards of section 412 shall be treated in the same manner as a stock bonus or profit-sharing plan for purposes of this subparagraph.''

(B) CONFORMING AMENDMENTS.—

(i) Section 404(a)(1)(A) is amended by inserting ''(other than a trust to which paragraph (3) applies)'' after ''pension trust''.

(ii) Section 404(h)(2) is amended by striking ''stock bonus or profit-sharing trust'' and inserting ''trust subject to subsection (a)(3)(A)''.

(iii) The heading of section 404(h)(2) is amended by striking ''STOCK BONUS AND PROFIT-SHARING TRUST'' and inserting ''CERTAIN TRUSTS''.

(b) COMPENSATION.—

(1) IN GENERAL.—Section 404(a) (relating to general rule) is amended by adding at the end the following:

''(12) DEFINITION OF COMPENSATION.—For purposes of paragraphs (3), (7), (8), and (9), the term 'compensation' shall include amounts treated as 'participant's compensation' under subparagraph (C) or (D) of section 415(c)(3).''.

(2) CONFORMING AMENDMENTS.—

(A) Subparagraph (B) of section 404(a)(3) is amended by striking the last sentence thereof.

(B) Clause (i) of section 4972(c)(6)(B) is amended by striking ''(within the meaning of section 404(a))'' and inserting ''(within the meaning of section 404(a) and as adjusted under section 404(a)(12))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 617. OPTION TO TREAT ELECTIVE DEFERRALS AS AFTER-TAX ROTH CONTRIBUTIONS.

(a) IN GENERAL.—Subpart A of part I of subchapter D of chapter 1 (relating to deferred compensation, etc.) is amended by inserting after section 402 the following new section:

''SEC. 402A. OPTIONAL TREATMENT OF ELECTIVE DEFERRALS AS ROTH CONTRIBUTIONS.

''(a) GENERAL RULE.—If an applicable retirement plan includes a qualified Roth contribution program—

''(1) any designated Roth contribution made by an employee pursuant to the program shall be treated as an elective deferral for purposes of this chapter, except that such contribution shall not be excludable from gross income, and

''(2) such plan (and any arrangement which is part of such plan) shall not be treated as failing to meet any requirement of this chapter solely by reason of including such program.

''(b) QUALIFIED ROTH CONTRIBUTION PROGRAM.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified Roth contribution program' means a program under which an employee may elect to make designated Roth contributions in lieu of all or a portion of elective deferrals the employee is otherwise eligible to make under the applicable retirement plan.

''(2) SEPARATE ACCOUNTING REQUIRED.—A program shall not be treated as a qualified Roth contribution program unless the applicable retirement plan—

''(A) establishes separate accounts ('designated Roth accounts') for the designated Roth contributions of each employee and any earnings properly allocable to the contributions, and

''(B) maintains separate recordkeeping with respect to each account.

''(c) DEFINITIONS AND RULES RELATING TO DESIGNATED ROTH CONTRIBUTIONS.—For purposes of this section—

''(1) DESIGNATED ROTH CONTRIBUTION.—The term 'designated Roth contribution' means any elective deferral which—

''(A) is excludable from gross income of an employee without regard to this section, and

''(B) the employee designates (at such time and in such manner as the Secretary may prescribe) as not being so excludable.

''(2) DESIGNATION LIMITS.—The amount of elective deferrals which an employee may designate under paragraph (1) shall not exceed the excess (if any) of—

''(A) the maximum amount of elective deferrals excludable from gross income of the employee for the taxable year (without regard to this section), over

''(B) the aggregate amount of elective deferrals of the employee for the taxable year which the employee does not designate under paragraph (1).

''(3) ROLLOVER CONTRIBUTIONS.—

''(A) IN GENERAL.—A rollover contribution of any payment or distribution from a designated Roth account which is otherwise allowable under this chapter may be made only if the contribution is to—

''(i) another designated Roth account of the individual from whose account the payment or distribution was made, or

''(ii) a Roth IRA of such individual.

''(B) COORDINATION WITH LIMIT.—Any rollover contribution to a designated Roth account under subparagraph (A) shall not be taken into account for purposes of paragraph (1).

''(d) DISTRIBUTION RULES.—For purposes of this title—

''(1) EXCLUSION.—Any qualified distribution from a designated Roth account shall not be includible in gross income.

''(2) QUALIFIED DISTRIBUTION.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified distribution' has the meaning given such term by section 408A(d)(2)(A) (without regard to clause (iv) thereof).

''(B) DISTRIBUTIONS WITHIN NONEXCLUSION PERIOD.—A payment or distribution from a designated Roth account shall not be treated as a qualified distribution if such payment or distribution is made within the 5-taxable-year period beginning with the earlier of—

''(i) the first taxable year for which the individual made a designated Roth contribution to any designated Roth account established for such individual under the same applicable retirement plan, or

''(ii) if a rollover contribution was made to such designated Roth account from a designated Roth account previously established for such individual under another applicable retirement plan, the first taxable year for which the individual made a designated Roth contribution to such previously established account.

''(C) DISTRIBUTIONS OF EXCESS DEFERRALS AND CONTRIBUTIONS AND EARNINGS THEREON.—The term 'qualified distribution' shall not include any distribution of any excess deferral under section 402(g)(2) or any excess contribution under section 401(k)(8), and any income on the excess deferral or contribution.

''(3) TREATMENT OF DISTRIBUTIONS OF CERTAIN EXCESS DEFERRALS.—Notwithstanding section 72, if any excess deferral under section 402(g)(2) attributable to a designated Roth contribution is not distributed on or before the 1st April 15 following the close of the taxable year in which such excess deferral is made, the amount of such excess deferral shall—

''(A) not be treated as investment in the contract, and

''(B) be included in gross income for the taxable year in which such excess is distributed.

''(4) AGGREGATION RULES.—Section 72 shall be applied separately with respect to distributions and payments from a designated Roth account and other distributions and payments from the plan.

''(e) OTHER DEFINITIONS.—For purposes of this section—

''(1) APPLICABLE RETIREMENT PLAN.—The term 'applicable retirement plan' means—

''(A) an employees' trust described in section 401(a) which is exempt from tax under section 501(a), and

''(B) a plan under which amounts are contributed by an individual's employer for an annuity contract described in section 403(b).

''(2) ELECTIVE DEFERRAL.—The term 'elective deferral' means any elective deferral described in subparagraph (A) or (C) of section 402(g)(3).''.

(b) EXCESS DEFERRALS.—Section 402(g) (relating to limitation on exclusion for elective deferrals) is amended—

(1) by adding at the end of paragraph (1)(A) (as added by section 201(c)(1)) the following new sentence: ''The preceding sentence shall not apply the portion of such excess as does not exceed the designated Roth contributions of the individual for the taxable year.''; and

(2) by inserting ''(or would be included but for the last sentence thereof)'' after ''paragraph (1)'' in paragraph (2)(A).

(c) ROLLOVERS.—Subparagraph (B) of section 402(c)(8) is amended by adding at the end the following:

''If any portion of an eligible rollover distribution is attributable to payments or distributions from a designated Roth account (as defined in section 402A), an eligible retirement plan with respect to such portion shall include only another designated Roth account and a Roth IRA.''.

(d) REPORTING REQUIREMENTS.—

(1) W–2 INFORMATION.—Section 6051(a)(8) is amended by inserting '', including the amount of designated Roth contributions (as defined in section 402A)'' before the comma at the end.

(2) INFORMATION.—Section 6047 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

''(f) DESIGNATED ROTH CONTRIBUTIONS.—The Secretary shall require the plan administrator of each applicable retirement plan (as defined in section 402A) to make such returns and reports regarding designated Roth contributions (as defined in section 402A) to the Secretary, participants and beneficiaries of the plan, and such other persons as the Secretary may prescribe.''.

(e) CONFORMING AMENDMENTS.—

(1) Section 408A(e) is amended by adding after the first sentence the following new sentence: ''Such term includes a rollover contribution described in section 402A(c)(3)(A).''.

(2) The table of sections for subpart A of part I of subchapter D of chapter 1 is amended by inserting after the item relating to section 402 the following new item:

''Sec. 402A. Optional treatment of elective deferrals as Roth contributions.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2005.

SEC. 618. NONREFUNDABLE CREDIT TO CERTAIN INDIVIDUALS FOR ELECTIVE DEFERRALS AND IRA CONTRIBUTIONS.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 (relating to nonrefundable personal credits) is amended by inserting after section 25A the following new section:

"SEC. 25B. ELECTIVE DEFERRALS AND IRA CONTRIBUTIONS BY CERTAIN INDIVIDUALS.

"(a) ALLOWANCE OF CREDIT.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the applicable percentage of so much of the qualified retirement savings contributions of the eligible individual for the taxable year as do not exceed $2,000.

"(b) APPLICABLE PERCENTAGE.—For purposes of this section, the applicable percentage is the percentage determined in accordance with the following table:

Adjusted Gross Income						Applicable percentage
Joint return		Head of a household		All other cases		
Over	Not over	Over	Not over	Over	Not over	
	$30,000		$22,500		$15,000	50
30,000	32,500	22,500	24,375	15,000	16,250	20
32,500	50,000	24,375	37,500	16,250	25,000	10
50,000		37,500		25,000		0

"(c) ELIGIBLE INDIVIDUAL.—For purposes of this section—

"(1) IN GENERAL.—The term 'eligible individual' means any individual if such individual has attained the age of 18 as of the close of the taxable year.

"(2) DEPENDENTS AND FULL-TIME STUDENTS NOT ELIGIBLE.—The term 'eligible individual' shall not include—

"(A) any individual with respect to whom a deduction under section 151 is allowed to another taxpayer for a taxable year beginning in the calendar year in which such individual's taxable year begins, and

"(B) any individual who is a student (as defined in section 151(c)(4)).

"(d) QUALIFIED RETIREMENT SAVINGS CONTRIBUTIONS.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified retirement savings contributions' means, with respect to any taxable year, the sum of—

"(A) the amount of the qualified retirement contributions (as defined in section 219(e)) made by the eligible individual,

"(B) the amount of—

"(i) any elective deferrals (as defined in section 402(g)(3)) of such individual, and

"(ii) any elective deferral of compensation by such individual under an eligible deferred compensation plan (as defined in section 457(b)) of an eligible employer described in section 457(e)(1)(A), and

"(C) the amount of voluntary employee contributions by such individual to any qualified retirement plan (as defined in section 4974(c)).

"(2) REDUCTION FOR CERTAIN DISTRIBUTIONS.—

"(A) IN GENERAL.—The qualified retirement savings contributions determined under paragraph (1) shall be reduced (but not below zero) by the sum of—

"(i) any distribution from a qualified retirement plan (as defined in section 4974(c)), or from an eligible deferred compensation plan (as defined in section 457(b)), received by the individual during the testing period which is includible in gross income, and

"(ii) any distribution from a Roth IRA or a Roth account received by the individual during the testing period which is not a qualified rollover contribution (as defined in section 408A(e)) to a Roth IRA or a rollover under section 402(c)(8)(B) to a Roth account.

"(B) TESTING PERIOD.—For purposes of subparagraph (A), the testing period, with respect to a taxable year, is the period which includes—

"(i) such taxable year,

"(ii) the 2 preceding taxable years, and

"(iii) the period after such taxable year and before the due date (including extensions) for filing the return of tax for such taxable year.

"(C) EXCEPTED DISTRIBUTIONS.—There shall not be taken into account under subparagraph (A)—

"(i) any distribution referred to in section 72(p), 401(k)(8), 401(m)(6), 402(g)(2), 404(k), or 408(d)(4), and

"(ii) any distribution to which section 408A(d)(3) applies.

"(D) TREATMENT OF DISTRIBUTIONS RECEIVED BY SPOUSE OF INDIVIDUAL.—For purposes of determining distributions received by an individual under subparagraph (A) for any taxable year, any distribution received by the spouse of such individual shall be treated as received by such individual if such individual and spouse file a joint return for such taxable year and for the taxable year during which the spouse receives the distribution.

"(e) ADJUSTED GROSS INCOME.—For purposes of this section, adjusted gross income shall be determined without regard to sections 911, 931, and 933.

"(f) INVESTMENT IN THE CONTRACT.—Notwithstanding any other provision of law, a qualified retirement savings contribution shall not fail to be included in determining the investment in the contract for purposes of section 72 by reason of the credit under this section.

"(g) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 2006.".

(b) CREDIT ALLOWED AGAINST REGULAR TAX AND ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 25B, as added by subsection (a), is amended by inserting after subsection (f) the following new subsection:

"(g) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for the taxable year shall not exceed the excess of—

"(1) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

"(2) the sum of the credits allowable under this subpart (other than this section and section 23) and section 27 for the taxable year."

(2) CONFORMING AMENDMENTS.—

(A) Section 24(b)(3)(B), as amended by sections 201(b) and 203(d), is amended by striking "section 23" and inserting "sections 23 and 25B".

(B) Section 25(e)(1)(C), as amended by section 201(b), is amended by inserting "25B," after "24,".

(C) Section 26(a)(1), as amended by sections 201(b) and 203, is amended by striking "and 24" and inserting ", 24, and 25B".

(D) Section 904(h), as amended by sections 201(b) and 203, is amended by striking "and 24" and inserting ", 24, and 25B".

(E) Section 1400C(d), as amended by sections 201(b) and 203, is amended by striking "and 24" and inserting ", 24, and 25B".

(c) CONFORMING AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1, as amended by section 432, is amended by inserting after the item relating to section 25A the following new item:

"Sec. 25B. Elective deferrals and IRA contributions by certain individuals."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 619. CREDIT FOR PENSION PLAN STARTUP COSTS OF SMALL EMPLOYERS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business related credits) is amended by adding at the end the following new section:

"SEC. 45E. SMALL EMPLOYER PENSION PLAN STARTUP COSTS.

"(a) GENERAL RULE.—For purposes of section 38, in the case of an eligible employer, the small employer pension plan startup cost credit determined under this section for any taxable year is an amount equal to 50 percent of the qualified startup costs paid or incurred by the taxpayer during the taxable year.

"(b) DOLLAR LIMITATION.—The amount of the credit determined under this section for any taxable year shall not exceed—

"(1) $500 for the first credit year and each of the 2 taxable years immediately following the first credit year, and

"(2) zero for any other taxable year.

"(c) ELIGIBLE EMPLOYER.—For purposes of this section—

"(1) IN GENERAL.—The term 'eligible employer' has the meaning given such term by section 408(p)(2)(C)(i).

"(2) REQUIREMENT FOR NEW QUALIFIED EMPLOYER PLANS.—Such term shall not include an employer if, during the 3-taxable year period immediately preceding the 1st taxable year for which the credit under this section is otherwise allowable for a qualified employer plan of the employer, the employer or any member of any controlled group including the employer (or any predecessor of either) established or maintained a qualified employer plan with respect to which contributions were made, or benefits were accrued, for substantially the same employees as are in the qualified employer plan.

"(d) OTHER DEFINITIONS.—For purposes of this section—

"(1) QUALIFIED STARTUP COSTS.—

"(A) IN GENERAL.—The term 'qualified startup costs' means any ordinary and necessary expenses of an eligible employer which are paid or incurred in connection with—

"(i) the establishment or administration of an eligible employer plan, or

"(ii) the retirement-related education of employees with respect to such plan.

"(B) PLAN MUST HAVE AT LEAST 1 PARTICIPANT.—Such term shall not include any expense in connection with a plan that does not have at least 1 employee eligible to participate who is not a highly compensated employee.

"(2) ELIGIBLE EMPLOYER PLAN.—The term 'eligible employer plan' means a qualified employer plan within the meaning of section 4972(d).

"(3) FIRST CREDIT YEAR.—The term 'first credit year' means—

"(A) the taxable year which includes the date that the eligible employer plan to which such costs relate becomes effective, or

"(B) at the election of the eligible employer, the taxable year preceding the taxable year referred to in subparagraph (A).

"(e) SPECIAL RULES.—For purposes of this section—

"(1) AGGREGATION RULES.—All persons treated as a single employer under subsection (a) or (b) of section 52, or subsection (n) or (o) of section 414, shall be treated as one person. All eligible employer plans shall be treated as 1 eligible employer plan.

"(2) DISALLOWANCE OF DEDUCTION.—No deduction shall be allowed for that portion of the qualified startup costs paid or incurred for the taxable year which is equal to the credit determined under subsection (a).

"(3) ELECTION NOT TO CLAIM CREDIT.—This section shall not apply to a taxpayer for any taxable year if such taxpayer elects to have this section not apply for such taxable year."

(b) CREDIT ALLOWED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b) (defining current year business credit) is amended by striking "plus" at the end of paragraph (12), by striking the period at the end of paragraph (13) and inserting ", plus", and by adding at the end the following new paragraph:

"(14) in the case of an eligible employer (as defined in section 45E(c)), the small employer pension plan startup cost credit determined under section 45E(a)."

(c) CONFORMING AMENDMENTS.—

(1) Section 39(d) is amended by adding at the end the following new paragraph:

"(10) NO CARRYBACK OF SMALL EMPLOYER PENSION PLAN STARTUP COST CREDIT BEFORE JANUARY 1, 2002.—No portion of the unused business credit for any taxable year which is attributable to the small employer pension plan startup cost credit determined under section 45E may be carried back to a taxable year beginning before January 1, 2002."

(2) Subsection (c) of section 196 is amended by striking "and" at the end of paragraph (8), by

striking the period at the end of paragraph (9) and inserting '', *and''*, *and by adding at the end the following new paragraph:*

''(10) the small employer pension plan startup cost credit determined under section 45E(a).''

(3) The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

''Sec. 45E. Small employer pension plan startup costs.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to costs paid or incurred in taxable years beginning after December 31, 2001, with respect to qualified employer plans established after such date.

SEC. 620. ELIMINATION OF USER FEE FOR REQUESTS TO IRS REGARDING PENSION PLANS.

(a) ELIMINATION OF CERTAIN USER FEES.—The Secretary of the Treasury or the Secretary's delegate shall not require payment of user fees under the program established under section 10511 of the Revenue Act of 1987 for requests to the Internal Revenue Service for determination letters with respect to the qualified status of a pension benefit plan maintained solely by one or more eligible employers or any trust which is part of the plan. The preceding sentence shall not apply to any request—

(1) made after the later of—

(A) the fifth plan year the pension benefit plan is in existence; or

(B) the end of any remedial amendment period with respect to the plan beginning within the first 5 plan years; or

(2) made by the sponsor of any prototype or similar plan which the sponsor intends to market to participating employers.

(b) PENSION BENEFIT PLAN.—For purposes of this section, the term ''pension benefit plan'' means a pension, profit-sharing, stock bonus, annuity, or employee stock ownership plan.

(c) ELIGIBLE EMPLOYER.—For purposes of this section, the term ''eligible employer'' means an eligible employer (as defined in section 408(p)(2)(C)(i)(I) of the Internal Revenue Code of 1986) which has at least one employee who is not a highly compensated employee (as defined in section 414(q)) and is participating in the plan. The determination of whether an employer is an eligible employer under this section shall be made as of the date of the request described in subsection (a).

(d) DETERMINATION OF AVERAGE FEES CHARGED.—For purposes of any determination of average fees charged, any request to which subsection (a) applies shall not be taken into account.

(e) EFFECTIVE DATE.—The provisions of this section shall apply with respect to requests made after December 31, 2001.

SEC. 621. TREATMENT OF NONRESIDENT ALIENS ENGAGED IN INTERNATIONAL TRANSPORTATION SERVICES.

(a) EXCLUSION FROM INCOME SOURCING RULES.—The second sentence of section 861(a)(3) (relating to gross income from sources within the United States) is amended by striking ''except for purposes of sections 79 and 105 and subchapter D,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to remuneration for services performed in plan years beginning after December 31, 2001.

Subtitle C—Enhancing Fairness for Women

SEC. 631. CATCH-UP CONTRIBUTIONS FOR INDIVIDUALS AGE 50 OR OVER.

(a) IN GENERAL.—Section 414 (relating to definitions and special rules) is amended by adding at the end the following new subsection:

''(v) CATCH-UP CONTRIBUTIONS FOR INDIVIDUALS AGE 50 OR OVER.—

''(1) IN GENERAL.—An applicable employer plan shall not be treated as failing to meet any requirement of this title solely because the plan permits an eligible participant to make additional elective deferrals in any plan year.

''(2) LIMITATION ON AMOUNT OF ADDITIONAL DEFERRALS.—

''(A) IN GENERAL.—A plan shall not permit additional elective deferrals under paragraph (1) for any year in an amount greater than the lesser of—

''(i) the applicable dollar amount, or

''(ii) the excess (if any) of—

''(I) the participant's compensation (as defined in section 415(c)(3)) for the year, over

''(II) any other elective deferrals of the participant for such year which are made without regard to this subsection.

''(B) APPLICABLE DOLLAR AMOUNT.—For purposes of this paragraph—

''(i) In the case of an applicable employer plan other than a plan described in section 401(k)(11) or 408(p), the applicable dollar amount shall be determined in accordance with the following table:

"For taxable years beginning in:	***The applicable dollar amount is:***
2002	*$1,000*
2003	*$2,000*
2004	*$3,000*
2005	*$4,000*
2006 and thereafter	*$5,000.*

''(ii) In the case of an applicable employer plan described in section 401(k)(11) or 408(p), the applicable dollar amount shall be determined in accordance with the following table:

"For taxable years beginning in:	***The applicable dollar amount is:***
2002	*$500*
2003	*$1,000*
2004	*$1,500*
2005	*$2,000*
2006 and thereafter	*$2,500.*

''(C) COST-OF-LIVING ADJUSTMENT.—In the case of a year beginning after December 31, 2006, the Secretary shall adjust annually the $5,000 amount in subparagraph (B)(i) and the $2,500 amount in subparagraph (B)(ii) for increases in the cost-of-living at the same time and in the same manner as adjustments under section 415(d); except that the base period taken into account shall be the calendar quarter beginning July 1, 2005, and any increase under this subparagraph which is not a multiple of $500 shall be rounded to the next lower multiple of $500.''.

''(3) TREATMENT OF CONTRIBUTIONS.—In the case of any contribution to a plan under paragraph (1)—

''(A) such contribution shall not, with respect to the year in which the contribution is made—

''(i) be subject to any otherwise applicable limitation contained in section 402(g), 402(h), 403(b), 404(a), 404(h), 408(k), 408(p), 415, or 457, or

''(ii) be taken into account in applying such limitations to other contributions or benefits under such plan or any other such plan, and

''(B) except as provided in paragraph (4), such plan shall not be treated as failing to meet the requirements of section 401(a)(4), 401(a)(26), 401(k)(3), 401(k)(11), 401(k)(12), 403(b)(12), 408(k), 408(p), 408B, 410(b), or 416 by reason of the making of (or the right to make) such contribution.

''(4) APPLICATION OF NONDISCRIMINATION RULES.—

''(A) IN GENERAL.—An applicable employer plan shall be treated as failing to meet the nondiscrimination requirements under section 401(a)(4) with respect to benefits, rights, and features unless the plan allows all eligible participants to make the same election with respect to the additional elective deferrals under this subsection.

''(B) AGGREGATION.—For purposes of subparagraph (A), all plans maintained by employers who are treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as 1 plan.

''(5) ELIGIBLE PARTICIPANT.—For purposes of this subsection, the term 'eligible participant' means, with respect to any plan year, a participant in a plan—

''(A) who has attained the age of 50 before the close of the plan year, and

''(B) with respect to whom no other elective deferrals may (without regard to this subsection) be made to the plan for the plan year by reason of the application of any limitation or other restriction described in paragraph (3) or comparable limitation or restriction contained in the terms of the plan.

''(6) OTHER DEFINITIONS AND RULES.—For purposes of this subsection—

''(A) APPLICABLE EMPLOYER PLAN.—The term 'applicable employer plan' means—

''(i) an employees' trust described in section 401(a) which is exempt from tax under section 501(a),

''(ii) a plan under which amounts are contributed by an individual's employer for an annuity contract described in section 403(b),

''(iii) an eligible deferred compensation plan under section 457 of an eligible employer described in section 457(e)(1)(A), and

''(iv) an arrangement meeting the requirements of section 408 (k) or (p).

''(B) ELECTIVE DEFERRAL.—The term 'elective deferral' has the meaning given such term by subsection (u)(2)(C).

''(C) EXCEPTION FOR SECTION 457 PLANS.—This subsection shall not apply to an applicable employer plan described in subparagraph (A)(iii) for any year to which section 457(b)(3) applies.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions in taxable years beginning after December 31, 2001.

SEC. 632. EQUITABLE TREATMENT FOR CONTRIBUTIONS OF EMPLOYEES TO DEFINED CONTRIBUTION PLANS.

(a) EQUITABLE TREATMENT.—

(1) IN GENERAL.—Subparagraph (B) of section 415(c)(1) (relating to limitation for defined contribution plans) is amended by striking ''25 percent'' and inserting ''100 percent''.

(2) APPLICATION TO SECTION 403(b).—Section 403(b) is amended—

(A) by striking ''the exclusion allowance for such taxable year'' in paragraph (1) and inserting ''the applicable limit under section 415'',

(B) by striking paragraph (2), and

(C) by inserting ''or any amount received by a former employee after the fifth taxable year following the taxable year in which such employee was terminated'' before the period at the end of the second sentence of paragraph (3).

(3) CONFORMING AMENDMENTS.—

(A) Subsection (f) of section 72 is amended by striking ''section 403(b)(2)(D)(iii))'' and inserting ''section 403(b)(2)(D)(iii), as in effect before the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001''.

(B) Section 404(a)(10)(B) is amended by striking '', the exclusion allowance under section 403(b)(2),''.

(C) Section 415(a)(2) is amended by striking '', and the amount of the contribution for such portion shall reduce the exclusion allowance as provided in section 403(b)(2)''.

(D) Section 415(c)(3) is amended by adding at the end the following new subparagraph:

''(E) ANNUITY CONTRACTS.—In the case of an annuity contract described in section 403(b), the term 'participant's compensation' means the participant's includible compensation determined under section 403(b)(3).''.

(E) Section 415(c) is amended by striking paragraph (4).

(F) Section 415(c)(7) is amended to read as follows:

''(7) CERTAIN CONTRIBUTIONS BY CHURCH PLANS NOT TREATED AS EXCEEDING LIMIT.—

''(A) IN GENERAL.—Notwithstanding any other provision of this subsection, at the election of a participant who is an employee of a church or a convention or association of churches, including an organization described in section 414(e)(3)(B)(ii), contributions and other additions for an annuity contract or retirement income account described in section 403(b) with respect to such participant, when expressed as an

annual addition to such participant's account, shall be treated as not exceeding the limitation of paragraph (1) if such annual addition is not in excess of $10,000.

''(B) $40,000 AGGREGATE LIMITATION.—The total amount of additions with respect to any participant which may be taken into account for purposes of this subparagraph for all years may not exceed $40,000.

''(C) ANNUAL ADDITION.—For purposes of this paragraph, the term 'annual addition' has the meaning given such term by paragraph (2).''.

(G) Subparagraph (B) of section 402(g)(7) (as redesignated by section 611(c)(3)) is amended by inserting before the period at the end the following: ''(as in effect before the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001''.

(H) Section 664(g) is amended—

(i) in paragraph (3)(E) by striking ''limitations under section 415(c)'' and inserting ''applicable limitation under paragraph (7)'', and

(ii) by adding at the end the following new paragraph:

''(7) APPLICABLE LIMITATION.—

''(A) IN GENERAL.—For purposes of paragraph (3)(E), the applicable limitation under this paragraph with respect to a participant is an amount equal to the lesser of—

''(i) $30,000, or

''(ii) 25 percent of the participant's compensation (as defined in section 415(c)(3)).

''(B) COST-OF-LIVING ADJUSTMENT.—The Secretary shall adjust annually the $30,000 amount under subparagraph (A)(i) at the same time and in the same manner as under section 415(d), except that the base period shall be the calendar quarter beginning October 1, 1993, and any increase under this subparagraph which is not a multiple of $5,000 shall be rounded to the next lowest multiple of $5,000.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning after December 31, 2001.

(b) SPECIAL RULES FOR SECTIONS 403(b) AND 408.—

(1) IN GENERAL.—Subsection (k) of section 415 is amended by adding at the end the following new paragraph:

''(4) SPECIAL RULES FOR SECTIONS 403(b) AND 408.—For purposes of this section, any annuity contract described in section 403(b) for the benefit of a participant shall be treated as a defined contribution plan maintained by each employer with respect to which the participant has the control required under subsection (b) or (c) of section 414 (as modified by subsection (h)). For purposes of this section, any contribution by an employer to a simplified employee pension plan for an individual for a taxable year shall be treated as an employer contribution to a defined contribution plan for such individual for such year.''.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendment made by paragraph (1) shall apply to limitation years beginning after December 31, 1999.

(B) EXCLUSION ALLOWANCE.—Effective for limitation years beginning in 2000, in the case of any annuity contract described in section 403(b) of the Internal Revenue Code of 1986, the amount of the contribution disqualified by reason of section 415(g) of such Code shall reduce the exclusion allowance as provided in section 403(b)(2) of such Code.

(3) ELECTION TO MODIFY SECTION 403(b) EXCLUSION ALLOWANCE TO CONFORM TO SECTION 415 MODIFICATION.—In the case of taxable years beginning after December 31, 1999, and before January 1, 2002, a plan may disregard the requirement in the regulations regarding the exclusion allowance under section 403(b)(2) of the Internal Revenue Code of 1986 that contributions to a defined benefit pension plan be treated as previously excluded amounts for purposes of the exclusion allowance.

(c) DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS.—

(1) IN GENERAL.—Subparagraph (B) of section 457(b)(2) (relating to salary limitation on eligible deferred compensation plans) is amended by striking ''33⅓ percent'' and inserting ''100 percent''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to years beginning after December 31, 2001.

SEC. 633. FASTER VESTING OF CERTAIN EMPLOYER MATCHING CONTRIBUTIONS.

(a) IN GENERAL.—Section 411(a) (relating to minimum vesting standards) is amended—

(1) in paragraph (2), by striking ''A plan'' and inserting ''Except as provided in paragraph (12), a plan''; and

(2) by adding at the end the following:

''(12) FASTER VESTING FOR MATCHING CONTRIBUTIONS.—In the case of matching contributions (as defined in section 401(m)(4)(A)), paragraph (2) shall be applied—

''(A) by substituting '3 years' for '5 years' in subparagraph (A), and

''(B) by substituting the following table for the table contained in subparagraph (B):

"Years of service:	***The nonforfeitable percentage is:***
2	*20*
3	*40*
4	*60*
5	*80*
6	*100.''.*

(b) AMENDMENT OF ERISA.—Section 203(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(a)) is amended—

(1) in paragraph (2), by striking ''A plan'' and inserting ''Except as provided in paragraph (4), a plan'', and

(2) by adding at the end the following:

''(4) In the case of matching contributions (as defined in section 401(m)(4)(A) of the Internal Revenue Code of 1986), paragraph (2) shall be applied—

''(A) by substituting '3 years' for '5 years' in subparagraph (A), and

''(B) by substituting the following table for the table contained in subparagraph (B):

"Years of service:	***The nonforfeitable percentage is:***
2	*20*
3	*40*
4	*60*
5	*80*
6	*100.''.*

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to contributions for plan years beginning after December 31, 2001.

(2) COLLECTIVE BARGAINING AGREEMENTS.—In the case of a plan maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers ratified by the date of the enactment of this Act, the amendments made by this section shall not apply to contributions on behalf of employees covered by any such agreement for plan years beginning before the earlier of—

(A) the later of—

(i) the date on which the last of such collective bargaining agreements terminates (determined without regard to any extension thereof on or after such date of the enactment); or

(ii) January 1, 2002; or

(B) January 1, 2006.

(3) SERVICE REQUIRED.—With respect to any plan, the amendments made by this section shall not apply to any employee before the date that such employee has 1 hour of service under such plan in any plan year to which the amendments made by this section apply.

SEC. 634. MODIFICATION TO MINIMUM DISTRIBUTION RULES.

The Secretary of the Treasury shall modify the life expectancy tables under the regulations relating to minimum distribution requirements under sections 401(a)(9), 408(a)(6) and (b)(3), 403(b)(10), and 457(d)(2) of the Internal Revenue Code to reflect current life expectancy.

SEC. 635. CLARIFICATION OF TAX TREATMENT OF DIVISION OF SECTION 457 PLAN BENEFITS UPON DIVORCE.

(a) IN GENERAL.—Section 414(p)(11) (relating to application of rules to governmental and church plans) is amended—

(1) by inserting ''or an eligible deferred compensation plan (within the meaning of section 457(b))'' after ''subsection (e))''; and

(2) in the heading, by striking ''GOVERNMENTAL AND CHURCH PLANS'' and inserting ''CERTAIN OTHER PLANS''.

(b) WAIVER OF CERTAIN DISTRIBUTION REQUIREMENTS.—Paragraph (10) of section 414(p) is amended by striking ''and section 409(d)'' and inserting ''section 409(d), and section 457(d)''.

(c) TAX TREATMENT OF PAYMENTS FROM A SECTION 457 PLAN.—Subsection (p) of section 414 is amended by redesignating paragraph (12) as paragraph (13) and inserting after paragraph (11) the following new paragraph:

''(12) TAX TREATMENT OF PAYMENTS FROM A SECTION 457 PLAN.—If a distribution or payment from an eligible deferred compensation plan described in section 457(b) is made pursuant to a qualified domestic relations order, rules similar to the rules of section 402(e)(1)(A) shall apply to such distribution or payment.''.

(d) EFFECTIVE DATE.—The amendment made by this section shall apply to transfers, distributions, and payments made after December 31, 2001.

SEC. 636. PROVISIONS RELATING TO HARDSHIP DISTRIBUTIONS.

(a) SAFE HARBOR RELIEF.—

(1) IN GENERAL.—The Secretary of the Treasury shall revise the regulations relating to hardship distributions under section 401(k)(2)(B)(i)(IV) of the Internal Revenue Code of 1986 to provide that the period an employee is prohibited from making elective and employee contributions in order for a distribution to be deemed necessary to satisfy financial need shall be equal to 6 months.

(2) EFFECTIVE DATE.—The revised regulations under this subsection shall apply to years beginning after December 31, 2001.

(b) HARDSHIP DISTRIBUTIONS NOT TREATED AS ELIGIBLE ROLLOVER DISTRIBUTIONS.—

(1) MODIFICATION OF DEFINITION OF ELIGIBLE ROLLOVER.—Subparagraph (C) of section 402(c)(4) (relating to eligible rollover distribution) is amended to read as follows:

''(C) any distribution which is made upon hardship of the employee.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to distributions made after December 31, 2001.

SEC. 637. WAIVER OF TAX ON NONDEDUCTIBLE CONTRIBUTIONS FOR DOMESTIC OR SIMILAR WORKERS.

(a) IN GENERAL.—Section 4972(c)(6) (relating to exceptions to nondeductible contributions), as amended by section 616, is amended by striking ''and'' at the end of subparagraph (A), by striking the period and inserting '', or'' at the end of subparagraph (B), and by inserting after subparagraph (B) the following new subparagraph:

''(C) so much of the contributions to a simple retirement account (within the meaning of section 408(p)) or a simple plan (within the meaning of section 401(k)(11)) which are not deductible when contributed solely because such contributions are not made in connection with a trade or business of the employer.''

(b) EXCLUSION OF CERTAIN CONTRIBUTIONS.—Section 4972(c)(6), as amended by subsection (a), is amended by adding at the end the following new sentence: ''Subparagraph (C) shall not apply to contributions made on behalf of the employer or a member of the employer's family (as defined in section 447(e)(1)).''.

(c) NO INFERENCE.—Nothing in the amendments made by this section shall be construed to infer the proper treatment of nondeductible contributions under the laws in effect before such amendments.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

Subtitle D—Increasing Portability for Participants

SEC. 641. ROLLOVERS ALLOWED AMONG VARIOUS TYPES OF PLANS.

(a) ROLLOVERS FROM AND TO SECTION 457 PLANS.—

(1) ROLLOVERS FROM SECTION 457 PLANS.—

(A) IN GENERAL.—Section 457(e) (relating to other definitions and special rules) is amended by adding at the end the following:

''(16) ROLLOVER AMOUNTS.—

''(A) GENERAL RULE.—In the case of an eligible deferred compensation plan established and maintained by an employer described in subsection (e)(1)(A), if—

''(i) any portion of the balance to the credit of an employee in such plan is paid to such employee in an eligible rollover distribution (within the meaning of section 402(c)(4)),

''(ii) the employee transfers any portion of the property such employee receives in such distribution to an eligible retirement plan described in section 402(c)(8)(B), and

''(iii) in the case of a distribution of property other than money, the amount so transferred consists of the property distributed,

then such distribution (to the extent so transferred) shall not be includible in gross income for the taxable year in which paid.

''(B) CERTAIN RULES MADE APPLICABLE.—The rules of paragraphs (2) through (7) and (9) of section 402(c) and section 402(f) shall apply for purposes of subparagraph (A).

''(C) REPORTING.—Rollovers under this paragraph shall be reported to the Secretary in the same manner as rollovers from qualified retirement plans (as defined in section 4974(c)).''.

(B) DEFERRAL LIMIT DETERMINED WITHOUT REGARD TO ROLLOVER AMOUNTS.—Section 457(b)(2) (defining eligible deferred compensation plan) is amended by inserting ''(other than rollover amounts)'' after ''taxable year''.

(C) DIRECT ROLLOVER.—Paragraph (1) of section 457(d) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by inserting after subparagraph (B) the following:

''(C) in the case of a plan maintained by an employer described in subsection (e)(1)(A), the plan meets requirements similar to the requirements of section 401(a)(31).

Any amount transferred in a direct trustee-to-trustee transfer in accordance with section 401(a)(31) shall not be includible in gross income for the taxable year of transfer.''.

(D) WITHHOLDING.—

(i) Paragraph (12) of section 3401(a) is amended by adding at the end the following:

''(E) under or to an eligible deferred compensation plan which, at the time of such payment, is a plan described in section 457(b) which is maintained by an eligible employer described in section 457(e)(1)(A), or''.

(ii) Paragraph (3) of section 3405(c) is amended to read as follows:

''(3) ELIGIBLE ROLLOVER DISTRIBUTION.—For purposes of this subsection, the term 'eligible rollover distribution' has the meaning given such term by section 402(f)(2)(A).''.

(iii) LIABILITY FOR WITHHOLDING.—Subparagraph (B) of section 3405(d)(2) is amended by striking ''or'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', or'', and by adding at the end the following:

''(iv) section 457(b) and which is maintained by an eligible employer described in section 457(e)(1)(A).''.

(2) ROLLOVERS TO SECTION 457 PLANS.—

(A) IN GENERAL.—Section 402(c)(8)(B) (defining eligible retirement plan) is amended by striking ''and'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting '', and'', and by inserting after clause (iv) the following new clause:

''(v) an eligible deferred compensation plan described in section 457(b) which is maintained by an eligible employer described in section 457(e)(1)(A).''.

(B) SEPARATE ACCOUNTING.—Section 402(c) is amended by adding at the end the following new paragraph:

''(10) SEPARATE ACCOUNTING.—Unless a plan described in clause (v) of paragraph (8)(B) agrees to separately account for amounts rolled into such plan from eligible retirement plans not described in such clause, the plan described in such clause may not accept transfers or rollovers from such retirement plans.''.

(C) 10 PERCENT ADDITIONAL TAX.—Subsection (t) of section 72 (relating to 10-percent additional tax on early distributions from qualified retirement plans) is amended by adding at the end the following new paragraph:

''(9) SPECIAL RULE FOR ROLLOVERS TO SECTION 457 PLANS.—For purposes of this subsection, a distribution from an eligible deferred compensation plan (as defined in section 457(b)) of an eligible employer described in section 457(e)(1)(A) shall be treated as a distribution from a qualified retirement plan described in 4974(c)(1) to the extent that such distribution is attributable to an amount transferred to an eligible deferred compensation plan from a qualified retirement plan (as defined in section 4974(c)).''.

(b) ALLOWANCE OF ROLLOVERS FROM AND TO 403(b) PLANS.—

(1) ROLLOVERS FROM SECTION 403(b) PLANS.—Section 403(b)(8)(A)(ii) (relating to rollover amounts) is amended by striking ''such distribution'' and all that follows and inserting ''such distribution to an eligible retirement plan described in section 402(c)(8)(B), and''.

(2) ROLLOVERS TO SECTION 403(b) PLANS.—Section 402(c)(8)(B) (defining eligible retirement plan), as amended by subsection (a), is amended by striking ''and'' at the end of clause (iv), by striking the period at the end of clause (v) and inserting '', and'', and by inserting after clause (v) the following new clause:

''(vi) an annuity contract described in section 403(b).''.

(c) EXPANDED EXPLANATION TO RECIPIENTS OF ROLLOVER DISTRIBUTIONS.—Paragraph (1) of section 402(f) (relating to written explanation to recipients of distributions eligible for rollover treatment) is amended by striking ''and'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting '', and'', and by adding at the end the following new subparagraph:

''(E) of the provisions under which distributions from the eligible retirement plan receiving the distribution may be subject to restrictions and tax consequences which are different from those applicable to distributions from the plan making such distribution.''.

(d) SPOUSAL ROLLOVERS.—Section 402(c)(9) (relating to rollover where spouse receives distribution after death of employee) is amended by striking ''; except that'' and all that follows up to the end period.

(e) CONFORMING AMENDMENTS.—

(1) Section 72(o)(4) is amended by striking ''and 408(d)(3)'' and inserting ''403(b)(8), 408(d)(3), and 457(e)(16)''.

(2) Section 219(d)(2) is amended by striking ''or 408(d)(3)'' and inserting ''408(d)(3), or 457(e)(16)''.

(3) Section 401(a)(31)(B) is amended by striking ''and 403(a)(4)'' and inserting '', 403(a)(4), 403(b)(8), and 457(e)(16)''.

(4) Subparagraph (A) of section 402(f)(2) is amended by striking ''or paragraph (4) of section 403(a)'' and inserting '', paragraph (4) of section 403(a), subparagraph (A) of section 403(b)(8), or subparagraph (A) of section 457(e)(16)''.

(5) Paragraph (1) of section 402(f) is amended by striking ''from an eligible retirement plan''.

(6) Subparagraphs (A) and (B) of section 402(f)(1) are amended by striking ''another eligible retirement plan'' and inserting ''an eligible retirement plan''.

(7) Subparagraph (B) of section 403(b)(8) is amended to read as follows:

''(B) CERTAIN RULES MADE APPLICABLE.—The rules of paragraphs (2) through (7) and (9) of section 402(c) and section 402(f) shall apply for purposes of subparagraph (A), except that section 402(f) shall be applied to the payor in lieu of the plan administrator.''.

(8) Section 408(a)(1) is amended by striking ''or 403(b)(8),'' and inserting ''403(b)(8), or 457(e)(16)''.

(9) Subparagraphs (A) and (B) of section 415(b)(2) are each amended by striking ''and 408(d)(3)'' and inserting ''403(b)(8), 408(d)(3), and 457(e)(16)''.

(10) Section 415(c)(2) is amended by striking ''and 408(d)(3)'' and inserting ''408(d)(3), and 457(e)(16)''.

(11) Section 4973(b)(1)(A) is amended by striking ''or 408(d)(3)'' and inserting ''408(d)(3), or 457(e)(16)''.

(f) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

(2) REASONABLE NOTICE.—No penalty shall be imposed on a plan for the failure to provide the information required by the amendment made by subsection (c) with respect to any distribution made before the date that is 90 days after the date on which the Secretary of the Treasury issues a safe harbor rollover notice after the date of the enactment of this Act, if the administrator of such plan makes a reasonable attempt to comply with such requirement.

(3) SPECIAL RULE.—Notwithstanding any other provision of law, subsections (h)(3) and (h)(5) of section 1122 of the Tax Reform Act of 1986 shall not apply to any distribution from an eligible retirement plan (as defined in clause (iii) or (iv) of section 402(c)(8)(B) of the Internal Revenue Code of 1986) on behalf of an individual if there was a rollover to such plan on behalf of such individual which is permitted solely by reason of any amendment made by this section.

SEC. 642. ROLLOVERS OF IRAS INTO WORKPLACE RETIREMENT PLANS.

(a) IN GENERAL.—Subparagraph (A) of section 408(d)(3) (relating to rollover amounts) is amended by adding ''or'' at the end of clause (i), by striking clauses (ii) and (iii), and by adding at the end the following:

''(ii) the entire amount received (including money and any other property) is paid into an eligible retirement plan for the benefit of such individual not later than the 60th day after the date on which the payment or distribution is received, except that the maximum amount which may be paid into such plan may not exceed the portion of the amount received which is includible in gross income (determined without regard to this paragraph).

For purposes of clause (ii), the term 'eligible retirement plan' means an eligible retirement plan described in clause (iii), (iv), (v), or (vi) of section 402(c)(8)(B).''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 403(b) is amended by striking ''section 408(d)(3)(A)(iii)'' and inserting ''section 408(d)(3)(A)(ii)''.

(2) Clause (i) of section 408(d)(3)(D) is amended by striking ''(i), (ii), or (iii)'' and inserting ''(i) or (ii)''.

(3) Subparagraph (G) of section 408(d)(3) is amended to read as follows:

''(G) SIMPLE RETIREMENT ACCOUNTS.—In the case of any payment or distribution out of a simple retirement account (as defined in subsection (p)) to which section 72(t)(6) applies, this paragraph shall not apply unless such payment or distribution is paid into another simple retirement account.''.

(c) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

(2) SPECIAL RULE.—Notwithstanding any other provision of law, subsections (h)(3) and

(h)(5) of section 1122 of the Tax Reform Act of 1986 shall not apply to any distribution from an eligible retirement plan (as defined in clause (iii) or (iv) of section 402(c)(8)(B) of the Internal Revenue Code of 1986) on behalf of an individual if there was a rollover to such plan on behalf of such individual which is permitted solely by reason of the amendments made by this section.

SEC. 643. ROLLOVERS OF AFTER-TAX CONTRIBUTIONS.

(a) ROLLOVERS FROM EXEMPT TRUSTS.—Paragraph (2) of section 402(c) (relating to maximum amount which may be rolled over) is amended by adding at the end the following: ''The preceding sentence shall not apply to such distribution to the extent—

''(A) such portion is transferred in a direct trustee-to-trustee transfer to a qualified trust which is part of a plan which is a defined contribution plan and which agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible, or

''(B) such portion is transferred to an eligible retirement plan described in clause (i) or (ii) of paragraph (8)(B).''.

(b) OPTIONAL DIRECT TRANSFER OF ELIGIBLE ROLLOVER DISTRIBUTIONS.—Subparagraph (B) of section 401(a)(31) (relating to limitation) is amended by adding at the end the following: ''The preceding sentence shall not apply to such distribution if the plan to which such distribution is transferred—

''(i) agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible, or

''(ii) is an eligible retirement plan described in clause (i) or (ii) of section 402(c)(8)(B).''.

(c) RULES FOR APPLYING SECTION 72 TO IRAS.—Paragraph (3) of section 408(d) (relating to special rules for applying section 72) is amended by inserting at the end the following:

''(H) APPLICATION OF SECTION 72.—

''(i) IN GENERAL.—If—

''(I) a distribution is made from an individual retirement plan, and

''(II) a rollover contribution is made to an eligible retirement plan described in section 402(c)(8)(B)(iii), (iv), (v), or (vi) with respect to all or part of such distribution,

then, notwithstanding paragraph (2), the rules of clause (ii) shall apply for purposes of applying section 72.

''(ii) APPLICABLE RULES.—In the case of a distribution described in clause (i)—

''(I) section 72 shall be applied separately to such distribution,

''(II) notwithstanding the pro rata allocation of income on, and investment in, the contract to distributions under section 72, the portion of such distribution rolled over to an eligible retirement plan described in clause (i) shall be treated as from income on the contract (to the extent of the aggregate income on the contract from all individual retirement plans of the distributee), and

''(III) appropriate adjustments shall be made in applying section 72 to other distributions in such taxable year and subsequent taxable years.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2001.

SEC. 644. HARDSHIP EXCEPTION TO 60-DAY RULE.

(a) EXEMPT TRUSTS.—Paragraph (3) of section 402(c) (relating to transfer must be made within 60 days of receipt) is amended to read as follows:

''(3) TRANSFER MUST BE MADE WITHIN 60 DAYS OF RECEIPT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), paragraph (1) shall not apply to any transfer of a distribution made after the 60th day following the day on which the distributee received the property distributed.

''(B) HARDSHIP EXCEPTION.—The Secretary may waive the 60-day requirement under subparagraph (A) where the failure to waive such requirement would be against equity or good conscience, including casualty, disaster, or other events beyond the reasonable control of the individual subject to such requirement.''.

(b) IRAS.—Paragraph (3) of section 408(d) (relating to rollover contributions), as amended by section 643, is amended by adding after subparagraph (H) the following new subparagraph:

''(I) WAIVER OF 60-DAY REQUIREMENT.—The Secretary may waive the 60-day requirement under subparagraphs (A) and (D) where the failure to waive such requirement would be against equity or good conscience, including casualty, disaster, or other events beyond the reasonable control of the individual subject to such requirement.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 645. TREATMENT OF FORMS OF DISTRIBUTION.

(a) PLAN TRANSFERS.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—Paragraph (6) of section 411(d) (relating to accrued benefit not to be decreased by amendment) is amended by adding at the end the following:

''(D) PLAN TRANSFERS.—

''(i) IN GENERAL.—A defined contribution plan (in this subparagraph referred to as the 'transferee plan') shall not be treated as failing to meet the requirements of this subsection merely because the transferee plan does not provide some or all of the forms of distribution previously available under another defined contribution plan (in this subparagraph referred to as the 'transferor plan') to the extent that—

''(I) the forms of distribution previously available under the transferor plan applied to the account of a participant or beneficiary under the transferor plan that was transferred from the transferor plan to the transferee plan pursuant to a direct transfer rather than pursuant to a distribution from the transferor plan,

''(II) the terms of both the transferor plan and the transferee plan authorize the transfer described in subclause (I),

''(III) the transfer described in subclause (I) was made pursuant to a voluntary election by the participant or beneficiary whose account was transferred to the transferee plan,

''(IV) the election described in subclause (III) was made after the participant or beneficiary received a notice describing the consequences of making the election, and

''(V) the transferee plan allows the participant or beneficiary described in subclause (III) to receive any distribution to which the participant or beneficiary is entitled under the transferee plan in the form of a single sum distribution.

''(ii) SPECIAL RULE FOR MERGERS, ETC.—Clause (i) shall apply to plan mergers and other transactions having the effect of a direct transfer, including consolidations of benefits attributable to different employers within a multiple employer plan.

''(E) ELIMINATION OF FORM OF DISTRIBUTION.—Except to the extent provided in regulations, a defined contribution plan shall not be treated as failing to meet the requirements of this section merely because of the elimination of a form of distribution previously available thereunder. This subparagraph shall not apply to the elimination of a form of distribution with respect to any participant unless—

''(i) a single sum payment is available to such participant at the same time or times as the form of distribution being eliminated, and

''(ii) such single sum payment is based on the same or greater portion of the participant's account as the form of distribution being eliminated.''.

(2) AMENDMENT OF ERISA.—Section 204(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)) is amended by adding at the end the following:

''(4)(A) A defined contribution plan (in this subparagraph referred to as the 'transferee plan') shall not be treated as failing to meet the requirements of this subsection merely because the transferee plan does not provide some or all of the forms of distribution previously available under another defined contribution plan (in this subparagraph referred to as the 'transferor plan') to the extent that—

''(i) the forms of distribution previously available under the transferor plan applied to the account of a participant or beneficiary under the transferor plan that was transferred from the transferor plan to the transferee plan pursuant to a direct transfer rather than pursuant to a distribution from the transferor plan;

''(ii) the terms of both the transferor plan and the transferee plan authorize the transfer described in clause (i);

''(iii) the transfer described in clause (i) was made pursuant to a voluntary election by the participant or beneficiary whose account was transferred to the transferee plan;

''(iv) the election described in clause (iii) was made after the participant or beneficiary received a notice describing the consequences of making the election; and

''(v) the transferee plan allows the participant or beneficiary described in clause (iii) to receive any distribution to which the participant or beneficiary is entitled under the transferee plan in the form of a single sum distribution.

''(B) Subparagraph (A) shall apply to plan mergers and other transactions having the effect of a direct transfer, including consolidations of benefits attributable to different employers within a multiple employer plan.

''(5) Except to the extent provided in regulations promulgated by the Secretary of the Treasury, a defined contribution plan shall not be treated as failing to meet the requirements of this subsection merely because of the elimination of a form of distribution previously available thereunder. This paragraph shall not apply to the elimination of a form of distribution with respect to any participant unless—

''(A) a single sum payment is available to such participant at the same time or times as the form of distribution being eliminated; and

''(B) such single sum payment is based on the same or greater portion of the participant's account as the form of distribution being eliminated.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning after December 31, 2001.

(b) REGULATIONS.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—Paragraph (6)(B) of section 411(d) (relating to accrued benefit not to be decreased by amendment) is amended by inserting after the second sentence the following: ''The Secretary shall by regulations provide that this subparagraph shall not apply to any plan amendment which reduces or eliminates benefits or subsidies which create significant burdens or complexities for the plan and plan participants, unless such amendment adversely affects the rights of any participant in a more than de minimis manner.''.

(2) AMENDMENT OF ERISA.—Section 204(g)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)(2)) is amended by inserting after the second sentence the following: ''The Secretary of the Treasury shall by regulations provide that this paragraph shall not apply to any plan amendment which reduces or eliminates benefits or subsidies which create significant burdens or complexities for the plan and plan participants, unless such amendment adversely affects the rights of any participant in a more than de minimis manner.''.

(3) SECRETARY DIRECTED.—Not later than December 31, 2003, the Secretary of the Treasury is directed to issue regulations under section 411(d)(6) of the Internal Revenue Code of 1986 and section 204(g) of the Employee Retirement Income Security Act of 1974, including the regu-

lations required by the amendment made by this subsection. Such regulations shall apply to plan years beginning after December 31, 2003, or such earlier date as is specified by the Secretary of the Treasury.

SEC. 646. RATIONALIZATION OF RESTRICTIONS ON DISTRIBUTIONS.

(a) MODIFICATION OF SAME DESK EXCEPTION.—

(1) SECTION 401(k).—

(A) Section 401(k)(2)(B)(i)(I) (relating to qualified cash or deferred arrangements) is amended by striking ''separation from service'' and inserting ''severance from employment''.

(B) Subparagraph (A) of section 401(k)(10) (relating to distributions upon termination of plan or disposition of assets or subsidiary) is amended to read as follows:

''(A) IN GENERAL.—An event described in this subparagraph is the termination of the plan without establishment or maintenance of another defined contribution plan (other than an employee stock ownership plan as defined in section 4975(e)(7)).''.

(C) Section 401(k)(10) is amended—

(i) in subparagraph (B)—

(I) by striking ''An event'' in clause (i) and inserting ''A termination''; and

(II) by striking ''the event'' in clause (i) and inserting ''the termination'';

(ii) by striking subparagraph (C); and

(iii) by striking ''OR DISPOSITION OF ASSETS OR SUBSIDIARY'' in the heading.

(2) SECTION 403(b).—

(A) Paragraphs (7)(A)(ii) and (11)(A) of section 403(b) are each amended by striking ''separates from service'' and inserting ''has a severance from employment''.

(B) The heading for paragraph (11) of section 403(b) is amended by striking ''SEPARATION FROM SERVICE'' and inserting ''SEVERANCE FROM EMPLOYMENT''.

(3) SECTION 457.—Clause (ii) of section 457(d)(1)(A) is amended by striking ''is separated from service'' and inserting ''has a severance from employment''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 647. PURCHASE OF SERVICE CREDIT IN GOVERNMENTAL DEFINED BENEFIT PLANS.

(a) SECTION 403(b) PLANS.—Subsection (b) of section 403 is amended by adding at the end the following new paragraph:

''(13) TRUSTEE-TO-TRUSTEE TRANSFERS TO PURCHASE PERMISSIVE SERVICE CREDIT.—No amount shall be includible in gross income by reason of a direct trustee-to-trustee transfer to a defined benefit governmental plan (as defined in section 414(d)) if such transfer is—

''(A) for the purchase of permissive service credit (as defined in section 415(n)(3)(A)) under such plan, or

''(B) a repayment to which section 415 does not apply by reason of subsection (k)(3) thereof.''.

(b) SECTION 457 PLANS.—Subsection (e) of section 457, as amended by section 641, is amended by adding after paragraph (16) the following new paragraph:

''(17) TRUSTEE-TO-TRUSTEE TRANSFERS TO PURCHASE PERMISSIVE SERVICE CREDIT.—No amount shall be includible in gross income by reason of a direct trustee-to-trustee transfer to a defined benefit governmental plan (as defined in section 414(d)) if such transfer is—

''(A) for the purchase of permissive service credit (as defined in section 415(n)(3)(A)) under such plan, or

''(B) a repayment to which section 415 does not apply by reason of subsection (k)(3) thereof.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to trustee-to-trustee transfers after December 31, 2001.

SEC. 648. EMPLOYERS MAY DISREGARD ROLLOVERS FOR PURPOSES OF CASH-OUT AMOUNTS.

(a) QUALIFIED PLANS.—

(1) AMENDMENT OF INTERNAL REVENUE CODE.—Section 411(a)(11) (relating to restrictions on certain mandatory distributions) is amended by adding at the end the following:

''(D) SPECIAL RULE FOR ROLLOVER CONTRIBUTIONS.—A plan shall not fail to meet the requirements of this paragraph if, under the terms of the plan, the present value of the nonforfeitable accrued benefit is determined without regard to that portion of such benefit which is attributable to rollover contributions (and earnings allocable thereto). For purposes of this subparagraph, the term 'rollover contributions' means any rollover contribution under sections 402(c), 403(a)(4), 403(b)(8), 408(d)(3)(A)(ii), and 457(e)(16).''.

(2) AMENDMENT OF ERISA.—Section 203(e) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(c)) is amended by adding at the end the following:

''(4) A plan shall not fail to meet the requirements of this subsection if, under the terms of the plan, the present value of the nonforfeitable accrued benefit is determined without regard to that portion of such benefit which is attributable to rollover contributions (and earnings allocable thereto). For purposes of this subparagraph, the term 'rollover contributions' means any rollover contribution under sections 402(c), 403(a)(4), 403(b)(8), 408(d)(3)(A)(ii), and 457(e)(16) of the Internal Revenue Code of 1986.''.

(b) ELIGIBLE DEFERRED COMPENSATION PLANS.—Clause (i) of section 457(e)(9)(A) is amended by striking ''such amount'' and inserting ''the portion of such amount which is not attributable to rollover contributions (as defined in section 411(a)(11)(D))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2001.

SEC. 649. MINIMUM DISTRIBUTION AND INCLUSION REQUIREMENTS FOR SECTION 457 PLANS.

(a) MINIMUM DISTRIBUTION REQUIREMENTS.—Paragraph (2) of section 457(d) (relating to distribution requirements) is amended to read as follows:

''(2) MINIMUM DISTRIBUTION REQUIREMENTS.—A plan meets the minimum distribution requirements of this paragraph if such plan meets the requirements of section 401(a)(9).''.

(b) INCLUSION IN GROSS INCOME.—

(1) YEAR OF INCLUSION.—Subsection (a) of section 457 (relating to year of inclusion in gross income) is amended to read as follows:

''(a) YEAR OF INCLUSION IN GROSS INCOME.—

''(1) IN GENERAL.—Any amount of compensation deferred under an eligible deferred compensation plan, and any income attributable to the amounts so deferred, shall be includible in gross income only for the taxable year in which such compensation or other income—

''(A) is paid to the participant or other beneficiary, in the case of a plan of an eligible employer described in subsection (e)(1)(A), and

''(B) is paid or otherwise made available to the participant or other beneficiary, in the case of a plan of an eligible employer described in subsection (e)(1)(B).

''(2) SPECIAL RULE FOR ROLLOVER AMOUNTS.—To the extent provided in section 72(t)(9), section 72(t) shall apply to any amount includible in gross income under this subsection.''.

(2) CONFORMING AMENDMENTS.—

(A) So much of paragraph (9) of section 457(e) as precedes subparagraph (A) is amended to read as follows:

''(9) BENEFITS OF TAX EXEMPT ORGANIZATION PLANS NOT TREATED AS MADE AVAILABLE BY REASON OF CERTAIN ELECTIONS, ETC.—In the case of an eligible deferred compensation plan of an employer described in subsection (e)(1)(B)—''.

(B) Section 457(d) is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR GOVERNMENT PLAN.—An eligible deferred compensation plan of an employer described in subsection (e)(1)(A) shall not be treated as failing to meet the requirements of this subsection solely by reason of making a distribution described in subsection (e)(9)(A).''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to distributions after December 31, 2001.

Subtitle E—Strengthening Pension Security and Enforcement

PART I—GENERAL PROVISIONS

SEC. 651. REPEAL OF 160 PERCENT OF CURRENT LIABILITY FUNDING LIMIT.

(a) AMENDMENTS TO INTERNAL REVENUE CODE.—Section 412(c)(7) (relating to full-funding limitation) is amended—

(1) by striking ''the applicable percentage'' in subparagraph (A)(i)(I) and inserting ''in the case of plan years beginning before January 1, 2004, the applicable percentage''; and

(2) by amending subparagraph (F) to read as follows:

''(F) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A)(i)(I), the applicable percentage shall be determined in accordance with the following table:

''In the case of any plan year beginning in—	***The applicable percentage is—***
2002	*165*
2003	*170.''.*

(b) AMENDMENT OF ERISA.—Section 302(c)(7) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1082(c)(7)) is amended—

(1) by striking ''the applicable percentage'' in subparagraph (A)(i)(I) and inserting ''in the case of plan years beginning before January 1, 2004, the applicable percentage'', and

(2) by amending subparagraph (F) to read as follows:

''(F) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A)(i)(I), the applicable percentage shall be determined in accordance with the following table:

''In the case of any plan year beginning in calendar year—	***The applicable percentage is—***
2002	*165*
2003	*170.''.*

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2001.

SEC. 652. MAXIMUM CONTRIBUTION DEDUCTION RULES MODIFIED AND APPLIED TO ALL DEFINED BENEFIT PLANS.

(a) IN GENERAL.—Subparagraph (D) of section 404(a)(1) (relating to special rule in case of certain plans) is amended to read as follows:

''(D) SPECIAL RULE IN CASE OF CERTAIN PLANS.—

''(i) IN GENERAL.—In the case of any defined benefit plan, except as provided in regulations, the maximum amount deductible under the limitations of this paragraph shall not be less than the unfunded current liability determined under section 412(l).

''(ii) PLANS WITH 100 OR LESS PARTICIPANTS.—For purposes of this subparagraph, in the case of a plan which has 100 or less participants for the plan year, unfunded current liability shall not include the liability attributable to benefit increases for highly compensated employees (as defined in section 414(q)) resulting from a plan amendment which is made or becomes effective, whichever is later, within the last 2 years.

''(iii) RULE FOR DETERMINING NUMBER OF PARTICIPANTS.—For purposes of determining the number of plan participants, all defined benefit plans maintained by the same employer (or any member of such employer's controlled group (within the meaning of section 412(l)(8)(C))) shall be treated as one plan, but only employees of such member or employer shall be taken into account.

''(iv) PLANS MAINTAINED BY PROFESSIONAL SERVICE EMPLOYERS.—In the case of a plan which, subject to section 4041 of the Employee Retirement Income Security Act of 1974, terminates during the plan year, clause (i) shall be applied by substituting for unfunded current li-

ability the amount required to make the plan sufficient for benefit liabilities (within the meaning of section 4041(d) of such Act).''.

(b) CONFORMING AMENDMENT.—Paragraph (6) of section 4972(c), as amended by sections 616 and 637, is amended—

(1) by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively,

(2) by striking the first sentence following subparagraph (B) (as so redesignated),

(3) by striking ''subparagraph (B)'' in the next to last sentence and inserting ''subparagraph (A)'', and

(4) by striking ''Subparagraph (C)'' in the last sentence and inserting ''Subparagraph (B)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2001.

SEC. 653. EXCISE TAX RELIEF FOR SOUND PENSION FUNDING.

(a) IN GENERAL.—Subsection (c) of section 4972 (relating to nondeductible contributions) is amended by adding at the end the following new paragraph:

''(7) DEFINED BENEFIT PLAN EXCEPTION.—In determining the amount of nondeductible contributions for any taxable year, an employer may elect for such year not to take into account any contributions to a defined benefit plan except to the extent that such contributions exceed the full-funding limitation (as defined in section 412(c)(7), determined without regard to subparagraph (A)(i)(I) thereof). For purposes of this paragraph, the deductible limits under section 404(a)(7) shall first be applied to amounts contributed to defined contribution plans and then to amounts described in this paragraph. If an employer makes an election under this paragraph for a taxable year, paragraph (6) shall not apply to such employer for such taxable year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

SEC. 654. TREATMENT OF MULTIEMPLOYER PLANS UNDER SECTION 415.

(a) COMPENSATION LIMIT.—

(1) IN GENERAL.—Paragraph (11) of section 415(b) (relating to limitation for defined benefit plans) is amended to read as follows:

''(11) SPECIAL LIMITATION RULE FOR GOVERNMENTAL AND MULTIEMPLOYER PLANS.—In the case of a governmental plan (as defined in section 414(d)) or a multiemployer plan (as defined in section 414(f)), subparagraph (B) of paragraph (1) shall not apply.''.

(2) CONFORMING AMENDMENT.—Section 415(b)(7) (relating to benefits under certain collectively bargained plans) is amended by inserting ''(other than a multiemployer plan)'' after ''defined benefit plan'' in the matter preceding subparagraph (A).

(b) COMBINING AND AGGREGATION OF PLANS.—

(1) COMBINING OF PLANS.—Subsection (f) of section 415 (relating to combining of plans) is amended by adding at the end the following:

''(3) EXCEPTION FOR MULTIEMPLOYER PLANS.—Notwithstanding paragraph (1) and subsection (g), a multiemployer plan (as defined in section 414(f)) shall not be combined or aggregated—

''(A) with any other plan which is not a multiemployer plan for purposes of applying subsection (b)(1)(B) to such other plan, or

''(B) with any other multiemployer plan for purposes of applying the limitations established in this section.''.

(2) CONFORMING AMENDMENT FOR AGGREGATION OF PLANS.—Subsection (g) of section 415 (relating to aggregation of plans) is amended by striking ''The Secretary'' and inserting ''Except as provided in subsection (f)(3), the Secretary''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 655. PROTECTION OF INVESTMENT OF EMPLOYEE CONTRIBUTIONS TO 401(k) PLANS.

(a) IN GENERAL.—Section 1524(b) of the Taxpayer Relief Act of 1997 is amended to read as follows:

''(b) EFFECTIVE DATE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to elective deferrals for plan years beginning after December 31, 1998.

''(2) NONAPPLICATION TO PREVIOUSLY ACQUIRED PROPERTY.—The amendments made by this section shall not apply to any elective deferral which is invested in assets consisting of qualifying employer securities, qualifying employer real property, or both, if such assets were acquired before January 1, 1999.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply as if included in the provision of the Taxpayer Relief Act of 1997 to which it relates.

SEC. 656. PROHIBITED ALLOCATIONS OF STOCK IN S CORPORATION ESOP.

(a) IN GENERAL.—Section 409 (relating to qualifications for tax credit employee stock ownership plans) is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) PROHIBITED ALLOCATIONS OF SECURITIES IN AN S CORPORATION.—

''(1) IN GENERAL.—An employee stock ownership plan holding employer securities consisting of stock in an S corporation shall provide that no portion of the assets of the plan attributable to (or allocable in lieu of) such employer securities may, during a nonallocation year, accrue (or be allocated directly or indirectly under any plan of the employer meeting the requirements of section 401(a)) for the benefit of any disqualified person.

''(2) FAILURE TO MEET REQUIREMENTS.—

''(A) IN GENERAL.—If a plan fails to meet the requirements of paragraph (1), the plan shall be treated as having distributed to any disqualified person the amount allocated to the account of such person in violation of paragraph (1) at the time of such allocation.

''(B) CROSS REFERENCE.—

''For excise tax relating to violations of paragraph (1) and ownership of synthetic equity, see section 4979A.

''(3) NONALLOCATION YEAR.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'nonallocation year' means any plan year of an employee stock ownership plan if, at any time during such plan year—

''(i) such plan holds employer securities consisting of stock in an S corporation, and

''(ii) disqualified persons own at least 50 percent of the number of shares of stock in the S corporation.

''(B) ATTRIBUTION RULES.—For purposes of subparagraph (A)—

''(i) IN GENERAL.—The rules of section 318(a) shall apply for purposes of determining ownership, except that—

''(I) in applying paragraph (1) thereof, the members of an individual's family shall include members of the family described in paragraph (4)(D), and

''(II) paragraph (4) thereof shall not apply.

''(ii) DEEMED-OWNED SHARES.—Notwithstanding the employee trust exception in section 318(a)(2)(B)(i), an individual shall be treated as owning deemed-owned shares of the individual.

Solely for purposes of applying paragraph (5), this subparagraph shall be applied after the attribution rules of paragraph (5) have been applied.

''(4) DISQUALIFIED PERSON.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'disqualified person' means any person if—

''(i) the aggregate number of deemed-owned shares of such person and the members of such person's family is at least 20 percent of the number of deemed-owned shares of stock in the S corporation, or

''(ii) in the case of a person not described in clause (i), the number of deemed-owned shares of such person is at least 10 percent of the number of deemed-owned shares of stock in such corporation.

''(B) TREATMENT OF FAMILY MEMBERS.—In the case of a disqualified person described in subparagraph (A)(i), any member of such person's family with deemed-owned shares shall be treated as a disqualified person if not otherwise treated as a disqualified person under subparagraph (A).

''(C) DEEMED-OWNED SHARES.—

''(i) IN GENERAL.—The term 'deemed-owned shares' means, with respect to any person—

''(I) the stock in the S corporation constituting employer securities of an employee stock ownership plan which is allocated to such person under the plan, and

''(II) such person's share of the stock in such corporation which is held by such plan but which is not allocated under the plan to participants.

''(ii) PERSON'S SHARE OF UNALLOCATED STOCK.—For purposes of clause (i)(II), a person's share of unallocated S corporation stock held by such plan is the amount of the unallocated stock which would be allocated to such person if the unallocated stock were allocated to all participants in the same proportions as the most recent stock allocation under the plan.

''(D) MEMBER OF FAMILY.—For purposes of this paragraph, the term 'member of the family' means, with respect to any individual—

''(i) the spouse of the individual,

''(ii) an ancestor or lineal descendant of the individual or the individual's spouse,

''(iii) a brother or sister of the individual or the individual's spouse and any lineal descendant of the brother or sister, and

''(iv) the spouse of any individual described in clause (ii) or (iii).

A spouse of an individual who is legally separated from such individual under a decree of divorce or separate maintenance shall not be treated as such individual's spouse for purposes of this subparagraph.

''(5) TREATMENT OF SYNTHETIC EQUITY.—For purposes of paragraphs (3) and (4), in the case of a person who owns synthetic equity in the S corporation, except to the extent provided in regulations, the shares of stock in such corporation on which such synthetic equity is based shall be treated as outstanding stock in such corporation and deemed-owned shares of such person if such treatment of synthetic equity of 1 or more such persons results in—

''(A) the treatment of any person as a disqualified person, or

''(B) the treatment of any year as a nonallocation year.

For purposes of this paragraph, synthetic equity shall be treated as owned by a person in the same manner as stock is treated as owned by a person under the rules of paragraphs (2) and (3) of section 318(a). If, without regard to this paragraph, a person is treated as a disqualified person or a year is treated as a nonallocation year, this paragraph shall not be construed to result in the person or year not being so treated.

''(6) DEFINITIONS.—For purposes of this subsection—

''(A) EMPLOYEE STOCK OWNERSHIP PLAN.—The term 'employee stock ownership plan' has the meaning given such term by section 4975(e)(7).

''(B) EMPLOYER SECURITIES.—The term 'employer security' has the meaning given such term by section 409(l).

''(C) SYNTHETIC EQUITY.—The term 'synthetic equity' means any stock option, warrant, restricted stock, deferred issuance stock right, or similar interest or right that gives the holder the right to acquire or receive stock of the S corporation in the future. Except to the extent provided in regulations, synthetic equity also includes a stock appreciation right, phantom stock unit, or similar right to a future cash payment based on the value of such stock or appreciation in such value.

''(7) REGULATIONS AND GUIDANCE.—

''(A) IN GENERAL.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection.

''(B) AVOIDANCE OR EVASION.—The Secretary may, by regulation or other guidance of general applicability, provide that a nonallocation year occurs in any case in which the principal purpose of the ownership structure of an S corporation constitutes an avoidance or evasion of this subsection.''.

(b) COORDINATION WITH SECTION 4975(e)(7).—The last sentence of section 4975(e)(7) (defining employee stock ownership plan) is amended by inserting '', section 409(p),'' after ''409(n)''.

(c) EXCISE TAX.—

(1) APPLICATION OF TAX.—Subsection (a) of section 4979A (relating to tax on certain prohibited allocations of employer securities) is amended—

(A) by striking ''or'' at the end of paragraph (1), and

(B) by striking all that follows paragraph (2) and inserting the following:

''(3) there is any allocation of employer securities which violates the provisions of section 409(p), or a nonallocation year described in subsection (e)(2)(C) with respect to an employee stock ownership plan, or

''(4) any synthetic equity is owned by a disqualified person in any nonallocation year,

there is hereby imposed a tax on such allocation or ownership equal to 50 percent of the amount involved.''.

(2) LIABILITY.—Section 4979A(c) (defining liability for tax) is amended to read as follows:

''(c) LIABILITY FOR TAX.—The tax imposed by this section shall be paid—

''(1) in the case of an allocation referred to in paragraph (1) or (2) of subsection (a), by—

''(A) the employer sponsoring such plan, or

''(B) the eligible worker-owned cooperative,

which made the written statement described in section 664(g)(1)(E) or in section 1042(b)(3)(B) (as the case may be), and

''(2) in the case of an allocation or ownership referred to in paragraph (3) or (4) of subsection (a), by the S corporation the stock in which was so allocated or owned.''.

(3) DEFINITIONS.—Section 4979A(e) (relating to definitions) is amended to read as follows:

''(e) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) DEFINITIONS.—Except as provided in paragraph (2), terms used in this section have the same respective meanings as when used in sections 409 and 4978.

''(2) SPECIAL RULES RELATING TO TAX IMPOSED BY REASON OF PARAGRAPH (3) OR (4) OF SUBSECTION (a).—

''(A) PROHIBITED ALLOCATIONS.—The amount involved with respect to any tax imposed by reason of subsection (a)(3) is the amount allocated to the account of any person in violation of section 409(p)(1).

''(B) SYNTHETIC EQUITY.—The amount involved with respect to any tax imposed by reason of subsection (a)(4) is the value of the shares on which the synthetic equity is based.

''(C) SPECIAL RULE DURING FIRST NONALLOCATION YEAR.—For purposes of subparagraph (A), the amount involved for the first nonallocation year of any employee stock ownership plan shall be determined by taking into account the total value of all the deemed-owned shares of all disqualified persons with respect to such plan.

''(D) STATUTE OF LIMITATIONS.—The statutory period for the assessment of any tax imposed by this section by reason of paragraph (3) or (4) of subsection (a) shall not expire before the date which is 3 years from the later of—

''(i) the allocation or ownership referred to in such paragraph giving rise to such tax, or

''(ii) the date on which the Secretary is notified of such allocation or ownership.''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after December 31, 2004.

(2) EXCEPTION FOR CERTAIN PLANS.—In the case of any—

(A) employee stock ownership plan established after March 14, 2001, or

(B) employee stock ownership plan established on or before such date if employer securities held by the plan consist of stock in a corporation with respect to which an election under section 1362(a) of the Internal Revenue Code of 1986 is not in effect on such date,

the amendments made by this section shall apply to plan years ending after March 14, 2001.

SEC. 657. AUTOMATIC ROLLOVERS OF CERTAIN MANDATORY DISTRIBUTIONS.

(a) DIRECT TRANSFERS OF MANDATORY DISTRIBUTIONS.—

(1) IN GENERAL.—Section 401(a)(31) (relating to optional direct transfer of eligible rollover distributions), as amended by section 643, is amended by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively, and by inserting after subparagraph (A) the following new subparagraph:

''(B) CERTAIN MANDATORY DISTRIBUTIONS.—

''(i) IN GENERAL.—In case of a trust which is part of an eligible plan, such trust shall not constitute a qualified trust under this section unless the plan of which such trust is a part provides that if—

''(I) a distribution described in clause (ii) in excess of $1,000 is made, and

''(II) the distributee does not make an election under subparagraph (A) and does not elect to receive the distribution directly,

the plan administrator shall make such transfer to an individual retirement plan of a designated trustee or issuer and shall notify the distributee in writing (either separately or as part of the notice under section 402(f)) that the distribution may be transferred to another individual retirement plan.

''(ii) ELIGIBLE PLAN.—For purposes of clause (i), the term 'eligible plan' means a plan which provides that any nonforfeitable accrued benefit for which the present value (as determined under section 411(a)(11)) does not exceed $5,000 shall be immediately distributed to the participant.''.

(2) CONFORMING AMENDMENTS.—

(A) The heading of section 401(a)(31) is amended by striking ''OPTIONAL DIRECT'' and inserting ''DIRECT''.

(B) Section 401(a)(31)(C), as redesignated by paragraph (1), is amended by striking ''Subparagraph (A)'' and inserting ''Subparagraphs (A) and (B)''.

(b) NOTICE REQUIREMENT.—Subparagraph (A) of section 402(f)(1) is amended by inserting before the comma at the end the following: ''and that the automatic distribution by direct transfer applies to certain distributions in accordance with section 401(a)(31)(B)''.

(c) FIDUCIARY RULES.—

(1) IN GENERAL.—Section 404(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(c)) is amended by adding at the end the following new paragraph:

''(3) In the case of a pension plan which makes a transfer to an individual retirement account or annuity of a designated trustee or issuer under section 401(a)(31)(B) of the Internal Revenue Code of 1986, the participant or beneficiary shall, for purposes of paragraph (1), be treated as exercising control over the assets in the account or annuity upon—

''(A) the earlier of the earlier of—

''(i) a rollover of all or a portion of the amount to another individual retirement account or annuity; or

''(ii) one year after the transfer is made; or

''(B) if the transfer is made in a manner consistent with guidance provided by the Secretary.''.

(2) REGULATIONS.—

(A) AUTOMATIC ROLLOVER SAFE HARBOR.—Not later than 3 years after the date of enactment of this Act, the Secretary of Labor shall prescribe regulations providing for safe harbors under which the designation of an institution and investment of funds in accordance with section 401(a)(31)(B) of the Internal Revenue Code of 1986 is deemed to satisfy the fiduciary requirements of section 404(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)).

(B) USE OF LOW-COST INDIVIDUAL RETIREMENT PLANS.—The Secretary of the Treasury and the Secretary of Labor may provide, and shall give consideration to providing, special relief with respect to the use of low-cost individual retirement plans for purposes of transfers under section 401(a)(31)(B) of the Internal Revenue Code of 1986 and for other uses that promote the preservation of assets for retirement income purposes.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after final regulations implementing subsection (c)(2)(A) are prescribed.

SEC. 658. CLARIFICATION OF TREATMENT OF CONTRIBUTIONS TO MULTIEMPLOYER PLAN.

(a) NOT CONSIDERED METHOD OF ACCOUNTING.—For purposes of section 446 of the Internal Revenue Code of 1986, a determination under section 404(a)(6) of such Code regarding the taxable year with respect to which a contribution to a multiemployer pension plan is deemed made shall not be treated as a method of accounting of the taxpayer. No deduction shall be allowed for any taxable year for any contribution to a multiemployer pension plan with respect to which a deduction was previously allowed.

(b) REGULATIONS.—The Secretary of the Treasury shall promulgate such regulations as necessary to clarify that a taxpayer shall not be allowed an aggregate amount of deductions for contributions to a multiemployer pension plan which exceeds the amount of such contributions made or deemed made under section 404(a)(6) of the Internal Revenue Code of 1986 to such plan.

(c) EFFECTIVE DATE.—Subsection (a), and any regulations promulgated under subsection (b), shall be effective for years ending after the date of the enactment of this Act.

PART II—TREATMENT OF PLAN AMENDMENTS REDUCING FUTURE BENEFIT ACCRUALS

SEC. 659. EXCISE TAX ON FAILURE TO PROVIDE NOTICE BY DEFINED BENEFIT PLANS SIGNIFICANTLY REDUCING FUTURE BENEFIT ACCRUALS.

(a) AMENDMENT OF INTERNAL REVENUE CODE.—

(1) IN GENERAL.—Chapter 43 (relating to qualified pension, etc., plans) is amended by adding at the end the following new section:

''SEC. 4980F. FAILURE OF APPLICABLE PLANS REDUCING BENEFIT ACCRUALS TO SATISFY NOTICE REQUIREMENTS.

''(a) IMPOSITION OF TAX.—There is hereby imposed a tax on the failure of any applicable pension plan to meet the requirements of subsection (e) with respect to any applicable individual.

''(b) AMOUNT OF TAX.—

''(1) IN GENERAL.—The amount of the tax imposed by subsection (a) on any failure with respect to any applicable individual shall be $100 for each day in the noncompliance period with respect to such failure.

''(2) NONCOMPLIANCE PERIOD.—For purposes of this section, the term 'noncompliance period' means, with respect to any failure, the period beginning on the date the failure first occurs and ending on the date the notice to which the failure relates is provided or the failure is otherwise corrected.

''(c) LIMITATIONS ON AMOUNT OF TAX.—

''(1) TAX NOT TO APPLY WHERE FAILURE NOT DISCOVERED AND REASONABLE DILIGENCE EXERCISED.—No tax shall be imposed by subsection (a) on any failure during any period for which it is established to the satisfaction of the Secretary that any person subject to liability for the tax under subsection (d) did not know that the failure existed and exercised reasonable diligence to meet the requirements of subsection (e).

''(2) TAX NOT TO APPLY TO FAILURES CORRECTED WITHIN 30 DAYS.—No tax shall be imposed by subsection (a) on any failure if—

''(A) any person subject to liability for the tax under subsection (d) exercised reasonable diligence to meet the requirements of subsection (e), and

''(B) such person provides the notice described in subsection (e) during the 30-day period beginning on the first date such person knew, or exercising reasonable diligence would have known, that such failure existed.

''(3) OVERALL LIMITATION FOR UNINTENTIONAL FAILURES.—

''(A) IN GENERAL.—If the person subject to liability for tax under subsection (d) exercised reasonable diligence to meet the requirements of subsection (e), the tax imposed by subsection (a) for failures during the taxable year of the employer (or, in the case of a multiemployer plan, the taxable year of the trust forming part of the plan) shall not exceed $500,000. For purposes of the preceding sentence, all multiemployer plans of which the same trust forms a part shall be treated as 1 plan.

''(B) TAXABLE YEARS IN THE CASE OF CERTAIN CONTROLLED GROUPS.—For purposes of this paragraph, if all persons who are treated as a single employer for purposes of this section do not have the same taxable year, the taxable years taken into account shall be determined under principles similar to the principles of section 1561.

''(4) WAIVER BY SECRETARY.—In the case of a failure which is due to reasonable cause and not to willful neglect, the Secretary may waive part or all of the tax imposed by subsection (a) to the extent that the payment of such tax would be excessive or otherwise inequitable relative to the failure involved.

''(d) LIABILITY FOR TAX.—The following shall be liable for the tax imposed by subsection (a):

''(1) In the case of a plan other than a multiemployer plan, the employer.

''(2) In the case of a multiemployer plan, the plan.

''(e) NOTICE REQUIREMENTS FOR PLANS SIGNIFICANTLY REDUCING BENEFIT ACCRUALS.—

''(1) IN GENERAL.—If an applicable pension plan is amended to provide for a significant reduction in the rate of future benefit accrual, the plan administrator shall provide written notice to each applicable individual (and to each employee organization representing applicable individuals).

''(2) NOTICE.—The notice required by paragraph (1) shall be written in a manner calculated to be understood by the average plan participant and shall provide sufficient information (as determined in accordance with regulations prescribed by the Secretary) to allow applicable individuals to understand the effect of the plan amendment. The Secretary may provide a simplified form of notice for, or exempt from any notice requirement, a plan—

''(A) which has fewer than 100 participants who have accrued a benefit under the plan, or

''(B) which offers participants the option to choose between the new benefit formula and the old benefit formula.

''(3) TIMING OF NOTICE.—Except as provided in regulations, the notice required by paragraph (1) shall be provided within a reasonable time before the effective date of the plan amendment.

''(4) DESIGNEES.—Any notice under paragraph (1) may be provided to a person designated, in writing, by the person to which it would otherwise be provided.

''(5) NOTICE BEFORE ADOPTION OF AMENDMENT.—A plan shall not be treated as failing to meet the requirements of paragraph (1) merely because notice is provided before the adoption of the plan amendment if no material modification of the amendment occurs before the amendment is adopted.

''(f) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) APPLICABLE INDIVIDUAL.—The term 'applicable individual' means, with respect to any plan amendment—

''(A) each participant in the plan, and

''(B) any beneficiary who is an alternate payee (within the meaning of section 414(p)(8)) under an applicable qualified domestic relations order (within the meaning of section 414(p)(1)(A)),

whose rate of future benefit accrual under the plan may reasonably be expected to be significantly reduced by such plan amendment.

''(2) APPLICABLE PENSION PLAN.—The term 'applicable pension plan' means—

''(A) any defined benefit plan, or

''(B) an individual account plan which is subject to the funding standards of section 412.

Such term shall not include a governmental plan (within the meaning of section 414(d)) or a church plan (within the meaning of section 414(e)) with respect to which the election provided by section 410(d) has not been made.

''(3) EARLY RETIREMENT.—A plan amendment which eliminates or significantly reduces any early retirement benefit or retirement-type subsidy (within the meaning of section 411(d)(6)(B)(i)) shall be treated as having the effect of significantly reducing the rate of future benefit accrual.

''(g) NEW TECHNOLOGIES.—The Secretary may by regulations allow any notice under subsection (e) to be provided by using new technologies.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 43 is amended by adding at the end the following new item:

''Sec. 4980F. Failure of applicable plans reducing benefit accruals to satisfy notice requirements.''.

(b) AMENDMENT OF ERISA.—Subsection (h) of section 204 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054) is amended to read as follows:

''(h)(1) An applicable pension plan may not be amended so as to provide for a significant reduction in the rate of future benefit accrual unless the plan administrator provides the notice described in paragraph (2) to each applicable individual (and to each employee organization representing applicable individuals).

''(2) The notice required by paragraph (1) shall be written in a manner calculated to be understood by the average plan participant and shall provide sufficient information (as determined in accordance with regulations prescribed by the Secretary of the Treasury) to allow applicable individuals to understand the effect of the plan amendment. The Secretary of the Treasury may provide a simplified form of notice for, or exempt from any notice requirement, a plan—

''(A) which has fewer than 100 participants who have accrued a benefit under the plan, or

''(B) which offers participants the option to choose between the new benefit formula and the old benefit formula.

''(3) Except as provided in regulations prescribed by the Secretary of the Treasury, the notice required by paragraph (1) shall be provided within a reasonable time before the effective date of the plan amendment.

''(4) Any notice under paragraph (1) may be provided to a person designated, in writing, by the person to which it would otherwise be provided.

''(5) A plan shall not be treated as failing to meet the requirements of paragraph (1) merely because notice is provided before the adoption of the plan amendment if no material modification of the amendment occurs before the amendment is adopted.

''(6)(A) In the case of any egregious failure to meet any requirement of this subsection with respect to any plan amendment, the provisions of the applicable pension plan shall be applied as if such plan amendment entitled all applicable individuals to the greater of—

''(i) the benefits to which they would have been entitled without regard to such amendment, or

''(ii) the benefits under the plan with regard to such amendment.

''(B) For purposes of subparagraph (A), there is an egregious failure to meet the requirements of this subsection if such failure is within the control of the plan sponsor and is—

''(i) an intentional failure (including any failure to promptly provide the required notice or information after the plan administrator discovers an unintentional failure to meet the requirements of this subsection),

''(ii) a failure to provide most of the individuals with most of the information they are entitled to receive under this subsection, or

''(iii) a failure which is determined to be egregious under regulations prescribed by the Secretary of the Treasury.

''(7) The Secretary of the Treasury may by regulations allow any notice under this subsection to be provided by using new technologies.

''(8) For purposes of this subsection—

''(A) The term 'applicable individual' means, with respect to any plan amendment—

''(i) each participant in the plan; and

''(ii) any beneficiary who is an alternate payee (within the meaning of section 206(d)(3)(K)) under an applicable qualified domestic relations order (within the meaning of section 206(d)(3)(B)(i)),

whose rate of future benefit accrual under the plan may reasonably be expected to be significantly reduced by such plan amendment.

''(B) The term 'applicable pension plan' means—

''(i) any defined benefit plan; or

''(ii) an individual account plan which is subject to the funding standards of section 412 of the Internal Revenue Code of 1986.

''(9) For purposes of this subsection, a plan amendment which eliminates or significantly reduces any early retirement benefit or retirement-type subsidy (within the meaning of subsection (g)(2)(A)) shall be treated as having the effect of significantly reducing the rate of future benefit accrual.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan amendments taking effect on or after the date of the enactment of this Act.

(2) TRANSITION.—Until such time as the Secretary of the Treasury issues regulations under sections 4980F(e)(2) and (3) of the Internal Revenue Code of 1986, and section 204(h) of the Employee Retirement Income Security Act of 1974, as added by the amendments made by this section, a plan shall be treated as meeting the requirements of such sections if it makes a good faith effort to comply with such requirements.

(3) SPECIAL NOTICE RULE.—

(A) IN GENERAL.—The period for providing any notice required by the amendments made by this section shall not end before the date which is 3 months after the date of the enactment of this Act.

(B) REASONABLE NOTICE.—The amendments made by this section shall not apply to any plan amendment taking effect on or after the date of the enactment of this Act if, before April 25, 2001, notice was provided to participants and beneficiaries adversely affected by the plan amendment (or their representatives) which was reasonably expected to notify them of the nature and effective date of the plan amendment.

Subtitle F—Reducing Regulatory Burdens

SEC. 661. MODIFICATION OF TIMING OF PLAN VALUATIONS.

(a) IN GENERAL.—Paragraph (9) of section 412(c) (relating to annual valuation) is amended to read as follows:

''(9) ANNUAL VALUATION.—

''(A) IN GENERAL.—For purposes of this section, a determination of experience gains and losses and a valuation of the plan's liability shall be made not less frequently than once every year, except that such determination shall be made more frequently to the extent required in particular cases under regulations prescribed by the Secretary.

''(B) VALUATION DATE.—

''(i) CURRENT YEAR.—Except as provided in clause (ii), the valuation referred to in subparagraph (A) shall be made as of a date within the plan year to which the valuation refers or within one month prior to the beginning of such year.

''(ii) USE OF PRIOR YEAR VALUATION.—The valuation referred to in subparagraph (A) may be made as of a date within the plan year prior to the year to which the valuation refers if, as of such date, the value of the assets of the plan are not less than 125 percent of the plan's current liability (as defined in paragraph (7)(B)).

''(iii) ADJUSTMENTS.—Information under clause (ii) shall, in accordance with regulations, be actuarially adjusted to reflect significant differences in participants.''.

(b) AMENDMENT OF ERISA.—Paragraph (9) of section 302(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(c)) is amended—

(1) by inserting ''(A)'' after ''(9)'', and

(2) by adding at the end the following:

''(B)(i) Except as provided in clause (ii), the valuation referred to in subparagraph (A) shall be made as of a date within the plan year to which the valuation refers or within one month prior to the beginning of such year.

''(ii) The valuation referred to in subparagraph (A) may be made as of a date within the plan year prior to the year to which the valuation refers if, as of such date, the value of the assets of the plan are not less than 125 percent of the plan's current liability (as defined in paragraph (7)(B)).

''(iii) Information under clause (ii) shall, in accordance with regulations, be actuarially adjusted to reflect significant differences in participants.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2001.

SEC. 662. ESOP DIVIDENDS MAY BE REINVESTED WITHOUT LOSS OF DIVIDEND DEDUCTION.

(a) IN GENERAL.—Section 404(k)(2)(A) (defining applicable dividends) is amended by striking ''or'' at the end of clause (ii), by redesignating clause (iii) as clause (iv), and by inserting after clause (ii) the following new clause:

''(iii) is, at the election of such participants or their beneficiaries—

''(I) payable as provided in clause (i) or (ii), or

''(II) paid to the plan and reinvested in qualifying employer securities, or''.

(b) STANDARDS FOR DISALLOWANCE.—Section 404(k)(5)(A) (relating to disallowance of deduction) is amended by inserting ''avoidance or'' before ''evasion''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 663. REPEAL OF TRANSITION RULE RELATING TO CERTAIN HIGHLY COMPENSATED EMPLOYEES.

(a) IN GENERAL.—Paragraph (4) of section 1114(c) of the Tax Reform Act of 1986 is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to plan years beginning after December 31, 2001.

SEC. 664. EMPLOYEES OF TAX-EXEMPT ENTITIES.

(a) IN GENERAL.—The Secretary of the Treasury shall modify Treasury Regulations section 1.410(b)–6(g) to provide that employees of an organization described in section 403(b)(1)(A)(i) of the Internal Revenue Code of 1986 who are eligible to make contributions under section 403(b) of such Code pursuant to a salary reduction agreement may be treated as excludable with respect to a plan under section 401(k) or (m) of such Code that is provided under the same general arrangement as a plan under such section 401(k), if—

(1) no employee of an organization described in section 403(b)(1)(A)(i) of such Code is eligible to participate in such section 401(k) plan or section 401(m) plan; and

(2) 95 percent of the employees who are not employees of an organization described in section 403(b)(1)(A)(i) of such Code are eligible to participate in such plan under such section 401(k) or (m).

(b) EFFECTIVE DATE.—The modification required by subsection (a) shall apply as of the same date set forth in section 1426(b) of the Small Business Job Protection Act of 1996.

SEC. 665. CLARIFICATION OF TREATMENT OF EMPLOYER-PROVIDED RETIREMENT ADVICE.

(a) IN GENERAL.—Subsection (a) of section 132 (relating to exclusion from gross income) is amended by striking ''or'' at the end of paragraph (5), by striking the period at the end of paragraph (6) and inserting '', or'', and by adding at the end the following new paragraph:

''(7) qualified retirement planning services.''.

(b) QUALIFIED RETIREMENT PLANNING SERVICES DEFINED.—Section 132 is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following:

''(m) QUALIFIED RETIREMENT PLANNING SERVICES.—

''(1) IN GENERAL.—For purposes of this section, the term 'qualified retirement planning services' means any retirement planning advice or information provided to an employee and his spouse by an employer maintaining a qualified employer plan.

''(2) NONDISCRIMINATION RULE.—Subsection (a)(7) shall apply in the case of highly compensated employees only if such services are available on substantially the same terms to each member of the group of employees normally provided education and information regarding the employer's qualified employer plan.

''(3) QUALIFIED EMPLOYER PLAN.—For purposes of this subsection, the term 'qualified employer plan' means a plan, contract, pension, or account described in section 219(g)(5).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2001.

SEC. 666. REPEAL OF THE MULTIPLE USE TEST.

(a) IN GENERAL.—Paragraph (9) of section 401(m) is amended to read as follows:

''(9) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection and subsection (k), including regulations permitting appropriate aggregation of plans and contributions.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2001.

Subtitle G—Miscellaneous Provisions

SEC. 671. TAX TREATMENT AND INFORMATION REQUIREMENTS OF ALASKA NATIVE SETTLEMENT TRUSTS.

(a) TREATMENT OF ALASKA NATIVE SETTLEMENT TRUSTS.—Subpart A of part I of subchapter J of chapter 1 (relating to general rules for taxation of trusts and estates) is amended by adding at the end the following new section:

''SEC. 646. TAX TREATMENT OF ELECTING ALASKA NATIVE SETTLEMENT TRUSTS.

''(a) IN GENERAL.—If an election under this section is in effect with respect to any Settlement Trust, the provisions of this section shall apply in determining the income tax treatment of the Settlement Trust and its beneficiaries with respect to the Settlement Trust.

''(b) TAXATION OF INCOME OF TRUST.—Except as provided in subsection (f)(1)(B)(ii)—

''(1) IN GENERAL.—There is hereby imposed on the taxable income of an electing Settlement Trust, other than its net capital gain, a tax at the lowest rate specified in section 1(c).

''(2) CAPITAL GAIN.—In the case of an electing Settlement Trust with a net capital gain for the taxable year, a tax is hereby imposed on such gain at the rate of tax which would apply to such gain if the taxpayer were subject to a tax on its other taxable income at only the lowest rate specified in section 1(c).

Any such tax shall be in lieu of the income tax otherwise imposed by this chapter on such income or gain.

''(c) ONE-TIME ELECTION.—

''(1) IN GENERAL.—A Settlement Trust may elect to have the provisions of this section apply to the trust and its beneficiaries.

''(2) TIME AND METHOD OF ELECTION.—An election under paragraph (1) shall be made by the trustee of such trust—

''(A) on or before the due date (including extensions) for filing the Settlement Trust's return of tax for the first taxable year of such trust ending after the date of the enactment of this section, and

''(B) by attaching to such return of tax a statement specifically providing for such election.

''(3) PERIOD ELECTION IN EFFECT.—Except as provided in subsection (f), an election under this subsection—

''(A) shall apply to the first taxable year described in paragraph (2)(A) and all subsequent taxable years, and

''(B) may not be revoked once it is made.

''(d) CONTRIBUTIONS TO TRUST.—

''(1) BENEFICIARIES OF ELECTING TRUST NOT TAXED ON CONTRIBUTIONS.—In the case of an electing Settlement Trust, no amount shall be includible in the gross income of a beneficiary of such trust by reason of a contribution to such trust.

''(2) EARNINGS AND PROFITS.—The earnings and profits of the sponsoring Native Corporation shall not be reduced on account of any contribution to such Settlement Trust.

''(e) TAX TREATMENT OF DISTRIBUTIONS TO BENEFICIARIES.—Amounts distributed by an electing Settlement Trust during any taxable year shall be considered as having the following characteristics in the hands of the recipient beneficiary:

''(1) First, as amounts excludable from gross income for the taxable year to the extent of the taxable income of such trust for such taxable year (decreased by any income tax paid by the trust with respect to the income) plus any amount excluded from gross income of the trust under section 103.

''(2) Second, as amounts excludable from gross income to the extent of the amount described in paragraph (1) for all taxable years for which an election is in effect under subsection (c) with respect to the trust, and not previously taken into account under paragraph (1).

''(3) Third, as amounts distributed by the sponsoring Native Corporation with respect to its stock (within the meaning of section 301(a)) during such taxable year and taxable to the recipient beneficiary as amounts described in section 301(c)(1), to the extent of current or accumulated earnings and profits of the sponsoring Native Corporation as of the close of such taxable year after proper adjustment is made for all distributions made by the sponsoring Native Corporation during such taxable year.

''(4) Fourth, as amounts distributed by the trust in excess of the distributable net income of such trust for such taxable year.

Amounts distributed to which paragraph (3) applies shall not be treated as a corporate distribution subject to section 311(b), and for purposes of determining the amount of a distribution for purposes of paragraph (3) and the basis to the recipients, section 643(e) and not section 301 (b) or (d) shall apply.

''(f) SPECIAL RULES WHERE TRANSFER RESTRICTIONS MODIFIED.—

''(1) TRANSFER OF BENEFICIAL INTERESTS.—If, at any time, a beneficial interest in an electing Settlement Trust may be disposed of to a person in a manner which would not be permitted by section 7(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(h)) if such interest were Settlement Common Stock—

''(A) no election may be made under subsection (c) with respect to such trust, and

''(B) if such an election is in effect as of such time—

''(i) such election shall cease to apply as of the first day of the taxable year in which such disposition is first permitted,

''(ii) the provisions of this section shall not apply to such trust for such taxable year and all taxable years thereafter, and

''(iii) the distributable net income of such trust shall be increased by the current or accumulated earnings and profits of the sponsoring Native Corporation as of the close of such taxable year after proper adjustment is made for all distributions made by the sponsoring Native Corporation during such taxable year.

In no event shall the increase under clause (iii) exceed the fair market value of the trust's assets as of the date the beneficial interest of the trust first becomes so disposable. The earnings and profits of the sponsoring Native Corporation shall be adjusted as of the last day of such taxable year by the amount of earnings and profits so included in the distributable net income of the trust.

''(2) STOCK IN CORPORATION.—If—

''(A) stock in the sponsoring Native Corporation may be disposed of to a person in a manner which would not be permitted by section 7(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(h)) if such stock were Settlement Common Stock, and

''(B) at any time after such disposition of stock is first permitted, such corporation transfers assets to a Settlement Trust,

paragraph (1)(B) shall be applied to such trust on and after the date of the transfer in the same manner as if the trust permitted dispositions of beneficial interests in the trust in a manner not permitted by such section 7(h).

''(3) CERTAIN DISTRIBUTIONS.—For purposes of this section, the surrender of an interest in a Native Corporation or an electing Settlement Trust in order to accomplish the whole or partial redemption of the interest of a shareholder or beneficiary in such corporation or trust, or to accomplish the whole or partial liquidation of such corporation or trust, shall be deemed to be a transfer permitted by section 7(h) of the Alaska Native Claims Settlement Act.

''(g) TAXABLE INCOME.—For purposes of this title, the taxable income of an electing Settlement Trust shall be determined under section 641(b) without regard to any deduction under section 651 or 661.

''(h) DEFINITIONS.—For purposes of this section—

''(1) ELECTING SETTLEMENT TRUST.—The term 'electing Settlement Trust' means a Settlement Trust which has made the election, effective for a taxable year, described in subsection (c).

''(2) NATIVE CORPORATION.—The term 'Native Corporation' has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(m)).

''(3) SETTLEMENT COMMON STOCK.—The term 'Settlement Common Stock' has the meaning given such term by section 3(p) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(p)).

''(4) SETTLEMENT TRUST.—The term 'Settlement Trust' means a trust that constitutes a settlement trust under section 3(t) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(t)).

''(5) SPONSORING NATIVE CORPORATION.—The term 'sponsoring Native Corporation' means the Native Corporation which transfers assets to an electing Settlement Trust.

''(i) SPECIAL LOSS DISALLOWANCE RULE.—Any loss that would otherwise be recognized by a shareholder upon a disposition of a share of stock of a sponsoring Native Corporation shall be reduced (but not below zero) by the per share loss adjustment factor. The per share loss adjustment factor shall be the aggregate of all contributions to all electing Settlement Trusts sponsored by such Native Corporation made on or after the first day each trust is treated as an electing Settlement Trust expressed on a per share basis and determined as of the day of each such contribution.

''(j) CROSS REFERENCE.—

"For information required with respect to electing Settlement Trusts and sponsoring Native Corporations, see section 6039H.".

(b) REPORTING.—Subpart A of part III of subchapter A of chapter 61 of subtitle F (relating to information concerning persons subject to special provisions) is amended by inserting after section 6039G the following new section:

"SEC. 6039H. INFORMATION WITH RESPECT TO ALASKA NATIVE SETTLEMENT TRUSTS AND SPONSORING NATIVE CORPORATIONS.

''(a) REQUIREMENT.—The fiduciary of an electing Settlement Trust (as defined in section 646(h)(1)) shall include with the return of income of the trust a statement containing the information required under subsection (c).

''(b) APPLICATION WITH OTHER REQUIREMENTS.—The filing of any statement under this section shall be in lieu of the reporting requirements under section 6034A to furnish any statement to a beneficiary regarding amounts distributed to such beneficiary (and such other reporting rules as the Secretary deems appropriate).

''(c) REQUIRED INFORMATION.—The information required under this subsection shall include—

''(1) the amount of distributions made during the taxable year to each beneficiary,

''(2) the treatment of such distribution under the applicable provision of section 646, including the amount that is excludable from the recipient beneficiary's gross income under section 646, and

''(3) the amount (if any) of any distribution during such year that is deemed to have been made by the sponsoring Native Corporation (as defined in section 646(h)(5)).

''(d) SPONSORING NATIVE CORPORATION.—

''(1) IN GENERAL.—The electing Settlement Trust shall, on or before the date on which the statement under subsection (a) is required to be filed, furnish such statement to the sponsoring Native Corporation (as so defined).

''(2) DISTRIBUTEES.—The sponsoring Native Corporation shall furnish each recipient of a distribution described in section 646(e)(3) a statement containing the amount deemed to have been distributed to such recipient by such corporation for the taxable year.''.

(c) CLERICAL AMENDMENT.—

(1) The table of sections for subpart A of part I of subchapter J of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 646. Tax treatment of electing Alaska Native Settlement Trusts.''.

(2) The table of sections for subpart A of part III of subchapter A of chapter 61 of subtitle F of such Code is amended by inserting after the item relating to section 6039G the following new item:

''Sec. 6039H. Information with respect to Alaska Native Settlement Trusts and sponsoring Native Corporations.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act and to contributions made to electing Settlement Trusts for such year or any subsequent year.

TITLE VII—ALTERNATIVE MINIMUM TAX

SEC. 701. INCREASE IN ALTERNATIVE MINIMUM TAX EXEMPTION.

(a) IN GENERAL.—

(1) Subparagraph (A) of section 55(d)(1) (relating to exemption amount for taxpayers other than corporations) is amended by striking ''$45,000'' and inserting ''$45,000 ($49,000 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)''.

(2) Subparagraph (B) of section 55(d)(1) (relating to exemption amount for taxpayers other than corporations) is amended by striking ''$33,750'' and inserting ''$33,750 ($35,750 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 55(d) is amended by striking ''and'' at the end of subparagraph (B), by striking subparagraph (C), and by inserting after subparagraph (B) the following new subparagraphs:

''(C) 50 percent of the dollar amount applicable under paragraph (1)(A) in the case of a married individual who files a separate return, and

''(D) $22,500 in the case of an estate or trust.''.

(2) Subparagraph (C) of section 55(d)(3) is amended by striking ''paragraph (1)(C)'' and inserting ''subparagraph (C) or (D) of paragraph (1)''.

(3) The last sentence of section 55(d)(3) is amended—

(A) by striking ''paragraph (1)(C)(i)'' and inserting ''paragraph (1)(C)''; and

(B) by striking ''$165,000 or (ii) $22,500'' and inserting ''the minimum amount of such income (as so determined) for which the exemption amount under paragraph (1)(C) is zero, or (ii) such exemption amount (determined without regard to this paragraph)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

TITLE VIII—OTHER PROVISIONS

SEC. 801. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986—

(1) 100 percent of the amount of any required installment of corporate estimated tax which is otherwise due in September 2001 shall not be due until October 1, 2001; and

(2) 20 percent of the amount of any required installment of corporate estimated tax which is otherwise due in September 2004 shall not be due until October 1, 2004.

SEC. 802. EXPANSION OF AUTHORITY TO POSTPONE CERTAIN TAX-RELATED DEADLINES BY REASON OF PRESIDENTIALLY DECLARED DISASTER.

(a) IN GENERAL.—Section 7508A(a) (relating to authority to postpone certain tax-related deadlines by reason of presidentially declared disaster) is amended by striking ''90 days'' and inserting ''120 days''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act.

SEC. 803. NO FEDERAL INCOME TAX ON RESTITUTION RECEIVED BY VICTIMS OF THE NAZI REGIME OR THEIR HEIRS OR ESTATES.

(a) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, any excludable restitution payments received by an eligible individual (or the individual's heirs or estate) and any excludable interest—

(1) shall not be included in gross income; and

(2) shall not be taken into account for purposes of applying any provision of such Code which takes into account excludable income in computing adjusted gross income, including section 86 of such Code (relating to taxation of Social Security benefits).

For purposes of such Code, the basis of any property received by an eligible individual (or the individual's heirs or estate) as part of an excludable restitution payment shall be the fair market value of such property as of the time of the receipt.

(b) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term ''eligible individual'' means a person who was persecuted on the basis of race, religion, physical or mental disability, or sexual orientation by Nazi Germany, any other Axis regime, or any other Nazi-controlled or Nazi-allied country.

(c) EXCLUDABLE RESTITUTION PAYMENT.—For purposes of this section, the term ''excludable restitution payment'' means any payment or distribution to an individual (or the individual's heirs or estate) which—

(1) is payable by reason of the individual's status as an eligible individual, including any amount payable by any foreign country, the

United States of America, or any other foreign or domestic entity, or a fund established by any such country or entity, any amount payable as a result of a final resolution of a legal action, and any amount payable under a law providing for payments or restitution of property;

(2) constitutes the direct or indirect return of, or compensation or reparation for, assets stolen or hidden from, or otherwise lost to, the individual before, during, or immediately after World War II by reason of the individual's status as an eligible individual, including any proceeds of insurance under policies issued on eligible individuals by European insurance companies immediately before and during World War II; or

(3) consists of interest which is payable as part of any payment or distribution described in paragraph (1) or (2).

(d) EXCLUDABLE INTEREST.—For purposes of this section, the term ''excludable interest'' means any interest earned by—

(1) escrow accounts or settlement funds established pursuant to the settlement of the action entitled ''In re: Holocaust Victim Assets Litigation,'' (E.D.N.Y.) C.A. No. 96–4849,

(2) funds to benefit eligible individuals or their heirs created by the International Commission on Holocaust Insurance Claims as a result of the Agreement between the Government of the United States of America and the Government of the Federal Republic of Germany concerning the Foundation ''Remembrance, Responsibility, and Future,'' dated July 17, 2000, or

(3) similar funds subject to the administration of the United States courts created to provide excludable restitution payments to eligible individuals (or eligible individuals' heirs or estates).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—This section shall apply to any amount received on or after January 1, 2000.

(2) NO INFERENCE.—Nothing in this Act shall be construed to create any inference with respect to the proper tax treatment of any amount received before January 1, 2000.

TITLE IX—COMPLIANCE WITH CONGRESSIONAL BUDGET ACT

SEC. 901. SUNSET OF PROVISIONS OF ACT.

(a) IN GENERAL.—All provisions of, and amendments made by, this Act shall not apply—

(1) to taxable, plan, or limitation years beginning after December 31, 2010, or

(2) in the case of title V, to estates of decedents dying, gifts made, or generation skipping transfers, after December 31, 2010.

(b) APPLICATION OF CERTAIN LAWS.—The Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 shall be applied and administered to years, estates, gifts, and transfers described in subsection (a) as if the provisions and amendments described in subsection (a) had never been enacted.

And the Senate agree to the same.

WILLIAM THOMAS,
DICK ARMEY,
Managers on the Part of the House.

CHUCK GRASSLEY,
ORRIN HATCH,
FRANK H. MURKOWSKI,
DON NICKLES,
PHIL GRAMM,
MAX BAUCUS,
JOHN BREAUX,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

Pursuant to House Resolution 153, the yeas and nays were ordered and the vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 240 / Nays 154

¶54.19 [Roll No. 149]

YEAS—240

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Berkley
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hooley
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kerns
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—154

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

NOT VOTING—39

Ackerman
Baca
Becerra
Bentsen
Bishop
Blumenauer
Boyd
Clayton
Coyne
Cubin
Doggett
Gillmor
Hall (OH)
Hoeffel
Honda
Houghton
Isakson
Jones (NC)
Kaptur
King (NY)
Lipinski
McCarthy (MO)
McDermott
McIntyre
Meek (FL)
Millender-McDonald
Moakley
Oberstar
Quinn
Rahall
Rodriguez
Rush
Scarborough
Spence
Towns
Walsh
Waters
Waxman
Wynn

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶54.20 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, May 24, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

So the Journal was approved.

¶54.21 PROVIDING FOR THE ADJOURNMENT OF THE TWO HOUSES

Mr. TIAHRT submitted the following privileged concurrent resolution (H. Con. Res. 146):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, May 25, 2001, or Saturday, May 26, 2001, on a motion offered pursuant to this concurrent res-

olution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, June 5, 2001, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Saturday, May 26, 2001, Sunday, May 27, 2001, or Tuesday, May 29, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, June 5, 2001, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶54.22 ADJOURNMENT OVER

On motion of Mr. TIAHRT, by unanimous consent,

Ordered, That when the House adjourns on the legislative day of May 25, 2001, it stand adjourned until 2 o'clock p.m. on Wednesday, May 30, 2001, unless the House sooner receives a message from the Senate transmitting its concurrence in House Concurrent Resolution 146, in which case the House shall stand adjourned pursuant to that concurrent resolution.

¶54.23 SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. TIAHRT, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until 2 o'clock p.m., Tuesday, June 5, 2001, the Speaker, Majority Leader, and Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶54.24 PRIVATE CALENDAR BUSINESS DISPENSED WITH

On motion of Mr. TIAHRT, by unanimous consent,

Ordered, That business in order on Tuesday, June 5, 2001, under clause 5, rule XV, the Private Calendar rule, be dispensed with.

¶54.25 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. TIAHRT, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, June 6, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶54.26 APPOINTMENT OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication from the SPEAKER, which was read as follows:

WASHINGTON, DC,
May 26, 2001.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through June 5, 2001.

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

By unanimous consent, the appointment was approved.

¶54.27 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 378. An Act to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the ''Paul Simon Chicago Job Corps Center''; to the Committee on Transportation and Infrastructure.

S. 774. An Act to designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the ''Lee H. Hamilton Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

¶54.28 BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on this day he presented to the President of the United States, for his approval, the following bills.

H.R. 801. Veterans' Survivors Benefits Improvements Act of 2001.

H.R. 1727. To amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty.

¶54.29 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BACA, for today;
To Mr. BISHOP, for today;
To Mr. BLUMENAUER, for today;
To Mr. BOYD, for today;
To Mr. HOEFFEL, for today; and
To Mr. OSE, for today until 8:30 a.m.

And then,

¶54.30 ADJOURNMENT

On motion of Mr. TIAHRT, pursuant to House Concurrent Resolution 146, at 10 o'clock and 19 minutes a.m. May 26 (legislative day of May 25), 2001, the House adjourned until 2 p.m. on Tuesday, June 5, 2001, or, under the previous order of the House, until 2 o'clock p.m. on Wednesday, May 30, 2001, if not sooner in receipt of a message from the Senate transmitting its concurrence in House Concurrent Resolution 146.

¶54.31 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on May 26 (legislative day of May 25), 2001]

Mr. THOMAS: Committee of Conference. Conference report on H.R. 1836. A bill to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002 (Rept. No. 107–84). Ordered to be printed.

Mr. REYNOLDS: Committee on Rules. House Resolution 153. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002 (Rept. No. 107–85). Referred to the House Calendar.

¶54.32 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII, the Committee on Government Reform discharged from further consideration. H.R. 1088 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶54.33 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ABERCROMBIE (for himself, Mr. BONIOR, Mr. BACA, Mr. EVANS, Mr. HINCHEY, Mr. FROST, Ms. HOOLEY of Oregon, Mr. UDALL of New Mexico, Mr. MCGOVERN, Mr. HALL of Ohio, Mr. MORAN of Kansas, Ms. KILPATRICK, Mr. PALLONE, Ms. MCKINNEY, Mr. KILDEE, Mrs. WILSON, Mr. RAHALL, Mr. RUSH, Mr. GRAHAM, Mr. PASTOR, Mr. SHOWS, Mr. STRICKLAND, Mrs. MINK of Hawaii, Mr. TAUZIN, Mr. RANGEL, Mrs. JONES of Ohio, Mr. OTTER, Mr. KUCINICH, and Mr. FALEOMAVAEGA):

H.R. 2012. A bill to amend title 5, United States Code, to eliminate an inequity in the applicability of early retirement eligibility requirements to military reserve technicians; to the Committee on Government Reform.

By Mr. ALLEN (for himself, Mr. MCGOVERN, Mr. ANDREWS, Mr. BRADY of Pennsylvania, Mr. EVANS, Ms. BALDWIN, Mr. MARKEY, Mr. STARK, Mr. FRANK, Mr. TIERNEY, Mr. DOGGETT, Mr. BLUMENAUER, Mr. SNYDER, Mr. KUCINICH, and Mr. BERMAN):

H.R. 2013. A bill to provide the President with flexibility to set strategic nuclear delivery system levels to meet United States national security goals; to the Committee on Armed Services.

By Mr. ANDREWS (for himself and Mrs. KELLY):

H.R. 2014. A bill to amend the Fair Debt Collection Practices Act with regard to liability for noncompliance, and for other purposes; to the Committee on Financial Services.

By Mr. COSTELLO:

H.R. 2015. A bill to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the ''Paul Simon Chicago Job Corps Center''; to the Committee on Transportation and Infrastructure.

By Ms. DEGETTE:

H.R. 2016. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to ensure full Federal compliance with that Act; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be

subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREEN of Wisconsin (for himself, Mr. RYAN of Wisconsin, Mr. SENSENBRENNER, Mr. PETRI, Mr. BARRETT, Mr. KLECZKA, Mr. WELLER, Mr. JOHNSON of Illinois, Mr. KIRK, Mr. KENNEDY of Minnesota, and Mrs. BIGGERT):

H.R. 2017. A bill to direct the Administrator of the Environmental Protection Agency to conduct a study of the feasibility of developing regional vehicle fuel specifications for the United States and of implementing the use of a uniform blend of gasoline in the Midwest region of the United States; to the Committee on Energy and Commerce.

By Ms. HART (for herself, Mrs. JONES of Ohio, Mr. WELDON of Pennsylvania, Mr. BACHUS, Mr. ENGLISH, Mr. ADERHOLT, Mr. SMITH of New Jersey, Mr. PITTS, Mr. STEARNS, Mrs. JO ANN DAVIS of Virginia, Mr. HOEKSTRA, Mrs. MYRICK, Ms. ROS-LEHTINEN, Mr. SOUDER, Ms. PRYCE of Ohio, Mr. WELDON of Florida, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. GREENWOOD, and Mr. RYUN of Kansas):

H.R. 2018. A bill to authorize States to use funds provided under the program of block grants to States for temporary assistance for needy families to support infant safe haven programs; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUTCHINSON:

H.R. 2019. A bill to amend the National Labor Relations Act; to the Committee on Education and the Workforce.

By Mr. JONES of North Carolina:

H.R. 2020. A bill to amend title 38, United States Code, to extend the period over which an individual must make payment to the Secretary to become entitled to educational assistance under the Montgomery GI Bill, to prospectively permit any servicemember to withdraw an election not to enroll under the Montgomery GI Bill, and to provide for certain servicemembers to become eligible for educational assistance under the Montgomery GI Bill; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself, Mr. LEACH, Mr. LUTHER, Mr. GILCHREST, Ms. MCCOLLUM, Mr. GUTKNECHT, Mr. EVANS, Mr. SHIMKUS, Mr. BOSWELL, Mr. HULSHOF, Ms. BALDWIN, Mr. POMEROY, Mr. PETRI, Ms. HOOLEY of Oregon, Mr. ETHERIDGE, Mr. BLUMENAUER, and Mr. BARRETT):

H.R. 2021. A bill to reduce flood losses; to the Committee on Transportation and Infrastructure.

By Mr. LAFALCE (for himself, Mr. KANJORSKI, Mr. HOUGHTON, Mr. GUTIERREZ, Mr. SOUDER, Mr. GONZALEZ, Mrs. THURMAN, Mr. OWENS, and Mr. UNDERWOOD):

H.R. 2022. A bill to amend the Internal Revenue Code of 1986 to provide assistance to first-time homebuyers; to the Committee on Ways and Means.

By Mr. LEWIS of Kentucky (for himself, Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. FLETCHER, Mr. LUCAS of Kentucky, and Ms. ROS-LEHTINEN):

H.R. 2023. A bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax on distilled spirits to its pre-1985 level; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 2024. A bill to amend title 18, United States Code, to prohibit desecration of Veterans' memorials; to the Committee on the Judiciary.

By Mr. MANZULLO:

H.R. 2025. A bill to amend the Internal Revenue Code of 1986 to allow all individuals a deduction for Federal, State, and local highway motor fuel sales taxes; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii:

H.R. 2026. A bill to make appropriations for fiscal year 2002 for the establishment and operation of a plant genetic conservation center; to the Committee on Appropriations.

By Mr. MORAN of Kansas (for himself, Mrs. EMERSON, and Mr. BERRY):

H.R. 2027. A bill to amend the Agricultural Market Transition Act to extend for the 2001 and 2002 crop years the temporary eligibility of producers for loan deficiency payments when the producers, although not eligible to obtain a marketing assistance loan, produce a contract commodity; to the Committee on Agriculture.

By Mr. NEY:

H.R. 2028. A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Ohio; to the Committee on Energy and Commerce.

By Mr. PICKERING:

H.R. 2029. A bill to amend title 23, United States Code, to require the Secretary of Transportation to carry out a grant program for providing financial assistance for local rail line relocation projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. ROS-LEHTINEN (for herself, Mr. SMITH of New Jersey, Mr. ROHRABACHER, Mr. BURTON of Indiana, and Mr. CHABOT):

H.R. 2030. A bill to prohibit issuance of a visa, or admission to the United States, of any physician who is a citizen of the People's Republic of China and who seeks to enter for the purpose of training in organ or bodily tissue transplantation; to the Committee on the Judiciary.

By Ms. ROYBAL-ALLARD (for herself, Ms. LEE, Mrs. JONES of Ohio, Mr. GUTIERREZ, Mr. FRANK, Mr. KLECZKA, Mr. GEORGE MILLER of California, Ms. SOLIS, Ms. BALDWIN, Ms. SANCHEZ, Mr. KILDEE, Mr. ACEVEDO-VILA, and Mr. UNDERWOOD):

H.R. 2031. A bill to amend the Fair Credit Reporting Act to allow any consumer to receive a free credit report annually from any consumer reporting agency; to the Committee on Financial Services.

By Ms. ROYBAL-ALLARD (for herself, Ms. LEE, Mr. THOMPSON of Mississippi, Mr. FROST, Mr. FILNER, Ms. JACKSON-LEE of Texas, Mr. FRANK, Ms. RIVERS, Mr. GEORGE MILLER of California, Mr. BONIOR, Ms. SOLIS, Ms. BALDWIN, Ms. SANCHEZ, Ms. WOOLSEY, Mr. KUCINICH, Mrs. CLAYTON, Mr. ACEVEDO-VILA, and Mr. UNDERWOOD):

H.R. 2032. A bill to amend the Truth in Lending Act to protect consumers from certain unreasonable practices of creditors which result in higher fees or rates of interest for credit cardholders, and for other purposes; to the Committee on Financial Services.

By Ms. ROYBAL-ALLARD (for herself, Ms. CARSON of Indiana, Mr. FILNER, Mr. FROST, Mr. HINCHEY, Mr. KUCINICH, Ms. LEE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PRICE of North Carolina, Mr. RANGEL, Ms. SANCHEZ, Mr. SANDERS, Ms. SOLIS, and Mr. UNDERWOOD):

H.R. 2033. A bill to amend the Internal Revenue Code of 1986 to provide a credit to promote home ownership among low-income individuals; to the Committee on Ways and Means.

By Ms. ROYBAL-ALLARD (for herself, Mr. ACEVEDO-VILA, Mr. BORSKI, Ms. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. GREEN of Texas, Mr. HINCHEY, Ms. KILPATRICK, Mr. LANTOS, Mrs. MALONEY of New York, Mr. MCGOVERN, Ms. MCKINNEY, Ms. SLAUGHTER, Ms. SOLIS, Mr. UNDERWOOD, and Ms. VELAZQUEZ):

H.R. 2034. A bill to authorize the Secretary of Housing and Urban Development to make grants to evaluate and reduce lead-based paint hazards at public elementary schools and licensed child day-care facilities; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SANDERS:

H.R. 2035. A bill to require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAW (for himself, Mr. MATSUI, Mr. FOLEY, Mr. KLECZKA, Mr. CAMP, Ms. DUNN, Mr. HAYWORTH, Mr. SAM JOHNSON of Texas, Mr. LEWIS of Kentucky, Mr. RAMSTAD, Mr. TANNER, and Mrs. THURMAN):

H.R. 2036. A bill to amend the Social Security Act to enhance privacy protections for individuals, to prevent fraudulent misuse of the Social Security account number, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS (for himself, Mr. ADERHOLT, Mr. BACA, Mr. BACHUS, Mr. BALLENGER, Mr. BARCIA, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BASS, Mr. BISHOP, Mr. BLUNT, Mr. BOUCHER, Mr. BROWN of South Carolina, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CANNON, Mr. CANTOR, Mr. CARSON of Oklahoma, Mr. CHABOT, Mr. CRAMER, Mr. CRANE, Mrs. CUBIN, Mr. CULBERSON, Mr. CUNNINGHAM, Mrs. JO ANN DAVIS of Virginia, Mr. DELAY, Mr. DEMINT, Mr. DINGELL, Mr. DOOLITTLE, Mr. FLAKE, Mr. LUCAS of Oklahoma, Mr. GIBBONS, Mr. GOODE, Mr. GOODLATTE, Mr. GRAHAM, Mr. GRAVES, Mr. HALL of Texas, Mr. HANSEN, Ms. HART, Mr. HAYES, Mr. HEFLEY, Mr. HERGER, Mr. HILLEARY, Mr. HOLDEN, Mr. HUNTER, Mr. ISSA, Mr. ISTOOK, Mr. JENKINS, Mr. JOHN, Mr. JOHNSON of Illinois, Mr. KELLER, Mr. KERNS, Mr. LARGENT, Mr. LUCAS of Kentucky, Mr. MANZULLO, Mr. MATHESON, Mr. GARY G. MILLER of California, Mr. NEY, Mr. NORWOOD, Mr. OBERSTAR,

Mr. OTTER, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. PITTS, Mr. RADANOVICH, Mr. RAHALL, Mr. REHBERG, Mr. ROGERS of Michigan, Mr. ROSS, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SANDLIN, Mr. SCHAFFER, Mr. SCHROCK, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SHIMKUS, Mr. SHOWS, Mr. SHUSTER, Mr. SIMMONS, Mr. SIMPSON, Mr. SKEEN, Mr. SMITH of Texas, Mr. SOUDER, Mr. STENHOLM, Mr. STRICKLAND, Mr. SUNUNU, Mr. TAYLOR of Mississippi, Mr. TERRY, Mr. TIAHRT, Mr. TRAFICANT, Mr. WALDEN of Oregon, Mr. JONES of North Carolina, Mr. WHITFIELD, Mr. WICKER, and Mr. YOUNG of Alaska):

H.R. 2037. A bill to amend the Act establishing the Department of Commerce to protect manufacturers and sellers in the firearms and ammunition industry from restrictions on interstate or foreign commerce; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK (for himself and Mr. POMEROY):

H.R. 2038. A bill to amend the National Telecommunications and Information Administration Organization Act to encourage deployment of broadband service to rural America; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of California (for himself, Mrs. CAPPS, Mr. MCGOVERN, Mrs. DAVIS of California, Mr. BACA, Ms. ESHOO, Mr. MATSUI, Ms. PELOSI, Mr. WEINER, Mr. CAPUANO, Mr. FILNER, Mr. STARK, Mr. CROWLEY, Ms. BERKLEY, Ms. WOOLSEY, Mrs. NAPOLITANO, Mr. GUTIERREZ, Mr. HONDA, Mr. KUCINICH, and Ms. SOLIS):

H.R. 2039. A bill to prohibit certain discriminatory pricing policies in wholesale motor fuel sales, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMPSON of California (for himself, Mr. CAPUANO, Mr. LANTOS, Mr. HINCHEY, Ms. MCKINNEY, Mr. BLUMENAUER, Mr. MATSUI, Ms. RIVERS, Mrs. CAPPS, Mr. GEORGE MILLER of California, Mr. CROWLEY, Mr. SANDERS, Mr. SCHIFF, Ms. MCCARTHY of Missouri, Ms. SOLIS, Mr. ALLEN, Ms. PELOSI, Mr. MOORE, Mrs. THURMAN, Mr. MCDERMOTT, Ms. WOOLSEY, Ms. WATERS, Mr. DEFAZIO, Ms. NORTON, Mr. BONIOR, and Mr. STUPAK):

H.R. 2040. A bill to amend the Internal Revenue Code of 1986 to provide for a nonrefundable tax credit against income tax for individuals who purchase energy efficient appliances; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. GEPHARDT, Mr. GILMAN, Mr. LANTOS, Mr. LEACH, Mr. HASTINGS of Florida, Ms. ROS-LEHTINEN, Mr. BERMAN, Mr. SMITH of New Jersey, Mr. ACKERMAN, Mr. FROST, Mr. ROHRABACHER, Mr. HALL of Texas, Mr. WATTS of Oklahoma, Mr. MENENDEZ, Mr. KING, Mr. WEXLER, Mr. HORN, Ms. PELOSI, Mr. HOEFFEL, Mr. SHERMAN, Mr. DAVIS of Florida, Mr. SCHIFF, Mr. CROWLEY, Ms. BERKLEY, Mr. CANTOR, Mr. WAXMAN, Mr. HINCHEY, Mr. MCNULTY, Mr. HOLT, Mr. WEINER, Mr. FERGUSON, Mr. ABERCROMBIE, Mr. PALLONE, Mr. MCDERMOTT, Mrs. CAPPS, Mr. REYES, Mr. MORAN of Virginia, Mr. LATOURETTE, Mr. HOYER, Mr. SANDERS, Mr. HONDA, Mr. TIERNEY, Mr. CAPUANO, Mr. NADLER, Ms. SOLIS, Ms. KAPTUR, Mr. ENGLISH, Ms. SCHAKOWSKY, Mrs. MALONEY of New York, Mr. OBEY, Mr. GEORGE MILLER of California, Mr. FARR of California, Mrs. MORELLA, Ms. ESHOO, Mr. GONZALEZ, Mr. SERRANO, Mr. STARK, Mrs. NORTHUP, Mr. MCGOVERN, Mr. ISRAEL, and Ms. SLAUGHTER):

H. Con. Res. 145. Concurrent resolution condemning the recent order by the Taliban regime of Afghanistan to require Hindus in Afghanistan to wear symbols identifying them as Hindu; to the Committee on International Relations.

[Introduced May 26 (legislative day of May 25), 2001]

By Mr. KNOLLENBERG:

H.R. 2041. A bill to amend the Internet Revenue Code of 1986 to exclude from gross income gain from the sale of securities which are used to pay for higher education expenses; to the Committee on Ways and Means.

By Mr. KNOLLENBERG:

H.R. 2042. A bill to amend the Internal Revenue Code of 1986 to eliminate the tax on the net capital gain of taxpayers other than corporations; to the Committee on Ways and Means.

By Mr. BUYER (for himself, Mr. VISCLOSKY, Mr. PENCE, Mr. ROEMER, Mr. SOUDER, Mr. BURTON of Indiana, Mr. KERNS, Mr. HOSTETTLER, Mr. HILL, and Ms. CARSON of Indiana):

H.R. 2043. A bill to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the ''Elwood Haynes 'Bud' Hillis Post Office Building''; to the Committee on Government Reform.

By Mrs. DAVIS of California (for her self and Mr. SNYDER):

H.R. 2044. A bill to amend title 37, United States Code, to ensure that the rates of the basic allowance for housing for military housing areas inside the United States are sufficient to eliminate out-of-pocket housing costs for members entitled to the allowance; to the Committee on Armed Services.

By Mr. MATHESON (for himself, Mr. ETHERIDGE, Mr. BARTLETT of Maryland, Mr. UDALL of Colorado, and Mr. LANTOS):

H.R. 2045. A bill to authorize the National Science Foundation to provide grants to support research projects in science and technology at secondary schools, and for other purposes; to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan:

H.R. 2046. A bill to reform the coastwise, intercoastal, and noncontiguous trade shipping laws, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT:

H. Con. Res. 146. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. DAVIS of Illinois (for himself and Ms. CARSON of Indiana):

H. Con. Res. 147. Concurrent resolution supporting the efforts and activities of individuals, organizations, institutions, and other entities to honor fatherhood on Father's Day; to the Committee on Government Reform.

By Mr. ROGERS of Michigan (for himself, Mr. CAMP, Mr. PENCE, Mr. TIBERI, and Mr. UPTON):

H. Con. Res. 148. Concurrent resolution affirming authority of the Great Lakes Basin; to the Committee on International Relations.

By Mr. DAVIS of Illinois (for himself, Mr. MCHUGH, Mr. BURTON of Indiana, Mr. WAXMAN, Mr. RUSH, Mr. THOMPSON of Mississippi, Mr. KANJORSKI, Mr. BLAGOJEVICH, Mr. BROWN of Ohio, Mr. ACKERMAN, Mr. ALLEN, and Mr. BLUMENAUER):

H. Res. 154. Resolution expressing the sense of the House of Representatives that the United States Postal Service should take all appropriate measures to ensure the continuation of its 6-day mail delivery service; to the Committee on Government Reform.

¶54.34 ADDITIONAL SPONSORS

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

H.R. 31: Mr. SANDLIN.
H.R. 61: Mr. KANJORKSI.
H.R. 123: Mr. STEARNS and Mr. WELDON of Florida.
H.R. 134: Mr. FALEOMAVAEGA.
H.R. 144: Ms. MCCOLLUM.
H.R. 294: Mr. KENNEDY of Minnesota and Mr. ROGERS of Kentucky.
H.R. 303: Mr. BUYER.
H.R. 326: Mr. DEFAZIO.
H.R. 432: Mr. JACKSON of Illinois.
H.R. 433: Mr. JACKSON of Illinois.
H.R. 442: Ms. PELOSI.
H.R. 507: Mr. CANTOR.
H.R. 510: Mr. HALL of Ohio.
H.R. 513: Mr. MASCARA, Mr. BLUNT, and Mr. ADERHOLT.
H.R. 527: Mr. PAUL and Ms. MCCARTHY of Missouri.
H.R. 572: Mr. TANCREDO and Mr. TURNER.
H.R. 600: Mr. BURTON of Indiana.
H.R. 602: Mr. SIMONS.
H.R. 606: Ms. SLAUGHTER.
H.R. 611: Mr. BOYD and Mr. HASTINGS of Washington.
H.R. 612: Mr. BERRY, Mr. SHERMAN, Mr. HASTINGS of Florida, Mr. LARSEN of Washington, Mr. MICA, Mr. CUNNINGHAM, Ms. NORTON, Mr. KIRK, and Mr. MCINNIS.
H.R. 638: Mr. JEFFERSON.
H.R. 647: Mr. GOODLATTE.
H.R. 656: Mr. OXLEY.
H.R. 662: Mr. HOSTETTLER and Mr. LARSEN of Washington.
H.R. 665: Mr. SHERMAN.
H.R. 676: Mr. ROGERS of Kentucky.
H.R. 686: Mr. OWENS.
H.R. 701: Mr. UNDERWOOD, Mr. HINOJOSA, Mr. FORD, Mr. CALLAHAN, Mrs. KELLY, Mr. BAIRD, Mr. SANDLIN, Mr. CONYERS, Mr. DOYLE, and Mr. LARSEN of Washington.
H.R. 703: Mr. THOMPSON of Mississippi, Ms. CARSON of Indiana, Mr. OWENS, Mr. FROST, Mr. HOYER, Mr. BALDACCI, Mr. PASCRELL, and Mr. FRANK.
H.R. 746: Mr. ADERHOLT, Mr. LEWIS of Kentucky, and Ms. SCHAKOWSKY.
H.R. 868: Mr. OXLEY, Mr. LEWIS of Kentucky, Mr. GUTKNECHT, Mr. SIMPSON, and Mrs. CAPITO.
H.R. 912: Mr. CARDIN.
H.R. 921: Mr. JONES of North Carolina.
H.R. 951: Mr. SPENCE, Mr. KILDEE, Mr. BROWN of Ohio, and Mr. SNYDER.
H.R. 978: Mr. BEREUTER, Mr. LANTOS, and Mr. PETRI.
H.R. 1010: Mr. BARRETT, Mr. ETHERIDGE, Mr. SANDERS, Mr. WYNN, Mr. FRANK, Mr. FROST, and Ms. DELAURO.

H.R. 1020: Mr. WHITFIELD and Mr. WALDEN of Oregon.
H.R. 1024: Mrs. THURMAN.
H.R. 1036: Mr. WYNN, Ms. KAPTUR, Mr. KLECZKA, Mr. SPRATT, Mr. LEVIN, Mr. BARRETT, Mr. HASTINGS of Florida, Mr. LAMPSON, Mr. MATSUI, Mr. THOMPSON of California, Mr. TANNER, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. CLYBURN, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. DOOLEY of California, Mr. HOYER, Mr. CONDIT, and Mr. SERRANO.
H.R. 1100: Mr. CANTOR.
H.R. 1143: Mr. GONZALEZ.
H.R. 1155: Mr. GOODLATTE, Mr. MEEKS of New York, Mr. SHIMKUS, Mr. BROWN of Ohio, Mr. GUTIERREZ, Ms. JACKSON-LEE of Texas, Mrs. NAPOLITANO, and Ms. DEGETTE.
H.R. 1187: Mr. PRICE of North Carolina.
H.R. 1192: Mr. SANDLIN.
H.R. 1220: Mr. MORAN of Kansas.
H.R. 1238: Mr. DINGELL.
H.R. 1242: Mr. BACA.
H.R. 1265: Mr. GEORGE MILLER of California.
H.R. 1271: Mr. GRUCCI.
H.R. 1300: Mr. MCINTYRE, Mrs. CLAYTON, and Mr. OSBORNE.
H.R. 1305: Mr. MICA.
H.R. 1316: Mr. KIRK, Mrs. NAPOLITANO, and Mr. OLVER.
H.R. 1318: Mr. PAUL and Mr. WEXLER.
H.R. 1329: Mr. DOOLITTLE.
H.R. 1330: Mr. JACKSON of Illinois.
H.R. 1341: Mr. HUTCHINSON.
H.R. 1376: Ms. WOOLSEY.
H.R. 1383: Ms. MCKINNEY, Mr. HOYER, Mr. STUPAK, Mr. KUCINICH, Mrs. MORELLA, and Mr. YOUNG of Alaska.
H.R. 1401: Mrs. MALONEY of New York, Mr. STUPAK, Mr. WYNN and Mr. BONIOR.
H.R. 1455: Mr. BARTLETT of Maryland.
H.R. 1475: Mr. PASTOR, Mr. JACKSON of Illinois, Mr. THOMPSON of California, Mr. JEFFERSON, Mr. BLAGOJEVICH, Mr. COYNE, Mr. LEACH, Mr. BISHOP, Mr. SNYDER, Ms. BROWN of Florida, Mr. ENGLISH, Ms. HOOLEY of Oregon, Mr. UPTON, Mr. DIAZ-BALART, Mr. GUTIERREZ, Ms. HART, Mr. FOLEY, Mr. BENTSEN, and Mr. GILMAN.
H.R. 1479: Mr. CANTOR.
H.R. 1490: Mr. MCNULTY, Mr. LOBIONDO, Mr. NADLER, Mr. LARSON of Connecticut, Mr. GONZALEZ, Mr. LAFALCE, Mr. NORWOOD, Mr. BROWN of Ohio, and Ms. HART.
H.R. 1575: Mr. HOEKSTRA.
H.R. 1577: Mr. DUNCAN, Mr. BARCIA, Mr. ISTOOK, Mr. CLAY, Mr. LANTOS, Mr. GRUCCI, Mr. MCINNIS, Mr. ROEMER, Mr. SHADEGG, and Mr. SCHAFFER.
H.R. 1598: Mr. DAVIS of Florida.
H.R. 1601: Mr. PASTOR.
H.R. 1604: Mr. TURNER.
H.R. 1624: Mr. HORN, Mr. GORDON, Mrs. ROUKEMA, Mr. LATOURETTE, Mr. OBERSTAR, Ms. WOOLSEY, Mr. REHBERG, Mr. WATT of North Carolina, Ms. HART, Mr. BLUMENAUER, Mrs. JO ANN DAVIS of Virginia, Mr. LEVIN, Ms. SCHAKOWSKY, and Mr. BRYANT.
H.R. 1629: Mr. BROWN of Ohio, Mr. DELAHUNT, Mr. GARY G. MILLER of California, Mr. BACA, Mr. ACEVEDO-VILA, and Mr. KANJORSKI.
H.R. 1636: Mr. BLUNT.
H.R. 1645: Mr. REHBERG and Mr. WATT of North Carolina.
H.R. 1650: Mr. OWENS and Mr. SANDLIN.
H.R. 1657: Mr. NUSSLE.
H.R. 1669: Mr. GALLEGLY, Mr. GARY G. MILLER of California, and Mr. DEFAZIO.
H.R. 1683: Ms. SLAUGHTER.
H.R. 1700: Mr. DELAHUNT and Mr. LANTOS.
H.R. 1713: Ms. MCKINNEY.
H.R. 1723: Mr. CLEMENT, Mr. WAMP, Mr. BALLENGER, Mrs. BIGGERT, Mr. OWENS, Mr. SAXTON, Mr. WATT of North Carolina, Mr. SUNUNU, Ms. PELOSI, Mr. BRADY of Pennsylvania, Ms. SOLIS, Mr. ALLEN, Mrs. MORELLA, Ms. MCCOLLUM, Ms. JACKSON-LEE of Texas, and Mr. WEINER.
H.R. 1745: Mr. CRANE and Mr. DOOLITTLE.
H.R. 1751: Mr. REYES.
H.R. 1754: Ms. JACKSON-LEE of Texas.
H.R. 1760: Mr. GREEN of Texas.
H.R. 1774: Mr. ISAKSON, Mr. LEWIS of Kentucky, Mr. ROGERS of Kentucky, Mr. DUNCAN, Mr. EVERETT, Mr. ISSA, Mr. WHITFIELD, Mr. DEMINT, Mr. CONDIT, Mr. RADANOVICH, and Mr. TOOMEY.
H.R. 1786: Mrs. ROUKEMA.
H.R. 1795: Mr. CROWLEY, Mr. WEINER, Mr. SAXTON, Mr. FILNER, Mr. PLATTS, Mr. CARSON of Oklahoma, Mrs. MALONEY of New York, Mr. SESSIONS, Mr. DIAZ-BALART, Mr. LOBIONDO, Mr. ANDREWS, Mr. CANTOR, Mr. STRICKLAND, Mr. HOEFFEL, Mr. HILLEARY, Mr. NADLER, Ms. BERKLEY, Mr. ISRAEL, and Mr. PICKERING.
H.R. 1805: Mr. SESSIONS.
H.R. 1809: Mr. TIERNEY and Ms. SLAUGHTER.
H.R. 1810: Mr. FARR of California, Mr. HOEFFEL, Mr. GEORGE MILLER of California, and Mr. CROWLEY.
H.R. 1818: Ms. MCKINNEY.
H.R. 1839: Mr. OWENS and Ms. ROS-LEHTINEN.
H.R. 1841: Mr. BOEHLERT, Mr. ROTHMAN, Ms. KILPATRICK, Mr. ABERCROMBIE, and Mr. MASCARA.
H.R. 1862: Mrs. MCCARTHY of New York and Mr. DEFAZIO.
H.R. 1864: Mr. INSLEE.
H.R. 1897: Mr. MCNULTY, Mr. LATOURETTE, Mr. BLAGOJEVICH, Mr. GUTIERREZ, Mr. MEEKS of New York, Mr. LANGEVIN, Mrs. JONES of Ohio, Mr. GILLMOR, Ms. NORTON, Ms. JACKSON-LEE of Texas, and Mr. SANDLIN.
H.R. 1929: Mr. REYES, Mr. HONDA, Mr. BAKER, Ms. MCKINNEY, and Ms. WATERS.
H.R. 1944: Mr. ARMEY and Mr. TIBERI.
H.R. 1949: Mr. SABO.
H.R. 1954: Mr. BACHUS, Mr. BALDACCI, Ms. BROWN of Florida, Mr. DAVIS of Illinois, Mr. FARR of California, Mr. MEEHAN, Ms. VELAZQUEZ, and Mr. CHAMBLISS.
H.R. 1967: Mr. STUPAK and Mr. FRANK.
H.R. 1968: Mr. OWENS, Mr. BLUMENAUER, and Mr. BONIOR.
H.R. 1994: Mrs. THURMAN and Mrs. MINK of Hawaii.
H.J. Res. 6: Mr. FOSSELLA and Mr. SCHROCK.
H.J. Res. 36: Mr. ROEMER and Ms. SANCHEZ.
H.J. Res. 42: Ms. SCHAKOWSKY, Mr. HULSHOF, Mr. STUPAK, and Ms. SANCHEZ.
H.J. Res. 46: Mr. BOUCHER.
H. Con. Res. 3: Ms. JACKSON-LEE of Texas.
H. Con. Res. 25: Ms. LEE and Mr. BEREUTER.
H. Con. Res. 42: Mr. CLEMENT.
H. Con. Res. 54: Mr. SANDLIN.
H. Con. Res. 104: Mr. ALLEN.
H. Con. Res. 106: Mr. GOODLATTE and Mr. BARTLETT of Maryland.
H. Con. Res. 115: Ms. SCHAKOWSKY.
H. Con. Res. 116: Mr. ISSA and Mr. EHLERS.
H. Con. Res. 124: Mr. WATTS of Oklahoma, Mr. CRANE, and Mr. GOODLATTE.
H. Res. 18: Ms. KILPATRICK.
H. Res. 65: Mr. FOSSELLA and Mr. PAUL.
H. Res. 120: Mr. CUNNINGHAM and Ms. HART.

¶54.35 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

[May 26, (legislative day May 25), 2001]

H.R. 1990: Mr. GILMAN, Mrs. MORELLA, Mr. SCOTT, Ms. NORTON, Mrs. MINK of Hawaii, Mr. BONIOR, Mr. CUMMINGS, Mr. LATOURETTE, Mr. KUCINICH, Mr. BISHOP, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, Mr. GUTIERREZ, and Mr. OWENS.

TUESDAY, JUNE 5, 2001 (55)

¶55.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. BIGGERT, who laid before the House the following communication:

WASHINGTON, DC,
June 5, 2001.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

¶55.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Friday, May 25, 2001.

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

¶55.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2240. A letter from the the Mayor of the District of Columbia, transmitting the District of Columbia Fiscal Year 2002 Budget Request Act, pursuant to Public Law 105–33 section 11701(a)(1) (111 Stat. 780); (H. Doc. No. 107–81); to the Committee on Appropriations and ordered to be printed.

2241. A communication from the President of the United States, transmitting a request for FY 2001 supplemental appropriations for the Departments of Agriculture, Defense (including the Army Corps of Engineers), Energy, Health and Human Services, Housing and Urban Development, the Interior, Transportation, the Treasury, and Veterans Affairs; International Assistance Programs; and the National Aeronautics and Space Administration; (H. Doc. No. 107–80); to the Committee on Appropriations and ordered to be printed.

2242. A letter from the Alternate OSD Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)/TRICARE; Partial Implementation of Pharmacy Benefits Program; Implementation of National Defense Authorization Act Medical Benefits for Fiscal Year 2001 (RIN: 0720–AA62) May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2243. A letter from the General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Screening and Eviction for Drug Abuse and Other Criminal Activity [Docket No. FR–4495–F–02] (RIN: 2501–AC63) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2244. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Taiwan, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

2245. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Electronic Recordkeeping by Investment Companies and Investment Advisers [Release Nos. IC–24991 and IA–1945; File No. S7–06–01] (RIN: 3235–AI05) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2246. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Electronic Recordkeeping by Public Utility Holding Companies [Release No. 35–27404; File No. S7–07–01] (RIN: 3235–AI12) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2247. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; Use of Restraint and Seclusion in Psychiatric Residential Treatment Facilities Providing Inpatient Psychiatric Services to Individuals Under Age 21 [HCFA–2065–IFC2] (RIN: 0938–AJ96) received May 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2248. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Protection of Human Research Subjects: Delay of Effective Date (RIN: 0925–AA14) received May 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2249. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Section 112(I) Authority for Hazardous Air Pollutants; Chemical Accident Prevention Provisions and Risk Management Plans; Delaware; Approval of Accidental Release Prevention Program [DE001–1000; FRL–6988–3] received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2250. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Post-1996 Rate of Progress Plan [RI–022b; A–1–FRL–6990–6] received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2251. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Maryland: Final Authorization of State Hazardous Waste Management Program Revisions [FRL–6938–8] received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2252. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Rules and Regulations Under the Fur Products Labeling Act—received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2253. A letter from the Director, Lieutenant General, USAF, Defense Security Cooperation Agency, transmitting the listing of all outstanding Letters of Offer to sell any major defense equipment for $1 million or more; the listing of all Letters of Offer that were accepted, as of March 31, 2001, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

2254. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed request for the sale of defense articles or defense services sold commercially to Brazil (Transmittal No. DTC 055–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2255. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 045–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2256. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Switzerland [Transmittal No. DTC 041–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2257. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Hong Kong, the United Kingdom, Australia, and Canada [Transmittal No. DTC 042–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2258. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Canada [Transmittal No. DTC 043–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2259. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report to Congress on the Republic of Korea's status as an adherent to the Missile Technology Control Regime (MTCR), pursuant to 22 U.S.C. 2797e—2; to the Committee on International Relations.

2260. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Documentation of Immigrants and Nonimmigrants Under the Immigration and Nationality Act, As Amended—Refusal of Individual VISAS—received May 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2261. A letter from the Executive Director, District of Columbia Retirement Board, transmitting the personal financial disclosure statements of Board members, pursuant to D.C. Code section 1—732 and 1—734(a)(1)(A); to the Committee on Government Reform.

2262. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2263. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2264. A letter from the Chairman, National Endowment for the Arts, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2265. A letter from the Director, Peace Corps, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2266. A letter from the Director, Financial Services, Library of Congress, transmitting a report on the Capitol Preservation Commission's Financial Statements for March 31, 2001; to the Committee on House Administration.

2267. A letter from the Executive Director, American Chemical Society, transmitting the Society's annual report for the calendar year 2000 and the comprehensive report to the Board of Directors of the American Chemical Society on the examination of their books and records for the year ending December 31, 2000, pursuant to 36 U.S.C. 1101(2) and 1103; to the Committee on the Judiciary.

2268. A letter from the Acting Director, Office of Workers' Compensation Programs, Department of Labor, transmitting the Department's final rule—Performance of Functions Under This Chapter; Claims for Compensation Under the Energy Employees Occupational Illness Compensation Program Act (RIN: 1215–AB32) received May 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2269. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Federal Civil Penalties Inflation Adjustment Act of 1990, as Amended by the Debt Collection Improvement Act of 1996—received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2270. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; New York Harbor, Western Long Island Sound, East River, and Hudson River Fireworks [CGD01–00–221] (RIN: 2115–AA97) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2271. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Crescent Harbor, Sitka, AK [COTP Southeast Alaska; 01–002] (RIN: 2115–AA97) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2272. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Jamaica Bay and connecting waterways, NY [CGD01–01–045] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2273. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Manitowoc River, Wisconsin [CGD09–01–001] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2274. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Queens Millennium Concert Fireworks, East River, NY [CGD01–01–015] (RIN: 2115–AA97) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2275. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Chef Menteur Pass, LA [CGD08–00–005] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2276. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Oakland Inner Harbor Tidal Canal, Alameda County, California [CGD11–99–013] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2277. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Newton Creek, Dutch Kills, English Kills and their tributaries, NY [CGD01–01–032] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2278. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting

the Department's final rule—Drawbridge Operation Regulations; Cerritos Channel, Long Beach, CA [CGD11–01–006] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2279. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Hackensack River, NJ [CGD01–01–025] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2280. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Potomac River, between Alexandria, Virginia and Oxon Hill, Maryland [CGD05–01–009] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2281. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Sacramento River, CA [CGD11–01–005] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2282. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [CGD01–01–031] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2283. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Harlem River, NY [CGD01–01–030] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2284. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Hutchinson River, (Eastchester Creek), NY [CGD01–01–040] (RIN: 2115–AE47) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2285. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Chelsea River, MA [CGD01–01–036] (RIN: 2115–AE47) received May 24, 2001; to the Committee on Transportation and Infrastructure.

2286. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Egegik, AK [Airspace Docket No. 00–AAL–21] received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2287. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Ketchikan, AK [Airspace Docket No. 00–AAL–19] received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2288. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Prohibited Area P–49 Crawford; TX [Docket No. FAA–2001–9059; Airspace Docket No. 01–AWA–1] (RIN: 2120–AA66) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2289. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of V–611 and Revocation of V–19; NM [Docket No. FAA 2001–8682; Airspace Docket No. 01–ASW–1] (RIN: 2120–AA66) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2290. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 99–NM–276–AD; Amendment 39–12197; AD 2001–08–20] (RIN: 2120–AA64) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2291. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2001–NM–32–AD; Amendment 39–12154; AD 2001–06–07] (RIN: 2120–AA64) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2292. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model SA.315B, SA.316B, SA.316C, SE.3160, and SA.319B Helicopters [Docket No. 2000–SW–13–AD; Amendment 39–12132; AD 2001–04–13] (RIN: 2120–AA64) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2293. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A. Model P–180 Airplanes [Docket No. 2000–CE–67–AD; Amendment 39–12140; AD 2001–05–04] (RIN: 2120–AA64) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2294. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 727–100, –100C and –200 Series Airplanes [Docket No. 99–NM–74–AD; Amendment 39–12219; AD 2001–09–12] (RIN: 2120–AA64) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2295. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Corporation (formerly Allison Engine Company) AE 3007 Series Turbofan Engines [Docket No. 2000–NE–29–AD; Amendment 39–12192; AD 2001–08–15] (RIN: 2120–AA64) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2296. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model CN–235, Series Airplanes [Docket No. 2000–NM–263–AD; Amendment 39–12213; AD 2001–09–08] (RIN: 2120–AA64) received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2297. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30235; Amdt. No. 2040] received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2298. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30234; Amdt. No. 2039] received May 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2299. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Schedule for Rating Disabilities: Disabilities of the Liver (RIN: 2900–AK12) received May 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2300. A communication from the President of the United States, transmitting notification of his determination that a continuation of a waiver currently in effect for the People's Republic of China will substantially promote the objectives of section 402, of the Trade Act of 1974 (Presidential Determination 2001–16), pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 107–79); to the Committee on Ways and Means and ordered to be printed.

2301. A communication from the President of the United States, transmitting notification of his determination that a continuation of a waiver currently in effect for Vietnam will substantially promote the objectives of section 402, of the Trade Act of 1974, (Presidential Determination 2001–17), pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 107–82); to the Committee on Ways and Means and ordered to be printed.

2302. A letter from the Acting Commissioner, Social Security Administration, transmitting the 2001 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104–193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

2303. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Labeling Proceedings; Delegation of Authority [T.D. ATF–449] (RIN: 1512–AC21) received May 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2304. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Delegation of Authority (2000R–415P) [T.D. ATF–451] (RIN: 1512–AC38) received May 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2305. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Manufacturers Excise Taxes-Firearms and Ammunition; Delegation of Authority [T.D. ATF–447] (RIN: 1512–AC18) received May 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2306. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—High Performance Bonus Awards Under the TANF Program (RIN: 0970–AC06) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2307. A letter from the Deputy Under Secretary, Policy Support, Department of Defense, transmitting an Annual Report on Agreements for the Exchange of Defense Personnel Between the U.S. and Foreign Coun-

tries; jointly to the Committees on Armed Services and International Relations.

2308. A letter from the Assistant Secretary, Legislative Affairs, Department of the Treasury, transmitting a report entitled, ''The Operation of the Enterprise for the Americas Facility and the Tropical Forest Conservation Act''; jointly to the Committees on International Relations and Agriculture.

2309. A letter from the Acting Director, National Institute of Standards and Technology, Department of Commerce, transmitting the Department's final rule—Procedures for Implementation of the Fastener Quality Act [Docket No: 980623159–0166–04] (RIN: 0693–AB47) received May 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Science and Energy and Commerce.

2310. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs: Hospital Conditions of Participation: Anesthesia Services: Delay of Effective Date (RIN: 0938–AK08) received May 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

2311. A letter from the Chair, Medicare Payment Advisory Commission, transmitting a report entitled, ''An Analysis of Medicare Payments to Skilled Nursing Facilities in Alaska and Hawaii''; jointly to the Committees on Ways and Means and Energy and Commerce.

¶55.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 29, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 26, 2001 at 1:45 p.m.

That the Senate passed without amendment H. Con. Res. 139.

That the Senate passed without amendment H. Con. Res. 146.

Appointments:

Advisory Committee on the Records of Congress
Parents Advisory Council on Youth Drug Abuse
Commission on Indian and Native Alaskan Health Care
Coordinating Council on Juvenile Justice and Delinquency Prevention

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶55.5 COMMUNICATION FROM THE CLERK—FURTHER MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 4, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 31, 2001 at 4:23 p.m.

That the Senate agreed to conference report H.R. 1836.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶55.6 ENROLLED BILLS SIGNED

The SPEAKER pro tempore, Mrs. BIGGERT, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bills on the following dates:

On Friday, June 1, 2001:

H.R. 581. An Act to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with Wildland Fire Management

On Monday, June 4, 2001:

H.R. 1836. An Act to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002

¶55.7 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 25, 2001.

Hon. DENNIS HASTERT,
Speaker of the House,
The Capitol, Washington, DC.

DEAR SPEAKER HASTERT: I am writing to formally notify you that I will be retiring from my position as the United States Representative for Florida's First Congressional district, effective September 6, 2001. A similar letter has been sent to the Honorable Jeb Bush, Governor of the State of Florida.

Sincerely,

JOE SCARBOROUGH,
Member of Congress.

¶55.8 COMMENDING DEDICATION FOR LOCATING MISSING, KIDNAPPED, AND RUNAWAY CHILDREN

Mr. OSBORNE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 100); as amended:

Whereas children are the Nation's greatest asset for the future and are essential for the Nation's strong and vital growth;

Whereas more than 800,000 children disappear each year in the United States, and the problem of missing, kidnapped, and runaway children potentially affects every community in the Nation;

Whereas the United States is committed to the protection of its children;

Whereas the American Football Coaches Association is a leader in the protection of children and has provided 60 million Inkless Child Identification Kits for use by parents;

Whereas these kits allow parents to keep vital information, current photographs, and fingerprints readily available to provide to law enforcement agencies throughout the Nation in the event of an emergency; and

Whereas the American Football Coaches Association displays outstanding dedication to the children in communities throughout the Nation: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress commends the American Football Coaches Association for its dedication and efforts to protect children and locate the Nation's missing, kidnapped, and runaway children.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. OSBORNE and Mr. KILDEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. OSBORNE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶55.9 ELWOOD HAYNES 'BUD' HILLIS POST OFFICE BUILDING

Mr. OTTER moved to suspend the rules and pass the bill (H.R. 2043) to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the ''Elwood Haynes 'Bud' Hillis Post Office Building''.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. OTTER and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. OTTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶55.10 G. ELLIOT HAGAN POST OFFICE BUILDING

Mr. OTTER moved to suspend the rules and pass the bill (H.R. 1183) to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the ''G. Elliot Hagan Post Office Building''.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. OTTER and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶55.11 RECESS—3 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock p.m., until approximately 6 o'clock p.m.

¶55.12 AFTER RECESS—6:01 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶55.13 PROVIDING FOR THE CONSIDERATION OF H.R. 1699

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 107–86) the resolution (H. Res. 155) providing for the consideration of the bill (H.R. 1699) to authorize appropriations for the Coast Guard for fiscal year 2002.

When said resolution and report were referred to the House Calendar and ordered printed.

¶55.14 PROVIDING FOR THE MOTIONS TO SUSPEND THE RULES

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 107–87) the resolution (H. Res. 156) providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶55.15 H. CON. RES. 100—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 100) commending Clear Channel Communications and the American Football Coaches Association for their dedication and efforts for protecting children by providing a vital means for locating the Nation's missing, kidnapped, and runaway children; as amended.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 405 / Nays 0

¶55.16 [Roll No. 150]

YEAS—405

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

NOT VOTING—26

Ackerman
Baird
Brown (FL)
Burton
Doolittle
Ehrlich
Engel
Gillmor
Goode
Hart
Kingston
Matsui
Millender-McDonald
Mink
Payne
Peterson (PA)
Pombo
Sawyer
Scarborough
Sherman
Solis
Spence
Taylor (NC)
Waters
Weldon (PA)
Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: ''A concurrent resolution commending the American Football Coaches Association for its dedication and efforts to protect children and locate the Nation's missing, kidnapped, and runaway children.''.

A motion to reconsider the votes whereby the rules were suspended and said concurrent resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶55.17 H.R. 2043—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2043) to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the ''Elwood Haynes 'Bud' Hillis Post Office Building''.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 407 / Nays 0

¶55.18 [Roll No. 151]

YEAS—407

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

NOT VOTING—24

Ackerman
Baird
Brown (FL)
Burton
Doolittle
Ehrlich
Engel
Gillmor
Goode
Hart
Johnson (IL)
Kingston
Matsui
Millender-McDonald
Mink
Payne
Pombo
Sawyer
Scarborough
Sherman
Solis
Taylor (NC)
Waters
Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶55.19 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. EHLERS, by unanimous consent,

Ordered, That it may be in order, under clause 1, rule XV, on Wednesday, June 6, 2001, for the Speaker to recognize Members for motions to suspend the rules and pass each of the following measures: (H.R. 1000) to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes; (H.R. 37) to amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails; (H.R. 640) to adjust the boundaries of Santa Monica Mountains National Recreation Area, and for other purposes; (H.R. 1661) to extend indefinitely the authority of the States of Washington, Oregon, and California to manage a Dungeness crab fishery until the effective date of a fishery management plan for the fishery under the Magnuson-Stevens Fishery Conservation and Management Act; (H.R. 1209) to amend the Immigration and Nationality Act to determine whether an alien is a child, for purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes; (H.R. 1914) to extend for 4 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; and (H. Con. Res. 150) expressing the sense of Congress that Erik Weihenmayer's achievement of becoming the first blind person to climb Mount Everest demonstrates the abilities and potential of all blind people and other individuals with disabilities.

¶55.20 CONGRESSIONAL GOLD MEDAL TO CHARLES M. SCHULZ

On motion of Mr. EHLERS, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following concurrent resolution (H. Con. Res. 149):

Resolved by the House of Representatives (the Senate concurring), That the Rotunda of the Capitol is authorized to be used on June 7, 2001, for a ceremony to present posthumously a gold medal on behalf of Congress to Charles M. Schulz. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶55.21 JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE ON THE LIBRARY OF CONGRESS

On motion of Mr. EHLERS, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following resolution (H. Res. 148):

Resolved,

SECTION 1. ELECTION OF MEMBERS TO JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.

(a) JOINT COMMITTEE ON PRINTING.—The following Members are hereby elected to the Joint Committee on Printing, to serve with the chair of the Committee on House Administration:

(1) Mr. Doolittle.
(2) Mr. Linder.
(3) Mr. Hoyer.
(4) Mr. Fattah.

(b) JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.—The following Members are hereby elected to the Joint Committee of Congress on the Library, to serve with the chair of the Committee on House Administration:

(1) Mr. Ehlers.
(2) Mr. Hoyer.
(3) Mr. Davis of Florida.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶55.22 COMMUNICATION FROM THE CHAIRMAN—APPOINTMENT—CAPITOL PRESERVATION COMMISSION

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 4, 2001.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to Public Law 100–696 Section 801 (40 USC para. 188a(b)) the Chairman and Vice-Chairman of the Joint Committee of the Library are provided positions on the Capitol Preservation Commission.

I am appointing Mr. John Mica of Florida to be my designee as provided for in Public Law 100–696 Section 801 (40 USC para 188a (c)).

Thank you for your attention to this matter.

Sincerely,

VERNON J. EHLERS,
Chairman, Joint Committee on the Library.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶55.23 UNITED STATES CAPITOL PRESERVATION COMMISSION

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, announced that the Speaker, pursuant to section 801(b) of Public Law 100-696, appointed to the United States Capitol Preservation Commission, on the part of the House, the following Members: Messrs. TAYLOR of North Carolina, and LATOURETTE.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶55.24 ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 581. An Act to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management.

H.R. 1836. An Act to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

¶55.25 BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on June 1, 2001 he presented to the President of the United States, for his approval, the following bill.

H.R. 581. To authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriation Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management.

Jeff Trandahl, Clerk of the House reports that on June 4, 2001 he presented to the President of the United States, for his approval, the following bill.

H.R. 1836. An Act to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

¶55.26 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BURTON, for today and balance of the week;

To Mr. POMBO, for today; and

To Mr. SHERMAN, for today.

And then,

¶55.27 ADJOURNMENT

On motion of Mr. RODRIGUEZ, at 10 o'clock and 6 minutes p.m., the House adjourned.

¶55.28 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 718. A bill to protect individuals, families, and Internet service providers from unsolicited and unwanted electronic mail; with an amendment (Rept. No. 107–41 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 155. Resolution providing for consideration of the bill (H.R. 1699) to authorize appropriations for the Coast Guard for fiscal year 2002 (Rept. No. 107–86). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 156. Resolution providing for consideration of motions to suspend the rules (Rept. No. 107–87). Referred to the House Calendar.

¶55.29 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. COBLE (for himself, Mr. BERMAN, and Mr. CONYERS):

H.R. 2047. A bill to authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, and for other purposes; to the Committee on the Judiciary.

By Mr. COBLE (for himself and Mr. BERMAN):

H.R. 2048. A bill to require a report on the operations of the State Justice Institute; to the Committee on the Judiciary.

By Mr. SMITH of Michigan:

H.R. 2049. A bill to authorize the National Science Foundation to undertake certain activities in support of research on learning; to the Committee on Science.

By Mr. SMITH of Michigan:

H.R. 2050. A bill to authorize the National Science Foundation to undertake certain activities in support of research on learning; to the Committee on Science.

By Mr. SMITH of Michigan:

H.R. 2051. A bill to provide for the establishment of regional plant genome and gene expression research and development centers; to the Committee on Science.

By Mr. TANCREDO (for himself, Mr. ARMEY, Mr. WOLF, Mr. PAYNE, Mr. WATTS of Oklahoma, Mr. LANTOS, Mr. BENTSEN, Mr. CLEMENT, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Ms. PELOSI, Mr. UPTON, Mr. WELDON of Florida, Mr. BRYANT, Mr. GOODLATTE, Mr. CAMP, Mr. PITTS, Mr. LAMPSON, Mr. LEWIS of Kentucky, Ms. RIVERS, Mrs. TAUSCHER, and Mr. SHAYS):

H.R. 2052. A bill to facilitate famine relief efforts and a comprehensive solution to the war in Sudan; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GONZALEZ (for himself and Mr. RODRIGUEZ):

H.R. 2053. A bill to prohibit offering homebuilding purchase contracts that contain in a single document both a mandatory arbitration agreement and other contract provisions, and to prohibit requiring purchasers to consent to a mandatory arbitration agreement as a condition precedent to entering into a homebuilding purchase contract; to the Committee on Financial Services.

By Mr. HANSEN (for himself and Mr. GIBBONS):

H.R. 2054. A bill to give the consent of Congress to an agreement or compact between Utah and Nevada regarding a change in the boundaries of those States, and for other purposes; to the Committee on the Judiciary.

By Mr. SAM JOHNSON of Texas (for himself, Mr. BOEHNER, Mr. ARMEY, Mr. HAYWORTH, Mr. BALLENGER, Mr. GRAHAM, Mr. NORWOOD, Mr. ISAKSON, Mrs. BIGGERT, Mr. KELLER, Mr. CULBERSON, Mr. PAUL, Mr. HALL of Texas, Mr. SESSIONS, Mrs. NORTHUP, Mr. LINDER, and Mr. SOUDER):

H.R. 2055. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects; to the Committee on Government Reform.

By Ms. KAPTUR (for herself, Mr. FROST, Mr. RANGEL, Mr. GONZALEZ, and Mr. PITTS):

H.R. 2056. A bill to amend the Public Health Service Act to revise the filing deadline for certain claims under the National Vaccine Injury Compensation Program; to the Committee on Energy and Commerce.

By Mr. LATOURETTE:

H.R. 2057. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of immunosuppressive drugs for Medicare beneficiaries who receive an organ transplant without regard to when the transplant was received; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Mr. FOLEY, Mr. STARK, Mr. LEACH, Mr. ABERCROMBIE, Mr. BALDACCI, Mr. CARDIN, Mr. COYNE, Mr. CROWLEY, Ms. DEGETTE, Mr. HINCHEY, Mr. HOEFFEL, Mr. HORN, Mr. KILDEE, Ms. LEE, Mr. MCNULTY, Mr. PASTOR, Ms. ROYBAL-ALLARD, Mr. SANDERS, Mr. SERRANO, Mr. SIMMONS, Mrs. THURMAN, and Mr. WAXMAN):

H.R. 2058. A bill to promote primary and secondary health promotion and disease prevention services and activities among the el-

derly, to amend title XVIII of the Social Security Act to add preventive health benefits, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT:

H.R. 2059. A bill to amend the Public Health Service Act to provide for human embryonic stem cell generation and research; to the Committee on Energy and Commerce.

By Mr. NETHERCUTT:

H.R. 2060. A bill to prevent plant enterprise terrorism; to the Committee on the Judiciary, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 2061. A bill to amend the charter of Southeastern University of the District of Columbia; to the Committee on Government Reform.

By Mr. OLVER (for himself, Mr. SIMMONS, Mr. NEAL of Massachusetts, Mr. BASS, Mr. SANDERS, Mr. LARSON of Connecticut, Ms. DELAURO, Mr. MALONEY of Connecticut, Mrs. JOHNSON of Connecticut, and Mr. SHAYS):

H.R. 2062. A bill to extend the effective period of the consent of Congress to the interstate compact relating to the restoration of Atlantic salmon to the Connecticut River Basin and creating the Connecticut River Atlantic Salmon Commission, and for other purposes; to the Committee on Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PELOSI (for herself, Mr. GEPHARDT, Mr. WAXMAN, Mr. BROWN of Ohio, Mrs. MORELLA, Ms. LEE, Mr. BONIOR, Mrs. CHRISTENSEN, Mr. RODRIGUEZ, Mr. UNDERWOOD, Ms. MILLENDER-McDONALD, Mr. CLYBURN, Mrs. LOWEY, Mr. CUMMINGS, Mr. HORN, Mr. CROWLEY, Ms. BALDWIN, Mrs. TAUSCHER, Mr. CAPUANO, Ms. SCHAKOWSKY, Mr. McDERMOTT, Mr. DICKS, Mr. TOWNS, Mr. SERRANO, Ms. ROYBAL-ALLARD, Mr. HINCHEY, Mr. BLAGOJEVICH, Mr. GREEN of Texas, Mr. GONZALEZ, Ms. CARSON of Indiana, Mr. FILNER, Mr. JACKSON of Illinois, Mrs. THURMAN, Mr. FROST, Mr. GUTIERREZ, Mr. FRANK, Mr. LANTOS, Ms. RIVERS, Mrs. CAPPS, Mr. MALONEY of Connecticut, Mr. BRADY of Pennsylvania, Mr. DELAHUNT, Ms. WOOLSEY, Mr. OWENS, Ms. SOLIS, Mr. STARK, Ms. DELAURO, Mr. CONYERS, Mr. WYNN, Ms. ESHOO, Mr. NEAL of Massachusetts, Ms. BROWN of Florida, Mr. SCHIFF, Mr. MARKEY, Mr. OLVER, Ms. WATERS, Mr. CLAY, Ms. SLAUGHTER, Mr. RUSH, Mr. INSLEE, Mr. FARR of California, Mr. RANGEL, Mr. MEEHAN, Mrs. CLAYTON, Mrs. JONES of Ohio, Mr. PALLONE, Ms. McCOLLUM, Mr. ACKERMAN, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, Mr. GEORGE MILLER of California, Mr. ABERCROMBIE, Mrs. MEEK of Florida, Mr. PAYNE, Ms. VELAZQUEZ, Mrs. MINK of Hawaii, Mrs. NAPOLITANO, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. HILLIARD, Mr. WEINER, Ms. KILPATRICK, Mr. DEFAZIO, Mr. DAVIS of Illinois, Ms. SANCHEZ, Mr. EVANS, Mr. UDALL of New Mexico, Mr. ENGEL, Mr. BENTSEN, Mr. BERMAN, Mr. TIERNEY, Mr. HOLT, Mrs. McCARTHY of New York, Mr. NADLER, Mr. GORDON, Mr. BAIRD, Mr. MATSUI, Mr. McGOVERN, Mr. SANDERS, Mr. KILDEE, Mr. HONDA, Mr. SHERMAN, Ms. LOFGREN, Mrs. MALONEY of New York, Mr. KLECZKA, Ms. BERKLEY, Ms. DEGETTE, Mr. FORD, Mr. FALEOMAVAEGA, and Mr. LARSON of Connecticut):

H.R. 2063. A bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV; to the Committee on Energy and Commerce.

By Mr. QUINN (for himself, Mr. MEEHAN, Mr. McHUGH, and Mr. McGOVERN):

H.R. 2064. A bill to provide for comprehensive brownfield site assessment, cleanup, and redevelopment; to the Committee on Financial Services, and in addition to the Committees on Small Business, Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RADANOVICH:

H.R. 2065. A bill to amend the Workforce Investment Act of 1998 to expand the flexibility of customized training, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TANNER (for himself and Mr. BLUNT):

H.R. 2066. A bill to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Sinai as part of the Multinational Force and Observers of the United Nations; to the Committee on Ways and Means.

By Mr. VITTER:

H.R. 2067. A bill to amend the Internal Revenue Code of 1986 to provide that certain deductions of school bus owner-operators shall be allowable in computing adjusted gross income; to the Committee on Ways and Means.

By Mr. ROHRABACHER (for himself and Mr. BROWN of Ohio):

H.J. Res. 50. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to the People's Republic of China; to the Committee on Ways and Means.

By Mr. THOMPSON of California:

H. Con. Res. 149. Concurrent resolution permitting the use of the Rotunda of the Capitol for a ceremony to present posthumously a gold medal on behalf of Congress to Charles M. Schulz; to the Committee on House Administration. considered and agreed to.

By Mr. LANGEVIN (for himself, Mr. TANCREDO, Mr. UDALL of Colorado, Mrs. NAPOLITANO, Mr. PASCRELL, Mr. FILNER, Mr. TOWNS, Mr. HINCHEY, Mr. CAPUANO, Ms. KILPATRICK, Mr. PAYNE, Mr. UDALL of New Mexico, Mr. PALLONE, Mr. DAVIS of Illinois, Ms. McKINNEY, Ms. MILLENDER-McDONALD, Mr. WYNN, Mr. JACKSON of Illinois, Ms. DEGETTE, Mr. McINNIS, Mr. WOLF, Mr. FARR of California, Mr. HEFLEY, Mr. KELLER, Mr. WAXMAN, Mr. MALONEY of Connecticut, Mr. WALSH, Mr. GONZALEZ, and Mr. EHRLICH):

H. Con. Res. 150. Concurrent resolution expressing the sense of Congress that Erik Weihenmayer's achievement of becoming the first blind person to climb Mount Everest demonstrates the abilities and potential of all blind people and other individuals with disabilities; to the Committee on Education and the Workforce.

By Ms. JACKSON-LEE of Texas (for herself, Ms. LEE, Mr. WYNN, Mr. WEINER, Mr. TOWNS, Mr. BISHOP, Mr. CROWLEY, Ms. McKINNEY, Mr. LAMPSON, Mr. LEWIS of Georgia, Mr. HILLIARD, Mr. RUSH, Mr. DAVIS of Illinois, Mrs. MEEK of Florida, and Mrs. JONES of Ohio):

H. Con. Res. 151. Concurrent resolution expressing continuing sympathy for the victims of the devastating earthquake that struck the Republic of India on January 26, 2001, and support for ongoing aid efforts; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan:

H. Con. Res. 152. Concurrent resolution encouraging States bordering the Great Lakes, and the Canadian Province of Ontario to prohibit off-shore drilling in the Great Lakes for oil and gas, and for other purposes; to the Committee on Resources, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶55.30 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

95. The SPEAKER presented a memorial of the General Assembly of the State of Illinois, relative to House Joint Resolution No. 27 memorializing the United States Congress to strongly urge the Government of the People's Republic of China to respect the well-being and safety of the crew in accordance with international practices; to the Committee on International Relations.

96. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 126 memorializing the United States Postal Service to issue a postage stamp honoring coal mining and coal miners, commemorating their contributions to our nation and its citizens; to the Committee on Government Reform.

97. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 187 memorializing that they have declared April 15, 2001, as Harold Washington United States Commemorative Stamp Day, and urge all citizens of Illinois to be aware of the contributions of Mayor Harold Washington and to write to the United States Postal Service Citizens' Stamp Advisory Committee urging them to issue a commemorative stamp in honor of Mayor Harold Washington; to the Committee on Government Reform.

98. Also, a memorial of the House of Representatives of the State of Missouri, relative to Resolution 23 memorializing the United States Congress to rescind the Windfall Elimination Provision or amend it so that it does not bear disproportionately upon teachers and others who have modest salaries earned in non-Social Security-covered service; and amend the government pension offset so that it will not bear disproportionately upon teachers and others whose government pensions are based on modest salaries; to the Committee on Ways and Means.

99. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 107 memorializing the United States Congress to support Hennepin Works' fight against the unfair trade of foreign steel that has damaged our economy; to the Committee on Ways and Means.

100. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 96 memorilizing the United States Congress to support the Railroad Retirement and Survivors Improvement

Act; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

101. Also, a memorial of the General Assembly of the State of Illinois, relative to House Joint Resolution No. 9 memorializing the United States Congress to support the Railroad Retirement and Survivors Improvement Act; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

¶55.31 ADDITIONAL SPONSORS

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

H.R. 7: Mr. RADANOVICH, Mr. PICKERING, and Ms. HART.
H.R. 15: Mr. COX and Mr. REYNOLDS.
H.R. 17: Mr. SPRATT.
H.R. 36: Mr. RAHALL, Mr. STRICKLAND, and Mr. HILLIARD.
H.R. 40: Ms. WATERS, Mr. DOOLEY of California, and Mr. BONIOR.
H.R. 41: Mr. REHBERG, Mr. CANTOR, and Mr. OSE.
H.R. 61: Ms. SOLIS.
H.R. 97: Mr. GORDON, Mr. SCHIFF, Mr. CROWLEY, Ms. WOOLSEY, Mr. LARSEN of Washington, and Mr. LARSON of Connecticut.
H.R. 122: Mr. LANTOS, Mr. SMITH of Texas, Mr. TIBERI, Mr. GRUCCI, Mr. SHADEGG, Mr. HALL of Texas, and Mr. VITTER.
H.R. 157: Mr. JEFFERSON, Mr. LAHOOD, Mr. GILMAN, and Ms. MCKINNEY.
H.R. 168: Mr. MOORE and Mr. TIBERI.
H.R. 175: Mr. TIAHRT.
H.R. 189: Mr. EVERETT.
H.R. 210: Mr. FILNER.
H.R. 236: Mr. SMITH of New Jersey.
H.R. 250: Mr. TAUZIN, Mr. MENENDEZ, Mr. REHBERG, and Mr. SCHAFFER.
H.R. 267: Mr. SCHIFF and Mr. BERMAN.
H.R. 281: Mrs. CHRISTENSEN, Mr. ISAKSON, Mr. BLAGOJEVICH, and Mr. FILNER.
H.R. 303: Mr. POMBO and Mr. SAM JOHNSON of Texas.
H.R. 361: Ms. SOLIS.
H.R. 389: Ms. DELAURO.
H.R. 436: Mr. HINOJOSA, Mr. TOOMEY, Mr. MCDERMOTT, Ms. SCHAKOWSKY, and Mr. RILEY.
H.R. 448: Mr. COMBEST.
H.R. 481: Mr. THOMPSON of California.
H.R. 491: Mr. SCOTT, Ms. SOLIS, Mr. HOYER, and Ms. SANCHEZ.
H.R. 510: Mr. PASTOR, Mr. ETHERIDGE, Ms. MCCARTHY of Missouri, Mr. FARR of California, and Mr. WELLER.
H.R. 527: Mr. UPTON.
H.R. 570: Mr. BAKER.
H.R. 571: Mr. OWENS.
H.R. 572: Mr. SANDLIN.
H.R. 598: Mr. COSTELLO, Mr. ISRAEL, and Mr. SHADEGG.
H.R. 608: Mr. NUSSLE.
H.R. 609: Mr. SANDLIN.
H.R. 612: Mr. RADANOVICH, Mrs. CAPITO, Mr. DEFAZIO, Mr. GRAVES, Mr. LARGENT, Mr. HINCHEY, Mr. CAPUANO, Mr. TOWNS, Mr. CHAMBLISS, Ms. DELAURO, Mr. CARSON of Oklahoma, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LOFGREN, Mr. OLVER, and Mr. COYNE.
H.R. 623: Mr. JACKSON of Illinois.
H.R. 638: Ms. KILPATRICK.
H.R. 668: Mr. PETERSON of Pennsylvania, Mr. OWENS, Mr. MANZULLO, Mr. MATSUI, Mr. CLEMENT, Ms. PRYCE of Ohio, Mr. WEXLER, Ms. HOOLEY of Oregon, Mr. RILEY, Mr. PETRI, Mr. GIBBONS, Mrs. JO ANN DAVIS of Virginia, Mr. JONES of North Carolina, Mr. SHAYS, Mr. PETERSON of Minnesota, Mr. BISHOP, Mr. FOLEY, Mr. BRYANT and Mr. MCNULTY.
H.R. 699: Mr. PASTOR.
H.R. 717: Mr. RYAN of Wisconsin and Mrs. BIGGERT.
H.R. 718: Mr. SOUDER, Mr. GILMAN, Mr. DINGELL, Mr. DELAY, Mr. BROWN of South Carolina, Mr. RILEY, Mr. GRUCCI, Mr. WALSH, Mr. SHERWOOD, and Mr. SHUSTER.
H.R. 742: Ms. MCCARTHY of Missouri.
H.R. 748: Mr. LEACH.
H.R. 757: Mrs. MALONEY of New York.
H.R. 786: Mr. CONYERS, Mr. NADLER, and Mr. OWENS.
H.R. 805: Mr. TURNER.
H.R. 808: Mr. UDALL of Colorado, Mr. BURTON of Indiana, and Mr. ETHERIDGE.
H.R. 826: Mr. BENTSEN.
H.R. 827: Mr. BURR of North Carolina.
H.R. 831: Mr. BALLENGER, Mr. SHAYS, Mr. THOMPSON of California, Mr. LIPINSKI, Mr. PLATTS, Mr. TANCREDO, Mr. PETERSON of Pennsylvania, Mr. PETERSON of Minnesota, Mr. GOODLATTE, Ms. DEGETTE, Ms. DUNN, Mrs. CLAYTON, Mr. COSTELLO, Mr. MURTHA, Mr. PASCRELL, Mrs. JO ANN DAVIS of Virginia, Mr. BUYER, Mr. BONILLA, Mr. CRENSHAW, Mr. OSBORNE, Mr. SCARBOROUGH, Mr. COLLINS, Mr. ALLEN, Mr. DOYLE, Mr. MALONEY of Connecticut, Mr. BARCIA, Mr. HONDA, Mr. BOUCHER, Mr. CAPUANO, Mrs. MORELLA, Mr. FILNER, and Mrs. MINK of Hawaii.
H.R. 835: Ms. JACKSON-LEE of Texas.
H.R. 854: Mr. BAIRD, Mr. RADANOVICH, Mr. CALVERT, Mr. TURNER, Ms. RIVERS, Mr. LEWIS of Kentucky, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, Mr. DOYLE, Mr. HONDA, Mr. GILLMOR, and Mr. CAPUANO.
H.R. 862: Mr. SANDLIN.
H.R. 876: Mr. PAYNE, Mr. WAMP, Mr. SABO, Mr. FARR of California, Mr. PASTOR, Mr. LARSEN of Washington, Mr. ALLEN, Mr. NUSSLE, Mr. DOGGETT, Mr. DEUTSCH, Mr. SIMMONS, Mr. BOEHLERT, and Mr. LUTHER.
H.R. 877: Mr. MORAN of Kansas.
H.R. 910: Mr. KUCINICH and Ms. NORTON.
H.R. 912: Mr. OXLEY and Mr. SPRATT.
H.R. 915: Mr. PASCRELL.
H.R. 936: Ms. ROYBAL-ALLARD.
H.R. 938: Mr. COYNE.
H.R. 950: Mr. LUCAS of Kentucky and Mr. NEY.
H.R. 959: Mr. SCHIFF and Mr. RAHALL.
H.R. 978: Mr. ROGERS of Michigan, Mr. EVANS, and Mr. GREENWOOD.
H.R. 981: Mr. MCCRERY, Mr. CONDIT, Mr. WATTS of Oklahoma, and Mr. MCINNIS.
H.R. 990: Mr. NETHERCUTT, Mr. GRAHAM, Ms. HOOLEY of Oregon, and Mr. COYNE.
H.R. 1001: Mr. DOYLE.
H.R. 1003: Mr. SOUDER.
H.R. 1011: Mr. PRICE of North Carolina.
H.R. 1029: Mr. RYUN of Kansas.
H.R. 1037: Mr. COX.
H.R. 1071: Mr. PETERSON of Pennsylvania, Mr. GRUCCI, Mr. GREENWOOD, Mr. FARR of California, and Mr. GUTIERREZ.
H.R. 1073: Mr. WEINER, Mr. HYDE, Mr. MEEHAN, Ms. KILPATRICK, Mr. OBERSTAR, Mr. THOMPSON of Mississippi, and Mr. SERRANO.
H.R. 1076: Mr. DAVIS of Illinois, Mr. MEEHAN, Ms. LOFGREN, Mr. HALL of Ohio, Mr. DICKS, Mr. RUSH, Mrs. MCCARTHY of New York, Mr. KIND, Mr. SERRANO, Mr. UDALL of Colorado, Mr. SPRATT, Mr. BOSWELL, Mr. MORAN of Virginia, Mr. SCOTT, Mr. MASCARA, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COSTELLO, Mr. LARSON of Connecticut, Mr. JACKSON of Illinois, and Mr. SANDERS.
H.R. 1086: Mr. SCHIFF.
H.R. 1089: Mr. TANNER, Mr. LEWIS of Kentucky, and Mr. SNYDER.
H.R. 1110: Mr. EDWARDS, Mr. PITTS, Mr. RAMSTAD, Ms. MCKINNEY, and Mr. PETERSON of Minnesota.
H.R. 1126: Mr. TIAHRT.
H.R. 1149: Mr. LARSON of Connecticut, Mr. ABERCROMBIE, Mr. ENGEL, Ms. BALDWIN, Ms. LOFGREN, Mr. ISSA, Ms. ROYBAL-ALLARD, and Ms. NORTON.
H.R. 1164: Mr. MCDERMOTT, Ms. MCKINNEY, and Mr. FRANK.
H.R. 1170: Mr. PALLONE, Mr. HONDA, and Mr. MEEHAN.
H.R. 1177: Mr. EDWARDS.
H.R. 1181: Mr. GRAVES.
H.R. 1182: Mr. JONES of North Carolina, Mr. BARTON of Texas, and Mr. TIAHRT.
H.R. 1192: Mr. SNYDER, Ms. SOLIS, and Ms. SANCHEZ.
H.R. 1217: Mr. BONIOR and Mr. SANDLIN.
H.R. 1252: Mrs. TAUSCHER, Mr. CROWLEY, Mr. WEXLER, and Mr. MCNULTY.
H.R. 1254: Mr. GILLMOR, Mr. PALLONE, Mrs. KELLY, Mr. WELDON of Pennsylvania, Mr. HILLIARD, and Mr. HOLDEN.
H.R. 1255: Mr. ALLEN.
H.R. 1266: Mr. DOYLE, Mr. FILNER, Ms. NORTON, Mr. PASTOR, Ms. SOLIS, and Ms. VELÁQUEZ
H.R. 1280: Ms. BALDWIN and Mr. CLEMENT.
H.R. 1295: Mr. LANGEVIN and Ms. PELOSI.
H.R. 1304: Mr. RAHALL, Ms. SLAUGHTER, and Mr. SIMMONS.
H.R. 1305: Mr. MALONEY of Connecticut, Mr. BLAGOJEVICH, Ms. BALDWIN, Mr. HONDA, Mr. GREENWOOD, and Mr. HOEFFEL.
H.R. 1307: Mrs. JO ANN DAVIS of Virginia, Mr. GILMAN, Mr. TIERNEY, Mr. BARCIA, Mr. LANTOS, and Ms. BALDWIN.
H.R. 1328: Mrs. MINK of Hawaii and Mr. CONYERS.
H.R. 1340: Mr. SHIMKUS.
H.R. 1344: Mr. FILNER.
H.R. 1351: Mr. HYDE and Mr. RAHALL.
H.R. 1353: Mr. HYDE, Mrs. MINK of Hawaii, Mr. HILLEARY, Mrs. JO ANN DAVIS of Virginia, Ms. HART, Mrs. EMERSON, Mr. REYNOLDS, Mr. DEFAZIO, Mrs. CHRISTENSEN, and Mr. HINCHEY.
H.R. 1354: Mrs. LOWEY, Mr. DOYLE, Mr. BONIOR, Mrs. CLAYTON, and Mr. GREEN of Texas.
H.R. 1377: Mr. CONDIT, Mr. SMITH of Texas, Mr. TIAHRT, Mr. TAYLOR of Mississippi, and Mr. GREEN of Texas.
H.R. 1388: Mr. FROST, Mr. UDALL of Colorado, Mr. BOSWELL, Ms. BALDWIN, and Mr. HAYES.
H.R. 1400: Mr. BARCIA.
H.R. 1402: Mr. OTTER.
H.R. 1403: Mr. OTTER.
H.R. 1404: Mr. OTTER.
H.R. 1406: Mr. SANDLIN and Mr. ABERCROMBIE.
H.R. 1427: Mr. SESSIONS, Ms. KILPATRICK, Mr. LANTOS, Mr. CULBERSON, and Ms. MCKINNEY.
H.R. 1433: Ms. BALDWIN and Ms. DELAURO.
H.R. 1434: Ms. CARSON of Indiana and Mr. LEWIS of Georgia.
H.R. 1449: Ms. MCKINNEY.
H.R. 1464: Mr. BONIOR.
H.R. 1484: Mrs. LOWEY.
H.R. 1487: Mr. CANTOR and Mr. DAVIS of Florida.
H.R. 1492: Mr. CROWLEY.
H.R. 1509: Mr. REYES, Mr. RUSH, Mr. CLEMENT, Mr. BERMAN, and Ms. WATERS.
H.R. 1522: Mr. ALLEN, Mrs. MINK of Hawaii, Ms. JACKSON-LEE of Texas, Mr. SANDLIN, Ms. NORTON, Mr. LEWIS of Georgia, Mr. LAFALCE, and Mr. DEFAZIO.
H.R. 1536: Mr. BARCIA, Mr. MCINTYRE, Mr. KUCINICH, Mr. JACKSON of Illinois, Ms. BALDWIN, and Mr. BLAGOJEVICH.
H.R. 1541: Mr. SANDLIN.
H.R. 1553: Mr. SHAYS and Mr. SIMPSON.
H.R. 1556: Mr. MORAN of Virginia, Mr. HILLEARY, Mr. RANGEL, Mr. TURNER, Ms. SLAUGHTER, Mr. WEINER, Mr. OLVER, Mr. LEWIS of Kentucky, Mrs. LOWEY, Mr. DOYLE, Mr. STUPAK, Mr. SERRANO, Mr. PAUL, Ms. JACKSON-LEE of Texas, Mr. KOLBE, and Mr. GILLMOR.
H.R. 1581: Mr. CHAMBLISS and Mr. SUNUNU.
H.R. 1585: Mr. HASTINGS of Florida, Mrs. LOWEY, and Mrs. MEEK of Florida.
H.R. 1589: Mr. FILNER.
H.R. 1592: Ms. HART.
H.R. 1602: Mr. BACHUS, Mr. PAUL, and Mr. ISAKSON.
H.R. 1609: Mr. PAUL, Mr. TURNER, Mr. LEWIS of Kentucky, Mr. BARCIA, Mr.

GILLMOR, Mr. THOMPSON of Mississippi, Mr. HALL of Texas, Mr. WICKER, and Mr. WATTS of Oklahoma.

H.R. 1623: Mr. WATTS of Oklahoma.

H.R. 1624: Mr. KING, Mr. DOYLE, Mr. ACKERMAN, Mr. QUINN, Mr. CAPUANO, Mr. MCNULTY, Ms. RIVERS, Mr. SCHIFF, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. BROWN of Ohio, Mr. COSTELLO, Mr. GEORGE MILLER of California, Mr. WYNN, Mr. ROGERS of Michigan, Ms. NORTON, Mr. NADLER, Mr. WICKER, Ms. LEE, and Mr. SAXTON.

H.R. 1644: Mrs. CUBIN, Mr. SESSIONS, Mr. BARCIA, Mr. GRUCCI, Mr. CRANE, Mr. WELLER, Mr. WICKER, Mr. NETHERCUTT, and Mr. DELAY.

H.R. 1650: Mrs. MEEK of Florida and Mr. DAVIS of Illinois.

H.R. 1661: Mr. BAIRD.

H.R. 1689: Mr. PICKERING, Mr. CONDIT, and Mr. ABERCROMBIE.

H.R. 1693: Mr. BENTSEN, Ms. LOFGREN, and Mr. SCHIFF.

H.R. 1700: Ms. MCCOLLUM, Mr. KOLBE, Mr. COYNE, Mr. SERRANO, Mr. POMBO, Mr. OBERSTAR, Mr. HINCHEY, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, Ms. PELOSI, Mrs. MINK of Hawaii, Mr. KENNEDY of Rhode Island, Mr. OWENS, and Ms. LEE.

H.R. 1707: Mr. GOODLATTE.

H.R. 1711: Mr. JONES of North Carolina.

H.R. 1716: Mr. DAVIS of Illinois, Mrs. MINK of Hawaii, and Mr. ISSA.

H.R. 1717: Ms. WATERS and Ms. JACKSON-LEE of Texas.

H.R. 1718: Ms. SLAUGHTER, Mr. HOLT, Ms. SANCHEZ, Mr. HUTCHINSON, Mr. RODRIGUEZ, Mr. WAXMAN, Mr. SNYDER, Mr. PORTMAN, Mrs. LOWEY, Mr. BARCIA, Mr. ROEMER, and Mr. ENGEL.

H.R. 1723: Ms. SCHAKOWSKY, Mr. OLVER, Mr. SANDERS, Mr. WAXMAN, Mr. UDALL of Colorado, Mr. PALLONE, Mr. DOYLE, Mr. LARSON of Connecticut, Mrs. THURMAN, Mrs. MCCARTHY of New York, Ms. RIVERS, Mrs. JO ANN DAVIS of Virginia, Mr. FARR of California, Mr. DEFAZIO, and Mr. GREEN of Texas.

H.R. 1733: Mr. GUTIERREZ, Ms. RIVERS, Ms. SCHAOWSKY, Mr. BONIOR, Mr. GREEN of Texas, and Mr. MCGOVERN.

H.R. 1759: Mr. INSLEE, Mrs. JONES of Ohio, and Mrs. THURMAN.

H.R. 1780: Mr. LAMPSON, Mr. COYNE, and Mr. BALDACCI.

H.R. 1781: Mr. LAMPSON, Mr. BARCIA, Mr. UDALL of Colorado, Mr. FRANK, and Mr. BERMAN.

H.R. 1782: Mr. GILLMOR.

H.R. 1798: Mr. FRANK and Mr. NEAL of Massachusetts.

H.R. 1805: Mr. KELLER.

H.R. 1810: Ms. MCCOLLUM, Ms. BALDWIN, Ms. SLAUGHTER, Mr. SERRANO, Mr. FRANK, Ms. WOOLSEY, Mr. DOYLE, Mr. SANDERS, Mr. COYNE, Mr. BLAGOJEVICH, Mr. RAHALL, Mr. MCDERMOTT, Mr. ACKERMAN, Mr. PETERSON of Minnesota, Mr. DEFAZIO, and Mr. MCNULTY.

H.R. 1834: Mr. GRUCCI, Ms. HART, and Mr. UPTON.

H.R. 1839: Mr. UDALL of New Mexico and Mr. DOYLE.

H.R. 1842: Mr. DAVIS of Illinois and Mr. MCDERMOTT.

H.R. 1847: Mr. TERRY.

H.R. 1848: Mrs. THURMAN, Mr. BLUNT, and Mr. BOUCHER.

H.R. 1861: Mr. PICKERING and Mr. JOHNSON of Illinois.

H.R. 1864: Ms. KILPATRICK.

H.R. 1872: Mr. WOLF, Ms. ROS-LEHTINEN, Mr. GOSS, Mr. WELDON of Florida, and Mr. SPENCE.

H.R. 1879: Mr. DREIER.

H.R. 1909: Mr. LEVIN.

H.R. 1910: Mr. CRANE, Mr. SHERMAN, Mr. BRADY of Pennsylvania, Mr. VISCLOSKY, and Mr. SMITH of New Jersey.

H.R. 1911: Mr. MANUZLLO.

H.R. 1927: Mr. CAMP and Ms. KILPATRICK.

H.R. 1928: Ms. NORTON, Mr. COYNE, Mr. ENGEL, and Ms. RIVERS.

H.R. 1939: Mr. FILNER.

H.R. 1943: Mr. CARSON of Oklahoma.

H.R. 1945: Mr. SANDERS and Mr. NADLER.

H.R. 1948: Mr. SANDLIN, Mr. ABERCROMBIE, and Mr. KILDEE.

H.R. 1950: Mrs. ROUKEMA and Mr. BONILLA.

H.R. 1954: Mr. BURR of North Carolina, Mr. CALVERT, Mr. CRAMER, Mr. KELLER, Mr. KENNEDY of Minnesota, and Mr. ROSS.

H.R. 1956: Mr. CALLAHAN, Mr. ROSS, and Mr. PRICE of North Carolina.

H.R. 1957: Mr. SIMMONS, Mrs. JOHNSON of Connecticut, and Mr. SHOWS.

H.R. 1964: Mr. OBERSTAR and Ms. LEE.

H.R. 1975: Mr. SHIMKUS.

H.R. 1979: Mr. DELAY, Mr. MORAN of Kansas, Mr. PICKERING, Mr. SHOWS, Mr. RYUN of Kansas, Mr. JONES of North Carolina, Mr. WELDON of Florida, Mrs. THURMAN, and Mr. THORNBERRY.

H.R. 1982: Mr. CRANE and Mr. MANZULLO.

H.R. 1986: Mr. NORWOOD.

H.R. 1990: Ms. LEE.

H.R. 1994: Ms. MCKINNEY.

H.R. 2025: Mrs. BIGGERT.

H.R. 2029: Mr. WICKER.

H.J. Res. 6: Mr. RANGEL, Mr. LARSON of Connecticut, and Mr. MCHUGH.

H.J. Res. 36: Mr. SHUSTER, Mr. POMBO, Mr. PITTS, and Mr. BALLENGER.

H. Con. Res. 42: Mr. BARCIA, Mr. ISRAEL, Mr. MATHESON, Mr. LANGEVIN, and Mr. PAYNE.

H. Con. Res. 45: Mr. CLAY.

H. Con. Res. 85: Mrs. CAPPS, Mr. DAVIS of Illinois, and Mr. LANTOS.

H. Con. Res. 100: Mr. WAMP, Mr. HILLEARY, and Mr. OSBORNE.

H. Con. Res. 103: Ms. BALDWIN.

H. Con. Res. 104: Mr. HYDE, Mr. CRENSHAW, Mr. ENGEL, and Mr. ISRAEL.

H. Con. Res. 116: Mr. CLEMENT, Mr. HEFLEY, Mr. GOSS, Mr. LAMPSON, Mr. BILIRAKIS, and Mr. CAMP.

H. Con. Res. 142: Mr. WEINER, Mr. BOYD, and Ms. WATERS.

H. Con. Res. 145: Mr. MEEHAN, Mr. ROYCE, Mr. HILLIARD, Ms. LOFGREN, Mr. DOOLITTLE, Mr. LEVIN, Ms. CARSON of Indiana, Mrs. LOWEY, Mr. DOYLE, Mrs. THURMAN, Mr. KNOLLENBERG, Mr. ISSA, and Mr. DEFAZIO.

H. Con. Res. 148: Mr. EHLERS.

H. Res. 17: Ms. SCHAKOWSKY.

H. Res. 18: Mr. MATSUI.

H.R. 49: Mr. OWENS, Mr. JACKSON of Illinois, Mr. CLAY, Ms. KILPATRICK, Mrs. CHRISTENSEN, Mr. THOMPSON of Mississippi, Mr. MEEKS of New York, Mr. HASTINGS of Florida, Ms. NORTON, Mr. HILLIARD, Mrs. MEEK of Florida, Ms. JACKSON-LEE of Texas, Ms. MILLENDER-MCDONALD, Mrs. CLAYTON, Ms. WATERS, Mr. CUMMINGS, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. FATTAH.

H. Res. 87: Ms. MCCARTHY of Missouri and Mr. CONYERS.

H. Res. 101: Mr. MORAN of Virginia.

H. Res. 105: Mr. ENGEL.

H. Res. 120: Mr. BLAGOJEVICH and Ms. BALDWIN.

¶55.32 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

18. The SPEAKER presented a petition of the Council on Administrative Rights, relative to a Resolution petitioning the United States Congress to seek redress from a failing educational system; to the Committee on Education and the Workforce.

19. Also, a petition of the Council on Administrative Rights, relative to a Resolution petitioning the United States Congress to seek redress from crime at all levels; to the Committee on the Judiciary.

20. Also, a petition of the Council on Administrative Rights, relative to a Resolution petitioning the United States Congress to seek redress from the current slowdown in the economy of the United States; jointly to the Committees on Financial Services, Ways and Means, and Education and the Workforce.

21. Also, a petition of the Council on Administrative Rights, relative to a Resolution petitioning the United States Congress to provide universal healthcare coverage to all American citizens; jointly to the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce.

22. Also, a petition of the Council on Administrative Rights, relative to a Resolution petitioning the United States Congress to seek redress from the arcane voting procedures and barriers to ballot access; jointly to the Committees on House Administration, Government Reform, and the Judiciary.

23. Also, a petition of the Council on Administrative Rights, relative to a Resolution petitioning the United States Congress to seek redress from gender discrimination and pay inequity against women; jointly to the Committees on the Judiciary, Education and the Workforce, and Energy and Commerce.

24. Also, a petition of the LaSalle County Board, Illinois, relative to Resolution No. 01–45 petitioning the United States Congress to pass the Steel Revitalization Act of 2001 and to support the Steelworkers fight against the unfair trade of foreign steel that has damaged our economy; jointly to the Committees on Ways and Means, Financial Services, and Education and the Workforce.

25. Also, a petition of the Council on Administrative Rights, relative to a Resolution petitioning the United States Congress to seek redress from ineffective environmental and energy policies; jointly to the Committees on Energy and Commerce, Resources, Transportation and Infrastructure, Agriculture, and Ways and Means.

WEDNESDAY, JUNE 6, 2001 (56)

The House was called to order by the SPEAKER.

¶56.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, June 5, 2001.

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

¶56.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2312. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of France, Ireland, and The Netherlands Because of Foot-and-Mouth Disease [Docket No. 01–031–1] received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2313. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clethodim; Pesticide Tolerance [OPP–301133; FRL–6783–5] (RIN: 2070–AB78) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2314. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Prohexadione Calcium; Pes-

ticide Tolerance [OPP–301128; FRL–6781–5] (RIN: 2070–AB78) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2315. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pyriproxyfen; Pesticide Tolerance [OPP–301131; FRL–6782–5] (RIN: 2070–AB78) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2316. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clethodim; Time-Limited Pesticide Tolerance [OPP–301134; FRL–6785–5] (RIN: 2070–AB78) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2317. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting the Secretary's certification that the current Future Years Defense Program (FYDP) fully funds the support costs associated with the Bradley Fighting Vehicle A3 Upgrade multiyear program through the period covered by the FYDP, pursuant to 10 U.S.C. 2306b(i)(1)(A); to the Committee on Armed Services.

2318. A letter from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Assessment of Fees [Docket No. 01–11] (RIN: 1557–AB96) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2319. A letter from the Assistant Secretary for Congressional and Intergovernmental Affairs, Department of Labor, transmitting the Department's final rule—Consultation Agreements: Changes to Consultation Procedures [Docket No. CO–5] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2320. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Navy's proposed lease of defense articles to the Government of Switzerland (Transmittal No. 04–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

2321. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Australia [Transmittal No. DTC 047–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2322. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2323. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2324. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2325. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2326. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2327. A letter from the Deputy Assistant Inspector General for Management and Planning, Department of Justice, transmitting the semiannual report of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2328. A letter from the Chairman, National Science Board, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2329. A letter from the Acting Chairman, Securities and Exchange Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2330. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the 2001 Annual Report Regarding Atlantic Highly Migratory Species; to the Committee on Resources.

2331. A letter from the Chairperson, Commission on Civil Rights, transmitting a report entitled, ''Sharing the Dream: Is the ADA Accommodating All?''; to the Committee on the Judiciary.

2332. A letter from the Chairperson, Commission on Civil Rights, transmitting a report entitled, ''A Bridge to One America: The Civil Rights Performance of the Clinton Administration''; to the Committee on the Judiciary.

2333. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Adjustment of Status for Certain Nationals of Nicaragua, Cuba, and Haiti [INS No. 2113–01, AG Order No. 2429–2001] (RIN: 1115–AG05) received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2334. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Establishing Premium Processing Service for Employment-Based Petitions and Applications [INS No. 2108–01] (RIN: 1115–AG03) received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2335. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's ''Major'' final rule—Adjustment of Status under Legal Immigration Family Equity (LIFE) Act Legalization Provisions and LIFE Act Amendments Family Unity Provisions [INS No. 2115–01; AG Order No. 2430–2001] (RIN: 1115–AG06) received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2336. A letter from the Acting Chief Executive Officer, United States Olympic Committee, transmitting a report pursuant to The Ted Stevens Olympic and Amateur Sports Act; to the Committee on the Judiciary.

2337. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Priorities and Allocations—received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2338. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Cost Accounting Standards Waivers—received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2339. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Extension of Class Deviations for SBIR Contracts—received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2340. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—NASA Inspector General Hotline Posters—received May 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2341. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out Inventories [Rev. Rul. 2001–28] received May 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2342. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund; determination of correct tax liability [Rev. Proc. 2001–37] received May 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2343. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Returns Regarding Payments by Service-Recipients [Notice 2001–38] received May 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶56.3 HISTORIC SITE BOUNDARY ADJUSTMENT

Mr. JONES of North Carolina moved to suspend the rules and pass the bill (H.R. 1000) to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. JONES of North Carolina and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶56.4 NATIONAL TRAIL SYSTEMS

Mr. JONES of North Carolina moved to suspend the rules and pass the bill (H.R. 37) to amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails; as amended.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. JONES of North Carolina and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶56.5 SANTA MONICA MOUNTAINS BOUNDARY

Mr. JONES of North Carolina moved to suspend the rules and pass the bill (H.R. 640) to adjust the boundaries of Santa Monica Mountains National Recreation Area, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. JONES of North Carolina and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶56.6 MAGNUSON-STEVENS FISHERY CONSERVATION

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 1661) to extend indefinitely the authority of the States of Washington, Oregon, and California to manage a Dungeness crab fishery until the effective date of a fishery management plan for the fishery under the Magnuson-Stevens Fishery Conservation and Management Act.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. GILCHREST and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶56.7 CHILD STATUS PROTECTION

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 1209) to amend the Immigration and Nationality Act to determine whether an alien is a child, for the purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. SENSENBRENNER and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

Ms. JACKSON-LEE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SUNUNU, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶56.8 FARMER BANKRUPTCY CODE EXTENSION

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 1914) to extend for 4 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. SENSENBRENNER and Ms. BALDWIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SUNUNU, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶56.9 BLIND MOUNTAIN CLIMBER ERIK WEIHENMAYER

Mr. CASTLE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 150):

Whereas misconceptions and negative stereotypes about blindness and other disabilities significantly contribute to the challenges that individuals with blindness or other disabilities encounter;

Whereas in order to help promote a positive public perception of blindness, the National Federation of the Blind sponsored the quest of Erik Weihenmayer to become the first blind person to climb Mount Everest;

Whereas on May 23, 2001, Erik Weihenmayer, as part of a climbing team, successfully climbed to the summit of Mount Everest, which, at a height of 29,035 feet above sea level, is the highest summit in the world;

Whereas Erik Weihenmayer has climbed to the summit of Ama Dablam, Mount McKinley, El Capitan, Kilimanjaro, Aconcagua, Vinson Massif, and Polar Circus, which is a 3,000 foot ice waterfall in Alberta, Canada;

Whereas despite his blindness, Erik Weihenmayer is a speaker, writer, acrobatic skydiver and scuba diver, long-distance cyclist, marathon runner, skier, mountaineer, and ice and rock climber;

Whereas Erik Weihenmayer's many accomplishments have earned him the Health and Fitness Association Award, the Glaucoma Foundation's Lifetime Achievement Award, Connecticut's Most Courageous Athlete Award, ESPN's ARETE Award for courage in sports, the Distinguished Arizonan Award, the Gene Autry Award, induction into the National Wrestling Hall of Fame, and the honor of carrying the Olympic Torch through Phoenix, Arizona; and

Whereas Erik Weihenmayer's achievements demonstrate that blind people and other individuals with disabilities can accomplish extraordinary goals if they are provided with the proper training and opportunities: Now, therefore, be it

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

(1) Erik Weihenmayer's achievement of becoming the first blind person to climb Mount Everest demonstrates the abilities and potential of all blind people and other individuals with disabilities; and

(2) individuals with blindness or other disabilities can overcome almost any obstacle if they are provided with the appropriate resources.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. CASTLE and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶56.10 H.R. 1209—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SUNUNU, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1209) to amend the Immigration and Nationality Act

to determine whether an alien is a child, for the purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 416 / Nays ..... 0 }

¶56.11 [Roll No. 152]

YEAS—416

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

NOT VOTING—15

Burton
Buyer
Cox
Dingell
Eshoo
Ferguson
Goode
Goodlatte
Harman
Houghton
Millender-McDonald
Nethercutt
Solis
Waters
Waxman

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶56.12 H.R. 1914—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COOKSEY, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1914) to extend for 4 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 411 / Nays ..... 1 }

¶56.13 [Roll No. 153]

YEAS—411

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Fattah
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar

Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—19

Burton
Buyer
Cox
Dingell
Eshoo
Ferguson
Goode
Goodlatte
Harman
Houghton
Jefferson
Millender-McDonald
Nethercutt
Solis
Walsh
Waters
Watkins
Waxman
Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶56.14 THE LATE HONORABLE JOHN JOSEPH MOAKLEY

Mr. McGOVERN submitted the following privileged resolution (H. Res. 157):

Resolved, That the House has heard with profound sorrow of the death of the Honorable John Joseph Moakley, a Representative from the Commonwealth of Massachusetts.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the decreased.

When said resolution was considered.

After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection and, under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶56.15 APPOINTMENT OF FUNERAL COMMITTEE OF THE LATE JOHN JOSEPH MOAKLEY

The SPEAKER pro tempore, Mr. TIBERI, by unanimous consent and pursuant to the order of the House of Saturday, May 26, 2001, announced the Speaker, on Friday, June 1, 2001, appointed the following members to attend the funeral for the late Honorable John Joseph Moakley, on the part of the House:

Messrs. MARKEY, GEPHARDT, BONIOR, FROST, FRANK, NEAL, OLVER, MEEHAN, DELAHUNT, McGOVERN, TIERNEY, CAPUANO, HALL of Ohio, DREIER, HOYER, Ms. SLAUGHTER, Ms. PELOSI, Messrs. ANDREWS, MORAN of Virginia, Ms. PRYCE of Ohio, Messrs. SCOTT, KENNEDY of Rhode Island, Mrs. MYRICK, Messrs. SESSIONS, SUNUNU, RODRIGUEZ and LANGEVIN.

¶56.16 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. UNDERWOOD, for today and June 7;

To Mr. FERGUSON, for today and balance of the week;

To Ms. WATERS, for June 5, June 6, and June 7; and

To Ms. SOLIS, for June 5 and balance of the week;

To Ms. MILLENDER-McDONALD, for June 5 and today.

And then,

¶56.17 ADJOURNMENT

On motion of Ms. ROS-LEHTINEN, pursuant to House Resolution 157, at 6 o'clock and 43 minutes p.m., the House adjourned out of respect for the late Honorable John Joseph Moakley until 10 o'clock a.m., Thursday, June 7, 2001.

¶56.18 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 1000. A bill to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes; with an amendment (Rept. No. 107–88). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 37. A bill to amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails; with an amendment (Rept. No. 107–89). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 640. A bill to adjust the boundaries of Santa Monica Mountains National Recreation Area, and for other purposes; with an amendment (Rept. No. 107–90). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1661. A bill to extend indefinitely the authority of the States of Washington, Oregon, and California to manage a Dungeness crab fishery until the effective date of a fishery management plan for the fishery under the Magnuson-Stevens Fishery Conservation and Management Act (Rept. No. 107–91). Referred to the Committee of the Whole House on the State of the Union.

¶56.19 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SENSENBRENNER:

H.R. 2068. A bill to revise, codify, and enact without substantive change certain general and permanent laws, related to public buildings, property, and works, as title 40, United States Code, ''Public Buildings, Property, and Works''; to the Committee on the Judiciary.

By Mr. HYDE:

H.R. 2069. A bill to amend the Foreign Assistance Act of 1961 to authorize assistance to prevent, treat, and monitor HIV/AIDS in sub-Saharan African and other developing countries; to the Committee on International Relations.

By Mr. TIBERI (for himself and Mr. ANDREWS):

H.R. 2070. A bill to amend the Fair Labor Standards Act of 1938 to exempt certain specialized employees from the minimum wage recordkeeping and overtime compensation requirements; to the Committee on Education and the Workforce.

By Mr. ANDREWS (for himself, Mr. ENGLISH, Mr. BARRETT, and Mr. GRAHAM):

H.R. 2071. A bill to amend title XVIII of the Social Security Act to provide for eligibility for coverage of home health services under the Medicare Program on the basis of a need for occupational therapy; to the Committee on Ways and Means.

By Ms. BERKLEY:

H.R. 2072. A bill to redirect the Nuclear Waste Fund established under the Nuclear Waste Policy Act of 1982 into research, development, and utilization of risk-decreasing technologies for the onsite storage and eventual reduction of radiation levels of nuclear waste, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDIN:

H.R. 2073. A bill to amend title XVIII of the Social Security Act to waive the part B late enrollment penalty for military retirees who enroll by December 31, 2002, and to provide a special part B enrollment period for such retirees; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. SHAYS, Mr. SCOTT, Ms. JACKSON-LEE of Texas, Mr. SERRANO, Mr. WU, Mr. PAYNE, Mr. MENENDEZ, Mr. HONDA, Mr. STARK, Mrs. MORELLA, Mr. GREENWOOD, Mr. FRELINGHUYSEN, Mr. JOHNSON of Illinois, Mr. FERGUSON, and Mr. WALSH):

H.R. 2074. A bill to prohibit racial profiling; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN (for himself and Mr. WELDON of Pennsylvania):

H.R. 2075. A bill to strengthen the National Defense Features program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HAYWORTH:

H.R. 2076. A bill to amend the Internal Revenue Code of 1986 to allow a credit for residential solar energy property; to the Committee on Ways and Means.

By Ms. HOOLEY of Oregon:

H.R. 2077. A bill to amend the Internal Revenue Code of 1986 to provide for the disclosure to State and local law enforcement agencies of the identity of individuals claiming tax benefits improperly using social security numbers of other individuals; to the Committee on Ways and Means.

By Mr. JEFFERSON (for himself, Mr. TAUZIN, Mr. MCCRERY, Mr. BAKER, Mr. JOHN, Mr. COOKSEY, Mr. VITTER, Mr. SPRATT, Mr. TAYLOR of Mississippi, Mr. KLECZKA, Mr. BAIRD, Mr. KANJORSKI, Mrs. THURMAN, Mr. OWENS, Mr. CLAY, Mr. HOLT, Mr. WALSH, Mrs. MINK of Hawaii, Ms. CARSON of Indiana, Mr. GONZALEZ, Mr. FROST, Mr. SHAYS, Mr. GORDON, Mr. FILNER, Mr. OXLEY, Mr. WOLF, Mr. ACEVEDO-VILA, Mr. BOSWELL, Mr. WAXMAN, Ms. LEE, Mr. HILLIARD, Mr. DOOLEY of California, Mr. MCNULTY, Mr. BACA, Mr. REYES, Mr. MASCARA, Mr. ISAKSON, Mr. SKELTON, Ms. RIVERS, Ms. BALDWIN, Mr. FALEOMAVAEGA, Ms. MCKINNEY, Mr. LATOURETTE, Mr. THOMPSON of California, Mr. RAHALL, Mr. CAPUANO, Mr. BORSKI, Mr. COYNE, Mr. LEWIS of Georgia, Mr. UDALL of New Mexico, Mr. RUSH, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. SHERMAN, Mr. CLEMENT, Mr. FATTAH, Mr. BECERRA, Mrs. JONES of Ohio, Mr. LIPINSKI, Mr. PASCRELL, Mrs. MORELLA, Mr. BLUMENAUER, Mr. COSTELLO, Mr. RODRIGUEZ, Mr. BUYER, Mr. WYNN, Mr. BALDACCI, Mr. ABERCROMBIE, Mr. MCGOVERN, Mr. BLAGOJEVICH, Mr. LARSON of Connecticut, Mr. ROHRABACHER, Mr. GUTIERREZ, Mr. HALL of Ohio, Mr. ORTIZ, Mr. TOWNS, Ms. BROWN of Florida, Mr. BISHOP, Mr. FORD, Mr. DAVIS of Illinois, Mr. CLYBURN, Mrs. CLAYTON, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Mr. PAYNE, Mr. RANGEL, Mr. SCOTT, Mr. THOMPSON of Mississippi, Ms. WATERS, Mr. WATT of North Carolina, Mr. HONDA, and Mr. RYAN of Wisconsin):

H.R. 2078. A bill to authorize the President to award gold medals on behalf of the Congress to the family of Andrew Jackson Higgins and the wartime employees of Higgins Industries, in recognition of their contributions to the Nation and to the Allied victory in World War II; to the Committee on Financial Services.

By Mr. MCDERMOTT:

H.R. 2079. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profits tax on electric generating facilities having excess profits; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 2080. A bill to amend the Internal Revenue Code of 1986 to deny accelerated depreciation for electric generating facilities having excess profits in order to prevent taxpayers operating such facilities from having both excess profits and tax incentives; to the Committee on Ways and Means.

By Mr. MILLER of Florida (for himself, Mr. GEORGE MILLER of California, Mr. DAVIS of Illinois, Mr. FRANK, Mr. CHABOT, Mr. GOSS, Mr. KOLBE, Mr. SHAYS, Mr. KIRK, Mrs. NORTHUP, Ms. BALDWIN, Mr. BASS, Mr. ROYCE, Mr. ENGLISH, Mr. PORTMAN, Mrs. BIGGERT, Mr. CAPUANO, Mr. ALLEN, Mr. SMITH of New Jersey, Mr. LOBIONDO, Mr. RAMSTAD, Mr. WAMP, Mr. FERGUSON, Mr. HOLT, Mr. CLAY, Mr. FRELINGHUYSEN, Mr. BLAGOJEVICH, Mrs. LOWEY, Mrs. ROUKEMA, Mr. SUNUNU, Mr. SENSENBRENNER, Mr. FLAKE, Mr. SCARBOROUGH, Mr. BLUMENAUER, Mr. SOUDER, Mr. BERMAN, Mr. BARRETT, Mr. HORN, Mr. BORSKI, Mr. SHAW, Mr. MEEHAN, Mr. GEKAS, Mr. BRADY of Pennsylvania, Ms. SCHAKOWSKY, Mr. CRANE, Mr. LIPINSKI, Mr. HUTCHINSON, Mr. TOOMEY, Mr. RYAN of Wisconsin, and Mr. RUSH):

H.R. 2081. A bill to amend the Agricultural Market Transition Act to convert the price support program for sugarcane and sugar beets into a system of solely recourse loans, to gradually reduce the level of price support available for sugarcane and sugar beets, and to eliminate of the program after the 2004 crops of sugarcane and sugar beets; to the Committee on Agriculture.

By Mr. MOORE (for himself, Mr. BOYD, Mr. TURNER, Mr. BERRY, Mr. TANNER, Mr. STENHOLM, Mr. SCHIFF, Mrs. TAUSCHER, Mr. SANDLIN, Ms. HARMAN, Mr. ROSS, Mr. MATHESON, Mr. SHOWS, Mr. HOLDEN, Mr. CARSON of Oklahoma, Mr. PHELPS, Ms. SANCHEZ, and Mr. MCINTYRE):

H.R. 2082. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage small business health plans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2083. A bill to amend titles 23 and 49, United States Code, relating to motor vehicle weight and width limitations; to the Committee on Transportation and Infrastructure.

By Mr. POMBO (for himself, Mr. BOYD, Mr. KINGSTON, Mr. PUTNAM, and Mr. RADANOVICH):

H.R. 2084. A bill to prohibit the use of Federal funds to implement certain additional reductions in the production or consumption of methyl bromide, unless the Secretary of Agriculture and the Administrator of the Environmental Protection Agency have submitted a report on the effects of methyl bromide on the ozone layer, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL (for himself, Mr. PALLONE, Mr. KILDEE, Mr. GEORGE MILLER of California, Mr. KENNEDY of Rhode Island, and Mr. FALEOMAVAEGA):

H.R. 2085. A bill to protect Native American sacred sites located within the Valley of Chiefs, Montana, and for other purposes; to the Committee on Resources.

By Mr. SANDERS:

H.R. 2086. A bill to provide that benefits under chapter 89 of title 5, United States Code, may be afforded for covered services provided by a licensed or certified acupuncturist, massage therapist, naturopathic physician, or midwife, without supervision or referral by another health practitioner; to the Committee on Government Reform.

By Mr. SANDERS:

H.R. 2087. A bill to provide that benefits under chapter 89 of title 5, United States Code, may be afforded for covered services provided by a licensed or certified chiropractor, without supervision or referral by another health practitioner; to the Committee on Government Reform.

By Mr. SHIMKUS (for himself, Ms. MCCARTHY of Missouri, Mr. JOHNSON of Illinois, Mr. WHITFIELD, Mr. LAHOOD, Mrs. EMERSON, Mr. LEACH, Mr. GUTKNECHT, Mr. MANZULLO, Mr. HILLIARD, Mr. COSTELLO, Mr. HAYES, Mr. STENHOLM, Mr. GANSKE, Mr. EVANS, Mr. WELLER, Mr. TERRY, Mr. BUYER, Mr. PHELPS, and Mr. KENNEDY of Minnesota):

H.R. 2088. A bill to amend title 23, United States Code, to require consideration under the congestion mitigation and air quality improvement program of the extent to which a proposed project or program reduces sulfur or atmospheric carbon emissions, to make renewable fuel projects eligible under that program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Michigan:

H.R. 2089. A bill to amend the Agricultural Market Transition Act to continue for the 2001 crop year the eligibility of producers for loan deficiency payments when the producers, although not eligible to obtain a marketing assistance loan, produce a contract commodity; to the Committee on Agriculture.

By Mr. SMITH of New Jersey:

H.R. 2090. A bill to amend the Internal Revenue Code of 1986 to allow a credit against gross income for organ donation; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. BOYD, Mr. FILNER, Mr. ISSA, Mr. LANTOS, Mr. OTTER, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, and Ms. SANCHEZ):

H.R. 2091. A bill to amend the National Flood Insurance Act of 1968 to ensure homeowners are provided adequate notice of flood map changes and a fair opportunity to appeal such changes; to the Committee on Financial Services.

By Mrs. WILSON:

H.R. 2092. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Albuquerque, New Mexico, metropolitan area; to the Committee on Veterans' Affairs.

By Mr. MCGOVERN:

H. Res. 157. A resolution expressing the condolences of the House of Representatives on the death of the Honorable John Joseph Moakley, a Representative from the Commonwealth of Massachusetts; which was considered and agreed to.

¶56.20 MEMORIALS

Under clause 3 of rule XII,

102. The SPEAKER presented a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 66 memorializing the United States Congress to support and pass the Tax Relief Plan introduced by President George W. Bush, which includes an across-the-board reduction in marginal rates, eliminates the ''death tax'' and reduces the marriage penalty; to the Committee on Ways and Means.

¶56.21 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mrs. CAPPS introduced a bill (H.R. 2093) for the relief of Rodney E. Hoover; which was referred to the Committee on the Judiciary.

¶56.22 ADDITIONAL SPONSORS

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

H.R. 12: Mr. LEACH and Ms. CARSON of Indiana.
H.R. 13: Mr. UDALL of Colorado.
H.R. 65: Mr. ANDREWS.
H.R. 136: Mr. BALDACCI.
H.R. 144: Mr. RAMSTAD.
H.R. 175: Mr. GOODE and Mr. BARR of Georgia.
H.R. 218: Mr. YOUNG of Alaska, Mr. SCHIFF, Mr. BERMAN, Mr. BLAGOJEVICH, and Mrs. WILSON.
H.R. 296: Ms. MCKINNEY and Mr. FILNER.
H.R. 320: Mr. ROTHMAN.
H.R. 326: Mr. HOLT and Mr. BURTON of Indiana.
H.R. 380: Mr. ANDREWS.
H.R. 397: Mr. CHABOT, Mr. LATOURETTE, Mr. KENNEDY of Rhode Island, and Mr. DICKS.
H.R. 425: Ms. BROWN of Florida, Mr. SCHIFF, Mr. ACEVEDO-VILA, Ms. BALDWIN, Mr. DAVIS of Illinois, and Mr. LUTHER.
H.R. 460: Mr. LANTOS and Ms. SOLIS.
H.R. 461: Ms. MCCARTHY of Missouri.
H.R. 464: Mr. BONIOR, Mr. KILDEE, and Ms. CARSON of Indiana.
H.R. 476: Mr. LATOURETTE.
H.R. 489: Ms. CARSON of Indiana.
H.R. 490: Mr. SIMMONS, Mr. PRICE of North Carolina, Mr. ROSS, Mrs. CLAYTON, Mr. DAVIS of Illinois, Mr. OBERSTAR, Ms. BALDWIN, Mr. DEFAZIO, and Mr. HUTCHINSON.
H.R. 498: Mr. REYNOLDS, Ms. ESHOO, Ms. LEE, Mr. BAIRD, Mr. JOHN, Mr. WICKER, Mr. SMITH of New Jersey, Ms. SANCHEZ, Mr. WAMP, Mr. ISRAEL, Mr. CROWLEY, and Mr. LUTHER.
H.R. 500: Ms. CARSON of Indiana.
H.R. 504: Mr. CROWLEY, Mr. HOEFFEL, Ms. JACKSON-LEE of Texas, Mrs. MALONEY of New York, Mr. PALLONE, and Ms. NORTON.
H.R. 510: Mr. BUYER, Mr. MCNULTY, and Mr. CRAMER.
H.R. 534: Mr. STEARNS.
H.R. 571: Mr. ENGLISH.
H.R. 580: Ms. KILPATRICK and Mr. GUTIERREZ.
H.R. 589: Mr. LARSEN of Washington.
H.R. 590: Mr. WAXMAN.
H.R. 606: Mr. GRUCCI.
H.R. 612: Mr. MCNULTY, Mr. ISTOOK, Mr. SAWYER, Mr. ANDREWS, Mr. WHITFIELD, Mr. HOSTETTLER, and Mr. BALLENGER.
H.R. 637: Mr. HORN.
H.R. 686: Ms. BALDWIN, Mr. BARRETT, and Mr. ENGEL.
H.R. 687: Ms. HOOLEY of Oregon.
H.R. 696: Mr. MEEKS of New York and Ms. CARSON of Indiana.
H.R. 697: Mr. JACKSON of Illinois.
H.R. 717: Mr. TIERNEY.
H.R. 746: Mr. PASTOR.
H.R. 747: Mr. ROHRABACHER.
H.R. 781: Mr. ORTIZ, Ms. VELAZQUEZ, Mrs. NAPOLITANO, and Mr. ROTHMAN.
H.R. 786: Mrs. MINK of Hawaii.
H.R. 827: Ms. CARSON of Indiana.
H.R. 896: Mr. CUNNINGHAM.
H.R. 902: Mr. SHOWS and Mr. BOSWELL.
H.R. 913: Ms. CARSON of Indiana.
H.R. 945: Mr. KENNEDY of Rhode Island.
H.R. 955: Mr. MOORE.
H.R. 1032: Ms. KAPTUR and Ms. MCCOLLUM.
H.R. 1051: Mr. KUCINICH and Mr. PAYNE.
H.R. 1052: Mr. KUCINICH.
H.R. 1053: Mr. KUCINICH.
H.R. 1054: Mr. KUCINICH.
H.R. 1086: Mr. WU.
H.R. 1121: Mr. BERRY, Mr. BLUNT, Mr. BRYANT, Mr. WELDON of Florida, and Mrs. CUBIN.
H.R. 1143: Mr. FILNER, Mr. KENNEDY of Rhode Island, Mr. NADLER, Mr. BERMAN, Ms. LEE, and Mr. BALDACCI.
H.R. 1198: Mr. TAYLOR of North Carolina
H.R. 1242: Ms. CARSON of Indiana.
H.R. 1254: Mr. SIMMONS, Mr. JACKSON of Illinois, and Mr. LOBIONDO.
H.R. 1263: Mr. NETHERCUTT.
H.R. 1299: Mr. LATOURETTE.
H.R. 1352: Mr. BARTLETT of Maryland.
H.R. 1354: Mr. BOEHLERT, Mr. LAMPSON, and Mr. DEUTSCH.
H.R. 1363: Mr. CUNNINGHAM.
H.R. 1405: Ms. DELAURO.
H.R. 1429: Mr. JACKSON of Illinois and Mr. BACA.
H.R. 1459: Mr. SWEENEY, Mr. STUPAK, Mr. DEMINT, Mr. SPENCE, and Mr. RYAN of Wisconsin.
H.R. 1472: Mr. MCDERMOTT and Mr. CARDIN.
H.R. 1481: Mrs. JONES of Ohio.
H.R. 1487: Mr. DUNCAN.
H.R. 1512: Mrs. MALONEY of New York and Ms. BROWN of Florida.
H.R. 1542: Mrs. MEEK of Florida and Mr. HAYES.
H.R. 1587: Ms. HOOLEY of Oregon, Ms. JACKSON-LEE of Texas, Mr. SANDLIN, Ms. BALDWIN, Mr. PAYNE, Mr. BALDACCI, and Mr. UDALL of Colorado.
H.R. 1601: Mr. RYAN of Wisconsin and Mr. BURTON of Indiana.
H.R. 1611: Mr. PITTS and Ms. HART.
H.R. 1623: Mr. BISHOP.
H.R. 1644: Mr. GOSS, Mr. DUNCAN, Mr. LANGEVIN, and Mr. ISAKSON.
H.R. 1651: Mr. PAYNE.
H.R. 1660: Mr. DEUTSCH and Ms. BALDWIN.
H.R. 1673: Mr. STUMP.
H.R. 1674: Mr. SAWYER, Mr. DOYLE, and Mr. STRICKLAND.
H.R. 1677: Mr. SMITH of Washington and Mr. OSE.
H.R. 1713: Ms. CARSON of Indiana, Mr. ENGEL, and Mr. MEEHAN.
H.R. 1735: Mr. DEAL of Georgia.
H.R. 1744: Ms. BROWN of Florida.
H.R. 1745: Mr. COOKSEY.
H.R. 1760: Ms. LEE.
H.R. 1770: Mrs. JO ANN DAVIS of Virginia, Mr. CUNNINGHAM, Ms. MCKINNEY, Mr. HILLEARY, Mr. HALL of Texas, Mr. RAHALL, Mr. BARCIA, Mr. DUNCAN, and Mr. WAMP.
H.R. 1806: Mr. SABO, Mr. TIERNEY, and Mr. CONYERS.
H.R. 1811: Mr. PETERSON of Pennsylvania, Mr. PETERSON of Minnesota, Mr. WALDEN of Oregon, Mr. DOOLITTLE, Mr. BALDACCI, Mr. SIMPSON, Mr. GREEN of Wisconsin, and Mr. UDALL of Colorado.
H.R. 1892: Mrs. BONO, Ms. JACKSON-LEE of Texas, Ms. HART, Mr. HORN, and Mr. CARSON of Oklahoma.
H.R. 1914: Mrs. EMERSON, Mr. BEREUTER, and Mr. MCHUGH.
H.R. 1934: Ms. SANCHEZ, Mr. HOEFFEL, and Mr. KNOLLENBERG.
H.R. 1935: Mr. GILMAN, Mr. BARCIA, Mr. MEEKS of New York, Mr. REHBERG, Mr. ANDREWS, Mr. MASCARA, Ms. BROWN of Florida, Mr. UDALL of New Mexico, Mr. HOYER, and Mrs. THURMAN.
H.R. 1948: Mr. BONIOR.
H.R. 1950: Mr. BEREUTER, Mr. CRAMER, Mr. SOUDER, and Mr. DAVIS of Illinois.
H.R. 1957: Mr. BONIOR.
H.R. 175: Mr. YOUNG of Alaska and Mr. UDALL of Colorado.
H.R. 1995: Mr. RYUN of Kansas.
H.R. 2001: Mr. ISTOOK, Mr. KOLBE, Mr. KILDEE, Mr. BARR of Georgia, Mrs. KELLY, Mr. PICKERING, Mr. HAYWORTH, Mr. CHAMBLISS, and Mr. GREEN of Wisconsin.
H.R. 2052: Mrs. JO ANN DAVIS of Virginia, Mr. SMITH of New Jersey, Mr. COOKSEY, and Mrs. NORTHUP.
H.R. 2058: Ms. BALDWIN.
H.J. Res. 6: Mr. WELDON of Florida and Ms. CARSON of Indiana.
H.J. Res. 36: Mr. HASTERT, Mr. PASCRELL, Mr. ISTOOK, Mrs. JOHNSON of Connecticut, Mr. VITTER, Ms. BROWN of Florida, Mr. BROWN of South Carolina, Mr. KILDEE, Mr. ETHERIDGE, Mr. WATKINS, Mr. JOHN, Mr. PALLONE, Mr. WATTS of Oklahoma, Mr. JOHNSON of Illinois, Mr. WELLER, Mr. PETERSON of Minnesota, Mr. OSE, Mr. THORNBERRY, Mr. WALSH, and Mr. HOLDEN.
H. Con. Res. 97: Mrs. CAPPS, Ms. ROS-LEHTINEN, Ms. ESHOO, Mr. HORN, Ms. BERKLEY, Mr. WAXMAN, and Ms. HARMAN.
H. Con. Res. 104: Mr. TANCREDO.
H. Con. Res. 116: Mr. RUSH and Mr. SPENCE.
H. Con. Res. 145: Mr. LOBIONDO.
H. Con. Res. 150: Mrs. KELLY, Mr. MARKEY, and Mrs. MORELLA.
H. Res. 120: Mr. BONIOR.

¶56.23 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

26. The SPEAKER presented a petition of the Wasilla City Council, Alaska, relative to Resolution 01–11 petitioning the United States Congress to support the responsible and environmentally sound exploration, development, and support of oil and gas resources in the plain of the Arctic National Wildlife Refuge; to the Committee on Resources.

27. Also, a petition of the City of Hoonah, Alaska, relative to a Resolution petitioning the United States Congress to support the Conservation and Reinvestment Act of 1999; jointly to the Committees on Resources, Agriculture, and the Budget.

¶56.24 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1271: Mr. GUTIERREZ.

THURSDAY, JUNE 7, 2001 (57)

¶57.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

WASHINGTON, DC,
June 7, 2001.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

¶57.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Wednesday, June 6, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶57.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2344. A letter from the Congressional Review Coodinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Prohibition of Beef from Argentina [Docket No. 01–032–1] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2345. A letter from the Chief, Forest Service, Department of Agriculture, transmitting the Department's final rule—National Forest System Land and Resource Management Planning; Extension of Compliance Deadline—received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2346. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of the Republic of San Marino and the Independent Principalities of Andorra and Monaco [Docket No. 01–029–1] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2347. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bacillus thuringiensis Cry1F Protein and the Genetic Material Necessary for its Production in Corn; Exemption from the Requirement of a Tolerance [OPP–301130; FRL–6783–3] (RIN: 2070–AB78) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2348. A letter from the Deputy Director, Enforcement Policy, Wage and Hour Division, Department of Labor, transmitting the Department's final rule—Nondisplacement of Qualified Workers Under Certain Contracts; Rescission of Regulations Pursuant to Executive Order 13204—received June 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2349. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Interior Trunk Release [Docket No. NHTSA 99–5063; Notice 2] (RIN: 2127–AH83) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2350. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Hydraulic and Electric Brake Systems; Passenger Car Brake Systems [Docket No. NHTSA 2000–6740] (RIN: 2127–AH64) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2351. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Theft Prevention Standard; Final Listing of Model Year 2001 High-Theft Vehicle Lines [Docket No. NHTSA 2000–7331] (RIN: 2127–AH78) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2352. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona and California State Implementation Plans, Maricopa County Environmental Services Department, Placer County Air Pollution Control District and South Coast Air Quality Management District [CA 095–0237a; FRL–6987–3] received June 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2353. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New Jersey; Motor Vehicle Inspection and Maintenance Program [Region II Docket No. NJ43–219; FRL–6990–4] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2354. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (McCook, Alliance, Imperial, Nebraska, and Limon, Parker, Aspen, Avon and Westcliffe, Colorado) [MM Docket No. 00–6; RM–9791; RM–9890] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2355. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Paradise, Michigan) [MM Docket No. 00–194; RM–9972]; (Lynchburg, Tennessee) [MM Docket No. 00–196; RM–9974]; (Rincon, Texas) [MM Docket No. 00–197; RM–9975] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2356. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Camdenton and Laurie, Missouri) [MM Docket No. 97–86; RM–9025; RM–9084] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2357. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (McKinleyville, California) [MM Docket No. 00–216; RM–9995; RM–10066] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2358. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Royston and Arcade, Georgia) [MM Docket No. 00–165; RM–9941] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2359. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Young Harris, Georgia) [MM Docket No. 01–35; RM–10054] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2360. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Willow Creek, California) [MM Docket No. 01–4; RM–10020] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2361. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Charleroi and Duquesne, Pennsylvania) [MM Docket No. 00–42; RM–9826] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2362. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Patterson, Georgia) [MM Docket No. 01–26; RM–10045] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2363. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Sauk Centre and Alexandria, Minnesota) [MM Docket No. 00–250; RM–10025] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2364. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Bozeman, Montana) [MM Docket No. 01–30; RM–10042] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2365. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Licensing Proceedings for the Receipt of High-Level Radioactive Waste at a Geologic Repository: Licensing Support Network, Design Standards for Participating Websites (RIN: 3150–AG44) received June 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2366. A letter from the Secretary, Department of Energy, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 2000, through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

2367. A letter from the Secretary, Department of Labor, transmitting the semiannual report of the Department of Labor's Inspector General covering the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2368. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received June 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2369. A letter from the White House Liaison, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2370. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2371. A letter from the Attorney General, Department of Justice, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 2000, through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2372. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2373. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2374. A letter from the Chairwoman, Equal Employment Opportunity Commission, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2375. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2000 CFOA Report, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2376. A letter from the Acting Administrator, General Services Administration, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 app.; to the Committee on Government Reform.

2377. A letter from the Counsel to the Inspector General, General Services Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2378. A letter from the Counsel to the Inspector General, General Services Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2379. A letter from the Chairman and the Acting General Counsel, National Labor Relations Board, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2380. A letter from the Inspector General, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 2000, through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

2381. A letter from the Acting Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Establishing Oil Value for Royalty Due on Federal Leases (RIN: 1010–AC09) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2382. A letter from the Acting Chief, Endangered Species Division, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Endangered and Threatened Species; Final Rule to Remove Umpqua River Cutthroat Trout From the Federal List of Endangered and Threatened Species [Docket No. 000404093–0093–01; I.D. 121198A] (RIN: 0648–AN90) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2383. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Coastal Fisheries Cooperative Management Act Provisions; Horseshoe Crab Fishery; Closed Area [Docket No. 000412106–0363–03; I.D. 032200A] (RIN: 0648–AO02) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2384. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices [FRA Docket No. PB–9; Notice No. 19] (RIN: 2130–AB16) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2385. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Flight Crewmember Flight Time Limitations and Rest Requirements; Correction—received June 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2386. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200, –300, and –300F Series Airplanes [Docket No. 2001–NM–51–AD; Amendment 39–12220; AD 2001–09–13] (RIN: 2120–AA64) received June 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2387. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Applegate Valley Viticultural Area [T.D. ATF–434; Re: Notice No. 874] (RIN: 1512–AA07) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2388. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Addition of a New Grape Variety Name for American Wines (99R–142P) [T.D. ATF–433; Ref. Notice No. 883] (RIN: 1512–AC03) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2389. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—River Junction Viticultural Area (98R–192P) [T.D. ATF 452] (RIN: 1512–AA07) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2390. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Long Island Viticultural Area (2000R–219P) [T.D. ATF–453; Re: Notice No. 905] (RIN: 1512–AA07) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2391. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Establishment of Santa Rita Hills Viticultural Area (98R–129P) [T.D. ATF 454; Ref: Notice No. 866] (RIN: 1512–AA07) received June 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2392. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Inclusion of Elective Reductions for Qualified Transportation Fringes in Compensation Under Qualified Plans and 403(b) Plans [Notice 2001–37] received June 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶57.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of it clerks, announced that the Senate has passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 80. Concurrent resolution congratulating the city of Detroit and its residents on the occasion of the tricentennial of the city's founding.

H. Con. Res. 149. Concurrent resolution permitting the use of the Rotunda of the Capitol for a ceremony to present posthumously a gold medal on behalf of Congress to Charles M. Schulz.

The message also announced that the Senate agreed to the following resolution:

S. RES. 101

Resolved, That the House of Representatives be notified of the election of Robert C. Byrd, a Senator from the State of West Virginia, as President pro tempore.

¶57.5 PROVIDING FOR THE CONSIDERATION OF H.R. 1699

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 155):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1699) to authorize appropriations for the Coast Guard for fiscal year 2002. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolutions 130, 147, 149, and 150 are laid on the table.

When said resolution was considered.

After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Pursuant to section 2 of House Resolution 155, House Resolution 130, House Resolution 147, House Resolution 149, and House Resolution 150 were laid on the table.

¶57.6 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, June 6, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. McNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 362 / Nays ..... 36 }

¶57.7 [Roll No. 154]

YEAS—362

Abercrombie
Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Capito
Capps
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Everett
Farr
Flake
Fletcher
Foley
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (IL)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stark
Stearns
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—36

Aderholt
Borski
Brady (PA)
Capuano
Costello
Crane
Crowley
DeFazio
Fattah
Filner
Ford
Hefley
Hulshof
Kennedy (MN)
Kucinich
Larsen (WA)
LoBiondo
McDermott
McNulty
Menendez
Moore
Oberstar
Pallone
Pastor
Peterson (MN)
Pombo
Ramstad
Schaffer
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (NM)
Visclosky
Weller
Wu

NOT VOTING—33

Burton
Cantor
Carson (OK)
Cox
Coyne
Davis (FL)
Dooley
Edwards
Engel
English
Ferguson
Greenwood
Holt
Hoyer
Jefferson
Johnson (CT)
Jones (OH)
Lewis (KY)
Linder
Miller, George
Obey
Olver
Rangel
Sabo
Solis
Stenholm
Tancredo
Taylor (NC)
Towns
Turner
Udall (CO)
Waters
Wexler

So the Journal was approved.

¶57.8 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 7, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the original Certificate of Election received from the Honorable Bill Jones, Secretary of State, State of California, indicating that, according to the information concerning the statement of the results of the General Election held on June 5, 2001, the Honorable Diane E. Watson was elected Representative in Congress for the Thirty-second Congressional District, State of California.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk.

¶57.9 MEMBER-ELECT SWORN IN

Ms. Diane E. Watson of the 32nd District of California, presented herself at the bar of the House and took the oath of office prescribed by law.

¶57.10 COAST GUARD AUTHORIZATION

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to House Resolution 155 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1699) to authorize appropriations for the Coast Guard for fiscal year 2002.

The SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, designated Mr. MILLER of Florida as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mrs. BIGGERT, assumed the Chair.

When Mr. BASS, Acting Chairman, pursuant to House Resolution 155, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

In lieu of the matter proposed on page 1, strike lines 1 through 9 and insert the following:

SEC. ____. REQUIREMENT TO CONSTRUCT ONLY AMERICAN-MADE VESSELS.

(a) IN GENERAL.—Any new vessel constructed for the Coast Guard with amounts made available under this Act—

(1) shall be constructed in the United States;

(2) shall not be constructed of steel or iron produced outside of the United States; and

(3) shall be constructed in compliance with the Buy American Act.

(b) LIMITATION ON APPLICATION.—Subsection (a)(2) shall not apply—

(1) if the Secretary finds that the application of that subsection would be inconsistent with the public interest;

(2) to the use of steel or iron produced outside of the United States if the Secretary finds that such material is not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) if compliance with subsection (a)(2) will increase the cost of the overall project contract by more than 25 percent.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the yeas had it.

Mr. LoBIONDO objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 411 / Nays 3

¶57.11 [Roll No. 155]

YEAS—411

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

NAYS—3

Paul
Schaffer
Tancredo

NOT VOTING—18

Burton
Dingell
Ferguson
Hutchinson
Jefferson
Jones (OH)
Lewis (KY)
Lofgren
Miller, George
Putnam
Simmons
Solis
Tauzin
Towns
Turner
Udall (CO)
Waters
Wexler

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶57.12 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. LoBIONDO, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct spelling, punctuation, section numbers, and cross references, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

¶57.13 HOUR OF MEETING

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 o'clock a.m. on Friday, June 8, 2001.

¶57.14 ADJOURNMENT OVER

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That when the House adjourns on Friday, June 8, 2001, it adjourn to meet on Tuesday, June 12, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶57.15 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, June 13, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶57.16 PERMISSION TO FILE REPORT

On motion of Mr. PORTMAN, by unanimous consent, the Committee on International Relations was granted permission until 5 p.m., Friday, June 8, 2001, to file a report (Rept. No. 107–92) on the bill (H.R. 2052) to facilitate famine relief effort and a comprehensive solution to the war in Sudan.

¶57.17 COMMITTEE ELECTION—MAJORITY

Mr. FOLEY, submitted the following privileged resolution (H. Res. 158):

Resolved, That the following named Members be and are hereby, elected to the following standing committees of the House of Representatives:

Government Reform: Mr. Duncan.

Science: Mr. Gilchrest.

Small Business: Mr. Shuster.

Transportation and Infrastructure: Mr. Ney to rank after Mr. Baker; Mr. Culberson and Mr. Shuster.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶57.18 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. BASS, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 7, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER, I hereby resign from the House Committee on Science to accept one of the three vacant seats on the House Transportation and Infrastructure Committee. My service on the Science Committee has been worthwhile and rewarding, but as you know, members cannot serve on four committees, so I must step down to change my committee assignment. My highest local legislative priority is to help expand the Katy Freeway in west Houston, and I need to serve on the Transportation Committee to expedite the expansion of this vital freeway.

Thank you for supporting my request to change committees, but above all, thank you for your principled conservative leadership of the U.S. House of Representatives.

Sincerely,

JOHN CULBERSON,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶57.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. LEWIS of Kentucky, for today; and

To Mr. UDALL of Colorado, for today.

And then,

¶57.20 ADJOURNMENT

On motion of Mr. TANCREDO, pursuant to the special order heretofore agreed to, at 3 o'clock and 50 minutes p.m., the House adjourned until 10 o'clock a.m. on Friday, June 8, 2001.

¶57.21 OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 107th Congress, pursuant to the provisions of 2 U.S.C. 25:

Honorable DIANE E. WATSON, 32nd California.

¶57.22 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BALLENGER (for himself and Mr. COBLE):

H.R. 2094. A bill to amend the Act of March 3, 1931 (known as the Davis-Bacon Act) to increase the contract amount specified in the Act; to the Committee on Education and the Workforce.

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

H.R. 2095. A bill to amend title 38, United States Code, to provide for uniformity in fees charged qualifying members of the Selected Reserve and active duty veterans for home loans guaranteed by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey (for himself, Mr. ADERHOLT, Mr. BACHUS, Mr. BAKER, Mr. BARCIA, Mr. BLUNT, Mr. BRYANT, Mr. CAMP, Mr. COSTELLO, Mr. DEMINT, Mr. DOOLITTLE, Mr. GREEN of Wisconsin, Ms. HART, Mr. HOEKSTRA, Mr. HOLDEN, Mr. LANGEVIN, Mr. LARGENT, Mr. LEWIS of Kentucky, Mr. LIPINSKI, Mr. PENCE, Mr. PHELPS, Mr. PICKERING, Mr. PITTS, Mr. RAHALL, Mr. ROHRABACHER, Mr. RYUN of Kansas, Mr. SCHROCK, Mr. SHADEGG, Mr. SHIMKUS, Mr. SHOWS, Mr. SOUDER, Mr. STUMP, Mr. TANCREDO, Mr. TIAHRT, Mr. VITTER, Mr. WICKER, Mr. THUNE, Mrs. MYRICK, and Mr. STEARNS):

H.R. 2096. A bill to provide for a National Stem Cell Donor Bank regarding qualifying human stem cells, and for the conduct and support of research using such cells; to the Committee on Energy and Commerce.

By Mr. BISHOP (for himself, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. JACKSON of Illinois, Mr. JEFFERSON, Ms. LEE, Mr. LEWIS of Georgia, Ms. MCCARTHY of Missouri, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Mr. OWENS, Mr. RANGEL, Mr. RUSH, Mr. SANDERS, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. WATT of North Carolina, Ms. WOOLSEY, Mr. WYNN, Ms. JACKSON-LEE of Texas, Mr. LANGEVIN, and Mrs. MALONEY of New York):

H.R. 2097. A bill to amend the Child Care and Development Block Grant Act of 1990 to provide incentive grants to improve the quality of child care; to the Committee on Education and the Workforce.

By Mr. ANDREWS (for himself and Mr. SAXTON):

H.R. 2098. A bill to require the Attorney General to establish an office in the Department of Justice to monitor acts of international terrorism alleged to have been committed by Palestinian individuals or individuals acting on behalf of Palestinian organizations and to carry out certain other related activities; to the Committee on the Judiciary.

By Mr. BAIRD:

H.R. 2099. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve; to the Committee on Resources.

By Mr. BOUCHER (for himself and Mr. ISSA):

H.R. 2100. A bill to amend chapter 1 of title 17, United States Code, relating to the exemption of certain performances or displays for educational uses from copyright infringement provisions, to provide that the making of copies or phonorecords of such performances or displays is not an infringement under certain circumstances, and for other purposes; to the Committee on the Judiciary.

By Mr. CALVERT:

H.R. 2101. A bill to establish that it is the policy of the United States that public lands be used for public utility infrastructure before private lands are condemned for such purpose, and for other purposes; to the Committee on Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CLAYTON (for herself, Mr. JACKSON of Illinois, Mr. POMEROY, Mr. NEY, Mr. ETHERIDGE, Mrs. ROUKEMA, Mr. PHELPS, Mr. SHOWS, Mrs. THURMAN, Ms. WOOLSEY, Mr. BURR of North Carolina, Mr. JOHN, and Mr. LAHOOD):

H.R. 2102. A bill to authorize recruitment and retention incentive programs, student loan forgiveness, and professional development programs for teachers in rural areas; to the Committee on Education and the Workforce.

By Mr. GREENWOOD (for himself, Mr. THOMAS, Mrs. JOHNSON of Connecticut, Mr. SHAYS, Mr. NEY, and Mr. TOOMEY):

H.R. 2103. A bill to establish limits on medical malpractice claims, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 2104. A bill to amend the Foreign Assistance Act of 1961 to authorize the provision of education and related services to law enforcement and military personnel of foreign countries to prevent and control HIV/AIDS and tuberculosis; to the Committee on International Relations.

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

H.R. 2105. A bill to provide emergency market loss assistance for producers of red raspberries for the processed market; to the Committee on Agriculture.

By Mr. LARSON of Connecticut:

H.R. 2106. A bill to amend the Internal Revenue Code of 1986 to increase the amount of Social Security benefits which are exempt from taxation; to the Committee on Ways and Means.

By Mr. LIPINSKI:

H.R. 2107. A bill to amend title 49, United States Code, to preempt State laws requiring a certificate of approval or other form of approval prior to the construction or operation of certain airport development projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MATSUI (for himself, Mr. BECERRA, Mr. POMEROY, Mr. CONDIT, Mr. SAWYER, Mr. THOMPSON of California, Mrs. CAPPS, Ms. LOFGREN, Mr. BENTSEN, Mr. CROWLEY, Mr. KANJORSKI, and Ms. JACKSON-LEE of Texas):

H.R. 2108. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage the production and use of efficient energy sources, and for other purposes; to the Committee on Ways and Means.

By Mrs. MEEK of Florida:

H.R. 2109. A bill to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach, Florida, for possible inclusion in the National Park System; to the Committee on Resources.

By Mr. PETRI:

H.R. 2110. A bill to provide for the establishment and maintenance of personal Social Security investment accounts under the Social Security system; to the Committee on Ways and Means.

By Mr. QUINN:

H.R. 2111. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits for small businesses, to amend the Fair Labor Standards Act of 1938 to increase the minimum wage, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan:

H.R. 2112. A bill to authorize the use of certain Federal funding programs to remove arsenic from drinking water when the Environmental Protection Agency promulgates a new national primary drinking water regulation for arsenic, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRABACHER:

H.R. 2113. A bill to amend the Immigration and Nationality Act to ensure that no permanent resident alien or alien in the United States with an unexpired visa is removed or otherwise deprived of liberty, based on evidence that is kept secret from the alien; to the Committee on the Judiciary.

By Mr. SIMPSON (for himself, Mr. HANSEN, Mr. OTTER, Mr. PETERSON of

Pennsylvania, Mr. DOOLITTLE, Mr. SHADEGG, Mr. DUNCAN, Mr. GIBBONS, Mr. SCHAFFER, Mr. STUMP, Mr. SESSIONS, Mr. NETHERCUTT, Mrs. CUBIN, Mr. CANNON, Mr. HERGER, Mr. HASTINGS of Washington, Mr. SOUDER, Mr. RADANOVICH, Mr. REHBERG, Mr. WALDEN of Oregon, Mr. GOSS, Mr. CALVERT, Mr. SKEEN, Mr. THORNBERRY, Mr. THOMAS, Mr. HAYWORTH, Mr. TANCREDO, Mr. HUNTER, Mr. TAUZIN, and Mr. FLAKE):

H.R. 2114. A bill to amend the Antiquities Act regarding the establishment by the President of certain national monuments and to provide for public participation in the proclamation of national monuments; to the Committee on Resources.

By Mr. SMITH of Washington:

H.R. 2115. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the Lakehaven Utility District, Washington; to the Committee on Resources.

By Mr. TAYLOR of North Carolina:

H.R. 2116. A bill to reduce emissions from Tennessee Valley Authority electric powerplants, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UPTON (for himself, Ms. ESHOO, Mr. HOEFFEL, Ms. ROS-LEHTINEN, Mr. BALDACCI, Mr. BAKER, Mr. ANDREWS, Mr. SNYDER, Mr. CAMP, Ms. PRYCE of Ohio, Mr. UDALL of New Mexico, Mr. HUTCHINSON, Mr. KING, Mr. JEFFERSON, Mr. PICKERING, Mr. SIMMONS, Mr. NORWOOD, Mr. WICKER, Mr. PASTOR, Mr. BONIOR, Mr. BLUMENAUER, Mr. ROSS, Mr. CRAMER, Ms. KILPATRICK, Mr. ACKERMAN, Mr. HINCHEY, Mr. BOUCHER, Mr. PAUL, Mr. SAXTON, Mr. HOUGHTON, Mr. GREEN of Texas, Mr. ABERCROMBIE, Mr. TANNER, Mr. CARSON of Oklahoma, Ms. RIVERS, Mrs. JONES of Ohio, Mr. STRICKLAND, Mr. TOOMEY, Mr. FARR of California, Mr. PRICE of North Carolina, Mr. VISCLOSKY, Mrs. EMERSON, Mrs. THURMAN, Mr. GOODLATTE, Ms. LEE, Mr. SOUDER, Mr. SKELTON, Mr. SANDLIN, Mr. LATOURETTE, Ms. JACKSON-LEE of Texas, Mr. SHAYS, Mr. DEUTSCH, Mrs. MORELLA, Mr. TIERNEY, and Mr. WYNN):

H.R. 2117. A bill to amend title XVIII of the Social Security Act to expand coverage of medical nutrition therapy services under the Medicare Program for beneficiaries with cardiovascular disease; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANZULLO:

H. Con. Res. 153. Concurrent resolution commending the Council for Chemical Research for publishing a new study, entitled ''Measuring Up: Research & Development Counts in the Chemical Industry''; to the Committee on Science.

By Mr. COLLINS (for himself, Mr. CHAMBLISS, Mr. KINGSTON, Mr. BISHOP, Mr. LEWIS of Georgia, Mr. DEAL of Georgia, Mr. NORWOOD, Mr. LINDER, Mr. ISAKSON, Ms. MCKINNEY, and Mr. BARR of Georgia):

H. Con. Res. 154. Concurrent resolution honoring the continued commitment of the Army National Guard combat units deployed in support of Army operations in Bosnia, recognizing the sacrifices made by the members of those units while away from their jobs and families during those deployments, recognizing the important role of all National Guard and Reserve personnel at home and abroad to the national security of the United States, and acknowledging, honoring, and expressing appreciation for the critical support by employers of the Guard and Reserve; to the Committee on Armed Services.

By Mr. GREENWOOD (for himself, Mr. DOOLEY of California, and Ms. HART):

H. Con. Res. 155. Concurrent resolution expressing the sense of Congress that comprehensive Medicare modernization is a top priority of the 107th Congress; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington (for himself, Mr. DOOLEY of California, Mr. MORAN of Virginia, Mrs. TAUSCHER, and Mr. LARSEN of Washington):

H. Res. 159. A resolution expressing the sense of the House of Representatives that machine-readable privacy policies and the Platform for Privacy Preferences Project specification, commonly known as the P3P specification, are important tools in protecting the privacy of Internet users, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on House Administration, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶57.23 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

103. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Resolution No. 182 memorializing the United States Congress to enact into law the ''Great Falls Historic District Study Act of 2001''; to the Committee on Resources.

104. Also, a memorial of the General Assembly of the State of New Jersey, relative to Resolution No. 177 memorializing the United States Congress to enact legislation, currently pending in Congress, which eliminates the federal estatetax into law; to the Committee on Ways and Means.

¶57.24 ADDITIONAL SPONSORS

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

H.R. 85: Mr. BACA.
H.R. 87: Mr. BERMAN.
H.R. 116: Ms. CARSON of Indiana and Ms. MCKINNEY.
H.R. 134: Mr. OBERSTAR.
H.R. 157: Mr. KUCINICH.
H.R. 162: Mr. RODRIGUEZ, Mr. CLEMENT, Mr. EVANS, Mrs. CLAYTON, and Mr. FRELINGHUYSEN.
H.R. 254: Mr. HINCHEY and Mr. NADLER.
H.R. 267: Mr. SNYDER and Mr. DEAL of Georgia.
H.R. 286: Ms. MCKINNEY.
H.R. 303: Mr. FARR of California.
H.R. 367: Mr. BAIRD.
H.R. 381: Mr. BOEHLERT.
H.R. 436: Mr. KENNEDY of Rhode Island.
H.R. 439: Mr. BONIOR, Mr. SANDERS, and Ms. WATERS.
H.R. 440: Ms. BALDWIN and Mr. KILDEE.
H.R. 442: Ms. BALDWIN.
H.R. 488: Mr. WAXMAN.
H.R. 527: Mr. CULBERSON.
H.R. 544: Ms. CARSON of Indiana.
H.R. 572: Mr. COLLINS.
H.R. 599: Mr. COSTELLO.
H.R. 626: Mr. PLATTS, Mr. MORAN of Kansas, Mr. GRAVES, and Mr. POMBO.
H.R. 635: Mr. HILLIARD and Ms. KAPTUR.
H.R. 652: Mr. BENTSEN, Mr. WYNN, Mr. CLAY, Ms. CARSON of Indiana, Mr. STUPAK, Mr. GUTIERREZ, Mr. LAMPSON, and Mr. KUCINICH.
H.R. 690: Ms. CARSON of Indiana.
H.R. 699: Mr. ANDREWS.
H.R. 701: Mr. WEINER, Mr. LANGEVIN, Mr. GRUCCI, Mr. CRANE, Mr. GREEN of Wisconsin, and Ms. KAPTUR.
H.R. 702: Mr. UDALL of Colorado.
H.R. 713: Mr. BORSKI and Mr. ALLEN.
H.R. 738: Mr. TIAHRT.
H.R. 770: Mr. BECERRA.
H.R. 804: Mr. LEACH.
H.R. 817: Mr. DEAL of Georgia.
H.R. 823: Mr. SCHIFF.
H.R. 848: Mr. STUPAK, Mrs. LOWEY, Mr. HONDA, Mr. PHELPS, and Mr. HOLT.
H.R. 850: Ms. ROS-LEHTINEN, Mrs. JO ANN DAVIS of Virginia, Ms. SANCHEZ, Mr. ENGLISH, Mr. ACEVEDO-VILA, and Mr. BAIRD.
H.R. 868: Mr. HALL of Texas, Mr. LAFALCE, and Mr. TAYLOR of Mississippi.
H.R. 930: Mr. PUTNAM.
H.R. 938: Mr. UDALL of Colorado.
H.R. 951: Ms. KILPATRICK, Mr. RANGEL, Mr. BROWN of South Carolina, Mr. BORSKI, Mr. UPTON, Mr. COSTELLO, Mr. CALLAHAN, Mr. HORN, Mr. GORDON, Ms. ESHOO, Mrs. CLAYTON, and Ms. CARSON of Indiana.
H.R. 964: Mr. ENGEL and Mr. DAVIS of Illinois.
H.R. 981: Mr. FOLEY and Mrs. NORTHUP.
H.R. 1004: Ms. SANCHEZ.
H.R. 1020: Mr. DOYLE, Mr. THOMAS, Mr. PALLONE, and Mr. THOMPSON of Mississippi.
H.R. 1028: Mr. OWENS.
H.R. 1045: Mr. CUNNINGHAM.
H.R. 1086: Mr. FRELINGHUYSEN.
H.R. 1089: Mr. KUCINICH.
H.R. 1092: Mr. ENGLISH and Mr. MANZULLO.
H.R. 1110: Mr. ISAKSON.
H.R. 1111: Ms. RIVERS, Mr. MOORE, and Mr. ACKERMAN.
H.R. 1120: Mr. SCHROCK.
H.R. 1121: Mr. STRICKLAND, Mr. SHOWS, Mr. TURNER, and Mr. BARCIA.
H.R. 1161: Mrs. THURMAN.
H.R. 1213: Mr. PLATTS and Mr. KIND.
H.R. 1214: Mr. PLATTS and Mr. GORDON.
H.R. 1230: Mr. UDALL of Colorado.
H.R. 1232: Mr. MASCARA and Mr. DEFAZIO.
H.R. 1233: Ms. WATERS.
H.R. 1238: Mr. PAUL, Mr. WAXMAN, Ms. JACKSON-LEE of Texas, Mr. BOUCHER, Mr. FILNER, Mr. FROST, Mr. FARR of California, Mr. CLEMENT, Mr. BONIOR, Mr. LEWIS of Georgia, and Mr. PASCRELL.
H.R. 1262: Mr. MOORE, Ms. WATERS, Mr. RANGEL, Mr. RAHALL, Mr. ABERCROMBIE, and Mr. CUMMINGS.
H.R. 1266: Mr. LEWIS of Georgia.
H.R. 1291: Mr. KILDEE, Mr. BRYANT, and Mr. FOSSELLA.
H.R. 1296: Mr. MOORE, Mr. SHOWS, Ms. BERKLEY, Mr. LEACH, Mr. NORWOOD, Mr. FROST, Mr. HILLEARY, Mr. RODRIGUEZ, Mr. ROTHMAN, Mr. MORAN of Kansas, Mr. DUNCAN, and Mr. WICKER.
H.R. 1304: Mr. LEWIS of Georgia.
H.R. 1305: Mr. BRYANT and Mr. LUCAS of Kentucky.
H.R. 1323: Mr. JACKSON of Illinois.
H.R. 1324: Mr. ISAKSON and Mr. HOEKSTRA.
H.R. 1331: Mr. BISHOP.
H.R. 1340: Mr. ENGLISH, Ms. MCCARTHY of Missouri, Mr. PALLONE, Mr. NETHERCUTT, and Mr. CROWLEY.
H.R. 1354: Mr. BARCIA.
H.R. 1357: Mr. CLEMENT and Mr. LEWIS of Georgia.
H.R. 1367: Mr. ANDREWS.
H.R. 1377: Mr. DEAL of Georgia.
H.R. 1401: Mr. FILNER, Mr. EVANS, and Ms. MCCARTHY of Missouri.
H.R. 1405: Mr. BONIOR.

H.R. 1449: Ms. ROS-LEHTINEN.
H.R. 1465: Mr. WEXLER.
H.R. 1469: Ms. WATERS, Mr. FROST, and Mr. DOYLE.
H.R. 1488: Mr. LATOURETTE.
H.R. 1496: Mr. HOYER.
H.R. 1501: Ms. CARSON of Indiana.
H.R. 1540: Mrs. MINK of Hawaii.
H.R. 1553: Mr. WALDEN of Oregon, Mr. BISHOP, Ms. DUNN, and Mr. HOOLEY of Oregon.
H.R. 1556: Mr. OWENS, Ms. MCCOLLUM, and Mr. PRICE of North Carolina.
H.R. 1586: Mr. CAPUANO.
H.R. 1596: Mr. PAUL.
H.R. 1598: Mr. FILNER, Mrs. LOWEY, and Mr. PAUL.
H.R. 1600: Mr. HULSHOF, Mr. KNOLLENBERG, Mr. HONDA, Mr. UDALL of Colorado, and Mr. LARSON of Connecticut.
H.R. 1604: Mr. KIND.
H.R. 1609: Mr. KANJORSKI.
H.R. 1628: Mr. BONIOR and Mr. UDALL of Colorado.
H.R. 1629: Ms. JACKSON-LEE of Texas, Ms. LEE, Mrs. MINK of Hawaii, Mr. MASCARA, Mr. SCHIFF, Mr. BLUMENAUER, Mr. CARSON of Oklahoma, Mr. BORSKI, Mr. SNYDER, Mr. BALDACCI, Mr. SUNUNU, Ms. MCCOLLUM, Mr. HALL of Ohio, Mr. HUTCHINSON, Mr. DEFAZIO, and Mr. ANDREWS.
H.R. 1638: Mr. KANJORSKI and Mr. MURTHA.
H.R. 1642: Ms. VELAZQUEZ, Mr. THOMPSON of Mississippi, Mr. CLEMENT, Mr. BARRETT, Mr. DEFAZIO, Mr. RUSH, Mr. PASTOR, Ms. MCCARTHY of Missouri, and Mr. BONIOR.
H.R. 1644: Mr. HALL of Ohio and Mr. PHELPS.
H.R. 1659: Mr. PAUL.
H.R. 1676: Mr. UDALL of Colorado and Ms. BERKLEY.
H.R. 1685: Mr. WAXMAN, Mr. SNYDER, Mr. SHOWS, Ms. NORTON, Mrs. CLAYTON, Mr. HINCHEY, and Ms. JACKSON-LEE of Texas.
H.R. 1700: Mr. CARSON of Oklahoma, Mr. FROST, Ms. ESHOO, Mr. ENGLISH, Mr. HILLIARD, Mr. SANDERS, and Mr. KERNS.
H.R. 1711: Mr. MCDERMOTT and Mr. GREEN of Wisconsin.
H.R. 1723: Mr. GREEN of Wisconsin and Mr. BAIRD.
H.R. 1745: Mr. HILLIARD.
H.R. 1746: Mr. LANTOS, Mr. UPTON, Mrs. THURMAN, and Mr. PLATTS.
H.R. 1754: Mr. OTTER and Mr. CALLAHAN.
H.R. 1779: Ms. SOLIS, Mr. UDALL of Colorado, Mr. COYNE, Mr. FARR of California, Mr. HORN, Mr. DIAZ-BALART, Mr. BURTON of Indiana, Ms. SCHAKOWSKY, and Mr. PALLONE.
H.R. 1781: Mrs. CAPPS, Mr. STARK, and Mr. LANTOS.
H.R. 1798: Mr. DEUTSCH and Mrs. THURMAN.
H.R. 1800: Mr. RAMSTAD.
H.R. 1805: Mr. SOUDER.
H.R. 1810: Mr. DELAHUNT, Ms. ESHOO, Mr. BONIOR, Ms. PELOSI, Mr. ENGLISH, Mr. TIERNEY, and Mr. HINCHEY.
H.R. 1839: Mr. ENGLISH, Mr. MCNULTY, Ms. NORTON, Ms. RIVERS, Mr. ROGERS of Michigan, Mr. RANGEL, and Mr. MOORE.
H.R. 1841: Mr. BARCIA, Ms. NORTON, and Mr. ENGEL.
H.R. 1862: Mr. BONIOR, Mr. LATOURETTE, Mr. MCGOVERN, Mr. PLATTS, and Mr. LANGEVIN.
H.R. 1890: Mr. SESSIONS, Mr. PAUL, Mr. PUTNAM, Mr. DOOLITTLE, Mr. TANCREDO, Mr. GOODLATTE, Mr. RYUN of Kansas, Mrs. MYRICK, Mr. FLETCHER, and Mr. HILLEARY.
H.R. 1891: Ms. KILPATRICK, Mr. STUPAK, Mr. LANTOS, Mr. ANDREWS, Mr. BURR of North Carolina, Mr. DEAL of Georgia, and Mr. LEACH.
H.R. 1893: Ms. MCKINNEY, Mr. OWENS, Mr. PAYNE, and Mr. FROST.
H.R. 1897: Mr. RANGEL, Mr. CUMMINGS, Mr. ROGERS of Michigan, Mr. CONYERS, Mr. OWENS, Mr. FRANK, Mr. FROST, and Mr. GEORGE MILLER of California.
H.R. 1910: Mr. CANTOR and Mr. GRUCCI.
H.R. 1911: Mrs. ROUKEMA.
H.R. 1922: Mr. LANTOS, Mr. EVANS, and Ms. PELOSI.
H.R. 1927: Mr. KANJORSKI, Mr. BARCIA, and Mr. SMITH of Michigan.
H.R. 1929: Ms. CARSON of Indiana, Mr. PASTOR, Mr. HOYER, Mr. RANGEL, Mr. HOLT, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. INSLEE, Ms. ROYBAL-ALLARD, Mr. HINCHEY, Mrs. NAPOLITANO, Mr. LANTOS, and Mr. FROST.
H.R. 1945: Ms. JACKSON-LEE of Texas, Ms. RIVERS, and Ms. DELAURO.
H.R. 1948: Ms. MCCARTHY of Missouri.
H.R. 1954: Mrs. CUBIN, Mr. CAMP, Mr. PICKERING, Mrs. MEEK of Florida, Mr. UDALL of Colorado, and Mr. DEAL of Georgia.
H.R. 1961: Mr. BENTSEN, Mr. LAFALCE, and Mr. HULSHOF.
H.R. 1983: Mr. SHOWS and Mr. WAMP.
H.R. 2008: Mr. LEWIS of Georgia, Mr. HILLIARD, Mrs. JONES of Ohio, Mrs. MEEK of Florida, Ms. BROWN of Florida, Mr. PAYNE, Ms. JACKSON-LEE of Texas, Ms. CARSON of Indiana, Ms. NORTON, Mr. JACKSON of Illinois, Mr. THOMPSON of Mississippi, Mr. CLYBURN, and Mr. SCOTT.
H.R. 2009: Mr. FALEOMAVAEGA, Mr. CUMMINGS, and Mr. UDALL of Colorado.
H.R. 2021: Mr. PRICE of North Carolina.
H.R. 2022: Mr. BONIOR, Mr. DAVIS of Illinois, Mr. CLEMENT, and Mr. KUCINICH.
H.R. 2023: Mr. HILLEARY, Mr. CROWLEY, Mr. LARSON of Connecticut, and Mr. SHOWS.
H.R. 2035: Mr. NEY, Mr. GREEN of Texas, Mr. HALL of Texas, Mr. PAYNE, Mr. FILNER, Mr. CLEMENT, Mr. BENTSEN, Mr. RODRIGUEZ, Mr. MCNULTY, and Mr. DEFAZIO.
H.R. 2037: Mr. VITTER, Mr. KNOLLENBERG, Mr. DUNCAN, Mr. ISAKSON, Mr. RILEY, Mr. LEWIS of Kentucky, Mr. PHELPS, Mr. POMBO, Mr. GILLMOR, and Mr. BOEHNER.
H.R. 2045: Mr. FROST.
H.R. 2052: Mr. ROYCE.
H.R. 2087: Mr. SCHROCK and Mr. MCGOVERN.
H.R. 2088: Mr. BOSWELL.
H.J. Res. 36: Mr. KINGSTON and Mr. DIAZ-BALART.
H. Con. Res. 3: Ms. SOLIS.
H. Con. Res. 20: Mr. PLATTS, Mr. ANDREWS, and Mr. HINCHEY.
H. Con. Res. 97: Ms. PELOSI and Mr. PALLONE.
H. Con. Res. 102: Mr. EHLERS, Ms. SCHAKOWSKY, Mr. HORN, Mrs. ROUKEMA, Mr. RAMSTAD, Mrs. LOWEY, Mr. HOEKSTRA, Mr. MARKEY, Mr. PLATTS, and Mr. BLUMENAUER.
H. Con. Res. 103: Mr. PAYNE.
H. Con. Res. 116: Mr. CRANE and Mr. MCGOVERN.
H. Con. Res. 128: Mr. ROHRABACHER and Mr. PETERSON of Pennsylvania.
H. Con. Res. 145: Mr. JOHNSON of Illinois, Ms. SANCHEZ, Ms. MCCARTHY of Missouri, and Mr. SOUDER.
H. Res. 72: Ms. ESHOO, Mr. CAPUANO, and Mr. PAYNE.

¶57.25 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1305: Mr. GREENWOOD.

FRIDAY, JUNE 8, 2001 (58)

The House was called to order by the SPEAKER.

¶58.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, June 7, 2001.

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

¶58.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2393. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Orthopedic Devices: Classification and Reclassification of Pedicle Screw Spinal Systems; Techincal Amendment [Docket No. 95N–0176] received June 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2394. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Primary Drinking Water Regulations: Filter Backwash Recycling Rule [WH–FRL–6989–5] (RIN: 2040–AD17) received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2395. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [FRL–6958–8] received June 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2396. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Priorities List for Uncontrolled Hazardous Waste Sites [FRL–6994–4] received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2397. A letter from the Senior Legal Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Parts 2 and 87 of the Commission's Rules to Accommodate Advanced Digital Communications in the 117.975–137 MHz Band and to Implement Flight Information Services in the 136–137 MHz Band [WT Docket No. 00–77; RM Nos. 9376, 9462] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2398. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—An Inquiry Into the Commission's Policies and Rules Regarding AM Radio Service Directional Antenna Performance Verification [MM Docket No. 93–177; RM–7594] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2399. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Review of the Commission's Regulations Governing Television Broadcasting [MM Docket No. 91–221]; Television Satellite Stations Review of Policy and Rules [MM Docket No. 87–8] received June 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2400. A letter from the Director, Department of Defense, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Poland defense articles and services (Transmittal No. 01–18), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2401. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2402. A letter from the Attorney/Advisor, Department of Transportation, transmitting

a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2403. A letter from the Acting Director, Office of Personnel Management, transmitting OPM's Fiscal Year 2000 Annual Report to Congress on the Federal Equal Opportunity Recruitment Program (FEORP), pursuant to 5 U.S.C. 7201(e); to the Committee on Government Reform.

2404. A letter from the Chief Operating Officer/President, Resolution Funding Corporation, transmitting a copy of the Resolution Funding Corporation's Statement on Internal Controls and the 2000 Audited Financial Statements, pursuant to Public Law 101–73, section 511(a) (103 Stat. 404); to the Committee on Government Reform.

2405. A letter from the Administrator, U.S. Agency for International Development, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2406. A letter from the Chairman, U.S. Postal Service, transmitting the Semiannual Report of the Inspector General and the Postal Service management response to the report for the period ending March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

2407. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Hydraulic Systems Airworthiness Standards to Harmonize With European Airworthiness Standards for Transport Category Airplanes [Docket No. 28617; Amendment No. 25–104] (RIN: 2120–AF79) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2408. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revised Landing Gear Shock Absorption Test Requirements [Docket No. FAA–1999–5835; Amendment No. 25–103] (RIN: 2120–AG72) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2409. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Government Securities: Call for Large Position Reports, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2410. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Trade or Business Expenses [Rev. Rul. 2001–31] received June 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2411. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Distribution of Stock and Securities of a Controlled Corporation [Rev. Rul. 2001–29] received June 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2412. A letter from the Chair, Medicare Payment Advisory Commission, transmitting a report entitled, ''Medicare Payment for Nursing and Allied Health Education''; jointly to the Committees on Ways and Means and Energy and Commerce.

¶58.3 MESSAGE FROM THE SENATE

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

S. 487. An Act to amend chapter 1 of title 17, United States Code, relating to the exemption of certain performances or displays for educational uses from copyright infringement provisions, to provide that the making of copies or phonorecords of such performances or displays is not an infringement under certain circumstances, and for other purposes.

The message also announced that pursuant to Public Law 105–292, as amended by Public Law 106–55, the Chair, on behalf of the President pro tempore, upon the recommendation of the Majority Leader, appoints the following individuals to the United States Commission on International Religious Freedom:

Dr. Firuz Kazemzadeh of California, vice John Bolton.

Charles Richard Stith of Massachusetts, vice Theodore Cardinal McCarrick.

¶58.4 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 487. An Act to amend chapter 1 of title 17, United States Code, relating to the exemption of certain performances or displays for educational uses from copyright infringement provisions, to provide that the making of copies or phonorecords of such performances or displays is not an infringement under certain circumstances, and for other purposes; to the Committee on the Judiciary.

And then,

¶58.5 ADJOURNMENT

On motion of Mr. MILLER of Florida, pursuant to the special order agreed to on Thursday, June 7, 2001, at 10 o'clock and 4 minutes a.m., the House adjourned until 12:30 p.m. on Tuesday, June 12, 2001.

¶58.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on International Relations. H.R. 2052. A bill to facilitate famine relief efforts and a comprehensive solution to the war in Sudan (Rept. No. 107–92 Pt. 1).

¶58.7 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2052. Referral to the Committee on Financial Services extended for a period ending not later than June 8, 2001.

¶58.8 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Financial Services discharged from further consideration. H.R. 2052 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶58.9 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GREENWOOD (for himself, Mrs. LOWEY, Mr. SIMMONS, Mr. BALDACCI, Mr. MALONEY of Connecticut, Mr. KIRK, and Mr. LARSON of Connecticut):

H.R. 2118. A bill to establish a Tick-Borne Disorders Advisory Committee, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SIMPSON:

H.R. 2119. A bill to establish a program to designate, restore, and sustain historic native forests on National Forest System lands, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. LANTOS, and Ms. ROS-LEHTINEN):

H. Res. 160. A resolution calling on the Government of the People's Republic of China to immediately and unconditionally release Li Shaomin and all other American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of Li Shaomin and the other detained scholars for their release, and for other purposes; to the Committee on International Relations.

¶58.10 ADDITIONAL SPONSORS

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

H.R. 369: Mr. HORN and Mr. OSE.

H.R. 595: Ms. JACKSON-LEE of Texas and Mr. GREEN of Texas.

H.R. 737: Mr. BARRETT.

H.R. 1304: Mrs. JOHNSON of Connecticut and Mr. UDALL of Colorado.

H.R. 1305: Mr. LARSON of Connecticut, Mr. CAMP, and Mr. VISCLOSKY.

H.R. 1405: Mr. BLAGOJEVICH.

H.R. 1441: Mr. TIAHRT.

H.R. 1455: Mr. YOUNG of Alaska, Mr. WICKER, and Mr. BROWN of South Carolina.

H.R. 1542: Mr. ROSS and Mr. LAHOOD.

H.R. 1609: Mr. GOODE.

H.R. 1657: Mr. GILCHREST.

H.R. 1773: Mr. GREENWOOD, Mr. HOEFFEL, and Mr. HALL of Ohio.

H.R. 1919: Mr. NETHERCUTT, Mr. BARTLETT of Maryland, Mr. SHIMKUS, Mr. HILLEARY, Mr. BISHOP, Mr. GREEN of Wisconsin, Mr. THOMPSON of Mississippi, Mr. DEAL of Georgia, and Mrs. EMERSON.

H.J. Res. 42: Mr. BISHOP, Mr. TERRY, Mr. OWENS, Ms. BROWN of Florida, Mr. FROST, Mr. GREEN of Wisconsin, Mr. OLVER, Mr. CLEMENT, Ms. CARSON of Indiana, and Mr. CLAY.

TUESDAY, JUNE 12, 2001 (59)

¶59.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

WASHINGTON, DC,
June 12, 2001.

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

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶59.2 RECESS—1:09 P.M.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 12 of rule I, declared the House in recess at 1 o'clock 9 minutes p.m. until 2 o'clock p.m.

¶59.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. WHITFIELD, called the House to order.

¶59.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WHITFIELD, announced he had examined and approved the Journal of the proceedings of June 8, 2001.

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

¶59.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2413. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Papayas Grown in Hawaii; Suspension of Grade, Inspection, and Related Reporting Requirements [Docket No. FV01–928–1 IFR] received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2414. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Revision of User Fees for 2001 Crop Cotton Classification Services to Growers [CN–00–010] (RIN: 0581–AB57) received June 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2415. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2001–2002 Marketing Year [Docket No. FV–01–985–1 FR] received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2416. A letter from the Acting Administrator, Agricultural Marketing Service Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Olives Grown in California; Increased Assessment Rate [Docket No. FV01–932–1 FIR] received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2417. A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting the Department's final rule—Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2001 Tariff-Rate Quota Year—received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2418. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Methyl Anthranilate; Exemption from the Requirement of a Tolerance [OPP–301127; FRL–6780–9] (RIN: 2070–AB78) received June 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2419. A communication from the President of the United States, transmitting requests for Fiscal Year 2002 budget amendments for the Department of Health and Human Services and International Assistance Programs; (H. Doc. No. 107–83); to the Committee on Appropriations and ordered to be printed.

2420. A communication from the President of the United States, transmitting FY 2001 supplemental appropriations proposal for the Department of Defense as well as two supplemental proposals, transmitted on June 1, 2001, for additional funding for the Department of Defense's Overseas Contingency Operations Transfer Fund and reduces funding for the Department of Transportation's Miscellaneous Highway Trust Fund Account, are now recommended to be withdrawn; (H. Doc. No. 107–84); to the Committee on Appropriations and ordered to be printed.

2421. A letter from the Deputy Secretary, Department of Defense, transmitting a report that responds to the Supplemental Appropriations Act regarding the Department of Defense Healthcare Quality Initiatives Review Panel; to the Committee on Armed Services.

2422. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the eleventh annual report on the assessment of the Profitability of Credit Card Operations of Depository Institutions, pursuant to 15 U.S.C. 1637 nt.; to the Committee on Financial Services.

2423. A letter from the General Counsel for Regulations, Departmant of Housing and Urban Development, transmitting the Department's final rule—Exception Payment Standard to Offset Increase in Utility Costs in the Housing Choice Voucher Program [Docket No. FR 4672–I–01] (RIN: 2577–AC29) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2424. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting the annual report of the National Advisory Council on International Monetary and Financial Policies for fiscal year 1998, pursuant to 22 U.S.C. 284b, 285b(b), 286b(b)(5), 286b–1, 286b–2(a), and 290i–3; to the Committee on Financial Services.

2425. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's authorization request for FY 2002–2003, pursuant to Section 607 of the Congressional Budget and Impoundment Control Act of 1974; to the Committee on Financial Services.

2426. A letter from the Acting Commissioner for Education Statistics, Department of Education, transmitting the annual statistical report of the National Center for Educational Statistics (NCES), ''The Condition of Education,'' pursuant to 20 U.S.C. 1221e–1(d)(1); to the Committee on Education and the Workforce.

2427. A letter from the Prinicpal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Montana; Emergency Episode Avoidance Plan and Cascade County Open Burning Rule [SIP NO. MT–001–0034a, MT–001–0035a; FRL–6991–1] received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2428. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District [CA 242–0280a; FRL–6990–9] received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2429. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978; Standards of Performance for Industrial—Commercial—Institutional Steam Generating Units [FRL–6995–2] (RIN: 2060–AE56) received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2430. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Ohio [OH140–1a; FRL–6991–9] received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2431. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Minnesota [MN68–01a; FRL–6991–7] received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2432. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Indiana [IN133–1a; FRL–6990–1] received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2433. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Air Force's proposed lease of defense articles to the Government of Poland (Transmittal No. 05–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

2434. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 08–01 regarding project certification for Amendment Two to the US-Sweden Project Agreement Concerning Trajectory Correctable Munitions, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

2435. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Report for 2000 on International Atomic Energy Agency Activities in Countries Described in Section 307 (a) of the Foreign Assistance Act; to the Committee on International Relations.

2436. A letter from the Secretary, Department of Agriculture, transmitting the semiannual report of the Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2437. A letter from the Chairman, Consumer Product Safety Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2438. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2000, through March 31, 2001, and the Secretary's semiannual report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2439. A letter from the Chairman, Federal Housing Finance Board, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2440. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule—Career Transition Assistance for Surplus and Displaced Federal Employees (RIN: 3206–AJ32) received June 7,

2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2441. A letter from the Chairman, Federal Election Commission, transmitting the annual report on the Commission's activities for 2000, pursuant to 2 U.S.C. 438(a)(9); to the Committee on House Administration.

2442. A letter from the Secretary, Department of the Interior, transmitting a Report on the Impact of the Compacts of Free Association in Fiscal Year 2000; to the Committee on Resources.

2443. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Montana Regulatory Program [SPATS No. MT–020–FOR] received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2444. A letter from the Acting General Counsel, National Oceanic and Atmospheric Administration, transmitting the Annual Report regarding the 2000 activities of the Northwest Atlantic Fisheries Organization (NAFO); to the Committee on Resources.

2445. A letter from the Fisheries Biologist, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Endangered and Threatened Species; Endangered Status for White Abalone [Docket No. 990910253–1120–03; I.D. No. 041300B] (RIN: 0648–AM90) received June 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2446. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Summer Period [Docket No. 001121328–1041–02; I.D. 052501E] received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2447. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of Fishery for Loligo Squid [Docket No. 001127331–1044–02; I.D. 052301B] received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2448. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 052501B] received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2449. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Zone Off Alaska; Shallow-water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 052501F] received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2450. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 052501D] received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2451. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Foreign Fishing and Fisheries of the Northeastern United States; Final 2001 Specifications for the Atlantic Herring Fishery and Foreign Fishing Restrictions [Docket No. 010220043–1132–02; I.D. 120400D] (RIN: 0648–AN65) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2452. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Foreign Fishing and Fisheries of the Northeastern United States; Final 2001 Specifications for the Atlantic Herring Fishery and Foreign Fishing Restrictions [Docket No. 010220043–1132–02; I.D. 120400D] (RIN: 0648–AN65) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2453. A letter from the Attorney General, Department of Justice, transmitting the annual report on the status of the United States Parole Commission (USPC); to the Committee on the Judiciary.

2454. A letter from the Deputy Assistant Secretary of the Army, Corps of Engineers, Department of Defense, transmitting the Department's final rule—Public Use of Water Resources Development Projects Administered by the Chief of Engineers—received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2455. A letter from the Deputy Assistant Secretary of the Army, Corps of Engineers, Department of Defense, transmitting the Department's final rule—Navigation Regulations—received June 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2456. A letter from the Acting Director, National Institute of Standards and Technology, Department of Commerce, transmitting the Department's final rule—National Voluntary Laboratory Accreditation Program; Operating Procedures [Docket No. 000831249–1129–02] (RIN: 0693–ZA39) received June 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2457. A letter from the Assistant Director for Legislative Affairs, Equal Employment Opportunity Commission, transmitting a copy of the Commission's report entitled, ''Federal Sector Report on EEO Complaints and Appeals for FY 1999,'' pursuant to 42 U.S.C. 2000e–4(e); jointly to the Committees on Education and the Workforce and Government Reform.

¶59.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WHITFIELD, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 11, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 11, 2001 at 9:37 a.m.

That the Senate passed without amendment H.R. 1914.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶59.7 RUSSIAN LEADERSHIP DEVELOPMENT CENTER

The SPEAKER pro tempore, Mr. WHITFIELD, by unanimous consent, announced that the Speaker, pursuant to 313(2)(a) of Public Law 106-554, and upon the recommendation of the Majority Leader, appointed to the Board of Trustees of the Center for Russian Leadership Development on the part of the House, the following Member: Mr. Amo Houghton.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶59.8 COMMISSION ENSURING CONSUMER INFORMATION AND CHOICE IN AIRLINE INDUSTRY

The SPEAKER pro tempore, Mr. WHITFIELD, by unanimous consent, announced that the Speaker, pursuant to section 228(d)(1) of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106-181), appointed to the National Commission to Ensure Consumer Information and Choice in the Airline Industry, from private life, on the part of the House, the following individuals: Mr. Gerald J. Roper of Illinois and Mr. Paul M. Ruden of Virginia.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶59.9 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. WHITFIELD, laid before the House the following communication from Mr. HANSEN:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 1, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the Second Judicial District Court, Weber County, Utah.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

JAMES V. HANSEN,
Member of Congress.

¶59.10 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. WHITFIELD, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 8, 2001 at 12:32 p.m. and said to contain a message from the President whereby he submits pursuant to provisions of the Trade Act of 1974 a Proclamation and a Trade Agreement with Vietnam.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶59.11 TRADE RELATIONS WITH SOCIALIST REPUBLIC OF VIETNAM

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

In accordance with section 407 of the Trade Act of 1974, as amended (19 U.S.C. 2434) (the ''Trade Act''), I am transmitting a copy of a proclamation that extends nondiscriminatory tariff treatment to the products of Vietnam. As an annex to the proclamation, I also enclose the text of the ''Agreement Between the United States of America and the Socialist Republic of Vietnam on Trade Relations,'' which was signed on July 13, 2000, including related annexes and exchanges of letters.

Implementation of this Agreement will strengthen political relations between the United States and Vietnam and produce economic benefits for both countries. It will also help to reinforce political and economic reform in Vietnam.

I believe that the Agreement is consistent with both the letter and spirit of the Trade Act. The Agreement provides for mutual extension of nondiscriminatory tariff treatment, while seeking to ensure overall reciprocity of economic benefits. The Agreement includes safeguard arrangements designed to ensure that imports from Vietnam will not disrupt the U.S. market.

The Agreement also facilitates and expands the rights that U.S. businesses will have in conducting commercial transactions both within Vietnam and with Vietnamese nationals and business entities, and includes provisions dealing with settlement of commercial disputes, investment, financial transactions, and the establishment of government commercial offices. Vietnam also agrees to adopt standards for intellectual property protection that match the standards set forth in the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights.

On June 1, 2001, I waived application of subsections 402 (a) and (b) of the Trade Act with respect to Vietnam. I urge that Congress act as soon as possible to approve, by a joint resolution referred to in section 151 (b) (3) of the Trade Act, the extension of nondiscriminatory treatment to the products of Vietnam as provided for in the Agreement.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 8, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 107–85).

¶59.12 AFRICAN ELEPHANT CONSERVATION REAUTHORIZATION

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 643) to reauthorize the African Elephant Conservation Act; as amended.

The SPEAKER pro tempore, Mr. WHITFIELD, recognized Mr. GILCHREST and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WHITFIELD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GILCHREST objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. WHITFIELD, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶59.13 ASIAN ELEPHANT CONSERVATION REAUTHORIZATION

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 700) to reauthorize the Asian Elephant Conservation Act of 1997; as amended.

The SPEAKER pro tempore, Mr. WHITFIELD, recognized Mr. GILCHREST and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. Whitfield, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GILCHREST demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WHITFIELD, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶59.14 MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

¶59.15 CONTRIBUTIONS OF SHIRLEY ANITA CHISHOLM

Mrs. MORELLA moved to suspend the rules and agree to the following resolution (H. Res. 97):

Whereas Shirley Anita Chisholm has devoted her life to public service;

Whereas Shirley Anita Chisholm served in the New York Assembly from 1964 to 1968;

Whereas Shirley Anita Chisholm became the first African American woman to be elected to Congress in 1968;

Whereas Congresswoman Chisholm was a fierce critic of the seniority system in Congress, protested her assignment in 1969 to the Committee on Agriculture of the House of Representatives, and won reassignment to a committee of the House of Representatives on which she could better serve her inner-city district in Brooklyn, New York;

Whereas Congresswoman Chisholm served as a Member of Congress from 1968 until 1983;

Whereas Congresswoman Chisholm proposed legislation to increase funding for child care facilities in order to allow such facilities to extend their hours of operation and provide services to both middle-class and low-income families;

Whereas in 1972 Congresswoman Chisholm became the first African American, the first woman, and the first African American woman to be a candidate for the nomination of the Democratic Party for the office of President of the United States;

Whereas Congresswoman Chisholm campaigned in the primaries of 12 States, won 28 delegates, and received 152 first ballot votes at the national convention for the nomination of the Democratic Party for the office of President of the United States;

Whereas Congresswoman Chisholm has fought throughout her life for fundamental rights for women, children, seniors, African Americans, Hispanics, and other minority groups;

Whereas Congresswoman Chisholm has been a committed advocate for many progressive causes, including improving education, ending discrimination in hiring practices, increasing the availability of child care, and expanding the coverage of the Federal minimum wage laws to include domestic employment;

Whereas in addition to the service of Congresswoman Chisholm as a legislator, Congresswoman Chisholm has worked to improve society as a nursery school teacher, director of a child care facility, consultant for the New York Department of Social Services, and educator; and

Whereas it is appropriate that the dedicated work and outstanding accomplishments of Congresswoman Chisholm be recognized during the month of March, which is National Women's History Month: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the enduring contributions and heroic achievements of Shirley Anita Chisholm; and

(2) appreciates the dedicated work of Shirley Anita Chisholm to improve the lives and status of women in the United States.

The SPEAKER pro tempore, Mr. WHITFIELD, recognized Mrs. MORELLA and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. WHITFIELD, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. MORELLA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WHITFIELD, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶59.16 MESSAGE FROM THE PRESIDENT—RUSSIAN NUCLEAR PROLIFERATION RISK

The SPEAKER pro tempore, Mr. WHITFIELD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000.

GEORGE W. BUSH.

THE WHITE HOUSE, *June 11, 2001.*

By unanimous consent,the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–86).

¶59.17 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO RUSSIA

The SPEAKER pro tempore, Mr. WHITFIELD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. I have sent the enclosed notice to the *Federal Register* for publication. This notice states that the emergency declared with respect to the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation is to continue beyond June 21, 2001.

It remains a major national security goal of the United States to ensure that fissile material removed from Russian nuclear weapons pursuant to various arms control and disarmament agreements is dedicated to peaceful uses, subject to transparency measures, and protected from diversion to activities of proliferation concern. The accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to maintain in force these emergency authorities beyond June 21, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, *June 11, 2001.*

By unanimous consent,the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–87).

¶59.18 MESSAGE FROM THE PRESIDENT—NATIONAL ENDOWMENT FOR DEMOCRACY

The SPEAKER pro tempore, Mr. WHITFIELD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with the provisions of section 504(h) of Public Law 98–164, as amended (22 U.S.C. 4413(i)), I transmit herewith the Annual Report of the National Endowment for Democracy for fiscal year 2000.

GEORGE W. BUSH.

THE WHITE HOUSE, *June 11, 2001.*

By unanimous consent,the message, together with the accompanying papers, was referred to the Committee on International Relations.

¶59.19 RECESS—3:30 P.M.

The SPEAKER pro tempore, Mr. WHITFIELD, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 30 minutes p.m., until 6 o'clock p.m.

¶59.20 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. STEARNS, called the House to order.

¶59.21 PROVIDING FOR THE CONSIDERATION OF H.R. 1088

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–97) the resolution (H. Res. 161) providing for the consideration of the bill (H.R. 1088) to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange commission, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶59.22 PROVIDING FOR THE CONSIDERATION OF H.R. 2052

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–98) the resolution (H. Res. 162) providing for the consideration of the bill (H.R. 2052) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan.

When said resolution and report were referred to the House Calendar and ordered printed.

¶59.23 PROVIDING FOR THE CONSIDERATION OF H.R. 1157

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–99) the resolution (H. Res. 163) providing for the consideration of the bill (H.R. 1157) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶59.24 H.R.643—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. STEARNS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 643) to reauthorize the African Elephant Conservation Act; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶59.25 H.R. 700—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. STEARNS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 700) to reauthorize the Asian Elephant Conservation Act of 1997; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 401 / Nays 15

¶59.26 [Roll No. 156]

YEAS—401

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

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

NAYS—15

Akin
Coble
Collins
Culberson
Flake
Hall (TX)
Herger
Hostettler
Kerns
Paul
Schaffer
Shadegg
Stump
Tiahrt
Toomey

NOT VOTING—16

Burton
Cunningham
Diaz-Balart
Ferguson
Jackson-Lee (TX)
Johnson, E. B.
Kingston
Largent
Mollohan
Pence
Royce
Rush
Tanner
Udall (CO)
Velazquez
Walsh

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶59.27 H. RES. 97—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. STEARNS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to said resolution (H. Res. 97) recognizing the enduring contributions, heroic achievements, and dedicated work of Shirley Anita Chisholm.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 415 / Nays 0

¶59.28 [Roll No. 157]

YEAS—415

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

NOT VOTING—17

Burton
Cunningham
Diaz-Balart
Ferguson
Jackson-Lee (TX)
Johnson, E. B.
Kingston
Largent
Linder
Mollohan
Pence
Royce
Rush
Tanner
Udall (CO)
Velazquez
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶59.29 ORDER OF BUSINESS—CONSIDERATION OF H. CON. RES. 145

On motion of Mr. KIRK, by unanimous consent,

Ordered, That it may be in order at any time, without intervention of any point of order, to consider in the House, House Concurrent Resolution 145, condemning the recent order by the Taliban regime of Afghanistan to require Hindus in Afghanistan to wear symbols identifying them as Hindu; that the concurrent resolution be considered as read for amendment; that the concurrent resolution be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations; and that the previous question be considered as ordered on the concurrent resolution to final adoption without intervening motion.

¶59.30 COMMITTEE ELECTION—MAJORITY

Mr. KIRK, submitted the following resolution (H. Res. 164):

Resolved, That on the Committee on Science Mr. Gilchrest shall rank after Mrs. Biggert.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶59.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. JACKSON-LEE, for today;

To Ms. Eddie Bernice JOHNSON of Texas, for today and balance of the week;

To Mr. ROYCE, for today; and

To Mr. TANNER, for today.

And then,

¶59.32 ADJOURNMENT

On motion of Mr. PAYNE, at 11 o'clock and 48 minutes p.m., the House adjourned.

¶59.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 643. A bill to reauthorize the African Elephant Conservation Act; with an amendment (Rept. No. 107–93). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 700. A bill to reauthorize the Asian Elephant Conservation Act of 1997; with an amendment (Rept. No. 107–94). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1157. A bill to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes (Rept. No. 107–95). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 1020. A bill to authorize the Secretary of Transportation to establish a grant program for the rehabilitation, preservation, or improvement of railroad track; with an amendment (Rept. No. 107–96). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 161. Resolution providing for consideration of the bill (H.R. 1088) to amend the Securities and Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes (Rept. No. 107–97). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 162. Resolution providing for consideration of the bill (H.R. 2052) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan (Rept. No. 107–98). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 163. Resolution providing for consideration of the bill (H.R. 1157) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes (Rept. No. 107–99). Referred to the House Calendar.

¶59.34 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CANNON (for himself, Mr. CONYERS, Mr. ISSA, and Mr. NADLER):

H.R. 2120. A bill to ensure the application of the antitrust laws to local telephone monopolies, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANTOS:

H.R. 2121. A bill to make available funds under the Foreign Assistance Act of 1961 to expand democracy, good governance, and anti-corruption programs in the Russian Federation in order to promote and strengthen democratic government and civil society in that country and to support independent media; to the Committee on International Relations.

By Mr. CALVERT (for himself, Mr. SHAW, Mr. GALLEGLY, Mr. BARTLETT of Maryland, Mr. PETRI, Mr. GUTKNECHT, Mr. HOEKSTRA, Mr. SHADEGG, Mr. RADANOVICH, Mr. GRAHAM, Mr. ENGLISH, Mr. SOUDER, Mr. WELDON of Florida, and Mr. HANSEN):

H.R. 2122. A bill to amend the Federal Election Campaign Act of 1971 to require candidates for election to the House of Representatives or Senate to raise not less than 50 percent of the contributions made with respect to the election from individuals who reside in the State the candidate seeks to represent; to the Committee on House Administration.

By Mr. TERRY (for himself, Mr. ENGLISH, Mr. PASTOR, Mr. SESSIONS, Mr. BARR of Georgia, Mr. RANGEL, Ms. MCKINNEY, Mr. CONDIT, Mr. JONES of North Carolina, Mr. OWENS, Mr. WOLF, Mr. BALDACCI, Mr. KING, Mr. FRANK, Mr. GORDON, and Mr. STUPAK):

H.R. 2123. A bill to amend title 38, United States Code, to increase the rate of payment for funeral and burial expenses and plot allowance for certain veterans; to the Committee on Veterans' Affairs.

By Mrs. KELLY:

H.R. 2124. A bill to authorize the Secretary of the Army to convey a small parcel of land at the United States Military Academy to the Village of Highland Falls, New York; to the Committee on Armed Services.

By Mr. TOM DAVIS of Virginia:

H.R. 2125. A bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself, Ms. BALDWIN, Mr. BARTLETT of Maryland, Mr. KNOLLENBERG, Mr. EHLERS, Mr. SIMPSON, Ms. HOOLEY of Oregon, Mrs. WILSON, Mr. STRICKLAND, Mr. OTTER, and Mr. CALVERT):

H.R. 2126. A bill to authorize funding for University Nuclear Science and Engineering Programs at the Department of Energy for fiscal years 2002 through 2006; to the Committee on Science.

By Mr. BROWN of Ohio (for himself, Mr. STARK, Mr. LATOURETTE, Mr. GONZALEZ, Mr. KILDEE, and Mr. BRADY of Pennsylvania):

H.R. 2127. A bill to amend part C of title XVIII to require MedicareChoice organizations to offer MedicareChoice plans for a minimum period of three years, and to permit Medicare beneficiaries to enroll and disenroll from such plans at any time; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINCHEY (for himself, Mr. HASTINGS of Washington, Mr. WALSH, Mr. REYNOLDS, and Mr. SWEENEY):

H.R. 2128. A bill to provide market loss assistance to apple producers; to the Committee on Agriculture.

By Mr. HINCHEY (for himself, Mr. HOEFFEL, Mrs. CLAYTON, Mr. DINGELL, Mr. MCGOVERN, Mr. CLEMENT, Mr. BALDACCI, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. PASCRELL, Mr. KILDEE, Ms. NORTON, Ms. DELAURO, Mr. BONIOR, Mr. LANTOS, Ms. LEE, Mr. MEEKS of New York, Mr. UDALL of New Mexico, and Ms. CARSON of Indiana):

H.R. 2129. A bill to amend the Child Nutrition Act of 1966 to promote better nutrition among school children participating in the school breakfast and lunch programs; to the Committee on Education and the Workforce.

By Mr. SAM JOHNSON of Texas (for himself and Mr. MATSUI):

H.R. 2130. A bill to amend the Internal Revenue Code of 1986 to provide that any water and sewerage disposal property conveyed under the Department of Defense privatization program shall be treated as a nontaxable contribution to the capital of the recipient; to the Committee on Ways and Means.

By Mr. PORTMAN (for himself, Mr. LANTOS, Mr. GILMAN, Mr. CROWLEY, Mr. BEREUTER, Mr. SUNUNU, Ms. MCKINNEY, Mr. LEACH, Mr. FALEOMAVAEGA, Mr. CHABOT, Mr. SHERMAN, Mr. BROWN of Ohio, Mr. BAIRD, Mr. BOUCHER, Mr. CAMP, Mr. CARDIN, Mr. ENGLISH, Mr. FRANK, Mr. GREEN of Wisconsin, Mr. HOBSON, Mr. KIRK, Mr. LATOURETTE, Mr. MANZULLO, Mr. OXLEY, Ms. PRYCE of Ohio, Mr. SMITH of New Jersey, Mr. TIBERI, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 2131. A bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004; to the Committee on International Relations.

By Mr. REYNOLDS (for himself, Mr. ARMEY, Mr. DOOLITTLE, Mr. FLAKE, Mr. SESSIONS, Mr. SUNUNU, and Mr. TOOMEY):

H.R. 2132. A bill to prohibit the Secretary of the Treasury from using surplus funds to make any investment in securities, other than government and municipal securities; to the Committee on Financial Services.

By Mr. RYUN of Kansas (for himself, Mr. MORAN of Kansas, Mr. TIAHRT, and Mr. MOORE):

H.R. 2133. A bill to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education; to the Committee on Government Reform.

By Mr. SANDERS (for himself, Mr. KUCINICH, Mr. HINCHEY, Mr. DEFAZIO, Ms. MCKINNEY, Ms. BROWN of Florida, Ms. LEE, Mr. DAVIS of Illinois, Ms. KAPTUR, Mr. MCGOVERN, Ms. NORTON, Mr. HILLIARD, Mr. COSTELLO, Ms. CARSON of Indiana, Mr. GOODE, Mr. STUPAK, Mr. BROWN of Ohio, and Ms. HART):

H.R. 2134. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to increase the phase-in limitation applicable to the guarantee under such title of benefit improvements made prior to plan termination; to the Committee on Education and the Workforce.

By Mr. SAWYER:

H.R. 2135. A bill to protect consumer privacy; to the Committee on Energy and Commerce.

By Mr. SAWYER:

H.R. 2136. A bill to protect the confidentiality of information acquired from the public for statistical purposes; to the Committee on Government Reform.

By Mr. SENSENBRENNER (for himself, Mr. SMITH of Texas, Mr. CONYERS, and Mr. SCOTT):

H.R. 2137. A bill to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure; to the Committee on the Judiciary.

By Mr. SERRANO (for himself, Mr. LEACH, Mr. ABERCROMBIE, Mr. ALLEN, Mr. BAIRD, Ms. BALDWIN, Mr. BARCIA, Mr. BISHOP, Mr. BLUMENAUER, Mr. BONIOR, Mr. BOUCHER, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. CLAY, Mrs. CLAYTON, Mr. CLEMENT, Mr. CLYBURN, Mr. CONYERS, Mr. COSTELLO, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Ms. ESHOO, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. GANSKE, Mr. GONZALEZ, Mr. HALL of Ohio, Mr. HILLIARD, Mr. HINCHEY, Mr. HOEFFEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KLECZKA, Mr. KUCINICH, Mr. LAFALCE, Mr. LAHOOD, Mr. LAMPSON, Mr. LARGENT, Ms. LEE, Mrs. LOWEY, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. NADLER, Mrs. NAPOLITANO, Mr. OBERSTAR, Mr. OLVER, Mr. RANGEL, Ms. RIVERS, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Mr. SABO, Mr. SANDERS, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SHAYS, Mr. STARK, Mr. THOMPSON of California, Mr. THUNE, Mr. TIERNEY, Mr. TOWNS, Mr. TURNER, Ms. VELAZQUEZ, Mr. WALSH, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, Ms. WOOLSEY, and Mr. WYNN):

H.R. 2138. A bill to provide the people of Cuba with access to food and medicines from the United States, to ease restrictions on travel to Cuba, to provide scholarships for certain Cuban nationals, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Agriculture, Financial Services, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas:

H.R. 2139. A bill to authorize the Secretary of Agriculture to make loans for the development of broadband services in rural areas; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANNER:

H.R. 2140. A bill to amend section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 to provide for a user fee to cover the cost of customs inspections at express courier facilities; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself, Ms. HARMAN, Ms. SOLIS, Mrs. CAPPS, Ms. PELOSI, Mrs. DAVIS of California, Ms. WOOLSEY, and Mr. FILNER):

H.R. 2141. A bill to require electric generation facilities owned and operated by the Department of Defense in the Western United States to generate electricity and to conserve energy in electric emergencies, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALSH (for himself, Mrs. CLAYTON, Mr. DIAZ-BALART, Mr. HALL of Texas, Mrs. JOHNSON of Connecticut, Ms. KAPTUR, Mr. LEACH, Ms. LEE, Mrs. KELLY, Mr. LEVIN, Mrs. MORELLA, Mr. TOWNS, Mr. QUINN, Mr. HINCHEY, Mr. FOLEY, Mr. COYNE, and Ms. DELAURO):

H.R. 2142. A bill to amend the Food Stamp Act of 1977 to improve nutrition assistance for working families and the elderly, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELDON of Florida (for himself, Mr. ARMEY, Mr. DOOLITTLE, Mrs. JO ANN DAVIS of Virginia, Mr. ROHRABACHER, Mr. TOOMEY, Mr. DEMINT, Mr. WAMP, Mr. BLUNT, Mr. GRAVES, Mr. BARTLETT of Maryland, Mr. TANCREDO, Mr. NEY, Mr. GOODE, Mr. PAUL, Mr. LARGENT, Mr. FLAKE, Mr. POMBO, Mr. ADERHOLT, Mr. SHIMKUS, Mrs. CUBIN, Mr. TERRY, Mr. TIBERI, Mr. MANZULLO, Mr. PUTNAM, Mr. CULBERSON, Mr. CRENSHAW, Mr. BARR of Georgia, Mr. ISAKSON, Mr. SHADEGG, Mr. HOSTETTLER, Mr. PITTS, and Mr. EVERETT):

H.R. 2143. A bill to make the repeal of the estate tax permanent; to the Committee on Ways and Means.

By Ms. WOOLSEY (for herself, Mrs. TAUSCHER, Ms. PELOSI, Mr. LANTOS, Mr. HONDA, Mrs. CAPPS, Ms. LEE, Mr. THOMPSON of California, Mr. STARK, Mr. GEORGE MILLER of California, Mr. FARR of California, Ms. LOFGREN, and Ms. ESHOO):

H.R. 2144. A bill to direct the Secretary of Agriculture to conduct research, monitoring, management, treatement, and outreach activities relating to sudden oak death syndrome and to establish a Sudden Oak Death Syndrome Advisory Committee; to the Committee on Agriculture.

By Mr. ARMEY (for himself, Mr. GEPHARDT, and Mr. CRANE) (all by request):

H.J. Res. 51. A joint resolution approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam; to the Committee on Ways and Means.

By Mr. FERGUSON:

H. Con. Res. 156. Concurrent resolution congratulating John R. Kopicki, the Fannie E. Rippel Foundation, and the Schering-Plough Corporation, for receipt of certain awards; to the Committee on Energy and Commerce.

By Mr. MCNULTY:

H. Con. Res. 157. Concurrent resolution recognizing and honoring Joseph Henry for his significant and distinguished role in the development and advancement of science and electricity; to the Committee on Science.

By Ms. RIVERS:

H. Con. Res. 158. Concurrent resolution recognizing the city of Ann Arbor, Michigan, and its residents for their dedication to building a community that respects ecological integrity, promotes social well-being, and creates economic vitality; to the Committee on Government Reform.

By Mr. KIRK:

H. Res. 164. A resolution designating majority membership on certain standing committees of the House; which was considered and agreed to.

¶59.35 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

105. The SPEAKER presented a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 2 memorializing the United States Congress to speedily adhere to the goal set forth in the Individuals with Disabilities Education Act and appropriate to the states significant, genuine assistance to meet the needs of students with disabilities and to relieve schools from the necessity of cross-subsidizing special education revenue with general education revenue; to the Committee on Education and the Workforce.

106. Also, a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 5 memorializing the United States Congress to promptly amend the Railroad Unemployment Insurance Act to allow railroad employees collecting military retirement pay to also be eligible for railroad unemployment and sickness benefits if they otherwise meet the qualifications of these benefit programs; to the Committee on Transportation and Infrastructure.

107. Also, a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 4 memorializing the United States Congress to authorize the funding for improvement and rehabilitation of waterways; to the Committee on Transportation and Infrastructure.

108. Also, a memorial of the House of Representatives of the State of Alabama, relative to Resolution HR 611 memorializing the United States Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

¶59.36 ADDITIONAL SPONSORS

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

H.R. 7: Mr. BLUNT, Mr. TANCREDO, and Mrs. ROUKEMA.
H.R. 17: Ms. SANCHEZ and Mr. GUTIERREZ.
H.R. 28: Mr. GONZALEZ and Mr. PLATTS.
H.R. 64: Mr. BOEHLERT, Mr. SHAYS, and Mr. GUTKNECHT.
H.R. 65: Mr. KUCINICH and Mr. MCGOVERN.
H.R. 68: Mr. GREEN of Texas, Mr. LEACH, Mr. BROWN of Ohio, and Mr. FOLEY.
H.R. 80: Mr. JENKINS.
H.R. 82: Mr. JENKINS.
H.R. 91: Mr. SHOWS and Mrs. THURMAN.
H.R. 98: Mr. OTTER, Mr. WELDON of Florida, Mr. JOHNSON of Illinois, Mr. PASTOR, Mr. TERRY, Mr. DOOLEY of California, Mr. CROWLEY, Mr. FROST, and Mr. PUTNAM.
H.R. 100: Ms. SANCHEZ.
H.R. 102: Ms. SANCHEZ.
H.R. 169: Mr. SKEEN.
H.R. 179: Mr. KENNEDY of Minnesota and Mr. ISRAEL.
H.R. 192: Mr. SESSIONS.
H.R. 218: Mr. SPENCE, Mr. BROWN of South Carolina, Mr. SKELTON, and Mr. SMITH of New Jersey.
H.R. 220: Mr. UPTON.
H.R. 260: Mr. WOLF and Mr. LARSON of Connecticut.
H.R. 267: Mrs. CAPPS and Mr. NETHERCUTT.
H.R. 281: Mr. NADLER.
H.R. 285: Mr. OLVER.
H.R. 296: Mr. COSTELLO and Mr. LANTOS.
H.R. 356: Mrs. DAVIS of California and Mr. MCHUGH.
H.R. 458: Mr. SWEENEY and Mr. BARTON of Texas.
H.R. 510: Mr. LANTOS, Mr. STRICKLAND, Mr. TOOMEY, and Mr. LIPINSKI.
H.R. 537: Ms. CARSON of Indiana, Mr. OSE, and Ms. JACKSON-LEE of Texas.
H.R. 571: Mr. BISHOP.
H.R. 572: Mr. SOUDER and Mr. HOLDEN.
H.R. 598: Mr. WELDON of Florida, Ms. ROS-LEHTINEN, and Mr. DIAZ-BALART.
H.R. 602: Mr. LUCAS of Kentucky and Mr. PLATTS.
H.R. 611: Ms. BALDWIN and Mrs. WILSON.
H.R. 612: Mr. GRAHAM, Mr. JOHNSON of Illinois, Mr. FOSSELLA, Mr. THOMPSON of Mississippi, Mr. POMEROY, Mr. BRADY of Pennsylvania, Mr. CUMMINGS, Mr. BROWN of Ohio, and Mr. FORD.
H.R. 630: Ms. BALDWIN and Mr. SCHIFF.
H.R. 635: Mr. LAHOOD.
H.R. 638: Mr. WEINER.
H.R. 665: Mr. ANDREWS.
H.R. 668: Mr. KENNEDY of Rhode Island, Mrs. DAVIS of California, and Mr. FALEOMAVAEGA.
H.R. 680: Mr. WATT of North Carolina.
H.R. 699: Mr. JONES of North Carolina.
H.R. 716: Mr. PALLONE, Mr. GANSKE, and Mr. SHOWS.
H.R. 717: Mr. WEINER and Mr. DOOLEY of California.
H.R. 730: Ms. MCKINNEY.
H.R. 746: Mr. DEAL of Georgia and Mr. SHOWS.
H.R. 747: Mr. GARY G. MILLER of California.
H.R. 751: Ms. MCKINNEY, Mr. SMITH of New Jersey, and Mr. ACKERMAN.
H.R. 757: Mr. ISRAEL.
H.R. 760: Mr. GILLMOR.
H.R. 774: Mr. BALLENGER, Mr. COYNE, Mr. SESSIONS, and Mr. UDALL of Colorado.
H.R. 778: Ms. LOFGREN, Ms. BALDWIN, Mr. CAPUANO, and Mr. SANDERS.
H.R. 781: Mr. SCHIFF.
H.R. 786: Ms. JACKSON-LEE of Texas and Mr. BROWN of Ohio.
H.R. 827: Mrs. JONES of Ohio.
H.R. 840: Mr. ABERCROMBIE, Mr. BAIRD, Mr. FARR of California, Mr. MORAN of Virginia, and Mr. SIMMONS.
H.R. 844: Mr. MCGOVERN and Ms. HART.
H.R. 876: Mr. HASTINGS of Florida, Mrs. MINK of Hawaii, Mr. TERRY, Mr. NADLER, Mr. KIND, Mrs. DAVIS of California, Mr. KENNEDY of Rhode Island, Mr. HAYWORTH, Mr. SANDLIN, Mr. PETRI, Mr. DOOLITTLE, Mr. CROWLEY, Mr. TOM DAVIS of Virginia, Mr. BLAGOJEVICH, Mr. SMITH of New Jersey, Mr. SMITH of Washington, and Mr. JOHNSON of Illinois.
H.R. 902: Mr. KINGSTON and Mr. BOUCHER.
H.R. 910: Mr. BONIOR.
H.R. 950: Mr. NORWOOD and Mr. STUMP.
H.R. 981: Mr. BOUCHER, Mr. BISHOP, and Mr. MCKEON.
H.R. 1008: Mr. REHBERG and Mr. RADANOVICH.
H.R. 1014: Mr. GUTIERREZ, Mr. PAYNE, Ms. JACKSON-LEE of Texas, Ms. VELAZQUEZ, Mr. PASCRELL, Mr. CROWLEY, Mr. GEORGE MILLER of California, and Ms. MCCOLLUM.
H.R. 1073: Mr. WOLF, Mr. CLAY, Mr. CUMMINGS, Mr. BORSKI, and Mr. ACKERMAN.
H.R. 1076: Mr. CARSON of Oklahoma, Ms. DEGETTE, Mr. BARCIA, Ms. KAPTUR, Mrs. DAVIS of California, Mr. ANDREWS, Mr. ISRAEL, Mr. GUTIERREZ, Mr. PRICE of North Carolina, Mr. HOLDEN, and Mr. SMITH of Washington.
H.R. 1077: Mr. SCOTT.
H.R. 1079: Mr. WHITFIELD.
H.R. 1090: Mr. HYDE, Mr. CROWLEY, Mrs. MINK of Hawaii, Mr. BRYANT, Mr. WU, and Mr. EHLERS.
H.R. 1121: Mr. SMITH of New Jersey and Mr. HERGER.
H.R. 1136: Mr. FILNER.
H.R. 1140: Mr. EVERETT, Mr. TAYLOR of North Carolina, Mrs. BIGGERT, Mr. BUYER, and Mr. HALL of Texas.
H.R. 1143: Mr. HILLIARD, Ms. CARSON of Indiana, Mr. BONIOR, Ms. SOLIS, Mr. MCGOVERN, Mr. HINCHEY, Mrs. CHRISTENSEN, Mr. ABERCROMBIE, Mr. JACKSON of Illinois, and Mr. SMITH of New Jersey.
H.R. 1157: Mr. SMITH of Washington.
H.R. 1170: Mr. WU, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, and Mr. MATSUI.
H.R. 1177: Mr. HOLDEN.
H.R. 1185: Mr. CUMMINGS.
H.R. 1192: Mr. ETHERIDGE and Mr. HOEFFEL.
H.R. 1198: Mr. LANTOS, Ms. Norton, Mr. BISHOP, Mr. GREEN of Texas, Mr. REYES, Mr. RODRIGUEZ, Ms. KILPATRICK, Mr. TIERNEY, Mr. SMITH of Texas, Mr. OWENS, and Mr. BLUNT.
H.R. 1200: Ms. CARSON of Indiana.
H.R. 1201: Mr. GEORGE MILLER of California.
H.R. 1230: Mr. UDALL of New Mexico, Mr. PALLONE, and Mr. FALEOMAVAEGA.
H.R. 1254: Mr. PASCRELL, Mr. LANTOS, Mr. GRUCCI, Mrs. MCCARTHY of New York, Mrs. JONES of Ohio, Mr. PAYNE, and Mr. LANGEVIN.
H.R. 1266: Mr. SCHIFF, Mr. BECERRA, Ms. CARSON of Indiana, Mr. ALLEN, and Mr. LUTHER.
H.R. 1287: Mr. PITTS.
H.R. 1297: Mr. DIAZ-BALART.
H.R. 1304: Mr. TERRY, Mr. FOLEY, and Mr. HOEFFEL.
H.R. 1305: Mr. RYAN of Wisconsin, Mr. BACA, Mr. BENTSEN, Mr. BUYER, Mr. LATHAM, and Mr. DOOLITTLE.
H.R. 1318: Mr. YOUNG of Alaska and Mr. TOWNS.
H.R. 1329: Mr. DOYLE.
H.R. 1335: Ms. CARSON of Indiana.
H.R. 1338: Mr. GONZALEZ, Ms. HART, and Mr. GREEN of Texas.
H.R. 1340: Mr. CLYBURN, Mr. GONZALEZ, and Mr. MCGOVERN.
H.R. 1344: Mr. BONIOR.
H.R. 1352: Mr. GOODE.
H.R. 1353: Mr. TAYLOR of Mississippi, Mr. FROST, Mr. STUPAK, Mr. PLATTS, Mr. MCHUGH, Mr. MURTHA, Ms. HOOLEY of Oregon, Mr. GORDON, and Mr. ROSS.
H.R. 1354: Ms. SANCHEZ, Mr. HINCHEY, Mr. SOUDER, and Mr. WELDON of Florida.
H.R. 1360: Mr. KUCINICH, Mr. LANTOS, and Mr. DINGELL.
H.R. 1363: Mr. SWEENEY.
H.R. 1389: Ms. MILLENDER-MCDONALD.
H.R. 1405: Mrs. MCCARTHY of New York and Mr. CAPUANO.
H.R. 1406: Mr. MCGOVERN and Mr. OBERSTAR.
H.R. 1407: Mr. MEEKS of New York.
H.R. 1427: Mr. GREEN of Texas.
H.R. 1433: Mr. SOUDER.
H.R. 1434: Ms. KAPTUR and Mr. STARK.
H.R. 1436: Mr. TURNER, Mr. DOYLE, Mr. FARR of California, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. RANGEL, Mr. ACKERMAN, Mr. UDALL of Colorado, Mr. KINGSTON, Mr. OLVER, Mr. CONYERS, Ms. CARSON of Indiana, Mr. DEUTSCH, Mr. RADANOVICH, Mr. COYNE, Mr. HOLDEN, Mr. SOUDER, Ms. DEGETTE, Mr. LUCAS of Kentucky, Mr. CLAY, and Ms. SANCHEZ.
H.R. 1438: Mr. SHAW and Mr. SCHROCK.
H.R. 1452: Mr. SHAYS.
H.R. 1463: Mr. COOKSEY.
H.R. 1484: Mr. CROWLEY.
H.R. 1492: Mr. CLEMENT.
H.R. 1511: Ms. WATERS, Mrs. JO ANN DAVIS of Virginia, Mr. FROST, Mr. KIRK, and Mr. SOUDER.
H.R. 1525: Mr. GUTIERREZ.
H.R. 1541: Mrs. TAUSCHER.
H.R. 1542: Mr. ACEVEDO-VILA, Mr. MOLLOHAN, and Mr. HASTINGS of Florida.
H.R. 1556: Mr. UDALL of New Mexico, Mr. MEEHAN, Mr. MCGOVERN, and Mr. BLUNT.
H.R. 1591: Mr. KUCINICH.
H.R. 1595: Mr. PITTS.
H.R. 1609: Mr. LATHAM, Mr. GORDON, Mr. CHAMBLISS, and Mr. MOLLOHAN.
H.R. 1616: Mr. OWENS.
H.R. 1637: Mr. HASTINGS of Florida.
H.R. 1644: Mr. KENNEDY of Minnesota and Mr. NORWOOD.
H.R. 1648: Mr. MURTHA and Mr. BLUMENAUER.
H.R. 1650: Mr. JEFFERSON, Mr. PALLONE, and Mr. ABERCROMBIE.
H.R. 1669: Ms. SOLIS and Mr. BAIRD.
H.R. 1671: Mr. DOYLE, Mr. PALLONE, and Mr. LATHAM.
H.R. 1683: Ms. SCHKOWSKY.
H.R. 1700: Mr. MORAN of Virginia, Ms. DELAURO, Mr. BROWN of Ohio, Mr. FILNER, Mr. FRANK, Mr. CAPUANO, and Mr. CUMMINGS.
H.R. 1701: Mr. RYUN of Kansas and Mr. COSTELLO.
H.R. 1707: Ms. SANCHEZ and Mr. SHERMAN.
H.R. 1716: Mrs. KELLY and Mr. CROWLEY.
H.R. 1718: Mr. GREENWOOD, Mr. UDALL of Colorado, Ms. MCCOLLUM, Mr. SOUDER, Mr. FOSSELLA, and Mr. BOYD.
H.R. 1733: Ms. WOOLSEY, Ms. CARSON of Indiana, Mr. BLAGOJEVICH, Mr. PAYNE, Mr. UDALL of New Mexico, Ms. VELAZQUEZ, and Mr. ROSS.
H.R. 1750: Mrs. DAVIS of California.
H.R. 1751: Mrs. DAVIS of California.
H.R. 1759: Mr. MEEHAN.
H.R. 1786: Mr. DOYLE, Ms. HART, and Mr. SMITH of Michigan.
H.R. 1797: Mr. SMITH of Washington and Mr. NETHERCUTT.
H.R. 1798: Mr. OBERSTAR and Mr. MCGOVERN.
H.R. 1805: Mr. BUYER.
H.R. 1808: Ms. JACKSON-LEE of Texas, Ms. BROWN of Florida, Ms. SCHAKOWSKY, Ms. WATERS, Mr. ENGEL, and Mrs. TAUSCHER.
H.R. 1809: Mr. DOYLE and Ms. SANCHEZ.
H.R. 1810: Mr. KUCINICH, Mr. ALLEN, Mr. WAXMAN, Mr. STUPAK, Mr. BROWN of Ohio, Mr. LIPINSKI, Ms. SANCHEZ, Mr. CUMMINGS, Mr. LEVIN, Mr. PAUL, and Mr. LAHOOD.
H.R. 1828: Ms. NORTON and Mr. BRADY of Texas.
H.R. 1832: Mr. SPENCE.
H.R. 1839: Mr. PLATTS.

H.R. 1846: Mr. SMITH of New Jersey.
H.R. 1847: Mr. SMITH of New Jersey.
H.R. 1861: Ms. CARSON of Indiana.
H.R. 1862: Mr. BRADY of Pennsylvania, Mr. BARCIA, Mr. FILNER, Mr. FROST, and Mr. KUCINICH.
H.R. 1863: Mr. HUTCHINSON.
H.R. 1864: Mr. MCGOVERN.
H.R. 1889: Mr. UDALL of Colorado.
H.R. 1896: Mr. UDALL of Colorado and Ms. MCKINNEY.
H.R. 1907: Mr. RODRIGUEZ.
H.R. 1908: Mr. BLUNT.
H.R. 1910: Mr. DOOLITTLE, Mr. TANCREDO, and Mr. SHIMKUS.
H.R. 1911: Mr. BOUCHER.
H.R. 1922: Ms. SOLIS.
H.R. 1927: Mr. STUPAK.
H.R. 1931: Mr. SOUDER.
H.R. 1938: Mr. SESSIONS, Mrs. JONES of Ohio, and Mr. GREENWOOD.
H.R. 1939: Mr. FRANK.
H.R. 1944: Mr. GUTKNECHT.
H.R. 1945: Mrs. THURMAN.
H.R. 1950: Mr. BARR of Georgia, Mr. PAUL, and Mr. WELDON of Florida.
H.R. 1954: Mr. GREEN of Texas, Mr. LARSEN of Washington, Mr. MATHESON, Mr. CLEMENT, Mr. NUSSLE, Mr. LATHAM, Mr. HEFLEY, Ms. DELAURO, Mr. WOLF, and Mr. LINDER.
H.R. 1957: Mr. STRICKLAND.
H.R. 1968: Mr. STUPAK, Ms. SANCHEZ, and Mr. KUCINICH.
H.R. 1969: Mr. CROWLEY and Mrs. THURMAN.
H.R. 1979: Mr. FROST, Mr. ENGLISH, Mr. GOODE, Ms. HART, and Mr. BISHOP.
H.R. 1982: Mr. PETERSON of Pennsylvania, Mrs. WILSON, Mr. WELDON of Florida, and Mr. PAUL.
H.R. 1985: Mr. CUNNINGHAM.
H.R. 1986: Mr. BARR of Georgia.
H.R. 1992: Mr. PASCRELL.
H.R. 1997: Mrs. JONES of Ohio and Mr. PETRI.
H.R. 2001: Mr. POMEROY, Mr. HANSEN, and Mr. SESSIONS.
H.R. 2020: Mr. SAXTON, Mr. HANSEN, Mr. BARTLETT of Maryland, Mr. CHAMBLISS, and Mr. MCGOVERN.
H.R. 2023: Mr. GORDON, Mr. TOWNS, Mr. JENKINS, Mr. REYNOLDS, Mr. DOOLITTLE, and Mr. LATHAM.
H.R. 2040: Mr. DOOLEY of California, Mr. BERMAN, and Ms. CARSON of Indiana.
H.R. 2047: Mr. ISAKSON.
H.R. 2048: Mr. CONYERS.
H.R. 2055: Mr. TANCREDO, Mr. CANTOR, Ms. GRANGER, Mr. HILLEARY, Mr. DOOLITTLE, Mr. BARTON of Texas, Mr. WELDON of Florida, Mr. WICKER, and Mr. TERRY.
H.R. 2059: Mrs. THURMAN, Mr. GEORGE MILLER of California, Mr. TIERNEY, Mr. EVANS, Mr. FILNER, Mr. HINCHEY, Mr. HONDA, Mr. PALLONE, Mrs. NAPOLITANO, and Mr. DEFAZIO.
H.R. 2064: Mr. STARK, Mr. MALONEY of Connecticut, Mr. ACEVEDO-VILA, Mr. FROST, and Mr. SMITH of New Jersey.
H.R. 2074: Mr. FILNER and Ms. MCKINNEY.
H.R. 2079: Mr. SANDERS.
H.R. 2080: Mr. SANDERS.
H.R. 2088: Mr. GRAVES, Mr. CLAY, and Mr. LIPINSKI.
H.R. 2095: Mr. FILNER, Mr. MCGOVERN, and Mr. SANDERS.
H.R. 2096: Mr. WELDON of Florida, Mr. BUYER, Mr. TIBERI, Mr. TAYLOR of Mississippi, Mrs. JO ANN DAVIS of Virginia, Mr. HASTINGS of Washington, Mr. BARTON of Texas, Mr. HEFLEY, Mr. SUNUNU, Mr. SENSENBRENNER, and Mr. ISAKSON.
H.R. 2102: Mr. PAYNE, Ms. NORTON, Ms. HOOLEY of Oregon, Ms. MCKINNEY, Mrs. MINK of Hawaii, Mr. BOEHLERT, and Mr. TAYLOR of Mississippi.
H.R. 2108: Mr. MORAN of Virginia and Mr. RANGEL.
H.R. 2117: Mr. GEORGE MILLER of California and Mr. MOORE.
H.J. Res. 6: Mr. HORN.
H.J. Res. 36: Mr. WELDON of Florida, Mr. HOBSON, Mr. FROST, Mr. BOEHNER, Ms. HARMAN, Mrs. BONO, and Mr. HOUGHTON.
H.J. Res. 45: Mr. HOSTETTLER.
H. Con. Res. 68: Mr. HEFLEY.
H. Con. Res. 121: Mr. KING, Mr. SCHAFFER, and Mr. HAYWORTH.
H. Con. Res. 145: Mr. VISCLOSKY, Mr. FRANK, Mr. BACA, and Mr. MOORE.
H. Res. 97: Mr. DAVIS of Illinois.
H. Res. 117: Mr. LANTOS and Mr. FERGUSON.
H. Res. 124: Mr. FOLEY, Mr. HYDE, Ms. KAPTUR, Mrs. ROUKEMA, Mrs. MORELLA, and Mr. MILLER of Florida.
H. Res. 152: Ms. HART, Mr. SHOWS, Mr. MATSUI, Mr. GREEN of Texas, Ms. HARMAN, Ms. SANCHEZ, Mr. TANNER, and Mr. FROST.

¶59.37 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1716: Mr. EDWARDS.

WEDNESDAY, JUNE 13, 2001 (60)

The House was called to order by the SPEAKER.

¶60.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, June 12, 2001.

Mr. TRAFICANT, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. TRAFICANT objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶60.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2458. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Noxious Weeds; Permits and Interstate Movement [Docket No. 98–091–2] received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2459. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of Air Force Space Command is initiating a single-function cost comparison of the Communications activity at Peterson Air Force Base (AFB), Colorado, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2460. A letter from the Army Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule—Report On Use of Employees of Non-Federal Entities to Provide Services to the Department of the Army—received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2461. A letter from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Community Bank-Focused Regulation Review: Lending Limits Pilot Program [Docket No. 01–12] (RIN: 1557–AB82) received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2462. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Community Development Revolving Loan Program for Credit Unions—received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2463. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Central Liquidity Facility—received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2464. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—List of Nonconforming Vehicles Decided To Be Eligible for Importation [Docket No. NHTSA 2000–7882] (RIN: 2127–AI17) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2465. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Schedule of Fees Authorized by 49 U.S.C. 30141 [Docket No. NHTSA 2000–7629; Notice 2] (RIN: 2127–AI11) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2466. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware; Conversion of the Conditional Approval of the NOx RACT Regulation to a Full Approval and Approval of NOx RACT Determinations for Three Sources [DE053–1029a; FRL–6996–5] received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2467. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Underground Storage Tank Program: Approved State Program for North Carolina [FRL–6976–5] received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2468. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—North Carolina; Final Approval of State Underground Storage Tank Program [FRL–6976–4] received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2469. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's ''Major'' final rule—Revision of Fee Schedules; Fee Recovery for FY 2001 (RIN: 3150–AG73) received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2470. A letter from the Secretary, Department of Education, transmitting the semiannual report of the activities of the Inspector General during the six-month period ending March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2471. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2472. A letter from the Director, Office of Personnel Policy, Department of the Inte-

rior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2473. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2474. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2475. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2476. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2477. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2478. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2479. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2480. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2481. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2482. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2483. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2484. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2485. A letter from the Senior Management Analyst, Division of Policy and Directives Management, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Subsistence Management Regulations for Public Lands in Alaska, Subparts A, B, and C (RIN: 1018–AH85) received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2486. A letter from the Acting Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, transmitting the Administration's ''Major'' final rule—Thunder Bay National Marine Sanctuary and Underwater Preserve Regulations [Docket No. 970404078–0176–02] (RIN: 0648–AE41) received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2487. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Documentation Of Nonimmigrants Under The Immigration And Nationality Act, As Amended: Aliens Ineligible To Transit Without VISAS (TWOV)—Russia—received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2488. A letter from the Chief Financial Officer, Paralyzed Veterans of America, transmitting a copy of the annual audit report of the Paralyzed Veterans of America for the fiscal year 2000, pursuant to 36 U.S.C. 1166; to the Committee on the Judiciary.

2489. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Incorporation of Standard NFPA 59A in the Liquefied Natural Gas Regulations [Docket No. RSPA–97–3002; Amdt. 193–17] (RIN: 2137–AD11) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2490. A letter from the Regulations Officer, FHA, Department of Transportation, transmitting the Department's final rule—National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Standards for Center Line and Edge Line Markings [FHWA Docket Nos. 97–2295(96–47), 97–2335 (96–15), and 97–3032] (RIN: 2125–AD68) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2491. A letter from the Acting Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Size Eligibility Requirements for SBA Financial Assistance and Size Standards for Agriculture—received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

2492. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Frivolous filing position based on section 861 [Notice 2001–40] received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2493. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Interest Rate [Rev. Rul. 2001–32] received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶60.3 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, June 12, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Ms. KILPATRICK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 374
- Nays 42
- Answered present 1

¶60.4 [Roll No. 158]

YEAS—374

Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock

Scott	Spence	Velazquez
Sensenbrenner	Spratt	Vitter
Serrano	Stearns	Walden
Sessions	Stenholm	Walsh
Shadegg	Strickland	Wamp
Shaw	Stump	Watkins (OK)
Shays	Sununu	Watt (NC)
Sherman	Tauscher	Watts (OK)
Sherwood	Tauzin	Waxman
Shimkus	Taylor (NC)	Weiner
Shows	Terry	Weldon (FL)
Shuster	Thomas	Weldon (PA)
Simmons	Thornberry	Wexler
Simpson	Thune	Whitfield
Skeen	Thurman	Wicker
Slaughter	Tiahrt	Wilson
Smith (MI)	Tiberi	Wolf
Smith (NJ)	Tierney	Woolsey
Smith (TX)	Toomey	Wu
Smith (WA)	Towns	Wynn
Snyder	Traficant	Young (FL)
Solis	Turner	
Souder	Upton	

NAYS—42

Aderholt	Hilliard	Ramstad
Borski	Hulshof	Sabo
Brady (PA)	Kennedy (MN)	Schaffer
Capuano	Kucinich	Stark
Costello	Larsen (WA)	Stupak
Crane	Lewis (GA)	Sweeney
Crowley	LoBiondo	Taylor (MS)
DeFazio	McDermott	Thompson (CA)
English	McNulty	Thompson (MS)
Filner	Menendez	Udall (CO)
Gutierrez	Moore	Udall (NM)
Gutknecht	Oberstar	Visclosky
Hastings (FL)	Osborne	Waters
Hefley	Pallone	Weller

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—15

Abercrombie	Hutchinson	Rush
DeGette	Jefferson	Skelton
Dingell	Johnson, E.B.	Tanner
Ferguson	Largent	Watson (CA)
Fossella	Miller, George	Young (AK)

So the Journal was approved.

¶60.5 PROVIDING FOR THE CONSIDERATION OF H.R. 1157

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 163):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1157) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. Each section of that amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolution 156 is laid on the table.

When said resolution was considered. After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Pursuant to section 2 of House Resolution 163, House Resolution 156 was laid on the table.

¶60.6 PACIFIC SALMON RECOVERY

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 163 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1157) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, designated Mr. LATOURETTE as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. BOEHNER, assumed the Chair.

When Mr. RYAN of Wisconsin, Acting Chairman, pursuant to House Resolution 163, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Pacific Salmon Recovery Act''.

SEC. 2. SALMON CONSERVATION AND SALMON HABITAT RESTORATION ASSISTANCE.

(a) REQUIREMENT TO PROVIDE ASSISTANCE.—Subject to the availability of appropriations, the Secretary of Commerce shall provide financial assistance in accordance with this Act to qualified States and qualified tribal governments for salmon conservation and salmon habitat restoration activities.

(b) ALLOCATION.—Of the amounts available to provide assistance under this section each fiscal year (after the application of section 3(g)), the Secretary—

(1) shall allocate 85 percent among qualified States, in equal amounts; and

(2) shall allocate 15 percent among qualified tribal governments, in amounts determined by the Secretary.

(c) TRANSFER.—

(1) IN GENERAL.—The Secretary shall promptly transfer—

(A) to a qualified State that has submitted a Conservation and Restoration Plan under section 3(a) amounts allocated to the qualified State under subsection (b)(1) of this section, unless the Secretary determines, within 30 days after the submittal of the plan to the Secretary, that the plan is inconsistent with the requirements of this Act; and

(B) to a qualified tribal government that has entered into a memorandum of understanding with the Secretary under section 3(b) amounts allocated to the qualified tribal government under subsection (b)(2) of this section.

(2) TRANSFERS TO QUALIFIED STATES.—The Secretary shall make the transfer under paragraph (1)(A)—

(A) to the Washington State Salmon Recovery Board, in the case of amounts allocated to Washington;

(B) to the Oregon State Watershed Enhancement Board, in the case of amounts allocated to Oregon;

(C) to the California Department of Fish and Game for the California Coastal Salmon Recovery Program, in the case of amounts allocated to California;

(D) to the Governor of Alaska, in the case of amounts allocated to Alaska; and

(E) to the Office of Species Conservation, in the case of amounts allocated to Idaho.

(d) REALLOCATION.—

(1) AMOUNTS ALLOCATED TO QUALIFIED STATES.—Amounts that are allocated to a qualified State for a fiscal year shall be reallocated under subsection (b)(1) among the other qualified States, if—

(A) the qualified State has not submitted a plan in accordance with section 3(a) as of the end of the fiscal year; or

(B) the amounts remain unobligated at the end of the subsequent fiscal year.

(2) AMOUNTS ALLOCATED TO QUALIFIED TRIBAL GOVERNMENTS.—Amounts that are allocated to a qualified tribal government for a fiscal year shall be reallocated under subsection (b)(2) among the other qualified tribal governments, if the qualified tribal government has not entered into a memorandum of understanding with the Secretary in accordance with section 3(b) as of the end of the fiscal year.

SEC. 3. RECEIPT AND USE OF ASSISTANCE.

(a) QUALIFIED STATE SALMON CONSERVATION AND RESTORATION PLAN.—

(1) IN GENERAL.—To receive assistance under this Act, a qualified State shall develop and submit to the Secretary a Salmon Conservation and Salmon Habitat Restoration Plan.

(2) CONTENTS.—Each Salmon Conservation and Salmon Restoration Plan shall, at a minimum—

(A) be consistent with other applicable Federal laws;

(B) be consistent with the goal of salmon recovery;

(C) except as provided in subparagraph (D), give priority to use of assistance under this section for projects that—

(i) provide a direct and demonstrable benefit to salmon or their habitat;

(ii) provide the greatest benefit to salmon conservation and salmon habitat restoration relative to the cost of the projects; and

(iii) conserve, and restore habitat, for—

(I) salmon that are listed as endangered species or threatened species, proposed for such listing, or candidates for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(II) salmon that are given special protection under the laws or regulations of the qualified State;

(D) in the case of a plan submitted by a qualified State in which, as of the date of the enactment of this Act, there is no area at which a salmon species referred to in subparagraph (C)(iii)(I) spawns—

(i) give priority to use of assistance for projects referred to in subparagraph (C)(i) and (ii) that contribute to proactive programs to conserve and enhance species of salmon that intermingle with, or are otherwise related to, species referred to in subparagraph (C)(iii)(I), which may include (among other matters)—

(I) salmon-related research, data collection, and monitoring;

(II) salmon supplementation and enhancement;

(III) salmon habitat restoration;

(IV) increasing economic opportunities for salmon fishermen; and

(V) national and international cooperative habitat programs; and

(ii) provide for revision of the plan within one year after any date on which any salmon species that spawns in the qualified State is listed as an endangered species or threatened species, proposed for such listing, or a candidate for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(E) establish specific goals and timelines for activities funded with such assistance;

(F) include measurable criteria by which such activities may be evaluated;

(G) require that activities carried out with such assistance shall—

(i) be scientifically based;

(ii) be cost effective;

(iii) not be conducted on private land except with the consent of the owner of the land; and

(iv) contribute to the conservation and recovery of salmon;

(H) require that the qualified State maintain its aggregate expenditures of funds from non-Federal sources for salmon habitat restoration programs at or above the average level of such expenditures in the 2 fiscal years preceding the date of the enactment of this Act; and

(I) ensure that activities funded under this Act are conducted in a manner in which, and in areas where, the State has determined that they will have long-term benefits.

(3) SOLICITATION OF COMMENTS.—In preparing a plan under this subsection a qualified State shall seek comments on the plan from local governments in the qualified State.

(b) TRIBAL MOU WITH SECRETARY.—

(1) IN GENERAL.—To receive assistance under this Act, a qualified tribal government shall enter into a memorandum of understanding with the Secretary regarding use of the assistance.

(2) CONTENTS.—Each memorandum of understanding shall, at a minimum—

(A) be consistent with other applicable Federal laws;

(B) be consistent with the goal of salmon recovery;

(C) give priority to use of assistance under this Act for activities that—

(i) provide a direct and demonstrable benefit to salmon or their habitat;

(ii) provide the greatest benefit to salmon conservation and salmon habitat restoration relative to the cost of the projects; and

(iii) conserve, and restore habitat, for—

(I) salmon that are listed as endangered species or threatened species, proposed for such listing, or candidates for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(II) salmon that are given special protection under the ordinances or regulations of the qualified tribal government;

(D) in the case of a memorandum of understanding entered into by a qualified tribal government for an area in which, as of the date of the enactment of this Act, there is no area at which a salmon species that is referred to in subparagraph (C)(iii)(I) spawns—

(i) give priority to use of assistance for projects referred to in subparagraph (C)(i) and (ii) that contribute to proactive programs described in subsection (a)(2)(D)(i);

(ii) include a requirement that the memorandum shall be revised within 1 year after any date on which any salmon species that spawns in the area is listed as an endangered species or threatened species, proposed for such listing, or a candidate for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(E) establish specific goals and timelines for activities funded with such assistance;

(F) include measurable criteria by which such activities may be evaluated;

(G) establish specific requirements for reporting to the Secretary by the qualified tribal government;

(H) require that activities carried out with such assistance shall—

(i) be scientifically based;

(ii) be cost effective;

(iii) not be conducted on private land except with the consent of the owner of the land; and

(iv) contribute to the conservation or recovery of salmon; and

(I) require that the qualified tribal government maintain its aggregate expenditures of funds from non-Federal sources for salmon habitat restoration programs at or above the average level of such expenditures in the 2 fiscal years preceding the date of the enactment of this Act.

(c) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Assistance under this Act may be used by a qualified State in accordance with a plan submitted by the State under subsection (a), or by a qualified tribal government in accordance with a memorandum of understanding entered into by the government under subsection (b), to carry out or make grants to carry out, among other activities, the following:

(A) Watershed evaluation, assessment, and planning necessary to develop a site-specific and clearly prioritized plan to implement watershed improvements, including for making multi-year grants.

(B) Salmon-related research, data collection, and monitoring, salmon supplementation and enhancement, and salmon habitat restoration.

(C) Maintenance and monitoring of projects completed with such assistance.

(D) Technical training and education projects, including teaching private landowners about practical means of improving land and water management practices to contribute to the conservation and restoration of salmon habitat.

(E) Other activities related to salmon conservation and salmon habitat restoration.

(2) USE FOR LOCAL AND REGIONAL PROJECTS.—Funds allocated to qualified States under this Act shall be used for local and regional projects.

(d) USE OF ASSISTANCE FOR ACTIVITIES OUTSIDE OF JURISDICTION OF RECIPIENT.—Assistance under this section provided to a qualified State or qualified tribal government may be used for activities conducted outside the areas under its jurisdiction if the activity will provide conservation benefits to naturally produced salmon in streams of concern to the qualified State or qualified tribal government, respectively.

(e) COST SHARING BY QUALIFIED STATES.—

(1) IN GENERAL.—A qualified State shall match, in the aggregate, the amount of any financial assistance provided to the qualified State for a fiscal year under this Act, in the form of monetary contributions or in-kind contributions of services for projects carried out with such assistance. For purposes of this paragraph, monetary contributions by the State shall not be considered to include funds received from other Federal sources.

(2) LIMITATION ON REQUIRING MATCHING FOR EACH PROJECT.—The Secretary may not require a qualified State to provide matching funds for each project carried out with assistance under this Act.

(3) TREATMENT OF MONETARY CONTRIBUTIONS.—For purposes of subsection (a)(2)(H), the amount of monetary contributions by a qualified State under this subsection shall be treated as expenditures from non-Federal sources for salmon conservation and salmon habitat restoration programs.

(f) COORDINATION OF ACTIVITIES.—

(1) IN GENERAL.—Each qualified State and each qualified tribal government receiving assistance under this Act is encouraged to carefully coordinate salmon conservation activities of its agencies to eliminate duplicative and overlapping activities.

(2) CONSULTATION.—Each qualified State and qualified tribal government receiving assistance under this Act shall consult with the Secretary to ensure there is no duplication in projects funded under this Act.

(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—

(1) FEDERAL ADMINISTRATIVE EXPENSES.—Of the amount made available under this Act each fiscal year, not more than 1 percent may be used by the Secretary for administrative expenses incurred in carrying out this Act.

(2) STATE AND TRIBAL ADMINISTRATIVE EXPENSES.—Of the amount allocated under this Act to a qualified State or qualified tribal government each fiscal year, not more than 3 percent may be used by the qualified State or qualified tribal government, respectively, for administrative expenses incurred in carrying out this Act.

SEC. 4. PUBLIC PARTICIPATION.

(a) QUALIFIED STATE GOVERNMENTS.—Each qualified State seeking assistance under this Act shall establish a citizens advisory committee or provide another similar forum for local governments and the public to participate in obtaining and using the assistance.

(b) QUALIFIED TRIBAL GOVERNMENTS.—Each qualified tribal government receiving assistance under this Act shall hold public meetings to receive recommendations on the use of the assistance.

SEC. 5. CONSULTATION NOT REQUIRED.

Consultation under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not be required based solely on the provision of financial assistance under this Act.

SEC. 6. REPORTS.

(a) QUALIFIED STATES.—Each qualified State shall, by not later than December 31 of each year, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives an annual report on the use of financial assistance received by the qualified State under this Act. The report shall contain an evaluation of the success of this Act in meeting the criteria listed in section 3(a)(2).

(b) SECRETARY.—

(1) ANNUAL REPORT REGARDING QUALIFIED TRIBAL GOVERNMENTS.—The Secretary shall, by not later than December 31 of each year, submit to the Committee on Commerce,

Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives an annual report on the use of financial assistance received by qualified tribal governments under this Act. The report shall contain an evaluation of the success of this Act in meeting the criteria listed in section 3(b)(2).

(2) BIANNUAL REPORT.—The Secretary shall, by not later than December 31 of the second year in which amounts are available to carry out this Act, and of every second year thereafter, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a biannual report on the use of funds allocated to qualified States under this Act. The report shall review programs funded by the States and evaluate the success of this Act in meeting the criteria listed in section 3(a)(2).

SEC. 7. DEFINITIONS.

In this Act:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(2) QUALIFIED STATE.—The term ''qualified State'' means each of the States of Alaska, Washington, Oregon, California, and Idaho.

(3) QUALIFIED TRIBAL GOVERNMENT.—The term ''qualified tribal government'' means—

(A) a tribal government of an Indian tribe in Washington, Oregon, California, or Idaho that the Secretary of Commerce, in consultation with the Secretary of the Interior, determines—

(i) is involved in salmon management and recovery activities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(ii) has the management and organizational capability to maximize the benefits of assistance provided under this Act; and

(B) a village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that the Secretary of Commerce, in consultation with the Secretary of the Interior, determines—

(i) is involved in salmon conservation and management; and

(ii) has the management and organizational capability to maximize the benefits of assistance provided under this Act.

(4) SALMON.—The term ''salmon'' means any naturally produced salmon or naturally produced trout of the following species:

(A) Coho salmon (oncorhynchus kisutch).

(B) Chinook salmon (oncorhynchus tshawytscha).

(C) Chum salmon (oncorhynchus keta).

(D) Pink salmon (oncorhynchus gorbuscha).

(E) Sockeye salmon (oncorhynchus nerka).

(F) Steelhead trout (oncorhynchus mykiss).

(G) Sea-run cutthroat trout (oncorhynchus clarki clarki).

(H) For purposes of application of this Act in Oregon—

(i) Lahontan cutthroat trout (oncorhnychus clarki henshawi); and

(ii) Bull trout (salvelinus confluentus).

(I) For purposes of application of this Act in Washington and Idaho, Bull trout (salvelinus confluentus).

(5) SECRETARY.—The term Secretary means the Secretary of Commerce.

SEC. 8. REPORT REGARDING TREATMENT OF INTERNATIONAL FISHERY COMMISSION PENSIONERS.

The President shall—

(1) determine the number of United States citizens who—

(A) served as employees of the International Pacific Salmon Fisheries Commission or the International North Pacific Fisheries Commission; and

(B) worked in Canada in the course of employment with that commission;

(2) calculate for each such employee the difference between—

(A) the value, in United States currency, of the annuity payments made and to be made (determined by an actuarial valuation) by or on behalf of each such commission to the employee; and

(B) the value, in Canadian currency, of such annuity payments; and

(3) by not later than September 1, 2001, submit to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate a report on the determinations and calculations made under paragraphs (1) and (2).

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $200,000,000 for each of the fiscal years 2002, 2003, and 2004 to carry out this Act. Funds appropriated under this section may remain until expended.

SEC. 10. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only equipment and products made in the United States.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(c) REPORT.—Any entity that receives funds under this Act shall report any expenditures of such funds on items made outside of the United States to the Congress within 180 days of the expenditure.

SEC. 11. SENSE OF THE CONGRESS REGARDING BIPARTISAN JULY 2000 GOALS.

It is the sense of the Congress that the Congress supports the bipartisan July 2000 goals, objectives, and recommendations of the Governors of Idaho, Montana, Oregon and Washington to protect and restore salmon and other aquatic species to sustainable and harvestable levels while meeting the requirements of the Endangered Species Act of 1973, the Clean Water Act, the Pacific Northwest Electric Power Planning and Conservation Act, tribal treaty rights, and executive orders and while taking into account the need to preserve a sound economy in Alaska, California, Idaho, Montana, Oregon, and Washington.

SEC. 12. REPORT ON EFFECTS ON PACIFIC SALMON STOCKS OF CERTAIN TIMBER HARVESTING IN CANADA.

The Secretary, in conjunction with other Federal agencies, shall by not later than December 31 of each year report to the Congress to the best of the ability of the Secretary regarding the effects on Pacific Salmon stocks of timber harvesting on publicly owned lands in British Columbia.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BOEHNER, announced that the yeas had it.

Mr. INSLEE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 418 / Nays 6

¶60.7 [Roll No. 159]

YEAS—418

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne

Ose	Ryun (KS)	Tauscher
Otter	Sabo	Tauzin
Owens	Sanchez	Taylor (MS)
Oxley	Sanders	Taylor (NC)
Pallone	Sandlin	Terry
Pascrell	Sawyer	Thomas
Pastor	Saxton	Thompson (CA)
Payne	Scarborough	Thompson (MS)
Pelosi	Schakowsky	Thornberry
Pence	Schiff	Thune
Peterson (MN)	Schrock	Thurman
Peterson (PA)	Scott	Tiahrt
Petri	Sensenbrenner	Tiberi
Phelps	Serrano	Tierney
Pickering	Sessions	Toomey
Pitts	Shadegg	Towns
Platts	Shaw	Traficant
Pombo	Shays	Turner
Pomeroy	Sherman	Udall (CO)
Portman	Sherwood	Udall (NM)
Price (NC)	Shimkus	Upton
Pryce (OH)	Shows	Velazquez
Putnam	Shuster	Visclosky
Quinn	Simmons	Vitter
Radanovich	Simpson	Walden
Rahall	Skeen	Walsh
Ramstad	Skelton	Wamp
Rangel	Slaughter	Waters
Regula	Smith (MI)	Watkins (OK)
Rehberg	Smith (NJ)	Watson (CA)
Reyes	Smith (TX)	Watt (NC)
Reynolds	Smith (WA)	Watts (OK)
Riley	Snyder	Waxman
Rivers	Solis	Weiner
Rodriguez	Souder	Weldon (FL)
Roemer	Spence	Weller
Rogers (KY)	Spratt	Wexler
Rogers (MI)	Stark	Whitfield
Rohrabacher	Stearns	Wicker
Ros-Lehtinen	Stenholm	Wilson
Ross	Strickland	Wolf
Rothman	Stump	Woolsey
Roukema	Stupak	Wu
Roybal-Allard	Sununu	Wynn
Rush	Sweeney	Young (AK)
Ryan (WI)	Tancredo	Young (FL)

NAYS—6

Brady (TX)	Hostettler	Royce
Flake	Paul	Schaffer

NOT VOTING—8

Abercrombie	Fossella	Tanner
Becerra	John	Weldon (PA)
Ferguson	Johnson, E. B.	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶60.8 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. GILCHREST, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to make technical corrections, including corrections in spelling, punctuation, section numbering, and cross referencing and the insertion of appropriate headings, and other changes as may be necessary to reflect the actions of the House in amending the bill.

¶60.9 PROVIDING FOR THE CONSIDERATION OF H.R. 2052

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 162):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2052) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. Each section of the bill shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. DIAZ-BALART, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶60.10 SUDAN PEACE

The SPEAKER pro tempore, Mr. DIAZ-BALART, pursuant to House Resolution 162 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2052) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan.

The SPEAKER pro tempore, Mr. DIAZ-BALART, by unanimous consent, designated Mr. SIMPSON as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. SHAW, assumed the Chair.

When Mr. SIMPSON, Chairman, pursuant to House Resolution 162, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Insert the following after section 8 and redesignate the succeeding sections, and references thereto, accordingly:

SEC. 9. PROHIBITION ON TRADING IN U.S. CAPITAL MARKETS.

(a) PROHIBITION.—The President shall exercise the authorities he has under the International Emergency Economic Powers Act to prohibit any entity engaged in the development of oil or gas in Sudan—

(1) from raising capital in the United States; or

(2) from trading its securities (or depository receipts with respect to its securities) in any capital market in the United States.

(b) DEFINITION.—For purposes of this section, an entity is ''engaged in the development of oil or gas in Sudan'' if that entity is directly engaged in the exploration, production, transportation (by pipeline or otherwise), or refining of petroleum, natural gas, or petroleum products in Sudan.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SHAW, announced that the yeas had it.

Mr. TANCREDO objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 422 / Nays ..... 2 }

¶60.11 [Roll No. 160]

YEAS—422

Abercrombie	Conyers	Greenwood
Ackerman	Cooksey	Grucci
Aderholt	Costello	Gutierrez
Akin	Cox	Gutknecht
Andrews	Coyne	Hall (OH)
Armey	Cramer	Hall (TX)
Baca	Crane	Hansen
Bachus	Crenshaw	Harman
Baird	Crowley	Hart
Baker	Cubin	Hastings (FL)
Baldacci	Culberson	Hastings (WA)
Baldwin	Cummings	Hayes
Ballenger	Cunningham	Hayworth
Barcia	Davis (CA)	Hefley
Barr	Davis (FL)	Herger
Barrett	Davis (IL)	Hill
Bartlett	Davis, Jo Ann	Hilleary
Barton	Davis, Tom	Hilliard
Bass	Deal	Hinchey
Becerra	DeFazio	Hinojosa
Bentsen	DeGette	Hobson
Bereuter	Delahunt	Hoeffel
Berkley	DeLauro	Hoekstra
Berman	DeLay	Holden
Berry	DeMint	Holt
Biggert	Deutsch	Honda
Bilirakis	Diaz-Balart	Hooley
Bishop	Dicks	Horn
Blagojevich	Doggett	Hostettler
Blumenauer	Dooley	Houghton
Blunt	Doolittle	Hoyer
Boehlert	Doyle	Hulshof
Boehner	Dreier	Hunter
Bonilla	Duncan	Hutchinson
Bonior	Dunn	Hyde
Bono	Edwards	Inslee
Borski	Ehlers	Isakson
Boswell	Ehrlich	Israel
Boucher	Emerson	Issa
Boyd	Engel	Istook
Brady (PA)	English	Jackson (IL)
Brady (TX)	Eshoo	Jackson-Lee (TX)
Brown (FL)	Etheridge	Jefferson
Brown (OH)	Evans	Jenkins
Brown (SC)	Everett	John
Bryant	Farr	Johnson (CT)
Burr	Fattah	Johnson (IL)
Burton	Fletcher	Johnson, Sam
Buyer	Foley	Jones (NC)
Callahan	Ford	Jones (OH)
Calvert	Frank	Kanjorski
Camp	Frelinghuysen	Kaptur
Cannon	Frost	Keller
Cantor	Gallegly	Kelly
Capito	Ganske	Kennedy (MN)
Capps	Gekas	Kennedy (RI)
Capuano	Gephardt	Kerns
Cardin	Gibbons	Kildee
Carson (IN)	Gilchrest	Kilpatrick
Carson (OK)	Gillmor	Kind (WI)
Castle	Gilman	King (NY)
Chabot	Gonzalez	Kingston
Chambliss	Goode	Kirk
Clay	Goodlatte	Kleczka
Clayton	Gordon	Knollenberg
Clement	Goss	Kolbe
Clyburn	Graham	Kucinich
Coble	Granger	LaFalce
Collins	Graves	LaHood
Combest	Green (TX)	Lampson
Condit	Green (WI)	

Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—8

Allen
Dingell
Ferguson
Filner
Fossella
Johnson, E. B.
Morella
Rush

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶60.12 TALIBAN REQUIREMENT OF HINDUS IN AFGHANISTAN TO WEAR IDENTITY SYMBOLS

Mr. GILMAN, pursuant to the order of the House of June 12, 2001, called up the following concurrent resolution (H. Con. Res. 145):

Whereas the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights guarantee the freedom of religion;

Whereas on May 22, 2001, the Taliban regime of Afghanistan directed Hindus and other non-Muslims to wear a yellow identity symbol and for Hindu women to fully cover themselves in a veil;

Whereas this proposal is reminiscent of the yellow Star of David that Jews were forced to wear in Nazi Germany and Nazi-occupied areas;

Whereas Department of State spokesperson Richard Boucher condemned the Taliban action, stating that ''forcing social groups to wear distinctive clothing or identifying marks stigmatizes and isolates those groups and can never, never be justified'';

Whereas the Taliban regime recently offended the world by ordering the destruction of all pre-Islamic statues in Afghanistan, among them a pair of 1,600-year-old, 100-foot-tall statues of Buddha that were carved out of a mountainside;

Whereas the reprehensible policies of the Taliban are exacerbating the suffering of the people of Afghanistan who are already besieged by a devastating drought and the continued fighting in the region; and

Whereas the American people feel a great deal of sympathy for the people of Afghanistan and continue to provide humanitarian assistance to alleviate the suffering of the Afghan people: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) strongly condemns the Taliban's use of Nazi tactics to force Hindus in Afghanistan to wear symbols identifying them as Hindu;

(2) joins with people of all faiths around the world in standing against the religious persecution by the Taliban regime;

(3) demands the Taliban regime immediately revoke its order stigmatizing Hindus and other non-Muslims in Afghanistan and conform its laws to all basic international civil and human rights standards; and

(4) calls on the Government of Pakistan to use its influence with the Taliban regime to demand that the Taliban revoke the reprehensible policy of forcing Afghan Hindus and other non-Muslims to wear a yellow identity symbol.

When said concurrent resolution was considered and read twice.

After debate,

Pursuant to the order of the House of June 12, 2001, the previous question was ordered on the concurrent resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. ENGEL demanded a recorded vote on agreeing to said concurrent resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 420 / Nays 0

¶60.13 [Roll No. 161]

AYES—420

Abercrombie
Ackerman
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Flake
Fletcher
Foley
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard

Royce	Smith (NJ)	Towns
Rush	Smith (TX)	Traficant
Ryan (WI)	Smith (WA)	Turner
Ryun (KS)	Snyder	Udall (CO)
Sabo	Solis	Udall (NM)
Sanchez	Souder	Upton
Sanders	Spence	Velazquez
Sandlin	Spratt	Visclosky
Sawyer	Stark	Vitter
Saxton	Stearns	Walden
Scarborough	Stenholm	Walsh
Schaffer	Strickland	Wamp
Schakowsky	Stump	Waters
Schiff	Stupak	Watkins (OK)
Schrock	Sununu	Watson (CA)
Scott	Sweeney	Watt (NC)
Sensenbrenner	Tancredo	Watts (OK)
Serrano	Tanner	Waxman
Sessions	Tauscher	Weiner
Shadegg	Tauzin	Weldon (FL)
Shaw	Taylor (MS)	Weldon (PA)
Shays	Taylor (NC)	Weller
Sherman	Terry	Wexler
Sherwood	Thomas	Whitfield
Shimkus	Thompson (CA)	Wicker
Shows	Thompson (MS)	Wilson
Shuster	Thornberry	Wolf
Simmons	Thune	Woolsey
Simpson	Thurman	Wu
Skeen	Tiahrt	Wynn
Skelton	Tiberi	Young (AK)
Slaughter	Tierney	Young (FL)
Smith (MI)	Toomey	

NOT VOTING—12

Allen	Fossella	Johnson, E. B.
Burr	Hill	Larson (CT)
Ferguson	Hoekstra	Lowey
Ford	Hostettler	Meek (FL)

So the concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶60.14 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Ms. HART, laid before the House the following communication from Ms. Jennifer Lawrence, former Staff Assistant, office of the Honorable Jim McCrery:

JUNE 7, 2001.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a criminal subpoena for trial testimony issued by the United States District Court for the Western District of Louisiana in a criminal case pending there.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

JENNIFER LAWRENCE,
Former Staff Assistant to Congressman Jim McCrery of Louisiana.

¶60.15 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Ms. HART, laid before the House the following communication from Mr. CONYERS:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 11, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for production of documents issued by the U.S. District Court for the Eastern District of Michigan.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JOHN CONYERS, Jr.,
Member of Congress.

¶60.16 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which were thereupon signed by the Speaker:

H.R. 1914. An Act to extend for 4 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

¶60.17 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. LARSEN, for today after 3 p.m.; and

To Mr. FOSSELLA, for today.

And then,

¶60.18 ADJOURNMENT

On motion of Mr. McINNIS, at 8 o'clock and 8 minutes p.m., the House adjourned.

¶60.19 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2002 (Rept. No. 107–100). Referred to the Committee of the Whole House on the State of the Union.

¶60.20 PUBLIC BILLS AND RESOLUTIONS

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

By Mrs. JONES of Ohio (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DELAURO, Mr. HOBSON, Ms. KAPTUR, Mr. WAXMAN, Mr. GRUCCI, Mr. BOEHLERT, and Mr. WELDON of Pennsylvania):

H.R. 2145. A bill to provide for fire sprinkler systems, or other fire suppression or prevention technologies, in public and private college and university housing and dormitories, including fraternity and sorority housing and dormitories; to the Committee on Education and the Workforce.

By Mr. GREEN of Wisconsin (for himself, Mr. SHIMKUS, Mr. SHOWS, Mr. FROST, Mr. DUNCAN, Mr. LIPINSKI, Mr. CRAMER, Mr. SMITH of New Jersey, Mr. TERRY, Mr. CALVERT, Ms. HART, Mr. OXLEY, Mr. HAYWORTH, Mr. SESSIONS, Mr. NETHERCUTT, Mr. GILCHREST, Mrs. KELLY, Mr. PITTS, Mr. NEY, Mr. GARY G. MILLER of California, Mr. PETRI, Mr. ENGLISH, Mr. JONES of North Carolina, Mr. ROYCE, Mr. WATKINS, and Mr. SWEENEY):

H.R. 2146. A bill to amend title 18 of the United States Code to provide life imprisonment for repeat offenders who commit sex offenses against children; to the Committee on the Judiciary.

By Mr. WELLER (for himself, Mr. JOHNSON of Illinois, Mr. CARDIN, Mr. ENGLISH, Mr. RAMSTAD, and Mr. KERNS):

H.R. 2147. A bill to amend the Internal Revenue Code of 1986 to provide tax credits for making energy efficiency improvements to existing homes and for constructing new energy efficient homes; to the Committee on Ways and Means.

By Mr. HOLT (for himself, Mr. BOEHLERT, Mr. HOUGHTON, Mr. GILCHREST, Mr. MORAN of Virginia, Mr. OLVER, Mr. SHAYS, Mr. CAPUANO, Mr. ENGEL, Mr. SMITH of Washington, Mr. PRICE of North Carolina, Mr. MCDERMOTT, Ms. MCCARTHY of Missouri, Mr. BLUMENAUER, Ms. SOLIS, Mr. HONDA, Mr. KILDEE, Mr. HOEFFEL, Mr. NEAL of Massachusetts, Mr. LEWIS of Georgia, Mr. GREENWOOD, Mrs. MORELLA, Mr. ALLEN, Mr. DINGELL, Mr. DOGGETT, Ms. BALDWIN, Mr. SAWYER, Mr. HOYER, Mrs. BIGGERT, Mr. WU, Mr. MARKEY, Mr. NADLER, and Mr. PASCRELL):

H.R. 2148. A bill to reestablish the Office of Technology Assessment; to the Committee on Science.

By Mr. CRANE (for himself, Mr. THOMAS, Mr. DREIER, Mr. HASTERT, Mr. ARMEY, Mr. DELAY, Mr. COMBEST, Mr. KOLBE, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. HOUGHTON, Mr. HERGER, Mr. MCCRERY, Mr. CAMP, Mr. RAMSTAD, Mr. NUSSLE, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. COLLINS, Mr. PORTMAN, Mr. WATKINS, Mr. HAYWORTH, Mr. WELLER, Mr. HULSHOF, Mr. LEWIS of Kentucky, Mr. BRADY of Texas, Mr. RYAN of Wisconsin, Mr. BASS, Mr. BEREUTER, Mrs. BIGGERT, Mr. BLUNT, Mr. CANTOR, Mr. CALVERT, Mr. COX, Mr. CUNNINGHAM, Mr. DICKS, Mr. FLAKE, Mr. FRELINGHUYSEN, Mr. GOSS, Mr. HASTINGS of Washington, Mr. HYDE, Mr. ISSA, Mr. JOHNSON of Illinois, Mr. KELLER, Mr. KIRK, Mr. KNOLLENBERG, Mr. LAHOOD, Mr. LINDER, Mr. MCINNIS, Mr. MANZULLO, Mr. OSBORNE, Mr. OTTER, Mr. OXLEY, Mr. PENCE, Ms. PRYCE of Ohio, Mr. REYNOLDS, Mr. SCHROCK, Mr. SESSIONS, Mr. SHAYS, Mr. SIMPSON, Mr. TOOMEY, Mr. WATTS of Oklahoma, and Mrs. WILSON):

H.R. 2149. A bill to extend trade authorities procedures with respect to reciprocal trade agreements; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BALDACCI:

H.R. 2150. A bill to modify the land conveyance authority with respect to the Naval Computer and Telecommunications Station, Cutler, Maine; to the Committee on Armed Services.

By Mr. BALDACCI (for himself and Mr. ALLEN):

H.R. 2151. A bill to direct the Secretary of Transportation to establish a commercial truck safety pilot program in the State of Maine, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARSON of Oklahoma:

H.R. 2152. A bill to provide for the issuance of bonds to construct and modernize Indian schools and to provide a credit against Federal income tax for holders of such bonds; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mr. MATSUI, Mrs. THURMAN, Mr. MCGOVERN, Mr. HOLT, and Mr. CUNNINGHAM):

H.R. 2153. A bill to provide for an election to exchange research-related tax benefits for a refundable tax credit, for the recapture of refunds in certain circumstances, and for other purposes; to the Committee on Ways and Means.

By Mr. FILNER (for himself, Ms. MCKINNEY, Ms. PELOSI, Ms. DEGETTE, and Mr. LEWIS of Georgia):

H.R. 2154. A bill to amend title 10, United States Code, to require the Department of Defense and all other defense-related agencies of the United States to fully comply with Federal and State environmental laws, including certain laws relating to public health and worker safety, that are designed to protect the environment and the health and safety of the public, particularly those persons most vulnerable to the hazards incident to military operations and installations, such as children, members of the Armed Forces, civilian employees, and persons living in the vicinity of military operations and installations; to the Committee on Armed Services, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Resources, Education and the Workforce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE (for himself, Mr. SMITH of Texas, and Mr. STUPAK):

H.R. 2155. A bill to amend title 18, United States Code, to make it illegal to operate a motor vehicle with a drug or alcohol in the body of the driver at a land border port of entry, and for other purposes; to the Committee on the Judiciary.

By Ms. HOOLEY of Oregon (for herself and Mrs. JOHNSON of Connecticut):

H.R. 2156. A bill amend the Public Health Service Act to provide for a public response to the public health crisis of pain, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Kansas (for himself, Mr. MCINTYRE, Mr. BEREUTER, Mr. STENHOLM, Mr. BRADY of Texas, Mr. TANNER, Mr. NUSSLE, Mr. HILLIARD, Mr. POMEROY, Mr. STUPAK, Mrs. THURMAN, Mr. BASS, Mr. NETHERCUTT, Mr. WICKER, Mrs. EMERSON, Mr. KIND, Mr. PETERSON of Pennsylvania, Mr. SANDLIN, Mr. THUNE, Mr. SWEENEY, Mr. CARSON of Oklahoma, Mr. OBERSTAR, Mr. RAHALL, Mr. SKELTON, Mr. WATKINS, Mr. GORDON, Mr. CRAMER, Mr. EHLERS, Mr. HILLEARY, Mr. JONES of North Carolina, Mr. BOSWELL, Mr. GOODE, Ms. HOOLEY of Oregon, Mr. PICKERING, Mr. SHIMKUS, Mr. BAIRD, Mr. HAYES, Mr. PHELPS, Mr. TERRY, Mr. KENNEDY of Minnesota, Mr. PUTNAM, and Mr. ROSS):

H.R. 2157. A bill to address health care disparities in rural areas by amending title XVIII of the Social Security Act, the Public Health Service Act, and the Internal Revenue Code of 1986, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 2158. A bill to provide for monitoring of aircraft air quality, to require air carriers to produce certain mechanical and maintenance records, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE:

H.R. 2159. A bill to provide for grants to States for enacting statewide laws regulating public playgrounds consistent with with playground safety guidelines established by the Consumer Product Safety Commission; to the Committee on Energy and Commerce.

By Mr. PITTS (for himself, Mr. STENHOLM, Mr. WATTS of Oklahoma, Mr. HALL of Ohio, Mr. ENGLISH, Ms. DELAURO, Mr. SOUDER, Mr. DAVIS of Illinois, Mr. RAMSTAD, Mr. FILNER, Mr. WATKINS, Ms. NORTON, Mr. BRADY of Texas, Ms. MCCARTHY of Missouri, Mr. SCHAFFER, Mr. DOYLE, Ms. HART, Mr. ABERCROMBIE, Mr. EHLERS, Mr. GONZALEZ, Mr. UPTON, Mr. CLAY, Mr. MCHUGH, Ms. BALDWIN, Mr. BURR of North Carolina, Mrs. CLAYTON, Mr. JONES of North Carolina, Ms. SLAUGHTER, Mr. HAYES, Mr. KILDEE, Mrs. MYRICK, Mr. DELAHUNT, Mr. CALVERT, Mr. ROSS, Mrs. EMERSON, and Mr. HORN):

H.R. 2160. A bill to provide for the establishment of individual development accounts; to the Committee on Ways and Means.

By Mr. RAHALL (for himself, Mr. BLUNT, Mr. MOLLOHAN, Mr. NEY, Mr. PETERSON of Minnesota, Mr. STRICKLAND, Mr. LIPINSKI, and Ms. BROWN of Florida):

H.R. 2161. A bill to amend title 49, United States Code, to provide a mandatory fuel surcharge for transportation provided by certain motor carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. REYES:

H.R. 2162. A bill to authorize a national museum, including a research center and related visitor facilities, in the city of El Paso, Texas, to commemorate migration at the United States southern border; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODRIGUEZ (for himself, Mrs. MORELLA, Mrs. CAPPS, Mrs. JO ANN DAVIS of Virginia, and Mr. KENNEDY of Rhode Island):

H.R. 2163. A bill to amend title 5, United States Code, to create a presumption that disability of a Federal employee in fire protection activities caused by certain conditions is presumed to result from the performance of such employee's duty; to the Committee on Education and the Workforce.

By Mr. SHAYS (for himself, Mr. KANJORSKI, Mr. KOLBE, Mr. TOOMEY, Mr. ENGLISH, Mr. MILLER of Florida, Mr. BASS, Mr. BARRETT, Mr. SUNUNU, Mr. BORSKI, Mr. SMITH of New Jersey, Mr. SENSENBRENNER, Mr. LIPINSKI, Mr. KIRK, Mr. UPTON, Mr. SOUDER, Mr. GEKAS, Mr. FRELINGHUYSEN, Mr. BRADY of Pennsylvania, Mr. PALLONE, Mrs. ROUKEMA, Mr. BLUMENAUER, Mr. HUTCHINSON, Mrs. KELLY, Mr. ROHRABACHER, Mr. CRANE, Mr. WAMP, Mr. RYAN of Wisconsin, Mr. CAPUANO, Mrs. MALONEY of New York, Mrs. MORELLA, Mr. PITTS, Mr. GOSS, Mr. LUTHER, Mr. FRANK, Mr. ALLEN, Mr. KELLER, Mrs. BIGGERT, Mr. LOBIONDO, Mr. ROYCE, Mr. GUTIERREZ, and Mr. GEORGE MILLER of California):

H.R. 2164. A bill to amend the Agricultural Market Transition Act to gradually reduce the loan rate for peanuts, to repeal peanut quotas for the 2004 and subsequent crops, and to require the Secretary of Agriculture to purchase peanuts and peanut products for nutrition programs only at the world market price, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SPENCE:

H.R. 2165. A bill to amend title 10, United States Code, to authorize the award of a Cold War service medal to members of the Armed Forces who served honorably during the Cold War era; to the Committee on Armed Services.

By Mr. STARK (for himself, Mr. BROWN of Ohio, Mr. GONZALEZ, Mrs. MINK of Hawaii, Ms. NORTON, Mr. WAXMAN, Ms. JACKSON-LEE of Texas, Mr. COYNE, Mr. KUCINICH, Ms. KAPTUR, Mr. HALL of Ohio, Mr. MEEKS of New York, Mr. OWENS, Mr. GEORGE MILLER of California, Ms. MCCARTHY of Missouri, and Mr. LAFALCE):

H.R. 2166. A bill to expand the purposes of the program of block grants to States for temporary assistance for needy families to include poverty reduction, and to make grants available under the program for that purpose; to the Committee on Ways and Means.

By Mr. STUPAK (for himself, Mr. BONIOR, Ms. KAPTUR, Mr. BARRETT, Mr. KILDEE, Mr. KIRK, Mr. HINCHEY, Ms. MCCOLLUM, Ms. BALDWIN, Mr. DINGELL, Mr. BARCIA, Mr. KUCINICH, Mr. LEVIN, Mrs. THURMAN, Ms. SCHAKOWSKY, Mr. BROWN of Ohio, Mr. LUTHER, Mr. LATOURETTE, Ms. RIVERS, Mr. OBEY, Mr. KLECZKA, Mrs. JONES of Ohio, Mr. CONYERS, Mr. STRICKLAND, Mr. JACKSON of Illinois, Mr. KIND, Mr. BLAGOJEVICH, Mr. OBERSTAR, Mr. ROEMER, Mr. TOWNS, Mr. EVANS, and Mr. RUSH):

H.R. 2167. A bill to amend the Federal Water Pollution Control Act to protect ⅕ of the world's fresh water supply by directing the Administrator of the Environmental Protection Agency to conduct a study on the known and potential environmental effects of oil and gas drilling on land beneath the water in the Great Lakes, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SUNUNU:

H.R. 2168. A bill to suspend temporarily the duty on bitolylene diisocyanate (TODI); to the Committee on Ways and Means.

By Mr. WYNN:

H.R. 2169. A bill to extend the deadline under Part I of the Federal Power Act for commencement of construction of a hydroelectric project in the State of Nevada; to the Committee on Energy and Commerce.

By Mr. MURTHA:

H.J. Res. 52. A joint resolution proposing an amendment to the Constitution of the United States relating to school prayer; to the Committee on the Judiciary.

By Ms. BROWN of Florida (for herself, Mr. HOYER, Ms. LEE, Mr. CONYERS, Ms. MCKINNEY, Mr. HASTINGS of Florida, Mrs. THURMAN, Mr. GONZALEZ, Mrs. MEEK of Florida, Mr. CLAY, Mr.

JACKSON of Illinois, Mrs. CHRISTENSEN, Ms. NORTON, Mr. RUSH, Mr. DAVIS of Illinois, Ms. CARSON of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCOTT, Ms. KILPATRICK, Mr. SNYDER, and Mr. STARK):

H. Con. Res. 159. Concurrent resolution expressing the sense of Congress with respect to rights each registered voter in the United States should have; to the Committee on the Judiciary.

By Mr. STEARNS (for himself, Mr. HANSEN, Mr. GIBBONS, Mr. HALL of Ohio, Mr. MCKEON, Ms. HART, Mr. LINDER, Mr. SAM JOHNSON of Texas, Mr. HOSTETTLER, Mr. BILIRAKIS, and Mr. KLECZKA):

H. Con. Res. 160. Concurrent resolution expressing the sense of Congress that the United States should continue to honor its commitment to the United States aviators who lost their lives flying for France during World War I by appropriating sufficient funds to restore the Lafayette Escadrille Memorial; to the Committee on International Relations.

By Mr. CONDIT (for himself, Mr. GEPHARDT, Mr. BACA, Mr. BAIRD, Mr. BERMAN, Mrs. CAPPS, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. ESHOO, Mr. FARR of California, Mr. FILNER, Ms. HARMAN, Ms. HOOLEY of Oregon, Mr. INSLEE, Mr. KUCINICH, Mr. LARSEN of Washington, Mr. LANTOS, Ms. LEE, Mr. MATSUI, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Ms. PELOSI, Mr. SHERMAN, Mr. SMITH of Washington, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of California, Ms. WATERS, Mr. WAXMAN, Ms. WOOLSEY, and Ms. WATSON):

H. Res. 165. A resolution providing for the consideration of the bill (H.R. 1468) to stabilize the dysfunctional wholesale power market in the Western United States, and for other purposes; to the Committee on Rules.

¶60.21 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. JACKSON-LEE of Texas introduced a bill (H.R. 2170) for the relief of Steven Joseph Sweeney; which was referred to the Committee on the Judiciary.

¶60.22 ADDITIONAL SPONSORS

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

H.R. 31: Mr. CANTOR.
H.R. 64: Mr. BAIRD.
H.R. 65: Mr. PLATTS.
H.R. 91: Ms. RIVERS.
H.R. 94: Mrs. THURMAN.
H.R. 123: Mr. CARSON of Oklahoma, Mr. BARCIA, Mr. RAHALL, Mr. HOSTETTLER, Mr. STUMP, Mr. ROSS, and Mr. KERNS.
H.R. 162: Mr. PAYNE, Ms. SANCHEZ, Mr. PLATTS, Mr. FOLEY, Mr. POMEROY, Mr. LARSEN of Washington, and Ms. NORTON.
H.R. 239: Mr. LIPINSKI.
H.R. 260: Ms. MCKINNEY and Mr. PAYNE.
H.R. 303: Mr. GILMAN.
H.R. 326: Mrs. JO ANN DAVIS of Virgina.
H.R. 425: Ms. SOLIS and Mr. ANDREWS.
H.R. 510: Mr. KENNEDY of Minnesota, Mr. ENGEL, and Mr. HASTINGS of Florida.
H.R. 519: Mr. RUSH.
H.R. 572: Mrs. MALONEY of New York.
H.R. 600: Mr. ANDREWS, Ms. MCCARTHY of Missouri, Mr. SOUDER, Mr. LANTOS, and Mr. LATHAM.
H.R. 606: Mr. MALONEY of Connecticut.
H.R. 612: Mrs. ROUKEMA, Mrs. WILSON, Mr. NORWOOD, Mr. RANGEL, Mr. SPRATT, Mr. MATHESON, Mr. DREIER, Mr. CAMP, Mr. DEMINT, and Mr. MALONEY of Connecticut.
H.R. 641: Mrs. MINK of Hawaii.
H.R. 687: Mrs. DAVIS of California, Mr. MEEKS of New York, and Mr. DOYLE.
H.R. 699: Mr. SIMPSON.
H.R. 702: Mr. PAYNE.
H.R. 703: Mr. ETHERIDGE.
H.R. 721: Mr. ROEMER, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. EVANS, Ms. HARMAN, Mr. BECERRA, Ms. SLAUGHTER, Mr. ISRAEL, Mr. MEEHAN, Mr. SMITH of New Jersey, Mrs. MEEK of Florida, and Ms. SANCHEZ.
H.R. 757: Ms. MCKINNEY.
H.R. 774: Mr. BURR of North Carolina.
H.R. 781: Mr. NADLER.
H.R. 794: Mr. MASCARA.
H.R. 804: Mrs. JOHNSON of Connecticut and Mr. SIMMONS.
H.R. 808: Mr. HALL of Texas, Mr. JEFFERSON, Mr. KING, Mrs. KELLY, Ms. ROS-LEHTINEN, and Mr. GRUCCI.
H.R. 817: Mr. TOWNS.
H.R. 823: Mr. RUSH.
H.R. 898: Ms. JACKSON-LEE of Texas and Mrs. CLAYTON.
H.R. 912: Mr. BOEHNER, Mr. HALL of Ohio, Mr. LARSEN of Washington, Mr. TOOMEY, and Mr. GRUCCI.
H.R. 940: Mr. LUCAS of Kentucky.
H.R. 968: Ms. LEE, Mr. ROGERS of Kentucky, Mr. SNYDER, and Mr. WOLF.
H.R. 978: Mr. RUSH.
H.R. 981: Mr. CAMP, Mr. HORN, and Mr. SIMMONS.
H.R. 1017: Mr. SESSIONS.
H.R. 1035: Ms. WOOLSEY.
H.R. 1109: Mr. BURTON of Indiana, Mr. PITTS, Mr. HAYES, Mr. GIBBONS, Mr. LARGENT, Mr. RADANOVICH, and Mr. HANSEN.
H.R. 1110: Mr. RILEY.
H.R. 1120: Mr. BOUCHER and Mr. CANTOR.
H.R. 1129: Mr. DEFAZIO.
H.R. 1130: Mr. DEFAZIO.
H.R. 1134: Mr. STUMP and Mr. TIBERI.
H.R. 1170: Mr. GEPHARDT.
H.R. 1171: Mr. HAYWORTH, Mr. OSBORNE, and Mr. MCHUGH.
H.R. 1187: Mr. RUSH and Mr. HONDA.
H.R. 1192: Mr. BALDACCI and Mr. MCDERMOTT.
H.R. 1194: Mr. WAMP.
H.R. 1252: Mr. MORAN of Virginia.
H.R. 1254: Mr. OWENS.
H.R. 1262: Mr. FROST and Mr. EVANS.
H.R. 1291: Mr. GIBBONS.
H.R. 1339: Mr. POMEROY.
H.R. 1340: Mr. SIMMONS.
H.R. 1353: Mr. RAMSTAD, Mr. PRICE of North Carolina, and Mr. HUTCHINSON.
H.R. 1364: Mr. FLAKE.
H.R. 1382: Mr. SANCHEZ.
H.R. 1401: Mr. GILLMOR, Mr. HASTINGS of Washington, Mr. KUCINICH, Mr. SOUDER, Mr. DOYLE, and Ms. JACKSON-LEE of Texas.
H.R. 1411: Mr. GIBBONS and Ms. BERKLEY.
H.R. 1452: Mr. BONIOR and Ms. VELAZQUEZ.
H.R. 1459: Mr. TERRY, Mr. GONZALEZ, and Mr. MCINNIS.
H.R. 1483: Ms. ESHOO.
H.R. 1507: Mr. HAYWORTH, Ms. MCCOLLUM, Mr. KOLBE, Mr. DOOLITTLE, and Mr. MCGOVERN.
H.R. 1509: Ms. WOOLSEY and Mr. CALLAHAN.
H.R. 1510: Mr. CAMP.
H.R. 1543: Mr. BAKER, Mr. BERMAN, Mrs. KELLY, Mr. PAUL, Mr. FILNER, Mr. HYDE, and Mr. MCGOVERN.
H.R. 1553: Mr. DOOLITTLE, Mr. JEFFERSON, Mr. CROWLEY, and Mr. GOODLATTE.
H.R. 1615: Mr. CONYERS and Mr. DAVIS of Florida.
H.R. 1624: Mr. PALLONE, Ms. DUNN, Mr. DEUTSCH, Mr. WOLF, Mr. SOUDER, Mr. TIERNEY, Ms. SANCHEZ, Mr. GONZALEZ, Mr. SCHROCK, Mr. MORAN of Virginia, Mr. MEEHAN, Mr. JONES of North Carolina, Mr. PETERSON of Pennsylvania, Mr. MICA, Mr. RANGEL, Mr. DOOLITTLE, and Mr. CRENSHAW.
H.R. 1632: Mr. CRANE.
H.R. 1645: Mr. POMEROY and Mr. ABERCROMBIE.
H.R. 1648: Mr. ENGLISH and Mr. HINCHEY.
H.R. 1650: Mr. WU.
H.R. 1668: Mr. WAMP, Mr. SMITH of Texas, and Mr. KINGSTON.
H.R. 1672: Ms. ROYBAL-ALLARD, Mr. DEFAZIO, Ms. MILLENDER-MCDONALD, and Mr. CONDIT.
H.R. 1673: Mr. SIMMONS.
H.R. 1707: Mr. MANZULLO.
H.R. 1711: Mr. PAYNE.
H.R. 1739: Mr. DEFAZIO, Mr. PALLONE, and Mr. CROWLEY.
H.R. 1760: Mr. SOUDER and Ms. JACKSON-LEE of Texas.
H.R. 1764: Mr. KLECZKA, Mr. BALDACCI, Mr. BONIOR, Mr. BERMAN, Mr. MCHUGH, Mr. INSLEE, Ms. RIVERS, Mrs. THURMAN, Mr. FILNER, Mr. BLUMENAUER, Mr. ROTHMAN, Ms. SANCHEZ, Mr. PASTOR, Ms. ROYBAL-ALLARD, and Mr. PHELPS.
H.R. 1782: Mr. EVANS.
H.R. 1805: Mr. FLETCHER.
H.R. 1825: Ms. LEE, Mr. MCHUGH, Mr. WAXMAN, Mr. CLEMENT, Ms. CARSON of Indiana, Mr. CLAY, Mr. HOUGHTON, and Mr. BALDACCI.
H.R. 1839: Mr. HINCHEY and Mr. MCDERMOTT.
H.R. 1842: Mr. JEFFERSON.
H.R. 1873: Mr. BACA, Mr. ABERCROMBIE, Mr. PALLONE, Ms. MCKINNEY, Mr. FRANK, and Mrs. BONO.
H.R. 1882: Mr. BLUMENAUER.
H.R. 1911: Mr. GILCHREST.
H.R. 1923: Mr. SOUDER.
H.R. 1935: Mr. HILLIARD, Mr. KENNEDY of Rhode Island, Mr. JONES of North Carolina, Mr. MATHESON, Mr. COYNE, and Mr. RILEY.
H.R. 1941: Mr. ISSA.
H.R. 1948: Mr. RUSH and Mr. RANGEL.
H.R. 1961: Mr. STRICKLAND and Mr. PALLONE.
H.R. 1975: Mr. STUMP.
H.R. 1984: Mrs. ROUKEMA.
H.R. 2001: Mr. POMBO.
H.R. 2009: Mr. BLUMENAUER, Mr. CONDIT, Mr. FORD, Mr. OSE, Ms. VELAZQUEZ, and Mr. WAXMAN.
H.R. 2017: Mr. RUSH.
H.R. 2037: Mr. STUMP, Mr. HAYWORTH, Mr. COBLE, Mr. WATKINS, Mr. BRADY of Texas, Mr. GUTKNECHT, Mr. WELDON of Florida, Mr. HASTINGS of Washington, Mr. AKIN, Mr. MCINNIS, Mr. NETHERCUTT, and Mr. PETERSON of Minnesota.
H.R. 2063: Mr. CARSON of Oklahoma, Mr. BALDACCI, Mr. ALLEN, Ms. MCCARTHY of Missouri, and Ms. HARMAN.
H.R. 2074: Mr. FRANK and Mr. BONIOR.
H.R. 2076: Mr. INSLEE.
H.R. 2082: Mr. BACA.
H.R. 2101: Mr. BARTLETT of Maryland.
H.R. 2117: Mr. RUSH and Mr. HALL of Ohio.
H.R. 2125: Mr. MORAN of Virginia.
H.R. 2134: Mr. RUSH and Mr. BONIOR.
H.J. Res. 36: Mr. MCGOVERN and Mr. REHBERG.
H.J. Res. 45: Mr. FLAKE.
H. Con. Res. 20: Mr. STRICKLAND, Ms. BROWN of Florida, Mr. MATHESON, and Mr. OWENS.
H. Con. Res. 42: Mr. FATTAH and Mr. LAHOOD.
H. Con. Res. 67: Mr. HILLEARY.
H. Con. Res. 97: Mr. SCHIFF, Mr. VISCLOSKY, Ms. SOLIS, and Mr. OSE.
H. Con. Res. 116: Mr. UPTON.
H. Con. Res. 137: Mr. LANGEVIN, Mr. EHRLICH, Mr. SCHROCK, and Mr. SIMMONS.
H. Con. Res. 151: Mr. PALLONE, Mr. RANGEL, Mr. BLAGOJEVICH, Mr. RAHALL, Mr. HONDA, and Mr. HOYER.
H. Res. 160: Mr. ROHRABACHER, Mr. FALEOMAVAEGA, and Mr. WOLF.

¶60.23 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 877: Mr. CLEMENT.

THURSDAY, JUNE 14, 2001 (61)

¶61.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. ISAKSON, who laid before the House the following communication:

WASHINGTON, DC,
June 14, 2001.

I hereby appoint the Honorable JOHNNY ISAKSON to act as Speaker pro tempore on this day.

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

¶61.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. ISAKSON, announced he had examined and approved the Journal of the proceedings of Wednesday, June 13, 2001.

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

¶61.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2494. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Karnal Bunt; Regulated Areas [Docket No. 01–058–1] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2495. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Importation of Mangoes from the Philippines [Docket No. 93–131–2] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2496. A letter from the Acting Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—PRIME Act Grants (RIN: 3245–AE52) received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2497. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Temple, Texas) [MM Docket No. 01–46; RM–10046] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2498. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Salinas, California) [MM Docket No. 99–269; RM–9698] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2499. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Little Rock, Arkansas) [MM Docket No. 01–50; RM–10059] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2500. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Merced, California) [MM Docket No. 01–41; RM–10058] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2501. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed transfer of U.S.-origin defense articles pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on International Relations.

2502. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–69, ''Advisory Neighborhood Commission Temporary Amendment Act of 2001'' received June 14, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2503. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–71, ''Real Property Tax Assessment Transition Temporary Act of 2001'' received June 14, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2504. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–70, ''Earned Income Tax Credit Act of 2001'' received June 14, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2505. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–72, ''Department of Mental Health Establishment Temporary Amendment Act of 2001'' received June 14, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2506. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–67, ''Arena Fee Rate Adjustment and Elimination Act of 2001'' received June 14, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2507. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–74, ''51 Percent District Residents New Hires Amendment Act of 2001'' received June 14, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2508. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released in April 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

2509. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released in March 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

2510. A letter from the Chair, Corporation for Public Broadcasting, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2511. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–68, ''Child Fatality Review Committee Establishment Temporary Act of 2001'' received June 14, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2512. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2513. A letter from the Acting Director, Office of Personnel Management, transmitting the semiannual report on activities of the Inspector General for the period of October 1, 2000, through March 31, 2001, and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2514. A letter from the Acting Commissioner, Social Security Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2515. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Migratory Bird Hunting; Regulations Designed to Reduce the Mid-Continent Light Goose Population (RIN: 1018–AI00) received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2516. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Establishment of Nonessential Experimental Population Status for 16 Freshwater Mussels and 1 Freshwater Snail (Anthony's Riversnail) in the Free-flowing Reach of the Tennessee River below the Wilson Dam, Colbert and Lauderdale Counties, Alabama (RIN: 1018–AE92) received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2517. A letter from the Acting Assistant Secretary, Bureau of Land Management, Department of the Interior, transmitting the Department's ''Major'' final rule—Mining Claims Under the General Mining Laws; Surface Management [WO–320–1990–PB–24 1A] (RIN: 1004–AD22) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2518. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Documentation of Immigrants and Nonimmigrants Under The Immigration and Nationality Act, As Amended—Refusal of Individual Visas—received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2519. A letter from the the Adjutant General, the Veterans of Foreign Wars of the U.S., transmitting proceedings of the 101th National Convention of the Veterans of Foreign Wars of the United States, held in Milwaukee, Wisconsin, August 20–25, 2000, pursuant to 36 U.S.C. 118 and 44 U.S.C. 1332; (H. Doc. No. 107–88); to the Committee on Veterans' Affairs and ordered to be printed.

2520. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2001–36] received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2521. A letter from the Deputy Secretary, Department of Defense, transmitting a Report on Proposed Obligations for Weapons Destruction and Non-Proliferation in the Former Soviet Union; jointly to the Committees on Armed Services and International Relations.

2522. A letter from the Director, Defense Security Cooperation Agency, transmitting a report authorizing the transfer of up to $100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104–107, section 540(c) (110 Stat. 736); jointly to the Committees on International Relations and Appropriations.

2523. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Provisions of the Benefits Improvement and Protection

Act of 2000; Inpatient Payments and Rates and Costs of Graduate Medical Education [HCFA–1178–IFC] (RIN: 0938–AK74) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

¶61.4 MESSAGE FROM THE SENATE

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

S. 1029. An Act to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees during fiscal year 2001 for the manufactured housing program.

¶61.5 PROVIDING FOR THE CONSIDERATION OF H.R. 1088

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 161):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 1088) to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes. The bill shall be considered as read for amendment. In lieu of the amendment recommended by the Committee on Financial Services now printed in the bill, the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in the Congressional Record and numbered 2 pursuant to clause 8 of rule XVIII, if offered by Representative LaFalce of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. LINDER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. ISAKSON, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 418 / Nays ..... 1 }

¶61.6 [Roll No. 162]

YEAS—418

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

NAYS—1

Kanjorski

NOT VOTING—13

Brown (FL)
Carson (IN)
Cubin
Cummings
DeGette
Engel
Ferguson
Frost
Houghton
Johnson, E. B.
Jones (OH)
Whitfield
Young (AK)

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. ISAKSON, announced that the yeas had it.

Ms. SLAUGHTER demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 408 / Nays ..... 12 }

¶61.7 [Roll No. 163]

AYES—408

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham

Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NOES—12

Burton
Costello
DeFazio
Frank
Hilliard
Kanjorski
LaFalce
Rahall
Taylor (MS)
Visclosky
Waters
Wu

NOT VOTING—12

Brown (FL)
Cubin
DeGette
Ferguson
Frost
Houghton
John
Johnson, E. B.
Jones (OH)
Velazquez
Whitfield
Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶61.8 COMMUNICATION FROM THE MAJORITY LEADER—APPOINTMENT—BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

The SPEAKER pro tempore, Mr. QUINN, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 12, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to 20 U.S.C. 4703, I would like to appoint Mr. Stump of Arizona to the board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation.

Sincerely,

DICK ARMEY,
Member of Congress.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶61.9 INVESTOR AND CAPITAL MARKETS FEE RELIEF

Mr. OXLEY, pursuant to House Resolution 161, called up the bill (H.R. 1088) to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes.

Pending consideration of said bill.

Pursuant to House Resolution 161, the following amendment in the nature of a substitute, printed in the Congressional Record and numbered 1, in lieu of the amendment recommended by the Committee on Financial Services as printed in the bill, was considered as adopted:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Investor and Capital Markets Fee Relief Act''.

SEC. 2. IMMEDIATE TRANSACTION FEE REDUCTIONS.

Section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) is amended—

(1) by striking ''1/300 of one percent'' each place it appears in subsections (b) and (d) and inserting ''$15 per $1,000,000'';

(2) by striking ''and security futures products'' each place it appears in such subsections and inserting ''security futures products, and options on securities indexes (excluding a narrow-based security index)'';

(3) in the first sentence of subsection (b), by striking '', except that'' and all that follows through the end of such sentence and inserting a period;

(4) in paragraph (1) of subsection (d), by striking '', except that'' and all that follows through the end of such paragraph and inserting a period;

(5) in subsection (e), by striking ''$0.02'' and inserting ''$0.009''; and

(6) by adding at the end the following new subsection:

''(i) PRO RATA APPLICATION.—The rates per $1,000,000 required by this section shall be applied pro rata to amounts and balances of less than $1,000,000.''.

SEC. 3. REVISION OF SECURITIES TRANSACTION FEE PROVISIONS; ADDITIONAL FEE REDUCTIONS.

(a) POOLING AND ALLOCATION OF COLLECTIONS.—Section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) is further amended—

(1) in subsection (b)—

(A) by striking ''Every'' and inserting ''Subject to subsection (j), each''; and

(B) by striking the last sentence;

(2) by striking subsection (c);

(3) in subsection (d)—

(A) by striking paragraphs (2) and (3);

(B) by striking the following:

''(d) OFF-EXCHANGE TRADES OF LAST-SALE-REPORTED SECURITIES.—

''(1) COVERED TRANSACTIONS.—Each national securities''

and inserting the following:

''(c) OFF-EXCHANGE TRADES OF EXCHANGE REGISTERED AND LAST-SALE-REPORTED SECURITIES.—Subject to subsection (j), each national securities'';

(C) by inserting ''registered on a national securities exchange or'' after ''narrow-based security index))'' (as added by section 2(2)); and

(D) by striking '', excluding any sales for which a fee is paid under subsection (c)'';

(4) in subsection (e), by striking ''except that for fiscal year 2007'' and all that follows through the end of such subsection and inserting the following: ''except that for fiscal year 2007 and each succeeding fiscal year such assessment shall be equal to $0.0042 for each such transaction.'';

(5) in subsection (f), by striking ''DATES FOR PAYMENT OF FEES.—The fees required'' and inserting ''DATES FOR PAYMENTS.—The fees and assessments required'';

(6) by redesignating subsections (e) through (i) (as added by section 2(5)) as subsections (d) through (h), respectively;

(7) by adding at the end the following new subsection:

''(i) DEPOSIT OF FEES.—

''(1) OFFSETTING COLLECTIONS.—Fees collected pursuant to subsections (b), (c), and (d) for any fiscal year—

''(A) shall be deposited and credited as offsetting collections to the account providing appropriations to the Commission; and

''(B) except as provided in subsection (k), shall not be collected for any fiscal year except to the extent provided in advance in appropriation Acts.

''(2) GENERAL REVENUES PROHIBITED.—No fees collected pursuant to subsections (b), (c), and (d) for fiscal year 2002 or any succeeding fiscal year shall be deposited and credited as general revenue of the Treasury.''.

(b) ADDITIONAL REDUCTIONS OF FEES.—

(1) AMENDMENT.—Section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) is further amended by adding after subsection (i) (as added by subsection (a)(7)) the following new subsections:

''(j) RECAPTURE OF PROJECTION WINDFALLS FOR FURTHER RATE REDUCTIONS.—

''(1) ANNUAL ADJUSTMENT.—For each of the fiscal years 2003 through 2011, the Commis-

sion shall by order adjust each of the rates applicable under subsections (b) and (c) for such fiscal year to a uniform adjusted rate that, when applied to the baseline estimate of the aggregate dollar amount of sales for such fiscal year, is reasonably likely to produce aggregate fee collections under this section (including assessments collected under subsection (d)) that are equal to the target offsetting collection amount for such fiscal year.

''(2) MID-YEAR ADJUSTMENT.—For each of the fiscal years 2002 through 2011, the Commission shall determine, by March 1 of such fiscal year, whether, based on the actual aggregate dollar volume of sales during the first 5 months of such fiscal year, the baseline estimate of the aggregate dollar volume of sales used under paragraph (1) for such fiscal year (or $48,800,000,000,000 in the case of fiscal year 2002) is reasonably likely to be 10 percent (or more) greater or less than the actual aggregate dollar volume of sales for such fiscal year. If the Commission so determines, the Commission shall by order, no later than such March 1, adjust each of the rates applicable under subsections (b) and (c) for such fiscal year to a uniform adjusted rate that, when applied to the revised estimate of the aggregate dollar amount of sales for the remainder of such fiscal year, is reasonably likely to produce aggregate fee collections under this section (including fees collected during such 5-month period and assessments collected under subsection (d)) that are equal to the target offsetting collection amount for such fiscal year. In making such revised estimate, the Commission shall, after consultation with the Congressional Budget Office and the Office of Management and Budget, use the same methodology required by subsection (l)(2).

''(3) FINAL RATE ADJUSTMENT.—For fiscal year 2012 and all of the succeeding fiscal years, the Commission shall by order adjust each of the rates applicable under subsections (b) and (c) for all of such fiscal years to a uniform adjusted rate that, when applied to the baseline estimate of the aggregate dollar amount of sales for fiscal year 2012, is reasonably likely to produce aggregate fee collections under this section in fiscal year 2012 (including assessments collected under subsection (d)) equal to the target offsetting collection amount for fiscal year 2011.

''(4) REVIEW AND EFFECTIVE DATE.— In exercising its authority under this subsection, the Commission shall not be required to comply with the provisions of section 553 of title 5, United States Code. An adjusted rate prescribed under paragraph (1), (2), or (3) and published under subsection (g) shall not be subject to judicial review. Subject to subsections (i)(1)(B) and (k)—

''(A) an adjusted rate prescribed under paragraph (1) shall take effect on the later of—

''(i) the first day of the fiscal year to which such rate applies; or

''(ii) 30 days after the date on which a regular appropriation to the Commission for such fiscal year is enacted;

''(B) an adjusted rate prescribed under paragraph (2) shall take effect on April 1 of the fiscal year to which such rate applies; and

''(C) an adjusted rate prescribed under paragraph (3) shall take effect on the later of—

''(i) the first day of fiscal year 2012; or

''(ii) 30 days after the date on which a regular appropriation to the Commission for fiscal year 2012 is enacted.

''(k) LAPSE OF APPROPRIATION.—If on the first day of a fiscal year a regular appropriation to the Commission has not been enacted, the Commission shall continue to collect (as offsetting collections) the fees and assessments under subsections (b), (c), and (d) at the rate in effect during the preceding fiscal year, until 30 days after the date such a regular appropriation is enacted.

''(l) DEFINITIONS.—For purposes of this section:

''(1) TARGET OFFSETTING COLLECTION AMOUNT.—The target offsetting collection amount for each of the fiscal years 2002 through 2011 is determined according to the following table:

"Fiscal year:	Target offsetting collection amount
2002	$732,000,000
2003	$849,000,000
2004	$1,028,000,000
2005	$1,220,000,000
2006	$1,435,000,000
2007	$881,000,000
2008	$892,000,000
2009	$1,023,000,000
2010	$1,161,000,000
2011	$1,321,000,000

''(2) BASELINE ESTIMATE OF THE AGGREGATE DOLLAR AMOUNT OF SALES.—The baseline estimate of the aggregate dollar amount of sales for any fiscal year is the baseline estimate of the aggregate dollar amount of sales of securities (other than bonds, debentures, other evidences of indebtedness, security futures products, and options on securities indexes (excluding a narrow-based security index)) to be transacted on each national securities exchange and by or through any member of each national securities association (otherwise than on a national securities exchange) during such fiscal year as determined by the Commission, after consultation with the Congressional Budget Office and the Office of Management and Budget, using the methodology required for making projections pursuant to section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.''.

(2) CONFORMING AMENDMENT.—Section 31(g) of such Act (as redesignated by subsection (a)(6) of this section) is amended by inserting before the period at the end the following: ''not later than April 30 of the fiscal year preceding the fiscal year to which such rate applies, together with any estimates or projections on which such fees are based''.

SEC. 4. REDUCTION OF REGISTRATION FEES.

Section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) is amended by striking paragraphs (2) through (5) and inserting the following:

''(2) FEE PAYMENT REQUIRED.—At the time of filing a registration statement, the applicant shall pay to the Commission a fee at a rate that shall be equal to $92 per $1,000,000 of the maximum aggregate price at which such securities are proposed to be offered, except that during fiscal year 2003 and any succeeding fiscal year such fee shall be adjusted pursuant to paragraph (5) or (6).

''(3) OFFSETTING COLLECTIONS.—Fees collected pursuant to this subsection for any fiscal year—

''(A) shall be deposited and credited as offsetting collections to the account providing appropriations to the Commission; and

''(B) except as provided in paragraph (9), shall not be collected for any fiscal year except to the extent provided in advance in appropriation Acts.

''(4) GENERAL REVENUES PROHIBITED.—No fees collected pursuant to this subsection for fiscal year 2002 or any succeeding fiscal year shall be deposited and credited as general revenue of the Treasury.

''(5) ANNUAL ADJUSTMENT.—For each of the fiscal years 2003 through 2011, the Commission shall by order adjust the rate required by paragraph (2) for such fiscal year to a rate that, when applied to the baseline estimate of the aggregate maximum offering prices for such fiscal year, is reasonably likely to produce aggregate fee collections under this subsection that are equal to the target offsetting collection amount for such fiscal year.

''(6) FINAL RATE ADJUSTMENT.—For fiscal year 2012 and all of the succeeding fiscal years, the Commission shall by order adjust the rate required by paragraph (2) for all of such fiscal years to a rate that, when applied to the baseline estimate of the aggregate maximum offering prices for fiscal year 2012, is reasonably likely to produce aggregate fee collections under this subsection in fiscal year 2012 equal to the target offsetting collection amount for fiscal year 2011.

''(7) PRO RATA APPLICATION.—The rates per $1,000,000 required by this subsection shall be applied pro rata to amounts and balances of less than $1,000,000.

''(8) REVIEW AND EFFECTIVE DATE.— In exercising its authority under this subsection, the Commission shall not be required to comply with the provisions of section 553 of title 5, United States Code. An adjusted rate prescribed under paragraph (5) or (6) and published under paragraph (10) shall not be subject to judicial review. Subject to paragraphs (3)(B) and (9)—

''(A) an adjusted rate prescribed under paragraph (5) shall take effect on the later of—

''(i) the first day of the fiscal year to which such rate applies; or

''(ii) 5 days after the date on which a regular appropriation to the Commission for such fiscal year is enacted; and

''(B) an adjusted rate prescribed under paragraph (6) shall take effect on the later of—

''(i) the first day of fiscal year 2012; or

''(ii) 5 days after the date on which a regular appropriation to the Commission for fiscal year 2012 is enacted.

''(9) LAPSE OF APPROPRIATION.—If on the first day of a fiscal year a regular appropriation to the Commission has not been enacted, the Commission shall continue to collect fees (as offsetting collections) under this subsection at the rate in effect during the preceding fiscal year, until 5 days after the date such a regular appropriation is enacted.

''(10) PUBLICATION.—The Commission shall publish in the Federal Register notices of the rate applicable under this subsection and under sections 13(e) and 14(g) for each fiscal year not later than April 30 of the fiscal year preceding the fiscal year to which such rate applies, together with any estimates or projections on which such rate is based.

''(11) DEFINITIONS.—For purposes of this subsection:

''(A) TARGET OFFSETTING COLLECTION AMOUNT.—The target offsetting collection amount for each of the fiscal years 2002 through 2011 is determined according to the following table:

"Fiscal year:	Target offsetting collection amount
2002	$337,000,000
2003	$435,000,000
2004	$467,000,000
2005	$570,000,000
2006	$689,000,000
2007	$214,000,000
2008	$234,000,000
2009	$284,000,000
2010	$334,000,000
2011	$394,000,000

''(B) BASELINE ESTIMATE OF THE AGGREGATE MAXIMUM OFFERING PRICES.—The baseline estimate of the aggregate maximum offering prices for any fiscal year is the baseline estimate of the aggregate maximum offering price at which securities are proposed to be offered pursuant to registration statements filed with the Commission during such fiscal year as determined by the Commission, after consultation with the Congressional Budget Office and the Office of Management and

Budget, using the methodology required for projections pursuant to section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.''.

SEC. 5. FEES FOR STOCK REPURCHASE STATEMENTS.

Section 13(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e)) is amended

(1) in paragraph (3), by striking ''a fee of 1/50 of 1 per centum of the value of securities proposed to be purchased'' and inserting ''a fee at a rate that, subject to paragraphs (5) and (6), is equal to $92 per $1,000,000 of the value of securities proposed to be purchased'';

(2) by inserting after paragraph (3) the following new paragraphs:

''(4) OFFSETTING COLLECTIONS.—Fees collected pursuant to this subsection for any fiscal year shall be deposited and credited as offsetting collections to the account providing appropriations to the Commission, and, except as provided in paragraph (9), shall not be collected for any fiscal year except to the extent provided in advance in appropriation Acts. No fees collected pursuant to this subsection for fiscal year 2002 or any succeeding fiscal year shall be deposited and credited as general revenue of the Treasury.

''(5) ANNUAL ADJUSTMENT.—For each of the fiscal years 2003 through 2011, the Commission shall by order adjust the rate required by paragraph (3) for such fiscal year to a rate that is equal to the rate (expressed in dollars per million) that is applicable under section 6(b) of the Securities Act of 1933 for such fiscal year.

''(6) FINAL RATE ADJUSTMENT.—For fiscal year 2012 and all of the succeeding fiscal years, the Commission shall by order adjust the rate required by paragraph (3) for all of such fiscal years to a rate that is equal to the rate (expressed in dollars per million) that is applicable under section 6(b) of the Securities Act of 1933 for all of such fiscal years.

''(7) PRO RATA APPLICATION.—The rates per $1,000,000 required by this subsection shall be applied pro rata to amounts and balances of less than $1,000,000.

''(8) REVIEW AND EFFECTIVE DATE.— In exercising its authority under this subsection, the Commission shall not be required to comply with the provisions of section 553 of title 5, United States Code. An adjusted rate prescribed under paragraph (5) or (6) and published under paragraph (10) shall not be subject to judicial review. Subject to paragraphs (4) and (9)—

''(A) an adjusted rate prescribed under paragraph (5) shall take effect on the later of—

''(i) the first day of the fiscal year to which such rate applies; or

''(ii) 5 days after the date on which a regular appropriation to the Commission for such fiscal year is enacted; and

''(B) an adjusted rate prescribed under paragraph (6) shall take effect on the later of—

''(i) the first day of fiscal year 2012; or

''(ii) 5 days after the date on which a regular appropriation to the Commission for fiscal year 2012 is enacted.

''(9) LAPSE OF APPROPRIATION.—If on the first day of a fiscal year a regular appropriation to the Commission has not been enacted, the Commission shall continue to collect fees (as offsetting collections) under this subsection at the rate in effect during the preceding fiscal year, until 5 days after the date such a regular appropriation is enacted.

''(10) PUBLICATION.—The rate applicable under this subsection for each fiscal year is published pursuant to section 6(b)(10) of the Securities Act of 1933.''.

SEC. 6. FEES FOR PROXY SOLICITATIONS AND STATEMENTS IN CORPORATE CONTROL TRANSACTIONS.

Section 14(g) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e)(3)) is amended—

(1) in paragraphs (1) and (3), by striking ''a fee of 1/50 of 1 per centum of'' each place it appears and inserting ''a fee at a rate that, subject to paragraphs (5) and (6), is equal to $92 per $1,000,000 of'';

(2) by redesignating paragraph (4) as paragraph (11); and

(3) by inserting after paragraph (3) the following new paragraphs:

''(4) OFFSETTING COLLECTIONS.—Fees collected pursuant to this subsection for any fiscal year shall be deposited and credited as offsetting collections to the account providing appropriations to the Commission, and, except as provided in paragraph (9), shall not be collected for any fiscal year except to the extent provided in advance in appropriation Acts. No fees collected pursuant to this subsection for fiscal year 2002 or any succeeding fiscal year shall be deposited and credited as general revenue of the Treasury.

''(5) ANNUAL ADJUSTMENT.—For each of the fiscal years 2003 through 2011, the Commission shall by order adjust each of the rates required by paragraphs (1) and (3) for such fiscal year to a rate that is equal to the rate (expressed in dollars per million) that is applicable under section 6(b) of the Securities Act of 1933 for such fiscal year.

''(6) FINAL RATE ADJUSTMENT.—For fiscal year 2012 and all of the succeeding fiscal years, the Commission shall by order adjust each of the rates required by paragraphs (1) and (3) for all of such fiscal years to a rate that is equal to the rate (expressed in dollars per million) that is applicable under section 6(b) of the Securities Act of 1933 for all of such fiscal years.

''(7) PRO RATA APPLICATION.—The rates per $1,000,000 required by this subsection shall be applied pro rata to amounts and balances of less than $1,000,000.

''(8) REVIEW AND EFFECTIVE DATE.— In exercising its authority under this subsection, the Commission shall not be required to comply with the provisions of section 553 of title 5, United States Code. An adjusted rate prescribed under paragraph (5) or (6) and published under paragraph (10) shall not be subject to judicial review. Subject to paragraphs (4) and (9)—

''(A) an adjusted rate prescribed under paragraph (5) shall take effect on the later of—

''(i) the first day of the fiscal year to which such rate applies; or

''(ii) 5 days after the date on which a regular appropriation to the Commission for such fiscal year is enacted; and

''(B) an adjusted rate prescribed under paragraph (6) shall take effect on the later of—

''(i) the first day of fiscal year 2012; or

''(ii) 5 days after the date on which a regular appropriation to the Commission for fiscal year 2012 is enacted.

''(9) LAPSE OF APPROPRIATION.—If on the first day of a fiscal year a regular appropriation to the Commission has not been enacted, the Commission shall continue to collect fees (as offsetting collections) under this subsection at the rate in effect during the preceding fiscal year, until 5 days after the date such a regular appropriation is enacted.

''(10) PUBLICATION.—The rate applicable under this subsection for each fiscal year is published pursuant to section 6(b)(10) of the Securities Act of 1933.''.

SEC. 7. TRUST INDENTURE ACT FEE.

Section 307(b) of the Trust Indenture Act of 1939 (15 U.S.C. 77ggg(b)) is amended by striking ''Commission, but, in the case'' and all that follows and inserting ''Commission.''.

SEC. 8. COMPARABILITY PROVISIONS.

(a) COMMISSION DEMONSTRATION PROJECT.—Subpart C of part III of title 5, United States Code, is amended by adding at the end the following:

''CHAPTER 48—AGENCY PERSONNEL DEMONSTRATION PROJECT

''Sec.
''4801. Nonapplicability of chapter 47.
''4802. Securities and Exchange Commission.

''§ 4801. Nonapplicability of chapter 47

''Chapter 47 shall not apply to this chapter.

''§ 4802. Securities and Exchange Commission

''(a) In this section, the term 'Commission' means the Securities and Exchange Commission.

''(b) The Commission may appoint and fix the compensation of such officers, attorneys, economists, examiners, and other employees as may be necessary for carrying out its functions under the securities laws as defined under section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

''(c) Rates of basic pay for all employees of the Commission may be set and adjusted by the Commission without regard to the provisions of chapter 51 or subchapter III of chapter 53.

''(d) The Commission may provide additional compensation and benefits to employees of the Commission if the same type of compensation or benefits are then being provided by any agency referred to under section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) or, if not then being provided, could be provided by such an agency under applicable provisions of law, rule, or regulation. In setting and adjusting the total amount of compensation and benefits for employees, the Commission shall consult with, and seek to maintain comparability with, the agencies referred to under section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).

''(e) The Commission shall consult with the Office of Personnel Management in the implementation of this section.

''(f) This section shall be administered consistent with merit system principles.''.

(b) EMPLOYEES REPRESENTED BY LABOR ORGANIZATIONS.—To the extent that any employee of the Securities and Exchange Commission is represented by a labor organization with exclusive recognition in accordance with chapter 71 of title 5, United States Code, no reduction in base pay of such employee shall be made by reason of enactment of this section (including the amendments made by this section).

(c) IMPLEMENTATION PLAN AND REPORT.—

(1) IMPLEMENTATION PLAN.—

(A) IN GENERAL.—The Securities and Exchange Commission shall develop a plan to implement section 4802 of title 5, United States Code, as added by this section.

(B) INCLUSION IN ANNUAL PERFORMANCE PLAN AND REPORT.—The Securities and Exchange Commission shall include—

(i) the plan developed under this paragraph in the annual program performance plan submitted under section 1115 of title 31, United States Code; and

(ii) the effects of implementing the plan developed under this paragraph in the annual program performance report submitted under section 1116 of title 31, United States Code.

(2) IMPLEMENTATION REPORT.—

(A) IN GENERAL.—Before implementing the plan developed under paragraph (1), the Securities and Exchange Commission shall submit a report to the Committee on Governmental Affairs and the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Government Reform and the Committee on Financial Services of

the House of Representatives, and the Office of Personnel Management on the details of the plan.

(B) CONTENT.—The report under this paragraph shall include—

(i) evidence and supporting documentation justifying the plan; and

(ii) budgeting projections on costs and benefits resulting from the plan.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AMENDMENTS TO TITLE 5, UNITED STATES CODE.—

(A) The table of chapters for part III of title 5, United States Code, is amended by adding at the end of subpart C the following:

''48. Agency Personnel Demonstration Project ..... 4801.''.

(B) Section 3132(a)(1) of title 5, United States Code, is amended—

(i) in subparagraph (C), by striking ''or'' after the semicolon;

(ii) in subparagraph (D), by inserting ''or'' after the semicolon; and

(iii) by adding at the end the following:

''(E) the Securities and Exchange Commission;''.

(C) Section 5373(a) of title 5, United States Code, is amended—

(i) in paragraph (2), by striking ''or'' after the semicolon;

(ii) in paragraph (3), by striking the period and inserting ''; or''; and

(iii) by adding at the end the following:

''(4) section 4802.''.

(2) AMENDMENT TO SECURITIES EXCHANGE ACT OF 1934.—Section 4(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(b)) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) APPOINTMENT AND COMPENSATION.—The Commission shall appoint and compensate officers, attorneys, economists, examiners, and other employees in accordance with section 4802 of title 5, United States Code.

''(2) REPORTING OF INFORMATION.—In establishing and adjusting schedules of compensation and benefits for officers, attorneys, economists, examiners, and other employees of the Commission under applicable provisions of law, the Commission shall inform the heads of the agencies referred to under section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) and Congress of such compensation and benefits and shall seek to maintain comparability with such agencies regarding compensation and benefits.''.

(3) AMENDMENT TO FIRREA OF 1989.—Section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) is amended by striking ''the Thrift Depositor Protection Oversight Board of the Resolution Trust Corporation''.

SEC. 9. STUDY OF THE EFFECT OF FEE REDUCTIONS.

(a) STUDY.—The Office of Economic Analysis of the Securities and Exchange Commission (hereinafter referred to as the ''Office'') shall conduct a study of the extent to which the benefits of reductions in fees effected as a result of this Act are passed on to investors.

(b) FACTORS FOR CONSIDERATION.—In conducting the study under subsection (a), the Office shall—

(1) consider the various elements of the securities industry directly and indirectly benefitting from the fee reductions, including purchasers and sellers of securities, members of national securities exchanges, issuers, broker-dealers, underwriters, participants in investment companies, retirement programs, and others;

(2) consider the impact on different types of investors, such as individual equity holders, individual investment company shareholders, businesses, and other types of investors;

(3) include in the interpretation of the term ''investor'' shareholders of entities subject to the fee reductions; and

(4) consider the economic benefits to investors flowing from the fee reductions to include such factors as market efficiency, expansion of investment opportunities, and enhanced liquidity and capital formation.

(c) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Securities and Exchange Commission shall submit to the Congress the report prepared by the Office on the findings of the study conducted under subsection (a).

SEC. 10. STUDY OF CONVERSION TO SELF-FUNDING.

(a) GAO STUDY REQUIRED.—The Comptroller General shall conduct a study of the impact, implications, and consequences of converting the Securities and Exchange Commission to a self-funded basis. Such study shall include analysis of the following issues:

(1) SEC OPERATIONS.—The impact of such conversion on the Commission's operations, including staff quality, recruitment, and retention.

(2) CONGRESSIONAL OVERSIGHT.—The implications for congressional oversight of the Commission, including whether imposing annual expenditure limitations would be beneficial to such oversight.

(3) FEES.—The likely consequences of the conversion on the rates, collection procedures, and predictability of fees collected by the Commission.

(4) APPROPRIATIONS.—The methods by which the conversion may be accomplished without reducing the availability of offsetting collections for appropriations.

(5) OTHER MATTERS.—Such other impacts, implications, and consequences as the Comptroller General may consider relevant to congressional consideration of the question of such conversion.

(b) SUBMISSION OF REPORT.—The Comptroller General shall submit to the Committees on Financial Services and Government Reform of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Governmental Affairs of the Senate a report on the study required by subsection (a) no later than 180 after the date of enactment of this Act.

(c) DEFINITION.—For the purposes of this section, the term ''self-funded basis'' means that—

(1) an agency is authorized to deposit the receipts of its collections in the Treasury of the United States, or in a depository institution, but such deposits are not treated as Government funds or appropriated monies, and are available for the salaries and other expenses of the Commission and its employees without annual appropriation or apportionment; and

(2) the agency is authorized to employ and fix the salaries and other compensation of its officers and employees, and such salaries and other compensation are paid without regard to the provisions of other laws applicable to officers and employees of the United States.

SEC. 11. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsections (b) and (c), the amendments made by this Act shall take effect on October 1, 2001.

(b) IMMEDIATE TRANSACTION FEE REDUCTIONS.—The amendments made by section 2 shall take effect on the later of—

(1) the first day of fiscal year 2002; or

(2) 30 days after the date on which a regular appropriation to the Commission for such fiscal year is enacted.

(c) ADDITIONAL EXCEPTIONS.—The authorities provided by section 6(b)(9) of the Securities Act of 1933 and sections 13(e)(9), 14(g)(9) and 31(k) of the Securities Exchange Act of 1934, as so designated by this Act, shall not apply until October 1, 2002.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 161, the following further amendment in the nature of a substitute printed in the Congressional Record and numbered 2 was submitted by Mr. LAFALCE:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Fairness in Securities Transactions Act''.

(b) FINDINGS.—The Congress finds the following:

(1) The United States capital markets are recognized as the most liquid, efficient, and fair in the world.

(2) The Securities and Exchange Commission has been charged since 1934 with maintaining the integrity of the United States capital markets and with the protection of investors in those markets.

(3) The majority of American households have their savings invested in those securities markets.

(4) A lack of pay parity for the employees of the Securities and Exchange Commission with other United States financial regulators poses a serious threat to the ability of the Commission to recruit and retain the professional staff required to carry out its essential mission.

SEC. 2. IMMEDIATE FEE REDUCTION.

Section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) is amended by striking ''1/300 of one percent'' each place it appears and inserting ''1/500 of one percent''.

SEC. 3. REVISION OF SECURITIES TRANSACTION FEE PROVISIONS; ADDITIONAL FEE REDUCTIONS.

(a) POOLING AND ALLOCATION OF COLLECTIONS.—Section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) is further amended—

(1) in subsection (b)—

(A) by striking ''Every'' and inserting ''Subject to subsection (i), each''; and

(B) by striking the last sentence;

(2) by striking subsection (c);

(3) in subsection (d)—

(A) by striking paragraphs (2) and (3);

(B) by striking the following:

''(d) OFF-EXCHANGE TRADES OF LAST-SALE-REPORTED SECURITIES.—

''(1) COVERED TRANSACTIONS.—Each national securities''

and inserting the following:

''(c) OFF-EXCHANGE TRADES OF EXCHANGE REGISTERED AND LAST-SALE-REPORTED SECURITIES.—Subject to subsection (i), each national securities'';

(C) by inserting ''registered on a national securities exchange or'' after ''security futures products)'';

(D) by striking '', excluding any sales for which a fee is paid under subsection (c)'';

(4) by redesignating subsections (e) through (h) as subsections (d) through (g), respectively;

(5) in subsection (e) (as redesignated by paragraph (4)), by striking ''(b), (c), and (d)'' and inserting ''(b) and (c)''; and

(6) by adding at the end the following new subsection:

''(h) DEPOSIT OF FEES.—

''(1) OFFSETTING COLLECTIONS.—Fees collected pursuant to subsections (b) and (c) for any fiscal year—

''(A) shall be deposited and credited as offsetting collections to the account providing appropriations to the Commission, except

that the amount so deposited and credited for fiscal years 2007 through 2011 shall not exceed the target offsetting collection amount for such fiscal year; and

''(B) shall not be collected for any fiscal year except to the extent provided in advance in appropriation Acts.

''(2) GENERAL REVENUES.—Fees collected pursuant to subsections (b) and (c) for fiscal years 2007 through 2011 in excess of the amount deposited and credited as offsetting collections pursuant to paragraph (1) for such fiscal year shall be deposited and credited as general revenue of the Treasury. No fees collected pursuant to such subsections for fiscal years 2002 through 2006, fiscal year 2012, or any succeeding fiscal year shall be deposited and credited as general revenue of the Treasury.''.

(b) ADDITIONAL REDUCTIONS OF FEES.—

(1) AMENDMENT.—Section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) is further amended by adding after subsection (h) (as added by subsection (a)(6)) the following new subsections:

''(i) RECAPTURE OF PROJECTION WINDFALLS FOR FURTHER RATE REDUCTIONS.—

''(1) ANNUAL ADJUSTMENT.—For each of the fiscal years 2003 through 2011, the Commission shall by order adjust each of the rates applicable under subsections (b) and (c) for such fiscal year to a uniform adjusted rate that, when applied to the baseline estimate of the aggregate dollar amount of sales for such fiscal year, is reasonably likely to produce aggregate fee collections under this section that are equal to the sum of—

''(A) the target offsetting collection amount for such fiscal year; and

''(B) the target general revenue amount for such fiscal year.

''(2) FINAL RATE ADJUSTMENT.—For fiscal year 2012 and all of the succeeding fiscal years, the Commission shall by order adjust each of the rates applicable under subsections (b) and (c) for all of such fiscal years to a uniform adjusted rate that, when applied to the baseline estimate of the aggregate dollar amount of sales for fiscal year 2012, is reasonably likely to produce aggregate fee collections under this section in fiscal year 2012 equal to the target offsetting collection amount for fiscal year 2011.

''(3) LIMITATION ON RATE ADJUSTMENT.—Notwithstanding paragraphs (1) and (2), no adjusted rate established under this subsection for any fiscal year shall exceed the rate that would otherwise be applicable under subsections (b) and (c) for such fiscal year.

''(4) REVIEW AND EFFECTIVE DATE.—An adjusted rate prescribed under paragraph (1) or (2) and published under subsection (g) shall not be subject to judicial review. Subject to subsections (h)(1)(B) and (j), an adjusted rate prescribed under paragraph (1) shall take effect on the first day of the fiscal year to which such rate applies and an adjusted rate prescribed under paragraph (2) shall take effect on the first day of fiscal year 2012.

''(j) LAPSE OF APPROPRIATION.—If on the first day of a fiscal year a regular appropriation to the Commission has not been enacted, the Commission shall continue to collect fees (as offsetting collections) under subsections (b) and (c) at the rate in effect during the preceding fiscal year, until such a regular appropriation is enacted.

''(k) DEFINITIONS.—For purposes of this section:

''(1) TARGET OFFSETTING COLLECTION AMOUNT.—The target offsetting collection amount is an amount equal to—

''(A) $976,000,000 for fiscal year 2002;

''(B) $1,132,000,000 for fiscal year 2003;

''(C) $1,370,000,000 for fiscal year 2004;

''(D) $1,627,000,000 for fiscal year 2005;

''(E) $1,913,000,000 for fiscal year 2006;

''(F) $1,110,000,000 for fiscal year 2007;

''(G) $1,144,000,000 for fiscal year 2008;

''(H) $1,327,000,000 for fiscal year 2009;

''(I) $1,523,000,000 for fiscal year 2010; and

''(J) $1,745,000,000 for fiscal year 2011.

''(2) TARGET GENERAL REVENUE AMOUNT.—The target general revenue amount is an amount equal to—

''(A) zero for each of the fiscal years 2002 through 2006;

''(B) $463,000,000 for fiscal year 2007;

''(C) $449,000,000 for fiscal year 2008;

''(D) $500,000,000 for fiscal year 2009;

''(E) $551,000,000 for fiscal year 2010; and

''(F) $614,000,000 for fiscal year 2011.

''(3) BASELINE ESTIMATE OF THE AGGREGATE DOLLAR AMOUNT OF SALES.—The baseline estimate of the aggregate dollar amount of sales for any fiscal year is the baseline estimate of the aggregate dollar amount of sales of securities (other than bonds, debentures, other evidences of indebtedness, and security futures products) to be transacted on each national securities exchange and by or through any member of each national securities association (otherwise than on a national securities exchange) during such fiscal year as determined by the Congressional Budget Office in making projections pursuant to section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 and as contained in the projection required to be made in March of the preceding fiscal year.''.

(2) CONFORMING AMENDMENT.—Section 31(g) of such Act is amended by inserting before the period at the end the following: ''not later than April 30 of the fiscal year preceding the fiscal year to which such rate applies''.

SEC. 4. COMPARABILITY PROVISIONS.

(a) COMMISSION DEMONSTRATION PROJECT.—Subpart C of part III of title 5, United States Code, is amended by adding at the end the following:

"CHAPTER 48—AGENCY PERSONNEL DEMONSTRATION PROJECT

''Sec.

''4801. Nonapplicability of chapter 47.

''4802. Securities and Exchange Commission.

"§ 4801. Nonapplicability of chapter 47.

''Chapter 47 shall not apply to this chapter.

"§ 4802. Securities and Exchange Commission

''(a) In this section, the term 'Commission' means the Securities and Exchange Commission.

''(b) The Commission may appoint and fix the compensation of such officers, attorneys, economists, examiners, and other employees as may be necessary for carrying out its functions under the securities laws as defined under section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

''(c) Rates of basic pay for all employees of the Commission may be set and adjusted by the Commission without regard to the provisions of chapter 51 or subchapter III of chapter 53.

''(d) The Commission may provide additional compensation and benefits to employees of the Commission if the same type of compensation or benefits are then being provided by any agency referred to under section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) or, if not then being provided, could be provided by such an agency under applicable provisions of law, rule, or regulation. In setting and adjusting the total amount of compensation and benefits for employees, the Commission shall consult with, and seek to maintain comparability with, the agencies referred to under section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).

''(e) The Commission shall consult with the Office of Personnel Management in the implementation of this section.

''(f) This section shall be administered consistent with merit system principles.''.

(b) EMPLOYEES REPRESENTED BY LABOR ORGANIZATIONS.—To the extent that any employee of the Securities and Exchange Commission is represented by a labor organization with exclusive recognition in accordance with chapter 71 of title 5, United States Code, no reduction in base pay of such employee shall be made by reason of enactment of this section (including the amendments made by this section).

(c) IMPLEMENTATION PLAN AND REPORT.—

(1) IMPLEMENTATION PLAN.—

(A) IN GENERAL.—The Securities and Exchange Commission shall develop a plan to implement section 4802 of title 5, United States Code, as added by this section.

(B) INCLUSION IN ANNUAL PERFORMANCE PLAN AND REPORT.—The Securities and Exchange Commission shall include—

(i) the plan developed under this paragraph in the annual program performance plan submitted under section 1115 of title 31, United States Code; and

(ii) the effects of implementing the plan developed under this paragraph in the annual program performance report submitted under section 1116 of title 31, United States Code.

(2) IMPLEMENTATION REPORT.—

(A) IN GENERAL.—Before implementing the plan developed under paragraph (1), the Securities and Exchange Commission shall submit a report to the Committee on Governmental Affairs and the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Government Reform and the Committee on Financial Services of the House of Representatives, and the Office of Personnel Management on the details of the plan.

(B) CONTENT.—The report under this paragraph shall include—

(i) evidence and supporting documentation justifying the plan; and

(ii) budgeting projections on costs and benefits resulting from the plan.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AMENDMENTS TO TITLE 5, UNITED STATES CODE.—

(A) The table of chapters for part III of title 5, United States Code, is amended by adding at the end of subpart C the following:

''48. Agency Personnel Demonstration Project ..... 4801.''.

(B) Section 3132(a)(1) of title 5, United States Code, is amended—

(i) in subparagraph (C), by striking ''or'' after the semicolon;

(ii) in subparagraph (D), by inserting ''or'' after the semicolon; and

(iii) by adding at the end the following:

''(E) the Securities and Exchange Commission;''.

(C) Section 5373(a) of title 5, United States Code, is amended—

(i) in paragraph (2), by striking ''or'' after the semicolon;

(ii) in paragraph (3), by striking the period and inserting ''; or''; and

(iii) by adding at the end the following:

''(4) section 4802.''.

(2) AMENDMENT TO SECURITIES EXCHANGE ACT OF 1934.—Section 4(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(b)) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) APPOINTMENT AND COMPENSATION.—The Commission shall appoint and compensate officers, attorneys, economists, examiners, and other employees in accordance with section 4802 of title 5, United States Code.

''(2) REPORTING OF INFORMATION.—In establishing and adjusting schedules of compensation and benefits for officers, attorneys, economists, examiners, and other employees of the Commission under applicable provisions of law, the Commission shall inform

the heads of the agencies referred to under section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) and Congress of such compensation and benefits and shall seek to maintain comparability with such agencies regarding compensation and benefits.''.

(3) AMENDMENT TO FIRREA OF 1989.—Section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) is amended by striking ''the Thrift Depositor Protection Oversight Board of the Resolution Trust Corporation''.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on October 1, 2001.

After debate,

Pursuant to House Resolution 161, the previous question was ordered on the bill, as amended, and on the further amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. LINDER, announced the nays had it.

Mr. OXLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 126 / Nays ..... 299 }

¶61.10 [Roll No. 164]

YEAS—126

Abercrombie
Allen
Baca
Baldacci
Baldwin
Barrett
Becerra
Berman
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clyburn
Conyers
Coyne
Cummings
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank
Gephardt
Green (TX)
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Holden
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
LaFalce
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Luther
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Millender-McDonald
Miller, George
Mink
Mollohan
Murtha
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rivers
Rodriguez
Roybal-Allard
Sabo
Sanders
Sawyer
Schakowsky
Schiff
Scott
Serrano
Skelton
Slaughter
Solis
Spratt
Stark
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Turner
Udall (CO)
Udall (NM)
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Woolsey
Wynn

NAYS—299

Ackerman
Aderholt
Akin
Andrews
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Everett
Flake
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holt
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Maloney (CT)
Maloney (NY)
Manzullo
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Towns
Traficant
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—7

Cubin
Ferguson
Houghton
Johnson, E. B.
Jones (OH)
Lucas (OK)
Watts (OK)

So the amendment in the nature of a substitute was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill, as amended?

The SPEAKER pro tempore, Mr. LINDER, announced that the yeas had it.

Mr. FOSSELLA demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 404 / Nays ..... 22 }

¶61.11 [Roll No. 165]

AYES—404

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski

LoBiondo	Peterson (MN)	Skelton
Lofgren	Peterson (PA)	Slaughter
Lowey	Petri	Smith (MI)
Lucas (KY)	Phelps	Smith (NJ)
Lucas (OK)	Pickering	Smith (TX)
Luther	Pitts	Smith (WA)
Maloney (CT)	Platts	Snyder
Maloney (NY)	Pombo	Solis
Manzullo	Pomeroy	Souder
Mascara	Portman	Spence
Matheson	Price (NC)	Spratt
Matsui	Pryce (OH)	Stearns
McCarthy (MO)	Putnam	Stenholm
McCarthy (NY)	Quinn	Strickland
McCollum	Radanovich	Stump
McCrery	Rahall	Stupak
McDermott	Ramstad	Sununu
McGovern	Rangel	Sweeney
McHugh	Regula	Tancredo
McInnis	Rehberg	Tanner
McIntyre	Reyes	Tauscher
McKeon	Reynolds	Tauzin
McKinney	Riley	Taylor (NC)
McNulty	Rivers	Terry
Meehan	Rodriguez	Thomas
Meek (FL)	Roemer	Thompson (CA)
Meeks (NY)	Rogers (KY)	Thompson (MS)
Menendez	Rogers (MI)	Thornberry
Mica	Rohrabacher	Thune
Millender-McDonald	Ros-Lehtinen	Tiahrt
	Ross	Tiberi
Miller (FL)	Rothman	Toomey
Miller, Gary	Roukema	Towns
Miller, George	Roybal-Allard	Traficant
Mink	Royce	Turner
Mollohan	Rush	Udall (CO)
Moore	Ryan (WI)	Udall (NM)
Moran (KS)	Ryun (KS)	Upton
Moran (VA)	Sabo	Velazquez
Morella	Sanchez	Vitter
Murtha	Sanders	Walden
Myrick	Sandlin	Walsh
Nadler	Sawyer	Wamp
Napolitano	Saxton	Watkins (OK)
Neal	Scarborough	Watson (CA)
Nethercutt	Schaffer	Watt (NC)
Ney	Schakowsky	Watts (OK)
Northup	Schiff	Waxman
Norwood	Schrock	Weiner
Nussle	Scott	Weldon (FL)
Oberstar	Sensenbrenner	Weldon (PA)
Ortiz	Serrano	Weller
Osborne	Sessions	Wexler
Ose	Shadegg	Whitfield
Otter	Shaw	Wicker
Owens	Shays	Wilson
Oxley	Sherman	Wolf
Pallone	Sherwood	Woolsey
Pascrell	Shimkus	Wu
Pastor	Shows	Wynn
Paul	Shuster	Young (AK)
Payne	Simmons	Young (FL)
Pelosi	Simpson	
Pence	Skeen	

NOES—22

Burton	Kanjorski	Stark
Clayton	Kaptur	Taylor (MS)
DeFazio	Kucinich	Thurman
Delahunt	LaFalce	Tierney
Dingell	Lee	Visclosky
Duncan	Markey	Waters
Filner	Obey	
Jones (OH)	Olver	

NOT VOTING—6

Cubin	Greenwood	Jefferson
Ferguson	Houghton	Johnson, E. B.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶61.12 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, June 18, 2001, at 2 o'clock p.m.

¶61.13 HOUR OF MEETING

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns on Monday, June 18, 2001, it adjourn to meet at 12:30 p.m. on Tuesday, June 19, 2001, for ''morning-hour debate''.

¶61.14 PRIVATE CALENDAR BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order on Tuesday, June 19, 2001, under clause 5, rule XV, the Private Calendar rule, be dispensed with.

¶61.15 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, June 20, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

And then,

¶61.16 ADJOURNMENT

On motion of Mr. DEAL, pursuant to the special order heretofore agreed to, at 4 o'clock and 11 minutes p.m., the House adjourned until 12:30 p.m. on Monday, June 18, 2001.

¶61.17 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 169. A bill to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes; with an amendment (Rept. No. 107–101 Pt. 1). Ordered to be printed.

¶61.18 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CANNON:

H.R. 2171. A bill to require that the Bureau of the Census prepare and submit to Congress a detailed plan for counting overseas Americans in future decennial censuses, and for other purposes; to the Committee on Government Reform.

By Mr. GREENWOOD (for himself, Mr. WOLF, Mr. OWENS, Mr. NEAL of Massachusetts, Mr. PALLONE, Mrs. MCCARTHY of New York, Mr. DEUTSCH, Mr. GILLMOR, and Ms. DEGETTE):

H.R. 2172. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the cloning of humans, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCGOVERN (for himself, Mr. SIMPSON, Mr. RUSH, Mr. SHIMKUS, Mr. ROSS, Mr. WHITFIELD, Mr. PICKERING, Mr. SHOWS, Ms. MCKINNEY, and Mr. LANGEVIN):

H.R. 2173. A bill to amend the Public Health Service Act with respect to health professions programs regarding the practice of pharmacy; to the Committee on Energy and Commerce.

By Mr. CALVERT (for himself, Ms. WOOLSEY, Mr. BOEHLERT, Mr. SMITH of Michigan, Mr. BARTLETT of Maryland, Mr. EHLERS, Mr. LARSON of Connecticut, Mr. PETERSON of Minnesota, Mrs. MORELLA, Mrs. BIGGERT, Mr. BACA, Ms. RIVERS, Mr. HALL of Texas, and Mr. GARY G. MILLER of California):

H.R. 2174. A bill to reauthorize and amend the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990, and for other purposes; to the Committee on Science.

By Mr. CHABOT (for himself, Mrs. MYRICK, Ms. HART, Mr. SMITH of New Jersey, Mr. WELLER, Mr. GREEN of Wisconsin, Mr. SHOWS, Mr. WOLF, Mr. PICKERING, Mr. BAKER, Mr. PHELPS, Mr. MICA, Mr. ISTOOK, Mr. WELDON of Florida, Mr. TIBERI, Mr. DOOLITTLE, Mr. DEMINT, Mr. HANSEN, Mr. WAMP, Mr. LARGENT, Mr. ENGLISH, Mr. RILEY, Mr. BURTON of Indiana, Mr. BARTLETT of Maryland, Mr. PAUL, Mr. BACHUS, Mr. VITTER, Mr. CANTOR, Mr. ADERHOLT, Mr. TERRY, Mr. HAYES, Mr. LEWIS of Kentucky, Mr. OXLEY, Mr. COLLINS, Mr. KELLER, Mr. OBERSTAR, Mr. SOUDER, Mr. POMBO, Mr. CAMP, Mr. HOSTETTLER, Mr. GOODLATTE, Mr. LIPINSKI, Mr. HILLEARY, Mr. STEARNS, Mr. THUNE, Mr. BLUNT, Mr. LUCAS of Kentucky, Mr. PITTS, Mr. HYDE, Mr. SESSIONS, Mr. CRANE, Mr. DEAL of Georgia, Mr. LANGEVIN, Mr. PENCE, Mr. TAYLOR of Mississippi, Mr. ARMEY, Mr. HALL of Texas, Mr. NORWOOD, Mr. WICKER, Mr. AKIN, Mr. BRADY of Texas, Mr. GARY G. MILLER of California, Mr. BARCIA, Mr. DELAY, Mrs. JO ANN DAVIS of Virginia, Mr. PORTMAN, Mr. EVERETT, Mr. GRAVES, Mr. CANNON, Mr. TIAHRT, Mr. RYAN of Wisconsin, Mr. NEY, Mr. ROGERS of Michigan, Mrs. EMERSON, and Mr. KING):

H.R. 2175. A bill to protect infants who are born alive; to the Committee on the Judiciary.

By Mr. BAIRD (for himself and Mr. ANDREWS):

H.R. 2176. A bill to amend the Internal Revenue Code of 1986 to provide disaster relief for homeowners; to the Committee on Ways and Means.

By Mr. CALVERT (for himself, Mr. ORTIZ, Mr. LUCAS of Oklahoma, Mr. FOLEY, Mr. BARTLETT of Maryland, Mr. BACA, Mr. MCKEON, Mr. LEWIS of California, Mr. SENSENBRENNER, Mr. SKEEN, Mr. WELDON of Florida, Mr. REHBERG, Mr. SANDLIN, Mr. REYES, and Mrs. CAPPS):

H.R. 2177. A bill to amend the Internal Revenue Code of 1986 to encourage the timely development of a more cost effective United States commercial space transportation industry, and for other purposes; to the Committee on Ways and Means.

By Mr. CARDIN (for himself, Mr. STARK, Mr. KLECZKA, Mr. LEVIN, Mrs. THURMAN, Mr. COYNE, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. BENTSEN, Ms. HOOLEY of Oregon, Mr. JEFFERSON, and Mr. WAXMAN):

H.R. 2178. A bill to amend the Internal Revenue Code of 1986 and title XVIII of the Social Security Act to provide for comprehensive financing for graduate medical education; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California:

H.R. 2179. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit for expenditures for renewable energy property; to the Committee on Ways and Means.

By Mr. TOM DAVIS of Virginia (for himself, Mr. GILLMOR, Mr. GREEN of Wisconsin, Mr. SWEENEY, Ms. GRANGER, Mr. TOWNS, Mr. LINDER, Mr. FERGUSON, Mr. COLLINS, Mr. SCHROCK, Mrs. BONO, Mr. PETERSON of Minnesota, Mr. GRUCCI, Mr. TERRY, and Mr. DOYLE):

H.R. 2180. A bill to amend the Federal Food, Drug, and Cosmetic Act to grant the Secretary of Health and Human Services the authority to regulate tobacco products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEFAZIO (for himself, Mr. NORWOOD, Ms. HOOLEY of Oregon, Mr. SHOWS, Mr. BOYD, Mr. TAYLOR of Mississippi, Mr. BAIRD, Mr. GRAHAM, Mr. ROSS, Mr. PICKERING, Mr. MCNULTY, Mr. LEWIS of Georgia, Mr. CALLAHAN, Mr. THOMPSON of Mississippi, Ms. KAPTUR, Ms. MCCOLLUM, Mr. KUCINICH, and Ms. DEGETTE):

H.R. 2181. A bill to impose certain restrictions on imports of softwood lumber products of Canada; to the Committee on Ways and Means.

By Mr. DOYLE (for himself, Mr. EVANS, Mr. WYNN, Mr. BALDACCI, and Mr. COYNE):

H.R. 2182. A bill to amend title 38, United States Code, to revise the computation of retirement annuities for part-time employment by persons employed by the Department of Veterans Affairs under that title; to the Committee on Veterans' Affairs.

By Mr. ENGEL:

H.R. 2183. A bill to amend the Safe Drinking Water Act to allow public water systems to avoid filtration requirements, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ENGEL (for himself, Mr. TERRY, Ms. KILPATRICK, Mr. SANDERS, and Ms. MCKINNEY):

H.R. 2184. A bill to amend the Internal Revenue Code of 1986 to expand the energy credit to include investment in property which produces energy from certain renewable sources and expenditures for cool roofing, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. HALL of Ohio, Ms. HART, Mr. COOKSEY, and Mrs. EMERSON):

H.R. 2185. A bill to amend the Food Stamp Act of 1977 to require the Secretary of Agriculture to purchase additional commodities for distribution, and for other purposes; to the Committee on Agriculture.

By Mr. GOODLATTE:

H.R. 2186. A bill to amend the Soil Conservation and Domestic Allotment Act to ensure that States and local governments can quickly and safely remove flood debris so as to reduce the risk and severity of subsequent flooding; to the Committee on Agriculture.

By Mr. HEFLEY (for himself, Mr. UDALL of Colorado, and Mr. MCINNIS):

H.R. 2187. A bill to amend title 10, United States Code, to make receipts collected from mineral leasing activities on certain naval oil shale reserves available to cover environmental restoration, waste management, and environmental compliance costs incurred by the United States with respect to the reserves; to the Committee on Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER:

H.R. 2188. A bill to amend the Older Americans Act of 1965 to permit States to allow the issuance of vouchers to older individuals to obtain nutrition services provided under such Act; to the Committee on Education and the Workforce.

By Mrs. JOHNSON of Connecticut (for herself, Mr. JEFFERSON, Mr. MCCRERY, Mr. SPENCE, Mr. HUNTER, Mr. WELDON of Pennsylvania, Mr. TAYLOR of Mississippi, Mr. SAXTON, Mr. SIMMONS, Mr. MALONEY of Connecticut, Mrs. JO ANN DAVIS of Virginia, Mr. SCHROCK, Mr. CUNNINGHAM, Mr. WICKER, Mr. VITTER, Mr. COOKSEY, Mr. CANTOR, Mr. SCOTT, Mr. PICKERING, and Mr. SHOWS):

H.R. 2189. A bill to amend the Internal Revenue Code of 1986 to allow the use of completed contract method of accounting in the case of certain long-term naval vessel construction contracts; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. LARSEN of Washington, and Mr. BLUNT):

H.R. 2190. A bill to reauthorize and revise the Renewable Energy Production Incentive program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCRERY:

H.R. 2191. A bill to suspend temporarily the duty on 2-methyl imidazole; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2192. A bill to reduce temporarily the duty on hydroxylamine free base; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2193. A bill to suspend temporarily the duty on prenol; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2194. A bill to suspend temporarily the duty on 1-methyl imadazole; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2195. A bill to suspend temporarily the duty on formamide; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2196. A bill to suspend temporarily the duty on Michler's ethyl ketone; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2197. A bill to suspend temporarily the duty on vinyl imidazole; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself, Ms. KAPTUR, Mr. STRICKLAND, Mr. OLVER, Mr. STARK, Ms. JACKSON-LEE of Texas, Mr. BALDACCI, Mr. DEFAZIO, Mr. MCGOVERN, Ms. ESHOO, Mrs. CHRISTENSEN, Ms. MILLENDER-MCDONALD, Mr. FARR of California, Mr. SANDLIN, Ms. WOOLSEY, Mrs. MALONEY of New York, Mr. BROWN of Ohio, Mr. HILLIARD, Mr. WAXMAN, Mr. PAYNE, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. BONIOR, Ms. MCKINNEY, Mr. LANTOS, Mr. MCDERMOTT, Mr. RANGEL, Mr. FRANK, Ms. RIVERS, Ms. SCHAKOWSKY, Ms. SOLIS, and Ms. CARSON of Indiana):

H.R. 2198. A bill to meet the mental health and substance abuse treatment needs of incarcerated children and youth; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 2199. A bill to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any Federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed appropriate by the Chief of the Department and the United States Attorney for the District of Columbia, and for other purposes; to the Committee on Government Reform.

By Mr. NUSSLE:

H.R. 2200. A bill to amend the Internal Revenue Code of 1986 to permit financial institutions to determine their interest expense deduction without regard to tax-exempt bonds issued to provide certain small loans for health care or educational purposes; to the Committee on Ways and Means.

By Mr. PETERSON of Minnesota:

H.R. 2201. A bill to amend title 38, United States Code, Section 1114 to increase the compensation for disabled veterans who require aid and attendance; to the Committee on Veterans' Affairs.

By Mr. REHBERG:

H.R. 2202. A bill to convey the Lower Yellowstone Irrigation Project, the Savage Unit of the Pick-Sloan Missouri Basin Program, and the Intake Irrigation Project to the pertinent irrigation districts; to the Committee on Resources.

By Mr. REYES (for himself and Mr. THORNBERRY):

H.R. 2203. A bill to amend title 10, United States Code, to authorize disability retirement to be granted posthumously for members of the Armed Forces who die in the line of duty while on active duty, and for other purposes; to the Committee on Armed Services.

By Mr. RUSH:

H.R. 2204. A bill to establish a Consumer Energy Commission to assess and provide recommendations regarding recent energy price spikes from the perspective of consumers; to the Committee on Energy and Commerce.

By Mr. SIMMONS:

H.R. 2205. A bill to amend title 49, United States Code, to promote the cooperation of Amtrak with local governments in the implementation of activities to enhance railroad property and structures; to the Committee on Transportation and Infrastructure.

By Mr. TERRY (for himself, Mr. BRADY of Texas, Mr. MANZULLO, Mr. BILIRAKIS, Mr. BARTON of Texas, Mr. SHIMKUS, Mr. GRAVES, Mr. ISAKSON, Ms. KILPATRICK, Mr. SANDERS, Ms. MCKINNEY, and Mr. WU):

H.R. 2206. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for certain energy efficient property placed in service or installed in an existing principal residence or property used by businesses; to the Committee on Ways and Means.

By Mrs. THURMAN:

H.R. 2207. A bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for water and sewage facilities; to the Committee on Ways and Means.

By Mr. WATT of North Carolina (for himself, Ms. WATERS, and Mr. FRANK):

H.R. 2208. A bill to amend the Real Estate Settlement Procedures Act of 1974 to require the payment of interest on escrow and impoundment accounts established for the payment of taxes and fire and hazard insurance premiums on property securing a federally related mortgage loan; to the Committee on Financial Services.

By Mr. ISAKSON:

H. Con. Res. 161. Concurrent resolution honoring the 19 United States servicemen

who died in the terrorist bombing of the Khobar Towers in Saudi Arabia on June 25, 1996; to the Committee on Armed Services.

By Mr. KNOLLENBERG (for himself, Mr. CROWLEY, Mr. PALLONE, and Mr. SWEENEY):

H. Con. Res. 162. Concurrent resolution expressing the sense of the Congress regarding oil and gas pipeline routes in the South Caucasus; to the Committee on International Relations.

By Mr. WATTS of Oklahoma (for himself and Mr. DAVIS of Illinois):

H. Con. Res. 163. Concurrent resolution recognizing the historical significance of Juneteenth Independence Day and expressing the sense of Congress that history be regarded as a means of understanding the past and solving the challenges of the future; to the Committee on Government Reform.

By Ms. JACKSON-LEE of Texas (for herself, Mr. EDWARDS, Mr. ORTIZ, Mr. RODRIGUEZ, Mr. REYES, Mr. EVANS, Mr. GREEN of Texas, Mr. TURNER, Mr. BENTSEN, Mr. DELAY, Mr. CULBERSON, Mr. BARTON of Texas, Mr. BRADY of Texas, Mr. SAM JOHNSON of Texas, Mr. SANDLIN, Mr. LAMPSON, Mr. FROST, and Ms. EDDIE BERNICE JOHNSON of Texas):

H. Res. 166. A resolution recognizing the outstanding and invaluable disaster relief assistance provided by individuals, organizations, businesses, and other entities to the people of Houston, Texas, and surrounding areas during the devastating flooding caused by tropical storm Allison; to the Committee on Transportation and Infrastructure.

By Ms. CARSON of Indiana (for herself, Mr. BISHOP, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. FATTAH, Mr. HASTINGS of Washington, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Ms. MILLENDER-MCDONALD, Ms. MCKINNEY, Mr. MEEKS of New York, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATSON, Mr. WATT of North Carolina, and Mr. WYNN):

H. Res. 167. A resolution encouraging and promoting greater involvement of fathers in their children's lives, especially on Father's Day; to the Committee on Education and the Workforce.

¶61.19 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

109. The SPEAKER presented a memorial of the General Assembly of the State of Missouri, relative to a Resolution memorialing the United States Congress to and the Department of Agriculture to grant a wavier for Agramarke Quality Grains, Inc. for development in St. Joseph, Missouri, to allow Agramarke to qualify for rural development economic incentive programs; to the Committee on Agriculture.

110. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 64 memorializing the United States Congress to increase federal aid to Louisiana farmers; to the Committee on Agriculture.

111. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 32 memorializing the United States Congress to use the powers at its disposal to commission the Department of Energy to establish a national energy policy, which should pursue a long-term remedy to problems by providing incentives for immediate domestic natural gas exploration and production, including opening untapped natural gas reserves; to the Committee on Energy and Commerce.

112. Also, a memorial of the Legislature of the State of Maine, relative to a Joint Resolution memorializing the United States Congress to make federal rules and regulations to allow the development of Medicare supplement insurance policies offering greater prescription drug coverage than is currently available; jointly to the Committees on Ways and Means and Energy and Commerce.

113. Also, a memorial of the General Assembly of the State of Missouri, relative to Senate Concurrent Resolution No. 28 memorializing the United States Congress to actively address the issue of fuel prices and take immediate actions necessary to reduce our nation's dependency on foreign petroleum sources; jointly to the Committees on Energy and Commerce, Resources, and Science.

¶61.20 ADDITIONAL SPONSORS

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

H.R. 28: Mr. RODRIGUEZ.
H.R. 31: Mr. KERNS.
H.R. 41: Mrs. DAVIS of California.
H.R. 68: Mr. ISRAEL.
H.R. 85: Mr. EVANS.
H.R. 123: Mr. CRANE.
H.R. 267: Mr. EVANS.
H.R. 296: Ms. SOLIS.
H.R. 303: Mr. LARSON of Connecticut.
H.R. 317: Mr. MCGOVERN.
H.R. 325: Mr. BLAGOJEVICH and Mr. NORWOOD.
H.R. 356: Mr. MCGOVERN and Mrs. CAPITO.
H.R. 440: Mr. TIERNEY and Mr. DEFAZIO.
H.R. 507: Mr. KERNS.
H.R. 526: Mr. NORWOOD, Mr. SMITH of New Jersey, Mr. BARR of Georgia, Mr. DOGGETT, Mr. LARSEN of Washington, Mr. BACA, Ms. MCKINNEY, Mr. MURTHA, Mr. BARCIA, Mr. BLAGOJEVICH, Mr. NEAL of Massachusetts, Mr. MORAN of Virginia, Mr. SHOWS, Mrs. CHRISTENSEN, and Mr. HILL.
H.R. 538: Mr. WU.
H.R. 590: Mr. BENTSEN.
H.R. 602: Mrs. BIGGERT.
H.R. 612: Mr. SMITH of Washington, Mrs. MCCARTHY of New York, and Mrs. JOHNSON of Connecticut.
H.R. 619: Ms. SOLIS.
H.R. 656: Mr. PAUL and Mr. BURTON of Indiana.
H.R. 659: Ms. CARSON of Indiana.
H.R. 662: Mr. PHELPS and Mr. EHLERS.
H.R. 692: Mr. RADANOVICH and Mr. OTTER.
H.R. 746: Mrs. CAPITO.
H.R. 751: Mr. MCHUGH.
H.R. 757: Mr. OWENS.
H.R. 761: Mr. ALLEN.
H.R. 774: Mr. SPRATT.
H.R. 782: Mr. ROGERS of Michigan and Mr. GILLMOR.
H.R. 796: Mr. KLECZKA.
H.R. 822: Mr. DEFAZIO.
H.R. 843: Mr. GILMAN and Ms. MCKINNEY.
H.R. 848: Mr. ENGEL, Mrs. MALONEY of New York, and Ms. LOFGREN.
H.R. 853: Mr. PLATTS.
H.R. 854: Mr. LUCAS of Kentucky, Ms. WOOLSEY, Mr. SPRATT, and Ms. LOFGREN.
H.R. 887: Mrs. CAPITO.
H.R. 951: Mr. BARCIA, Mr. GILLMOR, Mr. MOLLOHAN, Mr. MCGOVERN, Mr. EHLERS, Mr. PITTS, Mr. HOEFFEL, Mr. ENGLISH, Mr. CUMMINGS, Mrs. KELLY, Mr. DEMINT, and Mr. SUNUNU.
H.R. 975: Mr. CROWLEY and Mr. ROSS.
H.R. 981: Mr. SHADEGG, Mr. RAMSTAD, Mrs. JOHNSON of Connecticut, Mr. MICA, and Mr. CANNON.
H.R. 1024: Mr. MORAN of Kansas, Mr. SWEENEY, Mr. SHADEGG, Mr. POMBO, Mr. HAYES, and Mr. NEAL of Massachusetts.
H.R. 1037: Mr. ISAKSON, Mr. CLEMENT, and Mr. MCGOVERN.
H.R. 1073: Mrs. MALONEY of New York, Mr. ROSS, Mr. SIMMONS, Mrs. KELLY, and Mr. LARSON of Connecticut.
H.R. 1076: Mr. ROTHMAN, Mr. HOYER, Ms. SANCHEZ, Mr. ORTIZ, Mr. MOLLOHAN, Mr. OLVER, Mr. SNYDER, Mr. SCHIFF, Mr. FATTAH, and Mr. LIPINSKI.
H.R. 1082: Mr. LEACH, and Mr. TIAHRT.
H.R. 1097: Mr. LARSEN of Washington, Mr. LANGEVIN, and Mr. MARKEY.
H.R. 1110: Mr. EHLERS.
H.R. 1154: Mr. TOWNS.
H.R. 1155: Mr. WAXMAN, Mrs. BONO, Ms. LOFGREN, Mr. LOBIONDO, Mr. MATSUI, Mr. HOBSON, Mr. PLATTS, Mr. BONIOR, Mr. LAHOOD, and Mr. HONDA.
H.R. 1164: Mr. HILLIARD.
H.R. 1198: Mr. BOSWELL and Mr. MCDERMOTT.
H.R. 1232: Mr. STRICKLAND and Mr. MCGOVERN.
H.R. 1238: Mr. MCHUGH, Mr. JONES of North Carolina, Mr. GONZALEZ, Mr. DOYLE, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. CUMMINGS, Mr. PLATTS, Mr. NEAL of Massachusetts, and Mr. EVANS.
H.R. 1289: Ms. MCCOLLUM and Mr. CONYERS.
H.R. 1291: Mr. BAKER, Mr. MORAN of Kansas, Mr. SOUDER, and Mr. TIBERI.
H.R. 1296: Mr. MATHESON, Mr. PICKERING, Ms. JACKSON-LEE of Texas, and Mr. THOMPSON of California.
H.R. 1305: Mr. DELAY, Mr. FLETCHER, and Mr. HASTINGS of Washington.
H.R. 1316: Mrs. JOHNSON of Connecticut, Mr. CLEMENT, Mr. FOLEY, and Mr. UDALL of Colorado.
H.R. 1331: Mr. BARR of Georgia.
H.R. 1342: Mr. NEY.
H.R. 1388: Mr. LUCAS of Kentucky and Mr. LATHAM.
H.R. 1412: Mrs. BIGGERT, Mr. CALLAHAN, Mr. JOHNSON of Illinois, and Ms. HART.
H.R. 1424: Mr. FILNER and Mr. PAYNE.
H.R. 1438: Mr. SPENCE, Mr. HILLEARY, Ms. DUNN, and Mr. WELLER.
H.R. 1462: Mrs. CUBIN.
H.R. 1520: Mr. THOMPSON of Mississippi.
H.R. 1522: Mr. PALLONE, Ms. CARSON of Indiana, Mr. PASTOR, Mr. RANGEL, and Mr. ABERCROMBIE.
H.R. 1542: Mr. ORTIZ, Mr. KILDEE, Mr. ALLEN, Mr. SERRANO, and Mr. BROWN of South Carolina.
H.R. 1553: Mrs. MYRICK, Mr. UDALL of Colorado, and Mr. MATSUI.
H.R. 1556: Mr. SPRATT, Mr. MCNULTY, Mr. HALL of Texas, and Mr. REYNOLDS.
H.R. 1587: Mr. BROWN of South Carolina, Mr. GONZALEZ, Mr. MCGOVERN, Mr. SCHIFF, and Mr. MATHESON.
H.R. 1596: Mr. SOUDER, Mr. RAMSTAD, Mr. GOODE, and Mr. MCGOVERN.
H.R. 1598: Mr. MCGOVERN and Mr. UPTON.
H.R. 1600: Mr. KOLBE, Mr. SESSIONS, Mr. FLAKE, and Mr. NEAL of Massachusetts.
H.R. 1605: Mr. WELDON of Florida, Mr. HASTINGS of Florida, and Mr. FOLEY.
H.R. 1613: Mrs. ROUKEMA.
H.R. 1641: Mr. GREENWOOD.
H.R. 1642: Mr. ALLEN, Mr. GEORGE MILLER of California, and Mr. SMITH of Washington.
H.R. 1656: Mr. DEUTSCH.
H.R. 1675: Mr. FLAKE.
H.R. 1682: Mrs. MCCARTHY of New York, Mr. KING, Mr. PALLONE, Mr. FROST, and Mr. OWENS.
H.R. 1685: Mr. BROWN of Ohio, Mr. PAYNE, Mr. FRANK, Mr. LANGEVIN, Mr. LAFALCE, Mr. DEUTSCH, and Mr. BONIOR.
H.R. 1687: Mr. DAVIS of Illinois.
H.R. 1690: Mr. RUSH.
H.R. 1700: Mr. RUSH.
H.R. 1701: Mr. BARTLETT of Maryland, Mr. COOKSEY, Mrs. EMERSON, Mr. POMBO, Mr. DICKS, Ms. HOOLEY of Oregon, Mr. BRYANT, Mr. SPRATT, Mr. TIAHRT, and Mr. MORAN of Kansas.

H.R. 1717: Mr. STUPAK.
H.R. 1723: Mr. HEFLEY, Mr. RUSH, Mr. HILLEARY, Mr. SIMMONS, Mrs. KELLY, Ms. MILLENDER-MCDONALD, and Mr. LIPINSKI.
H.R. 1726: Mr. FRANK, Ms. JACKSON-LEE of Texas, and Mr. RANGEL.
H.R. 1733: Mrs. JONES of Ohio.
H.R. 1734: Mrs. THURMAN, Mr. JACKSON of Illinois, Mr. BARCIA, and Mr. TIERNEY.
H.R. 1745: Mr. KIRK.
H.R. 1754: Mr. ALLEN, Mr. HILLIARD, Mr. WOLF, Mr. STUPAK, Mr. BILIRAKIS, and Mr. CROWLEY.
H.R. 1773: Mr. BALDACCI and Mr. EVANS.
H.R. 1774: Mr. COSTELLO, Mr. ROGERS of Michigan, Mr. SHOWS, Mr. SHIMKUS, Mr. TANCREDO, Mr. PLATTS, Mr. FLAKE, and Mr. SENSENBRENNER.
H.R. 1779: Mr. DEFAZIO, Mr. GEORGE MILLER of California, Mr. CLAY, and Ms. HOOLEY of Oregon.
H.R. 1781: Mr. SMITH of New Jersey.
H.R. 1795: Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. ENGEL, Mr. MCNULTY, Mr. WAXMAN, Mr. BERMAN, Mr. ENGLISH, Mrs. MORELLA, Mr. SCHROCK, Ms. DELAURO, Mr. SWEENEY, Mr. EVANS, Mr. SHERMAN, and Mr. WAMP.
H.R. 1798: Ms. ESHOO.
H.R. 1804: Ms. SLAUGHTER.
H.R. 1810: Mr. UDALL of Colorado, Ms. MCKINNEY, and Mr. OBERSTAR.
H.R. 1811: Mr. OTTER, Mr. HERGER, and Mr. HOUGHTON.
H.R. 1818: Mrs. MINK of Hawaii.
H.R. 1834: Mr. GARY G. MILLER of California, and Mr. CROWLEY.
H.R. 1839: Mr. BONIOR.
H.R. 1841: Mrs. MORELLA, Mr. BENTSEN, Mr. FALEOMAVAEGA, Mr. LAFALCE, Mr. INSLEE, Mr. NEAL of Massachusetts, and Mr. OWENS.
H.R. 1864: Mr. PAYNE.
H.R. 1891: Mr. TIBERI, Mr. FERGUSON, Mr. CLEMENT, Mr. SMITH of New Jersey, Mr. SESSIONS, Mr. PENCE, Mr. BACHUS, Mr. SHIMKUS, Mr. LAHOOD, and Mr. BLUNT.
H.R. 1892: Mrs. BIGGERT, Mr. WAXMAN, Ms. SANCHEZ, and Mr. RUSH.
H.R. 1897: Mr. PAYNE, Mr. ROSS, and Mr. HINCHEY.
H.R. 1922: Mr. PAYNE.
H.R. 1928: Mr. MCGOVERN.
H.R. 1929: Mr. MCGOVERN, Mr. WAXMAN, Mr. LARSEN of Washington, and Ms. LOFGREN.
H.R. 1942: Mr. EVANS and Mr. JOHNSON of Illinois.
H.R. 1945: Mr. PAYNE and Mr. SMITH of New Jersey.
H.R. 1950: Mr. BURTON of Indiana.
H.R. 1978: Mr. CAPUANO, Mr. FILNER, Ms. JACKSON-LEE of Texas, Mr. OLVER, Ms. SCHAKOWSKY, and Ms. WOOLSEY.
H.R. 1984: Mr. HILLEARY.
H.R. 1992: Mr. GRAHAM and Mr. TANCREDO.
H.R. 1997: Mr. FILNER, Mrs. THURMAN, and Mr. FRANK.
H.R. 2001: Mr. LARGENT.
H.R. 2005: Mr. BROWN of Ohio, Mr. CLAY, Mr. FROST, Mr. KUCINICH, and Mr. FRANK.
H.R. 2008: Ms. WATSON, Mr. HASTINGS of Florida, Mr. FORD, Mr. MEEKS of New York, Ms. MCKINNEY, Ms. LEE, Mr. BISHOP, Mr. CLAY, Mr. OWENS, Mr. CUMMINGS, Mrs. CLAYTON, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2013: Mr. DEFAZIO, Mr. JACKSON of Illinois, Mr. LUTHER, and Ms. LEE.
H.R. 2036: Mr. BACHUS, Mr. TERRY, Mr. TAYLOR of North Carolina, Ms. MCKINNEY, Ms. RIVERS, Mr. WOLF, Mr. DEFAZIO, Mr. OWENS, Mr. MCNULTY, Mr. LARSON of Connecticut, Mr. CLAY, Mr. KOLBE, Ms. HART, Mr. BALDACCI, and Mr. BOYD.
H.R. 2055: Mr. ISTOOK, Mr. PENCE, Mr. JONES of North Carolina, Mr. SCHAFFER, Mr. BURTON of Indiana, Mr. TOOMEY, Mr. LARGENT, Mr. DEMINT, and Mrs. MYRICK.
H.R. 2064: Mr. KILDEE, Mr. CLAY, and Ms. MCCOLLUM.
H.R. 2073: Mr. SHOWS, Mr. SMITH of New Jersey, Mr. GOODE, Mr. MCGOVERN, Mr. KILDEE, Mr. FILNER, Mr. RAHALL and Mrs. THURMAN.
H.R. 2074: Ms. CARSON of Indiana.
H.R. 2078: Mr. JACKSON of Illinois, Mr. CRANE, Ms. PELOSI, Mr. HALL of Texas, Mr. BOYD, Mr. STENHOLM, Mr. PHELPS, Mr. TOM DAVIS of Virginia, Mr. CALVERT, Mrs. BIGGERT, Ms. HART, Mr. JONES of North Carolina, and Mr. ANDREWS.
H.R. 2095: Ms. MCKINNEY.
H.R. 2096: Mr. GRUCCI, Mr. AKIN, and Mr. BURTON of Indiana.
H.R. 2102: Mr. CLAY, Mr. COSTELLO, Mr. MCINTYRE, Mr. RODRIGUEZ, Mr. FROST, and Mr. BALDACCI.
H.R. 2118: Mr. FROST and Mr. WAXMAN.
H.R. 2123: Mr. GILLMOR, Mr. SHERMAN, Mr. PLATTS, and Ms. BALDWIN.
H.R. 2131: Ms. SLAUGHTER and Mr. BERMAN.
H.R. 2138: Mr. COYNE, Mrs. JONES of Ohio, Mr. LEWIS of Georgia, and Mr. SMITH of Michigan.
H.R. 2149: Mr. PITTS, Mr. TOM DAVIS of Virginia, and Mr. KENNEDY of Minnesota.
H.R. 2156: Mr. GREENWOOD.
H.R. 2164: Mr. WEINER.
H.J. Res. 6: Mrs. THURMAN and Mr. CAPUANO.
H.J. Res. 36: Mr. HOSTETTLER, Mr. PUTNAM, Mr. KIRK, Mr. CARSON of Oklahoma, Mr. NUSSLE, Mr. NEY, Mr. NORWOOD, and Mr. STRICKLAND.
H.J. Res. 38: Ms. MCKINNEY.
H. Con. Res. 3: Ms. PELOSI.
H. Con. Res. 17: Mr. WU and Mr. MORAN of Virginia.
H. Con. Res. 20: Mr. SIMMONS, Mr. KIND, and Ms. BALDWIN.
H. Con. Res. 25: Ms. MCKINNEY, Mr. MORAN of Virginia, and Mr. WOLF.
H. Con. Res. 48: Mr. STUMP.
H. Con. Res. 68: Mr. BARCIA.
H. Con. Res. 102: Mr. MCNULTY, Ms. LEE, Mr. WEXLER, Mr. SABO, Mr. GREENWOOD, Mr. MEEKS of New York, Ms. LOFGREN, and Mr. HILLIARD.
H. Con. Res. 144: Mr. KNOLLENBERG, Mr. BURTON of Indiana, Mr. ROHRABACHER, Mr. ENGLISH, Mr. CAMP, Mr. LIPINSKI, Ms. KAPTUR, and Mr. LEVIN.
H. Con. Res. 154: Mr. ARMEY, Mr. DELAY, Mr. SESSIONS, Mr. BARTON of Texas, Mr. SANDLIN, Mr. REYES, Mr. ORTIZ, Mr. FROST, Mr. GREEN of Texas, Mr. TURNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCINTYRE, Mr. ETHERIDGE, Mrs. MYRICK, Mr. JONES of North Carolina, Mr. TAYLOR of North Carolina, Mr. BALLENGER, Mr. HAYES, and Mr. ISTOOK.
H. Res. 65: Mr. STUPAK and Mr. WICKER.
H. Res. 101: Mr. BONIOR.
H. Res. 124: Mr. KERNS, Mr. BAKER, Mr. BARTLETT of Maryland, Mr. HILLIARD, and Mr. BISHOP.

¶61.21 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

28. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 244 petitioning the United States Congress to enact the Younger Americans act; to the Committee on Education and the Workforce.

29. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 241 petitioning the United States Congress and the New York State Legislature to enact legislation that would require health insurance companies to provide coverage for dental care; jointly to the Committees on Energy and Commerce and Ways and Means.

¶61.22 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 324: Mr. DEAL of Georgia.
H.R. 1319: Ms. HART.

MONDAY, JUNE 18, 2001 (62)

¶62.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MILLER of Florida, who laid before the House the following communication:

WASHINGTON, DC,
June 18, 2001.

I hereby appoint the Honorable DAN MILLER to act as Speaker pro tempore on this day.

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

¶62.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MILLER of Florida, announced he had examined and approved the Journal of the proceedings of Thursday, June 14, 2001.

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

¶62.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2524. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Citrus Canker; Payments for Recovery of Lost Production Income [Docket No. 00–037–4] (RIN: 0579–AB15) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2525. A letter from the Acting Administrator, Argicultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Dried Prunes Produced in California; Undersized Regulation for the 2001–02 Crop Year [Docket No. FV01–993–1 FR] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2526. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Brucellosis in Cattle; State and Area Classifications; Florida [Docket No. 01–020–1] received June 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2527. A letter from the Deputy Secretary, Department of Defense, transmitting a report entitled, ''Identification of the Requirements to Reduce the Backlog of Maintenance and Repair of Defense Facilities''; to the Committee on Armed Services.

2528. A letter from the Acting Deputy Director, Department of Treasury, transmitting the Department's final rule—Extension of Grant of Conditional Exception—received June 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2529. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Chile, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

2530. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Application of the Electronic Signatures in Global and National Commerce Act to Record Retention Requirements Pertaining to Issuers under the Securities Act of 1933, Securities Exchange Act of 1934 and Regulations S-T [Release Nos. 33–7985, 34–44424; 35–27419; IC–25003] (RIN: 3235–AI14) received June 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2531. A letter from the Deputy Director, National Institute on Disability and Rehabilitation Research, Department of Education, transmitting Final Priority—Technology for Successful Aging, Wheelchair Transportation Safety, and Mobile Wireless Technologies for Persons with Disabilities, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2532. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of Final Funding Priorities for Fiscal Years 2001–2003 for three Rehabilitation Engineering Research Centers—received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2533. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—State Child Health; Implementing Regulations for the State Children's Health Insurance Program: Further Delay of Effective Date [HCFA–2006–F3] (RIN: 0938–AI28) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2534. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No. 00F–1488] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2535. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Promulgation of Extension of Attainment Dates for PM10 Nonattainment Areas; Utah [UT–001–0033; FRL–6996–9] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2536. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Montana [MT–001–0018a, MT–001–0019a, MT–001–0020a, MT–001–0022a, MT–001–0023a; MT–001–0031a; FRL–6994–9] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2537. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Colorado; Designation of Areas for Air Quality Planning Purposes, Telluride and Pagosa Springs [CO–001–0058a, CO–001–0059a; FRL–6989–3] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2538. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Alaska [Docket No. AK–24–1712a; FRL–6993–7] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2539. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Illinois; Oxides of Nitrogen [IL204–2; FRL 6998–2] received June 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2540. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Atlantic City, New Jersey) [MM Docket No. 01–49; RM–10032] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2541. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Lima, Ohio) [MM Docket No. 01–51; RM–10007] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2542. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Butte, Montana) [MM Docket No. 01–29; RM–10044] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2543. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Oklahoma City, Oklahoma) [MM Docket No. 99–297; RM–9726] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2544. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Great Falls, Montana) [MM Docket No. 00–114; RM–9744] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2545. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Panama City, Florida) [MM Docket No. 01–57; RM–10031] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2546. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Saudi Arabia for defense articles and services (Transmittal No. 01–12), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2547. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Finland for defense articles and services (Transmittal No. 01–14), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2548. A letter from the Director, Department of Defense, Defense Security Cooperation, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Hungry for defense articles and services (Transmittal No. 01–20), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2549. A letter from the Director, Department of Defense, Defense Security Cooperation Agency, transmitting the Department of the Air Force's proposed lease of defense articles to Hungary (Transmittal No. 06–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

2550. A letter from the Director, Department of Defense, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Chile for defense articles and services (Transmittal No. 01–03), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2551. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Canada [Transmittal No. DTC 063–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2552. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on employment of United States citizens by certain international organizations, pursuant to 22 U.S.C. 276c–4; to the Committee on International Relations.

2553. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2554. A letter from the Acting Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting the Annual Program Performance Report on the FY 2000 and Performance Plan for FY 2002; to the Committee on Government Reform.

2555. A letter from the Acting Assistant Administrator, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2556. A letter from the General Counsel, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2557. A letter from the Deputy Director, Selective Service System, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2558. A letter from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf—Definition of Affected State (RIN: 1010–AC74) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2559. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2001–2002 Subsistence Taking of Fish and Wildlife Regulations (RIN: 1018–AG55) received June 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2560. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Removing Russia from the List of Countries Whose Citizens or Nationals Are Ineligible for Transit Without

Visa (TWOV) Privileges to the United States Under the TWOV Program [INS No. 2144–01] (RIN: 1115–AG27) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2561. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Children Born Outside the United States; Applications for Certificate of Citizenship [INS No. 2101–00] (RIN: 1115–AF98) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2562. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Guidelines Establishing Test Procedures for the Measurement of Mercury in Water (EPA Method 1631, Revision C); Final Rule, Technical Corrections [FRL–6998–5] received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2563. A letter from the Chairman, Surface Transportation Board, transmitting the Board's final rule—Major Rail Consolidation Procedures—received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2564. A letter from the Acting Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Surety Bond Guarantee Program (RIN: 3245–AE74) received June 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

2565. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Delegation of Authority-Portfolio Loan Servicing Contractor (RIN: 2900–AK72) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2566. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Penalties for Underpayments of Deposits and Overstated Deposit Claims [TD 8947] (RIN: 1545–AY79) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶62.4 PERMISSION TO FILE REPORT

On motion of Mr. WOLF, by unanimous consent, the Committee on Appropriations was granted permission until midnight tonight, to file a privileged report on the bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2002, and for other purposes.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

And then,

¶62.5 ADJOURNMENT

On motion of Mr. WOLF, pursuant to the special order agreed to on Thursday, June 14, 2001, at 2 o'clock and 4 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, June 19, 2001.

¶62.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1542. A bill to deregulate the Internet and high speed data services, and for other purposes; with an amendment; adversely (Rept. No. 107–83 Pt. 2). Referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

¶62.7 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BEREUTER (for himself, Mr. OXLEY, Mr. LAFALCE, Mr. SANDERS, Mr. LEACH, and Ms. LEE):

H.R. 2209. A bill to increase the authorization for the multilateral World Bank AIDS Trust Fund, and expand the focus of the Trust Fund; to the Committee on Financial Services.

By Ms. KAPTUR (for herself and Mr. HUNTER):

H.R. 2210. A bill to establish the National Commission on the Impact of United States Culture on American Youth; to the Committee on Education and the Workforce.

By Mr. BACA (for himself, Mr. PALLONE, Ms. MCKINNEY, Mr. LANGEVIN, Ms. MILLENDER-MCDONALD, Ms. KAPTUR, Mr. CARSON of Oklahoma, Mr. HALL of Ohio, Mr. FALEOMAVAEGA, Mr. REYES, Mr. TOWNS, Mr. HONDA, Mr. FILNER, Mrs. CAPPS, Ms. BALDWIN, Mr. BLUMENAUER, Mr. MORAN of Virginia, Mrs. CHRISTENSEN, Mr. ENGLISH, Mrs. MINK of Hawaii, Ms. ROYBAL-ALLARD, Mr. KIND, Mr. FROST, Mr. STUPAK, Mr. UDALL of New Mexico, Mr. BONIOR, Mr. FARR of California, and Mr. MCDERMOTT):

H. Res. 168. A resolution expressing the sense of the House of Representatives that the Nation's schools should honor Native Americans for their contributions to American history, culture, and education; to the Committee on Education and the Workforce.

¶62.8 ADDITIONAL SPONSORS

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

H.R. 250: Mr. WICKER, Mr. SIMPSON, Mr. SPRATT, Mr. LARSON of Connecticut, and Mr. NEY.

H.R. 548: Mrs. DAVIS of California, Mr. CANTOR, Mr. LARSEN of Washington, Mr. WU, Mr. BARCIA, Ms. HARMAN, Mr. BROWN of South Carolina, Mr. LEWIS of Georgia, Mr. COMBEST, Mr. BENTSEN, Mr. HANSEN, Mr. KUCINICH, Mr. WAXMAN, Mr. COOKSEY, Mr. SOUDER, Mr. JOHN, Mr. ANDREWS, Mr. RAHALL, Mr. GONZALEZ, Mr. MCCRERY, and Ms. SCHAKOWSKY.

H.R. 612: Ms. KILPATRICK, Mr. BLUMENAUER, Mr. HILLIARD, Mr. WEINER, Mr. PRICE of North Carolina, and Mr. BACA.

H.R. 746: Mr. LEACH and Mr. FORD.

H.R. 822: Mrs. CAPITO.

H.R. 1141: Mr. PORTMAN.

H.R. 1177: Mr. HALL of Ohio.

H.R. 1291: Mr. EVERETT, Mr. NETHERCUTT, Mrs. BIGGERT, and Mr. KOLBE.

H.R. 1329: Mr. BALDACCI.

H.R. 1405: Mr. PRICE of North Carolina.

H.R. 1460: Mr. PAUL, Mr. GIBBONS, Mr. RAHALL, Mr. SHIMKUS, Ms. HART, Mr. BRADY of Texas, Mr. TERRY, Mr. HANSEN, Mr. COOKSEY, Mr. TANCREDO, Mr. HOSTETTLER, Mr. SCHAFFER, Mr. GOODE, and Mr. TAYLOR of North Carolina.

H.R. 1487: Mr. SMITH of Texas and Ms. MCCOLLUM.

H.R. 1542: Mr. SMITH of Texas and Mr. LATOURETTE.

H.R. 1887: Mr. GILCHREST.

H.R. 1895: Mr. COX, Mr. EHLERS, Mr. BRYANT, Mr. DOOLITTLE, Mr. FOLEY, Mr. CRANE, and Mr. HERGER.

H.R. 1931: Mr. KELLER and Ms. JACKSON-LEE of Texas.

H.R. 1957: Mr. OBERSTAR, Ms. LOFGREN, and Ms. SCHAKOWSKY.

H.R. 1983: Mr. SPENCE, Mr. LAHOOD, Mr. HANSEN, and Mr. TAYLOR of Mississippi.

H.R. 2104: Mr. FILNER, Ms. LEE, Ms. JACKSON-LEE of Texas, and Mr. HILLIARD.

H.R. 2131: Mr. TOM DAVIS of Virginia and Mr. COYNE.

H.R. 2134: Ms. LOFGREN.

H. Con. Res. 154: Mr. EDWARDS and Mr. WATTS of Oklahoma.

H. Res. 101: Ms. ROYBAL-ALLARD.

H. Res. 152: Mr. VISCLOSKY, Mr. COYNE, Ms. KAPTUR, Mr. BARCIA, Ms. DELAURO, Mr. STARK, Mr. WAXMAN, Mr. STUPAK, Mr. BRADY of Pennsylvania, Mr. PASTOR, Mr. LANGEVIN, Mr. FERGUSON, Mr. RUSH, Mr. KILDEE, Ms. BROWN of Florida, Mr. KUCINICH, Mr. STRICKLAND, Mr. BONIOR, and Mrs. THURMAN.

H. Res. 160: Ms. KATUR.

TUESDAY, JUNE 19, 2001 (63)

¶63.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. PENCE, who laid before the House the following communication:

WASHINGTON, DC,
June 19, 2001.

I hereby appoint the Honorable MIKE PENCE to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶63.2 RECESS—12:43 P.M.

The SPEAKER pro tempore, Mr. PENCE, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 43 minutes p.m., until 2 o'clock p.m.

¶63.3 AFTER RECESS—2 P.M.

The SPEAKER called the House to order.

¶63.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, June 18, 2001.

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

¶63.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule IV, were referred as follows:

2567. A letter from the the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of June 1, 2001, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 107–89); to the Committee on Appropriations and ordered to be printed.

2568. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.606(b), Table of Allotments, Television Broadcast Stations (Galesburg, Illinois) [MM Docket No. 01–53; RM–10040] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2569. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Monticello, Maine) [MM Docket No. 01–64; RM–10074] received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2570. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model 188A and 188C Series Airplanes [Docket No. 2000–NM–265–AD; Amendment 39–11980; AD 2000–23–10] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2571. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Learjet Model 35, 35A, 36, and 36A Series Airplanes [Docket No. 2000–NM–127–AD; Amendment 39–12026; AD 2000–24–19] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2572. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; DG Flugzeugbau GmbH Models DG–500 Elan Series, DG–500M, and DG–500MB Sailplanes [Docket No. 99–CE–88–AD; Amendment 39–12005; AD 2000–23–32] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2573. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 707 and 720 Series Airplanes [Docket No. 99–NM–378–AD; Amendment 39–12027; AD 2000–24–20] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2574. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–31–AD; Amendment 39–12018; AD 2000–24–11] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2575. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft, Inc., SA226 Series and SA227 Series Airplanes [Docket No. 2000–CE–41–AD; Amendment 39–11885; AD 2000–17–11] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2576. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW4000 Series Turbofan Engines [Docket No. 2000–NE–47–AD; Amendment 39–11947; AD 2000–22–01] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2577. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model BH.125, DH.125, and HS.125 Series Airplanes [Docket No. 99–NM–345–AD; Amendment 39–11943; AD 2000–21–11] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2578. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 47B, 47B–3, 47D, 47D–1, 47G, 47G–2, 47G2A, 47G–2A–1, 47G–3, 47G–3B, 47G–3B–1, 47G–3B–2, 47G–3B–2A, 47G–4, 47G–4A, 47G–5, 47G–5A, 47H–1, 47J, 47J–2, 47J–2A, and 47K Helicopters [Docket No. 2000–SW–35–AD; Amendment 39–11983; AD 2000–18–51] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2579. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Powered By Pratt & Whitney JT9D–7 Series Engines [Docket No. 2000–NM–270–AD; Amendment 39–11886; AD 2000–18–01] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2580. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737, 747, 757, 767, and 777 Series Airplanes [Docket No. 2001–NM–81–AD; Amendment 39–12240; AD 2001–10–14] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2581. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; American Champion Aircraft Corporation 7, 8, and 11 Series Airplanes [Docket No. 98–CE–121–AD; Amendment 39–12036; AD 2000–25–02] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2582. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–80 Series Airplanes and Model MD–88 Airplanes [Docket No. 99–NM–164–AD; Amendment 39–12225; AD 2001–09–18] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2583. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft Corporation Model S–76A, S–76B, and S–76C Helicopters [Docket No. 2001–SW–05–AD; Amendment 39–12232; AD 2001–10–06] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2584. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Air Tractor, Inc. AT–400, AT–500, and AT–800 Series Airplanes [Docket No. 2000–CE–72- AD; Amendment 39–12230; AD 2001–10–04] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2585. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockhead Model L–1011–385 Series Airplanes [Docket No. 98–NM–314–AD; Amendment 39–11884; AD 2000–17–10] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2586. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF34 Series Turbofan Engines [Docket No. 2000–NE–42–AD; Amendment 39–12229; AD 2001–10–03] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2587. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–80C2 Turbofan Engines [Docket No. 2001–NE–05–AD; Amendment 39–12233; AD 2001–10–07] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2588. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF34 Series Turbofan Engines [Docket No. 99–NE–49–AD; Amendment 39–12228; AD 2000–03–03 R1] (RIN: 2120–AA64) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶63.6 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, announced that the Speaker, pursuant to section 303(a) of Public Law 106-286, appointed to the Congressional-Executive Commission on the People's Republic of China, on the part of the House, the following Members: Messrs. BEREUTER, Co-Chairman, LEACH, DREIER, WOLF and PITTS.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶63.7 MONTGOMERY GI BILL ENHANCEMENT

Mr. SMITH of New Jersey moved to suspend the rules and pass the bill (H.R. 1291) to amend title 38, United states Code, to increase the amount of educational benefits for veterans under the Montgomery GI Bill.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SMITH of New Jersey and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶63.8 HONORING ARMY NATIONAL GUARD COMBAT UNITS IN BOSNIA

Mr. THORNBERRY moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 154):

Whereas in October 1999 the Army announced a groundbreaking multi-year plan

to mobilize and deploy the headquarters of National Guard combat divisions to command the United States sector of the Multinational Stabilization Force in Bosnia and to employ significant elements of the Army National Guard enhanced combat brigades in that sector;

Whereas the 49th Armored Division, Texas Army National Guard, and Army National Guard combat units from the 30th Enhanced Separate Brigade of North Carolina and the 45th Enhanced Separate Brigade of Oklahoma have completed deployments in Bosnia, and 1,200 soldiers of the 48th Infantry Brigade of Georgia are as of June 2001 deployed to Bosnia in the largest such deployment of National Guard personnel in support of the North Atlantic Treaty Organization peacekeeping mission in Bosnia;

Whereas the more than 1,200,000 citizen-soldiers who comprise the National Guard and Reserve components of the Armed Forces nationwide commit significant time and effort in executing their important role in the Armed Forces;

Whereas these National Guard and Reserve citizen-soldiers serve a critical role as part of the mission of the Armed Forces to protect the freedom of United States citizens and the American ideals of justice, liberty, and freedom, both at home and abroad; and

Whereas thousands of employers nationwide continue their support for service of their employees in the Reserve components: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the continuing service and commitment of the citizen-soldiers of the Army National Guard combat units deployed in support of Army operations in Bosnia;

(2) recognizes the deployment of the 48th Infantry Brigade in March 2001 as an important milestone in that commitment;

(3) honors the sacrifices made by the families and employers of the members of those units during their time away from home;

(4) expresses deep gratitude for the continuing support of civilian employers for the service of their employees in the National Guard and Reserve;

(5) recognizes the critical importance of the National Guard and Reserve to the security of the United States; and

(6) supports providing the necessary resources to ensure the continued readiness of the National Guard and Reserve.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. THORNBERRY and Ms. SANCHEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. THORNBERRY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶63.9 JUNETEENTH INDEPENDENCE DAY

Mr. SHAYS moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 163); as amended:

Whereas news of the end of slavery did not reach frontier areas of the country until long after the conclusion of the Civil War, especially in the Southwestern United States;

Whereas the African Americans who had been slaves in the Southwest thereafter celebrated June 19, known as Juneteenth Independence Day, as the anniversary of their emancipation;

Whereas these African Americans handed down that tradition from generation to generation as an inspiration and encouragement for future generations;

Whereas Juneteenth Independence Day celebrations have thus been held for 136 years to honor the memory of all those who endured slavery and especially those who moved from slavery to freedom; and

Whereas the faith and strength of character shown by these former slaves remains an example for all people of the United States, regardless of background, region, or race: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) Congress recognizes the historical significance of Juneteenth Independence Day, an important date in the Nation's history, and encourages the continued celebration of this day to provide an opportunity for all people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(2) it is the sense of Congress that—

(A) history be regarded as a means for understanding the past and solving the challenges of the future; and

(B) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SHAYS and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SHAYS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶63.10 RECESS—3:56 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 56 minutes p.m., until approximately 6 o'clock p.m.

¶63.11 AFTER RECESS—6:07 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶63.12 SUPPLEMENTAL APPROPRIATIONS FY 2001

Mr. YOUNG of Florida submitted a privileged report (Rept. No. 107–102) on the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶63.13 INTERIOR APPROPRIATIONS FY 2002

Mr. SKEEN submitted a privileged report (Rept. No. 107–103) on the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶63.14 COMMITTEE ELECTION—MINORITY

Mr. FROST, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 169):

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Rules: Mr. McGovern of Massachusetts.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶63.15 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 19, 2001.

Hon. DENNIS HASTERT,
Speaker of the House,
House of Representatives, Washington, DC

DEAR MR. SPEAKER, I hereby resign from the House Committee on Rules.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶63.16 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 19, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As I have been appointed to the House Rules Committee effective today, I hereby resign my seat as a Member of the House International Relations Committee.

As always, I appreciate your support and friendship.

Warmly,

ALCEE L. HASTINGS,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶63.17 COMMITTEE ELECTION—MINORITY

Mr. FROST, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 170):

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

Committee on Rules: Mr. Hastings of Florida;

Committee on International Relations: Mrs. Watson of California.

Committee on Government Reform: Mrs. Watson of California.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶63.18 H.R. 1291—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1291) to amend title 38, United states Code, to increase the amount of educational benefits for veterans under the Montgomery GI Bill.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 416; Nays ..... 0; Answered present 1

¶63.19 [Roll No. 166]

YEAS—416

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

ANSWERED ''PRESENT''—1

Filner

NOT VOTING—15

Cannon
Cox
Cubin
Davis, Tom
English
Gephardt
Gibbons
Hinchey
Jones (OH)
McCarthy (MO)
Obey
Peterson (PA)
Sanders
Scott
Sweeney

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶63.20 H. CON. RES. 154—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 154) honoring the continued commitment of the Army National Guard combat units deployed in support of Army operations in Bosnia, recognizing the sacrifices made by the members of those units while away from their jobs and families during those deployments, recognizing the important role of all National Guard and Reserve personnel at home and abroad to the national security of the United States, and acknowledging, honoring, and expressing appreciation for the critical support by employers of the Guard and Reserve.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 417; Nays 0

¶63.21 [Roll No. 167]

YEAS—417

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

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

NOT VOTING—15

Cannon
Cox
Cubin
Davis, Tom
Gephardt
Gibbons
Hinchey
Jones (OH)
Manzullo
McCarthy (MO)
Obey
Peterson (PA)
Scott
Smith (WA)
Sweeney

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶63.22 H. CON. RES. 163—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 163) recognizing the historical significance of Juneteenth Independence Day and expressing the sense of Congress that history be regarded as a means of understanding the past and solving the challenges of the future; as amended.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 415 / Nays 0

¶63.23 [Roll No. 168]

YEAS—415

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

NOT VOTING—17

Cannon	Hinchey	Obey
Cox	Hutchinson	Peterson (PA)
Cubin	Jones (OH)	Radanovich
Davis, Tom	McCarthy (MO)	Scott
Gephardt	Murtha	Sweeney
Gibbons	Myrick	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶63.24 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. GREENWOOD, by unanimous consent,

Ordered, That it may be in order, under clause 1, rule XV, on Wednesday, June 20, 2001, for the Speaker to recognize Members for motions to suspend the rules and pass each of the following measures: (S. 1029) to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees during fiscal year 2001 for the manufactured housing program; (H. Res. 124) recognizing the importance of children in the United States and supporting the goals and ideas of American Youth Day; (H. Res. 168) expressing the sense of the House of Representatives that the Nation's schools should honor Native Americans for their contributions to American history, culture, and education; (H.R. 1753) to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Post Office Building''; (H.R. 819) to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building''; and (S. Con. Res. 41) authorizing the use of the Capitol grounds for the National Book Festival.

¶63.25 PROVIDING FOR THE CONSIDERATION OF H.R. 2216

Mr. SESSIONS, by direction of the Committee on Rules, reported (Rept. No. 107–105) the resolution (H. Res. 171) providing for consideration of the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶63.26 BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on June 18, 2001 he presented to the President of the United States, for his approval, the following bill.

H.R. 1914. To extend for 4 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

¶63.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. CANNON, for today;

To Mr. ENGLISH, for today; and

To Ms. MCCARTHY of Missouri, for today.

And then,

¶63.28 ADJOURNMENT

On motion of Mr. WELDON of Pennsylvania, at 10 o'clock and 38 minutes p.m., the House adjourned.

¶63.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 2216. A bill making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 107–102). Referred to the Committee of the Whole House on the State of the Union.

Mr. SKEEN: Committee on Appropriations. H.R. 2217. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–103). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. Suballocation of Budget Allocations for Fiscal Year 2001 (Rept. No. 107–104). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 171. Resolution providing for consideration of the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 107–105). Referred to the House Calendar.

¶63.30 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LANTOS (for himself, Mrs. MORELLA, Mr. GILMAN, Mr. STARK, Ms. ROS-LEHTINEN, Ms. PELOSI, Mr. SMITH of New Jersey, Mr. PAYNE, Mr. ROHRABACHER, Mr. KUCINICH, Mr. PITTS, Mr. DELAHUNT, Mr. ANDREWS, Mr. ABERCROMBIE, Ms. KAPTUR, Mr. CAPUANO, Mr. EVANS, Mr. MCGOVERN, Mr. FARR of California, Mr. WYNN, and Ms. SCHAKOWSKY):

H.R. 2211. A bill to prohibit the importation of any article that is produced, manufactured, or grown in Burma; to the Committee on Ways and Means.

By Mr. TIBERI:

H.R. 2212. A bill to make the income tax rate reductions in the Economic Growth and Tax Relief Reconciliation Act of 2001 permanent; to the Committee on Ways and Means.

By Mr. COMBEST:

H.R. 2213. A bill to respond to the continuing economic crisis adversely affecting American agricultural producers; to the Committee on Agriculture.

By Mr. ANDREWS:

H.R. 2214. A bill to amend title 10, United States Code, to provide for the Air Force Assistant Surgeon General for Dental Services to serve in the grade of major general; to the Committee on Armed Services.

By Mr. SENSENBRENNER (for himself and Mr. CONYERS):

H.R. 2215. A bill to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.R. 2216. A bill making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

By Mr. SKEEN:

H.R. 2217. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

By Mr. ANDREWS:

H.R. 2218. A bill to amend the Occupational Safety and Health Act of 1970 to provide for coverage under that Act of employees of States and political subdivisions of States; to the Committee on Education and the Workforce.

By Mr. CAMP (for himself, Mr. MCGOVERN, Mr. RAMSTAD, Mr. LEWIS of Georgia, Mr. FOLEY, Mrs. THURMAN, Mr. MATSUI, Mr. ROGERS of Michigan, and Mr. BARTLETT of Maryland):

H.R. 2219. A bill to amend the Internal Revenue Code of 1986 to allow the Hope Scholarship Credit to cover fees, books, supplies, and equipment and to exempt Federal Pell Grants and Federal supplemental educational opportunity grants from reducing expenses taken into account for the Hope Scholarship Credit; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Mrs. THURMAN, Mr. HAYWORTH, Mr. LEWIS of Georgia, Mr. PICKERING, Mr. HALL of Texas, Mr. ENGLISH, Mr. RANGEL, Mr. MCDERMOTT, and Mr. KLECZKA):

H.R. 2220. A bill to amend title XVIII of the Social Security Act to provide for payment under the Medicare Program for four hemodialysis treatments per week for certain patients, to provide for an increased update in the composite payment rate for dialysis treatments, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEGETTE:

H.R. 2221. A bill to ban the import of large capacity ammunition feeding devices, to promote the safe storage and use of handguns by consumers, and to extend Brady background checks to gun shows; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 2222. A bill to amend title 38, United States Code, to make certain improvements to the Servicemembers' Group Life Insurance life insurance program for members of the Armed Forces, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FILNER:

H.R. 2223. A bill to amend chapter 51 of title 38, United States Code, to pay certain benefits received by veterans through the date of their death rather than through the last day of the preceding month; to the Committee on Veterans' Affairs.

By Mr. FORD:

H.R. 2224. A bill to amend the Low-Income Energy Assistance Act of 1981 to provide supplemental funds for States with programs to facilitate the collection of private donations by utilities to be used for payment of the utility bills, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILLMOR:

H.R. 2225. A bill to prohibit certain election-related activities by foreign nationals; to the Committee on House Administration.

By Mr. GILLMOR:

H.R. 2226. A bill to amend the Federal Election Campaign Act of 1971 to protect the equal participation of eligible voters in campaigns for election for Federal office; to the Committee on House Administration.

By Mr. GONZALEZ:

H.R. 2227. A bill to amend title 10, United States Code, to give certain rights to Department of Defense employees with respect to actions or determinations under Office of Management and Budget Circular A0976; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREEN of Wisconsin:

H.R. 2228. A bill to establish a program of assistance to families of passengers and crew members involved in maritime disasters; to the Committee on Transportation and Infrastructure.

By Mrs. JOHNSON of Connecticut:

H.R. 2229. A bill to amend the Internal Revenue Code of 1986 to provide that the unearned income of children attributable to personal injury awards shall not be taxed at the marginal rate of the parents; to the Committee on Ways and Means.

By Mr. KING:

H.R. 2230. A bill to amend section 211 of the Clean Air Act to prohibit the use of the fuel additive MTBE in gasoline; to the Committee on Energy and Commerce.

By Ms. LOFGREN:

H.R. 2231. A bill to amend title 35, United States Code, with respect to patent reexamination proceedings; to the Committee on the Judiciary.

By Ms. MILLENDER-McDONALD (for herself, Mr. NETHERCUTT, Ms. DEGETTE, Mr. DAVIS of Illinois, and Ms. JACKSON-LEE of Texas):

H.R. 2232. A bill to provide, with respect to diabetes in minority populations, for an increase in the extent of activities carried out by the Centers for Disease Control and Prevention and the National Institutes of Health; to the Committee on Energy and Commerce.

By Mr. NADLER (for himself and Mr. HINCHEY):

H.R. 2233. A bill assist municipalities and local communities to explore and determine options for the alternative provision of electricity and to create new public power systems, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASTOR:

H.R. 2234. A bill to revise the boundary of the Tumacacori National Historical Park in the State of Arizona; to the Committee on Resources.

By Mr. PETRI (for himself, Mr. ANDREWS, Mr. ISAKSON, Ms. WOOLSEY, Mr. PAUL, Mr. LAHOOD, and Mr. HUTCHINSON):

H.R. 2235. A bill to authorize the Secretary of Labor to establish voluntary protection programs; to the Committee on Education and the Workforce.

By Mr. RADANOVICH:

H.R. 2236. A bill to amend the Workforce Investment Act of 1998 to expand the flexibility of customized training, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RAMSTAD (for himself, Mr. GUTKNECHT, Mr. KENNEDY of Minnesota, Ms. MCCOLLUM, Mr. SABO, Mr. LUTHER, Mr. PETERSON of Minnesota, Mr. OBERSTAR, and Mr. ROGERS of Michigan):

H.R. 2237. A bill to amend the Internal Revenue Code of 1986 to provide that the conducting of certain games of chance shall not be treated as an unrelated trade or business; to the Committee on Ways and Means.

By Mr. ROGERS of Kentucky (for himself and Mr. HILLEARY):

H.R. 2238. A bill to authorize the Secretary of the Interior to acquire Fern Lake and the surrounding watershed in the States of Kentucky and Tennessee for addition to Cumberland Gap National Historical Park, and for other purposes; to the Committee on Resources.

By Ms. ROYBAL-ALLARD (for herself, Mr. REYES, Mr. PASTOR, Ms. SOLIS, Mr. BACA, Mrs. NAPOLITANO, Mr. RODRIGUEZ, Mr. ACEVEDO-VILA, Mr. BECERRA, Mr. ORTIZ, Mr. SERRANO, Mr. HINOJOSA, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. UNDERWOOD, Mr. MENENDEZ, Ms. VELAZQUEZ, and Ms. SANCHEZ):

H.R. 2239. A bill to reform certain laws affecting child labor, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCARBOROUGH:

H.R. 2240. A bill to designate the facility of the United States Postal Service located at 3719 Highway 4 in Jay, Florida, as the ''Joseph W. Westmoreland Post Office Building''; to the Committee on Government Reform.

By Mr. TRAFICANT:

H.R. 2241. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage; to the Committee on Education and the Workforce.

By Mr. TRAFICANT:

H.R. 2242. A bill to amend title 5, United States Code, to establish Flag Day as a legal public holiday; to the Committee on Government Reform.

By Ms. VELÁZQUEZ:

H.R. 2243. A bill to amend section 3 of the Housing and Urban Development Act of 1968 to ensure improved access to employment opportunities for low-income people; to the Committee on Financial Services.

By Mr. WOLF (for himself, Mr. SHAYS, Mr. TIAHRT, Mr. RILEY, and Mr. EHLERS):

H.R. 2244. A bill to amend the Indian Gaming Regulatory Act to require State legislature approval of new gambling facilities, to provide for minimum requirements for Federal regulation of Indian gaming, to set up a commission to report to Congress on current living and health standards in Indian country, and for other purposes; to the Committee on Resources.

By Mr. BILIRAKIS (for himself, Mr. GILMAN, Mrs. MALONEY of New York, Ms. ROS-LEHTINEN, Mr. ENGEL, Mr. PALLONE, Ms. BERKLEY, Mr. DIAZ-BALART, Ms. LEE, Mr. CROWLEY, Mr. MENENDEZ, Mrs. CAPPS, Ms. ESHOO, Mr. WAMP, Mr. DOYLE, Mr. KIRK, Mr. SMITH of New Jersey, Mr. KNOLLENBERG, Mr. ANDREWS, Mr. VISCLOSKY, Mr. MATSUI, Mr. BLAGOJEVICH, Mr. CAPUANO, Mrs. NAPOLITANO, Mr. PAYNE, Mrs. MORELLA, Mr. COYNE, Mr. HINCHEY, Mr. KING, Mrs. MYRICK, Mr. HORN, Mr. BROWN of Ohio, Ms. PELOSI, Mr. KENNEDY of Rhode Island, Mr. SHERMAN, Ms. MCKINNEY, Mr. MCGOVERN, Mr. TIERNEY, Mr. STARK, Mr. LEWIS of California, Mr. BAIRD, Mr. BLUMENAUER, Mr. GEKAS, and Mr. ACKERMAN):

H. Con. Res. 164. Concurrent resolution expressing the sense of Congress that security, reconciliation, and prosperity for all Cypriots can be best achieved within the context of membership in the European Union which will provide significant rights and obligations for all Cypriots, and for other purposes; to the Committee on International Relations.

By Ms. MILLENDER-McDONALD:

H. Con. Res. 165. Concurrent resolution expressing the sense of the Congress that continual research and education into the cause and cure for fibroid cancer be addressed; to the Committee on Energy and Commerce.

By Mr. PALLONE (for himself, Mr. BACA, Mr. FROST, Mr. FILNER, Ms. MCKINNEY, Mr. ROHRABACHER, Mr. KILDEE, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Mr. FALEOMAVAEGA, Mr. GEORGE MILLER of California, Mr. HAYWORTH, Ms. LEE, Mr. RANGEL, Ms. SCHAKOWSKY, and Ms. CARSON of Indiana):

H. Con. Res. 166. Concurrent resolution recognizing the invaluable contribution of Native American Veterans and honoring their service to the Nation; to the Committee on Armed Services.

By Mr. GRUCCI (for himself, Mrs. MALONEY of New York, Mr. KING, Mr. CROWLEY, Mr. MEEKS of New York, Mr. HINCHEY, Mr. ISRAEL, Mr. GILMAN, Mr. PASCRELL, Mr. MCHUGH, Mrs. MCCARTHY of New York, Mr. SWEENEY, Mr. WALSH, Mr. FOSSELLA, and Mr. ACKERMAN):

H. Res. 172. A resolution honoring John J. Downing, Brian Fahey, and Harry Ford, who lost their lives in the course of duty as firefighters; to the Committee on Government Reform.

¶63.31 MEMORIALS

Under clause 3 of rule XII,

114. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 134 memorializing the United States Congress to expand and fund federal agricultural conservation programs, including the Conservation Reserve, Wetlands Reserve, Environmental Quality Incentives, Wildlife Habitat Improvement, and Forestry Incentives Programs; to the Committee on Agriculture.

¶63.32 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LANTOS introduced a bill (H.R. 2245) for the relief of Anisha Goveas Foti; which was referred to the Committee on the Judiciary.

¶63.33 ADDITIONAL SPONSORS

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

H.R. 7: Mr. KELLER, Mr. BARTON of Texas, and Mr. DEMINT.

H.R. 17: Ms. BALDWIN.

H.R. 68: Mr. MANZULLO.

H.R. 85: Mr. MCHUGH and Mr. GONZALEZ.

H.R. 91: Mr. BALDACCI, Mr. NEY, and Mr. HOSTETTLER.,

H.R. 159: Mr. SCHROCK and Mr. ISAKSON.

H.R. 162: Mr. FROST and Ms. KILPATRICK.

H.R. 190: Mr. BOUCHER.

H.R. 250: Mr. KINGSTON, Ms. CARSON of Indiana, Mr. GEKAS, and Mr. PITTS.

H.R. 267: Mr. KENNEDY of Minnesota and Mr. MORAN of Virginia.

H.R. 280: Mr. SAXTON.

H.R. 281: Ms. CARSON of Indiana and Mr. UPTON.

H.R. 303: Mr. DAVIS of Illinois, Mr. BOYD, Ms. ESHOO, and Mr. THOMPSON of Mississippi.

H.R. 323: Mr. KLECZKA, Mr. SIMMONS, Mr. BISHOP, Ms. DELAURO, Ms. MCKINNEY, Mrs.

NAPOLITANO, Mr. BONIOR, and Ms. CARSON of Indiana.
H.R. 331: Mr. CULBERSON.
H.R. 369: Mr. KELLER.
H.R. 479: Mr. HOLDEN.
H.R. 480: Mr. HOLDEN.
H.R. 482: Ms. HART.
H.R. 488: Mr. CUMMINGS and Mr. HALL of Ohio.
H.R. 500: Mr. JACKSON of Illinois and Mr. WU.
H.R. 504: Mr. KUCINICH, Ms. SANCHEZ, Mr. BOYD, and Mr. BACA.
H.R. 526: Ms. WATERS, Mr. HILLIARD, and Mr. HOLT.
H.R. 527: Mr. HYDE.
H.R. 556: Mr. PETRI.
H.R. 572: Mr. BLUNT.
H.R. 600: Mr. RAHALL, Mr. TERRY, Mr. FRELINGHUYSEN, Ms. MCCOLLUM, and Mr. WEINER.
H.R. 612: Mr. WU, Mr. BARCIA, Mr. HALL of Ohio, Mrs. NAPOLITANO, and Mr. SAXTON.
H.R. 632: Ms. NORTON and Mr. PALLONE.
H.R. 647: Mr. HEFLEY and Mr. TANCREDO.
H.R. 652: Mr. EVANS and Mr. HILLIARD.
H.R. 653: Mr. PETRI.
H.R. 717: Mr. CONDIT and Mr. BARTON of Texas.
H.R. 747: Ms. SCHAKOWSKY and Mr. BACA.
H.R. 786: Ms. VELAZQUEZ and Mr. MATSUI.
H.R. 814: Ms. SCHAKOWSKY.
H.R. 817: Mrs. NORTHUP.
H.R. 818: Mr. PALLONE and Mr. WEINER.
H.R. 822: Mr. FLETCHER.
H.R. 831: Mr. COOKSEY, Mr. DEFAZIO, Mr. BARRETT, Ms. LEE, Mr. BROWN of Ohio, Mr. MORAN of Virginia, Mr. BRADY of Pennsylvania, Mr. SCHIFF, Mr. LATHAM, Mr. GOODE, Mr. LAFALCE, Mr. SCHAFFER, and Ms. SANCHEZ.
H.R. 839: Ms. ESHOO.
H.R. 843: Mr. MCGOVERN and Mr. MEEKS of New York.
H.R. 912: Mr. TIBERI and Mr. ACEVEDO-VILA.
H.R. 950: Mr. HAYWORTH.
H.R. 952: Mrs. LOWEY, Mr. MCCRERY, and Mr. SCHAKOWSKY.
H.R. 954: Mr. PRICE of North Carolina.
H.R. 969: Mr. CUNNINGHAM.
H.R. 978: Mr. OWENS.
H.R. 1008: Mr. SIMMONS and Mr. BARR of Georgia.
H.R. 1073: Mr. HOYER, Mr. HORN, Mr. BRYANT, and Mr. CONYERS.
H.R. 1076: Mr. KANJORSKI, Mr. UNDERWOOD, Mr. MARKEY, Mr. REYES, and Mr. SAWYER.
H.R. 1086: Ms. SCHAKOWSKY.
H.R. 1089: Mr. VITTER.
H.R. 1090: Mr. HOLT, Mr. SHAW, Ms. JACKSON-LEE of Texas, and Mrs. NAPOLITANO.
H.R. 1097: Ms. LEE, Mr. BORSKI, Ms. JACKSON-LEE of Texas, and Mr. GEORGE MILLER of California.
H.R. 1109: Mr. RILEY, Mr. VITTER, Mr. TOOMEY, Mr. SMITH of Texas, Mr. CALLAHAN, and Mr. GILCHREST.
H.R. 1110: Mr. LINDER and Mr. HOEKSTRA.
H.R. 1111: Mr. WAXMAN, Mr. FROST, and Mr. MATHESON.
H.R. 1121: Mr. ROSS.
H.R. 1139: Mr. HAYWORTH and Mr. HUNTER.
H.R. 1170: Mr. ACEVEDO-VILA and Mr. MCDERMOTT.
H.R. 1176: Mr. SCHIFF and Mr. MATHESON.
H.R. 1194: Mr. BACA.
H.R. 1202: Mr. TURNER, Mr. WEINER, Mr. ENGLISH, Mr. CARSON of Oklahoma, Mr. LARSON of Connecticut, Ms. MCKINNEY, Mr. WEXLER, Mr. JENKINS, Mr. RYAN of Wisconsin, Mr. GILMAN, Ms. CARSON of Indiana, and Mrs. DAVIS of California.
H.R. 1220: Mr. BURTON of Indiana.
H.R. 1262: Mr. COSTELLO.
H.R. 1291: Mr. PASCRELL and Mr. OSBORNE.
H.R. 1304: Mr. BLAGOJEVICH, Mr. INSLEE, and Mr. OBERSTAR.
H.R. 1305: Mr. GORDON, Mr. TOM DAVIS of Virginia, Mr. MANZULLO, and Mr. LOBIONDO.
H.R. 1340: Ms. JACKSON-LEE of Texas.
H.R. 1343: Mr. MATHESON.
H.R. 1350: Mr. WATT of North Carolina.
H.R. 1351: Mr. RYAN of Wisconsin, Mrs. CAPITO, Mr. MCGOVERN, Mr. KILDEE, and Ms. BALDWIN.
H.R. 1353: Mr. GILLMOR, Mr. LATOURETTE, Mr. WELLER, Ms. PRYCE of Ohio, Mr. PICKERING, Ms. JACKSON-LEE of Texas, and Mr. SWEENEY.
H.R. 1354: Mr. LAFALCE.
H.R. 1371: Mr. MCGOVERN.
H.R. 1377: Mr. BILIRAKIS and Mr. ARMEY.
H.R. 1381: Mr. WEXLER.
H.R. 1382: Mr. PAYNE and Mr. BAIRD.
H.R. 1388: Ms. MCCOLLUM, Mr. NETHERCUTT, Mrs. MYRICK, Mr. GRAVES, Ms. HOOLEY of Oregon, and Mr. SANDERS.
H.R. 1391: Ms. MILLENDER-MCDONALD.
H.R. 1392: Ms. MILLENDER-MCDONALD.
H.R. 1393: Ms. MILLENDER-MCDONALD.
H.R. 1394: Ms. MILLENDER-MCDONALD.
H.R. 1395: Ms. MILLENDER-MCDONALD.
H.R. 1396: Ms. MILLENDER-MCDONALD.
H.R. 1397: Ms. MILLENDER-MCDONALD.
H.R. 1400: Mr. EDWARDS.
H.R. 1405: Ms. SANCHEZ.
H.R. 1406: Mrs. TAUSCHER.
H.R. 1433: Mr. PRICE of North Carolina.
H.R. 1434: Mr. TIERNEY.
H.R. 1443: Ms. DELAURO.
H.R. 1462: Mr. HASTINGS of Washington.
H.R. 1468: Mr. ALLEN.
H.R. 1485: Mrs. ROUKEMA.
H.R. 1488: Mr. HOEFFEL.
H.R. 1496: Mrs. MORELLA.
H.R. 1517: Mr. UPTON and Mr. SPRATT.
H.R. 1543: Ms. CARSON of Indiana.
H.R. 1553: Mr. BLUMENAUER, Mrs. NAPOLITANO, and Mrs. MORELLA.
H.R. 1556: Mr. HINCHEY, Mr. LOBIONDO, and Mr. GRUCCI.
H.R. 1607: Mr. PAUL.
H.R. 1609: Mr. CARSON of Oklahoma, Mr. REYNOLDS, Mr. HINCHEY, Mr. SWEENEY, Ms. HART, and Mr. FORD
H.R. 1624: Mr. LIPINSKI, Mr. WELDON of Florida, Mr. WALSH, Mr. DUNCAN, Mr. GALLEGLY, Mr. PRICE of North Carolina, Mr. WELDON of Pennsylvania, Mr. UDALL of New Mexico, and Mr. COYNE.
H.R. 1644: Mr. SAM JOHNSON of Texas.
H.R. 1672: Ms. CARSON of Indiana, Mr. CARDIN, Mr. BARRETT, Mr. SHERMAN, and Mr. GORDON.
H.R. 1704: Mrs. NORTHUP and Mr. WELDON of Florida.
H.R. 1707: Mr. SMITH of Texas.
H.R. 1718: Mr. KIND, Mr. FARR of California, Mr. DEMINT, Mrs. MORELLA, Mr. GILLMOR, Mrs. CAPPS, Mr. BLUMENAUER, and Mr. SHERMAN.
H.R. 1739: Mr. CLAY, Ms. MCKINNEY, Mr. HOEFFEL, and Mr. HINCHEY.
H.R. 1770: Mr. PASCRELL.
H.R. 1773: Ms. MCKINNEY.
H.R. 1780: Mr. DOYLE, Mr. GEKAS, and Mr. EVANS.
H.R. 1786: Mr. REHBERG, Mr. SHOWS, and Mr. BARCIA.
H.R. 1793: Mr. SCHROCK.
H.R. 1795: Mr. PALLONE, Mr. BENTSEN, and Mr. KIRK.
H.R. 1798: Mr. LATOURETTE and Mr. KLECZKA.
H.R. 1815: Mr. BARTLETT of Maryland, Mr. FERGUSON, Mr. GILMAN, Mrs. MORELLA, Mr. SAXTON, Mr. ANDREWS, Mr. BALDACCI, Mr. BAIRD, Ms. BERKLEY, Mr. BLUMENAUER, Mr. CAPUANO, Ms. DEGETTE, Ms. DELAURO, Ms. ESHOO, Mr. FATTAH, Mr. FILNER, Mr. FORD, Mr. FRANK, Mr. GUTIERREZ, Mr. HINCHEY, Ms. HOOLEY of Oregon, Mr. ISRAEL, Ms. LEE, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. NADLER, Ms. SLAUGHTER, Mrs. TAUSCHER, Mr. TIERNEY, Ms. WOOLSEY, and Mr. SANDERS.
H.R. 1842: Ms. SCHAKOWSKY, Mr. KUCINICH, and Mrs. THURMAN.
H.R. 1847: Mr. OWENS.
H.R. 1851: Mr. SCHIFF.
H.R. 1864: Mr. TERRY.
H.R. 1882: Mr. OWENS, Ms. MCKINNEY, Mr. UNDERWOOD, Mrs. CHRISTENSEN, Mr. FROST, and Mr. FALEOMAVAEGA.
H.R. 1887: Mrs. JO ANN DAVIS of Virginia and Mr. WOLF.
H.R. 1908: Mr. GRAVES.
H.R. 1911: Mr. GOODE and Mr. RAHALL.
H.R. 1922: Mr. PASCRELL.
H.R. 1927: Mr. UPTON and Mr. EHLERS.
H.R. 1939: Mr. FROST.
H.R. 1945: Mr. MCGOVERN.
H.R. 1950: Mr. DEAL of Georgia.
H.R. 1954: Mr. BRADY of Pennsylvania, Mr. KILDEE, Mr. MALONEY of Connecticut, Mrs. MINK of Hawaii, Mr. GREENWOOD, Mr. ABERCROMBIE, and Mr. PETERSON of Pennsylvania.
H.R. 1961: Mr. BURR of North Carolina.
H.R. 1974: Mr. LEWIS of California.
H.R. 1979: Mr. LAHOOD, Mr. ADERHOLT, Mr. KINGSTON, Mr. PETERSON of Pennsylvania, Mr. BONILLA, Mr. TIAHRT, Mr. MCHUGH, Mr. BARTLETT of Maryland, Mr. STUMP, Mr. NETHERCUTT, Mr. DEMINT, Mr. CANNON, Mr. HUTCHINSON, and Mr. HERGER.
H.R. 1980: Mr. MCHUGH, Mr. KING, and Mr. SIMMONS.
H.R. 1986: Mr. BISHOP and Mr. LATHAM.
H.R. 1990: Mr. MORAN of Virginia.
H.R. 1992: Mr. ANDREWS and Mr. SMITH of Texas.
H.R. 1993: Mr. BAKER, Mr. GREENWOOD, and Mr. MCINNIS.
H.R. 2001: Mr. EHLERS, Mr. SCHAFFER, Mr. STUMP, Mr. BISHOP, and Mr. TAUZIN.
H.R. 2005: Mr. MCGOVERN, Ms. NORTON, and Mr. WAXMAN.
H.R. 2018: Mr. CANTOR, Ms. WATERS, Mr. TANCREDO, Mrs. MORELLA, Mr. LARGENT, Mr. CUMMINGS, Mr. VITTER, Mr. SIMMONS, Ms. KAPTUR, and Mrs. ROUKEMA.
H.R. 2064: Mr. PASCRELL.
H.R. 2074: Mr. BARRETT, Ms. KILPATRICK, and Mrs. CAPPS.
H.R. 2081: Mr. CASTLE and Mr. WEINER.
H.R. 2097: Mr. SANDLIN, Mrs. MORELLA, Mr. CONYERS, Mr. DEFAZIO, and Mrs. JONES of Ohio.
H.R. 2103: Mr. HOBSON.
H.R. 2104: Ms. MCCARTHY of Missouri, Mr. HASTINGS of Florida, and Mr. MEEKS of New York.
H.R. 2108: Mr. MEEKS of New York and Mr. FILNER.
H.R. 2109: Mr. HASTINGS of Florida, Mr. DAVIS of Florida, and Mrs. THURMAN.
H.R. 2112: Mr. EHLERS.
H.R. 2117: Ms. SLAUGHTER, Mr. ISAKSON, Mr. DOOLEY of California, and Mr. POMEROY.
H.R. 2118: Mr. WOLF, Mr. OWENS, Mrs. MCCARTHY of New York, Mr. PALLONE, and Mr. NEAL of Massachusetts.
H.R. 2123: Ms. ROYBAL-ALLARD, Mrs. WILSON, Ms. CARSON of Indiana, and Mr. ORTIZ.
H.R. 2134: Mr. LANTOS, Ms. SCHAKOWSKY, Mr. OWENS, Ms. JACKSON-LEE of Texas, and Mrs. JONES of Ohio.
H.R. 2143: Mr. HASTINGS of Washington, Mr. SENSENBRENNER, Mr. BURTON of Indiana, Mr. HAYWORTH, Mr. JONES of North Carolina, and Mr. WATTS of Oklahoma.
H.R. 2145: Mr. DELAHUNT, Mr. BROWN of Ohio, Ms. MILLENDER-MCDONALD, and Ms. HART.
H.R. 2148: Mr. SNYDER and Ms. LOFGREN.
H.R. 2149: Mr. ISAKSON, Mr. ROGERS of Michigan, Mr. SHIMKUS, Mr. FOSSELLA, Mr. KERNS, Mr. BOEHNER, and Mr. BARTON of Texas.
H.R. 2158: Mr. CAPUANO and Mr. WEINER.
H.R. 2166: Mr. SANDERS and Mr. BONIOR.
H.R. 2167: Mr. LAFALCE and Mr. SAWYER.
H.R. 2177: Mr. SMITH of Texas and Mr. WATTS of Oklahoma.
H.R. 2181: Mr. WICKER, Mr. HILLIARD, AND MR. ABERCROMBIE.

H.J. Res. 27: Mr. BARTLETT of Maryland.

H.J. Res. 36: Mr. PENCE, Mr. PHELPS, Mr. LANGEVIN, Mr. MILLER of Florida, Mr. REYES, Mr. BERRY, Mr. SESSIONS, and Mr. HYDE.

H.J. Res. 42: Mr. BROWN of Ohio, Mr. SESSIONS, Mrs. CAPPS, Ms. SOLIS, Mr. MATHESON, and Mr. HOLDEN.

H. Con. Res. 36: Mr. NEAL of Massachusetts, Mr. LOBIONDO, Mr. BROWN of Ohio, Ms. KAPTUR, and Mr. ETHERIDGE.

H. Con. Res. 48: Mr. HOSTETTLER.

H. Con. Res. 61: Mr. PHELPS and Mr. SHAYS.

H. Con. Res. 64: Mr. HALL of Texas.

H. Con. Res. 142: Mrs. MEEK of Florida and Mr. ISRAEL.

H. Con. Res. 152: Mr. EHLERS.

H. Con. Res. 154: Mr. GONZALEZ, Mr. PENCE, and Mr. BACA.

H. Con. Res. 163: Ms. NORTON.

H. Res. 105: Mr. MCGOVERN.

H. Res. 124: Mr. RADANOVICH, Ms. BROWN of Florida, Mr. PUTNAM, Mr. OWENS, Mr. OSBORNE, Mr. KELLER, Mr. BROWN of South Carolina, Mr. ROSS, Ms. McCOLLUM, Mr. PASCRELL, Ms. JACKSON-LEE of Texas, Mr. LANGEVIN, Mrs. BIGGERT, and Mr. SCHROCK.

H. Res. 139: Mr. PAYNE.

H. Res. 152: Mr. BOSWELL, Ms. NORTON, Mr. LAFALCE, Mr. BLUMENAUER, Mr. GILMAN, and Mr. PETERSON of Minnesota.

H. Res. 160: Mr. GILMAN, Mr. PITTS, Mr. DELAY, Mrs. JO ANN DAVIS of Virginia, Mr. KING, Ms. LEE, Mr. HUNTER, Mr. BROWN of Ohio, Mr. DELAHUNT, Mr. LOBIONDO, Mr. ISSA, Mr. ORTIZ, Mr. SENSENBRENNER, Mr. BARCIA, Mr. QUINN, Mr. FRELINGHUYSEN, Mr. SAXTON, Mr. TRAFICANT, Mr. SESSIONS, Mr. CUNNINGHAM, Mr. WELDON of Florida, Mr. SIMMONS, Mr. WELDON of Pennsylvania, Mr. BACHUS, Mr. GUTKNECHT, Mr. GRAHAM, Mr. GANSKE, Mr. BROWN of South Carolina, and Mr. VITTER.

H. Res. 168: Mr. WAXMAN.

¶63.34 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 877: Mr. SAXTON.

H.R. 2188: Mr. FROST and Mr. WAXMAN.

H.R. 2172: Mr. WOLF, Mr. OWENS, Mr. NEAL of Massachusetts, Mr. PALLONE, and Mrs. MCCARTHY of New York.

WEDNESDAY, JUNE 20, 2001 (64)

¶64.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SHAYS, who laid before the House the following communication:

WASHINGTON, DC,
June 20, 2001.

I hereby appoint the Honorable CHRISTOPHER SHAYS to act as Speaker pro tempore on this day.

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

¶64.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHAYS, announced he had examined and approved the Journal of the proceedings of Tuesday, June 19, 2001.

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

¶64.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2589. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate for Pay-As-You-Go Calculations; to the Committee on the Budget.

2590. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2591. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2592. A letter from the Administrator, Environmental Protection Agency, transmitting the semiannual report on the activities of the Inspector General covering the period from October 1, 2000, to March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2593. A letter from the Acting Chairman, National Credit Union Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2594. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Maryland Regulatory Program [MD–046–FOR] received June 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2595. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule—Civil Penalties [Docket No. OST 2000–8058] (RIN: 2105–AC92) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2596. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule—Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs; Threshold Requirements and Other Technical Revisions [Docket No. OST–2000–7640] (RIN: 2105–AC89) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2597. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30251; Amdt. No. 429] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2598. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule—Credit Assistance for Surface Transportation Projects [OST Docket No. OST–2000–7401] (RIN: 2105–AC87) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2599. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30249; Amdt. No. 2052] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2600. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Annisquam River, Blynman Canal, MA [CGD01–01–076] (RIN: 2115–AE47) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2601. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30250; Amdt. No. 2053] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2602. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Gulf of Mexico, Sarasota, Florida [CGD07–01–042] (RIN: 2115–AE46) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2603. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Salisbury, MD [Airspace Docket No. 01–AEA–10] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2604. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Harbour Town Fireworks Display, Calibogue Sound, Hilton Head, SC [CGD07–01–040] (RIN: 2115–AE46) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2605. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Sarasota Bay, Sarasota, Florida [CGD07–01–043] (RIN: 2115–AE46) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2606. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Phillipsburg, KS [Airspace Docket No. 01–ACE–2] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2607. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Skull Creek, Hilton Head, SC [CGD07–01–046] (RIN: 2115–AE46) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2608. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Jackson Hole, WY [Airspace Docket No. 00–ANM–24] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2609. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Grosse Pointe Farms, Lake St. Clair, MI [CGD09–01–042] (RIN: 2115–AA97) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2610. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Bay City, TX [Airspace Docket No. 2001–ASW–05] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2611. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Ottawa River, Toledo, Ohio [CGD09–01–036]

(RIN: 2115–AA97) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2612. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace; South Albany, NY [Airspace Docket No. 00–AEA–16FR] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2613. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Advanced Qualification Program; Correction [Docket No. FAA–2000–7497; Amendment No. 61–107, 63–30, 65–41, 108–18, 121–280 and 135–79] (RIN: 2120–AH01) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2614. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, Kill Van Kull, Staten Island, NY [CGD01–01–078] (RIN: 2115–AA97) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2615. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Minimum Cost Requirement Permitting the Transfer of Excess Assets of a Defined Benefit Pension Plan to a Retiree Health Account [TD 8948] (RIN: 1545–AY43) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2616. A letter from the Under Secretary, Department of Defense, transmitting a letter updating the status of the President's report pursuant to Section 1402 of the National Defense Authorization Act (NDAA) for FY 2000 which is due on an annual basis through the year 2007; jointly to the Committees on International Relations, Armed Services, and Intelligence (Permanent Select).

¶64.4 MESSAGE FROM THE SENATE

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

S. 657. An Act to authorize funding for the National 4–H Program Centennial Initiative.

S. Con. Res. 35. Concurrent resolution expressing the sense of Congress that Lebanon, Syria, and Iran should allow representatives of the International Committee of the Red Cross to visit the four Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

S. Con. Res. 42. Concurrent resolution condemning the Taleban for their discriminatory policies and for other purposes.

¶64.5 HUD MANUFACTURED HOUSING PROGRAM

Mrs. ROUKEMA, pursuant to the order of the House of Tuesday, June 19, 2001, moved to suspend the rules and pass the bill of the Senate (S. 1029) to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees during fiscal year 2001 for the manufactured housing program.

The SPEAKER pro tempore, Mr. SHAYS, recognized Mrs. ROUKEMA and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHAYS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶64.6 AMERICAN YOUTH DAY

Mr. CASTLE, pursuant to the order of the House of Tuesday, June 19, 2001, moved to suspend the rules and agree to the following resolution (H. Res. 124):

Whereas national evidence indicates that America's youth are faced with oppressive issues, such as violence, drugs, abuse, and even family stress, causing the future of the youth of the United States, and therefore the future of the Nation, to be at risk;

Whereas youth in America, regardless of their economic status, ethnic or cultural heritage, or geographic location, are experiencing the pressures caused by contemporary society;

Whereas although Americans realize the challenges of today's busy lifestyles and balancing work schedules and youth activities, they remain committed to education, physical fitness, and civic-mindedness;

Whereas it is imperative that the people of the United States act willfully and purposely to secure a positive future for the Nation by devoting time to youth, sharing traditions, and communicating values to children in an effort to sustain ongoing relationships with caring adults;

Whereas America's Promise—The Alliance for Youth, founded by Secretary of State Colin L. Powell, is one of the Nation's most comprehensive nonprofit organizations dedicated to building and strengthening the character and competence of youth by mobilizing the Nation to fulfill the organization's ''Five Promises'' for young people:

(1) ongoing relationships with caring adults;

(2) safe places with structured activities during nonschool hours;

(3) a healthy start and future;

(4) marketable skills through effective education; and

(5) opportunities to give back through community service;

Whereas the citizens of the United States will celebrate American Youth Day and encourage all youth organizations to participate annually on a Saturday near the beginning of the school year; and

Whereas American Youth Day will provide opportunities for America's youth to reclaim the values which foster trust and build better communication and which will encourage parents, grandparents, and extended families to recognize the importance of being involved in the physical and emotional lives of their children: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance of youth to the future of the United States;

(2) supports the goals and ideas of American Youth Day; and

(3) encourages the people of the United States to participate in local and national activities that seek to fulfill the Five Promises to America's youth, as established by America's Promise—The Alliance for Youth.

The SPEAKER pro tempore, Mr. SHAYS, recognized Mr. CASTLE and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SHAYS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CASTLE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SHAYS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶64.7 HONORING NATIVE AMERICANS FOR CONTRIBUTIONS TO AMERICAN HISTORY

Mr. CASTLE, pursuant to the order of the House of Tuesday, June 19, 2001, moved to suspend the rules and agree to the following resolution (H. Res. 168):

Whereas Native Americans have given much to this country;

Whereas an emphasis on freedom, justice, patriotism, and representative government have always been elements of Native American culture;

Whereas Native Americans have shown their willingness to fight and die for this Nation in foreign lands;

Whereas Native Americans honor the American flag at every powwow and at many gatherings and remember all veterans through song, music, and dance;

Whereas Native Americans honor, through song, the men and women of this country who have fought for freedom;

Whereas Native Americans love the land that has nurtured their parents, grandparents, and unnamed elders since the beginning of their recorded history; and

Whereas Native Americans honor the Earth that has brought life to the people since time immemorial: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the Nation's schools should honor Native Americans for their contributions to American history, culture, and education.

The SPEAKER pro tempore, Mr. SHAYS, recognized Mr. CASTLE and Ms. McCOLLUM, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SHAYS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶64.8 M. CALDWELL BUTLER POST OFFICE BUILDING

Mr. WELDON of Florida, pursuant to the order of the House of Tuesday, June 19, 2001, moved to suspend the rules and pass the bill (H.R. 1753) to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Post Office Building''.

The SPEAKER pro tempore, Mr. SHAW, recognized Mr. WELDON of Florida and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHAW, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶64.9 DONALD J. PEASE FEDERAL BUILDING

Mr. LATOURETTE, pursuant to the order of the House of Tuesday, June 19, 2001, moved to suspend the rules and pass the bill (H.R. 819) to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building''.

The SPEAKER pro tempore, Mr. SHAW, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHAW, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶64.10 NATIONAL BOOK FESTIVAL

Mr. LATOURETTE, pursuant to the order of the House of Tuesday, June 19, 2001, moved to suspend the rules and agree to the following concurrent resolution of the Senate (S. Con. Res. 41); as amended:

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR NATIONAL BOOK FESTIVAL.

(a) IN GENERAL.—The Library of Congress (in this resolution referred to as the 'sponsor'), in cooperation with the First Lady, may sponsor the National Book Festival (in this resolution referred to as the 'event') on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on September 8, 2001, or on such other date as the Senate Committee on Rules and Administration and the Speaker of the House of Representatives jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event authorized under section 1 shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, the sponsor may cause to be placed on the Capitol Grounds such stage, seating, booths, sound amplification and video devices, and other related structures and equipment as may be required for the event, including equipment for the broadcast of the event over radio, television, and other media outlets.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board may make any additional arrangements as may be required to carry out the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, advertisements, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds in connection with the event.

The SPEAKER pro tempore, Mr. SHAW, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. SHAW, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶64.11 RECESS—12 NOON

The SPEAKER pro tempore, Mr. SHAW, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock p.m., subject to the call of the Chair.

¶64.12 AFTER RECESS—1:01 P.M.

The SPEAKER pro tempore, Mr. FOLEY, called the House to order.

¶64.13 PROVIDING FOR THE CONSIDERATION OF H.R. 2216

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 171):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. The amendment printed in part B of the report of the Committee on Rules may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment printed in part B of the report are waived. During consideration of the bill for further amendment, the Chairman of the Committee on the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. During consideration of the bill, as amended, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mrs. MYRICK moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. FOLEY, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 222 / Nays ..... 205 }

¶64.14 [Roll No. 169]

YEAS—222

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

NAYS—205

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

NOT VOTING—5

Cox
Dooley
Eshoo
Etheridge
Houghton

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. FOLEY, announced that the yeas had it.

Mr. FROST demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 223 / Nays ..... 205 }

¶64.15 [Roll No. 170]

AYES—223

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

NOES—205

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney

McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—5

Conyers
Cox
Eshoo
Houghton
Smith (WA)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶64.16 H. RES. 124—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 124) recognizing the importance of children in the United States and supporting the goals and ideas of American Youth Day.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 424 / Nays 0

¶64.17 [Roll No. 171]

YEAS—424

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

NOT VOTING—8

Berkley
Cox
DeLay
Fletcher
Houghton
Kelly
Schiff
Smith (WA)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶64.18 ADDITIONAL COSPONSORS—H.R. 1594

Mr. MCGOVERN, by unanimous consent, was authorized to be considered as the first sponsor of the bill (H.R. 1594) to provide for increased accountability with respect to the education and training of foreign military personnel, and for other purposes, (a bill originally introduced by the late Representative John Joseph Moakley); for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7(b)(4) of rule XII.

¶64.19 SUPPLEMENTAL APPROPRIATIONS FY 2001

The SPEAKER pro tempore, Mr. FOLEY, pursuant to House Resolution 171 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

The SPEAKER pro tempore, Mr. FOLEY, by unanimous consent, designated Mr. BEREUTER as Chairman of the Committee of the Whole; and after some time spent therein,

¶64.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DEFAZIO:

In chapter 1 of title I, in the paragraph under the heading ''Operation and Maintenance, Air Force'', after the aggregate dollar amount, insert the following: ''(reduced by $24,500,000)''.

It was decided in the negative ..... { Yeas ..... 50 / Nays 376

¶64.21 [Roll No. 172]

AYES—50

Baird
Baldwin
Barrett
Blumenauer
Bonior
Brown (OH)
Conyers
Davis (IL)
DeFazio
DeGette
Doggett
Duncan
Filner
Frank
Gutierrez
Hinchey
Holt
Honda
Hooley
Jackson (IL)
Kind (WI)
Kucinich
Lee
Lipinski
Luther
Maloney (NY)
Markey
McDermott
McGovern
McKinney
Miller, George
Nadler
Oberstar
Paul
Payne
Rivers
Rohrabacher
Sanders
Schakowsky
Shays
Slaughter
Solis
Stark
Tierney

Towns
Udall (CO)
Velazquez
Watt (NC)
Woolsey
Wu

NOES—376

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

NOT VOTING—6

Cox
Flake
Houghton
Jefferson
Kaptur
Rush

So the amendment was not agreed to.

¶64.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. OBEY:

At the end of chapter 8 of title II, insert the following new provision:

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''High Intensity Drug Trafficking Areas Program'', to be derived by transfer of amounts provided in this chapter for ''Internal Revenue Service—Processing, assistance, and management'', $30,500,000, as authorized by law (21 U.S.C. 1706).

It was decided in the negative ..... { Yeas ..... 212 / Nays 216

¶64.23 [Roll No. 173]

AYES—212

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

NOES—216

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

Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Cox
Houghton
Kaptur
Rush

So the amendment was not agreed to.

¶64.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TOOMEY:

In chapter 9 of title II, strike the item relating to ''Federal Emergency Management Agency''.

At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. . (a) GOVERNMENT-WIDE RESCISSION.—(1) There is hereby rescinded an amount equal to 0.33 percent of the new discretionary budget authority provided (or obligation limit imposed) for fiscal year 2001 in this or any other Act for each department, agency, instrumentality, or entity of the Government.

(2) Paragraph (1) shall not apply to budget accounts included under major functional category 050 (national defense).

(b) RESTRICTIONS.—In carrying out the rescissions made by subsection (a)(1), no program, project, or activity of any department, agency, instrumentality, or entity may be reduced by more than 15 percent (with ''programs projects, and activities'' as delineated in the appropriation Act or accompanying report for the relevant account, or for accounts and items not included in appropriation Acts, as delineated in the President's most recently submitted budget).

(c) REPORT.—The Director of the Office of Management and Budget shall include in the President's budget submission for fiscal year 2003 a report specifying the reductions made to each account pursuant to this section.

It was decided in the negative ..... { Yeas ..... 65 / Nays 362

¶64.25 [Roll No. 174]

AYES—65

Akin
Baker
Bartlett
Barton
Blunt
Burr
Cannon
Cantor
Castle
Chabot
Crane
Cubin
Culberson
Davis, Jo Ann
DeLay
DeMint
Doolittle
Duncan
Dunn
Flake
Goode
Goodlatte
Green (WI)
Hall (TX)
Hayworth
Herger
Hoekstra
Horn
Hostettler
Hulshof
Istook
John
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kingston
Largent
Miller (FL)
Myrick
Nussle
Otter
Paul
Pence
Pitts
Pombo
Portman
Ramstad
Royce
Ryun (KS)
Scarborough
Schaffer
Sessions
Shadegg
Shays
Smith (MI)
Stearns
Tancredo
Tauzin
Thornberry
Tiahrt
Toomey
Vitter
Watts (OK)
Wu

NOES—362

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

NOT VOTING—5

Cox
Houghton
Kaptur
Rush
Souder

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. HANSEN, assumed the Chair.

When Mr. BEREUTER, Chairman, pursuant to House Resolution 171, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Under Title II, Chapter 5, delete the heading ''Department of Labor, Employment and Training Administration, Training and Employment Services, (Rescission)'' and the paragraph that follows.

Page 19, line 25, strike ''$2,000,000'' and insert ''$14,000,000''.

Page 20, line 5, strike ''$1,750,000'' and insert ''$13,750,000''.

Page 20, line 6, insert after the colon the following: ''$12,000,000 from local funds for the District of Columbia Public Schools to conduct the 2001 summer school program;''.

On page 24, after line 19, insert the following:

SEC. 2302. The amounts otherwise provided by this Act for ''National Nuclear Security Administration—Weapons Activities'' are reduced by $23,700,000. For an additional amount for ''Corps of Engineers—Civil—Operation and Maintenance, General'', $23,700,000, to remain available until expended.

SEC. . No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly know as the ''Buy American Act'').

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. OBEY moved to recommit the bill, H.R. 2216, to the Committee on Appropriations with instructions to report the bill back to the House promptly with amendments to strike the rescission of $389,200,000 from the Federal Emergency Management Agency's Disaster Relief Fund while complying with all applicable budget constraints.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. HANSEN, announced that the nays had it.

Mr. OBEY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 209 / Nays 218

¶64.26 [Roll No. 175]

AYES—209

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

NOES—218

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

NOT VOTING—5

Cox
Houghton
Kaptur
Royce
Rush

So the motion to recommit with instructions was not agreed to.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. HANSEN, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 341 / Nays 87

¶64.27 [Roll No. 176]

YEAS—341

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Holden
Holt
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schiff
Schrock
Scott
Serrano
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (NM)
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)

Waxman	Wexler	Wolf
Weldon (FL)	Whitfield	Wynn
Weldon (PA)	Wicker	Young (AK)
Weller	Wilson	Young (FL)

NAYS—87

Baldwin	Honda	Payne
Barrett	Hooley	Pelosi
Bentsen	Jackson (IL)	Petri
Blumenauer	Jackson-Lee (TX)	Ramstad
Bonior	Jones (OH)	Rivers
Brown (OH)	Kennedy (RI)	Rothman
Capuano	Kind (WI)	Royce
Carson (IN)	Kleczka	Sanders
Chabot	Kucinich	Schaffer
Conyers	LaFalce	Schakowsky
Coyne	Lampson	Sensenbrenner
Crane	Lee	Shadegg
Crowley	Lofgren	Shays
DeFazio	Luther	Slaughter
DeGette	Manzullo	Smith (MI)
Delahunt	Markey	Solis
Deutsch	McDermott	Stark
Dingell	McGovern	Stupak
Doggett	McKinney	Tancredo
Duncan	Meehan	Terry
Ehlers	Meeks (NY)	Udall (CO)
Eshoo	Miller, George	Upton
Filner	Mink	Waters
Flake	Nadler	Watson (CA)
Frank	Neal	Watt (NC)
Green (TX)	Obey	Weiner
Hall (OH)	Olver	Woolsey
Hastings (FL)	Owens	Wu
Hinchey	Paul	
Hoekstra		

NOT VOTING—4

Cox	Kaptur
Houghton	Rush

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶64.28 PROVIDING FOR THE CONSIDERATION OF H.R. 2217

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 107–106) the resolution (H. Res. 174) providing for the consideration of the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶64.29 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. HANSEN, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
Washington, DC, June 20, 2001.

The Speaker
The Capitol, Washington, D.C.

DEAR MR. SPEAKER: I hereby resign my seat on the Veterans' Affairs Committee effective immediately.

Best regards,

J. D. HAYWORTH,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶64.30 COMMITTEE ELECTION—MAJORITY

Mr. HASTINGS of Washington, by unanimous consent, submitted the following resolution (H. Res. 175):

Resolved, That the following named member be and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Resources: Mr. HAYWORTH.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶64.31 SENATE BILL AND CONCURRENT RESOLUTIONS REFERRED

A bill and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 657. An Act to authorize funding for the National 4–H Program Centennial Initiative; to the Committee on Agriculture.

S. Con. Res. 35. Concurrent resolution expressing the sense of Congress that Lebanon, Syria, and Iran should allow representatives of the International Committee of the Red Cross to visit the four Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon; to the Committee on International Relations.

S. Con. Res. 42. Concurrent resolution condemning the Taleban for their discriminatory policies and for other purposes; to the Committee on International Relations.

And then,

¶64.32 ADJOURNMENT

On motion of Mr. RAHALL, at 11 o'clock p.m., the House adjourned.

¶64.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 174. Resolution providing for consideration of the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–106). Referred to the House Calendar.

¶64.34 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ISRAEL (for himself and Mr. OSBORNE):

H.R. 2246. A bill to prohibit the targeted marketing to minors of adult-rated media as an unfair or deceptive practice, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ABERCROMBIE (for himself and Mr. GIBBONS):

H.R. 2247. A bill to amend title 38, United States Code, to extend the authority for housing loans for members of the Selected Reserve; to the Committee on Veterans' Affairs.

By Ms. BALDWIN (for herself, Mr. MCHUGH, Mr. KIND, Mr. OBEY, Mr. PETRI, Mrs. EMERSON, Mr. GUTKNECHT, Mr. OWENS, Mr. LARSON of Connecticut, Mr. SMITH of Michigan, Mr. HILLIARD, Mr. SENSENBRENNER, Mr. OBERSTAR, Mrs. THURMAN, Mr. SANDERS, Mr. KLECZKA, and Mr. BARRETT):

H.R. 2248. A bill to amend the Dairy Production Stabilization Act of 1983 to ensure that all persons who benefit from the dairy promotion and research program contribute to the cost of the program, and for other purposes; to the Committee on Agriculture.

By Mr. BLUNT (for himself, Mr. RUSH, Mr. HASTERT, Mr. SHIMKUS, Mr. TERRY, Mr. LEWIS of Kentucky, Mr. ROGERS of Michigan, Mr. COSTELLO, Mr. OSBORNE, Mr. BEREUTER, Mr. LIPINSKI, Mrs. EMERSON, Mr. LATHAM, Mr. BOSWELL, Mr. JOHNSON of Illinois, Mr. LAHOOD, Mr. HULSHOF, Mr. KIRK, Mr. BARCIA, Mr. PETERSON of Minnesota, and Mrs. NORTHUP):

H.R. 2249. A bill to amend section 211 of the Clean Air Act to require a more uniform formula for gasoline and diesel fuel so that gasoline and diesel fuel manufactured for one region of the country may be transported to and sold in other regions of the country, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COOKSEY (for himself, Mr. ARMEY, Mr. EHRLICH, Mr. FLETCHER, Mr. ENGLISH, Ms. GRANGER, Mr. JENKINS, Mr. BRYANT, Mr. TRAFICANT, Mr. TAUZIN, Mr. JONES of North Carolina, Mrs. MYRICK, Mr. DOOLITTLE, Mr. SESSIONS, Mr. SHADEGG, Mrs. KELLY, Mr. GOODE, Mr. CANNON, Mr. PETERSON of Pennsylvania, Mr. LINDER, Mrs. CUBIN, Mrs. EMERSON, Mr. GIBBONS, Mr. RILEY, and Mr. BAKER):

H.R. 2250. A bill to amend the Internal Revenue Code of 1986 to allow more equitable and direct tax relief for health insurance and medical care expenses, to give Americans more options for obtaining quality health care, and to expand insurance coverage to the uninsured; to the Committee on Ways and Means.

By Ms. BROWN of Florida (for herself and Mr. CRENSHAW):

H.R. 2251. A bill to direct the Administrator of General Services to convey a certain United States Courthouse in Jacksonville, Florida, to the city of Jacksonville, Florida; to the Committee on Transportation and Infrastructure.

By Mr. BURTON of Indiana (for himself, Mr. GILMAN, Mr. SHAYS, Mr. MCHUGH, Mr. HORN, Mr. MICA, Mr. TOM DAVIS of Virginia, Mr. SOUDER, Mr. SCARBOROUGH, Mr. LATOURETTE, Mr. BARR of Georgia, Mr. OSE, Mr. PUTNAM, Mr. SCHROCK, Mr. GOSS, Mr. SENSENBRENNER, Mr. SPENCE, Mr. HALL of Texas, Mr. DEAL of Georgia, Mr. RADANOVICH, Mr. COX, Mr. HUTCHINSON, Mr. DUNCAN, Mr. LEWIS of Kentucky, Mrs. MYRICK, Mr. SESSIONS, Mr. VITTER, Mr. GUTKNECHT, Mr. DOOLITTLE, Mr. WALDEN of Oregon, Mr. WELDON of Florida, Mr. BASS, Mr. ISAKSON, Mr. WELDON of Pennsylvania, Mr. TERRY, and Mr. OTTER):

H.R. 2252. A bill to amend the Federal Election Campaign Act of 1971 to increase the penalties imposed for making or accepting contributions in the name of another and to prohibit foreign nationals from making any campaign-related disbursements, and for other purposes; to the Committee on House Administration.

By Mr. CAMP (for himself, Mr. WELLER, Mr. CANNON, Mr. HAYWORTH, Mrs. BONO, and Mr. REHBERG):

H.R. 2253. A bill to amend the Internal Revenue Code of 1986 to provide for the issuance of tax-exempt bonds by Indian tribal governments, and for other purposes; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. RANGEL, Mr. GREEN of Wisconsin, Mr. STRICKLAND, and Mrs. THURMAN):

H.R. 2254. A bill to amend the Internal Revenue Code of 1986 to repeal the inclusion in gross income of unemployment compensation; to the Committee on Ways and Means.

By Mr. GIBBONS (for himself and Mr. THOMPSON of California):

H.R. 2255. A bill to amend title 10, United States Code, to provide for the appointment of a Chief of the Veterinary Corps of the Army in the grade of brigadier general, and for other purposes; to the Committee on Armed Services.

By Mr. KOLBE:

H.R. 2256. A bill to amend the Public Health Service Act to establish a 5-year pilot program under which health care providers are reimbursed by the Secretary of Health and Human Services for the costs associated with providing emergency medical care to aliens who are not lawfully present in the United States and are not detained by any law enforcement authority, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE:

H.R. 2257. A bill to suspend temporarily the duty on certain machines designed for children's education; to the Committee on Ways and Means.

By Mr. LEVIN (for himself, Mrs. MORELLA, Ms. ROS-LEHTINEN, and Ms. PELOSI):

H.R. 2258. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide for the eligibility of certain aliens suffering from domestic abuse for SSI, food stamps, TANF, Medicaid, SSBG, and certain other public benefit programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia (for himself, Mr. WELLER, Mr. RANGEL, Mr. STARK, Mrs. THURMAN, Mr. LIPINSKI, Mr. PAYNE, Mr. OWENS, Ms. MCKINNEY, Mr. BALDACCI, Mr. JACKSON of Illinois, Mr. KIND, Mr. LANTOS, Mr. GORDON, Mr. MCGOVERN, and Mr. TERRY):

H.R. 2259. A bill to amend the Internal Revenue Code of 1986 to expand the enhanced deduction for corporate donations of computer technology to senior centers and community centers; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2260. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for contributions to individual investment accounts, and for other purposes; to the Committee on Ways and Means.

By Ms. MCKINNEY (for herself, Mr. LEWIS of Georgia, Mr. BISHOP, Mr. BARR of Georgia, Mr. KINGSTON, Mr. DEAL of Georgia, Mr. COLLINS, Mr. ISAKSON, Mr. LINDER, Mr. CHAMBLISS, and Mr. NORWOOD):

H.R. 2261. A bill to designate the facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, as the ''Earl T. Shinhoster Post Office''; to the Committee on Government Reform.

By Ms. MILLENDER-MCDONALD (for herself, Mrs. MINK of Hawaii, Mr. FALEOMAVAEGA, and Mr. COOKSEY):

H.R. 2262. A bill to direct the Secretary of Education to conduct a study of the rate at which Native Americans and students who reside in American Samoa, the Northern Mariana Islands, and Guam drop out of secondary schools in the United States, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TANNER (for himself, Mr. BOSWELL, Mr. MOORE, Mr. STENHOLM, Mr. LUCAS of Kentucky, Mr. BACA, Mr. HILL, Mr. MATHESON, Mr. TAYLOR of Mississippi, Mr. JOHN, Mr. TURNER, Mr. SHOWS, Mr. SCHIFF, and Mr. SANDLIN):

H.J. Res. 53. A joint resolution proposing a amendment to the Constitution of the United States requiring a two-thirds vote to pass legislation that would result in a deficit in the budget of the United States for any fiscal period; to the Committee on the Judiciary.

By Mr. KOLBE (for himself, Mr. DAVIS of Florida, and Mr. MORAN of Virginia):

H. Con. Res. 167. Concurrent resolution recognizing the International Olympic Committee for its work to bring about understanding of individuals and different cultures, for its focus on protecting the civil rights of its participants, for its rules of intolerance against discriminatory acts, and for its goal of promoting world peace through sports; to the Committee on International Relations.

By Ms. ROS-LEHTINEN (for herself, Mr. SMITH of New Jersey, Mr. ROHRABACHER, Mr. LANTOS, Mr. GILMAN, Mr. BERMAN, Mr. CHABOT, Mr. ENGEL, Mr. LEACH, Ms. MCKINNEY, Mr. BURTON of Indiana, Mr. ACKERMAN, Mr. DELAHUNT, Mr. CROWLEY, and Ms. LEE):

H. Con. Res. 168. Concurrent resolution expressing the sense of Congress in support of victims of torture; to the Committee on International Relations.

By Mr. DAVIS of Illinois (for himself, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. GONZALEZ, Mr. MCNULTY, Ms. KAPTUR, Mr. FILNER, Mr. HINCHEY, Mr. CAPUANO, Ms. MCKINNEY, Mr. TOWNS, Mr. WYNN, Mr. ENGEL, Mr. JACKSON of Illinois, Mr. NADLER, Mr. PAYNE, Mr. BISHOP, Mr. MCINTYRE, Mrs. MINK of Hawaii, Mr. CLYBURN, Mrs. CLAYTON, Mr. SHIMKUS, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Mr. LAMPSON, Ms. BROWN of Florida, Mr. HONDA, Mrs. NAPOLITANO, Mr. SERRANO, Mr. RODRIGUEZ, Mr. CLEMENT, Mr. PASCRELL, Mr. STARK, Ms. WATERS, Mrs. MEEK of Florida, Ms. SANCHEZ, Mr. REYES, Mr. ROSS, Mr. PASTOR, Mr. FATTAH, Mr. FALEOMAVAEGA, Mr. BARRETT, Mr. HINOJOSA, Mr. CLAY, Ms. SLAUGHTER, Mr. MEEKS of New York, Mr. BLAGOJEVICH, Mr. KILDEE, Mrs. LOWEY, Mr. MCGOVERN, Mr. CUMMINGS, Mr. OWENS, Ms. SCHAKOWSKY, Ms. BALDWIN, Ms. ROYBAL-ALLARD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCARTHY of Missouri, Mr. GREEN of Texas, Mr. FRANK, Mr. WATT of North Carolina, Mr. SNYDER, Mr. SCOTT, Mr. BONIOR, Mrs. THURMAN, Mr. BACA, Ms. PELOSI, Mr. GUTIERREZ, Ms. SOLIS, Mr. FROST, Mr. HILLIARD, Mrs. MORELLA, Mrs. ROUKEMA, Ms. KILPATRICK, Ms. WOOLSEY, Mr. UNDERWOOD, Ms. LEE, Mr. PALLONE, Mr. LANGEVIN, Mr. ABERCROMBIE, and Mr. TRAFICANT):

H. Con. Res. 169. Concurrent resolution directing the Architect of the Capitol to enter into a contract for the design and construction of a monument to commemorate the contributions of minority women to women's suffrage and to the participation of women in public life, and for other purposes; to the Committee on House Administration.

By Mr. GREEN of Wisconsin (for himself, Mr. BLUNT, Mr. HALL of Ohio, Mr. WATTS of Oklahoma, Mr. SOUDER, Mr. HAYES, Mr. TANCREDO, Mr. DOOLITTLE, Mr. PENCE, Mr. LARGENT, Mr. JONES of North Carolina, Mr. GOODE, Mr. DEMINT, Mr. SCHAFFER, Mr. HOEKSTRA, Mr. SHADEGG, Mr. TOOMEY, Mr. WELDON of Florida, Mr. RYAN of Wisconsin, Mr. SAM JOHNSON of Texas, Mr. SMITH of Michigan, Mr. VITTER, Mr. HILLEARY, and Mr. SUNUNU):

H. Con. Res. 170. Concurrent resolution encouraging corporations to contribute to faith-based organizations; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey:

H. Con. Res. 171. Concurrent resolution expressing the sense of Congress regarding graduated driver's license programs; to the Committee on Transportation and Infrastructure.

By Mr. ISSA (for himself, Mr. WELLER, Mr. SMITH of Michigan, Mr. EHRLICH, Mr. DOOLEY of California, Mr. RUSH, Mr. SIMPSON, Mrs. CLAYTON, Mr. BLAGOJEVICH, Mr. SCHIFF, Mr. TOOMEY, Mr. RILEY, Mr. CUNNINGHAM, Mr. OXLEY, Mr. HUNTER, Mr. JONES of North Carolina, and Mr. OSE):

H. Res. 173. A resolution expressing the sense of the House of Representatives regarding the benefits of biotechnology; to the Committee on Science.

¶64.35 ADDITIONAL SPONSORS

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

H.R. 7: Mr. PETERSON of Pennsylvania, Mr. SESSIONS, Mr. SCHROCK, and Mr. GRUCCI.

H.R. 15: Mr. BURTON of Indiana.

H.R. 20: Mr. SMITH of New Jersey and Mr. ENGLISH.

H.R. 31: Mr. PETERSON of Pennsylvania.

H.R. 64: Mr. UDALL of Colorado.

H.R. 91: Mr. CLEMENT.

H.R. 154: Mr. RAHALL.

H.R. 164: Mr. BEREUTER.

H.R. 168: Mr. FROST.

H.R. 175: Mr. NETHERCUTT and Mr. HOSTETTLER.

H.R. 238: Ms. HARMAN.

H.R. 257: Mr. GOODE, Mr. TERRY, and Mr. KELLER.

H.R. 260: Ms. HART.

H.R. 280: Mr. CRAMER.

H.R. 283: Ms. HARMAN.

H.R. 287: Mrs. JONES of Ohio.

H.R. 303: Mr. HOSTETTLER.

H.R. 326: Mr. FLETCHER.

H.R. 361: Ms. LEE.

H.R. 365: Ms. HARMAN.

H.R. 478: Mr. FORD.

H.R. 599: Mr. CLEMENT.

H.R. 600: Mr. HOEFFEL and Mr. WALDEN of Oregon.

H.R. 602: Mr. COOKSEY, Mr. HEFLEY, and Mr. OSBORNE.

H.R. 612: Mr. KENNEDY of Minnesota.

H.R. 635: Mr. TRAFICANT and Mr. STUPAK.

H.R. 648: Mr. HILLEARY.

H.R. 664: Mr. LARSEN of Washington, Mr. ISAKSON, Mr. ACKERMAN, Mr. SPRATT, Mr. BRYANT, and Mr. CLYBURN.

H.R. 701: Mr. PETRI, Mrs. DAVIS of California, Mr. KUCINICH, Mr. CARDIN, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. GILMAN, Mr. JOHNSON of Illinois, Ms. ESHOO, Mr. DIAZ-BALART, Mr. KIND, Mr. HORN, Mrs. MORELLA, Mr. HOUGHTON, Mr. THOMPSON of Mississippi, Mr. SHAW, Ms. BERKLEY, Mr. GREENWOOD, Mr. FLETCHER, Mr. OWENS, Mr. LANTOS, Mr. OBERSTAR, Mr. BLUMENAUER, Mr. EVERETT, Ms. HARMAN, Mr. DOOLEY of California, and Mr. WHITFIELD.

H.R. 746: Mr. GRAHAM.

H.R. 760: Mr. RAMSTAD.

H.R. 794: Mr. BACHUS.

H.R. 839: Ms. HARMAN.

H.R. 843: Mrs. MALONEY of New York.

H.R. 918: Mr. TERRY, Mr. COOKSEY, Mr. BLAGOJEVICH, Mr. SIMMONS, Ms. ROS-

LEHTINEN, Mr. BONIOR, Ms. HOOLEY of Oregon, Mr. WELDON of Florida, Ms. ROYBAL-ALLARD, and Mr. FLETCHER.

H.R. 943: Ms. ESHOO and Mr. SCHIFF.

H.R. 945: Mr. PRICE of North Carolina.

H.R. 948: Mr. GEORGE MILLER of California, Mr. MOORE, Mr. SERRANO, Mrs. CAPPS, Mr. DEFAZIO, Mr. WAXMAN, Mr. ACKERMAN, Mr. KUCINICH, Mrs. CAPITO, and Mr. PASCRELL.

H.R. 959: Mrs. CAPITO.

H.R. 1011: Mr. MOLLOHAN and Mr. JENKINS.

H.R. 1021: Mr. HOLT.

H.R. 1090: Mr. BARCIA, Mrs. JONES of Ohio, and Ms. LEE.

H.R. 1111: Mrs. DAVIS of California and Mr. LUTHER.

H.R. 1129: Ms. WOOLSEY and Ms. CARSON of Indiana.

H.R. 1130: Ms. WOOLSEY.

H.R. 1134: Mr. SPRATT.

H.R. 1143: Ms. MCCARTHY of Missouri, Mrs. MINK of Hawaii, Mr. PRICE of North Carolina, Mr. BOYD, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. KUCINICH, Mr. PASTOR, and Mr. RANGEL.

H.R. 1167: Ms. WATERS, Mr. FRANK, Mr. GONZALEZ, Ms. ESHOO, Ms. BALDWIN, Ms. JACKSON-LEE of Texas, Mr. WOLF, Mr. STARK, Mr. MATHESON, Mr. LARGENT, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. BAIRD, Mr. YOUNG of Alaska, and Mr. PAYNE.

H.R. 1168: Ms. WATERS, Ms. MCCOLLUM, Mr. GONZALEZ, Ms. ESHOO, Ms. RIVERS, Ms. JACKSON-LEE of Texas, Mr. WU, Mr. STARK, Mr. MATHESON, Mr. LARGENT, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. YOUNG of Alaska, Mr. PAYNE, and Mr. LUCAS of Kentucky.

H.R. 1170: Mr. MCNULTY.

H.R. 1186: Mr. BLUMENAUER and Mr. FARR of California.

H.R. 1200: Ms. NORTON.

H.R. 1204: Ms. HARMAN.

H.R. 1262: Mr. BALDACCI and Mr. HINCHEY.

H.R. 1266: Mr. PASCRELL.

H.R. 1302: Mr. PAUL.

H.R. 1303: Mrs. JOHNSON of Connecticut.

H.R. 1310: Mr. SCHIFF and Mr. HOLT.

H.R. 1338: Mr. FROST.

H.R. 1339: Mr. JOHN.

H.R. 1343: Mr. ORTIZ.

H.R. 1344: Mrs. MINK of Hawaii.

H.R. 1357: Mr. ISAKSON.

H.R. 1382: Mr. BLUMENAUER.

H.R. 1401: Mr. MCGOVERN, Mr. UDALL of Colorado, and Mr. GORDON.

H.R. 1406: Mr. HINCHEY.

H.R. 1411: Mr. SMITH of Texas.

H.R. 1462: Mr. SIMPSON.

H.R. 1465: Mr. PAYNE, and Mr. ROTHMAN.

H.R. 1468: Ms. DELAURO.

H.R. 1482: Mr. JACKSON of Illinois.

H.R. 1511: Mr. SIMMONS, Mr. RAHALL, Mr. BACA, Mr. FILNER, and Mr. WOLF.

H.R. 1536: Mr. PALLONE, Mr. BAIRD, and Mr. BORSKI.

H.R. 1545: Ms. LOFGREN.

H.R. 1556: Mrs. MCCARTHY of New York, and Mr. CLEMENT.

H.R. 1568: Mr. FARR of California, Mr. DICKS, and Mr. TIERNEY.

H.R. 1591: Ms. WOOLSEY and Mr. EVANS.

H.R. 1592: Mr. DUNCAN.

H.R. 1604: Mrs. JONES of Ohio.

H.R. 1610: Mr. FLETCHER and Mr. BRYANT.

H.R. 1628: Mr. HINOJOSA.

H.R. 1629: Mr. GORDON, Mr. HOUGHTON, Mr. WAMP, Mr. GONZALEZ, Ms. SANCHEZ, Mr. MENENDEZ, Mrs. TAUSCHER, Mr. MCGOVERN, Mr. CROWLEY, Mr. PASCRELL, Mr. DOYLE, Ms. MCCARTHY of Missouri, and Mr. FARR of California.

H.R. 1645: Mr. UDALL of Colorado and Mr. FILNER.

H.R. 1651: Mr. WALSH.

H.R. 1657: Mr. GANSKE.

H.R. 1679: Mr. SAM JOHNSON of Texas, Ms. HART, Mr. OTTER, Mrs. BIGGERT, and Mr. ROSS.

H.R. 1694: Mr. FLAKE.

H.R. 1711: Mr. WALDEN of Oregon and Mr. BAIRD.

H.R. 1734: Ms. ESHOO, Mr. KUCINICH, and Mr. PALLONE.

H.R. 1759: Mr. DICKS, Mr. BISHOP, and Mr. BLUNT.

H.R. 1760: Mr. LATOURETTE and Mr. WAXMAN.

H.R. 1769: Ms. MCKINNEY, Ms. LOFGREN, and Mr. SCHIFF.

H.R. 1771: Mr. MCGOVERN.

H.R. 1773: Mrs. CLAYTON and Mr. FROST.

H.R. 1774: Mr. BURTON of Indiana, Mr. JONES of North Carolina, Ms. GRANGER, and Mrs. CAPITO.

H.R. 1812: Mr. WAXMAN.

H.R. 1820: Mr. ENGLISH.

H.R. 1856: Mr. BISHOP, Mr. FROST, and Ms. MCKINNEY.

H.R. 1859: Mr. STRICKLAND.

H.R. 1895: Mr. GRAVES.

H.R. 1910: Mr. DIAZ-BALART.

H.R. 1911: Ms. LEE.

H.R. 1923: Ms. HART.

H.R. 1927: Mr. PLATTS and Ms. RIVERS.

H.R. 1944: Mr. GARY G. MILLER of California.

H.R. 1948: Mr. MCGOVERN.

H.R. 1957: Ms. KAPTUR.

H.R. 1962: Mr. SHOWS.

H.R. 1975: Mr. SIMPSON, Mr. STUPAK, Ms. HART, Mr. HAYWORTH, Mr. ROGERS of Michigan, and Mr. SMITH of Washington.

H.R. 1987: Mr. NORWOOD, Mr. KINGSTON, Mr. GORDON, Mr. STARK, Mr. GREEN of Texas, Mr. PASTOR, Mr. CLEMENT, Mr. HILLEARY, Mr. MCNULTY, Mr. RAMSTAD, Ms. ROS-LEHTINEN, Mr. DELAHUNT, Mr. BONILLA, and Mr. HAYWORTH.

H.R. 1988: Mr. REGULA, Mr. QUINN, Mr. EVANS, Mr. MASCARA, and Mr. LATOURETTE.

H.R. 2023: Mr. BRYANT, Mr. GREEN of Texas, Mr. TURNER, Mr. JOHN, Mr. CALVERT, Mr. NEY, Mr. SAXTON, and Mr. EHRLICH.

H.R. 2037: Mr. LEWIS of California, Mr. PUTNAM, Mr. MASCARA, Mr. FLETCHER, Mr. BERRY, Mr. COSTELLO, Mr. HULSHOF, Mr. WAMP, Mr. MOLLOHAN, Mrs. TAUSCHER, Mr. MCKEON, Mr. TANCREDO, Mrs. CAPITO, Mr. GANSKE, and Mr. HOBSON.

H.R. 2059: Mr. HOEFFEL, Mr. MORAN of Virginia, Mr. BERMAN, Ms. PELOSI, Mr. MCGOVERN, Mr. JEFFERSON, and Mr. DICKS.

H.R. 2095: Ms. CARSON of Indiana, Mr. FLAKE, and Mr. HASTINGS of Florida.

H.R. 2096: Mr. GRAHAM, Mr. PLATTS, and Mr. GOODLATTE.

H.R. 2100: Mr. MEEKS of New York.

H.R. 2104: Mr. PAYNE, Mr. FROST, Mr. DAVIS of Illinois, Mr. RUSH, Mr. CUMMINGS, Mr. RANGEL, Ms. WATSON, Mr. JEFFERSON, Mr. WYNN, Ms. NORTON, Mrs. JONES of Ohio, Mr. OWENS, Ms. KILPATRICK, Mr. BISHOP, Mrs. MEEK of Florida, Mr. THOMPSON of Mississippi, and Mr. LEWIS of Georgia.

H.R. 2114: Mr. WAMP.

H.R. 2118: Mr. MCNULTY.

H.R. 2125: Mrs. JO ANN DAVIS of Virginia and Mr. FILNER.

H.R. 2131: Mr. GALLEGLY.

H.R. 2133: Mr. LEWIS of Georgia, Mr. BURTON of Indiana, Ms. MCKINNEY, Mr. ENGLISH, and Mr. JACKSON of Illinois.

H.R. 2134: Mr. FRANK, Mr. CLAY, and Mr. EVANS.

H.R. 2128: Mr. BERRY.

H.R. 2145: Mr. WHITFIELD, Mr. WALSH, Mr. FROST, Mr. JACKSON of Illinois, Ms. MCKINNEY, Mr. BISHOP, Mr. CLAY, Mrs. CLAYTON, Mr. HILLIARD, Ms. LEE, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. OWENS, Mr. LEWIS of Georgia, Mr. THOMPSON of Mississippi, Mr. FATTAH, Mr. CROWLEY, Mr. WEINER, Mr. PAYNE, Mr. JEFFERSON, Mr. CUMMINGS, Mr. RUSH, Mr. PALLONE, Mr. PASCRELL, Ms. JACKSON-LEE of Texas, and Mr. TOWNS.

H.R. 2147: Mr. SIMMONS and Mrs. JOHNSON of Connecticut.

H.R. 2149: Mrs. NORTHUP, Mr. SUNUNU, Mr. DEMINT, Mr. CANNON, Mr. LARGENT, Mr. EHRLICH, Mr. HANSEN, and Mr. RYUN of Kansas.

H.R. 2157: Mr. BERRY, Mr. REHBERG, Mr. HERGER, Mr. GILCHREST, Mr. HUTCHINSON, and Mr. BLUNT.

H.R. 2211: Mr. FRANK.

H.R. 2228: Mr. KLECZKA and Mr. BARRETT.

H.R. 2231: Mr. COBLE.

H.J. Res. 20: Mr. BURTON of Indiana.

H.J. Res. 36: Mr. HERGER and Mr. LEWIS of California.

H.J. Res. 40: Mrs. MCCARTHY of New York, Mr. HOLDEN, Mr. PRICE of North Carolina, Mr. THOMPSON of California, and Mr. PHELPS.

H. Con. Res. 60: Mrs. THURMAN, Mr. FARR of California, Mr. PASCRELL, and Mr. PRICE of North Carolina.

H. Con. Res. 97: Mrs. NAPOLITANO, Mrs. KELLY, and Mr. BAIRD.

H. Con. Res. 102: Mr. OBERSTAR, Ms. HOOLEY of Oregon, Ms. PELOSI, Mr. ROTHMAN, Mr. HINCHEY, and Mr. PALLONE.

H. Con. Res. 104: Mr. WALSH.

H. Con. Res. 116: Mr. PORTMAN and Ms. KAPTUR.

H. Con. Res. 160: Mr. HEFLEY.

H. Res. 132: Mr. BONIOR, Mr. HINCHEY, Mr. WELDON of Pennsylvania, and Mrs. MALONEY of New York.

H. Res. 152: Mrs. MEEK of Florida and Mr. GRAHAM.

H. Res. 154: Mr. MCGOVERN, Mr. MCNULTY, Mr. PETERSON of Minnesota, Mr. STRICKLAND, Mr. GREEN of Wisconsin, Mr. PHELPS, Mr. GILMAN, Mr. BORSKI, Mr. DEFAZIO, Mr. BACA, Mrs. MEEK of Florida, Mr. HOLDEN, Mr. COYNE, Mr. CUMMINGS, Mr. CLAY, Mr. EVANS, and Mr. CLYBURN.

H. Res. 159: Ms. HARMAN.

H. Res. 160: Mr. KUCINICH, Mr. TANCREDO, and Mr. HOLT.

¶64.36 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 877: Mr. TOWNS.

H.R. 1198: Mr. TOWNS.

WEDNESDAY, JUNE 21, 2001 (65)

The House was called to order by the SPEAKER.

¶65.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, June 20, 2001.

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

¶65.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2617. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–P–7602] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2618. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7763] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2619. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—

Changes in Flood Elevation Determinations—received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2620. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, ''Tobacco Control Activities in the United States, 1994–1999: Report to Congress,'' in accordance with Section 3(c) of the Comprehensive Smoking Education Act of 1984, Public Law 98–474; to the Committee on Energy and Commerce.

2621. A letter from the Deputy Director, Department of Defense, Defense Security Cooperation Agency, transmitting a report of enhancement or upgrade of sensitivity of technology or capability for United Arab Emirates (Transmittal No. 01–0B), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2622. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–76, ''DNA Sample Collection Act of 2001'' received June 21, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2623. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2624. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2625. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Kentucky Regulatory Program [KY–230–FOR] received June 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2626. A letter from the Division Chief, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Construction and Operation Of Offshore Oil and Gas Facilities in the Beaufort Sea [Docket No. 990901241–0116–02; I.D. 123198B] (RIN: 0648–AM09) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2627. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species (HMS); NOAA Information Collection Requirements; Regulatory Adjustments [Docket No. 010530142–1142–01; I.D. 040601J] (RIN: 0648–AP23) received June 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2628. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Tuna Fisheries; Regulatory Adjustments [Docket No. 010523137–1137–01; I.D. 051501C] (RIN: 0648–AP29) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2629. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Groundfish Fisheries off Alaska [Docket No. 010112013–1139–04; I.D. 011101B] (RIN: 0648–AO82) received June 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2630. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Black Sea Bass Fishery; Commercial Quota Harvested for Quarter 2 Period [Docket No. 001121328–1041–02; I.D. 060501A] received June 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2631. A letter from the Acting, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 060801A] received June 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

¶65.3 PROVIDING FOR THE CONSIDERATION OF H.R. 2217

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 174):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with ''*Provided further,*'' on page 89, line 13, through ''participant:'' on line 18. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶65.4 INTERIOR APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 174 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, designated Mr. LATOURETTE as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. ISAKSON, assumed the Chair; and after some time spent therein,

¶65.5 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. SLAUGHTER:

On page 49, line 22 after the number ''$64,177,000'' insert ''(reduced by $9,000,000)''.

On page 69, line 12 after the number ''$1,326,445,000'' insert ''(reduced by $6,000,000)''.

On page 109, line 21 strike ''$104,882,000'' and insert ''$107,882,000''.

On page 110, line 19 strike ''$24,899,000'' and insert ''$26,899,000''.

On page 110, line 24 strike ''$7,000,000'' and insert ''$17,000,000''.

It was decided in the affirmative ..... { Yeas ..... 221; Nays ..... 193; Answered present 1 }

¶65.6 [Roll No. 177]

AYES—221

Abercrombie	Davis (FL)	Inslee
Ackerman	Davis (IL)	Israel
Allen	Davis, Tom	Jackson (IL)
Andrews	DeGette	Jackson-Lee (TX)
Baird	Delahunt	Jefferson
Baldacci	DeLauro	Johnson (CT)
Baldwin	Deutsch	Johnson (IL)
Ballenger	Dicks	Johnson, E. B.
Barcia	Doggett	Jones (OH)
Barrett	Dooley	Kanjorski
Bass	Doyle	Kelly
Becerra	Edwards	Kennedy (RI)
Bentsen	Ehlers	Kildee
Bereuter	Engel	Kind (WI)
Berkley	Eshoo	Kirk
Berman	Etheridge	Kleczka
Berry	Evans	Kolbe
Biggert	Farr	Kucinich
Bishop	Filner	LaFalce
Blagojevich	Foley	LaHood
Blumenauer	Ford	Lampson
Boehlert	Fossella	Langevin
Bonior	Frank	Lantos
Borski	Frost	Larsen (WA)
Boswell	Gephardt	Larson (CT)
Boucher	Gilman	Leach
Boyd	Gonzalez	Lee
Brady (PA)	Gordon	Levin
Brown (FL)	Green (TX)	Lewis (GA)
Brown (OH)	Greenwood	Lipinski
Capps	Grucci	LoBiondo
Capuano	Gutierrez	Lofgren
Cardin	Hall (OH)	Lowey
Carson (IN)	Harman	Luther
Carson (OK)	Hastings (FL)	Maloney (CT)
Castle	Hill	Maloney (NY)
Clay	Hilliard	Markey
Clayton	Hinchey	Mascara
Clement	Hinojosa	Matsui
Clyburn	Hoeffel	McCarthy (MO)
Condit	Holden	McCarthy (NY)
Conyers	Holt	McCollum
Coyne	Honda	McDermott
Crowley	Hooley	McGovern
Cummings	Horn	McHugh
Davis (CA)	Hoyer	

McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogers (MI)
Ross
Rothman
Roukema
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—193

Akin
Armey
Baker
Barr
Bartlett
Barton
Bilirakis
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ferguson
Flake
Fletcher
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCrery
McIntyre
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (KY)
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

DeFazio

NOT VOTING—18

Aderholt
Baca
Bachus
Callahan
Cox
Cramer
Cubin
Dingell
Everett
Fattah
Houghton
Kaptur
Kilpatrick
McInnis
Riley
Rohrabacher
Roybal-Allard
Rush

So the amendment was agreed to.

After some further time,

¶65.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SANDERS:

Page 7, line 11, insert ''(increased by $12,000,000)'' after ''$200,000,000''.

Page 87, line 13, insert ''(reduced by $52,000,000)'' after ''$579,000,000''.

Page 89, line 5, insert ''(increased by $36,000,000)'' after ''$940,805,000''.

Page 89, line 6, insert ''(increased by $24,000,000)'' after ''$311,000,000''.

Page 89, line 11, insert ''(increased by $24,000,000)'' after ''$249,000,000''.

It was decided in the negative ..... { Yeas ..... 153 / Nays 262

¶65.8 [Roll No. 178]

AYES—153

Abercrombie
Ackerman
Andrews
Baird
Baldwin
Barrett
Bass
Becerra
Bereuter
Berman
Berry
Blagojevich
Blumenauer
Boehlert
Boswell
Brown (OH)
Cannon
Capuano
Carson (IN)
Castle
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
Deutsch
Dingell
Doggett
Emerson
Engel
Eshoo
Etheridge
Farr
Ferguson
Filner
Ford
Frank
Ganske
Gephardt
Gilman
Green (WI)
Grucci
Gutierrez
Hall (OH)
Hansen
Harman
Hinojosa
Holt
Honda
Hooley
Hulshof
Inslee
Jackson (IL)
Jefferson
Johnson (CT)
Johnson (IL)
Jones (OH)
Kelly
Kennedy (MN)
Kildee
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
LaHood
Langevin
Lantos
Larson (CT)
Leach
Lee
Levin
Lipinski
LoBiondo
Lowey
Luther
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Morella
Nadler
Napolitano
Nussle
Owens
Pallone
Pascrell
Paul
Payne
Peterson (MN)
Petri
Platts
Quinn
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roukema
Ryan (WI)
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Sensenbrenner
Shays
Sherwood
Simmons
Slaughter
Smith (NJ)
Solis
Stark
Sununu
Sweeney
Tanner
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Woolsey
Wu

NOES—262

Akin
Allen
Armey
Baca
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bentsen
Berkley
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cantor
Capito
Capps
Cardin
Carson (OK)
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Coyne
Crane
Crenshaw
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Evans
Fattah
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Gutknecht
Hall (TX)
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (RI)
Kerns
Kilpatrick
Kingston
Kirk
Knollenberg
Kolbe
Lampson
Largent
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
McCrery
McKeon
Meek (FL)
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Pelosi
Pence
Peterson (PA)
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ryun (KS)
Sabo
Sandlin
Schaffer
Schiff
Schrock
Scott
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Aderholt
Bachus
Callahan
Cox
Cramer
Cubin
Everett
Herger
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Neal
Riley
Rush
Serrano

So the amendment was not agreed to.

¶65.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DEFAZIO:

Page 117, beginning on line 18, strike section 312 (relating to recreational fee demonstration program).

It was decided in the negative ..... { Yeas ..... 129 / Nays 287

¶65.10 [Roll No. 179]

AYES—129

Ackerman
Allen
Baldacci
Barcia
Bass
Becerra
Berkley
Blagojevich
Blumenauer
Bono
Boswell
Boucher
Brady (PA)
Capps
Capuano
Carson (IN)
Carson (OK)
Chabot
Clay
Clayton
Conyers
Coyne
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Deutsch
Doggett
Doolittle
Dreier
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Flake
Gallegly
Gephardt
Graves
Gutierrez
Hall (OH)
Hall (TX)
Hayworth
Herger
Hill
Hinchey
Holt
Honda
Hooley
Hulshof
Hunter
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Jones (NC)
Jones (OH)
Kildee
Kucinich
LaFalce
Langevin
Larsen (WA)
Lee
Lewis (CA)
Lipinski
LoBiondo
Luther
Maloney (NY)
Manzullo
Markey
McCollum
McDermott
McGovern
McKinney
McNulty
Meeks (NY)
Menendez
Mink
Moran (KS)
Nadler
Napolitano
Ney
Owens
Pallone
Pascrell
Paul
Payne
Peterson (MN)
Rahall
Ramstad
Rangel
Rothman
Roybal-Allard
Sanders
Saxton
Schakowsky
Schiff
Sessions
Shadegg
Sherman
Shows
Slaughter
Smith (NJ)
Solis
Stark
Strickland
Stump
Sununu
Tancredo
Taylor (MS)
Terry
Thompson (CA)
Towns
Udall (CO)
Udall (NM)
Velazquez
Walden
Waters
Watt (NC)
Wexler
Woolsey
Wu
Wynn

NOES—287

Abercrombie
Akin
Andrews
Armey
Baca
Baird
Baker
Baldwin
Ballenger
Barr
Barrett
Bartlett
Barton
Bentsen
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Castle
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Dooley
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McIntyre
McKeon
Meehan
Meek (FL)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Scarborough
Schaffer
Schrock
Scott
Sensenbrenner
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Aderholt
Bachus
Callahan
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Neal
Riley
Rush
Serrano

So the amendment was not agreed to.

¶65.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. RAHALL:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

It was decided in the affirmative ..... { Yeas ..... 242 / Nays 173

¶65.12 [Roll No. 180]

AYES—242

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass
Bentsen
Berkley
Berman
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Fossella
Frank
Frelinghuysen
Frost
Ganske
Gephardt
Gillmor
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Grucci
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Scott
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sununu
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—173

Akin
Armey
Baker
Ballenger
Barr
Barton
Bereuter
Berry
Biggert
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Culberson
Cunningham
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Flake
Fletcher
Foley
Gallegly
Gekas
Gibbons
Gilchrest
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Isakson
Issa
Istook

Jenkins
John
Johnson, Sam
Jones (NC)
Keller
Kerns
Kingston
Knollenberg
Kolbe
Largent
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Norwood
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Aderholt
Bachus
Becerra
Callahan
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Neal
Riley
Rush
Serrano

So the amendment was agreed to.

After some further time,

¶65.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DAVIS of Florida:

On page 131 after line 4 insert the following new section:

Sec. . None of the funds in this Act may be used to execute a final lease agreement for oil or gas development in the area of the Gulf of Mexico known as Lease Sale 181 prior to April 1, 2002.

It was decided in the affirmative ..... { Yeas ..... 247 / Nays 164

¶65.14 [Roll No. 181]

AYES—247

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Becerra
Berkley
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crenshaw
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Doyle
Dunn
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gilchrest
Gilman
Gordon
Goss
Graham
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hutchinson
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meek (FL)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Ney
Oberstar
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Platts
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Rahall
Ramstad
Rangel
Rivers
Roemer
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Scott
Shaw
Shays
Sherman
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sununu
Sweeney
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Woolsey
Wu
Wynn
Young (FL)

NOES—164

Akin
Armey
Baker
Ballenger
Barr
Barton
Bass
Bentsen
Bereuter
Biggert
Blunt
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Cannon
Cantor
Carson (OK)
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Edwards
Emerson
Flake
Fletcher
Gekas
Gibbons
Gillmor
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (TX)
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson, Sam
Kennedy (MN)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lipinski
Lucas (OK)
McCrery
McKeon
Mica
Miller, Gary
Mollohan
Moran (KS)
Nethercutt
Northup
Norwood
Nussle
Ortiz
Osborne
Otter
Oxley
Pence
Peterson (PA)
Pickering
Pitts
Pombo
Pryce (OH)
Radanovich
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rohrabacher
Royce
Ryun (KS)
Sandlin
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stenholm
Stump
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOT VOTING—21

Aderholt
Bachus
Berman
Callahan
Calvert
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
Linder
McInnis
Meehan
Meeks (NY)
Neal
Riley
Rush
Serrano

So the amendment was agreed to.

¶65.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. INSLEE:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used to suspend or revise the final regulations published in the Federal Register on November 21, 2000, that amended part 3809 of title 43, Code of Federal Regulations.

It was decided in the affirmative ..... { Yeas ..... 216 / Nays 194

¶65.16 [Roll No. 182]

AYES—216

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bass
Becerra
Bentsen
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Frank
Frelinghuysen
Frost
Ganske
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky

Schiff
Scott
Shays
Sherman
Shows
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sununu
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Woolsey
Wu
Wynn

NOES—194

Akin
Armey
Ballenger
Barr
Bartlett
Barton
Bereuter
Berkley
Berry
Biggert
Bilirakis
Blunt
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Flake
Fletcher
Foley
Fossella
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—22

Aderholt
Bachus
Baker
Berman
Boehner
Callahan
Calvert
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Meehan
Neal
Riley
Roukema
Rush
Serrano

So the amendment was agreed to.

¶65.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DEUTSCH:

Insert before the short title at the end the following new section:

SEC. ____. (a) LIMITATION.—None of the funds appropriated or otherwise made available in this Act may be used to pay the salaries or expenses of personnel of the Department of the Interior to extend the leases, any standstill agreement, or the terms of the settlement agreement that took effect March 30, 2001, concerning the holders of interests in seven campsite leases in Biscayne National Park, Florida, identified as campsite leases 2173A, 2146A, 2167A, 2159A, 2213A, 2157A, and 2303A and collectively known as ''Stiltsville''.

It was decided in the negative ..... { Yeas ..... 187 / Nays 222

¶65.18 [Roll No. 183]

AYES—187

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

NOES—222

Abercrombie
Akin
Armey
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (NY)
Manzullo
McCrery
McHugh
McKeon
Meek (FL)
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOT VOTING—23

Aderholt
Bachus
Baker
Berman
Callahan
Calvert
Cox
Cramer
Cubin
Everett
Graham
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Meehan
Neal
Pitts
Riley
Roukema
Rush
Serrano

So the amendment was not agreed to.

¶65.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. STEARNS:

At the end of the bill, preceding the short title, insert the following:

SEC. . The amounts otherwise provided by this Act—

(1) for ''CHALLENGE AMERICAN ARTS FUND—CHALLENGE AMERICA GRANTS'' are hereby reduced by, and

(2) for ''DEPARTMENT OF ENERGY—ENERGY CONSERVATION'' are hereby supplemented by an additional appropriation for energy conservation grant programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507) in the amount of,

$10,000,000 each.

It was decided in the negative ..... { Yeas ..... 145 / Nays 264

¶65.20 [Roll No. 184]

AYES—145

Akin
Armey
Barr
Bartlett
Barton
Bilirakis
Blunt
Boehner
Bonilla
Brady (TX)
Brown (SC)
Bryant
Burton
Buyer
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Emerson
Flake
Fletcher
Ganske
Gibbons
Goode
Goodlatte
Graham
Graves
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
Largent
Latham
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McIntyre
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Otter
Oxley
Paul
Pence
Petri
Pickering
Pitts
Pombo
Putnam
Radanovich
Rogers (KY)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Toomey
Upton
Vitter
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOES—264

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Granger
Green (TX)
Greenwood
Grucci
Gutierrez
Hall (OH)
Harman
Hart
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McHugh
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Shaw
Shays
Sherman
Sherwood
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sununu
Sweeney
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walden
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Wolf
Woolsey
Wu
Wynn

NOT VOTING—23

Aderholt
Bachus
Baker
Berman
Callahan
Calvert
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
McCarthy (NY)
McInnis
Meehan
Neal
Peterson (PA)
Riley
Roukema
Rush
Serrano

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. LATOURETTE, Chairman, pursuant to House Resolution 174, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

On page 49, line 22 after the number ''$64,177,000'' insert ''(reduced by $9,000,000)''.

On page 69, line 12 after the number ''$1,326,445,000'' insert ''(reduced by $6,000,000)''.

On page 109, line 21 strike ''$104,882,000'' and insert ''$107,882,000''.

On page 110, line 19 strike ''$24,899,000'' and insert ''$26,899,000''.

On page 110, line 24 strike ''$7,000,000'' and insert ''$17,000,000''.

Page 36, beginning at line 1, strike ''under a comparable royalty-in-value program'' and insert ''under the existing royalty-in-value program, including the royalty valuation procedures established by the final rule published by the Minerals Management Service on March 15, 2000 (65 Fed. Reg. 14022 et seq.)''.

SEC. . No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

On page 131 after line 4 insert the following new section:

SEC. . NONE OF THE FUNDS IN THIS ACT MAY BE USED TO EXECUTE A FINAL LEASE AGREEMENT FOR OIL OR GAS DEVELOPMENT IN THE AREA OF THE GULF OF MEXICO KNOWN AS LEASE SALE 181 PRIOR TO APRIL 1, 2002.

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used to suspend or revise the final regulations published in the Federal Register on November 21, 2000, that amended part 3809 of title 43, Code of Federal Regulations.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 376 / Nays 32

¶65.21 [Roll No. 185]

YEAS—376

Abercrombie
Ackerman
Akin
Allen
Andrews
Armey
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham

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

NAYS—32

Barr
Berry
Cannon
Crane
Culberson
Emerson
Flake
Gibbons
Goode
Goodlatte
Green (WI)
Hefley
Hostettler
Johnson, Sam
Jones (NC)
Moran (KS)
Otter
Paul
Petri
Rohrabacher
Royce
Ryun (KS)
Schaffer
Sensenbrenner
Sessions
Shadegg
Simpson
Smith (MI)
Stearns
Thornberry
Toomey
Whitfield

NOT VOTING—24

Aderholt
Bachus
Baker
Berman
Callahan
Calvert
Cox
Cramer
Cubin
Everett
Ford
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Meehan
Neal
Riley
Roukema
Rush
Scarborough
Serrano
Watson (CA)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶65.22 PERMISSION TO FILE REPORT

On motion of Mr. ROGERS of Kentucky, by unanimous consent, the Committee on Appropriations was granted permission until midnight Friday, June 22, 2001, to file a privileged report (Rept. No. 107–108) on the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶65.23 COMMITTEE ELECTION—MAJORITY

Mr. ARMEY, by unanimous consent, submitted the following resolution (H. Res. 176):

Resolved, That on the Committee on Resources, Mr. Hayworth shall rank after Mr. Tancredo.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶65.24 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, June 25, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶65.25 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, June 27, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶65.26 PERMISSION TO FILE REPORT

On motion of Mr. ARMEY, by unanimous consent, the Committee on International Relations was granted permission until midnight Friday, June 22, 2001, to file a report (Rept. No. 107–107) on the bill (H.R. 1954) to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006.

¶65.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. RUSH, for today; and

To Mrs. CUBIN, for today.

And then,

¶65.28 ADJOURNMENT

On motion of Mr. SOUDER, pursuant to the special order heretofore agreed to, at 9 o'clock and 28 minutes p.m., the House adjourned until 12:30 p.m. on Monday, June 25, 2001.

¶65.29 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GILMAN:

H.R. 2263. A bill to require that ten percent of the motor vehicles purchased by Executive agencies be hybrid electric vehicles or high-efficiency vehicles; to the Committee on Government Reform.

By Mr. WELLER (for himself, Mr. COYNE, and Mrs. JOHNSON of Connecticut):

H.R. 2264. A bill to amend the Internal Revenue Code of 1986 to expand the expensing of environmental remediation costs; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. DEFAZIO, Mr. HOSTETTLER, and Mr. STUMP):

H.R. 2265. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow consumers greater access to information regarding the health benefits of foods and dietary supplements; to the Committee on Energy and Commerce.

By Mr. ALLEN (for himself and Mr. BALDACCI):

H.R. 2266. A bill to reduce the risk of the accidental release of mercury into the environment by providing for the temporary storage of private sector supplies of mercury at facilities of the Department of Defense currently used for mercury storage, to require the Administrator of the Environmental Protection Agency to appoint a task force to develop a plan for the safe disposal of mercury, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARGENT:

H.R. 2267. A bill to amend the Internal Revenue Code of 1986 to encourage energy production; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 2268. A bill to enforce the guarantees of the first, fourteenth, and fifteenth amendments to the Constitution of the United States by prohibiting certain devices used to deny the right to participate in certain elections; to the Committee on House Administration.

By Mr. BOEHNER (for himself, Mr. ARMEY, Mr. SAM JOHNSON of Texas, Mr. TANCREDO, Mr. BAIRD, Mr. LUCAS of Kentucky, Mr. MCINNIS, Mr. FOLEY, Mr. SMITH of Washington, Mr. OXLEY, Mr. DICKS, Mrs. ROUKEMA, Mr. BAKER, Mr. CAMP, Mr. ENGLISH, Mr. GUTKNECHT, Mr. KIRK, Mrs. TAUSCHER, and Mr. HOLT):

H.R. 2269. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to promote the provision of retirement investment advice to workers managing their retirement income assets; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself, Ms. ESHOO, Mr. CONDIT, Mr. COX, Mr. BACA, Mr.

BECERRA, Mr. BERMAN, Mrs. BONO, Mr. CALVERT, Mrs. CAPPS, Mr. CUNNINGHAM, Mrs. DAVIS of California, Mr. DOOLEY of California, Mr. DOOLITTLE, Mr. DREIER, Mr. FARR of California, Mr. FILNER, Mr. GALLEGLY, Ms. HARMAN, Mr. HERGER, Mr. HONDA, Mr. HORN, Mr. HUNTER, Mr. LANTOS, Ms. LEE, Mr. LEWIS of California, Ms. LOFGREN, Mr. MCKEON, Mr. MATSUI, Ms. MILLENDER-MCDONALD, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. OSE, Ms. PELOSI, Mr. POMBO, Mr. RADANOVICH, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. SANCHEZ, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMAS, Mr. THOMPSON of California, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 2270. A bill to amend the Clean Air Act to permit the exclusive application of California State regulations regarding reformulated gas in certain areas within the State; to the Committee on Energy and Commerce.

By Mr. COLLINS:

H.R. 2271. A bill to amend the Internal Revenue Code of 1986 to modify the depreciation of natural gas pipelines, equipment, and infrastructure assets to be 10-year property; to the Committee on Ways and Means.

By Mr. KIRK (for himself, Mrs. JOHNSON of Connecticut, Mr. CASTLE, Mr. BOEHLERT, Mr. HOBSON, Mrs. KELLY, Mr. MALONEY of Connecticut, Mr. GILMAN, Mr. SMITH of New Jersey, Mr. BOUCHER, Mr. PORTMAN, Mr. FALEOMAVAEGA, Mr. HASTINGS of Florida, and Mr. GREENWOOD):

H.R. 2272. A bill to amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries who take action to protect critical coral reef habitats; to the Committee on International Relations.

By Mr. CONYERS:

H.R. 2273. A bill to amend banking laws with respect to offshore activities, investments, and affiliations of national banks, and for other purposes; to the Committee on Financial Services.

By Ms. ESHOO (for herself, Ms. PELOSI, Mrs. CAPPS, Mr. BECERRA, Mr. LANTOS, Mr. STARK, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Mr. HONDA, Mrs. NAPOLITANO, Ms. LEE, Ms. HARMAN, Ms. ROYBAL-ALLARD, Ms. WOOLSEY, Mr. LARSEN of Washington, Mr. THOMPSON of California, Ms. LOFGREN, Mr. BERMAN, Ms. SOLIS, Mrs. DAVIS of California, Mr. FILNER, Mr. BAIRD, Mr. ISSA, Mr. BACA, Mr. MATSUI, Mr. FARR of California, Mr. CONDIT, Ms. MILLENDER-MCDONALD, Mr. SCHIFF, Ms. SANCHEZ, Mr. GEPHARDT, Mr. HUNTER, Mr. WAXMAN, Ms. WATSON, Mr. SHERMAN, and Ms. WATERS):

H.R. 2274. A bill to require the refund of unjust or unreasonable rates and charges for certain sales of electric energy after June 1, 2000, in the Western United States; to the Committee on Energy and Commerce.

By Mr. EHLERS (for himself and Mr. BARCIA):

H.R. 2275. A bill to amend the National Institute of Standards and Technology Act to ensure the usability, accuracy, integrity, and security of United States voting products and systems through the development of voluntary consensus standards, the provision of technical assistance, and laboratory accreditation, and for other purposes; to the Committee on Science.

By Mr. GEKAS:

H.R. 2276. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for aliens to present a border crossing card that contains a biometric identifier matching the appropriate biometric characteristic of the alien; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 2277. A bill to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors; to the Committee on the Judiciary.

By Mr. GEKAS (for himself, Ms. LOFGREN, Mr. SMITH of Texas, Ms. JACKSON-LEE of Texas, Mr. CANNON, Mr. DOOLEY of California, Ms. DUNN, and Mr. DREIER):

H.R. 2278. A bill to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States; to the Committee on the Judiciary.

By Mr. HEFLEY:

H.R. 2279. A bill to amend the Internal Revenue Code of 1986 to provide special rules for the charitable deduction for conservation contributions of land by eligible farmers and ranchers, and for other purposes; to the Committee on Ways and Means.

By Mr. HERGER (for himself, Mr. ENGLISH, Mr. HAYWORTH, Mr. RAMSTAD, Mrs. THURMAN, Mr. POMEROY, and Mr. STARK):

H.R. 2280. A bill to amend the Internal Revenue Code of 1986 to permit cooperatives to pay dividends on preferred stock without reducing patronage dividends; to the Committee on Ways and Means.

By Mr. JEFFERSON (for himself, Mr. ENGLISH, Mr. CUMMINGS, Mrs. JONES of Ohio, Mr. ISRAEL, Mr. FATTAH, Mr. UPTON, Mr. BERMAN, Mr. MOORE, Mrs. CLAYTON, Ms. CARSON of Indiana, Mr. RODRIGUEZ, Ms. SLAUGHTER, Mr. KUCINICH, Mr. WEXLER, Mr. MCGOVERN, Ms. MCKINNEY, Mr. FROST, Mrs. CHRISTENSEN, Mr. PAYNE, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mr. MEEKS of New York, Mr. OWENS, Ms. LEE, and Mr. CLEMENT):

H.R. 2281. A bill to amend the Internal Revenue Code of 1986 to extend and expand the enhanced deduction for charitable contributions of computers to provide greater public access to computers, including access by the poor; to the Committee on Ways and Means.

By Mr. KUCINICH (for himself, Mr. FRANK, Mr. CONYERS, Mr. NADLER, Ms. WATERS, Ms. LEE, Ms. MCKINNEY, Mr. OWENS, Mr. SANDERS, Mr. DEFAZIO, Mr. GEORGE MILLER of California, Mr. DAVIS of Illinois, Ms. SOLIS, Ms. CARSON of Indiana, Mr. OLVER, Mr. STARK, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. WAXMAN, Ms. NORTON, Mr. ABERCROMBIE, Mr. HILLIARD, Mr. CLAY, Mr. FILNER, Mr. MCGOVERN, Mr. HINCHEY, Ms. KAPTUR, Mr. BROWN of Ohio, Ms. PELOSI, Mr. EVANS, Ms. VELAZQUEZ, Ms. BROWN of Florida, Mr. ANDREWS, Mr. MARKEY, and Ms. ROYBAL-ALLARD):

H.R. 2282. A bill to amend title 9 of the United States Code to exclude all employment contracts from the arbitration provisions of chapter 1 of such title, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself, Mr. BALDACCI, Ms. BERKLEY, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BONIOR, Ms. BROWN of Florida, Mr. BROWN of Ohio, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CONYERS, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAURO, Mr. EVANS, Mr. FATTAH, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KUCINICH, Mr. LANTOS, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MORELLA, Mr. NADLER, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, and Mr. WEXLER):

H.R. 2283. A bill to amend the Elementary and Secondary Education Act of 1965 to direct the Secretary of Education to make grants to States for assistance in hiring additional school-based mental health and student service providers; to the Committee on Education and the Workforce.

By Mr. LEWIS of Georgia:

H.R. 2284. A bill to amend title XVIII of the Social Security Act to provide for payment of certain chiropractic examination procedures, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO (for himself, Mr. SAXTON, Mrs. ROUKEMA, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, and Mr. FERGUSON):

H.R. 2285. A bill to prohibit the Secretary of the Interior from issuing oil and gas leases on portions of the Outer Continental Shelf located off the coast of New Jersey; to the Committee on Resources.

By Mrs. LOWEY (for herself and Mr. HINCHEY):

H.R. 2286. A bill to provide grants to eligible consortia to provide professional development to superintendents, principals, and prospective superintendents and principals; to the Committee on Education and the Workforce.

By Mrs. MALONEY of New York:

H.R. 2287. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a domestic partner, parent-in-law, adult child, sibling, or grandparent if the domestic partner, parent-in-law, adult child, sibling, or grandparent has a serious health condition; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-MCDONALD (for herself and Mr. STEARNS):

H.R. 2288. A bill to authorize the Secretary of Health and Human Services to carry out programs regarding the prevention and management of asthma, allergies, and related respiratory problems, to establish a tax credit regarding pest control and indoor air quality and climate control services for multifamily residential housing in low-income communities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently deter-

mined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2289. A bill to exclude certain properties from the John H. Chafee Coastal Barrier Resources System; to the Committee on Resources.

By Mr. PORTMAN (for himself, Mr. MATSUI, Mr. BACHUS, Mr. TANNER, Mr. BASS, Mr. UDALL of Colorado, Mr. MCHUGH, and Mr. SUNUNU):

H.R. 2290. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for land sales for conservation purposes; to the Committee on Ways and Means.

By Mr. PORTMAN (for himself, Mr. LEVIN, Mr. CUMMINGS, Mr. OXLEY, Mr. RANGEL, Mr. HERGER, Mr. WYNN, Mr. LATOURETTE, Mr. STUPAK, Mr. LEWIS of Kentucky, Ms. CARSON of Indiana, Mr. ISAKSON, Mr. KILDEE, Mr. CUNNINGHAM, Mr. REYES, Mr. WATKINS, Mr. MCNULTY, Mr. SESSIONS, Mr. ABERCROMBIE, and Mr. BARRETT):

H.R. 2291. A bill to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROTHMAN (for himself and Mr. MENENDEZ):

H.R. 2292. A bill to amend the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 to require that, in order to determine that a democratically elected government in Cuba exists, the government extradite to the United States convicted felon Joanne Chesimard and all other individuals who are living in Cuba in order to escape prosecution or confinement for criminal offenses committed in the United States; to the Committee on International Relations.

By Mr. RYAN of Wisconsin:

H.R. 2293. A bill to amend the Internal Revenue Code of 1986 to provide a temporary reduction in the maximum capital gains rate from 20 percent to 15 percent; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. LEACH, Ms. LEE, and Mr. TOWNS):

H.R. 2294. A bill to amend title XVIII of the Social Security Act to exclude clinical social worker services from coverage under the Medicare skilled nursing facility prospective payment system; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SUNUNU:

H.R. 2295. A bill to amend title 23, United States Code, to authorize the Secretary of Transportation to make grants to States to carry out innovative projects to promote increased seat belt use rates; to the Committee on Transportation and Infrastructure.

By Mr. WU:

H.R. 2296. A bill to terminate the price support and marketing quota programs for peanuts; to the Committee on Agriculture.

By Mr. WU:

H.R. 2297. A bill to require that the level of long-range nuclear forces of the Department of Defense be reduced to 3,500 warheads consistent with the provisions of the START II treaty; to the Committee on Armed Services.

By Mr. WU:

H.R. 2298. A bill to eliminate the use of the Savannah River nuclear waste separation facilities in South Carolina; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. RAHALL, Mr. HALL of Texas, Mr. ENGLISH, Mr. TANCREDO, Mr. HILLEARY, Mr. BARR of Georgia, Mr. SOUDER, Mr. SMITH of New Jersey, and Mr. BUYER):

H.J. Res. 54. A joint resolution recognizing the authority of public schools to allow students to exercise their constitutional rights by establishing a period of time for silent prayer or meditation or reflection, encouraging the recitation of the Pledge of Allegiance, and refusing to discriminate against individuals or groups on account of thier religious character or speech; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRABACHER (for himself, Mr. HUNTER, and Ms. SANCHEZ):

H.J. Res. 55. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Ways and Means.

By Mr. ARMEY:

H. Res. 176. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. EVANS (for himself, Mr. CLEMENT, Mr. PHELPS, Ms. SCHAKOWSKY, Mr. FILNER, Ms. KILPATRICK, Mr. FROST, Mr. RUSH, Mr. JACKSON of Illinois, Mr. DEFAZIO, Mr. BLAGOJEVICH, and Mr. LIPINSKI):

H. Res. 177. A resolution supporting the National Railroad Hall of Fame, Inc., of Galesburg, Illinois, in its endeavor to erect a monument known as the National Railroad Hall of Fame; to the Committee on Transportation and Infrastructure.

¶65.30 ADDITIONAL SPONSORS

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

H.R. 7: Mr. KINGSTON.

H.R. 52: Mr. CALVERT.

H.R. 85: Mr. SKELTON and Mrs. JONES of Ohio.

H.R. 91: Mr. WELDON of Pennsylvania.

H.R. 97: Mr. PHELPS, Mr. SMITH of New Jersey, Mr. VITTER, Mr. BACA, and Mr. PLATTS.

H.R. 123: Mr. TAYLOR of North Carolina, Mr. SCHROCK, Mr. BURTON of Indiana, Mr. LEWIS of Kentucky, and Mr. PLATTS.

H.R. 134: Ms. HOOLEY of Oregon.

H.R. 147: Ms. SANCHEZ and Ms. LOFGREN.

H.R. 162: Ms. DEGETTE and Ms. ROYBAL-ALLARD.

H.R. 168: Ms. LOFGREN.

H.R. 189: Mr. PITTS.

H.R. 218: Mr. LANGEVIN, Mr. SCHROCK, Mr. TIAHRT, Mr. GRUCCI, and Mr. PASCRELL.

H.R. 239: Mr. THOMPSON of Mississippi, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. TIERNEY, Ms. KAPTUR, Ms. SCHAKOWSKY, and Ms. WOOLSEY.

H.R. 267: Mr. SESSIONS.

H.R. 287: Mr. MCDERMOTT and Mr. BOSWELL.

H.R. 303: Mr. UPTON.

H.R. 321: Mr. NADLER, Mr. HALL of Ohio, Mr. OBERSTAR, and Mr. FARR of California.

H.R. 326: Mr. KENNEDY of Rhode Island.

H.R. 389: Mr. HINCHEY.

H.R. 415: Ms. ROYBAL-ALLARD.

H.R. 507: Mr. GOODLATTE.

H.R. 534: Mr. HALL of Texas and Mr. KERNS.

H.R. 570: Mr. LEWIS of Kentucky and Mr. TERRY.

H.R. 572: Mr. RAHALL.

H.R. 583: Mr. ADERHOLT and Mr. RYAN of Wisconsin.

H.R. 638: Mr. ROTHMAN.

H.R. 639: Mr. BRADY of Pennsylvania, Mr. MASCARA, Mr. ANDREWS, Mr. RAHALL, and Mr. PETERSON of Pennsylvania.

H.R. 662: Mr. THOMPSON of California and Mr. OTTER.

H.R. 668: Mr. PRICE of North Carolina, Mr. WU, and Mr. KIRK.

H.R. 671: Mr. LANGEVIN.

H.R. 690: Ms. SOLIS.

H.R. 709: Mr. HOYER, Mrs. THURMAN, Mr. DOOLEY of California, Mr. FILNER, and Mr. BAIRD.

H.R. 778: Mr. YOUNG of Alaska, and Mr. LARSEN of Washington.

H.R. 785: Mrs. CHRISTENSEN.

H.R. 822: Mr. SHAW.

H.R. 826: Mr. SHADEGG.

H.R. 828: Mr. SIMMONS, Mr. ISRAEL, and Mr. ROGERS of Michigan.

H.R. 868: Mr. ROGERS of Kentucky, Mr. BISHOP, Mr. SUNUNU, Ms. CARSON of Indiana, Mr. ISRAEL, Mr. HOBSON, Mr. HOLT, Mr. DOYLE, Mr. HOUGHTON, Mr. MCNULTY, Mr. CUMMINGS, Mr. RAHALL, Mrs. JONES of Ohio, and Mr. FATTAH.

H.R. 869: Mr. LANGEVIN, Mr. HORN, Mr. HINCHEY, Mr. FRANK, Mrs. ROUKEMA, and Mr. ENGLISH.

H.R. 875: Mr. ABERCROMBIE, Mr. MCGOVERN, Mr. SERRANO, Mr. FROST, Mr. STARK, and Mr. MCDERMOTT.

H.R. 876: Ms. MCCOLLUM, Mr. HOEFFEL, Mr. WEINER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KIRK, Mr. OSBORNE, and Mr. MORAN of Kansas.

H.R. 877: Mr. ANDREWS and Mr. RILEY.

H.R. 912: Mr. GILMAN.

H.R. 917: Mrs. MALONEY of New York.

H.R. 936: Mr. MATHESON.

H.R. 943: Mr. WAXMAN and Mr. BROWN of Ohio.

H.R. 950: Mr. PETERSON of Pennsylvania and Mr. PENCE.

H.R. 951: Ms. SCHAKOWSKY, Mr. ROEMER, Mr. HAYES, Mr. BACHUS, Mrs. NORTHUP, Mr. HILLIARD, Mr. PASCRELL, Mr. MCINTYRE, Mr. THUNE, Mr. ANDREWS, Mr. MARKEY, Mr. STUPAK, Mr. CASTLE, Mr. MASCARA, Mr. ROSS, and Mr. BURR of North Carolina.

H.R. 1007: Mr. TAYLOR of Mississippi.

H.R. 1008: Mrs. EMERSON and Mr. MANZULLO.

H.R. 1021: Mr. MANZULLO.

H.R. 1024: Ms. HART and Mr. HOUGHTON.

H.R. 1030: Ms. HART, Mr. DIAZ-BALART, Mr. HONDA, Mr. BEREUTER, Mr. LANTOS, Mr. SHADEGG, Mr. BARR of Georgia, Mr. MCKEON, Mr. PORTMAN, Mrs. BIGGERT, and Mr. CLYBURN.

H.R. 1036: Mr. ACKERMAN, Mr. FILNER, Mr. DEUTSCH, Mr. DOGGETT, Mr. SHOWS, Mr. GUTIERREZ, Mr. MARKEY, Mr. HALL of Texas, Mr. JEFFERSON, Mr. STRICKLAND, Mr. HONDA, Mr. BAIRD, and Mrs. THURMAN.

H.R. 1038: Mr. OBERSTAR, Mr. BARRETT, Mr. NADLER, and Mr. HALL of Ohio.

H.R. 1076: Mr. FORD, Ms. HARMAN, Mr. FALEOMAVAEGA, Ms. KILPATRICK, Mrs. CHRISTENSEN, and Mr. HILLIARD.

H.R. 1136: Mr. WHITFIELD, Mr. MEEKS of New York, and Mr. KIRK.

H.R. 1145: Mr. NEY.

H.R. 1149: Mr. FROST, Mr. WU, Ms. HARMAN, and Mr. BOUCHER.

H.R. 1165: Mr. HALL of Texas and Mr. EHLERS.

H.R. 1170: Mr. DICKS and Ms. WATSON.

H.R. 1172: Mr. HULSHOF, Mr. SWEENEY, Ms. ROS-LEHTINEN, Mr. PORTMAN, and Mr. HALL of Texas.

H.R. 1187: Mr. COYNE and Mr. CLYBURN.

H.R. 1192: Mr. MURTHA.
H.R. 1198: Mr. DEFAZIO, Mr. MCGOVERN, Mr. FRANK, Mr. BROWN of South Carolina, Mr. GALLEGLY, Mr. HUNTER, Mr. BROWN of Ohio, Mr. FALEOMAVAEGA, Mr. THOMPSON of Mississippi, Mr. GONZALEZ, Ms. LOFGREN, Ms. BROWN of Florida, Mr. SANDERS, Mrs. THURMAN, Mrs. CLAYTON, Mr. SCHIFF, Mrs. MALONEY of New York, Ms. HART, Mr. SMITH of New Jersey, Mrs. JOE ANN DAVIS of Virginia, Mr. DUNCAN, and Mr. BURTON of Indiana.
H.R. 1201: Ms. HARMAN.
H.R. 1230: Mr. EVANS and Mr. KIND.
H.R. 1238: Mr. TAYLOR of Mississippi and Mr. JACKSON of Illinois.
H.R. 1255: Ms. LEE and Mr. BALDACCI.,
H.R. 1269: Mr. PRICE of North Carolina, Mr. MORAN of Virginia, Ms. NORTON, Mr. BERMAN, Mr. JACKSON of Illinois, Ms. KAPTUR, Ms. MCCARTHY of Missouri, Mr. TIERNEY, Mr. CAPUANO, and Ms. LOFGREN.,
H.R. 1296: Ms. HOOLEY of Oregon, Mr. WU, Mr. LAMPSON, and Mr. PAYNE.
H.R. 1304: Mr. DOOLEY of California.
H.R. 1305: Mr. GIBBONS and Mrs. TAUSCHER.
H.R. 1310: Mr. SANDERS.
H.R. 1316: Mr. PHELPS and Mr. WAMP.
H.R. 1329: Mr. HORN and Mrs. NORTHUP.
H.R. 1340: Mr. KIRK.
H.R. 1401: Ms. SLAUGHTER.
H.R. 1410: Mr. HILLEARY.
H.R. 1421: Mr. LANGEVIN, Mr. OWENS, Mr. GUTIERREZ, Mr. BECERRA, and Mr. SIMMONS.
H.R. 1433: Mr. STUPAK.
H.R. 1462: Mr. MCINNIS.
H.R. 1477: Mr. HINOJOSA.
H.R. 1487: Mrs. THURMAN.
H.R. 1488: Mr. GEORGE MILLER of California and Mr. BLUMENSUER.
H.R. 1508: Mr. PLATTS.
H.R. 1522: Mr. HINCHEY and Mr. ANDREWS.
H.R. 1541: Mr. HINCHEY.
H.R. 1556: Mrs. EMERSON, Mr. KENNEDY of Rhode Island, and Mr. SMITH of New Jersey.
H.R. 1596: Ms. MCKINNEY, Mr. BARTLETT of Maryland, Mr. SAXTON, Mr. FROST, Mr. WOLF, and Mr. KING.
H.R. 1598: Mr. SIMMONS.
H.R. 1600: Ms. ESHOO and Mr. CALVERT.
H.R. 1605: Mr. ROSS.
H.R. 1609: Mr. CLEMENT Mrs. CHRISTENSEN.
H.R. 1636: Mr. BEREUTER and Mr. LEWIS of Kentucky.
H.R. 1644: Mr. FOSSELLA, Mr. PETERSON of Pennsylvania, Mr. COLLINS, and Mr. SCHROCK.
H.R. 1657: Mr. GUTKNECHT.
H.R. 1668: Mr. HOLT, Mr. TIBERI, Mr. SHAW, and Mr. HORN.
H.R. 1682: Mr. GREEN of Texas, Mr. MCGOVERN, Mr. GONZALEZ, Mr. HILLIARD, and Mr. REYES.
H.R. 1723: Ms. LOFGREN and Mr. DINGELL.
H.R. 1733: Ms. MCKINNEY and Mr. ALLEN.
H.R. 1754: Mr. SIMPSON and Mr. HINCHEY.
H.R. 1773: Mr. CANTOR, Mr. BACA, Ms. HART, and Mr. FILNER.
H.R. 1786: Mr. DEAL of Georgia and Mr. PETERSON of Pennsylvania.
H.R. 1805: Mr. PENCE.
H.R. 1808: Mr. GILLMOR, Mr. PASCRELL, and Mrs. MCCARTHY of New York.
H.R. 1827: Mr. FILNER.
H.R. 1839: Mr. GONZALEZ.
H.R. 1841: Mr. HILL and Mr. HOSTETTLER.
H.R. 1859: Mrs. JONES of Ohio.
H.R. 1873: Mr. HILLIARD and Mr. HONDA.
H.R. 1881: Mr. PENCE.
H.R. 1919: Mr. BUYER, Ms. HART, Mr. GEKAS, Mr. HULSHOF, Mr. GILLMOR, Mrs. NORTHUP, Mr. BACHUS, Mr. PASCRELL, Mr. WALSH, Mr. OSBORNE, Mr. HOLDEN, and Mr. NEY.
H.R. 1928: Mr. KENNEDY of Rhode Island.
H.R. 1935: Mr. MCNULTY, Mr. BARTLETT of Maryland, Mr. THORNBERRY, Mr. MCGOVERN, Ms. MCCARTHY of Missouri, Mr. SAXTON, Ms. BALDWIN, Mr. FOLEY, and Mr. KUCINICH.
H.R. 1945: Mr. HINCHEY.
H.R. 1949: Mr. FARR of California, Mr. MURTHA, Mr. BALDACCI, Mr. MCHUGH, Mrs. THURMAN, Mr. EVANS, Mr. ALLEN, Mr. BROWN of Ohio, and Mr. PASCRELL.
H.R. 1950: Mr. SHAW.
H.R. 1954: Mr. TIAHRT, Mr. UPTON, Mr. YOUNG of Florida, and Mr. SHAYS.
H.R. 1958: Mr. ANDREWS, Mr. RODRIGUEZ, and Mr. BRADY of Texas.
H.R. 1983: Mr. SHAYS, Mrs. MCCARTHY of New York, Mr. CANTOR, Mr. MCKEON, Mr. Saxton, Mr. MEEKS of New York, Mr. FOLEY, Mr. PETERSON of Minnesota, Mr. GOODE, and Mr. KING.
H.R. 1988: Mrs. JONES of Ohio, Mr. COYNE, and Mr. SHOWS.
H.R. 2001: Mr. GUTKNECHT.
H.R. 2012: Mr. SANDERS, Ms. KAPTUR, Mr. LAHOOD, Mr. ALLEN, Mr. STUPAK, Ms. MCCOLLUM, Mrs. MORELLA, Mr. HANSEN, and Mr. HOLDEN.
H.R. 2027: Mr. PETERSON of Pennsylvania.
H.R. 2038: Mr. PETERSON of Minnesota.
H.R. 2055: Mr. FLAKE, Mr. BONILLA, Mr. SHAW, and Mr. OTTER.
H.R. 2073: Mr. PASTOR, Mr. FROST, Mr. FALEOMAVAEGA, Mr. ISAKSON, Mr. BALDACCI, Mr. JONES of North Carolina, Ms. WOOLSEY, Mr. HINCHEY, and Mr. BOUCHER.
H.R. 2074: Mr. FORD.
H.R. 2076: Mr. TOM DAVIS of Virginia.
H.R. 2095: Ms. HART.
H.R. 2096: Mr. ARMEY.
H.R. 2097: Ms. CARSON of Indiana, Mr. FATTAH, Ms. NORTON, Ms. MCKINNEY, Mr. CLYBURN, Ms. MILLENDER-MCDONALD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Ms. WATERS, Mr. PAYNE, Mr. FORD, and Mr. CLAY.
H.R. 2101: Mr. OTTER and Mr. THORNBERRY.
H.R. 2102: Mrs. MEEK of Florida, Mr. HILLEARY, Mr. FALEOMAVAEGA, Mr. PRICE of North Carolina, Mr. BOUCHER, and Mr. STUPAK.
H.R. 2116: Mr. GRAHAM and Mr. BALLENGER.
H.R. 2123: Mr. BLUNT.
H.R. 2125: Mr. ALLEN, Mr. ISAKSON, Mrs. THURMAN, Mr. PALLONE, and Mr. BOUCHER.
H.R. 2131: Mr. MCGOVERN.
H.R. 2143: Mr. KIRK, Mrs. NORTHUP, Mr. OTTER, Mr. CANTOR, Mr. TIAHRT, and Mr. OXLEY.
H.R. 2149: Mrs. CUBIN, Mr. MCKEON, Mrs. BONO, and Mr. THORNBERRY.
H.R. 2154: Mr. LANTOS and Ms. VELAZQUEZ.
H.R. 2157: Mr. ENGLISH, Mr. SESSIONS, and Mr. JOHNSON of Illinois.
H.R. 2158: Mr. CONYERS and Mr. FILNER.
H.R. 2161: Mr. DOOLITTLE.
H.R. 2164: Mrs. TAUSCHER.
H.R. 2172: Mr. DREIER.
H.R. 2175: Mr. GRAHAM, Mr. RAHALL, Mr. HEFLEY, Mr. HOEKSTRA, Mr. BARTON of Texas, and Mr. PETRI.
H.R. 2176: Mr. MCDERMOTT.
H.R. 2177: Mr. WATKINS and Mr. HINOJOSA.
H.R. 2178: Mr. NEAL of Massachusetts.
H.R. 2182: Mr. MEEHAN.
H.R. 2200: Mr. BAKER.
H.R. 2212: Mr. OXLEY, Mr. LARGENT, Mr. TANCREDO, Mr. ARMEY, Mr. WATTS of Oklahoma, Mr. CANTOR, Mr. SENSENBRENNER, Mr. SUNUNU, and Mr. BALLENGER.
H.R. 2219: Mr. NEAL of Massachusetts.
H.R. 2235: Mr. HOLT.
H.R. 2244: Mr. BACHUS and Mr. RYUN of Kansas.
H.R. 2252: Mrs. JO ANN DAVIS of Virginia.
H.R. 2258: Ms. LEE.
H.J. Res. 13: Mr. PASCRELL.
H.J. Res. 36: Mr. YOUNG of Florida, Mr. ANDREWS, Mr. WELDON of Pennsylvania, Mr. CANNON, and Mrs. NAPOLITANO.
H. Con. Res. 45: Mr. DIAZ-BALART and Mr. GREEN of Texas.
H. Con. Res. 161: Mr. NORWOOD, Mr. JOHNSON of Illinois, Mr. MILLER of Florida, Mr. OSE, Mr. CHAMBLISS, Mrs. TAUSCHER, Mr. BAKER, Ms. MCKINNEY, Mr. KING, Mr. JOHN, Mr. THUNE, Mr. DIAZ-BALART, Mr. ROHRABACHER, Mr. SHAW, Mr. MCNULTY, Mr. RAHALL, Mr. SUNUNU, Mr. PETRI, Mr. CALVERT, and Mr. DEAL of Georgia.
H. Con. Res. 164: Mr. ENGLISH.
H. Res. 49: Mr. RANGEL.
H. Res. 117: Mr. WEINER.
H. Res. 152: Mrs. TAUSCHER, Mr. CLAY, Mr. HINCHEY, and Mr. ALLEN.
H. Res. 172: Mrs. KELLY, Mr. RANGELL, Mr. NADLER, Mr. MCNULTY, Mr. ENGEL, Mr. BOEHLERT, Mr. REYNOLDS, Ms. SLAUGHTER, Mr. CAPUANO, Mr. SERRANO, Mr. HOUGHTON, Mrs. LOWEY, Mr. TIERNEY, Mr. QUINN, Mr. LAFALCE, Mr. WEINER, Mr. OWENS, Mr. TOWNS, Mr. BLUMENAUER, Mr. HOYER, Mr. MCGOVERN, Mr. TERRY, and Ms. VELAZQUEZ.

¶65.31 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2172: Mr. GILLMOR.

MONDAY, JUNE 25, 2001 (66)

¶66.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. BALLENGER, who laid before the House the following communication:

WASHINGTON, DC,
June 25, 2001.

I hereby appoint the Honorable CASS BALLENGER to act as Speaker pro tempore on this day.

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

¶66.2 MESSAGE FROM THE SENATE

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

S. Con. Res. 54. Concurrent resolution authorizing the Rotunda of the Capitol to be used on July 26, 2001, for a ceremony to present Congressional Gold Medals to the original 29 Navajo Code Talkers.

¶66.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. BALLENGER, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶66.4 RECESS—12:38 P.M.

The SPEAKER pro tempore, Mr. BALLENGER, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 38 minutes p.m. until 2 o'clock p.m.

¶66.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶66.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Thursday, June 21, 2001.

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

¶66.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2632. A letter from the Secretary, Department of Agriculture, transmitting a report entitled, ''Assessment of the Cattle and Hog Industries, Calendar Year 2000''; to the Committee on Agriculture.

2633. A letter from the Acting Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—Water and Waste Disposal Programs Guaranteed Loans (RIN: 0572–AB57) received June 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2634. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Cyprodinil; Time-Limited Pesticide Tolerance [OPP–301120; FRL–6778–7] (RIN: 2070–AB78) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2635. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tebufenozide; Re-establish Tolerances for Emergency Exemptions [OPP–301141; FRL–6788–4] (RIN: 2070–AB78) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2636. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final—Pyridaben; Pesticide Tolerance Technical Correction [OPP–301013A; FRL–6786–5] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2637. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Isoxadifen-ethyl; Time-Limited Pesticide Tolerance [OPP–301135; FRL–6786–1] (RIN: 2070–AB78) received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2638. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—L-Glutamic Acid and Gamma Aminobutyric Acid; Exemptions from the Requirement of a Tolerance [OPP–301136; FRL–6785–6] (RIN: 2070–AB78) received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2639. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Mesotrione; Pesticide Tolerance [OPP–301138; FRL–6787–7] (RIN: 2070–AB78) received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2640. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Protections for Children in Research''; to the Committee on Energy and Commerce.

2641. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revision to the California State Implementation Plan, Antelope Valley Air Pollution Control District [CA 226–0271; FRL–6998–3] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2642. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans North Carolina: Approval of Revisions to Miscellaneous Volatile Organic Compounds Regulations Within the North Carolina State Implementation Plan [NC 95–200034a; FRL–6993–9] received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2643. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Control of Volatile Organic Compounds (VOCs) for Aerospace Operations and Miscellaneous VOC Revisions [PA155–4114a; FRL–6998–6] received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2644. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Maintenance Plan Revisions; Ohio [OH148–1a; FRL–7001–6] received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2645. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Determination of Attainment for the Carbon Monoxide National Ambient Air Quality Standard for Metropolitan Denver; State of Colorado [CO–001–0063a; FRL–7000–7] received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2646. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; States of Illinois and Missouri; 1-Hour Ozone Attainment Demonstrations, Motor Vehicle Emissions Budgets, Reasonably Available Control Measures, Contingency Measures, Attainment Date Extension, and Withdrawal of Nonattainment Determination and Reclassification [Tracking No. MO–0132–1132, IL 196–3; FRL–7001–7] received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2647. A communication from the President of the United States, transmitting the President's bimonthly report on progress toward a negotiated settlement of the Cyprus question, covering the period April 1 to May 31, 2001, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

2648. A letter from the Under Secretary for Export Administration, Department of Commerce, transmitting a report on the Imposition of Foreign Policy Export Controls On Certain Fertilizers To Terrorist Supporting Countries; to the Committee on International Relations.

2649. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the Policy Terminating the Arab League Boycott of Israel and Expanding the Process of Normalization Between the Arab League Countries and Israel; to the Committee on International Relations.

2650. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Amendment to the International Traffic in Arms Regulation: Sweden—received June 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2651. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2652. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2653. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2654. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2655. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2656. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2657. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2658. A letter from the Acting General Counsel and Designated Reporting Official, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2659. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States (RIN: 1018–AH46) received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2660. A letter from the Staff Attorney, Department of Transportation, transmitting the Department's final rule—Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions [Docket No. RSPA–2000–7702 (HM–215D)] (RIN: 2137–AD41) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2661. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Captain of the Port Detroit Zone [CGD09–01–048] received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2662. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International (CFMI) CFM56–2, –2B, –3, –5B, –5C and –7B Series Turbofan Engines [Docket No. 2001–NE–18–AD; Amendment 39–12246; AD 2001–11–05] (RIN: 2120–AA64) received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2663. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Veterans Education: Increased Allowances for the Educational Assistance Test Program (RIN: 2900–AK41) received June 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2664. A letter from the Director, Office of Regulations Management, Department of

Veterans' Affairs, transmitting the Department's final rule—Increase in Rates Payable Under the Montgomery GI Bill—Active Duty and Survivors' and Dependents' Educational Assistance (RIN: 2900–AK44) received June 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2665. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev Rul. 2001–34] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2666. A letter from the Chief, Regulations Office, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Rev. Proc. 2001–39] received June 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2667. A letter from the Chair, U.S. International Trade Commission, transmitting a report entitled, ''The Year in Trade 2000: Operation of the Trade Agreements Program''; to the Committee on Ways and Means.

2668. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the Progress made toward opening the United States Embassy in Jerusalem and notification of Suspension of Limitations Under the Jerusalem Embassy Act (Presidental Determination No. 2001–19), pursuant to Public Law 104–45, section 6 (109 Stat. 400); jointly to the Committees on International Relations and Appropriations.

¶66.8 RHINOCEROS AND TIGER CONSERVATION

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 645) to reauthorize the Rhinoceros and Tiger Conservation Act of 1994; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. GILCHREST and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶66.9 COMMEMORATIVE WORK HONORING PRESIDENT JOHN ADAMS

Mr. HEFLEY moved to suspend the rules and pass the bill (H.R. 1668) to authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his family; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HEFLEY and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

By unanimous consent, the time for debate was extended by 10 minutes to be equally divided and controlled by Mr. HEFLEY and Mrs. CHRISTENSEN.

After further debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HEFLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶66.10 NATIONAL 4-H PROGRAM CENTENNIAL INITIATIVE

Mr. LUCAS of Oklahoma, moved to suspend the rules and pass the bill of the Senate (S. 657) to authorize funding for the National 4-H Program Centennial Initiative.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LUCAS of Oklahoma and Mrs. CLAYTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶66.11 AMERICAN SCHOLARS DETAINED IN CHINA

Mr. SMITH of New Jersey moved to suspend the rules and agree to the following resolution (H. Res. 160); as amended:

Whereas in recent months the Government of the People's Republic of China has arrested and detained several scholars and intellectuals of Chinese ancestry with ties to the United States, including at least 2 United States citizens and 3 permanent residents of the United States;

Whereas according to the Department of State's 2000 Country Reports on Human Rights Practices in China, and international human rights organizations, the Government of the People's Republic of China ''has continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms'';

Whereas the harassment, arbitrary arrest, detention, and filing of criminal charges against scholars and intellectuals has created a chilling effect on the freedom of expression, in contravention of internationally accepted norms, including the International Covenant on Civil and Political Rights, which the People's Republic of China signed in October 1998;

Whereas the Government of the People's Republic of China frequently uses torture and other human rights violations to produce coerced ''confessions'' from detainees;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China has extensively documented that human rights abuses in the People's Republic of China ''included instances of extrajudicial killings, the use of torture, forced confessions, arbitrary arrest and detention, the mistreatment of prisoners, lengthy incommunicado detention, and denial of due process'', and also found that ''[p]olice and prosecutorial officials often ignore the due process provisions of the law and of the Constitution . . . [f]or example, police and prosecutors can subject prisoners to severe psychological pressure to confess, and coerced confessions frequently are introduced as evidence'';

Whereas the Government of the People's Republic of China has reported that some of the scholar detainees have ''confessed'' to their ''crimes'' of ''spying'', but it has yet to produce any evidence of spying, and has refused to permit the detainees to confer with their families or lawyers;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China also found that ''police continue to hold individuals without granting access to family or a lawyer, and trials continue to be conducted in secret'';

Whereas Dr. Li Shaomin is a United States citizen and scholar who has been detained by the Government of the People's Republic of China for more than 100 days, and was formally charged with spying for Taiwan on May 15, 2001;

Whereas Dr. Li Shaomin has been deprived of his basic human rights by arbitrary arrest and detention, and has not been allowed to contact his wife and child (both United States citizens), or his lawyer;

Whereas Dr. Gao Zhan is a permanent resident of the United States and scholar who has been detained by the Government of the People's Republic of China for more than 114 days, and was formally charged with ''accepting money from a foreign intelligence agency'' on April 4, 2001;

Whereas Dr. Gao Zhan has been deprived of her basic human rights by arbitrary arrest and detention, and has not been allowed to contact her husband and child (both United States citizens), her lawyer, or Department of State consular personnel in China;

Whereas Wu Jianmin is a United States citizen and author who has been detained by the Government of the People's Republic of China, has been deprived of his basic human rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Qin Guangguang is a permanent resident of the United States and researcher who has been detained by the Government of the People's Republic of China on suspicions of ''leaking state secrets'', has been deprived of his basic human rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Teng Chunyan is a permanent resident of the United States, Falun Gong practitioner, and researcher who has been sentenced to three years in prison for spying by the Government of the People's Republic of China, apparently for conducting research which documented violations of the human rights of Falun Gong adherents in China, has been deprived of her basic human rights by being placed on trial in secret, and her appeal to the Beijing Higher People's Court was denied on May 11, 2001;

Whereas Liu Yaping is a permanent resident of the United States and a businessman who was arrested and detained in Inner Mon-

golia in March 2001 by the Government of the People's Republic of China, has been deprived of his basic human rights by being denied any access to family members, by being denied regular access to lawyers, is reported to be suffering from severe health problems, and has yet to be formally charged with any crimes;

Whereas because there is documented evidence that the Government of the People's Republic of China uses torture to coerce confessions from suspects, and because the Government has thus far presented no evidence to support its claims that the detained scholars and intellectuals are spies, and because spying is vaguely defined under Chinese law, there is reason to believe that the ''confessions'' of Dr. Li Shaomin and Dr. Gao Zhan may have been coerced; and

Whereas the arbitrary imprisonment of United States citizens and residents by the Government of the People's Republic of China, and the continuing violations of their fundamental human rights, demands an immediate and forceful response by Congress and the President of the United States: Now, therefore, be it

Resolved, That—

(1) the House of Representatives—

(A) condemns and deplores the continued detention of Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, Teng Chunyan, and other scholars detained on false charges by the Government of the People's Republic of China, and calls for their immediate and unconditional release;

(B) condemns and deplores the lack of due process afforded to these detainees, and the probable coercion of confessions from some of them;

(C) condemns and deplores the ongoing and systematic pattern of human rights violations by the Government of the People's Republic of China, of which the unjust detentions of Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, and Teng Chunyan, are only important examples;

(D) strongly urges the Government of the People's Republic of China to consider carefully the implications to the broader United States-Chinese relationship of detaining and coercing confessions from United States citizens and permanent residents on unsubstantiated spying charges or suspicions;

(E) urges the Government of the People's Republic of China to consider releasing Liu Yaping on medical parole, as provided for under Chinese law; and

(F) believes that human rights violations inflicted on United States citizens and residents by the Government of the People's Republic of China will reduce opportunities for United States-Chinese cooperation on a wide range of issues; and

(2) it is the sense of the House of Representatives that the President—

(A) should make the immediate release of Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, and Teng Chunyan a top priority of United States foreign policy with the Government of the People's Republic of China;

(B) should continue to make every effort to assist Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, and Teng Chunyan, and their families, while discussions of their release are ongoing;

(C) should make it clear to the Government of the People's Republic of China, that the detention of United States citizens and residents, and the infliction of human rights violations upon United States citizens and residents, is not in the interests of the Government of the People's Republic of China because it will reduce opportunities for United States-Chinese cooperation on other matters; and

(D) should immediately send a special, high ranking representative to the Government of the People's Republic of China to reiterate the deep concern of the United States regarding the continued imprisonment of Li Shaomin, Gao Zhan, Wu Jianmin, Qin Guangguang, Teng Chunyan, and Liu Yaping, and to discuss their legal status and immediate humanitarian needs.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SMITH of New Jersey and Mr. SHERMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶66.12 ISRAELIS HELD BY HEZBOLLAH

Mr. SMITH of New Jersey moved to suspend the rules and agree to the following resolution (H. Res. 99):

Whereas on October 7, 2000, Hezbollah units, in clear violation of international law, crossed the Lebanese border into Israel and kidnapped three Israeli soldiers, Adi Avitan, Binyamin Avraham, and Omar Souad;

Whereas on October 15, 2000, Hezbollah announced that it had abducted a fourth Israeli, Elchanan Tannenbaum;

Whereas these captives are being held by Hezbollah in Lebanon;

Whereas the 1999 Department of State report on foreign terrorist organizations stated that Hezbollah receives substantial amounts of financial assistance, training, weapons, explosives, and political, diplomatic, and organizational assistance from Iran and Syria;

Whereas Syria voted in favor of the Universal Declaration of Human Rights in the United Nations General Assembly;

Whereas Lebanon voted in favor of the Universal Declaration of Human Rights in the United Nations General Assembly;

Whereas Iran voted in favor of the Universal Declaration of Human Rights in the United Nations General Assembly;

Whereas the International Committee of the Red Cross has made numerous attempts to gain access to assess the condition of these prisoners; and

Whereas the International Committee of the Red Cross has been denied access to these prisoners: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that Lebanon, Syria, and Iran should call upon Hezbollah to allow representatives of the International Committee of the Red Cross to visit four abducted Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SMITH of New Jersey and Mr. CROWLEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CROWLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶66.13 SERVICEMEN KILLED IN KHOBAR TOWERS BOMBING

Mr. McHUGH moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 161); as amended:

Whereas June 25, 2001, marks the fifth anniversary of the tragic terrorist bombing of the Khobar Towers military housing compound in Dhahran, Saudi Arabia;

Whereas 19 members of the United States Air Force were killed in the bombing and 250 other United States military personnel were wounded;

Whereas the 19 airmen killed while serving their country were Captain Christopher Adams, Sergeant Daniel Cafourek, Sergeant Millard Campbell, Senior Airman Earl Cartrette, Jr., Sergeant Patrick Fennig, Captain Leland Haun, Sergeant Michael Heiser, Sergeant Kevin Johnson, Sergeant Ronald King, Sergeant Kendall Kitson, Jr., Airman First Class Christopher Lester, Airman First Class Brent Marthaler, Airman First Class Brian McVeigh, Airman First Class Peter Morgera, Sergeant Thanh Nguyen, Airman First Class Joseph Rimkus, Senior Airman Jeremy Taylor, Airman First Class Justin Wood, and Airman First Class Joshua Woody;

Whereas the families of these brave airmen still mourn their loss;

Whereas on September 24, 1996, the House of Representatives agreed to House Concurrent Resolution 200 of the 104th Congress honoring the victims of that terrorist bombing;

Whereas those guilty of the attack have yet to be brought to justice; and

Whereas terrorism remains a constant and ever-present threat around the world: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, on the occasion of the fifth anniversary of the terrorist bombing of the Khobar Towers military housing compound in Dhahran, Saudi Arabia, the Congress—

(1) recognizes the sacrifice of the 19 members of the United States Air Force who died in that attack; and

(2) calls upon every American to pause and pay tribute to those brave airmen.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. McHUGH and Mrs. TAUSCHER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. TAUSCHER demanded that the vote be taken by the yeas and nays, which demand was supported by one-

fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶66.14 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House the following communication from Ms. Kathy A. Wyszynski, Associate Administrator of Human Resources, office of the Chief Administrative Officer:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 19, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that the Office of Human Resources, Office of the Chief Administrative Officer, has received a subpoena for documents issued by the United States District Court for the Northern District of Ohio.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

KATHY A. WYSZYNSKI,
Associate Administrator of Human Resources.

¶66.15 RECESS—4:16 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 16 minutes p.m., until approximately 6 o'clock p.m.

¶66.16 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. GIBBONS, called the House to order.

¶66.17 H.R. 1668—UNFINISHED BUSINESS

Mr. JENKINS, by unanimous consent, requested that the ordering of the yeas and nays on the motion to suspend the rules and pass the bill (H.R. 1668) to authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his family; as amended, be vacated to the end that the Chair put the question on the motion de novo.

Accordingly,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended,?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to authorize the Adams Memorial Foundation to establish a commemorative work on Federal Land in the District of Columbia and its environs to honor former President John Adams and his legacy.''.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶66.18 H. RES. 160—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 160) calling on the Government of the People's Republic of China to immediately and unconditionally release Li Shaomin and all other American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of Li Shaomin and the other detained scholars for their release, and for other purposes; as amended.

The question being put,

Will the House agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 379 / Nays ..... 0 }

¶66.19 [Roll No. 186]

YEAS—379

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

NOT VOTING—53

Akin
Berkley
Blunt
Boucher
Brady (TX)
Burton
Carson (IN)
Clement
Coble
Diaz-Balart
Ehrlich
Foley
Ford
Fossella
Gephardt
Gordon
Hinojosa
Hoekstra
Hooley
Hulshof
Hutchinson
Istook
John
Kaptur
Lantos
LaTourette
Lipinski
Maloney (CT)
McGovern
Millender-McDonald
Nadler
Neal
Owens
Paul
Pelosi
Peterson (MN)
Platts
Pomeroy
Pryce (OH)
Putnam
Rangel
Sanchez
Sessions
Shadegg
Shimkus
Simmons
Smith (MI)
Spence
Sununu
Taylor (NC)
Toomey
Waxman
Weiner

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: ''A resolution calling on the Government of the People's Republic of China to immediately and unconditionally release Li

Shaomin and other American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of Li Shaomin and the other detained scholars for their release, and for other purposes.''.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

¶66.20 H. RES. 99—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 99) expressing the sense of the House of Representatives that Lebanon, Syria, and Iran should call upon Hezbollah to allow representatives of the International Committee of the Red Cross to visit four abducted Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

The question being put, viva voce,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 379 / Nays 0

¶66.21 [Roll No. 187]

YEAS—379

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

NOT VOTING—53

Akin
Berkley
Blunt
Boucher
Brady (TX)
Burton
Carson (IN)
Clement
Coble
Diaz-Balart
Ehrlich
Foley
Ford
Fossella
Gephardt
Gordon
Hinojosa
Hoekstra
Hooley
Hulshof
Hutchinson
Istook
John
Kaptur
LaTourette
Lipinski
Maloney (CT)
McGovern
Millender-McDonald
Moore
Nadler
Neal
Owens
Paul
Pelosi
Peterson (MN)
Platts
Pomeroy
Pryce (OH)
Putnam
Rangel
Sanchez
Sessions
Shadegg
Shimkus
Simmons
Smith (MI)
Spence
Sununu
Taylor (NC)
Toomey
Waxman
Weiner

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶66.22 H. CON. RES. 161—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 161) honoring the 19 United States servicemen who died in the terrorist bombing of the Khobar Towers in Saudi Arabia on June 25, 1996; as amended.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 379 / Nays 0

¶66.23 [Roll No. 188]

YEAS—379

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Holden
Holt
Honda
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick

Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Payne
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shows
Shuster
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—53

Akin
Berkley
Blunt
Boucher
Burton
Carson (IN)
Clement
Coble
Diaz-Balart
Ehrlich
Foley
Ford
Fossella
Gephardt
Gordon
Hinojosa
Hoekstra
Hooley
Hulshof
Hutchinson
Istook
John
Kaptur
LaTourette
Lipinski
Maloney (CT)
McGovern
Millender-McDonald
Nadler
Neal
Osborne
Owens
Paul
Pelosi
Peterson (MN)
Platts
Pomeroy
Pryce (OH)
Putnam
Rangel
Sanchez
Sessions
Shadegg
Shimkus
Simmons
Smith (MI)
Spence
Stupak
Sununu
Taylor (NC)
Toomey
Waxman
Weiner

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''A concurrent resolution honoring the 19 United States servicemen who died in the terrorist bombing of the Khobar Towers military housing compound in Dhahran, Saudi Arabia, on June 25, 1996.''.

A motion to reconsider the votes whereby the rules were suspended and said concurrent resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶66.24 PROVIDING FOR THE CONSIDERATION OF H.R. 2299

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–110) the resolution (H. Res. 178) providing for the consideration of the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶66.25 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 54. Concurrent resolution authorizing the Rotunda of the Capitol to be used on July 26, 2001, for a ceremony to present Congressional Gold Medals to the original 29 Navajo Code Talkers; to the Committee on House Administration.

¶66.26 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1029. An Act to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees during fiscal year 2001 for the manufactured housing program.

¶66.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BURTON, for today and balance of the week;

To Ms. MILLENDER-McDONALD, for today;

To Mr. PAUL, for today;

To Mr. PLATTS, for today and balance of the week;

To Mr. POMEROY, for today;

To Mr. SHADEGG, for today; and

To Mr. TOOMEY, for today.

And then,

¶66.28 ADJOURNMENT

On motion of Mr. RODRIGUEZ, at 9 o'clock and 50 minutes p.m., the House adjourned.

¶66.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on June 21, 2001 the following report was filed on June 22, 2001]

Mr. ROGERS of Kentucky: Committee on Appropriations. H.R. 2299. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–108). Referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

[Submitted June 22, 2001]

Mr. HYDE: Committee on International Relations. H.R. 1954. A bill to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006; with an amendment (Rept. No. 107–107 Pt. 1). Ordered to be printed.

[Submitted June 25, 2001]

Mr. HANSEN: Committee on Resources. H.R. 645. A bill to reauthorize the Rhinoceros and Tiger Conservation Act of 1994; with an amendment (Rept. No. 107–109). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 178. Resolution providing for consideration of the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending 2002, and for other purposes (Rept. No. 107–110). Referred to the House Calendar.

¶66.30 TIME LIMITATION OF REFERRED BILL PURSUANT TO RULE X

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on June 22, 2001]

H.R. 1954. Referral to the Committees on Financial Services, Ways and Means, and Government Reform for a period ending not later than July 13, 2001.

¶66.31 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DELAY (for himself, Mr. HALL of Ohio, Mr. LEWIS of Georgia, Mr. WOLF, Mr. BLUNT, Mr. BISHOP, Mr. SOUDER, Mr. TURNER, Mr. SHOWS, Mr. PITTS, Mr. PETERSON of Minnesota, Mr. HOSTETTLER, Mr. TANCREDO, Mr. MCINTYRE, and Mr. PICKERING):

H.R. 2300. A bill providing for a National Day of Reconciliation; to the Committee on House Administration.

By Mr. DOOLITTLE:

H.R. 2301. A bill to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California, and for other purposes; to the Committee on Resources.

By Mr. LANTOS (for himself, Ms. ESHOO, and Mr. MANZULLO):

H.R. 2302. A bill to amend title 10, United States Code, to provide that certain individuals who would be eligible for military retired pay for nonregular service but for the fact that they did not serve on active duty during a period of conflict may nevertheless be paid such retired pay if they served in the United States merchant marine during or immediately after World War II or the Korean Conflict; to the Committee on Armed Services.

By Mr. LEWIS of Kentucky:

H.R. 2303. A bill to amend the Internal Revenue Code of 1986 to provide incentives to increase the sale and use of certain ethanol and biodiesel fuels; to the Committee on Ways and Means.

By Mrs. MALONEY of New York:

H.R. 2304. A bill to provide that Federal reserve banks and the Board of Governors of the Federal Reserve System be covered under chapter 71 of title 5, United States Code, relating to labor-management rela-

tions; to the Committee on Government Reform.

By Mrs. MORELLA (for herself and Ms. NORTON):

H.R. 2305. A bill to require certain Federal officials with responsibility for the administration of the criminal justice system of the District of Columbia to serve on and participate in the activities of the District of Columbia Criminal Justice Coordinating Council, and for other purposes; to the Committee on Government Reform.

By Ms. NORTON (for herself, Mr. TOM DAVIS of Virginia, Mr. GILCHREST, Mr. HOYER, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. WOLF, and Mr. WYNN):

H.R. 2306. A bill to amend the Federal Water Pollution Control Act to increase the Federal share of the cost of constructing treatment works in the District of Columbia; to the Committee on Transportation and Infrastructure.

By Mr. RADANOVICH:

H.R. 2307. A bill to establish the National Commission on Budget Concepts; to the Committee on the Budget.

By Mr. WATKINS (for himself and Mrs. THURMAN):

H.R. 2308. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to allow investments by certain retirement plans in principal residences of children and grandchildren of participants who are first-time homebuyers; to the Committee on Ways and Means.

By Mrs. MORELLA (for herself and Mr. PAYNE):

H. Con. Res. 172. Concurrent resolution recognizing and honoring the Young Men's Christian Association on the occasion of its 150th anniversary in the United States; to the Committee on Education and the Workforce.

By Mr. REYNOLDS:

H. Res. 178. A resolution providing for consideration of the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending 2002, and for other purposes.

¶66.32 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

115. The SPEAKER presented a memorial of the General Assembly of the State of Vermont, relative to Joint House Resolution No. 130 memorializing the United States Congress to closely examine the impact of the gasoline price increases, and initiate actions that will mitigate the impact of the gasoline price rise both on a short and long-term basis; to the Committee on Energy and Commerce.

116. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 88 memorializing the United States Congress to recognize the campaign called the ''National Domestic Violence Health Care Standards Campaign Kick-Off Day in Pennsylvania'' and to promote nationwide screening for domestic violence; to the Committee on Energy and Commerce.

117. Also, a memorial of the General Assembly of the State of Vermont, relative to Joint House Resolution No. 128 memorializing the United States Congress and the National Capital Planning Commission to proceed expeditiously in completing the review process of the proposed World War II Memorial; to the Committee on Resources.

118. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 76 memorializing the United States Congress to make the $1.5 billion of Federal moneys already earmarked for abandoned mine land reclamation available to states to clean up and make safe abandoned mine lands; to the Committee on Resources.

119. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 106 memorializing the United States Congress to allow states to privatize safety rest areas located on the rights of way of the Interstate highway system; to the Committee on Transportation and Infrastructure.

¶66.33 ADDITIONAL SPONSORS

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

H.R. 64: Mr. SWEENEY, Ms. LOFGREN, Mr. MATHESON, and Ms. MCKINNEY.

H.R. 168: Mr. LUCAS of Kentucky.

H.R. 189: Mr. HAYWORTH.

H.R. 190: Mr. HALL of Texas.

H.R. 239: Mr. MANZULLO, Mr. DAVIS of Illinois, Mrs. JOHNSON of Connecticut, Mr. GUTIERREZ, Mr. BLUMENAUER, and Mr. WYNN.

H.R. 287: Mr. COYNE, Mr. KILDEE, Ms. SLAUGHTER, Mrs. TAUSCHER, Mr. RANGEL, Mr. ACKERMAN, Mr. KENNEDY of Rhode Island, Mr. DELAHUNT, Mr. MEEKS of New York, Mr. HILLIARD, and Mr. HYDE.

H.R. 303: Mr. ENGEL.

H.R. 311: Mr. CHABOT.

H.R. 356: Mr. SAXTON and Mr. PETERSON of Minnesota.

H.R. 389: Mr. OWENS, Mr. NADLER, and Mrs. MALONEY of New York.

H.R. 479: Mr. HILLIARD and Mr. BISHOP.

H.R. 480: Mr. HILLIARD and Mr. BISHOP.

H.R. 510: Mr. DREIER, Mr. CRANE, Mr. DINGELL, and Mr. RODRIGUEZ.

H.R. 526: Mr. WU, Mr. RODRIGUEZ, Mr. SCOTT, Mr. UNDERWOOD, Mr. HASTINGS of Florida, Mr. ACEVEDO-VILA, Ms. CARSON of Indiana, Mr. CLYBURN, Mrs. CLAYTON, Mr. HINOJOSA, Mr. HOLDEN, Mr. HONDA, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. KUCINICH, Mr. LAMPSON, Ms. LOFGREN, Mr. SERRANO, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. REYES, Mr. ROTHMAN, Mr. SANDERS, Ms. WATSON, Mrs. MEEK of Florida, Mrs. LOWEY, Mr. VISCLOSKY, and Mr. FATTAH.

H.R. 555: Ms. ROYBAL-ALLARD.

H.R. 572: Mr. BISHOP.

H.R. 608: Mr. DAVIS of Illinois.

H.R. 612: Mr. ISSA, Mr. JEFFERSON, Mr. UNDERWOOD, and Mr. PUTNAM.

H.R. 699: Mr. WELDON of Florida, Mr. BROWN of South Carolina, and Mr. VITTER.

H.R. 704: Ms. HARMAN.

H.R. 721: Mr. CROWLEY, Mr. POMEROY, Mr. KIND, Mr. MOLLOHAN, Mrs. CLAYTON, Ms. DEGETTE, Ms. WATERS, Mr. THOMPSON of California, Mr. ACKERMAN, Mr. LARSON of Connecticut, Mr. HASTINGS of Florida, and Mr. KENNEDY of Rhode Island.

H.R. 746: Ms. SANCHEZ.

H.R. 751: Mr. TOWNS and Mr. WALSH.

H.R. 756: Mr. CLEMENT.

H.R. 778: Mr. FOLEY and Mr. BAIRD.

H.R. 832: Mr. SESSIONS.

H.R. 902: Mr. MALONEY of Connecticut.

H.R. 959: Mr. PAUL.

H.R. 967: Mr. CAPUANO, Mr. RUSH, Mr. NEAL of Massachusetts, and Mr. GILMAN.

H.R. 969: Mr. HAYWORTH.

H.R. 981: Mr. BLUNT, Mrs. BONO, Mr. CRANE, Mrs. CUBIN, Mr. DUNCAN, Mr. SHAW, and Mr. KING.

H.R. 984: Mr. EHRLICH.

H.R. 1038: Mr. FILNER.

H.R. 1073: Mr. CLYBURN, Mr. KLECZKA, Mr. MCINTYRE, and Mr. HOBSON.

H.R. 1076: Mr. HINOJOSA, Mr. HILL, Mr. CONDIT, Mr. LUCAS of Kentucky, and Mr. DELAHUNT.

H.R. 1077: Mrs. JO ANN DAVIS of Virginia.

H.R. 1090: Mr. CAMP, Mr. BOUCHER, Mr. GILMAN, Mr. BERMAN, and Mr. JEFFERSON.

H.R. 1097: Mr. HOLDEN and Ms. NORTON.

H.R. 1121: Mr. BONIOR.

H.R. 1266: Mr. BOUCHER, Mr. CAMP, Mr. DELAHUNT, Mr. WU, Mr. DAVIS of Illinois, and Mr. SCARBOROUGH.

H.R. 1293: Mr. UDALL of New Mexico.

H.R. 1340: Mrs. JONES of Ohio.

H.R. 1348: Mr. SNYDER.

H.R. 1354: Ms. DEGETTE and Mr. WOLF.

H.R. 1363: Mr. HOYER.

H.R. 1388: Mr. TURNER, Mrs. JONES of Ohio, Mr. PETERSON of Pennsylvania, Mr. PRICE of North Carolina, Mr. OSBORNE, and Mr. ETHERIDGE.

H.R. 1405: Mr. WU.

H.R. 1434: Mr. WYNN, Mrs. THURMAN, Mr. PALLONE, and Mr. COYNE.

H.R. 1438: Mr. LATHAM, Mr. DIAZ-BALART, Mr. LEWIS of Kentucky, and Mr. BLUNT.

H.R. 1487: Mr. FROST, Mr. CANNON, and Mr. TOWNS.

H.R. 1494: Ms. LOFGREN and Mr. JACKSON of Illinois.

H.R. 1556: Ms. ESHOO, Mr. DELAHUNT, Mr. HOLDEN, and Mr. WELLER.

H.R. 1585: Ms. MILLENDER-MCDONALD.

H.R. 1592: Mr. CALVERT.

H.R. 1624: Mrs. KELLY, Mr. ABERCROMBIE, Mrs. MCCARTHY of New York, Mr. RUSH, Ms. CARSON of Indiana, Mr. DAVIS of Illinois, Mrs. LOWEY, Mr. HEFLEY, Mr. DEMINT, Mr. RYAN of Wisconsin, Mr. SUNUNU, Mrs. JONES of Ohio, Mr. GUTIERREZ, Mr. SAWYER, Mr. GREENWOOD, Mr. TIAHRT, Mr. NEAL of Massachusetts, Mr. GILMAN, Mr. MOORE, and Mr. WELLER.

H.R. 1644: Mr. GALLEGLY and Mr. EVERETT.

H.R. 1645: Mr. RAHALL and Mr. PRICE of North Carolina.

H.R. 1657: Mr. INSLEE and Mr. PRICE of North Carolina.

H.R. 1660: Mr. CLEMENT.

H.R. 1668: Mr. SPRATT.

H.R. 1672: Mr. CLEMENT, Mr. BLAGOJEVICH, Ms. DEGETTE, and Mr. LANTOS.

H.R. 1673: Mr. MCGOVERN.

H.R. 1675: Mr. GOODLATTE, Mr. TOM DAVIS of Virginia, and Mr. CHABOT.

H.R. 1694: Mr. ROHRABACHER.

H.R. 1707: Mr. ISSA.

H.R. 1716: Mr. BLUMENAUER and Mrs. CLAYTON.

H.R. 1770: Mr. PLATTS.

H.R. 1781: Mr. SCHIFF.

H.R. 1784: Ms. RIVERS, Mr. JEFFERSON, Mr. MCGOVERN, Mr. NADLER, and Mrs. DAVIS of California.

H.R. 1839: Ms. DEGETTE and Mr. BOUCHER.

H.R. 1891: Mr. JONES of North Carolina, Mrs. CAPITO, Mr. BEREUTER, Mr. LEWIS of Kentucky, Mr. DUNCAN, Mrs. EMERSON, and Mr. COLLINS.

H.R. 1896: Mr. GEORGE MILLER of California, Mr. BAIRD, Mr. JACKSON of Illinois, Mr. GUTIERREZ, Mrs. EMERSON, Mr. CARSON of Oklahoma, Mr. FROST, Ms. NORTON, and Mr. MCHUGH.

H.R. 1911: Mr. FROST, Mr. JONES of North Carolina, and Mr. ROGERS of Michigan.

H.R. 1931: Mr. PUTNAM.

H.R. 1941: Mr. CUNNINGHAM and Mrs. BONO.

H.R. 1979: Ms. HOOLEY of Oregon, and Mr. GIBBONS.

H.R. 2002: Mr. PUTNAM.

H.R. 2020: Mr. SCHROCK.

H.R. 2030: Mr. CROWLEY, Ms. MCKINNEY, Mr. TANCREDO, and Mr. WOLF.

H.R. 2074: Mr. ANDREWS, Mr. JEFFERSON, Mr. THOMPSON of Mississippi, and Mr. JACKSON of Illinois.

H.R. 2104: Ms. MCKINNEY.

H.R. 2125: Mr. PAYNE, Mr. FRANK, Mr. HILLIARD, Mr. HOLDEN, Mr. FROST, Mr. GILMAN, Mr. HALL of Ohio, Mr. TANCREDO, Mr. PAUL, Mr. KUCINICH, Mr. MOORE, Mr. KING, Mr. DICKS, Mr. WOLF, Mrs. MORELLA, Mr. WYNN, Mr. PETRI, Mr. HOLT, Mr. GOODE, Mr. SAXTON, and Mr. BLUNT.

H.R. 2143: Mr. COOKSEY and Mr. SESSIONS.
H.R. 2145: Mr. MCGOVERN, Mr. KILDEE, Ms. LOFGREN, and Mr. PRICE of North Carolina.
H.R. 2148: Mr. PAYNE and Mr. DOYLE.
H.R. 2149: Mr. COOKSEY, Mr. BONILLA, Mr. TANCREDO, Mr. GRAVES, and Mr. GANSKE.
H.R. 2160: Mr. BARCIA.
H.R. 2180: Mr. CLAY.
H.R. 2206: Ms. JACKSON-LEE of Texas and Mr. MCGOVERN.
H.R. 2272: Mr. MCGOVERN, Mr. CROWLEY, and Mr. ACEVEDO-VILA.
H.R. 2278: Mr. ESHOO.
H.R. 2280: Mr. LEWIS of Georgia.
H.J. Res. 38: Mr. EVERETT.
H.J. Res. 42: Ms. HART, Mr. CROWLEY, Mr. WALDEN of Oregon, Mr. OSBORNE, Mr. SKELTON, Mr. GEKAS, Mr. HAYWORTH, and Ms. GRANGER.
H. Con. Res. 102: Mr. BENTSEN, Mr. STUPAK, Mr. RANGEL, Mr. DEFAZIO, Mr. CROWLEY, Mr. RYAN of Wisconsin, Mr. UDALL of Colorado, Mr. TIERNEY, AND Ms. JACKSON-LEE of Texas.
H. Con. Res. 161: Mr. BILIRAKIS, Mr. WELDON of Florida, Mr. SHERMAN, Mr. KLECZKA, Mr. THOMPSON of California, and Mr. RADANOVICH.
H. Con. Res. 168: Mr. HILLIARD, Mr. TANCREDO, Mr. DAVIS of Florida, Mr. SHERMAN, Mr. FALEOMAVAEGA, Mr. WEXLER, and Mr. HOEFFEL.
H. Res. 121: Mr. KUCINICH, Mr. DEFAZIO, Ms. BALDWIN, Mr. ALLEN, Mr. RANGEL, Mr. MCGOVERN, Ms. CARSON of Indiana, Ms. JACKSON-LEE of Texas, Ms. SLAUGHTER, Ms. MILLENDER-MCDONALD, Mr. SANDERS, Mr. GUTIERREZ, Ms. LEE, Mr. BROWN of Ohio, Mr. HILLIARD, Mr. BERMAN, Mr. ROHRABACHER, and Ms. ROS-LEHTINEN.
H. Res. 152: Mr. WOLF and Ms. JACKSON-LEE of Texas.
H. Res. 160: Mr. FERGUSON, Mr. PASCRELL, Mrs. ROUKEMA, Mr. HILLIARD, Mr. HONDA, Mr. PAYNE, Mr. SHERMAN, and Ms. PELOSI.
H. Res. 172: Mr. WELDON of Pennsylvania.

¶66.34 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 877: Mr. MOORE.

TUESDAY, JUNE 26, 2001 (67)

¶67.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 9 o'clock a.m. by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

WASHINGTON, DC,
June 26, 2001.

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

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶67.2 RECESS—9:08 A.M.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock 8 minutes a.m. until 10 o'clock a.m.

¶67.3 AFTER RECESS—10 A.M.

The SPEAKER called the House to order.

¶67.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, June 25, 2001.

Mr. ISAKSON, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. ISAKSON objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶67.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2669. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—West Indian Fruit Fly; Removal of Quarantined Area [Docket No. 00–110–3] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2670. A communication from the President of the United States, transmitting a request to make funds available for the Disaster Relief program of the Federal Emergency Management Agency; (H. Doc. No. 107–90); to the Committee on Appropriations and ordered to be printed.

2671. A letter from the Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Voluntary Conversion of Developments From Public Housing Stock; Required Initial Assessments [Docket No. FR–4476–F–03] (RIN: 2577–AC02) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2672. A letter from the Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Section 8 Homeownership Program; Pilot Program for Homeownership Assistance for Disabled Families [Docket No. FR–4661–I–01] (RIN: 2577–AC24) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2673. A letter from the Chairman, National Skill Standards Board, transmitting the Board's 2000 Report to Congress entitled, ''Accelerating Momentum,'' pursuant to 20 U.S.C. 5936; to the Committee on Education and the Workforce.

2674. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Requirements for Testing Human Blood Donors for Evidence of Infection Due to Communicable Disease Agents [Docket No. 98N–0581] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2675. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—General Requirements for Blood, Blood Components, and Blood Derivatives; Donor Notification [Docket No. 98N–0607] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2676. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to the Republic of Korea for defense articles and services (Transmittal No. 01–17), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2677. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to the Republic of Korea for defense articles and services (Transmittal No. 01–16), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2678. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Taiwan [Transmittal No. DTC 052–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2679. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

2680. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2681. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2682. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2683. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2684. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2685. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Change of Official EPA Mailing Address; Additional Technical Amendments and Corrections [FRL–6772–2] received June 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2686. A letter from the Assistant Attorney General, Department of Justice, transmitting the report on the Administration of the Foreign Agents Registration Act covering the six months ended December 31, 2000, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

2687. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Oil Pollution Prevention and Response; Non-Transportation-Related Facilities [FRL–7003–1] (RIN: 2050–AE64) received June 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2688. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Eligibility requirements after denial of the earned income credit [TD 8953] (RIN: 1545–AV61) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶67.6 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, June 25, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. ISAKSON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 346; Nays ..... 45; Answered present 1

¶67.7 [Roll No. 189]

YEAS—346

Abercrombie
Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Ferguson
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hill
Hilleary
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Rush
Ryan (WI)
Sandlin
Sawyer
Saxton
Scarborough
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NAYS—45

Aderholt
Baird
Bishop
Bonior
Borski
Brady (PA)
Capuano
Costello
DeFazio
Filner
Gutknecht
Hastings (FL)
Hefley
Hilliard
Holt
Kelly
Kennedy (MN)
Kingston
Kucinich
Latham
Lewis (GA)
LoBiondo
McDermott
Menendez
Moore
Oberstar
Pallone
Peterson (MN)
Ramstad
Sabo
Sanchez
Schaffer
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Weller
Wicker
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—40

Boucher
Burton
Clay
Clement
Cox
Crane
Cummings
Doolittle
Doyle
Fattah
Fossella
Herger
Hinchey
Hinojosa
Istook
John
Kaptur
Largent
Larsen (WA)
LaTourette
Lipinski
Maloney (CT)
Owens
Payne
Pelosi
Platts
Price (NC)
Pryce (OH)
Putnam
Roybal-Allard
Ryun (KS)
Sanders
Schakowsky
Slaughter
Smith (MI)
Toomey
Towns
Waxman
Weiner
Young (AK)

So the Journal was approved.

¶67.8 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 25, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a Certificate of Election received from the State Board of Elections, Commonwealth of Virginia, Mr. Linwood M. Cobbs, Chairman, indicating that, on examination of the Official Abstracts of Votes on file in that office for the special election held June 19, 2001, the Honorable J. Randy Forbes was duly elected Representative in Congress for the Fourth Congressional District, Commonwealth of Virginia.

With best wishes, I am,
Sincerely,

JEFF TRANDAHL.

¶67.9 MEMBER-ELECT SWORN IN

Mr. J. Randy Forbes of the 4th District of Virginia, presented himself at the bar of the House and took the oath of office prescribed by law.

¶67.10 RECOGNIZING DISASTER ASSISTANCE DURING TROPICAL STORM ALLISON

Mr. COOKSEY moved to suspend the rules and agree to the following resolution (H. Res. 166):

Whereas during June 2001 tropical storm Allison brought catastrophic flooding to Houston, Texas, and surrounding areas;

Whereas this disaster tragically and suddenly took the lives of 21 people;

Whereas this disaster injured countless other people, uprooted families, and devastated businesses and institutions;

Whereas the State of Texas has been declared a Federal disaster area, and individuals and families in 28 Texas counties are eligible for Federal assistance;

Whereas numerous individuals and entities have selflessly and heroically given of themselves and their resources to aid in the disaster relief efforts; and

Whereas the catastrophic injury, death, and damage in Houston, Texas, and surrounding areas caused by tropical storm Allison would have been even worse in the absence of local relief efforts: Now, therefore, be it

Resolved, That the House of Representatives recognizes, for outstanding and invaluable service during the devastating flooding caused by tropical storm Allison in Houston, Texas, and surrounding areas, the following:

(1) the American Red Cross service centers located at Sunnyside Multi-Service Center, Friendswood Activity Center, Lakewood Church, and Berean Seventh Day Adventist Church, the American Red Cross shelters located at Salvation Army Community Center, Arbor Lights Men's Shelter, the B.L.O.C.K., Oak Village Middle School, Kirby Middle School, and Sweet Home Missionary Church, and the many other voluntary relief sites and shelters who rendered outstanding and invaluable assistance to the victims of the disaster;

(2) the Houston Police Department, the Houston Fire Department, and the Sheriff's Department of Harris County, Texas, who displayed great bravery and dedication in rendering assistance to the people of Houston, Texas during the disaster;

(3) Houston Mayor Lee Brown, particularly for his effort in establishing the Adopt-a-Family program and for his collaboration in the disaster relief efforts with Robert Echols;

(4) Texas Governor Rick Perry and all other State and local officials, who provided invaluable support and assistance;

(5) the Federal Emergency Management Agency, who quickly deployed and responded to the disaster;

(6) the United States Coast Guard;

(7) the Texas Army National Guard, who quickly deployed and responded to the disaster;

(8) the employees of Texas Medical Center, Memorial Hermann Hospital, and Houston Veteran's Hospital, who struggled heroically to perform their jobs amid chaos;

(9) all the volunteers, who are too numerous to name, but who made heroic efforts and special sacrifices and played a crucial role in the disaster relief efforts;

(10) the private sector, including major corporations, other businesses of all sizes, and their employees, who rapidly and voluntarily donated money and other resources to the disaster relief efforts;

(11) the many media organizations who aided the relief effort by keeping the community closely and extensively informed, requesting volunteers, and providing information regarding dangerous roads; and

(12) all the individuals and organizations who immediately and unselfishly helped the people of Houston, Texas, and surrounding areas in their time of need, took quick and decisive action for the public good, and demonstrated an ability to work together for a brighter future.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. COOKSEY and Mr. LAMPSON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LAMPSON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶67.11 CROP YEAR 2001 AGRICULTURAL ECONOMIC ASSISTANCE

Mr. COMBEST moved to suspend the rules and pass the bill (H.R. 2213) to respond to the continuing economic crisis adversely affecting American agricultural producers; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. COMBEST and Mr. STENHOLM, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶67.12 PROVIDING FOR THE CONSIDERATION OF H.R. 2299

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 178):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with ''for administration'' on page 13, line 24, through ''section 40117;'' on line 25; beginning with ''Provided'' on page 14, line 12, through line 20; beginning with ''Provided'' on page 15, line 9, through line 14; beginning with ''Provided'' on page 23, line 20, through page 24, line 2; ''notwithstanding any other provision of law'' on page 26, line 10; beginning with ''together with'' on page 26, line 15, through the closing quotation mark on line 16; page 31, line 9 through ''as amended,'' on line 10; page 38, line 23, through page 45, line 2; page 50, line 22, through page 51, line 15; page 55, line 6, through line 13; page 56, line 16, through page 57, line 2. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Pending consideration of said resolution,

¶67.13 POINT OF ORDER

Mr. MORAN of Virginia made a point of order against consideration of the resolution, and said:

''Mr. Speaker, pursuant to section 426 of the Congressional Budget and Impoundment Control Act of 1974, I make a point of order against consideration of the rule (H. Res. 178) because it contains an unfunded Federal mandate.

''Section 426 of the Budget Act specifically states that the Rules Committee may not waive this point of order.

''In the rule of H. Res. 178, and I quote: 'All points of order against consideration of the bill are waived.' Therefore, I make a point of order that this bill may not be considered pursuant to section 426.''.

The SPEAKER pro tempore, Mr. SIMPSON, responded and said:

''The gentleman from Virginia [Mr. MORAN] makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

''According to section 426(b)(2) of the Act, the gentleman must specify language in the resolution that has that effect. Having met his threshold to identify the specific language of the resolution under section 426(b)(2), the gentleman from Virginia [Mr. MORAN] and a Member opposed will each control 10 minutes of debate on the question of consideration under section 426(b)(4).

''Following debate, the Chair will put the question of consideration, to wit: 'Will the House now consider the resolution?' The gentleman from Virginia [Mr. MORAN] is recognized for 10 minutes.''.

After debate,

The question being put, viva voce,

Will the House now consider said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. MORAN of Virginia objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 219 / Nays ..... 202 }

¶67.14 [Roll No. 190]

YEAS—219

Aderholt	Cox	Graham
Akin	Crane	Granger
Armey	Crenshaw	Graves
Bachus	Cubin	Green (WI)
Baker	Culberson	Greenwood
Ballenger	Cunningham	Grucci
Barr	Davis, Jo Ann	Gutknecht
Bartlett	Deal	Hall (TX)
Barton	DeLay	Hansen
Bass	DeMint	Hart
Bereuter	Diaz-Balart	Hastings (WA)
Biggert	Dreier	Hayes
Bilirakis	Duncan	Hayworth
Blunt	Dunn	Hefley
Boehlert	Ehlers	Herger
Boehner	Ehrlich	Hilleary
Bonilla	Emerson	Hobson
Bono	English	Hoekstra
Brady (TX)	Everett	Hooley
Brown (SC)	Ferguson	Horn
Bryant	Flake	Hostettler
Burr	Fletcher	Houghton
Buyer	Foley	Hulshof
Callahan	Forbes	Hunter
Calvert	Fossella	Hutchinson
Camp	Frelinghuysen	Hyde
Cannon	Gallegly	Isakson
Cantor	Ganske	Issa
Capito	Gekas	Istook
Castle	Gibbons	Jenkins
Chabot	Gilchrest	Johnson (CT)
Chambliss	Gillmor	Johnson (IL)
Coble	Gilman	Johnson, Sam
Collins	Goode	Jones (NC)
Combest	Goodlatte	Keller
Cooksey	Goss	Kelly

Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—202

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

NOT VOTING—12

Burton
Clement
Doolittle
Kaptur
LaTourette
Maloney (CT)
Payne
Platts
Putnam
Smith (WA)
Tauscher
Watson (CA)

So it was the decision of the House to consider said resolution.

A motion to reconsider the vote whereby the House decided to consider said resolution was, by unanimous consent, laid on the table.

When said resolution was considered.

After debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mrs. WILSON, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 219 / Nays ..... 205 }

¶67.15 [Roll No. 191]

YEAS—219

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

NAYS—205

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

NOT VOTING—9

Burton
Clement
Hilliard
Hinojosa
Kaptur
LaTourette
Payne
Platts
Putnam

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶67.16 H. RES. 166—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. WILSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 166) recognizing the outstanding and invaluable disaster relief assistance provided by individuals, organizations, businesses, and other entities to the people of Houston, Texas, and surrounding areas during the devastating flooding caused by tropical storm Allison.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 411 / Nays 0

¶67.17 [Roll No. 192]

YEAS—411

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

NOT VOTING—22

Bryant
Burton
Calvert
Clement
Cunningham
Dooley
Duncan
Hilleary
Hilliard
Jenkins
Kaptur
LaTourette
McKeon
Miller, Gary
Payne
Platts
Putnam
Ramstad
Rothman
Turner
Wamp
Watt (NC)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶67.18 TRANSPORTATION APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mrs. WILSON, pursuant to House Resolution 178 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mrs. WILSON, by unanimous consent, designated Mr. CAMP as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mrs. EMERSON, assumed the Chair.

When Mr. CAMP, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶67.19 ENERGY AND WATER APPROPRIATIONS FY 2002

Mr. CALLAHAN submitted a privileged report (Rept. No. 107–112) on the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶67.20 TRANSPORTATION APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to House Resolution 178 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Mr. CAMP, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶67.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SABO:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds in this Act may be used to process applications by Mexico-domiciled motor carriers for conditional or permanent authority to operate beyond the United States municipalities and commercial zones adjacent to the United States-Mexico border.

It was decided in the affirmative ..... { Yeas ..... 285 / Nays 143

¶67.22 [Roll No. 193]

AYES—285

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird

Baldacci
Baldwin
Barcia
Barr
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Calvert
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doolittle
Doyle
Duncan
Edwards
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank
Frost
Gallegly
Ganske
Gephardt
Gilman
Goode
Goodlatte
Gordon
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hunter
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Phelps
Pickering
Pombo
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Scott
Sensenbrenner
Sessions
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOES—143

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Bartlett
Barton
Bass
Bereuter
Biggert
Blunt
Boehner
Bonilla
Brady (TX)
Brown (SC)
Bryant
Burr
Callahan
Cannon
Cantor
Coble
Cooksey
Cox
Crane
Cubin
Culberson
Davis, Tom
DeLay
DeMint
Diaz-Balart
Dooley
Dreier
Dunn
Ehlers
Ehrlich
Emerson
Everett
Flake
Fletcher
Forbes
Frelinghuysen
Gekas
Gibbons
Gilchrest
Gillmor
Gonzalez
Goss
Graham
Granger
Graves
Greenwood
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hinojosa
Hobson
Hostettler
Houghton
Hulshof
Hutchinson
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Keller
Kennedy (MN)
Kerns
Kingston
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
McCrery
McInnis
McKeon
Miller (FL)
Miller, Gary
Myrick
Nethercutt
Northup
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (PA)
Petri
Pitts
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ryun (KS)
Schrock
Serrano
Shadegg
Shaw
Simmons
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stenholm
Stump
Sununu
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Whitfield
Wicker
Wilson
Young (FL)

NOT VOTING—5

Burton
LaTourette
Platts
Putnam
Sweeney

So the amendment was agreed to.

After some further time,

The SPEAKER pro tempore, Mr. ISAKSON, assumed the Chair.

When Mr. CAMP, Chairman, pursuant to House Resolution 178, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 14, strike lines 24 and 25 and insert the following:

Of the unobligated balances authorized under 49 U.S.C. 48103, as amended, $301,720,000 are rescinded.

The amount otherwise provided in this Act for ''OFFICE OF THE SECRETARY—Salaries and Expenses'' is hereby increased by $720,000.

On page 16, line 12 of the bill, strike ''Notwithstanding any other provision of law,'';

On page 19, line 16 of the bill, strike ''Notwithstanding any other provision of law,'';

On page 25, line 4 of the bill, strike ''Notwithstanding any other provision of law,'';

On page 55, line 14 of the bill, strike ''Beginning in fiscal year 2002 and thereafter,'';

On page 55, line 18 and all that follows through page 56, line 2.

In section 326 (relating to Amtrak Reform Council), after the dollar amount, insert the following: ''(reduced by $335,000)''.

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds appropriated or otherwise made available in this Act may be made available to any person or entity convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds in this Act may be used for the planning, design, development, or construction of the California State Route 710 freeway extension project through El Sereno, South Pasadena, and Pasadena, California.

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds in this Act may be used to process applications by Mexico-domiciled motor carriers for conditional or permanent authority to operate beyond the United States municipalities and commercial zones adjacent to the United States-Mexico border.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. ISAKSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 426 / Nays 1

¶67.23 [Roll No. 194]

YEAS—426

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

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

NAYS—1

Paul

NOT VOTING—6

Burton
LaTourette
Platts
Putnam
Sweeney
Woolsey

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶67.24 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS, by direction of the Committee on Rules, reported (Rept. No. 107–113) the resolution (H. Res. 179) providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶67.25 PROVIDING FOR THE CONSIDERATION OF H.R. 2311

Mr. SESSIONS, by direction of the Committee on Rules, reported (Rept. No. 107–114) the resolution (H. Res. 180) providing for consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶67.26 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. SESSIONS, by unanimous consent,

Ordered, That it may be in order, under clause 1, rule XV, on Wednesday, June 27, 2001, for the Speaker to recognize Members for motions to suspend the rules and pass each of the following measures: (H. Res. 172) honoring John J. Downing, Brian Fahey, and Harry Ford, who lost their lives in the course of duty as firefighters; (H.R. 2133) to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education; and (H.R. 691) to extend the authorization of funding for child passenger protection education grants through fiscal year 2003.

¶67.27 150TH ANNIVERSARY OF THE YMCA

Mr. OSBORNE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 172); as amended:

Whereas 2001 is the 150th anniversary of the Young Men's Christian Association (commonly referred to as the YMCA) in the United States;

Whereas YMCAs have touched the lives of virtually all people in the United States by pioneering various activities, including camping, public libraries, night schools, group swimming lessons and lifesaving, and teaching English as a second language;

Whereas YMCAs are dedicated to building strong youth, strong families, and strong communities;

Whereas YMCAs serve people of all ages, genders, incomes, and abilities through a wide variety of services designed to meet changing community and societal needs;

Whereas every day the more than 2,400 YMCAs in the United States live their mission through programs that build healthy spirit, mind, and body for all;

Whereas the YMCA invented the sport of volleyball;

Whereas YMCAs are collectively one of the largest providers of social services to the Nation's families and communities, and YMCA programs serve nearly 18,000,000 people, including 9,000,000 children, in the United States each year;

Whereas YMCAs are collectively the Nation's largest child care provider, and YMCA programs serve 1 in 10 teenagers in the United States and incorporate the values of caring, honesty, respect, and responsibility;

Whereas each YMCA is volunteer-founded, volunteer-based, and volunteer-led;

Whereas YMCAs have a long history of partnerships with other community organizations, including schools, hospitals, police departments, juvenile courts, and housing authorities;

Whereas YMCAs have provided war relief services since the Civil War, aiding millions of soldiers at home and abroad;

Whereas YMCA programs inspire a spirit of adventure and challenge individuals to learn new skills, try new activities, and explore other cultures, while being good citizens of their communities;

Whereas Father's Day in its present form was created at a YMCA;

Whereas many organizations began at YMCAs, including the Boy Scouts of America, the Camp Fire Girls, the Negro National Baseball League, the Gideons, and the Toastmasters;

Whereas YMCAs helped found the United Service Organization; and

Whereas the Peace Corps was patterned on a YMCA program: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the Young Men's Christian Association (commonly referred to as the YMCA) for 150 years of building strong youth, strong families, and strong communities in the United States; and

(2) expresses support for the continued good work of the YMCA during the next 150 years.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. OSBORNE and Mr. PAYNE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶67.28 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 657. An Act to authorize funding for the National 4–H Program Centennial Initiative.

And then,

¶67.29 ADJOURNMENT

On motion of Mr. ROHRABACHER, at 11 o'clock and 6 minutes p.m., the House adjourned.

¶67.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COMBEST: Committee on Agriculture. H.R. 2213. A bill to respond to the continuing economic crisis adversely affecting American agricultural producers; with an amendment (Rept. No. 107–111). Referred to the Committee of the Whole House on the State of the Union.

Mr. CALLAHAN: Committee on Appropriations. H.R. 2311. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–112). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 179. Resolution providing for consideration of motions to suspend the rules (Rept. No. 107–113). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 180. Resolution providing for consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–114). Referred to the House Calendar.

¶67.31 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CALVERT (for himself, Mr. LEWIS of California, Mr. BALDACCI, Mr. ROHRABACHER, and Mrs. BONO):

H.R. 2309. A bill to amend the Small Business Act to provide loans to eligible small business concerns for energy costs; to the Committee on Small Business.

By Mr. MURTHA:

H.R. 2310. A bill to increase the rates of military basic pay for members of the uniformed services by providing a percentage increase of between 7.3 percent and 10.5 percent based on the members' pay grade and years of service; to the Committee on Armed Services.

By Mr. CALLAHAN:

H.R. 2311. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

By Mr. BOUCHER (for himself, Mr. GILCHREST, Mr. FROST, Mr. HOLDEN, Mr. PETRI, Mr. WEINER, and Mr. SCHIFF):

H.R. 2312. A bill to provide for protection of the flag of the United States; to the Committee on the Judiciary.

By Mr. CRANE:

H.R. 2313. A bill to amend the Internal Revenue Code of 1986 to repeal the income taxation of corporations, to impose a 10 percent tax on the earned income (and only the earned income) of individuals, to repeal the estate and gift taxes, to provide amnesty for all tax liability for prior taxable years, and for other purposes; to the Committee on Ways and Means.

By Ms. GRANGER (for herself and Ms. PRYCE of Ohio):

H.R. 2314. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide to participants and beneficiaries of group health plans access to obstetric and gynecological care; to the Committee on Education and the Workforce.

By Mr. FLETCHER (for himself, Mr. PETERSON of Minnesota, Mrs. JOHNSON of Connecticut, Mr. BURR of North Carolina, Mr. THOMAS, Mr. TAUZIN, Mr. BOEHNER, Mr. BILIRAKIS, Mr. SAM JOHNSON of Texas, Mr. COOKSEY, Mr. WELDON of Florida, Mr. HAYES, Mr. PENCE, Mr. PLATTS, Ms. PRYCE of Ohio, Mr. GOSS, Mr. HOUGHTON, Mr. GREENWOOD, Mr. PORTMAN, Mr. HOBSON, Mr. HILLEARY, Mr. RADANOVICH, Mr. SIMMONS, Mr. CRENSHAW, Mr. BALLENGER, Mr. GIBBONS, Mr. BUYER, Mr. COLLINS, Mr. PITTS, Mr. ROGERS of Kentucky, Mr. SIMPSON, Mr. LINDER, Mr. SHAW, Mr. WATTS of Oklahoma, Mr. SKEEN, Mr. STEARNS, Mr. BACHUS, Mr. KIRK, Mr. BARTLETT of Maryland, Mr. ENGLISH, Mr. WELLER, Mr. RAMSTAD, Mr. OTTER, Mr. SUNUNU, Mr. LEWIS of Kentucky, Mrs. CUBIN, Mr. ISAKSON, Mr. SHAYS, Mr. WICKER, Mr. PICKERING, Mr. MCINNIS, Mr. MCCRERY, and Mr. CAMP):

H.R. 2315. A bill to protect consumers in managed care plans and in other health coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HULSHOF:

H.R. 2316. A bill to make permanent the tax benefits enacted by the Economic Growth and Tax Relief Reconciliation Act of 2001; to the Committee on Ways and Means.

By Ms. MILLENDER-MCDONALD (for herself, Mr. KING, Mr. OBERSTAR, Mr. HOUGHTON, Ms. KAPTUR, Mr. JACKSON of Illinois, Mr. JEFFERSON, Ms. BROWN of Florida, and Mr. CONYERS):

H.R. 2317. A bill to make permanent the provision of title 39, United States Code, under which the United States Postal Service is authorized to issue a special postage stamp in order to help provide funding for breast cancer research; to the Committee on Government Reform, and in addition to the Committees on Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 2318. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic and North Atlantic planning areas; to the Committee on Resources.

By Mr. SANDERS:

H.R. 2319. A bill to amend the Food Stamp Act of 1977 to limit the collection from households of claims for nonfraudulent overissuance of food stamp benefits; to the Committee on Agriculture.

By Mr. TIERNEY (for himself, Mr. SERRANO, Mr. HINCHEY, Mr. FRANK, Mr. MCNULTY, Mr. KILDEE, Mr. HILLIARD, Mr. NADLER, Mr. MURTHA, Mr. PALLONE, Ms. BROWN of Florida, Mr. DEFAZIO, Ms. KAPTUR, Mr. BONIOR, Ms. PELOSI, Ms. NORTON, Mr. ABERCROMBIE, Mr. GEORGE MILLER of California, Mr. SANDERS, Mr. INSLEE, Ms. LEE, Mrs. MINK of Hawaii, Mr. EVANS, Mr. RUSH, Mr. MCGOVERN, Mr. STARK, Mr. FILNER, and Ms. CARSON of Indiana):

H.R. 2320. A bill to amend the National Labor Relations Act and the Railway Labor Act to prevent discrimination based on participation in labor disputes; to the Committee on Education and the Workforce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 2321. A bill to require that the General Accounting Office study and report on possible connections between the recurring incidence of violence by postal employees and workplace-related frustrations experienced by postal workers generally; to the Committee on Government Reform.

By Mr. WATTS of Oklahoma (for himself, Mr. WATKINS, and Mr. LUCAS of Oklahoma):

H.R. 2322. A bill to amend the Internal Revenue Code of 1986 to provide credits for individuals and businesses for the installation of certain wind energy property; to the Committee on Ways and Means.

By Mr. WHITFIELD (for himself, Mr. BOUCHER, Mr. SHIMKUS, Mr. MOLLOHAN, Mrs. CAPITO, Mr. COSTELLO, Mr. LEWIS of Kentucky, Mr. PHELPS, Ms. HART, Mr. STRICKLAND, Mr. DOYLE, Mr. TIBERI, and Mr. ROGERS of Kentucky):

H.R. 2323. A bill to authorize Department of Energy programs to develop and implement an accelerated research and development program for advanced clean coal technologies for use in coal-based electricity generating facilities and to amend the Internal Revenue Code of 1986 to provide financial incentives to encourage new construction and the retrofitting, repowering, or replacement of coal-based electricity generating facilities to protect the environment and improve efficiency and encourage the early commerical application of advanced clean coal technologies, so as to allow coal to help meet the growing need to the United States for the generation of reliable and afforable electricity; to the Committee on Ways and Means, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WOOLSEY (for herself, Mr. HALL of Texas, Ms. JACKSON-LEE of Texas, Mr. LAMPSON, Mr. MATHESON, Mr. WU, Mr. BACA, Mr. BAIRD, Mr. BARCIA, Mr. ETHERIDGE, Mr. GORDON, Mr. HOEFFEL, Mr. HONDA, Mr. ISRAEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LARSON of Connecticut, Ms. LOFGREN, Mr. MOORE, Ms. RIVERS, Mr. UDALL of Colorado, and Mr. WEINER):

H.R. 2324. A bill to establish a balanced energy program for the United States that unlocks the potential of renewable energy and energy efficiency, and for other purposes; to the Committee on Science.

By Mr. LANTOS (for himself, Mrs. MORELLA, Mr. SHAYS, Mr. WEXLER, Mr. MCGOVERN, Ms. LEE, Mr. SANDERS, Ms. BALDWIN, Mr. ALLEN, Mr. ENGEL, Mr. ABERCROMBIE, Mr. DELAHUNT, Mr. WYNN, Ms. RIVERS, Mr. WEINER, Mr. CROWLEY, Mr. MCNULTY, Mr. GONZALEZ, Mr. FRANK, Mr. LEWIS of Georgia, Mr. PALLONE, Ms. PELOSI, Ms. SCHAKOWSKY, Mr. CONYERS, Mr. JEFFERSON, Mr. STARK, and Ms. WOOLSEY):

H. Con. Res. 173. Concurrent resolution expressing the concern of Congress regarding human rights violations against lesbians, gay men, bisexuals, and transgendered (LGBT) individuals around the world; to the Committee on International Relations.

By Mr. UDALL of New Mexico (for himself, Mr. LARGENT, Mr. SKEEN, Mr. HAYWORTH, Mr. FALEOMAVAEGA, Mr. GEPHARDT, Mr. ROHRABACHER, Mr. UDALL of Colorado, Mr. KENNEDY of Rhode Island, Mr. CANNON, Mr. GEORGE MILLER of California, Mr.

PALLONE, Mr. RAHALL, Mr. WATTS of Oklahoma, Mr. BONIOR, and Mr. KILDEE):

H. Con. Res. 174. Concurrent resolution authorizing the Rotunda of the Capitol to be used on July 26, 2001, for a ceremony to present Congressional Gold Medals to the original 29 Navajo Code Talkers; to the Committee on House Administration.

By Ms. PRYCE of Ohio:

H. Res. 179. A resolution providing for consideration of motions to suspend the rules.

By Mr. SESSIONS:

H. Res. 180. A resolution providing for consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

¶67.32 ADDITIONAL SPONSORS

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

H.R. 7: Mr. HALL of Texas.
H.R. 17: Mrs. LOWEY.
H.R. 24: Mr. ROYCE.
H.R. 98: Mr. HOUGHTON and Mr. HERGER.
H.R. 123: Mr. NEY and Mr. WICKER.
H.R. 162: Mr. MEEHAN.
H.R. 168: Mr. LEACH.
H.R. 175: Mr. BRADY of Texas, Mr. MANZULLO, Mr. SESSIONS, Mr. STEARNS. and Mr. DEAL of Georgia.
H.R. 179: Mr. MCDERMOTT.
H.R. 218: Mr. OSE, Mr. MCGOVERN, and Mr. LEACH.
H.R. 264: Mr. BAIRD.
H.R. 265: Mr. FRANK and Ms. JACKSON-LEE of Texas.
H.R. 267: Mrs. BONO and Ms. BERKLEY.
H.R. 280: Mr. RYUN of Kansas.
H.R. 293: Mr. WAXMAN.
H.R. 294: Mr. PETERSON of Pennsylvania.
H.R. 324: Mr. SUNUNU and Mr. KIRK.
H.R. 425: Mrs. NAPOLITANO and Ms. CARSON of Indiana.
H.R. 448: Mr. SAM JOHNSON of Texas.
H.R. 519: Mrs. NAPOLITANO.
H.R. 602: Mr. MILLER of Florida, Mr. SOUDER.
H.R. 612: Mr. CLYBURN, Mr. HOLT, and Mr. TAUZIN.
H.R. 631: Mr. HOSTETTLER.
H.R. 641: Ms. DELAURO.
H.R. 656: Mr. PENCE.
H.R. 664: Mr. HOBSON and Mr. THOMPSON of California.
H.R. 690: Ms. JACKSON-LEE of Texas.
H.R. 717: Mr. NADLER, Mr. DEAL of Georgia, Mr. FOSSELLA, Mr. GREEN of Texas, Mr. NORWOOD, Mr. DOYLER, Mr. AKIN, Mr. SHADEGG, Mr. FORBES, and Mr. RUSH,
H.R. 737: Mr. CLEMENT.
H.R. 739: Mr. LAFALCE.
H.R. 744: Mr. PICKERING.
H.R. 747: Mr. WU.
H.R. 760: Mr. DOOLITTLE and Mr. BONIOR.
H.R. 774: Mr. GRAHAM.
H.R. 777: Mr. GRAHAM.
H.R. 778: Mr. LEVIN.
H.R. 781: Mr. MARKEY and Mr. FATTAH.
H.R. 822: Mr. HALL of Ohio, Mr. LEWIS of Georgia, Mr. BALLENGER, Mr. WHITFIELD, Mr. JENKINS, Mrs. MORELLA, Mr. DICKS, Mr. SCHAFFER, Mr. BLUNT, Mr. GORDON, Mr. ISAKSON, Mr. PASTOR, Mr. PHELPS, Mr. RYUN of Kansas, and Mr. PETERSON of Minnesota.
H.R. 836: Mr. HASTINGS of Washington.
H.R. 840: Mr. CAPUANO, Mr. FILNER, Mr. FRANK, Mr. LATOURETTE, Mr. MANZULLO, and Mr. WATT of North Carolina.
H.R. 887: Ms. ROYBAL-ALLARD.
H.R. 978: Mr. SAXTON and Mr. MOORE.
H.R. 1010: Mrs. EMERSON, Mr. LATOURETTE, Mr. SKELTON, Mr. LARSEN of Washington, and Mr. BAIRD.
H.R. 1032: Mr. ROEMER and Ms. MCKINNEY.
H.R. 1034: Mr. OWENS, Ms. JACKSON-LEE of Texas, Mr. ROSS, Mr. CLEMENT, Mrs. MINK of Hawaii, and Ms. MILLENDER-MCDONALD.
H.R. 1078: Mr. HORN.
H.R. 1089: Mr. MCNULTY.
H.R. 1110: Mr. LEACH, Mr. PETERSON of Pennsylvania, and Mr. BARRETT.
H.R. 1136: Mr. JENKINS and Mr. DUNCAN.
H.R. 1143: Mr. SWEENEY and Mrs. NAPOLITANO.
H.R. 1170: Mr. PASTOR.
H.R. 1171: Mr. GUTKNECHT.
H.R. 1186: Ms. ESHOO.
H.R. 1198: Mr. CLAY, Mr. HINCHEY, Mrs. MORELLA, Mr. FERGUSON, Mr. SESSIONS, and Ms. SOLIS.
H.R. 1212: Mrs. NORTHUP.
H.R. 1247: Mr. COYNE, Mr. PAYNE, and Mr. LANGEVIN.
H.R. 1256: Ms. WATERS, Ms. LOFGREN, Mr. HONDA, Mr. RANGEL, Mr. FORD, and Mr. WATT of North Carolina.
H.R. 1296: Ms. BROWN of Florida, Mr. LARSON of Connecticut, Mr. MALONEY of Connecticut, Mr. ETHERIDGE, Mr. LUTHER, Mr. LOBIONDO, Mr. REHBERG, Mr. PASTOR, Mr. PRICE of North Carolina, and Mrs. CAPPS.
H.R. 1298: Mr. RAMSTAD.
H.R. 1304: Mr. GORDON.
H.R. 1305: Mr. LAMPSON.
H.R. 1307: Mr. TOWNS, Mr. DEUTSCH, Mr. FROST, Mr. HOLDEN, Mr. HALL of Ohio, and Mr. KLECZKA.
H.R. 1341: Mr. SESSIONS, Mr. SHOWS, Mr. CALLAHAN, and Mr. TURNER.
H.R. 1353: Mr. SHADEGG, Mr. MCNULTY, Mr. JOHNSON of Illinois, Mr. ISSA, Mr. FALEOMAVAEGA, Mr. LUCAS of Kentucky, Mr. HOLDEN, and Mr. JENKINS.
H.R. 1361: Mr. GUTIERREZ, Mr. FOSSELLA, Mr. PITTS, and Mr. HASTINGS of Washington.
H.R. 1367: Ms. CARSON of Indiana.
H.R. 1383: Ms. ROS-LEHTINEN, Mrs. JO ANN DAVIS of Virginia, Mr. SHADEGG, Mr. GORDON, Mr. MCDERMOTT, Mr. UDALL of Colorado, Ms. LEE, Mrs. TAUSCHER, Mr. ABERCROMBIE, Mrs. LOWEY, Mr. CUMMINGS, and Mr. HINCHEY.
H.R. 1438: Mr. HERGER.
H.R. 1444: Mr. GOSS.
H.R. 1459: Mr. CARDIN and Mr. NUSSLE.
H.R. 1506: Mr. OXLEY.
H.R. 1544: Mr. CLYBURN.
H.R. 1556: Mr. BONIOR, Mr. ISRAEL, and Mr. LARSEN of Washington.
H.R. 1581: Mr. EVERETT.
H.R. 1587: Ms. SCHAKOWSKY and Mr. MEEKS of New York.
H.R. 1592: Mr. GOODE.
H.R. 1601: Mr. SHIMKUS.
H.R. 1609: Mr. WELLER and Mr. ISAKSON.
H.R. 1644: Mr. RYAN of Wisconsin, Mr. HUTCHINSON, and Mr. ENGLISH.
H.R. 1650: Mrs. MCCARTHY of New York and Ms. WATERS.
H.R. 1657: Mr. KELLER.
H.R. 1673: Mr. TIAHRT.
H.R. 1675: Mr. ISSA.
H.R. 1682: Mr. RANGEL, Ms. LOFGREN, Ms. NORTON, Mr. GUTIERREZ, Mr. ENGEL, and Mr. BONIOR.
H.R. 1694: Mr. DEAL of Georgia.
H.R. 1711: Mr. OTTER.
H.R. 1717: Mr. BONIOR.
H.R. 1723: Mr. GILMAN, Mr. STUPAK, and Mr. GEORGE MILLER of California.
H.R. 1746: Mrs. NORTHUP, Ms. WATERS, and Mr. MCKEON.
H.R. 1795: Ms. MCCARTHY of Missouri, Mr. DEUTSCH, and Mr. SOUDER.
H.R. 1798: Mr. KING.
H.R. 1811: Mr. UDALL of New Mexico.
H.R. 1862: Mr. BARRETT, Mr. DEUTSCH, Mr. RAHALL, and Ms. SLAUGHTER.
H.R. 1873: Mr. RANGEL and Mr. WATKINS.
H.R. 1930: Mr. HILLIARD.
H.R. 1943: Mr. RILEY, Ms. BALDWIN, and Mr. CLAY.
H.R. 1948: Mr. WELLER.
H.R. 1950: Mr. STEARNS.
H.R. 1956: Mr. HILLIARD, Mr. FARR of California, Mr. BAIRD, Mr. DICKS, and Mr. SHOWS.
H.R. 1962: Mr. WICKER.
H.R. 1975: Mr. CAMP. Mr. CLYBURN, Mr. BISHOP, Mr. SPRATT, Mr. BURTON of Indiana, and Mr. OTTER.
H.R. 1979: Mr. HOLDEN, Mr. PASTOR, and Mrs. CUBIN.
H.R. 1984: Mr. BALLENGER and Mr. BUYER.
H.R. 1988: Mr. GILLMOR.
H.R. 1990: Mr. NADLER.
H.R. 1996: Mr. TOOMEY and Mr. BONIOR.
H.R. 2001: Ms. HART and Mr. THOMPSON of California.
H.R. 2059: Mr. BOSWELL, Mr. STARK, and Mr. SANDLIN.
H.R. 2063: Mr. SIMMONS, Ms. MCKINNEY, Mr. ANDREWS, Mrs. DAVIS of California, and Mr. HOEFFEL.
H.R. 2074: Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. MEEKS of New York, Ms. NORTON, Mr. UNDERWOOD, Mr. WYNN, Mr. CLAY, Ms. BROWN of Florida, Mr. RUSH, Mr. OWENS, and Mr. NADLER.
H.R. 2076: Mr. REHBERG.
H.R. 2117: Mr. LEACH and Mr. GUTIERREZ.
H.R. 2123: Ms. WOOLSEY.
H.R. 2125: Mr. HOYER.
H.R. 2128: Mr. SANDERS and Mr. MCHUGH.
H.R. 2133: Mr. BRADY of Pennsylvania, Mr. HILLIARD, Mrs. CLAYTON, Mr. FATTAH, Mrs. MEEK of Florida, Mrs. JONES of Ohio, Mr. SOUDER, and Mr. DAVIS of Illinois.
H.R. 2134: Mr. SAWYER.
H.R. 2160: Mr. BONIOR and Mr. PLATTS.
H.R. 2161: Mr. BONIOR and Mr. LAMPSON.
H.R. 2167: Ms. MCKINNEY.
H.R. 2175: Mr. BOEHNER, Mr. GILLMOR, Mr. SPENCE, and Mr. BRYANT.
H.R. 2176: Mr. FROST.
H.R. 2177: Mr. LARGENT and Mr. PAUL.
H.R. 2181: Mr. OTTER and Mr. GOODE.
H.R. 2184: Mr. FILNER and Mr. LANTOS.
H.R. 2198: Ms. WATERS.
H.R. 2207: Mr. FROST.
H.R. 2233: Mr. KUCINICH, Mr. SANDERS, and Ms. MCKINNEY.
H.R. 2240: Mr. BOYD, Mr. MILLER of Florida, Mr. BILIRAKIS, Mr. GOSS, Mr. MICA, Mr. STEARNS, Mr. DIAZ-BALART, Mr. FOLEY, Mr. HASTINGS of Florida, and Mr. KELLER.
H.R. 2243: Mr. GUTIERREZ and Mrs. JONES of Ohio.
H.R. 2248: Mr. PETERSON of Pennsylvania.
H.R. 2249: Mr. PENCE, Mr. LATOURETTE, Mr. TIAHRT, and Mr. DAVIS of Illinois.
H.R. 2250: Mr. DEMINT and Mr. STUMP.
H.R. 2259: Mr. CUMMINGS.
H.R. 2269: Mr. SHAW, Mr. PAUL, Mr. CRANE, and Mr. FROST.
H.R. 2277: Ms. JACKSON-LEE of Texas.
H.R. 2286: Mr. FROST and Mr. BALDACCI.
H.J. Res. 36: Mr. FORBES, Mr. RODRIGUEZ, Mr. GIBBONS, Ms. GRANGER, and Mr. COBLE.
H.J. Res. 40: Mr. SAWYER.
H. Con. Res. 20: Mr. HASTINGS of Florida and Ms. CARSON of Indiana.
H. Con. Res. 25: Mr. BURTON of Indiana and Mr. WAMP.
H. Con. Res. 30: Mr. SHAYS.
H. Con. Res. 42: Mrs. MCCARTHY of New York and Mrs. MINK of Hawaii.
H. Con. Res. 61: Mr. STARK.
H. Con. Res. 116: Mr. ROYCE.
H. Con. Res. 168: Mr. PITTS, Mr. BALLENGER, Mrs. JO ANN DAVIS of Virginia, Mr. MCGOVERN, Mr. ABERCROMBIE, and Mr. MENENDEZ.
H. Con. Res. 170: Mr. CULBERSON.
H. Res. 72: Mr. GREEN of Texas and Mr. LANTOS.
H. Res. 75: Mrs. EMERSON.
H. Res. 172: Mr. PASTOR and Mr. HASTERT.

¶67.33 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2149: Mr. COMBEST.

WEDNESDAY, JUNE 27, 2001 (68)

¶68.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SHAW, who laid before the House the following communication:

WASHINGTON, DC,
June 27, 2001.

I hereby appoint the Honorable E. CLAY SHAW, Jr. to act as Speaker pro tempore on this day.

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

¶68.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHAW, announced he had examined and approved the Journal of the proceedings of Tuesday, June 26, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SHAW, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHAW, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶68.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2689. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bifenazate; Pesticide Tolerances for Emergency Exemptions [OPP–301143; FRL–6788–5] (RIN: 2070–AB78) received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2690. A letter from the Deputy Director National Institute on Disability and Rehabilitation Research, Department of Education, transmitting Final Priority—Assistive Technology Outcomes and Impacts, Assistive Technology Research Projects for Individuals with Cognitive Disabilities, Resource Center for Community-based Research on Technology for Independence, and Community-based Research Projects on Technology for Independence, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2691. A letter from the Regulations Coordinator, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; Medicaid Managed Care: Further Delay of Effective Date (RIN: 0938–AI70) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2692. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—NESHAP: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors [FRL–7001–8] received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2693. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities and National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities [AD–FRL–6997–9] (RIN: 2060–AG91) received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2694. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Mountain View, Arkansas) [MM Docket No. 01–45; RM–9997] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2695. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hewitt, Texas) [MM Docket No. 01–24; RM–10052] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2696. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Linden, White Oak, Lufkin, Corrigan, Mount Enterprise, and Pineland, Texas, and Zwolle, Louisiana) [MM Docket No. 00–228; RM–9991] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2697. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Exmore and Cheriton, Virginia, and Fruitland, Maryland) [MM Docket No. 99–347; RM–9751, RM–9761] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2698. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Creation of a Low Power Radio Service [MM Docket No. 99–25; RM–9208, RM–9242] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2699. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2700. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2701. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2702. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2703. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2704. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2705. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2706. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2707. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2708. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2709. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2710. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2711. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2712. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2713. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2714. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2715. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2716. A letter from the Chief Operating Officer/President, Financing Corporation, transmitting the Financing Corporation's Statement of Internal Controls and the 2000 Audited Financial Statements; to the Committee on Government Reform.

2717. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Grants to States for Construction and Acquisition of State Home Facilities (RIN: 2900–AJ43) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2718. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Withdrawal of Notice of Federal Tax Lien in Certain Circumstances [TD 8951] (RIN: 1545–AV00) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶68.4 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHAW, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, June 26, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SHAW, announced that the yeas had it.

Mr. McNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 368
- Nays 49
- Answered present 1

¶68.5 [Roll No. 195]

YEAS—368

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

NAYS—49

Aderholt, Baird, Bonior, Borski, Brady (PA), Capuano, Carson (OK), Clyburn, Costello, Crane, DeFazio, English, Filner, Ford, Gephardt, Gutknecht, Hastings (FL), Hefley, Hilleary, Hilliard, Hooley, Hulshof, Kennedy (MN), Kucinich, Larsen (WA), Latham, Lewis (GA), LoBiondo, McNulty, Menendez, Miller, George, Moore, Oberstar, Pallone, Peterson (MN), Ramstad, Sabo, Schaffer, Stupak, Sweeney, Taylor (MS), Thompson (CA), Thompson (MS), Udall (CO), Udall (NM), Visclosky, Waters, Weller, Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—15

Burton, Clayton, Emerson, Fattah, Hutchinson, Millender-McDonald, Platts, Putnam, Quinn, Rahall, Rangel, Scarborough, Slaughter, Whitfield, Young (AK)

So the Journal was approved.

¶68.6 HONORING FIREFIGHTERS DOWNING, FAHEY, AND FORD

Mrs. Jo Ann DAVIS of Virginia moved to suspend the rules and agree to the following resolution (H. Res. 172):

Whereas on June 17, 2001, 350 firefighters and numerous police officers responded to a 911 call that sent them to Long Island General Supply Company in Queens, New York;

Whereas a fire and an explosion in a two-story building had turned the 128-year-old, family-owned store into a heap of broken bricks, twisted metal, and shattered glass;

Whereas all those who responded to the scene served without reservation and with their personal safety on the line;

Whereas two civilians and dozens of firefighters were injured by the blaze, including firefighters Joseph Vosilla and Brendan Manning who were severely injured;

Whereas John J. Downing of Ladder Company 163, an 11-year veteran of the department and resident of Port Jefferson Station, and a husband and father of two, lost his life in the fire;

Whereas Brian Fahey of Rescue Company 4, a 14-year veteran of the department and resident of East Rockaway, and a husband and father of three, lost his life in the fire; and

Whereas Harry Ford of Rescue Company 4, a 27-year veteran of the department from Long Beach, and a husband and father of three, lost his life in the fire: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors John J. Downing, Brian Fahey, and Harry Ford, who lost their lives in the course of duty as firefighters, and recognizes them for their bravery and sacrifice;

(2) extends its deepest sympathies to the families of these three brave heroes; and

(3) pledges its support and to continue to work on behalf of all of the Nation's firefighters who risk their lives every day to ensure the safety of all Americans.

The SPEAKER pro tempore, Mr. SHAW, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. MALONEY of New York demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. FOSSELLA, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶68.7 BROWN V. BOARD OF EDUCATION COMMISSION

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 2133) to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education; as amended.

The SPEAKER pro tempore, Mr. SHAW, recognized Mrs. MORELLA and

Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. MORELLA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. FOSSELLA, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶68.8 PROVIDING FOR THE CONSIDERATION OF H.R. 2311

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 180):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the Bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived except section 308. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that the yeas had it.

Mr. HASTINGS of Florida objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 425 / Nays ..... 1 }

¶68.9 [Roll No. 196]

YEAS—425

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

NAYS—1

Thune

NOT VOTING—7

Burton
Hinchey
Meek (FL)
Platts
Pombo
Putnam
Wu

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶68.10 H. RES.172—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 172) honoring John J. Downing, Brian Fahey, and Harry Ford, who lost their lives in the course of duty as firefighters.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 424 / Nays ..... 0 }

¶68.11 [Roll No. 197]

YEAS—424

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin

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

NOT VOTING—9

Andrews
Burton
Kaptur
Meek (FL)
Obey
Platts
Pombo
Putnam
Wu

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, was agreed to, by unanimous consent, laid on the table.

¶68.12 H.R. 2133—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2133) to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 414 / Nays 2

¶68.13 [Roll No. 198]

YEAS—414

Abercrombie
Ackerman
Aderholt
Akin
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton

Slaughter	Taylor (MS)	Walsh
Smith (MI)	Taylor (NC)	Wamp
Smith (NJ)	Terry	Waters
Smith (TX)	Thomas	Watkins (OK)
Smith (WA)	Thompson (CA)	Watson (CA)
Snyder	Thompson (MS)	Watt (NC)
Solis	Thornberry	Watts (OK)
Souder	Thune	Waxman
Spence	Thurman	Weiner
Spratt	Tiahrt	Weldon (FL)
Stark	Tiberi	Weldon (PA)
Stearns	Tierney	Weller
Stenholm	Toomey	Wexler
Strickland	Towns	Whitfield
Stump	Traficant	Wicker
Stupak	Udall (CO)	Wilson
Sununu	Udall (NM)	Wolf
Sweeney	Upton	Woolsey
Tancredo	Velazquez	Wynn
Tanner	Visclosky	Young (AK)
Tauscher	Vitter	Young (FL)
Tauzin	Walden	

NAYS—2

Flake	Paul

NOT VOTING—17

Allen	Frank	Pombo
Andrews	Johnson, Sam	Putnam
Boswell	Matsui	Sherwood
Burton	Meek (FL)	Turner
Callahan	Owens	Wu
Doolittle	Platts	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.14 AGRICULTURE APPROPRIATIONS FY 2002

Mr. BONILLA submitted a privileged report (Rept. No. 107–116) on the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶68.15 ENERGY AND WATER APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to House Resolution 180 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. SHIMKUS, by unanimous consent, designated Mr. SIMPSON as Chairman of the Committee of the Whole; and after some time spent therein,

The Committee rose informally to receive messages from the President.

The SPEAKER pro tempore, Mr. SHIMKUS, assumed the Chair.

¶68.16 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

The SPEAKER pro tempore, Mr. SHIMKUS, assumed the Chair.

When Mr. SIMPSON, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶68.17 ADJOURNMENT OF THE TWO HOUSES

Mr. YOUNG of Florida, by unanimous consent, submitted the following concurrent resolution (H. Con. Res. 176):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, June 28, 2001, or Friday, June 29, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, July 10, 2001, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, June 28, 2001, Friday, June 29, 2001, Saturday, June 30, 2001, Monday, July 2, 2001, Tuesday, July 3, 2001, Thursday, July 5, 2001, Friday, July 6, 2001, or Saturday, July 7, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 9, 2001, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶68.18 PROVIDING FOR CONSIDERATION OF A CONCURRENT RESOLUTION FOR ADJOURNMENT OF THE HOUSE AND SENATE

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 107–117) the resolution (H. Res. 182) providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period.

When said resolution and report were referred to the House Calendar and ordered printed.

¶68.19 PROVIDING FOR THE CONSIDERATION OF H.R. 2330

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 107–118) the resolution (H. Res. 183) providing for consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶68.20 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 2311

On motion of Mr. CALLAHAN, by unanimous consent,

Ordered, That it may be in order during further consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 180, no further amendment to the bill shall be in order except (1) The following additional amendments, each of which shall be debatable for 20 minutes: the amendment by Mr. Traficant regarding drilling; and the amendment by Mrs. Berkley regarding nuclear waste; (2) The following additional amendments, which shall be debatable for 10 minutes: the amendment by Mr. Traficant regarding Buy American; the amendment by Mrs. Johnson of Texas regarding bio-environmental research; and the amendment by Mrs. Kelly regarding the Nuclear Regulatory Commission Inspector General salaries and expenses; and (3) The following amendment, which shall be debatable for 60 minutes: the amendment by Mr. Davis of Florida regarding the Gulfstream natural gas pipeline.

Ordered further, That each additional amendment may be offered only by the Member designated in this request or a designee; shall be considered as read; shall be debatable for the time specified equally divided and controlled by the proponent and an opponent; shall not be subject to amendment; and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

¶68.21 HOUR OF MEETING

On motion of Mr. CALLAHAN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 9 o'clock a.m. on Thursday, June 28, 2001.

¶68.22 MESSAGE FROM THE PRESIDENT—FEDERAL LABOR RELATIONS AUTHORITY ANNUAL REPORT

The SPEAKER pro tempore, Mr. SHIMKUS, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with section 701 of the Civil Service Reform Act of 1978 (Public Law 95–454; 5 U.S.C. 7104(e)), I transmit herewith to you the Twenty-second Annual Report of the Federal Labor Relations Authority for Fiscal Year 2000.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 27, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Government Reform.

¶68.23 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO EXTREMIST THREAT IN BALKANS

The SPEAKER pro tempore, Mr. SHIMKUS, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b) (IEEPA), and section 301 of the National Emergencies Act, 50 U.S.C. 1631, I hereby report that I have exercised my statutory authority to declare a national emergency in response to the unusual and extraordinary threat posed to the national security and foreign policy of the United States by (i) actions of persons engaged in, or assisting, sponsoring, or supporting, extremist violence in the former Yugoslav Republic of Macedonia, southern Serbia, the Federal Republic of Yugoslavia (FRY), and elsewhere in the Western Balkans region, and (ii) the actions of persons engaged in, or assisting, sponsoring, or supporting acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo. The actions of these individuals and groups threaten the peace in or diminish the security and stability of the Western Balkans, undermine the authority, efforts, and objectives of the United Nations, the North Atlantic Treaty Organization (NATO), and other international organizations and entities present in those areas and the wider region, and endanger the safety of persons participating in or providing support to the activities of those organizations and entities, including United States military forces and Government officials. In order to deal with this threat, I have issued an Executive order blocking the property and interests in property of those persons determined to have undertaken the actions described above.

The Executive order prohibits United States persons from transferring, paying, exporting, withdrawing, or otherwise dealing in the property or interests in property of persons I have identified in the Annex to the order or persons designated pursuant to the order by the Secretary of the Treasury, in consultation with the Secretary of State. Included among the activities prohibited by the order are the making or receiving by United States persons of any contribution or provision of funds, goods, or services to or for the benefit of any person designated in or pursuant to the order. In the Executive order, I also have made a determination pursuant to section 203(b)(2) of IEEPA that the operation of the IEEPA exemption for certain humanitarian donations from the scope of the prohibitions would seriously impair my ability to deal with the national emergency. Absent such a determination, such donations of the type specified in section 203(b)(2) of IEEPA could strengthen the position of individuals and groups that endanger the safety of persons participating in or providing support to the United Nations, NATO, and other international organizations or entities, including U.S. military forces and Government officials, present in the region. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to issue regulations in exercise of my authorities under IEEPA to implement the prohibitions set forth in the Executive order. All Federal agencies are also directed to take actions within their authority to carry out the provisions of the order, and, where appropriate, to advise the Secretary of the Treasury in a timely manner of the measures taken.

I am enclosing a copy of the Executive order I have issued. The order was effective at 12:01 a.m. eastern daylight time on June 27, 2001.

I have issued the order in response to recent developments in the former Yugoslav Republic of Macedonia, southern Serbia, and elsewhere in the Western Balkans region where persons have turned increasingly to the use of extremist violence, the incitement of ethnic conflict, and other obstructionist acts to promote irredentist or criminal agendas that have threatened the peace in and the stability and security of the region and placed those participating in or supporting international organizations, including U.S. military and Government personnel, at risk.

In both Macedonia and southern Serbia, individuals and groups have engaged in extremist violence and other acts of obstructionism to exploit legitimate grievances of local ethnic Albanians. These groups include local nationals who fought with the Kosovo Liberation Army in 1998–99 and have used their wartime connections to obtain funding and weapons from Kosovo and the ethnic Albanian diaspora. Guerrilla attacks by some of these groups against police and soldiers in Macedonia threaten to bring down the democratically elected, multi-ethnic government of a state that has become a close friend and invaluable partner of NATO. In March 2001, guerrillas operating on the border between Kosovo and Macedonia attempted to fire upon U.S. soldiers participating in the international security presence in Kosovo known as the Kosovo Force (KFOR). Guerrilla leaders subsequently made public threats against KFOR.

In southern Serbia, ethnic Albania extremists have used the Ground Safety Zone (GSZ), originally intended as a buffer between KFOR and FRY/Government of Serbia (FRY/GoS) forces, as a safe haven for staging attacks against FRY/GoS police and soldiers. Members of ethnic Albanian armed extremist groups in southern Serbia have on several occasions fired on joint U.S.-Russian KFOR patrols in Kosovo. NATO has negotiated the return of FRY/GoS forces to the GSZ, and facilitated negotiations between Belgrade authorities and ethnic Albania insurgents and political leaders from southern Serbia. A small number of the extremist leaders have since threatened to seek vengeance on KFOR, including U.S. KFOR.

Individuals and groups engaged in the activities described above have boasted falsely of having U.S. support, a claim that is believed by many in the region. They also have aggressively solicited funds from United States persons. These fund-raising efforts serve to fuel extremist violence and obstructionist activity in the region and are inimical to U.S. interests. Consequently, the Executive order I have issued is necessary to restrict any further financial or other support by United States persons for the persons designated in or pursuant to the order. The actions we are taking will demonstrate to all the peoples of the region and to the wider international community that the Government of the United States strongly opposes the recent extremist violence and obstructionist activity in Macedonia and southern Serbia and elsewhere in the Western Balkans. The concrete steps we are undertaking to block access by these groups and individuals to financial and material support will assist in restoring peace and stability in the Western Balkans region and help protect U.S. military forces and Government officials working towards that end.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 27, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–91).

¶68.24 CHILD PASSENGER PROTECTION

Mr. SIMPSON moved to suspend the rules and pass the bill (H.R. 691) to extend the authorization of funding for child passenger protection education grants through fiscal year 2003.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. SIMPSON and Mr. LARSEN of Washington, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. KENNEDY of Minnesota, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.25 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore, Mr. KENNEDY of Minnesota, by unanimous consent, announced that the Speaker, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 United States Code 6431, amended by Public Law 106-55, and upon the recommendation of the Minority Leader, appointed to the Commission on International Religious Freedom to fill the existing vacancies thereon, for terms to expire on May 14, 2003: Ms. Leila Sadat of St. Louis, Missouri and Ms. Felice Gaer of Paramus, New Jersey, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶68.26 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. THOMAS, for today after 2 p.m. and on June 28.

And then,

¶68.27 ADJOURNMENT

On motion of Mr. TANCREDO, pursuant to the special order heretofore agreed to, at 10 o'clock and 10 minutes p.m., the House adjourned until 9 o'clock a.m. on Thursday, June 28, 2001.

¶68.28 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. House Joint Resolution 36. Resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (Rept. No. 107–115). Referred to the House Calendar.

Mr. BONILLA: Committee on Appropriations. H.R. 2330. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–116). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules, House Resolution 182. Resolution providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period (Rept. No. 107–117). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules, House Resolution 183. Resolution providing for consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–118). Referred to the House Calendar.

¶68.29 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SENSENBRENNER (for himself, Mr. HYDE, and Mr. HUTCHINSON):

H.R. 2325. A bill to establish the Antitrust Modernization Commission; to the Committee on the Judiciary.

By Mr. BOEHLERT:

H.R. 2326. A bill to establish an alternative fuel vehicle energy demonstration and commercial application of energy technology competitive grant pilot program within the Department of Energy to facilitate the use of alternative fuel vehicles; to the Committee on Science.

By Mr. RYAN of Wisconsin (for himself, Mr. SOUDER, Mr. TOOMEY, Mr. HOSTETTLER, Mr. LARGENT, Mr. BARTLETT of Maryland, Mr. CANTOR, Mr. SCHAFFER, Mr. ISTOOK, Mr. AKIN, Mr. SHADEGG, and Mr. ADERHOLT):

H.R. 2327. A bill to repeal the sunset of the provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001; to the Committee on Ways and Means.

By Ms. BALDWIN (for herself, Mr. FRANK, Mrs. MINK of Hawaii, Mr. STARK, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. EVANS, Ms. CARSON of Indiana, Mr. KUCINICH, Ms. PELOSI, Ms. MILLENDER-MCDONALD, Mr. SANDERS, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. KAPTUR, Mr. BONIOR, Mr. BRADY of Pennsylvania, Mr. NADLER, Ms. WATERS, and Mrs. MALONEY of New York):

H.R. 2328. A bill to amend the Family and Medical Leave Act of 1993 to eliminate an hours of service requirement for benefits under that Act; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. OBERSTAR, Mr. QUINN, Mr. CLEMENT, Mr. KING, Mr. RAHALL, Mr. CUMMINGS, Mr. CASTLE, Mr. DEFAZIO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCHUGH, Ms. NORTON, Ms. BROWN of Florida, Mr. SHAYS, Mr. LIPINSKI, Mr. SWEENEY, Mr. CARDIN, Mr. BORSKI, Mr. COSTELLO, Mr. GILMAN, Mr. CANTOR, Mr. BARCIA, Mr. BACHUS, Mr. ISAKSON, Mr. MENENDEZ, Mr. HORN, Mr. BLAGOJEVICH, Mr. RUSH, Mr. OWENS, Mr. LATOURETTE, Mr. BOSWELL, Mr. EHLERS, Mr. PAYNE, Mr. FARR of California, Mr. ACEVEDO-VILA, Mrs. ROUKEMA, Mr. KILDEE, Mr. MCGOVERN, Mr. GUTIERREZ, Mr. SCHROCK, Ms. DUNN, Mr. BARRETT, Mr. ENGLISH, Mr. TOWNS, Mr. CAPUANO, Mr. NADLER, Mr. BECERRA, Mr. NORWOOD, Mrs. JONES of Ohio, Ms. BALDWIN, Mr. ANDREWS, Mr. MEEKS of New York, Mr. KIRK, Mr. BOUCHER, Mr. DOYLE, Mr. PASCRELL, Ms. MILLENDER-MCDONALD, Mr. BLUMENAUER, Ms. PELOSI, Mr. FILNER, Mr. LARSEN of Washington, Mr. BACA, Mr. BAIRD, Mr. FERGUSON, Mr. BALDACCI, Mr. BROWN of Ohio, Mr. DICKS, Mr. UPTON, Mrs. TAUSCHER, Mr. HINCHEY, Mr. INSLEE, Ms. KAPTUR, Mr. BOEHLERT, Ms. KILPATRICK, Mr. WELLER, Ms. LEE, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. BUYER, Mr. MORAN of Virginia, Mr. HOLDEN, Mr. FORD, Mr. GOODLATTE, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mr. DOOLEY of California, Mr. MASCARA, Mr. SERRANO, Mr. CARSON of Oklahoma, Mr. HOLT, Mr. MCNULTY, Mr. FORBES, Mr. DAVIS of Illinois, Mr. EVANS, Mrs. THURMAN, Mr. HILLIARD, Mr. SANDLIN, Mr. SAWYER, Mr. BRADY of Pennsylvania, Ms. BERKLEY, Mr. BERRY, Ms. CARSON of Indiana, Mr. SCOTT, Mr. PRICE of North Carolina, Ms. HOOLEY of Oregon, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Ms. SLAUGHTER, Mr. FRANK, Mr. ALLEN, Mr. BISHOP, Ms. JACKSON-LEE of Texas, Mr. SMITH of Washington, Ms. DELAURO, Mr. MARKEY, Ms. RIVERS, Mr. KUCINICH, Mr. LAMPSON, Mr. ETHERIDGE, Mrs. CAPPS, Mr. LAFALCE, Mr. GEORGE MILLER of California, Mr. CALVERT, Mr. LANTOS, and Ms. WATSON):

H.R. 2329. A bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, to amend title 49, United States Code, to provide for approval by the Secretary of Transportation of projects to be funded by those bonds, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BONILLA:

H.R. 2330. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

By Mr. HORN:

H.R. 2331. A bill to provide for oversight of the activities of the Federal Energy Regulatory Commission by the Comptroller General, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 2332. A bill to amend title 10, United States Code, to provide for expanded eligibility for participation by members of the Selected Reserve and their dependents in the TRICARE program; to the Committee on Armed Services.

By Mr. BURR of North Carolina (for himself, Mr. STUPAK, and Mr. CHAMBLISS):

H.R. 2333. A bill to amend the Public Health Service Act to provide for a National Disaster Medical System, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURR of North Carolina (for himself and Mr. JONES of North Carolina):

H.R. 2334. A bill to amend the Internal Revenue Code of 1986 to dedicate revenues from recent tobacco tax increases for use in buying out tobacco quota; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mr. HAYWORTH, Mr. KILDEE, and Mr. BONIOR):

H.R. 2335. A bill to amend part E of title IV of the Social Security Act to provide equitable access for foster care and adoption services for Indian children in tribal areas; to the Committee on Ways and Means.

By Mr. COBLE (for himself and Mr. BERMAN):

H.R. 2336. A bill to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers; to the Committee on the Judiciary.

By Mrs. CUBIN (for herself and Mr. McINNIS):

H.R. 2337. A bill to amend the Internal Revenue Code of 1986 to provide an election for a special tax treatment of certain S corporation conversions; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FILNER, Mr. LANTOS, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. PAYNE, Mr. NADLER, Ms. McKINNEY, Mr. PASCRELL, Mr. OWENS, Mr. SERRANO, Mr. PALLONE, Ms. WATERS, Mr. KUCINICH, Mr. TOWNS, Mr. SANDERS, Mr. MEEKS of New York, and Mr. HONDA):

H.R. 2338. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit against the income tax for the amount paid in rent in excess of 30 percent of income; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. DOYLE, Mr. SMITH of New Jersey, Mr. HORN, Mr. SHOWS, Ms. BROWN of Florida, Mr. BLAGOJEVICH, Mr. KING, Mr. SPENCE, Mr. TIAHRT, Mr. FOSSELLA, Mrs. ROUKEMA, and Mr. GREENWOOD):

H.R. 2339. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit against tax with respect to education and training of developmentally disabled children; to the Committee on Ways and Means.

By Mr. FOLEY (for himself and Mr. SANDLIN):

H.R. 2340. A bill to prohibit discrimination or retaliation against health care workers who report unsafe conditions and practices which impact on patient care; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. BOUCHER, Mr. SENSENBRENNER, Mr. MORAN of Virginia, Mr. ARMEY, Mr. STENHOLM, Mr. HYDE, Mr. DOOLEY of California, Mr. BRYANT, Mr. HOLDEN, Mr. COX, Mr. CHABOT, Mr. CRAMER, Mr. OXLEY, Mr. SUNUNU, Mr. BACHUS, Mr. BARTLETT of Maryland, and Mr. GOSS):

H.R. 2341. A bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, to outlaw certain practices that provide inadequate settlements for class members, to assure that attorneys do not receive a disproportionate amount of settlements at the expense of class members, to provide for clearer and simpler information in class action settlement notices, to assure prompt consideration of interstate class actions, to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions, and for other purposes; to the Committee on the Judiciary.

By Ms. GRANGER:

H.R. 2342. A bill to amend title XXVII of the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to assure patient access to primary pediatric care through pediatricians under group health plans and group health insurance coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mrs. CLAYTON, and Mr. REYES):

H.R. 2343. A bill to support research and development programs in agricultural biotechnology and genetic engineering targeted to addressing the food and economic needs of the developing world; to the Committee on Agriculture.

By Mr. McINNIS:

H.R. 2344. A bill to provide for the implementation of an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Virginia (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. BOUCHER, Mr. TOM DAVIS of Virginia, Mr. SCOTT, and Mr. SCHROCK):

H.R. 2345. A bill to extend Federal recognition to the Chickahominy Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Tribe, and the Nansemond Tribe; to the Committee on Resources.

By Mr. MURTHA:

H.R. 2346. A bill to amend title XVIII of the Social Security Act to increase by 20 percent the payment under the Medicare Program for ambulance services furnished to Medicare beneficiaries in rural areas; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUSSLE:

H.R. 2347. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for farmers and fishermen, and for other purposes; to the Committee on Ways and Means.

By Mr. PASTOR (for himself, Mr. PALLONE, and Ms. JACKSON-LEE of Texas):

H.R. 2348. A bill to render all enrolled members of the Tohono O'odham Nation citizens of the United States as of the date of their enrollment and to recognize the valid membership credential of the Tohono O'odham Nation as the legal equivalent of a certificate of citizenship or a State-issued birth certificate for all Federal purposes; to the Committee on the Judiciary.

By Mr. SANDERS (for himself, Ms. LEE, Mr. McHUGH, Mr. RUSH, Mrs. CLAYTON, Ms. McKINNEY, Mr. ISRAEL, Mr. FILNER, Mrs. MEEK of Florida, Mr. KENNEDY of Rhode Island, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, Mr. ENGEL, Mr. COYNE, Mr. CONYERS, Mr. OWENS, Mr. SCHIFF, Mr. CAPUANO, Mr. FROST, Mr. STARK, Ms. CARSON of Indiana, Mr. DELAHUNT, Mr. KUCINICH, Mr. CUMMINGS, Mr. CLAY, Ms. VELAZQUEZ, Ms. RIVERS, Ms. PELOSI, Mr. BLUMENAUER, Mr. McDERMOTT, Mr. BALDACCI, Ms. McCOLLUM, Mr. LARSEN of Washington, Ms. McCARTHY of Missouri, Mr. FRANK, Mrs. JONES of Ohio, Mr. HASTINGS of Florida, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BRADY of Pennsylvania, Ms. JACKSON-LEE of Texas, Mr. ALLEN, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Mr. PAYNE, Mr. FARR of California, and Mr. NADLER):

H.R. 2349. A bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the development, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families; to the Committee on Financial Services.

By Mr. SHAW (for himself, Mr. TANNER, Mr. FOLEY, Mrs. JOHNSON of Connecticut, Mr. WATKINS, Mr. LEWIS of Georgia, Mr. COYNE, Mr. MATSUI, Mrs. THURMAN, Mr. McNULTY, Mr. KLECZKA, Mr. CARDIN, Mr. POMEROY, Mr. McINNIS, Mr. McDERMOTT, Mr. COLLINS, Mr. BARCIA, Mr. JEFFERSON, Mr. LEWIS of Kentucky, Mr. HERGER, Mr. SESSIONS, Ms. DUNN, Mr. PAUL, Mr. BRADY of Texas, Mr. RAMSTAD, Mr. BECERRA, Mr. HAYWORTH, Mr. NEAL of Massachusetts, Mr. ENGLISH, Mr. STARK, Mr. NUSSLE, Mr. LEVIN, Mr. HULSHOF, and Mr. WELLER):

H.R. 2350. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain expenses of rural letter carriers; to the Committee on Ways and Means.

By Mr. SPRATT (for himself and Mrs. TAUSCHER):

H.R. 2351. A bill to establish the policy of the United States for reducing the number of nuclear warheads in the United States and Russian arsenals, for reducing the number of nuclear weapons of those two nations that are on high alert, and for expanding and accelerating programs to prevent diversion and proliferation of Russian nuclear weapons, fissile materials, and nuclear expertise; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 2352. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for direct-to-consumer advertisements of prescription drugs that fail to provide certain information or to present information in a balanced manner, and to amend the Federal Food, Drug, and Cosmetic Act to require reports regarding such advertisements; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO (for himself, Mr. LARGENT, Mr. BARTLETT of Maryland, Mr. GILCHREST, Mr. TERRY, and Mr. HEFLEY):

H.R. 2353. A bill to revise certain policies of the Army Corps of Engineers for the purpose of improving the Corps' community relations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MORELLA (for herself, Mr. GALLEGLY, and Mr. SHAYS):

H. Con. Res. 175. Concurrent resolution expressing the sense of Congress that the Humane Methods of Slaughter Act of 1958 should be fully enforced so as to prevent needless suffering of animals; to the Committee on Agriculture.

H. Con. Res. 176. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Ms. SOLIS (for herself, Ms. KAPTUR, Mr. RODRIGUEZ, Mr. GUTIERREZ, Mr. BACA, Mr. HINOJOSA, Ms. LEE, Mr. GEORGE MILLER of California, Mr. CONYERS, Mr. BERMAN, Ms. CARSON of Indiana, Mrs. NAPOLITANO, Mr. HONDA, Ms. ROYBAL-ALLARD, Mrs. DAVIS of California, Mr. STARK, Mr. MENENDEZ, Mr. McNULTY, Ms. MILLENDER-McDONALD, Ms. SANCHEZ,

Mr. BECERRA, Ms. DEGETTE, Mr. PASTOR, Mr. DAVIS of Illinois, Ms. MCKINNEY, Mr. REYES, Mrs. MINK of Hawaii, Mr. GEPHARDT, Mr. SCHIFF, Mr. DOOLEY of California, Mr. KLECZKA, Mr. FRANK, Mr. GONZALEZ, Mrs. MEEK of Florida, Mr. ORTIZ, Ms. VELAZQUEZ, Mr. SERRANO, and Mr. MCINNIS):

H. Con. Res. 177. Concurrent resolution expressing the sense of the Congress that all workers deserve fair treatment and safe working conditions, and honoring Dolores Huerta for her commitment to the improvement of working conditions for children, women, and farm worker families.; to the Committee on Education and the Workforce.

By Mr. BALLENGER (for himself, Mr. HYDE, Mr. MENENDEZ, Mr. DELAHUNT, Mr. FALEOMAVAEGA, Mr. LEACH, Mr. HASTINGS of Florida, Mr. SHERMAN, Mr. BERMAN, Mr. CROWLEY, Mr. HUTCHINSON, Ms. WATSON, Mr. DAVIS of Florida, Ms. PELOSI, Mr. ORTIZ, Mr. KUCINICH, Mr. DEFAZIO, Mr. TIERNEY, Mr. CAPUANO, Mr. UDALL of New Mexico, Mr. RYUN of Kansas, Ms. WOOLSEY, Mr. LANGEVIN, Mr. THOMPSON of California, Mr. PETERSON of Minnesota, Mr. FARR of California, Mr. OLVER, Mr. KENNEDY of Minnesota, Mr. ETHERIDGE, Ms. HARMAN, Mr. CONDIT, Ms. SOLIS, Mr. MORAN of Virginia, Mr. GALLEGLY, Mr. HERGER, Mr. BROWN of South Carolina, Mr. DUNCAN, Mr. GRAHAM, Mr. JENKINS, Mr. SAXTON, Mr. CRANE, Mr. CALLAHAN, and Mr. FLAKE):

H. Res. 181. A resolution congratulating President-elect Alejandro Toledo on his election to the Pre sidency of Peru, congratulating the people of Peru for the return of democracy to Peru, and expressing sympathy for the victims of the devastating earthquake that struck Peru on June 23, 2001; to the Committee on International Relations.

By Ms. PRYCE of Ohio:

H. Res. 182. A resolution providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period.

By Mr. HASTINGS of Washington:

H. Res. 183. A resolution providing for consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

¶68.30 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

120. The SPEAKER presented a memorial of the General Assembly of the State of Illinois, relative to House Resolution No. 385 memorializing the United States Congress to ensure ethanol and biodiesel are included as part of any lasting energy policy; to the Committee on Energy and Commerce.

121. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 105 memorializing the United States Congress to urge the Secretary of State to increase efforts to urge the People's Republic of China to recognize and protect the human rights of its citizens and halt the persecution against practitioners of Falun Gong; to the Committee on International Relations.

122. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 136 memorializing President and the United States Congress to work for the admission of Latvia into NATO; to the Committee on International Relations.

¶68.31 ADDITIONAL SPONSORS

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

H.R. 28: Mr. DEFAZIO.
H.R. 85: Mr. MANZULLO.
H.R. 91: Mr. GREEN of Wisconsin.
H.R. 116: Mr. HINCHEY.
H.R. 159: Mr. STEARNS.
H.R. 238: Mr. BAIRD.
H.R. 267: Mr. BERRY, Mr. ORTIZ, and Mr. BORSKI.
H.R. 287: Mr. HASTINGS of Florida and Ms. LOFGREN.
H.R. 303: Mr. HAYWORTH.
H.R. 382: Mr. KERNS and Mr. PUTNAM.
H.R. 460: Mr. PASCRELL.
H.R. 478: Ms. HART.
H.R. 479. Ms. HART.
H.R. 480: Ms. HART.
H.R. 527: Mr. PHELPS, Ms. ROS-LEHTINEN, Mr. JENKINS, Mr. CANTOR, and Mr. SCHROCK.
H.R. 529: Ms. VELAZQUEZ.
H.R. 530: Ms. VELAZQUEZ.
H.R. 635: Mr. LATOURETTE.
H.R. 656: Mr. TANCREDO, Mrs. CHRISTENSEN, and Mr. KERNS.
H.R. 713: Mr. STARK.
H.R. 717: Mr. NUSSLE, Mr. BUYER, Mrs. CAPPS, Ms. KILPATRICK, and Mr. TAUZIN.
H.R. 746: Mr. PICKERING.
H.R. 770: Mr. LAFALCE and Mr. THOMPSON of Mississippi.
H.R. 774: Mr. EHRLICH and Mr. LEACH.
H.R. 794: Mr. BAIRD.
H.R. 804: Mr. BURR of North Carolina and Mr. ISAKSON.
H.R. 808: Ms. ESHOO, Mr. MEEHAN, and Mr. SWEENEY.
H.R. 822: Mr. UPTON, Mr. GANSKE, Mr. WELDON of Florida, Ms. ROS-LEHTINEN, Mr. FARR of California, Mr. KINGSTON, and Mr. GOSS.
H.R. 826: Mr. BRYANT and Mr. CRENSHAW.
H.R. 828: Mr. LATOURETTE.
H.R. 848: Mr. PLATTS, Mr. BRYANT, Mr. ABERCROMBIE, Mr. BISHOP, Mr. HOBSON, Mr. CROWLEY, and Mr. THOMPSON of California.
H.R. 854: Mr. SCHIFF, Mr. BLUMENAUER, Mr. BISHOP, Mr. GRAHAM, Mrs. NAPOLITANO, and Mrs. JONES of Ohio.
H.R. 876: Mr. PRICE of North Carolina, Mr. GREEN of Wisconsin, Mr. ENGEL, and Mr. LANTOS.
H.R. 914: Mr. ROHRABACHER, Mr. AKIN, Mrs. BIGGERT, Mr. CALVERT, Mr. TIAHRT, Mr. WELDON of Florida, Mr. PENCE, Mr. TANCREDO, Mr. HEFLEY, Mr. BARR of Gorgia, Mr. KOLBE, Mr. RADANOVICH, Mr. MILLER of Florida, Mr. ARMEY, Mr. KELLER, Mr. EHRLICH, and Mr. ANDREWS.
H.R. 933: Mr. BOUCHER.
H.R. 990: Mr. INSLEE.
H.R. 1060: Ms. ROYBAL-ALLARD.
H.R. 1110: Mr. BRADY of Texas, Mr. GILCHREST, and Ms. MCCOLLUM.
H.R. 1140: Mr. CULBERSON, and Mrs. DAVIS of California.
H.R. 1143: Mr. DAVIS of Illinois and Ms. WATERS.
H.R. 1149: Mr. STICKLAND, Mr. MCDERMOTT, Mr. HINCHEY, Mr. ROSS, Mr. BALDACCI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Illinois, and Mr. FRANK.
H.R. 1170: Mr. BECERRA.
H.R. 1193: Mr. MCGOVERN, Mr. JACKSON of Illinois, Mr. HINCHEY, Mr. BISHOP, and Mr. DOOLEY of California.
H.R. 1265: Mr. KUCINICH, Mr. MALONEY of Connecticut, Ms. MCKINNEY, Mr. HINCHEY, Mr. LIPINSKI, Mr. OWNENS, Ms. BALDWIN, Ms. SCHAKOWSKY, Mr. PAYNE, Mr. DAVIS of Illinois, and Mr. GOODE.
H.R. 1266: Mr. PALLONE, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SERRANO, and Mr. TIERNEY.
H.R. 1271: Mr. SKELTON.
H.R. 1287: Mr. LARSEN of Washington and Ms. ROS-LEHTINEN.
H.R. 1305: Mr. BLUNT, Mr. OSE, and Mr. COMBEST.
H.R. 1317: Ms. DUNN.
H.R. 1342: Mr. HOBSON.
H.R. 1343: Mr. ACEVEDO-VILA.
H.R. 1362: Mr. BROWN of Ohio and Ms. PELOSI.
H.R. 1363: Mrs. CUBIN and Mr. BURTON of Indiana.
H.R. 1401: Mr. OSE.
H.R. 1405: Mrs. MORELLA.
H.R. 1412: Mr. HOSTETTLER.
H.R. 1427: Mr. LAMPSON.
H.R. 1468: Mr. SCHIFF.
H.R. 1481: Mr. CLEMENT.
H.R. 1494: Ms. WATSON.
H.R. 1592: Mr. REHBERG.
H.R. 1594: Mr. DOYLE.
H.R. 1601: Mr. NUSSLE.
H.R. 1609: Mr. WAMP.
H.R. 1610: Mr. CLYBURN.
H.R. 1642: Ms. ROYBAL-ALLARD, Mr. UDALL of Colorado, and Mr. DAVIS of Illinois.
H.R. 1644: Mr. MCNULTY, Mr. BUYER, and Mrs. NORTHUP.
H.R. 1645: Mr. CUNNINGHAM, Mr. FROST, Mr. BALLENGER, Mr. GREEN of Texas, Mr. HINCHEY, Ms. KAPTUR, Ms. LEE, Mr. HORN, Mr. LAFALCE, Mr. SPENCE, and Mr. EHRLICH.
H.R. 1657: Mr. CAMP and Mr. BRADY of Texas.
H.R. 1690: Ms. WOOLSEY.
H.R. 1694: Mr. BARR of Georgia.
H.R. 1700: Mr. MATHESON, Mr. TIERNEY, Mr. WAXMAN, and Mr. LARSEN of Washington.
H.R. 1718: Mr. TANCREDO and Ms. GRANGER.
H.R. 1739: Mr. MCGOVERN, Mr. STARK, and Mr. GRUCCI.
H.R. 1774: Mr. SHAW, Mrs. JONES of Ohio, and Mr. PHELPS.
H.R. 1784: Mrs. CLAYTON, Mrs. LOWEY, Mr. SANDERS, and Mr. PAYNE.
H.R. 1790: Mr. LEVIN and Mr. PLATTS.
H.R. 1810: Mr. ABERCROMBIE, Mr. BALDACCI, Mr. BARRETT, Mr. PRICE of North Carolina, Mr. STARK, Mr. KLECZKA, Mr. WALSH, and Mrs. CAPPS.
H.R. 1822: Mr. GONZALEZ, Mr. HORN, Mr. FROST, and Mr. BALDACCI.
H.R. 1823: Mr. SERRANO, Mr. BECERRA, Mr. GUTIERREZ, and Mr. ORTIZ.
H.R. 1839: Ms. BALDWIN, Mr. CAPUANO, and Mr. ISAKSON.
H.R. 1840: Ms. LOFGREN.
H.R. 1864: Mr. EHLERS and Mr. ISAKSON.
H.R. 1881: Mr. GREEN of Wisconsin.
H.R. 1948: Mr. ISAKSON.
H.R. 1972: Mr. WELDON of Florida, Mr. PAUL, Mr. SOUDER, Mr. DEAL of Georgia, and Mr. TOOMEY.
H.R. 1987: Mr. CAPUANO.
H.R. 1988: Mr. SAWYER, Mr. CROWLEY, and Mr. STUPAK.
H.R. 1990: Mr. RANGEL.
H.R. 2001: Mr. SANDLIN.
H.R. 2004: Mr. CLAY.
H.R. 2008: Mr. DAVIS of Illinois, Mr. JEFFERSON, Ms. KILPATRICK, Mr. RANGEL, Mr. RUSH, and Mr. TOWNS.
H.R. 2013: Ms. SCHAKOWSKY, Mr. LANTOS, and Mr. LEWIS of Georgia.
H.R. 2022: Mrs. TAUSCHER, Mr. CROWLEY, Mr. FARR of California, and Ms. SCHAKOWSKY.
H.R. 2030: Mr. GILMAN.
H.R. 2035: Ms. SOLIS, Mr. ROSS, Mr. BISHOP, Mr. GEORGE MILLER of California, Mr. MURTHA, Mr. OBERSTAR, Mr. RAHALL, Mr. DUNCAN, Mr. BROWN of Ohio, Ms. NORTON, Mr. GONZALEZ, Mr. CONDIT, Mr. OLVER, Ms. VELÁZQUEZ, Mr. STARK, Mr. KILDEE, Mr. FROST, Ms. MCKINNEY, Mr. HINCHEY, Mr. PLATTS, Mr. LATOURETTE, Mrs. EMERSON, Mr. BLAGOJEVICH, Mr. BOUCHER, and Ms. MCCARTHY of Missouri.
H.R. 2036: Mr. GILLMOR, Mr. BRADY of Texas, Mr. LANTOS, Mrs. CAPPS, and Ms. BALDWIN.
H.R. 2037: Mr. COLLINS, Mr. MCHUGH, Mr. CAMP, Mr. UPTON, Mr. SKELTON, Mr. OXLEY,

Mrs. EMERSON, Mr. BAKER, Mr. CHAMBLISS, Mr. TOOMEY, Mr. SCARBOROUGH, Mr. ARMEY, Mr. KINGSTON, Mr. MCCRERY, and Mr. ENGLISH.

H.R. 2070: Mr. NORWOOD, Mr. STENHOLM, Mr. BALLENGER, Mrs. BIGGERT, Mr. SAM JOHNSON of Texas, Mrs, MYRICK, Mr. SMITH of Texas, and Mr. ISAKSON.

H.R. 2081: Mr. KANJORSKI and Mr. WAXMAN.

H.R. 2096: Mr. MOLLOHAN.

H.R. 2117: Mr. GONZALES.

H.R. 2125: Ms. MCKINNEY, Mr. ENGLISH, Mr. ANDREWS, and Mr. BALDACCI.

H.R. 2126: Mr. COSTELLO, Mrs. EMERSON, Mr. GRAHAM, and Mr. SMITH of Texas.

H.R. 2138: Mr. BARRETT and Mr. BECERRA.

H.R. 2143: Mr. GOODLATTE and Mr. KERNS.

H.R. 2145: Mr. LANTOS.

H.R. 2149: Mr. TERRY, Mr. GOODLATTE, Mr. FLETCHER, Mr. OSE, and Mr. GREENWOOD.

H.R. 2164: Mr. CASTLE and Mr. COYNE.

H.R. 2173: Mr. COOKSEY.

H.R. 2175: Mr. PUTNAM, Mr. SKELTON, and Mr. HUNTER.

H.R. 2219: Mr. FILNER, Mr. PAUL, Ms. JACKSON-LEE of Texas, Mr. BALDACCI, and Mr. FROST.

H.R. 2243: Mr. FILNER, Ms. MCKINNEY, and Mr. RANGEL.

H.R. 2279: Mr. MCINNIS.

H.R. 2290: Mr. MCINNIS.

H.R. 2315: Mr. SWEENEY, Mr. ISSA, and Mr. CANTOR.

H.R. 2319: Mr. FRANK, Ms. JACKSON-LEE of Texas, Mr. GILMAN, Mr. STARK, Ms. LEE, and Mr. KUCINICH.

H.J Res 36: Ms. BERKLEY.

H. Con. Res. 26: Mr. NADLER.

H. Con. Res. 60: Mr. TOWNS, Mr. LEWIS of Georgia, Mr. SHERMAN, and Mr. COYNE.

H. Con. Res. 89: Mr. HASTINGS of Washington, Mr. BURTON of Indiana, and Mr. MCGOVERN.

H. Con. Res. 102: Mrs. MEEK of Florida, Mr. WYNN, Ms. MILLENDER-MCDONALD, Mr. WATTS of Oklahoma, Mr. UPTON, Mr. STARK, Mr. BAIRD, Mr. MOORE, Ms. MCCOLLUM, and Mr. WAXMAN.

H. Con. Res. 132: Mr. MATSUI, Mr. ISAKSON, Mr. DOOLEY of California, Mr. CANTOR, Mr. BOUCHER, Mr. ENGLISH, Mr. SMITH of Texas, and Mr. SCHIFF.

H. Con. Res. 160: Mr. GILMAN, Mr. ORTIZ, Ms. JACKSON-LEE of Texas, Mr. BRADY of Texas, and Mr. SHIMKUS.

H. Res. 152: Mr. SHERWOOD, Mr. BAIRD, and Mr. LANTOS.

H. Res. 173: Ms. MCCARTHY of Missouri.

¶68.32 PETITIONS, ETC.

Under clause 3 of rule XII,

30. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 254 petitioning the United States Congress to enact legislation maintaining the Medicaid intergovernmental transfer program for County nursing facilities; which was referred to the Committee on Energy and Commerce.

¶68.33 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2180: Mrs. BONO.

THURSDAY, JUNE 28, 2001 (69)

The House was called to order by the SPEAKER.

¶69.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, June 27, 2001.

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

¶69.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2719. A communication from the President of the United States, transmitting requests for Fiscal Year 2002 budget amendments for the Department of Defense; (H. Doc. No. 107–92); to the Committee on Appropriations and ordered to be printed.

2720. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Fiduciary Activities of National Banks [Docket No. 01–14] (RIN: 1557–AB79) received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2721. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Investment Securities; Bank Activities and Operations; Leasing [Docket No. 01–13] (RIN: 1557–AB94) received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2722. A letter from the Deputy Assistant Secretary for Policy, Planning and Innovation, Department of Education, transmitting Final Regulations—Federal Work Study Programs, Federal Supplemental Educational Opportunity Grant Program, and Special Leveraging Educational Assistance Partenership Program, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2723. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [OPPTS–00310; FRL–6771–7] received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2724. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of section 112(l) Authority for Hazardous Air Pollutants; Chemical Accident Prevention Provisions; Risk Management Plans; New Jersey Department of Environmental Protection [FRL–6996–7] received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2725. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; New Source Review Revision [NH018–01–7156a; A–1–FRL–6999–6] received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2726. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2727. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2728. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2729. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2730. A letter from the Inspector General, Federal Housing Finance Board, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2731. A letter from the Inspector General, National Science Board, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2732. A letter from the Acting Director, Office of Personnel Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2733. A letter from the Acting Director, Office of Personnel Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2734. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Disclosure and Amendment of Records Pertaining to Individuals Under the Privacy Act—received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2735. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 060801A] received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2736. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2000 Annual Report of the Office of the Police Corps and Law Enforcement Education; to the Committee on the Judiciary.

2737. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—VISAS: Documentation of Nonimmigrants Under the Immigration and Nationality Act; Application for Nonimmigrant Visa: XIX Olympic Winter Games and VIII Paralympic Winter Games in Salt Lake City, Utah, 2002—received June 27,2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2738. A letter from the Attorney for National Council on Radiation Protection and Measurements, LeBoeuf, Lamb, Greene and MacRae, L.L.P., transmitting the 2000 annual report of independent auditors who have audited the records of the National Council on Radiation Protection and Measurements, pursuant to 36 U.S.C. 4514; to the Committee on the Judiciary.

2739. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Diamond Mountain District Viticultural Area (99R–223P) [T.D. ATF–456; Re: Notice No. 882] (RIN: 1512–AA07) received June 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2740. A letter from the Chief, Regulations Branch, Customs Service, Department of the

Treasury, transmitting the Department's final rule—Time Limitation for Requesting Refunds of Harbor Maintenance Fees [T.D. 01–46] (RIN: 1515–AC64) received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2741. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco, and Firearms, Department of the Treasury, transmitting the Department's final rule—Recodification of Regulations on Tobacco Products and Cigarette Papers and Tubes [T.D. ATF–457] (RIN: 1512–AC41) received June 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2742. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Rev. Rul. 2001–35] received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶69.3 ENERGY AND WATER APPROPRIATIONS FY 2002

The SPEAKER, pursuant to House Resolution 180 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

Mr. SIMPSON, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶69.4 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TANCREDO:

Page 2, line 18, after the dollar amount, insert the following: ''(reduced by $9,900,000)''.

Page 18, line 2, after the dollar amount, insert the following: ''(increased by $9,900,000)''.

It was decided in the negative { Yeas ..... 39 / Nays ..... 372 }

¶69.5 [Roll No. 199]

AYES—39

Bartlett, Biggert, Boswell, Cannon, Davis, Jo Ann, DeGette, Doggett, Ehlers, Flake, Gilchrest, Goode, Gutknecht, Hefley, Hinchey, Holt, Luther, McCollum, McKinney, Moran (KS), Osborne, Paul, Pence, Pickering, Pitts, Radanovich, Ramstad, Rivers, Royce, Schaffer, Sensenbrenner, Shadegg, Shays, Smith (MI), Sununu, Tancredo, Terry, Toomey, Udall (CO), Udall (NM)

NOES—372

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

NOT VOTING—22

Barton, Bonilla, Burton, Buyer, Clayton, Dooley, Ehrlich, Greenwood, Grucci, Harman, Hyde, Leach, Mica, Moran (VA), Owens, Platts, Putnam, Serrano, Smith (TX), Thomas, Waxman, Young (AK)

So the amendment was not agreed to.

¶69.6 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TANCREDO:

In title I, strike section 105 (relating to shore protection projects cost sharing).

It was decided in the negative { Yeas ..... 84 / Nays ..... 333 }

¶69.7 [Roll No. 200]

AYES—84

Baldwin, Barr, Bartlett, Bass, Bereuter, Blumenauer, Bryant, Cannon, Chabot, Clay, Cubin, DeFazio, DeGette, DeLay, Doggett, Eshoo, Farr, Flake, Foley, Frank, Gibbons, Gilchrest, Goode, Goodlatte, Graves, Hayworth, Hefley, Hill, Hooley, Hostettler, Inslee, Johnson (CT), Johnson (IL), Kelly, Kerns, Kildee, Kind (WI), Kolbe, Largent, Larsen (WA), Lee, Lofgren, Luther, Maloney (CT), Matheson, McCollum, McGovern, McKinney, Meehan, Miller, Gary, Miller, George, Moore, Moran (KS), Neal, Otter, Paul, Pence, Peterson (MN), Petri, Pitts, Ramstad, Rivers, Sabo, Sanchez, Schaffer, Sensenbrenner, Shadegg, Shays, Sherman, Smith (MI), Smith (WA), Snyder, Solis, Stark, Sununu, Tancredo, Terry, Tiahrt, Tiberi, Toomey, Udall (CO), Udall (NM), Upton, Waters

NOES—333

Abercrombie, Ackerman, Aderholt, Akin, Allen, Andrews, Armey, Baca, Bachus, Baird, Baker, Baldacci, Ballenger, Barcia, Barrett, Becerra, Bentsen, Berkley, Berman, Berry, Biggert, Bilirakis, Bishop, Blagojevich, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Brown (OH), Brown (SC), Burr, Callahan, Calvert, Camp, Cantor, Capito, Capps, Capuano, Cardin, Carson (IN), Carson (OK), Castle, Chambliss, Clayton, Clement, Clyburn, Coble, Collins, Combest, Condit, Conyers, Cooksey, Costello, Cox, Coyne, Cramer, Crane, Crenshaw, Crowley, Culberson, Cummings, Cunningham, Davis (CA), Davis (FL), Davis (IL), Davis, Jo Ann, Davis, Tom, Deal, Delahunt, DeLauro, DeMint, Deutsch, Diaz-Balart, Dicks, Dingell, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Emerson, Engel, English, Etheridge, Evans, Everett, Fattah, Ferguson, Filner, Fletcher, Forbes, Ford, Fossella, Frelinghuysen

Frost
Gallegly
Ganske
Gekas
Gephardt
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Mink
Mollohan
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (PA)
Phelps
Pickering
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—16

Barton
Burton
Buyer
Dooley
Ehrlich
Greenwood
Leach
Moran (VA)
Owens
Platts
Putnam
Radanovich
Ryun (KS)
Smith (TX)
Thomas
Young (AK)

So the amendment was not agreed to.

¶69.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HINCHEY:

In title III, in the item relating to ''DEPARTMENT OF ENERGY PROGRAMS; ENERGY SUPPLY'' after the aggregate dollar amount, insert the following: ''(increased by $50,000,000)''.

In title III, in the item relating to ''ATOMIC ENERGY DEFENSE ACTIVITIES NATIONAL NUCLEAR SECURITY ADMINISTRATION; WEAPONS ACTIVITIES'' after the aggregate dollar amount, insert the following: ''(reduced by $60,000,000)''.

It was decided in the negative ..... { Yeas ..... 163 / Nays 258

¶69.9 [Roll No. 201]

AYES—163

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bass
Becerra
Berkley
Berman
Blumenauer
Boehlert
Bonior
Boswell
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
Deutsch
Doggett
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Frank
Frost
Gephardt
Gonzalez
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Markey
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Petri
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (MI)
Smith (WA)
Solis
Stark
Strickland
Stupak
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Woolsey
Wu
Wynn

NOES—258

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehner
Bonilla
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Etheridge
Everett
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schiff
Schrock
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (NJ)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NOT VOTING—12

Barton
Burton
Buyer
Dooley
Ehrlich
Leach
Platts
Putnam
Radanovich
Smith (TX)
Thomas
Young (AK)

So the amendment was not agreed to.

¶69.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KUCINICH:

In title III, in the item relating to ''WEAPONS ACTIVITIES,'' after aggregate dollar amount, insert the following; ''(reduced by $112,500,000)''.

In title III, in the item relating to ''DEFENSE NUCLEAR NONPROLIFERATIONS'', after the aggregate dollar amount, insert the following: ''(increased by $66,000,000)''.

It was decided in the negative ..... { Yeas ..... 91 / Nays 331

¶69.11 [Roll No. 202]

AYES—91

Allen
Andrews
Baird
Baldacci
Baldwin
Barrett
Blumenauer
Bonior
Brown (OH)
Carson (IN)
Clay
Conyers
Cummings
Davis (IL)
DeFazio
DeGette
Deutsch
Doggett
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Frank
Hilliard
Hinchey
Honda
Hooley
Jackson (IL)
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos

Lee
Levin
LoBiondo
Luther
Maloney (NY)
Markey
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Miller, George
Mink
Moore
Moran (VA)
Nadler
Neal
Ney
Oberstar
Obey
Olver
Owens
Pallone
Paul
Payne
Pelosi
Rahall
Rangel
Rivers
Rothman
Rush
Ryan (WI)
Sabo
Sanders
Sawyer
Schakowsky
Serrano
Smith (NJ)
Smith (WA)
Stark
Strickland
Tiberi
Tierney
Toomey
Udall (CO)
Velazquez
Waters
Weiner
Woolsey
Wu

NOES—331

Abercrombie
Ackerman
Aderholt
Akin
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Etheridge
Everett
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Pastor
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Royce
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (FL)

NOT VOTING—11

Barton
Burton
Ehrlich
Leach
Platts
Putnam
Radanovich
Ros-Lehtinen
Smith (TX)
Thomas
Young (AK)

So the amendment was not agreed to.

¶69.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BONIOR:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . No funds provided in this Act may be expended to issue any permit or other authorization under section 10 of the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 403), or to issue any other lease, license, permit, approval, or right-of-way, for any drilling to extract or explore for oil or gas from the land beneath the water in any of Lake Huron, Lake Ontario, Lake Michigan, Lake Erie, Lake Superior, Lake Saint Clair, the Saint Mary's River, the Saint Clair River, the Detroit River, the Niagara River, or the Saint Lawrence River from Lake Ontario to the 45th parallel of latitude.

It was decided in the affirmative ..... { Yeas ..... 265 / Nays 157

¶69.13 [Roll No. 203]

AYES—265

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank
Frost
Ganske
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Harman
Hastings (FL)
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Scarborough
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Wamp
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Wilson
Woolsey
Wu
Wynn
Young (FL)

NOES—157

Aderholt
Akin
Armey
Baker
Ballenger
Barr
Bass
Bentsen
Bereuter
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Buyer
Callahan
Calvert
Cannon
Cantor
Carson (OK)
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
Everett
Flake
Forbes
Frelinghuysen
Gallegly
Gekas
Gibbons
Goode
Goodlatte
Graham
Granger
Graves
Green (TX)
Grucci
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hobson
Horn
Hostettler
Houghton
Hulshof
Hunter
Issa
Istook
Jefferson
Jenkins
John
Johnson, Sam
Keller
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
Lampson
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Northup
Norwood
Osborne
Otter
Oxley
Paul
Pence
Peterson (PA)

Pickering
Pitts
Pombo
Pryce (OH)
Rehberg
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryun (KS)
Sandlin
Saxton
Schaffer
Schrock
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (WA)
Souder
Spence
Stenholm
Stump
Sununu
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Turner
Vitter
Walden
Watkins (OK)
Watts (OK)
Weldon (PA)
Whitfield
Wicker
Wolf

NOT VOTING—11

Barton
Burton
Fletcher
Leach
Platts
Putnam
Radanovich
Ros-Lehtinen
Smith (TX)
Thomas
Young (AK)

So the amendment was agreed to.

After some further time,

¶69.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. BERKLEY:

Page 37, after line 11, insert the following:

TITLE IV–A

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For additional expenses of the Nuclear Waste Technical Review Board, to be derived from the Nuclear Waste Fund, for the Board (1) to evaluate the technical and scientific validity of activities undertaken by the Secretary of Energy relating to the packaging and transportation of high-level radioactive waste and spent nuclear fuel, as authorized by section 503 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10263), (2) to hold hearings, sit and act, take testimony, and receive evidence, as authorized by section 504(a) of such Act (42 U.S.C. 10264(a)), and (3) to request the Secretary (or any contractor of the Secretary) to provide the Board with records, files, papers, data, and information, as authorized by section 504(b) of such Act (42 U.S.C. 10264(b)); and the aggregate amount otherwise provided in this Act for ''Energy Programs—Nuclear Waste Disposal'' is hereby reduced by; $500,000.

It was decided in the negative ..... { Yeas ..... 102 / Nays 321

¶69.15 [Roll No. 204]

AYES—102

Abercrombie
Ackerman
Baca
Baldwin
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Boswell
Bryant
Capps
Capuano
Conyers
Crowley
Davis (CA)
Davis (IL)
DeFazio
Dingell
Doggett
Engel
Evans
Ferguson
Filner
Frank
Frost
Gephardt
Gibbons
Gutierrez
Hall (OH)
Hastings (FL)
Hill
Hinchey
Holt
Honda
Hooley
Hulshof
Inslee
Israel
Jackson (IL)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kucinich
Lantos
Leach
Lee
Lewis (GA)
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McInnis
McKinney
Meek (FL)
Menendez
Millender-McDonald
Mink
Moore
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pascrell
Rahall
Rangel
Reyes
Rivers
Roybal-Allard
Rush
Sanchez
Sanders
Sawyer
Schakowsky
Shays
Slaughter
Smith (NJ)
Solis
Souder
Stark
Stupak
Thompson (CA)
Towns
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson (CA)
Waxman
Weiner
Wexler
Woolsey
Wu

NOES—321

Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Farr
Fattah
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCrery
McDermott
McHugh
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Miller, George
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (WA)
Snyder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Barton
Burton
Houghton
Platts
Putnam
Ros-Lehtinen
Smith (TX)
Spratt
Thomas
Weldon (PA)

So the amendment was not agreed to.

¶69.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DAVIS of Florida:

In title III, in the item relating to ''FEDERAL ENERGY REGULATORY COMMISSION—SALARIES AND EXPENSES'', strike the last proviso (relating to Gulfstream Natural Gas Project).

It was decided in the negative ..... { Yeas ..... 210 / Nays 213

¶69.17 [Roll No. 205]

AYES—210

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Becerra
Berkley
Bilirakis
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Buyer
Camp
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Conyers
Costello
Cox
Coyne
Crenshaw
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Diaz-Balart
Dingell
Doggett
Dooley
Doyle
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Evans
Fattah
Filner
Foley
Ford
Frost
Ganske
Gephardt
Gilchrest
Gonzalez
Goss
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Jones (NC)
Jones (OH)
Kaptur
Keller
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Moore
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Royce
Rush
Sanchez
Sanders
Sandlin

Sawyer
Scarborough
Schakowsky
Schiff
Scott
Serrano
Shaw
Shays
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stearns
Stenholm
Strickland
Stupak
Sununu
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Wexler
Woolsey
Wynn
Young (FL)

NOES—213

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bass
Bentsen
Bereuter
Berman
Berry
Biggert
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Callahan
Calvert
Cannon
Cantor
Capito
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Cramer
Crane
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLay
DeMint
Dicks
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Everett
Farr
Ferguson
Flake
Fletcher
Forbes
Fossella
Frank
Frelinghuysen
Gallegly
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Manzullo
Markey
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller, Gary
Miller, George
Mink
Mollohan
Moran (KS)
Murtha
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Souder
Spence
Stark
Stump
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Visclosky
Vitter
Walden
Walsh
Wamp
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)

NOT VOTING—10

Barton
Burton
Gilman
Houghton
Platts
Putnam
Ros-Lehtinen
Smith (TX)
Thomas
Weldon (PA)

So the amendment was not agreed to.

The SPEAKER pro tempore, Mrs. BIGGERT, assumed the Chair.

When Mr. SIMPSON, Chairman, pursuant to House Resolution 180, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . No funds provided in this Act may be expended to issue any permit or other authorization under section 10 of the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 403), or to issue any other lease, license, permit, approval, or right-of-way, for any drilling to extract or explore for oil or gas from the land beneath the water in any of Lake Huron, Lake Ontario, Lake Michigan, Lake Erie, Lake Superior, Lake Saint Clair, the Saint Mary's River, the Saint Clair River, the Detroit River, the Niagara River, or the Saint Lawrence River from Lake Ontario to the 45th parallel of latitude.

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds appropriated or otherwise made available in this Act may be made available to any person or entity convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

At the end of the bill (before the short title) add the following sections:

SEC. . No fund in this Act may be used to drill for oil and gas, through, in or under, the Mosquite Creek Reservior, Trumbull County, Ohio.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 405 / Nays 15

¶69.18 [Roll No. 206]

YEAS—405

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

Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—15

Andrews
Berkley
Flake
Gibbons
Hostettler
Moran (KS)
Paul
Royce
Scarborough
Schaffer
Sensenbrenner
Shays
Stearns
Tancredo
Thune

NOT VOTING—13

Barton
Burton
Davis (FL)
Doggett
Gutierrez
Houghton
McCollum
Platts
Putnam
Ros-Lehtinen
Smith (TX)
Thomas
Weldon (PA)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶69.19 PROVIDING FOR THE CONSIDERATION OF H.R. 2330

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 183):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

¶69.20 MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ed Thomas, one of his secretaries.

After further debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the yeas had it.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 222
Nays 194

¶69.21 [Roll No. 207]

YEAS—222

Aderholt
Akin
Armey
Bachus
Baker
Baldacci
Ballenger
Barr
Bartlett
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (NY)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NAYS—194

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

NOT VOTING—18

Barton
Bonior
Boucher
Burton
Conyers
Dingell
Houghton
Largent
Meek (FL)
Owens
Platts
Putnam
Rahall
Ros-Lehtinen
Slaughter
Smith (TX)
Thomas
Weldon (PA)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶69.22 MESSAGE FROM THE PRESIDENT—CORPORATION FOR PUBLIC BROADCASTING FY 2000

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with the Public Broadcasting Act of 1967, as amended (47 U.S.C. 396(i)), I transmit herewith the Annual Report of the Corporation for

Public Broadcasting for Fiscal Year 2000.

GEORGE W. BUSH.

THE WHITE HOUSE, *June 28, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Energy and Commerce.

¶69.23 AGRICULTURE APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to House Resolution 183 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, designated Mr. GOODLATTE as Chairman of the Committee of the Whole; and after some time spent therein,

The Committee rose informally to receive a message from the President.

The SPEAKER pro tempore, Mr. LATHAM, assumed the Chair.

¶69.24 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

The SPEAKER pro tempore, Mr. ISAKSON, assumed the Chair.

When Mr. BASS, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶69.25 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 2330

On motion of Mr. BONILLA, by unanimous consent,

Ordered, That it may be in order that during further consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 183, no further amendment to the bill may be offered except (1) the following amendments, each of which shall be debatable for 10 minutes: The amendment by Mrs. Clayton related to rental assistance; the amendment by Mr. Traficant related to Buy American; the amendment by Mr. Allen related to total cost of research and development and approvals of new drugs; the amendment by Ms. Kaptur related to biofuels; the amendment by Ms. Kaptur related to BSE; the amendment by Ms. Kaptur related to 4-H Program Centennial; the amendment by Mr. Lucas of Oklahoma related to watershed and flood operations; the amendment by Mrs. Mink related to the Hawaii Agricultural Research Center; the amendment by Mrs. Mink related to the Oceanic Institute of Hawaii; the amendment by Mr. Blumenauer related to price supports; the amendment by Mr. Royce related to allocations under the market access program; the amendment by Mr. Smith of Michigan related to the Food Security Act; the amendment by Mr. Smith of Michigan related to Agriculture Market Transition Act; the amendment by Mr. Smith of Michigan related to nitrogen-fixing ability of plants; the amendment by Mr. Baca related to Hispanic serving institutions; and the amendment by Ms. Pelosi related to HIV; (2) The following additional amendments, which shall be debatable for 20 minutes: the amendment by Mr. Brown of Ohio related to abbreviated applications for the approval of new drugs under section 505(j) of the Food, Drug, and Cosmetic Act; the amendment by Mr. Stupak or Mr. Boehlert related to elderly nutrition; and the amendment by Mrs. Clayton related to socially disadvantaged farmers; (3) The following additional amendments, which shall be debatable for 30 minutes: the amendment by Mr. Hinchey related to American Rivers Heritage; the amendment by Mr. Kucinich related to transgenic fish; and the amendment by Mr. Gutknecht related to drug importation; (4) The following additional amendments, which shall be debatable for 40 minutes: the amendment by Mr. Sanders related to drug importation; and the amendment by Mr. Weiner related to mohair; and (5) The following additional amendment, which shall be debatable for 60 minutes, and which may be brought up at any time during consideration: the amendment by Mr. Olver or Mr. Gilchrest related to Kyoto.

Ordered further, that each additional amendment may be offered only by the Member designated in this request, or a designee, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

¶69.26 AGRICULTURE APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to House Resolution 183 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

Mr. BASS, Acting Chairman, assumed the chair; and after some time spent therein,

¶69.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROWN of Ohio:

In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES-FOOD AND DRUG ADMINISTRATION-SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $2,500,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to abbreviated applications for the approval of new drugs under section 505(j) of the Federal Food, Drug, and Cosmetic Act, and $250,000 is available under section 903(d)(2)(D) of such Act for the purpose of carrying out public information programs regarding drugs with approved such applications, in addition to other allocations for such purposes made from such total amount

It was decided in the affirmative { Yeas ..... 324 / Nays 89

¶69.28 [Roll No. 208]

AYES—324

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Calvert
Camp
Cannon
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Duncan
Edwards
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frost
Gallegly
Ganske
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Graham
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hansen
Harman
Hart
Hastings (FL)
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha

Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Wamp
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOES—89

Akin
Armey
Ballenger
Barr
Biggert
Blunt
Boehner
Bonilla
Brown (SC)
Bryant
Burr
Buyer
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Crane
Crenshaw
Cubin
Culberson
Deal
DeLay
DeMint
Doolittle
Dreier
Dunn
Ehlers
Ferguson
Flake
Frelinghuysen
Gekas
Gibbons
Goss
Granger
Graves
Greenwood
Grucci
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Herger
Hostettler
Isakson
Issa
Istook
Johnson, Sam
Keller
Kerns
Knollenberg
Latham
Lewis (CA)
Linder
Lucas (OK)
McInnis
Miller (FL)
Miller, Gary
Myrick
Nethercutt
Norwood
Osborne
Otter
Oxley
Pence
Pitts
Pombo
Portman
Radanovich
Riley
Ryun (KS)
Scarborough
Schrock
Sessions
Shadegg
Shuster
Simpson
Skeen
Souder
Spence
Stump
Sweeney
Thornberry
Vitter
Walsh
Watkins (OK)
Watts (OK)
Young (FL)

NOT VOTING—20

Barton
Bonior
Burton
Callahan
Diaz-Balart
Everett
Fossella
Gordon
Hall (OH)
Houghton
Largent
Meehan
Platts
Putnam
Ros-Lehtinen
Roukema
Schaffer
Smith (TX)
Thomas
Weldon (PA)

So the amendment was agreed to.

¶69.29 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROWN of Ohio:

In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES-FOOD AND DRUG ADMINISTRATION-SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $5,000,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to antibiotic drugs, in addition to other allocations for such purpose made from such total amount.

It was decided in the affirmative ..... { Yeas ..... 271 / Nays 140

¶69.30 [Roll No. 209]

AYES—271

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehrlich
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frost
Ganske
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Gordon
Graham
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hastings (FL)
Hefley
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Shimkus
Shows
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Wilson
Woolsey
Wu
Wynn

NOES—140

Aderholt
Akin
Armey
Bachus
Ballenger
Barr
Bereuter
Biggert
Bilirakis
Blunt
Boehner
Bonilla
Brady (TX)
Brown (SC)
Bryant
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Crane
Crenshaw
Cubin
Culberson
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
Ferguson
Flake
Frelinghuysen
Gallegly
Gekas
Gibbons
Gillmor
Goode
Goss
Granger
Graves
Greenwood
Grucci
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Isakson
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
Kerns
Kingston
Knollenberg
Kolbe
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Northup
Norwood
Osborne
Otter
Oxley
Pence
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Rehberg
Riley
Rogers (KY)
Rohrabacher
Ryun (KS)
Scarborough
Schrock
Sessions
Shadegg
Sherwood
Shuster
Simpson
Skeen
Smith (MI)
Souder
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—22

Baker
Barton
Bonior
Burton
Callahan
Diaz-Balart
Engel
Everett
Fossella
Hall (OH)
Houghton
Largent
McInnis
Meehan
Platts
Putnam
Ros-Lehtinen
Roukema
Schaffer
Smith (TX)
Thomas
Weldon (PA)

So the amendment was agreed to.

¶69.31 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ENGEL:

In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES-FOOD AND DRUG ADMINISTRATION-SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $250,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to food labeling within the meaning of section 403 of the Federal Food, Drug, and Cosmetic Act, in addition to other allocations for such purpose made from such total amount

It was decided in the affirmative ..... { Yeas ..... 291 / Nays 115

¶69.32 [Roll No. 210]

AYES—291

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass

Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Borski
Boswell
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Calvert
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Costello
Cox
Coyne
Cramer
Crowley
Culberson
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Duncan
Edwards
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Frank
Frost
Ganske
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Graham
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (TX)
Harman
Hart
Hastings (FL)
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Petri
Phelps
Pickering
Pitts
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sununu
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Wexler
Whitfield
Wolf
Woolsey
Wu
Wynn

NOES—115

Armey
Ballenger
Barr
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Boyd
Brown (SC)
Bryant
Burr
Buyer
Camp
Cannon
Cantor
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Cubin
Cunningham
Deal
DeLay
DeMint
Doolittle
Dreier
Dunn
Ehlers
Emerson
Flake
Frelinghuysen
Gallegly
Gibbons
Gillmor
Goode
Goodlatte
Goss
Granger
Graves
Greenwood
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hunter
Hutchinson
Isakson
Issa
Istook
Jenkins
Johnson, Sam
Keller
Kerns
Kingston
Knollenberg
Kolbe
Latham
Linder
Lucas (OK)
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Nethercutt
Northup
Norwood
Osborne
Ose
Otter
Oxley
Paul
Peterson (MN)
Peterson (PA)
Pombo
Portman
Pryce (OH)
Radanovich
Regula
Rehberg
Ryun (KS)
Schrock
Sessions
Shadegg
Shuster
Simpson
Skeen
Smith (MI)
Stump
Sweeney
Tancredo
Tauzin
Taylor (NC)
Thornberry
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weller
Wicker
Wilson
Young (AK)
Young (FL)

NOT VOTING—27

Baker
Barton
Bonior
Bono
Burton
Callahan
Conyers
Diaz-Balart
Everett
Farr
Fattah
Fossella
Hall (OH)
Houghton
Jefferson
John
Largent
McInnis
Meehan
Platts
Putnam
Ros-Lehtinen
Roukema
Schaffer
Smith (TX)
Thomas
Weldon (PA)

So the amendment was agreed to.

The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. GOODLATTE, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶69.33 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 176. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

¶69.34 COMMITTEE ELECTION—MAJORITY

Mr. FOLEY, by unanimous consent, submitted the following resolution (H. Res. 184):

Resolved, That the following Member be and is hereby elected to the following standing committees of the House of Representatives:

Armed Services: Mr. Forbes.
Science: Mr. Forbes.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶69.35 PERMISSION TO FILE REPORT

On motion of Mr. FOLEY, by unanimous consent, the Committee on Judiciary was granted permission until midnight Friday, July 6, 2001, to file a report on the bill (H.R. 2215) to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes; and to file a report on the bill (H.R. 2137) to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure.

¶69.36 SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. FOLEY, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until Tuesday, July 10, 2001, the Speaker, Majority Leader, and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶69.37 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. FOLEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, July 11, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶69.38 APPOINTMENT OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication, which was read as follows:

WASHINGTON, DC,
June 28, 2001.

I hereby appoint the Honorable TOM DAVIS to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 10, 2001.

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

By unanimous consent, the appointment was approved.

¶69.39 MESSAGE FROM THE PRESIDENT—WEAPONS OF MASS DESTRUCTION PROLIFERATION

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Enclosed is a report to the Congress on Executive Order 12938, as required by section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)).

GEORGE W. BUSH.
THE WHITE HOUSE, *June 28, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–93).

¶69.40 MESSAGE FROM THE PRESIDENT—NATIONAL ENERGY POLICY

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

One of the first actions I took when I became President in January was to

create the National Energy Policy Development Group to examine America's energy needs and to develop a policy to put our Nation's energy future on sound footing.

I am hereby transmitting to the Congress proposals contained in the National Energy Policy report that require legislative action. In conjunction with executive actions that my Administration is already undertaking, these legislative initiatives will help address the underlying causes of the energy challenges that Americans face now and in the years to come. Energy has enormous implications for our economy, our environment, and our national security. We cannot let another year go by without addressing these issues together in a comprehensive and balanced package.

These important legislative initiatives, combined with regulatory and administrative actions, comprise a comprehensive and forward-looking plan that utilizes 21st century technology to allow us to promote conservation and diversify our energy supply. These actions will increase the quality of life of Americans by providing reliable energy and protecting the environment.

Our policy will modernize and increase conservation by ensuring that energy is used as efficiently as possible. In addition, the National Energy Policy will modernize and expand our energy infrastructure, creating a new high-tech energy delivery network that increases the reliability of our energy supply. Further, it will diversify our energy supply by encouraging renewable and alternative sources of energy as well as the latest technologies to increase environmentally friendly exploration and production of domestic energy resources.

Importantly, our energy policy improves and accelerates environmental protection. By utilizing the latest in pollution control technologies to cut harmful emissions we can integrate our desire for a cleaner environment and a sufficient supply of energy for the future. We will also strengthen America's energy security. We will do so by reducing our dependence on foreign sources of oil, and by protecting low-income Americans from soaring energy prices and supply shortages through programs like the Low Income Housing Energy Assistance Program.

My Administration stands ready to work with the Congress to enact comprehensive energy legislation this year.

GEORGE W. BUSH.

THE WHITE HOUSE, *June 28, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Energy and Commerce; the Committee on Science; the Committee on Resources; the Committee on Ways and Means; the Committee on Transportation and Infrastructure; and the Committee on Education and the Workforce.

And then,

¶69.41 ADJOURNMENT

On motion of Mr. GANSKE, pursuant to House Concurrent Resolution 176, at 8 o'clock and 19 minutes p.m., the House adjourned until 2 o'clock p.m. on Tuesday, July 10, 2001.

¶69.42 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follow:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1407. A bill to amend title 49, United States Code, to permit air carriers to meet and discuss their schedules in order to reduce flight delays, and for other purposes; with amendments (Rept. No. 107–77 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on International Relations. H.R. 2131. A bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004; with amendments (Rept. No. 107–119). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1866. A bill to amend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents; with an amendment (Rept. No. 107–120). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1886. A bill to amend title 35, United States Code, to provide for appeals by third parties in certain patent reexamination proceedings (Rept. No. 107–121). Referred to the Committee of the Whole House on the State of the Union.

¶69.43 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CALVERT (for himself, Mr. HERGER, Mrs. BONO, Mr. FOLEY, Mr. RADANOVICH, Mr. FARR of California, Mr. THOMPSON of California, Mr. BAIRD, Mrs. THURMAN, and Mr. ISSA):

H.R. 2354. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of crops destroyed by casualty; to the Committee on Ways and Means.

By Mr. TOM DAVIS of Virginia:

H.R. 2355. A bill to amend subchapter III of chapter 83 of title 5, United States Code, to make service performed as an employee of a nonappropriated fund instrumentality after 1965 and before 1987 creditable for retirement purposes; to the Committee on Government Reform.

By Mr. SHAYS (for himself and Mr. MEEHAN):

H.R. 2356. A bill to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; to the Committee on House Administration, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES of North Carolina (for himself and Mr. HOSTETTLER):

H.R. 2357. A bill to amend the Internal Revenue Code of 1986 to permit churches and other houses of worship to engage in political campaigns; to the Committee on Ways and Means.

By Mr. BARTLETT of Maryland (for himself, Mr. UDALL of Colorado, Mr. BOEHLERT, Ms. JACKSON-LEE of Texas, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mrs. MORELLA, Mr. EHLERS, Mr. DELAHUNT, and Mr. WAMP):

H.R. 2358. A bill to authorize appropriations for environmental research and development, scientific and energy research, development, and demonstration, and commercial application of energy technology bioenergy programs, projects, and activities of the Department of Energy, and for other purposes; to the Committee on Science.

By Mr. SMITH of New Jersey (for himself and Mr. EVANS):

H.R. 2359. A bill to amend title 38, United States Code, to authorize the payment of National Service Life Insurance and United States Government Life Insurance proceeds to an alternate beneficiary when the first beneficiary cannot be identified, to improve and extend the Native American veteran housing loan pilot program, and to eliminate the requirement to provide the Secretary of Veterans Affairs a copy of a notice of appeal to the Court of Appeals for Veterans Claims; to the Committee on Veterans' Affairs.

By Mr. NEY (for himself, Mr. WYNN, Mr. SWEENEY, Mr. MICA, Mr. REYNOLDS, Mr. LATOURETTE, Mr. PETERSON of Pennsylvania, Mr. HOBSON, Ms. DUNN, Mr. CUNNINGHAM, Mr. TAYLOR of North Carolina, Mr. TRAFICANT, Ms. PRYCE of Ohio, Mr. BLUNT, Mr. EHLERS, Mr. BALLENGER, and Mr. NORWOOD):

H.R. 2360. A bill to amend the Federal Election Campaign Act of 1971 to restrict the use of non-Federal funds by national political parties, to revise the limitations on the amount of certain contributions which may be made under such Act, to promote the availability of information on communications made with respect to campaigns for Federal elections, and for other purposes; to the Committee on House Administration.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. SIMPSON, Mr. REYES, and Mr. SPENCE):

H.R. 2361. A bill to increase, effective as of December 1, 2001, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BORSKI (for himself, Mr. BRADY of Pennsylvania, Mr. COYNE, Mr. DOYLE, Mr. ENGLISH, Mr. FATTAH, Mr. GEKAS, Mr. GREENWOOD, Ms. HART, Mr. HOEFFEL, Mr. HOLDEN, Mr. KANJORSKI, Mr. MASCARA, Mr. MURTHA, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. SHERWOOD, Mr. SHUSTER, Mr. WELDON of Pennsylvania, and Mr. PITTS):

H.R. 2362. A bill to establish the Benjamin Franklin Tercentenary Commission; to the Committee on Government Reform.

By Mr. GREENWOOD (for himself, Ms. KAPTUR, Ms. LEE, Mr. STARK, Mr. BONIOR, Mr. WAXMAN, Mr. LANTOS, Mr. BALDACCI, Mrs. JONES of Ohio, Mrs. TAUSCHER, Mrs. JOHNSON of Connecticut, Mr. ENGLISH, Mr. HINCHEY, Mr. TOWNS, Ms. HART, Mr. SHOWS, Ms. MCCARTHY of Missouri, Mr. FROST, Mr. ANDREWS, Mr. DEFAZIO, and Mrs. ROUKEMA):

H.R. 2363. A bill to provide for the establishment of regional centers to assist State and local governments, health maintenance organizations, nonprofit organizations, and other organizations in the development of peer-support activities and other nonprofessional services to assist persons to cope with and overcome persistent mental illnesses; to the Committee on Energy and Commerce.

By Ms. KAPTUR (for herself, Mr. GREENWOOD, Ms. LEE, Mr. STARK, Mr. BONIOR, Mr. WAXMAN, Mr. LANTOS, Mr. BALDACCI, Mrs. JONES of Ohio, Mrs. TAUSCHER, Mrs. JOHNSON of Connecticut, Mr. ENGLISH, Mr. HINCHEY, Mr. TOWNS, Ms. HART, Mr. SHOWS, Ms. MCCARTHY of Missouri, Mr. FROST, Mr. ANDREWS, Mr. DEFAZIO, and Mrs. ROUKEMA):

H.R. 2364. A bill to amend title XIX of the Social Security Act to provide States with the option of covering intensive community mental health treatment under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. COSTELLO (for himself, Mr. AKIN, Mr. WHITFIELD, Mr. MOLLOHAN, Mr. BOUCHER, Mr. SHIMKUS, Mrs. CAPITO, Mr. PHELPS, and Mr. LIPINSKI):

H.R. 2365. A bill to authorize Department of Energy programs to develop and implement an accelerated research and development program for advanced clean coal technologies for use in coal-based electricity generating facilities, so as to allow coal to help meet the growing need of the United States for the generation of clean, reliable, and affordable electricity; to the Committee on Science.

By Mrs. BIGGERT:

H.R. 2366. A bill to amend the Family and Medical Leave Act of 1993 to clarify the Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS (for himself and Mr. WELDON of Florida):

H.R. 2367. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to provide for accountability of health plans; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. TOM DAVIS of Virginia, Ms. SANCHEZ, Mr. ROHRABACHER, Ms. LOFGREN, Mr. ROYCE, Mr. WOLF, and Mr. GILMAN):

H.R. 2368. A bill to promote freedom and democracy in Viet Nam; to the Committee on International Relations, and in addition to the Committees on Financial Services, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself, Mr. BARTLETT of Maryland, Mr. LEWIS of California, Mr. MCGOVERN, Mr. EHLERS, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. BAIRD, Mrs. MORELLA, Mr. COX, Mr. HUNTER, and Mr. CUNNINGHAM):

H.R. 2369. A bill to amend title 23, United States Code, relating to the use of high occupancy vehicle lanes by hybrid vehicles; to the Committee on Transportation and Infrastructure.

By Mr. WELLER (for himself and Mr. NEAL of Massachusetts):

H.R. 2370. A bill to amend the Internal Revenue Code of 1986 to modify the exception from the treatment of welfare benefit funds for 10-or-more employer plans; to the Committee on Ways and Means.

By Mr. BALDACCI (for himself and Mr. ALLEN):

H.R. 2371. A bill to authorize the transfer and conveyance of real property at the Naval Security Group Activity, Winter Harbor, Maine, and for other purposes; to the Committee on Armed Services.

By Mr. BOSWELL:

H.R. 2372. A bill to direct the Secretary of the Army to convey the remaining water supply storage allocation in Rathbun Lake, Iowa, to the Rathbun Regional Water Association; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. DOGGETT, Mr. SCARBOROUGH, Mr. TURNER, Mr. SESSIONS, Mr. SUNUNU, Mr. BASS, Mr. BARTON of Texas, Mr. SAM JOHNSON of Texas, Mr. GOODE, Mr. THORNBERRY, Ms. HART, Ms. GRANGER, Mr. CULBERSON, Mrs. NORTHUP, Mr. ENGLISH, Mr. HEFLEY, Mr. DOOLITTLE, Mrs. MYRICK, Mr. COMBEST, Mr. HOEKSTRA, Mr. TANCREDO, Mr. HUTCHINSON, Mr. GREEN of Wisconsin, Mr. RODRIGUEZ, Mr. ISTOOK, Mr. ROYCE, Mr. ISAKSON, Mr. COOKSEY, Mr. SCHAFFER, Mr. GOODLATTE, Mr. FLAKE, and Mr. TOOMEY):

H.R. 2373. A bill to provide for the periodic review of the efficiency and public need for Federal agencies, to establish a Commission for the purpose of reviewing the efficiency and public need of such agencies, and to provide for the abolishment of agencies for which a public need does not exist; to the Committee on Government Reform.

By Mr. CAMP:

H.R. 2374. A bill to amend the Internal Revenue Code of 1986 to treat certain motor vehicle dealer transitional assistance as an involuntary conversion, and for other purposes; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. GILCHREST, Mr. BOEHLERT, Mr. DINGELL, Mrs. JOHNSON of Connecticut, Mr. LARSEN of Washington, Mr. GEORGE MILLER of California, Mr. PETRI, Mr. THOMPSON of California, Mr. BONIOR, Mr. QUINN, Mr. HOYER, Mr. WALSH, Mr. DICKS, Mr. EHLERS, Mr. OBERSTAR, Mr. BASS, Mr. BAIRD, Mr. KOLBE, Ms. WOOLSEY, Mrs. TAUSCHER, Mr. KING, Mr. UDALL of Colorado, Mr. GILMAN, Mr. MCDERMOTT, Mr. HINCHEY, Mrs. ROUKEMA, Mr. MCNULTY, Mr. BORSKI, Mr. MCHUGH, Mr. ETHERIDGE, Mrs. MORELLA, Mr. FARR of California, Mr. PALLONE, Mr. STUPAK, Mr. DELAHUNT, Mr. OLVER, Mr. GREENWOOD, Mr. KILDEE, Mr. BALDACCI, Mr. BLUMENAUER, Mr. ALLEN, Mr. KUCINICH, Mr. KENNEDY of Rhode Island, Mr. LANGEVIN, Ms. BALDWIN, Mr. BARRETT, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Ms. MCCOLLUM, Mr. SMITH of Washington, Mr. INSLEE, Mr. LEWIS of Georgia, Mr. HOLT, Mr. WU, and Ms. HOOLEY of Oregon):

H.R. 2375. A bill to promote the conservation and preservation of working farms, ranches, and private forests; to the Committee on Agriculture.

By Mrs. CAPPS (for herself, Ms. HOOLEY of Oregon, Mr. DEFAZIO, Mr. THOMPSON of California, Mr. FARR of California, and Mr. WU):

H.R. 2376. A bill to expedite relief provided under the Magnuson-Stevens Fishery Conservation and Management Act for the commercial fishery failure in the Pacific Coast Groundfish Fishery, to improve fishery management and enforcement in that fishery, and for other purposes; to the Committee on Resources, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE (for himself, Mrs. MCCARTHY of New York, Mr. KIRK, Mr. MOORE, Mrs. TAUSCHER, Mr. SHAYS, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. BARRETT, Mr. BERMAN, Mr. BLUMENAUER, Mr. BORSKI, Mrs. CAPPS, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. COYNE, Mr. CROWLEY, Mrs. MORELLA, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. DOOLEY of California, Mr. ENGEL, Mr. FERGUSON, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. GUTIERREZ, Ms. HARMAN, Mr. HOEFFEL, Ms. HOOLEY of Oregon, Mr. SMITH of New Jersey, Mr. HORN, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mrs. JOHNSON of Connecticut, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. LIPINSKI, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MARKEY, Ms. MCCOLLUM, Mr. MEEHAN, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. PASTOR, Mr. PAYNE, Ms. RIVERS, Ms. SANCHEZ, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Mr. TIERNEY, Mr. TOWNS, Mrs. JONES of Ohio, Ms. VELAZQUEZ, Mr. WEXLER, Ms. WOOLSEY, and Mr. WYNN):

H.R. 2377. A bill to require criminal background checks on all firearms transactions occurring at events that provide a venue for the sale, offer for sale, transfer, or exchange of firearms, and to provide additional resources for gun crime enforcement; to the Committee on the Judiciary.

By Mr. CLEMENT (for himself, Mr. FROST, Ms. NORTON, Ms. HART, Mr. FRANK, Mr. BONIOR, Mr. MCNULTY, Mrs. THURMAN, Mr. GILLMOR, Mr. BALDACCI, Mr. HONDA, Mr. RANGEL, Mr. LATOURETTE, Mr. LANTOS, and Mr. PLATTS):

H.R. 2378. A bill to amend title II of the Social Security Act to increase the maximum amount of the lump-sum death benefit and to allow for payment of such a benefit, in the absence of an eligible surviving spouse or child, to the legal representative of the estate of the deceased individual; to the Committee on Ways and Means.

By Mr. CUMMINGS (for himself and Mr. DAVIS of Illinois):

H.R. 2379. A bill to amend title 5, United States Code, to ensure that the health benefits program for Federal employees covers screening for glaucoma; to the Committee on Government Reform.

By Mr. RUSH (for himself, Mr. TOWNS, Mr. WAXMAN, Mrs. CHRISTENSEN, Mr. HYDE, Mr. MANZULLO, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. PHELPS, Ms. SCHAKOWSKY, Mr. PALLONE, Ms. KAPTUR, Mr. BOEHLERT, Mr. ENGEL, Mr. BROWN of Ohio, Mrs. CAPPS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MILLENDER-MCDONALD, Mr. BISHOP, Mr. WYNN, Mr. UDALL of Colorado, Mr. HINCHEY, Mr. SANDERS, Mrs. CLAYTON, Mr. EVANS, Mr. NADLER, Mr. HOLDEN, Mr. BURR of North Carolina, Ms. ESHOO, Mr. BARRETT, Mr. KIRK, Ms. PRYCE of Ohio, Mr. GREENWOOD, Mr. STUPAK, Mrs. MALONEY of New York, Ms. WATSON, Ms. LOFGREN, Ms. DUNN, Ms. DELAURO, Ms. PELOSI, and Mrs. KELLY):

H.R. 2380. A bill to provide for research on, and services for individuals with, postpartum depression and psychosis; to the Committee on Energy and Commerce.

By Mr. DEAL of Georgia:

H.R. 2381. A bill to amend the Internal Revenue Code of 1986 to provide that distributions from an IRA for higher education expenses are exempt from the 10-percent early distribution tax even after annuitization of account; to the Committee on Ways and Means.

By Mr. DOYLE:

H.R. 2382. A bill to extend the deadline for commencement of construction of a hydroelectric project in Pennsylvania; to the Committee on Energy and Commerce.

By Ms. DUNN (for herself, Mr. MATSUI, Mr. TOM DAVIS of Virginia, Mr. DREIER, and Mr. WELLER):

H.R. 2383. A bill to amend the Internal Revenue Code of 1986 to increase and modify the exclusion relating to qualified small business stock and to provide that the exclusion relating to incentive stock options will no longer be a minimum tax preference; to the Committee on Ways and Means.

By Mr. GREEN of Texas:

H.R. 2384. A bill to amend the National Flood Insurance Act of 1968 to provide a 50 percent discount in flood insurance rates for the first 5 years that certain low-cost properties are included in flood hazard zones; to the Committee on Financial Services.

By Mr. HANSEN:

H.R. 2385. A bill to convey certain property to the city of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes; to the Committee on Resources.

By Mr. HANSEN (for himself, Mr. OTTER, Mr. YOUNG of Alaska, Mrs. CUBIN, Mr. PICKERING, Mr. HAYES, Mr. SIMPSON, Mr. RADANOVICH, Mr. CANNON, Mr. GIBBONS, Mr. PETERSON of Pennsylvania, Mr. REHBERG, and Mr. DUNCAN):

H.R. 2386. A bill to establish terms and conditions for use of certain Federal lands by outfitters and to facilitate public opportunities for the recreational use and enjoyment of such lands; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HARMAN (for herself, Mr. LEWIS of California, Mr. SHERMAN, Mr. GARY G. MILLER of California, Mr. GEPHARDT, Ms. ESHOO, Mr. ROHRABACHER, Ms. PELOSI, Mr. DREIER, Ms. WATERS, Mr. CUNNINGHAM, Ms. SOLIS, Mr. GRAVES, Mr. FILNER, Mr. THOMPSON of California, Mrs. CAPPS, Mr. CONDIT, and Ms. LOFGREN):

H.R. 2387. A bill to amend title 49, United States Code, to preserve nonstop air service to and from Ronald Reagan Washington National Airport for certain communities in cases of airline bankruptcy; to the Committee on Transportation and Infrastructure.

By Mr. HEFLEY:

H.R. 2388. A bill to establish the criteria and mechanism for the designation and support of national heritage areas; to the Committee on Resources.

By Mr. HERGER (for himself and Mr. WALDEN of Oregon):

H.R. 2389. A bill to provide for the compensation of persons of the Klamath Basin who were economically harmed as a result of the implementation of the Endangered Species Act of 1973; to the Committee on the Judiciary.

By Mr. HOSTETTLER (for himself, Mr. LARGENT, Mr. SCHAFFER, Mr. TIAHRT, Mr. DEMINT, Mr. BARTLETT of Maryland, and Mr. AKIN):

H.R. 2390. A bill to prohibit the District of Columbia from using any funds to issue, implement, administer, or enforce any order invalidating the policy of the Boy Scouts of America regarding the employment or voluntary service of homosexual troop leaders; to the Committee on Government Reform.

By Mr. HOSTETTLER (for himself and Mr. YOUNG of Alaska):

H.R. 2391. A bill to prohibit any Federal agency from issuing or enforcing certain rules that may be applied to restrict the transportation or possession of a firearm on a public Federal road; to the Committee on Resources.

By Mr. INSLEE (for himself, Mr. SHAYS, Mr. UDALL of Colorado, Mr. WAMP, Mr. BAIRD, Mr. ALLEN, Mr. OLVER, Mr. SMITH of Washington, and Mr. HOLT):

H.R. 2392. A bill to amend the Internal Revenue Code of 1986 to provide, expand, or extend tax incentives for renewable and alternative electric energy, alternative fuels and alternative fuel vehicles, energy efficiency and conservation, and demand management and distributive energy generation; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself and Mr. CROWLEY):

H.R. 2393. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for energy conservation expenditures in residences and for purchases of energy efficient appliances; to the Committee on Ways and Means.

By Mr. KUCINICH (for himself, Mr. BROWN of Ohio, Mr. LATOURETTE, and Mrs. JONES of Ohio):

H.R. 2394. A bill to amend the Defense Production Act of 1950 to establish the National Defense Preparedness Domestic Industrial Base Board, and for other purposes; to the Committee on Financial Services.

By Mr. LAFALCE:

H.R. 2395. A bill to provide grants for FHA-insured hospitals; to the Committee on Financial Services.

By Mrs. MALONEY of New York:

H.R. 2396. A bill to amend the Communications Act of 1934 to require candidates for election for Federal office who refer to other candidates in their television or radio advertisements to include personal statements or images in the advertisements as a condition for receiving the lowest unit charge available for advertisements broadcast immediately before the election; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York (for herself, Mr. TOM DAVIS of Virginia, Mr. WYNN, Mrs. MORELLA, Mr. HOYER, and Mr. MORAN of Virginia):

H.R. 2397. A bill to require the Office of Personnel Management to conduct a study to determine the approximate number of Federal employees and annuitants who are eligible to participate in the health benefits program under chapter 89 of title 5, United States Code, but who are covered neither by such program nor by any other health insurance, and for other purposes; to the Committee on Government Reform.

By Ms. MCCARTHY of Missouri (for herself and Mr. DREIER):

H.R. 2398. A bill to establish a grant program to provide assistance to States for modernizing and enhancing voting procedures and administration, and for other purposes; to the Committee on House Administration.

By Ms. MCCARTHY of Missouri (for herself and Mr. SHIMKUS):

H.R. 2399. A bill to require the General Services Administration to identify all potential electrical capacity at Federal facilities available from existing installed backup generators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCHUGH:

H.R. 2400. A bill to provide job creation and assistance, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, the Judiciary, Agriculture, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHUGH:

H.R. 2401. A bill to bridge the digital divide in rural areas; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHUGH:

H.R. 2402. A bill to provide for grants to assist value-added agricultural businesses, and to amend the Internal Revenue Code of 1986 to provide a tax credit for farmers' investments in value-added agriculture; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-MCDONALD (for herself and Mr. MANZULLO):

H.R. 2403. A bill to direct the head of each executive agency to conduct a study on the improvement of employment readiness in the respective agency; to the Committee on Government Reform.

By Mr. GEORGE MILLER of California (for himself, Mr. LANTOS, Ms. ESHOO, Ms, PELOSI, Mr. BACA, Mr. FILNER, and Ms. SANCHEZ):

H.R. 2404. A bill to authorize Federal agency participation and financial assistance for programs and for infrastructure improvements for the purposes of increasing deliverable water supplies, conserving water and energy, restoring ecosystems, and enhancing environmental quality in the State of California, and for other purposes; to the Committee on Resources.

By Mrs. MORELLA (for herself, Ms. ESHOO, Ms. PELOSI, Mr. GREENWOOD, Mr. GANSKE, Mrs. LOWEY, Mr. SAWYER, Ms. DEGETTE, Mr. UPTON, Mrs. THURMAN, Ms. SLAUGHTER, Mr. JACKSON of Illinois, Mr. WAXMAN, Ms. MILLENDER-MCDONALD, Mrs. MALONEY of New York, Ms. DELAURO, and Mr. GEORGE MILLER of California):

H.R. 2405. A bill to amend the Public Health Service Act with respect to facilitating the development of microbicides for preventing transmission of HIV and other sexually transmitted diseases; to the Committee on Energy and Commerce.

By Mr. NEAL of Massachusetts:

H.R. 2406. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of gain recognition through swap funds; to the Committee on Ways and Means.

By Mr. OBERSTAR:

H.R. 2407. A bill to amend the Public Buildings Act of 1959 to direct the Administrator of General Services to provide for the procurement of photovoltaic solar electric systems for use in public buildings, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. OSBORNE:

H.R. 2408. A bill to provide equitable compensation to the Yankton Sioux Tribe of South Dakota and the Santee Sioux Tribe of Nebraska for the loss of value of certain lands; to the Committee on Resources.

By Mr. OTTER (for himself and Mr. SIMPSON):

H.R. 2409. A bill to amend the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters, and species of fish that spawn in ocean waters and migrate to fresh waters; to the Committee on Resources.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, Mr. GRAHAM, Ms. HART, and Mr. TIAHRT):

H.R. 2410. A bill to amend the Internal Revenue Code of 1986 to allow the Hope Scholarship Credit to be used for elementary and secondary expenses; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, and Mr. TIAHRT):

H.R. 2411. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to professional school personnel in grades K–12; to the Committee on Ways and Means.

By Mr. RAHALL (for himself, Mr. YOUNG of Alaska, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. PALLONE, Mr. SMITH of Washington, Mr. UDALL of Colorado, Ms. MCCOLLUM, and Mr. KENNEDY of Rhode Island):

H.R. 2412. A bill to establish programs to improve energy development on Indian lands, and for other purposes; to the Committee on Resources, and in addition to the Committees on Energy and Commerce, Ways and Means, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RILEY (for himself, Mrs. TAUSCHER, Ms. MCKINNEY, Mr. KENNEDY of Rhode Island, Mr. FROST, Mr. MCGOVERN, Mr. EVANS, Mr. LANGEVIN, Mr. GIBBONS, Mr. SIMMONS, Mrs. JONES of Ohio, and Mr. FORBES):

H.R. 2413. A bill to amend title 10, United States Code, to establish a program of employment assistance, including employment-related tuition assistance, for military spouses; to the Committee on Armed Services.

By Mr. ROEMER (for himself, Mr. CLEMENT, Mr. GUTKNECHT, Mr. HILL, Mr. KIRK, Mr. LARGENT, Mrs. MCCARTHY of New York, Mr. MCHUGH, Mr. MOORE, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NETHERCUTT, Ms. RIVERS, Mr. SHOWS, Mr. SIMMONS, Mrs. THURMAN, and Mr. TURNER):

H.R. 2414. A bill to require any amounts appropriated for Members' Representational Allowances for the House of Representatives for a fiscal year that remain after all payments are made from such Allowances for the year to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt; to the Committee on House Administration.

By Mr. ROHRABACHER:

H.R. 2415. A bill to amend title 35, United States Code, to direct the Director of the Patent and Trademark Office to adjust fees charged by the Office so that the fees collected in any fiscal year will equal, to the greatest extent practicable, the amount appropriated to the Office for that fiscal year; to the Committee on the Judiciary.

By Mr. ROHRABACHER (for himself, Mrs. BONO, Ms. MCKINNEY, Mr. CALVERT, Mr. EVANS, Mr. WELDON of Florida, Mr. PAUL, Ms. HART, Mr. COX, Mr. HORN, Mr. CONDIT, Ms. KAPTUR, Mr. ROYCE, Mr. SOUDER, and Mr. SANDERS):

H.R. 2416. A bill to amend the Internal Revenue Code of 1986 to provide incentives for the ownership and control of corporations by employees; to the Committee on Ways and Means.

By Mr. SHIMKUS (for himself and Mr. MARKEY):

H.R. 2417. A bill to facilitate the creation of a new global top-level Internet domain that will be a haven for material that will promote positive experiences of children and families using the Internet, to provide a safe online environment for children, and to help prevent children from being exposed to harmful material on the Internet, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHIMKUS (for himself, Mr. RUSH, and Mr. LARGENT):

H.R. 2418. A bill to amend title X of the Energy Policy Act of 1992, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SIMMONS (for himself, Mrs. CHRISTENSEN, Mr. ABERCROMBIE, Mr. GRUCCI, Mr. ALLEN, Mr. BAIRD, Mr. JONES of North Carolina, Mr. FARR of California, Mr. GREEN of Wisconsin, and Mr. FRANK):

H.R. 2419. A bill to amend the Internal Revenue Code of 1986 to provide a business credit against income for the purchase of fishing safety equipment; to the Committee on Ways and Means.

By Mr. SOUDER (for himself, Mr. ENGLISH, Ms. MCKINNEY, Mrs. JONES of Ohio, Mrs. MINK of Hawaii, Mr. UNDERWOOD, Mr. ABERCROMBIE, and Mr. BALLENGER):

H.R. 2420. A bill to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes; to the Committee on Resources.

By Mr. STEARNS (for himself, Mr. TOWNS, Mr. BASS, Mr. DEAL of Georgia, and Mr. WALDEN of Oregon):

H.R. 2421. A bill to exercise authority under Article I, section 8, clause 3 of the Constitution of the United States to clearly establish jurisdictional boundaries over the commercial transactions of digital goods and services conducted through the Internet, and to foster stability and certainty over the treatment of such transactions; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STRICKLAND:

H.R. 2422. A bill to amend the Public Health Service Act to establish an Office of Correctional Health; to the Committee on Energy and Commerce.

By Mr. THUNE (for himself, Mr. GUTKNECHT, Mr. OSBORNE, and Mr. GANSKE):

H.R. 2423. A bill to provide for the energy security of the United States and promote environmental quality by enhancing the use of motor vehicle fuels from renewable sources, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TRAFICANT:

H.R. 2424. A bill to amend the Fair Labor Standards Act of 1938 to increase the Federal minimum wage by $1.62 over 3 years; to the Committee on Education and the Workforce.

By Mr. TRAFICANT:

H.R. 2425. A bill to authorize assistance to establish a water treatment plant in Tirana, Albania; to the Committee on International Relations.

By Mr. UDALL of Colorado (for himself and Mr. GREENWOOD):

H.R. 2426. A bill to encourage the development and integrated use by the public and private sectors of remote sensing and other geospatial information, and for other purposes; to the Committee on Science.

By Mr. UDALL of New Mexico (for himself, Mrs. MINK of Hawaii, Mr. BALDACCI, Mr. MEEKS of New York, Mr. MCGOVERN, and Ms. SOLIS):

H.R. 2427. A bill to provide emergency assistance for families receiving assistance under part A of title IV of the Social Security Act and low-income working families; to the Committee on Ways and Means.

By Mr. UNDERWOOD (for himself, Mr. ACEVEDO-VILA, and Mrs. CHRISTENSEN):

H.R. 2428. A bill to require that the Director of the Office of Management and Budget explain any omission of any insular area from treatment as part of the United States in statements issued by the Office of Management and Budget; to the Committee on Resources, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 2429. A bill to amend title 49, United States Code, to require the operator of Los Angeles International Airport to mail annual noise mitigation reports to residents in the area surrounding an airport; to the Committee on Transportation and Infrastructure.

By Ms. WATERS:

H.R. 2430. A bill to amend title 49, United States Code, to require air carriers to make contributions to communities impacted by noise from Los Angeles International Airport; to the Committee on Transportation and Infrastructure.

By Mr. WATKINS:

H.R. 2431. A bill to amend the Internal Revenue Code of 1986 to provide that certain amounts received by electric energy, gas, or steam utilities shall be excluded from gross income as contributions to capital; to the Committee on Ways and Means.

By Mr. BALLENGER (for himself and Mr. BURR of North Carolina):

H. Con. Res. 178. Concurrent resolution concerning persecution of Montagnard peoples in Vietnam; to the Committee on International Relations.

By Mr. DAVIS of Illinois (for himself, Mr. BILIRAKIS, Mr. CAPUANO, Mr. BONILLA, Mrs. JONES of Ohio, Mr. SHIMKUS, Mr. RAHALL, Mr. SERRANO, Mr. TOWNS, Ms. BALDWIN, Mr. LAFALCE, Mr. SCOTT, Ms. MCKINNEY, Mr. PETERSON of Pennsylvania, Mr. CUMMINGS, Mr. PAYNE, Mr. BLAGOJEVICH, Mr. FROST, Mr. LIPINSKI, Mr. WAXMAN, Mr. FILNER, Ms. ROYBAL-ALLARD, Mr. WATT of North Carolina, Ms. JACKSON-LEE of Texas, Mr. GOSS, Mr. MCNULTY, Ms. PRYCE of Ohio, Mr. WYNN, Mr. RUSH, Mrs. MEEK of Florida, Mr. FARR of California, Ms. NORTON, Mr. DINGELL, Mr. OWENS, Mr. HOEFFEL, Mr. REYES, Mr. JEFFERSON, Mrs. CHRISTENSEN, Mr. DEFAZIO, Mr. CRAMER, Mr. CLYBURN, Mr. PASTOR, Mr. DOOLEY of California, Mr. NORWOOD, Mr. RANGEL, Mr. GONZALEZ, Ms. BROWN of Florida, Mr. MENENDEZ, Mr. CONYERS, Mr. PICKERING, Mr. MCINTYRE, Mr. MEEKS of New York, Mr. BALDACCI, Mr. WHITFIELD, Mr. SANDLIN, Ms. SLAUGHTER, Mr. MASCARA, Mr. WALSH, Mr. MALONEY of Connecticut, Mr. BROWN of Ohio, Mr. PASCRELL, Mr. BASS, Mr. MCHUGH, Mr. WICKER, Mr. DICKS, Mr. BOYD, Mr. NADLER, Mr. RODRIGUEZ, Mr. WATTS of Oklahoma, Mr. STRICKLAND, Mr. OLVER, Mr. JACKSON of Illinois, Mr. MARKEY, Mr. BAIRD, Mr. PRICE of North Carolina, Mrs. MALONEY of New York, Mr.

TIERNEY, Mr. LANGEVIN, Ms. SANCHEZ, and Mr. SMITH of New Jersey):

H. Con. Res. 179. Concurrent resolution expressing the sense of Congress regarding the establishment of a National Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers; to the Committee on Government Reform.

By Mr. DELAHUNT (for himself, Mr. GILCHREST, Mr. GEORGE MILLER of California, and Mr. SMITH of New Jersey):

H. Con. Res. 180. Concurrent resolution expressing the sense of the Congress that the United States should reaffirm its opposition to any commercial and lethal scientific whaling and take significant and demonstrable actions, including at the International Whaling Commission and meetings of the Convention on International Trade in Endangered Species, to provide protection for and conservation of the world's whale populations to prevent trade in whale meat; to the Committee on International Relations.

By Mrs. EMERSON (for herself, Mrs. CLAYTON, Mr. SHOWS, Mr. MURTHA, Mr. FALEOMAVAEGA, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. GREEN of Wisconsin, Mr. GRAVES, Mr. HOLDEN, Mr. SKELTON, Mr. TOWNS, Mr. POMEROY, Mr. PASTOR, Mr. ENGLISH, Mr. PETERSON of Minnesota, Mrs. CHRISTENSEN, Mr. MCGOVERN, Mr. BEREUTER, Mr. STRICKLAND, Mr. HULSHOF, Mr. GIBBONS, Mr. UDALL of New Mexico, Mr. LUCAS of Oklahoma, Mr. BALDACCI, Mr. EVANS, and Mr. BLUNT):

H. Con. Res. 181. Concurrent resolution expressing the sense of the Congress regarding the need to protect post offices; to the Committee on Government Reform.

By Mr. RANGEL:

H. Con. Res. 182. Concurrent resolution expressing the sense of Congress that the United States Postal Service should issue a postage stamp commemorating Congressman Adam Clayton Powell, Jr.; to the Committee on Government Reform.

By Mr. FOLEY:

H. Res. 184. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. GALLEGLY:

H. Res. 185. A resolution supporting the implementation of the Good Friday Agreement as the framework for the peaceful settlement of the conflict in Northern Ireland; to the Committee on International Relations.

By Mr. GREEN of Texas (for himself, Mr. FROST, Mr. GONZALEZ, Mr. HALL of Texas, Mr. RODRIGUEZ, Mr. LAMPSON, Mr. HINOJOSA, Mr. BENTSEN, Mr. EDWARDS, Mr. ORTIZ, Mr. REYES, Mr. TURNER, Mr. STENHOLM, Mr. SANDLIN, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BACA, Ms. SOLIS, Mr. MENENDEZ, Mr. DOGGETT, Mr. BONILLA, and Mr. BRADY of Texas):

H. Res. 186. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a postage stamp commemorating Juan Nepomuceno Seguin; to the Committee on Government Reform.

¶69.44 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BEREUTER:

H.R. 2432. A bill for the relief of Richard W. Schaffert; to the Committee on the Judiciary.

By Mr. BONIOR:

H.R. 2433. A bill for the relief of Thair Bihnam, Christine Bihnam, Jamie Alan Bihnam, and Natash Bihnam; to the Committee on the Judiciary.

By Mr. PETRI:

H.R. 2434. A bill for the relief of Mohamed Abshir Musse; to the Committee on the Judiciary.

¶69.45 ADDITIONAL SPONSORS

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

H.R. 7: Mr. WOLF.
H.R. 12: Mr. KERNS.
H.R. 46: Ms. BALDWIN and Mrs. LOWEY.
H.R. 61: Mr. BROWN of Ohio and Mr. BONIOR.
H.R. 68: Ms. HOOLEY of Oregon, Mr. TRAFICANT, Mr. DUNCAN, Mr. CARSON of Oklahoma, Mr. LARGENT, Mr. ORTIZ, Mr. PETERSON of Minnesota, Mr. RYUN of Kansas, Mr. BRYANT, Mr. CANTOR, Mr. DEFAZIO, Mr. PHELPS, Mr. MASCARA, and Ms. ROS-LEHTINEN.
H.R. 97: Mr. OBERSTAR.
H.R. 122: Mr. TOOMEY, Mr. WAMP, Mr. KELLER, Mr. GRAHAM, Mr. SHIMKUS, Mr. BOUCHER, and Mr. HOBSON.
H.R. 123: Mr. LAHOOD, Mr. SOUDER, and Mr. WATKINS.
H.R. 218: Mr. LAHOOD.
H.R. 228: Mr. PASCRELL.
H.R. 236: Mr. FRELINGHUYSEN.
H.R. 267: Ms. KILPATRICK, Mr. HALL of Texas, and Mr. WELDON of Florida.
H.R. 274: Mrs. JONES of Ohio.
H.R. 280: Mrs. MYRICK.
H.R. 303: Mrs. JONES of Ohio.
H.R. 439: Mr. QUINN.
H.R. 448: Mr. LUCAS of Kentucky.
H.R. 510: Mr. RANGEL, Mr. PASCRELL, and Mr. KERNS.
H.R. 526: Mr. PHELPS.
H.R. 572: Mr. GILMAN.
H.R. 600: Mrs. NORTHUP, Mr. TOM DAVIS of Virginia, Mr. MATHESON, and Mr. HOLT.
H.R. 612: Ms. BERKLEY, Mr. MEEKS of New York, and Mr. LANGEVIN.
H.R. 619: Mr. BONIOR.
H.R. 664: Mr. HORN.
H.R. 668: Mr. LUTHER.
H.R. 687: Ms. WATERS.
H.R. 709: Mr. BONIOR, Mr. DAVIS of Illinois, and Mr. LANTOS.
H.R. 717: Mr. BROWN of South Carolina and Ms. BALDWIN.
H.R. 751: Mr. STUPAK.
H.R. 770: Mr. FORD.
H.R. 778: Mr. ANDREWS.
H.R. 781: Mr. LEWIS of Georgia, Mr. WU, Mr. MCINTYRE, and Mr. DOOLEY of California.
H.R. 786: Mr. BLUMENAUER.
H.R. 805: Mr. BRADY of Texas.
H.R. 822: Mr. LAHOOD and Mr. OXLEY.
H.R. 850: Mr. KENNEDY of Rhode Island.
H.R. 868: Mrs. MORELLA, Mr. HAYWORTH, Mr. MEEKS of New York, Mr. INSLEE, Mr. LAMPSON, and Mr. WYNN.
H.R. 876: Mr. LAMPSON, Mr. GUTKNECHT, and Mr. WAXMAN.
H.R. 898: Mr. LAHOOD.
H.R. 921: Mrs. NORTHUP, Mr. WELLER, Mr. CONYERS, and Ms. SANCHEZ.
H.R. 938: Mr. BROWN of Ohio.
H.R. 950: Mr. TRAFICANT.
H.R. 951: Mr. OLVER, Mr. MORAN of Virginia, Mr. SHAW, Mr. TIBERI, Mr. GOODLATTE, Mr. CLEMENT, Mr. KENNEDY of Minnesota, Mr. PALLONE, Mr. PAYNE, and Mr. INSLEE.
H.R. 967: Mr. RODRIGUEZ and Mr. BLAGOJEVICH.
H.R. 968: Mr. STUPAK, Ms. WOOLSEY, and Mr. BLUNT.
H.R. 969: Mr. TERRY.
H.R. 975: Mr. ISRAEL.
H.R. 981: Mr. HOSTETTLER.
H.R. 1007: Mr. MCNULTY, Mr. DOOLEY of California, Ms. LOFGREN, and Mr. ENGLISH.
H.R. 1021: Mr. WELDON of Florida and Mr. GILLMOR.
H.R. 1032: Ms. DELAURO.
H.R. 1038: Ms. WOOLSLEY.
H.R. 1076: Mr. NETHERCUTT, Mr. CLYBURN, Ms. WATSON, and Mr. WATT of North Carolina.
H.R. 1092: Mr. PASTOR.
H.R. 1097: Mr. SHERMAN, Mr. BRADY of Pennsylvania, Ms. BERKLEY, Mr. BARRETT, and Mrs. NAPOLITANO.
H.R. 1109: Mr. HUNTER, Mr. TAYLOR of North Carolina, Mr. TOM DAVIS of Virginia, Mr. TIAHRT, Mr. STENHOLM, and Mr. PENCE.
H.R. 1111: Mr. LEVIN, Mrs. CAPPS, and Mr. CONYERS.
H.R. 1118: Mr. LEE.
H.R. 1134: Mr. MOORE, Mr. NUSSLE, Mr. GOODLATTE, and Mr. RAHALL.
H.R. 1136: Mr. UDALL of Colorado.
H.R. 1143: Mr. ISRAEL.
H.R. 1152: Ms. BALDWIN and Mr. DEFAZIO.
H.R. 1161: Mr. SHERMAN.
H.R. 1164: Mr. BONIOR.
H.R. 1167: Mr. DEFAZIO, Mr. LAMPSON, Mr. PASTOR, Mr. BOUCHER, Mrs. MEEK of Florida, Mr. HUNTER, and Ms. DEGETTE.
H.R. 1168: Mr. WYNN, Mr. LAMPSON, Mr. PASTOR, Mr. BOUCHER, Mrs. MEEK of Florida, Mr. HUNTER, Mr. STUPAK, Mr. LANTOS, Mr. CLEMENT, and Ms. DEGETTE.
H.R. 1170: Mr. DELAHUNT.
H.R. 1172. Mr. PRICE of North Carolina, Mr. SPENCE, Mr. SOUDER, Mr. GILMAN, and Mr. BEREUTER.
H.R. 1177: Mr. HINCHEY.
H.R. 1179: Mr. NUSSLE.
H.R. 1185: Ms. NORTON.
H.R. 1192: Mr. BURR of North Carolina.
H.R. 1194: Mr. LATOURETTE and Ms. MCCOLLUM.
H.R. 1198: Mr. HALL of Texas, Mr. TAYLOR of Mississippi, Mr. WOLF, Mr. DINGELL, Mr. DIAZ-BALART, Mr. GORDON, and Mr. HALL of Ohio.
H.R. 1202: Mr. EHLERS, Mr. RILEY, Mr. NEAL of Massachusetts, and Ms. RIVERS.
H.R. 1213: Mr. ROGERS of Michigan, Ms. SOLIS, Ms. MCKINNEY, and Mr. BLUMENAUER.
H.R. 1214: Mr. ROGERS of Michigan, Mr. LUTHER, and Mr. BLUMENAUER.
H.R. 1238: Mr. LARSON of Connecticut.
H.R. 1256: Mr. THOMPSON of California, Mr. SCHIFF, and Mr. THOMPSON of Mississippi.
H.R. 1262: Mr. LANGEVIN.
H.R. 1268: Mr. SKEEN and Mr. MATSUI.
H.R. 1304: Mr. NEAL of Massachusetts.
H.R. 1305: Mr. BARTLETT of Maryland.
H.R. 1331: Mr. HILLIARD, Mr. KERNS, and Mr. PETERSON of Minnesota.
H.R. 1340: Mr. SANDLIN and Mr. TIAHRT.
H.R. 1354: Mr. SHERMAN, Mr. SAXTON, Mr. CLEMENT, Mr. FOSSELLA, Mr. PICKERING, and Mr. MENENDEZ.
H.R. 1377: Mrs. MYRICK, Mr. CULBERSON, Mr. TAUZIN, Mr. BALLENGER, Mr. WATKINS, Mr. PAUL, Ms. GRANGER, Mr. CHAMBLISS, Mr. RILEY, Mr. STEARNS, and Mr. TANCREDO.
H.R. 1412: Mr. THOMPSON of Mississippi, Ms. SCHAKOWSKY, Mr. MORAN of Virginia, Mr. BENTSEN, and Ms. GRANGER.
H.R. 1429: Mr. SCHIFF.
H.R. 1434: Mr. BACA.
H.R. 1436: Mrs. CAPITO, Mr. HALL of Ohio, Mr. CUMMINGS, Mr. ROSS, Mr. CONDIT, Mr. WU, Ms. VELAZQUEZ, Mr. WEINER, Mr. RAHALL, Mr. OSE, Mr. MEEHAN, Mr. CARSON of Oklahoma, Mr. BLAGOJEVICH, and Mr. WELLER.
H.R. 1455: Mr. HASTINGS of Washington.
H.R. 1458: Mr. GOODLATTE.
H.R. 1511: Mr. HINCHEY, Mr. MCGOVERN, Mr. KENNEDY of Rhode Island, and Mrs. TAUSCHER.
H.R. 1517: Mr. FRANK, Mr. FROST, Mr. GRAHAM, and Mr. CLEMENT.
H.R. 1524: Mr. PETERSON of Pennsylvania, and Mr. WELDON of Florida.
H.R. 1526: Mr. NUSSLE.

H.R. 1543: Mr. BONIOR and Mr. GOODLATTE.
H.R. 1556: Mr. DICKS, Mr. PALLONE, and Mr. MURTHA.
H.R. 1577: Mr. NADLER, Ms. WOOLSEY, Mr. RANGEL, Mr. THORNBERRY, Mr. LATOURETTE, Mrs. NORTHUP, Mr. LEACH, Mr. BURTON of Indiana, Mr. LUCAS of Oklahoma, Mr. DEMINT, Mr. BALLENGER, Mrs. EMERSON, Mr. CANTOR, Mr. PENCE, Mr. KERNS, and Mr. BRYANT.
H.R. 1581: Mr. GRAHAM and Mr. ARMEY.
H.R. 1591: Ms. LEE.
H.R. 1596: Mr. ISRAEL and Mr. STUMP.
H.R. 1598: Ms. WOOLSEY.
H.R. 1600: Mr. ISAKSON.
H.R. 1609: Mr. MURTHA.
H.R. 1613: Mr. LAMPSON.
H.R. 1624: Mr. TIBERI, Mr. BASS, Mr. BLAGOJEVICH, and Mr. STEARNS.
H.R. 1628: Mr. UDALL of New Mexico.
H.R. 1636: Mr. REHBERG.
H.R. 1644: Mr. MICA, Mr. ROEMER, and Mr. HAYWORTH.
H.R. 1657: Mr. OBERSTAR.
H.R. 1673: Mr. PASCRELL.
H.R. 1674: Mr. GANSKE.
H.R. 1685: Mr. GEORGE MILLER of California, Mr. ALLEN, and Ms. LEE.
H.R. 1693: Mr. PASCRELL.
H.R. 1701: Mr. OSBORNE, Mr. HULSHOF, Mr. CLYBURN, and Mr. SHERMAN.
H.R. 1704: Mr. COOKSEY and Mr. MILLER of Florida.
H.R. 1707: Ms. ROS-LEHTINEN.
H.R. 1731: Mr. JONES of North Carolina, Mr. LARGENT, Mr. OWENS, Mr. GREEN of Wisconsin, Mrs. JO ANN DAVIS of Virginia, Mr. NEY, Mr. HASTINGS of Washington, Mr. HOSTETTLER, Mr. GRAHAM, Mr. KELLER, Mr. VITTER, Mr. PENCE, and Mr. SENSENBRENNER.
H.R. 1733: Mr. FATTAH and Mr. SHERMAN.
H.R. 1744: Mr. STUPAK.
H.R. 1754: Mr. FOSSELLA and Ms. HOOLEY of Oregon.
H.R. 1759: Mr. KERNS.
H.R. 1764: Mr. RODRIGUEZ, Mr. PETERSON of Pennsylvania, Ms. HOOLEY of Oregon, Mr. WU, and Mr. DEFAZIO.
H.R. 1779: Mr. RANGEL and Mr. BARRETT.
H.R. 1780: Mr. HILLEARY.
H.R. 1795: Mr. HAYWORTH, Mr. BURTON of Indiana, and Mr. SHADEGG.
H.R. 1808: Mr. KING and Ms. WOOLSEY.
H.R. 1825: Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, and Mr. SABO.
H.R. 1832: Mr. BISHOP, Mr. MCHUGH, and Mr. OTTER.
H.R. 1835: Mr. MCHUGH and Mrs. MORELLA.
H.R. 1839: Mrs. JO ANN DAVIS of Virginia, Mr. WOLF, and Mr. DEFAZIO.
H.R. 1849: Ms. NORTON, Mr. HORN, and Ms. MCKINNEY.
H.R. 1861: Mr. SNYDER.
H.R. 1862: Mr. BLAGOJEVICH.
H.R. 1890: Mr. SOUDER, Mr. VITTER, Mr. KOLBE, Mr. SAM JOHNSON of Texas, Mr. LARGENT, and Mr. LINDER.
H.R. 1897: Mrs. LOWEY, Mr. KOLBE, Mr. WYNN, Ms. MCCARTHY of Missouri, Mr. CLEMENT, Mr. BROWN of Ohio, Mr. BRADY of Pennsylvania, and Mr. LAFALCE.
H.R. 1928: Mr. BLAGOJEVICH.
H.R. 1935: Mr. PLATTS, Mr. MURTHA, Mr. REYES, Mr. ORTIZ, and Mr. CLEMENT.
H.R. 1949: Mr. KOLBE.
H.R. 1950: Mr. ISTOOK.
H.R. 1968: Ms. SLAUGHTER and Mr. GEORGE MILLER of California.
H.R. 1979: Mr. MCCRERY, Mr. WELLER, and Mr. EVANS.
H.R. 1983: Mr. FROST, Mr. SIMMONS, Mr. ISRAEL, Mr. STEARNS, and Mr. UPTON.
H.R. 1984: Mr. DEAL of Georgia, Mr. HYDE, Mr. SOUDER, and Mr. GOODLATTE.
H.R. 1986: Mr. HILLEARY.
H.R. 1987: Mr. BLUNT and Mr. BOEHNER.
H.R. 1988: Mr. VISCLOSKY and Mr. KUCINICH.
H.R. 1990: Mrs. MORELLA, Ms. JACKSON-LEE of Texas, Mr. SCOTT, and Mr. WYNN.
H.R. 1992: Mr. UPTON, Mr. HINOJOSA, and Mr. GOODE.
H.R. 1997: Mr. BONIOR and Ms. LEE.
H.R. 2020: Mr. FILNER and Mr. STENHOLM.
H.R. 2023: Mrs. THURMAN, Mrs. JOHNSON of Connecticut, Mr. CLEMENT, Mr. CHAMBLISS, Mrs. EMERSON, Mr. SESSIONS, Mr. HOYER, Mr. OTTER, Mr. CRAMER, Mr. FORD, Mr. VITTER, Mr. BOEHNER, Mr. YOUNG of Alaska, Mr. REHBERG, Mr. TIBERI, Mr. TANCREDO, Mr. CAMP, Mr. BARTLETT of Maryland, Mr. CUNNINGHAM, and Mr. SHAW.
H.R. 2036: Mrs. EMERSON, Mr. WELDON of Pennsylvania, Mr. JACKSON of Illinois, Mr. LIPINSKI, and Mr. RANGEL.
H.R. 2039: Mr. BLAGOJEVICH.
H.R. 2040: Ms. HARMAN.
H.R. 2055: Mr. RYUN of Kansas and Mr. STEARNS.
H.R. 2073: Mr. GONZALEZ, Mr. CLEMENT, Ms. HOOLEY of Oregon, and Mr. MORAN of Virginia.
H.R. 2074: Ms. MCCOLLUM.
H.R. 2088: Mr. LARGENT.
H.R. 2095: Mr. FROST.
H.R. 2096: Mr. LAHOOD and Mr. GOODE.
H.R. 2102: Ms. WATERS.
H.R. 2111: Mr. KING, Mr. BOEHLERT, Mr. HORN, and Mr. WALSH.
H.R. 2113: Mr. EVANS and Mr. WELDON of Florida.
H.R. 2114: Mr. HOSTETTLER.
H.R. 2117: Mrs. MINK of Hawaii and Mr. TIBERI.
H.R. 2118: Mrs. JONES of Ohio and Ms. DELAURO.
H.R. 2125: Mr. DEAL of Georgia, Mr. SHIMKUS, Mr. RAHALL, and Mr. FORBES.
H.R. 2138: Ms. KILPATRICK.
H.R. 2145: Mrs. CHRISTENSEN and Mr. HASTINGS of Florida.
H.R. 2148: Mr. FILNER, Mr. LAFALCE, and Ms. MCKINNEY.
H.R. 2149: Ms. GRANGER, Mr. BACHUS, Mr. FORBES, Mr. EHLERS, and Mr. GRUCCI.
H.R. 2155: Mr. MCNULTY, Mr. MCHUGH, and Ms. HART.
H.R. 2157: Mr. DEFAZIO, Mr. BLAGOJEVICH, Mr. FROST, Mr. GIBBONS, Mr. BAKER, Mr. LAHOOD, Mr. SCHAFFER, Mr. YOUNG of Alaska, Mr. BYRANT, Mr. COOKSEY, Mrs. CUBIN, Mr. OSE, Mr. WALDEN of Oregon, and Mr. DEMINT.
H.R. 2160: Mr. HOEKSTRA and Mr. DEMINT.
H.R. 2163: Mr. SHIMKUS, Mr. WYNN, Mr. BONIOR, Mr. MCGOVERN, Mr. FROST, Mr. TRAFICANT, Ms. LOFGREN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WOOLSEY, and Mr. LANTOS.
H.R. 2166: Ms. VELAZQUEZ, Mr. JACKSON of Illinois, Mr. BARRETT, and Ms. WATERS.
H.R. 2167: Ms. DELAURO.
H.R. 2172: Mr. STARK.
H.R. 2173: Mr. GOODE.
H.R. 2181: Mr. MCDERMOTT and Mr. STUPAK.
H.R. 2182: Mr. MASCARA and Ms. HART.
H.R. 2185: Mr. OSE.
H.R. 2189: Mr. GOODE.
H.R. 2200: Mr. SENSENBRENNER.
H.R. 2203: Mrs. TAUSCHER, Mr. MCGOVERN, Ms. MCKINNEY, Mr. PASTOR, Mr. FALEOMAVAEGA, Mr. CLEMENT, and Mr. FROST.
H.R. 2211: Ms. MCCARTHY of Missouri and Mr. WAXMAN.
H.R. 2212: Mr. SESSIONS, Mr. KERNS, and Mr. HOBSON.
H.R. 2222: Mr. MCGOVERN, Ms. MCKINNEY, Mr. FROST, Mr. RANGEL, and Mrs. JONES of Ohio.
H.R. 2235: Mr. LAMPSON.
H.R. 2240: Mr. SHAW.
H.R. 2242: Mr. SENSENBRENNER.
H.R. 2246: Mr. LUCAS of Kentucky.
H.R. 2258: Mr. REYES.
H.R. 2281: Mr. JACKSON of Illinois.
H.R. 2291: Mr. LAFALCE, Mr. KLECZKA, Mr. PAYNE, Mr. RAHALL, Mr. BERMAN, and Mr. GILMAN.
H.R. 2294: Mr. BROWN of Ohio, Mr. MCNULTY, Ms. RIVERS, and Mr. BALDACCI.
H.R. 2308: Mr. LAFALCE.
H.R. 2310: Mr. MORAN of Virginia, Mr. BRADY of Pennsylvania, Mrs. MEEK of Florida, Mr. HINCHEY, Mrs. DAVIS of California, Mrs. THURMAN, Mr. RAHALL, Mr. ETHERIDGE, Mr. KENNEDY of Rhode Island, Mr. CLYBURN, Mr. RANGEL, Mr. MOLLOHAN, Mr. FATTAH, Mr. MCNULTY, Mr. MASCARA, Mr. FILNER, Mr. ANDREWS, Mr. OLVER, and Ms. MCCOLLUM.
H.R. 2315: Mr. KOLBE, Mr. LARGENT, Mr. TAYLOR of North Carolina, Mr. UPTON, Mr. COX, and Mr. WHITFIELD.
H.R. 2316: Mr. CRANE, Mr. RAMSTAD, Mr. HAYWORTH, Mr. HERGER, Mr. BRADY of Texas, Mr. SHAYS, Mr. CONDIT, Mr. ARMEY, Mrs. JOHNSON of Connecticut, Mr. KERNS, and Mr. THORNBERRY.
H.R. 2322: Mr. EHLERS.
H.R. 2329: Mr. PLATTS, Mr. SHAW, Mr. KIND, and Mr. SMITH of New Jersey.
H.R. 2335: Ms. KILPATRICK.
H.R. 2339: Mr. RAHALL, Mr. WAMP, and Mr. BRADY of Pennsylvania.
H.R. 2340: Mr. SERRANO.
H.R. 2341: Mr. RILEY.
H.J. Res. 20: Mr. ENGLISH and Mr. PENCE.
H. Con. Res. 17: Mrs. TAUSCHER and Mr. DEFAZIO.
H. Con. Res. 33: Mr. WELDON of Florida.
H. Con. Res. 77: Mr. EVANS, Mr. UNDERWOOD, Mr. ABERCROMBIE, Ms. MCKINNEY, Mr. CROWLEY, Mr. WU, Mr. ACKERMAN, Mr. SHERMAN, Mr. HONDA, Mr. FALEOMAVAEGA, Mr. KIRK, Mr. FILNER, Ms. PELOSI, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Ms. LOFGREN, Mrs. MINK of Hawaii, Ms. LEE, Mr. GILMAN, Mr. DOGGETT, Mr. MORAN of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MATSUI, Ms. SOLIS, and Mr. HILLIARD.
H. Con. Res. 89: Mr. NETHERCUTT and Mr. HERGER.
H. Con. Res. 97: Mr. ENGLISH and Mr. LEVIN.
H. Con. Res. 116: Mr. BLAGOJEVICH.
H. Con. Res. 128: Ms. ROS-LEHTINEN.
H. Con. Res. 144: Mr. DINGELL, Mr. STUPAK, Mr. COYNE, Mr. DAVIS of Illinois, Mr. PICKERING, Mr. ROGERS of Michigan, and Mr. MCHUGH.
H. Con. Res. 169: Mr. DICKS, Mrs. CHRISTENSEN, Ms. WATSON, Mr. GEPHARDT, Mr. LEVIN, Mr. JEFFERSON, Mr. WAXMAN, and Mr. RUSH.
H. Con. Res. 173: Mr. TIERNEY, Mr. LARSON of Connecticut, Ms. MCKINNEY, Mr. WAXMAN, Mr. CAPUANO, and Mrs. LOWEY.
H. Con. Res. 177: Mr. FARR of California, Mr. SANDERS, Mr. ACEVEDO-VILA, Mr. TIERNEY, Ms. WOOLSEY, Mr. FROST, Mr. EVANS, Ms. PELOSI, and Ms. EDDIE BERNICE JOHNSON of Texas.
H. Res. 65: Mr. KILDEE.
H. Res. 72: Mr. BLAGOJEVICH, Mr. MALONEY of Connecticut, Mr. FRANK, and Mr. FROST.
H. Res. 152: Ms. KILPATRICK and Mr. GOODE.
H. Res. 154: Mr. HINCHEY, Mr. COSTELLO, Mr. MEEKS of New York, Mr. FROST, Mr. GANSKE, Mr. KUCINICH, Mr. MANZULLO, Mr. FRANK, Ms. DEGETTE, Mr. BALDACCI, Mr. FILNER, Mr. BONIOR, Mr. HOLT, Mr. HALL of Ohio, Mr. BENTSEN, Mr. ABERCROMBIE, and Ms. LOFGREN.
H. Res. 181: Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. KENNEDY of Rhode Island, and Mr. PAYNE.

¶69.46 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1613: Mr. SIMMONS.
H.R. 2180: Mr. FERGUSON.

TUESDAY, JULY 10, 2001 (70)

¶70.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 2 o'clock p.m. by the SPEAKER pro tempore, Mr. SIMPSON, who laid before the House the following communication:

WASHINGTON, DC,
July 10, 2001.

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

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

¶70.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SIMPSON, announced he had examined and approved the Journal of the proceedings of Thursday, June 28, 2001.

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

¶70.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2743. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Cranberries Grown in the States of Massachusetts, et al.; Establishment of Marketable Quantity and Allotment Percentage; Reformulation of Sales Histories and Other Modifications Under the Cranberry Marketing Order [Docket Nos. FV01–929–2 FR and FV00–929–7 FR] received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2744. A communication from the President of the United States, transmitting the District of Columbia Fiscal Year 2002 Budget Request Act and Fiscal Year 2001 Supplemental Budget Request, pursuant to Public Law 105–33 section 11701(a)(1) (111 Stat. 780); (H. Doc. No. 107–94); to the Committee on Appropriations and ordered to be printed.

2745. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General James C. King, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2746. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Donald L. Peterson, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2747. A letter from the Under Secretary, Department of Defense, transmitting the Department's revisions to both the Fiscal Year (FY) 2001 and FY 02 Annual Materials Plan (AMP); to the Committee on Armed Services.

2748. A letter from the Secretary, Department of Defense, transmitting the Department's review of policy on payment of claims; to the Committee on Armed Services.

2749. A letter from the Assistant General Counsel, Department of the Treasury, transmitting the Department's final rule—Resolution Funding Corporation Operations (RIN: 1505–AA79) received June 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2750. A letter from the Assistant General, Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Mortgage Insurance Premiums in Multifamily Housing Programs [Docket No. FR–4679–I–01] (RIN: 2502–AH64) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2751. A letter from the Acting Deputy Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting the Federal Housing Administration's (FHA) Annual Management Report for Fiscal Year 2001, pursuant to 31 U.S.C. 9106; to the Committee on Financial Services.

2752. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a copy of the Corporation's Annual Report for calendar year 2000, pursuant to 12 U.S.C. 1827(a); to the Committee on Financial Services.

2753. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–B–7415] received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2754. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final—National Flood Insurance Program (NFIP); Clarification of Letter of Map Amendment Determinations (RIN: 3067–AD19) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2755. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final—Final Flood Elevation Determinations—received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2756. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Electronic Submission of Securities Transaction Information by Exchange Members, Brokers, and Dealers [Release No. 34–44494; File No. S7–12–00] (RIN: 3235–AH69) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2757. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

2758. A letter from the Deputy Assistant Secretary for Policy, Planning and Innovation, Department of Education, transmitting Final Regulations—Federal Family Education Loan Program and William D. Ford Federal Direct Loan Program, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2759. A letter from the Deputy Director, National Institute on Disability and Rehabilitation Research, Department of Education, transmitting Final Priority—Improving Vocational Rehabilitation Services for Individuals who are Blind or have Severe Visual Impairments and on Improving Vocational Rehabilitation Services for Individuals Who Are Deaf or Hard of Hearing, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2760. A letter from the Deputy Director National Institute on Disability and Rehabilitation Research, Department of Education, transmitting Final Priority—Strategies for Promoting Information Technology (IT)-based Educational Opportunities for Individuals with Disabilities, Strategies for Promoting Information Technology (IT)-based Employment and Training Opportunities for Individuals with Disabilities, and Wayfinding Technologies for Individuals Who Are Blind, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2761. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—American Indian and Alaska Native Education Research Grant Program—received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2762. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Federal Work-Study Programs, Federal Supplemental Educational Opportunity Grant Program, and Special Leveraging Educational Assistance Partnership Program—received June 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2763. A letter from the Chairperson, National Council on Disability, transmitting the Council's Report entitled, ''The Accessible Future''; to the Committee on Education and the Workforce.

2764. A letter from the Secretary, Department of Commerce, transmitting the third annual report mandated by the International Anti-Bribery and Fair Competition Act of 1998; to the Committee on Energy and Commerce.

2765. A letter from the Secretary, Department of Commerce, transmitting the Department's report on the effectiveness of delivery of electronic records to consumers using electronic mail as compared with the delivery of written records via the US Postal Service and private express mail services, pursuant to Section 105(a) of the Electronic Signatures in Global and National Commerce Act of 2000; to the Committee on Energy and Commerce.

2766. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—National Research Service Awards (RIN: 0925–AA16) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2767. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—State Child Health; Revisions to the Regulations Implementing the State Children's Health Insurance Program [HCFA–2006–IFC] (RIN: 0938–AL00) received June 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2768. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No. 00F–1482] received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2769. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for Colorado; Long-Term Strategy of State Implementation Plan for Class I Visibility Protection: Craig Station Requirements [CO–001–0055; FRL–7005–8] received June 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2770. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Houston/Galveston Ozone Nonattainment Area Vehicle Miles Traveled Offset Plan [TX 28–1–7382a; FRL–7008–3] received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2771. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen-

cy's final rule—Approval Of Section 112(I) Program of Delegation; Ohio [FRL–7009–6] received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2772. A letter from the Program Analyst, Federal Communications Commission, transmitting the Commission's ''Major'' final rule—Assessment and Collection of Regulatory Fees for Fiscal Year 2001 [MD Docket No. 01–76] received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2773. A letter from the Chairman and Secretary, Federal Trade Commission and Department of Commerce, transmitting a joint report entitled, ''Electronic Signatures in Global and National Commerce Act: The Consumer Consent Provision in Section 101(c)(1)(C)(ii)''; to the Committee on Energy and Commerce.

2774. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: Standardized NUHOMS –24P and –52B Revision (RIN: 3150–AG75) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2775. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 107–95); to the Committee on International Relations and ordered to be printed.

2776. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Sweden [Transmittal No. DTC 073–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2777. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Netherlands [Transmittal No. DTC 072–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2778. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 062–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2779. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective June 17, 2001, the Central African Republic has been designated as a 20% danger pay location, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

2780. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Solicitation for Proposals: To Promote the use of Market Based Mechanisms to Address Environmental Issues—received June 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2781. A letter from the Secretary, Department of Education, transmitting the twenty-fourth Semiannual Report to Congress on Audit Follow-Up, covering the period from October 1, 2000 to March 31, 2001 in compliance with the Inspector General Act Amendments of 1988, pursuant to 5 app; to the Committee on Government Reform.

2782. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2783. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2784. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2785. A letter from the Counsel to the Inspector General, General Services Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2786. A letter from the Counsel to the Inspector General, General Services Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2787. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the semiannual report on activities of the Inspector General for the period ending March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2788. A letter from the Acting Chairman, Postal Rate Commission, transmitting the FY 2000 annual report on International Mail Volumes, Costs, and Revenues; to the Committee on Government Reform.

2789. A letter from the Acting Associate Deputy Administrator for Management and Administration, Small Business Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2790. A letter from the General Counsel, U.S. Trade and Development Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2791. A letter from the Chairman, Federal Election Commission, transmitting a copy of the report entitled, ''Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office, 1999–2000,'' pursuant to 42 U.S.C. 1973gg–7; to the Committee on House Administration.

2792. A letter from the Public Printer, Government Printing Office, transmitting the Annual Report for Fiscal Year 2000; to the Committee on House Administration.

2793. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spruce-fir Moss Spider (RIN: 1018–AG38) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2794. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for Wintering Piping Plovers (RIN: 1018–AG13) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2795. A letter from the Deputy Assistant Attorney General, Department of Justice, transmitting the Department's final rule—Regulations under the DNA Analysis Backlog Elimination Act of 2000 [OAG 101I] (RIN: 1105–AA78) received June 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2796. A letter from the Acting Secretary, Federal Trade Commission, transmitting the Commission's report Regarding Merger Review Procedures, required by Public Law 106–533, section 630(c), 114 Stat. 2762 (2000); to the Committee on the Judiciary.

2797. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Fee for Services to Support FEMA's Offsite Radiological Emergency Preparedness Program (RIN: 3067–AC87) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2798. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Supplemental Property Acquisition and Elevation Assistance (RIN: 3067–AD06) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2799. A letter from the The President Of The United States, transmitting notification of his intention to add the Republic of Georgia to the list of beneficiary developing countries under the Generalized System of Preferences (GSP), pursuant to Public Law 104–188, section 1952(a)(110 Stat. 1917); (H. Doc. No. 107–96); to the Committee on Ways and Means and ordered to be printed.

2800. A letter from the Deputy Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Delegation of Authority [T.D. ATF–450] (RIN: 1512–AC19) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2801. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco, and Firearms, Department of the Treasury, transmitting the Department's final rule—Volatile Fruit-Flavor Concentrate Shipments and Alternation With Other Premises (2000R–290P) [T.D. ATF–455; Ref: Notice No. 823] (RIN: 1512–AB59) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2802. A letter from the Acting Director, Statutory Import Programs Staff, Department of Commerce, transmitting the Department's final rule—Changes in Procedures for Florence Agreement Program [Docket No. 000331091–0177–02] (RIN: 0625–AA47) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2803. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2001–39] received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2804. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Guidance on Implementation of Withholding and Reporting Regulations [Notice 2001–43] received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2805. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Removal of Federal Reserve Banks as Federal Depositaries [TD 8952] (RIN: 1545–AY10) received June 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2806. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Amendment of Qualified Plans for the Economic Growth and Tax Relief Reconciliation Act of 2001 [Notice 2001–42] received June 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2807. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Pension, Profit Sharing and Stock Bonus Plans [Rev. Rul. 2001–30] received June 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2808. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Nondiscrimination Requirements for Certain Defined Contribu-

tion Retirement Plans [TD 8954] (RIN: 1545–AY36) received June 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2809. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Notional Principal Contracts— received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2810. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Extension of Expiration Dates for Several Body System Listings (RIN: 0960–AF59) received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2811. A letter from the Assistant Secretary, Department of Defense, transmitting notification that the proposed plan for the U.S. Army Communications—Electronics Command (CECOM) Research, Development, and Engineering Community (RDEC), have been approved under authority of the National Defense Authority Acts for Fiscal Years 1995 and 2001; jointly to the Committees on Armed Services and Government Reform.

2812. A letter from the Board Members, Railroad Retirement Board, transmitting the Annual Report required by the Railroad Retirement Act of 1974 and Railroad Retirement Solvency Act of 1983, pursuant to 42 U.S.C. 231u(b)(1); jointly to the Committees on Transportation and Infrastructure and Ways and Means.

2813. A letter from the Secretary, Department of Health and Human Services, transmitting a draft bill entitled, ''Medicare Contracting Reform Amendments of 2001''; jointly to the Committees on Ways and Means and Energy and Commerce.

2814. A letter from the Board Members, Railroad Retirement Board, transmitting the 2001 annual report on the financial status of the railroad unemployment insurance system, pursuant to 45 U.S.C. 369; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

2815. A communication from the President of the United States, transmitting an account of Federal expenditures for climate change programs and activities; jointly to the Committees on Appropriations, International Relations, Science, Energy and Commerce, and Ways and Means.

2816. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2001, and for other purposes; jointly to the Committees on Armed Services, International Relations, Energy and Commerce, Education and the Workforce, Veterans' Affairs, the Judiciary, Transportation and Infrastructure, Resources, Government Reform, the Budget, and Ways and Means.

¶70.4 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House the following communication from Mr. SOUDER:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 3, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that my office has been served with a civil subpoena for documents issued by the Superior Court for Allen County, Indiana in a civil case pending there.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to advise the party who issued the subpoena that I have no documents that are responsive to the subpoena.

Sincerely,

MARK E. SOUDER,
Member of Congress.

¶70.5 FAITH-BASED ORGANIZATIONS

Mr. WHITFIELD moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 170):

Whereas America's community of faith has long played a leading role in dealing with difficult societal problems that might otherwise have gone unaddressed;

Whereas President Bush has called upon Americans ''to revive the spirit of citizenship . . . to marshal the compassion of our people to meet the continuing needs of our Nation'';

Whereas although the work of faith-based organizations should not be used by government as an excuse for backing away from its historic and rightful commitment to help those who are disadvantaged and in need, such organizations can and should be seen as a valuable partner with government in meeting societal challenges;

Whereas every day faith-based organizations in the United States help people recover from drug and alcohol addiction, provide food and shelter for the homeless, rehabilitate prison inmates so that they can break free from the cycle of recidivism, and teach people job skills that will allow them to move from poverty to productivity;

Whereas faith-based organizations are often more successful in dealing with difficult societal problems than government and non-sectarian organizations;

Whereas, as President Bush recently stated, ''It is not sufficient to praise charities and community groups; we must support them. And this is both a public obligation and a personal responsibility.'';

Whereas corporate foundations contribute billions of dollars each year to a variety of philanthropic causes;

Whereas according to a recent study produced by the Capital Research Center, the 10 largest corporate foundations in the United States contributed $1,900,000,000 to such causes;

Whereas according to the same study, faith-based organizations only receive a small fraction of the contributions made by corporations in the United States, and 6 of the 10 corporations that give the most to philanthropic causes explicitly ban or restrict contributions to faith-based organizations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) Congress calls on corporations in the United States, in the words of the President, ''to give more and to give better'' by making greater contributions to faith-based organizations that are on the front lines battling some of the great societal challenges of our day; and

(2) it is the sense of Congress that—

(A) corporations in the United States are important partners with government in efforts to overcome difficult societal problems; and

(B) no corporation in the United States should adopt policies that prohibit the corporation from contributing to an organization that is successfully advancing a philanthropic cause merely because such organization is faith based.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. WHITFIELD and Mr. EDWARDS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WHITFIELD demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶70.6 SUPPORT OF VICTIMS OF TORTURE

Ms. ROS-LEHTINEN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 168):

Whereas the people of the United States abhor the use of torture by any government or person;

Whereas the existence of torture creates a climate of fear and international insecurity that affects all people;

Whereas torture results in mental and physical damage to an individual that destroys the individual's personality and terrorizes society and the effects of torture can last a lifetime for the individual and can also affect future generations;

Whereas repressive governments often use torture as a weapon against democracy by eliminating the leadership of their opposition and frightening the general public;

Whereas more than 500,000 survivors of torture live in the United States;

Whereas torture has devastating effects on the victim which often require extensive medical and psychological treatment;

Whereas both the Torture Victims Relief Act of 1998 (Public Law 105–320) and the Torture Victims Relief Reauthorization Act of 1999 (Public Law 106–87) authorize funding for rehabilitation services for victims of torture so that these individuals may become productive and contributing members of their communities;

Whereas the United States played a leading role in the adoption of the Universal Declaration of Human Rights and has ratified the United Nations Convention Against Torture and Other Forms of Inhuman and Degrading Treatment or Punishment; and

Whereas June 26th of each year is the United Nations International Day in Support of Victims of Torture: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, on the occasion of the United Nations International Day in Support of Victims of Torture, Congress pays tribute to all victims of torture in the United States and around the world who are struggling to overcome the physical scars and psychological effects of torture.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Ms. ROS-LEHTINEN and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Ms. ROS-LEHTINEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶70.7 TROPICAL FOREST CONSERVATION

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 2131) to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. CHABOT and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004, and for other purposes.''.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶70.8 USE OF CAPITOL ROTUNDA FOR NAVAJO CODE TALKERS CONGRESSIONAL GOLD MEDAL CEREMONY

Mr. NEY moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 174):

Resolved by the House of Representatives (the Senate concurring), That the Rotunda of the Capitol is authorized to be used on July 26, 2001, for a ceremony to present Congressional Gold Medals to the original 29 Navajo Code Talkers. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. NEY and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. UDALL of New Mexico demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶70.9 RECESS—4 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock p.m., until approximately 6 o'clock p.m.

¶70.10 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, called the House to order.

¶70.11 H. CON. RES. 170 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to said concurrent resolution (H. Con. Res. 170) encouraging corporations to contribute to faith-based organizations.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 391; Nays ..... 17; Answered present 3 }

¶70.12 [Roll No. 211]

YEAS—391

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

NAYS—17

Baird
Conyers
DeGette
Dingell
Frank
Hinchey
Honda
Inslee
Jackson (IL)
Lofgren
McDermott
McKinney
Obey
Olver
Rivers
Schakowsky
Stark

ANSWERED ''PRESENT''—3

Allen
Snyder
Tierney

NOT VOTING—22

Cannon
Capuano
Carson (IN)
Coyne
Engel
Evans
Hulshof
Jackson-Lee (TX)
Kennedy (MN)
Larson (CT)
Lewis (CA)
Millender-McDonald
Miller, George
Paul
Riley
Scarborough
Taylor (MS)
Toomey
Waters
Watts (OK)
Wicker
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶70.13 H. CON. RES. 168—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to said concurrent resolution (H. Con. Res. 168) expressing the sense of Congress in support of victims of torture.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 409 / Nays ..... 0 }

¶70.14 [Roll No. 212]

YEAS—409

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

NOT VOTING—24

Cannon
Capuano
Carson (IN)
Cox
Coyne
Engel
Gekas
Hulshof
Jackson-Lee (TX)
Keller
Kennedy (MN)
Kennedy (RI)
Lewis (CA)
Millender-McDonald
Miller, George
Paul
Riley
Scarborough
Taylor (MS)
Toomey
Waters
Watts (OK)
Wicker
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶70.15 H. CON. RES. 174—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to said concurrent resolution (H. Con. Res. 174) authorizing the Rotunda of the Capitol to be used on July 26, 2001, for a ceremony to present Congressional Gold Medals to the 29 Navajo Code Talkers.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 409 / Nays ..... 0 }

¶70.16 [Roll No. 213]

YEAS—409

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

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

NOT VOTING—24

Cannon
Capuano
Carson (IN)
Coyne
Engel
Gutierrez
Hulshof
Jackson-Lee (TX)
Kennedy (MN)
Lantos
Lewis (CA)
Lucas (OK)
Millender-McDonald
Miller, George
Paul
Riley
Scarborough
Shimkus
Taylor (MS)
Toomey
Waters
Watts (OK)
Wicker
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶70.17 RECESS—9:45 P.M.

The SPEAKER pro tempore, Mr. FLAKE, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 45 minutes p.m., subject to the call of the Chair.

¶70.18 AFTER RECESS—9:49 P.M.

The SPEAKER pro tempore, Mr. FLAKE, called the House to order.

¶70.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. JACKSON-LEE, for today;

To Ms. MILLENDER-McDONALD, for today;

To Mr. PUTNAM, for June 25 and balance of the week;

To Mr. PAUL, for today and balance of the week;

To Mr. TOOMEY, for today;

To Mr. WATTS of Oklahoma, for today;

To Mr. WICKER, for today; and

To Mr. CANNON, for today.

And then,

¶70.20 ADJOURNMENT

On motion of Mr. GUTKNECHT, at 9 o'clock and 50 minutes p.m., the House adjourned.

¶70.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 271. A bill to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center (Rept. No. 107–122). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 695. A bill to establish the Oil Region National Heritage Area; with an amendment (Rept. No. 107–123). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1628. A bill to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail (Rept. No. 107–124). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2215. A bill to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes; with an amendment (Rept. No. 107–125). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2137. A bill to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure (Rept. No. 107–126). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1892. A bill to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked; with an amendment (Rept. No. 107–127). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 807. A bill for the relief of Rabon Lowry of Pembroke, North Carolina (Rept. No. 107–128). Referred to the private calendar and ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. S. 560. An act for the relief of Rita Mirembe Revell (a.k.a. Margaret Rita Mirembe) (Rept. No. 107–129). Referred to the private calendar and ordered to be printed.

Mr. HEFLEY: Committee on Standards of Official Conduct. In the Matter of Representative Earl F. Hilliard (Rept. No. 107–130). Referred to the House Calendar and ordered to be printed.

Mr. NEY: Committee on House Administration. H.R. 2356. A bill to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform (Rept. No. 107–131 Pt. 1); adversely.

Mr. NEY: Committee on House Administration. H.R. 2360. A bill to amend the Federal Election Campaign Act of 1971 to restrict the use of non-Federal funds by national political parties, to revise the limitations on the amount of certain contributions which may be made under such Act, to promote the availability of information on communications made with respect to campaigns for Federal elections, and for other purposes; with an amendment (Rept. No. 107–132). Referred to the Committee of the Whole House on the State of the Union.

¶70.22 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2356. Referral to the Committees on Energy and Commerce and the Judiciary extended for a period ending not later than July 10, 2001.

¶70.23 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Energy and Commerce and the Judiciary discharged from further consideration. H.R. 2356 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶70.24 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. TOM DAVIS of Virginia (for himself, Mr. MORAN of Virginia, Mr. ISAKSON, and Mr. SESSIONS):

H.R. 2435. A bill to encourage the secure disclosure and protected exchange of information about cyber security problems, solutions, test practices and test results, and related matters in connection with critical infrastructure protection; referred to the Committee on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANSEN (for himself, Mr. YOUNG of Alaska, Mr. TAUZIN, Mrs. CUBIN, Mr. THORNBERRY, Mr. OTTER, and Mr. CALVERT):

H.R. 2436. A bill to provide secure energy supplies for the people of the United States, and for other purposes; referred to the Committee on Resources, and in addition to the Committee on Energy and Commerce, for a

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

By Mr. SMITH of Michigan:

H.R. 2437. A bill to deem hospitals in Hillsdale County, Michigan, as being located in the Kalamazoo-Battle Creek, Michigan, Metropolitan Statistical Area for purposes of reimbursement under the Medicare Program; to the Committee on Ways and Means.

By Mr. BOEHLERT:

H.R. 2438. A bill to elevate the Environmental Protection Agency to Cabinet-level status and redesignate such agency as the Department of Environmental Protection; to the Committee on Government Reform.

By Mr. ROSS (for himself, Mr. BERRY, Mr. PICKERING, Mr. THOMPSON of Mississippi, Mr. SHOWS, Mr. FORD, Mr. SANDLIN, Mr. CARSON of Oklahoma, Mr. THOMPSON of California, Mr. TURNER, and Ms. HARMAN):

H.R. 2439. A bill to amend the Agricultural Marketing Act of 1946 to require retailers of farm-raised fish inform consumers, at the final point of sale to consumers, of the country of origin of the commodities; to the Committee on Agriculture.

By Mr. TOM DAVIS of Virginia:

H.R. 2440. A bill to rename Wolf Trap Farm Park as ''Wolf Trap National Park for the Performing Arts'', and for other purposes; to the Committee on Resources.

By Mr. BAKER:

H.R. 2441. A bill to amend the Public Health Service Act to redesignate a facility as the National Hansen's Disease Programs Center, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRUCCI:

H.R. 2442. A bill to provide veterans benefits to certain individuals who serve in the United States merchant marine during a period of war; to the Committee on Veterans' Affairs.

By Mr. LAMPSON:

H.R. 2443. A bill to promote the development of the United States space tourism industry, and for other purposes; referred to the Committee on Science, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MYRICK:

H.R. 2444. A bill to suspend temporarily the duty on 9,10–Anthracenedione,1,8-dihydroxy-4-[[4-(2-hydroxyethyl)phenyl]amino]-5-nitro-); to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2445. A bill to suspend temporarily the duty on Colbaltate(2-), [6-(amino-.kappa.N)-5-[[2-(hydroxy-.kappa.O)-4-nitrophenyl]a o-.kappa.N1]-N-methyl-2-naphthalenesulfonamidato(2-)][6-(ami o-.kappa.N)-5-[[2-(hydroxy-.kappa.O)-4-nitrophenyl]azo-.kapp.N1]-2-naphthal nesulfonato,(3-)]-, disodium; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2446. A bill to suspend temporarily the duty on Chromate(2-), [3-(hydroxy-.kappa.O)-4-[[2-(hydroxy-.kappa.O)-1-naphthaleny]azo-kappa.N2]-1-naphthalenesulfonato(3-)] [1-[[2-(hydroxy-.kappa.O)-5-[4-methoxyphenyl)azo]phenyl]azo- kappa.N2]-2-naphthalenolato(2-)-.kappa.O]-, disodium; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2447. A bill to suspend temporarily the duty on Benzenesulfonic acid,2,2'-[(1-methyl-1,2-ethanediyl)bis[imino(6-fluoro-1,3,5 triazine-4,2-diyl)imino[2-[(aminocarbonyl)amino]-4,1-phenyl n]azo]]bis[5-[(4-sulfophenyl)azo]-, sodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2448. A bill to suspend temporarily the duty on a mixture of 2-Naphthalenesulfonic acid, 6-amino-5-[[2-[(cyclohexylm ethylamino) sulfonyl]phenyl]azo]-4 -hydroxy-, monosodium salt, 2-Naphthalenesulfonic acid, 6-amino-5-[[4-chloro-2-(trifluoromethy)phenyl]azo]-4-hydroxy-, monosodium salt, and 2-Naphthalenesulfonic acid, 6-amino-4-hydroxy-5-[[2-(trifluoromethyl)phenyl]azo]-, monosodium salt; to the Committee on Ways and Means.

By Mr. NUSSLE:

H.R. 2449. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to primary health providers who establish practices in health professional shortage areas; to the Committee on Ways and Means.

By Mr. SCHIFF (for himself, Mr. TOM DAVIS of Virginia, Mr. STUPAK, Mr. SOUDER, Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Ms. MCKINNEY, and Ms. ROYBAL-ALLARD):

H.R. 2450. A bill to authorize grants for the construction of memorials to honor men and women of the United States who were killed or disabled while serving as law enforcement or public safety officers; to the Committee on Resources.

By Mr. SHAYS (for himself, Mrs. LOWEY, Mr. ROTHMAN, Mr. LIPINSKI, and Mr. PASCRELL):

H.R. 2451. A bill to require recreational camps to report information concerning deaths and certain injuries and illnesses to the Secretary of Health and Human Services, to direct the Secretary to collect the information in a central data system, to establish a President's Advisory Council on Recreational Camps, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SIMMONS (for himself and Mr. NEAL of Massachusetts):

H.R. 2452. A bill to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to provide for implementation of the management plan for the Corridor to protect resources critical to maintaining and interpreting the distinctive character of the Quinebaug and Shetucket Rivers Valley National Heritage Corridor; to the Committee on Resources.

By Mr. UPTON (for himself, Mr. MORAN of Virginia, Mr. GREENWOOD, Mr. ROEMER, Mr. BROWN of Ohio, Mrs. ROUKEMA, and Mr. ROHRABACHER):

H.R. 2453. A bill to amend the Foreign Assistance Act of 1961 to improve injection safety in immunization and other disease control programs administered under that Act; to the Committee on International Relations.

By Ms. WATSON:

H.R. 2454. A bill to redesignate the facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California, as the ''Congressman Julian C. Dixon Post Office Building''; to the Committee on Government Reform.

By Mr. TOM DAVIS of Virginia (for himself, Mr. SMITH of Michigan, Mrs. MORELLA, Mr. SCHAFFER, Mr. MCGOVERN, Mr. PETERSON of Minnesota, and Mr. MORAN of Virginia):

H. Con. Res. 183. A concurrent resolution expressing the sense of Congress regarding the United States Congressional Philharmonic Society and its mission of promoting musical excellence throughout the educational system and encouraging people of all ages to commit to the love and expression of musical performance; to the Committee on Education and the Workforce.

By Mr. DELAY (for himself, Mr. HALL of Ohio, Mr. LEWIS of Georgia, Mr. WOLF, Mr. BLUNT, Mr. BISHOP, Mr. SOUDER, Mr. TURNER, Mr. SHOWS, Mr. PITTS, Mr. PETERSON of Minnesota, Mr. HOSTETTLER, Mr. TANCREDO, Mr. MCINTYRE, and Mr. PICKERING):

H. Con. Res. 184. A concurrent resolution providing for a National Day of Reconciliation; to the Committee on House Administration.

¶70.25 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

123. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 403 memorializing the United States Congress to pass legislation reforming the Federal Freedom to Farm law and the sugar support program to correct the current inequities; to the Committee on Agriculture.

124. Also,a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 11 memorializing the United States Congress to call for a repudiation of the agreement reached last year to allow the Navy to resume firing training on the island of Vieques; to the Committee on Armed Services.

125. Also,a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 140 memorializing the United States Congress to study the feasibility of insurance coverage for loss, damage, or diminution in value to property caused by drought; to the Committee on Financial Services.

126. Also,a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 214 memorializing the United States Congress to to fully fund its obligations under the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

127. Also,a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 385 memorializing the United States Congress to ensure ethanol and biodiesel are included as part of any lasting energy policy; to the Committee on Energy and Commerce.

128. Also,a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 405 memorializing the United States Congress and the Environmental Protection Agency to increase Illinois' nitrogen oxide emission allowances budget; to the Committee on Energy and Commerce.

129. Also,a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 92 memorializing the United States Congress to offer condolences to the people of the State of Israel and especially to the families of those victims who suffered losses in the terrorist attack of June 1, 2001, in Tel Aviv; Strongly condemn that attack and any use of terrorism in order to achieve political gains or for any other reason; and, Reaffirm the desire of the people of the United States to assist the parties in their efforts to achieve a full and lasting peace; to the Committee on International Relations.

130. Also,a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 76 memorializing the United States Congress to direct the Minerals Management Service of the United States Department of the Interior to develop a plan for impact mitigation relative to the Outer Continental Shelf oil and gas lease sales in the Gulf of Mexico; to the Committee on Resources.

131. Also,a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 50 memorializing the United States Congress to express its desire to the National Marine Fisheries Service that the

pending charter boat moratorium in the Gulf of Mexico not be implemented; to the Committee on Resources.

132. Also,a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 230 memorializing the United States Congress to make the $1.5 billion of Federal moneys already earmarked for abandoned mine land reclamation available to states to clean up and make safe abandoned mine lands; to the Committee on Resources.

133. Also,a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 93 memorializing the United States Congress to ratify the Southern Dairy Compact; to the Committee on the Judiciary.

134. Also,a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 75 memorializing the United States Congress to repeal mandatory minimum sentences; to the Committee on the Judiciary.

135. Also,a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 370 memorializing the United States Congress to support reform of our Federal immigration laws to allow the many hard working immigrants in Illinois to work towards becoming citizens through a legalization program; to the Committee on the Judiciary.

136. Also,a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 340 memorializing the United States Congress to initiate an investigation of possible collusion among petroleum companies resulting in rapid unexplained price increases in motor fuel throughout the Midwest; to the Committee on the Judiciary.

137. Also,a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 86 memorializing the United States Congress to support, with funding, the expeditious implementation of the proposed Maurepas Swamp diversion from the Mississippi River; to the Committee on Transportation and Infrastructure.

138. Also,a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 24 memorializing the United States Congress to urge the United States Army Corps of Engineers to replace the proposed St. Claude Avenue Bridge and the Claiborne Avenue Bridge in Orleans Parish with tunnels or fixed high-rise bridges in conjunction with a project to replace the Inner Harbor Navigation Canal lock; to the Committee on Transportation and Infrastructure.

139. Also,a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 124 memorializing the United States Congress to enact legislation to provide for government-furnished markers for the graves of all veterans; to the Committee on Veterans' Affairs.

140. Also,a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 36 memorializing the United States Congress to take certain actions to increase efforts to halt the illegal dumping of foreign steel in this country; to the Committee on Ways and Means.

141. Also,a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 238 memorializing the United States Congress to fully fund and deploy as soon as technologically possible an effective, affordable global missile defense system, including a sea-based system to intercept theater and long-range missiles, space-based sensors and ground-based interceptors and radar, to protect all Americans, United States troops stationed abroad and our nation's allies from ballistic missile attack; jointly to the Committees on Armed Services and International Relations.

142. Also,a memorial of the Legislature of the State of Maine, relative to Joint Resolution No. 651 memorializing the United States Congress to support significant reforms to our nations voting system; jointly to the Committees on House Administration and the Judiciary.

143. Also,a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 167 memorializing the United States Congress to fully fund the Estuary Restoration Act of 2000; jointly to the Committees on Transportation and Infrastructure and Resources.

144. Also,a memorial of the House of Representatives of the State of Missouri, relative to House Concurrent Resolution No. 14 memorializing the United States Congress to support the Railroad Retirement and Survivors Improvement Act introduced in the 107th Congress; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

145. Also,a memorial of the Senate of the State of Missouri, relative to Senate Concurrent Resolution No. 10 memorializing the United States Congress to support the Railroad Retirement and Survivors Improvement Act introduced in the 107th Congress; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

146. Also,a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 137 memorializing the United States Congress to enact the Steel Revitalization Act of 2001; jointly to the Committees on Financial Services, Education and the Workforce, and Ways and Means.

147. Also,a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 129 memorializing the United States Congress to fully implement the Gulf Hypoxia Action Plan in cooperation with the Gulf of Mexico/Mississippi River Watershed Nutrient Task Force; jointly to the Committees on Science, Resources, and Transportation and Infrastructure.

¶70.26 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. QUINN introduced a bill (H.R. 2455) to authorize the Secretary of Transportation to convey the vessel U.S.S. *Sphinx* to the Dunkirk Historical Lighthouse and Veterans Park Museum for use as a military museum; which was referred to the Committee on Armed Services.

¶70.27 ADDITIONAL SPONSORS

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

H.R. 17: Ms. BROWN of Florida, and Ms. JACKSON-LEE of Texas.
H.R. 31: Mr. CULBERSON.
H.R. 35: Mr. GREEN of Wisconsin.
H.R. 64: Mr. FATTAH and Mr. SHUSTER.
H.R. 65: Mr. BERRY.
H.R. 91: Ms. ROYBAL-ALLARD, Mr. HORN, Mr. CUNNINGHAM, Mr. FILNER, Ms. MCKINNEY and Mr. MURTHA.
H.R. 147: Mr. BRADY of Pennsylvania, Ms. MCKINNEY, Mr. CUMMINGS, Mrs. MEEK of Florida, and Mr. RAHALL.
H.R. 162: Mr. KIRK..
H.R. 175: Mr. LARGENT.
H.R. 183: Mr. WATT of North Carolina and Mr. ABERCROMBIE.
H.R. 236: Mr. NUSSLE.
H.R. 239: Mr. PASCRELL, Mr. MARKEY, and Ms. JACKSON-LEE of Texas.
H.R. 257: Mr. LATHAM and Mr. BURTON of Indiana.
H.R. 267: Ms. HARMAN, Mr. TIAHRT, Mr. NUSSLE, and Ms. WATSON.
H.R. 269: Mr. BAIRD.
H.R. 281: Mr. TOM DAVIS of Virginia.
H.R. 303: Mr. SMITH of Michigan.
H.R. 335: Mr. NUSSLE.
H.R. 389: Ms. LEE.
H.R. 415: Mr. BACA.
H.R. 425: Mr. RANGEL.
H.R. 439: Ms. MCKINNEY, Ms. ROYBAL-ALLARD, and Mr. WU.
H.R. 440: Mr. INSLEE and Mr. GEORGE MILLER of California.
H.R. 443: Mr. BAIRD.
H.R. 448: Mr. WAMP.
H.R. 471: Mrs. JONES of Ohio, Mr. FROST, Ms. MCKINNEY, and Mr. WALSH.
H.R. 500: Mr. ANDREWS.
H.R. 506: Mr. HILLIARD.
H.R. 536: Mr. BOSWELL, Mr. ISRAEL, Mrs. TAUSCHER, and Mr. BAKER.
H.R. 537: Mr. REYES.
H.R. 548: Mr. LEWIS of Kentucky, Ms. BALDWIN, Mr. GOODLATTE, Mrs. CLAYTON, Mrs. KELLY, Mr. CLYBURN, Ms. DELAURO, Mr. EHRLICH, Mr. BISHOP, Mr. UDALL of Colorado, Mr. LAMPSON, Mr. HALL of Texas, Mr. BERRY, Ms. BERKLEY, and Mr. LANGEVIN.
H.R. 595: Mr. NETHERCUTT.
H.R. 599: Mr. GUTIERREZ.
H.R. 632: Mr. SMITH of New Jersey.
H.R. 663: Mr. EHRLICH and Ms. ROYBAL-ALLARD.
H.R. 664: Mr. DOOLITTLE.
H.R. 677: Mrs. THURMAN, Mr. POMBO, Mr. MCGOVERN, and Mr. FILNER.
H.R. 687: Ms. ESHOO.
H.R. 701: Mr. PAYNE, Mr. HASTINGS of Florida, Mr. ROTHMAN, Mr. SPENCE, Mr. GALLEGLY, Mr. PORTMAN, Mr. ISRAEL, Mr. DAVIS of Illinois, Mr. MATSUI, Mr. HILL, Mr. BACA, and Ms. SLAUGHTER.
H.R. 702: Mr. BLUMENAUER.
H.R. 703: Mr. LEWIS of Georgia and Mr. RANGEL.
H.R. 781: Mr. CARDIN, Mr. BERRY, Mr. BISHOP, Mr. CLYBURN, Mr. FORD, Mr. OWENS, Mr. PHELPS, Mr. SAWYER, Mr. SNYDER, Mr. HILLIARD, Mr. ISRAEL, and Mr. WEINER.
H.R. 782: Mr. KUCINICH and Ms. HARMAN.
H.R. 794: Mr. BACA.
H.R. 817: Mr. SHOWS and Mr. BUYER.
H.R. 827: Mr. MCINTYRE and Mr. REYES.
H.R. 848: Mr. BERMAN, Mr. DEFAZIO, Mr. WATKINS, Mr. HILLIARD, Mr. HEFLEY, Ms. MCKINNEY, and Mr. DAVIS of Illinois.
H.R. 854: Ms. WATERS, Mr. LEWIS of California, and Ms. SOLIS.
H.R. 866: Mr. HYDE.
H.R. 932: Mr. GUTIERREZ.
H.R. 937: Mr. KENNEDY of Minnesota.
H.R. 952: Mr. RAHALL and Mr. CROWLEY.
H.R. 964: Ms. PELOSI.
H.R. 978: Mr. HINCHEY.
H.R. 1004: Mrs. JONES of Ohio.
H.R. 1011: Mr. FORD and Mr. PICKERING.
H.R. 1070: Mr. CROWLEY, Mr. HOEKSTRA, Ms. KILPATRICK, Mr. ROGERS of Michigan, Ms. KAPTUR, Mr. DINGELL, Mr. KILDEE, Mrs. JONES of Ohio, Mr. PASCRELL, and Mr. LATOURETTE.
H.R. 1090: Ms. KILPATRICK, Mr. BAKER, Mr. FRANK, Mr. SMITH of Washington, Mr. GUTIERREZ, Mr. FILNER, and Mr. DEFAZIO.
H.R. 1109: Mr. STUMP, Mr. BRADY of Texas, Mr. PORTMAN, Mr. TIBERI, and Mr. BILIRAKIS.
H.R. 1110: Mr. CUMMINGS, Mr. SAWYER, Mr. BARR of Georgia, Mr. UPTON, and Mr. PICKERING.
H.R. 1112: Mr. CAPUANO, Mr. FILNER, and Mr. TIERNEY.
H.R. 1129: Mr. GUTIERREZ.
H.R. 1143: Mr. CAPUANO and Mr. MATSUI.
H.R. 1150: Mr. GREEN of Wisconsin.
H.R. 1162: Mr. GUTIERREZ.
H.R. 1170: Mr. BORSKI, Mr. ALLEN, Mrs. MALONEY of New York, Mr. DINGELL, Ms.

RIVERS, Mrs. TAUSCHER, Mr. UDALL of New Mexico, and Mr. HOYER.

H.R. 1177: Mr. BENTSEN.

H.R. 1191: Mr. MCNULTY.

H.R. 1192: Mr. BAIRD.

H.R. 1198: Mr. MATHESON, Mr. TAUZIN, Mr. TRAFICANT, Mr. GEORGE MILLER of California, Mr. CRENSHAW, Mr. TURNER, Mr. LATHAM, Mr. PETERSON of Pennsylvania, Mr. KING, Ms. DUNN, and Mr. VISCLOSKY.

H.R. 1254: Mrs. CHRISTENSEN, Ms. HOOLEY of Oregon, and Mr. FARR of California.

H.R. 1266: Ms. PELOSI and Mr. VISCLOSKY.

H.R. 1276: Ms. ROYBAL-ALLARD.

H.R. 1293: Mr. STUPAK, Mr. SHIMKUS, and Mr. ALLEN.,

H.R. 1305: Mr. TAYLOR of North Carolina and Mr. REYES.

H.R. 1330: Ms. LEE.

H.R. 1338: Mr. CAPUANO.

H.R. 1348: Mr. BOSWELL.

H.R. 1354: Mr. CAPUANO, Mr. NEAL of Massachusetts, and Mr. HASTINGS of Florida.

H.R. 1360: Mr. ALLEN.

H.R. 1367: Mr. MCGOVERN.

H.R. 1371: Ms. PELOSI.

H.R. 1377: Mr. PRICE of North Carolina, Mr. NETHERCUTT, Mr. WOLF, Mr. PENCE, Mr. RAMSTAD, Mr. LUCAS of Oklahoma, Mr. PICKERING, Mr. ROHRABACHER, and Mrs. ROUKEMA.

H.R. 1382: Mr. MCDERMOTT and Mr. THOMPSON of California.

H.R. 1388: Mr. SOUDER, Mr. COOKSEY, Mr. GREENWOOD, and Mr. HOEFFEL.

H.R. 1431: Mr. GREENWOOD and Mr. MCGOVERN.

H.R. 1452: Mrs. JONES of Ohio.

H.R. 1464: Mr. WATT of North Carolina.

H.R. 1465: Ms. PELOSI, Mr. SCHIFF, and Mr. MCDERMOTT.

H.R. 1485: Mrs. JO ANN DAVIS of Virginia, Mr. SMITH of New Jersey, Mr. FROST, and Ms. JACKSON-LEE of Texas.

H.R. 1486: Ms. ESHOO.

H.R. 1487: Mr. MOORE and Mr. SHAYS.

H.R. 1488: Mr. MANZULLO.

H.R. 1520: Mr. MCGOVERN, Mr. MCDERMOTT, Ms. NORTON, Mr. BISHOP, Mr. WATT of North Carolina, and Ms. WATSON.

H.R. 1522: Mr. DAVIS of Illinois.

H.R. 1553: Mr. WU, Mr. GORDON, Ms. HARMAN, Mr. BOUCHER, Mr. PENCE, and Mr. UPTON.

H.R. 1556: Mr. PETERSON of Minnesota, Mr. LARSON of Connecticut, Mr. RUSH, Mr. BORSKI, Mr. FORD, Mr. COSTELLO, Mr. SHIMKUS, Mrs. NAPOLITANO, and Mr. FILNER.

H.R. 1581: Mr. WHITFIELD.

H.R. 1582: Mr. FILNER, Mr. FARR of California, Mr. MCGOVERN, Ms. SCHAKOWSKY, Ms. BROWN of Florida, Mr. FRANK, Mrs. MINK of Hawaii, Ms. MCKINNEY, and Mr. CLAY.

H.R. 1592: Mr. DOOLITTLE.

H.R. 1609: Mr. JONES of North Carolina, Mr. COSTELLO, Mr. HINOJOSA, Mr. BORSKI, Mr. SHIMKUS, and Mr. EVANS.

H.R. 1644: Mr. THUNE.

H.R. 1672: Mr. BACA and Ms. SCHAKOWSKY.

H.R. 1673: Mr. BALDACCI, Ms. MCKINNEY, and Ms. CARSON of Indiana.

H.R. 1674: Mr. WATKINS, Mr. LATHAM, Mr. WEXLER, Mr. PASCRELL, Mr. BOEHLERT, Mr. MALONEY of Connecticut, Mr. LEACH, Mr. CUNNINGHAM, Mr. HUTCHINSON, and Mr. BURTON of Indiana.

H.R. 1694: Mr. HEFLEY and Ms. HART.

H.R. 1700: Mr. GEORGE MILLER of California, Mr. TIAHRT, and Ms. ROYBAL-ALLARD.

H.R. 1701: Mr. REYES, Mr. SHAYS, Mr. MEEKS of New York, Mr. NEY, and Mr. CARSON of Oklahoma.

H.R. 1718: Ms. WATSON, Mr. BRADY of Pennsylvania, Mr. CLEMENT, Mr. CROWLEY, Mr. DOGGETT, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. BACA, Mr. GREEN of Texas, Mr. WYNN, Mr. HINCHEY, Mr. MALONEY of Connecticut, Mr. GONZALEZ, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. MARKEY, Mr. BECERRA, Mr. STRICKLAND, Mrs. TAUSCHER, Mr. POMEROY, Mrs. MCCARTHY of New York, Mr. FOLEY, Mr. SCOTT, Mr. ROSS, Mr. REYES, and Mrs. JONES of Ohio.

H.R. 1726: Mr. BONIOR, Ms. MCKINNEY, Mrs. CLAYTON, Mr. MEEKS of New York, Mr. TOWNS, Mr. JACKSON of Illinois, Mrs. CHRISTENSEN, and Mr. HASTINGS of Florida.

H.R. 1733: Mr. BRADY of Pennsylvania, Mr. OLVER, and Mr. RUSH.

H.R. 1744: Mr. FROST, Mr. FRANK, and Mr. HUTCHINSON.

H.R. 1750: Mr. MCDERMOTT and Mr. FROST.

H.R. 1751: Mr. MCDERMOTT and Mr. FROST.

H.R. 1759: Mr. KINGSTON, Mr. SCHIFF, Mr. RANGEL, and Mr. SMITH of Washington.

H.R. 1770: Mr. TAYLOR of North Carolina and Mr. SESSIONS.

H.R. 1773: Mr. PETERSON of Pennsylvania and Mr. GREEN of Wisconsin.

H.R. 1790: Mr. MCHUGH.

H.R. 1795: Mr. SHAYS, Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, Ms. HARMAN, and Mr. FROST.

H.R. 1810: Mr. RUSH, Ms. JACKSON-LEE of Texas, Ms. LOFGREN, Mr. WEXLER, and Mr. FILNER.

H.R. 1822: Mrs. CHRISTENSEN.

H.R. 1841: Mr. HINCHEY, Mr. PASTOR, Mr. STRICKLAND, Mr. TIERNEY, Mr. PAYNE, and Mr. PALLONE.

H.R. 1847: Mr. POMBO.

H.R. 1882: Mrs. MEEK of Florida.

H.R. 1891: Mr. BARRETT, Mr. BALDACCI, Mr. HOLDEN, Mr. RYAN of Wisconsin, Mr. BOSWELL, Mr. HUTCHINSON, Mr. CANNON, Mr. PRICE of North Carolina, and Mr. NORWOOD.

H.R. 1896: Mr. LANTOS, Mr. BONIOR, Ms. WATERS, Mr. PAYNE, Mr. ROSS, Mr. HILLIARD, and Mr. STUPAK.

H.R. 1908: Mr. LATHAM.

H.R. 1909: Mr. MATSUI.

H.R. 1911: Ms. MCKINNEY.

H.R. 1930: Ms. MCKINNEY, Mr. WATT of North Carolina, and Mr. ROSS.

H.R. 1939: Mr. WOLF.

H.R. 1948: Mrs. CAPPS, Mr. BISHOP, and Mr. EHRLICH.

H.R. 1954: Mr. MCINTYRE, Mr. RYAN of Wisconsin, and Mr. GREEN of Wisconsin.

H.R. 1972: Mr. LATHAM.

H.R. 1973: Mr. DEFAZIO.

H.R. 1975: Mr. DEAL of Georgia, Mrs. NORTHUP, Mr. SOUDER, Mr. KNOLLENBERG, Mr. LARSEN of Washington, Mr. WATKINS, Mr. KERNS, Mr. NUSSLE, Mr. FLAKE, Mr. ISTOOK, Mr. HOSTETTLER, Mr. SMITH of New Jersey, Mr. LAHOOD, Mr. WHITFIELD, and Mr. PAUL.

H.R. 1990: Mr. HINOJOSA, Mr. OWENS, Mr. GUTIERREZ, and Ms. NORTON.

H.R. 2009: Mr. BACA and Ms. WATERS.

H.R. 2013: Ms. HOOLEY of Oregon and Ms. ESHOO.

H.R. 2018: Mrs. MALONEY of New York, Mr. DELAY, Mr. BRADY of Texas: Mr. HOSTETTLER, Mr. REYES, Mr. ROGERS of Michigan, and Mr. LEWIS of Kentucky.

H.R. 2029: Mr. PETERSON of Minnesota.

H.R. 2036: Mrs. JOHNSON of Connecticut and Ms. ROYBAL-ALLARD.

H.R. 2057: Mr. PETRI, Mr. BALDACCI, Mr. SAWYER, Mr. OWENS, Mr. WELDON of Florida, Ms. HART, Mr. BROWN of Ohio, Mr. WOLF, Mr. PLATTS, and Mr. HONDA.

H.R. 2058: Mr. WEXLER.

H.R. 2059: Ms. ESHOO, Mr. FARR of California, Mrs. MALONEY of New York, and Mr. FROST.

H.R. 2074: Ms. LEE, Ms. WOOLSEY, Mrs. JONES of Ohio, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. BRADY of Pennsylvania, Mr. RANGEL, and Mr. HINCHEY.

H.R. 2079: Mr. STARK.

H.R. 2080: Mr. STARK.

H.R. 2081: Mrs. MALONEY of New York.

H.R. 2088: Mr. LATHAM.

H.R. 2095: Ms. BROWN of Florida and Mr. BOUCHER.

H.R. 2107: Mr. COSTELLO, Mr. GUTIERREZ, Mr. KUCINICH, Mr. MENENDEZ, Mr. DEFAZIO, Mr. EVANS, Mr. MEEKS of New York, Mr. DINGELL, Mr. FILNER, Mr. RAHALL, Ms. KAPTUR, Ms. BROWN of Florida, Mr. LATOURETTE, Mr. SAWYER, Mr. NADLER, Mr. QUINN, Mr. SANDERS, Mr. CLEMENT, Mr. FROST, Mr. BOSWELL, Mr. DUNCAN, Mr. EHRLICH, Mr. PETRI, Mr. CARSON of Oklahoma, and Mr. PASTOR.

H.R. 2109: Mr. DIAZ-BALART.

H.R. 2117: Mrs. JOHNSON of Connecticut, Mr. COSTELLO, and Mr. WAXMAN.

H.R. 2122: Mr. GREEN of Wisconsin, and Mr. GOSS.

H.R. 2125: Mr. SMITH of New Jersey, Mr. JONES of North Carolina, Ms. CARSON of Indiana, Mr. MANZULLO, Mr. BISHOP, Mr. GORDON, and Mr. HOSTETTLER.

H.R. 2134: Mr. PAYNE.

H.R. 2145: Ms. VELAZQUEZ.

H.R. 2148: Mr. COYNE, Mr. KIND, Mr. CROWLEY, Mr. CLAY, and Mr. HALL of Ohio.

H.R. 2154: Ms. SOLIS, Mr. ACEVEDO-VILA, Mr. BONIOR, and Mr. KUCINICH.

H.R. 2158: Mrs. DAVIS of California, Ms. MCKINNEY, Ms. LEE, Mr. GEORGE MILLER of California, and Mr. FRANK.

H.R. 2163: Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. FILNER, Mr. HOYER, Mr. KILDEE, and Ms. KILPATRICK.

H.R. 2166: Ms. SCHAKOWSKY, Mrs. CHRISTENSEN, and Mr. GUTIERREZ.

H.R. 2173: Mr. MCDERMOTT, Mr. FROST, Mr. BERRY, Mrs. EMERSON, Mr. PASCRELL, Mr. PAYNE, Mr. PETERSON of Pennsylvania, Mr. STARK, Ms. KAPTUR, and Mrs. MINK of Hawaii.

H.R. 2174: Ms. BALDWIN and Mr. MCKEON.

H.R. 2175: Mr. SCHROCK, Mr. LAHOOD, Mr. BUYER, Mr. STUMP, Mr. CRENSHAW, Mr. RYUN of Kansas, and Mr. SHIMKUS.

H.R. 2178: Mr. BRADY of Pennsylvania and Mr. RANGEL.

H.R. 2200: Mrs. JOHNSON of Connecticut.

H.R. 2230: Ms. MCKINNEY.

H.R. 2233: Mr. FILNER, Ms. LEE, and Mr. FROST.

H.R. 2240: Mr. CRENSHAW and Mr. WEXLER.

H.R. 2263: Mr. SANDERS, Mr. MCGOVERN, and Mr. MCDERMOTT.

H.R. 2277: Ms. LOFGREN.

H.R. 2281: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2294: Ms. JACKSON-LEE of Texas and Mr. MCGOVERN.

H.R. 2319: Ms. SCHAKOWSKY, Mr. BRADY of Pennsylvania, Mr. HILLIARD, Ms. MCKINNEY, and Ms. CARSON of Indiana.

H.R. 2323: Mr. LUCAS of Kentucky, Mr. BRYANT, Mr. LAHOOD, and Mr. HOLDEN.

H.R. 2327: Mr. GIBBONS, Mr. WELDON of Florida, Mr. BALLENGER, Mr. BARR of Georgia, Mr. HULSHOF, Mr. FLAKE, Mr. DOOLITTLE, Mr. CULBERSON, and Mr. SENSENBRENNER.

H.R. 2328: Ms. SOLIS, Ms. SCHAKOWSKY, Mr. MCDERMOTT, Mr. LANTOS, and Mr. BAIRD.

H.R. 2331: Mr. OSE.

H.R. 2338: Ms. CARSON of Indiana and Ms. PELOSI.

H.R. 2339: Mrs. JO ANN DAVIS of Virginia, Mr. GORDON, Mr. MASCARA, and Mr. PALLONE.

H.R. 2340: Mr. GEORGE MILLER of California, Mr. BALDACCI, Mr. FROST, Ms. SCHAKOWSKY, and Mr. STARK.

H.R. 2348: Mr. LEWIS of Georgia, Mr. BLUMENAUER, Mr. FILNER, Ms. MCKINNEY, Mr. GUTIERREZ, Ms. ROYBAL-ALLARD, Mr. TOWNS, Mr. MCDERMOTT, Mr. TRAFICANT, Ms. ESHOO, and Mr. THOMPSON of Mississippi.

H.R. 2349: Mr. MCGOVERN.

H.R. 2360: Mr. PORTMAN and Mr. FORBES.

H.R. 2375: Ms. MCKINNEY, Ms. LEE, Mrs. MINK of Hawaii, Ms. DELAURO, Mr. BROWN of Ohio, and Mr. GRUCCI.

H.R. 2392: Mr. BARTLETT of Maryland.

H.R. 2412: Mrs. CHRISTENSEN and Mr. ACEVEDO-VILA.

H.R. 2413: Mr. RUSH and Mrs. THURMAN.

H.J. Res. 42: Mr. TIAHRT, Mr. CUNNINGHAM, Mr. TAYLOR of North Carolina, Mr. TAYLOR

of Mississippi, Mr. SMITH of Michigan, Mr. CALVERT, Mr. GOODE, Mr. BRADY of Pennsylvania, and Mr. THOMPSON of Mississippi.

H. Con. Res. 17: Mr. SAWYER, Mr. FARR of California, Mr. LARSEN of Washington, Mr. HORN, Mr. Frost, Mr. MARKEY, and Mr. OLVER.

H. Con. Res. 36: Mr. WAXMAN, Mr. HALL of Ohio, Mr. COYNE, Ms. ESHOO, Mr. BARRETT, Ms. LOFGREN, Mr. BAKER, Ms. KILPATRICK, Mr. PASCRELL, Mr. FROST, Mr. HOLT, Mr. CUNNINGHAM, Mr. SHAYS, Ms. NORTON, Mr. PALLONE, Ms. SANCHEZ, Ms. JACKSON-LEE of Texas, Mr. OSE, Mr. SHERMAN, Mr. ENGEL, Mr. NADLER, Mr. SANDLIN, Mr. SERRANO, Mr. TIERNEY, Mr. WYNN, Mr. EDWARDS, Mr. UPTON, Mr. TAYLOR of Mississippi, Mr. ISAKSON, Mr. BLAGOJEVICH, Mr. DEFAZIO, Mr. DAVIS of Illinois, Mr. MENENDEZ, Mr. MCGOVERN, Mr. WICKER, Mr. HILLEARY, and Mrs. ROUKEMA.

H. Con. Res. 42: Mr. GEORGE MILLER of California.

H. Con. Res. 89: Ms. ROS-LEHTINEN and Mr. SCHIFF.

H. Con. Res. 102: Mr. POMEROY, Mrs. CAPPS, Mr. NADLER, Mr. HASTINGS of Florida, Ms. KILPATRICK, Mr. KILDEE, Mr. RUSH, Mr. SCHIFF, Mr. CLEMENT, Mr. GILMAN, Mr. FARR of California, Mr. LAMPSON, Mr. EVANS, and Mr. SHIMKUS.

H. Con. Res. 104: Mr. VISCLOSKY.

H. Con. Res. 121: Mr. GREEN of Wisconsin.

H. Con. Res. 164: Mr. MCDERMOTT, Mr. LEVIN, and Mr. MCINTYRE.

H. Con. Res. 170: Mrs. ROUKEMA.

H. Con. Res. 174: Mr. HONDA.

H. Res. 75: Mr. DAVIS of Illinois, Mrs. CLAYTON, Mr. CRENSHAW, Ms. ROS-LEHTINEN, Mr. EVANS, and Mr. HULSHOF.

H. Res. 152: Mr. SAWYER, Mr. EVANS, Mr. FARR of California, and Mr. MOORE.

H. Res. 154: Ms. BROWN of Florida, Mr. SANDERS, Mr. HILLIARD, Mr. RODRIGUEZ, Ms. JACKSON-LEE of Texas, Ms. HARMAN, Mr. LEVIN, Mr. NEAL of Massachusetts, Ms. ESHOO, Mr. STARK, and Ms. KILPATRICK.

H. Res. 159: Mr. TURNER.

WEDNESDAY, JULY 11, 2001 (71)

¶71.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. COOKSEY, who laid before the House the following communication:

WASHINGTON, DC,
July 11, 2001.

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

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

¶71.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. COOKSEY, announced he had examined and approved the Journal of the proceedings of Tuesday, July 10, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. COOKSEY, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. COOKSEY, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶71.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2817. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Aminoethoxyvinylglycine (AVG); Time-Limited Pesticide Tolerances [OPP–301147; FRL–6790–7] (RIN: 2070–AB78) received July 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2818. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Aminoethoxyvinylglycine; Temporary Tolerance [OPP–301144; FRL–6788–7] (RIN: 2070–AB78) received July 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2819. A letter from the Head, Regulations and Legislation Branch, Administrative Law Division, Department of the Navy, transmitting the Department's final rule—Application Guidelines for Archeological Research Permits on Ship and Aircraft Wrecks Under the Jurisdiction of the Department of the Navy (RIN: 0703–AA57) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2820. A letter from the Head, Regulations and Legislation Branch, Administrative Law Division, Department of the Navy, transmitting the Department's final rule—Disposition of Property (RIN: 0703–AA60) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2821. A letter from the Head, Regulations and Legislation Branch, Administrative Law Division, Department of the Navy, transmitting the Department's final rule—Availability of Department of the Navy Records and Publication of Department of the Navy Documents Affecting the Public (RIN: 0703–AA58) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2822. A letter from the Head, Regulations and Legislation Branch, Administrative Law Division, Department of the Navy, transmitting the Department's final rule—Rules Applicable to the Public (RIN: 0709–AA62) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2823. A letter from the Head, Regulations and Legislation Branch, Administrative Law Division, Department of the Navy, transmitting the Department's final rule—Assistance to and Support of Dependants; Paternity Complaints (RIN: 0703–AA66) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2824. A letter from the Head, Regulations and Legislation Branch, Administrative Law Division, Department of the Navy, transmitting the Department's final rule—Garnishment of Pay of Naval Military and Civilian Personnel for Collection of Child Suppport and Alimony (RIN: 0703–AA67) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2825. A letter from the Head, Regulations and Legislation Branch, Administrative Law Division, Department of the Navy, transmitting the Department's final rule—Rules Limiting Public Access to Particular Installations (RIN: 0703–AA63) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2826. A letter from the Head, Regulations and Legislation Branch, Administrative Law Division, Department of the Navy, transmitting the Department's final rule—Naval Discharge Review Board (RIN: 0703–AA64) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2827. A letter from the Head, Regulations and Legislation Branch, Administrative Law Division, Department of the Navy, transmitting the Department's final rule—Rules Applicable to the Public (RIN: 0703–AA69) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2828. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General David S. Weisman, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2829. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants: Group I Polymers and Resins and National Emission Standards for Hazardous Air Pollutants: Group IV Polymers and Resins [AD–FRL–7010] (RIN: 2060–AH47) received July 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2830. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District, Monterey Bay Unified Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, and South Coast Air Quality Management District [CA 071–0283; FRL 6997–6] received July 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2831. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996 and Emission Guidelines and Compliance Times for Large Municipal Waste Combustors that are Constucted On or Before September 20, 1994 [AD–FRL–7010–3] (RIN: A2060–AJ51) received July 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2832. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Attainment for Carbon Monoxide (CO); Anchorage CO Nonattainment Area, Alaska [Docket No. AK–01–002; FRL–7010–6] received July 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2833. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Georgia: Approval of Revisions to Georgia State Implementation Plan [GA–47; GA–52; GA–55–200111; FRL–7009–3] received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2834. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting annual report covered by section 655 of the Foreign Assistance Act of 1961, pursuant to Public Law 104–164, section 655(a) (110 Stat. 1435); to the Committee on International Relations.

2835. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report

pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2836. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2837. A letter from the Assistant Director for Budget and Administration, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2838. A letter from the Assistant Director for Budget and Administration, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2839. A letter from the Assistant Director for Budget and Administration, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2840. A letter from the Assistant Director for Budget and Administration, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2841. A letter from the Assistant Director for Budget and Administration, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2842. A letter from the Acting Secretary & CAO, Postal Rate Commission, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2843. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Bluefin Tuna Recreational Fishery [I.D. 051701G] received July 9. 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2844. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Correction to the Emergency Interim Rule; Closure [Docket No, 010112013–1160–05; I.D. 061401A] (RIN: 0648–AO82) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2845. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Quota Harvested for Period 1 [Docket No. 010319071–1103–02; I.D. 061501C] received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2846. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Bycatch Rate Standards for the Second Half of 2001 [I.D. 053101F] received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2847. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Fireworks Display, Hyannis, MA [CGD01–01–090] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2848. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Festa Italiana 2001, Milwaukee Harbor, Wisconsin [CGD09–01–043] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2849. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Fireworks Display, Provincetown, MA [CGD01–01–074] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2850. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Kewaunee Annual Trout Festival, Kewaunee Harbor, Lake Michigan, WI [CGD09–01–045] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2851. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Lake Erie, Huron, OH [CGD09–01–057] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2852. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Milwaukee Harbor, Milwaukee, WI [CGD09–01–059] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2853. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Lake Erie, Huron, OH [CGD09–01–052] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2854. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Tall Ships Challenge 2001, Moving Safety Zone, Muskegon Lake, Muskegon, MI [CGD09–01–009] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2855. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Northcoast Rockin' & Roarin' Offshore Grand Prix, Lake Erie and Cleveland Harbor, Cleveland, OH [CG09–01–033] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2856. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Swampscott July 2nd Fireworks, Swampscott, Massachusetts [CGD1–01–099] (RIN: 2115–AA97) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2857. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Sabine Lake Texas [CGD08–01–013] received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2858. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Disaster Assistance; Debris Removal (RIN: 3067–AD08) received July 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶71.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1. An Act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

H.R. 2216. An Act making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1) ''An Act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind'', requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. JEFFORDS, Mr. BINGAMAN, Mr. WELLSTONE, Mrs. MURRAY, Mr. REED, Mr. EDWARDS, Mrs. CLINTON, Mr. LIEBERMAN, Mr. BAYH, Mr. GREGG, Mr. FRIST, Mr. ENZI, Mr. HUTCHINSON, Mr. WARNER, Mr. BOND, Mr. ROBERTS, Ms. COLLINS, Mr. SESSIONS, Mr. DEWINE, Mr. ALLARD, and Mr. ENSIGN, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2216) ''An Act making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes'', requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. INOUYE, Mr. HOLLINGS, Mr. STEVENS, and Mr. COCHRAN, to be the conferees on the part of the Senate.

¶71.5 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COOKSEY, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, July 10, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. COOKSEY, announced that the yeas had it.

Mr. HINCHEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared .... { Yeas ..... 366; Nays ..... 42; Answered present 2 }

¶71.6 [Roll No. 214]

YEAS—366

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

NAYS—42

Aderholt
Baird
Borski
Brady (PA)
Costello
Crane
Crowley
DeFazio
English
Green (TX)
Gutknecht
Hastings (FL)
Hefley
Hilliard
Jones (OH)
Kennedy (MN)
Kucinich
Larsen (WA)
Latham
LoBiondo
McDermott
McNulty
Menendez
Moran (KS)
Oberstar
Pallone
Peterson (MN)
Ramstad
Sabo
Schaffer
Stark
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Waters
Weller
Wu

ANSWERED ''PRESENT''—2

Carson (IN)
Tancredo

NOT VOTING—23

Ballenger
Boucher
Cantor
Capuano
Clayton
Coyne
Dingell
Engel
Filner
Gutierrez
Hoyer
Hunter
Hutchinson
Jones (NC)
Knollenberg
Lewis (CA)
Norwood
Paul
Reynolds
Riley
Rogers (MI)
Scarborough
Weldon (PA)

So the Journal was approved.

¶71.7 MOTION TO ADJOURN

Mr. MCNULTY moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. COOKSEY, announced that the nays had it.

Mr. MCNULTY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 11; Nays ..... 405 }

¶71.8 [Roll No. 215]

AYES—11

Boehlert
Clay
Conyers
DeFazio
Eshoo
Frank
Gekas
Holt
McDermott
McNulty
Tiberi

NOES—405

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)

Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Capuano
Coyne
Dingell
Dooley
Engel
Evans
Filner
Hutchinson
Knollenberg
Lewis (CA)
Maloney (NY)
Myrick
Nadler
Paul
Riley
Roemer
Weldon (PA)

So the motion to adjourn was not agreed to.

¶71.9 AGRICULTURE APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to House Resolution 183 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

Mr. GOODLATTE, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶71.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SANDERS:

At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7 . None of the amounts made available in this Act for the Food and Drug Administration may be used for enforcing section 801(d)(1) of the Federal Food, Drug, and Cosmetic Act.

It was decided in the negative ..... { Yeas ..... 159 / Nays ..... 267 }

¶71.11 [Roll No. 216]

AYES—159

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bereuter
Berry
Bishop
Blagojevich
Bonior
Boswell
Brady (PA)
Brown (OH)
Burton
Capito
Capps
Carson (IN)
Carson (OK)
Castle
Chabot
Clay
Clement
Condit
Conyers
Costello
Cramer
Crowley
Cummings
Davis (IL)
DeFazio
Delahunt
DeLauro
Doggett
Emerson
Engel
Evans
Fattah
Filner
Flake
Frank
Gephardt
Gibbons
Gilchrest
Goodlatte
Green (TX)
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hastings (WA)
Hill
Hinchey
Hinojosa
Hooley
Hunter
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (IL)
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
Lampson
Langevin
Lantos
Largent
Larson (CT)
Leach
Lee
Lewis (GA)
Luther
Maloney (NY)
Mascara
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Miller, George
Mink
Mollohan
Moran (KS)
Nadler
Napolitano
Neal
Oberstar
Olver
Ortiz
Otter
Owens
Pallone
Pastor
Payne
Peterson (MN)
Petri
Platts
Pomeroy
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rohrabacher
Ross
Rothman
Royce
Sabo
Sanders
Sandlin
Sawyer
Scarborough
Schaffer
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shadegg
Shays
Shows
Skelton
Slaughter
Smith (MI)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tancredo
Taylor (MS)
Thune
Thurman
Tiahrt
Tierney
Turner
Udall (NM)
Waters
Watson (CA)
Watt (NC)
Weiner
Wexler
Wilson
Woolsey
Wu
Wynn

NOES—267

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bilirakis
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Cardin
Chambliss
Clayton
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Eshoo
Etheridge
Everett
Farr
Ferguson
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gillmor
Gilman
Gonzalez
Goode
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Hall (TX)
Hansen
Harman
Hart
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kilpatrick
King (NY)
Kingston
LaHood
Larsen (WA)
Latham
LaTourette
Levin
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Moore
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Osborne
Ose
Oxley
Pascrell
Pelosi
Pence
Peterson (PA)
Phelps
Pickering
Pitts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Saxton
Schrock
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Toomey
Towns
Traficant
Udall (CO)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Capuano
Coyne
Dingell
Knollenberg
Lewis (CA)
Paul
Riley

So the amendment was not agreed to.

¶71.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GUTKNECHT:

At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7___. None of the amounts made available in this Act for the Food and Drug Administration may be used under section 801 of the Federal Food, Drug, and Cosmetic Act to prevent an individual who is not in the business of importing prescription drugs within the meaning of section 801(g) of such Act from importing a prescription drug that (1) appears to be FDA-approved; (2) does not appear to be a narcotic drug; and (3) appears to be manufactured, prepared, propagated, compounded, or processed in an establishment registered pursuant to section 510 of such Act.

It was decided in the affirmative ..... { Yeas ..... 324 / Nays ..... 101 }

¶71.13 [Roll No. 217]

AYES—324

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Burton
Calvert
Cannon
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
DeFazio

Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Doyle
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Evans
Fattah
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frost
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson (IL)
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Linder
Lipinski
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matsui
McCarthy (NY)
McDermott
McGovern
McHugh
McInnis
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Mink
Mollohan
Moore
Moran (KS)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar
Olver
Ortiz
Osborne
Ose
Otter
Owens
Pallone
Pastor
Payne
Peterson (MN)
Petri
Phelps
Pickering
Platts
Pomeroy
Portman
Putnam
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Sweeney
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (NM)
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—101

Armey
Baker
Berman
Biggert
Bilirakis
Blunt
Boehner
Bonilla
Borski
Bryant
Burr
Buyer
Callahan
Camp
Cantor
Collins
Crane
Culberson
Cunningham
Davis, Tom
Deal
DeGette
DeLay
Dooley
Doolittle
Dreier
Ehrlich
Eshoo
Etheridge
Everett
Farr
Ferguson
Frelinghuysen
Gallegly
Graves
Greenwood
Grucci
Herger
Hoeffel
Holt
Honda
Hostettler
Houghton
Hulshof
Hutchinson
Jefferson
John
Johnson, E. B.
Johnson, Sam
Keller
Kerns
Lewis (KY)
LoBiondo
Lofgren
Markey
Matheson
McCarthy (MO)
McCollum
McCrery
McKeon
Miller, Gary
Miller, George
Moran (VA)
Myrick
Nethercutt
Norwood
Obey
Oxley
Pascrell
Pelosi
Pence
Peterson (PA)
Pitts
Pombo
Price (NC)
Pryce (OH)
Radanovich
Rogers (KY)
Roukema
Rush
Ryun (KS)
Saxton
Sessions
Sherman
Skeen
Smith (WA)
Souder
Spence
Stupak
Sununu
Tanner
Tauzin
Thomas
Tiberi
Towns
Udall (CO)
Upton
Visclosky
Watts (OK)
Waxman
Weller

NOT VOTING—8

Capuano
Coyne
Dingell
Knollenberg
Lewis (CA)
McKinney
Paul
Riley

So the amendment was agreed to.

¶71.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KUCINICH:

At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7____. None of the funds made available in this Act for the Food and Drug Administration may be used for the approval or process of approval, under section 512 of the Federal Food, Drug, and Cosmetic Act, of an application for an animal drug for creating transgenic salmon or any other transgenic fish.

It was decided in the negative ..... { Yeas ..... 145 / Nays 279

¶71.15 [Roll No. 218]

AYES—145

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bentsen
Berkley
Blagojevich
Blumenauer
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Capps
Cardin
Carson (IN)
Clay
Clement
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Dicks
Doggett
Edwards
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Filner
Frank
Gilchrest
Gonzalez
Goode
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Harman
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
Lampson
Langevin
Larsen (WA)
Lee
Lipinski
LoBiondo
Lowey
Luther
Maloney (CT)
Maloney (NY)
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller, George
Mink
Morella
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Stark
Strickland
Tauscher
Thompson (CA)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Waters
Weldon (PA)
Wexler
Woolsey
Wu
Wynn
Young (AK)

NOES—279

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Becerra
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Etheridge
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Greenwood
Grucci
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kilpatrick
King (NY)
Kingston
Kirk
Kolbe
LaFalce
LaHood
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (GA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Markey
Mascara
Matheson
McCarthy (MO)
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)

Weller
Wicker
Wolf
Whitfield
Wilson
Young (FL)

NOT VOTING—9

Capuano
Knollenberg
Paul
Coyne
Lewis (CA)
Riley
Dingell
Oxley
Watson (CA)

So the amendment was not agreed to.

After some further time,

¶71.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WEINER:

Insert before the short title the following new section:

SEC. ____. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel of the Department of Agriculture to make any payment to producers of wool or producers of mohair for the 2000 or 2001 marketing years under section 814 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106–387; 114 Stat. 1549A–55).

It was decided in the negative { Yeas ..... 155 / Nays 272

¶71.17 [Roll No. 219]

AYES—155

Ackerman
Frank
Owens
Akin
Frelinghuysen
Pallone
Andrews
Goss
Pascrell
Armey
Graham
Payne
Baird
Green (WI)
Petri
Baldacci
Greenwood
Portman
Baldwin
Gutierrez
Pryce (OH)
Barcia
Hayworth
Ramstad
Barr
Hoeffel
Rangel
Barrett
Hoekstra
Rivers
Bass
Holt
Roemer
Bereuter
Hostettler
Rogers (MI)
Berkley
Hutchinson
Rohrabacher
Berman
Inslee
Rothman
Biggert
Israel
Roukema
Blumenauer
Istook
Royce
Borski
Johnson (CT)
Ryan (WI)
Brown (SC)
Keller
Saxton
Burton
Kelly
Scarborough
Camp
Kerns
Schaffer
Cantor
Kind (WI)
Schakowsky
Cardin
Kirk
Schrock
Castle
Kolbe
Sensenbrenner
Chabot
LaFalce
Shadegg
Clay
Langevin
Shaw
Costello
Lantos
Shays
Cox
Lewis (GA)
Sherman
Coyne
Linder
Shimkus
Crane
Lipinski
Shuster
Crowley
LoBiondo
Slaughter
Culberson
Lofgren
Smith (NJ)
Cummings
Lowey
Smith (WA)
Cunningham
Luther
Solis
Davis (FL)
Maloney (CT)
Souder
Davis, Jo Ann
Maloney (NY)
Stark
Davis, Tom
Manzullo
Stearns
DeGette
Markey
Stupak
DeMint
McCarthy (NY)
Sununu
Deutsch
McKinney
Tancredo
Doggett
McNulty
Taylor (MS)
Duncan
Meehan
Terry
Ehlers
Menendez
Tiberi
Ehrlich
Millender-McDonald
Tierney
Engel
Miller (FL)
Toomey
English
Miller, Gary
Towns
Evans
Miller, George
Upton
Fattah
Moore
Velazquez
Ferguson
Moran (VA)
Wamp
Filner
Morella
Waxman
Flake
Nadler
Weiner
Forbes
Neal
Weldon (FL)
Fossella
Wu

NOES—272

Abercrombie
Bartlett
Blagojevich
Aderholt
Barton
Blunt
Allen
Becerra
Boehlert
Baca
Bentsen
Boehner
Bachus
Berry
Bonilla
Baker
Bilirakis
Bonior
Ballenger
Bishop
Bono
Boswell
Hinojosa
Peterson (MN)
Boucher
Hobson
Peterson (PA)
Boyd
Holden
Phelps
Brady (PA)
Honda
Pickering
Brady (TX)
Hooley
Pitts
Brown (FL)
Horn
Platts
Brown (OH)
Houghton
Pombo
Bryant
Hoyer
Pomeroy
Burr
Hulshof
Price (NC)
Buyer
Hunter
Putnam
Callahan
Hyde
Quinn
Calvert
Isakson
Radanovich
Cannon
Issa
Rahall
Capito
Jackson (IL)
Regula
Capps
Jackson-Lee (TX)
Rehberg
Carson (IN)
Jefferson
Reyes
Carson (OK)
Jenkins
Reynolds
Chambliss
John
Riley
Clayton
Johnson (IL)
Rodriguez
Clement
Johnson, E. B.
Rogers (KY)
Clyburn
Johnson, Sam
Ros-Lehtinen
Coble
Jones (NC)
Ross
Collins
Kanjorski
Roybal-Allard
Combest
Kaptur
Rush
Condit
Kennedy (MN)
Ryun (KS)
Cooksey
Kennedy (RI)
Sabo
Cramer
Kildee
Sanchez
Crenshaw
Kilpatrick
Sanders
Cubin
King (NY)
Sandlin
Davis (CA)
Kingston
Sawyer
Davis (IL)
Kleczka
Schiff
Deal
Knollenberg
Scott
DeFazio
Kucinich
Serrano
Delahunt
LaHood
Sessions
DeLauro
Lampson
Sherwood
DeLay
Largent
Shows
Diaz-Balart
Larsen (WA)
Simmons
Dicks
Larson (CT)
Simpson
Dingell
Latham
Skeen
Dooley
LaTourette
Skelton
Doolittle
Leach
Smith (MI)
Doyle
Lee
Smith (TX)
Dreier
Levin
Snyder
Dunn
Lewis (KY)
Spence
Edwards
Lucas (KY)
Spratt
Emerson
Lucas (OK)
Stenholm
Eshoo
Mascara
Strickland
Etheridge
Matheson
Stump
Everett
Matsui
Sweeney
Farr
McCarthy (MO)
Tanner
Fletcher
McCollum
Tauscher
Foley
McCrery
Tauzin
Ford
McDermott
Taylor (NC)
Frost
McGovern
Thomas
Gallegly
McHugh
Thompson (CA)
Ganske
McInnis
Thompson (MS)
Gekas
McIntyre
Thornberry
Gephardt
McKeon
Thune
Gibbons
Meek (FL)
Thurman
Gilchrest
Meeks (NY)
Tiahrt
Gillmor
Mica
Traficant
Gilman
Mink
Turner
Gonzalez
Mollohan
Udall (CO)
Goode
Moran (KS)
Udall (NM)
Goodlatte
Murtha
Visclosky
Gordon
Myrick
Vitter
Granger
Napolitano
Walden
Graves
Nethercutt
Walsh
Green (TX)
Ney
Waters
Grucci
Northup
Watkins (OK)
Gutknecht
Norwood
Watson (CA)
Hall (OH)
Nussle
Watt (NC)
Hall (TX)
Oberstar
Watts (OK)
Hansen
Obey
Weldon (PA)
Harman
Olver
Weller
Hart
Ortiz
Wexler
Hastings (FL)
Osborne
Whitfield
Hastings (WA)
Ose
Wicker
Hayes
Otter
Wilson
Hefley
Oxley
Wolf
Hill
Pastor
Woolsey
Hilleary
Pelosi
Wynn
Hilliard
Pence
Young (AK)
Hinchey
Young (FL)

NOT VOTING—6

Capuano
Herger
Lewis (CA)
Conyers
Jones (OH)
Paul

So the amendment was not agreed to.

¶71.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ROYCE:

Insert before the short title the following new section:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be used to award any new allocations under the market access program or to pay the salaries of personnel to award such allocations.

It was decided in the negative { Yeas ..... 85 / Nays 341

¶71.19 [Roll No. 220]

AYES—85

Akin
English
Petri
Andrews
Ferguson
Portman
Armey
Filner
Ramstad
Bachus
Flake
Rivers
Barr
Fossella
Rohrabacher
Barrett
Frelinghuysen
Rothman
Bartlett
Graham
Roukema
Bass
Grucci
Royce
Berkley
Hall (OH)
Scarborough
Brown (OH)
Hayworth
Sensenbrenner
Brown (SC)
Hoekstra
Shadegg
Cantor
Holt
Shaw
Cardin
Horn
Shays
Castle
Hostettler
Smith (NJ)
Chabot
Istook
Stark
Coble
Keller
Stearns
Collins
Kelly
Stump
Cox
Kind (WI)
Sununu
Crane
Kleczka
Tancredo
Cubin
Kucinich
Taylor (MS)
Culberson
Linder
Taylor (NC)
Davis, Jo Ann
LoBiondo
Tiberi
DeLay
Luther
Tierney
DeMint
McInnis
Toomey
Doggett
Meehan
Wamp
Doyle
Miller (FL)
Waters
Duncan
Morella
Weiner
Ehlers
Pallone
Ehrlich
Payne

NOES—341

Abercrombie
Coyne
Gutknecht
Ackerman
Cramer
Hall (TX)
Aderholt
Crenshaw
Hansen
Allen
Crowley
Harman
Baca
Cummings
Hart
Baird
Cunningham
Hastings (FL)
Baker
Davis (CA)
Hastings (WA)
Baldacci
Davis (FL)
Hayes
Baldwin
Davis (IL)
Hefley
Ballenger
Davis, Tom
Herger
Barcia
Deal
Hill
Barton
DeFazio
Hilleary
Becerra
DeGette
Hilliard
Bentsen
Delahunt
Hinchey
Bereuter
DeLauro
Hinojosa
Berman
Deutsch
Hobson
Berry
Diaz-Balart
Hoeffel
Biggert
Dicks
Holden
Bilirakis
Dingell
Honda
Bishop
Dooley
Hooley
Blagojevich
Doolittle
Houghton
Blumenauer
Dreier
Hoyer
Blunt
Dunn
Hulshof
Boehlert
Edwards
Hunter
Boehner
Emerson
Hutchinson
Bonilla
Engel
Hyde
Bonior
Eshoo
Inslee
Bono
Etheridge
Isakson
Borski
Evans
Israel
Boswell
Everett
Issa
Boucher
Farr
Jackson (IL)
Boyd
Fattah
Jackson-Lee (TX)
Brady (PA)
Fletcher
Jefferson
Brady (TX)
Foley
Jenkins
Brown (FL)
Forbes
John
Bryant
Ford
Johnson (CT)
Burr
Frank
Johnson (IL)
Burton
Frost
Johnson, E. B.
Buyer
Gallegly
Johnson, Sam
Callahan
Ganske
Jones (NC)
Calvert
Gekas
Kanjorski
Camp
Gephardt
Kaptur
Cannon
Gibbons
Kennedy (MN)
Capito
Gilchrest
Kennedy (RI)
Capps
Gillmor
Kerns
Carson (IN)
Gilman
Kildee
Carson (OK)
Gonzalez
Kilpatrick
Chambliss
Goode
King (NY)
Clay
Goodlatte
Kingston
Clayton
Gordon
Kirk
Clement
Goss
Knollenberg
Clyburn
Granger
Kolbe
Combest
Graves
LaFalce
Condit
Green (TX)
LaHood
Conyers
Green (WI)
Lampson
Cooksey
Greenwood
Langevin
Costello
Gutierrez

Lantos	Ortiz	Simmons
Largent	Osborne	Simpson
Larsen (WA)	Ose	Skeen
Larson (CT)	Otter	Skelton
Latham	Owens	Slaughter
LaTourette	Oxley	Smith (MI)
Leach	Pascrell	Smith (TX)
Lee	Pastor	Smith (WA)
Levin	Pelosi	Snyder
Lewis (KY)	Pence	Solis
Lipinski	Peterson (MN)	Souder
Lofgren	Peterson (PA)	Spence
Lowey	Phelps	Spratt
Lucas (KY)	Pickering	Stenholm
Lucas (OK)	Pitts	Strickland
Maloney (CT)	Platts	Stupak
Maloney (NY)	Pombo	Sweeney
Markey	Pomeroy	Tanner
Mascara	Price (NC)	Tauscher
Matheson	Pryce (OH)	Tauzin
Matsui	Putnam	Terry
McCarthy (MO)	Quinn	Thomas
McCarthy (NY)	Radanovich	Thompson (CA)
McCollum	Rahall	Thompson (MS)
McCrery	Rangel	Thornberry
McDermott	Regula	Thune
McGovern	Rehberg	Thurman
McHugh	Reyes	Tiahrt
McIntyre	Reynolds	Towns
McKeon	Riley	Traficant
McKinney	Rodriguez	Udall (CO)
McNulty	Roemer	Udall (NM)
Meek (FL)	Rogers (KY)	Upton
Meeks (NY)	Rogers (MI)	Velazquez
Menendez	Ros-Lehtinen	Visclosky
Mica	Ross	Vitter
Millender-McDonald	Roybal-Allard	Walden
	Rush	Walsh
Miller, Gary	Ryan (WI)	Watkins (OK)
Miller, George	Ryun (KS)	Watson (CA)
Mink	Sabo	Watt (NC)
Mollohan	Sanchez	Watts (OK)
Moore	Sanders	Waxman
Moran (KS)	Sandlin	Weldon (FL)
Moran (VA)	Sawyer	Weldon (PA)
Murtha	Saxton	Weller
Myrick	Schaffer	Wexler
Nadler	Schakowsky	Whitfield
Napolitano	Schiff	Wicker
Neal	Schrock	Wilson
Nethercutt	Scott	Wolf
Ney	Serrano	Woolsey
Northup	Sessions	Wu
Norwood	Sherman	Wynn
Nussle	Sherwood	Young (AK)
Oberstar	Shimkus	Young (FL)
Obey	Shows	
Olver	Shuster	

NOT VOTING—7

Capuano	Lewis (GA)	Turner
Jones (OH)	Manzullo	
Lewis (CA)	Paul	

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. GOODLATTE, Chairman, pursuant to House Resolution 183, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES-FOOD AND DRUG ADMINISTRATION-SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $2,500,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to abbreviated applications for the approval of new drugs under section 505(j) of the Federal Food, Drug, and Cosmetic Act, and $250,000 is available under section 903(d)(2)(D) of such Act for the purpose of carrying out public information programs regarding drugs with approved such applications, in addition to other allocations for such purposes made from such total amount

In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES-FOOD AND DRUG ADMINISTRATION-SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $5,000,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to antibiotic drugs, in addition to other allocations for such purpose made from such total amount.

In title VI, in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES-FOOD AND DRUG ADMINISTRATION-SALARIES AND EXPENSES'', insert before the period at the end of the first paragraph the following:

: *Provided further*, That of the total amount appropriated, $250,000 is available for the purpose of carrying out the responsibilities of the Food and Drug Administration with respect to food labeling within the meaning of section 403 of the Federal Food, Drug, and Cosmetic Act, in addition to other allocations for such purpose made from such total amount

At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7____. Of any shipments of commodities made pursuant to section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than $25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of

(1) agricultural commodities to—

(A) individuals with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome in the communities, and

(B) households in the communities, particularly individuals caring for orphaned children; and

(2) agricultural commodities monetized to provide other assistance (including assistance under microcredit and microenterprise programs) to create or restore sustainable livelihoods among individuals in the communities, particularly individuals caring for orphaned children.

Insert before the short title the following new section:

SEC. ____. None of the funds appropriated or otherwise made available by this Act shall be used to eliminate the two river navigator positions, including the contract position, for the Hudson River and Upper Susquehanna/Lackawanna Rivers or to alter the tasks assigned to the persons filling such positions.

Insert before the short title the following new section:

SEC. ____. The amounts otherwise provided by this Act are revised by increasing the total amount provided in title II under the heading ''WATERSHED AND FLOOD PREVENTION OPERATIONS'' (to be used to carry out section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012), as added by section 313 of Public Law 106–472 (114 Stat. 2077)), and none of the funds made available in this Act may be used to pay the salaries of personnel of the Department of Agriculture who carry out the programs authorized by section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524) in excess of a total of $3,600,000 for all such programs for fiscal year 2002, by $5,400,000.

At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7____. None of the amounts made available in this Act for the Food and Drug Administration may be used under section 801 of the Federal Food, Drug, and Cosmetic Act to prevent an individual who is not in the business of importing prescription drugs within the meaning of section 801(g) of such Act from importing a prescription drug that (1) appears to be FDA-approved; (2) does not appear to be a narcotic drug; and (3) appears to be manufactured, prepared, propagated, compounded, or processed in an establishment registered pursuant to section 510 of such Act.

SEC. ____. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. For an additional amount for the Secretary of Agriculture to carry out section 311 of the Older Americans Act of 1965, and the amount otherwise provided by this Act for ''Agriculture Buildings and Facilities and Rental Payments'' is hereby reduced by, $10,000,000.

At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7____. Of the amounts appropriated in this Act in the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES–FOOD AND DRUG ADMINISTRATION–SALARIES AND EXPENSES'', the amount appropriated in the second undesignated paragraph of such item (relating to section 804 of the Federal, Food, Drug, and Cosmetic Act) is transferred and made available as an additional appropriation under the first undesignated paragraph of such item.

At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7____. Of the amounts appropriated in this Act for carrying out the responsibilities of the Food and Drug Administration with respect to abbreviated applications for the approval of new drugs under section 505(j) of the Federal Food, Drug, and Cosmetic Act, $1,000,000 is available for the purpose of carrying out section 314.53(b) of title 21, Code of Federal Regulations, in addition to any other allocation for carrying out such section 314.53(b) made from amounts appropriated in this Act for the Food and Drug Administration.

Strike section 726 of the bill.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 414 / Nays ..... 16 }

¶71.20 [Roll No. 221]

YEAS—414

Abercrombie	Armey	Baldwin
Ackerman	Baca	Ballenger
Aderholt	Bachus	Barcia
Akin	Baird	Barr
Allen	Baker	Barrett
Andrews	Baldacci	Bartlett

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

NAYS—16

Bass
Cox
Crane
Doggett
Flake
Green (WI)
Hefley
Hostettler
Rohrabacher
Royce
Scarborough
Sensenbrenner
Shays
Stark
Tancredo
Toomey

NOT VOTING—3

Capuano
Lewis (CA)
Paul

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.21 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 29, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I am writing to submit my resignation from the Committee on Standards of Official Conduct.

I will consider my resignation effective immediately.

Sincerely,

ROB PORTMAN,
Representative.

By unanimous consent, the resignation was accepted.

¶71.22 COMMITTEE ELECTION—MAJORITY

Mr. WALDEN, by unanimous consent, submitted the following resolution (H. Res. 187):

Resolved, That the following Member be and is hereby elected to the following standing committee of the House of Representatives:

Standards of Official Conduct: Mr. Hulshof.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶71.23 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, announced that the Speaker, pursuant to section 303(a) of Public Law 106-286, appointed to the Congressional-Executive Commission on the People's Republic of China the following Members of the House: Mr. LEVIN, Ms. KAPTUR, Ms. PELOSI, and Mr. DAVIS of Florida.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶71.24 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House the following communication from Mr. BUYER:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
July 11, 2001.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that my office has been served with a civil subpoena for documents issued by the Superior Court for Allen County, Indiana in a civil case pending there.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to advise the party who issued the subpoena that I have no documents that are responsive to the subpoena.

Sincerely,

STEPHEN E. BUYER,
Member of Congress.

¶71.25 RECESS—11:31 P.M.

The SPEAKER pro tempore, Mr. KERNS, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 31 minutes p.m., subject to the call of the Chair.

THURSDAY, JULY 12 (LEGISLATIVE DAY OF JULY 11), 2001

¶71.26 AFTER RECESS—1:23 A.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶71.27 PROVIDING FOR THE CONSIDERATION OF H.R. 2356

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–135) the resolution (H. Res. 188) providing for consideration of the bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

When said resolution and report were referred to the House Calendar and ordered printed.

¶71.28 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 36

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–136) the resolution (H. Res. 189) providing for consideration of the joint resolution (H.J. Res. 36) proposing an amendment to the Constitution of the United States authorizing the Congress

to prohibit the physical desecration of the flag of the United States.

When said resolution and report were referred to the House Calendar and ordered printed.

¶71.29 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. CAPUANO, for July 10 and today; and

To Mr. LEWIS of California, for July 10 and balance of the week.

And then,

¶71.30 ADJOURNMENT

On motion of Mr. REYNOLDS, at 1 o'clock and 25 minutes a.m., the House adjourned.

¶71.31 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOEHLERT: Committee on Science, H.R. 100. A bill to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; with an amendment (Rept. No. 107–133 Pt. 1).

Mr. BOEHLERT: Committee on Science. H.R. 1858. A bill to make improvements in mathematics and science education, and for other purposes; with an amendment (Rept. No. 107–134 Pt. 1).

[July 12 (legislative day of July 11), 2001]

Mr. REYNOLDS: Committee on Rules. House Resolution 188. Resolution providing for consideration of the bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform (Rept. No. 107–135). Referred to the House Calendar.

[July 12 (legislative day of July 11), 2001]

Mr. LINDER: Committee on Rules. House Resolution 189. Resolution providing for consideration of the joint resolution (H.J. Res. 36) proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (Rept. No. 107–136). Referred to the House Calendar.

¶71.32 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 100. Referral to the Committee on Education and the Workforce extended for a period ending not later than July 11, 2001.

H.R. 1858. Referral to the Committee on Education and the Workforce extended for a period ending not later than July 11, 2001.

¶71.33 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Education and the Workforce discharged from further consideration H.R. 100 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committee on Education and the Workforce discharged from further consideration. H.R. 1858 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶71.34 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BURTON of Indiana (for himself and Mrs. MORELLA):

H.R. 2456. A bill to provide that Federal employees may retain for personal use promotional items received as a result of travel taken in the course of employment; to the Committee on Government Reform.

By Mr. CANNON (for himself, Mr. BISHOP, Mr. WHITFIELD, Mr. RADANOVICH, Mr. LEWIS of Kentucky, Mr. HUTCHINSON, Mr. GOODE, Mr. SHIMKUS, Mr. PICKERING, Mr. MCHUGH, Mr. SAXTON, Mr. JENKINS, Mr. GREEN of Wisconsin, Mr. SHOWS, Mr. KELLER, Mr. PUTNAM, Mr. GRAHAM, and Mr. SWEENEY):

H.R. 2457. A bill to amend the Immigration and Nationality Act to impose a limitation on the wage that the Secretary of Labor may require an employer to pay an alien who is an H–2A nonimmigrant agricultural worker; to the Committee on the Judiciary.

By Mr. TURNER (for himself, Ms. HARMAN, Mr. SANDLIN, Mrs. MCCARTHY of New York, Mrs. TAUSCHER, Mr. SCHIFF, Mr. MORAN of Virginia, Mrs. CAPPS, Mr. DOOLEY of California, Mr. MCINTYRE, Mr. KIND, Mr. CRAMER, Mr. TANNER, Mr. STENHOLM, Mr. THOMPSON of California, Mr. FORD, Mr. MOORE, Mr. CARSON of Oklahoma, Mr. ROSS, Mr. DAVIS of Florida, Mr. SMITH of Washington, Ms. ESHOO, Mr. ETHERIDGE, Mr. BOSWELL, Mr. BOYD, Mr. BENTSEN, Mr. EDWARDS, Mr. WU, Ms. HOOLEY of Oregon, Mr. HILL, Mr. LAMPSON, Mr. PRICE of North Carolina, Mr. DOGGETT, Mr. HOLT, Mr. LARSON of Connecticut, Mrs. THURMAN, and Mr. GREEN of Texas):

H.R. 2458. A bill to enhance the management and promotion of electronic Government services and processes by establishing a Federal Chief Information Officer within the Office of Management and Budget, and by establishing a broad framework of measures that require using Internet-based information technology to enhance citizen access to Government information and services, and for other purposes; to the Committee on Government Reform.

By Mr. KUCINICH (for himself, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. HINCHEY, Mr. RAHALL, Ms. LEE, Mr. CLAY, Ms. WOOLSEY, Mrs. MALONEY of New York, Mr. UDALL of Colorado, Mr. BROWN of Ohio, Ms. SOLIS, Mr. FARR of California, Mrs. JONES of Ohio, Mr. STARK, Ms. MCKINNEY, Mr. JACKSON of Illinois, Mr. PAYNE, Mr. SANDERS, Ms. JACKSON-LEE of Texas, Ms. WATSON, Mr. FILNER, Mr. DAVIS of Illinois, Ms. VELAZQUEZ, Mr. DEFAZIO, Mr. GUTIERREZ, Mr. HONDA, Mr. OWENS, Mr. EVANS, Ms. SCHAKOWSKY, Mr. TOWNS, Ms. CARSON of Indiana, Mr. SERRANO, Mr. BAIRD, Mr. HOLT, Mr. MCGOVERN, Ms. WATERS, and Mr. SCOTT):

H.R. 2459. A bill to establish a Department of Peace.

By Mr. BOEHLERT:

H.R. 2460. A bill to authorize appropriations for environmental research and development, scientific and energy research, development, and demonstration, and commercial application of energy technology programs, projects, and activities of the Department of Energy and of the Office of Air and Radiation of the Environmental Protection Agency, and for other purposes; to the Committee on Science.

By Mr. ANDREWS:

H.R. 2461. A bill to amend the Federal Election Campaign Act of 1971 to provide for public funding for House of Representatives elections, and for other purposes; to the Committee on House Administration.

By Mr. BRADY of Pennsylvania:

H.R. 2462. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for that portion of a governmental pension received by an individual which does not exceed the maximum benefits payable under title II of the Social Security Act which could have been excluded from income for the taxable year; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 2463. A bill to provide limits on contingency fees in health care liability actions; to the Committee on the Judiciary.

By Mr. BRADY of Texas:

H.R. 2464. A bill to amend the Internal Revenue Code of 1986 to allow a deduction from gross income for contributions to candidates for Federal office; to the Committee on Ways and Means.

By Mr. BRYANT (for himself and Mr. HILLEARY):

H.R. 2465. A bill to amend the Appalachian Regional Development Act of 1965 to add Hickman, Lawrence, Lewis, Perry, and Wayne Counties, Tennessee, to the Appalachian region; to the Committee on Transportation and Infrastructure.

By Mr. COBLE (for himself, Mr. EHRLICH, Mr. GOSS, Mr. BARR of Georgia, Mr. ISAKSON, Mr. HEFLEY, Mrs. CUBIN, Mr. CULBERSON, Mr. OTTER, Mr. TIBERI, Mrs. BIGGERT, Mr. HILLIARD, and Mr. BACHUS):

H.R. 2466. A bill to amend title 49, United States Code, to permit an individual to operate a commercial motor vehicle solely within the borders of a State if the individual meets certain minimum standards prescribed by the State, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COBLE:

H.R. 2467. A bill to suspend temporarily the duty on [3,3'-Bianthra[1,9-cd]ptrazole]-6,6'(1H,1'H)-dione,1,1'-diet yl-; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 2468. A bill to extend the suspension of duty on 3-amino-2'-(sulfato-ethyl sulfonyl) ethyl benzamide; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 2469. A bill to extend the suspension of duty on MUB 738 INT; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 2470. A bill to extend the suspension of duty on 5-amino-N-(2-hydroxyethyl)-2,3-xylenesulfonamide; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 2471. A bill to extend the suspension of duty on 2-amino-5-nitrothiazole; to the Committee on Ways and Means.

By Ms. LOFGREN:

H.R. 2472. A bill to protect children from unsolicited e-mail smut containing sexually oriented advertisements offensive to minors; to the Committee on Science, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan:

H.R. 2473. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary,

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

By Mr. ROHRABACHER:

H.R. 2474. A bill to amend the Immigration and Nationality Act to specify that imprisonment for reentering the United States after removal subsequent to a conviction for a felony shall be under circumstances that stress strenuous work and sparse living conditions, if the alien is convicted of another felony after the reentry; to the Committee on the Judiciary.

By Mr. ROHRABACHER:

H.R. 2475. A bill to provide for the distribution to coastal States and counties of revenues collected under the Outer Continental Shelf Lands Act; to the Committee on Resources.

By Mr. SANDERS (for himself, Mr. MCGOVERN, Mr. ALLEN, Mr. BALDACCI, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BOUCHER, Mr. CONYERS, Mr. CROWLEY, Mr. DEFAZIO, Mr. DELAHUNT, Mr. EVANS, Mr. FILNER, Mr. FORD, Mr. FRANK, Mr. HINCHEY, Mr. LANTOS, Ms. LEE, Ms. MCCARTHY of Missouri, Ms. MCKINNEY, Mr. MEEKS of New York, Mrs. MINK of Hawaii, Mrs. NAPOLITANO, Mr. OLVER, Mr. OWENS, Mr. PASCRELL, Mr. PAYNE, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. WAXMAN, and Mr. WEINER):

H.R. 2476. A bill to amend the Highter Education Act of 1965 to increase the funds available for the provision of student financial assistance, and for other purposes; to the Committee on Education and the Workforce.

By Ms. WATERS:

H.R. 2477. A bill to amend title 49, United States Code, to prohibit the expansion of the passenger or cargo capacity of any airport that is located in a county with a population of more than 9,000,000 and that has the capacity to serve 80,000,000 or more air passengers annually; to the Committee on Transportation and Infrastructure.

By Ms. WOOLSEY (for herself, Mr. FILNER, Mr. SANDERS, Ms. MCKINNEY, Mr. HOEFFEL, Mr. THOMPSON of Mississippi, Mr. PAYNE, Mr. BAIRD, Mr. BACA, Mr. BALDACCI, Ms. RIVERS, Mr. BLUMENAUER, Mr. LANTOS, Mrs. MINK of Hawaii, Mr. WU, Mr. HONDA, and Mr. UDALL of Colorado):

H.R. 2478. A bill to establish a balanced energy program for the United States that unlocks the potential of renewable energy and energy efficiency, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Science, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 2479. A bill to ratify an agreement between The Aleut Corporation and the United States of America to exchange land rights received under the Alaska Native Claims Settlement Act for certain land interests on Adak Island, and for other purposes; to the Committee on Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN of Oregon:

H. Res. 187. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

¶71.35 ADDITIONAL SPONSORS

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

H.R. 7: Mr. CALVERT, Mr. NORWOOD, and Mr. WICKER.
H.R. 13: Mr. ROHRABACHER.
H.R. 17: Mr. KUCINICH and Mr. OWENS.
H.R. 31: Mr. BISHOP.
H.R. 91: Mr. SCHAFFER.
H.R. 116: Ms. SOLIS, Mr. CROWLEY, Mr. CLAY, Mr. HORN, Ms. SCHAKOWSKY, and Mr. HOEFFEL.
H.R. 150: Mr. GREEN of Wisconsin.
H.R. 169: Mrs. MINK of Hawaii.
H.R. 218: Mr. DAVIS of Illinois and Mr. HALL of Ohio.
H.R. 303: Mr. JACKSON of Illinois and Mr. LANTOS.
H.R. 325: Mr. BLUMENAUER and Mr. SKELTON.
H.R. 368: Mr. PENCE.
H.R. 369: Mr. PENCE.
H.R. 460: Ms. WATSON.
H.R. 510: Ms. ESHOO.
H.R. 526: Mr. ORTIZ, Mr. SPRATT, Mr. GUTIERREZ, and Mr. BORSKI.
H.R. 600: Mr. ROSS and Mr. REYES.
H.R. 612: Mr. HILLEARY and Mr. COSTELLO.
H.R. 635: Mr. KUCINICH.
H.R. 664: Mr. THOMPSON of Mississippi, Mr. SHOWS, Ms. WATSON, and Ms. MILLENDER-MCDONALD.
H.R. 678: Mr. BAIRD.
H.R. 690: Mr. BONIOR.
H.R. 709: Ms. SCHAKOWSKY and Ms. BROWN of Florida.
H.R. 716: Mr. ROTHMAN.
H.R. 717: Mr. DEUTSCH.
H.R. 721: Mr. LARSEN of Washington, Mr. QUINN, Mr. EDWARDS, and Ms. BERKLEY.
H.R. 778: Ms. PELOSI.
H.R. 781: Mr. CRAMER and Mr. WYNN.
H.R. 817: Mr. HOEFFEL, Mr. BROWN of Ohio, Ms. PRYCE of Ohio, Mr. DICKS, and Mr. WELDON of Florida.
H.R. 839: Mr. OWENS.
H.R. 862: Mr. MANZULLO.
H.R. 868: Mrs. MCCARTHY of New York, Mr. THUNE, Mr. DAVIS of Illinois, Mr. LAHOOD, and Ms. ESHOO.
H.R. 902: Mr. MCINTYRE.
H.R. 903: Ms. MCKINNEY.
H.R. 917: Ms. SOLIS.
H.R. 918: Mr. CARDIN, Mr. WEINER, and Mrs. NAPOLITANO.
H.R. 933: Mr. WATT of North Carolina.
H.R. 950: Mr. GOODLATTE.
H.R. 951: Mr. RUSH, Mrs. BIGGERT, Mr. SCOTT, Mr. MCDERMOTT, Mr. MEEHAN, Ms. MCKINNEY, Mr. TAYLOR of North Carolina, Mr. OWENS, and Mr. ETHERIDGE.
H.R. 968: Mr. TURNER, Mr. REYES, and Mr. KERNS.
H.R. 975: Mr. WATT of North Carolina.
H.R. 1007: Mr. HORN, Mrs. TAUSCHER, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mr. RUSH, Mr. HALL of Ohio, Mr. WEINER, and Mr. CALVERT.
H.R. 1014: Mr. JACKSON of Illinois, Mr. CLYBURN, Mr. STARK, and Mr. FARR of California.
H.R. 1032: Ms. PELOSI, Mr. SANDERS, and Mr. MCDERMOTT.
H.R. 1038: Mr. DELAHUNT.
H.R. 1073: Mr. THOMPSON of California, Mr. DEAL of Georgia, Mr. MCDERMOTT, Mr. HEFLEY, Mr. MOORE, Mr. ORTIZ, and Ms. WATSON.
H.R. 1086: Mr. DEFAZIO.
H.R. 1097: Mr. ALLEN.
H.R. 1110: Mr. CHAMBLISS.
H.R. 1111: Mr. RUSH, Ms. LOFGREN, Mr. HORN, Mr. SMITH of Washington, and Mr. CARDIN.
H.R. 1136: Mr. CALVERT, Mrs. THURMAN, Mr. WEXLER, Mr. NUSSLE, Mr. SCHIFF, and Mr. SANDLIN.
H.R. 1146: Mr. HEFLEY and Mr. SESSIONS.
H.R. 1155: Mr. RUSH, Mr. MCDERMOTT, Mr. MARKEY, Ms. KAPTUR, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MEEK of Florida, and Mr. TOOMEY.
H.R. 1171: Mr. KENNEDY of Minnesota.
H.R. 1194: Mr. COYNE, Mr. LOBIONDO, Mr. WAXMAN, and Mr. KUCINICH.
H.R. 1263: Mr. LATHAM.
H.R. 1266: Mr. ISSA.
H.R. 1273: Mr. SPENCE, Ms. HART, Mr. RYUN of Kansas, and Mr. GOODLATTE.
H.R. 1296: Mr. TIBERI, Mr. RYUN of Kansas, Mr. PASCRELL, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1298: Mr. NEAL of Massachusetts and Mr. MATSUI.
H.R. 1310: Ms. MCKINNEY.
H.R. 1354: Mr. BAIRD.
H.R. 1356: Mr. KUCINICH and Ms. LEE.
H.R. 1377: Mr. NORWOOD, Mr. SCARBOROUGH, Mr. LATOURETTE, Mr. LARGENT, Mr. GILCHREST, Mr. JENKINS, and Mr. BRYANT.
H.R. 1401: Mr. ENGLISH, Mr. GILCHREST, Mr. LAHOOD, Ms. ROYBAL-ALLARD, and Mr. PETERSON of Pennsylvania.
H.R. 1405: Mr. DEFAZIO, Ms. NORTON, Ms. MCCOLLUM, Mr. BROWN of Ohio, Mr. BRADY of Pennsylvania, Ms. SCHAKOWSKY, and Mr. MCDERMOTT.
H.R. 1427: Ms. JACKSON-LEE of Texas.
H.R. 1433: Ms. MCCOLLUM and Mr. GEORGE MILLER of California.
H.R. 1435: Mrs. MCCARTHY of New York.
H.R. 1459: Mr. BEREUTER, Ms. DUNN, Mr. INSLEE, and Mr. PETERSON of Minnesota.
H.R. 1460: Mr. STUMP, Mr. WICKER, Mr. HALL of Texas, Mr. BARCIA, Mr. DOOLITTLE, Mr. OTTER, Mr. ENGLISH, Mr. GORDON, Mr. SHADEGG, Mr. SMITH of Washington, Mr. LUCAS of Kentucky, Mr. NETHERCUTT, Mr. BARTLETT of Maryland, Mr. SUNUNU, and Mr. KERNS.
H.R. 1509: Mrs. JO ANN DAVIS of Virginia, Mr. ABERCROMBIE, Mr. BACHUS, Mr. STARK, and Mr. YOUNG of Alaska.
H.R. 1524: Mr. HILLEARY.
H.R. 1543: Ms. LOFGREN.
H.R. 1601: Mr. PETERSON of Minnesota.
H.R. 1605: Ms. MCKINNEY.
H.R. 1642: Mr. LAMPSON.
H.R. 1644: Mr. LAHOOD and Mr. FLETCHER.
H.R. 1675: Mr. CUNNINGHAM and Mr. PENCE.
H.R. 1679: Mr. WYNN.
H.R. 1682: Mr. PAYNE and Mr. SMITH of New Jersey.
H.R. 1690: Mr. WATT of North Carolina.
H.R. 1723: Mr. BLAGOJEVICH, Mr. ENGEL, and Mrs. TAUSCHER.
H.R. 1781: Mr. REHBERG.
H.R. 1798: Mr. LATHAM, Mr. WEXLER, and Mrs. MORELLA.
H.R. 1806: Mr. LEVIN and Ms. MCKINNEY.
H.R. 1835: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1858: Mr. HALL of Texas, Mr. SMITH of Michigan, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. EHLERS, Mr. GORDON, Mrs. MORELLA, Mr. BARCIA, Mr. SHAYS, Ms. JACKSON-LEE of Texas, Mr. CALVERT, Mr. ETHERIDGE, Mr. BARTLETT of Maryland, Mr. UDALL of Colorado, Mr. GUTKNECHT, Mr. BAIRD, Mr. NETHERCUTT, Mr. BACA, Mrs. BIGGERT, Mr. MATHESON, Mr. JOHNSON of Illinois, Mr. ISRAEL, Mr. GRUCCI, Mr. HONDA, and Ms. HART.
H.R. 1862: Ms. MCKINNEY, Ms. ROYBAL-ALLARD, and Mr. TIERNEY.
H.R. 1873: Mr. BONIOR, Mr. BLUMENAUER, and Mr. BALDACCI.
H.R. 1891: Mr. LINDER.
H.R. 1922: Mr. WAXMAN.
H.R. 1938: Mr. BLAGOJEVICH.
H.R. 1943: Mr. TRAFICANT.
H.R. 1949: Mrs. NAPOLITANO, Ms. MCKINNEY, and Ms. SCHAKOWSKY.
H.R. 1950: Mr. POMBO.
H.R. 1956: Mr. TERRY.
H.R. 1961: Mrs. WILSON and Ms. LEE.
H.R. 1979: Mr. WATTS of Oklahoma, Mr. DOOLITTLE, and Mr. FLAKE.

H.R. 1990: Mr. KUCINICH, Mr. BONIOR, and Mr. CLAY.
H.R. 1992: Mr. DEUTSCH.
H.R. 2001: Mr. NUSSLE.
H.R. 2005: Mr. BONIOR.
H.R. 2014: Mr. TERRY.
H.R. 2055: Mr. KOLBE.
H.R. 2078: Mr. DEUTSCH and Mr. SAWYER.
H.R. 2098: Mr. LATOURETTE, Mrs. MORELLA, and Mr. NADLER.
H.R. 2117: Mr. SAWYER.
H.R. 2118: Mr. PAYNE and Mr. FARR of California.
H.R. 2123: Mr. REYES, Mr. MCGOVERN, Mrs. JONES of Ohio, Mr. RAHALL, Mr. FILNER, Mrs. THURMAN, Mr. RUSH, Mr. BACA, Mr. ISSA, Mr. TAUZIN, and Mr. GUTIERREZ.
H.R. 2125: Mrs. DAVIS of California and Mr. SCHAFFER.
H.R. 2138: Mrs. CAPPS, Mr. BALDACCI, Mr. SANDLIN, and Mr. TERRY.
H.R. 2143: Mr. CALVERT, Mr. SIMMONS, and Mr. HEFLEY.
H.R. 2149: Mrs. ROUKEMA.
H.R. 2152: Mr. HILLIARD, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mrs. NAPOLITANO, Ms. LEE, Mr. FILNER, Mr. FROST, Mr. JEFFERSON, Mr. FALEOMAVAEGA, Mr. BONIOR, Mr. HOYER, Mr. BACA, Mr. STUPAK, Ms. MCKINNEY and Mr. HONDA.
H.R. 2167: Ms. PELSOI, Mr. SANDERS, and Mr. MCDERMOTT.
H.R. 2172: Ms. ESHOO, Mr. TOWNS, Mr. LANGEVIN, and Mr. WU.
H.R. 2206: Mr. BONIOR.
H.R. 2207: Mrs. MEEK of Florida and Mrs. TAUSCHER.
H.R. 2221: Mr. MCGOVERN, Mr. FILNER, Mr. RUSH, Mr. NADLER, and Mr. GEORGE MILLER of California.
H.R. 2249: Mr. ISAKSON and Mr. MANZULLO.
H.R. 2283: Mr. UDALL of New Mexico, Mr. RODRIGUEZ, Mr. BRADY of Pennsylvania and Ms. WOOLSEY.
H.R. 2286: Ms. SCHAKOWSKY and Mr. PRICE of North Carolina.
H.R. 2348: Mr. JEFFERSON, Mr. KILDEE, Mr. BAIRD, Ms. LOFGREN, and Mr. RODRIGUEZ.
H.R. 2349: Ms. DELAURO and Ms. LOFGREN.
H.R. 2365: Ms. WOOLSEY and Mr. LAHOOD.
H.R. 2368: Ms. LEE.
H.R. 2369: Ms. MCKINNEY, Ms. LOFGREN, and Mr. ENGLISH.
H.R. 2375: Mr. NEAL of Massachusetts, Ms. RIVERS, and Mr. SABO.
H.R. 2377: Mr. HASTINGS of Florida.
H.R. 2379: Mr. MCGOVERN, Mr. GUTIERREZ, Mr. WYNN, Mr. FROST, Mr. RANGEL, and Mrs. JONES of Ohio.
H.R. 2390: Mr. SAM JOHNSON of Texas and Mr. LEWIS of Kentucky.
H.R. 2413: Mr. KUCINICH and Ms. WOOLSEY.
H.R. 2417: Mr. WATKINS and Mr. HERGER.
H.R. 2423: Mr. MORAN of Kansas.
H.R. 2436: Mr. PETERSON of Pennsylvania.
H.R. 2453: Ms. ESHOO.
H.J. Res. 6: Mr. BRADY of Pennsylvania.
H.J. Res. 54: Mr. BAKER, Mr. COMBEST, and Mr. HEFLEY.
H. Con. Res. 17: Mr. BARRETT and Mr. GILCHREST.
H. Con. Res. 67: Mr. GREEN of Wisconsin.
H. Con. Res. 97: Mr. LOBIONDO.
H. Con. Res. 102: Mr. TIBERI, Mr. CUMMINGS, Mr. LATOURETTE, Mr. LEVIN, Mr. CAPUANO, Ms. WOOLSEY, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. GREEN of Wisconsin, Mr. GUTIERREZ, Ms. ESHOO, and Ms. WATERS.
H. Con. Res. 116: Mr. HOLDEN, Mr. GUTIERREZ, and Mr. TERRY.
H. Con. Res. 164: Mr. MCNULTY.
H. Con. Res. 177: Ms. KILPATRICK, Mr. SABO, Ms. SCHAKOWSKY, Mr. RANGEL, Mr. MCDERMOTT, Ms. HARMAN, Mrs. JONES of Ohio, Mr. WYNN, Mr. BLAGOJEVICH, Ms. BALDWIN, Mr. BRADY of Pennsylvania, Mr. LANGEVIN, and Ms. LOFGREN.
H. Con. Res. 181: Mr. RILEY, Mr. SANDERS, Mr. SHIMKUS, Mr. JENKINS, Mr. MORAN of Kansas, Mr. ETHERIDGE, and Mr. KUCINICH.
H. Res. 26: Mr. QUINN.
H. Res. 173: Mr. CALVERT.

THURSDAY, JULY 12, 2001 (72)

The House was called to order by the SPEAKER.

¶72.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, July 11, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶72.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2859. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Prohibited Purchasers in Foreclosure Sales of Multifamily Projects With HUD-Held Mortgages and Sales of Multifamily HUD-Owned Projects [Docket No. FR–4583–F–02] (RIN: 2501–AC69) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2860. A letter from the Deputy Secretary, Investment Management/Office of Regulatory Policy, Securities and Exchange Commission, transmitting the Commission's final rule—Treatment of Repurchase Agreements and Refunded Securities as an Acquisition of the Underlying Securities [Release No. IC–25058; File No. S7–21–99] (RIN: 3235–AH56) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2861. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of Final Funding Priorities for Fiscal Years (FY) 2001–2002 for two Rehabilitation Research Training Centers—received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2862. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of Final Funding Priorities for Fiscal Years (FY) 2001–2003 for three Disability and Rehabilitation Research Projects—received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2863. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Designation of Round III Urban Empowerment Zones and Renewal Communities [Docket No. FR–4663–I–01] (RIN: 2506–AC09) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2864. A letter from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Employee Retirement Income Security Act of 1974; Rules and Regulations for Administration and Enforcement; Claims Procedure (RIN: 1210–AA61) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2865. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

2866. A letter from the Chairman of the Board, Pension Benefit Guaranty Corporation, transmitting the semiannual reports of the Pension Benefit Guaranty Corporation and the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2867. A letter from the Federal Co-Chairman, Appalachian Regional Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2868. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2869. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's FY 2000 Performance and Accountability Report; to the Committee on Government Reform.

2870. A letter from the Acting Assistant Attorney General for Administration, Department of Justice, transmitting the Department's final rule—Privacy Act of 1974; Implementation—received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2871. A letter from the Acting Chair, Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2001–2002 Subsistence Taking of Fish and Wildlife Regulations (RIN: 1018–AG55) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2872. A letter from the Secretary, Department of Health and Human Services, transmitting the thirty-third in a series of reports on refugee resettlement in the United States covering the period October 1, 1998 through September 30, 1999, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

2873. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Documentation of Immigrants under the Immigration and Nationality Act, as amended—Diversity Visas—received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2874. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Technical Amendments; Organizational Changes; Miscellaneous Editorial Changes and Conforming Amendments [USCG–2001–9286] received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2875. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting

the Department's final rule—Raising the Threshold of Property Damage for Reports of Accidents Involving Recreational Vessels [USCG 1999–6094] (RIN: 2115–AF87) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2876. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Maryland Swim for Life, Chester River, Chestertown, Maryland [CGD05–01–031] (RIN: 2115–AE46) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2877. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Patapsco River, Baltimore, Maryland [CGD05–01–032] (RIN: 2115–AE46) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2878. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Northeast River, North East, Maryland [CGD05–01–030] (RIN: 2115–AE46) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2879. A letter from the Attorney, Research and Special Program Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials Regulations: Minor Editorial Corrections and Clarifications [Docket No. RSPA–2001–9567 (HM–189R)] (RIN: 2137–AD51) received July 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2880. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 205A–1, 205B, 212, 412, 412EP, and 412CF Helicopters [Docket No. 2000–SW–48–AD; Amendment 39–12281; AD 2001–13–01] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2881. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters [Docket No. 99–SW–06–AD; Amendment 39–12282; AD 2001–13–02] (RIN: 2120–AA64) received July 09, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2882. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–800 Series Airplanes [Docket No. 2001–NM–193–AD; Amendment 39–12294; AD 2001–12–51] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2883. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100, 747–200, 747–300, 747SP, and 747SR Series Airplanes Powered By Pratt & Whitney JT9D–3 and JT9D–7 Series Engines [Docket No. 2000–NM–354–AD; Amendment 39–12279; AD 2001–12–23] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2884. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; American Champion Aircraft Corporation 7, 8, and 11 Series Airplanes [Docket No. 98–CE–121–AD; Amendment 39–12255; AD 2000–25–02 R1] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2885. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–400 Series Airplanes [Docket No. 2001–NM–144–AD; Amendment 39–12253; AD 2001–11–10] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2886. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes [Docket No. 2001–NM–177–AD; Amendment 39–12293; AD 2001–13–13] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2887. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–81, –82, –83, and –87 Series Airplanes, and MD–88 Airplanes [Docket No. 2000–NM–322–AD; Amendment 39–12278; AD 2001–12–22] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2888. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model BAe.125 Series 800A (C–29A and U–125 Military), 1000A, and 1000B Airplanes; Hawker 800 (U–125A Military) Airplanes; and Hawker 800XP and 1000 Series Airplanes [Docket No. 2000–NM–212–AD; Amendment 39–12285; AD 2001–13–05] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2889. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Kaman Aerospace Corporation Model K–1200 Helicopters [Docket No. 2000–SW–50–AD; Amendment 39–12283; AD 2001–13–03] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2890. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model EC 155B Helicopters [Docket No. 2001–SW–08–AD; Amendment 39–12284; AD 2001–13–04] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2891. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Payment or Reimbursement for Emergency Treatment Furnished at Non-VA Facilities (RIN: 2900–AK08) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2892. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Board of Veterans' Appeals: Rules of Practice—Effect of Procedural Defects in Motions for Revision of Decisions on the Grounds of Clear and Unmistakable Error (RIN: 2900–AK74) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2893. A letter from the Secretaries, Department of the Army and the Department of Agriculture, transmitting notification of the intention of the Departments of the Army and Agriculture to interchange jurisdiction of civil works and Forest Service lands at the Fort Leonard Wood Military Reservation in the State of Missouri, pursuant to 16 U.S.C. 505a; jointly to the Committees on Armed Services and Agriculture.

¶72.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 174. Concurrent resolution authorizing the Rotunda of the Capitol to be used on July 26, 2001, for a ceremony to present Congressional Gold Medals to the original 29 Navajo Code Talkers.

¶72.4 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, July 11, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 362
- Nays 50
- Answered present 1

¶72.5 [Roll No. 222]

YEAS—362

Ackerman	Bryant	Deal
Akin	Burr	DeGette
Allen	Burton	Delahunt
Andrews	Buyer	DeLauro
Armey	Callahan	DeLay
Baca	Calvert	DeMint
Bachus	Camp	Deutsch
Baker	Cannon	Diaz-Balart
Baldacci	Cantor	Dicks
Ballenger	Capito	Dingell
Barcia	Capps	Doggett
Barr	Cardin	Dooley
Barrett	Carson (IN)	Doolittle
Bartlett	Carson (OK)	Doyle
Barton	Castle	Dreier
Bass	Chabot	Duncan
Bentsen	Chambliss	Dunn
Bereuter	Clay	Edwards
Berkley	Clement	Ehlers
Berman	Clyburn	Ehrlich
Berry	Coble	Emerson
Biggert	Collins	Engel
Bilirakis	Combest	Eshoo
Bishop	Condit	Etheridge
Blagojevich	Conyers	Evans
Blumenauer	Cooksey	Everett
Blunt	Coyne	Farr
Boehlert	Cramer	Ferguson
Boehner	Crenshaw	Flake
Bonilla	Cubin	Fletcher
Bono	Cummings	Foley
Boswell	Cunningham	Forbes
Boucher	Davis (CA)	Ford
Boyd	Davis (FL)	Fossella
Brady (TX)	Davis (IL)	Frank
Brown (FL)	Davis, Jo Ann	Frelinghuysen
Brown (SC)	Davis, Tom	Frost

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

NAYS—50

Aderholt
Baird
Baldwin
Becerra
Bonior
Borski
Brady (PA)
Brown (OH)
Capuano
Costello
Crane
Crowley
DeFazio
English
Filner
Gephardt
Gutierrez
Gutknecht
Hastings (FL)
Hefley
Hilliard
Hinchey
Kennedy (MN)
Kucinich
Larsen (WA)
Lewis (GA)
LoBiondo
McDermott
McGovern
McNulty
Menendez
Moran (KS)
Oberstar
Peterson (MN)
Ramstad
Sabo
Schaffer
Stark
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (NM)
Velazquez
Visclosky
Wamp
Waters
Weller
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—20

Abercrombie
Clayton
Cox
Culberson
Fattah
Hutchinson
Lantos
Leach
Lewis (CA)
McKinney
Murtha
Paul
Platts
Rangel
Shaw
Smith (NJ)
Spence
Thomas
Watkins (OK)
Young (AK)

So the Journal was approved.

¶72.6 MOTION TO ADJOURN

Mr. McNULTY moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the nays had it.

Mr. McNULTY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 7 / Nays 412

¶72.7 [Roll No. 223]

AYES—7

Bentsen
Carson (IN)
Filner
Hastings (FL)
McNulty
Smith (NJ)
Towns

NOES—412

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

NOT VOTING—14

Bass
Cox
Fattah
Gephardt
Hall (OH)
Hilliard
Horn
Hutchinson
Lewis (CA)
Paul
Shaw
Spence
Wynn
Young (AK)

So the motion to adjourn was not agreed to.

¶72.8 SUPPLEMENTAL APPROPRIATIONS FY 2001

On motion of Mr. YOUNG of Florida, by direction of the Committee on Appropriations and pursuant to clause 1 of rule XXII, the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. YOUNG of Florida, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

After debate,

By unanimous consent, the previous question was ordered on the motion.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. LATOURETTE announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 423 / Nays ..... 3 }

¶72.9 [Roll No. 224]

YEAS—423

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

NAYS—3

DeFazio
Filner
Wu

NOT VOTING—7

Foley
Jefferson
Lewis (CA)
Morella
Paul
Scarborough
Spence

So the motion to disagree to the Senate amendment and agree to conference was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶72.10 MOTION TO INSTRUCT CONFEREES—H.R. 2216

Mr. OBEY moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 2216 be instructed: (1) to insist that no provision to rescind funds from the Federal Emergency Management Agency's Disaster Relief Fund be included in the conference report on H.R. 2216; (2) to agree to the provision contained in the Senate amendment that appropriates an additional $35,000,000 for ''DEPARTMENT OF AGRICULTURE--ANIMAL AND PLANT HEALTH INSPECTION SERVICE--SALARIES AND EXPENSES''; and (3) to agree to the provision contained in the Senate amendment that appropriates an additional $84,000,000 for ''Payment to Radiation Exposure Compensation Trust Fund'' for claims covered by the Radiation Exposure Compensation Act.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the nays had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 205 / Nays ..... 219 }

¶72.11 [Roll No. 225]

YEAS—205

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee

Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Mink
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—219

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Berman
Kirk
Lewis (CA)
McDermott
Miller, George
Paul
Pomeroy
Putnam
Sanchez

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶72.12 APPOINTMENT OF CONFEREES—H.R. 2216

Thereupon, the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, appointed Messrs. YOUNG of Florida, REGULA, LEWIS of California, ROGERS of Kentucky, SKEEN, WOLF, KOLBE, CALLAHAN, WALSH, TAYLOR of North Carolina, HOBSON, ISTOOK, BONILLA, KNOLLENBERG, OBEY, MURTHA, DICKS, SABO, HOYER, MOLLOHAN, Ms. KAPTUR, Mr. VISCLOSKY, Mrs. LOWEY, Messrs. SERRANO and OLVER, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶72.13 MOTION TO ADJOURN

Mr. MCNULTY moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the nays had it.

Mr. MCNULTY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 6 / Nays 418

¶72.14 [Roll No. 226]

AYES—6

Conyers
Filner
Hall (OH)
Israel
McNulty
Serrano

NOES—418

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sessions
Shadegg
Shaw
Shays

Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Berman
Dooley
Kilpatrick
Lewis (CA)
McHugh
Paul
Pomeroy
Sensenbrenner
Watson (CA)

So the motion to adjourn was not agreed to.

¶72.15 PROVIDING FOR THE CONSIDERATION OF H.R. 2356

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 188):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After passage of H.R. 2356, it shall be in order to consider in the House S. 27. All points of order against the Senate bill and against its consideration are waived. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 2356 as passed by the House. All points of order against that motion are waived. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendment to S. 27 and request a conference with the Senate thereon.

When said resolution was considered.

After debate,

¶72.16 CALL OF THE HOUSE

On motion of Mr. REYNOLDS, a call of the House was ordered.

A quorum not being present,

By unanimous consent, a call of the House was ordered.

The call was taken by electronic device, and the following-named Members responded—

¶72.17 [Roll No. 227]

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

Thereupon, the SPEAKER pro tempore, Mr. LATOURETTE, announced that 422 Members had been recorded, a quorum.

Further proceedings under the call were dispensed with.

After further debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 203 / Nays 228

¶72.18 [Roll No. 228]

YEAS—203

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bereuter
Biggert
Bilirakis
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Vitter
Walden
Walsh
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NAYS—228

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

NOT VOTING—3

Lewis (CA)
Moore
Paul

So the resolution was not agreed to.

A motion to reconsider the vote whereby said resolution was not agreed to was, by unanimous consent, laid on the table.

¶72.19 ADJOURNMENT OVER

On motion of Mr. BLUNT, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, July 16, 2001 at 2 o'clock p.m.

¶72.20 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. BLUNT, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, July 18, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶72.21 PERMISSION TO FILE REPORT

On motion of Mr. YOUNG of Florida, by unanimous consent, the Committee on Appropriations was granted permission until midnight, Friday, July 13, 2001, to file a privileged report, making appropriations for Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies for the fiscal year ending September 30, 2002, and for other purposes.

¶72.22 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 130

Resolved, That the House of Representatives be notified of the election of the Honorable Jeri Thomson as Secretary of the Senate.

¶72.23 PERMISSION TO FILE REPORT

On motion of Mr. PLATTS, by unanimous consent, the Committee on the Judiciary was granted permission until 6 o'clock p.m. on Friday, July 13, 2001, to file a report (Rept. No. 107–138) on the bill (H.R. 7) to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets.

¶72.24 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. MOORE, for today after 4 p.m. and balance of the week; and

To Ms. WATERS, for July 10, 2001.

And then,

¶72.25 ADJOURNMENT

On motion of Mr. UDALL of New Mexico, pursuant to the special order heretofore agreed to, at 8 o'clock p.m., the House adjourned until 2 o'clock p.m. on Monday, July 16, 2001.

¶72.26 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on International Relations. H.R. 2069. A bill to amend the Foreign Assistance Act of 1961 to authorize assistance to prevent, treat, and monitor HIV/AIDS in sub-Saharan African and other developing countries; with an amendment (Rept. No. 107–137). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 7. A bill to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets; with amendments (Rept. No. 107–138 Pt. 1). Ordered to be printed.

¶72.27 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Ways and Means discharged from further consideration. H.R. 1140 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶72.28 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LUCAS of Oklahoma:

H.R. 2480. A bill to reauthorize, improve, and expand conservation programs administered by the Department of Agriculture; to the Committee on Agriculture.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LOBIONDO, and Ms. BROWN of Florida):

H.R. 2481. A bill to improve maritime safety and the quality of life for Coast Guard personnel, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SCHIFF (for himself, Mr. GEORGE MILLER of California, Mr. LANTOS, Mr. FILNER, Ms. SANCHEZ, Ms. ROYBAL-ALLARD, Mr. FARR of California, Mr. FRANK, Mrs. NAPOLITANO, Mr. HONDA, and Ms. WATERS):

H.R. 2482. A bill to repeal the tuition-sensitivity trigger in the Pell Grant program and to expand qualifying expenses and income eligibility for the Hope Scholarship and Lifetime Learning Credits; referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOSWELL (for himself, Mr. BARRETT, and Mr. OSBORNE):

H.R. 2483. A bill to amend title XVIII of the Social Security Act to improve the provision of items and services provided to Medicare beneficiaries residing in rural areas; referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO (for himself, Mr. FOLEY, Mr. TOWNS, Mr. WELDON of Florida, Mr. BUYER, and Mr. MCDERMOTT):

H.R. 2484. A bill to amend title XVIII of the Social Security Act to improve outpatient vision services under part B of the Medicare Program; referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH (for himself, Mr. NEAL of Massachusetts, Mrs. JOHNSON of Connecticut, Mr. TANNER, and Mr. FOLEY):

H.R. 2485. A bill to amend the Internal Revenue Code of 1986 to allow advanced applied technology equipment to be expensed and to reduce the depreciation recovery periods for certain other property; to the Committee on Ways and Means.

By Mr. ETHERIDGE (for himself, Mr. BOEHLERT, Mr. HALL of Texas, Mr. BRADY of Texas, Mr. MCINTYRE, Mr. JONES of North Carolina, Mr. PRICE of North Carolina, Mr. BARRETT, Mr. MARKEY, Ms. JACKSON-LEE of Texas, Ms. MCKINNEY, Mrs. CHRISTENSEN, Mr. LANTOS, Mr. HOEFFEL, Mrs. CLAYTON, Mr. CRAMER, and Mr. DIAZ-BALART):

H.R. 2486. A bill to authorize the National Weather Service to conduct research and development, training, and outreach activities relating to tropical cyclone inland forecasting improvement, and for other purposes; to the Committee on Science.

By Mr. GUTIERREZ:

H.R. 2487. A bill to amend the Higher Education Act of 1965 to establish a scholarship program to encourage and support students who have contributed substantial public services; to the Committee on Education and the Workforce.

By Mr. HANSEN:

H.R. 2488. A bill to designate certain lands in the Pilot Range in the State of Utah as wilderness, and for other purposes; to the Committee on Resources.

By Ms. HART (for herself, Ms. MILLENDER-MCDONALD, Mr. BILIRAKIS, Mr. OWENS, Mr. LANTOS, Ms. SANCHEZ, Ms. WOOLSEY, Mrs. TAUSCHER, Mrs. MORELLA, Ms. SOLIS, Mr. BALDACCI, Mr. HORN, Ms. BROWN of Florida, Mr. GEORGE MILLER of California, Ms. WATERS, Mr. WATKINS, Mr. ENGLISH, Mr. PLATTS, Mr. GREENWOOD, Mr. PAYNE, Ms. HARMAN, and Mr. SANDERS):

H.R. 2489. A bill to provide effective training and education programs for displaced homemakers, single parents, and individuals entering nontraditional employment; to the Committee on Education and the Workforce.

By Mr. KLECZKA (for himself and Mr. STARK):

H.R. 2490. A bill to amend title XVIII of the Social Security Act to limit the hospital ownership exception to physician self-referral restrictions to interests purchased on terms generally available to the public; referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKEON:

H.R. 2491. A bill to establish a grant program to train law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. PENCE (for himself, Mr. BUYER, Mr. HOSTETTLER, Mr. SCHROCK, Mr. MCGOVERN, Mr. KIRK, Mr. KERNS, Mr. SPENCE, Mr. SIMMONS, Mr. VISCLOSKY, Mr. SOUDER, Mr. BURTON of Indiana, Mrs. JO ANN DAVIS of Virginia, Mr. ROHRABACHER, Mr. SHUSTER, Mr. ROGERS of Michigan, Mr. KELLER, Mr. REHBERG, Mr. CULBERSON, and Mr. ISSA):

H.R. 2492. A bill to authorize the President to posthumously advance the late Admiral Raymond Ames Spruance to the grade of Fleet Admiral of the United States Navy; to the Committee on Armed Services.

By Mr. RANGEL:

H.R. 2493. A bill to repeal the requirements under the United States Housing Act of 1937 for residents of public housing to engage in community service and to complete economic self-sufficiency programs; to the Committee on Financial Services.

By Mr. SKELTON (for himself, Mr. MCINTYRE, Mr. UNDERWOOD, Mr. LANGEVIN, Mr. REYES, Mr. ANDREWS, Mr. TURNER, Mr. EVANS, Mr. ORTIZ, Mr. SNYDER, Mrs. TAUSCHER, Mr. SMITH of Washington, Mr. ABERCROMBIE, and Mr. MALONEY of Connecticut):

H.R. 2494. A bill to provide an additional 2.3 percent increase in the rates of military basic pay for members of the uniformed services above the pay increase proposed by the Department of Defense so as to ensure at least a minimum pay increase of 7.3 percent for each member; to the Committee on Armed Services.

By Mr. STUPAK:

H.R. 2495. A bill to provide for and approve the settlement of certain land claims of the Bay Mills Indian Community and the Sault Ste. Marie Tribe of Chippewa Indians; to the Committee on Resources.

By Mr. UDALL of Colorado:

H.R. 2496. A bill to direct the Secretary of Energy to develop and implement a strategy for research, development, demonstration, and commercial application of distributed power hybrid energy systems, and for other purposes; to the Committee on Science.

By Ms. VELAZQUEZ:

H.R. 2497. A bill to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to establish certain requirements for managed care plans; referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 2498. A bill to amend the Consumer Credit Protection Act to protect consumers from inadequate disclosures and certain abusive practices in rent-to-own transactions, and for other purposes; to the Committee on Financial Services.

By Mr. WU:

H.R. 2499. A bill to terminate funding for the Fast Flux Test Facility at the Hanford Nuclear Reservation in Washington; referred to the Committee on Science, and in addition to the Committees on Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H. Res. 190. A resolution expressing the sense of the House of Representatives that schools should educate children about and organize community service projects related to the role of Native Americans in American history and culture, and that there should be a paid holiday in honor of Native Americans for all Federal, State, and local government employees; to the Committee on Education and the Workforce.

By Mr. KIRK (for himself, Mr. LANTOS, Mr. GILMAN, Mr. WEINER, Mrs. LOWEY, Mr. CANTOR, Mr. JOHNSON of Illinois, Mr. CROWLEY, Mr. SIMMONS, Mrs. MALONEY of New York, Ms. SCHAKOWSKY, Mr. WEXLER, Mr. SHIMKUS, Mr. PHELPS, Mr. CRANE, Mr. ENGEL, Mr. WELLER, Mr. NADLER, Mr. SAXTON, Mr. ISRAEL, Mr. SMITH of New Jersey, Mr. MCGOVERN, Mr. SCHIFF, and Mr. GRUCCI):

H. Res. 191. A resolution expressing the sense of the House of Representatives that the United Nations should immediately transfer to the Israeli Government an unedited and uncensored videotape that contains images which could provide material evidence for the investigation into the incident on October 7, 2000, when Hezbollah forces abducted 3 Israeli Defense Force soldiers, Adi Avitan, Binyamin Avraham, and Omar Souad; to the Committee on International Relations.

¶72.29 ADDITIONAL SPONSORS

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

H.R. 12: Mr. NUSSLE.
H.R. 17: Mr. BACA.
H.R. 94: Mr. REYES.
H.R. 116: Mr. MEEKS of New York.
H.R. 123: Mr. HAYWORTH, Mr. NETHERCUTT, Mr. PUTNAM, and Mr. STENHOLM.
H.R. 162: Mr. BACHUS.
H.R. 239: Mr. SCHIFF.
H.R. 265: Mrs. MEEK of Florida, Mr. DAVIS of Illinois, and Mr. FILNER.
H.R. 382: Mr. BACA.
H.R. 415: Mr. SHERMAN.
H.R. 435: Mr. NUSSLE.
H.R. 570: Mr. MEEKS of New York.
H.R. 599: Mr. BONILLA.

H.R. 606: Mr. OLVER.
H.R. 658: Mr. REYNOLDS.
H.R. 664: Mr. BOEHLERT, Mr. SHERMAN, Mr. MEEKS of New York, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. FORD, Mr. DAVIS of Illinois, Mr. NADLER, Mr. MORAN of Kansas, Mr. WU, and Mr. FALEOMAVAEGA.
H.R. 684: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. SCHIFF.
H.R. 774: Mr. EHLERS.
H.R. 777: Mr. UDALL of Colorado.
H.R. 804: Mr. LAHOOD.
H.R. 817: Mr. STARK.
H.R. 822: Mr. HILLEARY, Mrs. THURMAN, Ms. JACKSON-LEE of Texas, Mr. COSTELLO, Mr. ORTIZ, Mr. KUCINICH, Mr. SHIMKUS, and Mr. HYDE.
H.R. 831: Mr. KERNS, Mr. SPENCE, Mr. PASTOR, Mr. STUPAK, Mr. BILIRAKIS, Ms. BALDWIN, Mr. CLEMENT, Mr. CARSON of Oklahoma, Mr. GILMAN, Mr. SESSIONS, Mrs. EMERSON, Mr. LANTOS, Mr. WAMP, Ms. LOFGREN, Mr. NUSSLE, Mr. HINCHEY, Mr. NETHERCUTT, Mr. WOLF, Mr. FROST, Mr. GREEN of Texas, Mr. PALLONE, Mrs. MALONEY of New York, and Mr. GUTIERREZ.
H.R. 839: Mr. MEEKS of New York.
H.R. 844: Mr. GREENWOOD.
H.R. 912: Mrs. KELLY, Mr. GILLMOR, Mr. LATOURETTE, Mr. EHRLICH, Mr. HINOJOSA, and Mr. STEARNS.
H.R. 951: Mr. GREEN of Wisconsin and Mr. DAVIS of Illinois.
H.R. 967: Mr. BAIRD and Mr. WALSH.
H.R. 972: Mr. HOLT.
H.R. 984: Mr. FOSSELLA.
H.R. 986: Mr. MCHUGH.
H.R. 1012: Mr. GARY G. MILLER of California and Ms. HARMAN.
H.R. 1016: Mr. ROGERS of Kentucky.
H.R. 1071: Mrs. DAVIS of California, Ms. JACKSON-LEE of Texas, Mr. PALLONE, Mr. DELAHUNT, Mr. PAYNE, Mr. JEFFERSON, Mr. ALLEN, and Mr. STUPAK.
H.R. 1112: Mr. LANTOS.
H.R. 1121: Ms. ROYBAL-ALLARD and Mr. BARR of Georgia.
H.R. 1143: Mr. WEXLER, Mr. WEINER, and Mr. BORSKI.
H.R. 1169: Mr. MASCARA.
H.R. 1187: Mr. DIAZ-BALART.
H.R. 1192: Mr. ROGERS of Kentucky.
H.R. 1198: Mr. WELDON of Pennsylvania, Mr. RAMSTAD, Mr. DOGGETT, Mr. KINGSTON, Mr. UPTON, and Mr. ISSA.
H.R. 1238: Mr. WELLER and Mr. HOYER.
H.R. 1268: Mr. MCGOVERN.
H.R. 1307: Mr. MEEKS of New York.
H.R. 1353: Mr. HASTINGS of Washington.
H.R. 1354: Mr. MCHUGH and Ms. ROS-LEHTINEN.
H.R. 1360: Mr. SAWYER, Mr. TRAFICANT, Mr. HOLT, Mr. BLUMENAUER, Mr. SHERMAN, Ms. KAPTUR, and Ms. HOOLEY of Oregon.
H.R. 1434: Mr. HOYER, Mr. MCGOVERN, Mr. STUPAK, and Mr. BRADY of Pennsylvania.
H.R. 1452: Mr. OLVER.
H.R. 1475: Mr. RYAN of Wisconsin, Ms. JACKSON-LEE of Texas, Mr. CARSON of Oklahoma, Mr. ROSS, Mr. DOYLE, Mr. TERRY, Mr. EVANS, Mr. DEUTSCH, Mr. LARSEN of Washington, Mr. SHOWS, Mr. GORDON, Ms. HARMAN, Mr. BERRY, Mr. FERGUSON, and Mr. HOEFFEL.
H.R. 1536: Mr. PRICE of North Carolina, Ms. WATERS, Mr. LEVIN, and Mr. OBERSTAR.
H.R. 1556: Mr. HAYES, Mr. LIPINSKI, Mr. LEACH, Mr. BACA, Mr. ORTIZ, Mr. CLAY, Ms. ROYBAL-ALLARD, and Mr. ROTHMAN.
H.R. 1582: Mrs. CLAYTON, Mr. KUCINICH, and Mr. RANGEL.
H.R. 1591: Ms. HOOLEY of Oregon.
H.R. 1596: Mr. ROGERS of Kentucky.
H.R. 1598: Ms. ROYBAL-ALLARD.
H.R. 1600: Mrs. TAUSCHER and Mr. ETHERIDGE.
H.R. 1604: Mr. BROWN of Ohio.
H.R. 1611: Mr. BARTLETT of Maryland and Mr. CALVERT.
H.R. 1624: Mr. ETHERIDGE, Mr. BAIRD, Mr. GEKAS, Mr. BORSKI, Mr. CARSON of Oklahoma, Mr. SHERWOOD, Mr. JACKSON of Illinois, and Mr. DICKS.
H.R. 1644: Mr. ROGERS of Kentucky.
H.R. 1645: Mr. LANTOS, Mr. BAIRD, Mr. BALDACCI, and Mr. BARR of Georgia.
H.R. 1650: Mr. ANDREWS.
H.R. 1657: Mr. HAYWORTH.
H.R. 1677: Mr. WATKINS.
H.R. 1680: Mr. KIRK.
H.R. 1705: Mr. OSBORNE and Mr. REHBERG.
H.R. 1735: Ms. DEGETTE.
H.R. 1762: Mr. DOOLITTLE.
H.R. 1797: Mr. LARSEN of Washington.
H.R. 1811: Mr. OSE.
H.R. 1832: Mr. OXLEY and Mr. MCKEON.
H.R. 1861: Mr. SIMMONS and Mr. MURTHA.
H.R. 1864: Mr. LEVIN, Mr. GRUCCI, Mr. MATHESON, and Mr. PRICE of North Carolina.
H.R. 1877: Mr. OWENS and Mr. KILDEE.
H.R. 1897: Mr. MCHUGH, Mr. NADLER, Mr. DINGELL, Ms. ROYBAL-ALLARD, Mr. TOWNS, Mr. FORD, and Mr. ACKERMAN.
H.R. 1899: Mr. STENHOLM.
H.R. 1919: Mr. CRAMER, Mr. TAYLOR of Mississippi, Mr. REYNOLDS, Mr. TIAHRT, Mr. MILLER of Florida, Mr. EHRLICH, Mr. GOODLATTE, and Mr. MCHUGH.
H.R. 1935: Mr. SMITH of Washington, Mr. RADANOVICH, Ms. HARMAN, Mr. SWEENEY, and Mr. SHERWOOD.
H.R. 1954: Mr. LUCAS of Kentucky and Mr. MOORE.
H.R. 1975: Mr. HASTINGS of Washington and Mr. RODRIGUEZ.
H.R. 1982: Mr. SCHROCK.
H.R. 1984: Mr. HOEKSTRA.
H.R. 1990: Mr. FATTAH, Mr. ANDREWS, Mr. MEEKS of New York, and Ms. KILPATRICK.
H.R. 1992: Mr. SCHROCK.
H.R. 1997: Mr. UDALL of Colorado.
H.R. 2037: Mr. MORAN of Kansas, Mrs. MYRICK, Mr. WATTS of Oklahoma, Mr. KENNEDY of Minnesota, Mr. EVERETT, Mr. FORBES, Mr. GEKAS, and Mr. TAYLOR of North Carolina.
H.R. 2064: Mr. FILNER and Ms. SOLIS.
H.R. 2069: Mr. LANTOS, Ms. MILLENDER-MCDONALD, Mr. HOUGHTON, Mr. KING, Mrs. MINK of Hawaii, Mrs. MORELLA, Mrs. MCCARTHY of New York, Mr. GILMAN, Mr. GALLEGLY, Mr. COOKSEY, Mr. TANCREDO, Mr. SMITH of New Jersey, Ms. ROS-LEHTINEN, Mr. KIRK, Mr. CANTOR, Mr. EHRLICH, Ms. LEE, Mrs. NAPOLITANO, Mr. LEACH, Mr. WEXLER, and Mr. BLUMENAUER.
H.R. 2102: Mr. TURNER, Mr. ALLEN, Mr. BOYD, Mr. LANTOS, and Mr. MEEKS of New York.
H.R. 2117: Mr. FROST.
H.R. 2123: Mr. MEEKS of New York and Mr. FARR of California.
H.R. 2126: Mr. BARTON of Texas.
H.R. 2145: Mr. GONZALEZ.
H.R. 2153: Mrs. MORELLA.
H.R. 2163: Mr. MASCARA, Mr. SKELTON, Mr. ENGLISH, Mr. BERMAN, and Mr. GEORGE MILLER of California.
H.R. 2208: Mr. LAFALCE, Mr. FILNER, and Mr. OWENS.
H.R. 2219: Mr. STUPAK and Mr. GUTIERREZ.
H.R. 2244: Mr. MORAN of Kansas.
H.R. 2281: Ms. NORTON, Mr. LANTOS, Mr. LEACH, and Ms. SOLIS.
H.R. 2315: Mr. REHBERG, Mr. MANZULLO, Mr. KELLER, and Mr. REGULA.
H.R. 2329: Mr. BONIOR, Mr. FOLEY, Ms. ESHOO, Mr. MANZULLO, Mrs. DAVIS of California, Mr. WALSH, Mr. BARR of Georgia, and Mr. PUTNAM.
H.R. 2335: Mr. PICKERING, Mrs. CHRISTENSEN, and Mr. STUPAK.
H.R. 2340: Mr. KLECZKA.
H.R. 2380: Mr. BLAGOJEVICH, Mrs. MORELLA, Ms. BROWN of Florida, Mrs. ROUKEMA, Mr. HASTINGS of Florida, Mr. GREEN of Texas, Mr. STARK, Mr. LIPIINSKI, Mr. TIERNEY, Mr. OBERSTAR, Mr. FORD, Mr. THOMPSON of Mississippi, Mr. UPTON, and Mrs. JONES of Ohio.
H.R. 2412: Mr. UDALL of New Mexico, Mr. CARSON of Oklahoma, and Mr. KIND.
H.R. 2420: Mrs. MEEK of Florida.
H.R. 2435: Mr. GILLMOR and Mr. STRICKLAND.
H.R. 2453: Mrs. JONES of Ohio, Ms. LOFGREN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BAIRD.
H.R. 2457: Mr. ISSA, Mr. SCHROCK, Mr. CALVERT, Mr. GRAVES, and Mr. FOLEY.
H.R. 2478: Ms. SOLIS and Mr. COSTELLO.
H.J. Res. 2: Mr. DEFAZIO.
H.J. Res. 20: Mr. LATHAM.
H. Con. Res. 26: Mrs. MORELLA.
H. Con. Res. 103: Mr. REYES.
H. Con. Res. 116: Mr. MCDERMOTT.
H. Con. Res. 143: Mr. WAXMAN, Mr. BROWN of Ohio, and Mr. HASTINGS of Florida.
H. Con. Res. 160: Mr. COOKSEY.
H. Con. Res. 162: Mrs. MORELLA, Mr. LIPINSKI, Mr. LANGEVIN, Mr. COSTELLO, Mr. MCGOVERN, Mr. SOUDER, Mr. THOMAS, Mr. FILNER, Mr. LEVIN, Mrs. ROUKEMA, Mr. HOEFFEL, Mr. MCNULTY, Mrs. MCCARTHY of New York, and Mr. RADANOVICH.
H. Con. Res. 164: Mr. HILLIARD, Mr. BONIOR, Ms. BALDWIN, and Ms. SOLIS.
H. Con. Res. 180: Mr. GREENWOOD, Mr. RAHALL, Mr. MCGOVERN, Mr. SAXTON, Mr. BASS, Mr. PALLONE, Ms. LEE, Mr. FILNER, Mr. CAPUANO, Mrs. ROUKEMA, Mr. BOUCHER, Mr. SHAYS, Mr. NADLER, Ms. PELOSI, Mr. SCHIFF, Mr. MORAN of Virginia, Mr. STARK, Mr. MCDERMOTT, Mrs. TAUSCHER, and Mrs. NAPOLITANO.
H. Res. 17: Mr. LEWIS of Georgia.
H. Res. 117: Mr. EVANS.
H. Res. 137: Mr. WOLF.
H. Res. 186: Mr. SMITH of Texas.

MONDAY, JULY 16, 2001 (73)

¶73.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MILLER of Florida, who laid before the House the following communication:

WASHINGTON, DC,
July 16, 2001.

I hereby appoint the Honorable DAN MILLER to act as Speaker pro tempore on this day.

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

¶73.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MILLER of Florida, announced he had examined and approved the Journal of the proceedings of Thursday, July 12, 2001.

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

¶73.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2894. A letter from the Deputy Secretary of Defense, Department of Defense, transmitting the Department's Assessment of Fiscal Year 1998 Sexual Harassment Complaints and Sexual Misconduct; to the Committee on Armed Services.

2895. A letter from the Chief, Division of General and International Law, Department of Transportation, transmitting the Department's final rule—Service Obligation Reporting Requirements for United States Merchant Marine Academy and State Maritime School Graduates [Docket No. MARAD–2000-xxxx] received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2896. A communication from the President of the United States, transmitting a report on United States military personnel and United States civilians retained as contractors in Colombia in support of Plan Colombia; to the Committee on Armed Services.

2897. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the annual report of the Office of Juvenile Justice and Delinquency Prevention for Fiscal Year 2000, pursuant to 42 U.S.C. 5617; to the Committee on Education and the Workforce.

2898. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Alabama: Nitrogen Oxides Budget and Allowance Trading Program [AL–057–200116; FRL–7012–1] received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2899. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Regulation of Fuel and Fuel Additives: Reformulated Gasoline Adjustment [FRL–7011–2] (RIN: 2060–AI98) received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2900. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan for Texas: Transportation Control Measures Rule [TX–57–1–7183a; FRL–7010–9] received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2901. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Houston/Galveston Volatile Organic Compound Reasonably Available Control Technology Revision [TX–133–1–7493a; FRL–7011–6] received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2902. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills [AD-FRL–6997–8] (RIN: 2060–AI34) received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2903. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the court; to the Committee on Energy and Commerce.

2904. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to the Taliban, is to continue in effect beyond July 4, 2001, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 107–99); to the Committee on International Relations and ordered to be printed.

2905. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to the Taliban in Afghanistan that was declared in Executive Order 13129 of July 4, 1999, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 107–100); to the Committee on International Relations and ordered to be printed.

2906. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 107–101); to the Committee on International Relations and ordered to be printed.

2907. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting the Department of the Navy's proposed lease of defense articles to Turkey (Transmittal No. 07–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

2908. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Singapore for defense articles and services (Transmittal No. 01–21), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2909. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Turkey for defense articles and services (Transmittal No. 01–13), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2910. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement with France [Transmittal No. DTC 071–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2911. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–78, ''New York Avenue Metro Special Assessment Authorization Temporary Act of 2001'' received July 13, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2912. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–79, ''Consecutive Term Limitation Amendment Act of 2001'' received July 13, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

2913. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–87, ''Ward Redistricting Amendment Act of 2001'' received July 13, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2914. A letter from the Auditor, District of Columbia, transmitting a report entitled, ''Comparative Analysis of Actual Cash Collections to Revenue Estimates for the 2nd Quarter of Fiscal Year 2001''; to the Committee on Government Reform.

2915. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2916. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the court; to the Committee on Resources.

2917. A letter from the Director, National Legislative Commission, The American Legion, transmitting a copy of the Legion's financial statements as of December 31, 2000, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on the Judiciary.

2918. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report entitled, ''Report to Congress on Transportation Security'' for Calendar Year 1999, pursuant to Public Law 101–604, section 102(a) (104 Stat. 3068); to the Committee on Transportation and Infrastructure.

2919. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Series Airplanes [Docket No. 2001–NM–190–AD; Amendment 39–12295; AD 2001–13–14] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2920. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and EMB–145 Series Airplanes [Docket No. 2000–NM–319–AD; Amendment 39–12268; AD 2001–12–13] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2921. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300, 737–400, 737–500, 737–600, 737–700, 737–800, 757–200, 757–200PF, 757–200CB, and 757–300 Series Airplanes [Docket No. 2000–NM–308–AD; Amendment 39–12287; AD 2001–13–07] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2922. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100, –200, –300, and 747SP Series Airplanes [Docket No. 2000–NM–250–AD; Amendment 39–12286; AD 2001–13–06] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2923. A communication from the President of the United States, transmitting notification concerning a waiver of Jackson-Vanik Amendment for the Republic of Belarus, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 107–97); to the Committee on Ways and Means and ordered to be printed.

2924. A communication from the President of the United States, transmitting an updated report concerning the emigration laws and policies of Armenia, Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan, pursuant to 19 U.S.C. 2432(b); (H. Doc. No. 107–98); to the Committee on Ways and Means and ordered to be printed.

¶73.4 MESSAGE FROM THE SENATE

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

H.R. 2217. An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2217) ''An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. LEAHY, Mr. HOLLINGS, Mr. REID, Mr. DORGAN, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. INOUYE, Mr. BURNS, Mr. STEVENS, Mr. COCHRAN, Mr. DOMENICI, Mr. BENNETT, Mr. GREGG, and Mr. CAMPBELL to be the conferees on the part of the Senate.

¶73.5 PRIVATE CALENDAR OBJECTORS—MAJORITY AND MINORITY

The SPEAKER pro tempore, Mr. MILLER of Florida, announced des-

ignations by the Majority and Minority Leaderships, respectively, of the following Members as the official objectors for the Private Calendar for the 107th Congress: Messrs. COBLE, BARR, CHABOT, BOUCHER, and Ms. DELAURO.

¶73.6 RECESS—2:05 P.M.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 5 minutes p.m., subject to the call of the Chair.

¶73.7 AFTER RECESS—7:06 P.M.

The SPEAKER pro tempore, Mr. GOSS, called the House to order.

¶73.8 PROVIDING FOR THE CONSIDERATION OF H.R. 2500

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–141) the resolution (H. Res. 192) providing for consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

And then,

¶73.9 ADJOURNMENT

On motion of Mr. LINDER, at 7 o'clock and 7 minutes p.m., the House adjourned.

¶73.10 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on July 12, 2001 the following report was filed on July 13, 2001]

Mr. WOLF: Committee on Appropriations. H.R. 2500. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–139). Referred to the Committee of the Whole House on the State of the Union.

[Submitted July 16, 2001]

Mr. THOMAS: Committee on Ways and Means. H.R. 1954. A bill to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006; with amendments (Rept. No. 107–107 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 7. A bill to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets; with an amendment (Rept. No. 107–138 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 617. A bill to express the policy of the United States regarding the United States' relationship with Native Hawaiians, to provide a process for the reorganization of a Native Hawaiian government and the recognition by the United States of the Native Hawaiian government, and for other purposes; with an amendment (Rept. No. 107–140). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 192. Resolution providing for consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–141). Referred to the House Calendar.

¶73.11 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on July 13, 2001]

H.R. 1954. Referral to the Committees on Financial Services, Ways and Means, and Government Reform extended for a period ending not later than July 16, 2001.

¶73.12 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Financial Services and Government Reform discharged from further consideration. H.R. 1954 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶73.13 PUBLIC BILLS AND RESOLUTIONS

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

[Omitted from the Record of July 12, 2001]

By Mr. SKELTON (for himself, Mr. BRADY of Pennsylvania, Mr. MCINTYRE, Mr. UNDERWOOD, Mr. LANGEVIN, Mr. REYES, Mr. ANDREWS, Mr. ANDREWS, Mr. TURNER, Mr. EVANS, Mr. TAYLOR of Mississippi, Mr. ORTIZ, Mr. SNYDER, Mrs. TAUSCHER, Mr. SMITH of Washington, Mr. ABERCROMBIE, and Mr. MALONEY of Connecticut):

H.R. 2494. A bill to provide an additional 2.3 percent increase in the rates of military basic pay for members of the uniformed services above the pay increase proposed by the Department of Defense so as to ensure at least a minimum pay increase of 7.3 percent for each member; to the Committee on Armed Services.

[Submitted July 16, 2001]

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LATOURETTE, and Mr. COSTELLO):

H.R. 2501. A bill to reauthorize the Appalachian Regional Development Act of 1965; to the Committee on Transportation and Infrastructure.

By Mr. HORN (for himself, Mr. WATKINS, Mr. PETERSON of Pennsylvania, Mr. WATTS of Oklahoma, Mr. DOOLITTLE, Mr. DOOLEY of California, Mr. INSLEE, Mr. DICKS, Mr. MCINNIS, and Mr. ENGLISH):

H.R. 2502. A bill to amend the Internal Revenue Code of 1986 to assist small business refiners in complying with Environmental Protection Agency sulfur regulations; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 2503. A bill to provide for nuclear disarmament and economic conversion in accordance with District of Columbia Initiative Measure Number 37 of 1992; to the Committee on Armed Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRABACHER (for himself, Ms. HARMAN, and Mr. CALVERT):

H.R. 2504. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for investing in companies involved in space-related activities; to the Committee on Ways and Means.

By Mr. WELDON of Florida (for himself, Mr. STUPAK, Mr. KERNS, and Mr. KUCINICH):

H.R. 2505. A bill to amend title 18, United States Code, to prohibit human cloning; to the Committee on the Judiciary.

By Mr. AKIN (for himself, Mr. BLAGOJEVICH, Mr. DIAZ-BALART, Mr. GONZALEZ, Mr. KUCINICH, Mrs. LOWEY, Mrs. MEEK of Florida, Mr. NADLER, Ms. ROS-LEHTINEN, and Ms. ROYBAL-ALLARD):

H. Con. Res. 185. Concurrent resolution expressing deep regret for the refusal of the United States to provide political asylum to the Jewish refugees aboard the S.S. ST. LOUIS in May and June of 1939; to the Committee on the Judiciary.

By Ms. KAPTUR:

H. Con. Res. 186. Concurrent resolution expressing the sense of Congress regarding the establishment of a Parents Week to recognize and support parents who actively participate in the lives of their children; to the Committee on Government Reform.

By Mr. STUPAK (for himself, Mr. WELDON of Pennsylvania, Mr. HOEFFEL, Mr. WU, Mr. GILMAN, Mrs. CAPPS, Mrs. MCCARTHY of New York, Mr. HOLDEN, Mr. DOYLE, Mr. STRICKLAND, Mr. ETHERIDGE, Mr. MCNULTY, Mr. WAXMAN, Mr. GREEN of Texas, Mr. KING, Mr. WAMP, Mr. WYNN, Mr. LARGENT, Mr. MALONEY of Connecticut, Mr. CAPUANO, Mr. FROST, Ms. KAPTUR, Mr. PASCRELL, Mr. LUTHER, Mr. GREENWOOD, Mr. DELAHUNT, Mr. SMITH of Washington, Mr. CROWLEY, Mr. FARR of California, Mr. MCINTYRE, Mr. HOYER, Mr. RAMSTAD, Mr. QUINN, Mrs. NAPOLITANO, Mr. BRADY of Pennsylvania, Mr. ANDREWS, Mrs. TAUSCHER, Ms. JACKSON-LEE of Texas, Mr. BROWN of Ohio, Mr. SUNUNU, Mr. KANJORSKI, Mr. DEUTSCH, Mr. BARRETT, Mr. BALDACCI, Mr. PETRI, Mr. FILNER, Mr. BOEHLERT, Ms. ESHOO, Mr. HORN, Mr. OWENS, Mr. BONIOR, Mr. OXLEY, Mr. COSTELLO, Ms. SOLIS, Mr. GONZALEZ, Mr. LANTOS, Mr. TERRY, Mr. ROTHMAN, Ms. CARSON of Indiana, and Ms. ROYBAL-ALLARD):

H. Res. 193. A resolution requesting that the President focus appropriate attention on the issues of neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority, and for other purposes; to the Committee on the Judiciary.

By Mr. WYNN (for himself, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOWNS, Mr. CAPUANO, Mr. CLAY, Ms. WATERS, Mr. THOMPSON of Mississippi, Mr. MEEKS of New York, Ms. MCKINNEY, Mr. FILNER, and Mr. KUCINICH):

H. Res. 194. A resolution concerning the establishment of a permanent United Nations security force; to the Committee on International Relations.

¶73.14 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

148. The SPEAKER presented a memorial of the General Assembly of the State of Vermont, relative to Joint Senate Resolution No. 157 memorializing the United States Congress to increase federal special education funding immediately to 40 percent, the level to which Congress previously committed the federal government; to the Committee on Education and the Workforce.

149. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 128 memorializing the United States Congress and the President to institute and enforce legislation and diplomatic action toward the eradication of child slavery internationally; to the Committee on International Relations.

150. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 116 memorializing the United States Congress to enact the Detroit River International Wildlife Refuge Establishment Act; to the Committee on Resources.

151. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 149 memorializing the United States Congress to direct the Mineral Management Service to develop a plan for impact mitigation relative to the OSC oil and gas lease sales in the Gulf of Mexico; to the Committee on Resources.

152. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 114 memorializing the United States Congress to express its desire to the National Marine Fisheries Service that the pending charter boat moratorium in the Gulf of Mexico not be implemented; to the Committee on Resources.

153. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 198 memorializing the United States Congress to support, with funding, the expeditious implementation of the proposed Bayou Lafourche restoration and diversion project from the Mississippi River; to the Committee on Transportation and Infrastructure.

154. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 54 memorializing the United States Congress to consider the removal of trade, financial, and travel restrictions relating to Cuba; jointly to the Committees on International Relations and Ways and Means.

155. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 25 memorializing the United States Congress and the President, in light of the proposed change in federal policy that will further open the border areas to Mexican truck travel, to recognize the unique planning, capacity, and infrastructure needs of Texas' border ports of entry and the high-priority transportation corridors; jointly to the Committees on Transportation and Infrastructure and the Judiciary.

¶73.15 ADDITIONAL SPONSORS

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

H.R. 7: Mr. SHOWS, Mr. LATHAN, and Mr. CAMP.
H.R. 17: Ms. NORTON.
H.R. 510: Mrs. CAPPS and Mr. HONDA.
H.R. 612: Mr. ROGERS of Kentucky.
H.R. 663: Mr. EVANS.
H.R. 1163: Mr. SOUDER and Mr. PENCE.
H.R. 1164: Mr. HONDA.
H.R. 1202: Mr. NADLER, Mr. OXLEY, Mr. BLAGOJEVICH, and Mr. PALLONE.
H.R. 1216: Ms. CARSON of Indiana, Mr. FILNER, Mr. GONZALEZ, Mr. MEEKS of New York, Ms. MCKINNEY, Mr. SERRANO, Ms. VELAZQUEZ, Mr. BALDACCI, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Mr. FROST, and Mr. ORTIZ.
H.R. 1294: Mr. BRADY of Texas, Mr. GUTIERREZ, and Mr. SIMMONS.
H.R. 1425: Mr. ABERCROMBIE, Mr. ACEVEDO-VILA, Mr. BALDACCI, Mr. BRADY of Pennsylvania, Mrs. CLAYTON, Mr. DAVIS of Illinois, Mr. FARR of California, Mr. FORD, Mr. HOYER, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. MCKINNEY, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. OSE, Mr. PAYNE, Mr. REYES, Mr. RUSH, and Mr. TOWNS.
H.R. 1434: Mr. BOSWELL.
H.R. 1460: Mr. BACA, Mr. WAMP, Mr. STENHOLM, Mr. WELDON of Florida, and Mr. BURTON of Indiana.
H.R. 1488: Ms. DELAURO.
H.R. 1517: Mr. BLAGOJEVICH, Mr. SMITH of New Jersey, Mr. BONIOR, Mr. RILEY, Mr. CRAMER, Ms. RIVERS, Mr. LEVIN, and Mr. HILLIARD.
H.R. 1602: Mr. PENCE.
H.R. 1745: Mr. MORAN of Virginia.
H.R. 1804: Mr. KILDEE.
H.R. 1891: Mr. ETHERIDGE and Mr. PICKERING.
H.R. 1896: Mr. MCGOVERN.
H.R. 1911: Mr. SESSIONS.
H.R. 1927: Mr. KILDEE.
H.R. 1975: Mr. NETHERCUTT.
H.R. 1983: Mrs. WILSON and Mr. REHBERG.
H.R. 1990: Mr. FILNER, Mr. MALONEY of Connecticut, Mrs. MINK of Hawaii, Mr. BLAGOJEVICH, Mr. CONYERS, and Ms. WOOLSEY.
H.R. 2099: Mr. MCDERMOTT and Mr. BLUMENAUER.
H.R. 2108: Mrs. CHRISTENSEN.
H.R. 2149: Mr. LEACH.
H.R. 2175: Mr. CUNNINGHAM, Mr. STENHOLM, and Mr. BARR of Georgia.
H.R. 2219: Mr. MEEKS of New York and Mr. HINCHEY.
H.R. 2221: Mr. LANTOS.
H.R. 2310: Mr. VISCLOSKY, Mr. MCGOVERN, Ms. MCKINNEY, Mr. KUCINICH, Mr. PASTOR, Ms. KAPTUR, Mr. PRICE of North Carolina, Ms. NORTON, and Ms. SOLIS.
H.R. 2343: Ms. SOLIS.
H.R. 2358: Mr. OSE.
H.R. 2365: Mr. JOHNSON of Illinois.
H.R. 2387: Mr. GEORGE MILLER of California, Mr. BECERRA, Ms. ROYBAL-ALLARD, Mr. BERMAN, Mr. MATSUI, Mr. SCHIFF, Mr. GALLEGLY, Mr. THOMAS, Mr. FARR of California, Mr. CALVERT, Mrs. NAPOLITANO, Mrs. EMERSON, Mr. DOOLEY of California, and Mr. BACA.
H.R. 2392: Ms. WOOLSEY.
H.R. 2413: Mr. PASTOR.
H.R. 2442: Mr. FROST.
H. Con. Res. 17: Mrs. DAVIS of California.
H. Con. Res. 152: Mr. KILDEE and Mr. ENGLISH.
H. Con. Res. 162: Mrs. RIVERS and Mr. HINCHEY.
H. Con. Res. 178: Mr. HOEFFEL.

TUESDAY, JULY 17, 2001 (74)

¶74.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 9 o'clock a.m. by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

WASHINGTON, DC,
July 17, 2001.

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

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶74.2 RECESS—9:22 A.M.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock 22 minutes a.m. until 10 o'clock a.m.

¶74.3 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. ISAKSON, called the House to order.

¶74.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. ISAKSON, announced he had examined and approved the Journal of the proceedings of Monday, July 16, 2001.

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

¶74.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2925. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Gypsy Moth Generally Infested Areas [Docket No. 01–049–1] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2926. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Richard A. Nelson, United States Navy, and his advancement to the grade of Vice Admiral on the retired list; to the Committee on Armed Services.

2927. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Bruce B. Knutson, Jr., United States Marine Corps, and his advancement to the grade of Lieutenant General on the retired list; to the Committee on Armed Services.

2928. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Lawson W. Magruder III, United States Army, and his advancement to the grade of Lieutenant General on the retired list; to the Committee on Armed Services.

2929. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William M. Steele, United States Army, and his advancement to the grade of Lieutenant General on the retired list; to the Committee on Armed Services.

2930. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–85, ''Fiscal Year 2002 Budget Support Act of 2001'' received July 17, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2931. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–89, ''Independence of the Chief Financial Officer Establishment Act of 2001'' received July 17, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2932. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200 Series Airplanes [Docket No. 2001–NM–87–AD; Amendment 39–12200; AD 2001–08–23] (RIN: 2120–AA64) received July 16, 2001, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2933. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 97–NM–276–AD; Amendment 39–12205; AD 2001–08–28] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2934. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L–1011 Series Airplanes [Docket No. 2001–NM–82–AD; Amendment 39–12204; AD 2001–08–27] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2935. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–100, –200, and –300 Series Airplanes [Docket No. 2000–NM–15–AD; Amendment 39–12160; AD 2001–06–13] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2936. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–80 Series Airplanes and Model MD–88 Airplanes [Docket No. 98–NM–326–AD; Amendment 39–12163; AD 2001–06–16] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2937. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200 and –300 Series Airplanes [Docket No. 2000–NM–296–AD; Amendment 39–12199; AD 2001–08–22] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2938. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dassault Model Falcon 10 Series Airplanes [Docket No. 2001–NM–191–AD; Amendment 39–12291; AD 2001–13–11] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2939. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–300 Series Airplanes [Docket No. 2000–NM–339–AD; Amendment 39–12288; AD 2001–13–08] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2940. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes [Docket No. 2001–NM–12–AD; Amendment 39–12290; AD 2001–13–10] (RIN: 2120–AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2941. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–700IGW Series Airplanes Modified by Supplemental Type Certificate ST09100AC–D, ST09104AC–D, ST09105AC–D, or ST09106AC–D [Docket No. 2000–NM–242–AD; Amendment 39–12323; AD 2001–14–12] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2942. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42–500 Series Airplanes [Docket No. 2001–NM–66–AD; Amendment 39–12174; AD 2000–23–04 R1] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2943. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes [Docket No. 2000–NM–41–AD; Amendment 39–12198; AD 2001–08–21] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2944. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket No. 2000–CE–61–AD; Amendment 39–12139; AD 2001–05–03] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2945. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Luftfahrt GMBH Models 228–100, 228–101, 228–200, 228–201, 228–202, and 228–212 Airplanes [Docket No. 99–CE–19–AD; Amendment 39–12122; AD 2001–04–04] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2946. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAe Systems (Operations) Limited Model BAe 146 and Model Avro 146–RJ Series Airplanes [Docket No. 2000–NM–253–AD; Amendment 39–12119; AD 2001–04–01] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2947. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330–301, –321, –322, and –342 Series Airplanes and Airbus Model A340 Series Airplanes [Docket No. 2000–NM–182–AD; Amendment 39–12202; AD 2001–08–25] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2948. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; DG Flugzeugbau GmbH Model DG–500MB Sailplanes [Docket No. 99–CE–89–AD; Amendment 39–12137; AD 2001–05–01] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2949. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; DG Flugzeugbau GmbH Model DG–800B Sailplanes [Docket No. 99–CE–67–AD; Amendment 39–12166; AD 2001–07–01] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2950. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; VALENTIN GmbH Model 17E Sailplanes [Docket No. 2001–CE–05–AD; Amendment 39–12145; AD 2001–05–08] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶74.6 PRIVATE CALENDAR

The SPEAKER pro tempore, Mr. ISAKSON, directed the Private Calendar to be called.

When,

¶74.7 BILLS PASSED

The bill of the following title was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed:

H.R. 807. A bill for the relief of Rabon Lowry of Pembroke, North Carolina.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

The bill of the Senate of the following title was considered, read twice, ordered to be read a third time, was read a third time by title, and passed:

S. 560. An Act for the relief of Rita Mirembe Revell (a.k.a. Margaret Rita Mirembe).

Ordered, That the Clerk notify the Senate thereof.

¶74.8 BILL PASSED OVER

By unanimous consent, the bill of the following title was passed over without prejudice and retains its place on the Private Calendar:

H.R. 392. A bill for the relief of Nancy B. Wilson.

Motions severally made to reconsider the votes whereby each bill on the Private Calendar was disposed of today were, by unanimous consent, laid on the table.

¶74.9 HONORING PAUL D. COVERDELL

Mr. HYDE moved to suspend the rules and pass the bill of the Senate (S. 360) to honor Paul D. Coverdell.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. HYDE and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

Ms. McCOLLUM demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶74.10 FOREIGN OPERATIONS APPROPRIATIONS FY 2002

Mr. KOLBE submitted a privileged report (Rept. No. 107–142) on the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶74.11 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 50

On motion of Mr. LINDER, by unanimous consent,

Ordered, That it may be in order at any time on July 18, 2001, or any day thereafter, to consider in the House the joint resolution (H.J. Res. 50) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to the People's Republic of China; that the joint resolution be considered as read for amendment; that all points of order against the joint resolution and against its consideration be waived; that the joint resolution be debatable for two hours equally divided and controlled by the chairman of the Committee on Ways and Means (in opposition to the joint resolution) and a Member in support of the joint resolution; that pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question be considered as ordered on the joint resolution to final passage without intervening motion; and that the provisions of sections 152 and 153 of the Trade Act of 1974 shall not otherwise apply to any joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to the People's Republic of China for the remainder of the first session of the One Hundred Seventh Congress.

¶74.12 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 36

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 189):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 36) proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) an amendment in the nature of a substitute, if offered by Representative Conyers of Michigan or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶74.13 SUCCESSFUL MISSILE DEFENSE TEST

Mr. HUNTER moved to suspend the rules and agree to the following resolution (H. Res. 195):

Whereas at 11:09 p.m., eastern daylight time on July 14, 2001, the United States successfully tested an interceptor missile against a target Minuteman intercontinental ballistic missile in flight;

Whereas the target missile was launched from Vandenburg Air Force Base, California, and was traveling at approximately 140 miles above the Earth at a speed of greater than 11,000 feet per second, which is more than three times faster than a high-powered rifle bullet, when struck by the interceptor missile;

Whereas the interceptor missile was also traveling at a speed greater than 11,000 feet per second at the time of impact;

Whereas more than 35,000 Americans contributed to the successful test, including the Air Force team which launched the target missile from Vandenburg Air Force Base and the Army team which developed the radar and kill vehicle, the Navy and Coast Guard team which provided security for the test, the Ballistic Missile Defense Organization team which supervised the testing program, and the contractor team consisting of thousands of American scientists, engineers, and blue collar workers employed by the prime contractors and hundreds of small businesses; and

Whereas the House of Representatives understands that testing of ballistic missile defenses will involve many failures as well as successes in the future, the House of Representatives nonetheless commends the effort and ingenuity of those who worked so hard to make the test a success: Now, therefore, be it

Resolved, That the House of Representatives thanks and commends the thousands of United States military and Government personnel, contractors, engineers, scientists, and workers who worked diligently to make the July 14, 2001, missile defense intercept test a success.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. HUNTER and Mr. SPRATT, each for 20 minutes.

After debate,

¶74.14 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

After further debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HUNTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶74.15 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO SIERRA LEONE

The SPEAKER pro tempore, Mr. ISAKSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Sierra Leone that was declared in Executive Order 13194 of January 18, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 17, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–102).

¶74.16 RECESS—11:44 A.M.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 44 minutes a.m., until approximately 12 o'clock noon.

¶74.17 AFTER RECESS—12 NOON

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶74.18 S. 360—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 360) to honor Paul D. Coverdell.

The question being put,

Will the House suspend the rules and pass said bill?

It was decided in the affirmative ..... { Yeas ..... 330; Nays ..... 61; Answered present 11

¶74.19 [Roll No. 229]

YEAS—330

Ackerman	Burton	Deal
Aderholt	Buyer	DeLay
Akin	Callahan	DeMint
Allen	Calvert	Deutsch
Andrews	Camp	Diaz-Balart
Armey	Cannon	Dicks
Baca	Cantor	Dingell
Bachus	Capito	Doolittle
Baird	Capps	Doyle
Baker	Cardin	Dreier
Baldacci	Carson (IN)	Duncan
Ballenger	Carson (OK)	Dunn
Barcia	Castle	Edwards
Barr	Chabot	Ehlers
Bartlett	Chambliss	Ehrlich
Barton	Clay	Emerson
Bass	Clement	Engel
Bentsen	Clyburn	English
Bereuter	Coble	Etheridge
Berry	Collins	Evans
Biggert	Combest	Everett
Bilirakis	Condit	Ferguson
Blagojevich	Cooksey	Filner
Blumenauer	Costello	Fletcher
Blunt	Cox	Foley
Boehlert	Cramer	Forbes
Boehner	Crane	Ford
Bonilla	Crenshaw	Fossella
Bono	Crowley	Frelinghuysen
Borski	Cubin	Gallegly
Boswell	Culberson	Ganske
Boucher	Cummings	Gekas
Boyd	Cunningham	Gibbons
Brady (PA)	Davis (CA)	Gilchrest
Brady (TX)	Davis (FL)	Gillmor
Brown (FL)	Davis (IL)	Gilman
Brown (SC)	Davis, Jo Ann	Gonzalez
Burr	Davis, Tom	Goode

Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCrery
McHugh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Rangel
Regula
Rehberg
Reynolds
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (NM)
Upton
Velazquez
Walden
Walsh
Wamp
Watson (CA)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—61

Abercrombie
Baldwin
Berkley
Brown (OH)
Capuano
Conyers
DeFazio
DeLauro
Doggett
Dooley
Eshoo
Farr
Fattah
Flake
Frank
Frost
Hastings (FL)
Hinchey
Honda
Jackson (IL)
Kennedy (MN)
Kennedy (RI)
Kerns
LaFalce
Lee
Levin
Lofgren
Luther
Markey
McCarthy (MO)
McCollum
McDermott
McGovern
Meehan
Miller, George
Mink
Moran (VA)
Nadler
Napolitano
Oberstar
Obey
Olver
Paul
Payne
Price (NC)
Rahall
Ramstad
Rivers
Royce
Sabo
Schaffer
Schakowsky
Sherman
Slaughter
Stark
Tancredo
Thompson (CA)
Tierney
Visclosky
Waxman
Wu

ANSWERED "PRESENT"—11

Barrett
Becerra
Bonior
Clayton
Hinojosa
Hoekstra
Jones (OH)
Menendez
Petri
Shays
Watt (NC)

NOT VOTING—31

Berman
Bishop
Bryant
Coyne
DeGette
Delahunt
Gephardt
Herger
Hostettler
Hutchinson
Jefferson
Kind (WI)
Kleczka
LaTourette
McInnis
Neal
Owens
Platts
Putnam
Reyes
Riley
Sanders
Sawyer
Scarborough
Schiff
Spence
Towns
Udall (CO)
Vitter
Waters
Watkins (OK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶74.20 H. RES. 195 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 195) commending the United States military and defense contractor personnel responsible for a successful in-flight ballistic missile defense interceptor test on July 14, 2001, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said resolution?

It was decided in the affirmative ..... { Yeas ..... 321; Nays ..... 77; Answered present 6 }

¶74.21 [Roll No. 230]

YEAS—321

Abercrombie
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCrery
McHugh
McIntyre
McKeon
McNulty
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Schaffer
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Walden
Walsh
Wamp
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NAYS—77

Ackerman
Allen
Baird
Baldacci
Baldwin
Barrett
Blumenauer
Bonior
Brown (FL)
Brown (OH)
Capuano
Cardin
Clay
Clayton
Clyburn
Conyers
Davis (IL)
Doggett
Eshoo
Farr
Filner
Frank
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hoekstra
Holt
Honda
Jackson (IL)
Jones (OH)
Kaptur
Kilpatrick
Kucinich
LaFalce
Larsen (WA)
Lee
Levin
Lewis (GA)
Luther
Markey
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Miller, George
Nadler
Neal
Oberstar
Olver
Pastor
Paul
Payne
Rangel
Rivers
Rush
Sabo
Sawyer
Schakowsky
Slaughter
Solis
Stark
Stupak
Thompson (CA)
Tierney
Udall (NM)
Velazquez
Visclosky
Watson (CA)
Watt (NC)
Weiner
Woolsey
Wynn

ANSWERED ''PRESENT''—6

Crowley
DeFazio
Dingell
Jackson-Lee (TX)
Obey
Pelosi

NOT VOTING—29

Berman
Bishop
Bryant
Burr
Coyne
DeGette
Delahunt
Gephardt
Harman
Herger
Hostettler
Israel
Jefferson
Kleczka
LaTourette
McInnis
Owens
Putnam
Reyes
Riley
Sanders
Scarborough
Schiff
Spence
Towns
Udall (CO)
Vitter
Waters
Watkins (OK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶74.22 FLAG DESECRATION AMENDMENT

Mr. SENSENBRENNER, pursuant to House Resolution 189, called up the joint resolution (H.J. Res. 36) proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States.

Pursuant to House Resolution 189, said joint resolution was considered and read twice.

After debate,

Mr. WATT of North Carolina submitted the following amendment in the nature of a substitute:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

''ARTICLE —

''Not inconsistent with the first article of amendment to this Constitution, the Congress shall have power to prohibit the physical desecration of the flag of the United States.''.

After debate,

Pursuant to House Resolution 189, the previous question was ordered on the amendment and the joint resolution.

The question being put, viva voce,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. LINDER, announced that the nays had it.

Mr. WATT of North Carolina objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 100 / Nays ..... 324 }

¶74.23 [Roll No. 231]

YEAS—100

Abercrombie
Allen
Baldwin
Barrett
Becerra
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Brady (PA)
Capuano
Cardin
Clay
Clayton
Clyburn
Coyne
Cummings
Davis (IL)
DeFazio
Dicks
Engel
Etheridge
Evans
Fattah
Frank
Gonzalez
Greenwood
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
Kolbe
LaFalce
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lewis (GA)
Lowey
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCollum
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Moran (VA)
Nadler
Neal
Obey
Olver
Pastor
Paul
Payne
Pelosi
Price (NC)
Rangel
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Scott
Shadegg
Slaughter
Tanner
Tauscher
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler

NAYS—324

Ackerman
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Farr
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Kirk
Knollenberg
Kucinich
LaHood
Langevin
Largent
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Mascara
McCarthy (NY)
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Menendez
Mica
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Saxton
Scarborough
Schaffer
Schakowsky
Schrock
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Bishop
Delahunt
Gephardt
Jefferson
Owens
Reyes
Riley
Schiff
Spence

So the amendment in the nature of a substitute was not agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 298 / Nays ..... 125 }

¶74.24 [Roll No. 232]

YEAS—298

Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)

Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dooley
Doolittle
Doyle
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Everett
Ferguson
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Kirk
Knollenberg
Kucinich
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Mascara
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pence
Peterson (PA)
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—125

Abercrombie
Ackerman
Allen
Baldwin
Barrett
Becerra
Berman
Blumenauer
Bonior
Borski
Boucher
Brady (PA)
Capuano
Cardin
Carson (IN)
Clay
Clayton
Conyers
Coyne
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Dreier
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Filner
Flake
Frank
Gilchrest
Gonzalez
Greenwood
Hall (OH)
Hastings (FL)
Hill
Hinchey
Hoeffel
Hoekstra
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
LaFalce
Larsen (WA)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McKinney
Meehan
Meek (FL)
Meeks (NY)
Miller, George
Mink
Moore
Moran (VA)
Nadler
Oberstar
Obey
Olver
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Price (NC)
Rangel
Rivers
Roybal-Allard
Sabo
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shadegg
Shays
Slaughter
Snyder
Solis
Stark
Tanner
Tauscher
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—10

Bishop
Delahunt
Gephardt
Jefferson
Kolbe
Owens
Reyes
Riley
Schiff
Spence

So, two-thirds of the Members present having voted in favor thereof, said joint resolution was passed.

A motion to reconsider the vote whereby the rules were suspended and said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶74.25 PROVIDING FOR THE CONSIDERATION OF H.R. 2500

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 192):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with ''Provided'' on page 19, line 13, through ''workyears:'' on line 19. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶74.26 RECESS—4:27 P.M.

The SPEAKER pro tempore, Mr. COOKSEY, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 27 minutes p.m., subject to the call of the Chair.

¶74.27 AFTER RECESS—6:31 P.M.

The SPEAKER pro tempore, Mr. WHITFIELD, called the House to order.

¶74.28 PROVIDING FOR THE CONSIDERATION OF H.R. 7

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 107–144) the resolution (H. Res. 196) providing for consideration of the bill (H.R. 7) to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets.

When said resolution and report were referred to the House Calendar and ordered printed.

¶74.29 COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. WHITFIELD, pursuant to House Resolution 192 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. WHITFIELD, by unanimous consent, designated Mr. HASTINGS of Washington as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. REYNOLDS, assumed the Chair.

When Mr. HASTINGS of Washington, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶74.30 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 2500

On motion of Mr. WOLF, by unanimous consent,

Ordered, That it may be in order that, during further consideration of (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agen-

cies for the fiscal year ending September 30, 2002, and for other purposes in the Committee of the Whole pursuant to House Resolution 192: (1) no further amendment to the bill may be offered except: pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; and amendments printed in the portion of the Congressional Record of the legislative day of July 17, 2001, or any Record before that date, designated for the purpose specified in clause 8 of rule XVIII, which may be offered only by the Member who caused it to be printed or his designee, shall be considered as read, shall not be subject to amendment (except pro forma amendments for the purpose of debate), and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole; and (2) the Clerk shall be authorized to print in the portion of the Congressional Record of the legislative day of July 17, 2001, designated for that purpose in clause 8 of rule XVIII all amendments to H.R. 2500 that are at the desk (and not already printed) by the close of this legislative day.

¶74.31 COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. REYNOLDS, pursuant to House Resolution 192 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Mr. HASTINGS of Washington, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶74.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. LUCAS of Oklahoma:

Page 33, line 18, insert after the dollar amount the following: ''(increased by $11,700,000)''.

Page 34, line 7, insert after the first dollar amount the following: ''(increased by $11,700,000)''.

Page 34, line 16, insert after the dollar amount the following: ''(increased by $11,700,000)''.

Page 81, line 24, insert after the dollar amount the following: ''(reduced by $11,700,000)''.

It was decided in the negative { Yeas ..... 187 / Nays ..... 227 }

¶74.33 [Roll No. 233]

AYES—187

Aderholt, Andrews, Baca, Baird, Baldacci, Barcia, Barrett, Barton, Becerra, Bentsen, Berkley, Berry, Blagojevich, Blumenauer, Bonior, Bono, Boswell, Boyd, Brady (PA), Brown (SC), Bryant, Burr, Camp, Capito, Carson (OK), Chabot, Clay, Clayton, Clement, Coble, Condit, Costello, Cummings, Cunningham, Davis (CA), Davis (FL), Davis, Jo Ann, Deal, DeFazio, DeGette, Dicks, Doggett, Dooley, Doolittle, Duncan, Dunn, Edwards, Emerson, Etheridge, Evans, Fattah, Filner, Foley, Ford, Gallegly, Goodlatte, Gordon, Graves, Green (WI), Gutierrez, Gutknecht, Hansen, Harman, Hart, Hastings (WA), Hayworth, Hefley, Hill, Hilleary, Hilliard, Hinchey, Holden, Hooley, Hostettler, Hulshof, Hutchinson, Inslee, Israel, Istook, Jefferson, John, Johnson (CT), Johnson (IL), Kelly, Kennedy (MN), Kerns, Kind (WI), LaFalce, Lampson, Langevin, Largent, Larsen (WA), Lee, Lewis (GA), Lewis (KY), LoBiondo, Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Matheson, Matsui, McCarthy (MO), McCarthy (NY), McDermott, McInnis, McIntyre, McKinney, McNulty, Meehan, Meeks (NY), Mica, Miller, Gary, Miller, George, Mink, Moore, Moran (KS), Nethercutt, Ney, Norwood, Osborne, Ose, Pascrell, Peterson (PA), Pickering, Platts, Pombo, Pomeroy, Price (NC), Putnam, Quinn, Radanovich, Rahall, Ramstad, Rehberg, Reynolds, Rivers, Rodriguez, Roemer, Rogers (MI), Ross, Rush, Ryun (KS), Sabo, Sanchez, Sanders, Sandlin, Sawyer, Saxton, Schaffer, Sensenbrenner, Sessions, Shows, Slaughter, Smith (WA), Solis, Souder, Stark, Stearns, Strickland, Stupak, Sununu, Tanner, Tauscher, Taylor (MS), Terry, Thomas, Thompson (CA), Thompson (MS), Thornberry, Thune, Thurman, Toomey, Turner, Udall (NM), Upton, Velazquez, Walden, Wamp, Watkins (OK), Watson (CA), Watts (OK), Weller, Wicker, Wilson, Woolsey

NOES—227

Abercrombie, Ackerman, Akin, Allen, Armey, Bachus, Baker, Baldwin, Barr, Bartlett, Bass, Bereuter, Berman, Biggert, Bilirakis, Boehlert, Bonilla, Borski, Boucher, Brady (TX), Brown (FL), Brown (OH), Burton, Buyer, Calvert, Cantor, Capps, Capuano, Cardin, Carson (IN), Castle, Clyburn, Collins, Combest, Conyers, Cooksey, Cox, Coyne, Cramer, Crane, Crenshaw, Crowley, Cubin, Culberson, Davis (IL), Davis, Tom, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dingell, Doyle, Dreier, Ehlers, Engel, English, Eshoo, Everett, Farr, Ferguson, Flake, Fletcher, Forbes, Fossella, Frank, Frelinghuysen, Frost, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goss, Graham, Granger, Green (TX), Greenwood, Grucci, Hall (OH), Hall (TX), Hastings (FL), Hayes, Herger, Hinojosa, Hobson, Hoeffel, Hoekstra, Holt, Honda, Horn, Houghton, Hoyer, Hunter, Hyde, Isakson, Issa, Jackson (IL), Jackson-Lee (TX), Jenkins, Johnson, E. B., Johnson, Sam, Jones (NC), Jones (OH), Kanjorski, Kaptur, Keller, Kennedy (RI), Kildee, Kilpatrick, King (NY), Kingston, Kirk, Kleczka, Knollenberg, Kolbe, Kucinich, LaHood, Lantos, Larson (CT), Latham, LaTourette, Leach, Levin, Lewis (CA), Linder, Lipinski, Lofgren, Lowey, Lucas (KY), Markey, Mascara, McCollum, McCrery, McGovern, McKeon, Meek (FL), Menendez, Millender-McDonald, Miller (FL), Mollohan, Moran (VA), Morella, Murtha, Nadler, Napolitano, Northup, Nussle, Oberstar, Obey, Olver, Ortiz, Otter, Owens, Oxley, Pallone, Pastor, Paul, Payne, Pelosi, Pence, Peterson (MN), Petri, Phelps, Pitts, Portman, Pryce (OH), Rangel, Regula, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Ryan (WI), Scarborough, Schakowsky, Schiff, Schrock, Scott, Serrano, Shadegg, Shays, Sherman, Shimkus, Shuster, Simmons, Simpson, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Snyder, Spratt, Stenholm, Stump, Sweeney, Tancredo, Tauzin, Taylor (NC), Tiahrt, Tiberi, Tierney, Towns, Traficant, Udall (CO), Visclosky, Vitter, Walsh, Waters, Watt (NC), Waxman, Weiner, Weldon (FL), Weldon (PA), Wexler, Whitfield, Wolf, Wu, Wynn, Young (AK), Young (FL)

NOT VOTING—19

Ballenger, Bishop, Blunt, Boehner, Callahan, Cannon, Chambliss, Delahunt, Ehrlich, Gephardt, McHugh, Myrick, Neal, Reyes, Riley, Rogers (KY), Shaw, Sherwood, Spence

So the amendment was not agreed to.

¶74.34 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HINCHEY:

In title I, in the item relating to ''FEDERAL PRISON SYSTEM—BUILDINGS AND FACILITIES'', after the aggregate dollar amount, insert the following: ''(reduced by $73,000,000)''.

In title II, in the item relating to ''ECONOMIC DEVELOPMENT ADMINISTRATION—ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS'', after the aggregate dollar amount, insert the following: ''(increased by $73,000,000)''.

It was decided in the negative { Yeas ..... 172 / Nays ..... 244 }

¶74.35 [Roll No. 234]

AYES—172

Abercrombie, Ackerman, Allen, Andrews, Baca, Baldacci, Baldwin, Barrett, Becerra, Bentsen, Berkley, Berman, Blagojevich, Blumenauer, Boehlert, Bonior, Brady (PA), Brown (FL), Brown (OH), Capito, Capps, Capuano, Carson (IN), Carson (OK), Clay, Clayton, Clyburn, Conyers, Costello, Coyne, Crowley, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Dingell, Doyle, Emerson, Engel, English, Eshoo, Evans, Farr, Fattah, Ferguson, Filner, Ford, Frank, Frost, Gilman, Gonzalez, Goode, Gordon, Graves, Grucci, Gutierrez, Hart, Hastings (FL), Hill, Hilliard, Hinchey, Hinojosa, Hoeffel, Holden, Holt, Honda, Hoyer, Hulshof, Jackson (IL), Jackson-Lee (TX), Jefferson, Johnson, E. B., Jones (OH), Kanjorski, Kaptur, Kildee, Kilpatrick, Kind (WI), Kleczka, Kucinich, LaFalce, Lampson, Langevin, Lantos, Larson (CT), LaTourette, Lee

Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (KS)
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Pomeroy
Rahall
Rangel
Rivers
Rodriguez
Rothman
Rush
Sabo
Sanders
Sawyer
Schakowsky
Scott
Shaw
Sherman
Slaughter
Smith (NJ)
Solis
Stark
Strickland
Stupak
Tanner
Thompson (MS)
Thune
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Wilson
Woolsey
Wynn

NOES—244

Aderholt
Akin
Armey
Bachus
Baird
Baker
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Bonilla
Bono
Borski
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Cardin
Castle
Chabot
Clement
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Etheridge
Everett
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goodlatte
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Larsen (WA)
Latham
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCrery
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (VA)
Morella
Nethercutt
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Wicker
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—17

Ballenger
Bishop
Blunt
Boehner
Boucher
Chambliss
Delahunt
Ehrlich
Gephardt
McDermott
McHugh
Meeks (NY)
Myrick
Reyes
Riley
Sandlin
Spence

So the amendment was not agreed to.

¶74.36 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. DEGETTE:

Page 39, strike lines 18 through 24 (and make such technical and conforming changes as may be appropriate).

It was decided in the negative ..... { Yeas ..... 169 / Nays 253

¶74.37 [Roll No. 235]

AYES—169

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank
Frelinghuysen
Frost
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moran (VA)
Morella
Nadler
Napolitano
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—253

Aderholt
Akin
Armey
Bachus
Baker
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Boehner
Bonilla
Bonior
Bono
Borski
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCrery
McInnis
McIntyre
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Murtha
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Ballenger
Bishop
Blunt
Delahunt
Gephardt
Hoyer
McHugh
Myrick
Reyes
Riley
Spence

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. SHIMKUS, assumed the Chair.

When Mr. HASTINGS of Washington, Chairman, reported that the Committee, having had under consideration

said bill, had come to no resolution thereon.

¶74.38 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 360. An Act to honor Paul D. Coverdell.

S. 560. An Act for the relief of Rita Mirembe Revell (a.k.a. Margaret Rita Mirembe).

¶74.39 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BISHOP, for today.

And then,

¶74.40 ADJOURNMENT

On motion of Mr. MCINNIS, at 10 o'clock and 58 minutes p.m., the House adjourned.

¶74.41 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KOLBE: Committee on Appropriations. H.R. 2506. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–142). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. House Concurrent Resolution 62. Resolution expressing the sense of Congress that the George Washington letter to Tuoro Synagogue in Newport, Rhode Island, which is on display at the B'nai B'rith Klutznick National Jewish Museum in Washington, D.C., is one of the most significant early statements buttressing the nascent American constitutional guarantee of religious freedom; with an amendment (Rept. No. 107–143). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 196. Resolution providing for consideration of the bill (H.R. 7) to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets (Rept. No. 107–144). Referred to the House Calendar.

¶74.42 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LANTOS (for himself, Mr. HYDE, Mr. STUMP, Mr. SKELTON, Mr. COX, Mr. HOEFFEL, Mr. KING, Mr. TANCREDO, Mr. SHERMAN, Mr. FALEOMAVAEGA, Mr. CUNNINGHAM, Mr. MENENDEZ, Mrs. JO ANN DAVIS of Virginia, and Mr. ROHRABACHER):

H.R. 2507. A bill to prohibit payment by the United States Government of any request or claim by the Government of the People's Republic of China for reimbursement of the costs associated with the United States Navy EP–3 aircraft that was forced to land on Hainan Island, China, on April 1, 2001; to the Committee on International Relations.

By Mr. SMITH of Michigan:

H.R. 2508. A bill to authorize a plant pathogen genomics research program at the Department of Agriculture to reduce the economic impact of plant pathogens on commercially important crop plants; to the Committee on Agriculture.

By Mr. KING (for himself and Mrs. MALONEY of New York) (both by request):

H.R. 2509. A bill to authorize the Secretary of the Treasury to produce currency, postage stamps, and other security documents at the request of foreign governments, and security documents at the request of the individual States of the United States, or any political subdivision thereof, on a reimbursable basis; to the Committee on Financial Services.

By Mr. KING (for himself and Mrs. MALONEY of New York) (both by request):

H.R. 2510. A bill to extend the expiration date of the Defense Production Act of 1950, and for other purposes; to the Committee on Financial Services.

By Mr. MCCRERY:

H.R. 2511. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage energy conservation, energy reliability, and energy production; to the Committee on Ways and Means.

By Mr. HINOJOSA (for himself, Mr. FROST, Mr. FILNER, Mr. REYES, Mr. RODRIGUEZ, Mr. ORTIZ, Mr. GONZALEZ, and Mr. PASTOR):

H.R. 2512. A bill to authorize additional appropriations for the United States Customs Service for personnel, technology, and infrastructure to expedite the flow of legal commercial and passenger traffic along the Southwest land border, and for other purposes; to the Committee on Ways and Means.

By Mr. ALLEN (for himself, Mr. BALDACCI, and Mr. SANDERS):

H.R. 2513. A bill to amend title XI of the Social Security Act to clarify that the Secretary of Health and Human Services has the authority to treat certain State payments made in an approved demonstration project as medical assistance under the Medicaid Program for purposes of a rebate agreement under section 1927 of the Social Security Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ALLEN:

H.R. 2514. A bill to provide for burdensharing contributions from allied and other friendly foreign countries for the costs of deployment of any United States missile defense system that is designed to protect those countries from ballistic missile attack; to the Committee on International Relations, and in addition to the Committees on Armed Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER (for himself and Mr. SCHROCK):

H.R. 2515. A bill to amend title 32, United States Code, to remove the limitation on the use of defense funds for the National Guard civilian youth opportunities program, to lessen the matching funds requirements under the program, and for other purposes; to the Committee on Armed Services.

By Mr. BARRETT (for himself, Mr. BOUCHER, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. DINGELL, Mr. DOYLE, Mr. ENGEL, Mr. LUTHER, Ms. MCCARTHY of Missouri, Mr. MARKEY, Mr. PALLONE, Mr. RUSH, Mr. STRICKLAND, Mr. TOWNS, and Mr. WAXMAN):

H.R. 2516. A bill to enhance the Federal Government's leadership role in energy efficiency by requiring Federal agencies to acquire central air conditioners and heat pumps that meet or exceed certain efficiency standards; to the Committee on Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself and Mr. SANDERS):

H.R. 2517. A bill to reauthorize the Export-Import Bank of the United States, and for other purposes; to the Committee on Financial Services.

By Mr. BOEHLERT (for himself and Mr. UDALL of Colorado):

H.R. 2518. A bill to establish a pilot program within the Department of Energy to facilitate the use of alternative fuel school buses through grants for energy demonstration and commercial application of energy technology, and for other purposes; to the Committee on Science, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHABOT (for himself and Mr. DELAHUNT):

H.R. 2519. A bill to allow media coverage of court proceedings; to the Committee on the Judiciary.

By Mr. DOGGETT (for himself, Mr. RANGEL, Mr. STARK, Mr. MATSUI, Mr. COYNE, Mr. LEVIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. JEFFERSON, Mr. BECERRA, Mrs. THURMAN, Mr. ALLEN, Mr. BONIOR, Mr. HINCHEY, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. SANCHEZ, Ms. SCHAKOWSKY, Mr. TIERNEY, and Mrs. JONES of Ohio):

H.R. 2520. A bill to amend the Internal Revenue Code of 1986 to curb tax abuses by disallowing tax benefits claimed to arise from transactions without substantial economic substance, and for other purposes; to the Committee on Ways and Means.

By Mr. CLEMENT (for himself and Mr. HILLEARY):

H.R. 2521. A bill to permit States to place supplemental guide signs relating to veterans cemeteries on Federal-aid highways; to the Committee on Transportation and Infrastructure.

By Mr. COBLE (for himself and Mr. BERMAN) (both by request):

H.R. 2522. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS (for himself, Mrs. JONES of Ohio, Mr. WYNN, Ms. NORTON, Mr. STUPAK, Mr. LATOURETTE, Ms. MCKINNEY, Mr. GREEN of Texas, Mr. OWENS, Mrs. MINK of Hawaii, Mr. KUCINICH, Mr. DAVIS of Illinois, and Mr. JEFFERSON):

H.R. 2523. A bill to eliminate certain inequities in the Civil Service Retirement System and the Federal Employees' Retirement System with respect to the computation of benefits for law enforcement officers, firefighters, air traffic controllers, nuclear materials couriers, members of the Supreme Court and Capitol police, and their survivors, and for other purposes; to the Committee on Government Reform.

By Mr. DICKS:

H.R. 2524. A bill to provide for the use and distribution of the funds awarded to the Quinault Indian Nation under United States Claims Court Dockets 772–71, 773–71, 774–71, and 775–71, and for other purposes; to the Committee on Resources.

By Mr. LINDER (for himself, Mr. PETERSON of Minnesota, Mr. YOUNG of Alaska, Mr. HALL of Texas, Mr. LEWIS of California, Mr. BARCIA, Mr. BONILLA, and Mr. CONDIT):

H.R. 2525. A bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States; to the Committee on Ways and Means.

By Mr. GOODLATTE (for himself, Mr. BOUCHER, and Mr. COX):

H.R. 2526. A bill to make permanent the moratorium enacted by the Internet Tax Freedom Act, and for other purposes; to the Committee on the Judiciary.

By Mr. KIND (for himself, Mr. ISAKSON, Mrs. MCCARTHY of New York, Mrs. BIGGERT, Mr. ANDREWS, Mr. PETRI, and Mr. KLECZKA):

H.R. 2527. A bill to provide grants for training of realtime court reporters and closed captioners to meet the requirements for closed captioning set forth in the Telecommunications Act of 1996; to the Committee on Education and the Workforce.

By Mr. KOLBE:

H.R. 2528. A bill to modernize the legal tender of the United States, and for other purposes; to the Committee on Financial Services.

By Mr. NEAL of Massachusetts (for himself and Mr. MATSUI):

H.R. 2529. A bill to amend the Internal Revenue Code of 1986 to provide a revenue-neutral simplification of the individual income tax; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. SMITH of New Jersey, Mr. TANCREDO, Ms. MCKINNEY, Mr. CHABOT, and Mr. BROWN of Ohio):

H.R. 2530. A bill to prohibit issuance of a visa to any citizen of the People's Republic of China who participates in or otherwise supports the harvesting, transplantation, or trafficking of organs of executed Chinese prisoners, and for other purposes; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY (for herself, Mr. SANDERS, Mr. GUTIERREZ, Mr. JACKSON of Illinois, Mrs. CLAYTON, Mr. HINCHEY, Ms. NORTON, Mr. PAYNE, Mr. DAVIS of Illinois, Ms. MCKINNEY, Mr. RUSH, Ms. JACKSON-LEE of Texas, Mr. DEFAZIO, Ms. WATERS, Mr. JEFFERSON, and Mr. FILNER):

H.R. 2531. A bill to amend the Truth in Lending Act, the Revised Statutes of the United States, the Home Mortgage Disclosure Act of 1975, and the amendments made by the Home Ownership and Equity Protection Act of 1994 to protect consumers from predatory lending practices, and for other purposes; to the Committee on Financial Services.

By Mr. SMITH of Michigan:

H.R. 2532. A bill to provide for the establishment of regional plant genome and gene expression research and development centers; to the Committee on Agriculture.

By Mr. SMITH of Michigan:

H.R. 2533. A bill to amend the Federal Election Campaign Act of 1971 to reduce the influence of political action committees in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Ms. SOLIS (for herself and Mr. SCHIFF):

H.R. 2534. A bill to authorize the Secretary of the Interior to conduct a special resource study of the Lower Los Angeles River and San Gabriel River watersheds in the State of California, and for other purposes; to the Committee on Resources.

By Mr. STEARNS:

H.R. 2535. A bill to permit wireless carriers to obtain sufficient spectrum to meet the growing demand for existing services and ensure that such carriers have the spectrum they need to deploy fixed and advanced services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STEARNS:

H.R. 2536. A bill to amend the Communications Act of 1934 to reduce restrictions on media ownership, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UDALL of New Mexico (for himself, Mr. FLAKE, Mr. WU, Ms. HART, Mr. BONIOR, Mr. MOORE, Mr. WEINER, and Mr. UDALL of Colorado):

H.R. 2537. A bill to provide for the appointment of an Assistant United States Attorney for each judicial district for the purpose of prosecuting firearms offenses; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico:

H.R. 2538. A bill to amend the Small Business Act to expand and improve the assistance provided by Small Business Development Centers to Indian tribe members, Native Alaskans, and Native Hawaiians; to the Committee on Small Business.

By Mr. WATKINS:

H.R. 2539. A bill to amend the Internal Revenue Code of 1986 to allow the low-income housing credit without regard to whether moderate rehabilitation assistance is provided with respect to a building; to the Committee on Ways and Means.

By Mr. HUNTER (for himself and Mr. SPRATT):

H. Res. 195. A resolution commending the United States military and defense contractor personnel responsible for the successful in-flight ballistic missile defense interceptor test on July 14, 2001, and for other purposes; to the Committee on Armed Services. considered and agreed to.

By Ms. PRYCE of Ohio:

H. Res. 196. A resolution providing for consideration of the bill (H.R. 7) to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets.

By Mr. BARRETT (for himself, Mr. BARR of Georgia, Mr. HILLEARY, Mr. HOSTETTLER, Mr. REHBERG, Mr. PAUL, Mr. REYNOLDS, Mr. ADERHOLT, and Mr. SCHAFFER):

H. Res. 197. A resolution urging the President to reject any decree, proclamation, or treaty adopted by the United Nations Conference on Small Arms and Light Weapons which would infringe on the right of United States citizens under the 2nd amendment to the Constitution; to the Committee on the Judiciary, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California:

H. Res. 198. A resolution congratulating Tony Gwynn on the announcement of his retirement from the San Diego Padres and from Major League Baseball; to the Committee on Government Reform.

¶74.43 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

156. The SPEAKER presented a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 201 memorializing the United States Congress to take appropriate action to prevent further desecration of the SS *Leopoldville* or any of its contents; to the Committee on Armed Services.

157. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 143 memorializing the United States Congress to assist the Federal Trade Commission in preventing the sale of crawfish and catfish imported from Asia and Spain at prices with which Louisiana producers cannot complete; to the Committee on Energy and Commerce.

158. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 8 memorializing the United States Congress to increase funding for research by the National Institutes of Health for the treatment and cure of Duchenne and Becker muscular dystrophy; to the Committee on Energy and Commerce.

159. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 34 memorializing the United States Congress to support the Minerals Management Service plan to proceed with the Outer Continental Shelf Lease Sale 181 for the eastern Gulf of Mexico scheduled for December 5, 2001; to the Committee on Resources.

160. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 12 memorializing the United States Congress to authorize an additional 18 federal judges and commensurate staff to handle the current and anticipated caseloads along the United States-Mexico border and to fully reimburse local governments for the costs incurred in prosecuting and incarcerating federal defendants; to the Committee on the Judiciary.

161. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 152 memorializing the United States Congress to adopt legislation authorizing states to opt out of the federal-aid highway program; to the Committee on Transportation and Infrastructure.

162. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 188 memorializing the United States Congress to support House Resolution 527 making changes to Section 527 of the Internal Revenue Code to exempt certain state and local political committees which are required to report contributions and expenditures pursuant to local or state law; to the Committee on Ways and Means.

163. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 140 memorializing the United States Congress to act at once to provide for advanced and increased funding of the Weatherization Assistance Program for Low-Income Persons and the Low-Income Home Energy Assistance Program, so as to enable the programs to engage in planning their work more efficiently and engaging and retaining qualified employees; jointly to the Committees on Energy and Commerce and Education and the Workforce.

¶74.44 ADDITIONAL SPONSORS

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

H.R. 20: Mr. BASS.

H.R. 28: Mr. LARSON of Connecticut and Mr. LANTOS.

H.R. 31: Mr. WALDEN of Oregon.

H.R. 41: Mr. NUSSLE and Mr. SIMPSON.

H.R. 64: Mr. BARTLETT of Maryland.

H.R. 68: Mr. THORNBERRY, Mr. TANCREDO, Mr. BLAGOJEVICH, Mr. FRANK, Mr. DEUTSCH, and Mr. BRADY of Pennsylvania.

H.R. 91: Mr. KILDEE and Mr. CALVERT.

H.R. 163: Mrs. MALONEY of New York.

H.R. 175: Mr. TOOMEY.

H.R. 218: Mrs. CAPPS and Mr. BACHUS.

H.R. 261: Mrs. DAVIS of California.

H.R. 267: Mr. THOMPSON of California, Mr. SHUSTER, and Mr. CROWLEY.

H.R. 281: Mr. KLECZKA, Ms. ESHOO, and Mr. LAMPSON.
H.R. 288: Mr. PRICE of North Carolina.
H.R. 303: Mr. DEMINT.
H.R. 326: Mr. INSLEE.
H.R. 356: Mr. WAMP
H.R. 394: Ms. SANCHEZ, Ms. BERKLEY, Mr. MASCARA, Mr. PICKERING, and Mr. RILEY.
H.R. 429: Mr. LEVIN.
H.R. 436: Mr. PAYNE and Mr. NADLER.
H.R. 491: Mr. EVANS, Mr. SCHROCK, Mrs. MINK of Hawaii, Mr. INSLEE, and Ms. BROWN of Florida.
H.R. 527: Mrs. MORELLA.
H.R. 572: Mr. TIERNEY and Mr. JEFFERSON.
H.R. 602: Mr. TOM DAVIS of Virginia.
H.R. 612: Mr. BARRETT.
H.R. 619: Ms. JACKSON-LEE of Texas and Ms. DELAURO.
H.R. 649: Mr. BROWN of South Carolina.
H.R. 656: Mrs. THURMAN and Mr. JEFFERSON.
H.R. 664: Ms. SANCHEZ, Mr. HONDA, Mr. BOYD, Mrs. NAPOLITANO, Mr. CARDIN, and Mr. UNDERWOOD.
H.R. 668: Mrs. WILSON and Mr. KENNEDY of Minnesota.
H.R. 677: Mr. MCKINNEY, Mr. MCDERMOTT, and Mr. BOUCHER.
H.R. 686: Mr. CONYERS.
H.R. 690: Mr. JACKSON of Illinois and Mrs. CLAYTON.
H.R. 702: Mr. SMITH of Washington.
H.R. 710: Mr. PETERSON of Pennsylvania.
H.R. 717: Mr. WATT of North Carolina.
H.R. 737: Mr. PLATTS.
H.R. 751: Mr. PASTOR.
H.R. 752: Mr. JEFFERSON.
H.R. 778: Mr. HOYER.
H.R. 781: Mr. THOMPSON of California, Mr. JEFFERSON, Mr. LUTHER, and Mr. UDALL of Colorado.
H.R. 792: Ms. ROS-LEHTINEN, Mr. CRAMER, Mr. GRAHAM, Mr. BROWN of South Carolina, Mr. BISHOP, Mr. WELLER, and Mr. SOUDER.
H.R. 817: Mr. FARR of California.
H.R. 822: Mr. BLAGOJEVICH, Mrs. MINK of Hawaii, Ms. KAPTUR, and Mr. UDALL of New Mexico.
H.R. 840: Ms. LEE, Mr. NADLER, and Mr. DEFAZIO.
H.R. 862: Mr. SAWYER.
H.R. 870: Ms. JACKSON-LEE of Texas.
H.R. 903: Mr. ENGLISH and Mr. GREENWOOD.
H.R. 964: Mr. OLVER.
H.R. 967: Mr. HONDA.
H.R. 981: Mr. LUCAS of Oklahoma.
H.R. 986: Mrs. THURMAN and Mr. SMITH of Michigan.
H.R. 1013: Mr. POMEROY.
H.R. 1014: Mr. BORSKI, Mr. DAVIS of Illinois, Mr. JEFFERSON, Mr. LANGEVIN, Ms. ROYBAL-ALLARD, Mr. SHERMAN, and Mr. WYNN.
H.R. 1060: Mr. STARK.
H.R. 1070: Mr. KUCINICH.
H.R. 1073: Mrs. JO ANN DAVIS of Virginia, Mr. HONDA, Mr. BOYD, and Mrs. NAPOLITANO.
H.R. 1077: Mrs. CLAYTON.
H.R. 1089: Mrs. MALONEY of New York.
H.R. 1090: Mr. BLAGOJEVICH, Mr. LAHOOD, Mr. GEORGE MILLER of California, Mr. SANDLIN, and Mr. UDALL of Colorado.
H.R. 1093: Mr. UDALL of New Mexico.
H.R. 1094: Mr. UDALL of New Mexico.
H.R. 1110: Mr. LATHAM, Mr. BARTLETT of Maryland, Mr. DEMINT, Mr. FLETCHER, and Mrs. WILSON.
H.R. 1112: Ms. ROYBAL-ALLARD.
H.R. 1134: Mr. MCHUGH.
H.R. 1152: Mr. FARR of California and Ms. LOFGREN.
H.R. 1170: Mr. SMITH of Washington, Mr. ISRAEL, Mr. BENTSEN, and Mr. LAMPSON.
H.R. 1182: Mr. LEWIS of Kentucky and Mr. NEAL of Massachusetts.
H.R. 1186: Mr. HORN and Mr. HONDA.
H.R. 1198: Mr. MATSUI.
H.R. 1265: Mr. HONDA.
H.R. 1266: Mr. BRADY of Pennsylvania, Mr. MORAN of Virginia, Mr. MCDERMOTT, Mr. SAWYER, Mr. SCOTT, Mr. SMITH of Michigan, Mr. KENNEDY of Rhode Island, Mr. LAHOOD, and Mr. NEAL of Massachusetts.
H.R. 1274: Mrs. DAVIS of California.
H.R. 1304: Mr. SESSIONS and Mr. KING.
H.R. 1316: Mr. LARGENT.
H.R. 1338: Mr. CANTOR.
H.R. 1340: Mr. BRADY of Pennsylvania and Mrs. MALONEY of New York.
H.R. 1348: Mr. VISCLOSKY.
H.R. 1366: Ms. WATSON.
H.R. 1367: Mr. MCDERMOTT.
H.R. 1377: Mr. HASTINGS of Washington, Mr. STRICKLAND, Mr. HALL of Ohio, Mr. LANGEVIN, Mr. HANSEN, and Mr. HILLEARY.
H.R. 1383: Mr. ENGLISH, Mr. PASCRELL, Mr. TIAHRT, Ms. HARMAN, and Mrs. MALONEY of New York.
H.R. 1401: Mr. LANTOS and Mr. ROGERS of Kentucky.
H.R. 1406: Mr. BALDACCI.
H.R. 1433: Mr. MCDERMOTT.
H.R. 1436: Mr. REYES, Mr. DICKS, Mr. NADLER, Ms. ROYBAL-ALLARD, Mr. LATOURETTE, Mr. SHIMKUS, Mrs. CHRISTENSEN, Mr. LEVIN, Mr. BRADY of Pennsylvania, Mr. SAXTON, and Mr. LAMPSON.
H.R. 1490: Mr. FARR of California, Mr. MURTHA, Mr. CHAMBLISS, Mr. DEAL of Georgia, Ms. MCKINNEY, Mr. BISHOP, and Mr. MCGOVERN.
H.R. 1509: Mr. TURNER, Mr. TOM DAVIS of Virginia, Mr. TERRY, Mr. FROST, Mr. KUCINICH, and Mr. PLATTS.
H.R. 1510: Mr. PETERSON of Pennsylvania, Mr. NUSSLE, Mr. MILLER of Florida, Mr. CANTOR, and Mr. CRENSHAW.
H.R. 1520: Mr. WU, Mrs. CAPPS, and Mr. LAMPSON.
H.R. 1522: Mr. BONILLA, Mr. CARDIN, and Mr. TIERNEY.
H.R. 1524: Mr. KELLER.
H.R. 1556: Ms. RIVERS, Mr. GORDON, Mr. LAHOOD, Mr. GUTIERREZ, Mr. WAXMAN, Mr. BLAGOJEVICH, Mr. HASTINGS of Florida, Mr. SAXTON, Mr. HOUGHTON, Mr. LAMPSON, Mrs. CLAYTON, Mr. HOLT, Ms. BALDWIN, Mrs. THURMAN, and Mr. SHAYS.
H.R. 1581: Mr. NUSSLE.
H.R. 1592: Mr. TANCREDO.
H.R. 1609: Mr. BONILLA, Mr. SCHAFFER, Mr. LAHOOD, Mr. STUPAK, and Mr. FATTAH.
H.R. 1624: Mrs. MINK of Hawaii, Mr. HONDA, and Mr. MORAN of Kansas.
H.R. 1629: Ms. HART, Ms. BERKLEY, Ms. MCKINNEY, Mr. GEORGE MILLER of California, Mrs. CAPITO, Mr. MATHESON, Mr. LANTOS, Ms. NORTON, Ms. SCHAKOWSKY, and Mr. JEFFERSON.
H.R. 1636: Mr. WELLER.
H.R. 1645: Mr. MORAN of Virginia, Mr. BONIOR, Mr. LARSON of Connecticut, and Mr. LIPINSKI.
H.R. 1650: Mr. ENGLISH and Mrs. MALONEY of New York.
H.R. 1673: Mr. MEEKS of New York.
H.R. 1675: Mr. CALVERT and Mr. KOLBE.
H.R. 1700: Ms. BROWN of Florida, Mr. BLAGOJEVICH, Mr. OBEY, Ms. MCKINNEY, Mr. MCDERMOTT, Mr. ALLEN, and Mr. COSTELLO.
H.R. 1701: Mr. GOODLATTE, Mr. GILLMOR, and Mr. JOHN.
H.R. 1707: Mr. HONDA.
H.R. 1708: Mr. MCGOVERN, Mr. STUPAK, Mr. STRICKLAND, and Mr. BRADY of Pennsylvania.
H.R. 1718: Mr. ABERCROMBIE, Mr. DEUTSCH, Mr. TIERNEY, Mr. WEXLER, Ms. ESHOO, Mr. LANGEVIN, Mr. PASTOR, Mr. LEVIN, Mr. BENTSEN, Mr. SKELTON, Mr. UNDERWOOD, and Mr. PETERSON of Minnesota.
H.R. 1733: Mr. FILNER and Mrs. CLAYTON.
H.R. 1744: Mr. HOLDEN, Mr. TIERNEY, and Mr. BONIOR.
H.R. 1775: Mr. BRADY of Texas.
H.R. 1779: Mr. SHAYS, Mr. FILNER, Ms. ROYBAL-ALLARD, and Mr. OWENS.
H.R. 1795: Mr. FLAKE, Mr. WEXLER, Mr. FRANK, Mr. REYNOLDS, Ms. WOOLSEY, Mr. HOLT, and Mr. SANDLIN.
H.R. 1810: Mr. NADLER.
H.R. 1822: Mr. MEEKS of New York, Mr. BLAGOJEVICH, and Mr. MURTHA.
H.R. 1835: Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. TERRY, Mr. FILNER, and Ms. ROYBAL-ALLARD.
H.R. 1839: Mr. STUPAK and Mr. KIND.
H.R. 1856: Mr. JEFFERSON.
H.R. 1861: Mr. MCDERMOTT.
H.R. 1862: Mr. HINCHEY and Mr. KILDES.
H.R. 1864: Mr. CASTLE, Mr. PICKERING, and Mr. BLAGOJEVICH.
H.R. 1882: Mr. KILDEE.
H.R. 1911: Mr. SANDERS.
H.R. 1928: Mr. KILDEE.
H.R. 1949: Mr. CALVERT and Mr. FRANK.
H.R. 1975: Mr. TOOMEY and Mr. RYUN of Kansas.
H.R. 1990: Mr. TIERNEY and Mr. CUMMINGS.
H.R. 1996: Ms. DELAURO.
H.R. 2005: Mr. KILDEE.
H.R. 2023: Mr. LAHOOD, Mr. KOLBE, Mr. TOM DAVIS of Virginia, Mrs. JO ANN DAVIS of Virginia, Mr. BARR of Georgia, Mrs. CUBIN, Mr. POMBO, Mr. BONILLA, Mr. ISAKSON, and Mr. DREIER.
H.R. 2073: Ms. MCKINNEY, Mr. PAUL, and Ms. ROYBAL-ALLARD.
H.R. 2074: Mr. SANDERS and Ms. SOLIS.
H.R. 2098: Mr. ENGEL.
H.R. 2110: Mr. KILDEE.
H.R. 2117: Mr. MORAN of Virginia and Mr. HAYWORTH.
H.R. 2121: Mr. FALEOMAVAEGA, Ms. KAPTUR, Mr. SHERMAN, Mr. FROST, Mr. HOEFFEL, and Mr. HILLIARD.
H.R. 2125: Mr. HINCHEY, Mr. MEEKS of New York, Ms. NORTON, and Mr. CRAMER.
H.R. 2134: Mr. KILDEE.
H.R. 2145: Mr. KUCINICH and Mr. CONYERS.
H.R. 2147: Mr. RANGEL, Mr. WATKINS, and Mr. HERGER.
H.R. 2157: Mr. HINCHEY and Mr. UDALL of New Mexico.
H.R. 2160: Mrs. JONES of Ohio and Mr. BALDACCI.
H.R. 2165: Mr. MCGOVERN, Mr. SCHROCK, Mr. BRADY of Texas, Mr. LAHOOD, Ms. MCKINNEY, Mr. BARTLETT of Maryland, Mr. BALLENGER, Mr. BILIRAKIS, Mr. BRYANT, Mr. BUYER, Mr. COBLE, Mr. CUNNINGHAM, Mr. GIBBONS, Mr. GRAHAM, Mr. HILLEARY, Mr. HOBSON, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON of Texas, Mr. OXLEY, Mr. PITTS, Mr. RYUN of Kansas, Mr. SAXTON, Mr. SIMMONS, and Mr. SPRATT.
H.R. 2166: Mr. MATSUI, Mr. LEVIN, Mr. KILDEE, Mr. JEFFERSON, and Mr. MCGOVERN.
H.R. 2173: Mr. WEINER, Mrs. THURMAN, and Mr. BLAGOJEVICH.
H.R. 2178: Ms. MCKINNEY.
H.R. 2211: Mr. SOUDER and Mr. SANDERS.
H.R. 2222: Mr. FALEOMAVAEGA, Mr. GUTIERREZ, and Mr. MEEKS of New York.
H.R. 2223: Mr. GEORGE MILLER of California, Mr. FROST, Mr. SCHIFF, and Mr. SANDLIN.
H.R. 2229: Mr. FOLEY and Mr. COOKSEY.
H.R. 2235: Mr. BAKER and Mr. GRAHAM.
H.R. 2240: Mr. PUTNAM, Mr. DAVIS of Florida, Ms. BROWN of Florida, Ms. ROS-LEHTINEN, and Mrs. THURMAN.
H.R. 2243: Mr. JEFFERSON, Mr. MEEKS of New York, and Ms. NORTON.
H.R. 2259: Mr. WATTS of Oklahoma.
H.R. 2272: Mr. HILLIARD, Mr. EHLERS, and Mr. CAPUANO.
H.R. 2281: Ms. ROYBAL-ALLARD, Mr. COSTELLO, Mr. HILLIARD, and Mr. LAMPSON.
H.R. 2293: Mr. KELLER.
H.R. 2294: Mrs. DAVIS of California, Mr. HINCHEY, Mr. KILDEE, Mr. BONIOR, and Ms. MCKINNEY.
H.R. 2310: Mr. SANDERS and Mr. MALONEY of Connecticut.
H.R. 2326: Mr. UDALL of Colorado, Mr. ISAKSON, Ms. MCCARTHY of Missouri, Mr. SCHIFF, and Mr. GRUCCI.
H.R. 2327: Mr. TERRY and Mrs. CUBIN.

H.R. 2328: Ms. NORTON.
H.R. 2329: Mr. SANDERS, Mr. MCDERMOTT, Mr. JEFFERSON, Mr. CHAMBLISS, Mr. MCINTYRE, Mr. WEINER Mr. HONDA, Mr. ENGEL, and Mr. MEEHAN.
H.R. 2339: Mr. ISAKSON and Mr. KILDEE.
H.R. 2340: Mr. BONIOR.
H.R. 2348: Mr. WEXLER, Mr. WYNN, Ms. KILPATRICK, Mr. KENNEDY of Rhode Island, Mr. UDALL of Colorado, Mr. BACA, Mr. LAMPSON, and Mr. LANGEVIN.
H.R. 2349: Mr. CARDIN, Ms. NORTON, Mr. WYNN, Mr. JEFFERSON, Ms. SOLIS, and Mr. PRICE of North Carolina.
H.R. 2378: Mr. WEXLER.
H.R. 2379: Mr. HINCHEY, Mr. OXLEY, Mr. MEEKS of New York, and Ms. NORTON.
H.R. 2390: Mr. PITTS.
H.R. 2413: Mr. SANDERS, Mr. MINK of Hawaii, and Mr. SCHROCK.
H.R. 2417: Mr. MCGOVERN, Ms. MCKINNEY, Mr. TOWNS, Mr. JACKSON of Illinois, Mr. LUCAS of Kentucky, and Mrs. MINK of Hawaii.
H.R. 2435: Ms. HARMAN and Mr. TERRY.
H.R. 2438: Mr. BORSKI and Mr. KIRK.
H.R. 2453: Ms. MCKINNEY and Mr. HILLIARD.
H.R. 2459: Mr. NADLER.
H.R. 2494: Mr. BLAGOJEVICH, Ms. MCKINNEY, and Mr. THOMPSON of California.
H.R. 2505: Mr. WU.
H.J. Res. 6: Mr. ENGEL.
H. Con. Res. 17: Mr. HOLT and Mr. LAMPSON.
H. Con. Res. 36: Mr. LIPINSKI, Mr. BAIRD, Mr. DOGGETT, Mr. STUPAK, and Mr. DIAZ-BALART.
H. Con. Res. 42: Mrs. CAPPS.
H. Con. Res. 58: Mr. SHERMAN.
H. Con. Res. 61: Mr. RUSH.
H. Con. Res. 97: Mrs. ROUKEMA.
H. Con. Res. 102: Mr. SWEENEY, Mr. WATT of North Carolina, Mr. HOEFFEL, Mr. BERMAN, Mr. LEWIS of Kentucky, Mr. OLVER, Mr. ENGEL, and Mr. BONIOR.
H. Con. Res. 166: Mr. FOLEY, Mr. GREEN of Wisconsin, Mr. HINCHEY, Ms. MILLENDER-MCDONALD, Mr. CARSON of Oklahoma Ms. ROS-LEHTINEN, Mr. HONDA, Ms. NORTON, Mr. HILLIARD, Mr. SANDERS, and Ms. HOOLEY of Oregon.
H. Res. 152: Mr. INSLEE and Mr. MCHUGH.
H. Res. 173: Ms. SLAUGHTER.
H. Res. 191: Mr. SHERMAN, Mr. HOLT, and Mr. SOUDER.

WEDNESDAY, JULY 18, 2001 (75)

¶75.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 o'clock a.m. by the SPEAKER pro tempore, Mr. LAHOOD, who laid before the House the following communication:

WASHINGTON, DC,
July 18, 2001.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

¶75.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, announced he had examined and approved the Journal of the proceedings of Tuesday, July 17, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶75.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2951. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of Uruguay Because of Foot-and-Mouth Disease [Docket No. 00–111–2] received received July 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2952. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Modifications to the Rules and Regulations Under the Tart Cherry Marketing Order [Docket No. FV01–930–3 IFR] received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2953. A letter from the Deputy Chief, Competitive Pricing Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Access Charge Reform [CC Docket No. 96–262] received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2954. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 074–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2955. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Ireland, Kazakstan and Russia [Transmittal No. DTC 049–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2956. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Exports of Agricultural Commodities, Medicines and Medical Devices [Docket No. 010612152–1152–01] (RIN: 0694–AC37) received July 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2957. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule— Harmonization of Definitions of Terms [Docket No. 010423100–1100–01] (RIN: 0694–AC03) received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2958. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Emergency Interim Rule to Revise Certain Provisions of the American Fisheries Act; Extension of Expiration Date [Docket No. 010111009–1009–01; I.D. 122600A] (RIN: 0648–AO72) received July 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2959. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney Canada (PWC) Model PW305 and PW305A Turbofan Engines [Docket No. 2000–NE–24–AD; Amendment 39–12129; AD 2001–04–10] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2960. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–50 Series Turbofan Engines [Docket No. 2000–NE–38–AD; Amendment 39–12136; AD 2001–04–16] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2961. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW4000 Series Turbofan Engines [Docket No. 2000–NE–43–AD; Amendment 39–12144; AD 2001–05–07] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2962. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International, S.A. CFM56–3, -3B, and -3C Series Turbofan Engines [Docket No. 98–ANE–57–AD; Amendment 39–12124; AD 2001–04–06] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2963. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Model PC–7 Airplanes [Docket No. 2000–CE–46–AD; Amendment 39–12138; AD 2001–05–02] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2964. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes [Docket No. 2000–CE–54–AD; Amendment 39–12115; AD 2001–03–11] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2965. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Inc. Model 205A–1, 205B, 212, 412, 412CF, and 412EP Helicopters [Docket No. 2001–SW–06–AD; Amendment 39–12181; AD 2001–08–04] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2966. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 430 Helicopters [Docket No. 2000–SW–22–AD; Amendment 39–12146; AD 2001–05–09] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2967. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Hartzell Propeller Inc. Y-Shank Series Propellers [Docket No.

99–NE–21–AD; Amendment 39–12168; AD 2001–07–03] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2968. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Security Requirements for Unclassified Information Technology Resources —received July 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

¶75.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 333. An Act to amend title 11, United States Code, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 333) ''An Act to amend title 11, United States Code, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints: Mr. LEAHY, Mr. KENNEDY, Mr. BIDEN, Mr. KOHL, Mr. FEINGOLD, Mr. SCHUMER, Mr. DURBIN, Mr. HATCH, Mr. GRASSLEY, Mr. KYL, Mr. DEWINE, Mr. SESSIONS, and Mr. MCCONNELL, to be the conferees on the part of the Senate.

¶75.5 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, July 17, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 372
- Nays 47
- Answered present 1

¶75.6 [Roll No. 236]

YEAS—372

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

NAYS—47

Aderholt	Kennedy (MN)	Scott
Borski	Kucinich	Strickland
Brady (PA)	Larsen (WA)	Stupak
Capuano	LoBiondo	Taylor (MS)
Costello	McDermott	Thompson (CA)
DeFazio	McGovern	Thompson (MS)
English	McNulty	Tiahrt
Filner	Menendez	Udall (CO)
Fossella	Moran (KS)	Udall (NM)
Gutierrez	Oberstar	Visclosky
Gutknecht	Pallone	Wamp
Hefley	Peterson (MN)	Waters
Hilleary	Pombo	Weller
Hilliard	Ramstad	Wicker
Johnson, E. B.	Sabo	Wu
Jones (OH)	Schaffer	

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—13

Crane	Istook	Riley
Culberson	Maloney (CT)	Spence
Gibbons	Murtha	Young (AK)
Goss	Myrick	
Hutchinson	Oxley	

So the Journal was approved.

¶75.7 NO CHILD LEFT BEHIND

On motion of Mr. BOEHNER, by unanimous consent and by direction of the Committee on Education and the Workforce pursuant to clause 1 of rule XXII, the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. BOEHNER, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

After debate,

By unanimous consent, the previous question was ordered on the motion.

The question being put, viva voce.

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. LAHOOD announced that the yeas had it.

Mr. George MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared
- Yeas 424
- Nays 5

¶75.8 [Roll No. 237]

YEAS—424

Abercrombie	Baldwin	Berman
Ackerman	Ballenger	Berry
Aderholt	Barcia	Biggert
Akin	Barr	Bilirakis
Allen	Barrett	Bishop
Andrews	Bartlett	Blagojevich
Armey	Barton	Blumenauer
Baca	Bass	Blunt
Bachus	Becerra	Boehlert
Baird	Bentsen	Boehner
Baker	Bereuter	Bonilla
Baldacci	Berkley	Bonior

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

NAYS—5

Goode
Hostettler
Sabo
Scarborough
Tiahrt

NOT VOTING—4

Gibbons
Myrick
Riley
Spence

So, the House disagreed to the amendment of the Senate and agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶75.9 MOTION TO INSTRUCT CONFEREES—H.R. 1

Mr. BALDACCI moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 1, be instructed to agree to provisions to fully fund part B of the Individuals with Disabilities Education Act for the purpose of providing every child with a disability a free appropriate public education to the extent that the provision of such full funding will not result in an on-budget surplus that is less than the surplus in the Federal Hospital Insurance Trust Fund.

Mr. BOEHNER moved to lay on the table the motion to instruct conferees.

The question being put, viva voce,

Will the House lay on the table the motion to instruct conferees?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. FRANK demanded a recorded vote on said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 296 / Nays 126

¶75.10 [Roll No. 238]

AYES—296

Abercrombie
Ackerman
Aderholt
Akin
Andrews
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Berkley
Berry
Biggert
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (IL)
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Farr
Fattah
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (RI)
Kerns
Kilpatrick
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
Matsui
McCrery
McHugh
McInnis
McIntyre
McKeon
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (VA)
Morella
Murtha
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Pallone
Pascrell
Pastor
Paul
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rangel
Regula
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Scarborough
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Waters
Watkins (OK)
Watson (CA)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—126

Allen
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bass
Becerra
Bentsen
Bereuter
Berman
Bilirakis
Blumenauer
Bonior

Borski
Brown (OH)
Capps
Capuano
Cardin
Carson (OK)
Clayton
Conyers
Coyne
Crowley
Davis (CA)
Davis (FL)
DeFazio
DeGette
Delahunt
Deutsch
Dingell
Doggett
Doyle
Engel
Etheridge
Evans
Ferguson
Filner
Ford
Frank
Gephardt
Gonzalez
Green (TX)
Greenwood
Hall (OH)
Harman
Hill
Hilliard
Hinojosa
Hoeffel
Hoekstra
Holt
Honda
Hooley
Inslee
Israel
Jackson-Lee (TX)
Jones (OH)
Kelly
Kennedy (MN)
Kildee
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Luther
Maloney (CT)
Maloney (NY)
Markey
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Millender-McDonald
Miller, George
Mink
Moore
Moran (KS)
Nadler
Owens
Payne
Platts
Rahall
Ramstad
Rehberg
Rivers
Roemer
Sanchez
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Schiff
Shows
Skelton
Slaughter
Snyder
Solis
Stark
Sununu
Tauscher
Taylor (MS)
Thompson (CA)
Thune
Thurman
Tierney
Udall (NM)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—11

Brady (PA)
Davis, Jo Ann
Gibbons
Goode
Hinchey
Myrick
Oxley
Pitts
Riley
Spence
Walsh

So the motion to table the motion to instruct conferees was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶75.11 APPOINTMENT OF CONFEREES—H.R. 1

Thereupon, the SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, appointed Messrs. BOEHNER, PETRI, Mrs. ROUKEMA, Messrs. MCKEON, CASTLE, GRAHAM, HILLEARY, ISAKSON, George MILLER of California, KILDEE, OWENS, Mrs. MINK, Messrs. ANDREWS, and ROEMER, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶75.12 COMMERCE, STATE, JUSTICE, THE JUDICIARY APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 192 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Mr. HASTINGS of Washington, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. MILLER of Florida, assumed the Chair.

When Mr. HASTINGS of Washington, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶75.13 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 2500

On motion of Mr. WOLF, by unanimous consent,

Ordered, That it may be in order that during further consideration of the bill (H.R. 2500) in the Committee of the Whole pursuant to House Resolution 192 and the order of the House of July 17, 2001, each amendment shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment); and amendments numbered 1, 8, 19, 36, 34, 5, 33, 38, 17, 20, 22, 24, 25, 35, 10, 11, and 40 shall be debatable only for 10 minutes equally divided and controlled by the proponent and an opponent.

¶75.14 COMMERCE, JUSTICE, STATE, THE JUDICIARY APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to House Resolution 192 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Mr. HASTINGS of Washington, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶75.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. MALONEY of New York:

Page 47, line 22, after the dollar amount, insert the following: ''(reduced by $2,500,000)''.

Page 48, line 11, after the dollar amount, insert the following: ''(increased by $2,500,000)''.

It was decided in the negative { Yeas ..... 209 / Nays ..... 217 }

¶75.16 [Roll No. 239]

AYES—209

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

NOES—217

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence

Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Gilman
Hutchinson
Jefferson
Paul
Riley
Spence
Weldon (FL)

So the amendment was not agreed to.

¶75.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. MALONEY of New York:

Page 48, line 3, after the dollar amount, insert the following: ''(increased by $2,000,000)''.

Page 48, line 14, after the dollar amount, insert the following: ''(reduced by $2,000,000)''.

It was decided in the negative ..... { Yeas ..... 215 / Nays 215

¶75.18 [Roll No. 240]

AYES—215

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

NOES—215

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—3

Hutchinson
Riley
Spence

So the amendment was not agreed to.

¶75.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DELAY:

Page 108, after line 22, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds appropriated in this Act may be used to negotiate or pay any request or claim by the Government of the People's Republic of China for reimbursement of the costs associated with the detention of the crewmembers of the United States Navy EP–3 aircraft that was forced to land on Hainan Island, China, on April 1, 2001, or for reimbursement of any of the costs associated with the return of the aircraft to the United States.

It was decided in the affirmative ..... { Yeas ..... 424 / Nays 6

¶75.20 [Roll No. 241]

AYES—424

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

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

NOES—6

Ackerman
Clay
Hastings (FL)
McDermott
Mink
Stark

NOT VOTING—3

Riley
Shows
Spence

So the amendment was agreed to.

¶75.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. JACKSON-LEE:

At the end of the bill, insert after the last section (preceding the short title) the following:

It was decided in the negative ..... { Yeas ..... 189 / Nays 242

¶75.22 [Roll No. 242]

AYES—189

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Green (TX)
Grucci
Gutierrez
Hall (TX)
Harman
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (NY)
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schakowsky
Schiff
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Stark
Stenholm
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—242

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Markey
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—2

Riley
Spence

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. REYNOLDS, assumed the Chair.

When Mr. HASTINGS of Washington, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶75.23 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 2500

On motion of Mr. WOLF, by unanimous consent,

Ordered, That it may be in order that, during further consideration of the bill (H.R. 2500) in the Committee of the Whole pursuant to House Resolution 192 and the order of the House of July 17, 2001, each amendment shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment); amendments numbered 14 and 26 shall be debatable only for 10 minutes equally divided and controlled by the proponent and an opponent; amendments numbered 3, 30, 6, and 7 shall be debatable only for 20 minutes equally divided and controlled by the proponent and an opponent; and amendment numbered 12 shall be de-

batable only for 60 minutes equally divided and controlled by the proponent and an opponent.

¶75.24 COMMERCE, JUSTICE, STATE, THE JUDICIARY APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. REYNOLDS, pursuant to House Resolution 192 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Mr. HASTINGS of Washington, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶75.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ROHRABACHER:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used by the Department of Justice or the Department of State to file a motion in any court opposing a civil action against any Japanese person or corporation for compensation or reparations in which the plaintiff alleges that, as an American prisoner of war during World War II, he or she was used as slave or forced labor.

It was decided in the affirmative { Yeas ..... 395 / Nays ..... 33 }

¶75.26 [Roll No. 243]

AYES—395

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

NOES—33

Blumenauer
Blunt
Callahan
Cannon
Castle
Combest
Cox
Cubin
Davis, Tom
Dicks
Dreier
Flake
Gilchrest
Granger
Hansen
Hastings (FL)
Hilliard
Houghton
Hyde
Kolbe
Largent
Meeks (NY)
Nethercutt
Payne
Petri
Schaffer
Sensenbrenner
Smith (MI)
Smith (WA)
Souder
Stump
Watts (OK)
Young (FL)

NOT VOTING—5

English
Hinojosa
Millender-McDonald
Spence
Watkins (OK)

So the amendment was agreed to.

¶75.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MORAN of Virginia:

At the end of the bill (preceding the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to destroy any record of the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act, within 90 days after the date the record is created.

It was decided in the negative { Yeas ..... 161 / Nays ..... 268 }

¶75.28 [Roll No. 244]

AYES—161

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Baldwin
Barrett
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clyburn
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Dooley
Doyle
Engel
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Ford
Frank
Gephardt
Gonzalez
Grucci
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hinchey
Hoeffel
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Quinn
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Solis
Stark
Tauscher
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—268

Aderholt
Akin
Armey
Baca
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono

Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal
DeFazio
DeLay
DeMint
Diaz-Balart
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
Kingston
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sanders
Sandlin
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Hinojosa
Millender-McDonald
Scarborough
Spence

So the amendment was not agreed to.

¶75.29 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. PAUL:

Page 108, after line 22, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds appropriated in this Act may be used for any United States contribution to the United Nations or any affiliated agency of the United Nations.

It was decided in the negative { Yeas ..... 62 / Nays ..... 364 }

¶75.30 [Roll No. 245]

AYES—62

Aderholt
Akin
Armey
Barcia
Barr
Bartlett
Barton
Bilirakis
Burton
Cannon
Coble
Collins
Combest
Crane
Cubin
Culberson
DeLay
DeMint
Doolittle
Duncan
Everett
Foley
Gibbons
Goode
Hall (TX)
Hefley
Hostettler
Istook
Jones (NC)
Keller
Kerns
Kingston
Lewis (KY)
Lucas (OK)
Manzullo
Moran (KS)
Ney
Norwood
Otter
Paul
Pence
Peterson (MN)
Pombo
Radanovich
Riley
Rohrabacher
Royce
Ryun (KS)
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shuster
Stump
Tancredo
Taylor (MS)
Taylor (NC)
Tiberi
Traficant
Weldon (FL)
Young (AK)

NOES—364

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

NOT VOTING—7

Hinchey
Hinojosa
Millender-McDonald
Nadler
Owens
Solis
Spence

So the amendment was not agreed to.

¶75.31 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. PAUL:

Page 108, after line 22, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds appropriated in this Act may be used for any United States contribution for United Nations peacekeeping operations.

It was decided in the negative { Yeas ..... 71 / Nays ..... 359 }

¶75.32 [Roll No. 246]

AYES—71

Aderholt
Akin
Armey
Barr
Bartlett
Barton
Bilirakis
Bonilla
Bryant
Burton
Callahan
Cannon
Coble
Combest
Crane
Cubin
Davis, Jo Ann
DeLay
DeMint
Doolittle
Duncan
Everett
Goode
Gutknecht
Hastings (WA)
Hayworth
Hilleary
Hostettler
Hulshof
Hunter
Jenkins
Johnson, Sam
Jones (NC)

Keller
Kerns
Kingston
LaTourette
Lucas (OK)
Manzullo
Moran (KS)
Myrick
Nethercutt
Ney
Norwood
Otter
Paul
Pence
Peterson (MN)
Pombo
Putnam
Radanovich
Riley
Rohrabacher
Royce
Ryun (KS)
Scarborough
Schaffer
Sensenbrenner
Sessions
Shuster
Smith (MI)
Stearns
Stump
Tancredo
Taylor (MS)
Taylor (NC)
Tiahrt
Tiberi
Traficant
Wamp
Young (AK)

NOES—359

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

NOT VOTING—3

Hinojosa
Millender-McDonald
Spence

So the amendment was not agreed to.

¶75.33 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. WATERS:

Page 108, after line 22, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds appropriated in this Act under the heading ''OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE–SALARIES AND EXPENSES'' may be used to initiate a proceeding in the World Trade Organization (WTO) pursuant to any provision of the Agreement on Trade-Related Aspects of Intellectual Property Rights (as described in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15))) challenging any law of a country that is not a member of the Organization for Economic Cooperation and Development (OECD).

It was decided in the negative ..... { Yeas ..... 123 / Nays 306

¶75.34 [Roll No. 247]

AYES—123

Abercrombie
Allen
Andrews
Baca
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berry
Bishop
Blagojevich
Bonior
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Conyers
Coyne
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Doyle
Engel
Evans
Farr
Fattah
Filner
Ford
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kucinich
LaFalce
Lampson
Langevin
Lantos
Lee
Lewis (GA)
Lipinski
Lowey
Luther
Maloney (NY)
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Miller, George
Mink
Morella
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Rahall
Rangel
Reyes
Rivers
Rodriguez
Ross
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Solis
Stark
Strickland
Stupak
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Weiner
Wexler
Woolsey
Wynn

NOES—306

Ackerman
Aderholt
Akin
Armey
Bachus
Baird
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Markey
Mascara
Matheson
Matsui
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner

Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—4

Hinojosa
Jefferson
Millender-McDonald
Spence

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. NUSSLE, assumed the Chair.

When Mr. HASTINGS of Washington, Chairman, pursuant to House Resolution 192, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

On page 12, line 21, strike ''as in effect on June 1, 2000''.

Page 47, line 22, after the dollar amount, insert the following: ''(reduced by $2,500,000)''.

Page 48, line 11, after the dollar amount, insert the following: ''(increased by $2,500,000)''.

Page 59, line 13, after the dollar amount insert the following: ''(reduced by $2,000,000)''.

Page 71, line 4, after the dollar amount insert the following: ''(reduced by $8,000,000)''.

Page 73, line 3, after the dollar amount insert the following: ''(reduced by $7,000,000)''.

Page 95, line 3, after the dollar amount insert the following: ''(increased by $7,000,000)''.

Page 95, line 19, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Page 108, after line 22, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds appropriated in this Act may be used to negotiate or pay any request or claim by the Government of the People's Republic of China for reimbursement of the costs associated with the detention of the crewmembers of the United States Navy EP–3 aircraft that was forced to land on Hainan Island, China, on April 1, 2001, or for reimbursement of any of the costs associated with the return of the aircraft to the United States.

Page 108, after line 7, insert the following new section:

SEC. ____. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

Page 94, beginning on line 9, strike '': *Provided further*, That fees'' and all that follows through line 20 and insert a period.

Page 96, line 10, strike ''$4,100,000,000'' and insert the following:

the levels established by section 20(h)(1)(C) of the Small Business Act (15 U.S.C. 631 note)

Page 107, beginning on line 21, strike section 623 (relating to Kyoto Protocol).

Page 108, after line 22, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds appropriated in title I of this Act may be used to prohibit states from participating in voluntary child safety gun lock programs.

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used by the Department of Justice or the Department of State to file a motion in any court opposing a civil action against any Japanese person or corporation for compensation or reparations in which the plaintiff alleges that, as an American prisoner of war during World War II, he or she was used as slave or forced labor.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. NUSSLE, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 408 / Nays ..... 19 }

¶75.35 [Roll No. 248]

YEAS—408

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

NAYS—19

Barr
Conyers
Cox
Duncan
Flake
Hefley
Hostettler
Moran (KS)
Paul
Petri
Royce
Scarborough
Schaffer
Sensenbrenner
Smith (MI)
Stark
Tancredo
Waters
Weldon (FL)

NOT VOTING—6

DeGette
Hinojosa
Larson (CT)
Shays
Spence
Tierney

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶75.36 PROVIDING FOR THE CONSIDERATION OF H.R. 2506

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 107–146) the resolution (H. Res. 199) providing for consideration of the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶75.37 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. WATERS, for July 17 from 10 a.m. to 1 p.m.

And then,

¶75.38 ADJOURNMENT

On motion of Mr. UNDERWOOD, at 11 o'clock and 56 minutes p.m., the House adjourned.

¶75.39 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follow:

Mr. THOMAS: Committee on Ways and Means. House Joint Resolution 50. Resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to the People's Republic of China (Rept. No. 107–145); adversely. Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 199. Resolution providing for consideration of the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–146). Referred to the House Calendar.

¶75.40 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. SHIMKUS, Mr. REYES, Mr. STUMP, Mr. FILNER, Mr. BILIRAKIS, Ms. BROWN of Florida, Mr. BUYER, Mr. RODRIGUEZ, Mr. BAKER, Mr. SHOWS, Mr. SIMMONS, Mr. UDALL of New Mexico, Mr. BROWN of South Carolina, and Mrs. CAPPS):

H.R. 2540. A bill to amend title 38, United States Code, to make various improvements to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HYDE (for himself and Mr. LANTOS):

H.R. 2541. A bill to enhance the authorities of special agents and provide limited authorities to uniformed officers responsible for the protection of domestic Department of State occupied facilities; to the Committee on International Relations.

By Mr. PUTNAM:

H.R. 2542. A bill to establish a Farmland Stewardship Program designed to target existing conservation programs to the specific conservation needs and opportunities presented by certain agricultural lands and to authorize the Secretary of Agriculture to enter into stewardship contracts with private owners and operators of these lands to maintain, protect, and care for the natural, environmental, and agricultural resources on these lands, and for other purposes; to the Committee on Agriculture.

By Mr. YOUNG of Alaska:

H.R. 2543. A bill to amend title 39, United States Code, to direct the Postal Service to adhere to an equitable tender policy in selecting air carriers of non-priority bypass mail to certain points in the State of Alaska, and for other purposes; to the Committee on Government Reform.

By Mr. GILMAN:

H.R. 2544. A bill to direct the Secretary of Transportation to offer federally financed, interest-free loans to public schools, municipalities, and local governments for the purchase of hybrid electric or other high-efficiency vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BAKER:

H.R. 2545. A bill to amend the National Flood Insurance Act of 1968 to provide for identification, mitigation, and purchase of properties insured under the national flood insurance program that suffer repetitive losses; to the Committee on Financial Services.

By Mr. BLUNT (for himself, Mr. ANDREWS, Mr. PALLONE, Mr. TANCREDO, Mr. BARTLETT of Maryland, Mr. PASCRELL, Mr. LOBIONDO, Mr. CAPUANO, Mr. SHAYS, Ms. DELAURO, Ms. BROWN of Florida, Mr. MICA, Mr. ISAKSON, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. JEFFERSON, Mr. ENGLISH, Mr. CARDIN, and Mr. TOWNS):

H.R. 2546. A bill to amend title 49, United States Code, to prohibit States from requiring a license or fee on account of the fact that a motor vehicle is providing interstate pre-arranged ground transportation service, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BURTON of Indiana (for himself and Mr. ARMEY):

H.R. 2547. A bill to require certain executive agencies to carry out a cost-effective program for identifying any errors made in paying contractors and for recovering any amounts erroneously paid to contractors; to the Committee on Government Reform.

By Mr. DOOLITTLE:

H.R. 2548. A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 increase in income taxes on Social Security benefits; to the Committee on Ways and Means.

By Ms. DUNN (for herself, Mr. MCDERMOTT, Mr. DICKS, Mr. SMITH of Washington, Mr. LARSEN of Washington, Mr. INSLEE, Mr. NETHERCUTT, and Mr. BAIRD):

H.R. 2549. A bill to amend title XVIII of the Social Security Act to provide for equitable reimbursement rates under the Medicare Program to MedicareChoice organizations; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mr. RANGEL, Mr. ACEVEDO-VILA, Mr. RAMSTAD, Mr. MATSUI, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. JEFFERSON, Mr. BECERRA, Mr. SENSENBRENNER, Mr. WICKER, Mr. GREEN of Wisconsin, Mrs. CHRISTENSEN, Ms. PELOSI, Mr. RAHALL, Mr. MENENDEZ, Mr. HOYER, Mr. SERRANO, Mr. GUTIERREZ, Ms. VELAZQUEZ, Mr. TOWNS, Mr. CLEMENT, Mr. BRADY of Pennsylvania, Mr. UNDERWOOD, Mr. FALEOMAVAEGA, and Mr. WELLER):

H.R. 2550. A bill to amend the Internal Revenue Code of 1986 to provide an appropriate and permanent tax structure for investments in the Commonwealth of Puerto Rico and the possessions of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. HILL:

H.R. 2551. A bill to modify the authorized land conveyance regarding the Indiana Army Ammunition Plant in Charlestown, Indiana, to eliminate the requirement that the Indiana Army Ammunition Plant Reuse Authority provide consideration for acquisition of the property; to the Committee on Armed Services.

By Mr. KENNEDY of Minnesota:

H.R. 2552. A bill to require the payment of an indemnity to sugar beet producers in the State of Minnesota for losses sustained to the 2000 crop of sugar beets as a result of a late season freeze when the damage to the sugar beets did not fully manifest itself until after delivery of the crop to the processor.

By Mr. KINGSTON:

H.R. 2553. A bill to amend title XIX of the Social Security Act to waive the obstetrican requirement insofar as it prevents DSH designation in the case of certain rural hospitals; to the Committee on Energy and Commerce.

By Mr. KINGSTON:

H.R. 2554. A bill to modify the project for beach erosion control, Tybee Island, Georgia; to the Committee on Transportation and Infrastructure.

By Ms. LEE (for herself and Mr. HOYER):

H.R. 2555. A bill to amend chapter 53 of title 5, United States Code, to include employees of the legislative branch in the program established under such chapter under which Federal agencies may agree to repay student loans of their employees, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINNIS:

H.R. 2556. A bill to amend the Act of March 3, 1875, to permit the State of Colorado to use land held in trust by the State as open space; to the Committee on Resources.

By Mr. MENENDEZ (for himself, Mr. HOUGHTON, Mr. FLAKE, and Mr. BLUMENAUER):

H.R. 2557. A bill to provide authority to control exports, and for other purposes; to the Committee on International Relations.

By Mr. PETRI (for himself, Mr. KIND, Mr. GREEN of Wisconsin, Mr. SENSENBRENNER, Mr. RYAN of Wisconsin, Ms. BALDWIN, Mr. BARRETT, Mr. KLECZKA, and Mr. PETERSON of Minnesota):

H.R. 2558. A bill to amend the Age Discrimination in Employment Act of 1967 with respect to voluntary early retirement benefits and medical benefits; to the Committee on Education and the Workforce.

By Mr. SCARBOROUGH (for himself, Mr. DAVIS of Illinois, Mr. TOM DAVIS of Virginia, Mr. CUMMINGS, Mrs. MORELLA, and Mr. WAXMAN):

H.R. 2559. A bill to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance; to the Committee on Government Reform, and in addition to the Committees on the Judiciary, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHIMKUS (for himself, Mrs. CAPPS, and Mr. KIRK):

H.R. 2560. A bill to establish a program for an information clearinghouse to increase public access to defibrillation in schools; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELDON of Pennsylvania (for himself, Mr. MURTHA, Mr. SMITH of New Jersey, Mr. EVANS, Mr. SKELTON, Mr. GILMAN, Mr. MCHUGH, and Mr. SENSENBRENNER):

H.R. 2561. A bill to increase the rate of special pension for recipients of the medal of honor, to authorize those recipients to be furnished an additoinal medal for display purposes, to increase the criminal penalties associated with misuse or fraud relating to the medal of honor, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLAGOJEVICH:

H. Con. Res. 187. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued in honor of Harold Washington, the 42d mayor of Chicago; to the Committee on Government Reform.

By Ms. ROS-LEHTINEN (for herself, Mr. SMITH of New Jersey, Mr. GILMAN, Mr. BURTON of Indiana, Mr. LANTOS, Mr. HOEFFEL, Mr. WEXLER, Mr. FRANK, Mr. ROHRABACHER, Ms. MCKINNEY, Ms. LEE, Mr. NORWOOD, Mr. HILLIARD, Mr. RUSH, Mr. BURR of North Carolina, Mr. KING, Mr. ACKERMAN, Mr. CLAY, Mr. BARTON of Texas, Mr. ABERCROMBIE, Mr. BERMAN, Ms. BERKLEY, Mr. TANCREDO, Mr. CHABOT, Mr. SAXTON, Mr. NETHERCUTT, Mr. BENTSEN, Mr. DIAZ-BALART, Mr. CONYERS, Mr. NADLER, and Mr. TIBERI):

H. Con. Res. 188. Concurrent resolution expressing the sense of Congress that the Government of the People's Republic of China should cease its persecution of Falun Gong practitioners; to the Committee on International Relations.

By Mr. GALLEGLY (for himself, Mr. LANTOS, and Mr. SHERMAN):

H. Res. 200. A resolution relating to the transfer of Slobodan Milosevic, and other alleged war criminals, to the International Criminal Tribunal for Yugoslavia, and for other purposes; to the Committee on International Relations.

By Mr. HASTINGS of Washington (for himself, Mr. MCDERMOTT, Mr. NETHERCUTT, Mr. DICKS, Ms. DUNN, Mr. LARSEN of Washington, Mr. SMITH of Washington, Mr. INSLEE, and Mr. BAIRD):

H. Res. 201. A resolution honoring four firefighters who lost their lives fighting the Thirtymile Fire in the Cascade Mountains of Washington State; to the Committee on Government Reform.

By Mrs. MCCARTHY of New York (for herself and Mr. KING):

H. Res. 202. A resolution expressing the sense of the House of Representatives regarding the establishment of a Summer Emergency Blood Donor Month to encourage eligible donors in the United States to donate blood; to the Committee on Government Reform.

¶75.41 ADDITIONAL SPONSORS

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

H.R. 17: Ms. WATERS and Ms. SLAUGHTER.
H.R. 91: Mr. GILLMOR.
H.R. 122: Mr. HYDE.
H.R. 179: Mr. FORBES.
H.R. 201: Mr. GREEN of Texas.
H.R. 218: Mr. PETRI and Mr. THOMAS.
H.R. 220: Mr. HEFLEY.
H.R. 600: Mr. BARTLETT of Maryland.
H.R. 612: Mr. MORAN of Kansas.
H.R. 660: Mr. BAIRD.
H.R. 687: Mr. ALLEN.
H.R. 709: Mrs. CAPPS and Mr. GREEN of Texas.
H.R. 742: Mr. HILLIARD, Ms. SOLIS, and Mr. SERRANO.
H.R. 778: Mr. CRANE.
H.R. 786: Mrs. LOWEY.
H.R. 794: Mr. MATSUI.
H.R. 827: Mr. REHBERG.
H.R. 830: Mr. WATTS of Oklahoma, Mr. OSE, and Mr. FOLEY.
H.R. 854: Mr. FLETCHER and Mr. BROWN of Ohio.
H.R. 912: Mr. HONDA.
H.R. 945: Mrs. CLAYTON and Mr. BACA.
H.R. 959: Mr. WU, Mr. HORN, Mr. FROST, and Mr. FARR of California.
H.R. 975: Mr. ISAKSON.
H.R. 978: Mr. ALLEN and Mr. BARTLETT of Maryland.
H.R. 981: Mr. EHRLICH.
H.R. 1007: Ms. SOLIS.
H.R. 1026: Mr. HASTINGS of Washington.
H.R. 1090: Mr. HOLDEN, Mr. STARK, and Mr. NEAL of Massachusetts.
H.R. 1111: Mr. SAWYER.
H.R. 1121: Mr. PICKERING.
H.R. 1136: Mr. COMBEST.
H.R. 1143: Mr. MCDERMOTT, Mr. HOLT, and Mr. ACKERMAN.
H.R. 1169: Mr. PETERSON of Pennsylvania.
H.R. 1180: Mr. UDALL of Colorado.
H.R. 1198: Mr. GILMAN, Mr. MCNULTY, Mr. COLLINS, Mr. COBLE, Mr. GRUCCI, and Mr. ANDREWS.
H.R. 1295: Mrs. JONES of Ohio and Ms. MCKINNEY.
H.R. 1329: Mr. KELLER.
H.R. 1354: Mr. ACKERMAN.
H.R. 1360: Ms. MCCOLLUM.
H.R. 1377: Mr. FORD and Mr. UNDERWOOD.
H.R. 1408: Mr. KING and Mr. CHAMBLISS.
H.R. 1425: Mr. THOMPSON of Mississippi and Mr. UDALL of Colorado.
H.R. 1433: Mr. LANTOS.
H.R. 1459: Mr. JEFFERSON and Mr. BRADY of Texas.
H.R. 1466: Ms. HART and Mrs. THURMAN.
H.R. 1543: Mr. MALONEY of Connecticut.
H.R. 1556: Mr. BOUCHER, Mr. FROST, Ms. ROS-LEHTINEN, Mr. LANTOS, and Mr. WELDON of Florida.
H.R. 1564: Ms. MCKINNEY.
H.R. 1650: Mr. PASTOR and Mr. PLATTS.
H.R. 1675: Mr. HYDE.
H.R. 1724: Mr. ROTHMAN and Mr. CROWLEY.
H.R. 1734: Mr. GEORGE MILLER of California.
H.R. 1771: Mr. DEUTSCH.
H.R. 1774: Mr. BACA.
H.R. 1808: Mr. ISRAEL, Mr. MEEKS of New York, and Ms. NORTON.
H.R. 1849: Mr. MEEKS of New York.
H.R. 1873: Ms. HOOLEY of Oregon.
H.R. 1875: Ms. SLAUGHTER.
H.R. 1894: Mr. HILLIARD, Mr. CROWLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FROST, and Ms. CARSON of Indiana.
H.R. 1931: Mr. WATTS of Oklahoma and Mr. ROHRABACHER.
H.R. 1947: Mr. FATTAH.
H.R. 1950: Mr. FORD.
H.R. 1979: Mr. SIMPSON, Mr. REHBERG, Mr. THOMPSON of Mississippi, and Mr. KIRK.
H.R. 1990: Ms. SLAUGHTER, Ms. SANCHEZ, and Ms. VELAZQUEZ.
H.R. 1992: Mr. SCHAFFER.
H.R. 1996: Mr. MCGOVERN.
H.R. 1997: Mr. DEFAZIO and Mr. BENTSEN.
H.R. 2064: Mr. MCDERMOTT.
H.R. 2074: Mr. HASTINGS of Florida and Mr. BLAGOJEVICH.
H.R. 2076: Mr. ROYCE.
H.R. 2081: Mr. KELLER, Mr. PLATTS, Mr. PITTS, and Mr. GUTIERREZ.
H.R. 2096: Mr. EVERETT.
H.R. 2099: Mr. INSLEE.
H.R. 2123: Mr. BEREUTER, Mr. SANDERS, Mr. YOUNG of Alaska, Mr. RILEY, and Mr. HILLEARY.
H.R. 2138: Mrs. MINK of Hawaii, Mr. HONDA, and Mr. LUTHER.
H.R. 2145: Mr. HOLT.
H.R. 2157: Mr. OSBORNE, Ms. MCKINNEY, and Mr. TURNER.
H.R. 2164: Mrs. LOWEY and Mr. RUSH.
H.R. 2174: Mr. LEWIS of California and Ms. MCKINNEY.
H.R. 2175: Mr. TANCREDO.
H.R. 2212: Mr. CALVERT, Mr. HEFLEY, Mr. KIRK, and Mr. KELLER.
H.R. 2235: Mr. NETHERCUTT and Mr. NORWOOD.
H.R. 2249: Mr. TOWNS.
H.R. 2263: Mrs. MINK of Hawaii.
H.R. 2282: Mr. WATT of North Carolina.
H.R. 2291: Mr. TOM DAVIS of Virginia, Mr. ROGERS of Michigan, Mr. HUTCHINSON, Ms. MCCOLLUM, Mr. BALDACCI, Mr. KUCINICH, Mr. BONIOR, Mr. WHITFIELD, Ms. MCKINNEY, and Mr. HEFLEY.
H.R. 2315: Mr. MILLER of Florida, Mr. BROWN of South Carolina, Mr. ADERHOLT, and Mr. KNOLLENBERG.
H.R. 2316: Mr. RYAN of Wisconsin, Mr. BLUNT, Mr. TANCREDO, Mr. COX, Mr. BALLENGER, Mr. CRENSHAW, Mr. BARR of Georgia, Mr. WAMP, Mr. WICKER, Mr. PORTMAN, Mr. LEWIS of Kentucky, Mr. LARGENT, Mr. DEMINT, Mr. PENCE, Mr. TERRY, Mrs. CUBIN, Mr. CALVERT, Mr. LOBIONDO, Mr. REHBERG, Mr. SCHROCK, Mr. KELLER, and Mr. TAYLOR of North Carolina.
H.R. 2323: Mr. BACHUS, Mr. ENGLISH, and Mr. NEY.
H.R. 2363: Mr. BRADY of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. PAUL, Mr. WEXLER, Mr. BORSKI, Mr. RUSH, Mr. KILDEE, and Mr. FATTAH.
H.R. 2364: Mr. RUSH, Mr. FATTAH, and Mr. KILDEE.
H.R. 2390: Mr. KERNS.
H.R. 2400: Mr. QUINN.
H.R. 2402: Mr. QUINN.
H.R. 2409: Mr. NETHERCUTT and Mr. PETERSON of Pennsylvania.
H.R. 2413: Mrs. CAPPS.
H.R. 2435: Mr. KILDEE.
H.R. 2454: Mr. WAXMAN, Mr. BERMAN, Ms. ROYBAL-ALLARD, Ms. LEE, Ms. SANCHEZ, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Mr. STARK, Mr. SCHIFF, Mr. BISHOP, Mr. CUMMINGS, Mr. FARR of California, Mr. BACA, Ms. LOFGREN, Ms. WATERS, Mr. HORN, and Mrs. CAPPS.
H.R. 2457: Mr. THOMAS, Mr. FLETCHER, Mr. NETHERCUTT, Mr. LOBIONDO, and Mr. PETERSON of Pennsylvania.
H.R. 2484: Mr. COSTELLO and Mr. EVANS.
H.R. 2520: Mr. DEFAZIO.
H.R. 2531: Mr. CLAY.
H.R. 2534: Ms. LOFGREN, Ms. WATSON, Mr. HONDA, Mrs. DAVIS of California, Ms. LEE, Ms. ROYBAL-ALLARD, Mr. FARR of California, Ms. MILLENDER-MCDONALD, Mr. MATSUI, Mr. SHERMAN, Mr. BACA, Ms. ESHOO, Mr. WAXMAN, Mrs. NAPOLITANO, Mr. CONYERS, Mr. THOMPSON of California, Mr. UDALL of Colorado, Mr. GONZALEZ, and Mr. BERMAN.
H. Con. Res. 25: Mr. LUTHER.
H. Con. Res. 36: Mr. CHABOT.
H. Con. Res. 58: Mr. CRENSHAW.
H. Con. Res. 131: Mr. SHERMAN and Mr. LANTOS.

H. Con. Res. 162: Mr. BONIOR, Ms. PELOSI, and Mr. MENENDEZ.

H. Con. Res. 164: Mrs. LOWEY.

H. Con. Res. 173: Mr. EVANS, Mr. CUMMINGS, Mr. KOLBE, Mr. NADLER, Mr. MCDERMOTT, Mr. LEVIN, Mr. BRADY of Pennsylvania, Mr. BAIRD, Mrs. MINK of Hawaii, Mr. KUCINICH, and Mr. FILNER.

H. Con. Res. 180: Ms. RIVERS, Mr. TAYLOR of Mississippi, Mr. OLVER, Ms. DELAURO, Mr. DEUTSCH, Mr. BAIRD, Mr. BERMAN, Mr. FARR of California, Mr. SIMMONS, and Mr. HINCHEY.

H. Res. 132: Mr. ABERCROMBIE, Mr. MCDERMOTT, and Mr. PASCRELL.

H. Res. 193: Ms. SLAUGHTER.

THURSDAY, JULY 19, 2001 (76)

The House was called to order by the SPEAKER.

¶76.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, July 18, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared ....
- Yeas 368
- Nays 52
- Answered present 1

¶76.2 [Roll No. 249]

YEAS—368

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

NAYS—52

Aderholt, Baird, Borski, Brady (PA), Capuano, Costello, Crane, Crowley, DeFazio, Delahunt, English, Filner, Fossella, Gephardt, Gillmor, Gutierrez, Gutknecht, Hefley, Hilleary, Hilliard, Hinchey, Holt, Hulshof, Kennedy (MN), Kucinich, Larsen (WA), Lee, LoBiondo, McDermott, McNulty, Menendez, Miller, George, Moran (KS), Oberstar, Pallone, Peterson (MN), Ramstad, Riley, Sabo, Schaffer, Slaughter, Stupak, Taylor (MS), Thompson (CA), Thompson (MS), Udall (NM), Visclosky, Wamp, Waters, Weller, Whitfield, Wicker

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—12

Berkley, Engel, Harman, Hinojosa, Istook, Leach, McKinney, Meek (FL), Meeks (NY), Platts, Spence, Young (AK)

So the Journal was approved.

¶76.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2969. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Joaquin Valley Unified Air Pollution District [CA 217–0285; FRL–6995–7] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2970. A letter from the Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Federal-State Joint Board on Universal Service [CC Docket No. 96–45] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2971. A communication from the President of the United States, transmitting the status of efforts to obtain Iraq's compliance with the resolutions adopted by the United Nations Security Council; (H. Doc. No. 107–103); to the Committee on International Relations and ordered to be printed.

2972. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Framework Adjustment 2 [Docket No. 010618159–01; I.D. 051101A] (RIN: 0648–AO92) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2973. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Eastern Aleutian District of the Bering Sea and Aleutian Islands [Docket No. 010112013–1013–01; I.D. 070601A] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2974. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No. 01012013–1013–01; I.D. 070301A] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2975. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Petitioning Requirements for the H–1C Nonimmigrant Classification Under Public Law 106–95 [INS 2050–00] (RIN: 1115–AF76) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

¶76.4 PROVIDING FOR THE CONSIDERATION OF H.R. 7

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 196):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 7) to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets. The bill shall be considered as read for amendment. In lieu of the amendments recommended by the Committees on Ways and Means and the Judiciary now printed in the bill, the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the further amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York, Representative Conyers of Michigan, or a designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

¶76.5 MESSAGE FROM THE SENATE

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

S. 1190. An Act to amend the Internal Revenue Code of 1986 to rename the education individual retirement accounts as the Coverdell education savings accounts.

S. Con. Res. 34. Concurrent resolution congratulating the Baltic nations of Estonia, Latvia, and Lithuania on the tenth anniversary of the end of their illegal incorporation into the Soviet Union.

S. Con. Res. 53. Concurrent resolution encouraging the development of strategies to reduce hunger and poverty, and to promote free market economies and democratic institutions, in sub-Saharan Africa.

After further debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. BONILLA, announced that the nays had it.

Ms. PRYCE of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 228 / Nays ..... 199 }

¶76.6 [Roll No. 250]

YEAS—228

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

NAYS—199

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

NOT VOTING—6

Bartlett	Hinojosa	Norwood
Engel	McKinney	Spence

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BONILLA, announced that the yeas had it.

Mr. CONYERS demanded a recorded vote on agreeing to said resolution which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 233 / Nays ..... 194 }

¶76.7 [Roll No. 251]

AYES—233

Aderholt	Brady (TX)	Cooksey
Akin	Brown (SC)	Cox
Armey	Bryant	Crane
Bachus	Burr	Crenshaw
Baker	Burton	Cubin
Ballenger	Buyer	Culberson
Barr	Callahan	Cunningham
Bartlett	Calvert	Davis, Jo Ann
Barton	Camp	Davis, Tom
Bass	Cannon	Deal
Bereuter	Cantor	DeLay
Biggert	Capito	DeMint
Bilirakis	Castle	Diaz-Balart
Bishop	Chabot	Doolittle
Blunt	Chambliss	Dreier
Boehlert	Clement	Duncan
Boehner	Coble	Dunn
Bonilla	Collins	Ehlers
Bono	Combest	Ehrlich

Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—194

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

NOT VOTING—6

Engel
Hinojosa
Johnson (CT)
McKinney
Norwood
Spence

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶76.8 COMMUNITY SOLUTIONS

Mr. THOMAS, pursuant to House Resolution 196, called up the bill (H.R. 7) to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets.

Pending consideration of said bill.

Pursuant to House Resolution 196, the following amendment in the nature of a substitute printed in the Congressional Record and numbered 1 recommended by the Committee on Rules, in lieu of the amendments recommended by the Committee on Ways and Means and the Committee on the Judiciary as printed in the bill, was considered as agreed to:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Community Solutions Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CHARITABLE GIVING INCENTIVES PACKAGE

Sec. 101. Deduction for portion of charitable contributions to be allowed to individuals who do not itemize deductions.
Sec. 102. Tax-free distributions from individual retirement accounts for charitable purposes.
Sec. 103. Increase in cap on corporate charitable contributions.
Sec. 104. Charitable deduction for contributions of food inventory.
Sec. 105. Reform of excise tax on net investment income of private foundations.
Sec. 106. Excise tax on unrelated business taxable income of charitable remainder trusts.
Sec. 107. Expansion of charitable contribution allowed for scientific property used for research and for computer technology and equipment used for educational purposes.
Sec. 108. Adjustment to basis of S corporation stock for certain charitable contributions.

TITLE II—EXPANSION OF CHARITABLE CHOICE

Sec. 201. Provision of assistance under government programs by religious and community organizations.

TITLE III—INDIVIDUAL DEVELOPMENT ACCOUNTS

Sec. 301. Additional qualified entities eligible to conduct projects under the Assets for Independence Act.
Sec. 302. Increase in limitation on net worth.
Sec. 303. Change in limitation on deposits for an individual.
Sec. 304. Elimination of limitation on deposits for a household.
Sec. 305. Extension of program.
Sec. 306. Conforming amendments.
Sec. 307. Applicability.

TITLE IV—CHARITABLE DONATIONS LIABILITY REFORM FOR IN-KIND CORPORATE CONTRIBUTIONS

Sec. 401. Charitable donations liability reform for in-kind corporate contributions.

TITLE I—CHARITABLE GIVING INCENTIVES PACKAGE

SEC. 101. DEDUCTION FOR PORTION OF CHARITABLE CONTRIBUTIONS TO BE ALLOWED TO INDIVIDUALS WHO DO NOT ITEMIZE DEDUCTIONS.

(a) IN GENERAL.—Section 170 of the Internal Revenue Code of 1986 (relating to charitable, etc., contributions and gifts) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

''(m) DEDUCTION FOR INDIVIDUALS NOT ITEMIZING DEDUCTIONS.—

''(1) IN GENERAL.—In the case of an individual who does not itemize his deductions for the taxable year, there shall be taken into account as a direct charitable deduction under section 63 an amount equal to the lesser of—

''(A) the amount allowable under subsection (a) for the taxable year for cash contributions, or

''(B) the applicable amount.

''(2) APPLICABLE AMOUNT.—For purposes of paragraph (1), the applicable amount shall be determined as follows:

"For taxable years beginning in:	The applicable amount is:
2002 and 2003	$25
2004, 2005, 2006	$50
2007, 2008, 2009	$75
2010 and thereafter	$100.

In the case of a joint return, the applicable amount is twice the applicable amount determined under the preceding table.''.

(b) DIRECT CHARITABLE DEDUCTION.—

(1) IN GENERAL.—Subsection (b) of section 63 of such Code is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by adding at the end thereof the following new paragraph:

''(3) the direct charitable deduction.''.

(2) DEFINITION.—Section 63 of such Code is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) DIRECT CHARITABLE DEDUCTION.—For purposes of this section, the term 'direct charitable deduction' means that portion of the amount allowable under section 170(a)

which is taken as a direct charitable deduction for the taxable year under section 170(m).''.

(3) CONFORMING AMENDMENT.—Subsection (d) of section 63 of such Code is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by adding at the end thereof the following new paragraph:

''(3) the direct charitable deduction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 102. TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT ACCOUNTS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subsection (d) of section 408 of the Internal Revenue Code of 1986 (relating to individual retirement accounts) is amended by adding at the end the following new paragraph:

''(8) DISTRIBUTIONS FOR CHARITABLE PURPOSES.—

''(A) IN GENERAL.—No amount shall be includible in gross income by reason of a qualified charitable distribution.

''(B) QUALIFIED CHARITABLE DISTRIBUTION.—For purposes of this paragraph, the term 'qualified charitable distribution' means any distribution from an individual retirement account—

''(i) which is made on or after the date that the individual for whose benefit the account is maintained has attained age 70½, and

''(ii) which is made directly by the trustee—

''(I) to an organization described in section 170(c), or

''(II) to a split-interest entity.

A distribution shall be treated as a qualified charitable distribution only to the extent that the distribution would be includible in gross income without regard to subparagraph (A) and, in the case of a distribution to a split-interest entity, only if no person holds an income interest in the amounts in the split-interest entity attributable to such distribution other than one or more of the following: the individual for whose benefit such account is maintained, the spouse of such individual, or any organization described in section 170(c).

''(C) CONTRIBUTIONS MUST BE OTHERWISE DEDUCTIBLE.—For purposes of this paragraph—

''(i) DIRECT CONTRIBUTIONS.—A distribution to an organization described in section 170(c) shall be treated as a qualified charitable distribution only if a deduction for the entire distribution would be allowable under section 170 (determined without regard to subsection (b) thereof and this paragraph).

''(ii) SPLIT-INTEREST GIFTS.—A distribution to a split-interest entity shall be treated as a qualified charitable distribution only if a deduction for the entire value of the interest in the distribution for the use of an organization described in section 170(c) would be allowable under section 170 (determined without regard to subsection (b) thereof and this paragraph).

''(D) APPLICATION OF SECTION 72.—Notwithstanding section 72, in determining the extent to which a distribution is a qualified charitable distribution, the entire amount of the distribution shall be treated as includible in gross income without regard to subparagraph (A) to the extent that such amount does not exceed the aggregate amount which would be so includible if all amounts were distributed from all individual retirement accounts otherwise taken into account in determining the inclusion on such distribution under section 72. Proper adjustments shall be made in applying section 72 to other distributions in such taxable year and subsequent taxable years.

''(E) SPECIAL RULES FOR SPLIT-INTEREST ENTITIES.—

''(i) CHARITABLE REMAINDER TRUSTS.—Distributions made from an individual retirement account to a trust described in subparagraph (G)(ii)(I) shall be treated as income described in section 664(b)(1) except to the extent that the beneficiary of the individual retirement account notifies the trustee of the trust of the amount which is not allocable to income under subparagraph (D).

''(ii) POOLED INCOME FUNDS.—No amount shall be includible in the gross income of a pooled income fund (as defined in subparagraph (G)(ii)(II)) by reason of a qualified charitable distribution to such fund.

''(iii) CHARITABLE GIFT ANNUITIES.—Qualified charitable distributions made for a charitable gift annuity shall not be treated as an investment in the contract.

''(F) DENIAL OF DEDUCTION.—Qualified charitable distributions shall not be taken into account in determining the deduction under section 170.

''(G) SPLIT-INTEREST ENTITY DEFINED.—For purposes of this paragraph, the term 'split-interest entity' means—

''(i) a charitable remainder annuity trust or a charitable remainder unitrust (as such terms are defined in section 664(d)),

''(ii) a pooled income fund (as defined in section 642(c)(5)), and

''(iii) a charitable gift annuity (as defined in section 501(m)(5)).''.

(b) MODIFICATIONS RELATING TO INFORMATION RETURNS BY CERTAIN TRUSTS.—

(1) RETURNS.—Section 6034 of such Code (relating to returns by trusts described in section 4947(a)(2) or claiming charitable deductions under section 642(c)) is amended to read as follows:

''SEC. 6034. RETURNS BY TRUSTS DESCRIBED IN SECTION 4947(a)(2) OR CLAIMING CHARITABLE DEDUCTIONS UNDER SECTION 642(c).

''(a) TRUSTS DESCRIBED IN SECTION 4947(a)(2).—Every trust described in section 4947(a)(2) shall furnish such information with respect to the taxable year as the Secretary may by forms or regulations require.

''(b) TRUSTS CLAIMING A CHARITABLE DEDUCTION UNDER SECTION 642(c).—

''(1) IN GENERAL.—Every trust not required to file a return under subsection (a) but claiming a charitable, etc., deduction under section 642(c) for the taxable year shall furnish such information with respect to such taxable year as the Secretary may by forms or regulations prescribe, including:

''(A) the amount of the charitable, etc., deduction taken under section 642(c) within such year,

''(B) the amount paid out within such year which represents amounts for which charitable, etc., deductions under section 642(c) have been taken in prior years,

''(C) the amount for which charitable, etc., deductions have been taken in prior years but which has not been paid out at the beginning of such year,

''(D) the amount paid out of principal in the current and prior years for charitable, etc., purposes,

''(E) the total income of the trust within such year and the expenses attributable thereto, and

''(F) a balance sheet showing the assets, liabilities, and net worth of the trust as of the beginning of such year.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply in the case of a taxable year if all the net income for such year, determined under the applicable principles of the law of trusts, is required to be distributed currently to the beneficiaries. Paragraph (1) shall not apply in the case of a trust described in section 4947(a)(1).''.

(2) INCREASE IN PENALTY RELATING TO FILING OF INFORMATION RETURN BY SPLIT-INTEREST TRUSTS.—Paragraph (2) of section 6652(c) of such Code (relating to returns by exempt organizations and by certain trusts) is amended by adding at the end the following new subparagraph:

''(C) SPLIT-INTEREST TRUSTS.—In the case of a trust which is required to file a return under section 6034(a), subparagraphs (A) and (B) of this paragraph shall not apply and paragraph (1) shall apply in the same manner as if such return were required under section 6033, except that—

''(i) the 5 percent limitation in the second sentence of paragraph (1)(A) shall not apply,

''(ii) in the case of any trust with gross income in excess of $250,000, the first sentence of paragraph (1)(A) shall be applied by substituting '$100' for '$20', and the second sentence thereof shall be applied by substituting '$50,000' for '$10,000', and

''(iii) the third sentence of paragraph (1)(A) shall be disregarded.

If the person required to file such return knowingly fails to file the return, such person shall be personally liable for the penalty imposed pursuant to this subparagraph.''.

(3) CONFIDENTIALITY OF NONCHARITABLE BENEFICIARIES.—Subsection (b) of section 6104 of such Code (relating to inspection of annual information returns) is amended by adding at the end the following new sentence: ''In the case of a trust which is required to file a return under section 6034(a), this subsection shall not apply to information regarding beneficiaries which are not organizations described in section 170(c).''.

(c) EFFECTIVE DATES.—

(1) SUBSECTION (a).—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to returns for taxable years beginning after December 31, 2001.

SEC. 103. INCREASE IN CAP ON CORPORATE CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Paragraph (2) of section 170(b) of the Internal Revenue Code of 1986 (relating to corporations) is amended by striking ''10 percent'' and inserting ''the applicable percentage''.

(b) APPLICABLE PERCENTAGE.—Subsection (b) of section 170 of such Code is amended by adding at the end the following new paragraph:

''(3) APPLICABLE PERCENTAGE DEFINED.—For purposes of paragraph (2), the applicable percentage shall be determined in accordance with the following table:

''For taxable years beginning in calendar year—	**The applicable percentage is—**
2002 through 2007	11
2008	12
2009	13
2010 and thereafter	15.''.

(c) CONFORMING AMENDMENTS.—

(1) Sections 512(b)(10) and 805(b)(2)(A) of such Code are each amended by striking ''10 percent'' each place it occurs and inserting ''the applicable percentage (determined under section 170(b)(3))''.

(2) Sections 545(b)(2) and 556(b)(2) of such Code are each amended by striking ''10-percent limitation'' and inserting ''applicable percentage limitation''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 104. CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Paragraph (3) of section 170(e) of the Internal Revenue Code of 1986 (relating to special rule for certain contributions of inventory and other property) is amended by redesignating subparagraph (C) as subparagraph (D) and by inserting after subparagraph (B) the following new subparagraph:

''(C) SPECIAL RULE FOR CONTRIBUTIONS OF FOOD INVENTORY.—

''(i) GENERAL RULE.—In the case of a charitable contribution of food, this paragraph shall be applied—

''(I) without regard to whether the contribution is made by a C corporation, and

''(II) only for food that is apparently wholesome food.

''(ii) DETERMINATION OF FAIR MARKET VALUE.—In the case of a qualified contribution of apparently wholesome food to which this paragraph applies and which, solely by reason of internal standards of the taxpayer or lack of market, cannot or will not be sold, the fair market value of such food shall be determined by taking into account the price at which the same or similar food items are sold by the taxpayer at the time of the contribution (or, if not so sold at such time, in the recent past).

''(iii) APPARENTLY WHOLESOME FOOD.—For purposes of this subparagraph, the term 'apparently wholesome food' shall have the meaning given to such term by section 22(b)(2) of the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791(b)(2)), as in effect on the date of the enactment of this subparagraph.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 105. REFORM OF EXCISE TAX ON NET INVESTMENT INCOME OF PRIVATE FOUNDATIONS.

(a) IN GENERAL.—Subsection (a) of section 4940 of the Internal Revenue Code of 1986 (relating to excise tax based on investment income) is amended by striking ''2 percent'' and inserting ''1 percent''.

(b) REPEAL OF REDUCTION IN TAX WHERE PRIVATE FOUNDATION MEETS CERTAIN DISTRIBUTION REQUIREMENTS.—Section 4940 of such Code is amended by striking subsection (e).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 106. EXCISE TAX ON UNRELATED BUSINESS TAXABLE INCOME OF CHARITABLE REMAINDER TRUSTS.

(a) IN GENERAL.—Subsection (c) of section 664 of the Internal Revenue Code of 1986 (relating to exemption from income taxes) is amended to read as follows:

''(c) TAXATION OF TRUSTS.—

''(1) INCOME TAX.—A charitable remainder annuity trust and a charitable remainder unitrust shall, for any taxable year, not be subject to any tax imposed by this subtitle.

''(2) EXCISE TAX.—

''(A) IN GENERAL.—In the case of a charitable remainder annuity trust or a charitable remainder unitrust that has unrelated business taxable income (within the meaning of section 512, determined as if part III of subchapter F applied to such trust) for a taxable year, there is hereby imposed on such trust or unitrust an excise tax equal to the amount of such unrelated business taxable income.

''(B) CERTAIN RULES TO APPLY.—The tax imposed by subparagraph (A) shall be treated as imposed by chapter 42 for purposes of this title other than subchapter E of chapter 42.

''(C) CHARACTER OF DISTRIBUTIONS AND COORDINATION WITH DISTRIBUTION REQUIREMENTS.—The amounts taken into account in determining unrelated business taxable income (as defined in subparagraph (A)) shall not be taken into account for purposes of—

''(i) subsection (b),

''(ii) determining the value of trust assets under subsection (d)(2), and

''(iii) determining income under subsection (d)(3).

''(D) TAX COURT PROCEEDINGS.—For purposes of this paragraph, the references in section 6212(c)(1) to section 4940 shall be deemed to include references to this paragraph.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 107. EXPANSION OF CHARITABLE CONTRIBUTION ALLOWED FOR SCIENTIFIC PROPERTY USED FOR RESEARCH AND FOR COMPUTER TECHNOLOGY AND EQUIPMENT USED FOR EDUCATIONAL PURPOSES.

(a) SCIENTIFIC PROPERTY USED FOR RESEARCH.—Clause (ii) of section 170(e)(4)(B) of the Internal Revenue Code of 1986 (defining qualified research contributions) is amended by inserting ''or assembled'' after ''constructed''.

(b) COMPUTER TECHNOLOGY AND EQUIPMENT FOR EDUCATIONAL PURPOSES.—Clause (ii) of section 170(e)(6)(B) of such Code is amended by inserting ''or assembled'' after ''constructed'' and ''or assembling'' after ''construction''.

(c) CONFORMING AMENDMENT.—Subparagraph (D) of section 170(e)(6) of such Code is amended by inserting ''or assembled'' after ''constructed'' and ''or assembling'' after ''construction''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 108. ADJUSTMENT TO BASIS OF S CORPORATION STOCK FOR CERTAIN CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Paragraph (1) of section 1367(a) of such Code (relating to adjustments to basis of stock of shareholders, etc.) is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) the excess of the amount of the shareholder's deduction for any charitable contribution made by the S corporation over the shareholder's proportionate share of the adjusted basis of the property contributed.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE II—EXPANSION OF CHARITABLE CHOICE

SEC. 201. PROVISION OF ASSISTANCE UNDER GOVERNMENT PROGRAMS BY RELIGIOUS AND COMMUNITY ORGANIZATIONS.

Title XXIV of the Revised Statutes of the United States is amended by inserting after section 1990 (42 U.S.C. 1994) the following:

"SEC. 1991. CHARITABLE CHOICE.

''(a) SHORT TITLE.—This section may be cited as the 'Charitable Choice Act of 2001'.

''(b) PURPOSES.—The purposes of this section are—

''(1) to enable assistance to be provided to individuals and families in need in the most effective and efficient manner;

''(2) to supplement the Nation's social service capacity by facilitating the entry of new, and the expansion of existing, efforts by religious and other community organizations in the administration and distribution of government assistance under the government programs described in subsection (c)(4);

''(3) to prohibit discrimination against religious organizations on the basis of religion in the administration and distribution of government assistance under such programs;

''(4) to allow religious organizations to participate in the administration and distribution of such assistance without impairing the religious character and autonomy of such organizations; and

''(5) to protect the religious freedom of individuals and families in need who are eligible for government assistance, including expanding the possibility of their being able to choose to receive services from a religious organization providing such assistance.

''(c) RELIGIOUS ORGANIZATIONS INCLUDED AS PROVIDERS; DISCLAIMERS.—

''(1) IN GENERAL.—

''(A) INCLUSION.—For any program described in paragraph (4) that is carried out by the Federal Government, or by a State or local government with Federal funds, the government shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, and the program shall be implemented in a manner that is consistent with the establishment clause and the free exercise clause of the first amendment to the Constitution.

''(B) DISCRIMINATION PROHIBITED.—Neither the Federal Government, nor a State or local government receiving funds under a program described in paragraph (4), shall discriminate against an organization that provides assistance under, or applies to provide assistance under, such program on the basis that the organization is religious or has a religious character.

''(2) FUNDS NOT AID TO RELIGION.—Federal, State, or local government funds or other assistance that is received by a religious organization for the provision of services under this section constitutes aid to individuals and families in need, the ultimate beneficiaries of such services, and not support for religion or the organization's religious beliefs or practices. Notwithstanding the provisions in this paragraph, title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.) shall apply to organizations receiving assistance funded under any program described in subsection (c)(4).

''(3) FUNDS NOT ENDORSEMENT OF RELIGION.—The receipt by a religious organization of Federal, State, or local government funds or other assistance under this section is not an endorsement by the government of religion or of the organization's religious beliefs or practices.

''(4) PROGRAMS.—For purposes of this section, a program is described in this paragraph—

''(A) if it involves activities carried out using Federal funds—

''(i) related to the prevention and treatment of juvenile delinquency and the improvement of the juvenile justice system, including programs funded under the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.);

''(ii) related to the prevention of crime and assistance to crime victims and offenders' families, including programs funded under title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701 et seq.);

''(iii) related to the provision of assistance under Federal housing statutes, including the Community Development Block Grant Program established under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.);

''(iv) under subtitle B or D of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

''(v) under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.);

''(vi) related to the intervention in and prevention of domestic violence, including programs under the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

''(vii) related to hunger relief activities; or

''(viii) under the Job Access and Reverse Commute grant program established under section 3037 of the Federal Transit Act of 1998 (49 U.S.C. 5309 note); or

''(B)(i) if it involves activities to assist students in obtaining the recognized equivalents of secondary school diplomas and activities relating to nonschool hours programs, including programs under—

''(I) chapter 3 of subtitle A of title II of the Workforce Investment Act of 1998 (Public Law 105–220); or

''(II) part I of title X of the Elementary and Secondary Education Act (20 U.S.C. 6301 et seq.); and

''(ii) except as provided in subparagraph (A) and clause (i), does not include activities carried out under Federal programs providing education to children eligible to attend elementary schools or secondary schools, as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

''(d) ORGANIZATIONAL CHARACTER AND AUTONOMY.—

''(1) IN GENERAL.—A religious organization that provides assistance under a program described in subsection (c)(4) shall have the right to retain its autonomy from Federal, State, and local governments, including such organization's control over the definition, development, practice, and expression of its religious beliefs.

''(2) ADDITIONAL SAFEGUARDS.—Neither the Federal Government, nor a State or local government with Federal funds, shall require a religious organization, in order to be eligible to provide assistance under a program described in subsection (c)(4), to—

''(A) alter its form of internal governance or provisions in its charter documents; or

''(B) remove religious art, icons, scripture, or other symbols, or to change its name, because such symbols or names are of a religious character.

''(e) EMPLOYMENT PRACTICES.—A religious organization's exemption provided under section 702 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1) regarding employment practices shall not be affected by its participation in, or receipt of funds from, programs described in subsection (c)(4), and any provision in such programs that is inconsistent with or would diminish the exercise of an organization's autonomy recognized in section 702 or in this section shall have no effect. Nothing in this section alters the duty of a religious organization to comply with the nondiscrimination provisions of title VII of the Civil Rights Act of 1964 in the use of funds from programs described in subsection (c)(4).

''(f) EFFECT ON OTHER LAWS.—Nothing in this section shall alter the duty of a religious organization receiving assistance or providing services under any program described in subsection (c)(4) to comply with the nondiscrimination provisions in title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) (prohibiting discrimination on the basis of race, color, and national origin), title IX of the Education Amendments of 1972 (20 U.S.C. 1681–1688) (prohibiting discrimination in education programs or activities on the basis of sex and visual impairment), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) (prohibiting discrimination against otherwise qualified disabled individuals), and the Age Discrimination Act of 1975 (42 U.S.C. 6101–6107) (prohibiting discrimination on the basis of age).

''(g) RIGHTS OF BENEFICIARIES OF ASSISTANCE.—

''(1) IN GENERAL.—If an individual described in paragraph (3) has an objection to the religious character of the organization from which the individual receives, or would receive, assistance funded under any program described in subsection (c)(4), the appropriate Federal, State, or local governmental entity shall provide to such individual (if otherwise eligible for such assistance) within a reasonable period of time after the date of such objection, assistance that—

''(A) is an alternative that is accessible to the individual and unobjectionable to the individual on religious grounds; and

''(B) has a value that is not less than the value of the assistance that the individual would have received from such organization.

''(2) NOTICE.—The appropriate Federal, State, or local governmental entity shall guarantee that notice is provided to the individuals described in paragraph (3) of the rights of such individuals under this section.

''(3) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is an individual who receives or applies for assistance under a program described in subsection (c)(4).

''(h) NONDISCRIMINATION AGAINST BENEFICIARIES.—

''(1) GRANTS AND COOPERATIVE AGREEMENTS.—A religious organization providing assistance through a grant or cooperative agreement under a program described in subsection (c)(4) shall not discriminate in carrying out the program against an individual described in subsection (g)(3) on the basis of religion, a religious belief, or a refusal to hold a religious belief.

''(2) INDIRECT FORMS OF ASSISTANCE.—A religious organization providing assistance through a voucher, certificate, or other form of indirect assistance under a program described in subsection (c)(4) shall not deny an individual described in subsection (g)(3) admission into such program on the basis of religion, a religious belief, or a refusal to hold a religious belief.

''(i) ACCOUNTABILITY.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a religious organization providing assistance under any program described in subsection (c)(4) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds and its performance of such programs.

''(2) LIMITED AUDIT.—

''(A) GRANTS AND COOPERATIVE AGREEMENTS.—A religious organization providing assistance through a grant or cooperative agreement under a program described in subsection (c)(4) shall segregate government funds provided under such program into a separate account or accounts. Only the separate accounts consisting of funds from the government shall be subject to audit by the government.

''(B) INDIRECT FORMS OF ASSISTANCE.—A religious organization providing assistance through a voucher, certificate, or other form of indirect assistance under a program described in subsection (c)(4) may segregate government funds provided under such program into a separate account or accounts. If such funds are so segregated, then only the separate accounts consisting of funds from the government shall be subject to audit by the government.

''(3) SELF AUDIT.—A religious organization providing services under any program described in subsection (c)(4) shall conduct annually a self audit for compliance with its duties under this section and submit a copy of the self audit to the appropriate Federal, State, or local government agency, along with a plan to timely correct variances, if any, identified in the self audit.

''(j) LIMITATIONS ON USE OF FUNDS; VOLUNTARINESS.—No funds provided through a grant or cooperative agreement to a religious organization to provide assistance under any program described in subsection (c)(4) shall be expended for sectarian instruction, worship, or proselytization. If the religious organization offers such an activity, it shall be voluntary for the individuals receiving services and offered separate from the program funded under subsection (c)(4). A certificate shall be separately signed by religious organizations, and filed with the government agency that disburses the funds, certifying that the organization is aware of and will comply with this subsection.

''(k) EFFECT ON STATE AND LOCAL FUNDS.—If a State or local government contributes State or local funds to carry out a program described in subsection (c)(4), the State or local government may segregate the State or local funds from the Federal funds provided to carry out the program or may commingle the State or local funds with the Federal funds. If the State or local government commingles the State or local funds, the provisions of this section shall apply to the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.

''(l) INDIRECT ASSISTANCE.—When consistent with the purpose of a program described in subsection (c)(4), the Secretary of the department administering the program may direct the disbursement of some or all of the funds, if determined by the Secretary to be feasible and efficient, in the form of indirect assistance. For purposes of this section, 'indirect assistance' constitutes assistance in which an organization receiving funds through a voucher, certificate, or other form of disbursement under this section receives such funding only as a result of the private choices of individual beneficiaries and no government endorsement of any particular religion, or of religion generally, occurs.

''(m) TREATMENT OF INTERMEDIATE GRANTORS.—If a nongovernmental organization (referred to in this subsection as an 'intermediate grantor'), acting under a grant or other agreement with the Federal Government, or a State or local government with Federal funds, is given the authority under the agreement to select nongovernmental organizations to provide assistance under the programs described in subsection (c)(4), the intermediate grantor shall have the same duties under this section as the government when selecting or otherwise dealing with subgrantors, but the intermediate grantor, if it is a religious organization, shall retain all other rights of a religious organization under this section.

''(n) COMPLIANCE.—A party alleging that the rights of the party under this section have been violated by a State or local government may bring a civil action for injunctive relief pursuant to section 1979 against the State official or local government agency that has allegedly committed such violation. A party alleging that the rights of the party under this section have been violated by the Federal Government may bring a civil action for injunctive relief in Federal district court against the official or government agency that has allegedly committed such violation.

''(o) TRAINING AND TECHNICAL ASSISTANCE FOR SMALL NONGOVERNMENTAL ORGANIZATIONS.—

''(1) IN GENERAL.—From amounts made available to carry out the purposes of the Office of Justice Programs (including any component or unit thereof, including the Office of Community Oriented Policing Services), funds are authorized to provide training and technical assistance, directly or through grants or other arrangements, in procedures relating to potential application and participation in programs identified in subsection (c)(4) to small nongovernmental organizations, as determined by the Attorney General, including religious organizations, in an amount not to exceed $50 million annually.

''(2) TYPES OF ASSISTANCE.—Such assistance may include—

''(A) assistance and information relative to creating an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 to operate identified programs;

''(B) granting writing assistance which may include workshops and reasonable guidance;

''(C) information and referrals to other nongovernmental organizations that provide expertise in accounting, legal issues, tax issues, program development, and a variety of other organizational areas; and

''(D) information and guidance on how to comply with Federal nondiscrimination provisions including, but not limited to, title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), the Fair Housing Act, as amended (42 U.S.C. 3601 et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681–1688), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 694), and the Age Discrimination Act of 1975 (42 U.S.C. 6101–6107).

''(3) RESERVATION OF FUNDS.—An amount of no less than $5,000,000 shall be reserved under this section. Small nongovernmental organizations may apply for these funds to be used for assistance in providing full and equal integrated access to individuals with disabilities in programs under this title.

''(4) PRIORITY.—In giving out the assistance described in this subsection, priority shall be given to small nongovernmental organizations serving urban and rural communities.''.

TITLE III—INDIVIDUAL DEVELOPMENT ACCOUNTS

SEC. 301. ADDITIONAL QUALIFIED ENTITIES ELIGIBLE TO CONDUCT PROJECTS UNDER THE ASSETS FOR INDEPENDENCE ACT.

Section 404(7)(A)(iii)(I)(aa) of the Assets for Independence Act (42 U.S.C. 604 note) is amended to read as follows:

''(aa) a federally insured credit union; or''.

SEC. 302. INCREASE IN LIMITATION ON NET WORTH.

Section 408(a)(2)(A) of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking ''$10,000'' and inserting ''$20,000''.

SEC. 303. CHANGE IN LIMITATION ON DEPOSITS FOR AN INDIVIDUAL.

Section 410(b) of the Assets for Independence Act (42 U.S.C. 604 note) is amended to read as follows:

''(b) LIMITATION ON DEPOSITS FOR AN INDIVIDUAL.—Not more than $500 from a grant made under section 406(b) shall be provided per year to any one individual during the project.''.

SEC. 304. ELIMINATION OF LIMITATION ON DEPOSITS FOR A HOUSEHOLD.

Section 410 of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 305. EXTENSION OF PROGRAM.

Section 416 of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking ''2001, 2002, and 2003'' and inserting ''and 2001, and $50,000,000 for each of fiscal years 2002 through 2008''.

SEC. 306. CONFORMING AMENDMENTS.

(a) AMENDMENTS TO TEXT.—The text of each of the following provisions of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking ''demonstration'' each place it appears:

(1) Section 403.
(2) Section 404(2).
(3) Section 405(a).
(4) Section 405(b).
(5) Section 405(c).
(6) Section 405(d).
(7) Section 405(e).
(8) Section 405(g).
(9) Section 406(a).
(10) Section 406(b).
(11) Section 407(b)(1)(A).
(12) Section 407(c)(1)(A).
(13) Section 407(c)(1)(B).
(14) Section 407(c)(1)(C).
(15) Section 407(c)(1)(D).
(16) Section 407(d).
(17) Section 408(a).
(18) Section 408(b).
(19) Section 409.
(20) Section 410(e).
(21) Section 411.
(22) Section 412(a).
(23) Section 412(b)(2).
(24) Section 412(c).
(25) Section 413(a).
(26) Section 413(b).
(27) Section 414(a).
(28) Section 414(b).
(29) Section 414(c).
(30) Section 414(d)(1).
(31) Section 414(d)(2).

(b) AMENDMENTS TO SUBSECTION HEADINGS.—The heading of each of the following provisions of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking ''DEMONSTRATION'':

(1) Section 405(a).
(2) Section 406(a).
(3) Section 413(a).

(c) AMENDMENTS TO SECTION HEADINGS.—The headings of sections 406 and 411 of the Assets for Independence Act (42 U.S.C. 604 note) are amended by striking ''**DEMONSTRATION**''.

SEC. 307. APPLICABILITY.

(a) IN GENERAL.—The amendments made by this title shall apply to funds provided before, on or after the date of the enactment of this Act.

(b) PRIOR AMENDMENTS.—The amendments made by title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) shall apply to funds provided before, on or after the date of the enactment of such Act.

TITLE IV—CHARITABLE DONATIONS LIABILITY REFORM FOR IN-KIND CORPORATE CONTRIBUTIONS

SEC. 401. CHARITABLE DONATIONS LIABILITY REFORM FOR IN-KIND CORPORATE CONTRIBUTIONS.

(a) DEFINITIONS.—For purposes of this section:

(1) AIRCRAFT.—The term ''aircraft'' has the meaning provided that term in section 40102(6) of title 49, United States Code.

(2) BUSINESS ENTITY.—The term ''business entity'' means a firm, corporation, association, partnership, consortium, joint venture, or other form of enterprise.

(3) EQUIPMENT.—The term ''equipment'' includes mechanical equipment, electronic equipment, and office equipment.

(4) FACILITY.—The term ''facility'' means any real property, including any building, improvement, or appurtenance.

(5) GROSS NEGLIGENCE.—The term ''gross negligence'' means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(6) INTENTIONAL MISCONDUCT.—The term ''intentional misconduct'' means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(7) MOTOR VEHICLE.—The term ''motor vehicle'' has the meaning provided that term in section 30102(6) of title 49, United States Code.

(8) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means—

(A) any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; or

(B) any not-for-profit organization organized and conducted for public benefit and operated primarily for charitable, civic, educational, religious, welfare, or health purposes.

(9) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

(b) LIABILITY.—

(1) LIABILITY OF BUSINESS ENTITIES THAT DONATE EQUIPMENT TO NONPROFIT ORGANIZATIONS.—

(A) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury or death that results from the use of equipment donated by a business entity to a nonprofit organization.

(B) APPLICATION.—This paragraph shall apply with respect to civil liability under Federal and State law.

(2) LIABILITY OF BUSINESS ENTITIES PROVIDING USE OF FACILITIES TO NONPROFIT ORGANIZATIONS.—

(A) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury or death occurring at a facility of the business entity in connection with a use of such facility by a nonprofit organization, if—

(i) the use occurs outside of the scope of business of the business entity;

(ii) such injury or death occurs during a period that such facility is used by the nonprofit organization; and

(iii) the business entity authorized the use of such facility by the nonprofit organization.

(B) APPLICATION.—This paragraph shall apply—

(i) with respect to civil liability under Federal and State law; and

(ii) regardless of whether a nonprofit organization pays for the use of a facility.

(3) LIABILITY OF BUSINESS ENTITIES PROVIDING USE OF A MOTOR VEHICLE OR AIRCRAFT.—

(A) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury or death occurring as a result of the operation of aircraft or a motor vehicle of a business entity loaned to a nonprofit organization for use outside of the scope of business of the business entity, if—

(i) such injury or death occurs during a period that such motor vehicle or aircraft is used by a nonprofit organization; and

(ii) the business entity authorized the use by the nonprofit organization of motor vehicle or aircraft that resulted in the injury or death.

(B) APPLICATION.—This paragraph shall apply—

(i) with respect to civil liability under Federal and State law; and

(ii) regardless of whether a nonprofit organization pays for the use of the aircraft or motor vehicle.

(c) EXCEPTIONS.—Subsection (b) shall not apply to an injury or death that results from an act or omission of a business entity that constitutes gross negligence or intentional misconduct.

(d) SUPERSEDING PROVISION.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (e), this title preempts the laws of any State to the extent that such laws are inconsistent with this title, except that this title shall not preempt any State law that provides additional protection for a business entity for an injury or death described in a paragraph of subsection (b) with respect to which the conditions specified in such paragraph apply.

(2) LIMITATION.—Nothing in this title shall be construed to supersede any Federal or State health or safety law.

(e) ELECTION OF STATE REGARDING NONAPPLICABILITY.—A provision of this title shall not apply to any civil action in a State court against a business entity in which all parties are citizens of the State if such State enacts a statute—

(1) citing the authority of this section;

(2) declaring the election of such State that such provision shall not apply to such civil action in the State; and

(3) containing no other provisions.

(f) EFFECTIVE DATE.—This section shall apply to injuries (and deaths resulting therefrom) occurring on or after the date of the enactment of this Act.

When said bill was considered and read twice.

After debate,

Mr. RANGEL, pursuant to House Resolution 196, submitted the following further amendment in the nature of a substitute:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Community Solutions Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CHARITABLE GIVING INCENTIVES PACKAGE

Sec. 101. Deduction for portion of charitable contributions to be allowed to individuals who do not itemize deductions.

Sec. 102. Tax-free distributions from individual retirement accounts for charitable purposes.

Sec. 103. Increase in cap on corporate charitable contributions.

Sec. 104. Charitable deduction for contributions of food inventory.

Sec. 105. Reform of excise tax on net investment income of private foundations.

Sec. 106. Excise tax on unrelated business taxable income of charitable remainder trusts.

Sec. 107. Expansion of charitable contribution allowed for scientific property used for research and for computer technology and equipment used for educational purposes.

Sec. 108. Adjustment to basis of S corporation stock for certain charitable contributions.

Sec. 109. Revenue offset.

TITLE II—EXPANSION OF CHARITABLE CHOICE

Sec. 201. Provision of assistance under government programs by religious and community organizations.

TITLE III—INDIVIDUAL DEVELOPMENT ACCOUNTS

Sec. 301. Additional qualified entities eligible to conduct projects under the Assets for Independence Act.

Sec. 302. Increase in limitation on net worth.

Sec. 303. Change in limitation on deposits for an individual.

Sec. 304. Elimination of limitation on deposits for a household.

Sec. 305. Extension of program.

Sec. 306. Conforming amendments.

Sec. 307. Applicability.

TITLE I—CHARITABLE GIVING INCENTIVES PACKAGE

SEC. 101. DEDUCTION FOR PORTION OF CHARITABLE CONTRIBUTIONS TO BE ALLOWED TO INDIVIDUALS WHO DO NOT ITEMIZE DEDUCTIONS.

(a) IN GENERAL.—Section 170 of the Internal Revenue Code of 1986 (relating to charitable, etc., contributions and gifts) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

''(m) DEDUCTION FOR INDIVIDUALS NOT ITEMIZING DEDUCTIONS.—

''(1) IN GENERAL.—In the case of an individual who does not itemize his deductions for the taxable year, there shall be taken into account as a direct charitable deduction under section 63 an amount equal to the lesser of—

''(A) the amount allowable under subsection (a) for the taxable year for cash contributions, or

''(B) the applicable amount.

''(2) APPLICABLE AMOUNT.—For purposes of paragraph (1), the applicable amount shall be determined as follows:

''For taxable years beginning in:	**The applicable amount is:**
2002 and 2003	$25
2004, 2005, 2006	$50
2007, 2008, 2009	$75
2010 and thereafter	$100.

In the case of a joint return, the applicable amount is twice the applicable amount determined under the preceding table.''.

(b) DIRECT CHARITABLE DEDUCTION.—

(1) IN GENERAL.—Subsection (b) of section 63 of such Code is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by adding at the end thereof the following new paragraph:

''(3) the direct charitable deduction.''.

(2) DEFINITION.—Section 63 of such Code is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) DIRECT CHARITABLE DEDUCTION.—For purposes of this section, the term 'direct charitable deduction' means that portion of the amount allowable under section 170(a) which is taken as a direct charitable deduction for the taxable year under section 170(m).''.

(3) CONFORMING AMENDMENT.—Subsection (d) of section 63 of such Code is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by adding at the end thereof the following new paragraph:

''(3) the direct charitable deduction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 102. TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT ACCOUNTS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subsection (d) of section 408 of the Internal Revenue Code of 1986 (relating to individual retirement accounts) is amended by adding at the end the following new paragraph:

''(8) DISTRIBUTIONS FOR CHARITABLE PURPOSES.—

''(A) IN GENERAL.—No amount shall be includible in gross income by reason of a qualified charitable distribution.

''(B) QUALIFIED CHARITABLE DISTRIBUTION.—For purposes of this paragraph, the term 'qualified charitable distribution' means any distribution from an individual retirement account—

''(i) which is made on or after the date that the individual for whose benefit the account is maintained has attained age 70½, and

''(ii) which is made directly by the trustee—

''(I) to an organization described in section 170(c), or

''(II) to a split-interest entity.

A distribution shall be treated as a qualified charitable distribution only to the extent that the distribution would be includible in gross income without regard to subparagraph (A) and, in the case of a distribution to a split-interest entity, only if no person holds an income interest in the amounts in the split-interest entity attributable to such distribution other than one or more of the following: the individual for whose benefit such account is maintained, the spouse of such individual, or any organization described in section 170(c).

''(C) CONTRIBUTIONS MUST BE OTHERWISE DEDUCTIBLE.—For purposes of this paragraph—

''(i) DIRECT CONTRIBUTIONS.—A distribution to an organization described in section 170(c) shall be treated as a qualified charitable distribution only if a deduction for the entire distribution would be allowable under section 170 (determined without regard to subsection (b) thereof and this paragraph).

''(ii) SPLIT-INTEREST GIFTS.—A distribution to a split-interest entity shall be treated as a qualified charitable distribution only if a deduction for the entire value of the interest in the distribution for the use of an organization described in section 170(c) would be allowable under section 170 (determined without regard to subsection (b) thereof and this paragraph).

''(D) APPLICATION OF SECTION 72.—Notwithstanding section 72, in determining the extent to which a distribution is a qualified charitable distribution, the entire amount of the distribution shall be treated as includible in gross income without regard to subparagraph (A) to the extent that such amount does not exceed the aggregate amount which would be so includible if all amounts were distributed from all individual retirement accounts otherwise taken into account in determining the inclusion on such distribution under section 72. Proper adjustments shall be made in applying section 72 to other distributions in such taxable year and subsequent taxable years.

''(E) SPECIAL RULES FOR SPLIT-INTEREST ENTITIES.—

''(i) CHARITABLE REMAINDER TRUSTS.—Distributions made from an individual retirement account to a trust described in subparagraph (G)(ii)(I) shall be treated as income described in section 664(b)(1) except to the extent that the beneficiary of the individual retirement account notifies the trustee of the trust of the amount which is not allocable to income under subparagraph (D).

''(ii) POOLED INCOME FUNDS.—No amount shall be includible in the gross income of a pooled income fund (as defined in subparagraph (G)(ii)(II)) by reason of a qualified charitable distribution to such fund.

''(iii) CHARITABLE GIFT ANNUITIES.—Qualified charitable distributions made for a charitable gift annuity shall not be treated as an investment in the contract.

''(F) DENIAL OF DEDUCTION.—Qualified charitable distributions shall not be taken into account in determining the deduction under section 170.

''(G) SPLIT-INTEREST ENTITY DEFINED.—For purposes of this paragraph, the term 'split-interest entity' means—

''(i) a charitable remainder annuity trust or a charitable remainder unitrust (as such terms are defined in section 664(d)),

''(ii) a pooled income fund (as defined in section 642(c)(5)), and

''(iii) a charitable gift annuity (as defined in section 501(m)(5)).''.

(b) MODIFICATIONS RELATING TO INFORMATION RETURNS BY CERTAIN TRUSTS.—

(1) RETURNS.—Section 6034 of such Code (relating to returns by trusts described in section 4947(a)(2) or claiming charitable de-

ductions under section 642(c)) is amended to read as follows:

"SEC. 6034. RETURNS BY TRUSTS DESCRIBED IN SECTION 4947(a)(2) OR CLAIMING CHARITABLE DEDUCTIONS UNDER SECTION 642(c).

''(a) TRUSTS DESCRIBED IN SECTION 4947(a)(2).—Every trust described in section 4947(a)(2) shall furnish such information with respect to the taxable year as the Secretary may by forms or regulations require.

''(b) TRUSTS CLAIMING A CHARITABLE DEDUCTION UNDER SECTION 642(c).—

''(1) IN GENERAL.—Every trust not required to file a return under subsection (a) but claiming a charitable, etc., deduction under section 642(c) for the taxable year shall furnish such information with respect to such taxable year as the Secretary may by forms or regulations prescribe, including:

''(A) the amount of the charitable, etc., deduction taken under section 642(c) within such year,

''(B) the amount paid out within such year which represents amounts for which charitable, etc., deductions under section 642(c) have been taken in prior years,

''(C) the amount for which charitable, etc., deductions have been taken in prior years but which has not been paid out at the beginning of such year,

''(D) the amount paid out of principal in the current and prior years for charitable, etc., purposes,

''(E) the total income of the trust within such year and the expenses attributable thereto, and

''(F) a balance sheet showing the assets, liabilities, and net worth of the trust as of the beginning of such year.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply in the case of a taxable year if all the net income for such year, determined under the applicable principles of the law of trusts, is required to be distributed currently to the beneficiaries. Paragraph (1) shall not apply in the case of a trust described in section 4947(a)(1).''.

(2) INCREASE IN PENALTY RELATING TO FILING OF INFORMATION RETURN BY SPLIT-INTEREST TRUSTS.—Paragraph (2) of section 6652(c) of such Code (relating to returns by exempt organizations and by certain trusts) is amended by adding at the end the following new subparagraph:

''(C) SPLIT-INTEREST TRUSTS.—In the case of a trust which is required to file a return under section 6034(a), subparagraphs (A) and (B) of this paragraph shall not apply and paragraph (1) shall apply in the same manner as if such return were required under section 6033, except that—

''(i) the 5 percent limitation in the second sentence of paragraph (1)(A) shall not apply,

''(ii) in the case of any trust with gross income in excess of $250,000, the first sentence of paragraph (1)(A) shall be applied by substituting '$100' for '$20', and the second sentence thereof shall be applied by substituting '$50,000' for '$10,000', and

''(iii) the third sentence of paragraph (1)(A) shall be disregarded.

If the person required to file such return knowingly fails to file the return, such person shall be personally liable for the penalty imposed pursuant to this subparagraph.''.

(3) CONFIDENTIALITY OF NONCHARITABLE BENEFICIARIES.—Subsection (b) of section 6104 of such Code (relating to inspection of annual information returns) is amended by adding at the end the following new sentence: ''In the case of a trust which is required to file a return under section 6034(a), this subsection shall not apply to information regarding beneficiaries which are not organizations described in section 170(c).''.

(c) EFFECTIVE DATES.—

(1) SUBSECTION (a).—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to returns for taxable years beginning after December 31, 2001.

SEC. 103. INCREASE IN CAP ON CORPORATE CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Paragraph (2) of section 170(b) of the Internal Revenue Code of 1986 (relating to corporations) is amended by striking ''10 percent'' and inserting ''the applicable percentage''.

(b) APPLICABLE PERCENTAGE.—Subsection (b) of section 170 of such Code is amended by adding at the end the following new paragraph:

''(3) APPLICABLE PERCENTAGE DEFINED.—For purposes of paragraph (2), the applicable percentage shall be determined in accordance with the following table:

"For taxable years beginning in calendar year—	**The applicable percentage is—**
2002 through 2007	11
2008	12
2009	13
2010 and thereafter	15.''.

(c) CONFORMING AMENDMENTS.—

(1) Sections 512(b)(10) and 805(b)(2)(A) of such Code are each amended by striking ''10 percent'' each place it occurs and inserting ''the applicable percentage (determined under section 170(b)(3))''.

(2) Sections 545(b)(2) and 556(b)(2) of such Code are each amended by striking ''10-percent limitation'' and inserting ''applicable percentage limitation''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 104. CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Paragraph (3) of section 170(e) of the Internal Revenue Code of 1986 (relating to special rule for certain contributions of inventory and other property) is amended by redesignating subparagraph (C) as subparagraph (D) and by inserting after subparagraph (B) the following new subparagraph:

''(C) SPECIAL RULE FOR CONTRIBUTIONS OF FOOD INVENTORY.—

''(i) GENERAL RULE.—In the case of a charitable contribution of food, this paragraph shall be applied—

''(I) without regard to whether the contribution is made by a C corporation, and

''(II) only for food that is apparently wholesome food.

''(ii) DETERMINATION OF FAIR MARKET VALUE.—In the case of a qualified contribution of apparently wholesome food to which this paragraph applies and which, solely by reason of internal standards of the taxpayer or lack of market, cannot or will not be sold, the fair market value of such food shall be determined by taking into account the price at which the same or similar food items are sold by the taxpayer at the time of the contribution (or, if not so sold at such time, in the recent past).

''(iii) APPARENTLY WHOLESOME FOOD.—For purposes of this subparagraph, the term 'apparently wholesome food' shall have the meaning given to such term by section 22(b)(2) of the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791(b)(2)), as in effect on the date of the enactment of this subparagraph.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 105. REFORM OF EXCISE TAX ON NET INVESTMENT INCOME OF PRIVATE FOUNDATIONS.

(a) IN GENERAL.—Subsection (a) of section 4940 of the Internal Revenue Code of 1986 (relating to excise tax based on investment income) is amended by striking ''2 percent'' and inserting ''1 percent''.

(b) REPEAL OF REDUCTION IN TAX WHERE PRIVATE FOUNDATION MEETS CERTAIN DISTRIBUTION REQUIREMENTS.—Section 4940 of such Code is amended by striking subsection (e).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 106. EXCISE TAX ON UNRELATED BUSINESS TAXABLE INCOME OF CHARITABLE REMAINDER TRUSTS.

(a) IN GENERAL.—Subsection (c) of section 664 of the Internal Revenue Code of 1986 (relating to exemption from income taxes) is amended to read as follows:

''(c) TAXATION OF TRUSTS.—

''(1) INCOME TAX.—A charitable remainder annuity trust and a charitable remainder unitrust shall, for any taxable year, not be subject to any tax imposed by this subtitle.

''(2) EXCISE TAX.—

''(A) IN GENERAL.—In the case of a charitable remainder annuity trust or a charitable remainder unitrust that has unrelated business taxable income (within the meaning of section 512, determined as if part III of subchapter F applied to such trust) for a taxable year, there is hereby imposed on such trust or unitrust an excise tax equal to the amount of such unrelated business taxable income.

''(B) CERTAIN RULES TO APPLY.—The tax imposed by subparagraph (A) shall be treated as imposed by chapter 42 for purposes of this title other than subchapter E of chapter 42.

''(C) CHARACTER OF DISTRIBUTIONS AND COORDINATION WITH DISTRIBUTION REQUIREMENTS.—The amounts taken into account in determining unrelated business taxable income (as defined in subparagraph (A)) shall not be taken into account for purposes of—

''(i) subsection (b),

''(ii) determining the value of trust assets under subsection (d)(2), and

''(iii) determining income under subsection (d)(3).

''(D) TAX COURT PROCEEDINGS.—For purposes of this paragraph, the references in section 6212(c)(1) to section 4940 shall be deemed to include references to this paragraph.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 107. EXPANSION OF CHARITABLE CONTRIBUTION ALLOWED FOR SCIENTIFIC PROPERTY USED FOR RESEARCH AND FOR COMPUTER TECHNOLOGY AND EQUIPMENT USED FOR EDUCATIONAL PURPOSES.

(a) SCIENTIFIC PROPERTY USED FOR RESEARCH.—Clause (ii) of section 170(e)(4)(B) of the Internal Revenue Code of 1986 (defining qualified research contributions) is amended by inserting ''or assembled'' after ''constructed''.

(b) COMPUTER TECHNOLOGY AND EQUIPMENT FOR EDUCATIONAL PURPOSES.—Clause (ii) of section 170(e)(6)(B) of such Code is amended by inserting ''or assembled'' after ''constructed'' and ''or assembling'' after ''construction''.

(c) CONFORMING AMENDMENT.—Subparagraph (D) of section 170(e)(6) of such Code is amended by inserting ''or assembled'' after ''constructed'' and ''or assembling'' after ''construction''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 108. ADJUSTMENT TO BASIS OF S CORPORATION STOCK FOR CERTAIN CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Paragraph (1) of section 1367(a) of such Code (relating to adjustments to basis of stock of shareholders, etc.) is

amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) the excess of the amount of the shareholder's deduction for any charitable contribution made by the S corporation over the shareholder's proportionate share of the adjusted basis of the property contributed.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 109. REVENUE OFFSET.

(a) IN GENERAL.—Paragraph (2) of section 1(i) of the Internal Revenue Code of 1986 (relating to reductions in rates after June 30, 2001) is amended—

(1) by striking ''38.6'' and inserting ''38.8'',

(2) by striking ''37.6'' and inserting ''37.8'', and

(3) by striking ''35'' and inserting ''35.5''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

TITLE II—EXPANSION OF CHARITABLE CHOICE

SEC. 201. PROVISION OF ASSISTANCE UNDER GOVERNMENT PROGRAMS BY RELIGIOUS AND COMMUNITY ORGANIZATIONS.

Title XXIV of the Revised Statutes of the United States is amended by inserting after section 1990 (42 U.S.C. 1994) the following:

''SEC. 1991. CHARITABLE CHOICE.

''(a) SHORT TITLE.—This section may be cited as the 'Charitable Choice Act of 2001'.

''(b) PURPOSES.—The purposes of this section are—

''(1) to enable assistance to be provided to individuals and families in need in the most effective and efficient manner;

''(2) to supplement the Nation's social service capacity by facilitating the entry of new, and the expansion of existing, efforts by religious and other community organizations in the administration and distribution of government assistance under the government programs described in subsection (c)(4);

''(3) to prohibit discrimination against religious organizations on the basis of religion in the administration and distribution of government assistance under such programs;

''(4) to allow religious organizations to participate in the administration and distribution of such assistance without impairing the religious character and autonomy of such organizations; and

''(5) to protect the religious freedom of individuals and families in need who are eligible for government assistance, including expanding the possibility of their being able to choose to receive services from a religious organization providing such assistance.

''(c) RELIGIOUS ORGANIZATIONS INCLUDED AS PROVIDERS; DISCLAIMERS.—

''(1) IN GENERAL.—

''(A) INCLUSION.—For any program described in paragraph (4) that is carried out by the Federal Government, or by a State or local government with Federal funds, the government shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, and the program shall be implemented in a manner that is consistent with the establishment clause and the free exercise clause of the first amendment to the Constitution.

''(B) DISCRIMINATION PROHIBITED.—Neither the Federal Government, nor a State or local government receiving funds under a program described in paragraph (4), shall discriminate against an organization that provides assistance under, or applies to provide assistance under, such program on the basis that the organization is religious or has a religious character.

''(2) FUNDS NOT AID TO RELIGION.—Federal, State, or local government funds or other assistance that is received by a religious organization for the provision of services under this section constitutes aid to individuals and families in need, the ultimate beneficiaries of such services, and not support for religion or the organization's religious beliefs or practices. Notwithstanding the provisions in this paragraph, title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.) shall apply to organizations receiving assistance funded under any program described in subsection (c)(4).

''(3) FUNDS NOT ENDORSEMENT OF RELIGION.—The receipt by a religious organization of Federal, State, or local government funds or other assistance under this section is not an endorsement by the government of religion or of the organization's religious beliefs or practices.

''(4) PROGRAMS.—For purposes of this section, a program is described in this paragraph—

''(A) if it involves activities carried out using Federal funds—

''(i) related to the prevention and treatment of juvenile delinquency and the improvement of the juvenile justice system, including programs funded under the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.);

''(ii) related to the prevention of crime and assistance to crime victims and offenders' families, including programs funded under title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701 et seq.);

''(iii) related to the provision of assistance under Federal housing statutes, including the Community Development Block Grant Program established under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.);

''(iv) under subtitle B or D of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

''(v) under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.);

''(vi) related to the intervention in and prevention of domestic violence, including programs under the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

''(vii) related to hunger relief activities; or

''(viii) under the Job Access and Reverse Commute grant program established under section 3037 of the Federal Transit Act of 1998 (49 U.S.C. 5309 note); or

''(B)(i) if it involves activities to assist students in obtaining the recognized equivalents of secondary school diplomas and activities relating to nonschool hours programs, including programs under—

''(I) chapter 3 of subtitle A of title II of the Workforce Investment Act of 1998 (Public Law 105–220); or

''(II) part I of title X of the Elementary and Secondary Education Act (20 U.S.C. 6301 et seq.); and

''(ii) except as provided in subparagraph (A) and clause (i), does not include activities carried out under Federal programs providing education to children eligible to attend elementary schools or secondary schools, as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

''(d) ORGANIZATIONAL CHARACTER AND AUTONOMY.—

''(1) IN GENERAL.—A religious organization that provides assistance under a program described in subsection (c)(4) shall have the right to retain its autonomy from Federal, State, and local governments, including such organization's control over the definition, development, practice, and expression of its religious beliefs.

''(2) ADDITIONAL SAFEGUARDS.—Neither the Federal Government, nor a State or local government with Federal funds, shall require a religious organization, in order to be eligible to provide assistance under a program described in subsection (c)(4), to—

''(A) alter its form of internal governance or provisions in its charter documents; or

''(B) remove religious art, icons, scripture, or other symbols, or to change its name, because such symbols or names are of a religious character.

''(e) EMPLOYMENT PRACTICES.—A religious organization's exemption provided under section 702 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1) regarding employment practices shall not be affected by its participation in, or receipt of funds from, programs described in subsection (c)(4), and any provision in such programs that is inconsistent with or would diminish the exercise of an organization's autonomy recognized in section 702 or in this section shall have no effect, except that no religious organization receiving funds through a grant or cooperative agreement for programs described in subsection (c)(4) shall, in expending such funds allocated under such program, discriminate in employment on the basis of an employee's religion, religious belief, or a refusal to hold a religious belief. Nothing in this section alters the duty of a religious organization to comply with the nondiscrimination provisions of title VII of the Civil Rights Act of 1964 in the use of funds from programs described in subsection (c)(4).

''(f) EFFECT ON OTHER LAWS.—Nothing in this section shall alter the duty of a religious organization receiving assistance or providing services under any program described in subsection (c)(4) to comply with the nondiscrimination provisions in title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) (prohibiting discrimination on the basis of race, color, and national origin), title IX of the Education Amendments of 1972 (20 U.S.C. 1681–1688) (prohibiting discrimination in education programs or activities on the basis of sex and visual impairment), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) (prohibiting discrimination against otherwise qualified disabled individuals), and the Age Discrimination Act of 1975 (42 U.S.C. 6101–6107) (prohibiting discrimination on the basis of age).

''(g) RIGHTS OF BENEFICIARIES OF ASSISTANCE.—

''(1) IN GENERAL.—If an individual described in paragraph (3) has an objection to the religious character of the organization from which the individual receives, or would receive, assistance funded under any program described in subsection (c)(4), the appropriate Federal, State, or local governmental entity shall provide to such individual (if otherwise eligible for such assistance) within a reasonable period of time after the date of such objection, assistance that—

''(A) is an alternative that is accessible to the individual and unobjectionable to the individual on religious grounds; and

''(B) has a value that is not less than the value of the assistance that the individual would have received from such organization.

''(2) NOTICE.—The appropriate Federal, State, or local governmental entity shall guarantee that notice is provided to the individuals described in paragraph (3) of the rights of such individuals under this section.

''(3) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is an individual who receives or applies for assistance under a program described in subsection (c)(4).

''(h) NONDISCRIMINATION AGAINST BENEFICIARIES.—

''(1) GRANTS AND COOPERATIVE AGREEMENTS.—A religious organization providing assistance through a grant or cooperative

agreement under a program described in subsection (c)(4) shall not discriminate in carrying out the program against an individual described in subsection (g)(3) on the basis of religion, a religious belief, or a refusal to hold a religious belief.

''(2) INDIRECT FORMS OF ASSISTANCE.—A religious organization providing assistance through a voucher, certificate, or other form of indirect assistance under a program described in subsection (c)(4) shall not deny an individual described in subsection (g)(3) admission into such program on the basis of religion, a religious belief, or a refusal to hold a religious belief.

''(i) LOCAL CIVIL RIGHTS LAWS.—Nothwithstanding anything to the contrary in this section, nothing in this section preempts or supercedes State or local civil rights laws.

''(j) ACCOUNTABILITY.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a religious organization providing assistance under any program described in subsection (c)(4) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds and its performance of such programs.

''(2) LIMITED AUDIT.—

''(A) GRANTS AND COOPERATIVE AGREEMENTS.—A religious organization providing assistance through a grant or cooperative agreement under a program described in subsection (c)(4) shall segregate government funds provided under such program into a separate account or accounts. Only the separate accounts consisting of funds from the government shall be subject to audit by the government.

''(B) INDIRECT FORMS OF ASSISTANCE.—A religious organization providing assistance through a voucher, certificate, or other form of indirect assistance under a program described in subsection (c)(4) may segregate government funds provided under such program into a separate account or accounts. If such funds are so segregated, then only the separate accounts consisting of funds from the government shall be subject to audit by the government.

''(3) SELF AUDIT.—A religious organization providing services under any program described in subsection (c)(4) shall conduct annually a self audit for compliance with its duties under this section and submit a copy of the self audit to the appropriate Federal, State, or local government agency, along with a plan to timely correct variances, if any, identified in the self audit.

''(k) LIMITATIONS ON USE OF FUNDS; VOLUNTARINESS.—No funds provided through a grant or cooperative agreement to a religious organization to provide assistance under any program described in subsection (c)(4) shall be expended for sectarian instruction, worship, or proselytization. If the religious organization offers such an activity, it shall be voluntary for the individuals receiving services and offered separate from the program funded under subsection (c)(4). A certificate shall be separately signed by religious organizations, and filed with the government agency that disburses the funds, certifying that the organization is aware of and will comply with this subsection. No direct funds shall be provided under subsection (c)(4) to a religious organization that engages in sectarian instruction, worship, or proselytization at the same time and place as the government funded program.

''(l) EFFECT ON STATE AND LOCAL FUNDS.—If a State or local government contributes State or local funds to carry out a program described in subsection (c)(4), the State or local government may segregate the State or local funds from the Federal funds provided to carry out the program or may commingle the State or local funds with the Federal funds. If the State or local government commingles the State or local funds, the provisions of this section shall apply to the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.

''(m) TREATMENT OF INTERMEDIATE GRANTORS.—If a nongovernmental organization (referred to in this subsection as an 'intermediate grantor'), acting under a grant or other agreement with the Federal Government, or a State or local government with Federal funds, is given the authority under the agreement to select nongovernmental organizations to provide assistance under the programs described in subsection (c)(4), the intermediate grantor shall have the same duties under this section as the government when selecting or otherwise dealing with subgrantors, but the intermediate grantor, if it is a religious organization, shall retain all other rights of a religious organization under this section.

''(n) COMPLIANCE.—A party alleging that the rights of the party under this section have been violated by a State or local government may bring a civil action for injunctive relief pursuant to section 1979 against the State official or local government agency that has allegedly committed such violation. A party alleging that the rights of the party under this section have been violated by the Federal Government may bring a civil action for injunctive relief in Federal district court against the official or government agency that has allegedly committed such violation.

''(o) TRAINING AND TECHNICAL ASSISTANCE FOR SMALL NONGOVERNMENTAL ORGANIZATIONS.—

''(1) IN GENERAL.—From amounts made available to carry out the purposes of the Office of Justice Programs (including any component or unit thereof, including the Office of Community Oriented Policing Services), funds are authorized to provide training and technical assistance, directly or through grants or other arrangements, in procedures relating to potential application and participation in programs identified in subsection (c)(4) to small nongovernmental organizations, as determined by the Attorney General, including religious organizations, in an amount not to exceed $50 million annually.

''(2) TYPES OF ASSISTANCE.—Such assistance may include—

''(A) assistance and information relative to creating an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 to operate identified programs;

''(B) granting writing assistance which may include workshops and reasonable guidance;

''(C) information and referrals to other nongovernmental organizations that provide expertise in accounting, legal issues, tax issues, program development, and a variety of other organizational areas; and

''(D) information and guidance on how to comply with Federal nondiscrimination provisions including, but not limited to, title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), the Fair Housing Act, as amended (42 U.S.C. 3601 et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681–1688), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 694), and the Age Discrimination Act of 1975 (42 U.S.C. 6101–6107).

''(3) RESERVATION OF FUNDS.—An amount of no less than $5,000,000 shall be reserved under this section. Small nongovernmental organizations may apply for these funds to be used for assistance in providing full and equal integrated access to individuals with disabilities in programs under this title.

''(4) PRIORITY.—In giving out the assistance described in this subsection, priority shall be given to small nongovernmental organizations serving urban and rural communities.''.

TITLE III—INDIVIDUAL DEVELOPMENT ACCOUNTS

SEC. 301. ADDITIONAL QUALIFIED ENTITIES ELIGIBLE TO CONDUCT PROJECTS UNDER THE ASSETS FOR INDEPENDENCE ACT.

Section 404(7)(A)(iii)(I)(aa) of the Assets for Independence Act (42 U.S.C. 604 note) is amended to read as follows:

''(aa) a federally insured credit union; or''.

SEC. 302. INCREASE IN LIMITATION ON NET WORTH.

Section 408(a)(2)(A) of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking ''$10,000'' and inserting ''$20,000''.

SEC. 303. CHANGE IN LIMITATION ON DEPOSITS FOR AN INDIVIDUAL.

Section 410(b) of the Assets for Independence Act (42 U.S.C. 604 note) is amended to read as follows:

''(b) LIMITATION ON DEPOSITS FOR AN INDIVIDUAL.—Not more than $500 from a grant made under section 406(b) shall be provided per year to any one individual during the project.''.

SEC. 304. ELIMINATION OF LIMITATION ON DEPOSITS FOR A HOUSEHOLD.

Section 410 of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 305. EXTENSION OF PROGRAM.

Section 416 of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking ''2001, 2002, and 2003'' and inserting ''and 2001, and $50,000,000 for each of fiscal years 2002 through 2008''.

SEC. 306. CONFORMING AMENDMENTS.

(a) AMENDMENTS TO TEXT.—The text of each of the following provisions of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking ''demonstration'' each place it appears:

(1) Section 403.
(2) Section 404(2).
(3) Section 405(a).
(4) Section 405(b).
(5) Section 405(c).
(6) Section 405(d).
(7) Section 405(e).
(8) Section 405(g).
(9) Section 406(a).
(10) Section 406(b).
(11) Section 407(b)(1)(A).
(12) Section 407(c)(1)(A).
(13) Section 407(c)(1)(B).
(14) Section 407(c)(1)(C).
(15) Section 407(c)(1)(D).
(16) Section 407(d).
(17) Section 408(a).
(18) Section 408(b).
(19) Section 409.
(20) Section 410(e).
(21) Section 411.
(22) Section 412(a).
(23) Section 412(b)(2).
(24) Section 412(c).
(25) Section 413(a).
(26) Section 413(b).
(27) Section 414(a).
(28) Section 414(b).
(29) Section 414(c).
(30) Section 414(d)(1).
(31) Section 414(d)(2).

(b) AMENDMENTS TO SUBSECTION HEADINGS.—The heading of each of the following provisions of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking ''DEMONSTRATION'':

(1) Section 405(a).
(2) Section 406(a).

(3) Section 413(a).

(c) AMENDMENTS TO SECTION HEADINGS.—The headings of sections 406 and 411 of the Assets for Independence Act (42 U.S.C. 604 note) are amended by striking "**DEMONSTRATION**".

SEC. 307. APPLICABILITY.

(a) IN GENERAL.—The amendments made by this title shall apply to funds provided before, on or after the date of the enactment of this Act.

(b) PRIOR AMENDMENTS.—The amendments made by title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) shall apply to funds provided before, on or after the date of the enactment of such Act.

After further debate,

Pursuant to House Resolution 196, the previous question was ordered on the bill, as amended, and on the further amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to said further amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. NADLER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative { Yeas ..... 168 / Nays 261

¶76.9 [Roll No. 252]

YEAS—168

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dooley
Doyle
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moran (VA)
Nadler
Napolitano
Neal
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stupak
Tanner
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—261

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLay
DeMint
Diaz-Balart
Doggett
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Engel
Matsui
McKinney
Spence

So the further amendment in the nature of a substitute was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. CONYERS moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendments:

In title II, in the matter proposed to be inserted in the Revised Statutes of the United States as a section 1991—

(1) in subsection (e), strike the period after "effect" and insert ", except that no religious organization receiving funds through a grant or cooperative agreement for programs described in subsection (c)(4) shall, in expending such funds allocated under such program, discriminate in employment on the basis of an employee's religion, religious belief, or a refusal to hold a religious belief."; and

(2) insert after subsection (h) the following:

"(i) LOCAL CIVIL RIGHTS LAWS.—Notwithstanding anything to the contrary herein, nothing in this section shall preempt or supersede State or local civil rights laws.

Redesignate succeeding subsections accordingly.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. CONYERS demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative { Yeas ..... 195 / Nays 234

¶76.10 [Roll No. 253]

AYES—195

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)

Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—234

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

NOT VOTING—4

Engel
McKinney
Meehan
Spence

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced the ayes had it.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 233 / Nays 198

¶76.11 [Roll No. 254]

YEAS—233

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—198

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

NOT VOTING—3

Engel
McKinney
Spence

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶76.12 NORMAL TRADE RELATIONS WITH CHINA

Mr. THOMAS, pursuant to the order of the House of Tuesday, July 17, 2001, called up the joint resolution (H.J. Res. 50) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to the People's Republic of China.

When said joint resolution was considered and read twice.

Pursuant to the order of the House of Tuesday, July 17, 2001, the SPEAKER pro tempore, Mr. GILLMOR, recognized Messrs. THOMAS and STARK for 60 minutes each,

¶76.13 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. THOMAS, by unanimous consent,

Ordered, That it may be in order to yield control of 30 minutes of debate to Mr. LEVIN.

¶76.14 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. STARK, by unanimous consent,

Ordered, That it may be in order to yield control of 30 minutes of debate to Mr. ROHRABACHER.

After debate,

¶76.15 SUBMISSION OF CONFERENCE REPORT—H.R. 2216

Mr. YOUNG of Florida submitted a conference report (Rept. No. 107–148) on the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

After further debate,

Pursuant to the order of the House of July 17, 2001, the previous question was ordered on the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. GILLMOR, announced that the yeas had it.

Mr. WELLER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 169 / Nays ..... 259 }

¶76.16 [Roll No. 255]

YEAS—169

Abercrombie
Aderholt
Akin
Baca
Baldacci
Baldwin
Barcia
Barr
Bartlett
Barton
Berkley
Bilirakis
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Burton
Capito
Capuano
Cardin
Carson (IN)
Clay
Clayton
Coble
Collins
Condit
Costello
Cox
Coyne
Cubin
Cummings
Davis (IL)
Davis, Jo Ann
Deal
DeFazio
Delahunt
Diaz-Balart
Dingell
Doyle
Duncan
Ehrlich
Evans
Everett
Fattah
Frank
Gephardt
Gillmor
Gilman
Goode
Graham
Green (TX)
Gutierrez
Hall (OH)
Hansen
Hart
Hastings (FL)
Hayes
Hayworth
Hefley
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Holden
Hostettler
Hoyer
Hunter
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jones (NC)
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
King (NY)
Kingston
Kucinich
Langevin
Lantos
LaTourette
Lee
Lewis (GA)
Lipinski
LoBiondo
Markey
Mascara
McCollum
McIntyre
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Nadler
Ney
Norwood
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickering
Pombo
Quinn
Radanovich
Rahall
Regula
Reyes
Riley
Rivers
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sherman
Smith (NJ)
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Tancredo
Taylor (MS)
Taylor (NC)
Thompson (MS)
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Wamp
Waters
Watson (CA)
Weldon (FL)
Wexler
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—259

Ackerman
Allen
Andrews
Armey
Bachus
Baird
Baker
Ballenger
Barrett
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capps
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Combest
Conyers
Cooksey
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Tom
DeGette
DeLauro
DeMint
Deutsch
Dicks
Doggett
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Emerson
English
Eshoo
Etheridge
Farr
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gonzalez
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Harman
Hastert
Hastings (WA)
Herger
Hill
Hinojosa
Hoekstra
Holt
Honda
Hooley
Horn
Houghton
Hulshof
Hutchinson
Inslee
Isakson
Israel
Issa
Istook
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Northup
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pitts
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Ramstad
Rangel
Rehberg
Reynolds
Rodriguez
Roemer
Rogers (MI)
Roukema
Ryan (WI)
Ryun (KS)
Schiff
Schrock
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Stenholm
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Turner
Upton
Vitter
Walden
Walsh
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (FL)

NOT VOTING—6

Blumenauer
DeLay
Engel
McKinney
Saxton
Spence

So the joint resolution was not passed.

¶76.17 PROVIDING FOR THE CONSIDERATION OF H.R. 2506

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 199):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4 of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived except as follows: page 75, lines 17 through 23; page 107, lines 11 through 17. No further amendment to the bill shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without inter-

vening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. DIAZ-BALART, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶76.18 ORDER OF BUSINESS—CONSIDERATION OF H.R. 2506

On motion of Mr. KOLBE, by unanimous consent,

Ordered, That it may be in order that, during consideration of the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes, in the Committee of the Whole pursuant to House Resolution 199: (1) no amendment to the bill may be offered on the legislative day of July 19, 2001, except pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; and amendments printed in the Congressional Records and numbered 4, 8, 17, 21, 22, 25, 28, 29, 30, 32, 35, and 37; (2) each such amendment may be offered after the clerk reads through page 1, line 6, and may amend portions of the bill not yet read (except that amendment numbered 25 must conform to the requirements of clause 2(f) of rule XXI; and (3) no further amendment to the bill may be offered after the legislative day of July 19, 2001, except pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; and amendments printed in the portion of the Congressional Record of the legislative day of July 19, 2001, or any Record before that date, designated for the purpose specified in clause 8 of rule XVIII and not earlier disposed of.

¶76.19 FOREIGN OPERATIONS APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to House Resolution 199 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, designated Mr. THORNBERRY as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. KOLBE, assumed the Chair.

When Mr. THORNBERRY, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶76.20 RECESS—9:31 P.M.

The SPEAKER pro tempore, Mr. KOLBE, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 31 minutes p.m., until approximately 9:45 p.m.

¶76.21 AFTER RECESS—9:48 P.M.

The SPEAKER pro tempore, Mr. KELLER, called the House to order.

¶76.22 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT TO ACCOMPANY H.R. 2216

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 107–149) the resolution (H. Res. 204) waiving points of order against the conference report to accompany the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes; and against its consideration.

When said resolution and report were referred to the House Calendar and ordered printed.

¶76.23 SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1190. An Act to amend the Internal Revenue Code of 1986 to rename the education individual retirement accounts as the Coverdell education savings accounts; to the Committee on Ways and Means.

S. Con. Res. 34. Concurrent resolution congratulating the Baltic nations of Estonia, Latvia, and Lithuania on the tenth anniversary of the end of their illegal incorporation into the Soviet Union; to the Committee on International Relations.

¶76.24 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BLUMENAUER, for today after 4:30 p.m. and balance of the week;

To Mr. ENGEL, for today and balance of the week;

To Ms. MCKINNEY, for today and balance of the week;

To Mr. MILLER of Florida, for today after 7 p.m. and July 20.

And then,

¶76.25 ADJOURNMENT

On motion of Mr. DREIER, at 9 o'clock and 49 minutes p.m., the House adjourned.

¶76.26 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OXLEY: Committee on Financial Services. H.R. 1850. A bill to extend the Commission on Affordable Housing and Health Facility Needs for Seniors in the 21st Century and to make technical corrections to the law governing the Commission (Rept. No. 107–147). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee of Conference. Conference report on H.R. 2216. A bill making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 107–148). Ordered to be printed.

Mrs. MYRICK: Committee on Rules. House Resolution 204. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30 2001, and for other purposes (Rept. No. 107–149). Referred to the House Calendar.

¶76.27 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BISHOP (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. DAVIS of Illinois, Mrs. JONES of Ohio, Ms. LEE, Mr. WATT of North Carolina, Mr. CUMMINGS, Mr. HILLIARD, Mr. WYNN, Mr. OWENS, Ms. WATERS, Mr. PAYNE, Ms. MCKINNEY, Ms. KILPATRICK, Mr. LEWIS of Georgia, Ms. CARSON of Indiana, Mr. RUSH, Mr. TOWNS, Mr. THOMPSON of Mississippi, Ms. SOLIS, Mr. SERRANO, Mr. CLYBURN, and Ms. DELAURO):

H.R. 2562. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the Director of the Federal Emergency Management Agency to establish a minority emergency preparedness demonstration program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GANSKE (for himself, Mr. DINGELL, Mr. NORWOOD, Mr. BERRY, Mr. LEACH, Mr. BROWN of Ohio, Mrs. ROUKEMA, Mr. JOHN, Mrs. MORELLA, Mr. ANDREWS, Mr. GILMAN, Mr. RANGEL, Mr. LATOURETTE, Mr. STENHOLM, Mr. HORN, Mr. SANDLIN, Mr. BARR of Georgia, Mr. STUPAK, Mr. SMITH of New Jersey, Mr. PALLONE, Mr. TOWNS, Ms. ESHOO, Mrs. CAPPS, Mr. GREEN of Texas, Mr. GORDON, Ms. MCCARTHY of Missouri, Mr. ENGEL, Mr. MOORE, Mr. STRICKLAND, Mr. MARKEY, Mr. SAWYER, Mrs. DAVIS of California, Mr. BARRETT, Mr. WYNN, Mr. STARK, Mr. WAXMAN, Mr. RUSH, Mr. BOUCHER, Mr. HALL of Texas, Mr. BISHOP, Mr. TURNER, Ms. HARMAN, Mr. PASCRELL, Mrs. MCCARTHY of New York, Mr. FRANK, Mr. MATSUI, Mr. COYNE, Mr. MCDERMOTT, Mr. CARDIN, Mr. LEVIN, Mr. MCNULTY, Mr. JEFFERSON, Mr. LEWIS of Georgia, Mr. KLECZKA, Mrs. THURMAN, Mr. BOSWELL, Mr. CROWLEY, Mr. TIERNEY, Mr. HOEFFEL, Mr. MEEHAN, Mr. DOYLE, Ms. DEGETTE, Mr. MATHESON, Mr. KUCINICH, Ms. PELOSI, Mr. BERMAN, Mr. THOMPSON of California, Mr. GEORGE MILLER of California, and Mr. ROSS):

H.R. 2563. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ADERHOLT:

H.R. 2564. A bill to direct the Administrator of the Federal Aviation Administration to treat certain property boundaries as the boundaries of the Lawrence County Airport, Courtland, Alabama, and for other pur-

poses; to the Committee on Transportation and Infrastructure.

By Mr. CANNON (for himself, Mr. HANSEN, and Mr. MATHESON):

H.R. 2565. A bill to amend the Central Utah Project Completion Act to clarify the responsibilities of the Secretary of the Interior with respect to the Central Utah Project, to redirect unexpended budget authority for the Central Utah Project for wastewater treatment and reuse and other purposes, to provide for prepayment of repayment contracts for municipal and industrial water delivery facilities, and to eliminate a deadline for such prepayment; to the Committee on Resources.

By Mr. CANTOR (for himself, Mr. SMITH of New Jersey, Ms. BERKLEY, Mr. PITTS, Mr. KIRK, Mr. BACHUS, Mr. RYUN of Kansas, Mr. PENCE, Mr. SOUDER, Mr. CROWLEY, Mr. LEWIS of Kentucky, Mr. WEINER, Mr. SCHROCK, Mr. GRUCCI, Mr. SCHAFFER, Mr. ISRAEL, and Mr. TIBERI):

H.R. 2566. A bill to prohibit assistance from being provided to the Palestinian Authority or its instrumentalities unless the President certifies that no excavation of the Temple Mount in Israel is being conducted; to the Committee on International Relations.

By Ms. DELAURO:

H.R. 2567. A bill to authorize a program of assistance to improve international building practices in eligible Latin American countries; to the Committee on International Relations.

By Mr. DREIER (for himself, Mr. HOUGHTON, and Mr. FLAKE):

H.R. 2568. A bill to provide authority to control exports, and for other purposes; to the Committee on International Relations.

By Mr. GRAHAM:

H.R. 2569. A bill to amend title 11 of the United States Code to establish a priority for the payment of claims for duties paid to the United States by licensed customs brokers on behalf of the debtor; to the Committee on the Judiciary.

By Mr. FARR of California (for himself, Mr. BLUMENAUER, Mr. ENGLISH, Mr. GEORGE MILLER of California, Mr. FALEOMAVAEGA, Mr. GREENWOOD, Ms. WOOLSEY, Ms. MCKINNEY, Mr. MORAN of Virginia, Mr. BORSKI, Mr. LANTOS, Ms. PELOSI, Mr. BOUCHER, Ms. BALDWIN, Mr. ACEVEDO-VILA, Ms. LEE, Mr. WEINER, Mr. CLYBURN, Mr. HONDA, Mrs. DAVIS of California, and Ms. ESHOO):

H.R. 2570. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to recover depleted fish stocks and promote the long-term sustainability of marine fisheries, and for other purposes; to the Committee on Resources.

By Mr. HILL (for himself, Mr. BARRETT, Ms. SANCHEZ, Mr. SMITH of New Jersey, Mr. DUNCAN, Mr. HOEFFEL, Mr. HOLDEN, Mr. BAIRD, Ms. CARSON of Indiana, Mr. PRICE of North Carolina, Mrs. JONES of Ohio, Mr. RAHALL, and Mr. SCHIFF):

H.R. 2571. A bill to amend section 10105 of the Elementary and Secondary Education Act of 1965 to provide for a smaller learning communities grant program; to the Committee on Education and the Workforce.

By Mr. LAFALCE:

H.R. 2572. A bill to implement certain recommendations of the National Gambling Impact Study Commission by prohibiting the placement of automated teller machines or any device by which an extension of credit or an electronic fund transfer may be initiated by a consumer in the immediate area in a gambling establishment where gambling or wagering takes place; to the Committee on Financial Services.

By Mr. MCDERMOTT (for himself, Mr. BONIOR, Mr. PETRI, Ms. MCKINNEY, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. BORSKI, Mr. NEAL of Massachusetts, Mr. PALLONE, Mr. SAWYER, Mr. GEORGE MILLER of California, Mr. GUTIERREZ, Mr. BLAGOJEVICH, Mr. EVANS, Mr. LEACH, Mr. PAYNE, Mr. ANDREWS, Mr. UDALL of New Mexico, Mr. COSTELLO, Mrs. MINK of Hawaii, and Ms. SOLIS):

H.R. 2573. A bill to ensure that proper planning is undertaken to secure the preservation and recovery of the salmon and steelhead of the Columbia River basin and the maintenance of reasonably priced, reliable power, to direct the Secretary of Commerce to seek peer review of, and to conduct studies regarding, the National Marine Fisheries Service biological opinion, under the Endangered Species Act of 1973, pertaining to the impacts of Columbia River basin Federal dams on salmon and steelhead listed under the Endangered Species Act of 1973, and for other purposes; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida (for himself, Mr. BORSKI, Mr. TRAFICANT, Mr. GOSS, Mr. CUNNINGHAM, Mr. BRADY of Texas, and Mr. SHAW):

H.R. 2574. A bill to provide for increased cooperation on extradition efforts between the United States and foreign governments, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURTHA:

H.R. 2575. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax for caregivers of individuals with long-term care needs; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. MATSUI, and Mr. PORTMAN):

H.R. 2576. A bill to amend the Internal Revenue Code of 1986 to provide for S corporation reform, and for other purposes; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 2577. A bill to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the ''Bob Davis Post Office Building''; to the Committee on Government Reform.

By Ms. WATERS:

H.R. 2578. A bill to redesignate the facility of the United States Postal Service located at 8200 South Vermont Avenue in Los Angeles, California, as the ''Augustus F. Hawkins Post Office Building''; to the Committee on Government Reform.

By Mr. TURNER:

H. Res. 203. A resolution providing for consideration of the bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; to the Committee on Rules.

By Mrs. MYRICK:

H. Res. 204. A resolution waiving points of order against the conference report to accompany the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

By Mr. DINGELL:

H. Res. 205. A resolution expressing the sense of the House of Representatives with respect to ceasing hostilities in Israel, the West Bank, and the Gaza Strip; to the Committee on International Relations.

¶76.28 ADDITIONAL SPONSORS

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

H.R. 98: Mr. BALDACCI.
H.R. 99: Mr. KELLER.
H.R. 103: Mr. OTTER.
H.R. 162: Mr. VISCLOSKY.
H.R. 168: Mr. HYDE and Mr. MALONEY of Connecticut.
H.R. 190: Mr. BILIRAKIS.
H.R. 218: Mr. WALSH, Mr. HAYES, Mr. ABERCROMBIE, Mr. REYES, Mr. FLETCHER, Mr. SIMPSON, Mr. KINGSTON, Mr. SMITH of Michigan, Mr. HERGER, Mr. GALLEGLY, Mr. STEARNS, Mr. HANSEN, Mr. FORBES, Mr. DIAZ-BALART, Mr. KNOLLENBERG, Mr. UPTON, Mr. HEFLEY, Mr. TIBERI, Mr. DELAY, Mr. OXLEY, Mr. WELDON of Florida, Mr. ISTOOK, and Mr. REGULA.
H.R. 267: Mr. FORBES.
H.R. 281: Mr. CLEMENT.
H.R. 425: Ms. NORTON.
H.R. 510: Mr. BOUCHER, Ms. PELOSI, and Mr. CLAY.
H.R. 512: Mr. BRADY of Pennsylvania.
H.R. 514: Mr. PAUL.
H.R. 526: Mr. KIND and Mr. CLEMENT.
H.R. 599: Mr. VISCLOSKY.
H.R. 606: Mr. HALL of Texas.
H.R. 611: Mr. SNYDER, Mr. TAYLOR of Mississippi, Mr. BONIOR, Mr. STENHOLM, and Mr. OSBORNE.
H.R. 612: Mr. PICKERING.
H.R. 623: Mrs. MORELLA.
H.R. 664: Mr. LEACH.
H.R. 760: Ms. DUNN.
H.R. 822: Mr. AKIN.
H.R. 826: Mr. TANCREDO.
H.R. 876: Mr. GREENWOOD and Mr. OTTER.
H.R. 914: Mr. TAUZIN, Mr. CAMP, and Ms. PRYCE of Ohio.
H.R. 921: Mr. WHITFIELD and Mrs. TAUSCHER.
H.R. 959: Ms. HARMAN and Mrs. DAVIS of California.
H.R. 981: Mr. HANSEN, Ms. ROS-LEHTINEN, and Mr. TIBERI.
H.R. 990: Mr. ANDREWS, Mr. SANDERS, Ms. LOFGREN, Mr. ALLEN, Mr. FARR of California, and Ms. BALDWIN.
H.R. 995: Mr. HEFLEY.
H.R. 1030: Mr. ROHRABACHER, Mr. CALLAHAN, Mr. COOKSEY, and Mr. MANZULLO.
H.R. 1032: Mr. BLAGOJEVICH and Mr. HOYER.
H.R. 1073: Mr. JOHNSON of Illinois.
H.R. 1089: Ms. PELOSI.
H.R. 1097: Mr. WU, Mr. LEVIN, Mr. HOLT, and Mrs. DAVIS of California.
H.R. 1149: Ms. LEE, Mr. SHIMKUS, Mr. HILLIARD, Mr. CAPUANO, Mrs. MINK of Hawaii, Mr. ETHERIDGE, Mr. GUTIERREZ, Mr. CLAY, and Mr. LANTOS.
H.R. 1170: Mr. PHELPS.
H.R. 1171: Mr. FALEOMAVAEGA.
H.R. 1172: Mr. ISAKSON, Mr. CHABOT, Mr. EHRLICH, Mr. SHAYS, Mr. BORSKI, Mr. GORDON, Ms. PELOSI, Mrs. MALONEY of New York, Mr. OBERSTAR, Mr. MORAN of Virginia, Mr. BROWN of Ohio, Mrs. MORELLA, Ms. DELAURO, Mr. OSBORNE, Mr. BARR of Georgia, Mr. WEINER, and Mrs. JO ANN DAVIS of Virginia.
H.R. 1177: Mr. GILMAN.
H.R. 1187: Ms. SOLIS.
H.R. 1199: Ms. CARSON of Indiana and Ms. MCKINNEY.
H.R. 1254: Ms. MCCOLLUM and Mr. BORSKI.
H.R. 1262: Ms. ROYBAL-ALLARD and Mr. ALLEN.
H.R. 1304: Mr. REHBERG.
H.R. 1305: Mr. KIND.
H.R. 1307: Mr. BLAGOJEVICH.
H.R. 1350: Mr. ANDREWS and Mr. KIRK.
H.R. 1354: Mr. LIPINSKI and Ms. PELOSI.
H.R. 1357: Mr. BARR of Georgia, Mr. BACHUS, and Mr. NUSSLE.

H.R. 1375: Mr. HASTINGS of Washington.
H.R. 1377: Mr. LUCAS of Kentucky, Ms. BALDWIN, and Mr. POMBO.
H.R. 1388: Mr. SCHAFFER.
H.R. 1487: Mr. OLVER.
H.R. 1556: Mr. PUTNAM, Ms. PELOSI, Mr. ACKERMAN, Mr. LANGEVIN, Ms. VELAZQUEZ, Mr. SHOWS, Mr. SCHROCK, and Mrs. KELLY.
H.R. 1591: Mr. CONYERS.
H.R. 1609: Ms. ROS-LEHTINEN, Mr. WHITFIELD, Mr. BOUCHER, Mr. WELDON of Florida, Mr. ROGERS of Kentucky, and Mr. PUTNAM.
H.R. 1645: Mr. VISCLOSKY, Ms. RIVERS, and Mr. DELAHUNT.
H.R. 1650: Mr. MCNULTY.
H.R. 1682: Mr. KILDEE and Ms. PELOSI.
H.R. 1700: Ms. RIVERS and Mr. BRADY of Pennsylvania.
H.R. 1701: Mr. LUCAS of Kentucky.
H.R. 1723: Ms. ROS-LEHTINEN, Mr. KILDEE, Mr. MCNULTY, Mrs. CAPPS, Mr. HOLT, and Mr. BARRETT.
H.R. 1731: Mr. GORDON, Mr. SIMMONS, Mr. HEFLEY, Mr. WELDON of Pennsylvania, Mr. PETRI, and Mr. TOOMEY.
H.R. 1759: Mr. HASTINGS of Washington and Mr. LEWIS of Georgia.
H.R. 1795: Mr. GRAVES, Mrs. MEEK of Florida, Mr. GRUCCI, and Mr. STUMP.
H.R. 1798: Mr. DICKS.
H.R. 1810: Mr. BLUMENAUER, Mr. HOLT, and Mr. HONDA.
H.R. 1815: Mr. ALLEN, Mr. DEFAZIO, Mr. HOLT, Mr. LEACH, Mr. LEWIS of Georgia, Mr. MORAN of Virginia, Mr. SHAYS, and Mr. WAXMAN.
H.R. 1835: Mr. LEWIS of Kentucky, Mr. LAHOOD, and Mr. PETERSON of Pennsylvania.
H.R. 1841: Mr. WELDON of Pennsylvania, Mr. MEEKS of New York, Mr. MARKEY, Mr. UDALL of Colorado, Mr. LIPINSKI, and Mr. CROWLEY.
H.R. 1887: Ms. PELOSI, Mr. WYNN, and Mr. BORSKI.
H.R. 1890: Mr. GOODE.
H.R. 1935: Mr. FORBES, Mr. BALDACCI, Mr. GOODE, and Mrs. KELLY.
H.R. 1942: Mr. LATHAM and Mr. WAMP.
H.R. 1948: Mr. LAHOOD and Mr. GUTIERREZ.
H.R. 1983: Mr. NORWOOD, Mr. FOSSELLA, and Mr. HAYWORTH.
H.R. 1987: Mr. CRAMER, Mr. CLYBURN, Mr. LUCAS of Kentucky, Mr. WHITFIELD, Mr. ISAKSON, Mr. HOUGHTON, Mr. NETHERCUTT, Mr. MORAN of Kansas, Mr. MOORE, Mr. RODRIGUEZ, and Mrs. NORTHUP.
H.R. 1990: Mr. ENGEL.
H.R. 1994: Mr. WYNN and Mr. BARTON of Texas.
H.R. 2001: Mr. SHOWS.
H.R. 2014: Mr. SMITH of Washington and Mr. SPRATT.
H.R. 2023: Mr. PETRI and Mr. HAYWORTH.
H.R. 2059: Mr. ALLEN.
H.R. 2063: Mr. MCNULTY, Mr. REYES, Mr. WEXLER, Mr. HALL of Ohio, Mr. COSTELLO, Mr. BORSKI, and Mr. CLEMENT.
H.R. 2074: Mr. GONZALEZ.
H.R. 2097: Mr. MCINTYRE, Mr. BLAGOJEVICH, Mr. STARK, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. COSTELLO, Mr. FROST, Mr. GONZALEZ, Mr. KILDEE, Mrs. MINK of Hawaii, Mr. BACA, Mr. WEXLER, Mr. LANTOS, and Ms. PELOSI.
H.R. 2107: Mr. DAVIS of Illinois, Mr. ENGEL, Mr. BACA, Mr. BECERRA, Ms. VELAZQUEZ, Mr. LARSEN of Washington, and Mr. SERRANO.
H.R. 2118: Mr. PLATTS.
H.R. 2142: Mr. NADLER, Mr. HALL of Ohio, Mr. GUTIERREZ, Mr. GEORGE MILLER of California, Mr. BLAGOJEVICH, Mr. BORSKI, Mr. PITTS, Mr. MORAN of Virginia, Mr. KENNEDY of Rhode Island, Mr. JACKSON of Illinois, Mr. HOLT, Mr. CLYBURN, Ms. PELOSI, Mr. BOEHLERT, Mr. FILNER, and Mr. FARR of California.
H.R. 2147: Mr. FROST.
H.R. 2153: Mr. CAPUANO.
H.R. 2158: Mrs. MEEK of Florida, Ms. RIVERS, Mr. MCDERMOTT, and Mr. DEFAZIO.
H.R. 2161: Mr. BROWN of Ohio.
H.R. 2163: Mr. MEEKS of New York, Mr. PRICE of North Carolina, Ms. NORTON, Mr. WEXLER, and Mrs. MINK of Hawaii.
H.R. 2167: Mr. HOYER.
H.R. 2172: Mr. STRICKLAND.
H.R. 2185: Mr. JOHNSON of Illinois.
H.R. 2198: Ms. PELOSI.
H.R. 2219: Mr. KILDEE.
H.R. 2232: Mr. JEFFERSON, Mr. MCNULTY, Mr. FROST, Mr. STARK, Mr. BROWN of Ohio, Mr. HINOJOSA, Mr. GUTIERREZ, Mr. GREEN of Texas, Mrs. JONES of Ohio, Mr. CUMMINGS, Mr. TOWNS, Mr. LAFALCE, Mr. MCINTYRE, Ms. NORTON, Mr. KILDEE, Ms. LEE, Mr. BONIOR, Ms. MCKINNEY, Mr. BLAGOJEVICH, Mrs. CHRISTENSEN, Mr. HOEFFEL, Mr. CARSON of Oklahoma, Mr. CROWLEY, Mrs. MINK of Hawaii, and Mr. WEXLER.
H.R. 2233: Mr. OWENS.
H.R. 2286: Mr. LANTOS.
H.R. 2310: Mr. RODRIGUEZ.
H.R. 2315: Ms. DUNN.
H.R. 2331: Ms. MCKINNEY.
H.R. 2339: Mr. KNOLLENBERG and Mr. WEXLER.
H.R. 2340: Ms. PELOSI and Mr. WEXLER.
H.R. 2349: Mr. OBERSTAR and Mr. BROWN of Ohio.
H.R. 2350: Mr. GORDON.
H.R. 2354: Mr. HASTINGS of Washington.
H.R. 2357: Mr. TANCREDO, Mrs. CUBIN, Mr. GOODE, Mr. HILLEARY, and Mr. COOKSEY.
H.R. 2366: Mr. TANCREDO.
H.R. 2374: Mr. BRADY of Texas.
H.R. 2375: Mr. FRANK, Ms. SOLIS, Mr. HOEFFEL, Mr. BLAGOJEVICH, Mr. DEFAZIO, Mr. CAPUANO, Mr. STARK, Mr. FILNER, Ms. LOFGREN, and Mr. BOUCHER.
H.R. 2379: Ms. RIVERS, Mr. WEXLER, and Mr. CLAY.
H.R. 2390: Mr. GOODE.
H.R. 2422: Mr. HOLDEN, Mr. MCHUGH, Mr. FROST, Mr. WAXMAN, Mr. BRADY of Pennsylvania, and Mr. BONIOR.
H.R. 2435: Mr. CUNNINGHAM.
H.R. 2441: Mr. JOHN.
H.R. 2453: Mr. DAVIS of Illinois, Ms. SLAUGHTER, and Mr. WYNN.
H.R. 2466: Mr. PICKERING, Mr. MCHUGH, and Mr. GARY G. MILLER of California.
H.R. 2426: Ms. NORTON, Mr. FATTAH, Mr. KILDEE, Mr. THOMPSON of Mississippi, and Mr. SERRANO.
H.R. 2484: Mr. MALONEY of Connecticut.
H.R. 2503: Mr. BURTON of Indiana, Mr. WOLF, Mr. ROHRABACHER, and Mr. GILMAN.
H.R. 2520: Mr. WAXMAN and Mr. SHERMAN.
H.J. Res. 15: Mr. GEORGE MILLER of California.
H. Con. Res. 17: Ms. SOLIS, Mr. GUTIERREZ, Mr. INSLEE, and Mr. SHAYS.
H. Con. Res. 89: Mr. HOUGHTON, Mr. BURR of North Carolina, Mr. PITTS, Mr. FLAKE, Mr. GILMAN, Mr. LEACH, and Mr. SMITH of New Jersey.
H. Con. Res. 102: Mr. BOEHNER, Mr. UDALL of New Mexico, Mr. BRADY of Pennsylvania, Mr. DELAHUNT, Ms. MCKINNEY, Ms. DELAURO, Mr. HOLT, Mr. SAXTON, Mr. HOYER, and Mr. GEORGE MILLER of California.
H. Con. Res. 162: Mr. SCHIFF, Ms. MCKINNEY, Mr. WEINER, Mrs. MALONEY of New York, Mrs. NAPOLITANO, Mr. BILIRAKIS, Mr. STARK, Ms. ESHOO, Mr. VISCLOSKY, Mr. BLAGOJEVICH, Mr. BACA, and Mr. HOYER.
H. Con. Res. 178. Mr. SMITH of New Jersey.
H. Con. Res. 180: Ms. ROS-LEHTINEN, Mr. LANTOS, Mr. VISCLOSKY, Mr. BLUMENAUER, Ms. SOLIS, Mr. ABERCROMBIE, and Mr. GILMAN.
H. Con. Res. 188: Mr. BALDACCI, Mr. RODRIGUEZ, Ms. ESHOO, and Mr. WELDON of Florida.
H. Res. 72: Mr. KIND, Mr. BALDACCI, Mr. SIMMONS, Mr. HINCHEY, and Mr. PLATTS.
H. Res. 132: Mr. LARSON of Connecticut, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. OWENS, and Mr. ENGEL.
H. Res. 133: Mr. ABERCROMBIE, Mrs. CAPPS, Mr. EVANS, Mr. HILLIARD, Mr. CAPUANO, Mr. SHERMAN, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mr. KUCINICH, Mr. TOWNS, Ms. ESHOO, Mr. HINCHEY, Mr. MCGOVERN, Mr. TRAFICANT, Mr. FRANK, Mr. DOGGETT, Mr. ROHRABACHER, Mr. LEVIN, Mrs. MINK of Hawaii, Mr. LAMPSON, Mr. STARK, Mr. BOUCHER, Mr. DELAHUNT, and Mr. HOYER.

FRIDAY, JULY 20, 2001 (77)

The House was called to order by the SPEAKER.

¶77.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, July 19, 2001.

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

¶77.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2976. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Eighty-Seventh Annual Report of the Board of Governors of the Federal Reserve System covering operations during calendar year 2000, pursuant to 12 U.S.C. 247; to the Committee on Financial Services.

2977. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board's semiannual Monetary Policy Report, pursuant to P.L. 106–569; to the Committee on Financial Services.

2978. A letter from the Legal Technician, NHTSA, Department of Transportation, transmitting the Department's final rule—Occupant Protection Incentive Grants [Docket No. NHTSA–01–10154] (RIN: 2127–AH40) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2979. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Revisions to the California State Implementation Plan, Kern County Air Pollution Control District, Monterey Bay Unified Air Pollution District, Modoc County Air Pollution Control District [CA032–0241a; FRL–7001–2] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2980. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District, El Dorado County Air Pollution Control District [CA241–0239a; FRL–7005–1] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2981. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office for defense articles and services (Transmittal No. 01–19), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2982. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2983. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies

Reform Act of 1998; to the Committee on Government Reform.

2984. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2985. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2986. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2987. A letter from the Auditor, District of Columbia, transmitting a report entitled, ''Health and Safety of the District's Mentally Ill Jeopardized by Program Deficiencies and Inadequate Oversight''; to the Committee on Government Reform.

2988. A letter from the Administrator, General Services Administration, transmitting a report on FY 2002 Annual Performance Plan; to the Committee on Government Reform.

2989. A letter from the Acting Director, Office of Personnel Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2990. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revisions to Requirements Concerning Airplane Operating Limitations and the Content of Airplane Flight Manuals for Transport Category Airplanes [Docket No. FAA–2000–8511; Amendment No. 25–105] (RIN: 2120–AH32) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2991. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Protection of Voluntarily Submitted Information [Docket No. FAA–1999–6001; Amendment No. 193–1] (RIN: 2120–AG36) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2992. A letter from the the Clerk of the House of Representatives, transmitting the annual compilation of personal financial disclosure statements and amendments thereto filed with the Clerk of the House of Representatives, pursuant to Rule XXVII, clause 1, of the House Rules; (H. Doc. No. 107–104); to the Committee on Standards of Official Conduct and ordered to be printed.

¶77.3 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2216

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 204):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered. After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶77.4 SUPPLEMENTAL APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 204, called up the following conference report (Rept. No. 107–148):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2216) ''making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes'' having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—NATIONAL SECURITY MATTERS

CHAPTER 1

DEPARTMENT OF JUSTICE

RADIATION EXPOSURE COMPENSATION

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For payment to the Radiation Exposure Compensation Trust Fund for approved claims, for fiscal year 2001, such sums as may be necessary.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $164,000,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $84,000,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $69,000,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $119,500,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $52,000,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $8,500,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $6,000,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $12,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $792,400,000, of which $214,000,000 shall be made available only for the repair and maintenance of real property.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $1,024,100,000: Provided, That of the funds made available under this heading, $10,200,000 shall remain available for obligation until September 30, 2002.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $62,000,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $813,800,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $123,250,000: Provided, That of the funds made available under this heading, $6,800,000 shall remain available for obligation until September 30, 2002.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $20,500,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $12,500,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $1,900,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $34,000,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $42,900,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $119,300,000.

PROCUREMENT

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $7,000,000, to remain available for obligation until September 30, 2003.

SHIPBUILDING AND CONVERSION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Shipbuilding and Conversion, Navy'', $297,000,000: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amount specified: Provided further, That the amounts transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriations to which transferred:

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1995/2001'':

Carrier Replacement Program, $84,000,000;

DDG–51 Destroyer Program, $300,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2001'':

DDG–51 Destroyer Program, $14,600,000;

LPD–17 Amphibious Transport Dock Ship Program, $140,000,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1997/2001'':

DDG–51 Destroyer Program, $12,600,000; and

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2001'':

NSSN Program, $32,000,000;

DDG–51 Destroyer Program, $13,500,000.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $78,000,000, to remain available for obligation until September 30, 2003.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $15,500,000, to remain available for obligation until September 30, 2003.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $31,200,000, to remain available for obligation until September 30, 2003.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $138,150,000, to remain available for obligation until September 30, 2003.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $5,800,000, to remain available for obligation until September 30, 2003.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $5,000,000, to remain available for obligation until September 30, 2002.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $128,000,000, to remain available for obligation until September 30, 2002.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $275,500,000, to remain available for obligation until September 30, 2002.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $84,100,000, to remain available for obligation until September 30, 2002.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $178,400,000, to remain available until expended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,453,400,000 for Operation and maintenance, of which $500,000,000 shall remain available until September 30, 2002: Provided, That of the funds made available in this paragraph, not more than $655,000,000 may be made available for a global settlement of claims made under TRICARE managed care support contracts: Provided further, That of the funds made available in this paragraph, not less than $151,200,000 shall be made available upon enactment only for requirements of the direct care system and military medical treatment facilities, to be administered solely by the uniformed services Surgeons General: Provided further, That funds made available in this paragraph may be used to cover increases in costs associated with the provision of health care services to eligible beneficiaries of all the uniformed services.

For an additional amount for ''Defense Health Program'', $150,000,000 for Operation and maintenance, to remain available until expended, only for the use of the Surgeons General to improve the quality of care provided at military medical treatment facilities, of which $30,000,000 shall be made available only to optimize health care services at Army military medical treatment facilities, $30,000,000 shall be made available only to optimize health care services at Navy military medical treatment facilities, $30,000,000 shall be made available only to optimize health care services at Air Force military medical treatment facilities, $30,000,000 shall be made available only to finance advances in medical practices to be equally divided between the services, and $30,000,000 shall be made available for other requirements of the direct care system and military medical treatment facilities: Provided, That the funds provided in this paragraph are to be administered solely by the Army, Navy and Air Force Surgeons General: Provided further, That none of the funds provided in this paragraph may be made available for optimization programs, projects or activities unless the Surgeon General of the respective service determines that: (1) such program, project or activity shall produce annual cost savings in excess of annual cost within not more than three years from the date of project initiation, or (2) that such program, project or activity is necessary to address a serious health care deficiency at a military medical treatment facility that could threaten health care outcomes: Provided further, That none of the funds provided in this paragraph may be made available to a service unless the Secretary of Defense expresses the intent to the congressional defense committees that all optimization programs, projects and activities financed in this paragraph will be continued and fully financed in the Department of Defense six year budget plan known as the Program Objective Memorandum.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1201. Fuel transferred by the Defense Energy Supply Center to the Department of the Interior for use at Midway Island during fiscal year 2000 shall be deemed for all purposes to have been transferred on a nonreimbursable basis.

SEC. 1202. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

(INCLUDING TRANSFER OF FUNDS)

SEC. 1203. In addition to the amount appropriated in section 308 of Division A, Miscellaneous Appropriations Act, 2001, as enacted by section 1(a)(4) of Public Law 106–554 (114 Stat. 2763A–181 and 182), $44,000,000 is hereby appropriated for ''Operation and Maintenance, Navy'', to remain available until expended: Provided, That such amount, and the amount previously appropriated in section 308, shall be for costs associated with the stabilization, return, refitting, necessary force protection upgrades, and repair of the U.S.S. COLE, including any costs previously incurred for such purposes: Provided further, That the Secretary of Defense may transfer these funds to appropriations accounts for procurement: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That the transfer authority provided herein is in addition to any other transfer authority available to the Department of Defense.

(RESCISSIONS)

SEC. 1204. Of the funds made available in Department of Defense Appropriations Acts, or otherwise available to the Department of Defense, the following funds are hereby rescinded, from the following accounts in the specified amounts:

''Procurement, Marine Corps, 2000/2002'', $3,000,000;

''Overseas Contingency Operations Transfer Fund, 2001'', $200,000,000;

''Foreign Currency Fluctuations, Defense'', $68,400,000;

''Aircraft Procurement, Navy 2001/2003'', $199,000,000;

''Shipbuilding and Conversion, Navy, 2001/2005'', LPD–17(AP), $75,000,000;

''Procurement, Marine Corps, 2001/2003'', $5,000,000;

''Aircraft Procurement, Air Force, 2001/2003'', $327,500,000;

''Other Procurement, Air Force, 2001/2003'', $65,000,000;

''Procurement, Defense-Wide, 2001/2003'', $85,000,000; and

''Research, Development, Test and Evaluation, Defense-Wide, 2001/2002'', $7,000,000.

SEC. 1205. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 2001 (Public Law 106–259), $39,900,000 is hereby appropriated to the Department of Defense, for facilities repair and damages resulting from natural disasters, as follows:

''Operation and Maintenance, Army'', $6,500,000;

''Operation and Maintenance, Navy'', $23,000,000;

''Operation and Maintenance, Air Force'', $8,000,000;

''Operation and Maintenance, Army Reserve'', $200,000;

''Operation and Maintenance, Air Force Reserve'', $200,000;

''Operation and Maintenance, Army National Guard'', $400,000;

''Operation and Maintenance, Air National Guard'', $400,000; and

''Defense Health Program'', $1,200,000.

SEC. 1206. The authority to purchase or receive services under the demonstration project authorized by section 816 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337) may be exercised through January 31, 2002, notwithstanding subsection (c) of that section.

SEC. 1207. Notwithstanding any other provision of law, the Secretary of Defense may retain all or a portion of Fort Greely, Alaska as the Secretary deems necessary, to meet military, operational, logistics and personnel support requirements for missile defense.

SEC. 1208. Of the funds appropriated in the Department of Defense Appropriations Act, 2001, Public Law 106–259, in Title IV under the heading, ''Research, Development, Test and Evaluation, Navy'', $2,000,000 may be made available for a Maritime Fire Training Center at the Marine and Environmental Research and Training Station (MERTS), and $2,000,000 may be made available for a Maritime Fire Training Center at Barbers Point, including provision for laboratories, construction, and other efforts associated with research, development, and other programs of major importance to the Department of Defense.

SEC. 1209. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $8,000,000 shall be available for the purpose of repairing storm damage at Fort Sill, Oklahoma, and Red River Army Depot, Texas.

SEC. 1210. (a) Notwithstanding any other provision of law, the Secretary of the Army shall convey to the City of Bayonne, New Jersey, without consideration, all right, title, and interest of the United States in and to the firefighting and rescue vehicles described in subsection (b).

(b) The firefighting and rescue vehicles referred to in subsection (a) are a rescue hazardous materials truck, a 2,000 gallon per minute pumper, and a 100-foot elevating platform truck, all of which are at Military Ocean Terminal, Bayonne, New Jersey.

SEC. 1211. None of the funds available to the Department of Defense for fiscal year 2001 may be obligated or expended for retiring or dismantling any of the 93 B–1B Lancer bombers in service as of June 1, 2001, or for transferring or reassigning any of those aircraft from the unit, or the facility, to which assigned as of that date.

CHAPTER 3

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For an additional amount for ''Weapons Activities'', $126,625,000, to remain available until expended: Provided, That funding is authorized for Project 01–D–107, Atlas Relocation and Operations, and Project 01–D–108, Microsystems and Engineering Sciences Applications Complex.

OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For an additional amount for ''Defense Environmental Restoration and Waste Management'', $95,000,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For an additional amount for ''Defense Facilities Closure Projects'', $21,000,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For an additional amount for ''Defense Environmental Management Privatization'', $29,600,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For an additional amount for ''Other Defense Activities'', $5,000,000, to remain available until expended.

CHAPTER 4

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $22,000,000: Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, NAVY

For an additional amount for ''Military Construction, Navy'', $9,400,000: Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $10,000,000: Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for ''Military Construction, Air National Guard'', $6,700,000: Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

FAMILY HOUSING, ARMY

For an additional amount for ''Family Housing, Army'', $30,480,000 for operation and maintenance.

FAMILY HOUSING, NAVY AND MARINE CORPS

For an additional amount for ''Family Housing, Navy and Marine Corps'', $20,300,000 for operation and maintenance.

FAMILY HOUSING, AIR FORCE

For an additional amount for ''Family Housing, Air Force'', $18,000,000 for operation and maintenance.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

For an additional amount for deposit into the ''Department of Defense Base Realignment and Closure Account 1990'', $9,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1401. (a) CADET PHYSICAL DEVELOPMENT CENTER.—Notwithstanding section 138 of the Military Construction Appropriations Act, 2001 (division A of Public Law 106–246; 114 Stat. 524), the Secretary of the Army may expend appropriated funds in excess of the amount specified by such section to construct and renovate the Cadet Physical Development Center at the United States Military Academy, except that—

(1) such additional expenditures may be used only for the purposes of meeting unanticipated price increases and related construction contingency costs and making minor changes to the project to incorporate design features that result in reducing long-term operating costs; and

(2) such additional expenditures may not exceed the difference between the authorized amount for the project and the amount specified in such section.

(b) LIMITATIONS AND REPORTS.—No sums may be expended for final phase construction of the project until 15 days after the Secretary of the Army submits a report to the congressional defense committees describing the revised cost estimates referred to in subsection (a), the methodology used in making these cost estimates, and the changes in project costs compared to estimates made in October, 2000. Not later than August 1, 2001, the Secretary of the Army shall submit a report to the congressional defense committees explaining the plan of the Department of the Army to expend privately donated funds for capital improvements at the United States Military Academy between fiscal years 2001 and 2011.

SEC. 1402. Except as otherwise specifically provided in this Chapter, amounts provided to the Department of Defense under each of the headings in this Chapter shall be made available for the same time period as the amounts appropriated under each such heading in Public Law 106–246.

(RESCISSIONS)

SEC. 1403. Of the funds provided in the Military Construction Appropriations Act, 2001 (Public Law 106–246), the following amounts are hereby rescinded as of the date of the enactment of this Act:

''Military Construction, Army'', $12,856,000;

''Military Construction, Navy'', $6,213,000;

''Military Construction, Air Force'', $4,935,000;

''Military Construction, Defense-Wide'', $4,376,000;

''Family Housing, Army'', $4,000,000; and

''Family Housing, Air Force'', $4,375,000.

SEC. 1404. Notwithstanding any other provision of law, the amount authorized, and authorized to be appropriated, for the Defense Agencies for the TRICARE Management Agency for a military construction project for Bassett Army Hospital at Fort Wainwright, Alaska, shall be $215,000,000.

SEC. 1405. DESIGNATION OF ENGINEERING AND MANAGEMENT BUILDING AT NORFOLK NAVAL SHIPYARD, VIRGINIA, AFTER NORMAN SISISKY. The engineering and management building (also known as Building 1500) at Norfolk Naval Shipyard, Portsmouth, Virginia, shall be known as the Norman Sisisky Engineering and Management Building. Any reference to that building in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Norman Sisisky Engineering and Management Building.

TITLE II—OTHER SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

For an additional amount for ''Office of the Secretary'', $3,000,000, to remain available until September 30, 2002: Provided, That of these funds, no less than $1,000,000 shall be used for enforcement of the Animal Welfare Act: Provided further, That of these funds, no less than $1,000,000 shall be used to enhance humane slaughter practices under the Federal Meat Inspection Act: Provided further, That no more than $500,000 of these funds shall be made available to the Under Secretary for Research, Education and Economics for development and demonstration of technologies to promote the humane treatment of animals: Provided further, That these funds may be transferred to and merged with appropriations for agencies performing this work.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $5,000,000.

FARM SERVICE AGENCY

AGRICULTURAL CONSERVATION PROGRAM

(RESCISSION)

Of the funds appropriated for ''Agricultural Conservation Program'' under Public Law 104–37, $45,000,000 are rescinded.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for ''Watershed and Flood Prevention Operations'', to repair damages to waterways and watersheds resulting from natural disasters, $35,500,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2101. Title I of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106–387; 114 Stat. 1549, 1549A–10) is amended by striking ''until expended'' under the heading ''Buildings and Facilities'' under the heading ''Animal and Plant Health Inspection Service'' and adding the following: ''until expended: Provided, That notwithstanding any other provision of law (including chapter 63 of title 31, U.S.C.), $4,670,000 of the amount shall be transferred by the Secretary and once transferred, shall be state funds for the construction, renovation, equipment, and other related costs for a post entry plant quarantine facility and related laboratories as described in Senate Report 106–288''.

SEC. 2102. The paragraph under the heading ''Rural Community Advancement Program'' in title III of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106–387; 114 Stat. 1549, 1549A–17) is amended—

(1) in the third proviso, by striking ''ability of'' and inserting ''ability of low income rural communities and''; and

(2) in the fourth proviso, by striking ''assistance to'' the first place it appears and inserting ''assistance and to''.

SEC. 2103. (a) Not later than August 1, 2001, the Federal Crop Insurance Corporation shall promulgate final regulations to carry out section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 522(b)), without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 FR 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(b) In carrying out this section, the Corporation shall use the authority provided under section 808 of title 5, United States Code.

(c) The final regulations promulgated under subsection (a) shall take effect on the date of publication of the final regulations.

SEC. 2104. In addition to amounts otherwise available, $20,000,000, to remain available until expended, from amounts pursuant to 15 U.S.C. 713a–4 for the Secretary of Agriculture to make available financial assistance to eligible producers to promote water conservation in the Klamath Basin, as determined by the Secretary: Provided, That the issuance of regulations promulgated pursuant to this section shall be made without regard to: (1) the notice and comment provisions of section 553 of title 5, United States Code; (2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and (3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''): Provided further, That in carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 2105. Under the heading ''Food Stamp Program'' in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106–387), in the sixth proviso, strike ''$194,000,000'' and insert in lieu thereof ''$191,000,000''.

SEC. 2106. Of funds which may be reserved by the Secretary for allocation to State agencies

under section 16(h)(1) of the Food Stamp Act of 1977 to carry out the Employment and Training program, $39,500,000 made available in prior years are rescinded and returned to the Treasury.

SEC. 2107. In addition to amounts otherwise available, $2,000,000, to remain available until expended, from amounts pursuant to 15 U.S.C. 713a–4 for the Secretary of Agriculture to make available financial assistance to eligible producers to promote water conservation in the Yakima Basin, Washington, as determined by the Secretary: Provided, That the issuance of regulations promulgated pursuant to this section shall be made without regard to: (1) the notice and comment provisions of section 553 of title 5, United States Code; (2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and (3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''): Provided further, That in carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 2108. (a) In addition to the payment of any other eligible expenses, the Secretary of Agriculture shall have the authority to approve the use of Commodity Credit Corporation funds pursuant to 15 U.S.C. 713a–4 to make available up to $22,949,000 of financial assistance for internal transportation, storage, and handling expenses, and for any appropriate administrative expenses as determined by the Secretary, for cooperating sponsors with which the Secretary has entered into agreements in fiscal year 2001 or 2002 under the Global Food for Education Initiative covered by the notice published by the Corporation in the Federal Register on September 6, 2000 (65 Fed. Reg. 53977 et seq.), for their activities under those agreements.

(b) The unobligated balance of the funds appropriated by section 745(e) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–387) is rescinded.

CHAPTER 2

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

COASTAL AND OCEAN ACTIVITIES

(INCLUDING RESCISSION)

Of the funds made available in Public Law 106–553 for the costs of construction of a research center at the ACE Basin National Estuarine Research Reserve, for use under this heading until expended, $8,000,000 are rescinded.

For an additional amount for the activities specified in Public Law 106–553 for which funds were rescinded in the preceding paragraph, $3,000,000, to remain available until expended for construction and $5,000,000, to remain available until expended for land acquisition.

DEPARTMENTAL MANAGEMENT

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM

(RESCISSION)

Of the funds made available in the Emergency Oil and Gas Guaranteed Loan Program Act (chapter 2 of Public Law 106–51; 113 Stat. 255–258), $114,800,000 are rescinded.

RELATED AGENCY

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING RESCISSION)

Of the funds made available in Public Law 106–553 for the costs of technical assistance related to the New Markets Venture Capital Program for use under this heading in only fiscal year 2001, $30,000,000 are rescinded.

For an additional amount for the activities specified in Public Law 106–553 for which funds were rescinded in the preceding paragraph, $30,000,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION)

Of the funds made available in Public Law 106–553 for the costs of guaranteed loans under the New Markets Venture Capital Program for use under this heading in only fiscal year 2001, $22,000,000 are rescinded.

For an additional amount for the activities specified in Public Law 106–553 for which funds were rescinded in the preceding paragraph, $22,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2201. Section 144(d) of Division B of Public Law 106–554 is amended—

(1) in paragraph (1) and paragraph (5)(B) by striking ''not later than May 1, 2001'' and inserting in lieu thereof ''as soon as practicable'';

(2) in paragraph (2)(A) by striking ''for vessels'' and inserting in lieu thereof ''who hold such permits based on fishing histories'';

(3) in paragraph (2)(B)(i) by striking ''meets'' and inserting in lieu thereof ''is fishing under a permit that is issued based on fishing histories that meet'';

(4) in paragraph (2)(B)(i) by inserting '', provided that any interim Bering Sea crab fishery certificates issued after December 1, 2000 shall remain valid until the Secretary implements final regulations consistent with the provisions of this subparagraph'' after ''paragraph'';

(5) in paragraph (3) by striking ''the May 1, 2001 date'' and inserting in lieu thereof ''the direction to issue regulations as soon as practicable as'';

(6) in paragraph (3) by striking ''with that date''; and

(7) in paragraph (2)(A)(ii) by striking ''have made'' and inserting in lieu thereof ''except as specifically provided otherwise in the regulations described in clause (i), include''.

SEC. 2202. (a) Section 12102(c) of title 46, United States Code, as amended by section 202(a) of the American Fisheries Act (46 U.S.C. 12102 note), is amended—

(1) in paragraph (2)(B) by striking ''or the use'' and all that follows in such paragraph and inserting in lieu thereof ''or the exercise of rights under loan or mortgage covenants by a mortgagee eligible to be a preferred mortgagee under section 31322(a) of this title, provided that a mortgagee not eligible to own a vessel with a fishery endorsement may only operate such a vessel to the extent necessary for the immediate safety of the vessel or for repairs, drydocking or berthing changes.''; and

(2) by striking paragraph (4) and renumbering the remaining paragraph accordingly.

(b) Section 31322(a)(4) of title 46, United States Code, as amended by section 202(b) of the American Fisheries Act (Public Law 105–277, Division C, Title II) is amended by striking paragraph (4)(B) and all that follows in such paragraph and inserting in lieu thereof the following:

''(B) a state or federally chartered financial institution that is insured by the Federal Deposit Insurance Corporation;

''(C) a farm credit lender established under Title 12, Chapter 23 of the United States Code;

''(D) a commercial fishing and agriculture bank established pursuant to State law;

''(E) a commercial lender organized under the laws of the United States or of a State and eligible to own a vessel under section 12102(a) of this title; or

''(F) a mortgage trustee under subsection (f) of this section.''.

(c) Section 31322 of title 46, United States Code is amended by adding at the end the following new subsections:

''(f)(1) A mortgage trustee may hold in trust, for an individual or entity, an instrument or evidence of indebtedness, secured by a mortgage of the vessel to the mortgage trustee, provided that the mortgage trustee—

''(A) is eligible to be a preferred mortgagee under subsection (a)(4), subparagraphs (A)–(E) of this section;

''(B) is organized as a corporation, and is doing business, under the laws of the United States or of a State;

''(C) is authorized under those laws to exercise corporate trust powers;

''(D) is subject to supervision or examination by an official of the United States Government or a State;

''(E) has a combined capital and surplus (as stated in its most recent published report of condition) of at least $3,000,000; and

''(F) meets any other requirements prescribed by the Secretary.

''(2) If the beneficiary under the trust arrangement is not a commercial lender, a lender syndicate or eligible to be a preferred mortgagee under subsection (a)(4), subparagraphs (A)–(E) of this section, the Secretary must determine that the issuance, assignment, transfer, or trust arrangement does not result in an impermissible transfer of control of the vessel to a person not eligible to own a vessel with a fishery endorsement under section 12102(c) of this title.

''(3) A vessel with a fishery endorsement may be operated by a mortgage trustee only with the approval of the Secretary.

''(4) A right under a mortgage of a vessel with a fishery endorsement may be issued, assigned, or transferred to a person not eligible to be a mortgagee of that vessel under this section only with the approval of the Secretary.

''(5) The issuance, assignment, or transfer of an instrument or evidence of indebtedness contrary to this subsection is voidable by the Secretary.

''(g) For purposes of this section a 'commercial lender' means an entity primarily engaged in the business of lending and other financing transactions with a loan portfolio in excess of $100,000,000, of which not more than 50 per centum in dollar amount consists of loans to borrowers in the commercial fishing industry, as certified to the Secretary by such lender.

''(h) For purposes of this section a 'lender syndicate' means an arrangement established for the combined extension of credit of not less than $20,000,000 made up of four or more entities that each have a beneficial interest, held through an agent, under a trust arrangement established pursuant to subsection (f), no one of which may exercise powers thereunder without the concurrence of at least one other unaffiliated beneficiary.''.

(d) Section 31322 of title 46, United States Code as amended in this section, and as amended by section 202(b) of the American Fisheries Act (Public Law 105–277, Division C, Title II) shall not take effect until April 1, 2003, nor shall the Secretary of Transportation, in determining whether a vessel owner complies with the requirements of section 12102(c) of title 46, United States Code, consider the citizenship status of a lender, in its capacity as a lender with respect to that vessel owner, until after April 1, 2003.

(e)(1) Section 213(g) of the American Fisheries Act (Public Law 105–277, Division C, Title II) is amended by—

(A) striking ''October 1, 2001'' both places it appears;

(B) striking ''such date'' and inserting in lieu thereof ''or if the percentage of foreign ownership in the vessel is increased after the effective date of this subsection''; and

(C) striking ''such vessel'' the first time it appears and inserting ''their ownership or mortgage interest in such vessel on that date'' in lieu thereof.

(2) Section 213(g) of the American Fisheries Act (Public Law 105–277, Division C, Title II) shall take effect on the date of enactment of this Act.

SEC. 2203. (a) Section 20(a)(1) of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(F) to pay for small business development center grants as mandated or directed by Congress.''.

(b) Section 21(a)(4)(C)(v)(II) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(v)(II), is amended by inserting '', or accompanying report language,'' after ''in appropriations Acts''.

SEC. 2204. Section 633 of Public Law 106–553 is amended with respect to a grant of $2,000,000 for Promesa Enterprises in the Bronx, New York, by inserting the words ''financially or otherwise'' after ''to assist community-based businesses''.

CHAPTER 3

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For a Federal contribution to the Chief Financial Officer of the District of Columbia for the Excel Institute Adult Education Program, $1,000,000, of which $250,000 shall be derived by transfer from the appropriation ''Federal Payment for Plan to Simplify Employee Compensation Systems'' in the District of Columbia Appropriations Act, 2001 (Public Law 106–522; 114 Stat. 2444).

DISTRICT OF COLUMBIA FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT

(INCLUDING RESCISSION)

For an additional amount for ''Governmental Direction and Support'', $5,400,000 from local funds for increases in natural gas costs.

Of the funds appropriated under this heading for the fiscal year ending September 30, 2001, in the District of Columbia Appropriations Act, 2001, approved November 22, 2000 (Public Law 106–522; 114 Stat. 2447), $250,000 to simplify employee compensation systems are rescinded.

ECONOMIC DEVELOPMENT AND REGULATION

For an additional amount for ''Economic Development and Regulation'', $1,000,000 from local funds for the implementation of the New E-Conomy Transformation Act of 2000, (D.C. Act 13–543), and $624,820 for the Department of Consumer and Regulatory Affairs for the purposes of D.C. Code, sec. 5–513: Provided, That the Department shall transfer all local funds resulting from the lapse of personnel vacancies, caused by transferring Department of Consumer and Regulatory Affairs employees into Neighborhood Stabilization Officer positions without the filling of the resultant vacancies, into the general fund, of these funds an amount not to exceed $60,000 may be used to implement the provisions in D.C. Bill 13–646, the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, pertaining to the prevention of the demolition by neglect of historic properties: Provided further, That the fees established and collected pursuant to D.C. Bill 13–646 shall be identified, and an accounting provided, to the Committee on Consumer and Regulatory Affairs of the Council of the District of Columbia.

PUBLIC SAFETY AND JUSTICE

(INCLUDING RESCISSION)

For an additional amount for ''Public Safety and Justice'', $8,901,000 from local funds to be allocated as follows: $2,800,000 is for the Metropolitan Police Department of which $800,000 is for the speed camera program and $2,000,000 is for the Fraternal Order of Police arbitration award and the Fair Labor Standards Act liability; $5,940,000 is for the Fire and Emergency Medical Services Department of which $5,540,000 is for pre-tax payments for pension, health and life insurance premiums and $400,000 is for the fifth fire fighter on trucks initiative; and $161,000 is for the Child Fatality Review Committee established pursuant to the Child Fatality Review Committee Establishment Emergency Act of 2001 (D.C. Act 14–40) and the Child Fatality Review Committee Establishment Temporary Act of 2001 (D.C. Bill 14–165).

In addition, of all funds in the District of Columbia Antitrust Fund established pursuant to section 2 of the District of Columbia Antitrust Act of 1980 (D.C. Law 3–169; D.C. Code, sec. 28–4516) an amount not to exceed $52,000, of all funds in the Antifraud Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6–85; D.C. Code, sec. 1–1188.20) an amount not to exceed $5,500, and of all funds in the District of Columbia Consumer Protection Fund established pursuant to section 1402 of the District of Columbia Budget Support Act for Fiscal Year 2001 (D.C. Law 13–172; D.C. Code, sec. 28–3911) an amount not to exceed $43,000, are hereby made available for the use of the Office of the Corporation Counsel of the District of Columbia until September 30, 2001, in accordance with the statutes that established these funds.

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2001, approved November 22, 2000 (Public Law 106–522), $131,000 for Taxicab Inspectors are rescinded.

PUBLIC EDUCATION SYSTEM

For an additional amount for ''Public Education System'', $1,000,000 from local funds for the State Education Office for a census-type audit of the student enrollment of each District of Columbia Public School and of each public charter school and $12,000,000 from local funds for the District of Columbia Public Schools to conduct the 2001 summer school session.

In addition, section 108(b) of the District of Columbia Public Education Act, Public Law 89–791 as amended (sec. 31–1408, D.C. Code), is amended by adding a new sentence at the end of the subsection, which states: ''In addition, any proceeds and interest accruing thereon, which remain from the sale of the former radio station WDCU in an escrow account of the District of Columbia Financial Management and Assistance Authority for the benefit of the University of the District of Columbia, shall be used for the University of the District of Columbia's Endowment Fund. Such proceeds may be invested in equity based securities if approved by the Chief Financial Officer of the District of Columbia.''.

HUMAN SUPPORT SERVICES

For an additional amount for ''Human Support Services'', $28,000,000 from local funds to be allocated as follows: $15,000,000 for expansion of the Medicaid program; $4,000,000 to increase the local share for Disproportionate Share to Hospitals (DSH) payments; $3,000,000 for the Disability Compensation Fund; $1,000,000 for the Office of Latino Affairs for Latino Community Education grants; and $5,000,000 for the Children Investment Trust.

PUBLIC WORKS

For an additional amount for ''Public Works'', $131,000 from local funds for Taxicab Inspectors.

FINANCING AND OTHER USES

WORKFORCE INVESTMENTS

For expenses associated with the workforce investments program, $40,500,000 from local funds.

WILSON BUILDING

For an additional amount for ''Wilson Building'', $7,100,000 from local funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For an additional amount for ''Water and Sewer Authority and the Washington Aqueduct'', $2,151,000 from local funds for the Water and Sewer Authority for initiatives associated with complying with stormwater legislation and proposed right-of-way fees.

GENERAL PROVISION—THIS CHAPTER

SEC. 2301. REPORT BY THE MAYOR. The Mayor of the District of Columbia shall provide the House and Senate Committees on Appropriations, the Senate Committee on Governmental Affairs and the House Committee on Government Reform with a report on the specific authority necessary to carry out the responsibilities transferred to the Chief Financial Officer in a non-control year, outlined in section 155 of Public Law 106–522, the Fiscal Year 2001 District of Columbia Appropriations Act, and responsibilities outlined in Bill 14–254, passed by the Council of the District of Columbia on July 10, 2001 relating to the transition of responsibilities under Public Law 104–8, the District of Columbia Financial Responsibility and Management Assistance Act of 1995, within forty-five (45) days of enactment of this Act.

CHAPTER 4

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For an additional amount for ''Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee'', for emergency expenses due to flooding and other natural disasters, $9,000,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for ''Operation and Maintenance, General'', $86,500,000, to remain available until expended: Provided, That using $8,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to repair, restore, and clean up Corps' projects and facilities, dredge navigation channels, restore and clean out area streams, provide emergency streambank protection, restore other crucial public infrastructure (including sewer and water facilities), document flood impacts, and undertake other flood recovery efforts deemed necessary and advisable by the Chief of Engineers due to the July 2001 flooding in Southern and Central West Virginia: Provided further, That using $1,900,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the project authorized by section 518 of Public Law 106–53, at full Federal expense.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act of August 18, 1941, as amended, $50,000,000, to remain available until expended.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For an additional amount for ''Non-Defense Environmental Management'', $11,950,000, to remain available until expended.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

For an additional amount for ''Uranium Facilities Maintenance and Remediation'', $30,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For an additional amount for ''Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration'', $1,578,000, to remain available until expended: Provided, That these funds shall be non-reimbursable.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2401. Of the amounts appropriated under the heading ''Operation and Maintenance, General'' under title I of the Energy and Water Development Appropriations Act, 2001 (enacted by Public Law 106–377; 114 Stat. 1441 A–62),

$500,000 made available for the Chickamauga Lock, Tennessee, shall be available for completion of the feasibility study for Chickamauga Lock, Tennessee.

SEC. 2402. AUTHORIZATION TO ACCEPT PREPAYMENT OF OBLIGATIONS. (a) IN GENERAL.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), the Bureau of Reclamation may accept prepayment for all remaining repayment obligations under Contract I78r–423, Amendment 4 (referred to in this section as the ''Contract'') entered into with the United States.

(b) CONTRACTUAL OBLIGATIONS.—If full prepayment of all remaining repayment obligations under the Contract is offered—

(1) the Secretary of the Interior shall accept the prepayment; and

(2) on acceptance by the Secretary of the prepayment all land covered by the Contract shall not be subject to the ownership and full cost pricing limitation under Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

SEC. 2403. INCLUSION OF RENAL CANCER AS BASIS FOR BENEFITS UNDER THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000. (a) Section 3621(17) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (title XXXVI of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–502)) is amended by adding at the end the following new subparagraph:

''(C) Renal cancers.''.

(b) This section shall be effective on October 1, 2001.

CHAPTER 5

BILATERAL ECONOMIC ASSISTANCE

AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND DISEASE PROGRAMS FUND

(INCLUDING RESCISSION)

For an additional amount for ''Child Survival and Disease Programs Fund'', $100,000,000, to remain available until expended: Provided, That this amount may be made available, notwithstanding any other provision of law, for a United States contribution to a global trust fund to combat HIV/AIDS, malaria, and tuberculosis.

Of the funds made available under this heading in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, and prior Acts, $10,000,000 are rescinded.

OTHER BILATERAL ASSISTANCE

ECONOMIC SUPPORT FUND

(RESCISSION)

Of the funds made available under this heading in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, and prior Acts, $10,000,000 are rescinded.

GENERAL PROVISION—THIS CHAPTER

SEC. 2501. The final proviso in section 526 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (as enacted into law by section 1000(a)(2) of Public Law 106–113), as amended, is hereby repealed, and the funds identified by such proviso shall be made available pursuant to the authority of section 526 of Public law 106–429.

CHAPTER 6

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for ''Management of Lands and Resources'', $3,000,000, to remain available until expended, to address increased permitting responsibilities related to energy needs.

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $17,700,000, to remain available until expended, to repair damages caused by floods, ice storms, and earthquakes in the States of Washington, Illinois, Iowa, Minnesota, Missouri, Wisconsin, New Mexico, Oklahoma, and Texas.

NATIONAL PARK SERVICE

UNITED STATES PARK POLICE

For an additional amount for ''United States Park Police'', $1,700,000, to remain available until September 30, 2002, for unbudgeted increases in pension costs for retired United States Park Police officers.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Operation of Indian Programs'', $50,000,000, to remain available until expended, for electric power operations and related activities at the San Carlos Irrigation Project, of which such amounts as necessary may be transferred to other appropriations accounts for repayment of advances previously made for such power operations.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For an additional amount for ''Forest and Rangeland Research'', $1,400,000, to remain available until expended, to carry out research and development activities to arrest, control, eradicate, and prevent the spread of sudden oak death syndrome.

STATE AND PRIVATE FORESTRY

For an additional amount for ''State and Private Forestry'', $22,000,000, to remain available until expended, to repair damages caused by ice storms in the States of Arkansas, Oklahoma, and Texas, and for emergency pest suppression and prevention on Federal, State and private lands.

For an additional amount for ''State and Private Forestry'', $750,000 to be provided to the Kenai Peninsula Borough Spruce Bark Beetle Task Force for emergency response and $1,750,000 to be provided to the Municipality of Anchorage for emergency fire fighting response and preparedness to respond to wildfires in spruce bark beetle infested forests, to remain available until expended: Provided, That such amounts shall be provided as direct lump sum payments within 30 days of enactment of this Act.

NATIONAL FOREST SYSTEM

For an additional amount for ''National Forest System'', $12,000,000, to remain available until expended, to repair damages caused by ice storms in the States of Arkansas and Oklahoma and to address illegal cultivation of marijuana in California and Kentucky.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING RESCISSION)

Of the funds appropriated in Title V of Public Law 105–83 for the purposes of section 502(e) of that Act, the following amounts are rescinded: $1,000,000 for snow removal and pavement preservation and $4,000,000 for pavement rehabilitation.

For an additional amount for ''Capital Improvement and Maintenance'', $5,000,000, to remain available until expended, for the purposes of section 502(e) of Public Law 105–83.

For an additional amount for ''Capital Improvement and Maintenance'' to repair damage caused by ice storms in the States of Arkansas and Oklahoma, $4,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2601. Of the funds appropriated to ''Operation of the National Park System'' in Public Law 106–291, $200,000 for completion of a wilderness study at Apostle Islands National Lakeshore, Wisconsin, shall remain available until expended.

SEC. 2602. (a) The unobligated balances as of September 30, 2001, of the funds transferred to the Secretary of the Interior pursuant to section 311 of chapter 3 of division A of the Miscellaneous Appropriations Act, 2001 (as enacted into law by Public Law 106–554) for maintenance, protection, or preservation of the land and interests in land described in section 3 of the Minuteman Missile National Historic Site Establishment Act of 1999 (Public Law 106–115), are rescinded.

(b) Subsection (a) shall be effective on September 30, 2001.

(c) The amount rescinded pursuant to subsection (a) is appropriated to the Secretary of the Interior for the purposes specified in such subsection, to remain available until expended.

SEC. 2603. Pursuant to title VI of the Steens Mountain Cooperative Management and Protection Act, Public Law 106–399, the Bureau of Land Management may transfer such sums as are necessary to complete the individual land exchanges identified under title VI from unobligated land acquisition balances.

SEC. 2604. Section 338 of Public Law 106–291 is amended by striking ''105–825'' and inserting in lieu thereof: ''105–277''.

SEC. 2605. Section 2 of Public Law 106–558 is amended by striking subsection (b) in its entirety and inserting in lieu thereof:

''(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.''.

SEC. 2606. Federal Highway Administration emergency relief for federally-owned roads, made available to the Forest Service as Federal-aid highways funds, may be used to reimburse Forest Service accounts for expenditures previously completed only to the extent that such expenditures would otherwise have qualified for the use of Federal-aid highways funds.

SEC. 2607. Notwithstanding any other provision of law, $2,000,000 provided to the Forest Service in Public Law 106–291 for the Region 10 Jobs in the Woods program shall be advanced as a direct lump sum payment to Ketchikan Public Utilities within thirty days of enactment: Provided, That such funds shall be used by Ketchikan Public Utilities specifically for hiring workers for the purpose of removing timber within the right-of-way for the Swan Lake-Lake Tyee Intertie.

SEC. 2608. Section 122(a) of Public Law 106–291 is amended by:

(1) inserting ''hereafter'' after ''such amounts''; and

(2) striking ''June 1, 2000'' and inserting ''June 1 of the preceding fiscal year''.

SEC. 2609. Section 351 of Public Law 105–277 is amended by striking ''prior to September 30, 2001'' and inserting in lieu thereof: ''prior to September 30, 2004''.

CHAPTER 7

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING RESCISSIONS)

For an additional amount to carry out chapter 4 of the Workforce Investment Act, $25,000,000 to be available for obligation for the period April 1, 2001 through June 30, 2002.

Of the funds made available under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554), $65,000,000 are rescinded including $25,000,000 available for obligation for the period April 1, 2001 through June 30, 2002 to carry out section 169 of the Workforce Investment Act, and $40,000,000 available for obligation for the period July 1, 2001 through June 30, 2002 for Safe Schools/Healthy Students and Incumbent Workers.

Of the funds made available under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554), for Dislocated Worker Employment and Training Activities,

$177,500,000 available for obligation for the period July 1, 2001 through June 30, 2002 are rescinded: Provided, That, notwithstanding any other provision of law, $110,000,000 is from amounts allotted under section 132(a)(2)(B), and $67,500,000 is from the National Reserve under section 132(a)(2)(A) of the Workforce Investment Act: Provided further, That notwithstanding any other provision of law, the Secretary shall reduce each State's program year 2001 allotment under section 132(a)(2)(B) by applying an allocation methodology that distributes the rescission based on each State's share of unexpended balances as of June 30, 2001: Provided further, That the effective date of the rescission shall be at the time the Secretary determines, based on the best information available, each State's unexpended balance as of June 30, 2001.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

Of the funds made available under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554), $490,000 are authorized to remain available through September 30, 2002.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) is amended by striking ''$226,224,000'' and inserting ''$224,724,000''.

The provision for Northeastern University is amended by striking ''doctors'' and inserting ''allied health care professionals''.

NATIONAL INSTITUTES OF HEALTH

(INCLUDING TRANSFER OF FUNDS)

Of the amount appropriated in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) for the National Library of Medicine, $7,115,000 is hereby transferred to Buildings and Facilities, National Institutes of Health, for purposes of the design of a National Library of Medicine facility.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out the Public Health Service Act with respect to mental health services, $6,500,000 for maintenance, repair, preservation, and protection of the Federally owned facilities, including the Civil War Cemetery, at St. Elizabeths Hospital, which shall remain available until expended.

ADMINISTRATION FOR CHILDREN AND FAMILIES

LOW INCOME HOME ENERGY ASSISTANCE

For an additional amount for ''Low Income Home Energy Assistance'' under section 2602(e) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621(e)), $300,000,000, to remain available until expended: Provided, That these funds are for the home energy assistance needs of one or more States, as authorized by section 2604(e) of that Act and notwithstanding the designation requirement of section 2602(e) of such Act.

DEPARTMENT OF EDUCATION

EDUCATION REFORM

In the statement of the managers of the committee of conference accompanying H.R. 4577 (Public Law 106–554; House Report 106–1033), in title III of the explanatory language on H.R. 5656 (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001), in the matter relating to Technology Innovation Challenge Grants under the heading ''Education Reform'', the amount specified for Western Kentucky University to improve teacher preparation programs that help incorporate technology into the school curriculum shall be deemed to be $400,000.

EDUCATION FOR THE DISADVANTAGED

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) is amended by striking ''$7,332,721,000'' and inserting ''$7,237,721,000''.

For an additional amount (to the corrected amount under this heading) for ''Education for the Disadvantaged'' to carry out part A of title I of the Elementary and Secondary Education Act of 1965 in accordance with the eighth proviso under that heading, $161,000,000, which shall become available on July 1, 2001, and shall remain available through September 30, 2002.

IMPACT AID

Of the $12,802,000 available under the heading ''Impact Aid'' in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) for construction under section 8007 of the Elementary and Secondary Education Act of 1965, $6,802,000 shall be used as directed in the first proviso under that heading, and the remaining $6,000,000 shall be distributed to eligible local educational agencies under section 8007, as such section was in effect on September 30, 2000.

SPECIAL EDUCATION

In the statement of the managers of the committee of conference accompanying H.R. 4577 (Public Law 106–554; House Report 106–1033), in title III of the explanatory language on H.R. 5656 (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001), in the matter relating to Special Education Research and Innovation under the heading ''Special Education'', the provision for training, technical support, services and equipment through the Early Childhood Development Project in the Mississippi Delta Region shall be applied by substituting ''Easter Seals—Arkansas'' for ''the National Easter Seals Society''.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) is amended by striking ''$139,624,000'' and inserting ''$139,853,000''.

In the statement of the managers of the committee of conference accompanying H.R. 4577 (Public Law 106–554; House Report 106–1033), in title III of the explanatory language on H.R. 5656 (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001), in the matter relating to the Fund for the Improvement of Education under the heading ''Education Research, Statistics and Improvement''—

(1) the aggregate amount specified shall be deemed to be $139,853,000;

(2) the amount specified for the National Mentoring Partnership in Washington, DC for establishing the National E-Mentoring Clearinghouse shall be deemed to be $461,000; and

(3) the provision specifying $1,275,000 for one-to-one computing shall be deemed to read as follows:

''$1,275,000—NetSchools Corporation, to provide one-to-one e-learning pilot programs for Dover Elementary School in San Pablo, California, Belle Haven Elementary School in East Menlo Park, California, East Rock Magnet School in New Haven, Connecticut, Reid Elementary School in Searchlight, Nevada, and McDermitt Combined School in McDermitt, Nevada;''.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2701. (a) Section 117 of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2327) is amended—

(1) in subsection (a), by inserting ''that are not receiving Federal support under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a et seq.)'' after ''institutions'';

(2) in subsection (b), by adding ''institutional support of'' after ''for'';

(3) in subsection (d), by inserting ''that is not receiving Federal support under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a et seq.)'' after ''institution''; and

(4) in subsection (e)(1)—

(A) by striking ''and'' at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

(C) by adding at the end the following:

''(D) institutional support of vocational and technical education.''.

(b) EFFECTIVE DATE.—

(1) The amendments made by subsection (a) shall take effect on the date of enactment of this section.

(2) The amendments made by subsection (a) shall apply to grants made for fiscal year 2001 only if this section is enacted before August 4, 2001.

SEC. 2702. CORPORATION FOR PUBLIC BROADCASTING AUTHORIZATION OF APPROPRIATIONS.—Subsection (k)(1) of section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended—

(1) by re-designating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) In addition to any amounts authorized under any other provision of this or any other Act to be appropriated to the Fund, $20,000,000 are hereby authorized to be appropriated to the Fund (notwithstanding any other provision of this subsection) specifically for transition from the use of analog to digital technology for the provision of public broadcasting services for fiscal year 2001.''.

SEC. 2703. IMPACT AID. (a) LEARNING OPPORTUNITY THRESHOLD PAYMENTS.—Section 8003(b)(3)(B)(iv) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(3)(B)(iv)) (as amended by section 1806(b)(2)(C) of the Impact Aid Reauthorization Act of 2000 (as enacted into law by section 1 of Public Law 106–398)) is amended by inserting ''or less than the average per-pupil expenditure of all the States'' after ''of the State in which the agency is located''.

(b) FUNDING.—The Secretary of Education shall make payments under section 8003(b)(3)(B)(iv) of the Elementary and Secondary Education Act of 1965 from the $882,000,000 available under the heading ''Impact Aid'' in title III of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) for basic support payments under section 8003(b).

CHAPTER 8

LEGISLATIVE BRANCH

CONGRESSIONAL OPERATIONS

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Rhonda B. Sisisky, widow of Norman Sisisky, late a Representative from the Commonwealth of Virginia, $145,100.

For payment to Barbara Cheney, heir of John Joseph Moakley, late a Representative from the Commonwealth of Massachusetts, $145,100.

SALARIES AND EXPENSES

For an additional amount for salaries and expenses of the House of Representatives, $61,662,000, as follows:

MEMBERS' REPRESENTATIONAL ALLOWANCES, STANDING COMMITTEES, SPECIAL AND SELECT, COMMITTEE ON APPROPRIATIONS, ALLOWANCES AND EXPENSES

For an additional amount for Members' Representational Allowances, Standing Committees, Special and Select, Committee on Appropriations, and Allowances and Expenses, $44,214,000, with any allocations to such accounts subject to approval by the Committee on Appropriations of the House of Representatives: Provided, That $9,776,000 of such amount shall remain available for such salaries and expenses until December 31, 2002.

SALARIES, OFFICERS AND EMPLOYEES

For an additional amount for compensation and expenses of officers and employees, as authorized by law, $17,448,000, including: for salaries and expenses of the Office of the Clerk, $3,150,000; and for salaries and expenses of the Office of the Chief Administrative Officer, $14,298,000, of which $11,181,000 shall be for salaries, expenses, and temporary personal services of House Information Resources and $3,000,000 shall be for separate upgrades for committee rooms: Provided, That $500,000 of the funds provided to the Office of the Chief Administrative Officer for separate upgrades for committee rooms may be transferred to the Office of the Architect of the Capitol for the same purpose, subject to the approval of the Committee on Appropriations of the House of Representatives: Provided further, That all of the funds provided under this heading shall remain available until expended.

ADMINISTRATIVE PROVISION

SEC. 2801. (a) The Legislative Branch Appropriations Act, 2001 (as enacted into law by reference under section 1(a)(2) of the Consolidated Appropriations Act, 2001; Public Law 106–554), is amended in the item relating to ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—SALARIES, OFFICERS AND EMPLOYEES'' by striking ''not more than $3,500, of which not more than $2,500 is for the Family Room'' and inserting ''not more than $11,000, of which not more than $10,000 is for the Family Room''.

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2001.

JOINT ITEMS

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

For an additional amount for the Capitol Police Board for salaries of officers, members and employees of the Capitol Police, including overtime and Government contributions for health, retirement, Social Security, and other applicable employee benefits, $514,000, of which $257,000 is provided to the Sergeant at Arms of the House of Representatives, to be disbursed by the Chief Administrative Officer of the House, and $257,000 is provided to the Sergeant at Arms and Doorkeeper of the Senate, to be disbursed by the Secretary of the Senate: Provided, That of the amounts appropriated under this heading, such amounts as may be necessary may be transferred between the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate.

GENERAL EXPENSES

For an additional amount for the Capitol Police Board for necessary expenses of the Capitol Police, including security equipment and installation, supplies, materials, and meals, beverages and water for officers or civilian employees of the Capitol Police while performing duties during an extraordinary event or emergency response incident as determined by the Capitol Police Board, $486,000, to be disbursed by the Capitol Police Board or their delegee, to remain available until September 30, 2002.

ADMINISTRATIVE PROVISION

SEC. 2802. (a)(1) Any funds received by the Capitol Police as reimbursement for law enforcement assistance from any Federal, State, or local government agency (including any agency of the District of Columbia) shall be deposited in the United States Treasury for credit to the appropriation for ''GENERAL EXPENSES'' under the heading ''CAPITOL POLICE BOARD'', or ''SECURITY ENHANCEMENTS'' under the heading ''CAPITOL POLICE BOARD''.

(2) Funds deposited under this subsection may be expended by the Capitol Police Board for any authorized purpose, including overtime pay expenditures relating to law enforcement assistance to any Federal, State, or local government agency (including any agency of the District of Columbia), and shall remain available until expended.

(b) This section shall take effect on the date of enactment of this Act and shall apply to fiscal year 2001 and each fiscal year thereafter.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For an additional amount for salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $35,000.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

For an additional amount for authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (44 U.S.C. 902); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $9,900,000.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

For payment to the Government Printing Office Revolving Fund, $6,000,000, to remain available until expended, for air-conditioning and lighting systems.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For an additional amount for salaries and expenses, Library of Congress, $600,000, to remain available until expended, for a collaborative Library of Congress telecommunications project with the United States Military Academy.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2803. Section 101(a) of the Supplemental Appropriations Act, 1977 (2 U.S.C. 61h–6(a)) is amended—

(1) by inserting after the second sentence the following: ''The President pro tempore emeritus of the Senate is authorized to appoint and fix the compensation of one individual consultant, on a temporary or intermittent basis, at a daily rate of compensation not in excess of that specified in the first sentence of this subsection.''; and

(2) in the last sentence by inserting ''President pro tempore emeritus,'' after ''President pro tempore,''.

SEC. 2804. The Abraham Lincoln Bicentennial Commission Act, Public Law 106–173, February 25, 2000 is hereby amended in section 7 by striking subsection (e) and inserting the following:

''(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Librarian of Congress shall provide to the Commission, on a reimbursable basis, administrative support services necessary for the Commission to carry out its responsibilities under this Act, including disbursing funds available to the Commission, and computing and disbursing the basic pay for Commission personnel.''.

SEC. 2805. Notwithstanding any limitation in 31 U.S.C. sec. 1553(b) and 1554, the Architect of the Capitol may use current year appropriations to reimburse the Department of the Treasury for prior year water and sewer services payments otherwise chargeable to closed accounts.

SEC. 2806. That notwithstanding any other provision of law, and specifically section 5(a) of the Employment Act of 1946 (15 U.S.C. 1024(a)), the Members of the Senate to be appointed by the President of the Senate shall for the duration of the One Hundred Seventh Congress, be represented by six Members of the majority party and five Members of the minority party.

CHAPTER 9

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

RENTAL PAYMENTS

(RESCISSION)

Of the available balances under this heading, $440,000 are rescinded.

COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating expenses'', $92,000,000, to remain available until September 30, 2002.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'', $4,000,000, to remain available until expended, for the repair of Coast Guard facilities damaged during the Nisqually earthquake or for costs associated with moving the affected Coast Guard assets to an alternative site within Seattle, Washington.

(RESCISSION)

Of the amounts made available under this heading in Public Law 106–69 and Public Law 106–346, $12,000,000 are rescinded.

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized under 49 U.S.C. 48103, as amended, $30,000,000 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

EMERGENCY HIGHWAY RESTORATION

(HIGHWAY TRUST FUND)

For the costs associated with the long term improvement, restoration, or replacement of highways including seismically-vulnerable highways recently damaged during the Nisqually earthquake, $27,600,000, to be derived from the Highway Trust Fund, other than the Mass Transit Account, and to remain available until expended: Provided, That of the amount made available under this head, $3,800,000 shall be for the Alaskan Way Viaduct in Seattle, Washington; $9,000,000 shall be for the Magnolia Bridge in Seattle, Washington; $9,100,000 shall be for U.S. 119 over Pine Mountain in Letcher County, Kentucky; $4,700,000 shall be for the Lake Street Access to I–35 West project in Minneapolis, Minnesota; $500,000 shall be for the Interstate 55 interchange project at Weaver Road and River Des Peres in Missouri; and $500,000 shall be for damage resulting from tornadoes, flooding and icestorms in northwest Wisconsin including Bayfield and Douglas counties.

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

(RESCISSIONS)

Of the unobligated balances made available under Public Law 94–280, Public Law 95–599, Public Law 97–424, Public Law 100–17, Public Law 101–516, Public Law 102–143, Public Law 102–240, and Public Law 103–311, $15,918,497 are rescinded.

RELATED AGENCY

UNITED STATES-CANADA RAILROAD COMMISSION

For necessary expenses of the joint United States-Canada Railroad Commission to study the feasibility of connecting the rail system in Alaska to the North American continental rail system, $2,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2901. (a) Item 143 in the table under the heading ''Capital Investment Grants'' in title I of the Department of Transportation and Related Agencies Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–456) is amended by striking ''Northern New Mexico park and ride facilities'' and inserting ''Northern New Mexico park and ride facilities and State of New Mexico, Buses and Bus-Related Facilities''.

(b) Item 167 in the table under the heading ''Capital Investment Grants'' in title I of the Department of Transportation and Related Agencies Appropriations Act, 2000 (Public Law 106–69; 113 Stat. 1006) is amended by striking ''Northern New Mexico Transit Express/Park and Ride buses'' and inserting ''Northern New Mexico park and ride facilities and State of New Mexico, Buses and Bus-Related Facilities''.

CHAPTER 10

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to reimburse any agency of the Department of the Treasury or other Federal agency for costs of providing operational and perimeter security at the 2002 Winter Olympics in Salt Lake City, Utah, $59,956,000, to remain available until September 30, 2002.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $49,576,000, to remain available through September 30, 2002.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For an additional amount for ''Processing, Assistance, and Management'', $66,200,000, to remain available through September 30, 2002.

FEDERAL PAYMENT TO MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

Of the funds made available under this heading in H.R. 5658 of the 106th Congress, as incorporated by reference in Public Law 106–554, up to $1,000,000 may be transferred and made available for necessary expenses incurred pursuant to section 6(7) of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5604(7)), to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 21001. Section 413 of H.R. 5658, as incorporated by reference in Public Law 106–554, is amended to read as follows:

''SEC. 413. DESIGNATION OF THE PAUL COVERDELL BUILDING. The recently-completed classroom building constructed on the Core Campus of the Federal Law Enforcement Training Center in Glynco, Georgia, shall be known and designated as the 'Paul Coverdell Building'.''.

SEC. 21002. Of unobligated balances as of September 30, 2000, appropriated in, and further authorized through section 511 of Public Law 106–58, and under the headings, ''Internal Revenue Service, Processing, Assistance, and Management'', ''Tax Law Enforcement'', and ''Earned Income Tax Compliance'', $18,000,000 is hereby rescinded, effective September 30, 2001, as follows: $9,805,000 from ''Processing, Assistance, and Management'', $6,952,000 from ''Tax Law Enforcement'', and $1,243,000 from ''Earned Income Tax Credit Compliance Initiative''.

CHAPTER 11

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

For an additional amount for ''Compensation and pensions'', $589,413,000, to remain available until expended.

READJUSTMENT BENEFITS

For an additional amount for ''Readjustment benefits'', $347,000,000, to remain available until expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL AND PROSTHETIC RESEARCH

Of the amount provided for ''Medical and prosthetic research'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (Public Law 106–377), up to $3,500,000 may be used for associated travel expenses.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(TRANSFER OF FUNDS)

Of the amounts available in the Medical care account, not more than $19,000,000 may be transferred not later than September 30, 2001, to the General operating expenses account, for the administrative expenses of processing compensation and pension claims, of which up to $5,000,000 may be used for associated travel expenses.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(RESCISSION)

$114,300,000 is rescinded from unobligated balances remaining from funds appropriated to the Department of Housing and Urban Development under this heading or the heading ''Annual contributions for assisted housing'' or any other heading for fiscal year 2000 and prior years: Provided, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall not be available for this rescission.

NATIVE AMERICAN HOUSING BLOCK GRANTS

Of the funds provided under this heading within the Department of Housing and Urban Development in fiscal year 2001 and prior years, $5,000,000 shall be made available for emergency housing, housing assistance, and other assistance to address the mold problem at the Turtle Mountain Indian Reservation: Provided, That the Federal Emergency Management Agency shall provide technical assistance to the Turtle Mountain Band of Chippewa with respect to the acquisition of emergency housing and related issues on the Turtle Mountain Indian Reservation.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING RESCISSION)

Except for the amount made available for the cost of guaranteed loans as authorized under section 108 of the Housing and Community Development Act of 1974, the unobligated balances available in Public Law 106–377 for use under this heading in only fiscal year 2001 are rescinded as of the date of enactment of this provision.

The amount of the unobligated balances rescinded in the preceding paragraph is appropriated for the activities specified in Public Law 106–377 for which such balances were available, to remain available until September 30, 2003.

The referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended with respect to the amount made available for Rio Arriba County, New Mexico by striking the words ''for an environmental impact statement'' and inserting the words ''for a regional landfill''.

The referenced statement of the managers in the seventh undesignated paragraph under this heading in title II of Public Law 106–377 is deemed to be amended by striking ''$500,000 for Essex County, Massachusetts for its wastewater and combined sewer overflow program;'' in reference to an appropriation for Essex County, and inserting ''$500,000 to the following Massachusetts communities for wastewater and combined sewer overflow infrastructure improvements: Beverly ($32,000); Peabody ($32,000); Salem ($32,000); Lynn ($32,000); Newburyport ($32,000); Gloucester ($32,000); Marblehead ($30,000); Danvers ($30,000); Ipswich ($17,305); Amesbury ($17,305); Manchester ($17,305); Essex ($17,305); Rockport ($17,305); and Haverhill ($161,475);''.

The referenced statement of the managers in the seventh undesignated paragraph under this heading in title II of Public Law 106–377 is deemed to be amended by striking ''$100,000 to Essex County, Massachusetts for cyberdistrict economic development initiatives;'' in reference to an appropriation for Essex County, and inserting ''$75,000 to improve cyber-districts in Haverhill, Massachusetts and $25,000 to improve cyber-districts in Amesbury, Massachusetts;''.

The referenced statement of the managers in the seventh undesignated paragraph under this heading in title II of Public Law 106–377 is deemed to be amended by striking ''women's and children's hospital'' in reference to an appropriation for Hackensack University Medical Center, and inserting ''the construction of the Audrey Hepburn Children's House'': Provided, That the referenced statement of the managers in the seventh undesignated paragraph under the heading ''Community development block grants'' in title II of Public Law 106–74 is deemed to be amended by striking ''rehabilitation and conversion of part of the NYNEX building into a parking garage'' in reference to an appropriation for the City of Syracuse, New York, and inserting ''the demolition and revitalization of the Montgomery Street/Columbus Circle National Register District Area''.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(TRANSFER OF FUNDS)

Of the amounts available for administrative expenses and administrative contract expenses under the headings, ''FHA—mutual mortgage insurance program account'', ''FHA—general and special risk program account'', and ''Salaries and expenses, management and administration'' in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, as enacted by Public Law 106–377, not to exceed $8,000,000 is available to liquidate deficiencies incurred in fiscal year 2000 in the ''FHA—mutual mortgage insurance program account''.

INDEPENDENT AGENCIES

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

Notwithstanding any other provision of law, the provisions of section 401 of Chapter 4 of Appendix D of Public Law 106–554 shall not apply to Arlington National Cemetery (the Cemetery): Provided, That water and sewer services expenses charged to the Cemetery in excess of that amount which the Cemetery has to date paid for such services shall, for the purposes of section 104 of Chapter 4 of Appendix D of Public Law 106–554, be paid for out of appropriations accounts of the Department of Defense other than such account for the Cemetery: Provided further, That in satisfying the provisions of section 401 of Chapter 4 of Appendix D of Public Law 106–554 for fiscal year 2002 and future years, the water and sewer services expenses of the Cemetery shall be that amount as determined by metering within the Cemetery: Provided further, That to the extent the Department of the Treasury has heretofore withdrawn funds of the Cemetery pursuant to section 401 of Chapter 4 of Appendix D of Public Law 106–554, such amount shall be reimbursed to the Cemetery by the Department of the Treasury from funds withdrawn from appropriations accounts of the Department of Defense other than such account for the Cemetery.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

From the amounts appropriated for Cortland County, New York and Central New York Wa-

tersheds under this heading in title III of Public Law 106–377 and in future Acts, the Administrator is authorized to award grants for work on New York watersheds: Provided, That notwithstanding any other provision of law, the funds provided to the Salt Lake Organizing Committee (SLOC) under this heading in Public Law 106–377 are available for grants for environmental programs and operations as set forth in the November 2000 Environment Annual Report of the Salt Lake 2002 Olympic Winter Games: Provided further, That the Environmental Protection Agency shall make such funds available within thirty days of enactment of this Act: Provided further, That actual costs incurred by the SLOC for activities consistent with the aforementioned report undertaken by the SLOC subsequent to enactment of Public Law 106–377 shall be eligible for reimbursement under this grant and shall not require a grant deviation by the Agency.

STATE AND TRIBAL ASSISTANCE GRANTS

The referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking all after the words ''Beloit, Wisconsin'' in reference to item number 236, and inserting the words ''extension of separate sanitary sewers and extension of separate storm sewers''.

The referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking all after the words ''Limestone County Water and Sewer Authority in Alabama for'' in reference to item number 13, and inserting the words ''drinking water improvements'': Provided, That the referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking all after the words ''Clinton, Tennessee for'' in reference to item number 211, and inserting the words ''wastewater and sewer system infrastructure improvements''.

The referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking the words ''the City of Hartselle'' in reference to item number 11, and inserting the words ''Hartselle Utilities''.

The referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking the words ''Florida Department of Environmental Protection'' in reference to item number 48, and inserting the words ''Southwest Florida Water Management District''.

Under this heading in title III of Public Law 106–377, strike ''$3,628,740,000'' and insert ''$3,641,341,386''.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

Notwithstanding the proviso under the heading, ''Human space flight'', in Public Law 106–74, $40,000,000 of the amount provided therein shall be available for preparations necessary to carry out future research supporting life and micro-gravity science and applications.

TITLE III

GENERAL PROVISIONS—THIS ACT

SEC. 3001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 3002. UNITED STATES-CHINA SECURITY REVIEW COMMISSION. There are hereby appropriated, out of any funds in the Treasury not otherwise appropriated, $1,700,000, to remain available until expended, to the United States-China Security Review Commission.

This Act may be cited as the ''Supplemental Appropriations Act, 2001''.

And the Senate agree to the same.

C.W. BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
HAROLD ROGERS,
JOE SKEEN,
FRANK R. WOLF,
JIM KOLBE,
SONNY CALLAHAN,
JAMES T. WALSH,
CHARLES H. TAYLOR,
DAVID L. HOBSON,
ERNEST J. ISTOOK, Jr.,
HENRY BONILLA,
JOE KNOLLENBERG,
DAVID R. OBEY,
JOHN P. MURTHA,
NORMAN DICKS,
MARTIN OLAV SABO,
STENY H. HOYER,
ALAN B. MOLLOHAN,
MARCY KAPTUR,
PETER J. VISCLOSKY,
NITA M. LOWEY,
JOSÉ E. SERRANO,
JOHN W. OLVER,
Managers on the Part of the House.

ROBERT C. BYRD,
DANIEL K. INOUYE,
FRITZ HOLLINGS,
TED STEVENS,
THAD COCHRAN,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. HANSEN, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 375 / Nays 30

¶77.5 [Roll No. 256]

YEAS—375

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

NAYS—30

Armey
Barrett
Barton
Chabot
Conyers
DeFazio
Duncan
Ehlers
Flake
Frank
Hoekstra
Kind (WI)
Kleczka
Kucinich
Lee
Paul
Petri
Roemer
Royce
Sanders
Schaffer
Sensenbrenner
Shadegg
Shays
Smith (MI)
Stark
Stupak
Tancredo
Upton
Weldon (FL)

NOT VOTING—28

Barcia
Blumenauer
Brown (FL)
Burton
Crane
DeLay
Dreier
Ehrlich
Engel
Fattah
Filner
Gordon

Graves	McCrery	Spence
Hulshof	McKinney	Thomas
Istook	Miller (FL)	Traficant
Lewis (GA)	Moore	Young (AK)
Lipinski	Oberstar	
Lucas (KY)	Skelton	

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶77.6 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, July 23, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶77.7 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, July 25, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶77.8 MESSAGE FROM THE SENATE

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

S. 180. An Act to facilitate famine relief efforts and a comprehensive solution to the war in Sudan.

¶77.9 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 180. An Act to facilitate famine relief efforts and a comprehensive solution to the war in Sudan; to the Committee on International Relations.

¶77.10 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. CRANE, for today;

To Mr. GRAVES, for today; and

To Mr. THOMAS, for today.

And then,

¶77.11 ADJOURNMENT

On motion of Mr. HUNTER, pursuant to the special order heretofore agreed to, at 11 o'clock and 39 minutes a.m., the House adjourned until 12:30 p.m. on Monday, July 23, 2001.

¶77.12 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LAFALCE:

H.R. 2579. A bill to prevent the use of certain bank instruments for Internet gambling, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA (for himself, Mr. PORTMAN, and Mr. LATOURETTE):

H.R. 2580. A bill to establish grants for drug treatment alternative to prison programs administered by State or local prosecutors; to the Committee on the Judiciary.

By Mr. GILMAN:

H.R. 2581. A bill to provide authority to control exports, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA (for himself, Mr. DAVIS of Illinois, Mr. OSE, Mr. GRAVES, and Mr. KELLER):

H.R. 2582. A bill to combat the trafficking, distribution, and abuse of Ecstasy (and other club drugs) in the United States; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HOOLEY of Oregon:

H.R. 2583. A bill to establish a national clearinghouse for information on incidents of environmental terrorism and to establish a program to reduce environmental terrorism; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself and Ms. DEGETTE):

H.R. 2584. A bill to amend the Act of March 3, 1875, to permit the State of Colorado to use land held in trust by the State as open space; to the Committee on Resources.

By Mr. WALDEN of Oregon (for himself, Mr. CALVERT, Ms. HOOLEY of Oregon, Mr. SIMPSON, Mr. DEFAZIO, Mr. HASTINGS of Washington, Mr. POMBO, Mr. HANSEN, and Mr. GIBBONS):

H.R. 2585. A bill to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon; to the Committee on Resources.

By Mrs. KELLY:

H. Con. Res. 189. Concurrent resolution expressing the sense of the Congress regarding inflammatory bowel disease; to the Committee on Energy and Commerce.

¶77.13 ADDITIONAL SPONSORS

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

H.R. 156: Mr. BARRETT.

H.R. 303: Mr. HASTINGS of Florida.

H.R. 583: Mrs. MORELLA.

H.R. 638: Mr. LAFALCE.

H.R. 661: Mr. GONZALEZ and Mr. DEMINT.

H.R. 817: Mr. MOORE.

H.R. 827: Mr. CARSON of Oklahoma.

H.R. 902: Mr. BENTSEN.

H.R. 951: Mr. FILNER, Mr. FORD, Mr. FORBES, Mr. ADERHOLT, Mr. CONDIT, Mr. BALLENGER, Mr. PETERSON of Pennsylvania, Mrs. MALONEY of New York, Mr. ENGEL, and Mr. SMITH of New Jersey.

H.R. 975: Mr. ACKERMAN, Mr. HASTINGS of Washington, and Mr. BORSKI.

H.R. 981: Mr. BOEHNER and Mr. STEARNS.

H.R. 1084: Mr. LAHOOD and Mr. NETHERCUTT.

H.R. 1092: Mr. FRANK, Mr. MCINTYRE, Mr. TIERNEY, and Mr. BOEHLERT.

H.R. 1100: Mr. CONDIT.

H.R. 1238: Mr. LEVIN, Mr. BECERRA, and Mr. REHBERG.

H.R. 1266: Mr. ACKERMAN, Mr. GONZALEZ, and Mr. STARK.

H.R. 1293: Mr. SKEEN.

H.R. 1350: Mr. GONZALEZ.

H.R. 1405: Mr. CUMMINGS, Mr. FRANK, and Mr. TOWNS.

H.R. 1462: Mr. GIBBONS and Mr. NETHERCUTT.

H.R. 1506: Mr. BARR of Georgia.

H.R. 1535: Mr. BACHUS.

H.R. 1577: Mr. TAYLOR of North Carolina, Mr. WAMP, Mrs. JONES of Ohio, Mr. PICKERING, Ms. VELAZQUEZ, Mr. NETHERCUTT, Mr. FLETCHER, Mr. RYAN of Wisconsin, Mr. CLEMENT, and Mrs. CAPITO.

H.R. 1591: Mr. TIERNEY.

H.R. 1600: Ms. MCCARTHY of Missouri.

H.R. 1624: Mr. CAMP, Ms. PELOSI, and Mr. CANTOR.

H.R. 1642: Mr. HOYER.

H.R. 1644: Mr. PLATTS.

H.R. 1680: Mr. MCDERMOTT, Mr. GREENWOOD, Ms. MCCOLLUM, and Ms. MCKINNEY.

H.R. 1711: Mr. WU.

H.R. 1907: Mr. GONZALEZ.

H.R. 1943: Mr. ISAKSON.

H.R. 1956: Mr. BALDACCI and Mr. PETERSON of Pennsylvania.

H.R. 1983: Mr. DAVIS of Florida.

H.R. 1990: Mr. LAFALCE.

H.R. 2018: Mr. GONZALEZ, Mr. OBERSTAR, Mr. MCHUGH, Mr. OTTER, Mr. PETERSON of Pennsylvania, Mrs. CUBIN, Mr. DEMINT, Mr. CAMP, Mr. GRUCCI, and Mr. PORTMAN.

H.R. 2102: Mr. SANDLIN, Mr. BONIOR, and Ms. BROWN of Florida.

H.R. 2143: Mr. PLATTS.

H.R. 2291: Mr. PETERSON of Pennsylvania.

H.R. 2329: Mr. COYNE, Mr. FROST, Mr. WATT of North Carolina, Ms. MCCOLLUM, and Mr. FATTAH.

H.R. 2389: Mr. DOOLITTLE.

H.R. 2442: Mr. MCGOVERN.

H.R. 2478: Mr. DEFAZIO and Ms. LEE.

H.R. 2484: Mr. GOODLATTE and Mr. GOODE.

H.R. 2517: Mr. BAKER and Mr. LAFALCE.

H. Con. Res. 164: Mr. FALEOMAVAEGA.

H. Con. Res. 178: Mr. SHERMAN and Mr. ROHRABACHER.

H. Res. 17: Mr. BLUMENAUER.

MONDAY, JULY 23, 2001 (78)

¶78.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. ISSA, who laid before the House the following communication:

WASHINGTON, DC,
July 23, 2001.

I hereby appoint the Honorable DARRELL E. ISSA to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶78.2 RECESS—12:37 P.M.

The SPEAKER pro tempore, Mr. ISSA, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 37 minutes p.m. until 2 o'clock p.m.

¶78.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶78.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Friday, July 20, 2001.

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

¶78.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2993. A letter from the the Director, Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of July 1, 2001, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 107—105); to the Committee on Appropriations and ordered to be printed.

2994. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Assistance Regulations; Administrative Amendment (RIN: 1991–AB58) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2995. A letter from the Assistant General Counsel for Regulatory Law, Office of Security and Emergency Operations, Department of Energy, transmitting the Department's final rule—Connectivity to Atmospheric Release Advisory Capability [DOE N 153.1] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2996. A letter from the Assistant General Counsel for Regulatory Law, Office of Management and Administration, Department of Energy, transmitting the Department's final rule—Work for Others (Non-Department of Energy Funded Work) [DOE O 481.1A] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2997. A letter from the Assistant General Counsel for Regulatory Law, Office of the Chief Information Officer, Department of Energy, transmitting the Department's final rule—Cyber Security Architecture Guidelines [DOE G 205.1–1] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2998. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Beverages: Bottled Water; Technical Amendment; Confirmation of Effective Date [Docket No. 01N–0126] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2999. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 123–1123a; FRL–7015–9] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3000. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 119–1119a; FRL–7015–8] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3001. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Promulgation of Implementation Plans; Indiana [IN137–1a; FRL–7004–1] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3002. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Solicitation—received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3003. A letter from the Deputy Secretary, Department of Defense, transmitting a report on the Initial Plan pursuant to section 5 of the Federal Financial Assistance Management Improvement Act of 1999; to the Committee on Government Reform.

3004. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3005. A letter from the Executive Resources and Special Programs Division, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3006. A letter from the Acting Inspector General, General Services Administration, transmitting an Audit Report Register, including all financial recommendations, for the period ending March 31, 2001; to the Committee on Government Reform.

3007. A letter from the Executive Services Staff, Social Security Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3008. A letter from the Deputy Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Law and Order on Indian Reservations (RIN: 1076–AE19) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3009. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species (HMS) Fisheries; Large Coastal, Pelagic, and Small Coastal Shark Species [I.D. 061101A] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3010. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30253; Amdt. No. 2055] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3011. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30255; Amdt. No. 2057] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3012. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30254; Amdt. No. 2056] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3013. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30256; Amdt. No. 2058] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3014. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30252; Amdt. No. 2054] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3015. A letter from the Principal Deputy Associate Administator, Environmental Protection Agency, transmitting the Agency's final rule—Request for Preproposals: For the operation of the Integrated Atmospheric Deposition Network—received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

3016. A letter from the Director, Office of Regulations Management, Board of Veterans' Appeals, Department of Veterans' Affairs, transmitting the Department's final rule—Board of Veterans' Appeals: Rules of Practice—Notification of Representatives in Connection with Motions for Revision of Decisions on Grounds of Clear and Unmistakable Error (RIN: 2900–AJ75) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3017. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Determination Regarding State Statutes adopting Revised Article 9 of the Uniform Commercial Code; Determination Regarding Rhode Island [Department of the Treasury Circular, Public Debt Series, No. 2–86] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3018. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Update to the Prospective Payment System for Home Health Agencies for FY 2002 [HCFA–1147–NC] (RIN: 0938–AK51) received July 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

3019. A letter from the Acting General Counsel, Department of Defense, transmitting proposed legislation relating to civilian personnel, property disposal or transfer, and contractor claims; jointly to the Committees on Government Reform, the Judiciary, Armed Services, and Transportation and Infrastructure.

¶78.6 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mrs. BIGGERT, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bill on Friday, July 20, 2001:

H.R. 2216. An Act making supplemental appropriations for the fiscal year ending September 30, 2001.

¶78.7 COMMUNICATION FROM THE DEPUTY CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 20, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U. S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 20, 2001 at 3:32 p.m.

That the Senate agreed to conference report H.R. 2216.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON,
Deputy Clerk of the House.

¶78.8 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a communication, which was read as follows:

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE,
Washington, DC, July 20, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: Enclosed please find copies of resolutions approved by the Committee on Transportation and Infrastructure

on July 18, 2001, in accordance with 40 U.S.C. §606.

Sincerely,

DON YOUNG,
Chairman.

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶78.9 MOUNT NEBO WILDERNESS BOUNDARY

Mr. GIBBONS moved to suspend the rules and pass the bill (H.R. 451) to make certain adjustments to the boundaries of the Mount Nebo Wilderness Area, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. GIBBONS and Mr. MCGOVERN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶78.10 MESSAGE FROM THE SENATE

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

H.R. 2311. An Act making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insist upon its amendment to the bill (H.R. 2311) ''An Act making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REID, Mr. BYRD, Mr. HOLLINGS, Mrs. MURRAY, Mr. DORGAN, Mrs. FEINSTEIN, Mr. HARKIN, Mr. INOUYE, Mr. DOMENICI, Mr. COCHRAN, Mr. MCCONNELL, Mr. BENNETT, Mr. BURNS, Mr. CRAIG, and Mr. STEVENS, to be the conferees on the part of the Senate.

¶78.11 SENIOR CENTER AT CARSON CITY, NEVADA

Mr. GIBBONS moved to suspend the rules and pass the bill (H.R. 271) to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. GIBBONS and Mr. MCGOVERN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶78.12 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶78.13 LITTLE SANDY RIVER

Mr. GIBBONS moved to suspend the rules and pass the bill (H.R. 427) to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. GIBBONS and Mr. MCGOVERN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶78.14 21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 2215) to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶78.15 CRIMINAL LAW TECHNICAL AMENDMENTS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 2137) to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶78.16 FAMILY SPONSOR IMMIGRATION

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 1892) to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶78.17 HONORING THIRTYMILE FIRE DECEASED FIREFIGHTERS

Mrs. Jo Ann DAVIS of Virginia a moved to suspend the rules and agree to the following resolution (H. Res. 201); as amended:

Whereas, on July 10, 2001, 21 United States Forest Service firefighters were dispatched to contain a spot fire of the Thirtymile Fire in the Okanogan and Wenatchee National Forest in the Cascade Mountains of Washington State;

Whereas high temperatures, low humidity, and erratic winds, combined with very dry forest fuels, caused the fire to become an explosive, high-intensity fire that rapidly progressed from less than 25 acres to over 2,500 acres in less than 3 hours;;

Whereas 14 of the firefighters were forced to deploy emergency shelters as a result of being overrun by the rapidly expanding fire;

Whereas 4 of the firefighters and 2 civilians were injured in the fire, including firefighter Jason Emhoff, firefighter Thomas Taylor, firefighter Scott Sherzinger, and firefighter Rebecca Welch, whose heroic actions saved the lives of the two civilians;

Whereas, in service to the Nation and in the line of duty to protect their communities and fellow citizens, 4 firefighters lost their lives in the fire; and

Whereas these 4 firefighters who lost their lives were Tom Craven of Ellensburg, Washington, husband and father of two, Karen FitzPatrick of Yakima, Washington, Jessica Johnson of Yakima Washington, and Devin Weaver of Yakima, Washington: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors firefighters Tom Craven, Karen FitzPatrick, Jessica Johnson, and Devin Weaver, who lost their lives fighting the Thirtymile Fire in the Cascade Mountains of Washington State, for their bravery and sacrifice in service to the Nation;

(2) extends its deepest sympathies to the families and fellow firefighters of these heroes; and

(3) reaffirms its support and commitment to America's Federal firefighters who, without reservation, answer the call of duty and risk their lives for the Nation.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mrs. Jo Ann DAVIS of Virginia and Mrs. MINK, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶78.18 JAMES C. CORMAN FEDERAL BUILDING

Mr. COOKSEY moved to suspend the rules and pass the bill of the Senate (S. 468) to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building''.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. COOKSEY and Mr. HONDA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. COOKSEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶78.19 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO TERRORISM IN THE MIDDLE EAST PROCESS

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 23, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–106).

¶78.20 RECESS—3:47 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 47 minutes p.m., until approximately 6 p.m.

¶78.21 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. GIBBONS, called the House to order.

¶78.22 H.R. 2137—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2137) to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 374 / Nays 0

¶78.23 [Roll No. 257]

YEAS—374

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Farr
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Mica
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pastor
Paul
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes

Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Ryan (WI)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—59

Abercrombie
Baca
Barr
Berman
Boucher
Burr
Callahan
Capps
Carson (IN)
Crane
Deal
DeGette
Delahunt
Doyle
Ehlers
Engel
Fattah
Fossella
Gallegly
Gillmor
Green (WI)
Gutierrez
Hansen
Hastings (WA)
Herger
Hoekstra
Hunter
Istook
Jefferson
Jones (OH)
Kilpatrick
Kleczka
Lipinski
Manzullo
Matheson
Meeks (NY)
Menendez
Miller, Gary
Mollohan
Nussle
Pascrell
Pelosi
Reynolds
Riley
Roemer
Roybal-Allard
Rush
Ryun (KS)
Sabo
Scarborough
Schakowsky
Sherman
Solis
Spence
Stark
Tauzin
Taylor (NC)
Waters
Waxman

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶78.24 H.R. 1892—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1892) to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 379 / Nays ..... 0 }

¶78.25 [Roll No. 258]

YEAS—379

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

NOT VOTING—54

Abercrombie
Baca
Barr
Berman
Boucher
Callahan
Capps
Carson (IN)
Crane
Deal
DeGette
Delahunt
Doyle
Engel
Fattah
Fossella
Gallegly
Green (WI)
Gutierrez
Hansen
Hastings (WA)
Hunter
Istook
Jefferson
Jones (OH)
Kilpatrick
Kleczka
Lipinski
Manzullo
Menendez
Miller, Gary
Mollohan
Nussle
Pascrell
Pelosi
Reynolds
Riley
Roemer
Roybal-Allard
Rush
Ryun (KS)
Sabo
Scarborough
Schakowsky
Sherman
Solis
Spence
Stark
Tauzin
Taylor (NC)
Waters
Waxman
Weller
Wynn

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶78.26 S. 468—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 468) to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building''.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 381 / Nays ..... 0 }

¶78.27 [Roll No. 259]

YEAS—381

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett

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

NOT VOTING—52

Abercrombie
Baca
Barr
Berman
Boucher
Callahan
Capps
Carson (IN)
Crane
Deal
DeGette
Delahunt
Doyle
Engel
Fattah
Fossella
Gallegly
Green (WI)
Gutierrez
Hansen
Hastings (WA)
Istook
Jefferson
Jones (OH)
Kilpatrick
Kleczka
Lipinski
Manzullo
Menendez
Miller, Gary
Mollohan
Ney
Nussle
Pascrell
Pelosi
Reynolds
Riley
Roemer
Roybal-Allard
Rush
Ryun (KS)
Scarborough
Schakowsky
Sherman
Solis
Spence
Stark
Tauzin
Taylor (NC)
Waters
Waxman
Wynn

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶78.28 TREASURY AND POSTAL SERVICE APPROPRIATIONS FY 2002

Mr. SUNUNU submitted a privileged report (Rept. No. 107–152) on the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶78.29 EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS

On motion of Mr. THOMAS, by unanimous consent, the Committee on Ways and Means was discharged from further consideration of the bill of the Senate (S. 1190) to amend the Internal Revenue Code of 1986 to rename the education individual retirement accounts as the Coverdell education savings account.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶78.30 FANGLIN ELEMENTARY SCHOOL IN JIANXI PROVINCE

On motion of Mr. SMITH of New Jersey, by unanimous consent, the Committee on International Relations and the Committee on Ways and Means was discharged from further consideration of the following resolution (H. Res. 121):

Whereas on March 6, 2001, an explosion at the Fanglin elementary school in the Jianxi province of the People's Republic of China's killed at least 42 people, including 37 children;

Whereas the children, all between the ages of 9 and 11, were being forced by elementary school officials to manufacture fireworks when this tragedy occurred;

Whereas the parents of the deceased children report that the mandatory labor, which involved mounting fuses and detonators into large firecrackers, had been a daily practice at the school for years;

Whereas this systematic exploitation of children in the elementary school was not only known about but actually organized by individuals holding official responsibilities with the local Chinese Government;

Whereas this practice is a grave violation of the rights of children under the International Labor Organization's Conventions 138 and 182, as well as Convention 29 on Forced Labor; and

Whereas Chinese Prime Minister Zhu Rongji has taken the important step of acknowledging these violations of internationally recognized labor standards: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its sincerest condolences to the families of the 42 people killed in the March 6, 2001, explosion at the Fanglin elementary school in the Jianxi province of the People's Republic of China, including to the parents and families of the 37 young children who lost their lives as a result of this dangerous and forced child labor;

(2) expresses its gratitude to the Chinese and international journalists who reported the true cause of the explosion in response to the Chinese Communist Party's original attempts to put forward an ''authorized'', but false, version of the events; and

(3) expresses its support for international trade agreements and policies that will enforce the International Labor Organization's core labor standards, which include prohibition of child labor and forced labor.

When said resolution was considered.

Mr. SMITH of New Jersey submitted the following amendment which was agreed to:

Strike all after the resolved clause and insert the following:

That the House of Representatives—

(1) expresses its sincerest condolences to the families of the 42 people killed in the March 6, 2001, explosion at the Fanglin elementary school in the Jianxi province of the People's Republic of China, including to the parents and families of the 37 young children who lost their lives as a result of this dangerous and forced child labor; and

(2) expresses its gratitude to the Chinese and international journalists who reported the true cause of the explosion in response to the Chinese Communist Party's original attempts to put forward an ''authorized'', but false, version of the events.

The resolution, as amended, was agreed to.

Mr. SMITH of New Jersey submitted the following amendment to the preamble, which was agreed to:

Strike the preamble and insert the following:

Whereas on March 6, 2001, an explosion at the Fanglin elementary school in the Jianxi province of the People's Republic of China's killed at least 42 people, including 37 children;

Whereas the children, all between the ages of 9 and 11, were being forced by elementary school officials to manufacture fireworks when this tragedy occurred;

Whereas the parents of the deceased children report that the mandatory labor, which involved mounting fuses and detonators into large firecrackers, had been a daily practice at the school for years;

Whereas this systematic exploitation of children in the elementary school was not only known about but actually organized by individuals holding official responsibilities with the local Chinese Government; and

Whereas Chinese Prime Minister Zhu Rongji has taken the important step of acknowledging these violations of internationally recognized labor standards: Now, therefore, be it

A motion to reconsider the votes whereby said resolution, as amended, was agreed to and the preamble was amended was, by unanimous consent, laid on the table.

¶78.31 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2216. An Act making supplemental appropriations for the fiscal year ending September 30, 2001.

¶78.32 BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on July 20, 2001 he presented to the President of the United States, for his approval, the following bill.

H.R. 2216. Making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

¶78.33 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ABERCROMBIE, for today;

To Mr. BACA, for today;

To Ms. CARSON of Indiana, for today;

To Mr. CRANE, for today;

To Ms. KILPATRICK, for today;

To Ms. PELOSI, for today;

To Mr. SCARBOROUGH, for today, July 24, and July 25;

To Mr. SHERMAN, for today;

To Mr. STARK, for today; and

To Ms. WATERS, for today.

And then,

¶78.34 ADJOURNMENT

On motion of Mr. RODRIGUEZ, at 10 o'clock and 2 minutes p.m., the House adjourned.

¶78.35 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 451. A bill to make certain adjustments to the boundaries of the Mount Nebo Wilderness Area, and for other purposes; with an amendment (Rept. No. 107–150). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 427. A bill to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes (Rept. No. 107–151 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. ISTOOK: Committee on Appropriations. H.R. 2590. A bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–152). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2002 (Rept. No. 107–153). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. House Joint Resolution 55. Resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam (Rept. No. 107–154); adversely. Referred to the Committee of the Whole House on the State of the Union.

¶78.36 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 427. Referral to the Committee on Agriculture extended for a period ending not later than July 23, 2001.

¶78.37 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Agriculture discharged from further consideration. H.R. 427 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶78.38 PUBLIC BILLS AND RESOLUTIONS

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

[Omitted from the Record of July 18, 2001]

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. SIMPSON, Mr. REYES, Mr. STUMP, Mr. FILNER, Mr. BILIRAKIS, Ms. BROWN of Florida, Mr. BUYER, Mr. RODRIGUEZ, Mr. BAKER, Mr. SHOWS, Mr. SIMMONS, Mr. UDALL of New Mexico, Mr. BROWN of South Carolina, and Mrs. CAPPS):

H.R. 2540. A bill to amend title 38, United States Code, to make various improvements to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans's Affairs.

By Mr. KENNEDY of Minnesota:

H.R. 2552. A bill to require the payment of an indemnity to sugar beet producers in the State of Minneosta for losses sustained to the 2000 crop of sugar beets as a result of a late season freeze when the damage to the sugar beets did not fully manifest itself until after delivery of the crop to the processor; to the Committee on Agriculture.

[Submitted July 23, 2001]

By Mr. STUMP (for himself and Mr. SKELTON) (both by request):

H.R. 2586. A bill to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes; to the Committee on Armed Services.

By Mr. TAUZIN (for himself and Mr. BARTON of Texas):

H.R. 2587. A bill to enhance energy conservation, provide for security and diversity in the energy supply for the American people, and for other purposes; referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Science, Transportation and Infrastructure, the Budget, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself, Ms. MCKINNEY, Ms. NORTON, Mr. KILDEE, Mr. FRANK, Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. GILMAN, Mrs. MALONEY of New York, Mr. FATTAH, Mr. MCDERMOTT, Mr. FILNER, Mrs. MINK of Hawaii, Mr. SANDERS, Mr. MORAN of Virginia, Mr. FROST, and Mr. HORN):

H.R. 2588. A bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes; to the Committee on Government Reform.

By Mrs. ROUKEMA (for herself and Mr. FRANK):

H.R. 2589. A bill to amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize the Office of Multifamily Housing Assistance Restructuring, and for other purposes; to the Committee on Financial Services.

By Mr. ISTOOK:

H.R. 2590. A bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

By Mr. FLETCHER (for himself, Mr. WHITFIELD, Mr. MCINTYRE, Mr. ROGERS of Kentucky, Mr. JENKINS, Mr. LEWIS of Kentucky, Mrs. CLAYTON, Mr. GOODE, Mr. JONES of North Carolina, and Mr. HAYES):

H.R. 2591. A bill to allow the Secretary of Agriculture to use existing authorities to provide export promotion assistance for tobacco and tobacco products of the United States; to the Committee on Agriculture.

By Mr. FRANK (for himself, Mr. PAUL, Mr. BLUMENAUER, Mr. BONIOR, Mrs. MINK of Hawaii, Mr. NADLER, Mr. STARK, Mr. THOMPSON of California, and Ms. WOOLSEY):

H.R. 2592. A bill to provide for the medical use of marijuana in accordance with the laws of the various States; to the Committee on Energy and Commerce.

By Mr. GEKAS (for himself and Mr. UPTON):

H.R. 2593. A bill to establish a commission to recommend a strategy for the global eradication of disease; to the Committee on Energy and Commerce.

By Mr. JONES of North Carolina (for himself, Mrs. CLAYTON, Mr.

TANCREDO, Mr. TAYLOR of North Carolina, Mr. CRAMER, Mr. STENHOLM, and Mr. GOODE):

H.R. 2594. A bill to amend the Public Health Service Act to establish authority for the inclusion of tertiary-care nurses in the program for the National Health Service Corps, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KINGSTON:

H.R. 2595. A bill to direct the Secretary of the Army to convey a parcel of land to Chatham County, Georgia; to the Committee on Transportation and Infrastructure.

By Mr. LATOURETTE:

H.R. 2596. A bill to provide for the protection of train employees; to the Committee on Transportation and Infrastructure.

By Mr. MCINNIS (for himself, Mr. TANNER, Mr. FOLEY, and Mr. BLAGOJEVICH):

H.R. 2597. A bill to amend the Internal Revenue Code of 1986 to provide incentives to ensure that all Americans gain timely and equitable access to the Internet and to promote employer and employee participation in telework arrangements; to the Committee on Ways and Means.

By Ms. ROYBAL-ALLARD (for herself, Mrs. JONES of Ohio, Mr. PALLONE, Mr. MURTHA, Ms. JACKSON-LEE of Texas, Mr. WYNN, Mr. MCGOVERN, Mr. WAXMAN, Mr. SERRANO, Mr. LANTOS, Ms. NORTON, and Mr. BONIOR):

H.R. 2598. A bill to amend the Public Health Service Act to provide for increased funding for the Centers for Disease Control and Prevention to carry out activities toward increasing the number of medically underserved, at-risk adults and adolescents who are immunized against vaccine-preventable diseases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TOOMEY:

H.R. 2599. A bill to spur job growth by reducing individual capital gains rates and to make permanent the Economic Growth and Tax Relief Act of 2001; to the Committee on Ways and Means.

By Mr. RAMSTAD:

H. Con. Res. 190. A concurrent resolution supporting the goals and ideals of National Alcohol and Drug Addiction Recovery Month; to the Committee on Government Reform.

By Mr. RANGEL:

H. Con. Res. 191. A concurrent resolution expressing the sense of the Congress regarding the importance of parents and children eating dinner together as a family; to the Committee on Education and the Workforce.

By Mrs. TAUSCHER (for herself, Mr. STARK, and Mr. GEORGE MILLER of California):

H. Con. Res. 192. A concurrent resolution recognizing the many contributions of Timothy John Lynch, Sr., to the East Bay, California, community; to the Committee on Government Reform.

By Mr. YOUNG of Alaska:

H. Con. Res. 193. A concurrent resolution to express the sense of the Congress that the Secretary of Commerce and the Secretary of the Interior should direct the representatives of their departments who are members of the United States delegation to the International Whaling Commission to remain diligent in their efforts to protect the ability of Native people of the United States, who have been issued quotas by the International Whaling Commission, to continue to legally harvest whales, and for other purposes; to the Committee on International Relations.

¶78.39 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

164. The SPEAKER presented a memorial of the Legislature of the State of New Hampshire, relative to House Concurrent Resolution No. 1 memorializing the United States Congress to enact legislation to allow disabled, military retirees to receive service-connected diability compensation benefits without requiring them to waive an equal amount of retirement pay; to the Committee on Armed Services.

165. Also, a memorial of the Legislature of the State of New Hampshire, relative to House Concurrent Resolution No. 13 memorializing the United States Congress prior to spending any surplus in the federal budget, to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States as promised under the Individuals with Disabilities Education Act to ensure all children, regardless of disability, receive a quality education and are treated with the dignity and respect they deserve; to the Committee on Education and the Workforce.

166. Also, a memorial of the Legislature of the State of New Hampshire, relative to House Joint Resolution No. 1 memorializing the United States Congress to expand membership in the American Legion to include all veterans with records of honorable, active duty service in the United States Armed Forces, regardless of dates of service; to the Committee on the Judiciary.

167. Also, a memorial of the Legislature of the State of New Hampshire, relative to House Concurrent Resolution No. 10 memorializing the United States Congress to preserve the electoral college in the best interest of this nation and all its citizens and any attempt to amend the Constitution to abolish the electoral college should be defeated; jointly to the Committees on House Administration and the Judiciary.

168. Also, a memorial of the Legislature of the State of New Hampshire, relative to House Concurrent Resolution No. 12 memorializing the United States Congress to enact legislation amending the federal Pipeline Safety Act to allow states to adopt and enforce standards stricter than federal standards where to do so would not interfere with interstate commerce; jointly to the Committees on Transportation and Infrastructure and Energy and Commerce.

¶78.40 ADDITIONAL SPONSORS

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

H.R. 17: Mr. ABERCROMBIE.
H.R. 154: Mr. TOOMEY and Mr. SHERMAN.
H.R. 179: Mr. TAUZIN.
H.R. 267: Mr. HUTCHINSON and Mr. PITTS.
H.R. 436: Mr. ALLEN, Mr. PRICE of North Carolina, Mr. BILIRAKIS, and Mr. HYDE.
H.R. 448: Mr. CANTOR.
H.R. 500: Mr. BISHOP.
H.R. 527: Mr. BERMAN.
H.R. 602: Mr. WELDON of Pennsylvania.
H.R. 619: Mr. WEXLER.
H.R. 650: Mr. KELLER.
H.R. 808: Mr. SHUSTER.
H.R. 826: Mr. TURNER, Mr. POMBO, and Mr. KELLER.
H.R. 848: Ms. Watson, Mrs. CAPPS, Mr. BLAGOJEVICH, Mr. WEXLER, and Mr. GILMAN.
H.R. 868: Mr. ROHRABACHER, Mr. KELLER, Mr. BORSKI, and Mr. CLEMENT.
H.R. 877: Mr. OXLEY.
H.R. 914: Mr. HAYWORTH, Mr. NEY, Mr. STENHOLM, Mr. GOODLATTE, Mr. SCHAFFER, and Mr. TURNER.
H.R. 981: Mr. SIMPSON and Mr. BEREUTER.
H.R. 1073: Mr. UDALL of New Mexico.
H.R. 1161: Mr. RAMSTAD.
H.R. 1170: Mr. SCHIFF.
H.R. 1178: Mr. PASCRELL.
H.R. 1254: Mr. KING.
H.R. 1265: Mr. THOMPSON of California.
H.R. 1294: Mr. PASTOR.
H.R. 1305: Mrs. CAPITO.
H.R. 1307: Mrs. JONES of Ohio.
H.R. 1330: Mr. HOLT.
H.R. 1350: Mr. ACKERMAN.
H.R. 1360: Mr. FARR of California, Mr. GREEN of Texas, Mr. WAXMAN, Mr. COYNE, and Ms. SANCHEZ.
H.R. 1377: Mrs. JONES of Ohio, Mr. Platts, and Mr. FALEOMAVAEGA.
H.R. 1421: Mr. COYNE, Ms. ESHOO, Mr. THOMPSON of California, and Mr. OLVER.
H.R. 1432: Mr. FROST.
H.R. 1424: Mr. KILDEE.
H.R. 1433: Mr. ALLEN.
H.R. 1436: Ms. ROS-LEHTINEN, Mr. UDALL of New Mexico, Mr. HOUGHTON, Mr. BOEHLERT, Mr. GUTIERREZ, Ms. PELOSI, Mr. RODRIGUEZ, Mrs. MEEK of Florida, and Mr. THOMPSON of Mississippi.
H.R. 1452: Mr. ANDREWS.
H.R. 1454: Mr. HORN and Ms. SLAUGHTER.
H.R. 1468: Ms. SANCHEZ.
H.R. 1487: Mr. GORDON.
H.R. 1492: Ms. SANCHEZ.
H.R. 1520: Mrs. JONES of Ohio.
H.R. 1522: Ms. BALDWIN.
H.R. 1556: Mrs. MEEK of Florida, Mr. BARCIA, Mr. FATTAH, and Mr. GILMAN.
H.R. 1609: Mr. MCNULTY, Mr. BOEHLERT, Mr. PICKERING, Mr. SCHROCK, Mr. SHOWS, and Mr. SMITH of Texas.
H.R. 1629: Mrs. DAVIS of California.
H.R. 1650: Mr. FATTAH.
H.R. 1672: Mr. WU, Mr. RANGEL, and Mr. PRICE of North Carolina.
H.R. 1733: Ms. BALDWIN and Ms. Norton.
H.R. 1770: Mr. SHERWOOD.
H.R. 1773: Mr. SCHROCK, Mr. KILDEE, and Mr. TANCREDO.
H.R. 1839: Mr. LEVIN.
H.R. 1851: Mr. FATTAH.
H.R. 1861: Ms. WOOLSEY.
H.R. 1863: Mr. BURR of North Carolina.
H.R. 1864: Mr. PLATTS and Mr. ROGERS of Michigan.
H.R. 1896: Mr. CUMMINGS, Ms. WOOLSEY, Mr. SANDERS, Mr. ENGLISH, Mr. FRANK, and Mr. KUCINICH.
H.R. 1911: Mr. GORDON, Mr. MCGOVERN, and Mr. RYUN of Kansas.
H.R. 1928: Ms. SLAUGHTER.
H.R. 1948: Mr. HYDE.
H.R. 1990: Mrs. MEEK of Florida.
H.R. 2036: Mr. JEFFERSON, Mr. THORNBERRY, Mr. LUCAS of Kentucky, Mr. PLATTS, Ms. DELAURO, Ms. DEGETTE, and Mr. KILDEE.
H.R. 2058: Mrs. MALONEY of New York, Ms. WOOLSEY, Mr. FROST, Mr. ACKERMAN, and Mr. MATSUI.
H.R. 2074: Mrs. MINK of Hawaii.
H.R. 2095: Mr. THOMPSON of Mississippi.
H.R. 2109: Mr. DEUTSCH.
H.R. 2145: Mr. ANDREWS.
H.R. 2148: Mr. BOUCHER, Ms. HARMAN, and Mr. EHLERS.
H.R. 2166: Ms. PELOSI.
H.R. 2173: Mr. WEXLER, Mr. OBERSTAR, Mr. BOUCHER, Mr. BONIOR, Ms. ESHOO, and Mr. MATSUI.
H.R. 2175: Mrs. NORTHUP, Mr. KENNEDY of Minnesota, and Mr. MOLLOHAN.
H.R. 2181: Ms. MCKINNEY, Mr. FILNER, and Mr. LANTOS.
H.R. 2235: Mr. CALLAHAN and Mr. ROSS.
H.R. 2240: Mr. YOUNG of Florida and Mrs. MEEK of Florida.
H.R. 2258: Mr. GUTIERREZ, Mr. OLVER, Mr. BLAGOJEVICH, Mr. RUSH, Mr. FILNER, Ms. BROWN of Florida, Mr. BERMAN, Mr. HOLT, Mr. JACKSON of Illinois, Ms. WATERS, Mr. FRANK, Mr. BACA, Mr. GONZALEZ, and Mr. MATSUI.
H.R. 2269: Mr. CHAMBLISS, Mr. TIBERI, Mr. MCCRERY, Mr. BALLENGER, Mr. FLETCHER, Mr. BROWN of Ohio, Mr. MCKEON, Mr. SHAYS, Mr. CANTOR, Mrs. BIGGERT, and Mr. PLATTS.
H.R. 2294: Ms. BALDWIN, Ms. SCHAKOWSKY, Mr. RODRIGUEZ, Mr. FROST, and Mr. DOYLE.
H.R. 2315: Mr. HAYWORTH, Mr. CRANE, Mr. TANCREDO, and Mr. BRYANT.

H.R. 2335: Mrs. JO ANN DAVIS of Virginia.
H.R. 2339: Ms. LOFGREN.
H.R. 2348: Mr. HASTINGS of Florida, Mr. LANTOS, Ms. MCCOLLUM, Mr. CARSON of Oklahoma, Mrs. MINK of Hawaii, Mr. FALEOMAVAEGA, Mr. FORD, Mr. GONZALEZ, Mr. FROST, and Mr. OBERSTAR.
H.R. 2369: Mr. INSLEE and Ms. ESHOO.
H.R. 2390: Mr. VITTER.
H.R. 2413: Mr. RYUN of Kansas.
H.R. 2450: Ms. NORTON, Mr. HOLDEN, Mr. CRAMER, Mr. CROWLEY, Mr. GILMAN, Mr. MCNULTY, and Mr. NADLER.
H.R. 2482: Mr. MATSUI, Ms. MCKINNEY, Mr. BERMAN, Mr. FROST, Mr. WAXMAN, and Ms. HARMAN.
H.R. 2486: Mr. FROST, Mrs. CAPITO, and Mr. ORTIZ.
H.R. 2505: Mr. FLAKE.
H.R. 2521: Mr. WAMP.
H.R. 2540: Mr. PICKERING, Mr. MANZULLO, and Mr. GALLEGLY.
H.R. 2560: Mr. BLAGOJEVICH.
H.R. 2573: Mr. KENNEDY of Rhode Island, Ms. MCCOLLUM, Mr. SABO, Mr. TIERNEY, Ms. KILPATRICK, Mr. BROWN of Ohio, and Mr. WEXLER.
H.J. Res. 15: Mr. WAXMAN, Mr. FROST, and Mr. SMITH of New Jersey.
H. Con. Res. 26: Mr. SHERMAN.
H. Con. Res. 60: Mr. GRUCCI, Mr. OBERSTAR, Mr. BRADY of Pennsylvania, Ms. ESHOO, and Mr. LANGEVIN.
H. Con. Res. 164: Mrs. KELLY.
H. Con. Res. 169: Mr. SABO, Mr. FARR of California, Mr. SANDERS, Ms. RIVERS, Mr. OLVER, and Mr. RANGEL.
H. Con. Res. 179: Mr. ROGERS of Michigan, Mr. BRADY of Pennsylvania, Mr. UNDERWOOD, Mr. HALL of Texas, Mrs. CLAYTON, Ms. WATSON, Mr. HILLIARD, Mr. PALLONE, Mr. PITTS, Ms. ROS-LEHTINEN, Mrs. NORTHUP, and Mr. PLATTS.
H. Res. 154: Mrs. MALONEY of New York, Mr. UDALL of New Mexico, Ms. BALDWIN, Mr. BARR of Georgia, Mr. UDALL of Colorado, Mr. REYES, Ms. ROYBAL-ALLARD, Mr. HONDA, Mr. LATHAM, Ms. SOLIS, Mr. PLATTS, and Mr. DEUTSCH.

¶78.41 PETITIONS, ETC.

Under clause 3 of rule XII,

31. The SPEAKER presented a petition of resident's of the Thirty-Sixth Congressional District, California, relative to a petition signed by residents of California's 36th Congressional District opposed to oil and gas drilling in the Alaska National Wildlife Refuge; which was referred to the Committee on Resources.

¶78.42 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1109: Mr. TIBERI.

TUESDAY, JULY 24, 2001 (79)

¶79.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 9 o'clock a.m. by the SPEAKER pro tempore, Mr. CANTOR, who laid before the House the following communication:

WASHINGTON, DC,
July 24, 2001.

I hereby appoint the Honorable ERIC CANTOR to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶79.2 RECESS—9:20 A.M.

The SPEAKER pro tempore, Mr. CANTOR, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock 20 minutes a.m. until 10 o'clock a.m.

¶79.3 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. CANTOR, called the House to order.

¶79.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CANTOR, announced he had examined and approved the Journal of the proceedings of Monday, July 23, 2001.

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

¶79.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3020. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—extension of Tolerances for Emergency Exemptions (Multiple Chemicals) [OPP–301146 FRL–6793–8] (RIN: 2070–AB78) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3021. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Henry T. Glisson, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3022. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Frederick McCorkle, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3023. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Frank Libutti, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3024. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

3025. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Process for Exempting Quarantine and Preshipment Applications of Methyl Bromide [FRL–7014–5] (RIN: 2060–AI42) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3026. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting the Department of the Navy's proposed lease of defense articles to the North Atlantic Treaty Organization (Transmittal No. 08–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3027. A communication from the President of the United States, transmitting a supplemental report, consistent with the War Powers Resolution, to help ensure that the Congress is kept fully informed on continued U.S. contributions in support of peacekeeping efforts in the former Yugoslavia; (H. Doc. No. 107–107); to the Committee on International Relations and ordered to be printed.

3028. A letter from the Secretary, Department of Commerce, transmitting the semiannual report on the activities of the Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

3029. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released in May 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

3030. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3031. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3032. A letter from the General Counsel, Department of Defense, transmitting a draft bill entitled, ''Exemption from Certain Immigration Inspection Fees''; to the Committee on the Judiciary.

3033. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Hagerstown, MD [Airspace Docket No. 01–AEA–01FR] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3034. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International (CFMI) CFM56–5C Turbofan Engines [Docket No. 2001–NE–08–AD; Amendment 39–12224; AD 2001–09–17] (RIN: 2120–AA64) received July 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace, Heber City, UT [Airspace Docket No. 00–ANM–12] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3036. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2–1C, B2–203, B2K–3C, B4–2C, B4–103, and B4–203 Series Airplanes [Docket No. 2000–NM–374–AD; Amendment 39–12289; AD 2001–13–09] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3037. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, Kingman, AZ [Airspace Docket No. 01–AWP–17] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3038. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Lloydsville, PA [Airspace Docket No. 01–AEA–04FR] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3039. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 2000–NM–116–AD; Amendment 39–12263; AD 2001–12–08] (RIN: 2120–AA64) received July 16, 2001, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3040. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; LaFayette, GA [Airspace Docket No. 01–ASO–5] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3041. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CT58 Series and Former Military T58 Series Turboshaft Engines [Docket No. 2001–NE–07–AD; Amendment 39–12262; AD 2001–12–07] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3042. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Greensburg, PA [Airspace Docket No. 01–AEA–02FR] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3043. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company (GE) CF34–1A, -3A, -3A1, -3A2, -3B, and -3B1 Turbofan Engines [Docket No. 2000–NE–22–AD; Amendment 39–12261; AD 2001–12–06] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3044. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Roosevelt, UT [Airspace Docket No. 00–ANM–17] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3045. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777–200 Series Airplanes [Docket No. 2000–NM–303–AD; Amendment 39–12265; AD 2001–12–10] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3046. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Cody, WY [Airspace Docket No. 00–ANM–25] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3047. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and A300 B4; A300 B4–600, B4–600R, and F4–600R (Collectively Called A300–600); and A310 Series Airplanes [Docket No. 2001–NM–194–AD; Amendment 39–12299; AD 2001–13–17] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3048. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Mosby, MO [Airspace Docket No. 01–ACE–6] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3049. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace and Establishment of Class E4 Airspace; Homestead, FL [Airspace Docket No. 01–ASO–4] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3050. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dassault Model Mystere-Falcon 900 and Falcon 900EX Series Airplanes [Docket No. 2000–NM–291–AD; Amendment 39–12264; AD 2001–12–09] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3051. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, Las Vegas, NV [Airspace Docket No. 01–AWP–16] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3052. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Jet Route J–713 [Airspace Docket No. 00–ANM–5] (RIN: 2120–AA66) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶79.6 ANNIVERSARY OF SLAYING OF OFFICERS CHESTNUT AND GIBSON

The SPEAKER pro tempore, Mr. CANTOR, announced that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun; and that at 3:40 p.m. today, the Chair will recognize the anniversary of this tragedy by observing a moment of silence in their memory.

¶79.7 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2131. An Act to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004, and for other purposes.

The message also announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 16. Concurrent resolution expressing the sense of Congress that the George Washington letter to Touro Synagogue in Newport, Rhode Island, which is on display at the B'nai B'rith Klutznick National Jewish Museum in Washington, D.C., is one of the most significant early statements buttressing the nascent American constitutional guarantee of religious freedom.

The message also announced that pursuant to section 2761 of title 22, United States Code, as amended, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, appoints the Senator from Vermont (Mr. LEAHY) as Chairman of the Senate Delegation to the British-American Interparliamentary Group during the One Hundred Seventh Congress.

The message also announced that in accordance with sections 1928a–1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Delaware (Mr. BIDEN) as Chairman of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the One Hundred Seventh Congress.

¶79.8 FOREIGN OPERATIONS APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. CANTOR, pursuant to House Resolution 199 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

Mr. THORNBERRY, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶79.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. VISCLOSKY:

In title I, in the item relating to ''SUBSIDY APPROPRIATION'', after the aggregate dollar amount, insert ''(reduced by $15,000,000)''.

In title I, in the item relating to ''ADMINISTRATIVE EXPENSES'', after the aggregate dollar amount, insert ''(reduced by $3,000,000)''.

In title II, in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND''—

(1) after the aggregate dollar amount, insert ''(increased by $18,000,000)''; and

(2) in the 4th proviso—

(A) after the dollar amount allocated for vulnerable children, insert ''(increased by $5,000,000)''; and

(B) after the dollar amount allocated for HIV/AIDS, insert ''(increased by $13,000,000)''.

It was decided in the affirmative ..... { Yeas ..... 258 / Nays 162

¶79.10 [Roll No. 260]

AYES—258

Abercrombie	Capito	Etheridge
Ackerman	Capps	Evans
Aderholt	Capuano	Everett
Akin	Cardin	Farr
Allen	Carson (IN)	Fattah
Andrews	Chabot	Filner
Armey	Clay	Flake
Baca	Clayton	Foley
Bachus	Clement	Ford
Baldacci	Clyburn	Fossella
Baldwin	Coble	Frank
Barcia	Condit	Frost
Barr	Conyers	Gekas
Barrett	Costello	Gephardt
Barton	Coyne	Gibbons
Bass	Cramer	Goode
Becerra	Crowley	Gordon
Berkley	Culberson	Graham
Berman	Cummings	Green (TX)
Berry	Davis (IL)	Green (WI)
Bilirakis	Davis, Jo Ann	Grucci
Bishop	DeFazio	Gutierrez
Blagojevich	DeLauro	Gutknecht
Boehlert	Deutsch	Hall (OH)
Bonior	Diaz-Balart	Hart
Borski	Dingell	Hastings (FL)
Boucher	Doggett	Hayworth
Boyd	Doolittle	Hill
Brady (PA)	Doyle	Hilleary
Brown (FL)	Duncan	Hilliard
Brown (OH)	Edwards	Hinchey
Brown (SC)	Emerson	Hinojosa
Buyer	Engel	Hoeffel
Cannon	English	Hoekstra

Holden
Holt
Honda
Hostettler
Hoyer
Hulshof
Hunter
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
King (NY)
Kleczka
Kucinich
LaHood
Lampson
Langevin
Lantos
Largent
LaTourette
Lee
Levin
Lewis (GA)
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Miller, George
Mink
Mollohan
Moran (KS)
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Platts
Pombo
Price (NC)
Quinn
Rahall
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Sherman
Sherwood
Shimkus
Shows
Shuster
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tancredo
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Wamp
Waters
Watkins (OK)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOES—162

Baird
Baker
Ballenger
Bartlett
Bentsen
Bereuter
Biggert
Blumenauer
Blunt
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Cantor
Carson (OK)
Castle
Chambliss
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Cunningham
Davis (CA)
Davis (FL)
Davis, Tom
Deal
DeLay
DeMint
Dicks
Dooley
Dreier
Dunn
Ehlers
Ehrlich
Eshoo
Ferguson
Fletcher
Forbes
Frelinghuysen
Ganske
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goss
Granger
Graves
Greenwood
Hall (TX)
Hansen
Harman
Hayes
Hefley
Herger
Hobson
Hooley
Houghton
Hyde
Inslee
Isakson
Israel
Issa
Istook
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kerns
Kind (WI)
Kingston
Kirk
Knollenberg
Kolbe
LaFalce
Larsen (WA)
Larson (CT)
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McDermott
McKeon
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Moore
Moran (VA)
Morella
Myrick
Nethercutt
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pitts
Pomeroy
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Roukema
Ryun (KS)
Sanchez
Saxton
Schrock
Sessions
Shadegg
Shaw
Shays
Simmons
Simpson
Skeen
Smith (TX)
Smith (WA)
Snyder
Souder
Stenholm
Stump
Sununu
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Vitter
Walden
Walsh
Watson (CA)
Watts (OK)
Weldon (FL)
Weller
Wicker
Wilson
Young (FL)

NOT VOTING—13

DeGette
Delahunt
Gallegly
Hastings (WA)
Horn
Hutchinson
Kilpatrick
Lipinski
Meehan
Reyes
Sabo
Scarborough
Spence

So the amendment was agreed to.

¶79.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. PAUL:

Page 2, strike line 21 and all that follows through line 17 on page 3.

It was decided in the negative ..... { Yeas ..... 47 / Nays 375

¶79.12 [Roll No. 261]

AYES—47

Akin
Armey
Barr
Bartlett
Bass
Burton
Chabot
Coble
Conyers
Cox
Crane
Culberson
DeLay
Doolittle
Duncan
Edwards
Flake
Gibbons
Goode
Hayworth
Herger
Hilleary
Hilliard
Hoekstra
Hostettler
Hunter
Jones (NC)
McInnis
McKinney
Ney
Otter
Paul
Pence
Petri
Platts
Pombo
Rohrabacher
Royce
Schaffer
Sensenbrenner
Shadegg
Smith (MI)
Tancredo
Taylor (MS)
Taylor (NC)
Traficant
Wamp

NOES—375

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

NOT VOTING—11

DeGette
Delahunt
Gallegly
Hastings (WA)
Kilpatrick
Lipinski
Meehan
Reyes
Scarborough
Spence
Stenholm

So the amendment was not agreed to.

After some further time,

¶79.13 MOMENT OF SILENCE

Mr. THORNBERRY, Chairman, announced that pursuant to the Speaker pro tempore's announcement of earlier today, the Committee would observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

After some further time,

¶79.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. LEE:

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the first dollar amount, insert the following: ''(increased by $60,000,000)''.

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the third dollar amount in the fourth proviso, insert the following: ''(increased by $60,000,000)''.

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the dollar amount in the sixth proviso, insert the following: ''(increased by $60,000,000)''.

In title II of the bill in the item relating to ''ANDEAN COUNTERDRUG INITIATIVE'', after the first dollar amount, insert the following: ''(decreased by $38,000,000)''.

In title III of the bill in the item relating to ''FOREIGN MILITARY FINANCING PROGRAM'', after the first dollar amount, insert the following: ''(decreased by $22,000,000)''.

It was decided in the negative ..... { Yeas ..... 188 / Nays 240

¶79.15 [Roll No. 262]

AYES—188

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson (IN)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Doggett
Dooley
Doyle
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Ford
Frank
Ganske
Gephardt
Gordon
Green (TX)
Green (WI)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hoeffel
Holt
Honda
Hooley
Horn
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Morella
Murtha
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—240

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Everett
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Moran (VA)
Myrick
Nethercutt
Ney
Northup
Norwood
Ortiz
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roukema
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Delahunt
Hastings (WA)
Kilpatrick
Lipinski
Scarborough
Spence

So the amendment was not agreed to.

¶79.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MCGOVERN:

Page 6, line 10, after the dollar amount, insert the following: ''(increased by $100,000,000)''.

Page 7, line 3, after the dollar amount, insert the following: ''(increased by $50,000,000)''.

Page 7, line 5, after the second dollar amount, insert the following: ''(increased by $50,000,000)''.

Page 25, line 7, after the dollar amount, insert the following: ''(reduced by $100,000,000)''.

It was decided in the negative ..... { Yeas ..... 179 / Nays 249

¶79.17 [Roll No. 263]

AYES—179

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson (IN)
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Doggett
Doyle
Duncan
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Ford
Frank
Ganske
Gephardt
Gordon
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Harman
Hastings (FL)
Hill
Hinchey
Hoeffel
Hoekstra
Holt
Honda
Hooley
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Leach
Lee
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Mink
Moore
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rohrabacher
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Solis
Stark
Strickland
Stupak
Tancredo
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—249

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson

Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dingell
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
English
Everett
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Grucci
Hall (TX)
Hansen
Hart
Hastert
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (CT)
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Traficant
Turner
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Delahunt
Hastings (WA)
Kilpatrick
Lipinski
Scarborough
Spence

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. THORNBERRY, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶79.18 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 2506

On motion of Mr. KOLBE, by unanimous consent,

Ordered, That it may be in order during further consideration of the bill (H.R. 2506) in the Committee of the Whole pursuant to House Resolution 199, no further amendment to the bill may be offered except: (1) pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; (2) the amendments printed in the Congressional Record and numbered 4, 7, 30, 33, 38, 44, and 59, which shall be debatable for 10 minutes each; (3) the amendments printed in the Congressional Record and numbered 8, 11, 47, 50, 55, and 61, which shall be debatable for 20 minutes each; (4) the amendments printed in the Congressional Record and numbered 5, 23, and 34, which shall be debatable for 30 minutes each; (5) the following amendments, which shall be debatable for 40 minutes: the amendment printed in the Congressional Record and numbered 32, and the amendment by Representative Conyers of Michigan, that I have placed at the desk.

Ordered further, That each such amendment may be offered only by the Member designated in this request, the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment), and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. Points of order against the amendment numbered 44 and the amendment by Representative Conyers for failure to comply with clause 2 of rule XXI are waived.

¶79.19 FOREIGN OPERATIONS APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 199 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

Mr. THORNBERRY, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶79.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROWN of Ohio:

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the first dollar amount, insert the following: ''(increased by $20,000,000)''.

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the fourth dollar amount in the fourth proviso, insert the following ''(increased by $20,000,000)''.

In title IV of the bill in the item relating to ''CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY'', after the first dollar amount, insert the following: ''(decreased by $10,000,000)''.

In title IV of the bill in the item relating to ''CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND'', after the first dollar amount, insert the following: ''(decreased by $10,000,000)''.

It was decided in the affirmative { Yeas ..... 268 / Nays ..... 159 }

¶79.21 [Roll No. 264]

AYES—268

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Buyer
Calvert
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Duncan
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Foley
Ford
Fossella
Frank
Frost
Gallegly
Ganske
Gephardt
Gilchrest
Gillmor
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Pitts
Platts
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Roemer
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Sherman
Shimkus
Shows
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Wilson
Woolsey
Wu
Wynn

NOES—159

Aderholt	Goss	Peterson (PA)
Akin	Graham	Petri
Armey	Granger	Pickering
Baker	Graves	Pombo
Ballenger	Green (WI)	Pomeroy
Barr	Greenwood	Portman
Barton	Grucci	Pryce (OH)
Bass	Gutknecht	Putnam
Bereuter	Hansen	Quinn
Biggert	Hart	Radanovich
Bilirakis	Hayes	Ramstad
Blunt	Hayworth	Regula
Boehlert	Herger	Rehberg
Boehner	Hobson	Reynolds
Bonilla	Houghton	Riley
Brady (TX)	Hutchinson	Rogers (KY)
Brown (SC)	Hyde	Rogers (MI)
Bryant	Istook	Ros-Lehtinen
Burr	Jenkins	Roukema
Callahan	John	Ryun (KS)
Camp	Johnson (CT)	Schrock
Cannon	Johnson (IL)	Sessions
Cantor	Johnson, Sam	Shadegg
Capito	Keller	Shaw
Castle	Kennedy (MN)	Shays
Chambliss	King (NY)	Sherwood
Coble	Kingston	Shuster
Collins	Knollenberg	Simmons
Combest	Kolbe	Simpson
Cooksey	LaFalce	Skeen
Crane	LaHood	Smith (MI)
Crenshaw	Latham	Smith (TX)
Cubin	LaTourette	Souder
Culberson	Lewis (CA)	Stenholm
Cunningham	Lewis (KY)	Stump
Davis, Tom	Linder	Sununu
DeLay	Lucas (OK)	Sweeney
DeMint	Manzullo	Tancredo
Diaz-Balart	McCrery	Tauzin
Dreier	McHugh	Taylor (NC)
Dunn	McKeon	Terry
Ehrlich	Mica	Thomas
Emerson	Miller (FL)	Thornberry
Everett	Miller, Gary	Traficant
Ferguson	Myrick	Vitter
Fletcher	Nethercutt	Walden
Forbes	Ney	Walsh
Frelinghuysen	Northup	Watts (OK)
Gekas	Nussle	Weller
Gibbons	Ose	Whitfield
Gilman	Otter	Wicker
Goode	Oxley	Wolf
Goodlatte	Pence	Young (FL)

NOT VOTING—6

Hastings (WA)	Reyes	Spence
Lipinski	Scarborough	Young (AK)

So the amendment was agreed to.

¶79.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SMITH of New Jersey:

Page 112, after line 22, insert the following:

FUNDING FOR TRAFFICKING VICTIMS PROTECTION ACT OF 2000

SEC. ____. (a) Of the amounts made available in this Act under the items ''DEVELOPMENT ASSISTANCE'', ''ECONOMIC SUPPORT FUND'', ''ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES'', ''ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION'', ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'', and ''MIGRATION AND REFUGEE ASSISTANCE''—

(1) $10,000,000 shall be made available for prevention of trafficking in persons, as authorized by section 106 of the Trafficking Victims Protection Act of 2000 (division A of Public Law 106-386);

(2) $10,000,000 shall be made available for the protection and assistance for victims of trafficking of persons, as authorized by section 107(a) of such Act; and

(3) $10,000,000 shall be made available to assist foreign countries to meet minimum standards for the elimination of trafficking, as authorized by section 134 of the Foreign Assistance Act of 1961.

It was decided in the affirmative { Yeas ..... 427 / Nays ..... 0 }

¶79.23 [Roll No. 265]

AYES—427

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

NOT VOTING—6

Hastings (WA)	Radanovich	Spence
Lipinski	Scarborough	Young (AK)

So the amendment was agreed to.

After some further time,

The SPEAKER pro tempore, Mr. ISAKSON, assumed the Chair.

When Mr. THORNBERRY, Chairman, pursuant to House Resolution 199, reported the bill back to the House, as amended pursuant to that resolution, with further sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

In title II of the bill under the heading ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', insert before the period at the end the following: '': *Provided further*, That of the amount made available under this heading for HIV/AIDS, $5,000,000 shall be for assistance to prevent mother-to-child HIV/AIDS transmission through effective partnerships with nongovernmental organizations and research facilities pursuant to section 104(c)(5) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)(5))''.

In title I, in the item relating to ''SUBSIDY APPROPRIATION'', after the aggregate dollar amount, insert ''(reduced by $15,000,000)''.

In title I, in the item relating to ''ADMINISTRATIVE EXPENSES'', after the aggregate dollar amount, insert ''(reduced by $3,000,000)''.

In title II, in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND''—

(1) after the aggregate dollar amount, insert ''(increased by $18,000,000)''; and

(2) in the 4th proviso—

(A) after the dollar amount allocated for vulnerable children, insert ''(increased by $5,000,000)''; and

(B) after the dollar amount allocated for HIV/AIDS, insert ''(increased by $13,000,000)''.

Page 2, line 25, after the dollar amount, insert ''(reduced by $1)''.

Page 11, line 11, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 25, line 7, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 2, line 25, after the dollar amount, insert ''(reduced by $1)''.

Page 11, line 11, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 25, line 7, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 25, line 8, strike ''these'' and all that follows through the colon on line 13, and insert: section 3204(b) of Public Law 106–246 is amended by adding a new subsection (b)(3) as follows:

''(3) Further exception.—Notwithstanding paragraph (2), the limitation contained in paragraph (1)(B) may be waived (i) if the President certifies to the appropriate committees of the Congress that the aggregate ceiling of 800 United States personnel contained in paragraph (1) will not be exceeded by such waiver, and (ii) if Congress is informed of the extent to which the limitation under paragraph (1)(B) is exceeded by such certification.'': *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading for assistance for Colombia: *Provided further*, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961, as amended, shall be made available subject to the regular notification procedures of the Committees on Appropriations:

Page 25, line 16, insert before the period the following:

Provided further, That, of the funds appropriated under this heading, $65,000,000 shall not be available for obligation until (1) the Secretary of State submits to the Congress a full report on the incident of April 20, 2001, in which Veronica ''Roni'' Bowers and her 7-month old daughter, Charity, were needlessly killed when a Peruvian Air Force jet opened fire on their plane after the crew of another plane, owned by the Department of Defense and chartered by the Central Intelligence Agency, mistakenly targeted the plane to be potentially smuggling drugs in the Andean region; and (2) the Secretary of State, Secretary of Defense, and Director of Central Intelligence certify to the Congress, 30 days before any resumption of United States involvement in counter-narcotic flights and a force-down program that continues to permit the ability of the Peruvian Air Force to shoot down aircraft, that the force-down program will include enhanced safeguards and procedures to prevent the occurrence of any incident similar to the April 20, 2001, incident.

Page 112, after line 22, insert the following:

PROHIBITION ON UNITED STATES CONTRIBUTION TO THE UNITED NATIONS INTERNATIONAL NARCOTICS CONTROL BOARD

SEC. ____. None of the funds appropriated by this Act may be used for a United States contribution to the United Nations International Narcotics Control Board.

At the appropriate place, insert:

SEC. . None of the funds made available by this Act may be used to award a contract to a person or entity whose bid or proposal reflects that the person or entity has violated the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the first dollar amount, insert the following: ''(increased by $20,000,000)''.

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the fourth dollar amount in the fourth proviso, insert the following ''(increased by $20,000,000)''.

In title IV of the bill in the item relating to ''CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY'', after the first dollar amount, insert the following: ''(decreased by $10,000,000)''.

In title IV of the bill in the item relating to ''CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND'', after the first dollar amount, insert the following: ''(decreased by $10,000,000)''.

Page 112, after line 22, insert the following:

FUNDING FOR TRAFFICKING VICTIMS PROTECTION ACT OF 2000

SEC. ____. (a) Of the amounts made available in this Act under the items ''DEVELOPMENT ASSISTANCE'', ''ECONOMIC SUPPORT FUND'', ''ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES'', ''ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION'', ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'', and ''MIGRATION AND REFUGEE ASSISTANCE''—

(1) $10,000,000 shall be made available for prevention of trafficking in persons, as authorized by section 106 of the Trafficking Victims Protection Act of 2000 (division A of Public Law 106-386);

(2) $10,000,000 shall be made available for the protection and assistance for victims of trafficking of persons, as authorized by section 107(a) of such Act; and

(3) $10,000,000 shall be made available to assist foreign countries to meet minimum standards for the elimination of trafficking, as authorized by section 134 of the Foreign Assistance Act of 1961.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. ISAKSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 381 / Nays 46

¶79.24 [Roll No. 266]

YEAS—381

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

NAYS—46

Barr	Herger	Rohrabacher
Berry	Hilleary	Royce
Collins	Hostettler	Ryun (KS)
Combest	Jenkins	Schaffer
Condit	Jones (NC)	Sensenbrenner
Cubin	Kaptur	Stark
Cunningham	Kerns	Stearns
Duncan	Lucas (OK)	Tancredo
Everett	McInnis	Tanner
Flake	Otter	Taylor (MS)
Goode	Paul	Taylor (NC)
Goodlatte	Petri	Toomey
Hall (TX)	Phelps	Watkins (OK)
Hansen	Pombo	Weldon (FL)
Hayes	Rahall	
Hefley	Roemer	

NOT VOTING—6

Hastings (WA)	Lipinski	Spence
Johnson, Sam	Scarborough	Young (AK)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶79.25 PROVIDING FOR THE CONSIDERATION OF H.R. 2590

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–158) the resolution (H. Res. 206) providing for the consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶79.26 IRAN AND LIBYA SANCTIONS

Mr. GILMAN moved to suspend the rules and pass the bill (H.R. 1954) to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. GILMAN and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. KIRK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LANTOS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. KIRK, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, July 25, 2001, pursuant to the prior announcement of the Chair.

¶79.27 BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore, Mr. KIRK, by unanimous consent, announced that the Speaker, pursuant to 10 United States Code 4355(a), appointed to the Board of Visitors to the United States Military Academy, on the part of the House, the following Member: Mrs. TAUSCHER.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶79.28 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2131. An Act to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004, and for other purposes.

¶79.29 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 468. An Act to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building.''

S. 1190. An Act to amend the Internal Revenue Code of 1986 to rename the education individual retirement accounts as the Coverdell education savings accounts.

¶79.30 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ENGEL, for Monday, July 23; and

To Mrs. JONES of Ohio, for Monday, July 23.

And then,

¶79.31 ADJOURNMENT

On motion of Mr. TANCREDO, at 11 o'clock and 20 minutes p.m., the House adjourned.

¶79.32 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 1937. A bill to authorize the Secretary of the Interior to engage in certain feasibility studies of water resource projects in the State of Washington; with an amendment (Rept. No. 107–155). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 2540. A bill to amend title 38, United States Code, to make various improvements to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes; with amendments (Rept. No. 107–156). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 2511. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage energy conservation, energy reliability, and energy production; with an amendment (Rept. No. 107–157). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 206. Resolution providing for consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–158). Referred to the House Calendar.

¶79.33 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. PUTNAM:

H.R. 2600. A bill to amend title 49, United States Code, to provide that air carriers may not transport unaccompanied minors under the age of 18 without written certification of a custodial parent's, foster parent's, or legal guardian's permission, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PUTNAM:

H.R. 2601. A bill to amend title 18, United States Code, to provide penalties for the enticement of children which interferes with parental authority; to the Committee on the Judiciary.

By Mr. HYDE (for himself, Mr. LANTOS, Mr. LEACH, Mr. GALLEGLY, Ms. ROS-LEHTINEN, Mr. COOKSEY, Mr. SMITH of Michigan, and Mrs. NAPOLITANO):

H.R. 2602. A bill to extend the Export Administration Act until November 20, 2001; to the Committee on International Relations.

By Mr. THOMAS:

H.R. 2603. A bill to implement the agreement establishing a United States-Jordan free trade area; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself, Mr. SANDERS, Mrs. ROUKEMA, Mr. BAKER, Mr. SHAYS, Mrs. MALONEY of New York, and Mr. LAFALCE):

H.R. 2604. A bill to authorize the United States to participate in and contribute to the seventh replenishment of the resources of the Asian Development Fund and the fifth replenishment of the resources of the International Fund for Agricultural Development, and to set forth additional policies of the United States towards the African Development Bank, the African Development Fund, the Asian Development Bank, the Inter-American Development Bank, and the European Bank for Reconstruction and Development; to the Committee on Financial Services.

By Mr. BLUMENAUER (for himself, Mr. RILEY, Mr. EVANS, Mr. MANZULLO, Mr. UNDERWOOD, Mr. EHLERS, Mr. FARR of California, Mr. WALDEN of Oregon, Mrs. TAUSCHER, Mr. HERGER, Mr. THOMPSON of California, Mr. HILL, Ms. MCKINNEY, Mr. DELAHUNT, Ms. HARMAN, Mr. KIND, Ms. NORTON, Ms. VELAZQUEZ, and Mr. BAIRD):

H.R. 2605. A bill to amend title 10, United States Code, to require the development and maintenance of an inventory of sites within former military ranges known or suspected to contain unexploded ordnance (UXO) or other abandoned military munitions that pose a threat to human health, human safety, or the environment, to improve security at such sites and public awareness of the dangers associated with such sites, and for other purposes; to the Committee on Armed Services.

By Mrs. CAPITO:

H.R. 2606. A bill to provide project assistance, loan guarantees, and tax credits for a coal gasification demonstration project, and for other purposes; to the Committee on Science, and in addition to the Committees

on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mrs. MCCARTHY of New York, Mr. MALONEY of Connecticut, Mrs. MALONEY of New York, Mr. KING, Mrs. LOWEY, and Mr. CROWLEY):

H.R. 2607. A bill to authorize a project for the renovation of the Department of Veterans Affairs medical center in Bronx, New York; to the Committee on Veterans' Affairs.

By Mr. GREENWOOD (for himself and Mr. DEUTSCH):

H.R. 2608. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the cloning of humans, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LAFALCE:

H.R. 2609. A bill to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes; to the Committee on Resources.

By Mrs. LOWEY (for herself, Mr. HYDE, and Mr. MURTHA):

H.R. 2610. A bill to amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women; to the Committee on Energy and Commerce.

By Mrs. LOWEY (for herself, Ms. DELAURO, Mr. MCDERMOTT, Mr. CROWLEY, Mr. KILDEE, Mr. HYDE, and Mr. KUCINICH):

H.R. 2611. A bill to amend the Federal Food, Drug, and Cosmetic Act relating to freshness dates on food; to the Committee on Energy and Commerce.

By Mr. MCINNIS (for himself, Mr. NUSSLE, and Mr. TANCREDO):

H.R. 2612. A bill to amend title XVIII of the Social Security Act to assure that Medicare beneficiaries have continued access under current contracts to managed health care through the Medicare cost contract program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINTYRE (for himself, Mrs. MINK of Hawaii, Ms. MCKINNEY, Mr. NORWOOD, Mr. SPRATT, Mrs. MYRICK, Mr. BOUCHER, Mr. SHOWS, Mr. HAYES, Mr. GONZALEZ, Ms. HART, and Mr. BURR of North Carolina):

H.R. 2613. A bill to amend the Trade Act of 1974 to revise the limitations on trade readjustment allowances under the trade adjustment assistance program for workers; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself, Ms. ESHOO, Mr. NADLER, Mr. SANDERS, Mr. SCHIFF, Ms. PELOSI, Mr. MCDERMOTT, Ms. LEE, Mr. BLAGOJEVICH, Mr. FILNER, Mr. HOLT, Mr. HINCHEY, Mr. TIERNEY, and Ms. WOOLSEY):

H.R. 2614. A bill to amend title 49, United States Code, to improve highway safety by requiring reductions in the aggressivity of light trucks; to extend average fuel economy standards to all light trucks up to 10,000 pounds gross vehicle weight; to require phased increases in the average fuel economy standards for passenger automobiles and light trucks; to improve the accuracy of average fuel economy testing and public information regarding average fuel economy, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. BURTON of Indiana, Mr. HINCHEY, Mr. KLECZKA, Mr. SCHAFFER, Mr. TANCREDO, and Mr. WAMP):

H.R. 2615. A bill to repeal sections 1173(b) and 1177(a)(1) of the Social Security Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS:

H.R. 2616. A bill to amend the Individuals with Disabilities Education Act to provide full funding for assistance for education of all children with disabilities; to the Committee on Education and the Workforce.

By Mr. RYAN of Wisconsin:

H.R. 2617. A bill to promote international monetary stability and to share seigniorage with officially dollarized countries; to the Committee on Financial Services.

By Mr. SHAW:

H.R. 2618. A bill to clarify the accounting treatment for Federal income tax purposes of deposits and similar amounts received by a tour operator for a tour arranged by such operator; to the Committee on Ways and Means.

By Ms. SOLIS:

H.R. 2619. A bill to reaffirm and clarify the Federal relationship of the Gabrieleno/Tongva Nation as a distinct federally recognized Indian tribe and to restore aboriginal rights, and for other purposes; to the Committee on Resources.

By Mr. OSE:

H.J. Res. 56. A joint resolution proposing an amendment to the Constitution of the United States to require Members of Congress and the President to forfeit the compensation paid to them starting at the conclusion of each fiscal year until all of the general appropriations bills for the following fiscal year are enacted; to the Committee on the Judiciary.

By Mr. VITTER:

H.J. Res. 57. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. ACKERMAN (for himself and Mr. CHABOT):

H. Con. Res. 194. Concurrent resolution expressing the sense of Congress to encourage full participation in the Asian Pacific Economic Cooperation (APEC) forum; to the Committee on International Relations.

By Mr. EVANS (for himself, Mr. MORAN of Virginia, Ms. KAPTUR, Ms. LOFGREN, Mr. WOLF, Mr. DOGGETT, Ms. PELOSI, Mr. MCNULTY, Ms. MCKINNEY, Mr. KUCINICH, Mr. HONDA, Mr. MCGOVERN, Mrs. MINK of Hawaii, Mr. ABERCROMBIE, Mr. UNDERWOOD, Mr. SANDERS, Ms. RIVERS, and Ms. MCCOLLUM):

H. Con. Res. 195. Concurrent resolution expressing the sense of Congress that the Government of Japan should formally issue a clear and unambiguous apology for the sexual enslavement of young women during colonial occupation of Asia and World War II, known to the world as ''comfort women'', and for other purposes; to the Committee on International Relations.

By Mr. HANSEN:

H. Con. Res. 196. Concurrent resolution expressing the sense of the Congress that hunting seasons for migratory mourning doves in the Pacific Flyway Region should be modified so that individuals have a fair and equitable opportunity to hunt such birds; to the Committee on Resources.

¶79.34 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

169. The SPEAKER presented a memorial of the General Assembly of the State of Delaware, relative to House Concurrent Resolution No. 12 memorializing the United States Congress to enact H.R. 20, that was introduced on January 3, 2001, and that modifies provisions of the Clean Air Act, regarding the oxygen content of reformulated gasoline and improves the regulation of the fuel additive methyl tertiary butyl ether (MTBE); to the Committee on Energy and Commerce.

170. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 35 memorializing the United States Congress to require federally controlled emission sources to reduce their emissions by the same percentages and on the same schedule as state-controlled sources; to the Committee on Energy and Commerce.

171. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 84 memorializing the United States Congress to expand the number of and funding for federally funded community health centers and other federal community-based safety-net programs specifically directed to poor and medically underserved communities in states with the highest numbers of uninsured residents; to the Committee on Energy and Commerce.

172. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 214 memorializing the United States Congress to establish a separate Federal Medical Assistance Percentage for the Texas-Mexico border region; to the Committee on Energy and Commerce.

173. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 28 memorializing the United States Congress to repeal the federal regulation relating to the three-shell limit and the magazine plug requirement found in 50 C.F.R. Section 20–21; to the Committee on Resources.

174. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 51 memorializing the United States Congress to urge the Department of the Interior to reconsider the necessity of designating the Arkansas River shiner as a threatened species and the necessity of designating critical habitat in Texas for the Arkansas River shiner; to the Committee on Resources.

175. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 256 memorializing the United States Congress to relocate the U.S. Border Patrol Training Academy to the southwest Texas border region; to the Committee on the Judiciary.

176. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 10 memorializing the United States Congress to create a federal category under the NAFTA agreement, for NAFTA traffic-related infrastructure damage, to provide counties and municipalities with funding for commercial vehicle weigh stations within the 20-mile commercial border zone; to the Committee on Ways and Means.

177. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 37 memorializing the United States Congress to provide tax credits to individuals buying private health in-

surance; to the Committee on Ways and Means.

178. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 77 memorializing the United States Congress to amend provisions of the Internal Revenue Code of 1986, as added by PL 106–230, to exempt state and local political committees that are required to report to their respective states from notification and reporting requirements imposed by PL 106–230; to the Committee on Ways and Means.

179. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 104 memorializing the United States Congress to pass legislation amending the Internal Revenue Code to give each person who serves on a jury under certain circumstances or in certain localities a $40 tax credit per day of service and to give each person who is summoned and appears, but does not serve, a one-time $40 tax credit for that day; to the Committee on Ways and Means.

180. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 98 memorializing the United States Congress to make the problem of subsidized Canadian lumber imports a top priority; to the Committee on Ways and Means.

181. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 226 memorializing the United States Congress to amend the Internal Revenue Code of 1986 to allow for the issuance of tax-exempt facility bonds for the purpose of financing air pollution control facilities in nonattainment areas and to provide that such tax-exempt facility bonds issued during the years of 2003, 2004, 2005, 2006, or 2007 for the construction of such air pollution control facilities not be subject to the volume cap requirements; to the Committee on Ways and Means.

182. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 22 memorializing the United States Congress to urge the Environmental Protection Agency to provide maximum flexibility to the states in the implementation of federal environmental programs and regulations; jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

183. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 210 memorializing the United States Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

¶79.35 ADDITIONAL SPONSORS

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

H.R. 17: Mr. ALLEN.
H.R. 36: Mr. TOWNS.
H.R. 51: Ms. MCKINNEY.
H.R. 85: Mr. MCNULTY.
H.R. 101: Mr. GUTIERREZ.
H.R. 123: Mr. HEFLEY, Mr. LUCAS of Kentucky, Mr. REHBERG, and Mr. UPTON.
H.R. 144: Mr. OLVER.
H.R. 162: Mr. SNYDER.
H.R. 210: Mr. HASTINGS of Florida.
H.R. 413: Mr. GUTIERREZ.
H.R. 420: Mr. HORN.
H.R. 436: Mr. MASCARA.
H.R. 458: Mr. DUNCAN.
H.R. 476: Mr. KERNS.
H.R. 482: Mr. KERNS.
H.R. 488: Mr. SHERMAN.
H.R. 649: Mr. CLYBURN.
H.R. 662: Ms. MILLENDER-MCDONALD, Mr. HOUGHTON, and Mr. BEREUTER.
H.R. 663: Mr. SNYDER.
H.R. 781: Mr. MASCARA, Mr. UNDERWOOD, Ms. WATSON, Mr. FALEOMAVAEGA, and Mr. CLAY.
H.R. 797: Mr. KLECZKA.
H.R. 798: Mr. KLECZKA.
H.R. 810: Mr. BEREUTER and Mr. KOLBE.
H.R. 822: Mr. SMITH of Washington, Mr. MOLLOHAN, and Mr. FRANK.
H.R. 853: Mrs. NAPOLITANO.
H.R. 854: Mr. BENTSEN.
H.R. 921: Mr. FOLEY.
H.R. 938: Mr. TOWNS.
H.R. 951: Mr. BRADY of Texas, Mr. MATHESON, Ms. PRYCE of Ohio, Mrs. DAVIS of California, and Mr. LARSON of Connecticut.
H.R. 967: Mr. SAXTON, Mr. ANDREWS, and Mr. MATSUI.
H.R. 981: Mr. ARMEY.
H.R. 1007: Mr. SHIMKUS and Mrs. NORTHUP.
H.R. 1024: Mr. NUSSLE, Mr. TERRY, and Mr. CANTOR.
H.R. 1043: Mr. SHERMAN and Ms. HARMAN.
H.R. 1044: Mr. SHERMAN.
H.R. 1070: Ms. RIVERS, Mr. KIND, and Mr. CAMP.
H.R. 1090: Mr. WEINER, Mr. GONZALEZ, and Mr. ROHRABACHER.
H.R. 1097: Mr. KENNEDY of Rhode Island, Ms. HARMAN, and Ms. PELOSI.
H.R. 1101: Mr. PITTS and Mr. JEFFERSON.
H.R. 1130: Mr. FATTAH.
H.R. 1136: Mr. PLATTS and Mr. TIAHRT.
H.R. 1192: Ms. KAPTUR.
H.R. 1198: Mr. LAHOOD, Mr. BACA, Mr. WELDON of Florida, and Ms. WATSON.
H.R. 1202: Mr. WAMP, Ms. PELOSI, Mr. GONZALES, Ms. HARMAN, Mr. NUSSLE, and Mr. FORD.
H.R. 1212: Mr. BRADY of Texas and Mr. BLAGOJEVICH.
H.R. 1282: Mr. ARMEY, Mr. SHOWS, Mr. THORNBERRY, Mr. HAYES, Mr. ROHRABACHER, Mr. SESSIONS, Mr. TAUZIN, and Mr. DELAY.
H.R. 1293: Mr. TURNER and Ms. LEE.
H.R. 1343: Mr. MASCARA.
H.R. 1354: Mr. PASCRELL and Mr. FROST.
H.R. 1401: Mr. THOMPSON of Mississippi.
H.R. 1412: Mr. PETRI, Mr. GALLEGLY, Mrs. MYRICK, Mr. GEKAS, Ms. ESHOO, Mr. JONES of North Carolina, Mr. ROGERS of Kentucky, Mr. BURR of North Carolina, Mr. CALVERT, Mr. BALLENGER, Mr. HAYES, and Mr. CLYBURN.
H.R. 1476: Mr. FATTAH.
H.R. 1494: Mr. LARSON of Connecticut.
H.R. 1509: Mr. GUTIERREZ, Ms. LOFGREN, Mr. OSBORNE, Ms. HARMAN, and Mr. DEFAZIO.
H.R. 1511: Mr. CALVERT, Mr. GUTIERREZ, and Mr. LARGENT.
H.R. 1517: Ms. BALDWIN and Mr. BARCIA.
H.R. 1556: Mr. BENTSEN.
H.R. 1582: Mr. BONIOR.
H.R. 1586: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1587: Mr. WEXLER.
H.R. 1597: Ms. WOOLSEY.
H.R. 1599: Mr. CANTOR.
H.R. 1604: Mr. SNYDER.
H.R. 1609: Mr. STEARNS, Mr. JOHNSON of Illinois, and Mr. KOLBE.
H.R. 1624: Mr. PLATTS, Mr. SERRANO, Mr. MANZULLO, Mr. SWEENEY, Ms. MCCOLLUM, Mr. MATSUI, Mr. SMITH of Washington, and Mr. LAFALCE.
H.R. 1644: Mr. MOLLOHAN.
H.R. 1669: Mr. MCDERMOTT and Ms. HOOLEY of Oregon.
H.R. 1682: Mr. NADLER.
H.R. 1700: Ms. MILLENDER-MCDONALD and Mr. KUCINICH.
H.R. 1711: Mr. DEFAZIO and Ms. HOOLEY of Oregon.
H.R. 1718: Mr. SAWYER, Mr. COYNE, Mr. KILDEE, Mr. KLECZKA, Mr. SCHIFF, Mr. PHELPS, Ms. HOOLEY of Oregon, Mr. GUTIERREZ, Ms. SOLIS, Mr. PRICE of North Carolina, Mr. ANDREWS, Mr. LARSON of Connecticut, Mr. CARDIN, Mr. MEEHAN, Mr. ACKERMAN, Mr. MASCARA, Mr. HILL, Mr. SABO, Mr. SMITH of Washington, Mr. TURNER, Mr. TRAFICANT, Mrs. NAPOLITANO, Mr. BOSWELL, Mr. SANDLIN, and Mr. MENENDEZ.
H.R. 1723: Mr. BERMAN, Mr. ANDREWS, Mr. BISHOP, Mr. BORSKI, and Mr. MALONEY of Connecticut.
H.R. 1726: Mr. RUSH, Mr. CARDIN, Mr. KUCINICH, and Mr. NADLER.
H.R. 1744: Mr. MCGOVERN, Mrs. MINK of Hawaii, and Mr. CUNNINGHAM.
H.R. 1750: Mr. MASCARA.
H.R. 1751: Mr. MASCARA.
H.R. 1810: Mrs. BIGGERT.
H.R. 1822: Mr. GORDON, Ms. RIVERS, and Mr. PETERSON of Pennsylvania.
H.R. 1827: Mr. BEREUTER.
H.R. 1832: Mr. GEKAS and Mr. JEFFERSON.
H.R. 1861: Mr. BEREUTER.
H.R. 1897: Mr. BONIOR, Mr. RUSH, Ms. MCKINNEY, Mr. CLAY, Mr. Mr. BORSKI, Mr. INSLEE, Mr. MATSUI, Mr. PASCRELL, Mr. THOMPSON of Mississippi, and Mr. MASCARA.
H.R. 1907: Ms. WATSON.
H.R. 1950: Mr. DOOLITTLE and Mr. PICKERING.
H.R. 1975: Mr. PLATTS, Mr. WALDEN of Oregon, Mr. MATHESON, Mr. MCINNIS, Mr. ENGLISH, and Mr. MCDERMOTT.
H.R. 1979: Mr. UDALL of Colorado and Mr. WATKINS.
H.R. 1984: Mr. CALVERT.
H.R. 1990: Mr. TOWNS.
H.R. 1996: Mr. BLAGOJEVICH.
H.R. 2001: Mr. ENGLISH and Mr. CALVERT.
H.R. 2071: Mr. PRICE of North Carolina.
H.R. 2073: Mr. BLUNT.
H.R. 2081: Ms. MCKINNEY and Mr. HOBSON.
H.R. 2088: Mr. MOORE and Mrs. BIGGERT.
H.R. 2098: Mr. ROTHMAN, Mr. BENTSEN, and Mr. WEINER.
H.R. 2117: Mr. LAFALCE.
H.R. 2123: Mr. HALL of Texas.
H.R. 2125: Mr. LOBIONDO.
H.R. 2145: Mr. BONIOR.
H.R. 2152: Mr. MEEKS of New York, Mr. TOWNS, Mr. TRAFICANT, Mr. ETHERIDGE, Mr. LIPINSKI, and Mr. SNYDER.
H.R. 2157: Mr. SNYDER and Mr. MASCARA.
H.R. 2178: Mr. DOYLE.
H.R. 2200: Mr. PAUL.
H.R. 2219: Mr. BEREUTER.
H.R. 2220: Mr. LATOURETTE.
H.R. 2221: Mr. UDALL of Colorado.
H.R. 2223: Mr. MCGOVERN, Mr. POMEROY, and Mr. HALL of Texas.
H.R. 2263: Mr. KUCINICH.
H.R. 2308: Mr. FROST and Mr. CANTOR.
H.R. 2316: Mr. SAM JOHNSON of Texas, Mr. LAHOOD, Mr. PUTNAM, Mr. Cantor, Mr. FLAKE, Mr. PLATTS, Mr. TOOMEY, Mr. ROGERS of Michigan, Mr. DOOLITTLE, Mr. COOKSEY, Mr. AKIN, Mr. VITTER, Mr. NETHERCUTT, Mr. NEY, Mr. GIBBONS, and Mr. SESSIONS.
H.R. 2319: Mr. LANTOS.
H.R. 2323: Mr. SESSIONS and Mr. MASCARA.
H.R. 2339: Mr. BRYANT.
H.R. 2340: Mr. CUMMINGS.
H.R. 2343: Ms. JACKSON-LEE of Texas.
H.R. 2349: Mrs. DAVIS of California, Mr. GEORGE MILLER of California, Ms. WOOLSEY, and Mr. COSTELLO.
H.R. 2380: Ms. NORTON, Ms. BERKLEY, Ms. SLAUGHTER, Mr. BOUCHER, Ms. SOLIS, Mr. EHRLICH, and Mr. SHIMKUS.
H.R. 2390: Mr. TERRY.
H.R. 2417: Mr. LARGENT.
H.R. 2418: Mr. CARSON of Oklahoma.
H.R. 2435: Mr. WOLF.
H.R. 2436: Mr. SOUDER.
H.R. 2453: Mr. WEXLER and Mr. CUMMINGS.
H.R. 2456: Mr. TOM DAVIS of Virginia and Mr. SHAYS.
H.R. 2458: Mr. MATHESON and Ms. BALDWIN.
H.R. 2476: Mr. NEAL of Massachusets, Mr. OBERSTAR, Mr. TIERNEY, Ms. KAPTUR, and Mr. STARK.
H.R. 2494: Mr. SHOWS, Mr. CAPUANO, Mr. RODRIGUEZ, Mr. LIPINSKI, Mr. GRAVES, Ms.

SANCHEZ, Mr. FROST, and Mr. FALEOMAVAEGA.

H.R. 2498: Ms. ROYBAL-ALLARD, Mr. HINCHEY, Mr. ACKERMAN, Ms. CARSON of Indiana, Mrs. JONES of Ohio, Mrs. MALONEY of New York, and Ms. SCHAKOWSKY.

H.R. 2503: Ms. MCKINNEY.

H.R. 2527: Ms. BALDWIN.

H.R. 2540: Mr. ABERCROMBIE, Mr. SNYDER, Mr. PASCRELL, Mr. FALEOMAVAEGA, Ms. BERKLEY, Ms. MCKINNEY, Mr. HASTINGS of Florida, Mr. SANDERS, Mr. GONZALES, Mr. GUTIERREZ, Mr. DOYLE, Mrs. TAUSCHER, Ms. CARSON of Indiana, and Mr. EDWARDS.

H.R. 2550: Mr. HOUGHTON and Mr. NEY.

H.R. 2560: Mr. FROST.

H.R. 2563: Ms. SOLIS, Mr. MASCARA, Mr. LANGEVIN, Mr. VISCLOSKY, Mr. BALDACCI, and Mr. ACKERMAN.

H.J. Res. 6: Mr. MCGOVERN.

H.J. Res. 54: Mr. HYDE and Mr. PLATTS.

H. Con. Res. 89: Mr. BEREUTER.

H. Con. Res. 102: Mr. FROST, Mr. BISHOP, Ms. BROWN of Florida, Mr. CLAY, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. FORD, Mrs. JONES of Ohio, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. OWENS, Mr. SCOTT, and Mr. TOWNS.

H. Con. Res. 116: Mrs. BIGGERT.

H. Con. Res. 152: Mr. KIRK.

H. Con. Res. 162: Mr. ANDREWS and Mr. RUSH.

H. Con. Res. 177: Ms. WATERS, Ms. NORTON, Mrs. MALONEY of New York, Mr. RUSH, Mr. WAXMAN, Mr. HINCHEY, Mrs. CAPPS, and Mr. BONIOR.

H. Con. Res. 178: Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. SOUDER, Mr. MORAN of Virginia, Mr. CRENSHAW, Mr. COBLE, Mr. BLUNT, Mr. GOODLATTE, Mr. UPTON, Mr. PITTS, Mr. BURTON of Indiana, Mr. GILMAN, Mrs. JO ANN DAVIS of Virginia, Mrs. MYRICK, Mr. HOUGHTON, Mr. CANTOR, Mr. HYDE, Mr. HASTINGS of Florida, and Mr. ISAKSON.

H. Con. Res. 180: Mr. Wexler, Mr. DEFAZIO, Mr. SERRANO, Mr. HORN, Mr. FRANK, Ms. ESHOO, Mr. PRICE of North Carolina, Mr. SNYDER, Ms. BALDWIN, Mr. TIERNEY, Mr. UDALL of Colorado, Mr. LARSON of Connecticut, Mr. STRICKLAND, Mr. ROEMER, Mr. BONIOR, Ms. WATSON, Mr. MCNULTY, and Mr. UNDERWOOD.

H. Con. Res. 181: Mr. HONDA, Mr. HINCHEY, Mr. PETERSON of Pennsylvania, Mr. UNDERWOOD, Ms. MCKINNEY, and Mr. WELDON of Pennsylvania.

H. Res. 144: Mr. RODRIGUEZ and Mr. BEREUTER.

H. Res. 152: Mr. OBEY.

H. Res. 191: Mr. FERGUSON, Mr. KERNS, Mr. HILLIARD, Mr. CHABOT, Mr. BURR of North Carolina, Mr. PITTS, Mr. FLAKE, Mrs. JO ANN DAVIS of Virginia, and Mr. DAVIS of Illinois.

H. Res. 193: Mr. WEINER, Mr. MOLLOHAN, Mr. KNOLLENBERG, and Mr. BRADY of Texas.

H. Res. 197: Mr. OSE, Mr. CALLAHAN, Mr. NEY, Mr. CANTOR, and Mr. PETERSON of Pennsylvania.

H. Res. 202: Mr. HOLDEN, Mr. SPRATT, Mr. OBEY, Mr. NUSSLE, Mr. CUNNINGHAM, Mr. BROWN of Ohio, Mr. MARKEY, Mr. WU, Mr. ROHRABACHER, Mr. DINGELL, Mr. MURTHA, and Mr. GREENWOOD.

¶79.36 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 21: Mr. GREEN of Wisconsin.

WEDNESDAY, JULY 25, 2001 (80)

The House was called to order by the SPEAKER.

¶80.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, July 24, 2001.

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

¶80.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3053. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule—Blueberry Promotion, Research, and Information Order; Amendment No. 1 [FV–00–706–FR] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3054. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule—Exemption From the Requirement of a Tolerance Under the Federal Food, Drug, and Cosmetic Act for Residues Derived Through Conventional Breeding From Sexually Compatible Plants of Plant Incorporated Protectants (Formerly Plant-Pesticides) [OPP–300368B; FRL–6057–6] (RIN 2070–AC02) received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3055. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule—Exemption From the Requirement of a Tolerance Under the Federal Food, Drug, and Cosmetic Act for Residues of Nucleic Acids that are Part of Plant Incorporated Protectants (Formerly Plant-Pesticides [OPP–300371B; FRL–6057–5] (RIN 2070–AC02) received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3056. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Regulations Under the Federal Insecticide, Fungicide, and Rodenticide Act for Plant Incorporated Protectants (Formerly Plant-Pesticides [OPP–300369B; FRL–6057–7] (RIN: 2070–AC02) received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3057. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the determination and a memorandum of justification pursuant to Section 2(b)(6) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3058. A letter from the Director, Office of Federal Housing Enterprise Oversight, transmitting the Office's final rule—Risk-Based Capital Regulation—received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3059. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Commission Policy Statement on the Establishment and Improvement of Standards Related to Auditor Independence [Release Nos. 33–7993; 34–44557; IC–25066; FR–50 A] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3060. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Assuring Access to Health Insurance Coverage in the Large Group Market''; to the Committee on Energy and Commerce.

3061. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 130–1130a; FRL–7016–4] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3062. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Control of VOC's from Wood Furniture Manufacturing, Surface Coating Processes and Other Miscellaneous Revisions [PA 168–4109a; FRL–7013–7] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3063. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of VOC Emissions from Organic Chemical Production [MD 118–3073a; FRL–7014–1] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3064. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (West Rutland, Vermont) [MM Docket No. 00–12; RM–9706] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3065. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Caro and Cass City, Michigan) [MM Docket No. 01–33; RM–10060] (Warsaw and Windsor, Missouri) [MM Docket No. 01–34; RM–10061] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3066. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Steubenville, Ohio and Burgettstown, Pennsylvania) [MM Docket No. 01–6; RM–10009] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3067. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Pana, Taylorville and Macon, Illinois) [MM Docket No. 00–160; RM–9928] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3068. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Thermopolis and Story, Wyoming) [MM Docket No. 00–159; RM–9889] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3069. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Quartzsite, Arizona) [MM Docket No. 01–70; RM–10082] (Leesville, Louisiana) [MM Docket No. 01–71; RM–10083] received July 19, 2001,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3070. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Abingdon and Canton, Illinois) [MM Docket No. 01–67; RM–10084] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3071. A letter from the Chair, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a report on the District of Columbia Fiscal Year 2002 Budget and Fiscal Year 2002–2005 Financial Plan Review; to the Committee on Government Reform.

3072. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International, S.A. CFM56–3, –3B, and –3C Series Turbofan Engines, Correction [Docket No. 98–ANE–57; Amendment 39–12124; AD 2001–04–06] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3073. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Limited, Areo Division-Bristol, S.N.E.C.M.A. Olympus 593 Mk. 610–14–28 Turbofan Engines [Docket No. 2000–NE–07–AD; Amendment 39–12310; AD 2001–13–28] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3074. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–7 Series Airplanes [Docket No. 2000–NM–272–AD; Amendment 39–12266; AD 2001–12–11] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3075. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters [Docket No. 2001–SW–02–AD; Amendment 39–12272; AD 2001–01–52 R1] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3076. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–90–30 Series Airplanes [Docket No. 2000–NM–323–AD; Amendment 39–12270; AD 2001–12–15] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3077. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes [Docket No. 2000–NM–320–AD; Amendment 39–12269; AD 2001–12–14] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3078. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model CN–235 Series Airplanes [Docket No. 2000–NM–262–AD; Amendment 39–12274; AD 2001–12–18] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3079. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model Hawker 800XP Series Airplanes [Docket No. 2000–NM–176–AD; Amendment 39–12273; AD 2001–12–17] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3080. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000–NM–158–AD; Amendment 39–12277; AD 2001–12–21] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3081. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2001–NM–33–AD; Amendment 39–12280; AD 2001–12–24] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3082. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 and Model A300 B4–600, A300 B4–600R, and A300 F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2000–NM–261–AD; Amendment 39–12297; AD 2001–13–16] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3083. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757 Series Airplanes Equipped with Rolls Royce Engines [Docket No. 98–NM–271–AD; Amendment 39–12296; AD 2001–13–15] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3084. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream Model G–1159, G–1159A, G–1159B, G–IV, and G–V Series Airplanes [Docket No. 2001–NM–83–AD; Amendment 39–12191; AD 2001–08–13] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3085. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B4–601, B4–603, B4–620, B4–605R, B4–622R, and F4–605R (Collectively Called A300–600) Series Airplanes [Docket No. 2000–NM–306–AD; Amendment 39–12298; AD 2000–03–20 R1] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3086. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 99–NM–313–AD; Amendment 39–12292; AD 2001–13–12] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3087. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 45 (YT–34), A45 (T–34A, B–45) and D45 (T–34B) Airplanes [Docket No. 2000–CE–09–AD; Amendment 39–12300; AD 2001–13–18] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3088. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA) Model CN–235 Series Airplanes [Docket No. 2000–NM–273–AD; Amendment 39–12267; AD 2001–12–12] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3089. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Aircraft Operator Security [Docket No. FAA–2001–8725; formerly Docket No. 28978; Amendment No. 108–18] (RIN: 2120–AD45) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3090. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airport Security [Docket No. FAA–2001–8724; formerly Docket No. 28979; Amendment No. 107–13, 139–23] (RIN: 2120–AD46) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3091. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Rules of Practice: Medical Opinions from the Veterans Health Administration (RIN: 2900–AK52) received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3092. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Extension of Relief Relating to Application of Nondiscrimination Rules for Certain Church Plans and Governmental Plans [Notice 2001–46] received July 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3093. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that shrimp harvested with technology that may adversely affect certain sea turtles may not be imported into the United States unless the President makes specific certifications to the Congress by May 1, pursuant to Public Law 101—162, section 609(b)(2) (103 Sat. 1038); jointly to the Committees on Resources and Appropriations.

¶80.3 PROVIDING FOR THE CONSIDERATION OF H.R. 2590

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 206):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments printed in the report of the Committee on Rules accompanying this resolution shall be considered

as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. The amendment printed in the Congressional Record and numbered 5 pursuant to clause 8 of rule XVIII may be offered only by Representative Smith of New Jersey or his designee and only at the appropriate point in the reading of the bill. All points of order against that amendment are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. LINDER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the yeas had it.

Mr. MATHESON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 293 / Nays ..... 129 }

¶80.4 [Roll No. 267]

YEAS—293

Abercrombie
Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barr
Barton
Bass
Bentsen
Bereuter
Berman
Biggert
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (SC)
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Engel
Eshoo
Farr
Fattah
Filner
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hefley
Herger
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Houghton
Hoyer
Hunter
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
Lampson
Largent
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Linder
Lowey
Lucas (OK)
Manzullo
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McHugh
McInnis
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (PA)
Pickering
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rodriguez
Roemer
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Sabo
Sawyer
Saxton
Schakowsky
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Simpson
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spratt
Stark
Stenholm
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Traficant
Upton
Visclosky
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)

NAYS—129

Aderholt
Baird
Baldwin
Barcia
Barrett
Bartlett
Becerra
Berkley
Berry
Bilirakis
Blagojevich
Boswell
Brady (TX)
Brown (OH)
Bryant
Burr
Capito
Capps
Carson (OK)
Chabot
Chambliss
Coble
Costello
Davis (CA)
Davis, Jo Ann
DeMint
Dingell
Edwards
Emerson
English
Etheridge
Evans
Everett
Ferguson
Forbes
Fossella
Gekas
Gibbons
Goode
Graves
Green (WI)
Hart
Hayes
Hayworth
Hill
Hilleary
Holt
Honda
Hooley
Hostettler
Hulshof
Inslee
Israel
Jenkins
Johnson (IL)
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kind (WI)
Kucinich
LaHood
Langevin
Larsen (WA)
Latham
Leach
Lewis (KY)
LoBiondo
Lofgren
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matheson
McIntyre
McKinney
Meehan
Mica
Moore
Napolitano
Northup
Ose
Paul
Peterson (MN)
Petri
Phelps
Pitts
Platts
Pomeroy
Price (NC)
Rehberg
Riley
Rivers
Rogers (MI)
Ross
Royce
Ryan (WI)
Sanchez
Sanders
Sandlin
Schaffer
Schiff
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Smith (WA)
Solis
Stearns
Strickland
Stump
Stupak
Tancredo
Terry
Thune
Thurman
Tierney
Toomey
Turner
Udall (CO)
Udall (NM)
Velazquez
Vitter
Wu

NOT VOTING—11

Hutchinson
Hyde
Lantos
Lewis (CA)
Lipinski
McGovern
Scarborough
Skelton
Snyder
Spence
Young (FL)

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the yeas had it.

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶80.5 VA-HUD APPROPRIATIONS FY 2002

Mr. HOBSON submitted a privileged report (Rept. No. 107–159) on the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶80.6 TREASURY AND POSTAL SERVICE APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. FOSSELLA, pursuant to House Resolution 206 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. FOSSELLA, by unanimous consent, designated Mr. DREIER as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. GUTKNECHT, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶80.7 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 2590

On motion of Mr. ISTOOK, by unanimous consent,

Ordered, That during consideration of the amendments numbered 5, 7, and 8 during further consideration of the bill (H.R. 2590) in the Committee of the Whole pursuant to House Resolution 206: (1) the amendment numbered 7

shall immediately follow disposition of, or postponement of further proceedings on, the amendment numbered 5; (2) the amendment numbered 5 shall be subject only to the amendment by Representative Flake placed at the desk; (3) the amendment numbered 7 shall be subject only to one substantive amendment; (4) the amendments numbered 5 and 7, and each specified amendment thereto, each shall be debatable for 20 minutes, equally divided and controlled by the proponent and an opponent except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any of those pending amendments; and (5) debate on the amendment numbered 8, and all amendments thereto, shall be limited to one hour, equally divided and controlled by the proponent and an opponent.

¶80.8 TREASURY AND POSTAL SERVICE APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 206 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

Mr. GUTKNECHT, Acting Chairman, assumed the chair; and after some time spent therein,

¶80.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. INSLEE:

Page 89, strike lines 18 through 20.

It was decided in the negative ..... { Yeas ..... 141 / Nays 285

¶80.10 [Roll No. 268]

AYES—141

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berry
Bishop
Bonior
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson (OK)
Clay
Clement
Coyne
Crowley
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dingell
Doggett
Edwards
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Green (TX)
Gutierrez
Harman
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
LaFalce
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Moran (VA)
Napolitano
Neal
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rangel
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Sherman
Shows
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (MS)
Thurman
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Woolsey
Wu

NOES—285

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clayton
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Mink
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nadler
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schaffer
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Conyers
Gonzalez
Johnson, E. B.
Lipinski
Scarborough
Snyder
Spence

So the amendment was not agreed to.

¶80.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HINCHEY:

Page 89, strike lines 21 through 23 (section 635).

It was decided in the negative ..... { Yeas ..... 151 / Nays 274

¶80.12 [Roll No. 269]

AYES—151

Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett
Becerra
Bentsen
Berkley
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson (OK)
Clay
Clayton
Clement
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Doggett
Edwards
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gordon
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hoyer
Inslee
Jackson (IL)
John
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tauscher
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watson (CA)
Waxman
Weiner
Wexler
Woolsey
Wu

NOES—274

Abercrombie
Aderholt
Akin
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer

Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Matsui
McCrery
McDermott
McHugh
McInnis
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—8

Conyers
Gonzalez
Johnson, E. B.
Lipinski
Scarborough
Snyder
Spence
Waters

So the amendment was not agreed to.

After some further time,

¶80.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following substitute amendment submitted by Mr. FLAKE for the amendment submitted by Mr. SMITH of New Jersey:

Substitute amendment submitted by Mr. FLAKE:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 644. (a) None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction.

(b) The limitation established in subsection (a) shall not apply to transactions in relation to any business travel covered by section 515.560(g) of such part 515.

Amendment submitted by Mr. SMITH of New Jersey:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction, after the President has certified to Congress that the Cuban Government has released all political prisoners and has returned to the jurisdiction of the United States Government all persons residing in Cuba who are sought by the United States Government for the crimes of air piracy, narcotics trafficking, or murder.

It was decided in the affirmative { Yeas ..... 240 / Nays ..... 186 }

¶80.14 [Roll No. 270]

AYES—240

Abercrombie
Aderholt
Allen
Baird
Baldacci
Baldwin
Barcia
Barrett
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bishop
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Camp
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehlers
Emerson
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Fletcher
Ford
Frank
Gallegly
Ganske
Gilchrest
Gonzalez
Gordon
Graves
Greenwood
Gutierrez
Harman
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Inslee
Isakson
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Millender-McDonald
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Nussle
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rehberg
Rivers
Rodriguez
Roemer
Ross
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Slaughter
Smith (MI)
Smith (WA)
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sununu
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Wamp
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Whitfield
Woolsey
Wynn

NOES—186

Ackerman
Akin
Andrews
Armey
Baca
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Berkley
Bilirakis
Blagojevich
Blunt
Boehner
Bonilla
Boyd
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Cox
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Engel
Everett
Ferguson
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Green (TX)
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hobson
Hulshof
Hunter
Hutchinson
Hyde
Israel
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
Meek (FL)
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Myrick
Northup
Norwood
Ortiz
Ose
Oxley
Pallone
Pascrell
Pence
Petri
Pitts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Shuster
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Traficant
Visclosky
Vitter
Walden
Walsh
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Wexler
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—7

Blumenauer
Cooksey
Lipinski
Meeks (NY)
Scarborough
Snyder
Spence

So the substitute amendment was agreed to.

After some further time,

¶80.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. RANGEL:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), except those provisions that relate to the denial of foreign tax credits or to the implementation of the Harmonized Tariff Schedule of the United States.

It was decided in the negative ..... { Yeas ..... 201 / Nays 227

¶80.16 [Roll No. 271]

AYES—201

Abercrombie
Allen
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Bereuter
Berry
Biggert
Bishop
Bonior
Bono
Boswell
Boucher
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Capps
Capuano
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Emerson
English
Eshoo
Evans
Farr
Fattah
Filner
Flake
Ford
Frank
Ganske
Gilchrest
Gonzalez
Graves
Greenwood
Hall (OH)
Harman
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Houghton
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Millender-McDonald
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Nadler
Napolitano
Neal
Nethercutt
Nussle
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pomeroy
Price (NC)
Radanovich
Rahall
Ramstad
Rangel
Rehberg
Rivers
Rodriguez
Roemer
Ross
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Shimkus
Simpson
Slaughter
Smith (WA)
Solis
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Woolsey
Wynn

NOES—227

Ackerman
Aderholt
Akin
Andrews
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Berkley
Berman
Bilirakis
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Borski
Boyd
Brady (PA)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Castle
Chabot
Chambliss
Coble
Collins
Cooksey
Cox
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Engel
Etheridge
Everett
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Murtha
Myrick
Ney
Northup
Norwood
Ortiz
Ose
Oxley
Pallone
Pascrell
Pence
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Regula
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun (KS)
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shows
Shuster
Simmons
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spratt
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Traficant
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—5

Blumenauer
Lipinski
Scarborough
Snyder
Spence

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. SHAW, assumed the Chair.

When Mr. DREIER, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶80.17 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 2590

On motion of Mr. ISTOOK, by unanimous consent,

Ordered, That during further consideration of the bill (H.R. 2590) in the Committee of the Whole pursuant to House Resolution 206, no further amendment to the bill may be offered except: (1) pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; (2) the amendment numbered 8, which shall be debatable for 30 minutes; (3) the amendment by Representative Filner of California placed at the desk, which shall be debatable for 40 minutes.

Ordered further, That each such amendment may be offered only by the Member designated in this request, the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment).

¶80.18 TREASURY AND POSTAL SERVICE APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. SHAW, pursuant to House Resolution 206 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

Mr. DREIER, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶80.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TRAFICANT:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Internal Revenue Service to pay any bonus or incentive payment to the Commissioner, the Deputy Commissioner, the Chief Counsel, the Chief Inspector, the Chief of Management and Administration, the Chief Financial Officer, the Chief of Operations, the Chief of Appeals, the Chief Information Officer, or the Chief of Communications of the Service.

It was decided in the negative ..... { Yeas ..... 24 / Nays 401

¶80.20 [Roll No. 272]

AYES—24

Baker
Bilirakis
Chambliss
Coble
Collins
Duncan
Gibbons
Hall (TX)
Hansen
Hilleary
Hinchey
Jones (NC)
LaTourette
Ney
Norwood
Otter
Paul
Royce
Schaffer
Sessions
Tancredo
Traficant
Watson (CA)
Young (AK)

NOES—401

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

NOT VOTING—8

Bachus
Blumenauer
Lipinski
McGovern
Scarborough
Snyder
Spence
Watkins (OK)

So the amendment was not agreed to.

¶80.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FILNER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of implementing the final report of the President's Commission To Strengthen Social Security.

It was decided in the negative { Yeas ..... 188 / Nays ..... 238 }

¶80.22 [Roll No. 273]

AYES—188

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

NOES—238

Aderholt
Akin
Allen
Armey
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder

Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Bachus
Blumenauer
Knollenberg
Lipinski
Scarborough
Snyder
Spence

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. DREIER, Chairman, pursuant to House Resolution 206, reported the bill, as amended pursuant to that resolution, back to the House with sundry further amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

On page 27, strike line 21 through page 28, line 22;

On page 28, strike line 24 through page 29, line 4;

On page 31, strike line 10 through page 32, line 17;

On page 33, strike line 1 through page 34, line 11; and

On page 39, strike lines 20 through 25.

On page 27, line 21, insert the following:

EXECUTIVE OFFICE OF THE PRESIDENT

For necessary expenses of the Executive Office of the President, including compensation of the President, $139,255,000; of which $450,000 shall be available for compensation of the President, including an expense allowance at the rate of $50,000 per year, as authorized by 3 U.S.C. 102; of which $54,651,000 shall be available for necessary expenses of the White House Office as authorized by law, including not to exceed $100,000 for travel expenses, to be expended and accounted for as provided by 3 U.S.C. 103.

At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Federal Buildings Fund'' (and the amount specified in clause (5) under such heading for building operations), and increasing the amount made available for ''National Archives and Records Administration—Repairs and Restoration'', by $14,000,000.

At the end of the bill (preceding the short title) insert the following new section:

SEC. ____. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

Page 95, after line 16, insert the following new section:

Sec. ____. No part of any appropriation for the current fiscal year contained in this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. ____. None of the funds made available in this Act for the United States Customs Service may be used to allow the release into the United States of any good, ware, article, or merchandise on which the United States Customs Service has in effect a detention order, pursuant to section 307 of the Tariff Act of 1930, on the basis that the good, ware, article, or merchandise may have been mined, produced, or manufactured by forced or indentured child labor.

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 644. (a) None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction.

(b) The limitation established in subsection (a) shall not apply to transactions in relation to any business travel covered by section 515.560(g) of such part 515.

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction, after the President has certified to Congress that the Cuban Government has released all political prisoners and has returned to the jurisdiction of the United States Government all persons residing in Cuba who are sought by the United States Government for the crimes of air piracy, narcotics trafficking, or murder.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 334 / Nays ..... 94 }

¶80.23 [Roll No. 274]

YEAS—334

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baldacci
Ballenger
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Cooksey
Coyne
Cramer
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (OK)
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (PA)
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Schrock
Scott
Serrano
Shaw
Sherman
Sherwood
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (TX)
Solis
Souder
Spratt
Stark
Stenholm
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Traficant
Velazquez
Visclosky
Vitter
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—94

Andrews
Baker
Baldwin
Barcia
Barr
Barrett
Bartlett
Berkley
Berry
Boswell
Brown (OH)
Carson (OK)
Chabot
Coble
Conyers
Costello
Cox
Crane
Crenshaw
Davis (CA)
DeFazio
Deutsch
Diaz-Balart
Duncan
Etheridge
Evans
Goode
Goodlatte
Green (WI)
Hall (TX)
Hayworth
Hefley
Herger
Hill
Hilleary
Hoekstra
Hostettler
Inslee
Israel
Johnson (IL)
Jones (NC)
Kerns
Kildee
Kind (WI)
Kucinich
Langevin
Larsen (WA)
Lucas (KY)
Luther
Maloney (NY)
Matheson
McInnis
Menendez
Moran (KS)
Paul
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pomeroy
Putnam
Ramstad
Rohrabacher
Ross
Royce
Ryun (KS)
Sandlin
Schaffer

Schiff	Smith (WA)	Udall (CO)
Sensenbrenner	Stearns	Udall (NM)
Sessions	Strickland	Upton
Shadegg	Tancredo	Walden
Shays	Taylor (MS)	Weldon (FL)
Shimkus	Thune	Wexler
Shows	Thurman	Wu
Smith (MI)	Toomey	
Smith (NJ)	Turner	

NOT VOTING—5

Blumenauer	Scarborough	Spence
Lipinski	Snyder	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶80.24 COMMITTEE ELECTION—MINORITY

Mr. FROST, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 207):

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Armed Services: Mr. Larsen of Washington.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶80.25 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 55

On motion of Mr. GOSS, by unanimous consent,

Ordered, That it may be in order at any time on July 25, 2001, or any day thereafter, to consider in the House the joint resolution (H.J. Res. 55) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; that the joint resolution be considered as read for amendment; that all points of order against the joint resolution and against its consideration be waived; that the joint resolution be debatable for one hour equally divided and controlled by the chairman of the Committee on Ways and Means (in opposition to the joint resolution) and a Member in support of the joint resolution; that pursuant to section 152 and 153 of the Trade Act of 1974, the previous question be considered as ordered on the joint resolution to final passage without intervening motion; and that the provisions of sections 152 and 153 of the Trade Act of 1974 shall not otherwise apply to any joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam for the remainder of the first session of the One Hundred Seventh Congress.

¶80.26 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported (Rept. No. 107–163) the resolution (H. Res. 209) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶80.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BLUMENAUER, for today after 4 p.m. and balance of the week.

And then,

¶80.28 ADJOURNMENT

On motion of Ms. PRYCE of Ohio, at 10 o'clock and 20 minutes p.m., the House adjourned.

¶80.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALSH: Committee on Appropriations. H.R. 2620. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–159). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2436. A bill to provide secure energy supplies for the people of the United States, and for other purposes; with an amendment (Rept. No. 107–160 Pt. 1).

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2002 (Rept. No. 107–161). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 2587. A bill to enhance energy conservation, provide for security and diversity in the energy supply for the American people, and for other purposes; with an amendment (Rept. No. 107–162 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

¶80.30 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2436. Referred to the Committee on Energy and Commerce extended for a period ending not later than July 25, 2001.

H.R. 2587. Referral to the Committees on Ways and Means, Science, Transportation and Infrastructure, the Budget, and Education and the Workforce for a period ending not later than July 25, 2001.

¶80.31 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Ways and Means, Science, Transportation and Infrastructure, the Budget and Education and the Workforce discharged from further consideration of H.R. 2587.

Pursuant to clause 2 of rule XII the Committee on Energy and Commerce discharged from further consideration. H.R. 2436 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶80.32 PUBLIC BILLS AND RESOLUTIONS

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

By Ms. HART (for herself and Ms. BALDWIN):

H.R. 2621. A bill to amend title 18, United States Code, with respect to consumer product protection; to the Committee on the Judiciary.

By Mr. REYNOLDS:

H.R. 2622. A bill to prohibit the interstate transport of horses for the purpose of slaughter or horse flesh intended for human consumption, and for other purposes; to the Committee on Agriculture.

By Mr. MEEHAN (for himself, Mr. MCGOVERN, and Mr. FRANK):

H.R. 2623. A bill to extend the deadline for granting posthumous citizenship to individuals who die while on active-duty service in the Armed Forces; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself, Mr. TOM DAVIS of Virginia, Mr. STUPAK, Mr. SOUDER, Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Ms. MCKINNEY, and Ms. ROYBAL-ALLARD):

H.R. 2624. A bill to authorize the Attorney General to make grants to honor, through permanent tributes, men and women of the United States who were killed or disabled while serving as law enforcement or public safety officers; to the Committee on the Judiciary.

By Mr. HORN (for himself, Mr. FILNER, Mr. HONDA, and Ms. WATERS):

H.R. 2625. A bill to amend the Higher Education Act of 1965 to eliminate consideration of the amount of a student's tuition in determining the amount of a student's basic grant; to the Committee on Education and the Workforce.

By Mr. BOEHLERT:

H.R. 2626. A bill to authorize research, development, demonstration, and commercial application activities relating to clean coal technologies, and for other purposes; to the Committee on Science.

By Mr. CONYERS (for himself, Mrs. CHRISTENSEN, Mr. BONIOR, Mrs. JONES of Ohio, Ms. SOLIS, Mr. DAVIS of Illinois, Ms. LEE, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, and Mr. RUSH):

H.R. 2627. A bill to amend title XIX of the Social Security Act to permit uninsured families and individuals to obtain coverage under the Medicaid Program, to assure coverage of doctor's visits, prescription drugs, mental health services, long-term care services, alcohol and drug abuse treatment services, and all other medically necessary services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CRAMER:

H.R. 2628. A bill to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Muscle Shoals National Heritage Area in Alabama, and for other purposes; to the Committee on Resources.

By Mr. CRANE (for himself, Mrs. ROUKEMA, Mr. SNYDER, Mr. FERGUSON, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mrs. MORELLA, Ms. HARMAN, Mr. GREENWOOD, Mr. SHIMKUS, Mr. HALL of Ohio, Mr. RUSH, and Ms. SLAUGHTER):

H.R. 2629. A bill to amend the Public Health Service Act to provide for research, information, and education with respect to blood cancer; to the Committee on Energy and Commerce.

By Mr. DINGELL (for himself, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. STARK, Mr. GEPHARDT, Mr. ALLEN,

Mr. BALDACCI, Mr. DOYLE, Mr. FRANK, Mr. FROST, Mr. GREEN of Texas, Mr. MORAN of Virginia, Mr. MOORE, Mr. PALLONE, Ms. SCHAKOWSKY, Ms. NORTON, Mr. BLAGOJEVICH, Mr. RUSH, Mr. TOWNS, Mr. STRICKLAND, Mr. KLECZKA, Mr. BOUCHER, Mrs. CHRISTENSEN, Mrs. THURMAN, Mr. ENGEL, Mr. TIERNEY, Mr. JOHN, Mr. MARKEY, Mr. WATT of North Carolina, Mr. OWENS, Mr. WYNN, Mr. NADLER, Mrs. CAPPS, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. KILDEE, and Mr. JEFFERSON):

H.R. 2630. A bill to amend titles XIX and XXI of the Social Security Act to provide for FamilyCare coverage for parents of enrolled children, and for other purposes; to the Committee on Energy and Commerce.

By Ms. DUNN (for herself and Mr. CRAMER):

H.R. 2631. A bill to accelerate the repeal of the estate and generation-skipping transfer taxes and the reduction in the maximum gift tax rate; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Mrs. CAPITO, and Mr. TERRY):

H.R. 2632. A bill to amend title XVIII of the Social Security Act to provide Medicare beneficiaries with access to affordable outpatient prescription drugs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRELINGHUYSEN (for himself, Mr. GRUCCI, Mrs. KELLY, Mr. HINCHEY, Mr. GILMAN, Mr. ACKERMAN, Mr. KING, Mr. SANDERS, Mr. PALLONE, Mrs. ROUKEMA, Mrs. MCCARTHY of New York, Mr. LAFALCE, Ms. DELAURO, Mr. MCHUGH, Mr. FOSSELLA, Mr. CROWLEY, Mr. WEINER, Mr. BASS, Mr. PASCRELL, Mr. LARSON of Connecticut, Mr. PAYNE, Mr. HOLT, Mr. SWEENEY, Mr. MCNULTY, Mr. FERGUSON, Mr. MENENDEZ, Mr. ROTHMAN, and Ms. VELAZQUEZ):

H.R. 2633. A bill to require the Secretary of Veterans Affairs to replace with a more equitable formula the current formula, known as the Veterans Equitable Resource Allocation (VERA), for the allocation of funds appropriated to the Department of Veterans Affairs for medical care to different geographic regions of the Nation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRELINGHUYSEN (for himself, Mr. GRUCCI, Mrs. KELLY, Mr. HINCHEY, Mr. GILMAN, Mr. ACKERMAN, Mr. KING, Mr. SANDERS, Mr. PALLONE, Mrs. ROUKEMA, Mrs. MCCARTHY of New York, Mr. LAFALCE, Ms. DELAURO, Mr. MCHUGH, Mr. FOSSELLA, Mr. CROWLEY, Mr. WEINER, Mr. BASS, Mr. PASCRELL, Mr. LARSON of Connecticut, Mr. PAYNE, Mr. HOLT, Mr. SWEENEY, Mr. MCNULTY, Mr. FERGUSON, Mr. MENENDEZ, Mr. ROTHMAN, Ms. VELAZQUEZ, Mrs. MALONEY of New York, and Mr. SAXTON):

H.R. 2634. A bill to require the Secretary of Veterans Affairs to modify the formula, known as the Veterans Equitable Resource Allocation (VERA) system, for the allocation of funds appropriated to the Department of Veterans Affairs for medical care to different geographic regions of the Nation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GREEN of Texas:

H.R. 2635. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to allow States and localities to provide primary and preventive care to all individuals; to the Committee on Energy and Commerce.

By Mr. KENNEDY of Rhode Island (for himself, Mr. GILMAN, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. STRICKLAND, Mr. STARK, Mr. DEFAZIO, Mr. SANDERS, Mr. UDALL of New Mexico, Ms. JACKSON-LEE of Texas, Mr. OWENS, Ms. NORTON, Ms. MCKINNEY, Mr. MCGOVERN, Mr. BONIOR, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. HILLIARD, Mr. FORD, Mrs. JONES of Ohio, Mr. CRAMER, Mr. LANGEVIN, Mr. TOM DAVIS of Virginia, Mr. FOLEY, Mr. CUMMINGS, Mr. SANDLIN, Mr. ABERCROMBIE, Mr. SCOTT, Mrs. MINK of Hawaii, Mr. BLAGOJEVICH, Mr. MEEKS of New York, Mr. ALLEN, Mr. KUCINICH, Mr. REYES, Mr. CONYERS, Mr. FATTAH, and Ms. WATSON):

H.R. 2636. A bill to establish a grant program to promote emotional and social development and school readiness; to the Committee on Education and the Workforce.

By Mr. LOBIONDO (for himself, Mr. CAPUANO, Mrs. BONO, Mr. BALDACCI, Mr. SPRATT, Mr. REYES, Mr. DUNCAN, and Mr. SPENCE):

H.R. 2637. A bill to correct inequities in the second round of empowerment zones and enterprise communities; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKEON (for himself, Mr. BERMAN, Mr. PETERSON of Pennsylvania, Mr. SANDLIN, Mrs. MORELLA, Mr. FRANK, Mr. BOEHLERT, Mr. PAUL, Mr. MATSUI, Mr. STARK, Mrs. DAVIS of California, Ms. LEE, Mr. BALDACCI, Mr. RUSH, Mr. ALLEN, Mr. FILNER, Mr. LANTOS, Ms. LOFGREN, Mr. FROST, Mr. SHERMAN, Mr. BACA, Mr. SCHIFF, Mr. WAXMAN, Ms. WATERS, Ms. WOOLSEY, Ms. ROYBAL-ALLARD, Ms. SOLIS, Ms. WATSON, and Ms. ESHOO):

H.R. 2638. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Ways and Means.

By Mr. PITTS (for himself, Mr. SOUDER, Mr. KIND, Mr. PETERSON of Pennsylvania, Mr. FATTAH, Mr. ENGLISH, Mr. GEKAS, and Mr. REGULA):

H.R. 2639. A bill to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products; to the Committee on Education and the Workforce.

By Mr. SERRANO (for himself and Mr. LEWIS of Georgia):

H.R. 2640. A bill to establish the Elie Wiesel Youth Leadership Congressional Fellowship Program in the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. STARK:

H.R. 2641. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for certain gifts and benefits provided to physicians by prescription drug manufacturers; to the Committee on Ways and Means.

By Mr. UPTON (for himself and Mr. STUPAK):

H.R. 2642. A bill to establish a National Commission on Farmworkers and Federal Health Coverage to study the problems of farmworkers under the Medicaid Program and the State children's health insurance program (SCHIP); to the Committee on Energy and Commerce.

By Mr. WU (for himself, Mr. BAIRD, and Mr. SOUDER):

H.R. 2643. A bill to authorize the aquisition of additional lands for inclusion in the Fort Clatsop National Memorial in the State of Oregon, and for other purposes; to the Committee on Resources.

By Mr. YOUNG of Alaska (for himself, Mr. HAYWORTH, Mr. CAMP, and Mr. CANNON):

H.R. 2644. A bill to make technical amendments to the Indian Child Welfare Act of 1978; to the Committee on Resources.

By Mr. BOSWELL:

H.R. 2645. A bill to amend the Public Health Service Act to establish a National Organ and Tissue Donor Registry that works in conjunction with State organ and tissue donor registries, to create a public-private partnership to launch an aggressive outreach and education campaign about organ and tissue donation and the Registry, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS:

H.J. Res. 58. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. STEARNS (for himself and Mr. LEWIS of Georgia):

H. Con. Res. 197. Concurrent resolution expressing the sense of Congress regarding the establishment of Chronic Obstructive Pulmonary Disease Awareness Month; to the Committee on Government Reform.

By Mr. MEEKS of New York (for himself, Mr. MENENDEZ, Mr. RANGEL, Mrs. CHRISTENSEN, Mr. HINCHEY, Mrs. CLAYTON, Mr. TOWNS, Mr. JACKSON of Illinois, Ms. MCKINNEY, Mr. CLAY, Ms. BROWN of Florida, Mrs. MEEK of Florida, Mr. RUSH, Mrs. JONES of Ohio, Mr. PAYNE, Mr. WYNN, Mr. OWENS, Mr. THOMPSON of Mississippi, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. ENGEL, Mr. FALEOMAVAEGA, Mrs. MALONEY of New York, and Mr. QUINN):

H. Con. Res. 198. Concurrent resolution expressing the sense of Congress regarding civil unrest in Jamaica; to the Committee on International Relations.

By Mr. RANGEL:

H. Con. Res. 199. Concurrent resolution expressing the sense of the Congress regarding the national nutrition program for the elderly, on the occasion of the 30th anniversary of its establishment; to the Committee on Education and the Workforce.

By Mr. TIAHRT (for himself and Mr. CHAMBLISS):

H. Con. Res. 200. Concurrent resolution expressing the sense of Congress in opposition to the retirement of 33 B–1 Lancer aircraft as proposed by the Air Force; to the Committee on Armed Services.

By Mr. FROST:

H. Res. 207. A resolution designating minority memebership on certain standing committees of the House; considered and agreed to.

By Ms. BROWN of Florida:

H. Res. 208. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued in honor of Zora Neale Hurston; to the Committee on Government Reform.

¶80.33 ADDITIONAL SPONSORS

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

H.R. 25: Mrs. MALONEY of New York.
H.R. 133: Mr. ABERCROMBIE.
H.R. 134: Mr. UNDERWOOD and Mr. EVANS.
H.R. 179: Mr. BURTON of Indiana.
H.R. 292: Ms. MILLENDER-MCDONALD, Mr. ACKERMAN, Mr. FROST, Mr. MCNULTY, and Ms. WOOLSEY.
H.R. 293: Mr. UDALL of Colorado.
H.R. 303: Mr. ISSA.
H.R. 326: Mr. KIRK.
H.R. 331: Mr. SCHAFFER and Mr. BROWN of South Carolina.
H.R. 397: Mr. PLATTS, Mr. LOBIONDO, Mr. HONDA, Mr. RUSH, Mr. CLYBURN, Mrs. DAVIS of California, Mr. BOSWELL, Ms. BROWN of Florida, Mr. DAVIS of Illinois, and Ms. KAPTUR.
H.R. 481: Mr. NADLER.
H.R. 490: Mr. THOMPSON of Mississippi, Mr. HYDE, Mr. GREENWOOD, Mr. TAYLOR of Mississippi, and Mr. SNYDER.
H.R. 491: Mr. BROWN of South Carolina, Ms. MILLENDER-MCDONALD, Ms. LEE, and Mrs. NAPOLITANO.
H.R. 527: Mr. FORBES, Mr. GRAHAM, and Mr. HALL of Texas.
H.R. 534: Mr. MOORE, Mr. WELLER, and Mr. BEREUTER.
H.R. 632: Mr. TRAFICANT.
H.R. 638: Mr. LEWIS of Georgia.
H.R. 664: Mr. BOSWELL and Mr. PETERSON of Minnesota.
H.R. 677: Ms. KAPTUR, Ms. HART, and Mr. HOSTETTLER.
H.R. 742: Mr. BOUCHER, Ms. ESHOO, and Mr. LEACH.
H.R. 747: Mr. SHERMAN.
H.R. 781: Mr. DINGELL.
H.R. 836: Mr. SMITH of Washington.
H.R. 902: Mr. KUCINICH.
H.R. 912: Mr. PLATTS.
H.R. 917: Mr. SANDERS.
H.R. 975: Mr. KENNEDY of Rhode Island.
H.R. 1051: Mr. ISRAEL.
H.R. 1089: Mr. SHAW.
H.R. 1090: Mr. PRICE of North Carolina, Mr. PASTOR, Mr. LATOURETTE, and Ms. ROYBAL-ALLARD.
H.R. 1097: Mr. FILNER.
H.R. 1143: Mr. ANDREWS and Mr. HALL of Ohio.
H.R. 1155: Mrs. DAVIS of California, Mr. REHBERG, Mr. SAWYER, Mr. THOMPSON of Mississippi, Mr. SIMMONS, and Mr. LANGEVIN.
H.R. 1170: Mr. TIERNEY.
H.R. 1254: Mr. BEREUTER.
H.R. 1331: Mr. CLEMENT and Mr. SIMMONS.
H.R. 1361: Mr. BONIOR, Mr. FILNER, and Mr. GONZALEZ.
H.R. 1382: Mr. PRICE of North Carolina.
H.R. 1388: Mr. GILCHREST.
H.R. 1408: Mrs. NORTHUP and Ms. PRYCE of Ohio.
H.R. 1464: Mr. HASTINGS of Florida.
H.R. 1465: Mr. SIMMONS.
H.R. 1487: Mr. ROHRABACHER.
H.R. 1597: Mr. WAMP.
H.R. 1645: Mr. MOLLOHAN, Mr. SMITH of Washington, and Ms. MCCARTHY of Missouri.
H.R. 1700: Ms. WOOLSEY, Mr. FATTAH, and Mr. COOKSEY.
H.R. 1707: Mr. BLUMENAUER.
H.R. 1718: Mr. MOLLOHAN, Mr. ROTHMAN, Mr. KANJORSKI, Ms. BERKLEY, Mr. JOHN, Mr. BERRY, and Mr. DICKS.
H.R. 1733: Mr. MOLLOHAN and Mr. PASCRELL.
H.R. 1774: Ms. ROS-LEHTINEN.
H.R. 1822: Mr. STRICKLAND and Mr. LAHOOD.
H.R. 1891: Mr. NETHERCUTT.
H.R. 1895: Mr. WHITFIELD.
H.R. 1975: Mr. INSLEE, Mr. DEMINT, and Mr. GILLMOR.
H.R. 1990: Ms. ESHOO.
H.R. 1997: Mr. HOYER.
H.R. 2001: Mr. YOUNG of Alaska.
H.R. 2081: Ms. HART.
H.R. 2096: Mr. GARY G. MILLER of California, Mr. CHABOT, Mr. WELLER, and Mr. KERNS.
H.R. 2117: Mr. FORD, Mr. GRAHAM, and Mrs. LOWEY.
H.R. 2122: Mr. BEREUTER.
H.R. 2123: Mr. EHRLICH and Mr. GRAVES.
H.R. 2125: Mrs. MINK of Hawaii.
H.R. 2138: Ms. WATSON.
H.R. 2158: Ms. BERKELY.
H.R. 2164: Ms. HART.
H.R. 2166: Mr. MCDERMOTT.
H.R. 2174: Mr. SNYDER and Mr. KUCINICH.
H.R. 2175: Mr. KERNS, Mr. PLATTS, and Mr. KILDEE.
H.R. 2177: Mr. CARSON of Oklahoma, Mr. ISTOOK, and Mr. ROHRABACHER.
H.R. 2181: Mrs. MINK of Hawaii, Mr. LARSEN of Washington, and Mr. BACA.
H.R. 2220: Mr. HEFLEY and Mr. FRANK.
H.R. 2263: Ms. ESHOO.
H.R. 2281: Mr. RANGEL, Mr. WATT of North Carolina, Mr. MATSUI, and Mr. THOMPSON of Mississippi.
H.R. 2294: Mr. PRICE of North Carolina and Mr. ABERCROMBIE.
H.R. 2302: Mrs. MINK OF HAWAII.
H.R. 2308: Mr. HUTCHINSON.
H.R. 2315: Mr. BURTON of Indiana.
H.R. 2354: Mr. GILMAN.
H.R. 2364: Mr. KENNEDY of Rhode Island, Mr. MOLLOHAN, and Mr. MATSUI.
H.R. 2375: Ms. SLAUGHTER, Mr. MCGOVERN, Mr. PASCRELL, Mr. FORD, Mr. MARKEY, Mr. TIERNEY, and Mr. SAWYER.
H.R. 2410 : Mr. STEARNS.
H.R. 2417: Mrs. BONO.
H.R. 2453: Mr. EHRLICH.
H.R. 2487: Mr. DAVIS of Ilinois.
H.R. 2550: Mr. KNOLLENBERG, Mr. MCDERMOTT, and Mrs. THURMAN.
H.R. 2558: Mr. GUTKNECHT.
H.R. 2560: Mr. COSTELLO and Mr. RUSH.
H.R. 2563: Mr. SCHIFF, Mr. RAHALL, and Mrs. LOWEY.
H.R. 2592: Ms. BALDWIN.
H.R. 2605: Mr. ABERCROMBIE.
H.J. Res. 6: Mr. GRUCCI.
H. Con. Res. 17: Mr. WEINER.
H. Con. Res. 77: Ms. SCHAKOWKY, Mr. BROWN of Ohio, Ms. ESCHOO, Mr. GUTIERREZ, Mr. KUCINICH, Mr. HINCHEY, and Mr. SCOTT.
H. Con. Res. 131: Mr. GILMAN, Mr. SHIMKUS, Mr. BLAGOJEVICH, Mr. TERRY, Ms. SLAUGHTER, Mr. HOEFFEL, Mr. KNOLLENBERG, and Mr. MCGOVERN.
H. Con. Res. 164: Mr. FILNER.
H. Con. Res. 178: Ms. ROS-LEHTINEN.
H. Con. Res. 188: Mr. KILDEE, Ms. ROYBAL-ALLARD, Mr. ANDREWS, Mr. BOSWELL, Mr. PETRI, Mr. ALLEN, Mr. UDALL of New Mexico, Mr. BONIOR, Mr. TERRY, Mr. DEFAZIO, and Ms. JACKSON-LEE of Texas.
H. Con. Res. 195: Mr. SMITH of New Jersey, and Ms. ESHOO.
H. Res. 132: Mr. TIERNEY and Mr. FRANK.
H. Res. 133: Mrs. TAUSCHER, Mr. SHAYS, Mr. FROST, Mr. STRICKLAND, Mr. LEACH, Ms. LOFGREN, Mrs. KELLY, Ms. KILPATRICK, Mr. CONYERS, Mr. ENGEL, and Mr. UDALL of Colorado.

THURSDAY, JULY 26, 2001 (81)

The House was called to order by the SPEAKER.

¶81.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, July 25, 2001.

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

¶81.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3094. A letter from the Under Secretary, Department of Defense, transmitting a report entitled, ''Parity of Pay and Benefits For Active Duty Service and Reserve Service; to the Committee on Armed Services.

3095. A letter from the Secretary of the Navy, Department of Defense, transmitting notification that certain major defense acquisition programs have breached the unit cost by more than 25 percent, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

3096. A letter from the Inspector General-Defense, Department of Defense, transmitting the semiannual report of the Inspector General and classified annex for the period ending March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Armed Services.

3097. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Increase in Rates Payable Under the Montgomery GI Bill—Selected Reserve(RIN: 2900–AK40) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3098. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Safety Standard for Automatic Residential Garage Door Operators—received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3099. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X; Standard for the Flammability of Children's Sleepwear: Size 7 through 14—received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3100. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revision to the California State Implementation Plan, Bay Area Air Quality Management District, Lake County Air Quality Management District, Monterey Bay Unified Air Pollution Control District, Sacramento Metropolitan Air Quality Management District, San Joaquin Valley Unified Air Pollution Control District [CA 210–0285; FRL–7013–4] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3101. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona State Implementation Plan, Pinal-Gila Counties Air Quality Control District and Pinal County Air Quality Control District [AZ099–0039; FRL–7013–3] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3102. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permits Program in Alaska [FRL–7012–9] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3103. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District and San Joaquin Valley Unified Air Pollution Control District [CA 169–0282; FRL–7013–5] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3104. A letter from the Acting Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the De-

partment's final rule—Amendments to the Iranian Assets Control Regulations—received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3105. A letter from the Acting Director, Office of Personnel Management, transmitting a report on the Physicians' Comparability Allowance Program, pursuant to 5 U.S.C. 5948(j)(1); to the Committee on Government Reform.

3106. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–105, ''Health-Care Facility Unlicensed Personnel Criminal Background Check Temporary Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3107. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–103, ''Carter G. Woodson Memorial Park Designation Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3108. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–96, ''Corrections Information Council Temporary Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3109. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–99, ''Closing of a Public Alley in Square 192, S.O. 93–89, Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3110. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–98, ''Campaign Finance Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3111. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–93, ''Lorenzo Larry Allen Memorial Park Designation Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3112. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–97, ''Closing of a Public Alley in Square 622, S.O. 99–24, Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3113. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–91, ''Election Petition Penalty Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3114. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–94, ''Fort Stanton Civic Association Real Property Tax Exemption and Equitable Real Property Tax Relief Temporary Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3115. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–90, ''Corrections Information Council Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3116. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–92, ''Chesapeake Regional Olympic Games Authority Temporary Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3117. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–106, ''Closing of Portions of 2nd and N Streets, N.E. and the Alley System in Square 710, S.O. 00–97, Act of 2001''received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3118. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3119. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–100, ''Public School Enrollment Integrity Temporary Amendment Act of 2001'' received July 26, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3120. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's annual report for FY 2000; to the Committee on Government Reform.

3121. A letter from the Acting Director, Office of National Drug Control Policy, transmitting the Office's FY 2001–FY 2007 Strategic Plan; to the Committee on Government Reform.

3122. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule—Recruitment and Relocation Bonuses and Retention Allowances (RIN: 3206–AJ08) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3123. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 2001, through June 30, 2001 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 107–108); to the Committee on House Administration and ordered to be printed.

3124. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska [Docket No. 010122013–1013–01; I.D. 070901A] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3125. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS332L2 Helicopters [Docket No. 2001–SW–04–AD; Amendment 39–12271; AD 2001–12–16] (RIN: 2120–AA64) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3126. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes Equipped With Pratt & Whitney Model PW4400 Series Engines [Docket No. 2001–NM–115–AD; Amendment 39–12215; AD 2001–09–10] (RIN: 2120–AA64) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3127. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2001–NM–32–AD; Amendment 39–12154; AD 2001–06–07] (RIN: 2120–AA64) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3128. A letter from the Secretary, Department of Transportation, transmitting a report in accordance with the requirements of Section 2006(e) of the Transportation Equity Act for the 21st Century entitled, ''Evaluation of Driver Licensing Information Programs and Assessment of Technologies''; to the Committee on Transportation and Infrastructure.

3129. A letter from the Deputy Administrator, General Services Administration, transmitting a report of Building Project Survey for Canton, OH; to the Committee on Transportation and Infrastructure.

3130. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–36] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3131. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Foreign Trusts That Have U.S. Beneficiaries [TD 8955] (RIN: 1545–AO75) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3132. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Recognition of Gain on Certain Transfers to Certain Foreign Trusts and Estates [TD 8956] (RIN: 1545–AY25) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3133. A letter from the Chair, Ticket to Work and Work Incentives Advisory Panel, transmitting the Panel's Preliminary Advice Report on the Ticket to Work and Self-Sufficiency Program (the Ticket Program); to the Committee on Ways and Means.

¶81.3 DISAPPROVING TRADE WAIVER EXTENSION WITH VIETNAM

Mr. THOMAS, pursuant to the order of the House of Wednesday, July 25, 2001, called up the joint resolution (H.J. Res. 55) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam.

When said joint resolution was considered and read twice.

Pursuant to the order of the House of Wednesday, July 25, 2001, the SPEAKER pro tempore, Mr. HASTINGS of Washington, recognized Mr. THOMAS and Ms. SANCHEZ for 30 minutes each,

¶81.4 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. THOMAS, by unanimous consent,

Ordered, That it may be in order to yield control of 15 minutes of debate to Mr. LEVIN.

¶81.5 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Ms. SANCHEZ, by unanimous consent,

Ordered, That it may be in order to yield control of 15 minutes of debate to Mr. ROHRABACHER.

After debate,

Pursuant to the order of the House of Wednesday, July 25, 2001, the previous question was ordered on the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. SWEENEY, announced that the nays had it.

Mr. CRANE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 91; Nays ..... 324; Answered present 1 }

¶81.6 [Roll No. 275]

YEAS—91

Aderholt, Andrews, Baca, Ballenger, Barcia, Barr, Bartlett, Barton, Berry, Bonilla, Bonior, Brown (OH), Brown (SC), Burton, Buyer, Chabot, Coble, Collins, Conyers, Cox, Culberson, Davis, Jo Ann, Davis, Tom, Diaz-Balart, Doolittle, Duncan, Everett, Flake, Gilman, Goode, Graham, Green (TX), Green (WI), Gutknecht, Hall (TX), Hastings (FL), Hayes, Hayworth, Hilleary, Hoekstra, Holden, Honda, Jackson-Lee (TX), Jenkins, Johnson, Sam, Kennedy (RI), Kucinich, LoBiondo, Lofgren, McIntyre, Menendez, Mink, Norwood, Otter, Paul, Pickering, Pitts, Pombo, Riley, Rivers, Rogers (MI), Rohrabacher, Ros-Lehtinen, Ross, Rothman, Royce, Sanchez, Sanders, Scarborough, Schaffer, Shows, Smith (NJ), Solis, Souder, Strickland, Stump, Stupak, Tancredo, Taylor (MS), Taylor (NC), Traficant, Visclosky, Wamp, Watson (CA), Watt (NC), Weldon (FL), Weldon (PA), Wolf, Wynn, Young (AK), Young (FL)

NAYS—324

Abercrombie, Ackerman, Akin, Allen, Armey, Baird, Baker, Baldacci, Baldwin, Barrett, Bass, Becerra, Bentsen, Bereuter, Berkley, Berman, Biggert, Bilirakis, Bishop, Blagojevich, Boehlert, Boehner, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Bryant, Burr, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Capps, Capuano, Cardin, Carson (IN), Carson (OK), Castle, Clay, Clayton, Clement, Clyburn, Combest, Condit, Cooksey, Costello, Coyne, Cramer, Crane, Crenshaw, Crowley, Cummings, Cunningham, Davis (CA), Davis (FL), Davis (IL), DeFazio, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Dicks, Dingell, Doggett, Dooley, Doyle, Dreier, Dunn, Edwards, Ehlers, Engel, English, Eshoo, Etheridge, Evans, Farr, Fattah, Ferguson, Filner, Foley, Forbes, Ford, Fossella, Frank, Frelinghuysen, Frost, Gallegly, Ganske, Gephardt, Gibbons, Gilchrest, Gillmor, Gonzalez, Goodlatte, Gordon, Goss, Granger, Graves, Greenwood, Grucci, Gutierrez, Hall (OH), Hansen, Harman, Hart, Hastings (WA), Hefley, Herger, Hill, Hilliard, Hinchey, Hinojosa, Hobson, Hoeffel, Holt, Hooley, Horn, Hostettler, Hoyer, Hulshof, Hutchinson, Hyde, Inslee, Isakson, Israel, Issa, Istook, Jackson (IL), Jefferson, John, Johnson (CT), Johnson (IL), Johnson, E. B., Jones (OH), Kanjorski, Keller, Kelly, Kennedy (MN), Kerns, Kildee, Kilpatrick, Kind (WI), King (NY), Kingston, Kirk, Kleczka, Knollenberg, Kolbe, LaFalce, LaHood, Lampson, Langevin, Lantos, Largent, Larsen (WA), Larson (CT), Latham, LaTourette, Leach, Lee, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Mascara, Matheson, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McCrery, McDermott, McGovern, McHugh, McInnis, McKeon, McKinney, Meehan, Meek (FL), Meeks (NY), Mica, Millender-McDonald, Miller (FL), Miller, Gary, Miller, George, Mollohan, Moore, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Nethercutt, Ney, Northup, Nussle, Oberstar, Obey, Olver, Ortiz, Osborne, Ose, Owens, Oxley, Pallone, Pascrell, Pastor, Payne, Pelosi, Pence, Peterson (MN), Peterson (PA), Petri, Phelps, Platts, Pomeroy, Portman, Price (NC), Pryce (OH), Putnam, Quinn, Radanovich, Rahall, Ramstad, Rangel, Regula, Rehberg, Reyes, Reynolds, Rodriguez, Roemer, Rogers (KY), Roukema, Roybal-Allard, Rush, Ryan (WI), Ryun (KS), Sabo, Sandlin, Sawyer, Saxton, Schakowsky, Schiff, Schrock, Scott, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Sherwood, Shimkus, Shuster, Simmons, Simpson, Skeen, Skelton, Slaughter, Smith (MI), Smith (TX), Smith (WA), Spratt, Stark, Stearns, Stenholm, Sununu, Sweeney, Tanner, Tauscher, Tauzin, Terry, Thomas, Thompson (CA), Thompson (MS), Thornberry, Thune, Thurman, Tiahrt, Tiberi, Tierney, Toomey, Towns, Turner, Udall (CO), Udall (NM), Upton, Velazquez, Vitter, Walden, Walsh, Waters, Watkins (OK), Watts (OK), Waxman, Weiner, Weller, Wexler, Whitfield, Wicker, Wilson, Woolsey, Wu

ANSWERED ''PRESENT''—1

Kaptur

NOT VOTING—17

Bachus, Blumenauer, Blunt, Chambliss, Cubin, Deal, Ehrlich, Emerson, Fletcher, Gekas, Houghton, Hunter, Jones (NC), Lipinski, McNulty, Snyder, Spence

So the joint resolution was not passed.

¶81.7 H.R. 1954—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1954) to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 409; Nays ..... 6; Answered present 1 }

¶81.8 [Roll No. 276]

YEAS—409

Abercrombie, Ackerman, Aderholt, Akin, Allen, Andrews, Armey, Baca, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett, Bartlett, Barton, Bass, Becerra, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilirakis, Bishop, Blagojevich, Boehlert, Boehner, Bonilla, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Brown (OH), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Capps, Capuano, Cardin, Carson (IN), Carson (OK), Castle, Chabot, Chambliss, Clay, Clayton, Clement, Clyburn, Coble, Collins, Combest, Condit, Cooksey, Costello, Cox, Coyne, Cramer, Crane, Crenshaw, Crowley, Culberson, Cummings, Cunningham, Davis (CA), Davis (FL), Davis (IL), Davis, Jo Ann, Davis, Tom, DeFazio, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dicks, Dingell, Doggett, Dooley, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Engel, English, Eshoo, Etheridge, Evans, Everett, Farr, Fattah, Ferguson, Filner, Flake, Foley, Forbes, Ford, Fossella, Frank, Frelinghuysen, Frost, Gallegly, Ganske, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Gordon, Goss, Graham, Granger, Graves, Green (TX), Green (WI), Greenwood, Grucci, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hansen, Harman, Hart, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill, Hilleary, Hinchey, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Holt, Honda, Hooley, Horn, Hostettler, Hoyer, Hulshof, Hutchinson, Hyde, Inslee, Isakson, Israel, Issa, Istook, Jackson (IL), Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson (CT), Johnson (IL), Johnson, E. B., Johnson, Sam, Jones (OH), Kanjorski, Kaptur, Keller, Kelly, Kennedy (MN), Kennedy (RI), Kerns, Kildee, Kilpatrick, Kind (WI), Kingston, Kirk, Kleczka, Knollenberg, Kolbe, Kucinich, LaHood, Lampson, Langevin, Lantos, Largent, Larsen (WA), Larson (CT), Latham, LaTourette, Leach, Lee, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, LoBiondo, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Mascara, Matheson, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McCrery, McDermott, McGovern, McHugh, McInnis, McIntyre, McKeon, Meehan, Meek (FL), Meeks (NY), Menendez, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Miller, George, Mink, Mollohan, Moore, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Nethercutt, Ney, Northup, Norwood, Nussle, Oberstar, Obey, Olver, Ortiz, Osborne, Ose, Otter, Owens

Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—6

Conyers
Hilliard
LaFalce
McKinney
Paul
Rahall

ANSWERED ''PRESENT''—1

Bonior

NOT VOTING—17

Blumenauer
Blunt
Cubin
Deal
Ehrlich
Emerson
Fletcher
Gekas
Houghton
Hunter
Jones (NC)
King (NY)
Lipinski
McNulty
Radanovich
Snyder
Spence

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶81.9 RECESS—12:08 P.M.

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 8 minutes p.m., subject to the call of the Chair.

¶81.10 AFTER RECESS—1:17 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶81.11 PROVIDING FOR THE CONSIDERATION OF H.R. 2620

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported (Rept. No. 107–164) the resolution (H. Res. 210) providing for the consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶81.12 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 209):

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of July 26, 2001, providing for consideration or disposition of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 216 / Nays ..... 200 }

¶81.13 [Roll No. 277]

YEAS—216

Abercrombie
Aderholt
Akin
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Nethercutt
Ney
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—200

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall

Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Velazquez
Visclosky
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—17

Armey
Blumenauer
Carson (OK)
Cubin
Ehrlich
Houghton
Istook
Lipinski
McNulty
Myrick
Northup
Schaffer
Snyder
Spence
Tancredo
Udall (NM)
Waters

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶81.14 PROVIDING FOR THE CONSIDERATION OF H.R. 2620

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 210):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with'', except that'' on page 64, line 12, through ''drinking water contaminants'' on line 17. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendment printed in the report of the Committee on rules accompanying this resolution may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Ms. PRYCE of Ohio moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 220
Nays 204

¶81.15 [Roll No. 278]

YEAS—220

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

NAYS—204

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

NOT VOTING—10

Bachus
Barton
Blumenauer
Cubin
Houghton
Jackson-Lee (TX)
Jones (OH)
Lipinski
McKinney
Spence

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. TOOMEY demanded a recorded vote on agreeing to said resolution

which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 228 / Nays 195

¶81.16 [Roll No. 279]

AYES—228

Aderholt, Armey, Bachus, Baker, Baldacci, Ballenger, Barcia, Barr, Bass, Bentsen, Bereuter, Biggert, Bilirakis, Blunt, Boehlert, Bonilla, Bono, Borski, Brady (PA), Brady (TX), Brown (FL), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Chambliss, Coble, Collins, Combest, Cox, Cramer, Crane, Crenshaw, Culberson, Cunningham, Davis, Jo Ann, Davis, Tom, Deal, DeLay, DeMint, Diaz-Balart, Dicks, Doolittle, Doyle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Fattah, Ferguson, Fletcher, Foley, Forbes, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hall (TX), Hansen, Hart, Hastert, Hastings (WA), Hayes, Hayworth, Hefley, Hilleary, Hinojosa, Hobson, Hoeffel, Holden, Hulshof, Hunter, Hutchinson, Hyde, Isakson, Issa, Istook, Jenkins, Johnson (CT), Kanjorski, Kaptur, Keller, Kelly, Kennedy (MN), King (NY), Kingston, Kirk, Knollenberg, Kolbe, LaHood, Lampson, Larson (CT), Latham, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, LoBiondo, Lucas (OK), Manzullo, Mascara, McCarthy (NY), McCrery, McHugh, McInnis, McKeon, McNulty, Meek (FL), Mica, Miller (FL), Miller, Gary, Mollohan, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Neal, Nethercutt, Ney, Northup, Norwood, Nussle, Ortiz, Osborne, Ose, Oxley, Pascrell, Paul, Peterson (PA), Petri, Pickering, Platts, Pombo, Portman, Price (NC), Pryce (OH), Putnam, Quinn, Radanovich, Rahall, Regula, Rehberg, Reynolds, Riley, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryun (KS), Sabo, Saxton, Scarborough, Schrock, Sensenbrenner, Sessions, Shaw, Sherwood, Shimkus, Shuster, Simmons, Simpson, Skeen, Slaughter, Smith (NJ), Smith (TX), Stump, Stupak, Sununu, Sweeney, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thornberry, Thune, Tiahrt, Tiberi, Traficant, Upton, Visclosky, Vitter, Walden, Walsh, Wamp, Watkins (OK), Watts (OK), Waxman, Weldon (FL), Weldon (PA), Weller, Whitfield, Wicker, Wilson, Wolf, Wu, Young (AK), Young (FL)

NOES—195

Abercrombie, Ackerman, Akin, Allen, Andrews, Baca, Baird, Baldwin, Barrett, Bartlett, Becerra, Berkley, Berman, Berry, Bishop, Blagojevich, Bonior, Boswell, Boucher, Boyd, Brown (OH), Capps, Capuano, Cardin, Carson (IN), Carson (OK), Castle, Chabot, Clay, Clement, Clyburn, Condit, Conyers, Costello, Coyne, Crowley, Cummings, Davis (CA), Davis (FL), Davis (IL), DeFazio, DeGette, Delahunt, DeLauro, Deutsch, Dingell, Doggett, Dooley, Edwards, Engel, Eshoo, Etheridge, Evans, Farr, Filner, Flake, Ford, Frank, Frost, Gephardt, Gonzalez, Gordon, Green (TX), Gutierrez, Hall (OH), Harman, Hastings (FL), Herger, Hill, Hilliard, Hinchey, Hoekstra, Holt, Honda, Hooley, Horn, Hostettler, Hoyer, Inslee, Israel, Jackson (IL), Jefferson, John, Johnson (IL), Johnson, E. B., Johnson, Sam, Jones (NC), Jones (OH), Kennedy (RI), Kerns, Kildee, Kilpatrick, Kind (WI), Kleczka, Kucinich, LaFalce, Langevin, Lantos, Largent, Larsen (WA), Lee, Levin, Lewis (GA), Lofgren, Lowey, Lucas (KY), Luther, Maloney (CT), Maloney (NY), Markey, Matheson, Matsui, McCarthy (MO), McCollum, McDermott, McGovern, McIntyre, McKinney, Meehan, Meeks (NY), Menendez, Millender-McDonald, Miller, George, Mink, Moore, Nadler, Napolitano, Oberstar, Obey, Olver, Otter, Owens, Pallone, Pastor, Payne, Pelosi, Pence, Peterson (MN), Phelps, Pitts, Pomeroy, Ramstad, Rangel, Reyes, Rivers, Rodriguez, Roemer, Ross, Rothman, Roybal-Allard, Rush, Ryan (WI), Sanchez, Sanders, Sandlin, Sawyer, Schaffer, Schakowsky, Schiff, Scott, Serrano, Shadegg, Shays, Sherman, Shows, Skelton, Smith (MI), Smith (WA), Snyder, Solis, Spratt, Stark, Stearns, Stenholm, Strickland, Tancredo, Tanner, Tauscher, Thompson (CA), Thompson (MS), Thurman, Tierney, Toomey, Towns, Turner, Udall (CO), Udall (NM), Velazquez, Waters, Watson (CA), Watt (NC), Weiner, Wexler, Woolsey, Wynn

NOT VOTING—11

Barton, Blumenauer, Boehner, Clayton, Cooksey, Cubin, Houghton, Jackson-Lee (TX), Lipinski, Souder, Spence

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶81.17 VA-HUD APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to House Resolution 210 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, designated Mr. SHIMKUS as Chairman of the Committee of the Whole; and after some time spent therein,

The Committee rose informally to receive a message from the President.

The SPEAKER pro tempore, Mr. FOLEY, assumed the Chair.

¶81.18 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

¶81.19 MOTION TO RISE

A recorded vote by electronic device was ordered in the Committee of the Whole on the motion of Mr. FRANK that the Committee do now rise.

It was decided in the negative ..... { Yeas ..... 189 / Nays 230

¶81.20 [Roll No. 280]

AYES—189

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

NOES—230

Abercrombie, Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Barr, Bartlett, Barton, Bass, Bereuter, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Boswell, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan

Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McHugh
McInnis
McKeon
Menendez
Mica
Miller, Gary
Mollohan
Moran (KS)
Morella
Myrick
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Blumenauer
Cubin
Hall (OH)
Hutchinson
Istook
Linder
Lipinski
McKinney
Meeks (NY)
Miller (FL)
Nethercutt
Radanovich
Spence
Stark

So the motion was not agreed to.

After some further time,

¶81.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FOLEY:

In title I, in the paragraph relating to ''DEPARTMENTAL ADMINISTRATION—GENERAL OPERATING EXPENSES'', after the aggregate dollar amount insert the following: ''(increased by $25,000,000)''.

In title III, in the paragraph relating to ''NATIONAL SCIENCE FOUNDATION—RESEARCH AND RELATED ACTIVITIES'', after the aggregate dollar amount insert the following: ''(reduced by $92,000,000)''.

It was decided in the negative ..... { Yeas ..... 107 / Nays 311

¶81.22 [Roll No. 281]

AYES—107

Ackerman
Akin
Baird
Barr
Bilirakis
Bonilla
Boswell
Boyd
Bryant
Cannon
Cantor
Capito
Chabot
Coble
Condit
Costello
Crane
Crowley
Davis (FL)
Davis, Jo Ann
DeMint
Deutsch
Diaz-Balart
Dingell
Duncan
Dunn
Edwards
Engel
Evans
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Gallegly
Gekas
Gephardt
Gilman
Goodlatte
Goss
Greenwood
Gutierrez
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hostettler
Hutchinson
Israel
Jenkins
Johnson (CT)
Johnson (IL)
Jones (NC)
Keller
Kelly
Kerns
Kildee
King (NY)
Kingston
Larsen (WA)
Lewis (KY)
LoBiondo
Maloney (CT)
Manzullo
McCarthy (NY)
Mica
Moran (KS)
Myrick
Ney
Otter
Pascrell
Paul
Pence
Pitts
Putnam
Ramstad
Rangel
Ros-Lehtinen
Royce
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sessions
Shadegg
Shaw
Simmons
Simpson
Skeen
Stearns
Strickland
Tancredo
Tauscher
Thurman
Tiberi
Toomey
Traficant
Turner
Udall (NM)
Visclosky
Weiner
Wexler

NOES—311

Abercrombie
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Burton
Buyer
Callahan
Calvert
Camp
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Culberson
Cummings
Cunningham
Davis (CA)
Davis (IL)
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Ford
Frank
Frelinghuysen
Frost
Ganske
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Gordon
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutknecht
Harman
Hastings (FL)
Hefley
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stenholm
Stump
Stupak
Sununu
Sweeney
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Towns
Udall (CO)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Bass
Blumenauer
Cubin
Hall (OH)
Hall (TX)
Hunter
Istook
Linder
Lipinski
McKeon
Miller (FL)
Nethercutt
Northup
Spence
Stark

So the amendment was not agreed to.

¶81.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. NADLER:

In title I, in the item relating to ''DEPARTMENTAL ADMINISTRATION—GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES'', after the first dollar amount insert the following: ''(increased by $4,806,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the aggregate dollar amount insert the following: ''(increased by $195,194,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the seventh dollar amount (relating to incremental vouchers), insert the following: ''(increased by $195,194,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the eighth dollar amount (relating to amounts made available on a fair share basis), insert the following: ''(increased by $144,762,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the ninth dollar amount (relating to amounts made available to nonelderly disabled families), insert the following: ''(increased by $50,432,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the

aggregate dollar amount insert the following: ''(reduced by $200,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the second dollar amount (relating to the Downpayment Assistance Initiative) insert the following: ''(reduced by $200,000,000)''.

It was decided in the negative { Yeas ..... 139 / Nays ..... 284 }

¶81.24 [Roll No. 282]

AYES—139

Abercrombie
Ackerman
Allen
Baca
Baldacci
Baldwin
Barrett
Becerra
Berkley
Berman
Berry
Blagojevich
Bonior
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Carson (IN)
Clay
Coyne
Crowley
Davis (FL)
Davis (IL)
DeFazio
DeLauro
Dicks
Doggett
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frost
Gonzalez
Gutierrez
Harman
Hinchey
Hinojosa
Holt
Honda
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jones (OH)
Kaptur
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Lee
Levin
Lewis (GA)
Lowey
Lucas (KY)
Luther
Maloney (NY)
McCarthy (NY)
McCollum
McDermott
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moran (VA)
Nadler
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Price (NC)
Rahall
Rangel
Reyes
Rivers
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Tancredo
Tanner
Tauscher
Thompson (CA)
Thurman
Tiberi
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOES—284

Aderholt
Akin
Andrews
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Condit
Conyers
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Culberson
Cummings
Cunningham
Davis (CA)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLay
DeMint
Deutsch
Diaz-Balart
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frank
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lofgren
Lucas (OK)
Maloney (CT)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCrery
McGovern
McHugh
McInnis
McKeon
Meek (FL)
Mica
Miller, Gary
Moore
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Stupak
Sununu
Sweeney
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Blumenauer
Combest
Cubin
Hall (OH)
Linder
Lipinski
Miller (FL)
Nethercutt
Spence
Stark

So the amendment was not agreed to.

¶81.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DAVIS of Illinois:

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING CAPITAL FUND'', after the aggregate dollar amount, insert the following: ''(reduced by $100,000,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)'', after the aggregate dollar amount, insert the following: ''(increased by $100,000,000)''.

It was decided in the negative { Yeas ..... 60 / Nays ..... 360 }

¶81.26 [Roll No. 283]

AYES—60

Andrews
Bishop
Blagojevich
Bonior
Brady (PA)
Carson (IN)
Carson (OK)
Clay
Clyburn
Condit
Conyers
Costello
Cummings
Davis (IL)
Davis, Jo Ann
DeGette
Doyle
Evans
Fattah
Filner
Gephardt
Gutierrez
Hilliard
Hoeffel
Holt
Honda
Jackson (IL)
Johnson, E. B.
Kaptur
Kildee
Kilpatrick
Kucinich
Lampson
Lee
Lewis (GA)
Lucas (KY)
McCarthy (NY)
McKinney
Mink
Myrick
Napolitano
Owens
Payne
Pelosi
Rahall
Ross
Rush
Sandlin
Schakowsky
Scott
Shays
Solis
Tauscher
Thompson (MS)
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson (CA)
Wynn

NOES—360

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Clayton
Clement
Coble
Collins
Combest
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Farr
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pastor
Paul
Pence
Peterson (MN)

Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schaffer
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—13

Berman
Blumenauer
Cubin
Hall (OH)
Hilleary
Linder
Lipinski
Meehan
Miller (FL)
Nethercutt
Otter
Spence
Stark

So the amendment was not agreed to.

¶81.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. VELAZQUEZ:

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the aggregate dollar amount, insert the following: ''(increased by $10,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the dollar amount specified for Youthbuild program activities, insert the following: ''(increased by $10,000,000)''.

In title II, in the item relating to ''MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'', after the aggregate dollar amount, insert the following: ''(reduced by $10,000,000)''.

It was decided in the affirmative ..... { Yeas ..... 216 / Nays 209

¶81.28 [Roll No. 284]

AYES—216

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

NOES—209

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Castle
Chambliss
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Ehlers
Ehrlich
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Holt
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
McCrery
McHugh
McInnis
McKeon
Mica
Miller, Gary
Moran (VA)
Morella
Myrick
Ney
Northup
Norwood
Nussle
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Blumenauer
Cubin
Hall (OH)
Linder
Lipinski
Miller (FL)
Nethercutt
Spence
Stark

So the amendment was agreed to.

¶81.29 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. LAFALCE:

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the aggregate dollar amount, insert the following: ''(reduced by $100,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the dollar amount specified for the Downpayment Assistance Initiative, insert the following: ''(reduced by $100,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOMELESS ASSISTANCE GRANTS'', after the aggregate dollar amount, insert the following: ''(increased by $122,600,000)''.

In title II, in the item relating to ''MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'', after the aggregate dollar amount, insert the following: ''(reduced by $22,600,000)''.

It was decided in the negative ..... { Yeas ..... 124 / Nays 300

¶81.30 [Roll No. 285]

AYES—124

Abercrombie
Ackerman
Allen
Baldacci
Baldwin
Barrett
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Carson (IN)
Clay
Clayton
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Engel
Etheridge
Evans
Farr
Fattah
Filner
Frank
Frost
Gephardt
Gordon
Green (TX)
Gutierrez
Holt
Honda
Hooley
Israel
Jackson (IL)
Jackson-Lee (TX)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kilpatrick
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Miller, George
Mollohan
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pascrell
Pastor

Payne
Pelosi
Price (NC)
Rahall
Rangel
Ross
Roybal-Allard
Sabo
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Scott
Serrano
Sherman
Smith (WA)
Solis
Strickland
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Wu

NOES—300

Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
McCarthy (MO)
McCrery
McHugh
McInnis
McKeon
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Saxton
Scarborough
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Blumenauer
Cubin
Hall (OH)
Linder
Lipinski
Miller (FL)
Nethercutt
Spence
Stark

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. LATOURETTE, assumed the Chair.

When Mr. SHIMKUS, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶81.31 MESSAGE FROM THE PRESIDENT—PLAN COLUMBIA REPORT

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to section 3204(e) of Public Law 106–246, I hereby transmit a report detailing the progress of spending by the executive branch during the first two quarters of Fiscal Year 2001 in support of Plan Colombia.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 26, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and the Committee on Appropriations and ordered to be printed (H. Doc. 107–109).

¶81.32 LEGISLATIVE BRANCH APPROPRIATIONS FY 2002

Mr. TAYLOR of North Carolina submitted a privileged report (Rept. No. 107–169) on the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶81.33 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. LINDER, for today after 5 p.m. and balance of the week.

And then,

¶81.34 ADJOURNMENT

On motion of Mr. GANSKE, at 11 o'clock and 25 minutes p.m., the House adjourned.

¶81.35 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 210. Resolution providing for consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–164). Referred to the House Calendar.

Mr. YOUNG of Florida: Committee on Appropriations. report on the Revised Suballocation of Budget Allocations for Fiscal Year 2002 (Rept. No. 107–165). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 988. A bill to designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse'' (Rept. No. 107–166). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on the Judiciary. House Resolution 193. Resolution requesting that the President focus appropriate attention on the issues of neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority, and for other purposes (Rept. No. 107–167). Referred to the House Calendar.

Mr. TAUZIN: Committee on Energy and commerce. H.R. 943. A bill to amend the Public Health Service Act with respect to the availability of influenza vaccine through the program under section 317 of such Act; with an amendment (Rept. No. 107–168). Referred to the Committee of the whole House on the State of the Union.

Mr. TAYLOR of North Carolina: Committee on Appropriations. H.R. 2647. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–169). Referred to the Committee of the Whole House on the State of the Union.

¶81.36 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. COMBEST (for himself and Mr. STENHOLM):

H.R. 2646. A bill to provide for the continuation of agricultural programs through fiscal year 2011; to the Committee on Agriculture.

By Mr. ALLEN (for himself, Mr. BALDACCI, Ms. CARSON of Indiana, Mr. CONYERS, Mr. CROWLEY, Ms. DEGETTE, Mr. FROST, Mr. HINCHEY, Mr. HOLT, Mr. ISRAEL, Mr. LANTOS, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MEEHAN, Mr. MORAN of Virginia, Ms. NORTON, Mr. PASCRELL, Mr. PAYNE, Mr. REYES, and Mr. WAXMAN):

H.R. 2648. A bill to ensure excellent recruitment and training of math and science teachers at institutions of higher education; to the Committee on Education and the Workforce.

By Mr. BURR of North Carolina (for himself, Mr. TOWNS, Mr. BORSKI, Mr. SCARBOROUGH, Mr. BOUCHER, Mr. COX, Mr. KOLBE, Mr. ISAKSON, Mr. OXLEY, Mr. WHITFIELD, Mrs. EMERSON, Mr. SWEENEY, Mr. EHRLICH, Mr. GOODE, Mr. BARTON of Texas, Mr. BARCIA, Mr. NORWOOD, Mr. BISHOP, Mr. WYNN, Mr. GREENWOOD, Mr. LEWIS of Georgia, Mr. UPTON, Mr. BRYANT, Mrs. BIGGERT, Mr. RUSH, and Mr. HALL of Texas):

H.R. 2649. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for

uniform food safety warning notification requirements, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CALLAHAN:

H.R. 2650. A bill to extend the temporary suspension of the duty on 2–Methyl-4,6-bis[(octylthio) methyl]phenol; to the Committee on Ways and Means.

By Mr. CALLAHAN:

H.R. 2651. A bill to extend the temporary suspension of the duty on 4-[[4,6–Bis(octylthio)-1,3,5-triazin-2-yl]amino]-2,6-bis(1,1 dimethylethyl)phenol; to the Committee on Ways and Means.

By Mr. CALLAHAN:

H.R. 2652. A bill to extend the temporary suspension of the duty on Calcium bis[monoethyl(3,5-di-tert-butyl-4-hydroxybenzyl) phosphonate]; to the Committee on Ways and Means.

By Mrs. CLAYTON (for herself, Mr. TOWNS, Mr. THOMPSON of Mississippi, Mr. BISHOP, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MEEK of Florida, Ms. KILPATRICK, Ms. KAPTUR, Mrs. JONES of Ohio, Mr. DAVIS of Illinois, Ms. CARSON of Indiana, Ms. DELAURO, Mr. POMEROY, Ms. BROWN of Florida, Mr. CLYBURN, Mr. CONYERS, Mr. FATTAH, Ms. LEE, Mr. LEWIS of Georgia, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. MEEKS of New York, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. WATT of North Carolina, Mr. WYNN, Mr. CLAY, Mr. FARR of California, Mr. SCOTT, Mr. RUSH, Mrs. THURMAN, Mr. ETHERIDGE, Mr. JEFFERSON, Mr. RANGEL, Mr. FORD, Mr. CUMMINGS, Mr. JACKSON of Illinois, Mr. PRICE of North Carolina, Mr. HASTINGS of Florida, and Ms. JACKSON-LEE of Texas):

H.R. 2653. A bill to amend the Consolidated Farm and Rural Development Act to improve the agricultural credit programs of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. CLEMENT (for himself, Ms. KAPTUR, Mr. BLUMENAUER, Mrs. TAUSCHER, Mr. MICA, and Mr. HONDA):

H.R. 2654. A bill to designate the Surface Transportation Board as a forum to improve passenger rail and other fixed guideway passenger transportation by allowing improved access to freight track and rights-of-way for fixed guideway transportation in consideration for just and reasonable compensation to freight railroads; to the Committee on Transportation and Infrastructure.

By Mrs. DAVIS of California:

H.R. 2655. A bill to amend title 32, United States Code, to establish a National Guard program to assist at-risk youth develop life skills; to the Committee on Armed Services.

By Ms. DEGETTE (for herself and Mr. UDALL of Colorado):

H.R. 2656. A bill to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes; to the Committee on Resources.

By Mr. DELAY (for himself, Ms. NORTON, Mrs. MORELLA, and Mr. TOM DAVIS of Virginia):

H.R. 2657. A bill to amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court, and for other purposes; to the Committee on Government Reform.

By Mr. DEMINT (for himself, Mr. ARMEY, Mrs. JOHNSON of Connecticut, Mr. BURR of North Carolina, Mr. COOKSEY, Mr. FLETCHER, Mr. HERGER, Mr. HOEKSTRA, Mr. MCKEON, Mr. SAM JOHNSON of Texas, Mr. SHADEGG, Mrs. MYRICK, Mr. SOUDER, Mr. RYAN of Wisconsin, Mr. TOOMEY, Mr. STEARNS, Mr. PITTS, Mr. BARTLETT of Maryland, Mr. PENCE, Mr. TIAHRT, Mr. PAUL, Mr. MANZULLO, and Mr. TIBERI):

H.R. 2658. A bill to amend the Internal Revenue Code of 1986 to exclude employer contributions to health care expenditure accounts from gross income, and to amend title I of the Employee Retirement Income Security Act of 1974 to clarify the applicability of such title to plans employing such accounts; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL of Ohio (for himself, Mr. BOEHLERT, Mrs. TAUSCHER, Mr. HOBSON, and Mr. BOYD):

H.R. 2659. A bill to amend title 10, United States Code, to enhance science and technology planning and budgeting by the Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. HASTINGS of Florida:

H.R. 2660. A bill to direct the Secretary of Health and Human Services to prepare and publish annually a consumer guide to prescription drug prices; to the Committee on Energy and Commerce.

By Mr. GEORGE MILLER of California (for himself, Mr. SPRATT, Mr. BONIOR, Ms. MCKINNEY, Mr. KENNEDY of Rhode Island, Mr. FRANK, Mr. KUCINICH, Ms. KAPTUR, Mr. HILLIARD, Mr. CAPUANO, Ms. SCHAKOWSKY, Mr. FILNER, Mr. SANDERS, Mr. STARK, Mr. FROST, Mr. ABERCROMBIE, Ms. HOOLEY of Oregon, Mr. INSLEE, Mr. LUTHER, Mr. BRADY of Pennsylvania, Ms. PELOSI, Mr. HINCHEY, Mrs. CLAYTON, Ms. LEE, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Ms. WOOLSEY, Mrs. MINK of Hawaii, Mr. BARRETT, Mr. CROWLEY, Mr. ENGEL, Mr. JACKSON of Illinois, Mr. PASCRELL, Mr. EVANS, Ms. LOFGREN, Mr. LANTOS, Mr. GUTIERREZ, Mr. BERMAN, Mr. OWENS, Ms. BALDWIN, Mr. KLECZKA, Mr. PALLONE, Mr. MASCARA, Mr. RAHALL, Mr. TRAFICANT, Mr. ALLEN, Ms. SLAUGHTER, Mr. MCDERMOTT, and Mr. VISCLOSKY):

H.R. 2661. A bill to provide certain requirements for labeling textile fiber products and for duty-free and quota-free treatment of products of, and to implement minimum wage and immigration requirements in, the Northern Mariana Islands, and for other purposes; to the Committee on Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2662. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. SENSENBRENNER, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Mr. SERRANO, and Ms. RIVERS):

H.R. 2663. A bill to require the Federal Trade Commission to amend the trade regulation rule on ophthalmic practice to require the release of prescriptions for contact lenses, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KOLBE (for himself, Mr. GILMAN, Mr. OBERSTAR, Mr. DREIER, Mr. HINCHEY, Mr. LEACH, Mr. MCGOVERN, Mr. REGULA, and Mr. UPTON):

H. Con. Res. 201. Concurrent resolution expressing the sense of the Congress that the United States should establish an international education policy to further national security, foreign policy, and economic competitiveness, and promote mutual understanding and cooperation among nations; to the Committee on International Relations, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. MCKINNEY, Mr. CONYERS, Ms. CARSON of Indiana, and Ms. KILPATRICK):

H. Res. 211. A resolution expressing the sense of the House of Representatives that the Bush Administration should send a high-level delegation to participate at the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance; to the Committee on International Relations.

¶81.37 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. DAVIS of California:

H.R. 2664. A bill for the relief of Brenda Jean Nellis; to the Committee on the Judiciary.

By Mr. HASTINGS of Florida:

H.R. 2665. A bill to authorize the use of a vessel to transport the former naval medium harbor tug USS *Hoga* to Port Everglades, Florida, for use as a memorial to veterans and for providing vocational seamanship training; to the Committee on Transportation and Infrastructure.

¶81.38 ADDITIONAL SPONSORS

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

H.R. 68: Mr. EVANS.
H.R. 87: Mr. ANDREWS.
H.R. 97: Mrs. NAPOLITANO.
H.R. 162: Mr. EHRLICH, Mr. BONILLA, and Mr. KING.
H.R. 189: Mr. GOODE.
H.R. 218: Mrs. CUBIN, Mr. WELLER, Mrs. CAPITO, and Mrs. BIGGERT.
H.R. 239: Mr. HEFLEY, Ms. PELOSI, Ms. BALDWIN, Mr. DOYLE, and Mr. RADANOVICH.
H.R. 257: Mr. PLATTS, Mr. PETERSON of Minnesota, Mr. MCINNIS, and Mr. VITTER.
H.R. 267: Mr. PAYNE.
H.R. 303: Mr. FORBES.
H.R. 599: Mr. EHRLICH.
H.R. 606: Mr. TIERNEY.
H.R. 633: Mr. BOSWELL and Mr. NADLER.
H.R. 661: Mr. REYNOLDS and Mr. BLUNT.
H.R. 668: Mr. SHUSTER.
H.R. 684: Ms. NORTON, Mr. LANTOS, Ms. MCKINNEY, Ms. PELOSI, Mr. CUMMINGS, and Mr. EVANS.
H.R. 701: Mrs. BIGGERT, Mr. BOEHLERT, Mr. WATT of North Carolina, and Mr. ACKERMAN.
H.R. 703: Mr. BONIOR.
H.R. 774: Ms. LOFGREN.
H.R. 804: Mr. GRAHAM and Mr. SHIMKUS.
H.R. 822: Mr. GRAHAM.

H.R. 854: Ms. MCKINNEY.
H.R. 868: Mr. MOLLOHAN, Mr. COLLINS, Mr. SMITH of Washington, Mr. DICKS, and Mr. SCOTT.
H.R. 909: Mr. FOSSELLA.
H.R. 918: Ms. MCCOLLUM, Mr. UPTON, and Mr. GREENWOOD.
H.R. 936: Mr. ISRAEL, Mrs. NAPOLITANO, and Mr. SABO.
H.R. 951: Mr. JACKSON of Illinois, Mr. BLUMENAUER, and Mr. SERRANO.
H.R. 968: Mr. ROTHMAN.
H.R. 972: Mr. FATTAH.
H.R. 995: Mr. FRANK.
H.R. 1073: Mr. UPTON.
H.R. 1110: Mr. WICKER.
H.R. 1134: Mr. MCINNIS.
H.R. 1136: Mr. SHERMAN.
H.R. 1151: Ms. CARSON of Indiana.
H.R. 1170: Mr. BOSWELL.
H.R. 1177: Mr. GOODE, Mr. COYNE, Mr. LATOURETTE, Ms. BALDWIN, and Mr. FARR of California.
H.R. 1178: Mr. FRANK.
H.R. 1194: Mr. PRICE of North Carolina.
H.R. 1198: Mr. PLATTS, Mr. PRICE of North Carolina, Mr. OBERSTAR, and Mr. ABERCROMBIE.
H.R. 1202: Mr. PAYNE, Mr. GUTIERREZ, Ms. DELAURO, and Mr. GRAHAM.
H.R. 1238: Mr. MATSUI, Mr. CARDIN, and Mr. SHAW.
H.R. 1243: Ms. MCKINNEY.
H.R. 1268: Mr. TANCREDO.
H.R. 1296: Mrs. KELLY, Mr. BOSWELL, Mr. BEREUTER, Mr. NUSSLE, and Mr. KUCINICH.
H.R. 1305: Mr. STRICKLAND and Mr. PASTOR.
H.R. 1350: Mr. OLVER.
H.R. 1367: Mr. BONIOR.
H.R. 1377: Mr. INSLEE, Mr. BEREUTER, and Mr. FOSSELLA.
H.R. 1408: Mr. CRAMER.
H.R. 1507: Mr. BENTSEN, Mr. NETHERCUTT, and Mr. DOYLE.
H.R. 1536: Mr. MARKEY, Mr. FORD, Mr. UDALL of Colorado, and Mr. MORAN of Virginia.
H.R. 1556: Mr. SHUSTER and Mr. GOODE.
H.R. 1582: Mr. RODRIGUEZ.
H.R. 1596: Mr. FILNER and Mr. MCHUGH.
H.R. 1600: Mr. PRICE of North Carolina and Mr. WELLER.,
H.R. 1602: Mr. KELLER, Mrs. BIGGERT, Mr. SAM JOHNSTON of Texas, Mr. FLETCHER, Mr. GRAHAM, Mr. UPTON, and Mr. DEAL of Georgia.
H.R. 1605: Ms. HART.
H.R. 1609: Mr. LUCAS of Kentucky.
H.R. 1613: Mrs. BIGGERT and Mr. RANGEL.
H.R. 1624: Mr. FARR of California, Mr. HASTINGS of Florida, Mr. SESSIONS, Mr. WEINER, Mr. CROWLEY, Mr. BRADY of Texas, Mr. SABO and, Mr. REGULA.
H.R. 1650: Ms. BALDWIN.
H.R. 1680: Mr. ACKERMAN, Mr. DINGELL, and Ms. KAPTUR.
H.R. 1693: Mr. GUTIERREZ, Mr. LEACH, and Mr. ABERCROMBIE.
H.R. 1770: Mr. HASTERT.
H.R. 1779: Ms. WOOLSEY, Mr. BISHOP, Mr. LAMPSON, and Mr. EHLERS.
H.R. 1835: Mr. ENGLISH.
H.R. 1841: Mrs. MINK of Hawaii, Mr. GREEN of Texas, and Mr. FATTAH.
H.R. 1875: Mr. QUINN.
H.R. 1896: Mr. ANDREWS.
H.R. 1948: Mr. LANGEVIN.
H.R. 1964: Mr. KILDEE.
H.R. 1979: Mr. COOKSEY, Mr. KELLER, Mr. HALL of Texas, and Mr. GORDON.
H.R. 1998: Mr. BLUNT, Mr. ORTIZ, and Mr. GEKAS.
H.R. 1987: Mr. SESSIONS, Mr. BAKER, Mr. SMITH of Texas, and Mr. TIBERI.
H.R. 1990: Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. FORD, Mr. HASTINGS of Florida, Mrs. JONES of Ohio, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. PAYNE, Mr. RUSH, Mr. THOMPSON of Mississippi, Ms. WATERS, Mr. WATT of North Carolina, and Mr. BERMAN.
H.R. 2012: Mr. GILMAN and Mr. RYAN of Wisconsin.
H.R. 2033: Mr. BECERRA, Mr. PASTOR, Mr. WATERS, Ms. LOFGREN, Mr. LANTOS, and Mr. MCGOVERN.
H.R. 2037: Mr. THOMAS, Mr. REYNOLDS, Mr. HOEKSTRA, Mr. SAXTON, Mr. BOEHLERT, and Mr. MCINTYRE.
H.R. 2070: Mr. DOOLEY of California.
H.R. 2074: Ms. PELOSI, Mr. PASTOR, and Mr. RODRIGUEZ.
H.R. 2081: Mr. ROHRABACHER.
H.R. 2094: Mr. PAUL and Mr. OTTER.
H.R. 2095: Mr. RODRIGUEZ.
H.R. 2117: Mr. WEINER.
H.R. 2118: Mr. PITTS and Mr. FRANK.
H.R. 2154: Ms. BALDWIN.
H.R. 2155: Mr. SCHAFFER.
H.R. 2156: Mr. PALLONE.
H.R. 2211: Ms. BALDWIN, Mr. WU, and Mr. NADLER.
H.R. 2219: Mr. GOODE.
H.R. 2220: Mrs. MCCARTHY of New York, Mr. THOMPSON of California, Mr. EHRLICH, and Mr. MCNULTY.
H.R. 2258: Mr. WEXLER.
H.R. 2310: Mr. MCDERMOTT.
H.R. 2317: Mr. FILNER, Mr. BORSKI, Mr. STARK, Mrs. THURMAN, Mr. MATSUI, Mr. MCNULTY, Ms. MCKINNEY, Mr. GRUCCI, Mr. LIPINSKI, Mr. MCGOVERN, Mr. FROST, Mr. KILDEE, and Mr. GONZALEZ.
H.R. 2329: Mr. THOMPSON of Mississippi, Mr. JACKSON of Illinois, Ms. LOFGREN, Mrs. CLAYTON, Mr. GOODE, Mr. TIERNEY, Mr. REHBERG, Mrs. MORELLA, Mr. DELAHUNT, Mr. WYNN, Ms. SCHAKOWSKY, and Mr. WU.
H.R. 2333: Ms. RIVERS.
H.R. 2334: Mr. COBLE.
H.R. 2337: Mr. SCHAFFER.
H.R. 2339: Mr. WOLF.
H.R. 2348: Mr. HONDA, Mr. BONIOR, Mr. MASCARA, Mr. MORAN of Virginia, Mrs. CHRISTENSEN, Mr. RUSH, and Ms. LEE.
H.R. 2357: Mr. DELAY, Mr. BAKER, Mr. HALL of Texas, Mr. DEMINT, Mr. RILEY, Mr. PETERSON of Pennsylvania, Mr. THORNBERRY, Mr. HUNTER, Mr. KINGSTON, Mr. ARMEY, Mr. PAUL, Mr. ROHRABACHER, Mr. LEWIS of Kentucky, and Mr. GRAHAM.
H.R. 2363: Mr. HOEFFEL, Ms. ROYBAL-ALLARD, and Mr. PASCRELL.
H.R. 2404: Ms. WOOLSEY.
H.R. 2466: Mr. DEMINT, Mr. SHOWS, and Mrs. NORTHUP.
H.R. 2478: Ms. SANCHEZ.
H.R. 2484: Mr. DOYLE and Mr. BOUCHER.
H.R. 2485: Mr. MATSUI.
H.R. 2487: Mr. RANGEL.
H.R. 2492: Mr. LEWIS of California, Mr. HALL of Texas, and Mr. HILL.
H.R. 2507: Mr. ROGERS of Michigan.
H.R. 2560: Mr. ACKERMAN and Mr. DEUTSCH.
H.R. 2573: Ms. RIVERS, Ms. ESHOO, Mr. WAXMAN, and Ms. BALDWIN.
H.R. 2592: Mr. EHRLICH.
H.R. 2608: Ms. DEGETTE, Mr. TOWNS,, and Mr. SAWYER.
H.R. 2615: Mr. FLAKE.
H.R. 2624: Mr. GILMAN, Mr. NADLER, Mr. CROWLEY, Mr. HOLDEN, Mr. MCNULTY, Ms. NORTON, and Mr. CRAMER.
H.R. 2629: Mr. BLAGOJEVICH.
H.R. 2630: Mr. BARRETT.
H.R. 2637: Mrs. MEEK of Florida and Mr. GREENWOOD.
H.J. Res. 6: Mr. FRANK.
H.J. Res. 15: Mr. MOLLOHAN.
H.J. Res. 54: Ms. HART.
H. Con. Res. 36: Mr. TOOMEY and Mr. PLATTS.
H. Con. Res. 58: Mr. HOEFFEL.
H. Con. Res. 155: Mr. MATHESON.
H. Con. Res. 160: Mr. GEKAS and Mr. MCGOVERN.
H. Con. Res. 162: Ms. ROYBAL-ALLARD.
H. Con. Res. 195: Mr. MCDERMOTT.
H. Res. 132: Mrs. NAPOLITANO, Mr. DELAHUNT, and Mr. WALSH.
H. Res. 144: Mr. DUNCAN and Mr. OTTER.

¶81.39 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2172: Mr. LANGEVIN.

FRIDAY, JULY 27, 2001 (82)

¶82.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. BIGGERT, who laid before the House the following communication:

WASHINGTON, DC,
July 27, 2001.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

¶82.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Thursday, July 26, 2001.

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

¶82.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3134. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Karnal Bunt; Regulated Areas [Docket No. 01–063–1] received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3135. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Importation and Interstate Movement of Certain Land Tortoises [Docket No. 00–016–3] received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3136. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Export Certification; Canadian Solid Wood Packing Materials Exported From the United States to China [Docket No. 99–100–3] received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3137. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Pine Shoot Beetle; Addition to Quarantined Areas [Docket No. 01–048–1] received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3138. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Accreditation Standards for Laboratory Seed Health Testing and Seed Crop Phytosanitary Inspection [Docket No. 99–

030–2] received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3139. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Arthur K. Cebrowski, United States Navy, and his advancement to the grade of Vice Admiral on the retired list; to the Committee on Armed Services.

3140. A letter from the Federal Register Liaison Officer Alternate, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Assessments and Fees [No. 2001–44] (RIN: 1550–AB47) received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3141. A letter from the Federal Register Liaison Officer Alternate, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Liquidity [No. 2001–51] (RIN: 1550–AB42) received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3142. A letter from the Federal Register Liaison Officer Alternate, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Conversion from Stock Form Depository Institution to Federal Stock Association [No. 2001–52] (RIN: 1550–AB46) received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3143. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3144. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Wallace, Idaho and Bigfork, Montana) [MM Docket No. 98–159; RM–9290] received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3145. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Kingman and Dolan Springs, Arizona) [MM Docket No. 01–63; RM–10075] received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3146. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (West Hurley, Rosendale and Rhinebeck, New York, and North Cannan and Sharon, Connecticut) [MM Docket No. 97–178; RM–8329; RM–8739; RM–10099] received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3147. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3148. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3149. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3150. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3151. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3152. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

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3164. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3165. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3166. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3167. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3168. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3169. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3170. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3171. A letter from the Office of Headquarters and Executive Personnel Services, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3172. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 071201A] received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3173. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule— End of the Service Members Occupational Conversion and Training Program (RIN: 2900–AK45) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3174. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 2001–41] received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3175. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Estate tax return; Form 706, Extension to File [TD 8957] (RIN: 1545–AX98) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3176. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Exxon v. Commissioner, 113 T.C. 338 (1999) (Docket No. 23331–95, 16692–97) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3177. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Reduction in Certain Deductions of Mutual Life Insurance Companies [Rev. Rul. 2001–33] received July

20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3178. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Collection of Supplemental Security Income (SSI) Overpayments from Social Security Benefits (RIN: 0960–AF13) received July 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶82.4 VA-HUD APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to House Resolution 210 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

Mr. SHIMKUS, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. BEREUTER, assumed the Chair.

When Mr. SHIMKUS, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶82.5 ORDER OF BUSINESS—CONSIDERATION OF AMENDMENTS TO H.R. 2620

On motion of Mr. WALSH, by unanimous consent,

Ordered, That it may be in order during further consideration of the bill (H.R. 2620) in the Committee of Whole pursuant to House Resolution 210 that (1) no amendment to the bill may be offered except pro forma amendments to be offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; the amendment printed in House Report 107-164; the amendments printed in the Congressional Record and numbered 5, 6, 7, 12, 19, 20, 21, 24, 25, 30, 36, 37, 38, 39, 40, 41, 42, and 46; two amendments by Mr. Frank and one amendment by Mr. Traficant placed at the desk; one amendment en bloc by Ms. Jackson-Lee consisting of the amendments numbered 31, 33, 34, and 35, (2) such amendments shall be debatable as follows: except as specified, each amendment shall be debatable only for 10 minutes each; the amendments numbered 6, 12, 24, 39, and 42 shall be debatable only for 20 minutes each; the amendments numbered 5 and 37 and one amendment by Mr. Frank shall be debatable only for 30 minutes each; the amendment numbered 46 shall be debatable only for 40 minutes, such debate shall be equally divided and controlled by the proponent and an opponent, (3) each such amendment may be offered only by the Member designated in this request, the Member who caused it to be printed, or a designee, shall be considered as read, shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment), and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole, (4) all points of order are waived against the amendment numbered 25, and (5) the amendment printed in House Report 107-164, may amend portions of the bill not yet read.

¶82.6 VA-HUD APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. BEREUTER, pursuant to House Resolution 210 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration, of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

Mr. SHIMKUS, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶82.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FRANK:

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS ACT'', strike ''That of the total amount provided under this heading, $200,000,000'' and all that follows through ''as amended: *Provided further*,''.

It was decided in the negative { Yeas ..... 163 / Nays ..... 247 }

¶82.8 [Roll No. 286]

AYES—163

Abercrombie
Ackerman
Allen
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Blagojevich
Bonior
Borski
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Skelton
Smith (WA)
Solis
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Waxman
Weiner
Wexler
Woolsey
Wu

NOES—247

Aderholt
Akin
Andrews
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCrery
McHugh
McKeon
Mica
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Snyder
Souder
Spratt
Stearns
Stenholm
Stump
Stupak
Sweeney
Tancredo
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant

Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wynn
Young (FL)

NOT VOTING—23

Blumenauer
Callahan
Cubin
Dunn
Frost
Hansen
Keller
Largent
Linder
Lipinski
McInnis
Miller (FL)
Quinn
Ros-Lehtinen
Scarborough
Slaughter
Smith (TX)
Spence
Sununu
Taylor (NC)
Watt (NC)
Wolf
Young (AK)

So the amendment was not agreed to.

¶82.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. KAPTUR:

At the end of title II, insert the following new section:

SEC. 2____. For carrying out the Public and Assisted Housing Drug Elimination Act of 1990 (42 U.S.C. 11901 et seq.) and the functions of the clearinghouse authorized under section 5143 of the Drug-Free Public Housing Act of 1988 (42 U.S.C. 11922), and the aggregate amount otherwise provided by this title for the ''HOME INVESTMENT PARTNERSHIPS PROGRAM'' is hereby reduced by, and the amount provided under such item for the Downpayment Assistance Initiative is hereby reduced by, $175,000,000.

It was decided in the negative { Yeas ..... 197 / Nays ..... 213 }

¶82.10 [Roll No. 287]

AYES—197

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett
Becerra
Bentsen
Berkley
Berman
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Fossella
Frank
Gephardt
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Hutchinson
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shows
Smith (NJ)
Smith (WA)
Solis
Souder
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thurman
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Waxman
Weiner
Wexler
Whitfield
Woolsey
Wu

NOES—213

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Forbes
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kanjorski
Kelly
Kennedy (MN)
Kerns
King (NY)
Kirk
Knollenberg
Kolbe
LaHood
Langevin
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lofgren
Lucas (OK)
Manzullo
McCrery
McHugh
McKeon
Mica
Miller, Gary
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Snyder
Spratt
Stearns
Stenholm
Stump
Sweeney
Tancredo
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson
Wynn
Young (FL)

NOT VOTING—23

Blumenauer
Callahan
Cubin
Dunn
Frost
Hansen
Keller
Largent
Linder
Lipinski
McInnis
Miller (FL)
Quinn
Ros-Lehtinen
Slaughter
Smith (TX)
Spence
Sununu
Taylor (NC)
Tierney
Watt (NC)
Wolf
Young (AK)

So the amendment was not agreed to.

¶82.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BONIOR:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. [-]. None of the funds appropriated by this Act may be used to delay the national primary drinking water regulation for Arsenic published on January 22, 2001, in the Federal Register (66 Fed.Reg. pages 6976 through 7066, amending parts 141 through 142 of title 40 of the Code of Federal Regulations) or to propose or finalize a rule to increase the levels of arsenic in drinking water permitted under that regulation.

It was decided in the affirmative { Yeas ..... 218 / Nays ..... 189 }

¶82.12 [Roll No. 288]

AYES—218

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Frank
Frelinghuysen
Ganske
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hart
Hastings (FL)
Hill
Hilliard
Hinchey
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)

Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—189

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
Everett
Flake
Fletcher
Foley
Forbes
Fossella
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lucas (KY)
Lucas (OK)
Manzullo
McHugh
McKeon
Mica
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Souder
Stearns
Stenholm
Stump
Sweeney
Tancredo
Tauzin
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (FL)

NOT VOTING—26

Blumenauer
Callahan
Collins
Cubin
Dunn
Frost
Hansen
Hinojosa
Keller
Largent
Linder
Lipinski
McCrery
McInnis
Miller (FL)
Quinn
Ros-Lehtinen
Slaughter
Smith (TX)
Spence
Sununu
Taylor (NC)
Thomas
Watt (NC)
Wolf
Young (AK)

So the amendment was agreed to.

¶82.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MENENDEZ:

At the end of the bill, add the following new section:

''SEC. . Funding made available under this Act for salaries and expenses, excluding those made available for the Department of Veterans Affairs and the Environmental Protection Agency, are reduced by $25,000,000 and funds made available for ''Environmental Programs and Management'' at the Environmental Protection Agency are increased by $25,000,000 for activities authorized by law: Provided, none of the funds in this Act shall be available by reason of the next to last specific dollar earmark under the heading ''State and Tribal Assistance Grants.''

It was decided in the negative ..... { Yeas ..... 182 / Nays 214

¶82.14 [Roll No. 289]

AYES—182

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Barton
Becerra
Berkley
Berry
Bishop
Blagojevich
Boehlert
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—214

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Bass
Bentsen
Bereuter
Biggert
Bilirakis
Blunt
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Cannon
Cantor
Capito
Capuano
Carson (OK)
Castle
Chabot
Chambliss
Coble
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Doolittle
Doyle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McHugh
McKeon
Mica
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (NJ)
Souder
Stearns
Stenholm
Stump
Sweeney
Tancredo
Tanner
Tauzin
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (FL)

NOT VOTING—37

Berman
Blumenauer
Boehner
Boswell
Callahan
Camp
Collins
Cubin
DeFazio
Diaz-Balart
Dunn
Frost
Hansen
Hilleary
Hinojosa
Keller
Kilpatrick
Largent
Larson (CT)
Linder
Lipinski
McCrery
McInnis
Miller (FL)
Pomeroy
Quinn
Ros-Lehtinen
Roukema
Slaughter
Smith (MI)
Smith (TX)
Spence
Sununu
Taylor (NC)
Watt (NC)
Wolf
Young (AK)

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. SHIMKUS, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶82.15 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, July 30, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶82.16 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, August 1, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶82.17 PERMISSION TO FILE REPORT

On motion of Mr. ARMEY, by unanimous consent, the Committee on the

Judiciary was granted permission until 5 o'clock p.m., Saturday, July 28, 2001, to file a report (Rept. No. 107–170) on the bill (H.R. 2505) to amend title 18, United States Code, to prohibit human cloning.

¶82.18 MESSAGE FROM THE SENATE

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

S. Con. Res. 61. Concurrent Resolution to waive the provisions of the Legislative Reorganization Act of 1970 which require the adjournment of the House and Senate by July 31.

¶82.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. FROST, for today after 12:30 p.m.;

To Mr. HANSEN, for today;

To Mr. KELLER, for today after 1 p.m.;

To Mr. McINNIS, for today;

To Mr. McNULTY, for July 26 before 3 p.m.;

To Ms. SLAUGHTER, for today;

To Mr. WATT of North Carolina, for today; and

To Mr. SUNUNU, for today;

And then,

¶82.20 ADJOURNMENT

On motion of Mr. ROHRABACHER, pursuant to the special order heretofore agreed to, at 4 o'clock and 43 minutes p.m., the House adjourned until 12:30 p.m. on Monday, July 30, 2001.

¶82.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2505. A bill to amend title 18, United States Code, to prohibit human cloning; with amendments (Rept. No. 107–170). Referred to the Committee of the Whole House on the State of the Union.

¶82.22 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. TAUZIN (for himself, Mr. THOMAS, Mr. HANSEN, and Mr. OXLEY):

H.R. 4. A bill to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, Ways and Means, Resources, Education and the Workforce, Transportation and Infrastructure, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Pennsylvania (for himself and Ms. VELAZQUEZ):

H.R. 2666. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program; to the Committee on Small Business.

By Mr. SMITH of New Jersey (for himself, Mr. BILIRAKIS, Mr. EVERETT, Mr. BUYER, Mr. GIBBONS, Mr. SIMMONS, Mr. BROWN of South Carolina, Mr. WAMP, and Mr. KIRK):

H.R. 2667. A bill to provide for a joint Department of Defense and Department of Veterans Affairs demonstration project to identify benefits of integrated management of health care resources of those departments, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H.R. 2668. A bill to amend title 18, United States Code, to prohibit the disposition of a firearm to, and the possession of a firearm by, non-permanent resident aliens; to the Committee on the Judiciary.

By Mr. MORAN of Kansas (for himself, Mr. OSBORNE, Mr. PICKERING, Mr. HALL of Texas, Mrs. CLAYTON, Mr. GOODE, Mr. BISHOP, Mrs. CHRISTENSEN, Mr. THUNE, Mr. SIMPSON, Mr. SCHAFFER, Mr. HUTCHINSON, Mr. CHAMBLISS, Mr. BRADY of Texas, Mr. STENHOLM, Mr. BOSWELL, Mr. THOMPSON of California, Mr. POMEROY, Mr. CONDIT, Mrs. EMERSON, Mr. BERRY, Mr. GIBBONS, Mr. ETHERIDGE, Mr. BLUNT, Mr. REHBERG, Mr. HAYES, Mr. STRICKLAND, Mr. KIND, and Mr. JOHN):

H.R. 2669. A bill to improve access to telecommunications and Internet services in rural areas; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD (for herself, Mrs. MALONEY of New York, Mr. STARK, Mrs. THURMAN, Mr. GEORGE MILLER of California, Mr. McGOVERN, Mr. CUMMINGS, Mr. FROST, Ms. NORTON, Mr. PETERSON of Minnesota, Mr. JACKSON of Illinois, Ms. BALDWIN, Mr. SANDERS, Mr. KILDEE, Mr. LANTOS, Mr. PALLONE, Mrs. MINK of Hawaii, Ms. LEE, Mr. SANDLIN, Mr. GUTIERREZ, Ms. ESHOO, Mr. McNULTY, Mr. KUCINICH, Mr. OWENS, Mr. BONIOR, Mr. NADLER, Ms. CARSON of Indiana, Mr. HONDA, Mr. FRANK, Ms. MILLENDER-McDONALD, Ms. HARMAN, Mr. ENGEL, Mr. CONYERS, Mr. BOUCHER, Ms. SOLIS, Mr. HOLDEN, Mr. DAVIS of Illinois, Mr. HINCHEY, Mr. RUSH, Mr. DeFAZIO, Ms. WATERS, Ms. WOOLSEY, Ms. JACKSON-LEE of Texas, Mrs. CLAYTON, Mr. ABERCROMBIE, Mrs. CAPPS, Ms. DeGETTE, Mr. SHAYS, Mr. WAXMAN, Mr. BECERRA, Mr. LAMPSON, Ms. McCOLLUM, Mr. HALL of Texas, Mr. FORD, Mr. SHERMAN, Mr. REYES, Mr. RODRIGUEZ, Mr. ORTIZ, Mr. PASTOR, Mr. SERRANO, Ms. VELAZQUEZ, Mr. HINOJOSA, Ms. SANCHEZ, Mr. GONZALEZ, Mrs. NAPOLITANO, Mr. BACA, Ms. PELOSI, Mr. CLYBURN, Mrs. MEEK of Florida, Ms. KAPTUR, Mr. FARR of California, Mr. MORAN of Virginia, Mr. LaFALCE, Ms. HOOLEY of Oregon, Mr. GILMAN, Mr. CROWLEY, Mrs. TAUSCHER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WATSON, Mr. MATSUI, Ms. DeLAURO, Ms. SLAUGHTER, Ms. BERKLEY, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Ms. LOFGREN, Mrs. McCARTHY of New York, Mrs. JONES of Ohio, Ms. RIVERS, Ms. SCHAKOWSKY, Mr. WU, Mr. BERMAN, Ms. McCARTHY of Missouri, Ms. KILPATRICK, Ms. McKINNEY, Mrs. DAVIS of California, Mrs. LOWEY, Mr. EVANS, Mr. GREEN of Texas, Mr. MOORE, Mr. RANGEL, Mr. SNYDER, Mr. THOMPSON of California, Mr. HASTINGS of Florida, Mr. ACEVEDO-VILA, Mr. UNDERWOOD, and Mr. SCOTT):

H.R. 2670. A bill to promote the economic security and safety of victims of domestic and sexual violence, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STRICKLAND (for himself and Mr. NEY):

H.R. 2671. A bill to amend title 38, United States Code, to suspend for five years the authority of the Secretary of Veterans Affairs to increase the copayment amount in effect for medication furnished by the Secretary on an outpatient basis for the treatment of service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. FOLEY:

H.J. Res. 59. A joint resolution proposing an amendment to the Constitution of the United States to provide that no person born in the United States will be a United States citizen unless a parent is a United States citizen, is lawfully in the United States, or has a lawful immigration status at the time of the birth; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mr. CANTOR, Mr. McNULTY, Mr. SHERMAN, Mr. FROST, Mr. WEINER, Ms. ROS-LEHTINEN, and Mr. PLATTS):

H. Con. Res. 202. Concurrent resolution condemning the Palestinian Authority and various Palestinian organizations for using children as soldiers and inciting children to acts of violence and war; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHAFFER (for himself and Ms. KAPTUR):

H. Con. Res. 203. Concurrent resolution congratulating Ukraine on the tenth anniversary of re-establishment of its independence; to the Committee on International Relations.

By Mr. LANTOS (for himself, Mr. HASTINGS of Florida, Ms. ROS-LEHTINEN, Mr. COX, Mr. WAXMAN, Mr. GILMAN, Mr. WU, Mr. SMITH of New Jersey, Mr. MATSUI, Mr. LANGEVIN, Mr. ACKERMAN, Mr. CROWLEY, Ms. BERKLEY, Mr. SCHIFF, Mr. CANTOR, Mr. BISHOP, Mr. PITTS, Mr. TOWNS, Mr. HOEFFEL, Mr. BALLENGER, Mr. NADLER, Mr. BERMAN, Ms. MILLENDER-McDONALD, Mrs. TAUSCHER, Mr. CUMMINGS, Mr. HOYER, and Mr. RUSH):

H. Res. 212. A resolution expressing the sense of the House of Representatives that the World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance presents a unique opportunity to address global discrimination; to the Committee on International Relations.

¶82.23 ADDITIONAL SPONSORS

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

H.R. 17: Mr. BOEHLERT.
H.R. 103: Mr. SKEEN and Mr. LARGENT.
H.R. 116: Ms. MILLENDER-MCDONALD.
H.R. 218: Mr. SCARBOROUGH and Mrs. MALONEY of New York.
H.R. 292: Mr. CROWLEY AND MR. RANGEL.
H.R. 321: Mr. ABERCROMBLE.
H.R. 335: Mr. NETHERCUTT.
H.R. 448: Mr. UDALL of Colorado and Mr. KINGSTON.
H.R. 758: Mr. BALDWIN.
H.R. 877: Ms. PRYCE of Ohio.
H.R. 914: Mr. WICKER.
H.R. 936: Mr. REHBERG.
H.R. 951: Mr. SCHIFF, Mr. BASS, and Mr. ROTHMAN.
H.R. 959: Mr. RODRIGUEZ.
H.R. 1038: Mr. ABERCROMBIE.
H.R. 1070: Mr. GREEN of Wisconsin.
H.R. 1073: Mr. JOHN.
H.R. 1086: Ms. HOOLEY of Oregon.
H.R. 1089: Mrs. NAPOLITANO.
H.R. 1108: Ms. BALDWIN.
H.R. 1143: Mr. TIERNEY and Mrs. MEEK of Florida.
H.R. 1170: Mr. LEVIN.
H.R. 1198: Mrs. DAVIS of California, Mr. LEWIS of Georgia, Mrs. MCCARTHY of New York, Mr. RUSH, and Mr. ROTHMAN.
H.R. 1201: Mrs. CHRISTENSEN.
H.R. 1238: Mr. MCNULTY and Mr. RAMSTAD.
H.R. 1243: Mr. SHOWS.
H.R. 1290: Ms. CARSON of Indiana.
H.R. 1305: Mr. HORN.
H.R. 1307: Mr. BORSKI.
H.R. 1323: Mr. FATTAH.
H.R. 1330: Mr. WALDEN of Oregon.
H.R. 1377: Mr. RADANOVICH.
H.R. 1450: Mr. WELDON of Florida.
H.R. 1509: Mr. SANDERS and Mr. MORAN of Virginia.
H.R. 1522: Mr. HOEFFEL and Mr. EVANS.
H.R. 1584: Mr. NORWOOD.
H.R. 1598: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1609: Mr. BOYD.
H.R. 1611: Mr. PASCRELL.
H.R. 1644: Mr. GUTKNECHT.
H.R. 1645: Mr. PETERSON of Pennsylvania and Mr. BENTSEN.
H.R. 1681: Mr. PICKERING, Ms. HART, Mr. BURTON of Indiana, and Mr. KINGSTON.
H.R. 1700: Mr. DOYLE.
H.R. 1701: Mrs. KELLY.
H.R. 1703: Mr. UPTON.
H.R. 1701: Mr. BACA.
H.R. 1718: Mr. WEINER, Ms. WOOLSEY, Mr. CRAMER, Mr. ORTIZ, Mr. CARSON of Oklahoma, and Mr. SHOWS.
H.R. 1731: Mr. SCHAFFER, Mr. ARMEY, Mr. WALDEN of Oregon, Mr. FOLEY, and Mr. GILLMOR.
H.R. 1773: Mr. KUCINICH.
H.R. 1775: Mr. CONDIT, Mr. CALVERT, and Mr. DAVIS of Illinois.
H.R. 1784: Mr. REYES, Mr. CUNNINGHAM, and Mr. BERMAN.
H.R. 1798: Mr. HORN.
H.R. 1815: Ms. PELOSI and Mr. SMITH of Washington.
H.R. 1830: Mr. ABERCROMBIE, Mr. BAIRD, Mr. BLUMENAUER, Mr. BRADY of Pennsyulvania, Mr. CAPUANO, Mr. CARDIN, Ms. DELAURO, Mr. FARR of California, Mr. FILNER, Mr. FORD, Mr. HINCHEY, Mr. HOEFFEL, Mr. INSLEE, Ms. LOFGREN, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Mr. MOORE, Mr. NADLER, Mr. OBERSTAR, Mr. OWENS, Mr. PASCRELL, Ms. PELOSI, Mr. PHELPS, Mr. ROTHMAN, Mrs. TAUSCHER, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mr. WEINER, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Mr. DOYLE, Mr. UDALL of Colorado, Ms. WOOLSEY, Mr. WU, Mr. LARSEN of Washington, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mrs. MEEK of Florida, Mr. PAYNE, Mr. MARKEY, Mr. OLVER, Mr. MORAN of Virginia, and Ms. BALDWIN.
H.R. 1893: Mr. FATTAH.
H.R. 1897: Mr. CROWLEY and Mr. KING.
H.R. 1918: Mr. WELLER.
H.R. 1931: Mr. DEUTSCH and Mr. YOUNG of Alaska.
H.R. 1935: Mr. UDALL of Colorado and Mr. FERGUSON.
H.R. 1961: Mrs. DAVIS of California and Mr. SHERMAN.
H.R. 1975: Mr. COSTELLO, Mr. BAKER, and Mr. BASS.
H.R. 1986: Mr. DAVIS of Florida, Ms. ESHOO, and Mr. VITTER.
H.R. 1997: Mr. ENGLISH.
H.R. 2023: Mr. JEFFERSON and Mr. BAKER.
H.R. 2047: Mr. SMITH of Texas.
H.R. 2074: Mr. FARR of California and Mr. GEORGE MILLER of California.
H.R. 2121: Mr. PAYNE and Ms. LEE.
H.R. 2166: Mr. RODRIGUEZ.
H.R. 2173: Mr. WAXMAN, Mr. CROWLEY, Mr. EVANS, and Ms. BALDWIN.
H.R. 2188: Mr. BORSKI, Mr. LANTOS, and Ms. HART.
H.R. 2200: Mr. SOUDER and Ms. BALDWIN.
H.R. 2212: Mr. ISAKSON, Mr. PLATTS, and Mr. SCHROCK.
H.R. 2235: Mr. COLLINS.
H.R. 2244: Mr. SMITH of Michigan.
H.R. 2291: Ms. HART.
H.R. 2294: Mr. EVANS.
H.R. 2316: Mr. GRAHAM, Mr. OXLEY, Mr. BAKER, Ms. DUNN, Mr. BURTON of Indiana, Mr. KNOLLENBERG, and Mr. SUNUNU.
H.R. 2329: Mr. BASS and Mr. SCHIFF.
H.R. 2339: Mr. PASCRELL and Ms. HART.
H.R. 2341: Mrs. BIGGERT, Mr. FLAKE, Mr. GILLMOR, Mr. GOODE, and Mr. KELLER.
H.R. 2362: Mr. HASTINGS of Florida, Mr. FRANK, Mr. CASTLE, and Mr. FROST.
H.R. 2364: Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, Mr. HOEFFEL, and Mr. FRANK.
H.R. 2379: Mr. THOMPSON of Mississippi and Ms. PELOSI.
H.R. 2380: Mr. STRICKLAND and Mr. CRANE.
H.R. 2390: Mr. SOUDER.
H.R. 2398: Ms. JACKSON-LEE of Texas and Ms. HART.
H.R. 2405: Mr. TIERNEY, Mr. NADLER, Mr. OLVER, Mr. TOWNS, and Mr. STARK.
H.R. 2442: Mr. GEKAS.
H.R. 2454: Ms. PELOSI, Ms. SOLIS, Ms. HARMAN, Mrs. BONO, Mr. CALVERT, Ms. ESHOO, and Mr. CAPUANO.
H.R. 2457: Mr. LAHOOD, Mrs. CAPITO, Mr. PLATTS, Mr. BURR of North Carolina, Mr. ISAKSON, Mr. HERGER, and Mrs. EMERSON.
H.R. 2498: Mr. BARRETT.
H.R. 2550: Mr. HONDA.
H.R. 2559: Ms. NORTON.
H.R. 2592: Ms. PELOSI.
H.R. 2598: Mr. PASCRELL, Mr. CUMMINGS, and Mr. CONDIT.
H.R. 2605: Mrs. THURMAN and Mr. MCDERMOTT.
H.R. 2608: Mr. SCHIFF.
H.R. 2614: Mr. LANTOS, Ms. DELAURO, and Mr. SMITH of Washington.
H.R. 2663: Mr. FILNER.
H. Con. Res. 97: Mr. SWEENEY and Mr. CROWLEY.
H. Con. Res. 116: Mr. FRANK.
H. Con. Res. 131: Mr. FROST, Mr. MCNULTY, Mr. PORTMAN, Mrs. BIGGERT, Mr. DAVIS of Florida, and Mr. GALLEGLY.
H. Con. Res. 181: Mr. RUSH, Mr. RAHALL, and Mr. CROWLEY.
H. Con. Res. 188: Mr. ROYCE, Mr. SHERMAN, Ms. Watson, Mr. MCGOVERN, Mr. SABO, Mr. KUCINICH, and Ms. PRYCE of Ohio.
H. Res. 132: Ms. WATSON and Mr. MCHUGH.
H. Res. 200: Mr. HASTINGS of Florida, Mr. GILMAN, and Mr. BEREUTER.
H. Res. 202: Mr. RANGEL and Mr. ISRAEL.
H. Res. 211: Mrs. CHRISTENSEN, Ms. MILLENDER-MCDONALD, Mr. CLAY, Mrs. MEEK of Florida, Ms. LEE, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. HILLIARD, Mrs. CLAYTON, Mrs. JONES of Ohio, Mr. DAVIS of Illinois, Mr. LEWIS of Georgia, Mr. WYNN, Mr. CLYBURN, Mr. PAYNE, Mr. JEFFERSON, Mr. SCOTT, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. BISHOP, Mr. FATTAH, Mr. OWENS, Mr. MEEKS of New York, Ms. BROWN of Florida, and Ms. WATSON.

¶82.24 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 770: Mr. BISHOP.
H.R. 1745: Mr. GEORGE MILLER of California.

MONDAY, JULY 30, 2001 (83)

¶83.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 minutes p.m. by the SPEAKER pro tempore, Mr. ADERHOLT, who laid before the House the following communication:

WASHINGTON, DC,
July 30, 2001.

I hereby appoint the Honorable ROBERT B. ADERHOLT to act as Speaker pro tempore on this day.

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

¶83.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1954. An Act to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1218. An Act to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006.

¶83.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. ADERHOLT, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶83.4 RECESS—12:59 P.M.

The SPEAKER pro tempore, Mr. ADERHOLT, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 59 minutes p.m. until 2 p.m.

¶83.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. MILLER of Florida, called the House to order.

¶83.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MILLER of Florida, announced he had examined and approved the Journal of the proceedings of Friday, July 27, 2001.

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

¶83.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3179. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement for the export of defense articles or defense services sold commercially under contract to Japan [Transmittal No. DTC 075–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3180. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3181. A letter from the President, Federal Financing Bank, transmitting the Annual Management Report of the Federal Financing Bank for FY 2000, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

3182. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Amendment 13 [Docket No. 001030303–1127–02; I.D. 091800E] (RIN: 0648–AO41) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3183. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish by Vessels Using Trawl Gear in the West Yakutat District of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 071901B] received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3184. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the West Yakutat District of the Gulf of Alaska [Docket No. 010122013–1013–01; I.D. 071901C] received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3185. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Adjustments [Docket No. 001226367–0367–01; I.D. 062601A] received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3186. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Amendment 14 [Docket No. 000906253–1117–02; I.D. 061500E] (RIN: 0648–AL51) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3187. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands [Docket No. 010112013–1013–01; I.D. 071801C] received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3188. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker and Rougheye Rockfish in the Central Regulatory Area of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 071301A] received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3189. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish by Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 071301B] received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3190. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 071801D] received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3191. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Black Sea Bass Fishery; Commercial Quota Harvested for Quarter 3 Period [Docket No. 001121328–1041–02; I.D. 071101C] received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3192. A letter from the Secretary, United States Senate, transmitting the Advisory Committee's Third Report to Congress, dated December 31, 2000, established under authority of Public Law 101–509; jointly to the Committees on Government Reform and House Administration.

¶83.8 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. MILLER of Florida, laid before the House the following communication from Ms. Dianna L. Ruskowsky, Financial Administrator, Committee on Education and the Workforce:

COMMITTEE ON EDUCATION
AND THE WORKFORCE,
Washington, DC, July 27, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for testimony issued by the Superior Court for the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DIANNA J. RUSKOWSKY,
Financial Administrator.

¶83.9 EXPORT ADMINISTRATION EXTENSION

Mr. HYDE moved to suspend the rules and pass the bill (H.R. 2602) to extend the Export Administration Act until November 20, 2001.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. HYDE and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶83.10 GLOBAL DISCRIMINATION

Mr. BALLENGER moved to suspend the rules and agree to the following resolution (H. Res. 212); as amended:

Whereas since the adoption of the Universal Declaration of Human Rights in 1948, the international community has taken significant steps to eradicate racism, xenophobia, sexism, religious intolerance, slavery, and other forms of discrimination;

Whereas national and international measures to combat discrimination and promote equality, justice, and dignity for all individuals have proven inadequate;

Whereas the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance (''WCAR''), to be held in Durban, South Africa, from August 31 through September 7, 2001, aims to create a new world vision for the fight against racism and other forms of intolerance in the twenty-first century, urge participants to adopt anti-discrimination policies and practices, and establish a mechanism for monitoring future progress toward a discrimination-free world;

Whereas the causes and manifestations of contemporary racism, xenophobia, sexism, religious intolerance, slavery, and other forms of discrimination are many and increasingly complex and subtle;

Whereas all states and societies that have sponsored, encouraged, or tolerated slavery, including states involved in the transatlantic slave trade, the Indian Ocean slave trade, or the trans-Saharan slave trade, benefited economically while inflicting extreme pain, suffering, and humiliation on millions of African people;

Whereas victims of racism, xenophobia, sexism, religious intolerance, slavery, and other forms of discrimination have suffered and continue to suffer from the deprivation of their fundamental rights and opportunities;

Whereas to varying degrees, states, societies, and individuals have adopted the notion that racial, cultural, religious, and social diversity can enrich a country and its citizens;

Whereas participants of the WCAR currently plan to discuss remedies, redress, and other mechanisms to provide recourse at national, regional, and international levels for victims of racism, xenophobia, sexism, religious intolerance, slavery, and other forms of discrimination;

Whereas the achievement of full and effective equality between peoples requires that states, civic groups, and individuals cooperate to address the real difficulties in attaining societies free of discrimination;

Whereas some preparatory materials for the WCAR take positions on current polit-

ical crises which, if adopted in the final WCAR Declaration and Program of Action, could exacerbate existing tensions;

Whereas the attempt by some to use the WCAR as a platform to resuscitate the divisive and discredited notion equating Zionism with racism, a notion that was overwhelmingly rejected when United Nations Resolution 3379 (1975) was rescinded in 1991, would undermine the goals and objectives of the conference; and

Whereas the United States encourages respect for an individual's human rights and fundamental freedoms without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status: Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages all participants in the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance (''WCAR'') to seize this singular opportunity to tackle the scourges of racism, xenophobia, sexism, religious intolerance, slavery, and other forms of discrimination which have divided people and wreaked immeasurable suffering on the disempowered;

(2) recognizes that since racism, racial discrimination, xenophobia, and related intolerance exist to some extent in every region and country around the world, efforts to address these prejudices should occur within a global framework and without reference to specific regions, countries, or present-day conflicts;

(3) exhorts the participants to utilize the WCAR to mitigate, rather than aggravate, racial, ethnic, and regional tensions;

(4) urges the WCAR to focus on concrete steps that may be taken to address gross human rights violations that were motivated by racially and ethnically based animus and on devising strategies to help eradicate such intolerance; and

(5) commends the efforts of the Government of the Republic of South Africa in hosting the WCAR.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. BALLENGER and Ms. McKINNEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LANTOS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶83.11 ABDUCTED ISRAELI DEFENSE FORCE SOLDIERS

Mr. BALLENGER moved to suspend the rules and agree to the following resolution (H. Res. 191):

Whereas on October 7, 2000, Hezbollah forces illegally crossed the Israeli border with Lebanon and kidnapped 3 Israli Defense Force soldiers, Adi Avitan, Binyamin Avraham, and Omar Souad;

Whereas 9 months after the kidnapping, Hezbollah released no information as to the whereabouts and conditions of these soldiers;

Whereas the events leading up to, surrounding, and immediately following the kidnapping remain unknown;

Whereas after long denial the United Nations admitted to possession of a videotape that contains images which could provide material evidence for the investigation into the incident on October 7, 2000;

Whereas this videotape would help to assess the conditions of the soldiers and assist in the investigation to determine the identities of the kidnappers and their methods; and

Whereas to date the United Nations is reluctant to transfer an uncensored form of the videotape to Israeli Government authorities investigating this incident: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the United Nations should immediately transfer an unedited and uncensored form of the videotape that contains images which could provide material evidence for the investigation into the incident on October 7, 2000, when Hezbollah forces abducted 3 Israeli Defense Force soldiers, Adi Avitan, Binyamin Avraham, and Omar Souad, as well as any other material evidence the United Nations may possess, to the Israeli Government to assist its investigation of this incident.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. BALLENGER and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LANTOS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶83.12 NATIONAL MATHEMATICS AND SCIENCE PARTNERSHIPS

Mr. BOEHLERT moved to suspend the rules and pass the bill (H.R. 1858) to make improvements in mathematics and science education, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. BOEHLERT and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶83.13 NATIONAL SCIENCE EDUCATION

Mr. EHLERS moved to suspend the rules and pass the bill (H.R. 100) to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. EHLERS and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶83.14 PERSONAL USE OF PROMOTIONAL ITEMS FOR FEDERAL EMPLOYEES

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 2456) to provide that Federal employees may retain for personal use promotional items received as a result of travel taken in the course of employment.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mrs. MORELLA and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶83.15 NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

Mrs. MORELLA moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 190):

Whereas 26,000,000 people in the United States are addicted to drugs or alcohol;

Whereas 85 percent of all crime in the United States is related to drug or alcohol addiction;

Whereas the taxpayers of the United States paid more than $150,000,000,000 in drug-related criminal and medical costs in

1997, which is more than they spent in that year on education, transportation, agriculture, energy, space exploration, and foreign aid combined;

Whereas each dollar invested in drug and alcohol treatment yields 7 dollars in savings from decreased health care costs, criminal justice costs, and work-related costs caused by absenteeism, injuries, and poor performance;

Whereas treatment for addiction is as effective as treatments for other chronic medical conditions, such as diabetes and high blood pressure;

Whereas adolescents who receive treatment for addiction report using less marijuana and alcohol and being involved in less criminal activity;

Whereas addiction treatment for adolescents also improves the school performance and psychological health of the adolescents;

Whereas a number of organizations and individuals dedicated to fighting addiction and promoting treatment and recovery will recognize September 2001 as National Alcohol and Drug Addiction Recovery Month;

Whereas the Center for Substance Abuse Treatment of the Substance Abuse and Mental Health Services Administration sponsors the celebration of National Alcohol and Drug Addiction Recovery Month to encourage citizen action to help expand and improve the availability of effective addiction treatment;

Whereas National Alcohol and Drug Addiction Recovery Month celebrates the tremendous achievements of individuals who have undergone successful addiction treatment and recognizes those in the field of addiction treatment who have dedicated their lives to helping people recover from addiction; and

Whereas the 2001 national campaign for National Alcohol and Drug Addiction Recovery Month embraces the theme of ''We Recover Together: Family, Friends and Community'' and seeks to increase awareness about alcohol and drug addiction and promote treatment and recovery for the millions of Americans who need it: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress supports the goals and ideas of National Alcohol and Drug Addiction Recovery Month.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mrs. MORELLA and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. MORELLA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶83.16 DISTRICT OF COLUMBIA COLLEGE ACCESS

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 1499) to amend the District of Columbia College Access Act of 1999 to permit individuals who graduated from a secondary school prior to 1998 and individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school to participate in the tuition assistance programs under such Act, and for other purposes.

The SPEAKER pro tempore, Mr. PETRI, recognized Mrs. MORELLA and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶83.17 RECESS—4:29 P.M.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 29 minutes p.m., until approximately 5:15 p.m.

¶83.18 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. OSE, called the House to order.

¶83.19 H. RES. 212—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. OSE, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to said resolution (H. Res. 212) expressing the sense of the House of Representatives that the World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance presents a unique opportunity to address global discrimination; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 408; Nays ..... 3; Answered present 3

¶83.20 [Roll No. 290]

YEAS—408

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spratt
Stearns
Strickland
Stump
Stupak
Sununu
Sweeney

Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Conyers McKinney Paul

ANSWERED ''PRESENT''—3

Barr Carson (IN) Johnson, E.B.

NOT VOTING—19

Baca
Baker
Cubin
DeGette
Goode
Hansen
Hefley
Jefferson
Kleczka
Lipinski
Mollohan
Rivers
Schaffer
Snyder
Spence
Stark
Stenholm
Udall (CO)
Waters

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶83.21 H. RES. 191—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. OSE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to said resolution (H. Res. 191) expressing the sense of the House of Representatives that the United Nations should immediately transfer to the Israeli Government an unedited and uncensored videotape that contains images which could provide material evidence for the investigation into the incident on October 7, 2000, when Hezbollah forces abducted 3 Israeli Defense Force soldiers, Adi Avitan, Binyamin Avraham, and Omar Souad.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 411; Nays ..... 4; Answered present 1

¶83.22 [Roll No. 291]

YEAS—411

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

NAYS—4

Conyers Paul
Dingell Rahall

ANSWERED ''PRESENT''—1

Barr

NOT VOTING—17

Baca
Cubin
DeGette
Goode
Greenwood
Hansen
Hefley
Jefferson
Lipinski
Rohrabacher
Schaffer
Snyder
Spence
Stark
Stenholm
Udall (CO)
Waters

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶83.23 H. CON. RES. 190—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. OSE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to said concurrent resolution (H. Con. Res. 190) supporting the goals and ideals of National Alcohol and Drug Addiction Recovery Month.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 418; Nays 0

¶83.24 [Roll No. 292]

YEAS—418

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley

Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Baca
Berkley
Cox
DeGette
Fattah
Goode
Hansen
Hefley
Jefferson
Lipinski
Schaffer
Snyder
Spence
Stark
Udall (CO)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agree to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶83.25 PROVIDING FOR THE CONSIDERATION OF H.R. 2647

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported (Rept. No. 107–171) the resolution (H. Res. 213) providing for consideration of the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶83.26 PROVIDING FOR THE CONSIDERATION OF H.R. 2505

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported (Rept. No. 107–172) the resolution (H. Res. 214) providing for consideration of the bill (H.R. 2505) to amend title 18, United States Code, to prohibit human cloning.

When said resolution and report were referred to the House Calendar and ordered printed.

¶83.27 VA-HUD APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. OSE, pursuant to House Resolution 210 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

Mr. SHIMKUS, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶83.28 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BARCIA:

Page 62, line 21, after the first dollar amount insert the following: ''(reduced by $140,000,000)''.

Page 64, line 5, after the dollar amount insert the following: ''(increased by $140,000,000)''.

It was decided in the negative ..... { Yeas ..... 99 / Nays 325

¶83.29 [Roll No. 293]

AYES—99

Allen
Baird
Ballenger
Barcia
Barr
Bartlett
Berry
Bonior
Boswell
Brady (PA)
Camp
Cantor
Capuano
Cardin
Carson (IN)
Castle
Chabot
Coyne
Davis (IL)
Delahunt
Dicks
Dingell
Doyle
Duncan
Edwards
English
Etheridge
Farr
Fossella
Frank
Gephardt
Goodlatte
Hall (TX)
Harman
Hart
Hayworth
Honda
Hoyer
Inslee
Jackson (IL)
Kanjorski
Kelly
Kennedy (RI)
Kerns
Kildee
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Levin
Lewis (GA)
Maloney (NY)
Markey
Mascara
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
Meehan
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Neal
Olver
Otter
Pascrell
Petri
Pickering
Pomeroy
Rivers
Rogers (MI)
Rohrabacher
Rothman
Royce
Rush
Sanchez
Sandlin
Sawyer
Scott
Sensenbrenner
Sherman
Shows
Smith (MI)
Smith (WA)
Souder
Strickland
Stupak
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thune
Tierney
Udall (CO)
Upton
Waxman
Woolsey

NOES—325

Abercrombie
Ackerman
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Barrett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Cannon
Capito
Capps
Carson (OK)
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Doggett
Dooley
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Evans
Everett
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa

Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Keller
Kennedy (MN)
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Matheson
Matsui
McCollum
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mollohan
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pastor
Paul
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pitts
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Thomas
Thompson (MS)
Thornberry
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Udall (NM)
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Conyers
Hansen
Istook
Jefferson
Lipinski
Payne
Radanovich
Spence
Stark

So the amendment was not agreed to.

¶83.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. CAPPS:

In title III, in the item relating to ''FEDERAL EMERGENCY MANAGEMENT AGENCY—EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE'', strike the period at the end and insert the following:

: *Provided*, That of the funds made available under this heading, $25,000,000 shall be available for purposes of predisaster hazard mitigation pursuant to section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133).

It was decided in the negative { Yeas ..... 190 / Nays ..... 231 }

¶83.31 [Roll No. 294]

AYES—190

Abercrombie
Ackerman
Allen
Baca
Baird
Baldwin
Barr
Barrett
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brown (OH)
Bryant
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clement
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Dunn
Edwards
Ehlers
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank
Ganske
Gephardt
Gibbons
Gonzalez
Goodlatte
Gordon
Gutierrez
Hall (OH)
Harman
Hinchey
Hinojosa
Hoeffel
Honda
Hooley
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
John
Kaptur
Kelly
Kildee
Kind (WI)
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Moore
Moran (KS)
Moran (VA)
Myrick
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Pallone
Pascrell
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Shaw
Sherman
Shows
Simpson
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Strickland
Tauscher
Taylor (MS)
Thompson (CA)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Wexler
Woolsey
Wu

NOES—231

Aderholt
Akin
Andrews
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barton
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Boucher
Brady (TX)
Brown (FL)
Brown (SC)
Burr
Burton
Buyer
Callahan
Calvert
Cannon
Cantor
Carson (OK)
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Ehrlich
English
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Holt
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kennedy (MN)
Kennedy (RI)
Kerns
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaFalce
LaHood
Largent
LaTourette
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Mascara
McCrery
McHugh
McInnis
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Mink
Mollohan
Morella
Murtha
Nethercutt
Ney
Northup
Norwood
Nussle
Otter
Oxley
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Ramstad
Regula
Rehberg
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Scarborough
Schaffer
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Shimkus
Shuster
Simmons
Skeen
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Traficant
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—12

Gallegly
Hansen
Istook
Jefferson
Lipinski
Payne
Radanovich
Saxton
Sherwood
Smith (MI)
Spence
Stark

So the amendment was not agreed to.

¶83.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FRANK:

Page 93, after line 25, insert the following new section:

SEC. 427. The amounts otherwise provided by this Act are hereby revised by reducing the aggregate amount made available for ''PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING OPERATING FUND'', reducing the amount specified under such ''PUBLIC HOUSING OPERATING FUND'' item for the Inspector General for Operation Safe Home, reducing the aggregate amount provided for ''MANAGEMENT AND ADMINISTRATION—OFFICE OF INSPECTOR GENERAL'', and reducing the amount specified under such ''OFFICE OF INSPECTOR GENERAL'' item that is to be provided from the amount earmarked for Operation Safe Home, and none of the funds made available in this Act may be used to fix, establish, charge, or collect mortgage insurance premiums for mortgage insurance made available pursuant to the program under section 221(d)(4) of the National Housing Act (12 U.S.C. 1715l(d)(4)) in an amount greater than the cost (as such term is defined in section 502 of the Federal Credit Reform Act of 1990) of such program, by $5,000,000.

It was decided in the negative { Yeas ..... 212 / Nays ..... 212 }

¶83.33 [Roll No. 295]

AYES—212

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)

Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—212

Aderholt
Akin
Armey
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Hansen
Istook
Jefferson
John
Lipinski
Payne
Saxton
Spence
Stark

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. CAMP, assumed the Chair.

When Mr. SHIMKUS, Chairman, pursuant to House Resolution 210, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 7, line 19, after the dollar amount, insert the following: ''(increased by $1,000,000)''.

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds provided by this Act may be used for the purpose of implementing any administrative proposal that would require military retirees to make an ''irrevocable choice'' for any specified period of time between Department of Veterans Affairs or military health care under the new TRICARE for Life plan authorized in the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public 106–398).

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the aggregate dollar amount, insert the following: ''(increased by $10,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the dollar amount specified for Youthbuild program activities, insert the following: ''(increased by $10,000,000)''.

In title II, in the item relating to ''MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'', after the aggregate dollar amount, insert the following: ''(reduced by $10,000,000)''.

In title III, under the heading ''NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES''—

(1) strike ''orderly termination of the''; and

(2) strike the proviso at the end.

In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—ENVIRONMENTAL PROGRAMS AND MANAGEMENT'', after the last dollar amount, insert the following: ''(reduced by $7,200,000)''.

In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—LEAKING UNDERGROUND STORAGE TANK TRUST FUND'', after the last dollar amount, insert the following: ''(increased by $7,200,000)''.

In the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—ENVIRONMENTAL PROGRAMS AND MANAGEMENT'', after the aggregate dollar amount, insert the following: ''(reduced by $3,000,000)''.

In the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—STATE AND TRIBAL ASSISTANCE GRANTS'', after the 1st and 7th dollar amounts, insert the following: ''(increased by $3,000,000)''.

Page 67, line 22, strike ''$17,000,000'' and insert ''$20,000,000''.

At the end of the bill (before the short title), insert the following:

SEC. ____. ESTABLISHMENT OF PROGRAM.

Subtitle B of title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5197–5197g) is amended by adding at the end the following:

''SEC. 629. MINORITY EMERGENCY PREPAREDNESS DEMONSTRATION PROGRAM.

''(a) IN GENERAL.—The Director shall establish a minority emergency preparedness demonstration program to research and promote the capacity of minority communities to provide data, information, and awareness education by providing grants to or executing contracts or cooperative agreements with eligible nonprofit organizations to establish and conduct such programs.

''(b) ACTIVITIES SUPPORTED.—An eligible nonprofit organization may use a grant, contract, or cooperative agreement awarded under this section—

''(1) to conduct research into the status of emergency preparedness and disaster response awareness in African American and Hispanic households located in urban, suburban, and rural communities, particularly in those States and regions most impacted by natural and manmade disasters and emergencies; and

''(2) to develop and promote awareness of emergency preparedness education programs within minority communities, including development and preparation of culturally competent educational and awareness materials that can be used to disseminate information to minority organizations and institutions.

''(c) ELIGIBLE ORGANIZATIONS.—A nonprofit organization is eligible to be awarded a grant, contract, or cooperative agreement under this section with respect to a program if the organization is a nonprofit organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and exempt from tax under section 501(a) of such Code, whose primary mission is to provide services to communities predominately populated by minority citizens, and that can demonstrate a partnership with a minority-owned business enterprise or minority business located in a HUBZone (as defined in section 3(p) of the Small Business Act (15 U.S.C. 632(p))) with respect to the program.

''(d) USE OF FUNDS.—A recipient of a grant, contract, or cooperative agreement awarded under this section may only use the proceeds of the grant, contract, or agreement to—

''(1) acquire expert professional services necessary to conduct research in communities predominately populated by minority

citizens, with a primary emphasis on African American and Hispanic communities;

''(2) develop and prepare informational materials to promote awareness among minority communities about emergency preparedness and how to protect their households and communities in advance of disasters;

''(3) establish consortia with minority national organizations, minority institutions of higher education, and faith-based institutions to disseminate information about emergency preparedness to minority communities; and

''(4) implement a joint project with a minority serving institution, including a part B institution (as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2))), an institution described in subparagraph (A), (B), or (C) of section 326 of that Act (20 U.S.C. 1063b(e)(1)(A), (B), or (C)), and a Hispanic-serving institution (as defined in section 502(a)(5) of that Act (20 U.S.C. 1101a(a)(5))).

''(e) APPLICATION AND REVIEW PROCEDURE.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an organization must submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may reasonably require. The Director shall establish a procedure by which to accept such applications.

''(f) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this section $1,500,000 for fiscal year 2002 and such funds as may be necessary for fiscal years 2003 through 2007. Such sums shall remain available until expended.''.

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Department of Veterans Affairs to implement any provision of the April 2001 report entitled ''Plan for the Development of a 25-Year General Use Plan for Department of Veterans Affairs West Los Angeles Healthcare Center''.

At the end of the bill (before the short title), insert the following new section:

SEC. 4____. None of the funds made available by this Act may be used to implement or enforce the requirement under section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c); relating to community service).

At the end of the bill (preceding the short title) insert the following new section:

SEC. ____. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BOYD moved to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House promptly with an amendment which increases funding for veterans medical care programs by an amount adequate to fund the full cost of all currently authorized services including those authorized by the Veterans Millennium Health Care Act, Public Law 106-117.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. CAMP, announced that the nays had it.

Mr. BOYD demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 196 / Nays 230

¶83.34 [Roll No. 296]

AYES—196

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

NOES—230

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

NOT VOTING—7

Hansen
Istook
Jefferson
Lipinski
Payne
Spence
Stark

So the motion to recommit with instructions was not agreed to.

TUESDAY, JULY 31 (LEGISLATIVE DAY OF JULY 30), 2001

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. CAMP, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 336 / Nays 89

¶83.35 [Roll No. 297]

YEAS—336

Abercrombie
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell

Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schiff
Schrock
Scott
Serrano
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stearns
Strickland
Stump
Sununu
Sweeney
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—89

Ackerman
Allen
Baldwin
Barrett
Blagojevich
Blumenauer
Boyd
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Conyers
Costello
Davis (CA)
Davis (IL)
Delahunt
DeLauro
Deutsch
Doggett
Eshoo
Filner
Flake
Ford
Frank
Gephardt
Gutierrez
Hall (OH)
Hefley
Hilliard
Hinchey
Hinojosa
Hoekstra
Honda
Hostettler
Jackson (IL)
John
Kind (WI)
Kleczka
Lee
Lewis (GA)
Lofgren
Maloney (NY)
Markey
McCarthy (MO)
McDermott
McGovern
McNulty
Menendez
Miller, George
Moore
Nadler
Oberstar
Obey
Olver
Osborne
Owens
Paul
Petri
Pomeroy
Reyes
Roemer
Rothman
Rush
Ryan (WI)
Sabo
Sanders
Schaffer
Schakowsky
Sensenbrenner
Shadegg
Shays
Smith (WA)
Stenholm
Stupak
Tancredo
Tanner
Tauscher
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Udall (CO)
Velazquez
Waters
Weiner
Wexler

NOT VOTING—8

Hansen
Hastings (FL)
Istook
Jefferson
Lipinski
Payne
Spence
Stark

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶83.36 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1954. An Act to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006, and for other purposes.

And then,

¶83.37 ADJOURNMENT

On motion of Mr. BLUNT, at 12 o'clock and 10 minutes a.m. July 31 (legislative day of July 30), 2001, the House adjourned.

¶83.38 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 213. Resolution providing for consideration of the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–171). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 214. Resolution providing for consideration of the bill (H.R. 2505) to amend title 18, United States Code, to prohibit human cloning (Rept. No. 107–172). Referred to the House Calendar.

Mr. OXLEY: Committee on Financial Services. H.R. 2510. A bill to extend the expiration of date of the Defense Production Act of 1950, and for other purposes (Rept. No. 107–173). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN. Committee on Energy and Commerce. H.R. 2441. A bill to amend the Public Health Service Act to redesignate a facility as the National Hansen's Disease Programs Center, and for other purposes (Rept. No. 107–174). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. H.R. 2291. A bill to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes; with an amendment (Rept. No. 107–175 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

¶83.39 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2291. Referral to the Committee on Energy and Commerce extended for a period ending not later than July 30, 2001.

¶83.40 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Energy and Commerce discharged from further consideration. H.R. 2291 referred to the Committee of the Whole House on the State of the Union.

¶83.41 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DEFAZIO (for himself, Mr. BLUMENAUER, Ms. HOOLEY of Oregon, Mr. WALDEN of Oregon, and Mr. WU):

H.R. 2672. A bill to designate the United States courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon, as the ''Wayne Lyman Morse United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. FALEOMAVAEGA (for himself and Mr. ABERCROMBIE):

H.R. 2673. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to prohibit offering for sale, selling, or purchasing in interstate or foreign commerce certain shark fins; to the Committee on Resources.

By Mr. FROST (for himself, Mr. TOWNS, Mrs. MINK of Hawaii, Mr. THOMPSON of Mississippi, Mr. VISCLOSKY, Mr. MCNULTY, Ms. CARSON of Indiana, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. PAYNE, Mr. LANTOS, Mr. RUSH, Mr. LAFALCE, Ms. RIVERS, and Mr. KILDEE):

H.R. 2674. A bill to amend title XVIII of the Social Security Act to include coverage under the Medicare Program for rehabilitation services provided by State vocational rehabilitation agencies to older individuals who are blind; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KELLY (for herself, Mr. JONES of North Carolina, Mr. SANDERS, Mrs. MINK of Hawaii, Mr. HOYER, Mrs. THURMAN, Mr. HOSTETTLER, Mr. MCHUGH, Mr. HEFLEY, Mrs. CAPPS, Mrs. ROUKEMA, Ms. ROS-LEHTINEN, Mr. UDALL of Colorado, Mrs. DAVIS of California, Mr. SCHROCK, Mr. RAHALL, Mr. RANGEL, Mr. HYDE, Mr. SKEEN, Mr. BILIRAKIS, Ms. HART, Mrs. MYRICK, Mr. HALL of Texas, Mr. ROGERS of Michigan, and Mr. MCGOVERN):

H.R. 2675. A bill to amend title 4, United States Code, to add National Korean War Veterans Armistice Day to the list of days on which the flag should especially be displayed; to the Committee on the Judiciary.

By Mr. THOMPSON of Mississippi:

H.R. 2676. A bill to ensure that minority farmers are adequately compensated for years of discrimination in the operation of programs of the Department of Agriculture; to the Committee on the Judiciary, and in addition to the Committees on Agriculture, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Mr. GEPHARDT, Mr. DINGELL, Mr. STARK, Mr. BROWN of Ohio, Mr. GEORGE MILLER of California, Mr. CARSON of Oklahoma, Ms. SCHAKOWSKY, Mr. RODRIGUEZ, Mr. BLAGOJEVICH, Mr. HOEFFEL, Mr. HOLT, Mr. LANTOS, Ms. LEE, Mrs. MALONEY of New York, Mr. WEXLER, Mr. CLAY, Ms. DELAURO, Mr. EDWARDS, Mr. EVANS, Mr. HINCHEY, Ms. KAPTUR, Mr. LAMPSON, Mr. MCGOVERN, Mr. MURTHA, Ms. NORTON, Mr. TIERNEY, Mr. UDALL of New Mexico, and Mr. WYNN):

H.R. 2677. A bill to amend title XIX of the Social Security Act to improve the quality of care furnished in nursing homes; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas (for himself, Mr. SCOTT, Mr. BALDACCI, Mr. BUYER, Ms. CARSON of Indiana, Mr. FROST, Mr. ISTOOK, Mr. LUTHER, Mrs. MORELLA, Mr. NEY, Ms. NORTON, Mr. PLATTS, Mr. PUTNAM, Mr. SHOWS, Mr. SIMMONS, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. WAMP, and Mr. WATT of North Carolina):

H. Con. Res. 204. Concurrent resolution expressing the sense of Congress regarding the establishment of National Character Counts Week; to the Committee on Education and the Workforce.

By Mr. BLUNT (for himself, Mr. CLAY, Mr. SKELTON, Mrs. EMERSON, Mrs. CLAYTON, Mr. HASTINGS of Florida, Mr. TOWNS, Ms. CARSON of Indiana, Ms. KILPATRICK, Mrs. JONES of Ohio, Mr. OWENS, Mr. HILLIARD, Mrs. CHRISTENSEN, and Ms. MCKINNEY):

H. Con. Res. 205. Concurrent resolution expressing the sense of Congress that the United States Postal Service should issue a postage stamp commemorating Langston Hughes, a great American literary figure; to the Committee on Government Reform.

By Mr. TANCREDO (for himself, Mr. HEFLEY, Mr. SCHAFFER, Mr. MCINNIS, Mr. UDALL of Colorado, and Ms. DEGETTE):

H. Res. 215. A resolution honoring the Colorado Wing of the Civil Air Patrol; to the Committee on the Judiciary.

¶83.42 ADDITIONAL SPONSORS

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

H.R. 13: Mr. BROWN of South Carolina.
H.R. 17: Mr. FILNER and Ms. SCHAKOWSKY.
H.R. 25: Mr. KING and Mr. GREENWOOD.
H.R. 162: Mrs. LOWEY.
H.R. 184: Mr. SHIMKUS.
H.R. 218: Mrs. MYRICK.
H.R. 274: Ms. MILLENDER-MCDONALD, Mr. ACKERMAN, and Mr. GILMAN.
H.R. 287: Mr. BONIOR.
H.R. 439: Mrs. NAPOLITANO and Mrs. MINK of Hawaii.
H.R. 440: Mr. PAUL.
H.R. 460: Mr. MEEKS of New York.
H.R. 854: Mr. SCOTT, Mr. THOMPSON of California, and Mr. BONIOR.
H.R. 902: Mr. MEEKS of New York.
H.R. 936: Ms. HARMAN.
H.R. 937: Mr. MANZULLO.
H.R. 938: Mr. GEORGE MILLER of California.
H.R. 969: Mrs. EMERSON and Mr. CANTOR.
H.R. 1071: Mr. ORTIZ, Mrs. THURMAN, Mr. HILLIARD, Mrs. MINK of Hawaii, Mr. BROWN of Ohio, Mr. DEUTSCH, Mr. TOWNS, Ms. ROS-LEHTINEN, Mr. FILNER, Mr. MCHUGH, Mr. ENGLISH, Mr. GEORGE MILLER of California, and Mr. KENNEDY of Rhode Island.
H.R. 1093: Mr. HULSHOF and Mr. GRAVES.
H.R. 1167: Mr. SABO, Mr. CUNNINGHAM, Ms. RIVERS, Ms. PELOSI, Mr. MATSUI, Mr. NADLER, Mr. LEACH, and Mr. LEVIN.
H.R. 1168: Mr. LUCAS of Oklahoma, Mr. CUNNINGHAM, Mr. LEACH, Mr. NADLER, Mr. MATSUI, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1169: Mr. CLAY.
H.R. 1202: Mr. WALDEN of Oregon, Mr. TOWNS, and Mr. GEORGE MILLER of California.
H.R. 1255: Mr. MEEKS of New York.
H.R. 1268: Mr. ENGLISH and Mr. CAMP.
H.R. 1289: Mr. RANGEL.
H.R. 1354: Mr. COYNE.
H.R. 1377: Mr. MORAN of Kansas and Mr. KINGSTON.
H.R. 1475: Mr. FORD, Mrs. TAUSCHER, Mr. UDALL of Colorado, and Ms. SLAUGHTER.
H.R. 1494: Mr. ACKERMAN, Mrs. CAPPS, Mr. MEEKS of New York, and Mr. GEORGE MILLER of California.
H.R. 1512: Mr. JEFFERSON and Ms. SOLIS.
H.R. 1556: Mr. BOYD, Mr. RADANOVICH, Mrs. MINK of Hawaii, Mr. KILDEE, Mr. PHELPS, Ms. SCHAKOWSKY, Mr. THOMPSON of California, Mr. FERGUSON, Mr. WICKER, and Mr. ISAKSON.
H.R. 1636: Mr. WHITFIELD.
H.R. 1674: Mr. BONIOR.
H.R. 1700: Mr. KENNEDY of Minnesota.
H.R. 1718: Ms. VELAZQUEZ and Mr. BOUCHER.
H.R. 1739: Mr. PASCRELL and Mr. PRICE of North Carolina.
H.R. 1770: Mr. CRANE, Mr. KNOLLENBERG, and Ms. HART.
H.R. 1771: Mr. FRANK.
H.R. 1782: Mr. CUMMINGS.
H.R. 1808: Mr. ACKERMAN, Mr. REYNOLDS, and Mr. NADLER.
H.R. 1822: Mr. MCNULTY and Ms. VELAZQUEZ.
H.R. 1828: Mr. MANZULLO and Mr. MCDERMOTT.
H.R. 1849: Mr. FATTAH.
H.R. 1927: Mr. OTTER and Mr. KERNS.
H.R. 1949: Ms. LOFGREN, Mr. MCGOVERN, and Mr. GORDON.
H.R. 1979: Mr. TAYLOR of Mississippi.
H.R. 1990: Mr. DEFAZIO, Ms. SCHAKOWSKY, and Ms. WATSON.
H.R. 2018: Mrs. CHRISTENSEN, Mr. KIRK, Mr. KELLER, Mr. ISSA, Mr. CHABOT, Mr. SCHROCK, Mr. SHUSTER, Mr. TOOMEY, Mr. SESSIONS, Mr. HERGER, Mr. SCHAFFER, Mr. SAM JOHNSON of Texas, Mr. MCDERMOTT, Mrs. NAPOLITANO, Mr. PLATTS, Mr. MEEKS of New York, Mrs. CLAYTON, and Mr. PENCE.
H.R. 2035: Mr. KUCINICH, Mr. HOLDEN, Mr. BONIOR, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, and Mr. PASCRELL.
H.R. 2073: Mr. GILLMOR and Mrs. MORELLA.
H.R. 2081: Mr. STARK.
H.R. 2087: Mr. MOLLOHAN and Mr. KUCINICH.
H.R. 2117: Mrs. JO ANN DAVIS of Virginia and Mr. MCNULTY.
H.R. 2123: Mr. CLEMENT.
H.R. 2148: Mrs. CAPPS and Ms. SLAUGHTER.
H.R. 2175: Mr. BROWN of South Carolina.
H.R. 2180: Mr. HILLIARD.
H.R. 2184: Mr. HASTINGS of Florida.
H.R. 2220: Mr. FROST and Mr. BENTSEN.
H.R. 2223: Ms. MCKINNEY.
H.R. 2269: Mr. GRAHAM, Mr. PASCRELL, Mr. NUSSLE, Mr. ROGERS of Michigan, Mr. BLUNT, Mr. NEY, and Mr. PORTMAN.
H.R. 2283: Mr. ALLEN.
H.R. 2308: Mr. MCHUGH and Ms. HART.
H.R. 2319: Mr. MCGOVERN.
H.R. 2323: Mrs. CUBIN and Mr. GEKAS.
H.R. 2327: Mr. GRAHAM and Mr. BURTON of Indiana.
H.R. 2340: Mr. MCGOVERN.
H.R. 2349: Mr. BARRETT, Mr. SMITH of Washington, Mr. DEFAZIO, and Mr. RANGEL.
H.R. 2353: Mr. TOOMEY.
H.R. 2375: Mr. MALONEY of Connecticut, Mr. SANDERS, Mr. PRICE of North Carolina, Mrs. MCCARTHY of New York, Mr. HORN, Ms. ROYBAL-ALLARD, Mr. WAXMAN, Mr. LARSON of Connecticut, Mr. MATSUI, Mr. EVANS, Mr. BACA, Mr. CROWLEY, Mr. SHERMAN, Ms. MILLENDER-MCDONALD, Mr. WEINER, Mr. ROTHMAN, Ms. CARSON of Indiana, Ms. SCHAKOWSKY, Mr. GORDON, Mr. FATTAH, Mr. CARDIN, Mr. LUTHER, Mr. ENGLISH, Mr. SAXTON, and Mr. GREEN of Texas.
H.R. 2389: Mr. OTTER.
H.R. 2423: Mr. STENHOLM.
H.R. 2453: Mr. GEKAS and Mr. MEEKS of New York.
H.R. 2476: Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, and Mr. MCDERMOTT.
H.R. 2498: Mr. GUTIERREZ.
H.R. 2534: Mr. DREIER and Mr. OLVER.
H.R. 2555: Ms. CARSON of Indiana, Mr. HINCHEY, Ms. KILPATRICK, Mr. MEEKS of New York, and Mr. FARR of California.
H.R. 2669: Mr. TOWNS.
H.J. Res. 15: Mr. CHAMBLISS.
H. Con. Res. 25: Mr. COYNE.
H. Con. Res. 148: Mr. REYNOLDS and Mr. QUINN.
H. Con. Res. 162: Mr. SAXTON.
H. Con. Res. 173: Mr. MORAN of Virginia, Mr. JACKSON of Illinois, and Mr. GEORGE MILLER of California.
H. Con. Res. 180: Mrs. MORELLA, Mr. ALLEN, Ms. WOOLSEY, Mr. WEINER, and Ms. MCKINNEY.
H. Con. Res. 188: Mr. WOLF, Mr. ENGLISH, Mr. HINCHEY, Ms. WELDON of Pennsylvania, and Mr. STRICKLAND.
H. Res. 211: Mr. CUMMINGS, Ms. WATERS, Mr. RANGEL, and Mr. WATT of North Carolina.
H. Res. 212: Ms. JACKSON-LEE of Texas, Mr. DAVIS of Illinois, Mr. MCDERMOTT, Mr. HINCHEY, Mr. CARDIN, Mr. HILLIARD, Ms. WATSON, Mr. KIRK, and Mr. SAWYER.

TUESDAY, JULY 31, 2001 (84)

The House was called to order at 9 o'clock a.m. by the SPEAKER, when, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶84.1 RECESS—9:40 A.M.

The SPEAKER pro tempore, Mr. PENCE, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 40 minutes a.m., until 10 o'clock a.m.

¶84.2 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. GUTKNECHT, called the House to order.

¶84.3 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GUTKNECHT, announced he had examined and approved the Journal of the proceedings of Monday, July 30, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. GUTKNECHT, announced that the yeas had it.

Mr. McNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. GUTKNECHT, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶84.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3193. A letter from the Secretary, Department of Agriculture, transmitting a draft of proposed legislation, ''To authorize the Secretary of Agriculture to prescribe, adjust, and collect fees to cover the costs incurred by the Secretary for activities related to the review and maintenance of licenses and registrations under the Animal Welfare Act''; to the Committee on Agriculture.

3194. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Diazinon, Parathion, O, O-Diethyl S-[2-(ethylthio)ethyl] phosphorodithioate (Disulfoton), Ethoprop, and Carbaryl; Tolerance Revocations [OPP–301142; FRL–6787–8] (RIN: 2070–AB78) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3195. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Lysophosphatidylethanolamine (LPE); Temporary Exemption From the Requirement of a Tolerance [OPP–301145; FRL–6788–6] (RIN: 2070–AB78) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3196. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John M. McDuffie, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3197. A letter from the Deputy Secretary, Department of Defense, transmitting a report on the Reserve Forces Policy Board for FY 2000; to the Committee on Armed Services.

3198. A letter from the Secretary of the Navy, Department of Defense, transmitting notification of the decision to convert to contractor performance by the private sector the Administrative/Management Support function at Naval Air Systems Command, Naval Air Warfare Center Aircraft Divison (NAWCAD) at Lakehurst, Ocean County, New Jersey; to the Committee on Armed Services.

3199. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting a report on the progress made in providing International Development Association grant assistance to Heavily Indebted Poor Countries; to the Committee on Financial Services.

3200. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Attainment for PM–10; Oakridge, Oregon, PM–10 Nonattainment Area [Docket OR–01–005a; FRL–7018–6] received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3201. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Attainment for PM–10; Lakeview, Oregon, PM–10 Nonattainment Area [Docket OR–01–004a; FRL–7018–5] received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3202. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Preliminary Assessment Information Reporting; Addition of Certain Chemicals [OPPTS–82056; FRL–6783–6] (RIN: 2070–AB08) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3203. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Handbook on Nuclear Material Event Reporting in the Agreement States—received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3204. A letter from the Director, Defense Security Cooperation Agency, transmitting notification of Proposed Issuance of Letter of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 01–09), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3205. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 01–09), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3206. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting the Department of the Air Force's proposed lease of defense articles to the Government of Australia (Transmittal No. 09–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3207. A letter from the Employee Benefits Manager, AgFirst, transmitting the annual reports of Federal Pension Plans Required by Public Law 95–595 for the plan year January 1, 2000, through December 31, 2000, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

3208. A letter from the Vice Chairman, Board of Directors, Amtrak, transmitting the semiannual report on the activities of the Office of Inspector General for the period ending March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

3209. A letter from the Office of Headquarters and Executive Personnel Services, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3210. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3211. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3212. A letter from the Auditor, District of Columbia, transmitting a report entitled, ''Certification Review of the Sufficiency of the Washington Convention Center Authority's Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2002''; to the Committee on Government Reform.

3213. A letter from the Chairman, Federal Election Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

3214. A letter from the Acting Director, Retirement and Insurance Service, Office of Personnel Management, transmitting the Office's final rule—Law Enforcement Officer and Firefighter Retirement (RIN: 3206–AJ39) received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3215. A letter from the Executive Secretary and Chief of Staff, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3216. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Navajo Abandoned Mine Land Reclamation Plan [NA–004–FOR] received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3217. A letter from the Regulations Specialist, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Attorney Contracts with Indian Tribes (RIN: 1076–AE18) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3218. A letter from the Regulations Specialist, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Encumbrances of Tribal Land—Contract Approvals (RIN: 1076–AE00) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3219. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Shrimp Trawling Requirements [Docket No. 010409084–1084–01; I.D. 030601A] (RIN: 0648–AP16) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3220. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions Applicable to Shrimp Trawl Activities; Leatherback Conservation Zone [Docket No. 000519147–0147–01; I.D. 051800C] (RIN: 0648–AO22) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3221. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Limitations on Incidental Takings During Fishing Activities [Docket No. 010308058–1058–01; I.D. 030701A] (RIN: 0648–AP14) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3222. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions Applicable to Fishing and Scientific Research Activities [Docket No. 010607150–1150–01; I.D. 091200F] (RIN: 0648–AN64) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3223. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions to Fishing Activities [Docket No. 010618158–1158–01; I.D. 061301B] (RIN: 0648–AP34) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3224. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions to Fishing Activities [Docket No. 000511138–0138–01; I.D. 051100B] (RIN: 0648–AO19) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3225. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Restrictions to Fishing Activities [Docket No. 010507114–1114–01; I.D. 040401B] (RIN: 0648–AP20) received July 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3226. A letter from the Chief, Division of Endangered Species, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle Conservation; Shrimp Trawling Requirements [Docket No. 000822243–0243–01; I.D. 082100D] (RIN: 0648–AO43) received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3227. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–700 and -800 Series Airplanes [Docket No. 2000–NM–403–AD; Amendment 39–12305; AD 2001–13–23] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3228. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Model 560XL Airplanes [Docket No. 2001–NM–146–AD; Amendment 39–12320; AD 2001–14–09] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3229. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 Series Airplanes and Airbus Model A300 B4–600, B4–600R, and F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2001–NM–04–AD; Amendment 39–12306; AD 2001–13–24] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3230. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes [Docket No. 2001–NM–214–AD; Amendment 39–12328; AD 2001–14–17] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3231. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10 Series Airplanes, Model MD–10 Series Airplanes, and Model MD–11 Series Airplanes [Docket No. 2000–NM–269–AD; Amendment 39–12319; AD 2001–14–08] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3232. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–30 Series Airplanes Modified by Supplemental Type Certificate ST00054SE [Docket No. 2000–NM–231–AD; Amendment 39–12313; AD 2001–13–03] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3233. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–200 and -300 Series Airplanes [Docket No. 2001–NM–25–AD; Amendment 39–12307; AD 2001–13–25] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3234. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–102, -103, and -301 Series Airplanes [Docket No. 2000–NM–328–AD; Amendment 39–12303; AD 2001–13–21] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3235. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200 Series Airplanes Modified by Supplemental Type Certificate ST09022AC-D [Docket No. 2000–NM–243–AD; Amendment 39–12324; AD 2001–14–13] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3236. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747SP Series Airplanes Modified by Supplemental Type Certificate ST09097AC-D [Docket No. 2000–NM–244–AD; Amendment 39–12325; AD 2001–14–14] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3237. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes Modified by Supplemental Type Certificate SA8843SW [Docket No. 2000–NM–245–AD; Amendment 39–12326; AD 2001–14–15] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3238. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300, -400, and -500 Series Airplanes [Docket No. 2000–NM–39–AD; Amendment 39–12316; AD 2001–14–06] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3239. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000–NM–251–AD; Amendment 39–12318; AD 2001–14–07] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3240. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757–200 Series Airplanes Modified by Supplemental Type Certificate SA1727GL [Docket No. 2000–NM–228–AD; Amendment 39–12311; AD 2001–14–01] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3241. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, -700, -700C, and -800 Series Airplanes [Docket No. 2001–NM–188–AD; Amendment 39–12315; AD 2001–14–05] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3242. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–200, -200C, -300, and -400 Series Airplanes [Docket No. 2000–NM–205–AD; Amendment 39–12317; AD 2000–06–13 R1] (RIN: 2120–AA64) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3243. A letter from the General Counsel, Department of Defense, transmitting the Department's enclosed legislation relating to income and transportation taxes on military and civilian personnel; to the Committee on Ways and Means.

3244. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules for Certain Reserves [Rev. Rul. 2001–38] received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶84.5 UNITED STATES-JORDAN FREE TRADE

Mr. THOMAS moved to suspend the rules and pass the bill (H.R. 2603) to implement the agreement establishing a United States-Jordan free trade area; as amended.

The SPEAKER pro tempore, Mr. GUTKNECHT, recognized Mr. THOMAS and Mr. LEVIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GUTKNECHT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.6 PROVIDING FOR THE CONSIDERATION OF H.R. 2647

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 213):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(c) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amend-

ment under the five-minute rule. The bill shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶84.7 LEGISLATIVE BRANCH APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. GUTKNECHT, pursuant to House Resolution 213 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. GUTKNECHT, by unanimous consent, designated Mr. SIMPSON as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. McHUGH, assumed the Chair.

When Mr. SIMPSON, Chairman, pursuant to House Resolution 213, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 45, add after line 25 the following:

SEC. 311. Of the amounts made available in this Act for the Chief Administrative Officer of the House of Representatives and the amounts made available in this Act for the Architect of the Capitol for the item relating to ''HOUSE OFFICE BUILDINGS'', an aggregate amount of $75,000 shall be made available for the installation of compact fluorescent light bulbs in table, floor, and desk lamps in House office buildings for offices of the House which request them (including any retrofitting of the lamps which may be necessary to install such bulbs), consistent with the energy conservation plan of the Architect under section 310 of the Legislative Branch Appropriations Act, 1999.

At the end of the bill (preceding the short title) insert the following new section:

SEC. . No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. McHUGH, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 380 / Nays ..... 38 }

¶84.8 [Roll No. 298]

YEAS—380

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

NAYS—38

Barcia
Barr
Barrett
Costello
Deutsch
Doggett
Goode
Goodlatte
Green (TX)
Green (WI)
Hefley
Hoekstra
Hulshof
Israel
Johnson (IL)
Jones (NC)
Kind (WI)
Lucas (KY)
Luther
Moore
Moran (KS)
Paul
Petri
Phelps
Pitts
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Schiff
Sensenbrenner
Shimkus
Shows
Stearns
Tancredo
Taylor (MS)
Thurman
Toomey

NOT VOTING—15

Flake
Gordon
Hastings (FL)
Herger
Hunter
Johnson, E. B.
Jones (OH)
Lipinski
McKinney
Millender-McDonald
Neal
Norwood
Scott
Spence
Stark

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.9 MESSAGES FROM THE PRESIDENT

Sundry messages, in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶84.10 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. McHUGH, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, July 30, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. McHUGH, announced that the yeas had it.

Mr. McNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 359
- Nays 44
- Answered present 1

¶84.11 [Roll No. 299]

AYES—359

Abercrombie	Clyburn	Goodlatte
Ackerman	Coble	Graham
Aderholt	Collins	Granger
Akin	Combest	Graves
Allen	Condit	Green (TX)
Andrews	Conyers	Green (WI)
Armey	Cooksey	Greenwood
Baca	Cox	Grucci
Bachus	Coyne	Hall (OH)
Baker	Cramer	Hall (TX)
Baldacci	Crenshaw	Hansen
Baldwin	Culberson	Harman
Ballenger	Cummings	Hart
Barcia	Cunningham	Hastings (WA)
Barr	Davis (CA)	Hayes
Barrett	Davis (FL)	Hayworth
Bartlett	Davis (IL)	Herger
Barton	Davis, Jo Ann	Hill
Bass	Davis, Tom	Hilleary
Becerra	Deal	Hinchey
Bentsen	DeGette	Hinojosa
Bereuter	Delahunt	Hobson
Berkley	DeLauro	Hoeffel
Berman	DeLay	Holden
Berry	DeMint	Holt
Biggert	Deutsch	Honda
Bilirakis	Diaz-Balart	Hooley
Bishop	Dicks	Horn
Blagojevich	Dingell	Hostettler
Blumenauer	Doggett	Houghton
Blunt	Dooley	Hoyer
Boehlert	Doolittle	Hyde
Boehner	Doyle	Inslee
Bonilla	Dreier	Isakson
Bonior	Duncan	Israel
Bono	Dunn	Issa
Borski	Edwards	Istook
Boswell	Ehlers	Jackson (IL)
Boucher	Ehrlich	Jackson-Lee (TX)
Boyd	Emerson	Jenkins
Brady (PA)	Engel	John
Brady (TX)	Eshoo	Johnson (CT)
Brown (FL)	Etheridge	Johnson (IL)
Brown (OH)	Evans	Johnson, Sam
Brown (SC)	Everett	Jones (NC)
Bryant	Farr	Kanjorski
Burr	Fattah	Kaptur
Burton	Ferguson	Kennedy (RI)
Buyer	Fletcher	Kerns
Callahan	Foley	Kildee
Camp	Forbes	Kilpatrick
Cannon	Ford	Kind (WI)
Cantor	Frank	King (NY)
Capito	Frelinghuysen	Kingston
Capps	Frost	Kirk
Cardin	Gallegly	Kleczka
Carson (IN)	Ganske	Knollenberg
Carson (OK)	Gekas	Kolbe
Castle	Gibbons	LaFalce
Chabot	Gilchrest	LaHood
Chambliss	Gillmor	Lampson
Clay	Gilman	Langevin
Clayton	Gonzalez	Lantos
Clement	Goode	
Largent	Pascrell	Shows
Larson (CT)	Pastor	Shuster
LaTourette	Paul	Simmons
Leach	Payne	Simpson
Lee	Pelosi	Skeen
Levin	Pence	Skelton
Lewis (GA)	Peterson (PA)	Smith (MI)
Lewis (KY)	Petri	Smith (NJ)
Linder	Phelps	Smith (TX)
Lofgren	Pickering	Smith (WA)
Lowey	Pitts	Snyder
Lucas (KY)	Pombo	Solis
Lucas (OK)	Pomeroy	Souder
Luther	Portman	Spratt
Maloney (CT)	Price (NC)	Stearns
Maloney (NY)	Pryce (OH)	Stenholm
Manzullo	Putnam	Strickland
Markey	Quinn	Stump
Mascara	Radanovich	Sununu
Matheson	Rahall	Tanner
Matsui	Rangel	Tauscher
McCarthy (MO)	Regula	Tauzin
McCollum	Rehberg	Taylor (NC)
McCrery	Reyes	Terry
McGovern	Riley	Thomas
McHugh	Rivers	Thornberry
McInnis	Rodriguez	Thune
McIntyre	Rogers (KY)	Thurman
McKeon	Rogers (MI)	Tiahrt
Meehan	Rohrabacher	Tiberi
Meek (FL)	Ros-Lehtinen	Tierney
Meeks (NY)	Ross	Toomey
Mica	Rothman	Traficant
Miller (FL)	Roukema	Turner
Miller, George	Roybal-Allard	Upton
Mink	Royce	Velazquez
Mollohan	Ryan (WI)	Vitter
Moran (VA)	Ryun (KS)	Walden
Morella	Sanchez	Walsh
Murtha	Sanders	Watkins (OK)
Myrick	Sandlin	Watson (CA)
Nadler	Sawyer	Watt (NC)
Napolitano	Saxton	Watts (OK)
Nethercutt	Scarborough	Waxman
Ney	Schakowsky	Weiner
Northup	Schiff	Weldon (FL)
Nussle	Schrock	Weldon (PA)
Obey	Sensenbrenner	Wexler
Olver	Serrano	Whitfield
Ortiz	Sessions	Wicker
Osborne	Shadegg	Wilson
Ose	Shaw	Wolf
Otter	Shays	Woolsey
Owens	Sherman	Wynn
Oxley	Sherwood	Young (AK)
Pallone	Shimkus	Young (FL)

NOES—44

Baird	Kennedy (MN)	Roemer
Capuano	Kucinich	Sabo
Costello	Larsen (WA)	Schaffer
Crane	Latham	Stupak
Crowley	LoBiondo	Sweeney
DeFazio	McCarthy (NY)	Thompson (CA)
English	McDermott	Thompson (MS)
Filner	McNulty	Udall (CO)
Fossella	Menendez	Udall (NM)
Gutierrez	Moore	Visclosky
Gutknecht	Moran (KS)	Wamp
Hefley	Oberstar	Waters
Hilliard	Peterson (MN)	Weller
Hoekstra	Platts	Wu
Hulshof	Ramstad	

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—29

Calvert	Johnson, E. B.	Neal
Cubin	Jones (OH)	Norwood
Flake	Keller	Reynolds
Gephardt	Kelly	Rush
Gordon	Lewis (CA)	Scott
Goss	Lipinski	Slaughter
Hastings (FL)	McKinney	Spence
Hunter	Millender-McDonald	Stark
Hutchinson	Miller, Gary	Taylor (MS)
Jefferson		Towns

So the Journal was approved.

¶84.12 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO IRAQ

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month report on the national emergency with respect to Iraq that was declared in Executive Order 12722 of August 2, 1990.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 31, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–110).

¶84.13 MESSAGE FROM THE PRESIDENT—CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO IRAQ

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iraqi emergency is to continue in effect beyond August 2, 2001, to the Federal Register for publication.

The crisis between the United States and Iraq that led to the declaration on August 2, 1990, of a national emergency has not been resolved. The Government of Iraq continues to engage in activities inimical to stability in the Middle East and hostile to United States interests in the region. Such Iraqi actions pose a continuing, unusual, and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on the Government of Iraq.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 31, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–111).

¶84.14 VETERANS BENEFITS

Mr. SMITH of New Jersey moved to suspend the rules and pass the bill (H.R. 2540) to amend title 38, United States Code, to make various improvements to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. SMITH of New Jersey and Mr. EVANS, each for 20 minutes.

After debate,

By unanimous consent, the time for debate was extended by 10 minutes to be equally divided and controlled by Mr. SMITH of New Jersey and Mr. EVANS.

After further debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶84.15 PROVIDING FOR THE CONSIDERATION OF H.R. 2505

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 214):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 2505) to amend title 18, United States Code, to prohibit human cloning. The bill shall be considered as read for amendment. The amendments recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Scott of Virginia or his designee, which shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent; (3) after disposition of the amendment by Representative Scott, the further amendment in the nature of a substitute printed in the report of the Committee on Rules, if offered by Representative Greenwood of Pennsylvania or his designee, shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (4) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. GIBBONS, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 239 / Nays ..... 188 }

¶84.16 [Roll No. 300]

YEAS—239

Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Barcia, Barr, Bartlett, Barton, Bereuter, Berry, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Carson (OK), Chabot, Chambliss, Coble, Collins, Combest, Cooksey, Costello, Cox, Crane, Crenshaw, Cubin, Culberson, Cunningham, Davis, Jo Ann, Davis, Tom, Deal, DeLay, DeMint, Diaz-Balart, Doolittle, Doyle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Ferguson, Flake, Fletcher, Foley, Forbes, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Goode, Goodlatte, Goss, Graham, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hall (OH), Hall (TX), Hansen, Hart, Hastert, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hilleary, Hobson, Hoekstra, Holden, Hostettler, Houghton, Hulshof, Hunter, Hyde, Isakson, Issa, Istook, Jenkins, John, Johnson (IL), Johnson, Sam, Jones (NC), Keller, Kelly, Kennedy (MN), Kerns, Kildee, King (NY), Kingston, Kirk, Knollenberg, Kucinich, Langevin, Largent, Latham, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, LoBiondo, Lucas (KY), Lucas (OK), Manzullo, Mascara, Matheson, McCarthy (NY), McCrery, McHugh, McInnis, McIntyre, McKeon, McNulty, Mica, Miller, Gary, Mollohan, Moran (KS), Morella, Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Oberstar, Ortiz, Osborne, Ose, Otter, Oxley, Paul, Pence, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pitts, Platts, Pombo, Pomeroy, Portman, Pryce (OH), Putnam, Quinn, Radanovich, Rahall, Regula, Rehberg, Reynolds, Riley, Roemer, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Ryan (WI), Ryun (KS), Saxton, Scarborough, Schaffer, Schrock, Sensenbrenner, Sessions, Shadegg, Sherwood, Shimkus, Shows, Shuster, Simmons, Simpson, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Souder, Stearns, Stenholm, Stump, Stupak, Sununu, Sweeney, Tancredo, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thornberry, Thune, Tiahrt, Tiberi, Toomey, Traficant, Turner, Vitter, Walden, Walsh, Wamp, Watkins (OK), Watts (OK), Weldon (FL), Weldon (PA), Weller, Whitfield, Wicker, Wilson, Wolf, Wu, Young (AK), Young (FL)

NAYS—188

Abercrombie, Ackerman, Allen, Andrews, Baca, Baird, Baldacci, Baldwin, Barrett, Bass, Becerra, Bentsen, Berkley, Berman, Bishop, Blagojevich, Blumenauer, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson (IN), Castle, Clay, Clayton, Clement, Clyburn, Condit, Conyers, Coyne, Cramer, Crowley, Cummings, Davis (CA), Davis (FL), Davis (IL), DeFazio, DeGette, Delahunt, DeLauro, Deutsch, Dicks, Dingell, Doggett, Dooley, Edwards, Engel, Eshoo, Etheridge, Evans, Farr, Fattah, Filner, Ford, Frank, Frost, Gephardt, Gilman, Gonzalez, Gordon, Granger, Green (TX), Gutierrez, Harman, Hill, Hilliard, Hinchey, Hinojosa, Hoeffel, Holt, Honda, Hooley, Horn, Hoyer, Inslee, Israel, Jackson (IL), Jackson-Lee (TX), Jefferson, Johnson (CT), Johnson, E. B., Kanjorski, Kaptur, Kennedy (RI), Kilpatrick, Kind (WI), Kleczka, Kolbe, LaFalce, Lampson, Lantos, Larsen (WA), Larson (CT), Lee, Levin, Lewis (GA), Lofgren, Lowey, Luther, Maloney (CT), Maloney (NY), Markey, Matsui, McCarthy (MO), McCollum, McDermott, McGovern, McKinney, Meehan, Meek (FL), Meeks (NY), Menendez, Millender-McDonald, Miller (FL), Miller, George, Mink, Moore, Moran (VA), Murtha, Nadler, Napolitano, Neal, Obey, Olver, Owens, Pallone, Pascrell, Pastor, Payne, Pelosi, Price (NC), Ramstad, Rangel, Reyes, Rivers, Rodriguez, Ross, Rothman, Roukema, Roybal-Allard, Royce, Rush, Sabo, Sanchez, Sanders, Sandlin, Sawyer, Schakowsky, Schiff, Scott, Serrano, Shaw, Shays, Sherman, Slaughter, Smith (WA), Snyder, Solis, Spratt, Strickland, Tanner, Tauscher, Thompson (CA), Thompson (MS), Thurman, Tierney, Towns, Udall (CO), Udall (NM), Upton, Velazquez, Visclosky, Waters, Watson (CA), Watt (NC), Waxman, Weiner, Wexler, Woolsey, Wynn

NOT VOTING—7

Hastings (FL), Hutchinson, Jones (OH), LaHood, Lipinski, Spence, Stark

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶84.17 H.R. 2540—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2540) to amend title 38, United States Code, to make various improvements to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 422 / Nays ..... 0 }

¶84.18 [Roll No. 301]

YEAS—422

Abercrombie, Ackerman, Aderholt, Akin, Allen, Andrews, Armey, Baca, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett, Bartlett, Barton, Bass, Becerra, Bentsen, Bereuter, Berkley

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

NOT VOTING—11

Gordon
Hastings (FL)
Hutchinson
Jones (OH)
Lipinski
Payne
Riley
Spence
Stark
Thompson (MS)
Wu

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.19 HUMAN CLONING PROHIBITION

Mr. SENSENBRENNER, pursuant to House Resolution 214, called up the bill (H.R. 2505) to amend title 18, United States Code, to prohibit human cloning.

Pending consideration of said bill.

Pursuant to House Resolution 214, the amendment in the nature of a substitute recommended by the Committee on the Judiciary as printed in the bill was considered as agreed to.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 214, Mr. SCOTT, submitted the following further amendment as printed in House Report 107-172:

Page 4, after line 8, insert the following:

SEC. 3. STUDY BY GENERAL ACCOUNTING OFFICE.

(a) IN GENERAL.—The General Accounting Office shall conduct a study to assess the need (if any) for amendment of the prohibition on human cloning, as defined in section 301 of title 18, United States Code, as added by this Act, which study should include—

(1) a discussion of new developments in medical technology concerning human cloning and somatic cell nuclear transfer, the need (if any) for somatic cell nuclear transfer to produce medical advances, current public attitudes and prevailing ethical views concerning the use of somatic cell nuclear transfer, and potential legal implications of research in somatic cell nuclear transfer; and

(2) a review of any technological developments that may require that technical changes be made to section 2 of this Act.

(b) REPORT.—The General Accounting Office shall transmit to the Congress, within 4 years after the date of enactment of this Act, a report containing the findings and conclusions of its study, together with recommendations for any legislation or administrative actions which it considers appropriate.

After further debate,

Pursuant to House Resolution 214, the previous question was ordered on the further amendment.

The question being put, viva voce,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. QUINN, announced that the yeas had it.

So the further amendment was agreed to.

Pursuant to House Resolution 214, Mr. GREENWOOD, submitted the following further amendment in the nature of a substitute as printed in House Report 107-172:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cloning Prohibition Act of 2001''.

SEC. 2. PROHIBITION AGAINST HUMAN CLONING.

(a) IN GENERAL.—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by adding at the end the following:

''CHAPTER X—HUMAN CLONING

''PROHIBITION AGAINST HUMAN CLONING

''SEC. 1001. (a) NUCLEAR TRANSFER TECHNOLOGY.—

''(1) IN GENERAL.—It shall be unlawful for any person—

''(A) to use or attempt to use human somatic cell nuclear transfer technology, or the product of such technology, to initiate a pregnancy or with the intent to initiate a pregnancy; or

''(B) to ship, mail, transport, or receive the product of such technology knowing that the product is intended to be used to initiate a pregnancy.

''(2) DEFINITION.—For purposes of this section, the term 'human somatic cell nuclear transfer technology' means transferring the nuclear material of a human somatic cell into an egg cell from which the nuclear material has been removed or rendered inert.

''(b) RULE OF CONSTRUCTION.—This section may not be construed as applying to any of the following:

''(1) The use of somatic cell nuclear transfer technology to clone molecules, DNA, cells, or tissues.

''(2) The use of mitochondrial, cytoplasmic, or gene therapy.

''(3) The use of in vitro fertilization, the administration of fertility-enhancing drugs, or the use of other medical procedures (excluding those using human somatic cell nuclear transfer or the product thereof) to assist a woman in becoming or remaining pregnant

''(4) The use of somatic cell nuclear transfer technology to clone or otherwise create animals other than humans.

''(5) Any other activity (including biomedical, microbiological, or agricultural research or practices) not expressly prohibited in subsection (a).

''(c) REGISTRATION.—

''(1) IN GENERAL.—Each individual who intends to perform human somatic cell nuclear transfer technology shall, prior to first performing such technology, register with the

Secretary his or her name and place of business (except that, in the case of an individual who performed such technology before the date of the enactment of the Cloning Prohibition Act of 2001, the individual shall so register not later than 60 days after such date). The Secretary may by regulation require that the registration provide additional information regarding the identity and business locations of the individual, and information on the training and experience of the individual regarding the performance of such technology.

''(2) ATTESTATION.—A registration under paragraph (1) shall include a statement, signed by the individual submitting the registration, declaring that the individual is aware of the prohibitions described in subsection (a) and will not engage in any violation of such subsection.

''(3) CONFIDENTIALITY.—Information provided in a registration under paragraph (1) shall not be disclosed to the public by the Secretary except to the extent that—

''(A) the individual submitting the registration has in writing authorized the disclosure; or

''(B) the disclosure does not identify such individual or any place of business of the individual.

''(d) PREEMPTION OF STATE LAW.—This section supersedes any State or local law that—

''(1) establishes prohibitions, requirements, or authorizations regarding human somatic cell nuclear transfer technology that are different than, or in addition to, those established in subsection (a) or (c); or

''(2) with respect to humans, prohibits or restricts research regarding or practices constituting—

''(A) somatic cell nuclear transfer;

''(B) mitochondrial or cytoplasmic therapy; or

''(C) the cloning of molecules, DNA, cells, tissues, or organs;

except that this subsection does not apply to any State or local law that was in effect as of the day before the date of the enactment of the Cloning Prohibition Act of 2001.

''(e) RIGHT OF ACTION.—This section may not be construed as establishing any private right of action.

''(f) DEFINITION.—For purposes of this section, the term 'person' includes governmental entities.

''(g) SUNSET.—This section and section 301(bb) do not apply to any activity described in subsection (a) that occurs on or after the expiration of the 10-year period beginning on the date of the enactment of the Cloning Prohibition Act of 2001.''.

(b) PROHIBITED ACTS.—

(1) IN GENERAL.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

''(bb) The violation of section 1001(a), or the failure to register in accordance with section 1001(c).''.

(2) CRIMINAL PENALTY.—Section 303(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(b)) is amended by adding at the end the following:

''(7) Notwithstanding subsection (a), any person who violates section 301(bb) shall be imprisoned not more than 10 years or fined in accordance with title 18, United States Code, or both.''.

(3) CIVIL PENALTY.—Section 303 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333) is amended by adding at the end the following:

''(h)(1) Any person who violates section 301(bb) shall be liable to the United States for a civil penalty in an amount not to exceed the greater of—

''(A) $1,000,000; or

''(B) an amount equal to the amount of any gross pecuniary gain derived from such violation multiplied by 2.

''(2) Paragraphs (3) through (5) of subsection (g) apply with respect to a civil penalty under paragraph (1) of this subsection to the same extent and in the same manner as such paragraphs (3) through (5) apply with respect to a civil penalty under paragraph (1) or (2) of subsection (g).''.

(4) FORFEITURE.—Section 303 of the Federal Food, Drug, and Cosmetic Act, as amended by paragraph (3), is amended by adding at the end the following:

''(i) Any property, real or personal, derived from or used to commit a violation of section 301(bb), or any property traceable to such property, shall be subject to forfeiture to the United States.''.

SEC. 3. STUDY BY INSTITUTE OF MEDICINE.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall request the Institute of Medicine to enter into an agreement with the Secretary under which such Institute conducts a study to—

(1) review the current state of knowledge about the biological properties of stem cells obtained from embryos, fetal tissues, and adult tissues;

(2) evaluate the current state of knowledge about biological differences among stem cells obtained from embryos, fetal tissues, and adult tissues and the consequences for research and medicine; and

(3) assess what is currently known about the ability of stem cells to generate neurons, heart, kidney, blood, liver and other tissues and the potential clinical uses of these tissues.

(b) OTHER ENTITIES.—If the Institute of Medicine declines to conduct the study described in subsection (a), the Secretary shall enter into an agreement with another appropriate public or nonprofit private entity to conduct the study.

(c) REPORT.—The Secretary shall ensure that, not later than three years after the date of the enactment of this Act, the study required in subsection (a) is completed and a report describing the findings made in the study is submitted to the Committee on Energy and Commerce in the House of Representatives and the Committee on Health, Education, Labor, and Pensions in the Senate.

After further debate,

¶84.20 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. GREENWOOD, by unanimous consent,

Ordered, That it may be in order to yield control of 15 minutes of debate to Mr. WELDON of Florida.

After further debate,

Pursuant to House Resolution 214, the previous question was ordered on the bill, as amended, and the further amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to said amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. QUINN, announced that the nays had it.

Mr. GREENWOOD objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 178 / Nays 249

¶84.21 [Roll No. 302]

YEAS—178

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeGette
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Granger
Green (TX)
Greenwood
Gutierrez
Harman
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pastor
Payne
Pelosi
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Strickland
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Wilson
Woolsey
Wynn

NAYS—249

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bonior
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley

Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Pascrell
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—6

Hastings (FL)
Hutchinson
Jones (OH)
Lipinski
Spence
Stark

So the further amendment in the nature of a substitute was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Ms. LOFGREN moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

Page 4, after line 10, insert the following subsction:

''(E) EXEMPTION FOR MEDICAL TREATMENTS-

Nothing in this section shall prohibit the use of human somatic cell nuclear transfer in connection with the development or application of treatments designed to address Parkinson's disease, Alzheimer's disease, diabetes, cancer, heart disease, spinal cord injury, multiple sclerosis, severe burns, or other diseases, disorders, or conditions, provided that the product of such use is not utilized to initiate a pregnancy and is not intended to be utilized to initiate a pregnancy. Nothing in this subsection shall exempt any product from any applicable regulatory approval.''.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. QUINN, announced that the nays had it.

Ms. LOFGREN demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 175 / Nays 251

¶84.22 [Roll No. 303]

AYES—175

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Boehlert
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilman
Gonzalez
Green (TX)
Greenwood
Gutierrez
Harman
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
Kolbe
Lampson
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pastor
Payne
Pelosi
Price (NC)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shaw
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NOES—251

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bonior
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Kirk
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Largent
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Pascrell
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—7

Hastings (FL)
Hutchinson
Jones (OH)
Lipinski
McKinney
Spence
Stark

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. QUINN, announced that the yeas had it.

Mr. SENSENBRENNER demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 265 / Nays 162

¶84.23 [Roll No. 304]

AYES—265

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert

Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Langevin
Largent
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—162

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Greenwood
Gutierrez
Harman
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Kaptur
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
Lampson
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Price (NC)
Pryce (OH)
Ramstad
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Tauscher
Thompson (CA)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey

NOT VOTING—6

Hastings (FL)
Hutchinson
Jones (OH)
Lipinski
Spence
Stark

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, was laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.24 BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION

On motion of Mr. SENSENBRENNER, by unanimous consent, the bill (H.R. 333) to amend title 11, United States Code, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. SENSENBRENNER, it was,

Resolved, That the House disagree to the amendment of the Senate and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶84.25 MOTION TO INSTRUCT CONFEREES—H.R. 333

Ms. BALDWIN moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill (H.R. 333) be instructed to agree to title X (relating to protection of family farmers and family fishermen) of the Senate amendment.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. SUNUNU, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶84.26 APPOINTMENT OF CONFEREES—H.R. 333

Thereupon, the SPEAKER pro tempore, Mr. SUNUNU, by unanimous consent, appointed the following Members as managers on the part of the House at said conference:

From the Committee on the Judiciary for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, HYDE, GEKAS, SMITH of Texas, CHABOT, BARR, CONYERS, BOUCHER, NADLER, and WATT of North Carolina.

From the Committee on Financial Services, for consideration of sections 901 through 906, 907A through 909, 911, and 1301 through 1309 of the House bill, and sections 901 through 906, 907A through 909, 911, and 913–4 and title XIII of the Senate amendment, and modifications committed to conference: Messrs. OXLEY, BACHUS, and LAFALCE.

From the Committee on Energy and Commerce, for consideration of title XIV of the Senate amendment, and modifications committed to conference: Messrs. TAUZIN, BARTON, AND DINGELL.

From the Committee on Education and the Workforce, for consideration of section 1403 of the Senate amendment, and modifications committed to conference: Messrs. BOEHNER, CASTLE and KILDEE.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶84.27 RAILROAD RETIREMENT AND SURVIVORS' IMPROVEMENT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill (H.R. 1140) to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries; as amended.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. YOUNG of Alaska and Mr. OBERSTAR, each for 20 minutes.

¶84.28 ORDER OF BUSINESS—FURTHER DEBATE TIME ON SUSPENSION

On motion of Mr. YOUNG of Alaska, by unanimous consent,

Ordered, That it may be in order to yield control of 10 minutes of debate to Mr. OBERSTAR.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

Mr. YOUNG of Alaska demanded that the vote be taken by the yeas and nays,

which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 384 / Nays 33

¶84.29 [Roll No. 305]

YEAS—384

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

NAYS—33

Ballenger
Chabot
Cox
DeLay
DeMint
Flake
Frelinghuysen
Hefley
Herger
Hoekstra
Johnson, Sam
Jones (NC)
Kolbe
Largent
Miller (FL)
Miller, Gary
Myrick
Paul
Pence
Pitts
Rohrabacher
Royce
Schaffer
Sensenbrenner
Shadegg
Shays
Smith (MI)
Stenholm
Sununu
Tancredo
Taylor (MS)
Thomas
Weldon (FL)

NOT VOTING—16

Cramer
Hastings (FL)
Hutchinson
Hyde
Jones (OH)
Leach
Lipinski
Markey
Moran (VA)
Nadler
Oxley
Peterson (MN)
Spence
Stark
Toomey
Watson (CA)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.30 RECESS—11:36 P.M.

The SPEAKER pro tempore, Mr. KELLER, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 36 minutes p.m., subject to the call of the Chair.

WEDNESDAY, AUGUST 1 (LEGISLATIVE DAY OF JULY 31), 2001

¶84.31 AFTER RECESS—1:22 A.M.

The SPEAKER pro tempore, Mr. SESSIONS, called the House to order.

¶84.32 PROVIDING FOR THE CONSIDERATION OF H.R. 4

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 107–178) the resolution (H. Res. 216) providing for consideration of the bill (H.R. 4) to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶84.33 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 107–179) the resolution (H. Res. 217) providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶84.34 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HASTINGS of Florida, for today; and

To Mrs. JONES of Ohio, for today.

Accordingly,

¶84.35 ADJOURNMENT

On motion of Mr. HASTINGS of Washington, at 1 o'clock and 23 minutes a.m., Wednesday, August 1 (legislative day of July 31), 2001, consistent with the fourth clause in section 5 of article I of the Constitution, and therefore notwithstanding section 132 of the Legislative Reorganization Act of 1946, as amended, the House stands adjourned until 10 o'clock a.m. on August 1, 2001.

¶84.36 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 2603. A bill to implement the agreement establishing a United States-Jordan free trade area; with an amendment (Rept. No. 107–176 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOEHLERT: Committee on Science. H.R. 2460. A bill to authorize appropriations for environmental research and development, scientific and energy research, development, and demonstration, and commercial application of energy technology programs, projects, and activities of the Department of Energy and of the Office of Air and Radiation of the Environmental Protection Agency, and for other purposes; with an amendment (Rept. No. 107–177). Referred to the Committee of the Whole House on the State of the Union.

[Filed on Aug. 1 (legislative day, July 31), 2001]

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 216. Resolution providing for consideration of the bill (H.R.

4) to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes (Rept. No. 107–178). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 217. Resolution providing for consideration of motions to suspend the rules (Rept. No. 107–179). Referred to the House Calendar.

¶84.37 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2603. Referral to the Committee on the Judiciary extended for a period ending not later than July 31, 2001.

¶84.38 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 2603 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶84.39 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. TOM DAVIS of Virginia (for himself and Mr. MORAN of Virginia):

H.R. 2678. A bill to amend title 5, United States Codes, to establish an exchange program between the Federal Government and the private sector to develop expertise in information technology management, and for other purposes; to the Committee on Government Reform.

By Mr. ANDREWS:

H.R. 2679. A bill to condition the minimum-wage-exempt status of organized camps under the Fair Labor Standards Act of 1938 on compliance with certain safety standards, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 2680. A bill to authorize the grant program for elimination of the nationwide backlog in analyses of DNA samples at the level necessary to completely eliminate the backlog and obtain a DNA sample from every person convicted of a qualifying offense; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 2681. A bill to amend the Davis-Bacon Act to provide that a contractor under that Act who has repeated violations of the Act shall have its contract with the United States canceled and to require the disclosure under freedom of information provisions of Federal law of certain payroll information under contracts subject to the Davis-Bacon Act; to the Committee on Education and the Workforce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOKSEY:

H.R. 2682. A bill to provide for the designation of certain closed military installations as ports of entry; to the Committee on Armed Services, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CUBIN (for herself, Mr. BAIRD, Mr. BRADY of Texas, Mr. HILLEARY, and Mr. CLEMENT):

H.R. 2683. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for State and local sales taxes in lieu of State and local income taxes; to the Committee on Ways and Means.

By Mr. FRANK:

H.R. 2684. A bill to amend chapter 171 of title 28, United States Code, to allow members of the Armed Forces to sue the United States for damages for certain injuries caused by improper medical care; to the Committee on the Judiciary.

By Mr. GILCHREST:

H.R. 2685. A bill to amend title 10, United States Code, to revise the computation of military disability retired pay computation for certain members of the uniformed services injured while a cadet or midshipman at a service academy; to the Committee on Armed Services.

By Mr. HILLIARD:

H.R. 2686. A bill to prohibit States from carrying out certain law enforcement activities which have the effect of intimidating individuals from voting; to the Committee on the Judiciary.

By Mr. HILLIARD:

H.R. 2687. A bill to prohibit States from denying any individual the right to register to vote for an election for Federal office, or the right to vote in an election for Federal office, on the grounds that the individual has been convicted of a Federal crime, and to amend title 5, United States Code, to establish election day as a legal public holiday by moving the legal public holiday known as Veterans Day to election day in such years; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMPSON (for himself, Mr. SHIMKUS, Mr. CAPUANO, Mr. FROST, Mrs. MINK of Hawaii, Mr. STARK, Mr. GREEN of Texas, Mr. GRUCCI, Mr. UNDERWOOD, Ms. BROWN of Florida, Ms. JACKSON-LEE of Texas, Mr. SANDLIN, Mr. KANJORSKI, Mr. OSE, Mr. GREENWOOD, Mr. MCGOVERN, Mr. SMITH of New Jersey, Ms. HART, Mr. WELDON of Pennsylvania, Mr. GREEN of Wisconsin, Mr. GORDON, Mr. KING, Mr. BORSKI, Mr. HOLDEN, Ms. DELAURO, Mr. CHABOT, Mr. HOEFFEL, Mrs. NAPOLITANO, Mr. PALLONE, Mr. KIND, Mr. WYNN, Mr. TRAFICANT, Mrs. THURMAN, Mr. WEXLER, Mr. CLEMENT, Mr. POMEROY, Mrs. MEEK of Florida, Mr. BALDACCI, Mr. MANZULLO, Ms. ROYBAL-ALLARD, Mr. MASCARA, Ms. WOOLSEY, Mr. ACKERMAN, Mr. ISRAEL, Mr. ROTHMAN, Mr. BERMAN, Mr. WEINER, Mr. LEWIS of Georgia, Ms. SLAUGHTER, Ms. BERKLEY, Mr. MCINTYRE, Mr. CRAMER, Mr. SHOWS, Mr. MORAN of Virginia, Mr. RUSH, Mr. CARSON of Oklahoma, Mr. PETERSON of Minnesota, Mr. JOHN, Mr. TIERNEY, Mr. BRADY of Pennsylvania, Mr. RODRIGUEZ, Ms. LEE, Mrs. JONES of Ohio, Mr. DEFAZIO, Mr. OLVER, Ms. BALDWIN, Mr. RAHALL, Mr. BARRETT, Mr. LANGEVIN, Mr. BERRY, Mr. PASCRELL, Mr. MALONEY of Connecticut, Mr. BENTSEN, Mr. FARR of California, Mr. ORTIZ, Mr. SHERMAN, Ms. PELOSI, Mr. RAMSTAD, Ms. HOOLEY of Oregon, Ms. SANCHEZ, Mr. HINOJOSA, Mr. GONZALEZ, Mr. SMITH of Michigan, Mr. THOMPSON of California, Mr. COSTELLO, Mrs. MALONEY of New York, Mr. DOGGETT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEVIN, Mr. SAWYER, Mr. HOLT, Mr. BACA, Ms. SCHAKOWSKY, Ms. ESHOO, Ms. MILLENDER-MCDONALD, Mrs. CAPPS, Mr. MOORE, Mr. CROWLEY, Mr. BROWN of Ohio, Mr. BLAGOJEVICH, Mr. FORD, Mr. BARCIA, and Mr. BAIRD):

H.R. 2688. A bill to amend title 28, United States Code, to give district courts of the United States jurisdiction over competing State custody determinations, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANZULLO (for himself, Mr. BLAGOJEVICH, Mr. EVANS, and Mr. KIRK):

H.R. 2689. A bill to amend chapter 142 of title 10, United States Code, to increase the value of the assistance that the Secretary of Defense may furnish to carry out certain procurement technical assistance programs which operate on a Statewide basis; to the Committee on Armed Services.

By Mr. RADANOVICH (for himself and Ms. MCCOLLUM):

H.R. 2690. A bill to amend the Hmong Veterans' Naturalization Act of 2000 to extend the deadlines for application and payment of fees; to the Committee on the Judiciary.

By Mr. SABO (for himself, Mr. BONIOR, Mr. DEFAZIO, Mr. DELAHUNT, Mr. KUCINICH, Ms. LEE, Ms. MCKINNEY, Ms. SCHAKOWSKY, Mr. STARK, Mr. VISCLOSKY, and Mr. WYNN):

H.R. 2691. A bill to amend the Internal Revenue Code of 1986 to deny employers a deduction for payments of excessive compensation; to the Committee on Ways and Means.

By Mr. SHAYS (for himself, Mr. FRANK, Mr. FOLEY, Mrs. TAUSCHER, Mr. ABERCROMBIE, Mr. ACEVEDO-VILA, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BAIRD, Mr. BACA, Mr. BALDACCI, Ms. BALDWIN, Mr. BARRETT, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mrs. BIGGERT, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mr. BORSKI, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. COYNE, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DOGGETT, Mr. DOOLEY of California, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FATTAH, Mr. FARR of California, Mr. FERGUSON, Mr. FILNER, Mr. FORD, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GEPHARDT, Mr. GILCHREST, Mr. GILMAN, Mr. GONZALEZ, Mr. GREENWOOD, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mrs. JONES of Ohio, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KIRK, Mr. KLECZKA, Mr. KOLBE, Mr. KUCINICH, Mr. LAFALCE, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LEACH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOL-

LUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MATHESON, Mr. MATSUI, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOORE, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Ms. PRYCE of Ohio, Mr. PASCRELL, Mr. RANGEL, Mr. REYES, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Mr. SHERMAN, Mr. SIMMONS, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SOLIS, Mr. STARK, Mr. STRICKLAND, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mrs. THURMAN, Mr. TIERNEY, Mr. TOWNS, Mr. TRAFICANT, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. VISCLOSKY, Ms. WATERS, Ms. WATSON, Mr. WATT of North Carolina, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 2692. A bill to prohibit employment discrimination on the basis of sexual orientation; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. BALLENGER, Mr. KOLBE, Mr. BARTON of Texas, Mr. NETHERCUTT, and Mr. DREIER):

H. Con. Res. 206. Concurrent resolution recognizing the important relationship between the United States and Mexico; to the Committee on International Relations.

By Mr. LARGENT (for himself and Mr. BROWN of Ohio):

H. Con. Res. 207. Concurrent resolution recognizing the important contributions of the Youth For Life: Remembering Walter Payton initiative and encouraging participation in this nationwide effort to educate young people about organ and tissue donation; to the Committee on Energy and Commerce.

¶84.40 MEMORIALS

Under clause 3 of rule XII,

184. The SPEAKER presented a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 21 memorializing the United States Congress to initiate the development of an agreement or treaty with Mexico to address health issues of mutual concern; to the Committee on International Relations.

¶84.41 ADDITIONAL SPONSORS

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

H.R. 85: Mr. MATHESON.
H.R. 134: Mr. GUTIERREZ.
H.R. 157: Mrs. MINK of Hawaii.
H.R. 218: Mr. LUCAS of Oklahoma, Mr. WICKER, Mr. GOSS, Mr. SHOWS, and Mr. MASCARA.
H.R. 274: Ms. DELAURO.
H.R. 326: Ms. HARMAN.
H.R. 400: Mr. CRENSHAW.
H.R. 432: Mr. BONIOR.
H.R. 433: Mr. BONIOR.
H.R. 437: Mr. HERGER.
H.R. 510: Mrs. MINK of Hawaii and Mr. TRAFICANT.
H.R. 612: Ms. GRANGER.
H.R. 664: Mr. UPTON, Mrs. JOHNSON of Connecticut, Mr. CALVERT, and Mr. HOUGHTON.
H.R. 684: Mr. NADLER and Mr. HINCHEY.
H.R. 737: Mr. SKELTON.
H.R. 778: Mr. MCDERMOTT, Mr. DOYLE, and Mr. BORSKI.
H.R. 781: Mr. SCOTT and Mr. LARSEN of Washington.
H.R. 817: Mr. WHITFIELD.
H.R. 914: Mr. LARGENT.
H.R. 921: Mr. BONIOR.
H.R. 938: Mr. PAYNE, Mr. LEACH, and Mr. COOKSEY.
H.R. 967: Mr. WATT of North Carolina and Mr. HINCHEY.
H.R. 1035: Mr. CARSON of Oklahoma and Ms. MILLENDER-MCDONALD.
H.R. 1073: Mr. BOSWELL.
H.R. 1086: Mr. BLUMENAUER.
H.R. 1090: Ms. PELOSI, Ms. SLAUGHTER, Ms. SCHAKOWSKY, Mr. THOMPSON of California, and Mr. DELAHUNT.
H.R. 1120: Mr. GOODLATTE.
H.R. 1170: Mr. SERRANO, Mr. BARCIA, and Mr. MOORE.
H.R. 1178: Mr. MATHESON.
H.R. 1198: Mr. GILLMOR, Mr. LIPINSKI, Mr. HOEFFEL, Mr. LARSEN of Washington, Mr. LAFALCE, and Mr. FRELINGHUYSEN.
H.R. 1201: Mr. MCGOVERN and Mr. BERMAN.
H.R. 1252: Mr. ENGEL.
H.R. 1296: Mr. LARGENT.
H.R. 1305: Mr. SWEENEY.
H.R. 1353: Mr. MORAN of Kansas, Mr. SNYDER, and Ms. LEE.
H.R. 1354: Ms. HARMAN, Mr. BACA, Mr. BORSKI, and Mr. JACKSON of Illinois.
H.R. 1436: Mr. SNYDER, Mr. LOBIONDO, Mrs. NAPOLITANO, Mr. COMBEST, Mr. KANJORSKI, and Mr. MASCARA.
H.R. 1460: Mr. BOUCHER, Mr. NORWOOD, Mrs. EMERSON, Mr. NEY, Mr. PETRI, Mr. PETERSON of Pennsylvania, Mr. OXLEY, Mr. SHUSTER, Mr. LEWIS of Kentucky, and Mr. CRANE.
H.R. 1462: Mr. CALVERT.
H.R. 1509: Mr. DEUTSCH and Mr. BLUMENAUER.
H.R. 1556: Mr. SIMMONS, Mr. HOEFFEL, Mr. MASCARA, and Mr. DIAZ-BALART.
H.R. 1589: Mr. CUNNINGHAM.
H.R. 1602: Mr. MCKEON, Mrs. JO ANN DAVIS of Virginia, Mr. FORBES, Mr. GOODLATTE, and Mr. BROWN of South Carolina.
H.R. 1609: Mr. FARR of California, Mrs. CLAYTON, Mrs. EMERSON, Mr. PHELPS, Mrs. JO ANN DAVIS of Virginia, Mr. HOEFFEL, and Mr. MASCARA.
H.R. 1624: Mr. HINCHEY, Mr. MCGOVERN, Mr. CANNON, Mr. EDWARDS, Mr. HOUGHTON, and Mr. GRUCCI.
H.R. 1645: Mr. WALSH and Mr. CANNON.
H.R. 1700: Mr. OLVER, Mr. MARKEY, and Mr. MEEHAN.
H.R. 1773: Mr. MEEKS of New York and Mr. MCGOVERN.
H.R. 1784: Mrs. CAPPS and Mr. FILNER.
H.R. 1795: Mrs. KELLY, Mr. OTTER, and Mr. SMITH of New Jersey.
H.R. 1819: Mr. WAMP.
H.R. 1856: Mr. FORBES.
H.R. 1873: Mr. UDALL of Colorado.
H.R. 1948: Ms. SCHAKOWSKY.
H.R. 1978: Mr. BROWN of Ohio and Mr. DAVIS of Illinois.
H.R. 1983: Mr. SKEEN, Mr. BROWN of South Carolina, and Mr. MASCARA.
H.R. 2001: Mr. PASTOR.
H.R. 2064: Mr. HASTINGS of Florida and Mr. BLAGOJEVICH.
H.R. 2066: Mr. BEREUTER.
H.R. 2071: Mr. SIMMONS.
H.R. 2098: Mr. CANTOR.
H.R. 2125: Mr. TIERNEY, Mr. SOUDER, and Mr. SCHROCK.
H.R. 2134: Mr. BLAGOJEVICH.
H.R. 2142: Mr. MCGOVERN, Mr. DOOLEY of California, Mr. KIRK, Mr. FRANK, and Mr. LANTOS.
H.R. 2157: Mr. SKEEN.
H.R. 2220: Mr. BACA, Mr. ACKERMAN, Mr. CARSON of Oklahoma, Ms. HARMAN, Mr. KILDEE, Mr. MCGOVERN, Mr. REYES, and Mr. OWENS.
H.R. 2243: Mr. KUCINICH.
H.R. 2272: Mr. BLUMENAUER.
H.R. 2308: Mr. MATHESON.
H.R. 2310: Mr. FOLEY.
H.R. 2316: Mr. WELDON of Florida, Ms. HART, Mr. WALDEN of Oregon, Mr. SCHAFFER, Mr. JONES of North Carolina, and Mr. FOSSELLA.
H.R. 2317: Mrs. MALONEY of New York and Mrs. DAVIS of California.
H.R. 2322: Mr. BEREUTER.
H.R. 2332: Mr. CLEMENT.
H.R. 2345: Mr. PASTOR.
H.R. 2348: Mr. RANGEL, Ms. PELOSI, Mr. HALL of Ohio, Mr. ORTIZ, Ms. SANCHEZ, Mrs. NAPOLITANO, Mr. REYES, Mr. MCGOVERN, Ms. CARSON of Indiana, Mr. OWENS, and Mr. MARKEY.
H.R. 2349: Ms. ESHOO and Ms. HOOLEY of Oregon.
H.R. 2355: Mr. ISAKSON.
H.R. 2357: Mr. BARR of Georgia, Mr. BLUNT, Mr. HAYES, Mr. BARTLETT of Maryland, Mr. KERNS, Mr. PICKERING, Mr. WATTS of Oklahoma, Mr. BROWN of South Carolina, Mr. BRADY of Texas, Mr. VITTER, Mr. WHITFIELD, Mr. LARGENT, Mr. WATKINS, Mr. BURR of North Carolina, Mr. TRAFICANT, Mr. BILIRAKIS, and Mr. HEFLEY.
H.R. 2366: Mr. SCHAFFER.
H.R. 2368: Mr. CLAY.
H.R. 2375: Mr. EHRLICH, Mr. LAMPSON, Ms. ESHOO, Mr. KANJORSKI, Mr. WYNN, Mr. ACKERMAN, Mrs. CAPPS, Mr. SERRANO, Mr. GUTIERREZ, and Mr. NADLER.
H.R. 2400: Mr. TOWNS.
H.R. 2401: Mr. TOWNS.
H.R. 2402: Mr. TOWNS.
H.R. 2410: Mr. SCHAFFER.
H.R. 2442: Ms. ROS-LEHTINEN.
H.R. 2460: Mr. MATHESON, Mr. EHLERS, Ms. HART, Mrs. BIGGERT, Mr. COSTELLO, Mr. BACA, Ms. WOOLSEY, and Mr. UDALL of Colorado.
H.R. 2484: Mr. FOSSELLA and Mr. OWENS.
H.R. 2486: Ms. HART.
H.R. 2520: Mr. MEEKS of New York.
H.R. 2521: Mr. GORDON.
H.R. 2560: Mr. MCGOVERN.
H.R. 2573: Mr. FATTAH and Mr. STARK.
H.R. 2662: Mr. FLAKE.
H.R. 2669: Mr. ADERHOLT, Mr. LAHOOD, Mr. LEACH, Mr. MCINTRYE, Mr. PETERSON of Minnesota, Mr. PHELPS, and Mr. SHOWS.
H.R. 2675: Mr. FOSSELLA.
H.J. Res. 6: Mr. SOUDER.
H.J. Res. 15: Ms. ROYBAL-ALLARD.
H.J. Res. 42: Mr. SMITH of Washington, Mr. SHIMKUS, Mr. HORN, Mr. ANDREWS, Mrs. MALONEY of New York, Ms. HARMAN, Mr. HONDA, Mr. CARSON of Oklahoma, Mrs. CAPITO, and Mr. PICKERING.
H. Con. Res. 44: Mr. SCHAFFER.
H. Con. Res. 58: Mr. HILLIARD.
H. Con. Res. 60: Ms. WOOLSEY.
H. Con. Res. 97: Mr. KENNEDY of Rhode Island.
H. Con. Res. 185: Ms. LEE, Mr. HYDE, Mr. SMITH of New Jersey, and Mr. HONDA.
H. Con. Res. 195: Ms. SCHAKOWSKY and Mr. GEORGE MILLER of California.
H. Res. 65: Mr. FOLEY.

WEDNESDAY, AUGUST 1, 2001 (85)

¶85.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr.

SWEENEY, who laid before the House the following communication:

Washington, DC, August 1, 2001.

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

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

¶85.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SWEENEY, announced he had examined and approved the Journal of the proceedings of Tuesday, July 31, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SWEENEY, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶85.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3245. A letter from the Acting Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—Policy on Audits of RUS Borrowers; Management Letter (RIN: 0572–AB66) received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3246. A letter from the Acting Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—Policy on Audits of RUS Borrowers; Generally Accepted Government Auditing Standards (GAGAS) (RIN: 0572–AB62) received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3247. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Mexican Fruit Fly Regulations; Regulated Areas, Regulated Articles, and Treatments [Docket No. 99–075–5] received July 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3248. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tepraloxydim; Pesticide Tolerance [OPP–301148; FRL–6791–7] (RIN: 2070–AB78) received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3249. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Isoxadifen-ethyl; Pesticide Tolerance Technical Correction [OPP–301156; FRL–6794–3] (RIN: 2070–AB78) received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3250. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Pesticide Tolerances for Emergency Exemptions [OPP–301151; FRL–6792–5] (RIN: 2070–AB78) received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3251. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Carfentrazone-ethyl; Pesticide Tolerance [OPP–301149; FRL–6790–9] (RIN: 2070–AB78) received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3252. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Carfentrazone-ethyl; Pesticide Tolerances for Emergency Exemptions [OPP–301150; FRL–6792–2] (RIN: 2070–AB78) received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3253. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clomazone; Pesticide Tolerance [OPP–301139; FRL–6787–5] (RIN: 2070–AB78) received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3254. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sulfentrazone; Pesticide Tolerances for Emergency Exemptions [OPP–301154; FRL–6793–1] (RIN: 2070–AB78) received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3255. A communication from the President of the United States, transmitting a request to make funds available for the Disaster Relief program of the Federal Emergency Management Agency; (H. Doc. No. 107–112); to the Committee on Appropriations and ordered to be printed.

3256. A letter from the Under Secretary, Department of Defense, transmitting certification that the survivability and lethality testing of the C–130 Avionics Modernization Program otherwise required by section 2366 would be unreasonably expensive and impractical, pursuant to 10 U.S.C. 2366(c)(1); to the Committee on Armed Services.

3257. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Annual Report on Retail Fees and Services of Depository Institutions, pursuant to 12 U.S.C. 1811 nt; to the Committee on Financial Services.

3258. A letter from the Acting Under Secretary for Domestic Finance, Department of the Treasury, transmitting the annual report on the Resolution Funding Corporation for calendar year 2000, pursuant to Public Law 101–73, section 501(a) (103 Stat. 387); to the Committee on Financial Services.

3259. A letter from the Acting Administrator, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule—National School Lunch Program and School Breakfast Program: Identification of Blended Beef, Pork, Poultry or Seafood Products (RIN: 0584–AC92) received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3260. A letter from the Director, Minority Business Development Agency, Department of Commerce, transmitting the Department's final rule—Solicitation of Applications for the Minority Business Development Center (MBDC) Program [Docket No. 000724217–1193–03] (RIN: 0640–ZA08) received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3261. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Change in Specifications for Gum or Wood Rosin Derivatives in Chewing Gum Base [Docket No. 99F–2533] received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3262. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Motor Vehicle Safety; Reporting the Sale or Lease of Defective or Non-Compliant Tires [Docket No. NHTSA–2001–10145] (RIN: 2127–AI23) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3263. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Motor Vehicle Safety: Criminal Penalty Safe Harbor Provision [Docket No. NHTSA–2001–9779] (RIN: 2127–AI24) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3264. A letter from the Principal Deputy Associate Administrator, Enviromental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Pharmaceuticals Production [FRL–7020–3] (RIN: 2060–AE83) received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3265. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Oregon [OR 62–7277a, OR 71–7286a, OR 01–001a; FRL–7017–9A] received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3266. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Florida: Approval of Revisions to the Florida State Implementation Plan [FL–83–1–200101; FRL–7022–3] received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3267. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Quality Management District and Ventura County Air Pollution Control District [CA 226–0284; FRL–7008–5] received July 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3268. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Promulgation of Extension of Attainment Date for the San Diego, California Serious Ozone Nonattainment Area [CA–038–EXTa; FRL–7023–9] received July 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3269. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri [MO 120–1120a; FRL–7024–3] received July 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3270. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Maintenance Plan Revisions; Michigan [MI76–01–7285a; FRL–7023–2] received July 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3271. A letter from the Assistant Chief, Consumer Information Bureau, Federal Com-

munications Commission, transmitting the Commission's final rule—Implementation of Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommuncations Act of 1996; Access to Telecommunications Service, Telelcommunications Equipment and Customer Premises Equipment by Persons with Disabilities [WT Docket No. 96–198] received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3272. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 085–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3273. A letter from the Acting Chief Counsel, Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Exports of Agricultural Products, Medicines, and Medical Devices to Cuba, Sudan, Libya, and Iran; Cuba Travel-Related Transactions—received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3274. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation for the Extension of Authority to Provide Assistance to United Nations-Sponsored Efforts to Inspect and Monitor Iraqi Weapons Activities; to the Committee on International Relations.

3275. A letter from the Administrator, National Nuclear Security Administration, Department of Energy, transmitting a report Required by Section 3157 of the National Defense Authorization Act for Fiscal Year 1998 of Accelerated Strategic Computing Initiative Participant Computer Sales to Tier III Countries in Calendar Year 2000; to the Committee on International Relations.

3276. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Protection and Assistance for Victims of Trafficking [INS No. 2133–01; AG Order No. 2493–2001] (RIN: 1115–AG20) received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3277. A letter from the Attorney, Office of General Counsel, Department of Transportation, transmitting the Department's final rule—Privacy Act of 1974; Implementation [Docket No. OST–96–1437] (RIN: 2105–AC99) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3278. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: Type of Contracts [FRL–7020–5] received July 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3279. A letter from the Acting Deputy Associate Administrator for Acquistion Policy, General Services Administration, transmitting the Administration's final rule—Federal Advisory Committee Management (RIN: 3090–AG49) received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3280. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Repayment of Student Loans (RIN: 3206–AJ33) received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3282. A letter from the Acting General Counsel, Department of Justice, transmitting the Department's final rule—Motions To Reopen for Suspension of Deportation and Special Rule Cancellation of Removal Pursuant to Section 1505(c) of the LIFE Act Amendments [EOIR No. 128P; AG Order No. 2467–2001] (RIN: 1125–AA31) received July 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3283. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Nonimmigrant Classes: Irish Peace Process Cultural and Training Program Visitors, Q Classification—received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3284. A letter from the Senior Transportation Analyst, Department of Transportation, transmitting the Department's final rule—Nondiscrimination on the Basis of Disability in Air Travel [OST Docket No. 1999–6159] (RIN: 2105–AC81) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3285. A letter from the Senior Transportation Analyst, Department of Transportation, transmitting the Department's final rule—Transportation for Individuals With Disabilities—Accessibility of Over-the-Road Buses (OTRBs) [Docket No. OST–1998–3648] (RIN: 2105–AC00) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3286. A letter from the Regulations Officer, FHA, Department of Transportation, transmitting the Department's final rule—National Standards for Traffic Control Devices; Manual on Uniform Traffic Control Devices for Streets and Highways; Corrections (RIN: 2125–AE87) received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3287. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule—Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices [FRA Docket No. PB–9; Notice No. 20] (RIN: 2130–AB49) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3288. A letter from the Administrator, General Services Administration, transmitting informational copies of lease prospectuses that support the Administration's Fiscal Year 2002 Capital Investment and Leasing Program, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

3289. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation entitled, ''National Aeronautics and Space Administration Science and Technology Career Enhancement Act of 2001''; to the Committee on Science.

3290. A letter from the Acting Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Military Reservist Economic Injury Disaster Loans (RIN; 3245–AE45) received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

3291. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Montgomery GI Bill—Active Duty (RIN: 2900–AK06) received July 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3292. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Prospective Payment System for Inpatient Rehabilitation Facilities [CMS–1069–F] (RIN: 0938–AJ35) received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3293. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Rates and Costs of Graduate Medical Education: Fiscal Year 2002 Rates; Provisions of the Balanced Budget Refinement Act of 1999; and Provisions of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 [CMS 1131–F, CMS 1158–F, CMS 1178–F] (RINs: 0938–AK20; 0938–AK73; and 0938–AK74) received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3294. A letter from the Attorney General and the United States Trade Representative, Executive Office of the President, transmitting a draft of proposed legislation to repeal the provision regarding importation or sale of articles at less than market value or wholesale price in Title VIII of the Revenue Act of 1916; to the Committee on Ways and Means.

3295. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Disclosures of Return Information to Officers and Employees of the Department of Agriculture for Certain Statistical Purposes and Related Activities [TD 8958] (RIN: 1545–AX69) received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3296. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Subsidiary formed to comply with foreign law [Rev. Rul. 2001–39] received July 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3297. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Basis Shifting Tax Shelter [Notice 2001–45] received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3298. A letter from the General Counsel, Department of Defense, transmitting the Department's proposed legislation that would eliminate the requirement in section 1503 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001—received July 31, 2001; jointly to the Committees on Armed Services and Resources.

3299. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities-Update; Final Rule [CMS–1163–F] (RIN: 0938–AK47) received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

3300. A letter from the General Counsel, Office of Government Ethics, transmitting the Office's draft bill, ''to amend the Ethics in Government Act of 1978, as amended, to streamline the financial disclosure requirements for Executive Branch employees''; jointly to the Committees on the Judiciary, Government Reform, and House Administration.

¶85.4 MESSAGE FROM THE SENATE

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

S. Con. Res. 45. Concurrent resolution expressing the sense of the Congress that the Humane Methods of Slaughter Act of 1958

should be fully enforced so as to prevent needless suffering of animals.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2647. An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2647) ''An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DURBIN, Mr. JOHNSON, Mr. REED, Mr. BYRD, Mr. BENNETT, Mr. STEVENS, and Mr. COCHRAN, to be the conferees on the part of the Senate.

The message also announced that pursuant to section 2761 of title 22, United States Code, as amended, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican Leader, appoints the Senator from Mississippi (Mr. COCHRAN) as Vice Chairman of the Senate Delegation to the British-American Interparliamentary Group during the One Hundred Seventh Congress.

The message also announced that in accordance with sections 1928a–1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Oregon (Mr. SMITH) as Vice Chairman of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the One Hundred Seventh Congress.

¶85.5 PROVIDING FOR THE CONSIDERATION OF H.R. 4

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 216):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4) to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 90 minutes, with 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce and 20 minutes equally divided and controlled by the chairman and ranking minority member of each of the following Committees: Science, Ways and Means, and Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. No further amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon receipt of a message from the Senate transmitting H.R. 4 with Senate amendments thereto, it shall be in order to consider in the House a motion offered by the chairman of the Committee on Energy and Commerce or his designee that the House disagree to the Senate amendments and request or agree to a conference with the Senate thereon.

When said resolution was considered.

After debate,

Mr. HASTINGS of Washington moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. SWEENEY, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 221 / Nays ..... 208 }

¶85.6 [Roll No. 306]

YEAS—221

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

NAYS—208

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross

Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—4

Hastings (FL)
Hutchinson
Spence
Stark

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SWEENEY, announced that the yeas had it.

Mr. FROST demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 220 / Nays ..... 206 }

¶85.7 [Roll No. 307]

AYES—220

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

NOES—206

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

NOT VOTING—7

Dingell
Ford
Hastings (FL)
Hutchinson
Smith (MI)
Spence
Stark

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶85.8 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. OSE, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, July 31, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. OSE, announced that the yeas had it.

Mr. MCNULTY demanded a recorded vote on agreeing to said journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

When there appeared .... { Yeas ..... 343 / Nays ..... 65 / Answered present 2 }

¶85.9 [Roll No. 308]

AYES—343

Abercrombie
Ackerman
Akin
Allen
Armey
Baca
Bachus
Baker
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Cox
Coyne
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (IL)
Davis (FL)
Davis, Jo Ann
Davis (CA)
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (TX)
Hall (OH)
Hansen
Harman
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holt
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson, E. B.
Johnson (CT)
Johnson, Sam
Johnson (IL)
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kind
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach

Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (OK)
Lucas (KY)
Luther
McCarthy (NY)
McCarthy (MO)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Maloney (NY)
Maloney (CT)
Mascara
Matheson
Matsui
Meehan
Meek
Meeks
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Rehberg
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stump
Sununu
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Upton
Walden
Walsh
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weldon (FL)
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)
Young (AK)

NOES—65

Aderholt
Baird
Borski
Brady (PA)
Capuano
Carson (IN)
Conyers
Costello
Cramer
Crane
Crowley
DeFazio
English
Filner
Fossella
Gephardt
Gillmor
Gutknecht
Hefley
Hilliard
Hinchey
Holden
Hooley
Hulshof
Jones (OH)
Kennedy (MN)
Kucinich
Larsen (WA)
LoBiondo
McDermott
McGovern
McNulty
Markey
Menendez
Moore
Moran (KS)
Oberstar
Pallone
Peterson (MN)
Platts
Ramstad
Rodriguez
Sabo
Schaffer
Schakowsky
Slaughter
Stenholm
Strickland
Stupak
Sweeney
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Wamp
Waters
Weller
Wexler
Wicker

ANSWERED ''PRESENT''—2

Tancredo
Whitfield

NOT VOTING—23

Andrews
Baldacci
Brown (FL)
Clayton
Dicks
Dingell
Frost
Gilman
Hastings (FL)
Honda
Hutchinson
Jackson-Lee (TX)
Kilpatrick
LaFalce
Lipinski
Manzullo
Phelps
Regula
Sanders
Spence
Stark
Stearns
Vitter

So the Journal was approved.

¶85.10 ORDER OF BUSINESS—RECESS

On motion of Mr. THUNE, by unanimous consent,

Ordered, That at any time on Wednesday, September 12, 2001, the Speaker may declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting the Honorable John Howard, Prime Minister of Australia.

¶85.11 ORDER OF BUSINESS—RECESS

On motion of Mr. THUNE, by unanimous consent,

Ordered, That at any time on Thursday, September 6, 2001, the Speaker may declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting His Excellency Vicente Fox, President of the United Mexican States.

¶85.12 PERMISSION TO FILE REPORT

On motion of Mr. TAUZIN, by unanimous consent, the Committee on Energy and Commerce was granted permission to file a supplemental report (Rept. No. 107–162) on the bill (H.R. 2587) to enhance energy conservation, provide for security and diversity in the energy supply for the American people, and for other purposes.

¶85.13 ENERGY POLICY

The SPEAKER pro tempore, Mr. OSE, pursuant to House Resolution 216 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4) to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes.

The SPEAKER pro tempore, Mr. OSE, by unanimous consent, designated Mr. BONILLA as Chairman of the Committee of the Whole; and after some time spent therein,

¶85.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TAUZIN:

Page 10, after the table of contents, insert the following and make the necessary conforming changes in the table of contents:

SEC. 2. ENERGY POLICY.

It shall be the sense of the Congress that the United States should take all actions necessary in the areas of conservation, efficiency, alternative source, technology development, and domestic production to reduce the United States dependence on foreign energy sources from 56 percent to 45 percent by January 1, 2012, and to reduce United States dependence on Iraqi energy sources from 700,000 barrels per day to 250,000 barrels per day by January 1, 2012.

Page 36, line 15, insert ''or encourage'' after ''discourage''.

Page 36, lines 16 and 17, strike ''; and'' and insert ''when compared to structures of the same physical description and occupancy in compatible geographic locations;''.

Page 36, lines 18 through 23, strike paragraph (2) and insert the following:

(2) the extent to which education could increase the conservation of low-income households who opt to receive supplemental income instead of Low-Income Home Energy Assistance funds;

(3) the benefit in energy efficiency and energy savings that can be achieved through the annual maintenance of heating and cooling appliances in the homes of those receiving Low-Income Home Energy Assistance funds; and

(4) the loss of energy conservation that results from structural inadequacies in a structure that is unhealthy, not energy efficient, and environmentally unsound and that receives Low-Income Home Energy Assistance funds for weatherization.

Page 81, after line 12, insert the following new section, and make the necessary change to the table of contents:

SEC. 309. STUDY TO DETERMINE FEASIBILITY OF DEVELOPING COMMERCIAL NUCLEAR ENERGY PRODUCTION FACILITIES AT EXISTING DEPARTMENT OF ENERGY SITES.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study to determine the feasibility of developing commercial nuclear energy production facilities at Department of Energy sites in existence on the date of enactment of this Act, including—

(1) options for how and where nuclear power plants can be developed on existing Department of Energy sites;

(2) estimates on cost savings to the Federal Government that may be realized by locating new nuclear power plants on Federal sites;

(3) the feasibility of incorporating new technology into nuclear power plants located on Federal sites;

(4) potential improvements in the licensing and safety oversight procedures of the effects of nuclear waste management policies and projects as a result of locating nuclear power plants located on Federal sites; and

(6) any other factors that the Secretary believes would be relevant in making the determination.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study under subsection (a).

In section 603 of title V of division A, on page 88, line 11, strike ''; and'' and insert a semicolon.

Page 88, line 17, strike the period and insert ''; and''.

Page 88, after line 17, insert the following new paragraph:

(8) the feasibility of providing incentives to promote cleaner burning fuel.

Page 92, after line 14, insert the following new sections, and make the necessary changes to the table of contents:

SEC. 603. STUDY OF ETHANOL FROM SOLID WASTE LOAN GUARANTEE PROGRAM.

The Secretary of Energy shall conduct a study of the feasibility of providing guarantees for loans by private banking and investment institutions for facilities for the processing and conversion of municipal solid waste and sewage sludge into fuel ethanol and other commercial byproducts, and not later than 90 days after the date of the enactment of this Act shall transmit to the Congress a report on the results of the study.

SEC. 604. STUDY OF RENEWABLE FUEL CONTENT.

(a) STUDY.—The Administrator of the Environmental Protection Agency and the Secretary of Energy shall jointly conduct a study of the feasibility of developing a requirement that motor vehicle fuel sold or introduced into commerce in the United States in calendar year 2002 or any calendar year thereafter by a refiner, blender, or importer shall, on a 6-month average basis, be comprised of a quantity of renewable fuel, measured in gasoline-equivalent gallons. As part of this study, the Administrator and Secretary shall evaluate the use of a banking and trading credit system and the feasibility and desirability of requiring an increasing percentage of renewable fuel to be phased in over a 15-year period.

(b) REPORT TO CONGRESS.—Not later than 6 months after the date of the enactment of

this Act, the Administrator and the Secretary shall transmit to the Congress a report on the results of the study conducted under this section.

Page 93, strike lines 3 through 12 and insert:

SEC. 802. HISTORIC PIPELINES.

Section 7 of the Natural Gas Act (15 U.S.C. 717(f)) is amended by adding at the end the following new subsection:

''(i) Notwithstanding the National Historic Preservation Act, a transportation facility shall not be eligible for inclusion on the National Register of Historic Places unless—

''(1) the Commission has permitted the abandonment of the transportation facility pursuant to subsection (b) of this section, or

''(2) the owner of the facility has given written consent to such eligibility.

Any transportation facility deemed eligible for inclusion on the National Register of Historic Places prior to the date of enactment of this subsection shall no longer be eligible unless the owner of the facility gives warrant consent to such eligibility.''.

Page 190, line 23, strike ''subsection'' and insert ''section''.

Page 220, lines 1 through 4, amend paragraph (1) to read as follows:

(1) $19,400,000 for fiscal year 2002, $14,800,000 for fiscal year 2003, and $8,900,000 for fiscal year 2004 for completion of construction of Project 98–G–304, Neutrinos at the Main Injector, Fermi National Accelerator Laboratory;

In section 6102(b)(1), strike ''42 U.S.C.'' and insert ''43 U.S.C.''.

Page 437, after line 6, (in section 5006 of Division E after subsection (c)) insert:

(d) FINANCIAL ASSISTANCE.—The Secretary shall provide financial assistance to projects that meet the requirements of subsections (a), (b), and (c) and are likely to—

(1) achieve overall cost reductions in the utilization of coal to generate useful forms of energy;

(2) improve the competitiveness of coal among various forms of energy in order to maintain a diversity of fuel choices in the United States to meet electricity generation requirements; and

(3) demonstrate methods and equipment that are applicable to 25 percent of the electricity generating facilities that use coal as the primary feedstock as of the date of enactment of this Act.

Page 437, line 7, (in section 5006 of Division E) strike ''(d)'' and insert ''(e)''.

Page 437, line 10, (in section 5006 of Division E) strike ''(e)'' and insert ''(f)''

Page 438, after line 17, (after section 5007 of Division E) insert the following new section and make the necessary change to the table of contents:

SEC. 5008. CLEAN COAL CENTERS OF EXCELLENCE.

As part of the program authorized in section 5003, the Secretary shall award competitive, merit-based grants to universities for the establishment of Centers of Excellence for Energy Systems of the Future. The Secretary shall provide grants to universities that can slow the greatest potential for advancing new clean coal technologies.

Page 3, in the table of contents for Division A, redesignate title VII relating to miscellaneous provisions as title VIII.

Page 93, line 13, (at the end of division A) strike ''VII'' relating to miscellaneous provisions and insert ''VIII''.

In Division A and in the table of contents for Division A, renumber sections 601 through 604 as 501 through 504 respectively, renumber sections 701 and 702 as 601 and 602 respectively, renumber sections 801 and 802 as 701 and 702 respectively, and renumber sections 901 through 903 as 801 through 803 respectively.

Page 433, line 13, strike ''(c)'' and insert ''(b)''.

Page 444, after line 22, insert the following new section:

SEC. 6106. EFFICIENT INFRASTRUCTURE DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Energy and the Chairman of the Federal Energy Regulatory Commission shall jointly undertake a study of the location and extent of anticipated demand growth for natural gas consumption in the Western States, herein defined as the area covered by the Western System Coordinating Council.

(b) CONTENTS.—The study under subsection (a) shall include the following:

(1) A review of natural gas demand forecasts by Western State officials, such as the California Energy Commission and the California Public Utilities Commission, which indicate the forecasted levels of demand.

(2) A review of the locations of proposed new natural gas-fired electric generation facilities currently in the approval process in the Western States, and their forecasted impact on natural gas demand.

(3) A review of the locations of existing interstate natural gas transmission pipelines, and interstate natural gas pipelines currently in the planning stage or approval process, throughout the Western States.

(4) A review of the locations and capacity of intrastate natural gas pipelines in the Western States.

(5) Recommendations for the coordination of the development of the natural gas infrastructure indicated in paragraphs (1) through (4).

(c) REPORT.—The Secretary shall report the findings and recommendations resulting from the study required by this section to the Committee on Energy and Commerce of the House of Representatives and to the Committee of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate no later than 6 months after the date of the enactment of this Act. The Chairman of the Federal Energy Regulatory Commission shall report on how the Commission will factor these results into its review of applications of interstate pipelines within the Western States to the Committee on Energy and Commerce of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate no later than 6 months after the date of the enactment of this Act.

In section 6223, amend subsection (b) to read as follows:

(b) PREPARATION OF LEASING PLAN OR ANALYSIS.—In preparing a management plan or leasing analysis for oil or natural gas leasing on Federal lands administered by the Bureau of Land Management or the Forest Service, the Secretary concerned shall—

(1) identify and review the restrictions on surface use and operations imposed under the laws (including regulations) of the State in which the lands are located;

(2) consult with the appropriate State agency regarding the reasons for the State restrictions identified under paragraph (1);

(3) identify any differences between the State restrictions identified under paragraph (1) and any restrictions on surface use and operations that would apply under the lease; and

(4) prepare and provide upon request a written explanation of such differences.

At the end of section 6223 add the following:

(e) PRESERVATION OF FEDERAL AUTHORITY.—Nothing in this section or in any identification, review, or explanation prepared under this section shall be construed—

(1) to limit the authority of the Federal Government to impose lease stipulations, restrictions, requirements, or other terms that are different than those that apply under State law; or

(2) to affect the procedures that apply to judicial review of actions taken under this subsection.

In section 6225, in the quoted material—

(1) in paragraph (2)(A), insert ''and consultation with the Regional Forester having administrative jurisdiction over the National Forest System lands concerned'' after ''under paragraph (1)''; and

(2) add at the end the following:

''(3) The Secretary of Agriculture shall include in the record of decision for a determination under paragraph (2)(A)—

''(A) any written statement regarding the determination that is prepared by a Regional Forester consulted by the Secretary under paragraph (2)(A) regarding the determination; or

''(B) an explanation why such a statement by the Regional Forester is not included.

In Section 6303(2), in the quoted material—

(1) in paragraph (2)(A), insert ''and consultation with any Regional Forester having administrative jurisdiction over the lands concerned'' after ''under paragraph (1)''; and

(2) add at the end the following:

''(3) The Secretary of Agriculture shall include in the record of decision for a determination under paragraph (2)(A)—

''(A) any written statement regarding the determination that is prepared by a Regional Forester consulted by the Secretary under paragraph (2)(A) regarding the determination; or

''(B) an explanation why such a statement by the Regional Forester is not included.

In section 6234—

(1) insert ''(a) IN GENERAL.—'' before the first sentence;

(2) redesignate subsections (c) and (d) as subsections (b) and (c); and

(3) in the quoted material, strike the material preceding subsection (b) and insert the following:

''REIMBURSEMENT FOR COSTS OF CERTAIN ANALYSES, DOCUMENTATION, AND STUDIES

''SEC. 38. (a) IN GENERAL.—The Secretary of the Interior may, through royalty credits, reimburse a person who is a lessee, operator, operating rights owner, or applicant for an oil or gas lease under this Act for amounts paid by the person for preparation by the Secretary (or a contractor or other person selected by the Secretary) of any project-level; analysis, documentation, or related study required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the lease.

In section 6308(a), in the quoted material, strike the material preceding subsection (b) and insert the following:

''REIMBURSEMENT FOR COSTS OF CERTAIN ANALYSES, DOCUMENTATION, AND STUDIES

''SEC. 38. (a) IN GENERAL.—The Secretary of the Interior may, through royalty credits, reimburse a person who is a lessee, operator, operating rights owner, or applicant for a lease under this Act for amounts paid by the person for preparation by the Secretary (or a contractor or other person selected by the Secretary) of any project-level analysis, documentation, or related study required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the lease.

Page 510, after line 8, insert the following new division, and make the necessary changes to the table of contents:

DIVISION G

SEC. 7101. BUY AMERICAN.

No funds authorized under this Act shall be available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

It was decided in the affirmative ..... { Yeas ..... 281 / Nays 148

¶85.15 [Roll No. 309]

AYES—281

Abercrombie
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Mink
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOES—148

Ackerman
Andrews
Baird
Baldwin
Barrett
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Conyers
Coyne
Crowley
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gutierrez
Harman
Hastings (FL)
Hinchey
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mollohan
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Price (NC)
Rahall
Rangel
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Serrano
Sherman
Skelton
Slaughter
Solis
Spratt
Strickland
Tanner
Tauscher
Thompson (CA)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—4

Hall (OH)
Hutchinson
Spence
Stark

So the amendment was agreed to.

¶85.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. BONO:

After section 141, insert the following new section and make the necessary conforming changes in the table of contents:

SEC. 141A. ENERGY SUN RENEWABLE AND ALTERNATIVE ENERGY PROGRAM.

(a) AMENDMENT.—The Energy Policy and Conservation Act (42 U.S.C. 6201 and following) is amended by inserting the following after section 324A:

"SEC. 324B. ENERGY SUN RENEWABLE AND ALTERNATIVE ENERGY PROGRAM.

"(a) PROGRAM.—There is established at the Environmental Protection Agency and the Department of Energy a government-industry partnership program to identify and promote the purchase of renewable and alternative energy products, to recognize companies that purchase renewable and alternative energy products for the environmental and energy security benefits of such purchases, and to educate consumers about the environmental and energy security benefits of renewable and alternative energy. Responsibilities under the program shall be divided between the Environmental Protection Agency and the Department of Energy consistent with the terms of agreements between the two agencies. The Administrator of the Environmental Protection Agency and the Secretary of Energy—

"(1) establish an Energy Sun label for renewable and alternative energy products and technologies that the Administrator or the Secretary (consistent with the terms of agreements between the two agencies regarding responsibility for specific product categories) determine to have substantial environmental and energy security benefits and commercial marketability.

"(2) establish an Energy Sun Company program to recognize private companies that draw a substantial portion of their energy from renewable and alternative sources that provide substantial environmental and energy security benefits, as determined by the Administrator or the Secretary.

"(3) promote Energy Sun compliant products and technologies as the preferred products and technologies in the marketplace for reducing pollution and achieving energy security; and

"(4) work to enhance public awareness and preserve the integrity of the Energy Sun label.

For the purposes of carrying out this section, there is authorized to be appropriated $10,000,000 for each of fiscal years 2002 through 2006.

"(b) STUDY OF CERTAIN PRODUCTS, TECHNOLOGIES, AND BUILDINGS.—Within 18 months after the enactment of this section, the Administrator and the Secretary, consistent with the terms of agreements between the two agencies, shall conduct a study to determine whether the Energy Sun label should be authorized for products, technologies, and buildings in the following categories:

"(1) Passive solar, solar thermal, concentrating solar energy, solar water heating, and related solar products and building technologies.

"(2) Solar photovoltaics and other solar electric power generation technologies.

"(3) Wind.

"(4) Geothermal.

"(5) Biomass.

"(6) Distributed energy (including, but not limited to, microturbines, combined heat and power, fuel cells, and stirling heat engines).

"(7) Green power or other renewables and alternative based electric power products (including green tag credit programs) sold to retail consumers of electricity.

"(8) Homes.

"(9) School buildings.

"(10) Retail buildings.

"(11) Health care facilities.

"(12) Hotels and other commercial lodging facilities.

"(13) Restaurants and other food service facilities.

"(14) Rest area facilities along interstate highways.

"(15) Sports stadia, arenas, and concert facilities.

"(16) Any other product, technology or building category, the accelerated recognition of which the Administrator or the Secretary determines to be necessary or appropriate for the achievement of the purposes of this section.

Nothing in this subsection shall be construed to limit the discretion of the Administrator or the Secretary under subsection (a)(1) to include in the Energy Sun program additional products, technologies, and buildings not listed in this subsection. Participation by private-sector entities in programs or studies authorized by this section shall be (A) voluntary, and (B) by permission of the Administrator or Secretary, on terms and conditions the Administrator or the Secretary (consistent with agreements between the agencies) deems necessary or appropriate to carry out the purposes and requirements of this section.

"(c) DEFINITION.—For the purposes of this section, the term 'renewable and alternative

energy' shall have the same meaning as the term 'unconventional and renewable energy resources' in Section 551 of the National Energy Conservation Policy Act (42 U.S.C. 8259)''.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Energy Policy and Conservation Act is amended by inserting after the item relating to section 324A the following new item:

''Sec. 324B. Energy Sun renewable and alternative energy program.''.

It was decided in the affirmative ..... { Yeas ..... 411 / Nays 15

¶85.17 [Roll No. 310]

AYES—411

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

NOES—15

Barr
Coble
Collins
Costello
Filner
Flake
Hostettler
Johnson, Sam
Jones (NC)
Kerns
Oberstar
Otter
Paul
Pence
Schaffer

NOT VOTING—7

Grucci
Hoyer
Hutchinson
Largent
Oxley
Spence
Stark

So the amendment was agreed to.

After some further time,

¶85.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BOEHLERT:

Page 66, beginning at line 11, strike sections 201, 202, and 203 and insert the following:

SEC. 201. INCREASED AVERAGE FUEL ECONOMY STANDARDS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS.

(a) COMBINED STANDARD.—Section 32902(b) of title 49, United States Code, is amended to read as follows:

''(b) STANDARDS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS.—(1) Except as provided in this section, the average fuel economy standard for the combination of passenger automobiles and light trucks manufactured by a manufacturer—

''(A) in each of model years 2005 and 2006 shall be 26.0 miles per gallon; and

''(B) in a model year after model year 2006 shall be 27.5 miles per gallon.

''(2) Except as provided in this section, and notwithstanding paragraph (1), the average fuel economy standard for passenger automobiles manufactured by a manufacturer in model years 2005 and 2006 shall be 27.5 miles per gallon.''.

(b) AMENDING STANDARDS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS.—Section 32902(c) of title 49, United States Code, is amended—

(1) by amending so much as precedes the second sentence of paragraph (1) to read as follows:

''(c) AMENDING STANDARD FOR COMBINATION OF PASSENGER AUTOMOBILES AND LIGHT TRUCKS.—The Secretary of Transportation shall prescribe regulations amending any of the standards under subsection (b) of this section for a model year to any higher level that the Secretary decides is the maximum feasible average fuel economy level for that model year.''; and

(2) by striking paragraph (2).

(c) DEFINITION OF LIGHT TRUCK.—

(1) IN GENERAL.—Section 32901(a) of title 49, United States Code, is amended by adding at the end the following:

''(17) 'light truck' means a 4-wheeled vehicle that is propelled by fuel, or by alternative fuel, that is manufactured primarily for use on public streets, roads, and highways (except a vehicle operated only on a rail line), and that the Secretary decides by regulation—

''(A) is rated—

''(i) at less than 8,500 pounds gross vehicle weight, in the case of an automobile manufactured in model year 2005 or 2006; or

''(ii) at less than 10,000 pounds gross vehicle weight, in the case of an automobile manufactured in a model year after model year 2006;

''(B) is manufactured primarily for transporting not more than 10 individuals; and

''(C) is not a passenger automobile.''.

(2) DEADLINE FOR REGULATIONS.—The Secretary of Transportation—

(A) shall issue proposed regulations implementing the amendment made by this subsection by not later than 6 months after the date of the enactment of this Act; and

(B) shall issue final regulations implementing such amendment by not later than one year after the date of the enactment of this Act.

(c) CONFORMING AMENDMENTS.—

(1) Section 32901(a)(3) of title 49, United States Code, is amended by striking ''and rated at—'' and inserting ''and is a light truck or is rated at—''.

(2) Section 32902(a) of title 49, United States Code, is amended—

(A) by striking ''NON-PASSENGER AUTOMOBILES.—'' and inserting ''STANDARDS FOR CERTAIN AUTOMOBILES.—''; and

(B) by striking ''(except passenger automobiles)'' and inserting ''(except passenger automobiles and light trucks)''.

(3) Section 32908(a)(1) of title 49, United States Code, is amended by striking ''8,500'' and inserting ''10,000''.

(d) APPLICATION.—The amendments made by this section shall apply beginning on January 1, 2005.

(e) APPLICABILITY OF EXISTING STANDARDS.—This section does not affect the application of section 32902 of title 49, United States Code, to passenger automobiles and light trucks manufactured before model year 2005.

SEC. 202. AMENDMENTS TO MANUFACTURING INCENTIVES FOR ALTERNATIVE FUEL AUTOMOBILES.

Section 32905 of title 49, United States Code, is amended—

(1) in subsection (b) by striking ''2004'' and inserting ''2008'';

(2) in subsection (b)(1) by striking ''.5 divided'' and inserting ''the number determined by (A) subtracting from 1.0 the alternative fuel use factor for the model, and (B) dividing the difference calculated under clause (A) by'';

(3) in subsection (b)(2) by striking ''.5 divided'' and inserting ''the number determined by dividing the alternative fuel use factor for the model by'';

(4) in subsection (d) by striking ''2004'' and inserting ''2008'';

(5) in subsection (d)(1) by striking ''.5 divided'' and inserting ''the number determined by (A) subtracting from 1.0 the alternative fuel use factor for the model, and (B) dividing the difference calculated under clause (A) by'';

(6) in subsection (d)(2) by striking ''.5 divided'' and inserting ''the number determined by dividing the alternative fuel use factor for the model by''; and

(7) by adding at the end the following:

''(h) DETERMINATION OF ALTERNATIVE FUEL USE FACTOR.—(1) For purposes of subsections (b) and (d) of this section, the term 'alternative fuel use factor' means, for a model of automobile, such factor determined by the Administrator under this subsection.

''(2) At the beginning of each year, the Secretary of Energy shall estimate the amount of fuel and the amount of alternative fuel used to operate all models of dual fuel automobiles during the most recent 12-month period.

''(3) The Administrator shall determine, by regulation, the alternative fuel use factor for each model of dual fueled automobile as the fraction that represents, on an energy equivalent basis, the ratio that the amount of alternative fuel determined under paragraph (1) bears to the amount of fuel determined under paragraph (1).''.

(c) APPLICATION.—The amendments made by this section shall apply beginning on January 1, 2005.

(d) APPLICABILITY OF EXISTING STANDARDS.—This section does not affect the application of section 32901 of title 49, United States Code, to automobiles manufactured before model year 2005.

SEC. 203. ENSURING SAFETY OF PASSENGER AUTOMOBILES AND LIGHT TRUCKS.

The Secretary of Transportation shall exercise such authority under Federal law as the Secretary may have to ensure that passenger automobiles and light trucks (as those terms are defined in section 32901 of title 49, United States Code, as amended by this Act) are safe.

It was decided in the negative { Yeas ..... 160 / Nays 269

¶85.19 [Roll No. 311]

AYES—160

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett
Becerra
Bereuter
Berkley
Berman
Bilirakis
Blagojevich
Blumenauer
Boehlert
Borski
Boyd
Brown (OH)
Capps
Capuano
Cardin
Clayton
Condit
Coyne
Cummings
Davis (CA)
Davis (FL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Dooley
Ehlers
Engel
English
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Frank
Frelinghuysen
Ganske
Gilchrest
Gilman
Gonzalez
Greenwood
Harman
Hefley
Hinchey
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Inslee
Israel
Jackson (IL)
Johnson (CT)
Johnson (IL)
Kanjorski
Kelly
Kennedy (RI)
Kind (WI)
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McDermott
McGovern
McInnis
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller, George
Mink
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Pallone
Pascrell
Payne
Pelosi
Platts
Price (NC)
Ramstad
Rangel
Reynolds
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn
Young (FL)

NOES—269

Aderholt
Akin
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Berry
Biggert
Bishop
Blunt
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Etheridge
Everett
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kingston
Knollenberg
Kolbe
Largent
Latham
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCarthy (MO)
McCollum
McCrery
McHugh
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pastor
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Rush
Ryan (WI)
Ryun (KS)
Sandlin
Schaffer
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOT VOTING—4

Hutchinson
Norwood
Spence
Stark

So the amendment was not agreed to.

¶85.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GREEN of Texas:

In division A, title VIII, insert at the end the following new section and make the necessary conforming change in the table of contents:

SEC. 804. REPEAL OF HINSHAW EXEMPTION.

Effective on the date 60 days after the enactment of this Act, for purposes of section 1(c) of the Natural Gas Act (15 U.S.C. 717(c)), the term ''State'' shall not include the State of California.

It was decided in the negative { Yeas ..... 154 / Nays 275

¶85.21 [Roll No. 312]

AYES—154

Armey
Bachus
Baker
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Boehner
Bonilla
Boswell
Brady (TX)
Brown (OH)
Brown (SC)
Burr
Buyer
Camp
Cannon
Castle
Chabot
Clay
Coble
Collins
Combest
Cramer
Crane
Cubin
Culberson
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Dingell
Duncan
Edwards
Ehrlich
Evans
Everett
Fossella
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goss
Graham
Granger
Green (TX)
Gutknecht
Hall (TX)
Hansen
Hart
Hayes
Hayworth
Hefley
Hoekstra
Hostettler
Houghton
Isakson
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kerns
King (NY)
Kingston
Kirk
Kolbe
LaHood
Lampson
Largent
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McKinney
Miller (FL)
Myrick
Nethercutt
Ney
Northup
Nussle
Ortiz
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pryce (OH)
Putnam
Regula
Reyes
Riley
Ros-Lehtinen
Rush
Ryun (KS)
Sandlin
Sawyer
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shows
Shuster
Skeen
Smith (TX)
Souder
Stearns
Stenholm
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Toomey
Turner
Upton

Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wilson
Wolf
Woolsey
Young (AK)
Young (FL)

NOES—275

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Becerra
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Bryant
Burton
Callahan
Calvert
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Chambliss
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gibbons
Goode
Goodlatte
Gordon
Graves
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hastings (WA)
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (CT)
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Knollenberg
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Osborne
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Phelps
Platts
Pombo
Pomeroy
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Rehberg
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Sabo
Sanchez
Sanders
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Strickland
Stump
Stupak
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Wicker
Wu
Wynn

NOT VOTING—4

Hutchinson
Norwood
Spence
Stark

So the amendment was not agreed to.

After some further time,

¶85.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. COX:

In Division A, at the end of title VI, insert the following new section and make the necessary conforming changes in the table of contents:

SEC. 605. CALIFORNIA REFORMULATED GAS RULES.

Section 211(c)(4)(B) of the Clean Air Act (42 U.S.C. 7545(c)(4)(B)) is amended by adding the following at the end thereof: ''Whenever any such State that has received a waiver under section 209(b)(1) has promulgated reformulated gasoline rules for any covered area of such State (as defined in subsection (k)), such rules shall apply in such area in lieu of the requirements of subsection (k) if such State rules will achieve equivalent or greater emission reductions than would result from the application of the requirements of subsection (k) in the case of the aggregate mass of emissions of toxic air pollutants and in the case of the aggregate mass of emissions of ozone-forming compounds.''.

It was decided in the negative { Yeas ..... 125 / Nays ..... 300 }

¶85.23 [Roll No. 313]

YEAS—125

Ackerman
Akin
Allen
Baca
Baird
Baldacci
Becerra
Berman
Blumenauer
Bono
Boucher
Calvert
Capps
Capuano
Collins
Condit
Cox
Crowley
Cubin
Cunningham
Davis (CA)
Davis (FL)
DeFazio
DeGette
DeLauro
Deutsch
Doggett
Dooley
Doolittle
Dreier
Eshoo
Farr
Fattah
Filner
Flake
Fossella
Frank
Gallegly
Gibbons
Gilman
Grucci
Harman
Herger
Hinchey
Holt
Honda
Horn
Hostettler
Houghton
Hunter
Israel
Issa
Johnson (CT)
Kelly
King (NY)
Kolbe
Kucinich
LaFalce
Lantos
Largent
Larson (CT)
Lee
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Markey
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, Gary
Miller, George
Moran (VA)
Nadler
Napolitano
Neal
Olver
Ose
Pallone
Pascrell
Paul
Payne
Pelosi
Peterson (PA)
Pombo
Quinn
Radanovich
Rangel
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Sanchez
Sanders
Sawyer
Schiff
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Stupak
Sununu
Tauscher
Thomas
Thompson (CA)
Tierney
Towns
Udall (CO)
Waters
Watson (CA)
Waxman
Weiner
Woolsey

NAYS—300

Abercrombie
Aderholt
Andrews
Armey
Bachus
Baker
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Cannon
Cantor
Capito
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Culberson
Cummings
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLay
DeMint
Dicks
Dingell
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ferguson
Fletcher
Foley
Forbes
Ford
Frelinghuysen
Frost
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
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Graham
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Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Hoyer
Hulshof
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
Kingston
Kirk
Kleczka
Knollenberg
LaHood
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
McCarthy (MO)
McCollum
McHugh
McInnis
McIntyre
McKinney
Menendez
Mica
Miller (FL)
Mink
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pastor
Pence
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ross
Roukema
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Saxton
Scarborough
Schaffer
Schakowsky
Schrock
Scott
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—8

Conyers
Diaz-Balart
Hutchinson
Lipinski
McCrery
Solis
Spence
Stark

So the amendment was not agreed to.

¶85.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WAXMAN:

Page 96, after line 17, insert the following new title and make the necessary conforming changes in the table of contents:

TITLE IX—PRICE GOUGING AND BLACKOUT PREVENTION

SEC. 901. WHOLESALE ELECTRIC ENERGY RATES OF REGULATED ENTITIES IN THE WESTERN ENERGY MARKET.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Energy Regulatory Commission.

(2) COST-OF-SERVICE BASED RATE.—The term ''cost-of-service based rate'' means a rate, charge, or classification for the sale of electric energy that is equal to—

(A) all the reasonable variable costs for producing the electric energy;

(B) all the reasonable fixed costs for producing the electric energy;

(C) a reasonable risk premium or return on invested capital; and

(D) all other reasonable costs associated with the production, acquisition, conservation, and transmission of electric power.

(3) PUBLIC UTILITY.—The term ''public utility'' has the meaning given the term in section 201 of the Federal Power Act (16 U.S.C. 824).

(4) WESTERN ENERGY MARKET.—The term ''western energy market'' means the area within the United States that is covered by the Western Systems Coordinating Council.

(b) IMPOSITION OF WHOLESALE ELECTRIC ENERGY RATES.—Not later than 30 days after the date of enactment of this Act, the Commission shall impose just and reasonable cost-of-service based rates on sales by public utilities of electric energy at wholesale in the western energy market. The Commission shall not impose such rates under authority of this subsection on any facility generating electric energy that did not generate electric energy at any time prior to January 1, 2001.

(c) AUTHORITY OF STATE REGULATORY AUTHORITIES.—This section does not diminish or have any other effect on the authority of a State regulatory authority (as defined in section 3 of the Federal Power Act (16 U.S.C. 796)) to regulate rates and charges for the sale of electric energy to consumers, including the authority to determine the manner in which wholesale rates shall be passed through to consumers (including the setting of tiered pricing, real-time pricing, and baseline rates).

(d) REPEAL.—Effective on the date 18 months after the enactment of this Act, this section is repealed, and any cost-of-service based rate imposed under this section that is then in effect shall no longer be effective.

It was decided in the negative ..... { Yeas ..... 154 / Nays 274

¶85.25 [Roll No. 314]

AYES—154

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berman
Blagojevich
Blumenauer
Bonior
Boucher
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gallegly
Gephardt
Gordon
Gutierrez
Harman
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jones (OH)
Kaptur
Kennedy (RI)
Kilpatrick
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Mink
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Pomeroy
Rahall
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Velazquez
Visclosky
Waters
Watson (CA)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—274

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
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Foley
Forbes
Fossella
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Green (TX)
Green (WI)
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Gutknecht
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Hall (TX)
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Hastings (FL)
Hastings (WA)
Hayes
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Hill
Hilleary
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Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hyde
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
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Kennedy (MN)
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Kildee
Kind (WI)
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LoBiondo
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Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
McCrery
McHugh
McInnis
McIntyre
McKeon
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Conyers
Hutchinson
Lipinski
Spence
Stark

So the amendment was not agreed to.

¶85.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SUNUNU:

Page 500, beginning at line 16, amend section 6512 to read as follows:

SEC. 6512. REVENUE ALLOCATION.

(a) FEDERAL AND STATE DISTRIBUTION.—

(1) IN GENERAL.—Notwithstanding section 6504 of this Act, the Mineral Leasing Act (30 U.S.C. 181 et. seq.), or any other law, of the amount of adjusted bonus, rental, and royalty revenues from oil and gas leasing and operations authorized under this title—

(A) 50 percent shall be paid to the State of Alaska; and

(B) the balance shall be deposited into the Renewable Energy Technology Investment Fund and the Royalties Conservation Fund as provided in this section.

(2) ADJUSTMENTS.—Adjustments to bonus, rental, and royalty amounts from oil and gas leasing and operations authorized under this title shall be made as necessary for overpayments and refunds from lease revenues received in current or subsequent periods before distribution of such revenues pursuant to this section.

(3) TIMING OF PAYMENTS TO STATE.—Payments to the State of Alaska under this section shall be made semiannually.

(b) RENEWABLE ENERGY TECHNOLOGY INVESTMENT FUND.—

(1) ESTABLISHMENT AND AVAILABILITY.—There is hereby established in the Treasury of the United States a separate account which shall be known as the ''Renewable Energy Technology Investment Fund''.

(2) DEPOSITS.—Fifty percent of adjusted revenues from bonus payments for leases issued under this title shall be deposited into the Renewable Energy Technology Investment Fund.

(3) USE, GENERALLY.—Subject to paragraph (4), funds deposited into the Renewable Energy Technology Investment Fund shall be used by the Secretary of Energy to finance research grants, contracts, and cooperative agreements and expenses of direct research by Federal agencies, including the costs of administering and reporting on such a program of research, to improve and demonstrate technology and develop basic science information for development and use

of renewable and alternative fuels including wind energy, solar energy, geothermal energy, and energy from biomass. Such research may include studies on deployment of such technology including research on how to lower the costs of introduction of such technology and of barriers to entry into the market of such technology.

(4) USE FOR ADJUSTMENTS AND REFUNDS.—If for any circumstances, adjustments or refunds of bonus amounts deposited pursuant to this title become warranted, 50 percent of the amount necessary for the sum of such adjustments and refunds may be paid by the Secretary from the Renewable Energy Technology Investment Fund.

(5) CONSULTATION AND COORDINATION.—Any specific use of the Renewable Energy Technology Investment Fund shall be determined only after the Secretary of Energy consults and coordinates with the heads of other appropriate Federal agencies.

(6) REPORTS.—Not later than 1 year after the date of the enactment of this Act and on an annual basis thereafter, the Secretary of Energy shall transmit to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the use of funds under this subsection and the impact of and efforts to integrate such uses with other energy research efforts.

(c) ROYALTIES CONSERVATION FUND.—

(1) ESTABLISHMENT AND AVAILABILITY.—There is hereby established in the Treasury of the United States a separate account which shall be known as the ''Royalties Conservation Fund''.

(2) DEPOSITS.—Fifty percent of revenues from rents and royalty payments for leases issued under this title shall be deposited into the Royalties Conservation Fund.

(3) USE, GENERALLY.—Subject to paragraph (4), funds deposited into the Royalties Conservation Fund—

(A) may be used by the Secretary of the Interior and the Secretary of Agriculture to finance grants, contracts, cooperative agreements, and expenses for direct activities of the Department of the Interior and the Forest Service to restore and otherwise conserve lands and habitat and to eliminate maintenance and improvements backlogs on Federal lands, including the costs of administering and reporting on such a program; and

(B) may be used by the Secretary of the Interior to finance grants, contracts, cooperative agreements, and expenses—

(i) to preserve historic Federal properties;

(ii) to assist States and Indian Tribes in preserving their historic properties;

(iii) to foster the development of urban parks; and

(iv) to conduct research to improve the effectiveness and lower the costs of habitat restoration.

(4) USE FOR ADJUSTMENTS AND REFUNDS.—If for any circumstances, refunds or adjustments of royalty and rental amounts deposited pursuant to this title become warranted, 50 percent of the amount necessary for the sum of such adjustments and refunds may be paid from the Royalties Conservation Fund.

(d) AVAILABILITY.—Moneys covered into the accounts established by this section—

(1) shall be available for expenditure only to the extent appropriated therefor;

(2) may be appropriated without fiscal-year limitation; and

(3) may be obligated or expended only as provided in this section.

It was decided in the affirmative { Yeas ..... 241 / Nays 186

¶85.27 [Roll No. 315]

YEAS—241

Abercrombie
Aderholt
Akin
Armey
Baca
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
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Fletcher
Foley
Forbes
Fossella
Frelinghuysen
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Graham
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Hall (TX)
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Hastings (WA)
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Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
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Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Scarborough
Schaffer
Schrock
Scott
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—186

Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Frank
Frost
Gephardt
Gilman
Gordon
Graves
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (OH)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Schiff
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—6

Conyers
Hutchinson
Lipinski
Souder
Spence
Stark

So the amendment was agreed to.

¶85.28 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SUNUNU:

In section 6507(a), strike ''and'' after the semicolon at the end of paragraph (1), strike the period at the end of paragraph (2) and insert ''; and'', and add at the end the following:

(3) ensure that the maximum amount of surface acreage covered by production and support facilities, including airstrips and any areas covered by gravel berms or piers for support of pipelines, does not exceed 2,000 acres on the Coastal Plain.

It was decided in the affirmative { Yeas ..... 228 / Nays 201

¶85.29 [Roll No. 316]

YEAS—228

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Bartlett
Barton
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bono
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin

Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
English
Everett
Fletcher
Foley
Forbes
Fossella
Gallegly
Ganske
Gekas
Gibbons
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Goode
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Gordon
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Green (TX)
Green (WI)
Grucci
Gutknecht
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Hastert
Hastings (WA)
Hayes
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Hefley
Herger
Hill
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Hobson
Hoekstra
Holden
Hostettler
Hulshof
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Isakson
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Jackson-Lee (TX)
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Johnson, E. B.
Jones (NC)
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Lewis (CA)
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Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
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Miller (FL)
Miller, Gary
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Moran (KS)
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Nethercutt
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Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Oxley
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Scarborough
Schaffer
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Stearns
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—201

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doolittle
Duncan
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Flake
Ford
Frank
Frelinghuysen
Frost
Gephardt
Gilchrest
Gilman
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Otter
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Phelps
Pombo
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Schiff
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—5

Crowley
Hutchinson
Lipinski
Spence
Stark

So the amendment was agreed to.

After some further time,

¶85.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MARKEY:

In division F, strike title V (page 477, line 12 through page 501, line 8).

It was decided in the negative ..... { Yeas ..... 206 / Nays 223

¶85.31 [Roll No. 317]

YEAS—206

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clement
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Dunn
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Frank
Frelinghuysen
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Greenwood
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Strickland
Stupak
Sweeney
Tauscher
Thompson (CA)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—223

Aderholt
Akin
Armey
Baca
Bachus
Baker
Ballenger
Barr
Barton
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bono
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Edwards
Ehrlich
Emerson
English
Everett
Flake
Fletcher
Forbes
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Scarborough
Schaffer
Schrock
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Sununu
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)

Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Hutchinson
Lipinski
Spence
Spratt
Stark

So the amendment was not agreed to.

¶85.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ROGERS:

In division F, at the end of subtitle C of title II add the following:

SEC. . ENCOURAGEMENT OF STATE AND PROVINCIAL PROHIBITIONS ON OFF-SHORE DRILLING IN THE GREAT LAKES.

(a) FINDINGS.—The Congress finds the following:

(1) The water resources of the Great Lakes Basin are precious public natural resources, shared and held in trust by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin, and the Canadian Province of Ontario.

(2) The environmental dangers associated with off-shore drilling in the Great Lakes for oil and gas outweigh the potential benefits of such drilling.

(3) In accordance with the Submerged Lands Act (43 U.S.C. 1301 et seq.), each State that borders any of the Great Lakes has authority over the area between that State's coastline and the boundary of Canada or another State.

(4) The States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin each have a statutory prohibition of off-shore drilling in the Great Lakes for oil and gas.

(5) The States of Indiana, Minnesota, and Ohio do not have such a prohibition.

(6) The Canadian Province of Ontario does not have such a prohibition, and drilling for and production of gas occurs in the Canadian portion of Lake Erie.

(b) ENCOURAGEMENT OF STATE AND PROVINCIAL PROHIBITIONS.—The Congress encourages—

(1) the States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin to continue to prohibit off-shore drilling in the Great Lakes for oil and gas;

(2) the States of Indiana, Minnesota, and Ohio and the Canadian Province of Ontario to enact a prohibition of such drilling; and

(3) the Canadian Province of Ontario to require the cessation of any such drilling and any production resulting from such drilling.

It was decided in the affirmative ..... { Yeas ..... 345 / Nays 85

¶85.33 [Roll No. 318]

YEAS—345

Abercrombie
Ackerman
Allen
Andrews
Armey
Baca
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Bass
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastert
Hastings (FL)
Hayes
Hayworth
Hill
Hilleary
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pitts
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—85

Aderholt
Akin
Baker
Barr
Barton
Bentsen
Bereuter
Boehner
Brady (TX)
Callahan
Calvert
Carson (OK)
Coble
Collins
Combest
Cooksey
Crane
Cubin
Deal
DeMint
Dooley
Doolittle
Duncan
Emerson
Flake
Gibbons
Graves
Green (TX)
Hansen
Hastings (WA)
Hefley
Herger
Hilliard
Hobson
Hostettler
Houghton
Hulshof
Jackson-Lee (TX)
John
Johnson, Sam
Jones (NC)
King (NY)
Kingston
Kolbe
Lampson
Largent
Lewis (CA)
Lewis (KY)
Lucas (OK)
Manzullo
McCrery
McInnis
Mica
Miller (FL)
Miller, Gary
Otter
Paul
Pickering
Pombo
Radanovich
Riley
Rogers (KY)
Rohrabacher
Ryun (KS)
Sandlin
Schaffer
Sessions
Shadegg
Shimkus
Shows
Simpson
Smith (WA)
Stenholm
Stump
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Toomey
Turner
Vitter
Watkins (OK)
Watts (OK)
Wicker

NOT VOTING—4

Hutchinson
Lipinski
Spence
Stark

So the amendment was agreed to.

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. NETHERCUTT, Acting Chairman, pursuant to House Resolution 216, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 10, after the table of contents, insert the following and make the necessary conforming changes in the table of contents:

SEC. 2. ENERGY POLICY.

It shall be the sense of the Congress that the United States should take all actions necessary in the areas of conservation, efficiency, alternative source, technology development, and domestic production to reduce the United States dependence on foreign energy sources from 56 percent to 45 percent by January 1, 2012, and to reduce United States dependence on Iraqi energy sources from 700,000 barrels per day to 250,000 barrels per day by January 1, 2012.

Page 36, line 15, insert ''or encourage'' after ''discourage''.

Page 36, lines 16 and 17, strike ''; and'' and insert ''when compared to structures of the same physical description and occupancy in compatible geographic locations;''.

Page 36, lines 18 through 23, strike paragraph (2) and insert the following:

(2) the extent to which education could increase the conservation of low-income households who opt to receive supplemental income instead of Low-Income Home Energy Assistance funds;

(3) the benefit in energy efficiency and energy savings that can be achieved through the annual maintenance of heating and cooling appliances in the homes of those receiving Low-Income Home Energy Assistance funds; and

(4) the loss of energy conservation that results from structural inadequacies in a structure that is unhealthy, not energy efficient, and environmentally unsound and that receives Low-Income Home Energy Assistance funds for weatherization.

Page 81, after line 12, insert the following new section, and make the necessary change to the table of contents:

SEC. 309. STUDY TO DETERMINE FEASIBILITY OF DEVELOPING COMMERCIAL NUCLEAR ENERGY PRODUCTION FACILITIES AT EXISTING DEPARTMENT OF ENERGY SITES.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study to determine the feasibility of developing commercial nuclear energy production facilities at Department of Energy sites in existence on the date of enactment of this Act, including—

(1) options for how and where nuclear power plants can be developed on existing Department of Energy sites;

(2) estimates on cost savings to the Federal Government that may be realized by locating new nuclear power plants on Federal sites;

(3) the feasibility of incorporating new technology into nuclear power plants located on Federal sites;

(4) potential improvements in the licensing and safety oversight procedures of the effects of nuclear waste management policies and projects as a result of locating nuclear power plants located on Federal sites; and

(6) any other factors that the Secretary believes would be relevant in making the determination.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study under subsection (a).

In section 603 of title V of division A, on page 88, line 11, strike ''; and'' and insert a semicolon.

Page 88, line 17, strike the period and insert ''; and''.

Page 88, after line 17, insert the following new paragraph:

(8) the feasibility of providing incentives to promote cleaner burning fuel.

Page 92, after line 14, insert the following new sections, and make the necessary changes to the table of contents:

SEC. 603. STUDY OF ETHANOL FROM SOLID WASTE LOAN GUARANTEE PROGRAM.

The Secretary of Energy shall conduct a study of the feasibility of providing guarantees for loans by private banking and investment institutions for facilities for the processing and conversion of municipal solid waste and sewage sludge into fuel ethanol and other commercial byproducts, and not later than 90 days after the date of the enactment of this Act shall transmit to the Congress a report on the results of the study.

SEC. 604. STUDY OF RENEWABLE FUEL CONTENT.

(a) STUDY.—The Administrator of the Environmental Protection Agency and the Secretary of Energy shall jointly conduct a study of the feasibility of developing a requirement that motor vehicle fuel sold or introduced into commerce in the United States in calendar year 2002 or any calendar year thereafter by a refiner, blender, or importer shall, on a 6-month average basis, be comprised of a quantity of renewable fuel, measured in gasoline-equivalent gallons. As part of this study, the Administrator and Secretary shall evaluate the use of a banking and trading credit system and the feasibility and desirability of requiring an increasing percentage of renewable fuel to be phased in over a 15-year period.

(b) REPORT TO CONGRESS.—Not later than 6 months after the date of the enactment of this Act, the Administrator and the Secretary shall transmit to the Congress a report on the results of the study conducted under this section.

Page 93, strike lines 3 through 12 and insert:

SEC. 802. HISTORIC PIPELINES.

Section 7 of the Natural Gas Act (15 U.S.C. 717(f)) is amended by adding at the end the following new subsection:

''(i) Notwithstanding the National Historic Preservation Act, a transportation facility shall not be eligible for inclusion on the National Register of Historic Places unless—

''(1) the Commission has permitted the abandonment of the transportation facility pursuant to subsection (b) of this section, or

''(2) the owner of the facility has given written consent to such eligibility.

Any transportation facility deemed eligible for inclusion on the National Register of Historic Places prior to the date of enactment of this subsection shall no longer be eligible unless the owner of the facility gives warrant consent to such eligibility.''.

Page 190, line 23, strike ''subsection'' and insert ''section''.

Page 220, lines 1 through 4, amend paragraph (1) to read as follows:

(1) $19,400,000 for fiscal year 2002, $14,800,000 for fiscal year 2003, and $8,900,000 for fiscal year 2004 for completion of construction of Project 98–G–304, Neutrinos at the Main Injector, Fermi National Accelerator Laboratory;

In section 6102(b)(1), strike ''42 U.S.C.'' and insert ''43 U.S.C.''.

Page 437, after line 6, (in section 5006 of Division E after subsection (c)) insert:

(d) FINANCIAL ASSISTANCE.—The Secretary shall provide financial assistance to projects that meet the requirements of subsections (a), (b), and (c) and are likely to—

(1) achieve overall cost reductions in the utilization of coal to generate useful forms of energy;

(2) improve the competitiveness of coal among various forms of energy in order to maintain a diversity of fuel choices in the United States to meet electricity generation requirements; and

(3) demonstrate methods and equipment that are applicable to 25 percent of the electricity generating facilities that use coal as the primary feedstock as of the date of enactment of this Act.

Page 437, line 7, (in section 5006 of Division E) strike ''(d)'' and insert ''(e)''.

Page 437, line 10, (in section 5006 of Division E) strike ''(e)'' and insert ''(f)''

Page 438, after line 17, (after section 5007 of Division E) insert the following new section and make the necessary change to the table of contents:

SEC. 5008. CLEAN COAL CENTERS OF EXCELLENCE.

As part of the program authorized in section 5003, the Secretary shall award competitive, merit-based grants to universities for the establishment of Centers of Excellence for Energy Systems of the Future. The Secretary shall provide grants to universities that can slow the greatest potential for advancing new clean coal technologies.

Page 3, in the table of contents for Division A, redesignate title VII relating to miscellaneous provisions as title VIII.

Page 93, line 13, (at the end of division A) strike ''VII'' relating to miscellaneous provisions and insert ''VIII''.

In Division A and in the table of contents for Division A, renumber sections 601 through 604 as 501 through 504 respectively, renumber sections 701 and 702 as 601 and 602 respectively, renumber sections 801 and 802 as 701 and 702 respectively, and renumber sections 901 through 903 as 801 through 803 respectively.

Page 433, line 13, strike ''(c)'' and insert ''(b)''.

Page 444, after line 22, insert the following new section:

SEC. 6106. EFFICIENT INFRASTRUCTURE DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Energy and the Chairman of the Federal Energy Regulatory Commission shall jointly undertake a study of the location and extent of anticipated demand growth for natural gas consumption in the Western States, herein defined as the area covered by the Western System Coordinating Council.

(b) CONTENTS.—The study under subsection (a) shall include the following:

(1) A review of natural gas demand forecasts by Western State officials, such as the California Energy Commission and the California Public Utilities Commission, which indicate the forecasted levels of demand.

(2) A review of the locations of proposed new natural gas-fired electric generation facilities currently in the approval process in the Western States, and their forecasted impact on natural gas demand.

(3) A review of the locations of existing interstate natural gas transmission pipelines, and interstate natural gas pipelines currently in the planning stage or approval process, throughout the Western States.

(4) A review of the locations and capacity of intrastate natural gas pipelines in the Western States.

(5) Recommendations for the coordination of the development of the natural gas infrastructure indicated in paragraphs (1) through (4).

(c) REPORT.—The Secretary shall report the findings and recommendations resulting from the study required by this section to the Committee on Energy and Commerce of the House of Representatives and to the Committee of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate no later than 6 months after the date of the enactment of this Act. The Chairman of the Federal Energy Regulatory Commission shall report on how the Commission will factor these results into its review of applications of interstate pipelines within the Western States to the Committee on Energy and Commerce of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate no later than 6 months after the date of the enactment of this Act.

In section 6223, amend subsection (b) to read as follows:

(b) PREPARATION OF LEASING PLAN OR ANALYSIS.—In preparing a management plan or leasing analysis for oil or natural gas leasing on Federal lands administered by the Bureau of Land Management or the Forest Service, the Secretary concerned shall—

(1) identify and review the restrictions on surface use and operations imposed under the laws (including regulations) of the State in which the lands are located;

(2) consult with the appropriate State agency regarding the reasons for the State restrictions identified under paragraph (1);

(3) identify any differences between the State restrictions identified under paragraph (1) and any restrictions on surface use and operations that would apply under the lease; and

(4) prepare and provide upon request a written explanation of such differences.

At the end of section 6223 add the following:

(e) PRESERVATION OF FEDERAL AUTHORITY.—Nothing in this section or in any identification, review, or explanation prepared under this section shall be construed—

(1) to limit the authority of the Federal Government to impose lease stipulations, restrictions, requirements, or other terms that are different than those that apply under State law; or

(2) to affect the procedures that apply to judicial review of actions taken under this subsection.

In section 6225, in the quoted material—

(1) in paragraph (2)(A), insert ''and consultation with the Regional Forester having administrative jurisdiction over the National Forest System lands concerned'' after ''under paragraph (1)''; and

(2) add at the end the following:

''(3) The Secretary of Agriculture shall include in the record of decision for a determination under paragraph (2)(A)—

''(A) any written statement regarding the determination that is prepared by a Regional Forester consulted by the Secretary under paragraph (2)(A) regarding the determination; or

''(B) an explanation why such a statement by the Regional Forester is not included.

In Section 6303(2), in the quoted material—

(1) in paragraph (2)(A), insert ''and consultation with any Regional Forester having administrative jurisdiction over the lands concerned'' after ''under paragraph (1)''; and

(2) add at the end the following:

''(3) The Secretary of Agriculture shall include in the record of decision for a determination under paragraph (2)(A)—

''(A) any written statement regarding the determination that is prepared by a Regional Forester consulted by the Secretary under paragraph (2)(A) regarding the determination; or

''(B) an explanation why such a statement by the Regional Forester is not included.

In section 6234—

(1) insert ''(a) IN GENERAL.—'' before the first sentence;

(2) redesignate subsections (c) and (d) as subsections (b) and (c); and

(3) in the quoted material, strike the material preceding subsection (b) and insert the following:

''REIMBURSEMENT FOR COSTS OF CERTAIN ANALYSES, DOCUMENTATION, AND STUDIES

''SEC. 38. (a) IN GENERAL.—The Secretary of the Interior may, through royalty credits, reimburse a person who is a lessee, operator, operating rights owner, or applicant for an oil or gas lease under this Act for amounts paid by the person for preparation by the Secretary (or a contractor or other person selected by the Secretary) of any project-level; analysis, documentation, or related study required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the lease.

In section 6308(a), in the quoted material, strike the material preceding subsection (b) and insert the following:

''REIMBURSEMENT FOR COSTS OF CERTAIN ANALYSES, DOCUMENTATION, AND STUDIES

''SEC. 38. (a) IN GENERAL.—The Secretary of the Interior may, through royalty credits, reimburse a person who is a lessee, operator, operating rights owner, or applicant for a lease under this Act for amounts paid by the person for preparation by the Secretary (or a contractor or other person selected by the Secretary) of any project-level analysis, documentation, or related study required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the lease.

Page 510, after line 8, insert the following new division, and make the necessary changes to the table of contents:

DIVISION G

SEC. 7101. BUY AMERICAN.

No funds authorized under this Act shall be available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

After section 141, insert the following new section and make the necessary conforming changes in the table of contents:

SEC. 141A. ENERGY SUN RENEWABLE AND ALTERNATIVE ENERGY PROGRAM.

(a) AMENDMENT.—The Energy Policy and Conservation Act (42 U.S.C. 6201 and following) is amended by inserting the following after section 324A:

''SEC. 324B. ENERGY SUN RENEWABLE AND ALTERNATIVE ENERGY PROGRAM.

''(a) PROGRAM.—There is established at the Environmental Protection Agency and the Department of Energy a government-industry partnership program to identify and promote the purchase of renewable and alternative energy products, to recognize companies that purchase renewable and alternative energy products for the environmental and energy security benefits of such purchases, and to educate consumers about the environmental and energy security benefits of renewable and alternative energy. Responsibilities under the program shall be divided between the Environmental Protection Agency and the Department of Energy consistent with the terms of agreements between the two agencies. The Administrator of the Environmental Protection Agency and the Secretary of Energy—

''(1) establish an Energy Sun label for renewable and alternative energy products and technologies that the Administrator or the Secretary (consistent with the terms of agreements between the two agencies regarding responsibility for specific product categories) determine to have substantial environmental and energy security benefits and commercial marketability.

''(2) establish an Energy Sun Company program to recognize private companies that draw a substantial portion of their energy from renewable and alternative sources that provide substantial environmental and energy security benefits, as determined by the Administrator or the Secretary.

''(3) promote Energy Sun compliant products and technologies as the preferred products and technologies in the marketplace for reducing pollution and achieving energy security; and

''(4) work to enhance public awareness and preserve the integrity of the Energy Sun label.

For the purposes of carrying out this section, there is authorized to be appropriated $10,000,000 for each of fiscal years 2002 through 2006.

''(b) STUDY OF CERTAIN PRODUCTS, TECHNOLOGIES, AND BUILDINGS.—Within 18 months after the enactment of this section, the Administrator and the Secretary, consistent with the terms of agreements between the two agencies, shall conduct a study to determine whether the Energy Sun label should be authorized for products, technologies, and buildings in the following categories:

''(1) Passive solar, solar thermal, concentrating solar energy, solar water heating, and related solar products and building technologies.

''(2) Solar photovoltaics and other solar electric power generation technologies.

''(3) Wind.

''(4) Geothermal.

''(5) Biomass.

''(6) Distributed energy (including, but not limited to, microturbines, combined heat and power, fuel cells, and stirling heat engines).

''(7) Green power or other renewables and alternative based electric power products (including green tag credit programs) sold to retail consumers of electricity.

''(8) Homes.

''(9) School buildings.

''(10) Retail buildings.

''(11) Health care facilities.

''(12) Hotels and other commercial lodging facilities.

''(13) Restaurants and other food service facilities.

''(14) Rest area facilities along interstate highways.

''(15) Sports stadia, arenas, and concert facilities.

''(16) Any other product, technology or building category, the accelerated recognition of which the Administrator or the Secretary determines to be necessary or appropriate for the achievement of the purposes of this section.

Nothing in this subsection shall be construed to limit the discretion of the Administrator or the Secretary under subsection (a)(1) to include in the Energy Sun program additional products, technologies, and buildings not listed in this subsection. Participation by private-sector entities in programs or studies authorized by this section shall be (A) voluntary, and (B) by permission of the Administrator or Secretary, on terms and conditions the Administrator or the Secretary (consistent with agreements between the agencies) deems necessary or appropriate to carry out the purposes and requirements of this section.

''(c) DEFINITION.—For the purposes of this section, the term 'renewable and alternative energy' shall have the same meaning as the term 'unconventional and renewable energy resources' in Section 551 of the National Energy Conservation Policy Act (42 U.S.C. 8259)''.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Energy Policy and Conservation Act is amended by inserting after the item relating to section 324A the following new item:

''Sec. 324B. Energy Sun renewable and alternative energy program.''.

Page 81, after line 12 (after section 308 of title III of division A) insert the following new section and make the necessary conforming changes in the table of contents:

SEC. 309. PROHIBITION OF COMMERCIAL SALES OF URANIUM BY THE UNITED STATES UNTIL 2009.

Section 3112 of the USEC Privatization Act (42 U.S.C. 2297h–10) is amended by adding at the end the following new subsection:

''(g) PROHIBITION ON SALES.—With the exception of sales pursuant to subsection (b)(2) (42 U.S.C.2297h–10(b)(2)), notwithstanding any other provision of law, the United States Government shall not sell or transfer any uranium (including natural uranium concentrates, natural uranium hexafluoride, enriched uranium, depleted uranium, or uranium in any other form) through March 23, 2009 (except sales or transfers for use by the Tennessee Valley Authority in relation to the Department of Energy's HEU or Tritium programs, or the Department or Energy research reactor sales program, or any depleted uranium hexafluoride to be transferred to a designated Department of Energy contractor in conjunction with the planned construction of the Depleted Uranium Hexafluoride conversion plants in Portsmouth, Ohio, and Paducah, Kentucky, to any natural uranium transferred to the U.S. Enrichment Corporation from the Department of Energy to replace contaminated uranium received from the Department of Energy when the U.S. Enrichment Corporation was privatized in July, 1998, or for emergency purposes in the event of a disruption in supply to end users in the United States). The aggregate of sales or transfers of uranium by the United States Government after March 23, 2009, shall not exceed 3,000,000 pounds U_3O_8 per calendar year.''.

Page 168, line 20, insert ''Of the funds authorized under this subsection, at least $5,000,000 for each fiscal year shall be for training and education targeted to minority and social disadvantaged farmers and ranchers.'' after ''National Science Foundation.''.

On page 190, after line 25, insert:

(c) GASIFICATION.—The Secretary shall fund at least one gasification project with the funds authorized under this section.

Page 191, after line 17, insert the following new section, and make the necessary change to the table of contents:

SEC. 2423. NATURAL GAS AND OIL DEPOSITS REPORT.

Two years after the date of the enactment of this Act, and at two-year intervals there-

after, the Secretary of the Interior, in consultation with other appropriate Federal agencies, shall transmit a report to the Congress assessing the contents of natural gas and oil deposits at existing drilling sites off the coast of Louisiana and Texas.

Page 500, beginning at line 16, amend section 6512 to read as follows:

SEC. 6512. REVENUE ALLOCATION.

(a) FEDERAL AND STATE DISTRIBUTION.—

(1) IN GENERAL.—Notwithstanding section 6504 of this Act, the Mineral Leasing Act (30 U.S.C. 181 et. seq.), or any other law, of the amount of adjusted bonus, rental, and royalty revenues from oil and gas leasing and operations authorized under this title—

(A) 50 percent shall be paid to the State of Alaska; and

(B) the balance shall be deposited into the Renewable Energy Technology Investment Fund and the Royalties Conservation Fund as provided in this section.

(2) ADJUSTMENTS.—Adjustments to bonus, rental, and royalty amounts from oil and gas leasing and operations authorized under this title shall be made as necessary for overpayments and refunds from lease revenues received in current or subsequent periods before distribution of such revenues pursuant to this section.

(3) TIMING OF PAYMENTS TO STATE.—Payments to the State of Alaska under this section shall be made semiannually.

(b) RENEWABLE ENERGY TECHNOLOGY INVESTMENT FUND.—

(1) ESTABLISHMENT AND AVAILABILITY.—There is hereby established in the Treasury of the United States a separate account which shall be known as the ''Renewable Energy Technology Investment Fund''.

(2) DEPOSITS.—Fifty percent of adjusted revenues from bonus payments for leases issued under this title shall be deposited into the Renewable Energy Technology Investment Fund.

(3) USE, GENERALLY.—Subject to paragraph (4), funds deposited into the Renewable Energy Technology Investment Fund shall be used by the Secretary of Energy to finance research grants, contracts, and cooperative agreements and expenses of direct research by Federal agencies, including the costs of administering and reporting on such a program of research, to improve and demonstrate technology and develop basic science information for development and use of renewable and alternative fuels including wind energy, solar energy, geothermal energy, and energy from biomass. Such research may include studies on deployment of such technology including research on how to lower the costs of introduction of such technology and of barriers to entry into the market of such technology.

(4) USE FOR ADJUSTMENTS AND REFUNDS.—If for any circumstances, adjustments or refunds of bonus amounts deposited pursuant to this title become warranted, 50 percent of the amount necessary for the sum of such adjustments and refunds may be paid by the Secretary from the Renewable Energy Technology Investment Fund.

(5) CONSULTATION AND COORDINATION.—Any specific use of the Renewable Energy Technology Investment Fund shall be determined only after the Secretary of Energy consults and coordinates with the heads of other appropriate Federal agencies.

(6) REPORTS.—Not later than 1 year after the date of the enactment of this Act and on an annual basis thereafter, the Secretary of Energy shall transmit to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the use of funds under this subsection and the impact of and efforts to integrate such uses with other energy research efforts.

(c) ROYALTIES CONSERVATION FUND.—

(1) ESTABLISHMENT AND AVAILABILITY.—There is hereby established in the Treasury of the United States a separate account which shall be known as the ''Royalties Conservation Fund''.

(2) DEPOSITS.—Fifty percent of revenues from rents and royalty payments for leases issued under this title shall be deposited into the Royalties Conservation Fund.

(3) USE, GENERALLY.—Subject to paragraph (4), funds deposited into the Royalties Conservation Fund—

(A) may be used by the Secretary of the Interior and the Secretary of Agriculture to finance grants, contracts, cooperative agreements, and expenses for direct activities of the Department of the Interior and the Forest Service to restore and otherwise conserve lands and habitat and to eliminate maintenance and improvements backlogs on Federal lands, including the costs of administering and reporting on such a program; and

(B) may be used by the Secretary of the Interior to finance grants, contracts, cooperative agreements, and expenses—

(i) to preserve historic Federal properties;

(ii) to assist States and Indian Tribes in preserving their historic properties;

(iii) to foster the development of urban parks; and

(iv) to conduct research to improve the effectiveness and lower the costs of habitat restoration.

(4) USE FOR ADJUSTMENTS AND REFUNDS.—If for any circumstances, refunds or adjustments of royalty and rental amounts deposited pursuant to this title become warranted, 50 percent of the amount necessary for the sum of such adjustments and refunds may be paid from the Royalties Conservation Fund.

(d) AVAILABILITY.—Moneys covered into the accounts established by this section—

(1) shall be available for expenditure only to the extent appropriated therefor;

(2) may be appropriated without fiscal-year limitation; and

(3) may be obligated or expended only as provided in this section.

In section 6507(a), strike ''and'' after the semicolon at the end of paragraph (1), strike the period at the end of paragraph (2) and insert ''; and'', and add at the end the following:

(3) ensure that the maximum amount of surface acreage covered by production and support facilities, including airstrips and any areas covered by gravel berms or piers for support of pipelines, does not exceed 2,000 acres on the Coastal Plain.

Page 502, after line 13, insert the following:

SEC. 6602. AMENDMENT TO BUY INDIAN ACT.

Section 23 of the Act of June 25, 1910 (25 U.S.C. 47; commonly known as the ''Buy Indian Act'') is amended by inserting ''energy products, and energy by-products,'' after ''printing,''.

In division F, at the end of subtitle C of title II add the following:

SEC. . ENCOURAGEMENT OF STATE AND PROVINCIAL PROHIBITIONS ON OFF-SHORE DRILLING IN THE GREAT LAKES.

(a) FINDINGS.—The Congress finds the following:

(1) The water resources of the Great Lakes Basin are precious public natural resources, shared and held in trust by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin, and the Canadian Province of Ontario.

(2) The environmental dangers associated with off-shore drilling in the Great Lakes for oil and gas outweigh the potential benefits of such drilling.

(3) In accordance with the Submerged Lands Act (43 U.S.C. 1301 et seq.), each State that borders any of the Great Lakes has authority over the area between that State's coastline and the boundary of Canada or another State.

(4) The States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin each have a statutory prohibition of off-shore drilling in the Great Lakes for oil and gas.

(5) The States of Indiana, Minnesota, and Ohio do not have such a prohibition.

(6) The Canadian Province of Ontario does not have such a prohibition, and drilling for and production of gas occurs in the Canadian portion of Lake Erie.

(b) ENCOURAGEMENT OF STATE AND PROVINCIAL PROHIBITIONS.—The Congress encourages—

(1) the States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin to continue to prohibit off-shore drilling in the Great Lakes for oil and gas;

(2) the States of Indiana, Minnesota, and Ohio and the Canadian Province of Ontario to enact a prohibition of such drilling; and

(3) the Canadian Province of Ontario to require the cessation of any such drilling and any production resulting from such drilling.

Page 191, after line 17, insert the following new section, and make the necessary change to the table of contents:

SEC. 2423. OIL SHALE RESEARCH.

There are authorized to be appropriated to the Secretary of Energy for fiscal year 2002 $10,000,000, to be divided equally between grants for research on Eastern oil shale and grants for research on Western oil shale.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mrs. THURMAN moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with the following amendment:

Insert after section 3001 the following new section:

SEC. 3002. TAX REDUCTIONS CONTINGENT ON SUFFICIENT NON-SOCIAL SECURITY, NON-MEDICARE SURPLUSES.

(a) IN GENERAL.—No provision of this division or any amendment made thereby shall apply to taxable years beginning in any calendar year if the Director of the Office of Management and Budget projects (as provided in subsection (b)) that there will be a deficit for the Federal fiscal year ending in such calendar year outside the social security and medicare trust funds.

(b) PROJECTIONS.—During December of each calendar year, the Director of the Office of Management and Budget shall make a projection of whether there will be a deficit outside the social security and medicare trust funds for the fiscal year ending in the following calendar year. Such projection shall be made—

(1) by excluding the receipts and disbursements of the social security and medicare trust funds, and

(2) by assuming that the provisions of this division are in effect without regard to this section.

(c) TRUST FUNDS.—For purposes of this section—

(1) the term ''social security trust funds'' means the Federal Old-Age and Survivors Insurance Trust Fund, and the Federal Disability Insurance Trust Fund, under title II of the Social Security Act, and

(2) the term ''medicare trust fund'' means the Federal Hospital Insurance Trust Fund created by section 1817 of the Social Security Act.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the nays had it.

Mrs. THURMAN demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

THURSDAY, AUGUST 2 (LEGISLATIVE DAY OF AUGUST 1, 2001

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 206 / Nays 223

¶85.34 [Roll No. 319]

YEAS—206

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

NAYS—223

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

NOT VOTING—5

Hutchinson
Lipinski
Ney
Spence
Stark

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. FRANK demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 240 / Nays 189

¶85.35 [Roll No. 320]

YEAS—240

Aderholt
Akin
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bono
Boucher
Brady (PA)
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pence
Peterson (PA)
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—189

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Blagojevich

Blumenauer
Boehlert
Bonior
Borski
Boswell
Boyd
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clement
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilman
Gonzalez
Gordon
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—5

Hutchinson
Lewis (CA)
Lipinski
Spence
Stark

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶85.36 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House the following communication, which was read as follows:

WASHINGTON, DC,
July 31, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Capitol, Washington, DC.

DEAR MR. SPEAKER: This is official notification that I hereby resign my seat on the Committee on Standards of Official Conduct.

Sincerely,

MARTIN OLAV SABO,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶85.37 COMMITTEE ELECTION—MINORITY

Mr. FROST, by unanimous consent, submitted the following resolution (H. Res. 218):

Resolved, That the following named be, and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Standards of Official Conduct: Mr. Green of Texas.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶85.38 RECESS—12:30 A.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 30 minutes a.m., subject to the call of the Chair.

¶85.39 AFTER RECESS—8:55 A.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶85.40 PROVIDING FOR THE CONSIDERATION OF H.R. 2563

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 107–184) the resolution (H. Res. 219) providing for the consideration of the bill (H.R. 2563) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

When said resolution and report were referred to the House Calendar and ordered printed.

¶85.41 PROVIDING FOR PRO FORMA SESSIONS

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 107–185) the resolution (H. Res. 220) providing for pro forma sessions during the summer district work period.

When said resolution and report were referred to the House Calendar and ordered printed.

¶85.42 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 45. Concurrent resolution expressing the sense of the Congress that the Humane Methods of Slaughter Act of 1958 should be fully enforced so as to prevent needless suffering of animals; to the Committee on Agriculture.

¶85.43 BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on August 1, 2001 he presented to the President of the United States, for his approval, the following bill.

H.R. 1954. To extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006, and for other purposes.

And then,

¶85.44 ADJOURNMENT

On motion of Mr. GOSS, at 8 o'clock and 56 minutes a.m., Thursday, August 2 (legislative day of August 1), 2001, the House adjourned.

¶85.45 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAUZIN: Committee on Energy and Commerce. Supplemental report on H.R. 2587. A bill to enhance energy conservation, provide for security and diversity in the energy supply for the American people, and for other purposes (Rept. No. 107–162 Pt. 2).

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 2501. A bill to reauthorize the Appalachian Regional Development Act of 1965 (Rept. No. 107–180). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. House Concurrent Resolution 25. Resolution expressing the sense of the Congress regarding tuberous sclerosis; with an amendment (Rept. No. 107–181). Referred to the House Calendar.

Mr. TAUZIN: Committee on Energy and Commerce. House Concurrent Resolution 36. Resolution urging increased Federal funding for juvenile (Type 1) diabetes research; with amendments (Rept. No. 107–182). Referred to the House Calendar.

Mr. TAUZIN: Committee on Energy and Commerce. House Concurrent Resolution 61. Resolution expressing support for a National Reflex Sympathetic Dystrophy (RSD) Awareness Month (Rept. No. 107–183). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 219. Resolution for consideration of the bill (H.R. 2563) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage (Rept. 107-184). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 220. Resolution providing for pro forma sessions during the summer district work period (Rept. 107-185). Referred to the House Calendar.

¶85.46 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. WAXMAN (for himself, Mr. ENGEL, Ms. SCHAKOWSKY, Mr. HORN, Mr. FOLEY, Mr. HASTINGS of Florida, and Ms. SLAUGHTER):

H.R. 2693. A bill to provide for the establishment of the Holocaust Insurance Registry by the Archivist of the United States and to require certain disclosures by insurers to the Secretary of Commerce; to the Committee on Financial Services, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HORN:

H.R. 2694. A bill to redesignate the Environmental Protection Agency as the Department of Environmental Protection, and for other purposes; to the Committee on Government Reform.

By Mr. HOUGHTON:

H.R. 2695. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of incentive stock options and employee stock

purchase plans; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 2696. A bill to amend title 49, United States Code, to direct the Secretary of Transportation to require automobile manufacturers to provide automatic door locks and interior-opening trunk locks on new passenger cars manufactured after 2003; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 2697. A bill to authorize grants to States to fund arrangements between local police departments and public accommodations to have the accommodations serve as emergency domestic violence shelters; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 2698. A bill to amend title II of the Social Security Act to provide monthly benefits for certain uninsured children living without parents; to the Committee on Ways and Means.

By Mr. DELAHUNT (for himself, Mr. HOUGHTON, and Mr. LANTOS):

H.R. 2699. A bill to provide for the protection of the due process rights of United States citizens (including United States servicemembers) before foreign tribunals, including the International Criminal Court, for the prosecution of war criminals, and for other purposes; to the Committee on International Relations.

By Mr. ENGEL (for himself, Mr. RUSH, and Mr. HONDA):

H.R. 2700. A bill to amend the Communications Act of 1934 to direct the Federal Communications Commission to establish an office on victims of media bias; to the Committee on Energy and Commerce.

By Ms. HARMAN (for herself, Ms. PELOSI, Mr. BALDACCI, Mr. BONIOR, Mr. BORSKI, Mr. BOUCHER, Mr. CAPUANO, Mr. DEFAZIO, Mr. FARR of California, Ms. ESHOO, Mr. FRANK, Mr. FROST, Mr. GREEN of Texas, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. LEE, Mr. MATSUI, Mr. MCGOVERN, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. PAYNE, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mr. SANDLIN, Mr. SHERMAN, Ms. SLAUGHTER, Mr. STARK, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 2701. A bill to amend title XIX of the Social Security Act to allow children enrolled in the State children's health insurance program to be eligible for benefits under the pediatric vaccine distribution program; to the Committee on Energy and Commerce.

By Mr. HOYER (for himself, Mr. GREENWOOD, Mrs. TAUSCHER, Mrs. JOHNSON of Connecticut, Mr. BOUCHER, Mr. KIND, Mrs. MORELLA, Mr. BALDACCI, Mr. HINCHEY, Mr. WYNN, Mr. SMITH of Washington, Ms. SANCHEZ, Ms. MCCARTHY of Missouri, Mr. MALONEY of Connecticut, Mr. KOLBE, Mr. BENTSEN, Mr. MENENDEZ, and Mr. MOORE):

H.R. 2702. A bill to prohibit certain abortions; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISAKSON:

H.R. 2703. A bill to suspend temporarily the duty on certain steam turbines and generators for power generation; to the Committee on Ways and Means.

By Ms. JACKSON-LEE of Texas:

H.R. 2704. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to allow States and localities to provide primary and preventive care to all individuals; to the Committee on Energy and Commerce.

By Ms. JACKSON-LEE of Texas:

H.R. 2705. A bill to modify the requirements applicable to the admission into the United States of H–1C nonimmigrant registered nurses, and for other purposes; to the Committee on the Judiciary.

By Mr. OSE:

H.R. 2706. A bill to improve the provision of telehealth services under the Medicare Program, to provide grants for the development of telehealth networks, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE:

H.R. 2707. A bill to restrict benefits of any nature and to take other action regarding Turkey until Turkey uses its influence with the Turkish Cypriot leadership to achieve a settlement on Cyprus based on UN Security Council resolutions; to the Committee on International Relations.

By Mr. PLATTS (for himself, Mrs. MORELLA, Mr. ENGLISH, and Mr. PAYNE):

H.R. 2708. A bill to repeal the sunset on the increased assistance pursuant to the dependent care tax credit provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 and to make the credit refundable; to the Committee on Ways and Means.

By Mr. RAMSTAD (for himself and Mr. CARDIN):

H.R. 2709. A bill to amend title XVIII of the Social Security Act to improve access to MedicareChoice plans for special needs Medicare beneficiaries by allowing plans to target enrollment to special needs beneficiaries and by eliminating the beneficiary lock-in and other administrative barriers to serving this population; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS (for himself and Mr. TOM DAVIS of Virginia):

H.R. 2710. A bill to authorize public-private partnerships to rehabilitate Federal real property, and for other purposes; to the Committee on Government Reform.

By Mr. SHOWS (for himself, Mr. FROST, Mrs. JONES of Ohio, Mr. MCGOVERN, Mr. NORWOOD, and Mr. PAUL):

H.R. 2711. A bill to amend title 38, United States Code, to provide that retired members of the Armed Forces shall be eligible for priority health care from the Department of Veterans Affairs on the same basis as former prisoners of war; to the Committee on Veterans' Affairs.

By Mr. TANCREDO (for himself, Mr. STUMP, and Mr. NORWOOD):

H.R. 2712. A bill to effect a moratorium on immigration; to the Committee on the Judiciary.

By Ms. WATERS:

H.R. 2713. A bill to amend the Immigration and Nationality Act to permit the Attorney General to create a record of lawful admission for permanent residence for certain aliens who entered the United States at least 15 years prior to the application date; to the Committee on the Judiciary.

By Mr. FROST:

H. Res. 218. Resolution designating minority membership on certain standing committees on the House; considered and agreed to.

¶85.47 ADDITIONAL SPONSORS

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

H.R. 25: Mr. NADLER.

H.R. 68: Mr. OXLEY, Mr. HALL of Texas, and Mr. MCKEON.

H.R. 91: Mr. ENGEL.

H.R. 97: Mr. BISHOP and Mr. PETERSON of Minnesota.

H.R. 123: Mrs. BIGGERT, Mr. COBLE, and Mr. PETERSON of Pennsylvania.

H.R. 218: Mr. FILNER and Mr. GREENWOOD.

H.R. 250: Mr. HASTINGS of Florida and Mr. DICKS.

H.R. 285: Mr. MARKEY.

H.R. 437: Mr. BRADY of Texas and Mr. MCCRERY.

H.R. 476: Mr. SOUDER.

H.R. 488: Ms. MCCOLLUM, Mr. SAXTON, Mr. MCDERMOTT, and Mr. RAMSTAD.

H.R. 595: Ms. ROS-LEHTINEN.

H.R. 600: Mr. TIERNEY.

H.R. 638: Mr. TIERNEY.

H.R. 716: Ms. MCCARTHY of Missouri.

H.R. 747: Mr. FROST.

H.R. 751: Mr. DAVIS of Illinois and Mr. DOOLITTLE.

H.R. 760: Mr. ROTHMAN.

H.R. 822: Mr. CAMP.

H.R. 854: Mr. ROGERS of Kentucky, Mr. ISAKSON, and Mr. LEWIS of Georgia.

H.R. 902: Mr. GARY G. MILLER of California.

H.R. 938: Ms. LOFGREN and Ms. JACKSON-LEE of Texas.

H.R. 975: Mr. BALLENGER.

H.R. 981: Mr. WALDEN of Oregon.

H.R. 1091: Mr. HASTINGS of Florida.

H.R. 1097: Mr. MATSUI.

H.R. 1125: Mr. ACKERMAN, Mr. NADLER, Mr. BLAGOJEVICH, Mr. SERRANO, Mr. FROST, Mr. MCDERMOTT, Mr. JEFFERSON, Mrs. THURMAN, Mrs. JONES of Ohio, and Mr. WATT of North Carolina.

H.R. 1134: Mr. BARRETT and Mr. GORDON.

H.R. 1146: Mr. TANCREDO.

H.R. 1171: Mr. GILLMOR.

H.R. 1187: Mrs. MORELLA.

H.R. 1192: Ms. HOOLEY of Oregon.

H.R. 1212: Mr. HUTCHINSON and Mr. CALLAHAN.

H.R. 1269: Mr. UDALL of Colorado, Mr. ORTIZ, Mr. LEACH, Mr. REYES, Ms. HOOLEY of Oregon, Mr. BAIRD, Mr. BONIOR, Mrs. MINK of Hawaii, and Ms. ROYBAL-ALLARD.

H.R. 1296: Mr. COBLE and Mr. LAHOOD.

H.R. 1297: Mr. KIRK.

H.R. 1341: Mr. NORWOOD, Mrs. THURMAN, Mr. SANDLIN, Mr. ENGLISH, Mr. BACHUS, Mr. PICKERING, and Mr. CHAMBLISS.

H.R. 1342: Mr. SIMMONS, Mr. KINGSTON, Mr. PENCE, Mr. BRADY of Texas, Mr. CULBERSON, and Mr. SUNUNU.

H.R. 1353: Mr. DEAL of Georgia, Mr. PUTNAM, Mr. BEREUTER, Mr. MCINTYRE, Mr. ENGLISH, and Mr. CARSON of Oklahoma.

H.R. 1354: Mr. MEEHAN, Mr. ETHERIDGE, Mr. GORDON, and Ms. ROYBAL-ALLARD.

H.R. 1368: Mr. PAUL.

H.R. 1388: Mr. LEACH.

H.R. 1401: Ms. MCKINNEY.

H.R. 1405: Mr. MCGOVERN.

H.R. 1412: Mr. LAHOOD, Mr. RADANOVICH, and Mr. DREIER.

H.R. 1438: Mr. PETRI, Mr. GARY G. MILLER of California, Mr. BOSWELL, and Mr. EHLERS.

H.R. 1490: Mr. TURNER.

H.R. 1556: Mr. SAWYER, Mr. PITTS, and Ms. CARSON of Indiana.

H.R. 1609: Mr. DIAZ-BALART, Mr. PITTS, Ms. SLAUGHTER, and Mrs. KELLY.

H.R. 1682: Mr. RUSH.

H.R. 1683: Mr. NADLER.

H.R. 1693: Mr. FILNER.

H.R. 1700: Mr. HOLDEN.

H.R. 1723: Mr. KENNEDY of Rhode Island, Mr. SHERMAN, Mr. REYES, Mr. FILNER, Mr.

BEREUTER, Ms. WOOLSEY, Mr. CAPUANO, Mr. HORN, Mr. STARK, and Mr. MEEHAN.

H.R. 1745: Mr. GILLMOR and Mr. SOUDER.

H.R. 1764: Mr. BECERRA, Ms. KAPTUR, Mrs. DAVIS of California, Mr. LUTHER, and Mr. SHIMKUS.

H.R. 1773: Mr. LAHOOD.

H.R. 1784: Mr. LAHOOD, Mr. NETHERCUTT, and Mr. GREENWOOD.

H.R. 1809: Mr. NADLER.

H.R. 1838: Mr. JEFFERSON.

H.R. 1841: Mr. OBERSTAR, Mr. DELAHUNT, Mrs. CAPPS, Mr. MCDERMOTT, Mr. HORN, Mr. MENENDEZ, Mr. WATT of North Carolina, Mr. BALDACCI, Mr. LEWIS of Kentucky, and Mr. BORSKI.

H.R. 1882: Mr. GEORGE MILLER of California and Mr. SOUDER.

H.R. 1927: Mr. MEEKS of New York and Mr. PAYNE.

H.R. 1930: Mr. BENTSEN.

H.R. 1948: Ms. ESHOO.

H.R. 1968: Ms. SCHAKOWSKY.

H.R. 1979: Mr. SHAW.

H.R. 1986: Mr. DEUTSCH and Mr. BAKER.

H.R. 1987: Mrs. KELLY, Mr. GONZALEZ, Mr. DOOLITTLE, and Ms. CARSON of Indiana.

H.R. 1990: Mr. PASCRELL.

H.R. 2001: Mr. SHADEGG.

H.R. 2023: Mr. OXLEY, Mr. BLUNT, Mr. ROYCE, Mr. TOOMEY, Mr. SWEENEY, Mr. PAUL, and Mr. WELLER.

H.R. 2058: Mrs. MORELLA and Mr. PASCRELL.

H.R. 2074: Mr. TIERNEY and Mr. KUCINICH.

H.R. 2107: Mr. NETHERCUTT, Mr. LAMPSON, and Mr. GUTKNECHT.

H.R. 2123: Ms. HART.

H.R. 2125: Mr. WEXLER and Mr. CAPUANO.

H.R. 2149: Mr. CULBERSON.

H.R. 2152: Mr. HASTINGS of Florida and Ms. HOOLEY of Oregon.

H.R. 2165: Mr. LUCAS of Kentucky.

H.R. 2173: Mrs. NAPOLITANO and Mr. GORDON.

H.R. 2180: Mr. AKIN.

H.R. 2220: Ms. RIVERS.

H.R. 2308: Mr. LAHOOD.

H.R. 2316: Ms. PRYCE of Ohio, Mr. SWEENEY, Ms. GRANGER, and Mr. ENGLISH.

H.R. 2357: Mrs. MYRICK, Mr. SCARBOROUGH, Mr. BACHUS, Mr. ADERHOLT, Mr. SOUDER, Mr. SHOWS, Mr. NORWOOD, Mr. SMITH of New Jersey, Mr. SCHROCK, and Mr. PITTS.

H.R. 2368: Mr. BURTON of Indiana, Mr. SOUDER, and Ms. MCKINNEY.

H.R. 2410: Mr. SOUDER.

H.R. 2466: Mr. CANTOR.

H.R. 2498: Mr. RUSH.

H.R. 2560: Mr. LAHOOD.

H.R. 2563: Mr. BACA, Mr. PRICE of North Carolina, Mr. ALLEN, Ms. BALDWIN, Ms. RIVERS, and Ms. LEE.

H.R. 2592: Mr. SCHAKOWSKY.

H.R. 2613: Mr. MCDERMOTT, Mrs. NAPOLITANO, Mr. EVANS, Mr. MCHUGH, Mr. JONES of North Carolina, Mr. RODRIGUEZ, and Mr. GOODE.

H.R. 2670: Mr. WEINER and Mr. PASCRELL.

H.R. 2671: Mr. SANDERS, Mr. WEINER, Mr. FOLEY, and Mr. MCGOVERN.

H.R. 2675: Mr. GOODLATTE and Mr. PASCRELL.

H.R. 2692: Ms. BROWN of Florida.

H.J. Res. 6: Mr. CROWLEY.

H. Con. Res. 17: Mr. LARSON of Connecticut, Ms. NORTON, and Mr. JACKSON of Illinois.

H. Con. Res. 36: Ms. VELAZQUEZ.

H. Con. Res. 102: Mr. LAFALCE, Mr. LATHAM, Mrs. KELLY, Mr. SANDERS, Mr. GANSKE, and Ms. KAPTUR.

H. Con. Res. 131: Mr. HILLIARD and Mr. WOLF.

H. Con. Res. 180: Ms. SCHAKOWSKY, Mr. PASCRELL, Ms. MCCARTHY of Missouri, Ms. KILPATRICK, and Ms. LOWEY.

H. Con. Res. 188: Mr. LEACH, Ms. RIVERS, and Mr. SCHIFF.

H. Con. Res. 203: Mr. GUTIERREZ, Mr. HOEFFEL, Mr. HOEKSTRA, Mr. WELDON of Pennsylvania, Mr. FALEOMAVAEGA, Mr. MCNULTY, Mr. CAPUANO, Mr. BARTLETT of Maryland, Mr. LEVIN, Mr. DAVIS of Illinois, Mr. HINCHEY, Mr. KUCINICH, Mr. TIBERI, Mr. BEREUTER, Mr. HOLT, Mr. PAYNE, Mr. KNOLLENBERG, Mr. CHABOT, Mr. HAYWORTH, Mr. PITTS, Mr. CULBERSON, Mr. UDALL of Colorado, Mr. SESSIONS, Mr. HULSHOF, Mr. HORN, and Mr. KILDEE.

H. Con. Res. 206: Mr. BEREUTER.

H. Res. 185: Mr. SHERMAN.

H. Res. 200: Mr. SMITH of New Jersey, Mr. SKELTON, Mr. HOYER, Mr. HILLIARD, Mr. ROHRABACHER, Mr. BALLENGER, Mr. CHABOT, Ms. ROS-LEHTINEN, Mr. DELAHUNT, and Mr. PAYNE.

H. Res. 202: Mr. CLEMENT and Mr. WATT of North Carolina.

¶85.48 PETITIONS, ETC.

Under clause 3 of rule XII,

32. The SPEAKER presented a petition of a Citizen of Laredo, Texas, relative to a Petition for Review of the Decision for Segregation of Rights Upon a Woman by the Supreme Court of the United States—In Case No. 99–2014 of October 2, 2000—First Impression Case; which was referred to the Committee on the Judiciary.

THURSDAY, AUGUST 2, 2001 (86)

¶86.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. FOSSELLA, who laid before the House the following communication:

WASHINGTON, DC,
August 2, 2001.

I hereby appoint the Honorable VITO FOSSELLA to act as Speaker pro tempore on this day.

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

¶86.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. FOSSELLA, announced he had examined and approved the Journal of the proceedings of Wednesday, August 1, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. FOSSELLA, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶86.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3301. A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting the Department's final rule—Export Sales Reporting Requirements (RIN: 0551–AA51) received July 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3302. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Onions Grown in South Texas; Decreased Assessment Rate [Docket No. FV01–959–1 FIR] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3303. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Nectarines and Peaches Grown in California; Revision of Handling Requirements for Fresh Nectarines and Peaches [Docket No. FV01–916–1 FIR] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3304. A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting the Department's final rule—Program to Assist U.S. Producers in Developing Domestic Markets for Value-Added Wheat Gluten and Wheat Starch Products (RIN: 0551–AA60) received July 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3305. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 2000–01 Crop Natural (Sun-Dried) Seedless and Zante Currant Raisins [Docket No. FV01–989–3 IFR] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3306. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Reporting on Organic Raisins [Docket No. FV01–989–2 FR] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3307. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Almonds Grown in California; Revision of Requirements Regarding Quality Control Program [Docket No. FV01–981–1 FR] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3308. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Kiwifruit Grown in California; Removal of Certain Inspection and Pack Requirements [Docket No. FV01–920–1 FR] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3309. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Suspension of Provisions Under the Federal Marketing Order for Tart Cherries [Docket No. FV01–930–5 IFR] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3310. A letter from the Acting Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Nectarines and Peaches Grown in California; Revision of Reporting

Requirements for Fresh Nectarines and Peaches [Docket No. FV01–916–3 IFR] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3311. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Argiculture, transmitting the Department's final rule—Karnal Bunt; Compensation for the 1999–2000 and Subsequent Crop Seasons [Docket No. 96–016–37] (RIN: 0579–AA83) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3312. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting the Secretary of the Air Force's determination to temporarily waive the provisions of 10 U.S.C. Subsection 2466(a); to the Committee on Armed Services.

3313. A letter from the Alternate, Office of the Secretary of Defense, Department of Defense, transmitting the Department's ''Major'' final rule—TRICARE; Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Eligibility and Payment Procedures for CHAMPUS Beneficiaries Age 65 and Over—received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3314. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting a letter responding to the Commission's memorandum concerning the review by the General Accounting Office (''GAO'') of regulations that were not submitted to GAO pursuant to the Congressional Review Act; to the Committee on Energy and Commerce.

3315. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Wyoming: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7025–1] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3316. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—New Mexico: Final Authorization of State Hazardous Waste Management Program Revisions [FRL–7026–1] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3317. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins [AD-FRL–7025–2] (RIN: 2060–AH47) received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3318. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities; New York [Region II Docket No. NY50–224a, FRL–7024–7] received August 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3319. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Japan for defense articles and services (Transmittal No. 01–22), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3320. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3321. A letter from the Chairman, Federal Trade Commission, transmitting the semi-annual report on the activities of the Office of Inspector General for the period ending March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

3322. A letter from the Assistant Administration, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Improved Methods for Ballast Water Treatment and Management and Lake Champlain Canal Barrier Demonstration: Request for Proposals for FY 2001 [Docket No. 000404094–1144–02] (RIN: 0648–ZA84) received July 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3323. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 072001B] received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3324. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Adjustment for the Commercial Fishery from the U.S.—Canada Border to Cape Falcon, OR [Docket No. 000501119–0119–01; I.D. 061201A] received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3325. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Closure of the Commercial Fishery from Horse Mountain to Point Arena, CA [Docket No. 000501119–0119–01; I.D. 061201B] received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3326. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Deep-Sea Red Crab Fishery [Docket No. 010413094–1178–02; I.D. 060701A] (RIN: 0648–AP10) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3327. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Guidance under section 355(e); Recognition of Gain on Certain Distributions of Stocks or Securities In Connection with an Acquisition [TD 8960] (RIN: 1545–BA01) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3328. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Notice 2001–49] received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3329. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Interest-free adjustments with respect to underpayments of employment taxes [TD 8959] (RIN: 1545–AY21) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3330. A letter from the General Counsel, Department of Defense, transmitting the Department's proposed legislation relating to the operations and management of the Department; jointly to the Committees on Education and the Workforce and Armed Services.

3331. A letter from the Secretary, Department of Transportation, transmitting a draft of proposed legislation entitled, ''To authorize appropriations for fiscal years 2001 and 2002 for the United States Coast Guard, and for other purposes''; jointly to the Committees on Transportation and Infrastructure, Energy and Commerce, and the Judiciary.

3332. A letter from the Vice President of the United States, transmitting notification of certain actions undertaken by an agent of the Congress, Comptroller General David M. Walker, which exceed his lawful authority and which, if given effect, would unconstitutionally interfere with the functioning of the Executive Branch received August 2, 2001; to the Committee on Government Reform.

¶86.4 MESSAGE FROM THE SENATE

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

S. 494. An Act to provide for a transition to democracy and to promote economic recovery in Zimbabwe.

The message also announced that pursuant to Public Law 106–286, the Chair, on behalf of the President of the Senate, and after consultation with the Democratic Leader, appoints the Senator from Indiana (Mr. BAYH) to serve on the Congressional-Executive Commission on the People's Republic of China, vice the Senator from Oregon (Mr. SMITH), and appoints the Senator from Montana (Mr. BAUCUS) as Chairman of the Commission.

¶86.5 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FOSSELLA, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, August 1, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 331
- Nays 76
- Answered present 1

¶86.6 [Roll No. 321]

YEAS—331

Abercrombie	Baker	Barton
Ackerman	Baldwin	Bass
Akin	Ballenger	Becerra
Armey	Barcia	Bentsen
Baca	Barr	Bereuter
Bachus	Bartlett	Berkley

Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cox
Coyne
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Etheridge
Evans
Everett
Farr
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stump
Sununu
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Upton
Vitter
Walden
Walsh
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn

NAYS—76

Aderholt
Allen
Baird
Baldacci
Barrett
Bonior
Borski
Brady (PA)
Brown (OH)
Capuano
Condit
Costello
Cramer
Crowley
DeFazio
Deutsch
Doggett
English
Filner
Fossella
Gephardt
Gillmor
Gutknecht
Hastings (FL)
Hefley
Hilliard
Hulshof
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (MN)
Kucinich
Larsen (WA)
Lee
LoBiondo
Matheson
McDermott
McGovern
McNulty
Menendez
Moore
Moran (KS)
Oberstar
Obey
Pallone
Peterson (MN)
Phelps
Platts
Ramstad
Rogers (MI)
Rothman
Sabo
Schaffer
Schakowsky
Scott
Slaughter
Stenholm
Strickland
Stupak
Sweeney
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Wamp
Waters
Weiner
Weller
Wexler
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—25

Andrews
Clay
Cooksey
Crane
Cummings
Dingell
Eshoo
Fattah
Gilchrest
Holden
Hutchinson
Johnson (CT)
Leach
Linder
Lipinski
Markey
Miller, George
Mollohan
Norwood
Olver
Ryun (KS)
Spence
Stark
Young (AK)
Young (FL)

So the Journal was approved.

¶86.7 MOTION TO ADJOURN

Mr. MCNULTY moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the nays had it.

Mr. MCNULTY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 55 / Nays 363

¶86.8 [Roll No. 322]

YEAS—55

Andrews
Baird
Berry
Bishop
Bonior
Borski
Capuano
Carson (OK)
Clay
Clement
Conyers
Coyne
Davis (IL)
DeFazio
DeLauro
Dicks
Dingell
Doggett
Farr
Fattah
Filner
Frank
Frost
Gephardt
Gonzalez
Hastings (FL)
Hinchey
Jackson (IL)
Jefferson
Jones (OH)
Kaptur
LaFalce
Langevin
Markey
McGovern
McNulty
Meek (FL)
Menendez
Miller, George
Mink
Oberstar
Obey
Olver
Owens
Sabo
Sandlin
Solis
Tauscher
Tierney
Towns
Velazquez
Waters
Watson (CA)
Waxman
Weiner

NAYS—363

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clayton
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLay
DeMint
Deutsch
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson

Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—15

Cummings
Gilchrest
Gordon
Hutchinson
Johnson (CT)
Larsen (WA)
Linder
Lipinski
Norwood
Nussle
Radanovich
Spence
Spratt
Stark
Young (AK)

So the motion to adjourn was not agreed to.

¶86.9 RECESS—11:17 A.M.

The SPEAKER pro tempore, Mr. FOSSELLA, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 17 minutes a.m., until approximately 12 noon.

¶86.10 AFTER RECESS—12 NOON

The SPEAKER pro tempore, Mr. FOSSELLA, called the House to order.

¶86.11 MOTION TO ADJOURN

Mr. McNULTY moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the nays had it.

Mr. McNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 56
Nays 355

¶86.12 [Roll No. 323]

YEAS—56

Baird
Berry
Bonior
Borski
Boyd
Capuano
Clay
Conyers
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Eshoo
Etheridge
Evans
Farr
Filner
Frank
Frost
Gephardt
Hastings (FL)
Hilliard
Hinchey
Jefferson
Johnson, E. B.
Kaptur
LaFalce
Langevin
Lantos
Lee
McCollum
McGovern
McNulty
Miller, George
Mink
Nadler
Oberstar
Obey
Olver
Pelosi
Price (NC)
Rodriguez
Ross
Sandlin
Schakowsky
Shows
Slaughter
Spratt
Stupak
Tierney
Velazquez
Waters
Watson (CA)
Waxman

NAYS—355

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bono
Boswell
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeMint
Deutsch
Diaz-Balart
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Engel
English
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sawyer
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (FL)

NOT VOTING—22

Berman
Boehner
Cox
DeLay
Dunn
Emerson
Gilchrest
Hill
Hunter
Hutchinson
Istook
Kleczka
Linder
Lipinski
Maloney (CT)
Norwood
Peterson (MN)
Sanders
Spence
Stark
Woolsey
Young (AK)

So the motion to adjourn was not agreed to.

¶86.13 PROVIDING FOR THE CONSIDERATION OF H.R. 2563

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 219):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2563) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided among and controlled by the chairmen and ranking minority members of the Committees on Energy and Commerce, Education and the Workforce, and Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

¶86.14 CALL OF THE HOUSE

On motion of Mr. GOSS, a call of the House was ordered.

The call was taken by electronic device, and the following-named Members responded—

¶86.15 [Roll No. 324]

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus

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

Thereupon, the SPEAKER pro tempore, Mr. FOSSELLA, announced that 418 Members had been recorded, a quorum.

Further proceedings under the call were dispensed with.

After further debate,

Mr. GOSS moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the yeas had it.

Ms. SLAUGHTER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 222 / Nays 205

¶86.16 [Roll No. 325]

AYES—222

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

NOES—205

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)

Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—6

Clay
Lipinski
McKinney
Millender-McDonald
Royce
Spence

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the yeas had it.

Ms. SLAUGHTER demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 222 / Nays 205

¶86.17 [Roll No. 326]

AYES—222

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

NOES—205

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

NOT VOTING—6

Boyd
Clay
Lipinski
Pascrell
Peterson (MN)
Spence

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶86.18 MOTION TO ADJOURN

Mr. MCNULTY moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the nays had it.

Mr. MCNULTY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 55 / Nays 356

¶86.19 [Roll No. 327]

AYES—55

Allen
Baird
Berry
Bonior
Borski
Brown (OH)
Capps
Capuano
Clay
Conyers
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Farr
Filner
Frank
Hastings (FL)
Hilliard
Hinchey
Jefferson
Kaptur
LaFalce
Langevin
Lantos
Lee
Lofgren
McGovern
McNulty
Miller, George
Mink
Nadler
Oberstar
Obey
Olver
Owens
Reyes
Ross
Sandlin
Schakowsky
Slaughter
Solis
Spratt
Strickland
Stupak
Taylor (MS)
Tierney
Towns
Udall (CO)
Velazquez
Waters
Watson (CA)
Waxman

NOES—356

Abercrombie
Ackerman
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bono
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Combest
Condit
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra

Holden
Holt
Honda
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stark
Stearns
Stenholm
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—22

Boehner
Boucher
Cannon
Collins
Cox
Dooley
Gephardt
Gutierrez
Harman
Horn
Hunter
Hutchinson
Lipinski
Maloney (CT)
Matheson
McDermott
Menendez
Peterson (MN)
Scarborough
Smith (WA)
Spence
Stump

So the motion to adjourn was not agreed to.

¶86.20 BIPARTISAN PATIENT PROTECTION PLAN

The SPEAKER pro tempore, Mr. FOSSELLA, pursuant to House Resolution 219 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2563) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

The SPEAKER pro tempore, Mr. FOSSELLA, by unanimous consent, designated Mr. LAHOOD as Chairman of the Committee of the Whole; and after some time spent therein,

¶86.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. THOMAS:

Insert before section 401 the following heading (and conform the table of contents accordingly):

Subtitle A—General Provisions

In section 301(a), insert ''subtitle A of'' before ''title IV''.

Add at the end of title IV the following new subtitle (and conform the table of contents accordingly):

Subtitle B—Association Health Plans

SEC. 421. RULES GOVERNING ASSOCIATION HEALTH PLANS.

(a) IN GENERAL.—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 is amended by adding after part 7 the following new part:

''PART 8—RULES GOVERNING ASSOCIATION HEALTH PLANS

''SEC. 801. ASSOCIATION HEALTH PLANS.

''(a) IN GENERAL.—For purposes of this part, the term 'association health plan' means a group health plan whose sponsor is (or is deemed under this part to be) described in subsection (b).

''(b) SPONSORSHIP.—The sponsor of a group health plan is described in this subsection if such sponsor—

''(1) is organized and maintained in good faith, with a constitution and bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis, as a bona fide trade association, a bona fide industry association (including a rural electric cooperative association or a rural telephone cooperative association), a bona fide professional association, or a bona fide chamber of commerce (or similar bona fide business association, including a corporation or similar organization that operates on a cooperative basis (within the meaning of section 1381 of the Internal Revenue Code of 1986)), for substantial purposes other than that of obtaining or providing medical care;

''(2) is established as a permanent entity which receives the active support of its members and requires for membership payment on a periodic basis of dues or payments necessary to maintain eligibility for membership in the sponsor; and

''(3) does not condition membership, such dues or payments, or coverage under the plan on the basis of health status-related factors with respect to the employees of its members (or affiliated members), or the dependents of such employees, and does not condition such dues or payments on the basis of group health plan participation.

Any sponsor consisting of an association of entities which meet the requirements of paragraphs (1), (2), and (3) shall be deemed to be a sponsor described in this subsection.

''SEC. 802. CERTIFICATION OF ASSOCIATION HEALTH PLANS.

''(a) IN GENERAL.—The applicable authority shall prescribe by regulation, through negotiated rulemaking, a procedure under which, subject to subsection (b), the applicable authority shall certify association health plans which apply for certification as meeting the requirements of this part.

''(b) STANDARDS.—Under the procedure prescribed pursuant to subsection (a), in the case of an association health plan that provides at least one benefit option which does not consist of health insurance coverage, the applicable authority shall certify such plan as meeting the requirements of this part only if the applicable authority is satisfied that the applicable requirements of this part are met (or, upon the date on which the plan is to commence operations, will be met) with respect to the plan.

''(c) REQUIREMENTS APPLICABLE TO CERTIFIED PLANS.—An association health plan with respect to which certification under this part is in effect shall meet the applicable requirements of this part, effective on the date of certification (or, if later, on the date on which the plan is to commence operations).

''(d) REQUIREMENTS FOR CONTINUED CERTIFICATION.—The applicable authority may provide by regulation, through negotiated rulemaking, for continued certification of association health plans under this part.

''(e) CLASS CERTIFICATION FOR FULLY INSURED PLANS.—The applicable authority shall establish a class certification procedure for association health plans under which all benefits consist of health insurance coverage. Under such procedure, the applicable authority shall provide for the granting of certification under this part to the plans in each class of such association health plans upon appropriate filing under such procedure in connection with plans in such class and payment of the prescribed fee under section 807(a).

''(f) CERTIFICATION OF SELF-INSURED ASSOCIATION HEALTH PLANS.—An association health plan which offers one or more benefit options which do not consist of health insurance coverage may be certified under this part only if such plan consists of any of the following:

''(1) a plan which offered such coverage on the date of the enactment of the Bipartisan Patient Protection Act,

''(2) a plan under which the sponsor does not restrict membership to one or more trades and businesses or industries and whose eligible participating employers represent a broad cross-section of trades and businesses or industries, or

''(3) a plan whose eligible participating employers represent one or more trades or businesses, or one or more industries, consisting of any of the following: agriculture; equipment and automobile dealerships; barbering and cosmetology; certified public accounting practices; child care; construction; dance, theatrical and orchestra productions; disinfecting and pest control; financial services; fishing; foodservice establishments; hospitals; labor organizations; logging; manufacturing (metals); mining; medical and dental practices; medical laboratories; professional consulting services; sanitary services; transportation (local and freight); warehousing; wholesaling/distributing; or any other trade or business or industry which has been indicated as having average or above-average risk or health claims experience by reason of State rate filings, denials of coverage, proposed premium rate levels, or other means demonstrated by such plan in accordance with regulations which the Secretary shall prescribe through negotiated rulemaking.

''SEC. 803. REQUIREMENTS RELATING TO SPONSORS AND BOARDS OF TRUSTEES.

''(a) SPONSOR.—The requirements of this subsection are met with respect to an association health plan if the sponsor has met (or is deemed under this part to have met) the requirements of section 801(b) for a contin-

uous period of not less than 3 years ending with the date of the application for certification under this part.

''(b) BOARD OF TRUSTEES.—The requirements of this subsection are met with respect to an association health plan if the following requirements are met:

''(1) FISCAL CONTROL.—The plan is operated, pursuant to a trust agreement, by a board of trustees which has complete fiscal control over the plan and which is responsible for all operations of the plan.

''(2) RULES OF OPERATION AND FINANCIAL CONTROLS.—The board of trustees has in effect rules of operation and financial controls, based on a 3-year plan of operation, adequate to carry out the terms of the plan and to meet all requirements of this title applicable to the plan.

''(3) RULES GOVERNING RELATIONSHIP TO PARTICIPATING EMPLOYERS AND TO CONTRACTORS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the members of the board of trustees are individuals selected from individuals who are the owners, officers, directors, or employees of the participating employers or who are partners in the participating employers and actively participate in the business.

''(B) LIMITATION.—

''(i) GENERAL RULE.—Except as provided in clauses (ii) and (iii), no such member is an owner, officer, director, or employee of, or partner in, a contract administrator or other service provider to the plan.

''(ii) LIMITED EXCEPTION FOR PROVIDERS OF SERVICES SOLELY ON BEHALF OF THE SPONSOR.—Officers or employees of a sponsor which is a service provider (other than a contract administrator) to the plan may be members of the board if they constitute not more than 25 percent of the membership of the board and they do not provide services to the plan other than on behalf of the sponsor.

''(iii) TREATMENT OF PROVIDERS OF MEDICAL CARE.—In the case of a sponsor which is an association whose membership consists primarily of providers of medical care, clause (i) shall not apply in the case of any service provider described in subparagraph (A) who is a provider of medical care under the plan.

''(C) CERTAIN PLANS EXCLUDED.—Subparagraph (A) shall not apply to an association health plan which is in existence on the date of the enactment of the Bipartisan Patient Protection Act.

''(D) SOLE AUTHORITY.—The board has sole authority under the plan to approve applications for participation in the plan and to contract with a service provider to administer the day-to-day affairs of the plan.

''(c) TREATMENT OF FRANCHISE NETWORKS.—In the case of a group health plan which is established and maintained by a franchiser for a franchise network consisting of its franchisees—

''(1) the requirements of subsection (a) and section 801(a)(1) shall be deemed met if such requirements would otherwise be met if the franchiser were deemed to be the sponsor referred to in section 801(b), such network were deemed to be an association described in section 801(b), and each franchisee were deemed to be a member (of the association and the sponsor) referred to in section 801(b); and

''(2) the requirements of section 804(a)(1) shall be deemed met.

The Secretary may by regulation, through negotiated rulemaking, define for purposes of this subsection the terms 'franchiser', 'franchise network', and 'franchisee'.

''(d) CERTAIN COLLECTIVELY BARGAINED PLANS.—

''(1) IN GENERAL.—In the case of a group health plan described in paragraph (2)—

''(A) the requirements of subsection (a) and section 801(a)(1) shall be deemed met;

''(B) the joint board of trustees shall be deemed a board of trustees with respect to which the requirements of subsection (b) are met; and

''(C) the requirements of section 804 shall be deemed met.

''(2) REQUIREMENTS.—A group health plan is described in this paragraph if—

''(A) the plan is a multiemployer plan; or

''(B) the plan is in existence on April 1, 2001, and would be described in section 3(40)(A)(i) but solely for the failure to meet the requirements of section 3(40)(C)(ii).

''(3) CONSTRUCTION.—A group health plan described in paragraph (2) shall only be treated as an association health plan under this part if the sponsor of the plan applies for, and obtains, certification of the plan as an association health plan under this part.

''SEC. 804. PARTICIPATION AND COVERAGE REQUIREMENTS.

''(a) COVERED EMPLOYERS AND INDIVIDUALS.—The requirements of this subsection are met with respect to an association health plan if, under the terms of the plan—

''(1) each participating employer must be—

''(A) a member of the sponsor,

''(B) the sponsor, or

''(C) an affiliated member of the sponsor with respect to which the requirements of subsection (b) are met,

except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer; and

''(2) all individuals commencing coverage under the plan after certification under this part must be—

''(A) active or retired owners (including self-employed individuals), officers, directors, or employees of, or partners in, participating employers; or

''(B) the beneficiaries of individuals described in subparagraph (A).

''(b) COVERAGE OF PREVIOUSLY UNINSURED EMPLOYEES.—In the case of an association health plan in existence on the date of the enactment of the Bipartisan Patient Protection Act, an affiliated member of the sponsor of the plan may be offered coverage under the plan as a participating employer only if—

''(1) the affiliated member was an affiliated member on the date of certification under this part; or

''(2) during the 12-month period preceding the date of the offering of such coverage, the affiliated member has not maintained or contributed to a group health plan with respect to any of its employees who would otherwise be eligible to participate in such association health plan.

''(c) INDIVIDUAL MARKET UNAFFECTED.—The requirements of this subsection are met with respect to an association health plan if, under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan which is similar to the coverage contemporaneously provided to employees of the employer under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would, but for such exclusion on such basis, be eligible for coverage under the plan.

''(d) PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.—The requirements of this subsection are met with respect to an association health plan if—

''(1) under the terms of the plan, all employers meeting the preceding requirements of this section are eligible to qualify as participating employers for all geographically available coverage options, unless, in the case of any such employer, participation or contribution requirements of the type referred to in section 2711 of the Public Health Service Act are not met;

''(2) upon request, any employer eligible to participate is furnished information regarding all coverage options available under the plan; and

''(3) the applicable requirements of sections 701, 702, and 703 are met with respect to the plan.

''SEC. 805. OTHER REQUIREMENTS RELATING TO PLAN DOCUMENTS, CONTRIBUTION RATES, AND BENEFIT OPTIONS.

''(a) IN GENERAL.—The requirements of this section are met with respect to an association health plan if the following requirements are met:

''(1) CONTENTS OF GOVERNING INSTRUMENTS.—The instruments governing the plan include a written instrument, meeting the requirements of an instrument required under section 402(a)(1), which—

''(A) provides that the board of trustees serves as the named fiduciary required for plans under section 402(a)(1) and serves in the capacity of a plan administrator (referred to in section 3(16)(A));

''(B) provides that the sponsor of the plan is to serve as plan sponsor (referred to in section 3(16)(B)); and

''(C) incorporates the requirements of section 806.

''(2) CONTRIBUTION RATES MUST BE NONDISCRIMINATORY.—

''(A) The contribution rates for any participating small employer do not vary on the basis of the claims experience of such employer and do not vary on the basis of the type of business or industry in which such employer is engaged.

''(B) Nothing in this title or any other provision of law shall be construed to preclude an association health plan, or a health insurance issuer offering health insurance coverage in connection with an association health plan, from—

''(i) setting contribution rates based on the claims experience of the plan; or

''(ii) varying contribution rates for small employers in a State to the extent that such rates could vary using the same methodology employed in such State for regulating premium rates in the small group market with respect to health insurance coverage offered in connection with bona fide associations (within the meaning of section 2791(d)(3) of the Public Health Service Act),

subject to the requirements of section 702(b) relating to contribution rates.

''(3) FLOOR FOR NUMBER OF COVERED INDIVIDUALS WITH RESPECT TO CERTAIN PLANS.—If any benefit option under the plan does not consist of health insurance coverage, the plan has as of the beginning of the plan year not fewer than 1,000 participants and beneficiaries.

''(4) MARKETING REQUIREMENTS.—

''(A) IN GENERAL.—If a benefit option which consists of health insurance coverage is offered under the plan, State-licensed insurance agents shall be used to distribute to small employers coverage which does not consist of health insurance coverage in a manner comparable to the manner in which such agents are used to distribute health insurance coverage.

''(B) STATE-LICENSED INSURANCE AGENTS.—For purposes of subparagraph (A), the term 'State-licensed insurance agents' means one or more agents who are licensed in a State and are subject to the laws of such State relating to licensure, qualification, testing, ex-

amination, and continuing education of persons authorized to offer, sell, or solicit health insurance coverage in such State.

''(5) REGULATORY REQUIREMENTS.—Such other requirements as the applicable authority determines are necessary to carry out the purposes of this part, which shall be prescribed by the applicable authority by regulation through negotiated rulemaking.

''(b) ABILITY OF ASSOCIATION HEALTH PLANS TO DESIGN BENEFIT OPTIONS.—Subject to section 514(e), nothing in this part or any provision of State law (as defined in section 514(c)(1)) shall be construed to preclude an association health plan, or a health insurance issuer offering health insurance coverage in connection with an association health plan, from exercising its sole discretion in selecting the specific items and services consisting of medical care to be included as benefits under such plan or coverage, except (subject to section 514) in the case of any law to the extent that it (1) prohibits an exclusion of a specific disease from such coverage, or (2) is not preempted under section 731(a)(1) with respect to matters governed by section 711 or 712.

''SEC. 806. MAINTENANCE OF RESERVES AND PROVISIONS FOR SOLVENCY FOR PLANS PROVIDING HEALTH BENEFITS IN ADDITION TO HEALTH INSURANCE COVERAGE.

''(a) IN GENERAL.—The requirements of this section are met with respect to an association health plan if—

''(1) the benefits under the plan consist solely of health insurance coverage; or

''(2) if the plan provides any additional benefit options which do not consist of health insurance coverage, the plan—

''(A) establishes and maintains reserves with respect to such additional benefit options, in amounts recommended by the qualified actuary, consisting of—

''(i) a reserve sufficient for unearned contributions;

''(ii) a reserve sufficient for benefit liabilities which have been incurred, which have not been satisfied, and for which risk of loss has not yet been transferred, and for expected administrative costs with respect to such benefit liabilities;

''(iii) a reserve sufficient for any other obligations of the plan; and

''(iv) a reserve sufficient for a margin of error and other fluctuations, taking into account the specific circumstances of the plan; and

''(B) establishes and maintains aggregate and specific excess/stop loss insurance and solvency indemnification, with respect to such additional benefit options for which risk of loss has not yet been transferred, as follows:

''(i) The plan shall secure aggregate excess/stop loss insurance for the plan with an attachment point which is not greater than 125 percent of expected gross annual claims. The applicable authority may by regulation, through negotiated rulemaking, provide for upward adjustments in the amount of such percentage in specified circumstances in which the plan specifically provides for and maintains reserves in excess of the amounts required under subparagraph (A).

''(ii) The plan shall secure specific excess/stop loss insurance for the plan with an attachment point which is at least equal to an amount recommended by the plan's qualified actuary. The applicable authority may by regulation, through negotiated rulemaking, provide for adjustments in the amount of such insurance in specified circumstances in which the plan specifically provides for and maintains reserves in excess of the amounts required under subparagraph (A).

''(iii) The plan shall secure indemnification insurance for any claims which the plan is unable to satisfy by reason of a plan termination.

Any regulations prescribed by the applicable authority pursuant to clause (i) or (ii) of subparagraph (B) may allow for such adjustments in the required levels of excess/stop loss insurance as the qualified actuary may recommend, taking into account the specific circumstances of the plan.

''(b) MINIMUM SURPLUS IN ADDITION TO CLAIMS RESERVES.—In the case of any association health plan described in subsection (a)(2), the requirements of this subsection are met if the plan establishes and maintains surplus in an amount at least equal to—

''(1) $500,000, or

''(2) such greater amount (but not greater than $2,000,000) as may be set forth in regulations prescribed by the applicable authority through negotiated rulemaking, based on the level of aggregate and specific excess/stop loss insurance provided with respect to such plan.

''(c) ADDITIONAL REQUIREMENTS.—In the case of any association health plan described in subsection (a)(2), the applicable authority may provide such additional requirements relating to reserves and excess/stop loss insurance as the applicable authority considers appropriate. Such requirements may be provided by regulation, through negotiated rulemaking, with respect to any such plan or any class of such plans.

''(d) ADJUSTMENTS FOR EXCESS/STOP LOSS INSURANCE.—The applicable authority may provide for adjustments to the levels of reserves otherwise required under subsections (a) and (b) with respect to any plan or class of plans to take into account excess/stop loss insurance provided with respect to such plan or plans.

''(e) ALTERNATIVE MEANS OF COMPLIANCE.—The applicable authority may permit an association health plan described in subsection (a)(2) to substitute, for all or part of the requirements of this section (except subsection (a)(2)(B)(iii)), such security, guarantee, hold-harmless arrangement, or other financial arrangement as the applicable authority determines to be adequate to enable the plan to fully meet all its financial obligations on a timely basis and is otherwise no less protective of the interests of participants and beneficiaries than the requirements for which it is substituted. The applicable authority may take into account, for purposes of this subsection, evidence provided by the plan or sponsor which demonstrates an assumption of liability with respect to the plan. Such evidence may be in the form of a contract of indemnification, lien, bonding, insurance, letter of credit, recourse under applicable terms of the plan in the form of assessments of participating employers, security, or other financial arrangement.

''(f) MEASURES TO ENSURE CONTINUED PAYMENT OF BENEFITS BY CERTAIN PLANS IN DISTRESS.—

''(1) PAYMENTS BY CERTAIN PLANS TO ASSOCIATION HEALTH PLAN FUND.—

''(A) IN GENERAL.—In the case of an association health plan described in subsection (a)(2), the requirements of this subsection are met if the plan makes payments into the Association Health Plan Fund under this subparagraph when they are due. Such payments shall consist of annual payments in the amount of $5,000, and, in addition to such annual payments, such supplemental payments as the Secretary may determine to be necessary under paragraph (2). Payments under this paragraph are payable to the Fund at the time determined by the Secretary. Initial payments are due in advance of certification under this part. Payments shall continue to accrue until a plan's assets are distributed pursuant to a termination procedure.

''(B) PENALTIES FOR FAILURE TO MAKE PAYMENTS.—If any payment is not made by a plan when it is due, a late payment charge of not more than 100 percent of the payment which was not timely paid shall be payable by the plan to the Fund.

''(C) CONTINUED DUTY OF THE SECRETARY.—The Secretary shall not cease to carry out the provisions of paragraph (2) on account of the failure of a plan to pay any payment when due.

''(2) PAYMENTS BY SECRETARY TO CONTINUE EXCESS/STOP LOSS INSURANCE COVERAGE AND INDEMNIFICATION INSURANCE COVERAGE FOR CERTAIN PLANS.—In any case in which the applicable authority determines that there is, or that there is reason to believe that there will be: (A) a failure to take necessary corrective actions under section 809(a) with respect to an association health plan described in subsection (a)(2); or (B) a termination of such a plan under section 809(b) or 810(b)(8) (and, if the applicable authority is not the Secretary, certifies such determination to the Secretary), the Secretary shall determine the amounts necessary to make payments to an insurer (designated by the Secretary) to maintain in force excess/stop loss insurance coverage or indemnification insurance coverage for such plan, if the Secretary determines that there is a reasonable expectation that, without such payments, claims would not be satisfied by reason of termination of such coverage. The Secretary shall, to the extent provided in advance in appropriation Acts, pay such amounts so determined to the insurer designated by the Secretary.

''(3) ASSOCIATION HEALTH PLAN FUND.—

''(A) IN GENERAL.—There is established on the books of the Treasury a fund to be known as the 'Association Health Plan Fund'. The Fund shall be available for making payments pursuant to paragraph (2). The Fund shall be credited with payments received pursuant to paragraph (1)(A), penalties received pursuant to paragraph (1)(B); and earnings on investments of amounts of the Fund under subparagraph (B).

''(B) INVESTMENT.—Whenever the Secretary determines that the moneys of the fund are in excess of current needs, the Secretary may request the investment of such amounts as the Secretary determines advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

''(g) EXCESS/STOP LOSS INSURANCE.—For purposes of this section—

''(1) AGGREGATE EXCESS/STOP LOSS INSURANCE.—The term 'aggregate excess/stop loss insurance' means, in connection with an association health plan, a contract—

''(A) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation through negotiated rulemaking) provides for payment to the plan with respect to aggregate claims under the plan in excess of an amount or amounts specified in such contract;

''(B) which is guaranteed renewable; and

''(C) which allows for payment of premiums by any third party on behalf of the insured plan.

''(2) SPECIFIC EXCESS/STOP LOSS INSURANCE.—The term 'specific excess/stop loss insurance' means, in connection with an association health plan, a contract—

''(A) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation through negotiated rulemaking) provides for payment to the plan with respect to claims under the plan in connection with a covered individual in excess of an amount or amounts specified in such contract in connection with such covered individual;

''(B) which is guaranteed renewable; and

''(C) which allows for payment of premiums by any third party on behalf of the insured plan.

''(h) INDEMNIFICATION INSURANCE.—For purposes of this section, the term 'indemnification insurance' means, in connection with an association health plan, a contract—

''(1) under which an insurer (meeting such minimum standards as the applicable authority may prescribe through negotiated rulemaking) provides for payment to the plan with respect to claims under the plan which the plan is unable to satisfy by reason of a termination pursuant to section 809(b) (relating to mandatory termination);

''(2) which is guaranteed renewable and noncancellable for any reason (except as the applicable authority may prescribe by regulation through negotiated rulemaking); and

''(3) which allows for payment of premiums by any third party on behalf of the insured plan.

''(i) RESERVES.—For purposes of this section, the term 'reserves' means, in connection with an association health plan, plan assets which meet the fiduciary standards under part 4 and such additional requirements regarding liquidity as the applicable authority may prescribe through negotiated rulemaking.

''(j) SOLVENCY STANDARDS WORKING GROUP.—

''(1) IN GENERAL.—Within 90 days after the date of the enactment of the Bipartisan Patient Protection Act, the applicable authority shall establish a Solvency Standards Working Group. In prescribing the initial regulations under this section, the applicable authority shall take into account the recommendations of such Working Group.

''(2) MEMBERSHIP.—The Working Group shall consist of not more than 15 members appointed by the applicable authority. The applicable authority shall include among persons invited to membership on the Working Group at least one of each of the following:

''(A) a representative of the National Association of Insurance Commissioners;

''(B) a representative of the American Academy of Actuaries;

''(C) a representative of the State governments, or their interests;

''(D) a representative of existing self-insured arrangements, or their interests;

''(E) a representative of associations of the type referred to in section 801(b)(1), or their interests; and

''(F) a representative of multiemployer plans that are group health plans, or their interests.

"SEC. 807. REQUIREMENTS FOR APPLICATION AND RELATED REQUIREMENTS.

''(a) FILING FEE.—Under the procedure prescribed pursuant to section 802(a), an association health plan shall pay to the applicable authority at the time of filing an application for certification under this part a filing fee in the amount of $5,000, which shall be available in the case of the Secretary, to the extent provided in appropriation Acts, for the sole purpose of administering the certification procedures applicable with respect to association health plans.

''(b) INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority through negotiated rulemaking, at least the following information:

''(1) IDENTIFYING INFORMATION.—The names and addresses of—

''(A) the sponsor; and

''(B) the members of the board of trustees of the plan.

''(2) STATES IN WHICH PLAN INTENDS TO DO BUSINESS.—The States in which participants and beneficiaries under the plan are to be located and the number of them expected to be located in each such State.

''(3) BONDING REQUIREMENTS.—Evidence provided by the board of trustees that the bonding requirements of section 412 will be met as of the date of the application or (if later) commencement of operations.

''(4) PLAN DOCUMENTS.—A copy of the documents governing the plan (including any bylaws and trust agreements), the summary plan description, and other material describing the benefits that will be provided to participants and beneficiaries under the plan.

''(5) AGREEMENTS WITH SERVICE PROVIDERS.—A copy of any agreements between the plan and contract administrators and other service providers.

''(6) FUNDING REPORT.—In the case of association health plans providing benefits options in addition to health insurance coverage, a report setting forth information with respect to such additional benefit options determined as of a date within the 120-day period ending with the date of the application, including the following:

''(A) RESERVES.—A statement, certified by the board of trustees of the plan, and a statement of actuarial opinion, signed by a qualified actuary, that all applicable requirements of section 806 are or will be met in accordance with regulations which the applicable authority shall prescribe through negotiated rulemaking.

''(B) ADEQUACY OF CONTRIBUTION RATES.—A statement of actuarial opinion, signed by a qualified actuary, which sets forth a description of the extent to which contribution rates are adequate to provide for the payment of all obligations and the maintenance of required reserves under the plan for the 12-month period beginning with such date within such 120-day period, taking into account the expected coverage and experience of the plan. If the contribution rates are not fully adequate, the statement of actuarial opinion shall indicate the extent to which the rates are inadequate and the changes needed to ensure adequacy.

''(C) CURRENT AND PROJECTED VALUE OF ASSETS AND LIABILITIES.—A statement of actuarial opinion signed by a qualified actuary, which sets forth the current value of the assets and liabilities accumulated under the plan and a projection of the assets, liabilities, income, and expenses of the plan for the 12-month period referred to in subparagraph (B). The income statement shall identify separately the plan's administrative expenses and claims.

''(D) COSTS OF COVERAGE TO BE CHARGED AND OTHER EXPENSES.—A statement of the costs of coverage to be charged, including an itemization of amounts for administration, reserves, and other expenses associated with the operation of the plan.

''(E) OTHER INFORMATION.—Any other information as may be determined by the applicable authority, by regulation through negotiated rulemaking, as necessary to carry out the purposes of this part.

''(c) FILING NOTICE OF CERTIFICATION WITH STATES.—A certification granted under this part to an association health plan shall not be effective unless written notice of such certification is filed with the applicable State authority of each State in which at least 25 percent of the participants and beneficiaries under the plan are located. For purposes of this subsection, an individual shall be considered to be located in the State in which a known address of such individual is located or in which such individual is employed.

''(d) NOTICE OF MATERIAL CHANGES.—In the case of any association health plan certified under this part, descriptions of material changes in any information which was required to be submitted with the application for the certification under this part shall be filed in such form and manner as shall be prescribed by the applicable authority by regulation through negotiated rulemaking. The applicable authority may require by regulation, through negotiated rulemaking, prior notice of material changes with respect to specified matters which might serve as the basis for suspension or revocation of the certification.

''(e) REPORTING REQUIREMENTS FOR CERTAIN ASSOCIATION HEALTH PLANS.—An association health plan certified under this part which provides benefit options in addition to health insurance coverage for such plan year shall meet the requirements of section 103 by filing an annual report under such section which shall include information described in subsection (b)(6) with respect to the plan year and, notwithstanding section 104(a)(1)(A), shall be filed with the applicable authority not later than 90 days after the close of the plan year (or on such later date as may be prescribed by the applicable authority). The applicable authority may require by regulation through negotiated rulemaking such interim reports as it considers appropriate.

''(f) ENGAGEMENT OF QUALIFIED ACTUARY.—The board of trustees of each association health plan which provides benefits options in addition to health insurance coverage and which is applying for certification under this part or is certified under this part shall engage, on behalf of all participants and beneficiaries, a qualified actuary who shall be responsible for the preparation of the materials comprising information necessary to be submitted by a qualified actuary under this part. The qualified actuary shall utilize such assumptions and techniques as are necessary to enable such actuary to form an opinion as to whether the contents of the matters reported under this part—

''(1) are in the aggregate reasonably related to the experience of the plan and to reasonable expectations; and

''(2) represent such actuary's best estimate of anticipated experience under the plan.

The opinion by the qualified actuary shall be made with respect to, and shall be made a part of, the annual report.

"SEC. 808. NOTICE REQUIREMENTS FOR VOLUNTARY TERMINATION.

''Except as provided in section 809(b), an association health plan which is or has been certified under this part may terminate (upon or at any time after cessation of accruals in benefit liabilities) only if the board of trustees—

''(1) not less than 60 days before the proposed termination date, provides to the participants and beneficiaries a written notice of intent to terminate stating that such termination is intended and the proposed termination date;

''(2) develops a plan for winding up the affairs of the plan in connection with such termination in a manner which will result in timely payment of all benefits for which the plan is obligated; and

''(3) submits such plan in writing to the applicable authority.

Actions required under this section shall be taken in such form and manner as may be prescribed by the applicable authority by regulation through negotiated rulemaking.

"SEC. 809. CORRECTIVE ACTIONS AND MANDATORY TERMINATION.

''(a) ACTIONS TO AVOID DEPLETION OF RESERVES.—An association health plan which is certified under this part and which provides benefits other than health insurance coverage shall continue to meet the requirements of section 806, irrespective of whether such certification continues in effect. The board of trustees of such plan shall determine quarterly whether the requirements of

section 806 are met. In any case in which the board determines that there is reason to believe that there is or will be a failure to meet such requirements, or the applicable authority makes such a determination and so notifies the board, the board shall immediately notify the qualified actuary engaged by the plan, and such actuary shall, not later than the end of the next following month, make such recommendations to the board for corrective action as the actuary determines necessary to ensure compliance with section 806. Not later than 30 days after receiving from the actuary recommendations for corrective actions, the board shall notify the applicable authority (in such form and manner as the applicable authority may prescribe by regulation through negotiated rulemaking) of such recommendations of the actuary for corrective action, together with a description of the actions (if any) that the board has taken or plans to take in response to such recommendations. The board shall thereafter report to the applicable authority, in such form and frequency as the applicable authority may specify to the board, regarding corrective action taken by the board until the requirements of section 806 are met.

''(b) MANDATORY TERMINATION.—In any case in which—

''(1) the applicable authority has been notified under subsection (a) of a failure of an association health plan which is or has been certified under this part and is described in section 806(a)(2) to meet the requirements of section 806 and has not been notified by the board of trustees of the plan that corrective action has restored compliance with such requirements; and

''(2) the applicable authority determines that there is a reasonable expectation that the plan will continue to fail to meet the requirements of section 806,

the board of trustees of the plan shall, at the direction of the applicable authority, terminate the plan and, in the course of the termination, take such actions as the applicable authority may require, including satisfying any claims referred to in section 806(a)(2)(B)(iii) and recovering for the plan any liability under subsection (a)(2)(B)(iii) or (e) of section 806, as necessary to ensure that the affairs of the plan will be, to the maximum extent possible, wound up in a manner which will result in timely provision of all benefits for which the plan is obligated.

"SEC. 810. TRUSTEESHIP BY THE SECRETARY OF INSOLVENT ASSOCIATION HEALTH PLANS PROVIDING HEALTH BENEFITS IN ADDITION TO HEALTH INSURANCE COVERAGE.

''(a) APPOINTMENT OF SECRETARY AS TRUSTEE FOR INSOLVENT PLANS.—Whenever the Secretary determines that an association health plan which is or has been certified under this part and which is described in section 806(a)(2) will be unable to provide benefits when due or is otherwise in a financially hazardous condition, as shall be defined by the Secretary by regulation through negotiated rulemaking, the Secretary shall, upon notice to the plan, apply to the appropriate United States district court for appointment of the Secretary as trustee to administer the plan for the duration of the insolvency. The plan may appear as a party and other interested persons may intervene in the proceedings at the discretion of the court. The court shall appoint such Secretary trustee if the court determines that the trusteeship is necessary to protect the interests of the participants and beneficiaries or providers of medical care or to avoid any unreasonable deterioration of the financial condition of the plan. The trusteeship of such Secretary shall continue until the conditions described in the first sentence of this subsection are remedied or the plan is terminated.

''(b) POWERS AS TRUSTEE.—The Secretary, upon appointment as trustee under subsection (a), shall have the power—

''(1) to do any act authorized by the plan, this title, or other applicable provisions of law to be done by the plan administrator or any trustee of the plan;

''(2) to require the transfer of all (or any part) of the assets and records of the plan to the Secretary as trustee;

''(3) to invest any assets of the plan which the Secretary holds in accordance with the provisions of the plan, regulations prescribed by the Secretary through negotiated rulemaking, and applicable provisions of law;

''(4) to require the sponsor, the plan administrator, any participating employer, and any employee organization representing plan participants to furnish any information with respect to the plan which the Secretary as trustee may reasonably need in order to administer the plan;

''(5) to collect for the plan any amounts due the plan and to recover reasonable expenses of the trusteeship;

''(6) to commence, prosecute, or defend on behalf of the plan any suit or proceeding involving the plan;

''(7) to issue, publish, or file such notices, statements, and reports as may be required by the Secretary by regulation through negotiated rulemaking or required by any order of the court;

''(8) to terminate the plan (or provide for its termination in accordance with section 809(b)) and liquidate the plan assets, to restore the plan to the responsibility of the sponsor, or to continue the trusteeship;

''(9) to provide for the enrollment of plan participants and beneficiaries under appropriate coverage options; and

''(10) to do such other acts as may be necessary to comply with this title or any order of the court and to protect the interests of plan participants and beneficiaries and providers of medical care.

''(c) NOTICE OF APPOINTMENT.—As soon as practicable after the Secretary's appointment as trustee, the Secretary shall give notice of such appointment to—

''(1) the sponsor and plan administrator;

''(2) each participant;

''(3) each participating employer; and

''(4) if applicable, each employee organization which, for purposes of collective bargaining, represents plan participants.

''(d) ADDITIONAL DUTIES.—Except to the extent inconsistent with the provisions of this title, or as may be otherwise ordered by the court, the Secretary, upon appointment as trustee under this section, shall be subject to the same duties as those of a trustee under section 704 of title 11, United States Code, and shall have the duties of a fiduciary for purposes of this title.

''(e) OTHER PROCEEDINGS.—An application by the Secretary under this subsection may be filed notwithstanding the pendency in the same or any other court of any bankruptcy, mortgage foreclosure, or equity receivership proceeding, or any proceeding to reorganize, conserve, or liquidate such plan or its property, or any proceeding to enforce a lien against property of the plan.

''(f) JURISDICTION OF COURT.—

''(1) IN GENERAL.—Upon the filing of an application for the appointment as trustee or the issuance of a decree under this section, the court to which the application is made shall have exclusive jurisdiction of the plan involved and its property wherever located with the powers, to the extent consistent with the purposes of this section, of a court of the United States having jurisdiction over cases under chapter 11 of title 11, United States Code. Pending an adjudication under this section such court shall stay, and upon appointment by it of the Secretary as trustee, such court shall continue the stay of, any pending mortgage foreclosure, equity receivership, or other proceeding to reorganize, conserve, or liquidate the plan, the sponsor, or property of such plan or sponsor, and any other suit against any receiver, conservator, or trustee of the plan, the sponsor, or property of the plan or sponsor. Pending such adjudication and upon the appointment by it of the Secretary as trustee, the court may stay any proceeding to enforce a lien against property of the plan or the sponsor or any other suit against the plan or the sponsor.

''(2) VENUE.—An action under this section may be brought in the judicial district where the sponsor or the plan administrator resides or does business or where any asset of the plan is situated. A district court in which such action is brought may issue process with respect to such action in any other judicial district.

''(g) PERSONNEL.—In accordance with regulations which shall be prescribed by the Secretary through negotiated rulemaking, the Secretary shall appoint, retain, and compensate accountants, actuaries, and other professional service personnel as may be necessary in connection with the Secretary's service as trustee under this section.

"SEC. 811. STATE ASSESSMENT AUTHORITY.

''(a) IN GENERAL.—Notwithstanding section 514, a State may impose by law a contribution tax on an association health plan described in section 806(a)(2), if the plan commenced operations in such State after the date of the enactment of the Bipartisan Patient Protection Act.

''(b) CONTRIBUTION TAX.—For purposes of this section, the term 'contribution tax' imposed by a State on an association health plan means any tax imposed by such State if—

''(1) such tax is computed by applying a rate to the amount of premiums or contributions, with respect to individuals covered under the plan who are residents of such State, which are received by the plan from participating employers located in such State or from such individuals;

''(2) the rate of such tax does not exceed the rate of any tax imposed by such State on premiums or contributions received by insurers or health maintenance organizations for health insurance coverage offered in such State in connection with a group health plan;

''(3) such tax is otherwise nondiscriminatory; and

''(4) the amount of any such tax assessed on the plan is reduced by the amount of any tax or assessment otherwise imposed by the State on premiums, contributions, or both received by insurers or health maintenance organizations for health insurance coverage, aggregate excess/stop loss insurance (as defined in section 806(g)(1)), specific excess/stop loss insurance (as defined in section 806(g)(2)), other insurance related to the provision of medical care under the plan, or any combination thereof provided by such insurers or health maintenance organizations in such State in connection with such plan.

"SEC. 812. DEFINITIONS AND RULES OF CONSTRUCTION.

''(a) DEFINITIONS.—For purposes of this part—

''(1) GROUP HEALTH PLAN.—The term 'group health plan' has the meaning provided in section 733(a)(1) (after applying subsection (b) of this section).

''(2) MEDICAL CARE.—The term 'medical care' has the meaning provided in section 733(a)(2).

''(3) HEALTH INSURANCE COVERAGE.—The term 'health insurance coverage' has the meaning provided in section 733(b)(1).

''(4) HEALTH INSURANCE ISSUER.—The term 'health insurance issuer' has the meaning provided in section 733(b)(2).

''(5) APPLICABLE AUTHORITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'applicable authority' means, in connection with an association health plan—

''(i) the State recognized pursuant to subsection (c) of section 506 as the State to which authority has been delegated in connection with such plan; or

''(ii) if there if no State referred to in clause (i), the Secretary.

''(B) EXCEPTIONS.—

''(i) JOINT AUTHORITIES.—Where such term appears in section 808(3), section 807(e) (in the first instance), section 809(a) (in the second instance), section 809(a) (in the fourth instance), and section 809(b)(1), such term means, in connection with an association health plan, the Secretary and the State referred to in subparagraph (A)(i) (if any) in connection with such plan.

''(ii) REGULATORY AUTHORITIES.—Where such term appears in section 802(a) (in the first instance), section 802(d), section 802(e), section 803(d), section 805(a)(5), section 806(a)(2), section 806(b), section 806(c), section 806(d), paragraphs (1)(A) and (2)(A) of section 806(g), section 806(h), section 806(i), section 806(j), section 807(a) (in the second instance), section 807(b), section 807(d), section 807(e) (in the second instance), section 808 (in the matter after paragraph (3)), and section 809(a) (in the third instance), such term means, in connection with an association health plan, the Secretary.

''(6) HEALTH STATUS-RELATED FACTOR.—The term 'health status-related factor' has the meaning provided in section 733(d)(2).

''(7) INDIVIDUAL MARKET.—

''(A) IN GENERAL.—The term 'individual market' means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

''(B) TREATMENT OF VERY SMALL GROUPS.—

''(i) IN GENERAL.—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

''(ii) STATE EXCEPTION.—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

''(8) PARTICIPATING EMPLOYER.—The term 'participating employer' means, in connection with an association health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.

''(9) APPLICABLE STATE AUTHORITY.—The term 'applicable State authority' means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer.

''(10) QUALIFIED ACTUARY.—The term 'qualified actuary' means an individual who is a member of the American Academy of Actuaries or meets such reasonable standards and qualifications as the Secretary may provide by regulation through negotiated rulemaking.

''(11) AFFILIATED MEMBER.—The term 'affiliated member' means, in connection with a sponsor—

''(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor,

''(B) in the case of a sponsor with members which consist of associations, a person who is a member of any such association and elects an affiliated status with the sponsor, or

''(C) in the case of an association health plan in existence on the date of the enactment of the Bipartisan Patient Protection Act, a person eligible to be a member of the sponsor or one of its member associations.

''(12) LARGE EMPLOYER.—The term 'large employer' means, in connection with a group health plan with respect to a plan year, an employer who employed an average of at least 51 employees on business days during the preceding calendar year and who employs at least 2 employees on the first day of the plan year.

''(13) SMALL EMPLOYER.—The term 'small employer' means, in connection with a group health plan with respect to a plan year, an employer who is not a large employer.

''(b) RULES OF CONSTRUCTION.—

''(1) EMPLOYERS AND EMPLOYEES.—For purposes of determining whether a plan, fund, or program is an employee welfare benefit plan which is an association health plan, and for purposes of applying this title in connection with such plan, fund, or program so determined to be such an employee welfare benefit plan—

''(A) in the case of a partnership, the term 'employer' (as defined in section 3(5)) includes the partnership in relation to the partners, and the term 'employee' (as defined in section 3(6)) includes any partner in relation to the partnership; and

''(B) in the case of a self-employed individual, the term 'employer' (as defined in section 3(5)) and the term 'employee' (as defined in section 3(6)) shall include such individual.

''(2) PLANS, FUNDS, AND PROGRAMS TREATED AS EMPLOYEE WELFARE BENEFIT PLANS.—In the case of any plan, fund, or program which was established or is maintained for the purpose of providing medical care (through the purchase of insurance or otherwise) for employees (or their dependents) covered thereunder and which demonstrates to the Secretary that all requirements for certification under this part would be met with respect to such plan, fund, or program if such plan, fund, or program were a group health plan, such plan, fund, or program shall be treated for purposes of this title as an employee welfare benefit plan on and after the date of such demonstration.''.

(b) CONFORMING AMENDMENTS TO PREEMPTION RULES.—

(1) Section 514(b)(6) of such Act (29 U.S.C. 1144(b)(6)) is amended by adding at the end the following new subparagraph:

''(E) The preceding subparagraphs of this paragraph do not apply with respect to any State law in the case of an association health plan which is certified under part 8.''.

(2) Section 514 of such Act (29 U.S.C. 1144), as amended by section 142, is amended—

(A) in subsection (b)(4), by striking ''Subsection (a)'' and inserting ''Subsections (a) and (e)'';

(B) in subsection (b)(5), by striking ''subsection (a)'' in subparagraph (A) and inserting ''subsection (a) of this section and subsections (a)(2)(B) and (b) of section 805'', and by striking ''subsection (a)'' in subparagraph (B) and inserting ''subsection (a) of this section or subsection (a)(2)(B) or (b) of section 805'';

(C) by redesignating subsection (e) as subsection (f); and

(D) by inserting after subsection (d) the following new subsection:

''(e)(1) Except as provided in subsection (b)(4), the provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude, or have the effect of precluding, a health insurance issuer from offering health insurance coverage in connection with an association health plan which is certified under part 8.

''(2) Except as provided in paragraphs (4) and (5) of subsection (b) of this section—

''(A) In any case in which health insurance coverage of any policy type is offered under an association health plan certified under part 8 to a participating employer operating in such State, the provisions of this title shall supersede any and all laws of such State insofar as they may preclude a health insurance issuer from offering health insurance coverage of the same policy type to other employers operating in the State which are eligible for coverage under such association health plan, whether or not such other employers are participating employers in such plan.

''(B) In any case in which health insurance coverage of any policy type is offered under an association health plan in a State and the filing, with the applicable State authority, of the policy form in connection with such policy type is approved by such State authority, the provisions of this title shall supersede any and all laws of any other State in which health insurance coverage of such type is offered, insofar as they may preclude, upon the filing in the same form and manner of such policy form with the applicable State authority in such other State, the approval of the filing in such other State.

''(3) For additional provisions relating to association health plans, see subsections (a)(2)(B) and (b) of section 805.

''(4) For purposes of this subsection, the term 'association health plan' has the meaning provided in section 801(a), and the terms 'health insurance coverage', 'participating employer', and 'health insurance issuer' have the meanings provided such terms in section 811, respectively.''.

(3) Section 514(b)(6)(A) of such Act (29 U.S.C. 1144(b)(6)(A)) is amended—

(A) in clause (i)(II), by striking ''and'' at the end;

(B) in clause (ii), by inserting ''and which does not provide medical care (within the meaning of section 733(a)(2)),'' after ''arrangement,'', and by striking ''title.'' and inserting ''title, and''; and

(C) by adding at the end the following new clause:

''(iii) subject to subparagraph (E), in the case of any other employee welfare benefit plan which is a multiple employer welfare arrangement and which provides medical care (within the meaning of section 733(a)(2)), any law of any State which regulates insurance may apply.''.

(4) Section 514(e) of such Act (as redesignated by paragraph (2)(C)) is amended—

(A) by striking ''Nothing'' and inserting ''(1) Except as provided in paragraph (2), nothing''; and

(B) by adding at the end the following new paragraph:

''(2) Nothing in any other provision of law enacted on or after the date of the enactment of the Bipartisan Patient Protection Act shall be construed to alter, amend, modify, invalidate, impair, or supersede any provision of this title, except by specific cross-reference to the affected section.''.

(c) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: ''Such term also includes a person serving as the sponsor of an association health plan under part 8.''.

(d) DISCLOSURE OF SOLVENCY PROTECTIONS RELATED TO SELF-INSURED AND FULLY INSURED OPTIONS UNDER ASSOCIATION HEALTH PLANS.—Section 102(b) of such Act (29 U.S.C. 102(b)) is amended by adding at the end the following: ''An association health plan shall include in its summary plan description, in connection with each benefit option, a description of the form of solvency or guarantee fund protection secured pursuant to this Act or applicable State law, if any.''.

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting ''or part 8'' after ''this part''.

(f) REPORT TO THE CONGRESS REGARDING CERTIFICATION OF SELF-INSURED ASSOCIATION HEALTH PLANS.—Not later than January 1, 2006, the Secretary of Labor shall report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate the effect association health plans have had, if any, on reducing the number of uninsured individuals.

(g) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by inserting after the item relating to section 734 the following new items:

''PART 8—RULES GOVERNING ASSOCIATION HEALTH PLANS

''Sec. 801. Association health plans.
''Sec. 802. Certification of association health plans.
''Sec. 803. Requirements relating to sponsors and boards of trustees.
''Sec. 804. Participation and coverage requirements.
''Sec. 805. Other requirements relating to plan documents, contribution rates, and benefit options.
''Sec. 806. Maintenance of reserves and provisions for solvency for plans providing health benefits in addition to health insurance coverage.
''Sec. 807. Requirements for application and related requirements.
''Sec. 808. Notice requirements for voluntary termination.
''Sec. 809. Corrective actions and mandatory termination.
''Sec. 810. Trusteeship by the Secretary of insolvent association health plans providing health benefits in addition to health insurance coverage.
''Sec. 811. State assessment authority.
''Sec. 812. Definitions and rules of construction.''.

SEC. 422. CLARIFICATION OF TREATMENT OF SINGLE EMPLOYER ARRANGEMENTS.

Section 3(40)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(40)(B)) is amended—

(1) in clause (i), by inserting ''for any plan year of any such plan, or any fiscal year of any such other arrangement;'' after ''single employer'', and by inserting ''during such year or at any time during the preceding 1-year period'' after ''control group'';

(2) in clause (iii)—

(A) by striking ''common control shall not be based on an interest of less than 25 percent'' and inserting ''an interest of greater than 25 percent may not be required as the minimum interest necessary for common control''; and

(B) by striking ''similar to'' and inserting ''consistent and coextensive with'';

(3) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(4) by inserting after clause (iii) the following new clause:

''(iv) in determining, after the application of clause (i), whether benefits are provided to employees of two or more employers, the arrangement shall be treated as having only one participating employer if, after the application of clause (i), the number of individuals who are employees and former employees of any one participating employer and who are covered under the arrangement is greater than 75 percent of the aggregate number of all individuals who are employees or former employees of participating employers and who are covered under the arrangement;''.

SEC. 423. CLARIFICATION OF TREATMENT OF CERTAIN COLLECTIVELY BARGAINED ARRANGEMENTS.

(a) IN GENERAL.—Section 3(40)(A)(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(40)(A)(i)) is amended to read as follows:

''(i)(I) under or pursuant to one or more collective bargaining agreements which are reached pursuant to collective bargaining described in section 8(d) of the National Labor Relations Act (29 U.S.C. 158(d)) or paragraph Fourth of section 2 of the Railway Labor Act (45 U.S.C. 152, paragraph Fourth) or which are reached pursuant to labor-management negotiations under similar provisions of State public employee relations laws, and (II) in accordance with subparagraphs (C), (D), and (E);''.

(b) LIMITATIONS.—Section 3(40) of such Act (29 U.S.C. 1002(40)) is amended by adding at the end the following new subparagraphs:

''(C) For purposes of subparagraph (A)(i)(II), a plan or other arrangement shall be treated as established or maintained in accordance with this subparagraph only if the following requirements are met:

''(i) The plan or other arrangement, and the employee organization or any other entity sponsoring the plan or other arrangement, do not—

''(I) utilize the services of any licensed insurance agent or broker for soliciting or enrolling employers or individuals as participating employers or covered individuals under the plan or other arrangement; or

''(II) pay any type of compensation to a person, other than a full time employee of the employee organization (or a member of the organization to the extent provided in regulations prescribed by the Secretary through negotiated rulemaking), that is related either to the volume or number of employers or individuals solicited or enrolled as participating employers or covered individuals under the plan or other arrangement, or to the dollar amount or size of the contributions made by participating employers or covered individuals to the plan or other arrangement;

except to the extent that the services used by the plan, arrangement, organization, or other entity consist solely of preparation of documents necessary for compliance with the reporting and disclosure requirements of part 1 or administrative, investment, or consulting services unrelated to solicitation or enrollment of covered individuals.

''(ii) As of the end of the preceding plan year, the number of covered individuals under the plan or other arrangement who are neither—

''(I) employed within a bargaining unit covered by any of the collective bargaining agreements with a participating employer (nor covered on the basis of an individual's employment in such a bargaining unit); nor

''(II) present employees (or former employees who were covered while employed) of the sponsoring employee organization, of an employer who is or was a party to any of the collective bargaining agreements, or of the plan or other arrangement or a related plan or arrangement (nor covered on the basis of such present or former employment);

does not exceed 15 percent of the total number of individuals who are covered under the plan or arrangement and who are present or former employees who are or were covered under the plan or arrangement pursuant to a collective bargaining agreement with a participating employer. The requirements of the preceding provisions of this clause shall be treated as satisfied if, as of the end of the preceding plan year, such covered individuals are comprised solely of individuals who were covered individuals under the plan or other arrangement as of the date of the enactment of the Bipartisan Patient Protection Act and, as of the end of the preceding plan year, the number of such covered individuals does not exceed 25 percent of the total number of present and former employees enrolled under the plan or other arrangement.

''(iii) The employee organization or other entity sponsoring the plan or other arrangement certifies to the Secretary each year, in a form and manner which shall be prescribed by the Secretary through negotiated rulemaking that the plan or other arrangement meets the requirements of clauses (i) and (ii).

''(D) For purposes of subparagraph (A)(i)(II), a plan or arrangement shall be treated as established or maintained in accordance with this subparagraph only if—

''(i) all of the benefits provided under the plan or arrangement consist of health insurance coverage; or

''(ii)(I) the plan or arrangement is a multiemployer plan; and

''(II) the requirements of clause (B) of the proviso to clause (5) of section 302(c) of the Labor Management Relations Act, 1947 (29 U.S.C. 186(c)) are met with respect to such plan or other arrangement.

''(E) For purposes of subparagraph (A)(i)(II), a plan or arrangement shall be treated as established or maintained in accordance with this subparagraph only if—

''(i) the plan or arrangement is in effect as of the date of the enactment of the Bipartisan Patient Protection Act; or

''(ii) the employee organization or other entity sponsoring the plan or arrangement—

''(I) has been in existence for at least 3 years; or

''(II) demonstrates to the satisfaction of the Secretary that the requirements of subparagraphs (C) and (D) are met with respect to the plan or other arrangement.''.

(c) CONFORMING AMENDMENTS TO DEFINITIONS OF PARTICIPANT AND BENEFICIARY.—Section 3(7) of such Act (29 U.S.C. 1002(7)) is amended by adding at the end the following new sentence: ''Such term includes an individual who is a covered individual described in paragraph (40)(C)(ii).''.

SEC. 424. ENFORCEMENT PROVISIONS RELATING TO ASSOCIATION HEALTH PLANS.

(a) CRIMINAL PENALTIES FOR CERTAIN WILLFUL MISREPRESENTATIONS.—Section 501 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1131) is amended—

(1) by inserting ''(a)'' after ''SEC. 501.''; and

(2) by adding at the end the following new subsection:

''(b) Any person who willfully falsely represents, to any employee, any employee's beneficiary, any employer, the Secretary, or any State, a plan or other arrangement established or maintained for the purpose of offering or providing any benefit described in section 3(1) to employees or their beneficiaries as—

''(1) being an association health plan which has been certified under part 8;

''(2) having been established or maintained under or pursuant to one or more collective bargaining agreements which are reached pursuant to collective bargaining described in section 8(d) of the National Labor Relations Act (29 U.S.C. 158(d)) or paragraph Fourth of section 2 of the Railway Labor Act (45 U.S.C. 152, paragraph Fourth) or which

are reached pursuant to labor-management negotiations under similar provisions of State public employee relations laws; or

''(3) being a plan or arrangement with respect to which the requirements of subparagraph (C), (D), or (E) of section 3(40) are met; shall, upon conviction, be imprisoned not more than 5 years, be fined under title 18, United States Code, or both.''.

(b) CEASE ACTIVITIES ORDERS.—Section 502 of such Act (29 U.S.C. 1132), as amended by sections 141 and 143, is further amended by adding at the end the following new subsection:

''(p) ASSOCIATION HEALTH PLAN CEASE AND DESIST ORDERS.—

''(1) IN GENERAL.—Subject to paragraph (2), upon application by the Secretary showing the operation, promotion, or marketing of an association health plan (or similar arrangement providing benefits consisting of medical care (as defined in section 733(a)(2))) that—

''(A) is not certified under part 8, is subject under section 514(b)(6) to the insurance laws of any State in which the plan or arrangement offers or provides benefits, and is not licensed, registered, or otherwise approved under the insurance laws of such State; or

''(B) is an association health plan certified under part 8 and is not operating in accordance with the requirements under part 8 for such certification,

a district court of the United States shall enter an order requiring that the plan or arrangement cease activities.

''(2) EXCEPTION.—Paragraph (1) shall not apply in the case of an association health plan or other arrangement if the plan or arrangement shows that—

''(A) all benefits under it referred to in paragraph (1) consist of health insurance coverage; and

''(B) with respect to each State in which the plan or arrangement offers or provides benefits, the plan or arrangement is operating in accordance with applicable State laws that are not superseded under section 514.

''(3) ADDITIONAL EQUITABLE RELIEF.—The court may grant such additional equitable relief, including any relief available under this title, as it deems necessary to protect the interests of the public and of persons having claims for benefits against the plan.''.

(c) RESPONSIBILITY FOR CLAIMS PROCEDURE.—Section 503 of such Act (29 U.S.C. 1133), as amended by section 301(b), is amended by adding at the end the following new subsection:

''(c) ASSOCIATION HEALTH PLANS.—The terms of each association health plan which is or has been certified under part 8 shall require the board of trustees or the named fiduciary (as applicable) to ensure that the requirements of this section are met in connection with claims filed under the plan.''.

SEC. 425. COOPERATION BETWEEN FEDERAL AND STATE AUTHORITIES.

Section 506 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1136) is amended by adding at the end the following new subsection:

''(c) CONSULTATION WITH STATES WITH RESPECT TO ASSOCIATION HEALTH PLANS.—

''(1) AGREEMENTS WITH STATES.—The Secretary shall consult with the State recognized under paragraph (2) with respect to an association health plan regarding the exercise of—

''(A) the Secretary's authority under sections 502 and 504 to enforce the requirements for certification under part 8; and

''(B) the Secretary's authority to certify association health plans under part 8 in accordance with regulations of the Secretary applicable to certification under part 8.

''(2) RECOGNITION OF PRIMARY DOMICILE STATE.—In carrying out paragraph (1), the Secretary shall ensure that only one State will be recognized, with respect to any particular association health plan, as the State to with which consultation is required. In carrying out this paragraph, the Secretary shall take into account the places of residence of the participants and beneficiaries under the plan and the State in which the trust is maintained.''.

SEC. 426. EFFECTIVE DATE AND TRANSITIONAL AND OTHER RULES.

(a) EFFECTIVE DATE.—The amendments made by sections 421, 424, and 425 shall take effect one year from the date of enactment. The amendments made by sections 422 and 423 shall take effect on the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this subtitle within one year from the date of enactment. Such regulations shall be issued through negotiated rulemaking.

(b) EXCEPTION.—Section 801(a)(2) of the Employee Retirement Income Security Act of 1974 (added by section 421) does not apply in connection with an association health plan (certified under part 8 of subtitle B of title I of such Act) existing on the date of the enactment of this Act, if no benefits provided thereunder as of the date of the enactment of this Act consist of health insurance coverage (as defined in section 733(b)(1) of such Act).

(c) TREATMENT OF CERTAIN EXISTING HEALTH BENEFITS PROGRAMS.—

(1) IN GENERAL.—In any case in which, as of the date of the enactment of this Act, an arrangement is maintained in a State for the purpose of providing benefits consisting of medical care for the employees and beneficiaries of its participating employers, at least 200 participating employers make contributions to such arrangement, such arrangement has been in existence for at least 10 years, and such arrangement is licensed under the laws of one or more States to provide such benefits to its participating employers, upon the filing with the applicable authority (as defined in section 812(a)(5) of the Employee Retirement Income Security Act of 1974 (as amended by this subtitle)) by the arrangement of an application for certification of the arrangement under part 8 of subtitle B of title I of such Act—

(A) such arrangement shall be deemed to be a group health plan for purposes of title I of such Act;

(B) the requirements of sections 801(a)(1) and 803(a)(1) of the Employee Retirement Income Security Act of 1974 shall be deemed met with respect to such arrangement;

(C) the requirements of section 803(b) of such Act shall be deemed met, if the arrangement is operated by a board of directors which—

(i) is elected by the participating employers, with each employer having one vote; and

(ii) has complete fiscal control over the arrangement and which is responsible for all operations of the arrangement;

(D) the requirements of section 804(a) of such Act shall be deemed met with respect to such arrangement; and

(E) the arrangement may be certified by any applicable authority with respect to its operations in any State only if it operates in such State on the date of certification.

The provisions of this subsection shall cease to apply with respect to any such arrangement at such time after the date of the enactment of this Act as the applicable requirements of this subsection are not met with respect to such arrangement.

(2) DEFINITIONS.—For purposes of this subsection, the terms ''group health plan'', ''medical care'', and ''participating employer'' shall have the meanings provided in section 812 of the Employee Retirement Income Security Act of 1974, except that the reference in paragraph (7) of such section to an ''association health plan'' shall be deemed a reference to an arrangement referred to in this subsection.

Amend section 511 to read as follows (and conform the table of contents accordingly):

SEC. 511. EXPANSION OF AVAILABILITY OF ARCHER MEDICAL SAVINGS ACCOUNTS.

(a) REPEAL OF LIMITATIONS ON NUMBER OF MEDICAL SAVINGS ACCOUNTS.—

(1) IN GENERAL.—Subsections (i) and (j) of section 220 of the Internal Revenue Code of 1986 are hereby repealed.

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (1) of section 220(c) of such Code is amended by striking subparagraph (D).

(B) Section 138 of such Code is amended by striking subsection (f).

(b) AVAILABILITY NOT LIMITED TO ACCOUNTS FOR EMPLOYEES OF SMALL EMPLOYERS AND SELF-EMPLOYED INDIVIDUALS.—

(1) IN GENERAL.—Subparagraph (A) of section 220(c)(1) of such Code (relating to eligible individual) is amended to read as follows:

''(A) IN GENERAL.—The term 'eligible individual' means, with respect to any month, any individual if—

''(i) such individual is covered under a high deductible health plan as of the 1st day of such month, and

''(ii) such individual is not, while covered under a high deductible health plan, covered under any health plan—

''(I) which is not a high deductible health plan, and

''(II) which provides coverage for any benefit which is covered under the high deductible health plan.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 220(c)(1) of such Code is amended by striking subparagraph (C).

(B) Section 220(c) of such Code is amended by striking paragraph (4) (defining small employer) and by redesignating paragraph (5) as paragraph (4).

(C) Section 220(b) of such Code is amended by striking paragraph (4) (relating to deduction limited by compensation) and by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

(c) INCREASE IN AMOUNT OF DEDUCTION ALLOWED FOR CONTRIBUTIONS TO MEDICAL SAVINGS ACCOUNTS.—

(1) IN GENERAL.—Paragraph (2) of section 220(b) of such Code is amended to read as follows:

''(2) MONTHLY LIMITATION.—The monthly limitation for any month is the amount equal to 1/12 of the annual deductible (as of the first day of such month) of the individual's coverage under the high deductible health plan.''.

(2) CONFORMING AMENDMENT.—Clause (ii) of section 220(d)(1)(A) of such Code is amended by striking ''75 percent of''.

(d) BOTH EMPLOYERS AND EMPLOYEES MAY CONTRIBUTE TO MEDICAL SAVINGS ACCOUNTS.—Paragraph (4) of section 220(b) of such Code (as redesignated by subsection (b)(2)(C)) is amended to read as follows:

''(4) COORDINATION WITH EXCLUSION FOR EMPLOYER CONTRIBUTIONS.—The limitation which would (but for this paragraph) apply under this subsection to the taxpayer for any taxable year shall be reduced (but not below zero) by the amount which would (but for section 106(b)) be includible in the taxpayer's gross income for such taxable year.''.

(e) REDUCTION OF PERMITTED DEDUCTIBLES UNDER HIGH DEDUCTIBLE HEALTH PLANS.—

(1) IN GENERAL.—Subparagraph (A) of section 220(c)(2) of such Code (defining high deductible health plan) is amended—

(A) by striking ''$1,500'' in clause (i) and inserting ''$1,000''; and

(B) by striking ''$3,000'' in clause (ii) and inserting ''$2,000''.

(2) CONFORMING AMENDMENT.—Subsection (g) of section 220 of such Code is amended to read as follows:

''(g) COST-OF-LIVING ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 1998, each dollar amount in subsection (c)(2) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which such taxable year begins by substituting 'calendar year 1997' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) SPECIAL RULES.—In the case of the $1,000 amount in subsection (c)(2)(A)(i) and the $2,000 amount in subsection (c)(2)(A)(ii), paragraph (1)(B) shall be applied by substituting 'calendar year 2000' for 'calendar year 1997'.

''(3) ROUNDING.—If any increase under paragraph (1) or (2) is not a multiple of $50, such increase shall be rounded to the nearest multiple of $50.''.

(f) PROVIDING INCENTIVES FOR PREFERRED PROVIDER ORGANIZATIONS TO OFFER MEDICAL SAVINGS ACCOUNTS.—

(1) PREVENTIVE CARE COVERAGE PERMITTED.—Clause (ii) of section 220(c)(2)(B) of such Code is amended by striking ''preventive care if'' and all that follows and inserting ''preventive care.''

(2) TREATMENT OF NETWORK SERVICES.—Subparagraph (B) of section 220(c)(2) of such Code is amended by adding at the end the following new clause:

''(iii) TREATMENT OF NETWORK SERVICES.—In the case of a health plan which provides benefits for services provided by providers in a network (as defined in section 161 of the Patient's Bill of Rights Act of 2001) and which would (without regard to services provided by providers outside the network) be a high deductible health plan, such plan shall not fail to be a high deductible health plan because—

''(I) the annual deductible for services provided by providers outside the network exceeds the applicable maximum dollar amount in clause (i) or (ii), or

''(II) the annual out-of-pocket expenses required to be paid for services provided by providers outside the network exceeds the applicable dollar amount in clause (iii).

The annual deductible taken into account under subsection (b)(2) with respect to a plan to which the preceding sentence applies shall be the annual deductible for services provided by providers within the network.''

(g) MEDICAL SAVINGS ACCOUNTS MAY BE OFFERED UNDER CAFETERIA PLANS.—Subsection (f) of section 125 of such Code is amended by striking ''106(b),''.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

It was decided in the affirmative ..... { Yeas ..... 236 / Nays 194

¶86.22 [Roll No. 328]

YEAS—236

Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Barcia, Barr, Bartlett, Barton, Bass, Bereuter, Biggert, Bilirakis, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Castle, Chabot, Chambliss, Coble, Collins, Combest, Condit, Cooksey, Cox, Cramer, Crane, Crenshaw, Cubin, Culberson, Cunningham, Davis, Jo Ann, Davis, Tom, Deal, DeLay, DeMint, Diaz-Balart, Dooley, Doolittle, Dreier, Duncan, Dunn, Ehlers, Emerson, English, Everett, Ferguson, Flake, Fletcher, Foley, Forbes, Fossella, Frelinghuysen, Gallegly, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hall (TX), Hansen, Harman, Hart, Hastert, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Houghton, Hulshof, Hunter, Hutchinson, Hyde, Isakson, Istook, Jenkins, Johnson (CT), Johnson (IL), Johnson, Sam, Jones (NC), Keller, Kelly, Kennedy (MN), Kerns, King (NY), Kingston, Kirk, Knollenberg, Kolbe, LaHood, Largent, Larsen (WA), Larson (CT), Latham, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, LoBiondo, Lucas (KY), Lucas (OK), Maloney (CT), Manzullo, Mascara, McCrery, McHugh, McInnis, McKeon, Mica, Miller (FL), Miller, Gary, Moran (KS), Moran (VA), Murtha, Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Osborne, Ose, Otter, Oxley, Paul, Pence, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pitts, Platts, Pombo, Portman, Pryce (OH), Putnam, Quinn, Radanovich, Ramstad, Regula, Rehberg, Reynolds, Riley, Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryan (WI), Ryun (KS), Saxton, Scarborough, Schaffer, Schrock, Sensenbrenner, Sessions, Shadegg, Shaw, Shays, Sherwood, Shimkus, Shuster, Simmons, Simpson, Skeen, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Souder, Stearns, Stump, Sununu, Sweeney, Tancredo, Tauzin, Taylor (NC), Terry, Thomas, Thompson (CA), Thornberry, Thune, Tiahrt, Tiberi, Toomey, Traficant, Upton, Vitter, Walden, Walsh, Wamp, Watkins (OK), Watts (OK), Weldon (FL), Weldon (PA), Weller, Whitfield, Wicker, Wilson, Wolf, Young (AK), Young (FL)

NAYS—194

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

NOT VOTING—4

Ganske, Issa, Lipinski, Spence

So the amendment was agreed to.

After some further time,

¶86.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. NORWOOD:

Amend section 402 to read as follows:

SEC. 402. AVAILABILITY OF CIVIL REMEDIES.

(a) IN GENERAL.—Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132) is amended by adding at the end the following:

''(n) CAUSE OF ACTION RELATING TO CLAIMS FOR HEALTH BENEFITS.—

''(1) CAUSE OF ACTION.—

''(A) IN GENERAL.—With respect to an action commenced by a participant or beneficiary (or the estate of the participant or beneficiary) in connection with a claim for benefits under a group health plan, if—

''(i) a designated decisionmaker described in paragraph (2) fails to exercise ordinary care—

''(I) in making a determination denying the claim for benefits under section 503A (relating to an initial claim for benefits),

''(II) in making a determination denying the claim for benefits under section 503B (relating to an internal appeal), or

''(III) in failing to authorize coverage in compliance with the written determination of an independent medical reviewer under section 503C(d)(3)(F) that reverses a determination denying the claim for benefits, and

''(ii) the delay in receiving, or failure to receive, benefits attributable to the failure described in clause (i) is the proximate cause of personal injury to, or death of, the participant or beneficiary,

such designated decisionmaker shall be liable to the participant or beneficiary (or the estate) for economic and noneconomic damages in connection with such failure and such injury or death (subject to paragraph (4)).

''(B) REBUTTABLE PRESUMPTION.—In the case of a cause of action under subparagraph (A)(i)(I) or (A)(i)(II), if an independent medical reviewer under section 503C(d) or 503C(e)(4)(B) upholds the determination denying the claim for benefits involved, there shall be a presumption (rebuttable by clear and convincing evidence) that the designated decisionmaker exercised ordinary care in making such determination.

''(2) DESIGNATED DECISIONMAKER.—

''(A) APPOINTMENT.—

''(i) IN GENERAL.—The plan sponsor or named fiduciary of a group health plan shall, in accordance with this paragraph with respect to a participant or beneficiary, designate a person that meets the requirements of subparagraph (B) to serve as a designated decisionmaker with respect to the cause of action described in paragraph (1), except that—

''(I) with respect to health insurance coverage offered in connection with a group health plan, the health insurance issuer shall be the designated decisionmaker unless the plan sponsor and the issuer specifically agree in writing (on a form to be prescribed by the Secretary) to substitute another person as the designated decisionmaker; or

''(II) with respect to the designation of a person other than a plan sponsor or health insurance issuer, such person shall satisfy the requirements of subparagraph (D).

''(ii) PLAN DOCUMENTS.—The designated decisionmaker shall be specifically designated as such in the written instruments of the plan (under section 402(a)) and be identified as required under section 121(b)(15) of the Bipartisan Patient Protection Act.

''(B) REQUIREMENTS.—For purposes of this paragraph, a designated decisionmaker meets the requirements of this subparagraph with respect to any participant or beneficiary if—

''(i) such designation is in such form as may be specified in regulations prescribed by the Secretary,

''(ii) the designated decisionmaker—

''(I) meets the requirements of subparagraph (C),

''(II) assumes unconditionally all liability arising under this subsection in connection with actions and failures to act described in subparagraph (A) (whether undertaken by the designated decisionmaker or the employer, plan, plan sponsor, or employee or agent thereof) during the period in which the designation under this paragraph is in effect relating to such participant or beneficiary, and

''(III) where subparagraph (C)(ii) applies, assumes unconditionally the exclusive authority under the group health plan to make determinations on claims for benefits (irrespective of whether they constitute medically reviewable determinations) under the plan with respect to such participant or beneficiary, and

''(iii) the designated decisionmaker and the participants and beneficiaries for whom the decisionmaker has assumed liability are identified in the written instrument required under section 402(a) and as required under section 121(b)(15) of the Bipartisan Patient Protection Act.

Any liability assumed by a designated decisionmaker pursuant to this paragraph shall be in addition to any liability that it may otherwise have under applicable law.

''(C) QUALIFICATIONS FOR DESIGNATED DECISIONMAKERS.—

''(i) IN GENERAL.—Subject to clause (ii), an entity is qualified under this subparagraph to serve as a designated decisionmaker with respect to a group health plan if the entity has the ability to assume the liability described in subparagraph (A) with respect to participants and beneficiaries under such plan, including requirements relating to the financial obligation for timely satisfying the assumed liability, and maintains with the plan sponsor certification of such ability. Such certification shall be provided to the plan sponsor or named fiduciary upon designation under this paragraph and not less frequently than annually thereafter, or if such designation constitutes a multiyear arrangement, in conjunction with the renewal of the arrangement.

''(ii) SPECIAL QUALIFICATION IN THE CASE OF CERTAIN REVIEWABLE DECISIONS.—In the case of a group health plan that provides benefits consisting of medical care to a participant or beneficiary only through health insurance coverage offered by a health insurance issuer, such issuer is the only entity that may be qualified under this subparagraph to serve as a designated decisionmaker with respect to such participant or beneficiary, and shall serve as the designated decisionmaker unless the employer or other plan sponsor acts affirmatively to prevent such service.

''(D) REQUIREMENTS RELATING TO FINANCIAL OBLIGATIONS.—For purposes of subparagraphs (A)(i)(II) and (C)(i), the requirements relating to the financial obligation of an entity for liability shall include—

''(i) coverage of such entity under an insurance policy or other arrangement, secured and maintained by such entity, to effectively insure such entity against losses arising from professional liability claims, including those arising from its service as a designated decisionmaker under this subsection; or

''(ii) evidence of minimum capital and surplus levels that are maintained by such entity to cover any losses as a result of liability arising from its service as a designated decisionmaker under this subsection.

The appropriate amounts of liability insurance and minimum capital and surplus levels for purposes of clauses (i) and (ii) shall be determined by an actuary using sound actuarial principles and accounting practices pursuant to established guidelines of the American Academy of Actuaries and in accordance with such regulations as the Secretary may prescribe and shall be maintained throughout the term for which the designation is in effect. The provisions of this subparagraph shall not apply in the case of a designated decisionmaker that is a group health plan, plan sponsor, or health insurance issuer and that is regulated under Federal law or a State financial solvency law.

''(E) LIMITATION ON APPOINTMENT OF TREATING PHYSICIANS.—A treating physician who directly delivered the care or treatment or provided services which is the subject of a cause of action by a participant or beneficiary under paragraph (1) may not be appointed (or deemed to be appointed) as a designated decisionmaker under this paragraph with respect to such participant or beneficiary.

''(F) FAILURE TO APPOINT.—With respect to any cause of action under paragraph (1) relating to a denial of a claim for benefits where a designated decisionmaker has not been appointed in accordance with this paragraph, the plan sponsor or named fiduciary responsible for determinations under section 503 shall be deemed to be the designated decisionmaker.

''(G) EFFECT OF APPOINTMENT.—The appointment of a designated decisionmaker in accordance with this paragraph shall not affect the liability of the appointing plan sponsor or named fiduciary for the failure of the plan sponsor or named fiduciary to comply with any other requirement of this title.

''(H) TREATMENT OF CERTAIN TRUST FUNDS.—For purposes of this subsection, the terms 'employer' and 'plan sponsor', in connection with the assumption by a designated decisionmaker of the liability of employer or other plan sponsor pursuant to this paragraph, shall be construed to include a trust fund maintained pursuant to section 302 of the Labor Management Relations Act, 1947 (29 U.S.C. 186) or the Railway Labor Act (45 U.S.C. 151 et seq.).

''(3) REQUIREMENT OF EXHAUSTION OF INDEPENDENT MEDICAL REVIEW.—

''(A) IN GENERAL.—Paragraph (1) shall apply only if—

''(i) a final determination denying a claim for benefits under section 503B has been referred for independent medical review under section 503C(d) and a written determination by an independent medical reviewer has been issued with respect to such review, or

''(ii) the qualified external review entity has determined under section 503C(c)(3) that a referral to an independent medical reviewer is not required.

''(B) INJUNCTIVE RELIEF FOR IRREPARABLE HARM.—A participant or beneficiary may seek relief under subsection (a)(1)(B) prior to the exhaustion of administrative remedies under section 503B or 503C (as required under subparagraph (A)) if it is demonstrated to the court, by a preponderance of the evidence, that the exhaustion of such remedies would cause irreparable harm to the health of the participant or beneficiary. Any determinations that already have been made under section 503A, 503B, or 503C in such case, or that are made in such case while an action under this subparagraph is pending, shall be given due consideration by the court in any action under subsection (a)(1)(B) in such case. Notwithstanding the awarding of such relief under subsection (a)(1)(B) pursuant to this subparagraph, no relief shall be available under paragraph (1), with respect to a participant or beneficiary, unless the requirements of subparagraph (A) are met.

''(C) RECEIPT OF BENEFITS DURING APPEALS PROCESS.—Receipt by the participant or beneficiary of the benefits involved in the claim for benefits during the pendency of any administrative processes referred to in subparagraph (A) or of any action commenced under this subsection—

''(i) shall not preclude continuation of all such administrative processes to their conclusion if so moved by any party, and

''(ii) shall not preclude any liability under subsection (a)(1)(C) and this subsection in connection with such claim.

The court in any action commenced under this subsection shall take into account any receipt of benefits during such administrative processes or such action in determining the amount of the damages awarded.

''(4) LIMITATIONS ON RECOVERY OF DAMAGES.—

''(A) MAXIMUM AWARD OF NONECONOMIC DAMAGES.—The aggregate amount of liability for noneconomic loss in an action under paragraph (1) may not exceed $1,500,000.

''(B) LIMITATION ON AWARD OF PUNITIVE DAMAGES.—In the case of any action commenced pursuant to paragraph (1), the court may not award any punitive, exemplary, or similar damages against a defendant, except that the court may award punitive, exemplary, or similar damages (in addition to damages described in subparagraph (A)), in an aggregate amount not to exceed $1,500,000, if—

''(i) the denial of a claim for benefits involved in the case was reversed by a written determination by an independent medical reviewer under section 503C(d)(3)(F); and

''(ii) there has been a failure to authorize coverage in compliance with such written determination.

''(C) PERMITTING APPLICATION OF LOWER STATE DAMAGE LIMITS.—A State may limit damages for noneconomic loss or punitive, exemplary, or similar damages in an action under paragraph (1) to amounts less than the amounts permitted under this paragraph.

''(5) ADMISSIBILITY.—In an action described in subclause (I) or (II) of paragraph (1)(A) relating to a denial of a claim for benefits, any determination by an independent medical reviewer under section 503C(d) or 503C(e)(4)(B) relating to such denial is admissible.

''(6) WAIVER OF INTERNAL REVIEW.—In the case of any cause of action under paragraph (1), the waiver or nonwaiver of internal review under section 503B(a)(4) by the group health plan, or health insurance issuer that offers health insurance coverage in connection with a group health plan, shall not be used in determining liability.

''(7) LIMITATIONS ON ACTIONS.—Paragraph (1) shall not apply in connection with any action that is commenced more than 5 years after the date on which the failure described in such paragraph occurred or, if earlier, not later than 2 years after the first date the participant or beneficiary became aware of the personal injury or death referred to in such paragraph.

''(8) EXCLUSION OF DIRECTED RECORDKEEPERS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply with respect to a directed record keeper in connection with a group health plan.

''(B) DIRECTED RECORDKEEPER.—For purposes of this paragraph, the term 'directed record keeper' means, in connection with a group health plan, a person engaged in directed recordkeeping activities pursuant to the specific instructions of the plan, the employer, or another plan sponsor, including the distribution of enrollment information and distribution of disclosure materials under this Act or title I of the Bipartisan Patient Protection Act and whose duties do not include making determinations on claims for benefits.

''(C) LIMITATION.—Subparagraph (A) does not apply in connection with any directed recordkeeper to the extent that the directed recordkeeper fails to follow the specific instruction of the plan or the employer or other plan sponsor.

''(9) PROTECTION OF THE REGULATION OF QUALITY OF MEDICAL CARE UNDER STATE LAW.—Nothing in this subsection shall be construed to preclude any action under State law against a person or entity for liability or vicarious liability with respect to the delivery of medical care. A cause of action that is based on or otherwise relates to a group health plan's determination on a claim for benefits shall not be deemed to be the delivery of medical care under any State law for purposes of this paragraph. Any such cause of action shall be maintained exclusively under this section. Nothing in this paragraph shall be construed to alter, amend, modify, invalidate, impair, or supersede section 514.

''(10) COORDINATION WITH FIDUCIARY REQUIREMENTS.—A fiduciary shall not be treated as failing to meet any requirement of part 4 solely by reason of any action taken by a fiduciary which consists of full compliance with the reversal under section 503C (relating to independent external appeals procedures for group health plans) of a denial of claim for benefits (within the meaning of section 503C(i)(2)).

''(11) CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing a cause of action under paragraph (1) for the failure of a group health plan or health insurance issuer to provide an item or service that is specifically excluded under the plan or coverage.

''(12) LIMITATION ON CLASS ACTION LITIGATION.—A claim or cause of action under this subsection may not be maintained as a class action, as a derivative action, or as an action on behalf of any group of 2 or more claimants.

''(13) PURCHASE OF INSURANCE TO COVER LIABILITY.—Nothing in section 410 shall be construed to preclude the purchase by a group health plan of insurance to cover any liability or losses arising under a cause of action under subsection (a)(1)(C) and this subsection.

''(14) RETROSPECTIVE CLAIMS FOR BENEFITS.—A cause of action shall not arise under paragraph (1) where the claim for benefits relates to an item or service that has already been provided to the participant or beneficiary under the plan or coverage and the claim relates solely to the subsequent denial of payment for the provision of such item or service.

''(15) EXEMPTION FROM PERSONAL LIABILITY FOR INDIVIDUAL MEMBERS OF BOARDS OF DIRECTORS, JOINT BOARDS OF TRUSTEES, ETC.—Any individual who is—

''(A) a member of a board of directors of an employer or plan sponsor; or

''(B) a member of an association, committee, employee organization, joint board of trustees, or other similar group of representatives of the entities that are the plan sponsor of plan maintained by two or more employers and one or more employee organizations;

shall not be personally liable under this subsection for conduct that is within the scope of employment or of plan-related duties of the individuals unless the individual acts in a fraudulent manner for personal enrichment.

''(16) DEFINITIONS AND RELATED RULES.—For purposes of this subsection:

''(A) CLAIM FOR BENEFITS.—The term 'claim for benefits' shall have the meaning given such term in section 503A(e).

''(B) GROUP HEALTH PLAN.—The term 'group health plan' shall have the meaning given such term in section 733(a).

''(C) HEALTH INSURANCE COVERAGE.—The term 'health insurance coverage' has the meaning given such term in section 733(b)(1).

''(D) HEALTH INSURANCE ISSUER.—The term 'health insurance issuer' has the meaning given such term in section 733(b)(2).

''(E) ORDINARY CARE.—The term 'ordinary care' means, with respect to a determination on a claim for benefits, that degree of care, skill, and diligence that a reasonable and prudent individual would exercise in making a fair determination on a claim for benefits of like kind to the claims involved.

''(F) PERSONAL INJURY.—The term 'personal injury' means a physical injury and includes an injury arising out of the treatment (or failure to treat) a mental illness or disease.

''(G) TREATMENT OF EXCEPTED BENEFITS.—The provisions of this subsection (and subsection (a)(1)(C)) shall not apply to excepted benefits (as defined in section 733(c)), other than benefits described in section 733(c)(2)(A), in the same manner as the provisions of part 7 do not apply to such benefits under subsections (b) and (c) of section 732.

(2) CONFORMING AMENDMENT.—Section 502(a)(1) of such Act (29 U.S.C. 1132(a)(1)) is amended—

(A) by striking ''or'' at the end of subparagraph (A);

(B) in subparagraph (B), by striking ''plan;'' and inserting ''plan, or''; and

(C) by adding at the end the following new subparagraph:

''(C) for the relief provided for in subsection (n) of this section.''.

(b) AVAILABILITY OF ACTIONS IN STATE COURT.—

(1) JURISDICTION OF STATE COURTS.—Section 502(e)(1) of such Act (29 U.S.C. 1132(e)) is amended—

(A) in the first sentence, by striking ''subsection (a)(1)(B)'' and inserting ''paragraphs (1)(B), (1)(C), and (7) of subsection (a)'';

(B) in the second sentence, by striking ''paragraphs (1)(B) and (7)'' and inserting ''paragraphs (1)(B), (1)(C), and (7)''; and

(C) by adding at the end the following new sentence: ''State courts of competent jurisdiction in the State in which the plaintiff resides and district courts of the United States shall have concurrent jurisdiction over actions under subsections (a)(1)(C) and (n).''.

(2) LIMITATION ON REMOVABILITY OF CERTAIN ACTIONS IN STATE COURT.—Section 1445 of title 28, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) A civil action brought in any State court under subsections (a)(1)(C) and (n) of section 502 of the Employee Retirement Income Security Act of 1974 against any party (other than the employer, plan, plan sponsor, or other entity treated under section 502(n) of such Act as such) arising from a medically reviewable determination may not be removed to any district court of the United States.

''(2) For purposes of paragraph (1), the term 'medically reviewable decision' means a denial of a claim for benefits under the plan which is described in section 503C(d)(2) of the Employee Retirement Income Security Act of 1974.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to acts and omissions, from which a cause of action arises, occurring on or after the applicable effective date under section 601.

Amend section 403 to read as follows:

SEC. 403. LIMITATION ON CERTAIN CLASS ACTION LITIGATION.

(a) IN GENERAL.—Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132), as amended by section 402, is further amended by adding at the end the following:

''(o) LIMITATION ON CLASS ACTION LITIGATION.—Any claim or cause of action that is maintained under this section (other than under subsection (n)) or under section 1962 or 1964(c) of title 18, United States Code, in connection with a group health plan, or health insurance coverage issued in connection with a group health plan, as a class action, derivative action, or as an action on behalf of any group of 2 or more claimants, may be maintained only if the class, the derivative claimant, or the group of claimants is limited to the participants or beneficiaries of a group health plan established by only 1 plan sponsor. No action maintained by such class, such derivative claimant, or such group of claimants may be joined in the same proceeding with any action maintained by another class, derivative claimant, or group of claimants or consolidated for any purpose with any other proceeding. In this paragraph, the terms 'group health plan' and 'health insurance coverage' have the meanings given such terms in section 733.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to actions commenced on or after August 2, 2001. Notwithstanding the preceding sentence, with respect to class actions, the amendment made by subsection (a) shall apply with respect to civil actions which are pending on such date in which a class action has not been certified as of such date.

Amend section 603 to read as follows:

SEC. 603. SEVERABILITY.

(a) IN GENERAL.—Except as provided in subsections (b) and (c), if any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

(b) DEPENDENCE OF REMEDIES ON APPEALS.—If any provision of section 503A, 503B, or 503C of the Employee Retirement Income Security Act of 1974 (as inserted by section 131) or the application of either such section to any person or circumstance is held to be unconstitutional, section 502(n) of such Act (as inserted by section 402) shall be deemed to be null and void and shall be given no force or effect.

(c) REMEDIES.—If any provision of section 502(n) of the Employee Retirement Income Security Act of 1974 (as inserted by section 402), or the application of such section to any person or circumstance, is held to be unconstitutional, the remainder of such section shall be deemed to be null and void and shall be given no force or effect.

Page 16, line 10, strike ''on a timely basis'' and insert ''in accordance with the applicable deadlines established under this section and section 503B''.

Page 29, line 14, strike ''or modify''.

Page 36, line 12, strike ''upheld, reversed, or modified'' and insert ''upheld or reversed''.

Page 39, line 23, strike ''uphold, reverse, or modify'' and insert ''uphold or reverse''.

Page 40, line 8, and page 44, line 9, strike ''or modify''.

Page 23, line 18; page 41, line 19; page 43, line 2; , , strike ''reviewer (or reviewers)'' and insert ''a review panel''.

Page 33, line 7, strike ''reviewer'' and insert ''review panel''.

Page 34, line 25, strike ''reviewer'' and insert ''review panel composed of 3 independent medical reviewers''.

Page 34, lines 8 and 13; page 36, line 8; page 37, line 3; page 38, lines 6 and 20; page 39, line 4, 20, and 21; page 40, lines 1, 2 and 14; page 41, line 6; page 43, lines 6, 17, and 20; page 44, lines 5, 9, and 14; page 45, line 24; page 61, line 5; page 67, line 3; page 68, line 25; , strike ''reviewer'' and insert ''review panel''.

Page 36, line 14; page 43, line 21; page 44, line 12; , strike ''reviewer's'' and insert ''review panel's''.

Page 41, line 4, strike ''reviewer (or reviewers)'' and insert ''review panel''.

Page 47, line 15, strike ''independent external reviewer'' and insert ''independent medical review panel''.

Page 50, line 20, strike ''1 or more individuals'' and insert ''an independent medical review panel''.

Page 51, amend lines 4 through 6 to read as follows:

''(B) with respect to each review, the review panel meets the requirements of paragraph (4) and at least 1 reviewer on the panel meets the requirements described in paragraph (5); and

Page 51, line 8, strike ''the reviewer'' and insert ''each reviewer''.

Page 53, line 21, strike ''a reviewer'' and insert ''each reviewer''.

Page 54, line 6, strike ''a reviewer (or reviewers)'' and insert ''the independent medical review panel''.

Page 61, line 5, insert ''or any independent medical review panel'' after ''reviewer''.

Page 64, lines 1 and 5, strike ''reviewers'' and insert ''review panel''.

Page 64, line 14; page 69, lines 16 and 19, strike ''reviewers'' and insert ''review panels''.

Page 8, after line 17, insert the following (and place the text from page 8, line 18, through page 16, line 20 in quotation marks):

Part 5 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 is amended by inserting after section 503 (29 U.S.C. 1133) the following:

''SEC. 503A. PROCEDURES FOR INITIAL CLAIMS FOR BENEFITS AND PRIOR AUTHORIZATION DETERMINATIONS.

Page 16, after line 21, insert the following (and place the text from page 16, line 22, through page 25, line 13 in quotation marks):

Part 5 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (as amended by section 102) is amended further by inserting after section 503A (29 U.S.C. 1133) the following:

''SEC. 503B. INTERNAL APPEALS OF CLAIMS DENIALS.

Page 25, after line 15, insert the following (and place the text from page 25, line 16, through page 69, line 22 in quotation marks):

Part 5 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (as amended by sections 102 and 103) is amended further by inserting after section 503B (29 U.S.C. 1133) the following:

''SEC. 503C. INDEPENDENT EXTERNAL APPEALS PROCEDURES.

Page 119, line 1, insert after ''treatment.'' the following: ''The name of the designated decisionmaker (or decisionmakers) appointed under paragraph (2) of section 502(n) of the Employee Retirement Income Security Act of 1974 for purposes of such section.''.

Page 138, line 21, insert after ''plan'' the following: ''and only with respect to patient protection requirements under section 101 and subtitles B, C, and D and this subtitle''.

Page 145, line 12, strike ''and the provisions of sections 502(a)(1)(C), 502(n), and 514(d) of the Employee Retirement Income Security Act of 1974 (added by section 402)''.

Page 148, line 15, after ''Act'' insert the following: ''and sections 503A through 503C of the Employee Retirement Income Security Act of 1974''.

Page 149, line 9, after ''Act'' insert the following: ''and sections 503A through 503C of the Employee Retirement Income Security Act of 1974 (with respect to enrollees under individual health insurance coverage in the same manner as they apply to participants and beneficiaries under group health insurance coverage)''.

Page 152, line 16, insert ''section 101 and subtitles B, C, D, and E of'' before ''title I''.

Page 155, strike lines 1 through 19 (and redesignate the subsequent paragraphs accordingly).

Page 158, strike lines 19 through 25 and insert the following:

''(b)(1)(A) Subject to subparagraphs (B) and (C), a group health plan (and a health insurance issuer offering group health insurance coverage in connection with such a plan) shall comply with the requirements of sections 503A, 503B, and 503C, and such requirements shall be deemed to be incorporated into this subsection.

''(B) With respect to the internal appeals process required to be established under section 503B, in the case of a group health plan that provides benefits in the form of health insurance coverage through a health insurance issuer, the Secretary shall determine the circumstances under which the plan is not required to provide for such process and system (and is not liable for the issuer's failure to provide for such process and system), if the issuer is obligated to provide for (and provides for) such process and system.

''(C) Pursuant to rules of the Secretary, insofar as a group health plan enters into a contract with a qualified external review entity for the conduct of external appeal activities in accordance with section 503C, the plan shall be treated as meeting the requirement of such section and is not liable for the entity's failure to meet any requirements under such section.

''(2) In the case of a group health plan, compliance with the requirements of sections 503A, 503B, and 503C, and compliance with regulations promulgated by the Secretary, in connection with a denial of a claim under a group health plan shall be deemed compliance with subsection (a) with respect to such claim denial.

''(3) Terms used in this subsection which are defined in section 733 shall have the meanings provided such terms in such section.''.

Page 210, line 19, after ''Act'' insert the following: ''and sections 503A through 503C of the Employee Retirement Income Security Act of 1974''.

Make such additional technical and conforming changes to the text of the bill as are necessary to do the following:

(1) Replace references to sections 102, 103, and 104 of the bill with references to sections 503A, 503B, and 503C of the Employee Retirement Income Security Act of 1974, as amended by the bill.

(2) In sections 102, 103, and 104, strike any reference to ''enrollee'' or ''enrollees'' and insert ''in connection with the group health plan'' after ''health insurance coverage'', and make necessary conforming grammatical changes.

It was decided in the affirmative ..... { Yeas ..... 218 / Nays ..... 213 }

¶86.24 [Roll No. 329]

AYES—218

Aderholt	Goss	Peterson (PA)
Akin	Graham	Petri
Armey	Granger	Pickering
Bachus	Graves	Pitts
Baker	Green (WI)	Platts
Ballenger	Greenwood	Pombo
Barr	Grucci	Portman
Bartlett	Gutknecht	Pryce (OH)
Barton	Hansen	Putnam
Bass	Hart	Quinn
Bereuter	Hastert	Radanovich
Biggert	Hastings (WA)	Ramstad
Bilirakis	Hayes	Regula
Blunt	Hayworth	Rehberg
Boehlert	Hefley	Reynolds
Boehner	Herger	Riley
Bonilla	Hilleary	Rogers (KY)
Bono	Hobson	Rogers (MI)
Brady (TX)	Hoekstra	Rohrabacher
Brown (SC)	Horn	Ros-Lehtinen
Bryant	Hostettler	Royce
Burr	Houghton	Ryan (WI)
Burton	Hulshof	Ryun (KS)
Buyer	Hunter	Saxton
Callahan	Hutchinson	Scarborough
Calvert	Hyde	Schaffer
Camp	Isakson	Schrock
Cannon	Issa	Sensenbrenner
Cantor	Istook	Sessions
Capito	Jenkins	Shadegg
Castle	Johnson (CT)	Shaw
Chabot	Johnson, Sam	Shays
Chambliss	Jones (NC)	Sherwood
Coble	Keller	Shimkus
Collins	Kelly	Shuster
Combest	Kennedy (MN)	Simmons
Cooksey	Kerns	Simpson
Cox	King (NY)	Skeen
Crane	Kingston	Smith (MI)
Crenshaw	Kirk	Smith (TX)
Cubin	Knollenberg	Souder
Culberson	Kolbe	Stearns
Cunningham	LaHood	Stump
Davis, Jo Ann	Largent	Sununu
Davis, Tom	Latham	Sweeney
Deal	LaTourette	Tancredo
DeLay	Lewis (CA)	Tauzin
DeMint	Lewis (KY)	Taylor (NC)
Diaz-Balart	Linder	Terry
Doolittle	LoBiondo	Thomas
Dreier	Lucas (KY)	Thornberry
Duncan	Lucas (OK)	Thune
Dunn	Manzullo	Tiahrt
Ehlers	McCrery	Tiberi
Ehrlich	McHugh	Toomey
Emerson	McInnis	Traficant
English	McKeon	Upton
Everett	Mica	Vitter
Ferguson	Miller (FL)	Walden
Flake	Miller, Gary	Walsh
Fletcher	Moran (KS)	Wamp
Foley	Myrick	Watkins (OK)
Forbes	Nethercutt	Watts (OK)
Fossella	Ney	Weldon (FL)
Frelinghuysen	Northup	Weldon (PA)
Gallegly	Norwood	Weller
Gekas	Nussle	Whitfield
Gibbons	Osborne	Wicker
Gilchrest	Ose	Wilson
Gillmor	Otter	Wolf
Gilman	Oxley	Young (AK)
Goode	Pence	Young (FL)
Goodlatte	Peterson (MN)	

NOES—213

Abercrombie	Baldacci	Berkley
Ackerman	Baldwin	Berman
Allen	Barcia	Berry
Andrews	Barrett	Bishop
Baca	Becerra	Blagojevich
Baird	Bentsen	Blumenauer

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

NOT VOTING—3

Lipinski
Paul
Spence

So the amendment was agreed to.

After some further time,

¶86.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. THOMAS:

Add at the end the following new title (and amend the table of contents of the bill accordingly):

TITLE VIII—REFORMS RELATING TO HEALTH CARE LIABILITY CLAIMS

SEC. 801. TABLE OF CONTENTS OF TITLE.

The table of contents of this title is as follows:

Sec. 801. Table of contents of title.
Sec. 802. Application in States.
Sec. 803. Encouraging speedy resolution of claims.
Sec. 804. Compensating patient injury; fair share rule.
Sec. 805. Authorization of payment of future damages to claimants in health care lawsuits.
Sec. 806. No punitive damages for health care products that comply with FDA standards.
Sec. 807. Effect on other laws.
Sec. 808. Definitions.
Sec. 809. Effective date; general provisions.

SEC. 802. APPLICATION IN STATES.

The provisions of this title relating to any requirement or rule shall not apply with respect to a health care lawsuit brought under State law insofar as the applicable statutory law of that State with respect to such lawsuit specifies another policy with respect to such requirement or rule.

SEC. 803. ENCOURAGING SPEEDY RESOLUTION OF CLAIMS.

Health care lawsuits shall be commenced no later than 2 years after the claimant discovers, or through the use of reasonable diligence should have discovered, the injury for which the lawsuit was brought. In all cases, a health care lawsuit shall be filed no later than 5 years after the date of the injury. The time periods for filing health care lawsuits established in this section shall not apply in cases of malicious intent to injure. To the extent that chapter 171 of title 28, United States Code, relating to tort procedure, and, subject to section 802, State law (with respect to both procedural and substantive matters), establishes a longer period during which a health care lawsuit may be initiated than is authorized in this section, such chapter or law is superceded or preempted.

SEC. 804. COMPENSATING PATIENT INJURY; FAIR SHARE RULE.

(a) UNLIMITED AMOUNT OF DAMAGES FOR ACTUAL LOSSES IN HEALTH CARE LAWSUITS.—In any health care lawsuit, the full amount of a claimant's economic loss may be fully recovered, subject to section 809(d)(2), without limitation.

(b) ADDITIONAL NON-ECONOMIC DAMAGES.—Subject to section 809(d)(2), in any health care lawsuit, the amount of non-economic damages may be as much as $250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence.

(c) NO DISCOUNT OF AWARD FOR NON-ECONOMIC DAMAGES.—In any health care lawsuit, an award for future non-economic damages shall not be discounted to present value. The jury shall not be informed of the maximum award for non-economic damages. An award for non-economic damages in excess of the amount specified in subsection (b) (or the amount provided under section 809(d)(2), if applicable) shall be reduced either before the entry of judgment, or by amendment of the judgment after entry, and such reduction shall be made before accounting for any other reduction in damages required by law. If separate awards are rendered for past and future non-economic damages and the combined awards exceed the amount so specified, the future non-economic damages shall be reduced first.

(d) FAIR SHARE RULE.—In any health care lawsuit, each party shall be liable for the party's several share of any damages only and not for the share of any other person. Each party shall be liable only for the amount of damages allocated to such party in direct proportion to such party's percentage of responsibility. A separate judgment shall be rendered against each such party for the amount allocated to such party. For purposes of this section, the trier of fact shall determine the proportion of responsibility of each party for the claimant's harm.

(e) ADDITIONAL HEALTH BENEFITS.—In any health care lawsuit, any party may introduce evidence of collateral source benefits. If any party elects to introduce such evidence, the opposing party may introduce evidence of any amount paid or contributed or reasonably likely to be paid or contributed in the future by or on behalf of such opposing party to secure the right to such collateral source benefits. No provider of collateral source benefits shall recover any amount against the claimant or receive any lien or credit against the claimant's recovery or be equitably or legally subrogated to the right of the claimant in a health care lawsuit. This subsection shall apply to a health care lawsuit that is settled as well as a health care lawsuit that is resolved by a fact finder.

(f) TREATMENT OF PUNITIVE DAMAGES.—

(1) GENERAL RULE.—Punitive damages may, to the extent permitted by applicable State law, be awarded in any health care lawsuit in any Federal or State court against a defendant if the claimant establishes by clear and convincing evidence that the harm suffered was the result of conduct—

(A) specifically intended to cause harm; or

(B) conduct manifesting a conscious, flagrant indifference to the rights or safety of others.

(2) APPLICABILITY.—This subsection shall apply to any such health care lawsuit on any theory where punitive damages are sought. This subsection does not create a cause of action for punitive damages.

(3) LIMITATION ON PUNITIVE DAMAGES.—The total amount of punitive damages that may be awarded to a claimant for losses resulting from the injury which is the subject of such a health care lawsuit may not exceed the greater of—

(A) 2 times the amount of economic damages, or

(B) $250,000,

regardless of the number of parties against whom the action is brought or the number of actions brought with respect to the injury. Subject to section 802, this subsection does not preempt or supersede any State or Federal law to the extent that such law would further limit the award of punitive damages.

(4) BIFURCATION.—At the request of any party, the trier of fact shall consider in a separate proceeding whether punitive damages are to be awarded and the amount of such award. If a separate proceeding is requested, evidence relevant only to the claim of punitive damages, as determined by applicable State law, shall be inadmissible in any proceeding to determine whether actual damages are to be awarded.

(g) LIMITATIONS ON APPLICABILITY OF THIS SECTION.—This section applies only to health care lawsuits. Furthermore only to the extent that—

(1) chapter 171 of title 28, United States Code, relating to tort procedure, permits the recovery of a greater amount of damages than authorized by this section, such chapter shall be superseded by this section; and

(2) only to the extent that either chapter 171 of title 28, United States Code, relating to tort procedure, or, subject to section 802, State law (with respect to procedural and substantive matters), prohibits the introduction of evidence regarding collateral source benefits or mandates or permits subrogation or a lien on an award of damages for the cost of providing collateral source benefits, such chapter or law is superseded or preempted by this section.

SEC. 805. AUTHORIZATION OF PAYMENT OF FUTURE DAMAGES TO CLAIMANTS IN HEALTH CARE LAWSUITS.

(a) IN GENERAL.—In any health care lawsuit, if an award of future damages, without reduction to present value, equaling or exceeding $50,000 is made against a party with sufficient insurance or other assets to fund a period payment of such a judgment, the court shall, at the request of any party, enter a judgment ordering that the future damages be paid by periodic payments in accordance with the Uniform Periodic Payment of Judgments Act promulgated by the National Conference of Commissioners on Uniform State Laws in July 1990. This section applies to all actions which have not been first set for trial or retrial prior to the effective date of this title.

(b) LIMITATION ON APPLICABILITY OF THIS SECTION.—Only to the extent that chapter 171 of title 28, United States Code, relating to tort procedure, or, subject to section 802, State law (with respect to both procedural and substantive matters), reduces the applicability or scope of the regulation of periodic payment of future damages as authorized in this section, is such chapter or law preempted or superseded.

SEC. 806. NO PUNITIVE DAMAGES FOR HEALTH CARE PRODUCTS THAT COMPLY WITH FDA STANDARDS.

(a) GENERAL RULE.—In the case of any health care lawsuit, no punitive or exemplary damages may be awarded against the manufacturer of a medical product based on a claim that the medical product caused the claimant's harm if the medical product complies with FDA standards.

(b) EXCEPTION.—Subsection (a) shall not apply in any health care lawsuit in which—

(1) before or after the grant of FDA permission to market a medical product, a person knowingly misrepresents to or withholds from the FDA required information that is material and relevant to the performance of such medical product, if such misrepresentation or withholding of information is causally related to the harm which the claimant allegedly suffered; or

(2) a person makes an illegal payment to an official of FDA for the purpose of either securing or maintaining approval of such medical product.

SEC. 807. EFFECT ON OTHER LAWS.

This title does not affect the application of title XXI of the Public Health Service Act (relating to the national vaccine program). To the extent that this title is judged to be in conflict with such title XXI, then this title shall not apply to an action brought under such title. If any aspect of such a civil action is not governed by a Federal rule of law under such title, then this title or otherwise applicable law (as determined under this title) will apply to that aspect of the action.

SEC. 808. DEFINITIONS.

As used in this title:

(1) ALTERNATIVE DISPUTE RESOLUTION.—The term ''alternative dispute resolution'' means a system that provides for the resolution of health care lawsuits in a manner other than through a civil action brought in a State or Federal Court.

(2) AMOUNT RECOVERED BY CLAIMANTS.—The term ''amount recovered by claimants'' means the total amount of damages awarded to a party, after taking into account any reduction in damages required by this title or applicable law, and after deducting any disbursements or costs incurred in connection with prosecution or settlement of a claim, including all costs paid or advanced by any person. Costs of health care incurred by the plaintiff and the attorneys' office overhead costs or charges for legal services are not deductible disbursements or costs for such purpose. Such term does not include any punitive or exemplary damages.

(3) CLAIMANT.—The term ''claimant'' means any person who asserts a health care liability claim or brings a health care lawsuit, including a person who asserts or claims a right to legal or equitable contribution, indemnity, or subrogation, arising out of a health care lawsuit, and any person on whose behalf such a claim is asserted or such an action is brought, whether deceased, incompetent, or a minor.

(4) COLLATERAL SOURCE BENEFITS.—The term ''collateral source benefits'' means any amount paid or reasonably likely to be paid in the future to or on behalf of the claimant, or any service, product or other benefit provided or reasonably likely to be provided in the future to or on behalf of the claimant, as a result of injury or wrongful death, pursuant to—

(A) any State or Federal health, sickness, income-disability, accident or workers' compensation act;

(B) any health, sickness, income-disability, or accident insurance that provides health benefits or income-disability coverage;

(C) any contract or agreement of any group, organization, partnership, or corporation to provide, pay for, or reimburse the cost of medical, hospital, dental, or income disability benefits; and

(D) any other publicly or privately funded program.

(5) COMPLIES WITH FDA STANDARDS.—The term ''complies with FDA standards'' means, in the case of any medical product, that such product is either—

(A) subject to pre-market approval or review by the Food and Drug Administration under section 505, 506, 510, 515 or 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S. C. 355, 356, 360, 360e, 360j) or section 351 of the Public Health Service Act (42 U.S. C. 262) and such approval or review concerns the adequacy of the packaging or labeling of such medical product or the safety of the formulation or performance of any aspect of such medical product which a health care lawsuit claims caused the claimant's harm, and such medical product was marketed in conformity with the regulations under such sections, or

(B) generally recognized as safe and effective pursuant to conditions established by the FDA and applicable FDA regulations, including those related to packaging and labeling.

(6) CONTINGENT FEE.—The term ''contingent fee'' includes all compensation to any person or persons which is payable only if a recovery is effected on behalf of one or more claimants.

(7) ECONOMIC LOSS.—The term ''economic loss'' means reasonable amounts incurred for necessary health treatment and medical expenses, lost wages, replacement service losses, and other pecuniary expenditures due to personal injuries suffered as a result of injury.

(8) FDA.—The term ''FDA'' means the Food and Drug Administration.

(9) HEALTH CARE GOODS OR SERVICES.—The term ''health care goods or services'' means any medical product, or any service provided by a health care provider or by any individual working under the supervision of a health care provider, that relates to the diagnosis, prevention, or treatment of any human disease or impairment, or the assessment of the health of human beings.

(10) HEALTH CARE LAWSUIT.—The term ''health care lawsuit'' means any health care liability claim concerning the provision of health care goods or services, or any civil action concerning the provision of health care goods or services brought in a State or Federal Court or pursuant to an alternative dispute resolution procedure, against a health care provider or the manufacturer, distributor, supplier, marketer, promoter or seller of a medical product, regardless of the theory of liability on which the claim is based, or the number of claimants, plaintiffs, defendants, or other parties, or the number of claims or causes of action in which the claimant alleges a health care liability claim.

(11) HEALTH CARE LIABILITY CLAIM.—The term ''health care liability claim'' means a demand by any person (whether or not pursuant to an alternative dispute resolution system, an action in State court, or an action in Federal court) concerning the provision of health care goods or services, if made against a health care provider or the manufacturer, distributor, supplier, marketer, promoter or seller of a medical product, including third-party claims, cross-claims, counter-claims, or contribution claims, which are based upon the provision or use of (or the failure to provide or use) health care services or medical products, regardless of the theory of liability on which the claim is based, or the number of claimants, plaintiffs, defendants, or other parties, or the number of claims or causes of action.

(12) HEALTH CARE PROVIDER.—The term ''health care provider'' means any person or entity required by State or Federal laws or regulations to be licensed, registered, or certified to provide health care goods or services or whose health care goods or services are required to be so licensed, registered, or certified, or which are exempted from such requirement by other statute or regulation.

(13) INJURY.—The term ''injury'' means any illness, disease, or other harm that is the subject of a health care liability claim.

(14) MALICIOUS INTENT TO INJURE.—The term ''malicious intent to injure'' means intentionally causing or attempting to cause physical injury other than providing health care goods or services.

(15) MEDICAL PRODUCT.—The term ''medical product'' means a drug (as defined in section 201(g)(1) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321(g)(1)) or a medical device as defined in section 201(h) of such Act (21 U.S.C. 321(h)), including anycomponent or raw material used therein, but excluding health care services.

(16) NON-ECONOMIC LOSS.—The term ''non-economic loss'' means physical impairment, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, loss of services, loss of consortium, and any other non-pecuniary losses.

(17) RECOVERY.—The term ''recovery'' means the net sum recovered after deducting any disbursements or costs incurred in connection with prosecution or settlement of a claim, including all costs paid or advanced by any person. Costs of health care incurred by the plaintiff and the attorneys' office overhead costs or charges for legal services are not deductible disbursements or costs for such purpose.

(18) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, or any political subdivision thereof.

(20) STATE LAW.—The term ''State law'' includes all constitutional provisions, statutes, laws, judicial decisions, rules, regulations, or other State action having the effect of law in any State.

SEC. 809. EFFECTIVE DATE; GENERAL PROVISIONS.

(a) IN GENERAL.—This title shall apply to any health care lawsuit brought in a Federal or State court, and to any health care liability claim subject to an alternative dispute

resolution system, that is initiated on or after the date of enactment of this Act, except that any health care lawsuit arising from an injury occurring before the date of enactment of this Act shall be governed by the applicable statute of limitations provisions in effect at the time the injury occurred.

(b) HEALTH CARE LAWSUITS.—The provisions governing health care lawsuits set forth in this title supersede chapter 171 of title 28, United States Code, relating to tort claims procedure and, subject to section 802, preempt State law to the extent that State law differs from any provisions of law established by or under this title.

(c) PROTECTION OF STATES' RIGHTS.—Any issue that is not governed by any provision of law established by or under this title (including State standards of negligence) will be governed by otherwise applicable State or Federal law. Subject to subsection (d)(2) and section 802, this title does not preempt or supersede any law that imposes greater protections for health care providers, plans, and organizations from liability, loss, or damages that those provided by this title.

(d) RULE OF CONSTRUCTION.—No provision of this title shall be construed to preempt—

(1) the implementation of any State sponsored or private alternative dispute resolution program;

(2) pursuant to section 802, any State statutory limit (whether enacted before, on, or after the date of the enactment of this Act) on the total amount of economic, non-economic, or punitive damages that may be awarded in a health care lawsuit, whether or not such State statutory limit permits the recovery of a greater or lesser amount of such damages than is provided for under section 804; or

(3) any defense available to a party in a health care lawsuit under any other provision of Federal law.

It was decided in the negative ..... { Yeas ..... 207 / Nays 221

¶86.26 [Roll No. 330]

AYES—207

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Doolittle
Dreier
Dunn
Ehlers
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wilson
Wolf
Young (AK)
Young (FL)

NOES—221

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

NOT VOTING—5

Lipinski
Markey
Paul
Spence
Thompson (CA)

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. BEREUTER, assumed the Chair.

When Mr. LAHOOD, Chairman, pursuant to House Resolution 219, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Insert before section 401 the following heading (and conform the table of contents accordingly):

Subtitle A—General Provisions

In section 301(a), insert ''subtitle A of'' before ''title IV''.

Add at the end of title IV the following new subtitle (and conform the table of contents accordingly):

Subtitle B—Association Health Plans

SEC. 421. RULES GOVERNING ASSOCIATION HEALTH PLANS.

(a) IN GENERAL.—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 is amended by adding after part 7 the following new part:

''PART 8—RULES GOVERNING ASSOCIATION HEALTH PLANS

''SEC. 801. ASSOCIATION HEALTH PLANS.

''(a) IN GENERAL.—For purposes of this part, the term 'association health plan' means a group health plan whose sponsor is (or is deemed under this part to be) described in subsection (b).

''(b) SPONSORSHIP.—The sponsor of a group health plan is described in this subsection if such sponsor—

''(1) is organized and maintained in good faith, with a constitution and bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis, as a bona fide trade association, a bona fide industry association (including a rural electric cooperative association or a rural telephone cooperative association), a bona fide professional association, or a bona fide chamber of commerce (or similar bona fide business association, including a corporation or similar organization that operates on a cooperative basis (within the meaning of section 1381 of the Internal Revenue Code of 1986)), for substantial purposes other than that of obtaining or providing medical care;

''(2) is established as a permanent entity which receives the active support of its members and requires for membership payment on a periodic basis of dues or payments necessary to maintain eligibility for membership in the sponsor; and

''(3) does not condition membership, such dues or payments, or coverage under the plan on the basis of health status-related factors with respect to the employees of its members (or affiliated members), or the dependents of such employees, and does not condition such dues or payments on the basis of group health plan participation.

Any sponsor consisting of an association of entities which meet the requirements of paragraphs (1), (2), and (3) shall be deemed to be a sponsor described in this subsection.

"SEC. 802. CERTIFICATION OF ASSOCIATION HEALTH PLANS.

"(a) IN GENERAL.—The applicable authority shall prescribe by regulation, through negotiated rulemaking, a procedure under which, subject to subsection (b), the applicable authority shall certify association health plans which apply for certification as meeting the requirements of this part.

"(b) STANDARDS.—Under the procedure prescribed pursuant to subsection (a), in the case of an association health plan that provides at least one benefit option which does not consist of health insurance coverage, the applicable authority shall certify such plan as meeting the requirements of this part only if the applicable authority is satisfied that the applicable requirements of this part are met (or, upon the date on which the plan is to commence operations, will be met) with respect to the plan.

"(c) REQUIREMENTS APPLICABLE TO CERTIFIED PLANS.—An association health plan with respect to which certification under this part is in effect shall meet the applicable requirements of this part, effective on the date of certification (or, if later, on the date on which the plan is to commence operations).

"(d) REQUIREMENTS FOR CONTINUED CERTIFICATION.—The applicable authority may provide by regulation, through negotiated rulemaking, for continued certification of association health plans under this part.

"(e) CLASS CERTIFICATION FOR FULLY INSURED PLANS.—The applicable authority shall establish a class certification procedure for association health plans under which all benefits consist of health insurance coverage. Under such procedure, the applicable authority shall provide for the granting of certification under this part to the plans in each class of such association health plans upon appropriate filing under such procedure in connection with plans in such class and payment of the prescribed fee under section 807(a).

"(f) CERTIFICATION OF SELF-INSURED ASSOCIATION HEALTH PLANS.—An association health plan which offers one or more benefit options which do not consist of health insurance coverage may be certified under this part only if such plan consists of any of the following:

"(1) a plan which offered such coverage on the date of the enactment of the Bipartisan Patient Protection Act,

"(2) a plan under which the sponsor does not restrict membership to one or more trades and businesses or industries and whose eligible participating employers represent a broad cross-section of trades and businesses or industries, or

"(3) a plan whose eligible participating employers represent one or more trades or businesses, or one or more industries, consisting of any of the following: agriculture; equipment and automobile dealerships; barbering and cosmetology; certified public accounting practices; child care; construction; dance, theatrical and orchestra productions; disinfecting and pest control; financial services; fishing; foodservice establishments; hospitals; labor organizations; logging; manufacturing (metals); mining; medical and dental practices; medical laboratories; professional consulting services; sanitary services; transportation (local and freight); warehousing; wholesaling/distributing; or any other trade or business or industry which has been indicated as having average or above-average risk or health claims experience by reason of State rate filings, denials of coverage, proposed premium rate levels, or other means demonstrated by such plan in accordance with regulations which the Secretary shall prescribe through negotiated rulemaking.

"SEC. 803. REQUIREMENTS RELATING TO SPONSORS AND BOARDS OF TRUSTEES.

"(a) SPONSOR.—The requirements of this subsection are met with respect to an association health plan if the sponsor has met (or is deemed under this part to have met) the requirements of section 801(b) for a continuous period of not less than 3 years ending with the date of the application for certification under this part.

"(b) BOARD OF TRUSTEES.—The requirements of this subsection are met with respect to an association health plan if the following requirements are met:

"(1) FISCAL CONTROL.—The plan is operated, pursuant to a trust agreement, by a board of trustees which has complete fiscal control over the plan and which is responsible for all operations of the plan.

"(2) RULES OF OPERATION AND FINANCIAL CONTROLS.—The board of trustees has in effect rules of operation and financial controls, based on a 3-year plan of operation, adequate to carry out the terms of the plan and to meet all requirements of this title applicable to the plan.

"(3) RULES GOVERNING RELATIONSHIP TO PARTICIPATING EMPLOYERS AND TO CONTRACTORS.—

"(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the members of the board of trustees are individuals selected from individuals who are the owners, officers, directors, or employees of the participating employers or who are partners in the participating employers and actively participate in the business.

"(B) LIMITATION.—

"(i) GENERAL RULE.—Except as provided in clauses (ii) and (iii), no such member is an owner, officer, director, or employee of, or partner in, a contract administrator or other service provider to the plan.

"(ii) LIMITED EXCEPTION FOR PROVIDERS OF SERVICES SOLELY ON BEHALF OF THE SPONSOR.—Officers or employees of a sponsor which is a service provider (other than a contract administrator) to the plan may be members of the board if they constitute not more than 25 percent of the membership of the board and they do not provide services to the plan other than on behalf of the sponsor.

"(iii) TREATMENT OF PROVIDERS OF MEDICAL CARE.—In the case of a sponsor which is an association whose membership consists primarily of providers of medical care, clause (i) shall not apply in the case of any service provider described in subparagraph (A) who is a provider of medical care under the plan.

"(C) CERTAIN PLANS EXCLUDED.—Subparagraph (A) shall not apply to an association health plan which is in existence on the date of the enactment of the Bipartisan Patient Protection Act.

"(D) SOLE AUTHORITY.—The board has sole authority under the plan to approve applications for participation in the plan and to contract with a service provider to administer the day-to-day affairs of the plan.

"(c) TREATMENT OF FRANCHISE NETWORKS.—In the case of a group health plan which is established and maintained by a franchiser for a franchise network consisting of its franchisees—

"(1) the requirements of subsection (a) and section 801(a)(1) shall be deemed met if such requirements would otherwise be met if the franchiser were deemed to be the sponsor referred to in section 801(b), such network were deemed to be an association described in section 801(b), and each franchisee were deemed to be a member (of the association and the sponsor) referred to in section 801(b); and

"(2) the requirements of section 804(a)(1) shall be deemed met.

The Secretary may by regulation, through negotiated rulemaking, define for purposes of this subsection the terms 'franchiser', 'franchise network', and 'franchisee'.

"(d) CERTAIN COLLECTIVELY BARGAINED PLANS.—

"(1) IN GENERAL.—In the case of a group health plan described in paragraph (2)—

"(A) the requirements of subsection (a) and section 801(a)(1) shall be deemed met;

"(B) the joint board of trustees shall be deemed a board of trustees with respect to which the requirements of subsection (b) are met; and

"(C) the requirements of section 804 shall be deemed met.

"(2) REQUIREMENTS.—A group health plan is described in this paragraph if—

"(A) the plan is a multiemployer plan; or

"(B) the plan is in existence on April 1, 2001, and would be described in section 3(40)(A)(i) but solely for the failure to meet the requirements of section 3(40)(C)(ii).

"(3) CONSTRUCTION.—A group health plan described in paragraph (2) shall only be treated as an association health plan under this part if the sponsor of the plan applies for, and obtains, certification of the plan as an association health plan under this part.

"SEC. 804. PARTICIPATION AND COVERAGE REQUIREMENTS.

"(a) COVERED EMPLOYERS AND INDIVIDUALS.—The requirements of this subsection are met with respect to an association health plan if, under the terms of the plan—

"(1) each participating employer must be—

"(A) a member of the sponsor,

"(B) the sponsor, or

"(C) an affiliated member of the sponsor with respect to which the requirements of subsection (b) are met,

except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer; and

"(2) all individuals commencing coverage under the plan after certification under this part must be—

"(A) active or retired owners (including self-employed individuals), officers, directors, or employees of, or partners in, participating employers; or

"(B) the beneficiaries of individuals described in subparagraph (A).

"(b) COVERAGE OF PREVIOUSLY UNINSURED EMPLOYEES.—In the case of an association health plan in existence on the date of the enactment of the Bipartisan Patient Protection Act, an affiliated member of the sponsor of the plan may be offered coverage under the plan as a participating employer only if—

"(1) the affiliated member was an affiliated member on the date of certification under this part; or

"(2) during the 12-month period preceding the date of the offering of such coverage, the affiliated member has not maintained or contributed to a group health plan with respect to any of its employees who would otherwise be eligible to participate in such association health plan.

"(c) INDIVIDUAL MARKET UNAFFECTED.—The requirements of this subsection are met with respect to an association health plan if, under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan which is similar to the coverage contemporaneously provided to employees of the employer under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would, but for such exclusion on such basis, be eligible for coverage under the plan.

''(d) PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.—The requirements of this subsection are met with respect to an association health plan if—

''(1) under the terms of the plan, all employers meeting the preceding requirements of this section are eligible to qualify as participating employers for all geographically available coverage options, unless, in the case of any such employer, participation or contribution requirements of the type referred to in section 2711 of the Public Health Service Act are not met;

''(2) upon request, any employer eligible to participate is furnished information regarding all coverage options available under the plan; and

''(3) the applicable requirements of sections 701, 702, and 703 are met with respect to the plan.

''SEC. 805. OTHER REQUIREMENTS RELATING TO PLAN DOCUMENTS, CONTRIBUTION RATES, AND BENEFIT OPTIONS.

''(a) IN GENERAL.—The requirements of this section are met with respect to an association health plan if the following requirements are met:

''(1) CONTENTS OF GOVERNING INSTRUMENTS.—The instruments governing the plan include a written instrument, meeting the requirements of an instrument required under section 402(a)(1), which—

''(A) provides that the board of trustees serves as the named fiduciary required for plans under section 402(a)(1) and serves in the capacity of a plan administrator (referred to in section 3(16)(A));

''(B) provides that the sponsor of the plan is to serve as plan sponsor (referred to in section 3(16)(B)); and

''(C) incorporates the requirements of section 806.

''(2) CONTRIBUTION RATES MUST BE NONDISCRIMINATORY.—

''(A) The contribution rates for any participating small employer do not vary on the basis of the claims experience of such employer and do not vary on the basis of the type of business or industry in which such employer is engaged.

''(B) Nothing in this title or any other provision of law shall be construed to preclude an association health plan, or a health insurance issuer offering health insurance coverage in connection with an association health plan, from—

''(i) setting contribution rates based on the claims experience of the plan; or

''(ii) varying contribution rates for small employers in a State to the extent that such rates could vary using the same methodology employed in such State for regulating premium rates in the small group market with respect to health insurance coverage offered in connection with bona fide associations (within the meaning of section 2791(d)(3) of the Public Health Service Act),

subject to the requirements of section 702(b) relating to contribution rates.

''(3) FLOOR FOR NUMBER OF COVERED INDIVIDUALS WITH RESPECT TO CERTAIN PLANS.—If any benefit option under the plan does not consist of health insurance coverage, the plan has as of the beginning of the plan year not fewer than 1,000 participants and beneficiaries.

''(4) MARKETING REQUIREMENTS.—

''(A) IN GENERAL.—If a benefit option which consists of health insurance coverage is offered under the plan, State-licensed insurance agents shall be used to distribute to small employers coverage which does not consist of health insurance coverage in a manner comparable to the manner in which such agents are used to distribute health insurance coverage.

''(B) STATE-LICENSED INSURANCE AGENTS.—For purposes of subparagraph (A), the term 'State-licensed insurance agents' means one or more agents who are licensed in a State and are subject to the laws of such State relating to licensure, qualification, testing, examination, and continuing education of persons authorized to offer, sell, or solicit health insurance coverage in such State.

''(5) REGULATORY REQUIREMENTS.—Such other requirements as the applicable authority determines are necessary to carry out the purposes of this part, which shall be prescribed by the applicable authority by regulation through negotiated rulemaking.

''(b) ABILITY OF ASSOCIATION HEALTH PLANS TO DESIGN BENEFIT OPTIONS.—Subject to section 514(e), nothing in this part or any provision of State law (as defined in section 514(c)(1)) shall be construed to preclude an association health plan, or a health insurance issuer offering health insurance coverage in connection with an association health plan, from exercising its sole discretion in selecting the specific items and services consisting of medical care to be included as benefits under such plan or coverage, except (subject to section 514) in the case of any law to the extent that it (1) prohibits an exclusion of a specific disease from such coverage, or (2) is not preempted under section 731(a)(1) with respect to matters governed by section 711 or 712.

''SEC. 806. MAINTENANCE OF RESERVES AND PROVISIONS FOR SOLVENCY FOR PLANS PROVIDING HEALTH BENEFITS IN ADDITION TO HEALTH INSURANCE COVERAGE.

''(a) IN GENERAL.—The requirements of this section are met with respect to an association health plan if—

''(1) the benefits under the plan consist solely of health insurance coverage; or

''(2) if the plan provides any additional benefit options which do not consist of health insurance coverage, the plan—

''(A) establishes and maintains reserves with respect to such additional benefit options, in amounts recommended by the qualified actuary, consisting of—

''(i) a reserve sufficient for unearned contributions;

''(ii) a reserve sufficient for benefit liabilities which have been incurred, which have not been satisfied, and for which risk of loss has not yet been transferred, and for expected administrative costs with respect to such benefit liabilities;

''(iii) a reserve sufficient for any other obligations of the plan; and

''(iv) a reserve sufficient for a margin of error and other fluctuations, taking into account the specific circumstances of the plan; and

''(B) establishes and maintains aggregate and specific excess/stop loss insurance and solvency indemnification, with respect to such additional benefit options for which risk of loss has not yet been transferred, as follows:

''(i) The plan shall secure aggregate excess/stop loss insurance for the plan with an attachment point which is not greater than 125 percent of expected gross annual claims. The applicable authority may by regulation, through negotiated rulemaking, provide for upward adjustments in the amount of such percentage in specified circumstances in which the plan specifically provides for and maintains reserves in excess of the amounts required under subparagraph (A).

''(ii) The plan shall secure specific excess/stop loss insurance for the plan with an attachment point which is at least equal to an amount recommended by the plan's qualified actuary. The applicable authority may by regulation, through negotiated rulemaking, provide for adjustments in the amount of such insurance in specified circumstances in which the plan specifically provides for and maintains reserves in excess of the amounts required under subparagraph (A).

''(iii) The plan shall secure indemnification insurance for any claims which the plan is unable to satisfy by reason of a plan termination.

Any regulations prescribed by the applicable authority pursuant to clause (i) or (ii) of subparagraph (B) may allow for such adjustments in the required levels of excess/stop loss insurance as the qualified actuary may recommend, taking into account the specific circumstances of the plan.

''(b) MINIMUM SURPLUS IN ADDITION TO CLAIMS RESERVES.—In the case of any association health plan described in subsection (a)(2), the requirements of this subsection are met if the plan establishes and maintains surplus in an amount at least equal to—

''(1) $500,000, or

''(2) such greater amount (but not greater than $2,000,000) as may be set forth in regulations prescribed by the applicable authority through negotiated rulemaking, based on the level of aggregate and specific excess/stop loss insurance provided with respect to such plan.

''(c) ADDITIONAL REQUIREMENTS.—In the case of any association health plan described in subsection (a)(2), the applicable authority may provide such additional requirements relating to reserves and excess/stop loss insurance as the applicable authority considers appropriate. Such requirements may be provided by regulation, through negotiated rulemaking, with respect to any such plan or any class of such plans.

''(d) ADJUSTMENTS FOR EXCESS/STOP LOSS INSURANCE.—The applicable authority may provide for adjustments to the levels of reserves otherwise required under subsections (a) and (b) with respect to any plan or class of plans to take into account excess/stop loss insurance provided with respect to such plan or plans.

''(e) ALTERNATIVE MEANS OF COMPLIANCE.—The applicable authority may permit an association health plan described in subsection (a)(2) to substitute, for all or part of the requirements of this section (except subsection (a)(2)(B)(iii)), such security, guarantee, hold-harmless arrangement, or other financial arrangement as the applicable authority determines to be adequate to enable the plan to fully meet all its financial obligations on a timely basis and is otherwise no less protective of the interests of participants and beneficiaries than the requirements for which it is substituted. The applicable authority may take into account, for purposes of this subsection, evidence provided by the plan or sponsor which demonstrates an assumption of liability with respect to the plan. Such evidence may be in the form of a contract of indemnification, lien, bonding, insurance, letter of credit, recourse under applicable terms of the plan in the form of assessments of participating employers, security, or other financial arrangement.

''(f) MEASURES TO ENSURE CONTINUED PAYMENT OF BENEFITS BY CERTAIN PLANS IN DISTRESS.—

''(1) PAYMENTS BY CERTAIN PLANS TO ASSOCIATION HEALTH PLAN FUND.—

''(A) IN GENERAL.—In the case of an association health plan described in subsection (a)(2), the requirements of this subsection are met if the plan makes payments into the Association Health Plan Fund under this subparagraph when they are due. Such payments shall consist of annual payments in the amount of $5,000, and, in addition to such annual payments, such supplemental payments as the Secretary may determine to be necessary under paragraph (2). Payments under this paragraph are payable to the Fund at the time determined by the Secretary. Initial payments are due in advance

of certification under this part. Payments shall continue to accrue until a plan's assets are distributed pursuant to a termination procedure.

''(B) PENALTIES FOR FAILURE TO MAKE PAYMENTS.—If any payment is not made by a plan when it is due, a late payment charge of not more than 100 percent of the payment which was not timely paid shall be payable by the plan to the Fund.

''(C) CONTINUED DUTY OF THE SECRETARY.—The Secretary shall not cease to carry out the provisions of paragraph (2) on account of the failure of a plan to pay any payment when due.

''(2) PAYMENTS BY SECRETARY TO CONTINUE EXCESS/STOP LOSS INSURANCE COVERAGE AND INDEMNIFICATION INSURANCE COVERAGE FOR CERTAIN PLANS.—In any case in which the applicable authority determines that there is, or that there is reason to believe that there will be: (A) a failure to take necessary corrective actions under section 809(a) with respect to an association health plan described in subsection (a)(2); or (B) a termination of such a plan under section 809(b) or 810(b)(8) (and, if the applicable authority is not the Secretary, certifies such determination to the Secretary), the Secretary shall determine the amounts necessary to make payments to an insurer (designated by the Secretary) to maintain in force excess/stop loss insurance coverage or indemnification insurance coverage for such plan, if the Secretary determines that there is a reasonable expectation that, without such payments, claims would not be satisfied by reason of termination of such coverage. The Secretary shall, to the extent provided in advance in appropriation Acts, pay such amounts so determined to the insurer designated by the Secretary.

''(3) ASSOCIATION HEALTH PLAN FUND.—

''(A) IN GENERAL.—There is established on the books of the Treasury a fund to be known as the 'Association Health Plan Fund'. The Fund shall be available for making payments pursuant to paragraph (2). The Fund shall be credited with payments received pursuant to paragraph (1)(A), penalties received pursuant to paragraph (1)(B); and earnings on investments of amounts of the Fund under subparagraph (B).

''(B) INVESTMENT.—Whenever the Secretary determines that the moneys of the fund are in excess of current needs, the Secretary may request the investment of such amounts as the Secretary determines advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

''(g) EXCESS/STOP LOSS INSURANCE.—For purposes of this section—

''(1) AGGREGATE EXCESS/STOP LOSS INSURANCE.—The term 'aggregate excess/stop loss insurance' means, in connection with an association health plan, a contract—

''(A) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation through negotiated rulemaking) provides for payment to the plan with respect to aggregate claims under the plan in excess of an amount or amounts specified in such contract;

''(B) which is guaranteed renewable; and

''(C) which allows for payment of premiums by any third party on behalf of the insured plan.

''(2) SPECIFIC EXCESS/STOP LOSS INSURANCE.—The term 'specific excess/stop loss insurance' means, in connection with an association health plan, a contract—

''(A) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation through negotiated rulemaking) provides for payment to the plan with respect to claims under the plan in connection with a covered individual in excess of an amount or amounts specified in such contract in connection with such covered individual;

''(B) which is guaranteed renewable; and

''(C) which allows for payment of premiums by any third party on behalf of the insured plan.

''(h) INDEMNIFICATION INSURANCE.—For purposes of this section, the term 'indemnification insurance' means, in connection with an association health plan, a contract—

''(1) under which an insurer (meeting such minimum standards as the applicable authority may prescribe through negotiated rulemaking) provides for payment to the plan with respect to claims under the plan which the plan is unable to satisfy by reason of a termination pursuant to section 809(b) (relating to mandatory termination);

''(2) which is guaranteed renewable and noncancellable for any reason (except as the applicable authority may prescribe by regulation through negotiated rulemaking); and

''(3) which allows for payment of premiums by any third party on behalf of the insured plan.

''(i) RESERVES.—For purposes of this section, the term 'reserves' means, in connection with an association health plan, plan assets which meet the fiduciary standards under part 4 and such additional requirements regarding liquidity as the applicable authority may prescribe through negotiated rulemaking.

''(j) SOLVENCY STANDARDS WORKING GROUP.—

''(1) IN GENERAL.—Within 90 days after the date of the enactment of the Bipartisan Patient Protection Act, the applicable authority shall establish a Solvency Standards Working Group. In prescribing the initial regulations under this section, the applicable authority shall take into account the recommendations of such Working Group.

''(2) MEMBERSHIP.—The Working Group shall consist of not more than 15 members appointed by the applicable authority. The applicable authority shall include among persons invited to membership on the Working Group at least one of each of the following:

''(A) a representative of the National Association of Insurance Commissioners;

''(B) a representative of the American Academy of Actuaries;

''(C) a representative of the State governments, or their interests;

''(D) a representative of existing self-insured arrangements, or their interests;

''(E) a representative of associations of the type referred to in section 801(b)(1), or their interests; and

''(F) a representative of multiemployer plans that are group health plans, or their interests.

"SEC. 807. REQUIREMENTS FOR APPLICATION AND RELATED REQUIREMENTS.

''(a) FILING FEE.—Under the procedure prescribed pursuant to section 802(a), an association health plan shall pay to the applicable authority at the time of filing an application for certification under this part a filing fee in the amount of $5,000, which shall be available in the case of the Secretary, to the extent provided in appropriation Acts, for the sole purpose of administering the certification procedures applicable with respect to association health plans.

''(b) INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority through negotiated rulemaking, at least the following information:

''(1) IDENTIFYING INFORMATION.—The names and addresses of—

''(A) the sponsor; and

''(B) the members of the board of trustees of the plan.

''(2) STATES IN WHICH PLAN INTENDS TO DO BUSINESS.—The States in which participants and beneficiaries under the plan are to be located and the number of them expected to be located in each such State.

''(3) BONDING REQUIREMENTS.—Evidence provided by the board of trustees that the bonding requirements of section 412 will be met as of the date of the application or (if later) commencement of operations.

''(4) PLAN DOCUMENTS.—A copy of the documents governing the plan (including any bylaws and trust agreements), the summary plan description, and other material describing the benefits that will be provided to participants and beneficiaries under the plan.

''(5) AGREEMENTS WITH SERVICE PROVIDERS.—A copy of any agreements between the plan and contract administrators and other service providers.

''(6) FUNDING REPORT.—In the case of association health plans providing benefits options in addition to health insurance coverage, a report setting forth information with respect to such additional benefit options determined as of a date within the 120-day period ending with the date of the application, including the following:

''(A) RESERVES.—A statement, certified by the board of trustees of the plan, and a statement of actuarial opinion, signed by a qualified actuary, that all applicable requirements of section 806 are or will be met in accordance with regulations which the applicable authority shall prescribe through negotiated rulemaking.

''(B) ADEQUACY OF CONTRIBUTION RATES.—A statement of actuarial opinion, signed by a qualified actuary, which sets forth a description of the extent to which contribution rates are adequate to provide for the payment of all obligations and the maintenance of required reserves under the plan for the 12-month period beginning with such date within such 120-day period, taking into account the expected coverage and experience of the plan. If the contribution rates are not fully adequate, the statement of actuarial opinion shall indicate the extent to which the rates are inadequate and the changes needed to ensure adequacy.

''(C) CURRENT AND PROJECTED VALUE OF ASSETS AND LIABILITIES.—A statement of actuarial opinion signed by a qualified actuary, which sets forth the current value of the assets and liabilities accumulated under the plan and a projection of the assets, liabilities, income, and expenses of the plan for the 12-month period referred to in subparagraph (B). The income statement shall identify separately the plan's administrative expenses and claims.

''(D) COSTS OF COVERAGE TO BE CHARGED AND OTHER EXPENSES.—A statement of the costs of coverage to be charged, including an itemization of amounts for administration, reserves, and other expenses associated with the operation of the plan.

''(E) OTHER INFORMATION.—Any other information as may be determined by the applicable authority, by regulation through negotiated rulemaking, as necessary to carry out the purposes of this part.

''(c) FILING NOTICE OF CERTIFICATION WITH STATES.—A certification granted under this part to an association health plan shall not be effective unless written notice of such certification is filed with the applicable State authority of each State in which at least 25 percent of the participants and beneficiaries under the plan are located. For purposes of this subsection, an individual shall be considered to be located in the State in which a known address of such individual is located or in which such individual is employed.

''(d) NOTICE OF MATERIAL CHANGES.—In the case of any association health plan certified under this part, descriptions of material changes in any information which was required to be submitted with the application for the certification under this part shall be filed in such form and manner as shall be prescribed by the applicable authority by regulation through negotiated rulemaking. The applicable authority may require by regulation, through negotiated rulemaking, prior notice of material changes with respect to specified matters which might serve as the basis for suspension or revocation of the certification.

''(e) REPORTING REQUIREMENTS FOR CERTAIN ASSOCIATION HEALTH PLANS.—An association health plan certified under this part which provides benefit options in addition to health insurance coverage for such plan year shall meet the requirements of section 103 by filing an annual report under such section which shall include information described in subsection (b)(6) with respect to the plan year and, notwithstanding section 104(a)(1)(A), shall be filed with the applicable authority not later than 90 days after the close of the plan year (or on such later date as may be prescribed by the applicable authority). The applicable authority may require by regulation through negotiated rulemaking such interim reports as it considers appropriate.

''(f) ENGAGEMENT OF QUALIFIED ACTUARY.—The board of trustees of each association health plan which provides benefits options in addition to health insurance coverage and which is applying for certification under this part or is certified under this part shall engage, on behalf of all participants and beneficiaries, a qualified actuary who shall be responsible for the preparation of the materials comprising information necessary to be submitted by a qualified actuary under this part. The qualified actuary shall utilize such assumptions and techniques as are necessary to enable such actuary to form an opinion as to whether the contents of the matters reported under this part—

''(1) are in the aggregate reasonably related to the experience of the plan and to reasonable expectations; and

''(2) represent such actuary's best estimate of anticipated experience under the plan.

The opinion by the qualified actuary shall be made with respect to, and shall be made a part of, the annual report.

"SEC. 808. NOTICE REQUIREMENTS FOR VOLUNTARY TERMINATION.

''Except as provided in section 809(b), an association health plan which is or has been certified under this part may terminate (upon or at any time after cessation of accruals in benefit liabilities) only if the board of trustees—

''(1) not less than 60 days before the proposed termination date, provides to the participants and beneficiaries a written notice of intent to terminate stating that such termination is intended and the proposed termination date;

''(2) develops a plan for winding up the affairs of the plan in connection with such termination in a manner which will result in timely payment of all benefits for which the plan is obligated; and

''(3) submits such plan in writing to the applicable authority.

Actions required under this section shall be taken in such form and manner as may be prescribed by the applicable authority by regulation through negotiated rulemaking.

"SEC. 809. CORRECTIVE ACTIONS AND MANDATORY TERMINATION.

''(a) ACTIONS TO AVOID DEPLETION OF RESERVES.—An association health plan which is certified under this part and which provides benefits other than health insurance coverage shall continue to meet the requirements of section 806, irrespective of whether such certification continues in effect. The board of trustees of such plan shall determine quarterly whether the requirements of section 806 are met. In any case in which the board determines that there is reason to believe that there is or will be a failure to meet such requirements, or the applicable authority makes such a determination and so notifies the board, the board shall immediately notify the qualified actuary engaged by the plan, and such actuary shall, not later than the end of the next following month, make such recommendations to the board for corrective action as the actuary determines necessary to ensure compliance with section 806. Not later than 30 days after receiving from the actuary recommendations for corrective actions, the board shall notify the applicable authority (in such form and manner as the applicable authority may prescribe by regulation through negotiated rulemaking) of such recommendations of the actuary for corrective action, together with a description of the actions (if any) that the board has taken or plans to take in response to such recommendations. The board shall thereafter report to the applicable authority, in such form and frequency as the applicable authority may specify to the board, regarding corrective action taken by the board until the requirements of section 806 are met.

''(b) MANDATORY TERMINATION.—In any case in which—

''(1) the applicable authority has been notified under subsection (a) of a failure of an association health plan which is or has been certified under this part and is described in section 806(a)(2) to meet the requirements of section 806 and has not been notified by the board of trustees of the plan that corrective action has restored compliance with such requirements; and

''(2) the applicable authority determines that there is a reasonable expectation that the plan will continue to fail to meet the requirements of section 806,

the board of trustees of the plan shall, at the direction of the applicable authority, terminate the plan and, in the course of the termination, take such actions as the applicable authority may require, including satisfying any claims referred to in section 806(a)(2)(B)(iii) and recovering for the plan any liability under subsection (a)(2)(B)(iii) or (e) of section 806, as necessary to ensure that the affairs of the plan will be, to the maximum extent possible, wound up in a manner which will result in timely provision of all benefits for which the plan is obligated.

"SEC. 810. TRUSTEESHIP BY THE SECRETARY OF INSOLVENT ASSOCIATION HEALTH PLANS PROVIDING HEALTH BENEFITS IN ADDITION TO HEALTH INSURANCE COVERAGE.

''(a) APPOINTMENT OF SECRETARY AS TRUSTEE FOR INSOLVENT PLANS.—Whenever the Secretary determines that an association health plan which is or has been certified under this part and which is described in section 806(a)(2) will be unable to provide benefits when due or is otherwise in a financially hazardous condition, as shall be defined by the Secretary by regulation through negotiated rulemaking, the Secretary shall, upon notice to the plan, apply to the appropriate United States district court for appointment of the Secretary as trustee to administer the plan for the duration of the insolvency. The plan may appear as a party and other interested persons may intervene in the proceedings at the discretion of the court. The court shall appoint such Secretary trustee if the court determines that the trusteeship is necessary to protect the interests of the participants and beneficiaries or providers of medical care or to avoid any unreasonable deterioration of the financial condition of the plan. The trusteeship of such Secretary shall continue until the conditions described in the first sentence of this subsection are remedied or the plan is terminated.

''(b) POWERS AS TRUSTEE.—The Secretary, upon appointment as trustee under subsection (a), shall have the power—

''(1) to do any act authorized by the plan, this title, or other applicable provisions of law to be done by the plan administrator or any trustee of the plan;

''(2) to require the transfer of all (or any part) of the assets and records of the plan to the Secretary as trustee;

''(3) to invest any assets of the plan which the Secretary holds in accordance with the provisions of the plan, regulations prescribed by the Secretary through negotiated rulemaking, and applicable provisions of law;

''(4) to require the sponsor, the plan administrator, any participating employer, and any employee organization representing plan participants to furnish any information with respect to the plan which the Secretary as trustee may reasonably need in order to administer the plan;

''(5) to collect for the plan any amounts due the plan and to recover reasonable expenses of the trusteeship;

''(6) to commence, prosecute, or defend on behalf of the plan any suit or proceeding involving the plan;

''(7) to issue, publish, or file such notices, statements, and reports as may be required by the Secretary by regulation through negotiated rulemaking or required by any order of the court;

''(8) to terminate the plan (or provide for its termination in accordance with section 809(b)) and liquidate the plan assets, to restore the plan to the responsibility of the sponsor, or to continue the trusteeship;

''(9) to provide for the enrollment of plan participants and beneficiaries under appropriate coverage options; and

''(10) to do such other acts as may be necessary to comply with this title or any order of the court and to protect the interests of plan participants and beneficiaries and providers of medical care.

''(c) NOTICE OF APPOINTMENT.—As soon as practicable after the Secretary's appointment as trustee, the Secretary shall give notice of such appointment to—

''(1) the sponsor and plan administrator;

''(2) each participant;

''(3) each participating employer; and

''(4) if applicable, each employee organization which, for purposes of collective bargaining, represents plan participants.

''(d) ADDITIONAL DUTIES.—Except to the extent inconsistent with the provisions of this title, or as may be otherwise ordered by the court, the Secretary, upon appointment as trustee under this section, shall be subject to the same duties as those of a trustee under section 704 of title 11, United States Code, and shall have the duties of a fiduciary for purposes of this title.

''(e) OTHER PROCEEDINGS.—An application by the Secretary under this subsection may be filed notwithstanding the pendency in the same or any other court of any bankruptcy, mortgage foreclosure, or equity receivership proceeding, or any proceeding to reorganize, conserve, or liquidate such plan or its property, or any proceeding to enforce a lien against property of the plan.

''(f) JURISDICTION OF COURT.—

''(1) IN GENERAL.—Upon the filing of an application for the appointment as trustee or the issuance of a decree under this section, the court to which the application is made shall have exclusive jurisdiction of the plan involved and its property wherever located with the powers, to the extent consistent with the purposes of this section, of a court of the United States having jurisdiction over

cases under chapter 11 of title 11, United States Code. Pending an adjudication under this section such court shall stay, and upon appointment by it of the Secretary as trustee, such court shall continue the stay of, any pending mortgage foreclosure, equity receivership, or other proceeding to reorganize, conserve, or liquidate the plan, the sponsor, or property of such plan or sponsor, and any other suit against any receiver, conservator, or trustee of the plan, the sponsor, or property of the plan or sponsor. Pending such adjudication and upon the appointment by it of the Secretary as trustee, the court may stay any proceeding to enforce a lien against property of the plan or the sponsor or any other suit against the plan or the sponsor.

''(2) VENUE.—An action under this section may be brought in the judicial district where the sponsor or the plan administrator resides or does business or where any asset of the plan is situated. A district court in which such action is brought may issue process with respect to such action in any other judicial district.

''(g) PERSONNEL.—In accordance with regulations which shall be prescribed by the Secretary through negotiated rulemaking, the Secretary shall appoint, retain, and compensate accountants, actuaries, and other professional service personnel as may be necessary in connection with the Secretary's service as trustee under this section.

''SEC. 811. STATE ASSESSMENT AUTHORITY.

''(a) IN GENERAL.—Notwithstanding section 514, a State may impose by law a contribution tax on an association health plan described in section 806(a)(2), if the plan commenced operations in such State after the date of the enactment of the Bipartisan Patient Protection Act.

''(b) CONTRIBUTION TAX.—For purposes of this section, the term 'contribution tax' imposed by a State on an association health plan means any tax imposed by such State if—

''(1) such tax is computed by applying a rate to the amount of premiums or contributions, with respect to individuals covered under the plan who are residents of such State, which are received by the plan from participating employers located in such State or from such individuals;

''(2) the rate of such tax does not exceed the rate of any tax imposed by such State on premiums or contributions received by insurers or health maintenance organizations for health insurance coverage offered in such State in connection with a group health plan;

''(3) such tax is otherwise nondiscriminatory; and

''(4) the amount of any such tax assessed on the plan is reduced by the amount of any tax or assessment otherwise imposed by the State on premiums, contributions, or both received by insurers or health maintenance organizations for health insurance coverage, aggregate excess/stop loss insurance (as defined in section 806(g)(1)), specific excess/stop loss insurance (as defined in section 806(g)(2)), other insurance related to the provision of medical care under the plan, or any combination thereof provided by such insurers or health maintenance organizations in such State in connection with such plan.

''SEC. 812. DEFINITIONS AND RULES OF CONSTRUCTION.

''(a) DEFINITIONS.—For purposes of this part—

''(1) GROUP HEALTH PLAN.—The term 'group health plan' has the meaning provided in section 733(a)(1) (after applying subsection (b) of this section).

''(2) MEDICAL CARE.—The term 'medical care' has the meaning provided in section 733(a)(2).

''(3) HEALTH INSURANCE COVERAGE.—The term 'health insurance coverage' has the meaning provided in section 733(b)(1).

''(4) HEALTH INSURANCE ISSUER.—The term 'health insurance issuer' has the meaning provided in section 733(b)(2).

''(5) APPLICABLE AUTHORITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'applicable authority' means, in connection with an association health plan—

''(i) the State recognized pursuant to subsection (c) of section 506 as the State to which authority has been delegated in connection with such plan; or

''(ii) if there if no State referred to in clause (i), the Secretary.

''(B) EXCEPTIONS.—

''(i) JOINT AUTHORITIES.—Where such term appears in section 808(3), section 807(e) (in the first instance), section 809(a) (in the second instance), section 809(a) (in the fourth instance), and section 809(b)(1), such term means, in connection with an association health plan, the Secretary and the State referred to in subparagraph (A)(i) (if any) in connection with such plan.

''(ii) REGULATORY AUTHORITIES.—Where such term appears in section 802(a) (in the first instance), section 802(d), section 802(e), section 803(d), section 805(a)(5), section 806(a)(2), section 806(b), section 806(c), section 806(d), paragraphs (1)(A) and (2)(A) of section 806(g), section 806(h), section 806(i), section 806(j), section 807(a) (in the second instance), section 807(b), section 807(d), section 807(e) (in the second instance), section 808 (in the matter after paragraph (3)), and section 809(a) (in the third instance), such term means, in connection with an association health plan, the Secretary.

''(6) HEALTH STATUS-RELATED FACTOR.—The term 'health status-related factor' has the meaning provided in section 733(d)(2).

''(7) INDIVIDUAL MARKET.—

''(A) IN GENERAL.—The term 'individual market' means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

''(B) TREATMENT OF VERY SMALL GROUPS.—

''(i) IN GENERAL.—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

''(ii) STATE EXCEPTION.—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

''(8) PARTICIPATING EMPLOYER.—The term 'participating employer' means, in connection with an association health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.

''(9) APPLICABLE STATE AUTHORITY.—The term 'applicable State authority' means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer.

''(10) QUALIFIED ACTUARY.—The term 'qualified actuary' means an individual who is a member of the American Academy of Actuaries or meets such reasonable standards and qualifications as the Secretary may provide by regulation through negotiated rulemaking.

''(11) AFFILIATED MEMBER.—The term 'affiliated member' means, in connection with a sponsor—

''(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor,

''(B) in the case of a sponsor with members which consist of associations, a person who is a member of any such association and elects an affiliated status with the sponsor, or

''(C) in the case of an association health plan in existence on the date of the enactment of the Bipartisan Patient Protection Act, a person eligible to be a member of the sponsor or one of its member associations.

''(12) LARGE EMPLOYER.—The term 'large employer' means, in connection with a group health plan with respect to a plan year, an employer who employed an average of at least 51 employees on business days during the preceding calendar year and who employs at least 2 employees on the first day of the plan year.

''(13) SMALL EMPLOYER.—The term 'small employer' means, in connection with a group health plan with respect to a plan year, an employer who is not a large employer.

''(b) RULES OF CONSTRUCTION.—

''(1) EMPLOYERS AND EMPLOYEES.—For purposes of determining whether a plan, fund, or program is an employee welfare benefit plan which is an association health plan, and for purposes of applying this title in connection with such plan, fund, or program so determined to be such an employee welfare benefit plan—

''(A) in the case of a partnership, the term 'employer' (as defined in section 3(5)) includes the partnership in relation to the partners, and the term 'employee' (as defined in section 3(6)) includes any partner in relation to the partnership; and

''(B) in the case of a self-employed individual, the term 'employer' (as defined in section 3(5)) and the term 'employee' (as defined in section 3(6)) shall include such individual.

''(2) PLANS, FUNDS, AND PROGRAMS TREATED AS EMPLOYEE WELFARE BENEFIT PLANS.—In the case of any plan, fund, or program which was established or is maintained for the purpose of providing medical care (through the purchase of insurance or otherwise) for employees (or their dependents) covered thereunder and which demonstrates to the Secretary that all requirements for certification under this part would be met with respect to such plan, fund, or program if such plan, fund, or program were a group health plan, such plan, fund, or program shall be treated for purposes of this title as an employee welfare benefit plan on and after the date of such demonstration.''.

(b) CONFORMING AMENDMENTS TO PREEMPTION RULES.—

(1) Section 514(b)(6) of such Act (29 U.S.C. 1144(b)(6)) is amended by adding at the end the following new subparagraph:

''(E) The preceding subparagraphs of this paragraph do not apply with respect to any State law in the case of an association health plan which is certified under part 8.''.

(2) Section 514 of such Act (29 U.S.C. 1144), as amended by section 142, is amended—

(A) in subsection (b)(4), by striking ''Subsection (a)'' and inserting ''Subsections (a) and (e)'';

(B) in subsection (b)(5), by striking ''subsection (a)'' in subparagraph (A) and inserting ''subsection (a) of this section and subsections (a)(2)(B) and (b) of section 805'', and by striking ''subsection (a)'' in subparagraph (B) and inserting ''subsection (a) of this sec-

tion or subsection (a)(2)(B) or (b) of section 805'';

(C) by redesignating subsection (e) as subsection (f); and

(D) by inserting after subsection (d) the following new subsection:

''(e)(1) Except as provided in subsection (b)(4), the provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude, or have the effect of precluding, a health insurance issuer from offering health insurance coverage in connection with an association health plan which is certified under part 8.

''(2) Except as provided in paragraphs (4) and (5) of subsection (b) of this section—

''(A) In any case in which health insurance coverage of any policy type is offered under an association health plan certified under part 8 to a participating employer operating in such State, the provisions of this title shall supersede any and all laws of such State insofar as they may preclude a health insurance issuer from offering health insurance coverage of the same policy type to other employers operating in the State which are eligible for coverage under such association health plan, whether or not such other employers are participating employers in such plan.

''(B) In any case in which health insurance coverage of any policy type is offered under an association health plan in a State and the filing, with the applicable State authority, of the policy form in connection with such policy type is approved by such State authority, the provisions of this title shall supersede any and all laws of any other State in which health insurance coverage of such type is offered, insofar as they may preclude, upon the filing in the same form and manner of such policy form with the applicable State authority in such other State, the approval of the filing in such other State.

''(3) For additional provisions relating to association health plans, see subsections (a)(2)(B) and (b) of section 805.

''(4) For purposes of this subsection, the term 'association health plan' has the meaning provided in section 801(a), and the terms 'health insurance coverage', 'participating employer', and 'health insurance issuer' have the meanings provided such terms in section 811, respectively.''.

(3) Section 514(b)(6)(A) of such Act (29 U.S.C. 1144(b)(6)(A)) is amended—

(A) in clause (i)(II), by striking ''and'' at the end;

(B) in clause (ii), by inserting ''and which does not provide medical care (within the meaning of section 733(a)(2)),'' after ''arrangement,'', and by striking ''title.'' and inserting ''title, and''; and

(C) by adding at the end the following new clause:

''(iii) subject to subparagraph (E), in the case of any other employee welfare benefit plan which is a multiple employer welfare arrangement and which provides medical care (within the meaning of section 733(a)(2)), any law of any State which regulates insurance may apply.''.

(4) Section 514(e) of such Act (as redesignated by paragraph (2)(C)) is amended—

(A) by striking ''Nothing'' and inserting ''(1) Except as provided in paragraph (2), nothing''; and

(B) by adding at the end the following new paragraph:

''(2) Nothing in any other provision of law enacted on or after the date of the enactment of the Bipartisan Patient Protection Act shall be construed to alter, amend, modify, invalidate, impair, or supersede any provision of this title, except by specific cross-reference to the affected section.''.

(c) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: ''Such term also includes a person serving as the sponsor of an association health plan under part 8.''.

(d) DISCLOSURE OF SOLVENCY PROTECTIONS RELATED TO SELF-INSURED AND FULLY INSURED OPTIONS UNDER ASSOCIATION HEALTH PLANS.—Section 102(b) of such Act (29 U.S.C. 102(b)) is amended by adding at the end the following: ''An association health plan shall include in its summary plan description, in connection with each benefit option, a description of the form of solvency or guarantee fund protection secured pursuant to this Act or applicable State law, if any.''.

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting ''or part 8'' after ''this part''.

(f) REPORT TO THE CONGRESS REGARDING CERTIFICATION OF SELF-INSURED ASSOCIATION HEALTH PLANS.—Not later than January 1, 2006, the Secretary of Labor shall report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate the effect association health plans have had, if any, on reducing the number of uninsured individuals.

(g) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by inserting after the item relating to section 734 the following new items:

''PART 8—RULES GOVERNING ASSOCIATION HEALTH PLANS

''Sec. 801. Association health plans.
''Sec. 802. Certification of association health plans.
''Sec. 803. Requirements relating to sponsors and boards of trustees.
''Sec. 804. Participation and coverage requirements.
''Sec. 805. Other requirements relating to plan documents, contribution rates, and benefit options.
''Sec. 806. Maintenance of reserves and provisions for solvency for plans providing health benefits in addition to health insurance coverage.
''Sec. 807. Requirements for application and related requirements.
''Sec. 808. Notice requirements for voluntary termination.
''Sec. 809. Corrective actions and mandatory termination.
''Sec. 810. Trusteeship by the Secretary of insolvent association health plans providing health benefits in addition to health insurance coverage.
''Sec. 811. State assessment authority.
''Sec. 812. Definitions and rules of construction.''.

SEC. 422. CLARIFICATION OF TREATMENT OF SINGLE EMPLOYER ARRANGEMENTS.

Section 3(40)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(40)(B)) is amended—

(1) in clause (i), by inserting ''for any plan year of any such plan, or any fiscal year of any such other arrangement;'' after ''single employer'', and by inserting ''during such year or at any time during the preceding 1-year period'' after ''control group'';

(2) in clause (iii)—

(A) by striking ''common control shall not be based on an interest of less than 25 percent'' and inserting ''an interest of greater than 25 percent may not be required as the minimum interest necessary for common control''; and

(B) by striking ''similar to'' and inserting ''consistent and coextensive with'';

(3) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(4) by inserting after clause (iii) the following new clause:

''(iv) in determining, after the application of clause (i), whether benefits are provided to employees of two or more employers, the arrangement shall be treated as having only one participating employer if, after the application of clause (i), the number of individuals who are employees and former employees of any one participating employer and who are covered under the arrangement is greater than 75 percent of the aggregate number of all individuals who are employees or former employees of participating employers and who are covered under the arrangement;''.

SEC. 423. CLARIFICATION OF TREATMENT OF CERTAIN COLLECTIVELY BARGAINED ARRANGEMENTS.

(a) IN GENERAL.—Section 3(40)(A)(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(40)(A)(i)) is amended to read as follows:

''(i)(I) under or pursuant to one or more collective bargaining agreements which are reached pursuant to collective bargaining described in section 8(d) of the National Labor Relations Act (29 U.S.C. 158(d)) or paragraph Fourth of section 2 of the Railway Labor Act (45 U.S.C. 152, paragraph Fourth) or which are reached pursuant to labor-management negotiations under similar provisions of State public employee relations laws, and (II) in accordance with subparagraphs (C), (D), and (E);''.

(b) LIMITATIONS.—Section 3(40) of such Act (29 U.S.C. 1002(40)) is amended by adding at the end the following new subparagraphs:

''(C) For purposes of subparagraph (A)(i)(II), a plan or other arrangement shall be treated as established or maintained in accordance with this subparagraph only if the following requirements are met:

''(i) The plan or other arrangement, and the employee organization or any other entity sponsoring the plan or other arrangement, do not—

''(I) utilize the services of any licensed insurance agent or broker for soliciting or enrolling employers or individuals as participating employers or covered individuals under the plan or other arrangement; or

''(II) pay any type of compensation to a person, other than a full time employee of the employee organization (or a member of the organization to the extent provided in regulations prescribed by the Secretary through negotiated rulemaking), that is related either to the volume or number of employers or individuals solicited or enrolled as participating employers or covered individuals under the plan or other arrangement, or to the dollar amount or size of the contributions made by participating employers or covered individuals to the plan or other arrangement;

except to the extent that the services used by the plan, arrangement, organization, or other entity consist solely of preparation of documents necessary for compliance with the reporting and disclosure requirements of part 1 or administrative, investment, or consulting services unrelated to solicitation or enrollment of covered individuals.

''(ii) As of the end of the preceding plan year, the number of covered individuals under the plan or other arrangement who are neither—

''(I) employed within a bargaining unit covered by any of the collective bargaining agreements with a participating employer (nor covered on the basis of an individual's employment in such a bargaining unit); nor

''(II) present employees (or former employees who were covered while employed) of the sponsoring employee organization, of an employer who is or was a party to any of the collective bargaining agreements, or of the plan or other arrangement or a related plan or arrangement (nor covered on the basis of such present or former employment);

does not exceed 15 percent of the total number of individuals who are covered under the

plan or arrangement and who are present or former employees who are or were covered under the plan or arrangement pursuant to a collective bargaining agreement with a participating employer. The requirements of the preceding provisions of this clause shall be treated as satisfied if, as of the end of the preceding plan year, such covered individuals are comprised solely of individuals who were covered individuals under the plan or other arrangement as of the date of the enactment of the Bipartisan Patient Protection Act and, as of the end of the preceding plan year, the number of such covered individuals does not exceed 25 percent of the total number of present and former employees enrolled under the plan or other arrangement.

''(iii) The employee organization or other entity sponsoring the plan or other arrangement certifies to the Secretary each year, in a form and manner which shall be prescribed by the Secretary through negotiated rulemaking that the plan or other arrangement meets the requirements of clauses (i) and (ii).

''(D) For purposes of subparagraph (A)(i)(II), a plan or arrangement shall be treated as established or maintained in accordance with this subparagraph only if—

''(i) all of the benefits provided under the plan or arrangement consist of health insurance coverage; or

''(ii)(I) the plan or arrangement is a multiemployer plan; and

''(II) the requirements of clause (B) of the proviso to clause (5) of section 302(c) of the Labor Management Relations Act, 1947 (29 U.S.C. 186(c)) are met with respect to such plan or other arrangement.

''(E) For purposes of subparagraph (A)(i)(II), a plan or arrangement shall be treated as established or maintained in accordance with this subparagraph only if—

''(i) the plan or arrangement is in effect as of the date of the enactment of the Bipartisan Patient Protection Act; or

''(ii) the employee organization or other entity sponsoring the plan or arrangement—

''(I) has been in existence for at least 3 years; or

''(II) demonstrates to the satisfaction of the Secretary that the requirements of subparagraphs (C) and (D) are met with respect to the plan or other arrangement.''.

(c) CONFORMING AMENDMENTS TO DEFINITIONS OF PARTICIPANT AND BENEFICIARY.—Section 3(7) of such Act (29 U.S.C. 1002(7)) is amended by adding at the end the following new sentence: ''Such term includes an individual who is a covered individual described in paragraph (40)(C)(ii).''.

SEC. 424. ENFORCEMENT PROVISIONS RELATING TO ASSOCIATION HEALTH PLANS.

(a) CRIMINAL PENALTIES FOR CERTAIN WILLFUL MISREPRESENTATIONS.—Section 501 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1131) is amended—

(1) by inserting ''(a)'' after ''SEC. 501.''; and

(2) by adding at the end the following new subsection:

''(b) Any person who willfully falsely represents, to any employee, any employee's beneficiary, any employer, the Secretary, or any State, a plan or other arrangement established or maintained for the purpose of offering or providing any benefit described in section 3(1) to employees or their beneficiaries as—

''(1) being an association health plan which has been certified under part 8;

''(2) having been established or maintained under or pursuant to one or more collective bargaining agreements which are reached pursuant to collective bargaining described in section 8(d) of the National Labor Relations Act (29 U.S.C. 158(d)) or paragraph Fourth of section 2 of the Railway Labor Act (45 U.S.C. 152, paragraph Fourth) or which are reached pursuant to labor-management negotiations under similar provisions of State public employee relations laws; or

''(3) being a plan or arrangement with respect to which the requirements of subparagraph (C), (D), or (E) of section 3(40) are met; shall, upon conviction, be imprisoned not more than 5 years, be fined under title 18, United States Code, or both.''.

(b) CEASE ACTIVITIES ORDERS.—Section 502 of such Act (29 U.S.C. 1132), as amended by sections 141 and 143, is further amended by adding at the end the following new subsection:

''(p) ASSOCIATION HEALTH PLAN CEASE AND DESIST ORDERS.—

''(1) IN GENERAL.—Subject to paragraph (2), upon application by the Secretary showing the operation, promotion, or marketing of an association health plan (or similar arrangement providing benefits consisting of medical care (as defined in section 733(a)(2))) that—

''(A) is not certified under part 8, is subject under section 514(b)(6) to the insurance laws of any State in which the plan or arrangement offers or provides benefits, and is not licensed, registered, or otherwise approved under the insurance laws of such State; or

''(B) is an association health plan certified under part 8 and is not operating in accordance with the requirements under part 8 for such certification,

a district court of the United States shall enter an order requiring that the plan or arrangement cease activities.

''(2) EXCEPTION.—Paragraph (1) shall not apply in the case of an association health plan or other arrangement if the plan or arrangement shows that—

''(A) all benefits under it referred to in paragraph (1) consist of health insurance coverage; and

''(B) with respect to each State in which the plan or arrangement offers or provides benefits, the plan or arrangement is operating in accordance with applicable State laws that are not superseded under section 514.

''(3) ADDITIONAL EQUITABLE RELIEF.—The court may grant such additional equitable relief, including any relief available under this title, as it deems necessary to protect the interests of the public and of persons having claims for benefits against the plan.''.

(c) RESPONSIBILITY FOR CLAIMS PROCEDURE.—Section 503 of such Act (29 U.S.C. 1133), as amended by section 301(b), is amended by adding at the end the following new subsection:

''(c) ASSOCIATION HEALTH PLANS.—The terms of each association health plan which is or has been certified under part 8 shall require the board of trustees or the named fiduciary (as applicable) to ensure that the requirements of this section are met in connection with claims filed under the plan.''.

SEC. 425. COOPERATION BETWEEN FEDERAL AND STATE AUTHORITIES.

Section 506 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1136) is amended by adding at the end the following new subsection:

''(c) CONSULTATION WITH STATES WITH RESPECT TO ASSOCIATION HEALTH PLANS.—

''(1) AGREEMENTS WITH STATES.—The Secretary shall consult with the State recognized under paragraph (2) with respect to an association health plan regarding the exercise of—

''(A) the Secretary's authority under sections 502 and 504 to enforce the requirements for certification under part 8; and

''(B) the Secretary's authority to certify association health plans under part 8 in accordance with regulations of the Secretary applicable to certification under part 8.

''(2) RECOGNITION OF PRIMARY DOMICILE STATE.—In carrying out paragraph (1), the Secretary shall ensure that only one State will be recognized, with respect to any particular association health plan, as the State to with which consultation is required. In carrying out this paragraph, the Secretary shall take into account the places of residence of the participants and beneficiaries under the plan and the State in which the trust is maintained.''.

SEC. 426. EFFECTIVE DATE AND TRANSITIONAL AND OTHER RULES.

(a) EFFECTIVE DATE.—The amendments made by sections 421, 424, and 425 shall take effect one year from the date of enactment. The amendments made by sections 422 and 423 shall take effect on the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this subtitle within one year from the date of enactment. Such regulations shall be issued through negotiated rulemaking.

(b) EXCEPTION.—Section 801(a)(2) of the Employee Retirement Income Security Act of 1974 (added by section 421) does not apply in connection with an association health plan (certified under part 8 of subtitle B of title I of such Act) existing on the date of the enactment of this Act, if no benefits provided thereunder as of the date of the enactment of this Act consist of health insurance coverage (as defined in section 733(b)(1) of such Act).

(c) TREATMENT OF CERTAIN EXISTING HEALTH BENEFITS PROGRAMS.—

(1) IN GENERAL.—In any case in which, as of the date of the enactment of this Act, an arrangement is maintained in a State for the purpose of providing benefits consisting of medical care for the employees and beneficiaries of its participating employers, at least 200 participating employers make contributions to such arrangement, such arrangement has been in existence for at least 10 years, and such arrangement is licensed under the laws of one or more States to provide such benefits to its participating employers, upon the filing with the applicable authority (as defined in section 812(a)(5) of the Employee Retirement Income Security Act of 1974 (as amended by this subtitle)) by the arrangement of an application for certification of the arrangement under part 8 of subtitle B of title I of such Act—

(A) such arrangement shall be deemed to be a group health plan for purposes of title I of such Act;

(B) the requirements of sections 801(a)(1) and 803(a)(1) of the Employee Retirement Income Security Act of 1974 shall be deemed met with respect to such arrangement;

(C) the requirements of section 803(b) of such Act shall be deemed met, if the arrangement is operated by a board of directors which—

(i) is elected by the participating employers, with each employer having one vote; and

(ii) has complete fiscal control over the arrangement and which is responsible for all operations of the arrangement;

(D) the requirements of section 804(a) of such Act shall be deemed met with respect to such arrangement; and

(E) the arrangement may be certified by any applicable authority with respect to its operations in any State only if it operates in such State on the date of certification.

The provisions of this subsection shall cease to apply with respect to any such arrangement at such time after the date of the enactment of this Act as the applicable requirements of this subsection are not met with respect to such arrangement.

(2) DEFINITIONS.—For purposes of this subsection, the terms ''group health plan'', ''medical care'', and ''participating em-

ployer'' shall have the meanings provided in section 812 of the Employee Retirement Income Security Act of 1974, except that the reference in paragraph (7) of such section to an ''association health plan'' shall be deemed a reference to an arrangement referred to in this subsection.

Amend section 511 to read as follows (and conform the table of contents accordingly):

SEC. 511. EXPANSION OF AVAILABILITY OF ARCHER MEDICAL SAVINGS ACCOUNTS.

(a) REPEAL OF LIMITATIONS ON NUMBER OF MEDICAL SAVINGS ACCOUNTS.—

(1) IN GENERAL.—Subsections (i) and (j) of section 220 of the Internal Revenue Code of 1986 are hereby repealed.

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (1) of section 220(c) of such Code is amended by striking subparagraph (D).

(B) Section 138 of such Code is amended by striking subsection (f).

(b) AVAILABILITY NOT LIMITED TO ACCOUNTS FOR EMPLOYEES OF SMALL EMPLOYERS AND SELF-EMPLOYED INDIVIDUALS.—

(1) IN GENERAL.—Subparagraph (A) of section 220(c)(1) of such Code (relating to eligible individual) is amended to read as follows:

''(A) IN GENERAL.—The term 'eligible individual' means, with respect to any month, any individual if—

''(i) such individual is covered under a high deductible health plan as of the 1st day of such month, and

''(ii) such individual is not, while covered under a high deductible health plan, covered under any health plan—

''(I) which is not a high deductible health plan, and

''(II) which provides coverage for any benefit which is covered under the high deductible health plan.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 220(c)(1) of such Code is amended by striking subparagraph (C).

(B) Section 220(c) of such Code is amended by striking paragraph (4) (defining small employer) and by redesignating paragraph (5) as paragraph (4).

(C) Section 220(b) of such Code is amended by striking paragraph (4) (relating to deduction limited by compensation) and by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

(c) INCREASE IN AMOUNT OF DEDUCTION ALLOWED FOR CONTRIBUTIONS TO MEDICAL SAVINGS ACCOUNTS.—

(1) IN GENERAL.—Paragraph (2) of section 220(b) of such Code is amended to read as follows:

''(2) MONTHLY LIMITATION.—The monthly limitation for any month is the amount equal to 1/12 of the annual deductible (as of the first day of such month) of the individual's coverage under the high deductible health plan.''.

(2) CONFORMING AMENDMENT.—Clause (ii) of section 220(d)(1)(A) of such Code is amended by striking ''75 percent of''.

(d) BOTH EMPLOYERS AND EMPLOYEES MAY CONTRIBUTE TO MEDICAL SAVINGS ACCOUNTS.—Paragraph (4) of section 220(b) of such Code (as redesignated by subsection (b)(2)(C)) is amended to read as follows:

''(4) COORDINATION WITH EXCLUSION FOR EMPLOYER CONTRIBUTIONS.—The limitation which would (but for this paragraph) apply under this subsection to the taxpayer for any taxable year shall be reduced (but not below zero) by the amount which would (but for section 106(b)) be includible in the taxpayer's gross income for such taxable year.''.

(e) REDUCTION OF PERMITTED DEDUCTIBLES UNDER HIGH DEDUCTIBLE HEALTH PLANS.—

(1) IN GENERAL.—Subparagraph (A) of section 220(c)(2) of such Code (defining high deductible health plan) is amended—

(A) by striking ''$1,500'' in clause (i) and inserting ''$1,000''; and

(B) by striking ''$3,000'' in clause (ii) and inserting ''$2,000''.

(2) CONFORMING AMENDMENT.—Subsection (g) of section 220 of such Code is amended to read as follows:

''(g) COST-OF-LIVING ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 1998, each dollar amount in subsection (c)(2) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which such taxable year begins by substituting 'calendar year 1997' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) SPECIAL RULES.—In the case of the $1,000 amount in subsection (c)(2)(A)(i) and the $2,000 amount in subsection (c)(2)(A)(ii), paragraph (1)(B) shall be applied by substituting 'calendar year 2000' for 'calendar year 1997'.

''(3) ROUNDING.—If any increase under paragraph (1) or (2) is not a multiple of $50, such increase shall be rounded to the nearest multiple of $50.''.

(f) PROVIDING INCENTIVES FOR PREFERRED PROVIDER ORGANIZATIONS TO OFFER MEDICAL SAVINGS ACCOUNTS.—

(1) PREVENTIVE CARE COVERAGE PERMITTED.—Clause (ii) of section 220(c)(2)(B) of such Code is amended by striking ''preventive care if'' and all that follows and inserting ''preventive care.''

(2) TREATMENT OF NETWORK SERVICES.—Subparagraph (B) of section 220(c)(2) of such Code is amended by adding at the end the following new clause:

''(iii) TREATMENT OF NETWORK SERVICES.—In the case of a health plan which provides benefits for services provided by providers in a network (as defined in section 161 of the Patient's Bill of Rights Act of 2001) and which would (without regard to services provided by providers outside the network) be a high deductible health plan, such plan shall not fail to be a high deductible health plan because—

''(I) the annual deductible for services provided by providers outside the network exceeds the applicable maximum dollar amount in clause (i) or (ii), or

''(II) the annual out-of-pocket expenses required to be paid for services provided by providers outside the network exceeds the applicable dollar amount in clause (iii).

The annual deductible taken into account under subsection (b)(2) with respect to a plan to which the preceding sentence applies shall be the annual deductible for services provided by providers within the network.''

(g) MEDICAL SAVINGS ACCOUNTS MAY BE OFFERED UNDER CAFETERIA PLANS.—Subsection (f) of section 125 of such Code is amended by striking ''106(b),''.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

Amend section 402 to read as follows:

SEC. 402. AVAILABILITY OF CIVIL REMEDIES.

(a) IN GENERAL.—Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132) is amended by adding at the end the following:

''(n) CAUSE OF ACTION RELATING TO CLAIMS FOR HEALTH BENEFITS.—

''(1) CAUSE OF ACTION.—

''(A) IN GENERAL.—With respect to an action commenced by a participant or beneficiary (or the estate of the participant or beneficiary) in connection with a claim for benefits under a group health plan, if—

''(i) a designated decisionmaker described in paragraph (2) fails to exercise ordinary care—

''(I) in making a determination denying the claim for benefits under section 503A (relating to an initial claim for benefits),

''(II) in making a determination denying the claim for benefits under section 503B (relating to an internal appeal), or

''(III) in failing to authorize coverage in compliance with the written determination of an independent medical reviewer under section 503C(d)(3)(F) that reverses a determination denying the claim for benefits, and

''(ii) the delay in receiving, or failure to receive, benefits attributable to the failure described in clause (i) is the proximate cause of personal injury to, or death of, the participant or beneficiary,

such designated decisionmaker shall be liable to the participant or beneficiary (or the estate) for economic and noneconomic damages in connection with such failure and such injury or death (subject to paragraph (4)).

''(B) REBUTTABLE PRESUMPTION.—In the case of a cause of action under subparagraph (A)(i)(I) or (A)(i)(II), if an independent medical reviewer under section 503C(d) or 503C(e)(4)(B) upholds the determination denying the claim for benefits involved, there shall be a presumption (rebuttable by clear and convincing evidence) that the designated decisionmaker exercised ordinary care in making such determination.

''(2) DESIGNATED DECISIONMAKER.—

''(A) APPOINTMENT.—

''(i) IN GENERAL.—The plan sponsor or named fiduciary of a group health plan shall, in accordance with this paragraph with respect to a participant or beneficiary, designate a person that meets the requirements of subparagraph (B) to serve as a designated decisionmaker with respect to the cause of action described in paragraph (1), except that—

''(I) with respect to health insurance coverage offered in connection with a group health plan, the health insurance issuer shall be the designated decisionmaker unless the plan sponsor and the issuer specifically agree in writing (on a form to be prescribed by the Secretary) to substitute another person as the designated decisionmaker; or

''(II) with respect to the designation of a person other than a plan sponsor or health insurance issuer, such person shall satisfy the requirements of subparagraph (D).

''(ii) PLAN DOCUMENTS.—The designated decisionmaker shall be specifically designated as such in the written instruments of the plan (under section 402(a)) and be identified as required under section 121(b)(15) of the Bipartisan Patient Protection Act.

''(B) REQUIREMENTS.—For purposes of this paragraph, a designated decisionmaker meets the requirements of this subparagraph with respect to any participant or beneficiary if—

''(i) such designation is in such form as may be specified in regulations prescribed by the Secretary,

''(ii) the designated decisionmaker—

''(I) meets the requirements of subparagraph (C),

''(II) assumes unconditionally all liability arising under this subsection in connection with actions and failures to act described in subparagraph (A) (whether undertaken by the designated decisionmaker or the employer, plan, plan sponsor, or employee or agent thereof) during the period in which the designation under this paragraph is in effect relating to such participant or beneficiary, and

''(III) where subparagraph (C)(ii) applies, assumes unconditionally the exclusive authority under the group health plan to make determinations on claims for benefits (irrespective of whether they constitute medically reviewable determinations) under the plan with respect to such participant or beneficiary, and

''(iii) the designated decisionmaker and the participants and beneficiaries for whom the decisionmaker has assumed liability are identified in the written instrument required under section 402(a) and as required under section 121(b)(15) of the Bipartisan Patient Protection Act.

Any liability assumed by a designated decisionmaker pursuant to this paragraph shall be in addition to any liability that it may otherwise have under applicable law.

''(C) QUALIFICATIONS FOR DESIGNATED DECISIONMAKERS.—

''(i) IN GENERAL.—Subject to clause (ii), an entity is qualified under this subparagraph to serve as a designated decisionmaker with respect to a group health plan if the entity has the ability to assume the liability described in subparagraph (A) with respect to participants and beneficiaries under such plan, including requirements relating to the financial obligation for timely satisfying the assumed liability, and maintains with the plan sponsor certification of such ability. Such certification shall be provided to the plan sponsor or named fiduciary upon designation under this paragraph and not less frequently than annually thereafter, or if such designation constitutes a multiyear arrangement, in conjunction with the renewal of the arrangement.

''(ii) SPECIAL QUALIFICATION IN THE CASE OF CERTAIN REVIEWABLE DECISIONS.—In the case of a group health plan that provides benefits consisting of medical care to a participant or beneficiary only through health insurance coverage offered by a health insurance issuer, such issuer is the only entity that may be qualified under this subparagraph to serve as a designated decisionmaker with respect to such participant or beneficiary, and shall serve as the designated decisionmaker unless the employer or other plan sponsor acts affirmatively to prevent such service.

''(D) REQUIREMENTS RELATING TO FINANCIAL OBLIGATIONS.—For purposes of subparagraphs (A)(i)(II) and (C)(i), the requirements relating to the financial obligation of an entity for liability shall include—

''(i) coverage of such entity under an insurance policy or other arrangement, secured and maintained by such entity, to effectively insure such entity against losses arising from professional liability claims, including those arising from its service as a designated decisionmaker under this subsection; or

''(ii) evidence of minimum capital and surplus levels that are maintained by such entity to cover any losses as a result of liability arising from its service as a designated decisionmaker under this subsection.

The appropriate amounts of liability insurance and minimum capital and surplus levels for purposes of clauses (i) and (ii) shall be determined by an actuary using sound actuarial principles and accounting practices pursuant to established guidelines of the American Academy of Actuaries and in accordance with such regulations as the Secretary may prescribe and shall be maintained throughout the term for which the designation is in effect. The provisions of this subparagraph shall not apply in the case of a designated decisionmaker that is a group health plan, plan sponsor, or health insurance issuer and that is regulated under Federal law or a State financial solvency law.

''(E) LIMITATION ON APPOINTMENT OF TREATING PHYSICIANS.—A treating physician who directly delivered the care or treatment or provided services which is the subject of a cause of action by a participant or beneficiary under paragraph (1) may not be appointed (or deemed to be appointed) as a designated decisionmaker under this paragraph with respect to such participant or beneficiary.

''(F) FAILURE TO APPOINT.—With respect to any cause of action under paragraph (1) relating to a denial of a claim for benefits where a designated decisionmaker has not been appointed in accordance with this paragraph, the plan sponsor or named fiduciary responsible for determinations under section 503 shall be deemed to be the designated decisionmaker.

''(G) EFFECT OF APPOINTMENT.—The appointment of a designated decisionmaker in accordance with this paragraph shall not affect the liability of the appointing plan sponsor or named fiduciary for the failure of the plan sponsor or named fiduciary to comply with any other requirement of this title.

''(H) TREATMENT OF CERTAIN TRUST FUNDS.—For purposes of this subsection, the terms 'employer' and 'plan sponsor', in connection with the assumption by a designated decisionmaker of the liability of employer or other plan sponsor pursuant to this paragraph, shall be construed to include a trust fund maintained pursuant to section 302 of the Labor Management Relations Act, 1947 (29 U.S.C. 186) or the Railway Labor Act (45 U.S.C. 151 et seq.).

''(3) REQUIREMENT OF EXHAUSTION OF INDEPENDENT MEDICAL REVIEW.—

''(A) IN GENERAL.—Paragraph (1) shall apply only if—

''(i) a final determination denying a claim for benefits under section 503B has been referred for independent medical review under section 503C(d) and a written determination by an independent medical reviewer has been issued with respect to such review, or

''(ii) the qualified external review entity has determined under section 503C(c)(3) that a referral to an independent medical reviewer is not required.

''(B) INJUNCTIVE RELIEF FOR IRREPARABLE HARM.—A participant or beneficiary may seek relief under subsection (a)(1)(B) prior to the exhaustion of administrative remedies under section 503B or 503C (as required under subparagraph (A)) if it is demonstrated to the court, by a preponderance of the evidence, that the exhaustion of such remedies would cause irreparable harm to the health of the participant or beneficiary. Any determinations that already have been made under section 503A, 503B, or 503C in such case, or that are made in such case while an action under this subparagraph is pending, shall be given due consideration by the court in any action under subsection (a)(1)(B) in such case. Notwithstanding the awarding of such relief under subsection (a)(1)(B) pursuant to this subparagraph, no relief shall be available under paragraph (1), with respect to a participant or beneficiary, unless the requirements of subparagraph (A) are met.

''(C) RECEIPT OF BENEFITS DURING APPEALS PROCESS.—Receipt by the participant or beneficiary of the benefits involved in the claim for benefits during the pendency of any administrative processes referred to in subparagraph (A) or of any action commenced under this subsection—

''(i) shall not preclude continuation of all such administrative processes to their conclusion if so moved by any party, and

''(ii) shall not preclude any liability under subsection (a)(1)(C) and this subsection in connection with such claim.

The court in any action commenced under this subsection shall take into account any receipt of benefits during such administrative processes or such action in determining the amount of the damages awarded.

''(4) LIMITATIONS ON RECOVERY OF DAMAGES.—

''(A) MAXIMUM AWARD OF NONECONOMIC DAMAGES.—The aggregate amount of liability for noneconomic loss in an action under paragraph (1) may not exceed $1,500,000.

''(B) LIMITATION ON AWARD OF PUNITIVE DAMAGES.—In the case of any action commenced pursuant to paragraph (1), the court may not award any punitive, exemplary, or similar damages against a defendant, except that the court may award punitive, exemplary, or similar damages (in addition to damages described in subparagraph (A)), in an aggregate amount not to exceed $1,500,000, if—

''(i) the denial of a claim for benefits involved in the case was reversed by a written determination by an independent medical reviewer under section 503C(d)(3)(F); and

''(ii) there has been a failure to authorize coverage in compliance with such written determination.

''(C) PERMITTING APPLICATION OF LOWER STATE DAMAGE LIMITS.—A State may limit damages for noneconomic loss or punitive, exemplary, or similar damages in an action under paragraph (1) to amounts less than the amounts permitted under this paragraph.

''(5) ADMISSIBILITY.—In an action described in subclause (I) or (II) of paragraph (1)(A) relating to a denial of a claim for benefits, any determination by an independent medical reviewer under section 503C(d) or 503C(e)(4)(B) relating to such denial is admissible.

''(6) WAIVER OF INTERNAL REVIEW.—In the case of any cause of action under paragraph (1), the waiver or nonwaiver of internal review under section 503B(a)(4) by the group health plan, or health insurance issuer that offers health insurance coverage in connection with a group health plan, shall not be used in determining liability.

''(7) LIMITATIONS ON ACTIONS.—Paragraph (1) shall not apply in connection with any action that is commenced more than 5 years after the date on which the failure described in such paragraph occurred or, if earlier, not later than 2 years after the first date the participant or beneficiary became aware of the personal injury or death referred to in such paragraph.

''(8) EXCLUSION OF DIRECTED RECORDKEEPERS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply with respect to a directed record keeper in connection with a group health plan.

''(B) DIRECTED RECORDKEEPER.—For purposes of this paragraph, the term 'directed record keeper' means, in connection with a group health plan, a person engaged in directed recordkeeping activities pursuant to the specific instructions of the plan, the employer, or another plan sponsor, including the distribution of enrollment information and distribution of disclosure materials under this Act or title I of the Bipartisan Patient Protection Act and whose duties do not include making determinations on claims for benefits.

''(C) LIMITATION.—Subparagraph (A) does not apply in connection with any directed recordkeeper to the extent that the directed recordkeeper fails to follow the specific instruction of the plan or the employer or other plan sponsor.

''(9) PROTECTION OF THE REGULATION OF QUALITY OF MEDICAL CARE UNDER STATE LAW.—Nothing in this subsection shall be construed to preclude any action under State law against a person or entity for liability or vicarious liability with respect to the delivery of medical care. A cause of action that is based on or otherwise relates to a group health plan's determination on a claim for benefits shall not be deemed to be the delivery of medical care under any State law for purposes of this paragraph. Any such cause of action shall be maintained exclusively under this section. Nothing in this paragraph shall be construed to alter, amend, modify, invalidate, impair, or supersede section 514.

''(10) COORDINATION WITH FIDUCIARY REQUIREMENTS.—A fiduciary shall not be treated as failing to meet any requirement of part

4 solely by reason of any action taken by a fiduciary which consists of full compliance with the reversal under section 503C (relating to independent external appeals procedures for group health plans) of a denial of claim for benefits (within the meaning of section 503C(i)(2)).

''(11) CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing a cause of action under paragraph (1) for the failure of a group health plan or health insurance issuer to provide an item or service that is specifically excluded under the plan or coverage.

''(12) LIMITATION ON CLASS ACTION LITIGATION.—A claim or cause of action under this subsection may not be maintained as a class action, as a derivative action, or as an action on behalf of any group of 2 or more claimants.

''(13) PURCHASE OF INSURANCE TO COVER LIABILITY.—Nothing in section 410 shall be construed to preclude the purchase by a group health plan of insurance to cover any liability or losses arising under a cause of action under subsection (a)(1)(C) and this subsection.

''(14) RETROSPECTIVE CLAIMS FOR BENEFITS.—A cause of action shall not arise under paragraph (1) where the claim for benefits relates to an item or service that has already been provided to the participant or beneficiary under the plan or coverage and the claim relates solely to the subsequent denial of payment for the provision of such item or service.

''(15) EXEMPTION FROM PERSONAL LIABILITY FOR INDIVIDUAL MEMBERS OF BOARDS OF DIRECTORS, JOINT BOARDS OF TRUSTEES, ETC.—Any individual who is—

''(A) a member of a board of directors of an employer or plan sponsor; or

''(B) a member of an association, committee, employee organization, joint board of trustees, or other similar group of representatives of the entities that are the plan sponsor of plan maintained by two or more employers and one or more employee organizations;

shall not be personally liable under this subsection for conduct that is within the scope of employment or of plan-related duties of the individuals unless the individual acts in a fraudulent manner for personal enrichment.

''(16) DEFINITIONS AND RELATED RULES.—For purposes of this subsection:

''(A) CLAIM FOR BENEFITS.—The term 'claim for benefits' shall have the meaning given such term in section 503A(e).

''(B) GROUP HEALTH PLAN.—The term 'group health plan' shall have the meaning given such term in section 733(a).

''(C) HEALTH INSURANCE COVERAGE.—The term 'health insurance coverage' has the meaning given such term in section 733(b)(1).

''(D) HEALTH INSURANCE ISSUER.—The term 'health insurance issuer' has the meaning given such term in section 733(b)(2).

''(E) ORDINARY CARE.—The term 'ordinary care' means, with respect to a determination on a claim for benefits, that degree of care, skill, and diligence that a reasonable and prudent individual would exercise in making a fair determination on a claim for benefits of like kind to the claims involved.

''(F) PERSONAL INJURY.—The term 'personal injury' means a physical injury and includes an injury arising out of the treatment (or failure to treat) a mental illness or disease.

''(G) TREATMENT OF EXCEPTED BENEFITS.—The provisions of this subsection (and subsection (a)(1)(C)) shall not apply to excepted benefits (as defined in section 733(c)), other than benefits described in section 733(c)(2)(A), in the same manner as the provisions of part 7 do not apply to such benefits under subsections (b) and (c) of section 732.

(2) CONFORMING AMENDMENT.—Section 502(a)(1) of such Act (29 U.S.C. 1132(a)(1)) is amended—

(A) by striking ''or'' at the end of subparagraph (A);

(B) in subparagraph (B), by striking ''plan;'' and inserting ''plan, or''; and

(C) by adding at the end the following new subparagraph:

''(C) for the relief provided for in subsection (n) of this section.''.

(b) AVAILABILITY OF ACTIONS IN STATE COURT.—

(1) JURISDICTION OF STATE COURTS.—Section 502(e)(1) of such Act (29 U.S.C. 1132(e)) is amended—

(A) in the first sentence, by striking ''subsection (a)(1)(B)'' and inserting ''paragraphs (1)(B), (1)(C), and (7) of subsection (a)'';

(B) in the second sentence, by striking ''paragraphs (1)(B) and (7)'' and inserting ''paragraphs (1)(B), (1)(C), and (7)''; and

(C) by adding at the end the following new sentence: ''State courts of competent jurisdiction in the State in which the plaintiff resides and district courts of the United States shall have concurrent jurisdiction over actions under subsections (a)(1)(C) and (n).''.

(2) LIMITATION ON REMOVABILITY OF CERTAIN ACTIONS IN STATE COURT.—Section 1445 of title 28, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) A civil action brought in any State court under subsections (a)(1)(C) and (n) of section 502 of the Employee Retirement Income Security Act of 1974 against any party (other than the employer, plan, plan sponsor, or other entity treated under section 502(n) of such Act as such) arising from a medically reviewable determination may not be removed to any district court of the United States.

''(2) For purposes of paragraph (1), the term 'medically reviewable decision' means a denial of a claim for benefits under the plan which is described in section 503C(d)(2) of the Employee Retirement Income Security Act of 1974.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to acts and omissions, from which a cause of action arises, occurring on or after the applicable effective date under section 601.

Amend section 403 to read as follows:

SEC. 403. LIMITATION ON CERTAIN CLASS ACTION LITIGATION.

(a) IN GENERAL.—Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132), as amended by section 402, is further amended by adding at the end the following:

''(o) LIMITATION ON CLASS ACTION LITIGATION.—Any claim or cause of action that is maintained under this section (other than under subsection (n)) or under section 1962 or 1964(c) of title 18, United States Code, in connection with a group health plan, or health insurance coverage issued in connection with a group health plan, as a class action, derivative action, or as an action on behalf of any group of 2 or more claimants, may be maintained only if the class, the derivative claimant, or the group of claimants is limited to the participants or beneficiaries of a group health plan established by only 1 plan sponsor. No action maintained by such class, such derivative claimant, or such group of claimants may be joined in the same proceeding with any action maintained by another class, derivative claimant, or group of claimants or consolidated for any purpose with any other proceeding. In this paragraph, the terms 'group health plan' and 'health insurance coverage' have the meanings given such terms in section 733.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to actions commenced on or after August 2, 2001. Notwithstanding the preceding sentence, with respect to class actions, the amendment made by subsection (a) shall apply with respect to civil actions which are pending on such date in which a class action has not been certified as of such date.

Amend section 603 to read as follows:

SEC. 603. SEVERABILITY.

(a) IN GENERAL.—Except as provided in subsections (b) and (c), if any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

(b) DEPENDENCE OF REMEDIES ON APPEALS.—If any provision of section 503A, 503B, or 503C of the Employee Retirement Income Security Act of 1974 (as inserted by section 131) or the application of either such section to any person or circumstance is held to be unconstitutional, section 502(n) of such Act (as inserted by section 402) shall be deemed to be null and void and shall be given no force or effect.

(c) REMEDIES.—If any provision of section 502(n) of the Employee Retirement Income Security Act of 1974 (as inserted by section 402), or the application of such section to any person or circumstance, is held to be unconstitutional, the remainder of such section shall be deemed to be null and void and shall be given no force or effect.

Page 16, line 10, strike ''on a timely basis'' and insert ''in accordance with the applicable deadlines established under this section and section 503B''.

Page 29, line 14, strike ''or modify''.

Page 36, line 12, strike ''upheld, reversed, or modified'' and insert ''upheld or reversed''.

Page 39, line 23, strike ''uphold, reverse, or modify'' and insert ''uphold or reverse''.

Page 40, line 8, and page 44, line 9, strike ''or modify''.

Page 23, line 18; page 41, line 19; page 43, line 2; , , strike ''reviewer (or reviewers)'' and insert ''a review panel''.

Page 33, line 7, strike ''reviewer'' and insert ''review panel''.

Page 34, line 25, strike ''reviewer'' and insert ''review panel composed of 3 independent medical reviewers''.

Page 34, lines 8 and 13; page 36, line 8; page 37, line 3; page 38, lines 6 and 20; page 39, line 4, 20, and 21; page 40, lines 1, 2 and 14; page 41, line 6; page 43, lines 6, 17, and 20; page 44, lines 5, 9, and 14; page 45, line 24; page 61, line 5; page 67, line 3; page 68, line 25; , strike ''reviewer'' and insert ''review panel''.

Page 36, line 14; page 43, line 21; page 44, line 12; , strike ''reviewer's'' and insert ''review panel's''.

Page 41, line 4, strike ''reviewer (or reviewers)'' and insert ''review panel''.

Page 47, line 15, strike ''independent external reviewer'' and insert ''independent medical review panel''.

Page 50, line 20, strike ''1 or more individuals'' and insert ''an independent medical review panel''.

Page 51, amend lines 4 through 6 to read as follows:

''(B) with respect to each review, the review panel meets the requirements of paragraph (4) and at least 1 reviewer on the panel meets the requirements described in paragraph (5); and

Page 51, line 8, strike ''the reviewer'' and insert ''each reviewer''.

Page 53, line 21, strike ''a reviewer'' and insert ''each reviewer''.

Page 54, line 6, strike ''a reviewer (or reviewers)'' and insert ''the independent medical review panel''.

Page 61, line 5, insert ''or any independent medical review panel'' after ''reviewer''.

Page 64, lines 1 and 5, strike ''reviewers'' and insert ''review panel''.

Page 64, line 14; page 69, lines 16 and 19, strike ''reviewers'' and insert ''review panels''.

Page 8, after line 17, insert the following (and place the text from page 8, line 18, through page 16, line 20 in quotation marks):

Part 5 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 is amended by inserting after section 503 (29 U.S.C. 1133) the following:

''SEC. 503A. PROCEDURES FOR INITIAL CLAIMS FOR BENEFITS AND PRIOR AUTHORIZATION DETERMINATIONS.

Page 16, after line 21, insert the following (and place the text from page 16, line 22, through page 25, line 13 in quotation marks):

Part 5 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (as amended by section 102) is amended further by inserting after section 503A (29 U.S.C. 1133) the following:

''SEC. 503B. INTERNAL APPEALS OF CLAIMS DENIALS.

Page 25, after line 15, insert the following (and place the text from page 25, line 16, through page 69, line 22 in quotation marks):

Part 5 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (as amended by sections 102 and 103) is amended further by inserting after section 503B (29 U.S.C. 1133) the following:

''SEC. 503C. INDEPENDENT EXTERNAL APPEALS PROCEDURES.

Page 119, line 1, insert after ''treatment.'' the following: ''The name of the designated decisionmaker (or decisionmakers) appointed under paragraph (2) of section 502(n) of the Employee Retirement Income Security Act of 1974 for purposes of such section.''.

Page 138, line 21, insert after ''plan'' the following: ''and only with respect to patient protection requirements under section 101 and subtitles B, C, and D and this subtitle''.

Page 145, line 12, strike ''and the provisions of sections 502(a)(1)(C), 502(n), and 514(d) of the Employee Retirement Income Security Act of 1974 (added by section 402)''.

Page 148, line 15, after ''Act'' insert the following: ''and sections 503A through 503C of the Employee Retirement Income Security Act of 1974''.

Page 149, line 9, after ''Act'' insert the following: ''and sections 503A through 503C of the Employee Retirement Income Security Act of 1974 (with respect to enrollees under individual health insurance coverage in the same manner as they apply to participants and beneficiaries under group health insurance coverage)''.

Page 152, line 16, insert ''section 101 and subtitles B, C, D, and E of'' before ''title I''.

Page 155, strike lines 1 through 19 (and redesignate the subsequent paragraphs accordingly).

Page 158, strike lines 19 through 25 and insert the following:

''(b)(1)(A) Subject to subparagraphs (B) and (C), a group health plan (and a health insurance issuer offering group health insurance coverage in connection with such a plan) shall comply with the requirements of sections 503A, 503B, and 503C, and such requirements shall be deemed to be incorporated into this subsection.

''(B) With respect to the internal appeals process required to be established under section 503B, in the case of a group health plan that provides benefits in the form of health insurance coverage through a health insurance issuer, the Secretary shall determine the circumstances under which the plan is not required to provide for such process and system (and is not liable for the issuer's failure to provide for such process and system), if the issuer is obligated to provide for (and provides for) such process and system.

''(C) Pursuant to rules of the Secretary, insofar as a group health plan enters into a contract with a qualified external review entity for the conduct of external appeal activities in accordance with section 503C, the plan shall be treated as meeting the requirement of such section and is not liable for the entity's failure to meet any requirements under such section.

''(2) In the case of a group health plan, compliance with the requirements of sections 503A, 503B, and 503C, and compliance with regulations promulgated by the Secretary, in connection with a denial of a claim under a group health plan shall be deemed compliance with subsection (a) with respect to such claim denial.

''(3) Terms used in this subsection which are defined in section 733 shall have the meanings provided such terms in such section.''.

Page 210, line 19, after ''Act'' insert the following: ''and sections 503A through 503C of the Employee Retirement Income Security Act of 1974''.

Make such additional technical and conforming changes to the text of the bill as are necessary to do the following:

(1) Replace references to sections 102, 103, and 104 of the bill with references to sections 503A, 503B, and 503C of the Employee Retirement Income Security Act of 1974, as amended by the bill.

(2) In sections 102, 103, and 104, strike any reference to ''enrollee'' or ''enrollees'' and insert ''in connection with the group health plan'' after ''health insurance coverage'', and make necessary conforming grammatical changes.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BERRY moved to recommit the bill to the Committee on Ways and Means, the Committee on Energy and Commerce, and the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Bipartisan Patient Protection Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—IMPROVING MANAGED CARE

Subtitle A—Utilization Review; Claims; and Internal and External Appeals

Sec. 101. Utilization review activities.
Sec. 102. Procedures for initial claims for benefits and prior authorization determinations.
Sec. 103. Internal appeals of claims denials.
Sec. 104. Independent external appeals procedures.
Sec. 105. Health care consumer assistance fund.

Subtitle B—Access to Care

Sec. 111. Consumer choice option.
Sec. 112. Choice of health care professional.
Sec. 113. Access to emergency care.
Sec. 114. Timely access to specialists.
Sec. 115. Patient access to obstetrical and gynecological care.
Sec. 116. Access to pediatric care.
Sec. 117. Continuity of care.
Sec. 118. Access to needed prescription drugs.
Sec. 119. Coverage for individuals participating in approved clinical trials.
Sec. 120. Required coverage for minimum hospital stay for mastectomies and lymph node dissections for the treatment of breast cancer and coverage for secondary consultations.

Subtitle C—Access to Information

Sec. 121. Patient access to information.

Subtitle D—Protecting the Doctor-Patient Relationship

Sec. 131. Prohibition of interference with certain medical communications.
Sec. 132. Prohibition of discrimination against providers based on licensure.
Sec. 133. Prohibition against improper incentive arrangements.
Sec. 134. Payment of claims.
Sec. 135. Protection for patient advocacy.

Subtitle E—Definitions

Sec. 151. Definitions.
Sec. 152. Preemption; State flexibility; construction.
Sec. 153. Exclusions.
Sec. 154. Treatment of excepted benefits.
Sec. 155. Regulations.
Sec. 156. Incorporation into plan or coverage documents.
Sec. 157. Preservation of protections.

TITLE II—APPLICATION OF QUALITY CARE STANDARDS TO GROUP HEALTH PLANS AND HEALTH INSURANCE COVERAGE UNDER THE PUBLIC HEALTH SERVICE ACT

Sec. 201. Application to group health plans and group health insurance coverage.
Sec. 202. Application to individual health insurance coverage.
Sec. 203. Cooperation between Federal and State authorities.

TITLE III—APPLICATION OF PATIENT PROTECTION STANDARDS TO FEDERAL HEALTH INSURANCE PROGRAMS

Sec. 301. Application of patient protection standards to Federal health insurance programs.

TITLE IV—AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

Sec. 401. Application of patient protection standards to group health plans and group health insurance coverage under the Employee Retirement Income Security Act of 1974.
Sec. 402. Availability of civil remedies.
Sec. 403. Limitation on certain class action litigation.
Sec. 404. Limitations on actions.
Sec. 405. Cooperation between Federal and State authorities.
Sec. 406. Sense of the Senate concerning the importance of certain unpaid services.

TITLE V—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986

Subtitle A—Application of Patient Protection Provisions

Sec. 501. Application of requirements to group health plans under the Internal Revenue Code of 1986.
Sec. 502. Conforming enforcement for women's health and cancer rights.

Subtitle B—Health Care Coverage Access Tax Incentives

Sec. 511. Expanded availability of Archer MSAs.

Sec. 512. Deduction for 100 percent of health insurance costs of self-employed individuals.
Sec. 513. Credit for health insurance expenses of small businesses.
Sec. 514. Certain grants by private foundations to qualified health benefit purchasing coalitions.
Sec. 515. State grant program for market innovation.

TITLE VI—EFFECTIVE DATES; COORDINATION IN IMPLEMENTATION

Sec. 601. Effective dates.
Sec. 602. Coordination in implementation.
Sec. 603. Severability.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. No impact on Social Security Trust Fund.
Sec. 702. Customs user fees.
Sec. 703. Fiscal year 2002 medicare payments.
Sec. 704. Sense of Senate with respect to participation in clinical trials and access to specialty care.
Sec. 705. Sense of the Senate regarding fair review process.
Sec. 706. Annual review.
Sec. 707. Definition of born-alive infant.

TITLE VIII—REVENUE OFFSETS

Subtitle A—Extension of Custom User Fees

Sec. 801. Further extension of authority to levy customs user fees.

Subtitle B—Tax Shelter Provisions

PART I—CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE

Sec. 811. Clarification of economic substance doctrine.

PART II—PENALTIES

Sec. 821. Increase in penalty on underpayments resulting from failure to satisfy certain common law rules.
Sec. 822. Penalty on promoters of tax avoidance strategies which have no economic substance, etc.
Sec. 823. Modifications of penalties for aiding and abetting understatement of tax liability involving tax shelters.
Sec. 824. Failure to maintain lists.
Sec. 825. Penalty for failing to disclose reportable transaction.
Sec. 826. Registration of certain tax shelters without corporate participants.
Sec. 827. Effective dates.

PART III—LIMITATIONS ON IMPORTATION OR TRANSFER OF BUILT-IN LOSSES

Sec. 831. Limitation on importation of built-in losses.
Sec. 832. Disallowance of partnership loss transfers.

TITLE I—IMPROVING MANAGED CARE

Subtitle A—Utilization Review; Claims; and Internal and External Appeals

SEC. 101. UTILIZATION REVIEW ACTIVITIES.

(a) COMPLIANCE WITH REQUIREMENTS.—

(1) IN GENERAL.—A group health plan, and a health insurance issuer that provides health insurance coverage, shall conduct utilization review activities in connection with the provision of benefits under such plan or coverage only in accordance with a utilization review program that meets the requirements of this section and section 102.

(2) USE OF OUTSIDE AGENTS.—Nothing in this section shall be construed as preventing a group health plan or health insurance issuer from arranging through a contract or otherwise for persons or entities to conduct utilization review activities on behalf of the plan or issuer, so long as such activities are conducted in accordance with a utilization review program that meets the requirements of this section.

(3) UTILIZATION REVIEW DEFINED.—For purposes of this section, the terms ''utilization review'' and ''utilization review activities'' mean procedures used to monitor or evaluate the use or coverage, clinical necessity, appropriateness, efficacy, or efficiency of health care services, procedures or settings, and includes prospective review, concurrent review, second opinions, case management, discharge planning, or retrospective review.

(b) WRITTEN POLICIES AND CRITERIA.—

(1) WRITTEN POLICIES.—A utilization review program shall be conducted consistent with written policies and procedures that govern all aspects of the program.

(2) USE OF WRITTEN CRITERIA.—

(A) IN GENERAL.—Such a program shall utilize written clinical review criteria developed with input from a range of appropriate actively practicing health care professionals, as determined by the plan, pursuant to the program. Such criteria shall include written clinical review criteria that are based on valid clinical evidence where available and that are directed specifically at meeting the needs of at-risk populations and covered individuals with chronic conditions or severe illnesses, including gender-specific criteria and pediatric-specific criteria where available and appropriate.

(B) CONTINUING USE OF STANDARDS IN RETROSPECTIVE REVIEW.—If a health care service has been specifically pre-authorized or approved for a participant, beneficiary, or enrollee under such a program, the program shall not, pursuant to retrospective review, revise or modify the specific standards, criteria, or procedures used for the utilization review for procedures, treatment, and services delivered to the enrollee during the same course of treatment.

(C) REVIEW OF SAMPLE OF CLAIMS DENIALS.—Such a program shall provide for a periodic evaluation of the clinical appropriateness of at least a sample of denials of claims for benefits.

(c) CONDUCT OF PROGRAM ACTIVITIES.—

(1) ADMINISTRATION BY HEALTH CARE PROFESSIONALS.—A utilization review program shall be administered by qualified health care professionals who shall oversee review decisions.

(2) USE OF QUALIFIED, INDEPENDENT PERSONNEL.—

(A) IN GENERAL.—A utilization review program shall provide for the conduct of utilization review activities only through personnel who are qualified and have received appropriate training in the conduct of such activities under the program.

(B) PROHIBITION OF CONTINGENT COMPENSATION ARRANGEMENTS.—Such a program shall not, with respect to utilization review activities, permit or provide compensation or anything of value to its employees, agents, or contractors in a manner that encourages denials of claims for benefits.

(C) PROHIBITION OF CONFLICTS.—Such a program shall not permit a health care professional who is providing health care services to an individual to perform utilization review activities in connection with the health care services being provided to the individual.

(3) ACCESSIBILITY OF REVIEW.—Such a program shall provide that appropriate personnel performing utilization review activities under the program, including the utilization review administrator, are reasonably accessible by toll-free telephone during normal business hours to discuss patient care and allow response to telephone requests, and that appropriate provision is made to receive and respond promptly to calls received during other hours.

(4) LIMITS ON FREQUENCY.—Such a program shall not provide for the performance of utilization review activities with respect to a class of services furnished to an individual more frequently than is reasonably required to assess whether the services under review are medically necessary and appropriate.

SEC. 102. PROCEDURES FOR INITIAL CLAIMS FOR BENEFITS AND PRIOR AUTHORIZATION DETERMINATIONS.

(a) PROCEDURES OF INITIAL CLAIMS FOR BENEFITS.—

(1) IN GENERAL.—A group health plan, and a health insurance issuer offering health insurance coverage, shall—

(A) make a determination on an initial claim for benefits by a participant, beneficiary, or enrollee (or authorized representative) regarding payment or coverage for items or services under the terms and conditions of the plan or coverage involved, including any cost-sharing amount that the participant, beneficiary, or enrollee is required to pay with respect to such claim for benefits; and

(B) notify a participant, beneficiary, or enrollee (or authorized representative) and the treating health care professional involved regarding a determination on an initial claim for benefits made under the terms and conditions of the plan or coverage, including any cost-sharing amounts that the participant, beneficiary, or enrollee may be required to make with respect to such claim for benefits, and of the right of the participant, beneficiary, or enrollee to an internal appeal under section 103.

(2) ACCESS TO INFORMATION.—

(A) TIMELY PROVISION OF NECESSARY INFORMATION.—With respect to an initial claim for benefits, the participant, beneficiary, or enrollee (or authorized representative) and the treating health care professional (if any) shall provide the plan or issuer with access to information requested by the plan or issuer that is necessary to make a determination relating to the claim. Such access shall be provided not later than 5 days after the date on which the request for information is received, or, in a case described in subparagraph (B) or (C) of subsection (b)(1), by such earlier time as may be necessary to comply with the applicable timeline under such subparagraph.

(B) LIMITED EFFECT OF FAILURE ON PLAN OR ISSUER'S OBLIGATIONS.—Failure of the participant, beneficiary, or enrollee to comply with the requirements of subparagraph (A) shall not remove the obligation of the plan or issuer to make a decision in accordance with the medical exigencies of the case and as soon as possible, based on the available information, and failure to comply with the time limit established by this paragraph shall not remove the obligation of the plan or issuer to comply with the requirements of this section.

(3) ORAL REQUESTS.—In the case of a claim for benefits involving an expedited or concurrent determination, a participant, beneficiary, or enrollee (or authorized representative) may make an initial claim for benefits orally, but a group health plan, or health insurance issuer offering health insurance coverage, may require that the participant, beneficiary, or enrollee (or authorized representative) provide written confirmation of such request in a timely manner on a form provided by the plan or issuer. In the case of such an oral request for benefits, the making of the request (and the timing of such request) shall be treated as the making at that time of a claim for such benefits without regard to whether and when a written confirmation of such request is made.

(b) TIMELINE FOR MAKING DETERMINATIONS.—

(1) PRIOR AUTHORIZATION DETERMINATION.—

(A) IN GENERAL.—A group health plan, and a health insurance issuer offering health insurance coverage, shall make a prior authorization determination on a claim for benefits (whether oral or written) in accordance with

the medical exigencies of the case and as soon as possible, but in no case later than 14 days from the date on which the plan or issuer receives information that is reasonably necessary to enable the plan or issuer to make a determination on the request for prior authorization and in no case later than 28 days after the date of the claim for benefits is received.

(B) EXPEDITED DETERMINATION.—Notwithstanding subparagraph (A), a group health plan, and a health insurance issuer offering health insurance coverage, shall expedite a prior authorization determination on a claim for benefits described in such subparagraph when a request for such an expedited determination is made by a participant, beneficiary, or enrollee (or authorized representative) at any time during the process for making a determination and a health care professional certifies, with the request, that a determination under the procedures described in subparagraph (A) would seriously jeopardize the life or health of the participant, beneficiary, or enrollee or the ability of the participant, beneficiary, or enrollee to maintain or regain maximum function. Such determination shall be made in accordance with the medical exigencies of the case and as soon as possible, but in no case later than 72 hours after the time the request is received by the plan or issuer under this subparagraph.

(C) ONGOING CARE.—

(i) CONCURRENT REVIEW.—

(I) IN GENERAL.—Subject to clause (ii), in the case of a concurrent review of ongoing care (including hospitalization), which results in a termination or reduction of such care, the plan or issuer must provide by telephone and in printed form notice of the concurrent review determination to the individual or the individual's designee and the individual's health care provider in accordance with the medical exigencies of the case and as soon as possible, with sufficient time prior to the termination or reduction to allow for an appeal under section 103(b)(3) to be completed before the termination or reduction takes effect.

(II) CONTENTS OF NOTICE.—Such notice shall include, with respect to ongoing health care items and services, the number of ongoing services approved, the new total of approved services, the date of onset of services, and the next review date, if any, as well as a statement of the individual's rights to further appeal.

(ii) RULE OF CONSTRUCTION.—Clause (i) shall not be construed as requiring plans or issuers to provide coverage of care that would exceed the coverage limitations for such care.

(2) RETROSPECTIVE DETERMINATION.—A group health plan, and a health insurance issuer offering health insurance coverage, shall make a retrospective determination on a claim for benefits in accordance with the medical exigencies of the case and as soon as possible, but not later than 30 days after the date on which the plan or issuer receives information that is reasonably necessary to enable the plan or issuer to make a determination on the claim, or, if earlier, 60 days after the date of receipt of the claim for benefits.

(c) NOTICE OF A DENIAL OF A CLAIM FOR BENEFITS.—Written notice of a denial made under an initial claim for benefits shall be issued to the participant, beneficiary, or enrollee (or authorized representative) and the treating health care professional in accordance with the medical exigencies of the case and as soon as possible, but in no case later than 2 days after the date of the determination (or, in the case described in subparagraph (B) or (C) of subsection (b)(1), within the 72-hour or applicable period referred to in such subparagraph).

(d) REQUIREMENTS OF NOTICE OF DETERMINATIONS.—The written notice of a denial of a claim for benefits determination under subsection (c) shall be provided in printed form and written in a manner calculated to be understood by the participant, beneficiary, or enrollee and shall include—

(1) the specific reasons for the determination (including a summary of the clinical or scientific evidence used in making the determination);

(2) the procedures for obtaining additional information concerning the determination; and

(3) notification of the right to appeal the determination and instructions on how to initiate an appeal in accordance with section 103.

(e) DEFINITIONS.—For purposes of this part:

(1) AUTHORIZED REPRESENTATIVE.—The term ''authorized representative'' means, with respect to an individual who is a participant, beneficiary, or enrollee, any health care professional or other person acting on behalf of the individual with the individual's consent or without such consent if the individual is medically unable to provide such consent.

(2) CLAIM FOR BENEFITS.—The term ''claim for benefits'' means any request for coverage (including authorization of coverage), for eligibility, or for payment in whole or in part, for an item or service under a group health plan or health insurance coverage.

(3) DENIAL OF CLAIM FOR BENEFITS.—The term ''denial'' means, with respect to a claim for benefits, a denial (in whole or in part) of, or a failure to act on a timely basis upon, the claim for benefits and includes a failure to provide benefits (including items and services) required to be provided under this title.

(4) TREATING HEALTH CARE PROFESSIONAL.—The term ''treating health care professional'' means, with respect to services to be provided to a participant, beneficiary, or enrollee, a health care professional who is primarily responsible for delivering those services to the participant, beneficiary, or enrollee.

SEC. 103. INTERNAL APPEALS OF CLAIMS DENIALS.

(a) RIGHT TO INTERNAL APPEAL.—

(1) IN GENERAL.—A participant, beneficiary, or enrollee (or authorized representative) may appeal any denial of a claim for benefits under section 102 under the procedures described in this section.

(2) TIME FOR APPEAL.—

(A) IN GENERAL.—A group health plan, and a health insurance issuer offering health insurance coverage, shall ensure that a participant, beneficiary, or enrollee (or authorized representative) has a period of not less than 180 days beginning on the date of a denial of a claim for benefits under section 102 in which to appeal such denial under this section.

(B) DATE OF DENIAL.—For purposes of subparagraph (A), the date of the denial shall be deemed to be the date as of which the participant, beneficiary, or enrollee knew of the denial of the claim for benefits.

(3) FAILURE TO ACT.—The failure of a plan or issuer to issue a determination on a claim for benefits under section 102 within the applicable timeline established for such a determination under such section is a denial of a claim for benefits for purposes this subtitle as of the date of the applicable deadline.

(4) PLAN WAIVER OF INTERNAL REVIEW.—A group health plan, or health insurance issuer offering health insurance coverage, may waive the internal review process under this section. In such case the plan or issuer shall provide notice to the participant, beneficiary, or enrollee (or authorized representative) involved, the participant, beneficiary, or enrollee (or authorized representative) involved shall be relieved of any obligation to complete the internal review involved, and may, at the option of such participant, beneficiary, enrollee, or representative proceed directly to seek further appeal through external review under section 104 or otherwise.

(b) TIMELINES FOR MAKING DETERMINATIONS.—

(1) ORAL REQUESTS.—In the case of an appeal of a denial of a claim for benefits under this section that involves an expedited or concurrent determination, a participant, beneficiary, or enrollee (or authorized representative) may request such appeal orally. A group health plan, or health insurance issuer offering health insurance coverage, may require that the participant, beneficiary, or enrollee (or authorized representative) provide written confirmation of such request in a timely manner on a form provided by the plan or issuer. In the case of such an oral request for an appeal of a denial, the making of the request (and the timing of such request) shall be treated as the making at that time of a request for an appeal without regard to whether and when a written confirmation of such request is made.

(2) ACCESS TO INFORMATION.—

(A) TIMELY PROVISION OF NECESSARY INFORMATION.—With respect to an appeal of a denial of a claim for benefits, the participant, beneficiary, or enrollee (or authorized representative) and the treating health care professional (if any) shall provide the plan or issuer with access to information requested by the plan or issuer that is necessary to make a determination relating to the appeal. Such access shall be provided not later than 5 days after the date on which the request for information is received, or, in a case described in subparagraph (B) or (C) of paragraph (3), by such earlier time as may be necessary to comply with the applicable timeline under such subparagraph.

(B) LIMITED EFFECT OF FAILURE ON PLAN OR ISSUER'S OBLIGATIONS.—Failure of the participant, beneficiary, or enrollee to comply with the requirements of subparagraph (A) shall not remove the obligation of the plan or issuer to make a decision in accordance with the medical exigencies of the case and as soon as possible, based on the available information, and failure to comply with the time limit established by this paragraph shall not remove the obligation of the plan or issuer to comply with the requirements of this section.

(3) PRIOR AUTHORIZATION DETERMINATIONS.—

(A) IN GENERAL.—Except as provided in this paragraph or paragraph (4), a group health plan, and a health insurance issuer offering health insurance coverage, shall make a determination on an appeal of a denial of a claim for benefits under this subsection in accordance with the medical exigencies of the case and as soon as possible, but in no case later than 14 days from the date on which the plan or issuer receives information that is reasonably necessary to enable the plan or issuer to make a determination on the appeal and in no case later than 28 days after the date the request for the appeal is received.

(B) EXPEDITED DETERMINATION.—Notwithstanding subparagraph (A), a group health plan, and a health insurance issuer offering health insurance coverage, shall expedite a prior authorization determination on an appeal of a denial of a claim for benefits described in subparagraph (A), when a request for such an expedited determination is made by a participant, beneficiary, or enrollee (or authorized representative) at any time during the process for making a determination and a health care professional certifies, with the request, that a determination under the

procedures described in subparagraph (A) would seriously jeopardize the life or health of the participant, beneficiary, or enrollee or the ability of the participant, beneficiary, or enrollee to maintain or regain maximum function. Such determination shall be made in accordance with the medical exigencies of the case and as soon as possible, but in no case later than 72 hours after the time the request for such appeal is received by the plan or issuer under this subparagraph.

(C) ONGOING CARE DETERMINATIONS.—

(i) IN GENERAL.—Subject to clause (ii), in the case of a concurrent review determination described in section 102(b)(1)(C)(i)(I), which results in a termination or reduction of such care, the plan or issuer must provide notice of the determination on the appeal under this section by telephone and in printed form to the individual or the individual's designee and the individual's health care provider in accordance with the medical exigencies of the case and as soon as possible, with sufficient time prior to the termination or reduction to allow for an external appeal under section 104 to be completed before the termination or reduction takes effect.

(ii) RULE OF CONSTRUCTION.—Clause (i) shall not be construed as requiring plans or issuers to provide coverage of care that would exceed the coverage limitations for such care.

(4) RETROSPECTIVE DETERMINATION.—A group health plan, and a health insurance issuer offering health insurance coverage, shall make a retrospective determination on an appeal of a denial of a claim for benefits in no case later than 30 days after the date on which the plan or issuer receives necessary information that is reasonably necessary to enable the plan or issuer to make a determination on the appeal and in no case later than 60 days after the date the request for the appeal is received.

(c) CONDUCT OF REVIEW.—

(1) IN GENERAL.—A review of a denial of a claim for benefits under this section shall be conducted by an individual with appropriate expertise who was not involved in the initial determination.

(2) PEER REVIEW OF MEDICAL DECISIONS BY HEALTH CARE PROFESSIONALS.—A review of an appeal of a denial of a claim for benefits that is based on a lack of medical necessity and appropriateness, or based on an experimental or investigational treatment, or requires an evaluation of medical facts—

(A) shall be made by a physician (allopathic or osteopathic); or

(B) in a claim for benefits provided by a non-physician health professional, shall be made by reviewer (or reviewers) including at least one practicing non-physician health professional of the same or similar specialty; with appropriate expertise (including, in the case of a child, appropriate pediatric expertise) and acting within the appropriate scope of practice within the State in which the service is provided or rendered, who was not involved in the initial determination.

(d) NOTICE OF DETERMINATION.—

(1) IN GENERAL.—Written notice of a determination made under an internal appeal of a denial of a claim for benefits shall be issued to the participant, beneficiary, or enrollee (or authorized representative) and the treating health care professional in accordance with the medical exigencies of the case and as soon as possible, but in no case later than 2 days after the date of completion of the review (or, in the case described in subparagraph (B) or (C) of subsection (b)(3), within the 72-hour or applicable period referred to in such subparagraph).

(2) FINAL DETERMINATION.—The decision by a plan or issuer under this section shall be treated as the final determination of the plan or issuer on a denial of a claim for benefits. The failure of a plan or issuer to issue a determination on an appeal of a denial of a claim for benefits under this section within the applicable timeline established for such a determination shall be treated as a final determination on an appeal of a denial of a claim for benefits for purposes of proceeding to external review under section 104.

(3) REQUIREMENTS OF NOTICE.—With respect to a determination made under this section, the notice described in paragraph (1) shall be provided in printed form and written in a manner calculated to be understood by the participant, beneficiary, or enrollee and shall include—

(A) the specific reasons for the determination (including a summary of the clinical or scientific evidence used in making the determination);

(B) the procedures for obtaining additional information concerning the determination; and

(C) notification of the right to an independent external review under section 104 and instructions on how to initiate such a review.

SEC. 104. INDEPENDENT EXTERNAL APPEALS PROCEDURES.

(a) RIGHT TO EXTERNAL APPEAL.—A group health plan, and a health insurance issuer offering health insurance coverage, shall provide in accordance with this section participants, beneficiaries, and enrollees (or authorized representatives) with access to an independent external review for any denial of a claim for benefits.

(b) INITIATION OF THE INDEPENDENT EXTERNAL REVIEW PROCESS.—

(1) TIME TO FILE.—A request for an independent external review under this section shall be filed with the plan or issuer not later than 180 days after the date on which the participant, beneficiary, or enrollee receives notice of the denial under section 103(d) or notice of waiver of internal review under section 103(a)(4) or the date on which the plan or issuer has failed to make a timely decision under section 103(d)(2) and notifies the participant or beneficiary that it has failed to make a timely decision and that the beneficiary must file an appeal with an external review entity within 180 days if the participant or beneficiary desires to file such an appeal.

(2) FILING OF REQUEST.—

(A) IN GENERAL.—Subject to the succeeding provisions of this subsection, a group health plan, or health insurance issuer offering health insurance coverage, may—

(i) except as provided in subparagraph (B)(i), require that a request for review be in writing;

(ii) limit the filing of such a request to the participant, beneficiary, or enrollee involved (or an authorized representative);

(iii) except if waived by the plan or issuer under section 103(a)(4), condition access to an independent external review under this section upon a final determination of a denial of a claim for benefits under the internal review procedure under section 103;

(iv) except as provided in subparagraph (B)(ii), require payment of a filing fee to the plan or issuer of a sum that does not exceed $25; and

(v) require that a request for review include the consent of the participant, beneficiary, or enrollee (or authorized representative) for the release of necessary medical information or records of the participant, beneficiary, or enrollee to the qualified external review entity only for purposes of conducting external review activities.

(B) REQUIREMENTS AND EXCEPTION RELATING TO GENERAL RULE.—

(i) ORAL REQUESTS PERMITTED IN EXPEDITED OR CONCURRENT CASES.—In the case of an expedited or concurrent external review as provided for under subsection (e), the request for such review may be made orally. A group health plan, or health insurance issuer offering health insurance coverage, may require that the participant, beneficiary, or enrollee (or authorized representative) provide written confirmation of such request in a timely manner on a form provided by the plan or issuer. Such written confirmation shall be treated as a consent for purposes of subparagraph (A)(v). In the case of such an oral request for such a review, the making of the request (and the timing of such request) shall be treated as the making at that time of a request for such a review without regard to whether and when a written confirmation of such request is made.

(ii) EXCEPTION TO FILING FEE REQUIREMENT.—

(I) INDIGENCY.—Payment of a filing fee shall not be required under subparagraph (A)(iv) where there is a certification (in a form and manner specified in guidelines established by the appropriate Secretary) that the participant, beneficiary, or enrollee is indigent (as defined in such guidelines).

(II) FEE NOT REQUIRED.—Payment of a filing fee shall not be required under subparagraph (A)(iv) if the plan or issuer waives the internal appeals process under section 103(a)(4).

(III) REFUNDING OF FEE.—The filing fee paid under subparagraph (A)(iv) shall be refunded if the determination under the independent external review is to reverse or modify the denial which is the subject of the review.

(IV) COLLECTION OF FILING FEE.—The failure to pay such a filing fee shall not prevent the consideration of a request for review but, subject to the preceding provisions of this clause, shall constitute a legal liability to pay.

(c) REFERRAL TO QUALIFIED EXTERNAL REVIEW ENTITY UPON REQUEST.—

(1) IN GENERAL.—Upon the filing of a request for independent external review with the group health plan, or health insurance issuer offering health insurance coverage, the plan or issuer shall immediately refer such request, and forward the plan or issuer's initial decision (including the information described in section 103(d)(3)(A)), to a qualified external review entity selected in accordance with this section.

(2) ACCESS TO PLAN OR ISSUER AND HEALTH PROFESSIONAL INFORMATION.—With respect to an independent external review conducted under this section, the participant, beneficiary, or enrollee (or authorized representative), the plan or issuer, and the treating health care professional (if any) shall provide the external review entity with information that is necessary to conduct a review under this section, as determined and requested by the entity. Such information shall be provided not later than 5 days after the date on which the request for information is received, or, in a case described in clause (ii) or (iii) of subsection (e)(1)(A), by such earlier time as may be necessary to comply with the applicable timeline under such clause.

(3) SCREENING OF REQUESTS BY QUALIFIED EXTERNAL REVIEW ENTITIES.—

(A) IN GENERAL.—With respect to a request referred to a qualified external review entity under paragraph (1) relating to a denial of a claim for benefits, the entity shall refer such request for the conduct of an independent medical review unless the entity determines that—

(i) any of the conditions described in clauses (ii) or (iii) of subsection (b)(2)(A) have not been met;

(ii) the denial of the claim for benefits does not involve a medically reviewable decision under subsection (d)(2);

(iii) the denial of the claim for benefits relates to a decision regarding whether an in-

dividual is a participant, beneficiary, or enrollee who is enrolled under the terms and conditions of the plan or coverage (including the applicability of any waiting period under the plan or coverage); or

(iv) the denial of the claim for benefits is a decision as to the application of cost-sharing requirements or the application of a specific exclusion or express limitation on the amount, duration, or scope of coverage of items or services under the terms and conditions of the plan or coverage unless the decision is a denial described in subsection (d)(2).

Upon making a determination that any of clauses (i) through (iv) applies with respect to the request, the entity shall determine that the denial of a claim for benefits involved is not eligible for independent medical review under subsection (d), and shall provide notice in accordance with subparagraph (C).

(B) PROCESS FOR MAKING DETERMINATIONS.—

(i) NO DEFERENCE TO PRIOR DETERMINATIONS.—In making determinations under subparagraph (A), there shall be no deference given to determinations made by the plan or issuer or the recommendation of a treating health care professional (if any).

(ii) USE OF APPROPRIATE PERSONNEL.—A qualified external review entity shall use appropriately qualified personnel to make determinations under this section.

(C) NOTICES AND GENERAL TIMELINES FOR DETERMINATION.—

(i) NOTICE IN CASE OF DENIAL OF REFERRAL.—If the entity under this paragraph does not make a referral to an independent medical reviewer, the entity shall provide notice to the plan or issuer, the participant, beneficiary, or enrollee (or authorized representative) filing the request, and the treating health care professional (if any) that the denial is not subject to independent medical review. Such notice—

(I) shall be written (and, in addition, may be provided orally) in a manner calculated to be understood by a participant or enrollee;

(II) shall include the reasons for the determination;

(III) include any relevant terms and conditions of the plan or coverage; and

(IV) include a description of any further recourse available to the individual.

(ii) GENERAL TIMELINE FOR DETERMINATIONS.—Upon receipt of information under paragraph (2), the qualified external review entity, and if required the independent medical reviewer, shall make a determination within the overall timeline that is applicable to the case under review as described in subsection (e), except that if the entity determines that a referral to an independent medical reviewer is not required, the entity shall provide notice of such determination to the participant, beneficiary, or enrollee (or authorized representative) within such timeline and within 2 days of the date of such determination.

(d) INDEPENDENT MEDICAL REVIEW.—

(1) IN GENERAL.—If a qualified external review entity determines under subsection (c) that a denial of a claim for benefits is eligible for independent medical review, the entity shall refer the denial involved to an independent medical reviewer for the conduct of an independent medical review under this subsection.

(2) MEDICALLY REVIEWABLE DECISIONS.—A denial of a claim for benefits is eligible for independent medical review if the benefit for the item or service for which the claim is made would be a covered benefit under the terms and conditions of the plan or coverage but for one (or more) of the following determinations:

(A) DENIALS BASED ON MEDICAL NECESSITY AND APPROPRIATENESS.—A determination that the item or service is not covered because it is not medically necessary and appropriate or based on the application of substantially equivalent terms.

(B) DENIALS BASED ON EXPERIMENTAL OR INVESTIGATIONAL TREATMENT.—A determination that the item or service is not covered because it is experimental or investigational or based on the application of substantially equivalent terms.

(C) DENIALS OTHERWISE BASED ON AN EVALUATION OF MEDICAL FACTS.—A determination that the item or service or condition is not covered based on grounds that require an evaluation of the medical facts by a health care professional in the specific case involved to determine the coverage and extent of coverage of the item or service or condition.

(3) INDEPENDENT MEDICAL REVIEW DETERMINATION.—

(A) IN GENERAL.—An independent medical reviewer under this section shall make a new independent determination with respect to whether or not the denial of a claim for a benefit that is the subject of the review should be upheld, reversed, or modified.

(B) STANDARD FOR DETERMINATION.—The independent medical reviewer's determination relating to the medical necessity and appropriateness, or the experimental or investigational nature, or the evaluation of the medical facts, of the item, service, or condition involved shall be based on the medical condition of the participant, beneficiary, or enrollee (including the medical records of the participant, beneficiary, or enrollee) and valid, relevant scientific evidence and clinical evidence, including peer-reviewed medical literature or findings and including expert opinion.

(C) NO COVERAGE FOR EXCLUDED BENEFITS.—Nothing in this subsection shall be construed to permit an independent medical reviewer to require that a group health plan, or health insurance issuer offering health insurance coverage, provide coverage for items or services for which benefits are specifically excluded or expressly limited under the plan or coverage in the plain language of the plan document (and which are disclosed under section 121(b)(1)(C)). Notwithstanding any other provision of this Act, any exclusion of an exact medical procedure, any exact time limit on the duration or frequency of coverage, and any exact dollar limit on the amount of coverage that is specifically enumerated and defined (in the plain language of the plan or coverage documents) under the plan or coverage offered by a group health plan or health insurance issuer offering health insurance coverage and that is disclosed under section 121(b)(1) shall be considered to govern the scope of the benefits that may be required: *Provided*, That the terms and conditions of the plan or coverage relating to such an exclusion or limit are in compliance with the requirements of law.

(D) EVIDENCE AND INFORMATION TO BE USED IN MEDICAL REVIEWS.—In making a determination under this subsection, the independent medical reviewer shall also consider appropriate and available evidence and information, including the following:

(i) The determination made by the plan or issuer with respect to the claim upon internal review and the evidence, guidelines, or rationale used by the plan or issuer in reaching such determination.

(ii) The recommendation of the treating health care professional and the evidence, guidelines, and rationale used by the treating health care professional in reaching such recommendation.

(iii) Additional relevant evidence or information obtained by the reviewer or submitted by the plan, issuer, participant, beneficiary, or enrollee (or an authorized representative), or treating health care professional.

(iv) The plan or coverage document.

(E) INDEPENDENT DETERMINATION.—In making determinations under this section, a qualified external review entity and an independent medical reviewer shall—

(i) consider the claim under review without deference to the determinations made by the plan or issuer or the recommendation of the treating health care professional (if any); and

(ii) consider, but not be bound by, the definition used by the plan or issuer of ''medically necessary and appropriate'', or ''experimental or investigational'', or other substantially equivalent terms that are used by the plan or issuer to describe medical necessity and appropriateness or experimental or investigational nature of the treatment.

(F) DETERMINATION OF INDEPENDENT MEDICAL REVIEWER.—An independent medical reviewer shall, in accordance with the deadlines described in subsection (e), prepare a written determination to uphold, reverse, or modify the denial under review. Such written determination shall include—

(i) the determination of the reviewer;

(ii) the specific reasons of the reviewer for such determination, including a summary of the clinical or scientific evidence used in making the determination; and

(iii) with respect to a determination to reverse or modify the denial under review, a timeframe within which the plan or issuer must comply with such determination.

(G) NONBINDING NATURE OF ADDITIONAL RECOMMENDATIONS.—In addition to the determination under subparagraph (F), the reviewer may provide the plan or issuer and the treating health care professional with additional recommendations in connection with such a determination, but any such recommendations shall not affect (or be treated as part of) the determination and shall not be binding on the plan or issuer.

(e) TIMELINES AND NOTIFICATIONS.—

(1) TIMELINES FOR INDEPENDENT MEDICAL REVIEW.—

(A) PRIOR AUTHORIZATION DETERMINATION.—

(i) IN GENERAL.—The independent medical reviewer (or reviewers) shall make a determination on a denial of a claim for benefits that is referred to the reviewer under subsection (c)(3) in accordance with the medical exigencies of the case and as soon as possible, but in no case later than 14 days after the date of receipt of information under subsection (c)(2) if the review involves a prior authorization of items or services and in no case later than 21 days after the date the request for external review is received.

(ii) EXPEDITED DETERMINATION.—Notwithstanding clause (i) and subject to clause (iii), the independent medical reviewer (or reviewers) shall make an expedited determination on a denial of a claim for benefits described in clause (i), when a request for such an expedited determination is made by a participant, beneficiary, or enrollee (or authorized representative) at any time during the process for making a determination, and a health care professional certifies, with the request, that a determination under the timeline described in clause (i) would seriously jeopardize the life or health of the participant, beneficiary, or enrollee or the ability of the participant, beneficiary, or enrollee to maintain or regain maximum function. Such determination shall be made in accordance with the medical exigencies of the case and as soon as possible, but in no case later than 72 hours after the time the request for external review is received by the qualified external review entity.

(iii) ONGOING CARE DETERMINATION.—Notwithstanding clause (i), in the case of a review described in such clause that involves a termination or reduction of care, the notice of the determination shall be completed not later than 24 hours after the time the request

for external review is received by the qualified external review entity and before the end of the approved period of care.

(B) RETROSPECTIVE DETERMINATION.—The independent medical reviewer (or reviewers) shall complete a review in the case of a retrospective determination on an appeal of a denial of a claim for benefits that is referred to the reviewer under subsection (c)(3) in no case later than 30 days after the date of receipt of information under subsection (c)(2) and in no case later than 60 days after the date the request for external review is received by the qualified external review entity.

(2) NOTIFICATION OF DETERMINATION.—The external review entity shall ensure that the plan or issuer, the participant, beneficiary, or enrollee (or authorized representative) and the treating health care professional (if any) receives a copy of the written determination of the independent medical reviewer prepared under subsection (d)(3)(F). Nothing in this paragraph shall be construed as preventing an entity or reviewer from providing an initial oral notice of the reviewer's determination.

(3) FORM OF NOTICES.—Determinations and notices under this subsection shall be written in a manner calculated to be understood by a participant.

(f) COMPLIANCE.—

(1) APPLICATION OF DETERMINATIONS.—

(A) EXTERNAL REVIEW DETERMINATIONS BINDING ON PLAN.—The determinations of an external review entity and an independent medical reviewer under this section shall be binding upon the plan or issuer involved.

(B) COMPLIANCE WITH DETERMINATION.—If the determination of an independent medical reviewer is to reverse or modify the denial, the plan or issuer, upon the receipt of such determination, shall authorize coverage to comply with the medical reviewer's determination in accordance with the timeframe established by the medical reviewer.

(2) FAILURE TO COMPLY.—

(A) IN GENERAL.—If a plan or issuer fails to comply with the timeframe established under paragraph (1)(B) with respect to a participant, beneficiary, or enrollee, where such failure to comply is caused by the plan or issuer, the participant, beneficiary, or enrollee may obtain the items or services involved (in a manner consistent with the determination of the independent external reviewer) from any provider regardless of whether such provider is a participating provider under the plan or coverage.

(B) REIMBURSEMENT.—

(i) IN GENERAL.—Where a participant, beneficiary, or enrollee obtains items or services in accordance with subparagraph (A), the plan or issuer involved shall provide for reimbursement of the costs of such items or services. Such reimbursement shall be made to the treating health care professional or to the participant, beneficiary, or enrollee (in the case of a participant, beneficiary, or enrollee who pays for the costs of such items or services).

(ii) AMOUNT.—The plan or issuer shall fully reimburse a professional, participant, beneficiary, or enrollee under clause (i) for the total costs of the items or services provided (regardless of any plan limitations that may apply to the coverage of such items or services) so long as the items or services were provided in a manner consistent with the determination of the independent medical reviewer.

(C) FAILURE TO REIMBURSE.—Where a plan or issuer fails to provide reimbursement to a professional, participant, beneficiary, or enrollee in accordance with this paragraph, the professional, participant, beneficiary, or enrollee may commence a civil action (or utilize other remedies available under law) to recover only the amount of any such reimbursement that is owed by the plan or issuer and any necessary legal costs or expenses (including attorney's fees) incurred in recovering such reimbursement.

(D) AVAILABLE REMEDIES.—The remedies provided under this paragraph are in addition to any other available remedies.

(3) PENALTIES AGAINST AUTHORIZED OFFICIALS FOR REFUSING TO AUTHORIZE THE DETERMINATION OF AN EXTERNAL REVIEW ENTITY.—

(A) MONETARY PENALTIES.—

(i) IN GENERAL.—In any case in which the determination of an external review entity is not followed by a group health plan, or by a health insurance issuer offering health insurance coverage, any person who, acting in the capacity of authorizing the benefit, causes such refusal may, in the discretion of a court of competent jurisdiction, be liable to an aggrieved participant, beneficiary, or enrollee for a civil penalty in an amount of up to $1,000 a day from the date on which the determination was transmitted to the plan or issuer by the external review entity until the date the refusal to provide the benefit is corrected.

(ii) ADDITIONAL PENALTY FOR FAILING TO FOLLOW TIMELINE.—In any case in which treatment was not commenced by the plan in accordance with the determination of an independent external reviewer, the Secretary shall assess a civil penalty of $10,000 against the plan and the plan shall pay such penalty to the participant, beneficiary, or enrollee involved.

(B) CEASE AND DESIST ORDER AND ORDER OF ATTORNEY'S FEES.—In any action described in subparagraph (A) brought by a participant, beneficiary, or enrollee with respect to a group health plan, or a health insurance issuer offering health insurance coverage, in which a plaintiff alleges that a person referred to in such subparagraph has taken an action resulting in a refusal of a benefit determined by an external appeal entity to be covered, or has failed to take an action for which such person is responsible under the terms and conditions of the plan or coverage and which is necessary under the plan or coverage for authorizing a benefit, the court shall cause to be served on the defendant an order requiring the defendant—

(i) to cease and desist from the alleged action or failure to act; and

(ii) to pay to the plaintiff a reasonable attorney's fee and other reasonable costs relating to the prosecution of the action on the charges on which the plaintiff prevails.

(C) ADDITIONAL CIVIL PENALTIES.—

(i) IN GENERAL.—In addition to any penalty imposed under subparagraph (A) or (B), the appropriate Secretary may assess a civil penalty against a person acting in the capacity of authorizing a benefit determined by an external review entity for one or more group health plans, or health insurance issuers offering health insurance coverage, for—

(I) any pattern or practice of repeated refusal to authorize a benefit determined by an external appeal entity to be covered; or

(II) any pattern or practice of repeated violations of the requirements of this section with respect to such plan or coverage.

(ii) STANDARD OF PROOF AND AMOUNT OF PENALTY.—Such penalty shall be payable only upon proof by clear and convincing evidence of such pattern or practice and shall be in an amount not to exceed the lesser of—

(I) 25 percent of the aggregate value of benefits shown by the appropriate Secretary to have not been provided, or unlawfully delayed, in violation of this section under such pattern or practice; or

(II) $500,000.

(D) REMOVAL AND DISQUALIFICATION.—Any person acting in the capacity of authorizing benefits who has engaged in any such pattern or practice described in subparagraph (C)(i) with respect to a plan or coverage, upon the petition of the appropriate Secretary, may be removed by the court from such position, and from any other involvement, with respect to such a plan or coverage, and may be precluded from returning to any such position or involvement for a period determined by the court.

(4) PROTECTION OF LEGAL RIGHTS.—Nothing in this subsection or subtitle shall be construed as altering or eliminating any cause of action or legal rights or remedies of participants, beneficiaries, enrollees, and others under State or Federal law (including sections 502 and 503 of the Employee Retirement Income Security Act of 1974), including the right to file judicial actions to enforce rights.

(g) QUALIFICATIONS OF INDEPENDENT MEDICAL REVIEWERS.—

(1) IN GENERAL.—In referring a denial to 1 or more individuals to conduct independent medical review under subsection (c), the qualified external review entity shall ensure that—

(A) each independent medical reviewer meets the qualifications described in paragraphs (2) and (3);

(B) with respect to each review at least 1 such reviewer meets the requirements described in paragraphs (4) and (5); and

(C) compensation provided by the entity to the reviewer is consistent with paragraph (6).

(2) LICENSURE AND EXPERTISE.—Each independent medical reviewer shall be a physician (allopathic or osteopathic) or health care professional who—

(A) is appropriately credentialed or licensed in 1 or more States to deliver health care services; and

(B) typically treats the condition, makes the diagnosis, or provides the type of treatment under review.

(3) INDEPENDENCE.—

(A) IN GENERAL.—Subject to subparagraph (B), each independent medical reviewer in a case shall—

(i) not be a related party (as defined in paragraph (7));

(ii) not have a material familial, financial, or professional relationship with such a party; and

(iii) not otherwise have a conflict of interest with such a party (as determined under regulations).

(B) EXCEPTION.—Nothing in subparagraph (A) shall be construed to—

(i) prohibit an individual, solely on the basis of affiliation with the plan or issuer, from serving as an independent medical reviewer if—

(I) a non-affiliated individual is not reasonably available;

(II) the affiliated individual is not involved in the provision of items or services in the case under review;

(III) the fact of such an affiliation is disclosed to the plan or issuer and the participant, beneficiary, or enrollee (or authorized representative) and neither party objects; and

(IV) the affiliated individual is not an employee of the plan or issuer and does not provide services exclusively or primarily to or on behalf of the plan or issuer;

(ii) prohibit an individual who has staff privileges at the institution where the treatment involved takes place from serving as an independent medical reviewer merely on the basis of such affiliation if the affiliation is disclosed to the plan or issuer and the participant, beneficiary, or enrollee (or authorized representative), and neither party objects; or

(iii) prohibit receipt of compensation by an independent medical reviewer from an entity if the compensation is provided consistent with paragraph (6).

(4) PRACTICING HEALTH CARE PROFESSIONAL IN SAME FIELD.—

(A) IN GENERAL.—In a case involving treatment, or the provision of items or services—

(i) by a physician, a reviewer shall be a practicing physician (allopathic or osteopathic) of the same or similar specialty, as a physician who, acting within the appropriate scope of practice within the State in which the service is provided or rendered, typically treats the condition, makes the diagnosis, or provides the type of treatment under review; or

(ii) by a non-physician health care professional, a reviewer (or reviewers) shall include at least one practicing non-physician health care professional of the same or similar specialty as the non-physician health care professional who, acting within the appropriate scope of practice within the State in which the service is provided or rendered, typically treats the condition, makes the diagnosis, or provides the type of treatment under review.

(B) PRACTICING DEFINED.—For purposes of this paragraph, the term ''practicing'' means, with respect to an individual who is a physician or other health care professional that the individual provides health care services to individual patients on average at least 2 days per week.

(5) PEDIATRIC EXPERTISE.—In the case of an external review relating to a child, a reviewer shall have expertise under paragraph (2) in pediatrics.

(6) LIMITATIONS ON REVIEWER COMPENSATION.—Compensation provided by a qualified external review entity to an independent medical reviewer in connection with a review under this section shall—

(A) not exceed a reasonable level; and

(B) not be contingent on the decision rendered by the reviewer.

(7) RELATED PARTY DEFINED.—For purposes of this section, the term ''related party'' means, with respect to a denial of a claim under a plan or coverage relating to a participant, beneficiary, or enrollee, any of the following:

(A) The plan, plan sponsor, or issuer involved, or any fiduciary, officer, director, or employee of such plan, plan sponsor, or issuer.

(B) The participant, beneficiary, or enrollee (or authorized representative).

(C) The health care professional that provides the items or services involved in the denial.

(D) The institution at which the items or services (or treatment) involved in the denial are provided.

(E) The manufacturer of any drug or other item that is included in the items or services involved in the denial.

(F) Any other party determined under any regulations to have a substantial interest in the denial involved.

(h) QUALIFIED EXTERNAL REVIEW ENTITIES.—

(1) SELECTION OF QUALIFIED EXTERNAL REVIEW ENTITIES.—

(A) LIMITATION ON PLAN OR ISSUER SELECTION.—The appropriate Secretary shall implement procedures—

(i) to assure that the selection process among qualified external review entities will not create any incentives for external review entities to make a decision in a biased manner; and

(ii) for auditing a sample of decisions by such entities to assure that no such decisions are made in a biased manner.

No such selection process under the procedures implemented by the appropriate Secretary may give either the patient or the plan or issuer any ability to determine or influence the selection of a qualified external review entity to review the case of any participant, beneficiary, or enrollee.

(B) STATE AUTHORITY WITH RESPECT TO QUALIFIED EXTERNAL REVIEW ENTITIES FOR HEALTH INSURANCE ISSUERS.—With respect to health insurance issuers offering health insurance coverage in a State, the State may provide for external review activities to be conducted by a qualified external appeal entity that is designated by the State or that is selected by the State in a manner determined by the State to assure an unbiased determination.

(2) CONTRACT WITH QUALIFIED EXTERNAL REVIEW ENTITY.—Except as provided in paragraph (1)(B), the external review process of a plan or issuer under this section shall be conducted under a contract between the plan or issuer and 1 or more qualified external review entities (as defined in paragraph (4)(A)).

(3) TERMS AND CONDITIONS OF CONTRACT.—The terms and conditions of a contract under paragraph (2) shall—

(A) be consistent with the standards the appropriate Secretary shall establish to assure there is no real or apparent conflict of interest in the conduct of external review activities; and

(B) provide that the costs of the external review process shall be borne by the plan or issuer.

Subparagraph (B) shall not be construed as applying to the imposition of a filing fee under subsection (b)(2)(A)(iv) or costs incurred by the participant, beneficiary, or enrollee (or authorized representative) or treating health care professional (if any) in support of the review, including the provision of additional evidence or information.

(4) QUALIFICATIONS.—

(A) IN GENERAL.—In this section, the term ''qualified external review entity'' means, in relation to a plan or issuer, an entity that is initially certified (and periodically recertified) under subparagraph (C) as meeting the following requirements:

(i) The entity has (directly or through contracts or other arrangements) sufficient medical, legal, and other expertise and sufficient staffing to carry out duties of a qualified external review entity under this section on a timely basis, including making determinations under subsection (b)(2)(A) and providing for independent medical reviews under subsection (d).

(ii) The entity is not a plan or issuer or an affiliate or a subsidiary of a plan or issuer, and is not an affiliate or subsidiary of a professional or trade association of plans or issuers or of health care providers.

(iii) The entity has provided assurances that it will conduct external review activities consistent with the applicable requirements of this section and standards specified in subparagraph (C), including that it will not conduct any external review activities in a case unless the independence requirements of subparagraph (B) are met with respect to the case.

(iv) The entity has provided assurances that it will provide information in a timely manner under subparagraph (D).

(v) The entity meets such other requirements as the appropriate Secretary provides by regulation.

(B) INDEPENDENCE REQUIREMENTS.—

(i) IN GENERAL.—Subject to clause (ii), an entity meets the independence requirements of this subparagraph with respect to any case if the entity—

(I) is not a related party (as defined in subsection (g)(7));

(II) does not have a material familial, financial, or professional relationship with such a party; and

(III) does not otherwise have a conflict of interest with such a party (as determined under regulations).

(ii) EXCEPTION FOR REASONABLE COMPENSATION.—Nothing in clause (i) shall be construed to prohibit receipt by a qualified external review entity of compensation from a plan or issuer for the conduct of external review activities under this section if the compensation is provided consistent with clause (iii).

(iii) LIMITATIONS ON ENTITY COMPENSATION.—Compensation provided by a plan or issuer to a qualified external review entity in connection with reviews under this section shall—

(I) not exceed a reasonable level; and

(II) not be contingent on any decision rendered by the entity or by any independent medical reviewer.

(C) CERTIFICATION AND RECERTIFICATION PROCESS.—

(i) IN GENERAL.—The initial certification and recertification of a qualified external review entity shall be made—

(I) under a process that is recognized or approved by the appropriate Secretary; or

(II) by a qualified private standard-setting organization that is approved by the appropriate Secretary under clause (iii).

In taking action under subclause (I), the appropriate Secretary shall give deference to entities that are under contract with the Federal Government or with an applicable State authority to perform functions of the type performed by qualified external review entities.

(ii) PROCESS.—The appropriate Secretary shall not recognize or approve a process under clause (i)(I) unless the process applies standards (as promulgated in regulations) that ensure that a qualified external review entity—

(I) will carry out (and has carried out, in the case of recertification) the responsibilities of such an entity in accordance with this section, including meeting applicable deadlines;

(II) will meet (and has met, in the case of recertification) appropriate indicators of fiscal integrity;

(III) will maintain (and has maintained, in the case of recertification) appropriate confidentiality with respect to individually identifiable health information obtained in the course of conducting external review activities; and

(IV) in the case of recertification, shall review the matters described in clause (iv).

(iii) APPROVAL OF QUALIFIED PRIVATE STANDARD-SETTING ORGANIZATIONS.—For purposes of clause (i)(II), the appropriate Secretary may approve a qualified private standard-setting organization if such Secretary finds that the organization only certifies (or recertifies) external review entities that meet at least the standards required for the certification (or recertification) of external review entities under clause (ii).

(iv) CONSIDERATIONS IN RECERTIFICATIONS.—In conducting recertifications of a qualified external review entity under this paragraph, the appropriate Secretary or organization conducting the recertification shall review compliance of the entity with the requirements for conducting external review activities under this section, including the following:

(I) Provision of information under subparagraph (D).

(II) Adherence to applicable deadlines (both by the entity and by independent medical reviewers it refers cases to).

(III) Compliance with limitations on compensation (with respect to both the entity and independent medical reviewers it refers cases to).

(IV) Compliance with applicable independence requirements.

(V) Compliance with the requirement of subsection (d)(1) that only medically reviewable decisions shall be the subject of independent medical review and with the requirement of subsection (d)(3) that independent

medical reviewers may not require coverage for specifically excluded benefits.

(v) PERIOD OF CERTIFICATION OR RECERTIFICATION.—A certification or recertification provided under this paragraph shall extend for a period not to exceed 2 years.

(vi) REVOCATION.—A certification or recertification under this paragraph may be revoked by the appropriate Secretary or by the organization providing such certification upon a showing of cause. The Secretary, or organization, shall revoke a certification or deny a recertification with respect to an entity if there is a showing that the entity has a pattern or practice of ordering coverage for benefits that are specifically excluded under the plan or coverage.

(vii) PETITION FOR DENIAL OR WITHDRAWAL.—An individual may petition the Secretary, or an organization providing the certification involves, for a denial of recertification or a withdrawal of a certification with respect to an entity under this subparagraph if there is a pattern or practice of such entity failing to meet a requirement of this section.

(viii) SUFFICIENT NUMBER OF ENTITIES.—The appropriate Secretary shall certify and recertify a number of external review entities which is sufficient to ensure the timely and efficient provision of review services.

(D) PROVISION OF INFORMATION.—

(i) IN GENERAL.—A qualified external review entity shall provide to the appropriate Secretary, in such manner and at such times as such Secretary may require, such information (relating to the denials which have been referred to the entity for the conduct of external review under this section) as such Secretary determines appropriate to assure compliance with the independence and other requirements of this section to monitor and assess the quality of its external review activities and lack of bias in making determinations. Such information shall include information described in clause (ii) but shall not include individually identifiable medical information.

(ii) INFORMATION TO BE INCLUDED.—The information described in this subclause with respect to an entity is as follows:

(I) The number and types of denials for which a request for review has been received by the entity.

(II) The disposition by the entity of such denials, including the number referred to a independent medical reviewer and the reasons for such dispositions (including the application of exclusions), on a plan or issuer-specific basis and on a health care specialty-specific basis.

(III) The length of time in making determinations with respect to such denials.

(IV) Updated information on the information required to be submitted as a condition of certification with respect to the entity's performance of external review activities.

(iii) INFORMATION TO BE PROVIDED TO CERTIFYING ORGANIZATION.—

(I) IN GENERAL.—In the case of a qualified external review entity which is certified (or recertified) under this subsection by a qualified private standard-setting organization, at the request of the organization, the entity shall provide the organization with the information provided to the appropriate Secretary under clause (i).

(II) ADDITIONAL INFORMATION.—Nothing in this subparagraph shall be construed as preventing such an organization from requiring additional information as a condition of certification or recertification of an entity.

(iv) USE OF INFORMATION.—Information provided under this subparagraph may be used by the appropriate Secretary and qualified private standard-setting organizations to conduct oversight of qualified external review entities, including recertification of such entities, and shall be made available to the public in an appropriate manner.

(E) LIMITATION ON LIABILITY.—No qualified external review entity having a contract with a plan or issuer, and no person who is employed by any such entity or who furnishes professional services to such entity (including as an independent medical reviewer), shall be held by reason of the performance of any duty, function, or activity required or authorized pursuant to this section, to be civilly liable under any law of the United States or of any State (or political subdivision thereof) if there was no actual malice or gross misconduct in the performance of such duty, function, or activity.

(5) REPORT.—Not later than 12 months after the general effective date referred to in section 601, the General Accounting Office shall prepare and submit to the appropriate committees of Congress a report concerning—

(A) the information that is provided under paragraph (3)(D);

(B) the number of denials that have been upheld by independent medical reviewers and the number of denials that have been reversed by such reviewers; and

(C) the extent to which independent medical reviewers are requiring coverage for benefits that are specifically excluded under the plan or coverage.

SEC. 105. HEALTH CARE CONSUMER ASSISTANCE FUND.

(a) GRANTS.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall establish a fund, to be known as the ''Health Care Consumer Assistance Fund'', to be used to award grants to eligible States to carry out consumer assistance activities (including programs established by States prior to the enactment of this Act) designed to provide information, assistance, and referrals to consumers of health insurance products.

(2) STATE ELIGIBILITY.—To be eligible to receive a grant under this subsection a State shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a State plan that describes—

(A) the manner in which the State will ensure that the health care consumer assistance office (established under paragraph (4)) will educate and assist health care consumers in accessing needed care;

(B) the manner in which the State will coordinate and distinguish the services provided by the health care consumer assistance office with the services provided by Federal, State and local health-related ombudsman, information, protection and advocacy, insurance, and fraud and abuse programs;

(C) the manner in which the State will provide information, outreach, and services to underserved, minority populations with limited English proficiency and populations residing in rural areas;

(D) the manner in which the State will oversee the health care consumer assistance office, its activities, product materials and evaluate program effectiveness;

(E) the manner in which the State will ensure that funds made available under this section will be used to supplement, and not supplant, any other Federal, State, or local funds expended to provide services for programs described under this section and those described in subparagraphs (C) and (D);

(F) the manner in which the State will ensure that health care consumer office personnel have the professional background and training to carry out the activities of the office; and

(G) the manner in which the State will ensure that consumers have direct access to consumer assistance personnel during regular business hours.

(3) AMOUNT OF GRANT.—

(A) IN GENERAL.—From amounts appropriated under subsection (b) for a fiscal year, the Secretary shall award a grant to a State in an amount that bears the same ratio to such amounts as the number of individuals within the State covered under a group health plan or under health insurance coverage offered by a health insurance issuer bears to the total number of individuals so covered in all States (as determined by the Secretary). Any amounts provided to a State under this subsection that are not used by the State shall be remitted to the Secretary and reallocated in accordance with this subparagraph.

(B) MINIMUM AMOUNT.—In no case shall the amount provided to a State under a grant under this subsection for a fiscal year be less than an amount equal to 0.5 percent of the amount appropriated for such fiscal year to carry out this section.

(C) NON-FEDERAL CONTRIBUTIONS.—A State will provide for the collection of non-Federal contributions for the operation of the office in an amount that is not less than 25 percent of the amount of Federal funds provided to the State under this section.

(4) PROVISION OF FUNDS FOR ESTABLISHMENT OF OFFICE.—

(A) IN GENERAL.—From amounts provided under a grant under this subsection, a State shall, directly or through a contract with an independent, nonprofit entity with demonstrated experience in serving the needs of health care consumers, provide for the establishment and operation of a State health care consumer assistance office.

(B) ELIGIBILITY OF ENTITY.—To be eligible to enter into a contract under subparagraph (A), an entity shall demonstrate that it has the technical, organizational, and professional capacity to deliver the services described in subsection (b) to all public and private health insurance participants, beneficiaries, enrollees, or prospective enrollees.

(C) EXISTING STATE ENTITY.—Nothing in this section shall prevent the funding of an existing health care consumer assistance program that otherwise meets the requirements of this section.

(b) USE OF FUNDS.—

(1) BY STATE.—A State shall use amounts provided under a grant awarded under this section to carry out consumer assistance activities directly or by contract with an independent, non-profit organization. An eligible entity may use some reasonable amount of such grant to ensure the adequate training of personnel carrying out such activities. To receive amounts under this subsection, an eligible entity shall provide consumer assistance services, including—

(A) the operation of a toll-free telephone hotline to respond to consumer requests;

(B) the dissemination of appropriate educational materials on available health insurance products and on how best to access health care and the rights and responsibilities of health care consumers;

(C) the provision of education on effective methods to promptly and efficiently resolve questions, problems, and grievances;

(D) the coordination of educational and outreach efforts with health plans, health care providers, payers, and governmental agencies;

(E) referrals to appropriate private and public entities to resolve questions, problems and grievances; and

(F) the provision of information and assistance, including acting as an authorized representative, regarding internal, external, or administrative grievances or appeals procedures in nonlitigative settings to appeal the denial, termination, or reduction of health care services, or the refusal to pay for such

services, under a group health plan or health insurance coverage offered by a health insurance issuer.

(2) CONFIDENTIALITY AND ACCESS TO INFORMATION.—

(A) STATE ENTITY.—With respect to a State that directly establishes a health care consumer assistance office, such office shall establish and implement procedures and protocols in accordance with applicable Federal and State laws.

(B) CONTRACT ENTITY.—With respect to a State that, through contract, establishes a health care consumer assistance office, such office shall establish and implement procedures and protocols, consistent with applicable Federal and State laws, to ensure the confidentiality of all information shared by a participant, beneficiary, enrollee, or their personal representative and their health care providers, group health plans, or health insurance insurers with the office and to ensure that no such information is used by the office, or released or disclosed to State agencies or outside persons or entities without the prior written authorization (in accordance with section 164.508 of title 45, Code of Federal Regulations) of the individual or personal representative. The office may, consistent with applicable Federal and State confidentiality laws, collect, use or disclose aggregate information that is not individually identifiable (as defined in section 164.501 of title 45, Code of Federal Regulations). The office shall provide a written description of the policies and procedures of the office with respect to the manner in which health information may be used or disclosed to carry out consumer assistance activities. The office shall provide health care providers, group health plans, or health insurance issuers with a written authorization (in accordance with section 164.508 of title 45, Code of Federal Regulations) to allow the office to obtain medical information relevant to the matter before the office.

(3) AVAILABILITY OF SERVICES.—The health care consumer assistance office of a State shall not discriminate in the provision of information, referrals, and services regardless of the source of the individual's health insurance coverage or prospective coverage, including individuals covered under a group health plan or health insurance coverage offered by a health insurance issuer, the medicare or medicaid programs under title XVIII or XIX of the Social Security Act (42 U.S.C. 1395 and 1396 et seq.), or under any other Federal or State health care program.

(4) DESIGNATION OF RESPONSIBILITIES.—

(A) WITHIN EXISTING STATE ENTITY.—If the health care consumer assistance office of a State is located within an existing State regulatory agency or office of an elected State official, the State shall ensure that—

(i) there is a separate delineation of the funding, activities, and responsibilities of the office as compared to the other funding, activities, and responsibilities of the agency; and

(ii) the office establishes and implements procedures and protocols to ensure the confidentiality of all information shared by a participant, beneficiary, or enrollee or their personal representative and their health care providers, group health plans, or health insurance issuers with the office and to ensure that no information is disclosed to the State agency or office without the written authorization of the individual or their personal representative in accordance with paragraph (2).

(B) CONTRACT ENTITY.—In the case of an entity that enters into a contract with a State under subsection (a)(3), the entity shall provide assurances that the entity has no conflict of interest in carrying out the activities of the office and that the entity is independent of group health plans, health insurance issuers, providers, payers, and regulators of health care.

(5) SUBCONTRACTS.—The health care consumer assistance office of a State may carry out activities and provide services through contracts entered into with 1 or more nonprofit entities so long as the office can demonstrate that all of the requirements of this section are complied with by the office.

(6) TERM.—A contract entered into under this subsection shall be for a term of 3 years.

(c) REPORT.—Not later than 1 year after the Secretary first awards grants under this section, and annually thereafter, the Secretary shall prepare and submit to the appropriate committees of Congress a report concerning the activities funded under this section and the effectiveness of such activities in resolving health care-related problems and grievances.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

Subtitle B—Access to Care

SEC. 111. CONSUMER CHOICE OPTION.

(a) IN GENERAL.—If—

(1) a health insurance issuer providing health insurance coverage in connection with a group health plan offers to enrollees health insurance coverage which provides for coverage of services (including physician pathology services) only if such services are furnished through health care professionals and providers who are members of a network of health care professionals and providers who have entered into a contract with the issuer to provide such services, or

(2) a group health plan offers to participants or beneficiaries health benefits which provide for coverage of services only if such services are furnished through health care professionals and providers who are members of a network of health care professionals and providers who have entered into a contract with the plan to provide such services,

then the issuer or plan shall also offer or arrange to be offered to such enrollees, participants, or beneficiaries (at the time of enrollment and during an annual open season as provided under subsection (c)) the option of health insurance coverage or health benefits which provide for coverage of such services which are not furnished through health care professionals and providers who are members of such a network unless such enrollees, participants, or beneficiaries are offered such non-network coverage through another group health plan or through another health insurance issuer in the group market.

(b) ADDITIONAL COSTS.—The amount of any additional premium charged by the health insurance issuer or group health plan for the additional cost of the creation and maintenance of the option described in subsection (a) and the amount of any additional cost sharing imposed under such option shall be borne by the enrollee, participant, or beneficiary unless it is paid by the health plan sponsor or group health plan through agreement with the health insurance issuer.

(c) OPEN SEASON.—An enrollee, participant, or beneficiary, may change to the offering provided under this section only during a time period determined by the health insurance issuer or group health plan. Such time period shall occur at least annually.

SEC. 112. CHOICE OF HEALTH CARE PROFESSIONAL.

(a) PRIMARY CARE.—If a group health plan, or a health insurance issuer that offers health insurance coverage, requires or provides for designation by a participant, beneficiary, or enrollee of a participating primary care provider, then the plan or issuer shall permit each participant, beneficiary, and enrollee to designate any participating primary care provider who is available to accept such individual.

(b) SPECIALISTS.—

(1) IN GENERAL.—Subject to paragraph (2), a group health plan and a health insurance issuer that offers health insurance coverage shall permit each participant, beneficiary, or enrollee to receive medically necessary and appropriate specialty care, pursuant to appropriate referral procedures, from any qualified participating health care professional who is available to accept such individual for such care.

(2) LIMITATION.—Paragraph (1) shall not apply to specialty care if the plan or issuer clearly informs participants, beneficiaries, and enrollees of the limitations on choice of participating health care professionals with respect to such care.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed as affecting the application of section 114 (relating to access to specialty care).

SEC. 113. ACCESS TO EMERGENCY CARE.

(a) COVERAGE OF EMERGENCY SERVICES.—

(1) IN GENERAL.—If a group health plan, or health insurance coverage offered by a health insurance issuer, provides or covers any benefits with respect to services in an emergency department of a hospital, the plan or issuer shall cover emergency services (as defined in paragraph (2)(B))—

(A) without the need for any prior authorization determination;

(B) whether the health care provider furnishing such services is a participating provider with respect to such services;

(C) in a manner so that, if such services are provided to a participant, beneficiary, or enrollee—

(i) by a nonparticipating health care provider with or without prior authorization, or

(ii) by a participating health care provider without prior authorization,

the participant, beneficiary, or enrollee is not liable for amounts that exceed the amounts of liability that would be incurred if the services were provided by a participating health care provider with prior authorization; and

(D) without regard to any other term or condition of such coverage (other than exclusion or coordination of benefits, or an affiliation or waiting period, permitted under section 2701 of the Public Health Service Act, section 701 of the Employee Retirement Income Security Act of 1974, or section 9801 of the Internal Revenue Code of 1986, and other than applicable cost-sharing).

(2) DEFINITIONS.—In this section:

(A) EMERGENCY MEDICAL CONDITION.—The term ''emergency medical condition'' means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in a condition described in clause (i), (ii), or (iii) of section 1867(e)(1)(A) of the Social Security Act.

(B) EMERGENCY SERVICES.—The term ''emergency services'' means, with respect to an emergency medical condition—

(i) a medical screening examination (as required under section 1867 of the Social Security Act) that is within the capability of the emergency department of a hospital, including ancillary services routinely available to the emergency department to evaluate such emergency medical condition, and

(ii) within the capabilities of the staff and facilities available at the hospital, such further medical examination and treatment as are required under section 1867 of such Act to stabilize the patient.

(C) STABILIZE.—The term ''to stabilize'', with respect to an emergency medical condition (as defined in subparagraph (A)), has the

meaning given in section 1867(e)(3) of the Social Security Act (42 U.S.C. 1395dd(e)(3)).

(b) REIMBURSEMENT FOR MAINTENANCE CARE AND POST-STABILIZATION CARE.—A group health plan, and health insurance coverage offered by a health insurance issuer, must provide reimbursement for maintenance care and post-stabilization care in accordance with the requirements of section 1852(d)(2) of the Social Security Act (42 U.S.C. 1395w–22(d)(2)). Such reimbursement shall be provided in a manner consistent with subsection (a)(1)(C).

(c) COVERAGE OF EMERGENCY AMBULANCE SERVICES.—

(1) IN GENERAL.—If a group health plan, or health insurance coverage provided by a health insurance issuer, provides any benefits with respect to ambulance services and emergency services, the plan or issuer shall cover emergency ambulance services (as defined in paragraph (2)) furnished under the plan or coverage under the same terms and conditions under subparagraphs (A) through (D) of subsection (a)(1) under which coverage is provided for emergency services.

(2) EMERGENCY AMBULANCE SERVICES.—For purposes of this subsection, the term ''emergency ambulance services'' means ambulance services (as defined for purposes of section 1861(s)(7) of the Social Security Act) furnished to transport an individual who has an emergency medical condition (as defined in subsection (a)(2)(A)) to a hospital for the receipt of emergency services (as defined in subsection (a)(2)(B)) in a case in which the emergency services are covered under the plan or coverage pursuant to subsection (a)(1) and a prudent layperson, with an average knowledge of health and medicine, could reasonably expect that the absence of such transport would result in placing the health of the individual in serious jeopardy, serious impairment of bodily function, or serious dysfunction of any bodily organ or part.

SEC. 114. TIMELY ACCESS TO SPECIALISTS.

(a) TIMELY ACCESS.—

(1) IN GENERAL.—A group health plan and a health insurance issuer offering health insurance coverage shall ensure that participants, beneficiaries, and enrollees receive timely access to specialists who are appropriate to the condition of, and accessible to, the participant, beneficiary, or enrollee, when such specialty care is a covered benefit under the plan or coverage.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed—

(A) to require the coverage under a group health plan or health insurance coverage of benefits or services;

(B) to prohibit a plan or issuer from including providers in the network only to the extent necessary to meet the needs of the plan's or issuer's participants, beneficiaries, or enrollees; or

(C) to override any State licensure or scope-of-practice law.

(3) ACCESS TO CERTAIN PROVIDERS.—

(A) IN GENERAL.—With respect to specialty care under this section, if a participating specialist is not available and qualified to provide such care to the participant, beneficiary, or enrollee, the plan or issuer shall provide for coverage of such care by a nonparticipating specialist.

(B) TREATMENT OF NONPARTICIPATING PROVIDERS.—If a participant, beneficiary, or enrollee receives care from a nonparticipating specialist pursuant to subparagraph (A), such specialty care shall be provided at no additional cost to the participant, beneficiary, or enrollee beyond what the participant, beneficiary, or enrollee would otherwise pay for such specialty care if provided by a participating specialist.

(b) REFERRALS.—

(1) AUTHORIZATION.—Subject to subsection (a)(1), a group health plan or health insurance issuer may require an authorization in order to obtain coverage for specialty services under this section. Any such authorization—

(A) shall be for an appropriate duration of time or number of referrals, including an authorization for a standing referral where appropriate; and

(B) may not be refused solely because the authorization involves services of a nonparticipating specialist (described in subsection (a)(3)).

(2) REFERRALS FOR ONGOING SPECIAL CONDITIONS.—

(A) IN GENERAL.—Subject to subsection (a)(1), a group health plan and a health insurance issuer shall permit a participant, beneficiary, or enrollee who has an ongoing special condition (as defined in subparagraph (B)) to receive a referral to a specialist for the treatment of such condition and such specialist may authorize such referrals, procedures, tests, and other medical services with respect to such condition, or coordinate the care for such condition, subject to the terms of a treatment plan (if any) referred to in subsection (c) with respect to the condition.

(B) ONGOING SPECIAL CONDITION DEFINED.—In this subsection, the term ''ongoing special condition'' means a condition or disease that—

(i) is life-threatening, degenerative, potentially disabling, or congenital; and

(ii) requires specialized medical care over a prolonged period of time.

(c) TREATMENT PLANS.—

(1) IN GENERAL.—A group health plan or health insurance issuer may require that the specialty care be provided—

(A) pursuant to a treatment plan, but only if the treatment plan—

(i) is developed by the specialist, in consultation with the case manager or primary care provider, and the participant, beneficiary, or enrollee, and

(ii) is approved by the plan or issuer in a timely manner, if the plan or issuer requires such approval; and

(B) in accordance with applicable quality assurance and utilization review standards of the plan or issuer.

(2) NOTIFICATION.—Nothing in paragraph (1) shall be construed as prohibiting a plan or issuer from requiring the specialist to provide the plan or issuer with regular updates on the specialty care provided, as well as all other reasonably necessary medical information.

(d) SPECIALIST DEFINED.—For purposes of this section, the term ''specialist'' means, with respect to the condition of the participant, beneficiary, or enrollee, a health care professional, facility, or center that has adequate expertise through appropriate training and experience (including, in the case of a child, appropriate pediatric expertise) to provide high quality care in treating the condition.

SEC. 115. PATIENT ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

(a) GENERAL RIGHTS.—

(1) DIRECT ACCESS.—A group health plan, and a health insurance issuer offering health insurance coverage, described in subsection (b) may not require authorization or referral by the plan, issuer, or any person (including a primary care provider described in subsection (b)(2)) in the case of a female participant, beneficiary, or enrollee who seeks coverage for obstetrical or gynecological care provided by a participating health care professional who specializes in obstetrics or gynecology.

(2) OBSTETRICAL AND GYNECOLOGICAL CARE.—A group health plan and a health insurance issuer described in subsection (b) shall treat the provision of obstetrical and gynecological care, and the ordering of related obstetrical and gynecological items and services, pursuant to the direct access described under paragraph (1), by a participating health care professional who specializes in obstetrics or gynecology as the authorization of the primary care provider.

(b) APPLICATION OF SECTION.—A group health plan, or health insurance issuer offering health insurance coverage, described in this subsection is a group health plan or coverage that—

(1) provides coverage for obstetric or gynecologic care; and

(2) requires the designation by a participant, beneficiary, or enrollee of a participating primary care provider.

(c) CONSTRUCTION.—Nothing in subsection (a) shall be construed to—

(1) waive any exclusions of coverage under the terms and conditions of the plan or health insurance coverage with respect to coverage of obstetrical or gynecological care; or

(2) preclude the group health plan or health insurance issuer involved from requiring that the obstetrical or gynecological provider notify the primary care health care professional or the plan or issuer of treatment decisions.

SEC. 116. ACCESS TO PEDIATRIC CARE.

(a) PEDIATRIC CARE.—In the case of a person who has a child who is a participant, beneficiary, or enrollee under a group health plan, or health insurance coverage offered by a health insurance issuer, if the plan or issuer requires or provides for the designation of a participating primary care provider for the child, the plan or issuer shall permit such person to designate a physician (allopathic or osteopathic) who specializes in pediatrics as the child's primary care provider if such provider participates in the network of the plan or issuer.

(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed to waive any exclusions of coverage under the terms and conditions of the plan or health insurance coverage with respect to coverage of pediatric care.

SEC. 117. CONTINUITY OF CARE.

(a) TERMINATION OF PROVIDER.—

(1) IN GENERAL.—If—

(A) a contract between a group health plan, or a health insurance issuer offering health insurance coverage, and a treating health care provider is terminated (as defined in paragraph (e)(4)), or

(B) benefits or coverage provided by a health care provider are terminated because of a change in the terms of provider participation in such plan or coverage,

the plan or issuer shall meet the requirements of paragraph (3) with respect to each continuing care patient.

(2) TREATMENT OF TERMINATION OF CONTRACT WITH HEALTH INSURANCE ISSUER.—If a contract for the provision of health insurance coverage between a group health plan and a health insurance issuer is terminated and, as a result of such termination, coverage of services of a health care provider is terminated with respect to an individual, the provisions of paragraph (1) (and the succeeding provisions of this section) shall apply under the plan in the same manner as if there had been a contract between the plan and the provider that had been terminated, but only with respect to benefits that are covered under the plan after the contract termination.

(3) REQUIREMENTS.—The requirements of this paragraph are that the plan or issuer—

(A) notify the continuing care patient involved, or arrange to have the patient notified pursuant to subsection (d)(2), on a timely basis of the termination described in paragraph (1) (or paragraph (2), if applicable) and

the right to elect continued transitional care from the provider under this section;

(B) provide the patient with an opportunity to notify the plan or issuer of the patient's need for transitional care; and

(C) subject to subsection (c), permit the patient to elect to continue to be covered with respect to the course of treatment by such provider with the provider's consent during a transitional period (as provided for under subsection (b)).

(4) CONTINUING CARE PATIENT.—For purposes of this section, the term ''continuing care patient'' means a participant, beneficiary, or enrollee who—

(A) is undergoing a course of treatment for a serious and complex condition from the provider at the time the plan or issuer receives or provides notice of provider, benefit, or coverage termination described in paragraph (1) (or paragraph (2), if applicable);

(B) is undergoing a course of institutional or inpatient care from the provider at the time of such notice;

(C) is scheduled to undergo non-elective surgery from the provider at the time of such notice;

(D) is pregnant and undergoing a course of treatment for the pregnancy from the provider at the time of such notice; or

(E) is or was determined to be terminally ill (as determined under section 1861(dd)(3)(A) of the Social Security Act) at the time of such notice, but only with respect to a provider that was treating the terminal illness before the date of such notice.

(b) TRANSITIONAL PERIODS.—

(1) SERIOUS AND COMPLEX CONDITIONS.—The transitional period under this subsection with respect to a continuing care patient described in subsection (a)(4)(A) shall extend for up to 90 days (as determined by the treating health care professional) from the date of the notice described in subsection (a)(3)(A).

(2) INSTITUTIONAL OR INPATIENT CARE.—The transitional period under this subsection for a continuing care patient described in subsection (a)(4)(B) shall extend until the earlier of—

(A) the expiration of the 90-day period beginning on the date on which the notice under subsection (a)(3)(A) is provided; or

(B) the date of discharge of the patient from such care or the termination of the period of institutionalization, or, if later, the date of completion of reasonable follow-up care.

(3) SCHEDULED NON-ELECTIVE SURGERY.—The transitional period under this subsection for a continuing care patient described in subsection (a)(4)(C) shall extend until the completion of the surgery involved and post-surgical follow-up care relating to the surgery and occurring within 90 days after the date of the surgery.

(4) PREGNANCY.—The transitional period under this subsection for a continuing care patient described in subsection (a)(4)(D) shall extend through the provision of post-partum care directly related to the delivery.

(5) TERMINAL ILLNESS.—The transitional period under this subsection for a continuing care patient described in subsection (a)(4)(E) shall extend for the remainder of the patient's life for care that is directly related to the treatment of the terminal illness or its medical manifestations.

(c) PERMISSIBLE TERMS AND CONDITIONS.—A group health plan or health insurance issuer may condition coverage of continued treatment by a provider under this section upon the provider agreeing to the following terms and conditions:

(1) The treating health care provider agrees to accept reimbursement from the plan or issuer and continuing care patient involved (with respect to cost-sharing) at the rates applicable prior to the start of the transitional period as payment in full (or, in the case described in subsection (a)(2), at the rates applicable under the replacement plan or coverage after the date of the termination of the contract with the group health plan or health insurance issuer) and not to impose cost-sharing with respect to the patient in an amount that would exceed the cost-sharing that could have been imposed if the contract referred to in subsection (a)(1) had not been terminated.

(2) The treating health care provider agrees to adhere to the quality assurance standards of the plan or issuer responsible for payment under paragraph (1) and to provide to such plan or issuer necessary medical information related to the care provided.

(3) The treating health care provider agrees otherwise to adhere to such plan's or issuer's policies and procedures, including procedures regarding referrals and obtaining prior authorization and providing services pursuant to a treatment plan (if any) approved by the plan or issuer.

(d) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to require the coverage of benefits which would not have been covered if the provider involved remained a participating provider; or

(2) with respect to the termination of a contract under subsection (a) to prevent a group health plan or health insurance issuer from requiring that the health care provider—

(A) notify participants, beneficiaries, or enrollees of their rights under this section; or

(B) provide the plan or issuer with the name of each participant, beneficiary, or enrollee who the provider believes is a continuing care patient.

(e) DEFINITIONS.—In this section:

(1) CONTRACT.—The term ''contract'' includes, with respect to a plan or issuer and a treating health care provider, a contract between such plan or issuer and an organized network of providers that includes the treating health care provider, and (in the case of such a contract) the contract between the treating health care provider and the organized network.

(2) HEALTH CARE PROVIDER.—The term ''health care provider'' or ''provider'' means—

(A) any individual who is engaged in the delivery of health care services in a State and who is required by State law or regulation to be licensed or certified by the State to engage in the delivery of such services in the State; and

(B) any entity that is engaged in the delivery of health care services in a State and that, if it is required by State law or regulation to be licensed or certified by the State to engage in the delivery of such services in the State, is so licensed.

(3) SERIOUS AND COMPLEX CONDITION.—The term ''serious and complex condition'' means, with respect to a participant, beneficiary, or enrollee under the plan or coverage—

(A) in the case of an acute illness, a condition that is serious enough to require specialized medical treatment to avoid the reasonable possibility of death or permanent harm; or

(B) in the case of a chronic illness or condition, is an ongoing special condition (as defined in section 114(b)(2)(B)).

(4) TERMINATED.—The term ''terminated'' includes, with respect to a contract, the expiration or nonrenewal of the contract, but does not include a termination of the contract for failure to meet applicable quality standards or for fraud.

SEC. 118. ACCESS TO NEEDED PRESCRIPTION DRUGS.

(a) IN GENERAL.—To the extent that a group health plan, or health insurance coverage offered by a health insurance issuer, provides coverage for benefits with respect to prescription drugs, and limits such coverage to drugs included in a formulary, the plan or issuer shall—

(1) ensure the participation of physicians and pharmacists in developing and reviewing such formulary;

(2) provide for disclosure of the formulary to providers; and

(3) in accordance with the applicable quality assurance and utilization review standards of the plan or issuer, provide for exceptions from the formulary limitation when a non-formulary alternative is medically necessary and appropriate and, in the case of such an exception, apply the same cost-sharing requirements that would have applied in the case of a drug covered under the formulary.

(b) COVERAGE OF APPROVED DRUGS AND MEDICAL DEVICES.—

(1) IN GENERAL.—A group health plan (and health insurance coverage offered in connection with such a plan) that provides any coverage of prescription drugs or medical devices shall not deny coverage of such a drug or device on the basis that the use is investigational, if the use—

(A) in the case of a prescription drug—

(i) is included in the labeling authorized by the application in effect for the drug pursuant to subsection (b) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act, without regard to any postmarketing requirements that may apply under such Act; or

(ii) is included in the labeling authorized by the application in effect for the drug under section 351 of the Public Health Service Act, without regard to any postmarketing requirements that may apply pursuant to such section; or

(B) in the case of a medical device, is included in the labeling authorized by a regulation under subsection (d) or (3) of section 513 of the Federal Food, Drug, and Cosmetic Act, an order under subsection (f) of such section, or an application approved under section 515 of such Act, without regard to any postmarketing requirements that may apply under such Act.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed as requiring a group health plan (or health insurance coverage offered in connection with such a plan) to provide any coverage of prescription drugs or medical devices.

SEC. 119. COVERAGE FOR INDIVIDUALS PARTICIPATING IN APPROVED CLINICAL TRIALS.

(a) COVERAGE.—

(1) IN GENERAL.—If a group health plan, or health insurance issuer that is providing health insurance coverage, provides coverage to a qualified individual (as defined in subsection (b)), the plan or issuer—

(A) may not deny the individual participation in the clinical trial referred to in subsection (b)(2);

(B) subject to subsection (c), may not deny (or limit or impose additional conditions on) the coverage of routine patient costs for items and services furnished in connection with participation in the trial; and

(C) may not discriminate against the individual on the basis of the enrollee's participation in such trial.

(2) EXCLUSION OF CERTAIN COSTS.—For purposes of paragraph (1)(B), routine patient costs do not include the cost of the tests or measurements conducted primarily for the purpose of the clinical trial involved.

(3) USE OF IN-NETWORK PROVIDERS.—If one or more participating providers is participating in a clinical trial, nothing in paragraph (1) shall be construed as preventing a plan or issuer from requiring that a qualified individual participate in the trial through

such a participating provider if the provider will accept the individual as a participant in the trial.

(b) QUALIFIED INDIVIDUAL DEFINED.—For purposes of subsection (a), the term ''qualified individual'' means an individual who is a participant or beneficiary in a group health plan, or who is an enrollee under health insurance coverage, and who meets the following conditions:

(1)(A) The individual has a life-threatening or serious illness for which no standard treatment is effective.

(B) The individual is eligible to participate in an approved clinical trial according to the trial protocol with respect to treatment of such illness.

(C) The individual's participation in the trial offers meaningful potential for significant clinical benefit for the individual.

(2) Either—

(A) the referring physician is a participating health care professional and has concluded that the individual's participation in such trial would be appropriate based upon the individual meeting the conditions described in paragraph (1); or

(B) the participant, beneficiary, or enrollee provides medical and scientific information establishing that the individual's participation in such trial would be appropriate based upon the individual meeting the conditions described in paragraph (1).

(c) PAYMENT.—

(1) IN GENERAL.—Under this section a group health plan and a health insurance issuer shall provide for payment for routine patient costs described in subsection (a)(2) but is not required to pay for costs of items and services that are reasonably expected (as determined by the appropriate Secretary) to be paid for by the sponsors of an approved clinical trial.

(2) PAYMENT RATE.—In the case of covered items and services provided by—

(A) a participating provider, the payment rate shall be at the agreed upon rate; or

(B) a nonparticipating provider, the payment rate shall be at the rate the plan or issuer would normally pay for comparable services under subparagraph (A).

(d) APPROVED CLINICAL TRIAL DEFINED.—

(1) IN GENERAL.—In this section, the term ''approved clinical trial'' means a clinical research study or clinical investigation—

(A) approved and funded (which may include funding through in-kind contributions) by one or more of the following:

(i) the National Institutes of Health;

(ii) a cooperative group or center of the National Institutes of Health, including a qualified nongovernmental research entity to which the National Cancer Institute has awarded a center support grant;

(iii) either of the following if the conditions described in paragraph (2) are met—

(I) the Department of Veterans Affairs;

(II) the Department of Defense; or

(B) approved by the Food and Drug Administration.

(2) CONDITIONS FOR DEPARTMENTS.—The conditions described in this paragraph, for a study or investigation conducted by a Department, are that the study or investigation has been reviewed and approved through a system of peer review that the appropriate Secretary determines—

(A) to be comparable to the system of peer review of studies and investigations used by the National Institutes of Health; and

(B) assures unbiased review of the highest ethical standards by qualified individuals who have no interest in the outcome of the review.

(e) CONSTRUCTION.—Nothing in this section shall be construed to limit a plan's or issuer's coverage with respect to clinical trials.

SEC. 120. REQUIRED COVERAGE FOR MINIMUM HOSPITAL STAY FOR MASTECTOMIES AND LYMPH NODE DISSECTIONS FOR THE TREATMENT OF BREAST CANCER AND COVERAGE FOR SECONDARY CONSULTATIONS.

(a) INPATIENT CARE.—

(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage, that provides medical and surgical benefits shall ensure that inpatient coverage with respect to the treatment of breast cancer is provided for a period of time as is determined by the attending physician, in consultation with the patient, to be medically necessary and appropriate following—

(A) a mastectomy;

(B) a lumpectomy; or

(C) a lymph node dissection for the treatment of breast cancer.

(2) EXCEPTION.—Nothing in this section shall be construed as requiring the provision of inpatient coverage if the attending physician and patient determine that a shorter period of hospital stay is medically appropriate.

(b) PROHIBITION ON CERTAIN MODIFICATIONS.—In implementing the requirements of this section, a group health plan, and a health insurance issuer providing health insurance coverage, may not modify the terms and conditions of coverage based on the determination by a participant, beneficiary, or enrollee to request less than the minimum coverage required under subsection (a).

(c) SECONDARY CONSULTATIONS.—

(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage, that provides coverage with respect to medical and surgical services provided in relation to the diagnosis and treatment of cancer shall ensure that full coverage is provided for secondary consultations by specialists in the appropriate medical fields (including pathology, radiology, and oncology) to confirm or refute such diagnosis. Such plan or issuer shall ensure that full coverage is provided for such secondary consultation whether such consultation is based on a positive or negative initial diagnosis. In any case in which the attending physician certifies in writing that services necessary for such a secondary consultation are not sufficiently available from specialists operating under the plan or coverage with respect to whose services coverage is otherwise provided under such plan or by such issuer, such plan or issuer shall ensure that coverage is provided with respect to the services necessary for the secondary consultation with any other specialist selected by the attending physician for such purpose at no additional cost to the individual beyond that which the individual would have paid if the specialist was participating in the network of the plan or issuer.

(2) EXCEPTION.—Nothing in paragraph (1) shall be construed as requiring the provision of secondary consultations where the patient determines not to seek such a consultation.

(d) PROHIBITION ON PENALTIES OR INCENTIVES.—A group health plan, and a health insurance issuer providing health insurance coverage, may not—

(1) penalize or otherwise reduce or limit the reimbursement of a provider or specialist because the provider or specialist provided care to a participant, beneficiary, or enrollee in accordance with this section;

(2) provide financial or other incentives to a physician or specialist to induce the physician or specialist to keep the length of inpatient stays of patients following a mastectomy, lumpectomy, or a lymph node dissection for the treatment of breast cancer below certain limits or to limit referrals for secondary consultations; or

(3) provide financial or other incentives to a physician or specialist to refrain from referring a participant, beneficiary, or enrollee for a secondary consultation that would otherwise be covered by the plan or coverage involved under subsection (c).

Subtitle C—Access to Information

SEC. 121. PATIENT ACCESS TO INFORMATION.

(a) REQUIREMENT.—

(1) DISCLOSURE.—

(A) IN GENERAL.—A group health plan, and a health insurance issuer that provides coverage in connection with health insurance coverage, shall provide for the disclosure to participants, beneficiaries, and enrollees—

(i) of the information described in subsection (b) at the time of the initial enrollment of the participant, beneficiary, or enrollee under the plan or coverage;

(ii) of such information on an annual basis—

(I) in conjunction with the election period of the plan or coverage if the plan or coverage has such an election period; or

(II) in the case of a plan or coverage that does not have an election period, in conjunction with the beginning of the plan or coverage year; and

(iii) of information relating to any material reduction to the benefits or information described in such subsection or subsection (c), in the form of a notice provided not later than 30 days before the date on which the reduction takes effect.

(B) PARTICIPANTS, BENEFICIARIES, AND ENROLLEES.—The disclosure required under subparagraph (A) shall be provided—

(i) jointly to each participant, beneficiary, and enrollee who reside at the same address; or

(ii) in the case of a beneficiary or enrollee who does not reside at the same address as the participant or another enrollee, separately to the participant or other enrollees and such beneficiary or enrollee.

(2) PROVISION OF INFORMATION.—Information shall be provided to participants, beneficiaries, and enrollees under this section at the last known address maintained by the plan or issuer with respect to such participants, beneficiaries, or enrollees, to the extent that such information is provided to participants, beneficiaries, or enrollees via the United States Postal Service or other private delivery service.

(b) REQUIRED INFORMATION.—The informational materials to be distributed under this section shall include for each option available under the group health plan or health insurance coverage the following:

(1) BENEFITS.—A description of the covered benefits, including—

(A) any in- and out-of-network benefits;

(B) specific preventive services covered under the plan or coverage if such services are covered;

(C) any specific exclusions or express limitations of benefits described in section 104(d)(3)(C);

(D) any other benefit limitations, including any annual or lifetime benefit limits and any monetary limits or limits on the number of visits, days, or services, and any specific coverage exclusions; and

(E) any definition of medical necessity used in making coverage determinations by the plan, issuer, or claims administrator.

(2) COST SHARING.—A description of any cost-sharing requirements, including—

(A) any premiums, deductibles, coinsurance, copayment amounts, and liability for balance billing, for which the participant, beneficiary, or enrollee will be responsible under each option available under the plan;

(B) any maximum out-of-pocket expense for which the participant, beneficiary, or enrollee may be liable;

(C) any cost-sharing requirements for out-of-network benefits or services received from nonparticipating providers; and

(D) any additional cost-sharing or charges for benefits and services that are furnished without meeting applicable plan or coverage requirements, such as prior authorization or precertification.

(3) DISENROLLMENT.—Information relating to the disenrollment of a participant, beneficiary, or enrollee.

(4) SERVICE AREA.—A description of the plan or issuer's service area, including the provision of any out-of-area coverage.

(5) PARTICIPATING PROVIDERS.—A directory of participating providers (to the extent a plan or issuer provides coverage through a network of providers) that includes, at a minimum, the name, address, and telephone number of each participating provider, and information about how to inquire whether a participating provider is currently accepting new patients.

(6) CHOICE OF PRIMARY CARE PROVIDER.—A description of any requirements and procedures to be used by participants, beneficiaries, and enrollees in selecting, accessing, or changing their primary care provider, including providers both within and outside of the network (if the plan or issuer permits out-of-network services), and the right to select a pediatrician as a primary care provider under section 116 for a participant, beneficiary, or enrollee who is a child if such section applies.

(7) PREAUTHORIZATION REQUIREMENTS.—A description of the requirements and procedures to be used to obtain preauthorization for health services, if such preauthorization is required.

(8) EXPERIMENTAL AND INVESTIGATIONAL TREATMENTS.—A description of the process for determining whether a particular item, service, or treatment is considered experimental or investigational, and the circumstances under which such treatments are covered by the plan or issuer.

(9) SPECIALTY CARE.—A description of the requirements and procedures to be used by participants, beneficiaries, and enrollees in accessing specialty care and obtaining referrals to participating and nonparticipating specialists, including any limitations on choice of health care professionals referred to in section 112(b)(2) and the right to timely access to specialists care under section 114 if such section applies.

(10) CLINICAL TRIALS.—A description of the circumstances and conditions under which participation in clinical trials is covered under the terms and conditions of the plan or coverage, and the right to obtain coverage for approved clinical trials under section 119 if such section applies.

(11) PRESCRIPTION DRUGS.—To the extent the plan or issuer provides coverage for prescription drugs, a statement of whether such coverage is limited to drugs included in a formulary, a description of any provisions and cost-sharing required for obtaining on- and off-formulary medications, and a description of the rights of participants, beneficiaries, and enrollees in obtaining access to access to prescription drugs under section 118 if such section applies.

(12) EMERGENCY SERVICES.—A summary of the rules and procedures for accessing emergency services, including the right of a participant, beneficiary, or enrollee to obtain emergency services under the prudent layperson standard under section 113, if such section applies, and any educational information that the plan or issuer may provide regarding the appropriate use of emergency services.

(13) CLAIMS AND APPEALS.—A description of the plan or issuer's rules and procedures pertaining to claims and appeals, a description of the rights (including deadlines for exercising rights) of participants, beneficiaries, and enrollees under subtitle A in obtaining covered benefits, filing a claim for benefits, and appealing coverage decisions internally and externally (including telephone numbers and mailing addresses of the appropriate authority), and a description of any additional legal rights and remedies available under section 502 of the Employee Retirement Income Security Act of 1974 and applicable State law.

(14) ADVANCE DIRECTIVES AND ORGAN DONATION.—A description of procedures for advance directives and organ donation decisions if the plan or issuer maintains such procedures.

(15) INFORMATION ON PLANS AND ISSUERS.—The name, mailing address, and telephone number or numbers of the plan administrator and the issuer to be used by participants, beneficiaries, and enrollees seeking information about plan or coverage benefits and services, payment of a claim, or authorization for services and treatment. Notice of whether the benefits under the plan or coverage are provided under a contract or policy of insurance issued by an issuer, or whether benefits are provided directly by the plan sponsor who bears the insurance risk.

(16) TRANSLATION SERVICES.—A summary description of any translation or interpretation services (including the availability of printed information in languages other than English, audio tapes, or information in Braille) that are available for non-English speakers and participants, beneficiaries, and enrollees with communication disabilities and a description of how to access these items or services.

(17) ACCREDITATION INFORMATION.—Any information that is made public by accrediting organizations in the process of accreditation if the plan or issuer is accredited, or any additional quality indicators (such as the results of enrollee satisfaction surveys) that the plan or issuer makes public or makes available to participants, beneficiaries, and enrollees.

(18) NOTICE OF REQUIREMENTS.—A description of any rights of participants, beneficiaries, and enrollees that are established by the Bipartisan Patient Protection Act (excluding those described in paragraphs (1) through (17)) if such sections apply. The description required under this paragraph may be combined with the notices of the type described in sections 711(d), 713(b), or 606(a)(1) of the Employee Retirement Income Security Act of 1974 and with any other notice provision that the appropriate Secretary determines may be combined, so long as such combination does not result in any reduction in the information that would otherwise be provided to the recipient.

(19) AVAILABILITY OF ADDITIONAL INFORMATION.—A statement that the information described in subsection (c), and instructions on obtaining such information (including telephone numbers and, if available, Internet websites), shall be made available upon request.

(20) DESIGNATED DECISIONMAKERS.—A description of the participants and beneficiaries with respect to whom each designated decisionmaker under the plan has assumed liability under section 502(o) of the Employee Retirement Income Security Act of 1974 and the name and address of each such decisionmaker.

(c) ADDITIONAL INFORMATION.—The informational materials to be provided upon the request of a participant, beneficiary, or enrollee shall include for each option available under a group health plan or health insurance coverage the following:

(1) STATUS OF PROVIDERS.—The State licensure status of the plan or issuer's participating health care professionals and participating health care facilities, and, if available, the education, training, specialty qualifications or certifications of such professionals.

(2) COMPENSATION METHODS.—A summary description by category of the applicable methods (such as capitation, fee-for-service, salary, bundled payments, per diem, or a combination thereof) used for compensating prospective or treating health care professionals (including primary care providers and specialists) and facilities in connection with the provision of health care under the plan or coverage.

(3) PRESCRIPTION DRUGS.—Information about whether a specific prescription medication is included in the formulary of the plan or issuer, if the plan or issuer uses a defined formulary.

(4) UTILIZATION REVIEW ACTIVITIES.—A description of procedures used and requirements (including circumstances, timeframes, and appeals rights) under any utilization review program under sections 101 and 102, including any drug formulary program under section 118.

(5) EXTERNAL APPEALS INFORMATION.—Aggregate information on the number and outcomes of external medical reviews, relative to the sample size (such as the number of covered lives) under the plan or under the coverage of the issuer.

(d) MANNER OF DISCLOSURE.—The information described in this section shall be disclosed in an accessible medium and format that is calculated to be understood by a participant or enrollee.

(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a group health plan, or a health insurance issuer in connection with health insurance coverage, from—

(1) distributing any other additional information determined by the plan or issuer to be important or necessary in assisting participants, beneficiaries, and enrollees in the selection of a health plan or health insurance coverage; and

(2) complying with the provisions of this section by providing information in brochures, through the Internet or other electronic media, or through other similar means, so long as—

(A) the disclosure of such information in such form is in accordance with requirements as the appropriate Secretary may impose, and

(B) in connection with any such disclosure of information through the Internet or other electronic media—

(i) the recipient has affirmatively consented to the disclosure of such information in such form,

(ii) the recipient is capable of accessing the information so disclosed on the recipient's individual workstation or at the recipient's home,

(iii) the recipient retains an ongoing right to receive paper disclosure of such information and receives, in advance of any attempt at disclosure of such information to him or her through the Internet or other electronic media, notice in printed form of such ongoing right and of the proper software required to view information so disclosed, and

(iv) the plan administrator appropriately ensures that the intended recipient is receiving the information so disclosed and provides the information in printed form if the information is not received.

Subtitle D—Protecting the Doctor-Patient Relationship

SEC. 131. PROHIBITION OF INTERFERENCE WITH CERTAIN MEDICAL COMMUNICATIONS.

(a) GENERAL RULE.—The provisions of any contract or agreement, or the operation of any contract or agreement, between a group health plan or health insurance issuer in re-

lation to health insurance coverage (including any partnership, association, or other organization that enters into or administers such a contract or agreement) and a health care provider (or group of health care providers) shall not prohibit or otherwise restrict a health care professional from advising such a participant, beneficiary, or enrollee who is a patient of the professional about the health status of the individual or medical care or treatment for the individual's condition or disease, regardless of whether benefits for such care or treatment are provided under the plan or coverage, if the professional is acting within the lawful scope of practice.

(b) NULLIFICATION.—Any contract provision or agreement that restricts or prohibits medical communications in violation of subsection (a) shall be null and void.

SEC. 132. PROHIBITION OF DISCRIMINATION AGAINST PROVIDERS BASED ON LICENSURE.

(a) IN GENERAL.—A group health plan, and a health insurance issuer with respect to health insurance coverage, shall not discriminate with respect to participation or indemnification as to any provider who is acting within the scope of the provider's license or certification under applicable State law, solely on the basis of such license or certification.

(b) CONSTRUCTION.—Subsection (a) shall not be construed—

(1) as requiring the coverage under a group health plan or health insurance coverage of a particular benefit or service or to prohibit a plan or issuer from including providers only to the extent necessary to meet the needs of the plan's or issuer's participants, beneficiaries, or enrollees or from establishing any measure designed to maintain quality and control costs consistent with the responsibilities of the plan or issuer;

(2) to override any State licensure or scope-of-practice law; or

(3) as requiring a plan or issuer that offers network coverage to include for participation every willing provider who meets the terms and conditions of the plan or issuer.

SEC. 133. PROHIBITION AGAINST IMPROPER INCENTIVE ARRANGEMENTS.

(a) IN GENERAL.—A group health plan and a health insurance issuer offering health insurance coverage may not operate any physician incentive plan (as defined in subparagraph (B) of section 1852(j)(4) of the Social Security Act) unless the requirements described in clauses (i), (ii)(I), and (iii) of subparagraph (A) of such section are met with respect to such a plan.

(b) APPLICATION.—For purposes of carrying out paragraph (1), any reference in section 1852(j)(4) of the Social Security Act to the Secretary, a Medicare+Choice organization, or an individual enrolled with the organization shall be treated as a reference to the applicable authority, a group health plan or health insurance issuer, respectively, and a participant, beneficiary, or enrollee with the plan or organization, respectively.

(c) CONSTRUCTION.—Nothing in this section shall be construed as prohibiting all capitation and similar arrangements or all provider discount arrangements.

SEC. 134. PAYMENT OF CLAIMS.

A group health plan, and a health insurance issuer offering health insurance coverage, shall provide for prompt payment of claims submitted for health care services or supplies furnished to a participant, beneficiary, or enrollee with respect to benefits covered by the plan or issuer, in a manner that is no less protective than the provisions of section 1842(c)(2) of the Social Security Act (42 U.S.C. 1395u(c)(2)).

SEC. 135. PROTECTION FOR PATIENT ADVOCACY.

(a) PROTECTION FOR USE OF UTILIZATION REVIEW AND GRIEVANCE PROCESS.—A group health plan, and a health insurance issuer with respect to the provision of health insurance coverage, may not retaliate against a participant, beneficiary, enrollee, or health care provider based on the participant's, beneficiary's, enrollee's or provider's use of, or participation in, a utilization review process or a grievance process of the plan or issuer (including an internal or external review or appeal process) under this title.

(b) PROTECTION FOR QUALITY ADVOCACY BY HEALTH CARE PROFESSIONALS.—

(1) IN GENERAL.—A group health plan and a health insurance issuer may not retaliate or discriminate against a protected health care professional because the professional in good faith—

(A) discloses information relating to the care, services, or conditions affecting one or more participants, beneficiaries, or enrollees of the plan or issuer to an appropriate public regulatory agency, an appropriate private accreditation body, or appropriate management personnel of the plan or issuer; or

(B) initiates, cooperates, or otherwise participates in an investigation or proceeding by such an agency with respect to such care, services, or conditions.

If an institutional health care provider is a participating provider with such a plan or issuer or otherwise receives payments for benefits provided by such a plan or issuer, the provisions of the previous sentence shall apply to the provider in relation to care, services, or conditions affecting one or more patients within an institutional health care provider in the same manner as they apply to the plan or issuer in relation to care, services, or conditions provided to one or more participants, beneficiaries, or enrollees; and for purposes of applying this sentence, any reference to a plan or issuer is deemed a reference to the institutional health care provider.

(2) GOOD FAITH ACTION.—For purposes of paragraph (1), a protected health care professional is considered to be acting in good faith with respect to disclosure of information or participation if, with respect to the information disclosed as part of the action—

(A) the disclosure is made on the basis of personal knowledge and is consistent with that degree of learning and skill ordinarily possessed by health care professionals with the same licensure or certification and the same experience;

(B) the professional reasonably believes the information to be true;

(C) the information evidences either a violation of a law, rule, or regulation, of an applicable accreditation standard, or of a generally recognized professional or clinical standard or that a patient is in imminent hazard of loss of life or serious injury; and

(D) subject to subparagraphs (B) and (C) of paragraph (3), the professional has followed reasonable internal procedures of the plan, issuer, or institutional health care provider established for the purpose of addressing quality concerns before making the disclosure.

(3) EXCEPTION AND SPECIAL RULE.—

(A) GENERAL EXCEPTION.—Paragraph (1) does not protect disclosures that would violate Federal or State law or diminish or impair the rights of any person to the continued protection of confidentiality of communications provided by such law.

(B) NOTICE OF INTERNAL PROCEDURES.—Subparagraph (D) of paragraph (2) shall not apply unless the internal procedures involved are reasonably expected to be known to the health care professional involved. For purposes of this subparagraph, a health care professional is reasonably expected to know of internal procedures if those procedures have been made available to the professional through distribution or posting.

(C) INTERNAL PROCEDURE EXCEPTION.—Subparagraph (D) of paragraph (2) also shall not apply if—

(i) the disclosure relates to an imminent hazard of loss of life or serious injury to a patient;

(ii) the disclosure is made to an appropriate private accreditation body pursuant to disclosure procedures established by the body; or

(iii) the disclosure is in response to an inquiry made in an investigation or proceeding of an appropriate public regulatory agency and the information disclosed is limited to the scope of the investigation or proceeding.

(4) ADDITIONAL CONSIDERATIONS.—It shall not be a violation of paragraph (1) to take an adverse action against a protected health care professional if the plan, issuer, or provider taking the adverse action involved demonstrates that it would have taken the same adverse action even in the absence of the activities protected under such paragraph.

(5) NOTICE.—A group health plan, health insurance issuer, and institutional health care provider shall post a notice, to be provided or approved by the Secretary of Labor, setting forth excerpts from, or summaries of, the pertinent provisions of this subsection and information pertaining to enforcement of such provisions.

(6) CONSTRUCTIONS.—

(A) DETERMINATIONS OF COVERAGE.—Nothing in this subsection shall be construed to prohibit a plan or issuer from making a determination not to pay for a particular medical treatment or service or the services of a type of health care professional.

(B) ENFORCEMENT OF PEER REVIEW PROTOCOLS AND INTERNAL PROCEDURES.—Nothing in this subsection shall be construed to prohibit a plan, issuer, or provider from establishing and enforcing reasonable peer review or utilization review protocols or determining whether a protected health care professional has complied with those protocols or from establishing and enforcing internal procedures for the purpose of addressing quality concerns.

(C) RELATION TO OTHER RIGHTS.—Nothing in this subsection shall be construed to abridge rights of participants, beneficiaries, enrollees, and protected health care professionals under other applicable Federal or State laws.

(7) PROTECTED HEALTH CARE PROFESSIONAL DEFINED.—For purposes of this subsection, the term ''protected health care professional'' means an individual who is a licensed or certified health care professional and who—

(A) with respect to a group health plan or health insurance issuer, is an employee of the plan or issuer or has a contract with the plan or issuer for provision of services for which benefits are available under the plan or issuer; or

(B) with respect to an institutional health care provider, is an employee of the provider or has a contract or other arrangement with the provider respecting the provision of health care services.

Subtitle E—Definitions

SEC. 151. DEFINITIONS.

(a) INCORPORATION OF GENERAL DEFINITIONS.—Except as otherwise provided, the provisions of section 2791 of the Public Health Service Act shall apply for purposes of this title in the same manner as they apply for purposes of title XXVII of such Act.

(b) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of Health and Human Services, in consultation with the Secretary of Labor and the term ''appropriate Secretary'' means the Secretary of Health and Human Services in relation to carrying out this title under sec-

tions 2706 and 2751 of the Public Health Service Act and the Secretary of Labor in relation to carrying out this title under section 714 of the Employee Retirement Income Security Act of 1974.

(c) ADDITIONAL DEFINITIONS.—For purposes of this title:

(1) APPLICABLE AUTHORITY.—The term ''applicable authority'' means—

(A) in the case of a group health plan, the Secretary of Health and Human Services and the Secretary of Labor; and

(B) in the case of a health insurance issuer with respect to a specific provision of this title, the applicable State authority (as defined in section 2791(d) of the Public Health Service Act), or the Secretary of Health and Human Services, if such Secretary is enforcing such provision under section 2722(a)(2) or 2761(a)(2) of the Public Health Service Act.

(2) ENROLLEE.—The term ''enrollee'' means, with respect to health insurance coverage offered by a health insurance issuer, an individual enrolled with the issuer to receive such coverage.

(3) GROUP HEALTH PLAN.—The term ''group health plan'' has the meaning given such term in section 733(a) of the Employee Retirement Income Security Act of 1974, except that such term includes a employee welfare benefit plan treated as a group health plan under section 732(d) of such Act or defined as such a plan under section 607(1) of such Act.

(4) HEALTH CARE PROFESSIONAL.—The term ''health care professional'' means an individual who is licensed, accredited, or certified under State law to provide specified health care services and who is operating within the scope of such licensure, accreditation, or certification.

(5) HEALTH CARE PROVIDER.—The term ''health care provider'' includes a physician or other health care professional, as well as an institutional or other facility or agency that provides health care services and that is licensed, accredited, or certified to provide health care items and services under applicable State law.

(6) NETWORK.—The term ''network'' means, with respect to a group health plan or health insurance issuer offering health insurance coverage, the participating health care professionals and providers through whom the plan or issuer provides health care items and services to participants, beneficiaries, or enrollees.

(7) NONPARTICIPATING.—The term ''nonparticipating'' means, with respect to a health care provider that provides health care items and services to a participant, beneficiary, or enrollee under group health plan or health insurance coverage, a health care provider that is not a participating health care provider with respect to such items and services.

(8) PARTICIPATING.—The term ''participating'' means, with respect to a health care provider that provides health care items and services to a participant, beneficiary, or enrollee under group health plan or health insurance coverage offered by a health insurance issuer, a health care provider that furnishes such items and services under a contract or other arrangement with the plan or issuer.

(9) PRIOR AUTHORIZATION.—The term ''prior authorization'' means the process of obtaining prior approval from a health insurance issuer or group health plan for the provision or coverage of medical services.

(10) TERMS AND CONDITIONS.—The term ''terms and conditions'' includes, with respect to a group health plan or health insurance coverage, requirements imposed under this title with respect to the plan or coverage.

SEC. 152. PREEMPTION; STATE FLEXIBILITY; CONSTRUCTION.

(a) CONTINUED APPLICABILITY OF STATE LAW WITH RESPECT TO HEALTH INSURANCE ISSUERS.—

(1) IN GENERAL.—Subject to paragraph (2), this title shall not be construed to supersede any provision of State law which establishes, implements, or continues in effect any standard or requirement solely relating to health insurance issuers (in connection with group health insurance coverage or otherwise) except to the extent that such standard or requirement prevents the application of a requirement of this title.

(2) CONTINUED PREEMPTION WITH RESPECT TO GROUP HEALTH PLANS.—Nothing in this title shall be construed to affect or modify the provisions of section 514 of the Employee Retirement Income Security Act of 1974 with respect to group health plans.

(3) CONSTRUCTION.—In applying this section, a State law that provides for equal access to, and availability of, all categories of licensed health care providers and services shall not be treated as preventing the application of any requirement of this title.

(b) APPLICATION OF SUBSTANTIALLY COMPLIANT STATE LAWS.—

(1) IN GENERAL.—In the case of a State law that imposes, with respect to health insurance coverage offered by a health insurance issuer and with respect to a group health plan that is a non-Federal governmental plan, a requirement that substantially complies (within the meaning of subsection (c)) with a patient protection requirement (as defined in paragraph (3)) and does not prevent the application of other requirements under this Act (except in the case of other substantially compliant requirements), in applying the requirements of this title under section 2707 and 2753 (as applicable) of the Public Health Service Act (as added by title II), subject to subsection (a)(2)—

(A) the State law shall not be treated as being superseded under subsection (a); and

(B) the State law shall apply instead of the patient protection requirement otherwise applicable with respect to health insurance coverage and non-Federal governmental plans.

(2) LIMITATION.—In the case of a group health plan covered under title I of the Employee Retirement Income Security Act of 1974, paragraph (1) shall be construed to apply only with respect to the health insurance coverage (if any) offered in connection with the plan.

(3) DEFINITIONS.—In this section:

(A) PATIENT PROTECTION REQUIREMENT.—The term ''patient protection requirement'' means a requirement under this title, and includes (as a single requirement) a group or related set of requirements under a section or similar unit under this title.

(B) SUBSTANTIALLY COMPLIANT.—The terms ''substantially compliant'', substantially complies'', or ''substantial compliance'' with respect to a State law, mean that the State law has the same or similar features as the patient protection requirements and has a similar effect.

(c) DETERMINATIONS OF SUBSTANTIAL COMPLIANCE.—

(1) CERTIFICATION BY STATES.—A State may submit to the Secretary a certification that a State law provides for patient protections that are at least substantially compliant with one or more patient protection requirements. Such certification shall be accompanied by such information as may be required to permit the Secretary to make the determination described in paragraph (2)(A).

(2) REVIEW.—

(A) IN GENERAL.—The Secretary shall promptly review a certification submitted under paragraph (1) with respect to a State law to determine if the State law substantially complies with the patient protection requirement (or requirements) to which the law relates.

(B) APPROVAL DEADLINES.—

(i) INITIAL REVIEW.—Such a certification is considered approved unless the Secretary notifies the State in writing, within 90 days after the date of receipt of the certification, that the certification is disapproved (and the reasons for disapproval) or that specified additional information is needed to make the determination described in subparagraph (A).

(ii) ADDITIONAL INFORMATION.—With respect to a State that has been notified by the Secretary under clause (i) that specified additional information is needed to make the determination described in subparagraph (A), the Secretary shall make the determination within 60 days after the date on which such specified additional information is received by the Secretary.

(3) APPROVAL.—

(A) IN GENERAL.—The Secretary shall approve a certification under paragraph (1) unless—

(i) the State fails to provide sufficient information to enable the Secretary to make a determination under paragraph (2)(A); or

(ii) the Secretary determines that the State law involved does not provide for patient protections that substantially comply with the patient protection requirement (or requirements) to which the law relates.

(B) STATE CHALLENGE.—A State that has a certification disapproved by the Secretary under subparagraph (A) may challenge such disapproval in the appropriate United States district court.

(C) DEFERENCE TO STATES.—With respect to a certification submitted under paragraph (1), the Secretary shall give deference to the State's interpretation of the State law involved with respect to the patient protection involved.

(D) PUBLIC NOTIFICATION.—The Secretary shall—

(i) provide a State with a notice of the determination to approve or disapprove a certification under this paragraph;

(ii) promptly publish in the Federal Register a notice that a State has submitted a certification under paragraph (1);

(iii) promptly publish in the Federal Register the notice described in clause (i) with respect to the State; and

(iv) annually publish the status of all States with respect to certifications.

(4) CONSTRUCTION.—Nothing in this subsection shall be construed as preventing the certification (and approval of certification) of a State law under this subsection solely because it provides for greater protections for patients than those protections otherwise required to establish substantial compliance.

(5) PETITIONS.—

(A) PETITION PROCESS.—Effective on the date on which the provisions of this Act become effective, as provided for in section 601, a group health plan, health insurance issuer, participant, beneficiary, or enrollee may submit a petition to the Secretary for an advisory opinion as to whether or not a standard or requirement under a State law applicable to the plan, issuer, participant, beneficiary, or enrollee that is not the subject of a certification under this subsection, is superseded under subsection (a)(1) because such standard or requirement prevents the application of a requirement of this title.

(B) OPINION.—The Secretary shall issue an advisory opinion with respect to a petition submitted under subparagraph (A) within the 60-day period beginning on the date on which such petition is submitted.

(d) DEFINITIONS.—For purposes of this section:

(1) STATE LAW.—The term ''State law'' includes all laws, decisions, rules, regulations,

or other State action having the effect of law, of any State. A law of the United States applicable only to the District of Columbia shall be treated as a State law rather than a law of the United States.

(2) STATE.—The term ''State'' includes a State, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any political subdivisions of such, or any agency or instrumentality of such.

SEC. 153. EXCLUSIONS.

(a) NO BENEFIT REQUIREMENTS.—Nothing in this title shall be construed to require a group health plan or a health insurance issuer offering health insurance coverage to include specific items and services under the terms of such a plan or coverage, other than those provided under the terms and conditions of such plan or coverage.

(b) EXCLUSION FROM ACCESS TO CARE MANAGED CARE PROVISIONS FOR FEE-FOR-SERVICE COVERAGE.—

(1) IN GENERAL.—The provisions of sections 111 through 117 shall not apply to a group health plan or health insurance coverage if the only coverage offered under the plan or coverage is fee-for-service coverage (as defined in paragraph (2)).

(2) FEE-FOR-SERVICE COVERAGE DEFINED.—For purposes of this subsection, the term ''fee-for-service coverage'' means coverage under a group health plan or health insurance coverage that—

(A) reimburses hospitals, health professionals, and other providers on a fee-for-service basis without placing the provider at financial risk;

(B) does not vary reimbursement for such a provider based on an agreement to contract terms and conditions or the utilization of health care items or services relating to such provider;

(C) allows access to any provider that is lawfully authorized to provide the covered services and that agrees to accept the terms and conditions of payment established under the plan or by the issuer; and

(D) for which the plan or issuer does not require prior authorization before providing for any health care services.

SEC. 154. TREATMENT OF EXCEPTED BENEFITS.

(a) IN GENERAL.—The requirements of this title and the provisions of sections 502(a)(1)(C), 502(n), and 514(d) of the Employee Retirement Income Security Act of 1974 (added by section 402) shall not apply to excepted benefits (as defined in section 733(c) of such Act), other than benefits described in section 733(c)(2)(A) of such Act, in the same manner as the provisions of part 7 of subtitle B of title I of such Act do not apply to such benefits under subsections (b) and (c) of section 732 of such Act.

(b) COVERAGE OF CERTAIN LIMITED SCOPE PLANS.—Only for purposes of applying the requirements of this title under sections 2707 and 2753 of the Public Health Service Act, section 714 of the Employee Retirement Income Security Act of 1974, and section 9813 of the Internal Revenue Code of 1986, the following sections shall be deemed not to apply:

(1) Section 2791(c)(2)(A) of the Public Health Service Act.

(2) Section 733(c)(2)(A) of the Employee Retirement Income Security Act of 1974.

(3) Section 9832(c)(2)(A) of the Internal Revenue Code of 1986.

SEC. 155. REGULATIONS.

The Secretaries of Health and Human Services, Labor, and the Treasury shall issue such regulations as may be necessary or appropriate to carry out this title. Such regulations shall be issued consistent with section 104 of Health Insurance Portability and Accountability Act of 1996. Such Secretaries may promulgate any interim final rules as the Secretaries determine are appropriate to carry out this title.

SEC. 156. INCORPORATION INTO PLAN OR COVERAGE DOCUMENTS.

The requirements of this title with respect to a group health plan or health insurance coverage are, subject to section 154, deemed to be incorporated into, and made a part of, such plan or the policy, certificate, or contract providing such coverage and are enforceable under law as if directly included in the documentation of such plan or such policy, certificate, or contract.

SEC. 157. PRESERVATION OF PROTECTIONS.

(a) IN GENERAL.—The rights under this Act (including the right to maintain a civil action and any other rights under the amendments made by this Act) may not be waived, deferred, or lost pursuant to any agreement not authorized under this Act.

(b) EXCEPTION.—Subsection (a) shall not apply to an agreement providing for arbitration or participation in any other nonjudicial procedure to resolve a dispute if the agreement is entered into knowingly and voluntarily by the parties involved after the dispute has arisen or is pursuant to the terms of a collective bargaining agreement. Nothing in this subsection shall be construed to permit the waiver of the requirements of sections 103 and 104 (relating to internal and external review).

TITLE II—APPLICATION OF QUALITY CARE STANDARDS TO GROUP HEALTH PLANS AND HEALTH INSURANCE COVERAGE UNDER THE PUBLIC HEALTH SERVICE ACT

SEC. 201. APPLICATION TO GROUP HEALTH PLANS AND GROUP HEALTH INSURANCE COVERAGE.

(a) IN GENERAL.—Subpart 2 of part A of title XXVII of the Public Health Service Act is amended by adding at the end the following new section:

''SEC. 2707. PATIENT PROTECTION STANDARDS.

''Each group health plan shall comply with patient protection requirements under title I of the Bipartisan Patient Protection Act, and each health insurance issuer shall comply with patient protection requirements under such title with respect to group health insurance coverage it offers, and such requirements shall be deemed to be incorporated into this subsection.''.

(b) CONFORMING AMENDMENT.—Section 2721(b)(2)(A) of such Act (42 U.S.C. 300gg–21(b)(2)(A)) is amended by inserting ''(other than section 2707)'' after ''requirements of such subparts''.

SEC. 202. APPLICATION TO INDIVIDUAL HEALTH INSURANCE COVERAGE.

Part B of title XXVII of the Public Health Service Act is amended by inserting after section 2752 the following new section:

''SEC. 2753. PATIENT PROTECTION STANDARDS.

''Each health insurance issuer shall comply with patient protection requirements under title I of the Bipartisan Patient Protection Act with respect to individual health insurance coverage it offers, and such requirements shall be deemed to be incorporated into this subsection.''.

SEC. 203. COOPERATION BETWEEN FEDERAL AND STATE AUTHORITIES.

Part C of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–91 et seq.) is amended by adding at the end the following:

''SEC. 2793. COOPERATION BETWEEN FEDERAL AND STATE AUTHORITIES.

''(a) AGREEMENT WITH STATES.—A State may enter into an agreement with the Secretary for the delegation to the State of some or all of the Secretary's authority under this title to enforce the requirements applicable under title I of the Bipartisan Patient Protection Act with respect to health insurance coverage offered by a health insurance issuer and with respect to a group health plan that is a non-Federal governmental plan.

''(b) DELEGATIONS.—Any department, agency, or instrumentality of a State to which authority is delegated pursuant to an agreement entered into under this section may, if authorized under State law and to the extent consistent with such agreement, exercise the powers of the Secretary under this title which relate to such authority.''.

TITLE III—APPLICATION OF PATIENT PROTECTION STANDARDS TO FEDERAL HEALTH INSURANCE PROGRAMS

SEC. 301. APPLICATION OF PATIENT PROTECTION STANDARDS TO FEDERAL HEALTH INSURANCE PROGRAMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that enrollees in Federal health insurance programs should have the same rights and privileges as those afforded under title I and under the amendments made by title IV to participants and beneficiaries under group health plans.

(b) CONFORMING FEDERAL HEALTH INSURANCE PROGRAMS.—It is the sense of Congress that the President should require, by executive order, the Federal official with authority over each Federal health insurance program, to the extent feasible, to take such steps as are necessary to implement the rights and privileges described in subsection (a) with respect to such program.

(c) GAO REPORT ON ADDITIONAL STEPS REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on statutory changes that are required to implement such rights and privileges in a manner that is consistent with the missions of the Federal health insurance programs and that avoids unnecessary duplication or disruption of such programs.

(d) FEDERAL HEALTH INSURANCE PROGRAM.—In this section, the term ''Federal health insurance program'' means a Federal program that provides creditable coverage (as defined in section 2701(c)(1) of the Public Health Service Act) and includes a health program of the Department of Veterans Affairs.

TITLE IV—AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

SEC. 401. APPLICATION OF PATIENT PROTECTION STANDARDS TO GROUP HEALTH PLANS AND GROUP HEALTH INSURANCE COVERAGE UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 is amended by adding at the end the following new section:

''SEC. 714. PATIENT PROTECTION STANDARDS.

''(a) IN GENERAL.—Subject to subsection (b), a group health plan (and a health insurance issuer offering group health insurance coverage in connection with such a plan) shall comply with the requirements of title I of the Bipartisan Patient Protection Act (as in effect as of the date of the enactment of such Act), and such requirements shall be deemed to be incorporated into this subsection.

''(b) PLAN SATISFACTION OF CERTAIN REQUIREMENTS.—

''(1) SATISFACTION OF CERTAIN REQUIREMENTS THROUGH INSURANCE.—For purposes of subsection (a), insofar as a group health plan provides benefits in the form of health insurance coverage through a health insurance issuer, the plan shall be treated as meeting the following requirements of title I of the Bipartisan Patient Protection Act with respect to such benefits and not be considered as failing to meet such requirements because of a failure of the issuer to meet such requirements so long as the plan sponsor or its representatives did not cause such failure by the issuer:

''(A) Section 111 (relating to consumer choice option).

''(B) Section 112 (relating to choice of health care professional).

''(C) Section 113 (relating to access to emergency care).

''(D) Section 114 (relating to timely access to specialists).

''(E) Section 115 (relating to patient access to obstetrical and gynecological care).

''(F) Section 116 (relating to access to pediatric care).

''(G) Section 117 (relating to continuity of care), but only insofar as a replacement issuer assumes the obligation for continuity of care.

''(H) Section 118 (relating to access to needed prescription drugs).

''(I) Section 119 (relating to coverage for individuals participating in approved clinical trials).

''(J) Section 120 (relating to required coverage for minimum hospital stay for mastectomies and lymph node dissections for the treatment of breast cancer and coverage for secondary consultations).

''(K) Section 134 (relating to payment of claims).

''(2) INFORMATION.—With respect to information required to be provided or made available under section 121 of the Bipartisan Patient Protection Act, in the case of a group health plan that provides benefits in the form of health insurance coverage through a health insurance issuer, the Secretary shall determine the circumstances under which the plan is not required to provide or make available the information (and is not liable for the issuer's failure to provide or make available the information), if the issuer is obligated to provide and make available (or provides and makes available) such information.

''(3) INTERNAL APPEALS.—With respect to the internal appeals process required to be established under section 103 of such Act, in the case of a group health plan that provides benefits in the form of health insurance coverage through a health insurance issuer, the Secretary shall determine the circumstances under which the plan is not required to provide for such process and system (and is not liable for the issuer's failure to provide for such process and system), if the issuer is obligated to provide for (and provides for) such process and system.

''(4) EXTERNAL APPEALS.—Pursuant to rules of the Secretary, insofar as a group health plan enters into a contract with a qualified external appeal entity for the conduct of external appeal activities in accordance with section 104 of such Act, the plan shall be treated as meeting the requirement of such section and is not liable for the entity's failure to meet any requirements under such section.

''(5) APPLICATION TO PROHIBITIONS.—Pursuant to rules of the Secretary, if a health insurance issuer offers health insurance coverage in connection with a group health plan and takes an action in violation of any of the following sections of the Bipartisan Patient Protection Act, the group health plan shall not be liable for such violation unless the plan caused such violation:

''(A) Section 131 (relating to prohibition of interference with certain medical communications).

''(B) Section 132 (relating to prohibition of discrimination against providers based on licensure).

''(C) Section 133 (relating to prohibition against improper incentive arrangements).

''(D) Section 135 (relating to protection for patient advocacy).

''(6) CONSTRUCTION.—Nothing in this subsection shall be construed to affect or modify the responsibilities of the fiduciaries of a group health plan under part 4 of subtitle B.

''(7) TREATMENT OF SUBSTANTIALLY COMPLIANT STATE LAWS.—For purposes of applying this subsection in connection with health insurance coverage, any reference in this subsection to a requirement in a section or other provision in the Bipartisan Patient Protection Act with respect to a health insurance issuer is deemed to include a reference to a requirement under a State law that substantially complies (as determined under section 152(c) of such Act) with the requirement in such section or other provisions.

''(8) APPLICATION TO CERTAIN PROHIBITIONS AGAINST RETALIATION.—With respect to compliance with the requirements of section 135(b)(1) of the Bipartisan Patient Protection Act, for purposes of this subtitle the term 'group health plan' is deemed to include a reference to an institutional health care provider.

''(c) ENFORCEMENT OF CERTAIN REQUIREMENTS.—

''(1) COMPLAINTS.—Any protected health care professional who believes that the professional has been retaliated or discriminated against in violation of section 135(b)(1) of the Bipartisan Patient Protection Act may file with the Secretary a complaint within 180 days of the date of the alleged retaliation or discrimination.

''(2) INVESTIGATION.—The Secretary shall investigate such complaints and shall determine if a violation of such section has occurred and, if so, shall issue an order to ensure that the protected health care professional does not suffer any loss of position, pay, or benefits in relation to the plan, issuer, or provider involved, as a result of the violation found by the Secretary.

''(d) CONFORMING REGULATIONS.—The Secretary shall issue regulations to coordinate the requirements on group health plans and health insurance issuers under this section with the requirements imposed under the other provisions of this title. In order to reduce duplication and clarify the rights of participants and beneficiaries with respect to information that is required to be provided, such regulations shall coordinate the information disclosure requirements under section 121 of the Bipartisan Patient Protection Act with the reporting and disclosure requirements imposed under part 1, so long as such coordination does not result in any reduction in the information that would otherwise be provided to participants and beneficiaries.''.

(b) SATISFACTION OF ERISA CLAIMS PROCEDURE REQUIREMENT.—Section 503 of such Act (29 U.S.C. 1133) is amended by inserting ''(a)'' after ''SEC. 503.'' and by adding at the end the following new subsection:

''(b) In the case of a group health plan (as defined in section 733), compliance with the requirements of subtitle A of title I of the Bipartisan Patient Protection Act, and compliance with regulations promulgated by the Secretary, in the case of a claims denial, shall be deemed compliance with subsection (a) with respect to such claims denial.''.

(c) CONFORMING AMENDMENTS.—(1) Section 732(a) of such Act (29 U.S.C. 1185(a)) is amended by striking ''section 711'' and inserting ''sections 711 and 714''.

(2) The table of contents in section 1 of such Act is amended by inserting after the item relating to section 713 the following new item:

''SEC. 714. PATIENT PROTECTION STANDARDS.''.

(3) Section 502(b)(3) of such Act (29 U.S.C. 1132(b)(3)) is amended by inserting ''(other than section 135(b))'' after ''part 7''.

SEC. 402. AVAILABILITY OF CIVIL REMEDIES.

(a) AVAILABILITY OF FEDERAL CIVIL REMEDIES IN CASES NOT INVOLVING MEDICALLY REVIEWABLE DECISIONS.—

(1) IN GENERAL.—Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132) is amended by adding at the end the following new subsections:

''(n) CAUSE OF ACTION RELATING TO PROVISION OF HEALTH BENEFITS.—

''(1) IN GENERAL.—In any case in which—

''(A) a person who is a fiduciary of a group health plan, a health insurance issuer offering health insurance coverage in connection with the plan, or an agent of the plan, issuer, or plan sponsor, upon consideration of a claim for benefits of a participant or beneficiary under section 102 of the Bipartisan Patient Protection Act (relating to procedures for initial claims for benefits and prior authorization determinations) or upon review of a denial of such a claim under section 103 of such Act (relating to internal appeal of a denial of a claim for benefits), fails to exercise ordinary care in making a decision—

''(i) regarding whether an item or service is covered under the terms and conditions of the plan or coverage,

''(ii) regarding whether an individual is a participant or beneficiary who is enrolled under the terms and conditions of the plan or coverage (including the applicability of any waiting period under the plan or coverage), or

''(iii) as to the application of cost-sharing requirements or the application of a specific exclusion or express limitation on the amount, duration, or scope of coverage of items or services under the terms and conditions of the plan or coverage, and

''(B) such failure is a proximate cause of personal injury to, or the death of, the participant or beneficiary,

such plan, plan sponsor, or issuer shall be liable to the participant or beneficiary (or the estate of such participant or beneficiary) for economic and noneconomic damages (but not exemplary or punitive damages) in connection with such personal injury or death.

''(2) CAUSE OF ACTION MUST NOT INVOLVE MEDICALLY REVIEWABLE DECISION.—

''(A) IN GENERAL.—A cause of action is established under paragraph (1)(A) only if the decision referred to in paragraph (1)(A) does not include a medically reviewable decision.

''(B) MEDICALLY REVIEWABLE DECISION.—For purposes of this subsection, the term 'medically reviewable decision' means a denial of a claim for benefits under the plan which is described in section 104(d)(2) of the Bipartisan Patient Protection Act (relating to medically reviewable decisions).

''(3) LIMITATION REGARDING CERTAIN TYPES OF ACTIONS SAVED FROM PREEMPTION OF STATE LAW.—A cause of action is not established under paragraph (1)(A) in connection with a failure described in paragraph (1)(A) to the extent that a cause of action under State law (as defined in section 514(c)) for such failure would not be preempted under section 514.

''(4) DEFINITIONS AND RELATED RULES.—For purposes of this subsection.—

''(A) ORDINARY CARE.—The term 'ordinary care' means, with respect to a determination on a claim for benefits, that degree of care, skill, and diligence that a reasonable and prudent individual would exercise in making a fair determination on a claim for benefits of like kind to the claims involved.

''(B) PERSONAL INJURY.—The term 'personal injury' means a physical injury and includes an injury arising out of the treatment (or failure to treat) a mental illness or disease.

''(C) CLAIM FOR BENEFITS; DENIAL.—The terms 'claim for benefits' and 'denial of a claim for benefits' have the meanings provided such terms in section 102(e) of the Bipartisan Patient Protection Act.

''(D) TERMS AND CONDITIONS.—The term 'terms and conditions' includes, with respect to a group health plan or health insurance coverage, requirements imposed under title I of the Bipartisan Patient Protection Act.

''(E) TREATMENT OF EXCEPTED BENEFITS.—Under section 154(a) of the Bipartisan Patient Protection Act, the provisions of this subsection and subsection (a)(1)(C) do not apply to certain excepted benefits.

''(5) EXCLUSION OF EMPLOYERS AND OTHER PLAN SPONSORS.—

''(A) CAUSES OF ACTION AGAINST EMPLOYERS AND PLAN SPONSORS PRECLUDED.—Subject to subparagraph (B), paragraph (1)(A) does not authorize a cause of action against an employer or other plan sponsor maintaining the plan (or against an employee of such an employer or sponsor acting within the scope of employment).

''(B) CERTAIN CAUSES OF ACTION PERMITTED.—Notwithstanding subparagraph (A), a cause of action may arise against an employer or other plan sponsor (or against an employee of such an employer or sponsor acting within the scope of employment) under paragraph (1)(A), to the extent there was direct participation by the employer or other plan sponsor (or employee) in the decision of the plan under section 102 of the Bipartisan Patient Protection Act upon consideration of a claim for benefits or under section 103 of such Act upon review of a denial of a claim for benefits.

''(C) DIRECT PARTICIPATION.—

''(i) IN GENERAL.—For purposes of subparagraph (B), the term 'direct participation' means, in connection with a decision described in paragraph (1)(A), the actual making of such decision or the actual exercise of control in making such decision.

''(ii) RULES OF CONSTRUCTION.—For purposes of clause (i), the employer or plan sponsor (or employee) shall not be construed to be engaged in direct participation because of any form of decisionmaking or other conduct that is merely collateral or precedent to the decision described in paragraph (1)(A) on a particular claim for benefits of a participant or beneficiary, including (but not limited to)—

''(I) any participation by the employer or other plan sponsor (or employee) in the selection of the group health plan or health insurance coverage involved or the third party administrator or other agent;

''(II) any engagement by the employer or other plan sponsor (or employee) in any cost-benefit analysis undertaken in connection with the selection of, or continued maintenance of, the plan or coverage involved;

''(III) any participation by the employer or other plan sponsor (or employee) in the process of creating, continuing, modifying, or terminating the plan or any benefit under the plan, if such process was not substantially focused solely on the particular situation of the participant or beneficiary referred to in paragraph (1)(A); and

''(IV) any participation by the employer or other plan sponsor (or employee) in the design of any benefit under the plan, including the amount of copayment and limits connected with such benefit.

''(iii) IRRELEVANCE OF CERTAIN COLLATERAL EFFORTS MADE BY EMPLOYER OR PLAN SPONSOR.—For purposes of this subparagraph, an employer or plan sponsor shall not be treated as engaged in direct participation in a decision with respect to any claim for benefits or denial thereof in the case of any particular participant or beneficiary solely by reason of—

''(I) any efforts that may have been made by the employer or plan sponsor to advocate for authorization of coverage for that or any other participant or beneficiary (or any group of participants or beneficiaries), or

''(II) any provision that may have been made by the employer or plan sponsor for benefits which are not covered under the terms and conditions of the plan for that or any other participant or beneficiary (or any group of participants or beneficiaries).

''(D) APPLICATION TO CERTAIN PLANS.—

''(i) IN GENERAL.—Notwithstanding any other provision of this subsection, no group health plan described in clause (ii) (or plan sponsor of such a plan) shall be liable under paragraph (1) for the performance of, or the failure to perform, any non-medically reviewable duty under the plan.

''(ii) DEFINITION.—A group health plan described in this clause is—

''(I) a group health plan that is self-insured and self administered by an employer (including an employee of such an employer acting within the scope of employment); or

''(II) a multiemployer plan as defined in section 3(37)(A) (including an employee of a contributing employer or of the plan, or a fiduciary of the plan, acting within the scope of employment or fiduciary responsibility) that is self-insured and self-administered.

''(6) EXCLUSION OF PHYSICIANS AND OTHER HEALTH CARE PROFESSIONALS.—

''(A) IN GENERAL.—No treating physician or other treating health care professional of the participant or beneficiary, and no person acting under the direction of such a physician or health care professional, shall be liable under paragraph (1) for the performance of, or the failure to perform, any non-medically reviewable duty of the plan, the plan sponsor, or any health insurance issuer offering health insurance coverage in connection with the plan.

''(B) DEFINITIONS.—For purposes of subparagraph (A)—

''(i) HEALTH CARE PROFESSIONAL.—The term 'health care professional' means an individual who is licensed, accredited, or certified under State law to provide specified health care services and who is operating within the scope of such licensure, accreditation, or certification.

''(ii) NON-MEDICALLY REVIEWABLE DUTY.—The term 'non-medically reviewable duty' means a duty the discharge of which does not include the making of a medically reviewable decision.

''(7) EXCLUSION OF HOSPITALS.—No treating hospital of the participant or beneficiary shall be liable under paragraph (1) for the performance of, or the failure to perform, any non-medically reviewable duty (as defined in paragraph (6)(B)(ii)) of the plan, the plan sponsor, or any health insurance issuer offering health insurance coverage in connection with the plan.

''(8) RULE OF CONSTRUCTION RELATING TO EXCLUSION FROM LIABILITY OF PHYSICIANS, HEALTH CARE PROFESSIONALS, AND HOSPITALS.—Nothing in paragraph (6) or (7) shall be construed to limit the liability (whether direct or vicarious) of the plan, the plan sponsor, or any health insurance issuer offering health insurance coverage in connection with the plan.

''(9) REQUIREMENT OF EXHAUSTION.—

''(A) IN GENERAL.—A cause of action may not be brought under paragraph (1) in connection with any denial of a claim for benefits of any individual until all administrative processes under sections 102 and 103 of the Bipartisan Patient Protection Act (if applicable) have been exhausted.

''(B) EXCEPTION FOR NEEDED CARE.—A participant or beneficiary may seek relief exclusively in Federal court under subsection 502(a)(1)(B) prior to the exhaustion of administrative remedies under sections 102, 103, or 104 of the Bipartisan Patient Protection Act (as required under subparagraph (A)) if it is demonstrated to the court that the exhaustion of such remedies would cause irreparable harm to the health of the participant or beneficiary. Notwithstanding the awarding of relief under subsection 502(a)(1)(B) pursuant to this subparagraph, no relief shall be available as a result of, or arising under, paragraph (1)(A) or paragraph (10)(B), with respect to a participant or beneficiary, unless the requirements of subparagraph (A) are met.

''(C) RECEIPT OF BENEFITS DURING APPEALS PROCESS.—Receipt by the participant or beneficiary of the benefits involved in the claim for benefits during the pendency of any administrative processes referred to in subparagraph (A) or of any action commenced under this subsection—

''(i) shall not preclude continuation of all such administrative processes to their conclusion if so moved by any party, and

''(ii) shall not preclude any liability under subsection (a)(1)(C) and this subsection in connection with such claim.

The court in any action commenced under this subsection shall take into account any receipt of benefits during such administrative processes or such action in determining the amount of the damages awarded.

''(D) ADMISSIBLE.—Any determination made by a reviewer in an administrative proceeding under section 103 of the Bipartisan Patient Protection Act shall be admissible in any Federal court proceeding and shall be presented to the trier of fact.

''(10) STATUTORY DAMAGES.—

''(A) IN GENERAL.—The remedies set forth in this subsection (n) shall be the exclusive remedies for causes of action brought under this subsection.

''(B) ASSESSMENT OF CIVIL PENALTIES.—In addition to the remedies provided for in paragraph (1) (relating to the failure to provide contract benefits in accordance with the plan), a civil assessment, in an amount not to exceed $5,000,000, payable to the claimant may be awarded in any action under such paragraph if the claimant establishes by clear and convincing evidence that the alleged conduct carried out by the defendant demonstrated bad faith and flagrant disregard for the rights of the participant or beneficiary under the plan and was a proximate cause of the personal injury or death that is the subject of the claim.

''(11) LIMITATION ON ATTORNEYS' FEES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, or any arrangement, agreement, or contract regarding an attorney's fee, the amount of an attorney's contingency fee allowable for a cause of action brought pursuant to this subsection shall not exceed ⅓ of the total amount of the plaintiff's recovery (not including the reimbursement of actual out-of-pocket expenses of the attorney).

''(B) DETERMINATION BY DISTRICT COURT.—The last Federal district court in which the action was pending upon the final disposition, including all appeals, of the action shall have jurisdiction to review the attorney's fee to ensure that the fee is a reasonable one.

''(12) LIMITATION OF ACTION.—Paragraph (1) shall not apply in connection with any action commenced after 3 years after the later of—

''(A) the date on which the plaintiff first knew, or reasonably should have known, of the personal injury or death resulting from the failure described in paragraph (1), or

''(B) the date as of which the requirements of paragraph (9) are first met.

''(13) TOLLING PROVISION.—The statute of limitations for any cause of action arising under State law relating to a denial of a claim for benefits that is the subject of an action brought in Federal court under this subsection shall be tolled until such time as the Federal court makes a final disposition, including all appeals, of whether such claim should properly be within the jurisdiction of the Federal court. The tolling period shall be determined by the applicable Federal or State law, whichever period is greater.

''(14) PURCHASE OF INSURANCE TO COVER LIABILITY.—Nothing in section 410 shall be con-

strued to preclude the purchase by a group health plan of insurance to cover any liability or losses arising under a cause of action under subsection (a)(1)(C) and this subsection.

''(15) EXCLUSION OF DIRECTED RECORDKEEPERS.—

''(A) IN GENERAL.—Subject to subparagraph (C), paragraph (1) shall not apply with respect to a directed recordkeeper in connection with a group health plan.

''(B) DIRECTED RECORDKEEPER.—For purposes of this paragraph, the term 'directed recordkeeper' means, in connection with a group health plan, a person engaged in directed recordkeeping activities pursuant to the specific instructions of the plan or the employer or other plan sponsor, including the distribution of enrollment information and distribution of disclosure materials under this Act or title I of the Bipartisan Patient Protection Act and whose duties do not include making decisions on claims for benefits.

''(C) LIMITATION.—Subparagraph (A) does not apply in connection with any directed recordkeeper to the extent that the directed recordkeeper fails to follow the specific instruction of the plan or the employer or other plan sponsor.

''(16) EXCLUSION OF HEALTH INSURANCE AGENTS.—Paragraph (1) does not apply with respect to a person whose sole involvement with the group health plan is providing advice or administrative services to the employer or other plan sponsor relating to the selection of health insurance coverage offered in connection with the plan.

''(17) NO EFFECT ON STATE LAW.—No provision of State law (as defined in section 514(c)(1)) shall be treated as superseded or otherwise altered, amended, modified, invalidated, or impaired by reason of the provisions of subsection (a)(1)(C) and this subsection.

''(18) RELIEF FROM LIABILITY FOR EMPLOYER OR OTHER PLAN SPONSOR BY MEANS OF DESIGNATED DECISIONMAKER.—

''(A) IN GENERAL.—Notwithstanding the direct participation (as defined in paragraph (5)(C)(i)) of an employer or plan sponsor, in any case in which there is (or is deemed under subparagraph (B) to be) a designated decisionmaker that meets the requirements of subsection (o)(1) for an employer or other plan sponsor—

''(i) all liability of such employer or plan sponsor involved (and any employee of such employer or sponsor acting within the scope of employment) under this subsection in connection with any participant or beneficiary shall be transferred to, and assumed by, the designated decisionmaker, and

''(ii) with respect to such liability, the designated decisionmaker shall be substituted for the employer or sponsor (or employee) in the action and may not raise any defense that the employer or sponsor (or employee) could not raise if such a decisionmaker were not so deemed.

''(B) AUTOMATIC DESIGNATION.—A health insurance issuer shall be deemed to be a designated decisionmaker for purposes of subparagraph (A) with respect to the participants and beneficiaries of an employer or plan sponsor, whether or not the employer or plan sponsor makes such a designation, and shall be deemed to have assumed unconditionally all liability of the employer or plan sponsor under such designation in accordance with subsection (o), unless the employer or plan sponsor affirmatively enters into a contract to prevent the service of the designated decisionmaker.

''(C) TREATMENT OF CERTAIN TRUST FUNDS.—For purposes of this paragraph, the terms 'employer' and 'plan sponsor', in connection with the assumption by a designated decisionmaker of the liability of employer or other plan sponsor pursuant to this paragraph, shall be construed to include a trust fund maintained pursuant to section 302 of the Labor Management Relations Act, 1947 (29 U.S.C. 186) or the Railway Labor Act (45 U.S.C. 151 et seq.).

''(19) PREVIOUSLY PROVIDED SERVICES.—

''(A) IN GENERAL.—Except as provided in this paragraph, a cause of action shall not arise under paragraph (1) where the denial involved relates to an item or service that has already been fully provided to the participant or beneficiary under the plan or coverage and the claim relates solely to the subsequent denial of payment for the provision of such item or service.

''(B) EXCEPTION.—Nothing in subparagraph (A) shall be construed to—

''(i) prohibit a cause of action under paragraph (1) where the nonpayment involved results in the participant or beneficiary being unable to receive further items or services that are directly related to the item or service involved in the denial referred to in subparagraph (A) or that are part of a continuing treatment or series of procedures; or

''(ii) limit liability that otherwise would arise from the provision of the item or services or the performance of a medical procedure.

''(20) EXEMPTION FROM PERSONAL LIABILITY FOR INDIVIDUAL MEMBERS OF BOARDS OF DIRECTORS, JOINT BOARDS OF TRUSTEES, ETC.—Any individual who is—

''(A) a member of a board of directors of an employer or plan sponsor; or

''(B) a member of an association, committee, employee organization, joint board of trustees, or other similar group of representatives of the entities that are the plan sponsor of plan maintained by two or more employers and one or more employee organizations;

shall not be personally liable under this subsection for conduct that is within the scope of employment or of plan-related duties of the individuals unless the individual acts in a fraudulent manner for personal enrichment.

''(o) REQUIREMENTS FOR DESIGNATED DECISIONMAKERS OF GROUP HEALTH PLANS.—

''(1) IN GENERAL.—For purposes of subsection (n)(18) and section 514(d)(9), a designated decisionmaker meets the requirements of this paragraph with respect to any participant or beneficiary if—

''(A) such designation is in such form as may be prescribed in regulations of the Secretary,

''(B) the designated decisionmaker—

''(i) meets the requirements of paragraph (2),

''(ii) assumes unconditionally all liability of the employer or plan sponsor involved (and any employee of such employer or sponsor acting within the scope of employment) either arising under subsection (n) or arising in a cause of action permitted under section 514(d) in connection with actions (and failures to act) of the employer or plan sponsor (or employee) occurring during the period in which the designation under subsection (n)(18) or section 514(d)(9) is in effect relating to such participant and beneficiary,

''(iii) agrees to be substituted for the employer or plan sponsor (or employee) in the action and not to raise any defense with respect to such liability that the employer or plan sponsor (or employee) may not raise, and

''(iv) where paragraph (2)(B) applies, assumes unconditionally the exclusive authority under the group health plan to make medically reviewable decisions under the plan with respect to such participant or beneficiary, and

''(C) the designated decisionmaker and the participants and beneficiaries for whom the decisionmaker has assumed liability are identified in the written instrument required under section 402(a) and as required under section 121(b)(19) of the Bipartisan Patient Protection Act.

Any liability assumed by a designated decisionmaker pursuant to this subsection shall be in addition to any liability that it may otherwise have under applicable law.

''(2) QUALIFICATIONS FOR DESIGNATED DECISIONMAKERS.—

''(A) IN GENERAL.—Subject to subparagraph (B), an entity is qualified under this paragraph to serve as a designated decisionmaker with respect to a group health plan if the entity has the ability to assume the liability described in paragraph (1) with respect to participants and beneficiaries under such plan, including requirements relating to the financial obligation for timely satisfying the assumed liability, and maintains with the plan sponsor and the Secretary certification of such ability. Such certification shall be provided to the plan sponsor or named fiduciary and to the Secretary upon designation under subsection (n)(18)(B) or section 517(d)(9)(B) and not less frequently than annually thereafter, or if such designation constitutes a multiyear arrangement, in conjunction with the renewal of the arrangement.

''(B) SPECIAL QUALIFICATION IN THE CASE OF CERTAIN REVIEWABLE DECISIONS.—In the case of a group health plan that provides benefits consisting of medical care to a participant or beneficiary only through health insurance coverage offered by a single health insurance issue, such issuer is the only entity that may be qualified under this paragraph to serve as a designated decisionmaker with respect to such participant or beneficiary, and shall serve as the designated decisionmaker unless the employer or other plan sponsor acts affirmatively to prevent such service.

''(3) REQUIREMENTS RELATING TO FINANCIAL OBLIGATIONS.—For purposes of paragraph (2)(A), the requirements relating to the financial obligation of an entity for liability shall include—

''(A) coverage of such entity under an insurance policy or other arrangement, secured and maintained by such entity, to effectively insure such entity against losses arising from professional liability claims, including those arising from its service as a designated decisionmaker under this part; or

''(B) evidence of minimum capital and surplus levels that are maintained by such entity to cover any losses as a result of liability arising from its service as a designated decisionmaker under this part.

The appropriate amounts of liability insurance and minimum capital and surplus levels for purposes of subparagraphs (A) and (B) shall be determined by an actuary using sound actuarial principles and accounting practices pursuant to established guidelines of the American Academy of Actuaries and in accordance with such regulations as the Secretary may prescribe and shall be maintained throughout the term for which the designation is in effect. The provisions of this paragraph shall not apply in the case of a designated decisionmaker that is a group health plan, plan sponsor, or health insurance issuer and that is regulated under Federal law or a State financial solvency law.

''(4) LIMITATION ON APPOINTMENT OF TREATING PHYSICIANS.—A treating physician who directly delivered the care, treatment, or provided the patient service that is the subject of a cause of action by a participant or beneficiary under subsection (n) or section 514(d) may not be designated as a designated decisionmaker under this subsection with respect to such participant or beneficiary.''.

(2) CONFORMING AMENDMENT.—Section 502(a)(1) of such Act (29 U.S.C. 1132(a)(1)) is amended—

(A) by striking ''or'' at the end of subparagraph (A);

(B) in subparagraph (B), by striking ''plan;'' and inserting ''plan, or''; and

(C) by adding at the end the following new subparagraph:

''(C) for the relief provided for in subsection (n) of this section.''.

(b) RULES RELATING TO ERISA PREEMPTION.—Section 514 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1144) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

''(d) PREEMPTION NOT TO APPLY TO CAUSES OF ACTION UNDER STATE LAW INVOLVING MEDICALLY REVIEWABLE DECISION.—

''(1) NON-PREEMPTION OF CERTAIN CAUSES OF ACTION.—

''(A) IN GENERAL.—Except as provided in this subsection, nothing in this title (including section 502) shall be construed to supersede or otherwise alter, amend, modify, invalidate, or impair any cause of action under State law of a participant or beneficiary under a group health plan (or the estate of such a participant or beneficiary) against the plan, the plan sponsor, any health insurance issuer offering health insurance coverage in connection with the plan, or any managed care entity in connection with the plan to recover damages resulting from personal injury or for wrongful death if such cause of action arises by reason of a medically reviewable decision.

''(B) MEDICALLY REVIEWABLE DECISION.—For purposes of subparagraph (A), the term 'medically reviewable decision' means a denial of a claim for benefits under the plan which is described in section 104(d)(2) of the Bipartisan Patient Protection Act (relating to medically reviewable decisions).

''(C) LIMITATION ON PUNITIVE DAMAGES.—

''(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), with respect to a cause of action described in subparagraph (A) brought with respect to a participant or beneficiary, State law is superseded insofar as it provides any punitive, exemplary, or similar damages if, as of the time of the personal injury or death, all the requirements of the following sections of the Bipartisan Patient Protection Act were satisfied with respect to the participant or beneficiary:

''(I) Section 102 (relating to procedures for initial claims for benefits and prior authorization determinations).

''(II) Section 103 of such Act (relating to internal appeals of claims denials).

''(III) Section 104 of such Act (relating to independent external appeals procedures).

''(ii) EXCEPTION FOR CERTAIN ACTIONS FOR WRONGFUL DEATH.—Clause (i) shall not apply with respect to an action for wrongful death if the applicable State law provides (or has been construed to provide) for damages in such an action which are only punitive or exemplary in nature.

''(iii) EXCEPTION FOR WILLFUL OR WANTON DISREGARD FOR THE RIGHTS OR SAFETY OF OTHERS.—Clause (i) shall not apply with respect to any cause of action described in subparagraph (A) if, in such action, the plaintiff establishes by clear and convincing evidence that conduct carried out by the defendant with willful or wanton disregard for the rights or safety of others was a proximate cause of the personal injury or wrongful death that is the subject of the action.

''(2) DEFINITIONS AND RELATED RULES.—For purposes of this subsection and subsection (e)—

''(A) TREATMENT OF EXCEPTED BENEFITS.—Under section 154(a) of the Bipartisan Patient Protection Act, the provisions of this subsection do not apply to certain excepted benefits.

''(B) PERSONAL INJURY.—The term 'personal injury' means a physical injury and includes an injury arising out of the treatment (or failure to treat) a mental illness or disease.

''(C) CLAIM FOR BENEFIT; DENIAL.—The terms 'claim for benefits' and 'denial of a claim for benefits' shall have the meaning provided such terms under section 102(e) of the Bipartisan Patient Protection Act.

''(D) MANAGED CARE ENTITY.—

''(i) IN GENERAL.—The term 'managed care entity' means, in connection with a group health plan and subject to clause (ii), any entity that is involved in determining the manner in which or the extent to which items or services (or reimbursement therefor) are to be provided as benefits under the plan.

''(ii) TREATMENT OF TREATING PHYSICIANS, OTHER TREATING HEALTH CARE PROFESSIONALS, AND TREATING HOSPITALS.—Such term does not include a treating physician or other treating health care professional (as defined in section 502(n)(6)(B)(i)) of the participant or beneficiary and also does not include a treating hospital insofar as it is acting solely in the capacity of providing treatment or care to the participant or beneficiary. Nothing in the preceding sentence shall be construed to preempt vicarious liability of any plan, plan sponsor, health insurance issuer, or managed care entity.

''(3) EXCLUSION OF EMPLOYERS AND OTHER PLAN SPONSORS.—

''(A) CAUSES OF ACTION AGAINST EMPLOYERS AND PLAN SPONSORS PRECLUDED.—Subject to subparagraph (B), paragraph (1) does not apply with respect to—

''(i) any cause of action against an employer or other plan sponsor maintaining the plan (or against an employee of such an employer or sponsor acting within the scope of employment), or

''(ii) a right of recovery, indemnity, or contribution by a person against an employer or other plan sponsor (or such an employee) for damages assessed against the person pursuant to a cause of action to which paragraph (1) applies.

''(B) CERTAIN CAUSES OF ACTION PERMITTED.—Notwithstanding subparagraph (A), paragraph (1) applies with respect to any cause of action that is brought by a participant or beneficiary under a group health plan (or the estate of such a participant or beneficiary) to recover damages resulting from personal injury or for wrongful death against any employer or other plan sponsor maintaining the plan (or against an employee of such an employer or sponsor acting within the scope of employment) if such cause of action arises by reason of a medically reviewable decision, to the extent that there was direct participation by the employer or other plan sponsor (or employee) in the decision.

''(C) DIRECT PARTICIPATION.—

''(i) DIRECT PARTICIPATION IN DECISIONS.—For purposes of subparagraph (B), the term 'direct participation' means, in connection with a decision described in subparagraph (B), the actual making of such decision or the actual exercise of control in making such decision or in the conduct constituting the failure.

''(ii) RULES OF CONSTRUCTION.—For purposes of clause (i), the employer or plan sponsor (or employee) shall not be construed to be engaged in direct participation because of any form of decisionmaking or other conduct that is merely collateral or precedent to the decision described in subparagraph (B) on a particular claim for benefits of a particular participant or beneficiary, including (but not limited to)—

''(I) any participation by the employer or other plan sponsor (or employee) in the selection of the group health plan or health insurance coverage involved or the third party administrator or other agent;

''(II) any engagement by the employer or other plan sponsor (or employee) in any cost-benefit analysis undertaken in connection with the selection of, or continued maintenance of, the plan or coverage involved;

''(III) any participation by the employer or other plan sponsor (or employee) in the process of creating, continuing, modifying, or terminating the plan or any benefit under the plan, if such process was not substantially focused solely on the particular situation of the participant or beneficiary referred to in paragraph (1)(A); and

''(IV) any participation by the employer or other plan sponsor (or employee) in the design of any benefit under the plan, including the amount of copayment and limits connected with such benefit.

''(iv) IRRELEVANCE OF CERTAIN COLLATERAL EFFORTS MADE BY EMPLOYER OR PLAN SPONSOR.—For purposes of this subparagraph, an employer or plan sponsor shall not be treated as engaged in direct participation in a decision with respect to any claim for benefits or denial thereof in the case of any particular participant or beneficiary solely by reason of—

''(I) any efforts that may have been made by the employer or plan sponsor to advocate for authorization of coverage for that or any other participant or beneficiary (or any group of participants or beneficiaries), or

''(II) any provision that may have been made by the employer or plan sponsor for benefits which are not covered under the terms and conditions of the plan for that or any other participant or beneficiary (or any group of participants or beneficiaries).

''(4) REQUIREMENT OF EXHAUSTION.—

''(A) IN GENERAL.—Except as provided in subparagraph (D), a cause of action may not be brought under paragraph (1) in connection with any denial of a claim for benefits of any individual until all administrative processes under sections 102, 103, and 104 of the Bipartisan Patient Protection Act (if applicable) have been exhausted.

''(B) LATE MANIFESTATION OF INJURY.—

''(i) IN GENERAL.—A participant or beneficiary shall not be precluded from pursuing a review under section 104 of the Bipartisan Patient Protection Act regarding an injury that such participant or beneficiary has experienced if the external review entity first determines that the injury of such participant or beneficiary is a late manifestation of an earlier injury.

''(ii) DEFINITION.—In this subparagraph, the term 'late manifestation of an earlier injury' means an injury sustained by the participant or beneficiary which was not known, and should not have been known, by such participant or beneficiary by the latest date that the requirements of subparagraph (A) should have been met regarding the claim for benefits which was denied.

''(C) EXCEPTION FOR NEEDED CARE.—A participant or beneficiary may seek relief exclusively in Federal court under subsection 502(a)(1)(B) prior to the exhaustion of administrative remedies under sections 102, 103, or 104 of the Bipartisan Patient Protection Act (as required under subparagraph (A)) if it is demonstrated to the court that the exhaustion of such remedies would cause irreparable harm to the health of the participant or beneficiary. Notwithstanding the awarding of relief under subsection 502(a)(1)(B) pursuant to this subparagraph, no relief shall be available as a result of, or arising under, paragraph (1)(A) unless the requirements of subparagraph (A) are met.

''(D) FAILURE TO REVIEW.—

''(i) IN GENERAL.—If the external review entity fails to make a determination within the time required under section 104(e)(1)(A)(i), a participant or beneficiary may bring an action under section 514(d) after 10 additional days after the date on which such time period has expired and the filing of such action shall not affect the duty of the independent medical reviewer (or reviewers) to make a determination pursuant to section 104(e)(1)(A)(i).

''(ii) EXPEDITED DETERMINATION.—If the external review entity fails to make a determination within the time required under section 104(e)(1)(A)(ii), a participant or beneficiary may bring an action under this subsection and the filing of such an action shall not affect the duty of the independent medical reviewer (or reviewers) to make a determination pursuant to section 104(e)(1)(A)(ii).

''(E) RECEIPT OF BENEFITS DURING APPEALS PROCESS.—Receipt by the participant or beneficiary of the benefits involved in the claim for benefits during the pendency of any administrative processes referred to in subparagraph (A) or of any action commenced under this subsection—

''(i) shall not preclude continuation of all such administrative processes to their conclusion if so moved by any party, and

''(ii) shall not preclude any liability under subsection (a)(1)(C) and this subsection in connection with such claim.

''(F) ADMISSIBLE.—Any determination made by a reviewer in an administrative proceeding under section 104 of the Bipartisan Patient Protection Act shall be admissible in any Federal or State court proceeding and shall be presented to the trier of fact.

''(5) TOLLING PROVISION.—The statute of limitations for any cause of action arising under section 502(n) relating to a denial of a claim for benefits that is the subject of an action brought in State court shall be tolled until such time as the State court makes a final disposition, including all appeals, of whether such claim should properly be within the jurisdiction of the State court. The tolling period shall be determined by the applicable Federal or State law, whichever period is greater.

''(6) EXCLUSION OF DIRECTED RECORDKEEPERS.—

''(A) IN GENERAL.—Subject to subparagraph (C), paragraph (1) shall not apply with respect to a directed recordkeeper in connection with a group health plan.

''(B) DIRECTED RECORDKEEPER.—For purposes of this paragraph, the term 'directed recordkeeper' means, in connection with a group health plan, a person engaged in directed recordkeeping activities pursuant to the specific instructions of the plan or the employer or other plan sponsor, including the distribution of enrollment information and distribution of disclosure materials under this Act or title I of the Bipartisan Patient Protection Act and whose duties do not include making decisions on claims for benefits.

''(C) LIMITATION.—Subparagraph (A) does not apply in connection with any directed recordkeeper to the extent that the directed recordkeeper fails to follow the specific instruction of the plan or the employer or other plan sponsor.

''(7) CONSTRUCTION.—Nothing in this subsection shall be construed as—

''(A) saving from preemption a cause of action under State law for the failure to provide a benefit for an item or service which is specifically excluded under the group health plan involved, except to the extent that—

''(i) the application or interpretation of the exclusion involves a determination described in section 104(d)(2) of the Bipartisan Patient Protection Act, or

''(ii) the provision of the benefit for the item or service is required under Federal law or under applicable State law consistent with subsection (b)(2)(B);

''(B) preempting a State law which requires an affidavit or certificate of merit in a civil action;

''(C) affecting a cause of action or remedy under State law in connection with the provision or arrangement of excepted benefits (as defined in section 733(c)), other than those described in section 733(c)(2)(A); or

''(D) affecting a cause of action under State law other than a cause of action described in paragraph (1)(A).

''(8) PURCHASE OF INSURANCE TO COVER LIABILITY.—Nothing in section 410 shall be construed to preclude the purchase by a group health plan of insurance to cover any liability or losses arising under a cause of action described in paragraph (1)(A).

''(9) RELIEF FROM LIABILITY FOR EMPLOYER OR OTHER PLAN SPONSOR BY MEANS OF DESIGNATED DECISIONMAKER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply with respect to any cause of action described in paragraph (1)(A) under State law insofar as such cause of action provides for liability with respect to a participant or beneficiary of an employer or plan sponsor (or an employee of such employer or sponsor acting within the scope of employment), if with respect to the employer or plan sponsor there is (or is deemed under subparagraph (B) to be) a designated decisionmaker that meets the requirements of section 502(o)(1) with respect to such participant or beneficiary. Such paragraph (1) shall apply with respect to any cause of action described in paragraph (1)(A) under State law against the designated decisionmaker of such employer or other plan sponsor with respect to the participant or beneficiary.

''(B) AUTOMATIC DESIGNATION.—A health insurance issuer shall be deemed to be a designated decisionmaker for purposes of subparagraph (A) with respect to the participants and beneficiaries of an employer or plan sponsor, whether or not the employer or plan sponsor makes such a designation, and shall be deemed to have assumed unconditionally all liability of the employer or plan sponsor under such designation in accordance with subsection (o), unless the employer or plan sponsor affirmatively enters into a contract to prevent the service of the designated decisionmaker.

''(C) TREATMENT OF CERTAIN TRUST FUNDS.—For purposes of this paragraph, the terms 'employer' and 'plan sponsor', in connection with the assumption by a designated decisionmaker of the liability of employer or other plan sponsor pursuant to this paragraph, shall be construed to include a trust fund maintained pursuant to section 302 of the Labor Management Relations Act, 1947 (29 U.S.C. 186) or the Railway Labor Act (45 U.S.C. 151 et seq.).

''(10) PREVIOUSLY PROVIDED SERVICES.—

''(A) IN GENERAL.—Except as provided in this paragraph, a cause of action shall not arise under paragraph (1) where the denial involved relates to an item or service that has already been fully provided to the participant or beneficiary under the plan or coverage and the claim relates solely to the subsequent denial of payment for the provision of such item or service.

''(B) EXCEPTION.—Nothing in subparagraph (A) shall be construed to—

''(i) prohibit a cause of action under paragraph (1) where the nonpayment involved results in the participant or beneficiary being unable to receive further items or services that are directly related to the item or service involved in the denial referred to in subparagraph (A) or that are part of a continuing treatment or series of procedures;

''(ii) prohibit a cause of action under paragraph (1) relating to quality of care; or

''(iii) limit liability that otherwise would arise from the provision of the item or services or the performance of a medical procedure.

''(11) EXEMPTION FROM PERSONAL LIABILITY FOR INDIVIDUAL MEMBERS OF BOARDS OF DIRECTORS, JOINT BOARDS OF TRUSTEES, ETC.—Any individual who is—

''(A) a member of a board of directors of an employer or plan sponsor; or

''(B) a member of an association, committee, employee organization, joint board of trustees, or other similar group of representatives of the entities that are the plan sponsor of plan maintained by two or more employers and one or more employee organizations;

shall not be personally liable under this subsection for conduct that is within the scope of employment or of plan-related duties of the individuals unless the individual acts in a fraudulent manner for personal enrichment.

''(12) CHOICE OF LAW.—A cause of action brought under paragraph (1) shall be governed by the law (including choice of law rules) of the State in which the plaintiff resides.

''(13) LIMITATION ON ATTORNEYS' FEES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, or any arrangement, agreement, or contract regarding an attorney's fee, the amount of an attorney's contingency fee allowable for a cause of action brought under paragraph (1) shall not exceed ⅓ of the total amount of the plaintiff's recovery (not including the reimbursement of actual out-of-pocket expenses of the attorney).

''(B) DETERMINATION BY COURT.—The last court in which the action was pending upon the final disposition, including all appeals, of the action may review the attorney's fee to ensure that the fee is a reasonable one.

''(C) NO PREEMPTION OF STATE LAW.—Subparagraph (A) shall not apply with respect to a cause of action under paragraph (1) that is brought in a State that has a law or framework of laws with respect to the amount of an attorney's contingency fee that may be incurred for the representation of a participant or beneficiary (or the estate of such participant or beneficiary) who brings such a cause of action.

''(e) RULES OF CONSTRUCTION RELATING TO HEALTH CARE.—Nothing in this title shall be construed as—

''(1) affecting any State law relating to the practice of medicine or the provision of, or the failure to provide, medical care, or affecting any action (whether the liability is direct or vicarious) based upon such a State law,

''(2) superseding any State law permitted under section 152(b)(1)(A) of the Bipartisan Patient Protection Act, or

''(3) affecting any applicable State law with respect to limitations on monetary damages.

''(f) NO RIGHT OF ACTION FOR RECOVERY, INDEMNITY, OR CONTRIBUTION BY ISSUERS AGAINST TREATING HEALTH CARE PROFESSIONALS AND TREATING HOSPITALS.—In the case of any care provided, or any treatment decision made, by the treating health care professional or the treating hospital of a participant or beneficiary under a group health plan which consists of medical care provided under such plan, any cause of action under State law against the treating health care professional or the treating hospital by the plan or a health insurance issuer providing health insurance coverage in connection with the plan for recovery, indemnity, or contribution in connection with such care (or any medically reviewable decision made in connection with such care) or such treatment decision is superseded.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to acts and omissions (from which a cause of action arises) occurring on or after the applicable effective under section 601.

SEC. 403. LIMITATION ON CERTAIN CLASS ACTION LITIGATION.

Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132), as amended by section 402, is further amended by adding at the end the following:

''(p) LIMITATION ON CLASS ACTION LITIGATION.—

''(1) IN GENERAL.—Any claim or cause of action that is maintained under this section in connection with a group health plan, or health insurance coverage issued in connection with a group health plan, as a class action, derivative action, or as an action on behalf of any group of 2 or more claimants, may be maintained only if the class, the derivative claimant, or the group of claimants is limited to the participants or beneficiaries of a group health plan established by only 1 plan sponsor. No action maintained by such class, such derivative claimant, or such group of claimants may be joined in the same proceeding with any action maintained by another class, derivative claimant, or group of claimants or consolidated for any purpose with any other proceeding. In this paragraph, the terms 'group health plan' and 'health insurance coverage' have the meanings given such terms in section 733.

''(2) EFFECTIVE DATE.—This subsection shall apply to all civil actions that are filed on or after January 1, 2002.''.

SEC. 404. LIMITATIONS ON ACTIONS.

Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132) (as amended by section 402(a)) is amended further by adding at the end the following new subsection:

''(q) LIMITATIONS ON ACTIONS RELATING TO GROUP HEALTH PLANS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no action may be brought under subsection (a)(1)(B), (a)(2), or (a)(3) by a participant or beneficiary seeking relief based on the application of any provision in section 101, subtitle B, or subtitle D of title I of the Bipartisan Patient Protection Act (as incorporated under section 714).

''(2) CERTAIN ACTIONS ALLOWABLE.—An action may be brought under subsection (a)(1)(B), (a)(2), or (a)(3) by a participant or beneficiary seeking relief based on the application of section 101, 113, 114, 115, 116, 117, 118(a)(3), 119, or 120 of the Bipartisan Patient Protection Act (as incorporated under section 714) to the individual circumstances of that participant or beneficiary, except that—

''(A) such an action may not be brought or maintained as a class action; and

''(B) in such an action, relief may only provide for the provision of (or payment of) benefits, items, or services denied to the individual participant or beneficiary involved (and for attorney's fees and the costs of the action, at the discretion of the court) and shall not provide for any other relief to the participant or beneficiary or for any relief to any other person.

''(3) OTHER PROVISIONS UNAFFECTED.—Nothing in this subsection shall be construed as affecting subsections (a)(1)(C) and (n) or section 514(d).

''(4) ENFORCEMENT BY SECRETARY UNAFFECTED.—Nothing in this subsection shall be construed as affecting any action brought by the Secretary.''.

SEC. 405. COOPERATION BETWEEN FEDERAL AND STATE AUTHORITIES.

Subpart C of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191 et seq.) is amended by adding at the end the following new section:

''SEC. 735. COOPERATION BETWEEN FEDERAL AND STATE AUTHORITIES.

''(a) AGREEMENT WITH STATES.—A State may enter into an agreement with the Secretary for the delegation to the State of some or all of the Secretary's authority under this title to enforce the requirements applicable under title I of the Bipartisan Patient Protection Act with respect to health insurance coverage offered by a health insurance issuer and with respect to a group health plan that is a non-Federal governmental plan.

''(b) DELEGATIONS.—Any department, agency, or instrumentality of a State to which authority is delegated pursuant to an agreement entered into under this section may, if authorized under State law and to the extent consistent with such agreement, exercise the powers of the Secretary under this title which relate to such authority.''.

SEC. 406. SENSE OF THE SENATE CONCERNING THE IMPORTANCE OF CERTAIN UNPAID SERVICES.

It is the sense of the Senate that the court should consider the loss of a nonwage earning spouse or parent as an economic loss for the purposes of this section. Furthermore, the court should define the compensation for the loss not as minimum services, but, rather, in terms that fully compensate for the true and whole replacement cost to the family.

TITLE V—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986

Subtitle A—Application of Patient Protection Provisions

SEC. 501. APPLICATION TO GROUP HEALTH PLANS UNDER THE INTERNAL REVENUE CODE OF 1986.

Subchapter B of chapter 100 of the Internal Revenue Code of 1986 is amended—

(1) in the table of sections, by inserting after the item relating to section 9812 the following new item:

''Sec. 9813. Standard relating to patients' bill of rights.'';

and

(2) by inserting after section 9812 the following:

''SEC. 9813. STANDARD RELATING TO PATIENTS' BILL OF RIGHTS.

''A group health plan shall comply with the requirements of title I of the Bipartisan Patient Protection Act (as in effect as of the date of the enactment of such Act), and such requirements shall be deemed to be incorporated into this section.''.

SEC. 502. CONFORMING ENFORCEMENT FOR WOMEN'S HEALTH AND CANCER RIGHTS.

Subchapter B of chapter 100 of the Internal Revenue Code of 1986, as amended by section 501, is further amended—

(1) in the table of sections, by inserting after the item relating to section 9813 the following new item:

''Sec. 9814. Standard relating to women's health and cancer rights.'';

and

(2) by inserting after section 9813 the following:

''SEC. 9814. STANDARD RELATING TO WOMEN'S HEALTH AND CANCER RIGHTS.

''The provisions of section 713 of the Employee Retirement Income Security Act of 1974 (as in effect as of the date of the enactment of this section) shall apply to group health plans as if included in this subchapter.''.

Subtitle B—Health Care Coverage Access Tax Incentives

SEC. 511. EXPANDED AVAILABILITY OF ARCHER MSAS.

(a) EXTENSION OF PROGRAM.—Paragraphs (2) and (3)(B) of section 220(i) of the Internal Revenue Code of 1986 (defining cut-off year) are each amended by striking ''2002'' each place it appears and inserting ''2004''.

(b) INCREASE IN NUMBER OF PERMITTED ACCOUNT PARTICIPANTS.—

(1) IN GENERAL.—Subsection (j) of section 220 of such Code is amended by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6) and by inserting after paragraph (2) the following new paragraph:

''(3) DETERMINATION OF WHETHER LIMIT EXCEEDED FOR YEARS AFTER 2001.—

''(A) IN GENERAL.—The numerical limitation for any year after 2001 is exceeded if the sum of—

''(i) the number of Archer MSA returns filed on or before April 15 of such calendar year for taxable years ending with or within the preceding calendar year, plus

''(ii) the Secretary's estimate (determined on the basis of the returns described in clause (i)) of the number of Archer MSA returns for such taxable years which will be filed after such date, exceeds 1,000,000. For purposes of the preceding sentence, the term 'Archer MSA return' means any return on which any exclusion is claimed under section 106(b) or any deduction is claimed under this section.

''(B) ALTERNATIVE COMPUTATION OF LIMITATION.—The numerical limitation for any year after 2001 is also exceeded if the sum of—

''(i) 90 percent of the sum determined under subparagraph (A) for such calendar year, plus

''(ii) the product of 2.5 and the number of medical savings accounts established during the portion of such year preceding July 1 (based on the reports required under paragraph (5)) for taxable years beginning in such year,

exceeds 1,000,000''.

(2) CONFORMING AMENDMENTS.—

(A) Clause (ii) of section 220(j)(2)(B) of such Code is amended by striking ''paragraph (4)'' and inserting ''paragraph (5)''.

(B) Subparagraph (A) of section 220(j)(4) of such Code is amended by striking ''and 2001'' and inserting ''2001, 2002, and 2003''.

(c) INCREASE IN SIZE OF ELIGIBLE EMPLOYERS.—Subparagraph (A) of section 220(c)(4) of such Code is amended by striking ''50 or fewer employees'' and inserting ''100 or fewer employees''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(e) GAO STUDY.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall prepare and submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the impact of Archer MSAs on the cost of conventional insurance (especially in those areas where there are higher numbers of such accounts) and on adverse selection and health care costs.

SEC. 512. DEDUCTION FOR 100 PERCENT OF HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS.

(a) IN GENERAL.—Paragraph (1) of section 162(l) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) ALLOWANCE OF DEDUCTION.—In the case of an individual who is an employee within the meaning of section 401(c)(1), there shall be allowed as a deduction under this section an amount equal to 100 percent of the amount paid during the taxable year for insurance which constitutes medical care for the taxpayer and the taxpayer's spouse and dependents.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 513. CREDIT FOR HEALTH INSURANCE EXPENSES OF SMALL BUSINESSES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business-related credits) is amended by adding at the end the following:

"SEC. 45G. SMALL BUSINESS HEALTH INSURANCE EXPENSES.

''(a) GENERAL RULE.—For purposes of section 38, in the case of a small employer, the health insurance credit determined under this section for the taxable year is an amount equal to the applicable percentage of the expenses paid by the taxpayer during the taxable year for health insurance coverage for such year provided under a new health plan for employees of such employer.

''(b) APPLICABLE PERCENTAGE.—For purposes of subsection (a), the applicable percentage is—

''(1) in the case of insurance purchased as a member of a qualified health benefit purchasing coalition (as defined in section 9841), 30 percent, and

''(2) in the case of insurance not described in paragraph (1), 20 percent.

''(c) LIMITATIONS.—

''(1) PER EMPLOYEE DOLLAR LIMITATION.—The amount of expenses taken into account under subsection (a) with respect to any employee for any taxable year shall not exceed—

''(A) $2,000 in the case of self-only coverage, and

''(B) $5,000 in the case of family coverage.

In the case of an employee who is covered by a new health plan of the employer for only a portion of such taxable year, the limitation under the preceding sentence shall be an amount which bears the same ratio to such limitation (determined without regard to this sentence) as such portion bears to the entire taxable year.

''(2) PERIOD OF COVERAGE.—Expenses may be taken into account under subsection (a) only with respect to coverage for the 4-year period beginning on the date the employer establishes a new health plan.

''(d) DEFINITIONS.—For purposes of this section—

''(1) HEALTH INSURANCE COVERAGE.—The term 'health insurance coverage' has the meaning given such term by section 9832(b)(1).

''(2) NEW HEALTH PLAN.—

''(A) IN GENERAL.—The term 'new health plan' means any arrangement of the employer which provides health insurance coverage to employees if—

''(i) such employer (and any predecessor employer) did not establish or maintain such arrangement (or any similar arrangement) at any time during the 2 taxable years ending prior to the taxable year in which the credit under this section is first allowed, and

''(ii) such arrangement provides health insurance coverage to at least 70 percent of the qualified employees of such employer.

''(B) QUALIFIED EMPLOYEE.—

''(i) IN GENERAL.—The term 'qualified employee' means any employee of an employer if the annual rate of such employee's compensation (as defined in section 414(s)) exceeds $10,000.

''(ii) TREATMENT OF CERTAIN EMPLOYEES.—The term 'employee' shall include a leased employee within the meaning of section 414(n).

''(3) SMALL EMPLOYER.—The term 'small employer' has the meaning given to such term by section 4980D(d)(2); except that only qualified employees shall be taken into account.

''(e) SPECIAL RULES.—

''(1) CERTAIN RULES MADE APPLICABLE.—For purposes of this section, rules similar to the rules of section 52 shall apply.

''(2) AMOUNTS PAID UNDER SALARY REDUCTION ARRANGEMENTS.—No amount paid or incurred pursuant to a salary reduction arrangement shall be taken into account under subsection (a).

''(f) TERMINATION.—This section shall not apply to expenses paid or incurred by an employer with respect to any arrangement established on or after January 1, 2010.''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Section 38(b) of such Code (relating to current year business credit) is amended by striking ''plus'' at the end of paragraph (14), by striking the period at the end of paragraph (15) and inserting '', plus'', and by adding at the end the following:

''(16) in the case of a small employer (as defined in section 45G(d)(3)), the health insurance credit determined under section 45G(a).''.

(c) NO CARRYBACKS.—Subsection (d) of section 39 of such Code (relating to carryback and carryforward of unused credits) is amended by adding at the end the following:

''(11) NO CARRYBACK OF SECTION 45G CREDIT BEFORE EFFECTIVE DATE.—No portion of the unused business credit for any taxable year which is attributable to the employee health insurance expenses credit determined under section 45G may be carried back to a taxable year ending before the date of the enactment of section 45G.''.

(d) DENIAL OF DOUBLE BENEFIT.—Section 280C of such Code is amended by adding at the end the following new subsection:

''(d) CREDIT FOR SMALL BUSINESS HEALTH INSURANCE EXPENSES.—

''(1) IN GENERAL.—No deduction shall be allowed for that portion of the expenses (otherwise allowable as a deduction) taken into account in determining the credit under section 45G for the taxable year which is equal to the amount of the credit determined for such taxable year under section 45G(a).

''(2) CONTROLLED GROUPS.—Persons treated as a single employer under subsection (a) or (b) of section 52 shall be treated as 1 person for purposes of this section.''.

(e) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following:

''Sec. 45G. Small business health insurance expenses.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2001, for arrangements established after the date of the enactment of this Act.

SEC. 514. CERTAIN GRANTS BY PRIVATE FOUNDATIONS TO QUALIFIED HEALTH BENEFIT PURCHASING COALITIONS.

(a) IN GENERAL.—Section 4942 of the Internal Revenue Code of 1986 (relating to taxes on failure to distribute income) is amended by adding at the end the following:

''(k) CERTAIN QUALIFIED HEALTH BENEFIT PURCHASING COALITION DISTRIBUTIONS.—

''(1) IN GENERAL.—For purposes of subsection (g), sections 170, 501, 507, 509, and 2522, and this chapter, a qualified health benefit purchasing coalition distribution by a private foundation shall be considered to be a distribution for a charitable purpose.

''(2) QUALIFIED HEALTH BENEFIT PURCHASING COALITION DISTRIBUTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The term 'qualified health benefit purchasing coalition distribution' means any amount paid or incurred by a private foundation to or on behalf of a qualified health benefit purchasing coalition (as defined in section 9841) for purposes of payment or reimbursement of amounts paid or incurred in connection with the establishment and maintenance of such coalition.

''(B) EXCLUSIONS.—Such term shall not include any amount used by a qualified health benefit purchasing coalition (as so defined)—

''(i) for the purchase of real property,

''(ii) as payment to, or for the benefit of, members (or employees or affiliates of such members) of such coalition, or

''(iii) for any expense paid or incurred more than 48 months after the date of establishment of such coalition.

''(3) TERMINATION.—This subsection shall not apply—

''(A) to qualified health benefit purchasing coalition distributions paid or incurred after December 31, 2009, and

''(B) with respect to start-up costs of a coalition which are paid or incurred after December 31, 2010.''.

(b) QUALIFIED HEALTH BENEFIT PURCHASING COALITION.—

(1) IN GENERAL.—Chapter 100 of such Code (relating to group health plan requirements) is amended by adding at the end the following new subchapter:

"Subchapter D—Qualified Health Benefit Purchasing Coalition

''Sec. 9841. Qualified health benefit purchasing coalition.

"SEC. 9841. QUALIFIED HEALTH BENEFIT PURCHASING COALITION.

''(a) IN GENERAL.—A qualified health benefit purchasing coalition is a private not-for-profit corporation which—

''(1) sells health insurance through State licensed health insurance issuers in the State in which the employers to which such coalition is providing insurance are located, and

''(2) establishes to the Secretary, under State certification procedures or other procedures as the Secretary may provide by regulation, that such coalition meets the requirements of this section.

''(b) BOARD OF DIRECTORS.—

''(1) IN GENERAL.—Each purchasing coalition under this section shall be governed by a Board of Directors.

''(2) ELECTION.—The Secretary shall establish procedures governing election of such Board.

''(3) MEMBERSHIP.—The Board of Directors shall—

''(A) be composed of representatives of the members of the coalition, in equal number, including small employers and employee representatives of such employers, but

''(B) not include other interested parties, such as service providers, health insurers, or insurance agents or brokers which may have a conflict of interest with the purposes of the coalition.

''(c) MEMBERSHIP OF COALITION.—

''(1) IN GENERAL.—A purchasing coalition shall accept all small employers residing within the area served by the coalition as members if such employers request such membership.

''(2) OTHER MEMBERS.—The coalition, at the discretion of its Board of Directors, may be open to individuals and large employers.

''(3) VOTING.—Members of a purchasing coalition shall have voting rights consistent with the rules established by the State.

''(d) DUTIES OF PURCHASING COALITIONS.—Each purchasing coalition shall—

''(1) enter into agreements with small employers (and, at the discretion of its Board, with individuals and other employers) to provide health insurance benefits to employees and retirees of such employers,

''(2) where feasible, enter into agreements with 3 or more unaffiliated, qualified licensed health plans, to offer benefits to members,

''(3) offer to members at least 1 open enrollment period of at least 30 days per calendar year,

''(4) serve a significant geographical area and market to all eligible members in that area, and

''(5) carry out other functions provided for under this section.

''(e) LIMITATION ON ACTIVITIES.—A purchasing coalition shall not—

''(1) perform any activity (including certification or enforcement) relating to compliance or licensing of health plans,

''(2) assume insurance or financial risk in relation to any health plan, or

''(3) perform other activities identified by the State as being inconsistent with the performance of its duties under this section.

''(f) ADDITIONAL REQUIREMENTS FOR PURCHASING COALITIONS.—As provided by the Secretary in regulations, a purchasing coalition shall be subject to requirements similar to the requirements of a group health plan under this chapter.

''(g) RELATION TO OTHER LAWS.—

''(1) PREEMPTION OF STATE FICTITIOUS GROUP LAWS.—Requirements (commonly referred to as fictitious group laws) relating to grouping and similar requirements for health insurance coverage are preempted to the extent such requirements impede the establishment and operation of qualified health benefit purchasing coalitions.

''(2) ALLOWING SAVINGS TO BE PASSED THROUGH.—Any State law that prohibits health insurance issuers from reducing premiums on health insurance coverage sold through a qualified health benefit purchasing coalition to reflect administrative savings is preempted. This paragraph shall not be construed to preempt State laws that impose restrictions on premiums based on health status, claims history, industry, age, gender, or other underwriting factors.

''(3) NO WAIVER OF HIPAA REQUIREMENTS.—Nothing in this section shall be construed to change the obligation of health insurance issuers to comply with the requirements of title XXVII of the Public Health Service Act with respect to health insurance coverage offered to small employers in the small group market through a qualified health benefit purchasing coalition.

''(h) DEFINITION OF SMALL EMPLOYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'small employer' means, with respect to any calendar year, any employer if such employer employed an average of at least 2 and not more than 50 qualified employees on business days during either of the 2 preceding calendar years. For purposes of the preceding sentence, a preceding calendar year may be taken into account only if the employer was in existence throughout such year.

''(2) EMPLOYERS NOT IN EXISTENCE IN PRECEDING YEAR.—In the case of an employer which was not in existence throughout the 1st preceding calendar year, the determination under paragraph (1) shall be based on the average number of qualified employees that it is reasonably expected such employer will employ on business days in the current calendar year.''.

(2) CONFORMING AMENDMENT.—The table of subchapters for chapter 100 of such Code is amended by adding at the end the following item:

''Subchapter D. Qualified health benefit purchasing coalition.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 515. STATE GRANT PROGRAM FOR MARKET INNOVATION.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall establish a program (in this section referred to as the ''program'') to award demonstration grants under this section to States to allow States to demonstrate the effectiveness of innovative ways to increase access to health insurance through market reforms and other innovative means. Such innovative means may include (and are not limited to) any of the following:

(1) Alternative group purchasing or pooling arrangements, such as purchasing cooperatives for small businesses, reinsurance pools, or high risk pools.

(2) Individual or small group market reforms.

(3) Consumer education and outreach.

(4) Subsidies to individuals, employers, or both, in obtaining health insurance.

(b) SCOPE; DURATION.—The program shall be limited to not more than 10 States and to a total period of 5 years, beginning on the date the first demonstration grant is made.

(c) CONDITIONS FOR DEMONSTRATION GRANTS.—

(1) IN GENERAL.—The Secretary may not provide for a demonstration grant to a State under the program unless the Secretary finds that under the proposed demonstration grant—

(A) the State will provide for demonstrated increase of access for some portion of the existing uninsured population through a market innovation (other than merely through a financial expansion of a program initiated before the date of the enactment of this Act);

(B) the State will comply with applicable Federal laws;

(C) the State will not discriminate among participants on the basis of any health status-related factor (as defined in section 2791(d)(9) of the Public Health Service Act), except to the extent a State wishes to focus on populations that otherwise would not obtain health insurance because of such factors; and

(D) the State will provide for such evaluation, in coordination with the evaluation required under subsection (d), as the Secretary may specify.

(2) APPLICATION.—The Secretary shall not provide a demonstration grant under the program to a State unless—

(A) the State submits to the Secretary such an application, in such a form and manner, as the Secretary specifies;

(B) the application includes information regarding how the demonstration grant will address issues such as governance, targeted population, expected cost, and the continuation after the completion of the demonstration grant period; and

(C) the Secretary determines that the demonstration grant will be used consistent with this section.

(3) FOCUS.—A demonstration grant proposal under section need not cover all uninsured individuals in a State or all health care benefits with respect to such individuals.

(d) EVALUATION.—The Secretary shall enter into a contract with an appropriate entity outside the Department of Health and Human Services to conduct an overall evaluation of the program at the end of the program period. Such evaluation shall include an analysis of improvements in access, costs, quality of care, or choice of coverage, under different demonstration grants.

(e) OPTION TO PROVIDE FOR INITIAL PLANNING GRANTS.—Notwithstanding the previous provisions of this section, under the program the Secretary may provide for a portion of the amounts appropriated under subsection (f) (not to exceed $5,000,000) to be made available to any State for initial planning grants to permit States to develop demonstration grant proposals under the previous provisions of this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $100,000,000 for each fiscal year to carry out this section. Amounts appropriated under this subsection shall remain available until expended.

(g) STATE DEFINED.—For purposes of this section, the term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act.

TITLE VI—EFFECTIVE DATES; COORDINATION IN IMPLEMENTATION

SEC. 601. EFFECTIVE DATES.

(a) GROUP HEALTH COVERAGE.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (d), the amendments made by sections 201(a), 401, 403, 501, and 502 (and title I insofar as it relates to such sections) shall apply with respect to group health plans, and health insurance coverage offered in connection with group health plans, for plan years beginning on or after October 1, 2002 (in this section referred to as the ''general effective date'').

(2) TREATMENT OF COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers ratified before the date of the enactment of this Act, the amendments made by sections 201(a), 401, 403, 501, and 502 (and title I insofar as it relates to such sections) shall not apply to plan years beginning before the later of—

(A) the date on which the last collective bargaining agreements relating to the plan terminates (excluding any extension thereof agreed to after the date of the enactment of this Act); or

(B) the general effective date;

but shall apply not later than 1 year after the general effective date. For purposes of subparagraph (A), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this Act shall not be treated as a termination of such collective bargaining agreement.

(b) INDIVIDUAL HEALTH INSURANCE COVERAGE.—Subject to subsection (d), the amendments made by section 202 shall apply with respect to individual health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market on or after the general effective date.

(c) TREATMENT OF RELIGIOUS NONMEDICAL PROVIDERS.—

(1) IN GENERAL.—Nothing in this Act (or the amendments made thereby) shall be construed to—

(A) restrict or limit the right of group health plans, and of health insurance issuers offering health insurance coverage, to include as providers religious nonmedical providers;

(B) require such plans or issuers to—

(i) utilize medically based eligibility standards or criteria in deciding provider status of religious nonmedical providers;

(ii) use medical professionals or criteria to decide patient access to religious nonmedical providers;

(iii) utilize medical professionals or criteria in making decisions in internal or external appeals regarding coverage for care by religious nonmedical providers; or

(iv) compel a participant or beneficiary to undergo a medical examination or test as a condition of receiving health insurance coverage for treatment by a religious nonmedical provider; or

(C) require such plans or issuers to exclude religious nonmedical providers because they do not provide medical or other required data, if such data is inconsistent with the religious nonmedical treatment or nursing care provided by the provider.

(2) RELIGIOUS NONMEDICAL PROVIDER.—For purposes of this subsection, the term ''religious nonmedical provider'' means a pro-

vider who provides no medical care but who provides only religious nonmedical treatment or religious nonmedical nursing care.

(d) TRANSITION FOR NOTICE REQUIREMENT.—The disclosure of information required under section 121 of this Act shall first be provided pursuant to—

(1) subsection (a) with respect to a group health plan that is maintained as of the general effective date, not later than 30 days before the beginning of the first plan year to which title I applies in connection with the plan under such subsection; or

(2) subsection (b) with respect to a individual health insurance coverage that is in effect as of the general effective date, not later than 30 days before the first date as of which title I applies to the coverage under such subsection.

SEC. 602. COORDINATION IN IMPLEMENTATION.

The Secretary of Labor and the Secretary of Health and Human Services shall ensure, through the execution of an interagency memorandum of understanding among such Secretaries, that—

(1) regulations, rulings, and interpretations issued by such Secretaries relating to the same matter over which such Secretaries have responsibility under the provisions of this Act (and the amendments made thereby) are administered so as to have the same effect at all times; and

(2) coordination of policies relating to enforcing the same requirements through such Secretaries in order to have a coordinated enforcement strategy that avoids duplication of enforcement efforts and assigns priorities in enforcement.

SEC. 603. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. NO IMPACT ON SOCIAL SECURITY TRUST FUND.

(a) IN GENERAL.—Nothing in this Act (or an amendment made by this Act) shall be construed to alter or amend the Social Security Act (or any regulation promulgated under that Act).

(b) TRANSFERS.—

(1) ESTIMATE OF SECRETARY.—The Secretary of the Treasury shall annually estimate the impact that the enactment of this Act has on the income and balances of the trust funds established under section 201 of the Social Security Act (42 U.S.C. 401).

(2) TRANSFER OF FUNDS.—If, under paragraph (1), the Secretary of the Treasury estimates that the enactment of this Act has a negative impact on the income and balances of the trust funds established under section 201 of the Social Security Act (42 U.S.C. 401), the Secretary shall transfer, not less frequently than quarterly, from the general revenues of the Federal Government an amount sufficient so as to ensure that the income and balances of such trust funds are not reduced as a result of the enactment of such Act.

SEC. 702. CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by striking ''2003'' and inserting ''2011, except that fees may not be charged under paragraphs (9) and (10) of such subsection after March 31, 2006''.

SEC. 703. FISCAL YEAR 2002 MEDICARE PAYMENTS.

Notwithstanding any other provision of law, any letter of credit under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) that would otherwise be sent to the Treasury or the Federal Reserve Board on September 30, 2002, by a carrier with a contract under section 1842 of that Act (42 U.S.C. 1395u) shall be sent on October 1, 2002.

SEC. 704. SENSE OF SENATE WITH RESPECT TO PARTICIPATION IN CLINICAL TRIALS AND ACCESS TO SPECIALTY CARE.

(a) FINDINGS.—The Senate finds the following:

(1) Breast cancer is the most common form of cancer among women, excluding skin cancers.

(2) During 2001, 182,800 new cases of female invasive breast cancer will be diagnosed, and 40,800 women will die from the disease.

(3) In addition, 1,400 male breast cancer cases are projected to be diagnosed, and 400 men will die from the disease.

(4) Breast cancer is the second leading cause of cancer death among all women and the leading cause of cancer death among women between ages 40 and 55.

(5) This year 8,600 children are expected to be diagnosed with cancer.

(6) 1,500 children are expected to die from cancer this year.

(7) There are approximately 333,000 people diagnosed with multiple sclerosis in the United States and 200 more cases are diagnosed each week.

(8) Parkinson's disease is a progressive disorder of the central nervous system affecting 1,000,000 in the United States.

(9) An estimated 198,100 men will be diagnosed with prostate cancer this year.

(10) 31,500 men will die from prostate cancer this year. It is the second leading cause of cancer in men.

(11) While information obtained from clinical trials is essential to finding cures for diseases, it is still research which carries the risk of fatal results. Future efforts should be taken to protect the health and safety of adults and children who enroll in clinical trials.

(12) While employers and health plans should be responsible for covering the routine costs associated with federally approved or funded clinical trials, such employers and health plans should not be held legally responsible for the design, implementation, or outcome of such clinical trials, consistent with any applicable State or Federal liability statutes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) men and women battling life-threatening, deadly diseases, including advanced breast or ovarian cancer, should have the opportunity to participate in a federally approved or funded clinical trial recommended by their physician;

(2) an individual should have the opportunity to participate in a federally approved or funded clinical trial recommended by their physician if—

(A) that individual—

(i) has a life-threatening or serious illness for which no standard treatment is effective;

(ii) is eligible to participate in a federally approved or funded clinical trial according to the trial protocol with respect to treatment of the illness;

(B) that individual's participation in the trial offers meaningful potential for significant clinical benefit for the individual; and

(C) either—

(i) the referring physician is a participating health care professional and has concluded that the individual's participation in the trial would be appropriate, based upon the individual meeting the conditions described in subparagraph (A); or

(ii) the participant, beneficiary, or enrollee provides medical and scientific information establishing that the individual's participation in the trial would be appropriate, based upon the individual meeting the conditions described in subparagraph (A);

(3) a child with a life-threatening illness, including cancer, should be allowed to participate in a federally approved or funded clinical trial if that participation meets the requirements of paragraph (2);

(4) a child with a rare cancer should be allowed to go to a cancer center capable of providing high quality care for that disease; and

(5) a health maintenance organization's decision that an in-network physician without the necessary expertise can provide care for a seriously ill patient, including a woman battling cancer, should be appealable to an independent, impartial body, and that this same right should be available to all Americans in need of access to high quality specialty care.

SEC. 705. SENSE OF THE SENATE REGARDING FAIR REVIEW PROCESS.

(a) FINDINGS.—The Senate finds the following:

(1) A fair, timely, impartial independent external appeals process is essential to any meaningful program of patient protection.

(2) The independence and objectivity of the review organization and review process must be ensured.

(3) It is incompatible with a fair and independent appeals process to allow a health maintenance organization to select the review organization that is entrusted with providing a neutral and unbiased medical review.

(4) The American Arbitration Association and arbitration standards adopted under chapter 44 of title 28, United States Code (28 U.S.C. 651 et seq.) both prohibit, as inherently unfair, the right of one party to a dispute to choose the judge in that dispute.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) every patient who is denied care by a health maintenance organization or other health insurance company should be entitled to a fair, speedy, impartial appeal to a review organization that has not been selected by the health plan;

(2) the States should be empowered to maintain and develop the appropriate process for selection of the independent external review entity;

(3) a child battling a rare cancer whose health maintenance organization has denied a covered treatment recommended by its physician should be entitled to a fair and impartial external appeal to a review organization that has not been chosen by the organization or plan that has denied the care; and

(4) patient protection legislation should not pre-empt existing State laws in States where there already are strong laws in place regarding the selection of independent review organizations.

SEC. 706. ANNUAL REVIEW.

(a) IN GENERAL.—Not later than 24 months after the general effective date referred to in section 601(a)(1), and annually thereafter for each of the succeeding 4 calendar years (or until a repeal is effective under subsection (b)), the Secretary of Health and Human Services shall request that the Institute of Medicine of the National Academy of Sciences prepare and submit to the appropriate committees of Congress a report concerning the impact of this Act, and the amendments made by this Act, on the number of individuals in the United States with health insurance coverage.

(b) LIMITATION WITH RESPECT TO CERTAIN PLANS.—If the Secretary, in any report submitted under subsection (a), determines that more than 1,000,000 individuals in the United States have lost their health insurance coverage as a result of the enactment of this Act, as compared to the number of individuals with health insurance coverage in the

12-month period preceding the date of enactment of this Act, section 402 of this Act shall be repealed effective on the date that is 12 month after the date on which the report is submitted, and the submission of any further reports under subsection (a) shall not be required.

(c) FUNDING.—From funds appropriated to the Department of Health and Human Services for fiscal years 2003 and 2004, the Secretary of Health and Human Services shall provide for such funding as the Secretary determines necessary for the conduct of the study of the National Academy of Sciences under this section.

SEC. 707. DEFINITION OF BORN-ALIVE INFANT.

(a) IN GENERAL.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following:

"§ 8. 'Person', 'human being', 'child', and 'individual' as including born-alive infant

"(a) In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the various administrative bureaus and agencies of the United States, the words 'person', 'human being', 'child', and 'individual', shall include every infant member of the species homo sapiens who is born alive at any stage of development.

"(b) As used in this section, the term 'born alive', with respect to a member of the species homo sapiens, means the complete expulsion or extraction from his or her mother of that member, at any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, caesarean section, or induced abortion.

"(c) Nothing in this section shall be construed to affirm, deny, expand, or contract any legal status or legal right applicable to any member of the species homo sapiens at any point prior to being born alive as defined in this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 1, United States Code, is amended by adding at the end the following new item:

"8. 'Person', 'human being', 'child', and 'individual' as including born-alive infant.".

TITLE VIII—REVENUE OFFSETS

Subtitle A—Extension of Custom User Fees

SEC. 801. FURTHER EXTENSION OF AUTHORITY TO LEVY CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)), as amended by section 702, is amended by striking ", except that fees may not be charged under paragraphs (9) and (10) of such subsection after March 31, 2006".

Subtitle B—Tax Shelter Provisions

PART I—CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE

SEC. 811. CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE.

(a) IN GENERAL.—Section 7701 of the Internal Revenue Code of 1986 is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

"(m) CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE; ETC.—

"(1) GENERAL RULES.—

"(A) IN GENERAL.—In applying the economic substance doctrine, the determination of whether a transaction has economic substance shall be made as provided in this paragraph.

"(B) DEFINITION OF ECONOMIC SUBSTANCE.—For purposes of subparagraph (A)—

"(i) IN GENERAL.—A transaction has economic substance only if—

"(I) the transaction changes in a meaningful way (apart from Federal income tax effects) the taxpayer's economic position, and

"(II) the taxpayer has a substantial nontax purpose for entering into such transaction and the transaction is a reasonable means of accomplishing such purpose.

"(ii) SPECIAL RULE WHERE TAXPAYER RELIES ON PROFIT POTENTIAL.—A transaction shall not be treated as having economic substance by reason of having a potential for profit unless—

"(I) the present value of the reasonably expected pre-tax profit from the transaction is substantial in relation to the present value of the expected net tax benefits that would be allowed if the transaction were respected, and

"(II) the reasonably expected pre-tax profit from the transaction exceeds a risk-free rate of return.

"(C) TREATMENT OF FEES AND FOREIGN TAXES.—Fees and other transaction expenses and foreign taxes shall be taken into account as expenses in determining pre-tax profit under subparagraph (B)(ii).

"(2) SPECIAL RULES FOR TRANSACTIONS WITH TAX-INDIFFERENT PARTIES.—

"(A) SPECIAL RULES FOR FINANCING TRANSACTIONS.—The form of a transaction which is in substance the borrowing of money or the acquisition of financial capital directly or indirectly from a tax-indifferent party shall not be respected if the present value of the deductions to be claimed with respect to the transaction are substantially in excess of the present value of the anticipated economic returns of the person lending the money or providing the financial capital. A public offering shall be treated as a borrowing, or an acquisition of financial capital, from a tax-indifferent party if it is reasonably expected that at least 50 percent of the offering will be placed with tax-indifferent parties.

"(B) ARTIFICIAL INCOME SHIFTING AND BASIS ADJUSTMENTS.—The form of a transaction with a tax-indifferent party shall not be respected if—

"(i) it results in an allocation of income or gain to the tax-indifferent party in excess of such party's economic income or gain, or

"(ii) it results in a basis adjustment or shifting of basis on account of overstating the income or gain of the tax-indifferent party.

"(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

"(A) ECONOMIC SUBSTANCE DOCTRINE.—The term 'economic substance doctrine' means the common law doctrine under which tax benefits under subtitle A with respect to a transaction are not allowable if the transaction does not have economic substance or lacks a business purpose.

"(B) TAX-INDIFFERENT PARTY.—The term 'tax-indifferent party' means any person or entity not subject to tax imposed by subtitle A. A person shall be treated as a tax-indifferent party with respect to a transaction if the items taken into account with respect to the transaction have no substantial impact on such person's liability under subtitle A.

"(C) EXCEPTION FOR PERSONAL TRANSACTIONS OF INDIVIDUALS.—In the case of an individual, this subsection shall apply only to transactions entered into in connection with a trade or business or an activity engaged in for the production of income.

"(D) TREATMENT OF LESSORS.—In applying subclause (I) of paragraph (1)(B)(ii) to the lessor of tangible property subject to a lease, the expected net tax benefits shall not include the benefits of depreciation, or any tax credit, with respect to the leased property and subclause (II) of paragraph (1)(B)(ii) shall be disregarded in determining whether any of such benefits are allowable.

"(4) OTHER COMMON LAW DOCTRINES NOT AFFECTED.—Except as specifically provided in this subsection, the provisions of this subsection shall not be construed as altering or supplanting any other rule of law referred to in section 6662(i)(2), and the requirements of this subsection shall be construed as being in addition to any such other rule of law."

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions after the date of the enactment of this Act.

PART II—PENALTIES

SEC. 821. INCREASE IN PENALTY ON UNDERPAYMENTS RESULTING FROM FAILURE TO SATISFY CERTAIN COMMON LAW RULES.

(a) IN GENERAL.—Section 6662 of the Internal Revenue Code of 1986 (relating to imposition of accuracy-related penalty) is amended by adding at the end the following new subsection:

"(i) INCREASE IN PENALTY IN CASE OF FAILURE TO SATISFY CERTAIN COMMON LAW RULES.—

"(1) IN GENERAL.—To the extent that an underpayment is attributable to a disallowance described in paragraph (2)—

"(A) subsection (a) shall be applied with respect to such portion by substituting '40 percent' for '20 percent', and

"(B) subsection (d)(2)(B) and section 6664(c) shall not apply.

"(2) DISALLOWANCES DESCRIBED.—A disallowance is described in this subsection if such disallowance is on account of—

"(A) a lack of economic substance (within the meaning of section 7701(m)(1)) for the transaction giving rise to the claimed benefit or the transaction was not respected under section 7701(m)(2),

"(B) a lack of business purpose for such transaction or because the form of the transaction does not reflect its substance, or

"(C) a failure to meet the requirements of any other similar rule of law.

"(3) INCREASE IN PENALTY NOT TO APPLY IF COMPLIANCE WITH DISCLOSURE REQUIREMENTS.—Paragraph (1)(A) shall not apply if the taxpayer discloses to the Secretary (as such time and in such manner as the Secretary shall prescribe) such information as the Secretary shall prescribe with respect to such transaction.".

(b) MODIFICATIONS TO PENALTY ON SUBSTANTIAL UNDERSTATEMENT OF INCOME TAX.—

(1) MODIFICATION OF THRESHOLD.—Subparagraph (A) of section 6662(d)(1) of such Code is amended to read as follows:

"(A) IN GENERAL.—For purposes of this section, there is a substantial understatement of income tax for any taxable year if the amount of the understatement for the taxable year exceeds the lesser of—

"(i) $500,000, or

"(ii) the greater of 10 percent of the tax required to be shown on the return for the taxable year or $5,000."

(2) MODIFICATION OF PENALTY ON TAX SHELTERS, ETC.—Clauses (i) and (ii) of section 6662(d)(2)(C) of such Code are amended to read as follows:

"(i) IN GENERAL.—Subparagraph (B) shall not apply to any item attributable to a tax shelter."

"(ii) DETERMINATION OF UNDERSTATEMENTS WITH RESPECT TO TAX SHELTERS, ETC.—In any case in which there are one or more items attributable to a tax shelter, the amount of the understatement under subparagraph (A) shall in no event be less than the amount of understatement which would be determined for the taxable year if all items shown on the return which are not attributable to any tax shelter were treated as being correct. A similar rule shall apply in cases to which subsection (i) applies, whether or not the items are attributable to a tax shelter."

(c) TREATMENT OF AMENDED RETURNS.—Subsection (a) of section 6664 of such Code is amended by adding at the end the following new sentence: ''For purposes of this subsection, an amended return shall be disregarded if such return is filed on or after the date the taxpayer is first contacted by the Secretary regarding the examination of the return.''

SEC. 822. PENALTY ON PROMOTERS OF TAX AVOIDANCE STRATEGIES WHICH HAVE NO ECONOMIC SUBSTANCE, ETC.

(a) PENALTY.—

(1) IN GENERAL.—Section 6700 of the Internal Revenue Code of 1986 (relating to promoting abusive tax shelters, etc.) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

''(c) PENALTY ON SUBSTANTIAL PROMOTERS FOR PROMOTING TAX AVOIDANCE STRATEGIES WHICH HAVE NO ECONOMIC SUBSTANCE, ETC.—

''(1) IMPOSITION OF PENALTY.—Any substantial promoter of a tax avoidance strategy shall pay a penalty in the amount determined under paragraph (2) with respect to such strategy if such strategy (or any similar strategy promoted by such promoter) fails to meet the requirements of any rule of law referred to in section 6662(i)(2).

''(2) AMOUNT OF PENALTY.—The penalty under paragraph (1) with respect to a promoter of a tax avoidance strategy is an amount equal to 100 percent of the gross income derived (or to be derived) by such promoter from such strategy.

''(3) TAX AVOIDANCE STRATEGY.—For purposes of this subsection, the term 'tax avoidance strategy' means any entity, plan, arrangement, or transaction a significant purpose of the structure of which is the avoidance or evasion of Federal income tax.

''(4) SUBSTANTIAL PROMOTER.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'substantial promoter' means, with respect to any tax avoidance strategy, any promoter if—

''(i) such promoter offers such strategy to more than 1 potential participant, and

''(ii) such promoter may receive fees in excess of $500,000 in the aggregate with respect to such strategy.

''(B) AGGREGATION RULES.—For purposes of this paragraph—

''(i) RELATED PERSONS.—A promoter and all persons related to such promoter shall be treated as 1 person who is a promoter.

''(ii) SIMILAR STRATEGIES.—All similar tax avoidance strategies of a promoter shall be treated as 1 tax avoidance strategy.

''(C) PROMOTER.—The term 'promoter' means any person who participates in the promotion, offering, or sale of the tax avoidance strategy.

''(D) RELATED PERSON.—Persons are related if they bear a relationship to each other which is described in section 267(b) or 707(b).

''(4) COORDINATION WITH SUBSECTION (a).—No penalty shall be imposed by this subsection on any promoter with respect to a tax avoidance strategy if a penalty is imposed under subsection (a) on such promoter with respect to such strategy.''

(2) CONFORMING AMENDMENT.—Subsection (d) of section 6700 of such Code is amended—

(A) by striking ''PENALTY'' and inserting ''PENALTIES'', and

(B) by striking ''penalty'' the first place it appears in the text and inserting ''penalties''.

(b) INCREASE IN PENALTY ON PROMOTING ABUSIVE TAX SHELTERS.—The first sentence of section 6700(a) of such Code is amended by striking ''a penalty equal to'' and all that follows and inserting ''a penalty equal to the greater of $1,000 or 100 percent of the gross income derived (or to be derived) by such person from such activity.''

SEC. 823. MODIFICATIONS OF PENALTIES FOR AIDING AND ABETTING UNDERSTATEMENT OF TAX LIABILITY INVOLVING TAX SHELTERS.

(a) IMPOSITION OF PENALTY.—Section 6701(a) of the Internal Revenue Code of 1986 (relating to imposition of penalty) is amended to read as follows:

''(a) IMPOSITION OF PENALTIES.—

''(1) IN GENERAL.—Any person—

''(A) who aids or assists in, procures, or advises with respect to, the preparation or presentation of any portion of a return, affidavit, claim, or other document,

''(B) who knows (or has reason to believe) that such portion will be used in connection with any material matter arising under the internal revenue laws, and

''(C) who knows that such portion (if so used) would result in an understatement of the liability for tax of another person,

shall pay a penalty with respect to each such document in the amount determined under subsection (b).

''(2) CERTAIN TAX SHELTERS.—If—

''(A) any person—

''(i) aids or assists in, procures, or advises with respect to the creation, organization, sale, implementation, management, or reporting of a tax shelter (as defined in section 6662(d)(2)(C)(iii)) or of any entity, plan, arrangement, or transaction that fails to meet the requirements of any rule of law referred to in section 6662(i)(2), and

''(ii) opines, advises, represents, or otherwise indicates (directly or indirectly) that the taxpayer's tax treatment of items attributable to such tax shelter or such entity, plan, arrangement, or transaction and giving rise to an understatement of tax liability would more likely than not prevail or not give rise to a penalty, and

''(B) such opinion, advice, representation, or indication is unreasonable,

then such person shall pay a penalty in the amount determined under subsection (b). If a standard higher than the more likely than not standard was used in any such opinion, advice, representation, or indication, then subparagraph (A)(ii) shall be applied as if such standard were substituted for the more likely than not standard.''

(b) AMOUNT OF PENALTY.—Section 6701(b) of such Code (relating to amount of penalty) is amended—

(1) by inserting ''or (3)'' after ''paragraph (2)'' in paragraph (1),

(2) by striking ''subsection (a)'' each place it appears and inserting ''subsection (a)(1)'', and

(3) by redesignating paragraph (3) as paragraph (4) and by adding after paragraph (2) the following:

''(3) TAX SHELTERS.—In the case of—

''(A) a penalty imposed by subsection (a)(1) which involves a return, affidavit, claim, or other document relating to a tax shelter or an entity, plan, arrangement, or transaction that fails to meet the requirements of any rule of law referred to in section 6662(i)(2), and

''(B) any penalty imposed by subsection (a)(2),

the amount of the penalty shall be equal to 100 percent of the gross proceeds derived (or to be derived) by the person in connection with the tax shelter or entity, plan, arrangement, or transaction.''

(c) REFERRAL AND PUBLICATION.—If a penalty is imposed under section 6701(a)(2) of such Code (as added by subsection (a)) on any person, the Secretary of the Treasury shall—

(1) notify the Director of Practice of the Internal Revenue Service and any appropriate State licensing authority of the penalty and the circumstances under which it was imposed, and

(2) publish the identity of the person and the fact the penalty was imposed on the person.

(d) CONFORMING AMENDMENTS.—

(1) Section 6701(d) of such Code is amended by striking ''Subsection (a)'' and inserting ''Subsection (a)(1)''.

(2) Section 6701(e) of such Code is amended by striking ''subsection (a)(1)'' and inserting ''subsection (a)(1)(A)''.

(3) Section 6701(f) of such Code is amended by inserting '', tax shelter, or entity, plan, arrangement, or transaction'' after ''document'' each place it appears.

SEC. 824. FAILURE TO MAINTAIN LISTS.

Section 6708(a) of the Internal Revenue Code of 1986 (relating to failure to maintain lists of investors in potentially abusive tax shelters) is amended by adding at the end the following: ''In the case of a tax shelter (as defined in section 6662(d)(2)(C)(iii)) or entity, plan, arrangement, or transaction that fails to meet the requirements of any rule of law referred to in section 6662(i)(2), the penalty shall be equal to 50 percent of the gross proceeds derived (or to be derived) from each person with respect to which there was a failure and the limitation of the preceding sentence shall not apply.''

SEC. 825. PENALTY FOR FAILING TO DISCLOSE REPORTABLE TRANSACTION.

(a) IN GENERAL.—Part I of subchapter B of chapter 68 of the Internal Revenue Code of 1986 (relating to assessable penalties) is amended by inserting after section 6707 the following new section:

''SEC. 6707A. PENALTY FOR FAILURE TO INCLUDE TAX SHELTER INFORMATION WITH RETURN.

''(a) IMPOSITION OF PENALTY.—Any person who fails to include with its return of Federal income tax any information required to be included under section 6011 with respect to a reportable transaction shall pay a penalty in the amount determined under subsection (b). No penalty shall be imposed on any such failure if it is shown that such failure is due to reasonable cause.

''(b) AMOUNT OF PENALTY.—

''(1) IN GENERAL.—The amount of the penalty under subsection (a) shall be equal to the greater of—

''(A) 5 percent of any increase in Federal tax which results from a difference between the taxpayer's treatment (as shown on its return) of items attributable to the reportable transaction to which the failure relates and the proper tax treatment of such items, or

''(B) $100,000.

For purposes of subparagraph (A), the last sentence of section 6664(a) shall apply.

''(2) LISTED TRANSACTION.—If the failure under subsection (a) relates to a reportable transaction which is the same as, or substantially similar to, a transaction specifically identified by the Secretary as a tax avoidance transaction for purposes of section 6011, paragraph (1)(A) shall be applied by substituting '10 percent' for '5 percent'.

''(c) REPORTABLE TRANSACTION.—For purposes of this section, the term 'reportable transaction' means any transaction with respect to which information is required under section 6011 to be included with a taxpayer's return of tax because, as determined under regulations prescribed under section 6011, such transaction has characteristics which may be indicative of a tax avoidance transaction.

''(d) COORDINATION WITH OTHER PENALTIES.—The penalty imposed by this section is in addition to any penalty imposed under section 6662.''

(b) CONFORMING AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 of such Code is amended by inserting after the item relating to section 6707 the following:

''Sec. 6707A. Penalty for failure to include tax shelter information on return.''

SEC. 826. REGISTRATION OF CERTAIN TAX SHELTERS WITHOUT CORPORATE PARTICIPANTS.

Section 6111(d)(1)(A) of the Internal Revenue Code of 1986 (relating to certain confidential arrangements treated as tax shelters) is amended by striking ''for a direct or indirect participant which is a corporation''.

SEC. 827. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsections (b), (c), and (d), the amendments made by this subtitle shall apply to transactions after the date of the enactment of this Act.

(b) SECTION 821.—The amendments made by subsections (b) and (c) of section 821 shall apply to taxable years ending after the date of the enactment of this Act.

(c) SECTION 822.—The amendments made by subsection (a) of section 822 shall apply to any tax avoidance strategy (as defined in section 6700(c) of the Internal Revenue Code of 1986, as amended by this title) interests in which are offered to potential participants after the date of the enactment of this Act.

(d) SECTION 826.—The amendment made by section 826 shall apply to any tax shelter interest which is offered to potential participants after the date of the enactment of this Act.

PART III—LIMITATIONS ON IMPORTATION OR TRANSFER OF BUILT-IN LOSSES

SEC. 831. LIMITATION ON IMPORTATION OF BUILT-IN LOSSES.

(a) IN GENERAL.—Section 362 of the Internal Revenue Code of 1986 (relating to basis to corporations) is amended by adding at the end the following new subsection:

''(e) LIMITATION ON IMPORTATION OF BUILT-IN LOSSES.—

''(1) IN GENERAL.—If in any transaction described in subsection (a) or (b) there would (but for this subsection) be an importation of a net built-in loss, the basis of each property described in paragraph (2) which is acquired in such transaction shall (notwithstanding subsections (a) and (b)) be its fair market value immediately after such transaction.

''(2) PROPERTY DESCRIBED.—For purposes of paragraph (1), property is described in this paragraph if—

''(A) gain or loss with respect to such property is not subject to tax under this subtitle in the hands of the transferor immediately before the transfer, and

''(B) gain or loss with respect to such property is subject to such tax in the hands of the transferee immediately after such transfer.

In any case in which the transferor is a partnership, the preceding sentence shall be applied by treating each partner in such partnership as holding such partner's proportionate share of the property of such partnership.

''(3) IMPORTATION OF NET BUILT-IN LOSS.—For purposes of paragraph (1), there is an importation of a net built-in loss in a transaction if the transferee's aggregate adjusted bases of property described in paragraph (2) which is transferred in such transaction would (but for this subsection) exceed the fair market value of such property immediately after such transaction.''

(b) COMPARABLE TREATMENT WHERE LIQUIDATION.—Paragraph (1) of section 334(b) of such Code (relating to liquidation of subsidiary) is amended to read as follows:

''(1) IN GENERAL.—If property is received by a corporate distributee in a distribution in a complete liquidation to which section 332 applies (or in a transfer described in section 337(b)(1)), the basis of such property in the hands of such distributee shall be the same as it would be in the hands of the transferor; except that the basis of such property in the hands of such distributee shall be the fair market value of the property at the time of the distribution—

''(A) in any case in which gain or loss is recognized by the liquidating corporation with respect to such property, or

''(B) in any case in which the liquidating corporation is a foreign corporation, the corporate distributee is a domestic corporation, and the corporate distributee's aggregate adjusted bases of property described in section 362(e)(2) which is distributed in such liquidation would (but for this subparagraph) exceed the fair market value of such property immediately after such liquidation.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions after the date of the enactment of this Act.

SEC. 832. DISALLOWANCE OF PARTNERSHIP LOSS TRANSFERS.

(a) TREATMENT OF CONTRIBUTED PROPERTY WITH BUILT-IN LOSS.—Paragraph (1) of section 704(c) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by adding at the end the following:

''(C) if any property so contributed has a built-in loss—

''(i) such built-in loss shall be taken into account only in determining the amount of items allocated to the contributing partner, and

''(ii) except as provided in regulations, in determining the amount of items allocated to other partners, the basis of the contributed property in the hands of the partnership shall be treated as being equal to its fair market value immediately after the contribution.

For purposes of subparagraph (C), the term 'built-in loss' means the excess of the adjusted basis of the property over its fair market value immediately after the contribution.''

(b) ADJUSTMENT TO BASIS OF PARTNERSHIP PROPERTY ON TRANSFER OF PARTNERSHIP INTEREST IF THERE IS SUBSTANTIAL BUILT-IN LOSS.—

(1) ADJUSTMENT REQUIRED.—Subsection (a) of section 743 of such Code (relating to optional adjustment to basis of partnership property) is amended by inserting before the period ''or unless the partnership has a substantial built-in loss immediately after such transfer''.

(2) ADJUSTMENT.—Subsection (b) of section 743 of such Code is amended by inserting ''or with respect to which there is a substantial built-in loss immediately after such transfer'' after ''section 754 is in effect''.

(3) SUBSTANTIAL BUILT-IN LOSS.—Section 743 of such Code is amended by adding at the end the following new subsection:

''(d) SUBSTANTIAL BUILT-IN LOSS.—For purposes of this section, a partnership has a substantial built-in loss with respect to a transfer of an interest in a partnership if the transferee partner's proportionate share of the adjusted basis of the partnership property exceeds 110 percent of the basis of such partner's interest in the partnership.''

(4) CLERICAL AMENDMENTS.—

(A) The section heading for section 743 of such Code is amended to read as follows:

"SEC. 743. ADJUSTMENT TO BASIS OF PARTNERSHIP PROPERTY WHERE SECTION 754 ELECTION OR SUBSTANTIAL BUILT-IN LOSS."

(B) The table of sections for subpart C of part II of subchapter K of chapter 1 of such Code is amended by striking the item relating to section 743 and inserting the following new item:

''Sec. 743. Adjustment to basis of partnership property where section 754 election or substantial built-in loss.''

(c) ADJUSTMENT TO BASIS OF UNDISTRIBUTED PARTNERSHIP PROPERTY IF THERE IS SUBSTANTIAL BASIS REDUCTION.—

(1) ADJUSTMENT REQUIRED.—Subsection (a) of section 734 of such Code (relating to optional adjustment to basis of undistributed partnership property) is amended by inserting before the period ''or unless there is a substantial basis reduction''.

(2) ADJUSTMENT.—Subsection (b) of section 734 of such Code is amended by inserting ''or unless there is a substantial basis reduction'' after ''section 754 is in effect''.

(3) SUBSTANTIAL BASIS REDUCTION.—Section 734 of such Code is amended by adding at the end the following new subsection:

''(d) SUBSTANTIAL BASIS REDUCTION.—For purposes of this section, there is a substantial basis reduction with respect to a distribution if the sum of the amounts described in subparagraphs (A) and (B) of subsection (b)(2) exceeds 10 percent of the aggregate adjusted basis of partnership property immediately after the distribution.''

(4) CLERICAL AMENDMENTS.—

(A) The section heading for section 734 of such Code is amended to read as follows:

"SEC. 734. ADJUSTMENT TO BASIS OF UNDISTRIBUTED PARTNERSHIP PROPERTY WHERE SECTION 754 ELECTION OR SUBSTANTIAL BASIS REDUCTION."

(B) The table of sections for subpart B of part II of subchapter K of chapter 1 of such Code is amended by striking the item relating to section 734 and inserting the following new item:

''Sec. 734. Adjustment to basis of undistributed partnership property where section 754 election or substantial basis reduction.''

(d) EFFECTIVE DATES.—

(1) SUBSECTION (a).—The amendment made by subsection (a) shall apply to contributions made after the date of the enactment of this Act.

(2) SUBSECTION (b).—The amendments made by subsection (a) shall apply to transfers after the date of the enactment of this Act.

(3) SUBSECTION (c).—The amendments made by subsection (a) shall apply to distributions after the date of the enactment of this Act.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. BEREUTER, announced that the nays had it.

Mr. BERRY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 208 / Nays 220

¶86.27 [Roll No. 331]

AYES—208

Abercrombie	Barcia	Blagojevich
Ackerman	Barrett	Blumenauer
Allen	Becerra	Bonior
Andrews	Bentsen	Borski
Baca	Berkley	Boswell
Baird	Berman	Boucher
Baldacci	Berry	Boyd
Baldwin	Bishop	Brady (PA)

Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Ganske
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—220

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

NOT VOTING—6

Lipinski
Paul
Spence
Stupak
Thompson (CA)
Weldon (PA)

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BEREUTER, announced that the yeas had it.

Mr. McDERMOTT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 226 / Nays 203

¶86.28 [Roll No. 332]

YEAS—226

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

NAYS—203

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush

Sabo	Spratt	Udall (NM)
Sanchez	Stark	Velazquez
Sanders	Stenholm	Visclosky
Sandlin	Strickland	Waters
Sawyer	Stupak	Watson (CA)
Schakowsky	Tanner	Watt (NC)
Schiff	Tauscher	Waxman
Scott	Taylor (MS)	Weiner
Serrano	Thompson (MS)	Wexler
Sherman	Thurman	Woolsey
Shows	Tierney	Wu
Skelton	Towns	Wynn
Slaughter	Turner	
Snyder	Udall (CO)	

NOT VOTING—5

Lipinski	Solis	Thompson (CA)
Paul	Spence	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶86.29 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. TAUZIN, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill (H.R. 2563) the Clerk be authorized to correct section numbers, punctuation, and cross references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

¶86.30 PERMISSION TO FILE REPORT

On motion of Mr. STUMP, by unanimous consent, the Committee on Armed Services was granted permission until midnight on Tuesday, September 4, 2001, to file a report on the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes.

¶86.31 PERMISSION TO FILE REPORT

On motion of Mr. COMBEST, by unanimous consent, the Committee on Agriculture was granted permission until 5 o'clock p.m., Tuesday, September 4, 2001, to file a supplemental report to accompany the bill (H.R. 2646), to provide for the continuation of agricultural programs through fiscal year 2011.

¶86.32 ADJOURNMENT OF THE TWO HOUSES

Mr. ARMEY submitted the following privileged concurrent resolution (H. Con. Res. 208):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, August 2, 2001, or Friday, August 3, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Wednesday, September 5, 2001, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on any day from Thursday, August 2, 2001 through Saturday, August 4, 2001, or from Monday, August 6, 2001, through Saturday, August 11, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 4, 2001, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶86.33 ORDER OF BUSINESS—PRO FORMA SESSIONS

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That it may be in order that when the House adjourns today, it shall adjourn to meet at noon on Monday, August 6, 2001, and that when the House adjourns on Monday, August 6, 2001, it shall adjourn to meet at noon on Tuesday, August 7, 2001; and when the House adjourns on Tuesday, August 7, 2001, and on each of its successive days of meeting under this order, it shall stand adjourned until noon on each third successive day until it shall convene at 2 p.m. on Wednesday, September 5, 2001; unless the House sooner receives a message from the Senate transmitting its adoption of a concurrent resolution providing for the summer district work period, in which case the House, following its adoption thereof, shall adjourn pursuant to that concurrent resolution.

¶86.34 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, September 5, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶86.35 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That it may be in order, under clause 1, rule XV, on Wednesday, September 5, 2001, for the Speaker to recognize Members for motions to suspend the rules.

¶86.36 SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until 2 o'clock p.m., Wednesday, September 5, 2001, the Speaker, Majority Leader, and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶86.37 MACE CLEANING

Mr. ARMEY, by unanimous consent, submitted the following resolution (H. Res. 223):

Resolved, That the Sergeant at Arms of the House of Representatives is authorized and directed, on behalf of the House of Representatives, to deliver the mace of the House of Representatives, following an adjournment of the House pursuant to concurrent resolution, to the Smithsonian Institution only for the purpose of having necessary repairs made to the mace and under such circumstances as will assure that the mace is properly safeguarded; Provided, however, That the mace shall be returned to the House of Representatives before noon on the day before the House next reconvenes pursuant to concurrent resolution or at any sooner time when so directed by the Speaker of the House of Representatives.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶86.38 URGING PRESIDENT'S FOCUS ON CRIME PREVENTION

Mr. ISSA, by unanimous consent, submitted the following resolution (H. Res. 193):

Whereas neighborhood crime is of continuing concern to the American people;

Whereas the fight against neighborhood crime requires people to work together in cooperation with law enforcement officials;

Whereas neighborhood crime watch organizations are effective at promoting awareness about, and the participation of volunteers in, crime prevention activities at the local level;

Whereas neighborhood crime watch groups can contribute to the Nation's war on drugs by helping to prevent their communities from becoming markets for drug dealers;

Whereas crime and violence in schools is of continuing concern to the American people due to the recent high-profile incidents that have resulted in fatalities at several schools across the United States;

Whereas community-based programs involving law enforcement, school administrators, teachers, parents, and local communities work effectively to reduce school violence and crime;

Whereas citizens across the United States will soon take part in ''National Night Out'', a unique crime prevention event which will demonstrate the importance and effectiveness of community participation in crime prevention efforts by having people spend the period from 7 to 10 o'clock p.m. on August 7, 2001, with their neighbors in front of their homes with their lights on; and

Whereas schools that turn their lights on from 7 to 10 o'clock p.m. on August 7, 2001, will send a positive message to the participants of ''National Night Out'' and show their commitment to reduce crime and violence in schools: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideas of ''National Night Out''; and

(2) requests that the President—

(A) issue a proclamation calling on the people of the United States to conduct ap-

propriate ceremonies, activities, and programs to demonstrate support for ''National Night Out''; and

(B) focus appropriate attention on the issues of neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶86.39 TERRORIST KIDNAPPERS IN ECUADOR

On motion of Mr. BALLENGER, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following concurrent resolution (H. Con. Res. 89):

Whereas Ron Sander of Sunrise Beach, Missouri, one of ten men abducted from an Ecuadorian oil field on October 12, 2000, was brutally murdered by his terrorist captors on January 31, 2001;

Whereas Arnie Alford, Steve Derry, and Jason Weber, of Gold Hill, Oregon, and David Bradley, of Casper, Wyoming, were also among the ten men abducted;

Whereas the kidnapped men endured inhuman treatment at the hands of their captors, suffering from malnutrition, isolation, and physical and mental abuse;

Whereas the hostages spent 141 days in captivity before being released to Ecuadorian military authorities;

Whereas the Government of Ecuador provided invaluable assistance in seeking the safe return of the hostages; and

Whereas the employers of the hostages, Erickson Air-Crane, Schlumberger Ltd., and Helmerich & Payne, maintained a tireless commitment to their employees and their families during protracted negotiations with the terrorists: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That

(1) the Congress welcomes the safe return of American citizens Arnie Alford, Steve Derry, Jason Weber, and David Bradley from captivity by terrorists in Ecuador and congratulates them for their perseverance in the face of persistent and unremitting adversity;

(2) the Congress extends its deepest sympathy to the family of Ron Sander, who was killed by terrorists in Ecuador, and salutes his steadfast courage under the most difficult of circumstances;

(3) the Congress supports the commitment of the United States to bringing the killers of Ron Sanders and the kidnappers of Arnie Alford, Steve Derry, Jason Weber, and David Bradley to justice; and

(4) it is the sense of the Congress that the United States must redouble its efforts to prevent future kidnappings by working in concert with foreign governments to neutralize the threat represented by terrorist groups who perpetrate such crimes.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

¶86.40 APPALACHIAN REGIONAL DEVELOPMENT

On motion of Mr. LATOURETTE, by unanimous consent, the bill (H.R. 2501) to reauthorize the Appalachian Regional Development Act of 1965; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. LATOURETTE submitted the following amendment which was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; AMENDMENTS TO APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965.

(a) SHORT TITLE.—This Act may be cited as the ''Appalachian Regional Development Reauthorization Act of 2001''.

(b) AMENDMENTS TO APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965.—Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.).

SEC. 2. COORDINATION OF APPALACHIAN REGIONAL DEVELOPMENT PROGRAMS.

Section 104 (40 U.S.C. App.) is amended—

(1) by striking the section heading and all that follows through ''The President'' and inserting the following:

''SEC. 104. COORDINATION OF APPALACHIAN REGIONAL DEVELOPMENT PROGRAMS.

''(a) LIAISON BETWEEN FEDERAL GOVERNMENT AND COMMISSION.—The President''; and

(2) by adding at the end the following:

''(b) INTERAGENCY COORDINATING COUNCIL.—

''(1) IN GENERAL.—In carrying out subsection (a), the President shall establish an interagency council to be known as the 'Interagency Coordinating Council on Appalachia'.

''(2) MEMBERSHIP.—The Council shall be composed of—

''(A) the Federal Cochairman, who shall serve as Chairperson of the Council; and

''(B) representatives of Federal agencies that carry out economic development programs in the Appalachian region.''.

SEC. 3. TELECOMMUNICATIONS AND TECHNOLOGY.

The Act (40 U.S.C. App.) is amended by inserting after section 202 the following:

''SEC. 203. TELECOMMUNICATIONS AND TECHNOLOGY.

''(a) IN GENERAL.—In order to ensure that the people and businesses of the Appalachian region have the knowledge, skills, and access to telecommunications services to compete in the technology-based economy, the Commission may provide technical assistance and make grants, enter into contracts, and otherwise provide funds for the following purposes:

''(1) To increase affordable access to advanced telecommunications in the region.

''(2) To provide education and training for people, businesses, and governments in the region in the use of telecommunications technology.

''(3) To develop relevant technology readiness programs for industry groups and businesses in the region.

''(4) To support entrepreneurial opportunities in information technology in the region.

''(b) SOURCES OF FUNDING.—Assistance provided under this section may be provided entirely from appropriations made available to carry out this section or in combination with funds available under a Federal grant-in-aid program (as defined in section 214(c)), under another Federal program, or from any other source.

''(c) FEDERAL SHARE LIMITATIONS SPECIFIED IN OTHER LAWS.—Notwithstanding any provision of law limiting the Federal share in a Federal grant-in-aid program or other Federal program, funds appropriated to carry out this section may be used to increase such Federal share, as the Commission determines appropriate.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commission to carry out this section $10,000,000 for fiscal year 2002 and such sums as may be necessary for fiscal years 2003 through 2006. Such sums shall remain available until expended.''.

SEC. 4. PROGRAM DEVELOPMENT CRITERIA.

(a) ELIMINATION OF GROWTH CENTER CRITERIA.—Section 224(a)(1) (40 U.S.C. App.) is amended by striking ''in an area determined by the State have a significant potential for growth or''.

(b) DISTRESSED COUNTIES AND AREAS.—Section 224 (40 U.S.C. App.) is amended by adding at the end the following:

''(d) ASSISTANCE TO DISTRESSED COUNTIES AND AREAS.—For each fiscal year, at least one-half of the amount of grant expenditures approved by the Commission under this Act shall support activities or projects that benefit severely and persistently distressed counties or areas.''.

SEC. 5. GRANTS FOR ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS.

Section 302(a)(1)(A) (40 U.S.C. App.) is amended by inserting ''(or 75 percent for a development district that includes 1 or more counties for which a distressed county designation is in effect under section 226)'' after ''50 percent''.

SEC. 6. ADDITION OF COUNTIES TO APPALACHIAN REGION.

Section 403 is amended—

(1) in the third undesignated paragraph, relating to Kentucky—

(A) by inserting ''Edmonson,'' after ''Cumberland,'';

(B) by inserting ''Hart,'' after ''Harlan,''; and

(C) by inserting ''Metcalfe,'' after ''Menifee,''; and

(2) in the fifth undesignated paragraph, relating to Mississippi—

(A) by inserting ''Grenada,'' after ''Clay,'';

(B) by inserting ''Montgomery,'' after ''Monroe,''; and

(C) by inserting ''Panola,'' after ''Oktibbeha Pontotoc,''.

SEC. 7. TECHNICAL AMENDMENTS.

(a) STRATEGIES.—The Act (40 U.S.C. App.) is amended—

(1) in the third sentence of section 101(b) by striking ''implementing investment program'' and inserting ''strategy statement'';

(2) in section 225—

(A) in subsection (a) by striking ''(3) describe the development program'' and inserting ''(3) describe the development strategies''; and

(B) in subsection (c) by striking ''Appalachian State development programs'' and inserting ''Appalachian State development strategies''; and

(3) in section 303—

(A) in the section heading by striking ''**INVESTMENT PROGRAMS**'' and inserting ''**STRATEGY STATEMENTS**'';

(B) by striking ''implementing investment program'' each place it appears and inserting ''strategy statement''; and

(C) by striking ''implementing investments programs'' and inserting ''strategy statements''.

(b) SUPPORT OF LOCAL DEVELOPMENT DISTRICTS.—Section 102(a)(5) (40 U.S.C. App.) is amended by inserting ''and support'' after ''formation''.

(c) OFFICE SPACE LEASING.—Section 106(7) (40 U.S.C. App.) is amended by striking ''for any term expiring no later than September 30, 2001''.

(d) SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS.—Section 214 (40 U.S.C. App.) is amended—

(1) in subsection (a) by striking the third sentence;

(2) by striking subsection (c) and inserting the following:

''(c) FEDERAL GRANT-IN-AID PROGRAMS DEFINED.—

''(1) INCLUDED PROGRAMS.—In this section, the term 'Federal grant-in-aid programs' means those Federal grant-in-aid programs authorized by this Act or another Act for the acquisition or development of land, the construction or equipment of facilities, or other community or economic development or economic adjustment activities, including but not limited to grant-in-aid programs authorized by the following Acts:

''(A) The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

''(B) The Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.).

''(C) Title VI of the Public Health Services Act (42 U.S.C. 291 et seq.).

''(D) The Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.).

''(E) Part IV of title III of the Communications Act of 1934 (47 U.S.C. 390 et seq.).

''(F) The Land and Water Conservation Fund Act of 1965 (16 U.S.C 4601–4 et seq.).

''(G) The Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.).

''(H) Sections 201 and 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 and 3149).

''(I) Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

''(2) EXCLUDED PROGRAMS.—In this section, the term 'Federal grant-in-aid programs' does not include—

''(A) the program for the construction of the development highway system authorized by section 201 or any program relating to highway or road construction authorized by title 23, United States Code; or

''(B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act.''; and

(3) by striking subsection (d).

(e) PROGRAM DEVELOPMENT CRITERIA.—Section 224(a)(2) (40 U.S.C. App.) is amended by striking ''per capita income'' and inserting ''per capita market income''.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

Section 401(a) (40 U.S.C. App.) is amended to read as follows:

''(a) IN GENERAL.—In addition to amounts authorized by section 201 (and other amounts made available for the Appalachian development highway system program) and section 203, there are authorized to be appropriated to the Commission to carry out this Act—

''(1) $78,000,000 for fiscal year 2002;

''(2) $80,000,000 for fiscal year 2003;

''(3) $83,000,000 for fiscal year 2004;

''(4) $85,000,000 for fiscal year 2005; and

''(5) $87,000,000 for fiscal year 2006.''.

SEC. 9. TERMINATION.

Section 405 (40 U.S.C. App.) is amended by striking ''2001'' and inserting ''2006''.

When said bill, as amended, was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶86.41 THURGOOD MARSHALL UNITED STATES COURTHOUSE

On motion of Mr. LATOURETTE, by unanimous consent, the bill (H.R. 988) to designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse'', was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶86.42 10TH ANNIVERSARY OF UKRAINE INDEPENDENCE

On motion of Mr. LATOURETTE, by unanimous consent, the Committee on Government Reform was discharged from further consideration of the following concurrent resolution (H. Con. Res. 179):

Whereas community, migrant, public housing, and homeless health centers are vital to many communities in the United States;

Whereas there are more than 1,029 such health centers serving nearly 12,000,000 people at 3,200 health delivery sites, located in all 50 States of the United States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands;

Whereas such health centers have provided cost-effective, quality health care to poor and medically underserved people in the United States, including the working poor, the uninsured, and many high-risk and vulnerable populations;

Whereas such health centers help reduce health disparities, meet escalating health care needs, and provide a vital safety net, in the health care delivery system of the United States;

Whereas such health centers provide care to 1 of every 9 uninsured Americans, 1 of every 8 low-income Americans, and 1 of every 10 rural Americans;

Whereas the people to whom such health centers provide care would otherwise lack access to health care;

Whereas such health centers and other innovative programs in primary and preventive care serve 600,000 homeless persons and more than 650,000 farm workers in the United States;

Whereas such health centers make health care responsive and cost-effective by integrating the delivery of primary care with aggressive outreach, patient education, translation, and other enabling support services;

Whereas such health centers increase the use of preventive health services, including immunizations, pap smears, mammograms, and glaucoma screenings;

Whereas in communities served by such health centers, infant mortality rates have decreased between 10 and 40 percent;

Whereas such health centers are built through community initiative;

Whereas Federal grants assist participating communities in finding partners and recruiting doctors and other health professionals;

Whereas Federal grants constitute, on average, 28 percent of the annual budget of such health centers, with the remainder provided by State and local governments, medicare, medicaid, private contributions, private insurance, and patient fees;

Whereas such health centers are community-oriented and patient-focused;

Whereas such health centers tailor their services to fit the special needs and priorities of communities, working together with schools, businesses, churches, community organizations, foundations, and State and local governments;

Whereas such health centers contribute to the health and well-being of their communities by keeping children healthy and in school and helping adults remain healthy and productive;

Whereas such health centers encourage citizen participation and provide jobs for 50,000 community residents; and

Whereas the establishment of a National Community Health Center Week for the week beginning August 19, 2001, would raise awareness of the health services provided by such health centers: Now, therefore, be it

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

(1) there should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers; and

(2) the President should issue a proclamation calling on the people of the United States and interested organizations to observe such a week with appropriate programs and activities.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶86.43 10TH ANNIVERSARY OF UKRAINE INDEPENDENCE

On motion of Mr. TANCREDO, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following resolution (H. Res. 222):

Whereas the proclamation on August 24, 1991 of the independence of Ukraine led to the disintegration of the Soviet Union;

Whereas Ukraine and the United States, proceeding from their shared commitment to democratic values, have expressed their determination to build broad and durable relations in the 1994 Charter for Ukrainian-American Partnership, Friendship and Cooperation and Ukraine is a country that maintains a distinctive partnership with NATO since 1997;

Whereas on June 28, 1996, Ukraine's Parliament voted to adopt the democratic Constitution and Ukraine has conducted its presidential and parliamentary elections according to it, moving further away from the former communist model of one-party totalitarian rule; and

Whereas Ukraine since its independence has successfully transferred from a colony of the Soviet empire into a viable, peaceful state, which established exemplary relations with all, neighboring countries and consistently pursues a course of European integration with a commitment to ensuring democracy and prosperity for its citizens: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) as a leader of the democratic nations of the world, the United States commends and congratulates the people of Ukraine on the tenth anniversary of Ukrainian independence;

(2) the President and Parliament of Ukraine should continue their efforts to maintain the balance of powers between the executive and legislative branches of government and ensure that their cooperation is aimed at furthering democratic reforms and strengthening civil society based on the rule of law; and

(3) the United States should continue to assist in building a truly independent Ukraine through encouraging and supporting democratic and market-economy transformations in Ukraine, keeping the doors of European and Trans-Atlantic institutions open to this nation.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶86.44 APPOINTMENT OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. BEREUTER, laid before the House a communication, which was read as follows:

WASHINGTON, DC,
August 2, 2001.

I hereby appoint the Honorable FRANK R. WOLF or, if not available to perform this duty, the Honorable WAYNE T. GILCHREST to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 5, 2001.

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

By unanimous consent, the appointment was approved.

¶86.45 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 494. An Act to provide for a transition to democracy and to promote economic recovery in Zimbabwe; to the Committee on Financial Services; in addition to the Committee on International Relations for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶86.46 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. THOMPSON of California, for today after 9:15 p.m. and balance of the week.

Accordingly,

¶86.47 ADJOURNMENT

On motion of Mr. HAYWORTH, and pursuant to previous order of the House of today, at 12 o'clock midnight, the House adjourned until noon on Monday, August 6, 2001, unless it sooner were to receive a message from the Senate transmitting its concurrence in House Concurrent Resolution 208, in which case the House shall stand adjourned pursuant to that concurrent resolution.

¶86.48 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2175. A bill to protect infants who are born alive (Rept. No. 107–186). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2277. A bill to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors (Rept. No. 107–187). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2278. A bill to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States (Rept. No. 107–188). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2048. A bill to require a report on the operations of the State Justice Institute (Rept. No. 107–189). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2047. A bill to authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, and for other purposes; with an amendment (Rept. No. 107–190). Referred to the Committee of the Whole House on the State of the Union.

Mr. COMBEST: Committee on Agriculture. H.R. 2646. A bill to provide for the continuation of agricultural programs through fiscal year 2011; with an amendment (Rept. No. 107–191 Pt. 1). Ordered to be printed.

Mr. OXLEY: Committee on Financial Services. H.R. 1408. A bill to safeguard the public from fraud in the financial services industry, to streamline and facilitate the antifraud information-sharing efforts of Federal and State regulators, and for other purposes; with an amendment (Rept. No. 107–192 Pt. 1). Ordered to be printed.

¶86.49 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1408. Referral to the Committee on Agriculture extended for a period ending not later than August 2, 2001.

H.R. 1408. Referral to the Committee on the Judiciary extended for a period ending not later than September 14, 2001.

H.R. 2646. Referral to the Committee on International Relations extended for a period ending not later than September 7, 2001.

¶86.50 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Agriculture discharged from further consideration of H.R. 1408.

¶86.51 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LARGENT (for himself, Mr. HALL of Texas, Mr. PORTMAN, Mr. DEMINT, Mr. AKIN, Mr. ARMEY, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BLUNT, Mr. BRADY of Texas, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CAMP, Mr. CANTOR, Mr. COOKSEY, Mr. COX, Mr. CRENSHAW, Mrs. CUBIN, Mr. CULBERSON, Mr. DEAL of Georgia, Mr. DELAY, Ms. DUNN, Mrs. EMERSON, Mr. EVERETT, Mr. FOSSELLA, Mr. GIBBONS, Mr. GILLMOR, Mr. GOODE, Mr. GOODLATTE, Mr. GRAHAM, Mr. GREEN of Wisconsin, Mr. HEFLEY, Mr. HERGER, Mr. HILLEARY, Mr. ISAKSON, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KELLER, Mr. KERNS, Mr. KNOLLENBERG, Mr. LUCAS of Oklahoma, Mr. MICA, Mr. OTTER, Mr. OXLEY, Mr. REYNOLDS, Mrs. ROUKEMA, Mr. SCHAFFER, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHIMKUS, Mr. SOUDER, Mr. STEARNS, Mr. SUNUNU, Mr. SWEENEY, Mr. TANCREDO, Mr. TAUZIN, Mr. TERRY, Mr. THORNBERRY, Mr. TIBERI, Mr. TIAHRT, Mr. VITTER, Mr. WELDON of Florida, and Mr. WAMP):

H.R. 2714. A bill to terminate the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. SCHIFF (for himself, Mr. MCKEON, Mr. BERMAN, Mr. GALLEGLY, Mr. SHERMAN, Ms. SOLIS, and Mr. DREIER):

H.R. 2715. A bill to direct the Secretary of the Interior to conduct a special resources study to evaluate the suitability and feasibility of establishing the Rim of the Valley Corridor as a unit of the Santa Monica Mountains National Recreation Area; to the Committee on Resources.

By Mr. SMITH of New Jersey (for himself, Mr. BUYER, and Mr. SIMMONS):

H.R. 2716. A bill to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans; to the Committee on Veterans' Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAUZIN (for himself, Mr. TRAFICANT, Mr. BARR of Georgia, Mr. BRADY of Texas, Mr. BURTON of Indiana, Mr. CALLAHAN, Mr. CULBERSON, Mr. DEMINT, Mr. HALL of Texas, and Mr. STUMP):

H.R. 2717. A bill to promote freedom, fairness, and economic opportunity for families by repealing the income tax, abolishing the Internal Revenue Service, and enacting a national retail sales tax to be administered primarily by the States; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself and Mrs. TAUSCHER):

H.R. 2718. A bill to take the 50 Peacekeeper (MX) missiles off of high-alert status, and for other purposes; to the Committee on Armed Services.

By Mrs. JO ANN DAVIS of Virginia:

H.R. 2719. A bill to amend the Federal Water Pollution Control Act to impose limitations on wetlands mitigation activities carried out through the condemnation of private property; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself and Mr. BARTON of Texas):

H.R. 2720. A bill to amend the privacy provisions of the Gramm-Leach-Bliley Act; to the Committee on Financial Services.

By Ms. CARSON of Indiana (for herself, Mr. BONIOR, Mrs. THURMAN, Mr. MCDERMOTT, Mr. SANDERS, Mr. GEORGE MILLER of California, Ms.

McKINNEY, Mr. PAYNE, and Mr. PALLONE):

H.R. 2721. A bill to amend the Agricultural Marketing Act of 1946 to require that a warning label be affixed to arsenic-treated wood sold in the United States; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. RANGEL, Mr. HALL of Ohio, Mr. WOLF, Mr. ROYCE, Mr. PAYNE, Mr. EHLERS, Mr. LANTOS, Mr. COOKSEY, Mr. RUSH, Mr. GREENWOOD, Mr. GEORGE MILLER of California, Mr. FLETCHER, Mr. ACKERMAN, Mr. LATOURETTE, Ms. CARSON of Indiana, Mrs. NORTHUP, Mr. BOUCHER, Mr. ROGERS of Michigan, Mr. ALLEN, Mr. SCHAFFER, Mr. DELAHUNT, Mr. WELDON of Florida, Ms. BALDWIN, Mr. UPTON, Mr. MCDERMOTT, Mr. DIAZ-BALART, Ms. RIVERS, Mr. ENGLISH, Mr. SNYDER, Mr. UDALL of Colorado, Ms. WOOLSEY, Mr. COYNE, Mr. STARK, Mr. JEFFERSON, Mr. NEAL of Massachusetts, Mr. EVANS, Mr. HOEFFEL, and Mr. LEWIS of Georgia):

H.R. 2722. A bill to implement a system of requirements on the importation of diamonds, and for other purposes; to the Committee on Ways and Means.

By Ms. MCKINNEY (for herself, Mr. LEWIS of Georgia, Mr. PALLONE, Mr. FILNER, Ms. LEE, Ms. CARSON of Indiana, Mr. CUMMINGS, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. THOMPSON of Mississippi, Mr. PAYNE, Mr. MEEKS of New York, Mr. OWENS, Mr. TOWNS, Mrs. JONES of Ohio, Mr. WATT of North Carolina, Mr. RUSH, Mr. SCOTT, Mr. MCNULTY, Mr. CLAY, Mr. FORD, Mrs. CHRISTENSEN, Mrs. MEEK of Florida, Ms. WATERS, Ms. MILLENDER-MCDONALD, Mr. DAVIS of Illinois, Mr. BRADY of Pennsylvania, Mr. FROST, Ms. NORTON, Mr. ROSS, Mr. SABO, Mr. BONIOR, Mr. JACKSON of Illinois, Mr. KUCINICH, Mrs. CAPPS, Mr. LAHOOD, Mrs. MINK of Hawaii, Mr. MCGOVERN, Mr. WYNN, Mr. HONDA, Mr. BLAGOJEVICH, Mr. BARRETT, Mr. FARR of California, Mr. ETHERIDGE, Mr. DOGGETT, Mrs. CLAYTON, Mr. DEFAZIO, Mr. KILDEE, Mr. SANDLIN, Mr. ENGEL, Mr. GONZALEZ, Mr. NADLER, Mr. JEFFERSON, Mr. CARSON of Oklahoma, Ms. PELOSI, Mr. UNDERWOOD, Mr. GUTIERREZ, Mr. RANGEL, Mr. RODRIGUEZ, Mr. LANTOS, Mr. SOUDER, Mr. BECERRA, Mrs. THURMAN, Mr. CONYERS, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLYBURN, Mr. HOLT, Ms. KILPATRICK, Mr. PASCRELL, Mr. EVANS, Mr. FERGUSON, Mr. VISCLOSKY, Mr. COSTELLO, Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. LATOURETTE, Mr. GILCHREST, Mr. MEEHAN, Mr. ISRAEL, Mr. SERRANO, Mr. BAIRD, Mr. MATSUI, Mr. GEORGE MILLER of California, Mr. BISHOP, Mr. WATTS of Oklahoma, Mr. SNYDER, Mr. SANDERS, Mrs. MALONEY of New York, Mr. FRANK, Ms. WATSON, Ms. JACKSON-LEE of Texas, Mr. LOBIONDO, Mr. GRUCCI, Ms. SANCHEZ, Mr. WU, Mr. CROWLEY, Mr. SHOWS, Mr. GREEN of Texas, Mr. BARCIA, Ms. SLAUGHTER, and Mr. HOEFFEL):

H.R. 2723. A bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement; to the Committee on Financial Services.

By Mr. CANNON (for himself and Mr. BOUCHER):

H.R. 2724. A bill to amend title 17, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mrs. KELLY (for herself, Ms. MILLENDER-MCDONALD, Mr. DREIER, Mr. DAVIS of Illinois, Mr. HAYWORTH, Ms. DUNN, Mr. KING, Mr. BALDACCI, Ms. LEE, Mrs. BONO, Mr. WYNN, Mr. CAPUANO, Mr. CUMMINGS, Mr. HINCHEY, Mrs. MCCARTHY of New York, Mrs. CHRISTENSEN, Mr. BILIRAKIS, Mr. FORBES, Mr. ISAKSON, Mr. POMEROY, Mr. SHOWS, Mr. GREEN of Wisconsin, Mr. BAKER, Mr. BUYER, Mr. HILLEARY, Mr. SESSIONS, Mr. FATTAH, Ms. HARMAN, Mr. LAFALCE, Mr. GRAHAM, Mr. HORN, Mr. MCINNIS, Ms. PELOSI, Mr. KLECZKA, Mr. OBERSTAR, Ms. ESHOO, Mr. PAYNE, Mr. TOM DAVIS of Virginia, Mr. NEAL of Massachusetts, Mr. SANDLIN, Mrs. MYRICK, Mrs. BIGGERT, Mrs. CAPPS, Mr. BOYD, Mr. PALLONE, Mr. LEVIN, Mr. TOWNS, Mr. MATSUI, Ms. BERKLEY, Mr. UNDERWOOD, Mr. HULSHOF, Mr. ENGLISH, Mr. RILEY, Mr. JONES of North Carolina, Mr. TERRY, Mr. BASS, Mr. GREEN of Texas, Mr. MORAN of Kansas, Mr. CUNNINGHAM, Mr. MCINTYRE, Mr. DICKS, Mr. THOMPSON of Mississippi, Mr. PICKERING, Mr. RUSH, Ms. JACKSON-LEE of Texas, Mr. GRUCCI, Ms. GRANGER, Mr. WELLER, Mr. LAMPSON, Mr. HOYER, Mr. DAVIS of Florida, Mr. CALLAHAN, Mr. PRICE of North Carolina, Mrs. EMERSON, Mr. CRAMER, Mr. GONZALEZ, Mr. MCGOVERN, Mr. GOODE, Mr. SKELTON, Mr. EHLERS, Mr. MCNULTY, Mr. CROWLEY, Ms. KAPTUR, Mr. JACKSON of Illinois, Mr. JEFFERSON, Ms. BROWN of Florida, Mr. DINGELL, Mrs. MALONEY of New York, Mr. BORSKI, Mr. STARK, Mrs. THURMAN, Ms. MCKINNEY, Mr. BROWN of Ohio, Mr. LIPINSKI, Mr. FROST, Mr. CONYERS, Mr. WEINER, Mr. PASCRELL, Mr. COSTELLO, Mr. FRANK, Mr. WATT of North Carolina, Ms. MCCARTHY of Missouri, Mr. GILMAN, Mr. MEEKS of New York, Mr. PETERSON of Pennsylvania, Mr. SHAYS, Mr. CLAY, Mr. PORTMAN, Mr. WHITFIELD, Mr. CARDIN, Mr. LOBIONDO, Ms. SOLIS, Mr. RANGEL, Mr. COMBEST, Mr. GREENWOOD, Mrs. MORELLA, Mr. KIRK, Mrs. ROUKEMA, Mr. WELDON of Pennsylvania, Ms. ROS-LEHTINEN, Ms. WOOLSEY, Mr. NEY, Mrs. CAPITO, Mr. MCDERMOTT, Mr. BURTON of Indiana, and Mr. BACA):

H.R. 2725. A bill to provide for the reauthorization of the breast cancer research special postage stamp, and for other purposes; to the Committee on Government Reform, and in addition to the Committees on Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 2726. A bill to provide for the payment of State taxes and local taxes collected by the State on the sale of cigarettes and motor fuel by a tribal retail enterprise to persons that are not members of the tribe, and for other purposes; to the Committee on Resources.

By Mr. BONIOR (for himself, Ms. CARSON of Indiana, Mr. GEORGE MILLER of California, Mr. PALLONE, Ms. DELAURO, Mr. KILDEE, Ms. PELOSI, and Mr. SANDERS):

H.R. 2727. A bill to establish a labeling requirement under the Federal Insecticide, Fungicide, and Rodenticide Act in order to prohibit the use of arsenic-treated lumber to manufacture playground equipment, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 2728. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to allow States and localities to provide primary and preventive care to all individuals; to the Committee on Energy and Commerce.

By Mr. ALLEN (for himself, Mr. SAXTON, Mr. BONIOR, Mr. WAXMAN, Mr. ABERCROMBIE, Ms. BALDWIN, Mr. BALDACCI, Mr. BARRETT, Mr. CAPUANO, Mr. DELAHUNT, Mr. FERGUSON, Mr. HINCHEY, Mr. INSLEE, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KUCINICH, Mr. LANTOS, Ms. LEE, Ms. MCKINNEY, Mrs. MALONEY of New York, Mr. GEORGE MILLER of California, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. QUINN, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SERRANO, and Mr. STARK):

H.R. 2729. A bill to amend the Clean Air Act to establish requirements concerning the operation of fossil fuel-fired electric utility steam generating units, commercial and industrial boiler units, solid waste incineration units, medical waste incinerators, hazardous waste combustors, chlor-alkali plants, and Portland cement plants to reduce emissions of mercury to the environment, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SESSIONS (for himself and Ms. PRYCE of Ohio):

H.R. 2730. A bill to amend the Gramm-Leach-Bliley Act to provide for uniform national financial privacy standards for financial institutions, and for other purposes; to the Committee on Financial Services.

By Mr. BAIRD (for himself, Ms. HOOLEY of Oregon, Mr. DEFAZIO, and Mr. INSLEE):

H.R. 2731. A bill to direct the Secretary of Education, in consultation with the Secretary of Energy, to establish a 2-year grant program to compensate schools for rising energy costs; to the Committee on Education and the Workforce.

By Mr. BAIRD (for himself, Mr. EHLERS, Mr. OTTER, Mr. BONIOR, Mr. RAHALL, Mr. OBERSTAR, Mr. DEFAZIO, Mr. WALDEN of Oregon, Mr. INSLEE, Mr. HASTINGS of Washington, Mr. MCDERMOTT, Mr. WU, Mr. BLUMENAUER, Ms. HOOLEY of Oregon, Mr. BORSKI, Mr. BARCIA, Mr. GEORGE MILLER of California, Mr. SIMPSON, Mr. THOMPSON of California, Mr. NETHERCUTT, Mr. DICKS, and Mr. HALL of Texas):

H.R. 2732. A bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to prevent the westward spread of aquatic nuisance species by directing the Secretary of the Interior to prevent westward spread of such species across and beyond the 100th meridian, monitor water bodies, and provide rapid response capacity in certain Western States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARCIA (for himself and Mr. EHLERS):

H.R. 2733. A bill to authorize the National Institute of Standards and Technology to work with major manufacturing industries on an initiative of standards development and implementation for electronic enterprise integration; to the Committee on Science.

By Mr. BARR of Georgia (for himself, Mr. WEXLER, Mr. BASS, Mr. BURTON of Indiana, Mr. KELLER, Mr. RANGEL, Mr. DEUTSCH, Mr. MEEKS of New York, Mr. MICA, Mr. CALVERT, Mr. DAVIS of Florida, Mr. SCOTT, Mr. CHABOT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCDERMOTT, and Mr. BOEHNER):

H.R. 2734. A bill to amend title 18, United States Code, and the Federal Rules of Criminal Procedure with respect to bail bond forfeitures; to the Committee on the Judiciary.

By Mr. BARTON of Texas (for himself, Mr. TOWNS, Mr. BRYANT, Mr. BLUNT, and Mr. CONDIT):

H.R. 2735. A bill to protect the rights of American consumers to diagnose, service, and repair motor vehicles purchased in the United States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BERMAN:

H.R. 2736. A bill to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H–2A worker program under that Act, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BORSKI (for himself, Ms. DUNN, Mr. CAPUANO, Mr. DICKS, Ms. KAPTUR, Mr. LAMPSON, Mr. MCGOVERN, Mrs. MEEK of Florida, Mr. FOLEY, Mr. NEAL of Massachusetts, Mr. BRADY of Pennsylvania, Mr. LATOURETTE, Mr. FATTAH, Mr. DELAHUNT, Mr. OBERSTAR, Mr. INSLEE, Mr. DEFAZIO, Mr. FILNER, Mr. BAIRD, Mr. HASTINGS of Washington, Mr. PAUL, Mr. SMITH of Washington, Mr. LARSEN of Washington, Mr. LIPINSKI, Ms. MCKINNEY, and Mr. UNDERWOOD):

H.R. 2737. A bill to amend the Internal Revenue Code of 1986 to repeal the harbor maintenance tax and to amend the Water Resources Development Act of 1986 to authorize appropriations for activities formerly funded with revenues from the Harbor Maintenance Trust Fund; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUCHER (for himself, Mr. SHAYS, and Mr. WAXMAN):

H.R. 2738. A bill to amend title 5, United States Code, to clarify that all protections offered under the Freedom of Information Act and Privacy Act apply to members of the uniformed services to the same extent and in the same manner as to any other individual; to the Committee on Government Reform.

By Mr. BROWN of Ohio (for himself and Mr. CHABOT):

H.R. 2739. A bill to amend Public Law 107–10 to require a United States plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly in May 2002 in Geneva, Switzerland, and for other purposes; to the Committee on International Relations.

By Mr. BURR of North Carolina (for himself and Mr. KLECZKA):

H.R. 2740. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the receipt of donated prescription drug samples by charitable health care entities; to the Committee on Energy and Commerce.

By Mr. CALVERT:

H.R. 2741. A bill to amend the Internal Revenue Code of 1986 to decrease the class life for petroleum refinery property placed in service to comply with petroleum product specifications as promulgated by rule by the Administrator of Environmental Protection Agency under, and to provide compliance with refinery site, terminal, and other infrastructure air emissions requirements under, the Clean Air Act; to the Committee on Ways and Means.

By Mr. CARSON of Oklahoma (for himself, Mr. LARGENT, Mr. ISTOOK, Mr. WATTS of Oklahoma, Mr. WATKINS, and Mr. KILDEE):

H.R. 2742. A bill to authorize the construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma; to the Committee on Resources.

By Mrs. CHRISTENSEN (for herself, Mr. CUMMINGS, Mr. CLYBURN, Ms. BROWN of Florida, Mrs. MEEK of Florida, Ms. JACKSON-LEE of Texas, Ms. MCKINNEY, Mr. HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, Mr. THOMPSON of Mississippi, Mr. RUSH, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. DAVIS of Illinois, Ms. KILPATRICK, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Ms. WATSON, Mr. WYNN, Mrs. JONES of Ohio, Mr. PAYNE, Ms. CARSON of Indiana, Mr. FORD, Mr. CONYERS, Mr. OWENS, Mrs. CLAYTON, Mr. BISHOP, Mr. TOWNS, and Mr. JACKSON of Illinois):

H.R. 2743. A bill to require managed care organizations to contract with providers in medically underserved areas, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS:

H.R. 2744. A bill to amend the Internal Revenue Code of 1986 to classify qualified rental office furniture as 5-year property for purposes of depreciation; to the Committee on Ways and Means.

By Mr. COLLINS (for himself and Mr. POMEROY):

H.R. 2745. A bill to amend title XI of the Social Security Act to clarify the coordination of benefits among health plans; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY (for himself, Mr. SHAYS, Mrs. LOWEY, Mr. GILMAN, Ms. MCKINNEY, Mr. KUCINICH, Mr. GREEN of Texas, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. SERRANO, Mr. HOEFFEL, and Mr. WEINER):

H.R. 2746. A bill to establish the Airport Noise Curfew Commission and to define its functions and duties; to the Committee on Transportation and Infrastructure.

By Ms. DEGETTE (for herself and Mr. RAMSTAD):

H.R. 2747. A bill to require implementation of the National Institutes of Health Guidelines for Research Using Human Pluripotent Stem Cells, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DREIER (for himself and Mr. SCHIFF):

H.R. 2748. A bill to authorize the establishment of a national database for purposes of identifying, locating, and cataloging the many memorials and permanent tributes to America's veterans; to the Committee on Veterans' Affairs, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUNN (for herself, Mr. LARSEN of Washington, Mr. DICKS, and Mr. SOUDER):

H.R. 2749. A bill to amend title 49, United States Code, improve pipeline safety and enhance community access to pipeline safety information; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Ms. HART, Mr. TOWNS, and Mr. RUSH):

H.R. 2750. A bill to amend title XVIII of the Social Security Act to provide for coverage of home infusion drug therapies under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ETHERIDGE (for himself, Mr. MCINTYRE, Mr. MURTHA, Mr. GREEN of Texas, Mr. DOOLEY of California, Mr. PRICE of North Carolina, Mr. JONES of North Carolina, Mr. WATT of North Carolina, Mr. SCHROCK, Mrs. CLAYTON, Mr. EDWARDS, and Mr. SPRATT):

H.R. 2751. A bill to authorize the President to award a gold medal on behalf of the Congress to General Henry H. Shelton and to provide for the production of bronze duplicates of such medal for sale to the public; to the Committee on Financial Services.

By Mr. FERGUSON (for himself, Mr. SAXTON, Mr. LOBIONDO, Mrs. ROUKEMA, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, Mr. ROTHMAN, Mr. ANDREWS, and Mr. PALLONE):

H.R. 2752. A bill to protect school web pages from fraud and related activity; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin (for himself, Ms. VELAZQUEZ, Mr. SCHAFFER, Mr. JONES of North Carolina, Mr. RUSH, Mr. GONZALEZ, and Mr. SOUDER):

H.R. 2753. A bill to require a housing impact analysis of any new rule of a Federal agency that has an economic impact of $100,000,000 or more; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin (for himself and Mr. SCOTT):

H.R. 2754. A bill to amend title 18, United States Code, to reform Federal Prison Industries, and for other purposes; to the Committee on the Judiciary.

By Mr. GUTIERREZ (for himself, Mr. OWENS, Mr. DAVIS of Illinois, Mr. LIPINSKI, Ms. MCKINNEY, Ms. LEE, Ms. KAPTUR, Mr. TOWNS, Mr. STARK, Mr. MCGOVERN, Mr. RUSH, Mr. CUMMINGS, Mr. FRANK, Mr. FILNER, Ms. CARSON of Indiana, Ms. SOLIS, Mr. KUCINICH, Mr. JACKSON of Illinois, Mr. BLAGOJEVICH, Mr. COSTELLO, Mr. CONYERS, and Mr. THOMPSON of Mississippi):

H.R. 2755. A bill to protect day laborers from unfair labor practices; to the Committee on Education and the Workforce.

By Mr. HALL of Texas (for himself, Mr. LARGENT, Mr. BARTON of Texas, Mr. BOEHLERT, Ms. JACKSON-LEE of Texas, Mr. GREEN of Texas, Mr.

SANDLIN, Mr. ORTIZ, and Mr. CANNON):

H.R. 2756. A bill to establish a mechanism for funding research, development, and demonstration activities relating to ultra-deepwater and unconventional natural gas and other petroleum exploration and production technologies, and for other purposes; to the Committee on Science, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HARMAN (for herself, Ms. ESHOO, Mrs. CAPPS, Mr. WAXMAN, Ms. LOFGREN, Ms. WOOLSEY, Mr. HONDA, Mr. FARR of California, Mr. SHERMAN, Mr. FILNER, Mr. BACA, Ms. WATSON, Mr. CONDIT, Mr. SCHIFF, Mrs. DAVIS of California, Ms. SOLIS, Mr. GEORGE MILLER of California, Ms. PELOSI, Mr. THOMPSON of California, Mrs. NAPOLITANO, Mrs. TAUSCHER, and Mr. MATSUI):

H.R. 2757. A bill to provide for the refund of certain overcharges for electricity in the Western States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida:

H.R. 2758. A bill to require that general Federal elections be held during the first consecutive Saturday and Sunday in November, and for other purposes; to the Committee on House Administration.

By Mr. HOEKSTRA:

H.R. 2759. A bill to permit voters to vote for ''None of the Above'' in elections for Federal office and to require an additional election if ''None of the Above'' receives the most votes; to the Committee on House Administration.

By Mr. HOEKSTRA:

H.R. 2760. A bill to provide that the voters of the United States be given the right, through advisory voter initiative, to propose the enactment and repeal of Federal laws in a national election; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HOOLEY of Oregon:

H.R. 2761. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits for small businesses, to repeal the Federal communications excise tax, and for other purposes; to the Committee on Ways and Means.

By Ms. HOOLEY of Oregon:

H.R. 2762. A bill to provide incentives to encourage private sector efforts to reduce earthquake losses, to establish a national disaster mitigation program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Mr. BARCIA, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BURTON of Indiana, Mr. DEMINT, Mr. HOSTETTLER, Mr. LEWIS of Kentucky, Mr. PITTS, Mr. SHOWS, Mr. SMITH of New Jersey, Mr. STEARNS, Mr. PETRI, Mr. BACHUS, and Mr. DOOLITTLE):

H.R. 2763. A bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person from the moment of fertilization; to the Committee on the Judiciary.

By Mr. HUNTER:

H.R. 2764. A bill to address certain matters related to Colorado River water management and the Salton Sea by providing funding for habitat enhancement projects at the Salton Sea, authorization and direction to the Secretary of the Interior regarding Federal environmental compliance, and funding for offstream water management reservoirs and associated facilities near the All American Canal; to the Committee on Resources.

By Mr. INSLEE (for himself, Mr. HASTINGS of Florida, Mr. HINCHEY, Mrs. MINK of Hawaii, Mr. CROWLEY, Mr. SCHIFF, Mr. MCDERMOTT, Ms. MCKINNEY, and Ms. LEE):

H.R. 2765. A bill to expand the teacher loan forgiveness programs under the guaranteed and direct student loan programs, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas (for herself and Mr. TERRY):

H.R. 2766. A bill to amend the Immigration and Nationality Act to modify the requirements for a child born abroad and out of wedlock to acquire citizenship based on the citizenship of the child's father, and for other purposes; to the Committee on the Judiciary.

By Mr. JEFFERSON:

H.R. 2767. A bill to amend title 36, United States Code, to provide for maintenance by the American Battle Monuments Commission of a memorial park in Nairobi, Kenya, honoring the persons killed by the bombing of the United States Embassy; to the Committee on International Relations.

By Mrs. JOHNSON of Connecticut (for herself, Mr. STARK, Mr. CAMP, Mr. CARDIN, Mr. CRANE, Ms. DUNN, Mr. ENGLISH, Mr. FOLEY, Mr. HAYWORTH, Mr. SAM JOHNSON of Texas, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. LEWIS of Kentucky, Mr. MCCRERY, Mr. MCDERMOTT, Mr. MCNULTY, Mr. RAMSTAD, Mr. SHAW, Mrs. THURMAN, and Mr. WELLER):

H.R. 2768. A bill to amend title XVIII of the Social Security Act to provide regulatory relief and contracting flexibility under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KELLY:

H.R. 2769. A bill to amend title 38, United States Code, to improve the automobile assistance program for disabled veterans; to the Committee on Veterans' Affairs.

By Mr. KOLBE (for himself, Mr. MORAN of Virginia, and Mr. RAMSTAD):

H.R. 2770. A bill to amend United States trade laws to provide more fairness to U.S. industry; to the Committee on Ways and Means.

By Mr. KOLBE (for himself, Mr. STENHOLM, Mr. SMITH of Michigan, Mr. DOOLEY of California, and Mr. TOOMEY):

H.R. 2771. A bill to amend title II of the Social Security Act to provide for individual security accounts funded by employee and employer Social Security payroll deductions, to extend the solvency of the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAFALCE:

H.R. 2772. A bill to amend the Immigration and Nationality Act to modify restrictions added by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. LANGEVIN (for himself, Mr. ABERCROMBIE, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. CAPUANO, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. COYNE, Mr. CROWLEY, Mr. DELAHUNT, Mr. ENGEL, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. HOEFFEL, Mr. HONDA, Mr. KENNEDY of Rhode Island, Mr. KIRK, Mr. KLECZKA, Mr. CLAY, Mr. LANTOS, Ms. LEE, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MORAN of Virginia, Mr. NADLER, Mr. OWENS, Mr. PASCRELL, Mr. PAYNE, Ms. PELOSI, Mr. RUSH, Ms. SOLIS, Mr. STARK, Mr. TIERNEY, Mr. TOWNS, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 2773. A bill to amend title 18, United States Code, to prohibit the manufacture or importation, or transfer by a licensed firearms dealer, of a pistol that does not have a chamber load indicator and, in the case of a semiautomatic pistol that has a detachable magazine, a mechanism that prevents the pistol from being fired when the magazine is not attached; to the Committee on the Judiciary.

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

H.R. 2774. A bill to establish a loan guarantee program for renewable energy source facilities; to the Committee on Financial Services.

By Mr. LEVIN (for himself, Mr. CASTLE, and Mr. WAXMAN):

H.R. 2775. A bill to amend title XIX of the Social Security Act to revise and simplify the transitional medical assistance (TMA) program; to the Committee on Energy and Commerce.

By Mr. LOBIONDO (for himself, Mr. MENENDEZ, Mr. SAXTON, Mr. PALLONE, Mr. PASCRELL, Mr. ROTHMAN, Mr. PAYNE, and Mr. HOLT):

H.R. 2776. A bill to designate buildings 315, 318, and 319 located at the Federal Aviation Administration's William J. Hughes Technical Center in Atlantic City, New Jersey, as the ''Frank R. Lautenberg Aviation Security Complex''; to the Committee on Transportation and Infrastructure.

By Mrs. LOWEY (for herself, Mr. CROWLEY, Mr. GILMAN, Ms. DELAURO, Ms. SLAUGHTER, Mr. WAXMAN, Ms. DEGETTE, Mr. BOEHLERT, Mrs. MORELLA, Mr. LEACH, and Mrs. BIGGERT):

H.R. 2777. A bill to amend title XIX of the Social Security Act to provide States with options for providing family planning services and supplies to individuals eligible for medical assistance under the Medicaid Program; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York (for herself, Ms. SCHAKOWSKY, Mr. PASCRELL, Mr. WEINER, Mr. CAPUANO, Mrs. MALONEY of New York, Mr. CROWLEY, Mr. MCGOVERN, Ms. SOLIS, Mr. NADLER, Ms. NORTON, Mr. MORAN of Virginia, Mrs. TAUSCHER, and Mrs. LOWEY):

H.R. 2778. A bill to protect ability of law enforcement to effectively investigate and prosecute illegal gun sales and protect the privacy of the American people; to the Committee on the Judiciary.

By Ms. MCCOLLUM (for herself, Ms. BALDWIN, Mr. BLUMENAUER, Mr. FILNER, Mr. MCGOVERN, and Mr. OBERSTAR):

H.R. 2779. A bill to repeal section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which requires the collection of information regarding nonimmigrant foreign students and other exchange program participants; to the Committee on the Judiciary.

By Ms. McCOLLUM:

H.R. 2780. A bill to amend the Federal Election Campaign Act of 1971 to establish a program under which Congressional candidates may receive public funding for carrying out campaigns for election for Federal office, to amend the Internal Revenue Code of 1986 to establish an income tax checkoff to provide funding for such program and to provide a refundable tax credit for individuals who make contributions to such candidates, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McKEON (for himself, Mr. BOEHNER, Mrs. ROUKEMA, Mr. BALLENGER, Mr. EHLERS, Mr. TOM DAVIS of Virginia, Mr. ISAKSON, Mr. GORDON, Mr. OSBORNE, Mr. HOEKSTRA, Mr. ARMEY, Mr. WALSH, Mr. CASTLE, Mrs. KELLY, Mr. DeMINT, Mr. PETERSON of Pennsylvania, Mr. THOMAS, Mr. CALVERT, and Mr. HILLEARY):

H.R. 2781. A bill to amend the Higher Education Act of 1965 to make certain interest rate changes permanent; to the Committee on Education and the Workforce.

By Ms. McKINNEY (for herself, Mr. STARK, Mr. EVANS, Ms. KAPTUR, Mr. FILNER, Mr. McGOVERN, Mr. SANDERS, Mr. HILLIARD, Mr. PHELPS, Mr. KUCINICH, Mr. CONYERS, Mr. DeFAZIO, Mr. HINCHEY, Ms. WOOLSEY, Mr. THOMPSON of Mississippi, Ms. CARSON of Indiana, Ms. LEE, Mr. ABERCROMBIE, Mr. JACKSON of Illinois, Mr. CUMMINGS, Mr. WATT of North Carolina, Ms. SOLIS, Mr. DAVIS of Illinois, Mr. BROWN of Ohio, and Ms. BROWN of Florida):

H.R. 2782. A bill to require nationals of the United States that employ more than 20 persons in a foreign country to implement a Corporate Code of Conduct with respect to the employment of those persons, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York:

H.R. 2783. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for research on whether drugs approved under such Act for human use affect women differently than men, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York:

H.R. 2784. A bill to amend the Family and Medical Leave Act of 1993 to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extracurricular activities and to clarify that leave may be taken for routine medical needs and to assist elderly relatives, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY:

H.R. 2785. A bill to suspend temporarily the duty on certain R-core transformers; to the Committee on Ways and Means.

By Mr. MARKEY:

H.R. 2786. A bill to provide deployment criteria for the National Missile Defense system, and to provide for operationally realistic testing of the National Defense system against countermeasures; to the Committee on Armed Services, and in addition to the Committees on Rules, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MEEK of Florida (for herself, Mr. SERRANO, Mr. RUSH, Mr. BLAGOJEVICH, Mr. PETRI, and Ms. ROS-LEHTINEN):

H.R. 2787. A bill to amend the Child Care and Development Block Grant Act of 1990 to increase the availability of, and improve quality care for, children with disabilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MENENDEZ (for himself, Mr. CAPUANO, Mr. RUSH, Mr. BALDACCI, Ms. SCHAKOWSKY, Mr. FROST, Mr. BONIOR, Mrs. JONES of Ohio, Mr. BORSKI, Mr. McDERMOTT, Mr. WEXLER, Ms. SANCHEZ, Mr. ENGEL, Mr. GUTIERREZ, Mr. CLAY, Mr. CUMMINGS, and Mr. GREEN of Texas):

H.R. 2788. A bill to ensure that children enrolled in Medicaid and other Federal means-tested programs at highest risk for lead poisoning are identified and treated, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-McDONALD (for herself and Mr. RANGEL):

H.R. 2789. A bill to amend title XIX of the Social Security Act to permit States to expand Medicaid eligibility to uninsured, poor adults; to the Committee on Energy and Commerce.

By Ms. MILLENDER-McDONALD (for herself and Mr. NETHERCUTT):

H.R. 2790. A bill to provide, with respect to diabetes in minority populations, for an increase in the extent of activities carried out by the Centers for Disease Control and Prevention and the National Institutes of Health; to the Committee on Energy and Commerce.

By Mrs. MINK of Hawaii:

H.R. 2791. A bill to amend the Immigration and Nationality Act to remove from an alien the initial burden of establishing that he or she is entitled to nonimmigrant status under section 101(a)(15)(B) of such Act, in the case of an alien seeking such status in order to enter the United States for a brief temporary stay occasioned by a family obligation, such as the illness or death of a close relative; to the Committee on the Judiciary.

By Mr. MORAN of Kansas (for himself, Mr. SMITH of New Jersey, and Mr. SIMMONS):

H.R. 2792. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NADLER:

H.R. 2793. A bill to amend the Elementary and Secondary Education Act of 1965 to permit local educational agencies to use professional development funds to provide incentives, including bonus payments, to recognized educators who achieve an information technology certification that is directly related to the curriculum or content area in which the teacher provides instruction; to the Committee on Education and the Workforce.

By Mr. NEAL of Massachusetts (for himself, Mr. TOM DAVIS of Virginia, Ms. LOFGREN, Mr. WELLER, Mr. MATSUI, Ms. DUNN, Mr. DOGGETT, Mr. WOLF, Ms. HARMAN, Mr. CANNON, Mr. FRANK, Mr. CANTOR, Mr. MORAN of Virginia, Mr. POMEROY, Ms. ESHOO, Mr. OSE, and Mr. McGOVERN):

H.R. 2794. A bill to provide relief from the alternative minimum tax with respect to incentive stock options exercised during 2000; to the Committee on Ways and Means.

By Mr. NETHERCUTT (for himself, Mr. CHAMBLISS, and Mr. CUNNINGHAM):

H.R. 2795. A bill to amend title 18, United States Code, to protect and promote the public safety and interstate commerce by establishing Federal criminal penalties and civil remedies for certain violent, threatening, obstructive and destructive conduct that is intended to injure, intimidate, or interfere with plant or animal enterprises, and for other purposes; to the Committee on the Judiciary.

By Mr. NEY (for himself, Mr. OXLEY, Ms. PRYCE of Ohio, Mr. GILLMOR, Mrs. JONES of Ohio, and Mr. TIBERI):

H.R. 2796. A bill to amend the Federal Home Loan Bank Act to permit privately insured credit unions to become members of a Federal home loan bank; to the Committee on Financial Services.

By Mr. NEY:

H.R. 2797. A bill to amend title 18, United States Code, to provide specific penalties for taking a firearm from a Federal law enforcement officer; to the Committee on the Judiciary.

By Mr. OTTER:

H.R. 2798. A bill to amend the Federal Water Pollution Control Act to require plaintiffs to file certain bonds when bringing citizen suits; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Ms. RIVERS):

H.R. 2799. A bill to amend title XVIII of the Social Security Act to provide for coverage of pharmacist services under part B of the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2800. A bill to amend section 8(a) of the National Labor Relations Act; to the Committee on Education and the Workforce.

By Mr. PAUL (for himself and Mr. SCHAFFER):

H.R. 2801. A bill to amend the Internal Revenue Code of 1986 with respect to the purchase of prescription drugs by individuals who have attained retirement age, and to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs and the sale of such drugs through Internet sites; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. CALVERT, Mr. COOKSEY, Mr. HAYWORTH, Mr. HOEKSTRA, Mr. ROYCE, and Mr. SENSENBRENNER):

H.R. 2802. A bill to amend title XVIII of the Social Security Act to remove the sunset and numerical limitation on Medicare participation in MedicareChoice medical savings account (MSA) plans; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Mr. ANDREWS, Mr. FERGUSON, Mr. FRELINGHUYSEN, Mr. HOLT, Mr. LOBIONDO, Mr. MENENDEZ, Mr. PALLONE, Mr. PASCRELL, Mr. SMITH of New Jersey, Mr. SAXTON, Mrs. ROUKEMA, and Mr. ROTHMAN):

H.R. 2803. A bill to designate the air traffic control tower at Newark International Airport in Newark, New Jersey, as the ''William J. 'Whitey' Conrad Air Traffic Control Tower''; to the Committee on Transportation and Infrastructure.

By Ms. PELOSI (for herself, Mr. BERMAN, Ms. LOFGREN, Ms. WOOLSEY, and Ms. BERKLEY):

H.R. 2804. A bill to designate the United States courthouse located at 95 Seventh Street in San Francisco, California, as the ''James R. Browning United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. PITTS:

H.R. 2805. A bill to provide for research on, and services for individuals with, post-abortion depression and psychosis; to the Committee on Energy and Commerce.

By Mr. PITTS (for himself, Mr. CLEMENT, Mr. WOLF, and Mr. SCOTT):

H.R. 2806. A bill to direct the Secretary of the Interior to provide assistance for the maintenance of gravesites of former Presidents of the United States; to the Committee on Resources.

By Mr. PORTMAN (for himself and Mr. CARDIN):

H.R. 2807. A bill to amend the Internal Revenue Code of 1986 to clarify the status of professional employer organizations and to promote and protect the interests of professional employer organizations, their customers, and workers; to the Committee on Ways and Means.

By Mr. PORTMAN (for himself and Mr. POMEROY):

H.R. 2808. A bill to amend the Internal Revenue Code of 1986 to transfer all excise taxes imposed on alcohol fuels to the Highway Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. REYES:

H.R. 2809. A bill to increase the total number of nonimmigrant visas that may be issued to nurses under section 101(a)(15)(H)(i)(c) of the Immigration and Nationality Act in each fiscal year, to increase the number of such visas that may be allocated for employment in States with larger populations, and to exempt locally-owned hospitals in health professional shortage areas from certain requirements applicable to employment of physicians and nurses admitted under section 101(a)(15)(H)(i)(b) of such Act; to the Committee on the Judiciary.

By Mr. REYES:

H.R. 2810. A bill to modify the benefits provided under the NAFTA Transitional Adjustment Assistance Program; to the Committee on Ways and Means.

By Mr. ROTHMAN:

H.R. 2811. A bill to improve the quality of life and safety of persons living and working near railroad tracks; to the Committee on Transportation and Infrastructure.

By Mr. SANDERS (for himself, Mr. KUCINICH, Ms. LEE, Ms. MCKINNEY, Mr. OWENS, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mrs. CLAYTON, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. FILNER, Mr. KILDEE, Ms. NORTON, Mr. SERRANO, Ms. SOLIS, Mr. STARK, and Mr. WEINER):

H.R. 2812. A bill to amend the Fair Labor Standards Act of 1938 to increase the Federal minimum wage to the value it had in 1968, and to provide for increases in such wage based on the cost of living; to the Committee on Education and the Workforce.

By Mr. SANDERS (for himself, Mr. CLAY, Mr. DEFAZIO, Mr. HINCHEY, Mr. KUCINICH, Ms. LEE, Ms. NORTON, Mr. STARK, and Mrs. THURMAN):

H.R. 2813. A bill to authorize States to regulate the rates for cable television service and to impose a one-year moratorium on increases in such rates; to the Committee on Energy and Commerce.

By Mr. SAWYER (for himself and Mr. BURR of North Carolina):

H.R. 2814. A bill to provide for expansion of electricity transmission networks in order to support competitive electricity markets, to ensure reliability of electric service, to modernize regulation, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCARBOROUGH (for himself, Mr. ROEMER, Mr. QUINN, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. MCNULTY, Ms. NORTON, Mr. DELAHUNT, Mr. BROWN of Ohio, Mr. WEXLER, Ms. CARSON of Indiana, Mr. MOORE, Mr. CUMMINGS, Mr. MEEHAN, Mr. MCGOVERN, Mr. NADLER, Ms. SOLIS, Mr. KENNEDY of Rhode Island, Mr. BALDACCI, Mr. FRANK, Mr. KILDEE, Mr. FROST, Mr. COYNE, Mr. PALLONE, Mr. HOYER, Mr. LANTOS, Mr. STRICKLAND, Ms. MCCARTHY of Missouri, Ms. MCKINNEY, Mr. MENENDEZ, Mr. WOLF, Mr. KING, Mr. SANDERS, Mr. RANGEL, Mr. BERMAN, Mr. BARRETT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WATT of North Carolina, Mr. PAYNE, Mr. COSTELLO, Mr. RODRIGUEZ, Ms. KAPTUR, Mr. HONDA, Mr. STARK, Ms. BALDWIN, Mr. LANGEVIN, Mr. HOLDEN, Mr. MALONEY of Connecticut, Ms. ESHOO, Mr. HASTINGS of Florida, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Mr. LAHOOD, Mrs. LOWEY, Mr. SPRATT, Mrs. CAPPS, Mr. MORAN of Virginia, Mr. GONZALEZ, Ms. SCHAKOWSKY, Mr. RUSH, Ms. SANCHEZ, Mr. CARSON of Oklahoma, Mr. SANDLIN, Mr. TIERNEY, Mrs. THURMAN, Mr. BOYD, Mr. MCDERMOTT, Mr. BLAGOJEVICH, Mr. SHIMKUS, Mr. SESSIONS, Mr. GREENWOOD, Mr. FOLEY, Mr. EHRLICH, Mr. GILMAN, Mr. ENGLISH, Mr. WALSH, Mr. BORSKI, Mr. BARCIA, Mr. SOUDER, Mr. NEAL of Massachusetts, Mrs. CHRISTENSEN, Mr. GEPHARDT, Ms. JACKSON-LEE of Texas, Mr. TOM DAVIS of Virginia, Mr. HINCHEY, Mr. RAHALL, Mr. LEVIN, Mr. SKELTON, Mr. CARDIN, Mrs. MINK of Hawaii, Mr. LAFALCE, Ms. LOFGREN, Mr. FARR of California, Mr. BISHOP, Mr. FILNER, Mr. CLYBURN, Mr. SCOTT, Mr. BONIOR, Mr. HILLIARD, Mr. SABO, Mrs. CLAYTON, Mr. OLVER, Mr. KLECZKA, Mr. TRAFICANT, Mr. SERRANO, Mr. THOMPSON of Mississippi, Ms. PELOSI, Mr. KIND, and Mr. UDALL of New Mexico):

H.R. 2815. A bill to designate the Federal building located at 10th Street and Constitution Avenue, NW, in Washington, DC, as the ''Robert F. Kennedy Department of Justice Building''; to the Committee on Transportation and Infrastructure.

By Mr. SIMMONS:

H.R. 2816. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase and installation of equipment to test for radon and to remove radon from the air and water; to the Committee on Ways and Means.

By Mr. SIMMONS (for himself and Mrs. JOHNSON of Connecticut):

H.R. 2817. A bill to provide for the effective punishment of online child molesters, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON:

H.R. 2818. A bill to authorize the Secretary of the Interior to convey certain public land within the Sand Mountain Wilderness Study Area in the State of Idaho to resolve an occupancy encroachment dating back to 1971; to the Committee on Resources.

By Mr. SMITH of Texas:

H.R. 2819. A bill to amend the Clayton Act with respect to the exemptions from the notification requirements of section 7A of such Act; to the Committee on the Judiciary.

By Mr. STRICKLAND (for himself and Mr. NEY):

H.R. 2820. A bill to amend title 38, United States Code, to suspend for five years the authority of the Secretary of Veterans Affairs to increase the copayment amount in effect for medication furnished by the Secretary on an outpatient basis for the treatment of nonservice-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. THORNBERRY:

H.R. 2821. A bill to amend title 10, United States Code, to improve the organization and management of the Department of Defense with respect to space programs and activities, and for other purposes; to the Committee on Armed Services.

By Mrs. THURMAN (for herself, Mr. FOLEY, Mr. BOYD, Mr. DOYLE, Mr. FILNER, Mr. GEKAS, Mr. HASTINGS of Florida, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. PUTNAM, Ms. ROS-LEHTINEN, Ms. WATSON, and Ms. WOOLSEY):

H.R. 2822. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to include compensation received for compulsory or involuntary commercial plant conversions as income or gain over a 10-year period; to the Committee on Ways and Means.

By Mrs. THURMAN (for herself, Mr. FOLEY, Mr. BOYD, Mr. HASTINGS of Florida, Mr. PUTNAM, and Ms. ROS-LEHTINEN):

H.R. 2823. A bill to amend the Internal Revenue Code of 1986 to expand the nontaxable exchange period within which commercial citrus trees destroyed under public order due to the citrus tree canker may be replaced; to the Committee on Ways and Means.

By Mrs. THURMAN (for herself, Mr. FOLEY, Mr. BOYD, Mr. HASTINGS of Florida, Mr. PUTNAM, and Ms. ROS-LEHTINEN):

H.R. 2824. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to include citrus canker tree replacement payments made by the Secretary of Agriculture as income or gain over a 10-year period; to the Committee on Ways and Means.

By Mr. TOOMEY (for himself, Mr. FLAKE, Mr. PITTS, Mr. GOODE, Mr. HOEKSTRA, Mr. RYUN of Kansas, Mr. CHABOT, Mr. TIAHRT, Mr. PENCE, Mr. VITTER, Mr. WELDON of Florida, Mr. ROGERS of Michigan, and Mr. THUNE):

H.R. 2825. A bill to amend the Economic Growth and Tax Relief Reconciliation Act of 2001 to change the October 1, 2001, due date for corporate estimated taxes to September 24, 2001; to the Committee on Ways and Means.

By Mr. UNDERWOOD (for himself, Mr. FALEOMAVAEGA, and Mrs. CHRISTENSEN):

H.R. 2826. A bill to increase the waiver requirement for certain local matching requirements for grants provided to American Samoa, Guam, the Virgin Islands, or the Commonwealth of the Northern Mariana Islands, and for other purposes; to the Committee on Resources.

By Mr. WALDEN of Oregon (for himself, Mr. HERGER, Mr. POMBO, Mr. DOOLITTLE, Mr. SIMPSON, Mr. HASTINGS of Washington, Mr. NETHERCUTT, and Mr. GIBBONS):

H.R. 2827. A bill to respond to the economic disaster threatening certain farmers and communities resulting from the Federal Government's denial of irrigation water for the Klamath Irrigation Project in the States of Oregon and California; to the Committee on Agriculture.

By Mr. WALDEN of Oregon (for himself, Mr. DEFAZIO, Mr. HERGER, Mr. POMBO, Mr. DOOLITTLE, Mr. SIMPSON, Mr. HASTINGS of Washington, Mr. NETHERCUTT, and Mr. GIBBONS):

H.R. 2828. A bill to authorize refunds of amounts collected from Klamath Project irrigation and drainage districts for operation and maintenance of the Project's transferred and reserved works for water year 2001, and for other purposes; to the Committee on Resources.

By Mr. WALDEN of Oregon (for himself, Mr. HERGER, Mr. DOOLITTLE, Mr. SIMPSON, Mr. HASTINGS of Washington, Mr. NETHERCUTT, and Mr. GIBBONS):

H.R. 2829. A bill to amend the Endangered Species Act of 1973 to require the Secretary of the Interior to give greater weight to scientific or commercial data that is empirical or has been field-tested or peer-reviewed, and for other purposes; to the Committee on Resources.

By Ms. WATERS:

H.R. 2830. A bill to restore the eligibility to vote and register to vote in Federal elections to individuals who have completed sentences for criminal offenses, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARMEY:

H. Con. Res. 208. Concurrent resolution providing for a conditional adjournment of the House of Representatives anda conditional recess or adjournment of the Senate.; considered and agreed to.

By Mr. CALVERT:

H. Con. Res. 209. Concurrent resolution expressing the sense of the Congress that the Secretary of Health and Human Services should administratively provide for coverage under the Medicare Program of backup systems for durable medical equipment in the case of a power failure; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FROST:

H. Con. Res. 210. Concurrent resolution expressing the sense of Congress regarding the establishment of a Disability Arts Month; to the Committee on Government Reform.

By Mr. KING (for himself, Ms. ROS-LEHTINEN, Mr. ROHRABACHER, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. PITTS, Mr. STARK, Mr. CAPUANO, Mr. OWENS, Mr. SOUDER, Mr. ENGLISH, Mr. DIAZ-BALART, Mr. EVANS, Mr. UNDERWOOD, Mr. SHAYS, Mr. CASTLE, and Mr. CHABOT):

H. Con. Res. 211. Concurrent resolution commending Daw Aung San Suu Kyi on the 10th anniversary of her receiving the Nobel Peace Prize and expressing the sense of the Congress with respect to the Government of Burma; to the Committee on International Relations.

By Mr. RODRIGUEZ:

H. Con. Res. 212. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued in honor of William C. Velasquez, the national Hispanic civic leader; to the Committee on Government Reform.

By Mr. ROYCE (for himself, Mr. BECERRA, Ms. ROS-LEHTINEN, Mr. PAYNE, Mr. SMITH of New Jersey, Mr. ROHRABACHER, Mr. GILMAN, Mr. KIRK, and Mr. HORN):

H. Con. Res. 213. Concurrent resolution expressing the sense of Congress regarding North Korean refugees who are detained in China and returned to North Korea where they face torture, imprisonment, and execution; to the Committee on International Relations.

By Mr. SHAW (for himself, Mr. THOMAS, Mr. CRANE, Mrs. JOHNSON of Connecticut, Mr. HOUGHTON, Mr. HERGER, Mr. MCCRERY, Mr. CAMP, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. COLLINS, Mr. PORTMAN, Mr. ENGLISH, Mr. WATKINS, Mr. HAYWORTH, Mr. WELLER, Mr. HULSHOF, Mr. MCINNIS, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. BRADY of Texas, Mr. RYAN of Wisconsin, Mr. BROWN of South Carolina, Mrs. CAPITO, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mr. DREIER, Mr. GOSS, Mr. HORN, Mr. MILLER of Florida, Mr. NETHERCUTT, Mr. OSE, Mr. PLATTS, Mr. PETERSON of Pennsylvania, Mr. PUTNAM, Mr. SCARBOROUGH, Mr. SESSIONS, Mr. STEARNS, Mr. SWEENEY, Mr. WATTS of Oklahoma, Mr. WAMP, and Mr. YOUNG of Florida):

H. Con. Res. 214. Concurrent resolution expressing the sense of the Congress that the President and the Congress should save Social Security as soon as possible and vigorously safeguard Social Security surpluses, and that the President's Commission to Strengthen Social Security should recommend innovative ways to protect workers' financial commitment without benefit cuts or payroll tax increases; to the Committee on Ways and Means.

By Mr. UNDERWOOD:

H. Con. Res. 215. Concurrent resolution expressing the sense of Congress that a series of postage stamps should be issued to commemorate each of the 50 States, the District of Columbia, and the territories of Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico; to the Committee on Government Reform.

By Mr. SCHAFFER (for himself, Mr. BILIRAKIS, Mr. WYNN, Mr. SESSIONS, Mr. CRANE, Mr. SMITH of New Jersey, Mrs. LOWEY, Mr. WEXLER, Mr. CHABOT, and Mr. BROWN of Ohio):

H. Res. 221. A resolution expressing the sense of the House regarding United States policy toward Taiwan's membership in international organizations; to the Committee on International Relations.

By Mr. SCHAFFER (for himself and Ms. KAPTUR):

H. Res. 222. A resolution congratulating Ukraine on the tenth anniversary of re-establishment of its independence; to the Committee on International Relations. considered and agreed to.

By Mr. ARMEY:

H. Res. 223. A resolution authorizing the cleaning and repair of the mace of the House of Representatives by the Smithsonian Institution.; considered and agreed to.

By Mr. FERGUSON (for himself, Mr. SAXTON, Mrs. ROUKEMA, Mr. FRELINGHUYSEN, Mr. HOLT, Mr. PAYNE, Mr. ANDREWS, and Mr. LOBIONDO):

H. Res. 224. A resolution honoring the New Jersey State Law Enforcement Officers Association; to the Committee on the Judiciary.

By Mr. HASTINGS of Florida:

H. Res. 225. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a postage stamp commemorating the Fisk Jubilee Singers; to the Committee on Government Reform.

By Mr. MATSUI (for himself, Ms. NORTON, Ms. CARSON of Indiana, Mr. CAPUANO, Mr. MATHESON, Mr. LANGEVIN, Mr. SKELTON, Mr. SHIMKUS, Mr. PASTOR, Mr. SMITH of New Jersey, Mr. PRICE of North Carolina, and Mr. REYES):

H. Res. 226. A resolution expressing the sense of the House of Representatives that there should be established a Children's Vision Awareness Day; to the Committee on Government Reform.

By Ms. MILLENDER-MCDONALD:

H. Res. 227. A resolution expressing the sense of the House of Representatives regarding the 80th Anniversary of the city of Lynwood, California, and its role as a flourishing, multi-cultural city in Los Angeles County; to the Committee on Government Reform.

By Ms. MILLENDER-MCDONALD:

H. Res. 228. A resolution expressing the sense of the House of Representatives regarding the 55th anniversary of the Lynwood Chamber of Commerce, California, and its outstanding leadership for Lynwood business owners; to the Committee on Government Reform.

By Ms. MILLENDER-MCDONALD:

H. Res. 229. A resolution expressing the sense of the House of Representatives regarding the military service of Filipinos during World War II and their eligibility for benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS (for himself, Mr. HAYWORTH, Mr. FLAKE, Mr. SHADEGG, Mr. KOLBE, Mr. ROYCE, Mr. TANCREDO, Mr. MILLER of Florida, Mr. NUSSLE, Mr. MANZULLO, Mr. HYDE, Mr. JOHNSON of Illinois, Mrs. BIGGERT, Mr. HOSTETTLER, Mr. GUTKNECHT, Mr. THUNE, Mr. PAUL, Mr. BONILLA, Mr. GREEN of Wisconsin, Mr. STUMP, Mr. RADANOVICH, Mr. SIMPSON, Mr. OTTER, Mr. WELLER, Mr. SOUDER, Mr. BOEHNER, Mr. PETRI, Mr. SENSENBRENNER, Mr. RYAN of Wisconsin, Mr. KENNEDY of Minnesota, Mr. CULBERSON, Mr. ISSA, Mr. LATHAM, Mr. LEACH, Mr. GANSKE, Mr. SHIMKUS, Mr. CRANE, Mr. SKEEN, Mr. ROHRABACHER, Mr. DOOLEY of California, Mr. RUSH, Mr. DAVIS of Illinois, Mr. COSTELLO, Mr. JACKSON of Illinois, Mr. STUPAK, Mr. OBERSTAR, Mr. SABO, Mr. TRAFICANT, Ms. BALDWIN, Mr. BARRETT, Mr. KIND, Mr. OBEY, Mr. KLECZKA, and Mr. PHELPS):

H. Res. 230. A resolution expressing the sense of the House of Representatives that Article I, section 10 of the United States Constitution should not be used to renew the interstate economic protectionism of our Nation's early history; to the Committee on the Judiciary.

By Mr. SHAW (for himself and Mr. WYNN):

H. Res. 231. A resolution expressing the sense of the House of Representatives that a National Child's Day ought to be established; to the Committee on Government Reform.

By Mr. SWEENEY:

H. Res. 232. A resolution establishing a Select Committee on Medical Research; to the Committee on Rules.

¶86.52 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. THOMPSON of California introduced a bill (H.R. 2831) for the relief of Patricia and Michael Duane, Gregory Hansen, Mary Pimental, Randy Ruiz, Elaine Schlinger, and Gerald Whitaker; which was referred to the Committee on the Judiciary.

¶86.53 ADDITIONAL SPONSORS

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

H.R. 13: Mr. STRICKLAND.
H.R. 28: Mr. LEACH.
H.R. 41: Mrs. NAPOLITANO.
H.R. 71: Mr. DAVIS of Illinois, Ms. MCKINNEY, Mr. CUMMINGS, and Mrs. JONES of Ohio.
H.R. 72: Mr. CUMMINGS.
H.R. 75: Mr. BONIOR, Mr. JACKSON of Illinois, Mrs. JONES of Ohio, Mr. BRADY of Pennsylvania, Mr. FROST, Mr. CUMMINGS, Mr. BALDACCI, Ms. BROWN of Florida, and Mr. MEEKS of New York.
H.R. 98: Mr. DAVIS of Florida.
H.R. 122: Mr. WELLER.
H.R. 183: Mr. NADLER.
H.R. 257: Mr. FORBES, Mr. KINGSTON, and Mr. NORWOOD.
H.R. 265: Ms. EDDIE BERNICE JOHNSON of Texas and Mrs. LOWEY.
H.R. 267: Mr. MCKEON, Mrs. KELLY, Mr. GRUCCI, and Mr. JACKSON of Illinois.
H.R. 275: Mr. OSE.
H.R. 281: Ms. VELAZQUEZ.
H.R. 292: Mr. JACKSON of Illinois, Ms. SOLIS, and Mr. RUSH.
H.R. 321: Mr. MCDERMOTT, Mr. SANDERS, Mr. DELAHUNT, Mr. HINCHEY, and Mr. RANGEL.
H.R. 389: Mr. DEFAZIO.
H.R. 397: Mr. MCNULTY, Mr. MEEKS of New York, and Mr. PASTOR.
H.R. 437: Mr. OSE.
H.R. 440: Mr. MCGOVERN.
H.R. 448: Mr. SOUDER.
H.R. 455: Mr. COOKSEY.
H.R. 500: Mr. ACEVEDO-VILA.
H.R. 525: Mr. BISHOP.
H.R. 626: Mr. LATHAM, Mr. HAYES, Mr. HOBSON, Mr. MANZULLO, and Mr. OSBORNE.
H.R. 656: Mr. MATHESON, Mr. SOUDER, and Mr. MCHUGH.
H.R. 662: Mr. TOOMEY.
H.R. 663: Ms. WOOLSEY.
H.R. 664: Mr. FATTAH, Mr. MATHESON, and Mr. LAFALCE.
H.R. 680: Ms. LOFGREN.
H.R. 690: Mr. UNDERWOOD.
H.R. 702: Mr. THOMPSON of California.
H.R. 709: Mr. HONDA.
H.R. 730: Mr. ENGLISH.
H.R. 749: Mr. SOUDER.
H.R. 751: Mr. WICKER.
H.R. 781: Mr. ACEVEDO-VILA.
H.R. 786: Mr. ALLEN and Mr. JACKSON of Illinois.
H.R. 792: Mr. BROWN of Ohio and Mr. BLAGOJEVICH.
H.R. 822: Mr. CANTOR and Mr. CLEMENT.
H.R. 831: Mr. REYES, Mr. LAMPSON, Mr. GILCHREST, Ms. CARSON of Indiana, Mr. TOOMEY, Mr. BACHUS, Mr, BLUNT, Mr. PITTS, Mr. CALLAHAN, Mr. ACKERMAN, Mr. PHELPS, Mr. SHERMAN, Mr. MEEKS of New York, and Mr. MATHESON.
H.R. 840: Mrs. CAPPS and Mr. HASTINGS of Florida.
H.R. 844: Mr. SMITH of New Jersey.
H.R. 848: Mr. MCGOVERN, Mr. HASTINGS of Florida, and Mr. LAHOOD.
H.R. 853: Mr. BISHOP.
H.R. 854: Mrs. JO ANN DAVIS of Virginia and Mr. DICKS.
H.R. 868: Mr. BASS, Ms. BALDWIN, Mr. HOEKSTRA, Mr. CANNON, and Mr. LEACH.
H.R. 877: Mr. EHRLICH.
H.R. 914: Mr. MANZULLO.
H.R. 919: Mr. RANGEL.
H.R. 938: Mr. KUCINICH.
H.R. 948: Mr. PRICE of North Carolina, Ms. LEE, Mr. DAVIS of Illinois, Mr. LEACH, Mr. LUCAS of Kentucky, Ms. VELAZQUEZ, Mr. WYNN, and Mr. ENGEL.
H.R. 951: Mr. FERGUSON, Mr. FATTAH, Mr. TRAFICANT, Mr. LEACH, and Mr. EVANS.
H.R. 968: Mr. GORDON and Mr. BROWN of South Carolina.
H.R. 969: Mr. MANZULLO.
H.R. 981: Mr. CHAMBLISS.
H.R. 1021: Mr. SCHAFFER and Mr. CLAY.
H.R. 1024: Mr. PLATTS.
H.R. 1030: Mrs. NORTHUP, Mr. PICKERING, Mr. BAKER, Mr. BROWN of South Carolina, Mr. WICKER, and Mr. STRICKLAND.
H.R. 1035: Mr. BRADY of Pennsylvania.
H.R. 1038: Mr. MCDERMOTT, Mr. SANDERS, Mr. PASTOR, Mr. HINCHEY, and Mr. RANGEL.
H.R. 1051: Mr. Bonio, Mr. JACKSON of Illinois, and Ms. SOLIS.
H.R. 1052: Mr. STARK.
H.R. 1055: Mr. GONZALEZ and Mr. HILLIARD.
H.R. 1060: Ms. CARSON of Indiana.
H.R. 1073: Mr. MATHESON.
H.R. 1076: Mr. JOHNSON of Illinois.
H.R. 1090: Mr. MICA.
H.R. 1092: Mr. MEEHAN, Mr. BLUMENAUER, and Mr. DEFAZIO.
H.R. 1109: Mr. BRYANT, Mr. KELLER, Ms. PRYCE of Ohio, Mr. FOLEY, and Ms. GRANGER.
H.R. 1110: Mr. HOBSON.
H.R. 1136: Mr. BEREUTER.
H.R. 1155: Ms. VELAZQUEZ, Mr. FORD, Mr. OWENS, and Mrs. CLAYTON.
H.R. 1160: Ms. HOOLEY of Oregon.
H.R. 1170: Mr. SAWYER, Mr. MASCARA, Mr. SHOWS, Mr. COYNE, and Mr. WEINER.
H.R. 1172: Ms. LOFGREN, Mr. QUINN, Mr. SABO, Mr. GRUCCI, Mr. BOEHLERT, Mr. SERRANO, Mr. LUCAS of Oklahoma, and Mr. ORTIZ.
H.R. 1177: Mr. OLVER and Mr. WATT of North Carolina.
H.R. 1191: Mr. EVANS.
H.R. 1198: Mr. PASCRELL, Mr. COYNE, Mrs. LOWEY, Ms. ROYBAL-ALLARD, and Mrs. NAPOLITANO.
H.R. 1202: Ms. WOOLSEY, Ms. SCHAKOWSKY, Mr. STRICKLAND, Mr. KLECZKA, Mr. KUCINICH, Mr. CANTOR, and Mr. KING.
H.R. 1212: Mr. CLEMENT and Mr. NORWOOD.
H.R. 1232: Mr. HINCHEY.
H.R. 1238: Mr. MEEKS of New York and Mr. ENGLISH.
H.R. 1242: Mr. OLVER.
H.R. 1252: Mr. SKELTON and Ms. WATERS.
H.R. 1274: Mr. MANZULLO.
H.R. 1290: Mrs. MINK of Hawaii and Mr. MEEKS of New York.
H.R. 1296: Mr. OXLEY, Mr. RAMSTAD, and Mr. CANNON.
H.R. 1305: Mr. BRADY of Texas and Mr. CULBERSON.
H.R. 1307: Mr. GREEN of Texas.
H.R. 1319: Ms. MCCOLLUM.
H.R. 1322: Ms. PELOSI, Mr. NADLER, Mr. RUSH, Ms. KAPTUR, Mr. SABO, Mr. COSTELLO, Ms. WOOLSEY, Mr. PASTOR, Mr. SANDLIN, Mr. WYNN, Mr. LANTOS, Mr. LANGEVIN, Mr. KENNEDY of Rhode Island, Mr. PASCRELL, Mr. BLAGOJEVICH, Mr. STUPAK, Mr. PALLONE, Ms. VELAZQUEZ, and Ms. LOFGREN.
H.R. 1341: Mr. DUNCAN.
H.R. 1353: Mr. EVANS, Mr. BAIRD, Mr. SHOWS, Mr. SHIMKUS, Mr. REHBERG, Mr. POMBO, Mr. WATKINS, and Mr. LUCAS of Oklahoma.
H.R. 1357: Mr. OXLEY and Mr. NEY.
H.R. 1358: Mr. ENGEL.
H.R. 1377: Mr. FOLEY, Mr. CRANE, and Mr. BURTON of Indiana.
H.R. 1381: Mr. PRICE of North Carolina.
H.R. 1405: Mr. DAVIS of Florida.
H.R. 1412: Mr. COSTELLO and Mrs. NAPOLITANO.
H.R. 1436: Ms. BERKLEY, Mr. DIAZ-BALART, and Mr. BECERRA.
H.R. 1476: Mr. HINCHEY and Mr. BONIOR.
H.R. 1509: Mr. BACA, Mr. ORTIZ, Mr. SERRANO, Mr. ACEVEDO-VILA, Mrs. NAPOLITANO, Mr. RODRIGUEZ, Mr. BECERRA, Ms. SOLIS, Mr. HINOJOSA, Mr. PASTOR, and Ms. VELAZQUEZ.
H.R. 1520: Mrs. MCCARTHY of New York.
H.R. 1522: Mr. LEVIN and Mrs. LOWEY.
H.R. 1524: Mr. BALLENGER.
H.R. 1525: Mr. BONIOR and Mr. FATTAH.
H.R. 1556: Ms. HART and Mr. EVANS.
H.R. 1577: Mr. CUBIN, Mr. KINGSTON, Mr. QUINN, Mr. PLATTS, Ms. PRYCE of Ohio, TIAHRT, Mr. MCKEON, Mrs. WILSON, and Mr. CRAMER.
H.R. 1587: Ms. SLAUGHTER.
H.R. 1600: Mr. LAHOOD.
H.R. 1609: Mr. DICKS.
H.R. 1613: Ms. SLAUGHTER.
H.R. 1621: Mr. BONIOR.
H.R. 1624: Mr. BRADY of Pennsylvania, Mr. RAMSTAD, Mr. LAHOOD, and Mr. BONILLA.
H.R. 1642: Mr. MATHESON.
H.R. 1645: Mr. REYES, Mr. DEFAZIO, and Mr. RUSH.
H.R. 1669: Mr. BECERRA.
H.R. 1675: Mr. KERNS and Mr. PLATTS.
H.R. 1680: Ms. CARSON of Indiana and Mr. SCOTT.
H.R. 1685: Ms. CARSON of Indiana and Mr. BERRY.
H.R. 1700: Ms. SOLIS and Mr. RANGEL.
H.R. 1703: Mr. GEORGE MILLER of California, Mr. KIND, Mr. MOORE, and MS. SOLIS.
H.R. 1711: Ms. CARSON of Indiana.
H.R. 1734: Ms. CARSON of Indiana.
H.R. 1744: Ms. CARSON of Indiana and Mr. HINCHEY.
H.R. 1773: Mr. HOLT, Mr. WU, and Mr. PASCRELL.
H.R. 1779: Mr. WEINER, Mr. SMITH of New Jersey, Mr. OLVER, Mr. WU, Ms. JACKSON-LEE of Texas, and Mrs. KERRY.
H.R. 1782: Mr. DEMINT.
H.R. 1789: Mr. GREEN of Texas.
H.R. 1790: Ms. KILPATRICK.
H.R. 1798: Mr. BURTON of Indiana.
H.R. 1810: Mr. UDALL of New Mexico and Mr. OLVER.
H.R. 1816: Ms. MCKINNEY, Ms. RIVERS, Mr. KILDEE, Mrs. MINK of Hawaii, Mr. BROWN of Ohio, and Mr. MCGOVERN.
H.R. 1822: Mr. MCINTYRE, Mr. SHOWS, Mr. PRICE of North Carolina, and Mr. RANGEL.
H.R. 1839: Mr. GOODLATTE.
H.R. 1860: Mr. MANZULLO, and Ms. VELAZQUEZ.
H.R. 1861: Mr. DAVIS of Illinois.
H.R. 1897: Ms. ESHOO, Ms. BERKLEY, and Mrs. MALONEY of New York.
H.R. 1918: Mr. SMITH of New Jersey and Mr. DOOLEY of California.
H.R. 1956: Mr. RILEY, Mr. CRAMER, Mr. WELDON of Pennsylvania, and Mr. BACHUS.
H.R. 1975: Mr. CANNON, Mrs. BIGGERT, and Mr. UDALL of New Mexico.
H.R. 1979: Mr. HAYWORTH, and Mr. HASTINGS of Washington.
H.R. 1986: Mr. WAMP.
H.R. 1987: Mr. DREIER, Mr. FRANK, Mr. LEWIS of Georgia, Mr. LAHOOD, Mr. NUSSLE, Mr. BERRY, and Mr. CAMP.

H.R. 1988: Mr. MOLLOHAN.
H.R. 2002: Mr. RADANOVICH, Mr. CANNON, Mr. OSBORNE, and Mr. MORAN of Kansas.
H.R. 2009: Mr. WATT of North Carolina.
H.R. 2014: Mr. SCHAFFER.
H.R. 2023: Mr. HASTINGS of Washington, Mr. BERRY, Mr. COBLE, Mr. SIMMONS, Ms. PRYCE of Ohio, Mr. KING, Mr. NUSSLE, Mr. BACA, Mrs. TAUSCHER, Mr. RADANOVICH, Mr. BOSWELL, Mr. ROSS, and Mr. KNOLLENBERG.
H.R. 2031: Ms. CARSON of Indiana.
H.R. 2033: Mrs. CHRISTENSEN, Mr. HINOJOSA, Mr. PASCRELL, and Mr. ACEVEDO-VILA.
H.R. 2034: Mr. SERRANO.
H.R. 2035: Mr. GORDON and Mr. MCGOVERN.
H.R. 2036: Mr. PASTOR, Ms. JACKSON-LEE of Texas, Mrs. CUBIN, and Ms. SLAUGHTER.
H.R. 2038: Mr. STRICKLAND.
H.R. 2058: Mr. GUTIERREZ.
H.R. 2059: Mr. TOWNS and Mr. PRICE of North Carolina.
H.R. 2063: Mr. BLUMENAUER and Mr. PRICE of North Carolina.
H.R. 2073: Mr. FOLEY.
H.R. 2074: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BLUMENAUER, Mr. COYNE, Ms. BALDWIN, and Ms. SCHAKOWSKY.
H.R. 2096: Mr. BROWN of South Carolina and Mr. BARTLETT of Maryland.
H.R. 2097: Mr. BONIOR, Mr. PASCRELL, Ms. WATSON, Mr. REYES, and Mrs. NAPOLITANO.
H.R. 2098: Mr. HOEFFEL.
H.R. 2117: Ms. NORTON, Mr. BLUNT, Ms. MCCARTHY of Missouri, and Mr. GORDON.
H.R. 2121: Mr. ENGEL.
H.R. 2125: Mr. MENENDEZ.
H.R. 2126: Mr. FROST and Mr. STENHOLM.
H.R. 2134: Mr. FILNER, Mr. ENGLISH, and Mr. DOYLE.
H.R. 2138: Mr. MEEKS of New York, and Mr. PRICE of North Carolina.
H.R. 2142: Mr. BACA, Mr. WU, Mr. ANDREWS, Mrs. MINK of Hawaii, Mr. WEXLER, Mr. MCDERMOTT, and Mr. EHLERS.
H.R. 2155: Mr. HAYWORTH.
H.R. 2158: Mr. RAHALL and Ms. CARSON of Indiana.
H.R. 2166: Mrs. THURMAN, Mr. RANGEL, Mr. MCNULTY, and Mr. RUSH.
H.R. 2173: Ms. CARSON of Indiana, Mr. BROWN of Ohio, and Mr. DIAZ-BALART.
H.R. 2179: Mr. FILNER, Ms. MCKINNEY, Mr. FROST, and Mr. SOUDER.
H.R. 2180: Mr. CONDIT.
H.R. 2220: Ms. ESHOO.
H.R. 2233: Ms. CARSON of Indiana.
H.R. 2240: Mr. WELDON of Florida.
H.R. 2244: Mr. HILLIARD.
H.R. 2258: Mr. CAPUANO, Ms. SOLIS, and Ms. MCKINNEY.
H.R. 2275: Mr. LAMPSON, Mr. UDALL of Colorado, Mr. HALL of Texas, Mr. BAIRD, Ms. RIVERS, Mr. GORDON, Mr. SHAYS, Mrs. MORELLA, Mr. BOEHLERT, and Ms. HART.
H.R. 2281: Mr. EVANS.
H.R. 2294: Mr. DEFAZIO, Mr. MEEKS of New York, Mr. MEEHAN, and Mr. CLEMENT.
H.R. 2308: Mr. CLEMENT, Mr. GREEN of Texas, and Mrs. JO ANN DAVIS of Virginia.
H.R. 2316: Mr. FRELINGHUYSEN, Mr. GOODLATTE, Mr. STUMP, Mr. BARTLETT of Maryland, Mr. EVERETT, and Mr. COLLINS.
H.R. 2319: Mrs. CLAYTON.
H.R. 2328: Mr. RUSH.
H.R. 2329: Mr. HOEFFEL, Mr. KENNEDY of Rhode Island, Mr. NEAL of Massachusetts, Mr. CLYBURN, and Mr. CROWLEY.
H.R. 2340: Ms. CARSON of Indiana and Mr. RUSH.
H.R. 2341: Mr. GALLEGLY.
H.R. 2343: Mr. HILLIARD.
H.R. 2348: Mrs. CLAYTON, Mr. UDALL of New Mexico, Mr. CLAY, Mr. SMITH of Washington, Mr. ENGLISH, Mr. HINOJOSA, Mr. SHERMAN, Mr. PAYNE, Mr. DAVIS of Illinois, Mr. SCHIFF, Mr. ACEVEDO-VILA, Mr. PAUL, and Ms. HOOLEY of Oregon.
H.R. 2349: Mr. EVANS.
H.R. 2357: Mr. SAM JOHNSON of Texas, Mr. CALLAHAN, Mrs. EMERSON, Mr. MICA, and Mr. SESSIONS.
H.R. 2362: Mr. MCGOVERN, Mr. BLUMENAUER, and Ms. CARSON of Indiana.
H.R. 2375: Mrs. KELLY.
H.R. 2380: Mr. GUTIERREZ, Mr. BONIOR, Mr. MCGOVERN, Mr. MEEKS of New York, Mr. BORSKI, Mr. JACKSON of Illinois, Mr. LAHOOD, Mrs. LOWEY, Ms. HOOLEY of Oregon, and Mrs. BIGGERT.
H.R. 2417: Mr. MCKEON.
H.R. 2422: Mr. COYNE and Mr. SMITH of New Jersey.
H.R. 2428: Mr. FALEOMAVAEGA.
H.R. 2435: Mr. OXLEY.
H.R. 2454: Mr. HERGER, Mr. CONDIT, Mr. BECERRA, Mr. DOOLEY of California, Mr. LEWIS of California, Mr. MATSUI, Mr. LANTOS, Mr. DREIER, Mr. OSE, Mr. SHERMAN, Mr. GARY G. MILLER of California, Mr. THOMAS, Mr. POMBO, Mr. COX, Mr. HONDA, Mr. ROHRABACHER, Mrs. NAPOLITANO, Mrs. TAUSCHER, Mr. FILNER, Mr. RADANOVICH, Mr. MCKEON, Mr. GEORGE MILLER of California, Ms. MILLENDER-MCDONALD, and Ms. WOOLSEY.
H.R. 2457: Mr. KINGSTON.
H.R. 2462: Mr. BORSKI, Mr. GORDON, Mrs. THURMAN, Mr. DOYLE, Mr. PAUL, and Mr. MOORE.
H.R. 2466: Mr. WICKER.
H.R. 2476: Mr. HINOJOSA and Mr. RUSH.
H.R. 2482: Mr. STARK, Ms. WOOLSEY, and Mr. BACA.
H.R. 2513: Mr. BARRETT.
H.R. 2550: Mr. FOLEY.
H.R. 2555: Mr. BERMAN, Ms. DELAURO, Mrs. JONES of Ohio, Mr. PENCE, Mr. BAIRD, Mr. FROST, and Mr. KUCINICH.
H.R. 2560: Mr. LIPINSKI.
H.R. 2563: Mr. LANTOS and Mr. ROTHMAN.
H.R. 2566: Mr. MCNULTY, Mr. ACKERMAN, Ms. HART, Mrs. MCCARTHY of New York, Mr. NADLER, MS. RIVERS, Mr. ENGEL, Mr. KERNS, and Mrs. JO ANN DAVIS of Virginia.
H.R. 2570: Ms. LOFGREN, Mr. MCGOVERN, Mr. WEXLER, Mr. KUCINICH, Mr. MATSUI, and Mr. HINCHEY.
H.R. 2573: Ms. WOOLSEY, Mr. COYNE, Mr. FILNER, Ms. PELOSI, and Mr. RAMSTAD.
H.R. 2576: Mr. GOODE.
H.R. 2578: Mr. BACA, Mr. CALVERT, Mr. CONDIT, Mr. DOOLEY of California, Mr. FARR of California, Mr. HERGER, Mr. HORN, Mr. LANTOS, Mr. LEWIS of California, Ms. ROYBAL-ALLARD, Mr. SHERMAN, Ms. SOLIS, and Mr. WAXMAN.
H.R. 2605: Mr. KUCINICH.
H.R. 2609: Mr. QUINN.
H.R. 2613: Mr. COBLE, Ms. CARSON of Indiana, Mrs. CLAYTON, and Mr. ETHERIDGE.
H.R. 2618: Mrs. JOHNSON of Connecticut and Mr. KENNEDY of Rhode Island.
H.R. 2622: Ms. VELAZQUEZ and Mr. KUCINICH.
H.R. 2623: Mr. FROST, Mr. SANDERS, and Ms. ROS-LEHTINEN.
H.R. 2624: Mr. FORBES.
H.R. 2629: Mr. BONIOR, Mr. BORSKI, Ms. MCKINNEY, and Mr. PASCRELL.
H.R. 2631: Mr. NETHERCUTT and Mr. HERGER.
H.R. 2635: Ms. JACKSON-LEE of Texas and Mr. FROST.
H.R. 2637: Ms. DELAURO and Mr. SCOTT.
H.R. 2640: Mr. FILNER.
H.R. 2641: Mrs. EMERSON and Ms. SLAUGHTER.
H.R. 2649: Mr. BLUNT, Mr. SHAW, Mr. FOSSELLA, and Mr. BEREUTER.
H.R. 2659: Mr. EHLERS.
H.R. 2661: Mr. MCGOVERN, Mr. STUPAK, and Mr. LEVIN.
H.R. 2663: Mr. CLEMENT.
H.R. 2666: Mr. ENGLISH, Mr. PASCRELL, and Mr. PENCE.
H.R. 2669: Mr. HASTINGS of Washington.
H.R. 2675: Mr. HAYWORTH, Mr. GREEN of Texas, and Mr. OSBORNE.
H.R. 2676: Mrs. CLAYTON, Mr. HILLIARD, Mr. CLYBURN, Ms. WATERS, Ms. MCKINNEY, Mr. BISHOP, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOWNS, Mr. LEWIS of Georgia, Mrs. THURMAN, Mr. ROSS, and Mr. RANGEL.
H.R. 2678: Mr. CUNNINGHAM, Mr. WOLF, and Mr. HOYER.
H.J. Res. 54: Mr. GOODLATTE and Mr. GREEN of Texas.
H. Con. Res. 20: Mr. SANDERS.
H. Con. Res. 42: Mr. UDALL of Colorado and Mr. GREEN of Texas.
H. Con. Res. 60: Ms. SCHAKOWSKY.
H. Con. Res. 77: Mr. SCHIFF.
H. Con. Res. 102: Mr. LUCAS of Kentucky.
H. Con. Res. 131: Mr. KUCINICH and Mr. PAYNE.
H. Con. Res. 141: Ms. BALDWIN.
H. Con. Res. 144: Mr. VISCLOSKY.
H. Con. Res. 166: Mr. WAXMAN, Ms. HARMAN, Ms. WATERS, Mr. BONIOR, and Mr. STUPAK.
H. Con. Res. 173: Ms. ROYBAL-ALLARD, Mr. LEACH, and Ms. HOOLEY of Oregon.
H. Con. Res. 175: Mr. HORN, Mr. DEFAZIO, Mr. WAXMAN, Mr. TIERNEY, Mr. KUCINICH, Ms. MCKINNEY, Mr. MORAN of Virginia, and Mr. TRAFICANT.
H. Con. Res. 177: Mr. HASTINGS of Florida, Mr. KUCINICH, and Mr. CUMMINGS.
H. Con. Res. 181: Mr. LUCAS of Kentucky, and Mr. BONIOR.
H. Con. Res. 184: Mr. LEWIS of Kentucky, Mr. TIAHRT, Mr. WICKER, Mr. DEMINT, Mr. RILEY, Mr. HAYWORTH, Mr. BAKER, Mr. HOEKSTRA, Mr. SCHAFFER, Mr. SMITH of Texas, Mr. DOOLITTLE, Mr. BARTLETT of Maryland, Mr. SKEEN, Mr. GRAHAM, Mr. LARGENT, Mr. HILLEARY, Ms. HART, Mr. MCINNIS, and Mr. RYUN of Kansas.
H. Con. Res. 188: Mr. CANTOR, Mr. HAYWORTH, and Mr. COYNE.
H. Con. Res. 191: Mr. FILNER and Mr. WATT of North Carolina.
H. Con. Res. 195: Mr. STARK.
H. Con. Res. 203: Mr. ENGEL, Mrs. LOWEY, and Ms. MCKINNEY.
H. Res. 117: Mr. TIERNEY and Mr. MEEHAN.
H. Res. 125: Mr. ISSA.
H. Res. 132: Mr. COYNE.
H. Res. 133: Mr. GILMAN, Mr. CROWLEY, Mr. WOLF, and Mr. DAVIS of Illinois.
H. Res. 144: Mr. STARK.
H. Res. 177: Mr. PASTOR and Mr. COSTELLO.
H. Res. 197: Mr. WELDON of Florida.

¶86.54 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 770: Mr. PHELPS.
H.R. 2037: Mr. SENSENBRENNER.

WEDNESDAY, SEPTEMBER 5, 2001 (87)

The House was called to order at 2 o'clock p.m. by the SPEAKER.

¶87.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, August 2, 2001.

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

¶87.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3333. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Asian Longhorned Beetle; Addition to Quarantined Areas [Docket No. 00–077–2] received August 6, 2001, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Agriculture.

3334. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Veterinary Services User Fees; Fees for Permit Applications [Docket No. 99–060–2] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3335. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Ethalfluralin; Pesticide Tolerances for Emergency Exemptions [OPP–301155; FRL–6793–2] (RIN: 2070–AB78) received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3336. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—2–Propenoic Acid, Polymer with 2-Propenamide, Sodium Salt; Tolerance Exemption [OPP–301157; FRL–6794–7] (RIN: 2070–AB78) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3337. A letter from the Director, Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of August 1, 2001, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 107–113); to the Committee on Appropriations and ordered to be printed.

3338. A communication from the President of the United States, transmitting requests for Fiscal Year 2002 budget amendments for the Department of the Interior and the District of Columbia; (H. Doc. No. 107–116); to the Committee on Appropriations and ordered to be printed.

3339. A communication from the President of the United States, transmitting requests to make available previously appropriated contingent emergency funds for the Departments of Agriculture and the Interior; (H. Doc. No. 107–117); to the Committee on Appropriations and ordered to be printed.

3340. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Michael E. Ryan, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

3341. A letter from the Acting Assistant Secretary, Department of Defense, transmitting an Annual Report on Fiscal Year 2000 Third Party Collections; to the Committee on Armed Services.

3342. A letter from the Deputy Secretary, Department of Defense, transmitting a Report on Fiscal Year 2001 Funds Obligated in Support of the Procurement of a Vaccine for the Biological Agent Anthrax; to the Committee on Armed Services.

3343. A letter from the Comptroller of the Currency, Administrator of National Banks, transmitting the four issues of the Quarterly Journal that comprise the 2000 annual report to Congress of the Office of the Comptroller of the Currency; to the Committee on Financial Services.

3344. A letter from the Group Vice President, Structured and Trade Finance, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the Republic of Korea, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3345. A letter from the Director, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the Republic of Korea, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3346. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Mexico, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3347. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Malaysia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3348. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Austria, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3349. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Mexico, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3350. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Mexico, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3351. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the People's Republic of China, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3352. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Brazil, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3353. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the Democratic and Popular Republic of Algeria, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3354. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3355. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–D–7511] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3356. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3357. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Theft Prevention Standard; Final Listing of Model Year 2002 High-Theft Vehicle Lines [Docket No. NHTSA–2001–9831] (RIN: 2127–AI08) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3358. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [FRL–7028–2] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3359. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Kern County Air Pollution Control District and Imperial County Air Pollution Control District [CA179–0243a; FRL–7022–5] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3360. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Authorization of State Hazardous Waste Management Program Revision [FRL–7029–1] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3361. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [SW-FRL–7025–8] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3362. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Partial Removal of Direct Final Rule Revising the Arizona State Implementation Plan, Maricopa County Environmental Services Department [AZ 086–0043; FRL–7029–5] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3363. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Montana [MT–001–0018a, MT–001–0019a, MT–001–0020a, MT–001–0022a, MT–001–0023a; MT–001–0031a; FRL–7026–3] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3364. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule-Clean Air Act Full Approval of Operating Permits Program in Washington [FRL–7031–6] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3365. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 118–1118a; FRL–7032–2] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3366. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [SW-FRL–7025–3] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3367. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Idaho: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7031–5] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3368. A letter from the Senior Legal Advisor to Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Alamo Community, New Mexico) [MM Docket No. 00–158; RM–9921] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3369. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmit-

ting the Commission's final rule—Amendment of Section 73.202(b), FM Table Allotments, FM Broadcast Stations (Bordelonville, Louisiana) [MM Docket No. 01–68; RM–10087] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3370. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Browning, Columbia Falls, and Pablo, Montana) [MM Docket No. 99–14; RM–9442; RM–9647] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3371. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Burnet, Texas) [MM Docket No. 99–358; RM–9783; RM–9838] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3372. A communication from the President of the United States, transmitting notification that he has exercised the authority granted to him to continue the system of controls contained in 15 C.F.R. Parts 730–774 and issued an Executive Order to continue export control regulations, pursuant to 50 U.S.C. 1703(b); (H. Doc. No. 107–114); to the Committee on International Relations and ordered to be printed.

3373. A letter from the Director, International Cooperation, Department of Defense, Acquisition, Technology, and Logistics, transmitting certification of a project for the Standoff Sensors For Nonacoustic ISR and ASW Project Agreement between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

3374. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Italy [Transmittal No. DTC 019–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3375. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 100–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3376. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Canada [Transmittal No. DTC 089–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3377. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom [Transmittal No. DTC 78–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3378. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with France [Transmittal No. DTC 077–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3379. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 094–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3380. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Germany [Transmittal No. DTC 081–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3381. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Singapore [Transmittal No. DTC 097–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3382. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Baikonur, Kazakhstan and Korou, French Guiana [Transmittal No. DTC 090–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3383. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Baikonur, Kazakhstan and Moscow, Russia [Transmittal No. DTC 098–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3384. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Baikonur, Kazakhstan [Transmittal No. DTC 087–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3385. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to French Guiana [Transmittal No. DTC 091–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3386. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Canada [Transmittal No. DTC 080–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3387. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Brazil [Transmittal No. DTC 079–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3388. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 095–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3389. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to New Zealand [Transmittal No. DTC 068–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3390. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 096–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3391. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom and Saudi Arabia [Transmittal No. DTC 101–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3392. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Korea [Transmittal No. DTC 067–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3393. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel [Transmittal No. DTC 093–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3394. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Arab Republic of Egypt [Transmittal No. DTC 064–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3395. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Belgium [Transmittal No. DTC 082–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3396. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to South Korea [Transmittal No. DTC 076–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3397. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Italy [Transmittal No. DTC 070–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3398. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Netherlands [Transmittal No. DTC 084–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3399. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Greece [Transmittal No. DTC 086–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3400. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Austria [Transmittal No. DTC 069–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3401. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Taiwan [Transmittal No. DTC

088–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3402. A communication from the President of the United States, transmitting a supplemental report consistent with the War Powers Resolution, regarding U.S. Armed Forces in East Timor; (H. Doc. No. 107–115); to the Committee on International Relations and ordered to be printed.

3403. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel [Transmittal No. DTC 092–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3404. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–107, ''Technical Amendments Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3405. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–120, ''Ed Murphy Way, N.W., Act of 2001'' received Septemeber 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3406. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–121, ''Closing and Dedication of Streets and Alleys in Squares 5920 and 5928, S.E., S.O. 00–86, Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3407. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–118, ''Special Signs Temporary Amendment Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3408. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–122, ''Closing of a Public Alley in Square 529, S.O. 01–1183, Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3409. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–127, ''Approval of the Extension of the Term of the Franchise of Comcast Cablevision Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3410. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–129, ''American Sign Language Recognition Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3411. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–117, ''New York Avenue Metro Special Assessment Authorization Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3412. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–109, ''Nominating Petitions Signature Amendment Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3413. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–119, ''Mental Health Service Delivery Reform Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3414. A letter from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3415. A letter from the Director, Employee Benefits/Payroll/HRIS, AgriBank, transmitting transmitting the annual report disclosing the financial condition of the Retirement Plan for the Employees of the Seventh Farm Credit District as required by Public Law 95–595, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

3416. A letter from the Executive Director, Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3417. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3418. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3419. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3420. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3421. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3422. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

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3425. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3426. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3427. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3428. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3429. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3430. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3431. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3432. A letter from the Director, Office of Headquarters and Executive Personnel Services, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3433. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3434. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3435. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3436. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3437. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3438. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3439. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3440. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3441. A letter from the General Counsel, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3442. A letter from the Chairman, Federal Trade Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

3443. A letter from the Administrator, General Services Administration, transmitting a report on agency programs undertaken in support of the Federal Employees Clean Air Incentives Act; to the Committee on Government Reform.

3444. A letter from the Counsel to the Inspector General, General Services Administration, transmitting a report pursuant to

the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3445. A letter from the Administrative Officer, Institute of Museum and Library Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3446. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3447. A letter from the Executive Secretary and Chief of Staff, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3448. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Arkansas Regulatory Program [SPATS No. AR–038–FOR] received August 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3449. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Indiana Regulatory Program [SPATS No. IN–151–FOR] received August 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3450. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Pennsylvania Regulatory Program [SPATS No. PA–133–FOR] received August 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3451. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' final rule—Migratory Bird Hunting; Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands (RIN: 1018–AH79) received August 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3452. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' final rule—Migratory Bird Hunting; Final Frameworks for Early-Season Migratory Bird Hunting Regulations (RIN: 1018–AH79) received August 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3453. A letter from the U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's ''Major'' final rule- Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2001–02 Early Season (RIN: 1018–AH79) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3454. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No. 010718180–1180–01; 062901A] (RIN: 0648–AP01) received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3455. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures and 2001 Harvest Specifications and Associated Management Measures for the Groundfish Fisheries off Alaska [Docket No. 010112013–1168–06; I.D. 011101B] (RIN: 0648–AO82) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3456. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Closure of the Commercial Fishery from U.S.—Canada Border to Leadbetter Pt., WA [Docket No. 010502110–1110–01; I.D. 071601E] received August 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3457. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on compliance within the time limitations established for deciding habeas corpus death penalty petitions under Title I of the Antiterrorism and Effective Death Penalty Act of 1996; to the Committee on the Judiciary.

3458. A letter from the Deputy Assistant Secretary, Employment and Training Administration, Department of Labor, transmitting the Department's final rule—Labor Certification Process for the Permanent Employment of Aliens in the United States; Refiling of Applications (RIN: 1205–AB25) received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3459. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary of State's findings pursuant to Section 219 of the Immigration and Nationality Act, as added by the Antiterrorism and Effective Death Penalty Act of 1996, and amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

3460. A letter from the Senior Attorney, National Highway Trafic Safety Administration, Department of Transportation, transmitting the Department's final rule—Civil Penalties [Docket No. NHTSA 2001–9404; Notice 2] (RIN: 2127–AI42) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3461. A letter from the Program Analyst, FAA, Department of Defense, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310, and Model A300 B4–600, A300 B4–600R, and A300 F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2000–NM–160–AD; Amendment 39–12302; AD 2001–13–20] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3462. A letter from the Principal Deputy Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting a report on the deep-draft navigation project for Savannah Harbor, Georgia; to the Committee on Transportation and Infrastructure.

3463. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment and Revision of Restricted Areas, ID [Airspace Docket No. 99–ANM–15] (RIN: 2120–AA66) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3464. A letter from the Paralegal Specialist, Federal Transit Administration, Department of Transportation, transmitting the Department's final rule—Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations [Docket No. FTA–2000–8513] (RIN: 2132–AA71) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3465. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace, Malta, MT [Airspace Docket No. 01–ANM–03] received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3466. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Hagerstown, MD [Airspace Docket No. 01–AEA–01FR] (RIN: 2120–AA66 (2001–0116)) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3467. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100 and -200 Series Airplanes [Docket No. 2000–NM–327–AD; Amendment 39–12331; AD 2001–14–20] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3468. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300 Series Airplanes Modified by Supplemental Type Cerificate ST00171SE [Docket No. 2000–NM–237–AD; Amendment 39–12321; AD 2001–14–10] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3469. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas DC–9–51 and DC–9–83 Series Airplanes Modified by Supplemental Type Cerificate SA8026NM [Docket No. 2000–NM–229–AD; Amendment 39–12312; AD 2001–14–02] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3470. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–102, –103, –106, –201, –202, –301, –311, –314, and –315 Series Airplanes [Docket No. 2000–NM–45–AD; Amendment 39–12301; AD 2001–13–19] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3471. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Implementation of Public Law 105–34, Section 1417, Related to the Use of Additional Ameliorating Material in Certain Wines (98R–89P) [T.D. ATF–458] (RIN: 1512–AB78) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3472. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Liquors and Articles From Puerto Rico and the Virgin Islands; Recodification of Regulations (2001R–56P) [T.D. ATF–459] (RIN: 1512–AC40) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3473. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Manufacture of Tobacco Products and Cigarette Papers and Tubes, Recodification of Regulations (2001R–57P) [T.D. ATF–460] (RIN: 1512–AC39) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3474. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Payments for New Medical Services and New Technologies under the Acute Care Hospital Inpatient Prospective Payment System [CMS 1176–F] (RIN: 0938–AL09) received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3475. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Deposits of Excise Taxes [TD 8963] (RIN: 1545–AX11) received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3476. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Classification of Certain Pension and Employee Benefit Trusts, and Other Trusts [TD 8962] (RIN: 1545–AY09) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3477. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Credit—received August 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3478. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Rev. Rul. 2001–41] received August 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3479. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Modification of Tax Shelter Rules II [TD 8961] (RIN: 1545–BA04) received August 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3480. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action On Decision: Mesa Oil, Inc. v. United States—received August 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3481. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—The Future of the Employee Plans Determination Letter Program [Announcement 2001–83] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3482. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Rev. Proc. 2001–42] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3483. A letter from the Secretary, Department of Defense, transmitting a report on Anti-Deficient Act Review of the Defense Health Program; jointly to the Committees on Armed Services and Appropriations.

3484. A letter from the Chief Cousel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting the Commission's 2000 Annual Report on operations under the War Claims Act of 1948, as amended, pursuant to 50 U.S.C. app. 2008 and 22 U.S.C. 1622a; jointly to the Committees on International Relations and the Judiciary.

3485. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification for Nonproliferation and Disarmament Fund (First Submission for FY 2001); jointly to the Committees on International Relations and Appropriations.

3486. A letter from the Secretary, Department of Veterans' Affairs, transmitting a draft of proposed legislation entitled, ''Veterans' Benefits Act of 2001''; jointly to the Committees on Veterans' Affairs and Ways and Means.

¶87.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monohan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2133. An Act to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

H.R. 2620. An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2620) ''An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon; and appoints Ms. MIKULSKI, Mr. LEAHY, Mr. HARKIN, Mr. BYRD, Mr. KOHL, Mr. JOHNSON, Mr. HOLLINGS, Mr. INOUYE, Mr. BOND, Mr. BURNS, Mr. SHELBY, Mr. CRAIG, Mr. DOMENICI, Mr. DEWINE, and Mr. STEVENS, to be the conferees on the part of the Senate.

The message also announced that the Senate has passed bills and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 238. An Act to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

S. 329. An Act to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes.

S. 356. An Act to establish a National Commission on the Bicentennial of the Louisiana Purchase.

S. 491. An Act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Denver Water Reuse project.

S. 498. An Act to amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes.

S. 506. An Act to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes.

S. 509. An Act to establish the Kenai Mountains-Turnagain Arm National Heritage Corridor in the State of Alaska, and for other purposes.

S. 584. An Act to designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse''.

S. 737. An Act to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the ''Joseph E. Dini, Jr. Post Office''.

S. 970. An Act to designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the ''Horatio King Post Office Building''.

S. 1026. An Act to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''.

S. 1046. An Act to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

S. 1144. An Act to amend title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.) to reauthorize the Federal Emergency Management Food and Shelter Program, and for other purposes.

S. 1198. An Act to reauthorize Franchise Fund Pilot Programs.

S. Con. Res. 59. Concurrent resolution expressing the sense of Congress that there should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers.

S. Con. Res. 62. Concurrent resolution congratulating Ukraine on the 10th anniversary of the restoration on its independence and supporting its full integration into the Euro-Atlantic community of democracies.

¶87.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 3, 2001 at 3:40 p.m.

That the Senate passed without amendment H.R. 2213.

That the Senate passed without amendment H. Con. Res. 208.

With best wishes, I am

Sincerely,

DANIEL STRODEL
(For Jeff Trandahl, Clerk of the House).

¶87.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES
Washington, DC, August 6, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 6, 2001 at 3:50 p.m.

That the Senate passed without amendment H.R. 93.

That the Senate passed without amendment H.R. 271.

That the Senate passed without amendment H.R. 364.

That the Senate passed without amendment H.R. 427.

That the Senate passed without amendment H.R. 558.

That the Senate passed without amendment H.R. 821.

That the Senate passed without amendment H.R. 988.

That the Senate passed without amendment H.R. 1183.

That the Senate passed without amendment H.R. 1753.

That the Senate passed without amendment H.R. 2043.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON

(For Jeff Trandahl, Clerk of the House).

¶87.6 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2001.

Speaker J. DENNIS HASTERT,
The U.S. House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: As a result of my nomination by President George W. Bush and my subsequent confirmation by the U.S. Senate to serve as Administrator of the Drug Enforcement Administration, I hereby resign from the U.S. House of Representatives. This resignation is to be effective at 2400 hours on Monday, August 6, 2001.

Enclosed you will find a copy of my letter to Governor Mike Huckabee of Arkansas stating the same.

Sincerely,

ASA HUTCHINSON.

¶87.7 ENROLLED BILLS SIGNED

The SPEAKER announced that pursuant to clause 4, rule I, SPEAKER pro tempore, Mr. WOLF, signed the following enrolled bills on Tuesday, August 7, 2001:

H.R. 93. An Act to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

H.R. 271. An Act to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center.

H.R. 364. An Act to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office''.

H.R. 427. An Act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

H.R. 558. An Act to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''.

H.R. 821. An Act to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building''.

H.R. 988. An Act to designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse''.

H.R. 1183. An Act to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the ''G. Elliot Hagan Post Office Building''.

H.R. 1753. An Act to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Office Building''.

H.R. 2043. An Act to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the ''Elwood Haynes 'Bud' Hillis Post Office Building''.

H.R. 2213. An Act to respond to the continuing economic crisis adversely affecting American agricultural producers.

¶87.8 DRUG FREE COMMUNITIES

Mr. SOUDER moved to suspend the rules and pass the bill (H.R. 2291) to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SOUDER and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SOUDER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶87.9 SUMMER EMERGENCY BLOOD DONOR MONTH

Mr. SOUDER moved to suspend the rules and agree to the following resolution (H. Res. 202); as amended:

Whereas every 3 seconds someone in the United States needs a blood transfusion;

Whereas approximately 32,000 pints of blood are used each day in the United States;

Whereas donated blood is used for transfusions of platelets, red blood cells, and plasma;

Whereas between 5 and 8 pints of red blood cells and approximately 5 pints of platelets are needed for the average open-heart surgery;

Whereas people who have been in car accidents and suffered massive blood loss may require transfusions of 50 pints or more of red blood cells;

Whereas blood centers are often in short supply of type O and type B blood;

Whereas shortages of type O and type B blood are most acute during the summer and during traditional vacation periods during the winter;

Whereas blood shortages can result in canceled surgeries, emergency room closures, and even death;

Whereas the Southeastern United States was in short supply of blood for transfusions before being hit by tropical storm Allison and is now experiencing a blood shortage crisis;

Whereas other States are donating blood from their own fragile blood supplies to the States that were hit hardest by tropical storm Allison;

Whereas the State of New York is experiencing a blood shortage crisis;

Whereas eligible donors in the State of New York are less than half as likely as other eligible donors in the United States to donate blood;

Whereas due to higher rates of cancer and other factors, the demand for blood in New York is higher than in other States;

Whereas the State of New York and the entire United States would benefit from increased blood donation;

Whereas the establishment of a Summer Emergency Blood Donor Season would encourage eligible donors in the United States to donate blood; and

Whereas the summer of 2001 would be an appropriate season to establish as Summer Emergency Blood Donor Season: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) a Summer Emergency Blood Donor Season should be established to encourage eligible donors in the United States to donate blood; and

(2) the President should issue a proclamation calling on the people of the United States to observe the summer of 2001 with appropriate programs and activities, including, in the case of eligible donors, the donation of blood.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SOUDER and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: ''A resolution expressing the sense of the House of Representatives regarding the establishment of a Summer Emergency Blood Donor Season to encourage eligible donors in the United States to donate blood.''.

A motion to reconsider the votes whereby the rules were suspended and said resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

¶87.10 DEFENSE PRODUCTION AMENDMENTS

Mr. OXLEY moved to suspend the rules and pass the bill (H.R. 2510) to extend the expiration date of the Defense Production Act of 1950, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. OXLEY and Mrs. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶87.11 TREATY TRADERS AND TREATY INVESTORS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 2277) to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Mr. WEXLER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶87.12 WORK FOR NONIMMIGRANT SPOUSES

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 2278) to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Mr. WEXLER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶87.13 REEXAMINATION OF PATENTS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 1866) to amend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Mr. BERMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶87.14 THIRD PARTY PATENT REEXAMINATION PROCEEDINGS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 1886) to amend title 35 United States Code, to provide for appeals by third parties in certain patent reexamination proceedings.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Mr. BERMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶87.15 STATE JUSTICE INSTITUTE

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 2048) to require a report on the operations of the State Justice Institute.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Mr. BERMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶87.16 RELATIONSHIP BETWEEN MEXICO AND UNITED STATES

Mr. HYDE moved to suspend the rules and agree to the following resolution (H. Res. 233):

Whereas the United States and Mexico share a special bilateral friendship which is matched by few other countries in the world;

Whereas the United States and Mexico are partners joined by geography as well as by a multitude of government-to-government and private relationships which are of critical importance to both countries;

Whereas the United States and Mexico share concerns on a wide range of issues, including trade, immigration, the environment, economic development, and regional security and stability;

Whereas Vicente Fox Quesada of the Alliance for Change (consisting of the National Action Party and the Mexican Green Party) was sworn in as President of the United Mexican States on December 1, 2000, the first opposition candidate to be elected president in Mexico in seven decades;

Whereas the United States, as Mexico's neighbor, ally, and partner in the hemisphere, has a strong interest in President Fox's success in promoting prosperity and democracy in his country and the region during his term of office; and

Whereas President Vicente Fox is making a state visit to Washington, D.C. on September 5–7, 2001: Now, therefore, be it

Resolved, That the House of Representatives—

(1) welcomes the state visit by the President of the United Mexican States, Vicente Fox Quesada; and

(2) declares that, in keeping with the just interests of the United States, the special nature of the relationship between the United States and Mexico should be further cultivated to the mutual benefit of both countries.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HYDE and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HYDE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶87.17 RECESS—4:22 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 22 minutes p.m., until approximately 6 p.m.

¶87.18 AFTER RECESS—6:01 P.M.

The SPEAKER pro tempore, Mr. WALDEN, called the House to order.

¶87.19 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. WALDEN, laid before the House the following communication from Mr. Jeff Hartley, Director of Communications, office of the Honorable Chris Cannon:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 2, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a deposition subpoena issued by the Third District Court, Salt Lake Department, State of Utah, in a civil case pending there.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

JEFF HARTLEY,
Director of Communications.

¶87.20 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. WALDEN, laid before the House the following communication from Mr. BURTON, Chairman of the Committee on Government Reform:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, August 30, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER. This is to formally notify you pursuant to Rule VIII of the Rules of the House that the Custodian of Records, Committee on Government Reform has received a subpoena for documents issued by the United States District Court for the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DAN BURTON,
Chairman.

¶87.21 H.R. 2291—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WALDEN, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2291) to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a national Community Antidrug Coalition Institute, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 402 / Nays ..... 1 }

¶87.22 [Roll No. 333]

YEAS—402

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

NAYS—1

Flake

NOT VOTING—28

Barton
Carson (IN)
Crane
DeFazio
DeGette
DeLay
Etheridge
Foley
Frank
Green (TX)
Hastings (FL)
Hayes
Hinchey
Horn
Jackson-Lee (TX)
Lampson
Lipinski
McNulty
Mica
Mollohan
Nadler
Pascrell
Paul
Rangel
Reyes
Sherman
Traficant
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶87.23 H. RES. 233 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WALDEN, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to said resolution (H. Res. 233) recognizing the important relationship between the United States and Mexico.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 407 / Nays ..... 0 }

¶87.24 [Roll No. 334]

YEAS—407

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews

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

NOT VOTING—24

Barton
Carson (IN)
Crane
DeFazio
DeLay
Etheridge
Foley
Frank
Hastings (FL)
Hayes
Horn
Lampson
Lipinski
McNulty
Mollohan
Murtha
Nadler
Pascrell
Rangel
Reyes
Riley
Sherman
Traficant
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶87.25 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 51

On motion of Mrs. MYRICK, by unanimous consent,

Ordered, That it may be in order at any time on September 5, 2001, or any day thereafter, to consider in the House the joint resolution (H.J. Res. 51) approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam; that the joint resolution be considered as read for amendment; that all points of order against the joint resolution and against its consideration be waived; that the joint resolution be debatable for two hours equally divided and controlled by the chairman of the Committee on Ways and Means and a member opposed to the joint resolution; and that consistent with section 151 of the Trade Act of 1974 the previous question be considered as ordered on the joint resolution to final passage without intervening motion.

¶87.26 ORDER OF BUSINESS—CONSIDERATION OF H.R. 2833

On motion of Mrs. MYRICK, by unanimous consent,

Ordered, That it may be in order at any time on the legislative day of Thursday, September 6, 2001, without intervention of any point of order to consider in the House the bill (H.R. 2833) to promote freedom and democracy in Viet Nam; that the bill be considered as read for amendment; that the bill be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations; and that the previous question be considered as ordered on the bill to final passage without intervening except one motion to recommit.

¶87.27 THE LATE HONORABLE FLOYD SPENCE

Mr. SPRATT submitted the following privileged resolution (H. Res. 234):

Resolved, That the House has heard with profound sorrow of the death of the Honorable FLOYD SPENCE, a Representative from the State of South Carolina.

Resolved, That the Clerk communicate these solutions to the Senate and transmit a copy thereof to the family of the deceases.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

When said resolution was considered.

After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection and, under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶87.28 APPOINTMENT OF FUNERAL COMMITTEE OF THE LATE FLOYD SPENCE

The SPEAKER pro tempore, Mr. KIRK, by unanimous consent and pursuant to the order of the House of Thursday, August 2, 2001, announced that the Speaker on Tuesday, August 21, 2001, appointed as members to attend the funeral for the late Honorable Floyd Spence the following Members on the part of the House:

Messrs. SPRATT, HASTERT, WATTS of Oklahoma, CLYBURN, GRAHAM, DEMINT, BROWN of South Carolina, YOUNG of Florida, Mr. HUNTER, SAXTON, HEFLEY, MCNULTY, BARTLETT, MCHUGH, and CHAMBLISS.

¶87.29 SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 238. An Act to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon; to the Committee on Resources.

S. 329. An Act to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes; to the Committee on Resources.

S. 356. An Act to establish a National Commission on the Bicentennial of the Louisiana Purchase; to the Committee on Resources.

S. 491. An Act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Denver Water Reuse project; to the Committee on Resources.

S. 498. An Act to amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes; to the Committee on Resources.

S. 506. An Act to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes; to the Committee on Resources.

S. 509. An Act to establish the Kenai Mountains-Turnagain Arm National Heritage Corridor in the State of Alaska, and for other purposes; to the Committee on Resources.

S. 737. An Act to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the ''Joseph E. Dini, Jr. Post Office''; to the Committee on Government Reform.

S. 970. An Act to designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the ''Horatio King Post Office Building''; to the Committee on Government Reform.

S. 1026. An Act to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''; to the Committee on Government Reform.

S. 1144. An Act to amend title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.) to reauthorize the Federal Emergency Management Food and Shelter Program, and for other purposes; to the Committee on Financial Services.

S. 1198. An Act to reauthorize Franchise Fund Pilot Programs; to the Committee on Government Reform.

S. Con. Res. 62. Concurrent resolution congratulating Ukraine on the 10th anniversary of the restoration of its independence and supporting its full integration into the Euro-Atlantic community of democracies; to the Committee on International Relations.

¶87.30 ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 93. Federal Firefighters Retirement Age Fairness Act.

H.R. 271. An Act to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center.

H.R. 364. An Act to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Majory Williams Scrivens Post Office''.

H.R. 427. An Act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

H.R. 558. An Act to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''.

H.R. 821. An Act to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building''.

H.R. 988. An Act to designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse''.

H.R. 1183. An Act to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the ''G, Elliot Hagan Post Office Building''.

H.R. 1753. An Act to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Post Office Building''.

H.R. 2043. An Act to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the ''Elwood Haynes 'Bud' Hillis Post Office Building''.

H.R. 2213. An Act to respond to the continuing economic crisis adversely affecting American agricultural producers.

¶87.31 BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on August 8, 2001, he presented to the President of the United States, for his approval, the following bills.

H.R. 2131. To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004, and for other purposes.

H.R. 2213. To respond to the continuing economic crisis adversely affecting American agricultural producers.

Jeff Trandahl, Clerk of the House reports that on August 10, 2001, he presented to the President of the United States, for his approval, the following bills.

H.R. 1183. To designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the ''G. Elliot Hagan Post Office Building''.

H.R. 1753. To designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Post Office Building''.

H.R. 2043. To designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the ''Elwood Hayes 'Bud' Hillis Post Office Building''.

H.R. 271. To direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center.

H.R. 364. To designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office''.

H.R. 427. To provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

H.R. 558. To designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''.

H.R. 821. To designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building''.

H.R. 93. To amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

H.R. 988. To designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse''.

¶87.32 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. CRANE, for today and balance of the week;

To Mr. HASTINGS of Florida, for today;

To Mr. McNULTY, for today;

To Mr. HORN, for today and balance of the week; and

To Mr. HAYES, for today and balance of the week.

And then,

¶87.33 ADJOURNMENT

On motion of Mr. WELDON of Pennsylvania, pursuant to House Resolution 234, at 11 o'clock and 29 minutes p.m., the House adjourned out of respect for the late Honorable Floyd Spence until 10 a.m., Thursday, September 6, 2001.

¶87.34 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of August 2, 2001]

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1007. A bill to limit access to body armor by violent felons and to facilitate the donation of Federal surplus body armor to State and local law enforcement agencies; with an amendment (Rept. No. 107–193 Pt. 1). Ordered to be printed.

[Submitted August 31, 2001]

Mr. COMBEST: Committee on Agriculture. Supplemental report on H.R. 2646. A bill to provide for the continuation of agricultural programs through fiscal year 2011 (Rept. No. 107–191, Pt. 2).

[Pursuant to the order of the House on August 2, 2001 the following report was filed on September 4, 2001]

Mr. STUMP: Committee on Armed Services. H.R. 2586. A bill to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes; with amendments (Rept. No. 107–194). Referred to the Committee of the Whole House on the State of the Union.

[Filed on September 5, 2001]

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 717. A bill to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy; with amendments (Rept. No. 107–195). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 2589. A bill to amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize the Office of Multifamily Housing Assistance Restructuring, and for other purposes (Rept. No. 107–196). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. House Concurrent Resolution 84. Resolution supporting the goals of Red Ribbon Week in promoting drug-free communities (Rept. No. 107–197). Referred to the House Calender.

Mr. THOMAS: Committee on Ways and Means. House Joint Resolution 51. Resolution approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam

(Rept. No. 107–198). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on International Relations. H.R. 2368. A bill to promote freedom and democracy in Viet Nam; with an amendment (Rept. No. 107–199 Pt. 1).

Mr. NUSSLE: Committee on the Budget. H.R. 981. A bill to provide a biennial budget for the United States Government; with amendments (Rept. No. 107–200 Pt. 1).

¶87.35 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 981. Referral to the Committees on Rules and Government Reform extended for a period ending not later than November 2, 2001.

H.R. 2368. Referral to the Committees on Financial Services and Rules extended for a period ending not later than September 5, 2001.

¶87.36 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII: The Committees on Financial Services and Rules discharged from further consideration. H.R. 2368 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶87.37 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of New Jersey:

H.R. 2832. A bill to promote freedom and democracy in Viet Nam; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 2833. A bill to promote freedom and democracy in Viet Nam; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 2834. A bill to amend section 526 of the National Housing Act to provide that any certification of a property for meeting energy efficiency requirements for mortgage insurance under such Act shall be conducted by an individual certified by an accredited home energy rating system provider; to the Committee on Financial Services.

By Mr. COX (for himself, Mr. LANTOS, and Mr. ROHRABACHER):

H.R. 2835. A bill to authorize the payment of compensation to members of the Armed Forces and civilian employees of the United States who performed slave labor for Japan during World War II, or the surviving spouses of such members, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. GRUCCI):

H.R. 2836. A bill to amend title XVIII of the Social Security Act to provide for equitable reimbursement rates under the Medicare Program to MedicareChoice organizations; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT:

H.R. 2837. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion from an employee's gross income for employer-provided health coverage of the employee's spouse to coverage provided to the employee's domestic partner; to the Committee on Ways and Means.

By Ms. MILLENDER-MCDONALD:

H.R. 2838. A bill to require the Director of the National Institutes of Health to conduct or support research using certain human pluripotent stem cells, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MILLENDER-MCDONALD (for herself, Mr. HOUGHTON, Mr. LEACH, Mrs. MORELLA, Mr. RANGEL, Mr. MCDERMOTT, Ms. LOFGREN, Mr. JEFFERSON, Mr. ACKERMAN, Mr. HALL of Ohio, and Ms. MCCOLLUM):

H.R. 2839. A bill to provide additional appropriations for the fiscal year 2002 for the Peace Corps; to the Committee on International Relations.

By Mr. PORTMAN:

H.R. 2840. A bill to suspend temporarily the duty on Dichlorobenzidine Dihydrochloride; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 2841. A bill to designate the building located at 1 Federal Plaza in New York, New York, as the ''James L. Watson United States Court of International Trade Building''; to the Committee on Transportation and Infrastructure.

By Mr. SCARBOROUGH:

H.R. 2842. A bill to provide that Federal civilian retirees shall not be allowed to receive veterans' disability compensation while receiving retirement benefits, except to the extent that retired members of the Armed forces are allowed to receive such compensation while receiving military retirement pay; to the Committee on Government Reform.

By Mr. SCARBOROUGH:

H.R. 2843. A bill to amend the Federal Rules of Criminal Procedure to allow motions for a new trial at any time where the error alleged is a violation of constitutional rights; to the Committee on the Judiciary.

By Mr. CASTLE:

H. Con. Res. 216. Concurrent resolution expressing the sense of the Congress that a commemorative stamp should be issued honoring Felix Octavius Carr Darley; to the Committee on Government Reform.

By Mr. HYDE (for himself, Mr. LANTOS, Mr. PAUL, Mr. BALLENGER, Mr. MENENDEZ, and Mr. DELAHUNT):

H. Res. 233. A resolution recognizing the important relationship between the United States and Mexico; to the Committee on International Relations. considered and agreed to.

By Mr. SPRATT:

H. Res. 234. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Floyd Spence, a Representative from South Carolina; considered and agreed to.

¶87.38 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

185. The SPEAKER presented a memorial of the General Assembly of the State of Tennessee, relative to Senate Joint Resolution No. 239 memorializing the United States Congress and the President of the United States to fully fund the federal commitment to the Individual with Disabilities Education Act; to the Committee on Education and the Workforce.

186. Also, a memorial of the General Assembly of the State of Rhode Island, relative to House Resolution 2001–H 6557 memorializing the President and Congress not to allow drilling in Georges Bank; to the Committee on Resources.

187. Also,a memorial of the Legislature of the State of Alaska, relative to Legislative Resolve No. 19 memorializing the United States Congress to fully fund the United States Coast Guard's supplemental budget for its operational readiness and recapitalization requirements to ensure that this humanitarian arm of the nation's national security system remains ''semper paratus'' throughout the Twenty-First Century; to the Committee on Transportation and Infrastructure.

188. Also,a memorial of the General Assembly of the State of Rhode Island, relative to Joint Resolution 01–S 0944 memorializing the President and Congress to impose a moratorium on major airline industry mergers in order to fully and carefully consider all consequences; jointly to the Committees on Transportation and Infrastructure and the Judiciary.

189. Also,a memorial of the General Assembly of the State of Rhode Island, relative to Joint Resolution 2001–H 6446 memorializing the President and Congress to impose a moratorium on major airline industry mergers in order to fully and carefully consider all consequences; jointly to the Committees on Transportation and Infrastructure and the Judiciary.

¶87.39 ADDITIONAL SPONSORS

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

H.R. 15: Mr. ARMEY.

H.R. 17: Mrs. DAVIS of California, Mr. DELAHUNT, and Ms. PELOSI.

H.R. 25: Mr. MCDERMOTT.

H.R. 31: Mr. EVERETT.

H.R. 36: Mr. MOLLOHAN.

H.R. 61: Mr. PASCRELL.

H.R. 91: Mr. GEORGE MILLER of California, Mr. LATOURETTE, and Mr. OWENS.

H.R. 134: Ms. BROWN of Florida.

H.R. 159: Mr. KERNS.

H.R. 163: Mrs. ROUKEMA.

H.R. 179: Mr. KERNS.

H.R. 184: Mr. WAXMAN.

H.R. 218: Mr. REYNOLDS, Mr. KERNS, and Mr. CRANE.

H.R. 250: Mr. SHUSTER, Ms. HART, Mr. HILL, Mr. NUSSLE, Mr. WAMP, and Mr. CARSON of Oklahoma.

H.R. 267: Mr. SANDLIN.

H.R. 278: Ms. CARSON of Indiana.

H.R. 281: Mr. DAVIS of Illinois, Mr. BISHOP, Ms. PELOSI, and Mr. SHOWS.

H.R. 292: Mr. CAPUANO, Mr. TIERNEY, and Mr. DOYLE.

H.R. 294: Mr. GORDON.

H.R. 303: Ms. WATSON, Mr. SHUSTER, Ms. RIVERS, Mr. BERMAN, Ms. MCCARTHY of Missouri, and Mr. MCINNIS.

H.R. 336: Ms. MCCOLLUM.

H.R. 420: Mr. GOODLATTE.

H.R. 425: Mr. KILDEE and Mr. PETERSON of Minnesota.

H.R. 448: Mr. WATT of North Carolina, Mr. MCDERMOTT, and Mr. RAMSTAD.

H.R. 458: Mr. TERRY, Mr. COX, Mr. BURTON of Indiana, Mr. KERNS, and Mr. WALSH.

H.R. 500: Mr. MORAN of Virginia.

H.R. 510: Mr. SKEEN, Mr. JOHN, Mr. FORBES, and Mr. SWEENEY.

H.R. 525: Mr. LATOURETTE.

H.R. 534: Mr. BENTSEN, Mr. NORWOOD, Mr. FORBES, Mr. BOUCHER, Mr. HORN, Mr. BAKER, and Mr. REHBERG.

H.R. 595: Mr. CUNNINGHAM.
H.R. 639: Mr. GUTIERREZ, Mr. NADLER, Mr. DEFAZIO, and Mr. GORDON.
H.R. 649: Mr. DEMINT.
H.R. 663: Mr. MEEKS of New York.
H.R. 664: Mr. ROGERS of Kentucky and Mrs. CAPITO.
H.R. 677: Mr. MATHESON and Mr. DOYLE.
H.R. 684: Mr. RUSH.
H.R. 699: Mr. CUNNINGHAM.
H.R. 713: Mr. DELAHUNT.
H.R. 746: Mr. REHBERG.
H.R. 751: Mr. OWENS.
H.R. 852: Mr. PORTMAN and Mrs. JONES of Ohio.
H.R. 854: Mr. COSTELLO, Mr. HOBSON, Mr. GEORGE MILLER of California, Mr. WELDON of Florida, Mr. BECERRA, and Mr. PORTMAN.
H.R. 868: Mr. GRAVES, Mr. REYES, and Mr. HINCHEY.
H.R. 869: Mr. MATHESON and Mr. GUTIERREZ.
H.R. 912: Mr. SIMMONS, Ms. WATSON, and Mr. INSLEE.
H.R. 950: Mr. NETHERCUTT, Mr. BISHOP, and Mr. KERNS.
H.R. 951: Mr. LUCAS of Oklahoma, Mr. KELLER, Mr. WATKINS, Mr. LEVIN, Mr. BOEHLERT, Mr. SIMMONS, Mrs. CHRISTENSEN, Ms. NORTON, Ms. DELAURO, Mr. LARSEN of Washington, Mr. KNOLLENBERG, and Mr. EVERETT.
H.R. 964: Mr. DELAHUNT and Mr. WEINER.
H.R. 969: Mr. HALL of Texas.
H.R. 1008: Mr. REYNOLDS.
H.R. 1033: Ms. SOLIS, Ms. MCKINNEY, and Mr. UNDERWOOD.
H.R. 1110: Mr. UDALL of Colorado.
H.R. 1170: Mr. BOUCHER, Mr. SANDLIN, Mr. KENNEDY of Rhode Island, Ms. DEGETTE, Mr. SHERMAN, Ms. KAPTUR, Mr. ROTHMAN, and Mr. MARKEY.
H.R. 1178: Mr. OWENS.
H.R. 1192: Mr. LAMPSON.
H.R. 1198: Ms. PELOSI, Mr. ROSS, Mr. FARR of California, Mr. JOHNSON of Illinois, Mr. FORBES, Mrs. NORTHRUP, Ms. DELAURO, Mr. CRAMER, Mr. THOMPSON of California, Mr. MASCARA, Mr. BLUMENAUER, Mr. HOLT, Mr. MCINTYRE, and Mr. BALDACCI.
H.R. 1238: Mr. HOBSON.
H.R. 1252: Ms. SCHAKOWSKY.
H.R. 1254: Mr. BARCIA, Mr. MASCARA, Mr. FILNER, Mr. SHAYS, Mr. REYNOLDS, Mr. BERMAN, and Mr. Ferguson.
H.R. 1269: Mr. WATT of North Carolina and Ms. MCCOLLUM.
H.R. 1273: Mr. KERNS.
H.R. 1280: Ms. MCCOLLUM.
H.R. 1287: Mr. MOORE.
H.R. 1295: Mr. OWENS, Mr. PASCRELL, and Mr. LANTOS.
H.R. 1296: Mr. BAKER, Mr. KINGSTON, Mr. WOLF, Mr. FERGUSON, Mr. LARSON of Connecticut, Mr. GUTKNECHT, and Mr. CANTOR.
H.R. 1304: Mr. REYNOLDS, Mr. WALSH, and Mr. CRAMER.
H.R. 1305: Mrs. JOHNSON of Connecticut, Mr. GRAVES, Mr. NORWOOD, and Mr. GRUCCI.
H.R. 1319: Mr. OWENS.
H.R. 1322: Ms. DELAURO.
H.R. 1330: Mr. BRYANT.
H.R. 1341: Mr. OTTER and Mr. MCCRERY.
H.R. 1344: Ms. SCHAKOWSKY, Mr. HINCHEY, and Mr. WAXMAN.
H.R. 1353: Mr. SOUDER, Mr. OSBORNE, Mr. KELLER, Mr. PENCE, Mr. SIMMONS, and Mr. SESSIONS.
H.R. 1354: Mr. OLVER, Mr. THOMPSON of California, Mr. MCINTYRE, Mr. BISHOP, and Mr. OWENS.
H.R. 1358: Mr. BISHOP.
H.R. 1368: Mr. EHLERS.
H.R. 1382: Mr. WAXMAN.
H.R. 1405: Mr. HINCHEY.
H.R. 1425: Ms. PELOSI and Mr. DOYLE.
H.R. 1429: Mr. FATTAH.
H.R. 1436: Mr. FERGUSON, Mr. COSTELLO, Mr. GALLEGLY, Mr. BENTSEN, Mr. MCINTYRE, Mr. ISAKSON, Mr. DAVIS of Florida, Mr. PETERSON of Minnesota, and Mr. SMITH of New Jersey.
H.R. 1438: Mr. ISAKSON.
H.R. 1451: Mr. MCINTYRE.
H.R. 1452: Mr. OWENS.
H.R. 1487: Mr. HUNTER, Mr. SMITH of Washington, Mr. GREENWOOD, and Mr. OSE.
H.R. 1509: Mr. COSTELLO, Mr. STENHOLM, and Mr. POMEROY.
H.R. 1512: Mr. KILDEE.
H.R. 1541: Mr. MCINTYRE.
H.R. 1556: Mr. BECERRA, Mr. BRYANT, Mr. ROGERS of Michigan, Mr. PICKERING, Mr. VISCLOSKY, Mr. GRAVES, Mr. FRELINGHUYSEN, Mr. HINOJOSA, Mr. MCINTYRE, Mr. MATSUI, Mr. JONES of North Carolina, Mr. DAVIS of Florida, Mr. TIERNEY, Mr. SESSIONS, Mr. ABERCROMBIE, and Mrs. JO ANN DAVIS of Virginia.
H.R. 1564: Ms. CARSON of Indiana.
H.R. 1582: Mr. HINCHEY and Mrs. MORELLA.
H.R. 1591: Mr. FILNER and Mr. GEORGE MILLER of California.
H.R. 1596: Mr. ABERCROMBIE.
H.R. 1600: Mr. DOOLITTLE.
H.R. 1601: Mr. BRYANT, Mr. WHITFIELD, Mr. PETERSON of Pennsylvania, and Mr. LEACH.
H.R. 1609: Mr. SHUSTER, Mr. MORAN of Kansas, Mr. STUMP, Mr. FILNER, Mr. PLATTS, Mrs. CAPITO, Mr. MCINTYRE, Mr. HASTINGS of Washington, Mr. DOYLE, Mr. DUNCAN, and Mr. ABERCROMBIE.
H.R. 1640: Mr. REYNOLDS.
H.R. 1645: Mr. MOORE, Ms. PRYCE of Ohio, Mr. DIAZ-BALART, Mr. MCINTYRE Mr. LUCAS of Kentucky, Mrs. CLAYTON, Mr. GORDON, Mr. SMITH of New Jersey, Mr. BOUCHER, and Mr. SHIMKUS.
H.R. 1739: Mr. BONIOR.
H.R. 1744: Mr. FILNER, Ms. MCKINNEY, Mr. OWENS, and Ms. JACKSON-LEE of Texas.
H.R. 1754: Mr. JONES of North Carolina, Mr. REYNOLDS, Mr. STUMP, Mr. FILNER, and Ms. MCKINNEY.
H.R. 1773: Mr. MASCARA, Mr. SHUSTER, Mr. MCHUGH, and Mr. OWENS.
H.R. 1815: Mr. DELAHUNT and Ms. MCCOLLUM.
H.R. 1822: Mr. POMEROY, Mrs. DAVIS of California, Mrs. CLAYTON, Mr. WATKINS, and Mr. GREENWOOD.
H.R. 1828: Mr. DOOLEY of California.
H.R. 1861: Mrs. CHRISTENSEN, Mr. PETERSON of Minnesota, Mr. FARR of California, and Mr. HOLT.
H.R. 1873: Mr. STUPAK.
H.R. 1896: Mrs. TAUSCHER.
H.R. 1904: Mr. DOOLEY of California, Mr. FRANK, Mr. FILNER, Ms. SANCHEZ, Ms. CARSON of Indiana, Mrs. THURMAN, Ms. MCKINNEY, Mr. BONIOR, Mr. FARR of California, Mr. OWENS, Mr. BERMAN, Mr. KUCINICH, Mr. EVANS, Ms. LEE, Mr. HASTINGS of Washington, Ms. ESHOO, and Ms. JACKSON-LEE of Texas.
H.R. 1911: Mr. BROWN of South Carolina and Mr. OSBORNE.
H.R. 1919: Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. CARSON of Oklahoma, Mr. PICKERING, Mr. MCINNIS, Mr. WOLF, and Mr. BEREUTER.
H.R. 1948: Mr. COSTELLO, Mr. DOYLE, and Mr. BALDACCI.
H.R. 1967: Mr. LANTOS, Ms. SOLIS, and Mr. DEFAZIO.
H.R. 1969: Mr. BONIOR.
H.R. 1975: Mr. EHLERS, Mr. BLAGOJEVICH, Mr. JOHNSON of Illinois, Mr. DICKS, Mr. LUCAS of Oklahoma, and Mr. MCINTYRE.
H.R. 1987: Mr. SHUSTER, Mr. RADANOVICH, Mr. OTTER, Mr. BRYANT, Mr. OXLEY, and Mr. CLAY.
H.R. 1990: Mr. SERRANO and Mr. WAXMAN.
H.R. 1997: Mr. OWENS.
H.R. 2035: Mr. BACA, Ms. PELOSI, Mr. INSLEE, and Mr. BARCIA.
H.R. 2037: Mr. TOM DAVIS of Virginia and Mr. OSBORNE.
H.R. 2058: Mr. RUSH and Mr. OWENS.
H.R. 2059: Mr. BARRETT.
H.R. 2070: Mrs. TAUSCHER.
H.R. 2073: Mrs. CAPITO, Mr. DEFAZIO, Mr. SCHROCK, Ms. PRYCE of Ohio, and Mr. STUPAK.
H.R. 2074: Mr. FALEOMAVAEGA, Mr. BISHOP, Ms. RIVERS, Mr. ENGEL, Mr. OLVER, Mr. PRICE of North Carolina, Mr. HOEFFEL, and Mr. DELAHUNT.
H.R. 2117: Mr. CLEMENT, Mr. LUCAS of Kentucky, Mr. COOKSEY, Mr. FILNER, Mr. BORSKI, Mr. SMITH of New Jersey, Mr. BACA, Mr. MCINTYRE, Mr. SHAW, and Mr. COYNE.
H.R. 2123: Mr. GREEN of Wisconsin, Mrs. BIGGERT, Mr. FALEOMAVAEGA, Mr. MCINTYRE, and Mr. CANNON.
H.R. 2157: Mrs. MINK of Hawaii, Mr. KILDEE, and Mr. EDWARDS.
H.R. 2185: Mr. DOYLE.
H.R. 2219: Mrs. JONES of Ohio, Mrs. CHRISTENSEN, Mr. CLEMENT, Mr. MICA, Mr. OWENS, and Mr. PASCRELL.
H.R. 2220: Mr. ISSA and Mr. HILLIARD.
H.R. 2235: Mr. GOODLATTE, Mr. WHITFIELD, Mr. DEAL of Georgia, Mr. GOODE, Mr. MILLER of Florida, and Mr. GREEN of Wisconsin.
H.R. 2244: Mr. KELLER.
H.R. 2258: Mr. GREEN of Texas, Mr. MORAN of Virginia, Ms. ROYBAL-ALLARD, Mr. WAXMAN, Mrs. MINK of Hawaii, Mr. STARK, Ms. ESHOO, Mr. DELAHUNT, Ms. WOOLSEY, Mr. OWENS, Mr. TIERNEY, and Mr. ROTHMAN.
H.R. 2282: Ms. ESHOO, Mr. MEEKS of New York, Mr. COYNE, and Mr. BARRETT.
H.R. 2319: Ms. PELOSI.
H.R. 2329: Mr. OLVER, Ms. PRYCE of Ohio, Mr. LANGEVIN, Mr. TRAFICANT, Mr. PICKERING, Mr. TOM DAVIS of Virignia, Mrs. CAPITO, and Mr. LEACH.
H.R. 2333: Mr. ISAKSON, Mr. FILNER, and Mr. UPTON.
H.R. 2337: Mr. OTTER.
H.R. 2339: Mr. WELDON of Florida, Mr. UPTON, Mr. CLEMENT, Mr. FLETCHER, Mr. HOEFFEL, and Mrs. MORELLA.
H.R. 2340: Mr. CARSON of Oklahoma.
H.R. 2341: Mr. COOKSEY, Mr. DEAL of Georgia, Mr. SHAYS, Mr. SIMMONS, and Mr. SMITH of Texas.
H.R. 2349: Mr. PALLONE, Mr. SERRANO, Mr. MEEKS of New York, Mr. WAXMAN, Mr. PASCRELL, Mr. HINCHEY, Mrs. MORELLA, Mr. MALONEY of Connecticut, and Mr. WEINER.
H.R. 2364: Ms. ESHOO and Mr. WELDON of Pennsylvania.
H.R. 2368: Mr. MARKEY, Ms. ROS-LEHTINEN, and Ms. MCCOLLUM.
H.R. 2377: Ms. ROYBAL-ALLARD, Ms. BROWN of Florida, Mr. UDALL of Colorado, Mr. KENNEDY of Rhode Island, Mr. MATSUI, and Ms. PELOSI.
H.R. 2380: Mr. OLVER and Mr. OWENS.
H.R. 2391: Mr. KERNS.
H.R. 2405: Mr. HINCHEY and Mr. HOEFFEL.
H.R. 2413: Mr. OWENS.
H.R. 2417: Mr. OSBORNE, Mr. BASS, Mr. COSTELLO, Mr. OWENS, and Mr. WALSH.
H.R. 2438: Mr. FRELINGHUYSEN, Mr. EHLERS, Ms. SLAUGHTER, Mr. GREENWOOD, and Mr. STARK.
H.R. 2439: Mrs. EMERSON, Mr. HASTINGS of Florida, Ms. KAPTUR, Ms. MCKINNEY, Ms. RIVERS, Mrs. THURMAN, and Mr. WATKINS.
H.R. 2459: Mrs. MINK of Hawaii and Mr. ABERCROMBIE.
H.R. 2476: Mr. ENGEL.
H.R. 2485: Mr. GOODE, Mr. BARCIA, Mr. LATOURETTE, Mr. COBLE, and Mr. MANZULLO.
H.R. 2515: Ms. BALDWIN.
H.R. 2517: Mr. BACA.
H.R. 2573: Mr. OLVER, Mr. FRANK, Mr. KLECZKA, Mr. BARRETT, and Mr. ROTHMAN.
H.R. 2592: Mr. HINCHEY and Mr. WAXMAN.
H.R. 2594: Mr. ROSS.
H.R. 2622: Mr. SHAYS and Mr. HORN.
H.R. 2623: Mr. UNDERWOOD, Mrs. MINK of Hawaii, Ms. MCKINNEY, Mr. TOWNS, Mr. DOYLE, and Mr. KING.
H.R. 2667: Mr. ORTIZ and Mrs. MEEK of Florida.

H.R. 2669: Mr. FALEOMAVAEGA.
H.R. 2675: Mr. FALEOMAVAEGA, Ms. MCKINNEY, and Mr. OWENS.
H.R. 2677: Ms. ROYBAL-ALLARD, Mr. KUCINICH, Mr. BERMAN, Mr. BRADY of Pennsylvania, Mr. BORSKI, Ms. ESHOO, and Mr. TOWNS.
H.R. 2690: Mr. KIND, Mr. ISAKSON, Mr. ROHRABACHER, Mr. OBERSTAR, Ms. LOFGREN, Mr. HOLDEN, Mr. WEINER, Mr. RAMSTAD, Mr. KILDEE, Mr. MCGOVERN, and Mr. CONDIT.
H.R. 2695: Mr. KNOLLENBERG and Mr. QUINN.
H.R. 2701: Mr. DEUTSCH, Mr. FILNER, Mr. SCHIFF, Mr. THOMPSON of California, Mr. TIERNEY, Mr. BRADY of Pennsylvania, Mr. MCHUGH, and Mr. BERMAN.
H.R. 2711: Mr. MEEKS of New York and Mrs. THURMAN.
H.R. 2718: Mr. FRANK and Mr. COYNE.
H.R. 2725: Mr. HEFLEY, Mr. ETHERIDGE, Mr. MORAN of Virginia, Mr. GORDON, Mr. BENTSEN, Ms. ROYBAL-ALLARD, Mr. TRAFICANT, Ms. HOOLEY of Oregon, Mr. SIMMONS, Mr. PENCE, Mr. ROSS, Mr. BOUCHER, and Mr. SCHROCK.
H.R. 2755: Mr. BROWN of Ohio, Mr. HILLIARD, Mr. LAFALCE, Mr. MEEKS of New York, Ms. WATERS, Ms. WATSON, Ms. SCHAKOWSKY, and Mr. BONIOR.
H.R. 2778: Mr. MEEKS of New York, Mr. ENGEL, and Ms. PELOSI.
H.R. 2779: Mr. LEACH, Ms. MCKINNEY, Ms. SCHAKOWSKY, Mr. DOYLE, and Mr. PETERSON of Minnesota.
H.R. 2787: Mr. OWENS and Mr. RANGEL.
H.R. 2794: Mr. GREENWOOD and Mr. RILEY.
H.R. 2806: Mr. MCDERMOTT.
H.R. 2812: Mr. HILLIARD, Mr. MEEKS of New York, and Mr. CONYERS.
H.R. 2813: Ms. MCKINNEY.
H.R. 2816: Mr. MCDERMOTT.
H.R. 2817: Mr. GREENWOOD, Mr. HUNTER, Ms. MCKINNEY, Mr. GILMAN, Mr. SHOWS, Mr. ROGERS of Michigan, and Mr. OWENS.
H.J. Res. 6: Mr. WALSH.
H.J. Res. 40: Mr. LEACH.
H. Con. Res. 26: Ms. DELAURO.
H. Con. Res. 60: Mr. FILNER, Mr. HALL of Ohio, Mr. OWENS, and Mr. ENGLISH.
H. Con. Res. 102: Mr. SAWYER, Mr. CARSON of Oklahoma, and Mr. KIND.
H. Con. Res. 104: Mr. GOODE and Mr. HOLT.
H. Con. Res. 116: Mr. KILDEE and Mr. ANDREWS.
H. Con. Res. 118: Ms. SANCHEZ and Mr. BONIOR.
H. Con. Res. 164: Mr. ROTHMAN, Mr. CASTLE, Mr. BOYD, and Mr. CHABOT.
H. Con. Res. 181: Mr. SCHIFF, Mr. CLAY, and Mr. GOODE.
H. Con. Res. 191: Mrs. JONES of Ohio, Mr. ENGLISH, and Mr. OWENS.
H. Con. Res. 194: Mr. ROHRABACHER, Mr. GUTKNECHT, Mr. GREEN of Wisconsin, Mr. TOOMEY, Mr. CANTOR, Mr. SAM JOHNSON of Texas, Mr. SUNUNU, Mr. SHADEGG, Mr. CUNNINGHAM, Mr. NEY, Mr. VITTER, Mr. JONES of North Carolina, Mr. RYAN of Wisconsin, Mr. TERRY, Mr. SESSIONS, Mr. ADERHOLT, Mr. DEMINT, Mr. SMITH of New Jersey, Mr. FLAKE, Mr. FOSSELLA, Mr. SHERMAN, Mr. LANTOS, Mr. PAYNE, Mr. HOEFFEL, and Mr. BROWN of Ohio.
H. Con. Res. 195: Ms. WATSON and Mr. CROWLEY.
H. Con. Res. 211: Mr. DELAHUNT, Mrs. MORELLA, Mrs. TAUSCHER, Mr. FRANK, and Mr. HINCHEY.
H. Res. 144: Mr. TRAFICANT.
H. Res. 197: Mr. KERNS.
H. Res. 224: Mr. PASCRELL, Mr. SMITH of New Jersey, and Mr. ROTHMAN.
H. Res. 226: Mr. TIBERI, Ms. BROWN of Florida, Mr. RANGEL, Mr. WAXMAN, Mr. STARK, Ms. ESHOO, Mr. BOYD, and Mr. BORSKI.

¶87.40 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2107: Mr. KUCINICH.

THURSDAY, SEPTEMBER 6, 2001 (88)

¶88.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SHIMKUS, who laid before the House the following communication:

WASHINGTON, DC,
September 6, 2001.

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

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

¶88.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHIMKUS, announced he had examined and approved the Journal of the proceedings of Wednesday, September 5, 2001.

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

¶88.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3487. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Foreign Futures and Options Transactions—received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3488. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Treatment of Customer Funds—received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3489. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Delegation of Authority to Disclose and Request Information—received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3490. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Fees for Reviews of the Rule Enforcement Programs of Contract Markets and Registered Futures Association—received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3491. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Recordkeeping Amendments to the Daily Computation of the Amount of Customer Funds Required To Be Segregated (RIN: 3038–AB52) received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3492. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Fludioxonil; Pesticide Tolerances for Emergency Exemptions [OPP–301161; FRL–6797–5] (RIN: 2070–AB78) received August 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3493. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Unregulated Contaminant Monitoring Regulation for Public Water Systems; Amendment to the List 2 Rule and Partial Delay of Reporting of Monitoring Results [FRL–7048–8] received August 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3494. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3495. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3496. A letter from the Adviser, Department of State, transmitting the Department's final rule—Exchange Visitor Program—received August 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3497. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Privacy Act of 1974; Systems of Records; Biennial Publication—received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3498. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule—Methods of Withdrawing Funds from the Thrift Savings Plan—received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3499. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—2001–2002 Refuge-Specific Hunting and Sport Fishing Regulations (RIN: 1018–AG58) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3500. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Recreational Measures for the 2001 Fisheries [Docket No. 010511122–1179–02; I.D. 031901C] (RIN: 0648–AN70) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3501. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Gulf of Alaska, southeast of Narrow Cape, Kodiak Island, AK [COTP Western Alaska-01–002] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3502. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Maumee River, Rossford, Ohio [CGD09–01–111] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3503. A letter from the Chief, Regulations and Administration Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Indian Summer Festival 2001, Milwaukee, Wisconsin [CGD09–01–110] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3504. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Depart-

ment's final rule—Security Zone; Arthur Kill, Staten Island, NY [CGD01–01–135] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3505. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Vicinity of Atlantic Fleet Weapons Training Facility, Vieques, PR and Adjacent Territorial Sea [CGD07–01–33] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3506. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E airspace, Poplar, MT [Airspace Docket No. 00–ANM–22] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3507. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Florida East Coast Railroad Bridge, St. Johns River, Jacksonville, FL [CGD07–01–052] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3508. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Mississippi River, Iowa and Illinois [CGD08–01–015] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3509. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Inner Harbor Navigation Canal, New Orleans, LA [CGD08–01–002] (RIN: 2115–AE47) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3510. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Ouachita River, LA [CGD08–01–007] (RIN: 2115–AE47) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3511. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30264; Amdt. No. 2065] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3512. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30265; Amdt. No. 2066] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3513. A letter from the Associate Administrator for Aerospace Technology, National Aeronautics and Space Administration, transmitting the Administration's final rule—Patents and Other Intellectual Property Rights (RIN: 2700–AC48) received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

3514. A letter from the Associate Administrator for Aerospace Technology, National Aeronautics and Space Administration, transmitting the Administration's final rule—Boards and Committees (RIN: 2700–AC46) received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

3515. A letter from the Associate Administrator for Aerospace Technology, National Aeronautics and Space Administration, transmitting the Administration's final rule—Inventions and Contributions (RIN: 2700–AC47) received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

3516. A letter from the Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—Change in Flat Rate of Duty on Articles Imported for Personal or Household Use or as Bona Fide Gifts [T.D. 01–61] (RIN: 1515–AC90) received August 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3517. A letter from the Acting Director, Statutory Import Programs Staff, Department of Commerce, transmitting the Department's final rule—Changes In the Insular Possessions Watch, Watch Movement and Jewelry Program [Docket No. 991228350–1118–02] (RIN: 0625–AA57) received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶88.4 RECESS FOR JOINT MEETING TO RECEIVE PRESIDENT OF THE UNITED MEXICAN STATES—10:07 A.M.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to the special order of the House heretofore agreed on August 1, 2001, declared the House in recess at 10 o'clock and 7 minutes a.m., subject to the call of the Chair.

¶88.5 AFTER RECESS—12:21 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶88.6 PROCEEDINGS DURING RECESS

On motion of Mr. PENCE, by unanimous consent, the proceedings had during the recess to receive His Excellency Vicente Fox, President of the United Mexican States, were ordered to be printed in the Record.

¶88.7 VIET NAM HUMAN RIGHTS

Mr. SMITH of New Jersey, pursuant to the order of the House of Wednesday, September 5, 2001, called up the bill (H.R. 2833) to promote freedom and democracy in Viet Nam.

When said bill was considered and read twice.

Pursuant to the order of the House of Wednesday, September 5, 2001, the SPEAKER pro tempore, Mrs. BIGGERT, recognized Messrs. SMITH of New Jersey and LANTOS for 30 minutes each.

After debate,

By unanimous consent, the time for debate was extended by ten minutes to be equally divided and controlled by Mr. SMITH of New Jersey and Mr. LANTOS.

After further debate,

Pursuant to the order of the House of Wednesday, September 5, 2001, the previous question was ordered on the bill.

The bill, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the yeas had it.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 410 / Nays 1

¶88.8 [Roll No. 335]

YEAS—410

Abercrombie	Culberson	Hinchey
Ackerman	Cummings	Hinojosa
Aderholt	Cunningham	Hobson
Akin	Davis (CA)	Hoeffel
Allen	Davis (FL)	Hoekstra
Andrews	Davis, Jo Ann	Holden
Armey	Davis, Tom	Holt
Baca	Deal	Honda
Bachus	DeFazio	Hooley
Baird	DeGette	Hostettler
Baker	Delahunt	Houghton
Baldacci	DeLauro	Hoyer
Baldwin	DeLay	Hulshof
Ballenger	DeMint	Hunter
Barcia	Deutsch	Hyde
Barr	Diaz-Balart	Inslee
Barrett	Dicks	Isakson
Bartlett	Dingell	Israel
Barton	Doggett	Issa
Bass	Dooley	Istook
Becerra	Doolittle	Jackson (IL)
Bentsen	Doyle	Jackson-Lee (TX)
Bereuter	Dreier	Jefferson
Berkley	Duncan	Jenkins
Berman	Dunn	John
Berry	Edwards	Johnson (CT)
Biggert	Ehlers	Johnson (IL)
Bilirakis	Ehrlich	Johnson, E. B.
Bishop	Emerson	Johnson, Sam
Blagojevich	Engel	Jones (OH)
Blumenauer	English	Kanjorski
Blunt	Eshoo	Keller
Boehlert	Etheridge	Kelly
Boehner	Evans	Kennedy (MN)
Bonilla	Everett	Kennedy (RI)
Bonior	Farr	Kerns
Bono	Fattah	Kildee
Borski	Ferguson	Kilpatrick
Boswell	Filner	Kind (WI)
Boucher	Flake	King (NY)
Boyd	Fletcher	Kingston
Brady (PA)	Foley	Kirk
Brady (TX)	Forbes	Kleczka
Brown (FL)	Ford	Knollenberg
Brown (OH)	Fossella	Kolbe
Brown (SC)	Frelinghuysen	Kucinich
Bryant	Frost	LaFalce
Burr	Gallegly	LaHood
Burton	Ganske	Lampson
Buyer	Gekas	Langevin
Callahan	Gephardt	Lantos
Calvert	Gibbons	Largent
Camp	Gilchrest	Larsen (WA)
Cannon	Gilman	Larson (CT)
Cantor	Gonzalez	Latham
Capito	Goode	LaTourette
Capps	Goodlatte	Leach
Capuano	Gordon	Lee
Cardin	Goss	Levin
Carson (IN)	Graham	Lewis (CA)
Carson (OK)	Granger	Lewis (GA)
Castle	Graves	Lewis (KY)
Chabot	Green (TX)	Linder
Chambliss	Green (WI)	LoBiondo
Clay	Greenwood	Lofgren
Clayton	Grucci	Lowey
Clement	Gutierrez	Lucas (KY)
Clyburn	Gutknecht	Lucas (OK)
Coble	Hall (OH)	Luther
Collins	Hall (TX)	Maloney (CT)
Combest	Hansen	Maloney (NY)
Condit	Harman	Manzullo
Cooksey	Hart	Markey
Costello	Hastings (WA)	Mascara
Cox	Hayworth	Matheson
Coyne	Hefley	Matsui
Cramer	Herger	McCarthy (MO)
Crenshaw	Hill	McCarthy (NY)
Crowley	Hilleary	McCollum
Cubin	Hilliard	

McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Paul

NOT VOTING—19

Conyers
Crane
Davis (IL)
Frank
Gillmor
Hastings (FL)
Hayes
Horn
Jones (NC)
Kaptur
Lipinski
Meek (FL)
Mollohan
Oxley
Portman
Sherman
Traficant
Watts (OK)
Young (AK)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶88.9 NONDISCRIMINATORY TREATMENT WITH PRODUCTS OF VIETNAM

Mr. THOMAS, pursuant to the order of the House of Wednesday, September 5, 2001, called up the joint resolution (H.J. Res. 51) approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam.

When said joint resolution was considered and read twice.

Pursuant to the order of the House of Wednesday, September 5, 2001, the Speaker pro tempore, Mrs. BIGGERT, recognized Messrs. THOMAS and McNULTY for 60 minutes each,

¶88.10 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. THOMAS, by unanimous consent,

Ordered, That it may be in order to yield control of 30 minutes of debate time to Mr. LEVIN.

After debate,

¶88.11 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. McNULTY, by unanimous consent,

Ordered, That it may be in order to yield control of 30 minutes of debate time to Mr. ROHRABACHER.

After further debate,

Pursuant to the order of the House of Wednesday, September 5, 2001, the previous question was ordered on the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

So the joint resolution was passed.

¶88.12 CHANGE OF REFERENCE—H.R. 4975

On motion of Mr. ISAKSON, by unanimous consent, the Committee on Ways and Means was discharged from further consideration of the bill (H.R. 1448) to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa.

When said bill was rereferred to the Committee on Resources and, in addition, to the Committee on the Judiciary.

¶88.13 ADJOURNMENT OVER

On motion of Mr. ISAKSON, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, September 10, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶88.14 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ISAKSON, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, September 12, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶88.15 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House the following communication from Shannon Flaherty, Staff Assistant, office of the Honorable Jennifer Dunn:

HOUSE OF REPRESENTATIVES,
September 5, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Superior Court of the District of Columbia.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

SHANNON FLAHERTY,
Staff Assistant.

¶88.16 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. OXLEY, for today;

To Mr. RUSH, for today; and

To Mr. HASTINGS of Florida, for today.

And then,

¶88.17 ADJOURNMENT

On motion of Ms. NORTON, pursuant to the special order heretofore agreed to, at 5 o'clock and 42 minutes p.m., the House adjourned until 12:30 p.m. on Monday, September 10, 2001.

¶88.18 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 434. A bill to direct the Secretary of Agriculture to enter into a cooperative agreement to provide for retention, maintenance, and operation, at private expense, of the 18 concrete dams and weirs located within the boundaries of the Emigrant Wilderness in the Stanislaus National Forest, California, and for other purposes; with amendments (Rept. No. 107–201). Referred to the Committee of the Whole House on the State of the Union.

¶88.19 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ANDREWS:

H.R. 2844. A bill to amend the Public Health Service Act with respect to the participation of the public in governmental decisions regarding the location of group homes established pursuant to the program of block grants for the prevention and treatment of substance abuse; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 2845. A bill to amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies; to the Committee on Ways and Means.

By Mr. BAIRD (for himself and Mr. RYAN of Wisconsin):

H.R. 2846. A bill to amend the Internal Revenue Code of 1986 to provide comparable unrelated business taxable income treatment to tax exempt organizations which hold interests in S corporations to the treatment as is provided to such organizations for interests held in partnerships; to the Committee on Ways and Means.

By Mr. BOSWELL (for himself and Mr. OSBORNE):

H.R. 2847. A bill to encourage the deployment of broadband telecommunications in rural America, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Ways and Means, Energy and Commerce, and Education and the Workforce, for a period to be subsequently

determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BROWN of Florida:

H.R. 2848. A bill to designate the facility of the United States Postal Service located at 1601–1 Main Street in Jacksonville, Florida, as the ''Eddie Mae Steward Post Office''; to the Committee on Government Reform.

By Ms. BROWN of Florida (for herself and Mr. HASTINGS of Florida):

H.R. 2849. A bill to designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the ''Arthur 'Pappy' Kennedy Post Office''; to the Committee on Government Reform.

By Mr. DEAL of Georgia:

H.R. 2850. A bill to amend the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 2851. A bill to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326–A–1, 326–A–3, 326–K, and for other purposes; to the Committee on Resources.

By Mr. HULSHOF:

H.R. 2852. A bill to reduce temporarily the duty on (3-(1-methylethyl)-1H–2,1,3-benzothiadiazin-4(3H)-one 2,2 dioxide; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 2853. A bill to suspend temporarily the duty on 5-methylpyridine-2,3-dicarboxylic acid; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 2854. A bill to reduce temporarily the duty on 5-methylpyridine-2,3-dicarboxylic acid diethylester; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 2855. A bill to suspend temporarily the duty on 5-ethylpyridine dicarboxylic acid; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 2856. A bill to suspend temporarily the duty on (E)-o(2,5-dimethylphenoxy methyl)-2 - methoxyimino - N - methyl - phenylacetamide; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 2857. A bill to suspend temporarily the duty on 2-chloro-N-(4chlorobiphenyl-2-yl) nicotinamide; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 2858. A bill to suspend temporarily the duty on 3-(3,5-dichlorophenyl)-5-ethenyl-5-methyl-2,4-oxazolidine-di one; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 2859. A bill to suspend temporarily the duty on tetrahydro-3,5-dimethyl-2H–1,3,5-thiadiazine-2-thione; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 2860. A bill to suspend temporarily the duty on Methyl N-(2[[1–4-chloro-phenyl)-1H-pyrazol-3-yl]oxymethyl]]-phenyl) N-methoxy carbamate; to the Committee on Ways and Means.

By Mr. HULSHOF:

H.R. 2861. A bill to suspend temporarily the duty on 3,7-dichloro-8-quinoline carboxylic acid; to the Committee on Ways and Means.

By Mrs. KELLY (for herself and Mr. SWEENEY):

H.R. 2862. A bill to provide for reclassification of certain counties for purposes of reimbursement under the Medicare Program; to the Committee on Ways and Means.

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

H.R. 2863. A bill to direct the Secretary of Health and Human Services to establish and maintain a panel to provide expert scientific recommendations in the field of cell development; to the Committee on Energy and Commerce.

By Mrs. MINK of Hawaii:

H.R. 2864. A bill to provide for an educational center in Haleakala National Park in Hawaii; to the Committee on Resources.

By Mr. ROGERS of Michigan (for himself, Mr. SHUSTER, Mr. TIBERI, Ms. HART, Mr. PENCE, Mr. PLATTS, Mrs. CAPITO, Mr. PUTNAM, Mr. JOHNSON of Illinois, Mr. FORBES, and Mr. GRAVES):

H.R. 2865. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to require a sequestration of discretionary non-defense spending for fiscal year 2002 equal to the size of any on-budget deficit for fiscal year 2001; to the Committee on the Budget.

By Ms. SANCHEZ:

H.R. 2866. A bill to restore freedom of choice to women in the uniformed services serving outside the United States; to the Committee on Armed Services.

By Ms. VELÁZQUEZ (for herself, Mr. DAVIS of Illinois, Mr. PASCRELL, Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Mr. GONZALEZ, Mrs. NAPOLITANO, Mr. PHELPS, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. BAIRD, Mr. UDALL of Colorado, Mr. ROSS, Mr. LANGEVIN, Mr. ACEVEDO-VILA, and Mr. WYNN):

H.R. 2867. A bill to amend the Small Business Act to require the Administrator to submit certain disagreements to the Director of the Office of Management and Budget for resolution, and to establish a minimum period for the solicitation of offers for a bundled contract; to the Committee on Small Business.

By Mr. MARKEY (for himself and Mr. SMITH of New Jersey):

H.J. Res. 60. A joint resolution honoring Maureen Reagan on the occasion of her death and expressing condolences to her family, including her husband Dennis Revell and her daughter Rita Revell; to the Committee on Energy and Commerce.

By Mr. HYDE (for himself, Mr. LANTOS, Mr. LEACH, Mr. FALEOMAVAEGA, and Mr. ISSA):

H. Con. Res. 217. Concurrent resolution recognizing the historic significance of the fiftieth anniversary of the alliance between Australia and the United States under the ANZUS Treaty, paying tribute to the United States-Australia relationship, reaffirming the importance of economic and security cooperation between the United States and Australia, and welcoming the state visit by Australian Prime Minister John Howard; to the Committee on International Relations.

By Mr. KENNEDY of Minnesota:

H. Con. Res. 218. Concurrent resolution honoring Robert Hautman for winning the 2001–2002 Federal Duck Stamp Contest; to the Committee on Resources.

By Mr. SCHAFFER (for himself, Mr. BILIRAKIS, Mr. WYNN, Mr. SESSIONS, Mr. CRANE, Mr. SMITH of New Jersey, Mrs. LOWEY, Mr. WEXLER, Mr. CHABOT, Mr. BROWN of Ohio, Mr. DOOLITTLE, Mr. SHERMAN, Mr. SOUDER, Mr. HILLIARD, Mr. HEFLEY, and Mr. UNDERWOOD):

H. Con. Res. 219. Concurrent resolution expressing the sense of Congress regarding United States policy toward Taiwan's membership in international organizations; to the Committee on International Relations.

By Mr. TANCREDO (for himself and Mr. GOODE):

H. Con. Res. 220. Concurrent resolution affirming the commitment of Congress to preserving the sovereignty of the United States and the integrity of its border; to the Committee on the Judiciary.

By Mr. WEXLER (for himself, Mr. TANCREDO, Mr. MCNULTY, Mr. STUMP, Mr. KENNEDY of Rhode Island, Mr. SESSIONS, Mr. CHABOT, Mr. WYNN, Mr. ANDREWS, Mr. WU, Mr. BROWN of Ohio, and Mr. DEUTSCH):

H. Con. Res. 221. Concurrent resolution expressing the sense of the Congress that it is the policy of the United States that the future of Taiwan should be resolved peacefully through a democratic mechanism with the express consent of the people of Taiwan and free from outside threats, intimidation, or interference; to the Committee on International Relations.

¶88.20 ADDITIONAL SPONSORS

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

H.R. 13: Mr. GEORGE MILLER of California and Mr. VITTER.

H.R. 28: Mr. GORDON.

H.R. 117: Mr. ROTHMAN.

H.R. 123: Mr. GOODLATTE and Mr. PETERSON of Minnesota.

H.R. 162: Mr. THOMPSON of California, Mr. WYNN, Mr. SIMMONS, and Mr. WU.

H.R. 168: Mr. SMITH of New Jersey.

H.R. 220: Mr. WELDON of Florida.

H.R. 274: Mrs. CAPPS.

H.R. 281: Mr. BACHUS.

H.R. 296: Mrs. CLAYTON.

H.R. 298: Ms. MCCOLLUM.

H.R. 303: Mr. BRADY of Pennsylvania.

H.R. 325: Mr. FILNER and Mr. BORSKI.

H.R. 458: Mr. WELDON of Florida.

H.R. 476: Mr. FORBES.

H.R. 488: Mrs. ROUKEMA.

H.R. 504: Mr. BALDACCI, Mrs. CAPPS, Mr. STUPAK, and Ms. ESHOO.

H.R. 537: Mr. OWENS.

H.R. 570: Mr. RANGEL and Mr. BERMAN.

H.R. 580: Mr. TOWNS, Mr. CAPUANO, Mr. CROWLEY, Mrs. CAPPS, Mr. STARK, and Mr. OWENS.

H.R. 597: Mr. MEEKS of New York.

H.R. 599: Mr. CROWLEY, Mr. LEVIN, and Mr. DOYLE.

H.R. 600: Mr. JOHN.

H.R. 630: Mr. WALSH and Mr. WICKER.

H.R. 662: Mr. KERNS, Mr. THUNE, and Mr. PASCRELL.

H.R. 677: Ms. CARSON of Indiana.

H.R. 702: Mrs. MINK of Hawaii.

H.R. 744: Ms. ESHOO and Mr. WELLER.

H.R. 792: Mr. SCHIFF and Mr. ROSS.

H.R. 817: Mr. TAYLOR of Mississippi.

H.R. 822: Mr. HOLT, Mr. LEWIS of Kentucky, Mr. CRAMER, Ms. HOOLEY of Oregon, Mr. SMITH of New Jersey, Mr. PALLONE, and Mr. SOUDER.

H.R. 826: Mr. WELDON of Florida.

H.R. 827: Mr. ABERCROMBIE.

H.R. 840: Mr. MCDERMOTT, Mr. BERMAN, Mrs. CAPITO, Mr. PRICE of North Carolina, Mr. LARSON of Connecticut, and Mr. BARRETT.

H.R. 876: Mr. DELAHUNT.

H.R. 902: Mrs. THURMAN.

H.R. 938: Mr. HILLIARD and Mr. MEEKS of New York.

H.R. 968: Mr. SAM JOHNSON of Texas.

H.R. 975: Mr. LARSON of Connecticut, Mr. COSTELLO, and Mrs. MCCARTHY of New York.

H.R. 991: Ms. HART.

H.R. 1084: Mr. MCGOVERN.

H.R. 1089: Mr. LANGEVIN, Mr. GREENWOOD, and Mrs. THURMAN.

H.R. 1143: Mr. ROTHMAN, Mr. CUMMINGS, Mr. COSTELLO, Mr. DELAHUNT, Mr. BRADY of Pennsylvania, Mrs. MCCARTHY of New York, and Mr. SERRANO.

H.R. 1161: Mr. LEACH and Mr. LANTOS.

H.R. 1170: Mr. MENENDEZ.

H.R. 1194: Ms. RIVERS.

H.R. 1201: Mr. MEEKS of New York and Mr. OWENS.

H.R. 1202: Mrs. BONO, Mr. RODRIGUEZ, Mr. BROWN of Ohio, Mr. MCINTYRE, Mr. BACHUS, Mr. MATHESON, Mr. PRICE of North Carolina, and Mr. CRANE.
H.R. 1212: Mr. KELLER.
H.R. 1220: Mr. PETERSON of Pennsylvania.
H.R. 1254: Ms. WOOLSEY.
H.R. 1305: Mr. JENKINS.
H.R. 1556: Mr. TRAFICANT, Mr. PENCE, Mr. BERMAN, and Mr. OSBORNE.
H.R. 1594: Mr. FRANK, Mr. MCNULTY, and Ms. ESHOO.
H.R. 1597: Mr. MEEKS of New York.
H.R. 1604: Mr. COSTELLO and Mr. PETERSON of Minnesota.
H.R. 1624: Mr. HAYWORTH, Mr. LUTHER, Mr. HUNTER, Mr. FILNER, Mr. KNOLLENBERG, Mr. PORTMAN, Mr. CASTLE, Ms. ROS-LEHTINEN, Ms. KAPTUR, Mr. BACHUS, Mr. INSLEE, Mr. MCINTYRE, Mr. LUCAS of Kentucky, and Mr. CALLAHAN.
H.R. 1700: Mr. MURTHA, Mr. MASCARA, Mr. MEEKS of New York, Mr. STARK, Mr. GILMAN, Ms. JACKSON-LEE of Texas, Mr. SMITH of New Jersey, Mr. CROWLEY, Mr. BISHOP, Mrs. ROUKEMA, Mr. ANDREWS, Mr. WEXLER, Mrs. NAPOLITANO, Mr. PAYNE, Mr. FALEOMAVAEGA, and Mr. HOEFFEL.
H.R. 1711: Mr. NETHERCUTT.
H.R. 1717: Mr. WEXLER.
H.R. 1731: Mr. WELLER, Mr. KERNS, and Mr. OTTER.
H.R. 1734: Mr. SAWYER.
H.R. 1750: Ms. SCHAKOWSKY.
H.R. 1751: Ms. SCHAKOWSKY.
H.R. 1766: Mr. FORBES.
H.R. 1767: Mr. FORBES.
H.R. 1779: Mr. WYNN, Mr. MARKEY, Mr. ROTHMAN, and Mr. DAVIS of Illinois.
H.R. 1784: Mr. BLAGOJEVICH, Mr. CUMMINGS, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. PRICE of North Carolina, Mr. GEORGE MILLER of California, and Mr. OLVER.
H.R. 1795: Mr. ROTHMAN, Mr. MATSUI, and Mr. COSTELLO.
H.R. 1798: Mrs. MINK of Hawaii, Mr. ABERCROMBIE, Mr. BOUCHER, and Mr. MCINTYRE.
H.R. 1806: Mr. SMITH of New Jersey.
H.R. 1810: Mr. HALL of Ohio, Mr. WATT of North Carolina, and Mr. WEINER.
H.R. 1897: Ms. BALDWIN, Mr. MCDERMOTT, and Mr. KILDEE.
H.R. 1950: Mr. PETERSON of Pennsylvania.
H.R. 1961: Mr. BRYANT, Mr. DEFAZIO, Mr. BOYD, and Mr. HOLDEN.
H.R. 1968: Mrs. CLAYTON and Mr. MCINTYRE.
H.R. 1979: Mrs. MINK of Hawaii and Mr. ABERCROMBIE.
H.R. 1988: Mr. FROST.
H.R. 1997: Mr. WALSH.
H.R. 2022: Mr. GEORGE MILLER of California and Mrs. DAVIS of California.
H.R. 2071: Ms. BALDWIN and Mr. GREEN of Wisconsin.
H.R. 2096: Mr. ROGERS of Michigan.
H.R. 2098: Mr. SMITH of New Jersey.
H.R. 2125: Mr. FARR of California, Mr. ABERCROMBIE, Mr. CALLAHAN, Mr. BURR of North Carolina, Mr. ROSS, Mr. EHRLICH, Mr. BROWN of Ohio, Ms. BALDWIN, Mr. GOODLATTE, Mr. DOYLE, Mr. WELDON of Florida, Mr. LUCAS of Kentucky, Ms. LEE, Ms. RIVERS, Mr. ENGEL, Mr. CARSON of Oklahoma, Mr. BARR of Georgia, Mr. PETERSON of Minnesota, Mr. MCGOVERN, Mr. SCOTT, Mr. COYNE, Ms. DELAURO, Mr. MCNULTY, Ms. MCCOLLUM, Mr. LANTOS, and Mr. PASCRELL.
H.R. 2138: Mr. UDALL of New Mexico, Mrs. CHRISTENSEN, and Mrs. MORELLA.
H.R. 2157: Mr. HASTINGS of Washington.
H.R. 2160: Ms. MILLENDER-MCDONALD.
H.R. 2173: Mr. KENNEDY of Rhode Island, Mr. BERMAN, Ms. RIVERS, Mr. STUPAK, Mr. OWENS, and Mr. BALDACCI.
H.R. 2200: Mr. LEACH, Mr. MORAN of Kansas, and Mr. DAVIS of Illinois.
H.R. 2211: Mr. TIERNEY.
H.R. 2220: Ms. ROYBAL-ALLARD, Mrs. MORELLA, Mr. WELLER, Mr. WAXMAN, Mr. BERMAN, Mr. BISHOP, Mr. MORAN of Virginia, Mr. UDALL of Colorado, Mrs. NAPOLITANO, Mr. LOBIONDO, Mr. MCINTYRE, Mr. COSTELLO, Mr. DIAZ-BALART, Mr. NADLER, Mr. HINCHEY, Mr. GORDON, Mr. DOYLE, Mr. GILLMOR, Mr. ISAKSON, and Ms. MCCOLLUM.
H.R. 2227: Mr. EVERETT.
H.R. 2269: Ms. DUNN, Mr. GREENWOOD, Ms. PRYCE of Ohio, Mr. CLEMENT, and Mr. MATHESON.
H.R. 2308: Mr. MEEKS of New York, Mr. DIAZ-BALART, Mr. GORDON, Ms. BROWN of Florida, Ms. WOOLSEY, Mr. MASCARA, Mrs. MEEK of Florida, Mr. OWENS, and Mr. NETHERCUTT.
H.R. 2316: Mr. OTTER, Mr. WATTS of Oklahoma,, Mr. BONILLA, Mr. BARTON of Texas,, Mr. POMBO, Mr. HALL of Texas, Mr. RADANOVICH, Mr. LINDER, Mr. JO ANN DAVIS of Virginia, Mr. TIBERI, Mr. GRAVES, and Mr. KENNEDY of Minnesota.
H.R. 2322: Mr. CARSON of Oklahoma, Mr. MORAN of Kansas, and Mrs. MINK of Hawaii.
H.R. 2335: Mr. CARSON of Oklahoma and Mr. KLECZKA.
H.R. 2338: Ms. NORTON.
H.R. 2348: Mr. MEEKS of New York, Mr. TOM DAVIS of Virginia, Mr. BRADY of Pennsylvania, Mr. TERRY, and Mr. WEINER.
H.R. 2355: Mr. GILLMOR.
H.R. 2375: Ms. SANCHEZ, Mr. JEFFERSON, Mr. FERGUSON, Mr. CLEMENT, Mrs. MALONEY of New York, Mr. MENDENDEZ, Mr. HONDA, Mr. PAYNE, Mr. MEEHAN, Mr. BECERRA, Ms. KAPTUR, Mrs. CHRISTENSEN, Mr. MATHESON, Mr. CASTLE, and Mr. ENGEL.
H.R. 2383: Mr. DOOLEY of California.
H.R. 2405: Mr. ACKERMAN. Ms. SCHAKOWSKY, Mr. MCDERMOTT, Mr. CAPUANO, Mr. BERMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, and Ms. ROYBAL-ALLARD.
H.R. 2466: Mr. RILEY and Mr. WELLER.
H.R. 2484: Mr. LAFALCE, Mrs. THURMAN, Mrs. MALONEY of New York, Mrs. CHRISTENSEN, Mr., ISRAEL, Mr. MCGOVERN, Mr. WAXMAN, Mr. MOORE, Ms. SCHAKOWSKY, Mrs. MORELLA, Mr. MEEHAN, Ms. ROYBAL-ALLARD, Mr. SWEENEY, Mr. SERRANO, Mr. BRADY of Pennsylvania, and Mr. FILNER.
H.R. 2485: Ms. LOFGREN.
H.R. 2507: Mr. FORBES.
H.R. 2549: Mrs. CAPPS.
H.R. 2550: Mr. PALLONE, Ms. ROS-LEHTINEN, and Mr. CROWLEY.
H.R. 2555: Mr. SCOTT, Mr. RUSH, Ms. MCCOLLUM, and Mr. OWENS.
H.R. 2578: Mr. BERMAN, Mrs. BONO, Ms. HARMAN, Mr. HONDA, Ms. LEE, Mr. MATSUI, Ms. PELOSI, Mr. RADANOVICH, Ms. SANCHEZ, Mrs. TAUSCHER, Ms. WATSON, Ms. WOOLSEY, and Mrs. CAPPS.
H.R. 2614: Mr. WEINER.
H.R. 2615: Mr. KERNS, Mr. HEFLEY, Mr. BARR of Georgia, and Ms. RIVERS.
H.R. 2623: Mr. WALSH, Mr. RANGEL, Mr. FOSSELLA, and Mr. COYNE.
H.R. 2629: Ms. ESHOO and Mr. OWENS.
H.R. 2630: Mrs. MORELLA and Mr. ANDREWS.
H.R. 2631: Mr. SCHAFFER and Mr. JONES of North Carolina.
H.R. 2635: Mr. MENENDEZ, Mr. SERRANO, Mr. BACA, Mr. WAXMAN, Mr. GONZALEZ, Mr. REYES, Mr. OWENS, Mr. STARK, and Mr. CROWLEY.
H.R. 2640: Mr. FROST, Mr. MCNULTY, Mrs. MEEK of Florida, Ms. MCKINNEY, and Mr. OWENS.
H.R. 2641: Mr. MCGOVERN.
H.R. 2662: Mr. JOHNSON of Illinois.
H.R. 2663: Mr. HANSEN.
H.R. 2667: Mr. KENNEDY of Minnesota.
H.R. 2675: Mr. CHABOT.
H.R. 2709: Mr. WELLER.
H.R. 2716: Mr. SIMPSON.
H.R. 2725: Mr. HOLDEN, Mr. FILNER, Mr. WOLF, Mrs. DAVIS of California, Mr. KILDEE, Mr. FALEOMAVAEGA, Mr. PHELPS, and Mrs. TAUSCHER.
H.R. 2730: Mr. HYDE.
H.R. 2747: Mr. NETHERCUTT, Mr. MCGOVERN, Mr. KLECZKA, Mr. LANGEVIN, Mr. BOUCHER, Mr. SANDLIN, Mr. GREENWOOD, Mr. EVANS, Mr. FILNER, Mrs. THURMAN, and Mr. BRADY of Pennsylvania.
H.R. 2750: Ms. MCKINNEY and Mr. HILLIARD.
H.R. 2794: Mr. HERGER and Mr. MANZULLO.
H.R. 2795: Mr. GOODE and Mr. GUTKNECHT.
H.R. 2800: Mr. TANCREDO and Mr. DOOLITTLE.
H.R. 2802: Mr. SESSIONS.
H.R. 2805: Ms. HART, Mr. DOOLITTLE, Mr. PENCE, Mr. SHOWS, and Mr. STEARNS.
H.R. 2806: Mr. FROST.
H.R. 2830: Mr. RANGEL, Mr. FRANK, Mr. OWENS, Ms. NORTON, and Mr. FALEOMAVAEGA.
H.R. 2833: Mr. TOM DAVIS of Virginia, Ms. LOFGREN, Mr. DELAY, Ms. SANCHEZ, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mr. WOLF, Mr. ROYCE, Mr. SOUDER, Mr. LANTOS, Mr. BALLENGER, Mr. CLAY, and Mr. HYDE.
H.R. 2836: Mr. KING.
H.J. Res. 8: Mr. VISCLOSKY.
H. Con. Res. 20: Mr. OSBORNE.
H. Con. Res. 23: Mr. WELDON of Florida and Mr. KERNS.
H. Con. Res. 38: Mr. WALSH.
H. Con. Res. 48: Mr. WELDON of Florida.
H. Con. Res. 97: Mr. CLAY.
H. Con. Res. 102: Mr. SIMMONS, Mr. DOYLE, Mr. BOSWELL, Ms. MCCARTHY of Missouri, Mr. MCDERMOTT, Mr. PASCRELL, and Mr. SMITH of Washington.
H. Con. Res. 104: Mr. EDWARDS.
H. Con. Res. 164: Mr. BACA and Mr. LOBIONDO.
H. Con. Res. 184: Mr. HEFLEY, Mr. PENCE, Mr. FORBES, Mr. JONES of North Carolina, Mr. NORWOOD, Mr. SCHROCK, Mr. BRADY of Texas, and Mr. WHITFIELD.
H. Con. Res. 197: Mr. GRAVES, Mr. SMITH of New Jersey, Mr. TERRY, Ms. BALDWIN, and Mr. ISAKSON.
H. Con. Res. 206: Mr. TOOMEY and Mr. GARY G. MILLER of California.
H. Con. Res. 214: Mr. LOBIONDO, Mr. TANCREDO, Mrs. JOANN DAVIS of Virginia, Mr. SCHROCK, and Mr. CALVERT.
H. Res. 230: Mr. SHAW and Mr. UDALL of New Mexico.

¶88.21 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H. Con. Res. 144: Mr. PICKERING.

MONDAY, SEPTEMBER 10, 2001 (89)

¶89.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. PETRI, who laid before the House the following communication:

WASHINGTON, DC,
September 10, 2001.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

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

¶89.2 MESSAGE FROM THE SENATE

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

H.R. 1885. An Act to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigra-

tion and Nationality Act by extending the deadline for classification petition and labor certification filings, and for other purposes.

The message also announced that the Senate has passed a bill and a concurrent resolution of the following title in which the concurrence of the House is requested:

S. 149. An Act to provide authority to control exports, and for other purposes.

S. Con. Res. 58. Concurrent resolution expressing support for the tenth annual meeting of the Asia Pacific Parliamentary Forum.

¶89.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. PETRI, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶89.4 RECESS—12:39 P.M.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 39 minutes p.m. until 2 o'clock p.m.

¶89.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, called the House to order.

¶89.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. ISAKSON, announced he had examined and approved the Journal of the proceedings of Thursday, September 6, 2001.

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

¶89.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3518. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Commuted Traveltime Periods: Overtime Services Relating to Imports and Exports [Docket No. 00–017–1] received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3519. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Oriental Fruit Fly; Designation of Quarantined Area [Docket No. 01–080–1] received September 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3520. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Importation Prohibitions Because of Bovine Spongiform Encephalopathy [Docket No. 00–121–1] (RIN: 0579–AB26) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3521. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bromoxynil; Pesticide Tolerances for Emergency Exemptions [OPP–301163; FRL–6798–2] (RIN: 2070–AB70) received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3522. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Buprofezin; Pesticide Tolerances [OPP–301159; FRL–6796–6] received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3523. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pyriproxyfen; Pesticide Tolerances for Emergency Exemptions [OPP–301165; FRL–6798–6] (RIN: 2070–AB78) received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3524. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revocation of Unlimited Tolerance Exemptions [OPP–301152; FRL–6793–5] (RIN: 2070–AB78) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3525. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bifenazate; Pesticide Tolerances for Emergency Exemptions [OPP–301153; FRL–6793–3] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3526. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—B-D-Glucuronidase from E. coli and the Genetic Material Necessary for its Production As a Plant Pesticide Inert Ingredient; Exemption from the Requirement of a Tolerance [OPP–301129; FRL–6782–8] (RIN: 2070–AB78) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3527. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—2–Propenoic Acid, Sodium Salt, Polymer with 2–Propenamide; Tolerance Exemption [OPP–301158; FRL–6794–8] (RIN: 2070–AB78) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3528. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Reporting Requirements Update [DFARS Case 2001–D004] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3529. A letter from the Alternative OSD FR Liaison Officer, Department of Defense, transmitting the Department's final rule—Compensation of Certain Former Operatives Incarcerated by the Democratic Republic of Vietnam (RIN: 0790–AG67) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3530. A letter from the Alternate OSD FR Liaison Officer, Department of Defense, transmitting the Department's final rule—Transactions Other Than Contracts, Grants, or Cooperative Agreements for Prototype Projects (RIN: 0790–AG79) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3531. A letter from the Alternate OSD FR Liaison Office, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Service (CHAMPUS); Prosthetic Devices (RIN: 7020–AA49) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3532. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program; Assistance to Private Sector Property Insurers (RIN: 3067–AD23) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3533. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Records Preservation Program—received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3534. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Revisions to the Control of Iron and Steel Production Installations [MD011/108–3056a; FRL–7040–8] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3535. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—District of Columbia: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7050–9] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3536. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of VOC Emissions from Marine Vessels Coating Operations [MD078–3078a; FRL–7049–3] received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3537. A letter from the Prinicpal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978; and Standards of Performance for Industrial—Commercial—Institutional Steam Generating Units—[FRL–7033–8] (RIN: 2060–AJ22) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3538. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Guidelines for Direct Implementation Tribal Cooperative Agreements (DITCAs) for Fiscal Year 2001—received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3539. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Wisconsin [WI42–7306a; FRL–7029–3] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3540. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Pleasanton, Topeka, Iola, and Emporia, Kansas) [MM Docket No. 98–9, RM–9216; MM Docket No. 98–13, RM–9212] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3541. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hugo, Colorado) [MM Docket No. 01–91, RM–10096] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3542. A letter from the Senior Legal Advisor to Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Salem and Molalla, Oregon) [MM Docket No. 01–59, RM–10072] (Avon and Fairport, New York) [MM Docket No. 01–60, RM–10073] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3543. A letter from the Senior Legal Advisor to Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Missoula, Montana) [MM Docket No. 01–15, RM–10030] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3544. A letter from the Senior Legal Advisor to Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Lexington, Kentucky) [MM Docket No. 01–83, RM–10085] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3545. A letter from the Senior Legal Advisor to Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Charlottesville, Virginia) [MM Docket No. 00–240, RM–9793] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3546. A letter from the Senior Legal Advisor to Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Kansas City, Missouri) [MM Docket No. 00–116, RM–9877] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3547. A letter from the Senior Legal Advisor to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Elkhorn City and Coal Run, Kentucky) [MM Docket No. 00–14, RM–9753] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3548. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Naches, Sunnyside, and Benton City, Washington) [MM Docket No. 01–95, RM–10093] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3549. A letter from the Senior Legal Advisor to Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Panama City, Florida) [MM Docket No. 99–318, RM–9745] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3550. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Toccoa and Sugar Hill, Georgia) [MM Docket No. 98–162, RM–9263] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3551. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Open Access Same-Time Information System and Standards of Conduct [Docket No. RM95–9–014] received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3552. A letter from the Acting Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting the Department's final rule—Privacy Act of 1974; Implementation [AAG/A Order No. 241–2001] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3553. A letter from the Acting Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting the Department's final rule—Privacy Act of 1974; Implementation [AAG/A Order No. 242–2001] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3554. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule—Correction of Administrative Errors; Lost Earnings Attributable to Employing Agency Errors—received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3555. A letter from the Program Manager, Bureau of Alcohol, Tobacco, and Firearms, Department of the Treasury, transmitting the Department's final rule—Identification Markings Placed on Firearms (98R–341P) [T.D. ATF–461; Ref: Notice No. 877] (RIN: 1512–AB84) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3556. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Sister Bay MarinaFest, Sister Bay, Wisconsin [CGD09–01–055] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3557. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Maumee River, Toledo, Ohio [CGD09–01–112] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3558. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Candlelight on the Water, Port Washington, Wisconsin [CGD09–01–103] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3559. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, Newport, RI [CGD01–01–100] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3560. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Triathlon, Ulster Landing, Hudson River, NY [CGD01–00–248] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3561. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Ashley River, Charleston, SC [CGD07–01–048] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3562. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: McArdle Bridge repairs—Boston, Massachusetts [CGD1–01–021] (RIN: 2115–AA97) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3563. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 Series Airplanes [Docket No. 2001–NM–70–AD; Amendment 39–12382; AD 2001–16–13] (RIN: 2120–AA64) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3564. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAe Systems (Operations) Limited Model Avro 146–RJ85A and 146–RJ100A Series Airplanes [Docket No. 2001–NM–223–AD; Amendment 39–12384; AD 2001–16–15] (RIN: 2120–AA64) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3565. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International CFM56 Series Turbofan Engines [Docket No. 2001–NE–15–AD; Amendment 39–12405; AD 2001–17–14] (RIN: 2120–AA64) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3566. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Bush River, Abingdon, Maryland [CGD05–01–047] (RIN: 2115–AE46) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3567. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Nanticoke River, Sharptown, Maryland [CGD05–01–023] (RIN: 2115–AE46) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3568. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Bayou Boeuf, LA [CGD08–01–026] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3569. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Mississippi River, Iowa and Illinois [CGD08–01–023] (RIN: 2115–AE47) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3570. A letter from the Senior Transportation Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Antidrug and Alcohol Misuse Prevention Programs for Personnel Engaged in Specified Aviation Activities [Docket No. FAA–2000–8431; Amendment No. 121–285] (RIN: 2120–AH15) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-

mittee on Transportation and Infrastructure.

3571. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—FY02 Wetland Program Development Grants Guidelines [FRL–7047–9] received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3572. A letter from the Assistant Administrator for Satellite and Information Services, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Office of Research and Applications Ocean Remote Sensing Program Notice of Financial Assistance [Docket No. 000616179–1190–02] (RIN: 0648–ZA90) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

3573. A letter from the General Counsel, National Science Foundation, transmitting the Foundations's final rule—Antarctic Non-Governmental Expeditions (RIN: 3145–AA36) received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

3574. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update—received August 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶89.8 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. ISAKSON, laid before the House the following communication from Mr. SAWYER:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 6, 2001.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Court of Common Pleas of Summit County, Ohio.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

TOM SAWYER.

¶89.9 OIL REGION NATIONAL HERITAGE AREA

Mr. PETERSON of Pennsylvania moved to suspend the rules and pass the bill (H.R. 695) to establish the Oil Region National Heritage Area; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. PETERSON of Pennsylvania and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶89.10 EL CAMINO REAL DE LOS TEJAS NATIONAL HISTORIC TRAIL

Mr. PETERSON of Pennsylvania moved to suspend the rules and pass the bill (H.R. 1628) to amend the National Trails System Act to designate El Camino Real de los Tejas National Historic Trail.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. PETERSON of Pennsylvania and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶89.11 DAMS OF THE EMIGRANT WILDERNESS

Mr. PETERSON of Pennsylvania moved to suspend the rules and pass the bill (H.R. 434) to direct the Secretary of Agriculture to enter into a cooperative agreement to provide for retention, maintenance, and operation, at private expense, of 18 concrete dams and weirs located within the boundaries of the Emigrant Wilderness in the Stanislaus National Forest, California, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. PETERSON of Pennsylvania and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to direct the Secretary of Agriculture to enter into a cooperative agreement to provide for retention, maintenance, and operation, at private expense, of 12 concrete dams and weirs located within the boundaries of the Emigrant Wilderness in the Stanislaus National Forest, California, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶89.12 PACIFIC NORTHWEST FEASIBILITY STUDIES

Mr. PETERSON of Pennsylvania moved to suspend the rules and pass the bill (H.R. 1937) to authorize the Secretary of the Interior to engage in certain feasibility studies of water resource projects in the State of Washington; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. PETERSON of Pennsylvania and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶89.13 BROWN V. BOARD OF EDUCATION ANNIVERSARY

Mr. Tom DAVIS of Virginia moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 2133) to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education:

Page 3, line 8, strike out ''Chair'' and insert *''one of two Co-chairpersons''*.

Page 3, after line 8, insert:

(2) Two representatives of the Department of Justice appointed by the Attorney General, one of whom shall serve as one of two Co-chairpersons of the Commission.

Page 3, line 9, strike out ''(2)'' and insert *''(3)''*.

Page 3, strike out lines 11 to 22.

Page 3, after line 22, insert:

(A)(i) The Members of the Senate from each State described in clause (iii) shall each submit the name of 1 individual from the State to the majority leader and minority leader of the Senate.

(ii) After review of the submissions made under clause (i), the majority leader of the Senate, in consultation with the minority leader of the Senate, shall recommend to the President 5 individuals, 1 from each of the States described in clause (iii).

(iii) The States described in this clause are the States in which the lawsuits decided by the Brown decision were originally filed (Delaware, Kansas, South Carolina, and Virginia), and the State of the first legal challenge involved (Massachusetts).

(B)(i) The Members of the House of Representatives from each State described in subparagraph (A)(iii) shall each submit the name of 1 individual from the State to the Speaker of the House of Representatives and the minority leader of the House of Representatives.

(ii) After review of the submissions made under clause (i), the Speaker of the House of Representatives, in consultation with the minority leader of the House of Representatives, shall

recommend to the President 5 individuals, 1 from each of the States described in subparagraph (A)(iii).

Page 4, line 3, strike out ''(3)'' and insert *''(4)''*.

Page 4, line 6, strike out ''(4)'' and insert *''(5)''*.

Page 4, line 8, strike out ''(5)'' and insert *''(6)''*.

Page 4, line 10, strike out ''(6)'' and insert *''(7)''*.

Page 5, line 4, strike out ''the Chair'' and insert *''a Co-chairperson''*.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. Tom DAVIS of Virginia and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶89.14 ARMY RESERVE CENTER

Mr. Tom DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 788) to provide for the conveyance of the excess Army Reserve Center in Kewaunee, Wisconsin; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. Tom DAVIS of Virginia and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶89.15 STAN PARRIS POST OFFICE BUILDING

Mr. Tom DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 1766) to designate the facility of the United States Postal Service located at 4270 John Marr Drive in Annandale, Virginia, as the ''Stan Parris Post Office Building''.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. Tom DAVIS of Virginia and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. Tom DAVIS of Virginia demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶89.16 HERB E. HARRIS POST OFFICE BUILDING

Mr. Tom DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 1761) to designate the facility of the United States Postal Service located at 8588 Richmond Highway in Alexandria, Virginia, as the ''Herb E. Harris Post Office Building''; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. Tom DAVIS of Virginia and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. Tom DAVIS of Virginia demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶89.17 RECESS—3:21 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 21 minutes p.m., until approximately 6 o'clock p.m.

¶89.18 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶89.19 H.R. 1766—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1766) to designate the facility of the United States Postal Service located at 4270 John Marr Drive in Annandale, Virginia, as the ''Stan Parris Post Office Building''.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 362 / Nays 0

¶89.20 [Roll No. 336]

YEAS—362

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barrett
Bartlett
Bass
Becerra
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Costello
Cox
Coyne
Cramer
Crane
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Flake
Fletcher
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher

Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Stump
Sununu
Tancredo
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—68

Ackerman
Barcia
Barr
Barton
Bentsen
Berman
Blagojevich
Boehner
Brady (PA)
Camp
Carson (IN)
Chambliss
Conyers
Cooksey
Crenshaw
Crowley
Davis (IL)
Deal
DeFazio
DeGette
Deutsch
Doolittle
Emerson
Engel
Evans
Ferguson
Foley
Fossella
Ganske
Grucci
Gutierrez
Istook
Kilpatrick
Knollenberg
Lantos
Largent
LaTourette
Lipinski
Meeks (NY)
Mica
Miller (FL)
Mollohan
Neal
Owens
Payne
Price (NC)
Radanovich
Rahall
Rangel
Roukema
Royce
Sanders
Schaffer
Serrano
Smith (TX)
Souder
Stark
Stearns
Stupak
Sweeney
Tauzin
Taylor (NC)
Terry
Towns
Velazquez
Waxman
Weiner
Weldon (PA)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶89.21 H.R. 1761 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1761) to designate the facility of the United States Postal Service located at 8588 Richmond Highway in Alexandria, Virginia, as the ''Herb E. Harris Post Office Building''; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 365 / Nays 0

¶89.22 [Roll No. 337]

YEAS—365

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

NOT VOTING—65

Ackerman
Barcia
Barr
Barton
Berman
Blagojevich
Boehner
Brady (PA)
Camp
Carson (IN)
Chambliss
Conyers
Cooksey
Crenshaw
Crowley
Davis (IL)
Deal
DeFazio
Deutsch
Doolittle
Emerson
Engel
Ferguson
Foley
Fossella
Ganske
Grucci
Gutierrez
Kilpatrick
Knollenberg
Lantos
Largent
LaTourette
Lipinski
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Mollohan
Neal
Owens
Payne
Price (NC)
Radanovich
Rahall
Rangel
Roukema
Royce
Sanders
Schaffer
Serrano
Smith (TX)
Souder
Stark
Stearns
Stupak
Sweeney
Tauzin
Taylor (NC)
Terry
Towns
Velazquez
Waxman
Weiner
Weldon (PA)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to designate the facility of the United States Postal Service located at 8588 Richmond Highway in Alexandria, Virginia, as the 'Herb Harris Post Office Building' .''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶89.23 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 58. Concurrent resolution expressing support for the tenth annual meeting of the Asia Pacific Parliamentary Forum; to the Committee on International Relations.

¶89.24 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. CARSON of Indiana, for today;

To Mr. DAVIS of Illinois, for today, September 11, and September 12;

To Mr. DEUTSCH, for today;

To Mr. DOOLITTLE, for today;

To Mr. GRUCCI, for today;

To Mr. ROYCE, for today and September 11; and

To Mr. STUPAK, for today

And then,

¶89.25 ADJOURNMENT

On motion of Mr. PALLONE, at 8 o'clock and 18 minutes p.m., the House adjourned.

¶89.26 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on International Relations. H.R. 2646. A bill to provide for the continuation of agricultural programs through fiscal year 2011; with an amendment (Rept. No. 107–191 Pt. 3). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2187. A bill to amend title 10, United States Code, to make receipts collected from mineral leasing activities on certain naval oil shale reserves available to cover environmental restoration, waste management, and environmental compliance costs incurred by the United States with respect to the reserves; with an amendment (Rept. No. 107–202 Pt. 1).

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 1900. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency, and for other purposes; with an amendment (Rept. No. 107–203). Referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

¶89.27 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on September 7, 2001]

H.R. 2646. Referral to the Committee on International Relations extended for a period ending not later than September 10, 2001.

[Submitted on September 10, 2001]

H.R. 2187. Referral to the Committee on Energy and Commerce extended for a period ending not later than September 10, 2001.

¶89.28 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Energy and Commerce discharged from further consideration. H.R. 2187 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶89.29 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. TOM DAVIS of Virginia:

H.R. 2868. A bill to amend title 5, United States Code, to provide for appropriate overtime pay for National Weather Service forecasters performing essential services during severe weather events, and to limit Sunday premium pay for employees of the National Weather Service to hours of service actually performed on Sunday; to the Committee on Government Reform.

By Mr. GILLMOR (for himself, Mr. PALLONE, Mr. TAUZIN, Mr. DINGELL, Mr. SHIMKUS, Mr. TOWNS, Mr. BOEHLERT, and Mr. GREEN of Texas):

H.R. 2869. A bill to provide certain relief for small businesses from liability under the Comprehension Environmental Response, Compensation, and Liability Act of 1980, and to amend such Act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN:

H.R. 2870. A bill to extend for 6 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.; to the Committee on the Judiciary.

By Mr. BEREUTER:

H.R. 2871. A bill to reauthorize the Export-Import Bank of the United States, and for other purposes; to the Committee on Financial Services.

By Ms. DELAURO:

H.R. 2872. A bill to designate the western breakwater for the project for navigation, New Haven Harbor, Connecticut, as the ''Charles Hervey Townshend Breakwater''; to the Committee on Transportation and Infrastructure.

By Mr. HERGER (for himself and Mr. CARDIN):

H.R. 2873. A bill to extend and amend the program entitled Promoting Safe and Stable Families under title IV-B, subpart 2 of the Social Security Act, and to provide new authority to support programs for mentoring children of incarcerated parents; to amend the Foster Care Independent Living program under title IV-E of that Act to provide for educational and training vouchers for youths aging out of foster care, and for other purposes; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself, Mr. HORN, Mr. LATOURETTE, Ms. WOOLSEY, and Ms. ESHOO):

H.R. 2874. A bill to make grants to train sexual assault nurse examiners, law enforcement personnel, and first responders in the handling of sexual assault cases, to establish minimum standards for forensic evidence collection kits, to carry out DNA analyses of samples from crime scenes, and for other purposes; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 2875. A bill to provide that the inferior courts of the United States do not have jurisdiction to hear abortion-related cases; to the Committee on the Judiciary.

By Mr. REHBERG:

H.R. 2876. A bill to designate the facility of the United States Postal Service located in Harlem, Montana, as the ''Francis Bardanouve United States Post Office Building''; to the Committee on Government Reform.

By Mr. SAXTON (for himself, Mr. ADERHOLT, Mr. PLATTS, and Mr. SMITH of New Jersey):

H. Con. Res. 222. Concurrent resolution expressing the sense of Congress regarding the inherent right of self-defense; to the Committee on International Relations.

By Ms. ROS-LEHTINEN:

H. Res. 235. A resolution expressing the sense of the House of Representatives regarding the establishment of a National Words Can Heal Day; to the Committee on Government Reform.

¶89.30 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

190. The SPEAKER presented a memorial of the General Assembly of the State of Illinois, relative to House Joint Resolution No. 13 memorializing the United States Congress to urge the United States Postal Service to reconsider the issuance of a Purple Heart Stamp to honor those veterans who received the Order of the Purple Heart for Military Merit defending their country during times of conflict; to the Committee on Government Reform.

191. Also,a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 164 memorializing the United States Congress and the governor of Louisana and the Texas Legislature to actively support routing I–69 through west DeSoto Parish, Louisana and Shelby County, Texas; to the Committee on Transportation and Infrastructure.

192. Also,a memorial of the Senate of the State of Rhode Island, relative to Senate Resolution 01–S 0855 memorializing the United States Congress to amend title ten, United States Code relating to the compensation of retired military, permitting concurrent receipt of military retired pay and Veterans' Administration compensation, including dependents allowances; jointly to the Committees on Armed Services and Veterans' Affairs.

¶89.31 ADDITIONAL SPONSORS

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

H.R. 36: Mr. HEFLEY.
H.R. 75: Ms. ROS-LEHTINEN.
H.R. 190: Mr. BARR of Georgia.
H.R. 218: Mr. LEWIS of California and Mr. MATHESON.
H.R. 239: Mr. WEXLER, Mr. EHRLICH, and Mr. SMITH of new Jersey.
H.R. 303: Mr. MEEKS of New York and Mr. TAUZIN.
H.R. 325: Mr. SANDLIN.
H.R. 326: Mr. TOM DAVIS of Virginia.
H.R. 394: Mr. WATTS of Oklahoma and Mr. GORDON.
H.R. 458: Mr. BAKER.
H.R. 536: Mr. KELLER and Mr. FOLEY.
H.R. 638: Mr. BLUMENAUER.
H.R. 656: Mr. CALVERT.
H.R. 668: Mr. HASTINGS of Washington and Mrs. NAPOLITANO.
H.R. 689: Ms. ESHOO.
H.R. 699: Mr. DEAL of Georgia.
H.R. 709: Ms. ROYBAL-ALLARD.
H.R. 746: Mr. CANTOR and Mr. WOLF.
H.R. 751: Mr. CALVERT and Mr. ENGLISH.
H.R. 803: Mr. KILDEE.
H.R. 808: Mrs. JO ANN DAVIS of Virginia.
H.R. 826: Mr. HERGER and Mr. MANZULLO.
H.R. 876: Ms. LOFGREN.
H.R. 978: Ms. RIVERS, Mr. MCNULTY, Ms. LEE, and Mr. BOUCHER.
H.R. 1032: Mr. BLUMENAUER and Mr. PASCRELL.
H.R. 1073: Mr. LAFALCE, Mr. SOUDER, Mr. SHOWS, and Mr. BENTSEN.
H.R. 1109: Mr. FORBES, Mr. WELDON of Florida, Mr. WAMP, Mr. CRANE, and Mr. ROYCE.
H.R. 1136: Mr. GREENWOOD.
H.R. 1187: Mr. DEUTSCH and Ms. PELOSI.
H.R. 1198: Mr. LUCAS of Kentucky, Mr. PETERSON of Minnesota, Mr. HERGER, and Mr. ROGERS of Kentucky.
H.R. 1254: Ms. LOFGREN.
H.R. 1265: Mr. ABERCROMBIE and Mr. LANTOS.
H.R. 1296: Mrs. CUBIN, Mr. COMBEST, and Mr. FORBES.
H.R. 1318: Ms. BERKLEY.
H.R. 1377: Mr. KERNS.
H.R. 1436: Mr. LEWIS of Georgia, Mr. MARKEY, Mr. LAHOOD, Mr. STUPAK, Mr. BISHOP, Mr. BACA, Mr. HINOJOSA, and Mr. SMITH of Washington.
H.R. 1506: Mr. REYNOLDS.
H.R. 1522: Mr. GONZALEZ.
H.R. 1555: Mr. COOKSEY.
H.R. 1556: Mr. CHAMBLISS, Mr. SHERWOOD, and Mr. HALL of Ohio.

H.R. 1602: Mr. CULBERSON and Mr. BEREUTER.
H.R. 1605: Mr. BOYD, Ms. HOOLEY of Oregon, and Ms. ROS-LEHTINEN.
H.R. 1669: Mr. FRANK.
H.R. 1671: Mr. WYNN.
H.R. 1672: Mr. LEACH and Mrs. MORELLA.
H.R. 1690: Mrs. CHRISTENSEN.
H.R. 1700: Mrs. DAVIS of California and Mr. SCHIFF.
H.R. 1703: Mr. WATKINS, Mr. LARSON of Connecticut, Mr. RUSH, Mrs. NAPOLITANO, Ms. BERKLEY, Mr. KUCINICH, Ms. BALDWIN, Mr. CAPUANO, Mr. HOEFFEL, Mr. CROWLEY, Mr. HONDA, Mr. HINCHEY, Mr. PHELPS, Mrs. DAVIS of California, Mr. UDALL of New Mexico, Ms. MCKINNEY, and Mr. FILNER.
H.R. 1713: Mr. WEINER and Mr. INSLEE.
H.R. 1723: Mr. BACA and Mr. MCINTYRE.
H.R. 1749: Mr. FORBES.
H.R. 1770: Mr. FLETCHER.
H.R. 1786: Mr. STUPAK, Mr. MOLLOHAN, Mr. BONIOR, Mr. QUINN, Mr. DEFAZIO, and Mr. EHLERS.
H.R. 1795: Mr. MANZULLO, Mr. FLETCHER, Mr. LAMPSON, Mr. BACHUS, and Mr. WATTS of Oklahoma.
H.R. 1810: Mr. ISRAEL.
H.R. 1896: Ms. SOLIS.
H.R. 1900: Mr. CASTLE.
H.R. 1935: Mr. LEVIN, Mr. TRAFICANT, Mr. FRANK, and Mr. GILLMOR.
H.R. 1948: Mr. PASTOR.
H.R. 1956: Mr. PALLONE, Mr. SCHAFFER, and Mr. SHAYS.
H.R. 1979: Mr. SKELTON.
H.R. 1983: Mr. TOM DAVIS of Virginia.
H.R. 2081: Ms. BERKLEY.
H.R. 2082: Mr. ABERCROMBIE.
H.R. 2087: Ms. BALDWIN.
H.R. 2088: Mr. RYUN of Kansas.
H.R. 2125: Mr. WALSH, Mr. WELDON of Pennsylvania, Mr. FLETCHER, Mrs. CHRISTENSEN, Mr. SNYDER, and Mr. CLEMENT.
H.R. 2135: Mrs. THURMAN, Mr. LIPINSKI, and Ms. MCKINNEY.
H.R. 2136: Mrs. THURMAN, Ms. WOOLSEY, Mrs. MALONEY of New York, and Ms. MCKINNEY.
H.R. 2145: Ms. BALDWIN, Mr. NADLER, and Mr. ENGLISH.
H.R. 2166: Mr. FILNER and Ms. DELAURO.
H.R. 2167: Mr. BLUMENAUER and Mr. PASCRELL.
H.R. 2173: Mr. WOLF, Mr. MICA, Mr. MCNULTY, Mr. HINCHEY, and Mr. CARSON of Oklahoma.
H.R. 2227: Mr. JONES of North Carolina.
H.R. 2265: Mr. SCHAFFER.
H.R. 2276: Mr. FILNER.
H.R. 2294: Mr. COYNE, Mr. TIERNEY, and Mr. FRANK.
H.R. 2341: Mr. BARR of Georgia, Mr. BRADY of Texas, Mr. EHRLICH, and Mr. LEWIS of Kentucky.
H.R. 2352: Ms. MCKINNEY, Mr. KUCINICH, and Mr. HINCHEY.
H.R. 2354: Mr. NETHERCUTT and Mr. REYNOLDS.
H.R. 2357: Mr. WOLF, Mr. ENGLISH and Mr. SCHAFFER.
H.R. 2390: Mr. BARR of Georgia and Mr. WICKER.
H.R. 2487: Mr. RUSH.
H.R. 2521: Mr. MCGOVERN, Ms. MCKINNEY, Mr. LATOURETTE, Mr. JENKINS, Mr. CALVERT, and Mr. FROST.
H.R. 2531: Ms. KAPTUR.
H.R. 2588: Mr. BOEHLERT and Mr. BONIOR.
H.R. 2604: Mr. FRANK.
H.R. 2609: Mr. REYNOLDS.
H.R. 2610: Mr. CROWLEY.
H.R. 2612: Mr. SABO and Mr. EDWARDS.
H.R. 2619: Mr. SCHIFF.
H.R. 2622: Ms. WOOLSEY and Mr. DOYLE.
H.R. 2638: Mr. FARR of California, Mr. BROWN of Ohio, Mr. DOOLEY of California, Mr. CUNNINGHAM, Ms. MILLENDER-MCDONALD, Mr. WELLER, Mrs. NAPOLITANO, Mr. TURNER, Mr. MCGOVERN, Mr. CALVERT, and Mr. HONDA.
H.R. 2641: Mr. FILNER and Mr. HINCHEY.
H.R. 2659: Mr. MCGOVERN and Mr. RODRIGUEZ.
H.R. 2663: Mr. MCGOVERN.
H.R. 2675: Mr. FLETCHER.
H.R. 2688: Ms. LOFGREN.
H.R. 2690: Mr. SMITH of New Jersey, Mr. UNDERWOOD, Mr. LUTHER, Mr. TAYLOR of North Carolina, Mr. PITTS, Mr. BONIOR, Mr. SABO, Mr. PETERSON of Minnesota, and Ms. BROWN of Florida.
H.R. 2718: Mr. HOLT and Mr. NADLER.
H.R. 2725: Mr. LARSEN of Washington, Mr. TIERNEY, Mr. PASTOR, Mr. CRENSHAW, Mr. OLVER, Mr. WATTS of Oklahoma, Mr. SANDERS, Mr. BERMAN, Mr. SCHAFFER, Ms. SCHAKOWSKY, Mr. HOSTETTLER, Mr. NADLER, and Mr. MASCARA.
H.R. 2765: Mrs. CLAYTON, Ms. MCCOLLUM, Mr. PASCRELL, and Mr. MEEKS of New York.
H.R. 2779: Ms. LOFGREN, Mrs. DAVIS of California, Ms. NORTON, Mr. FRANK, and Mr. CAPUANO.
H.R. 2787: Mr. FROST, Mr. LANGEVIN, and Ms. BROWN of Florida.
H.R. 2795: Mr. BERRY.
H.R. 2805: Mr. BARTLETT of Maryland, Mrs. JO ANN DAVIS of Virginia, and Mr. ENGLISH.
H.R. 2806: Mr. ENGLISH.
H.R. 2812: Mr. SABO.
H.R. 2817: Mr. LUCAS of Kentucky, Mrs. KELLY, Mr. SCHROCK, and Mr. LAMPSON.
H. Con. Res. 30: Mr. PENCE and Mr. LOBIONDO.
H. Con. Res. 33: Mr. FORBES.
H. Con. Res. 46: Mr. GOODLATTE, Mr. PLATTS, Mr. SMITH of New Jersey, Mr. ABERCROMBIE, Mr. ISAKSON, Mr. CANTOR, Ms. VELAZQUEZ, Mr. INSLEE, and Mr. GREEN of Texas.
H. Con. Res. 102: Mr. GORDON and Mrs. NORTHUP.
H. Con. Res. 177: Mrs. EMERSON.
H. Con. Res. 180: Mr. BALDACCI, Mr. DOYLE, and Mrs. JOHNSON of Connecticut.
H. Con. Res. 188: Mr. LANGEVIN, Mr. KENNEDY of Rhode Island, Mr. DEUTSCH, Ms. LOFGREN, Mrs. MINK of Hawaii, Mr. TIERNEY, Mr. OLVER, Mrs. ROUKEMA, Mrs. NORTHUP, Mr. HALL of Ohio, Mr. LUCAS of Kentucky, Mr. TRAFICANT, Mr. BLUMENAUER, Mr. PRICE of North Carolina, Mr. FERGUSON, Mr. ISSA, Mr. ETHERIDGE, Ms. SLAUGHTER, and Mr. BARR of Georgia.
H. Con. Res. 191: Mr. LEWIS of Georgia, Mr. MCGOVERN, and Mr. FROST.
H. Con. Res. 220: Mr. DEAL of Georgia.
H. Res. 128: Mr. STRICKLAND and Mr. GORDON.

¶89.32 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1983: Mr. SCHROCK.
H.R. 2269: Mr. PASCRELL.

TUESDAY, SEPTEMBER 11, 2001 (90)

The House was called to order at 9 o'clock a.m. by the SPEAKER.

¶90.1 ''MORNING-HOUR DEBATE''

The SPEAKER, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶90.2 RECESS—9:20 A.M.

The SPEAKER pro tempore, Mr. JOHNSON of Illinois, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 20 minutes a.m., until 10 o'clock a.m.

¶90.3 AFTER RECESS—9:52 A.M.

The SPEAKER pro tempore, Mr. GOSS, called the House to order at 9 o'clock and 52 minutes a.m., thereby terminating the recess, due to the circumstances of today.

¶90.4 RECESS—9:53 A.M.

The SPEAKER pro tempore, Mr. GOSS, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 53 minutes a.m., subject to the call of the Chair.

WEDNESDAY, SEPTEMBER 12 (LEGISLATIVE DAY OF SEPTEMBER 11), 2001

¶90.5 AFTER RECESS—10 A.M.

The SPEAKER, called the House to order.

¶90.6 APPROVAL OF THE JOURNAL

The SPEAKER, announced he had examined and approved the Journal of the proceedings of Monday, September 10, 2001.

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

¶90.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3575. A letter from the Alternate OSD FR Liaison Officer, Department of Defense, transmitting the Department's final rule—TRICARE; Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Nonavailability Statement Requirement for Maternity Care—received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3576. A letter from the Alternate OSD FR Liaison Officer, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); TRICARE Prime Enrollment—received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3577. A letter from the Alternate OSD FR Liaison Officer, Department of Defense, transmitting the Department's final rule—TRICARE; Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Bonus Payments in Medically Underserved Areas—received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3578. A letter from the Alternate OSD FR Liaison Officer, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Expansion of Dependent Eligibility for TRICARE Retiree Dental Program—received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3579. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3580. A letter from the Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska;

Atka Mackerel in the Eastern Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands [Docket No. 010112013–1013–01; I.D. 083001A] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3581. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—V Nonimmigrant Classification; Spouses and Children of Lawful Permanent Residents [INS No. 2117–01; AG Order No. 2502–2001] (RIN: 1115–AG08) received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3582. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—''K'' Nonimmigrant Classification for Spouses of U.S. Citizens and Their Children Under the Legal Immigration Family Equity Act of 2000 [INS No. 2127–01] (RIN: 1115–AG12) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3583. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, Columbia River, Astoria, Oregon [CGD13–01–021] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3584. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Michigan, Pentwater, MI [CGD09–01–087] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3585. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Blue Water Offshore Classic, St. Clair River, MI [CGD09–01–099] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3586. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Irish Festival 2001, Milwaukee Harbor, Wisconsin [CGD09–01–044] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3587. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Erie, Cleveland Harbor, Cleveland, OH [CGD09–01–104] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3588. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Seafair Blue Angels Performance, Lake Washington, WA [CGD13–01–010] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3589. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Rochester Harborfest Fireworks Display, Genesee River, Rochester, New York [CGD09–01–014] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3590. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Vessel Identification System [USCG–1999–6420] (RIN: 2115–AD35) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3591. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Licensing and Manning for Officers of Towing Vessels [USCG 1999–6224] (RIN: 2115–AF23) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3592. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Green River, Spottsville, Kentucky [CGD08–01–014] (RIN: 2115–AE47) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3593. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Raising the Threshold of Property Damage for Reports of Accidents Involving Recreational Vessels [USCG–1999–6094] (RIN: 2115–AF87) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3594. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Procedure 2001–48] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3595. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Exempt Organizations [Notice 2001–55] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶90.8 SPEAKER ANNOUNCEMENT

The SPEAKER announced that, due to the events of yesterday, the joint meeting to receive the Honorable John Howard, Prime Minister of Australia, scheduled for today will not take place. The Speaker acknowledged the presence of the Prime Minister here today, and extended, on behalf of the House, his appreciation for the solidarity of the Australian people in this difficult time.

¶90.9 RECESS—11:25 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 25 minutes a.m., subject to the call of the Chair.

¶90.10 AFTER RECESS—2:53 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶90.11 CAPITOL PRAYER VIGIL FOR TERRORISM VICTIMS

On motion of Mr. NEY, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following concurrent resolution (H. Con. Res. 223):

Resolved by the House of Representatives (the Senate concurring), That the rotunda of the Capitol is authorized to be used at any time on September 12, 2001, for a prayer vigil in memory of those who lost their lives in the events of September 11, 2001. Physical preparations for the vigil shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

When said concurrent resolution was considered.

After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶90.12 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 61

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That, it may be order at any time to consider in the House the joint resolution (H.J. Res. 61) expressing the sense of the Senate and the House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001; and that debate shall be limited to three hours equally divided and controlled by the Majority Leader and the Minority Leader; that, after opening speeches, the Majority Leader and Minority Leader each may yield the remainder of his time to the chairman and ranking minority member of the Committee on International Relations, respectively, who may control that time; that the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion; and that, following passage of the joint resolution and upon receipt of a message that the Senate has passed an identical joint resolution, the House shall be considered to have passed the Senate joint resolution.

¶90.13 TERRORIST ATTACKS ON SEPTEMBER 11, 2001

Mr. ARMEY, pursuant to the foregoing order of the House, called up the joint resolution (H.J. Res. 61) expressing the sense of the Senate and the House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001.

When said joint resolution was considered and read twice.

Pursuant to the foregoing order of the House, the SPEAKER pro tempore, Mr. LAHOOD, recognized Messrs. ARMEY and GEPHARDT for 90 minutes each.

After debate,

Mr. ARMEY, pursuant to the foregoing order of the House, yielded control of the remainder of debate time to Mr. HYDE.

Mr. GEPHARDT, pursuant to the foregoing order of the House, yielded control of the remainder of debate time to Mr. LANTOS.

After further debate,

¶90.14 MESSAGE FROM THE SENATE

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

S.J. Res. 22. Joint Resolution expressing the sense of the Senate and House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001.

¶90.15 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. SMITH of New Jersey, by unanimous consent,

Ordered, That it may be in order during further consideration of H.J. Res. 61 pursuant to the order of the House of earlier today, for debate to be extended by two hours, equally divided and controlled by the Chairman and Ranking Minority member of the Committee on International Relations.

After further debate,

¶90.16 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. SMITH of New Jersey, by unanimous consent,

Ordered, That it may be in order during further consideration of H.J. Res. 61 pursuant to the order of the House of earlier today, for debate to be extended by two hours, equally divided and controlled by the Chairman and Ranking Minority member of the Committee on International Relations.

After further debate,

¶90.17 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. SMITH of New Jersey, by unanimous consent,

Ordered, That it may be in order during further consideration of H.J. Res. 61 pursuant to the order of the House of earlier today, for debate to be extended by 30 minutes, equally divided and controlled by the Chairman and Ranking Minority member of the Committee on International Relations.

After further debate,

¶90.18 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. SMITH of New Jersey, by unanimous consent,

Ordered, That it may be in order during further consideration of H.J. Res. 61 pursuant to the order of the House of earlier today, for debate to be extended by 30 minutes, equally divided and controlled by the Chairman and Ranking Minority member of the Committee on International Relations.

After further debate,

¶90.19 ORDER OF BUSINESS—FURTHER DIVISION OF DEBATE TIME

On motion of Mr. SMITH of New Jersey, by unanimous consent,

Ordered, That it may be in order during further consideration of H.J. Res. 61 pursuant to the order of the House of earlier today, for debate to be extended by 30 minutes, equally divided and controlled by the Chairman and Ranking Minority member of the Committee on International Relations.

After further debate,

Pursuant to the previous order of the House, the previous question was ordered on the joint resolution to its adoption or rejection.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 408 / Nays 0

¶90.20 [Roll No. 338]

YEAS—408

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

NOT VOTING—22

Conyers
Crowley
Davis (IL)
Dicks
Fossella
Gordon
Kelly
Kilpatrick
Largent
Lipinski
Maloney (NY)
McCarthy (MO)
Meeks (NY)
Murtha
Nadler
Payne
Rangel
Royce
Saxton
Souder
Weiner
Weldon (PA)

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶90.21 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. SMITH of New Jersey, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to make technical corrections, to include corrections in grammar, punctuation, and capitalization, and to make such other technical and conforming changes as may be necessary to comply with the order of the House.

Pursuant to the previous order of the House, the joint resolution of the Senate (S.J. Res. 22) was passed and a motion to reconsider the vote whereby said Senate joint resolution was passed was laid on the table; and the joint resolution (H.J. Res. 61) was laid on the table.

¶90.22 WAIVING REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 107–204) the resolution (H. Res. 236) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶90.23 ORDER OF BUSINESS—ADJOURNMENT OUT OF RESPECT FOR THE VICTIMS OF TERRORISM

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That, consistent with the language of the joint resolution of the Senate (S.J. Res. 22) just passed, when the House adjourns on this legislative day, it stand adjourned out of respect for the victims of the terrorist attacks.

And then,

¶90.24 ADJOURNMENT

On motion of Mr. ARMEY, pursuant to the special order heretofore agreed to, at 1 o'clock and 10 minutes a.m., Thursday, September 13 (legislative day of Tuesday, September 11) 2001, the House adjourned until 10:00 a.m. today, out of respect for the victims of the terrorist attacks against the United States on September 11, 2001.

¶90.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[September 13 (legislative day of September 11), 2001]

Mrs. MYRICK: Committee on Rules. House Resolution 236. Resolution waiving a requirement of clause 6 (a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 107–204). Referred to the House Calendar.

¶90.26 PUBLIC BILLS AND RESOLUTIONS

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

[September 12 (legislative day of September 11), 2001]

By Mr. BRADY of Texas:

H.R. 2877. A bill to require that United States assistance may be provided to the government of a foreign country only if a treaty of extradition between that country and the United States is in force, or the government of that country and the United States have entered into negotiations to conclude a treaty of extradition; to the Committee on International Relations.

By Mr. HOLDEN:

H.R. 2878. A bill to amend title 38, United States Code, to provide for the payment of dependency and indemnity compensation to the survivors of former prisoners of war who died on or before September 30, 1999, under the same eligibility conditions as apply to payment of dependency and indemnity compensation to the survivors of former prisoners of war who die after that date; to the Committee on Veterans' Affairs.

By Mr. ROSS (for himself, Mr. BERRY, Mr. PICKERING, Mr. SHOWS, and Mr. THOMPSON of Mississippi):

H.R. 2879. A bill to improve migratory bird management by the Animal and Plant Health Inspection Service of the Department of Agriculture, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WATKINS (for himself, Mr. CARSON of Oklahoma, Mr. KILDEE, and Mr. CONDIT):

H.R. 2880. A bill to amend laws relating to the lands of the citizens of the Muscogee (Creek), Seminole, Cherokee, Chickasaw, and Choctaw Nations, historically referred to as the Five Civilized Tribes, and for other purposes; to the Committee on Resources.

By Mr. WELDON of Pennsylvania (for himself, Mr. ORTIZ, Mr. REYES, and Mr. SCHROCK):

H.R. 2881. A bill to authorize emergency appropriations for fiscal year 2002 for the Department of Defense to respond to the infrastructure sustainment and restoration crisis and spare and repair parts shortages adversely affecting the readiness of the Armed Forces and the quality of life of members of the Armed Forces and their families on military installations; to the Committee on Armed Services.

By Mr. ARMEY (for himself and Mr. GEPHARDT):

H.J. Res. 61. Joint resolution expressing the sense of the Senate and House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001; considered and agreed to.

By Mr. NEY (for himself and Mr. HOYER):

H. Con. Res. 223. Concurrent resolution permitting the use of the rotunda of the Capitol for a prayer vigil in memory of those who lost their lives in the events of September 11, 2001; to the Committee on House Administration; considered and agreed to.

By Mrs. EMERSON (for herself and Mr. SKELTON):

H. Con. Res. 224. Concurrent resolution expressing the sense of the Congress that, as a symbol of solidarity following the terrorist attacks on the United States on September 11, 2001, every United States citizen is encouraged to display the flag of the United States; to the Committee on the Judiciary.

¶90.27 ADDITIONAL SPONSORS

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

[September 12 (legislative day, September 11), 2001]

H.R. 15: Mr. NUSSLE, Mr. PENCE, Mr. HALL of Texas, and Mr. COOKSEY.

H.R. 19: Mr. GOODE, Mr. MCINNIS, Mr. TANCREDO, Mr. JONES of North Carolina, Mr. SESSIONS, and Mr. SOUDER.

H.R. 25: Mrs. JOHNSON of Connecticut.

H.R. 31: Mr. CRANE.

H.R. 154: Ms. DELAURO.

H.R. 537: Mr. FROST.

H.R. 600: Mr. RILEY.

H.R. 606: Mr. ROHRABACHER.

H.R. 770: Mr. MATHESON.

H.R. 876: Mr. GOODE and Mr. UDALL of New Mexico.

H.R. 919: Mr. ISSA and Mr. BLAGOJEVICH.

H.R. 959: Mr. RADANOVICH and Ms. ESHOO.

H.R. 968: Mr. MATHESON and Mr. BROWN of Ohio.

H.R. 1011: Mr. LAHOOD.

H.R. 1035: Mr. GORDON and Mr. ROSS.

H.R. 1143: Ms. MCKINNEY.

H.R. 1265: Ms. LOFGREN.

H.R. 1353: Mr. KILDEE, Mr. WALSH and Mr. BARTON of Texas.

H.R. 1478: Ms. LEE.

H.R. 1509: Mr. LAMPSON and Mr. OWENS.

H.R. 1543: Mr. ROYCE.

H.R. 1556: Mr. GONZALEZ.

H.R. 1701: Mr. LARSON of Connecticut, Mr. ROYCE, and Mr. SHIMKUS.

H.R. 1734: Mr. ABERCROMBIE.

H.R. 1771: Mr. LEVIN.

H.R. 1798: Mr. MCNULTY.

H.R. 1908: Mr. REHBERG.

H.R. 1992: Mrs. ROUKEMA, Mr. HOEKSTRA, Mr. GREENWOOD, Mr. NORWOOD, Mr. KELLER, Mr. TERRY, and Mr. BACA.

H.R. 2073: Mr. THOMPSON of California.

H.R. 2138: Mr. PASTOR and Mr. MARKEY.

H.R. 2142: Ms. LOFGREN, Mr. DELAHUNT, Ms. HOOLEY of Oregon, Mr. THOMPSON of Mississippi, Mr. MATSUI, Mr. BLUMENAUER, Mr. REYES, Mr. RODRIGUEZ, Mr. RUSH, Mr. THOMPSON of California, Mr. WAXMAN, and Ms. WATERS.

H.R. 2148: Ms. ROYBAL-ALLARD and Mr. FROST.

H.R. 2219: Mr. WOLF and Mr. SCHAFFER.

H.R. 2220: Mr. CALVERT, Ms. LOFGREN, Mr. PRICE of North Carolina, Mr. SERRANO, Mr. MATSUI, and Mr. SMITH of Washington.

H.R. 2349: Mr. TIERNEY, Mr. LEWIS of Georgia, Mr. MATSUI, and Mr. BONIOR.

H.R. 2373: Mr. PETERSON of Pennsylvania.

H.R. 2374: Mr. ENGLISH, Mr. POMEROY, Mr. KINGSTON, and Mr. MCINNIS.

H.R. 2492: Mr. ROEMER, Ms. CARSON of Indiana, and Mr. MCNULTY.

H.R. 2520: Mr. DAVIS of Illinois.

H.R. 2623: Ms. PELOSI and Mr. MCDERMOTT.

H.R. 2683: Mr. JENKINS, Mr. DUNCAN, Mr. GIBBONS, and Mr. FROST.

H.R. 2688: Mrs. ROUKEMA.

H.R. 2693: Mr. TOWNS, Mr. CROWLEY, Mr. HINCHEY, Mr. KIRK, and Ms. ROS-LEHTINEN.

H.R. 2708: Mr. SCHAFFER.

H.R. 2709: Mr. HAYWORTH.

H.R. 2714: Mr. CANNON, Mr. MANZULLO, Mr. LINDER, and Mr. TOOMEY.

H.R. 2719: Mr. GIBBONS.

H.R. 2740: Mr. MCINTYRE, Mr. GOODE, Mr. ROSS, and Mr. BROWN of Ohio.

H.R. 2817: Ms. HART and Ms. DELAURO.

H.R. 2866: Ms. HARMAN, Mr. SHAYS, Mrs. TAUSCHER, Ms. MILLENDER-MCDONALD, Mr. BLAGOJEVICH, Mr. FROST, Ms. NORTON, Mr. DOOLEY of California, Mr. BALDACCI, Mr. LEVIN, Mrs. LOWEY, Mr. BRADY of Pennsylvania, and Mr. BACA.

H.R. 2869: Mr. SAWYER.

H.J. Res. 54: Mr. SCHAFFER.

H. Con. Res. 119: Mr. WELDON of Florida.

H. Con. Res. 184: Mrs. EMERSON, Mr. WATTS of Oklahoma, Mr. RADANOVICH, and Mr. BROWN of South Carolina.

H. Con. Res. 188: Mr. CAPUANO.

H. Con. Res. 197: Mr. KILDEE and Mr. BARR of Georgia.

H. Con. Res. 204: Mr. WOLF and Mr. ETHERIDGE.

H. Res. 226: Mr. WATT of North Carolina, Mr. FROST, Mr. GILLMOR, Mr. HILLIARD, Mr. TIERNEY, Mr. KLECZKA, Mr. SESSIONS, and Mr. FILNER.

THURSDAY, SEPTEMBER 13, 2001 (91)

¶91.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

WASHINGTON, DC,
September 13, 2001.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

¶91.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Tuesday, September 11, 2001.

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

¶91.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3596. A letter from the Architect of the Capitol, transmitting the report of expenditures of appropriations during the period October 1, 2000 through March 31, 2001, pursuant to 40 U.S.C. 162b; to the Committee on Appropriations.

3597. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Charles T. Robertson, Jr., United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

3598. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program—received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3599. A letter from the Executive Director, National Commission on Libraries and Information Science, transmitting a copy of 1998–1999 Annual Report and a copy of 1999–2000 Annual Report, pursuant to 20 U.S.C. 1504; to the Committee on Education and the Workforce.

3600. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Revisions to the Requirements Applicable to Blood, Blood Components, and Source Plasma [Docket No. 98N–0673] received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3601. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Exemption From Premarket Notification Requirements; Class I Devices; Technical Amendment [Docket No. 01N–0073] received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3602. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revision to the California State Implementation Plan, South Coast Air Quality Management District [CA 207–0277a; FRL–7026–5] received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3603. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revisions to the Export Administration Regulations; Country Group E:1; License Exception TMP [Docket No. 010710166–1166–01] (RIN: 0694–AB76) received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3604. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Audit of the Public Service Commission Agency Fund for Fiscal Year 1999,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

3605. A letter from the Office of Headquarters and Executive Personnel Services, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3606. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3607. A letter from the Executive Resources and Special Programs Division, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3608. A letter from the Secretary, Administrative Committee of the Federal Register, National Archives and Records Administration, transmitting the Administration's final rule—Prices and Availability of Federal Register Publications (RIN: 3095–ZA03) received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3609. A letter from the Under Secretary for American Museums & National Programs, Smithsonian Institution, transmitting a copy of the annual report entitled, ''Smithsonian Year 2000''; to the Committee on House Administration.

3610. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Virginia Regulatory Program [VA–119–FOR] received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3611. A letter from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Pacific Halibut Fisheries; Primary Sablefish Fishery [Docket No. 010607147–1200–02; I.D. 052101A] (RIN: 0648–AP26) received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3612. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 080601A] received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3613. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials Regulations: Editorial Corrections and Clarifications [Docket No. RSPA–01–10374 (HM–189S)] (RIN: 2137–AD60) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3614. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials: Exceptions from Labeling and Placarding Materials Poisonous by Inhalation (PIH) [RSPA–99–6195 (Docket No. HM–206D)] (RIN: 2137–AD37) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3615. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Fees for FAA Services for Certain Flights; [Docket No. FAA–00–7018; Amendment No. 187–12] (RIN: 2120–AG17) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3616. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B16 (CL–604) Series Airplanes [Docket No. 2001–NM–27–AD; Amendment 39–12125; AD 2001–03–52] (RIN: 2120–AA64) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3617. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream Model G-V Series Airplanes [Docket No. 2000–NM–357–AD; Amendment 39–12327; AD 2001–14–16] (RIN: 2120–AA64) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3618. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 1000, 2000, 3000, and 4000 Series Airplanes [Docket No. 2000–NM–298–AD; Amendment 39–12355; AD 2001–15–20] (RIN: 2120–AA64) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3619. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc. RB211 Trent Turbofan Engine [Docket No. 2000–NE–05–AD; Amendment 39–12373; AD 2001–16–05] (RIN: 2120–AA64) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3620. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B16 (including CL–601–3A and CL–601–3R) Series Airplanes [Docket No. 2000–NM–397–AD; Amendment 39–12359; AD 2001–15–24] (RIN: 2120–AA64) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶91.4 ORDER OF BUSINESS—
CONSIDERATION OF H. CON. RES. 225

On motion of Mrs. EMERSON, by unanimous consent,

Ordered, That it may be in order at any time to consider in the House the concurrent resolution (H. Con. Res. 225) expressing the sense of the Congress that, as a symbol of solidarity following the terrorist attacks on the United States on September 11, 2001, every United States citizen is encouraged to display the flag of the United States; that the concurrent resolution be considered as read for amendment; and that the previous question be con-

sidered as ordered on the concurrent resolution to final adoption without intervening motion except: (1) one hour of debate equally divided and controlled by Mrs. Emerson and the ranking minority member of the Committee on the Judiciary or their designees; and (2) one motion to recommit.

¶91.5 UNITED STATES FLAG AS SYMBOL OF SOLIDARITY

Mrs. EMERSON, pursuant to the foregoing order of the House, called up the concurrent resolution (H. Con. Res. 225) expressing the sense of the Congress that, as a symbol of solidarity following the terrorist attacks on the United States on September 11, 2001, every United States citizen is encouraged to display the flag of the United States.

When said concurrent resolution was considered and read twice.

Pursuant to the foregoing order of the House, the SPEAKER pro tempore, Mr. LATOURETTE, recognized Mrs. EMERSON and Mr. SKELTON for 30 minutes each.

After debate,

Pursuant to the foregoing order of the House, the previous question was ordered on the concurrent resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

The concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶91.6 RECESS—10:50 A.M.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 50 minutes a.m., subject to the call of the Chair.

¶91.7 AFTER RECESS—11:24 A.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶91.8 ORDER OF BUSINESS—CONSIDERATION OF H.R. 2882

On motion of Mr. SENSENBRENNER, by unanimous consent,

Ordered, That it may be in order at any time, without intervention of any point of order, to consider in the House the bill (H.R. 2882) to provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001; that the bill be considered as read for amendment; that the previous question be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, and (2) one motion to recommit; and that the Chair may, notwithstanding the order of the previous question, postpone further consideration of the bill to a time designated by the Speaker.

¶91.9 EMERGENCY BENEFITS FOR PUBLIC SAFETY OFFICERS IN CONNECTION WITH TERRORIST ATTACKS

Mr. SENSENBRENNER, pursuant to the foregoing order of the House, called up the bill (H.R. 2882) to provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001.

When said bill was considered and read twice.

Pursuant to the foregoing order of the House, the SPEAKER pro tempore, Mr. LATOURETTE, recognized Messrs. SENSENBRENNER and WEINER for 30 minutes each.

After debate,

Pursuant to the foregoing order of the House, the previous question was ordered on the bill.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 413 / Nays ..... 0 }

¶91.10 [Roll No. 339]

YEAS—413

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

Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—17

Conyers
Davis (IL)
Fossella
Kelly
Kilpatrick
Largent
Lipinski
Maloney (NY)
McKeon
Meeks (NY)
Ortiz
Rangel
Royce
Saxton
Taylor (NC)
Watt (NC)
Young (AK)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.11 RECESS—12:40 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 40 minutes p.m., subject to the call of the Chair.

¶91.12 AFTER RECESS—1:33 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶91.13 ORDER OF BUSINESS—CONSIDERATION OF H.R. 2884

On motion of Mr. THOMAS, by unanimous consent,

Ordered, That it may be in order at any time, without intervention of any point of order, to consider in the House the bill (H.R. 2884) to amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States on September 11, 2001; that the bill be considered as read for amendment; and that the previous question be considered as ordered on the bill to final passage without intervening motion except (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the committee on Ways and Means, and (2) one motion to recommit.

¶91.14 VICTIMS OF TERRORISM RELIEF

Mr THOMAS, pursuant to the foregoing order of the House, called up the bill (H.R. 2884) to amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States on September 11, 2001.

When said bill was considered and read twice.

Pursuant to the foregoing order of the House, the SPEAKER pro tempore, Mr. LATOURETTE, recognized Messrs. THOMAS and MCNULTY for 30 minutes each.

After debate,

Pursuant to the foregoing order of the House, the previous question was ordered on the bill.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that the yeas had it.

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. THOMAS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8, rule XX, announced that further proceedings on the bill were postponed.

¶91.15 RECESS—2:20 P.M.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 20 minutes p.m., until 2:30 p.m.

¶91.16 AFTER RECESS—2:31 P.M.

The SPEAKER pro tempore, Mr. MILLER of Florida, called the House to order.

¶91.17 H.R. 2884 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the bill (H.R. 2884) to amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States on September 11, 2001.

The question being put,

Will the House pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 418 / Nays ..... 0 }

¶91.18 [Roll No. 340]

YEAS—418

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

Whitfield	Wolf	Wynn
Wicker	Woolsey	Young (AK)
Wilson	Wu	Young (FL)

NOT VOTING—12

Conyers	Largent	Pelosi
Davis (IL)	Lipinski	Rangel
Kelly	Maloney (NY)	Royce
Kilpatrick	Meeks (NY)	Saxton

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.19 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 223. Concurrent resolution permitting the use of the Rotunda of the Capitol for a prayer vigil in memory of those who lost their lives in the events of September 11, 2002.

¶91.20 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. MILLER of Florida, laid before the House the following communication from Mr. Gregory R.Carmichael, Staff Assistant, Committee on Veterans' Affairs:

SEPTEMBER 7, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Superior Court of the District of Columbia.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

GREGORY R. CARMICHAEL,
Staff Assistant.

¶91.21 RECESS—3:02 P.M.

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 2 minutes p.m., subject to the call of the Chair.

¶91.22 AFTER RECESS—11:24 P.M.

The SPEAKER pro tempore, Mr. SESSIONS, called the House to order.

¶91.23 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 107–205) the resolution (H. Res. 237) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶91.24 SENATE JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled a joint resolution of the Senate of the following title:

S.J. Res. 22. A joint resolution expressing the sense of the Senate and House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001.

¶91.25 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DAVIS of Illinois, for today;

To Ms. KILPATRICK, for September 12;

To Mr. LINDER, for today after 6 p.m. and balance of the week;

To Mrs. MALONEY of New York, for today; and

To Mr. SAXTON, for today and balance of the week.

And then,

¶91.26 ADJOURNMENT

On motion of Mrs. MYRICK, at 11 o'clock and 25 minutes p.m., the House adjourned until 9 o'clock a.m., Friday, September 14, 2001.

¶91.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. MYRICK: Committee on Rules. House Resolution 237. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 107–205). Referred to the House Calendar.

¶91.28 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. NADLER (for himself, Mr. SENSENBRENNER, Mr. MORAN of Virginia, Mr. ACKERMAN, Mr. CROWLEY, Mr. ENGEL, Mr. HINCHEY, Mr. KING, Mrs. LOWEY, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. MCNULTY, Mr. MEEKS of New York, Mr. QUINN, Mr. RANGEL, Mr. SERRANO, Ms. SLAUGHTER, Mr. TOWNS, Mr. WALSH, Mr. BRADY of Pennsylvania, Mr. DAVIS of Florida, Mr. DELAHUNT, Mr. HOLDEN, Mrs. JOHNSON of Connecticut, and Ms. KAPTUR):

H.R. 2882. A bill to provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001; to the Committee on the Judiciary; considered and passed.

By Mr. GOSS:

H.R. 2883. A bill to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. THOMAS (for himself, Mr. RANGEL, Mr. CRANE, Mr. STARK, Mr. SHAW, Mr. MATSUI, Mrs. JOHNSON of Connecticut, Mr. COYNE, Mr. HOUGHTON, Mr. HERGER, Mr. LEVIN, Mr. MCCRERY, Mr. CARDIN, Mr. CAMP, Mr. MCDERMOTT, Mr. RAMSTAD, Mr. KLECZKA, Mr. NUSSLE, Mr. LEWIS of Georgia, Mr. SAM JOHNSON of Texas, Mr. NEAL of Massachusetts, Ms. DUNN, Mr. MCNULTY, Mr. COLLINS, Mr. JEFFERSON, Mr. PORTMAN, Mr. TANNER, Mr. ENGLISH, Mr. BECERRA, Mr. WATKINS, Mrs. THURMAN, Mr. HAYWORTH,Mr. WELLER, Mr. DOGGETT, Mr. HULSHOF, Mr. POMEROY, Mr. MCINNIS, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. BRADY of Texas, Mr. RYAN of Wisconsin, Mr. HASTERT, Mr. GEPHARDT, Mr. ARMEY, Mr. DELAY, Mr. WATTS of Oklahoma, Ms. PRYCE of Ohio, Mrs. CUBIN, Mr. BOEHLERT, Mr. GILMAN, Mr. FOSSELLA, Mrs. MCCARTHY of New York, Mr. KING, Mr. REYNOLDS, Mr. NADLER, Mr. HINCHEY, Mr. CROWLEY, Mr. SWEENEY, Mrs. KELLY, Mr. ISRAEL, Ms. SLAUGHTER,Mrs. MALONEY of New York, Mrs. LOWEY, Mr. GRUCCI, Mr. QUINN, Mr. ENGEL, Mr. SAXTON, Mr. PALLONE, Mr. MCKEON, Mr. RYUN of Kansas, Mr. TAUZIN, Mr. CALVERT, Mr. GIBBONS, Mr. SHIMKUS,Mr. FRELINGHUYSEN, Mr. LOBIONDO, Mrs. ROUKEMA, Mr. BALLENGER, Mr. MILLER of Florida, Mr. HOBSON, Mrs. MYRICK, Mr. NETHERCUTT, Mr. EVERETT, Mr. BASS,Mrs. BIGGERT, Mr. SHAYS, Mr. WALDEN of Oregon, Ms. DELAURO, Mr. HINOJOSA, Ms. SOLIS, Mr. SCHAFFER,Mrs. CAPITO, Mrs. JO ANN DAVIS of Virginia,Mr. BROWN of South Carolina, Mr. TANCREDO, Mr. CRENSHAW, Mr. CANTOR, Mr. HOEKSTRA, Mr. PENCE, Mr. FORBES, Mr. TIBERI, Mr. HORN, Mr. SCHROCK, Mr. PUTNAM, Mr. JONES of North Carolina, Mr. ROGERS of Michigan, Mr. GARY G. MILLER of California, Ms. GRANGER,Mr. GREENWOOD, Mr. TOOMEY, Mr. GREEN of Wisconsin, Mr. HILLEARY, Mr. BURTON of Indiana, Mr. ROTHMAN, Mr. CULBERSON, Mr. PASCRELL, Mr. TIAHRT,Mr. LARGENT, Mr. SHUSTER, Mr. KENNEDY of Minnesota, Mr. JENKINS, Ms. HART, Mr. LARSON of Connecticut, Mr. MENENDEZ, Mr. SMITH of New Jersey, Mr. SIMMONS, Mr. SHADEGG, Mr. MALONEY of Connecticut, Mr. FERGUSON, and Mr. KELLER):

H.R. 2884. A bill to amend the Internal Revenue Code of 1986 to provide tax relief forvictims of the terrorist attacks against the United States on September 11,2001; to the Committee on Ways and Means. considered and passed.

By Mr. DEUTSCH:

H.R. 2885. A bill to provide for the transfer of certain real property by the Secretary of Housing and Urban Development; to the Committee on Government Reform.

By Mr. FROST (for himself, Mr. SKELTON, Mr. HOYER, Mr. MORAN of Virginia, and Mr. WYNN):

H.R. 2886. A bill to amend title 10, United States Code, to authorize the award of the Purple Heart to civilian employees of the Department of Defense who are killed or wounded by a terrorist attack; to the Committee on Armed Services.

By Mr. GREENWOOD (for himself, Ms. ESHOO, Mr. UPTON, Mr. WYNN, Mr. BUYER, Mr. RUSH, Mr. BRADY of Pennsylvania, Ms. ROYBAL-ALLARD, and Ms. LOFGREN):

H.R. 2887. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children; to the Committee on Energy and Commerce.

By Mr. BARR of Georgia (for himself, Mr. CHABOT, Mr. GOODE, Mr. JONES of North Carolina, Mr. DEAL of Georgia, Mr. SESSIONS, Mr. TANCREDO, Mr. SCHAFFER, and Mr. SOUDER):

H.J. Res. 62. Joint resolution declaring a state of war between the United States and international terrorists and their sponsors; to the Committee on International Relations.

By Mr. WELDON of Pennsylvania (for himself, Mr. SCHAFFER, Mr. PETERSON of Pennsylvania, Mr. GILMAN, and Mr. BARTLETT of Maryland):

H.J. Res. 63. Joint resolution declaring that a state of war exists between the United States and any entity determined by the President to have planned, carried out, or otherwise supported the attacks against the United States on September 11, 2001, and authorizing the President to use United States Armed Forces and all other necessary resources of the United States Government against any such entity in order to bring the conflict to a successful termination; to the Committee on International Relations.

By Mr. HASTERT (for himself, Mr. GEPHARDT, Mrs. EMERSON, Mr. SKELTON, Mr. GREENWOOD, Mr. TOOMEY, Mr. RYUN of Kansas, Ms. DUNN, Mr. ARMEY, Mr. LAFALCE, Mr. CUMMINGS, Mr. TANNER, Mr. PITTS, Mr. BURR of North Carolina, Mr. DAVIS of Florida, Mr. SHIMKUS, Mr. DAVIS of Illinois, Mrs. CUBIN, Ms. KAPTUR, Mr. PICKERING, Mr. BLUNT, Mr. GRAVES, Mr. BROWN of South Carolina, Mr. CRENSHAW, Mr. KING, Mr. WATKINS, Mr. LAHOOD, Mr. UPTON, Mr. GUTKNECHT, Mr. HASTINGS of Washington, Mr. PAUL, Ms. PRYCE of Ohio, Mrs. WILSON, Mr. JENKINS, Mr. MILLER of Florida, Mr. CALLAHAN, Mr. EVERETT, Mrs. BIGGERT, Mr. WATTS of Oklahoma, Mr. HOEKSTRA, Mr. LOBIONDO, Mr. SAXTON, Mr. GILCHREST, Mr. HUNTER, Mr. SIMPSON, Mr. FLAKE, Mr. WALDEN of Oregon, Mr. SCHROCK, Mr. ISAKSON, Mr. SHERWOOD, Mr. CANTOR, Mr. CAMP, Mr. REGULA, Mr. FERGUSON, Mr. KIRK, Mr. GIBBONS, Mr. PUTNAM, Mr. FRELINGHUYSEN, Mrs. ROUKEMA, Mr. BEREUTER, Mr. GARY G. MILLER of California, Mr. MCKEON, Mr. GRUCCI,Mrs. MYRICK, Mr. PORTMAN, Mr. WELLER, Mr. HORN, Mr. SHAW, Mr. BOEHLERT, Mr. REYNOLDS, Mr. TAUZIN, Mr. BALLENGER, Mr. FOLEY, Mr. HOBSON,Mr. GREEN of Wisconsin, Mr. KELLER, Mr. PENCE, Mr. PLATTS, Mr. OSBORNE, Mr. COMBEST, Mr. JONES of North Carolina, Mr. SHUSTER, Mr. VITTER, Mr. NETHERCUTT, Mr. LUCAS of Kentucky, Mr. ADERHOLT, Mr. SMITH of Michigan, Mr. DEMINT, Mr. SWEENEY, Mr. CHAMBLISS, Mr. SIMMONS, Mr. BRYANT, Mr. CHABOT, Mr. FORBES, Mr. WALSH, Mr. HOUGHTON, Mr. GOSS, Mr. BILIRAKIS, Mr. ISTOOK, Mr. LEVIN, Ms. SLAUGHTER, Ms. MCCARTHY of Missouri, Ms. CARSON of Indiana, Mr. GILMAN, Mr. MCNULTY, Mrs. MCCARTHY of New York, Mr. MCINTYRE, Mr. POMEROY, Mr. FROST, Mr. SCOTT, Mr. SAWYER, Mr. EDWARDS, Mr. KILDEE, Ms. SOLIS, Mr. ANDREWS, Mrs. CAPPS, Mr. FARR of California, Mrs. CHRISTENSEN, Mr. GREEN of Texas, Mr. MEEHAN, Mr. ETHERIDGE, Mr. OLVER, Ms. JACKSON-LEE of Texas, Mr. PASTOR, Mr. HOLT, Mr. BARRETT, Mr. STENHOLM, Mr. BOYD, Mrs. THURMAN, Mr. REYES, Mr. PASCRELL, Mr. LANGEVIN, Mr. SCHIFF, Ms. MCCOLLUM, Mr. DEFAZIO, Ms. DELAURO, Mr. LAMPSON, Mr. VISCLOSKY, Mr. NADLER, Mr. HINCHEY, Mr. MCGOVERN, Mr. HOLDEN, Mrs. NAPOLITANO, Mr. COSTELLO, Mrs. JOHNSON of Connecticut, Mr. SENSENBRENNER, Mr. CONYERS, Mr. MORAN of Virginia, Mr. ACKERMAN, Mr. CROWLEY, Mr. ENGEL, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MEEKS of New York, Mr. QUINN, Mr. RANGEL, Mr. SERRANO, Mr. TOWNS, Mr. BRADY of Pennsylvania, Mr. DELAHUNT, Mr. ISRAEL, Mrs. TAUSCHER, and Mrs. JO ANN DAVIS of Virginia):

H. Con. Res. 225. Concurrent resolution expressing the sense of the Congress that, as a symbol of solidarity following the terrorist attacks on the United States on September 11, 2001, every United States citizen is encouraged to display the flag of the United States; to the Committee on the Judiciary; considered and agreed to.

By Mr. FROST (for himself, Mrs. BIGGERT, and Mr. KOLBE):

H. Con. Res. 226. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued in honor of Melvin Jones; to the Committee on Government Reform.

¶91.29 ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

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

H.R. 65: Mr. THOMPSON of California.
H.R. 87: Ms. WATERS.
H.R. 179: Mr. CALVERT.
H.R. 267: Mr. BURTON of Indiana.
H.R. 326: Ms. ROS-LEHTINEN.
H.R. 440: Ms. CARSON of Indiana.
H.R. 442: Mr. SANDLIN.
H.R. 476: Mr. GOODE.
H.R. 529: Mr. MCDERMOTT.
H.R. 530: Mr. MCDERMOTT.
H.R. 537: Mr. MATHESON.
H.R. 638: Mr. UDALL of Colorado.
H.R. 701: Mr. STARK, Mr. GONZALEZ, and Mr. SCHROCK.
H.R. 730: Mrs. MORELLA.
H.R. 808: Mr. DEUTSCH.
H.R. 817: Mr. PRICE of North Carolina and Mr. BOUCHER.
H.R. 921: Mr. ROGERS of Kentucky, Mr. SHERWOOD, and Mr. STARK.
H.R. 968: Mr. WELDON of Florida and Mr. LEACH.
H.R. 984: Mr. OTTER and Mr. SANDLIN.
H.R. 1083: Mr. HONDA.
H.R. 1155: Mr. HILLIARD, Mr. ISRAEL, Mr. FERGUSON, Mr. KELLER, and Mr. JOHNSON of Illinois.
H.R. 1170: Mr. BAIRD.
H.R. 1194: Mr. FILNER.
H.R. 1232: Ms. PRYCE of Ohio.
H.R. 1305: Mr. BOUCHER and Mr. LINDER.
H.R. 1367: Mr. RUSH.
H.R. 1405: Mr. TIERNEY.
H.R. 1433: Mr. UNDERWOOD.
H.R. 1462: Mr. SMITH of Washington.
H.R. 1475: Mr. PETRI and Mr. HILL.
H.R. 1526: Mrs. EMERSON.
H.R. 1577: Mr. DOOLITTLE, Mr. FORBES, Mr. TERRY, Mr. EDWARDS, Mr. SANDLIN, and Mr. BARR of Georgia.
H.R. 1609: Mr. OSBORNE, Mr. JENKINS, Mr. EDWARDS, Mr. DEAL of Georgia, and Mr. GONZALEZ.
H.R. 1613: Ms. WATSON.
H.R. 1645: Mr. TIERNEY and Ms. HOOLEY of Oregon.
H.R. 1759: Mrs. MORELLA.
H.R. 1773: Mr. PASTOR and Mrs. WILSON.
H.R. 1841: Mr. HINOJOSA, Mr. RANGEL, Mr. RODRIGUEZ, Mr. DEFAZIO, Mrs. MCCARTHY of New York, Mr. LARSON of Connecticut, Ms. ROYBAL-ALLARD, Mr. DIAZ-BALART, Ms. MCKINNEY, Ms. PELOSI, Mr. OLVER, Mrs. LOWEY, and Mr. DOYLE.
H.R. 1908: Mr. ROGERS of Kentucky.
H.R. 1913: Mrs. WILSON.
H.R. 1930: Mr. MATHESON.
H.R. 1949: Mr. PRICE of North Carolina, Mr. BACA, and Mr. BLUMENAUER.
H.R. 2071: Mr. UPTON.
H.R. 2074: Mr. FROST.
H.R. 2223: Mr. OWENS.
H.R. 2250: Mr. SMITH of Michigan and Mr. TANCREDO.
H.R. 2293: Mr. SOUDER, Mr. DOOLITTLE, Mr. PENCE, Mr. SESSIONS, Mr. TANCREDO, Mr. RILEY, Mr. SCHAFFER, and Mr. GOODE.
H.R. 2339: Mr. HYDE.
H.R. 2348: Ms. WOOLSEY, Mr. CLYBURN, Mr. NADLER, and Mr. MATHESON.
H.R. 2374: Mr. TERRY.
H.R. 2380: Ms. ROYBAL-ALLARD, Mr. SHOWS, Mr. GEORGE MILLER of California, Mr. CONYERS, Mr. LATOURETTE, Mr. KENNEDY of Rhode Island, and Mr. FILNER.
H.R. 2417: Mr. MATHESON.
H.R. 2423: Mr. KENNEDY of Minnesota, Mr. BARCIA, Mr. PENCE, and Mr. SCHAFFER.
H.R. 2449: Mr. PAUL.
H.R. 2485: Mr. SCHAFFER and Mr. REYNOLDS.
H.R. 2592: Mr. FILNER and Mr. OLVER.
H.R. 2623: Mr. QUINN.
H.R. 2638: Mr. SANDERS.
H.R. 2667: Mr. GOODE.
H.R. 2768: Mr. PORTMAN and Mr. ABERCROMBIE.
H.R. 2787: Mr. WYNN, Mr. MATHESON, Mr. GREEN of Texas, Mrs. THURMAN, and Mrs. CHRISTENSEN.
H.R. 2825: Mr. TANCREDO and Mr. SCHAFFER.
H.R. 2828: Ms. HOOLEY of Oregon and Mr. SCHAFFER.
H.R. 2863: Mr. LANGEVIN, Mr. SANDLIN, Mr. WYNN, Mr. ABERCROMBIE, Mr. STARK, and Mr. KLECZKA.
H. Con. Res. 175: Mrs. LOWEY, Mr. MCGOVERN, Mr. EVANS, Mr. STARK, Mr. LANTOS, Mrs. JONES of Ohio, Ms. WOOLSEY, Mr. OLVER, Mr. THOMPSON of California, Mr. DOYLE, Mr. OWENS, Mr. KLECZKA, Mr. DUNCAN, Ms. SCHAKOWSKY, Mr. UDALL of Colorado, and Mr. BLUMENAUER.
H. Con. Res. 188: Mr. TOOMEY and Mr. MATHESON.
H. Res. 52: Mr. HASTINGS of Florida and Mr. TOM DAVIS of Virginia.

FRIDAY, SEPTEMBER 14, 2001 (92)

The House was called to order by the SPEAKER.

¶92.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, September 13, 2001.

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

¶92.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3621. A letter from the Secretary, Department of Agriculture, transmitting the annual animal welfare enforcement report for fiscal year 2000, pursuant to 7 U.S.C. 2155; to the Committee on Agriculture.

3622. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled, ''Efficient Facilities Initiative of 2001''; to the Committee on Armed Services.

3623. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation relating to the reduction of recurring reporting requirements; to the Committee on Armed Services.

3624. A letter from the Secretary, Department of Defense, transmitting a Report on Pharmacy Benefits Program; to the Committee on Armed Services.

3625. A letter from the Deputy Secretary, Department of Defense, transmitting a Re-

port on Chiropractic Health Care Implementation Plan; to the Committee on Armed Services.

3626. A letter from the Under Secretary, Department of Defense, transmitting a report on the Department of Defense Fiscal Year 2000 Purchases from Foreign Entities; to the Committee on Armed Services.

3627. A letter from the Deputy Secretary, Department of Defense, transmitting a report on Federally Funded Research and Development Center's Estimated FY 2002 Staff-years of Technical Effort; to the Committee on Armed Services.

3628. A letter from the Secretary, Department of Housing and Urban Development, transmitting a draft of proposed legislation regarding FHA-insured multifamily housing mortgage and housing assistance restructuring; to the Committee on Financial Services.

3629. A letter from the Director, Office of Management and Budget, transmitting an appropriations report; to the Committee on the Budget.

3630. A letter from the Deputy Assistant Secretary for Policy, Planning and Innovation, Department of Education, transmitting Final Regulations—Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

3631. A letter from the Secretary, Department of Health and Human Services, transmitting a report on Injury Prevention and Control-Related Programs and Activities of the Centers for Disease Control and Prevention, Fiscal Years 1997 and 1998; to the Committee on Energy and Commerce.

3632. A letter from the Secretary, Department of the Interior, transmitting the biennial report on the quality of water in the Colorado River Basin (Progress Report No. 20, January 2001), pursuant to 43 U.S.C. 1596; to the Committee on Resources.

3633. A letter from the Acting Administrator and Deputy Under Secretary, Department of Commerce, transmitting the annual report of the Coastal Zone Management Fund for the National Oceanic and Atmospheric Administration for fiscal year 2000, pursuant to 16 U.S.C. 1456a(b)(3); to the Committee on Resources.

3634. A letter from the Secretary, Department of Commerce, transmitting a report on Grant-In-Aid for Fisheries; to the Committee on Resources.

3635. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2000 annual report on the activities and operations of the Public Integrity Section, Criminal Division, pursuant to 28 U.S.C. 529; to the Committee on the Judiciary.

3636. A letter from the Principal Deputy Assistant Secretary of the Army, Department of Defense, transmitting a feasibility report of the Ocean City, Maryland and Vicinity, project; to the Committee on Transportation and Infrastructure.

3637. A letter from the Principal Deputy Assistant Secretary of the Army, Department of Defense, transmitting a feasibility report for Brigantine Inlet to Great Egg Harbor Inlet, Brigantine Island, New Jersey; to the Committee on Transportation and Infrastructure.

3638. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Chillicothe, MO [Airspace Docket No. 01–ACE–4] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3639. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Olathe, KS [Airspace Docket No. 01–ACE–5] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3640. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Cabool, MO [Airspace Docket No. 01–ACE–3] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3641. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Rome, NY [Airspace Docket No. 00–AEA–05FR] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3642. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E2 Airspace; Greenwood, MS [Airspace Docket No. 01–ASO–9] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3643. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Pelham Lake, VA [Airspace Docket No. 01–AEA–15FR] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3644. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Hackensack River, NJ [CGD01–01–062] (RIN: 2115–AE47) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3645. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; State Road 84 bridge, South Fork of the New River, mile 4.4, Fort Lauderdale, Broward County, Florida [CGD07–01–073] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3646. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Mississippi River, Iowa and Illinois [CGD 08–01–016] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3647. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Ouachita River, Louisiana [CGD08–01–019] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3648. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Lake Pontchartrain, LA [CGD08–01–020] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3649. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Harlem River, NY [CGD01–01–011] (RIN: 2115–AE47) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3650. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Wings Over Lake Air Show, Michigan City, IN [CGD09–01–038] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3651. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Erie, Port Clinton, OH [CGD09–01–051] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3652. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Captain of the Port Detroit Zone [CGD09–01–049] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3653. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Cleveland Harbor, Cleveland, OH [CGD09–01–034] (RIN: 2115–AA97) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3654. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation relating to the operation and management of the Department of Defense; jointly to the Committees on Armed Services and International Relations.

3655. A letter from the Deputy Secretary, Department of Defense, transmitting a report on Outreach to Gulf War Veterans Calendar Years 1999 and 2000; jointly to the Committees on Armed Services and Veterans' Affairs.

3656. A letter from the Deputy Secretary, Department of Defense, transmitting a Report on Defense Health Program Obligations of FY 2000 Emergency Supplemental Funding; jointly to the Committees on Armed Services and Appropriations.

¶92.3 ORDER OF BUSINESS—CONSIDERATION OF H.R. 2888

On motion of Mr. YOUNG of Florida, by unanimous consent,

Ordered, That it may be in order at any time, without intervention of any point of order, to consider in the House the bill (H.R. 2888) making emergency supplemental appropriations for fiscal year 2001 for additional disaster assistance, for anti-terrorism initiatives, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes; that the bill be considered as read for amendment; and that the previous question be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, and (2) one motion to recommit.

¶92.4 2001 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS

Mr. YOUNG of Florida, pursuant to the foregoing order of the House, called

up the bill (H.R. 2888) making emergency supplemental appropriations for fiscal year 2001, for additional disaster assistance, for anti-terrorism initiatives, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes.

When said bill was considered and read twice.

Pursuant to the foregoing order of the House, the SPEAKER pro tempore, Mr. THORNBERRY, recognized Messrs. YOUNG of Florida and OBEY for 30 minutes each.

After debate,

Pursuant to the foregoing order of the House, the previous question was ordered on the joint resolution to its adoption or rejection.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the vote will remain open until all Members are recorded and until Members returned from the Memorial Service. In order to confirm Members' votes, the Clerk will retrieve the names of all Members already recorded electronically from the board and will combine them with the tally cards being signed by Members. Together this will constitute a valid vote. Members were encouraged to confirm their votes by filling out a ballot card.

It was decided in the affirmative { Yeas ..... 422 / Nays ..... 0 }

¶92.5 [Roll No. 341]

YEAS—422

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

NOT VOTING—9

Ballenger
Conyers
Davis (IL)
Farr
Kilpatrick
Linder
Lipinski
Saxton
Weldon (PA)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.6 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill and concurrent resolution of the House of the following titles:

H.R. 2882. An Act to provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001.

H. Con. Res. 225. Concurrent Resolution expressing the sense of Congress that, as a symbol of solidarity following the terrorist attacks on the United States on September 11, 2001, every United States citizen is encouraged to display the flag of the United States.

The message also announced that the Senate has passed bills and joint resolutions of the following titles in which the concurrence of the House is requested:

S. 856. An Act to reauthorize the Small Business Technology Transfer Program, and for other purposes.

S. 1424. An Act to amend the Immigration and Nationality Act to provide permanent authority for the admission of ''S'' visa nonimmigrants.

S.J. Res. 19. Joint resolution providing for the reappointment of Anne d'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 20. Joint resolution providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 23. Joint resolution to authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

¶92.7 RECESS—3:11 P.M.

The SPEAKER pro tempore, Mr. PENCE, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 11 minutes p.m., subject to the call of the Chair.

¶92.8 AFTER RECESS—5:45 P.M.

The SPEAKER pro tempore, Mr. SHIMKUS, called the House to order.

¶92.9 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. SHIMKUS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 14, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 14, 2001 at 3:37 p.m.

That the Senate passed without amendment H.R. 2888.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶92.10 ENROLLED BILLS SIGNED

The SPEAKER pro tempore, Mr. SHIMKUS, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bills during the recess today:

H.R. 2133. An Act to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education

H.R. 2882. An Act to provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001.

H.R. 2888. An Act making emergency supplemental appropriations for fiscal year 2001 for additional disaster assistance, for anti-terrorism initiatives, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes.

¶92.11 ORDER OF BUSINESS—
CONSIDERATION OF H.J. RES. 64

On motion of Mr. DIAZ-BALART, by unanimous consent,

Ordered, That it may be in order at any time, without intervention of any point of order, to consider in the House the joint resolution (H.J. Res. 64) to authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States; that the joint resolution be considered as read; that the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) five hours of debate on the joint resolution equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations, and (2) one motion to recommit; and that, upon passage of the joint resolution, the House shall be considered to have passed S.J. Res. 23.

¶92.12 AUTHORITY FOR USE OF FORCE TO
RESPOND TO ACTS OF TERROR

Mr. HYDE, pursuant to the foregoing order of the House, called up the joint resolution (H.J. Res. 64) to authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

When said joint resolution was considered and read twice.

Pursuant to the foregoing order of the House, the SPEAKER pro tempore, Mr. SHIMKUS recognized Messrs. HYDE and LANTOS for 150 minutes each.

After debate,

Pursuant to the foregoing order of the House, the previous question was ordered on the joint resolution to its adoption or rejection.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

Mr. TIERNEY moved to recommit the bill to the Committee on International Relations with instructions to report the bill back to the House forthwith with the following amendment:

Add at the end the following new section:

SEC. 3. REPORTS TO CONGRESS; CONSULTATION.

(a) REPORTS.—At least once every 60 days after the date of the enactment of this resolution, the President shall submit to Congress a summary on the status of efforts made to carry out this resolution.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, in addition to complying with subsection (a), the President should comply with all other reporting and consultation requirements under applicable provisions of law, including sections 3 and 4 of the War Powers Resolution.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER announced that the nays had it.

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER announced that the yeas had it.

Mr. HYDE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 420
Nays 1

¶92.13 [Roll No. 342]

YEAS—420

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

Sununu	Tierney	Watt (NC)
Sweeney	Toomey	Watts (OK)
Tancredo	Towns	Waxman
Tanner	Traficant	Weiner
Tauscher	Turner	Weldon (FL)
Tauzin	Udall (CO)	Weldon (PA)
Taylor (MS)	Udall (NM)	Weller
Taylor (NC)	Upton	Wexler
Terry	Velazquez	Whitfield
Thomas	Visclosky	Wicker
Thompson (CA)	Vitter	Wolf
Thompson (MS)	Walden	Woolsey
Thornberry	Walsh	Wu
Thune	Wamp	Wynn
Thurman	Waters	Young (AK)
Tiahrt	Watkins (OK)	Young (FL)
Tiberi	Watson (CA)	

NAYS—1

Lee

NOT VOTING—10

Ballenger	King (NY)	Saxton
Conyers	Lipinski	Wilson
Farr	Petri	
Kilpatrick	Sanchez	

So the joint resolution was passed.

A motion to reconsider the vote whereby the joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

Pursuant to the foregoing order of the House, the joint resolution of the Senate (S.J. Res. 23) was passed; and, by unanimous consent, a motion to reconsider the vote whereby said Senate joint resolution was passed was laid on the table and the joint resolution (H.J. Res. 64) was laid on the table.

¶92.14 FUEL PRICE GOUGING

On motion of Mr. BARTON, by unanimous consent, the Committee on Energy and Commerce was discharged from further consideration of the following resolution (H. Res. 238):

Whereas the retail price of motor fuels reportedly rose by as much as 300 percent in several locations in the United States during the hours and days after the terrorist acts of September 11, 2001;

Whereas reliable reports suggest that the inventory of motor fuels in the United States was adequate during that period;

Whereas no significant disruptions in the availability of motor fuels were reported as a result of the terrorist acts of September 11, 2001;

Whereas several of the Nation's oil companies pledged to hold their fuel prices steady during the period immediately following the terrorist acts;

Whereas the Organization of Petroleum Exporting Countries (OPEC) has announced that all of its member countries ''remain committed to continuing their policy of strengthening market stability and ensuring that sufficient supplies are available to satisfy market needs'' and ''are prepared to use their spare capacity, if deemed necessary, to achieve those goals'';

Whereas some vendors of motor fuels in the United States may have taken advantage of the uncertainty created by the terrorist acts of September 11, 2001, by knowingly charging in excess of a reasonable price for motor fuels, a practice commonly known as ''price gouging''; and

Whereas price gouging is detrimental to consumer confidence and the economy of the United States, and was particularly detrimental during the hours and days after the terrorist acts of September 11, 2001: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns any price gouging with respect to motor fuels during the hours and days after the terrorist acts of September 11, 2001; and

(2) urges the appropriate Federal and State agencies to investigate any incidents of price gouging with respect to motor fuels during the hours and days after the terrorist acts of September 11, 2001, and to prosecute any violations of law discovered as a result of the investigations.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

SATURDAY, SEPTEMBER 15 (LEGISLATIVE DAY OF SEPTEMBER 14), 2001

¶92.15 CONDEMNING BIGOTRY AGAINST ARAB AMERICANS

On motion of Mr. GEKAS, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the following concurrent resolution (H. Con. Res. 227):

Whereas all Americans are united in condemning, in the strongest possible terms, the terrorists who planned and carried out the attacks against the United States on September 11, 2001, and in pursuing all those responsible for these attacks and their sponsors until they are brought to justice and punished;

Whereas the Arab-American, South Asian-American, and American Muslim communities are a vital part of the Nation;

Whereas on September 12, 2001, in a mass for the Nation and the victims of the terrorist hijackings and attacks, Cardinal Theodore McCarrick, the Archbishop of Washington, D.C., reminded all Americans in prayer that ''we must seek the guilty and not strike out against the innocent or we become like them who are without moral guidance or direction'';

Whereas the heads of State of several Arab and predominantly Muslim countries have condemned the terrorist attacks on the United States and the senseless loss of innocent lives; and

Whereas vengeful threats and incidents of violence directed at law-abiding, patriotic Americans of Arab or South Asian descent, particularly the Sikh community, and adherents of the Islamic faith have already occurred: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) declares that in the quest to identify, bring to justice, and punish the perpetrators and sponsors of the terrorist attacks on the United States on September 11, 2001, that the civil rights and civil liberties of all Americans, including Arab-Americans, American Muslims, and Americans from South Asia, should be protected; and

(2) condemns any acts of violence or discrimination against any Americans, including Arab-Americans, American Muslims, and Americans from South Asia.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶92.16 ''S'' VISA NON-IMMIGRANTS

On motion of Mr. GEKAS, by unanimous consent, the bill of the Senate (S. 1424) to amend the Immigration and Nationality Act to provide permanent authority for the admission of ''S'' visa non-immigrants; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶92.17 CAPITOL FLOWN FLAGS

On motion of Mr. NEY, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following resolution (H. Res. 239):

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Terrorist Victims Flag Memorial Resolution of 2001''.

SEC. 2. CAPITOL-FLOWN FLAGS FOR VICTIMS OF THE SEPTEMBER 11, 2001, TERRORIST ATTACKS.

(a) AUTHORITY.—

(1) IN GENERAL.—At the request of a surviving victim, or the family of a deceased victim, of the terrorist attacks which occurred on September 11, 2001, the Representative of such victim or family may provide the victim or family with a Capitol-flown flag, not to exceed one flag per victim or family, together with the certificate described in paragraph (4).

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date on which the Committee on House Administration approves the regulations issued by the Clerk of the House of Representatives under subsection (b).

(3) COST.—Flags shall be provided at no cost to the victims or their families. Such funds as may be necessary for the administration of this program, including the purchase and delivery of flags provided pursuant to this resolution, are hereby authorized to be appropriated from the applicable accounts of the House of Representatives.

(4) CERTIFICATE DESCRIBED.—The certificate described in this paragraph is a certificate which is signed by the Speaker of the House of Representatives and the Representatives providing the flag, and which reads as follows: ''This flag has been flown over the United States Capitol, in memory of those who perished, and to honor those who were injured, as a result of the terrorist attacks which occurred on September 11, 2001. It is presented to the surviving victims, and the families of those who lost their lives, with profound sorrow on behalf of the United States House of Representatives.''.

(b) REGULATIONS AND PROCEDURES.—

(1) IN GENERAL.—Not later than 30 days after the date of adoption of this resolution, the Clerk shall issue regulations for carrying out this resolution, including regulations to establish procedures (including any appropriate forms, guidelines, and accompanying certificates) for requesting a Capitol-flown flag.

(2) APPROVAL BY COMMITTEE ON HOUSE ADMINISTRATION.—The regulations issued by the Clerk under paragraph (1) shall take effect upon approval by the Committee on House Administration.

(c) APPLICABILITY.—This resolution shall only apply to victims of the terrorist attacks

which occurred in the United States on September 11, 2001.

(d) DEFINITIONS.—In this resolution—

(1) the term ''Capitol-flown flag'' means a United States flag flown over the United States Capitol in honor of the deceased or surviving victim for whom such flag is requested;

(2) the term ''Representative'' includes a Delegate or Resident Commissioner to the Congress; and

(3) the term ''victim'' means a person who lost his or her life in, or due to, the attacks of September 11, 2001, or who sustained physical injury due to the attacks, but does not include the aircraft hijackers and any other person determined to have taken part in those attacks.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶92.18 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. SHIMKUS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 14, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on September 14, 2001 at 3:56 p.m. and said to contain a message from the President whereby he submits a copy of an Executive Order and a Proclamation concerning the emergency declared as a result of the September 11, 2001, terrorist attacks on the United States.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶92.19 NATIONAL EMERGENCY WITH RESPECT TO TERRORIST ATTACKS AT WORLD TRADE CENTER

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), I hereby report that I have exercised my authority to declare a national emergency by reason of the terrorist attacks at the World Trade Center, New York, New York, and the Pentagon, and the continuing and immediate threat of further attacks on the United States. A copy of my proclamation is attached.

Further, I have authorized, pursuant to section 12302 of title 10, United States Code, the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service within the Department of the Navy, to order to active duty units and individual members not assigned to units of the Ready Reserve to perform such missions the Secretary of Defense may determine necessary. The deployment of United States forces to conduct operational missions in connection with the World Trade Center and Pentagon attacks necessitates this action. A copy of my Executive Order implementing this action is attached.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 14, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Armed Services and the Committee on International Relations and ordered to be printed (H. Doc. 107–118).

¶92.20 ADJOURNMENT OVER

On motion of Mr. NEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, September 17, 2001, at 12 o'clock noon.

¶92.21 SENATE JOINT RESOLUTIONS REFERRED

Joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 19. Joint resolution providing for the reappointment of Anne d'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 20. Joint resolution providing for the reappointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

¶92.22 ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2133. An Act to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

H.R. 2882. An Act to provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001.

H.R. 2888. 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States.

¶92.23 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. FARR, for today and September 15; and

To Ms. KILPATRICK, for today.

And then,

¶92.24 ADJOURNMENT

On motion of Mr. NEY, at 1 o'clock and 59 minutes a.m., Saturday, September 15 (legislative day of Friday, September 14), 2001, the House adjourned until 12 o'clock noon, Monday, September 17, 2001.

¶92.25 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker.

H.R. 1408. Referral to the Committee on the Judiciary extended for a period ending not later than October 5, 2001.

¶92.26 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. YOUNG of Florida:

H.R. 2888. A bill making emergency supplemental appropriations for the fiscal year 2001 for additional disaster assistance, for anti-terrorism initiatives, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within thejurisdiction of the committee concerned.

By Mr. LANTOS (for himself, Mr. ACKERMAN, and Mr. MCDERMOTT):

H.R. 2889. A bill to lift the nuclear test sanctions against India; to the Committee on International Relations.

By Mrs. ROUKEMA (by request):

H.R. 2890. A bill to extend FHA-insured multifamily housing mortgage and housing assistance restructuring authority, and for other purposes; to the Committee on Financial Services.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, and Mr. THOMAS):

H.R. 2891. A bill to preserve the continued viability of the United States air transportation system; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER:

H.R. 2892. A bill to suspend for 1 year the payment to States of a bonus to reward decreases in illegitimacy ratios under the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 2893. A bill to provide for demonstration and evaluation of, and dissemination ofinformation concerning, promising approaches to promoting and supporting involved, committed, and responsible fatherhood, promoting and supporting healthy marriages, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce,for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIRK (for himself, Mr. HYDE, Mr. LANTOS, Mr. GILMAN, Mr. BLUNT, Mr. SMITH of New Jersey, Mr. BEREUTER, Mr. BURTON of Indiana, Mr. COOKSEY, Ms. ROS-LEHTINEN, Mr. DREIER, Mr. SHIMKUS, Mrs. BIGGERT, Mr. JOHNSON of Illinois, Mr. FORBES, Mr. KENNEDY of Minnesota, Mr. GRAHAM, Mr. ISSA, Mr. OSE, Mr. SIMMONS, Mr. ENGEL, Mr. GREENWOOD, Mr. PENCE, Mr. CRANE, and Mr. PLATTS):

H.R. 2894. A bill to amend the State Department Basic Authorities Act of 1956 to increase the maximum amount of an award

paid under the Department of State rewards program in connection with the attacks on the United States on September 11, 2001, and for other purposes; to the Committee on International Relations.

By Mr. LIPINSKI (for himself, Mr. DEFAZIO,Mr. COSTELLO, and Mr. KIRK):

H.R. 2895. A bill to amend title 49, United States Code, to require that the screeningof passengers and property on flights in air transportation be carried out by employees of the Federal Aviation Administration, to expand the Federal Air Marshal program of the Federal Aviation Administration, to establish requirements for carry-on baggage on flights in air transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PAUL:

H.R. 2896. A bill to provide for the safety of United States aviation and the suppression of terrorism; to the Committee on Transportation and Infrastructure.

By Mr. SERRANO:

H.R. 2897. A bill to provide for the granting of posthumous citizenship to certain aliens lawfully admitted for permanent residence who died as a result of the hijackings of 4 commercial aircraft, the attacks on the World Trade Center, or the attack on the Pentagon, on September 11, 2001, and for other purposes; to the Committee on the Judiciary.

By Mr. TRAFICANT:

H.R. 2898. A bill to amend the Act of June 1, 1948 to provide for reform of the Federal Protective Service, to enhance the safety and security of federal, state and local employees, members of the public at airports with any facilities under the control of the General Services Administration, or airports under the control of the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARMEY (for himself and Mr. GEPHARDT):

H.J. Res. 64. A joint resolution to authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States; to the Committee on International Relations; considered and passed.

By Mr. BONIOR (for himself, Mr. ARMEY, Mr. GEPHARDT, Mr. TOM DAVIS of Virginia, Mr. CONYERS, Mr. SENSENBRENNER, Mr. LANTOS, Mr. FROST, Ms. DELAURO, Mr. DINGELL, Mr. LAHOOD, Mr. RAHALL, Mr. SUNUNU, Mr. WAXMAN, Mr. ROYCE, Mr. WEXLER, Mr. HORN, Ms. PELOSI, Mr. ISSA, Ms. SOLIS, Mr. KNOLLENBERG, Ms. LOFGREN, Mrs. MORELLA, Mr. CROWLEY, Mr. CAMP, Mr. KILDEE, Mr. WOLF, Mr. RUSH, Mr. KIRK, Ms. MCKINNEY, Mr. LATOURETTE, Mrs. NAPOLITANO, Mr. PITTS, Ms. KAPTUR, Mr. ENGLISH, Mr. LEVIN, Mr. ROGERS of Michigan, Mr. PALLONE, Mrs. BIGGERT, Mr. INSLEE, Mr. GREENWOOD, Mr. PASCRELL, Ms. WATERS, Mr. JOHN, Mr. HINCHEY, Mr. KUCINICH, Mr. MEEKS of New York, Mr. MORAN of Virginia, Mr. HASTINGS of Florida, Ms. MCCARTHY of Missouri, Ms. DEGETTE, Mr. WU, Mr. BACA, Mr. PAYNE, Ms. JACKSON-LEE of Texas, Ms. BERKLEY, Ms. KILPATRICK, Ms. SCHAKOWSKY, Mr. BERMAN, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Mr. ACKERMAN, Mr. BALDACCI, Mr. JEFFERSON, Mr. MOORE, Mr. FALEOMAVAEGA, Mr. LAFALCE, Mr. OLVER, Mr. WATT of North Carolina, Mrs. CLAYTON, Mr. GONZALEZ, Ms. ROYBAL-ALLARD, Mr. BECERRA, Mr. CARDIN, Mr. HOYER, Mr. BARRETT, Mr. SAWYER, Mr. MATHESON, Mr. CARSON of Oklahoma, Ms. BALDWIN, Mr. COYNE, Mr. PRICE of North Carolina, Mr. KIND, Mr. PHELPS, Mr. COSTELLO, Mrs. JONES of Ohio, Mr. UNDERWOOD, Mr. BOUCHER, Mr. BAIRD, Mr. SCHIFF, Mr. MCGOVERN, Mr. STRICKLAND, Mr. THOMPSON of California, Mr. CAPUANO, Ms. RIVERS, Ms. MCCOLLUM, Ms. WOOLSEY, Mr. LARSON of Connecticut, Ms. WATSON, Mr. LAMPSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MILLENDER-MCDONALD, Mr. HONDA, Mr. PASTOR, Mr. DELAHUNT, Ms. LEE, Mr. LANGEVIN, Mrs. CAPPS, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Mr. BLUMENAUER, Ms. ESHOO, Mr. LARSEN of Washington, Mr. TOWNS, Mrs. MALONEY of New York, Mr. HOLT, and Mr. DREIER):

H. Con. Res. 227. Concurrent resolution condemning bigotry and violence against Arab-Americans, American Muslims, and Americans from South Asia in the wake of terrorist attacks in New York City, New York, and Washington, D.C., on September 11, 2001; considered and agreed to.

By Ms. JACKSON-LEE of Texas (for herself, Mr. GILMAN, Mr. MEEKS of New York, Mrs. KELLY, Mr. LARSON of Connecticut, Ms. ROS-LEHTINEN, Mr. NEAL of Massachusetts, Ms. MILLENDER-MCDONALD, Ms. WOOLSEY, and Mr. BRADY of Texas):

H. Con. Res. 228. Concurrent resolution expressing the sense of the Congress that the children who lost one or both parents or a guardian in the September 11, 2001, World Trade Center and Pentagon tragedies (including the aircraft crash in Somerset County, Pennsylvania) should be provided with all necessary assistance, services, and benefits and urging the heads of Federal agencies responsible for providing such assistance, services and benefits to give the highest possible priority to providing such assistance, services and benefits to those children; to the Committee on Ways and Means.

By Mr. GRAVES:

H. Con. Res. 229. Concurrent resolution expressing the sense of the Congress that any reform of the Social Security Program not include mandatory coverage of State and local employees; to the Committee on Ways and Means.

By Mr. WYNN (for himself and Mr. TOM DAVIS of Virginia):

H. Con. Res. 230. Concurrent resolution expressing the sense of Congress regarding the establishment of a National Day of Remembrance; to the Committee on Government Reform.

By Mr. TAUZIN (for himself, Mr. DINGELL, Mr. BILIRAKIS, Mr. BOUCHER, Mr. UPTON, Mr. GREEN of Texas, Mr. STEARNS, Mr. GORDON, Mr. LARGENT, Mrs. CAPPS, Mr. BURR of North Carolina, Mr. MARKEY, Mrs. CUBIN, Mr. DOYLE, Mr. SHIMKUS, Ms. ESHOO, Mr. TOM DAVIS of Virginia, Mr. JOHN, Mr. BUYER, Ms. MCCARTHY of Missouri, Mr. BASS, Mr. BARRETT, Mr. PITTS, Mr. DEUTSCH, Mr. WALDEN of Oregon, Mr. HALL of Texas, Mr. RUSH, Mr. PALLONE, Mr. STRICKLAND, Mr. LUTHER, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. TOWNS, Mr. STUPAK, Mr. ENGEL, Ms. DEGETTE, Ms. HARMAN, Mr. SAWYER, Mr. WYNN, Mr. KLECZKA, Mr. BLUNT, and Mr. BARTON of Texas):

H. Res. 238. A resolution condemning any price gouging with respect to motor fuels during the hours and days after the terrorist acts of September 11, 2001; to the Committee on Energy and Commerce; considered and agreed to.

By Mr. NEY (for himself and Mr. HOYER):

H. Res. 239. Resolution providing Capitol-flown flags to each surviving victim, and the family of each deceased victim, of the terrorist attacks which occurredon September 11, 2001; to the Committee on House Administration. considered and agreed to.

¶92.27 ADDITIONAL SPONSORS

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

H.R. 19: Mr. GRAVES, Mr. EVERETT, Mr. YOUNG of Alaska, and Mr. VITTER.

H.R. 239: Mr. CANTOR.

H.R. 270: Mr. HASTINGS of Florida.

H.R. 356: Mr. PASTOR.

H.R. 458: Mr. SHIMKUS.

H.R. 507: Mr. REYNOLDS.

H.R. 535: Mr. SHOW.

H.R. 557: Mr. BARRETT.

H.R. 699: Mr. THOMPSON of California.

H.R. 721: Mr. UDALL of Colorado.

H.R. 781: Mr. HALL of Ohio.

H.R. 951: Mr. HAYWORTH, Mr. NEY, Mr. LEWIS of Kentucky, Mr. LOBIONDO, Mr. WALDEN of Oregon, Mr. EHRLICH, Mr. CALVERT, Mr. HOEKSTRA, Mr. GILCHREST, and Mr. WYNN.

H.R. 1007: Mr. ROGERS of Kentucky.

H.R. 1037: Mr. KELLER.

H.R. 1097: Mr. GONZALEZ and Mr. LATOURETTE.

H.R. 1149: Mr. TOWNS, Mr. BACA, Mr. SERRANO, Mr. BERMAN, Mr. MCGOVERN, Mr. STUPAK, Mr. OWENS, Mrs. CHRISTENSEN, Ms. MILLENDER-MCDONALD, Ms. SANCHEZ, Mr. ISRAEL, Mr. CARSON of Oklahoma, Ms. MCCOLLUM, Ms. SOLIS, Mr. MEEKS of New York, and Mr. PRICE of North Carolina.

H.R. 1158: Mr. ENGLISH.

H.R. 1238: Mr. MCINNIS and Mr. KELLER.

H.R. 1357: Mr. BISHOP, Mr. JONES of North Carolina, and Mr. PORTMAN.

H.R. 1377: Mr. ROGERS of Kentucky.

H.R. 1388: Mr. OBERSTAR.

H.R. 1476: Mr. OWENS.

H.R. 1600: Mr. COOKSEY.

H.R. 1629: Mr. MEEHAN, Mr. MEEKS of New York, Mr. ROTHMAN, Mr. PASTOR, and Mrs. WILSON.

H.R. 1645: Mr. ROGERS of Kentucky, Mr. BILIRAKIS, and Mr. MASCARA.

H.R. 1733: Mr. CARSON of Oklahoma.

H.R. 1744: Mr. CALVERT, Mr. CONYERS, Ms. HART, Mr. SCHIFF, Mr. NADLER, and Ms. BALDWIN.

H.R. 1754: Mr. BUYER, Mr. UDALL of Colorado, and Mr. GORDON.

H.R. 1911: Mr. VITTER.

H.R. 2036: Mr. REYNOLDS and Mrs. DAVIS of California.

H.R. 2057: Mr. STRICKLAND, Mr. SABO, and Mr. FRANK.

H.R. 2064: Ms. CARSON of Indiana.

H.R. 2096: Mr. SESSIONS.

H.R. 2220: Mr. WELDON of Pennsylvania, Mr. SNYDER, Mr. FARR of California, and Ms. DELAURO.

H.R. 2329: Mr. COOKSEY, Ms. HART, Mr. ROTHMAN, and Mr. RANGEL.

H.R. 2375: Mr. LOBIONDO, Mr. MOLLOHAN, Mrs. CAPITO, Mr. SIMMONS, Mr. ANDREWS, and Mr. LATOURETTE.

H.R. 2527: Mrs. MORELLA, Mr. MANZULLO, Mr. KILDEE, and Mr. WAMP.

H.R. 2561: Mr. COOKSEY, Mr. TAYLOR of Mississippi, and Mr. JEFFERSON.

H.R. 2592: Ms. RIVERS.

H.R. 2641: Mr. FROST and Mr. WYNN.

H.R. 2663: Mr. KELLER.

H.R. 2675: Mr. MATHESON.

H.R. 2695: Ms. LOFGREN, Mr. CRANE, and Ms. DUNN.

H.R. 2706: Mrs. EMERSON.
H.R. 2718: Mr. KUCINICH.
H.R. 2722: Mr. BALDACCI, Ms. LOFGREN, Mr. TERRY, Mr. BERMAN, Mr. CROWLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of New Jersey, Mrs. CAPPS, Ms. ROYBAL-ALLARD, Mr. RAHALL, Ms. SLAUGHTER, Mr. WAXMAN, Mr. BLUMENAUER, Mr. SABO, Mr. TIERNEY, Mr. GALLEGLY, Mr. MCGOVERN, and Mr. DEUTSCH.
H.R. 2725: Mr. GEORGE MILLER of California and Mr. KUCINICH.
H.R. 2792: Mr. BASS.
H.R. 2837: Mr. FRANK, Ms. LOFGREN, and Ms. PELOSI.,
H.J. Res. 15: Mr. GILMAN, Mr. BONIOR, Mrs. ROUKEMA, Mr. SIMMONS, Mr. PASCRELL, Mr. DUNCAN, Mr. SHAW, Mr. YOUNG of Alaska, Mr. STENHOLM, and Mr. GOODE.
H.J. Res. 27: Mrs. CUBIN.
H.J. Res. 56: Mr. ENGLISH and Mr. GOODE.
H.J. Res. 62: Mr. BARTLETT of Maryland.
H. Con. Res. 188: Mr. GEORGE MILLER of California.
H. Con. Res. 212: Mr. GREEN of Texas, Mr. TIERNEY, Mr. FILNER, Ms. MCKINNEY, Mr. KLECZKA, Mr. MCGOVERN, Mr. OWENS, Ms. WATSON, and Mr. RANGEL.
H. Res. 52: Mr. ENGLISH, Mr. WELDON of Pennsylvania, Mr. MCNULTY, Mr. SHOWS, and Mr. VITTER.

MONDAY, SEPTEMBER 17, 2001 (93)

¶93.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

WASHINGTON, DC,
September 17, 2001.

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

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

¶93.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CULBERSON, announced he had examined and approved the Journal of the proceedings of Friday, September 14, 2001.

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

¶93.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3657. A communication from the President of the United States, transmitting a request to make available emergency funding to respond to the consequences of the September 11th terrorist attacks on the United States, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; (H. Doc. No. 107—119); to the Committee on Appropriations and ordered to be printed.

3658. A letter from the Director, Congressional Budget Office, transmitting the CBO's Sequestration Update Report for FY 2002, pursuant to 2 U.S.C. section 904(b); to the Committee on Appropriations.

3659. A letter from the Under Secretary of Defense, Acquisition, Technology and Logistics, Department of Defense, transmitting notification of intent to fund for test projects for inclusion in the Fiscal Year 2002 Foreign Comparative Testing (FCT) Program, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

3660. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's report on Portability and Reciprocity of TRICARE Prime Benefits; to the Committee on Armed Services.

3661. A letter from the Acting Chairman, Securities and Exchange Commission, transmitting the annual report of the Securities Investor Protection Corporation for the year 2000, pursuant to 15 U.S.C. 78ggg(c)(2); to the Committee on Financial Services.

3662. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Florida: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7040–5] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3663. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—South Carolina: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7036–9] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3664. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri; Correction [MO 0133–1133a; FRL–7041–8] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3665. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland Administrative Revisions of General Provisions Related to Definitions of Terms and Ambient Air Quality Standards [MD064/122/123–3069a; FRL–7021–3] received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3666. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Nitrogen Oxides Budget Trading Program [PA 169–4134; FRL–7038–3] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3667. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; VOC and NOx RACT Determinations for Eight Individual Sources in the Pittsburgh-Beaver Valley Area; Correction [PA–4127a; FRL–7040–1] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3668. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; VOC and NOx RACT Determinations for Four Individual Sources in the Pittsburgh-Beaver Valley Area; Correction [PA–4130a; FRL–7039–9] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3669. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Attainment for Carbon Monoxide (CO); Spokane CO Nonattainment Area, Washington [Docket No. WA–01–002; FRL–7041–9] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3670. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing [FRL–7039–4] (RIN: 2060–AG27) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3671. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the report required by the United States-Hong Kong Policy Act of 1992 describing the current conditions in Hong Kong of interest to the United States, covering the period since the last report in May 2000; to the Committee on International Relations.

3672. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that Tajikistan is committed to the courses of action described in 1203 (d) of the Cooperative Threat Reduction Act of 1993, Section 1412 (d) of the Former Soviet Union Demilitarization Act of 1992 and Section 502 of the FREEDOM Support Act; to the Committee on International Relations.

3673. A letter from the Commissioner, Department of the Interior, transmitting the Department's report entitled, ''Desalination and Water Purification Research and Development Program''; to the Committee on Resources.

3674. A letter from the Acting Chairman, National Transportation Safety Board, transmitting the 1998 and 1999 annual report of the Board's activities, pursuant to 49 U.S.C. 1117; to the Committee on Transportation and Infrastructure.

3675. A letter from the Secretaries, Department of Energy and Department of Agriculture, transmitting a report entitled, ''Initial Report to Congress Required by the Biomass Research and Development Act of 2000''; jointly to the Committees on Science and Agriculture.

3676. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft bill entitled, ''Atomic Energy Act Amendments of 2001''; jointly to the Committees on Energy and Commerce, the Judiciary, and Transportation and Infrastructure.

3677. A letter from the Director, Executive Office of the President, transmitting the Annual Report to Congress on Combating Terrorism, pursuant to Public Law 105–85 section 1031(b) (111 Stat. 1880); jointly to the Committees on International Relations, Armed Services, and the Judiciary.

¶93.4 SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER pro tempore, Mr. CULBERSON, announced that pursuant to clause 4, rule I, the Speaker signed the following Senate enrolled joint resolution on Friday, September 14, 2001:

S.J. Res 23. An Act to authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

¶93.5 ADJOURNMENT OVER

On motion of Mr. ROHRABACHER, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday, September 19, 2001, at 12 o'clock noon.

¶93.6 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ROHRABACHER, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, Sep-

tember 19, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶93.7 SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 23. A joint resolution to authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

And then,

¶93.8 ADJOURNMENT

On motion of Mr. DREIER, pursuant to the special order heretofore agreed to, at 1 o'clock and 19 minutes p.m., the House adjourned until 12 o'clock noon on Wednesday, September 19, 2001.

¶93.9 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. SWEENEY introduced A bill (H.R. 2899) to authorize the Secretary of the Treasury to issue War Bonds in support of recovery and response efforts relating to the September 11, 2001 hijackings and attacks on the Pentagon and the World Trade Center, and for other purposes; which was referred to the Committee on Ways and Means.

¶93.10 ADDITIONAL SPONSORS

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

H.R. 1734: Mr. GILLMOR.

WEDNESDAY, SEPTEMBER 19, 2001 (94)

¶94.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. ISSA, who laid before the House the following communication:

WASHINGTON, DC,
September 19, 2001.

I hereby appoint the Honorable DARRELL E. ISSA to act as Speaker pro tempore on this day.

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

¶94.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. ISSA, announced he had examined and approved the Journal of the proceedings of Monday, September 17, 2001.

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

¶94.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3678. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—A New Regulatory Framework for Trading Facilities, Intermediaries and Clearing Organizations (RIN: 3038–AB63) received August 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3679. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Performance of Notice Registration Processing Functions by National Futures Association With Respect to Certain Securities Brokers and Dealers—received August 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3680. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Exemption for Certain Brokers or Dealers From Provisions of the Commodity Exchange Act and CFTC Regulations (RIN: 3038–AB81) received August 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3681. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Notice Registration as a Futures Commission Merchant or Introducing Broker for Certain Securities Brokers or Dealers—received August 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3682. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Fresh Prunes Grown in Designated Counties in Washington and Umatilla County, OR; Decreased Assessment Rate [Docket No. FV01–924–1 IFR] received August 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3683. A communication from the President of the United States, transmitting His bugdet request to designate the entire amount provided in the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States as an emergency requirement, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985; (H. Doc. No. 107—120); to the Committee on Appropriations and ordered to be printed.

3684. A letter from the Alternate OSD, Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Enhancement of Dental Benefits Under the TRICARE Retiree Dental Program—received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3685. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Membership of State Banking Institutions in the Federal Reserve System: Financial Subsidiaries [Regulation H; Docket No. R–1064] received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3686. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Registration of National Securities Exchanges Pursuant to Section 6(g) of the Securities Exchange Act of 1934 and Proposed Rule Changes of Certain National Securities Exchanges and Limited Purpose National Securities Associations [Release No. 34–44692; File No. S7–10–01] (RIN: 3235–AI20) received August 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3687. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Commonwealth of Kentucky: Approval of Revisions to the 1–Hour Ozone Maintenance State Implementation Plan for Marshall and a Portion of Livingston Counties [KY130–200117(a); FRL–7036–8] received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3688. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans for Designated Facilities and Pollutants; Pennsylvania; Conversion of the Conditional Approval of the Pennsylvania Large Municipal Waste Combustor (MWC) Plan to Full Approval [PA118–4120a; FRL–7038–6] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3689. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (West Hurley, Rosendale and Rhinebeck, New York and North Canaan and Sharon, Connecticut) [MM Docket No. 97–178, RM–8329, RM–8739, RM–10099] received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3690. A letter from the Senior Counsel, Federal Communications Commission, transmitting the Commission's final rule—Deployment of Wireline Services Offering Advanced Telecommunications Capability [CC Docket No. 98–147] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3691. A letter from the Chief Financial Officer, Office of Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Parts 1, 21, 61, 73, 74, and 76 of the Commission's Rules; Adoption of a Mandatory FCC Registration Number [MD Docket No. 00–205] received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3692. A letter from the Chief Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Sturgeon Bay, Canal, Sturgeon Bay, Wisconsin [CGD 09–01–076] (RIN: 2115–AE46) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3693. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Inner Harbor, Patapsco River, Baltimore, Maryland [CGD05–01–040] (RIN: 2115–AE46) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3694. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Patuxent River, Solomons, Maryland [CGD 05–01–041] (RIN: 2115–AE46) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3695. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Prospect Bay, Kent Island Narrows, Maryland [CGD05–01–038] (RIN: 2115–AE46) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3696. A letter from the Chief, Regulations and Administrative Law, Department of Transportation, transmitting the Department's final rule—Huntington Cleveland Harborfest: Regulated Navigation Area and Moving Safety Zones, Cuyahoga River and

Cleveland Harbor, Cleveland, OH [CGD09–01–005] (RIN: 2115–AE84) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3697. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30262; Amdt. No. 2063] received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3698. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–10, –15, –30, –30F (KC–10A Military), and -40 Series Airplanes; and Model MD–10–10F and MD–10–30F Series Airplanes [Docket No. 2000–NM–396–AD; Amendment 39–12304; AD 2001–13–22] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3699. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Air Tractor, Inc. AT–400, AT–500, and AT–800 Series Airplanes [Docket No. 2000–CE–72–AD; Amendment 39–12247; AD 2001–10–04 R1] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3700. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes [Docket No. 2000–NM–366–AD; Amendment 39–12338; AD 2001–15–04] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3701. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations: San Juan Harbor, Puerto Rico [CGD07–01–049] (RIN: 2115–AE46) received August 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3702. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Niagara River, Tonawanda, NY [CGD09–01–010] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3703. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Manitowoc 4th of July 2001, Manitowoc, Wisconsin [CGD09–01–046] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3704. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; South Shore Frolics Fireworks Display, Milwaukee Harbor [CGD09–01–072] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3705. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Cleveland Harbor, Cleveland, OH [CGD09–01–035] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3706. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; McArdle Bridge Dredge Operations—Boston, Massachusetts [CGD01–01–107] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3707. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fort Lauderdale, Florida [COTP Miami 01–074] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3708. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability— received August 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3709. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2001–52] received August 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3710. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—The Internal Revenue Service Will Permit Electronic Submission of Forms W–9 by Certain Intermediaries [Announcement 2001–91] received August 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3711. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Sample Plan Amendments for the Economic Growth and Tax Relief Reconciliation Act of 2001 [Notice 2001–57] received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶94.4 MESSAGE FROM THE SENATE

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

H.R. 2500. An Act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2500) ''An Act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLINGS, Mr. INOUYE, Ms. MIKULSKI, Mr. LEAHY, Mr. KOHL, Mrs. MURRAY, Mr. REED, Mr. BYRD, Mr. GREGG, Mr. STEVENS, Mr. DOMENICI, Mr. MCCONNELL, Mrs. HUTCHISON, Mr. CAMPBELL, and Mr. COCHRAN, to be the conferees on the part of the Senate.

¶94.5 RECESS—12:05 P.M.

The SPEAKER pro tempore, Mr. ISSA, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 5 minutes p.m., subject to the call of the Chair.

¶94.6 AFTER RECESS—7:01 P.M.

The SPEAKER pro tempore, Mr. ARMEY, called the House to order.

¶94.7 CONSIDERATION OF H.R.2586

On motion of Mr. DREIER, by unanimous consent,

Ordered, That it may be in order at any time for the Speaker, as though pursuant to clause 2(b) of rule XVIII, to declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002, to prescribe military personnel strengths for fiscal year 2002, and for other purposes, and that consideration of the bill proceed according to the following order: The first reading of the bill shall be dispensed with; all points of order against consideration of the bill are waived; general debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services; after general debate the bill shall be considered for amendment under the five-minute rule; it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill; the committee amendment in the nature of a substitute shall be considered as read; all points of order against the committee amendment in the nature of a substitute are waived; no amendment to the committee amendment in the nature of a substitute shall be in order except those placed at the desk and amendments en bloc described in this request; except as specified in this request, each such amendment shall be considered only in the order placed at the desk and may be offered only by a member designated on the amendment or a designee; each such amendment shall be considered as read, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment); all points of order against such amendments are waived; it shall be in order at any time for the chairman of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments not earlier disposed of or germane modifications of any such amendment; amendments en bloc offered pursuant to this request shall be considered as read (except that modifications shall be reported); debate on each en bloc amendment shall be

equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees; for the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken; the original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of amendments en bloc; the Chairman of the Committee of the Whole may recognize a request for consideration an amendment out of the order placed at the desk, but not sooner than one hour after the chairman of the Committee on Armed Services or a designee announces from the floor a request to that effect; after disposition of such amendments, the Committee of the Whole shall rise without motion and no further consideration of the bill shall be in order except pursuant to a subsequent order of the House; and, further, that the following amendments placed at the desk be considered as read for purposes of this request: an amendment by Mr. Hall of Ohio on page 43, after line 9; an amendment by Mr. Ose on page 64, beginning at line 20; an amendment by Mr. Bereuter on page 115, after line 18; an amendment by Mr. Underwood on page 166, after line 5; an amendment by Mr. Gilchrest on page 187, after line 12; an amendment by Mr. Strickland on page 187, after line 12; an amendment by Mr. Manzullo on page 248, after line 9; an amendment by Ms. Velazquez on page 248, after line 9; an amendment by Mr. Lantos on page 281, beginning at line 6; an amendment by Mr. Spratt on page 307, after line 20; amendment number 46 by Mr. Stearns on page 307, after line 20; amendment number 50 by Mr. Stearns on page 307, after line 20; an amendment by Ms. Tauscher on page 307, after line 20; amendment number 70 by Mr. Weldon of Pennsylvania on page 307, after line 20; amendment number 78 by Mr. Weldon of Pennsylvania on page 307, after line 20; amendment number 81 by Mr. Weldon of Pennsylvania on page 307, after line 20; an amendment by Messrs. Ehrlich and Hansen on page 331, after line 15; an amendment by Mr. Kirk on page 394, after line 20; an amendment by Mr. Boyd on page 414, after line 7; an amendment by Mr. Farr on page 427, after line 7; an amendment by Mrs. Kelly on page 427, after line 7; and an amendment by Mr. Lewis of California on page 427, after line 7.

¶94.8 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. DREIER, by unanimous consent,

Ordered, That the Speaker be authorized to entertain a motion to suspend the rules relating to the following measures on the legislative day of Thursday, September 20, 2001: (H.R. 1900), to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency, and for other purposes; (H.R. 2657), to amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court, and for other purposes; and (H.R. 2061), to amend the charter of Southeastern University of the District of Columbia.

¶94.9 JOINT SESSION TO RECEIVE THE PRESIDENT

Mr. DREIER, by unanimous consent, submitted the following privileged concurrent resolution (H. Con. Res. 231):

Resoved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Thursday, September 20, 2001, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence in said concurrent resolution.

¶94.10 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. ARMEY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 19, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on September 19, 2001 at 4:00 p.m. and said to contain a message from the President whereby he submits a semi-annual report concerning telecommunications services to Cuba under the LIBERTAD Act P.L. 104–114.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶94.11 CUBA TELECOMMUNICATIONS PAYMENTS REPORT

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

As required by section 1705(e)(6) of the Cuban Democracy Act of 1992, as amended by section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, 22 U.S.C. 6004(e)(6), I transmit herewith a semi-annual report detailing payments made to Cuba by United States persons as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 19, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations.

¶94.12 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. ARMEY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 19, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on September 19, 2001 at 3:59 p.m. and said to contain a message from the President whereby he submits a 6-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶94.13 NATIONAL EMERGENCY WITH RESPECT TO IRAN

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 19, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–121).

¶94.14 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1424. An Act to amend the Immigration and National Act to provide permanent authority for the admission of ''S'' visa nonimmigrants.

And then,

¶94.15 ADJOURNMENT

On motion of Mr. DREIER, at 7 o'clock and 12 minutes p.m., the House adjourned.

¶94.16 REPORTED BILL SEQUENTIALLY REFERRED

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

Mr. HYDE: Committee on International Relations. H.R. 2541. A bill to enhance the authorities of special agents and provide limited authorities to uniformed officers responsible for the protection of domestic Department of State occupied facilities; referred to the Committee on the Judiciary for a period ending not later than October 12, 2001, for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X (Rept. No. 107–206, Pt. 1).

¶94.17 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LAFALCE (for himself, Mr. KANJORSKI, Mrs. MALONEY of New York, Mr. GUTIERREZ, Mr. BENTSEN, Ms. HOOLEY of Oregon, Ms. SCHAKOWSKY, Mr. MOORE, Mr. GONZALEZ, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. HINOJOSA, Mr. SHOWS, and Mr. CROWLEY):

H.R. 2900. A bill to authorize the issuance of Victory Bonds in response to the acts of terrorism perpetrated against the United States on September 11, 2001, and for other purposes; to the Committee on Ways and Means.

By Mr. ABERCROMBIE (for himself and Mr. GILCHREST):

H.R. 2901. A bill to give American companies, American workers, and American ports the opportunity to compete in the United States cruise market; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELAZQUEZ (for herself, Mr. SERRANO, Mr. CROWLEY, Mr. ACKERMAN, Mr. OWENS, Mrs. MALONEY of New York, Mr. WYNN, Mrs. CAPPS, Mr. TIERNEY, Mr. ENGEL, Mr. SWEENEY, Mr. KENNEDY of Rhode Island, Ms. KAPTUR, Mr. MEEKS of New York, and Ms. MCKINNEY):

H.R. 2902. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate that part or all of any income tax refund be paid over to a Phoenix Fund for Victim Assistance; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DREIER:

H. Con. Res. 231. Concurrent resolution providing for a joint session of Congress to receive a message from the President; considered and agreed to.

¶94.18 ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

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

H.R. 25: Mr. PAYNE.
H.R. 80: Mr. SMITH of New Jersey.
H.R. 82: Mr. SMITH of New Jersey.
H.R. 525: Ms. CARSON of Indiana, Mr. ENGLISH, Mr. ROSS, Ms. NORTON, Mr. UDALL of New Mexico, Mr. CROWLEY, Mr. PICKERING, Mr. UNDERWOOD, Mr. SAM JOHNSON of Texas, and Mr. MCNUTLY.
H.R. 534: Mr. PETERSON of Minnesota, Mr. PETRI, Mr. GRAVES, Mr. KENNEDY of Minnesota, Mr. ROSS, Mr. HASTINGS of Washington, and Mr. HOEKSTRA.
H.R. 609: Mr. BALDACCI.
H.R. 638: Mr. MORAN of Virginia.
H.R. 779: Mr. VITTER.
H.R. 868: Mr. DAVIS of Florida, Ms. BROWN of Florida, and Mr. GALLEGLY.
H.R. 1111: Mr. UDALL of Colorado, Ms. PRYCE of Ohio, Mr. DAVIS of Florida, Mr. GUTIERREZ, Mr. GREEN of Texas, Mr. MATSUI, Mr. PLATTS, Mr. TURNER, Mr. KENNEDY of Rhode Island, Mr. HASTINGS of Florida, Mr. MENENDEZ, Mr. ISRAEL, Mr. DICKS, Ms. LEE, Mr. BROWN of Ohio, and Ms. KILPATRICK.
H.R. 1152: Mr. BLUMENAUER and Mrs. CAPPS.
H.R. 1360: Mr. UDALL of Colorado.
H.R. 1541: Ms. NORTON.
H.R. 1629: Mr. TIERNEY and Mr. SANDLIN.
H.R. 1703: Mr. LAMPSON.
H.R. 1770: Mr. BALDACCI.
H.R. 1975: Mr. MATSUI, Mr. BRADY of Texas, Mr. DOOLEY of California, and Mr. ALLEN.
H.R. 2095: Ms. NORTON.
H.R. 2211: Mr. SHERMAN, Mr. PRICE of North Carolina, and Mr. GEORGE MILLER of California.
H.R. 2235: Mr. WALSH and Ms. SANCHEZ.
H.R. 2561: Mr. VITTER and Mr. BALDACCI.
H.R. 2614: Ms. SANCHEZ.
H.R. 2623: Mr. WATTS of Oklahoma.
H.R. 2690: Mrs. MINK of Hawaii and Mr. LEVIN.
H.R. 2899: Mr. CRAMER, Ms. KAPTUR, and Mr. REHBERG.
H. Con. Res. 188: Mr. MARKEY.

THURSDAY, SEPTEMBER 20, 2001 (95)

¶95.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SIMPSON, who laid before the House the following communication:

WASHINGTON, DC,
September 20, 2001.

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

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

¶95.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SIMPSON, announced he had examined and approved the Journal of the proceedings of Wednesday, September 19, 2001.

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

¶95.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3712. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Scrapie in Sheep and Goats; Interstate Movement Restrictions and Indemnity Program [Docket No. 97–093–5] (RIN: 0579–AA90) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3713. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Citrus Canker; Payments for Commercial Citrus Tree Replacement [Docket No. 00–037–3] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3714. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fluazinam; Pesticide Tolerance [OPP–301160; FRL–6797–3] (RIN: 2070–AB78) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3715. A letter from the Director, Executive Office of the President, transmitting notification of the President's intent to exempt all military personnel accounts from sequester for FY 2002, if a sequester is necessary, pursuant to section 255(f) of the Balanced Budget Emergency Deficit Control Act of 1985; to the Committee on Appropriations.

3716. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Involuntary Liquidation of Federal Credit Unions and Adjudication of Creditor Claims Involving Federally-Insured Credit Unions in Liquidation—received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3717. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Involuntary Liquidation of Federal Credit Unions and Adjudication of Creditor Claims Involving Federally-Insured Credit Unions in Liquidation—received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3718. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Federal Credit Union Incidental Powers Activities—received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3719. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Registration of Broker-Dealers Pursuant to Section 15(b)(11) of the Securities Exchange Act of 1934 [Release No. 34–44730; File No. S7–13–01] (RIN: 3235–AI21) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3720. A letter from the Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Method for Determining Market Capitalization and Dollar Value of Average Daily Trading Volume; Application of the Definition of Narrow-Based Security Index [Release No. 34–44724; File No. S7–11–01] (RIN: 3235–AI13) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3721. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single- Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3722. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Policy, Department of Energy, transmitting the Department's final rule—FAR Class Deviation Addressing Service Contract Act Requirements for Subcontracts for Certain Commercial Services [AL–2000–10R] received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3723. A letter from the Director, Defense Security Cooperation Agency, transmitting

the Department of Defense's proposed lease of defense articles to the Government of Georgia (Transmittal No. 23–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3724. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Slovenia (Transmittal No. 22–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3725. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Ukraine (Transmittal No. 25–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3726. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Uzbekistan (Transmittal No. 26–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3727. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Republic of Moldova (Transmittal No. 24–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3728. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Navy's proposed lease of defense articles to the Federal Republic of Germany (Transmittal No. 11–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3729. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Army's proposed lease of defense articles to the Government of Singapore (Transmittal No. 10–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3730. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Navy's proposed lease of defense articles to the Government of the Arab Republic of Egypt (Transmittal No. 12–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3731. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Kyrgyzstan (Transmittal No. 29–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3732. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Kazakhstan (Transmittal No. 28–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3733. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Republic of Albania (Transmittal No. 13–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3734. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Romania (Transmittal No. 16–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3735. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of the Slovak Republic (Transmittal No. 21–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3736. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Republic of Bulgaria (Transmittal No. 14–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3737. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Estonia (Transmittal No. 17–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3738. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Croatia (Transmittal No. 20–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3739. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Latvia (Transmittal No. 18–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3740. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Republic of Lithuania (Transmittal No. 19–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3741. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Republic of Macedonia (Transmittal No. 15–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3742. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Turkmenistan (Transmittal No. 27–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3743. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a notice, in accordance with Section 42(b) of the Arms Export Control Act, that the Government of Egypt has requested that the United States Government permit the use of Foreign Military Financing for the sale of 100 M1A1 ABRAMS tank kits in order to co-produce 100 M1A1 ABRAMS tanks in Egypt; to the Committee on International Relations.

3744. A letter from the Acting Assistant Secretary for Land and Minerals Management, Department of Interior, transmitting the Department's final rule—Solid Minerals Reporting Requirements (RIN: 1010–AC86) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3745. A letter from the Deputy Administrator, General Services Administration, transmitting informational copies of Reports of Building Project Survey for Ft. Pierce, FL, Jackson, MS, and Austin, TX; to the Committee on Transportation and Infrastructure.

3746. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Certification for Eligibility for Adaptive Equipment for Automobiles or Other Conveyances (RIN: 2900–AK96) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3747. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Veterans' Benefits Administration Nomenclature Changes (RIN: 2900–AK46) received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3748. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–43] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3749. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Rev. Proc. 2001–46] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3750. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Rev. Rul. 2001–44] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3751. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Effective Dates for Certain Amendments Made by the Economic Growth and Tax Relief Reconciliation Act of 2001 [Notice 2001–56] received August 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶95.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 231. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

The message also announced that the Senate has passed concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. Con. Res. 67. Concurrent resolution permitting the Chairman of the Committee on Rules and Administration of the Senate to designate another member of the Committee to serve on the Joint Committee on Printing in place of the Chairman.

S. Con. Res. 68. Concurrent resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

¶95.5 CHARTER OF SOUTHEASTERN UNIVERSITY

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 2061) to amend the charter of Southeastern University of the District of Columbia.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mrs. MORELLA and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶95.6 D.C. FAMILY COURT ACT

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 2657) to amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mrs. MORELLA and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. MORELLA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶95.7 JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION

Mr. GREENWOOD moved to suspend the rules and pass the bill (H.R. 1900) to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GREENWOOD and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WHITFIELD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶95.8 RECESS—11:47 A.M.

The SPEAKER pro tempore, Mr. WHITFIELD, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 47 minutes a.m., until approximately 12 o'clock noon.

¶95.9 AFTER RECESS—12:05 P.M.

The SPEAKER pro tempore, Mr. WHITFIELD, called the House to order.

¶95.10 H.R. 2657—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WHITFIELD, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2657) to amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 408 / Nays 0

¶95.11 [Roll No. 343]

YEAS—408

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

NOT VOTING—22

Baker
Berman
Burton
Clay
Deal
DeGette
Dingell
Gillmor
Holden
Hostettler
Kind (WI)
King (NY)
Lucas (OK)
McInnis
Murtha
Ortiz
Rush
Sawyer
Schaffer
Stupak
Towns
Watkins (OK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶95.12 ORDER OF BUSINESS—CONSIDERATION OF H.R. 2586

On motion of Mr. STUMP, by unanimous consent,

Ordered, That it may be in order during consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes, in the Committee of the Whole pursuant to the order of the House of September 19, 2001, general debate to be expanded to two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

¶95.13 DOD AUTHORIZATION FY 2002

The SPEAKER pro tempore, Mr. HANSEN, pursuant to the order of the House of September 19, 2001, and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes.

The SPEAKER pro tempore, Mr. HANSEN, by unanimous consent, designated Mrs. BIGGERT as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. WHITFIELD assumed the Chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. WALSH, assumed the Chair.

When Mr. LATOURETTE, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶95.14 MILITARY CONSTRUCTION APPROPRIATIONS FY 2002

Mr. HOBSON submitted a privileged report (Rept. No. 107–207) on the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶95.15 LEGISLATIVE BRANCH APPROPRIATIONS

On motion of Mr. TAYLOR of North Carolina, by unanimous consent, the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. TAYLOR of North Carolina, it was,

Resolved, That the House disagree to the amendments of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, appointed Messrs. TAYLOR of North Carolina, WAMP, LEWIS of California, LAHOOD, SHERWOOD, YOUNG of Florida, MORAN of Virginia, HOYER, Ms. KAPTUR, and Mr. OBEY as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶95.16 VA HUD APPROPRIATIONS

On motion of Mr. WALSH, by unanimous consent, the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. WALSH, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, appointed Messrs. WALSH, DELAY, HOBSON, KNOLLENBERG, FRELINGHUYSEN, Mrs. NORTHRUP, Messrs. SUNUNU, GOODE, ADERHOLT, YOUNG of Florida, MOLLOHAN, Ms. KAPTUR, Mrs. MEEK, Messrs. PRICE, CRAMER, FATTAH, and OBEY as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶95.17 ENERGY AND WATER APPROPRIATIONS

On motion of Mr. WALSH, by unanimous consent, the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. WALSH, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, appointed Messrs. CALLAHAN, ROGERS, FRELINGHUYSEN, LATHAM, WICKER, WAMP, Mrs. EMERSON, Messrs. DOOLITTLE, YOUNG of Florida, VISCLOSKY, EDWARDS, PASTOR, CLYBURN, Ms. ROYBAL-ALLARD, and Mr. OBEY as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶95.18 INTERIOR APPROPRIATIONS

On motion of Mr. WALSH, by unanimous consent, the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. WALSH, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, appointed Messrs. SKEEN, REGULA, KOLBE, TAYLOR of North Carolina, NETHERCUTT, WAMP, KINGSTON, PETERSON of Pennsylvania, YOUNG of Florida, DICKS, MURTHA, MORAN of Virginia, HINCHEY, SABO, and OBEY as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶95.19 RECESS—3:35 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 35 minutes p.m., for approximately five minutes.

¶95.20 AFTER RECESS—3:54 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶95.21 PRIVILEGES OF THE HOUSE—RETURN OF SENATE BILL

Mr. THOMAS rose to a question of the privileges of the House and submitted the following resolution (H. Res. 240):

Resolved, That the amendment of the Senate to the bill H.R. 2500 entitled the ''Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002'', in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

The SPEAKER pro tempore, Mr. LATOURETTE, ruled that the resolution submitted did present a question of the privileges of the House under rule IX, and recognized Mr. THOMAS and Mr. RANGEL, each for thirty minutes.

After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶95.22 RECESS—4:07 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 7 minutes p.m., until approximately 8:40 p.m.

¶95.23 AFTER RECESS—8:41 P.M.

The SPEAKER called the House to order.

¶95.24 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2590. An Act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2590) ''An Act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes,'' and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints, Mr. DORGAN, Ms. MIKULSKI, Ms. LANDRIEU, Mr. REED, Mr. BYRD, Mr. CAMPBELL, Mr. SHELBY, Mr. DEWINE, and Mr. STEVENS to be the conferees on the part of the Senate.

¶95.25 JOINT SESSION TO RECEIVE A MESSAGE FROM THE PRESIDENT

The Assistant Sergeant-at-Arms announced the President pro tempore and Members of the Senate, who entered the Hall of the House and took seats assigned them, the President pro tempore taking the Chair to the left of the Speaker.

Whereupon, pursuant to House Concurrent Resolution 231, the SPEAKER called the joint session of the two Houses to order.

The SPEAKER announced the appointment of Messrs. DELAY, WATTS of Oklahoma, GEPHARDT, and BONIOR as members of the Committee on the part of the House to escort the President into the Hall of the House.

The President pro tempore announced the appointment of Messrs. DASCHLE, LOTT, REID of Nevada, and NICKLES as members of the committee on the part of the Senate to escort the President into the Hall of the House.

The Assistant Sergeant-at-Arms announced the Dean of the Diplomatic Corps, ambassadors, ministers, and charges d'affaires of foreign governments, who entered the Hall of the House and took seats assigned them.

The Assistant Sergeant-at-Arms announced the Chief Justice of the United States and Associate Justices of the Supreme Court, who entered the Hall of the House and took seats assigned to them.

The Assistant Sergeant-at-Arms announced the Members of the President's Cabinet, who entered the Hall of the House and took seats assigned to them.

The Sergeant-at-Arms announced the President of the United States at 9 o'clock and 2 minutes p.m., escorted by the committees of the two Houses, entered the Hall of the House and, at the Clerk's desk, delivered the following message:

Thank you all. Please be seated.

Mr. Speaker, Mr. President Pro Tempore, Members of Congress, and fellow Americans:

In the normal course of events, Presidents come to this Chamber to report on the state of the Union. Tonight no such report is needed. It has already been delivered by the American people. We have seen it in the courage of passengers who rushed terrorists to save others on the ground, passengers like an exceptional man named Todd Beamer. Would you please help me welcome his wife, Lisa Beamer, here tonight.

We have seen the state of our Union in the endurance of rescuers working past exhaustion. We have seen the unfurling of flags, the lighting of candles, the giving of blood, the saying of prayers, in English, Hebrew and Arabic. We have seen the decency of a loving and giving people who have made the grief of strangers their own.

My fellow citizens, for the last 9 days, the entire world has seen for itself the state of our Union, and it is strong.

Tonight we are a country awakened to danger and called to defend freedom. Our grief has turned to anger, and anger to resolution. Whether we bring our enemies to justice or bring justice to our enemies, justice will be done.

I thank the Congress for its leadership at such an important time. All of America was touched on the evening of the tragedy to see Republicans and Democrats joined together on the steps of this Capitol singing ''God Bless America.'' And you did more than sing, you acted, by delivering $40 billion to rebuild our communities and meet the needs of our military.

Speaker HASTERT, Minority Leader GEPHARDT, Majority Leader DASCHLE and Senator LOTT, I thank you for your friendship, for your leadership, and for your service to our country.

And on behalf of the American people, I thank the world for its outpouring of support. America will never forget the sounds of our national anthem playing at Buckingham Palace, on the streets of Paris, and at Berlin's Brandenberg Gate. We will not forget South Korean children gathering to pray outside our embassy in Seoul, or the prayers of sympathy offered at a mosque in Cairo. We will not forget moments of silence and days of mourning in Australia and Africa and Latin America.

Nor will we forget the citizens of 80 other nations who died with our own: dozens of Pakistanis, more than 130 Israelis, more than 250 citizens of India, men and women from El Salvador, Iran, Mexico and Japan, and hundreds of British citizens. America has no truer friend than Great Britain. Once again we are joined together in a great cause. We are so honored the British Prime Minister has crossed an ocean to show his unity with America. Thank you for coming, friend.

On September the 11th, enemies of freedom committed an act of war against our country. Americans have known wars, but for the past 136 years they have been wars on foreign soil, except for one Sunday in 1941. Americans have known the casualties of war, but not at the center of a great city on a peaceful morning. Americans have known surprise attacks, but never before on thousands of civilians. All of this was brought upon us in a single day, and night fell on a different world, a world where freedom itself is under attack.

Americans have many questions tonight. Americans are asking who attacked our country? The evidence we have gathered all points to a collection of loosely affiliated terrorist organizations known as al-Qaida. They are the same murderers indicted for bombing American embassies in Tanzania and Kenya, and responsible for bombing the U.S.S. *Cole*. Al-Qaida is to terror what the Mafia is to crime. But its goal is not making money. Its goal is remaking the world and imposing its radical beliefs on people everywhere.

The terrorists practice a fringe form of Islamic extremism that has been rejected by Muslim scholars and the vast majority of Muslim clerics, a fringe movement that perverts the peaceful teaching that is Islam. The terrorists directive commands them to kill Christians and Jews, to kill all Americans, and make no distinctions among military and civilians, including women and children.

This group and its leader, a person named Osama bin Ladin, are linked to many other organizations in different countries, including the Egyptian Islamic Jihad and the Islamic Movement of Uzbekistan. There are thousands of these terrorists in more than 60 countries. They are recruited from their own nations and neighborhoods and brought to camps in places like Afghanistan where they are trained in the tactics of terror. They are sent back to their homes or they are sent to hide in countries around the world to plot evil and destruction.

The leadership of al-Qaida has great influence in Afghanistan and supports the Taliban regime in controlling most of that country. In Afghanistan, we see al-Qaida's vision for the world. Afghanistan's people have been brutalized. Many are starving and many have fled. Women are not allowed to attend

school. You can be jailed for owning a television. Religion can be practiced only as their leaders dictate. A man can be jailed in Afghanistan if his beard is not long enough.

The United States respects the people of Afghanistan. After all, we are currently its largest source of humanitarian aid. But we condemn the Taliban regime. It is not only repressing its own people, it is threatening people everywhere by sponsoring and sheltering and supplying terrorists. By aiding and abetting murder, the Taliban regime is committing murder. And tonight, the United States of America makes the following demands on the Taliban:

Deliver to United States authorities all the leaders of al-Qaida who hide in your land. Release all foreign nationals, including American citizens you have unjustly imprisoned. Protect foreign journalists, diplomats, and aid workers in your country. Close immediately and permanently every terrorist training camp in Afghanistan, and hand over every terrorist and every person in their support structure to appropriate authorities. Give the United States full access to terrorist training camps so we can make sure they are no longer operating.

These demands are not open to negotiation or discussion.

The Taliban must act, and act immediately. They will hand over the terrorists, or they will share in their fate.

I also want to speak tonight directly to Muslims throughout the world; we respect your faith. It is practiced freely by many millions of Americans, and by millions more in countries that America counts as friends. Its teachings are good and peaceful, and those who commit evil in the name of Allah blaspheme the name of Allah.

The terrorists are traitors to their own faith, trying, in effect, to hijack Islam itself. The enemy of America is not our many Muslim friends; it is not our many Arab friends. Our enemy is a radical network of terrorists, and every government that supports them.

Our war on terror begins with al-Qaida, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped, and defeated.

Americans are asking: Why do they hate us? They hate what they see right here in this Chamber, a democratically elected government. Their leaders are self-appointed. They hate our freedoms, our freedom of religion, our freedom of speech, our freedom to vote and assemble and disagree with each other.

They want to overthrow existing governments in many Muslim countries, such as Egypt, Saudi Arabia, and Jordan. They want to drive Israel out of the Middle East. They want to drive Christians and Jews out of vast regions of Asia and Africa.

These terrorists kill not merely to end lives, but to disrupt and end a way of life. With every atrocity, they hope that America grows fearful, retreating from the world and forsaking our friends. They stand against us because we stand in their way.

We are not deceived by their pretenses to piety. We have seen their kind before. They are the heirs of all of the murderous ideologies of the 20th century. By sacrificing human life to serve their radical visions, by abandoning every value except the will to power, they follow in the path of fascism, Naziism, and totalitarianism. And they will follow that path all the way to where it ends: in history's unmarked grave of discarded lies.

Americans are asking: How will we fight and win this war? We will direct every resource at our command, every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war, to the disruption and defeat of the global terror network.

Now this war will not be like the war against Iraq a decade ago, with its decisive liberation of territory and a its swift conclusion. It will not look like the air war above Kosovo 2 years ago, where no ground troops were used and not a single American was lost in combat.

Our response involves far more than instant retaliation and isolated strikes. Americans should not expect one battle, but a lengthy campaign, unlike any other we have seen. It may include dramatic strikes visible on TV, and covert operations, secret even in success. We will starve terrorists of funding, turn them one against another, drive them from place to place, until there is no refuge or rest. And we will pursue nations that provide aid or safe havens to terrorism. Every nation in every region now has a decision to make. Either you are with us, or you are with the terrorists.

From this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.

Our Nation has been put on notice: we are not immune from attack. We will take defensive measures against terrorism to protect Americans.

Today, dozens of Federal departments and agencies, as well as State and local governments, have responsibilities affecting homeland security. These efforts must be coordinated at the highest level. So tonight I announce the creation of a cabinet-level position reporting directly to me, the Office of Homeland Security.

And tonight I also announce the distinguished American to lead this effort to strengthen American security, a military veteran, an effective Governor, a true patriot, a trusted friend, Pennsylvania's Tom Ridge.

He will lead, oversee, and coordinate a comprehensive national strategy to safeguard our country against terrorism and respond to any attacks that may come.

These measures are essential. The only way to defeat terrorism as a threat to our way of life is to stop it, eliminate it, and destroy it where it grows.

Many will be involved in this effort, from FBI agents to intelligence operatives, to the reservists we have called to active duty.

All deserve our thanks, and all have our prayers.

Tonight a few miles from the damaged Pentagon, I have a message for our military: be ready. I have called the Armed Forces to alert, and there is a reason. The hour is coming when America will act, and you will make us proud.

This is not, however, just America's fight. And what is at stake is not just America's freedom. This is the world's fight. This is civilization's fight. This is the fight of all who believe in progress and pluralism, tolerance and freedom.

We ask every nation to join us. We will ask, and we will need the help of police forces, intelligence services, and banking systems around the world.

The United States is grateful that many nations and many international organizations have already responded with sympathy and with support, nations from Latin America to Asia to Africa to Europe to the Islamic world. Perhaps the NATO charter reflects best the attitude of the world: an attack on one is an attack on all.

The civilized world is rallying to America's side. They understand that if this terror goes unpunished, their own cities, their own citizens may be next. Terror unanswered cannot only bring down buildings, it can threaten the stability of legitimate governments. And you know what, we are not going to allow it.

Americans are asking: What is expected of us? I ask you to live your lives and hug your children. I know many citizens have fears tonight, and I ask you to be calm and resolute, even in the face of a continuing threat.

I ask you to uphold the values of America and remember why so many have come here. We are in a fight for our principles, and our first responsibility is to live by them. No one should be singled out for unfair treatment or unkind words because of their ethnic background or religious faith.

I ask you to continue to support the victims of this tragedy with your contributions. Those who want to give can go to a central source of information, libertyunites.org, to find the names of groups providing direct help in New York, Pennsylvania, and Virginia.

The thousands of FBI agents who are now at work in this investigation may need your cooperation, and I ask you to give it.

I ask for your patience with the delays and inconveniences that may accompany tighter security, and for your patience in what will be a long struggle.

I ask your continued participation and confidence in the American economy. Terrorists attacked a symbol of American prosperity. They did not touch its source. America is successful

because of the hard work and creativity and enterprise of our people. These were true of our economy before September 11, and they are our strengths today.

And finally, please continue praying for the victims of terror and their families, for those in uniform, and for our great country. Prayer has comforted us in sorrow and will help strengthen us for the journey ahead.

Tonight I thank my fellow Americans for what you have already done and what you will do. And ladies and gentlemen of the Congress, I thank you, their representatives, for what you have already done, and for what we will do together.

Tonight we face new and sudden national challenges. We will come together to improve air safety, to dramatically expand the number of air marshals on domestic flights, and take new measures to prevent hijacking. We will come together to promote stability and keep our airlines flying with direct assistance during this emergency.

We will come together to give law enforcement the additional tools it needs to track down terror here at home. We will come together to strengthen our intelligence capabilities, to know the plans of terrorists before they act, and to find them before they strike.

We will come together to take active steps that strengthen America's economy and put our people back to work.

Tonight we welcome two leaders who embody the extraordinary spirit of all New Yorkers: Governor George Pataki and Mayor Rudolph Giuliani. As a symbol of America's resolve, my administration will work with the Congress and these two leaders to show the world that we will rebuild New York City.

After all that has just passed, all the lives taken, and all the possibilities and hopes that died with them, it is natural to wonder if America's future is one of fear. Some speak of an age of terror. I know there are struggles ahead, and dangers to face. But this country will define our times, not be defined by them. As long as the United States of America is determined and strong, this will not be an age of terror; this will be an age of liberty here and across the world.

Great harm has been done to us. We have suffered great loss. In our grief and anger we have found our mission and our moment. Freedom and fear are at war. The advance of human freedom, the great achievement of our time, and the great hope of every time, now depends on us. Our Nation, this generation, will lift the dark threat of violence from our people and our future. We will rally the world to this cause by our efforts and by our courage. We will not tire, we will not falter, and we will not fail.

It is my hope that in the months and years ahead, life will return almost to normal. We will go back to our lives and routines, and that is good. Even grief recedes with time and grace. But our resolve must not pass. Each of us will remember what happened that day, and to whom it happened. We will remember the moment the news came, where we were, and what we were doing. Some will remember an image of fire, or a story of rescue. Some will carry memories of a face and a voice gone forever.

And I will carry this. It is the police shield of a man named George Howard, who died at the World Trade Center trying to save others. It was given to me by his mom, Arlene, as a proud memorial to her son. It is my reminder of lives that ended, and a task that does not end.

I will not forget this wound to our country, and those who inflicted it. I will not yield, I will not rest, I will not relent in waging this struggle for the freedom and security of the American people.

The course of this conflict is not known, yet its outcome is certain. Freedom and fear, justice and cruelty, have always been at war, and we know that God is not neutral between them.

Fellow citizens, we will meet violence with patient justice assured of the rightness of our cause, and confident of the victories to come. In all that lies before us, may God grant us wisdom, and may He watch over the United States of America.

Thank you.

At 9 o'clock and 41 minutes p.m., the President of the United States retired from the Hall of the House, followed by his Cabinet.

The Chief Justice of the United States and Associate Justices of the Supreme Court retired from the Hall of the House.

The ambassadors, ministers and charges d'affaires of foreign governments retired from the Hall of the House.

The SPEAKER, at 9 o'clock and 45 minutes p.m., then declared the joint session of the two Houses dissolved.

The President pro tempore and Members of the Senate retired from the Hall of the House.

¶95.26 RECESS—9:45 P.M.

The SPEAKER, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 45 minutes p.m., subject to the call of the Chair.

FRIDAY, SEPTEMBER 21 (LEGISLATIVE DAY OF SEPTEMBER 20), 2001

¶95.27 AFTER RECESS—8:50 A.M.

The SPEAKER pro tempore, Mr. QUINN, called the House to order.

¶95.28 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE 13

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107– 209) the resolution (H. Res. 242) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶95.29 REFERENCE OF THE PRESIDENT'S MESSAGE

On motion of Mr. LAHOOD, the message of the President, as delivered, together with the accompanying documents, was referred to the Committee of the Whole House on the state of the Union and ordered to be printed (H. Doc. 107–122).

¶95.30 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. KIND, for today; and

To Mr. ORTIZ, for today.

And then,

¶95.31 ADJOURNMENT

On motion of Mr. REYNOLDS, at 8 o'clock and 52 minutes a.m., Friday, September 21 (legislative day of September 20), 2001 the House adjourned until 9 a.m. today.

¶95.32 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOBSON: Committee on Appropriations. H.R. 2904. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–207). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. Report on Suballocation of Budget Allocations for Fiscal Year 2002 (Rept. No. 107–208). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 242. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 107–209). Referred to the House Calendar.

¶95.33 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GREENWOOD:

H.R. 2903. A bill to amend the Internal Revenue Code of 1986 to encourage investment in small companies; to the Committee on Ways and Means.

By Mr. HOBSON:

H.R. 2904. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

By Mr. ACKERMAN (for himself, Mr. FOSSELLA, Mr. DAVIS of Florida, Mr. SHOWS, Mr. WEINER, Mr. SERRANO, Mr. TOWNS, Mr. POMEROY, Mr. GILCHREST, Mr. CROWLEY, Mr. MALONEY of Connecticut, Mrs. MALONEY of New York, Mr. ENGLISH, Mr. HINCHEY, Mrs. MINK of Hawaii, Mr. MASCARA, Mr. MCNULTY, Ms. VELAZQUEZ, Mr. ROYCE, Mr. KILDEE, Ms. SOLIS, Mr. PETERSON of Minnesota, Mr. KING, and Mr. ISRAEL):

H.R. 2905. A bill to require that the United States Postal Service issue a special commemorative postage stamp under section 416 of title 39, United States Code, in order to provide assistance in the case of emergency relief personnel who were killed or who suffer permanent disability as a result of the terrorist attacks against the United States on September 11, 2001, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER (for himself, Mr. MCGOVERN, and Mr. BALLENGER):

H.R. 2906. A bill to direct the Federal Aviation Administration to re-implement the sky marshal program within 30 days, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS (for herself, Mr. SHAYS, Mr. DICKS, Mr. GILMAN, Mr. ANDREWS, Mr. ENGLISH, Mr. VISCLOSKY, Mrs. ROUKEMA, Ms. KILPATRICK, Mrs. MORELLA, Mrs. CHRISTENSEN, Mr. LATOURETTE, Mr. SANDERS, Mr. JOHNSON of Illinois, Mr. REYES, Mr. SHIMKUS, Mr. BLUMENAUER, Mr. RADANOVICH, Mr. HINCHEY, Mr. LOBIONDO, Mr. LARSEN of Washington, Mr. GRUCCI, Mr. ISSA, Ms. KAPTUR, Mr. HAYWORTH, Mr. HINOJOSA, Mr. PAUL, Mr. UDALL of New Mexico, Mr. OBERSTAR, Mr. WYNN, Mr. PASCRELL, Mr. TOWNS, Mr. LANTOS, Mr. PHELPS, Mr. SCOTT, Ms. PELOSI, Mr. DEFAZIO, Ms. MCKINNEY, Mr. OWENS, Ms. RIVERS, Mr. DAVIS of Illinois, Mr. FRANK, Mr. STENHOLM, Mr. DOGGETT, Mr. BISHOP, Mr. CUMMINGS, Ms. ESHOO, Mr. MENENDEZ, Mr. MARKEY, Mr. CLAY, Mr. SKELTON, Mr. BECERRA, Mrs. MCCARTHY of New York, Ms. MILLENDER-MCDONALD, Mr. KIRK, Mr. MASCARA, Mr. MCNULTY, Mr. MCGOVERN, Ms. HOOLEY of Oregon, Mr. GARY G. MILLER of California, Ms. NORTON, Mr. ETHERIDGE, Mr. SHERMAN, Mrs. NAPOLITANO, Mr. DINGELL, Mr. WAMP, Mr. UDALL of Colorado, Mr. COSTELLO, Mr. TIBERI, Mr. HOLT, Mr. ABERCROMBIE, Mr. FROST, and Mr. KING):

H.R. 2907. A bill to provide for the issuance of a semipostal for the benefit of victims of the terrorist attacks against the United States on September 11, 2001, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. BONIOR, Mr. CAPUANO, Mr. STARK, Mr. BLUMENAUER, Ms. MCKINNEY, Ms. SLAUGHTER, Mr. RANGEL, Mr. HOEFFEL, Mr. MCDERMOTT, Mr. FILNER, Ms. LEE, Ms. WOOLSEY, Mr. PAYNE, Mr. BROWN of Ohio, Mrs. CLAYTON, Mr. PALLONE, Ms. PELOSI, Mr. NEAL of Massachusetts, Mr. KLECZKA, Mr. SANDERS, Mr. HALL of Ohio, Mrs. TAUSCHER, Ms. MCCARTHY of Missouri, Mr. CONYERS, Mr. GUTIERREZ, Mr. LUTHER, Ms. MCCOLLUM, Mr. MARKEY, Mr. ROTHMAN, Mr. WEXLER, Mr. EVANS, Mr. ACKERMAN, Mr. FORD, Ms. BROWN of Florida, Mr. SERRANO, Mr. WEINER, Ms. LOFGREN, Mr. THOMPSON of Mississippi, Ms. BALDWIN, Mr. CROWLEY, Mr. TOWNS, Mr. OLVER, Mr. NADLER, Mr. WAXMAN, Mr. MALONEY of Connecticut, Mr. GEORGE MILLER of California, Ms. CARSON of Indiana, Mr. JACKSON of Illinois, Mr. MEEKS of New York, Mr. HOLT, Mr. FARR of California, Mrs. JONES of Ohio, Mr. DEFAZIO, Mrs. DAVIS of California, Ms. RIVERS, Mr. KUCINICH, Mrs. MEEK of Florida, Mr. KENNEDY of Rhode Island, Mr. DELAHUNT, Mr. TIERNEY, Mrs. MINK of Hawaii, Mr. FRANK, Ms. ROYBAL-ALLARD, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. BALDACCI, Ms. ESHOO, Mr. DEUTSCH, Mr. ALLEN, Mr. BERMAN, Mr. LEVIN, Mrs. MORELLA, Mr. ENGEL, Mrs. CAPPS, Mr. LANTOS, Mr. OWENS, Mrs. LOWEY, and Mr. INSLEE):

H.R. 2908. A bill to provide additional protections for National Forest System lands in Alaska through the designation of wilderness areas, wilderness study areas, Land Use Designation II management areas, restoration areas, special management areas, and additional components of the national wild and scenic rivers system; to the Committee on Resources.

By Mr. FLETCHER:

H.R. 2909. A bill to provide for the conveyance of a portion of the Bluegrass Army Depot in Richmond, Kentucky, to Madison County, Kentucky; to the Committee on Armed Services.

By Mr. FORBES (for himself, Mr. SCHROCK, Mr. WOLF, Mr. GOODE, Mr. BOUCHER, Mr. GOODLATTE, Mr. MORAN of Virginia, Mr. CANTOR, Mr. TOM DAVIS of Virginia, Mr. SCOTT, Mrs. JO ANN DAVIS of Virginia, Mr. UNDERWOOD, Mr. TANNER, Mr. CRENSHAW, Mr. HUNTER, Mr. LANGEVIN, Mr. BOYD, Mr. ENGLISH, Mr. FRANK, Mr. TURNER, Mr. MCGOVERN, Mr. MCNULTY, Mr. STENHOLM, and Mr. FROST):

H.R. 2910. A bill to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building''; to the Committee on Government Reform.

By Mr. HOYER (for himself and Mrs. MORELLA):

H.R. 2911. A bill to designate the Federal building located at 5100 Paint Branch Parkway in College Park, Maryland, as the ''Harvey W. Wiley Federal Building''; to the Committee on Transportation and Infrastructure.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 2912. A bill to authorize the National Science Foundation to establish a grant program for partnerships between United States research organizations and those in developing countries for research on plant biotechnology; to the Committee on Science.

By Mr. QUINN:

H.R. 2913. A bill to amend title 49, United States Code, to direct the Administrator of the Federal Aviation Administration to carry out the screening of passengers and property on flights in air transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Michigan:

H.R. 2914. A bill to extend for 6 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

By Mr. SMITH of Texas:

H.R. 2915. A bill to amend title 18, United States Code, with respect to the interception of communications, and for other purposes; to the Committee on the Judiciary.

By Mr. STEARNS:

H.R. 2916. A bill to authorize the President to award posthumously the Congressional Gold Medal to the passengers and crew of United Airlines flight 93 in the aftermath of the terrorist attack on the United States on September 11, 2001; to the Committee on Financial Services.

By Mr. TANCREDO (for himself, Mrs. ROUKEMA, Mr. HOLT, Mr. MURTHA, Mr. FERGUSON, Mr. THOMPSON of Mississippi, Mr. SMITH of Washington, Mr. HILLIARD, Mr. CONYERS, Mr. PAYNE, Ms. LEE, Mr. ADERHOLT, Mr. SKEEN, Mr. HASTINGS of Florida, Mrs. THURMAN, Mr. ETHERIDGE, Mr. RADANOVICH, Mr. EHRLICH, Mr. CARSON of Oklahoma, Mr. WELLER, Mr. PLATTS, Ms. KAPTUR, Mr. PETERSON of Minnesota, Mr. ENGLISH, Mr. GRAVES, Mr. RANGEL, Mr. BAIRD, Mr. KUCINICH, Mr. BALLENGER, Mr. WYNN, Mr. STARK, and Mr. STEARNS):

H.R. 2917. A bill to authorize the President to award gold medals on behalf of Congress to the people aboard United Airlines Flight 93 who helped resist the hijackers and caused the plane to crash prematurely; to the Committee on Financial Services.

By Mr. TRAFICANT:

H.R. 2918. A bill to authorize the Secretary of the Interior to establish a memorial to Native Americans in the District of Columbia; to the Committee on Resources.

By Mr. TRAFICANT:

H.R. 2919. A bill to allow postal patrons to contribute to funding of veterans programs and services offered by the Military Order of the Purple Heart of the United States of America, Incorporated, through the issuance of a semipostal; to the Committee on Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROUKEMA (for herself and Mr. LAFALCE):

H.R. 2920. A bill to amend title 31, United States Code, to prevent the smuggling of large amounts of currency or monetary instruments into or out of the United States, and for other purposes; to the Committee on Financial Services.

By Mrs. ROUKEMA:

H.R. 2921. A bill to authorize the President to award posthumously the Congressional Gold Medal to Jeremy Glick of West Milford, New Jersey, a passenger aboard United Airlines Flight 93 for acts of bravery, courage, and patriotism; to the Committee on Financial Services.

By Mrs. ROUKEMA (for herself and Mr. LAFALCE):

H.R. 2922. A bill to amend title 31, United States Code, to prevent the smuggling of large amounts of currency or monetary instruments into or out of the United States, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLETCHER:

H. Con. Res. 232. Concurrent resolution expressing the sense of the Congress in honoring the crew and passengers of United Airlines Flight 93; to the Committee on Transportation and Infrastructure.

By Mr. WATTS of Oklahoma (for himself, Mr. ENGEL, Mr. DELAY, Mr. BURR of North Carolina, Mr. SHOWS, Ms. HART, Mr. MILLER of Florida, Mr. PITTS, Mrs. JOHNSON of Connecticut, Ms. GRANGER, Mr. SMITH of Texas, Mr. MURTHA, Mr. TOM DAVIS of Virginia, Mr. INSLEE, Mr. ISSA, Mr. SHIMKUS, Mr. MCDERMOTT, Mr. REYES, Mr. SIMMONS, Mr. SWEENEY, Mr. CALLAHAN, Mr. GILLMOR, Mr. PICKERING, Mr. SHAYS, Mr. FRELINGHUYSEN, Mrs. CAPITO, Mr. SCHROCK,

Mr. BEREUTER, Mr. ADERHOLT, Mrs. MALONEY of New York, Mr. WELDON of Pennsylvania, Mr. HOYER, Ms. SANCHEZ, Mr. HONDA, Mr. FROST, Mr. CRAMER, Mr. PETERSON of Pennsylvania, Mr. DICKS, Mr. ABERCROMBIE, Mr. ISRAEL, Mrs. ROUKEMA, Mr. GILCHREST, Mr. BLUNT, Mr. ROYCE, Mrs. MYRICK, Mr. ENGLISH, Mr. LANGEVIN, Mr. JONES of North Carolina, Mrs. MORELLA, Mr. MORAN of Virginia, Mr. BARCIA, Mr. UDALL of New Mexico, Ms. MCKINNEY, Mr. CASTLE, Mr. PAUL, Mr. WOLF, Mr. FILNER, Mr. FOSSELLA, Mr. RUSH, Mr. RILEY, Mr. HEFLEY, Mr. OXLEY, Mr. ETHERIDGE, Mr. SMITH of New Jersey, Mr. SANDERS, Mr. CROWLEY, Mr. MCNULTY, Mr. GRAVES, Mr. VITTER, Mr. BALLENGER, Mr. GARY G. MILLER of California, Mr. RANGEL, Ms. CARSON of Indiana, Ms. NORTON, Mr. BROWN of Ohio, and Ms. KAPTUR):

H. Con. Res. 233. Concurrent resolution expressing the profound sorrow of the Congress for the death and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001; to the Committee on Transportation and Infrastructure.

Mr. THOMAS:

H. Res. 240. Resolution returning to the Senate the bill H.R. 2500; considered and agreed to.

By Mr. GREEN of Texas:

H. Res. 241. A resolution expressing the sense of the House of Representatives that the Administrator of the Federal Aviation Administration should consider hiring an employee whose employment with an air carrier was terminated as a result of the terrorist attacks that occurred on September 11, 2001, for a position with the Federal Air Marshal program of the Administration; to the Committee on Transportation and Infrastructure.

¶95.34 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. COX introduced a bill (H.R. 2923) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Sovereign*; which was referred to the Committee on Transportation and Infrastructure.

¶95.35 ADDITIONAL SPONSORS

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

H.R. 28: Mr. ANDREWS.
H.R. 162: Mr. MATHESON, Mr. LAMPSON, Mr. LARSON of Connecticut, and Mr. PHELPS.
H.R. 184: Ms. CARSON of Indiana and Mr. GUTIERREZ.
H.R. 218: Mr. LAMPSON, Mr. TURNER, and Mr. BENTSEN.
H.R. 257: Mr. BARR of Georgia.
H.R. 281: Mr. FORD.
H.R. 292: Mr. WEINER, Mr. HINCHEY, Mr. PAYNE, Ms. NORTON, and Mr. BENTSEN.
H.R. 425: Mr. MCDERMOTT and Mr. OLVER.
H.R. 439: Mr. BALDACCI.
H.R. 476: Mr. COLLINS and Mr. NEY.
H.R. 488: Mr. MOORE.
H.R. 525: Mr. PITTS.
H.R. 597: Mr. GUTIERREZ.
H.R. 817: Mr. HILL and Mr. CALLAHAN.
H.R. 831: Mr. KINGSTON, Ms. BERKLEY, Mr. RYUN of Kansas, Mr. ROSS, Mr. DIAZ-BALART, Mr. MCINTYRE, Mr. WELLER, Mr. ANDREWS, Ms. ROS-LEHTINEN, Mr. SHIMKUS, and Mrs. MYRICK.
H.R. 902: Mr. OLVER and Mr. HILLIARD.
H.R. 1037: Mr. DEMINT.
H.R. 1084: Mr. GILLMOR.
H.R. 1178: Mrs. JO ANN DAVIS of Virginia.
H.R. 1254: Mr. WAXMAN.
H.R. 1296: Mr. MORAN of Virginia, Mrs. MINK of Hawaii, Mr. SAM JOHNSON of Texas, Mr. HASTINGS of Washington, Mr. MEEHAN, and Mr. FRANK.
H.R. 1354: Mr. FORD and Mr. MATSUI.
H.R. 1367: Mr. STARK.
H.R. 1421: Mr. MARKEY, Mr. TRAFICANT, Mr. DICKS, Mr. HOUGHTON, Ms. SANCHEZ, Mrs. NAPOLITANO, Mr. SANDERS, Ms. PRYCE of Ohio, and Mrs. MINK of Hawaii.
H.R. 1454: Mr. DOYLE, Mr. MATHESON, Mrs. CHRISTENSEN, and Mr. STARK.
H.R. 1460: Mr. DEFAZIO and Mr. LARSEN of Washington.
H.R. 1462: Mr. TANCREDO.
H.R. 1494: Mrs. TAUSCHER.
H.R. 1509: Mr. MARKEY.
H.R. 1510: Mr. MORAN of Kansas, Mr. LANGEVIN, Mr. LAHOOD, Mr. SUNUNU, Mrs. JO ANN DAVIS of Virginia, and Mr. EHRLICH.
H.R. 1532: Mr. ISAKSON.
H.R. 1581: Mr. NETHERCUTT.
H.R. 1582: Ms. WATSON.
H.R. 1587: Mr. OWENS, Ms. MCCOLLUM, and Mr. GUTIERREZ.
H.R. 1611: Mr. KELLER.
H.R. 1645: Mr. RADANOVICH and Mr. CAPUANO.
H.R. 1675: Mr. OSE.
H.R. 1711: Mr. SMITH of Washington and Mr. LARSEN of Washington.
H.R. 1718: Mr. HINOJOSA, Ms. LOFGREN, Ms. BALDWIN, Mr. ALLEN, Ms. PRYCE of Ohio, Mr. DEFAZIO, and Mr. DELAHUNT.
H.R. 1720: Mrs. NAPOLITANO, Mr. CROWLEY, Mr. FROST, Mrs. MORELLA, Mr. WATTS of Oklahoma, Ms. ESHOO, Mr. STARK, Mr. OWENS, Mr. PAYNE, Mr. BOUCHER, and Mr. HINCHEY.
H.R. 1744: Mr. SKELTON, Mrs. CAPPS, Mr. RUSH, Mr. DIAZ-BALART, and Mr. MCNULTY.
H.R. 1748: Mr. FORBES.
H.R. 1775: Mr. SCHIFF.
H.R. 1806: Mr. FILNER.
H.R. 1873: Mr. UDALL of New Mexico.
H.R. 1904: Mr. MCGOVERN.
H.R. 1928: Mrs. CLAYTON.
H.R. 1935: Mr. GREEN of Wisconsin and Mr. BROWN of South Carolina.
H.R. 1982: Mr. BROWN of South Carolina.
H.R. 1983: Mr. INSLEE and Mr. VITTER.
H.R. 2009: Mr. LEVIN.
H.R. 2158: Mr. COYNE.
H.R. 2162: Mrs. NAPOLITANO.
H.R. 2220: Mr. BONIOR and Ms. VELAZQUEZ.
H.R. 2222: Ms. NORTON.
H.R. 2280: Mr. FOLEY.
H.R. 2282: Mr. FROST.
H.R. 2293: Mr. WELDON of Florida, Mr. GIBBONS, and Mr. LARGENT.
H.R. 2308: Mr. PASTOR and Mr. SCHROCK.
H.R. 2322: Ms. PRYCE of Ohio.
H.R. 2352: Mr. EVANS.
H.R. 2357: Mr. NEY and Mr. TAUZIN.
H.R. 2363: Ms. ESHOO, Mr. MOLLOHAN, Ms. BALDWIN, and Mr. RAHALL.
H.R. 2515: Mr. COOKSEY.
H.R. 2521: Ms. HART, Mr. MATHESON, and Mr. ENGLISH.
H.R. 2537: Mr. MATHESON, Mr. MCGOVERN, Mr. PLATTS, Ms. WATSON, Ms. MCKINNEY, Mr. CROWLEY, Mr. ROTHMAN, and Mr. ENGLISH.
H.R. 2538: Mr. CARSON of Oklahoma, Mr. PALLONE, Mr. KILDEE, Mr. HONDA, Mr. BAIRD, Mr. JONES of Ohio, and Mrs. CHRISTENSEN.
H.R. 2566: Mr. ROTHMAN, Mr. HORN, Mr. PLATTS, Mr. ENGLISH, Mr. SHAYS, Mr. OWENS, Mrs. MORELLA, Mr. BACA, and Mr. TANCREDO.
H.R. 2605: Mr. MCGOVERN.
H.R. 2654: Mr. LAMPSON.
H.R. 2675: Ms. SANCHEZ.
H.R. 2718: Mr. MCGOVERN.
H.R. 2723: Mr. TIAHRT, Mrs. TAUSCHER, and Mr. CALVERT.
H.R. 2725: Mr. WALSH and Mr. BONIOR.
H.R. 2727: Mr. HINCHEY.
H.R. 2794: Mr. HONDA and Mr. MEEHAN.
H.R. 2804: Mr. LANTOS, Mr. DOOLEY of California, and Mr. COX.
H.R. 2866: Mrs. MINK of Hawaii, Mr. FARR of California, Ms. DELAURO, Mrs. DAVIS of California, Mrs. CLAYTON, Mr. CAPUANO, Mr. MEEHAN, Mr. HINCHEY, Ms. PELOSI, Mr. TIERNEY, Mr. OLVER, Mr. WYNN, and Ms. WOOLSEY.
H.R. 2887: Mrs. ROUKEMA.
H.R. 2891: Mr. PALLONE, Mr. ISRAEL, and Mr. PAYNE.
H.R. 2899: Mr. ISSA and Mr. THUNE.
H. Con. Res. 20: Mr. HOLT.
H. Con. Res. 77: Mr. MCGOVERN.
H. Con. Res. 104: Mr. STUMP.
H. Con. Res. 173: Mr. MATSUI, Ms. WATSON, Mrs. MALONEY of New York, Ms. DELAURO, Mr. PASTOR, and Mr. PRICE of North Carolina.
H. Con. Res. 188: Mr. FLETCHER.
H. Con. Res. 211: Mr. KUCINICH.
H. Res. 52: Mr. SMITH of Michigan.

¶95.36 DELETIONS

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

H.R. 2779: Ms. NORTON.

FRIDAY, SEPTEMBER 21, 2001 (96)

The House was called to order by the SPEAKER.

¶96.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, September 20, 2001.

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

¶96.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3752. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a report entitled, ''Department of Defense Chemical and Biological Defense Program Annual Report To Congress and Performance Plan, July 2001''; to the Committee on Armed Services.

3753. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting office of Management and Budget Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

3754. A letter from the Secretary, Department of Health and Human Services, transmitting a consolidated report on the Community Food and Nutrition Program for Fiscal Years 1998 and 1999; to the Committee on Education and the Workforce.

3755. A letter from the Secretary, Department of Health and Human Services, transmitting the Community Services Block Grant Program Fiscal Year 1998 Summary Report to Congress; to the Committee on Education and the Workforce.

3756. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled ''Performance Improvement 2001: Evaluation Activities of the U.S. Department of Health and Human Services,'' pursuant to section 241(b) of the Public Health Service Act; to the Committee on Energy and Commerce.

3757. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards: In-

terior Trunk Release [Docket No. NHTSA–01–10381] (RIN: 2127–AI51) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3758. A communication from the President of the United States, transmitting the President's bimonthly report on progress toward a negotiated settlement of the Cyprus question, covering the period April 1 to May 31, 2001, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

3759. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3760. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3761. A letter from the Chairman, Broadcasting Board of Governors, transmitting the Fair Act of 1998 Commercial Activities Inventory, in accordance with Public Law 105–270; to the Committee on Government Reform.

3762. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's FY 2000 Annual Statement of Assurance, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

3763. A letter from the Librarian of Congress, Library of Congress, transmitting the FY 2000 annual report of the activities of the Library of Congress, and the FY 2000 annual report of the Library of Congress Trust Fund Board, pursuant to 2 U.S.C. 139; to the Committee on House Administration.

3764. A letter from the Under Secretary for Domestic Finance, Department of the Treasury, transmitting FY 2000 Report to the Congress U.S. Government Debt Collection Activities of Federal Agencies; to the Committee on the Judiciary.

3765. A letter from the Register of Copyrights, Register of Copyrights of the United States of America, transmitting the Office's report entitled, ''DMCA Section 104 Report,'' pursuant to section 104 of Public Law No. 105—304; to the Committee on the Judiciary.

3766. A letter from the Chairman, Inland Waterway Users Board, transmitting the Board's 15th annual report of its activities; recommendations regarding construction, rehabilitation priorities and spending levels on the commercial navigational features and components of inland waterways and harbors, pursuant to Public Law 99—662, section 302(b) (100 Stat. 4111); to the Committee on Transportation and Infrastructure.

3767. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Final Rule with Request for Comments and Direct Final Rule with Request for Comments [Docket No. FAA–1999–5836; Amendment Nos. 91–269, 121–286, 135–82, 145–27 and SFAR 36–7] (RIN: 2120–AC38) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3768. A letter from the Secretary, Department of Health and Human Services, transmitting a draft bill entitled, ''Promoting Safe and Stable Families Amendments of 2001''; to the Committee on Ways and Means.

3769. A letter from the Secretary, Department of Energy, transmitting the Annual Report on Contractor Work Force Restructuring for Fiscal Year 2000, pursuant to 42 U.S.C. 7274h; jointly to the Committees on Armed Services and Energy and Commerce.

¶96.3 ORDER OF BUSINESS—CONSIDERATION OF H.R. 2904

On motion of Mr. HOBSON, by unanimous consent,

Ordered, That it may be in order at any time for the Speaker, as though pursuant to clause 2(b) of Rule XVIII, to declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes, and that consideration of the bill proceed according to the following order: The first reading of the bill shall be dispensed with; all points of order against the bill and against its consideration are waived; general debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; after general debate the bill shall be considered for amendment under the five minute rule; during consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII, and the amendments so printed shall be considered as read; at the conclusion of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted; and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

¶96.4 MILITARY CONSTRUCTION APPROPRIATIONS FY 2002

The SPEAKER, pursuant to the forgoing order of the House and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER designated Mr. GILLMOR as Chairman of the Committee of the Whole.

After some further time,

The SPEAKER pro tempore, Mr. SHIMKUS, assumed the Chair.

When Mr. GILLMOR, Chairman, pursuant to the forgoing order of the House, reported the bill back to the House.

Pursuant to the foregoing order of the House, the previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 401 / Nays ..... 0 }

¶96.5 [Roll No. 344]

YEAS—401

Abercrombie	DeFazio	Inslee
Ackerman	DeGette	Isakson
Aderholt	Delahunt	Israel
Akin	DeLauro	Issa
Allen	DeLay	Istook
Andrews	DeMint	Jackson (IL)
Armey	Deutsch	Jackson-Lee (TX)
Baca	Diaz-Balart	Jefferson
Bachus	Dicks	Jenkins
Baird	Doggett	John
Baker	Dooley	Johnson (CT)
Baldacci	Doolittle	Johnson (IL)
Baldwin	Doyle	Johnson, E. B.
Ballenger	Dreier	Johnson, Sam
Barcia	Duncan	Jones (NC)
Barr	Dunn	Jones (OH)
Barrett	Edwards	Kanjorski
Bartlett	Ehlers	Kaptur
Barton	Emerson	Keller
Bass	English	Kelly
Becerra	Eshoo	Kennedy (MN)
Bentsen	Etheridge	Kennedy (RI)
Bereuter	Evans	Kerns
Berkley	Everett	Kildee
Berry	Farr	Kilpatrick
Biggert	Fattah	Kind (WI)
Bilirakis	Ferguson	King (NY)
Bishop	Filner	Kingston
Blagojevich	Flake	Kirk
Blumenauer	Fletcher	Kleczka
Blunt	Foley	Knollenberg
Boehlert	Forbes	Kolbe
Boehner	Ford	Kucinich
Bonilla	Fossella	LaFalce
Bonior	Frank	LaHood
Bono	Frelinghuysen	Lampson
Borski	Frost	Langevin
Boswell	Gallegly	Lantos
Boucher	Ganske	Largent
Boyd	Gekas	Larsen (WA)
Brady (PA)	Gephardt	Larson (CT)
Brady (TX)	Gibbons	Latham
Brown (FL)	Gilchrest	LaTourette
Brown (OH)	Gillmor	Leach
Brown (SC)	Gilman	Lee
Bryant	Gonzalez	Levin
Burr	Goode	Lewis (CA)
Burton	Goodlatte	Lewis (GA)
Buyer	Gordon	Lewis (KY)
Callahan	Goss	Linder
Calvert	Graham	Lipinski
Camp	Granger	LoBiondo
Cannon	Graves	Lofgren
Cantor	Green (TX)	Lucas (KY)
Capito	Green (WI)	Lucas (OK)
Capps	Grucci	Luther
Capuano	Gutierrez	Maloney (CT)
Cardin	Gutknecht	Maloney (NY)
Carson (OK)	Hall (OH)	Manzullo
Castle	Hall (TX)	Mascara
Chabot	Harman	Matheson
Chambliss	Hart	Matsui
Clay	Hastings (FL)	McCarthy (MO)
Clayton	Hastings (WA)	McCarthy (NY)
Clement	Hayes	McCollum
Clyburn	Hayworth	McDermott
Coble	Hefley	McGovern
Collins	Herger	McHugh
Combest	Hill	McInnis
Condit	Hilleary	McIntyre
Cooksey	Hilliard	McKeon
Costello	Hinojosa	McNulty
Cox	Hobson	Meehan
Coyne	Hoeffel	Meek (FL)
Cramer	Hoekstra	Menendez
Crane	Holt	Mica
Crenshaw	Honda	Miller, Gary
Crowley	Hooley	Miller, George
Cunningham	Horn	Mink
Davis (CA)	Hostettler	Mollohan
Davis (FL)	Houghton	Moore
Davis (IL)	Hoyer	Moran (KS)
Davis, Jo Ann	Hulshof	Moran (VA)
Davis, Tom	Hunter	Morella
Deal	Hyde	

Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Udall (CO)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—29

Berman
Carson (IN)
Conyers
Cubin
Culberson
Cummings
Dingell
Ehrlich
Engel
Greenwood
Hansen
Hinchey
Holden
Lowey
Markey
McCrery
McKinney
Meeks (NY)
Millender-McDonald
Miller (FL)
Paul
Price (NC)
Schaffer
Towns
Turner
Udall (NM)
Waters
Watts (OK)
Weldon (FL)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶96.6 RECESS—9:58 A.M.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 58 minutes a.m., subject to the call of the Chair.

¶96.7 AFTER RECESS—5:44 P.M.

The SPEAKER pro tempore, Mr. THORNBERRY, called the House to order.

¶96.8 PROVIDING FOR THE CONSIDERATION OF H.R. 2926

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–214) the resolution (H. Res. 244) providing for consideration of the bill (H.R. 2926) to preserve the continued viability of the United States air transportation system.

When said resolution and report were referred to the House Calendar and ordered printed.

¶96.9 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 242):

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of Friday, September 21, 2001, providing for consideration or disposition of a bill to preserve the continued viability of the United States air transportation system.

When said resolution was considered.

After debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution.

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. DEFAZIO objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 303 / Nays ..... 107 }

¶96.10 [Roll No. 345]

YEAS—303

Abercrombie
Ackerman
Aderholt
Akin
Andrews
Armey
Bachus
Baker
Baldacci
Ballenger
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Berkley
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Brady (PA)
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (OK)
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dicks
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hobson
Hoeffel
Hoekstra
Honda
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Isakson
Israel
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Miller, Gary
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sawyer
Saxton
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—107

Allen
Baca
Baird
Baldwin
Barcia
Becerra
Blagojevich
Blumenauer
Bonior
Boyd
Brown (FL)
Brown (OH)
Capuano
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Doggett
Engel
Eshoo
Evans
Farr
Filner
Frank
Gonzalez
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holt
Hooley
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Lee
Lipinski
Luther
Markey
McCarthy (MO)
McCollum
McDermott
McKinney
Meek (FL)
Millender-McDonald
Miller, George
Mink
Mollohan
Nadler
Napolitano
Neal
Obey
Olver
Owens
Payne
Pelosi
Peterson (MN)
Rahall
Rivers
Rodriguez
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Schakowsky
Scott
Sherman
Slaughter
Solis
Spratt
Stark
Strickland
Stupak
Thompson (MS)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watt (NC)
Waxman
Woolsey
Wu

NOT VOTING—20

Bereuter
Berman
Carson (IN)
Castle
Conyers
Cox
Deutsch
Dingell
Dooley
Fossella
Harman
Hefley
Holden
Issa
Linder
Miller (FL)
Moran (VA)
Schaffer
Towns
Waters

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶96.11 PROVIDING FOR THE CONSIDERATION OF H.R. 2926

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 244):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 2926) to preserve the continued viability of the United States air transportation system. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit.

When said resolution was considered.

After debate,

Mr. REYNOLDS moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 285 / Nays ..... 130 }

¶96.12 [Roll No. 346]

YEAS—285

Aderholt
Akin
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Berkley
Berry
Biggert
Bilirakis
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hobson
Hoekstra
Honda
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Israel
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
Meehan
Meeks (NY)
Menendez
Mica
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Wamp
Watkins (OK)
Watson (CA)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—130

Abercrombie
Ackerman
Allen
Baca
Baldwin
Barcia
Barrett
Becerra
Bishop
Blumenauer
Bonior
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Doggett
Engel
Eshoo
Evans
Farr
Fattah
Filner
Gonzalez
Gordon
Gutierrez
Hall (TX)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jefferson
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Lee
Lewis (GA)
Lipinski
Lowey
Luther
Maloney (CT)
Markey
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McKinney
McNulty
Meek (FL)
Millender-McDonald
Miller, George
Mink
Mollohan
Nadler
Napolitano
Neal
Obey
Olver
Owens
Payne
Pelosi
Peterson (MN)
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Sherman
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Woolsey
Wu

NOT VOTING—16

Bereuter
Berman
Carson (IN)
Conyers
Cox
Deutsch
Dingell
Fossella
Frank
Hefley
Holden
Issa
Linder
Miller (FL)
Schaffer
Towns

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶96.13 AIR TRANSPORTATION SAFETY AND SYSTEM STABILIZATION

Mr. YOUNG of Alaska, pursuant to House Resolution 244, called up the bill (H.R. 2926) to preserve the continued viability of the United States air transportation system.

When said bill was considered and read twice.

After debate,

¶96.14 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2500. An Act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced the Senate insists upon its amendment to the bill (H.R. 2500) ''An Act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLINGS, Mr. INOUYE, Ms. MIKULSKI, Mr. LEAHY, Mr. KOHL, Mrs. MURRAY, Mr. REED, Mr. BYRD, Mr. GREGG, Mr. STEVENS, Mr. DOMENICI, Mr. MCCONNELL, Mrs. HUTCHISON, Mr. CAMPBELL, and Mr. COCHRAN, be the conferees on the part of the Senate.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested a bill of the House of the following title:

H.R. 2510. An Act to extend the expiration date of the Defense Production Act of 1950, and for other purposes.

After further debate,

Pursuant to House Resolution 244, the previous question was ordered on the bill.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

Mr. DEFAZIO moved to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the bill back to the House forthwith with the following amendments:

Redesignate sections 106 and 107 of the bill as sections 107 and 108, respectively.

After section 106 of the bill, insert the following new section:

SEC. 107. REQUIREMENT TO COVER CERTAIN EMPLOYEE HEALTH INSURANCE COSTS.

(a) IN GENERAL.—The President may only provide financial assistance under this title to an air carrier after the air carrier enters into a legally binding agreement with the President that the air carrier agrees to pay, from any financial assistance received under this title, 100 percent of the costs attributable to providing health insurance coverage for each eligible employee of the air carrier during the 18-month period beginning upon the separation of such employee referred to in subsection (b).

(b) ELIGIBLE EMPLOYEE.—For purposes of this section, the term ''eligible employee'' means, with respect to an air carrier, an employee of the carrier who, during the 2-year period beginning September 11, 2001, and ending September 11, 2003, becomes involuntarily separated (except for cause) from employment with such air carrier.

At the end of the bill, add the following new title:

TITLE VII—SCREENING OF PASSENGERS AND PROPERTY

SEC. 501. SCREENING OF AIR PASSENGERS AND PROPERTY BY FAA.

Section 44901 of title 49, United States Code, is amended—

(1) in the second sentence of subsection (a) by striking ''The'' and inserting ''Subject to subsection (d), the''; and

(2) by adding at the end the following:

''(d) SCREENING TO BE CONDUCTED BY FAA EMPLOYEES.—As soon as practicable after the date of enactment of this subsection, the screening of passengers and property under subsection (a) shall be carried out by employees of the Federal Aviation Administration. The Administrator may prioritize the undertaking of screening responsibilities under this section with respect to an airport based on the Administrator's assessment of the security threat to the airport.''.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the nays had it.

Mr. DEFAZIO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 174 / Nays 239

¶96.15 [Roll No. 247]

YEAS—174

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moran (VA)
Nadler
Napolitano
Neal
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—239

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Berkley
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCrery
McHugh
McInnis
McKeon
Meek (FL)
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Bereuter
Berman
Carson (IN)
Conyers
Cox
Deutsch
Dingell
Fossella
Gillmor
Hefley
Hobson
Holden
Issa
Linder
Pryce (OH)
Schaffer
Towns

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. YOUNG of Alaska demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 356 / Nays ..... 54 / Answered present 2

¶96.16 [Roll No. 248]

YEAS—356

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clement
Coble
Collins
Combest
Cooksey
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Fletcher
Foley
Forbes
Ford
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth

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

NAYS—54

Baldwin
Becerra
Blumenauer
Bonior
Brown (FL)
Brown (OH)
Clayton
Clyburn
Condit
Costello
Coyne
Davis (IL)
DeFazio
Doggett
Filner
Flake
Frank
Goode
Hastings (FL)
Hilliard
Hinchey
Holt
Inslee
Jackson (IL)
Jones (OH)
Kilpatrick
Kucinich
LaFalce
Lantos
Lewis (CA)
Lipinski
Markey
McDermott
Miller, George
Obey
Otter
Paul
Peterson (MN)
Rush
Sanders
Schakowsky
Scott
Sensenbrenner
Smith (WA)
Solis
Stark
Strickland
Stupak
Tancredo
Thompson (MS)
Tierney
Visclosky
Waxman
Woolsey

ANSWERED ''PRESENT''—2

DeGette
Kaptur

NOT VOTING—18

Bereuter
Berman
Buyer
Carson (IN)
Conyers
Cox
Deutsch
Dingell
Fossella
Gillmor
Hefley
Hobson
Holden
Issa
Linder
Pryce (OH)
Schaffer
Towns

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, was laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶96.17 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, September 24, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶96.18 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, September 26, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶96.19 BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 14, 2001, he presented to the President of the United States, for his approval, the following bills.

H.R. 2133. To establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

H.R. 2882. To provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001.

H.R. 2888. Making emergency supplemental appropriations for fiscal year 2001 for additional disaster assistance, for anti-terrorism initiatives, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes.

¶96.20 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BEREUTER, for today after 3 p.m.; and

To Ms. CARSON, for today.

And then,

¶96.21 ADJOURNMENT

On motion of Ms. McKINNEY, pursuant to the special order heretofore agreed to, at 11 o'clock and 56 minutes p.m., the House adjourned until 12:30 p.m. on Monday, September 24, 2001.

¶96.22 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MANZULLO: Committee on Small Business. H.R. 203. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes; with an amendment (Rept. No. 107–210). Referred to the Committee of the Whole House on the State of the Union.

Mr. MANZULLO: Committee on Small Business. H.R. 2538. A bill to amend the Small Business Act to expand and improve the assistance provided by Small Business Development Centers to Indian tribe members, Native Alaskans, and Native Hawaiians (Rept. No. 107–211). Referred to the Committee of the Whole House on the State of the Union.

Mr. MANZULLO: Committee on Small Business. H.R. 2666. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program (Rept. No. 107–212). Referred to the Committee of the Whole House on the State of the Union.

Mr. MANZULLO: Committee on Small Business. H.R. 1860. A bill to reauthorize the Small Business Technology Transfer Program, and for other purposes; with an amendment (Rept. No. 107–213 Pt. 1).

Mr. REYNOLDS: Committee on Rules. House Resolution 244. Resolution providing for consideration of the bill (H.R. 2926) to preserve the continued viability of the United States air transportation system (Rept. No. 107–214) Referred to the House Calendar.

¶96.23 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1007. Referral to the Committee on Government Reform extended for a period ending not later than September 28, 2001.

H.R. 1860. Referral to the Committee on Science extended for a period ending not later than September 21, 2001.

¶96.24 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Science discharged from further consideration. H.R. 1860 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶96.25 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CALVERT:

H.R. 2924. A bill to provide authority to the Federal Power Marketing Administrations to reduce vandalism and destruction of property, and for other purposes; to the Committee on Resources.

By Mr. CALVERT:

H.R. 2925. A bill to amend the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 2926. A bill to preserve the continued viability of the United States air transportation system; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, the Judiciary, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 2927. A bill to limit the amount of total compensation for top executives of air carriers that receive certain Federal relief; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 2928. A bill to amend the Immigration and Nationality Act to provide for the removal of aliens who aid or abet a terrorist organization or an individualwho has conducted, is conducting, or is planning to conduct a terrorist activity; to the Committee on the Judiciary.

By Mr. BARR of Georgia (for himself, Mr. WEXLER, Mr. BASS, Mr. BURTON of Indiana, Mr. KELLER, Mr. RANGEL, Mr. DEUTSCH, Mr. MEEKS of New York, Mr. MICA, Mr. CALVERT, Mr. DAVIS of Florida, Mr. SCOTT, Mr. CHABOT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCDERMOTT, Mr. BOEHNER, Mr. ENGLISH, Mr. WICKER, and Mr. BAIRD):

H.R. 2929. A bill to amend title 18, United States Code, and the Federal Rules of Criminal Procedure with respect to bail bond forfeitures; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 2930. A bill to provide for creation of a Counter-terrorism Trust Fund, to provide for the issuance of Freedom Bonds, to allow taxpayers to contributeincome tax refunds and other amounts to support counter-terrorism efforts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mr. ARMEY, Mr. DELAY, Mr. BLUNT, Mr. DOOLITTLE, and Mr. NORWOOD):

H.R. 2931. A bill to amend the Internal Revenue Code of 1986 to clarify the restrictions on the lobbying and campaign activities of churches; to the Committee on Ways and Means.

By Mr. CRENSHAW:

H.R. 2932. A bill to amend title 49, United States Code, to require background checks for individuals enrolled in flight schools, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ENGLISH (for himself, Mr. STARK, and Mr. FOLEY):

H.R. 2933. A bill to amend title XVIII of the Social Security Act to apply the bloodborne pathogens standard in effect under the Occupational Safety and Health Act of 1970 through Medicare provider agreements to hospitals that are not subject to that Act; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY:

H.R. 2934. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of hearing aids and related hearing services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK (for himself, Mr. MATSUI, Mr. LARSON of Connecticut, Mr. TIERNEY, Mr. MCDERMOTT, Ms. SOLIS, Mr. RODRIGUEZ, Ms. JACKSON-LEE of Texas, Mr. OBEY, Ms. SCHAKOWSKY, Mr. HINCHEY, Mr. MCGOVERN, Mr. ABERCROMBIE, Ms. DELAURO, Mr. DELAHUNT, Mr. BONIOR, and Mr. LAFALCE):

H.R. 2935. A bill to amend the Internal Revenue Code of 1986 to increase the highest rate of income tax imposed on individual taxpayers to 39.6 percent, and to deposit the amounts received as a result of such increase into the Social Security trust funds; to the Committee on Ways and Means.

By Mr. FROST:

H.R. 2936. A bill to amend the Internal Revenue Code of 1986 to impose a 20 percent rate of tax on taxable estates and gifts; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 2937. A bill to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range; to the Committee on Resources.

By Mr. HEFLEY:

H.R. 2938. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate any portion of their income tax overpayments, and to make other contributions, for the benefit of victims of the terrorist attacks on September 11, 2001, and for counterterrorism efforts; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEFFEL (for himself, Mr. TOOMEY, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. HILLIARD, Mr. STARK, Mr. TIERNEY, Ms. PELOSI, Mr. WAXMAN, Mr. CAPUANO, and Ms. CARSON of Indiana):

H.R. 2939. A bill to review, reform, and terminate unnecessary and inequitable Federalpayments, benefits, services, and tax advantages; to the Committee on Government Reform, and in addition to the Committees on Ways and Means, Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself and Mr. REYNOLDS):

H.R. 2940. A bill to amend the Internal Revenue Code of 1986 to encourage the patronage of the hospitality, restaurant, and entertainment industries of New York City; to the Committee on Ways and Means.

By Mr. GARY G. MILLER of California (for himself, Mrs. MALONEY of New York, Mr. OXLEY, and Mrs. ROUKEMA):

H.R. 2941. A bill to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment ofbrownfields; to the Committee on Financial Services.

By Mr. MORAN of Kansas (for himself, Mr. MCINTYRE, and Mr. ROSS):

H.R. 2942. A bill to amend title XVIII of the Social Security Act to make permanent the hold harmless treatment for small rural hospitals under the Medicare prospective payment system for hospital outpatient department services and to provide a transitional adjustment for certain sole community hospitals in order to limit any decline in payment under that system; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VITTER:

H.R. 2943. A bill to protect classified information, and for other purposes; to the Committee on the Judiciary.

By Mrs. JONES of Ohio:

H. Con. Res. 234. Concurrent resolution expressing the sense of Congress relating to the increased importance of the United States steel industry since the attacks on the United States on September 11, 2001; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY (for himself, Mr. TOWNS, Mr. TOM DAVIS of Virginia, and Mr. OWENS):

H. Con. Res. 235. Concurrent resolution expressing the sense of Congress regarding the establishment of a National Day of Remembrance; to the Committee on Government Reform.

By Mrs. MALONEY of New York (for herself, Mr. FOSSELLA, Mr. RANGEL, Mr. KING, Mr. TOWNS, Mr. GILMAN, Mrs. MCCARTHY of New York, Mr. HOUGHTON, Mr. ENGEL, Mr. BOEHLERT, Mr. ISRAEL, Mr. MCNULTY, Mr. GRUCCI, Mr. SERRANO, Mr. WALSH, Mr. LAFALCE, Mr. CONYERS, Mr. GUTKNECHT, Mr. DOOLITTLE, Mr. PETERSON of Minnesota, Mr. KIND, and Mr. ABERCROMBIE):

H. Res. 243. A resolution honoring Mayor Rudolph Giuliani, the rescue workers, and the residents of New York, New York, for their valiant efforts in responding tothe terrorist attack; to the Committee on Government Reform.

¶96.26 ADDITIONAL SPONSORS

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

H.R. 19: Mr. NEY and Mr. HEFLEY.
H.R. 81: Mr. MCGOVERN.
H.R. 159: Mr. BROWN of South Carolina.
H.R. 189: Mr. WELDON of Florida.
H.R. 190: Mr. HORN.
H.R. 250: Mr. HOSTETTLER.
H.R. 257: Mr. TIAHRT.
H.R. 267: Mr. LOBIONDO.
H.R. 488: Mr. GUTIERREZ.
H.R. 525: Mr. MASCARA, Ms. LEE, and Mr. MOORE.
H.R. 529: Ms. MCKINNEY.
H.R. 530: Ms. MCKINNEY.
H.R. 537: Ms. MCKINNEY.
H.R. 638: Mr. MARKEY.
H.R. 659: Ms. LOFGREN.
H.R. 690: Mr. CUMMINGS.
H.R. 774: Mr. GILLMOR and Mr. MANZULLO.
H.R. 775: Mr. MEEHAN, Mr. POMEROY, Mr. FRANK, and Mrs. CAPPS.
H.R. 776: Mr. BROWN of South Carolina.
H.R. 792: Mr. TRAFICANT, Mr. SAXTON, and Mr. FILNER.
H.R. 817: Mr. WALDEN of Oregon.
H.R. 839: Mr. GUTIERREZ.
H.R. 848: Mr. LOBIONDO, Mr. MORAN of Virgina, and Mr. WALDEN of Oregon.
H.R. 854: Ms. SANCHEZ, Mr. LATOURETTE, Mr. HALL of Ohio, Mrs. NORTHUP, Mr. GONZALEZ, Mr. KINGSTON, and Mr. TIBERI.
H.R. 868: Mr. ISSA.
H.R. 950: Mr. ENGLISH.
H.R. 951: Mr. HEFLEY, Mr. SWEENEY, Mr. BOYD, Mr. ISTOOK, Mr. TERRY, Mr. WEINER, Mr. LEWIS of Georgia, and Mr. MCHUGH.
H.R. 959: Mrs. NAPOLITANO, Mr. EVANS, Mr. GALLEGLY, Mr. HUNTER, Mr. SMITH of Texas, and Ms. LOFGREN.
H.R. 969: Mr. VITTER.
H.R. 981: Mr. BARR of Georgia, Mr. PETERSON of Pennsylvania, and Mr. HALL of Texas.
H.R. 1032: Mr. HOLT.
H.R. 1051: Mr. SABO, Mr. SERRANO, and Mr. LANTOS.
H.R. 1073: Mr. BARRETT.
H.R. 1097: Mr. ABERCROMBIE.
H.R. 1158: Mrs. TAUSCHER, Mr. HASTINGS of Florida, and Ms. HART.
H.R. 1171: Mrs. CUBIN.

H.R. 1238: Mr. EHRLICH.
H.R. 1304: Mr. LAHOOD.
H.R. 1309: Mr. PRICE of North Carolina.
H.R. 1351: Mr. NUSSLE, Mr. LEACH, and Mr. TIBERI.
H.R. 1357: Mr. GONZALEZ.
H.R. 1377: Ms. SANCHEZ and Mr. KOLBE.
H.R. 1411: Mr. TOM DAVIS of Virginia.
H.R. 1436: Mr. CAPUANO, Ms. BROWN of Florida, Mr. EHRLICH, and Mr. MCHUGH.
H.R. 1471: Mr. HYDE.
H.R. 1474: Mr. RYAN of Wisconsin.
H.R. 1475: Mr. LAWSON of Connecticut, Mr. CUMMINGS, Mr. LAMPSON.
H.R. 1509: Mr. BONIOR.
H.R. 1540: Mr. ACEVEDO-VILA, Mr. EVANS, Mr. OWENS, Mr. CROWLEY, Ms. CROWLEY, Ms. LEE, Mr. BONIOR, and Mrs. JONES of Ohio.
H.R. 1553: Mr. MCGOVERN.
H.R. 1556: Mr. WEXLER, Mr. TOOMEY, Ms. SANCHEZ, Mr. KINGSTON, Mr. MATHESON, and Mr. BALLENGER.
H.R. 1596: Mr. SUNUNU.
H.R. 1599: Mr. FOLEY and Mr. BARTLETT of Maryland.
H.R. 1609: Mr. KINGSTON and Mr. TOOMEY.
H.R. 1650: Mr. LEACH.
H.R. 1700: Mr. BOUCHER and Mr. LEVIN.
H.R. 1754: Mr. FOLEY.
H.R. 1773: Mr. FOLEY.
H.R. 1795: Ms. HART, Ms. WATSON, and Mr. OSE.
H.R. 1809: Mr. UDALL of New Mexico.
H.R. 1822: Mr. SCHAFFER, Mr. MORAN of Virginia, and Mr. GUTIERREZ.
H.R. 1835: Mr. ROGERS of Kentucky and Mr. WICKER.
H.R. 1897: Mr. EVANS.
H.R. 1911: Mr. DEFAZIO.
H.R. 1913: Mr. UDALL of New Mexico.
H.R. 1919: Mr. GOODE, Mr. ROGERS of Michigan, Mr. SMITH of Michigan, Mr. BOSWELL, Mrs. JO ANN DAVIS of Virginia and Mr. MASCARA.
H.R. 1948: Mr. PRICE of North Carolina.
H.R. 1956: Mr. LARSEN of Washington.
H.R. 1988: Mr. ROGERS of Kentucky, Ms. HART, and Mr. GRAHAM.
H.R. 1990: Mr. CROWLEY, Ms. KAPTUR, and Ms. BALDWIN.
H.R. 1997: Mr. LAMPSON, Mr. KUCINICH, Mr. GUTIERREZ, and Ms. MCKINNEY.
H.R. 2001: Mr. SUNUNU and Ms. SANCHEZ.
H.R. 2018: Mr. CRAMER, Mr. MANZULLO, Mr. CALLAHAN, Mrs. BIGGERT, Mr. TIAHRT, Mr. FORBES, Mr. GOODLATTE, Mr. BROWN of South Carolina, Mr. LAMPSON, Mr. MATHESON, and Mrs. MCCARTHY of New York.
H.R. 2074: Mr.LOBIONDO, Ms. SANCHEZ, Mr. DAVIS of Florida and Mr. CLEMENT.
H.R. 2155: Ms. JACKSON-LEE of Texas, Mr. GOODE, Mr. GALLEGLY, and Mr. MCDERMOTT.
H.R. 2173: Mr. KUCINICH and Mr. OLVER.
H.R. 2182: Mr. KILDEE.
H.R. 2189: Mr. CALVERT.
H.R. 2203: Mr. HALL of Texas, Mr. UDALL of New Mexico, Ms. HART, and Mr. GORDON.
H.R. 2232: Mr. LANTOS, Mr. PAYNE, Mr. EVANS, Mr. PASCRELL, Mr. RUSH, Mr. BORSKI, Mr. BECERRA, Mr. UDALL of New Mexico, Mr. ORTIZ, Ms. SCHAKOWSKY, Mr. DOYLE, and Mr. KUCINICH.
H.R. 2329: Mr. CONYERS and Mrs. LOWEY.
H.R. 2333: Mr. PRICE of North Carolina, Mr. LEVIN, Mr. CRAMER, Mr. SHOWS, and Mr. BENTSEN.
H.R. 2339: Mr. BONIOR.
H.R. 2357: Mr. DEAL of Georgia, Mr. CALVERT, Mr. WELDON of Florida, Mr. KELLER, Mr. FORBES, Mr. WICKER, and Mr. BALLENGER.
H.R. 2364: Ms. BALDWIN.
H.R. 2375: Mr. WEXLER and Mrs. LOWEY.
H.R. 2454: Mrs. DAVIS of California, Mr. CUNNINGHAM, Mr. ISSA, Mr. TAYLOR of North Carolina, Mr. ARMEY, Mr. GIBBONS, Mr. TOM DAVIS of Virginia, Mr. EHRLICH, Mr. OXLEY, Mr. BONILLA, Mr. CRANE, Mr. MICA, Mr. HASTERT, Mr. ROYCE, Mr. HUNTER, Mr. GALLEGLY, Mrs. MORELLA, Mr. GEPHARDT, and Mr. BONIOR.
H.R. 2485: Mr. ISAKSON and Mr. SHAYS.
H.R. 2515: Mr. ENGLISH, Mr. GOODE, Mr. PICKERING, and Mr. PETRI.
H.R. 2555: Mrs. MEEK of Florida.
H.R. 2560: Mr. GUTIERREZ.
H.R. 2570: Mr. EHLERS, Ms. BERKLEY, Mr. MCDERMOTT, Mr. HOEFFEL, Ms. SOLIS, Mr. UDALL of Colorado, Mr. FILNER, and Mr. GUTIERREZ.
H.R. 2623: Ms. ROYBAL-ALLARD.
H.R. 2629: Mr. HINCHEY.
H.R. 2632: Mr. SMITH of New Jersey.
H.R. 2722: Mr. CAPUANO, Ms. PELOSI, Mrs. TAUSCHER, Mr. UNDERWOOD, Mr. LAMPSON, Mr. COSTELLO, and Mr. WEXLER.
H.R. 2725: Mr. CARSON of Oklahoma and Ms. HART.
H.R. 2750: Mr. MCNULTY, Mr. PAUL, Mr. FRANK, and Mr. HINCHEY.
H.R. 2781: Mr. BROWN of South Carolina, Mr. MASCARA, and Mr. NEY.
H.R. 2783: Mr. BONIOR.
H.R. 2788: Mr. OWENS.
H.R. 2837: Mr. GUTIERREZ and Mr. THOMPSON of Mississippi.
H.R. 2847: Mr. FROST.
H.R. 2863: Mr. FILNER, Mr. CAPUANO, and Ms. ESHOO.
H.R. 2895: Mr. KUCINICH, Mr. SANDERS, Mr. MCGOVERN, Mr. WU, Mr. UDALL of New Mexico, and Mr. NADLER.
H.R. 2897: Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mrs. MINK of Hawaii, Mr. MCNULTY, Mr. GREEN of Texas, Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, Mrs. NAPOLITANO, Mr. FRANK, Mr. GONZALEZ, Mrs. MALONEY of New York, Ms. MCKINNEY, Mr. REYES, Mr. UNDERWOOD, Ms. SOLIS, Mr. ENGEL, Mr. MENENDEZ, Mr. BECERRA, Ms. ROYBAL-ALLARD, Mr. HINCHEY, and Ms. VELÁZQUEZ.
H.R. 2899: Mr. FORBES, Mr. FLETCHER, Mr. ENGLISH, Mr. BALLENGER, Mr. ROGERS of Kentucky, Mr. REYES, Ms. HART, and Mr. LEWIS of Kentucky.
H.R. 2900: Mr. SHERMAN, Mr. MALONEY of Connecticut, Mr. FORD, Mr. ISRAEL, and Mr. WATT of North Carolina.
H.R. 2902: Mr. BECERRA, Mr. FALEOMAVAEGA, Mr. KUCINICH, Ms. LOFGREN, Mr. MCGOVERN, Mr. RANGEL, Mr. KING, Mr. SAWYER, Mrs. KELLY, Mr. WALSH, Mr. GONZALEZ, Mr. NADLER, and Mr. CALVERT.
H.R. 2905: Mr. GILMAN, Mr. ENGEL, and Mrs. THURMAN.
H.R. 2906: Mr. CALVERT, Mr. ENGEL, Mr. VITTER, and Mr. PICKERING.
H.R. 2907: Mr. FARR of California, Mr. BILIRAKIS, Mr. SMITH of New Jersey, Ms. ROS-LEHTINEN, Mr. BARRETT, Mr. SANDLIN, Mr. WOLF, Mrs. BONO, Mr. BENTSEN, Mrs. DAVIS of California, Mr. COYNE, Ms. GRANGER, Mrs. JOHNSON of Connecticut, Mr. SIMMONS, Mr. FOSSELLA, Mr. GALLEGLY, Mr. RAMSTAD, Mr. WALSH, Mr. LIPINSKI, Mr. ENGEL, Mr. RAHALL, Mr. BONIOR, Mr. FILNER, Mr. COBLE, Mr. ROSS, Ms. HART, Mr. ROTHMAN, Mr. MATHESON, Mr. NEAL of Massachusetts, Mr. HASTINGS of Florida, Mr. ISRAEL, Mr. JONES of North Carolina, Mr. SHOWS, Mr. PALLONE, Ms. MCCARTHY of Missouri, Mr. DOYLE, Ms. LEE, Mr. GONZALEZ, Mr. POMBO, Mr. KILDEE, and Ms. SOLIS.
H.J. Res. 40: Mr. DAVIS of Florida.
H.J. Res. 59: Mr. SHAW.
H. Con. Res. 17: Mr. FILNER.
H. Con. Res. 97: Mr. RADANOVICH.
H. Con. Res. 104: Mrs. MINK of Hawaii, Mr. SIMPSON, and Mr. PICKERING.
H. Con. Res. 162: Mr. MCKEON and Mr. FRANK.
H. Con. Res. 181: Mr. SNYDER and Mr. ROGERS of Kentucky.
H. Con. Res. 184: Mr. KERNS, Mr. HAYES, and Mr. VITTER.
H. Con. Res. 197: Mr. WAXMAN, Mr. INSLEE, Mr. KENNEDY of Rhode Island, Ms. LOFGREN, Mr. PUTNAM, and Mr. HINCHEY.
H. Con. Res. 222: Mr. ENGEL.
H. Con. Res. 228: Mr. SANDLIN, Mr. UDALL of Colorado, Mrs. JONES of Ohio, Mr. WEXLER, Mr. LAMPSON, Mrs. MEEK of Florida, Mr. MEEHAN, Mr. HOUGHTON, Mr. LIPINSKI, Mr. WYNN, Mr. ROTHMAN, Mr. FROST, Mr. GEORGE MILLER of California, Mr. MCGOVERN, Mr. RANGEL, Mr. NADLER, Mr. LAFALCE, Ms. SOLIS, Mr. FORD, Mrs. CLAYTON, Mr. PAYNE, Mr. FATTAH, Mr. OWENS, Ms. WATSON, Mr. JEFFERSON, Ms. LEE, Ms. BROWN of Florida, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mrs. CHRISTENSEN, Mr. JACKSON of Illinois, Mr. HILLIARD, Ms. KILPATRICK, Mr. TIERNEY, Mr. WU, Mr. MCDERMOTT, Ms. VELÁZQUEZ, Mrs. LOWEY, Mr. UDALL of New Mexico, Ms. DELAURO, Mr. KILDEE, Mr. QUINN, Mr. DEUTSCH, Mr. FOLEY, Mr. PLATTS, Mr. ENGEL, and Mr. KUCINICH.
H. Con. Res. 230: Mr. RUSH, Mr. SMITH of Washington, Ms. NORTON, Mr. HOLDEN, Mr. BOYD, Mrs. MCCARTHY of New York, Mr. LANGEVIN, Mr. CROWLEY, Mr. JACKSON of Illinois, Mr. PALLONE, Mr. VISCLOSKY, Mr. SHOWS, Mr. GEORGE MILLER of California, Mrs. THURMAN, Mr. MARKEY, Mr. PETERSON of Minnesota, Mr. BOUCHER, Mr. SERRANO, Mr. SANDLIN, Mr. LAMPSON, Ms. ROYBAL-ALLARD, Mr. CLYBURN, Ms. KILPATRICK, Mr. JEFFERSON, Mr. HALL of Texas, Mr. ACEVEDO-VILA, Mr. DOGGETT, Ms. SOLIS, Ms. LEE, Mr. HINCHEY, Mr. BACA, Mr. BISHOP, Mr. BECERRA, Mrs. NAPOLITANO, Mrs. MALONEY of New York, Mr. MOORE, Mr. FRANK, Mr. OWENS, Mr. BLUMENAUER, Mrs. MEEK of Florida, Mrs. MINK of Hawaii, Mr. LAFALCE, Mr. CUMMINGS, Mr. DOYLE, Mr. GONZALEZ, Mr. STRICKLAND, Mr. GORDON, Ms. MCKINNEY, Mr. LANTOS, Mr. UNDERWOOD, Mr. SHERMAN, Mr. TURNER, Mr. ISRAEL, Mr. ROEMER, Mr. UDALL of New Mexico, Mr. PASCRELL, Mrs. CHRISTENSEN, Mrs. JONES of Ohio, Mr. TOWNS, Mr. DAVIS of Illinois, Mr. DICKS, Mr. PHELPS, Mr. LUTHER, Mrs. CAPPS, Mr. DAVIS of Florida, Ms. VELAZQUEZ, Ms. SCHAKOWSKY, Mr. FROST, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. SCOTT, Ms. MCCARTHY of Missouri, Mr. DEFAZIO, Mr. UDALL of Colorado, Mr. PRICE of North Carolina, Mr. KILDEE, Mr. RODRIGUEZ, Mr. BALDACCI, Mr. MCDERMOTT, Mr. BERMAN, Mr. CASTLE, Mr. DEUTSCH, Mr. REYES, Mr. WELLER, Mr. STUMP, Mr. HOEKSTRA, Mrs. ROUKEMA, Mrs. MORELLA, Mr. FORBES, Mr. KINGSTON, Mr. BILIRAKIS, Mr. PICKERING, Mr. GRAVES, Mr. ADERHOLT, Mr. LATOURETTE, Mr. HUNTER, Mr. SHERWOOD, Mr. LAHOOD, Mr. ROGERS of Kentucky, Mr. COLLINS, Mr. WAMP, Mr. PORTMAN, Mr. SESSIONS, Mr. CALLAHAN, Mr. SHADEGG, Mr. SCHROCK, Mrs. JO ANN DAVIS of Virginia, Mr. HCHUGH, Mr. SAXTON, Mr. BURTON of Indiana, Mr. LOBIONDO, Mr. ENGLISH, Mr. ROYCE, Mr. RADANOVICH, Mr. SIMMONS, Mr. OXLEY, Mr. DIAZ-BALART, Mr. WALDEN of Oregon, Mr. KENNEDY of Minnesota, Mr. KERNS, Mr. HAYES, Mr. CUNNINGHAM, Mr. GILMAN, Mr. SIMPSON, Mr. WATTS of Oklahoma, Mr. THUNE, Mr. JOHNSON of Illinois, Mr. GREENWOOD, Mr. SKEEN, Mr. GEKAS, Mrs. EMERSON, Mr. DOOLITTLE, Mr. GOODE, Mr. ISSA, Mr. KOLBE, Ms. ROS-LEHTINEN, Mr. SMITH of New Jersey, Mr. CHAMBLISS, Mr. WELDON of Pennsylvania, Mr. WOLF, Mr. GRUCCI, Mr. GANSKE, Ms. GRANGER, Mr. WALSH, Mr. BACHUS, Mr. BALLENGER, and Mr. GARY G. MILLER of California.
H. Con. Res. 233: Mrs. EMERSON, Mr. SUNUNU, Mr. WALSH, and Mr. MCHUGH.
H. Res. 15: Mr. PHELPS.
H. Res. 52: Mr. KING, Mr. SUNUNU, Mr. MORAN of Virginia, and Mr. MCGOVERN.
H. Res. 98: Mr. PALLONE, Ms. BROWN of Florida, Ms. MILLENDER-MCDONALD, and Mr. FRANK.
H. Res. 117: Mr. BAIRD.
H. Res. 200: Mr. KIRK and Mr. DOYLE.
H. Res. 235: Mr. RANGEL, Mr. GILMAN, Mr. SHERMAN, Mrs. CLAYTON, Mr. LEWIS of Georgia, and Mr. DEUTSCH.

¶96.27 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1109: Mr. CALLAHAN.
H.R. 1266: Mr. HASTINGS of Florida.
H. Con. Res. 73: Mr. FLAKE.

TUESDAY, SEPTEMBER 24, 2001 (97)

¶97.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. PENCE, who laid before the House the following communication:

WASHINGTON, DC,
September 24, 2001.

I hereby appoint the Honorable MIKE PENCE to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶97.2 RECESS—12:49 P.M.

The SPEAKER pro tempore, Mr. PENCE, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 49 minutes p.m. until 2 o'clock p.m.

¶97.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. MILLER of Florida, called the House to order.

¶97.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MILLER of Florida, announced he had examined and approved the Journal of the proceedings of Friday, September 21, 2001.

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

¶97.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3770. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Labeling of Natural or Regenerated Collagen Sausage Casings [Docket No. 94–030F] (RIN: 0583–AC80) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3771. A communication from the President of the United States, transmitting Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States; (H. Doc. No. 107—123); to the Committee on Appropriations and ordered to be printed.

3772. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Child-Resistant Packaging for Certain Over-The-Counter Drug Products—received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3773. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Motorcycle Brake Systems [Docket No. NHTSA 01–10367] (RIN: 2127–AH15) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3774. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Anthropomorphic Test Devices; 12–Month-Old Child Dummy; Final Rule; Response to Petitions for Reconsideration [Docket No. NHTSA–00–7052] (RIN: 2127–AI37) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3775. A letter from the Attorney Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Occupant Crash Protection; Correction [Docket No. NHTSA–01–10636] (RIN: 2127–AH24) received September 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3776. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—List of Nonconforming Vehicles Decided to be Eligible for Importation [Docket No. NHTSA–2001–10629] (RIN: 2127–A161) received September 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3777. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; States of Iowa, Kansas, Missouri, and Nebraska [FRL–7052–7] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3778. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Trip Reduction, and Reduction of Diesel Vehicle Emissions [CO–001–0048a, CO–001–0049a, CO–001–0050a; FRL–7044–6] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3779. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Denver 1–Hour Ozone Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of Related Revisions [CO–001–0054; FRL–7044–8] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3780. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: State of Tennessee [TN–232–200118(a); FRL–7044–4] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3781. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Indiana [IN135–2; FRL 7052–6] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3782. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes: Oregon [Docket No. OR–00–002a; FRL–7044–9] received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3783. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Conversion of the Conditional Approval of the 15 Percent Plan for the Pennsylvania Portion of the Philadelphia-Wilmington-Trenton Nonattainment Area to a Full Approval [PA 150–4150; FRL–7043–5] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3784. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Ozone Attainment Plan and Finding of Failure to Attain; State of California, San Francisco Bay Area [CA232–0289, FRL–7048–1] received August 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3785. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' final rule—Migratory Bird Hunting; Final Frameworks for Late-Season Migratory Bird Hunting Regulations (RIN: 1018–AH79) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3786. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Recordkeeping and Reporting Requirements; Alaska Commercial Operator's Annual Report [Docket No. 001114320–1191–02; I.D. 080400B] (RIN: 0648–AN01) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3787. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna [I.D. 072501A] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3788. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Adjustment for the Commercial Fishery from the U.S.—Canada Border to Cape Falcon, OR [Docket No. 000501119–0119–01; I.D. 061201A] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3789. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species (HMS); 2001 Atlantic Bluefin Tuna Quota Specifications and General Category Effort Controls [Docket No. 010326079–1170–02; I.D. 010301C] (RIN: 0648–AO96) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3790. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Connecticut [Docket No. 001121328–1066–03; I.D. 081001B] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3791. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Milwaukee Harbor, Milwaukee, WI [CGD09–01–059] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3792. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Middle Bass Island, Lake Erie, Ohio [CGD09–01–060] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3793. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; City of Lynn Fireworks, Lynn, Massachusetts [CGD01–01–066] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3794. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Piscataqua River, ME [CGD01–01–121] received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3795. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Jamaica Bay and connecting waterways, NY [CGD01–01–108] (RIN: 2115–AE47) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3796. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation: Massalina Bayou, Florida [CGD08–01–009] (RIN: 2115–AE47) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3797. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation: Lower Grand River, LA [CGD08–01–017] received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3798. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: State Road A1A (North Bridge) Drawbridge, Atlantic Intracoastal Waterway, Fort Pierce, Florida [CGD07–01–059] received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3799. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Illinois Waterway, Illinois [CGD08–01–005] (RIN: 2115–AE47) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3800. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Chemical Testing [USCG–2000–7759] (RIN: 2115–AG00) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3801. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Marine Shipboard Electrical Cable Standards [USCG–1999–6096] (RIN: 2115–AF89) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3802. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–300 Series Airplanes Modified by Supplemental Type Certificate SA5765NM or SA5978NM [Docket No. 2000–NM–232–AD; Amendment 39–12386; AD 2001–16–17] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3803. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, A321 Series Airplanes [Docket No. 2001–NM–138–AD; Amendment 39–12383; AD 2001–16–14] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3804. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100 and -200 Series Airplanes [Docket No. 99–NM–367–AD; Amendment 39–12374; AD 2001–16–06] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3805. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–10, -15, -30, and -30F (KC–10A Military) Series Airplanes, and Model MD–10–10F and -30F Series Airplanes [Docket No. 2000–NM–410–AD; Amendment 39–12381; AD 2001–16–12] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3806. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135ER and -135LR Series Airplanes, and Model EMB–145, -145ER, -145MR, and -145LR Series Airplanes [Docket No. 2001–NM–249–AD; Amendment 39–12395; AD 2001–17–04] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3807. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and -145 Series Airplanes [Docket No. 2001–NM–248–AD; Amendment 39–12394; AD 2001–17–03] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3808. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200 Series Airplanes Modified by Supplemental Type Certificate SA4998NM [Docket No. 2000–NM–238–AD; Amendment 39–12390; AD 2001–16–21] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3809. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, -200, and -200C Series Airplanes [Docket No. 2000–NM–401–AD; Amendment 39–12380; AD 2001–16–11] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3810. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Series Airplanes [Docket No. 2001–NM–262–AD; Amendment 39–12392; AD 2001–17–01] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3811. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–30 Series Airplanes Modified by Supplemental Type Certificate SA8452SW [Docket No. 2000–NM–241–AD; Amendment 39–12391; AD 2001–16–22] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3812. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Firstar Fireworks Display, Milwaukee Harbor [CGD09–01–074] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3813. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 and 767 Series Airplanes Equipped with General Electric CF6–80C2 Series Engines [Docket No. 2000–NM–275–AD; Amendment 39–12375; AD 2001–16–07] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3814. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Sail Detroit and Tall Ship Celebration 2001, Detroit and Saginaw Rivers, MI [CGD09–01–004] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3815. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–300 Series Airplanes Modified by Supplemental Type Certificate ST00157SE [Docket No. 2000–NM–233–AD; Amendment 39–12387; AD 2001–16–18] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3816. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, Columbia River, Astoria, Oregon [CGD13–00–011] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3817. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100 and -200 Series Airplanes Modified by Supplemental Type Certificate ST00196SE [Docket No. 2000–NM–234–AD; Amendment 39–12388; AD 2001–16–19] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3818. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200 Series Airplanes Modified by Supplemental Type Certificate SA5134NM [Docket No. 2000–NM–235–AD; Amendment 39–12389; AD 2001–16–20] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3819. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, -700, and -800 Series Airplanes [Docket No. 2001–NM–236–AD; Amendment 39–12393; AD 2001–17–02] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3820. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2000–NM–342–AD; Amendment 39–12377; AD 2001–16–09] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3821. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, Columbia River, Vancouver, Washington [CGD13–01–012] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3822. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Michigan, Chicago, IL [CGD09–01–047] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3823. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; River, Toledo, OH [CGD09–01–050] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3824. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; 4th of July Celebration, Weymouth, Massachusetts [CGD01–01–065] (RIN: 2115–AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3825. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Equipped With General Electric Model CF6–45 or -50 Series Engines or Pratt & Whitney Model JT9D–3, -7, or -70 Series Engines; and 747–E4B (Military) Airplanes [Docket No. 2000–NM–302–AD; Amendment 39–12376; AD 2001–16–08] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3826. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–185–AD; Amendment 39–12396; AD 2001–17–05] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3827. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L–1011 Series Airplanes [Docket No. 2000–NM–369–AD; Amendment 39–12378; AD 2000–17–10 R1] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3828. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42–200, -300, -320, and -500 Series Airplanes; and Model ATR72 Series Airplanes [Docket No. 2000–NM–379–AD; Amendment 39–12379; AD 2001–16–10] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3829. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–193–AD; Amendment 39–12403; AD 2001–17–12] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3830. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–191–AD; Amendment 39–12402; AD 2001–17–11] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3831. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; JanAero Devices Part Number (P/N) 14D11, A14D11, B14D11, C14D11, 23D04, A23D04, B23D04, and C23D04 Fuel Regulator Shutoff Valves [Docket No. 2001–CE–26–AD; Amendment 39–12404; AD 2001–17–13] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3832. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–188–AD; Amendment 39–12399; AD 2001–17–08] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3833. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–187–AD; Amendment 39–12398; AD 2001–17–07] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3834. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–186–AD; Amendment 39–12397; AD 2001–17–06] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3835. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–190–AD; Amendment 39–12401; AD 2001–17–10] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3836. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–189–AD; Amendment 39–12400; AD 2001–17–09] (RIN: 2120–AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3837. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Regulations Governing Book-Entry Treasury Bonds, Notes, and Bills; Determination Regarding State Statute; South Carolina [Department of the Treasury Circular, Public Debt Series No. 2–86] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3838. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Federal Old-Age, Survivors and Disability Insurance; Determining Disability and Blindness; Revision to Medical- Vocational Guidelines (RIN: 0960–AE42) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶97.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MILLER of Florida, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 24, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 21, 2001 at 11:30 p.m.

That the Senate passed without amendment H.R. 2926.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶97.7 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bill on Friday, September 21, 2001:

H.R. 2926. An Act to preserve the continued viability of the United States air transportation system.

¶97.8 CHARACTER COUNTS WEEK

Mr. FLETCHER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 204):

Whereas the well-being of the Nation requires that the young people of the United States become an involved, caring citizenry with good character;

Whereas the character education of children has become more urgent as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas more than ever, children need strong and constructive guidance from their families and their communities, including

schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play their role in determining the future of the Nation;

Whereas effective character education is based on core ethical values which form the foundation of democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society; therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those who have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities;

Whereas the establishment of National Character Counts Week, during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations would focus on character education, would be of great benefit to the Nation; and

Whereas the week beginning October 15, 2001, and the week beginning October 14, 2002, are appropriate weeks to establish as National Character Counts Week: Now, therefore, be it

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

(1) a National Character Counts Week should be established to promote character education; and

(2) the President should issue a proclamation calling upon the people of the United States to—

(A) embrace the elements of character identified by their local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty; and

(B) observe such a week with appropriate ceremonies, programs, and activities.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. FLETCHER and Ms. SOLIS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶97.9 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶97.10 SMALL BUSINESS TECHNOLOGY TRANSFER

Mr. MANZULLO moved to suspend the rules and pass the bill (H.R. 1860) to reauthorize the Small Business Technology Transfer Program, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. MANZULLO and Mr. GONZALEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.11 PAYMENT TO THE UNITED NATIONS

Mr. HYDE moved to suspend the rules and pass the bill of the Senate (S. 248) to amend the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001, to adjust a condition on the payment of arrearages to the United Nations that sets the maximum share of any United Nations peacekeeping operation's budget that may be assessed of any country.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. HYDE and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶97.12 LEE H. HAMILTON FEDERAL BUILDING

Mr. KERNS moved to suspend the rules and pass the bill (H.R. 1583) to designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the ''Lee H. Hamilton Federal Building and United States Courthouse''.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. KERNS and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.13 SENIOR HOUSING COMMISSION EXTENSION

Mr. GREEN of Wisconsin moved to suspend the rules and pass the bill (H.R. 1850) to extend the Commission on Affordable Housing and Health Facility Needs for Seniors in the 21st Century and to make technical corrections to the law governing the Commission.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. GREEN of Wisconsin and Ms. CARSON of Indiana, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.14 MULTIFAMILY ASSISTED HOUSING REFORM

Mr. GREEN of Wisconsin moved to suspend the rules and pass the bill (H.R. 2589) to amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize the Office of Multifamily Housing Assistance Restructuring, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. GREEN of Wisconsin and Ms. CARSON of Indiana, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GREEN of Wisconsin demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶97.15 DUCHENNE MUSCULAR DYSTROPHY

Mr. BILIRAKIS moved to suspend the rules and pass the bill (H.R. 717) to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy; as amended.

The SPEAKER pro tempore, Mr. MILLER of Florida, recognized Mr. BILIRAKIS and Mr. STRICKLAND, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BILIRAKIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶97.16 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2603. An Act to implement the agreement establishing a United States-Jordan free trade area.

¶97.17 DISTRICT OF COLUMBIA APPROPRIATIONS FY 2002

Mr. KNOLLENBERG submitted a privileged report (Rept. No. 107–216) on the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶97.18 RECESS—4:06 P.M.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 6 minutes p.m., until approximately 5:30 p.m.

¶97.19 AFTER RECESS—5:30 P.M.

The SPEAKER pro tempore, Mr. FOLEY, called the House to order.

¶97.20 COMMERCE, JUSTICE, STATE, THE JUDICIARY APPROPRIATIONS FY 2002

On motion of Mr. WOLF, by unanimous consent, the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. WOLF, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

Thereupon, the SPEAKER pro tempore, Mr. FOLEY, by unanimous consent, appointed Messrs. WOLF, ROGERS of Kentucky, KOLBE, TAYLOR of North Carolina, REGULA, LATHAM, MILLER of Florida, VITTER, YOUNG of Florida, SERRANO, MOLLOHAN, Ms. ROYBAL-ALLARD, Messrs. CRAMER, KENNEDY of Rhode Island, and OBEY, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶97.21 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 65

On motion of Mr. YOUNG of Florida, by unanimous consent,

Ordered, That it may be in order at any time without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 65) making continuing appropriations for fiscal year 2002, and for other purposes; that the joint resolution be considered as read for amendment; that the joint resolution shall be debatable for one hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and that the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.

¶97.22 CONTINUING APPROPRIATIONS-FY 2002

Mr. YOUNG of Florida, pursuant to the foregoing order of the House, called up the joint resolution (H.J. Res. 65) making continuing appropriations for the fiscal year 2002, and for other purposes.

When said joint resolution was considered and read twice.

Pursuant to the foregoing order of the House, the SPEAKER pro tempore, Mr. FOLEY, recognized Mr. YOUNG of Florida and Mr. OBEY for 30 minutes each.

After debate,

Pursuant to the foregoing order of the House, the previous question was ordered on the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. FOLEY, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 8, rule XX, announced that further proceedings on the joint resolution were postponed.

¶97.23 RECESS—5:39 P.M.

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 39 minutes p.m., until approximately 6 o'clock p.m.

¶97.24 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. FOLEY, called the House to order.

¶97.25 MULTIFAMILY ASSISTED HOUSING REFORM

Mr. HEFLEY, by unanimous consent, requested that the ordering of the yeas and nays on the motion to suspend the rules and pass the bill (H.R. 2589) to amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize the Office of Multifamily Housing Assistance Restructuring, and for other purposes, as amended, be vacated to the end that the Chair put the question on the motion de novo.

Accordingly,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. FOLEY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.26 H.R. 717—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 717) to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 383 / Nays 0

¶97.27 [Roll No. 349]

YEAS—383

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

NOT VOTING—47

Blumenauer
Blunt
Boehner
Brady (TX)
Bryant
Buyer
Cooksey
Crowley
Davis (CA)
DeMint
Doolittle
Dreier
Gillmor
Granger
Gutierrez
Hayworth
Hulshof
Inslee
Lucas (KY)
Maloney (NY)
McInnis
Millender-McDonald
Miller, Gary
Neal
Owens
Oxley
Paul
Payne
Peterson (MN)
Pombo
Pomeroy
Portman
Rush
Sabo
Sanders
Schaffer
Serrano
Smith (MI)
Stark
Tanner
Tiberi
Towns
Velazquez
Visclosky
Walden
Watts (OK)
Weiner

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and Emery-Dreifuss muscular dystrophies.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.28 H.J. RES.65 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on the passage of the joint resolution (H.J. Res. 65) making continuing appropriations for the fiscal year 2002, and for other purposes.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. FOLEY, announced that yeas had it.

Mr. OBEY demanded a recorded vote on passage of said joint resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 392 / Nays 0

¶97.29 [Roll No. 350]

AYES—392

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

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

NOT VOTING—38

Blunt
Boehner
Brady (TX)
Bryant
Buyer
Cooksey
Crowley
Davis (CA)
DeMint
Gillmor
Granger
Gutierrez
Hayworth
Hulshof
Inslee
Lucas (KY)
Maloney (NY)
McInnis
Neal
Owens
Oxley
Payne
Peterson (MN)
Pomeroy
Portman
Rush
Sabo
Sanders
Schaffer
Serrano
Stark
Tanner
Tiberi
Towns
Velazquez
Visclosky
Watts (OK)
Weiner

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶97.30 RED RIBBON WEEK

On motion of Mr. BILIRAKIS, by unanimous consent, the House considered the concurrent resolution (H.Con. Res. 84) supporting the goals of Red Ribbon Week in promoting drug-free communities.

When said concurrent resolution was considered and read twice.

The concurrent resolution was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said concurrent resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶97.31 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO ANGOLA

The SPEAKER pro tempore, Mr. FOLEY, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the National Union for the Total Independence of Angola (UNITA) is to continue in effect beyond September 26, 2001.

The circumstances that led to the declaration on September 26, 1993, of a national emergency have not been resolved. The actions and policies of UNITA pose a continuing unusual and extraordinary threat to the foreign policy of the United States. United Nations Security Council Resolutions 864 (1993), 1127 (1997), and 1173 (1998) continue to oblige all member states to maintain sanctions. Discontinuation of the sanctions would have a prejudicial effect on the prospects for peace in Angola. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on UNITA to reduce its ability to pursue its military operations.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 24, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–124).

¶97.32 MESSAGE FROM THE PRESIDENT—REPORT ON NATIONAL EMEGENCY WITH RESPECT TO ANGOLA

The SPEAKER pro tempore, Mr. FOLEY, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 24, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–125).

¶97.33 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY AND EXECUTIVE ORDER WITH RESPECT TO RECENT ACTS OF TERRORISM

The SPEAKER pro tempore, Mr. FOLEY, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b) (IEEPA), and section 301 of the National Emergencies Act, 50 U.S.C. 1631, I hereby report that I have exercised my statutory authority to declare a national emergency in response to the unusual and extraordinary threat posed to the national security, foreign policy, and economy of the United States by grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the September 11, 2001, terrorist attacks at the World Trade Center, New York, at the Pentagon, and in Pennsylvania. I have also issued an Executive Order to help deal with this threat by giving the United States more powerful tools to reach the means by which terrorists and terrorist networks finance themselves and to encourage greater cooperation by foreign financial institutions and other entities that may have access to foreign property belonging to terrorists or terrorist organizations.

The attacks of September 11, 2001, highlighted in the most tragic way the threat posed to the security and national interests of the United States by terrorists who have abandoned any regard for humanity, decency, morality, or honor. Terrorists and terrorist networks operate across international borders and derive their financing from sources in many nations. Often, terrorist property and financial assets lie outside the jurisdiction of the United States. Our effort to combat and destroy the financial underpinnings of global terrorism must therefore be broad, and not only provide powerful sanctions against the U.S. property of terrorists and their supporters, but also encourage multilateral cooperation in identifying and freezing property and assets located elsewhere.

This Executive Order is part of our national commitment to lead the international effort to bring a halt to the evil of terrorist activity. In general

terms, it provides additional means by which to disrupt the financial support network for terrorist organizations by blocking the U.S. assets not only of foreign persons or entities who commit or pose a significant risk of committing acts of terrorism, but also by blocking the assets of their subsidiaries, front organizations, agents, and associates, and any other entities that provide services or assistance to them. Although the blocking powers enumerated in the order are broad, my Administration is committed to exercising them responsibly, with due regard for the culpability or the persons and entities potentially covered by the order, and in consultation with other countries.

The specific terms of the Executive Order provide for the blocking of the property and interests in property , including bank deposits, of foreign persons designated in the order or pursuant thereto, when such property is within the United States or in the possession or control of United States persons. In addition, the Executive Order prohibits any transaction or dealing by United States persons in such property or interests in property, including the making or receiving of any contribution of funds, good, or services to or for the benefit of such designated persons.

I have identified in an Annex to this order eleven terrorist organizations, twelve individuals terrorist leaders, three charitable or humanitarian organizations that operate as fronts for terrorist financing and support, and one business entity that operates as a front for terrorist financing and support. I have determined that each of these organizations and individuals have committed, supported, or threatened acts of terrorism that imperil the security of U.S. nationals or the national security, foreign policy, or economy of the United States. I have also authorized the Secretary of State to determine and designate additional foreign persons who have committed or pose a significant risk of committing acts or terrorism that threaten the security of U.S. national or the national security, foreign policy, or economy of the United States. Such designations are to be make in consultation with the Secretary of the Treasury and the Attorney General.

The Executive Order further authorizes the Secretary of the Treasury to identify, in consultation with the Secretary of State and the Attorney General, additional persons or entities that:

Are owned or controlled by, or that act for or on behalf of, those persons designated in or pursuant to the order;

Assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of acts of terrorism or those persons designated in or pursuant to the order; or

Are otherwise associated with those persons designated in or pursuant to the order.

Prior to designating persons that fall within the latter two categories, the Secretary of the Treasury is authorized to consult with any foreign authorities the Secretary of State deems appropriate, in consultation with the Secretary of the Treasury and the Attorney General. Such consultation is intended to avoid the need for additional designations by securing bilateral or multilateral cooperation from foreign governments and foreign financial and other institutions. Such consultation may include requests to foreign governments to seek, in accordance with international law and their domestic laws, information from financial institutions regarding terrorist property and to take action to deny terrorists the use of such property. The order also provides broad authority, with respect to the latter two categories, for the Secretary of the Treasury, in his discretion, and in consultation with the Secretary of State and the Attorney General, to take lesser action than the complete blocking of property or interests in property if such lesser action is deemed consistent with the national interests of the United States. Some of the factors that maybe considered in deciding whether a lesser action against a foreign person is consistent with the national interests of the United Stats include.

The impact of blocking on the U.S. or international financial system;

The extent to which the foreign person has cooperated with U.S. authorities;

The degree of knowledge the foreign person had of the terrorist-related activities of the designated person;

The extent of the relationship between the foreign person and the designated person; and

The impact of blocking or other measures on the foreign person.

The Executive Order also directs the Secretary of State, the Secretary of the Treasury, and other agencies to make all relevant efforts to cooperate and coordinate with other countries, including through existing and future multilateral and bilateral agreements and arrangements, to achieve the objectives of this order, including the prevention and suppression of acts of terrorism, the denial of the financial of and financial services to terrorists and terrorist organizations, and the sharing of intelligence about funding activities in support of terrorism.

In the Executive Order, I also have made determinations to suspend otherwise applicable exemptions for certain humanitarian, medical, or agricultural transfers or donations. Regrettably, international terrorist networks make frequent use of charitable or humanitarian organizations to obtain clandestine financial and other support for their activities. If these exemptions were not suspended, the provision of humanitarian materials could be used as a loophole through which support could be provided to individuals or groups involved with terrorism and where activities endanger the safety of United States nationals, both here and abroad.

The Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, is authorized to issue regulations in exercise of my authorities under IEEPA to implement the prohibitions set forth in the Executive Order. All Federal agencies are also directed to take actions within their authority to carry out the provisions of the order, and, where applicable, to advise the Secretary of the Treasury in a timely manner of the measures taken.

The measures taken here will immediately demonstrate our resolve to bring new strength to bear in our multifaceted struggle to eradicate international terrorism. It is my hope that they will point the way for other civilized nations to adopt similar measures to attack the financial roots of global networks.

In that regard, this Executive Order is an integral part of our larger effort to form a coalition in the global war against terrorism. We have already worked with nations around the globe and groups such as the G–8, the European Union, and the Rio Group, all of which have issued strong statements of their intention to take measures to limit the ability of terrorist groups to operate. In the next several weeks the 33rd Session of the International Civil Aviation Organization (ICAO) General Assembly and other fora will focus on terrorism worldwide. It is our intention to work within the G–7/G–8, the ICAO, and other fora to reach agreement on strong concrete steps that will limit the ability of terrorists to operate. In the G–7/G–8, the United Stats will work with its partners, drawing on the G–8 Lyon Group on Transnational Crime, the G–8 Group on Counter-terrorism, the G–7 Financial Action Task Force, and the existing G–8 commitments to build momentum and practical cooperation in the fight to stop the flow of resources to support terrorism. In addition, both the Convention for the Suppression of the Financing of Terrorism and the Convention for the Suppression of Terrorist Bombings have been forwarded to the Senate, and I will be forwarding shortly to the Congress implementing legislation for both Conventions.

I am enclosing a copy of the Executive Order I have issued, This order is effective at 12:01 a.m. eastern daylight time on September 24, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 23, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–126).

¶97.34 RECESS—7:13 P.M.

The SPEAKER pro tempore, Ms. HART, pursuant to clause 12 of rule I, declared the House in recess at 7 o'clock and 13 minutes, p.m., subject to the call of the Chair.

¶97.35 AFTER RECESS—8:16 P.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶97.36 PROVIDING FOR THE CONSIDERATION OF H.R.2944

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–217) the resolution (H. Res. 245) providing for the consideration of the bill (2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶97.37 PROVIDING FOR THE CONSIDERATION OF H.R. 2586

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–218) the resolution (H. Res. 246) providing for consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶97.38 BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 21, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 2926. To preserve the continued viability of the United States air transportation system.

And then,

¶97.39 ADJOURNMENT

On motion of Mr. LINDER, at 8 o'clock and 17 minutes p.m., the House adjourned.

¶97.40 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 2385. A bill to convey certain property to the city of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes; with an amendment (Rept. No. 107–215). Referred to the Committee of the Whole House on the State of the Union.

Mr. KNOLLENBERG: Committee on Appropriations. H.R. 2944. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–216). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 245. Resolution providing for consideration of the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against said revenues of said District for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–217). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 246. Resolution providing for consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes (Rept. No. 107–218). Referred to the House Calendar.

¶97.41 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. KNOLLENBERG:

H.R. 2944. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

By Mr. HASTINGS of Florida:

H.R. 2945. A bill to authorize the Secretary of Transportation to make grants to travel agencies, car rental companies, and other business concerns in the ancillary airline industry to provide compensation for losses incurred as a result of the terrorist attacks on the United States that occurred on September 11, 2001; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Florida (for himself, Ms. HART, Mrs. CHRISTENSEN, Mr. JACKSON of Illinois, Mr. MORAN of Virginia, Mrs. MINK of Hawaii, Ms. KILPATRICK, Mr. PASCRELL, Mr. LANTOS, Mr. MENENDEZ, Mr. HINCHEY, Mr. RUSH, Mr. ABERCROMBIE, Mr. LANGEVIN, Mr. INSLEE, Mr. LARSEN of Washington, and Ms. JACKSON-LEE of Texas):

H.R. 2946. A bill to provide assistance to employees who suffer loss of employment in the airline industry as a result of the terrorist attacks of September 11, 2001; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCKINNEY:

H.R. 2947. A bill to allow actions for damages caused by terrorist acts to be brought against any country or officials thereof; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.J. Res. 65. A joint resolution making continuing appropriations for the fiscal year 2002, and for other purposes; considered and passed.

By Mr. TOM DAVIS of Virginia:

H. Con. Res. 236. Concurrent resolution expressing the sense of the Congress in support of the ''National Wash America Campaign''; to the Committee on International Relations.

By Mr. LAMPSON:

H. Con. Res. 237. Concurrent resolution expressing the sense of the Congress urging the Republic of Italy to safely and immediately return Ludwig Maximilian Koons to the custody of his father in New York; to the Committee on International Relations.

¶97.42 ADDITIONAL SPONSORS

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

H.R. 17: Mr. TIERNEY and Mr. HOUGHTON.
H.R. 52: Mr. BACA and Mr. WAXMAN.
H.R. 75: Ms. NORTON, Ms. RIVERS, Mr. OWENS, Mr. LAMPSON, Mr. PAYNE, Mr. DAVIS of Illinois, Mr. KENNEDY of Rhode Island, and Mr. LANTOS.
H.R. 185: Mr. LEVIN.
H.R. 336: Mr. MANZULLO.
H.R. 458: Mr. GARY G. MILLER of California.
H.R. 482: Mr. WICKER and Mr. WELDON of Florida.
H.R. 510: Mr. MATHESON, Ms. BROWN of Florida, Mrs. NAPOLITANO, and Mr. MANZULLO.
H.R. 527: Mr. FILNER, Mr. BRYANT, and Mr. SHOWS.
H.R. 547: Mr. SCHIFF.
H.R. 590: Ms. ROS-LEHTINEN.
H.R. 612: Mr. ROTHMAN.
H.R. 632: Mr. BORSKI and Mr. HINCHEY.
H.R. 830: Mr. BROWN of South Carolina.
H.R. 921: Mr. WICKER.
H.R. 950: Mr. CRANE.
H.R. 984: Mr. BARCIA.
H.R. 986: Mr. HOEKSTRA and Mr. HERGER.
H.R. 1004: Mr. HINCHEY, Mr. FILNER, Mr. OWENS, and Mr. CUMMINGS.
H.R. 1070: Ms. SCHAKOWSKY and Mr. BARRETT.
H.R. 1136: Mr. SIMMONS.
H.R. 1158: Mr. TAYLOR of Mississippi and Mrs. MYRICK.
H.R. 1354: Mr. CUMMINGS.
H.R. 1405: Mr. LAMPSON.
H.R. 1436: Mr. WELDON of Pennsylvania and Mr. PETRI.
H.R. 1466: Mr. FORBES, Mr. LAHOOD, Mr. KELLER, Mr. SAXTON, Mr. RILEY, and Mr. CUNNINGHAM.
H.R. 1511: Mr. RUSH and Mr. BALDACCI.
H.R. 1622: Ms. SANCHEZ.
H.R. 1626: Ms. PRYCE of Ohio.
H.R. 1700: Mr. MOORE.
H.R. 1734: Mr. BONIOR.
H.R. 1744: Mrs. ROUKEMA, MR. RAMSTAD, Mrs. MALONEY of New York, Mr. UDALL of New Mexico, Mr. KIRK, Mr. GORDON, and Mr. ISSA.
H.R. 1779: Ms. WATSON, Mr. BAIRD, Ms. MCCARTHY of Missouri, and Mr. DOYLE.
H.R. 1839: Mr. BRYANT and Mr. UPTON.
H.R. 1919: Mr. FROST, Mr. JONES of North Carolina, and Mr. KING.
H.R. 2058: Mr. UDALL of New Mexico.
H.R. 2146: Mr. RYUN of Kansas.
H.R. 2220: Mr. PORTMAN, Mr. KOLBE, Mr. UPTON, Mr. ORTIZ, Mr. HINOJOSA, Mrs. LOWEY, and Mr. CONDIT.
H.R. 2258: Mr. RANGEL, Ms. LOFGREN, Mr. ENGLISH, Mr. PASTOR, Ms. NORTON, Mr. MCGOVERN, and Mr. MEEHAN.
H.R. 2331: Ms. SANCHEZ.
H.R. 2333: Mr. LAHOOD and Ms. SOLIS.
H.R. 2374: Mr. BARCIA and Mr. JEFFERSON.
H.R. 2379: Mr. PASCRELL, Mr. RUSH, and Mr. BONIOR.
H.R. 2380: Mr. GONZALEZ, Mrs. TAUSCHER, Mr. HORN, Mr. CAPUANO, and Ms. RIVERS.
H.R. 2561: Mr. KERNS.
H.R. 2619: Ms. MCKINNEY, Mr. UDALL of Colorado, and Mr. HONDA.
H.R. 2623: Mrs. JO ANN DAVIS of Virginia and Mr. SERRANO.
H.R. 2625: Mr. RANGEL, Mr. ENGLISH, and Mr. ISSA.
H.R. 2630: Mr. UDALL of New Mexico, Mr. MATSUI, and Ms. BALDWIN.
H.R. 2638: Mrs. CAPPS.
H.R. 2709: Mr. BRADY of Pennsylvania and Mr. FRANK.
H.R. 2725: Mrs. JONES of Ohio.
H.R. 2737: Mr. STUPAK.
H.R. 2775: Mr. FROST and Mr. STARK.
H.R. 2787: Ms. DELAURO, Mr. HASTINGS of Florida, Mr. CUMMINGS, and Mr. STARK.
H.R. 2805: Mr. SOUDER and Mr. SCHAFFER.
H.R. 2851: Mr. FALEOMAVAEGA.
H.R. 2866: Mr. MCDERMOTT.
H.R. 2887: Mr. SMITH of New Jersey and Mr. RANGEL.

H.R. 2896: Mr. GOODE.

H.R. 2897: Mr. LAFALCE, Mr. OWENS, Mr. HINOJOSA, and Mr. RODRIGUEZ.

H.R. 2905: Mr. OWENS, Mr. RANGEL, Mr. QUINN, and Mrs. CAPPS.

H.R. 2907: Mr. GORDON, Mr. ORTIZ, Mr. MCINTYRE, Mr. TAYLOR of Mississippi, Mr. TURNER, Mr. GUTIERREZ, Mr. STRICKLAND, Mr. MCDERMOTT, Mr. MORAN of Virginia, Mr. SERRANO, Mr. PRICE of North Carolina, Mr. GREENWOOD, Ms. WOOLSEY, Ms. DELAURO, Mr. BACA, Mr. KNOLLENBERG, and Ms. SCHAKOWSKY.

H.R. 2935: Mr. JACKSON of Illinois and Mr. BLUMENAUER.

H.R. 2940: Mr. NADLER, Mr. KING, Mr. ISRAEL, Mr. GRUCCI, Mr. ACKERMAN, Mr. CROWLEY, Mr. WEINER, Mr. OWENS, Ms. VELAZQUEZ, Mr. SWEENEY, Mr. WALSH, Mr. HINCHEY, Mr. SERRANO, Mr. ENGEL, Mrs. KELLY, Mr. GILMAN, Mr. FROST, Ms. SOLIS, Mr. QUINN, and Mr. MCNULTY.

H.J. Res. 16: Mr. GOODE.

H.J. Res. 42: Mr. PENCE and Mr. SIMMONS.

H. Con. Res. 104: Mr. TRAFICANT and Mr. LARSEN of Washington.

H. Con. Res. 212: Ms. SOLIS, Mrs. NAPOLITANO, Ms. PELOSI, Ms. ROYBAL-ALLARD, and Ms. SANCHEZ.

H. Con. Res. 221: Mr. WELDON of Pennsylvania, Ms. PELOSI, and Mr. HINCHEY.

H. Con. Res. 222: Mr. DOYLE.

H. Con. Res. 228: Mrs. BIGGERT, Mrs. MALONEY of New York, Mr. BENTSEN, Mr. DAVIS of Illinois, and Mr. UNDERWOOD.

H. Res. 65: Mr. MANZULLO.

¶97.43 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2269: Mr. BROWN of Ohio.

TUESDAY, SEPTEMBER 25, 2001 (98)

The House was called to order at 9 o'clock a.m. by the SPEAKER, when, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶98.1 RECESS—9:18 A.M.

The SPEAKER pro tempore, Mr. JOHNSON of Illinois, pursuant to clause 12 of rule I, declared the House in recess until 10 o'clock a.m.

¶98.2 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. SWEENEY, called the House to order.

¶98.3 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SWEENEY, announced he had examined and approved the Journal of the proceedings of Monday, September 24, 2001.

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

¶98.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3839. A letter from the Deputy Congressional Liaison, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Credit by Brokers and Dealers; List of Foreign Margin Stocks [Regulation T] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3840. A letter from the Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Government National Mortgage Association Mortgage-Backed Securities Program-Payments to Securityholders; Book-Entry Procedures [Docket No. FR–4629–F–02] (RIN: 2503–AA16) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3841. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Amendments for Testing and Monitoring Provision Removal of a Provision for Opacity Monitoring [FRL–7039–2] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3842. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Idaho: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7031–5] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3843. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Attainment for PM–10; Shoshone County (City of Pinehurst and Pinehurst Expansion Area)[Docket ID–01–003; FRL–7042–5] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3844. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District [CA 248–0288a; FRL–7028–7] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3845. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that the State of California Has Corrected Deficiencies and Stay of Sanctions, El Dorado County Air Pollution Control District [CA 248–0288c; FRL–7028–9] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3846. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Full Approval of Operating Permit Programs; North Carolina, Mecklenburg County, and Western North Carolina [NC-T5–2001–02; FRL–7047–2] received August 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3847. A communication from the President of the United States, transmitting a report, consistent with the War Powers Resolution and Senate Joint Resolution 23, to help ensure that the Congress is kept fully informed on actions taken to respond to the threat of terrorism; (H. Doc. No. 107—127); to the Committee on International Relations and ordered to be printed.

3848. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Japanese Fisheries High School Training Vessel EHIME MARU Relocation and Crew Member Recovery, Pacific Ocean, South Shores of the Island of Oahu, HI [COTP Honolulu 01–054] (RIN: 2115–AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3849. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, New Jersey Pierhead Channel and Kill Van Kull [CGD01–01–118] (RIN: 2115–AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3850. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Oswego Harbor, Oswego, NY [CGD09–01–083] (RIN: 2115–AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3851. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Michigan, Grand Haven, MI [CGD09–01–067] (RIN: 2115–AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3852. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Naval Force Protection, Bath Iron Works, Kennebec River, Bath, Maine [CGD01–01–093] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3853. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lower Mississippi River, LMR mile 531.3 to 537, Vaucluse Trenchfill [COTP Memohis 01–007] (RIN: 2115–AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3854. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Naval Force Protection, Bath Iron Works, Bath, ME [CGD01–01–047] (RIN: 2115–AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3855. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Summerfest 2000—Harbor Island Lagoon Activities, Milwaukee, Wisconsin [CGD09–01–075] (RIN: 2115–AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3856. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Naval Submarine Base Bangor and Naval submarines, Puget Sound and Strait of Juan De Fuca, WA [CGD13–01–015] (RIN: 2115–AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3857. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Vicinity of Atlantic Fleet Weapons Training Facility, Vieques, PR and Adjacent Territorial Sea [CGD07–01–036] (RIN: 2115–AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3858. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Inner Harbor Navigation Canal, LA [CGD08–01–018] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3859. A letter from the Regulations Officer, Federal Motor Carrier Safety Administra-

tion, Department of Transportation, transmitting the Department's final rule—Controlled Substances and Alcohol Use and Testing [Docket No. FMCSA–2000–8456] (RIN: 2126–AA58) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3860. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; PGA Boulevard Bridge (ICW), West Palm Beach, FL [CGD07–01–045] (RIN: 2115–AE47) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3861. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operations Regulation; Lake Washington Ship Canal, Seattle, WA [CGD13–01–001] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3862. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Donald Ross Road Bridge(ICW), West Palm Beach, FL [CGD07–01–047] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3863. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Chelsea River, MA [CGD01–01–055] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3864. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Inner Harbor, Patapsco River, Baltimore, Maryland [CGD05–01–027] (RIN: 2115–AE46) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3865. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Newton Creek, Dutch Kills, English Kills and their tributaries, NY [CGD01–01–089](RIN:2115–AE47) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3866. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Kennebec River, ME [CGD01–01–098] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3867. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Bay City Relay for Life Fireworks, Saginaw River, MI [CGD09–01–114] (RIN: 2115–AA97) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3868. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; John Limehouse Bridge (ICW), Johns Island, SC [CGD07–01–078] (RIN: 2115–AE47) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3869. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Jamaica Bay and Connecting Waterways, NY [CGD01–01–129] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3870. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Manitowoc River, Wisconsin [CGD09–01–001] (RIN: 2115–AE47) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3871. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Brorein Street Bridge, across the Hillsborough River, Tampa, FL [CGD07–01–027] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3872. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Brooks Memorial (S.E. 17th Street) bridge Atlantic Intracoastal Waterway, Ft. Lauderdale, FL [CGD07–01–035] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3873. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Connecticut River, CT [CGD01–01–060] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3874. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Fort Lauderdale, Broward County, FL [CGD07–01–034] (RIN: 2115–AE47) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3875. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Harlem River, Newtown Creek, NY [CGD01–01–054] (RIN: 2115–AE47) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶98.5 PROVIDING FOR THE CONSIDERATION OF H.R. 2944

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 245):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for the other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. The amendment printed in part B of the report of the Committee on Rules may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment printed in part B of the report are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering and amendment has caused it to be printed in the portion of the Congressional Record designated for the purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SWEENEY, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 236 / Nays ..... 183 }

¶98.6 [Roll No. 351]

YEAS—236

Aderholt	Callahan	Doolittle
Akin	Calvert	Dreier
Armey	Camp	Duncan
Bachus	Cannon	Dunn
Baker	Cantor	Ehlers
Ballenger	Capito	Ehrlich
Barr	Castle	Emerson
Bartlett	Chabot	English
Barton	Chambliss	Everett
Bass	Coble	Ferguson
Bereuter	Collins	Flake
Berry	Combest	Fletcher
Biggert	Cooksey	Foley
Bilirakis	Costello	Forbes
Bishop	Cox	Fossella
Blunt	Cramer	Frelinghuysen
Boehlert	Crane	Gallegly
Boehner	Crenshaw	Ganske
Bonilla	Cubin	Gekas
Bono	Culberson	Gibbons
Boyd	Cunningham	Gilchrest
Brady (TX)	Davis, Jo Ann	Gillmor
Brown (SC)	Davis, Tom	Gilman
Bryant	Deal	Goode
Burr	DeLay	Goodlatte
Burton	DeMint	Goss
Buyer	Diaz-Balart	Graham

Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf

NAYS—183

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kolbe
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Turner
Udall (CO)
Udall (NM)
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—11

Conyers
Farr
Hoyer
Owens
Peterson (MN)
Rush
Serrano
Towns
Velazquez
Watson (CA)
Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶98.7 DISTRICT OF COLUMBIA APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to House Resolution 245 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. SWEENEY, by unanimous consent, designated Mr. BEREUTER as Chairman of the Committee of the Whole; and after some time spent therein,

¶98.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WELDON of Florida:

In section 118 (relating to the use of funds to implement or enforce the Health Care Benefits Expansion Act of 1992), strike ''Federal''.

It was decided in the negative { Yeas ..... 194 / Nays ..... 226 }

¶98.9 [Roll No. 352]

AYES—194

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Blunt
Boehner
Bonilla
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Clement
Coble
Collins
Combest
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Duncan
Dunn
Ehlers
Emerson
Everett
Flake
Fletcher
Forbes
Fossella
Gallegly
Gekas
Gibbons
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Isakson
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
LaHood
Largent
Latham
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McHugh
McInnis
McIntyre
McKeon
Mica
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Quinn
Radanovich
Ramstad
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Sununu
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—226

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Edwards
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Frank
Frelinghuysen
Frost
Ganske
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Ose
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy

Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Shaw
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Turner
Udall (CO)
Udall (NM)
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Cooksey
Meeks (NY)
Owens
Peterson (MN)
Rehberg
Rush
Serrano
Towns
Velazquez
Watson (CA)

So the amendment was not agreed to.

After some further time,

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. NORTON to the amendment submitted by Mr. HOSTETTLER:

Amendment submitted by Ms. NORTON:

In the matter proposed to be inserted by the amendment, insert ''Federal'' before ''funds''.

Amendment submitted by Mr. HOSTETTLER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

It was decided in the negative { Yeas ..... 173 / Nays ..... 243 }

¶98.10 [Roll No. 353]

AYES—173

Ackerman
Allen
Andrews
Baca
Baldacci
Baldwin
Barrett
Becerra
Bentsen
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilman
Gonzalez
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kolbe
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (CA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Olver
Pallone
Pascrell
Payne
Pelosi
Price (NC)
Pryce (OH)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Udall (CO)
Udall (NM)
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—243

Aderholt
Akin
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
LaHood
Largent
Latham
LaTourette
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Abercrombie
Doolittle
Hunter
Lewis (GA)
Meeks (NY)
Obey
Owens
Peterson (MN)
Rush
Serrano
Towns
Velazquez
Watson (CA)
Weldon (PA)

So the amendment to the amendment was not agreed to.

¶98.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the foregoing amendment submitted by Mr. HOSTETTLER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

It was decided in the affirmative { Yeas ..... 262 / Nays ..... 152 }

¶98.12 [Roll No. 354]

AYES—262

Aderholt
Akin
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
LaHood
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Maloney (CT)
Manzullo
Mascara
Matheson
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds

Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—152

Ackerman
Allen
Andrews
Baca
Baldacci
Baldwin
Barrett
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilman
Gonzalez
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Kolbe
Kucinich
LaFalce
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Levin
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Olver
Pallone
Pastor
Payne
Pelosi
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Solis
Stark
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Visclosky
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—16

Abercrombie
Chambliss
Clement
Hunter
Lee
Lewis (GA)
Meeks (NY)
Obey
Owens
Peterson (MN)
Rush
Serrano
Towns
Velazquez
Watson (CA)
Weldon (PA)

So the amendment was agreed to.

The SPEAKER pro tempore, Mr. ISAKSON, assumed the Chair.

When Mr. BEREUTER, Chairman, pursuant to House Resolution 245, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

Pursuant to House Resolution 245, the amendments printed in Part A of House Report 107-217 were considered as agreed to.

The following further amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 55, after line 15, insert the following new section:

SEC. ____. No funds appropriated in this Act may be made available to any person or entity that violates the Buy American Act (41 U.S.C. 10a–10c).

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. ISAKSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 327; Nays ..... 88; Answered present 1

¶98.13 [Roll No. 355]

YEAS—327

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Granger
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Harman
Hastings (FL)
Hastings (WA)
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Nussle
Oberstar
Olver
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (PA)
Phelps
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skeen
Slaughter
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weller
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—88

Akin
Armey
Barr
Bartlett
Berry
Blunt
Brady (TX)
Bryant
Burton
Cantor
Chabot
Coble
Collins
Combest
Cox
Culberson
Davis, Jo Ann
Deal
DeMint
Duncan
Everett
Flake
Forbes
Fossella
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Hall (TX)
Hansen
Hart
Hayes
Hayworth
Hefley
Herger
Hilleary
Hunter
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Kennedy (MN)
Kerns
Lewis (KY)
Lucas (KY)
Manzullo
McInnis
Moran (KS)
Ney
Norwood
Otter
Paul
Pence
Petri
Pickering
Pitts
Platts
Riley
Roemer
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Skelton
Smith (NJ)
Stearns
Stenholm
Strickland
Stump
Tancredo
Taylor (MS)
Thornberry
Tiahrt
Tiberi
Watkins (OK)
Weldon (FL)
Wicker
Young (AK)

ANSWERED ''PRESENT''—1

Obey

NOT VOTING—14

Dunn
Lewis (GA)
Meeks (NY)
Owens
Peterson (MN)
Rangel
Rush
Serrano

Shuster	Towns	Watson (CA)
Smith (MI)	Velazquez	Weldon (PA)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶98.14 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. KNOLLENBERG, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to make such technical corrections and other conforming changes as may be necessary to reflect the actions of the House in amending the bill.

¶98.15 PERMISSION TO FILE REPORT

On motion of Mr. GOSS, by unanimous consent, the Permanent Select Committee on Intelligence was granted permission until midnight on Wednesday, September 26, 2001, to file a report on the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

¶98.16 DEFENSE PRODUCTION AMENDMENTS

On motion of Mr. OXLEY, by unanimous consent, the bill (H.R. 2510) to extend the expiration date of the Defense Production Act of 1950, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Page 2, strike out all after line 8 down to and including line 14 and insert ''2002''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking ''2001'' and inserting ''2002''.

On motion of Mr. OXLEY, said Senate amendment was agreed to.

¶98.17 DEFENSE PRODUCTION AMENDMENTS PROCEEDINGS VACATED

The SPEAKER pro tempore, Mr. ISAKSON, by unanimous consent, announced that the foregoing proceedings, whereby the House agreed to the amendment of the Senate to the bill (H.R. 2510) were vacated.

¶98.18 DEFENSE PRODUCTION AMENDMENTS

On motion of Mr. OXLEY, by unanimous consent, the bill (H.R. 2510) to extend the expiration date of the Defense Production Act of 1950, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Page 2, strike out all after line 8 down to and including line 14 and insert ''2002''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking ''2001'' and inserting ''2002''.

On motion of Mr. OXLEY, said Senate amendment was agreed to with the following amendment:

House amendment to Senate amendment:
Line 3, strike ''2002'' and insert ''2003''.
Line 7, strike ''2002'' and insert ''2003''.

A motion to reconsider the vote whereby said Senate amendment was agreed to with an amendment was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶98.19 DISTRICT OF COLUMBIA POLICE COORDINATION

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 2199) to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any Federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed appropriate by the Chief of the Department and the United States Attorney for the District of Columbia, and for other purposes.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mrs. MORELLA and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶98.20 PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2586

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 246):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes. No further amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶98.21 RECESS—2:57 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 57 minutes p.m., subject to the call of the Chair.

¶98.22 AFTER RECESS—5:47 P.M.

The SPEAKER pro tempore, Mr. McHUGH, called the House to order.

¶98.23 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. McHUGH, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 25, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 25, 2001 at 4:41 p.m.

That the Senate PASSED without amendment H.J. Res. 65.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶98.24 DEFENSE AUTHORIZATION FY 2002

The SPEAKER pro tempore, Mr. McHUGH, pursuant to House Resolution 246 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes.

Mrs. BIGGERT, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶98.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TRAFICANT:

At the end of subtitle C of title X (page 271, after line 17), insert the following new section:

SEC. ____. ASSIGNMENT OF MEMBERS TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

"§ 374a. Assignment of members to assist border patrol and control

''(a) ASSIGNMENT AUTHORIZED.—Upon submission of a request consistent with subsection (b), the Secretary of Defense may assign members of the Army, Navy, Air Force, and Marine Corps to assist—

''(1) the Immigration and Naturalization Service in preventing the entry of terrorists and drug traffickers into the United States; and

''(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States to prevent the entry of weapons of mass destruction, components of weapons of mass destruction, prohibited narcotics or drugs, or other terrorist or drug trafficking items.

''(b) REQUEST FOR ASSIGNMENT.—The assignment of members under subsection (a) may occur only if—

''(1) the assignment is at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service, or the Secretary of the Treasury, in the case of an assignment to the United States Customs Service; and

''(2) the request of the Attorney General or the Secretary of the Treasury (as the case may be) is accompanied by a certification by the President that the assignment of members pursuant to the request is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

''(c) TRAINING PROGRAM REQUIRED.—The Attorney General or the Secretary of the Treasury (as the case may be), together with the Secretary of Defense, shall establish a training program to ensure that members receive general instruction regarding issues affecting law enforcement in the border areas in which the members may perform duties under an assignment under subsection (a). A member may not be deployed at a border location pursuant to an assignment under subsection (a) until the member has successfully completed the training program.

''(d) CONDITIONS OF USE.—(1) Whenever a member who is assigned under subsection (a) to assist the Immigration and Naturalization Service or the United States Customs Service is performing duties at a border location pursuant to the assignment, a civilian law enforcement officer from the agency concerned shall accompany the member.

''(2) Nothing in this section shall be construed to—

''(A) authorize a member assigned under subsection (a) to conduct a search, seizure, or other similar law enforcement activity or to make an arrest; and

''(B) supersede section 1385 of title 18 (popularly known as the 'Posse Comitatus Act').

''(e) ESTABLISHMENT OF ONGOING JOINT TASK FORCES.—(1) The Attorney General or the Secretary of the Treasury may establish ongoing joint task forces when accompanied by a certification by the President that the assignment of members pursuant to the request to establish a joint task force is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

''(2) When established, any joint task force shall fully comply with the standards as set forth in this section.

''(f) NOTIFICATION REQUIREMENTS.—The Attorney General or the Secretary of the Treasury (as the case may be) shall notify the Governor of the State in which members are to be deployed pursuant to an assignment under subsection (a), and local governments in the deployment area, of the deployment of the members to assist the Immigration and Naturalization Service or the United States Customs Service (as the case may be) and the types of tasks to be performed by the members.

''(g) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of members assigned under subsection (a).

''(h) TERMINATION OF AUTHORITY.—No assignment may be made or continued under subsection (a) after September 30, 2004.''.

(b) COMMENCEMENT OF TRAINING PROGRAM.—The training program required by subsection (b) of section 374a of title 10, United States Code, shall be established as soon as practicable after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

''374a. Assignment of members to assist border patrol and control.''.

It was decided in the affirmative ..... { Yeas ..... 242 / Nays 173

¶98.26 [Roll No. 356]

AYES—242

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Doolittle
Duncan
Dunn
Emerson
English
Eshoo
Etheridge
Everett
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
LaHood
Langevin
Lantos
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Matheson
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McIntyre
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Otter
Pallone
Pascrell
Pence
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Ramstad
Regula
Rehberg
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Udall (CO)
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wolf
Young (AK)
Young (FL)

NOES—173

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Blagojevich
Blumenauer
Boehner
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Condit
Coyne
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Evans
Farr
Fattah
Filner
Flake
Ford
Frank
Frost
Ganske
Gonzalez
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kilpatrick
Kleczka
Kolbe
Kucinich
LaFalce
Lampson
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Maloney (NY)
Markey
Mascara
Matsui
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Murtha
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pastor
Paul
Payne
Pelosi
Petri
Putnam
Radanovich
Rahall
Rangel
Reyes
Rodriguez
Ross
Roybal-Allard
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Sherman
Skeen
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Solis
Stark
Stupak
Tanner
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Turner
Waters
Watt (NC)
Waxman
Weiner
Wexler
Whitfield
Wilson
Woolsey
Wu
Wynn

NOT VOTING—15

Conyers
Engel
McInnis
Meeks (NY)
Mollohan
Moran (VA)
Nadler
Peterson (MN)
Peterson (PA)
Rush
Serrano
Towns
Velazquez
Visclosky
Watson (CA)

So the amendment was agreed to.

¶98.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. SANCHEZ:

It was decided in the negative ..... { Yeas ..... 199 / Nays 217

¶98.28 [Roll No. 357]

AYES—199

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Dunn
Edwards
Ehrlich
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank
Frelinghuysen
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moore
Moran (VA)
Morella
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Shaw
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Turner
Udall (CO)
Udall (NM)
Walden
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—217

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Blunt
Boehner
Bonilla
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Everett
Ferguson
Flake
Fletcher
Forbes
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCrery
McHugh
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pence
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Conyers
Engel
McInnis
Meeks (NY)
Mollohan
Nadler
Peterson (MN)
Peterson (PA)
Rush
Serrano
Towns
Velazquez
Visclosky
Watson (CA)

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mrs. BIGGERT, Chairman, pursuant to House Resolution 246, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2002''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; findings.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees defined.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 105. Defense Inspector General.
Sec. 106. Chemical demilitarization program.
Sec. 107. Defense health programs.
Sec. 108. Additional amount for shipbuilding and conversion, Navy.

Subtitle B—Army Programs

Sec. 111. Extension of multiyear contract for Family of Medium Tactical Vehicles.
Sec. 112. Repeal of limitations on bunker defeat munitions program.

Subtitle C—Air Force Programs

Sec. 121. Responsibility of Air Force for contracts for all defense space launches.
Sec. 122. Multi-year procurement of C–17 aircraft.

Subtitle D—Chemical Munitions Destruction

Sec. 141. Destruction of existing stockpile of lethal chemical agents and munitions.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.
Sec. 202. Amount for basic and applied research.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Cooperative Department of Defense-Department of Veterans Affairs medical research program.
Sec. 212. Advanced Land Attack Missile program.
Sec. 213. Collaborative program for development of advanced radar systems for naval applications.
Sec. 214. Cost limitation applicable to F–22 aircraft program engineering and manufacturing development.
Sec. 215. C–5 aircraft modernization.

Subtitle C—Ballistic Missile Defense

Sec. 231. Transfer of responsibility for procurement for missile defense programs from Ballistic Missile Defense Organization to military departments.
Sec. 232. Repeal of program element requirements for ballistic missile defense programs.
Sec. 233. Support of ballistic missile defense activities of the Department of Defense by the national defense laboratories of the Department of Energy.
Sec. 234. Missile defense testing initiative.
Sec. 235. Missile Defense System Test Bed Facilities.

Subtitle D—Other Matters

Sec. 241. Establishment of unmanned aerial vehicle joint operational test bed system.
Sec. 242. Demonstration project to increase small business and university participation in Office of Naval Research efforts to extend benefits of science and technology research to fleet.
Sec. 243. Management responsibility for Navy mine countermeasures programs.

Sec. 244. Program to accelerate the introduction of innovative technology in defense acquisition programs.

Subtitle E—Air Force Science and Technology for the 21st Century

Sec. 251. Short title.
Sec. 252. Science and technology investment and development planning.
Sec. 253. Study and report on effectiveness of Air Force science and technology program changes.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Sec. 302. Working capital funds.
Sec. 303. Armed Forces Retirement Home.
Sec. 304. Transfer from National Defense Stockpile Transaction Fund.

Subtitle B—Environmental Provisions

Sec. 311. Inventory of explosive risk sites at former military ranges.
Sec. 312. National security impact statements.
Sec. 313. Reimbursement for certain costs in connection with Hooper Sands site, South Berwick, Maine.
Sec. 314. River mitigation studies.
Sec. 315. Elimination of annual report on contractor reimbursement for costs of environmental response actions.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

Sec. 321. Reserve component commissary benefits.
Sec. 322. Reimbursement for noncommissary use of commissary facilities.
Sec. 323. Civil recovery for nonappropriated fund instrumentality costs related to shoplifting.

Subtitle D—Workforce and Depot Issues

Sec. 331. Workforce review limitations.
Sec. 332. Applicability of core logistics capability requirements to nuclear aircraft carriers.
Sec. 333. Continuation of contractor manpower reporting system in Department of the Army.
Sec. 334. Limitation on expansion of Wholesale Logistics Modernization Program.
Sec. 335. Pilot project for exclusion of certain expenditures from limitation on private sector performance of depot-level maintenance.
Sec. 336. Protections for purchasers of articles and services manufactured or performed by working-capital funded industrial facilities of the Department of Defense.

Subtitle E—Defense Dependents Education

Sec. 341. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 342. Availability of auxiliary services of defense dependents' education system for dependents who are home school students.
Sec. 343. Report regarding compensation for teachers employed in teaching positions in overseas schools operated by the Department of Defense.

Subtitle F—Other Matters

Sec. 351. Availability of excess defense personal property to support Department of Veterans Affairs initiative to assist homeless veterans.
Sec. 352. Continuation of limitations on implementation of Navy-Marine Corps Intranet contract.
Sec. 353. Completion and evaluation of current demonstration programs to improve quality of personal property shipments of members.
Sec. 354. Expansion of entities eligible for loan, gift, and exchange of documents, historical artifacts, and obsolete combat materiel.
Sec. 355. Sense of Congress regarding security to be provided at the 2002 Winter Olympic Games.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent end strength minimum levels.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2002 limitation on non-dual status technicians.
Sec. 415. Limitations on numbers of Reserve personnel serving on active duty or full-time National Guard duty in certain grades for administration of Reserve components.

Subtitle C—Other Matters Relating to Personnel Strengths

Sec. 421. Increase in percentage by which active component end strengths for any fiscal year may be increased.
Sec. 422. Active duty end strength exemption for National Guard and reserve personnel performing funeral honors functions.
Sec. 423. Increase in authorized strengths for Air Force officers on active duty in the grade of major.

Subtitle D—Authorization of Appropriations

Sec. 431. Authorization of appropriations for military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—General Personnel Management Authorities

Sec. 501. Enhanced flexibility for management of senior general and flag officer positions.
Sec. 502. Original appointments in regular grades for Academy graduates and certain other new officers.
Sec. 503. Temporary reduction of time-in-grade requirement for eligibility for promotion for certain active-duty list officers in grades of first lieutenant and lieutenant (junior grade).
Sec. 504. Increase in senior enlisted active duty grade limit for Navy, Marine Corps, and Air Force.
Sec. 505. Authority for limited extension of medical deferment of mandatory retirement or separation.
Sec. 506. Authority for limited extension on active duty of members subject to mandatory retirement or separation.
Sec. 507. Clarification of disability severance pay computation.
Sec. 508. Officer in charge of United States Navy Band.
Sec. 509. One-year extension of expiration date for certain force management authorities.

Subtitle B—Reserve Component Personnel Policy

Sec. 511. Placement on active-duty list of certain reserve officers on active duty for a period of three years or less.
Sec. 512. Expanded application of Reserve special selection boards.
Sec. 513. Exception to baccalaureate degree requirement for appointment of reserve officers to grades above first lieutenant.
Sec. 514. Improved disability benefits for certain reserve component members.
Sec. 515. Time-in-grade requirement for reserve component officers with a nonservice connected disability.
Sec. 516. Reserve members considered to be deployed for purposes of personnel tempo management.
Sec. 517. Funeral honors duty performed by Reserve and Guard members to be treated as inactive-duty training for certain purposes.
Sec. 518. Members of the National Guard performing funeral honors duty while in non-Federal status.
Sec. 519. Use of military leave for funeral honors duty by Reserve members and National Guardsmen.
Sec. 520. Preparation for, participation in, and conduct of athletic competitions by the National Guard and members of the National Guard.

Subtitle C—Joint Specialty Officers and Joint Professional Military Education

Sec. 521. Nominations for joint specialty.
Sec. 522. Joint duty credit.
Sec. 523. Retroactive joint service credit for duty in certain joint task forces.
Sec. 524. Revision to annual report on joint officer management.
Sec. 525. Requirement for selection for joint specialty before promotion to general or flag officer grade.
Sec. 526. Independent study of joint officer management and joint professional military education reforms.
Sec. 527. Professional development education.
Sec. 528. Authority for National Defense University to enroll certain private sector civilians.
Sec. 529. Continuation of reserve component professional military education test.

Subtitle D—Military Education and Training

Sec. 531. Defense Language Institute Foreign Language Center.
Sec. 532. Authority for the Marine Corps University to award degree of master of strategic studies.
Sec. 533. Increase in number of foreign students authorized to be admitted to the service academies.
Sec. 534. Increase in maximum age for appointment as a cadet or midshipman in Senior Reserve Officer Training Corps scholarship programs.
Sec. 535. Active duty participation as a cadet or midshipman in Senior ROTC advanced training.
Sec. 536. Authority to modify the service obligation of certain ROTC cadets in military junior colleges receiving financial assistance.
Sec. 537. Modification of nurse officer candidate accession program restriction on students attending educational institutions with Senior Reserve Officers' Training programs.

Sec. 538. Repeal of limitation on number of Junior Reserve Officers' Training Corps (JROTC) units.
Sec. 539. Reserve health professionals stipend program expansion.
Sec. 540. Housing allowance for the Chaplain for the Corps of Cadets, United States Military Academy.

Subtitle E—Decorations, Awards, and Commendations

Sec. 541. Authority for award of the medal of honor to Humbert R. Versace for valor during the Vietnam War.
Sec. 542. Review regarding award of medal of honor to certain Jewish American and Hispanic American war veterans.
Sec. 543. Authority to issue duplicate medal of honor.
Sec. 544. Authority to replace stolen military decorations.
Sec. 545. Waiver of time limitations for award of Navy Distinguished Flying Cross to certain persons.
Sec. 546. Korea Defense Service medal.
Sec. 547. Cold War Service medal.
Sec. 548. Option to convert award of Armed Forces Expeditionary Medal awarded for Operation Frequent Wind to Vietnam Service Medal.
Sec. 549. Sense of Congress on new medal to recognize civilian employees of the Department of Defense killed or wounded as a result of hostile action.

Subtitle F—Matters Relating to Voting

Sec. 551. Voting assessments and assistance for members of the uniformed services.
Sec. 552. Electronic voting demonstration project.

Subtitle G—Matters Relating to Military Spouses and Family Members

Sec. 561. Improved financial and other assistance to military spouses for job training and education.
Sec. 562. Authority to conduct surveys of dependents and survivors of military retirees.
Sec. 563. Clarification of treatment of classified information concerning persons in a missing status.
Sec. 564. Transportation to annual meeting of next-of-kin of persons unaccounted for from conflicts after World War II.
Sec. 565. Amendments to charter of Defense Task Force on Domestic Violence.

Subtitle H—Military Justice and Legal Matters

Sec. 571. Requirement that courts-martial consist of not less than 12 members in capital cases.
Sec. 572. Right of convicted accused to request sentencing by military judge.
Sec. 573. Codification of requirement for regulations for delivery of military personnel to civil authorities when charged with certain offenses
Sec. 574. Authority to accept voluntary legal services for members of the Armed Forces.

Subtitle I—Other Matters

Sec. 581. Shipment of privately owned vehicles when making permanent change of station moves within United States.
Sec. 582. Payment of vehicle storage costs in advance.
Sec. 583. Permanent authority for use of military recruiting funds for certain expenses at Department of Defense recruiting functions.
Sec. 584. Clarification of military recruiter access to secondary school directory information about students.
Sec. 585. Repeal of requirement for final Comptroller General report relating to Army end strength allocations.
Sec. 586. Posthumous Army commission in the grade of captain in the Chaplains Corps to Ella E. Gibson for service as chaplain of the First Wisconsin Heavy Artillery regiment during the Civil War.
Sec. 587. National Guard Challenge Program.
Sec. 588. Payment of FEHBP premiums for certain Reservists called to active duty in support of contingency operations.
Sec. 589. 18-month enlistment pilot program.
Sec. 590. Per diem allowance for lengthy or numerous deployments.
Sec. 591. Congressional review period for change in ground combat exclusion policy.
Sec. 592. Report on health and disability benefits for pre-accession training and education programs.
Sec. 593. Requirement to provide appropriate articles of clothing as a civilian uniform for civilians participating in funeral honor details for veterans upon showing of financial need.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

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Sec. 601. Increase in basic pay for fiscal year 2002.
Sec. 602. Basic pay rate for certain reserve commissioned officers with prior service as an enlisted member or warrant officer.
Sec. 603. Subsistence allowances.
Sec. 604. Eligibility for basic allowance for housing while between permanent duty stations.
Sec. 605. Uniform allowance for officers.
Sec. 606. Family separation allowance for certain members electing to serve unaccompanied tour of duty.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.
Sec. 612. One-year extension of certain bonus and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists.
Sec. 613. One-year extension of other bonus and special pay authorities.
Sec. 614. Conforming accession bonus for dental officers authority with authorities for other special pay and bonuses.
Sec. 615. Additional type of duty resulting in eligibility for hazardous duty incentive pay.
Sec. 616. Equal treatment of reservists performing inactive-duty training for receipt of aviation career incentive pay.
Sec. 617. Secretarial discretion in prescribing submarine duty incentive pay rates.
Sec. 618. Imposition of critical wartime skill requirement for eligibility for Individual Ready Reserve bonus.
Sec. 619. Installment payment authority for 15-year career status bonus.
Sec. 620. Accession bonus for new officers.

Subtitle C—Travel and Transportation Allowances

Sec. 631. Minimum per diem rate for travel and transportation allowance for travel performed upon a change of permanent station and certain other travel.
Sec. 632. Payment or reimbursement of temporary subsistence expenses.
Sec. 633. Increased weight allowance for transportation of baggage and household effects for junior enlisted members.
Sec. 634. Reimbursement of members for mandatory pet quarantine fees for household pets.
Sec. 635. Availability of dislocation allowance for married member, whose spouse is a member, assigned to military family housing.
Sec. 636. Elimination of prohibition on receipt of dislocation allowance by members ordered to first duty station.
Sec. 637. Partial dislocation allowance authorized for housing moves ordered for Government convenience.
Sec. 638. Allowances for travel performed in connection with members taking authorized leave between consecutive overseas tours.
Sec. 639. Funded student travel as part of school-sponsored exchange programs.

Subtitle D—Retirement and Survivor Benefit Matters

Sec. 641. Contingent authority for concurrent receipt of military retired pay and veterans' disability compensation.

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Sec. 651. Funeral honors duty allowance for retired members.

TITLE VII—HEALTH CARE PROVISIONS

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Sec. 701. Implementing cost-effective payment rates under the TRICARE program.
Sec. 702. Waiver of nonavailability statement or preauthorization requirement.
Sec. 703. Improvements in administration of the TRICARE program.
Sec. 704. Sub-acute and long-term care program reform.
Sec. 705. Reimbursement of travel expenses of a parent, guardian, or responsible family member of a minor covered beneficiary.

Subtitle B—Other Matters

Sec. 711. Prohibition against requiring military retirees to receive health care solely through the Department of Defense.
Sec. 712. Trauma and medical care pilot program.
Sec. 713. Enhancement of medical product development.
Sec. 714. Repeal of obsolete report requirement.
Sec. 715. Clarifications and improvements regarding the Department of Defense Medicare-Eligible Retiree Health Care Fund.

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Subtitle A—Acquisition Policy and Management

Sec. 801. Acquisition milestones.
Sec. 802. Acquisition workforce qualifications.
Sec. 803. Two-year extension of program applying simplified procedures to certain commercial items.

Sec. 804. Contracts for services to be performed outside the United States.
Sec. 805. Codification and modification of ''Berry Amendment'' requirements.
Sec. 806. Increase of assistance limitation regarding procurement technical assistance programs.
Sec. 807. Study of contract consolidations.

Subtitle B—Erroneous Payments Recovery

Sec. 811. Short title.
Sec. 812. Identification of errors made by executive agencies in payments to contractors and recovery of amounts erroneously paid.
Sec. 813. Disposition of recovered funds.
Sec. 814. Sources of recovery services.
Sec. 815. Management improvement programs.
Sec. 816. Reports.
Sec. 817. Relationship to authority of inspectors general.
Sec. 818. Privacy protections.
Sec. 819. Definition.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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Sec. 902. Sense of Congress on establishment of an Office of Transformation in the Department of Defense.
Sec. 903. Revised joint report on establishment of national collaborative information analysis capability.
Sec. 904. Elimination of triennial report by Chairman of the Joint Chiefs of Staff on roles and missions of the Armed Forces.
Sec. 905. Repeal of requirement for semiannual reports through March 2003 on activities of Joint Requirements Oversight Council.
Sec. 906. Correction of references to Air Mobility Command.
Sec. 907. Organizational alignment change for Director for Expeditionary Warfare.

TITLE X—GENERAL PROVISIONS

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Sec. 1001. Transfer authority.
Sec. 1002. Incorporation of classified annex.
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Sec. 1004. Increase in limitations on administrative authority of the Navy to settle admiralty claims.

Subtitle B—Naval Vessels

Sec. 1011. Revision in types of excess naval vessels for which approval by law is required for disposal to foreign nations.

Subtitle C—Counter-Drug Activities

Sec. 1021. Extension of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities.
Sec. 1022. Authority to transfer Tracker aircraft currently used by Armed Forces for counter-drug purposes.
Sec. 1023. Authority to transfer Tethered Aerostat Radar System currently used by Armed Forces for counter-drug purposes.
Sec. 1024. Assignment of members to assist Immigration and Naturalization Service and Customs Service.

Subtitle D—Reports

Sec. 1031. Requirement that Department of Defense reports to Congress be accompanied by electronic version.
Sec. 1032. Report on Department of Defense role in homeland security matters.
Sec. 1033. Revision of annual report to Congress on National Guard and reserve component equipment.

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Sec. 1041. Department of Defense gift authorities.
Sec. 1042. Termination of referendum requirement regarding continuation of military training on island of Vieques, Puerto Rico, and imposition of additional conditions on closure of live-fire training range.
Sec. 1043. Repeal of limitation on reductions in Peacekeeper ICBM missiles.
Sec. 1044. Transfer of Vietnam Era F–4 aircraft to nonprofit museum.
Sec. 1045. Bomber force structure.
Sec. 1046. Technical and clerical amendments.
Sec. 1047. Leasing of Navy ships for University National Oceanographic Laboratory System.
Sec. 1048. Sense of Congress regarding continued United States commitment to restoring Lafayette Escadrille Memorial, Marnes La-Coguette, France.
Sec. 1049. Designation of firefighter assistance program in honor of Floyd D. Spence, a former Member of the House of Representatives, and sense of Congress on need to continue the program.
Sec. 1050. Sense of Congress on implementation of fuel efficiency reforms in Department of Defense.
Sec. 1051. Plan for securing Russia's nuclear weapons, material, and expertise.
Sec. 1052. Two-year extension of advisory panel to assess domestic response capabilities for terrorism involving weapons of mass destruction.
Sec. 1053. Action to promote national defense features program.
Sec. 1054. Amendments relating to Commission on the Future of the United States Aerospace Industry.
Sec. 1055. Authority to accept monetary contributions for repair and reconstruction of pentagon reservation.

TITLE XI—CIVILIAN PERSONNEL

Sec. 1101. Undergraduate training program for employees of the National Imagery and Mapping Agency.
Sec. 1102. Pilot program for payment of retraining expenses.
Sec. 1103. Payment of expenses to obtain professional credentials.
Sec. 1104. Retirement portability elections for certain Department of Defense and Coast Guard employees.
Sec. 1105. Removal of requirement that granting civil service compensatory time be based on amount of irregular or occasional overtime work.
Sec. 1106. Applicability of certain laws to certain individuals assigned to work in the Federal Government.
Sec. 1107. Limitation on premium pay.
Sec. 1108. Use of common occupational and health standards as a basis for differential payments made as a consequence of exposure to asbestos.
Sec. 1109. Authority for designated civilian employees abroad to act as a notary.
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TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Sec. 1201. Clarification of authority to furnish nuclear test monitoring equipment to foreign governments.
Sec. 1202. Acquisition of logistical support for security forces.
Sec. 1203. Report on the sale and transfer of military hardware, expertise, and technology from States of the former Soviet Union to the People's Republic of China.
Sec. 1204. Limitation on funding for Joint Data Exchange Center.
Sec. 1205. Extension of authority to provide assistance under Weapons of Mass Destruction Act for support of United Nations-sponsored efforts to inspect and monitor Iraqi weapons activities.
Sec. 1206. Repeal of requirement for reporting to Congress on military deployments to Haiti.
Sec. 1207. Report by Comptroller General on provision of defense articles, services, and military education and training to foreign countries and international organizations.
Sec. 1208. Limitation on number of military personnel in Colombia.
Sec. 1209. Authority for employees of Federal Government contractors to accompany chemical weapons inspection teams at Government-owned facilities.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
Sec. 1302. Funding allocations.
Sec. 1303. Prohibition against use of funds until submission of reports.
Sec. 1304. Report on use of revenue generated by activities carried out under Cooperative Threat Reduction programs.
Sec. 1305. Prohibition against use of funds for second wing of fissile material storage facility.
Sec. 1306. Prohibition against use of funds for construction or refurbishment of certain fossil fuel energy plants.
Sec. 1307. Reports on activities and assistance under Cooperative Threat Reduction programs.
Sec. 1308. Report on responsibility for carrying out Cooperative Threat Reduction programs.
Sec. 1309. Chemical weapons destruction.

TITLE XIV—DEFENSE SPACE REORGANIZATION

Sec. 1401. Short title.
Sec. 1402. Authority to establish position of Under Secretary of Defense for Space, Intelligence, and Information.
Sec. 1403. Authority to designate Under Secretary of the Air Force as acquisition executive for space of the Department of Defense.
Sec. 1404. Major force program category for space programs.
Sec. 1405. Comptroller General assessment of implementation of recommendations of Space Commission.
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Sec. 1407. Authority to establish separate career field in the Air Force for space.

Sec. 1408. Relationship to authorities and responsibilities of Director of Central Intelligence.

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Subtitle B—Policy Matters Relating to Combating Terrorism

Sec. 1511. Assessment of Department of Defense ability to respond to terrorist attacks.
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Sec. 1513. Establishment of combating terrorism as a national security mission.
Sec. 1514. Department of Defense coordination with FEMA and FBI.

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Sec. 2102. Family housing.
Sec. 2103. Improvements to military family housing units.
Sec. 2104. Authorization of appropriations, Army.
Sec. 2105. Modification of authority to carry out certain fiscal year 2001 projects.

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Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of Appropriations, Navy.
Sec. 2205. Modification of authority to carry out certain fiscal year 2000 project.

TITLE XXIII—AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Modification of authority to carry out certain fiscal year 2001 project.

TITLE XXIV—DEFENSE AGENCIES

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Sec. 2402. Energy conservation projects.
Sec. 2403. Authorization of appropriations, defense agencies.
Sec. 2404. Modification of authority to carry out certain fiscal year 2001 project.
Sec. 2405. Modification of authority to carry out certain fiscal year 2000 projects.
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Sec. 2407. Modification of authority to carry out certain fiscal year 1995 project.
Sec. 2408. Prohibition on expenditures to develop forward operating location on Aruba for United States Southern Command counterdrug detection and monitoring flights.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.
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TITLE XXVI—GUARD AND RESERVE FACILITIES

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TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
Sec. 2702. Extension of authorizations of certain fiscal year 1999 projects.
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Sec. 2802. Exclusion of unforeseen environmental hazard remediation from limitation on authorized cost variations.
Sec. 2803. Repeal of annual reporting requirement on military construction and military family housing activities.
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Sec. 2811. Use of military installations for certain recreational activities.
Sec. 2812. Base efficiency project at Brooks Air Force Base, Texas.
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Sec. 2831. Modification of land exchange, Rock Island Arsenal, Illinois.
Sec. 2832. fication of land conveyances, Fort Dix, New Jersey.
Sec. 2833. Lease authority, Fort DeRussy, Hawaii.
Sec. 2834. Land exchange and consolidation, Fort Lewis, Washington.
Sec. 2835. Land conveyance, Whittier-Anchorage Pipeline Tank Farm, Anchorage, Alaska.

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SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

For purposes of this Act, the term ''congressional defense committees'' means—

(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Army as follows:

(1) For aircraft, $1,987,491,000.

(2) For missiles, $1,097,286,000.

(3) For weapons and tracked combat vehicles, $2,367,046,000.

(4) For ammunition, $1,208,565,000.

(5) For other procurement, $4,143,986,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Navy as follows:

(1) For aircraft, $8,337,243,000.

(2) For weapons, including missiles and torpedoes, $1,476,692,000.

(3) For shipbuilding and conversion, $9,321,121,000.

(4) For other procurement, $4,157,313,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Marine Corps in the amount of $1,025,624,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement of ammunition for the Navy and the Marine Corps in the amount of $463,507,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Air Force as follows:

(1) For aircraft, $10,705,687,000.

(2) For missiles, $3,226,336,000.

(3) For ammunition, $871,344,000.

(4) For other procurement, $8,250,821,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2002 for Defense-wide procurement in the amount of $2,267,346,000.

SEC. 105. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Inspector General of the Department of Defense in the amount of $1,800,000.

SEC. 106. CHEMICAL DEMILITARIZATION PROGRAM.

There is hereby authorized to be appropriated for fiscal year 2002 the amount of $1,078,557,000 for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 107. DEFENSE HEALTH PROGRAMS.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the Department of Defense for procurement for carrying out health care programs, projects, and activities of the Department of Defense in the total amount of $267,915,000.

SEC. 108. ADDITIONAL AMOUNT FOR SHIPBUILDING AND CONVERSION, NAVY.

(a) INCREASE IN SCN AMOUNT.—The amount provided in section 102(a)(3) for shipbuilding and conversion for the Navy is hereby increased by $57,100,000, to be available for the U.S.S. Eisenhower (CVN–69) Refueling Complex Overhaul program.

(b) OFFSET.—The amount provided in section 301(5) is hereby reduced by $57,100,000, to be derived from amounts for consulting services.

Subtitle B—Army Programs

SEC. 111. EXTENSION OF MULTIYEAR CONTRACT FOR FAMILY OF MEDIUM TACTICAL VEHICLES.

In order to ensure that an adequate number of vehicles of the ''A1'' variant of the Family of Medium Tactical Vehicles program continue to be fielded to the Army, the Secretary of the Army may extend for one additional year the existing multiyear procurement contract, authorized by section 112(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1648) and awarded on October 14, 1998, for procurement of vehicles under that program (notwithstanding the maximum period for such contracts otherwise applicable under section 2306b(k) of title 10, United States Code) if the Secretary determines that it is necessary to do so in order to prevent a break in production of those vehicles.

SEC. 112. REPEAL OF LIMITATIONS ON BUNKER DEFEAT MUNITIONS PROGRAM.

Section 116 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2682) is repealed.

Subtitle C—Air Force Programs

SEC. 121. MULTI-YEAR PROCUREMENT OF C–17 AIRCRAFT.

If the Secretary of Defense certifies to the congressional defense committees before the enactment of this Act that it is in the interest of the Department of Defense to proceed with a follow-on multi-year procurement of additional C–17 aircraft, then the Secretary may, in accordance with section 2306b of title 10, United States Code, enter into a new multi-year procurement contract or extend the current multi-year procurement contract beginning in fiscal year 2002 to procure up to 60 additional C–17 aircraft in order to meet the Department's airlift requirements.

Subtitle D—Chemical Munitions Destruction

SEC. 141. DESTRUCTION OF EXISTING STOCKPILE OF LETHAL CHEMICAL AGENTS AND MUNITIONS.

Section 152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 50 U.S.C. 1521 note) is amended—

(1) in subsection (b)—

(A) by inserting ''for that site'' after ''in place''; and

(B) by adding at the end the following new paragraphs:

''(4) Emergency preparedness and response capabilities have been established at the site and in the surrounding communities to respond to emergencies involving risks to public health or safety that are identified by the Secretary of Defense as being risks resulting from the storage or destruction of lethal chemical agents and munitions at the site.

''(5) The Under Secretary of Defense for Acquisition, Technology, and Logistics recommends initiation of destruction at the site after considering the recommendation by the board established by subsection (g).''; and

(2) by adding at the end the following new subsection:

''(g) OVERSIGHT BOARDS.—(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall convene, for each site at which the chemical munitions stockpile is stored, an independent oversight board composed of—

''(A) the Secretary of the Army;

''(B) the Director of the Federal Emergency Management Agency;

''(C) the Administrator of the Environmental Protection Agency;

''(D) the President of the National Academy of Sciences;

''(E) the Governor of the State in which the site is located; and

''(F) one individual designated by the Under Secretary from a list of three local representatives of the area in which the site is located, prepared jointly by the Member of the House of Representatives who represents the Congressional District in which the site is located and the Senators representing the State in which the site is located.

''(2) Not later than six months after each such board is convened, the board shall make a recommendation to the Under Secretary whether the destruction of the chemical munitions stockpile should be initiated at the site.

''(3) The Under Secretary may not recommend initiation of destruction of the chemical munitions stockpile at a site after considering a negative recommendation of the board until 90 days after the Under Secretary provides notice to Congress of the intent to recommend initiation of destruction.''.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $6,749,025,000.

(2) For the Navy, $10,863,274,000.

(3) For the Air Force, $14,455,653,000.

(4) For Defense-wide activities, $15,591,978,000, of which $217,355,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR BASIC AND APPLIED RESEARCH.

(a) FISCAL YEAR 2002.—Of the amounts authorized to be appropriated by section 201, $4,973,843,000 shall be available for basic research and applied research projects.

(b) BASIC RESEARCH AND APPLIED RESEARCH DEFINED.—For purposes of this section, the term ''basic research and applied research'' means work funded in program elements for defense research and development under Department of Defense category 6.1 or 6.2.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. COOPERATIVE DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL RESEARCH PROGRAM.

Of the funds authorized to be appropriated by section 201(4), $5,000,000 shall be available for the cooperative Department of Defense/Department of Veterans Affairs medical research program. The Secretary of Defense shall transfer such amount to the Secretary of Veterans Affairs for such purpose not later than 30 days after the date of the enactment of this Act.

SEC. 212. ADVANCED LAND ATTACK MISSILE PROGRAM.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall establish a competitive program for the development of an advanced land attack missile for the DD–21 land attack destroyer and other naval combatants.

(b) REPORT.—The Secretary of Defense shall submit to the congressional defense committees, with the submission of the budget request for the Department of Defense for fiscal year 2003, a report providing the program plan for the Advanced Land Attack Missile program, the schedule for that program, and funding required for that program.

(c) FUNDING.—Of the amount authorized to be appropriated under section 201(2) for research, development, test, and evaluation for the Navy, $20,000,000 shall be available in PE 0603795N for the Advanced Land Attack Missile program.

SEC. 213. COLLABORATIVE PROGRAM FOR DEVELOPMENT OF ADVANCED RADAR SYSTEMS FOR NAVAL APPLICATIONS.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall carry out a program to develop and demonstrate advanced technologies and concepts leading to advanced radar systems for naval and other applications.

(b) DESCRIPTION OF PROGRAM.—The program under subsection (a) shall be carried out collaboratively pursuant to a memorandum of agreement to be entered into by the Director of Defense Research and Engineering, the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency. The program shall include the following activities:

(1) Activities needed to develop and deploy advanced electronics materials, including specifically wide band gap electronics components needed to extend the range and sensitivity of naval radars.

(2) Identification of acquisition systems for use of the new technology.

(c) REPORT.—Not later than January 31, 2002, the Director of Defense Research and Engineering, the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency shall submit to the congressional defense committees a joint report on the implementation of the program under subsection (a). The report shall include the following:

(1) A description of the memorandum of agreement referred to in subsection (b).

(2) A schedule for the program.

(3) Identification of the funding required for fiscal year 2003 and for the future-years defense program to carry out the program.

(4) A list of program capability goals and objectives.

(d) FUNDING.—(1) Of the amount authorized to be appropriated for Defense-wide activities by section 201(4) for the Defense Advanced Research Projects Agency, $41,000,000 shall be available for applied research and maturation of high frequency and high power wide band gap semiconductor electronics technology to carry out the program under subsection (a).

(2) Of the amount authorized to be appropriated by section 201(2) for the Department of the Navy, $15,500,000 shall be available to carry out the program under subsection (a).

SEC. 214. COST LIMITATION APPLICABLE TO F–22 AIRCRAFT PROGRAM ENGINEERING AND MANUFACTURING DEVELOPMENT.

Section 217(c)(3) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1660) is amended by inserting ''plus $250,000,000'' after ''and (2))''.

SEC. 215. C–5 AIRCRAFT MODERNIZATION.

(a) INCREASE IN AIR FORCE RDTE AMOUNT.—The amount provided in section 201(3) for Research, Development, Test, and Evaluation for the Air Force is hereby increased by $30,000,000, to be available for Reengining and Avionics Modernization for the C-5 aircraft.

(b) OFFSET.—The amount provided in section 301(5) is hereby reduced by $30,000,000, to be derived from amounts for consulting services.

Subtitle C—Ballistic Missile Defense

SEC. 231. TRANSFER OF RESPONSIBILITY FOR PROCUREMENT FOR MISSILE DEFENSE PROGRAMS FROM BALLISTIC MISSILE DEFENSE ORGANIZATION TO MILITARY DEPARTMENTS.

(a) BUDGETING OF MISSILE DEFENSE PROCUREMENT AUTHORITY.—(1) Subsection (a) of section 224 of title 10, United States Code is amended by striking ''procurement'' both places it appears and inserting ''research, development, test, and evaluation''.

(2) Such section is further amended by striking subsections (b) and (c) and inserting the following:

''(b) COVERED PROGRAMS.—Subsection (a) applies to any ballistic missile defense program for which research, development, test, and evaluation is carried out by the Ballistic Missile Defense Organization.''.

(3)(A) The heading of that section is amended to read as follows:

''§ 224. Ballistic missile defense programs: display of amounts for research, development, test, and evaluation''.

(B) The item relating to section 224 in the table of sections at the beginning of chapter 9 of such title is amended to read as follows:

''224. Ballistic missile defense programs: display of amounts for research, development, test, and evaluation.''.

(b) TRANSFER CRITERIA.—The Secretary of Defense shall establish, and submit to the congressional defense committees, criteria for the transfer of ballistic missile defense programs from the Ballistic Missile Defense Organization to the military departments. Those criteria shall, at a minimum, address technical maturity of the program, availability of facilities for production, and service commitment to procurement funding.

(c) NOTIFICATION OF TRANSFER.—Before responsibility for a ballistic missile defense program is transferred from the Ballistic Missile Defense Organization to the Secretary of a military department, the Secretary of Defense shall submit to the congressional defense committees notice in writing of the Secretary's intent to make that transfer. The Secretary shall include with such notice a certification that the program has met the criteria established under subsection (b) for such a transfer. The transfer may then be carried out after the end of the 60-day period beginning on the date of such notice.

SEC. 232. REPEAL OF PROGRAM ELEMENT REQUIREMENTS FOR BALLISTIC MISSILE DEFENSE PROGRAMS.

(a) REPEAL.—Section 223 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by striking the item relating to section 223.

SEC. 233. SUPPORT OF BALLISTIC MISSILE DEFENSE ACTIVITIES OF THE DEPARTMENT OF DEFENSE BY THE NATIONAL DEFENSE LABORATORIES OF THE DEPARTMENT OF ENERGY.

(a) FUNDS TO CARRY OUT CERTAIN BALLISTIC MISSILE DEFENSE ACTIVITIES.—Of the amounts authorized to be appropriated to the Department of Defense pursuant to section 201(4), $25,000,000 shall be available, subject to subsection (b) and at the discretion of the Director of the Ballistic Missile Defense Organization, for research, development, and demonstration activities at the national laboratories of the Department of Energy in support of the missions of the Ballistic Missile Defense Organization, including the following activities:

(1) Technology development, concept demonstration, and integrated testing to enhance performance, reduce risk, and improve reliability in hit-to-kill interceptors for ballistic missile defense.

(2) Support for science and engineering teams to assess critical technical problems and prudent alternative approaches as agreed upon by the Director of the Ballistic Missile Defense Organization and the Administrator for Nuclear Security.

(b) REQUIREMENT FOR MATCHING FUNDS FROM NNSA.—Funds shall be available as provided in subsection (a) only if the Administrator for Nuclear Security makes available matching funds for the activities referred to in subsection (a).

(c) MEMORANDUM OF UNDERSTANDING.—The activities referred to in subsection (a) shall be carried out under the memorandum of understanding entered into by the Secretary of Energy and the Secretary of Defense for the use of national laboratories for ballistic missile defense programs, as required by section 3131 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2034) and modified pursuant to section 3132 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–455) to provide for jointly funded projects.

SEC. 234. MISSILE DEFENSE TESTING INITIATIVE.

(a) TESTING INFRASTRUCTURE.—(1) The Secretary of Defense shall ensure that each annual budget request of the Department of Defense—

(A) is designed to provide for comprehensive testing of ballistic missile defense programs during early stages of development; and

(B) includes necessary funding to support and improve test infrastructure and provide

adequate test assets for the testing of such programs.

(2) The Secretary shall ensure that ballistic missile defense programs incorporate, to the greatest possible extent, operationally realistic test configurations (referred to as ''test bed'' configurations) to demonstrate system performance across a broad range of capability and, during final stages of operational testing, to demonstrate reliable performance.

(3) The Secretary shall ensure that the test infrastructure for ballistic missile defense programs is capable of supporting continued testing of ballistic missile defense systems after deployment.

(b) REQUIREMENTS FOR EARLY STAGES OF SYSTEM DEVELOPMENT.—In order to demonstrate acceptable risk and developmental stability, the Secretary of Defense shall ensure that any ballistic missile defense program incorporates, to the maximum extent practicable, the following elements during the early stages of system development:

(1) Pursuit of parallel conceptual approaches and technological paths for all critical problematic components until effective and reliable solutions can be demonstrated.

(2) Comprehensive ground testing in conjunction with flight-testing for key elements of the proposed system that are considered to present high risk, with such ground testing to make use of existing facilities and combinations of facilities that support testing at the highest possible levels of integration.

(3) Where appropriate, expenditures to enhance the capabilities of existing test facilities, or to construct new test facilities, to support alternative complementary test methodologies.

(4) Sufficient funding of test instrumentation to ensure accurate measurement of all critical test events and, where possible, incorporation of mobile assets to enhance flexibility in test configurations.

(5) Incorporation into the program of sufficient schedule flexibility and expendable test assets, including missile interceptors and targets, to ensure that failed or aborted tests can be repeated in a prudent, but expeditious manner.

(6) Incorporation into flight-test planning for the program, where possible, of—

(A) methods referred to as ''campaign testing'' and ''test through failure'' and other appropriate test methods in order to reduce costs per test event;

(B) events to demonstrate engagement of multiple targets, ''shoot-look-shoot'', and other planned operational concepts; and

(C) exploitation of opportunities to facilitate early development and demonstration of ''family of systems'' concepts.

(c) SPECIFIC REQUIREMENTS FOR GROUND-BASED MID-COURSE INTERCEPTOR SYSTEMS.—For ground-based mid-course interceptor systems, the Secretary of Defense shall initiate steps during fiscal year 2002 to establish a flight-test capability of launching not less than three missile defense interceptors and not less than two ballistic missile targets to provide a realistic test infrastructure.

SEC. 235. MISSILE DEFENSE SYSTEM TEST BED FACILITIES.

(a) AUTHORITY TO ACQUIRE OR CONSTRUCT FACILITIES.—(1) The Secretary of Defense, using funds appropriated to the Department of Defense for research, development, test, and evaluation for fiscal years after fiscal year 2001 that are available for programs of the Ballistic Missile Defense Organization, may carry out construction projects, or portions of construction projects, including projects for the acquisition, improvement, or construction of facilities of general utility, to establish and operate the Missile Defense System Test Bed Facilities.

(2) The authority provided in paragraph (1) may be used to acquire, improve, or construct facilities at a total cost not to exceed $500,000,000.

(b) AUTHORITY TO PROVIDE ASSISTANCE TO LOCAL COMMUNITIES.—(1) Subject to paragraph (2), the Secretary of Defense, using funds appropriated to the Department of Defense for research, development, test, and evaluation for fiscal years after fiscal year 2001 that are available for programs of the Ballistic Missile Defense Organization, may provide assistance, by grant or otherwise, to local communities to meet the need for increased municipal or community services or facilities resulting from the construction, installation, or operation of the Missile Defense System Test Bed Facilities.

(2) Assistance may be provided to a community under paragraph (1) only if the Secretary of Defense determines that there is an immediate and substantial increase in the need for municipal or community services or facilities as a direct result of the construction, installation, or operation of the Missile Defense System Test Bed Facilities.

Subtitle D—Other Matters

SEC. 241. ESTABLISHMENT OF UNMANNED AERIAL VEHICLE JOINT OPERATIONAL TEST BED SYSTEM.

(a) ESTABLISHMENT OF TEST BED SYSTEM.—The commander of the United States Joint Forces Command shall establish a capability (referred to as a ''test bed'') within the facilities and resources of that command to evaluate and ensure joint interoperability of unmanned aerial vehicle systems. That capability shall be independent of the military departments and shall be managed directly by the Joint Forces Command.

(b) REQUIRED TRANSFER OF PREDATOR UAV ASSETS.—The Secretary of the Navy shall transfer to the commander of the Joint Forces Command the two Predator unmanned aerial vehicles currently undergoing operational testing by the Navy, together with associated payloads and antennas and the associated tactical control system (TCS) ground station.

(c) USE BY JOINT FORCES COMMAND.—The items transferred pursuant to subsection (a) may be used by the commander of the United States Joint Forces Command only through the independent joint operational test bed system established pursuant to subsection (a) for testing of those items, including further development of the associated tactical control system (TCS) ground station, other aspects of unmanned aerial vehicle interoperability, and participation in such experiments and exercises as the commander considers appropriate to the mission of that command.

(d) DEADLINE FOR TRANSFERS.—The transfers required by subsection (b) shall be completed not later than 90 days after the date of the enactment of this Act.

(e) TRANSFER WHEN NO LONGER REQUIRED BY JOINT FORCES COMMAND.—Upon a determination by the commander of the United States Joint Forces Command that any of the items transferred pursuant to subsection (a) are no longer needed by that command for use as provided in subsection (c), those items shall be transferred to the Secretary of the Air Force.

SEC. 242. DEMONSTRATION PROJECT TO INCREASE SMALL BUSINESS AND UNIVERSITY PARTICIPATION IN OFFICE OF NAVAL RESEARCH EFFORTS TO EXTEND BENEFITS OF SCIENCE AND TECHNOLOGY RESEARCH TO FLEET.

(a) PROJECT REQUIRED.—The Secretary of the Navy, acting through the Chief of Naval Research, shall carry out a demonstration project to increase access to Navy facilities of small businesses and universities that are engaged in science and technology research beneficial to the fleet.

(b) PROJECT ELEMENTS.—In carrying out the demonstration project, the Secretary shall—

(1) establish and operate a Navy Technology Extension Center at a location to be selected by the Secretary;

(2) permit participants in the Small Business Innovation Research Program (SBIR) and Small Business Technology Transfer Program (STTR) that are awarded contracts by Office of Naval Research to acccess and use Navy facilities without charge for purposes of carrying out such contracts; and

(3) permit universities, institutions of higher learning, and Federally Funded Research and Development Centers (FFRDC) collaborating with SBIR and STTR participants to use Navy facilities.

(c) REPORT.—Not later than February 1, 2004, the Secretary shall submit to Congress a report on the demonstration project. The report shall include a description of the activities carried out under the demonstration project and any recommendations for the improvement or expansion of the demonstration project that the Secretary considers appropriate.

SEC. 243. MANAGEMENT RESPONSIBILITY FOR NAVY MINE COUNTERMEASURES PROGRAMS.

Section 216(a) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 105 Stat. 1317), as most recently amended by section 211 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1946), is amended by striking ''through 2003'' and inserting ''through 2008''.

SEC. 244. PROGRAM TO ACCELERATE THE INTRODUCTION OF INNOVATIVE TECHNOLOGY IN DEFENSE ACQUISITION PROGRAMS.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall carry out a program to provide opportunities for the increased introduction of innovative and cost-saving technology in acquisition programs of the Department of Defense. The program, to be known as the Challenge Program, shall provide an individual or activity within or outside the Department of Defense with the opportunity to propose alternatives, to be known as challenge proposals, at the component, subsystem, or system level of an existing Department of Defense acquisition program that would result in improvements in performance, affordability, manufacturability, or operational capability at the component, subsystem, or system level of that acquisition program.

(b) PANEL.—(1) In carrying out the Challenge Program, the Secretary of Defense shall establish a panel of highly qualified scientists and engineers (hereinafter in this section referred to as the ''Panel'') under the auspices of the Under Secretary of Defense for Acquisition, Technology, and Logistics. The duty of the Panel shall be to carry out review and evaluation of challenge proposals under subsection (c).

(2) A member of the Panel may not participate in any review and evaluation of a challenge proposal under subsection (c) if at any time within the previous five years that member has, in any capacity, participated in or been affiliated with the Department of Defense program for which the challenge proposal is proposed.

(c) REVIEW AND EVALUATION OF CHALLENGE PROPOSALS.—(1) Under procedures prescribed by the Secretary, an individual or activity within or outside the Department of Defense may submit challenge proposals to the Panel.

(2) The Panel shall carry out an expedited evaluation of each challenge proposal submitted under paragraph (1) to determine whether a prima facie case has been made

that the challenge proposal will result in improvements in performance, affordability, manufacturability, or operational capability at the component, subsystem, or system level of the applicable acquisition program. If the Panel determines that such a case has not been made, the Panel may turn down the challenge proposal. In any other case, the Panel shall provide for a full review of the challenge proposal under paragraph (3).

(3) In carrying out a full review of a challenge proposal, the Panel shall ensure the following:

(A) Any incumbent that would be displaced by the implementation of the challenge proposal is provided notice of the challenge proposal and a full opportunity to demonstrate why the challenge proposal should not be implemented.

(B) Notice of the full review of the challenge proposal is published in one or more appropriate commercial publications of national circulation.

(C) If one or more other challenge proposals are submitted on matters relating to the challenge proposal being reviewed, the Panel shall, to the maximum extent practicable, carry out a full review of those other challenge proposals together with the full review of the original challenge proposal.

(4) The Secretary of Defense shall ensure that the Panel, in carrying out review and evaluation of challenge proposals under this subsection, has the authority to call upon the technical resources of the laboratories, research, development, and engineering centers, test and evaluation activities, and other elements of the Department.

(d) FINDINGS OF SUBSTANTIAL SUPERIORITY.—If, after the full review of a challenge proposal is completed, the Panel finds that the challenge proposal will result in improvements in performance, affordability, manufacturability, or operational capability at the component, subsystem, or system level of the applicable acquisition program that are substantially superior to that of the incumbent, the Panel shall submit that finding to the Under Secretary.

(e) ACTION UPON FINDINGS.—Upon receiving a finding under subsection (d), the Under Secretary shall carry out a plan to acquire and implement the challenge proposal with respect to which the finding was made. The Secretary shall carry out such plan—

(1) after canceling the contract of any incumbent that would be displaced by the implementation of the challenge proposal; or

(2) after an appropriate program milestone (such as the expiration of such a contract) has been reached.

(f) ELIMINATION OF CONFLICTS OF INTEREST.—In carrying out each review and evaluation under subsection (c), the Secretary shall ensure the elimination of conflicts of interest.

(g) FUNDING.—Of the funds authorized to be appropriated by section 201(4) for Defense-wide research, development, test, and evaluation for fiscal year 2002, $40,000,000 shall be available in PE 63826D8Z for the Challenge Program required by this section.

(h) REPORT.—The Secretary shall submit to Congress, with the submission of the budget request for the Department of Defense for each fiscal year beginning with fiscal year 2003, a report on the implementation of this section. The report shall include the number and scope of challenge proposals submitted, reviewed and evaluated, found to be substantially superior, and implemented.

Subtitle E—Air Force Science and Technology for the 21st Century

SEC. 251. SHORT TITLE.

This subtitle may be cited as the ''Air Force Science and Technology for the 21st Century Act''.

SEC. 252. SCIENCE AND TECHNOLOGY INVESTMENT AND DEVELOPMENT PLANNING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Air Force should carry out each of the following:

(1) Continue and improve efforts to ensure that—

(A) the Air Force science and technology community is represented, and the recommendations of that community are considered, at all levels of program planning and budgetary decisionmaking within the Air Force;

(B) advocacy for science and technology development is institutionalized across all levels of Air Force management in a manner that is not dependent on individuals; and

(C) the value of Air Force science and technology development is made increasingly apparent to the warfighters, by linking the needs of those warfighters with decisions on science and technology development.

(2) Complete and adopt a policy directive that provides for changes in how the Air Force makes budgetary and nonbudgetary decisions with respect to its science and technology development programs and how it carries out those programs.

(3) At least once every five years, conduct a review of the long-term challenges and short-term objectives of the Air Force science and technology programs that is consistent with the review specified in section 252 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–46).

(4) Ensure that development and science and technology planning and investment activities are carried out for future space warfighting systems and for future nonspace warfighting systems in an integrated manner.

(5) Elevate the position within the Office of the Secretary of the Air Force that has primary responsibility for budget and policy decisions for science and technology programs.

(b) REINSTATEMENT OF DEVELOPMENT PLANNING.—(1) The Secretary of the Air Force shall reinstate and implement a revised development planning process that provides for each of the following:

(A) Coordinating the needs of Air Force warfighters with decisions on science and technology development.

(B) Giving input into the establishment of priorities among science and technology programs.

(C) Analyzing Air Force capability options for the allocation of Air Force resources.

(D) Developing concepts for technology, warfighting systems, and operations with which the Air Force can achieve its critical future goals.

(E) Evaluating concepts for systems and operations that leverage technology across Air Force organizational boundaries.

(F) Ensuring that a ''system-of-systems'' approach is used in carrying out the various Air Force capability planning exercises.

(G) Utilizing existing analysis capabilities within the Air Force product centers in a collaborative and integrated manner.

(2) Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report on the implementation of the planning process required by paragraph (1). The report shall include the annual amount that the Secretary considers necessary to carry out paragraph (1).

SEC. 253. STUDY AND REPORT ON EFFECTIVENESS OF AIR FORCE SCIENCE AND TECHNOLOGY PROGRAM CHANGES.

(a) REQUIREMENT.—The Secretary of the Air Force, in cooperation with the National Research Council of the National Academy of Sciences, shall carry out a study to determine how the changes to the Air Force science and technology program implemented during the past two years affect the future capabilities of the Air Force.

(b) MATTERS STUDIED.—(1) The study shall independently review and assess whether such changes as a whole are sufficient to ensure the following:

(A) That the concerns about the management of the science and technology program that have been raised by the Congress, the Defense Science Board, the Air Force Science Advisory Board, and the Air Force Association have been adequately addressed.

(B) That appropriate and sufficient technology is available to ensure the military superiority of the United States and counter future high-risk threats.

(C) That the science and technology investments are balanced to meet the near-, mid-, and long-term needs of the Air Force.

(D) That technologies are made available that can be used to respond flexibly and quickly to a wide range of future threats.

(E) That the Air Force organizational structure provides for a sufficiently senior level advocate of science and technology to ensure an ongoing, effective presence of the science and technology community during the budget and planning process.

(2) In addition, the study shall independently assess the specific changes to the Air Force science and technology program as follows:

(A) Whether the biannual science and technology summits provide sufficient visibility into, and understanding and appreciation of, the value of the science and technology program to the senior level of Air Force budget and policy decisionmakers.

(B) Whether the applied technology councils are effective in contributing the input of all levels beneath the senior leadership into the coordination, focus, and content of the science and technology program.

(C) Whether the designation of the commander of the Air Force Materiel Command as the science and technology budget advocate is effective to assure that an adequate budget top line is set.

(D) Whether the revised development planning process is effective to aid in the coordination of the needs of the Air Force warfighters with decisions on science and technology investments and the establishment of priorities among different science and technology programs.

(E) Whether the implementation of section 252 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–46) is effective to identify the basis for the appropriate science and technology program top line and investment portfolio.

(c) REPORT.—Not later than 60 days after the date on which the study required by subsection (a) is completed, the Secretary of the Air Force shall submit to Congress the results of the study.

(d) FUNDING.—Of the amount made available pursuant to section 201(3) for research, development, test, and evaluation for the Air Force, $950,000 shall be available only to carry out this section.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $21,015,280,000.

(2) For the Navy, $26,587,962,000.
(3) For the Marine Corps, $2,898,114,000.
(4) For the Air Force, $25,811,462,000.
(5) For Defense-wide activities, $11,922,131,000.
(6) For the Army Reserve, $1,814,246,000.
(7) For the Naval Reserve, $1,003,690,000.
(8) For the Marine Corps Reserve, $144,023,000.
(9) For the Air Force Reserve, $2,017,866,000.
(10) For the Army National Guard, $3,705,359,000.
(11) For the Air National Guard, $3,967,361,000.
(12) For the Defense Inspector General, $152,021,000.
(13) For the United States Court of Appeals for the Armed Forces, $9,096,000.
(14) For Environmental Restoration, Army, $389,800,000.
(15) For Environmental Restoration, Navy, $257,517,000.
(16) For Environmental Restoration, Air Force, $385,437,000.
(17) For Environmental Restoration, Defense-wide, $23,492,000.
(18) For Environmental Restoration, Formerly Used Defense Sites, $190,255,000.
(19) For Overseas Humanitarian, Disaster, and Civic Aid programs, $49,700,000.
(20) For Drug Interdiction and Counterdrug Activities, Defense-wide, $820,381,000.
(21) For the Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund, $25,000,000.
(22) For Defense Health Program, $17,570,750,000.
(23) For Cooperative Threat Reduction programs, $403,000,000.
(24) For Overseas Contingency Operations Transfer Fund, $2,844,226,000.
(25) Support for International Sporting Competitions, Defense, $15,800,000.

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in amounts as follows:
(1) For the Defense Working Capital Funds, $1,951,986,000.
(2) For the National Defense Sealift Fund, $407,708,000.

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2002 from the Armed Forces Retirement Home Trust Fund the sum of $71,440,000 for the operation of the Armed Forces Retirement Home, including the United States Soldiers' and Airmen's Home and the Naval Home.

SEC. 304. TRANSFER FROM NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.

(a) TRANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $150,000,000 is authorized to be transferred from the National Defense Stockpile Transaction Fund to operation and maintenance accounts for fiscal year 2002 in amounts as follows:
(1) For the Army, $50,000,000.
(2) For the Navy, $50,000,000.
(3) For the Air Force, $50,000,000.
(b) TREATMENT OF TRANSFERS.—Amounts transferred under this section—
(1) shall be merged with, and be available for the same purposes and the same period as, the amounts in the accounts to which transferred; and
(2) may not be expended for an item that has been denied authorization of appropriations by Congress.
(c) RELATIONSHIP TO OTHER TRANSFER AUTHORITY.—The transfer authority provided in this section is in addition to the transfer authority provided in section 1001.

Subtitle B—Environmental Provisions

SEC. 311. INVENTORY OF EXPLOSIVE RISK SITES AT FORMER MILITARY RANGES.

(a) INVENTORY REQUIRED.—(1) Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2710. Former military ranges: inventory of explosive risk sites; use of inventory; public safety issues

''(a) DEFINITIONS.—In this section:
''(1) The term 'former military range' means a military range presently located in the United States that—
''(A) is or was owned by, leased to, or otherwise possessed or used by the Federal Government;
''(B) is designated as a closed, transferred, or transferring military range (rather than as an active or inactive range); or
''(C) is or was used as a site for the disposal of military munitions or for the use of military munitions in training or research, development, testing, and evaluation.
''(2) The term 'abandoned military munitions' means unexploded ordnance and other abandoned military munitions, including components thereof and chemical weapons materiel, that pose a threat to human health or safety.
''(3) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions.
''(4) The term 'United States', in a geographic sense, includes the Commonwealth of Puerto Rico and the territories and possessions.
''(b) INVENTORY REQUIRED.—(1) The Secretary of Defense shall develop and maintain an inventory of former military ranges that are known or suspected to contain abandoned military munitions.
''(2) The information for each former military range in the inventory shall include, at a minimum, the following:
''(A) A unique identifier for the range and its current designation as either a closed, transferred, or transferring range.
''(B) An appropriate record showing the location, boundaries, and extent of the range, including identification of the State and political subdivisions of the State in which the range is located and any Tribal lands encompassed by the range.
''(C) Known persons and entities, other than a military department, with any current ownership interest or control of lands encompassed by the range.
''(D) Any restrictions or other land use controls currently in place that might affect the potential for public and environmental exposure to abandoned military munitions.
''(c) SITE PRIORITIZATION.—(1) With respect to each former military range included on the inventory, the Secretary of Defense shall assign the range a relative priority for response activities based on the overall conditions at the range. The level of response priority assigned the range shall be included with the information required by subsection (b)(2) to be maintained for the range.
''(2) In assigning the response priority for a former military range, the Secretary of Defense shall primarily consider factors relating to safety and environmental hazard potential, such as the following:
''(A) Whether there are known, versus suspected, abandoned military munitions on all or any portion of the range and the types of munitions present or suspected to be present.
''(B) Whether public access to the range is controlled, and the effectiveness of these controls.
''(C) The potential for direct human contact with abandoned military munitions at the range and evidence of people entering the range.
''(D) Whether a response action has been or is being undertaken at the range under the Formerly Used Defense Sites program or other programs.
''(E) The planned or mandated dates for transfer of the range from military control.
''(F) The extent of any documented incidents involving abandoned military munitions at or from the range. In this subparagraph, the term 'incidents' means any or all of the following: explosions, discoveries, injuries, reports, and investigations.
''(G) The potential for drinking water contamination or the release of weapon components into the air.
''(H) The potential for destruction of sensitive ecosystems and damage to natural resources.
''(d) UPDATES AND AVAILABILITY.—(1) The Secretary of Defense shall annually update the inventory and site prioritization list to reflect new information that becomes available. The inventory shall be available in published and electronic form.
''(2) The Secretary of Defense shall work with adjacent communities to provide information concerning conditions at the former military range and response activities, and shall respond to inquiries. At a minimum, the Secretary shall notify immediately affected individuals, appropriate State, local, tribal, and Federal officials, and, when appropriate, civil defense or emergency management agencies.''.
(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2710. Former military ranges: inventory of explosive risk sites; use of inventory; public safety issues.''.

(b) INITIAL INVENTORY.—The inventory required by section 2710 of title 10, United States Code, as added by subsection (a), shall be completed and made available not later than one year after the date of the enactment of this Act.

SEC. 312. NATIONAL SECURITY IMPACT STATEMENTS.

(a) EVALUATION OF NATIONAL SECURITY IMPACTS REQUIRED.—(1) Chapter 160 of title 10, United States Code, is amended by inserting after section 2710, as added by section 311, the following new section:

"§ 2711. Environmental impact statements and environmental assessments: evaluation of national security impacts of proposed action and alternatives

''(a) AGENCY ACTION.—Whenever an environmental impact statement or environmental assessment is required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) to be prepared in connection with a proposed Department of Defense action, the Secretary of Defense shall include as a part of the environmental impact statement or environmental assessment a detailed evaluation of the impact of the proposed action, and each alternative to the proposed action considered in the statement or assessment, on national security, including the readiness, training, testing, and operations of the armed forces.
''(b) AGENCY INPUT.—The Secretary of Defense shall also include the evaluation required by subsection (a) in any input provided by the Department of Defense as a cooperating agency to a lead agency preparing an environmental impact statement or environmental assessment.''.
(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2711. Environmental impact statements and environmental assessments: evaluation of national security impacts of proposed action and alternatives.''.

(b) EFFECTIVE DATE.—Section 2711 of title 10, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act and apply with respect to any environmental impact statement or environmental assessment prepared by the Secretary of Defense that has not been released in final form as of that date.

SEC. 313. REIMBURSEMENT FOR CERTAIN COSTS IN CONNECTION WITH HOOPER SANDS SITE, SOUTH BERWICK, MAINE.

Using amounts authorized to be appropriated by section 301(15) for environmental restoration for the Navy, the Secretary of the Navy may pay $1,005,478 to the Hooper Sands Special Account within the Hazardous Substance Superfund established by section 9507 of the Internal Revenue Code of 1986 (26 U.S.C. 9507) to reimburse the Environmental Protection Agency in full for certain response costs incurred by the Environmental Protection Agency for actions taken pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) at the Hooper Sands site in South Berwick, Maine, pursuant to an interagency agreement entered into by the Department of the Navy and the Environmental Protection Agency in January 2001.

SEC. 314. RIVER MITIGATION STUDIES.

(a) PORT OF ORANGE, SABINE RIVER.—The Secretary of Defense may conduct a study regarding mitigation needs in connection with protruding structures and submerged objects remaining from the World War II Navy ship building industry located at the former Navy installation in Orange, Texas, which create navigational hazards along the Sabine River and surrounding the Port of Orange.

(b) PHILADELPHIA NAVAL SHIPYARD, DELAWARE RIVER.—The Secretary of Defense may conduct a study regarding mitigation needs in connection with floating and partially submerged debris possibly relating to the Philadelphia Naval Shipyard in that portion of the Delaware River from Philadelphia to the mouth of the river which create navigational hazards along the river.

(c) USE OF EXISTING INFORMATION.—In conducting the studies authorized by this section, the Secretary shall take into account any information available from other studies conducted in connection with the same navigation channels.

(d) CONSULTATION.—The Secretary shall conduct the studies authorized by this section in consultation with appropriate State and local government entities and Federal agencies.

(e) REPORT ON STUDY RESULTS.—Not later than April 30, 2002, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that summarizes the results of the studies conducted under this section.

(f) COST SHARING.—Nothing in this section is intended to require non-Federal cost sharing of the costs incurred by the Secretary of Defense to conduct the studies authorized by this section.

(g) REMOVAL AUTHORITY.—Consistent with existing laws, using funds authorized to be appropriated for these purposes, and after providing notice to Congress, the Secretary of Defense may work with the other Federal, State, local, and private entities—

(1) to remove the protruding structures and submerged objects along the Sabine River and surrounding the Port of Orange that resulted from the abandonment of the ship building industry and Navy installation in Orange, Texas; and

(2) to remove floating and partially submerged debris in the portion of the Delaware River subject to the study under subsection (b).

(h) RELATION TO OTHER LAWS AND AGREEMENTS.—This section is not intended to modify any authorities provided to the Secretary of the Army by the Water Resources Development Act of 1986 (33 U.S.C. 2201 et seq.), nor is it intended to modify any non-Federal cost-sharing responsibilities outlined in any local cooperation agreements.

SEC. 315. ELIMINATION OF ANNUAL REPORT ON CONTRACTOR REIMBURSEMENT FOR COSTS OF ENVIRONMENTAL RESPONSE ACTIONS.

Section 2706 of title 10, United States Code, is amended by striking subsection (c).

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

SEC. 321. RESERVE COMPONENT COMMISSARY BENEFITS.

(a) ELIGIBILITY FOR COMMISSARY BENEFITS.—Section 1063 of title 10, United States Code, is amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively; and

(3) by inserting after the section heading the following new subsections:

''(a) ELIGIBILITY.—Subject to subsection (c), the Secretary concerned shall authorize members of the Ready Reserve described in subsection (b) to have 24 days of eligibility to use commissary stores of the Department of Defense for any calendar year.

''(b) COVERED MEMBERS.—Subsection (a) applies with respect to the following members of the Ready Reserve:

''(1) A member of the Selected Reserve who is satisfactorily participating in required training as prescribed in section 10147(a)(1) of this title or section 502(a) of title 32 in that calendar year.

''(2) A member of the Ready Reserve (other than a member described in paragraph (1)) who satisfactorily completes 50 or more points credible under section 12732(a)(2) of this title in that calendar year.

''(c) REDUCED NUMBER OF COMMISSARY VISITS FOR NEW MEMBERS.—The number of commissary visits authorized for a member of the Selected Reserve described in subsection (b)(1) who enters the Selected Reserve after the beginning of the calendar year shall be equal to twice the number of full months remaining in the calendar year.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows:

''§ 1063. Use of commissary stores: members of Ready Reserve''.

(2) The table of sections at the beginning of chapter 54 of such title is amended by striking the item relating to section 1063 and inserting the following new item:

''1063. Use of commissary stores: members of Ready Reserve.''.

SEC. 322. REIMBURSEMENT FOR NONCOMMISSARY USE OF COMMISSARY FACILITIES.

Section 2685 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) REIMBURSEMENT FOR NONCOMMISSARY USE OF COMMISSARY FACILITIES.—(1) If the Secretary concerned uses for noncommissary purposes a commissary facility whose construction was financed (in whole or in part) using the proceeds of adjustments or surcharges authorized by subsection (a) or revenues referred to in subsection (e), the Secretary concerned shall reimburse the commissary surcharge account for the depreciated value of the investment made with such proceeds and revenues.

''(2) In paragraph (1), the term 'construction' has the meaning given such term in subsection (d)(2).''.

SEC. 323. CIVIL RECOVERY FOR NONAPPROPRIATED FUND INSTRUMENTALITY COSTS RELATED TO SHOPLIFTING.

Section 3701(b)(1)(B) of title 31, United States Code, is amended by inserting before the comma at the end the following: '', including actual and administrative costs related to shoplifting, theft detection, and theft prevention''.

Subtitle D—Workforce and Depot Issues

SEC. 331. WORKFORCE REVIEW LIMITATIONS.

(a) LIMITATION PENDING GAO REPORT.—No more than 50 percent of the workforce reviews planned during fiscal year 2002 may be initiated before the date that is the earlier of (1) May 1, 2002, or (2) the date on which the Comptroller General submits to Congress the report required by section 832 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–221), regarding policies and procedures governing the transfer of commercial activities from Government personnel to Federal contractors.

(b) REQUIRED COST SAVINGS LEVEL FOR CHANGE.—(1) A commercial or industrial type function of the Department of Defense may not be changed to performance by the private sector as a result of a workforce review unless, as a result of the cost comparison examination required as part of the review that employed the most efficient organization process described in Office of Management and Budget Circular A–76 or any successor administrative regulation or policy, at least a 10-percent cost savings would be achieved by performance of the function by the private sector over the term of the contract.

(2) The cost savings requirement specified in paragraph (1) does not apply to any contracts for special studies and analyses, construction services, architectural services, engineering services, medical services, scientific and technical services related to (but not in support of) research and development, and depot-level maintenance and repair services.

(3) The Secretary of Defense may waive the cost savings requirement if—

(A) the written waiver is prepared by the Secretary of Defense, or the relevant Assistant Secretary or agency head; and

(B) the written waiver is accompanied by a detailed determination that national security interests are so compelling as to preclude compliance with the requirement for a cost comparison examination.

(C) The Secretary of Defense shall publish a copy of the waiver in the Federal Register.

(c) WORKFORCE REVIEW DEFINED.—In this section, the term ''workforce review'' with respect to a function of the Department of Defense performed by Department of Defense civilian employees, means a review conducted under Office of Management and Budget Circular A–76 (or any successor administrative regulation or policy).

SEC. 332. APPLICABILITY OF CORE LOGISTICS CAPABILITY REQUIREMENTS TO NUCLEAR AIRCRAFT CARRIERS.

Section 2464(a)(3) of title 10, United States Code, is amended by striking ''nuclear aircraft carriers'' and inserting ''nuclear refueling of aircraft carriers''.

SEC. 333. CONTINUATION OF CONTRACTOR MANPOWER REPORTING SYSTEM IN DEPARTMENT OF THE ARMY.

Section 343 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 569) is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

''(a) REPORTING REQUIREMENT FOR DEPARTMENT OF THE ARMY.—(1) Not later than March 1 of each fiscal year, the Secretary of the Army shall submit to Congress a report

describing the use during the previous fiscal year of non-Federal entities to provide services to the Department of the Army.

''(2) The data collection required to prepare the report is deemed to be in compliance with the requirements of chapter 35 of title 44, United States Code, commonly known as the Paperwork Reduction Act.

''(3) The report required by this section is needed to comply with sections 115a and 129a of title 10, United States Code, and is not a procurement action.'';

(2) by striking ''Department of Defense'' each place it appears and inserting ''Department of the Army''; and

(3) by adding at the end the following new subsection:

''(d) GAO EVALUATION.—Not later than 60 days after the Secretary submits to Congress the report required under subsection (a) for a fiscal year, the Comptroller General shall submit to Congress an evaluation of the report.''.

SEC. 334. LIMITATION ON EXPANSION OF WHOLESALE LOGISTICS MODERNIZATION PROGRAM.

(a) LIMITATION.—The Secretary of the Army may not authorize the expansion of the Wholesale Logistics Modernization Program beyond the original legacy systems included in the scope of the contract awarded in December 1999 until the Secretary certifies to Congress that the original legacy systems have been successfully replaced.

(b) GAO EVALUATION.—Not later than 60 days after the Secretary of the Army submits to Congress the certification required under subsection (a), the Comptroller General shall submit to Congress an evaluation of the certification.

SEC. 335. PILOT PROJECT FOR EXCLUSION OF CERTAIN EXPENDITURES FROM LIMITATION ON PRIVATE SECTOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE.

Section 2474 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) PILOT PROJECT FOR THE EXCLUSION OF CERTAIN EXPENDITURES FROM LIMITATION ON PRIVATE SECTOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE.—

''(1) AMOUNTS EXCLUDED.—Amounts expended out of funds described in paragraph (2) for the performance of a depot-level maintenance and repair workload by non-Federal Government personnel at a Center of Industrial and Technical Excellence named in paragraph (4) shall not be counted for the purposes of section 2466(a) of this title if the personnel are provided by private industry pursuant to a public-private partnership undertaken by the Center under subsection (b).

''(2) FUNDS FOR FISCAL YEARS 2002 THROUGH 2006.—The funds referred to in paragraph (1) are funds available to the Air Force for depot-level maintenance and repair workloads for fiscal year 2002, 2003, 2004, 2005, or 2006, and shall not exceed 10 percent of the total funds available in any single year.

''(3) REPORTING REQUIREMENTS.—All funds covered by paragraph (1) shall be included as a separate item in the reports required under paragraphs (1), (2), and (3) of section 2466(e) of this title.

''(4) COVERED CENTERS.—(A) The Centers of Industrial and Technical Excellence referred to in paragraph (1) are the following:

''(i) Oklahoma City Air Logistics Center, Oklahoma.

''(ii) Ogden Air Logistics Center, Utah.

''(iii) Warner-Robins Air Logistics Center, Georgia.

''(B) The Secretary of the Air Force shall designate as a Center of Industrial and Technical Excellence under this section any of the air logistics centers named in subparagraph (A) that have not previously been so designated and shall specify the core competencies for which the designation is made.''.

SEC. 336. PROTECTIONS FOR PURCHASERS OF ARTICLES AND SERVICES MANUFACTURED OR PERFORMED BY WORKING-CAPITAL FUNDED INDUSTRIAL FACILITIES OF THE DEPARTMENT OF DEFENSE..

(a) GENERAL RULE.—Section 2563(c) of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''in any case of willful misconduct or gross negligence'' and inserting ''as provided in paragraph (3)''; and

(2) by adding at the end the following new paragraph:

''(3) Paragraph (1)(B) does not apply in any case of willful misconduct or gross negligence or in the case of a claim by a purchaser of articles or services under this section that damages or injury arose from the failure of the Government to comply with quality, schedule, or cost performance requirements in the contract to provide the articles or services.''.

(b) CONFORMING AMENDMENT.—Section 2474(e)(2)(B)(i) of such title is amended by striking ''in a case of willful conduct or gross negligence'' and inserting ''under the circumstances described in section 2563(c)(3) of this title''.

Subtitle E—Defense Dependents Education

SEC. 341. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) CONTINUATION OF DEPARTMENT OF DEFENSE PROGRAM FOR FISCAL YEAR 2002.—Of the amount authorized to be appropriated pursuant to section 301(5) for operation and maintenance for Defense-wide activities—

(1) $30,000,000 shall be available only for the purpose of providing educational agencies assistance to local educational agencies; and

(2) $1,000,000 shall be available only for the purpose of making payments to local educational agencies to assist such agencies in adjusting to reductions in the number of military dependent students as a result of the closure or realignment of military installations, as provided in section 386(d) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 20 U.S.C. 7703 note).

(b) NOTIFICATION.—Not later than June 30, 2002, the Secretary of Defense shall notify each local educational agency that is eligible for assistance or a payment under subsection (a) for fiscal year 2002 of—

(1) that agency's eligibility for the assistance or payment; and

(2) the amount of the assistance or payment for which that agency is eligible.

(c) DISBURSEMENT OF FUNDS.—The Secretary of Defense shall disburse funds made available under subsection (a) not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subsection (b).

(d) DEFINITIONS.—In this section:

(1) The term ''educational agencies assistance'' means assistance authorized under section 386(b) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 20 U.S.C. 7703 note).

(2) The term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 342. AVAILABILITY OF AUXILIARY SERVICES OF DEFENSE DEPENDENTS' EDUCATION SYSTEM FOR DEPENDENTS WHO ARE HOME SCHOOL STUDENTS.

Section 1407 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 926) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) AUXILIARY SERVICES AVAILABLE TO HOME SCHOOL STUDENTS.—(1) A dependent who is educated in a home school setting, but who is eligible to enroll in a school of the defense dependents' education system, shall be permitted to use or receive auxiliary services of that school without being required to either enroll in that school or register for a minimum number of courses offered by that school. The dependent may be required to satisfy other eligibility requirements applicable to students actually enrolled in that school who use or receive the same auxiliary services.

''(2) For purposes of paragraph (1), the term 'auxiliary services' includes registration in individual courses, use of academic resources, access to the library of the school, after hours use of school facilities, and participation in music, sports, and other extracurricular and interscholastic activities.''.

SEC. 343. REPORT REGARDING COMPENSATION FOR TEACHERS EMPLOYED IN TEACHING POSITIONS IN OVERSEAS SCHOOLS OPERATED BY THE DEPARTMENT OF DEFENSE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report evaluating the method currently used by the Secretary to fix the basic compensation for teachers and teaching positions in the Department of Defense under the Defense Department Overseas Teachers Pay and Personnel Practices Act (20 U.S.C. 901 et seq.). The report shall include the recommendations of the Secretary regarding a proposal to increase such compensation to reflect the average of the range of rates of basic compensation for similar teaching positions of a comparable level of duties and responsibilities for teachers employed in public schools in the District of Columbia metropolitan area, which includes the District of Columbia Public Schools, Arlington Public Schools, Alexandria City Public Schools, Fairfax County Public Schools, Montgomery County Public Schools, and Prince George's County Public Schools.

Subtitle F—Other Matters

SEC. 351. AVAILABILITY OF EXCESS DEFENSE PERSONAL PROPERTY TO SUPPORT DEPARTMENT OF VETERANS AFFAIRS INITIATIVE TO ASSIST HOMELESS VETERANS.

(a) TRANSFER AUTHORITY.—Section 2557(a) of title 10, United States Code, is amended—

(1) by striking ''The Secretary'' and inserting ''(1) The Secretary''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary of Defense may make excess clothing, shoes, sleeping bags, and related nonlethal excess supplies available to the Secretary of Veterans Affairs for distribution to homeless veterans and programs assisting homeless veterans. The transfer of nonlethal excess supplies to the Secretary of Veterans Affairs under this paragraph shall be without reimbursement.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows:

''§ 2557. Excess nonlethal supplies: availability for homeless veteran initiatives and humanitarian relief''.

(2) The table of sections at the beginning of chapter 152 of such title is amended by striking the item relating to section 2557 and inserting the following new item:

''2557. Excess nonlethal supplies: availability for homeless veteran initiatives and humanitarian relief.''.

SEC. 352. CONTINUATION OF LIMITATIONS ON IMPLEMENTATION OF NAVY-MARINE CORPS INTRANET CONTRACT.

(a) EXCLUSION OF MARINE CORPS.—Subsection (c) of section 814 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–215) is amended—

(1) by striking ''PROHIBITION ON INCREASE OF RATES CHARGED.—'' and inserting ''PROHIBITIONS.—(1)'';

(2) by striking ''fiscal year 2001'' and inserting ''fiscal year 2002''; and

(3) by adding at the end the following new paragraph:

''(2) The Navy Intranet contract may not include any activities of the Marine Corps.''.

(b) LIMITATION ON PHASED IMPLEMENTATION.—Subsection (b)(4) of such section is amended—

(1) by striking ''fiscal year 2001'' both places it appears and inserting ''fiscal year 2002''; and

(2) by striking ''Marine Corps, the naval shipyards, or'' both places it appears and inserting ''naval shipyards or''.

SEC. 353. COMPLETION AND EVALUATION OF CURRENT DEMONSTRATION PROGRAMS TO IMPROVE QUALITY OF PERSONAL PROPERTY SHIPMENTS OF MEMBERS.

(a) COMPLETION.—The Secretary of Defense shall conduct to completion all demonstration programs in the Department of Defense that were designed to improve the movement of household goods of members of the Armed Forces and were being conducted or authorized as of October 1, 2000,

(b) EVALUATION.—Not later than August 31, 2002, the Secretary of Defense shall submit to Congress a report evaluating whether the demonstration programs referred to in subsection (a), as implemented, satisfy the goals (as contained in the General Accounting Report NSIAD 97–49) for such demonstration programs previously agreed upon between the Department of Defense and representatives of private sector entities involved in the transportation of household goods for members of the Armed Forces.

(c) INTERIM REPORTS.—Not later than January 15, 2002, and April 15, 2002, the Secretary shall submit to Congress interim reports regarding the progress of the demonstration programs referred to in subsection (a).

SEC. 354. EXPANSION OF ENTITIES ELIGIBLE FOR LOAN, GIFT, AND EXCHANGE OF DOCUMENTS, HISTORICAL ARTIFACTS, AND OBSOLETE COMBAT MATERIEL.

Section 2572(a)(1) of title 10, United States Code, is amended by inserting before the period at the end the following: '', county, or other political subdivision of a State''.

SEC. 355. SENSE OF CONGRESS REGARDING SECURITY TO BE PROVIDED AT THE 2002 WINTER OLYMPIC GAMES.

It is the sense of Congress that the Secretary of Defense should provide essential and appropriate public safety and security support for the 2002 Winter Olympic Games in Salt Lake City, Utah.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2002, as follows:

(1) The Army, 480,000.

(2) The Navy, 376,000.

(3) The Marine Corps, 172,600.

(4) The Air Force, 358,800.

SEC. 402. REVISION IN PERMANENT END STRENGTH MINIMUM LEVELS.

(a) REVISED END STRENGTH FLOORS.—Section 691(b) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking ''372,000'' and inserting ''376,000''; and

(2) in paragraph (4), by striking ''357,000'' and inserting ''358,800''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2002, as follows:

(1) The Army National Guard of the United States, 350,000.

(2) The Army Reserve, 205,000.

(3) The Naval Reserve, 87,000.

(4) The Marine Corps Reserve, 39,558.

(5) The Air National Guard of the United States, 108,400.

(6) The Air Force Reserve, 74,700.

(7) The Coast Guard Reserve, 8,000.

(b) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2002, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 22,974.

(2) The Army Reserve, 13,108.

(3) The Naval Reserve, 14,811.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 11,591.

(6) The Air Force Reserve, 1,437.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2002 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 23,128.

(2) For the Army Reserve, 5,999.

(3) For the Air National Guard of the United States, 22,422.

(4) For the Air Force Reserve, 9,818.

SEC. 414. FISCAL YEAR 2002 LIMITATION ON NON-DUAL STATUS TECHNICIANS.

(a) LIMITATION.—The number of non-dual status technicians employed by the reserve components of the Army and the Air Force as of September 30, 2002, may not exceed the following:

(1) For the Army Reserve, 1,095.

(2) For the Army National Guard of the United States, 1,600.

(3) For the Air Force Reserve, 90.

(4) For the Air National Guard of the United States, 350.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. LIMITATIONS ON NUMBERS OF RESERVE PERSONNEL SERVING ON ACTIVE DUTY OR FULL-TIME NATIONAL GUARD DUTY IN CERTAIN GRADES FOR ADMINISTRATION OF RESERVE COMPONENTS.

(a) OFFICERS.—The text of section 12011 of title 10, United States Code, is amended to read as follows:

''(a) LIMITATIONS.—(1) Of the total number of members of a reserve component who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of major, lieutenant colonel, and colonel may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

''Total number of members of a reserve component serving on full-time reserve component duty:	Number of officers of that reserve component who may be serving in the grade of:		
	Major	Lieutenant Colonel	Colonel
Army Reserve:			
10,000	1,390	740	230
11,000	1,529	803	242
12,000	1,668	864	252
13,000	1,804	924	262
14,000	1,940	984	272
15,000	2,075	1,044	282
16,000	2,210	1,104	291
17,000	2,345	1,164	300

''Total number of members of a reserve component serving on full-time reserve component duty:	Number of officers of that reserve component who may be serving in the grade of:		
	Major	Lieutenant Colonel	Colonel
18,000	2,479	1,223	309
19,000	2,613	1,282	318
20,000	2,747	1,341	327
21,000	2,877	1,400	336
Army National Guard:			
20,000	1,500	850	325
22,000	1,650	930	350
24,000	1,790	1,010	370
26,000	1,930	1,085	385
28,000	2,070	1,160	400
30,000	2,200	1,235	405
32,000	2,330	1,305	408
34,000	2,450	1,375	411
36,000	2,570	1,445	411
38,000	2,670	1,515	411
40,000	2,770	1,580	411
42,000	2,837	1,644	411
Marine Corps Reserve:			
1,100	106	56	20
1,200	110	60	21
1,300	114	63	22
1,400	118	66	23
1,500	121	69	24
1,600	124	72	25
1,700	127	75	26
1,800	130	78	27
1,900	133	81	28
2,000	136	84	29
2,100	139	87	30
2,200	141	90	31
2,300	143	92	32
2,400	145	94	33
2,500	147	96	34
2,600	149	98	35
Air Force Reserve:			
500	83	85	50
1,000	155	165	95
1,500	220	240	135
2,000	285	310	170
2,500	350	369	203
3,000	413	420	220
3,500	473	464	230
4,000	530	500	240
4,500	585	529	247
5,000	638	550	254
5,500	688	565	261
6,000	735	575	268
7,000	770	595	280
8,000	805	615	290
10,000	835	635	300
Air National Guard:			
5,000	333	335	251
6,000	403	394	260
7,000	472	453	269
8,000	539	512	278
9,000	606	571	287
10,000	673	630	296
11,000	740	688	305
12,000	807	742	314
13,000	873	795	323
14,000	939	848	332
15,000	1,005	898	341

''Total number of members of a reserve component serving on full-time reserve component duty:	Number of officers of that reserve component who may be serving in the grade of:		
	Major	Lieutenant Colonel	Colonel
16,000	1,067	948	350
17,000	1,126	998	359
18,000	1,185	1,048	368
19,000	1,235	1,098	377
20,000	1,283	1,148	380.

''(2) Of the total number of members of the Naval Reserve who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of lieutenant commander, commander, and captain may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

''Total number of members of Naval Reserve serving on full-time reserve component duty	Number of officers who may be serving in the grade of:		
	Lieutenant commander	Commander	Captain
10,000	807	447	141
11,000	867	467	153
12,000	924	485	163
13,000	980	503	173
14,000	1,035	521	183
15,000	1,088	538	193
16,000	1,142	555	203
17,000	1,195	565	213
18,000	1,246	575	223
19,000	1,291	585	233
20,000	1,334	595	242
21,000	1,364	603	250
22,000	1,384	610	258
23,000	1,400	615	265
24,000	1,410	620	270.

''(b) DETERMINATIONS BY INTERPOLATION.—If the total number of members of a reserve component serving on full-time reserve component duty is between any two consecutive numbers in the first column of the appropriate table in paragraph (1) or (2) of subsection (a), the corresponding authorized strengths for each of the grades shown in that table for that component are determined by mathematical interpolation between the respective numbers of the two strengths. If the total number of members of a reserve component serving on full-time reserve component duty is more or less than the highest or lowest number, respectively, set forth in the first column of the appropriate table in paragraph (1) or (2) of subsection (a), the Secretary concerned shall fix the corresponding strengths for the grades shown in that table at the same proportion as is reflected in the nearest limit shown in the table.

''(c) REALLOCATIONS TO LOWER GRADES.—Whenever the number of officers serving in any grade for duty described in subsection (a) is less than the number authorized for that grade under this section, the difference between the two numbers may be applied to increase the number authorized under this section for any lower grade.

''(d) SECRETARIAL WAIVER.—(1) Upon determining that it is in the national interest to do so, the Secretary of Defense may increase for a particular fiscal year the number of reserve officers that may be on full-time reserve component duty for a reserve component in a grade referred to in a table in subsection (a) by a number that does not exceed the number equal to 5 percent of the maximum number specified for the grade in that table.

''(2) Whenever the Secretary exercises the authority provided in paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice in writing of the adjustment made.

''(e) FULL-TIME RESERVE COMPONENT DUTY DEFINED.—In this section, the term 'full-time reserve component duty' means the following duty:

''(1) Active duty described in sections 10211, 10302, 10303, 10304, 10305, 12310, or 12402 of this title.

''(2) Full-time National Guard duty (other than for training) under section 502(f) of title 32.

''(3) Active duty described in section 708 of title 32.''.

(b) SENIOR ENLISTED MEMBERS.—The text of section 12012 of title 10, United States Code, is amended to read as follows:

''(a) LIMITATIONS.—Of the total number of members of a reserve component who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members in each of pay grades of E–8 and E–9 who may be serving on active duty under section 10211 or 12310, or on full-time National Guard duty under the authority of section 502(f) of title 32 (other than for training) in connection with organizing, administering, recruiting, instructing, or training the reserve components or the National Guard may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

''Total number of members of a reserve component serving on full-time reserve component duty:	Number of members of that reserve component who may be serving in the grade of:	
	E–8	E–9
Army Reserve:		
10,000	1,052	154
11,000	1,126	168
12,000	1,195	180
13,000	1,261	191
14,000	1,327	202
15,000	1,391	213
16,000	1,455	224
17,000	1,519	235

''Total number of members of a reserve component serving on full-time reserve component duty:	Number of members of that reserve component who may be serving in the grade of:	
	E–8	E–9
18,000	1,583	246
19,000	1,647	257
20,000	1,711	268
21,000	1,775	278
Army National Guard:		
20,000	1,650	550
22,000	1,775	615
24,000	1,900	645
26,000	1,945	675
28,000	1,945	705
30,000	1,945	725
32,000	1,945	730
34,000	1,945	735
36,000	1,945	738
38,000	1,945	741
40,000	1,945	743
42,000	1,945	743
Naval Reserve:		
10,000	340	143
11,000	364	156
12,000	386	169
13,000	407	182
14,000	423	195
15,000	435	208
16,000	447	221
17,000	459	234
18,000	471	247
19,000	483	260
20,000	495	273
21,000	507	286
22,000	519	299
23,000	531	312
24,000	540	325
Marine Corps Reserve:		
1,100	50	11
1,200	55	12
1,300	60	13
1,400	65	14
1,500	70	15
1,600	75	16
1,700	80	17
1,800	85	18
1,900	89	19
2,000	93	20
2,100	96	21
2,200	99	22
2,300	101	23
2,400	103	24
2,500	105	25
2,600	107	26
Air Force Reserve:		
500	75	40
1,000	145	75
1,500	208	105
2,000	270	130
2,500	325	150
3,000	375	170
3,500	420	190
4,000	460	210
4,500	495	230
5,000	530	250
5,500	565	270

''Total number of members of a reserve component serving on full-time reserve component duty:	Number of members of that reserve component who may be serving in the grade of:	
	E–8	E–9
6,000	600	290
7,000	670	330
8,000	740	370
10,000	800	400
Air National Guard		
5,000	1,020	405
6,000	1,070	435
7,000	1,120	465
8,000	1,170	490
9,000	1,220	510
10,000	1,270	530
11,000	1,320	550
12,000	1,370	570
13,000	1,420	589
14,000	1,470	608
15,000	1,520	626
16,000	1,570	644
17,000	1,620	661
18,000	1,670	678
19,000	1,720	695
20,000	1,770	712.

''(b) DETERMINATIONS BY INTERPOLATION.—If the total number of members of a reserve component serving on full-time reserve component duty is between any two consecutive numbers in the first column of the table in subsection (a), the corresponding authorized strengths for each of the grades shown in that table for that component are determined by mathematical interpolation between the respective numbers of the two strengths. If the total number of members of a reserve component serving on full-time reserve component duty is more or less than the highest or lowest number, respectively, set forth in the first column of the table in subsection (a), the Secretary concerned shall fix the corresponding strengths for the grades shown in the table at the same proportion as is reflected in the nearest limit shown in the table.

''(c) REALLOCATIONS TO LOWER GRADE.—Whenever the number of officers serving in pay grade E–9 for duty described in subsection (a) is less than the number authorized for that grade under this section, the difference between the two numbers may be applied to increase the number authorized under this section for pay grade E–8.

''(d) SECRETARIAL WAIVER.—(1) Upon determining that it is in the national interest to do so, the Secretary of Defense may increase for a particular fiscal year the number of reserve enlisted members that may be on active duty or full-time National Guard duty as described in subsection (a) for a reserve component in a pay grade referred to in a table in subsection (a) by a number that does not exceed the number equal to 5 percent of the maximum number specified for that grade and reserve component in the table.

''(2) Whenever the Secretary exercises the authority provided in paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice in writing of the adjustment made.

''(e) FULL-TIME RESERVE COMPONENT DUTY DEFINED.—In this section, the term 'full-time reserve component duty' has the meaning given the term in section 12011(e) of this title.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

Subtitle C—Other Matters Relating to Personnel Strengths

SEC. 421. INCREASE IN PERCENTAGE BY WHICH ACTIVE COMPONENT END STRENGTHS FOR ANY FISCAL YEAR MAY BE INCREASED.

(a) INCREASE.—Section 115(c)(1) of title 10, United States Code, is amended by striking ''1 percent'' and inserting ''2 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

SEC. 422. ACTIVE DUTY END STRENGTH EXEMPTION FOR NATIONAL GUARD AND RESERVE PERSONNEL PERFORMING FUNERAL HONORS FUNCTIONS.

Section 115(d) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(10) Members of reserve components on active duty to prepare for and to perform funeral honors functions for funerals of veterans in accordance with section 1491 of this title.

''(11) Members on full-time National Guard duty to prepare for and perform funeral honors functions for funerals of veterans in accordance with section 1491 of this title.''.

SEC. 423. INCREASE IN AUTHORIZED STRENGTHS FOR AIR FORCE OFFICERS ON ACTIVE DUTY IN THE GRADE OF MAJOR.

The table in section 523(a)(1) of title 10, United States Code, is amended by striking the figures under the heading ''Major'' in the portion of the table relating to the Air Force and inserting the following:

''9,861
10,727
11,593
12,460
13,326
14,192
15,058
15,925
16,792
17,657
18,524
19,389
20,256
21,123
21,989
22,855
23,721
24,588
25,454''.

Subtitle D—Authorization of Appropriations

SEC. 431. AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2002 a total of $82,279,101,000. The authorization in the preceding sentence supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2002.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—General Personnel Management Authorities

SEC. 501. ENHANCED FLEXIBILITY FOR MANAGEMENT OF SENIOR GENERAL AND FLAG OFFICER POSITIONS.

(a) REPEAL OF LIMIT ON NUMBER OF OFFICERS ON ACTIVE DUTY IN GRADES OF GENERAL AND ADMIRAL.—Section 528 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 32 of such title is amended by striking the item relating to section 528.

SEC. 502. ORIGINAL APPOINTMENTS IN REGULAR GRADES FOR ACADEMY GRADUATES AND CERTAIN OTHER NEW OFFICERS.

(a) REPEAL OF REQUIREMENT FOR ONE YEAR OF ACTIVE DUTY IN A RESERVE GRADE.—Section 532(e) of title 10, United States Code, is repealed.

(b) MILITARY ACADEMY GRADUATES.—Section 4353(b) of such title is amended to read as follows:

''(b) A cadet who completes the prescribed course of instruction, is qualified for an original appointment in a regular component under section 532 of this title, and meets such other criteria for appointment as a commissioned officer in the Army as may be prescribed by the Secretary of the Army shall, upon graduation, be appointed a second lieutenant in the Regular Army under section 531 of this title, unless appointed under that section in a regular component of one of the other armed forces in accordance with section 541 of this title.''.

(c) NAVAL ACADEMY GRADUATES.—Section 6967 of such title is amended—

(1) by inserting ''(a)'' before ''Under regulations''; and

(2) by adding at the end the following:

''(b) A midshipman who completes the prescribed course of instruction, is qualified for an original appointment in a regular component under section 532 of this title, and meets such other criteria for appointment as a commissioned officer in the naval service as may be prescribed by the Secretary of the Navy shall, upon graduation, be appointed an ensign in the Regular Navy or a second lieutenant in the Regular Marine Corps under section 531 of this title, unless appointed under that section in a regular component of one of the other armed forces in accordance with section 541 of this title.''.

(d) AIR FORCE ACADEMY GRADUATES.—Section 9353(b) of such title is amended to read as follows:

''(b) A cadet who completes the prescribed course of instruction, is qualified for an original appointment in a regular component under section 532 of this title, and meets such other criteria for appointment as a commissioned officer in the Air Force as may be prescribed by the Secretary of the Air Force shall, upon graduation, be appointed a second lieutenant in the Regular Air Force under section 531 of this title, unless appointed under that section in a regular component of one of the other armed forces in accordance with section 541 of this title.''.

(e) ROTC DISTINGUISHED GRADUATES.—Section 2106(a) of such title is amended by adding at the end the following new sentence: ''However, a member of the program selected for an appointment under this section who, under regulations prescribed by the Secretary of the military department concerned, is designated or selected as a Distinguished Graduate (or the equivalent) shall be appointed as a regular officer.''.

(f) OTHER COMMISSIONING PROGRAMS.—(1) Chapter 33 of such title is amended by adding at the end the following new section:

''§ 542. Distinguished Graduates of officer commissioning programs other than service academies and ROTC

''A person who is selected for an original appointment as a commissioned officer in the Army, Navy, Air Force, or Marine Corps as a result of satisfactory completion of an officer commissioning program other than the course of instruction at one of the service academies named in section 541 of this title or the Senior Reserve Officers' Training Corps program and who, under regulations prescribed by the Secretary of the military department concerned, is designated or selected as a Distinguished Graduate of that program (or the equivalent) shall be appointed as a regular officer.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''542. Distinguished Graduates of officer commissioning programs other than service academies and ROTC.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on May 1, 2002.

SEC. 503. TEMPORARY REDUCTION OF TIME-IN-GRADE REQUIREMENT FOR ELIGIBILITY FOR PROMOTION FOR CERTAIN ACTIVE-DUTY LIST OFFICERS IN GRADES OF FIRST LIEUTENANT AND LIEUTENANT (JUNIOR GRADE).

(a) AUTHORITY.—Subsection (a) of section 619 of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by inserting before the period at the end the following: '', or such shorter period as may be in effect under paragraph (6)''; and

(2) by adding at the end the following new paragraph:

''(6)(A) When the needs of the service require, the Secretary of the military department concerned may reduce to eighteen months the period of service in grade applicable for purposes of paragraph (1)(B) in the case of officers who are serving in a position that is authorized for officers in the grade of captain or, in the case of the Navy, lieutenant.

''(B) If the Secretary of the military department concerned uses the authority provided in subparagraph (A), the number of captains or, in the case of the Navy, lieutenants on the active-duty list may not exceed the number of positions for which officers in that grade are authorized by more than one percent.

''(C) The authority under subparagraph (A) and the limitation under subparagraph (B) expire on September 30, 2005.''.

(b) STYLISTIC AMENDMENTS.—Such section is further amended as follows:

(1) Subsection (a) is amended by striking ''(a)(1)'' and inserting ''(a) TIME-IN-GRADE REQUIREMENTS.—(1)''.

(2) Subsection (b) is amended by striking ''(b)(1)'' and inserting ''(b) CONTINUED ELIGIBILITY FOR CONSIDERATION FOR PROMOTION OF OFFICERS WHO HAVE PREVIOUSLY FAILED OF SELECTION.—(1)''.

(3) Subsection (c) is amended by striking ''(c)(1)'' and inserting ''(c) OFFICERS TO BE CONSIDERED BY PROMOTION BOARDS.—(1)''.

(4) Subsection (d) is amended by inserting ''CERTAIN OFFICERS NOT TO BE CONSIDERED.—'' after ''(d)''.

(c) TECHNICAL AMENDMENT.—Subsection (a)(4) of such section is amended by striking ''clause (A)'' and inserting ''subparagraph (A)''.

SEC. 504. INCREASE IN SENIOR ENLISTED ACTIVE DUTY GRADE LIMIT FOR NAVY, MARINE CORPS, AND AIR FORCE.

(a) MEMBERS IN PAY GRADE E–8.—Section 517(a) of title 10, United States Code, is amended by striking ''2 percent (or, in the case of the Army, 2.5 percent)'' and inserting ''2.5 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

SEC. 505. AUTHORITY FOR LIMITED EXTENSION OF MEDICAL DEFERMENT OF MANDATORY RETIREMENT OR SEPARATION.

The text of section 640 of title 10, United States Code, is amended to read as follows:

''(a) If the Secretary of the military department concerned determines that the evaluation of the physical condition of an officer and determination of the officer's entitlement to retirement or separation for physical disability require hospitalization or medical observation and that such hospitalization or medical observation cannot be completed with confidence in a manner consistent with the member's well being before the date on which the officer would otherwise be required to retire or be separated under this title, the Secretary may defer the retirement or separation of the officer under this title.

''(b) A deferral of retirement or separation under subsection (a) may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.''.

SEC. 506. AUTHORITY FOR LIMITED EXTENSION ON ACTIVE DUTY OF MEMBERS SUBJECT TO MANDATORY RETIREMENT OR SEPARATION.

(a) SECTION 12305 STOP-LOSS AUTHORITY.—Section 12305 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) Upon the termination of a suspension made under the authority of subsection (a) of a provision of law otherwise requiring the separation or retirement of officers on active duty because of age, length of service or length of service in grade, or failure of selection for promotion, the Secretary concerned shall extend by up to 90 days the otherwise required separation or retirement date of any officer covered by the suspended provision whose separation or retirement date, but for the suspension, would have been before the date of the termination of the suspension or within 90 days of the date of such termination.''.

(b) SECTION 123 STOP-LOSS AUTHORITY.—Section 123 of such title is amended by adding at the end the following new subsection:

''(d) Upon the termination of a suspension made under the authority of subsection (a) of a provision of law otherwise requiring the separation or retirement of officers on active duty because of age, length of service or length of service in grade, or failure of selection for promotion, the Secretary concerned shall extend by up to 90 days the otherwise required separation or retirement date of any officer covered by the suspended provision whose separation or retirement date, but for the suspension, would have been before the date of the termination of the suspension or within 90 days of the date of such termination.''.

SEC. 507. CLARIFICATION OF DISABILITY SEVERANCE PAY COMPUTATION.

(a) CLARIFICATION.—Section 1212(a)(2) of title 10, United States Code, is amended by striking ''for promotion'' in subparagraph (C) and the first place it appears in subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to members separated under section 1203 or 1206 of title 10, United States Code, on or after date of the enactment of this Act.

SEC. 508. OFFICER IN CHARGE OF UNITED STATES NAVY BAND.

(a) DETAIL AND GRADE.—Section 6221 of title 10, United States Code, is amended to read as follows:

§ 6221. United States Navy Band; officer in charge

''(a) There is a Navy band known as the United States Navy Band.

''(b) An officer of the Navy designated for limited duty under section 5589 or 5596 of this title who is serving in a grade not below lieutenant commander may be detailed by the Secretary of the Navy as Officer in Charge of the United States Navy Band. While so serving, an officer so detailed shall hold the grade of captain if recommended by the Secretary of the Navy for appointment to that grade and appointed to that grade by the President, by and with the advice and consent of the Senate. Such an appointment may be made notwithstanding section 5596(d) of this title.''.

(b) CLERICAL AMENDMENT.—The item relating to section 6221 in the table of sections at the beginning of chapter 565 of such title is amended to read as follows:

''6221. United States Navy Band; officer in charge.''.

SEC. 509. ONE-YEAR EXTENSION OF EXPIRATION DATE FOR CERTAIN FORCE MANAGEMENT AUTHORITIES.

(a) EARLY RETIREMENT AUTHORITY FOR ACTIVE FORCE MEMBERS.—Section 4403(i) of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 1293 note) is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(b) SSB AND VSI.—Sections 1174a(h)(1) and 1175(d)(3) of title 10, United States Code, are amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(c) SELECTIVE EARLY RETIREMENT BOARDS.—Section 638a(a) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(d) TIME-IN-GRADE REQUIREMENT FOR RETENTION OF GRADE UPON VOLUNTARY RETIREMENT.—Section 1370 of such title is amended by striking ''December 31, 2001'' in subsections (a)(2)(A) and (d)(5) and inserting ''December 31, 2002''.

(e) MINIMUM COMMISSIONED SERVICE FOR VOLUNTARY RETIREMENT AS AN OFFICER.—Sections 3911(b), 6323(a)(2), and 8911(b) of such title are amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(f) TRAVEL, TRANSPORTATION, AND STORAGE BENEFITS.—Sections 404(c)(1)(C), 404(f)(2)(B)(v), 406(a)(2)(B)(v), and 406(g)(1)(C) of title 37, United States Code, and section 503(c)(1) of the National Defense Authorization Act for Fiscal Year 1991 (37 U.S.C. 406 note) are amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(g) EDUCATIONAL LEAVE FOR PUBLIC AND COMMUNITY SERVICE.—Section 4463(f) of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 1143a note) is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(h) TRANSITIONAL HEALTH BENEFITS.—Subsections (a)(1), (c)(1), and (e) of section 1145 of title 10, United States Code, are amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(i) TRANSITIONAL COMMISSARY AND EXCHANGE BENEFITS.—Section 1146 of such title is amended by striking ''December 31, 2001'' both places it appears and inserting ''December 31, 2002''.

(j) TRANSITIONAL USE OF MILITARY HOUSING.—Paragraphs (1) and (2) of section 1147(a) of such title are amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(k) CONTINUED ENROLLMENT OF DEPENDENTS IN DEFENSE DEPENDENTS' EDUCATION SYSTEM.—Section 1407(c)(1) of the Defense Dependents' Education Act of 1978 (20 U.S.C. 926(c)(1)) is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(l) FORCE REDUCTION TRANSITION PERIOD DEFINED FOR CERTAIN GUARD AND RESERVE BENEFITS.—Section 4411 of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 12681 note) is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(m) RETIRED PAY FOR NON-REGULAR SERVICE.—Sections 12731(f) and 12731a(b) of title 10, United States Code, are amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(n) AFFILIATION WITH GUARD AND RESERVE UNITS; WAIVER OF CERTAIN LIMITATIONS.—Section 1150(a) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(o) RESERVE MONTGOMERY GI BILL.—Section 16133(b)(1)(B) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

Subtitle B—Reserve Component Personnel Policy

SEC. 511. PLACEMENT ON ACTIVE-DUTY LIST OF CERTAIN RESERVE OFFICERS ON ACTIVE DUTY FOR A PERIOD OF THREE YEARS OR LESS.

(a) CLARIFICATION OF EXEMPTION.—Section 641(1)(D) of title 10, United States Code, is amended to read as follows:

''(D) on active duty under section 12301(d) of this title, other than as provided under subparagraph (C), if the call or order to active duty, under regulations prescribed by the Secretary concerned, specifies a period of three years or less and continued placement on the reserve active-status list;''.

(b) RETROACTIVE APPLICATION.—(1) The Secretary of the military department concerned may provide that an officer who was excluded from the active-duty list under section 641(1)(D) of title 10, United States Code, as amended by section 521 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–108), shall be considered to have been on the active-duty list during the period beginning on the date on which the officer was so excluded and ending on the date of the enactment of this Act.

(2) The Secretary of the military department concerned may provide that a Reserve officer who was placed on the active-duty list on or after October 30, 1997, shall be placed on the reserve active-status list if the officer otherwise meets the conditions specified in section 641(1)(D) of title 10, United States Code, as amended by subsection (a).

SEC. 512. EXPANDED APPLICATION OF RESERVE SPECIAL SELECTION BOARDS.

(a) SPECIAL SELECTION BOARD FOR BELOW-THE-ZONE CONSIDERATION.—Section 14502 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking ''from in or above the promotion zone'';

(2) in subsection (a)(3), by inserting ''for selection for promotion from in or above the promotion zone'' after ''for consideration''; and

(3) in subsection (b)(1), by striking ''from in or above the promotion zone''.

(b) TECHNICAL AMENDMENT.—Subsection (b)(1) of such section is amended by striking ''under this chapter by a selection board'' and inserting ''by a promotion board convened under section 14101(a) of this title''.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any Reserve officer who was not considered for promotion because of administrative error, or was considered for promotion but not selected because of material error, under part III of subtitle E of title 10, United States Code, on or after October 1, 1996.

SEC. 513. EXCEPTION TO BACCALAUREATE DEGREE REQUIREMENT FOR APPOINTMENT OF RESERVE OFFICERS TO GRADES ABOVE FIRST LIEUTENANT.

Section 12205(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) The appointment to a grade in the Army Reserve of a person whose original appointment as an officer in the Army Reserve was through the Officer Candidate School program and who immediately before that original appointment was an enlisted member on active duty.''.

SEC. 514. IMPROVED DISABILITY BENEFITS FOR CERTAIN RESERVE COMPONENT MEMBERS.

(a) MEDICAL AND DENTAL CARE.—Sections 1074a(a)(3) and 1076(a)(2)(C) of title 10, United States Code, are each amended by striking '', if the'' and all that follows through ''member's residence''.

(b) ELIGIBILITY FOR DISABILITY RETIREMENT OR SEPARATION.—Sections 1204(2)(B)(iii) and 1206(2)(B)(iii) of title 10, United States Code, are each amended by striking '', if the'' and all that follows through ''member's residence''.

(c) RECOVERY, CARE, AND DISPOSITION OF REMAINS.—Section 1481(a)(2)(D) of title 10, United States Code, is amended by striking '', if the site is outside reasonable commuting distance from the member's residence''.

(d) PAY.—Sections 204(g)(1)(D), 204(h)(1)(D), and 206(a)(3)(C) of title 37, United States Code, are each amended by striking '', if the site is outside reasonable commuting distance from the member's residence''.

SEC. 515. TIME-IN-GRADE REQUIREMENT FOR RESERVE COMPONENT OFFICERS WITH A NONSERVICE CONNECTED DISABILITY.

Section 1370(d)(3)(B) of title 10, United States Code, is amended to read as follows:

''(B) A person covered by subparagraph (A) who has completed at least six months of satisfactory service in grade may be credited with satisfactory service in the grade in which serving at the time of transfer or discharge, notwithstanding failure of the person to complete three years of service in that grade, if that person—

''(i) is transferred from an active status or discharged as a reserve commissioned officer solely due to the requirements of a nondiscretionary provision of law requiring that transfer or discharge due to the person's age or years of service; or

''(ii) is retired under chapter 1223 of this title because the person no longer meets the qualification for membership in the Ready Reserve solely because of a physical disability, as determined, at a minimum, by a medical evaluation board.''.

SEC. 516. RESERVE MEMBERS CONSIDERED TO BE DEPLOYED FOR PURPOSES OF PERSONNEL TEMPO MANAGEMENT.

Section 991(b) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ''active'' before ''service''; and

(B) by adding at the end the following: ''For the purpose of applying the preceding sentence to a member of a reserve component performing active service, the housing in which the member resides when on garrison duty at the member's permanent duty station or homeport, as the case may be, shall be considered to be either the housing the member normally occupies when on garrison duty or the member's permanent civilian residence.'';

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (3) (as so redesignated), by striking ''in paragraphs (1) and (2)'' and inserting ''in paragraph (1)''.

SEC. 517. FUNERAL HONORS DUTY PERFORMED BY RESERVE AND GUARD MEMBERS TO BE TREATED AS INACTIVE-DUTY TRAINING FOR CERTAIN PURPOSES.

(a) RESERVE MEMBERS.—Section 12503(a) of title 10, United States Code, is amended by adding at the end the following new sentence: ''Performance of funeral honors duty by a Reserve not on active duty shall be treated as inactive-duty training (including with respect to travel to and from such duty) for purposes of any provision of law other than sections 206 and 435 of title 37.''.

(b) NATIONAL GUARD MEMBERS.—Section 115(a) of title 32, United States Code, is amended by adding at the end the following new sentence: ''Performance of funeral honors duty by such a member not on active duty or full-time National Guard duty shall be treated as inactive-duty training (including with respect to travel to and from such

duty) for purposes of any provision of law other than sections 206 and 435 of title 37.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to funeral honors duty performed on or after October 30, 2000.

SEC. 518. MEMBERS OF THE NATIONAL GUARD PERFORMING FUNERAL HONORS DUTY WHILE IN NON-FEDERAL STATUS.

Section 1491(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) A member of the Army National Guard of the United States or the Air National Guard of the United States who serves as a member of a funeral honors detail while in a duty status authorized under State law shall be considered to be a member of the armed forces for the purposes of the first sentence of paragraph (2).''.

SEC. 519. USE OF MILITARY LEAVE FOR FUNERAL HONORS DUTY BY RESERVE MEMBERS AND NATIONAL GUARDSMEN.

Section 6323(a)(1) of title 5, United States Code, is amended by inserting ''funeral honors duty (as described in section 12503 of title 10 and section 115 of title 32),'' after ''(as defined in section 101 of title 37),''.

SEC. 520. PREPARATION FOR, PARTICIPATION IN, AND CONDUCT OF ATHLETIC COMPETITIONS BY THE NATIONAL GUARD AND MEMBERS OF THE NATIONAL GUARD.

(a) ATHLETIC AND SMALL ARMS COMPETITIONS.—Section 504 of title 32, United States Code, is amended by adding at the end the following new subsection:

''(c) CONDUCT OF AND PARTICIPATION IN CERTAIN COMPETITIONS.—(1) Under regulations prescribed by the Secretary of Defense, members and units of the National Guard may conduct and compete in a qualifying athletic competition or a small arms competition so long as—

''(A) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the ability of a member or unit of the National Guard to perform the military functions of the member or unit;

''(B) National Guard personnel will enhance their military skills as a result of conducting or participating in the competition; and

''(C) the conduct of or participation in the competition will not result in a significant increase in National Guard costs.

''(2) Facilities and equipment of the National Guard, including military property and vehicles described in section 508(c) of this title, may be used in connection with the conduct of or participation in a qualifying athletic competition or a small arms competition under paragraph (1).''.

(b) OTHER MATTERS.—Such section is further amended by adding after subsection (c), as added by subsection (a) of this section, the following new subsections:

''(d) AVAILABILITY OF FUNDS.—(1) Subject to paragraph (2) and such limitations as may be enacted in appropriations Acts and such regulations as the Secretary of Defense may prescribe, amounts appropriated for the National Guard may be used to cover—

''(A) the costs of conducting or participating in a qualifying athletic competition or a small arms competition under subsection (c); and

''(B) the expenses of members of the National Guard under subsection (a)(3), including expenses of attendance and participation fees, travel, per diem, clothing, equipment, and related expenses.

''(2) Not more than $2,500,000 may be obligated or expended in any fiscal year under subsection (c).

''(e) QUALIFYING ATHLETIC COMPETITION DEFINED.—In this section, the term 'qualifying athletic competition' means a competition in athletic events that require skills relevant to military duties or involve aspects of physical fitness that are evaluated by the armed forces in determining whether a member of the National Guard is fit for military duty.''.

(c) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''AUTHORIZED ACTIVITIES.—'' after ''(a)''; and

(2) in subsection (b), by inserting ''AUTHORIZED LOCATIONS.—'' after ''(b)''.

(d) CONFORMING AND CLERICAL AMENDMENTS.—(1) Subsection (a) of such section is amended—

(A) in paragraph (1), by inserting ''and'' after the semicolon;

(B) in paragraph (2), by striking ''; or'' and inserting a period; and

(C) by striking paragraph (3).

(2) The heading of such section is amended to read as follows:

''§ 504. National Guard schools; small arms competitions; athletic competitions''.

(3) The item relating to section 504 in the table of sections at the beginning of chapter 5 of title 10, United States Code, is amended to read as follows:

''504. National Guard schools; small arms competitions; athletic competitions.''.

Subtitle C—Joint Specialty Officers and Joint Professional Military Education

SEC. 521. NOMINATIONS FOR JOINT SPECIALTY.

Paragraph (2) of section 661(b) of title 10, United States Code, is amended by striking ''The Secretaries'' and all that follows through ''officers—'' and inserting ''Each officer on the active-duty list on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2002 who has not before that date been nominated for the joint specialty by the Secretary of a military department, and each officer who is placed on the active-duty list after such date, who meets the requirements of subsection (c) shall automatically be considered to have been nominated for the joint specialty. From among those officers considered to be nominated for the joint specialty, the Secretary may select for the joint specialty only officers—''.

SEC. 522. JOINT DUTY CREDIT.

Paragraph (4) of section 664(i) of title 10, United States Code, is amended—

(1) in subparagraph (E), by striking ''The'' and inserting ''Except as provided in subparagraph (F), the''; and

(2) by adding at the end the following new subparagraph:

''(F) Service in a temporary joint task force assignment not involved in combat or combat-related operations may not be credited for the purposes of joint duty, unless, and only if—

''(i) the service of the officer and the nature of the joint task force not only meet all criteria of this section, except subparagraph (E), but also any additional criteria the Secretary may establish;

''(ii) the Secretary has specifically approved the operation conducted by the joint task force as one that qualifies for joint service credit, and notifies Congress upon each approval, providing the criteria that led to that approval; and

''(iii) the operation is conducted by the joint task force in an environment where an extremely fragile state of peace and high potential for hostilities coexist.''.

SEC. 523. RETROACTIVE JOINT SERVICE CREDIT FOR DUTY IN CERTAIN JOINT TASK FORCES.

(a) AUTHORITY.—In accordance with section 664(i) of title 10, United States Code, as amended by section 522, the Secretary of Defense may award joint service credit to any officer who served on the staff of a United States joint task force headquarters in an operation and during the period set forth in subsection (b) and who meets the criteria specified in such section. To determine which officers qualify for such retroactive credit, the Secretary shall undertake a case-by-case review of the records of officers.

(b) ELIGIBLE OPERATIONS.—Service in the following operations, during the specified periods, may be counted for credit under subsection (a):

(1) Operation Northern Watch, during the period beginning on August 1, 1992, and ending on a date to be determined.

(2) Operation Southern Watch, during the period beginning on August 27, 1992, and ending on a date to be determined.

(3) Operation Able Sentry, during the period beginning on June 26, 1993, and ending on February 28, 1999.

(4) Operation Joint Endeavor, during the period beginning on December 25, 1995, and ending on December 19, 1996.

(5) Operation Joint Guard, during the period beginning on December 20, 1996, and ending on June 20, 1998.

(6) Operation Desert Thunder, beginning on January 24, 1998, and ending on December 15, 1998.

(7) Operation Joint Forge, beginning on June 20, 1998, and ending on June 10, 1999.

(8) Operation Noble Anvil, beginning on March 24, 1999, and ending on July 20, 1999.

(9) Operation Joint Guardian, beginning on June 11, 1999, and ending on a date to be determined.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report of the numbers, by service, grade, and operation, of the officers given joint service credit in accordance with this section.

SEC. 524. REVISION TO ANNUAL REPORT ON JOINT OFFICER MANAGEMENT.

Section 667 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ''(A)'' after ''(1)''; and

(B) by adding at the end the following new subparagraph:

''(B) The number of officers who meet the criteria for selection for the joint specialty but were not selected, together with the reasons why.'';

(2) by amending paragraph (2) to read as follows:

''(2) The number of officers with the joint specialty, shown by grade and branch or specialty and by education.'';

(3) in paragraph (3)—

(A) in subparagraph (A) and (B), by striking ''nominated'' and inserting ''selected'';

(B) by inserting ''and'' at the end of subparagraph (D);

(C) by striking subparagraph (E); and

(D) by redesignating subparagraph (F) as subparagraph (E);

(4) in paragraph (4)(A), by striking ''nominated'' and inserting ''selected'';

(5) in paragraph (14)—

(A) by inserting ''(A)'' after ''(14)''; and

(B) by adding at the end the following new subparagraph:

''(B) An assessment of the extent to which the Secretary of each military department is assigning personnel to joint duty assignments in accordance with this chapter and the policies, procedures, and practices established by the Secretary of Defense under section 661(a) of this title.''; and

(6) in paragraph (16), by striking ''section 664(i)'' in the matter preceding subparagraph (A) and in subparagraph (B) and inserting ''subparagraphs (E) and (F) of section 664(i)(4)''.

SEC. 525. REQUIREMENT FOR SELECTION FOR JOINT SPECIALTY BEFORE PROMOTION TO GENERAL OR FLAG OFFICER GRADE.

(a) REQUIREMENT.—Subsection (a) of section 619a of title 10, United States Code, is amended by striking ''unless'' and all that follows and inserting ''unless—

''(1) the officer has completed a full tour of duty in a joint duty assignment (as described in section 664(f) of this title); and

''(2) for appointments after September 30, 2007, the officer has been selected for the joint specialty in accordance with section 661 of this title.''.

(b) WAIVER AUTHORITY.—Subsection (b) of that section is amended by striking ''may waive subsection (a) in the following circumstances:'' and inserting ''may waive paragraph (1) or paragraph (2) of subsection (a), or both paragraphs (1) and (2) of subsection (a), in the following circumstances (except that paragraph (2) of subsection (a) may not be waived by reason of paragraph (4)):''.

(c) PROPOSED LEGISLATIVE CHANGES.—Not later than December 1, 2002, the Secretary of Defense shall submit to Congress a draft proposal for such legislative changes as the Secretary considers needed to implement the amendment made by subsections (a) and (b).

SEC. 526. INDEPENDENT STUDY OF JOINT OFFICER MANAGEMENT AND JOINT PROFESSIONAL MILITARY EDUCATION REFORMS.

(a) STUDY.—The Secretary of Defense shall provide for an independent study of the joint officer management system and the joint professional military education system. The Secretary shall ensure that the entity conducting the study is provided such information and support as required. The Secretary shall include in the contract for the study a requirement that the entity conducting the study submit a report to Congress on the study not later than June 30, 2002.

(b) MATTERS TO BE INCLUDED WITH RESPECT TO JOINT OFFICER MANAGEMENT.—With respect to the joint officer management system, the entity conducting the independent study shall provide for the following:

(1) Assessment of implications for joint officer education, development, and management that would result from proposed joint organizational operational concepts (such as standing joint task forces) and from emerging officer management and personnel reforms (such as longer careers and more stabilization), that are under consideration by the Secretary of Defense.

(2) Assessment of the effectiveness of the current joint officer management system to develop and use joint specialty qualified officers in meeting both current and future requirements for joint specialty officers.

(3) Recommendations, based on empirical and other data, to improve the effectiveness of the joint officer management system, especially with regard to the following:

(A) The proper mix and sequencing of education assignments and experience assignments (to include, with respect to both types of assignments, consideration of the type and quality, and the length, of such assignments) to qualify an officer as a joint specialty officer, as well as the implications of adopting a variable joint duty tour length and the advisability and implications of a system of qualifying officers as joint specialty officers that uses multiple shorter qualification tracks to selection as a joint specialty officer than are now codified.

(B) The system of using joint specialty officers, including the continued utility of such measures as—

(i) the required fill of positions on the joint duty assignment list, as specified in paragraphs (1) and (4) of section 661(d) of title 10, United States Code;

(ii) the fill by such officers of a required number of critical billets, as prescribed by section 661(d)(2) of such title;

(iii) the mandated fill by general and flag officers of a minimum number of critical billets, as prescribed by section 661(d)(3) of such title; and

(iv) current promotion policy objectives for officers with the joint specialty, officers serving on the Joint Staff, and officers serving in joint duty assignment list positions, as prescribed by section 662 of such title.

(C) Changes in policy and law required to provide officers the required joint specialty qualification before promotion to general or flag officer grade.

(D) A determination of the number of reserve component officers who would be qualified for designation as a joint specialty officer by reason of experience or education if the standards of existing law, including waiver authorities, were applied to them, and recommendations for a process for qualifying and employing future reserve component officers as joint specialty officers.

(c) MATTERS TO BE INCLUDED WITH RESPECT TO JOINT PROFESSIONAL MILITARY EDUCATION.—With respect to the joint professional military education system, the entity conducting the independent study shall provide for the following:

(1) The number of officers who under the current system (A) qualified as joint specialty officers by attending joint professional military education programs before their first joint duty assignment, (B) qualified as joint specialty officers after arriving at their first joint duty assignment but before completing that assignment, and (C) qualified as joint specialty officers without any joint professional military education.

(2) Recommended initiatives (include changes in officer personnel management law, if necessary) to provide incentives and otherwise facilitate attendance at joint professional military education programs before an officer's first joint duty assignment.

(3) Recommended goals for attendance at the Joint Forces Staff College en route to a first joint duty assignment.

(4) An assessment of the continuing utility of statutory requirements for use of officers following joint professional military education, as prescribed by section 662(d) of title 10, United States Code.

(5) Determination of whether joint professional military education programs should remain principally an in-resident, multi-service experience and what role non-resident or distributive learning can or should play in future joint professional military education programs.

(6) Examination of options for the length of and increased capacity at Joint Forces Staff College, and whether other in-resident joint professional military education sources should be opened, and if opened, how they might be properly accredited and overseen to provide instruction at the level of the program designated as ''joint professional military education''.

(d) CHAIRMAN OF JOINT CHIEFS OF STAFF.—With respect to the roles of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, the entity conducting the independent study shall—

(1) provide for an evaluation of the current roles of the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and joint staff in law, policy, and implementation with regard to establishing and maintaining oversight of joint officer management, career guidelines, and joint professional military education; and

(2) make recommendations to improve and strengthen those roles.

(e) REQUIREMENTS FOR STUDY ENTITY.—In providing for the independent study required by subsection (a), the Secretary of Defense shall ensure that the entity conducting the study—

(1) is not a Department of Defense organization; and

(2) shall, at a minimum, involve in the study, in an integral way, the following persons:

(A) The Chairman of the Joint Chiefs of Staff and available former Chairmen of the Joint Chiefs of Staff.

(B) Members and former members of the Joint Staff, the Armed Forces, the Congress, and congressional staff who are or who have been significantly involved in the development, implementation, or modification of joint officer management and joint professional military education.

(C) Experts in joint officer management and education from civilian academic and research centers.

SEC. 527. PROFESSIONAL DEVELOPMENT EDUCATION.

(a) EXECUTIVE AGENT FOR FUNDING.—(1) Effective beginning with fiscal year 2003, the Secretary of Defense shall be the executive agent for funding professional development education operations of all components of the National Defense University, including the Joint Forces Staff College. The Secretary may not delegate the Secretary's functions and responsibilities under the preceding sentence to the Secretary of a military department.

(2) Nothing in this subsection affects policies in effect on the date of the enactment of this Act with respect to—

(A) the reporting of the President of the National Defense University to the Chairman of the Joint Chiefs of Staff; or

(B) provision of logistical and base operations support for components of the National Defense University by the military departments.

(b) PREPARATION OF BUDGET REQUESTS.—Section 2162(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) As executive agent for funding professional development education at the National Defense University, including the Joint Forces Staff College, the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, shall prepare the annual budget for professional development education operations at the National Defense University and set forth that request as a separate budget request in the materials submitted to Congress in support of the budget request for the Department of Defense. Nothing in the preceding sentence affects policies in effect on the date of the enactment of this paragraph with respect to budgeting for the funding of logistical and base operations support for components of the National Defense University through the military departments.''.

(c) FUNDING SOURCE.—(1) Section 2165 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) SOURCE OF FUNDS FOR PROFESSIONAL DEVELOPMENT EDUCATION OPERATIONS.—Funding for the professional development education operations of the National Defense University shall be provided from funds made available to the Secretary of Defense from the annual appropriation 'Operation and Maintenance, Defense-wide'.''.

(2) Subsection (d) of section 2165 of title 10, United States Code, as added by paragraph (1), shall become effective beginning with fiscal year 2003.

SEC. 528. AUTHORITY FOR NATIONAL DEFENSE UNIVERSITY TO ENROLL CERTAIN PRIVATE SECTOR CIVILIANS.

(a) IN GENERAL.—(1) Chapter 108 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2167. National Defense University: admission of private sector civilians to professional military education program

''(a) AUTHORITY FOR ADMISSION.—The Secretary of Defense may permit eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Defense University in accordance with this section. No more than 10 full-time equivalent private sector employees may be enrolled at any one time. Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate diploma or degree under section 2165 of this title.

''(b) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—For purposes of this section, an eligible private sector employee is an individual employed by a private firm that is engaged in providing to the Department of Defense or other Government departments or agencies significant and substantial defense-related systems, products, or services or whose work product is relevant to national security policy or strategy. A private sector employee admitted for instruction at the National Defense University remains eligible for such instruction only so long as that person remains employed by the same firm.

''(c) ANNUAL CERTIFICATION BY SECRETARY OF DEFENSE.—Private sector employees may receive instruction at the National Defense University during any academic year only if, before the start of that academic year, the Secretary of Defense determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees under this section during that year will further national security interests of the United States.

''(d) PROGRAM REQUIREMENTS.—The Secretary of Defense shall ensure that—

''(1) the curriculum for the professional military education program in which private sector employees may be enrolled under this section is not readily available through other schools and concentrates on national security relevant issues; and

''(2) the course offerings at the National Defense University continue to be determined solely by the needs of the Department of Defense.

''(e) TUITION.—The President of the National Defense University shall charge students enrolled under this section a rate—

''(1) that is at least the rate charged for employees of the United States outside the Department of Defense, less infrastructure costs, and

''(2) that considers the value to the school and course of the private sector student.

''(f) STANDARDS OF CONDUCT.—While receiving instruction at the National Defense University, students enrolled under this section, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the university.

''(g) USE OF FUNDS.—Amounts received by the National Defense University for instruction of students enrolled under this section shall be retained by the university to defray the costs of such instruction. The source, and the disposition, of such funds shall be specifically identified in records of the university.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2167. National Defense University: admission of private sector civilians to professional military education program.''.

(b) EFFECTIVE DATE.—Section 2167 of title 10, United States Code, as added by subsection (a), shall take effect on January 1, 2002.

SEC. 529. CONTINUATION OF RESERVE COMPONENT PROFESSIONAL MILITARY EDUCATION TEST.

(a) CONTINUATION OF CONCEPT VALIDATION TEST.—During fiscal year 2002, the Secretary of Defense shall continue the concept validation test of Reserve component joint professional military education that was begun in fiscal year 2001 at the National Defense University.

(b) PILOT PROGRAM.—If the Secretary of Defense determines that the results of the concept validation test referred to in subsection (a) warrant conducting a pilot program of the concept that was the subject of the test, the Secretary shall conduct such a pilot program during fiscal year 2003.

(c) FUNDING.—The Secretary shall provide funds for the concept validation test under subsection (a) and for any pilot program under subsection (b) from funds appropriated to the Secretary of Defense in addition those appropriated for operations of the National Defense University.

Subtitle D—Military Education and Training

SEC. 531. DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER.

(a) AUTHORITY TO CONFER ASSOCIATE OF ARTS DEGREE.—Chapter 108 of title 10, United States Code, is amended by adding after section 2167, as added by section 528(a)(1), the following new section:

"§ 2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language

''(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.

''(b) A degree may be conferred upon a student under this section only if the Provost of the Center certifies to the Commandant that the student has satisfied all the requirements prescribed for the degree.

''(c) The authority provided by subsection (a) shall be exercised under regulations prescribed by the Secretary of Defense.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2167, as added by section 528(a)(2), the following new item:

''2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language.''.

SEC. 532. AUTHORITY FOR THE MARINE CORPS UNIVERSITY TO AWARD DEGREE OF MASTER OF STRATEGIC STUDIES.

(a) MARINE CORPS WAR COLLEGE DEGREE.—Section 7102 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) MARINE CORPS WAR COLLEGE.—Upon the recommendation of the Director and faculty of the Marine Corps War College of the Marine Corps University, the President of the Marine Corps University may confer the degree of master of strategic studies upon graduates of the Marine Corps War College who fulfill the requirements for that degree.''.

(b) CONFORMING AMENDMENTS.—(1) Subsection (a) of such section is amended by striking ''upon graduates'' and all that follows and inserting ''upon graduates of the Command and Staff College who fulfill the requirements for that degree.''.

(2) Subsection (c) of such section, as redesignated by subsection (a)(1), is amended by striking ''subsection (a)'' and inserting ''subsections (a) and (b)''.

(3)(A) The heading of such section is amended to read as follows:

"§ 7102. Marine Corps University: masters degrees; board of advisors".

(B) The item relating to such section in the table of sections at the beginning of chapter 609 of such title is amended to read as follows:

''7102. Marine Corps University: masters degrees; board of advisors.''.

(c) CODIFICATION OF REQUIREMENT FOR BOARD OF ADVISORS.—(1) Section 7102 of title 10, United States Code, as amended by subsections (a) and (b), is further amended by adding at the end the following new subsection:

''(d) BOARD OF ADVISORS.—The Secretary of the Navy shall establish a board of advisors for the Marine Corps University. The Secretary shall ensure that the board is established so as to meet all requirements of the appropriate regional accrediting association.''.

(2) Section 912 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 7102 note) is repealed.

(d) EFFECTIVE DATE.—The authority to confer the degree of master of strategic studies under section 7102(b) of title 10, United States Code (as added by subsection (a)) may not be exercised until the Secretary of Education determines, and certifies to the President of the Marine Corps University, that the requirements established by the Marine Corps War College of the Marine Corps University for that degree are in accordance with generally applicable requirements for a degree of master of arts. Upon receipt of such a certification, the President of the University shall promptly transmit a copy of the certification to the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives.

SEC. 533. INCREASE IN NUMBER OF FOREIGN STUDENTS AUTHORIZED TO BE ADMITTED TO THE SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—(1) Subsection (a)(1) of section 4344 of title 10, United States Code, is amended by striking ''40 persons'' and inserting ''60 persons''.

(2) Subsection (b) of such section is amended—

(A) by inserting ''some or all'' in paragraph (2) after ''unless a written waiver of''; and

(B) by striking paragraph (3).

(3) The amendments made by paragraph (2) shall not apply with respect to any person who entered the United States Military Academy to receive instruction under section 4344 of title 10, United States Code, before the date of the enactment of this Act.

(b) UNITED STATES NAVAL ACADEMY.—(1) Subsection (a)(1) of section 6957 of title 10, United States Code, is amended by striking ''40 persons'' and inserting ''60 persons''.

(2) Subsection (b) of such section is amended—

(A) by inserting ''some or all'' in paragraph (2) after ''unless a written waiver of''; and

(B) by striking paragraph (3).

(3) The amendments made by paragraph (2) shall not apply with respect to any person

who entered the United States Naval Academy to receive instruction under section 6957 of title 10, United States Code, before the date of the enactment of this Act.

(c) UNITED STATES AIR FORCE ACADEMY.—(1) Subsection (a)(1) of section 9344 of title 10, United States Code, is amended by striking ''40 persons'' and inserting ''60 persons''.

(2) Subsection (b) of such section is amended—

(A) by inserting ''some or all'' in paragraph (2) after ''unless a written waiver of''; and

(B) by striking paragraph (3).

(3) The amendments made by paragraph (2) shall not apply with respect to any person who entered the United States Air Force Academy to receive instruction under section 9344 of title 10, United States Code, before the date of the enactment of this Act.

SEC. 534. INCREASE IN MAXIMUM AGE FOR APPOINTMENT AS A CADET OR MIDSHIPMAN IN SENIOR RESERVE OFFICER TRAINING CORPS SCHOLARSHIP PROGRAMS.

(a) GENERAL ROTC SCHOLARSHIP PROGRAM.—Section 2107(a) of title 10, United States Code, is amended—

(1) by striking ''27 years of age on June 30'' and inserting ''35 years of age on December 31''; and

(2) by striking '', except that'' and all that follows through ''on such date'' the second place it appears.

(b) ARMY RESERVE AND ARMY NATIONAL GUARD ROTC SCHOLARSHIP PROGRAM.—Section 2107a(a) of such title is amended—

(1) by striking ''27 years of age on June 30'' and inserting ''35 years of age on December 31''; and

(2) by striking '', except that'' and all that follows through ''on such date'' the second place it appears.

SEC. 535. ACTIVE DUTY PARTICIPATION AS A CADET OR MIDSHIPMAN IN SENIOR ROTC ADVANCED TRAINING.

(a) SENIOR RESERVE OFFICER TRAINING CORPS.—Section 2104(b)(3) of title 10, United States Code, is amended by striking ''a reserve component of'' ''.

(b) BASIC PAY.—Section 209(c) of title 37, United States Code, is amended by inserting ''unless the cadet or midshipman is serving on active duty'' before the period at the end.

SEC. 536. AUTHORITY TO MODIFY THE SERVICE OBLIGATION OF CERTAIN ROTC CADETS IN MILITARY JUNIOR COLLEGES RECEIVING FINANCIAL ASSISTANCE.

(a) AUTHORITY TO MODIFY AGREEMENTS.—Subsection (b) of section 2107a of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''(b)'';

(2) by redesignating paragraphs (1), (2), (3), (4), (5), and (6) as subparagraphs (A), (B), (C), (D), (E), and (F), respectively;

(3) by designating the sentence following subparagraph (F), as so redesignated, as paragraph (2); and

(4) by adding at the end the following new paragraph:

''(3) In the case of a cadet under this section at a military junior college, the Secretary may, at any time and with the consent of the cadet concerned, modify an agreement described in paragraph (1)(F) submitted by the cadet to reduce or eliminate the troop program unit service obligation specified in the agreement and to establish, in lieu of that obligation, an active duty service obligation. Such a modification may be made only if the Secretary determines that it is in the best interests of the United States to do so.''.

(b) RETROACTIVE APPLICATION.—The authority of the Secretary of Defense under section 2107a(b)(3) of title 10, United States Code, as added by subsection (a), may be exercised with regard to any agreement described in subsection (b)(1)(F) (including agreements related to participation in the Advanced Course of the Army Reserve Officers' Training Corps at a military college or civilian institution) entered into during the period beginning on January 1, 1991 and ending on July 12, 2000.

(c) TECHNICAL AMENDMENT.—Subsection (h) of such section is amended by striking ''military college'' in the second sentence and inserting ''military junior college''.

SEC. 537. MODIFICATION OF NURSE OFFICER CANDIDATE ACCESSION PROGRAM RESTRICTION ON STUDENTS ATTENDING EDUCATIONAL INSTITUTIONS WITH SENIOR RESERVE OFFICERS' TRAINING PROGRAMS.

Section 2130a of title 10, United States Code, is amended—

(1) in subsection (a)(2), by striking ''that does not have a Senior Reserve Officers' Training Program established under section 2102 of this title''; and

(2) in subsection (b)(1), by inserting before the semicolon at the end ''or that has a Senior Reserve Officers' Training Program for which the student is ineligible''.

SEC. 538. REPEAL OF LIMITATION ON NUMBER OF JUNIOR RESERVE OFFICERS' TRAINING CORPS (JROTC) UNITS.

Section 2031(a)(1) of title 10, United States Code, is amended by striking the second sentence.

SEC. 539. RESERVE HEALTH PROFESSIONALS STIPEND PROGRAM EXPANSION.

(a) PURPOSE OF PROGRAM.—Subsection (a) of section 16201 of title 10, United States Code, is amended—

(1) by striking ''specialties critically needed in wartime'';

(2) by striking ''training in such specialties'' and inserting ''training that leads to a degree in medicine or dentistry or training in a health professions specialty that is critically needed in wartime''; and

(3) by striking ''training in certain health care specialties'' and inserting ''health care education and training''.

(b) MEDICAL AND DENTAL STUDENT STIPEND.—Such section is further amended—

(1) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) MEDICAL AND DENTAL SCHOOL STUDENTS.—(1) Under the stipend program under this chapter, the Secretary of the military department concerned may enter into an agreement with a person who—

''(A) is eligible to be appointed as an officer in a reserve component;

''(B) is enrolled or has been accepted for enrollment in an institution in a course of study that results in a degree in medicine or dentistry;

''(C) signs an agreement that, unless sooner separated, the person will—

''(i) complete the educational phase of the program;

''(ii) accept a reappointment or redesignation within the person's reserve component, if tendered, based upon the person's health profession, following satisfactory completion of the educational and intern programs; and

''(iii) participate in a residency program; and

''(D) if required by regulations prescribed by the Secretary of Defense, agrees to apply for, if eligible, and accept, if offered, residency training in a health profession skill which has been designated by the Secretary of Defense as a critically needed wartime skill.

''(2) Under the agreement—

''(A) the Secretary of the military department concerned shall agree to pay the participant a stipend, in the amount determined under subsection (f), for the period or the remainder of the period the student is satisfactorily progressing toward a degree in medicine or dentistry while enrolled in an accredited medical or dental school;

''(B) the participant shall not be eligible to receive such stipend before appointment, designation, or assignment as an officer for service in the Ready Reserve;

''(C) the participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve; and

''(D) the participant shall agree to serve, upon successful completion of the program, one year in the Selected Reserve for each six months, or part thereof, for which the stipend is provided. In the case of a participant who enters into a subsequent agreement under subsection (c) and successfully completes residency training in a specialty designated by the Secretary of Defense as a specialty critically needed by the military department in wartime, the requirement to serve in the Selected Reserve may be reduced to one year for each year, or part thereof, for which the stipend was provided while enrolled in medical or dental school.''.

(c) WARTIME CRITICAL SKILLS.—Subsection (c) of such section (as redesignated by subsection (b)(1)) is amended—

(1) by inserting ''WARTIME'' after ''CRITICAL'' in the heading; and

(2) by inserting ''or has been appointed as a medical or dental officer in the Reserve of the armed force concerned'' in paragraph (1)(B) before the semicolon at the end.

(d) SERVICE OBLIGATION REQUIREMENT.—Paragraph (2)(D) of subsection (c) of such section (as redesignated by subsection (b)(1)) and paragraph (2)(D) of subsection (d) of such section (as so redesignated) are amended by striking ''two years in the Ready Reserve for each year,'' and inserting ''one year in the Ready Reserve for each six months,''.

(e) CROSS-REFERENCE.—Paragraph (2)(A) of subsection (c) of such section (as redesignated by subsection (b)(1)) and paragraph (2)(A) of subsection (d) of such section (as so redesignated) are amended by striking ''subsection (e)'' and inserting ''subsection (f)''.

SEC. 540. HOUSING ALLOWANCE FOR THE CHAPLAIN FOR THE CORPS OF CADETS, UNITED STATES MILITARY ACADEMY.

(a) AUTHORITY.—The second sentence of section 4337 of title 10, United States Code, is amended to read as follows: ''Notwithstanding any other provision of law, the chaplain is entitled to the same basic allowance for housing allowed to a lieutenant colonel, and to fuel and light for quarters in kind.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act.

Subtitle E—Decorations, Awards, and Commendations

SEC. 541. AUTHORITY FOR AWARD OF THE MEDAL OF HONOR TO HUMBERT R. VERSACE FOR VALOR DURING THE VIETNAM WAR.

(a) WAIVER OF TIME LIMITATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the military service, the President may award the Medal of Honor under section 3741 of that title to Humbert R. Versace for the acts of valor referred to in subsection (b).

(b) ACTION DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Humbert R. Versace between October 29, 1963, and September 26, 1965, while interned

as a prisoner-of-war by the Vietnamese Communist National Liberation Front (Viet Cong) in the Republic of Vietnam.

SEC. 542. REVIEW REGARDING AWARD OF MEDAL OF HONOR TO CERTAIN JEWISH AMERICAN AND HISPANIC AMERICAN WAR VETERANS.

(a) REVIEW REQUIRED.—The Secretary of each military department shall review the service records of each Jewish American war veteran or Hispanic American war veteran described in subsection (b) to determine whether that veteran should be awarded the Medal of Honor.

(b) COVERED JEWISH AMERICAN WAR VETERANS AND HISPANIC AMERICAN WAR VETERANS.—The Jewish American war veterans and Hispanic American war veterans whose service records are to be reviewed under subsection (a) are the following:

(1) Any Jewish American war veteran or Hispanic American war veteran who was awarded the Distinguished Service Cross, the Navy Cross, or the Air Force Cross before the date of the enactment of this Act.

(2) Any other Jewish American war veteran or Hispanic American war veteran whose name is submitted to the Secretary concerned for such purpose before the end of the one-year period beginning on the date of the enactment of this Act.

(c) CONSULTATIONS.—In carrying out the review under subsection (a), the Secretary of each military department shall consult with the Jewish War Veterans of the United States of America and with such other veterans service organizations as the Secretary considers appropriate.

(d) RECOMMENDATION BASED ON REVIEW.—If the Secretary concerned determines, based upon the review under subsection (a) of the service records of any Jewish American war veteran or Hispanic American war veteran, that the award of the Medal of Honor to that veteran is warranted, the Secretary shall submit to the President a recommendation that the President award the Medal of Honor to that veteran.

(e) AUTHORITY TO AWARD MEDAL OF HONOR.—A Medal of Honor may be awarded to a Jewish American war veteran or Hispanic American war veteran in accordance with a recommendation of the Secretary concerned under subsection (a).

(f) WAIVER OF TIME LIMITATIONS.—An award of the Medal of Honor may be made under subsection (e) without regard to—

(1) section 3744, 6248, or 8744 of title 10, United States Code, as applicable; and

(2) any regulation or other administrative restriction on—

(A) the time for awarding the Medal of Honor; or

(B) the awarding of the Medal of Honor for service for which a Distinguished Service Cross, Navy Cross, or Air Force Cross has been awarded.

(g) DEFINITION.—For purposes of this section, the term ''Jewish American war veteran'' means any person who served in the Armed Forces during World War II or a later period of war and who identified himself or herself as Jewish on his or her military personnel records.

SEC. 543. AUTHORITY TO ISSUE DUPLICATE MEDAL OF HONOR.

(a) ARMY.—(1) Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 3754. Medal of honor: duplicate medal

''A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Army may determine, as a duplicate or for display purposes only.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''3754. Medal of honor: duplicate medal.''.

(b) NAVY.—(1) Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 6256. Medal of honor: duplicate medal

''A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Navy may determine, as a duplicate or for display purposes only.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''6256. Medal of honor: duplicate medal.''.

(c) AIR FORCE.—(1) Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8754. Medal of honor: duplicate medal

''A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Air Force may determine, as a duplicate or for display purposes only.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''8754. Medal of honor: duplicate medal.''.

(d) COAST GUARD.—(1) Chapter 13 of title 14, United States Code, is amended by inserting after section 503 the following new section:

''§ 504. Medal of honor: duplicate medal

''A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary may determine, as a duplicate or for display purposes only.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 503 the following new item:

''504. Medal of honor: duplicate medal.''.

(e) DEFINITION OF MEDAL OF HONOR FOR PURPOSES OF FEDERAL UNAUTHORIZED-USE CRIME.—Section 704(b)(2)(B) of title 18, United States Code, is amended to read as follows:

''(B) As used in this subsection, 'Congressional Medal of Honor' means—

''(i) a medal of honor awarded under section 3741, 6241, or 8741 of title 10 or section 491 of title 14;

''(ii) a duplicate medal of honor issued under section 3754, 6256, or 8754 of title 10 or section 504 of title 14; or

''(iii) a replacement of a medal of honor provided under section 3747, 6253, or 8747 of title 10 or section 501 of title 14.''.

SEC. 544. AUTHORITY TO REPLACE STOLEN MILITARY DECORATIONS.

(a) ARMY, NAVY, AND AIR FORCE.—Sections 3747, 6253, and 8747 of title 10, United States Code, are each amended by striking ''lost or destroyed'' and inserting ''stolen, lost, or destroyed''.

(b) COAST GUARD.—Section 501 of title 14, United States Code, is amended by inserting ''stolen,'' before ''lost,''.

SEC. 545. WAIVER OF TIME LIMITATIONS FOR AWARD OF NAVY DISTINGUISHED FLYING CROSS TO CERTAIN PERSONS.

(a) WAIVER.—Any limitation established by law or policy for the time within which a recommendation for the award of a military decoration or award must be submitted shall not apply to awards of decorations described in this section, the award of each such decoration having been determined by the Secretary concerned to be warranted in accordance with section 1130 of title 10, United States Code.

(b) DISTINGUISHED FLYING CROSS.—Subsection (a) applies to the award of the Distinguished Flying Cross for service during World War II or Korea (including multiple awards to the same individual) in the case of each individual concerning whom the Secretary of the Navy (or an officer of the Navy acting on behalf of the Secretary) submitted to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate, during the period beginning on October 31, 2000, and ending on the day before the date of the enactment of this Act, a notice as provided in section 1130(b) of title 10, United States Code, that the award of the Distinguished Flying Cross to that individual is warranted and that a waiver of time restrictions prescribed by law for recommendation for such award is recommended.

SEC. 546. KOREA DEFENSE SERVICE MEDAL.

(a) ARMY.—(1) Chapter 357 of title 10, United States Code, as amended by section 543(a)(1), is further amended by adding at the end the following new section:

''§ 3755. Korea Defense Service Medal

''(a) The Secretary of the Army shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Army served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for the award of that medal prescribed under subsection (c).

''(b) In this section, the term 'KDSM eligibility period' means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

''(c) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.''.

(2) The table of sections at the beginning of such chapter, as amended by section 543(a)(2), is further amended by adding at the end the following new item:

''3755. Korea Defense Service Medal.''.

(b) NAVY AND MARINE CORPS.—(1) Chapter 567 of title 10, United States Code, as amended by section 543(b)(1), is further amended by adding at the end the following new section:

''§ 6257. Korea Defense Service Medal

''(a) The Secretary of the Navy shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Navy or Marine Corps served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for the award of that medal prescribed under subsection (c).

''(b) In this section, the term 'KDSM eligibility period' means the period beginning on July 28, 1954, and ending on such date after

the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

''(c) The Secretary of the Navy shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.''.

(2) The table of sections at the beginning of such chapter, as amended by section 543(b)(2), is further amended by adding at the end the following new item:

''6257. Korea Defense Service Medal.''.

(c) AIR FORCE.—(1) Chapter 857 of title 10, United States Code, as amended by section 543(c)(1), is further amended by adding at the end the following new section:

"§ 8755. Korea Defense Service Medal

''(a) The Secretary of the Air Force shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Air Force served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for the award of that medal prescribed under subsection (c).

''(b) In this section, the term 'KDSM eligibility period' means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

''(c) The Secretary of the Air Force shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.''.

(2) The table of sections at the beginning of such chapter, as amended by section 543(c)(2), is further amended by adding at the end the following new item:

''8755. Korea Defense Service Medal.''.

(d) AWARD FOR SERVICE BEFORE DATE OF ENACTMENT.—The Secretary of the military department concerned shall take appropriate steps to provide in a timely manner for the issuance of the Korea Defense Service Medal, upon application therefor, to persons whose eligibility for that medal is by reason of service in the Republic of Korea or the waters adjacent thereto before the date of the enactment of this Act.

SEC. 547. COLD WAR SERVICE MEDAL.

(a) AUTHORITY.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1134. Cold War service medal

''(a) MEDAL AUTHORIZED.—The Secretary concerned shall, upon application, issue the Cold War service medal to a person eligible to receive that medal. The Cold War service medal shall be of an appropriate design approved by the Secretary of Defense, with ribbons, lapel pins, and other appurtenances.

''(b) ELIGIBILITY.—(1) A person is eligible to receive the Cold War service medal if the person—

''(A) served on active duty during the Cold War;

''(B) has not been released from active duty with a characterization of service less favorable than honorable and has not received a discharge less favorable than an honorable discharge; and

''(C) except as provided under paragraph (3), meets the service requirements of paragraph (2).

''(2) The service requirements of this paragraph are—

''(A) in the case of a person who served on active duty during the Cold War as an enlisted member, that the person have completed that person's initial term of enlistment and after the end of that initial term of enlistment have reenlisted for an additional term of enlistment or have been appointed as an officer; and

''(B) in the case of a person who served on active duty during the Cold War as an officer, that the person have completed that person's initial service obligation as an officer and have served in the armed forces after completing that initial service obligation.

''(3) The Secretary concerned, under regulations prescribed under this section, may waive the service requirements of paragraph (2)—

''(A) in the case of any person discharged or released from active duty for a disability incurred or aggravated in line of duty;

''(B) in the case of any person discharged for hardship under section 1173 of this title; and

''(C) under any other circumstance for which the Secretary determines that such a waiver is warranted.

''(c) ONE AWARD AUTHORIZED.—Not more than one Cold War service medal may be issued to any person.

''(d) ISSUANCE TO REPRESENTATIVE OF DECEASED.—If a person who is eligible for the Cold War service medal dies before being issued that medal, the medal may, upon application, be issued to the person's representative, as designated by the Secretary concerned.

''(e) REPLACEMENT.—Under regulations prescribed by the Secretary concerned, a Cold War service medal that is lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was issued may be replaced without charge.

''(f) UNIFORM REGULATIONS.—The Secretary of Defense shall ensure that regulations prescribed by the Secretaries of the military departments under this section are uniform so far as is practicable.

''(g) COLD WAR DEFINED.—In this section, the term 'Cold War' means the period beginning on September 2, 1945, and ending at the end of December 26, 1991.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1134. Cold War service medal.''.

SEC. 548. OPTION TO CONVERT AWARD OF ARMED FORCES EXPEDITIONARY MEDAL AWARDED FOR OPERATION FREQUENT WIND TO VIETNAM SERVICE MEDAL.

(a) IN GENERAL.—The Secretary of the military department concerned shall, upon the application of an individual who is an eligible Vietnam evacuation veteran, award that individual the Vietnam Service Medal, notwithstanding any otherwise applicable requirements for the award of that medal. Any such award shall be made in lieu of the Armed Forces Expeditionary Medal awarded the individual for participation in Operation Frequent Wind.

(b) ELIGIBLE VIETNAM EVACUATION VETERAN.—For purposes of this section, the term ''eligible Vietnam evacuation veteran'' means a member or former member of the Armed Forces who was awarded the Armed Forces Expeditionary Medal for participation in military operations designated as Operation Frequent Wind arising from the evacuation of Vietnam on April 29 and 30, 1975.

SEC. 549. SENSE OF CONGRESS ON NEW MEDAL TO RECOGNIZE CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE KILLED OR WOUNDED AS A RESULT OF HOSTILE ACTION.

(a) FINDINGS.—Congress makes the following findings:

(1) The role and importance of civilian nationals of the United States as Federal employees and contractors in support of operations of the Armed Forces worldwide has continued to expand.

(2) The expanded role performed by those civilians, both in the United States and overseas, has greatly increased the risk to those civilians of injury and death from hostile actions taken against United States Armed Forces, as demonstrated by the terrorist attack on the Pentagon on September 11, 2001, in which scores of Department of Defense civilian and contractor personnel were killed or wounded.

(3) No decoration exists for the recognition of civilian nationals of the United States who, while serving under competent authority in any capacity with the Armed Forces, are killed or wounded in the line of duty under circumstances which, if they were members of the Armed Forces, would qualify them for the award of the Purple Heart.

(4) Both the Congress and the Secretary of Defense have previously agreed to the need for such a decoration.

(5) On September 20, 2001, the Deputy Secretary of Defense approved the creation of a new award, a medal for the defense of freedom, to be awarded to civilians employed by the Department of Defense who are killed or wounded as a result of hostile action and at the same time directed that a comprehensive review be conducted to develop a more uniform approach to the award of decorations to military and civilian personnel of the Department of Defense.

(b) COMMENDATION OF CREATION OF NEW AWARD.—Congress commends the decision announced by the Deputy Secretary of Defense on September 20, 2001, to approve the creation of a new award, a medal for the defense of freedom, to be awarded to civilians employed by the Department of Defense who are killed or wounded as a result of hostile action.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense—

(1) should move expeditiously to produce and award the new medal referred to in subsection (b); and

(2) should develop a more comprehensive, uniform policy for the award of decorations to military and civilian personnel of the Department of Defense.

Subtitle F—Matters Relating to Voting

SEC. 551. VOTING ASSESSMENTS AND ASSISTANCE FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1566. Voting assistance: compliance assessments and assistance

''(a) INSPECTOR GENERAL ASSESSMENTS.—(1) The Department of Defense Inspector General shall each calendar year conduct a random and unannounced assessment at a minimum of 15 Department of Defense installations of the compliance at those installations with—

''(A) the requirements of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.);

''(B) Department of Defense regulations regarding that Act and the Federal Voting Assistance Program carried out under that Act; and

''(C) other requirements of law regarding voting by members of the armed forces.

''(2) Each assessment under paragraph (1) shall include a review of such compliance—

''(A) within units to which are assigned, in the aggregate, not less than 20 percent of the personnel assigned to duty at that installation;

''(B) within a representative survey of members of the armed forces assigned to that installation and their dependents; and

''(C) within unit voting assistance officers to measure program effectiveness.

''(b) REGULAR MILITARY DEPARTMENT ASSESSMENTS.—The Secretary of each military department shall include in the set of issues and programs to be reviewed during any management effectiveness review or inspection an assessment of compliance with the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) and with Department of Defense regulations regarding the Federal Voting Assistance Program.

''(c) VOTING ASSISTANCE OFFICERS.—Voting assistance officers appointed or assigned under Department of Defense regulations regarding the Federal Voting Assistance Program shall be appointed or assigned with the expectation of serving in that capacity for a minimum of 30 months. A member of the armed forces assigned to such a position may not be assigned other duties that would not be considered part of the member's primary military duties, except when a unit commander determines that insufficient personnel are available to fulfill all additional duty requirements. Performance evaluation reports pertaining to a member who has been assigned to serve as a voting assistance officer shall comment on the performance of the member as a voting assistance officer.

''(d) DELIVERY OF MAIL FROM OVERSEAS PRECEDING FEDERAL ELECTIONS.—(1) During the four months preceding a general Federal election month, the Secretary of Defense shall periodically conduct surveys of all overseas locations and vessels at sea with military units responsible for collecting mail for return shipment to the United States and all port facilities in the United States and overseas where military-related mail is collected for shipment to overseas locations or to the United States. The purpose of each survey shall be to determine if voting materials are awaiting shipment at any such location and, if so, the length of time that such materials have been held at that location. During the fourth and third months before a general Federal election month, such surveys shall be conducted biweekly. During the second and first months before a general Federal election month, such surveys shall be conducted weekly.

''(2) The Secretary shall ensure that voting materials are transmitted expeditiously by military postal authorities at all times.

''(3) In this section, the term 'general Federal election month' means November in an even-numbered year.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1566. Voting assistance: compliance assessments and assistance.''.

SEC. 552. ELECTRONIC VOTING DEMONSTRATION PROJECT.

(a) DEMONSTRATION PROJECT.—The Secretary of Defense shall carry out a demonstration project to examine voting in Federal elections by absent uniformed services voters through a long-distance electronic voting system. The demonstration project shall be carried out for voting in the regularly scheduled general election for Federal office in November 2002. Under the demonstration project, absent uniformed services voters participating in the project shall be provided a means, with the cooperation and assistance of State election officials of States that agree to participate in the project, to cast their ballots in that election through a long-distance electronic voting method.

(b) SCOPE OF PROJECT.—The Secretary shall determine the scope of the demonstration project under this section, including the absent uniformed services voters authorized to participate in the project. The project shall be carried out with participation of sufficient numbers of absent uniformed services voters so that the results are statistically relevant.

(c) COORDINATION WITH STATE ELECTION OFFICIALS.—The Secretary shall carry out the demonstration project under this section through cooperative agreements with State election officials of States that agree to participate in the project.

(d) REPORT TO CONGRESS.—Not later than June 1, 2003, the Secretary shall submit to Congress a report analyzing the demonstration project conducted under this section. The Secretary shall include in the report any recommendations the Secretary considers appropriate for continuing the project on an expanded basis during the next regularly scheduled general election for Federal office.

(e) ABSENT UNIFORMED SERVICES VOTER DEFINED.—In this section, the term ''absent uniformed services voter'' has the meaning given that term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(1)).

(f) STATE DEFINED.—In this section, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

Subtitle G—Matters Relating to Military Spouses and Family Members

SEC. 561. IMPROVED FINANCIAL AND OTHER ASSISTANCE TO MILITARY SPOUSES FOR JOB TRAINING AND EDUCATION.

(a) EXAMINATION OF EXISTING EMPLOYMENT ASSISTANCE PROGRAMS.—(1) The Secretary of Defense shall examine existing Department of Defense and other Federal, State, and nongovernmental programs with the objective of improving retention of military personnel by increasing the employability of military spouses and assisting those spouses in gaining access to financial and other assistance for job training and education.

(2) In conducting the examination, the Secretary shall give priority to facilitating and increasing access of military spouses to existing Department of Defense, Federal, State, and nongovernmental sources for the types of financial assistance set forth in paragraph (3), but shall also specifically assess whether the Department of Defense should begin a program for direct financial assistance to military spouses for some or all of those types of assistance and whether such a program of direct financial assistance would enhance retention.

(3) In conducting the examination pursuant to paragraph (1), the Secretary should focus on financial assistance for military spouses for one or more of the following purposes:

(A) Career-related education.

(B) Certification and license fees for employment-related purposes.

(C) Apprenticeships and internships.

(D) Technical training.

(E) Training to improve job skills.

(F) Career counseling.

(G) Skills assessment.

(H) Job-search skills.

(I) Job-related transportation.

(J) Child care.

(K) Any additional employment-related purpose specified by the Secretary for the purposes of the examination under paragraph (1).

(4) Not later than March 30, 2002, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the examination under paragraph (1).

(b) REVIEW OF DEPARTMENT OF DEFENSE POLICIES.—(1) The Secretary of Defense shall review Department of Defense policies that affect employment and education opportunities for military spouses in the Department of Defense in order to further expand those opportunities. The review shall include the consideration of providing, to the extent authorized by law, separate spouse preferences for employment by appropriated and nonappropriated fund operations.

(2) Not later than March 30, 2002, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the review under paragraph (1).

(c) SPOUSE EMPLOYMENT ASSISTANCE.—Section 1784 of title 10, United States Code, is amended by adding at the end the following new subsections:

''(d) SPACE-AVAILABLE USE OF FACILITIES FOR SPOUSE TRAINING PURPOSES.—Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may make available to a non-Department of Defense entity space in non-excess facilities controlled by that Secretary for the purpose of the non-Department of Defense entity providing employment-related training for military spouses.

''(e) EMPLOYMENT BY OTHER FEDERAL AGENCIES.—The Secretary of Defense shall work with the Director of the Office of Personnel Management and the heads of other Federal departments and agencies to expand and facilitate the use of existing Federal programs and resources in support of military spouse employment.

''(f) PRIVATE-SECTOR EMPLOYMENT.—The Secretary of Defense—

''(1) shall seek to develop partnerships with firms in the private sector to enhance employment opportunities for spouses of members of the armed forces and to provide for improved job portability for such spouses, especially in the case of the spouse of a member of the armed forces accompanying the member to a new geographical area because of a change of permanent duty station of the member; and

''(2) shall work with the United States Chamber of Commerce and other appropriate private-sector entities to facilitate the formation of such partnerships.

''(g) EMPLOYMENT WITH DOD CONTRACTORS.—The Secretary of Defense shall examine and seek ways for incorporating hiring preferences for qualified spouses of members of the armed forces into contracts between the Department of Defense and private-sector entities.''.

SEC. 562. AUTHORITY TO CONDUCT SURVEYS OF DEPENDENTS AND SURVIVORS OF MILITARY RETIREES.

(a) EXTENSION OF SURVEY AUTHORITY.—Subsection (a) of section 1782 of title 10, United States Code, is amended to read as follows:

''(a) AUTHORITY.—The Secretary of Defense, in order to determine the effectiveness of Federal programs relating to military families and the need for new programs, may conduct surveys of—

''(1) members of the armed forces who are on active duty, in an active status, or retired;

''(2) family members of such members; and

''(3) survivors of retired members.''.

(b) CONFORMING AMENDMENT.—Subsection (c) of such section is amended by striking ''family members'' and all that follows through ''armed forces'' the second place it appears and inserting ''persons covered by subsection (a)''.

SEC. 563. CLARIFICATION OF TREATMENT OF CLASSIFIED INFORMATION CONCERNING PERSONS IN A MISSING STATUS.

Section 1506(b)(2) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(2)'';

(2) by striking the period at the end and inserting ''of all missing persons from the conflict or period of war to which the classified information pertains.''; and

(3) by adding at the end the following new subparagraph:

''(B) For purposes of subparagraph (A), information shall be considered to be made reasonably available if placed in a separate and distinct file that is available for review by persons specified in subparagraph (A) upon the request of any such person either to review the separate file or to review the personnel file of the missing person concerned.''.

SEC. 564. TRANSPORTATION TO ANNUAL MEETING OF NEXT-OF-KIN OF PERSONS UNACCOUNTED FOR FROM CONFLICTS AFTER WORLD WAR II.

(a) IN GENERAL.—(1) Chapter 157 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2647. Transportation to annual meeting of next-of-kin of persons unaccounted for from conflicts after World War II

''The Secretary of Defense may provide transportation for the next-of-kin of persons who are unaccounted for from the Korean conflict, the Cold War, Vietnam War era, or the Persian Gulf War to and from an annual meeting in the United States. Such transportation shall be provided under such regulations as the Secretary of Defense may prescribe.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2647. Transportation to annual meeting of next-of-kin of persons unaccounted for from conflicts after World War II.''.

(b) EFFECTIVE DATE.—Section 2647 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

SEC. 565. AMENDMENTS TO CHARTER OF DEFENSE TASK FORCE ON DOMESTIC VIOLENCE.

(a) MEMBERS APPOINTED FROM PRIVATE SECTOR.—Subsection (h)(1) of section 591 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 639; 10 U.S.C. 1562 note) is amended—

(1) by inserting ''who is a member of the Armed Forces or civilian officer or employee of the United States'' after ''Each member of the task force'';

(2) by striking '', but shall'' and all that follows and inserting a period; and

(3) by adding at the end the following new sentence: ''Other members of the task force shall be appointed in accordance with, and subject to, section 3161 of title 5, United States Code.''.

(b) EXTENSION OF TERMINATION DATE.—Subsection (j) of such section is amended by striking ''three years after the date of the enactment of this Act'' and inserting ''on April 24, 2003''.

Subtitle H—Military Justice and Legal Matters

SEC. 571. REQUIREMENT THAT COURTS-MARTIAL CONSIST OF NOT LESS THAN 12 MEMBERS IN CAPITAL CASES.

(a) CLASSIFICATION OF GENERAL COURT-MARTIAL IN CAPITAL CASES.—Section 816(1)(A) of title 10, United States Code (article 16(1)(A) of the Uniform Code of Military Justice) is amended by inserting after ''five members'' the following: ''or, in a case in which the accused may be sentenced to a penalty of death, the number of members determined under section 825a of this title (article 25a)''.

(b) NUMBER OF MEMBERS REQUIRED.—(1) Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 825 (article 25) the following new section:

''§ 825a. Art. 25a. Number of members in capital cases

''In a case in which the accused may be sentenced to a penalty of death, the number of members shall be not less than 12, unless 12 members are not reasonably available because of physical conditions or military exigencies, in which case the convening authority shall specify a lesser number of members not less than five, and the court may be assembled and the trial held with not less than the number of members so specified. In such a case, the convening authority shall make a detailed written statement, to be appended to the record, stating why a greater number of members were not reasonably available.''.

(2) The table of sections at the beginning of subchapter V of such chapter is amended by inserting after the item relating to section 825 (article 25) the following new item:

''825a. 25a. Number of members in capital cases.''.

(c) ABSENT AND ADDITIONAL MEMBERS.—Section 829(b) of such title (article 29 of the Uniform Code of Military Justice) is amended—

(1) by inserting ''(1)'' after ''(b)'';

(2) by striking ''five members'' both places it appears and inserting ''the applicable minimum number of members''; and

(3) by adding at the end the following new paragraph:

''(2) In this section, the term 'applicable minimum number of members' means five members or, in a case in which the death penalty may be adjudged, the number of members determined under section 825a of this title (article 25a).''.

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to offenses committed after the date of the enactment of this Act.

SEC. 572. RIGHT OF CONVICTED ACCUSED TO REQUEST SENTENCING BY MILITARY JUDGE.

(a) SENTENCING BY JUDGE.—(1) Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 852 (article 52) the following new section:

''§ 852a. Art. 52a. Right of accused to request sentencing by military judge rather than by members

''(a) In the case of an accused convicted of an offense by a court-martial composed of a military judge and members, the sentence shall be tried before and adjudged by the military judge rather than the members if, after the findings are announced and before evidence in the sentencing proceeding is introduced, the accused, knowing the identity of the military judge and after consultation with defense counsel, requests orally on the record or in writing that the sentence be tried before and adjudged by the military judge rather than the members.

''(b) This section shall not apply with respect to an offense for which the death penalty may be adjudged unless the case has been previously referred to trial as a noncapital case.''.

(2) The table of sections at the beginning of subchapter VII of such chapter is amended by inserting after the item relating to section 852 (article 52) the following new item:

''852a. 52a. Right of accused to request sentencing by military judge rather than by members.''.

(b) EFFECTIVE DATE.—Section 852a of title 10, United States Code (article 52a of the Uniform Code of Military Justice), as added by subsection (a), shall apply with respect to offenses committed after the date of the enactment of this Act.

SEC. 573. CODIFICATION OF REQUIREMENT FOR REGULATIONS FOR DELIVERY OF MILITARY PERSONNEL TO CIVIL AUTHORITIES WHEN CHARGED WITH CERTAIN OFFENSES

(a) CODIFICATION OF EXISTING PROVISIONS.—Section 814 of title 10, United States Code (article 14 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(c) The Secretary of Defense shall ensure that the Secretaries of the military departments prescribe regulations under subsection (a) and that those regulations are uniform throughout the armed forces under the jurisdiction of the Secretary of Defense. Those regulations shall—

''(1) specifically provide for the delivery to the appropriate civil authority for trial, in any appropriate case, of a member accused by civil authority of parental kidnapping or a similar offense, including criminal contempt arising from any such offense or from child custody matters; and

''(2) specifically address the special needs for the exercise of the authority contained in this section (article) in a case in which a member of the armed forces assigned overseas is accused of an offense by civil authority.''.

(b) REPEAL OF CODIFIED PROVISIONS.—Section 721 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 10 U.S.C. 814 note), is repealed.

SEC. 574. AUTHORITY TO ACCEPT VOLUNTARY LEGAL SERVICES FOR MEMBERS OF THE ARMED FORCES.

(a) AUTHORITY.—Subsection (a) of section 1588 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) Voluntary legal assistance services under section 1044 of this title.''.

(b) APPLICABLE FEDERAL LAWS.—Subsection (d)(1) of such section is amended by adding at the end the following new subparagraph:

''(E) Section 1054 of this title (relating to defense of certain suits arising out of legal malpractice), in the case of persons providing voluntary legal assistance services under subsection (a)(5).''.

Subtitle I—Other Matters

SEC. 581. SHIPMENT OF PRIVATELY OWNED VEHICLES WHEN MAKING PERMANENT CHANGE OF STATION MOVES WITHIN UNITED STATES.

Section 2634(h)(1) of title 10, United States Code, is amended by inserting ''or when the Secretary concerned determines that the transport of a vehicle upon such a transfer is advantageous and cost-effective to the United States'' before the period at the end.

SEC. 582. PAYMENT OF VEHICLE STORAGE COSTS IN ADVANCE.

Section 2634(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) Storage costs payable under this subsection may be paid in advance.''.

SEC. 583. PERMANENT AUTHORITY FOR USE OF MILITARY RECRUITING FUNDS FOR CERTAIN EXPENSES AT DEPARTMENT OF DEFENSE RECRUITING FUNCTIONS.

(a) REPEAL OF TERMINATION PROVISION.—Section 520c of title 10, United States Code, is amended by striking subsection (c).

(b) TECHNICAL AMENDMENTS.—Subsection (a) of such section is amended—

(1) in paragraph (4), by striking ''recruiting events'' and inserting ''recruiting functions''; and

(2) in paragraph (5), by striking ''recruiting efforts'' the first place it appears and inserting ''recruiting functions''.

SEC. 584. CLARIFICATION OF MILITARY RECRUITER ACCESS TO SECONDARY SCHOOL DIRECTORY INFORMATION ABOUT STUDENTS.

(a) ACCESS TO DIRECTORY INFORMATION.—Section 503(c)(1) of title 10, United States Code, is amended by striking ''purposes,'' and all that follows and inserting the following: ''purposes—

''(A) the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students; and

''(B) the same access to directory information concerning those students as is provided to a post-secondary educational institution upon an indication by a secondary school student that the student seeks to enroll or intends to enroll at that institution.''.

(b) ENHANCED RECRUITER ACCESS.—Section 503(c)(5) of such title is amended by striking ''do not apply to—'' and all that follows through ''(B)'' and inserting ''do not apply to''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on July 1, 2002, immediately after the amendment to section 503(c) of title 10, United States Code, made, effective that date, by section 563(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–131).

SEC. 585. REPEAL OF REQUIREMENT FOR FINAL COMPTROLLER GENERAL REPORT RELATING TO ARMY END STRENGTH ALLOCATIONS.

Section 552 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 319; 10 U.S.C. 115 note) is repealed.

SEC. 586. POSTHUMOUS ARMY COMMISSION IN THE GRADE OF CAPTAIN IN THE CHAPLAINS CORPS TO ELLA E. GIBSON FOR SERVICE AS CHAPLAIN OF THE FIRST WISCONSIN HEAVY ARTILLERY REGIMENT DURING THE CIVIL WAR.

The President is authorized and requested to posthumously appoint Ella E. Gibson to the grade of captain in the Chaplains Corps of the Army, the commission to issue as of the date of her appointment as chaplain to the First Wisconsin Heavy Artillery regiment during the Civil War and to be considered to have been in effect during the time during which she faithfully performed the services of a chaplain to that regiment and for which Congress by law (Private Resolution 31 of the 40th Congress, approved March 3, 1869) previously provided for her to be paid the full pay and emoluments of a chaplain in the United States Army as if she had been regularly commissioned and mustered into service.

SEC. 587. NATIONAL GUARD CHALLENGE PROGRAM.

(a) TERMINATION OF LIMITATION ON FEDERAL EXPENDITURES.—Subsection (b)(2)(A) of section 509 of title 32, United States Code, is amended by striking ''in a fiscal year'' and inserting ''in fiscal year 2001 or 2002''.

(b) MATCHING FUNDS REQUIREMENTS.—Subsection (d) of such section is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) for fiscal years 2001 and 2002, 60 percent of the costs of operating the State program during that fiscal year; and

''(2) for fiscal year 2003 and each subsequent fiscal year, 75 percent of the costs of operating the State program during that fiscal year.''.

(c) REPEAL OF CONTINGENT FUNDING FOR JROTC.—(1) Section 2033 of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 102 of such title is amended by striking the item relating to section 2033.

(3) The amendments made by this subsection shall take effect on October 1, 2002.

SEC. 588. PAYMENT OF FEHBP PREMIUMS FOR CERTAIN RESERVISTS CALLED TO ACTIVE DUTY IN SUPPORT OF CONTINGENCY OPERATIONS.

(a) IN GENERAL.—Subsection (e) of section 8906 of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) An employing agency may pay both the employee and Government contributions, and any additional administrative expenses otherwise chargeable to the employee, with respect to health care coverage for an employee described in subparagraph (B) and the family of such employee.

''(B) An employee referred to in subparagraph (A) is an employee who—

''(i) is enrolled in a health benefits plan under this chapter;

''(ii) is a member of a reserve component of the armed forces;

''(iii) is called or ordered to active duty in support of a contingency operation (as defined in section 101(a)(13) of title 10);

''(iv) is placed on leave without pay or separated from service to perform active duty; and

''(v) serves on active duty for a period of more than 30 consecutive days.

''(C) Notwithstanding the one-year limitation on coverage described in paragraph (1)(A), payment may be made under this paragraph for a period not to exceed 18 months.''.

(b) CONFORMING AMENDMENT.—The matter preceding paragraph (1) in subsection (f) of such section is amended to read as follows:

''(f) The Government contribution, and any additional payments under subsection (e)(3)(A), for health benefits for an employee shall be paid—''.

(c) APPLICABILITY.—The amendments made by this section apply with respect to employees called to active duty on or after December 8, 1995, and an agency may make retroactive payments to such employees for premiums paid on or after such date.

SEC. 589. 18-MONTH ENLISTMENT PILOT PROGRAM.

(a) IN GENERAL.—(1) Chapter 333 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 3264. 18-month enlistment pilot program

''(a) During the pilot program period, the Secretary of the Army shall carry out a pilot program with the objective of increasing participation of prior service persons in the Selected Reserve and providing assistance in building the pool of participants in the Individual Ready Reserve.

''(b) Under the program, the Secretary may, notwithstanding section 505(c) of this title, accept persons for original enlistment in the Army for a term of enlistment consisting of 18 months service on active duty, to be followed by three years of service in the Selected Reserve and then service in the Individual Ready Reserve to complete the military service obligation.

''(c) No more than 10,000 persons may be accepted for enlistment in the Army through the program under this section.

''(d) A person enlisting in the Army through the program under this section is eligible for an enlistment bonus under section 309 of title 37, notwithstanding the enlistment time period specified in subsection (a) of that section.

''(e) For purposes of the program under this section, the pilot program period is the period beginning on October 1, 2003, and ending on December 31, 2007.

''(f) Not later than December 31, 2007, and December 31, 2012, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the program under this section. In each such report, the Secretary shall set forth the views of the Secretary on the success of the program in meeting the objectives stated in subsection (a) and whether the program should be continued and, if so, whether it should be modified or expanded.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''3264. 18-month enlistment pilot program.''.

(b) IMPLEMENTATION REPORT.—The Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the Secretary's plan for implementation of section 3264 of title 10, United States Code, as added by subsection (a). Such report shall be submitted not later than March 1, 2002.

SEC. 590. PER DIEM ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS.

(a) FUNDING SOURCE FOR ALLOWANCE.—Section 436(a) of title 37, United States Code, is amended by adding at the end the following new sentence: ''The Secretary shall pay the allowance from appropriations available for operation and maintenance for the armed force in which the member serves.''.

(b) EXPANDED REPORT REGARDING MANAGEMENT OF INDIVIDUAL MEMBER DEPLOYMENTS.—Section 574(d) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–138) is amended in the second sentence by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) a discussion of the experience in tracking and recording the deployments of members of the Armed Forces and the payment of the per diem allowance for lengthy or numerous deployments in accordance with section 436 of title 37, United States Code;

''(2) specific comments regarding the effect of section 991 of title 10, United States Code, and section 436 of title 37, United States Code, on the readiness of the Navy and Marine Corps given the deployment intensive mission of these services; and

''(3) any recommendations for revision of section 991 of title 10, United States Code, or section 436 of title 37, United States Code, that the Secretary considers appropriate.''.

SEC. 591. CONGRESSIONAL REVIEW PERIOD FOR CHANGE IN GROUND COMBAT EXCLUSION POLICY.

Section 542(b) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 113 note) is amended—

(1) in paragraph (1)—

(A) by striking ''not less than 90 days''; and

(B) by adding at the end the following new sentence: ''Such a change may then be implemented only after the end of a period of 60 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) following the date on which the report is received.''; and

(2) by adding at the end the following new paragraph:

''(5) For purposes of this subsection, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die.''.

SEC. 592. REPORT ON HEALTH AND DISABILITY BENEFITS FOR PRE-ACCESSION TRAINING AND EDUCATION PROGRAMS.

(a) STUDY.—The Secretary of Defense shall conduct a review of the health and disability

benefit programs available to recruits and officer candidates engaged in training, education, or other types of programs while not yet on active duty and to cadets and midshipmen attending the service academies. The review shall be conducted with the participation of the Secretaries of the military departments.

(b) REPORT.—Not later than March 1, 2002, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the review. The report shall include the following with respect to persons described in subsection (a):

(1) A statement of the process and detailed procedures followed by each of the Armed Forces under the jurisdiction of the Secretary of a military department to provide health care and disability benefits to all such persons injured in training, education, or other types of programs conducted by the Secretary of a military department.

(2) Information on the number of total cases of such persons requiring health care and disability benefits and the total number of cases and average value of health care and disability benefits provided under the authority for each source of benefits available to those persons.

(3) A discussion of the issues regarding health and disability benefits for such persons that are encountered by the Secretary during the review, to include discussions with individuals who have received those benefits.

(4) A discussion of the necessity for legislative changes and specific legislative proposals needed to improve the benefits provided those persons.

SEC. 593. REQUIREMENT TO PROVIDE APPROPRIATE ARTICLES OF CLOTHING AS A CIVILIAN UNIFORM FOR CIVILIANS PARTICIPATING IN FUNERAL HONOR DETAILS FOR VETERANS UPON SHOWING OF FINANCIAL NEED.

Section 1491(d) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''To provide'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following:

''(2)(A) Upon a showing of financial need and subject to subparagraph (B), the Secretary of a military department shall provide articles of clothing described in subparagraph (C) to an organization referred to in subsection (b)(2) or to members of such an organization who participate in funeral honors details. Any such showing of financial need shall be made in such manner as the Secretary may require.

''(B) The Secretary concerned may provide articles of clothing to an organization (or members of an organization) under this paragraph only if the Secretary determines that participation of that organization or its members in the funeral honors mission is advantageous to the performance of that mission and meets the performance standards set by the Secretary for that mission.

''(C) Articles of clothing covered by subparagraph (A) are articles of clothing determined by the Secretary concerned to be appropriate as a civilian uniform for persons participating in a funeral honors detail who are not authorized to wear the uniform of any of the armed forces.''.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN BASIC PAY FOR FISCAL YEAR 2002.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2002 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2002, the rates of monthly basic pay for members of the uniformed services within each pay grade are as follows:

COMMISSIONED OFFICERS [1]

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
0–10 [2]	$0.00	$0.00	$0.00	$0.00	$0.00
0–9	0.00	0.00	0.00	0.00	0.00
0–8	7,180.20	7,415.40	7,571.10	7,614.90	7,809.30
0–7	5,966.40	6,371.70	6,371.70	6,418.20	6,657.90
0–6	4,422.00	4,857.90	5,176.80	5,176.80	5,196.60
0–5	3,537.00	4,152.60	4,440.30	4,494.30	4,673.10
0–4	3,023.70	3,681.90	3,927.60	3,982.50	4,210.50
0–3 [3] ...	2,796.60	3,170.40	3,421.80	3,698.70	3,875.70
0–2 [3] ...	2,416.20	2,751.90	3,169.50	3,276.30	3,344.10
0–1 [3] ...	2,097.60	2,183.10	2,638.50	2,638.50	2,638.50
	Over 8	Over 10	Over 12	Over 14	Over 16
0–10 [2]	$0.00	$0.00	$0.00	$0.00	$0.00
0–9	0.00	0.00	0.00	0.00	0.00
0–8	8,135.10	8,210.70	8,519.70	8,608.50	8,874.30
0–7	6,840.30	7,051.20	7,261.80	7,472.70	8,135.10
0–6	5,418.90	5,448.60	5,448.60	5,628.60	6,305.70
0–5	4,673.10	4,813.50	5,073.30	5,413.50	5,755.80
0–4	4,395.90	4,696.20	4,930.20	5,092.50	5,255.70
0–3 [3] ...	4,070.10	4,232.40	4,441.20	4,549.50	4,549.50
0–2 [3] ...	3,344.10	3,344.10	3,344.10	3,344.10	3,344.10
0–1 [3] ...	2,638.50	2,638.50	2,638.50	2,638.50	2,638.50
	Over 18	Over 20	Over 22	Over 24	Over 26
0–10 [2]	$0.00	11,601.90	11,659.20	11,901.30	12,324.00
0–9	0.00	10,147.50	10,293.60	10,504.80	10,873.80
0–8	9,259.50	9,614.70	9,852.00	9,852.00	9,852.00
0–7	8,694.90	8,694.90	8,694.90	8,694.90	8,738.70
0–6	6,627.00	6,948.30	7,131.00	7,316.10	7,675.20
0–5	5,919.00	6,079.80	6,262.80	6,262.80	6,262.80
0–4	5,310.60	5,310.60	5,310.60	5,310.60	5,310.60
0–3 [3] ...	4,549.50	4,549.50	4,549.50	4,549.50	4,549.50
0–2 [3] ...	3,344.10	3,344.10	3,344.10	3,344.10	3,344.10

COMMISSIONED OFFICERS [1]—Continued

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O–1 [3] ...	2,638.50	2,638.50	2,638.50	2,638.50	2,638.50

[1] Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for commissioned officers in pay grades O–7 through O–10 may not exceed the rate of pay for level III of the Executive Schedule and the actual rate of basic pay for all other officers may not exceed the rate of pay for level V of the Executive Schedule.

[2] Subject to the preceding footnote, while serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, the rate of basic pay for this grade is $13,598.10, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

[3] This table does not apply to commissioned officers in pay grade O–1, O–2, or O–3 who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O–3E ...	$0.00	$0.00	$0.00	3,698.70	3,875.70
O–2E ...	0.00	0.00	0.00	3,276.30	3,344.10
O–1E ...	0.00	0.00	0.00	2,638.50	2,818.20
	Over 8	Over 10	Over 12	Over 14	Over 16
O–3E ...	4,070.10	4,232.40	4,441.20	4,617.00	4,717.50
O–2E ...	3,450.30	3,630.00	3,768.90	3,872.40	3,872.40
O–1E ...	2,922.30	3,028.50	3,133.20	3,276.30	3,276.30
	Over 18	Over 20	Over 22	Over 24	Over 26
O–3E ...	4,855.20	4,855.20	4,855.20	4,855.20	4,855.20
O–2E ...	3,872.40	3,872.40	3,872.40	3,872.40	3,872.40
O–1E ...	3,276.30	3,276.30	3,276.30	3,276.30	3,276.30

WARRANT OFFICERS [1]

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
W–5	$0.00	$0.00	$0.00	$0.00	$0.00
W–4	2,889.60	3,108.60	3,198.00	3,285.90	3,437.10
W–3	2,638.80	2,862.00	2,862.00	2,898.90	3,017.40
W–2	2,321.40	2,454.00	2,569.80	2,654.10	2,726.40
W–1	2,049.90	2,217.60	2,330.10	2,402.70	2,511.90
	Over 8	Over 10	Over 12	Over 14	Over 16
W–5	$0.00	$0.00	$0.00	$0.00	$0.00
W–4	3,586.50	3,737.70	3,885.30	4,038.00	4,184.40
W–3	3,152.40	3,330.90	3,439.50	3,558.30	3,693.90
W–2	2,875.20	2,984.40	3,093.90	3,200.40	3,318.00
W–1	2,624.70	2,737.80	2,850.00	2,963.70	3,077.10
	Over 18	Over 20	Over 22	Over 24	Over 26
W–5	$0.00	4,965.60	5,136.00	5,307.00	5,478.60
W–4	4,334.40	4,480.80	4,632.60	4,782.00	4,935.30
W–3	3,828.60	3,963.60	4,098.30	4,233.30	4,368.90
W–2	3,438.90	3,559.80	3,680.10	3,801.30	3,801.30
W–1	3,189.90	3,275.10	3,275.10	3,275.10	3,275.10

[1] Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for warrant officers may not exceed the rate of pay for level V of the Executive Schedule.

ENLISTED MEMBERS [1]

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E–9 [2] ...	$0.00	$0.00	$0.00	$0.00	$0.00
E–8	0.00	0.00	0.00	0.00	0.00
E–7	1,986.90	2,169.00	2,251.50	2,332.50	2,417.40
E–6	1,701.00	1,870.80	1,953.60	2,033.70	2,117.40
E–5	1,561.50	1,665.30	1,745.70	1,828.50	1,912.80
E–4	1,443.60	1,517.70	1,599.60	1,680.30	1,752.30
E–3	1,303.50	1,385.40	1,468.50	1,468.50	1,468.50
E–2	1,239.30	1,239.30	1,239.30	1,239.30	1,239.30
E–1	[3] 1,105.50	1,105.50	1,105.50	1,105.50	1,105.50
	Over 8	Over 10	Over 12	Over 14	Over 16
E–9 [2] ...	$0.00	$3,423.90	3,501.30	3,599.40	3,714.60
E–8	2,858.10	2,940.60	3,017.70	3,110.10	3,210.30
E–7	2,562.90	2,645.10	2,726.40	2,808.00	2,892.60
E–6	2,254.50	2,337.30	2,417.40	2,499.30	2,558.10
E–5	2,030.10	2,110.20	2,193.30	2,193.30	2,193.30
E–4	1,752.30	1,752.30	1,752.30	1,752.30	1,752.30
E–3	1,468.50	1,468.50	1,468.50	1,468.50	1,468.50
E–2	1,239.30	1,239.30	1,239.30	1,239.30	1,239.30
E–1	1,105.50	1,105.50	1,105.50	1,105.50	1,105.50
	Over 18	Over 20	Over 22	Over 24	Over 26
E–9 [2] ...	$3,830.40	3,944.10	4,098.30	4,251.30	4,467.00
E–8	3,314.70	3,420.30	3,573.00	3,724.80	3,937.80
E–7	2,975.10	3,057.30	3,200.40	3,292.80	3,526.80
E–6	2,602.80	2,602.80	2,602.80	2,602.80	2,602.80
E–5	2,193.30	2,193.30	2,193.30	2,193.30	2,193.30
E–4	1,752.30	1,752.30	1,752.30	1,752.30	1,752.30
E–3	1,468.50	1,468.50	1,468.50	1,468.50	1,468.50
E–2	1,239.30	1,239.30	1,239.30	1,239.30	1,239.30
E–1	1,105.50	1,105.50	1,105.50	1,105.50	1,105.50

[1] Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for enlisted members may not exceed the rate of pay for level V of the Executive Schedule.

[2] Subject to the preceding footnote, while serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, basic pay for this grade is $5,382.90, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

[3] In the case of members in pay grade E–1 who have served less than 4 months on active duty, the rate of basic pay is $1,022.70.

SEC. 602. BASIC PAY RATE FOR CERTAIN RESERVE COMMISSIONED OFFICERS WITH PRIOR SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER.

Section 203(d) of title 37, United States Code, is amended—

(1) by inserting ''(1)'' after ''(d)'';

(2) by striking ''who is credited'' and all that follows through ''and enlisted member'' and inserting ''is described in paragraph (2)''; and

(3) by adding at the end the following new paragraph:

''(2) Paragraph (1) applies with respect to a commissioned officer in pay grade O–1, O–2, or O–3 who—

''(A) is credited with a total of over four years' active service as warrant officer or as a warrant officer and enlisted member; or

''(B) earned a total of more than 1,460 points credited under section 12732(a)(2) of title 10 while serving as a warrant officer or enlisted member.''.

SEC. 603. SUBSISTENCE ALLOWANCES.

(a) BASIC ALLOWANCE FOR SUBSISTENCE.—Section 402 of title 37, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(4) For purposes of implementing paragraph (2), the monthly rate of basic allowance for subsistence that was in effect for an enlisted member for calendar year 2001 shall be deemed to be $233.''; and

(2) by striking subsection (d) and inserting the following new subsection:

''(d) SPECIAL RULE FOR ENLISTED MEMBERS WHO MESS SEPARATELY.—The Secretary of Defense may prescribe a basic allowance for subsistence for enlisted members at a rate higher than the rate provided for in subsection (b) when messing facilities of the United States are not available for the members.''.

(b) TERMINATION OF BAS TRANSITIONAL AUTHORITY.—Effective as of October 1, 2001, section 603(c) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–145) is amended by striking ''October 1, 2001'' and inserting ''January 1, 2002''.

(c) FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE FOR LOW-INCOME MEMBERS OF THE ARMED FORCES.—Section 402a(b)(1) of title 37, United States Code, is amended by inserting ''with dependents'' after ''a member of the armed forces''.

SEC. 604. ELIGIBILITY FOR BASIC ALLOWANCE FOR HOUSING WHILE BETWEEN PERMANENT DUTY STATIONS.

(a) REPEAL OF PAY GRADE LIMITATION.—Section 403(i) of title 37, United States Code, is amended by striking ''who is in a pay grade E–4 (4 or more years of service) or above''.

(b) EFFECTIVE DATE; APPLICATION.—The amendment made by this section shall take effect on January 1, 2003, and apply to members of the uniformed services in a travel or leave status between permanent duty stations on or after that date.

SEC. 605. UNIFORM ALLOWANCE FOR OFFICERS.

(a) RELATION TO INITIAL UNIFORM ALLOWANCE.—Section 416(b)(1) of title 37, United States Code, is amended by striking ''$200'' and inserting ''$400''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as of October 1, 2000.

SEC. 606. FAMILY SEPARATION ALLOWANCE FOR CERTAIN MEMBERS ELECTING TO SERVE UNACCOMPANIED TOUR OF DUTY.

(a) AVAILABILITY OF ALLOWANCE.—Section 427(c) of title 37, United States Code, is amended—

(1) by striking ''A member'' in the first sentence and inserting ''(1) Except as provided in paragraph (2) or (3), a member'';

(2) by redesignating the second sentence as paragraph (3); and

(3) by inserting after the first sentence the following new paragraph:

''(2) A member who elects to serve an unaccompanied tour of duty because the movement of a dependent of the member to the permanent station is denied for certified medical reasons is entitled to an allowance under subsection (a)(1)(A).''.

(b) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2002. Paragraph (2) of section 427(c) of title 37, United States Code, as added by subsection (a), shall apply with respect to pay periods beginning on or after that date for a member of the uniformed services covered by such paragraph regardless of the date on which the member first made the election to serve an unaccompanied tour of duty.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

(a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section 302g(f) of title 37, United States Code, is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(b) SELECTED RESERVE REENLISTMENT BONUS.—Section 308b(f) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(c) SELECTED RESERVE ENLISTMENT BONUS.—Section 308c(e) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(d) SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section 308d(c) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(e) SELECTED RESERVE AFFILIATION BONUS.—Section 308e(e) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(f) READY RESERVE ENLISTMENT AND REENLISTMENT BONUS.—Section 308h(g) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(g) PRIOR SERVICE ENLISTMENT BONUS.—Section 308i(f) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(h) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 16302(d) of title 10, United States Code, is amended by striking ''January 1, 2002'' and inserting ''January 1, 2003''.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR NURSE OFFICER CANDIDATES, REGISTERED NURSES, AND NURSE ANESTHETISTS.

(a) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(b) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(a)(1) of title 37, United States Code, is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(c) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302e(a)(1) of title 37, United States Code, is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

SEC. 613. ONE-YEAR EXTENSION OF OTHER BONUS AND SPECIAL PAY AUTHORITIES.

(a) AVIATION OFFICER RETENTION BONUS.—Section 301b(a) of title 37, United States Code, is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(b) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(c) ENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 309(e) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(d) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(e) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(e) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(c) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(f) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312c(d) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

(g) RETENTION BONUS FOR MEMBERS WITH CRITICAL MILITARY SKILLS.—Section 323(i) of such title is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

SEC. 614. CONFORMING ACCESSION BONUS FOR DENTAL OFFICERS AUTHORITY WITH AUTHORITIES FOR OTHER SPECIAL PAY AND BONUSES.

Section 302h(a)(1) of title 37, United States Code, is amended by striking ''the date of the enactment of this section, and ending on September 30, 2002'' and inserting ''September 23, 1996, and ending on December 31, 2002''.

SEC. 615. ADDITIONAL TYPE OF DUTY RESULTING IN ELIGIBILITY FOR HAZARDOUS DUTY INCENTIVE PAY.

(a) PERFORMANCE OF MARITIME BOARD AND SEARCH OPERATIONS.—Section 301(a) of title 37, United States Code, is amended—

(1) in paragraph (10), by striking ''or'' at the end;

(2) by redesignating paragraph (11) as paragraph (12); and

(3) by inserting after paragraph (10) the following new paragraph:

''(11) involving regular participation as a member of a team conducting visit, board, search, and seizure operations aboard vessels in support of maritime interdiction operations; or''.

(b) MONTHLY AMOUNT.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking ''(10)'' and inserting ''(11)''; and

(2) in paragraph (2)(A), by striking ''(11)'' and inserting ''(12)''.

(c) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2002, and apply to duty described in the amendment made by subsection (a)(2) on or after that date.

SEC. 616. EQUAL TREATMENT OF RESERVISTS PERFORMING INACTIVE-DUTY TRAINING FOR RECEIPT OF AVIATION CAREER INCENTIVE PAY.

(a) INCENTIVE PAY EQUITY FOR RESERVISTS.—Subsection (d) of section 301a of title 37, United States Code, is amended to read as follows:

''(d) MEMBERS PERFORMING INACTIVE-DUTY TRAINING.—Under regulations prescribed by the President and to the extent provided for by appropriations, in the case of a member of a reserve component of a uniformed service, or of the National Guard, who is entitled to compensation under section 206 of this title, and who performs, under orders, duty described in subsection (a), the member is also entitled to monthly incentive pay under subsection (b) for the performance of that duty in the same manner as a member with corresponding years of aviation service who is entitled to basic pay. Such member is entitled to the incentive pay for as long as the member remains qualified for it, as provided in subsection (a). This subsection does not apply to a member who is entitled to basic pay under section 204 of this title.''.

(b) EFFECTIVE DATE; APPLICATION.—The amendment made by this section shall take effect on January 1, 2002, and apply to duty described in the amendment made by subsection (a)(2) on or after that date.

SEC. 617. SECRETARIAL DISCRETION IN PRESCRIBING SUBMARINE DUTY INCENTIVE PAY RATES.

(a) AUTHORITY OF SECRETARY OF THE NAVY; MAXIMUM RATE.—Section 301c of title 37, United States Code, is amended by striking subsection (b) and inserting the following new subsection:

''(b) MONTHLY RATES.—(1) Subject to paragraph (2), a member who meets the requirements prescribed in subsection (a) is entitled to monthly submarine duty incentive pay in an amount prescribed by the Secretary of the Navy.

''(2) The monthly amount of submarine duty incentive pay may not exceed $1,000.''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by striking ''set forth in'' each place it appears and inserting ''prescribed pursuant to''; and

(2) in subsection (d), by striking ''authorized by'' and inserting ''prescribed pursuant to''.

(c) EFFECTIVE DATE; TRANSITION.—The amendments made by this section shall take effect on January 1, 2002. The tables set forth in subsection (b) of section 301c of title 37, United States Code, as in effect on December 31, 2001, shall continue to apply until the Secretary of the Navy prescribes new submarine duty incentive pay rates as authorized by the amendment made by subsection (a).

SEC. 618. IMPOSITION OF CRITICAL WARTIME SKILL REQUIREMENT FOR ELIGIBILITY FOR INDIVIDUAL READY RESERVE BONUS.

Section 308h(a)(1) of title 37, United States Code, is amended—

(1) by striking ''and who'' and inserting '', who is qualified in a skill or speciality designated by the Secretary concerned as critically short to meet wartime requirements, and who''; and

(2) by striking ''a combat or combat support skill of''.

SEC. 619. INSTALLMENT PAYMENT AUTHORITY FOR 15-YEAR CAREER STATUS BONUS.

(a) MEMBER ELECTION.—Section 322(d) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking ''paid in a single lump sum of'' and inserting ''equal to'';

(2) by redesignating paragraph (2) as paragraph (4), and in such paragraph, by striking ''The bonus'' and inserting ''The lump sum payment of the bonus, and the first installment payment in the case of members who elect to receive the bonus in installments,''; and

(3) by inserting after paragraph (1) the following new paragraphs:

''(2) A member electing to receive the bonus under this section shall elect one of the following payment options:

''(A) A single lump sum of $30,000.

''(B) Two installments of $15,000 each.

''(C) Three installments of $10,000 each.

''(D) Four installments of $7,500 each.

''(E) Five installments of $6,000 each.

''(3) If a member elects installment payments under paragraph (2), the second installment (and subsequent installments, as applicable) shall be paid on the earlier of the following dates:

''(A) The annual anniversary date of the payment of the first installment.

''(B) January 15 of each succeeding calendar year.''.

(c) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on the date of the enactment of this Act. The Secretary concerned (as defined in section 101(5) of title 37, United States Code)

shall extend to each member of the uniformed services who has executed the written agreement required by subsection (a)(2) of section 322 of such title before that date, but who has not received the lump sum payment by that date, an opportunity to make the election authorized by subsection (d) of such section, as amended by subsection (a) of this section.

SEC. 620. ACCESSION BONUS FOR NEW OFFICERS.

(a) BONUS AUTHORIZED.—Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

"§ 324. Special pay: accession bonus for new officers

''(a) ACCESSION BONUS AUTHORIZED.—Under regulations prescribed by the Secretary concerned, a person who executes a written agreement to accept a commission as an officer of the armed forces and serve on active duty for the period specified in the agreement may, upon acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount determined by the Secretary concerned.

''(b) LIMITATION ON AMOUNT OF BONUS.—The amount of an accession bonus under subsection (a) may not exceed $100,000.

''(c) PAYMENT METHOD.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount of the accession bonus payable under the agreement becomes fixed. The agreement shall specify whether the accession bonus will be paid by the Secretary in a lump sum or installments.

''(d) RELATION TO OTHER ACCESSION BONUS AUTHORITY.—An individual may not receive a accession bonus under this section and section 302d, 302h, 302j, or 312b of this title for the same period of service.

''(e) REPAYMENT.—(1) If an individual who has entered into an agreement under subsection (a) and has received all or part of the accession bonus under the agreement fails to accept a commission as an officer or to commence or complete the total period of active duty service specified in the agreement, the Secretary concerned may require the individual to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, any or all of the amount paid to the individual under the agreement.

''(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a) does not discharge the individual signing the agreement from a debt arising under such agreement or under paragraph (1).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''324. Special pay: accession bonus for new officers.''.

Subtitle C—Travel and Transportation Allowances

SEC. 631. MINIMUM PER DIEM RATE FOR TRAVEL AND TRANSPORTATION ALLOWANCE FOR TRAVEL PERFORMED UPON A CHANGE OF PERMANENT STATION AND CERTAIN OTHER TRAVEL.

(a) ESTABLISHMENT OF RATE.—Section 404(d) of title 37, United States Code, is amended by adding at the end the following new paragraph:

''(5) The per diem rates established under paragraph (2)(A) for travel performed in connection with a change of permanent station or for travel described in paragraph (2) or (3) of subsection (a) shall be equal to the standard per diem rates established in the Federal travel regulation for travel within the continental United States of civilian employees and their dependents, unless the Secretaries concerned determines that a higher rate for members is more appropriate.''.

(b) EFFECTIVE DATE; APPLICATION.—The amendment made by this section shall take effect on January 1, 2003, and apply to travel covered by such amendment that is performed on or after that date by members of the uniformed services and their dependents.

SEC. 632. PAYMENT OR REIMBURSEMENT OF TEMPORARY SUBSISTENCE EXPENSES.

(a) INCLUSION OF OFFICERS.—Subsection (a)(2)(C) of section 404a of title 37, United States Code, is amended by striking ''an enlisted member'' and inserting ''a member''.

(b) INCREASE IN MAXIMUM DAILY AUTHORIZED RATE.—Subsection (e) of such section is amended by striking ''$110'' and inserting ''$180''.

(c) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2002, and apply with respect to an order in connection with a change of permanent station issued on or after that date.

SEC. 633. INCREASED WEIGHT ALLOWANCE FOR TRANSPORTATION OF BAGGAGE AND HOUSEHOLD EFFECTS FOR JUNIOR ENLISTED MEMBERS.

(a) INCREASED WEIGHT ALLOWANCES.—The table in section 406(b)(1)(C) of title 37, United States Code, is amended—

(1) by striking the two footnotes; and

(2) by striking the items relating to pay grade E–1 through E–4 and inserting the following new items:

''E–4	7,000	8,000
''E–3	5,000	8,000
''E–2	5,000	8,000
''E–1	5,000	8,000''.

(b) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2003, and apply with respect to an order in connection with a change of temporary or permanent station issued on or after that date.

SEC. 634. REIMBURSEMENT OF MEMBERS FOR MANDATORY PET QUARANTINE FEES FOR HOUSEHOLD PETS.

Section 406(a)(1) of title 37, United States Code, is amended in the last sentence by striking ''$275'' and inserting ''$675''.

SEC. 635. AVAILABILITY OF DISLOCATION ALLOWANCE FOR MARRIED MEMBER, WHOSE SPOUSE IS A MEMBER, ASSIGNED TO MILITARY FAMILY HOUSING.

(a) ALLOWANCE AVAILABLE.—Section 407(a)(2) of title 37, United States Code, is amended by adding at the end the following new subparagraph:

''(F) A member married to another member, both of whom are without other dependents, who actually moves to a new permanent duty station where the member is assigned to family housing provided by the United States, except that only one dislocation allowance may be paid to the married couple with respect to the move.''.

(b) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2003, and apply with respect to an order to move for a member of a uniformed service issued on or after that date.

SEC. 636. ELIMINATION OF PROHIBITION ON RECEIPT OF DISLOCATION ALLOWANCE BY MEMBERS ORDERED TO FIRST DUTY STATION.

(a) ALLOWANCE AVAILABLE.—Section 407(e) of title 37, United States Code, is amended—

(1) by striking ''FIRST OR LAST DUTY'' and inserting ''EFFECT OF ORDER FROM LAST DUTY STATION''; and

(2) by striking ''from the member's home to the member's first duty station or''.

(b) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2003, and apply with respect to an order to move for a member of a uniformed service issued on or after that date.

SEC. 637. PARTIAL DISLOCATION ALLOWANCE AUTHORIZED FOR HOUSING MOVES ORDERED FOR GOVERNMENT CONVENIENCE.

(a) AUTHORIZATION OF PARTIAL DISLOCATION ALLOWANCE.—Section 407 of title 37, United States Code is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection:

''(f) PARTIAL DISLOCATION ALLOWANCE.—(1) Under regulations prescribed by the Secretary concerned, a member ordered to occupy or vacate family housing provided by the United States to permit the privatization or renovation of housing or for any other reason (other than pursuant to a permanent change of station) may be paid a partial dislocation allowance of $500.

''(2) Effective on the same date that the monthly rates of basic pay for all members are increased under section 1009 of this title or another provision of law, the Secretary of Defense shall adjust the rate of the partial dislocation allowance authorized by this subsection by the percentage equal to the average percentage increase in the rates of basic pay.

''(3) Subsections (c) and (d) do not apply to the partial dislocation allowance authorized by this subsection.''.

(b) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2002, and apply with respect to an order to move for a member of a uniformed service issued on or after that date.

SEC. 638. ALLOWANCES FOR TRAVEL PERFORMED IN CONNECTION WITH MEMBERS TAKING AUTHORIZED LEAVE BETWEEN CONSECUTIVE OVERSEAS TOURS.

Section 411b(a)(1) of title 37, United States Code, is amended by striking '', or his designee, or to a place no farther distant than his home of record''.

SEC. 639. FUNDED STUDENT TRAVEL AS PART OF SCHOOL-SPONSORED EXCHANGE PROGRAMS.

(a) RECOGNITION OF TEMPORARY EXCHANGE PROGRAMS.—Section 430 of title 37, United States Code, is amended—

(1) in subsection (a)(3), by inserting before the comma at the end the following: ''or is attending a school outside the continental United States, if the dependent is attending

the school outside the continental United States for less than one year under a program approved by the school in the continental United States at which the dependent is enrolled''; and

(2) in subsection (b)(1), by striking ''in the continental United States for the purpose of obtaining a formal education'' in the first sentence and inserting ''described in subsection (a)(3)''.

(b) LIMITATION ON AMOUNT OF ALLOWANCE.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

''(3) The transportation allowance under paragraph (1) for a dependent child who is attending a school outside the continental United States for less than one year under a program approved by the school in the continental United States at which the dependent is enrolled shall not exceed the allowance the member would be paid for a trip between the school in the continental United States and the member's duty station outside the continental United States and return.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2002.

Subtitle D—Retirement and Survivor Benefit Matters

SEC. 641. CONTINGENT AUTHORITY FOR CONCURRENT RECEIPT OF MILITARY RETIRED PAY AND VETERANS' DISABILITY COMPENSATION.

(a) RESTORATION OF RETIRED PAY BENEFITS.—Chapter 71 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation; contingent authority

''(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—Subject to subsection (b), a member or former member of the uniformed services who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans' disability compensation is entitled to be paid both without regard to sections 5304 and 5305 of title 38, subject to the enactment of qualifying offsetting legislation as specified in subsection (f).

''(b) SPECIAL RULE FOR CHAPTER 61 CAREER RETIREES.—The retired pay of a member retired under chapter 61 of this title with 20 years or more of service otherwise creditable under section 1405 of this title at the time of the member's retirement is subject to reduction under sections 5304 and 5305 of title 38, but only to the extent that the amount of the member's retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member would have been entitled under any other provision of law based upon the member's service in the uniformed services if the member had not been retired under chapter 61 of this title.

''(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title at the time of the member's retirement.

''(d) DEFINITIONS.—In this section:

''(1) The term 'retired pay' includes retainer pay, emergency officers' retirement pay, and naval pension.

''(2) The term 'veterans' disability compensation' has the meaning given the term 'compensation' in section 101(12) of title 38.

''(e) EFFECTIVE DATE.—If qualifying offsetting legislation (as defined in subsection (f)) is enacted, the provisions of subsection (a) shall take effect on—

''(1) the first day of the first month beginning after the date of the enactment of such qualifying offsetting legislation; or

''(2) the first day of the fiscal year that begins in the calendar year in which such legislation is enacted, if that date is later than the date specified in paragraph (1).

''(f) EFFECTIVENESS CONTINGENT ON ENACTMENT OF OFFSETTING LEGISLATION.—(1) The provisions of subsection (a) shall be effective only if—

''(A) the President, in the budget for any fiscal year, proposes the enactment of legislation that, if enacted, would be qualifying offsetting legislation; and

''(B) after that budget is submitted to Congress, there is enacted qualifying offsetting legislation.

''(2) For purposes of this subsection:

''(A) The term 'qualifying offsetting legislation' means legislation (other than an appropriations Act) that includes provisions that—

''(i) offset fully the increased outlays to be made by reason of the provisions of subsection (a) for each of the first 10 fiscal years beginning after the date of the enactment of such legislation;

''(ii) expressly state that they are enacted for the purpose of the offset described in clause (i); and

''(iii) are included in full on the PayGo scorecard.

''(B) The term 'PayGo scorecard' means the estimates that are made by the Director of the Congressional Budget Office and the Director of the Office of Management and Budget under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)) with respect to the ten fiscal years following the date of the enactment of the legislation that is qualifying offsetting legislation for purposes of this section.''.

(b) CONFORMING TERMINATION OF SPECIAL COMPENSATION PROGRAM.—Section 1413(a) of such title is amended by adding at the end the following new sentence: ''If the provisions of subsection (a) of section 1414 of this title become effective in accordance with subsection (f) of that section, payments under this section shall be terminated effective as of the month beginning on the effective date specified in subsection (e) of that section.''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation; contingent authority.''.

(d) PROHIBITION OF RETROACTIVE BENEFITS.—If the provisions of subsection (a) of section 1414 of title 10, United States Code, becomes effective in accordance with subsection (f) of that section, no benefit may be paid to any person by reason of those provisions for any period before the effective date specified in subsection (e) of that section.

Subtitle E—Other Matters

SEC. 651. FUNERAL HONORS DUTY ALLOWANCE FOR RETIRED MEMBERS.

(a) ALLOWANCE AUTHORIZED.—Subsection (a) of section 435 of title 37, United States Code, is amended—

(1) by inserting ''(1)'' before ''The Secretary''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary concerned may also authorize payment of an allowance under this section to a retired member of the armed forces who performs at least two hours of duty preparing for or performing honors at the funeral of a veteran.''.

(b) RELATION TO OTHER COMPENSATION.—Such section is further amended by adding at the end the following new subsection:

''(c) CONCURRENT PAYMENT.—Notwithstanding any other provision of law, the allowance paid to a retired member of the armed forces under this section shall be in addition to any other compensation to which the retired member may be entitled under this title or titles 10 or 38.''.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program

SEC. 701. IMPLEMENTING COST-EFFECTIVE PAYMENT RATES UNDER THE TRICARE PROGRAM.

Not later than January 1, 2002, the Secretary of Defense shall, with respect to categories of health care providers or services for which the Secretary has not already done so and to the extent that the Secretary determines is practicable—

(1) implement the payment rates used under medicare, or similar rates based on medicare payment methods, to pay for health care services provided by institutional and noninstitutional providers under the TRICARE program; and

(2) as a condition of participation in the TRICARE program, prohibit balance billing of covered beneficiaries by institutional providers and limit balance billing by noninstitutional providers (subject to any exceptions the Secretary determines appropriate) consistent with the limiting charge percentage under medicare.

SEC. 702. WAIVER OF NONAVAILABILITY STATEMENT OR PREAUTHORIZATION REQUIREMENT.

(a) IN GENERAL.—Section 721 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–184) is amended—

(1) in the matter preceding paragraph (1) in subsection (a), by striking ''new'';

(2) by striking subsection (c) and inserting the following:

''(c) EXCEPTIONS.—(1) Subject to paragraph (2), the Secretary may provide that subsection (a) shall not apply for a period of up to one year if—

''(A) the Secretary—

''(i) demonstrates significant costs would be avoided by performing specific procedures at the affected military medical treatment facility or facilities;

''(ii) determines that a specific procedure must be provided at the affected military medical treatment facility or facilities to ensure the proficiency levels of the practitioners at the facility or facilities; or

''(iii) determines that the lack of nonavailability statement data would significantly interfere with TRICARE contract administration;

''(B) the Secretary provides notification of the Secretary's intent to make an exception under this subsection to covered beneficiaries who receive care at the military medical treatment facility or facilities that will be affected by the decision to make an exception under this subsection;

''(C) the Secretary provides notification to the Committees on Armed Services of the House of Representatives and the Senate of the Secretary's intent to make an exception under this subsection, the reason for making an exception, and the date that a nonavailability statement will be required; and

''(D) 60 days have elapsed since the date of the notification described in subparagraph (C).

''(2)(A) Except as provided in subparagraph (B), the Secretary may make an exception under this subsection with respect to—

''(i) one or more services performed at a military medical treatment facility or facilities; or

''(ii) one or more services performed in a TRICARE region.

''(B) With respect to maternity care, the Secretary may make an exception under this subsection with respect to a military medical treatment facility.

''(3) In the case of health care provided in conjunction with a graduate medical education program, the period of nonapplicability described in paragraph (1) shall be, instead of one year, the period for which a residency review committee has approved the program.''; and

(3) in subsection (d), by striking ''October 1, 2001'' and inserting ''two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2002''.

(b) REPORT.—Not later than March 1, 2002, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the Secretary's plans for implementing such section.

SEC. 703. IMPROVEMENTS IN ADMINISTRATION OF THE TRICARE PROGRAM.

(a) EXPANSION OF TRICARE PROGRAM.—Section 1072(7) of title 10, United States Code, is amended by striking ''the competitive selection of contractors to financially underwrite''.

(b) REDUCTION OF CONTRACT START-UP TIME.—Section 1095c(b) of such title is amended—

(1) in paragraph (1)—

(A) by striking ''The'' and inserting ''Except as provided in paragraph (3), the''; and

(B) by striking ''contract.'' and all that follows through ''as soon as practicable after the award of the''; and

(2) by adding at the end the following new paragraph:

''(3) The Secretary may reduce the nine-month start-up period required under paragraph (1) if—

''(A) the Secretary—

''(i) determines that a shorter period is sufficient to ensure effective implementation of all contract requirements; and

''(ii) submits notification to the Committees on Armed Services of the House of Representatives and the Senate of the Secretary's intent to reduce the nine-month start-up period; and

''(B) 60 days have elapsed since the date of such notification.''.

SEC. 704. SUB-ACUTE AND LONG-TERM CARE PROGRAM REFORM.

(a) IN GENERAL.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1074i the following new section:

''§ 1074j. Sub-acute care program

''(a) ESTABLISHMENT.—The Secretary of Defense shall establish an effective, efficient, and integrated sub-acute care benefits program under this chapter (hereinafter referred to in this section as the 'program'). Except as otherwise provided in this section, the types of health care authorized under the program shall be the same as those provided under section 1079 of this title. The Secretary, after consultation with the other administering Secretaries, shall promulgate regulations to carry out this section.

''(b) BENEFITS.—(1) The program shall include a uniform skilled nursing facility benefit that shall be provided in the manner and under the conditions described in section 1861(h) and (i) of the Social Security Act (42 U.S.C. 1395x(h) and (i)), except that the limitation on the number of days of coverage under section 1812(a) and (b) of such Act (42 U.S.C. 1395d(a) and (b)) shall not be applicable under the program. Skilled nursing facility care for each spell of illness shall continue to be provided for as long as medically necessary and appropriate.

''(2) In this subsection:

''(A) The term 'skilled nursing facility' has the meaning given such term in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)).

''(B) The term 'spell of illness' has the meaning given such term in section 1861(a) of such Act (42 U.S.C. 1395x(a)).

''(3) The program shall include a comprehensive, intermittent home health care benefit that shall be provided in the manner and under the conditions described in section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)).''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074i the following new item:

''1074j. Sub-acute care program.''.

(b) EXTENDED BENEFITS FOR CERTAIN DEPENDENTS.—Section 1079 of such title is amended by striking subsections (d), (e), and (f) and inserting the following new subsections:

''(d)(1) The Secretary of Defense shall establish a program to provide extended benefits for eligible dependents, which may include the provision of comprehensive health care services, including case management services, to assist in the reduction of the disabling effects of a qualifying condition of an eligible dependent. Registration shall be required to receive the extended benefits.

''(2) The Secretary of Defense, after consultation with the other administering Secretaries, shall promulgate regulations to carry out this subsection.

''(3) In this subsection:

''(A) The term 'eligible dependent' means a dependent of a member of the uniformed services on active duty for a period of more than 30 days, as described in subparagraph (A), (D), or (I) of section 1072(2) of this title, who has a qualifying condition.

''(B) The term 'qualifying condition' means the condition of a dependent who is moderately or severely mentally retarded, has a serious physical disability, or has an extraordinary physical or psychological condition.

''(e) Extended benefits for eligible dependents under subsection (d) may include comprehensive health care services with respect to the qualifying condition of such a dependent, and include, to the extent such benefits are not provided under provisions of this chapter other than under this section, the following:

''(1) Diagnosis.

''(2) Inpatient, outpatient, and comprehensive home health care supplies and services.

''(3) Training, rehabilitation, and special education.

''(4) Institutional care in private nonprofit, public, and State institutions and facilities and, if appropriate, transportation to and from such institutions and facilities.

''(5) Custodial care, notwithstanding the prohibition in section 1077(b)(1) of this title.

''(6) Respite care for the primary caregiver of the eligible dependent.

''(7) Such other services and supplies as determined appropriate by the Secretary, notwithstanding the limitations in subsection (a)(13).

''(f) Members shall be required to share in the cost of any benefits provided to their dependents under subsection (d) as follows:

''(1) Members in the lowest enlisted pay grade shall be required to pay the first $25 incurred each month, and members in the highest commissioned pay grade shall be required to pay the first $250 incurred each month. The amounts to be paid by members in all other pay grades shall be determined under regulations to be prescribed by the Secretary of Defense in consultation with the administering Secretaries.

''(2) A member who has more than one dependent incurring expenses in a given month under a plan covered by subsection (d) shall not be required to pay an amount greater than would be required if the member had only one such dependent.''.

(c) DEFINITIONS OF CUSTODIAL CARE AND DOMICILIARY CARE.—Section 1072 of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(8) The term 'custodial care' means treatment or services, regardless of who recommends such treatment or services or where such treatment or services are provided, that—

''(A) can be rendered safely and reasonably by a person who is not medically skilled; or

''(B) is or are designed mainly to help the patient with the activities of daily living.

''(9) The term 'domiciliary care' means care provided to a patient in an institution or homelike environment because—

''(A) providing support for the activities of daily living in the home is not available or is unsuitable; or

''(B) members of the patient's family are unwilling to provide the care.''.

(d) CONFORMING AMENDMENT.—Section 1079 of title 10, United States Code, is amended in subsection (a) by striking paragraph (17).

(e) CONTINUATION OF INDIVIDUAL CASE MANAGEMENT SERVICES FOR CERTAIN ELIGIBLE BENEFICIARIES.—(1) Notwithstanding the termination of the Individual Case Management Program by subsection (d), the Secretary of Defense shall, in any case in which the Secretary makes the determination described in paragraph (2), continue to provide payment as if such program were in effect for home health care or custodial care services provided to an eligible beneficiary that would otherwise be excluded from coverage under regulations implementing chapter 55 of title 10, United States Code.

(2) The determination referred to in paragraph (1) is a determination that discontinuation of payment for services not otherwise provided under such chapter would result in the provision of services inadequate to meet the needs of the eligible beneficiary and would be unjust to such beneficiary.

(3) For purposes of this subsection, ''eligible beneficiary'' means a covered beneficiary (as that term is defined in section 1072 of title 10, United States Code) who, before the effective date of this section, was provided custodial care services under the Individual Case Management Program for which the Secretary provided payment.

(f) REPORT ON INITIATIVES REGARDING LONG-TERM CARE.—The Secretary of Defense shall, not later than April 1, 2002, submit to Congress a report on the feasibility and desirability of establishing new initiatives, taking into account chapter 90 of title 5, United States Code, to improve the availability of long-term care for members and retired members of the uniformed services and their families.

(g) REFERENCE IN TITLE 10 TO LONG-TERM CARE PROGRAM IN TITLE 5.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1074j (as added by subsection (a)) the following new section:

''§ 1074k. Long-term care insurance

''Provisions regarding long-term care insurance for members and certain former members of the uniformed services and their families are set forth in chapter 90 of title 5.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074j (as added by subsection (a)) the following new item:

''1074k. Long-term care insurance.''.

(h) EFFECTIVE DATE.—This section, and the amendments made by this section, shall take effect on October 1, 2001.

SEC. 705. REIMBURSEMENT OF TRAVEL EXPENSES OF A PARENT, GUARDIAN, OR RESPONSIBLE FAMILY MEMBER OF A MINOR COVERED BENEFICIARY.

Section 1074i of title 10, United States Code, is amended by adding at the end the following new sentence: ''In any case in which reimbursement of travel expenses of a covered beneficiary who is a minor and dependent is required under this section, the Secretary also shall provide reimbursement for reasonable travel expenses of the parent or guardian of, or the family member responsible for, such covered beneficiary.''.

Subtitle B—Other Matters

SEC. 711. PROHIBITION AGAINST REQUIRING MILITARY RETIREES TO RECEIVE HEALTH CARE SOLELY THROUGH THE DEPARTMENT OF DEFENSE.

No provision of law (whether enacted before or after this Act) may be construed as authorizing the Secretary of Defense to take any action that would require, or have the effect of requiring, a member or former member of the Armed Forces who is entitled to retired or retainer pay to enroll to receive health care from the Federal Government only through the Department of Defense. This section may not be superseded by a subsequent Act unless that Act—

(1) specifically refers to this section; and

(2) specifically states that such provision of law supersedes the provisions of this section.

SEC. 712. TRAUMA AND MEDICAL CARE PILOT PROGRAM.

(a) REQUIREMENT TO CONDUCT PILOT PROGRAM.—The Secretary of Defense shall conduct a pilot program under which the Brooke Army Medical Center and the Wilford Hall Air Force Medical Center in San Antonio, Texas, may charge civilians who are not covered beneficiaries under chapter 55 of title 10, United States Code, fees representing the actual costs of trauma and other medical care provided to such civilians using private sector itemized rates.

(b) USE OF FEES COLLECTED.—(1) The Brooke Army Medical Center and the Wilford Hall Air Force Medical Center may use the amounts collected under the pilot program for—

(A) trauma consortium activities;

(B) administrative, operating, and equipment costs; and

(C) readiness training.

(2) The operating budgets of those medical centers shall not be reduced as a result of fees collected under the pilot program.

(c) EFFICIENT PRACTICES.—Under the pilot program, the commander of the Brooke Army Medical Center or Wilford Hall Air Force Medical Center may authorize the use of funds appropriated to the Department of Defense for medical care for trauma and other medical care provided at such center to civilians described in subsection (a).

(d) LENGTH OF PILOT PROGRAM.—The pilot program under this section shall commence on October 1, 2001, and be conducted for a period of three years.

(e) REPORTS.—The Secretary of Defense shall submit to Congress not later than October 1st of each of 2002 through 2004 a report describing the progress and effectiveness of the pilot program carried out under this section.

SEC. 713. ENHANCEMENT OF MEDICAL PRODUCT DEVELOPMENT.

Section 980 of title 10, United States Code, is amended—

(1) by inserting ''(a)'' before ''Funds''; and

(2) by adding at the end the following new subsection:

''(b) The Secretary of Defense may waive the prohibition in this section with respect to a specific research project to advance the development of a medical product necessary to the armed forces if the research project is carried out in accordance with all other applicable laws.''.

SEC. 714. REPEAL OF OBSOLETE REPORT REQUIREMENT.

Section 701 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 1074g note) is amended by striking subsection (d).

SEC. 715. CLARIFICATIONS AND IMPROVEMENTS REGARDING THE DEPARTMENT OF DEFENSE MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND.

(a) CLARIFICATION REGARDING COVERAGE.—Subsection (b) of section 1111 of title 10, United States Code, is amended to read as follows:

''(b) In this chapter:

''(1) The term 'Department of Defense retiree health care programs' means the provisions of this title or any other provision of law creating an entitlement to or eligibility for health care under a Department of Defense or uniformed service program for a member or former member of a participating uniformed service who is entitled to retired or retainer pay, and an eligible dependent under such program.

''(2) The term 'eligible dependent' means a dependent (as such term is defined in section 1072(2) of this title) described in section 1076(a)(2) (other than a dependent of a member on active duty), 1076(b), 1086(c)(2), or 1086(c)(3).

''(3) The term 'medicare-eligible', with respect to any person, means entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

''(4) The term 'participating uniformed service' means the Army, Navy, Air Force, and Marine Corps, and any other uniformed service that is covered by an agreement entered into under subsection (c).''.

(b) PARTICIPATION OF OTHER UNIFORMED SERVICES.—(1) Section 1111 of such title is further amended by adding at the end the following new subsection:

''(c) The Secretary of Defense may enter into an agreement with any other administering Secretary (as defined in section 1072(3)) for participation in the Fund by a uniformed service under the jurisdiction of that Secretary. Any such agreement shall require that Secretary to make contributions to the Fund on behalf of the members of the uniformed service under the jurisdiction of that Secretary comparable to the contributions to the Fund made by the Secretary of Defense under section 1116, and such administering Secretary may make such contributions.''.

(2) Section 1112 of such title is amended by adding at the end the following new paragraph:

''(4) Amounts paid into the Fund pursuant to section 1111(c).''.

(3) Section 1115 of such title is amended—

(A) in subsection (a), by inserting ''participating'' before ''uniformed services'';

(B) in subparagraphs (A)(ii) and (B)(ii) of subsection (b)(1), by inserting ''under the jurisdiction of the Secretary of Defense'' after ''uniformed services'';

(C) in subsection (b)(2), by inserting ''(or to the other executive department having jurisdiction over the participating uniformed service)'' after ''Department of Defense''; and

(D) in subparagraphs (A) and (B) of subsection (c)(1), by inserting ''participating'' before ''uniformed services''.

(4) Section 1116(a) of such title is amended in paragraphs (1)(B) and (2)(B) by inserting ''under the jurisdiction of the Secretary of Defense'' after ''uniformed services''.

(c) CLARIFICATION OF PAYMENTS FROM THE FUND.—(1) Subsection (a) of section 1113 of such title is amended to read as follows:

''(a) There shall be paid from the Fund amounts payable for the costs of all Department of Defense retiree health care programs for the benefit of members or former members of a participating uniformed service who are entitled to retired or retainer pay and are medicare eligible, and eligible dependents described in section 1111(b)(3) who are medicare eligible.''.

(2) Such section is further amended by adding at the end the following new subsections:

''(c)(1) In carrying out subsection (a), the Secretary of Defense may transfer periodically from the Fund to applicable appropriations of the Department of Defense, or to applicable appropriations of other departments or agencies, such amounts as the Secretary determines necessary to cover the costs chargeable to those appropriations for Department of Defense retiree health care programs for beneficiaries under those programs who are medicare-eligible. Such transfers may include amounts necessary for the administration of such programs. Amounts so transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred. Upon a determination that all or part of the funds transferred from the Fund are not necessary for the purposes for which transferred, such amounts may be transferred back to the Fund. This transfer authority is in addition to any other transfer authority that may be available to the Secretary.

''(2) A transfer from the Fund under paragraph (1) may not be made to an appropriation after the end of the second fiscal year after the fiscal year that the appropriation is available for obligation. A transfer back to the Fund under paragraph (1) may not be made after the end of the second fiscal year after the fiscal year that the appropriation to which the funds were originally transferred is available for obligation.

''(d) The Secretary of Defense shall by regulation establish the method or methods for calculating amounts to be transferred under subsection (c). Such method or methods may be based (in whole or in part) on a proportionate share of the volume (measured as the Secretary determines appropriate) of health care services provided or paid for under Department of Defense retiree health care programs for beneficiaries under those programs who are medicare-eligible in relation to the total volume of health care services provided or paid for under Department of Defense health care programs.

''(e) The regulations issued by the Secretary under subsection (d) shall be provided to the Comptroller General not less than 60 days before such regulations become effective. The Comptroller General shall, not later than 30 days after receiving such regulations, report to the Secretary of Defense and Congress on the adequacy and appropriateness of the regulations.

''(f) If the Secretary of Defense enters into an agreement with another administering Secretary pursuant to section 1111(c), the Secretary of Defense may take actions comparable to those described in subsections (c), (d), and (e) to effect comparable activities in relation to the beneficiaries and programs of the other participating uniformed service.''.

(d) SOURCE OF FUNDS FOR MONTHLY ACCRUAL PAYMENTS INTO THE FUND.—Section 1116 of such title is further amended—

(1) in subsection (a)(2)(B) (as amended by subsection (b)(7)), by striking the sentence beginning ''Amounts paid into''; and

(2) by adding at the end the following new subsection:

''(c) Amounts paid into the Fund under subsection (a) shall be paid from funds available for the health care programs of the participating uniformed services under the jurisdiction of the respective administering Secretaries.''.

(e) LIMITATION ON TOTAL AMOUNT CONTRIBUTED DURING A FISCAL YEAR.—Section 1116 of

such title is further amended by adding at the end the following new subsection:

''(d) In no case may the total amount of monthly contributions to the Fund during a fiscal year under subsection (a) exceed the amount paid from the Fund during such fiscal year under section 1113.''.

(f) TECHNICAL AMENDMENTS.—(1) The heading for section 1111 of such title is amended to read as follows:

''§ 1111. Establishment and purpose of Fund; definitions; authority to enter into agreements''.

(2) The item relating to section 1111 in the table of sections at the beginning of chapter 56 of such title is amended to read as follows:

''1111. Establishment and purpose of Fund; definitions; authority to enter into agreements.''.

(3) Section 1115(c)(1)(B) of such title is amended by inserting an open parenthesis before ''other than for training)''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of chapter 56 of title 10, United States Code, by section 713(a)(1) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 114 Stat. 1654A–179).

(h) FIRST YEAR CONTRIBUTIONS.—With respect to contributions under section 1116(a) of title 10, United States Code, for the first year that the Department of Defense Medicare-Eligible Retiree Health Care Fund is established under chapter 56 of such title, if the Board of Actuaries is unable to execute its responsibilities with respect to such section, the Secretary of Defense may make contributions under such section using methods and assumptions developed by the Secretary.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. ACQUISITION MILESTONES.

(a) TITLE 10, U.S.C.—Title 10, United States Code, is amended—

(1) in section 2366(c), subsections (b)(3)(A), (c)(3)(A), and (h)(1) of section 2432, and section 2434(a), by striking ''engineering and manufacturing development'' each place such words appear and inserting ''system development and demonstration'';

(2) in section 2400—

(A) in subsection (a)(2), by striking ''engineering and manufacturing development'' and inserting ''system development and demonstration''; and

(B) in subsections (a)(1)(A), (a)(2), (a)(4) and (a)(5), by striking ''milestone II'' each place such term appears and inserting ''milestone B''; and

(3) in section 2435—

(A) in subsection (b), by striking ''engineering and manufacturing development'' and inserting ''system development and demonstration'';

(B) in subsection (c)(1), by striking ''demonstration and validation'' and inserting ''system development and demonstration'';

(C) in subsection (c)(2), by striking ''engineering and manufacturing development'' and inserting ''production and deployment''; and

(D) in subsection (c)(3), by striking ''production and deployment'' and inserting ''full rate production''.

(b) OTHER LAWS.—(1) Section 811(c) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–211) is amended—

(A) by striking ''Milestone I'' and inserting ''Milestone B'';

(B) by striking ''Milestone II'' and inserting ''Milestone C''; and

(C) by striking ''Milestone III'' and inserting ''full rate production''.

(2) Section 8102(b) of the Department of Defense Appropriations Act, 2001 (Public Law 106–259; 114 Stat. 696) is amended—

(A) by striking ''Milestone I'' and inserting ''Milestone B'';

(B) by striking ''Milestone II'' and inserting ''Milestone C''; and

(C) by striking ''Milestone III'' and inserting ''full rate production''.

SEC. 802. ACQUISITION WORKFORCE QUALIFICATIONS.

(a) QUALIFICATIONS.—Section 1724 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking the matter preceding paragraph (1) and inserting the following:

''(a) CONTRACTING OFFICERS.—The Secretary of Defense shall require that, in order to qualify to serve in an acquisition position as a contracting officer with authority to award or administer contracts for amounts above the simplified acquisition threshold referred to in section 2304(g) of this title, an employee of the Department of Defense or member of the armed forces (other than the Coast Guard) must, except as provided in subsections (c) and (d)—'';

(B) in paragraph (1)—

(i) by striking ''mandatory''; and

(ii) by striking ''at the grade level'' and all that follows and inserting ''(A) in the case of an employee, serving in the position within the grade of the General Schedule in which the employee is serving, and (B) in the case of a member of the armed forces, in the member's grade;''; and

(C) in paragraph (3)(A), by inserting a comma after ''business'';

(2) by striking subsection (b) and inserting the following new subsection:

''(b) GS–1102 SERIES POSITIONS AND SIMILAR MILITARY POSITIONS.—(1) The Secretary of Defense shall require that in order to qualify to serve in a position in the Department of Defense that is in the GS–1102 occupational series an employee or potential employee of the Department of Defense meet the requirements set forth in paragraph (3) of subsection (a). The Secretary may not require that in order to serve in such a position an employee or potential employee meet any of the requirements of paragraphs (1) and (2) of that subsection.

''(2) The Secretary of Defense shall require that in order for a member of the armed forces to be selected for an occupational specialty within the armed forces that (as determined by the Secretary) is similar to the GS–1102 occupational series a member of the armed forces meet the requirements set forth in paragraph (3) of subsection (a). The Secretary may not require that in order to be selected for such an occupational specialty a member meet any of the requirements of paragraphs (1) and (2) of that subsection.''; and

(3) by striking subsections (c) and (d) inserting the following new subsections:

''(c) EXCEPTIONS.—The qualification requirements imposed by the Secretary of Defense pursuant to subsections (a) and (b) shall not apply to an employee of the Department of Defense or member of the armed forces who—

''(1) served as a contracting officer with authority to award or administer contracts in excess of the simplified acquisition threshold on or before September 30, 2000;

''(2) served, on or before September 30, 2000, in a position either as an employee in the GS–1102 series or as a member of the armed forces in similar occupational specialty;

''(3) is in the contingency contracting force; or

''(4) is described in subsection (e)(1)(B).

''(d) WAIVER.—The acquisition career program board concerned may waive any or all of the requirements of subsections (a) and (b) with respect to an employee of the Department of Defense or member of the armed forces if the board certifies that the individual possesses significant potential for advancement to levels of greater responsibility and authority, based on demonstrated job performance and qualifying experience. With respect to each waiver granted under this subsection, the board shall set forth in a written document the rationale for its decision to waive such requirements. Such document shall be submitted to and retained by the Director of Acquisition Education, Training, and Career Development.

''(e) DEVELOPMENTAL OPPORTUNITIES.—(1) The Secretary of Defense may—

''(A) establish or continue one or more programs for the purpose of recruiting, selecting, appointing, educating, qualifying, and developing the careers of individuals to meet the requirements in subparagraphs (A) and (B) of subsection (a)(3);

''(B) appoint individuals to developmental positions in those programs; and

''(C) separate from the civil service after a three-year probationary period any individual appointed under this subsection who, as determined by the Secretary, fails to complete satisfactorily any program described in subparagraph (A).

''(2) To qualify for any developmental program described in paragraph (1)(A), an individual shall have—

''(A) been awarded a baccalaureate degree from an accredited institution of higher education authorized to grant baccalaureate degrees; or

''(B) completed at least 24 semester credit hours or the equivalent of study from an accredited institution of higher education in any of the disciplines of accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

''(f) CONTINGENCY CONTRACTING FORCE.—The Secretary shall establish qualification requirements for the contingency contracting force consisting of members of the armed forces whose mission is to deploy in support of contingency operations and other operations of the Department of Defense, including—

''(1) completion of at least 24 semester credit hours or the equivalent of study from an accredited institution of higher education or similar educational institution in any of the disciplines of accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management; or

''(2) passage of an examination that demonstrates skills, knowledge, or abilities comparable to that of an individual who has completed at least 24 semester credit hours or the equivalent of study in any of the disciplines described in paragraph (1).''.

(b) CLERICAL AMENDMENT.—Section 1732(c)(2) of such title is amended by inserting a comma after ''business''.

SEC. 803. TWO-YEAR EXTENSION OF PROGRAM APPLYING SIMPLIFIED PROCEDURES TO CERTAIN COMMERCIAL ITEMS.

Section 4202(e) of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106; 110 Stat. 654; 10 U.S.C. 2304 note) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2004''.

SEC. 804. CONTRACTS FOR SERVICES TO BE PERFORMED OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Chapter 141 of title 10, United States Code, is amended by inserting after section 2381 the following new section:

"§ 2382. Contracts for services to be performed outside the United States

"The Secretary of Defense may enter into contracts to employ individuals or organizations to perform services in countries other than the United States without regard to laws regarding the negotiation, making, and performance of contracts and performance of work in the United States. Individuals employed by contract to perform such services shall not by virtue of such employment be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management, but the Secretary may determine the applicability to such individuals of any other law administered by the Secretary concerning the employment of such individuals in countries other than the United States.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2381 the following new item:

"2382. Contracts for services to be performed outside the United States.".

SEC. 805. CODIFICATION AND MODIFICATION OF "BERRY AMENDMENT" REQUIREMENTS.

(a) BERRY AMENDMENT REQUIREMENTS.—(1) Chapter 148 of title 10, United States Code, is amended by inserting after section 2533 the following new section:

"§ 2533a. Requirement to buy certain articles from American sources; exceptions

"(a) REQUIREMENT.—Except as provided in subsections (c) through (g), funds appropriated or otherwise available to the Department of Defense may not be used for the procurement of an item described in subsection (b) if the item is not grown, reprocessed, reused, or produced in the United States.

"(b) COVERED ITEMS.—An item referred to in subsection (a) is any of the following:

"(1) An article or item of—

"(A) food;

"(B) clothing;

"(C) tents, tarpaulins, parachutes, or covers;

"(D) cotton and other natural fiber products, woven silk or woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric (including all textile fibers and yarns that are for use in such fabrics), canvas products, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles); or

"(E) any item of individual equipment manufactured from or containing such fibers, yarns, fabrics, or materials.

"(2) Specialty metals, including stainless steel flatware.

"(3) Hand or measuring tools.

"(c) EXCEPTION.—The Secretary of Defense or the Secretary of the military department concerned may waive the requirement in subsection (a) if—

"(1) such Secretary determines that satisfactory quality and sufficient quantity of any such article or item described in subsection (b)(1) or specialty metals (including stainless steel flatware) grown, reprocessed, reused, or produced in the United States cannot be procured as and when needed at United States market prices;

"(2) such Secretary has provided notice to the public regarding the waiver;

"(3) such Secretary has notified the Committees on Appropriations, Armed Services, and Small Business of the House of Representatives and the Senate regarding the waiver and provided a justification to such committees for the waiver; and

"(4) 30 days have elapsed since the date of the notification of such committees.

"(d) EXCEPTION FOR CERTAIN PROCUREMENTS OUTSIDE THE UNITED STATES.—Subsection (a) does not apply to the following:

"(1) Procurements outside the United States in support of combat operations.

"(2) Procurements by vessels in foreign waters.

"(3) Emergency procurements or procurements of perishable foods by an establishment located outside the United States for the personnel attached to such establishment.

"(e) EXCEPTION FOR SPECIALTY METALS AND CHEMICAL WARFARE PROTECTIVE CLOTHING.—Subsection (a) does not preclude the procurement of specialty metals or chemical warfare protective clothing produced outside the United States if—

"(1) such procurement is necessary—

"(A) to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the United States Government or United States firms under approved programs serving defense requirements; or

"(B) in furtherance of agreements with foreign governments in which both such governments agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country; and

"(2) any such agreement with a foreign government complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of this title.

"(f) EXCEPTION FOR CERTAIN FOODS.—Subsection (a) does not preclude the procurement of foods manufactured or processed in the United States.

"(g) EXCEPTION FOR SMALL PURCHASES.—Subsection (a) does not apply to purchases for amounts not greater than the simplified acquisition threshold referred to in section 2304(g) of this title.

"(h) APPLICABILITY TO CONTRACTS AND SUBCONTRACTS FOR PROCUREMENT OF COMMERCIAL ITEMS.—This section is applicable to contracts and subcontracts for the procurement of commercial items notwithstanding section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430).

"(i) GEOGRAPHIC COVERAGE.—In this section, the term 'United States' includes the commonwealths, territories, and possessions of the United States.

"(j) EXCEPTION FOR COMMISSARIES, EXCHANGES, AND OTHER NONAPPROPRIATED FUND INSTRUMENTALITIES.—Subsection (a) does not apply to items purchased for resale purposes in commissaries, military exchanges, or nonappropriated fund instrumentalities operated by the military departments or the Department of Defense.".

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2533 the following new item:

"2533a. Requirement to buy certain articles from American sources; exceptions.".

(b) REPEAL OF SOURCE PROVISIONS.—The following provisions of law are repealed:

(1) Section 9005 of the Department of Defense Appropriations Act, 1993 (Public Law 102–396; 10 U.S.C. 2241 note).

(2) Section 8109 of the Department of Defense Appropriations Act, 1997 (as contained in section 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 2241 note).

SEC. 806. INCREASE OF ASSISTANCE LIMITATION REGARDING PROCUREMENT TECHNICAL ASSISTANCE PROGRAMS.

Section 2414(a)(1) of title 10, United States Code, is amended by striking "$300,000" and inserting "$600,000".

SEC. 807. STUDY OF CONTRACT CONSOLIDATIONS.

The Secretary of Defense, in consultation with the Comptroller General of the United States, shall develop a database to track contract consolidations which consolidate 2 or more contracts previously awarded by the Department of Defense to small business concerns. The database shall contain, at a minimum, the names and addresses of the businesses to which the contracts that were consolidated were previously awarded, the rationale for consolidating the contracts, and the monetary benefit projected to be realized by the contract consolidation. Not later than December 1st of each year, the Secretary of Defense shall submit a report regarding the information contained in such database to the Committees on Armed Services of the House of Representatives and the Senate, the Committee on Small Business of the House of Representatives, and the Committee on Small Business and Entrepreneurship of the Senate.

Subtitle B—Erroneous Payments Recovery

SEC. 811. SHORT TITLE.

This subtitle may be cited as the "Erroneous Payments Recovery Act of 2001".

SEC. 812. IDENTIFICATION OF ERRORS MADE BY EXECUTIVE AGENCIES IN PAYMENTS TO CONTRACTORS AND RECOVERY OF AMOUNTS ERRONEOUSLY PAID.

(a) PROGRAM REQUIRED.—The head of each executive agency that enters into contracts with a total value in excess of $500,000,000 in a fiscal year shall carry out a cost-effective program for identifying any errors made in paying the contractors and for recovering any amounts erroneously paid to the contractors.

(b) RECOVERY AUDITS AND ACTIVITIES.—A program of an executive agency under subsection (a) shall include recovery audits and recovery activities. The head of the executive agency shall determine, in accordance with guidance provided under subsection (c), the classes of contracts to which recovery audits and recovery activities are appropriately applied.

(c) OMB GUIDANCE.—The Director of the Office of Management and Budget shall issue guidance for the conduct of programs under subsection (a). The guidance shall include the following:

(1) Definitions of the terms "recovery audit" and "recovery activity" for the purposes of the programs.

(2) The classes of contracts to which recovery audits and recovery activities are appropriately applied under the programs.

(3) Protections for the confidentiality of—

(A) sensitive financial information that has not been released for use by the general public; and

(B) information that could be used to identify a person.

(4) Policies and procedures for ensuring that the implementation of the programs does not result in duplicative audits of contractor records.

(5) Policies regarding the types of contracts executive agencies may use for the procurement of recovery services, including guidance for use, in appropriate circumstances, of a contingency contract pursuant to which the head of an executive agency may pay a contractor an amount equal to a percentage of the total amount collected for the United States pursuant to that contract.

(6) Protections for a contractor's records and facilities through restrictions on the authority of a contractor under a contract for the procurement of recovery services for an executive agency—

(A) to require the production of any record or information by any person other than an officer, employee, or agent of the executive agency;

(B) to establish, or otherwise have, a physical presence on the property or premises of any private sector entity for the purposes of performing the contract; or

(C) to act as agents for the Government in the recovery of funds erroneously paid to contractors.

(7) Policies for the appropriate types of management improvement programs authorized by section 815 that executive agencies may carry out to address overpayment problems and the recovery of overpayments.

SEC. 813. DISPOSITION OF RECOVERED FUNDS.

(a) AVAILABILITY OF FUNDS FOR RECOVERY AUDITS AND ACTIVITIES PROGRAM.—Funds collected under a program carried out by an executive agency under section 812 shall be available to the executive agency, in such amounts as are provided in advance in appropriations Acts, for the following purposes:

(1) To reimburse the actual expenses incurred by the executive agency in the administration of the program.

(2) To pay contractors for services under the program in accordance with the guidance issued under section 812(c)(5).

(b) FUNDS NOT USED FOR PROGRAM.—Any amounts erroneously paid by an executive agency that are recovered under such a program of an executive agency and are not used to reimburse expenses or pay contractors under subsection (a)—

(1) shall be credited to the appropriations from which the erroneous payments were made that remain available for obligation as of the time such amounts were collected, shall be merged with other amounts in those appropriations, and shall be available for the purposes and period for which such appropriations are available; or

(2) if no such appropriation remains available for obligation at that time, shall be disposed of as provided in subsection (c).

(c) OTHER DISPOSITIONS.—Of the total amount collected under such a program of an executive agency that is to be disposed of under this subsection—

(1) up to 25 percent of such amount may be expended by the head of the executive agency for carrying out any management improvement program of the executive agency under section 815; and

(2) the remainder of that total amount, including any amount not expended under paragraph (1), shall be deposited in the Treasury as miscellaneous receipts.

(d) PRIORITY OF OTHER AUTHORIZED DISPOSITIONS.—Notwithstanding subsections (b) and (c), the authority under such subsections may not be exercised to use, credit, or deposit funds collected under such a program as provided in those subsections to the extent that any other provision of law requires or authorizes the crediting of such funds to a nonappropriated fund instrumentality, revolving fund, working-capital fund, trust fund, or other fund or account.

SEC. 814. SOURCES OF RECOVERY SERVICES.

(a) CONSIDERATION OF AVAILABLE RECOVERY RESOURCES.—(1) In carrying out a program under section 812, the head of an executive agency shall consider all resources available to that official to carry out the program.

(2) The resources considered by the head of an executive agency for carrying out the program shall include the resources available to the executive agency for such purpose from the following sources:

(A) The executive agency.

(B) Other departments and agencies of the United States.

(C) Private sector sources.

(b) COMPLIANCE WITH APPLICABLE LAW AND REGULATIONS.—Before entering into a contract with a private sector source for the performance of services under a program of the executive agency carried out under section 812, the head of an executive agency shall comply with—

(1) any otherwise applicable provisions of Office of Management and Budget Circular A–76; and

(2) any other applicable provision of law or regulation with respect to the selection between employees of the United States and private sector sources for the performance of services.

SEC. 815. MANAGEMENT IMPROVEMENT PROGRAMS.

In accordance with guidance provided by the Director of the Office of Management and Budget under section 812, the head of an executive agency required to carry out a program under section 812 may carry out a program for improving management processes within the executive agency—

(1) to address problems that contribute directly to the occurrence of errors in the paying of contractors of the executive agency; or

(2) to improve the recovery of overpayments due to the agency.

SEC. 816. REPORTS.

(a) REQUIREMENT FOR REPORTS.—Not later than 30 months after the date of the enactment of this Act, and annually for each of the first two years following the year of the first report, the Director of the Office of Management and Budget shall submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate, a report on the implementation of this subtitle.

(b) CONTENT.—Each report shall include—

(1) a general description and evaluation of the steps taken by the heads of executive agencies to carry out the programs under this subtitle, including any management improvement programs carried out under section 815;

(2) the costs incurred by executive agencies to carry out the programs under this subtitle; and

(3) the amounts recovered under the programs under this subtitle.

SEC. 817. RELATIONSHIP TO AUTHORITY OF INSPECTORS GENERAL.

Nothing in this subtitle shall be construed as impairing the authority of an Inspector General under the Inspector General Act of 1978 or any other provision of law.

SEC. 818. PRIVACY PROTECTIONS.

(a) PROHIBITION.—Any nongovernmental entity that, in the course of recovery auditing or recovery activity under this subtitle, obtains information that identifies an individual or with respect to which there is a reasonable basis to believe that the information can be used to identify an individual, may not disclose the information for any purpose other than such recovery auditing or recovery activity and governmental oversight of such activity, unless disclosure for that other purpose is authorized by the individual to the executive agency that contracted for the performance of the recovery auditing or recovery activity.

(b) LIABILITY.—Any person that violates subsection (a) shall be liable for any damages (including nonpecuniary damages), costs, and attorneys fees incurred by the individual as a result of the violation.

SEC. 819. DEFINITION.

In this subtitle, the term ''executive agency'' has the meaning given that term in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 901. FURTHER REDUCTIONS IN DEFENSE ACQUISITION AND SUPPORT WORKFORCE

(a) REDUCTION OF DEFENSE ACQUISITION AND SUPPORT WORKFORCE.—The Secretary of Defense shall accomplish reductions in defense acquisition and support personnel positions during fiscal year 2002 so that the total number of such personnel as of October 1, 2002, is less than the total number of such personnel as of October 1, 2001, by at least 13,000.

(b) DEFENSE ACQUISITION WORKFORCE DEFINED.—For purposes of this section, the term ''defense acquisition and support personnel'' has the meaning given that term in section 931(d) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2106).

SEC. 902. SENSE OF CONGRESS ON ESTABLISHMENT OF AN OFFICE OF TRANSFORMATION IN THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) The Armed Forces should give careful consideration to implementating transformation to meet operational challenges and exploit opportunities resulting from changes in the threat environment and the emergence of new technologies.

(2) A 1999 Defense Science Board report on transformation concluded that there was no overall Department of Defense vision for transformation, no road map, no metrics to measure progress, and little sense of urgency.

(3) Historic case studies have shown that within the military, as well as commercial enterprises, successful transformation must be directed from the highest levels of an organization.

(b) SENSE OF CONGRESS ON ESTABLISHMENT OF OFFICE OF TRANSFORMATION.—It is the sense of Congress that the Secretary of Defense should consider the establishment of an Office of Transformation within the Office of the Secretary of Defense to advise the Secretary on—

(1) development of force transformation strategies to ensure that the military of the future is prepared to dissuade potential military competitors and, if that fails, to fight and win decisively across the spectrum of future conflict;

(2) ensuring a continuous and broadly focused transformation process;

(3) service and joint acquisition and experimentation efforts, funding for experimentation efforts, promising operational concepts and technologies, and other transformation activities, as appropriate; and

(4) development of service and joint operational concepts, transformation implementation strategies, and risk management strategies.

(c) SENSE OF CONGRESS ON FUNDING.—It is the sense of Congress that the Secretary of Defense should consider providing funding adequate for sponsoring selective prototyping efforts, wargames, and studies and analyses and for appropriate staffing, as recommended by the director of an Office of Transformation as described in subsection (b).

SEC. 903. REVISED JOINT REPORT ON ESTABLISHMENT OF NATIONAL COLLABORATIVE INFORMATION ANALYSIS CAPABILITY.

(a) REVISED REPORT.—At the same time as the submission of the budget for fiscal year 2003 under section 1105 of title 31, United States Code, the Secretary of Defense and the Director of Central Intelligence shall submit to the congressional defense committees and the congressional intelligence committees a revised report assessing alternatives for the establishment of a national collaborative information analysis capability.

(b) MATTERS INCLUDED.—The revised report shall cover the same matters required to be included in the DOD/CIA report, except that the alternative architectures assessed in the revised report shall be limited to architectures that include the participation of all Federal agencies involved in the collection

of intelligence. The revised report shall also include a draft of legislation sufficient to carry out the preferred architecture identified in the revised report.

(c) OFFICIALS TO BE CONSULTED.—The revised report shall be prepared after consultation with all appropriate Federal officials, including the following:

(1) The Secretary of the Treasury.

(2) The Secretary of Commerce.

(3) The Secretary of State.

(4) The Attorney General.

(5) The Director of the Federal Bureau of Investigation.

(6) The Administrator of the Drug Enforcement Administration.

(7) The Director of the Defense Threat Reduction Agency.

(8) The Director of the Defense Information Systems Agency.

(d) DOD/CIA REPORT DEFINED.—In this section, the term ''DOD/CIA report'' means the joint report required by section 933 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–237).

SEC. 904. ELIMINATION OF TRIENNIAL REPORT BY CHAIRMAN OF THE JOINT CHIEFS OF STAFF ON ROLES AND MISSIONS OF THE ARMED FORCES.

(a) REPEAL OF REQUIREMENT FOR SEPARATE REPORT BY CHAIRMAN OF THE JOINT CHIEFS OF STAFF.—Section 153 of title 10, United States Code, is amended by striking subsection (b).

(b) ROLES AND MISSIONS CONSIDERED AS PART OF DEFENSE QUADRENNIAL REVIEW.—Subsection 118(e) of such title is amended—

(1) by inserting ''(1)'' before ''Upon the completion'';

(2) by designating the second and third sentences as paragraph (3); and

(3) by inserting after paragraph (1), as designated by paragraph (1) of this subsection, the following new paragraph:

''(2) As part of his assessment under paragraph (1), the Chairman shall provide his assessment of the assignment of functions (or roles and missions) to the armed forces and such recommendations for changes thereto as the Chairman considers necessary to achieve maximum efficiency of the armed forces. In preparing such assessment, the Chairman shall consider (among other matters) the following:

''(A) Unnecessary duplication of effort among the armed forces.

''(B) Changes in technology that can be applied effectively to warfare.''.

SEC. 905. REPEAL OF REQUIREMENT FOR SEMI-ANNUAL REPORTS THROUGH MARCH 2003 ON ACTIVITIES OF JOINT REQUIREMENTS OVERSIGHT COUNCIL.

Section 916 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–231) is repealed.

SEC. 906. CORRECTION OF REFERENCES TO AIR MOBILITY COMMAND.

(a) REFERENCES IN TITLE 10, UNITED STATES CODE.—Sections 2554(d) and 2555(a) of title 10, United States Code, are each amended by striking ''Military Airlift Command'' and inserting ''Air Mobility Command''.

(b) REPEAL OF OBSOLETE PROVISION.—Section 8074 of such title is amended by striking subsection (c).

(c) REFERENCES IN TITLE 37, UNITED STATES CODE.—Sections 430(c) and 432(b) of title 37, United States Code, are each amended by striking ''Military Airlift Command'' and inserting ''Air Mobility Command''.

SEC. 907. ORGANIZATIONAL ALIGNMENT CHANGE FOR DIRECTOR FOR EXPEDITIONARY WARFARE.

Section 5038(a) of title 10, United States Code, is amended by striking ''Office of the Deputy Chief of Naval Operations for Resources, Warfare Requirements, and Assessments'' and inserting ''office of the Deputy Chief of Naval Operations with responsibility for warfare requirements and programs''.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1) Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2002 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $2,000,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. INCORPORATION OF CLASSIFIED ANNEX.

(a) STATUS OF CLASSIFIED ANNEX.—The Classified Annex prepared by the Committee on Armed Services of the House of Representatives to accompany its report on the bill H.R. 2586 of the One Hundred Seventh Congress and transmitted to the President is hereby incorporated into this Act.

(b) CONSTRUCTION WITH OTHER PROVISIONS OF ACT.—The amounts specified in the Classified Annex are not in addition to amounts authorized to be appropriated by other provisions of this Act.

(c) LIMITATION ON USE OF FUNDS.—Funds appropriated pursuant to an authorization contained in this Act that are made available for a program, project, or activity referred to in the Classified Annex may only be expended for such program, project, or activity in accordance with such terms, conditions, limitations, restrictions, and requirements as are set out for that program, project, or activity in the Classified Annex.

(d) DISTRIBUTION OF CLASSIFIED ANNEX.—The President shall provide for appropriate distribution of the Classified Annex, or of appropriate portions of the annex, within the executive branch of the Government.

SEC. 1003. LIMITATION ON FUNDS FOR BOSNIA AND KOSOVO PEACEKEEPING OPERATIONS FOR FISCAL YEAR 2002.

(a) LIMITATION.—Of the amounts authorized to be appropriated by section 301(24) for the Overseas Contingency Operations Transfer Fund—

(1) no more than $1,315,600,000 may be obligated for incremental costs of the Armed Forces for Bosnia peacekeeping operations; and

(2) no more than $1,528,600,000 may be obligated for incremental costs of the Armed Forces for Kosovo peacekeeping operations.

(b) PRESIDENTIAL WAIVER.—The President may waive the limitation in subsection (a)(1), or the limitation in subsection (a)(2), after submitting to Congress the following:

(1) The President's written certification that the waiver is necessary in the national security interests of the United States.

(2) The President's written certification that exercising the waiver will not adversely affect the readiness of United States military forces.

(3) A report setting forth the following:

(A) The reasons that the waiver is necessary in the national security interests of the United States.

(B) The specific reasons that additional funding is required for the continued presence of United States military forces participating in, or supporting, Bosnia peacekeeping operations, or Kosovo peacekeeping operations, as the case may be, for fiscal year 2002.

(C) A discussion of the impact on the military readiness of United States Armed Forces of the continuing deployment of United States military forces participating in, or supporting, Bosnia peacekeeping operations, or Kosovo peacekeeping operations, as the case may be.

(4) A supplemental appropriations request for the Department of Defense for such amounts as are necessary for the additional fiscal year 2002 costs associated with United States military forces participating in, or supporting, Bosnia or Kosovo peacekeeping operations.

(c) PEACEKEEPING OPERATIONS DEFINED.—For the purposes of this section:

(1) The term ''Bosnia peacekeeping operations'' has the meaning given such term in section 1004(e) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2112).

(2) The term ''Kosovo peacekeeping operations''—

(A) means the operation designated as Operation Joint Guardian and any other operation involving the participation of any of the Armed Forces in peacekeeping or peace enforcement activities in and around Kosovo; and

(B) includes, with respect to Operation Joint Guardian or any such other operation, each activity that is directly related to the support of the operation.

SEC. 1004. INCREASE IN LIMITATIONS ON ADMINISTRATIVE AUTHORITY OF THE NAVY TO SETTLE ADMIRALTY CLAIMS.

(a) ADMIRALTY CLAIMS AGAINST THE UNITED STATES.—Section 7622 of title 10, United States Code, is amended—

(1) in subsections (a) and (b), by striking ''$1,000,000'' and inserting ''$15,000,000''; and

(2) in subsection (c), by striking ''$100,000'' and inserting ''$1,000,000''.

(b) ADMIRALTY CLAIMS BY THE UNITED STATES.—Section 7623 of such title is amended—

(1) in subsection (a)(2), by striking ''$1,000,000'' and inserting ''$15,000,000''; and

(2) in subsection (c), by striking ''$100,000'' and inserting ''$1,000,000''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to any claim accruing on or after February 1, 2001.

Subtitle B—Naval Vessels

SEC. 1011. REVISION IN TYPES OF EXCESS NAVAL VESSELS FOR WHICH APPROVAL BY LAW IS REQUIRED FOR DISPOSAL TO FOREIGN NATIONS.

(a) REVISION IN VESSEL THRESHOLD.—Section 7307 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''A naval vessel'' and inserting ''Except as provided in subsection (b), a combatant naval vessel'';

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following new subsection (b):

''(b) TREATMENT OF VESSELS HELD BY FOREIGN NATIONS BY LOAN OR LEASE.—Subsection (a) shall not apply to the disposal to another nation of a vessel described in that subsection that, at the time of the disposal, is held by the nation to which the disposal is to be made pursuant to a loan or lease arrangement made under section 61 of the Arms Export Control Act (22 U.S.C. 2796) or any other provision of law.''; and

(4) by adding after subsection (c), as redesignated by paragraph (2), the following new subsection:

''(d) INAPPLICABILITY OF VESSEL DISPOSALS TO AGGREGATE ANNUAL VALUE LIMITATIONS.—The value of a vessel transferred to another country under an applicable provision of law as described in subsection (c) shall not be counted for the purposes of any aggregate limit on the value of articles transferred to other countries under that provision of law during any year (or other applicable period of time).''.

(b) TECHNICAL AMENDMENTS.—Subsection (a) of such section is further amended—

(1) by striking ''LARGER OR NEWER'' in the subsection heading and inserting ''CERTAIN COMBATANT; and

(2) by striking ''approved by law enacted after August 5, 1974'' and inserting ''specifically approved by law''.

Subtitle C—Counter-Drug Activities

SEC. 1021. EXTENSION OF REPORTING REQUIREMENT REGARDING DEPARTMENT OF DEFENSE EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.

Section 1022 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–255) is amended—

(1) by inserting ''and April 15, 2002,'' after ''January 1, 2001,''; and

(2) by striking ''fiscal year 2000'' and inserting ''the preceding fiscal year''.

SEC. 1022. AUTHORITY TO TRANSFER TRACKER AIRCRAFT CURRENTLY USED BY ARMED FORCES FOR COUNTER-DRUG PURPOSES.

(a) TRANSFER AUTHORITY.—The Secretary of Defense may transfer to the administrative jurisdiction and operational control of another Federal agency all Tracker aircraft in the inventory of the Department of Defense.

(b) EFFECT OF FAILURE TO TRANSFER.—If the transfer authority provided by subsection (a) is not exercised by the Secretary of Defense by September 30, 2002, any Tracker aircraft remaining in the inventory of the Department of Defense may not be used by the Armed Forces for counter-drug purposes after that date.

SEC. 1023. AUTHORITY TO TRANSFER TETHERED AEROSTAT RADAR SYSTEM CURRENTLY USED BY ARMED FORCES FOR COUNTER-DRUG PURPOSES.

(a) TRANSFER AUTHORITY.—The Secretary of Defense may transfer to the administrative jurisdiction and operational control of another Federal agency the Tethered Aerostat Radar System currently used by the Armed Forces in maritime, air, and land counter-drug detection and monitoring.

(b) EFFECT OF FAILURE TO TRANSFER.—If the transfer authority provided by subsection (a) is not exercised by the Secretary of Defense by September 30, 2002, the Tethered Aerostat Radar System may not be used by the Armed Forces for counter-drug purposes after that date.

SEC. 1024. ASSIGNMENT OF MEMBERS TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

''§ 374a. Assignment of members to assist border patrol and control

''(a) ASSIGNMENT AUTHORIZED.—Upon submission of a request consistent with subsection (b), the Secretary of Defense may assign members of the Army, Navy, Air Force, and Marine Corps to assist—

''(1) the Immigration and Naturalization Service in preventing the entry of terrorists and drug traffickers into the United States; and

''(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States to prevent the entry of weapons of mass destruction, components of weapons of mass destruction, prohibited narcotics or drugs, or other terrorist or drug trafficking items.

''(b) REQUEST FOR ASSIGNMENT.—The assignment of members under subsection (a) may occur only if—

''(1) the assignment is at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service, or the Secretary of the Treasury, in the case of an assignment to the United States Customs Service; and

''(2) the request of the Attorney General or the Secretary of the Treasury (as the case may be) is accompanied by a certification by the President that the assignment of members pursuant to the request is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

''(c) TRAINING PROGRAM REQUIRED.—The Attorney General or the Secretary of the Treasury (as the case may be), together with the Secretary of Defense, shall establish a training program to ensure that members receive general instruction regarding issues affecting law enforcement in the border areas in which the members may perform duties under an assignment under subsection (a). A member may not be deployed at a border location pursuant to an assignment under subsection (a) until the member has successfully completed the training program.

''(d) CONDITIONS OF USE.—(1) Whenever a member who is assigned under subsection (a) to assist the Immigration and Naturalization Service or the United States Customs Service is performing duties at a border location pursuant to the assignment, a civilian law enforcement officer from the agency concerned shall accompany the member.

''(2) Nothing in this section shall be construed to—

''(A) authorize a member assigned under subsection (a) to conduct a search, seizure, or other similar law enforcement activity or to make an arrest; and

''(B) supersede section 1385 of title 18 (popularly known as the 'Posse Comitatus Act').

''(e) ESTABLISHMENT OF ONGOING JOINT TASK FORCES.—(1) The Attorney General or the Secretary of the Treasury may establish ongoing joint task forces when accompanied by a certification by the President that the assignment of members pursuant to the request to establish a joint task force is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

''(2) When established, any joint task force shall fully comply with the standards as set forth in this section.

''(f) NOTIFICATION REQUIREMENTS.—The Attorney General or the Secretary of the Treasury (as the case may be) shall notify the Governor of the State in which members are to be deployed pursuant to an assignment under subsection (a), and local governments in the deployment area, of the deployment of the members to assist the Immigration and Naturalization Service or the United States Customs Service (as the case may be) and the types of tasks to be performed by the members.

''(g) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of members assigned under subsection (a).

''(h) TERMINATION OF AUTHORITY.—No assignment may be made or continued under subsection (a) after September 30, 2004.''.

(b) COMMENCEMENT OF TRAINING PROGRAM.—The training program required by subsection (b) of section 374a of title 10, United States Code, shall be established as soon as practicable after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

''374a. Assignment of members to assist border patrol and control.''.

Subtitle D—Reports

SEC. 1031. REQUIREMENT THAT DEPARTMENT OF DEFENSE REPORTS TO CONGRESS BE ACCOMPANIED BY ELECTRONIC VERSION.

(a) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by inserting after the table of sections the following new section:

''§ 480. Department of Defense reports: submission in electronic form

''(a) REQUIREMENT.—Whenever the Secretary of Defense or any other official of the Department of Defense is required by law to submit a report to Congress (or any committee of either House of Congress), the Secretary or other official shall provide to Congress (or each such committee) a copy of the report in an electronic medium.

''(b) EXCEPTION.—Subsection (a) does not apply to a report submitted in classified form.

''(c) DEFINITION.—In this section, the term 'report' includes any certification, notification, or other communication in writing.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 481 the following new item:

''480. Department of Defense reports: submission in electronic form.''.

SEC. 1032. REPORT ON DEPARTMENT OF DEFENSE ROLE IN HOMELAND SECURITY MATTERS.

The Secretary of Defense shall conduct a study on the appropriate role for the Department of Defense in homeland security matters. The Secretary shall submit to the Congress a report on the results of that study at the same time that the budget of the President for fiscal year 2003 is submitted to Congress.

SEC. 1033. REVISION OF ANNUAL REPORT TO CONGRESS ON NATIONAL GUARD AND RESERVE COMPONENT EQUIPMENT.

The text of section 10541 of title 10, United States Code, is amended to read as follows:

''(a) REQUIREMENT.—The Secretary of Defense shall submit to Congress each year, not later than March 1, a written report concerning the equipment of the National Guard and the reserve components of the armed forces. Each such report shall cover the current fiscal year and the three succeeding years.

''(b) MATTERS TO BE INCLUDED IN REPORT.—Each report under this section shall include the following (shown in the aggregate and separately for each reserve component):

''(1) A list of major items of equipment required and on-hand in the inventories of the reserve components.

''(2) A list of major items of equipment that are expected to be procured from com-

mercial sources or transferred from the active component to the reserve components.

''(3) A statement of major items of equipment in the inventories of the reserve components that are substitutes for a required major item of equipment.

''(4) A narrative explanation of the plan of the Secretary concerned to equip each reserve component, including an explanation of the plan to equip units of the reserve components that are short major items of equipment at the outset of war or a contingency operation.

''(5) A narrative discussing the current status of the compatibility and interoperability of equipment between the reserve components and the active forces and the effect of that level of compatibility or interoperability on combat effectiveness, together with a plan to achieve full equipment compatibility and interoperability.

''(6) A narrative discussing modernization shortfalls and maintenance backlogs within the reserve components and the effect of those shortfalls on combat effectiveness.

''(7) A narrative discussing the overall age and condition of equipment currently in the inventory of the reserve components.

''(c) MAJOR ITEMS OF EQUIPMENT.—In this section, the term 'major items of equipment' includes ships, aircraft, combat vehicles, and key combat support equipment.

''(d) FORMAT AND LEVEL OF DETAIL.—Each report under this section shall be expressed in the same format and with the same level of detail as the information presented in the Future-Years Defense Program Procurement Annex prepared by the Department of Defense.''.

Subtitle E—Other Matters

SEC. 1041. DEPARTMENT OF DEFENSE GIFT AUTHORITIES.

(a) ADDITIONAL ITEMS AUTHORIZED TO BE DONATED BY SECRETARY OF THE NAVY.—Section 7545 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''Subject to'' and all that follows through ''by him,'' and inserting ''AUTHORITY TO MAKE LOANS AND GIFTS.—The Secretary of the Navy'';

(B) by striking ''captured, condemned,'' and all that follows through ''to—'' and inserting ''items described in subsection (b) that are not needed by the Department of the Navy to any of the following:''

(C) by capitalizing the first letter after the paragraph designation in each of paragraphs (1) through (12);

(D) by striking the semicolon at the end of paragraphs (1) through (10) and inserting a period;

(E) by striking ''; or'' at the end of paragraph (11) and inserting a period;

(F) in paragraph (5), by striking ''World War I or World War II'' and inserting ''a foreign war'';

(G) in paragraph (6), by striking ''soldiers' monument'' and inserting ''servicemen's monument''; and

(H) in paragraph (8), by inserting ''or memorial'' after ''a museum'';

(2) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively;

(3) by inserting after subsection (a) the following new subsections:

''(b) ITEMS ELIGIBLE FOR DISPOSAL.—This section applies to the following types of property held by the Department of the Navy:

''(1) Captured, condemned, or obsolete ordnance material.

''(2) Captured, condemned, or obsolete combat or shipboard material.

''(c) REGULATIONS.—A loan or gift made under this section shall be subject to regulations prescribed by the Secretary of the Navy and to regulations under section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486).'';

(4) in subsection (d) (as redesignated by paragraph (2)), by inserting ''MAINTENANCE OF THE RECORDS OF THE GOVERNMENT.—'' after the subsection designation;

(5) in subsection (e) (as redesignated by paragraph (2)), by inserting ''ALTERNATIVE AUTHORITIES TO MAKE GIFTS OR LOANS.—'' after the subsection designation; and

(6) by adding at the end the following new subsection:

''(f) AUTHORITY TO TRANSFER A PORTION OF A VESSEL.—The Secretary may lend, give, or otherwise transfer any portion of the hull or superstructure of a vessel stricken from the Naval Vessel Register and designated for scrapping to a qualified organization specified in subsection (a). The terms and conditions of an agreement for the transfer of a portion of a vessel under this section shall include a requirement that the transferee will maintain the material conveyed in a condition that will not diminish the historical value of the material or bring discredit upon the Navy.''.

(b) CONFORMING AMENDMENTS.—Section 2572(a) of such title is amended—

(1) in paragraph (2), by striking ''soldiers' monument'' and inserting ''servicemen's monument''; and

(2) in paragraph (4), by inserting ''or memorial'' after ''An incorporated museum''.

SEC. 1042. TERMINATION OF REFERENDUM REQUIREMENT REGARDING CONTINUATION OF MILITARY TRAINING ON ISLAND OF VIEQUES, PUERTO RICO, AND IMPOSITION OF ADDITIONAL CONDITIONS ON CLOSURE OF LIVE-FIRE TRAINING RANGE.

(a) IN GENERAL.—Title XV of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–348) is amended by striking sections 1503, 1504, and 1505 and inserting the following new sections:

''SEC. 1503. CONDITIONS ON CLOSURE OF VIEQUES NAVAL TRAINING RANGE.

''(a) REQUIRED CERTIFICATION.—The Secretary of the Navy may close the Vieques Naval Training Range on the island of Vieques, Puerto Rico, and discontinue live-fire training at that range only if—

''(1) the Chief of Naval Operations and the Commandant of the Marine Corps jointly certify that there is an alternative training facility that provides an equivalent or superior level of training for units of the Navy and the Marine Corps stationed or deployed in the eastern United States; and

''(2) the new facility is available and fully capable of supporting such training immediately upon cessation of live-fire training on Vieques.

''(b) EQUIVALENT OR SUPERIOR LEVEL OF TRAINING DEFINED.—In this section, the term 'equal or superior level of training' refers to an ability by the Armed Forces to conduct at a single location coordinated live-fire training, including simultaneous large-scale tactical air strikes, naval surface fire support and artillery, and amphibious landing operations, as was conducted at Vieques Naval Training Range before April 19, 1999.

''SEC. 1504. NAVY RETENTION OF CLOSED VIEQUES NAVAL TRAINING RANGE.

''(a) RETENTION.—If the conditions specified in section 1503(a) are satisfied and the Secretary of the Navy terminates all Navy and Marine Corps training operations on the island of Vieques, the Secretary of the Navy shall retain administrative jurisdiction over the Live Impact Area and all other Department of Defense real properties on the eastern side of the island for possible reactivation for training use, including live-fire training, in the event a national emergency.

''(b) ADMINISTRATION.—The Secretary of the Navy may enter into a cooperative agreement with the Secretary of the Interior to provide for management of the property described in subsection (a), pending reactivation for training use, by appropriate agencies of the Department of the Interior as follows:

''(1) Management of the Live Impact Area as a wilderness area under the Wilderness Act (16 U.S.C. 1131 et seq.), including a prohibition on public access to the area.

''(2) Management of the remaining property as wildlife refuges under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

''(c) LIVE IMPACT AREA DEFINED.—In this section, the term 'Live Impact Area' means the parcel of real property, consisting of approximately 900 acres (more or less), on the island of Vieques that is designated by the Secretary of the Navy for targeting by live ordnance in the training of forces of the Navy and Marine Corps.''.

(b) CONFORMING AMENDMENT.—Section 1507(c) of such Act is amended by striking ''the issuance of a proclamation described in section 1504(a) or''.

SEC. 1043. REPEAL OF LIMITATION ON REDUCTIONS IN PEACEKEEPER ICBM MISSILES.

Subsection (a)(1) of section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) is amended by striking subparagraph (D).

SEC. 1044. TRANSFER OF VIETNAM ERA F–4 AIRCRAFT TO NONPROFIT MUSEUM.

(a) AUTHORITY TO CONVEY.—The Secretary of the Air Force may convey, without consideration, to the nonprofit National Aviation Museum and Foundation of Oklahoma (in this section referred to as the ''museum''), all right, title, and interest of the United States in and to one surplus F–4 aircraft that is flyable or that can be readily restored to flyable condition. The conveyance shall be made by means of a conditional deed of gift.

(b) CONDITION OF AIRCRAFT.—(1) The Secretary may not convey ownership of an aircraft under subsection (a) until the Secretary determines that the museum has altered the aircraft in such manner as the Secretary determines necessary to ensure that the aircraft does not have any capability for use as a platform for launching or releasing munitions or any other combat capability that it was designed to have.

(2) The Secretary is not required to repair or alter the condition of the aircraft before conveying ownership of the aircraft.

(c) REVERTER UPON BREACH OF CONDITIONS.—The Secretary shall include in the instrument of conveyance of the aircraft—

(1) a condition that the museum not convey any ownership interest in, or transfer possession of, the aircraft to any other party without the prior approval of the Secretary;

(2) a condition that the museum operate and maintain the aircraft in compliance with all applicable limitations and maintenance requirements imposed by the Administrator of the Federal Aviation Administration; and

(3) a condition that if the Secretary determines at any time that the museum has conveyed an ownership interest in, or transferred possession of, the aircraft to any other party without the prior approval of the Secretary, or has failed to comply with the condition set forth in paragraph (2), all right, title, and interest in and to the aircraft, including any repair or alteration of the aircraft, shall revert to the United States, and the United States shall have the right of immediate possession of the aircraft.

(d) CONVEYANCE AT NO COST TO THE UNITED STATES.—The conveyance of the aircraft under subsection (a) shall be made at no cost to the United States. Any costs associated with the conveyance, costs of determining

compliance with subsection (b), and costs of operation and maintenance of the aircraft conveyed shall be borne by the museum.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 1045. BOMBER FORCE STRUCTURE.

(a) LIMITATION.—None of the funds available to the Department of Defense for fiscal year 2002 may be obligated or expended for retiring or dismantling any of the 93 B–1B Lancer bombers in service as of June 1, 2001, or for transferring or reassigning any of those aircraft from the unit or the facility to which assigned as of that date, until each of the following has occurred:

(1) The President transmits to Congress a national security strategy report under section 108 of the National Security Act of 1947 (50 U.S.C. 4040) as required by subsection (a)(3) of that section.

(2) The Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the Quadrennial Defense Review (QDR) under section 118 of title 10, United States Code, that under that section is required to be submitted not later than September 30, 2001.

(3) The Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report that provides—

(A) the changes in national security considerations from those applicable to the air force bomber studies conducted during 1992 and 1995 that warrant changes in the current configuration of the bomber fleet; and

(B) the plans of the Department of Defense for assigning new missions to the National Guard units that currently fly B–1 aircraft and for the transition of those units and their facilities from the current B–1 mission to their future missions.

(4) The Secretary of Defense submits to Congress the annual report of the Secretary for 2001 required by section 113(c) of title 10, United States Code.

(5) The Secretary of Defense submits to Congress a report on the results of the Revised Nuclear Posture Review conducted under section 1042 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–262), as required by subsection (c) of that section.

(6) The Secretary of Defense conducts, and submits to the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives a report on the results of, a comprehensive study to determine—

(A) the role of manned bomber aircraft appropriate to meet the requirements derived from the National Security Strategy report referred to in paragraph (1);

(B) the amount and type of bomber force structure in the United States Air Force appropriate to meet the requirements derived from the National Security Strategy report referred to in paragraph (1); and

(C) the most cost effective allocation of bomber force structure, factoring in use of the reserve components of the Air Force consistent with the requirements of the National Security Strategy report referred to in paragraph (1).

(b) GAO STUDY AND REPORT.—The Comptroller General of the United States shall conduct a study on the same matters as specified in subparagraphs (A), (B), and (C) of subsection (a)(6). The Comptroller General shall submit to Congress a report containing the results of that study not later than 180 days after the date of the submission of the report referred to in subsection (a)(6)

(c) DEFINITIONS.—For purposes of this section:

(1) AMOUNT AND TYPE OF BOMBER FORCE STRUCTURE.—The term ''amount and type of bomber force structure'' means the required numbers of B–2 aircraft, B–52 aircraft, and B–1 aircraft consistent with the requirements of the National Security Strategy referred to in subsection (a)(1).

(2) COST EFFECTIVE ALLOCATION OF BOMBER FORCE STRUCTURE.—The term ''cost effective allocation of bomber force structure'' means the lowest cost for stationing, maintaining, and operating the bomber fleet fully consistent with the requirements of the National Security Strategy referred to in subsection (a)(1).

SEC. 1046. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of subtitle A, and at the beginning of part II of subtitle A, are each amended by striking the period after ''1111'' in the item relating to chapter 56.

(2) Section 119(g)(2) is amended by striking ''National Security Subcommittee'' and inserting ''Subcommittee on Defense''.

(3) Section 130c(b)(3)(C) is amended by striking ''subsection (f)'' and inserting ''subsection (g)''.

(4) Section 176(a)(3) is amended by striking ''Chief Medical Director'' and inserting ''Under Secretary for Health''.

(5)(A) Section 503(c) is amended in paragraph (6)(A)(i) by striking ''14101(18)'' and ''8801(18)'' and inserting ''14101'' and ''8801'', respectively.

(B) The amendment made by subparagraph (A) shall take effect on July 1, 2002, immediately after the amendment to such section effective that date by section 563(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 131).

(6) Section 663(e) is amended—

(A) by striking ''Armed Forces Staff College'' in paragraph (1) and inserting ''Joint Forces Staff College''; and

(B) by striking ''ARMED FORCES STAFF COLLEGE'' and inserting ''JOINT FORCES STAFF COLLEGE''.

(7) Section 667(17) is amended by striking ''Armed Forces Staff College'' both places it appears and inserting ''Joint Forces Staff College''.

(8) Section 874(a) is amended by inserting after ''a sentence of confinement for life without eligibility for parole'' the following: ''that is adjudged for an offense committed after October 29, 2000''.

(9) Section 1056(c)(2) is amended by striking '', not later than September 30, 1991,''.

(10) The table of sections at the beginning of chapter 55 is amended by transferring the item relating to section 1074i, as inserted by section 758(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–200), so as to appear after the item relating to section 1074h.

(11) Section 1097a(e) is amended by striking ''section 1072'' and inserting ''section 1072(2)''.

(12) Sections 1111(a) and 1114(a)(1) are each amended by striking ''hereafter'' and inserting ''hereinafter''.

(13) Section 1116 is amended—

(A) in subsection (a)(2)(B), by inserting an open parenthesis before ''other than for training''; and

(B) in subsection (b)(2)(D), by striking ''section 111(c)(4)'' and inserting ''section 1115(c)(4)''.

(14) The heading for subchapter II of chapter 75 is transferred within that chapter so as to appear before the table of sections at the beginning of that subchapter (as if the amendment made by section 721(c)(1) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 694) had inserted that heading following section 1471 instead of before section 1475).

(15) Section 1611(d) is amended by striking ''with''.

(16) Section 2166(e)(9) is amended by striking ''App. 2'' and inserting ''App.''.

(17) Section 2323(a)(1)(C) is amended—

(A) by striking ''section 1046(3)'' and inserting ''section 365(3)'';

(B) by striking ''20 U.S.C. 1135d–5(3)'' and inserting ''20 U.S.C. 1067k''; and

(C) by striking '', which, for the purposes of this section'' and all that follows through the period at the end and inserting a period.

(18) Section 2375(b) is amended by inserting ''(41 U.S.C. 430)'' after ''section 34 of the Office of Federal Procurement Policy Act''.

(19) Section 2376(1) is amended by inserting ''(41 U.S.C. 403)'' after ''section 4 of the Office of Federal Procurement Policy Act''.

(20) Section 2410f(a) is amended by inserting after ''inscription'' the following: '', or another inscription with the same meaning,''.

(21) Section 2461a(a)(2) is amended by striking ''effeciency'' and inserting ''efficiency''.

(22) Section 2467 is amended—

(A) in subsection (a)(2)—

(i) by striking '', United States Code'' in subparagraph (A); and

(ii) by striking ''such'' in subparagraphs (B) and (C); and

(B) in subsection (b)(2)(A), by striking ''United States Code,''.

(23) Section 2535 is amended—

(A) in subsection (a)—

(i) by striking ''intent of Congress'' and inserting ''intent of Congress—'';

(ii) by realigning clauses (1), (2), (3), and (4) so that each such clause appears as a separate paragraph indented two ems from the left margin; and

(iii) in paragraph (1), as so realigned, by striking ''Armed Forces'' and inserting ''armed forces'';

(B) in subsection (b)(1)—

(i) by striking ''in this section, the Secretary is authorized and directed to—'' and inserting ''in subsection (a), the Secretary of Defense shall—''; and

(ii) by striking ''defense industrial reserve'' in subparagraph (A) and inserting ''Defense Industrial Reserve''; and

(C) in subsection (c)—

(i) by striking paragraph (1);

(ii) by redesignating paragraph (2) as paragraph (1) and in that paragraph—

(I) by striking ''means'' and inserting ''means—'';

(II) by realigning clauses (A), (B), and (C) so that each such clause appears as a separate subparagraph indented four ems from the left margin; and

(III) by inserting ''and'' at the end of subparagraph (B), as so realigned; and

(iii) by redesignating paragraph (3) as paragraph (2).

(24) Section 2541c is amended by striking ''subtitle'' both places it appears in the matter preceding paragraph (1) and inserting ''subchapter''.

(25) The second section 2555, added by section 1203(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–324), is redesignated as section 2565, and the item relating to that section in the table of sections at the beginning of chapter 152 is revised to conform to such redesignation.

(26) The second section 2582, added by section 1(a) of Public Law 106–446 (114 Stat.

1932), is redesignated as section 2583, and the item relating to that section in the table of sections at the beginning of chapter 153 is revised to conform to such redesignation.

(27)(A) Section 2693(a) is amended—

(i) in the matter preceding paragraph (1), by inserting ''of Defense'' after ''Secretary''; and

(ii) in paragraph (3)—

(I) by inserting ''to the Secretary of Defense'' after ''certifies'';

(II) by inserting ''(42 U.S.C. 3762a)'' after ''of 1968''; and

(III) by striking ''to the public agencies referred to in section 515(a)(1) or 515(a)(3) of title I of such Act'' and inserting ''to a public agency referred to in paragraph (1) or (3) of subsection (a) of such section''.

(B)(i) The heading of such section is amended to read as follows:

''§ 2693. Conveyance of certain property: Department of Justice correctional options program''.

(ii) The item relating to such section in the table of sections at the beginning of chapter 159 is amended to read as follows:

''2693. Conveyance of certain property: Department of Justice correctional options program.''.

(28) Section 3014(f)(3) is amended by striking ''the number equal to'' and all that follows and inserting ''67.''.

(29) Section 5014(f)(3) is amended by striking ''the number equal to'' and all that follows and inserting ''74.''.

(30) Section 8014(f)(3) is amended by striking ''the number equal to'' and all that follows and inserting ''60.''.

(31) Section 9783(e)(1) is amended by striking ''40101(a)(2)'' and inserting ''40102(a)(2)''.

(32) Section 12741(a)(2) is amended by striking ''received'' and inserting ''receive''.

(b) AMENDMENTS RELATING TO CHANGE IN TITLE OF UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.—Title 10, United States Code, is further amended as follows:

(1) Section 133a(b) is amended by striking ''shall assist the Under Secretary of Defense for Acquisition and Technology'' and inserting ''shall assist the Under Secretary of Defense for Acquisition, Technology, and Logistics''.

(2) The following provisions are each amended by striking ''Under Secretary of Defense for Acquisition and Technology'' and inserting ''Under Secretary of Defense for Acquisition, Technology, and Logistics'': sections 139(c), 139(f), 171(a)(3), 179(a)(1), 1702, 1703, 1707(a), 1722(a), 1722(b)(2)(B), 1735(c)(1), 1737(c)(1), 1737(c)(2)(B), 1741(b), 1746(a), 1761(b)(4), 1763, 2302c(a)(2), 2304(f)(1)(B)(iii), 2304(f)(6)(B), 2311(c)(1), 2311(c)(2)(B), 2350a(b)(2), 2350a(e)(1)(A), 2350a(e)(2)(B), 2350a(f)(1), 2399(b)(3), 2435(b), 2435(d)(2), 2521(a), and 2534(i)(3).

(3)(A) The heading for section 1702 is amended to read as follows:

''§ 1702. Under Secretary of Defense for Acquisition, Technology, and Logistics: authorities and responsibilities''.

(B) The item relating to section 1702 in the table of sections at the beginning of subchapter I of chapter 87 is amended to read as follows:

''1702. Under Secretary of Defense for Acquisition, Technology, and Logistics: authorities and responsibilities.''.

(4) Section 2503(b) is amended by striking ''Under Secretary of Defense for Acquisition'' and inserting ''Under Secretary of Defense for Acquisition, Technology, and Logistics''.

(c) AMENDMENTS TO SUBSTITUTE CALENDAR DATES FOR DATE-OF-ENACTMENT REFERENCES.—Title 10, United States Code, is further amended as follows:

(1) Section 130c(d)(1) is amended by striking ''the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001'' and inserting ''October 30, 2000,''.

(2) Section 184(a) is amended by striking ''the date of the enactment of this section,'' and inserting ''October 30, 2000,''.

(3) Section 986(a) is amended by striking ''the date of the enactment of this section,'' and inserting ''October 30, 2000,''.

(4) Section 1074g(a)(8) is amended by striking ''the date of the enactment of this section'' and inserting ''October 5, 1999,''.

(5) Section 1079(h)(2) is amended by striking ''the date of the enactment of this paragraph'' and inserting ''February 10, 1996,''.

(6) Section 1206(5) is amended by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000,'' and inserting ''October 5, 1999,''.

(7) Section 1405(c)(1) is amended by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 1995,'' and inserting ''October 5, 1994,''.

(8) Section 1407(f)(2) is amended by striking ''the date of the enactment of this subsection—'' and inserting ''October 30, 2000—''.

(9) Section 1408(d)(6) is amended by striking ''the date of the enactment of this paragraph'' and inserting ''August 22, 1996,''.

(10) Section 1511(b) is amended by striking ''the date of the enactment of this chapter.'' and inserting ''February 10, 1996.''.

(11) Section 2461a(b)(1) is amended by striking ''the date of the enactment of this section,'' and inserting ''October 30, 2000,''.

(12) Section 4021(c)(1) is amended by striking ''the date of the enactment of this section.'' and inserting ''November 29, 1989.''.

(13) Section 6328(a) is amended by striking ''the date of the enactment of this section'' and inserting ''February 10, 1996,''.

(14) Section 7439 is amended—

(A) in subsection (a)(2), by striking ''one year after the date of the enactment of this section,'' and inserting ''November 18, 1998,'';

(B) in subsection (b)(1), by striking ''the date of the enactment of this section,'' and inserting ''November 18, 1997,'';

(C) in subsection (b)(2), by striking ''the end of the one-year period beginning on the date of the enactment of this section.'' and inserting ''November 18, 1998.''; and

(D) in subsection (f)(2), by striking ''the date of the enactment of this section'' and inserting ''November 18, 1997,''.

(15) Section 12533 is amended—

(A) in each of subsections (b) and (c)(1), by striking ''the date of the enactment of this section.'' and inserting ''November 18, 1997.''; and

(B) in each of subsections (c)(2) and (d), by striking ''the date of the enactment of this section'' and inserting ''November 18, 1997,''.

(16) Section 12733(3) is amended—

(A) in subparagraph (B), by striking ''the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001;'' and inserting ''October 30, 2000;''; and

(B) in subparagraph (C), by striking ''the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001'' and inserting ''October 30, 2000,''.

(d) AMENDMENTS RELATING TO CHANGE IN TITLE OF MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.—The following provisions are each amended by striking ''Stewart B. McKinney Homeless Assistance Act'' and inserting ''McKinney-Vento Homeless Assistance Act'':

(1) Sections 2814(j)(2), 2854a(d)(2), and 2878(d)(4) of title 10, United States Code.

(2) Sections 2905(b)(6)(A) and 2910(11) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(3) Section 204(b)(6)(A) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(4) Section 2915(c)(10) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2687 note).

(5) Section 2(e)(4)(A) of the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (Public Law 103–421; 10 U.S.C. 2687 note).

(6) Section 1053(a) of the National Defense Authorization Act for Fiscal Year 1997 (110 Stat. 2650).

(e) AMENDMENTS TO REPEAL OBSOLETE PROVISIONS.—Title 10, United States Code, is further amended as follows:

(1) Section 1144 is amended—

(A) in subsection (a)(3), by striking the second sentence; and

(B) by striking subsection (e).

(2) Section 1581(b) is amended—

(A) by striking ''(1)'' and all that follows through ''The Secretary of Defense shall deposit'' and inserting ''The Secretary of Defense shall deposit''; and

(B) by striking ''on or after December 5, 1991,''.

(3) Subsection (e) of section 1722 is repealed.

(4) Subsection 1732(a) is amended by striking the second sentence.

(5) Section 1734 is amended—

(A) in subsection (b)(1)(B), by striking ''on and after October 1, 1991,''; and

(B) in subsection (e)(2), by striking the last sentence.

(6)(A) Section 1736 is repealed.

(B) The table of sections at the beginning of subchapter III of chapter 87 is amended by striking the item relating to section 1736.

(7)(A) Sections 1762 and 1764 are repealed.

(B) The table of sections at the beginning of subchapter V of chapter 87 is amended by striking the items relating to sections 1762 and 1764.

(8) Section 2112(a) is amended by striking '', with the first class graduating not later than September 21, 1982''.

(9) Section 2218(d)(1) is amended by striking ''for fiscal years after fiscal year 1993''.

(10)(A) Section 2468 is repealed.

(B) The table of sections at the beginning of chapter 146 is amended by striking the item relating to section 2468.

(11) Section 2832 is amended—

(A) by striking ''(a)'' before ''The Secretary of Defense''; and

(B) by striking subsection (b).

(12) Section 7430(b)(2) is amended—

(A) by striking ''at a price less than'' and all that follows through ''the current sales price'' and inserting ''at a price less than the current sales price'';

(B) by striking ''; or'' and inserting a period; and

(C) by striking subparagraph (B).

(f) PUBLIC LAW 106–398.—Effective as of October 30, 2000, and as if included therein as enacted, the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398) is amended as follows:

(1) Section 525(b)(1) (114 Stat. 1654A–109) is amended by striking ''subsection (c)'' and inserting ''subsections (a) and (b)''.

(2) Section 1152(c)(2) (114 Stat. 1654A–323) is amended by inserting ''inserting'' after ''and''.

(g) PUBLIC LAW 106–65.—Effective as of October 5, 1999, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) is amended as follows:

(1) Section 531(b)(2)(A) (113 Stat. 602) is amended by inserting ''in subsection (a),'' after ''(A)''.

(2) Section 549(a)(2) (113 Stat. 611) is amended by striking ''such chapter'' and inserting ''chapter 49 of title 10, United States Code,''.

(3) Section 576(a)(3) (10 U.S.C. 1501 note; 113 Stat. 625) is amended by adding a period at the end.

(4) Section 577(a)(2) (113 Stat. 625) is amended by striking ''bad conduct'' in the first quoted matter and inserting ''bad-conduct''.

(5) Section 811(d)(3)(B)(v) (10 U.S.C. 2302 note; 113 Stat. 709) is amended by striking ''Mentor-Protegee'' and inserting ''Mentor-Protege''.

(6) Section 1052(b)(1) (113 Stat. 764) is amended by striking '' 'The Department'' and inserting ''the 'Department''.

(7) Section 1053(a)(5) (10 U.S.C. 113 note; 113 Stat. 764) is amended by inserting ''and'' before ''Marines''.

(8) Section 1402(f)(2)(A) (22 U.S.C. 2778 note; 113 Stat. 799) is amended by striking ''3201 note'' and inserting ''6305(4)''.

(9) Section 2902(d) (10 U.S.C. 111 note; 113 Stat. 882) is amended by striking ''section 2871(b)'' and inserting ''section 2881(b)''.

(h) PUBLIC LAW 102–484.—The National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484) is amended as follows:

(1) Section 3161(c)(6)(C) (42 U.S.C. 7274h(c)(6)(C)) is amended by striking ''title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241 et seq.)'' and inserting ''title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.)''.

(2) Section 4416(b)(1) (10 U.S.C. 12681 note) is amended by striking ''force reduction period'' and inserting ''force reduction transition period''.

(3) Section 4461(5) (10 U.S.C. 1143 note) is amended by adding a period at the end.

(i) OTHER LAWS.—

(1) Section 1083(c) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 10 U.S.C. 113 note) is amended by striking ''NAMES'' and inserting ''NAME''.

(2) Section 845(d)(1)(B)(ii) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) is amended by inserting a closed parenthesis after ''41 U.S.C. 414(3))''.

(3) Section 1123(b) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1556) is amended by striking ''Armed Forces Staff College'' each place it appears and inserting ''Joint Forces Staff College''.

(4) Section 1412(g)(2)(C)(vii) of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521(g)(2)(C)(vii)) is amended by striking ''(c)(3)'' and inserting ''(c)(4)''.

(5) Section 8336 of title 5, United States Code, is amended—

(A) in subsection (d)(2), by striking ''subsection (o)'' and inserting ''subsection (p)''; and

(B) by redesignating the second subsection (o), added by section 1152(a)(2) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–320), as subsection (p).

(6) Section 9001(3) of title 5, United States Code, is amended by striking ''and'' at the end of subparagraph (A) and inserting ''or''.

(7) Section 318(h)(3) of title 37, United States Code, is amended by striking ''subsection (a)'' and inserting ''subsection (b)''.

(8) Section 3695(a)(5) of title 38, United States Code, is amended by striking ''1610'' and inserting ''1611''.

(9) Section 13(b) of the Peace Corps Act (22 U.S.C. 2512(b)) is amended by striking '', subject to section 5532 of title 5, United States Code''.

(10) Section 127(g)(6) of the Trade Deficit Review Commission Act (19 U.S.C. 2213 note), as amended by section 311(b) of the Legislative Branch Appropriations Act, 2000 (Public Law 106–57; 113 Stat. 428), is amended—

(A) by striking ''AUTHORITIES.—'' and all that follows through ''An individual'' and inserting ''AUTHORITIES.—An individual''; and

(B) by striking subparagraph (B).

(11) Section 28 of the Atomic Energy Act of 1954 (42 U.S.C. 2038) is amended in the last sentence by striking '', subject to'' and all that follows through the period at the end and inserting a period.

(12) Section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402) is amended by redesignating the second subsection (e), added by section 3159(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–469), as subsection (f).

SEC. 1047. LEASING OF NAVY SHIPS FOR UNIVERSITY NATIONAL OCEANOGRAPHIC LABORATORY SYSTEM.

Subsection (g) of section 2667 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) Paragraph (1) does not apply to a renewal or extension of a lease by the Secretary of the Navy with a selected institution for operation of a ship within the University National Oceanographic Laboratory System if, under the lease, each of the following applies:

''(A) Use of the ship is restricted to federally supported research programs and to non-Federal uses under specific conditions with approval by the Secretary of the Navy.

''(B) Because of the anticipated value to the Navy of the oceanographic research and training that will result from the ship's operation, no monetary lease payments are required from the lessee under the initial lease or under any renewal or extension.

''(C) The lessee is required to maintain the ship in a good state of repair, readiness, and efficient operating condition, conform to all applicable regulatory requirements, and assume full responsibility for the safety of the ship, its crew, and scientific personnel aboard.''.

SEC. 1048. SENSE OF CONGRESS REGARDING CONTINUED UNITED STATES COMMITMENT TO RESTORING LAFAYETTE ESCADRILLE MEMORIAL, MARNES LA-COGUETTE, FRANCE.

(a) FINDINGS.—Congress finds the following:

(1) The Lafayette Escadrille, an aviation squadron within the French Lafayette Flying Corps, was formed April 16, 1916.

(2) The Lafayette Escadrille consisted of aviators from the United States who volunteered to fight for the people of France during World War I.

(3) 265 volunteers from the United States served in the Lafayette Flying Corps, completing 3,000 combat sorties and amassing nearly 200 victories.

(4) The Lafayette Escadrille won 4 Legions of Honor, 7 Medailles Militaires, and 31 citations, each with a Croix de Guerre.

(5) In 1918, command of the Lafayette Escadrille was transferred to the United States, where the Lafayette Escadrille became the combat air force of the United States.

(6) In 1921, a Franco-American committee was organized to locate a final resting place for the 68 United States aviators who lost their lives flying for France during World War I.

(7) The Lafayette Escadrille Memorial was dedicated on July 4, 1928, in honor of all United States aviators who flew for France during World War I.

(8) The Lafayette Escadrille Memorial Foundation, located in the United States and in France, was founded by Nelson Cromwell in 1930 and endowed with a $1,500,000 trust for the maintenance and upkeep of the Lafayette Escadrille Memorial.

(9) Environmental conditions have contributed to structural damage to, and the overall degradation of, the Lafayette Escadrille Memorial, preventing the holding of memorial services inside the crypt.

(10) The French Government has pledged funds to support a restoration of the Lafayette Escadrille Memorial.

(11) The Lafayette Escadrille Memorial should be restored to its original beauty to honor all the United States aviators who flew for France during World War I and to demonstrate the respect of the United States for the sacrifices made by all Americans who have served our Nation and our allies.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should continue to honor its commitment to the United States aviators who lost their lives flying for France during World War I by appropriating sufficient funds to restore the Lafayette Escadrille Memorial in Marnes La-Coguette, France.

SEC. 1049. DESIGNATION OF FIREFIGHTER ASSISTANCE PROGRAM IN HONOR OF FLOYD D. SPENCE, A FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES, AND SENSE OF CONGRESS ON NEED TO CONTINUE THE PROGRAM.

(a) DESIGNATION.—Section 33(b)(2)(A) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(b)(2)(A)) is amended—

(1) by inserting ''AND DESIGNATION'' after ''ESTABLISHMENT''; and

(2) by adding at the end the following new sentence: ''The program of firefighter assistance administered by the Office shall be known as the 'Floyd D. Spence Memorial Domestic Defenders Initiative'.''.

(b) SENSE OF CONGRESS.—The firefighters assistance grant program authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is recognized as having served as an effective device in Congress' ongoing effort to address the needs of America's fire service, and it is the sense of Congress that the program should be reauthorized for fiscal year 2003 and subsequent fiscal years at a higher level of funding.

SEC. 1050. SENSE OF CONGRESS ON IMPLEMENTATION OF FUEL EFFICIENCY REFORMS IN DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) The Federal Government is the largest single energy user in the United States, and the Department of Defense is the largest energy user among all Federal agencies.

(2) The Department of Defense consumed 595,000,000,000,000 BTUs of petroleum in fiscal year 1999, while all other Federal agencies combined consumed 56,000,000,000,000 BTUs of petroleum.

(3) The total cost of petroleum to the Department of Defense amounted to $3,600,000,000 in fiscal year 2000.

(4) Increased fuel efficiency would reduce the cost of delivering fuel to military units during operations and training and allow a corresponding percentage of defense dollars to be reallocated to logistic shortages and other readiness needs.

(5) Increased fuel efficiency would decrease the time needed to assemble military units, would increase unit flexibility, and would allow units to remain in the field for a longer period of time.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should work to implement fuel efficiency reforms, as recommended by the Defense Science Board report, which allow for investment decisions based on the true cost of delivered fuel, strengthen the linkage between

warfighting capability and fuel logistics requirements, provide high-level leadership encouraging fuel efficiency, target fuel efficiency improvements through science and technology investment, and include fuel efficiency in requirements and acquisition processes.

SEC. 1051. PLAN FOR SECURING RUSSIA'S NUCLEAR WEAPONS, MATERIAL, AND EXPERTISE.

(a) PLAN FOR NONPROLIFERATION PROGRAMS WITH RUSSIA.—Not later than June 15, 2002, the President shall submit to Congress a plan—

(1) for cooperation with Russia on disposition as soon as practicable of nuclear weapons and weapons-usable nuclear material in Russia that Russia does not retain in its nuclear arsenal; and

(2) to prevent the outflow from Russia of scientific expertise that could be used for developing nuclear weapons or other weapons of mass destruction, including delivery systems.

(b) CONTENT OF PLAN.—The plan required by subsection (a) shall include the following:

(1) Specific goals and measurable objectives for the programs that are designed to carry out the objectives specified in paragraphs (1) and (2) of subsection (a).

(2) Criteria for success for those programs and a strategy for eventual termination of United States contributions to those programs and assumption of the ongoing support of those programs by Russia.

(3) A description of any administrative and organizational changes necessary to improve the coordination and effectiveness of the programs to be implemented under the plan.

(4) An estimate of the cost of carrying out those programs.

(c) CONSULTATION WITH RUSSIA.—In developing the plan required by subsection (a), the President shall consult with Russia regarding the practicality of various options.

(d) CONSULTATION WITH CONGRESS.—In developing the plan required by subsection (a), the President shall consult with the majority and minority leadership of the appropriate committees of Congress.

SEC. 1052. TWO-YEAR EXTENSION OF ADVISORY PANEL TO ASSESS DOMESTIC RESPONSE CAPABILITIES FOR TERRORISM INVOLVING WEAPONS OF MASS DESTRUCTION.

Section 1405 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 2301 note) is amended—

(1) in subsection (h)(2), by striking ''2001'' and inserting ''2003''; and

(2) in subsection (l), by striking ''three years'' and inserting ''five years''.

SEC. 1053. ACTION TO PROMOTE NATIONAL DEFENSE FEATURES PROGRAM.

(a) FINDINGS.—The Congress finds the following:

(1) The National Defense Features program, which is funded from the National Defense Sealift Fund established by section 2218 of title 10, United States Code, is a constituent element of the defense policy of the United States intended to provide essential sealift capacity in emergencies, strengthen the national shipbuilding base, and maintain a resource of highly trained merchant seamen.

(2) Implementation of the National Defense Features program would provide significant benefits both for the United States and for allied nations during military contingencies.

(3) For the United States and nations allied with the United States to realize these benefits, it is essential that vessels built under that program enjoy commercial opportunities in peacetime on trade routes between the United States and allied nations and that those vessels not be excluded from such opportunities through restrictive trade practices.

(4) The failure of vessels built, or to be built, under the National Defense Features program to obtain employment as common carriers or contract carriers in the particular sector of any trade route in the foreign commerce of the United States for which they are designed to operate, together with long-term domination of that sector of the trade route by citizens of an allied nation, evidences the existence of restrictive trade practices.

(b) ACTION TO PROMOTE PROGRAM.—In any case in which the Secretary of Defense finds the existence of the conditions determined by subsection (a)(4) to prove the existence of restrictive trade practices, the Secretary shall certify the csae to the Federal Maritime Commission, which thereupon, in consultation with the Secretary, shall take action to counteract such practices, utilizing all remedies available under section 10002(e)(1) of the Foreign Shipping Practices Act of 1988 (46 U.S.C. App. 1710a).

SEC. 1054. AMENDMENTS RELATING TO COMMISSION ON THE FUTURE OF THE UNITED STATES AEROSPACE INDUSTRY.

(a) DEADLINE FOR REPORT.—Subsection (d)(1) of section 1092 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–302) is amended by striking ''March 1, 2002'' and inserting ''one year after the date of the first official meeting of the Commission''.

(b) TERMINATION OF COMMISSION.—Subsection (g) of such section is amended by striking ''30 days'' and inserting ''60 days''.

SEC. 1055. AUTHORITY TO ACCEPT MONETARY CONTRIBUTIONS FOR REPAIR AND RECONSTRUCTION OF PENTAGON RESERVATION.

Section 2674(e) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph:

''(2) The Secretary of Defense may accept monetary contributions made for the purpose of assisting to finance the repair and reconstruction of the Pentagon Reservation following the terrorist attack that occurred on September 11, 2001. The Secretary shall deposit such contributions in the Fund.''; and

(3) in paragraph (3), as redesignated, by inserting at the end the following new sentence: ''However, contributions accepted under paragraph (2) shall be available for expenditure only for the purpose specified in such paragraph.''.

TITLE XI—CIVILIAN PERSONNEL

SEC. 1101. UNDERGRADUATE TRAINING PROGRAM FOR EMPLOYEES OF THE NATIONAL IMAGERY AND MAPPING AGENCY.

(a) AUTHORITY TO CARRY OUT TRAINING PROGRAM.—Subchapter III of chapter 22 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 462. Undergraduate training program

''(a) AUTHORITY TO CARRY OUT PROGRAM.—The Secretary of Defense may authorize the Director of the National Imagery and Mapping Agency to establish an undergraduate training program under which civilian employees of the National Imagery and Mapping Agency may be assigned as students at accredited professional, technical, and other institutions of higher learning for training at the undergraduate level in skills critical to effective performance of the mission of the National Imagery and Mapping Agency. Such training may lead to the award of a baccalaureate degree.

''(b) PURPOSE.—The purpose of the program authorized by subsection (a) is to facilitate the recruitment of individuals, particularly minority high school students, with a demonstrated capability to develop skills critical to the mission of the National Imagery and Mapping Agency, including skills in mathematics, computer science, engineering, and foreign languages.

''(c) REQUIREMENTS.—(1) To be eligible for assignment under subsection (a), an employee of the National Imagery and Mapping Agency must agree in writing—

''(A) to continue in the service of the National Imagery and Mapping Agency for the period of the assignment and to complete the educational course of training for which the employee is assigned;

''(B) to continue in the service of the National Imagery and Mapping Agency following completion of the assignment for a period of one-and-a-half years for each year of the assignment or part thereof;

''(C) to reimburse the United States for the total cost of education (excluding the employee's pay and allowances) provided under this section to the employee if, before the employee's completing the educational course of training for which the employee is assigned, the assignment or the employee's employment with the National Imagery and Mapping Agency is terminated either by the National Imagery and Mapping Agency due to misconduct by the employee or by the employee voluntarily; and

''(D) to reimburse the United States if, after completing the educational course of training for which the employee is assigned, the employee's employment with the National Imagery and Mapping Agency is terminated either by the National Imagery and Mapping Agency due to misconduct by the employee or by the employee voluntarily, before the employee's completion of the service obligation period described in subparagraph (B), in an amount that bears the same ratio to the total cost of the education (excluding the employee's pay and allowances) provided to the employee as the unserved portion of the service obligation period described in subparagraph (B) bears to the total period of the service obligation described in subparagraph (B).

''(2) Subject to paragraph (3), the obligation to reimburse the United States under an agreement described in paragraph (1), including interest due on such obligation, is for all purposes a debt owing the United States.

''(3)(A) A discharge in bankruptcy under title 11, United States Code, shall not release a person from an obligation to reimburse the United States required under an agreement described in paragraph (1) if the final decree of the discharge in bankruptcy is issued within five years after the last day of the combined period of service obligation described in subparagraphs (A) and (B) of paragraph (1).

''(B) The Secretary of Defense may release a person, in whole or in part, from the obligation to reimburse the United States under an agreement described in paragraph (1) when, in his discretion, the Secretary determines that equity or the interests of the United States so require.

''(C) The Secretary of Defense shall permit an employee assigned under this section who, before commencing a second academic year of such assignment, voluntarily terminates the assignment or the employee's employment with the National Imagery and Mapping Agency, to satisfy his obligation under an agreement described in paragraph (1) by reimbursing the United States according to a schedule of monthly payments which results in completion of reimbursement by a date five years after the date of termination of the assignment or employment or earlier at the option of the employee.

''(d) DISCLOSURE REQUIRED.—(1) When an employee is assigned under this section to an institution, the Secretary shall disclose to the institution to which the employee is assigned that the National Imagery and Mapping Agency employs the employee and that the National Imagery and Mapping Agency funds the employee's education.

''(2) Efforts by the Secretary to recruit individuals at educational institutions for participation in the undergraduate training program established by this section shall be made openly and according to the common practices of universities and employers recruiting at such institutions.

''(e) APPROPRIATION OF FUNDS REQUIRED.—The Secretary may pay, directly or by reimbursement to employees, expenses incident to assignments under subsection (a), in any fiscal year only to the extent that appropriated funds are available for such purpose.

''(f) INAPPLICABILITY OF CERTAIN LAWS.—Chapter 41 of title 5 and subsections (a) and (b) of section 3324 of title 31 shall not apply with respect to this section.

''(g) REGULATIONS.—The Secretary of Defense may prescribe such regulations as may be necessary to implement this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''462. Undergraduate training program.''.

SEC. 1102. PILOT PROGRAM FOR PAYMENT OF RETRAINING EXPENSES.

(a) AUTHORITY TO CARRY OUT PILOT PROGRAM.—(1) The Secretary of Defense may establish a pilot program to facilitate the reemployment of eligible employees of the Department of Defense who are involuntarily separated due to a reduction in force, relocation as a result of a transfer of function, realignment, or change of duty station. Under the pilot program, the Secretary may pay retraining incentives to encourage non-Federal employers to hire and retain such eligible employees.

(2) Under the pilot program, the Secretary may enter into an agreement with a non-Federal employer under which the employer agrees—

(A) to employ an eligible employee for at least 12 months at a salary that is mutually agreeable to the employer and the eligible employee; and

(B) to certify to the Secretary the amount of costs incurred by the employer for any necessary training (as defined by the Secretary) provided to such eligible employee in connection with the employment.

(3) The Secretary may pay a retraining incentive to the non-Federal employer upon the employee's completion of 12 months of continuous employment with that employer. The Secretary shall determine the amount of the incentive, except that in no event may such amount exceed the amount certified with respect to such eligible employee under paragraph (2)(A), or $10,000, whichever is greater.

(4) In a case in which an eligible employee does not remain employed by the non-Federal employer for at least 12 months, the Secretary may pay to the employer a prorated amount of what would have been the full retraining incentive if the eligible employee had remained employed for such 12-month period.

(b) ELIGIBLE EMPLOYEES.—For purposes of this section, an eligible employee is an employee of the Department of Defense, serving under an appointment without time limitation, who has been employed by the Department for a continuous period of at least 12 months and who has been given notice of separation pursuant to a reduction in force, relocation as a result of a transfer of function, realignment, or change of duty station, except that such term does not include—

(1) a reemployed annuitant under the retirement systems described in subchapter III of chapter 83 of title 5, United States Code, or chapter 84 of such title, or another retirement system for employees of the Federal Government;

(2) an employee who, upon separation from Federal service, is eligible for an immediate annuity under subchapter III of chapter 83 of such title, or subchapter II of chapter 84 of such title; or

(3) an employee who is eligible for disability retirement under any of the retirement systems referred to in paragraph (1).

(c) DURATION.—No incentive may be paid under the pilot program for training commenced after September 30, 2005.

(d) DEFINITIONS.—In this section:

(1) The term ''non-Federal employer'' means an employer that is not an Executive agency, as defined in section 105 of title 5, United States Code, or an entity in the legislative or judicial branch of the Federal Government.

(2) The term ''reduction in force'' has the meaning of that term as used in chapter 35 of such title 5.

(3) The term ''realignment'' has the meaning given that term in section 2910 of the Defense Base Closure and Realignment Act of 1990 (title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

SEC. 1103. PAYMENT OF EXPENSES TO OBTAIN PROFESSIONAL CREDENTIALS.

(a) IN GENERAL.—Chapter 57 of title 5, United States Code, is amended by adding at the end the following new section:

''§ 5757. Payment of expenses to obtain professional credentials

''(a) An agency may use appropriated funds or funds otherwise available to the agency to pay for—

''(1) expenses for employees to obtain professional credentials, including expenses for professional accreditation, State-imposed and professional licenses, and professional certification; and

''(2) examinations to obtain such credentials.

''(b) The authority under subsection (a) may not be exercised on behalf of any employee occupying or seeking to qualify for appointment to any position that is excepted from the competitive service because of the confidential, policy-determining, policy-making, or policy-advocating character of the position.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''5757. Payment of expenses to obtain professional credentials.''.

SEC. 1104. RETIREMENT PORTABILITY ELECTIONS FOR CERTAIN DEPARTMENT OF DEFENSE AND COAST GUARD EMPLOYEES.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8347(q) of title 5, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''has 5 or more years of civilian service creditable under'' and inserting ''is employed subject to''; and

(2) in paragraph (2)(B)—

(A) by striking ''vested''; and

(B) by striking '', as the term 'vested participant' is defined by such system''.

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8461(n) of such title is amended—

(1) in paragraph (1)(B), by striking ''has 5 or more years of civilian service creditable under'' and inserting ''is employed subject to''; and

(2) in paragraph (2)(B)—

(A) by striking ''vested''; and

(B) by striking '', as the term 'vested participant' is defined by such system''.

SEC. 1105. REMOVAL OF REQUIREMENT THAT GRANTING CIVIL SERVICE COMPENSATORY TIME BE BASED ON AMOUNT OF IRREGULAR OR OCCASIONAL OVERTIME WORK.

Section 5543 of title 5, United States Code, is amended by striking ''irregular or occasional'' in each place such words appear.

SEC. 1106. APPLICABILITY OF CERTAIN LAWS TO CERTAIN INDIVIDUALS ASSIGNED TO WORK IN THE FEDERAL GOVERNMENT.

Section 3374(c)(2) of title 5, United States Code, is amended by inserting ''the Ethics in Government Act of 1978, section 1043 of the Internal Revenue Code of 1986, section 27 of the Office of Federal Procurement Policy Act,'' after ''chapter 73 of this title,''.

SEC. 1107. LIMITATION ON PREMIUM PAY.

Section 5547 of title 5, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following new subsections:

''(a) An employee may be paid premium pay under sections 5542, 5545 (a), (b), and (c), 5545a, and 5546 (a) and (b) of this title only to the extent that the aggregate of such employee's basic pay and premium pay under those provisions would, in any calendar year, exceed the maximum rate payable for GS–15 in effect at the end of such calendar year.

''(b) Subsection (a) shall not apply to any employee of the Federal Aviation Administration or the Department of Defense who is paid premium pay under section 5546a of this title.''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''Subsections (a) and (b)'' and inserting ''Subsection (a)''; and

(B) in paragraph (2), by striking ''pay period'' and inserting ''calendar year''.

SEC. 1108. USE OF COMMON OCCUPATIONAL AND HEALTH STANDARDS AS A BASIS FOR DIFFERENTIAL PAYMENTS MADE AS A CONSEQUENCE OF EXPOSURE TO ASBESTOS.

(a) PREVAILING RATE SYSTEMS.—Section 5343(c)(4) of title 5, United States Code, is amended by inserting before the semicolon the following: ''(and for any hardship or hazard related to asbestos, such differentials shall be determined by applying occupational safety and health standards consistent with the permissible exposure limit promulgated by the Secretary of Labor under the Occupational Safety and Health Act of 1970)''.

(b) GENERAL SCHEDULE PAY RATES.—The first sentence of section 5545(d) of such title is amended by inserting before the period the following: ''(and for any hardship or hazard related to asbestos, such differentials shall be determined by applying occupational safety and health standards consistent with the permissible exposure limit promulgated by the Secretary of Labor under the Occupational Safety and Health Act of 1970)''.

(c) APPLICABILITY.—Any administrative or judicial determination made after the date of the enactment of this Act concerning differential back payments related to asbestos under section 5343(c)(4) or 5545(d) of such title shall be based on the occupational safety and health standards described in such section, respectively.

SEC. 1109. AUTHORITY FOR DESIGNATED CIVILIAN EMPLOYEES ABROAD TO ACT AS A NOTARY.

(a) IN GENERAL.—Paragraph (4) of section 1044a(b) of title 10, United States Code, is amended—

(1) by inserting ''and, when outside the United States, all civilian employees of the Department of Defense,'' after ''duty status,''; and

(2) by inserting ''or the Department of Defense'' before ''or by statute''.

(b) CLARIFICATION OF STATUS OF CIVILIAN ATTORNEYS ACTING AS A NOTARY.—Paragraph (2) of such section is amended by striking ''legal assistance officers'' and inserting ''legal assistance attorneys''.

SEC. 1110. "MONRONEY AMENDMENT" RESTORED TO ITS PRIOR FORM.

Paragraph (2) of section 5343(d) of title 5, United States Code, is amended to read as such paragraph last read before the enactment of section 1242 of the Department of Defense Authorization Act, 1986 (Public Law 99–145; 99 Stat. 735).

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

SEC. 1201. CLARIFICATION OF AUTHORITY TO FURNISH NUCLEAR TEST MONITORING EQUIPMENT TO FOREIGN GOVERNMENTS.

Section 2565 of title 10, United States Code, as redesignated by section 1047(a)(25), is amended—

(1) in subsection (a)—

(A) by striking ''CONVEY OR'' in the subsection heading and inserting ''TRANSFER TITLE TO OR OTHERWISE'';

(B) in paragraph (1)—

(i) by striking ''convey'' and inserting ''transfer title''; and

(ii) by striking ''and'' after ''equipment;'';

(C) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(D) by adding at the end the following new paragraph:

''(3) inspect, test, maintain, repair, or replace any such equipment.''; and

(2) in subsection (b)—

(A) by striking ''conveyed or otherwise provided'' and inserting ''provided to a foreign government'';

(B) by inserting ''and'' at the end of paragraph (1);

(C) by striking ''; and'' at the end of paragraph (2) and inserting a period; and

(D) by striking paragraph (3).

SEC. 1202. ACQUISITION OF LOGISTICAL SUPPORT FOR SECURITY FORCES.

Section 5 of the Multinational Force and Observers Participation Resolution (22 U.S.C. 3424) is amended by adding at the end the following new subsection:

''(d)(1) The United States may use contractors to provide logistical support to the Multinational Force and Observers under this section in lieu of providing such support through a logistical support unit comprised of members of the United States Armed Forces.

''(2) Notwithstanding subsections (a) and (b) and section 7(b), support by a contractor under this subsection may be provided without reimbursement, whenever the President determines that such action enhances or supports the national security interests of the United States.''.

SEC. 1203. REPORT ON THE SALE AND TRANSFER OF MILITARY HARDWARE, EXPERTISE, AND TECHNOLOGY FROM STATES OF THE FORMER SOVIET UNION TO THE PEOPLE'S REPUBLIC OF CHINA.

Section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note) is amended by adding at the end the following new subsection:

''(d) REPORT ON SALES AND TRANSFERS FROM STATES OF THE FORMER SOVIET UNION TO CHINA.—(1) The report to be submitted under this section not later than March 1, 2002, shall include in a separate section a report describing the sales and transfer of military hardware, expertise, and technology from states of the former Soviet Union to the People's Republic of China. The report shall set forth the history of such sales and transfers since 1990, forecast possible future sales and transfers, and address the implications of those sales and transfers for the security of the United States and its friends and allies in Asia.

''(2) The report shall include analysis and forecasts of the following matters related to military cooperation between states of the former Soviet Union and the People's Republic of China:

''(A) The policy of each of those states with respect to arms sales to, and military cooperation with, the People's Republic of China.

''(B) Any laws or regulations of those states that could prohibit or limit such sales or cooperation.

''(C) The extent in each of those states of government knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to the People's Republic of China.

''(D) An itemization of sales or transfers of military hardware, expertise, or technology from any of those states to the People's Republic of China that have taken place since 1990, with a particular focus on command, control, communications, and intelligence systems.

''(E) A description of any sale or transfer of military hardware, expertise, or technology from any of those states to the People's Republic of China that is currently under negotiation or contemplation through the end of 2005.

''(F) Identification of Chinese defense industries in which technicians from states of the former Soviet Union are working and of defense industries of those states in which Chinese technicians are working and a description in each case of the extent and the nature of the work performed by such technicians.

''(G) The extent of assistance by any of those states to key research and development programs of China, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons.

''(H) The extent of assistance by any of those states to information warfare or electronic warfare programs of China.

''(I) The extent of assistance by any of those states to manned and unmanned space operations of China.

''(J) The extent to which arms sales by any of those states to the People's Republic of China are a source of funds for military research and development or procurement programs in the selling state.

''(3) The report under paragraph (1) shall include, with respect to each area of analysis and forecasts specified in paragraph (2)—

''(A) an assessment of the military effects of such sales or transfers to entities in the People's Republic of China;

''(B) an assessment of the ability of the People's Liberation Army to assimilate such sales or transfers, mass produce new equipment, or develop doctrine for use; and

''(C) the potential threat of developments related to such effects on the security interests of the United States and its friends and allies in Asia.''.

SEC. 1204. LIMITATION ON FUNDING FOR JOINT DATA EXCHANGE CENTER.

(a) LIMITATION.—Funds made available to the Department of Defense for fiscal year 2002 may not be obligated or expended for any activity associated with the Joint Data Exchange Center in Moscow, Russia, until—

(1) the United States and the Russian Federation enter into a cost-sharing agreement as described in subsection (d) of section 1231 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106-398 (114 Stat. 1654A–329);

(2) the United States and the Russian Federation enter into an agreement or agreements exempting the United States and any United States person from Russian taxes, and from liability under Russian laws, with respect to activities associated with the Joint Data Exchange Center;

(3) the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a copy of each agreement referred to in paragraphs (1) and (2); and

(4) a period of 30 days has expired after the date of the final submission under paragraph (3).

(b) JOINT DATA EXCHANGE CENTER.—For purposes of this section, the term ''Joint Data Exchange Center'' means the United States-Russian Federation joint center for the exchange of data to provide early warning of launches of ballistic missiles and for notification of such launches that is provided for in a joint United States-Russian Federation memorandum of agreement signed in Moscow in June 2000.

SEC. 1205. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE UNDER WEAPONS OF MASS DESTRUCTION ACT FOR SUPPORT OF UNITED NATIONS-SPONSORED EFFORTS TO INSPECT AND MONITOR IRAQI WEAPONS ACTIVITIES.

(a) LIMITATION ON AMOUNT OF ASSISTANCE IN FISCAL YEAR 2002.—The total amount of the assistance for fiscal year 2002 that is provided by the Secretary of Defense under section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) as activities of the Department of Defense in support of activities under that Act may not exceed $15,000,000. Such assistance may be provided for fiscal year 2002 only to support activities of an organization established for the purpose of (or otherwise given the mission of providing) a comprehensive accounting for all items, facilities, and capabilities in Iraq related to weapons of mass destruction.

(b) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (f) of section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) is amended by striking ''2001'' and inserting ''2002''.

(c) CHANGE OF QUARTERLY REPORT REQUIREMENT TO ANNUAL REPORT.—(1) Subsection (e)(1) of such section is amended—

(A) by striking ''quarter of a'' in the first sentence; and

(B) by striking ''(for the preceding quarter and cumulatively)'' and inserting ''for the preceding fiscal year''.

(2) The amendments made by subsection (a) shall take effect on November 1, 2001, or the date of the enactment of this Act, whichever is later.

SEC. 1206. REPEAL OF REQUIREMENT FOR REPORTING TO CONGRESS ON MILITARY DEPLOYMENTS TO HAITI.

Section 1232(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 788) is repealed.

SEC. 1207. REPORT BY COMPTROLLER GENERAL ON PROVISION OF DEFENSE ARTICLES, SERVICES, AND MILITARY EDUCATION AND TRAINING TO FOREIGN COUNTRIES AND INTERNATIONAL ORGANIZATIONS.

(a) STUDY.—The Comptroller General shall conduct a study of the following:

(1) The benefits derived by each foreign country or international organization from the receipt of defense articles, defense services, or military education and training provided after December 31, 1989, pursuant to the drawdown of such articles, services, or education and training from the stocks of the Department of Defense under section 506,

516, or 552 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318, 2321j, or 2348a) or any other provision of law.

(2) Any benefits derived by the United States from the provision of defense articles, defense services, and military education and training described in paragraph (1).

(3) The affect on the readiness of the Armed Forces as a result of the provision by the United States of defense articles, defense services, and military education and training described in paragraph (1).

(4) The cost to the Department of Defense with respect to the provision of defense articles, defense services, and military education and training described in paragraph (1).

(b) REPORTS.—(1) Not later than April 15, 2002, the Comptroller General shall submit to Congress an interim report containing the results to that date of the study conducted under subsection (a).

(2) Not later than August 1, 2002, the Comptroller General shall submit to Congress a final report containing the results of the study conducted under subsection (a).

SEC. 1208. LIMITATION ON NUMBER OF MILITARY PERSONNEL IN COLOMBIA.

(a) LIMITATION.—None of the funds available to the Department of Defense may be used to support or maintain more than 500 members of the Armed Forces on duty in the Republic of Colombia at any time.

(b) EXCEPTIONS.—There shall be excluded from counting for the purposes of the limitation in subsection (a) the following:

(1) A member of the Armed Forces in the Republic of Colombia for the purpose of rescuing or retrieving United States military or civilian Government personnel, except that the period for which such a member may be so excluded may not exceed 30 days unless expressly authorized by law.

(2) A member of the Armed Forces assigned to the United States Embassy in Colombia as an attaché, as a member of the security assistance office, or as a member of the Marine Corps security contingent.

(3) A member of the Armed Forces in Colombia to participate in relief efforts in responding to a natural disaster.

(4) Nonoperational transient military personnel.

SEC. 1209. AUTHORITY FOR EMPLOYEES OF FEDERAL GOVERNMENT CONTRACTORS TO ACCOMPANY CHEMICAL WEAPONS INSPECTION TEAMS AT GOVERNMENT-OWNED FACILITIES.

(a) AUTHORITY TO CONDUCT INSPECTIONS.—Section 303 of the Chemical Weapons Convention Implementation Act of 1998 (as contained in Public Law 105–277; 112 Stat. 2681–873; 22 U.S.C. 6723) is amended in subsection (b)(2) by inserting ''(and in the case of inspection of Federal Government-owned facilities, such designation may include employees of a contractor with the Federal Government)'' after ''Federal Government''.

(b) PROCEDURES FOR INSPECTIONS.—Section 304 of such Act (22 U.S.C. 6724) is amended in subsection (c) by inserting ''or contractor with the Federal Government'' after ''Federal Government''.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF CTR PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2731; 50 U.S.C. 2362 note).

(b) FISCAL YEAR 2002 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2002 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs shall be available for obligation for three fiscal years.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $403,000,000 authorized to be appropriated to the Department of Defense for fiscal year 2002 in section 301(23) for Cooperative Threat Reduction programs, not more than the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination in Russia, $133,400,000.

(2) For strategic nuclear arms elimination in Ukraine, $51,500,000.

(3) For nuclear weapons transportation security in Russia, $9,500,000.

(4) For nuclear weapons storage security in Russia, $56,000,000.

(5) For biological weapons proliferation prevention activities in the former Soviet Union, $17,000,000.

(6) For activities designated as Other Assessments/Administrative Support, $13,200,000.

(7) For defense and military contacts, $18,700,000.

(8) For activities related to the construction of a chemical weapons destruction facility in Russia, $35,000,000.

(9) For elimination of chemical weapons production facilities in Russia, $15,000,000.

(10) For weapons of mass destruction infrastructure elimination activities in Kazakhstan, $6,000,000.

(11) For weapons of mass destruction infrastructure elimination activities in Ukraine, $6,000,000.

(12) For activities to assist Russia in the elimination of plutonium production reactors, $41,700,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2002 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (12) of subsection (a) until 30 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2002 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—(1) Subject to paragraphs (2) and (3), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2002 for a purpose listed in any of the paragraphs in subsection (a) in excess of the amount specifically authorized for such purpose.

(2) An obligation of funds for a purpose stated in any of the paragraphs in subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

(3) The Secretary may not, under the authority provided in paragraph (1), obligate amounts for the purposes stated in subsection (a)(3) or any of paragraphs (5) through (12) of subsection (a) in excess of 115 percent of the amount specifically authorized for such purposes.

SEC. 1303. PROHIBITION AGAINST USE OF FUNDS UNTIL SUBMISSION OF REPORTS.

No fiscal year 2002 Cooperative Threat Reduction funds may be obligated or expended until 30 days after the date of the submission of—

(1) the report required to be submitted in fiscal year 2001 under section 1308(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–341); and

(2) the multiyear plan required to be submitted for fiscal year 2001 under section 1308(h) of such Act.

SEC. 1304. REPORT ON USE OF REVENUE GENERATED BY ACTIVITIES CARRIED OUT UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report describing how the Secretary plans to monitor the use of revenue generated by activities carried out under Cooperative Threat Reduction programs in Russia and Ukraine.

SEC. 1305. PROHIBITION AGAINST USE OF FUNDS FOR SECOND WING OF FISSILE MATERIAL STORAGE FACILITY.

(a) PROHIBITION.—No funds authorized to be appropriated for Cooperative Threat Reduction programs for any fiscal year may be used for the design, planning, or construction of a second wing for a storage facility for Russian fissile material.

(b) CONFORMING AMENDMENT.—Section 1304 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–341) is amended to read as follows:

''SEC. 1304. LIMITATION ON USE OF FUNDS FOR FISSILE MATERIAL STORAGE FACILITY.

Out of funds authorized to be appropriated for Cooperative Threat Reduction programs for fiscal year 2001 or any other fiscal year, not more than $412,600,000 may be used for planning, design, or construction of the first wing for the storage facility for Russian fissile material referred to in section 1302(a)(5).''.

SEC. 1306. PROHIBITION AGAINST USE OF FUNDS FOR CONSTRUCTION OR REFURBISHMENT OF CERTAIN FOSSIL FUEL ENERGY PLANTS.

Section 1307 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–341) is amended—

(1) by striking the heading and inserting the following new heading:

''SEC. 1307. PROHIBITION AGAINST USE OF FUNDS FOR CONSTRUCTION OR REFURBISHMENT OF FOSSIL FUEL ENERGY PLANTS; REPORT.'';

and

(2) by striking subsection (a) and inserting the following new subsection:

''(a) PROHIBITION.—No funds appropriated for Cooperative Threat Reduction programs for any fiscal year may be used for the construction or refurbishment of a fossil fuel energy plant intended to provide power to local communities that receive power from nuclear energy plants that produce plutonium.''.

SEC. 1307. REPORTS ON ACTIVITIES AND ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.

Section 1308(c)(4) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–342) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking ''audits'' and all that follows through ''conducted'' and inserting ''means (including program management, audits, examinations, and other means) used''; and

(B) by striking ''and that such assistance is being used for its intended purpose'' and inserting '', that such assistance is being used for its intended purpose, and that such assistance is being used efficiently and effectively'';

(2) in subparagraph (C), by inserting ''and an assessment of whether the assistance being provided is being used effectively and efficiently'' before the semicolon; and

(3) in subparagraph (D), by striking ''audits, examinations, and other''.

SEC. 1308. REPORT ON RESPONSIBILITY FOR CARRYING OUT COOPERATIVE THREAT REDUCTION PROGRAMS.

Not later than March 15, 2002, the Secretary of Defense shall submit to Congress a report describing—

(1) the rationale for executing Cooperative Threat Reduction programs under the auspices of the Department of Defense and the justification for maintaining responsibility for any particular project carried out through Cooperative Threat Reduction programs with the Department of Defense;

(2) options for transferring responsibility for carrying out Cooperative Threat Reduction programs to an executive agency (or agencies) other than the Department of Defense, if appropriate; and

(3) how such a transfer might be carried out.

SEC. 1309. CHEMICAL WEAPONS DESTRUCTION.

Section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 794) is amended by inserting before the period at the end the following: ''until the Secretary of Defense submits to Congress a certification that there has been—

''(1) full and accurate disclosure by Russia of the size of its existing chemical weapons stockpile;

''(2) a demonstrated annual commitment by Russia to allocate at least $25,000,000 to chemical weapons elimination;

''(3) development by Russia of a practical plan for destroying its stockpile of nerve agents;

''(4) enactment of a law by Russia that provides for the elimination of all nerve agents at a single site; and

''(5) an agreement by Russia to destroy its chemical weapons production facilities at Volgograd and Novocheboksark''.

TITLE XIV—DEFENSE SPACE REORGANIZATION

SEC. 1401. SHORT TITLE.

This title may be cited as the ''Defense Space Reorganization Act of 2001''.

SEC. 1402. AUTHORITY TO ESTABLISH POSITION OF UNDER SECRETARY OF DEFENSE FOR SPACE, INTELLIGENCE, AND INFORMATION.

(a) AUTHORITY TO ESTABLISH POSITION.—The President may establish in the Department of Defense the position of Under Secretary of Defense for Space, Intelligence, and Information. If that position is so established, the Under Secretary of Defense for Space, Intelligence, and Information shall perform duties and exercise powers as set forth in section 137 of title 10, United States Code, as added by subsection (e).

(b) DEADLINE FOR EXERCISE OF AUTHORITY.—The authority provided in subsection (a) may not be exercised after December 31, 2003.

(c) NOTICE OF EXERCISE OF AUTHORITY.—(1) If the authority provided in subsection (a) is exercised, the President shall immediately submit to Congress notification in writing of the establishment of the position of Under Secretary of Defense for Space, Intelligence, and Information, together with the date as of which the position is established. If the President declines to exercise the authority provided in subsection (a), the President shall, before the date specified in subsection (b), submit to Congress a report on how the President has implemented the recommendations of the report of the Space Commission with respect to the Department of Defense.

(2) For purposes of paragraph (1), the term ''report of the Space Commission'' means the report of the Commission To Assess United States National Security Space Management and Organization, dated January 11, 2001, and submitted to Congress under section 1623 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 815).

(d) CONTINGENT ENACTMENT OF U.S. CODE AMENDMENTS.—If the position of Under Secretary of Defense for Space, Intelligence, and Information is established under the authority provided in subsection (a), then the amendments set forth in subsections (e) and (f) shall be executed, effective as of the date specified in the notice submitted under the first sentence of subsection (c)(1). Otherwise, those amendments shall not be executed.

(e) APPOINTMENT, DUTIES, ETC., OF UNDER SECRETARY.—(1) Subject to subsection (d), chapter 4 of title 10, United States Code, is amended—

(A) by redesignating section 137 as section 139a and transferring such section (as so redesignated) within such chapter so as to appear after section 139; and

(B) by inserting after section 136 the following new section 137:

''§ 137. Under Secretary of Defense for Space, Intelligence, and Information

''(a) There is an Under Secretary of Defense for Space, Intelligence, and Information, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(b) Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary of Defense for Space, Intelligence, and Information shall perform such duties and exercise such powers relating to the space, intelligence, and information programs and activities of the Department of Defense as the Secretary of Defense may prescribe.

''(c) The Secretary of Defense shall designate the Under Secretary of Defense for Space, Intelligence, and Information as the Chief Information Officer of the Department of Defense under section 3506(a)(2)(B) of title 44.

''(d) The Under Secretary of Defense for Space, Intelligence, and Information takes precedence in the Department of Defense after the Under Secretary of Defense for Personnel and Readiness.''.

(2) Subject to subsection (d), section 131(b) of that title is amended—

(A) by redesignating paragraphs (6) through (11) as paragraphs (7) through (12), respectively; and

(B) by inserting after paragraph (5) the following new paragraph (6):

''(6) The Under Secretary of Defense for Space, Intelligence, and Information.''.

(3) Subject to subsection (d), the table of sections at the beginning of chapter 4 of such title is amended—

(A) by striking the item relating to section 137 and inserting the following new item:

''137. Under Secretary of Defense for Space, Intelligence, and Information.''; and

(B) by inserting after the item relating to section 139 the following new item:

''139a. Director of Defense Research and Engineering.''.

(f) ASSISTANT SECRETARIES OF DEFENSE.—Subject to subsection (d), section 138 of such title is amended—

(1) in subsection (a), by striking ''nine'' and inserting ''eleven''; and

(2) in subsection (b), by inserting after paragraph (2) the following new paragraph:

''(3) Not more than three of the Assistant Secretaries may be assigned duties under the authority of the Under Secretary of Defense for Space, Intelligence, and Information and shall report to that Under Secretary.''.

(g) REPORT.—Not later than 30 days before exercising the authority provided in subsection (a), the President shall submit to Congress a report on the proposed organization of the office of the Under Secretary of Defense for Space, Intelligence, and Information. If such a report has not been submitted as of April 15, 2002, the President shall submit to Congress a report, not later than that date, setting forth the President's view as of that date of the desirability of establishing the position of Under Secretary of Defense for Space, Intelligence, and Information in the Department of Defense.

SEC. 1403. AUTHORITY TO DESIGNATE UNDER SECRETARY OF THE AIR FORCE AS ACQUISITION EXECUTIVE FOR SPACE OF THE DEPARTMENT OF DEFENSE.

(a) EXECUTIVE AGENT.—Part IV of subtitle A of title 10, United States Code, is amended by inserting after chapter 134 the following new chapter:

''CHAPTER 135—SPACE PROGRAMS

''Sec.
''2271. Executive agent.

''§ 2271. Executive agent

''(a) SECRETARY OF THE AIR FORCE.—The Secretary of the Air Force may be designated as the executive agent of the Department of Defense—

''(1) for the planning of the acquisition programs, projects, and activities of the Department that relate to space; and

''(2) for the execution of those programs, projects, and activities.

''(b) ACQUISITION EXECUTIVE.—The Secretary may designate the Under Secretary of the Air Force as the acquisition executive of the Air Force for the programs, projects, and activities referred to in subsection (a).''.

(b) CLERICAL AMENDMENT.—The tables of chapters at the beginning of such subtitle and the beginning of part IV of such subtitle are amended by inserting after the item relating to chapter 134 the following new item:

''135. Space Programs ..... 2271''.

SEC. 1404. MAJOR FORCE PROGRAM CATEGORY FOR SPACE PROGRAMS.

(a) REQUIREMENT.—The Secretary of Defense may create a major force program category for space programs for purposes of the future-years defense program under section 221 of title 10, United States Code.

(b) COMMENCEMENT.—If the category under subsection (a) is created, such category shall be included in each future-years defense program submitted to Congress under section 221 of title 10, United States Code, in fiscal years after fiscal year 2002.

SEC. 1405. COMPTROLLER GENERAL ASSESSMENT OF IMPLEMENTATION OF RECOMMENDATIONS OF SPACE COMMISSION.

(a) ASSESSMENT.—(1) The Comptroller General shall carry out an assessment through February 15, 2003, of the actions taken by the Secretary of Defense in implementing the recommendations in the report of the Space Commission that are applicable to the Department of Defense.

(2) For purposes of paragraph (1), the term ''report of the Space Commission'' means the report of the Commission To Assess United States National Security Space Management

and Organization, dated January 11, 2001, and submitted to Congress under section 1623 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 815).

(b) REPORTS.—Not later than February 15 of each of 2002 and 2003, the Comptroller General shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the assessment carried out under subsection (a). Each report shall set forth the results of the assessment as of the date of such report.

SEC. 1406. COMMANDER OF AIR FORCE SPACE COMMAND.

(a) IN GENERAL.—Chapter 845 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 8584. Commander of Air Force Space Command

''The Secretary of Defense may require that the officer serving as commander of the Air Force Space Command not serve simultaneously as commander of the United States Space Command (or any successor combatant command with responsibility for space) or as commander of the United States element of the North American Air Defense Command.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''8584. Commander of Air Force Space Command.''.

SEC. 1407. AUTHORITY TO ESTABLISH SEPARATE CAREER FIELD IN THE AIR FORCE FOR SPACE.

The Secretary of the Air Force, acting through the Under Secretary of the Air Force, may establish and implement policies and procedures to develop a cadre of technically competent officers with the capability to develop space doctrine, concepts of space operations, and management of space systems for the Air Force.

SEC. 1408. RELATIONSHIP TO AUTHORITIES AND RESPONSIBILITIES OF DIRECTOR OF CENTRAL INTELLIGENCE.

Nothing in this title or the amendments made by this title shall modify, alter, or supersede the authorities and responsibilities of the Director of Central Intelligence.

TITLE XV—ACTIVITIES TO COMBAT TERRORISM

Subtitle A—Increased Funding to Combat Terrorism

SEC. 1501. INCREASED FUNDING.

(a) IN GENERAL.—The amount provided in section 301(5) for Operation and Maintenance, Defense-wide Activities, is hereby increased by $400,000,000, to be available as follows:

(1) INTELLIGENCE PROGRAMS.—For increased situational awareness and upgrades to intelligence programs to enhance United States security posture, $100,000,000.

(2) ANTI-TERRORISM INITIATIVES.—For enhanced anti-terrorism and force protection initiatives to reduce vulnerabilities at United States military installations and facilities in the United States and worldwide, $150,000,000.

(3) COUNTER-TERRORISM INITIATIVES.—For offensive counter-terrorism initiatives, $100,000,000.

(4) CONSEQUENCE MANAGEMENT ACTIVITIES.—For consequence management activities, $50,000,000.

(b) TRANSFER AUTHORITY.—The amounts specified in subsection (a) are available for transfer to other current accounts of the Department of Defense, as determined by the Secretary of Defense.

(c) OFFSETTING REDUCTIONS.—

(1) The amount provided in section 201(4) for Research, Development, Test, and Evaluation, Defense-Wide is hereby reduced by $265,000,000, to be derived from amounts for the Ballistic Missile Defense Organization, of which—

(A) $145,000,000 shall be derived from the Mid-Course Defense Segment program element (PE603882C); and

(B) $120,000,000 shall be derived from the Boost Phase Defense Segment program element (PE603883C) for space-based activities.

(2) The amount provided in section 301(5) for Operation and Maintenance, Defense-wide Activities, is hereby reduced by $135,000,000, to be derived from amounts for consulting services.

SEC. 1502. TREATMENT OF TRANSFERRED AMOUNTS.

Funds transferred under authority of section 1501(a) shall be merged with, and shall be available for the same time period as, the appropriations to which transferred. The transfer authority under that section is in addition to the transfer authority provided by section 1001.

Subtitle B—Policy Matters Relating to Combating Terrorism

SEC. 1511. ASSESSMENT OF DEPARTMENT OF DEFENSE ABILITY TO RESPOND TO TERRORIST ATTACKS.

(a) ASSESSMENT.—The Secretary of Defense shall conduct an assessment of the ability of the Department of Defense to provide support for the consequence management activities of other Federal, State, and local agencies, directly taking into account the terrorist attacks on the United States on September 11, 2001, and the changed situation regarding terrorism.

(b) RECOMMENDATIONS.—The Secretary of Defense shall submit to the President and Congress a report providing recommendations for ways to enhance the ability of the Department of Defense to provide support described in subsection (a). The report shall address the recommendations made by the Vice President in his report to the President on the development of a coordinated national effort to improve national preparedness, including efforts to combat terrorism, as directed by the President in May 2001. The report shall be submitted not later than 60 days after the date on which the Vice President submits to the President the report under the preceding sentence.

SEC. 1512. REPORT ON DEPARTMENT OF DEFENSE ABILITY TO PROTECT THE UNITED STATES FROM AIRBORNE THREATS.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the ability of the Department of Defense to protect the United States from airborne threats, including threats originating from within the borders of the United States. The report shall identify improvements that can be made to enhance the security of the American people against these threats and shall recommend actions, including legislative proposals, designed to address and overcome existing vulnerabilities.

SEC. 1513. ESTABLISHMENT OF COMBATING TERRORISM AS A NATIONAL SECURITY MISSION.

Section 108(b)(2) of the National Security Act of 1947 (50 U.S.C. 404a(b)(2)) is amended by inserting '', including acts of terrorism,'' after ''aggression''.

SEC. 1514. DEPARTMENT OF DEFENSE COORDINATION WITH FEMA AND FBI.

The Secretary of Defense shall seek an agreement with the Director of the Federal Bureau of Investigation and the Director of Federal Emergency Management Agency that clarifies the roles of Department of Defense Weapons of Mass Destruction Civil Support Teams in relation to both agencies with respect to coordination of the roles and missions of those teams in support of crisis management and consequence management efforts.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE; DEFINITION.

(a) SHORT TITLE.—This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2002''.

(b) DEFINITION OF FISCAL YEAR 2001 DEFENSE AUTHORIZATION ACT.—In this division, the term ''Spence Act'' means the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106–398 (114 Stat. 1654).

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alabama	Anniston Army Depot	$5,150,000
	Fort Rucker	$11,400,000
	Redstone Arsenal	$7,200,000
Alaska	Fort Richardson	$97,000,000
	Fort Wainwright	$27,200,000
Arizona	Fort Huachuca	$6,100,000
	Yuma Proving Ground	$3,100,000
California	Defense Language Institute	$5,900,000
	Fort Irwin	$23,000,000
Colorado	Fort Carson	$66,000,000

Army: Inside the United States—Continued

State	Installation or location	Amount
District of Columbia	Fort McNair	$11,600,000
Georgia	Fort Benning	$23,900,000
	Fort Gillem	$43,600,000
	Fort Gordon	$34,000,000
	Fort Stewart/Hunter Army Air Field	$39,800,000
Hawaii	Navy Public Works Center, Pearl Harbor	$11,800,000
	Pohakuloa Training Facility	$5,100,000
	Wheeler Army Air Field	$50,000,000
Kansas	Fort Riley	$10,900,000
Kentucky	Fort Campbell	$88,900,000
Louisiana	Fort Polk	$21,200,000
Maryland	Aberdeen Proving Ground	$58,300,000
	Fort Meade	$5,800,000
	Fort Leonard Wood	$12,250,000
New Jersey	Fort Monmouth	$20,000,000
	Picatinny Arsenal	$10,200,000
New Mexico	White Sands Missile Range	$7,600,000
New York	Fort Drum	$59,350,000
North Carolina	Fort Bragg	$21,300,000
	Sunny Point Military Ocean Terminal	$11,400,000
Oklahoma	Fort Sill	$5,100,000
South Carolina	Fort Jackson	$3,650,000
Texas	Corpus Christi Army Depot	$10,400,000
	Fort Sam Houston	$9,650,000
	Fort Bliss	$5,000,000
	Fort Hood	$104,200,000
Virginia	Fort Belvoir	$35,950,000
	Fort Eustis	$24,750,000
	Fort Lee	$23,900,000
Washington	Fort Lewis	$238,200,000
	Total:	$1,300,710,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or location	Amount
Germany	Area Support Group, Bamberg	$36,000,000
	Area Support Group, Darmstadt	$13,500,000
	Baumholder	$9,000,000
	Hanau	$7,200,000
	Heidelberg	$15,300,000
	Mannheim	$16,000,000
	Wiesbaden Air Base	$26,300,000
Korea	Camp Carroll	$16,593,000
	Camp Casey	$8,500,000
	Camp Hovey	$35,750,000
	Camp Humphreys	$14,500,000
	Camp Jackson	$6,100,000
	Camp Stanley	$28,000,000
Kwajalein	Kwajalein Atoll	$11,000,000
	Total:	$243,743,000

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(3), the Secretary of the Army may acquire real property and carry out military construction projects for the installation and location, and in the amount set forth in the following table:

Army: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide	Classified Location	$4,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts, set forth in the following table:

Army: Family Housing

State or Country	Installation or location	Purpose	Amount
Alaska	Fort Wainwright	32 Units	$12,000,000
Arizona	Fort Huachuca	72 Units	$10,800,000
Georgia	Fort Stewart	160 Units	$2,500,000
Kansas	Fort Leavenworth	40 Units	$10,000,000
Texas	Fort Bliss	76 Units	$13,600,000
Korea	Camp Humphreys	54 Units	$12,800,000
		Total:	$61,700,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $11,592,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $220,750,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $3,018,077,000, as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $1,089,416,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $243,743,000.

(3) For a military construction project at an unspecified worldwide location authorized by section 2101(c), $4,000,000.

(4) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $18,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $163,676,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $294,576,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,102,732,000.

(7) For the construction of a cadet development center at the United States Military Academy, West Point, New York, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261, 112 Stat. 2182), $37,900,000.

(8) For the construction of phase 2C of a barracks complex, Tagaytay Street, at Fort Bragg, North Carolina, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 825), $17,500,000.

(9) For the construction of phase 1C of a barracks complex, Wilson Street, at Schofield Barracks, Hawaii, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65, 113 Stat. 825), $23,000,000.

(10) For construction of phase 2 of a basic combat training complex at Fort Leonard Wood, Missouri, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389), as amended by section 2105 of this Act, $27,000,000.

(11) For the construction of phase 2 of a battle simulation center at Fort Drum, New York, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389), as amended by section 2105 of this Act, $9,000,000.

(12) For the construction of phase 1 of a barracks complex, Butner Road, at Fort Bragg, North Carolina, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389), $49,000,000.

(13) For the construction of phase 1 of a barracks complex, Longstreet Road, at Fort Bragg, North Carolina, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389), $27,000,000.

(14) For the construction of a multipurpose digital training range at Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389), as amended by section 2105 of this Act, $13,000,000.

(15) For the homeowners assistance program, as authorized by section 2832(a) of title 10, United States Code, $10,119,000, to remain available until expended.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed—

(1) The total amount authorized to be appropriated under paragraphs (1), (2), (3) of subsection (a);

(2) $52,000,000 (the balance of the amount authorized under section 2201 (a) for construction of a barracks complex, D Street, at Fort Richardson, Alaska);

(3) $41,000,000 (the balance of the amount authorized under section 2201 (a) for construction of phase 1 of a barracks complex, Nelson Blvd, at Fort Carson, Colorado);

(4) $36,000,000 (the balance of the amount authorized under section 2201 (a) for construction of phase 1 of a basic combat training complex at Fort Jackson, South Carolina); and

(5) $102,000,000 (the balance of the amount authorized under section 2201 (a) for construction of a barracks complex, 17th & B Streets, at Fort Lewis, Washington).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (15) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

(1) $36,168,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

(2) $75,417,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military family housing construction and military family housing support outside the United States.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2001 PROJECTS.

(a) MODIFICATION.—The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389) is amended—

(1) in the item relating to Fort Leonard Wood, Missouri, by striking ''$65,400,000'' in the amount column and inserting ''$69,400,000'';

(2) in the item relating to Fort Drum, New York, by striking ''$18,000,000'' in the amount column and inserting ''$21,000,000'';

(3) in the item relating to Fort Hood, Texas, by striking ''$36,492,000'' in the amount column and inserting ''$39,492,000''; and

(4) by striking the amount identified as the total in the amount column and inserting ''$623,074,000''.

(b) CONFORMING AMENDMENTS.—Section 2104 of that Act (114 Stat. 1654A–391) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''$1,925,344,000'' and inserting ''$1,935,744,000'';

(2) in subsection (b)(2), by striking ''$22,600,000'' and inserting ''$27,000,000'';

(3) in subsection (b)(3), by striking ''$10,000,000'' and inserting ''$13,000,000''; and

(4) in subsection (b)(6), by striking ''$6,000,000'' and inserting ''$9,000,000''.

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	$22,570,000
California	Marine Air-Ground Task Force Training Center, Twentynine Palms	$75,125,000
	Marine Corps Air Station, Camp Pendleton	$4,470,000
	Marine Corps Air Station, Miramar	$3,680,000
	Marine Corps Base, Camp Pendleton	$96,490,000
	Naval Air Facility, El Centro	$23,520,000
	Naval Air Station, Lemoore	$10,010,000
	Naval Air Warfare Center, China Lake	$30,200,000
	Naval Air Warfare Center, Point Mugu, San Nicholas Island	$13,730,000
	Naval Amphibious Base, Coronado	$8,610,000
	Naval Construction Battalion Center, Port Hueneme	$12,400,000
	Naval Construction Training Center, Port Hueneme	$3,780,000
	Naval Station, San Diego	$47,240,000
District of Columbia	Naval Air Facility, Washington	$9,810,000
Florida	Naval Air Station, Key West	$11,400,000
	Naval Air Station, Whiting Field, Milton	$2,140,000
	Naval Station, Mayport	$16,420,000
	Naval Station, Pensacola	$3,700,000
Hawaii	Marine Corps Base, Kaneohe	$24,920,000
	Naval Magazine Lualualei	$6,000,000
	Naval Shipyard, Pearl Harbor	$20,000,000
	Naval Station, Pearl Harbor	$40,600,000
	Navy Public Works Center, Pearl Harbor	$16,900,000
Illinois	Naval Training Center, Great Lakes	$82,260,000
Indiana	Naval Surface Warfare Center, Crane	$14,930,000
Maine	Naval Air Station, Brunswick	$67,395,000
Maryland	Naval Air Warfare Center, Patuxent River	$2,260,000
	Naval Air Warfare Center, St. Inigoes	$5,100,000
	Naval Explosive Ordinance Disposal Technology Center, Indian Head	$1,250,000
Mississippi	Naval Construction Battalion Center, Gulfport	$21,660,000
	Naval Air Station, Meridian	$3,400,000
Missouri	Marine Corps Support Activity, Kansas City	$9,010,000
North Carolina	Marine Corps Air Station, New River	$4,050,000
	Marine Corps Base, Camp Lejeune	$67,070,000
Pennsylvania	Naval Foundry and Propeller Center, Philadelphia	$14,800,000
Rhode Island	Naval Station, Newport	$15,290,000
South Carolina	Marine Corps Air Station, Beaufort	$8,020,000
	Marine Corps Recruit Depot, Parris Island	$5,430,000
	Naval Hospital, Beaufort	$7,600,000
Tennessee	Naval Support Activity, Millington	$3,900,000
Texas	Naval Air Station, Joint Reserve Base, Ft. Worth	$9,060,000
Virginia	Marine Corps Air Facility, Quantico	$3,790,000
	Marine Corps Combat Dev Com	$9,390,000
	Naval Amphibious Base, Little Creek	$9,090,000
	Naval Station, Norfolk	$139,270,000
Washington	Naval Air Station, Whidbey Island	$3,470,000
	Naval Shipyard, Bremerton	$14,000,000
	Naval Station, Everett	$6,820,000
	Strategic Weapons Facility, Bangor	$3,900,000
	Total:	$1,038,920,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or location	Amount
Greece	Naval Support Activity Joint Headquarters Command, Larissa	$12,240,000
	Naval Support Activity, Souda Bay	$3,210,000
Guam	Naval Station, Guam	$9,300,000

Navy: Outside the United States—Continued

Country	Installation or location	Amount
	Navy Public Works Center, Guam	$14,800,000
Iceland	Naval Air Station, Keflavik	$2,820,000
Italy	Naval Air Station, Sigonella	$3,060,000
Spain	Naval Station, Rota	$2,240,000
	Total:	$47,670,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or location	Purpose	Amount
Arizona	Marine Corps Air Station, Yuma	51 Units	$9,017,000
California	Marine Air-Ground Task Force Training Center, Twentynine Palms	74 Units	$16,250,000
Hawaii	Marine Corps Base, Kaneohe	172 Units	$46,996,000
	Naval Station, Pearl Harbor	70 Units	$16,827,000
Mississippi	Naval Construction Battalion Center, Gulfport	160 Units	$23,354,000
Virginia	Marine Corps Combat Development Command, Quantico	81 Units	$10,000,000
Italy	Naval Air Station, Sigonella	10 Units	$2,403,000
		Total:	$124,847,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $6,499,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $201,834,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,389,605,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $980,018,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $47,670,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $10,546,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $35,392,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $332,352,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $913,823,000.

(6) For construction of phase 6 of a large anachoic chamber facility at the Patuxent River Naval Air Warfare Center, Maryland, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2590), $10,770,000.

(7) For construction of the Commander-in-Chief Headquarters, Pacific Command, Camp H.M. Smith, Hawaii, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 828), as amended by section 2205, $37,580,000.

(8) For repair of a pier at Naval Station, San Diego, California, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–396), $17,500,000.

(9) For replacement of a pier at Naval Shipyard, Bremerton, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–396), $24,460,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a);

(2) $33,240,000 (the balance of the amount authorized under section 2201(a) for replacement of a pier, increment I, at Naval Station, Norfolk, Virginia; and

(3) $20,100,000 (the balance of the amount authorized under section 2201(a) for a combined propulsion and explosives lab at Naval Air Warfare Center, China Lake, California).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (9) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

(1) $6,854,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

(2) $13,652,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military family housing construction and military family housing support outside the United States.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECT.

(a) MODIFICATION.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 828) is amended—

(1) in the item relating to Camp H.M. Smith, Hawaii, by striking ''$86,050,000'' in the amount column and inserting ''$89,050,000''; and

(2) by striking the amount identified as the total in the amount column and inserting ''$820,230,000''.

(b) CONFORMING AMENDMENTS.—Section 2204 of that Act (113 Stat. 830) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''$2,108,087,000'' and inserting ''$2,111,087,000''; and

(2) in subsection (b)(3), by striking ''$70,180,000'' and inserting ''$73,180,000''.

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	$34,400,000
Alaska	Eareckson Air Force Base	$4,600,000
	Elmendorf Air Force Base	$32,200,000
Arizona	Davis-Monthan Air Force Base	$23,500,000
	Luke Air Force Base	$4,500,000
Arkansas	Little Rock Air Force Base	$10,600,000
California	Beale Air Force Base	$7,900,000
	Edwards Air Force Base	$21,300,000
	Los Angeles Air Force Base	$23,000,000
	Travis Air Force Base	$10,100,000
	Vandenberg Air Force Base	$11,800,000
Colorado	Buckley Air Force Base	$23,200,000
	Schriever Air Force Base	$30,400,000
	United States Air Force Academy	$25,500,000
District of Columbia	Bolling Air Force Base	$2,900,000
Florida	Cape Canaveral Air Force Station	$7,800,000
	Eglin Air Force Base	$11,400,000
	Hurlburt Field	$10,400,000
	MacDill Air Force Base	$10,000,000
	Tyndall Air Force Base	$20,350,000
Georgia	Moody Air Force Base	$4,900,000
	Robins Air Force Base	$14,650,000
Hawaii	Hickman Air Force Base	$6,300,000
Idaho	Mountain Home Air Force Base	$14,600,000
Kansas	McConnell Air Force Base	$5,100,000
Maryland	Andrews Air Force Base	$19,420,000
Massachusetts	Hanscom Air Force Base	$9,400,000
Mississippi	Keesler Air Force Base	$28,600,000
Nevada	Nellis Air Force Base	$12,600,000
New Jersey	McGuire Air Force Base	$36,550,000
New Mexico	Cannon Air Force Base	$9,400,000
	Kirtland Air Force Base	$19,800,000
North Carolina	Pope Air Force Base	$17,800,000
North Dakota	Grand Forks Air Force Base	$7,800,000
Ohio	Wright-Patterson Air Force Base	$5,800,000
Oklahoma	Altus Air Force Base	$20,200,000
	Tinker Air Force Base	$17,700,000
South Carolina	Shaw Air Force Base	$24,400,000
Tennessee	Arnold Air Force Base	$24,400,000
Texas	Lackland Air Force Base	$12,800,000
	Laughlin Air Force Base	$15,600,000
	Sheppard Air Force Base	$45,200,000
Utah	Hill Air Force Base	$44,000,000
Virginia	Langley Air Force Base	$47,300,000
Washington	Fairchild Air Force Base	$2,800,000
	McChord Air Force Base	$20,700,000
Wyoming	F E Warren Air Force Base	$10,200,000
	Total:	$822,320,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or location	Amount
Germany	Ramstein Air Force Base	$42,900,000
	Spangdahlem Air Base	$8,700,000
Greenland	Thule	$19,000,000
Guam	Andersen Air Force Base	$10,150,000
Italy	Aviano Air Base	$11,800,000
Korea	Kunsan Air Base	$12,000,000
	Osan Air Base	$101,142,000
Turkey	Eskisehir	$4,000,000
United Kingdom	Royal Air Force, Lakenheath	$11,300,000

Air Force: Outside the United States—Continued

Country	Installation or location	Amount
Wake Island	Royal Air Force, Mildenhall	$22,400,000
	Wake Island	$25,000,000
	Total:	$268,392,000

(c) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(3), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installation and location and in the amounts, set forth in the following table:

Air Force: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide	Classified Location	$4,458,000

SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(7)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts, set forth in the following table:

Air Force: Family Housing

State	Installation or location	Purpose	Amount
Arizona	uke Air Force Base	120 Units	$15,712,000
California	Travis Air Force Base	118 Units	$18,150,000
Colorado	Buckley Air Force Base	55 Units	$11,400,000
Delaware	Dover Air Force Base	120 Units	$18,145,000
District of Columbia	Bolling Air Force Base	136 Units	$16,926,000
Hawaii	Hickam Air Force Base	102 Units	$25,037,000
Louisiana	Barksdale Air Force Base	56 Units	$7,300,000
South Dakota	Ellsworth Air Force Base	78 Units	$13,700,000
Virginia	Langley Air Force Base	4 Units	$1,200,000
Portugal	Lajes Field, Azores	64 Units	$13,230,000
		Total:	$140,800,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(7)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $24,558,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(7)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $370,879,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $2,526,034,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $806,020,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $268,392,000.

(3) For the military construction projects at unspecified worldwide locations authorized by section 2301(c), $4,458,000.

(4) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $11,250,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $84,630,000.

(6) For military housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $536,237,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $866,171,000.

(7) $12,600,000 for construction of an air freight terminal and base supply complex at McGuire Air Force Base, New Jersey, authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–399), as amended by section 2305.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1), (2), and (3) of subsection (a); and

(2) $12,000,000 (the balance of the amount authorized under section 2301(a) for a maintenance depot hanger at Hill Air Force Base, Utah).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (7) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

(1) $15,846,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

(2) $47,878,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military family housing construction and military family housing support outside the United States.

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2001 PROJECT.

(a) MODIFICATION.—The table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–399) is amended—

(1) in the item relating to McGuire Air Force Base, New Jersey, by striking ''$29,772,000'' in the amount column and inserting ''$32,972,000''; and

(2) by striking the amount identified as the total in the amount column and inserting ''$748,955,000''.

(b) CONFORMING AMENDMENTS.—Section 2304(b)(2) of that Act (114 Stat. 1654A–402) is amended by striking ''$9,400,000'' and inserting ''$12,600,000''.

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and

in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Demilitarization	Blue Grass Army Depot, Kentucky	$47,220,000
Defense Education Activity	Laurel Bay, South Carolina	$12,850,000
	Marine Corps Base, Camp LeJeune, North Carolina	$8,857,000
Defense Logistics Agency	Defense Distribution Depot Tracy, California	$30,000,000
	Defense Distribution New Cumberland, Pennsylvania	$19,900,000
	Eielson Air Force Base, Alaska	$8,800,000
	Fort Belvoir, Virginia	$900,000
	Grand Forks Air Force Base, North Dakota	$9,110,000
	Hickam Air Force Base, Hawaii	$29,200,000
	McGuire Air Force Base, New Jersey	$4,400,000
	Minot Air Force Base, North Dakota	$14,000,000
	Philadelphia, Pennsylvania	$2,429,000
	Pope Air Force Base, North Carolina	$3,400,000
Special Operations Command	Aberdeen Proving Ground, Maryland	$3,200,000
	Fort Benning, Georgia	$5,100,000
	Fort Bragg, North Carolina	$35,962,000
	Fort Lewis, Washington	$6,900,000
	Hurlburt Field, Florida	$13,400,000
	MacDill Air Force Base, Florida	$12,000,000
	Naval Station, San Diego, California	$13,650,000
TRICARE Management Activity	Andrews Air Force Base, Maryland	$10,250,000
	Dyess Air Force Base, Texas	$3,300,000
	F. E. Warren Air Force Base, Wyoming	$2,700,000
	Fort Hood, Texas	$12,200,000
	Fort Stewart/Hunter Army Air Field, Georgia	$11,000,000
	Holloman Air Force Base, New Mexico	$5,700,000
	Hurlburt Field, Florida	$8,800,000
	Marine Corps Base, Camp Pendleton, California	$1,150,000
	Marine Corps Logistics Base, Albany, Georgia	$5,800,000
	Naval Air Station, Whidbey Island, Washington	$1,900,000
	Naval Hospital, Twentynine Palms, California	$1,600,000
	Naval Station, Mayport, Florida	$24,000,000
	Naval Station, Norfolk, Virginia	$21,000,000
	Schriever Air Force Base, Colorado	$4,000,000
Washington Headquarters Services	Pentagon Reservation, Virginia	$25,000,000
	Total:	$325,228,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Education Activity	Aviano Air Base, Italy	$3,647,000
	Geilenkirchen AB, Germany	$1,733,000
	Heidelberg, Germany	$3,312,000
	Kaiserslautern, Germany	$1,439,000
	Kitzingen, Germany	$1,394,000
	Landstuhl, Germany	$1,444,000
	Ramstein Air Force Base, Germany	$2,814,000
	Royal Air Force, Feltwell, United Kingdom	$22,132,000
	Vogelweh Annex, Germany	$1,558,000
	Wiesbaden Air Base, Germany	$1,378,000
	Wuerzburg, Germany	$2,684,000
Defense Logistics Agency	Anderson Air Force Base, Guam	$20,000,000
	Camp Casey, Korea	$5,500,000
	Naval Station, Rota, Spain	$3,000,000
	Yokota Air Base, Japan	$13,000,000
Office Secretary of Defense	Comalapa Air Base, El Salvador	$12,577,000
TRICARE Management Activity	Heidelberg, Germany	$28,000,000

Defense Agencies: Outside the United States—Continued

Agency	Installation or location	Amount
	Lajes Field, Azores, Portugal	$3,750,000
	Thule, Greenland	$10,800,000
	Total:	$140,162,000

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(6), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $35,600,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $1,421,319,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $370,164,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $140,162,000.

(3) For unspecified minor construction projects under section 2805 of title 10, United States Code, $24,492,000.

(4) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $10,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $74,496,000.

(6) For energy conservation projects authorized by section 2402 of this Act, $35,600,000.

(7) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), $532,200,000.

(8) For military family housing functions:

(A) For improvement of military family housing and facilities, $250,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $43,762,000, of which not more than $37,298,000 may be obligated or expended for the leasing of military family housing units worldwide.

(C) For credit to the Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code, $2,000,000.

(9) For the construction of phase 6 of an ammunition demilitarization facility at Pine Bluff Arsenal, Arkansas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3040), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 539), section 2408 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1982), section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2197), and section 2407 of this Act, $26,000,000.

(10) For the construction of phase 3 of an ammunition demilitarization facility at Pueblo Army Depot, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), $11,000,000.

(11) For construction of phase 4 of an ammunition demilitarization facility at Newport Army Depot, Indiana, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2193), $66,000,000.

(12) For construction of phase 4 of an ammunition demilitarization facility at Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2193), as amended by section 2406 of this Act, $66,500,000.

(13) For construction of a hospital at Fort Wainwright, Alaska, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 836), $18,500,000.

(14) For construction of an aircrew water survival training facility at Naval Air Station, Whidbey Island, Washington, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 836), as amended by section 2405 of this Act, $6,600,000.

(15) For the construction of phase 2 of an ammunition demilitarization facility at Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65, 113 Stat. 836), as amended by section 2405, $3,000,000.

(16) For construction of FHOTC Support Facilities at Camp Pendleton, California, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat.1654A–402), as amended by section 2404 of this Act, $3,150,000.

(17) For replacement of a Medical/Dental Clinic, Las Flores, at Camp Pendleton, California, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat.1654A–402), as amended by section 2404 of this Act, $3,800,000.

(18) For replacement of a Medical/Dental Clinic, Las Pulgas, at Camp Pendleton, California, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat.1654A–402), as amended by section 2404 of this Act, $4,050,000.

(19) For replacement of a Medical/Dental Clinic, Horno, at Camp Pendleton, California, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat.1654A–402), as amended by section 2404 of this Act, $4,300,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(c) ADJUSTMENTS.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (19) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

(1) $17,857,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

(2) $10,250,000, which represents the combination of project savings in military construction resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2001 PROJECT.

The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–402) is amended—

(1) under the agency heading relating to TRICARE Management Activity, in the item relating to Marine Corps Base, Camp Pendleton, California, by striking ''$14,150,000'' and inserting ''$15,300,000''; and

(2) by striking the amount identified as the total in the amount column and inserting ''$258,056,000''.

SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECTS.

(a) MODIFICATION.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 836) is amended—

(1) under the agency heading relating to TRICARE Management Activity, in the item relating to Naval Air Station, Whidbey Island, Washington, by striking ''$4,700,000'' inserting ''$6,600,000'';

(2) under the agency heading relating to Chemical Demilitarization, in the item relating to Blue Grass Army Depot, Kentucky, by striking ''$206,800,000'' in the amount column and inserting ''$254,030,000''; and

(3) by striking the amount identified as the total in the amount column and inserting ''$636,550,000''.

(b) CONFORMING AMENDMENT.—Section 2405(b)(3) of that Act (113 Stat. 839) is amended by striking ''$184,000,000'' and inserting ''$231,230,000''.

SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1999 PROJECT.

The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2193) is amended—

(1) under the agency heading relating to Chemical Demilitarization, in the item relating to Aberdeen Proving Ground, Maryland, by striking ''$186,350,000'' in the amount column and inserting ''$223,950,000''; and

(2) by striking the amount identified as the total in the amount column and inserting ''$727,616,000''.

(b) CONFORMING AMENDMENTS.—Section 2404(b)(3) of that Act (112 Stat. 2196) is amended by striking ''$158,000,000'' and inserting ''$195,600,000''.

SEC. 2407. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1995 PROJECT.

The table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3040), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 539), section 2408 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1982), and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2197), is amended under the agency heading relating to Chemical Agents and Munitions Destruction, in the item relating to Pine Bluff Arsenal, Arkansas, by striking ''$154,400,000'' in the amount column and inserting ''$177,400,000''.

SEC. 2408. PROHIBITION ON EXPENDITURES TO DEVELOP FORWARD OPERATING LOCATION ON ARUBA FOR UNITED STATES SOUTHERN COMMAND COUNTER-DRUG DETECTION AND MONITORING FLIGHTS.

None of the funds appropriated under the heading ''MILITARY CONSTRUCTION, DEFENSE-WIDE'' in chapter 3 of title III of the Emergency Supplemental Act, 2000 (Public Law 106–246; 114 Stat. 579), may be used by the Secretary of Defense to develop any forward operating location on the island of Aruba to serve as a location from which the United States Southern Command could conduct counter-drug detection and monitoring flights.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501, in the amount of $162,600,000.

TITLE XXVI—GUARD AND RESERVE FACILITIES

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) IN GENERAL.—There are authorized to be appropriated for fiscal years beginning after September 30, 2001, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $304,915,000; and

(B) for the Army Reserve, $173,017,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, $53,291,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $197,472,000; and

(B) for the Air Force Reserve, $79,132,000.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2004; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2005.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) for which appropriated funds have been obligated before the later of—

(1) October 1, 2004; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2005 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1999 PROJECTS.

(a) EXCEPTION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2199), authorizations set forth in the tables in subsection (b), as provided in section 2302 or 2601 of that Act, shall remain in effect until October 1, 2002, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2003, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Air Force: Extension of 1999 Project Authorizations

State	Installation or location	Project	Amount
Delaware	Dover Air Force Base	Family Housing Replacement (55 Units)	$8,998,000
Florida	Patrick Air Force Base	Family Housing Replacement (46 Units)	$9,692,000
New Mexico	Kirtland Air Force Base	Family Housing Replacement (37 Units)	$6,400,000
Ohio	Wright-Patterson Air Force Base	Family Housing Replacement (40 Units)	$5,600,000

Army National Guard: Extension of 1999 Project Authorizations

State	Installation or location	Project	Amount
Massachusetts	Westfield	Army Aviation Support Facility	$9,274,000
South Carolina	Spartanburg	Readiness Center.	$5,260,000

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1998 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1984), authorizations set forth in the tables in subsection (b), as provided in section 2102, 2202, or 2302 of that Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–408), shall remain in effect until October 1, 2002, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2003, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Army: Extension of 1998 Project Authorization

State	Installation or location	Project	Amount
Maryland	Fort Meade	Family Housing Construction (56 units)	$7,900,000

Navy: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
California	Naval Complex, San Diego	Family Housing Replacement (94 units)	$13,500,000
California	Marine Corps Air Station, Miramar	Family Housing Construction (166 units)	$28,881,000
Louisiana	Naval Complex, New Orleans	Family Housing Replacement (100 units)	$11,930,000
Texas	Naval Air Station, Corpus Christi	Family Housing Construction (212 units)	$22,250,000

Air Force: Extension of 1998 Project Authorization

State	Installation or location	Project	Amount
New Mexico	Kirtland Air Force Base	Family Housing Replacement (180 units)	$20,900,000

SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—

(1) October 1, 2001; or

(2) the date of the enactment of this Act.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. INCREASE IN CERTAIN UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECT THRESHOLDS.

Section 2805 of title 10, United States Code, is amended—

(1) in subsection (b)(1), by striking ''$500,000'' and inserting ''$750,000'';

(2) in subsection (c)(1)(A), by striking ''$1,000,000'' and inserting ''$1,500,000''; and

(3) in subsection (c)(1)(B), by striking ''$500,000'' and inserting ''$750,000''.

SEC. 2802. EXCLUSION OF UNFORESEEN ENVIRONMENTAL HAZARD REMEDIATION FROM LIMITATION ON AUTHORIZED COST VARIATIONS.

Subsection (d) of section 2853 of title 10, United States Code, is amended to read as follows:

''(d) The limitation on cost increases in subsection (a) does not apply—

''(1) to the settlement of a contractor claim under a contract; or

''(2) to the costs associated with the required remediation of an environmental hazard in connection with a military construction project or military family housing project, such as asbestos removal, radon abatement, lead-based paint removal or abatement, or any other legally required environmental hazard remediation, if the required remediation could not have reasonably been anticipated at the time the project was approved originally by Congress.''.

SEC. 2803. REPEAL OF ANNUAL REPORTING REQUIREMENT ON MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING ACTIVITIES.

(a) REPEAL.—Section 2861 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 169 of such title is amended by striking the item relating to section 2861.

SEC. 2804. PERMANENT AUTHORIZATION FOR ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

(a) REPEAL OF TERMINATION PROVISION.—Section 2885 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended by striking the item relating to section 2885.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. USE OF MILITARY INSTALLATIONS FOR CERTAIN RECREATIONAL ACTIVITIES.

Section 2671 of title 10, United States Code, is amended—

(1) by transferring subsection (b) to the end of the section and redesignating such subsection, as so transferred, as subsection (e); and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) Subsection (a) shall not apply with respect to all or certain specified hunting, fishing, or trapping at a military installation or facility if the Secretary of Defense determines that the application of the State or Territory fish and game laws to such hunting, fishing, or trapping without modification could result in undesirable consequences for public safety or adverse effects on morale, welfare, or recreation activities at the installation or facility. The Secretary may not waive or modify the requirements under subsection (a)(2) regarding a license for such hunting, fishing, or trapping or any fee imposed by a State or Territory to obtain such a license.''.

SEC. 2812. BASE EFFICIENCY PROJECT AT BROOKS AIR FORCE BASE, TEXAS.

(a) INDEMNIFICATION OF TRANSFEREES.—Section 136 of the Military Construction Appropriations Act, 2001 (division A of Public Law 106–246; 114 Stat. 520), is amended—

(1) by striking subsection (n);

(2) by redesignating subsection (m) as subsection (n); and

(3) by inserting after subsection (l) the following new subsection:

''(m) INDEMNIFICATION OF TRANSFEREES.—(1) With respect to the disposal of real property under subsection (e) at the Base as part of the Project, the Secretary shall hold harmless, defend, and indemnify in full the Community and other persons and entities described in paragraph (2) from and against any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage (including death, illness, or loss of or damage to property or economic loss) that results from, or is in any manner predicated upon, the release or threatened release of any hazardous substance, pollutant or contaminant, or petroleum or petroleum derivative as a result of Department of Defense activities at the Base.

''(2) The persons and entities referred to in paragraph (1) are the following:

''(A) The Community (including any officer, agent, or employee of the Community) that acquires ownership or control of any real property at the Base as described in paragraph (1).

''(B) The State of Texas or any political subdivision of the State (including any officer, agent, or employee of the State or political subdivision) that acquires such ownership or control.

''(C) Any other person or entity that acquires such ownership or control.

''(D) Any successor, assignee, transferee, lender, or lessee of a person or entity described in subparagraphs (A) through (C).

''(3) To the extent the persons and entities described in paragraph (2) contributed to any such release or threatened release, paragraph (1) shall not apply.

''(4) No indemnification may be afforded under this subsection unless the person or entity making a claim for indemnification—

''(A) notifies the Department of Defense in writing within two years after such claim accrues or begins action within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the Department of Defense;

''(B) furnishes to the Department of Defense copies of pertinent papers the entity receives;

''(C) furnishes evidence or proof of any claim, loss, or damage covered by this subsection; and

''(D) provides, upon request by the Department of Defense, access to the records and personnel of the entity for purposes of defending or settling the claim or action.

''(5) In any case in which the Secretary determines that the Department of Defense may be required to make indemnification payments to a person under this subsection for any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage referred to in paragraph (1), the Secretary may settle or defend, on behalf of that person, the claim for personal injury or property damage. If the person to whom the Department of Defense may be required to make indemnification payments does not allow the Secretary to settle or defend the claim, the person may not be afforded indemnification with respect to that claim under this subsection.

''(6) For purposes of paragraph (4)(A), the date on which a claim accrues is the date on which the plaintiff knew (or reasonably should have known) that the personal injury or property damage referred to in paragraph (1) was caused or contributed to by the release or threatened release of a hazardous substance, pollutant or contaminant, or petroleum or petroleum derivative as a result of Department of Defense activities at the Base.

''(7) Nothing in this subsection shall be construed as affecting or modifying in any way section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

''(8) In this subsection, the terms 'facility', 'hazardous substance', 'release', and 'pollutant or contaminant' have the meanings given such terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, respectively (42 U.S.C. 9601).''.

(b) DEFINITIONS.—Paragraph (9) of subsection (n) of such section, as redesignated by subsection (a)(2), is amended by striking '', who shall be a civilian official of the Department appointed by the President with the advice and consent of the Senate''.

SEC. 2813. USE OF BUILDINGS ON MILITARY INSTALLATIONS AND RESERVE COMPONENT FACILITIES AS POLLING PLACES.

(a) USE OF MILITARY INSTALLATIONS AUTHORIZED.—Section 2670 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(b) USE AS POLLING PLACES.—(1) Notwithstanding chapter 29 of title 18 (including sections 592 and 593 of such title), the Secretary of a military department may make a building located on a military installation under the jurisdiction of the Secretary available for use as a polling place in any Federal, State, or local election for public office.

''(2) Once a military installation is made available as the site of a polling place with respect to a Federal, State, or local election for public office, the Secretary shall continue to make the site available for subsequent elections for public office unless the Secretary provides to Congress advance notice in a reasonable and timely manner of the reasons why the site will no longer be made available as a polling place.

''(3) In this subsection, the term 'military installation' has the meaning given the term in section 2687(e) of this title.''.

(b) USE OF RESERVE COMPONENT FACILITIES.—(1) Section 18235 of such title is amended by adding at the end the following new subsection:

''(c) Pursuant to a lease or other agreement under subsection (a)(2), the Secretary may make a facility covered by subsection (a) available for use as a polling place in any Federal, State, or local election for public office notwithstanding chapter 29 of title 18 (including sections 592 and 593 of such title). Once a facility is made available as the site of a polling place with respect to an election for public office, the Secretary shall continue to make the facility available for subsequent elections for public office unless the Secretary provides to Congress advance notice in a reasonable and timely manner of the reasons why the facility will no longer be made available as a polling place.''.

(2) Section 18236 of such title is amended by adding at the end the following new subsection:

''(e) Pursuant to a lease or other agreement under subsection (c)(1), a State may make a facility covered by subsection (c) available for use as a polling place in any Federal, State, or local election for public office notwithstanding chapter 29 of title 18 (including sections 592 and 593 of such title).''.

(c) CONFORMING AND CLERICAL AMENDMENTS.—(1) section 2670 of such title is further amended—

(A) by striking ''Under'' and inserting ''(a) USE BY RED CROSS.—Under''; and

(B) by striking ''this section'' and inserting ''this subsection''.

(2) The heading of such section is amended to read as follows:

''§ 2670. Buildings on military installations: use by American National Red Cross and as polling places''.

(3) The item relating to such section in the table of sections at the beginning of chapter 159 of such title is amended to read as follows:

''2670. Buildings on military installations: use by American National Red Cross and as polling places.''.

Subtitle C—Defense Base Closure and Realignment

SEC. 2821. LEASE BACK OF BASE CLOSURE PROPERTY.

(a) 1988 LAW.—Section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is amended—

(1) by redesignating subparagraphs (E), (F), (G), (H), and (I) as subparagraphs (F), (G), (H), (I), and (J), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

''(E)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this title (including property at an installation approved for realignment which will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, one or more portions of the property transferred under this subparagraph to the Secretary or to the head of another department or agency of the Federal Government. Subparagraph (B) shall apply to a transfer under this subparagraph.

''(ii) A lease under clause (i) shall be for a term of not to exceed 50 years, but may provide for options for renewal or extension of the term by the department or agency concerned.

''(iii) A lease under clause (i) may not require rental payments by the United States.

''(iv) A lease under clause (i) shall include a provision specifying that if the department or agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another department or agency of the Federal Government using the property for a use similar to the use under the lease. Exercise of the authority provided by this clause shall be made in consultation with the redevelopment authority concerned.

''(v) Notwithstanding clause (iii) or chapter 137 of title 10, United States Code, if a lease under clause (i) involves a substantial portion of the installation, the department or agency concerned may obtain facility services for the leased property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

''(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

''(II) firefighting or security-guard functions.''.

(b) 1990 LAW.—Section 2905(b)(4)(E) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by adding at the end the following new clause:

''(v) Notwithstanding clause (iii) or chapter 137 of title 10, United States Code, if a lease under clause (i) involves a substantial portion of the installation, the department or agency concerned may obtain facility services for the leased property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

''(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

''(II) firefighting or security-guard functions.''.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

SEC. 2831. MODIFICATION OF LAND EXCHANGE, ROCK ISLAND ARSENAL, ILLINOIS.

(a) ADDITIONAL CONVEYANCE AUTHORIZED.—Subsection (a) of section 2832 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 857) is amended—

(1) by inserting ''(1)'' before ''The Secretary''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary may convey to the City all right, title, and interest of the United States in and to an additional parcel of real property, including improvements thereon, at the Rock Island Arsenal consisting of approximately .513 acres.''.

(b) CONSIDERATION.—Subsection (b) of such section is amended—

(1) by inserting ''(1)'' before ''As consideration'';

(2) by striking ''subsection (a)'' both places it appears and inserting ''subsection (a)(1)''; and

(3) by adding at the end the following new paragraph:

''(2) As consideration for the conveyance under subsection (a)(2), the City shall convey to the Secretary all right, title, and interest of the City in and to a parcel of real property consisting of approximately .063 acres and construct on the parcel, at the City's expense, a new access ramp to the Rock Island Arsenal.''.

SEC. 2832. MODIFICATION OF LAND CONVEYANCES, FORT DIX, NEW JERSEY.

Section 2835(c) of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2004) is amended by adding at the end the following new paragraph:

''(3) Notwithstanding paragraphs (1) or (2), the Borough and Board may exchange between each other, without the consent of the Secretary, all or any portion of the property conveyed under subsection (a) so long as the property continues to be used by the grantees for economic development or educational purposes.''.

SEC. 2833. LEASE AUTHORITY, FORT DERUSSY, HAWAII.

Notwithstanding section 809 of the Military Construction Authorization Act, 1968 (Public Law 90–110; 81 Stat. 309) and section 2814(b) of the Military Construction Authorization Act, 1989 (Public Law 100–456; 102 Stat. 2117), the Secretary of the Army may enter into a lease with the City of Honolulu, Hawaii, for the purpose of making available to the City a parcel of real property at Fort DeRussy, Hawaii, for the construction of a parking facility.

SEC. 2834. LAND EXCHANGE AND CONSOLIDATION, FORT LEWIS, WASHINGTON.

(a) EXCHANGE AUTHORIZED.—(1) The Secretary of the Army may convey to the Nisqually Tribe, a federally recognized Indian tribe whose tribal lands are located within the State of Washington, all right, title, and interest of the United States in and to two parcels of real property, including any improvements thereon, consisting of approximately 138 acres at Fort Lewis, Washington, in exchange for the real property described in subsection (b).

(2) The property authorized for conveyance under paragraph (1) does not include Bonneville Power Administration transmission facilities or the right of way described in subsection (c).

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Nisqually Tribe shall—

(1) acquire from Thurston Country, Washington, several parcels of real property consisting of approximately 416 acres that are owned by the county, are within the boundaries of Fort Lewis, and are currently leased by the Army, and

(2) convey fee title over the acquired property to the Secretary.

(c) RIGHT-OF-WAY FOR BONNEVILLE POWER ADMINISTRATION.—The Secretary may use the authority provided in section 2668 of title 10, United States Code, to convey to the Bonneville Power Administration a right-of-way that authorizes the Bonneville Power Administration to use real property at Fort Lewis as a route for the Grand Coulee-Olympia and Olympia-White River electric transmission lines and appurtenances to facilitate the removal of such transmission lines from tribal lands of the Nisqually Tribe.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) and acquired under subsection (b) shall be determined by a survey satisfactory to the Secretary and the Nisqually Tribe. The cost of the survey shall be borne by the recipient of the property.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. LAND CONVEYANCE, WHITTIER-ANCHORAGE PIPELINE TANK FARM, ANCHORAGE, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Port of Anchorage, an entity of the Municipality of Anchorage, Alaska, all right, title, and interest of the United States in and to two adjoining parcels of real property, including any improvements thereon, consisting of approximately 48 acres in Anchorage, Alaska, which are known as of the Whittier-Anchorage Pipeline Tank Farm, for the purpose of permitting the Port of Anchorage to use the parcels for economic development.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the real property.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section (a) as the Secretary considers appropriate to protect the interests of the United States.

PART II—NAVY CONVEYANCES

SEC. 2841. TRANSFER OF JURISDICTION, CENTERVILLE BEACH NAVAL STATION, HUMBOLDT COUNTY, CALIFORNIA.

(a) TRANSFER AUTHORIZED.—The Secretary of the Navy may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior the real property, including any improvements thereon, consisting of the closed Centerville Beach Naval Station in Humboldt County, California, for the purpose of permitting the Secretary of the Interior to manage the real property as open space or for other public purposes.

(b) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by a survey satisfactory to the Secretary of the Navy. The cost of the survey shall be borne by the Secretary of the Interior.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the transfer under this section as the Secretary of the Navy considers appropriate to protect the interests of the United States.

SEC. 2842. LAND CONVEYANCE, NAVAL WEAPONS INDUSTRIAL RESERVE PLANT, TOLEDO, OHIO.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Navy may convey, without consideration, to the Toledo-Lucas County Port Authority, Ohio (in this section referred to as the ''Port Authority''), all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 29 acres, including any improvements thereon, and comprising the Naval Weapons Industrial Reserve Plant, Toledo, Ohio.

(2) The Secretary may include in the conveyance under paragraph (1) such facilities, equipment, fixtures, and other personal property located or based on the parcel conveyed under that paragraph, or used in connection with the parcel, as the Secretary determines to be not required by the Navy for other purposes.

(b) LEASE AUTHORITY.—Until such time as the real property described in subsection (a)(1) is conveyed by deed, the Secretary may lease the real property, together with any improvements, facilities, equipment, fixtures, and other personal property thereon, to the Port Authority in exchange for security services, fire protection services, and maintenance services provided by the Port Authority for the real property.

(c) CONDITIONS OF CONVEYANCE.—(1) The conveyance under subsection (a), and any lease under subsection (b), shall be subject to the conditions that the Port Authority—

(A) accept the parcel, and any improvements, facilities, equipment, fixtures, and other personal property thereon, in their condition at the time of the conveyance or lease, as the case may be; and

(B) except as provided in paragraph (2), use the parcel, and any improvements, facilities, equipment, fixtures, and other personal property thereon, whether directly or through an agreement with a public or private entity, for economic development, redevelopment, or retention purposes, including the creation or preservation of jobs and employment opportunities, or such other public purposes as the Port Authority determines appropriate.

(2) The Port Authority may at any time convey, lease, or sublease, as the case may be, the parcel, and any improvements, facilities, equipment, fixtures, and other personal property thereon, to a public or private entity for purposes described in paragraph (1)(B).

(d) INSPECTION.—The Secretary may permit the Port Authority to review and inspect the improvements, facilities, equipment, fixtures, and other personal property located on the parcel described in subsection (a)(1) for purposes of the conveyance authorized by that subsection and the lease authorized by subsection (b).

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a)(1), and of any facilities, equipment fixtures, or other personal property to be conveyed under subsection (a)(2), shall be determined by a survey and other means satisfactory to the Secretary. The cost of any activities under the preceding sentence shall be borne by the Port Authority.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a)(1), and any lease under subsection (b), as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2843. MODIFICATION OF AUTHORITY FOR CONVEYANCE OF NAVAL COMPUTER AND TELECOMMUNICATIONS STATION, CUTLER, MAINE.

Section 2853(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–430) is amended by inserting ''any or'' before ''all right''.

SEC. 2844. MODIFICATION OF LAND CONVEYANCE, FORMER UNITED STATES MARINE CORPS AIR STATION, EAGLE MOUNTAIN LAKE, TEXAS.

Section 5 of Public Law 85–258 (71 Stat. 583) is amended by inserting before the period at the end the following: ''or for the protection, maintenance, and operation of other Texas National Guard facilities''.

SEC. 2845. LAND TRANSFER AND CONVEYANCE, NAVAL SECURITY GROUP ACTIVITY, WINTER HARBOR, MAINE.

(a) TRANSFER OF JURISDICTION OF SCHOODIC POINT PROPERTY AUTHORIZED.—(1) The Secretary of the Navy may transfer, without consideration, to the Secretary of the Interior administrative jurisdiction of a parcel of real property, including any improvements thereon and appurtenances thereto, consisting of approximately 26 acres as generally depicted as Tract 15–116 on the map entitled ''Acadia National Park Schoodic Point Area'', numbered 123/80,418 and dated May 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

(2) The transfer authorized by this subsection shall occur, if at all, concurrently with the reversion of administrative jurisdiction of a parcel of real property consisting of approximately 71 acres, as depicted as Tract 15–115 on the map referred to in paragraph (1), from the Secretary of the Navy to the Secretary of the Interior as authorized by Public Law 80–260 (61 Stat. 519) and to be executed on or about June 30, 2002.

(b) CONVEYANCE OF COREA AND WINTER HARBOR PROPERTIES AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the State of Maine, any political subdivision of the State of Maine, or any tax-supported agency in the State of Maine, all right, title, and interest of the United States in and to any of the parcels of real property, including any improvements thereon and appurtenances thereto, consisting of approximately 485 acres and comprising the former facilities of the Naval Security Group Activity, Winter Harbor, Maine, located in Hancock County, Maine, except for the real property described in subsection (a)(1).

(c) TRANSFER OF PERSONAL PROPERTY.—The Secretary of the Navy shall transfer, without consideration, to the Secretary of the Interior in the case of the real property transferred under subsection (a), or to any recipient of such real property in the case of real property conveyed under subsection (b), any or all personal property associated with such real property so transferred or conveyed, including—

(1) the ambulances and any fire trucks or other firefighting equipment; and

(2) any personal property required to continue the maintenance of the infrastructure of such real property, including the generators and an uninterrupted power supply in building 154 at the Corea site.

(d) MAINTENANCE OF PROPERTY PENDING CONVEYANCE.—The Secretary of the Navy shall maintain any real property, including any improvements thereon, appurtenances thereto, and supporting infrastructure, to be conveyed under subsection (b) until the earlier of—

(1) the date of the conveyance of such real property under subsection (b); or

(2) September 30, 2003.

(e) INTERIM LEASE.—(1) Until such time as any parcel of real property to be conveyed under subsection (b) is conveyed by deed under that subsection, the Secretary of the Navy may lease such parcel to any person or entity determined by the Secretary to be an appropriate lessee of such parcel.

(2) The amount of rent for a lease under paragraph (1) shall be the amount determined by the Secretary to be appropriate, and may be an amount less than the fair market value of the lease.

(f) REIMBURSEMENT FOR ENVIRONMENTAL AND OTHER ASSESSMENTS.—(1) The Secretary of the Navy may require each recipient of real property conveyed under subsection (b) to reimburse the Secretary for the costs incurred by the Secretary for any environmental assessment, study, or analysis carried out by the Secretary with respect to such property before completing the conveyance under that subsection.

(2) The amount of any reimbursement required under paragraph (1) shall be determined by the Secretary, but may not exceed the cost of the assessment, study, or analysis for which reimbursement is required.

(3) Section 2695(c) of title 10, United States Code, shall apply to any amount received by the Secretary under this subsection.

(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property transferred under subsection (a), and each parcel of real property conveyed under subsection (b), shall be determined by a survey satisfactory to the Secretary of the Navy. The cost of any survey under the preceding sentence for real property conveyed under subsection (b) shall be borne by the recipient of the real property.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with any conveyance under subsection (b), and any lease under subsection (e), as the Secretary considers appropriate to protect the interests of the United States.

PART III—AIR FORCE CONVEYANCES

SEC. 2851. WATER RIGHTS CONVEYANCE, ANDERSEN AIR FORCE BASE, GUAM.

(a) AUTHORITY TO CONVEY.—In conjunction with the conveyance of the water supply system for Anderson Air Force Base, Guam, under the authority of section 2688 of title 10, United States Code, and in accordance with all the requirements of that section, the Secretary of the Air Force may convey all right, title, and interest of the United States, or such lesser estate as the Secretary considers appropriate to serve the interests of the United States, in the water rights related to the following Air Force properties located on Guam:

(1) Andy South, also known as the Andersen Administrative Annex.

(2) Marianas Bonins Base Command.

(3) Andersen Water Supply Annex, also known as the Tumon Water Well or the Tumon Maui Well.

(b) ADDITIONAL REQUIREMENTS.—The Secretary may exercise the authority contained in subsection (a) only if—

(1) the Secretary determines that adequate supplies of potable groundwater exist under the main base and northwest field portions of Andersen Air Force Base to meet the current and long-term requirements of the installation for water;

(2) the Secretary determines that such supplies of groundwater are economically obtainable; and

(3) the Secretary requires the conveyee of the water rights under subsection (a) to provide a water system capable of meeting the water supply needs of the main base and northwest field portions of Anderson Air Force Base, as determined by the Secretary.

(c) INTERIM WATER SUPPLIES.—If the Secretary determines that it is in the best interests of the United States to transfer title to

the water rights and utility systems at Andy South and Andersen Water Supply Annex before placing into service a replacement water system and well field on Andersen Air Force Base, the Secretary may require that the United States have the primary right to all water produced from Andy South and Andersen Water Supply Annex until the replacement water system and well field is placed into service and operates to the satisfaction of the Secretary. In exercising the authority provided by this subsection, the Secretary may retain a reversionary interest in the water rights and utility systems at Andy South and Andersen Water Supply Annex until such time as the new replacement water system and well field is placed into service and operates to the satisfaction of the Secretary.

(d) SALE OF EXCESS WATER AUTHORIZED.—(1) As part of the conveyance of water rights under subsection (a), the Secretary may authorize the conveyee of the water system to sell to public or private entities such water from Andersen Air Force Base as the Secretary determines to be excess to the needs of the United States. In the event the Secretary authorizes the conveyee to resell water, the Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(2) If the Secretary cannot meet the requirements of subsection (b), and the Secretary determines to proceed with a water utility system conveyance under section 2688 of title 10, United States Code, without the conveyance of water rights, the Secretary may provide in any such conveyance that the conveyee of the water system may sell to public or private entities such water from Andy South and Andersen Water Supply Annex as the Secretary determines to be excess to the needs of the United States. The Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(e) TREATMENT OF WATER RIGHTS.—For purposes of section 2688 of title 10, United States Code, the water rights referred to in subsection (a) shall be considered as part of a utility system (as that term is defined in subsection (h)(2) of such section).

SEC. 2852. REEXAMINATION OF LAND CONVEYANCE, LOWRY AIR FORCE BASE, COLORADO.

The Secretary of the Air Force shall reevaluate the terms and conditions of the pending negotiated sale agreement with the Lowry Redevelopment Authority for certain real property at Lowry Air Force Base, Colorado, in light of changed circumstances regarding the property, including changes in the flood plain designations affecting some of the property, to determine whether the changed circumstances warrant a reduction in the amount of consideration otherwise required under the agreement or other modifications to the agreement.

SEC. 2853. LAND CONVEYANCE, DEFENSE FUEL SUPPORT POINT, FLORIDA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to Florida State University, all right, title and interest of the United States in and to a parcel of real property known as ''Defense Fuel Support Point'', including any improvements thereon, located in Lynn Haven, Florida, and consisting of approximately 200 acres for the purpose of establishing a National Coastal Research Center.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2861. TRANSFER OF JURISDICTION FOR DEVELOPMENT OF ARMED FORCES RECREATION FACILITY, PARK CITY, UTAH.

(a) TRANSFER REQUIRED.—(1) The Secretary of the Interior shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Air Force a parcel of real property in Park City, Utah, including any improvements thereon, that consists of approximately 35 acres, is located in township 2 south, range 4 east, Salt Lake meridian, and is designated as parcel 3 by the Bureau of Land Management.

(2) The transfer shall be subject to existing rights, except that the Secretary of the Interior shall terminate any lease with respect to the parcel issued under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 689 et seq.), and still in effect as of the date of the enactment of this Act.

(3) The transfer required by this subsection shall be completed not later than one year after the date of the enactment of this Act.

(b) USE OF TRANSFERRED LAND.—(1) The Secretary of the Air Force may use the real property transferred under subsection (a) as the location for an armed forces recreation facility to be developed using nonappropriated funds.

(2) The Secretary of the Air Force may return the transferred property (or property acquired in exchange for the transferred property under subsection (c)) to the administrative jurisdiction of the Secretary of the Interior at any time upon certifying that development of the armed forces recreation facility would not be in the best interests of the Government.

(c) SUBSEQUENT CONVEYANCE AUTHORITY.—(1) In lieu of developing the armed forces recreation facility on the real property transferred under subsection (a), the Secretary of the Air Force may convey or lease the property to the State of Utah, a local government, or a private entity in exchange for other property to be used as the site of the facility.

(2) The values of the properties exchanged by the Secretary under this subsection either shall be equal, or if they are not equal, the values shall be equalized by the payment of money to the grantor or to the Secretary as the circumstances require. The conveyance or lease shall be on such other terms as the Secretary of the Air Force considers to be advantageous to the development of the facility.

(d) ALTERNATIVE DEVELOPMENT AUTHORITY.—The Secretary of the Air Force may lease the real property transferred under subsection (a), or any property acquired pursuant to subsection (c), to another party and may enter into a contract with the party for the design, construction, and operation of the armed forces recreation facility. The Secretary of the Air Force may authorize the contractor to operate the facility as both a military and a commercial operation if the Secretary determines that such an authorization is a necessary incentive for the contractor to agree to design, construct, and operate the facility.

(e) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under subsection (a) shall be determined by a survey. The cost of the survey shall be borne by the Secretary of the Air Force.

SEC. 2862. SELECTION OF SITE FOR UNITED STATES AIR FORCE MEMORIAL AND RELATED LAND TRANSFERS FOR THE IMPROVEMENT OF ARLINGTON NATIONAL CEMETERY, VIRGINIA.

(a) DEFINITIONS.—In this section:

(1) The term ''Arlington Naval Annex'' means the parcel of Federal land located in Arlington County, Virginia, that is subject to transfer to the administrative jurisdiction of the Secretary of the Army under section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 879).

(2) The term ''Foundation'' means the Air Force Memorial Foundation, which was authorized in Public Law 103–163 (107 Stat. 1973; 40 U.S.C. 1003 note) to establish a memorial in the District of Columbia or its environs to honor the men and women who have served in the United States Air Force and its predecessors.

(3) The term ''Air Force Memorial'' means the United States Air Force Memorial to be established by the Foundation.

(4) The term ''Arlington Ridge tract'' means the parcel of Federal land in Arlington County, Virginia, known as the Nevius Tract and transferred to the Department of the Interior in 1953, that is bounded generally by—

(A) Arlington Boulevard (United States Route 50) to the north;

(B) Jefferson Davis Highway (Virginia Route 110) to the east;

(C) Marshall Drive to the south; and

(D) North Meade Street to the west.

(5) The term ''Section 29'' means a parcel of Federal land in Arlington County, Virginia, that is currently administered by the Secretary of the Interior within the boundaries of Arlington National Cemetery and is identified as ''Section 29''.

(b) OFFER OF PORTION OF ARLINGTON NAVAL ANNEX AS SITE FOR AIR FORCE MEMORIAL.—Within 60 days after the date of the enactment of this Act, the Secretary of Defense shall offer to the Foundation an option to use, without reimbursement, up to three acres of the Arlington Naval Annex as the site within which the Foundation will construct the Air Force Memorial. The offered acreage shall include the promontory adjacent to, and the land underlying, Wing 8 of Federal Office Building #2 in the northeast quadrant of the Arlington Naval Annex.

(c) ACCEPTANCE OR REJECTION OF OFFER.—

(1) DEADLINE.—Within 90 days after the date on which the Secretary of Defense makes the offer required by subsection (b), the Foundation shall provide written notice to the Secretary of the decision of the Foundation to accept or decline the offer.

(2) EFFECT OF ACCEPTANCE.—Subject to subsection (d), if the Foundation accepts the offer of the Secretary of Defense, the Foundation shall relinquish all claims to the previously approved location for the Air Force Memorial. No other commemorative work may thereafter be established on the Arlington Naval Annex property.

(3) EFFECT OF REJECTION.—If the Foundation declines the offer of the Secretary of Defense, the Foundation may resume its efforts to construct the Air Force Memorial on the Arlington Ridge tract from the farthest point of progress. Any administrative record compiled during previous proceedings related to the siting of the memorial on the Arlington Ridge tract pursuant to Public Law 103–163 (40 U.S.C. 1003 note), shall be preserved, and all deadlines tolled, while the Foundation is considering the offer of a site for the memorial within the Arlington Naval Annex.

(d) PREPARATION FOR AND CONSTRUCTION OF AIR FORCE MEMORIAL.—

(1) PREPARATION FOR CONSTRUCTION.—Not later than two years after the date on which the Foundation accepts the offer made under subsection (b) and has available sufficient funds to construct the Air Force Memorial, the Secretary of Defense, in coordination with the Foundation, shall remove all structures and prepare the Arlington Naval Annex site for use as may be necessary to permit construction of the memorial and appropriate access.

(2) CONSTRUCTION OF MEMORIAL.—Upon the removal of structures and preparation of the property for use as required by paragraph (1), the Secretary of Defense shall permit the Foundation to commence construction of the Air Force Memorial on the Arlington Naval Annex site.

(3) RELATION TO OTHER TRANSFER AUTHORITY.—Nothing in this section alters the deadline for transfer of the Arlington Naval Annex to the Secretary of the Army and remediation of the transferred land for use as part of Arlington National Cemetery, as required by section 2881 of the Military Construction Authorization Act for Fiscal Year 2000.

(4) OVERSIGHT.—The Secretary of Defense shall have exclusive authority in all matters relating to approval of the siting and design of the Air Force Memorial on the Arlington Naval Annex site, and the siting, design, and construction of the memorial on such site shall not be subject to the requirements of the Commemorative Works Act (40 U.S.C. 1001 et seq.).

(e) ACCESS AND MANAGEMENT OF RESULTING AIR FORCE MEMORIAL.—The Secretary of the Army may enter into a cooperative agreement with the Foundation to provide for management of the Air Force Memorial constructed on the Arlington Naval Annex site and to guarantee public access to the memorial.

(f) LAND TRANSFER, ARLINGTON RIDGE TRACT.—

(1) TRANSFER REQUIRED.—Within 30 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer, without reimbursement, to the Secretary of the Army administrative jurisdiction over the Arlington Ridge tract.

(2) USE OF LAND.—The Secretary of the Army shall incorporate the Arlington Ridge tract into Arlington National Cemetery and may designate and use up to 15 acres of that portion of the tract east of the Netherlands Carillon and Marine Corps Memorial as new in-ground burial sites, for both full casket and cremated remains, for the burial of eligible individuals in Arlington National Cemetery. Burial sites shall not be developed within 50 feet of the pathway, in existence as of the date of the enactment of this Act, that connects the Netherlands Carillon and the Marine Corps Memorial or the existing roadway that circles the Marine Corps Memorial. No other structures shall be permitted on the Arlington Ridge tract.

(3) ACCESS AND MANAGEMENT OF EXISTING MEMORIALS.—The Secretary of the Army and the Secretary of the Interior shall enter into a cooperative agreement to continue National Park Service management of the Netherlands Carillon and the Marine Corps Memorial and to guarantee public access to these locations.

(g) LAND TRANSFER, SECTION 29.—

(1) TRANSFER REQUIRED.—Within 30 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer, without reimbursement, to the Secretary of the Army administrative jurisdiction over that portion of Section 29 located more than 50 feet from Sherman Drive and located between Ord and Weitzel Drive and the southern boundary of Section 29.

(2) USE OF LAND.—The Secretary of the Army shall use the transferred property only for the development of in-ground burial sites and columbarium which are designed to meet the contours of Section 29. The Secretary of the Army shall preserve the natural setting of the parcel and the mature trees on the parcel to the greatest extent practicable while providing for its efficent use as burial space.

(3) MANAGEMENT OF REMAINDER.—The Secretary of the Army and the Secretary of the Interior shall enter into a cooperative agreement to continue National Park Service management of that portion of Section 29 that is not transferred under this subsection to provide a natural setting and visual buffer for Arlington House, the Robert E. Lee Memorial.

(h) REMOVAL OF ARLINGTON NAVAL ANNEX AS POSSIBLE NATIONAL MILITARY MUSEUM SITE.—

(1) EXISTING NAVY ANNEX TRANSFER.—Section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 879) is amended—

(A) in subsection (b)—

(i) by striking ''(1) Subject to paragraph (2), the'' and inserting ''The''; and

(ii) by striking paragraph (2);

(B) by striking subsections (d), (e), and (f); and

(C) by redesignating subsections (g) and (h) as subsections (d) and (e), respectively.

(2) COMMISSION ON NATIONAL MILITARY MUSEUM.—Section 2902 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 881; 10 U.S.C. 111 note) is amended by striking subsection (d) and inserting the following new subsection:

''(d) PROHIBITION ON CONSIDERATION OF ARLINGTON NAVAL ANNEX.—The Commission may not consider any portion of the Navy Annex property described in section 2881 as a possible site for a national military museum.''.

SEC. 2863. MANAGEMENT OF THE PRESIDIO OF SAN FRANCISCO.

(a) AUTHORITY TO LEASE CERTAIN HOUSING UNITS FOR USE AS ARMY HOUSING.—Title I of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 16 U.S.C. 460bb note) is amended by adding at the end the following new section:

''SEC. 107. CONDITIONAL AUTHORITY TO LEASE CERTAIN HOUSING UNITS WITHIN THE PRESIDIO.

''(a) AVAILABILITY OF HOUSING UNITS FOR LONG-TERM ARMY LEASE.—Subject to subsection (c), the Trust shall make available for lease, to those persons designated by the Secretary of the Army and for such length of time as requested by the Secretary of the Army, 22 housing units located within the Presidio that are under the administrative jurisdiction of the Trust and specified in the agreement between the Trust and the Secretary of the Army in existence as of the date of the enactment of this section.

''(b) LEASE AMOUNT.—The monthly amount charged by the Trust for the lease of a housing unit under this section shall be equivalent to the monthly rate of the basic allowance for housing that the occupant of the housing unit is entitled to receive under section 403 of title 37, United States Code.

''(c) CONDITION ON CONTINUED AVAILABILITY OF HOUSING UNITS.—Effective after the end of the four-year period beginning on the date of the enactment of this section, the Trust shall have no obligation to make housing units available under subsection (a) unless, during that four-year period, the Secretary of the Treasury purchases new obligations of at least $80,000,000 issued by the Trust under section 104(d)(2). In the event that this condition is not satisfied, the existing agreement referred to in subsection (a) shall be renewed on the same terms and conditions for an additional two years.''.

(b) INCREASED BORROWING AUTHORITY AND TECHNICAL CORRECTIONS.—Paragraphs (2) and (3) of section 104(d) of title I of division I of the Omnibus Parks and Public Lands Management Act of 1996, as amended by section 334 of appendix C of Public Law 106–113 (113 Stat. 1501A–199) and amended and redesignated by section 101(13) of Public Law 106–176 (114 Stat. 25), are amended—

(1) in paragraph (2), by striking ''including a review of the creditworthiness of the loan and establishment of a repayment schedule,'' the second place it appears; and

(2) in paragraph (3)—

(A) by striking ''$50,000,000'' and inserting ''$150,000,000''; and

(B) by striking ''paragraph (3) of''.

SEC. 2864. EFFECT OF LIMITATION ON CONSTRUCTION OF ROADS OR HIGHWAYS, MARINE CORPS BASE, CAMP PENDLETON, CALIFORNIA.

Section 2851 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2219), as amended by section 2881 of the Spence Act (114 Stat. 1654A–438), is amended by adding at the end the following new subsection:

''(g) LIMITATION ON CONSTRUCTION OF ROADS OR HIGHWAYS.—If a State law enacted after January 1, 2001, directly or indirectly prohibits or restricts the construction or approval of a road or highway within the easement granted under this section, the State law shall not be effective with respect to such construction or approval.''.

SEC. 2865. ESTABLISHMENT OF WORLD WAR II MEMORIAL AT ADDITIONAL LOCATION ON GUAM.

Section 2886 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–441) is amended—

(1) in subsection (a), by inserting '', and on Federal lands near Yigo,'' after ''Fena Caves'';

(2) in the heading of subsection (b), by striking ''MEMORIAL'' and inserting ''MEMORIALS''; and

(3) in subsections (b) and (c), by striking ''memorial'' each place it appears and inserting ''memorials''.

SEC. 2866. ADDITIONAL EXTENSION OF DEMONSTRATION PROJECT FOR PURCHASE OF FIRE, SECURITY, POLICE, PUBLIC WORKS, AND UTILITY SERVICES FROM LOCAL GOVERNMENT AGENCIES.

Section 816(c) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2820), as added by section 2873 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2225), is amended by inserting before the period at the end the following: '', with regard to firefighting and police services, and September 30, 2003, with regard to other services described in under subsection (a)''.

SEC. 2867. CONVEYANCE OF AVIGATION EASEMENTS, FORMER NORTON AIR FORCE BASE, CALIFORNIA.

The Administrator of General Services shall convey, without consideration, to the Inland Valley Development Agency (the redevelopment authority for former Norton Air Force Base, California) two avigation easements (identified as APN 289–231–08 and APN 289–232–08) held by the United States.

SEC. 2868. REPORT ON OPTIONS TO PROMOTE ECONOMIC DEVELOPMENT IN COMMUNITY ADJACENT TO UNITED STATES MILITARY ACADEMY, NEW YORK.

(a) REPORT REQUIRED.—Not later than February 1, 2002, the Secretary of the Army shall submit to Congress a report evaluating various options by which the Secretary may

promote economic development in the Village of Highland Falls, New York, which is located adjacent to the United States Military Academy.

(b) SPECIFIC CONSIDERATION OF CERTAIN OPTIONS.—Among the options evaluated under subsection (a), the Secretary shall specifically address the following:

(1) The fee simple conveyance of real property under the jurisdiction of the Secretary in the Town of Highlands, New York, to the Village, without consideration, for the purpose of permitting the Village to use the property to promote economic development.

(2) Use by the Secretary of the authority under section 2667 of title 10, United States Code, to make non-excess real property under the jurisdiction of the Secretary available to the Village for such purpose.

TITLE XXIX—FORT IRWIN MILITARY LAND WITHDRAWAL

SEC. 2901. SHORT TITLE.

This title may be cited as the ''Fort Irwin Military Land Withdrawal Act of 2001''.

SEC. 2902. WITHDRAWAL AND RESERVATION OF LANDS FOR NATIONAL TRAINING CENTER.

(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this title, all public lands and interests in lands described in subsection (c) are hereby withdrawn from all forms of appropriation under the general land laws, including the mining laws and mineral and geothermal leasing laws, and jurisdiction over such lands and interests in lands withdrawn and reserved by this title is hereby transferred to the Secretary of the Army.

(b) RESERVATION.—The lands withdrawn under subsection (a) are reserved for use by the Secretary of the Army for the following purposes:

(1) The conduct of combined arms military training at the National Training Center.

(2) The development and testing of military equipment at the National Training Center.

(3) Other defense-related purposes consistent with the purposes specified in paragraphs (1) and (2).

(4) Conservation and related research purposes.

(c) LAND DESCRIPTION.—The public lands and interests in lands withdrawn and reserved by this section comprise approximately 110,000 acres in San Bernardino County, California, as generally depicted as ''Proposed Withdrawal Land'' on the map entitled ''National Training Center—Proposed Withdrawal of Public Lands for Training Purposes,'' dated September 21, 2000, and filed in accordance with section 2903.

(d) CHANGES IN USE.—The Secretary of the Army shall consult with the Secretary of the Interior before using the lands withdrawn and reserved by this section for any purpose other than those purposes identified in subsection (b).

(e) INDIAN TRIBES.—Nothing in this title shall be construed as altering any rights reserved for tribal use by treaty or Federal law. The Secretary of the Army shall consult with federally recognized Indian tribes in the vicinity of the lands withdrawn under subsection (a) before taking action affecting rights or cultural resources protected by treaty or Federal law.

SEC. 2903. MAP AND LEGAL DESCRIPTION.

(a) PREPARATION OF MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall—

(1) publish in the Federal Register a notice containing the legal description of the lands withdrawn and reserved by this title; and

(2) file a map and legal description of the lands withdrawn and reserved by this title with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(b) LEGAL EFFECT.—The map and legal description shall have the same force and effect as if included in this title, except that the Secretary of the Interior may correct clerical and typographical errors in the map and legal description.

(c) AVAILABILITY.—Copies of the map and the legal description shall be available for public inspection in the following offices:

(1) The offices of the California State Director, California Desert District Office, and Riverside and Barstow Field Offices of the Bureau of Land Management.

(2) The Office of the Commander, National Training Center and Fort Irwin.

(d) COSTS.—The Secretary of the Army shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in implementing this section.

SEC. 2904. MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.

(a) GENERAL MANAGEMENT AUTHORITY.—During the period of the withdrawal and reservation made by this title, the Secretary of the Army shall manage the lands withdrawn and reserved by this title for the purposes specified in section 2902.

(b) TEMPORARY PROHIBITION ON CERTAIN USE.—Military use of the lands withdrawn and reserved by this title that result in ground disturbance, as determined by the Secretary of the Army and the Secretary of the Interior, are prohibited until the Secretary of the Army and the Secretary of the Interior certify to Congress that there has been full compliance with respect to such lands with the appropriate provisions of this title, the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and other applicable laws.

(c) ACCESS RESTRICTIONS.—

(1) IN GENERAL.—If the Secretary of the Army determines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of the lands withdrawn and reserved by this title, the Secretary may take such action as the Secretary determines necessary or desirable to effect and maintain such closure.

(2) LIMITATION.—Any closure under paragraph (1) shall be limited to the minimum areas and periods that the Secretary of the Army determines are required for the purposes specified in such paragraph.

(3) NOTICE.—Immediately preceding and during any closure under paragraph (1), the Secretary of the Army shall post appropriate warning notices and take other steps, as necessary, to notify the public of the closure.

(d) INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.—The Secretary of the Army shall prepare and implement, in accordance with title I of the Sikes Act (16 U.S.C. 670 et seq.), an integrated natural resources management plan for the lands withdrawn and reserved by this title. In addition to the elements required under the Sikes Act, the integrated natural resources management plan shall include the following:

(1) A requirement that any hunting, fishing, and trapping on the lands withdrawn and reserved by this title be conducted in accordance with section 2671 of title 10, United States Code.

(2) A requirement that the Secretary of the Army take necessary actions to prevent, suppress, and manage brush and range fires occurring within the boundaries of Fort Irwin and brush and range fires occurring outside the boundaries of Fort Irwin that result from military activities at Fort Irwin.

(e) FIREFIGHTING.—Notwithstanding section 2465 of title 10, United States Code, the Secretary of the Army may obligate funds appropriated or otherwise available to the Secretary of the Army to enter into a memorandum of understanding, cooperative agreement, or contract for fire fighting services to carry out the requirements of subsection (d)(2). The Secretary of the Army shall reimburse the Secretary of the Interior for costs incurred by the Secretary of the Interior to assist in carrying out the requirements of such subsection.

(f) CONSULTATION WITH NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.—In preparing and implementing any plan, report, assessment, survey, opinion, or impact statement regarding the lands withdrawn and reserved by this title, the Secretary of the Army shall consult with the Administrator of the National Aeronautics and Space Administration whenever proposed Army actions have the potential to affect the operations or the environmental management of the Goldstone Deep Space Communications Complex. The requirement for consultation shall apply, at a minimum, to the following:

(1) Plans for military training, military equipment testing, or related activities that have the potential of impacting communications between Goldstone Deep Space Communications Complex and space flight missions or other transmission or receipt of signals from outer space by the Goldstone Deep Space Communications Complex.

(2) The integrated natural resources management plan required by subsection (d).

(3) The West Mojave Coordinated Management Plan referred to in section 2907.

(4) Any document prepared in compliance with the Endangered Species Act of 1973, the National Environmental Policy Act of 1969, and other laws applicable to the lands withdrawn and reserved by this title.

(g) USE OF MINERAL MATERIALS.—Notwithstanding any other provision of this title or the Act of July 31, 1947 (commonly known as the Materials Act of 1947, 30 U.S.C. 601 et seq.), the Secretary of the Army may use sand, gravel, or similar mineral material resources of the type subject to disposition under such Act from the lands withdrawn and reserved by this title if the use of such resources is required for construction needs of the National Training Center.

SEC. 2905. WATER RIGHTS.

(a) NO RESERVED WATER RIGHT ESTABLISHED.—Nothing in this title shall be construed—

(1) to establish a reservation in favor of the United States with respect to any water or water right on the lands withdrawn and reserved by this title; or

(2) to authorize the appropriation of water on such lands by the United States after the date of the enactment of this Act, except in accordance with applicable State law.

(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of this Act, and the Secretary of the Army may exercise any such previously acquired or reserved water rights.

SEC. 2906. ENVIRONMENTAL COMPLIANCE AND ENVIRONMENTAL RESPONSE REQUIREMENTS.

(a) AGREEMENT CONCERNING ENVIRONMENT AND PUBLIC HEALTH.—The Secretary of the Army and the Secretary of the Interior may enter into such agreements concerning the environment and public health as are necessary, appropriate, and in the public interest to carry out the purposes of this title.

(b) RELATION TO OTHER ENVIRONMENTAL LAWS.—Nothing in this section shall be construed to alter the rights, responsibilities, and obligations of the Secretary of the Army or the Secretary of the Interior under the

Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or other environmental laws applicable to the lands withdrawn and reserved by this title.

SEC. 2907. WEST MOJAVE COORDINATED MANAGEMENT PLAN.

(a) COMPLETION.—The Secretary of the Interior shall make every effort to complete the West Mojave Coordinated Management Plan not later than two years after the date of the enactment of this Act.

(b) CONSIDERATION OF WITHDRAWAL AND RESERVATION IMPACTS.—The Secretary of the Interior shall ensure that the West Mojave Coordinated Management Plan considers the impacts of the availability or nonavailability of the lands withdrawn and reserved by this title on the plan as a whole.

(c) CONSULTATION.—The Secretary of the Interior shall consult with the Secretary of the Army and the Administrator of the National Aeronautics and Space Administration in the development of the West Mojave Coordinated Management Plan.

SEC. 2908. RELEASE OF WILDERNESS STUDY AREAS.

Congress hereby finds and directs that lands withdrawn and reserved by this title have been adequately studied for wilderness designation pursuant to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), and are no longer subject to the requirement of such section pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

SEC. 2909. TRAINING ACTIVITY SEPARATION FROM UTILITY CORRIDORS.

(a) REQUIRED SEPARATION.—All military ground activity training on the lands withdrawn and reserved by this title shall remain at least 500 meters from any utility system, in existence as of the date of the enactment of this Act, in Utility Planning Corridor D, as described in the California Desert Conservation Area Plan, dated 1980 and subsequently amended.

(b) EXCEPTION.—Subsection (a) does not modify the use of any lands used, as of the date of the enactment of this Act, by the National Training Center for training or alter any right of access granted by interagency agreement.

SEC. 2910. DURATION OF WITHDRAWAL AND RESERVATION.

(a) TERMINATION DATE.—Unless extended pursuant to section 2911, unless relinquishment is postponed by the Secretary of the Interior pursuant to section 2912(b), and except as provided in section 2912(d), the withdrawal and reservation made by this title shall terminate 25 years after the date of the enactment of this Act.

(b) LIMITATION ON SUBSEQUENT AVAILABILITY FOR APPROPRIATION.—At the time of termination of the withdrawal and reservation made by this title, the previously withdrawn lands shall not be open to any forms of appropriation under the general land laws, including the mining laws and the mineral and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order that shall state the date upon which such lands shall be restored to the public domain and opened.

SEC. 2911. EXTENSION OF INITIAL WITHDRAWAL AND RESERVATION.

(a) NOTIFICATION REQUIREMENT.—Not later than three years before the termination date specified in section 2910(a), the Secretary of the Army shall notify Congress and the Secretary of the Interior concerning whether the Army will have a continuing military need, beyond the termination date, for all or any portion of the lands withdrawn and reserved by this title.

(b) PROCESS FOR EXTENSION OF WITHDRAWAL AND RESERVATION.—

(1) CONSULTATION AND APPLICATION.—If the Secretary of the Army determines that there will be a continuing military need after the termination date for any of the lands withdrawn and reserved by this title, the Secretary of the Army shall—

(A) consult with the Secretary of the Interior concerning any adjustments to be made to the extent of, or to the allocation of management responsibility for, such needed lands; and

(B) file with the Secretary of the Interior, within one year after the notice required by subsection (a), an application for extension of the withdrawal and reservation of such needed lands.

(2) APPLICATION REQUIREMENTS.—Notwithstanding any general procedure of the Department of the Interior for processing Federal land withdrawals, an application for extension of the land withdrawal and reservation made by this title shall be considered to be complete if the application includes the information required by section 3 of Public Law 85–337 (commonly known as the Engle Act; 43 U.S.C. 157), except that no information shall be required concerning the use or development of mineral, timber, or grazing resources unless, and only to the extent, the Secretary of the Army proposes to use or develop such resources during the period of extension.

(c) SUBMISSION OF PROPOSED EXTENSION TO CONGRESS.—The Secretary of the Interior and the Secretary of the Army may submit to Congress a legislative proposal for the extension of the withdrawal and reservation made by this title. The legislative proposal shall be accompanied by an appropriate analysis of environmental impacts associated with the proposal, as required by section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

SEC. 2912. TERMINATION AND RELINQUISHMENT.

(a) NOTICE OF TERMINATION.—During the first 22 years of the withdrawal and reservation made by this title, if the Secretary of the Army determines that there is no continuing military need for the lands withdrawn and reserved by this title, or any portion of such lands, the Secretary of the Army shall submit to the Secretary of the Interior a notice of intent to relinquish jurisdiction over such lands. The notice shall specify the proposed date of relinquishment.

(b) ACCEPTANCE OF JURISDICTION.—The Secretary of the Interior may accept jurisdiction over any lands covered by a notice under subsection (a) if the Secretary of the Interior determines that the Secretary of the Army has taken or will take all environmental response and restoration activities required under applicable laws and regulations.

(c) NOTICE OF ACCEPTANCE.—If the Secretary of the Interior decides to accept jurisdiction over lands covered by a notice under subsection (a) before the termination date of the withdrawal and reservation, the Secretary shall publish in the Federal Register an appropriate order that shall—

(1) terminate the withdrawal and reservation of such lands under this title;

(2) constitute official acceptance of administrative jurisdiction over the lands by the Secretary of the Interior; and

(3) state the date upon which such lands shall be opened to the operation of the general land laws, including the mining laws and the mineral and geothermal leasing laws, if appropriate.

(d) RETAINED ARMY JURISDICTION.—Notwithstanding the termination date specified in section 2910, unless and until the Secretary of the Interior accepts jurisdiction of land proposed for relinquishment pursuant to this section, such land shall remain withdrawn and reserved for the Secretary of the Army for the limited purposes of environmental response and restoration actions under section 2906 and continued land management responsibilities pursuant to the integrated natural resources management plan required under section 2904, until such environmental response and restoration activities on those lands are completed.

(e) SEVERABILITY OF FUNCTIONS.—All functions described under this section, including transfers, relinquishments, extensions, and other determinations, may be made on a parcel-by-parcel basis.

SEC. 2913. DELEGATION OF AUTHORITY.

(a) SECRETARY OF THE ARMY.—The Secretary of the Army may delegate to officials in the Department of the Army such functions as the Secretary of the Army may determine appropriate to carry out this title.

(b) SECRETARY OF THE INTERIOR.—The functions of the Secretary of the Interior under this title may be delegated, except that the order described in section 2912(c) may be approved and signed only by the Secretary of the Interior, the Deputy Secretary of the Interior, or an Assistant Secretary of the Department of the Interior.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of $6,859,895,000, to be allocated as follows:

(1) WEAPONS ACTIVITIES.—For weapons activities, $5,369,488,000, to be allocated as follows:

(A) For stewardship operation and maintenance, $4,527,192,000, to be allocated as follows:

(i) For directed stockpile work, $1,043,791,000.

(ii) For campaigns, $2,036,413,000, to be allocated as follows:

(I) For operation and maintenance, $1,653,441,000.

(II) For construction, $382,972,000, to be allocated as follows:

Project 01–D–101, distributed information systems laboratory, Sandia National Laboratories, Livermore, California, $5,400,000.

Project 00–D–103, terascale simulation facility, Lawrence Livermore National Laboratory, Livermore, California, $20,000,000.

Project 00–D–105, strategic computing complex, Los Alamos National Laboratory, Los Alamos, New Mexico, $11,070,000.

Project 00–D–107, joint computational engineering laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $5,377,000.

Project 98–D–125, tritium extraction facility, Savannah River Plant, Aiken, South Carolina, $81,125,000.

Project 98–D–126, accelerator production of tritium (APT), various locations, $15,000,000.

Project 96–D–111, national ignition facility (NIF), Lawrence Livermore National Laboratory, Livermore, California, $245,000,000.

(iii) For readiness in technical base and facilities, $1,446,988,000, to be allocated as follows:

(I) For operation and maintenance, $1,292,324,000.

(II) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and

the continuation of projects authorized in prior years, and land acquisition related thereto), $154,664,000, to be allocated as follows:

Project 02–D–101, microsystems and engineering sciences applications (MESA), Sandia National Laboratories, Albuquerque, New Mexico, $2,000,000.

Project 02–D–103, project engineering and design (PED), various locations, $9,180,000.

Project 02–D–107, electrical power systems safety communications and bus upgrades, Nevada Test Site, Nevada, $3,507,000.

Project 01–D–103, preliminary project design and engineering, various locations, $45,379,000.

Project 01–D–124, highly enriched uranium (HEU) materials storage facility, Y–12 Plant, Oak Ridge, Tennessee, $9,500,000.

Project 01–D–126, weapons evaluation test laboratory, Pantex Plant, Amarillo, Texas, $7,700,000.

Project 01–D–800, sensitive compartmented information facility, Lawrence Livermore National Laboratory, Livermore, California, $12,993,000.

Project 99–D–103, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $4,400,000.

Project 99–D–104, protection of real property (roof reconstruction, phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,800,000.

Project 99–D–106, model validation and system certification center, Sandia National Laboratories, Albuquerque, New Mexico, $4,955,000.

Project 99–D–125, replace boilers and controls, Kansas City Plant, Kansas City, Missouri, $300,000.

Project 99–D–127, stockpile management restructuring initiative, Kansas City plant, Kansas City, Missouri, $22,200,000.

Project 99–D–128, stockpile management restructuring initiative, Pantex Plant, Amarillo, Texas, $3,300,000.

Project 98–D–123, stockpile management restructuring initiative, tritium facility modernization and consolidation, Savannah River Plant, Aiken, South Carolina, $13,700,000.

Project 98–D–124, stockpile management restructuring initiative, Y–12 consolidation, Oak Ridge, Tennessee, $6,850,000.

Project 97–D–123, structural upgrades, Kansas City Plant, Kansas City, Missouri, $3,000,000.

Project 96–D–102, stockpile stewardship facilities revitalization, Phase VI, various locations, $2,900,000.

(B) For facilities and infrastructure, $50,600,000.

(C) For secure transportation asset, $121,800,000, to be allocated as follows:

(i) For operation and maintenance, $77,571,000.

(ii) For program direction, $44,229,000.

(D) For safeguards and security, $448,881,000, to be allocated as follows:

(i) For operations and maintenance, $439,281,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $9,600,000, to be allocated as follows:

Project 99–D–132, stockpile management restructuring initiative, nuclear material safeguards and security upgrades project, Los Alamos National Laboratory, Los Alamos, New Mexico, $9,600,000.

(E) For program direction, $250,000,000.

(F) The total amount authorized by this paragraph is the sum of the amounts authorized to be appropriated by subparagraphs (A) through (E), reduced by $28,985,000, to be derived from a security charge for reimbursable work.

(2) DEFENSE NUCLEAR NONPROLIFERATION.—For other nuclear security activities, $773,700,000, to be allocated as follows:

(A) For nonproliferation and verification research and development, $206,102,000, to be allocated as follows:

(i) For operation and maintenance, $170,296,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $35,806,000, to be allocated as follows:

Project 00–D–192, nonproliferation and international security center (NISC), Los Alamos National Laboratory, Los Alamos, New Mexico, $35,806,000.

(B) For arms control, $101,500,000.

(C) For international materials protection, control, and accounting, $138,800,000.

(D) For highly enriched uranium transparency implementation, $13,950,000.

(E) For international nuclear safety, $10,800,000.

(F) For fissile materials control and disposition, $293,089,000, to be allocated as follows:

(i) For United States surplus fissile materials disposition, $236,089,000, to be allocated as follows:

(I) For operation and maintenance, $130,089,000.

(II) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $106,000,000, to be allocated as follows:

Project 01–D–407, highly enriched uranium blend-down, Savannah River Site, Aiken, South Carolina, $24,000,000.

Project 99–D–141, pit disassembly and conversion facility, Savannah River Site, Aiken, South Carolina, $16,000,000.

Project 99–D–143, mixed oxide fuel fabrication facility, Savannah River Site, Aiken, South Carolina, $63,000,000.

Project 99–D–142, immobilization and associated processing facility, Savannah River Site, Aiken, South Carolina, $3,000,000.

(ii) For Russian surplus fissile materials disposition, $57,000,000, to be allocated as follows:

(I) For Russian plutonium disposition, and support and oversight in the United States, $56,000,000.

(II) For advanced reactor technology, $1,000,000.

(G) For program direction, $51,459,000.

(H) The total amount authorized by this paragraph is the sum of the amounts authorized to be appropriated by subparagraphs (A) through (G), reduced by $42,000,000, to be derived from offsets and use of prior year balances.

(3) NAVAL REACTORS.—For naval reactors, $688,045,000, to be allocated as follows:

(A) For naval reactors development, $665,445,000, to be allocated as follows:

(i) For operation and maintenance, $652,245,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $13,200,000, to be allocated as follows:

Project 01–D–200, major office replacement building, Schenectady, New York, $9,000,000.

Project 90–N–102, expended core facility dry cell project, Naval Reactors Facility, Idaho, $4,200,000.

(B) For program direction, $22,600,000.

(4) DEFENSE NUCLEAR COUNTERINTELLIGENCE.—For defense nuclear counterintelligence, $13,662,000.

(5) OFFICE OF ADMINISTRATOR FOR NUCLEAR SECURITY.—For the Office of the Administrator for Nuclear Security, for program direction, $15,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for environmental restoration and waste management activities in carrying out programs necessary for national security in the amount of $4,646,427,000, to be allocated as follows:

(1) CLOSURE PROJECTS.—For closure projects carried out in accordance with section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2836; 42 U.S.C. 7277n), $1,050,538,000.

(2) SITE/PROJECT COMPLETION.—For site completion and project completion in carrying out environmental management activities necessary for national security programs, $920,196,000, to be allocated as follows:

(A) For operation and maintenance, $872,030,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $48,166,000, to be allocated as follows:

Project 02–D–420, FB line plutonium stabilization and packaging, Savannah River Site, Aiken, South Carolina, $20,000,000.

Project 01–D–402, Intec cathodic protection system expansion, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $3,256,000.

Project 01–D–414, preliminary project, engineering and design (PE&D), various locations, $10,254,000.

Project 99–D–402, tank farm support services, F&H areas, Savannah River Site, Aiken, South Carolina, $5,040,000.

Project 99–D–404, health physics instrumentation laboratory, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $2,700,000.

Project 98–D–453, plutonium stabilization and handling system for plutonium finishing plant, Richland, Washington, $1,910,000.

Project 96–D–471, chlorofluorocarbon heating, ventilation, and air conditioning and chiller retrofit, Savannah River Site, Aiken, South Carolina, $4,244,000.

Project 86–D–103, decontamination and waste treatment facility, Lawrence Livermore National Laboratory, Livermore, California, $762,000.

(3) POST-2006 COMPLETION.—For post-2006 completion in carrying out environmental restoration and waste management activities necessary for national security programs, $3,021,201,000, to be allocated as follows:

(A) For operation and maintenance, $1,761,979,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $6,754,000, to be allocated as follows:

Project 93–D–187, high-level waste removal from filled waste tanks, Savannah River Site, Aiken, South Carolina, $6,754,000.

(C) For the Office of River Protection in carrying out environmental restoration and waste management activities necessary for national security programs, $832,468,000, to be allocated as follows:

(i) For operation and maintenance, $272,151,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $560,317,000, to be allocated as follows:

Project 01–D–416, waste treatment and immobilization plant, Richland, Washington, $520,000,000.

Project 97–D–402, tank farm restoration and safe operations, Richland, Washington, $33,473,000.

Project 94–D–407, initial tank retrieval systems, Richland, Washington, $6,844,000.

(4) SCIENCE AND TECHNOLOGY DEVELOPMENT.—For science and technology development in carrying out environmental restoration and waste management activities necessary for national security programs, $196,000,000.

(5) EXCESS FACILITIES.—For excess facilities in carrying out environmental restoration and waste management activities necessary for national security programs, $1,300,000.

(6) SAFEGUARDS AND SECURITY.—For safeguards and security in carrying out environmental restoration and waste management activities necessary for national security programs, $205,621,000.

(7) PROGRAM DIRECTION.—For program direction in carrying out environmental restoration and waste management activities necessary for national security programs, $355,761,000.

(b) ADJUSTMENT.—The total amount authorized to be appropriated by subsection (a) is the sum of the amounts authorized to be appropriated by paragraphs (1) through (7) of that subsection, reduced by $53,652,000, to be derived from offsets and use of prior year balances.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for other defense activities in carrying out programs necessary for national security in the amount of $502,099,000, to be allocated as follows:

(1) INTELLIGENCE.—For intelligence, $40,844,000.

(2) COUNTERINTELLIGENCE.—For counterintelligence, $32,727,000.

(3) SECURITY AND EMERGENCY OPERATIONS.—For security and emergency operations, $269,250,000, to be allocated as follows:

(A) For nuclear safeguards and security, $121,188,000.

(B) For security investigations, $44,927,000.

(C) For corporate management information programs, $20,000,000.

(D) For program direction, $83,135,000.

(4) INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE.—For independent oversight and performance assurance, $14,904,000.

(5) ENVIRONMENT, SAFETY, AND HEALTH.—For the Office of Environment, Safety, and Health, $105,293,000, to be allocated as follows:

(A) For environment, safety, and health (defense), $84,500,000.

(B) For program direction, $20,793,000.

(6) WORKER AND COMMUNITY TRANSITION ASSISTANCE.—For worker and community transition assistance, $21,900,000, to be allocated as follows:

(A) For worker and community transition, $19,000,000.

(B) For program direction, $2,900,000.

(7) OFFICE OF HEARINGS AND APPEALS.—For the Office of Hearings and Appeals, $2,893,000.

(8) NATIONAL SECURITY PROGRAMS ADMINISTRATIVE SUPPORT.—For national security programs administrative support, $25,000,000.

(b) ADJUSTMENT.—The amount authorized to be appropriated pursuant to subsection (a) is the total of the amounts authorized to be appropriated by paragraphs (1) through (8) of that subsection, reduced by $10,712,000, of which $10,000,000 is to reflect an offset provided by use of prior year balances and $712,000 is to reflect an offset provided by user organizations for security investigations.

SEC. 3104. DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $126,208,000, to be allocated as follows:

Project 98–PVT–2, spent nuclear fuel dry storage, Idaho Falls, Idaho, $49,332,000.

Project 97–PVT–2, advanced mixed waste treatment project Idaho Falls, Idaho, $40,000,000.

Project 97–PVT–3, transuranic waste treatment, Oak Ridge, Tennessee, $10,826,000.

Project 98–PVT–5, environmental management/waste management disposal, Oak Ridge, Tennessee, $26,050,000.

SEC. 3105. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of $310,000,000.

SEC. 3106. INCREASED AMOUNT FOR NONPROLIFERATION AND VERIFICATION.

(a) NATIONAL NUCLEAR SECURITY ADMINISTRATION.—The amounts provided in section 3101 for activities of the National Nuclear Security Administration, and in paragraph (2) of that section for defense nuclear nonproliferation, are each hereby increased by $10,000,000, for operation and maintenance for nonproliferation and verification research and development (and the amounts provided in subparagraph (A) of such paragraph (2) and in clause (i) of such subparagraph are each hereby increased by such amount).

(b) OFFSET.—The amount provided in section 301(5) is hereby reduced by $10,000,000, to be derived from amounts for consulting services.

Subtitle B—Recurring General Provisions

SEC. 3121. REPROGRAMMING.

(a) IN GENERAL.—Until the Secretary of Energy submits to the congressional defense committees the report referred to in subsection (b) and a period of 30 days has elapsed after the date on which such committees receive the report, the Secretary may not use amounts appropriated pursuant to this title for any program—

(1) in amounts that exceed, in a fiscal year, the amount authorized for that program by this title; or

(2) which has not been presented to, or requested of, Congress.

(b) REPORT.—(1) The report referred to in subsection (a) is a report containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of the proposed action.

(2) In the computation of the 30-day period under subsection (a), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(c) LIMITATIONS.—(1) In no event may the total amount of funds obligated pursuant to this title exceed the total amount authorized to be appropriated by this title.

(2) Funds appropriated pursuant to this title may not be used for an item for which Congress has specifically denied funds.

SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.

(a) IN GENERAL.—The Secretary of Energy may carry out any construction project under the general plant projects authorized by this title if the total estimated cost of the construction project does not exceed $5,000,000.

(b) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the project is revised because of unforeseen cost variations and the revised cost of the project exceeds $5,000,000, the Secretary shall immediately furnish a report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.

(a) IN GENERAL.—(1) Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred in connection with the project above the total estimated cost, whenever the current estimated cost of the construction project, authorized by 3101, 3102, or 3103, or which is in support of national security programs of the Department of Energy and was authorized by any previous Act, exceeds by more than 25 percent the higher of—

(A) the amount authorized for the project; or

(B) the amount of the total estimated cost for the project as shown in the most recent budget justification data submitted to Congress.

(2) An action described in paragraph (1) may be taken if—

(A) the Secretary of Energy has submitted to the congressional defense committees a report on the actions and the circumstances making such action necessary; and

(B) a period of 30 days has elapsed after the date on which the report is received by the committees.

(3) In the computation of the 30-day period under paragraph (2), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(b) EXCEPTION.—Subsection (a) does not apply to a construction project with a current estimated cost of less than $5,000,000.

SEC. 3124. FUND TRANSFER AUTHORITY.

(a) TRANSFER TO OTHER FEDERAL AGENCIES.—The Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title to other Federal agencies for the performance of work for which the funds were authorized. Funds so transferred may be merged with and be available for the same purposes and for the same time period as the authorizations of the Federal agency to which the amounts are transferred.

(b) TRANSFER WITHIN DEPARTMENT OF ENERGY.—(1) Subject to paragraph (2), the Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title between any such authorizations. Amounts of authorizations so transferred may be merged with and be available for the same purposes and for the same period as the authorization to which the amounts are transferred.

(2) Not more than 5 percent of any such authorization may be transferred between authorizations under paragraph (1). No such authorization may be increased or decreased by more than 5 percent by a transfer under such paragraph.

(c) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may be used only to provide funds for items relating to activities necessary for national security programs that have a higher priority than the items from which the funds are transferred; and

(2) may not be used to provide funds for an item for which Congress has specifically denied funds.

(d) NOTICE TO CONGRESS.—The Secretary of Energy shall promptly notify the Commit-

tees on Armed Services of the Senate and House of Representatives of any transfer of funds to or from authorizations under this title.

SEC. 3125. AUTHORITY FOR CONCEPTUAL AND CONSTRUCTION DESIGN.

(a) REQUIREMENT OF CONCEPTUAL DESIGN.—(1) Subject to paragraph (2) and except as provided in paragraph (3), before submitting to Congress a request for funds for a construction project that is in support of a national security program of the Department of Energy, the Secretary of Energy shall complete a conceptual design for that project.

(2) If the estimated cost of completing a conceptual design for a construction project exceeds $3,000,000, the Secretary shall submit to Congress a request for funds for the conceptual design before submitting a request for funds for the construction project.

(3) The requirement in paragraph (1) does not apply to a request for funds—

(A) for a construction project the total estimated cost of which is less than $5,000,000; or

(B) for emergency planning, design, and construction activities under section 3126.

(b) AUTHORITY FOR CONSTRUCTION DESIGN.—(1) Within the amounts authorized by this title, the Secretary of Energy may carry out construction design (including architectural and engineering services) in connection with any proposed construction project if the total estimated cost for such design does not exceed $600,000.

(2) If the total estimated cost for construction design in connection with any construction project exceeds $600,000, funds for that design must be specifically authorized by law.

SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DESIGN, AND CONSTRUCTION ACTIVITIES.

(a) AUTHORITY.—The Secretary of Energy may use any funds available to the Department of Energy pursuant to an authorization in this title, including funds authorized to be appropriated for advance planning and construction design under sections 3101, 3102, and 3103, to perform planning, design, and construction activities for any Department of Energy national security program construction project that, as determined by the Secretary, must proceed expeditiously in order to protect public health and safety, to meet the needs of national defense, or to protect property.

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) in the case of any construction project until the Secretary has submitted to the congressional defense committees a report on the activities that the Secretary intends to carry out under this section and the circumstances making those activities necessary.

(c) SPECIFIC AUTHORITY.—The requirement of section 3125(b)(2) does not apply to emergency planning, design, and construction activities conducted under this section.

SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

Subject to the provisions of appropriation Acts and section 3121, amounts appropriated pursuant to this title for management and support activities and for general plant projects are available for use, when necessary, in connection with all national security programs of the Department of Energy.

SEC. 3128. AVAILABILITY OF FUNDS.

(a) IN GENERAL.—Except as provided in subsection (b), when so specified in an appropriations Act, amounts appropriated for operation and maintenance or for plant projects may remain available until expended.

(b) EXCEPTION FOR PROGRAM DIRECTION FUNDS.—Amounts appropriated for program direction pursuant to an authorization of appropriations in subtitle A shall remain available to be expended only until the end of fiscal year 2003.

SEC. 3129. TRANSFERS OF DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS AT FIELD OFFICES OF THE DEPARTMENT OF ENERGY.

(a) TRANSFER AUTHORITY FOR DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.—The Secretary of Energy shall provide the manager of each field office of the Department of Energy with the authority to transfer defense environmental management funds from a program or project under the jurisdiction of the office to another such program or project.

(b) LIMITATIONS.—(1) Only one transfer may be made to or from any program or project under subsection (a) in a fiscal year.

(2) The amount transferred to or from a program or project under subsection (a) may not exceed $5,000,000 in a fiscal year.

(3) A transfer may not be carried out by a manager of a field office under subsection (a) unless the manager determines that the transfer is necessary to address a risk to health, safety, or the environment or to assure the most efficient use of defense environmental management funds at the field office.

(4) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

(c) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—The requirements of section 3121 shall not apply to transfers of funds pursuant to subsection (a).

(d) NOTIFICATION.—The Secretary, acting through the Assistant Secretary of Energy for Environmental Management, shall notify Congress of any transfer of funds pursuant to subsection (a) not later than 30 days after such transfer occurs.

(e) DEFINITIONS.—In this section:

(1) The term ''program or project'' means, with respect to a field office of the Department of Energy, any of the following:

(A) A program referred to or a project listed in paragraph (2) or (3) of section 3102.

(B) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department, that is being carried out by the office, and for which defense environmental management funds have been authorized and appropriated before the date of the enactment of this Act.

(2) The term ''defense environmental management funds'' means funds appropriated to the Department of Energy pursuant to an authorization for carrying out environmental restoration and waste management activities necessary for national security programs.

(f) DURATION OF AUTHORITY.—The managers of the field offices of the Department may exercise the authority provided under subsection (a) during fiscal year 2002.

SEC. 3130. TRANSFERS OF WEAPONS ACTIVITIES FUNDS AT NATIONAL SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES.

(a) TRANSFER AUTHORITY.—The Secretary of Energy, acting through the Administrator for Nuclear Security, shall provide the head of each national security laboratory and nuclear weapons production facility with the authority to transfer weapons activities funds from a program under the jurisdiction of such laboratory or facility to another such program.

(b) LIMITATIONS.—(1) The amount transferred under subsection (a) by a laboratory or facility in a fiscal year may not exceed the lesser of—

(A) $5,000,000; and

(B) 10 percent of the total weapons activities funds available to that laboratory or facility in that fiscal year for programs under the jurisdiction of such laboratory or facility.

(2) A transfer may not be carried out under subsection (a) unless the head of the laboratory or facility determines that the transfer will result in cost savings and efficiencies.

(3) A transfer may not be carried out under subsection (a) to cover a cost overrun or scheduling delay for any program.

(4) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied, limited, or increased funds or for a new program that has not been authorized by Congress.

(c) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—The requirements of section 3121 shall not apply to transfers of funds pursuant to subsection (a).

(d) NOTIFICATION.—The Secretary, acting through the Administrator for Nuclear Security, shall notify Congress of any transfer of funds pursuant to subsection (a) not later than 30 days after such transfer occurs.

(e) DEFINITIONS.—In this section:

(1) The term ''program'' means, with respect to a national security laboratory or nuclear weapons production facility, any of the following:

(A) A program referred to or listed in paragraph (1) of section 3101.

(B) A program not described in subparagraph (A) that is for weapons production or weapons component production of the National Nuclear Security Administration that is being carried out by the laboratory or facility, and for which weapons activities funds have been authorized and appropriated before the date of the enactment of this Act.

(2) The term ''weapons activities funds'' means funds appropriated to the Department of Energy pursuant to an authorization for weapons activities of the National Nuclear Security Administration in carrying out programs necessary for national security.

(3) The terms ''national security laboratory'' and ''nuclear weapons production facility'' have the meanings given such terms in section 3281 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 968; 50 U.S.C. 2471).

(f) DURATION OF AUTHORITY.—The heads of the national security laboratories and nuclear weapons production facilities may exercise the authority provided under subsection (a) during fiscal year 2002.

Subtitle C—Program Authorizations, Restrictions, and Limitations

SEC. 3131. TERMINATION DATE OF OFFICE OF RIVER PROTECTION, RICHLAND, WASHINGTON.

Subsection (f) of section 3139 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2250), as amended by section 3141 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–462), is amended to read as follows:

''(f) TERMINATION.—(1) The Office shall terminate on the later to occur of the following dates:

''(A) September 30, 2010.

''(B) The date on which the Assistant Secretary of Energy for Environmental Management determines, in consultation with the head of the Office, that continuation of the Office is no longer necessary to carry out the responsibilities of the Department of Energy under the Tri-Party Agreement.

''(2) The Assistant Secretary shall notify, in writing, the committees referred to in

subsection (d) of a determination under paragraph (1).

''(3) In this subsection, the term 'Tri-Party Agreement' means the Hanford Federal Facility Agreement and Consent Order entered into among the Department of Energy, the Environmental Protection Agency, and the State of Washington Department of Ecology.''.

SEC. 3132. ORGANIZATIONAL MODIFICATIONS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) ESTABLISHMENT OF PRINCIPAL DEPUTY ADMINISTRATOR.—(1) Subtitle A of the National Nuclear Security Administration Act is amended by inserting after section 3213 (50 U.S.C. 2403) the following new section:

''SEC. 3213A. PRINCIPAL DEPUTY ADMINISTRATOR.

''(a) IN GENERAL.—(1) There is in the Administration a Principal Deputy Administrator, who is appointed by the President, by and with the advice and consent of the Senate.

''(2) The Principal Deputy Administrator shall be appointed from among persons who—

''(A) have extensive background in national security, organizational management, and appropriate technical fields; and

''(B) are well qualified to manage the nuclear weapons, nonproliferation, and materials disposition programs of the Administration in a manner that advances and protects the national security of the United States.

''(b) DUTIES.—Subject to the authority, direction, and control of the Administrator, the Principal Deputy Administrator shall perform such duties and exercise such powers as the Administrator may prescribe, including the coordination of activities among the elements of the Administration. The Principal Deputy Administrator shall act for, and exercise the powers of, the Administrator when the Administrator is disabled or the position of Administrator is vacant.''.

(2) The table of contents preceding section 3201 of such Act is amended by inserting after the item relating to section 3213 the following new item:

''Sec. 3213A. Principal Deputy Administrator.''.

(3) Section 5315 of title 5, United States Code, is amended—

(A) by inserting before the item relating to Deputy Administrators of the National Nuclear Security Administration the following new item:

''Principal Deputy Administrator, National Nuclear Security Administration.''; and

(B) by inserting ''Additional'' before ''Deputy Administrators of the National Nuclear Security Administration''.

(b) ELIMINATION OF REQUIREMENT THAT NATIONAL SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES REPORT TO DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS.—Section 3214 of the National Nuclear Security Administration Act (50 U.S.C. 2404) is amended by striking subsection (c).

(c) REPEAL OF DUPLICATIVE PROVISION.—Section 3245 of the National Nuclear Security Administration Act (50 U.S.C. 2443) is repealed.

SEC. 3133. CONSOLIDATION OF NUCLEAR CITIES INITIATIVE PROGRAM WITH INITIATIVES FOR PROLIFERATION PREVENTION PROGRAM.

The Administrator for Nuclear Security shall consolidate the Nuclear Cities Initiative program with the Initiatives for Proliferation Prevention program under a single management line. The consolidation shall be completely accomplished not later than July 1, 2002.

SEC. 3134. DISPOSITION OF SURPLUS DEFENSE PLUTONIUM AT SAVANNAH RIVER SITE, AIKEN, SOUTH CAROLINA.

(a) CONSULTATION REQUIRED.—The Secretary of Energy shall consult with the Governor of the State of South Carolina regarding any decisions or plans of the Secretary related to the disposition of surplus defense plutonium located at the Savannah River Site, Aiken, South Carolina, including the plan required by subsection (b).

(b) PLAN FOR DISPOSITION.—Not later than February 1, 2002, the Secretary shall submit to Congress a plan for disposal of the surplus defense plutonium currently located at the Savannah River Site and for disposal of defense plutonium and defense plutonium materials to be shipped to the Savannah River Site in the future. The plan shall review each option considered for such disposal, identify the preferred option, and state the cost of construction and operation of the facilities required by the Department of Energy's Record of Decision for the Storage and Disposition of Weapons-Usable Fissile Materials Final Programmatic Environmental Impact Statement dated January 14, 1997. The plan shall also specify a schedule for the expeditious construction of such facilities, including milestones, and a firm schedule for funding the cost of such facilities. The plan shall specify, in addition, the means by which all such plutonium will be removed in a timely manner from the Savannah River Site for storage or disposal elsewhere.

(c) REQUIREMENT FOR ALTERNATIVE DISPOSITION.—If the Secretary determines that proceeding with construction of the Plutonium Immobilization Plant at the Savannah River Site is not feasible, the Department shall modify the design of the Mixed Oxide Fuel Fabrication facility at the Savannah River Site so that it includes an immobilization capability. If the Secretary determines that proceeding with the Mixed Oxide Fuel Fabrication facility is not feasible, the Department shall proceed with construction of the Plutonium Immobilization Plant.

(d) LIMITATION ON PLUTONIUM SHIPMENTS.—If the plan required in subsection (b) is not submitted to Congress by February 1, 2002, the Secretary shall be prohibited from shipping defense plutonium or defense plutonium materials to the Savannah River Site during the period beginning on February 1, 2002, and ending on the date on which such plan is submitted to Congress.

SEC. 3135. SUPPORT FOR PUBLIC EDUCATION IN THE VICINITY OF LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

(a) SUPPORT FOR FISCAL 2002.—From amounts appropriated or otherwise made available to the Secretary of Energy by this title—

(1) $5,000,000 shall be available for payment by the Secretary for fiscal year 2002 to the not-for-profit Los Alamos National Laboratory Foundation, as chartered in accordance with section 3167(a) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2052); and

(2) $8,000,000 shall be available for extension of the contract between the Department of Energy and the Los Alamos Public Schools through fiscal year 2002.

(b) SUPPORT FOR FISCAL 2003.—Subject to the availability of appropriations, the Secretary is authorized to—

(1) make payment for fiscal year 2003 similar to the payment referred to in subsection (a)(1); and

(2) provide for a contract extension through fiscal 2003 similar to the contract extension referred to in subsection (a)(2).

(c) USE OF FUNDS.—The foundation referred to in subsection (a)(1) shall—

(1) utilize funds provided under this section as a contribution to the endowment fund for the foundation; and

(2) use the income generated from investments in the endowment fund that are attributable to payments made under this section to fund programs to support the educational needs of children in public schools in the vicinity of Los Alamos National Laboratory.

(d) REPORT.—Not later than March 1, 2002, the Secretary shall submit to the congressional defense committees a report setting forth the following:

(1) An evaluation of the requirements for continued payments beyond fiscal year 2003 into the endowment fund of the foundation referred to in subsection (a) to enable the foundation to meet the goals of the Department to support the recruitment and retention of staff at the Los Alamos National Laboratory.

(2) The Secretary's recommendations for any further support beyond fiscal year 2003 directly to the Los Alamos Public Schools.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2002, $18,500,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

SEC. 3301. DEFINITIONS.

In this title:

(1) The term ''National Defense Stockpile'' means the stockpile provided for in section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c).

(2) The term ''National Defense Stockpile Transaction Fund'' means the fund established under section 9(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(a)).

(3) The term ''Market Impact Committee'' means the Market Impact Committee appointed under section 10(c) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–1(c)).

SEC. 3302. AUTHORIZED USES OF STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2002, the National Defense Stockpile Manager may obligate up to $65,200,000 of the funds in the National Defense Stockpile Transaction Fund for the authorized uses of such funds under section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(b)(2)), including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3303. DISPOSAL OF OBSOLETE AND EXCESS MATERIALS CONTAINED IN NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL AUTHORIZED.—Subject to subsection (b), the President may dispose of certain materials contained in the National Defense Stockpile that are obsolete or excess to stockpile requirements, in the quantities specified in the following table:

Authorized Stockpile Disposals

Material for disposal	Quantity
Bauxite, Refractory	40,000 short tons
Chromium Metal	3,512 short tons
Iridium	25,140 troy ounces
Jewel Bearings	30,273,221 pieces
Manganese, Ferro HC	209,074 short tons
Palladium	11 troy ounces
Quartz Crystal	216,648 pounds
Tantalum Metal Ingot	120,228 pounds of contained Tantalum
Tantalum Metal Powder	36,020 pounds of contained Tantalum
Thorium Nitrate	600,000 pounds

(b) CONSULTATION WITH MARKET IMPACT COMMITTEE.—In disposing of materials under subsection (a), the President shall consult with the Market Impact Committee to ensure that the disposal of the materials does not disrupt the usual markets of producers, processors, and consumers of the materials.

(c) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding the materials specified in the table in such subsection.

SEC. 3304. EXPEDITED IMPLEMENTATION OF AUTHORITY TO DISPOSE OF COBALT FROM NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL AUTHORIZED DURING FISCAL YEAR 2002.—Subsection (a)(1) of section 3305 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 50 U.S.C. 98d note) is amended by striking ''fiscal year 2003'' and inserting ''the two-fiscal year period ending September 30, 2003''.

(b) LIMITATIONS ON DISPOSAL AUTHORITY.—Subsection (b)(1) of such section is amended by adding at the end the following new sentence: ''The total quantity of cobalt disposed of under such subsection during fiscal year 2002 may not exceed 700,000 pounds.''.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $17,371,000 for fiscal year 2002 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2002.

Funds are hereby authorized to be appropriated for fiscal year 2002, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for the Maritime Administration as follows:

(1) For expenses necessary for operations and training activities, $89,054,000.

(2) For expenses under the loan guarantee program authorized by title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.), $103,978,000, of which—

(A) $100,000,000 is for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $3,978,000 is for administrative expenses related to loan guarantee commitments under the program.

(3) For expenses to dispose of obsolete vessels in the National Defense Reserve Fleet, $10,000,000.

SEC. 3502. DEFINE "WAR RISKS" TO VESSELS TO INCLUDE CONFISCATION, EXPROPRIATION, NATIONALIZATION, AND DEPRIVATION OF THE VESSELS.

Section 1201(c) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1281(c)) is amended to read as follows:

''(c) The term 'war risks' includes to such extent as the Secretary may determine—

''(1) all or any part of any loss that is excluded from marine insurance coverage under a 'free of capture or seizure' clause, or under analogous clauses; and

''(2) other losses from hostile acts, including confiscation, expropriation, nationalization, or deprivation.''.

SEC. 3503. HOLDING OBLIGOR'S CASH AS COLLATERAL UNDER TITLE XI OF MERCHANT MARINE ACT, 1936.

Title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.) is amended by inserting after section 1108 the following:

''SEC. 1109. DEPOSIT FUND.

''(a) ESTABLISHMENT OF DEPOSIT FUND.—There is established in the Treasury a deposit fund for purposes of this section. The Secretary may, in accordance with an agreement under subsection (b), deposit into and hold in the deposit fund cash belonging to an obligor to serve as collateral for a guarantee under this title made with respect to the obligor.

''(b) AGREEMENT.—

''(1) IN GENERAL.—The Secretary and an obligor shall enter into a reserve fund or other collateral account agreement to govern the deposit, withdrawal, retention, use, and reinvestment of cash of the obligor held in the deposit fund established by subsection (a).

''(2) TERMS.—The agreement shall contain such terms and conditions as are required under this section and such additional terms as are considered by the Secretary to be necessary to protect fully the interests of the United States.

''(3) SECURITY INTEREST OF UNITED STATES.—The agreement shall include terms that grant to the United States a security interest in all amounts deposited into the deposit fund.

''(c) INVESTMENT.—The Secretary may invest and reinvest any part of the amounts in the deposit fund established by subsection (a) in obligations of the United States with such maturities as ensure that amounts in the deposit fund will be available as required for purposes of agreements under subsection (b). Cash balances of the deposit fund in excess of current requirements shall be maintained in a form of uninvested funds and the Secretary of the Treasury shall pay interest on these funds.

''(d) WITHDRAWALS.—

''(1) IN GENERAL.—The cash deposited into the deposit fund established by subsection (a) may not be withdrawn without the consent of the Secretary.

''(2) USE OF INCOME.—Subject to paragraph (3), the Secretary may pay any income earned on cash of an obligor deposited into the deposit fund in accordance with the terms of the agreement with the obligor under subsection (b).

''(3) RETENTION AGAINST DEFAULT.—The Secretary may retain and offset any or all of the cash of an obligor in the deposit fund, and any income realized thereon, as part of the Secretary's recovery against the obligor in case of a default by the obligor on an obligation.''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BONIOR moved to recommit the bill to the Committee on Armed Services with instructions to report the bill back to the House forthwith with the following amendments:

Strike section 331.

At the end of title III, insert the text of subtitle G of title III (Service Contracting Reform) of the bill, as reported (page 71, line 12, through page 81, line 15).

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the nays had it.

Mr. HOYER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative { Yeas ..... 197 / Nays ..... 221 }

¶98.29 [Roll No. 358]

AYES—197

Ackerman	Boyd	Davis (IL)
Allen	Brady (PA)	DeFazio
Andrews	Brown (FL)	DeGette
Baca	Brown (OH)	Delahunt
Baird	Capps	DeLauro
Baldacci	Capuano	Deutsch
Baldwin	Cardin	Dicks
Barcia	Carson (IN)	Dingell
Barrett	Carson (OK)	Doggett
Becerra	Clay	Doyle
Bentsen	Clayton	Edwards
Berkley	Clement	Eshoo
Berman	Clyburn	Etheridge
Berry	Condit	Evans
Bishop	Conyers	Farr
Blagojevich	Costello	Fattah
Blumenauer	Coyne	Filner
Bonior	Crowley	Ford
Borski	Cummings	Frank
Boswell	Davis (CA)	Frost
Boucher	Davis (FL)	Gephardt

Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Turner
Udall (CO)
Udall (NM)
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—221

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

NOT VOTING—12

Engel
McInnis
Meeks (NY)
Nadler
Peterson (MN)
Peterson (PA)
Rush
Serrano
Towns
Velazquez
Visclosky
Watson (CA)

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. STUMP demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 398 / Nays 17

¶98.30 [Roll No. 359]

AYES—398

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

NOES—17

Blumenauer
Conyers
Eshoo
Filner
Frank
Jackson (IL)
Lee
McDermott
McKinney
Miller, George
Olver
Owens
Paul
Schakowsky
Stark
Tierney
Woolsey

NOT VOTING—15

Berman
Cubin
Engel
Gallegly
McInnis
Meeks (NY)
Nadler
Peterson (MN)
Peterson (PA)

Rush	Towns	Visclosky
Serrano	Velazquez	Watson (CA)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

By unanimous consent, the title was amended so as to read: ''An Act to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.''.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶98.31 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. STUMP, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

¶98.32 ADJOURNMENT OVER

On motion of Mr. KENNEDY of Minnesota, by unanimous consent,

Ordered, That when the House adjourns on Wednesday, September 26, 2001, it adjourn to meet on Friday, September 28, 2001, at 10 o'clock a.m.

¶98.33 HOUR OF MEETING

On motion of Mr. KENNEDY of Minnesota, by unanimous consent,

Ordered, That when the House adjourns on Friday, September 28, 2001, it adjourn to meet at 12:30 p.m. on Tuesday, October 2, 2001 for ''morning-hour debate''.

¶98.34 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. KENNEDY of Minnesota, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 3, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶98.35 ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2603. An Act to implement the agreement establishing a United States-Jordan free trade area.

H.J. Res. 65. Joint resolution making continuing appropriations for the fiscal year 2002, and for other purposes.

¶98.36 BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 25, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 2603. To implement the agreement establishing a United States-Jordan free trade area.

¶98.37 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. WATSON, for today.

And then,

¶98.38 ADJOURNMENT

On motion of Mr. TANCREDO, at 10 o'clock and 22 minutes p.m., the House adjourned.

¶98.39 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BAKER:

H.R. 2948. A bill to direct the Administrator of the Federal Aviation Administration to provide for random deployment of Federal air marshals on certain commercial air passenger flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FARR of California (for himself, Mr. SHAYS, Mr. HALL of Ohio, Mr. WALSH, Mr. HONDA, and Mr. PETRI):

H.R. 2949. A bill authorizing the President of the United States, on behalf of the Congress, to present a gold medal to Sargent Shriver; to the Committee on Financial Services.

By Mr. YOUNG of Alaska (for himself and Mr. QUINN):

H.R. 2950. A bill to provide for the financing of high-speed rail infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GANSKE (for himself, Mr. ANDREWS, Mr. LEACH, Mr. DINGELL, Mr. GRAHAM, Mr. SHAYS, Mr. NORWOOD, Mr. SMITH of New Jersey, and Mr. TOM DAVIS of Virginia):

H.R. 2951. A bill to improve aviation security, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CUBIN:

H.R. 2952. A bill to ensure the orderly development of coal, coalbed methane, natural gas, and oil within a designated Dispute Resolution Area in the Powder River Basin, Wyoming, and for other purposes; to the Committee on Resources.

By Mr. HORN:

H.R. 2953. A bill to amend title XVIII of the Social Security Act to make the social health maintenance organization a permanent option under the MedicareChoice program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCKINNEY:

H.R. 2954. A bill to prohibit the importation into the United States of colombo tantalite from certain countries involved in the conflict in the Democratic Republic of the Congo, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEPHARDT (for himself, Mr. HASTINGS of Florida, Mr. BONIOR, Mr. LARSEN of Washington, Mr. DINGELL, Mr. GEORGE MILLER of California, Mr. RANGEL, Mr. BACA, Mr. BAIRD, Mr. BARCIA, Mr. BARRETT, Ms. BERKLEY, Mr. BISHOP, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mr. CLEMENT, Mr. COYNE, Mr. CROWLEY, Mr. DELAHUNT, Ms. DELAURO, Mr. DOYLE, Mr. FARR of California, Mr. GONZALEZ, Mr. HILLIARD, Mr. HINCHEY, Mr. HOEFFEL, Mr. HOLDEN, Mr. HOLT, Mr. HONDA, Mr. INSLEE, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Rhode Island, Mrs. MALONEY of New York, Mr. MARKEY, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Ms. MILLENDER-MCDONALD, Mr. NADLER, Mrs. NAPOLITANO, Mr. OBERSTAR, Mr. OBEY, Mr. PAYNE, Mr. RAHALL, Mr. REYES, Ms. ROYBAL-ALLARD, Mr. SANDERS, Ms. SOLIS, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Mr. UNDERWOOD, and Ms. WOOLSEY):

H.R. 2955. A bill to provide assistance for employees who are separated from employment as a result of reductions in service by air carriers, and closures of airports, caused by terrorist actions or security measures; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPITO:

H.R. 2956. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to accept contributions for the Pentagon Reservation Maintenance Revolving Fund to be used to repair the damage caused by the terrorist attack on the Pentagon that occurred on September 11, 2001; to the Committee on Armed Services.

By Mr. CASTLE:

H.R. 2957. A bill to amend title 49, United States Code, to direct the Administrator of the Federal Aviation Administration to implement a criminal background check program for pilot and flight service training applicants, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CUNNINGHAM:

H.R. 2958. A bill to improve passenger airline safety and security; to the Committee on Transportation and Infrastructure.

By Ms. HOOLEY of Oregon:

H.R. 2959. A bill to authorize former Federal employees who receive voluntary separation incentive payments under the Department of Agriculture program to accept subsequent employment with the Federal Government, without loss of their payments, when such employment is directly related to fighting forest fires; to the Committee on Government Reform, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Mr. BARTLETT of Maryland, Mrs. JO ANN DAVIS of Virginia, Mr. DOOLITTLE, Mr. GRAHAM, Mr. DEMINT, Mr. SAXTON, Mr. CANTOR, Mr. WOLF, Mr. OTTER, Mr. BURTON of Indiana, Mr. BARR of Georgia, Mr. HALL of Texas, Mr. TAYLOR of Mississippi, Mr. BASS, Mrs. CUBIN, Mr. POMBO, Mr. WALDEN of Oregon, Mr. SHIMKUS, Mrs. EMERSON, Mrs. MYRICK, Mr. GALLEGLY, Mr. CRENSHAW, Mr. HANSEN, Mr. WELDON of Pennsylvania, Mr. HAYES, Mr. SCHROCK, Mr. CHAMBLISS, Mr.

GRAVES, Mr. PENCE, Mr. NORWOOD, Mr. CHABOT, Mr. AKIN, Mr. HAYWORTH, Mr. COBLE, and Mr. ROYCE):

H.R. 2960. A bill to require inspection of all cargo on commercial trucks and vessels entering the United States; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Ms. HOOLEY of Oregon, Ms. LEE, Mr. GONZALEZ, Mr. HINOJOSA, Mr. ROSS, Mr. RANGEL, Mr. BONIOR, Mrs. MEEK of Florida, Mr. FERGUSON, Mr. JONES of North Carolina, and Mrs. MORELLA):

H.R. 2961. A bill to authorize the Administrator of the Small Business Administration to make loans under section 7(b)(2) of the Small Business Act to small business concerns and certain other business concerns that suffered substantial economic injury as a result of the terrorist attacks on the United States that occurred on September 11, 2001; to the Committee on Small Business.

By Mr. MCCRERY:

H.R. 2962. A bill to reduce employer taxes and simplify tax filing, to reform the administrative funding of the unemployment compensation and employment service programs, and for other purposes; to the Committee on Ways and Means.

By Mr. MCINNIS:

H.R. 2963. A bill to establish the Deep Creek Wilderness Area, and for other purposes; to the Committee on Resources.

By Mr. PICKERING:

H.R. 2964. A bill to provide clarification regarding the market name for the fish Pangasius bocourti and compliance with section 403 of the Federal Food, Drug, and Cosmetic Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHAYS (for himself and Mr. HALL of Ohio):

H.R. 2965. A bill to amend the Immigration and Nationality Act to provide for the exchange of information by electronic means between the Federal Bureau of Investigation and other Federal agencies; to the Committee on the Judiciary.

By Ms. SOLIS (for herself, Mr. GONZALEZ, Mr. MENENDEZ, Mr. GUTIERREZ, Mr. BACA, Mr. BECERRA, Ms. VELAZQUEZ, Mr. RODRIGUEZ, Mrs. NAPOLITANO, Mr. HINOJOSA, Ms. ROYBAL-ALLARD, Mr. SERRANO, Mr. PASTOR, Mr. REYES, Mr. FROST, Mr. FILNER, Mr. WYNN, and Ms. MCKINNEY):

H.R. 2966. A bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement to determine appropriate methods for their preservation and interpretation; to the Committee on Resources.

By Mrs. THURMAN:

H.R. 2967. A bill to provide duty-free treatment for certain foodstuffs originating in NAFTA countries; to the Committee on Ways and Means.

By Mr. TIAHRT (for himself, Ms. DUNN, Mr. SERRANO, Ms. HART, and Mrs. CHRISTENSEN):

H.R. 2968. A bill to amend the Internal Revenue Code of 1986 to allow expanded penalty-free withdrawals from certain retirement plans during periods of unemployment for any employee of an air carrier or of a manufacturer of aircraft or parts or components of aircraft; to the Committee on Ways and Means.

By Ms. WATERS (for herself, Ms. ESHOO, Mr. SAWYER, Mr. HOYER, Mr. FORD, Mr. MCGOVERN, Ms. LOFGREN, Mr. TRAFICANT, Mr. MARKEY, Ms. PELOSI, Mr. MORAN of Virginia, Mr. LANGEVIN, Mr. DEFAZIO, Mr. TURNER, Mr. KUCINICH, Mr. HOLT, Mrs. MALONEY of New York, Mr. REYES, Mr. PASTOR, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. LAMPSON, Mr. GONZALEZ, Mr. CLEMENT, Mr. RODRIGUEZ, Mr. CLAY, Ms. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. FATTAH, Mr. BALDACCI, Mr. HOLDEN, Mr. CUMMINGS, Mr. DELAHUNT, Mr. SANDLIN, Mr. FARR of California, Mr. MATSUI, Mr. CLYBURN, Mr. JACKSON of Illinois, Mr. WATT of North Carolina, Mr. WYNN, Ms. WOOLSEY, Mrs. MEEK of Florida, Mr. PAYNE, Ms. BROWN of Florida, Mr. OWENS, Ms. JACKSON-LEE of Texas, and Mrs. CLAYTON):

H.R. 2969. A bill to amend the Internal Revenue Code of 1986 to restore a partial deduction for personal interest and thereby to encourage economic recovery and to avoid the need to borrow against home equity; to the Committee on Ways and Means.

By Mr. WELLER (for himself and Mr. CROWLEY):

H.R. 2970. A bill to amend the Internal Revenue Code of 1986 to allow businesses to expense qualified security devices; to the Committee on Ways and Means.

¶98.40 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. ENGEL introduced a bill (H.R. 2971) for the relief of Inna Hecker Grade; which was referred to the Committee on the Judiciary.

¶98.41 ADDITIONAL SPONSORS

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

H.R. 17: Mrs. NAPOLITANO.
H.R. 123: Mr. CALVERT.
H.R. 134: Mr. MANZULLO.
H.R. 189: Mr. CALVERT and Mr. CULBERSON.
H.R. 208: Mr. MANZULLO.
H.R. 257: Mr. CAMP.
H.R. 265: Mrs. NAPOLITANO.
H.R. 270: Mr. TANCREDO.
H.R. 281: Mr. PASCRELL.
H.R. 311: Mr. KERNS.
H.R. 320: Mr. MANZULLO.
H.R. 368: Mr. TANCREDO.
H.R. 370: Mr. TANCREDO.
H.R. 442: Mr. MANZULLO and Ms. MCCOLLUM.
H.R. 488: Ms. HOOLEY of Oregon.
H.R. 506: Mr. FROST.
H.R. 534: Mr. STRICKLAND and Mr. STUMP.
H.R. 544: Mrs. NAPOLITANO and Ms. DELAURO.
H.R. 590: Mrs. NAPOLITANO.
H.R. 604: Mr. HINCHEY and Mr. SCHIFF.
H.R. 655: Mrs. NAPOLITANO.
H.R. 781: Mr. BOYD.
H.R. 840: Ms. SCHAKOWSKY, Mr. KELLER, Mr. QUINN, Mr. BENTSEN, and Ms. BALDWIN.
H.R. 848: Ms. MCCARTHY of Missouri.
H.R. 898: Mr. LUCAS of Kentucky and Mr. WAXMAN.
H.R. 919: Mrs. MINK of Hawaii.
H.R. 936: Mr. MANZULLO and Mr. ROTHMAN.
H.R. 959: Ms. WATERS.
H.R. 968: Mr. HERGER.
H.R. 1086: Mrs. NAPOLITANO.
H.R. 1092: Mr. OLVER.
H.R. 1125: Mr. OWENS.
H.R. 1143: Mr. BECERRA, Ms. JACKSON-LEE of Texas, and Ms. RIVERS.
H.R. 1191: Ms. DELAURO and Mrs. NAPOLITANO.
H.R. 1194: Ms. VELÁZQUEZ.
H.R. 1198: Mr. GOODLATTE, Ms. KAPTUR, Mr. FORD, Mr. BENTSEN, and Mr. MILLER of Florida.
H.R. 1343: Mr. LOBIONDO, Mr. DAVIS of Florida, Mr. CLEMENT, and Mrs. BONO.
H.R. 1401: Mrs. CHRISTENSEN.
H.R. 1440: Ms. ROS-LEHTINEN.
H.R. 1450: Mr. SHAW.
H.R. 1487: Mr. KNOLLENBERG.
H.R. 1509: Mr. LAHOOD.
H.R. 1522: Ms. BROWN of Florida.
H.R. 1582: Mr. DAVIS of Illinois and Mrs. NAPOLITANO.
H.R. 1594: Mr. STUPAK.
H.R. 1609: Mr. WELDON of Pennsylvania and Mr. GEKAS.
H.R. 1613: Mrs. CLAYTON.
H.R. 1624: Mr. BARTON of Texas, Mr. KELLER, Mr. MATHESON, and Mr. GOODLATTE.
H.R. 1645: Mr. CARSON of Oklahoma and Ms. LOFGREN.
H.R. 1693: Mrs. NAPOLITANO.
H.R. 1700: Mr. GEKAS.
H.R. 1744: Mr. CUMMINGS and Mr. BLAGOJEVICH.
H.R. 1764: Mr. REYNOLDS, Ms. MCCOLLUM, and Mr. ENGLISH.
H.R. 1841: Mr. LATOURETTE, Mr. PETERSON of Minnesota, Mr. UNDERWOOD, Mr. MORAN of Virginia, Mr. EHRLICH, Mr. WALSH, Mr. DEUTSCH, Mr. EVANS, Mr. BAIRD, and Mr. TERRY.
H.R. 1851: Mrs. NAPOLITANO.
H.R. 1890: Mr. ARMEY, Mr. NORWOOD, Mr. BALLENGER, Mr. CANNON, and Mr. DEMINT.
H.R. 1897: Mr. KUCINICH.
H.R. 1911: Mr. PICKERING.
H.R. 1918: Ms. HART, Mrs. MORELLA, Mr. KING, Mr. CROWLEY, Ms. LOFGREN, Mr. MATHESON, Mr. WEXLER, Mr. HINOJOSA, Mr. REYES, Mr. BACA, Mr. GEORGE MILLER of California, Mr. FARR of California, Mr. FILNER, Ms. WATERS, Ms. SOLIS, Mr. RUSH, Mr. ANDREWS, Mr. PASCRELL, Mr. OWENS, Mr. RODRIGUEZ, Mr. RANGEL, Mrs. NAPOLITANO, Mr. FRANK, Mr. ENGEL, and Mr. GONZALEZ.
H.R. 1964: Mrs. MINK of Hawaii, Ms. WOOLSEY, and Mr. FARR of California.
H.R. 1975: Mr. REHBERG.
H.R. 1979: Mr. STENHOLM.
H.R. 1990: Mrs. NAPOLITANO.
H.R. 1992: Mr. BURTON of Indiana, Mr. PAUL, Ms. HART, Mr. PLATTS, and Mr. PETRI.
H.R. 2008: Mr. BONIOR and Mr. ROSS.
H.R. 2097: Mr. ENGEL Mr. KENNEDY of Rhode Island, and Mr. UDALL of New Mexico.
H.R. 2117: Ms. DELAURO, Mr. PALLONE, and Mr. WAMP.
H.R. 2123: Mr. PICKERING.
H.R. 2181: Mr. SHERMAN, Mr. CONYERS, and Mr. SANDLIN.
H.R. 2208: Mr. HINCHEY.
H.R. 2219: Ms. HART.
H.R. 2220: Mr. MORAN of Kansas, Mr. KUCINICH, Mr. WOLF, Mr. LAHOOD, Mr. STUPAK, and Mr. GILCHREST.
H.R. 2235: Mr. SOUDER, Mr. SHOWS, and Mr. SCHAFFER.
H.R. 2269: Mr. CANNON, Mr. KELLER, Mr. BASS, Mr. JONES of North Carolina, and Mr. BURR of North Carolina.
H.R. 2293: Mr. VITTER and Mr. OTTER.
H.R. 2348: Mr. KUCINICH and Mr. ABERCROMBIE.
H.R. 2352: Mr. STUPAK.
H.R. 2354: Mr. CAMP and Ms. HOOLEY of Oregon.
H.R. 2357: Mr. TOOMEY, Mr. FLETCHER, Mr. TAYLOR of North Carolina, Mr. MANZULLO, Mr. YOUNG of Alaska, Mr. SHADEGG, and Mr. DOOLITTLE.
H.R. 2362: Mr. WALSH and Ms. MCKINNEY.
H.R. 2410: Mr. TANCREDO.
H.R. 2418: Mr. NORWOOD.
H.R. 2423: Mr. LEACH, Mr. LAHOOD, Mr. REHBERG, Mr. SHIMKUS, Mr. POMEROY, Mr. LATHAM, and Mr. NUSSLE.
H.R. 2457: Mr. PAUL, Mrs. JO ANN DAVIS of Virginia, Mr. FORBES, Mr. NORWOOD, Mr. SCHAFFER, Mr. BONILLA, Mr. HAYES, and Mr. WALDEN of Oregon.
H.R. 2485: Mr. SESSIONS and Mr. WAMP.
H.R. 2546: Mr. GRAVES and Mr. KIRK.
H.R. 2561: Mr. HERGER.
H.R. 2623: Mr. BACA and Mr. STUPAK.

H.R. 2636: Ms. DELAURO.
H.R. 2663: Mr. LANTOS.
H.R. 2667: Mr. PICKERING.
H.R. 2675: Mr. STUPAK and Ms. MCCOLLUM.
H.R. 2690: Mr. WATT of North Carolina.
H.R. 2692: Mr. DOYLE and Ms. ROS-LEHTINEN.
H.R. 2709: Mr. GREENWOOD.
H.R. 2725: Ms. CARSON of Indiana, Mrs. CUBIN, Ms. DEGETTE, Mr. SWEENEY, Mrs. JOHNSON of Connecticut, Mrs. MINK of Hawaii, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FRELINGHUYSEN, Ms. BALDWIN, Ms. KILPATRICK, Mrs. MEEK of Florida, Mrs. NAPOLITANO, Mrs. NORTHUP, Ms. SANCHEZ, Ms. WATERS, Mrs. WILSON, Mr. HOBSON, Mr. BOEHLERT, Mr. ENGEL, Ms. RIVERS, Mr. HOUGHTON, Mr. ISRAEL, Mr. QUINN, Mr. BACHUS, Mr. LAHOOD, Mr. OSE, and Mr. HONDA.
H.R. 2740: Mrs. JONES of Ohio, Mr. GREENWOOD, Mr. WAXMAN, Mr. GOODLATTE, and Mr. DOYLE.
H.R. 2787: Mrs. NAPOLITANO.
H.R. 2794: Mr. PRICE of North Carolina and Mr. CUNNINGHAM.
H.R. 2800: Mr. SCHAFFER.
H.R. 2809: Mr. PAUL and Mr. CUMMINGS.
H.R. 2820: Mr. GREEN of Texas, Mr. MCGOVERN,, Mr. WEINER, Mr. SANDERS, Mr. FOLEY, Mr. GOODE, Mr. GILLMOR, Mr. BRADY of Pennsylvania, Mr. WEXLER, Mr. OWENS, and Ms. MCKINNEY.
H.R. 2839: Ms. MCKINNEY, Ms. CARSON of Indiana, Mr. FILNER, Mr. MCGOVERN, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINCHEY, Mr. EVANS, and Ms. ROYBAL-ALLARD.
H.R. 2846: Mr. LAHOOD.
H.R. 2887: Mr. FRANK.
H.R. 2894: Mr. OSBORNE and Mr. CALVERT.
H.R. 2895: Mr. GONZALES, Mr. BARRETT, Mr. HOEFFEL, Mr. BLUMENAUER, and Mr. MOORE.
H.R. 2896: Mr. CULBERSON and Mr. HALL of Texas.
H.R. 2897: Mr. BACA, Mr. ACEVEDO-VILA, Mr. TOWNS, Mr. PASTOR, and Mr. ORTIZ.
H.R. 2899: Mr. KING.
H.R. 2900: Mr. FROST and Mr. WALSH.
H.R. 2902: Mr. MORAN of Virginia and Mrs. NAPOLITANO.
H.R. 2906: Mr. GREENWOOD.
H.R. 2907: Mr. HORN, Mr. BERMAN, Mr. BARTON of Texas, Mr. COMBEST, Mr. MALONEY of Connecticut, Mr. RUSH, Mr. NADLER, Mr. BOUCHER, Mr. JACKSON of Illinois, Mr. POMEROY, Mr. LANGEVIN, Mr. RODRIGUEZ, Mr. RANGEL, Mr. MOORE, Mr. PAYNE, Mr. DOOLEY of California, Mr. NORWOOD, Mr. BALDACCI, and Mrs. MEEK of Florida.
H.R. 2908: Ms. HOOLEY of Oregon.
H.R. 2932: Mrs. THURMAN, Mr. HOEFFEL, Mr. GREENWOOD, Mr. GREENWOOD, Mr. BARTLETT of Maryland, Mr. STEARNS, Mr. CASTLE, Mr. TOM DAVIS of Virginia, and Mr. GRAHAM.
H.R. 2940: Mr. HASTINGS of Florida, Mrs. NAPOLITANO, Ms. BALDWIN, Mrs. CAPPS, Ms. KAPTUR, Mrs. JONES of Ohio, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mrs. MORELLA, Ms. MILLENDER-MCDONALD, Mrs. BIGGERT, Ms. MCCARTHY of Missouri, and Mrs. MEEK of Florida.
H.R. 2946: Mr. FARR of California, Ms. HOOLEY of Oregon, Mr. DICKS, Mrs. MCCARTHY of New York, Mr. CLYBURN, Mr. RODRIGUEZ, Mr. WEXLER, Mr. JEFFERSON, Mr. ROSS, Mrs. MEEK of Florida, Ms. SCHAKOWSKY, Mr. BISHOP, Mr. WATT of North Carolina, Mr. CROWLEY, Mr. WYNN, Mr. PHELPS, Mr. LUCAS of Kentucky, Mrs. MALONEY of New York, Mr. GREEN of Texas, Ms. RIVERS, Mr. COSTELLO, Mrs. EMERSON, Mr. REYES, Mrs. CLAYTON, Ms. DUNN, Ms. MCCOLLUM, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Washington, Mr. FORD, Mr. MOORE, Mr. GONZALEZ, Ms. DEGETTE, Mr. BOUCHER, Mr. PALLONE, Mr. OBERSTAR, Mr. EVANS, Mr. SIMMONS, Mrs. JONES of Ohio, Mr. MCDERMOTT, Ms. BROWN of Florida, Mr. LAFALCE, Mr. TRAFFICANT, Mr. LATOURETTE, Mr. TOM DAVIS of Virginia, Mr. ENGEL, Mr. DEUTSCH, and Mr. UNDERWOOD.
H. Con. Res. 102: Mr. PASTOR.
H. Con. Res. 104: Mr. DEUTSCH, Mrs. MALONEY of New York, Mr. UNDERWOOD, and Mr. SCHROCK.
H. Con. Res. 182: Mr. FROST, Mr. OWENS, Mr. KLECZKA, and Ms. NORTON.
H. Con. Res. 184: Mr. SESSIONS, Mr. WELDON of Florida, Mr. BRYANT, Mr. TIBERI, Mr. SAM JOHNSON of Texas, Mr. HYDE, Mr. CALLAHAN, and Mr. HERGER.
H. Con. Res. 188: Mr. SCHAFFER.
H. Con. Res. 199: Mrs. MINK of Hawaii.
H. Con. Res. 202: Mr. SAXTON, Mr. OWENS, and Mr. DOYLE.
H. Con. Res. 232: Mr. COBLE, Mr. JONES of North Carolina, Mr. BERMAN, Mrs. MINK of Hawaii, Mrs. TAUSCHER, Mr. JOHNSON of Illinois, Mr. EVERETT, Mr. STENHOLM, Mr. PUTNAM, Mrs. MORELLA, Mr. CASTLE, Mr. TERRY, Mr. WHITFIELD, Mr. GILLMOR, and Mr. HORN.
H. Con. Res. 233: Mr. TURNER, Mr. KIRK, Mr. LANTOS, Mr. MANZULLO, and Mr. OTTER.
H. Con. Res. 234: Ms. HART, Mr. SANDERS, Mr. MURTHA, Mr. DINGELL, and Mr. NEY.
H. Res. 50: Mr. OWENS.
H. Res. 52: Mrs. MYRICK and Mr. FALEOMAVAEGA.
H. Res. 133: Mr. PETERSON of Minnesota, Mr. COSTELLO, and Ms. LEE.
H. Res. 198: Ms. CARSON of Indiana.
H. Res. 226: Ms. PRYCE of Ohio and Mr. WYNN.

WEDNESDAY, SEPTEMBER 26, 2001 (99)

¶99.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. KOLBE, who laid before the House the following communication:

WASHINGTON, DC,
September 26, 2001.

I hereby appoint the Honorable JIM KOLBE to act as Speaker pro tempore on this day.

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

¶99.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. KOLBE, announced he had examined and approved the Journal of the proceedings of Tuesday, September 25, 2001.

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

¶99.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3876. A communication from the President of the United States, transmitting a report on United States military personnel and United States civilians retained as contractors in Colombia in support of Plan Colombia; to the Committee on Armed Services.

3877. A letter from the Director, Department of Defense, Defense Security Cooperation Agency, transmitting the listing of all outstanding Letters of Offer to sell any major defense equipment for $1 million or more; the listing of all Letters of Offer that were accepted, as of June 30, 2001, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

3878. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Presque Isle Bay, Erie, Pennsylvania [CGD09–01–084] (RIN: 2115–AA97) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3879. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Menominee Waterfront Festival 2001, Menominee, Michigan [CGD09–01–054] (RIN: 2115–AA97) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3880. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Japanese Fisheries High School Training Vessel EHIME MARU Relocation and Crew Member Recovery, Pacific Ocean, South Shores of the Island of Oahu, HI [COTP Honolulu 01–051] (RIN: 2115–AA97) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3881. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2000–NM–383–AD; Amendment 39–12357; AD 2001–15–22] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3882. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model Hawker 800XP Series Airplanes and Model Hawker 800 (U–125A Military) Airplanes [Docket No. 2000–NM–274–AD; Amendment 39–12360; AD 2001–15–25] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3883. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAe Systems (Operations) Limited Model Avro 146–RJ Series Airplanes [Docket No. 2000–NM–211–AD; Amendment 39–12363; AD 2001–15–28] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3884. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAe Systems (Operations) Limited Model BAe 146 and Avro 146–RJ Series Airplanes [Docket No. 2001–NM–06–AD; Amendment 39–12358; AD 2001–15–23] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3885. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4; A310; and A300 B4–600, B4–600R, and F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2000–NM–412–AD; Amendment 39–12356; AD 2001–15–21] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3886. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes Equipped with Pratt & Whitney Canada Model PW127B Engines [Docket No. 2001–NM–127–AD; Amendment 39–12372; AD 2001–16–04] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3887. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30257; Amdt. No. 2059] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3888. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100, –200B, –200F, –200C, –100B, –300, –100B SUD, –400, –400D, –400F, and 747SR Series Airplanes [Docket No. 2000–NM–314–AD; Amendment 39–12370; AD 2001–16–02] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3889. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30258; Amdt. No. 2060] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3890. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAE Systems (Operations) Limited Model Avro 146–RJ Series Airplanes [Docket No. 2000–NM–371–AD; Amendment 39–12365; AD 2001–15–30] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3891. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30261; Amdt. No. 430] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3892. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30259; Amdt. No. 2061] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3893. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E airspace, Salmon, ID [Airspace Docket No. 00–ANM–29] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3894. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30260; Amdt. No. 2062] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3895. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D and Class E2 Airspace; Augusta, GA [Airspace Docket No. 01–ASO–7] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3896. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace, Seneca Falls, NY [Airspace Docket No. 01–AEA–18FR] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3897. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D and Class E2 and E4 Airspace; Gainesville, FL [Airspace Docket No. 01–ASO–6] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3898. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Vernal, UT [Airspace Docket No. 00–ANM–18] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3899. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, Las Vegas, NV [Airspace Docket No. 01–AWP–16] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3900. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace, Jamestown, NY [Airspace Docket No. 01–AEA–09FR] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3901. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Patuxent River, Solomons, Maryland [CGD05–01–029] (RIN: 2115–AE46) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3902. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, Kingman, AZ [Airspace Docket No. 01–AWP–17] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3903. A letter from the Chief, Ragulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Great Lakes Pilotage Rates [USCG 1999–6098] (RIN: 2115–AF91) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3904. A letter from the Chief, Regulations and Adminitrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Exemption of Public Vessels Equipped with Electronic Charting and Navigation Systems from Paper Chart Requirements [USCG–2000–8300] (RIN: 2115–AG03) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3905. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace at Van Nuys Airport; Van Nuys, CA [Airspace Docket No. 01–AWP–12] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3906. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil [USCG–1998–3417] (RIN: 2115–AF60) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3907. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Clinton, AR [Airspace Docket No. 2001–ASW–11] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3908. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Kane, PA [Airspace Docket No. 01–AEA–06FR] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3909. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Greensburg, PA [Airspace Docket No. 01–AEA–02FR] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3910. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification to Phoenix-Goodyear Municipal Airport Class D Surface Area; Phoenix, AZ [Airspace Docket No. 01–AWP–11] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3911. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification to Glendale Municipal Airport Class D Surface Area; Glendale, AZ [Airspace Docket No. 01–AWP–8] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3912. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification to Phoenix-Deer Valley Municipal Airport Class D Surface Area; Phoenix, AZ [Airspace Docket No. 01–AWP–10] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3913. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification to Chandler Municipal Airport Class D Surface Area; Chandler, AZ [Airspace Docket No. 01–AWP–3] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3914. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000–NM–331–AD; Amendment 39–12337; AD 2001–15–03] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3915. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100 and –200 Series Airplanes Modified by Supplemental Type Certificate SA8622SW [Docket No. 2000–NM–240–AD; Amendment 39–12322; AD 2001–14–11] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3916. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–300 Series Airplanes Modified by Supplemental Type Certificate ST00118SE [Docket No. 2000–NM–236–AD; Amendment 39–12314; AD 2001–14–04] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3917. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Air-

worthiness Directives; Boeing Model 727, 737, 757–200, 757–200CB, and 757–300 Series Airplanes [Docket No. 2000–NM–159–AD; Amendment 39–12335; AD 2001–15–01] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

And then,

¶99.4 ADJOURNMENT

On motion of Mr. KOLBE, at 10 o'clock and 05 minutes a.m., the House adjourned until 10 o'clock a.m., Friday, September, 28, 2001.

¶99.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOSS: Permanent Select Committee on Intelligence. H.R. 2883. A bill to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; with an amendment (Rept. No. 107–219). Referred to the Committee of the Whole House on the State of the Union.

¶99.6 ADDITIONAL SPONSORS

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

H.R. 148: Mr. ACKERMAN.
H.R. 1164: Mr. UDALL of Colorado.
H.R. 1218: Ms. LEE.
H.R. 1295: Mr. PAYNE.
H.R. 1488: Mr. LAHOOD.

FRIDAY, SEPTEMBER 28, 2001 (100)

¶100.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PETRI, who laid before the House the following communication:

WASHINGTON, DC,
September 28, 2001.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

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

¶100.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PETRI, announced he had examined and approved the Journal of the proceedings of Wednesday, September 26, 2001.

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

¶100.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3918. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 01–26), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3919. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of Defense proposed Letter(s) of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 01–AY), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3920. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100 and –200 Series Airplanes [Docket No. 2000–NM–346–AD; Amendment 39–12333; AD 2001–14–22] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3921. A letter from the Attorney-Advisor, Maritime Administration, Department of Transportation, transmitting the Department's final rule—Eligibility of U.S.-Flag Vessels of 100 Feet or Greater in Registered Length to Obtain a Fishery Endorsement to the Vessel's Documentation [Docket No. MARAD–01] (RIN: 2133–AB45) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3922. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–300 Series Airplanes [Docket No. 2000–NM–268–AD; Amendment 39–12258; AD 2001–12–03] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3923. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42–200, –300, –320, and –500 Series Airplanes; and Model ATR72 Series Airplanes [Docket No. 2000–NM–203–AD; Amendment 39–12343; AD 2001–15–09] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3924. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200, –300, –300F, and –400ER Series Airplanes Equipped with General Electric Model CF6–80C2 Series Engines [Docket No. 2001–NM–137–AD; Amendment 39–12371; AD 2001–16–03] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3925. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100, 747–200, 747–300, and 747SR Series Airplanes Powered by General Electric CF6–45/50 and Pratt & Whitney JT9D–70 Series Engines [Docket No. 2001–NM–118–AD; Amendment 39–12260; AD 2001–12–05] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3926. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42–200, –300, –320 Series Airplanes [Docket No. 2001–NM–08–AD; Amendment 39–12341; AD 2001–15–07] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3927. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Powered by Pratt & Whitney JT9D–7 Series Engines [Docket No. 2000–NM–271–AD; Amendment 39–12349; AD 2001–15–15] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3928. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR72–101, –201, –102, –202, –211, and –212 Series Airplanes [Docket No. 2001–NM–38–AD; Amendment 39–12334; AD 2001–14–23] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3929. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42–200, –300, –320, and –500 Series Airplanes, and Model ATR72 Series Airplanes [Docket No. 2000–NM–336–AD; Amendment 39–12332; AD 2001–14–21] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3930. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42–200, –300, –320, –500 and ATR72 Series Airplanes [Docket No. 2000–NM–380–AD; Amendment 39–12339; AD 2001–15–05] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3931. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rockwell Collins, Inc. CTL–92 Transponder Control Panels [Docket No. 2001–CE–22–AD; Amendment 39–12352; AD 2001–15–17] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3932. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 2000–NM–309–AD; Amendment 39–12330; AD 2001–14–19] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3933. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200, –300, and –300F Series Airplanes [Docket No. 98–NM–226–AD; Amendment 39–12342; AD 2001–15–08] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3934. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Aviation Aircraft Equipped With Certain UPS Aviation Technologies, Inc., Model Apollo SL30 Very-High-Frequency Navigation/Communication (VHF NAV/COMM) Radios [Docket No. 2001–NM–225–AD; Amendment 39–12351; AD 2001–14–51] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3935. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Powered By Pratt & Whitney JT9D–3 and –7 Series Engines [Docket No. 2000–NM–330–AD; Amendment 39–12336; AD 2001–15–02] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3936. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule—Airworthiness Directives; Airbus Model A330 Series Airplanes [Docket No. 2000–NM–200–AD; Amendment 39–12208; AD 2001–09–03] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3937. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Learjet Model 23, 24, 25, 28, 29, 31, 35, 36, and 55 Series Airplanes [Docket No. 2001–NM–76–AD; Amendment 39–12177; AD 2001–07–11] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3938. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes [Docket No. 2000–NM–230–AD; Amendment 39–12348; AD 2001–15–14] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3939. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330–301, –321, –322, –341 and –342 Series Airplanes and Airbus Model A340 Series Airplanes [Docket No. 2001–NM–195–AD; Amendment 39–12364; AD 2001–15–29] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3940. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330–301, –321, –322, –341, and –342 Series Airplanes, and Model A340 Series Airplanes [Docket No. 2001–NM–136–AD; Amendment 39–12369; AD 2001–16–01] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3941. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Turbomeca S.A. Artouste II and Artouste III Series Turboshaft Engines [Docket No. 2000–NE–15–AD; Amendment 39–12275; AD 2001–12–19] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3942. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company (GE) CF6–50 Turbofan Engines [Docket No. 2000–NE–30–AD; Amendment 39–12276; AD 2001–12–20] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3943. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–300 Series Airplanes [Docket No. 2000–NM–386–AD; Amendment 39–12259; AD 2001–12–04] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3944. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Learjet Model 55 Series Airplanes and Model 60 Airplanes [Docket No. 2000–NM–128–AD; Amendment 39–12257; AD 2001–12–02] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3945. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft, Inc. Models PA–46–310P, PA–46–350P, and PA–46–500TP Airplanes [Docket No. 2001–CE–23–AD; Amendment 39–12256; AD 2001–12–01] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3946. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica, S.A. (EMBRAER) Model EMB–135 and –145 Series Airplanes [Docket No. 2001–NM–122–AD; Amendment 39–12227; AD 2001–10–02] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3947. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Britax Sell Gmbh & Co. OHG Water Boilers, Coffee Makers, and Beverage Makers [Docket No. 2000–NE–58–AD; Amendment 39–12239; AD 2001–10–13] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3948. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt and Whitney PW4000 Series Turbofan Engines [Docket No. 2000–NE–47–AD; Amendment 39–12346; AD 2001–15–12] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3949. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and –145 Series Airplanes [Docket No. 2001–NM–116–AD; Amendment 39–12241; AD 2001–10–15] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3950. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries, Ltd., Model Astra SPX Series Airplanes [Docket No. 2001–NM–235–AD; Amendment 39–12361; AD 2001–15–26] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3951. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes [Docket No. 2001–NM–141–AD; Amendment 39–12367; AD 2001–15–32] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3952. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–311 and –315 Series Airplanes [Docket No. 2000–NM–340–AD; Amendment 39–12366; AD 2001–15–31] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3953. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAe Systems (Operations) Limited Model BAe 146 and Model Avro 146–RJ Series Airplanes [Docket No. 2000–NM–179–AD; Amendment 39–12368; AD 2001–15–33] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3954. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Digital Flight Data Recorder Resolution Requirements [Docket No. FAA–2001–10428; SFAR No. 89] (RIN: 2120–AH46) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3955. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2, A300 B4, A310, A319, A320, A321, A330, and A340 Series Airplanes; and Model A300 B4–600, A300 B4–600R, and A300 F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2000–NM–267–AD; Amendment 39–12344; AD 2001–15–10] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3956. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2; A300 B4; A300 B4–600, B4–600R, and F4–600R (Collectively Called A300–600); A310; A319; A320; A321; A330; and A340 Series Airplanes [Docket No. 2001–NM–72–AD; Amendment 39–12345; AD 2001–15–11] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3957. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2000–NM–421–AD; Amendment 39–12350; AD 2001–15–16] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3958. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2000–NM–415–AD; Amendment 39–12340; AD 2001–15–06] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3959. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 Series Airplanes [Docket No. 99–NM–234–AD; Amendment 39–12347; AD 2001–15–13] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3960. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–90–30 Series Airplanes [Docket No. 2001–NM–86–AD; Amendment 39–12237; AD 2001–10–11] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3961. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Emergency Medical Equipment; Correction [Docket No. FAA–2000–7119; Amendment No. 121–281 and 135–80] (RIN: 2120–AG89) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3962. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–81, –82, –83, and –87 Series Airplanes, and Model MD–88 Airplanes [Docket No. 2001–NM–85–AD; Amendment 39–12236; AD 2001–10–10] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3963. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–32 Series Airplanes Modified Per Supplemental Type Certificate SA4371NM [Docket No. 2000–NM–207–AD; Amendment 39–12242; AD 2001–11–01] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3964. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10 and –30 Series Airplanes [Docket No. 2001–NM–102–AD; Amendment 39–12309; AD 2001–13–27] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3965. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–10, –15, –30, and –40 Series Airplanes, and Model MD–10–10F and –30F Series Airplanes [Docket No. 2000–NM–148–AD; Amendment 39–12308; AD 2001–13–26] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3966. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42–200, –300, –320 Series Airplanes [Docket No. 98–NM–139–AD; Amendment 39–12188; AD 2001–08–11] (RIN: 2120–AA64) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3967. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30263; Amdt. No. 2064] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶100.4 MESSAGE FROM THE SENATE

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

H.R. 2904. An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2904) ''An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mrs. FEINSTEIN, Mr. INOUYE, Mr. JOHNSON, Ms. LANDRIEU, Mr. REID, Mr. BYRD, Mrs. HUTCHISON, Mr. BURNS, Mr. CRAIG, Mr. DEWINE, and Mr. STEVENS, to be the conferees on the part of the Senate.

¶100.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PETRI, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 26, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 26, 2001 at 10:10 a.m.

That the Senate passed without amendment H.R. 1583.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶100.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PETRI, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 26, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 26, 2001 at 5:20 p.m.

That the Senate passed without amendment H.R. 1860.

That the Senate agreed to House amendments to Senate Amendment H.R. 2510.

That the Senate passed without amendment H. Con. Res. 227.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶100.7 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. PETRI, laid before the House the following communication from Mr. George R. Canty, Counselor to the Chairman, Committee on Education and the Workforce:

COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES,
Washington, DC, September 25, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for testimony issued by the Superior Court for the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

GEORGE R. CANTY,
Counselor to the Chairman.

¶100.8 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. PETRI, laid before the House the following communication from Ms. Dianna J. Ruskowsky, Financial Administrator, Committee on Education and the Workforce:

COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES,
Washington, DC, September 25, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for testimony issued by the Superior Court for the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DIANNA J. RUSKOWSKY,
Financial Administrator.

¶100.9 JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 27, 2001 he presented to the President of the United States, for his approval, the following bills.

H.J. Res. 65. Making continuing appropriations for the fiscal year 2002, and for other purposes.

And then,

¶100.10 ADJOURNMENT

The SPEAKER pro tempore, Mr. PETRI, by unanimous consent and pursuant to the special order agreed to on Tuesday, September 25, 2001, at 10 o'clock and 6 minutes a.m., declared the House adjourned until 12:30 p.m. on Tuesday, October 2, 2001.

¶100.11 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 107. A bill to require that the Secretary of the Interior conduct a study to identify sites and resources, to recommend alternatives for commemorating and interpreting the Cold War, and for other purposes; with an amendment (Rept. No. 107–220). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1161. A bill to authorize the American Friends of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia; with amendments (Rept. No. 107–221). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R.1384. A bill to amend the National Trails System Act to designate the Navajo Long Walk to Bosque Redondo as a national historic trail; with amendments (Rept. No. 107–222). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1456. A bill to expand the boundary of the Booker T. Washington National Monument, and for other purposes (Rept. No. 107–223). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1814. A bill to amend the National Trails System Act to designate the Metacomet-Monadnock-Sunapee-Mattabesett Trail extending through western New Hampshire, western Massachusetts, and central Connecticut for study for potential addition to the National Trails System; with amendments (Rept. No. 107–224). Referred to the Committee of the Whole House on the State of the Union.

¶100.12 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1007. Referral to the Committee on Government Reform extended for a period ending not later than October 5, 2001.

¶100.13 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. OTTER (for himself and Mr. SIMPSON) introduced a bill (H.R. 2972) to designate the Federal building and United States courthouse located at 550 West Fort Street in Boise, Idaho, as the ''James A. McClure Federal Building and United States Courthouse''; which was referred to the Committee on Transportation and Infrastructure.

¶100.14 ADDITIONAL SPONSORS

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

H.R. 19: Mr. TERRY.
H.R. 168: Mr. MANZULLO.
H.R. 397: Ms. LOFGREN, Mr. TRAFICANT, Mr. FERGUSON, Mr. MATHESON, Mrs. CAPPS, Mr. JONES of North Carolina, and Mr. KILDEE.
H.R. 525: Mr. TAYLOR of Mississippi and Mr. BEREUTER.
H.R. 527: Mr. BARTLETT of Maryland and Mr. LARGENT.
H.R. 786: Mr. BAIRD.
H.R. 959: Mr. THOMPSON of California and Ms. WATSON.
H.R. 1177: Mr. GUTIERREZ.
H.R. 1360: Mr. LAMPSON and Ms. WATSON.
H.R. 1654: Mr. STUPAK.
H.R. 1784: Mr. FARR of California and Mrs. NAPOLITANO.
H.R. 2148: Ms. WATERS.
H.R. 2244: Mr. HOEKSTRA.
H.R. 2405: Mr. CROWLEY, Ms. ROS-LEHTINEN, and Mrs. NAPOLITANO.
H.R. 2574: Mr. GILLMOR.
H.R. 2677: Mr. GUTIERREZ.
H.R. 2693: Mr. KUCINICH, Mr. WEXLER, Mr. DEUTSCH, Mr. HONDA, and Mr. BERMAN.
H.R. 2794: Mr. RAMSTAD.
H.R. 2800: Mr. BALLENGER and Mr. BURTON of Indiana.
H.R. 2899: Mr. GEKAS.
H.R. 2910: Mr. MCHUGH, Mr. LAHOOD, Mr. ORTIZ, Mr. TAYLOR of Mississippi, Ms. KAPTUR, Mr. HEFLEY, Ms. MCKINNEY, Mr. PRICE of North Carolina, and Mr. RUSH.
H.R. 2935: Mrs. MINK of Hawaii.
H.R. 2940: Mrs. LOWEY and Ms. MCKINNEY.
H.R. 2945: Mr. REYES and Mr. UNDERWOOD.
H.R. 2946: Mr. FALEOMAVAEGA, Mr. FROST, Mr. SMITH of New Jersey, Mr. MANZULLO, Mr. DEFAZIO, Mr. STRICKLAND, Mr. FATTAH, Mr. FILNER, Mr. BAIRD, Mr. HOEFFEL, and Mr. OWENS.
H.J. Res. 12: Mr. BLUNT.
H. Con. Res. 26: Mr. HORN.
H. Con. Res. 131: Mr. CLEMENT.
H. Con. Res. 175: Mr. QUINN, Mr. MCDERMOTT, Ms. ESHOO, and Mr. WEINER.

TUESDAY, OCTOBER 2, 2001 (101)

The House was called to order at 12:30 p.m. by the SPEAKER, when, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶101.1 RECESS—12:51 P.M.

The SPEAKER pro tempore, Mr. BALLENGER, pursuant to clause 12 of rule I, declared the House in recess until 2 o'clock p.m.

¶101.2 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶101.3 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Friday, September 28, 2001.

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

¶101.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

3968. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Brucellosis in Cattle; State and Area Classifications; Oklahoma [Docket No. 01–016–2] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3969. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Importation of Fruits and Vegetables [Docket No. 00–006–2] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3970. A communication from the President of the United States, transmitting His authorization to transfer from the Emergency Response Fund for emergency and national security activities; (H. Doc. No. 107–128); to the Committee on Appropriations and ordered to be printed.

3971. A communication from the President of the United States, transmitting pursuant to the Air Transportation Safety and System Stabilization Act, funds will be provided to the Department of Transportation's Compensation for Air Carriers account; (H. Doc. No. 107–129); to the Committee on Appropriations and ordered to be printed.

3972. A letter from the Under Secretary, Department of Defense, transmitting a report entitled, ''Report on the Performance of Commercial Activities,'' pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

3973. A letter from the Secretary of the Air Force, Department of Defense, transmitting notification that the Superintendent of Air Force Academy, Colorado, has conducted a cost comparison of the Civil Engineering, Department of Athletics Facilities, Dean of the Facility Facilties and Training Devices and 34th Training Wing Cadet Housing functions, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

3974. A letter from the Secretary of the Air Force, Department of Defense, transmitting notification that the Commander of Maxwell Air Force Base, Alabama, has conducted a comparison study to reduce the cost of operating the Base Operating Support (BOS), pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

3975. A letter from the Deputy Secretary, Department of Defense, transmitting a Report on Proposed Obligations for Weapons Destruction and Non-Proliferation in the Former Soviet Union, pursuant to Public Law 104–106, section 1206(a) (110 Stat. 471); to the Committee on Armed Services.

3976. A letter from the Secretary of the Navy, Department of Defense, transmitting notification of a study on certain function performed by military and civilian personnel in the Department of the Navy for possible performance by private contractors, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

3977. A letter from the Director, Defense Finance and Accounting Service, Department of Defense, transmitting a Report on Conversion of Department of Defense Commercial Activity to a Private Contractor; to the Committee on Armed Services.

3978. A letter from the Deputy Secretary, Department of Defense, transmitting a report on Strategic and Competitive Sourcing Programs Workforce Review Cost Savings Report for FY 2000; to the Committee on Armed Services.

3979. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Review of Acquisition Plans for Conventional Ammunition [DFARS Case 2000–D030] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3980. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; DoD Pilot Mentor-Protege Program [DFARS Case 2001–D006] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3981. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Caribbean Basin Country End Products [DFARS Case 2000–D302] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3982. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Iceland—Newly Designated Country Under Trade Agreements Act [DFARS Case 2001–D008] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3983. A letter from the Alternate OSD Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule—Financial Institutions on DoD Installations (RIN: 0790–AG73) received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3984. A letter from the Alternate OSD Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule—Procedures Governing Banks, Credit Unions and Other Financial Institutions on DoD Installations (RIN: 0790–AG74) received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3985. A letter from the Under Secretary, Department of Defense, transmitting the Department's Response to Conference Report Accompanying the Floyd D. Spence National Defense Authorization Act for FY 2001; to the Committee on Armed Services.

3986. A letter from the Secretary of Defense, transmitting a letter on the approved retirement of General Henry H. Shelton, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

3987. A letter from the Assistant Secretary for Legislative Affairs, Department of De-

fense, transmitting a determination to allow the U.S. Export-Import Bank to finance the sale of defense articles to the Dominican Republic; to the Committee on Financial Services.

3988. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7767] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3989. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–P–7604] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3990. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3991. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–B–7419] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3992. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Truth in Savings—received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3993. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Credit Union Service Organizations (CUSOs)—received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3994. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

3995. A letter from the Secretary, Department of Labor, transmitting a report covering the administration of the Employee Retirement Income Security Act (ERISA) during calendar year 1999, pursuant to 29 U.S.C. 1143(b); to the Committee on Education and the Workforce.

3996. A letter from the Secretary, Department of Commerce, transmitting a draft of proposed legislation to amend section 3007 of the Balanced Budget Act of 1997; to the Committee on Energy and Commerce.

3997. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 01–25), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3998. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Kuwait for defense articles and services (Transmittal No. 01–24), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3999. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Malaysia for defense articles and services (Transmittal No. 01–23), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

4000. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 12–01 which informs the intent to sign Amendment Number One to Annex D of the Memorandum of Agreement between the United States and Germany, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

4001. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective August 2, 2001, the danger pay rate for the Gaza Strip, the West Bank and the Former Yugoslav Republic of Macedonia was designated at the 25% level, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

4002. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the redesignation as ''foreign terrorist organizations'' pursuant to Section 219 of the Immigration and Nationality Act, as added by the Antiterrorism and Effective Death Penalty Act of 1996, and amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on International Relations.

4003. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Report Pursuant to Title VIII of Public Law 101–246 Foreign Relations Authorization Act for FY 1990–91, As Amended; to the Committee on International Relations.

4004. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting transmittal No. RSAT–2–01 Notice of Proposed Transfer of Major Defense Equipment between the Government of Germany to the Czech Republic; to the Committee on International Relations.

4005. A letter from the Chairman, Federal Communications Commission, transmitting a report on Auction Expenditures for FY 2000; to the Committee on International Relations.

4006. A letter from the Secretary, Department of Transportation, transmitting the semiannual report of the Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

4007. A letter from the Comptroller General, General Accounting Office, transmitting list of all reports issued or released by the GAO in July 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

4008. A letter from the Investment Manager, Treasury Division, Army & Air Force Exchange Service, transmitting the Annuity Plan for Employees of the Army and Air Force Exchange Service; the Supplemental Deferred Compensation Plan for Members of the Executive Management Program; and Retirement Savings Plan and Trust for Employees of the Army and Air Force Exchange Service, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

4009. A letter from the Chairman, Commission for the Preservation of America's Heritage Abroad, transmitting a consolidated report covering both the Annual Report on Audit and Investigative Coverage and the Federal Managers' Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

4010. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting an annual report on commercial activities; to the Committee on Government Reform.

4011. A letter from the Secretary, Department of Agriculture, transmitting the semiannual report on activities of the Office of Inspector General for the period ending March 31, 2001, pursuant to 5 app; to the Committee on Government Reform.

4012. A letter from the Inspector General, Department of Defense, transmitting a report on the Department of Defense Superfund Financial Transactions FY 2000; to the Committee on Government Reform.

4013. A letter from the Inspector General, Environmental Protection Agency, transmitting the EPA's Annual Superfund Report for FY 2000, pursuant to 31 U.S.C. 7501 nt; to the Committee on Government Reform.

4014. A letter from the Acting Director, Office of Resource Management, Federal Housing Finance Board, transmitting a report on Commerical Activities Inventory; to the Committee on Government Reform.

4015. A letter from the Chairman, Merit Systems Protection Board, transmitting a report entitled, ''Growing Leaders: The Presidential Management Intern Program''; to the Committee on Government Reform.

4016. A letter from the Acting Chairman, National Credit Union Administration, transmitting a report on Commerical Activities; to the Committee on Government Reform.

4017. A letter from the Office of Special Counsel, transmitting a report on Commercial Activities Inventory; to the Committee on Government Reform.

4018. A letter from the Inspector General, Railroad Retirement Board, transmitting a report on the budget request fiscal year 2003; to the Committee on Government Reform.

4019. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for Sidalcea oregana var. calva (Wenatchee Mountains checker-mallow) (RIN: 1018–AH05) received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4020. A letter from the Secretaries, Departments of Commerce and the Interior, transmitting a report entitled, ''A Population Study of Atlantic Striped Bass''; to the Committee on Resources.

4021. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fisheries by Vessels Using Hook-and-Line Gear in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 083001B] received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4022. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Chiniak Gully Research Area for Vessels Using Trawl Gear [Docket No. 010112013–1013–06; I.D. 082301C] received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4023. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Massachusetts [Docket No. 001121328–1066–03; I.D. 082401D] received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4024. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Species in the Rock Sole/Flathead Sole/''Other flatfish'' Fishery Cat-

egory by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 082301D] received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4025. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 080301A] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4026. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Fisheries Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Deep-Sea Red Crab Fishery; Closure [Docket No. 010413094–1094–01; I.D. 080201C] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4027. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Commercial Quota Transfer and Fishery Reopening [Docket No. 0102208032–110902–02; I.D. 072301E] received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4028. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder, Scup, Black Sea Bass, Loligo Squid, Illex Squid, Atlantic Mackerel, Butterfish, and Bluefish Fisheries; Framework Adjustment 1 [Docket No. 010710173–1183–02; I.D. 070901C] (RIN: 0648–AO91) received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4029. A letter from the Deputy Executive Director, Reserve Officers Association, transmitting the Association's financial audit for the period ending March 31, 2001, pursuant to 36 U.S.C. 1101(41) and 1103; to the Committee on the Judiciary.

4030. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, will exceed $5 million for the response to the emergency declared on September 1, 1999 as a result of the extreme fire hazards that occurred from August 1, 1999, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

4031. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000–NM–294–AD; Amendment 39–12416; AD 2001–17–25] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4032. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 707 and 720 Series Airplanes [Docket No. 2000–NM–378–AD; Amendment 39–12415; AD 2001–17–24] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4033. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 2001–NM–258–AD; Amendment 39–12419; AD 2001–17–28] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4034. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 707 and 720 Series Airplanes [Docket No. 2000–NM–318–AD; Amendment 39–12411; AD 2001–17–20] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4035. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, -200, and -200C Series Airplanes [Docket No. 99–NM–310–AD; Amendment 39–12409; AD 2001–17–18] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4036. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Jackson, WY [Airspace Docket No. 00–ANM–24] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4037. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Sidney, MT [Airspace Docket No. 01–ANM–05] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4038. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Fort Bridger, WY [Airspace Docket No. 00–ANM–26] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4039. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Vernal, UT [Airspace Docket No. 00–ANM–18] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4040. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Springhill, LA [Airspace Docket No. 2001–ASW–14] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4041. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace at Van Nuys Airport; Van Nuys, CA [Airspace Docket No. 01–AWP–12] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4042. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class D and Class E Airspace, Bellingham, WA [Airspace Docket No. 00–ANM–28] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4043. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace, Lewistown, MT [Airspace Docket No. 00–ANM–27] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4044. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; San Diego Bay [COTP San Diego 01–006] (RIN: 2115–AA97) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4045. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; San Diego Bay [COTP San Diego 01–008] (RIN: 2115–AA97) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4046. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; San Diego Bay [COTP San Diego 01–009] (RIN: 2115–AA97) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4047. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Ackerman Engagement Fireworks Display Westhampton Beach, NY [CGD01–01–133] (RIN: 2115–AA97) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4048. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zones; Port Huron Tall Ship Celebration, St. Clair River, MI [CGD09–01–116] (RIN: 2115–AA97) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4049. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Algoma Shanty Days 2001, Algoma Harbor, Wisconsin [CGD09–01–121] (RIN: 2115–AA97) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4050. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amend Legal Description of Federal Airway V–611 [Docket No. FAA–2001–10178; Airspace Docket No. 01–ANM–10] (RIN: 2120–AA66) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4051. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Realignment of Jet Routes and VOR Federal Airways; FL [Docket No. FAA–2001–10002; Airspace Docket No. 00–ASO–25] (RIN: 2120–AA66) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4052. A letter from the Chairman, International Trade Commission, transmitting a report entitled, ''Certain Circular Welded Carbon Quality Line Pipe: Monitoring Developments in the Domestic Industry''; to the Committee on Ways and Means.

4053. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a determination authorizing the use of funds made available under Chapter 3 of Part I of the Foreign Assistance Act

in order to provide a contribution to the United Nations Guards Contingent in Iraq; jointly to the Committees on International Relations and Appropriations.

4054. A letter from the Secretary, Department of State, transmitting notification of intent to reprogram funds from FY 2001 and FY 2000 from within the International Organizations and Programs account; jointly to the Committees on International Relations and Appropriations.

4055. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's budget request for fiscal year 2000, pursuant to 45 U.S.C. 231f(f); jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

¶101.5 PRIVATE CALENDAR

The SPEAKER pro tempore, Mrs. BIGGERT, directed the Private Calendar to be called.

When,

¶101.6 BILL PASSED OVER

By unanimous consent, the bill of the following title was passed over without prejudice and retains its place on the Private Calendar:

H.R. 392. A bill for the relief of Nancy B. Wilson.

¶101.7 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mrs. BIGGERT, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bill on Monday, October 1, 2001:

H.R. 2510. An Act to extend the expiration date of the Defense Production Act of 1950, and for other purposes.

¶101.8 FEDERAL EMPLOYEE ANTIDISCRIMINATION

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 169) to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶101.9 HONORING NATIONAL FALLEN FIREFIGHTERS

Mr. SENSENBRENNER moved to suspend the rules and pass the joint resolution (H.J. Res. 42) memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emittsburg, Maryland; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said joint resolution, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶101.10 CONGRATULATING CAL RIPKEN

Mrs. MORELLA moved to suspend the rules and agree to the following resolution (H. Res. 247):

Whereas Cal Ripken, Jr., played in 2,632 consecutive Major League Baseball games and holds the all-time record for consecutive games played by a Major League player, shattering Lou Gehrig's record of 2,130;

Whereas Ripken has over 3,000 career hits and ranks 14th on the all-time hit list;

Whereas Ripken is 1 of only 7 players to have 400 home runs and 3,000 hits in a career;

Whereas Ripken was an All-Star 19 times in his Major League career, twice winning Most Valuable Player of the All-Star Game;

Whereas Ripken was named to Major League Baseball's All-Century Team;

Whereas Ripken has won 2 Golden Gloves and 2 Most Valuable Player awards;

Whereas Ripken played all 21 of his Major League seasons with the Baltimore Orioles, choosing to stay with his team in an era dominated by free agency;

Whereas at one point during his career with the Orioles, Ripken's brother Bill Ripken was also playing for the team, and his father, Cal Ripken, Sr., was managing;

Whereas Ripken has been a model citizen for Harford County, Maryland, and the Baltimore City metropolitan area while contributing millions of dollars and countless hours to community projects;

Whereas Ripken and his wife Kelly have led their community in projects ranging from battling illiteracy to helping inner-city youth through various foundations, including the Kelly and Cal Ripken, Jr., Foundation, the Baltimore Reads Ripken Learning Center, and the Reading, Runs, and Ripken program; and

Whereas Ripken has pledged $9,000,000 for the construction of a baseball facility in Harford County, Maryland, which includes 6 baseball fields, recreational facilities, and dormitories: Now, therefore, be it

Resolved, That the House of Representatives honors Cal Ripken, Jr., for an outstanding career, congratulates him on his retirement, and thanks him for his contributions to baseball, to the State of Maryland, and to the Nation.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mrs. MORELLA and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶101.11 CONGRATULATING TONY GWYNN

Mrs. MORELLA moved to suspend the rules and agree to the following resolution (H. Res. 198):

Whereas Tony Gwynn has a lifetime batting average of .338, 15th on the all-time career leaders list, which includes baseball legends as Ty Cobb, Rogers Hornsby, and Tris Speaker;

Whereas Gwynn has 3,127 career hits, and only 16 players have more hits than Gwynn, including Ty Cobb, Hank Aaron, and Stan Musial;

Whereas Gwynn is the owner of eight Silver Bats for the eight batting titles he has won, tying him for the National League record with Honus Wagner, with only Ty Cobb of the American League having won more titles;

Whereas among the all-time Padres career leaders, Gwynn is first in batting average, hits, runs batted in, and runs;

Whereas Gwynn has not only proven to be a great hitter but a great defensive player, winning five Gold Glove awards;

Whereas of the 20 seasons Gwynn has played, he has had a batting average of .300 or better in 19 of those seasons;

Whereas throughout his career, Gwynn has been selected to 16 All-Star teams;

Whereas Gwynn has played in two World Series, in 1984 and 1998;

Whereas, in an era when money dominates the game of baseball, Tony Gwynn chose to play in San Diego for the Padres when it was believed that he could have earned more money with another team in another city;

Whereas Gwynn is an example of good sportsmanship, having always conducted himself with dignity, and has been a role model for young people and for all Americans;

Whereas Gwynn has proven himself to be an active leader not only in the clubhouse but also in the community;

Whereas Gwynn and his wife Alicia are philanthropists dedicated to their support for the Tony and Alicia Gwynn Foundation, the Casa de Amparo, the Police Athletic League, the New Haven Home, the Jackie Robinson Family YMCA, the Epilepsy Society of San Diego, and many more organizations; and

Whereas for his community involvement, Gwynn was named Individual of the Year at the 1998 Equal Opportunity Awards Dinner, was the 1995 Branch Rickey Award winner, and was the 1998 Padres nominee for Major League Baseball's Roberto Clemente Man of the Year Award: Now, therefore, be it

Resolved, That the House of Representatives congratulates Tony Gwynn on the announcement of his retirement, honors him for an outstanding career, and thanks him for his contributions to baseball and to his community.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mrs. MORELLA and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. WALDEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶101.12 SMALL BUSINESS REGULATORY ASSISTANCE

Mr. MANZULLO moved to suspend the rules and pass the bill (H.R. 203) to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. WALDEN, recognized Mr. MANZULLO and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WALDEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.13 VOCATIONAL AND TECHNICAL ENTREPRENEURSHIP

Mr. MANZULLO moved to suspend the rules and pass the bill (H.R. 2666) to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program; as amended.

The SPEAKER pro tempore, Mr. WALDEN, recognized Mr. MANZULLO and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WALDEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.14 DINOSAUR FOOTPRINT PRESERVE

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 2385) to convey certain property to the city of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. WALDEN, recognized Mr. HANSEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WALDEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.15 TOMAS G. MASARYK MEMORIAL

Mr. RADANOVICH moved to suspend the rules and pass the bill (H.R. 1161) to authorize the American Friends of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia; as amended.

The SPEAKER pro tempore, Mr. WALDEN, recognized Mr. RADANOVICH and Mrs. CHISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WALDEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to authorize the Government of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia.''.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.16 NAVAJO LONG WALK HISTORIC TRAIL

Mr. RADANOVICH moved to suspend the rules and pass the bill (H.R. 1384) to amend the National Trails System Act to designate the Navajo Long Walk to Bosque Redondo as a national historic trail; as amended.

The SPEAKER pro tempore, Mr. WALDEN, recognized Mr. RADANOVICH and Mrs. CHISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WALDEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the National Trails System Act to designate the route in Arizona and New Mexico which the Navajo and Mescalero Apache Indian tribes were forced to walk in 1863 and 1864, for study for potential addition to the National Trails System.''.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.17 BOOKER T. WASHINGTON NATIONAL MONUMENT

Mr. RADANOVICH moved to suspend the rules and pass the bill (H.R. 1456) to expand the boundary of the Booker T. Washington National Monument, and for other purposes.

The SPEAKER pro tempore, Mr. WALDEN, recognized Mr. RADANOVICH and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. McHUGH, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.18 PROVIDING FOR THE CONSIDERATION OF H.R. 2646

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 107–226) the resolution (H. Res. 248) providing for consideration of the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

When said resolution and report were referred to the House Calendar and ordered printed.

¶101.19 RECESS—5:06 P.M.

The SPEAKER pro tempore, Mr. McHUGH, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 6 minutes p.m., until approximately 5:30 p.m.

¶101.20 AFTER RECESS—5:30 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, called the House to order.

¶101.21 MILITARY CONSTRUCTION APPROPRIATIONS FY 2002

On motion of Mr. HOBSON, by unanimous consent, the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. HOBSON, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

¶101.22 MOTION TO INSTRUCT CONFEREES—H.R. 2904

Mr. OLVER moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 2904 insist on the House position regarding all items included in the House passed bill for overseas military construction.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. ISAKSON, announced that the ayes had it.

Mr. OLVER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶101.23 RECESS—5:43 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 43 minutes p.m., until 6 o'clock p.m.

¶101.24 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, called the House to order.

¶101.25 H.R. 169—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 169) to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 420 / Nays ..... 0 }

¶101.26 [Roll No. 360]

YEAS—420

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

NOT VOTING—10

Engel
Houghton
Hunter
Jones (OH)
Kaptur
Lipinski
Pickering
Schaffer
Taylor (NC)
Towns

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws; to require that each Federal agency post quarterly on its public Web site, certain statistical data relating to Federal sector equal employment opportunity complaints filed with such agency; and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.27 H.J. RES. 42—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced the further unfinished

business to be the motion to suspend the rules and pass the joint resolution (H.J. Res. 42) memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emittsburg, Maryland; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 420 / Nays 0

¶101.28 [Roll No. 361]

YEAS—420

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

NOT VOTING—10

Engel
Houghton
Jones (OH)
Kaptur
Lipinski
Pickering
Schaffer
Simpson
Taylor (NC)
Towns

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.29 MOTION TO INSTRUCT CONFEREES H.R. 2904 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the motion to instruct conferees on the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 417 / Nays 1

¶101.30 [Roll No. 362]

YEAS—417

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui

McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—12

Doggett
Engel
Granger
Houghton
Jones (NC)
Jones (OH)
Kaptur
Lipinski
Pickering
Schaffer
Taylor (NC)
Towns

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

Thereupon, the SPEAKER pro tempore, Mr. ISAKSON, by unanimous consent, appointed Messrs. HOBSON, WALSH, MILLER of Florida, ADERHOLT, Ms. GRANGER, Messrs. GOODE, SKEEN, VITTER, YOUNG of Florida, OLVER, EDWARDS, FARR, BOYD, DICKS, and OBEY as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶101.31 COMMITTEE ELECTION—MAJORITY

Mr. PORTMAN, by unanimous consent, submitted the following resolution (H. Res. 249):

Resolved, That the following named Members be and are hereby, elected to the following standing committee of the House of Representatives:

Judiciary: Mr. Bryant to rank after Mr. Goodlatte; and Mr. Pence.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶101.32 BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 1, 2001 he presented to the President of the United States, for his approval, the following bill.

H.R. 2510. To extend the expiration date of the Defense Production Act of 1950, and for other purposes.

¶101.33 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. UNDERWOOD, for today through October 9.

And then,

¶101.34 ADJOURNMENT

On motion of Mr. TANCREDO, at 11 o'clock and 23 minutes p.m., the House adjourned.

¶101.35 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 1992. A bill to amend the Higher Education Act of 1965 to expand the opportunities for higher education via telecommunications; with an amendment (Rept. No. 107–225). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 248. Resolution providing for consideration of the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011 (Rept. No. 107–226). Referred to the House Calendar.

¶101.36 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. RAMSTAD (for himself and Mrs. THURMAN):

H.R. 2973. A bill to amend title XVIII of the Social Security Act to provide for the expeditious coverage of new medical technology under the Medicare Program and to establish an Office of Technology and Innovation within the Centers for Medicare & Medicaid Services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCGOVERN (for himself, Mr. SOUDER, Mr. TIAHRT, Mr. COYNE, Mrs. TAUSCHER, and Mr. GEORGE MILLER of California):

H.R. 2974. A bill to provide for the protection of paleontological resources on Federal lands, to promote the systematic compilation of baseline paleontological resource data, science-based decisionmaking, and accurate public education, to provide for a unified management policy regarding paleontological resources on Federal lands, to promote legitimate public access to fossil resources on Federal lands, to encourage informed stewardship of the resources through educational, recreational, and scientific use of the paleontological resources on Federal lands, and for other purposes; to the Committee on Resources.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. HYDE, Mr. COBLE, Mr. GOODLATTE, Mr. JENKINS, Ms. JACKSON-LEE of Texas, Mr. CANNON, Mr. MEEHAN, Mr. GRAHAM, Mr. BACHUS, Mr. WEXLER, Mr. HOSTETTLER, Mr. KELLER, Mr. ISSA, Ms. HART, Mr. FLAKE, Mr. SCHIFF, Mr. THOMAS, Mr. GOSS, Mr. RANGEL, Mr. BERMAN, and Ms. LOFGREN):

H.R. 2975. A bill to combat terrorism, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), International Relations, Resources, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL (for himself and Mr. HANSEN):

H.R. 2976. A bill to provide for the issuance of a special entrance pass for free admission to any federally owned area which is operated and maintained by a Federal agency and used for outdoor recreation purposes to the survivors, victims' immediate families, and police, fire, rescue, recovery, and medical personnel directly affected by the September 11, 2001, terrorist hijackings and the attacks on the World Trade Center and the Pentagon, and for other purposes; to the Committee on Resources.

By Mr. KUCINICH:

H.R. 2977. A bill to preserve the cooperative, peaceful uses of space for the benefit of all humankind by permanently prohibiting the basing of weapons in space by the United States, and to require the President to take action to adopt and implement a world treaty banning space-based weapons; to the Committee on Science, and in addition to the Committees on Armed Services, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROUKEMA:

H.R. 2978. A bill to strengthen existing Federal laws and provide law enforcement agencies with enhanced enforcement tools necessary to combat money laundering, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on the Judiciary, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROUKEMA:

H.R. 2979. A bill to enhance the ability of law enforcement to combat money laundering, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREENWOOD (for himself, Mr. FOSSELLA, and Mr. SIMMONS):

H.R. 2980. A bill to amend title XVIII of the Social Security Act to stabilize and improve the MedicareChoice Program; to the Com-

mittee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UPTON (for himself, Mr. GREEN of Texas, Mr. BURR of North Carolina, Mr. GILLMOR, Mr. TAUZIN, Mr. STEARNS, Mr. GREENWOOD, Mr. BARTON of Texas, Ms. HARMAN, Mr. CAMP, Mr. ARMEY, Mr. RAMSTAD, Mr. BASS, Mr. BILIRAKIS, Mr. LAHOOD, Mr. RADANOVICH, Mr. SMITH of New Jersey, Mr. SESSIONS, Mr. PORTMAN, Mr. BOEHNER, Mr. WHITFIELD, Mr. HOEKSTRA, Mr. OSE, Mr. BOEHLERT, Mr. BOUCHER, Mr. GOODLATTE, Mrs. KELLY, Ms. PRYCE of Ohio, Mr. DREIER, Ms. DUNN, Mr. FOLEY, Mr. TOM DAVIS of Virginia, Mrs. BONO, Mr. DELAY, Mr. WATTS of Oklahoma, and Mr. SHIMKUS):

H.R. 2981. A bill to amend the Internal Revenue Code of 1986 to establish a 2-year recovery period for depreciation of computers and other technological equipment, a 24-month useful life for depreciation of computer software, and a 7-year useful life for depreciation of certain auction-acquired telecommunications licenses; to the Committee on Ways and Means.

By Mr. TURNER (for himself, Mr. HANSEN, Mr. NADLER, Mr. SHAYS, Mr. BENTSEN, Mr. LAMPSON, Mr. RAHALL, Mr. WICKER, Ms. WATERS, Mr. MORAN of Virginia, Mr. SAXTON, Mr. FROST, Mr. WOLF, Mr. SANDERS, Mr. PITTS, Mr. KENNEDY of Minnesota, Mr. WYNN, Mr. KING, Mr. CAMP, Mr. ENGLISH, Mr. MEEKS of New York, Mr. SIMMONS, Mr. GILMAN, Mr. WALSH, Mr. BONIOR, Mr. SHOWS, Mr. GEPHARDT, Ms. SLAUGHTER, Ms. PELOSI, Mr. MALONEY of Connecticut, Ms. HOOLEY of Oregon, Mr. SHIMKUS, Ms. DELAURO, Mr. DELAHUNT, Mr. NEAL of Massachusetts, Mr. MORAN of Kansas, Mr. WELDON of Pennsylvania, Mr. LAHOOD, Mr. PORTMAN, Mr. DAVIS of Illinois, Ms. WOOLSEY, Mr. ORTIZ, Mr. SANDLIN, Mr. ISRAEL, Mr. DEFAZIO, Mr. LANGEVIN, Mr. BACA, Mrs. TAUSCHER, Mr. PASCRELL, Mr. RODRIGUEZ, Ms. HARMAN, Mr. ROSS, Mr. HILL, Mr. PETERSON of Minnesota, Mr. HOLDEN, Mr. BERRY, Mr. MATHESON, Mr. LUCAS of Kentucky, Mr. MCINTYRE, Ms. SANCHEZ, Mr. JOHN, Mr. BOYD, Mr. LEWIS of Georgia, Mr. STENHOLM, Mrs. CAPPS, Mr. CROWLEY, Mr. BRADY of Texas, Mr. CAPUANO, Mr. TANNER, Mr. ANDREWS, Mr. COSTELLO, Mr. GORDON, Mr. BARRETT, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. SPRATT, Mr. BOSWELL, Mr. HOYER, Mr. PALLONE, Mr. GREEN of Texas, and Mr. MEEHAN):

H.R. 2982. A bill to authorize the establishment of a memorial within the area in the District of Columbia referred to in the Commemorative Works Act as ''Area I'' or ''Area II'' to the victims of terrorist attacks on the United States, to provide for the design and construction of such a memorial, and for other purposes; to the Committee on Resources.

By Mrs. WILSON (for herself, Mr. BARTON of Texas, Mr. NORWOOD, Mrs. TAUSCHER, Mr. FOSSELLA, Mr. BLUNT, Mr. BURR of North Carolina, Mr. WELLER, and Mr. WHITFIELD):

H.R. 2983. A bill to extend indemnification authority under section 170 of the Atomic Energy Act of 1954, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 2984. A bill to amend the Immigration and Nationality Act to ensure that aliens provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of that Act are counted, for purposes of determining whether the numerical limitation on the provision of such status has been reached, in a manner that is accurate, fair, and takes into account only those aliens who actually commence employment as such a nonimmigrant; to the Committee on the Judiciary.

By Mr. BASS (for himself, Mr. DEAL of Georgia, Mr. STEARNS, Mr. TOWNS, Mr. DAVIS of Illinois, Mr. GORDON, Mrs. MORELLA, Mr. CASTLE, Mr. WALSH, Mr. DOYLE, Mrs. KELLY, Mr. FILNER, and Mr. SCHROCK):

H.R. 2985. A bill to amend the Federal Trade Commission Act to increase civil penalties for violations involving certain proscribed acts or practices that exploit popular reaction to an emergency or major disaster declared by the President, and to authorize the Federal Trade Commission to seek civil penalties for such violations in actions brought under section 13 of that Act; to the Committee on Energy and Commerce.

By Mr. BASS (for himself, Mr. DEAL of Georgia, Mr. TOWNS, Mr. DAVIS of Illinois, Mr. GORDON, Mrs. MORELLA, Mr. CASTLE, Mr. WALSH, Mr. DOYLE, Mrs. KELLY, Mr. FILNER, and Mr. SCHROCK):

H.R. 2986. A bill to amend title 18, United States Code, to provide additional punishments for offenders committing fraud aimed at taking advantage of a national emergency, and for other purposes; to the Committee on the Judiciary.

By Mr. CAPUANO:

H.R. 2987. A bill to amend title 10, United States Code, to fully integrate the beneficiaries of the Individual Case Management Program into the TRICARE program, to provide long-term health care benefits under the TRICARE program and otherwise to improve the benefits provided under the TRICARE program, and for other purposes; to the Committee on Armed Services.

By Mr. DEUTSCH (for himself, Mr. KINGSTON, Mr. FORD, Mr. SIMMONS, and Mr. FROST):

H.R. 2988. A bill to amend title 49, United States Code, to provide for the regulation of flight schools and flight school applicants for the purposes of enhancing national security and aviation safety, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. EMERSON (for herself, Mr. GRAVES, Mr. GIBBONS, Mr. CLAY, Mr. HULSHOF, Mr. SKELTON, Mr. SIMMONS, Ms. MCCARTHY of Missouri, and Mr. SHIMKUS):

H.R. 2989. A bill to require procedures that ensure the fair and equitable resolution of labor integration issues in transactions for the combination of air carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HINOJOSA (for himself, Mr. BONILLA, Mr. GONZALEZ, Mr. ORTIZ, Mr. REYES, and Mr. RODRIGUEZ):

H.R. 2990. A bill to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects under that Act, and for other purposes; to the Committee on Resources.

By Ms. KAPTUR (for herself, Mr. NADLER, Mr. MORAN of Virginia, Mr. MURTHA, Mr. CROWLEY, Mr. ENGEL, Mr. GILMAN, Mrs. MALONEY of New York, Mr. MCHUGH, Mr. SERRANO, Mr. TOWNS, Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. BORSKI, Mr. ENGLISH, Mr. BARCIA, Mr. BONIOR, Mr. CONYERS, Mr. DAVIS of Florida, Ms. DELAURO, Mrs. EMERSON, Mr. FARR of California, Mr. FROST, Mr. HALL of Ohio, Mr. HASTINGS of Florida, Mr. HOYER, Ms. KILPATRICK, Ms. MCCARTHY of Missouri, Mr. MCGOVERN, Mrs. MINK of Hawaii, Mrs. MORELLA, Mrs. NAPOLITANO, Mr. PAYNE, Ms. PELOSI, Mr. PRICE of North Carolina, Mr. ROTHMAN, Mr. SANDERS, Mr. SMITH of New Jersey, Mr. TERRY, and Mrs. THURMAN):

H.R. 2991. A bill to direct the Architect of the Capitol to establish, as part of the Capitol Visitors Center, a garden designated as the ''Spirit of America Garden'' as a living memorial to the victims of the terrorist attacks on the United States on September 11, 2001; to the Committee on Transportation and Infrastructure.

By Mrs. MALONEY of New York (for herself and Mr. GILMAN):

H.R. 2992. A bill to amend the Employee Retirement Income Security Act of 1974, Public Health Service Act, and the Internal Revenue Code of 1986 to clarify the application of the mental health parity provisions to annual and lifetime visit or benefit limits, as well as dollar limits; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mrs. CAPPS, and Mr. LUTHER):

H.R. 2993. A bill to amend the Consumer Product Safety Act and the Federal Hazardous Substances Act regarding repair, replacement, or refund actions, civil penalties, and criminal penalties under those Acts; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself and Ms. NORTON):

H.R. 2994. A bill to make technical and conforming changes to provide for the enactment of the Independence of the Chief Financial Officer Establishment Act of 2001; to the Committee on Government Reform.

By Mrs. MORELLA (for herself, Ms. NORTON, Ms. WATSON, and Mr. FATTAH):

H.R. 2995. A bill to make technical and conforming changes to provide for the enactment of the Independence of the Chief Financial Officer Establishment Act of 2001, to establish a reporting event notification system to assist Congress and the District of Columbia in maintaining the financial stability of the District government and avoiding the initiation of a control period, to provide the District of Columbia with autonomy over its budgets, and for other purposes; to the Committee on Government Reform.

By Mr. OSE:

H.R. 2996. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Mr. ANDREWS, Mr. FERGUSON, Mr. FRELINGHUYSEN, Mr. HOLT, Mr. LOBIONDO, Mr. MENENDEZ, Mr. PASCRELL, Mr. PAYNE, Mr. ROTHMAN, Mrs. ROUKEMA, Mr. SAXTON, and Mr. SMITH of New Jersey):

H.R. 2997. A bill to designate the facility of the United States Postal Service located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''; to the Committee on Government Reform.

By Mr. ROYCE (for himself, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. LEACH, Mr. SMITH of New Jersey, Mr. KIRK, Ms. MILLENDER-MCDONALD, Mr. PITTS, and Mr. HOEFFEL):

H.R. 2998. A bill to authorize the establishment of Radio Free Afghanistan; to the Committee on International Relations.

By Ms. SCHAKOWSKY (for herself, Ms. LEE, Mr. SANDERS, Mr. LAFALCE, Ms. WOOLSEY, Mr. WAXMAN, Ms. SOLIS, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. OWENS, Mr. HINCHEY, Mr. RUSH, Mr. KUCINICH, and Mrs. JONES of Ohio):

H.R. 2999. A bill to amend the Internal Revenue Code of 1986 to modify the highest marginal income tax rates and to increase the estate tax deduction for family-owned business interests, to repeal certain sections of the Economic Growth and Tax Relief Reconciliation Act of 2001 related to personal exemptions, itemized deductions, and the estate tax, to establish a legislative task force to determine when and whether certain critical national priorities have been accomplished, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHOWS:

H.R. 3000. A bill to amend the Internal Revenue Code of 1986 to allow a business credit for the development of low-to-moderate income housing for home ownership, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. MORAN of Virginia, Mr. KING, Mr. BORSKI, Ms. HART, Mr. HALL of Ohio, Mr. FORD, and Mr. CALVERT):

H.R. 3001. A bill to amend the Internal Revenue Code of 1986 to exclude certain severance payments from gross income and to allow a refundable credit for job training expenses of older long-time employees who are laid off; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWEENEY:

H.R. 3002. A bill to provide for the establishment of an alien nonimmigrant student tracking system; to the Committee on the Judiciary.

By Ms. WATERS (for herself, Mr. HILLIARD, Mr. KANJORSKI, Mr. THOMPSON of Mississippi, Mr. CUMMINGS, Mr. WYNN, and Mr. CLYBURN):

H.R. 3003. A bill to increase the assistance made available under certain economic development programs; to the Committee on Financial Services, and in addition to the Committees on Small Business, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVANS:

H. Con. Res. 238. Concurrent resolution expressing the sense of Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of potentially visually impaired individuals; to the Committee on Transportation and Infrastructure.

By Mr. JONES of North Carolina:

H. Con. Res. 239. Concurrent resolution expressing the sense of Congress that schools in the United States should set aside a sufficient period of time to allow children to pray for, or quietly reflect on behalf of, the Nation during this time of struggle against the forces of international terrorism; to the Committee on Education and the Workforce.

By Ms. KAPTUR (for herself, Mr. MCGOVERN, Mr. HALL of Ohio, Ms. MCKINNEY, and Mr. FARR of California):

H. Con. Res. 240. Concurrent resolution expressing the sense of Congress with respect to the urgency of providing food and agricultural development assistance to civilian men, women, and children in Afghanistan, including Afghan refugees, and to the civilian populations of other countries in the central Asia region, including Pakistan, Iran, Kyrgyzstan, Turkmenistan, Tajikistan, and Uzbekistan; to the Committee on International Relations.

By Mr. EHRLICH (for himself, Mrs. MORELLA, Mr. HOYER, Mr. CARDIN, Mr. GILCHREST, Mr. BARTLETT of Maryland, Mr. WYNN, Mr. CUMMINGS, Mr. RADANOVICH, Mr. COBLE, Mr. LARGENT, Mr. WATTS of Oklahoma, Ms. PELOSI, Mr. BEREUTER, Mr. TOM DAVIS of Virginia, Mr. ARMEY, and Mr. DELAY):

H. Res. 247. A resolution honoring Cal Ripken, Jr., for an outstanding career, congratulating him on his retirement, and thanking him for his contributions to baseball, to the State of Maryland, and to the Nation; to the Committee on Government Reform. considered and agreed to.

By Mr. PORTMAN:

H. Res. 249. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. BARTON of Texas (for himself and Mr. BOUCHER):

H. Res. 250. A resolution urging the Secretary of Energy to fill the Strategic Petroleum Reserve; to the Committee on Energy and Commerce.

By Ms. ROYBAL-ALLARD:

H. Res. 251. A resolution recognizing the League of United Latin American Citizens for sponsoring LULAC Senior Citizens Week in California, and commending the League for providing more than 70 years of service to Hispanic Americans of all ages; to the Committee on Government Reform.

¶101.37 ADDITIONAL SPONSORS

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

H.R. 46: Mrs. KELLY, Ms. ROS-LEHTINEN, Ms. MILLENDER-MCDONALD, Mr. OSE, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, Mrs. MORELLA, Mrs. EMERSON, Ms. RIVERS, Ms. NORTON, Mrs. NAPOLITANO, and Mr. ETHERIDGE.

H.R. 61: Mr. REYNOLDS.

H.R. 64: Mr. BERRY.

H.R. 116: Mr. TRAFICANT.

H.R. 200: Mr. UDALL of Colorado.

H.R. 203: Ms. MILLENDER-MCDONALD and Mr. PASCRELL.

H.R. 218: Mr. MCINTYRE and Mr. TERRY.

H.R. 239: Mr. HINCHEY.

H.R. 250: Mr. HONDA.

H.R. 274: Mr. SIMMONS.

H.R. 324: Mrs. BIGGERT.

H.R. 344: Mr. WAXMAN.

H.R. 439: Mr. DEFAZIO.

H.R. 547: Mr. MALONEY of Connecticut.

H.R. 600: Mr. BORSKI.

H.R. 665: Mr. UDALL of New Mexico.

H.R. 760: Mr. MCHUGH.

H.R. 817: Mr. BARTLETT of Maryland.

H.R. 848: Mr. PASTOR, Mr. LEWIS of Kentucky, Mrs CAPITO, Mr. WELDON of Pennsylvania, and Mr. KANJORSKI.

H.R. 902: Mrs. WILSON.

H.R. 921: Mr. SOUDER.

H.R. 978: Mrs. BIGGERT.

H.R. 984: Mr. CARSON of Oklahoma.

H.R. 1007: Mr. LEVIN.

H.R. 1090: Mr. STUPAK, Mr. TIERNEY, Mr. REHBERG, Mr. MEEHAN, Mr. GOODLATTE, Mr. WYNN, and Mr. EVANS.

H.R. 1114: Mrs. ROUKEMA.

H.R. 1170: Mr. LUTHER.

H.R. 1193: Ms. SCHAKOWSKY, Mr. OBERSTAR, Mr. OBEY, Ms. ESHOO, Ms. DEGETTE, Mr. SCHIFF, Mr. WAXMAN, Mr. DEUTSCH, Mr. SAWYER, Mr. LANTOS, Ms. BERKLEY, Mr. BLUMENAUER, Ms. RIVERS, Mr. HOYER, Mr. HALL of Ohio, Mr. FATTAH, Mr. PALLONE, Mr. ALLEN, Mr. KILDEE, Mr. WEXLER, Mr. LEVIN, Ms. DELAURO, Mr. ROEMER, Mr. SERRANO, Mr. MORAN of Virginia, Ms. SANCHEZ, Mrs. CAPPS, Ms. VELAZQUEZ, Mr. BLAGOJEVICH, Mr. CARDIN, Mr. DEFAZIO, Mrs. LOWEY, Mr. SHOWS, Mr. BECERRA, Mr. MEEHAN, Ms. BALDWIN, Mr. ACKERMAN, Mrs. MINK of Hawaii, Mr. BERRY, Mr. SANDERS, Mr. FROST, Mr. SPRATT, Mr. GEPHARDT, Mr. CLEMENT, Ms. KAPTUR, Ms. HOOLEY of Oregon, Mrs. JONES of Ohio, Mr. WYNN, Mr. Meeks of New York, Mrs. CLAYTON, Mrs. NAPOLITANO, Mr. GEORGE MILLER of California, Mr. KENNEDY of Rhode Island, Mr. JEFFERSON, Mrs. TAUSCHER, Ms. SLAUGHTER, Mr. HONDA, Ms. HARMAN, Mr. MARKEY, Mr. WU, Mr. LAMPSON, Mr. COSTELLO, Mr. MENENDEZ, Mr. Bosewll, Mr. SHERMAN, Mr. NADLER, Ms. KILPATRICK, Mr. THOMPSON of Mississippi, Mr. DAVIS of Illinois, Mr. CLYBURN, Ms. WATSON, Mr. CUMMINGS, Ms. WATERS, Mrs. MEEK of Florida, Mr. PAYNE, Ms. LEE, Mr. CLAY, Mr. WATT of North Carolina, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Mr. OWENS, Ms. JACKSON-LEE of Texas, Mr. FORD, Mr. FILNER, Mr. LEWIS of Georgia, Mr. FARR of California, Ms. MCKINNEY, Mr. KUCINICH, Mr. FRANK, Ms. WOOLSEY, Mr. BONIOR, Mr. Rodriquez, Mr. GUTIERREZ, Ms. PELOSI, Mr. OLVER, Mr. DELAHUNT, Mr. RANGEL, Mr. PASCRELL, Mr. ABERCROMBIE, Mr. MATSUI, and Mr. HOLDEN.

H.R. 1254: Mr. ANDREWS and Mr. THOMPSON of California.

H.R. 1262: Mr. DOYLE and Mr. WAXMAN.

H.R. 1296: Mr. HALL of Texas, Ms. MCCOLLUM, Mr. BONILLA, Mrs. CAPITO, and Mr. GEPHARDT.

H.R. 1305: Mr. KENNEDY of Minnesota.

H.R. 1307: Mr. MOORE.

H.R. 1358: Mr. FLETCHER.

H.R. 1362: Mr. FRANK, Mr. ANDREWS, and Mrs. NAPOLITANO.

H.R. 1377: Mr. GREENWOOD.

H.R. 1405: Mr. FILNER.

H.R. 1412: Mr. LAMPSON and Mr. HONDA.

H.R. 1421: Mr. HOEFFEL, Mrs. DAVIS of California, Mrs. CAPPS, Mrs. BIGGERT, and Mr. LARSON of Connecticut.

H.R. 1436: Mr. MATHESON, Mr. FATTAH, Mr. TAYLOR of Mississippi, Mr. MALONEY of Connecticut, Ms. HART, Mr. CASTLE, and Mr. GANSKE.

H.R. 1501: Mr. FATTAH.

H.R. 1509: Mr. MCGOVERN, Mr. LEVIN, and Ms. HOOLEY of Oregon.

H.R. 1543: Mr. WELDON of Florida, Ms. RIVERS, and Mr. ANDREWS.

H.R. 1605: Mr. BAIRD, and Mr. WEXLER.

H.R. 1609: Mr. BEREUTER and Mr. POMEROY.

H.R. 1616: Mr. ISSA.

H.R. 1682: Mr. CAPUANO.

H.R. 1700: Mr. RYUN of Kansas.

H.R. 1723: Mr. DAVIS of Florida and Mrs. NAPOLITANO.

H.R. 1744: Mr. LANGEVIN, Mr. CROWLEY, and Mr. ACKERMAN.

H.R. 1773: Mr. SCHAFFER and Mr. LUCAS of Kentucky.

H.R. 1782: Mr. ANDREWS.
H.R. 1798: Mr. PRICE of North Carolina.
H.R. 1810: Mr. GUTIERREZ.
H.R. 1862: Mr. MASCARA, Mrs. LOWEY, and Mr. BEREUTER.
H.R. 1904: Ms. HART.
H.R. 1919: Mrs. MINK of Hawaii, Mr. LIPINSKI, Mr. BRADY of Texas, Mr. STUPAK, Mr. CROWLEY, Mr. HORN, Mr. FALEOMAVAEGA, Mr. WELDON of Pennsylvania, Mr. GANSKE, Mr. MCNULTY, Mr. KILDEE, Mr. CALVERT, and Mr. GREENWOOD.
H.R. 1948: Mrs. MINK of Hawaii.
H.R. 1987: Ms. PRYCE of Ohio, Ms. MCCOLLUM, Mr. CRANE, Mr. RUSH, Mr. STUMP, and Mr. SCHAFFER.
H.R. 1992: Mr. SHIMKUS, Mr. KILDEE, Mr. HORN, Mr. DEMINT, Mrs. BIGGERT, Mr. OSBORNE, Mr. DOYLE, Mr. STRICKLAND, and Mr. RAMSTAD.
H.R. 2014: Mr. REYNOLDS and Mrs. CUBIN.
H.R. 2037: Mrs. BONO, Mr. THOMPSON of California, Mr. GORDON, and Mr. WOLF.
H.R. 2074: Mr. SANDLIN and Mr. LARSEN of Washington.
H.R. 2125: Mr. CARDIN, Mr. CROWLEY, Mr. TERRY, Mr. ROTHMAN, Mr. POMEROY, Mr. KOLBE, Mr. BONIOR, Mr. STUMP, Mrs. CAPITO, Mr. CANTOR, Mr. STUPAK, Mr. DEFAZIO, Mr. TAYLOR of Mississippi, and Mr. BROWN of South Carolina.
H.R. 2148: Mr. PALLONE.
H.R. 2152: Mr. UDALL of Colorado, Mr. INSLEE, and Mr. KILDEE.
H.R. 2162: Mr. ORTIZ, Mr. BACA, and Mr. UNDERWOOD.
H.R. 2163: Mr. LANGEVIN, Mr. PLATTS, and Mr. UNDERWOOD.
H.R. 2173: Mr. GANSKE.
H.R. 2212: Mr. OTTER and Mr. SOUDER.
H.R. 2220: Mr. QUINN, Mr. OSBORNE, Ms. JACKSON-LEE of Texas, and Mr. HONDA.
H.R. 2243: Mr. CUMMINGS.
H.R. 2254: Mr. FROST.
H.R. 2286: Mr. MCGOVERN.
H.R. 2308: Mr. SCHAFFER and Mr. LUCAS of Kentucky.
H.R. 2332: Mr. KUCINICH and Mr. GILLMOR.
H.R. 2335: Mr. FILNER.
H.R. 2339: Mr. KIRK.
H.R. 2349: Mrs. CAPPS, Mr. LANTOS, Mr. QUINN, Mr. ACEVEDO-VILA, Mr. FATTAH, and Mr. LANGEVIN.
H.R. 2354: Ms. DUNN, Mr. MATSUI, Mr. DOOLEY of California, Ms. MILLENDER-MCDONALD, Mr. GALLEGLY, and Mr. HINCHEY.
H.R. 2357: Mr. OTTER, Mr. REHBERG, and Mr. GOODLATTE.
H.R. 2374: Mrs. THURMAN, Mr. CRANE, and Mr. LEWIS of Kentucky.
H.R. 2462: Mr. HOLT and Mr. FILNER.
H.R. 2484: Mr. HINCHEY, Mr. CROWLEY, Mr. ACKERMAN, Mr. KUCINICH, Mrs. CAPITO, Mr. COYNE, Mr. BONIOR, Mr. RANGEL, Ms. ROS-LEHTINEN, Mr. UPTON, Ms. MCKINNEY, Ms. HART, Mr. SOUDER, Mr. LEWIS of Georgia, Mrs. NAPOLITANO, Mr. MASCARA, Mr. MCNULTY, Ms. BALDWIN, Mr. BORSKI, Mr. CLAY, Ms. MCCOLLUM, Ms. KILPATRICK, and Mr. COOKSEY.
H.R. 2485: Mr. RYAN of Wisconsin.
H.R. 2553: Ms. MCKINNEY, Mr. COLLINS, and Mr. BARR of Georgia.
H.R. 2574: Mr. CALVERT.
H.R. 2598: Mrs. NAPOLITANO.
H.R. 2610: Ms. DELAURO, Mr. FROST, Mr. BRADY of Pennsylvania, Ms. ESHOO, Mr. DOYLE, Mr. FATTAH, Mr. OBERSTAR, and Mr. SOUDER.
H.R. 2611: Mr. MCGOVERN.
H.R. 2623: Mr. CROWLEY.
H.R. 2667: Ms. MCKINNEY and Ms. HART.
H.R. 2670: Mr. MARKEY.
H.R. 2674: Mr. GILLMOR.
H.R. 2677: Mr. COYNE.
H.R. 2709: Mr. STARK and Mr. MEEHAN.
H.R. 2718: Mr. UDALL of New Mexico.
H.R. 2719: Mr. OTTER.
H.R. 2750: Mr. WELDON of Florida and Mr. BORSKI.
H.R. 2765: Mr. SNYDER.
H.R. 2768: Mr. MCHUGH.
H.R. 2794: Mr. FROST, Mr. SMITH of Texas, Mr. RADANOVICH, and Mr. GANSKE.
H.R. 2812: Mr. GUTIERREZ.
H.R. 2847: Mr. MCHUGH.
H.R. 2866: Mr. BERMAN and Mr. HILLIARD.
H.R. 2896: Mr. TERRY, Ms. HART, and Mr. DOOLITTLE.
H.R. 2899: Mr. WAMP.
H.R. 2902: Mr. DAVIS of Illinois, Mr. BORSKI, Mr. PAYNE, Mr. BACA, Ms. ROS-LEHTINEN, and Ms. LEE.
H.R. 2907: Mrs. THURMAN. Mr. FALEOMAVAEGA, Mrs. LOWEY, Mr. FATTAH, Mr. KUCINICH, Mrs. CLAYTON, and Mr. CARSON of Oklahoma.
H.R. 2940: Mr. FOSSELLA, Mr. FORD, Mr. MCGOVERN, Mr. MCINTYRE, Mr. SKELTON, Ms. KILPATRICK, Mr. LEWIS of Georgia, Mr. GONZALEZ, Mr. ROSS, Mr. BOUCHER, Mr. OXLEY, and Mr. HONDA.
H.R. 2945: Mr. SIMMONS and Mr. SAWYER.
H.R. 2946: Mr. TOWNS, Mr. MCGOVERN, Mr. SANDERS, Ms. PELOSI, Mr. PASTOR, Mr. KUCINICH, Ms. MCKINNEY, Mr. HALL of Ohio, Mr. CAPUANO, Mr. ETHERIDGE, Mr. GILMAN, Mr. BACA, Mr. BLAGOJEVICH, Ms. VELAZQUEZ, Mr. FOLEY, Ms. HARMAN, Ms. LEE, Mr. ROTHMAN, Mr. PAYNE, Mr. SCOTT, Mr. DAVIS of Illinois, Ms. NORTON, Mrs. CAPPS, Mr. KENNEDY of Rhode Island, Mr. LEWIS of Georgia, Mr. CLAY, Mr. MEEKS of New York, and Ms. WOOLSEY.
H.R. 2951: Mrs. ROUKEMA, Mr. BONIOR, Mr. STRICKLAND, Mr. FORD, and Mr. SWEENEY.
H.R. 2955: Mr. BERMAN, Mr. PALLONE, Mr. NEAL of Massachusetts, Mr. GUTIERREZ, and Mr. LANGEVIN.
H.R. 2961; Mr. GUTIERREZ and Mr. UNDERWOOD.
H.R. 2965: Mr. LATOURETTE, Mr. GREENWOOD, Mrs. MCCARTHY of New York, Mrs. TAUSCHER, Mr. LIPINSKI, Mr. KANJORSKI, Mrs. JOHNSON of Connecticut, and Mr. SIMMONS.
H.R. 2969: Ms. LEE, Mrs. JONES of Ohio, Mr. HINCHEY, Mr. BEREUTER, Mr. HILLIARD, and Mr. KANJORSKI.
H. Con. Res. 46: Mr. BONIOR, Mr. TERRY, and Mrs. MINK of Hawaii.
H. Con. Res. 104: Mr. WAMP, Mr. FORBES, Mrs. MCCARTHY of New York, Ms. DELAURO, and Mr. ORTIZ.
H. Con. Res. 162: Mr. MEEHAN.
H. Con. Res. 180: Mr. WAXMAN and Ms. HOOLEY of Oregon.
H. Con. Res. 188: Mr. KIRK.
H. Con. Res. 212: Mr. PASTOR.
H. Con. Res. 216: Mr. MCGOVERN.
H. Con. Res. 228: Mrs. NAPOLITANO, Mr. BONIOR, Ms. SCHAKOWSKY, and Mr. MORAN of Virginia.
H. Con. Res. 232: Mr. WALSH, Mr. SHAW, Mr. BALLENGER, Mr. PLATTS, Mr. FORD, Ms. ROS-LEHTINEN, Mr. GREENWOOD, Mr. PRICE of North Carolina, Ms. KAPTUR, Mr. MCHUGH, Ms. BALDWIN, Mr. FERGUSON, Mr. WOLF, Mr. TIBERI, Ms. JACKSON-LEE of Texas, Mr. GOSS, Mr. HOLT, Mr. CARSON of Oklahoma, Mrs. ROUKEMA, Ms. WATSON, Mr. WYNN, Mr. MCGOVERN, Mr. FROST, Mr. SANDERS, Mr. HERGER, and Mr. KENNEDY of Minnesota.
H. Con. Res. 233: Mr. FALEOMAVAEGA, Mr. TAYLOR of Mississippi, Mr. CUNNINGHAM, Ms. RIVERS, Mr. WATT of North Carolina, Mr. SERRANO, Mr. KOLBE, Mr. FLETCHER, Ms. BALDWIN, Mrs. MINK of Hawaii, Mr. BLUMENAUER, Mrs. JONES of Ohio, Mr. DOOLEY of California, Mr. MCKEON, Ms. WATSON, Mr. KUCINICH, and Mr. BONIOR.
H. Con. Res. 234: Mr. VISCLOSKY, Mr. KUCINICH, and Mr. ENGLISH.
H. Res. 65: Mr. ENGLISH.
H. Res. 115: Mr. KNOLLENBERG, Ms. RIVERS, and Mr. UDALL of Colorado.
H. Res. 198: Mr. BEREUTER.
H. Res. 235: Mr. WYNN, Mr. MCNULTY, Mr. FILNER, Mr. MCGOVERN, Mr. BACA, and Mr. KUCINICH.
H. Res. 243: Mr. DIAZ-BALART, Mr. FATTAH, Mr. SHAYS, Mr. SIMMONS, Mr. SKEEN, Ms. SLAUGHTER, Ms. HART, Mr. GREENWOOD, Mr. HOEFFEL, Mrs. MINK of Hawaii, Mr. CROWLEY, Mr. WEINER, Mr. DAVIS of Illinois, Mr. LAHOOD, Mr. ACKERMAN, Mr. STUPAK, Mr. GEKAS, Mr. TAYLOR of Mississippi, Mr. BONIOR, Mr. FROST, Ms. ROS-LEHTINEN, Ms. MCKINNEY, Mr. PRICE of North Carolina, Mr. PASTOR, Mr. TIBERI, Mr. CALVERT, and Mr. KENNEDY of Minnesota.

WEDNESDAY, OCTOBER 3, 2001 (102)

¶102.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LAHOOD, who laid before the House the following communication:

WASHINGTON, DC,
October 3, 2001.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

¶102.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, announced he had examined and approved the Journal of the proceedings of Tuesday, October 2, 2001.

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

¶102.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4056. A letter from the Acting Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—RUS Standard for Service Installations at Customer Access Locations—received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4057. A letter from the Acting Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—Telecommunications System Construction Contract and Specifications (RIN: 0572–AB41) received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4058. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule—Schedule of Controlled Substances: Placement of Dichloralphenazone Into Schedule IV [DEA 209F] (RIN: 1117–AA59) received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4059. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: NAC-MPC Revision (RIN: 3150–AG83) received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4060. A letter from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4061. A letter from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4062. A letter from the Executive Director, Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4063. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4064. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4065. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4066. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4067. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4068. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4069. A letter from the Special Assistant, White House Liaison, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4070. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule—Listed Chemicals; Establishment of Non-Regulated Transactions in Anhydrous Hydrogen Hydrogen Chloride [DEA–156FF] (RIN: 1117–AA43) received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4071. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Milwaukee Home Run 2001 Hog Rally Fireworks, Milwaukee, WI [CGD09–01–115] (RIN: 2115–AA97) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4072. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Nanticoke River, Sharptown, Maryland [CGD05–01–055] (RIN: 2115–AE46) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4073. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Wrightsville Channel, Wrightsville Beach, North Carolina [CGD05–01–054] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4074. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Milwaukee River, Milwaukee, WI [CGD09–01–119] (RIN: 2115–AE46) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4075. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Trail Creek, IN [CGD09–01–003] (RIN: 2115–AE47) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4076. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Atchafalaya River, LA [CGD08–01–028] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4077. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Cheboygan River, MI [CGD09–01–008] (RIN: 2115–AE47) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4078. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Inner Harbor Navigation Canal, LA [CGD08–01–030] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4079. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operations Regulations; Duwamish Waterway and Lake Washington Ship Canal, WA [CGD13–99–005] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4080. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Port Allen Canal, LA [CGD08–01–027] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4081. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Delaware River, Pea Patch Island to Delaware City, Delaware [CGD05–01–053] (RIN: 2115–AE46) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4082. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–102, 103, -106, -201, 202, -301, -311, -314, and -315 Series Airplanes [Docket No. 2000–NM–45–AD; Amendment 39–12301; AD 2001–13–19] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4083. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–100, -200, and -300 Series Airplanes [Docket No. 99–NM–371–AD; Amendment 39–12414; AD 2001–17–23] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4084. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2001–NM–145–AD; Amendment 39–12422; AD 98–24–02 R1] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4085. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10 and MD–10 Series Airplanes [Docket No. 2000–NM–149–AD; Amendment 39–12413; AD 2001–17–22] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4086. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model 717 Series Airplanes [Docket No. 2001–NM–47–AD; Amendment 39–12412; AD 2001–17–21] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4087. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10 Series Airplanes, and KC–10A and KDC–10 (Military) Airplanes [Docket No. 2000–NM–69–AD; Amendment 39–12410; AD 2001–17–19] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4088. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model A109E Helicopters [Docket No. 2001–SW–24–AD; Amendment 39–12407; AD 2001–17–16] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4089. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries, Ltd., Model Astra SPX and 1125 Westwind Astra Series Airplanes [Docket No. 2001–NM–261–AD; Amendment 39–12418; AD 2001–17–27] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4090. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Hampton River, Hampton, Virginia [CGD05–01–056] received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4091. A letter from the Deputy Assistant Administrator for Satellite and Information Services, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Financial Assistance for the Use of Satellite Data for Studying Local and Regional Phenomena [Docket No. 980608149–1186–02] (RIN: 0648–ZA44) received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

4092. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Duty to Assist (RIN: 2900–AK69) received September 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

¶102.4 PROVIDING FOR THE CONSIDERATION OF H.R. 2646

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 248):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committees on Agriculture and International Relations now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text printed in part A of the report of the Committee on Rules accompanying this resolution, modified by the amendment printed in part B of the report. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed before October 3, 2001, in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶102.5 AGRICULTURAL PROGRAMS THROUGH FY 2011

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 248 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, designated Mr. LAHOOD as Chairman of the Committee of the Whole; and after some time spent therein,

¶102.6 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BOSWELL:

At the end of title IX, insert the following new section:

SEC. ___. RENEWABLE ENERGY RESERVE.

(a) PURPOSES.—It is the purpose of this section to create a reserve of agricultural commodities to—

(1) provide feedstocks to support and further the production of the renewable energy; and

(2) support the renewable energy industry in times when production is at risk of decline due to reduced feedstock supplies or significant commodity price increases.

(b) ESTABLISHMENT.—During fiscal years 2002 through 2011, the Secretary shall establish and administer a government-owned and farmer-stored renewable energy reserve program under which producers of agricultural commodities will be able to—

(1) sell agricultural commodities authorized by the Secretary into the reserve; and

(2) store such agricultural commodities.

(c) NAME.—The agricultural commodity reserve established under this section shall be known as the ''Renewable Energy Reserve''.

(d) PURCHASES.—The Secretary shall purchase agricultural commodities at commercial rates in order to establish, maintain, or enhance the reserve when—

(1) such commodities are in abundant supply; and

(2) there is need for adequate carryover stocks to ensure a reliable supply of the commodities to meet the purposes of the reserve or it is otherwise necessary to fulfill the needs and purposes of the renewable energy program administered or assisted by the Secretary.

(e) LIMITATION.—Purchases under this section shall be limited to—

(1) the type and quantities of agricultural commodities necessary to provide approximately four-month's estimated utilization for renewable energy purposes;

(2) an additional amount of commodities to provide incentives for research and development of new renewable fuels and bio-energy initiatives; and

(3) such maximum quantities of agricultural commodities determined by the Secretary as will enable the purposes of the renewable energy program to be achieved.

(f) RELEASE OF STOCKS.—Stocks shall be released at cost of acquisition, and in amounts determined appropriate by the Secretary, when market prices of the agricultural commodity exceed 100 percent of the full economic cost of production of those commodities. Cost of production for the commodity shall be determined by the Economic Research Service using the best available information, and based on a three year moving average.

(g) STORAGE PAYMENTS.—The Secretary shall provide storage payments to producers of agricultural commodities to maintain the reserve established under this section. Storage payments shall—

(1) be in such amounts and under such conditions as the Secretary determines appropriate to encourage producers to participate in the program;

(2) reflect local, commercial storage rates subject to appropriate conditions concerning quality management and other factors; and

(3) not be less than comparable local commercial rates, except as may be provided by paragraph (2).

(h) COMMODITY CREDIT CORPORATION.—

(1) IN GENERAL.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to fulfill the purposes of this section. To the maximum extent practicable consistent with the purposes, and effective and efficient administration of this section, the Secretary shall utilize the usual and customary channels, facilities and arrangement of trade and commerce.

(2) REDUCTION IN FIXED, DECOUPLED PAYMENTS FOR FUNDING OFFSET.—Notwithstanding section 104, the Secretary shall reduce the total amount payable under such section as fixed, decoupled payments, on a pro rata basis across covered commodities, so that the total amount of such reductions equals $277,000,000 in fiscal year 2004, $93,000,000 in fiscal year 2005, $80,000,000 in fiscal year 2006, $88,000,000 in fiscal year 2007, $96,000,000 in fiscal year 2008, $95,000,000 in fiscal year 2009, $96,000,000 in fiscal year 2010, and $97,000,000 in fiscal year 2011.

It was decided in the negative ..... { Yeas ..... 100; Nays ..... 323; Answered present 1 }

¶102.7 [Roll No. 363]

AYES—100

Bartlett
Bereuter
Blagojevich
Boswell
Brady (PA)
Brown (OH)
Capuano
Cardin
Carson (OK)
Clayton
Condit
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
Dicks
Dingell
Ehlers
Evans
Farr
Filner
Frank
Gephardt
Grucci
Gutierrez
Hall (TX)
Herger
Hoeffel
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kucinich
LaFalce
Langevin
Leach
Lee
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Markey
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Moore
Moran (VA)
Morella
Nadler
Neal
Oberstar
Obey
Olver
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Rahall
Ramstad
Rivers
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Schakowsky
Schiff
Serrano
Slaughter
Smith (WA)
Solis
Strickland
Stupak
Thompson (CA)
Thurman
Udall (NM)
Waters
Watt (NC)
Weiner
Woolsey
Wynn

NOES—323

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Barton
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Fattah
Ferguson

Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, Gary
Miller, George
Mink
Moran (KS)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Owens
Oxley
Pastor
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rangel
Regula
Rehberg
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sawyer
Saxton
Schaffer
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watts (OK)
Waxman
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Otter

NOT VOTING—6

Engel
Houghton
Millender-McDonald
Mollohan
Reyes
Weldon (PA)

So the amendment was not agreed to.

¶102.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TRAFICANT:

At the end of title IX (page ——, after line ——), insert the following new section:

SEC. . COMPLIANCE WITH BUY AMERICAN ACT AND SENSE OF CONGRESS REGARDING PURCHASE OF AMERICAN-MADE EQUIPMENT, PRODUCTS, AND SERVICES USING FUNDS PROVIDED UNDER THIS ACT.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds made available under this Act, whether directly using funds of the Commodity Credit Corporation or pursuant to an authorization of appropriations contained in this Act, may be provided to a producer or other person or entity unless the producer, person, or entity agrees to comply with the Buy American Act (41 U.S.C. 10a–10c) in the expenditure of the funds.

(b) SENSE OF CONGRESS.—In the case of any equipment, products, or services that may be authorized to be purchased using funds provided under this Act, it is the sense of Congress that producers and other recipients of such funds should, in expending the funds, purchase only American-made equipment, products, and services.

(c) NOTICE TO RECIPIENTS OF FUNDS.—In providing payments or other assistance under this Act, the Secretary of Agriculture shall provide to each recipient of the funds a notice describing the requirements of subsection (a) and the statement made in subsection (b) by Congress.

It was decided in the affirmative ..... { Yeas ..... 418 / Nays 5

¶102.9 [Roll No. 364]

AYES—418

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

NOES—5

Armey
Dreier
Kolbe
McDermott
Stark

NOT VOTING—7

Engel
Houghton
Millender-McDonald
Mollohan
Reyes
Saxton
Weldon (PA)

So the amendment was agreed to.

¶102.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SMITH of Michigan:

At the end of section 183 (page ____, beginning line ____), insert the following new subsection:

(d) PAYMENT LIMITATION REGARDING MARKETING ASSISTANCE LOANS TO COVER ALL PRODUCER GAINS.—In applying the payment limitation contained in section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(2)) on the total amount of payments and gains that a person may receive for one or more covered commodities during any crop year, the Secretary of Agriculture shall include each of the following:

(1) Any gain realized by a producer from repaying a marketing assistance loan for a crop of any covered commodity at a lower level than the original loan rate established for the commodity.

(2) Any loan deficiency payment received for a loan commodity.

(3) Any gain realized by a producer through the use of the generic certificate authority or through the actual forfeiture of the crop covered by a nonrecourse marketing assistance loan.

It was decided in the negative ..... { Yeas ..... 187 / Nays 238

¶102.11 [Roll No. 365]

AYES—187

Abercrombie	Goss	Murtha
Ackerman	Green (TX)	Nadler
Allen	Harman	Napolitano
Andrews	Hart	Neal
Armey	Hefley	Ney
Baca	Hinchey	Obey
Baird	Hoeffel	Olver
Baldacci	Holden	Owens
Baldwin	Holt	Pascrell
Barcia	Honda	Paul
Barrett	Hooley	Payne
Bartlett	Hostettler	Pelosi
Bass	Inslee	Peterson (PA)
Becerra	Israel	Petri
Berman	Istook	Pitts
Biggert	Jackson (IL)	Platts
Bilirakis	Johnson (CT)	Pomeroy
Blumenauer	Jones (OH)	Rahall
Bonior	Kanjorski	Ramstad
Borski	Kaptur	Rivers
Boswell	Keller	Rohrabacher
Brady (PA)	Kelly	Roukema
Brown (OH)	Kennedy (RI)	Roybal-Allard
Capps	Kildee	Royce
Capuano	Kind (WI)	Rush
Cardin	Kleczka	Sanchez
Chabot	Kucinich	Sanders
Clay	LaFalce	Sawyer
Clayton	Langevin	Schakowsky
Conyers	Lantos	Sensenbrenner
Cox	Larson (CT)	Shadegg
Coyne	LaTourette	Shays
Crane	Leach	Sherman
Crowley	Lee	Sherwood
Davis (CA)	Lewis (GA)	Simmons
Davis (IL)	Linder	Slaughter
Davis, Tom	Lipinski	Smith (MI)
DeFazio	LoBiondo	Smith (NJ)
DeGette	Lofgren	Smith (WA)
Delahunt	Lowey	Solis
DeLauro	Luther	Stark
DeLay	Maloney (CT)	Stearns
DeMint	Maloney (NY)	Strickland
Dicks	Markey	Stupak
Doggett	Mascara	Sununu
Doyle	McCarthy (MO)	Tancredo
Dreier	McCarthy (NY)	Tauscher
Duncan	McDermott	Thune
Ehlers	McGovern	Tiahrt
Ehrlich	McInnis	Tierney
Eshoo	McKinney	Toomey
Farr	McNulty	Towns
Fattah	Meehan	Udall (CO)
Ferguson	Meeks (NY)	Udall (NM)
Flake	Menendez	Velazquez
Fossella	Mica	Wamp
Frank	Miller (FL)	Watt (NC)
Frelinghuysen	Miller, Gary	Waxman
Gekas	Miller, George	Weiner
Gephardt	Moore	Woolsey
Gilchrest	Moran (KS)	Young (FL)
Gilman	Moran (VA)	
Goode	Morella	

NOES—238

Aderholt	Granger	Pence
Akin	Graves	Peterson (MN)
Bachus	Green (WI)	Phelps
Baker	Greenwood	Pickering
Ballenger	Grucci	Pombo
Barr	Gutierrez	Portman
Barton	Gutknecht	Price (NC)
Bentsen	Hall (OH)	Pryce (OH)
Bereuter	Hall (TX)	Putnam
Berkley	Hansen	Quinn
Berry	Hastings (FL)	Radanovich
Bishop	Hastings (WA)	Rangel
Blagojevich	Hayes	Regula
Blunt	Hayworth	Rehberg
Boehlert	Herger	Reynolds
Boehner	Hill	Riley
Bonilla	Hilleary	Rodriguez
Bono	Hilliard	Roemer
Boucher	Hinojosa	Rogers (KY)
Boyd	Hobson	Rogers (MI)
Brady (TX)	Hoekstra	Ros-Lehtinen
Brown (FL)	Horn	Ross
Brown (SC)	Hoyer	Rothman
Bryant	Hulshof	Ryan (WI)
Burr	Hunter	Ryun (KS)
Burton	Hyde	Sabo
Buyer	Isakson	Sandlin
Callahan	Issa	Saxton
Calvert	Jackson-Lee (TX)	Schaffer
Camp	Jefferson	Schiff
Cannon	Jenkins	Schrock
Cantor	John	Scott
Capito	Johnson (IL)	Serrano
Carson (IN)	Johnson, E. B.	Sessions
Carson (OK)	Johnson, Sam	Shaw
Castle	Jones (NC)	Shimkus
Chambliss	Kennedy (MN)	Shows
Clement	Kerns	Shuster
Clyburn	Kilpatrick	Simpson
Coble	King (NY)	Skeen
Collins	Kingston	Skelton
Combest	Kirk	Smith (TX)
Condit	Knollenberg	Snyder
Cooksey	Kolbe	Souder
Costello	LaHood	Spratt
Cramer	Lampson	Stenholm
Crenshaw	Largent	Stump
Cubin	Larsen (WA)	Sweeney
Culberson	Latham	Tanner
Cummings	Levin	Tauzin
Cunningham	Lewis (CA)	Taylor (MS)
Davis (FL)	Lewis (KY)	Taylor (NC)
Davis, Jo Ann	Lucas (KY)	Terry
Deal	Lucas (OK)	Thomas
Deutsch	Manzullo	Thompson (CA)
Diaz-Balart	Matheson	Thompson (MS)
Dingell	Matsui	Thornberry
Dooley	McCollum	Thurman
Doolittle	McCrery	Tiberi
Dunn	McHugh	Traficant
Edwards	McIntyre	Turner
Emerson	McKeon	Upton
English	Meek (FL)	Visclosky
Etheridge	Millender-McDonald	Vitter
Evans	Mink	Walden
Everett	Myrick	Walsh
Filner	Nethercutt	Waters
Fletcher	Northup	Watkins (OK)
Foley	Norwood	Watson (CA)
Forbes	Nussle	Watts (OK)
Ford	Oberstar	Weldon (FL)
Frost	Ortiz	Weller
Gallegly	Osborne	Wexler
Ganske	Ose	Whitfield
Gibbons	Otter	Wicker
Gillmor	Oxley	Wilson
Gonzalez	Pallone	Wolf
Goodlatte	Pastor	Wu
Gordon		Wynn
Graham		Young (AK)

NOT VOTING—5

Engel	Mollohan	Weldon (PA)
Houghton	Reyes	

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. LAHOOD, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶102.12 RECESS—2:53 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 53 minutes p.m., subject to the call of the Chair.

¶102.13 AFTER RECESS—5:53 P.M.

The SPEAKER pro tempore, Mr. ROGERS of Michigan, called the House to order.

¶102.14 PROVIDING FOR THE CONSIDERATION OF H.R. 2883

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 107–228) the resolution (H. Res. 252) providing for the consideration of the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶102.15 ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1583. An Act to designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the "Lee H. Hamilton Federal Building and United States Courthouse."

H.R. 1860. An Act to reauthorize the Small Business Technology Transfer Program, and for other purposes.

And then,

¶102.16 ADJOURNMENT

On motion of Mr. OWENS, at 9 o'clock and 15 minutes p.m., the House adjourned.

¶102.17 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 1989. A bill to reauthorize various fishery conservation management programs; with an amendment (Rept. No. 107–227). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Committee on Rules. House Resolution 252. Resolution providing for consideration of the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 107–228). Referred to the House Calendar.

¶102.18 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. OXLEY (for himself, Mr. LAFALCE, Mr. LEACH, Mrs. MALONEY of New York, Mrs. ROUKEMA, Mr. BENTSEN, Ms. HOOLEY of Oregon, Mr. BEREUTER, Mr. BAKER, Mr. BACHUS, Mr. KING, Mrs. KELLY, Mr. GILLMOR, Mr.

CANTOR, Mr. RILEY, Mr. LATOURETTE, Mr. GREEN of Wisconsin, and Mr. GRUCCI):

H.R. 3004. A bill to combat the financing of terrorism and other financial crimes, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS (for himself, Mr. CRANE, Mr. DREIER, Mr. JEFFERSON, Mr. TANNER, and Mr. DOOLEY of California):

H.R. 3005. A bill to extend trade authorities procedures with respect to reciprocal trade agreements; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JO ANN DAVIS of Virginia (for herself, Mr. SMITH of New Jersey, and Mr. PITTS):

H.R. 3006. A bill to require assurances that certain family planning service projects and programs will provide pamphlets containing the contact information of adoption centers; to the Committee on Energy and Commerce.

By Mr. SHUSTER (for himself, Mr. EHLERS, Mr. HAYES, Mr. BOSWELL, Mr. PETERSON of Minnesota, Mr. LAMPSON, Mr. OTTER, Mrs. KELLY, and Mr. DUNCAN):

H.R. 3007. A bill to provide economic relief to general aviation small business concerns that have suffered substantial economic injury as a result of the terrorist attacks perpetrated against the United States on September 11, 2001; to the Committee on Small Business, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Ms. DUNN, and Mr. ENGLISH):

H.R. 3008. A bill to reauthorize the trade adjustment assistance program under the Trade Act of 1974; to the Committee on Ways and Means.

By Mr. CRANE (for himself and Mr. THOMAS):

H.R. 3009. A bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; to the Committee on Ways and Means.

By Mr. CRANE:

H.R. 3010. A bill to amend the Trade Act of 1974 to extend the Generalized System of Preferences until December 31, 2002; to the Committee on Ways and Means.

By Ms. VELAZQUEZ (for herself, Mr. DAVIS of Illinois, Mr. PASCRELL, Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Mr. GONZALEZ, Mrs. NAPOLITANO, Mr. PHELPS, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. BAIRD, Mr. ROSS, Mr. LANGEVIN, Mr. CARSON of Oklahoma, Mr. ACEVEDO-VILA, Mr. ALLEN, Mr. KENNEDY of Rhode Island, Mr. PALLONE, Mr. ANDREWS, Mr. OWENS, Mr. WEINER, and Ms. MILLENDER-MCDONALD):

H.R. 3011. A bill to authorize the Administrator of the Small Business Administration to make loans to certain concerns that suffered economic and other injury as result of the terrorist attacks against the United States that occurred on September 11, 2001, and for other purposes; to the Committee on Small Business.

By Mr. BLUNT:

H.R. 3012. A bill to amend the Internal Revenue Code of 1986 to allow any employer maintaining a defined benefit plan that is not a governmental plan to treat employee contributions as pretax employer contributions if picked up by the employer; to the Committee on Ways and Means.

By Ms. BROWN of Florida:

H.R. 3013. A bill to direct the Secretary of Transportation to take actions to improve security at the maritime borders of the United States; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCCARTHY of New York (for herself, Mr. GRUCCI, Mr. TRAFICANT, Mr. FILNER, and Mrs. MORELLA):

H.R. 3014. A bill to amend the Public Health Services Act to require the Director of the National Institutes of Health to expand and intensify research regarding Diamond-Blackfan Anemia; to the Committee on Energy and Commerce.

By Ms. SOLIS (for herself, Mr. BORSKI, Mr. KUCINICH, Ms. LEE, Mr. CLEMENT, Mr. CLAY, Mr. FILNER, Mr. OWENS, Ms. WATERS, Mr. NADLER, Ms. WATSON, Mr. OLVER, Mr. BISHOP, Mr. BROWN of Ohio, Mrs. CHRISTENSEN, Mr. WYNN, Mr. DAVIS of Illinois, Mr. SANDERS, and Mr. UDALL of Colorado):

H.R. 3015. A bill to amend the Internal Revenue Code of 1986 to provide a refund of up to $300 to individuals for payroll taxes paid in 2000; to the Committee on Ways and Means.

By Mr. TAUZIN (for himself and Mr. DINGELL):

H.R. 3016. A bill to amend the Antiterrorism and Effective Death Penalty Act of 1996 with respect to the responsibilities of the Secretary of Health and Human Services regarding biological agents and toxins, and to amend title 18, United States Code, with respect to such agents and toxins, to clarify the application of cable television system privacy requirements to new cable services, to strenghen security at certain nuclear facilities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of New Mexico (for himself, Mrs. MCCARTHY of New York, Mrs. KELLY, and Mr. DOYLE):

H.R. 3017. A bill to amend title 38, United States Code, to enhance the authority of the Secretary of Veterans Affairs to recruit and retain qualified nurses for the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SAM JOHNSON of Texas (for himself and Mr. CRANE):

H.J. Res. 66. A joint resolution proposing an amendment to the Constitution of the United States to abolish the Federal income tax; to the Committee on the Judiciary.

By Mr. GILMAN:

H. Con. Res. 241. Concurrent resolution expressing the sense of the Congress that trained service dogs should be recognized for their service in the rescue and recovery efforts in the aftermath of the terrorist attacks on the United States on September 11, 2001; to the Committee on Government Reform.

By Mr. STUPAK:

H. Res. 253. A resolution recommending the integration of the Republic of Slovakia into the North Atlantic Treaty Organization (NATO); to the Committee on International Relations.

¶102.19 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. SHAW introduced a bill (H.R. 3018) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Lauderdale Lady*; which was referred to the Committee on Transportation and Infrastructure.

¶102.20 ADDITIONAL SPONSORS

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

H.R. 17: Ms. LEE.

H.R. 303: Mr. MATSUI.

H.R. 525: Ms. HARMAN.

H.R. 527: Mrs. JOHNSON of Connecticut, Mr. PICKERING, and Mr. JOHNSON of Illinois.

H.R. 537: Mr. DIAZ-BALART and Mr. FORD.

H.R. 544: Ms. LEE.

H.R. 876: Mr. REHBERG.

H.R. 959: Mr. WAXMAN.

H.R. 993: Mr. BEREUTER.

H.R. 1097: Mr. PETRI, Ms. MILLENDER-MCDONALD, and Mr. THOMPSON of Mississippi.

H.R. 1108: Ms. WOOLSEY.

H.R. 1136: Ms. MCCOLLUM and Mr. HALL of Texas.

H.R. 1155: Mr. NUSSLE, Mr. LARSEN of Washington, and Mrs. BIGGERT.

H.R. 1341: Mr. SUNUNU and Mr. ALLEN.

H.R. 1383: Mrs. BIGGERT, Mr. BEREUTER, Ms. HOOLEY of Oregon, Mrs. MYRICK, Mr. LANGEVIN, Mr. FALEOMAVAEGA, Mr. MOORE, and Mr. WATKINS.

H.R. 1556: Mr. BEREUTER, Mr. SHAW, Mr. TAYLOR of Mississippi, and Mr. ROGERS of Kentucky.

H.R. 1567: Mr. FRANK.

H.R. 1609: Mr. COYNE.

H.R. 1780: Mr. MCHUGH, Mr. FROST, Mr. REYNOLDS, Mr. JENKINS, Mr. SIMMONS, Mr. HOLDEN, and Mr. RILEY.

H.R. 1782: Mr. GOODE.

H.R. 1851: Ms. LEE.

H.R. 1948: Mr. GRAHAM.

H.R. 1979: Mr. CANTOR.

H.R. 2117: Mr. GILLMOR and Mr. WATT of North Carolina.

H.R. 2157: Mr. FARR of California.

H.R. 2162: Mrs. THURMAN, Mr. DINGELL, Mr. MEEHAN, Mr. SMITH of New Jersey, Mr. PAYNE, Mr. HOLT, Mr. MENENDEZ, Mr. ENGEL, Mr. OLVER, Mr. MARKEY, Mr. TOOMEY, Mr. CAPUANO, Mr. DELAHUNT, Mr. LIPINSKI, and Mr. NEAL of Massachusetts.

H.R. 2375: Mr. UPTON, Mr. WATT of North Carolina, Mr. LANTOS, and Mr. SMITH of New Jersey.

H.R. 2482: Ms. PELOSI and Mr. OWENS.

H.R. 2485: Mr. ARMEY.

H.R. 2515: Mr. SHOWS, Mr. BOUCHER, Mr. WALDEN of Oregon, Ms. HOOLEY of Oregon, Mr. OSE, Mr. CANTOR, and Mr. MCCRERY.

H.R. 2527: Mr. OBERSTAR and Mr. FORD.

H.R. 2593: Mr. CONYERS.

H.R. 2598: Mr. RUSH and Ms. LEE

H.R. 2725: Mr. GIBBONS, Mr. LARSON of Connecticut, and Mr. MALONEY of Connecticut.

H.R. 2839: Mrs. NAPOLITANO, Ms. WOOLSEY, Mr. OWENS, Ms. WATSON, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Mr. PAYNE, and Mr. LEWIS of Georgia.

H.R. 2841: Mrs. CLAYTON, Mr. FROST, Mr. HAYES, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. THURMAN.

H.R. 2895: Mr. BONIOR, Mr. LARSON of Connecticut, Mr. PLATTS, Mr. FRANK, and Mr. GEORGE MILLER of California.

H.R. 2896: Mr. HEFLEY, Mrs. MINK of Hawaii, Mr. SCHAFFER, and Mr. BARTLETT of Maryland.

H.R. 2899: Mr. GALLEGLY.

H.R. 2917: Mr. ROHRABACHER, Mr. CALVERT, Mr. REGULA, Mr. KIRK, Mr. MCNULTY, Mr. PUTNAM, Mr. ISAKSON, Mr. WALSH, Mr. EVERETT, Mr. REYES, Mr. OXLEY, Mr. KOLBE, Mr. SHIMKUS, Mr. SCHROCK, Mr. UDALL of Colorado, Mr. FORBES, Mr. MORAN of Virginia, Mr. HONDA, Ms. HART, Mr. BERMAN, Mrs. MINK of Hawaii, Mr. HALL of Texas, Ms. BERKLEY, Mr. GEKAS, Ms. MCCOLLUM, Mr. PRICE of North Carolina, Mr. SANDERS. Mr. HOEFFEL, and Ms. MCKINNEY.

H.R. 2932: Mr. PLATTS, Ms. BROWN of Florida, and Mr. ENGLISH.

H.R. 2942: Mr. ENGLISH.

H.R. 2955: Mr. MCGOVERN, Mrs. CAPPS, Mr. SMITH of Washington, Mr. LAMPSON, Mr. KILDEE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Ms. PELOSI, Mr. STRICKLAND, Mr. CAPUANO, Mr. ABERCROMBIE, Mr. ROTHMAN, Mr. SAWYER, Mr. FROST, Mr. MASCARA, Mr. OWENS, Mr. DEUTSCH, Mr. SCHIFF, Mr. LUCAS of Kentucky, Mr. FILNER, Mr. STUPAK, Ms. HARMAN, Ms. SLAUGHTER, Mr. JEFFERSON, and Ms. LEE.

H.R. 2965: Mr. DEAL of Georgia and Mr. FOLEY.

H.R. 2970: Mr. CRANE.

H.R. 2981: Mr. BLUNT, Mr. ROGERS of Michigan, Mr. BUYER, Mr. FOSSELLA, Mr. TERRY, Mr. BRYANT, Mr. LARGENT, Mr. SHADEGG, Mr. PITTS, Ms. ESHOO, Mr. SAWYER, Mr. DEAL of Georgia, Mrs. WILSON, Mr. GANSKE, Mr. COX, Mr. CRANE, and Mr. PICKERING.

H.R. 2998: Mr. CROWLEY.

H.R. 3003: Mr. FILNER, Mr. CLAY, and Mr. BONIOR.

H.J. Res. 40: Mr. BARCIA, Mr. COSTELLO, Mr. GREEN of Texas, Mr. HILL, Mr. PETERSON of Minnesota, Mr. SANDLIN, Mr. HALL of Texas, Mr. BORSKI, Mr. STRICKLAND, and Mr. NEAL of Massachusetts.

H.J. Res. 54: Mr. BLUNT.

H. Con. Res. 232: Mr. FORBES, Mr. HANSEN, Mr. LATOURETTE, Mr. SAWYER, Mr. BEREUTER, Mr. SKELTON, Mr. ABERCROMBIE, Mr. SCHIFF, Ms. ESHOO, Mr. LIPINSKI, Ms. SLAUGHTER, Ms. LEE, and Mr. TRAFICANT.

THURSDAY, OCTOBER 4, 2001 (103)

The House was called to order by the SPEAKER.

¶103.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, October 3, 2001.

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

¶103.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4093. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Method for Determining Market Capitalization and Dollar Value of Average Daily Trading Volume; Application of the Definition of Narrow-Based Security Index; Joint Final Rule [Release No. 34–44724; File No. S7–11–01] (RIN: 3235–AI13) received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4094. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Designated Contract Markets in Security Futures Products: Notice-Designation Requirements, Continuing Obligations, Applications for Exemptive Orders, and Exempt Provisions (RIN: 3038–AB82) received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4095. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—A New Regulatory Framework for Clearing Organizations (RIN: 3038–AB66) received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4096. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bispyribac-Sodium; Pesticide Tolerance [OPP–301175; FRL–6803–2] (RIN: 2070–AB78) received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4097. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bentazon; Pesticide Tolerance [OPP–301172; FRL–6803–2] (RIN: 2070–AB78) received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4098. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Mefenoxam; Pesticide Tolerance [OPP–301170; FRL–6801–4] (RIN: 2070–AB78) received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4099. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fluoroxypyr 1–Methylheptyl Ester; Pesticide Tolerances for Emergency Exemptions [OPP–301164; FRL–6798–5] (RIN: 2070–AB78) received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4100. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Zeta-cypermethrin and its Inactive R-isomers; Pesticide Tolerances [OPP–301171; FRL–6801–1] (RIN: 2070–AB78) received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4101. A letter from the Environmental Protection Agency, Environmental Protection Agency, transmitting the Agency's final rule—Clethodim; Pesticide Tolerance [OPP–301168; FRL–6800–9] (RIN: 2070–AB78) received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4102. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sulfosate; Pesticide Tolerances [OPP–301173; FRL–6801–8] (RIN: 2070–AB78) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4103. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Spinosad; Pesticide Tolerances [OPP–301177; FRL–6802–9] (RIN: 2070–AB78) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4104. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Pesticide Tolerances [OPP–301174; FRL–6803–1] (RIN: 2070–AB78) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4105. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Paraquat; Pesticide Tolerances [OPP–301178; FRL–6799–2] (RIN: 2070–AB78) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4106. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Propamocarb Hydrochloride; Pesticide Tolerances for Emergency Exemptions [OPP–301162; FRL–6797–2] (RIN: 2070–AB78) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4107. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Zoxamide 3, 5-dichloro-N-(3-chloro-1-ethyl-1-methyl-2-oxopropyl)-4-methylbenzamide; Pesticide Tolerance [OPP–301176; FRL–6803–7] (RIN: 2070–AB78) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4108. A letter from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting the Department's final rule—Amendments to the Bank Secrecy Act Regulations—Registration of Money Services Businesses and Requirement that Money Transmitters and Money Order and Traveler's Check Issuers, Sellers, and Redeemers Report Suspicious Transactions; Implementation Dates (RIN: 1506–AA24) received September 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4109. A letter from the Director, Office of Federal Housing Enterprise Oversight, transmitting the Office's final rule—Executive Compensation (RIN: 2550–AA13) received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4110. A letter from the Secretary, Office of Chief Accountant, Securities Exchange Commission, transmitting the Commission's final rule—Bookkeeping Services Provided by Auditors to Audit Clients in Emergency or Other Unusual Situations [Release Nos. 33–8004; 34–44792; IC–25157; FR–57] (RIN: 3235–AI31) received September 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4111. A letter from the Assistant General Cousel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Criteria and Procedures for Determining Eligibiliy for Access to Classified Matter or Special Nuclear Material (RIN 1992–AA22) received September 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4112. A letter from the Principal Deputy Associate Administration, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona State Implementation Plan, Arizona Department of Environmental Quality [AZ 103–0044; FRL–7051–4] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4113. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Priorities List for Uncontrolled Hazardous Waste Sites [FRL–7054–5] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4114. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Section 112(I) Authority for Hazardous Air Pollutants; State of Pennsylvania; Department of Environmental Protection [PA001–1000; FRL–7055–9] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4115. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District and South Coast Air Quality Management District [CA 249–0290a; FRL–7045–9] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4116. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Rate of Progress Plans, Corrections to the Base Year Inventories, and Contingency Measures for the Maryland Portion of the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area [MD059/71/98/114–3077; FRL–7057–4] received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4117. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Promulgation of Implementation Plans; Indiana [IN138–2; FRL–7056–2] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4118. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants: California [CA–035–MSWa; FRL–7058–5] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4119. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants: South Carolina [Docket SC–038–200102(a); FRL–7062–1] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4120. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans for Colorado and Montana: Transportation Conformity [CO–001–0060a; MT–001–0032a; FRL–7055–4] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4121. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New York Ozone State Implementation Plan Revision [Region 2 Docket No. NY53–230a, FRL–7057–5] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4122. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Revisions to General Rules and Regulations for Control of Air Pollution by Permits for New Sources and Modifications [TX–104–1–7401b; FRL–7063–2] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4123. A letter from the Director, Department of State, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Canada for defense articles and services (Transmittal No. 02–03), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

4124. A letter from the Director, Department of State, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Oman for defense articles and services (Transmittal No. 02–08), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

4125. A letter from the Director, Department of State, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to the United Kingdom for defense articles and services (Transmittal No. 02–02), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

4126. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Akaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 091001A] received September 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4127. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species (HMS) Fisheries; Large Coastal Shark Species [I.D. 082901B] received September 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4128. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 47B, 47B–3, 47D, 47D–1, 47G, 47G–2, 47G2A, 47G–2A–1, 47G–3, 47G–3B, 47G–3B–1, 47G–3B–2, 47G–3B–2A, 47G–4, 47G–4A, 47G–5, 47G–5A, 47H–1, 47J, 47J–2, 47J–2A, and 47k Helicopters [Docket No. 2001–SW–13–AD; Amendment 39–12408; AD 2001–17–17] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4129. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model DH.125, HS.125, BH.125, and BAe. 125 (U–125 and C–29A Series Airplanes; Model Hawker 800, Hawker 800 (U–125A), Hawker 800XP, and Hawker 1000 Airplanes [Docket No. 2000–NM–373–AD; Amendment 39–12417; AD 2001–17–26] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4130. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes, and Model A300 B4–600, B4–600R, and F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2001–NM–263–AD; Amendment 39–12420; AD 2001–17–29] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4131. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Honeywell International Inc. (formerly AlliedSignal Inc. and Textron Lycoming Inc. LTS101 Series Turboshaft and LTP101 Series Turboprop Engines [Docket No. 94–ANE–38–AD; Amendment 39–12406; AD 2001–17–15] (RIN: 2120–AA64) received September 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4132. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Supplemental Guidelines for the Award of Section 319 Nonpoint Source Grants to States and Territories in FY 2002 and Subsequent Years [FRL–7054–7] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4133. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Stills and Miscellaneous Regulations; Recodification of Regulations (2000R–491P) [T.D. AFT–462] (RIN: 1512–AC34) received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4134. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Rules of Practice in Permit Proceedings; Recodification of Regulations (2000R–529P) [T.D. ATF–463] (RIN: 1512–AC43) received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4135. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Exportation of Tobacco Products and Cigarette Papers and Tubes, Without Payment of Tax, or With Drawback of Tax; Recodification of Regulations (2001R–58P) [T.D. ATF–464] (RIN: 1512–AC47) received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4136. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Implementation of Public Laws 106–476 and 106–554, Relating to Tobacco Importation Restrictions, Markings, Repackaging, and Destruction of Forfeited Tobacco Products (2000R–492P) [T.D. ATF–465; Ref: Notice No. 913] (RIN: 1512–AC35) received September 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4137. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—2001 Marginal Production Rates [Notice 2001–53] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4138. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Interest Rate [Rev. Rul. 2001–47] received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4139. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—2001 Section 43 Inflation Adjustment [Notice 2001–54] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4140. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Gross Income Defined [Rev. Rul. 2001–42] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4141. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Separate Reporting of Nonstatutory Stock Option Income in Box 12 of the Form W–2, Using Code V, Optional for Year 2002 [Announcement 2001–92] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶103.3 MESSAGE FROM THE SENATE

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

H.R. 768. An Act to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws.

The message also announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 51. Joint resolution approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1438. An Act to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

¶103.4 AGRICULTURAL PROGRAMS THROUGH FY 2011

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to House Resolution 248 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

Mr. HASTINGS of Washington, Acting Chairman, assumed the chair; and after some time spent therein,

¶103.5 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BOEHLERT:

Strike title II and insert the following:

TITLE II—CONSERVATION

Subtitle A—Farm and Ranch Preservation

SEC. 201. FARMLAND PROTECTION PROGRAM.

Section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3830 note) is amended to read as follows:

"SEC. 388. FARMLAND PROTECTION PROGRAM.

''(a) ESTABLISHMENT AND PURPOSE.—The Secretary of Agriculture (in this section referred to as the ''Secretary'') shall carry out a farmland protection program for the purpose of protecting farm and ranch lands with prime, unique, or other productive uses and agricultural lands that contain historic or archaeological resources, by limiting the nonagricultural uses of the lands. Under the program, the Secretary may provide matching grants to eligible entities described in subsection (d) to facilitate their purchase of—

''(1) permanent conservation easements in such lands; or

''(2) conservation easements or other interests in such lands when the lands are subject to a pending offer from a State or local government.

''(b) CONSERVATION PLAN.—Any highly erodible land for which a conservation easement or other interest is purchased using funds made available under this section shall be subject to the requirements of a conservation plan that requires, at the option of the Secretary of Agriculture, the conversion of the cropland to less intensive uses.

''(c) MAXIMUM FEDERAL SHARE.—The Federal share of the cost of purchasing a conservation easement under subsection (a)(1) may not exceed 50 percent of the total cost of purchasing the easement.

''(d) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means any of the following:

''(1) An agency of a State or local government.

''(2) A federally recognized Indian tribe.

''(3) Any organization that is organized for, and at all times since its formation has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986 and—

''(A) is described in section 501(c)(3) of the Code;

''(B) is exempt from taxation under section 501(a) of the Code; and

''(C) is described in paragraph (2) of section 509(a) of the Code, or paragraph (3) of such section, but is controlled by an organization described in paragraph (2) of such section.

''(e) GRANT FACTORS.—Among the factors the Secretary shall consider in making grants under this section, the Secretary shall consider the extent to which States are encouraging or adopting measures to protect farmland and ranchland from conversion to non-agricultural uses.

''(f) TITLE; ENFORCEMENT.—An eligible entity may hold title to a conservation easement purchased using grant funds provided under subsection (a)(1) and enforce the conservation requirements of the easement.

''(g) STATE CERTIFICATION.—As a condition of the receipt by an eligible entity of a grant under subsection (a)(1), the attorney general of the State in which the conservation easement is to be purchased using the grant funds shall certify that the conservation easement to be purchased is in a form that is sufficient, under the laws of the State, to achieve the purposes of the farmland protection program and the terms and conditions of the grant.

''(h) FUNDING.—

''(1) USE OF COMMODITY CREDIT CORPORATION FUNDS.—The Secretary shall use not more than $100,000,000 in fiscal year 2002, $200,000,000 in fiscal year 2003, $350,000,000 in fiscal year 2004, $450,000,000 in fiscal year 2005, and $500,000,000 in each of fiscal years 2006 through 2011, of the funds of the Commodity Credit Corporation to carry out this section.

''(2) LIMITATION ON TECHNICAL ASSISTANCE.—To provide technical assistance to carry out this section, the Secretary may use not more than 10 percent of the amount made available for any fiscal year under paragraph (1).

''(i) GRANTS AND ASSISTANCE TO ENHANCE FARM VIABILITY.—For each year for which funds are available for the program under this section, the Secretary may use not more than $10,000,000 to provide matching market development grants and technical assistance to farm and ranch operators who participate in the program. As a condition of receiving such a grant, the grantee shall provide an amount equal to the grant from non-Federal sources.''.

SEC. 202. SOCIALLY DISADVANTAGED FARMERS.

Section 2501(a)(3) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)(3)) is amended—

(1) by striking ''$10,000,000'' and inserting ''$15,000,000 from the Commodity Credit Corporation''; and

(2) by adding at the end the following: ''Any agency of the Department of Agriculture may participate jointly in any grant or contract entered in furtherance of the objectives of this section if it agreed that the objectives of the grant or contract will further the authorized programs of the contributing agency.''.

Subtitle B—Environmental Stewardship On Working Lands

SEC. 211. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended—

(1) by striking ''to—'' and all that follows through ''provides'' and inserting ''to provide'';

(2) inserting ''air'' after ''that face the most serious threats to'';

(3) by redesignating the subparagraphs (A) through (D) that follow the matter amended by paragraph (2) of this section as paragraphs (1) through (4), respectively;

(4) by moving each of such redesignated provisions 2 ems to the left; and

(5) by striking ''farmers and ranchers'' each place it appears and inserting ''producers''.

SEC. 212. DEFINITIONS.

Section 1240A of the Food Security Act of 1985 (16 U.S.C. 3839aa–1) is amended—

(1) in paragraph (1)—

(A) by inserting ''nonindustrial private forest land,'' before ''and other land''; and

(B) by striking all after ''poses a serious threat to'' and inserting ''air, soil, water, or related resources.''; and

(2) in paragraph (4), by inserting '', including nonindustrial private forestry'' before the period.

SEC. 213. ESTABLISHMENT AND ADMINISTRATION.

(a) REAUTHORIZATION.—Section 1240B(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(a)(1)) is amended by striking ''2002'' and inserting ''2011''.

(b) INCENTIVE PAYMENTS.—Section 1240B of such Act (16 U.S.C. 3839aa–2) is amended by adding at the end the following:

''(h) WATERSHED QUALITY INCENTIVE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall create a program to improve water quality in individual watersheds nationwide. Except as otherwise provided in this subsection, the program shall be administered in accordance with the terms of the Environmental Quality Incentives Program.

''(2) CONSISTENCY WITH WATERSHED PLAN.—In allocating funds under this subsection, the Secretary shall consider the extent to which an application for the funds is consistent with a locally developed watershed plan, in addition to the other factors established by section 1240C.

''(3) CONTRACTS.—The Secretary shall enter into contracts in accordance with this section with producers whose activities affect water quality, including the quality of public drinking water supplies, to implement and maintain nutrient management, pest management, soil erosion practices, and other conservation activities that protect water quality and protect human health. The contracts shall—

''(A) describe the nutrient management, pest management or soil loss practices to be implemented, maintained, or improved;

''(B) contain a schedule of implementation;

''(C) address water quality priorities of the watershed in which the operation is located to the greatest extent possible; and

''(D) contain such other terms as the Secretary determines to be appropriate.

''(4) VOLUNTARY WATER QUALITY BENEFITS EVALUATION.—On approval of the producer, the Secretary may include the cost of water quality benefits evaluation as part of a contract entered into under this section.

''(5) DRINKING WATER SUPPLIERS PILOT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish a pilot program in 15 watersheds to improve water quality in cooperation with local water utilities.

''(B) PILOT PROGRAM.—The Secretary shall select the watersheds and make available funds to be allocated to producers in partnership with drinking water utilities in the watersheds, provided that drinking water utilities measure water quality and target incentives payments to improve water quality.

''(6) NUTRIENT REDUCTION PILOT PROGRAM.—The Secretary shall use up to $100,000,000 annually of the funds provided under this subsection in 5 impaired watersheds each year to provide incentives for agricultural producers to reduce nitrogen and phosphorous applications by at least 15 percent below the average rates used by comparable farms in the State. Incentive payments shall reflect the extent to which producers reduce nitrogen and phosphorous applications.

''(7) RECOGNITION OF STATE EFFORTS.—The Secretary shall recognize the financial contribution of States, among other factors, during the allocation of funding under this subsection.''.

(c) NON-FEDERAL ASSISTANCE.—Section 1240B(g) of such Act (16 U.S.C. 3839aa–2(g)) is amended—

(1) by inserting ''drinking water utility'' after ''forestry agency,''; and

(2) by inserting '', cost-share payments, and incentives'' after ''technical assistance''.

SEC. 214. EVALUATION OF OFFERS AND PAYMENTS.

Section 1240C of the Food Security Act of 1985 (16 U.S.C. 3839aa–3) is amended to read as follows:

''SEC. 1240C. EVALUATION OF OFFERS AND PAYMENTS.

''The Secretary shall establish a ranking process and benefits index to prioritize technical assistance, cost-share payments, and incentives payments to producers to maximize soil and water quality and wildlife habitat and other environmental benefits per dollar expended. The ranking process shall be weighted to ensure that technical assistance, cost-share payments, and incentives are provided to small or socially-disadvantaged farmers (as defined in section 8(a)(5) of the Small Business Act). The Secretary shall consult with local, State, and Federal public and private entities to develop the ranking process and benefits index.''.

SEC. 215. LIMITATION ON PAYMENTS.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''$10,000'' and inserting ''$30,000''; and

(B) in paragraph (2), by striking ''$50,000'' and inserting ''$150,000'';

(2) in subsection (b)—

(A) by striking ''and'' at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(C) by adding at the end the following:

''(3) to share the cost of digesters.''; and

(3) by striking subsection (c).

SEC. 216. REAUTHORIZATION OF FUNDING.

Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 217. FUNDING.

Section 1241(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3841(b)(1)) is amended—

(1) by striking ''$130,000,000'' and all that follows through ''2002'' and inserting ''$200,000,000 for fiscal year 2001, $1,000,000,000 in fiscal years 2002 and 2003, and $1,000,000,000 for each of fiscal years 2004 through 2011'';

(2) by inserting ''(other than under section 1240B(h))'' before the period; and

(3) by adding at the end the following: ''In addition, the Secretary shall make available for the program under section 1240B(h), $450,000,000 for fiscal years 2002 and 2003, $500,000,000 for fiscal year 2004, $650,000,000 for fiscal year 2005, and $700,000,000 for each of fiscal years 2006 through 2011, to provide incentive payments to producers who implement watershed quality incentive contracts.''.

SEC. 218. ALLOCATION FOR LIVESTOCK AND OTHER CONSERVATION PRIORITIES.

(a) IN GENERAL.—Section 1241(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3841(b)(2)) is amended—

(1) by striking ''2002'' and inserting ''2011''; and

(2) by inserting ''(other than under section 1240B(h))'' before ''shall''.

(b) AGRICULTURAL SUSTAINABILITY.—Section 1241(b) of such Act (16 U.S.C. 3841(b)) is amended by adding at the end the following:

''(3) TARGETING OF PRACTICES TO PROMOTE AGRICULTURAL SUSTAINABILITY.—

''(A) To the maximum extent practicable, the Secretary shall attempt to dedicate at least 10 percent of the funding in this subsection to each of the following practices to promote agricultural sustainability:

''(i) Managed grazing.

''(ii) Innovative manure management.

''(iii) Surface and groundwater conservation through improved irrigation efficiency and other practices.

''(iv) Pesticide and herbicide reduction, including practices that reduce direct human exposure.

''(B) DEFINITIONS.—In subparagraph (A):

''(i) MANAGED GRAZING.—The term 'managed grazing' means practices which frequently rotate animals on grazing lands to enhance plant health, limit soil erosion, protect ground and surface water quality, or benefit wildlife.

''(ii) INNOVATIVE MANURE MANAGEMENT.—The term 'innovative manure management' means manure management technologies which—

''(I) eliminate the discharge of animal waste to surface and groundwaters through direct discharge, seepage, and runoff;

''(II) substantially eliminate atmospheric emissions of ammonia;

''(III) substantially eliminate the emission of odor;

''(IV) substantially eliminate the release of disease-transmitting vectors and pathogens;

''(V) substantially eliminate nutrient heavy metal contamination; or

''(VI) encourage reprocessing and cost-effective transportation of animal waste.

''(ii) IMPROVED IRRIGATION EFFICIENCY.—The term 'improved irrigation efficiency' means the use of new or upgraded irrigation systems that conserve water, including the use of—

''(I) spray jets or nozzles which improve water distribution efficiency;

''(II) irrigation well meters;

''(III) surge valves and surge irrigation systems; and

''(IV) conversion of equipment from gravity or flood irrigation to sprinkler or drip irrigation, including center pivot systems.''.

Subtitle C—Preservation of Wildlife Habitat

SEC. 221. WILDLIFE HABITAT INCENTIVES PROGRAM.

(a) EXTENSION AND FUNDING INCREASE.—Section 387(c) of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3836a) is amended to read as follows:

''(c) FUNDING.—To carry out this section, there shall be made available $200,000,000 for fiscal years 2002 and 2003, $350,000,000 for fiscal year 2004, $450,000,000 for fiscal year 2005, $500,000,000 for each of the fiscal years 2006 through fiscal year 2009, $400,000,000 for fiscal year 2010, and $200,000,000 for fiscal year 2011.''.

(b) ADDITIONAL INCENTIVES FOR WILDLIFE CONSERVATION.—Section 387(b) of such Act (16 U.S.C. 3836(b)) is amended by inserting '', or for other costs relating to wildlife conservation,'' before ''approved by the Secretary''.

(c) PROGRAM MODIFICATIONS.—Section 387 of such Act (16 U.S.C. 3836a) is amended by adding at the end the following:

''(d) INCENTIVE PAYMENTS.—The Secretary may provide incentive payments to landowners in exchange for the implementation of land management practices designed to create or preserve wildlife habitat. The payments may be in an amount and at a rate determined by the Secretary to be necessary to encourage a landowner to engage in the practice.

''(e) FUNDING PRIORITY.—The Secretary shall give priority to landowners whose lands contain important habitat for imperiled species or habitat identified by State conservation plans, where available.

''(f) CONSULTATION.—To the extent practicable, the Secretary shall consult with local, State, Federal and private experts, as considered appropriate by the Secretary, to ensure that projects under this section maximize conservation benefits and are regionally equitable.

''(g) ACQUISITION OF EASEMENTS.—Beginning with fiscal year 2003, not more than 10 percent of the funds available shall be used to acquire permanent easements, provided that land enrolled in an easement is not land taken out of agricultural production''.

SEC. 222. WETLANDS RESERVE PROGRAM.

(a) ENROLLMENT AUTHORITY.—Section 1237(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3837(b)(1)) is amended to read as follows:

''(1) ENROLLMENT.—The Secretary shall enroll in the wetlands reserve program a total of not less than 250,000 acres in fiscal years 2002 and 2003, and not less than 250,000 acres in each of fiscal years 2004 through 2011.''.

(b) REGIONAL EQUITY.—Section 1237 of such Act (16 U.S.C. 3837) is amended by adding at the end the following:

''(h) Not later than 60 days after the date of the enactment of this sentence, the Secretary shall devise a plan to promote wetlands conservation in all regions where opportunities exist for wetlands restoration.''.

SEC. 223. CONSERVATION RESERVE PROGRAM.

(a) ENROLLMENT AUTHORITY.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended—

(1) in subsection (a)—

(A) by striking ''2002'' and inserting ''2011''; and

(B) by striking ''and water'' and inserting '', water, and wildlife'';

(2) in subsection (d)—

(A) by striking ''36,400,000'' and inserting ''45,000,000''; and

(B) by striking ''2002'' and inserting ''2011''; and

(3) in subsection (h)(1), by striking ''and 2002'' and inserting ''through 2011''.

(b) ELIGIBILITY.—Section 1231(b) of such Act (16 U.S.C. 3831(b)) is amended—

(1) by striking paragraph (3) and inserting the following:

''(3) pasture, hay, and rangeland if the land will be restored as a wetland, or is within 300 feet of a riparian area and will be restored in native vegetation; and''; and

(2) in paragraph (4)—

(A) by striking subparagraph (A) and inserting the following:

''(A) if the Secretary determines that—

''(i) the lands contribute to the degradation of soil, water, or air quality, or would pose an on-site or off-site environmental threat to soil, water, or air quality if permitted to remain in agricultural production; and

''(ii) soil, water, and air quality objectives with respect to the land cannot be achieved under the environmental quality incentives program established under chapter 4;'';

(B) by striking ''or'' at the end of subparagraph (C);

(C) by striking the period at the end of subparagraph (D) and inserting ''; or''; and

(D) by adding at the end the following:

''(E) if the Secretary determines that enrollment of the lands would contribute to conservation of ground or surface water.

For purposes of the program under this subchapter, buffer strips on lands used for the production of fruits, vegetables, sod, orchards, or specialty crops shall be considered cropland.''.

(c) ENVIRONMENTALLY SENSITIVE LANDS AND BUFFER STRIPS.—Section 1231(d) of such Act (16 U.S.C. 3831(d)) is amended by adding at the end the following: ''Until December 31, 2007, of the acreage authorized for enrollment, not less than 7,000,000 acres shall be used to enroll environmentally sensitive lands through the continuous enrollment program and the conservation reserve enhancement program.''.

(d) LIMITED PERMANENT EASEMENT AUTHORITY.—Section 1231(e) of such Act (16 U.S.C. 3831(e)) is amended by adding at the end the following:

''(3) PERMANENT EASEMENTS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Secretary may enroll up to 3,000,000 acres in the conservation reserve using permanent easements to protect critically important environmentally sensitive lands (including 1,000,000 acres for isolated wetlands) and habitats such as native prairies, native shrublands, small wetlands, springs, seeps, fens, and other rare and declining habitats. The terms of the easement shall be consistent with section 1232(a).

''(B) LIMITATIONS ON TRANSFERABILITY.—The Secretary may transfer a permanent easement established under subparagraph (A) to a State or local government or a qualified nonprofit conservation organization. The holder of such a permanent easement may not transfer the easement to an entity other than a State or local government or a qualified nonprofit conservation organization.''.

(e) CONTINUOUS ENROLLMENT OF BUFFER STRIPS.—Section 1231 of such Act (16 U.S.C. 3831) is amended by adding at the end the following:

''(i) CONTINUOUS ENROLLMENT OF BUFFER STRIPS.—The Secretary shall allow continuous enrollment of buffers whose width and vegetation is designed to provide significant wildlife or water quality benefits, as determined by the Secretary.

''(j) IRRIGATED LANDS.—Irrigated lands shall be enrolled at irrigated land rates unless the Secretary determines that other compensation is appropriate.

''(k) EXCEPTION TO PAYMENT LIMITATION.—Payments made in connection with the enrollment of lands pursuant to the continuous enrollment or the conservation reserve enhancement program shall not be subject to any payment limitations under section 1239c(f)(1).

''(l) LIMITED EXCEPTIONS TO PROHIBITIONS ON ECONOMIC USES.—Notwithstanding the prohibitions on economic use on lands enrolled in the Conservation Reserve Program under section 1232(a), the Secretary may permit on such lands the collection of native seeds and the use of wind turbines, so long as such activities preserve the conservation values of the land and take into account wildlife and wildlife habitat.''.

SEC. 224. CONSERVATION OF PRIVATE GRAZING LANDS.

Section 386 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 2005b) is amended by striking subsection (f) and inserting the following:

''(f) INCENTIVE PAYMENTS.—The Secretary may enter into 5-year, 10-year and 20-year contracts with landowners to provide financial assistance for landowner efforts to improve the ecological health of grazing lands, including practices that reduce erosion, employ prescribed burns, restore riparian area, control or eliminate exotic species, reestablish native grasses, or otherwise enhance wildlife habitat.

''(g) AUTHORIZATION OF FUNDING.—The Secretary shall make available $20,000,000 for each of the fiscal years 2002 through 2011 from the Commodity Credit Corporation to carry out this section.''.

SEC. 225. GRASSLAND RESERVE AND ENHANCEMENT PROGRAM.

Chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830–3837f) is amended by adding at the end the following:

''Subchapter D—Grassland Reserve and Enhancement Program

''SEC. 1238. GRASSLAND RESERVE AND ENHANCEMENT PROGRAM.

''(a) ESTABLISHMENT.—The Secretary shall establish a program to use contracts and easements to protect 3,000,000 acres of environmentally critical grasslands, shrubs, and blufflands. Beginning in fiscal year 2002, the Secretary shall conduct outreach to inform the public of the program.

''(b) ENROLLMENT CONDITIONS.—

''(1) MAXIMUM ENROLLMENT.—The total number of acres enrolled in the program shall not exceed 3,000,000 acres. The Secretary shall enroll lands using permanent easements to meet demand, but in no case shall more than 50 percent of the available acreage be enrolled in permanent easements, and the balance shall be enrolled in contracts through which the Secretary shall provide assistance and incentive payments.

''(2) TERMS OF CONTRACTS OR EASEMENTS.—The Secretary shall enroll in the program for a willing owner not less than 100 contiguous acres of land west of the 100th meridian or not less than 50 contiguous acres of land east of the 90th meridian through 10-year or 20-year contracts or permanent easements.

''(c) ELIGIBLE LAND.—Land shall be eligible to be enrolled in the program if the Secretary determines that—

''(1) the land is natural grass or shrubland;

''(2) the land—

''(A) is located in an area that has been historically dominated by natural grass or shrubland; and

''(B) has potential to serve as habitat for animal or plant populations of significant ecological value if the land is restored to natural grass or shrubland; or

''(3) the land is adjacent to land described in paragraph (1) or (2), and the Secretary determines it is necessary to maintain or restore native grassland or shrubland under this section.

''(d) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there shall be available for each of fiscal years 2002 through 2011 such sums as may be necessary from the funds of the Commodity Credit Corporation.

''SEC. 1238A. CONTRACTS AND AGREEMENTS.

''(a) REQUIREMENTS OF LANDOWNER.—To be eligible to enroll land in the program, the owner of the land shall—

''(1) agree to comply with the terms of the contract and related restoration agreements; and

''(2) agree to the suspension of any existing cropland base and allotment history for the land under any program administered by the Secretary.

''(b) TERMS OF CONTRACT OR EASEMENT.—A contract or easement under subsection (a) shall—

''(1) permit—

''(A) common grazing practices on the land in a manner that is consistent with maintaining the viability of natural grass and shrub species indigenous to that locality;

''(B) haying, mowing, or haying for seed production, except that such uses shall not be permitted until after the end of the nesting and brood-rearing season for birds in the local area which are in significant decline or are conserved pursuant to State or Federal law, as determined by the Natural Resources Conservation Service State conservationist;

''(C) construction of fire breaks and fences, including placement of the posts necessary for fences; and

''(D) practices that reduce erosion, restore native species, control and eradicate exotic species, enhance habitat for native wildlife, and improve the health of riparian areas;

''(2) prohibit—

''(A) forestry and the production of any agricultural commodity (other than hay);

''(B) unless allowed under subsection (d), the conduct of any other activity that would disturb the surface of the land covered by the contract or easement; and

''(C) the development of homes, businesses or other structures on land subject to the contract or easement; and

''(3) include such additional provisions as the Secretary determines are appropriate to carry out or facilitate the administration of this subchapter.

''(c) RANKING APPLICATIONS.—

''(1) ESTABLISHMENT OF CRITERIA.—The Secretary shall establish criteria to evaluate and rank applications for contracts under this subchapter.

''(2) EMPHASIS.—In establishing the criteria, the Secretary shall emphasize support for native grass and shrubland, grazing operations, and plant and animal biodiversity.

''(d) RESTORATION AGREEMENTS.—The Secretary shall prescribe the terms by which grassland that is subject to a contract under the program shall be restored. The agreement shall include duties of the land owner and the Secretary, including the Federal share of restoration payments and technical assistance.

''(e) VIOLATIONS.—On the violation of the terms or conditions of a contract or restoration agreement entered into under this section—

''(1) the contract shall remain in force; and

''(2) the Secretary may require the owner to refund all or part of any payments received by the owner under this subchapter, with interest on the payments as determined appropriate by the Secretary.

''SEC. 1238B. DUTIES OF SECRETARY.

''(a) IN GENERAL.—In return for the granting of a contract by an owner under this subchapter, the Secretary shall make contract payments and payments of the Federal share of restoration and provide technical assistance to the owner in accordance with this section. The Secretary shall base the amount paid for an easement on the fair market value of the easement.

''(b) FEDERAL SHARE OF RESTORATION.—The Secretary shall make payments to the owner of not more than—

''(1) in the case of virgin (never cultivated) grassland, 90 percent of the costs of carrying out measures and practices necessary to restore grassland functions and values; or

''(2) in the case of restored grassland, 75 percent of such costs.

''(c) TECHNICAL ASSISTANCE.—A landowner who is receiving a benefit under this subchapter shall be eligible to receive technical assistance in accordance with section 1243(d) to assist the owner or operator in carrying out a contract entered into under this subchapter.

''(d) PAYMENTS TO OTHERS.—If an owner who is entitled to a payment under this sub-

chapter dies, becomes incompetent, is otherwise unable to receive the payment, or is succeeded by another person who renders or completes the required performance, the Secretary shall make the payment, in accordance with regulations promulgated by the Secretary and without regard to any other provision of law, in such manner as the Secretary determines is fair and reasonable in light of all the circumstances.''.

Subtitle D—Organic Farming

SEC. 231. PROGRAM TO ASSIST TRANSITION TO ORGANIC FARMING.

(a) ASSISTANCE AUTHORIZED.—The Secretary of Agriculture (in this section referred to as the ''Secretary'') shall expand the National Organic Program to include a voluntary program to assist agricultural producers in making the transition from conventional to organic farming and to assist existing organic farmers. Under the program, the Secretary may make payments to cover all or a portion of—

(1) production and marketing losses;

(2) conservation practices related to organic food production;

(3) certification costs;

(4) technical assistance by qualified third parties;

(5) educational materials; or

(6) farm-to-consumer market development.

(b) LIMITATION ON EXPENDITURES.—Payments to individual farm and ranch operators under this section shall not exceed $10,000 per year, and such payments shall not be made to individuals operating a conventional farm or ranch in more than 3 fiscal years.

(c) ORGANIC CERTIFICATION REIMBURSEMENT PROGRAM.—The Secretary shall reimburse producers for the cost of organic certification. To expedite certification, farmers seeking certification shall be eligible for a direct reimbursement of up to $500 by the Secretary of certification costs, so long as producers present an organic certificate and receipt.

(d) FUNDING.—Of the funds of the Commodity Credit Corporation, there shall be available to the Secretary to carry out this section $20,000,000 for fiscal years 2002 and 2003, $40,000,000 for fiscal year 2004, $40,000,000 for fiscal year 2005, $50,000,000 for fiscal year 2006, $50,000,000 for fiscal year 2007, $50,000,000 for fiscal year 2008, and $0 for fiscal years 2009 through 2011.

Subtitle E—Forestry

SEC. 241. URBAN AND COMMUNITY FORESTRY.

Section 9(i) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105(i)) is amended to read as follows:

''(i) FUNDING.—The Secretary shall use $50,000,000 of the funds of the Commodity Credit Corporation to carry out this section for each of the fiscal years 2002 through 2011. In addition, there are authorized to be appropriated to the Secretary not more than $50,000,000 to carry out this section for each of the fiscal years 2002 through 2011. As determined by the Secretary, socially disadvantaged foresters shall be eligible for funding under this section.''.

SEC. 242. WATERSHED FORESTRY INITIATIVE.

(a) ESTABLISHMENT.—The Secretary shall establish a program for the purpose of providing financial assistance to enhance the quality of municipal water supplies and to encourage the long-term sustainability of private forestland.

(b) EASEMENTS.—The Secretary shall annually use $75,000,000 from the Commodity Credit Corporation to be matched equally by any non-Federal source for each of the fiscal years 2002 through 2011 to acquire permanent easements that promote watershed protection. The Secretary shall establish a system to fairly compensate landowners for the value of an easement entered into under this section.

(c) LAND-USE PRACTICES.—The Secretary shall annually use $25,000,000 from the Commodity Credit Corporation for each of the fiscal years 2002 through 2011 to share equally with any non-Federal source the cost of land management practices on nonindustrial forestland that protect municipal drinking water supplies and other conservation purposes. The Secretary shall consider, among other factors, the extent to which projects are identified in a regional or watershed conservation plan. Practices that are eligible for funding under this section include the following:

(1) Natural forest regeneration.

(2) Prescribed burns.

(3) Native species restoration.

(4) Stream and watershed restoration.

(5) Road retirement.

(6) Riparian restoration.

(7) Other practices that improve water quality and wildlife habitat, as determined by the Secretary.

(d) REGIONAL AND WATERSHED PLANNING.—The Secretary shall establish a program to make grants not exceeding $10,000 to develop and implement regional and watershed-based conservation plans to comply with existing laws and meeting water quality standards. The Secretary shall consider, among other factors, the extent to which applicants develop interjurisdictional conservation plans, protect nationally significant resources, engage the public, and demonstrate local support. The Secretary shall use not more than $10,000,000 from the Commodity Credit Corporation for each of the fiscal years 2002 through 2011 to carry out this subsection.

Subtitle F—Technical Assistance

SEC. 251. CONSERVATION TECHNICAL ASSISTANCE.

(a) Section 6 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590f) is amended—

(1) by striking the 1st undesignated paragraph and inserting the following:

''(a) The Secretary shall make available $200,000,000 each fiscal year from the Commodity Credit Corporation, and such additional sums as may be appropriated by the Congress, to carry out this Act.''; and

(2) by desginating the 2nd undesignated paragraph as subsection (b).

(b) Section 7 of such Act (16 U.S.C. 590g) is amended by striking ''and (7)'' and inserting ''(7) any of the purposes of agricultural conservation programs authorized by Congress, and (8)''.

SEC. 252. REIMBURSEMENT FOR PROGRAM ADMINISTRATION.

Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841–3843) is amended—

(1) by inserting ''(1)'' before the first unnumbered paragraph;

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (B);

(3) by moving the newly designated subparagraphs (A) through (B) three ems to the right;

(4) by adding at the end the following:

''(2) For each of fiscal years 1996 through 2011, the Secretary shall use the funds of the Commodity Credit Corporation for the provision of technical assistance to allow for full reimbursement of actual costs for delivering all conservation programs funded through the Commodity Credit Corporation for which technical assistance is required.''.

SEC. 253. CONSERVATION TECHNICAL ASSISTANCE BY THIRD PARTIES.

Section 1243(d) of the Food Security Act of 1985 (16 U.S.C. 3843(d)) is amended—

(1) by striking ''In the preparation'' and inserting the following:

''(1) IN GENERAL.—In the preparation''; and

(2) by adding at the end the following:

''(2) ESTABLISHMENT OF TRAINING CENTERS.—To facilitate the training and certification of Federal and non-Federal employees and qualified third parties, the Secretary may establish training centers in the following locations:

''(A) Fresno, California.

''(B) Platteville, Wisconsin.

''(C) Lincoln, Nebraska.

''(D) Ithaca, New York.

''(E) Pullman, Washington.

''(F) Orono, Maine.

''(G) Gainesville, Florida.

''(H) College Park, Maryland.

''(3) CERTIFICATION OF THIRD-PARTY PROVIDERS.—

''(A) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Agriculture shall, by regulation, establish a system for approving persons to provide technical assistance pursuant to this title. In the system, the Secretary shall give priority to a person who has a memorandum of understanding regarding the provision of technical assistance in place with the Secretary.

''(B) EXPERTISE REQUIRED.—In prescribing such regulations, the Secretary shall ensure that persons with expertise in the technical aspects of conservation planning, watershed planning, environmental engineering, including commercial entities, qualified nonprofit entities, State or local governments or agencies, and other Federal agencies, are eligible to become approved providers of such technical assistance.

''(C) QUALIFIED NONPROFIT ORGANIZATIONS.—Qualified nonprofit organizations shall include organizations whose missions primarily promote the stewardship of working farmland and ranchland.

''(4) QUALITY ASSURANCE PROGRAM.—The Secretary shall establish a program to assess the quality of the technical assistance provided by third parties.''.

SEC. 254. CONSERVATION PRACTICE STANDARDS.

The Secretary of Agriculture shall—

(1) revise standards and, when necessary, establish standards for eligible conservation practices to include measurable goals for enhancing natural resources, including innovative practices;

(2) within 6 months after the date of the enactment of this section, revise the National Handbook of Conservation Practices and field office technical guides; and

(3) not less frequently than once every 5 years, update the Handbook and technical guides to reflect the best available science.

Subtitle G—Miscellaneous Conservation Provisions

SEC. 261. CONSERVATION PROGRAM PERFORMANCE REVIEW AND EVALUATION.

(a) IN GENERAL.—The Secretary shall establish a grant program to evaluate the benefits of the conservation programs under title XII of the Food Security Act of 1985 and under sections 242 and 262 of this Act.

(b) GRANTS.—The Secretary shall make grants to land grant colleges and other research institutions whose applications are highly ranked under subsection (c) to evaluate the economic and environmental benefits of conservation programs, and shall use such research to identify and rank measures needs to improve water quality, fish and wildlife habitat, and other environmental goals of conservation programs.

(c) SCIENTIFIC PANELS.—The Secretary shall establish a panel of independent scientific experts to review and rank the grant applications submitted under subsection (a).

(d) FUNDING.—The Secretary shall use $10,000,000 from the Commodity Credit Corporation for each of fiscal years 2002 through 2011 to carry out this section.

SEC. 262. GREAT LAKES BASIN PROGRAM FOR SOIL EROSION AND SEDIMENT CONTROL.

(a) IN GENERAL.—The Secretary of Agriculture, in consultation with the Great Lakes Commission created by Article IV of the Great Lakes Basin Compact (82 Stat. 415) and in cooperation other appropriate Federal agencies may carry out the Great Lakes Basin Program for Soil Erosion and Sediment Control.

(b) ASSISTANCE.—In carrying out the Program, the Secretary shall—

(1) provide project demonstration grants, provide technical assistance, and carry out information and education programs to improve water quality in the Great Lakes Basin by reducing soil erosion and improving sediment control; and

(2) provide a priority for projects and activities that directly reduce soil erosion or improve sediment control.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2003 through 2011.

(2) ADMINISTRATIVE COSTS.—

(A) COMMISSION.—The Great Lakes Commission may use not more than 10 percent of the funds made available for a fiscal year under paragraph (1) to pay administrative costs incurred by the Commission in carrying out this section.

(B) SECRETARY.—None of the funds made available under paragraph (1) may be used by the Secretary to pay administrative costs incurred by the Secretary in carrying out this section.

Subtitle H—Conservation Corridor Program

SEC. 271. CONSERVATION CORRIDOR PROGRAM.

(a) PURPOSE.—The purpose of this subtitle is to provide for the establishment of a program that recognizes the leveraged benefit of an ecosystem-based application of the Department of Agriculture conservation programs, addresses the increasing and extraordinary threats to agriculture in many areas of the United States, and recognizes the importance of local and regional involvement in the protection of economically and ecologically important farmlands.

(b) ESTABLISHMENT.—The Secretary of Agriculture (in this subtitle referred to as the ''Secretary'') shall establish a Conservation Corridor Program through which States, local governments, tribes, and combinations of States may submit, and the Secretary may approve, plans to integrate agriculture and forestry conservation programs of the United States Department of Agriculture with State, local, tribal, and private efforts to address farm preservation, water quality, wildlife, and other conservation needs in critical areas, watersheds, and corridors in a manner that enhances the conservation benefits of the individual programs, tailors programs to State and local needs, and promotes and supports ecosystem and watershed-based conservation.

(c) MEMORANDUM OF AGREEMENT.—On approval of a proposed plan, the Secretary may enter into a memorandum of agreement with a State, a combination of States, local governments, or tribes, that—

(1) guarantees specific program resources for implementation of the plan;

(2) establishes different or automatic enrollment criteria than otherwise established by regulation or policy, for specific levels of enrollments of specific conservation programs within the region, if doing so will achieve greater conservation benefits;

(3) establishes different compensation rates to the extent the parties to the agreement consider justified;

(4) establishes different conservation practice criteria if doing so will achieve greater conservation benefits;

(5) provides more streamlined and integrated paperwork requirements; and

(6) otherwise alters any other requirement established by United States Department of Agriculture policy and regulation to the extent not inconsistent with the statutory requirements and purposes of an individual conservation program.

SEC. 272. CONSERVATION ENHANCEMENT PLAN.

(a) PREPARATION.—To be eligible to participate in the program under this subtitle, a State, combination of States, political subdivision or agency of a State, tribe, or local government shall submit to the Secretary a plan that proposes specific criteria and commitment of resources in the geographic region designated, and describes how the linkage of Federal, State, and local resources will—

(1) improve the economic viability of agriculture by protecting contiguous tracts of land;

(2) improve the ecological integrity of the ecosystems or watersheds within the region by linking land with high ecological and natural resource value; and

(3) in the case of a multi-State plan, provide a draft memorandum of agreement among entities in each State.

(b) SUBMISSION AND REVIEW.—Within 90 days after receipt of the conservation plan, the Secretary shall review the plan and approve it for implementation and funding under this subtitle if the Secretary determines that the plan and memorandum of agreement meet the criteria specified in subsection (c).

(c) CRITERIA FOR PARTICIPATION.—The Secretary may approve a plan only if, as determined by the Secretary, the plan provides for each of the following:

(1) Actions taken under the conservation plan are voluntary and require the consent of willing landowners.

(2) Criteria specified in the plan and memorandum of agreement assure that enrollments in each conservation program incorporated through the plan are of exceptionally high conservation value.

(3) The program provides benefits greater than the benefits that would likely be achieved through individual application of the federal conservation programs because of such factors as—

(A) ecosystem- or watershed-based enrollment criteria;

(B) lengthier or permanent conservation commitments;

(C) integrated treatment of special natural resource problems, including preservation and enhancement of natural resource corridors; and

(D) improved economic viability for agriculture.

(4) Staffing and marketing, considering both Federal and non-Federal resources, are sufficient to assure program success.

(d) APPROVAL AND IMPLEMENTATION.—Within 90 days after approval of a conservation plan, the Secretary shall begin to provide funds for the implementation of the plan.

(e) PRIORITY.—In carrying out this section, the Secretary shall give priority to multi-State or multi-tribal plans.

SEC. 273. FUNDING REQUIREMENTS.

(a) COST-SHARING.—As a further condition on the approval of a conservation plan submitted by a non-Federal interest under section 272, the Secretary shall require the non-Federal interest to contribute at least 20 percent of the total cost of the Conservation Corridor Program.

(b) EXCEPTION.—The Secretary may reduce the cost-share requirement in the case of a specific activity under the Conservation Corridor Program on good cause and demonstration that the project or activity is likely to achieve extraordinary natural resource benefits.

(c) COORDINATION.—The Secretary shall require that non-Federal interests contributing financial resources for the Conservation Corridor Program shall implement streamlined paperwork requirements and other procedures to allow for integration with the Federal programs for participants in the program.

(d) RESERVATION OF FUNDS.—The Secretary shall direct funds on a priority basis to the Conservation Corridor Program and to projects in areas identified by the plan.

(e) ADMINISTRATION.—A State may submit multiple plans, but the Secretary shall assure opportunity for submission by each State. Acreage committed as part of approved Conservation Reserve Enhancement Programs shall be considered acreage of the Conservation Reserve Program committed to a Conservation Enhancement Program.

Subtitle I—Funding Source and Allocations

SEC. 281. FUNDING FOR CONSERVATION FUNDING.

(a) REDUCTION IN FIXED DECOUPLED PAYMENTS AND COUNTER-CYCLICAL PAYMENTS.—Notwithstanding sections 104 and 105, the Secretary of Agriculture (in this subtitle referred to as the ''Secretary'') shall reduce by $1,900,000,000 the total amount otherwise required to be paid under such sections in each of fiscal years 2002 through 2011, in accordance with this section.

(b) MAXIMUM TOTAL PAYMENTS BY TYPE AND FISCAL YEAR.—In making the reductions required by subsection (a), the Secretary shall ensure that—

(1) the total amount paid under section 104 does not exceed—

(A) $3,425,000,000 in fiscal year 2002; or

(B) $4,325,000,000 in any of fiscal years 2003 through 2011; and

(2) the total amount paid under section 105 does not exceed—

(A) $3,332,000,000 in fiscal year 2003;

(B) $4,494,000,000 in fiscal year 2004;

(C) $4,148,000,000 in fiscal year 2005;

(D) $3,974,000,000 in fiscal year 2006;

(E) $3,701,000,000 in fiscal year 2007;

(F) $3,222,000,000 in fiscal year 2008;

(G) $2,596,000,000 in fiscal year 2009;

(H) $2,057,000,000 in fiscal year 2010; or

(I) $1,675,000,000 in fiscal year 2011.

(c) LIMITATIONS TO PROTECT SMALLER FARMERS, PRESERVE TRADE AGREEMENTS, AND ENSURE PROGRAM AND REGIONAL BALANCE.—In making the reductions required by subsection (a), the Secretary shall—

(1) accomplish all of the reductions required with respect to a fiscal year by making pro rata reductions in the amounts otherwise payable under sections 104 and 105 to the 10 percent (or, if necessary, such greater percentage as the Secretary may determine) of recipients who would otherwise receive the greatest total payments under such sections in the fiscal year; and

(2) to the maximum extent practicable, ensure that—

(A) the resulting payments under such sections pose the least amount of risk to the United States of violating trade agreements to reduce subsidies; and

(B) the reductions are made in a manner that achieves balance among programs and regions.

SEC. 282. ALLOCATION OF CONSERVATION FUNDS BY STATE.

(a) STATE ALLOCATION.—To the maximum extent practicable in each of fiscal years 2002 through 2011, the Secretary, subject to the rules of the conservation programs administered by the Secretary, shall ensure that each State receives at a minimum the State's share of the $1,900,000,000 based on the State's share of the total agricultural market value of production, with each State receiving not less than 0.52 percent and not more than 7 percent of such amount annually.

(b) TRANSITION AND UNOBLIGATED BALANCES.—If the offices of the United States Department of Agriculture in each respective State cannot expend all funds allocated in this title within 2 consecutive fiscal years for the programs identified in this title, the funds shall be remitted to the Secretary for reallocation as the Secretary deems appropriate among States to address unmet conservation needs through the programs in this title, except that in no event shall these unobligated balances be used to fund technical assistance.

(c) REGIONAL EQUITY.—Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is amended by adding at the end the following:

''(d) REGIONAL EQUITY.—In carrying out the ECARP, the Secretary shall recognize the importance of regional equity, and the importance of accomplishing many conservation objectives that can sometimes only be achieved on land of high value.''.

Subtitle J—Rural Development

SEC. 291. EXPANSION OF STATE MARKETING PROGRAMS.

(a) FEDERAL-STATE MARKET INCENTIVE PAYMENTS.—Section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623) is amended by striking ''such sums as he may deem appropriate'' and inserting ''$10,000,000 from the Commodity Credit Corporation for each of the fiscal years 2002 through 2011''.

(b) MARKET DEVELOPMENT GRANTS.—Section 203(e)(1) of such Act (7 U.S.C. 1622(e)(1)) is amended by adding at the end the following: ''The Secretary shall transfer to State departments of agriculture and other State marketing offices at least 10 percent of the funds appropriated for a fiscal year for this subsection to facilitate the development of local and regional markets for agricultural products, including direct farm-to-consumer markets.''.

Amend the table of contents accordingly.

It was decided in the negative { Yeas ..... 200 / Nays ..... 226 }

¶103.6 [Roll No. 366]

AYES—200

Abercrombie, Ackerman, Allen, Andrews, Baird, Baldacci, Baldwin, Barrett, Bass, Becerra, Berman, Biggert, Bilirakis, Blumenauer, Boehlert, Bonior, Borski, Boucher, Brady (PA), Brown (FL), Brown (OH), Capito, Capps, Capuano, Cardin, Carson (IN), Castle, Clay, Conyers, Coyne, Crowley, Cummings, Davis (CA), Davis (FL), Davis (IL), Davis, Tom, DeFazio, DeGette, Delahunt, DeLauro, Deutsch, Dicks, Dingell, Doggett, Doyle, Ehlers, Ehrlich, Engel, Eshoo, Farr, Fattah, Ferguson, Filner, Fossella, Frank, Frelinghuysen, Gephardt, Gilchrest, Gilman, Goss, Green (TX), Green (WI), Greenwood, Grucci, Gutierrez, Harman, Hart, Hinchey, Hoeffel, Hoekstra, Holden, Holt, Honda, Hooley, Hoyer, Inslee, Israel, Jackson (IL), Jackson-Lee (TX), Jefferson, Johnson (CT), Johnson, E. B., Jones (OH), Kanjorski, Kaptur, Kelly, Kennedy (RI), Kildee, Kilpatrick, Kind (WI), King (NY), Kirk, Kleczka, Kolbe, Kucinich, LaFalce, Langevin, Lantos, Larsen (WA), Larson (CT), LaTourette, Lee, Lewis (GA), LoBiondo, Lofgren, Lowey, Luther, Maloney (CT), Maloney (NY), Markey, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McDermott, McGovern, McHugh, McNulty, Meehan, Meeks (NY), Menendez, Millender-McDonald, Miller (FL), Miller, George, Mollohan, Moran (VA), Morella, Murtha, Nadler, Napolitano, Neal, Ney, Oberstar, Obey, Olver, Owens, Pallone, Pascrell, Pastor, Payne, Pelosi, Petri, Price (NC), Pryce (OH), Quinn, Rahall, Ramstad, Rangel, Reynolds, Rivers, Roemer, Rohrabacher, Rothman, Roukema, Roybal-Allard, Ryan (WI), Sanchez, Sanders, Sawyer, Saxton, Schakowsky, Schiff, Sensenbrenner, Serrano, Shaw, Shays, Sherman, Sherwood, Shuster, Simmons, Slaughter, Smith (NJ), Smith (WA), Solis, Stark, Strickland, Stupak, Sununu, Sweeney, Tauscher, Thompson (CA), Tierney, Toomey, Towns, Udall (CO), Udall (NM), Upton, Velazquez, Walsh, Waters, Watson (CA), Waxman, Weiner, Weldon (PA), Wexler, Wolf, Woolsey, Wu, Wynn

NOES—226

Aderholt, Akin, Armey, Baca, Bachus, Baker, Ballenger, Barcia, Barr, Bartlett, Barton, Bentsen, Bereuter, Berkley, Berry, Bishop, Blagojevich, Blunt, Boehner, Bonilla, Bono, Boswell, Boyd, Brady (TX), Brown (SC), Bryant, Burr, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Carson (OK), Chabot, Chambliss, Clayton, Clement, Clyburn, Coble, Combest, Condit, Cooksey, Costello, Cox, Cramer, Crane, Crenshaw, Cubin, Culberson, Cunningham, Davis, Jo Ann, Deal, DeLay, DeMint, Diaz-Balart, Dooley, Doolittle, Dreier, Duncan, Dunn, Edwards, Emerson, English, Etheridge, Evans, Everett, Flake, Fletcher, Foley, Forbes, Ford, Frost, Gallegly, Ganske, Gekas, Gillmor, Gonzalez, Goode, Goodlatte, Gordon, Graham, Granger, Graves, Gutknecht, Hall (OH), Hall (TX), Hansen, Hastert, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill, Hilleary, Hilliard, Hinojosa, Hobson, Horn, Hostettler, Hulshof, Hunter, Hyde, Isakson, Issa, Istook, Jenkins, John, Johnson (IL), Johnson, Sam, Jones (NC), Keller, Kennedy (MN), Kerns, Kingston, Knollenberg, LaHood, Lampson, Largent, Latham, Leach, Levin, Lewis (CA), Lewis (KY), Linder, Lipinski, Lucas (KY), Lucas (OK), Manzullo, Matheson, McCrery, McInnis, McIntyre, McKeon, McKinney, Meek (FL), Mica, Miller, Gary, Mink, Moore, Moran (KS), Myrick, Nethercutt, Northup, Norwood, Nussle, Ortiz, Osborne, Ose, Otter, Oxley, Paul, Pence, Peterson (MN), Peterson (PA), Phelps, Pickering, Pitts, Platts, Pombo, Pomeroy, Portman, Putnam, Radanovich, Regula, Rehberg, Reyes, Riley, Rodriguez, Rogers (KY), Rogers (MI), Ros-Lehtinen, Ross, Royce, Rush, Ryun (KS), Sabo, Sandlin, Schaffer, Schrock, Scott, Sessions, Shadegg, Shimkus, Shows, Simpson, Skeen, Skelton, Smith (MI), Smith (TX), Snyder, Souder, Spratt, Stearns, Stenholm, Stump, Tancredo, Tanner, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thompson (MS), Thornberry, Thune, Thurman, Tiahrt, Tiberi, Traficant, Turner, Vitter, Walden, Wamp, Watkins (OK), Watt (NC), Watts (OK), Weldon (FL), Weller, Whitfield, Wicker, Wilson, Young (AK), Young (FL)

NOT VOTING—5

Burton, Collins, Gibbons, Houghton, Visclosky

So the amendment was not agreed to.

After some further time,

¶103.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MILLER of Florida:

Strike sections 151, 152, and 153 (page 75, line 19, through page 102, line 20) and insert the following new section:

SEC. 151. SUGAR PROGRAM.

(a) EXTENSION OF PROGRAM AT REDUCED LOAN RATES.—Section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is amended—

(1) in subsection (a), by striking ''sugar.'' and inserting ''sugar through the 2001 crop of sugercane and 17 cents per pound for raw cane sugar for the 2002 through 2011 crops of sugarcane.'';

(2) in subsection (b), by striking ''sugar.'' and inserting ''sugar through the 2001 crop of sugar beets and 21.6 cents per pound for refined beet sugar for the 2002 through 2011 crops of sugar beets.''; and

(3) in subsection (i), by striking ''2002'' and inserting ''2011''.

(b) EXPIRATION OF MARKETING ASSESSMENT.—Effective October 1, 2003, subsection (f) of section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7251) is repealed.

(c) INCREASE IN FORFEITURE PENALTY.—Subsection (g)(2) of section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7251) is amended by striking ''1 cent'' and inserting ''2 cents''.

(d) AVAILABILITY OF SAVINGS FOR CONSERVATION AND ENVIRONMENTAL STEWARDSHIP PROGRAMS.—

(1) IN GENERAL.—The Secretary shall use funds appropriated pursuant to the authorization of appropriations in paragraph (3) to augment conservation and environmental stewardship programs established or amended in title II of this Act or for other conservation and environmental programs administered by the Department of Agriculture.

(2) PRIORITY.—In using the funds appropriated pursuant to the authorization of appropriations in paragraph (3), the Secretary shall give priority to conservation and environmental programs administered by the Department of Agriculture that conserve, restore, or enhance the Florida Everglades ecosystem.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $30,000,000 for each of the fiscal years 2002 through 2011. Amounts appropriated pursuant to this authorization of appropriations shall be available until expended and are in addition to, and not in place of, other funds made available under this Act or any other Act for the programs referred to in paragraph (1).

It was decided in the negative { Yeas ..... 177 / Nays ..... 239 }

¶103.8 [Roll No. 367]

AYES—177

Allen, Andrews, Armey, Baldwin, Barr, Barrett, Bartlett, Bass, Berkley, Berman, Biggert, Bilirakis, Blagojevich, Blumenauer, Boehlert, Bono, Borski, Boucher, Brown (OH), Brown (SC), Cantor

Capito
Capps
Castle
Chabot
Clay
Clement
Collins
Conyers
Cox
Coyne
Crane
Culberson
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeGette
DeLauro
DeLay
DeMint
Deutsch
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Eshoo
Ferguson
Flake
Fossella
Frank
Frelinghuysen
Gallegly
Gekas
Goodlatte
Gordon
Goss
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hart
Hayworth
Hefley
Hilleary
Hinchey
Hobson
Hoeffel
Hoekstra
Holt
Horn
Hostettler
Hyde
Isakson
Issa
Jackson (IL)
Johnson (CT)
Jones (OH)
Kanjorski
Keller
Kelly
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Kolbe
Langevin
Lantos
Largent
Larson (CT)
LaTourette
Linder
Lipinski
LoBiondo
Lowey
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Matheson
McCarthy (MO)
McCarthy (NY)
McHugh
McInnis
McKinney
McNulty
Meehan
Meeks (NY)
Miller (FL)
Miller, George
Moore
Moran (VA)
Morella
Myrick
Nadler
Ney
Northup
Owens
Pallone
Pascrell
Paul
Pence
Peterson (PA)
Petri
Pitts
Platts
Portman
Pryce (OH)
Quinn
Ramstad
Regula
Reynolds
Rohrabacher
Roukema
Royce
Rush
Ryan (WI)
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Slaughter
Smith (NJ)
Snyder
Souder
Sununu
Tancredo
Tauscher
Thomas
Tiberi
Tierney
Toomey
Upton
Velazquez
Wamp
Waxman
Weiner
Weldon (PA)
Wolf
Young (FL)

NOES—239

Abercrombie
Ackerman
Aderholt
Akin
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barton
Becerra
Bentsen
Bereuter
Berry
Bishop
Blunt
Boehner
Bonilla
Bonior
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Buyer
Calvert
Camp
Cannon
Capuano
Cardin
Carson (IN)
Carson (OK)
Chambliss
Clayton
Clyburn
Coble
Combest
Condit
Cooksey
Costello
Cramer
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Deal
DeFazio
Delahunt
Diaz-Balart
Dingell
Doolittle
Emerson
Engel
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frost
Ganske
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Graham
Granger
Graves
Green (TX)
Grucci
Gutknecht
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Hill
Hilliard
Hinojosa
Holden
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Knollenberg
Kucinich
LaHood
Lampson
Larsen (WA)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Mascara
Matsui
McCollum
McCrery
McDermott
McGovern
McIntyre
McKeon
Meek (FL)
Menendez
Mica
Miller, Gary
Mink
Moran (KS)
Napolitano
Neal
Nethercutt
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickering
Pombo
Pomeroy
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Schaffer
Sessions
Shimkus
Shows
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Vitter
Walden
Walsh
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—14

Burton
Callahan
Dicks
Gibbons
Hansen
Houghton
Istook
LaFalce
Millender-McDonald
Mollohan
Murtha
Serrano
Visclosky
Wexler

So the amendment was not agreed to.

After some further time,

The Committee rose informally to receive a message from the Senate.

The SPEAKER pro tempore, Mr. GUTKNECHT, assumed the Chair.

¶103.9 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 42. Joint Resolution memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.

The Committee resumed its sitting; and after some further time spent therein,

The SPEAKER pro tempore, Mrs. EMERSON, assumed the Chair.

When Mr. HASTINGS of Washington, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶103.10 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 2646

On motion of Mr. COMBEST, by unanimous consent,

Ordered, That, during further consideration of the bill (H.R. 2646) in the Committee of the Whole pursuant to House Resolution 248, it may be in order that debate on amendment numbered 47, and all amendments thereto, shall not exceed 55 minutes, with 45 minutes equally divided and controlled by the proponent and an opponent, and 10 minutes controlled by Representative Obey; and that no further amendment may be offered after the legislative day of Thursday, October 4, 2001, except one pro forma amendment each offered by the chairman or ranking minority member of the Committee on Agriculture or their designees for the purpose of debate.

¶103.11 AGRICULTURAL PROGRAMS THROUGH FY 2011

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to House Resolution 248 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

Mr. HASTINGS of Washington, Acting Chairman, assumed the chair; and after some time spent therein,

¶103.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment, as amended, submitted by Mr. SANDERS:

At the end of chapter 1 of subtitle C of title I (page 75, after line 17), insert the following new section:

SEC. ____. NATIONAL COUNTER-CYCLICAL INCOME SUPPORT PROGRAM FOR DAIRY PRODUCERS.

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means a Regional Supply Management Board established under subsection (b)(4).

(2) CLASS I, II, III, AND IV MILK.—The terms 'Class I milk', 'Class II milk', 'Class III milk', and 'Class IV milk' mean milk classified as Class I, II, III, or IV milk, respectively, under an order.

(3) DISTRICT.—The term ''District'' means a Regional Supply Management District established under subsection (b)(3).

(4) ELIGIBLE PRODUCER.—The term ''eligible producer'' means an individual or entity that directly or indirectly has an interest in the production of milk.

(5) ELIGIBLE PRODUCTION.—The term ''eligible production'' means the lesser of—

(A) the quantity of milk produced by an eligible producer during a month; or

(B) 230,000 pounds per month.

(6) MARKETING AREA.—The term ''marketing area'' means a marketing area subject to an order.

(7) ORDER.—The term 'order' means—

(A) an order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937; or

(B) a comparable State order, as determined by the Secretary.

(8) PARTICIPATING STATE.—The term ''participating State'' means a State that is participating in the program authorized by this section in accordance with subsection (b)(2).

(9) STATE.—The term 'State' means each of the 48 contiguous States of the United States.

(10) TRUST FUND.—The term 'Trust Fund' means the National Dairy Producers Trust Fund established under subsection (b)(5).

(b) INCOME SUPPORT FOR ELIGIBLE PRODUCERS FOR MILK SOLD TO PROCESSORS IN PARTICIPATING STATES.—

(1) IN GENERAL.—During each of calendar years 2002 through 2011, the Secretary shall carry out a program under this subsection to support the income of eligible producers for milk sold to processors in participating States.

(2) PARTICIPATING STATES.—

(A) SPECIFIED STATES.—The following States are participating States for purposes

of the program authorized by this section: Alabama, Arkansas, Connecticut, Delaware, Georgia, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia.

(B) OTHER STATES.—The Governor of a State not described in subparagraph (A) may provide for the participation of the State in the program authorized by this section by providing notice to the Secretary in a manner determined by the Secretary.

(C) WITHDRAWAL.—

(i) IN GENERAL.—For a State to withdraw from participation in the program authorized by this section, the Governor of the State (with the concurrence of the legislature of the State) shall notify the Secretary of the withdrawal of the State from participation in the program in a manner determined by the Secretary.

(ii) EFFECTIVE DATE.—The withdrawal of a State from participation in the program takes effect—

(I) in the case of written notice provided during the 180-day period beginning on the date of enactment of this Act, on the date on which the notice is provided to the Secretary; and

(II) in the case of written notice provided after the 180-day period, on the date that is 1 year after the date on which the notice is provided to the Secretary.

(3) REGIONAL SUPPLY MANAGEMENT DISTRICTS.—To carry out this subsection, the Secretary shall establish 5 Regional Supply Management Districts that are composed of the following participating States:

(A) NORTHEAST DISTRICT.—A Northeast District consisting of the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Vermont.

(B) SOUTHERN DISTRICT.—A Southern District consisting of the States of Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Oklahoma, South Carolina, Texas, Tennessee, Virginia, and West Virginia.

(C) UPPER MIDWEST DISTRICT.—An Upper Midwest District consisting of the States of Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin.

(D) INTERMOUNTAIN DISTRICT.—An Intermountain District consisting of the States of Arizona, Colorado, Idaho, Montana, Nevada, Utah, and Wyoming.

(E) PACIFIC DISTRICT.—A Pacific District consisting of the States of California, Oregon, and Washington.

(4) REGIONAL SUPPLY MANAGEMENT BOARDS.—

(A) IN GENERAL.—Each District shall be administered by a Regional Supply Management Board.

(B) COMPOSITION.—

(i) IN GENERAL.—The Board of a District shall be composed of not less than 2, and not more than 3, members from each participating State in the District, appointed by the Secretary from nominations submitted by the Governor of the State.

(ii) NOMINATIONS.—The Governor of a participating State shall nominate at least 5 residents of the State to serve on the Board, of which—

(I) at least 1 nominee shall be an eligible producer at the time of nomination; and

(II) at least 1 nominee shall be a consumer representative.

(5) NATIONAL DAIRY PRODUCERS TRUST FUND.—

(A) ESTABLISHMENT AND FUNDING.—There is established in the Treasury of the United States a trust fund to be known as the National Dairy Producers Trust Fund, which shall consist of—

(i) the payments received by the Secretary and deposited in the Trust Fund under paragraph (6); and

(ii) the payments made by the Secretary to the Trust Fund under paragraph (7).

(B) EXPENDITURES.—Amounts in the Trust Fund shall be available to the Secretary, to the extent provided for in advance in an appropriations Act, to carry out paragraphs (8) through (10).

(6) PAYMENTS FROM PROCESSORS TO TRUST FUND.—

(A) IN GENERAL.—During any month for which the Secretary estimates that the average price paid by processors for Class I milk in a District will not exceed $17.50 per hundredweight, each processor in a participating State in the District that purchases Class I milk from an eligible producer during the month shall pay to the Secretary for deposit in the Trust Fund an amount obtained by multiplying—

(i) the payment rate determined under subparagraph (B); by

(ii) the quantity of Class I milk purchased from the eligible producer during the month.

(B) PAYMENT RATE.—The payment rate for a payment made by a processor that purchases Class I milk in a participating State in a District under subparagraph (A)(i) shall equal the difference between—

(i) $17.50 per hundredweight; and

(ii)(I) in the case of an area covered by an order, the minimum price required to be paid to eligible producers for Class I milk in the marketing area under an order; or

(II) in the case of an area not covered by an order, the minimum price determined by the Secretary, taking into account the minimum price referred to in subclause (I) in adjacent marketing areas.

(7) COUNTER-CYCLICAL PAYMENTS FROM SECRETARY TO TRUST FUND.—

(A) IN GENERAL.—To the extent provided for in advance in an appropriations Act, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to make a payment each month to the Trust Fund in an amount determined by multiplying—

(i) the payment rate determined under subparagraph (B); by

(ii) the quantity of eligible production of Class II, Class III, and Class IV milk sold in the various Districts during the month, as determined by the Secretary.

(B) PAYMENT RATE.—The payment rate for a payment made to the Trust Fund for a month under subparagraph (A)(i) shall equal 25 percent of the difference between—

(i) $13.00 per hundredweight; and

(ii) the weighted average of the price received by producers in each District for Class III milk during the month, as determined by the Secretary.

(8) COMPENSATION FROM TRUST FUND FOR ADMINISTRATIVE AND INCREASED FOOD ASSISTANCE COSTS.—The Secretary shall use amounts in the Trust Fund to provide compensation to the Secretary for—

(A) administrative costs incurred by the Secretary and Boards in carrying out this subsection; and

(B) the increased cost of any milk and milk products provided under any food assistance program administered by the Secretary that results from carrying out this subsection.

(9) PAYMENTS FROM TRUST FUND TO BOARDS.—

(A) IN GENERAL.—The Secretary shall use any amounts in the Trust Fund that remain after providing the compensation required under paragraph (8) to make monthly payments to Boards.

(B) AMOUNT.—The amount of a payment made to a Board of a District for a month under subparagraph (A) shall bear the same ratio to payments made to all Boards for the month as the eligible production sold in the District during the month bears to eligible production sold in all Districts.

(10) PAYMENTS BY BOARDS TO PRODUCERS.—

(A) IN GENERAL.—With the approval of the Secretary, a Board of a District shall use payments received under paragraph (9) to make payments to eligible producers for eligible production of milk that is commercially sold in a participating State in the District.

(B) SUPPLY MANAGEMENT.—In carrying out subparagraph (A), a Board of a District may—

(i) use a portion of the payments described in subparagraph (A) to provide bonuses or other incentives to eligible producers for eligible production to manage the supply of milk produced in the District; and

(ii) request the Secretary to review a proposed action under clause (i).

(C) REIMBURSEMENT OF COMMODITY CREDIT CORPORATION.—

(i) IN GENERAL.—If the Secretary determines that the Commodity Credit Corporation has incurred additional costs to carry out section 141 as a result of overproduction of milk due to the operation of this section in a District, the Secretary shall require the Board of the District to reimburse the Commodity Credit Corporation for the additional costs.

(ii) BOARD ASSESSMENT.—The Board of the District may impose an assessment on the sale of milk within participating States in the District to compensate the Commodity Credit Corporation for the additional costs.

(c) COUNTER-CYCLICAL PAYMENTS FOR ELIGIBLE PRODUCERS FOR MILK SOLD TO PROCESSORS IN NONPARTICIPATING STATES.—

(1) IN GENERAL.—To the extent provided for in advance in an appropriations Act, during each of calendar years 2002 through 2011, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to make payments to an eligible producer in a District for milk sold to processors in a State that is not a participating State in an amount determined by multiplying—

(A) the payment rate determined under paragraph (2); by

(B) the payment quantity determined under paragraph (3).

(2) PAYMENT RATE.—The payment rate for a payment made to an eligible producer in a District for a month under paragraph (1)(A) shall equal 25 percent of the difference between—

(A) $13.00 per hundredweight; and

(B) the average price received by producers in the District for Class III milk during the month, as determined by the Secretary.

(3) PAYMENT QUANTITY.—The payment quantity for a payment made to an eligible producer in a District for a month under paragraph (1)(B) shall be equal to—

(A) the quantity of eligible production of Class II, Class III, and Class IV milk for the eligible producer during the month, as determined by the Secretary; less

(B) the quantity of any milk that is sold by the eligible producer to a processor in a participating State during the month.

(d) LIMITATION.—In determining the amount of payments made for eligible production under this section, no individual or entity directly or indirectly may be paid on production in excess of 230,000 pounds of milk per month.

It was decided in the negative ..... { Yeas ..... 194 / Nays 224

¶103.13 [Roll No. 368]

AYES—194

Abercrombie
Ackerman
Allen
Andrews
Baker
Baldacci
Baldwin
Barrett
Bartlett
Bass
Bereuter
Blagojevich
Boehlert
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Cooksey
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis, Jo Ann
DeGette
DeLauro
Deutsch
Doyle
Duncan
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fossella
Frelinghuysen
Gekas
Gephardt
Gilchrest
Gilman
Goode
Green (TX)
Greenwood
Grucci
Gutierrez
Harman
Hart
Hastings (FL)
Hinchey
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
LoBiondo
Lowey
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matsui
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Morella
Nadler
Napolitano
Neal
Ney
Norwood
Oberstar
Obey
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (PA)
Pickering
Pitts
Platts
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Reynolds
Rivers
Roemer
Rogers (KY)
Rothman
Roukema
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Sherman
Sherwood
Shows
Shuster
Simmons
Slaughter
Snyder
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Taylor (MS)
Taylor (NC)
Thurman
Towns
Upton
Velazquez
Vitter
Waters
Watson (CA)
Watt (NC)
Weiner
Weldon (PA)
Whitfield
Wolf
Woolsey
Wynn

NOES—224

Aderholt
Akin
Armey
Baca
Bachus
Baird
Ballenger
Barcia
Barr
Barton
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Brown (SC)
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Chabot
Chambliss
Clay
Collins
Combest
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis, Tom
Deal
DeFazio
Delahunt
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehrlich
Evans
Everett
Flake
Fletcher
Foley
Forbes
Ford
Frank
Frost
Gallegly
Ganske
Gillmor
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hoekstra
Honda
Hostettler
Hulshof
Hunter
Hyde
Isakson
Istook
Jefferson
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Keller
Kennedy (MN)
Kerns
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larsen (WA)
Latham
Leach
Lewis (CA)
Linder
Lipinski
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Markey
Matheson
McCarthy (MO)
McCollum
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Myrick
Nethercutt
Northup
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Petri
Phelps
Pombo
Pomeroy
Portman
Putnam
Radanovich
Ramstad
Rehberg
Reyes
Riley
Rodriguez
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sabo
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Stearns
Stenholm
Stump
Sununu
Tancredo
Tanner
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weldon (FL)
Weller
Wicker
Wilson
Wu
Young (FL)

NOT VOTING—12

Burton
Callahan
Gibbons
Houghton
Issa
Mollohan
Murtha
Olver
Serrano
Visclosky
Wexler
Young (AK)

So the amendment, as amended, was not agreed to.

¶103.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. CLAYTON:

At the end of the bill add the following:

TITLE X—USE OF AMOUNTS PROVIDED FOR FIXED, DECOUPLED PAYMENTS TO PROVIDE NECESSARY FUNDS FOR RURAL DEVELOPMENT PROGRAMS.

SEC. 1001. USE OF AMOUNTS PROVIDED FOR FIXED, DECOUPLED PAYMENTS TO PROVIDE NECESSARY FUNDS FOR RURAL DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—Notwithstanding section 104 of this Act, in each of fiscal years 2002 through 2011, the Secretary of Agriculture shall—

(1) reduce the total amount payable under section 104 of this Act, on a pro rata basis, so that the total amount of such reductions equals $100,000,000; and

(2) expend—

(A) $45,000,000 for grants under 306A of the Consolidated Farm and Rural Development Act (relating to the community water assistance grant program);

(B) $45,000,000 for grants under 613 of this Act (relating to the pilot program for development and implementation of startegic regional development plans); and

(C) $10,000,000 for grants under section 231(a)(1) of the Agricultural Risk Protection Act of 2000 (relating to value-added agricultural product market development grants).

(b) RELATED AMENDMENTS.—Section 613 of this Act is amended—

(1) in subsection (a)(1), by striking ''select 10 States'' and inserting '', on a competitive basis, select States'';

(2) in subsection (a)(3)(A), by inserting '', plus 2/13 of the amounts made available by section 1001(a) of the Farm Security Act of 2001 for grants under this section,'' after ''Corporation''; and

(3) in subsection (b)(2)(A), insert '', plus 11/13 of the amounts made available by section 1001(a) of the Farm Security Act of 2001 for grants under this section,'' after ''Corporation''.

It was decided in the affirmative ..... { Yeas ..... 235 / Nays 183

¶103.15 [Roll No. 369]

AYES—235

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass
Becerra
Berkley
Berman
Bilirakis
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clyburn
Coble
Condit
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Duncan
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gekas
Gephardt
Gilchrest
Gilman
Goode
Gordon
Greenwood
Grucci
Gutierrez
Hall (OH)
Harman
Hart
Hastings (FL)
Hayworth
Herger
Hinchey
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (PA)
Pitts
Platts
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Roemer
Rogers (KY)
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Shays
Sherman
Sherwood
Shuster
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sununu
Sweeney
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman

Weiner
Weldon (PA)
Wilson
Woolsey
Wu
Wynn

NOES—183

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Barton
Bentsen
Bereuter
Berry
Biggert
Bishop
Blunt
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Carson (OK)
Chabot
Chambliss
Clement
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Dunn
Edwards
Emerson
English
Evans
Everett
Flake
Fletcher
Forbes
Gallegly
Ganske
Gillmor
Gonzalez
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hefley
Hill
Hilleary
Hilliard
Hinojosa
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Isakson
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Largent
Larsen (WA)
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCarthy (MO)
McCrery
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Petri
Phelps
Pickering
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Rehberg
Riley
Rodriguez
Rogers (MI)
Ros-Lehtinen
Ross
Ryan (WI)
Ryun (KS)
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shows
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—12

Burton
Callahan
Gibbons
Houghton
Issa
Mollohan
Murtha
Olver
Serrano
Visclosky
Wexler
Young (AK)

So the amendment was agreed to.

¶103.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. BONO:

At the end of title IX (page 354, after line 16), insert the following new section:

SEC. ____. COUNTRY OF ORIGIN LABELING OF PERISHABLE AGRICULTURAL COMMODITIES.

(a) ESTABLISHMENT OF LABELING REQUIREMENT.—The Perishable Agricultural Commodities Act, 1930, is amended by inserting after section 17 (7 U.S.C. 499q) the following new section:

"SEC. 18. COUNTRY OF ORIGIN LABELING OF PERISHABLE AGRICULTURAL COMMODITIES.

''(a) NOTICE OF COUNTRY OF ORIGIN REQUIRED.—Except as provided in subsection (b), a retailer of a perishable agricultural commodity shall inform consumers, at the final point of sale of the perishable agricultural commodity to consumers, of the country of origin of the perishable agricultural commodity. This requirement shall apply to imported and domestically produced perishable agricultural commodities.

''(b) EXEMPTION FOR FOOD SERVICE ESTABLISHMENTS.—

''(1) EXEMPTION.—Subsection (a) shall not apply to a perishable agricultural commodity to the extent that the perishable agricultural commodity is—

''(A) prepared or served in a food service establishment; and

''(B) offered for sale or sold at the food service establishment in normal retail quantities or served to consumers at the food service establishment.

''(2) DEFINITION.—In this subsection, the term 'food service establishment' means a restaurant, cafeteria, lunch room, food stand, saloon, tavern, bar, lounge, or other similar facility, which is operated as an enterprise engaged in the business of selling foods to the public.

''(c) METHOD OF NOTIFICATION.—

''(1) IN GENERAL.—The information required by subsection (a) may be provided to consumers by means of a label, stamp, mark, placard, or other clear and visible sign on the perishable agricultural commodity or on the package, display, holding unit, or bin containing the commodity at the final point of sale to consumers.

''(2) LABELED COMMODITIES.—If a perishable agricultural commodity is already individually labeled regarding country of origin by a packer, importer, or another person, the retailer shall not be required to provide any additional information to comply with this section.

''(d) VIOLATIONS.—If a retailer fails to indicate the country of origin of a perishable agricultural commodity as required by subsection (a), the Secretary of Agriculture may assess a civil penalty on the retailer in an amount not to exceed—

''(1) $1,000 for the first day on which the violation occurs; and

''(2) $250 for each day on which the same violation continues.

''(e) DEPOSIT OF FUNDS.—Amounts collected under subsection (d) shall be deposited in the Treasury of the United States as miscellaneous receipts.''.

(b) APPLICATION OF AMENDMENT.—Section 18 of the Perishable Agricultural Commodities Act, 1930, as added by subsection (a), shall apply with respect to a perishable agricultural commodity offered for retail sale after the end of the six-month period beginning on the date of the enactment of this Act.

It was decided in the affirmative ..... { Yeas ..... 296 / Nays 121

¶103.17 [Roll No. 370]

AYES—296

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett
Bartlett
Barton
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Buyer
Calvert
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Condit
Conyers
Cooksey
Costello
Cox
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Duncan
Ehlers
Emerson
Engel
English
Eshoo
Evans
Everett
Farr
Fattah
Ferguson
Filner
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilman
Goode
Gordon
Goss
Graham
Green (TX)
Grucci
Gutierrez
Hall (OH)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hunter
Hyde
Isakson
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McHugh
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Norwood
Oberstar
Obey
Owens
Pallone
Pascrell
Payne
Pelosi
Phelps
Pickering
Pitts
Platts
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Shimkus
Shows
Simmons
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Walden
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—121

Akin
Armey
Baker
Ballenger
Bass
Bentsen
Bereuter
Biggert
Blunt
Boehner
Bonilla
Boswell
Brady (TX)
Burr
Cannon
Cantor
Castle
Clement
Combest
Coyne
Cramer
Crane
Culberson
Davis, Tom
DeMint
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehrlich
Etheridge
Flake
Fletcher
Frank
Ganske
Gilchrest
Gillmor
Gonzalez
Goodlatte
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hayes
Hinojosa
Hostettler
Hulshof
Inslee
Johnson (IL)
Johnson, Sam
Keller
Kennedy (MN)
Kerns
Kind (WI)
Kingston
Knollenberg
Kolbe
Lampson
Lantos
Largent

Latham	Ose	Sherwood
LaTourette	Otter	Shuster
Leach	Oxley	Simpson
Lewis (KY)	Pastor	Smith (MI)
Lucas (KY)	Paul	Smith (WA)
Lucas (OK)	Pence	Souder
Manzullo	Peterson (MN)	Stenholm
McCarthy (MO)	Peterson (PA)	Stump
McCrery	Petri	Sununu
McGovern	Pombo	Tancredo
McIntyre	Price (NC)	Tanner
McKeon	Ramstad	Terry
Moran (KS)	Reyes	Thornberry
Myrick	Reynolds	Tiahrt
Nethercutt	Ryan (WI)	Vitter
Ney	Ryun (KS)	Walsh
Northup	Sabo	Weller
Nussle	Schaffer	Wilson
Ortiz	Schrock	
Osborne	Sessions	

NOT VOTING—13

Burton	Mollohan	Visclosky
Callahan	Murtha	Wexler
Gibbons	Olver	Young (AK)
Houghton	Roukema	
Issa	Serrano	

So the amendment was agreed to.

After some further time,

The SPEAKER pro tempore, Mr. CHAMBLISS, assumed the Chair.

When Mr. HASTINGS of Washington, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶103.18 BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 3, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 1583. To designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the ''Lee H. Hamilton Federal Building and United States Courthouse''.

H.R. 1860. To reauthorize the Small Business Technology Transfer Program, and for other purposes.

¶103.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BURTON, for today and balance of the week; and

To Mr. GIBBONS, for today after 4 p.m. and October 5.

And then,

¶103.20 ADJOURNMENT

On motion of Mr. COMBEST, at 11 o'clock and 50 minutes p.m., the House adjourned.

¶103.21 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. RANGEL (for himself, Mr. LEVIN, Mr. MATSUI, and Mr. MCDERMOTT):

H.R. 3019. A bill to provide fast-track trade negotiating authority to the President; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KELLY:

H.R. 3020. A bill to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURTON of Indiana:

H.R. 3021. A bill to authorize the issuance of United States Defense of Freedom Bonds to aid in funding of the war against terrorism, and for other purposes; to the Committee on Ways and Means.

By Mr. CARDIN (for himself, Mr. RANGEL, Mr. HOUGHTON, Mr. STARK, Mr. ENGLISH, Mr. LEVIN, Mr. MCDERMOTT, and Mr. COYNE):

H.R. 3022. A bill to provide for a program of temporary enhanced unemployment benefits; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 3023. A bill to amend title II of the Social Security Act to allow remarried widows, widowers, and surviving divorced spouses to become or remain entitled to widow's or widower's insurance benefits if the prior marriage was for at least 10 years; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 3024. A bill to reform the Federal unemployment benefits system; to the Committee on Ways and Means.

By Mr. FORBES:

H.R. 3025. A bill to amend title 10, United States Code, to expand the program under which State and local governments may procure law enforcement equipment through the Department of Defense to include the procurement of counter-terrorism equipment; to the Committee on Armed Services.

By Mr. GIBBONS (for himself, Ms. HARMAN, Mr. LAHOOD, Mr. ROEMER, and Mr. CASTLE):

H.R. 3026. A bill to establish an Office of Homeland Security within the Executive Office of the President to lead, oversee, and coordinate a comprehensive national homeland security strategy to safeguard the Nation; to the Committee on Government Reform, and in addition to the Committees on Armed Services, the Judiciary, Transportation and Infrastructure, Intelligence (Permanent Select), and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREEN of Texas:

H.R. 3027. A bill to amend title XVIII of the Social Security Act to permit expansion of medical residency training programs in geriatric medicine and to provide for reimbursement of care coordination and assessment services provided under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HART:

H.R. 3028. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate Pennsylvania State route 60 as part of the Dwight D. Eisenhower National System of Interstate and Defense Highways; to the Committee on Transportation and Infrastructure.

By Mr. INSLEE (for himself, Mr. SHAYS, Mr. STRICKLAND, Mr. KING, Mr. MARKEY, Mrs. MORELLA, Ms. BROWN of Florida, Mr. ALLEN, Mr. DICKS, Mr. MCDERMOTT, Ms. JACKSON-LEE of Texas, Mr. BONIOR, Mr. BROWN of Ohio, Mr. BAIRD, Ms. CARSON of Indiana, Mr. BOUCHER, Mr. BARRETT, and Mr. BACA):

H.R. 3029. A bill to amend title 49, United States Code, to require the screening of all property carried in aircraft in air transportation and intrastate air transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LATHAM:

H.R. 3030. A bill to extend the ''Basic Pilot'' employment verification system, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Kentucky:

H.R. 3031. A bill to suspend temporarily the duty on 3,3–Dichlorobenzidine Dihydrochloride; to the Committee on Ways and Means.

By Mr. MASCARA:

H.R. 3032. A bill to amend title XVIII of the Social Security Act to extend coverage of immunosuppressive drugs under the Medicare Program to cases of transplants not paid for under the program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCCOLLUM:

H.R. 3033. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to authorize the appropriation of funds for the program to collect information relating to nonimmigrant foreign students and to provide for a GAO review of such program; to the Committee on the Judiciary.

By Mr. MENENDEZ:

H.R. 3034. A bill to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the ''Frank Sinatra Post Office Building''; to the Committee on Government Reform.

By Ms. MILLENDER-MCDONALD:

H.R. 3035. A bill to direct the Secretary of Transportation to conduct an assessment of terrorist-related threats to all forms of public transportation; to the Committee on Transportation and Infrastructure.

By Mr. MORAN of Virginia (for himself, Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. HOYER, Mr. SCHROCK, Mrs. MORELLA, Mr. WYNN, Mrs. JO ANN DAVIS of Virginia, Mr. FORBES, Mr. SCOTT, Mr. GOODLATTE, Mr. BOUCHER, Mr. CANTOR, Ms. NORTON, and Mr. GOODE):

H.R. 3036. A bill to authorize the Secretary of Defense to establish a memorial on the Arlington Naval Annex to the victims of the terrorist attack on the Pentagon; to the Committee on Armed Services, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 3037. A bill to enhance the benefits of the national electric system by encouraging and supporting State programs for renewable energy sources, universal electric service, affordable electric service, and energy conservation and efficiency, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PLATTS (for himself, Mr. DOYLE, Mr. MASCARA, Mr. GEKAS, Ms. HART, Mr. HOLDEN, Mr. COYNE, Mr. SHERWOOD, Mr. HOEFFEL, Mr. ENGLISH, and Mr. BORSKI):

H.R. 3038. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating Camp Security, located in Springettsbury, York County, Pennsylvania, as a unit of the National Park System; to the Committee on Resources.

By Mr. RYAN of Wisconsin:

H.R. 3039. A bill to amend the Internal Revenue Code of 1986 to reduce the maximum

capital gains rate from 20 percent to 15 percent; to the Committee on Ways and Means.

By Mr. SCHIFF (for himself, Mr. HINCHEY, and Mr. FROST):

H.R. 3040. A bill to make COBRA continuing coverage more affordable for laid-off American workers; to the Committee on Ways and Means.

By Mr. SHADEGG (for himself, Mr. ABERCROMBIE, and Mrs. WILSON):

H.R. 3041. A bill to amend the Internal Revenue Code of 1986 to provide tax and other incentives to maintain a vibrant travel and tourism industry, to keep working people working, and to stimulate economic growth, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Michigan (for himself, Mr. SENSENBRENNER, Mrs. KELLY, and Mr. GOODE):

H.R. 3042. A bill to amend the Internal Revenue Code of 1986 to provide that the deduction for depreciation shall be computed on a neutral cost recovery basis; to the Committee on Ways and Means.

By Mr. SWEENEY (for himself and Mr. TAUZIN):

H.R. 3043. A bill to provide for the establishment of an alien nonimmigrant student tracking system; to the Committee on the Judiciary.

By Mr. TAYLOR of Mississippi (for himself and Mr. BUYER):

H.R. 3044. A bill to amend title 10, United States Code, to provide for the forfeiture of vessels used in the commission of willful violations of Department of Defense safety regulations regarding navigable waters used by the Armed Forces, to increase penalties for violation of other security regulations and orders, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT (for himself and Ms. DUNN):

H.R. 3045. A bill to provide assistance to employees who suffer loss of employment in the aircraft manufacturing industry as a result of the terrorist attacks of September 11, 2001; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOOMEY (for himself, Ms. BERKLEY, Mr. BILIRAKIS, Mr. BROWN of Ohio, Mr. TAUZIN, Mr. DINGELL, Mr. NORWOOD, Mr. HALL of Texas, Mr. GREENWOOD, Mr. PALLONE, Mr. UPTON, Mrs. CAPPS, Mr. BURR of North Carolina, Mr. STRICKLAND, Mr. BUYER, Mr. WAXMAN, Mr. DEAL of Georgia, Mr. BARRETT, Mr. WHITFIELD, Mr. STUPAK, Mr. BRYANT, Mr. TOWNS, Mr. PICKERING, Mr. DEUTSCH, Mr. EHRLICH, Mr. WYNN, Mr. BARTON of Texas, Mr. GREEN of Texas, Mr. BAKER, and Mr. COOKSEY):

H.R. 3046. A bill to amend title XVIII of the Social Security Act to provide regulatory relief, appeals process reforms, contracting flexibility, and education improvements under the Medicare Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Mr. BROWN of Ohio, Mr. DINGELL, Mr. DEUTSCH, Mr. PALLONE, Mr. GREEN of Texas, Mr. STUPAK, and Mr. BARRETT):

H.R. 3047. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act with respect to pediatric studies of drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 3048. A bill to resolve the claims of Cook Inlet Region, Inc., to lands adjacent to the Russian River in the State of Alaska; to the Committee on Resources.

By Mr. HYDE (for himself and Mr. LANTOS):

H. Con. Res. 242. Concurrent resolution recognizing Radio Free Europe/Radio Liberty's success in promoting democracy and its continuing contribution to United States national interests; to the Committee on International Relations.

By Mr. CROWLEY (for himself, Mr. ETHERIDGE, Mr. SANDERS, Mr. STENHOLM, Ms. ROS-LEHTINEN, Mr. SCOTT, Mr. PETERSON of Minnesota, Mr. ROYCE, Ms. WOOLSEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Rhode Island, Mr. RYAN of Wisconsin, Mr. POMBO, Mr. GANSKE, Mr. FARR of California, Mrs. JOHNSON of Connecticut, Mr. DICKS, Mr. BERRY, Mr. BACA, Ms. BROWN of Florida, Mr. LUCAS of Kentucky, Mr. VITTER, Mr. THOMAS, Mr. CONDIT, Mr. SABO, Ms. MCCOLLUM, Mr. CARSON of Oklahoma, Mr. TAUZIN, Mr. DEMINT, Mr. MCDERMOTT, Mr. BOYD, Ms. WATERS, Ms. LOFGREN, Mr. TAYLOR of Mississippi, Mr. FILNER, Mr. WAXMAN, Mr. BERMAN, Mrs. NAPOLITANO, Ms. JACKSON-LEE of Texas, Mr. GREEN of Texas, Mr. NETHERCUTT, Mr. YOUNG of Florida, Mr. TRAFICANT, Mr. REHBERG, Mr. ROHRABACHER, Mr. ENGLISH, Mr. SHERWOOD, Mr. OSE, Mr. INSLEE, and Mrs. CAPPS):

H. Con. Res. 243. Concurrent resolution expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001; to the Committee on the Judiciary.

By Mr. ARMEY:

H. Res. 254. A resolution supporting the goals of Pregnancy and Infant Loss Remembrance Day; to the Committee on Government Reform.

By Mr. HONDA (for himself, Ms. SLAUGHTER, Mr. SERRANO, Mr. BROWN of Ohio, Mr. LARSEN of Washington, Mr. MATSUI, Mr. BERMAN, Mr. DELAHUNT, Ms. LOFGREN, Mr. FARR of California, Mr. FERGUSON, Mr. DINGELL, Mr. PAYNE, Ms. CARSON of Indiana, Mr. FORD, Mr. FRELINGHUYSEN, Mr. HERGER, Mr. HAYWORTH, Mr. CLEMENT, Ms. BERKLEY, Ms. MCCOLLUM, Mrs. MEEK of Florida, Mr. LOBIONDO, Mr. SOUDER, Mr. KIRK, Mr. CONDIT, Ms. ROYBAL-ALLARD, Mrs. BIGGERT, Mr. UDALL of Colorado, Mr. BECERRA, Mr. HYDE, Mr. ISRAEL, Mrs. JOHNSON of Connecticut, Mr. BLAGOJEVICH, Mr. SCHIFF, Mr. PASTOR, Mr. SIMMONS, Ms. KAPTUR, Mr. KING, Ms. SCHAKOWSKY, Mr. POMBO, Mr. PALLONE, Mr. PASCRELL, Mr. DOGGETT, Mr. KNOLLENBERG, Mr. MEEHAN, Mr. ROHRABACHER, Mr. COOKSEY, Mr. ANDREWS, Mr. HINCHEY, Mr. GEORGE MILLER of California, Mr. EVANS, Mrs. TAUSCHER, Mr. SHAYS, Ms. SOLIS, Mr. TOWNS, Mr. LANGEVIN, Mr. CRAMER, Mr. HASTINGS of Florida, Mr. MCGOVERN, Mr. SHERMAN, Ms. PELOSI, Mr. MORAN of Virginia, Mr. JACKSON of Illinois, Mrs. MORELLA, Mr. GILMAN, Mr. TOM DAVIS of Virginia, Mr. BLUMENAUER, Mr. CROWLEY, Mr. BISHOP, Mr. BURTON of Indiana, Ms. WATSON, Mrs. JONES of Ohio, Mr. BACA, Mr. HORN, Mr. WU, Mr. LANTOS, Mrs. MINK of Hawaii, Mr. UNDERWOOD, Ms. MCKINNEY, Ms. WOOLSEY, Mr. FROST, Mr. FALEOMAVAEGA, Mr. SANDERS, Mr. BORSKI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STARK, Ms. MILLENDER-MCDONALD, Mr. SMITH of New Jersey, Ms. LEE, Mr. OSE, Mr. RODRIGUEZ, Mr. MCDERMOTT, Mr. DOOLITTLE, Mr. GREEN of Texas, Mr. KLECZKA, Mr. SMITH of Washington, Mr. ABERCROMBIE, Mr. ROYCE, Mr. LEWIS of California, Mr. ACKERMAN, Mr. BONIOR, Mr. HOLT, Mr. CAPUANO, Mr. FATTAH, Mrs. NAPOLITANO, Mr. REYES, Mrs. MCCARTHY of New York, Mr. VISCLOSKY, Mr. BOUCHER, Mr. FILNER, Mr. CONYERS, Mr. DICKS, Ms. ESHOO, Mr. UDALL of New Mexico, and Mr. LAMPSON):

H. Res. 255. A resolution condemning bigotry and violence against Sikh Americans in the wake of terrorist attacks against the United States on September 11, 2001; to the Committee on the Judiciary.

¶103.22 ADDITIONAL SPONSORS

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

H.R. 41: Mrs. BIGGERT.

H.R. 71: Mr. OWENS, Mrs. NAPOLITANO, and Mrs. MCCARTHY of New York.

H.R. 73: Ms. LEE.

H.R. 74: Mrs. NAPOLITANO.

H.R. 75: Mrs. NAPOLITANO, Mr. SCOTT, Ms. SCHAKOWSKY, and Ms. LEE.

H.R. 162: Mr. SERRANO, Mr. SMITH of New Jersey, Mr. OBERSTAR, Mr. KOLBE, and Mr. BROWN of South Carolina.

H.R. 218: Ms. GRANGER and Mr. WALDEN of Oregon.

H.R. 226: Ms. LEE.

H.R. 267: Mr. BARCIA.

H.R. 274: Mrs. MCCARTHY of New York.

H.R. 281: Mr. FATTAH.

H.R. 286: Ms. LEE.

H.R. 394: Ms. HART, Mr. HORN, Mr. RANGEL, Mr. SIMMONS, Mr. ROGERS of Michigan, Ms. MCKINNEY, Mr. BEREUTER, Mr. WAMP, Mr. KENNEDY of Minnesota, and Mr. CARSON of Oklahoma.

H.R. 529: Ms. SLAUGHTER.

H.R. 530: Ms. SLAUGHTER.

H.R. 536: Mr. LUCAS of Kentucky.

H.R. 664: Mr. BARR of Georgia and Mr. SERRANO.

H.R. 777: Mrs. CAPITO.

H.R. 822: Mr. BONIOR and Mr. FERGUSON.

H.R. 839: Mr. HOEFFEL.

H.R. 951: Mr. FOLEY, Mr. HOLT, Mr. SHAYS, Mr. CROWLEY, Mr. SKELTON, and Mr. GONZALEZ.

H.R. 975: Mr. GREEN of Texas.

H.R. 984: Mr. PENCE.

H.R. 1040: Mr. HALL of Texas.

H.R. 1073: Mr. CARSON of Oklahoma.

H.R. 1090: Mr. HOEFFEL, Ms. CARSON of Indiana, Mrs. JO ANN DAVIS of Virginia, and Mr. MANZULLO.

H.R. 1117: Mr. BACA.

H.R. 1158: Mr. FOLEY and Mr. HALL of Texas.

H.R. 1201: Mrs. DAVIS of California.

H.R. 1268: Mr. BLUNT.

H.R. 1354: Mr. BACHUS.

H.R. 1360: Mr. HORN.

H.R. 1383: Mr. THOMPSON of California.

H.R. 1433: Mr. PASTOR.

H.R. 1485: Ms. RIVERS and Mr. OBERSTAR.

H.R. 1494: Mr. HONDA.

H.R. 1509: Ms. CARSON of Indiana.
H.R. 1522: Mr. CUMMINGS.
H.R. 1586: Mr. FROST.
H.R. 1700: Mr. SHERMAN.
H.R. 1701: Mr. SWEENEY, Mr. MCINTYRE, and Mr. MCCRERY.
H.R. 1754: Mr. MCNULTY.
H.R. 1762: Mr. PETERSON of Minnesota.
H.R. 1919: Mr. PENCE, Mr. UDALL of Colorado, Mr. THUNE, Mr. CAMP, and Mr. Barr of Georgia.
H.R. 1987: Mr. DAVIS of Florida.
H.R. 2023: Mr. CAPUANO, Ms. DUNN, Mr. CRANE, and Mr. SKEEN.
H.R. 2117: Mr. HORN and Mr. LUTHER.
H.R. 2123: Mr. CARSON of Oklahoma.
H.R. 2125: Ms. WOOLSEY, Mr. FOLEY, and Mr. NETHERCUTT.
H.R. 2148: Mr. ROTHMAN and Mr. UDALL of Colorado.
H.R. 2160: Ms. CARSON of Indiana.
H.R. 2173: Mr. SNYDER.
H.R. 2276: Mr. PASTOR.
H.R. 2290: Mr. NEAL of Massachusetts, Mr. BEREUTER, Mr. LEWIS of Kentucky, Mr. PRICE of North Carolina, Mr. MCGOVERN, Mr. FOLEY, and Mr. ROGERS of Kentucky.
H.R. 2308: Mr. TOOMEY.
H.R. 2329: Mr. CLAY.
H.R. 2349: Ms. SLAUGHTER.
H.R. 2352: Ms. NORTON.
H.R. 2357: Mr. RYUN of Kansas and Mr. SHIMKUS.
H.R. 2362: Mr. HORN and Mr. TIERNEY.
H.R. 2380: Mr. PAYNE, Mr. MORAN of Virginia, Mr. FATTAH.
H.R. 2485: Mr. SHADEGG.
H.R. 2573: Ms. VELAZQUEZ, Mr. MARKEY, and Mr. KUCINICH.
H.R. 2613: Mr. MEEKS of New York and Mr. STUPAK.
H.R. 2623: Mr. GILMAN.
H.R. 2638: Ms. CARSON of Indiana and Ms. KAPTUR.
H.R. 2641: Mr. FATTAH.
H.R. 2691: Mr. MCGOVERN.
H.R. 2709: Mr. ISAKSON and Mr. PASTOR.
H.R. 2722: Mr. LAHOOD, Mr. SOUDER, Mr. STUPAK, Ms. HOOLEY of Oregon, Mrs. MORELLA, and Mr. OLVER.
H.R. 2725: Mrs. CLAYTON.
H.R. 2781: Mr. STUPAK and Mr. GRAHAM.
H.R. 2787: Ms. LEE, Ms. CARSON of Indiana, and Ms. SCHAKOWSKY.
H.R. 2794: Mr. OLVER, Mr. SHERMAN, Mr. KOLBE, and Mr. DEAL of Georgia.
H.R. 2805: Mr. TERRY.
H.R. 2807: Mr. HERGER, Mr. FOLEY, and Mr. DAVIS of Florida.
H.R. 2808: Ms. MCKINNEY.
H.R. 2836: Mrs. MCCARTHY of New York.
H.R. 2837: Mr. FILNER, Mr. FATTAH, and Ms. WOOLSEY.
H.R. 2877: Mr. STUMP.
H.R. 2887: Mr. FATTAH, Ms. WOOLSEY and Mr. WHITFIELD..
H.R. 2896: Mr. PETERSON of Minnesota.
H.R. 2897: Mr. KUCINICH, Mr. BONIOR, and Ms. SANCHEZ.
H.R. 2899: Mrs. KELLY and Mr. FOSSELLA.
H.R. 2931: Mr. BRADY of Texas, Mr. WELDON of Florida, Mr. SCHAFFER, and Mr. PITTS.
H.R. 2935: Mr. DINGELL, Ms. WOOLSEY, Mr. MCKINNEY, Mr. DEFAZIO, and Ms. WATERS.
H.R. 2940: Mr. COX, Mr. MANZULLO, Mr. MCHUGH, Mr. MALONEY of Connecticut, Ms. ESHOO, Mr. CANTOR, Ms. SANCHEZ, Ms. BROWN of Florida, Mr. GUTIERREZ, Ms. PELOSI, Mr. HOYER, Mr. TURNER, Ms. DEUTSCH Mr. COSTELLO, Mr. DOOLEY of California, Ms. ROYBAL-ALLARD, Mr. DAVIS of Illinois, and Mr. TRAFICANT.
H.R. 2945: Mr. MCKINNEY and Mr. DELAHUNT.
H.R. 2946: Ms. CARSON of Indiana, Ms. MILLENDER-MCDONALD, Mr. UDALL of New Mexico, Ms. MCCARTHY of Missouri, Mr. HOLDEN, Ms. SOLIS, Mr. BLUMENAUER, Mr. CONDIT, Mr. TIERNEY, Mr. QUINN, Mr. CARSON of Oklahoma, Mr. BILIRAKIS, Mr. RAMSTAD, Mr. CUMMINGS, Mr. UDALL of Colorado, Mr. LOBIONDO, Mr. FRANK, Mr. ISRAEL, and Mr. ESHOO.
H.R. 2947: Mr. JACKSON of Illinois and Mr. FATTAH.
H.R. 2950: Mr. MICA, Mr. EHLERS, Mr. LATOURETTE, Mr. DEMINT, Mr. KIRK, Mr. GRAVES, Mr. FERGUSON, Mr. BUYER, and Mr. SHUSTER.
H.R. 2957: Mr. BEREUTER, Mr. CRENSHAW, Mr. GREENWOOD, and Mr. HALL of Texas.
H.R. 2961: Mr. SHAYS, Mrs. THURMAN, and Mrs. JONES of Ohio.
H.R. 2965: Mr. GALLEGLY, Mrs. MALONEY of New York, Mr. CASTLE, and Ms. DELAURO.
H.R. 2966: Mr. BERMAN, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. ORTIZ, and Mr. ACEVEDO-VILA.
H.R. 2968: Mr. BEREUTER, Mr. WOLF, and Mr. CALVERT.
H.R. 2975: Mr. DELAHUNT and Mr. WEINER.
H.R. 2981: Mr. TIBERI and Mr. ENGEL.
H.R. 2985: Mr. HALL of Texas and Mr. NEY.
H.R. 2986: Mr. HALL of Texas and Mr. NEY.
H.R. 2988: Ms. CARSON of Indiana and Mr. HALL of Texas.
H.R. 2989: Mr. MOORE and Mr. GEPHARDT.
H.R. 2991: Mr. GRUCCI, and Mr. BROWN of Ohio, Mrs. JO ANN DAVIS of Virginia, Ms. ESHOO, Mr. KING, Mr. MCNULTY, and Ms. SLAUGHTER.
H.R. 2998: Mr. COX, Mrs. MALONEY of New York, Mrs. BONO, Mr. ARMEY, Mr. ISSA, Mr. CALVERT, Mr. MCKEON, Mr. OSE, Mr. RADANOVICH, Mr. THOMAS, Mr. DREIER, Mr. GALLEGLY, Mr. DOOLITTLE, Mr. LEWIS of California, Mr. ROHRABACHER, Mr. GARY G. MILLER of California, Mr. SCHIFF, Mr. ENGEL, and Mr. ACKERMAN.
H.R. 3004: Mr. ISRAEL, Mr. SHOWS, Mr. MALONEY of Connecticut, and Mr. MORAN of Virginia.
H.R. 3007: Mr. TIAHRT, Mr. GRAVES, Mr. MORAN of Kansas, Mr. KENNEDY of Minnesota, Mr. HORN, Mr. HONDA, Mr. LATOURETTE, Mr. THUNE, Mr. HOYER, Mr. LARSEN of Washington, and Mr. JOHNSON of Illinois.
H.R. 3011: Mr. ENGLISH, Mr. WYNN, and Mr. KING.
H.R. 3015: Ms. NORTON, Mr. MCDERMOTT, Mr. BACA, Mr. ORTIZ, Ms. VELAZQUEZ, Mr. SERRANO, Ms. SCHAKOWSKY, Mr. BONIOR, and Ms. ROYBAL-ALLARD.
H.J. Res. 12: Mr. SHOWS.
H.J. Res. 54: Mr. BALLENGER.
H. Con. Res. 26: Ms. SLAUGHTER.
H. Con. Res. 104: Mr. BONIOR, Mr. MORAN of Virginia, and Mr. KOLBE.
H. Con. Res. 181: Mr. WAMP, Mr. GORDON, Mr. NCNULTY, Mr. LOBIONDO, and Mr. COOKSEY.
H. Con. Res. 197: Mr. RANGEL, Mr. BOEHLERT, Mr. LANGEVIN, Mr. STUPAK, Mr. SNYDER, and Mr. GRAHAM.
H. Con. Res. 198: Ms. WATSON and Ms. KILPATRICK.
H. Con. Res. 233: Ms. SLAUGHTER, Mrs. JO ANN DAVIS of Virginia, Mr. HALL of Texas, and Mr. CARSON of Oklahoma.
H. Con. Res. 234: Mr. JACKSON of Illinois, Ms. CARSON of Indiana, Mr. REGULA, Mr. STUPAK, and Mr. STRICKLAND.
H. Con. Res. 240: Mrs. DAVIS of California, Ms. ESHOO, Mr. EVANS, and Mr. STARK.
H. Res. 52: Mr. HALL of Texas.
H. Res. 106: Mr. MATSUI, Mrs. CAPPS, Mrs. CHRISTENSEN, Mrs. MCCARTHY of New York, Mr. GREEN of Texas, Mr. MCGOVERN, Mr. STARK, Ms. JACKSON-LEE of Texas, Ms. ROYBAL-ALLARD, Ms. BROWN of Florida, Ms. NORTON, Mrs. ROUKEMA, Ms. ROS-LEHTINEN, Ms. SLAUGHTER, and Mr. ABERCROMBIE.

FRIDAY, OCTOBER 5, 2001 (104)

¶104.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

Washington, DC, October 5, 2001.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

¶104.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Thursday, October 4, 2001.

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

¶104.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4142. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Findings of Significant Contribution and Rulemaking on Section 126 Petitions for Purposes of Reducing Interstate Ozone Transport—Federal NOx Budget Trading Program, Rule Revision [FRL–7058–2] (RIN: 2060–AJ47) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4143. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Approval of the Clean Air Act, Section 112(I), Delegation of Authority to Washington Department of Ecology and Four Local Air Agencies in Washington [FRL–7057–8] received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4144. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Approval of Operating Permits Program; State of New Hampshire [AD-FRL–7064–1] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4145. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Finding of Attainment; Spokane, Washington Particulate Matter (PM–10) Nonattainment Area [Docket No. WA–01–001; FRL–7064–3] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4146. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.658(g) of The Commission's Rules—The Dual Network Rule [MM Docket No. 00–108] received September 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4147. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Swordfish Quota Adjustment [I.D. 070201A] received September 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4148. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Trawling in Steller Sea Lion Protection Areas in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 090701B] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4149. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 010112013–1013–01; I.D. 090401D] received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4150. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf Alaska [Docket No. 010112013–1013–01; I.D. 090701A] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4151. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species (HMS); Atlantic Tunas Reporting, Fishery Allocations and Regulatory Adjustments [Docket No. 000323080–1196–03; I.D. 031500A] (RIN: 0648–AN97) received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4152. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [I.D. 082701D] received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4153. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Bluefin Tuna Recreational Fishery [I.D. 080201B] received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4154. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Adjustments to the 2001 Summer Flounder, Scup, and Black Sea Bass Commercial Quotas [Docket No. 001121328–1041–02; I.D. 111500C] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4155. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Species Fishery; Amendment 9 [Docket No. 010105005–1206–02; 120600A] (RIN: 0648–AO64) received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4156. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; End of the Primary Season and Resumption of Trip Limits for the Shore-based Fishery for Pacific Whiting [Docket No. 001226367–01; I.D. 081501A] received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4157. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule— Custody Procedures [INS No. 2171–01] (RIN: 1115–AG40) received September 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4158. A letter from the Director, Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Veterans' Benefits and Health Care Improvement Act of 2000 (RIN: 2900–AK68) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4159. A letter from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting the Department's final rule— Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers [T.D. 01–68] (RIN: 1515–AC84) received September 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4160. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Request for comments on regulations that may be adopted on interest allocation [Notice 2001–59] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4161. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Date of Allowance of Refund or Credit [Rev. Rul. 2001–40] received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶104.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed bills and a joint resolution of the following titles in which the concurrence of the House is requested:

S. 1417. An Act to authorize appropriations for fiscal year 2002 for defense activities of the Department of Energy, and for other purposes.

S. 1418. An Act to authorize appropriations for fiscal year 2002 for military construction, and for other purposes.

S. 1419. An Act to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1465. An Act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes.

S.J. Res. 18. Joint resolution memorializing fallen firefighters by lowering the United States flag to half-staff on the day of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.

¶104.5 TREASURY AND POSTAL SERVICE APPROPRIATIONS FY 2002

On motion of Mr. ISTOOK, by unanimous consent, the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. ISTOOK, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

Thereupon, the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, appointed Messrs. ISTOOK, WOLF, Mrs. NORTHUP, Messrs. SUNUNU, PETERSON of Pennsylvania, TIAHRT, SWEENEY, SHERWOOD, YOUNG of Florida, HOYER, Mrs. MEEK, Messrs. PRICE, ROTHMAN, VISCLOSKY, and OBEY as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶104.6 PROVIDING FOR THE CONSIDERATION OF H.R. 2883

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 252):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 3(c) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 or rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a

substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶104.7 INTELLIGENCE AUTHORIZATION FY 2002

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 252 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, designated Mr. LATOURETTE as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. LATOURETTE, Chairman, pursuant to House Resolution 252, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2002''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence community management account.
Sec. 105. Codification of the Coast Guard as an element of the intelligence community.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Sense of the Congress on intelligence community contracting.
Sec. 304. Requirements for lodging allowances in intelligence community assignment program benefits.
Sec. 305. Technical amendment.
Sec. 306. Commission on National Security Readiness.
Sec. 307. Implementation of recommendations of the National Commission on Terrorism.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Modifications to Central Intelligence Agency's central services program.
Sec. 402. Extension of CIA Voluntary Separation Pay Act.
Sec. 403. Guidelines for recruitment of certain foreign assets.
Sec. 404. Full reimbursement for professional liability insurance of counterterrorism employees.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Authority to purchase items of nominal value for recruitment purposes.
Sec. 502. Funding for infrastructure and quality-of-life improvements at Menwith Hill and Bad Aibling stations.
Sec. 503. Modification of authorities relating to interdiction of aircraft engaged in illicit drug trafficking.
Sec. 504. Undergraduate training program for employees of the National Imagery and Mapping Agency.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.
(2) The Department of Defense.
(3) The Defense Intelligence Agency.
(4) The National Security Agency.
(5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(6) The Department of State.
(7) The Department of the Treasury.
(8) The Department of Energy.
(9) The Federal Bureau of Investigation.
(10) The National Reconnaissance Office.
(11) The National Imagery and Mapping Agency.
(12) The Coast Guard.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2002, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 2883 of the One Hundred Seventh Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2002 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever the Director exercises the authority granted by this section.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of Central Intelligence for fiscal year 2002 the sum of $152,776,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee shall remain available until September 30, 2003.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of Central Intelligence are authorized 313 full-time personnel as of September 30, 2002. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2002 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts shall remain available until September 30, 2003.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2002, there are hereby authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2002, any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Intelligence Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period not to exceed one year for the performance of temporary functions as required by the Director of Central Intelligence.

(e) NATIONAL DRUG INTELLIGENCE CENTER.—

(1) IN GENERAL.—Of the amount authorized to be appropriated in subsection (a), $27,000,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, test, and evaluation purposes shall remain available until September 30, 2003,

and funds provided for procurement purposes shall remain available until September 30, 2004.

(2) TRANSFER OF FUNDS.—The Director of Central Intelligence shall transfer to the Attorney General funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the National Drug Intelligence Center.

(3) LIMITATION.—Amounts available for the National Drug Intelligence Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403–3(d)(1)).

(4) AUTHORITY.—Notwithstanding any other provision of law, the Attorney General shall retain full authority over the operations of the National Drug Intelligence Center.

SEC. 105. CODIFICATION OF THE COAST GUARD AS AN ELEMENT OF THE INTELLIGENCE COMMUNITY.

Section 3(4)(H) of the National Security Act of 1947 (50 U.S.C. 401a(4)(H) is amended—

(1) by striking ''and'' before ''the Department of Energy''; and

(2) by inserting '', and the Coast Guard'' before the semicolon.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2002 the sum of $212,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. SENSE OF THE CONGRESS ON INTELLIGENCE COMMUNITY CONTRACTING.

It is the sense of the Congress that the Director of Central Intelligence should continue to direct that elements of the intelligence community, whenever compatible with the national security interests of the United States and consistent with operational and security concerns related to the conduct of intelligence activities, and where fiscally sound, should competitively award contracts in a manner that maximizes the procurement of products properly designated as having been made in the United States.

SEC. 304. REQUIREMENTS FOR LODGING ALLOWANCES IN INTELLIGENCE COMMUNITY ASSIGNMENT PROGRAM BENEFITS.

Section 113(b) of the National Security Act of 1947 (50 U.S.C. 404(h)) is amended—

(1) by inserting ''(1)'' before ''An employee''; and

(2) by adding at the end the following new paragraph:

''(2) The head of an agency of an employee detailed under subsection (a) may pay a lodging allowance for the employee subject to the following conditions:

''(A) The allowance shall be the lesser of the cost of the lodging or a maximum amount payable for the lodging as established jointly by the Director of Central Intelligence and—

''(i) with respect to detailed employees of the Department of Defense, the Secretary of Defense; and

''(ii) with respect to detailed employees of other agencies and departments, the head of such agency or department.

''(B) The detailed employee maintains a primary residence for the employee's immediate family in the local commuting area of the parent agency duty station from which the employee regularly commuted to such duty station before the detail.

''(C) The lodging is within a reasonable proximity of the host agency duty station.

''(D) The distance between the detailed employee's parent agency duty station and the host agency duty station is greater than 20 miles.

''(E) The distance between the detailed employee's primary residence and the host agency duty station is 10 miles greater than the distance between such primary residence and the employees parent duty station.

''(F) The rate of pay applicable to the detailed employee does not exceed the rate of basic pay for grade GS–15 of the General Schedule.''.

SEC. 305. TECHNICAL AMENDMENT.

Section 106(b)(2)(C) of the National Security Act of 1947 (50 U.S.C. 403–6(b)(2)(C)) is amended by striking ''Nonproliferation and National Security'' and inserting ''Intelligence and the Director of the Office of Counterintelligence''.

SEC. 306. COMMISSION ON NATIONAL SECURITY READINESS.

(a) ESTABLISHMENT.—There is established a commission to be known as the ''Commission on National Security Readiness'' (in this section referred to as the ''Commission'').

(b) DUTY.—

(1) REVIEW.—With respect to the acts of terrorism committed against the United States on September 11, 2001, the Commission shall review the national security readiness of the United States to identify structural impediments to the effective collection, analysis, and sharing of information on national security threats, particularly terrorism. For purposes of the preceding sentence, the scope of the review shall include—

(A) the Department of Defense (including the intelligence elements of the Department),

(B) the Department of Justice (including the intelligence elements of the Department),

(C) the Department of State (including the intelligence elements of the Department),

(D) the Department of the Transportation (including the intelligence elements of the Department),

(E) the Department of the Treasury (including the intelligence elements of the Department),

(F) the Central Intelligence Agency, and

(G) the Federal Emergency Management Agency.

(2) REPORT.—The Commission shall submit the report described in subsection (f).

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 8 members appointed as follows:

(A) The President shall appoint 2 members.

(B) The Speaker of the House of Representatives shall appoint 2 members.

(C) The majority leader of the Senate shall appoint 2 members.

(D) The minority leader of the House of Representatives shall appoint 1 member.

(E) The minority leader of the Senate shall appoint 1 member.

(2) QUALIFICATIONS.—(A) A member of the Commission shall have substantial Federal law enforcement, intelligence, or military experience with appropriate security clearance.

(B) A member of the Commission may not be a full-time officer or employee of the United States.

(3) TERMS.—

(A) IN GENERAL.—Each member shall be appointed for the life of the Commission.

(B) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(4) BASIC PAY.—

(A) RATES OF PAY.—Members shall serve without pay.

(B) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(5) QUORUM.—6 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(6) CHAIRPERSON.—The Chairperson of the Commission shall be elected by the members.

(d) DIRECTOR AND STAFF OF COMMISSION.—

(1) DIRECTOR.—The Commission shall have a Director who shall be appointed by the Chairperson.

(2) STAFF.—The Chairperson may appoint and fix the pay of additional personnel as the Director considers appropriate.

(3) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director and staff of the Commission shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay for GS–15 of the General Schedule.

(4) EXPERTS AND CONSULTANTS.—With the approval of the Chairperson, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay for GS–15 of the General Schedule.

(5) STAFF OF FEDERAL AGENCIES.—Upon request of the Chairperson, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this section.

(e) POWERS OF COMMISSION.—

(1) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this section, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(2) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(3) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information, including classified information, necessary to enable it to carry out this Act. Upon request of the Chairperson of the Commission, the head of that department or agency shall furnish that information to the Commission.

(4) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(5) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this section.

(6) CONTRACT AUTHORITY.—The Commission may contract with and compensate government and private agencies or persons for supplies and services, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(f) REPORT.—The Commission shall transmit a report to the President and the Congress not later than 1 year after the date by which the Director has been appointed by the Chairperson. The report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for legislation and administrative actions the Commission considers appropriate, and shall include a comprehensive assessment of security at the borders of the United States with respect to terrorist and narcotic interdiction efforts.

(g) TERMINATION.—The Commission shall terminate on 30 days after submitting the report required under subsection (f).

SEC. 307. IMPLEMENTATION OF RECOMMENDATIONS OF THE NATIONAL COMMISSION ON TERRORISM.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of Central Intelligence, in cooperation with the heads of the departments and agencies of the United States involved, shall implement the recommended changes to counterterrorism policy in preventing and punishing international terrorism directed toward the United States contained in the report submitted to the President and the Congress by the National Commission on Terrorism established in section 591 of Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–210).

(b) REPORT.—(1) Not later than 90 days after the date of the enactment of this Act, if the Director of Central Intelligence determines that one or more of the recommended changes referred to in subsection (a) will not be implemented, the Director shall submit to the appropriate congressional committees a report containing a detailed explanation of that determination.

(2) In this subsection, the term ''appropriate congressional committees'' means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. MODIFICATIONS TO CENTRAL INTELLIGENCE AGENCY'S CENTRAL SERVICES PROGRAM.

Section 21 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403u) is amended as follows:

(1) Subsection (g)(1) is amended—

(A) by striking ''December'' and inserting ''January''; and

(B) by striking ''conduct'' and inserting ''complete''.

(2) Subsection (h) is amended—

(A) by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(B) in paragraph (1), as so redesignated, by striking ''(3)'' and inserting ''(2)''; and

(C) in paragraph (2), as so redesignated, by striking ''(2)'' and inserting ''(1)''.

SEC. 402. EXTENSION OF CIA VOLUNTARY SEPARATION PAY ACT.

(a) EXTENSION OF AUTHORITY.—Section 2(f) of the Central Intelligence Agency Voluntary Separation Pay Act (Public Law 103–36, 50 U.S.C. 403–4 note) is amended by striking ''September 30, 2002'' and inserting ''September 30, 2003''.

(b) REMITTANCE OF FUNDS.—Section 2(i) of that Act is amended by striking ''or 2002'' and inserting ''2002, or 2003''.

SEC. 403. GUIDELINES FOR RECRUITMENT OF CERTAIN FOREIGN ASSETS.

Recognizing dissatisfaction with the provisions of the guidelines of the Central Intelligence Agency (promulgated in 1995) for handling cases involving foreign assets or sources with human rights concerns, the Director of Central Intelligence shall—

(1) rescind the provisions of the guidelines for handling such cases; and

(2) provide for provisions for handling such cases that more appropriately weigh and incentivize risks to achieve successful operations.

SEC. 404. FULL REIMBURSEMENT FOR PROFESSIONAL LIABILITY INSURANCE OF COUNTERTERRORISM EMPLOYEES.

Section 406(a)(2) of the Intelligence Authorization Act for Fiscal Year 2001 (Public Law 106–567; 114 Stat. 2849; 5 U.S.C. prec. 5941 note) is amended by striking ''one-half'' and inserting ''100 percent''.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. AUTHORITY TO PURCHASE ITEMS OF NOMINAL VALUE FOR RECRUITMENT PURPOSES.

(a) AUTHORITY.—Section 422 of title 10, United States Code, is amended by adding at the end the following:

''(b) PROMOTIONAL ITEMS FOR RECRUITMENT PURPOSES.—The Secretary of Defense may use funds available for an intelligence element of the Department of Defense to purchase promotional items of nominal value for use in the recruitment of individuals for employment by that element.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows:

''§ 422. Use of funds for certain incidental purposes''.

(2) Such section is further amended by inserting at the beginning of the text of the section the following:

''(a) COUNTERINTELLIGENCE OFFICIAL RECEPTION AND REPRESENTATION EXPENSES.—''.

(3) The item relating to such section in the table of sections at the beginning of subchapter I of chapter 21 of such title is amended to read as follows:

'422. Use of funds for certain incidental purposes.''.

SEC. 502. FUNDING FOR INFRASTRUCTURE AND QUALITY-OF-LIFE IMPROVEMENTS AT MENWITH HILL AND BAD AIBLING STATIONS.

Section 506(b) of the Intelligence Authorization Act for Fiscal Year 1996 (Public Law 104–93; 109 Stat. 974), as amended by section 502 of the Intelligence Authorization Act for Fiscal Year 1998 (Public Law 105–107; 111 Stat. 2262) and by section 502 of the Intelligence Authorization Act for Fiscal Year 2000 (Public Law 106–120; 113 Stat. 1619), is further amended by striking ''for fiscal years 2000 and 2001'' and inserting ''for fiscal years 2002 and 2003''.

SEC. 503. MODIFICATION OF AUTHORITIES RELATING TO INTERDICTION OF AIRCRAFT ENGAGED IN ILLICIT DRUG TRAFFICKING.

(a) CERTIFICATION REQUIRED FOR IMMUNITY.—Subsection (a)(2) of section 1012 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2837; 22 U.S.C. 2291–4) is amended by striking '', before the interdiction occurs, has determined'' and inserting ''has, during the 12-month period ending on the date of the interdiction, certified to Congress''.

(b) ANNUAL REPORTS.—That section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

''(c) ANNUAL REPORTS.—(1) Not later than February 1 each year, the President shall submit to Congress a report on the assistance provided under subsection (b) during the preceding calendar year. Each report shall include for the calendar year covered by such report the following:

''(A) A list specifying each country for which a certification referred to in subsection (a)(2) was in effect for purposes of that subsection during any portion of such calendar year, including the nature of the illicit drug trafficking threat to each such country.

''(B) A detailed explanation of the procedures referred to in subsection (a)(2)(B) in effect for each country listed under subparagraph (A), including any training and other mechanisms in place to ensure adherence to such procedures.

''(C) A complete description of any assistance provided under subsection (b).

''(D) A summary description of the aircraft interception activity for which the United States Government provided any form of assistance under subsection (b).

''(2) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.''.

SEC. 504. UNDERGRADUATE TRAINING PROGRAM FOR EMPLOYEES OF THE NATIONAL IMAGERY AND MAPPING AGENCY.

(a) AUTHORITY TO CARRY OUT TRAINING PROGRAM.—Subchapter III of chapter 22 of title 10, United States Code, is amended by adding at the end the following new section:

'§ 462. Financial assistance to certain employees in acquisition of critical skills

''The Secretary of Defense may establish an undergraduate training program with respect to civilian employees of the National Imagery and Mapping Agency that is similar in purpose, conditions, content, and administration to the program established by the Secretary of Defense under section 16 of the National Security Agency Act of 1959 (50 U.S.C. 402 note) for civilian employees of the National Security Agency.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

'462. Financial assistance to certain employees in acquisition of critical skills.''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶104.8 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. GOSS, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill (H.R. 2883) the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House in amending said bill.

¶104.9 AGRICULTURAL PROGRAMS THROUGH FY 2011

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to House Resolution 248 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

Mr. LAHOOD, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. BURR, assumed the Chair.

When Mr. LAHOOD, Chairman, pursuant to House Resolution 248, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Farm Security Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COMMODITY PROGRAMS

Sec. 100. Definitions.

Subtitle A—Fixed Decoupled Payments and Counter-Cyclical Payments

Sec. 101. Payments to eligible producers.
Sec. 102. Establishment of payment yield.
Sec. 103. Establishment of base acres and payment acres for a farm.
Sec. 104. Availability of fixed, decoupled payments.
Sec. 105. Availability of counter-cyclical payments.
Sec. 106. Producer agreement required as condition on provision of fixed, decoupled payments and counter-cyclical payments.
Sec. 107. Planting flexibility.
Sec. 108. Relation to remaining payment authority under production flexibility contracts.
Sec. 109. Payment limitations.
Sec. 110. Period of effectiveness.

Subtitle B—Marketing Assistance Loans and Loan Deficiency Payments

Sec. 121. Availability of nonrecourse marketing assistance loans for covered commodities.
Sec. 122. Loan rates for nonrecourse marketing assistance loans.
Sec. 123. Term of loans.
Sec. 124. Repayment of loans.
Sec. 125. Loan deficiency payments.
Sec. 126. Payments in lieu of loan deficiency payments for grazed acreage.
Sec. 127. Special marketing loan provisions for upland cotton.
Sec. 128. Special competitive provisions for extra long staple cotton.
Sec. 129. Availability of recourse loans for high moisture feed grains and seed cotton and other fibers.
Sec. 130. Availability of nonrecourse marketing assistance loans for wool and mohair.
Sec. 131. Availability of nonrecourse marketing assistance loans for honey.
Sec. 132. Producer retention of erroneously paid loan deficiency payments and marketing loan gains.

Subtitle C—Other Commodities

CHAPTER 1—DAIRY

Sec. 141. Milk price support program.
Sec. 142. Repeal of recourse loan program for processors.
Sec. 143. Extension of dairy export incentive and dairy indemnity programs.
Sec. 144. Fluid milk promotion.
Sec. 145. Dairy product mandatory reporting.
Sec. 146. Funding of dairy promotion and research program.
Sec. 147. Study of national dairy policy.

CHAPTER 2—SUGAR

Sec. 151. Sugar program.
Sec. 152. Reauthorize provisions of Agricultural Adjustment Act of 1938 regarding sugar.
Sec. 153. Storage facility loans.

CHAPTER 3—PEANUTS

Sec. 161. Definitions.
Sec. 162. Establishment of payment yield, peanut acres, and payment acres for a farm.
Sec. 163. Availability of fixed, decoupled payments for peanuts.
Sec. 164. Availability of counter-cyclical payments for peanuts.
Sec. 165. Producer agreement required as condition on provision of fixed, decoupled payments and counter-cyclical payments.
Sec. 166. Planting flexibility.
Sec. 167. Marketing assistance loans and loan deficiency payments for peanuts.
Sec. 168. Quality improvement.
Sec. 169. Payment limitations.
Sec. 170. Termination of marketing quota programs for peanuts and compensation to peanut quota holders for loss of quota asset value.

Subtitle D—Administration

Sec. 181. Administration generally.
Sec. 182. Extension of suspension of permanent price support authority.
Sec. 183. Limitations.
Sec. 184. Adjustments of loans.
Sec. 185. Personal liability of producers for deficiencies.
Sec. 186. Extension of existing administrative authority regarding loans.
Sec. 187. Assignment of payments.
Sec. 188. Report on effect of certain farm program payments on economic viability of producers and farming infrastructure.

TITLE II—CONSERVATION

Subtitle A—Environmental Conservation Acreage Reserve Program

Sec. 201. General provisions.

Subtitle B—Conservation Reserve Program

Sec. 211. Reauthorization.
Sec. 212. Enrollment.
Sec. 213. Duties of owners and operators.
Sec. 214. Reference to conservation reserve payments.
Sec. 215. Expansion of pilot program to all States.

Subtitle C—Wetlands Reserve Program

Sec. 221. Enrollment.
Sec. 222. Easements and agreements.
Sec. 223. Duties of the Secretary.
Sec. 224. Changes in ownership; agreement modification; termination.

Subtitle D—Environmental Quality Incentives Program

Sec. 231. Purposes.
Sec. 232. Definitions.
Sec. 233. Establishment and administration.
Sec. 234. Evaluation of offers and payments.
Sec. 235. Environmental Quality Incentives Program plan.
Sec. 236. Duties of the Secretary.
Sec. 237. Limitation on payments.
Sec. 238. Ground and surface water conservation.

Subtitle E—Funding and Administration

Sec. 241. Reauthorization.
Sec. 242. Funding.
Sec. 243. Allocation for livestock production.
Sec. 244. Administration and technical assistance.

Subtitle F—Other Programs

Sec. 251. Private grazing land and conservation assistance.
Sec. 252. Wildlife Habitat Incentives Program.
Sec. 253. Farmland Protection Program.
Sec. 254. Resource Conservation and Development Program.
Sec. 255. Grassland Reserve Program.
Sec. 256. Farmland Stewardship Program.
Sec. 257. Small Watershed Rehabilitation Program.
Sec. 258. Provision of assistance for Repaupo Creek Tide Gate and Dike Restoration Project, New Jersey.

Subtitle G—Repeals

Sec. 261. Provisions of the Food Security Act of 1985.
Sec. 262. National Natural Resources Conservation Foundation Act.

TITLE III—TRADE

Sec. 301. Market Access Program.
Sec. 302. Food for Progress.
Sec. 303. Surplus commodities for developing or friendly countries.
Sec. 304. Export Enhancement Program.
Sec. 305. Foreign Market Development Cooperator Program.
Sec. 306. Export Credit Guarantee Program.
Sec. 307. Food for Peace (Public Law 480).
Sec. 308. Emerging markets.
Sec. 309. Bill Emerson Humanitarian Trust.
Sec. 310. Technical assistance for specialty crops.
Sec. 311. Farmers to Africa and the Caribbean Basin.
Sec. 312. George McGovern–Robert Dole International Food for Education and Child Nutrition Program.
Sec. 313. Study on fee for services.
Sec. 314. National export strategy report.

TITLE IV—NUTRITION PROGRAMS

Subtitle A—Food Stamp Program

Sec. 401. Simplified definition of income.
Sec. 402. Standard deduction.
Sec. 403. Transitional food stamps for families moving from welfare.
Sec. 404. Quality control systems.
Sec. 405. Simplified application and eligibility determination systems.
Sec. 406. Authorization of appropriations.

Subtitle B—Commodity Distribution

Sec. 441. Distribution of surplus commodities to special nutrition projects.
Sec. 442. Commodity supplemental food program.
Sec. 443. Emergency food assistance.

Subtitle C—Miscellaneous Provisions

Sec. 461. Hunger fellowship program.
Sec. 462. General effective date.

TITLE V—CREDIT

Sec. 501. Eligibility of limited liability companies for farm ownership loans, farm operating loans, and emergency loans.
Sec. 502. Suspension of limitation on period for which borrowers are eligible for guaranteed assistance.
Sec. 503. Administration of Certified Lenders and Preferred Certified Lenders programs.

Sec. 504. Simplified loan guarantee application available for loans of greater amounts.
Sec. 505. Elimination of requirement that Secretary require county committees to certify in writing that certain loan reviews have been conducted.
Sec. 506. Authority to reduce percentage of loan guaranteed if borrower income is insufficient to service debt.
Sec. 507. Timing of loan assessments.
Sec. 508. Making and servicing of loans by personnel of State, county, or area committees.
Sec. 509. Eligibility of employees of State, county, or area committee for loans and loan guarantees.
Sec. 510. Emergency loans in response to an economic emergency resulting from quarantines and sharply increasing energy costs.
Sec. 511. Extension of authority to contract for servicing of farmer program loans.
Sec. 512. Authorization for loans.
Sec. 513. Reservation of funds for direct operating loans for beginning farmers and ranchers.
Sec. 514. Extension of interest rate reduction program.
Sec. 515. Increase in duration of loans under down payment loan program.
Sec. 516. Horse breeder loans.
Sec. 517. Evaluations of direct and guaranteed loan programs.
Sec. 518. Definition of debt forgiveness.
Sec. 519. Loan eligibility for borrowers with prior debt forgiveness.
Sec. 520. Allocation of certain funds for socially disadvantaged farmers and ranchers.
Sec. 521. Horses considered to be livestock under the Consolidated Farm and Rural Development Act.
Sec. 522. Temporary suspension of foreclosure on certain real property owned by, and recovery of certain payments from, borrowers with shared appreciation arrangements.
Sec. 523. Authority to make business and industry guaranteed loans for farmer-owned projects that add value to or process agricultural products.

TITLE VI—RURAL DEVELOPMENT

Sec. 601. Funding for rural local television broadcast signal loan guarantees.
Sec. 602. Expanded eligibility for value-added agricultural product market development grants.
Sec. 603. Agriculture innovation center demonstration program.
Sec. 604. Funding of community water assistance grant program.
Sec. 605. Loan guarantees for the financing of the purchase of renewable energy systems.
Sec. 606. Loans and loan guarantees for renewable energy systems.
Sec. 607. Rural business opportunity grants.
Sec. 608. Grants for water systems for rural and native villages in Alaska.
Sec. 609. Rural cooperative development grants.
Sec. 610. National reserve account of Rural Development Trust Fund.
Sec. 611. Rural venture capital demonstration program.
Sec. 612. Increase in limit on certain loans for rural development.
Sec. 613. Pilot program for development and implementation of strategic regional development plans.
Sec. 614. Grants to nonprofit organizations to finance the construction, refurbishing, and servicing of individually-owned household water well systems in rural areas for individuals with low or moderate incomes.
Sec. 615. National Rural Development Partnership.
Sec. 616. Eligibility of rural empowerment zones, rural enterprise communities, and champion communities for direct and guaranteed loans for essential community facilities.
Sec. 617. Grants to train farm workers in new technologies and to train farm workers in specialized skills necessary for higher value crops.
Sec. 618. Loan guarantees for the purchase of stock in a farmer cooperative seeking to modernize or expand.
Sec. 619. Intangible assets and subordinated unsecured debt required to be considered in determining eligibility of farmer-owned cooperative for business and industry guaranteed loan.
Sec. 620. Ban on limiting eligibility of farmer cooperative for business and industry loan guarantee based on population of area in which cooperative is located.
Sec. 621. Rural water and waste facility grants.
Sec. 622. Rural water circuit rider program.
Sec. 623. Rural water grassroots source water protection program.

TITLE VII—RESEARCH AND RELATED MATTERS

Subtitle A—Extensions

Sec. 700. Market expansion research.
Sec. 701. National Rural Information Center Clearinghouse.
Sec. 702. Grants and fellowships for food and agricultural sciences education.
Sec. 703. Policy research centers.
Sec. 704. Human nutrition intervention and health promotion research program.
Sec. 705. Pilot research program to combine medical and agricultural research.
Sec. 706. Nutrition education program.
Sec. 707. Continuing animal health and disease research programs.
Sec. 708. Appropriations for research on national or regional problems.
Sec. 709. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University.
Sec. 710. National research and training centennial centers at 1890 land-grant institutions.
Sec. 711. Hispanic-serving institutions.
Sec. 712. Competitive grants for international agricultural science and education programs.
Sec. 713. University research.
Sec. 714. Extension service.
Sec. 715. Supplemental and alternative crops.
Sec. 716. Aquaculture research facilities.
Sec. 717. Rangeland research.
Sec. 718. National genetics resources program.
Sec. 719. High-priority research and extension initiatives.
Sec. 720. Nutrient management research and extension initiative.
Sec. 721. Agricultural telecommunications program.
Sec. 722. Alternative agricultural research and commercialization revolving fund.
Sec. 723. Assistive technology program for farmers with disabilities.
Sec. 724. Partnerships for high-value agricultural product quality research.
Sec. 725. Biobased products.
Sec. 726. Integrated research, education, and extension competitive grants program.
Sec. 727. Institutional capacity building grants.
Sec. 728. 1994 Institution research grants.
Sec. 729. Endowment for 1994 Institutions.
Sec. 730. Precision agriculture.
Sec. 731. Thomas Jefferson initiative for crop diversification.
Sec. 732. Support for research regarding diseases of wheat, triticale, and barley caused by Fusarium Graminearum or by Tilletia Indica.
Sec. 733. Office of Pest Management Policy.
Sec. 734. National Agricultural Research, Extension, Education, and Economics Advisory Board.
Sec. 735. Grants for research on production and marketing of alcohols and industrial hydrocarbons from agricultural commodities and forest products.
Sec. 736. Biomass research and development.
Sec. 737. Agricultural experiment stations research facilities.
Sec. 738. Competitive, special, and facilities research grants national research initiative.
Sec. 739. Federal agricultural research facilities authorization of appropriations.
Sec. 740. Cotton classification services.
Sec. 740A. Critical agricultural materials research.

Subtitle B—Modifications

Sec. 741. Equity in Educational Land-Grant Status Act of 1994.
Sec. 742. National Agricultural Research, Extension, and Teaching Policy Act of 1977.
Sec. 743. Agricultural Research, Extension, and Education Reform Act of 1998.
Sec. 744. Food, Agriculture, Conservation, and Trade Act of 1990.
Sec. 745. National Agricultural Research, Extension, and Teaching Policy Act of 1977.
Sec. 746. Biomass research and development.
Sec. 747. Biotechnology risk assessment research.
Sec. 748. Competitive, special, and facilities research grants.
Sec. 749. Matching funds requirement for research and extension activities of 1890 institutions.
Sec. 749A. Matching funds requirement for research and extension activities for the United States territories.
Sec. 750. Initiative for future agriculture and food systems.
Sec. 751. Carbon cycle research.
Sec. 752. Definition of food and agricultural sciences.
Sec. 753. Federal extension service.
Sec. 754. Policy research centers.

Subtitle C—Related Matters

Sec. 761. Resident instruction at land-grant colleges in United States territories.
Sec. 762. Declaration of extraordinary emergency and resulting authorities.
Sec. 763. Agricultural biotechnology research and development for the developing world.

Subtitle D—Repeal of Certain Activities and Authorities

Sec. 771. Food Safety Research Information Office and National Conference.

Sec. 772. Reimbursement of expenses under Sheep Promotion, Research, and Information Act of 1994.
Sec. 773. National genetic resources program.
Sec. 774. National Advisory Board on Agricultural Weather.
Sec. 775. Agricultural information exchange with Ireland.
Sec. 776. Pesticide resistance study.
Sec. 777. Expansion of education study.
Sec. 778. Support for advisory board.
Sec. 779. Task force on 10-year strategic plan for agricultural research facilities.

Subtitle E—Agriculture Facility Protection

Sec. 790. Additional protections for animal or agricultural enterprises, research facilities, and other entities.

TITLE VIII—FORESTRY INITIATIVES

Sec. 801. Repeal of forestry incentives program and Stewardship Incentive Program.
Sec. 802. Establishment of Forest Land Enhancement Program.
Sec. 803. Renewable resources extension activities.
Sec. 804. Enhanced community fire protection.
Sec. 805. International forestry program.
Sec. 806. Long-term forest stewardship contracts for hazardous fuels removal and implementation of National Fire Plan.
Sec. 807. McIntire-Stennis cooperative forestry research program.

TITLE IX—MISCELLANEOUS PROVISIONS

Subtitle A—Tree Assistance Program

Sec. 901. Eligibility.
Sec. 902. Assistance.
Sec. 903. Limitation on assistance.
Sec. 904. Definitions.

Subtitle B—Other Matters

Sec. 921. Hazardous fuel reduction grants to prevent wildfire disasters and transform hazardous fuels to electric energy, useful heat, or transportation fuels.
Sec. 922. Bioenergy program.
Sec. 923. Availability of section 32 funds.
Sec. 924. Seniors farmers' market nutrition program.
Sec. 925. Department of Agriculture authorities regarding caneberries.
Sec. 926. National Appeals Division.
Sec. 927. Outreach and assistance for socially disadvantaged farmers and ranchers.
Sec. 928. Equal treatment of potatoes and sweet potatoes.
Sec. 929. Reference to sea grass and sea oats as crops covered by noninsured crop disaster assistance program.
Sec. 930. Operation of Graduate School of Department of Agriculture.
Sec. 931. Assistance for livestock producers.
Sec. 932. Compliance with Buy American Act and sense of Congress regarding purchase of American-made equipment, products, and services using funds provided under this Act.
Sec. 933. Report regarding genetically engineered foods.
Sec. 934. Market name for pangasius fish species.
Sec. 935. Program of public education regarding use of biotechnology in producing food for human consumption.
Sec. 936. GAO study.
Sec. 937. Interagency Task Force on Agricultural Competition.
Sec. 938. Authorization for additional staff and funding for the Grain Inspection, Packers and Stockyards Administration.
Sec. 939. Enforcement of the humane methods of Slaughter Act of 1958.
Sec. 940. Penalties and foreign commerce provisions of the Animal Welfare Act.
Sec. 941. Prohibition on interstate movement of animals for animal fighting.
Sec. 942. Renewable energy resources.
Sec. 943. Use of amounts provided for fixed, decoupled payments to provide necessary funds for rural development programs.
Sec. 944. Country of origin labeling of perishable agricultural commodities.
Sec. 945. Unlawful stockyard practices involving nonambulatory livestock.
Sec. 946. Annual report on imports of beef and pork.

TITLE I—COMMODITY PROGRAMS

SEC. 100. DEFINITIONS.

In this title (other than chapter 3 of subtitle C):

(1) AGRICULTURAL ACT OF 1949.—The term ''Agricultural Act of 1949'' means the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.), as in effect prior to the suspensions under section 171 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301).

(2) BASE ACRES.—The term ''base acres'', with respect to a covered commodity on a farm, means the number of acres established under section 103 with respect to the commodity upon the election made by the producers on the farm under subsection (a) of such section.

(3) COUNTER-CYCLICAL PAYMENT.—The term ''counter-cyclical payment'' means a payment made to producers under section 105.

(4) COVERED COMMODITY.—The term ''covered commodity'' means wheat, corn, grain sorghum, barley, oats, upland cotton, rice, soybeans, and other oilseeds.

(5) EFFECTIVE PRICE.—The term ''effective price'', with respect to a covered commodity for a crop year, means the price calculated by the Secretary under section 105 to determine whether counter-cyclical payments are required to be made for that crop year.

(6) ELIGIBLE PRODUCER.—The term ''eligible producer'' means a producer described in section 101(a).

(7) FIXED, DECOUPLED PAYMENT.—The term ''fixed, decoupled payment'' means a payment made to producers under section 104.

(8) OTHER OILSEED.—The term ''other oilseed'' means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, or, if designated by the Secretary, another oilseed.

(9) PAYMENT ACRES.—The term ''payment acres'' means 85 percent of the base acres of a covered commodity on a farm, as established under section 103, upon which fixed, decoupled payments and counter-cyclical payments are to be made.

(10) PAYMENT YIELD.—The term ''payment yield'' means the yield established under section 102 for a farm for a covered commodity.

(11) PRODUCER.—The term ''producer'' means an owner, operator, landlord, tenant, or sharecropper who shares in the risk of producing a crop and who is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced. In determining whether a grower of hybrid seed is a producer, the Secretary shall not take into consideration the existence of a hybrid seed contract and shall ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(13) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

(14) TARGET PRICE.—The term ''target price'' means the price per bushel (or other appropriate unit in the case of upland cotton, rice, and other oilseeds) of a covered commodity used to determine the payment rate for counter-cyclical payments.

(15) UNITED STATES.—The term ''United States'', when used in a geographical sense, means all of the States.

Subtitle A—Fixed Decoupled Payments and Counter-Cyclical Payments

SEC. 101. PAYMENTS TO ELIGIBLE PRODUCERS.

(a) PAYMENTS REQUIRED.—Beginning with the 2002 crop of covered commodities, the Secretary shall make fixed decoupled payments and counter-cyclical payments under this subtitle—

(1) to producers on a farm that were parties to a production flexibility contract under section 111 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7211) for fiscal year 2002; and

(2) to other producers on farms in the United States as described in section 103(a).

(b) TENANTS AND SHARECROPPERS.—In carrying out this title, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(c) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of fixed, decoupled payments and counter-cyclical payments among the eligible producers on a farm on a fair and equitable basis.

SEC. 102. ESTABLISHMENT OF PAYMENT YIELD.

(a) ESTABLISHMENT AND PURPOSE.—For the purpose of making fixed decoupled payments and counter-cyclical payments under this subtitle, the Secretary shall provide for the establishment of a payment yield for each farm for each covered commodity in accordance with this section.

(b) USE OF FARM PROGRAM PAYMENT YIELD.—Except as otherwise provided in this section, the payment yield for each of the 2002 through 2011 crops of a covered commodity for a farm shall be the farm program payment yield in effect for the 2002 crop of the covered commodity under section 505 of the Agricultural Act of 1949 (7 U.S.C. 1465).

(c) FARMS WITHOUT FARM PROGRAM PAYMENT YIELD.—In the case of a farm for which a farm program payment yield is unavailable for a covered commodity (other than soybeans or other oilseeds), the Secretary shall establish an appropriate payment yield for the covered commodity on the farm taking in consideration the farm program payment yields applicable to the commodity under subsection (b) for similar farms in the area.

(d) PAYMENT YIELDS FOR OILSEEDS.—

(1) DETERMINATION OF AVERAGE YIELD.—In the case of soybeans and each other oilseed, the Secretary shall determine the average yield for the oilseed on a farm for the 1998 through 2001 crop years, excluding any crop year in which the acreage planted to the oilseed was zero. If, for any of these four crop years in which the oilseed was planted, the farm would have satisfied the eligibility criteria established to carry out section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Public Law 105–277; 7 U.S.C. 1421 note), the Secretary shall assign a yield for that year equal to 65 percent of the county yield.

(2) ADJUSTMENT FOR PAYMENT YIELD.—The payment yield for a farm for an oilseed shall be equal to the product of the following:

(A) The average yield for the oilseed determined under paragraph (1).

(B) The ratio resulting from dividing the national average yield for the oilseed for the 1981 through 1985 crops by the national average yield for the oilseed for the 1998 through 2001 crops.

SEC. 103. ESTABLISHMENT OF BASE ACRES AND PAYMENT ACRES FOR A FARM.

(a) ELECTION BY PRODUCERS OF BASE ACRE CALCULATION METHOD.—For the purpose of making fixed decoupled payments and counter-cyclical payments with respect to a farm, the Secretary shall give producers on the farm an opportunity to elect one of the following as the method by which the base acres of all covered commodities on the farm are to be determined:

(1) The four-year average of acreage actually planted on the farm to a covered commodity for harvest, grazing, haying, silage, or other similar purposes during crop years 1998, 1999, 2000, and 2001 and any acreage on the farm that the producers were prevented from planting during such crop years to the covered commodity because of drought, flood, or other natural disaster, or other condition beyond the control of the producer, as determined by the Secretary.

(2) The contract acreage (as defined in section 102 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7202)) used by the Secretary to calculate the fiscal year 2002 payment that, subject to section 109, would be made under section 114 of such Act (7 U.S.C. 7214) for the covered commodity on the farm.

(b) SINGLE ELECTION; TIME FOR ELECTION.—The opportunity to make the election described in subsection (a) shall be available to producers on a farm only once. The producers shall notify the Secretary of the election made by the producers under such subsection not later than 180 days after the date of the enactment of this Act.

(c) EFFECT OF FAILURE TO MAKE ELECTION.—If the producers on a farm fail to make the election under subsection (a), or fail to timely notify the Secretary of the selected option as required by subsection (b), the producers shall be deemed to have made the election described in subsection (a)(2) to determine base acres for all covered commodities on the farm.

(d) APPLICATION OF ELECTION TO ALL COVERED COMMODITIES.—The election made under subsection (a) or deemed to be made under subsection (c) with respect to a farm shall apply to all of the covered commodities on the farm. Producers may not make the election described in subsection (a)(1) for one covered commodity and the election described in subsection (a)(2) for other covered commodities on the farm.

(e) TREATMENT OF CONSERVATION RESERVE CONTRACT ACREAGE.—

(1) IN GENERAL.—In the case of producers on a farm that make the election described in subsection (a)(2), the Secretary shall provide for an adjustment in the base acres for the farm whenever either of the following circumstances occur:

(A) A conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) with respect to the farm expires or is voluntarily terminated.

(B) Cropland is released from coverage under a conservation reserve contract by the Secretary.

(2) SPECIAL PAYMENT RULES.—For the fiscal year and crop year in which a base acre adjustment under paragraph (1) is first made, the producers on the farm shall elect to receive either fixed decoupled payments and counter-cyclical payments with respect to the acreage added to the farm under this subsection or a prorated payment under the conservation reserve contract, but not both.

(f) PAYMENT ACRES.—The payment acres for a covered commodity on a farm shall be equal to 85 percent of the base acres for the commodity.

(g) PREVENTION OF EXCESS BASE ACRES.—

(1) REQUIRED REDUCTION.—If the sum of the base acres for a farm, together with the acreage described in paragraph (2), exceeds the actual cropland acreage of the farm, the Secretary shall reduce the quantity of base acres for one or more covered commodities for the farm or peanut acres for the farm as necessary so that the sum of the base acres and acreage described in paragraph (2) does not exceed the actual cropland acreage of the farm. The Secretary shall give the producers on the farm the opportunity to select the base acres or peanut acres against which the reduction will be made.

(2) OTHER ACREAGE.—For purposes of paragraph (1), the Secretary shall include the following:

(A) Any peanut acres for the farm under chapter 3 of subtitle C.

(B) Any acreage on the farm enrolled in the conservation reserve program or wetlands reserve program under chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.).

(C) Any other acreage on the farm enrolled in a conservation program for which payments are made in exchange for not producing an agricultural commodity on the acreage.

(3) EXCEPTION FOR DOUBLE-CROPPED ACREAGE.—In applying paragraph (1), the Secretary shall make an exception in the case of double cropping, as determined by the Secretary.

SEC. 104. AVAILABILITY OF FIXED, DECOUPLED PAYMENTS.

(a) PAYMENT REQUIRED.—For each of the 2002 through 2011 crop years of each covered commodity, the Secretary shall make fixed, decoupled payments to eligible producers.

(b) PAYMENT RATE.—The payment rates used to make fixed, decoupled payments with respect to covered commodities for a crop year are as follows:

(1) Wheat, $0.53 per bushel.
(2) Corn, $0.30 per bushel.
(3) Grain sorghum, $0.36 per bushel.
(4) Barley, $0.25 per bushel.
(5) Oats, $0.025 per bushel.
(6) Upland cotton, $0.0667 per pound.
(7) Rice, $2.35 per hundredweight.
(8) Soybeans, $0.42 per bushel.
(9) Other oilseeds, $0.0074 per pound.

(c) PAYMENT AMOUNT.—The amount of the fixed, decoupled payment to be paid to the eligible producers on a farm for a covered commodity for a crop year shall be equal to the product of the following:

(1) The payment rate specified in subsection (b).

(2) The payment acres of the covered commodity on the farm.

(3) The payment yield for the covered commodity for the farm.

(d) TIME FOR PAYMENT.—

(1) GENERAL RULE.—Fixed, decoupled payments shall be paid not later than September 30 of each of fiscal years 2002 through 2011. In the case of the 2002 crop, payments may begin to be made on or after December 1, 2001.

(2) ADVANCE PAYMENTS.—At the option of an eligible producer, 50 percent of the fixed, decoupled payment for a fiscal year shall be paid on a date selected by the producer. The selected date shall be on or after December 1 of that fiscal year, and the producer may change the selected date for a subsequent fiscal year by providing advance notice to the Secretary.

(3) REPAYMENT OF ADVANCE PAYMENTS.—If a producer that receives an advance fixed, decoupled payment for a fiscal year ceases to be an eligible producer before the date the fixed, decoupled payment would otherwise have been made by the Secretary under paragraph (1), the producer shall be responsible for repaying the Secretary the full amount of the advance payment.

SEC. 105. AVAILABILITY OF COUNTER-CYCLICAL PAYMENTS.

(a) PAYMENT REQUIRED.—The Secretary shall make counter-cyclical payments with respect to a covered commodity whenever the Secretary determines that the effective price for the commodity is less than the target price for the commodity.

(b) EFFECTIVE PRICE.—For purposes of subsection (a), the effective price for a covered commodity is equal to the sum of the following:

(1) The higher of the following:

(A) The national average market price received by producers during the 12-month marketing year for the commodity, as determined by the Secretary.

(B) The national average loan rate for a marketing assistance loan for the covered commodity in effect for the same period under subtitle B.

(2) The payment rate in effect for the covered commodity under section 104 for the purpose of making fixed, decoupled payments with respect to the commodity.

(c) TARGET PRICE.—For purposes of subsection (a), the target prices for covered commodities are as follows:

(1) Wheat, $4.04 per bushel.
(2) Corn, $2.78 per bushel.
(3) Grain sorghum, $2.64 per bushel.
(4) Barley, $2.39 per bushel.
(5) Oats, $1.47 per bushel.
(6) Upland cotton, $0.736 per pound.
(7) Rice, $10.82 per hundredweight.
(8) Soybeans, $5.86 per bushel.
(9) Other oilseeds, $0.1036 per pound.

(d) PAYMENT RATE.—The payment rate used to make counter-cyclical payments with respect to a covered commodity for a crop year shall be equal to the difference between—

(1) the target price for the commodity; and

(2) the effective price determined under subsection (b) for the commodity.

(e) PAYMENT AMOUNT.—The amount of the counter-cyclical payment to be paid to the eligible producers on a farm for a covered commodity for a crop year shall be equal to the product of the following:

(1) The payment rate specified in subsection (d).

(2) The payment acres of the covered commodity on the farm.

(3) The payment yield for the covered commodity for the farm.

(f) TIME FOR PAYMENTS.—

(1) GENERAL RULE.—The Secretary shall make counter-cyclical payments under this section for a crop of a covered commodity as soon as possible after determining under subsection (a) that such payments are required for that crop year.

(2) PARTIAL PAYMENT.—The Secretary may permit, and, if so permitted, an eligible producer may elect to receive, up to 40 percent of the projected counter-cyclical payment, as determined by the Secretary, to be made under this section for a crop of a covered commodity upon completion of the first six months of the marketing year for that crop. The producer shall repay to the Secretary the amount, if any, by which the partial payment exceeds the actual counter-cyclical payment to be made for that marketing year.

(g) SPECIAL RULE FOR CURRENTLY UNDESIGNATED OILSEED.—If the Secretary uses the authority under section 100(8) to designate another oilseed as an oilseed for which counter-cyclical payments may be made, the Secretary may modify the target price specified in subsection (c)(9) that would otherwise apply to that oilseed as the Secretary considers appropriate.

(h) SPECIAL RULE FOR BARLEY USED ONLY FOR FEED PURPOSES.—For purposes of calculating the effective price for barley under subsection (b), the Secretary shall use the

loan rate in effect for barley under section 122(b)(3), except, in the case of producers who received the higher loan rate provided under such section for barley used only for feed purposes, the Secretary shall use that higher loan rate.

SEC. 106. PRODUCER AGREEMENT REQUIRED AS CONDITION ON PROVISION OF FIXED, DECOUPLED PAYMENTS AND COUNTER-CYCLICAL PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive fixed, decoupled payments or counter-cyclical payments with respect to the farm, the producers shall agree, in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of the Act (16 U.S.C. 3821 et seq.);

(C) to comply with the planting flexibility requirements of section 107; and

(D) to use the land on the farm, in an amount equal to the base acres, for an agricultural or conserving use, and not for a nonagricultural commercial or industrial use, as determined by the Secretary.

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(b) EFFECT OF FORECLOSURE.—A producer may not be required to make repayments to the Secretary of fixed, decoupled payments and counter-cyclical payments if the farm has been foreclosed on and the Secretary determines that forgiving the repayments is appropriate to provide fair and equitable treatment. This subsection shall not void the responsibilities of the producer under subsection (a) if the producer continues or resumes operation, or control, of the farm. On the resumption of operation or control over the farm by the producer, the requirements of subsection (a) in effect on the date of the foreclosure shall apply.

(c) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—Except as provided in paragraph (4), a transfer of (or change in) the interest of a producer in base acres for which fixed, decoupled payments or counter-cyclical payments are made shall result in the termination of the payments with respect to the base acres, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a). The termination shall be effective on the date of the transfer or change.

(2) TRANSFER OF PAYMENT BASE.—There is no restriction on the transfer of a farm's base acres or payment yield as part of a change in the producers on the farm.

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of subsection (a) if the modifications are consistent with the objectives of such subsection, as determined by the Secretary.

(4) EXCEPTION.—If a producer entitled to a fixed, decoupled payment or counter-cyclical payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with regulations prescribed by the Secretary.

(d) ACREAGE REPORTS.—

(1) IN GENERAL.—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Secretary shall require producers to submit to the Secretary acreage reports.

(2) CONFORMING AMENDMENT.—Section 15 of the Agricultural Marketing Act (12 U.S.C. 1141j) is amended by striking subsection (d).

(e) REVIEW.—A determination of the Secretary under this section shall be considered to be an adverse decision for purposes of the availability of administrative review of the determination.

SEC. 107. PLANTING FLEXIBILITY.

(a) PERMITTED CROPS.—Subject to subsection (b), any commodity or crop may be planted on base acres on a farm.

(b) LIMITATIONS AND EXCEPTIONS REGARDING CERTAIN COMMODITIES.—

(1) LIMITATIONS.—The planting of the following agricultural commodities shall be prohibited on base acres:

(A) Fruits.

(B) Vegetables (other than lentils, mung beans, and dry peas).

(C) Wild rice.

(2) EXCEPTIONS.—Paragraph (1) shall not limit the planting of an agricultural commodity specified in such paragraph—

(A) in any region in which there is a history of double-cropping of covered commodities with agricultural commodities specified in paragraph (1), as determined by the Secretary, in which case the double-cropping shall be permitted;

(B) on a farm that the Secretary determines has a history of planting agricultural commodities specified in paragraph (1) on base acres, except that fixed, decoupled payments and counter-cyclical payments shall be reduced by an acre for each acre planted to such an agricultural commodity; or

(C) by a producer who the Secretary determines has an established planting history of a specific agricultural commodity specified in paragraph (1), except that—

(i) the quantity planted may not exceed the producer's average annual planting history of such agricultural commodity in the 1991 through 1995 crop years (excluding any crop year in which no plantings were made), as determined by the Secretary; and

(ii) fixed, decoupled payments and counter-cyclical payments shall be reduced by an acre for each acre planted to such agricultural commodity.

SEC. 108. RELATION TO REMAINING PAYMENT AUTHORITY UNDER PRODUCTION FLEXIBILITY CONTRACTS.

(a) TERMINATION OF SUPERSEDED PAYMENT AUTHORITY.—Notwithstanding section 113(a)(7) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7213(a)(7)) or any other provision of law, the Secretary shall not make payments for fiscal year 2002 after the date of the enactment of this Act under production flexibility contracts entered into under section 111 of such Act (7 U.S.C. 7211).

(b) CONTRACT PAYMENTS MADE BEFORE ENACTMENT.—If, on or before the date of the enactment of this Act, a producer receives all or any portion of the payment authorized for fiscal year 2002 under a production flexibility contract, the Secretary shall reduce the amount of the fixed, decoupled payment otherwise due the producer for that same fiscal year by the amount of the fiscal year 2002 payment previously received by the producer.

SEC. 109. PAYMENT LIMITATIONS.

Sections 1001 through 1001C of the Food Security Act of 1985 (7 U.S.C. 1308 through 1308–3) shall apply to fixed, decoupled payments and counter-cyclical payments.

SEC. 110. PERIOD OF EFFECTIVENESS.

This subtitle shall be effective beginning with the 2002 crop year of each covered commodity through the 2011 crop year.

Subtitle B—Marketing Assistance Loans and Loan Deficiency Payments

SEC. 121. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS FOR COVERED COMMODITIES.

(a) NONRECOURSE LOANS AVAILABLE.—

(1) AVAILABILITY.—For each of the 2002 through 2011 crops of each covered commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for covered commodities produced on the farm. The loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under section 122 for the covered commodity.

(2) INCLUSION OF EXTRA LONG STAPLE COTTON.—In this subtitle, the term ''covered commodity'' includes extra long staple cotton.

(b) ELIGIBLE PRODUCTION.—Any production of a covered commodity on a farm shall be eligible for a marketing assistance loan under subsection (a).

(c) TREATMENT OF CERTAIN COMMINGLED COMMODITIES.—In carrying out this subtitle, the Secretary shall make loans to a producer that is otherwise eligible to obtain a marketing assistance loan, but for the fact the covered commodity owned by the producer is commingled with covered commodities of other producers in facilities unlicensed for the storage of agricultural commodities by the Secretary or a State licensing authority, if the producer obtaining the loan agrees to immediately redeem the loan collateral in accordance with section 166 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7286).

(d) COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.—As a condition of the receipt of a marketing assistance loan under subsection (a), the producer shall comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wetland protection requirements under subtitle C of title XII of the Act (16 U.S.C. 3821 et seq.) during the term of the loan.

(e) DEFINITION OF EXTRA LONG STAPLE COTTON.—In this subtitle, the term ''extra long staple cotton'' means cotton that—

(1) is produced from pure strain varieties of the Barbadense species or any hybrid thereof, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(2) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(f) TERMINATION OF SUPERSEDED LOAN AUTHORITY.—Notwithstanding section 131 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7231), nonrecourse marketing assistance loans shall not be made for the 2002 crop of covered commodities under subtitle C of title I of such Act.

SEC. 122. LOAN RATES FOR NONRECOURSE MARKETING ASSISTANCE LOANS.

(a) WHEAT.—

(1) LOAN RATE.—Subject to paragraph (2), the loan rate for a marketing assistance loan under section 121 for wheat shall be—

(A) not less than 85 percent of the simple average price received by producers of wheat, as determined by the Secretary, during the marketing years for the immediately preceding five crops of wheat, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(B) not more than $2.58 per bushel.

(2) STOCKS TO USE RATIO ADJUSTMENT.—If the Secretary estimates for any marketing year that the ratio of ending stocks of wheat to total use for the marketing year will be—

(A) equal to or greater than 30 percent, the Secretary may reduce the loan rate for

wheat for the corresponding crop by an amount not to exceed 10 percent in any year;

(B) less than 30 percent but not less than 15 percent, the Secretary may reduce the loan rate for wheat for the corresponding crop by an amount not to exceed 5 percent in any year; or

(C) less than 15 percent, the Secretary may not reduce the loan rate for wheat for the corresponding crop.

(b) FEED GRAINS.—

(1) LOAN RATE FOR CORN AND GRAIN SORGHUM.—Subject to paragraph (2), the loan rate for a marketing assistance loan under section 121 for corn and grain sorghum shall be—

(A) not less than 85 percent of the simple average price received by producers of corn or grain sorghum, respectively, as determined by the Secretary, during the marketing years for the immediately preceding five crops of the covered commodity, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(B) not more than $1.89 per bushel.

(2) STOCKS TO USE RATIO ADJUSTMENT.—If the Secretary estimates for any marketing year that the ratio of ending stocks of corn or grain sorghum to total use for the marketing year will be—

(A) equal to or greater than 25 percent, the Secretary may reduce the loan rate for the covered commodity for the corresponding crop by an amount not to exceed 10 percent in any year;

(B) less than 25 percent but not less than 12.5 percent, the Secretary may reduce the loan rate for the covered commodity for the corresponding crop by an amount not to exceed 5 percent in any year; or

(C) less than 12.5 percent, the Secretary may not reduce the loan rate for the covered commodity for the corresponding crop.

(3) OTHER FEED GRAINS.—The loan rate for a marketing assistance loan under section 121 for barley and oats shall be—

(A) established at such level as the Secretary determines is fair and reasonable in relation to the rate that loans are made available for corn, taking into consideration the feeding value of the commodity in relation to corn; but

(B) not more than—

(i) $1.65 per bushel for barley, except not more than $1.70 per bushel for barley used only for feed purposes, as determined by the Secretary; and

(ii) $1.21 per bushel for oats.

(c) UPLAND COTTON.—

(1) LOAN RATE.—Subject to paragraph (2), the loan rate for a marketing assistance loan under section 121 for upland cotton shall be established by the Secretary at such loan rate, per pound, as will reflect for the base quality of upland cotton, as determined by the Secretary, at average locations in the United States a rate that is not less than the smaller of—

(A) 85 percent of the average price (weighted by market and month) of the base quality of cotton as quoted in the designated United States spot markets during 3 years of the 5-year period ending July 31 of the year preceding the year in which the crop is planted, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; or

(B) 90 percent of the average, for the 15-week period beginning July 1 of the year preceding the year in which the crop is planted, of the five lowest-priced growths of the growths quoted for Middling 1 3/32-inch cotton C.I.F. Northern Europe (adjusted downward by the average difference during the period April 15 through October 15 of the year preceding the year in which the crop is planted between the average Northern European price quotation of such quality of cotton and the market quotations in the designated United States spot markets for the base quality of upland cotton), as determined by the Secretary.

(2) LIMITATIONS.—The loan rate for a marketing assistance loan for upland cotton shall not be less than $0.50 per pound or more than $0.5192 per pound.

(d) EXTRA LONG STAPLE COTTON.—The loan rate for a marketing assistance loan under section 121 for extra long staple cotton shall be—

(1) not less than 85 percent of the simple average price received by producers of extra long staple cotton, as determined by the Secretary, during 3 years of the 5-year period ending July 31 of the year preceding the year in which the crop is planted, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(2) not more than $0.7965 per pound.

(e) RICE.—The loan rate for a marketing assistance loan under section 121 for rice shall be $6.50 per hundredweight.

(f) OILSEEDS.—

(1) SOYBEANS.—The loan rate for a marketing assistance loan under section 121 for soybeans shall be—

(A) not less than 85 percent of the simple average price received by producers of soybeans, as determined by the Secretary, during the marketing years for the immediately preceding five crops of soybeans, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(B) not more than $4.92 per bushel.

(2) OTHER OILSEEDS.—The loan rate for a marketing assistance loan under section 121 for other oilseeds shall be—

(A) not less than 85 percent of the simple average price received by producers of the other oilseed, as determined by the Secretary, during the marketing years for the immediately preceding five crops of the other oilseed, excluding the year in which the average price was the highest and the year in which the average price was the lowest in the period; but

(B) not more than $0.087 per pound.

SEC. 123. TERM OF LOANS.

(a) TERM OF LOAN.—In the case of each covered commodity (other than upland cotton or extra long staple cotton), a marketing assistance loan under section 121 shall have a term of nine months beginning on the first day of the first month after the month in which the loan is made.

(b) SPECIAL RULE FOR COTTON.—A marketing assistance loan for upland cotton or extra long staple cotton shall have a term of 10 months beginning on the first day of the month in which the loan is made.

(c) EXTENSIONS PROHIBITED.—The Secretary may not extend the term of a marketing assistance loan for any covered commodity.

SEC. 124. REPAYMENT OF LOANS.

(a) REPAYMENT RATES FOR WHEAT, FEED GRAINS, AND OILSEEDS.—The Secretary shall permit a producer to repay a marketing assistance loan under section 121 for wheat, corn, grain sorghum, barley, oats, and oilseeds at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 122, plus interest (as determined by the Secretary); or

(2) a rate that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodity by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodity; and

(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally.

(b) REPAYMENT RATES FOR UPLAND COTTON AND RICE.—The Secretary shall permit producers to repay a marketing assistance loan under section 121 for upland cotton and rice at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 122, plus interest (as determined by the Secretary); or

(2) the prevailing world market price for the commodity (adjusted to United States quality and location), as determined by the Secretary.

(c) REPAYMENT RATES FOR EXTRA LONG STAPLE COTTON.—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under section 122, plus interest (as determined by the Secretary).

(d) PREVAILING WORLD MARKET PRICE.—For purposes of this section and section 127, the Secretary shall prescribe by regulation—

(1) a formula to determine the prevailing world market price for each covered commodity, adjusted to United States quality and location; and

(2) a mechanism by which the Secretary shall announce periodically the prevailing world market price for each covered commodity.

(e) ADJUSTMENT OF PREVAILING WORLD MARKET PRICE FOR UPLAND COTTON.—

(1) IN GENERAL.—During the period beginning on the date of the enactment of this Act and ending July 31, 2012, the prevailing world market price for upland cotton (adjusted to United States quality and location) established under subsection (d) shall be further adjusted if—

(A) the adjusted prevailing world market price is less than 115 percent of the loan rate for upland cotton established under section 122, as determined by the Secretary; and

(B) the Friday through Thursday average price quotation for the lowest-priced United States growth as quoted for Middling (M) 1 3/32-inch cotton delivered C.I.F. Northern Europe is greater than the Friday through Thursday average price of the 5 lowest-priced growths of upland cotton, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe (referred to in this section as the ''Northern Europe price'').

(2) FURTHER ADJUSTMENT.—Except as provided in paragraph (3), the adjusted prevailing world market price for upland cotton shall be further adjusted on the basis of some or all of the following data, as available:

(A) The United States share of world exports.

(B) The current level of cotton export sales and cotton export shipments.

(C) Other data determined by the Secretary to be relevant in establishing an accurate prevailing world market price for upland cotton (adjusted to United States quality and location).

(3) LIMITATION ON FURTHER ADJUSTMENT.—The adjustment under paragraph (2) may not exceed the difference between—

(A) the Friday through Thursday average price for the lowest-priced United States growth as quoted for Middling 1 3/32-inch cotton delivered C.I.F. Northern Europe; and

(B) the Northern Europe price.

(f) TIME FOR FIXING REPAYMENT RATE.—In the case of a producer that marketed or otherwise lost beneficial interest in a covered commodity before repaying the marketing assistance loan made under section 121 with respect to the commodity, the Secretary shall permit the producer to repay the loan at the lowest repayment rate that was in effect for that covered commodity under this section as of the date that the producer lost beneficial interest, as determined by the Secretary.

SEC. 125. LOAN DEFICIENCY PAYMENTS.

(a) AVAILABILITY OF LOAN DEFICIENCY PAYMENTS.—Except as provided in subsection (d), the Secretary may make loan deficiency payments available to producers who, although eligible to obtain a marketing assistance loan under section 121 with respect to a covered commodity, agree to forgo obtaining the loan for the commodity in return for payments under this section.

(b) COMPUTATION.—A loan deficiency payment under this section shall be computed by multiplying—

(1) the loan payment rate determined under subsection (c) for the covered commodity; by

(2) the quantity of the covered commodity produced by the eligible producers, excluding any quantity for which the producers obtain a loan under section 121.

(c) LOAN PAYMENT RATE.—For purposes of this section, the loan payment rate shall be the amount by which—

(1) the loan rate established under section 122 for the covered commodity; exceeds

(2) the rate at which a loan for the commodity may be repaid under section 124.

(d) EXCEPTION FOR EXTRA LONG STAPLE COTTON.—This section shall not apply with respect to extra long staple cotton.

(e) TIME FOR PAYMENT.—The Secretary shall make a payment under this section to a producer with respect to a quantity of a covered commodity as of the earlier of the following:

(1) The date on which the producer marketed or otherwise lost beneficial interest in the commodity, as determined by the Secretary.

(2) The date the producer requests the payment.

(f) CONTINUATION OF SPECIAL LDP RULE FOR 2001CROP YEAR.—Section 135(a)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7235(a)(2)) is amended by striking ''2000 crop year'' and inserting ''2000 and 2001 crop years''.

SEC. 126. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAYMENTS FOR GRAZED ACREAGE.

(a) ELIGIBLE PRODUCERS.—Effective for the 2002 through 2011 crop years, in the case of a producer that would be eligible for a loan deficiency payment under section 125 for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(b) PAYMENT AMOUNT.—The amount of a payment made to a producer on a farm under this section shall be equal to the amount determined by multiplying—

(1) the loan deficiency payment rate determined under section 125(c) in effect, as of the date of the agreement, for the county in which the farm is located; by

(2) the payment quantity determined by multiplying—

(A) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of wheat, barley, or oats; and

(B) the payment yield for that covered commodity on the farm.

(c) TIME, MANNER, AND AVAILABILITY OF PAYMENT.—

(1) TIME AND MANNER.—A payment under this section shall be made at the same time and in the same manner as loan deficiency payments are made under section 125.

(2) AVAILABILITY.—The Secretary shall establish an availability period for the payment authorized by this section that is consistent with the availability period for wheat, barley, and oats established by the Secretary for marketing assistance loans authorized by this subtitle.

(d) PROHIBITION ON CROP INSURANCE OR NONINSURED CROP ASSISTANCE.—A 2002 through 2011 crop of wheat, barley, or oats planted on acreage that a producer elects, in the agreement required by subsection (a), to use for the grazing of livestock in lieu of any other harvesting of the crop shall not be eligible for insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or noninsured crop assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

SEC. 127. SPECIAL MARKETING LOAN PROVISIONS FOR UPLAND COTTON.

(a) COTTON USER MARKETING CERTIFICATES.—

(1) ISSUANCE.—During the period beginning on the date of the enactment of this Act and ending July 31, 2012, the Secretary shall issue marketing certificates or cash payments, at the option of the recipient, to domestic users and exporters for documented purchases by domestic users and sales for export by exporters made in the week following a consecutive four-week period in which—

(A) the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe exceeds the Northern Europe price by more than 1.25 cents per pound; and

(B) the prevailing world market price for upland cotton (adjusted to United States quality and location) does not exceed 134 percent of the loan rate for upland cotton established under section 122.

(2) VALUE OF CERTIFICATES OR PAYMENTS.—The value of the marketing certificates or cash payments shall be based on the amount of the difference (reduced by 1.25 cents per pound) in the prices during the fourth week of the consecutive four-week period multiplied by the quantity of upland cotton included in the documented sales.

(3) ADMINISTRATION OF MARKETING CERTIFICATES.—

(A) REDEMPTION, MARKETING, OR EXCHANGE.—The Secretary shall establish procedures for redeeming marketing certificates for cash or marketing or exchange of the certificates for agricultural commodities owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton. Any price restrictions that would otherwise apply to the disposition of agricultural commodities by the Commodity Credit Corporation shall not apply to the redemption of certificates under this subsection.

(B) DESIGNATION OF COMMODITIES AND PRODUCTS.—To the extent practicable, the Secretary shall permit owners of certificates to designate the commodities and products, including storage sites, the owners would prefer to receive in exchange for certificates

(C) TRANSFERS.—Marketing certificates issued to domestic users and exporters of upland cotton may be transferred to other persons in accordance with regulations issued by the Secretary.

(b) SPECIAL IMPORT QUOTA.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The President shall carry out an import quota program during the period beginning on the date of the enactment of this Act and ending July 31, 2012, as provided in this subsection.

(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive four-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.

(2) QUANTITY.—The quota shall be equal to one week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the most recent three months for which data are available.

(3) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90 days after the date of the Secretary's announcement under paragraph (1) and entered into the United States not later than 180 days after the date.

(4) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by paragraph (1), except that a special quota period may not be established under this subsection if a quota period has been established under subsection (c).

(5) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—

(A) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(B) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(C) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(D) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(6) DEFINITION.—In this subsection, the term ''special import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of five week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the three months immediately preceding the first special import quota established in any marketing year.

(c) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—

(1) IN GENERAL.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of such quality of cotton in the markets for the preceding 36 months, notwithstanding any other provision of law, there shall immediately be in effect a lim-

ited global import quota subject to the following conditions:

(A) QUANTITY.—The quantity of the quota shall be equal to 21 days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent three months for which data are available.

(B) QUANTITY IF PRIOR QUOTA.—If a quota has been established under this subsection during the preceding 12 months, the quantity of the quota next established under this subsection shall be the smaller of 21 days of domestic mill consumption calculated under subparagraph (A) or the quantity required to increase the supply to 130 percent of the demand.

(C) PREFERENTIAL TARIFF TREATMENT.—The quantity under a limited global import quota shall be considered to be an in-quota quantity for purposes of—

(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(D) DEFINITIONS.—In this subsection:

(i) SUPPLY.—The term ''supply'' means, using the latest official data of the Bureau of the Census, the Department of Agriculture, and the Department of the Treasury—

(I) the carry-over of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;

(II) production of the current crop; and

(III) imports to the latest date available during the marketing year.

(ii) DEMAND.—The term ''demand'' means—

(I) the average seasonally adjusted annual rate of domestic mill consumption during the most recent three months for which data are available; and

(II) the larger of—

(aa) average exports of upland cotton during the preceding six marketing years; or

(bb) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.

(iii) LIMITED GLOBAL IMPORT QUOTA.—The term ''limited global import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(E) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.

(2) NO OVERLAP.—Notwithstanding paragraph (1), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (b).

SEC. 128. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA LONG STAPLE COTTON.

(a) COMPETITIVENESS PROGRAM.—Notwithstanding any other provision of law, during the period beginning on the date of the enactment of this Act and ending on July 31, 2012, the Secretary shall carry out a program to maintain and expand the domestic use of extra long staple cotton produced in the United States, to increase exports of extra long staple cotton produced in the United States, and to ensure that extra long staple cotton produced in the United States remains competitive in world markets.

(b) PAYMENTS UNDER PROGRAM; TRIGGER.—Under the program, the Secretary shall make payments available under this section whenever—

(1) for a consecutive four-week period, the world market price for the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is below the prevailing United States price for a competing growth of extra long staple cotton; and

(2) the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is less than 134 percent of the loan rate for extra long staple cotton.

(c) ELIGIBLE RECIPIENTS.—The Secretary shall make payments available under this section to domestic users of extra long staple cotton produced in the United States and exporters of extra long staple cotton produced in the United States who enter into an agreement with the Commodity Credit Corporation to participate in the program under this section.

(d) PAYMENT AMOUNT.—Payments under this section shall be based on the amount of the difference in the prices referred to in subsection (b)(1) during the fourth week of the consecutive four-week period multiplied by the amount of documented purchases by domestic users and sales for export by exporters made in the week following such a consecutive four-week period.

(e) FORM OF PAYMENT.—Payments under this section shall be made through the issuance of cash or marketing certificates, at the option of eligible recipients of the payments.

SEC. 129. AVAILABILITY OF RECOURSE LOANS FOR HIGH MOISTURE FEED GRAINS AND SEED COTTON AND OTHER FIBERS.

(a) HIGH MOISTURE FEED GRAINS.—

(1) RECOURSE LOANS AVAILABLE.—For each of the 2002 through 2011 crops of corn and grain sorghum, the Secretary shall make available recourse loans, as determined by the Secretary, to producers on a farm who—

(A) normally harvest all or a portion of their crop of corn or grain sorghum in a high moisture state;

(B) present—

(i) certified scale tickets from an inspected, certified commercial scale, including a licensed warehouse, feedlot, feed mill, distillery, or other similar entity approved by the Secretary, pursuant to regulations issued by the Secretary; or

(ii) field or other physical measurements of the standing or stored crop in regions of the United States, as determined by the Secretary, that do not have certified commercial scales from which certified scale tickets may be obtained within reasonable proximity of harvest operation;

(C) certify that they were the owners of the feed grain at the time of delivery to, and that the quantity to be placed under loan under this subsection was in fact harvested on the farm and delivered to, a feedlot, feed mill, or commercial or on-farm high-moisture storage facility, or to a facility maintained by the users of corn and grain sorghum in a high moisture state; and

(D) comply with deadlines established by the Secretary for harvesting the corn or grain sorghum and submit applications for loans under this subsection within deadlines established by the Secretary.

(2) ELIGIBILITY OF ACQUIRED FEED GRAINS.—A loan under this subsection shall be made on a quantity of corn or grain sorghum of the same crop acquired by the producer equivalent to a quantity determined by multiplying—

(A) the acreage of the corn or grain sorghum in a high moisture state harvested on the producer's farm; by

(B) the lower of the farm program payment yield or the actual yield on a field, as determined by the Secretary, that is similar to the field from which the corn or grain sorghum was obtained.

(3) HIGH MOISTURE STATE DEFINED.—In this subsection, the term ''high moisture state'' means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 121.

(b) RECOURSE LOANS AVAILABLE FOR SEED COTTON.—For each of the 2002 through 2011 crops of upland cotton and extra long staple cotton, the Secretary shall make available recourse seed cotton loans, as determined by the Secretary, on any production.

(c) REPAYMENT RATES.—Repayment of a recourse loan made under this section shall be at the loan rate established for the commodity by the Secretary, plus interest (as determined by the Secretary).

(d) TERMINATION OF SUPERSEDED LOAN AUTHORITY.—Notwithstanding section 137 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7237), recourse loans shall not be made for the 2002 crop of corn, grain sorghum, and seed cotton under such section.

SEC. 130. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS FOR WOOL AND MOHAIR.

(a) NONRECOURSE LOANS AVAILABLE.—During the 2002 through 2011 marketing years for wool and mohair, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for wool and mohair produced on the farm during that marketing year.

(b) LOAN RATE.—The loan rate for a loan under subsection (a) shall be not more than—

(1) $1.00 per pound for graded wool;

(2) $0.40 per pound for nongraded wool; and

(3) $4.20 per pound for mohair.

(c) TERM OF LOAN.—A loan under subsection (a) shall have a term of 1 year beginning on the first day of the first month after the month in which the loan is made.

(d) REPAYMENT RATES.—The Secretary shall permit a producer to repay a marketing assistance loan under subsection (a) for wool or mohair at a rate that is the lesser of—

(1) the loan rate established for the commodity under subsection (b), plus interest (as determined by the Secretary); or

(2) a rate that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodity by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodity; and

(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally.

(e) LOAN DEFICIENCY PAYMENTS.—

(1) AVAILABILITY.—The Secretary may make loan deficiency payments available to producers that, although eligible to obtain a marketing assistance loan under this section, agree to forgo obtaining the loan in return for payments under this section.

(2) COMPUTATION.—A loan deficiency payment under this subsection shall be computed by multiplying—

(A) the loan payment rate in effect under paragraph (3) for the commodity; by

(B) the quantity of the commodity produced by the eligible producers, excluding any quantity for which the producers obtain a loan under this subsection.

(3) LOAN PAYMENT RATE.—For purposes of this subsection, the loan payment rate for wool or mohair shall be the amount by which—

(A) the loan rate in effect for the commodity under subsection (b); exceeds

(B) the rate at which a loan for the commodity may be repaid under subsection (d).

(4) TIME FOR PAYMENT.—The Secretary shall make a payment under this subsection to a producer with respect to a quantity of a wool or mohair as of the earlier of the following:

(A) The date on which the producer marketed or otherwise lost beneficial interest in the wool or mohair, as determined by the Secretary.

(B) The date the producer requests the payment.

(f) LIMITATIONS.—The marketing assistance loan gains and loan deficiency payments that a person may receive for wool and mohair under this section shall be subject to a separate payment limitation, but in the same dollar amount, as the payment limitation that applies to marketing assistance loans and loan deficiency payments received by producers of other agricultural commodities in the same marketing year.

SEC. 131. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS FOR HONEY.

(a) NONRECOURSE LOANS AVAILABLE.—During the 2002 through 2011 crop years for honey, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for honey produced on the farm during that crop year.

(b) LOAN RATE.—The loan rate for a marketing assistance loan for honey under subsection (a) shall be equal to $0.60 cents per pound.

(c) TERM OF LOAN.—A marketing assistance loan under subsection (a) shall have a term of 1 year beginning on the first day of the first month after the month in which the loan is made.

(d) REPAYMENT RATES.—The Secretary shall permit a producer to repay a marketing assistance loan for honey under subsection (a) at a rate that is the lesser of—

(1) the loan rate for honey, plus interest (as determined by the Secretary); or

(2) the prevailing domestic market price for honey, as determined by the Secretary.

(e) LOAN DEFICIENCY PAYMENTS.—

(1) AVAILABILITY.—The Secretary may make loan deficiency payments available to any producer of honey that, although eligible to obtain a marketing assistance loan under subsection (a), agrees to forgo obtaining the loan in return for a payment under this subsection.

(2) COMPUTATION.—A loan deficiency payment under this subsection shall be determined by multiplying—

(A) the loan payment rate determined under paragraph (3); by

(B) the quantity of honey that the producer is eligible to place under loan, but for which the producer forgoes obtaining the loan in return for a payment under this subsection.

(3) LOAN PAYMENT RATE.—For the purposes of this subsection, the loan payment rate shall be the amount by which—

(A) the loan rate established under subsection (b); exceeds

(B) the rate at which a loan may be repaid under subsection (d).

(4) TIME FOR PAYMENT.—The Secretary shall make a payment under this subsection to a producer with respect to a quantity of a honey as of the earlier of the following:

(A) The date on which the producer marketed or otherwise lost beneficial interest in the honey, as determined by the Secretary.

(B) The date the producer requests the payment.

(f) LIMITATIONS.—The marketing assistance loan gains and loan deficiency payments that a person may receive for a crop of honey under this section shall be subject to a separate payment limitation, but in the same dollar amount, as the payment limitation that applies to marketing assistance loans and loan deficiency payments received by producers of other agricultural commodities in the same crop year.

(g) PREVENTION OF FORFEITURES.—The Secretary shall carry out this section in such a manner as to minimize forfeitures of honey marketing assistance loans.

SEC. 132. PRODUCER RETENTION OF ERRONEOUSLY PAID LOAN DEFICIENCY PAYMENTS AND MARKETING LOAN GAINS.

Notwithstanding any other provision of law, the Secretary of Agriculture and the Commodity Credit Corporation shall not require producers in Erie County, Pennsylvania, to repay loan deficiency payments and marketing loan gains erroneously paid or determined to have been earned by the Commodity Credit Corporation for certain 1998 and 1999 crops under subtitle C of title I of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7231 et seq.). In the case of a producer who has already made the repayment on or before the date of the enactment of this Act, the Commodity Credit Corporation shall reimburse the producer for the full amount of the repayment.

Subtitle C—Other Commodities

CHAPTER 1—DAIRY

SEC. 141. MILK PRICE SUPPORT PROGRAM.

(a) SUPPORT ACTIVITIES.—During the period beginning on January 1, 2002, and ending on December 31, 2011, the Secretary of Agriculture shall support the price of milk produced in the 48 contiguous States through the purchase of cheese, butter, and nonfat dry milk produced from the milk.

(b) RATE.—During the period specified in subsection (a), the price of milk shall be supported at a rate equal to $9.90 per hundredweight for milk containing 3.67 percent butterfat.

(c) PURCHASE PRICES.—The support purchase prices under this section for each of the products of milk (butter, cheese, and nonfat dry milk) announced by the Secretary shall be the same for all of that product sold by persons offering to sell the product to the Secretary. The purchase prices shall be sufficient to enable plants of average efficiency to pay producers, on average, a price that is not less than the rate of price support for milk in effect under subsection (b).

(d) SPECIAL RULE FOR BUTTER AND NONFAT DRY MILK PURCHASE PRICES.—

(1) ALLOCATION OF PURCHASE PRICES.—The Secretary may allocate the rate of price support between the purchase prices for nonfat dry milk and butter in a manner that will result in the lowest level of expenditures by the Commodity Credit Corporation or achieve such other objectives as the Secretary considers appropriate. Not later than 10 days after making or changing an allocation, the Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate of the allocation. Section 553 of title 5, United States Code, shall not apply with respect to the implementation of this section.

(2) TIMING OF PURCHASE PRICE ADJUSTMENTS.—The Secretary may make any such adjustments in the purchase prices for nonfat dry milk and butter the Secretary considers to be necessary not more than twice in each calendar year.

(e) COMMODITY CREDIT CORPORATION.—The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

SEC. 142. REPEAL OF RECOURSE LOAN PROGRAM FOR PROCESSORS.

Section 142 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7252) is repealed.

SEC. 143. EXTENSION OF DAIRY EXPORT INCENTIVE AND DAIRY INDEMNITY PROGRAMS.

(a) DAIRY EXPORT INCENTIVE PROGRAM.—Section 153(a) of the Food Security Act of 1985 (15 U.S.C. 713a–14(a)) is amended by striking ''2002'' and inserting ''2011''.

(b) DAIRY INDEMNITY PROGRAM.—Section 3 of Public Law 90–484 (7 U.S.C. 4501) is amended by striking ''1995'' and inserting ''2011''.

SEC. 144. FLUID MILK PROMOTION.

(a) DEFINITION OF FLUID MILK PRODUCT.—Section 1999C of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6402) is amended by striking paragraph (3) and inserting the following new paragraph:

''(3) FLUID MILK PRODUCT.—The term 'fluid milk product' has the meaning given such term—

''(A) in section 1000.15 of title 7, Code of Federal Regulations, subject to such amendments as may be made from time to time; or

''(B) in any successor regulation providing a definition of such term that is promulgated pursuant to the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.''.

(b) DEFINITION OF FLUID MILK PROCESSOR.—Section 1999C(4) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6402(4)) is amended by striking ''500,000'' and inserting ''3,000,000''.

(c) ELIMINATION OF ORDER TERMINATION DATE.—Section 1999O of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6414) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

SEC. 145. DAIRY PRODUCT MANDATORY REPORTING.

Section 273(b)(1)(B) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637b(b)(1)(B)) is amended—

(1) by inserting ''and substantially identical products designated by the Secretary'' after ''dairy products'' the first place it appears; and

(2) by inserting ''and such substantially identical products'' after ''dairy products'' the second place it appears.

SEC. 146. FUNDING OF DAIRY PROMOTION AND RESEARCH PROGRAM.

(a) DEFINITIONS.—Section 111 of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4502) is amended—

(1) in subsection (k), by striking ''and'' at the end;

(2) in subsection (l), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(m) the term 'imported dairy product' means any dairy product that is imported into the United States, including dairy products imported into the United States in the form of—

''(1) milk, cream, and fresh and dried dairy products;

''(2) butter and butterfat mixtures;

''(3) cheese; and

''(4) casein and mixtures;

''(n) the term 'importer' means a person that imports an imported dairy product into the United States; and

''(o) the term 'Customs' means the United States Customs Service.''.

(b) REPRESENTATION OF IMPORTERS ON BOARD.—Section 113(b) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(b)) is amended—

(1) by inserting ''NATIONAL DAIRY PROMOTION AND RESEARCH BOARD.—'' after ''(b)'';

(2) by designating the first through ninth sentences as paragraphs (1) through (5) and paragraphs (7) through (10), respectively, and indenting the paragraphs appropriately;

(3) in paragraph (2) (as so designated), by striking ''Members'' and inserting ''Except

as provided in paragraph (6), the members''; and

(4) by inserting after paragraph (5) (as so designated) the following:

''(6) IMPORTERS.—

''(A) REPRESENTATION.—The Secretary shall appoint not more than 2 members who represent importers of dairy products and are subject to assessments under the order, to reflect the proportion of domestic production and imports supplying the United States market, which shall be based on the Secretary's determination of the average volume of domestic production of dairy products proportionate to the average volume of imports of dairy products in the United States over the previous three years.

''(B) ADDITIONAL MEMBERS; NOMINATIONS.—The members appointed under this paragraph—

''(i) shall be in addition to the total number of members appointed under paragraph (2); and

''(ii) shall be appointed from nominations submitted by importers under such procedures as the Secretary determines to be appropriate.''.

(c) IMPORTER ASSESSMENT.—Section 113(g) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(g)) is amended—

(1) by inserting ''ASSESSMENTS.—'' after ''(g)'';

(2) by designating the first through fifth sentences as paragraphs (1) through (5), respectively, and indenting appropriately; and

(3) by adding at the end the following:

''(6) IMPORTERS.—

''(A) IN GENERAL.—The order shall provide that each importer of imported dairy products shall pay an assessment to the Board in the manner prescribed by the order.

''(B) TIME FOR PAYMENT.—The assessment on imported dairy products shall be paid by the importer to Customs at the time of the entry of the products into the United States and shall be remitted by Customs to the Board. For purposes of this subparagraph, entry of the products into the United States shall be deemed to have occurred when the products are released from custody of Customs and introduced into the stream of commerce within the United States. Importers include persons who hold title to foreign-produced dairy products immediately upon release by Customs, as well as persons who act on behalf of others, as agents, brokers, or consignees, to secure the release of dairy products from Customs and the introduction of the released dairy products into the stream of commerce.

''(C) RATE.—The rate of assessment on imported dairy products shall be determined in the same manner as the rate of assessment per hundredweight or the equivalent of milk.

''(D) VALUE OF PRODUCTS.—For the purpose of determining the assessment on imported dairy products under subparagraph (C), the value to be placed on imported dairy products shall be established by the Secretary in a fair and equitable manner.

''(E) USE OF ASSESSMENTS ON IMPORTED DAIRY PRODUCTS.—Assessments collected on imported dairy products shall not be used for foreign market promotion.''.

(d) RECORDS.—Section 113(k) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(k)) is amended in the first sentence by striking ''person receiving'' and inserting ''importer of imported dairy products, each person receiving''.

(e) IMPORTER ELIGIBILITY TO VOTE IN REFERENDUM.—Section 116(b) of the Dairy Promotion Stabilization Act of 1983 (7 U.S.C. 4507(b)) is amended—

(1) in the first sentence—

(A) by inserting after ''of producers'' the following: ''and importers''; and

(B) by inserting after ''the producers'' the following: ''and importers''; and

(2) in the second sentence, by inserting after ''commercial use'' the following: ''and importers voting in the referendum (who have been engaged in the importation of dairy products during the same representative period, as determined by the Secretary)''.

(f) CONFORMING AMENDMENTS TO REFLECT ADDITION OF IMPORTERS.—Section 110(b) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501(b)) is amended—

(1) in the first sentence—

(A) by inserting after ''commercial use'' the following: ''and on imported dairy products''; and

(B) by striking ''products produced in the United States.'' and inserting ''products.''; and

(2) in the second sentence, by inserting after ''produce milk'' the following: ''or the right of any person to import dairy products''.

SEC. 147. STUDY OF NATIONAL DAIRY POLICY.

(a) STUDY REQUIRED.—Not later than April 30, 2002, the Secretary of Agriculture shall submit to Congress a comprehensive economic evaluation of the potential direct and indirect effects of the various elements of the national dairy policy, including an examination of the effect of the national dairy policy on—

(1) farm price stability, farm profitability and viability, and local rural economies in the United States;

(2) child, senior, and low-income nutrition programs, including impacts on schools and institutions participating in the programs, on program recipients, and other factors; and

(3) the wholesale and retail cost of fluid milk, dairy farms, and milk utilization.

(b) NATIONAL DAIRY POLICY DEFINED.—In this section, the term ''national dairy policy'' means the dairy policy of the United States as evidenced by the following policies and programs:

(1) Federal Milk Marketing Orders.

(2) Interstate dairy compacts (including proposed compacts described in H.R. 1827 and S. 1157, as introduced in the 107th Congress).

(3) Over-order premiums and State pricing programs.

(4) Direct payments to milk producers.

(5) Federal milk price support program.

(6) Export programs regarding milk and dairy products, such as the Dairy Export Incentive Program.

CHAPTER 2—SUGAR

SEC. 151. SUGAR PROGRAM.

(a) CONTINUATION OF PROGRAM.—Subsection (i) of section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7251) is amended—

(1) by striking ''(other than subsection (f))''; and

(2) by striking ''2002 crops'' and inserting ''2011 crops''.

(b) TERMINATION OF MARKETING ASSESSMENT.—Effective as of October 1, 2001, subsection (f) of such section is repealed.

(c) LOAN RATE ADJUSTMENTS.—Subsection (c) of such section is amended—

(1) by striking ''REDUCTION IN LOAN RATES'' and inserting ''LOAN RATE ADJUSTMENTS''; and

(2) in paragraph (1)—

(A) by striking ''REDUCTION REQUIRED'' and inserting ''POSSIBLE REDUCTION''; and

(B) by striking ''shall'' and inserting ''may''.

(d) NOTIFICATION.—Subsection (e) of such section is amended by adding at the end the following new paragraph:

''(3) PREVENTION OF ONEROUS NOTIFICATION REQUIREMENTS.—The Secretary may not impose or enforce any prenotification or similar administrative requirement that has the effect of preventing a processor from choosing to forfeit the loan collateral upon the maturity of the loan.''.

(e) IN PROCESS SUGAR.—Such section is further amended by inserting after subsection (e) the following new subsection (f):

''(f) LOANS FOR IN-PROCESS SUGAR.—

''(1) AVAILABILITY; RATE.—The Secretary shall make nonrecourse loans available to processors of domestically grown sugarcane and sugar beets for in-process sugars and syrups derived from such crops. The loan rate shall be equal to 80 percent of the loan rate applicable to raw cane sugar or refined beet sugar, depending on the source material for the in-process sugars and syrups.

''(2) FURTHER PROCESSING UPON FORFEITURE.—As a condition on the forfeiture of in-process sugars and syrups serving as collateral for a loan under paragraph (1), the processor shall, within such reasonable time period as the Secretary may prescribe and at no cost to the Commodity Credit Corporation, convert the in-process sugars and syrups into raw cane sugar or refined beet sugar of acceptable grade and quality for sugars eligible for loans under subsection (a) or (b). Once the in-process sugars and syrups are fully processed into raw cane sugar or refined beet sugar, the processor shall transfer the sugar to the Corporation, which shall make a payment to the processor in an amount equal to the difference between the loan rate for raw cane sugar or refined beet sugar, whichever applies, and the loan rate the processor received under paragraph (1).

''(3) LOAN CONVERSION.—If the processor does not forfeit the collateral as described in paragraph (2), but instead further processes the in-process sugars and syrups into raw cane sugar or refined beet sugar and repays the loan on the in-process sugars and syrups, the processor may then obtain a loan under subsection (a) or (b) on the raw cane sugar or refined beet sugar, as appropriate.

''(4) DEFINITION.—In this subsection the term 'in-process sugars and syrups' does not include raw sugar, liquid sugar, invert sugar, invert syrup, or other finished products that are otherwise eligible for loans under subsection (a) or (b).''.

(f) ADMINISTRATION OF PROGRAM.—Such section is further amended by adding at the end the following new subsection:

''(j) AVOIDING FORFEITURES; CORPORATION INVENTORY DISPOSITION.—

''(1) NO COST.—To the maximum extent practicable, the Secretary shall operate the sugar program established under this section at no cost to the Federal Government by avoiding the forfeiture of sugar to the Commodity Credit Corporation.

''(2) INVENTORY DISPOSITION.—In support of the objective specified in paragraph (1), the Commodity Credit Corporation may accept bids for commodities in the inventory of the Corporation from (or otherwise make available such commodities, on appropriate terms and conditions, to) processors of sugarcane and processors of sugar beets (when the processors are acting in conjunction with the producers of the sugarcane or sugar beets processed by such processors) in return for the reduction of production of raw cane sugar or refined beet sugar, as appropriate. The authority provided under this paragraph is in addition to any authority of the Corporation under any other law.''.

(g) INFORMATION REPORTING.—Subsection (h) of such section is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively;

(2) by inserting after paragraph (1) the following new paragraphs:

''(2) DUTY OF PRODUCERS TO REPORT.—

''(A) PROPORTIONATE SHARE STATES.—The Secretary shall require a producer of sugarcane located in a State (other than Puerto Rico) in which there are in excess of 250 sugarcane producers to report, in the manner prescribed by the Secretary, the producer's

sugarcane yields and acres planted to sugarcane.

''(B) OTHER STATES.—The Secretary may require producers of sugarcane or sugar beets not covered by paragraph (1) to report, in the manner prescribed by the Secretary, each producer's sugarcane or sugar beet yields and acres planted to sugarcane or sugar beets, respectively.

''(3) DUTY OF IMPORTERS TO REPORT.—The Secretary shall require an importer of sugars, syrups or molasses to be used for human consumption or to be used for the extraction of sugar for human consumption, except such sugars, syrups, or molasses that are within the quantities of tariff-rate quotas that are at the lower rate of duties, to report, in the manner prescribed by the Secretary, the quantities of such products imported and the sugar content or equivalent of such products.''; and

(3) in paragraph (5), as so redesignated, by striking ''paragraph (1)'' and inserting ''this subsection''.

(h) INTEREST RATE.—Section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283) is amended by adding at the end the following new sentence: ''For purposes of this section, raw cane sugar, refined beet sugar, and in process sugar eligible for a loan under section 156 shall not be considered an agricultural commodity.''.

SEC. 152. REAUTHORIZE PROVISIONS OF AGRICULTURAL ADJUSTMENT ACT OF 1938 REGARDING SUGAR.

(a) INFORMATION REPORTING.—Section 359a of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa) is repealed.

(b) ESTIMATES.—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended:

(1) in the section heading—

(A) by inserting ''flexible'' before ''marketing''; and

(B) by striking ''and crystalline fructose'';

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''Before'' and inserting ''Not later than August 1 before'';

(ii) by striking ''1992 through 1998'' and inserting ''2002 through 2011'';

(iii) in subparagraph (A), by striking ''(other than sugar'' and all that follows through ''stocks'';

(iv) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (E), respectively;

(v) by inserting after subparagraph (A) the following:

''(B) the quantity of sugar that would provide for reasonable carryover stocks;'';

(vi) in subparagraph (C), as so redesignated—

(I) by striking ''or'' and all that follows through ''beets''; and

(II) by striking the ''and'' following the semicolon;

(vii) by inserting after subparagraph (C), as so redesignated, the following:

''(D) the quantity of sugar that will be available from the domestic processing of sugarcane and sugar beets; and''; and

(viii) in subparagraph (E), as so redesignated—

(I) by striking ''quantity of sugar'' and inserting ''quantity of sugars, syrups, and molasses'';

(II) by inserting ''human'' after ''imported for'' the first place it appears;

(III) by inserting after ''consumption'' the first place it appears the following: ''or to be used for the extraction of sugar for human consumption'';

(IV) by striking ''year'' and inserting ''year, whether such articles are under a tariff-rate quota or are in excess or outside of a tariff rate quota''; and

(V) by striking ''(other than sugar'' and all that follows through ''carry-in stocks'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following new paragraph:

''(2) EXCLUSION.—The estimates in this section shall not include sugar imported for the production of polyhydric alcohol or to be refined and re-exported in refined form or in sugar containing products.'';

(D) in paragraph (3), as so redesignated—

(i) by striking ''QUARTERLY REESTIMATES'' and inserting ''REESTIMATES''; and

(ii) by inserting ''as necessary, but'' after ''a fiscal year'';

(3) in subsection (b)—

(A) by striking paragraph (1) and inserting the following new paragraph:

''(1) IN GENERAL.—By the beginning of each fiscal year, the Secretary shall establish for that fiscal year appropriate allotments under section 359c for the marketing by processors of sugar processed from sugar beets and from domestically-produced sugarcane at a level that the Secretary estimates will result in no forfeitures of sugar to the Commodity Credit Corporation under the loan program for sugar.''; and

(B) in paragraph (2), by striking ''or crystalline fructose'';

(4) by striking subsection (c);

(5) by redesignating subsection (d) as subsection (c); and

(6) in subsection (c), as so redesignated—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(C) in paragraph (2), as so redesignated—

(i) by striking ''or manufacturer'' and all that follows through ''(2)''; and

(ii) by striking ''or crystalline fructose''.

(c) ESTABLISHMENT.—Section 359c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359cc) is amended—

(1) in the section heading by inserting ''flexible'' after ''of'';

(2) in subsection (a), by inserting ''flexible'' after ''establish'';

(3) in subsection (b)—

(A) in paragraph (1)(A), by striking ''1,250,000'' and inserting ''1,532,000''; and

(B) in paragraph (2), by striking ''to the maximum extent practicable'';

(4) by striking subsection (c) and inserting the following new subsection:

''(c) MARKETING ALLOTMENT FOR SUGAR DERIVED FROM SUGAR BEETS AND MARKETING ALLOTMENT FOR SUGAR DERIVED FROM SUGARCANE.—The overall allotment quantity for the fiscal year shall be allotted among—

''(1) sugar derived from sugar beets by establishing a marketing allotment for a fiscal year at a quantity equal to the product of multiplying the overall allotment quantity for the fiscal year by the percentage of 54.35; and

''(2) sugar derived from sugarcane by establishing a marketing allotment for a fiscal year at a quantity equal to the product of multiplying the overall allotment quantity for the fiscal year by the percentage of 45.65.'';

(5) by amending subsection (d) to read as follows:

''(d) FILLING CANE SUGAR AND BEET SUGAR ALLOTMENTS.—Each marketing allotment for cane sugar established under this section may only be filled with sugar processed from domestically grown sugarcane, and each marketing allotment for beet sugar established under this section may only be filled with sugar domestically processed from sugar beets.'';

(6) by striking subsection (e);

(7) by redesignating subsection (f) as subsection (e);

(8) in subsection (e), as so redesignated—

(A) by inserting ''(1) IN GENERAL.—'' before ''The allotment for sugar'' and indenting such paragraph appropriately;

(B) in such paragraph (1)—

(i) by striking ''the 5'' and inserting ''the'';

(ii) by inserting after ''sugarcane is produced,'' the following: ''after a hearing, if requested by the affected sugar cane processors and growers, and on such notice as the Secretary by regulation may prescribe,'';

(iii) by striking ''on the basis of past marketings'' and all that follows through ''allotments'', and inserting ''as provided in this subsection and section 359d(a)(2)(A)(iv)''; and

(C) by inserting after paragraph (1) the following new paragraphs:

''(2) OFFSHORE ALLOTMENT.—

''(A) COLLECTIVELY.—Prior to the allotment of sugar derived from sugarcane to any other State, 325,000 short tons, raw value shall be allotted to the offshore States.

''(B) INDIVIDUALLY.—The collective offshore State allotment provided for under subparagraph (A) shall be further allotted among the offshore States in which sugarcane is produced, after a hearing if requested by the affected sugar cane processors and growers, and on such notice as the Secretary by regulation may prescribe, in a fair and equitable manner on the basis of—

''(i) past marketings of sugar, based on the average of the 2 highest years of production of raw cane sugar from the 1996 through 2000 crops;

''(ii) the ability of processors to market the sugar covered under the allotments for the crop year; and

''(iii) past processings of sugar from sugarcane based on the 3 year average of the crop years 1998 through 2000.

''(3) MAINLAND ALLOTMENT.—The allotment for sugar derived from sugarcane, less the amount provided for under paragraph (2), shall be allotted among the mainland States in the United States in which sugarcane is produced, after a hearing if requested by the affected sugar cane processors and growers, and on such notice as the Secretary by regulation may prescribe, in a fair and equitable manner on the basis of—

''(A) past marketings of sugar, based on the average of the 2 highest years of production of raw cane sugar from the 1996 through 2000 crops;

''(B) the ability of processors to market the sugar covered under the allotments for the crop year; and

''(C) past processings of sugar from sugarcane, based on the 3 crop years with the greatest processings (in the mainland States collectively) during the 1991 through 2000 crop years.'';

(9) by inserting after subsection (e), as so redesignated, the following new subsection (f):

''(f) FILLING CANE SUGAR ALLOTMENTS.—Except as otherwise provided in section 359e, a State cane sugar allotment established under subsection (e) for a fiscal year may be filled only with sugar processed from sugarcane grown in the State covered by the allotment.'';

(10) in subsection (g)—

(A) in paragraph (1), by striking ''359b(a)(2)—'' and all that follows through the comma at the end of subparagraph (C) and inserting ''359b(a)(3), adjust upward or downward marketing allotments in a fair and equitable manner'';

(B) in paragraph (2) by striking ''359f(b)'' and inserting ''359f(c)''; and

(C) in paragraph (3)—

(i) by striking ''REDUCTIONS'' and inserting ''CARRY-OVER OF REDUCTIONS'';

(ii) by inserting after ''this subsection, if'' the following: ''at the time of the reduction'';

(iii) by striking ''price support'' and inserting ''nonrecourse'';

(iv) by striking ''206'' and all that follows through ''the allotment'' and inserting ''156 of the Agricultural Market Transition Act (7 U.S.C. 7272),''; and

(v) by striking '', if any,''; and

(11) by amending subsection (h) to read as follows:

''(h) SUSPENSION OF ALLOTMENTS.—Whenever the Secretary estimates, or reestimates, under section 359b(a), or has reason to believe that imports of sugars, syrups or molasses for human consumption or to be used for the extraction of sugar for human consumption, whether under a tariff-rate quota or in excess or outside of a tariff-rate quota, will exceed 1.532 million short tons, raw value equivalent, and that such imports would lead to a reduction of the overall allotment quantity, the Secretary shall suspend the marketing allotments until such time as such imports have been restricted, eliminated, or otherwise reduced to or below the level of 1.532 million tons.''.

(d) ALLOCATION.—Section 359d of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359dd) is amended—

(1) in subsection (a)(2)(A)—

(A) by inserting ''(i) IN GENERAL.—'' before ''The Secretary shall'' and indenting such clause appropriately;

(B) in clause (i), as so designated—

(i) by striking ''interested parties'' and inserting ''the affected sugar cane processors and growers'';

(ii) by striking ''by taking'' and all that follows through ''allotment allocated.'' and inserting ''with this subparagraph.''; and

(iii) by inserting at the end the following new sentence: ''Each such allocation shall be subject to adjustment under section 359c(g).'';

(C) by inserting after clause (i) the following new clauses:

''(ii) MULTIPLE PROCESSOR STATES.—Except as provided in clause (iii), the Secretary shall allocate the allotment for cane sugar among multiple cane sugar processors in a single State based upon—

''(I) past marketings of sugar, based on the average of the 2 highest years of production of raw cane sugar from among the 1996 through 2000 crops;

''(II) the ability of processors to market sugar covered by that portion of the allotment allocated for the crop year;

''(III) past processings of sugar from sugarcane, based on the average of the 3 highest years from among crop years 1996 through 2000; and

''(IV) however, only with respect to allotments under subclauses (I), (II), and (III) attributable to the former operations of the Talisman processing facility, shall be allocated among processors in the State coincident with the provisions of the agreements of March 25 and March 26, 1999, between the affected processors and the Department of the Interior.

''(iii) PROPORTIONATE SHARE STATES.—In the case of States subject to section 359f(c), the Secretary shall allocate the allotment for cane sugar among multiple cane sugar processors in a single state based upon—

''(I) past marketings of sugar, based on the average of the two highest years of production of raw cane sugar from among the 1997 through 2001 crop years;

''(II) the ability of processors to market sugar covered by that portion of the allotments allocated for the crop year; and

''(III) past processings of sugar from sugarcane, based on the average of the two highest crop years from the five crop years 1997 through 2001.

''(iv) NEW ENTRANTS.—Notwithstanding clauses (ii) and (iii), the Secretary, on application of any processor that begins processing sugarcane on or after the date of enactment of this clause, and after a hearing if requested by the affected sugarcane processors and growers, and on such notice as the Secretary by regulation may prescribe, may provide such processor with an allocation which provides a fair, efficient and equitable distribution of the allocations from the allotment for the State in which the processor is located and, in the case of proportionate share States, shall establish proportionate shares in an amount sufficient to produce the sugarcane required to satisfy such allocations. However, the allotment for a new processor under this clause shall not exceed 50,000 short tons, raw value.

''(v) TRANSFER OF OWNERSHIP.—Except as otherwise provided in section 359f(c)(8), in the event that a sugarcane processor is sold or otherwise transferred to another owner, or closed as part of an affiliated corporate group processing consolidation, the Secretary shall transfer the allotment allocation for the processor to the purchaser, new owner, or successor in interest, as applicable, of the processor.''; and

(2) in subsection (a)(2)(B)—

(A) by striking ''interested parties'' and inserting ''the affected sugar beet processors and growers''; and

(B) by striking ''processing capacity'' and all that follows through ''allotment allocated'' and inserting the following: ''the marketings of sugar processed from sugar beets of any or all of the 1996 through 2000 crops, and such other factors as the Secretary may deem appropriate after consultation with the affected sugar beet processors and growers. However, in the case of any processor which has started processing sugar beets after January 1, 1996, the Secretary shall provide such processor with an allocation which provides a fair, efficient and equitable distribution of the allocations''.

(e) REASSIGNMENT.—Section 359e(b) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ee(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B) by striking the ''and'' after the semicolon;

(B) by redesignating subparagraph (C) as subparagraph (D);

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) if after the reassignments, the deficit cannot be completely eliminated, the Secretary shall reassign the estimated quantity of the deficit to the sale of any inventories of sugar held by the Commodity Credit Corporation; and''; and

(D) in subparagraph (D), as so redesignated, by inserting ''and sales'' after ''reassignments''; and

(2) in paragraph (2)—

(A) in subparagraph (A) by striking the ''and'' after the semicolon;

(B) in subparagraph (B), by striking ''reassign the remainder to imports.'' and inserting ''use the estimated quantity of the deficit for the sale of any inventories of sugar held by the Commodity Credit Corporation; and''; and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) if after such reassignments and sales, the deficit cannot be completely eliminated, the Secretary shall reassign the remainder to imports.''.

(f) PRODUCER PROVISIONS.—Section 359f of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff) is amended—

(1) in subsection (a)—

(A) by striking ''processor's allocation'' in the second sentence and inserting ''allocation to the processor''; and

(B) by inserting after ''request of either party'' the following: '', and such arbitration should be completed within 45 days, but not more than 60 days, of the request'';

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following new subsection:

''(b) SUGAR BEET PROCESSING FACILITY CLOSURES.— In the event that a sugar beet processing facility is closed and the sugar beet growers who previously delivered beets to such facility desire to deliver their beets to another processing company:

''(1) Such growers may petition the Secretary to modify existing allocations to accommodate such a transition; and

''(2) The Secretary may increase the allocation to the processing company to which the growers desire to deliver their sugar beets, and which the processing company agrees to accept, not to exceed its processing capacity, to accommodate the change in deliveries.

''(3) Such increased allocation shall be deducted from the allocation to the company that owned the processing facility that has been closed and the remaining allocation will be unaffected.

''(4) The Secretary's determination on the issues raised by the petition shall be made within 60 days of the filing of the petition.'';

(4) in subsection (c), as so redesignated—

(A) in paragraph (3)(A), by striking ''the preceding five years'' and inserting ''the two highest years from among the years 1999, 2000, and 2001'';

(B) in paragraph (4)(A), by striking ''each'' and all that follows through ''in effect'' and inserting ''the two highest of the three (3) crop years 1999, 2000, and 2001''; and

(C) by inserting after paragraph (7) the following new paragraph:

''(8) PROCESSING FACILITY CLOSURES.—In the event that a sugarcane processing facility subject to this subsection is closed and the sugarcane growers who previously delivered sugarcane to such facility desire to deliver their sugarcane to another processing company—

''(A) such growers may petition the Secretary to modify existing allocations to accommodate such a transition;

''(B) the Secretary may increase the allocation to the processing company to which the growers desire to deliver the sugarcane, and which the processing company agrees to accept, not to exceed its processing capacity, to accommodate the change in deliveries;

''(C) such increased allocation shall be deducted from the allocation to the company that owned the processing facility that has been closed and the remaining allocation will be unaffected; and

''(D) the Secretary's determination on the issues raised by the petition shall be made within 60 days of the filing of the petition.''.

(g) CONFORMING AMENDMENTS.—(1) The heading of part VII of subtitle B of Title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 359aa et seq.) is amended to read as follows:

''PART VII—FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR''.

(2) Section 359g of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359gg) is amended—

(A) by striking ''359f'' each place it appears and inserting ''359f(c)'';

(B) in subsection (b), by striking ''3 consecutive'' and inserting ''5 consecutive''; and

(C) in subsection (c), by inserting ''or adjusted'' after ''share established''.

(3) Section 359j(c) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359jj) is amended—

(A) by amending the subsection heading to read as follows: ''DEFINITIONS.—'';

(B) by striking ''Notwithstanding'' and inserting the following:

''(1) UNITED STATES AND STATE.—Notwithstanding''; and

(C) by inserting after such paragraph (1) the following new paragraph:

''(2) OFFSHORE STATES.—For purposes of this part, the term 'offshore States' means the sugarcane producing States located outside of the continental United States.''.

(h) LIFTING OF SUSPENSION.—Section 171(a)(1)(E) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301(a)(1)(E)) is amended by inserting before the period at the end the following: '', but only with respect to sugar marketings through fiscal year 2002''.

SEC. 153. STORAGE FACILITY LOANS.

(a) STORAGE FACILITY LOAN PROGRAM.—Notwithstanding any other provision of law and as soon as practicable after the date of the enactment of this section, the Commodity Credit Corporation shall amend part 1436 of title 7, Code of Federal Regulations, to establish a sugar storage facility loan program to provide financing for processors of domestically-produced sugarcane and sugar beets to build or upgrade storage and handling facilities for raw sugars and refined sugars.

(b) ELIGIBLE PROCESSORS.—Storage facility loans shall be made available to any processor of domestically produced sugarcane or sugar beets that has a satisfactory credit history, determines a need for increased storage capacity (taking into account the effects of marketing allotments), and demonstrates an ability to repay the loan.

(c) TERM OF LOANS.—Storage facility loans shall be for a minimum of seven years, and shall be in such amounts and on such terms and conditions (including down payment, security requirements, and eligible equipment) as are normal, customary, and appropriate for the size and commercial nature of the borrower.

(d) ADMINISTRATION.—The sugar storage facility loan program shall be administered using the services, facilities, funds, and authorities of the Commodity Credit Corporation.

CHAPTER 3—PEANUTS

SEC. 161. DEFINITIONS.

In this chapter:

(1) COUNTER-CYCLICAL PAYMENT.—The term ''counter-cyclical payment'' means a payment made to peanut producers under section 164.

(2) EFFECTIVE PRICE.—The term ''effective price'' means the price calculated by the Secretary under section 164 for peanuts to determine whether counter-cyclical payments are required to be made under such section for a crop year.

(3) HISTORIC PEANUT PRODUCER.—The term ''historic peanut producer'' means a peanut producer on a farm in the United States that produced or attempted to produce peanuts during any or all of crop years 1998, 1999, 2000, and 2001.

(4) FIXED, DECOUPLED PAYMENT.—The term ''fixed, decoupled payment'' means a payment made to peanut producers under section 163.

(5) PAYMENT ACRES.—The term ''payment acres'' means 85 percent of the peanut acres on a farm, as established under section 162, upon which fixed, decoupled payments and counter-cyclical payments are to be made.

(6) PEANUT ACRES.—The term ''peanut acres'' means the number of acres assigned to a particular farm by historic peanut producers pursuant to section 162(b).

(7) PAYMENT YIELD.—The term ''payment yield'' means the yield assigned to a particular farm by historic peanut producers pursuant to section 162(b).

(8) PEANUT PRODUCER.—The term ''peanut producer'' means an owner, operator, landlord, tenant, or sharecropper who shares in the risk of producing a crop of peanuts in the United States and who is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(10) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

(11) TARGET PRICE.—The term ''target price'' means the price per ton of peanuts used to determine the payment rate for counter-cyclical payments.

(12) UNITED STATES.—The term ''United States'', when used in a geographical sense, means all of the States.

SEC. 162. ESTABLISHMENT OF PAYMENT YIELD, PEANUT ACRES, AND PAYMENT ACRES FOR A FARM.

(a) ESTABLISHMENT OF PAYMENT YIELD AND PAYMENT ACRES.—

(1) DETERMINATION OF AVERAGE YIELD.—The Secretary shall determine, for each historic peanut producer, the average yield for peanuts on each farm on which the historic peanut producer produced peanuts for the 1998 through 2001 crop years, excluding any crop year in which the producer did not produce peanuts. If, for any of these four crop years in which peanuts were planted on a farm by the producer, the farm would have satisfied the eligibility criteria established to carry out section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277), the Secretary shall assign a yield for the producer for that year equal to 65 percent of the county yield, as determined by the Secretary.

(2) DETERMINATION OF ACREAGE AVERAGE.—The Secretary shall determine, for each historic peanut producer, the four-year average of acreage actually planted in peanuts by the historic peanut producer for harvest on one or more farms during crop years 1998, 1999, 2000, and 2001 and any acreage that the producer was prevented from planting to peanuts during such crop years because of drought, flood, or other natural disaster, or other condition beyond the control of the producer, as determined by the Secretary. If more than one historic peanut producer shared in the risk of producing the crop on the farm, the historic peanut producers shall receive their proportional share of the number of acres planted (or prevented from being planted) to peanuts for harvest on the farm based on the sharing arrangement that was in effect among the producers for the crop.

(3) TIME FOR DETERMINATIONS; CONSIDERATIONS.—The Secretary shall make the determinations required by this subsection not later than 90 days after the date of the enactment of this Act. In making such determinations, the Secretary shall take into account changes in the number and identity of persons sharing in the risk of producing a peanut crop since the 1998 crop year, including providing a method for the assignment of average acres and average yield to a farm when the historic peanut producer is no longer living or an entity composed of historic peanut producers has been dissolved.

(b) ASSIGNMENT OF PAYMENT YIELD AND PEANUT ACRES TO FARMS.—

(1) ASSIGNMENT BY HISTORIC PEANUT PRODUCERS.—The Secretary shall give each historic peanut producer an opportunity to assign the average peanut yield and average acreage determined under subsection (a) for the producer to cropland on a farm.

(2) PAYMENT YIELD.—The average of all of the yields assigned by historic peanut producers to a farm shall be deemed to be the payment yield for that farm for the purpose of making fixed decoupled payments and counter-cyclical payments under this chapter.

(3) PEANUT ACRES.—Subject to subsection (e), the total number of acres assigned by historic peanut producers to a farm shall be deemed to be the peanut acres for a farm for the purpose of making fixed decoupled payments and counter-cyclical payments under this chapter.

(c) TIME FOR ASSIGNMENT.—The opportunity to make the assignments described in subsection (b) shall be available to historic peanut producers only once. The historic peanut producers shall notify the Secretary of the assignments made by such producers under such subsections not later than 180 days after the date of the enactment of this Act.

(d) PAYMENT ACRES.—The payment acres for peanuts on a farm shall be equal to 85 percent of the peanut acres assigned to the farm.

(e) PREVENTION OF EXCESS PEANUT ACRES.—

(1) REQUIRED REDUCTION.—If the sum of the peanut acres for a farm, together with the acreage described in paragraph (2), exceeds the actual cropland acreage of the farm, the Secretary shall reduce the quantity of peanut acres for the farm or base acres for one or more covered commodities for the farm as necessary so that the sum of the peanut acres and acreage described in paragraph (2) does not exceed the actual cropland acreage of the farm. The Secretary shall give the peanut producers on the farm the opportunity to select the peanut acres or base acres against which the reduction will be made.

(2) OTHER ACREAGE.—For purposes of paragraph (1), the Secretary shall include the following:

(A) Any base acres for the farm under subtitle A.

(B) Any acreage on the farm enrolled in the conservation reserve program or wetlands reserve program under chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.).

(C) Any other acreage on the farm enrolled in a conservation program for which payments are made in exchange for not producing an agricultural commodity on the acreage.

(3) EXCEPTION FOR DOUBLE-CROPPED ACREAGE.—In applying paragraph (1), the Secretary shall make an exception in the case of double cropping, as determined by the Secretary.

SEC. 163. AVAILABILITY OF FIXED, DECOUPLED PAYMENTS FOR PEANUTS.

(a) PAYMENT REQUIRED.—For each of the 2002 through 2011 crop years, the Secretary shall make fixed, decoupled payments to peanut producers on a farm.

(b) PAYMENT RATE.—The payment rate used to make fixed, decoupled payments with respect to peanuts for a crop year shall be equal to $36 per ton.

(c) PAYMENT AMOUNT.—The amount of the fixed, decoupled payment to be paid to the peanut producers on a farm for a covered commodity for a crop year shall be equal to the product of the following:

(1) The payment rate specified in subsection (b).

(2) The payment acres on the farm.

(3) The payment yield for the farm.

(d) TIME FOR PAYMENT.—

(1) GENERAL RULE.—Fixed, decoupled payments shall be paid not later than September 30 of each of fiscal years 2002 through 2011. In the case of the 2002 crop, payments may begin to be made on or after December 1, 2001.

(2) ADVANCE PAYMENTS.—At the option of a peanut producer, 50 percent of the fixed, decoupled payment for a fiscal year shall be paid on a date selected by the peanut producer. The selected date shall be on or after December 1 of that fiscal year, and the peanut producer may change the selected date

for a subsequent fiscal year by providing advance notice to the Secretary.

(3) REPAYMENT OF ADVANCE PAYMENTS.—If a peanut producer that receives an advance fixed, decoupled payment for a fiscal year ceases to be a peanut producer before the date the fixed, decoupled payment would otherwise have been made by the Secretary under paragraph (1), the peanut producer shall be responsible for repaying the Secretary the full amount of the advance payment.

SEC. 164. AVAILABILITY OF COUNTER-CYCLICAL PAYMENTS FOR PEANUTS.

(a) PAYMENT REQUIRED.—During the 2002 through 2011 crop years for peanuts, the Secretary shall make counter-cyclical payments with respect to peanuts whenever the Secretary determines that the effective price for peanuts is less than the target price.

(b) EFFECTIVE PRICE.—For purposes of subsection (a), the effective price for peanuts is equal to the sum of the following:

(1) The higher of the following:

(A) The national average market price received by peanut producers during the 12-month marketing year for peanuts, as determined by the Secretary.

(B) The national average loan rate for a marketing assistance loan for peanuts in effect for the same period under this chapter.

(2) The payment rate in effect under section 163 for the purpose of making fixed, decoupled payments.

(c) TARGET PRICE.—For purposes of subsection (a), the target price for peanuts shall be equal to $480 per ton.

(d) PAYMENT RATE.—The payment rate used to make counter-cyclical payments for a crop year shall be equal to the difference between—

(1) the target price; and

(2) the effective price determined under subsection (b).

(e) PAYMENT AMOUNT.—The amount of the counter-cyclical payment to be paid to the peanut producers on a farm for a crop year shall be equal to the product of the following:

(1) The payment rate specified in subsection (d).

(2) The payment acres on the farm.

(3) The payment yield for the farm.

(f) TIME FOR PAYMENTS.—

(1) GENERAL RULE.—The Secretary shall make counter-cyclical payments under this section for a peanut crop as soon as possible after determining under subsection (a) that such payments are required for that crop year.

(2) PARTIAL PAYMENT.—The Secretary may permit, and, if so permitted, a peanut producer may elect to receive, up to 40 percent of the projected counter-cyclical payment, as determined by the Secretary, to be made under this section for a peanut crop upon completion of the first six months of the marketing year for that crop. The peanut producer shall repay to the Secretary the amount, if any, by which the partial payment exceeds the actual counter-cyclical payment to be made for that crop.

SEC. 165. PRODUCER AGREEMENT REQUIRED AS CONDITION ON PROVISION OF FIXED, DECOUPLED PAYMENTS AND COUNTER-CYCLICAL PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the peanut producers on a farm may receive fixed, decoupled payments or counter-cyclical payments with respect to the farm, the peanut producers shall agree, in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of the Act (16 U.S.C. 3821 et seq.);

(C) to comply with the planting flexibility requirements of section 166; and

(D) to use the land on the farm, in an amount equal to the peanut acres, for an agricultural or conserving use, and not for a nonagricultural commercial or industrial use, as determined by the Secretary.

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure peanut producer compliance with the requirements of paragraph (1).

(b) EFFECT OF FORECLOSURE.—A peanut producer may not be required to make repayments to the Secretary of fixed, decoupled payments and counter-cyclical payments if the farm has been foreclosed on and the Secretary determines that forgiving the repayments is appropriate to provide fair and equitable treatment. This subsection shall not void the responsibilities of the peanut producer under subsection (a) if the peanut producer continues or resumes operation, or control, of the farm. On the resumption of operation or control over the farm by the producer, the requirements of subsection (a) in effect on the date of the foreclosure shall apply.

(c) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—Except as provided in paragraph (4), a transfer of (or change in) the interest of a peanut producer in peanut acres for which fixed, decoupled payments or counter-cyclical payments are made shall result in the termination of the payments with respect to the peanut acres, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a). The termination shall be effective on the date of the transfer or change.

(2) TRANSFER OF PAYMENT BASE.—There is no restriction on the transfer of a farm's peanut acres or payment yield as part of a change in the peanut producers on the farm.

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of subsection (a) if the modifications are consistent with the objectives of such subsection, as determined by the Secretary.

(4) EXCEPTION.—If a peanut producer entitled to a fixed, decoupled payment or counter-cyclical payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with regulations prescribed by the Secretary.

(d) ACREAGE REPORTS.—As a condition on the receipt of any benefits under this chapter, the Secretary shall require peanut producers to submit to the Secretary acreage reports.

(e) TENANTS AND SHARECROPPERS.—In carrying out this chapter, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(f) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of fixed, decoupled payments and counter-cyclical payments among the peanut producers on a farm on a fair and equitable basis.

SEC. 166. PLANTING FLEXIBILITY.

(a) PERMITTED CROPS.—Subject to subsection (b), any commodity or crop may be planted on peanut acres on a farm.

(b) LIMITATIONS AND EXCEPTIONS REGARDING CERTAIN COMMODITIES.—

(1) LIMITATIONS.—The planting of the following agricultural commodities shall be prohibited on peanut acres:

(A) Fruits.

(B) Vegetables (other than lentils, mung beans, and dry peas).

(C) Wild rice.

(2) EXCEPTIONS.—Paragraph (1) shall not limit the planting of an agricultural commodity specified in such paragraph—

(A) in any region in which there is a history of double-cropping of peanuts with agricultural commodities specified in paragraph (1), as determined by the Secretary, in which case the double-cropping shall be permitted;

(B) on a farm that the Secretary determines has a history of planting agricultural commodities specified in paragraph (1) on peanut acres, except that fixed, decoupled payments and counter-cyclical payments shall be reduced by an acre for each acre planted to such an agricultural commodity; or

(C) by a peanut producer who the Secretary determines has an established planting history of a specific agricultural commodity specified in paragraph (1), except that—

(i) the quantity planted may not exceed the peanut producer's average annual planting history of such agricultural commodity in the 1991 through 1995 crop years (excluding any crop year in which no plantings were made), as determined by the Secretary; and

(ii) fixed, decoupled payments and counter-cyclical payments shall be reduced by an acre for each acre planted to such agricultural commodity.

SEC. 167. MARKETING ASSISTANCE LOANS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS.

(a) NONRECOURSE LOANS AVAILABLE.—

(1) AVAILABILITY.—For each of the 2002 through 2011 crops of peanuts, the Secretary shall make available to peanut producers on a farm nonrecourse marketing assistance loans for peanuts produced on the farm. The loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under subsection (b).

(2) ELIGIBLE PRODUCTION.—Any production of peanuts on a farm shall be eligible for a marketing assistance loan under this subsection.

(3) TREATMENT OF CERTAIN COMMINGLED COMMODITIES.—In carrying out this subsection, the Secretary shall make loans to a peanut producer that is otherwise eligible to obtain a marketing assistance loan, but for the fact the peanuts owned by the peanut producer are commingled with other peanuts in facilities unlicensed for the storage of agricultural commodities by the Secretary or a State licensing authority, if the peanut producer obtaining the loan agrees to immediately redeem the loan collateral in accordance with section 166 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7286).

(4) OPTIONS FOR OBTAINING LOAN.—A marketing assistance loan under this subsection, and loan deficiency payments under subsection (e), may be obtained at the option of the peanut producer through—

(A) a designated marketing association of peanut producers that is approved by the Secretary; or

(B) the Farm Service Agency.

(b) LOAN RATE.—The loan rate for a marketing assistance loan under for peanuts subsection (a) shall be equal to $350 per ton.

(c) TERM OF LOAN.—

(1) IN GENERAL.—A marketing assistance loan for peanuts under subsection (a) shall have a term of nine months beginning on the first day of the first month after the month in which the loan is made.

(2) EXTENSIONS PROHIBITED.—The Secretary may not extend the term of a marketing assistance loan under subsection (a).

(d) REPAYMENT RATE.—The Secretary shall permit peanut producers to repay a marketing assistance loan for peanuts under subsection (a) at a rate that is the lesser of—

(1) the loan rate established for the commodity under subsection (b), plus interest (as determined by the Secretary); or

(2) a rate that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of peanuts by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing peanuts; and

(D) allow peanuts produced in the United States to be marketed freely and competitively, both domestically and internationally.

(e) LOAN DEFICIENCY PAYMENTS.—

(1) AVAILABILITY.—The Secretary may make loan deficiency payments available to peanut producers who, although eligible to obtain a marketing assistance loan for peanuts under subsection (a), agree to forgo obtaining the loan for the peanuts in return for payments under this subsection.

(2) COMPUTATION.—A loan deficiency payment under this subsection shall be computed by multiplying—

(A) the loan payment rate determined under paragraph (3) for peanuts; by

(B) the quantity of the peanuts produced by the peanut producers, excluding any quantity for which the producers obtain a loan under subsection (a).

(3) LOAN PAYMENT RATE.—For purposes of this subsection, the loan payment rate shall be the amount by which—

(A) the loan rate established under subsection (b); exceeds

(B) the rate at which a loan may be repaid under subsection (d).

(4) TIME FOR PAYMENT.—The Secretary shall make a payment under this subsection to a peanut producer with respect to a quantity of peanuts as of the earlier of the following:

(A) The date on which the peanut producer marketed or otherwise lost beneficial interest in the peanuts, as determined by the Secretary.

(B) The date the peanut producer requests the payment.

(f) COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.—As a condition of the receipt of a marketing assistance loan under subsection (a), the peanut producer shall comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wetland protection requirements under subtitle C of title XII of the Act (16 U.S.C. 3821 et seq.) during the term of the loan.

(g) REIMBURSABLE AGREEMENTS AND PAYMENT OF EXPENSES.—To the extent practicable, the Secretary shall implement any reimbursable agreements or provide for the payment of expenses under this chapter in a manner that is consistent with such activities in regard to other commodities.

(h) TERMINATION OF SUPERSEDED PRICE SUPPORT AUTHORITY.—

(1) REPEAL.—Section 155 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7271) is repealed.

(2) CONFORMING AMENDMENTS.—The Agricultural Act of 1949 (7 U.S.C. 1441 et seq.) is amended—

(A) in section 101(b) (7 U.S.C. 1441(b)), by striking ''and peanuts''; and

(B) in section 408(c) (7 U.S.C. 1428(c)), by striking ''peanuts,''.

SEC. 168. QUALITY IMPROVEMENT.

(a) OFFICIAL INSPECTION.—

(1) MANDATORY INSPECTION.—All peanuts placed under a marketing assistance loan under section 167 shall be officially inspected and graded by Federal or State inspectors.

(2) OPTIONAL INSPECTION.—Peanuts not placed under a marketing assistance loan may be graded at the option of the peanut producer.

(b) TERMINATION OF PEANUT ADMINISTRATIVE COMMITTEE.—The Peanut Administrative Committee established under Marketing Agreement No. 1436, which regulates the quality of domestically produced peanuts under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is terminated.

(c) ESTABLISHMENT OF PEANUT STANDARDS BOARD.—The Secretary shall establish a Peanut Standards Board for the purpose of assisting in the establishment of quality standards with respect to peanuts. The authority of the Board is limited to assisting in the establishment of quality standards for peanuts. The members of the Board should fairly reflect all regions and segments of the peanut industry.

(d) EFFECTIVE DATE.—This section shall take effect with the 2002 crop of peanuts.

SEC. 169. PAYMENT LIMITATIONS.

For purposes of sections 1001 through 1001C of the Food Security Act of 1985 (7 U.S.C. 1308 through 1308–3), separate payment limitations shall apply to peanuts with respect to—

(1) fixed, decoupled payments;

(2) counter-cyclical payments, and

(3) limitations on marketing loan gains and loan deficiency payments.

SEC. 170. TERMINATION OF MARKETING QUOTA PROGRAMS FOR PEANUTS AND COMPENSATION TO PEANUT QUOTA HOLDERS FOR LOSS OF QUOTA ASSET VALUE.

(a) REPEAL OF MARKETING QUOTA.—

(1) REPEAL.—Part VI of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1357–1359a), relating to peanuts, is repealed.

(2) TREATMENT OF 2001 CROP.—Part VI of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1357–1359a), as in effect on the day before the date of the enactment of this Act, shall continue to apply with respect to the 2001 crop of peanuts notwithstanding the amendment made by paragraph (1).

(b) COMPENSATION CONTRACT REQUIRED.—The Secretary shall offer to enter into a contract with eligible peanut quota holders for the purpose of providing compensation for the lost value of the quota on account of the repeal of the marketing quota program for peanuts under subsection (a). Under the contracts, the Secretary shall make payments to eligible peanut quota holders during fiscal years 2002 through 2006.

(c) TIME FOR PAYMENT.—The payments required under the contracts shall be provided in five equal installments not later than September 30 of each of fiscal years 2002 through 2006.

(d) PAYMENT AMOUNT.—The amount of the payment for a fiscal year to a peanut quota holder under a contract shall be equal to the product obtained by multiplying—

(1) $0.10 per pound; by

(2) the actual farm poundage quota (excluding seed and experimental peanuts) established for the peanut quota holder's farm under section 358–1(b) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1(b)) for the 2001 marketing year.

(e) ASSIGNMENT OF PAYMENTS.—The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)), relating to assignment of payments, shall apply to the payments made to peanut quota holders under the contracts. The peanut quota holder making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require, of any assignment made under this subsection.

(f) PEANUT QUOTA HOLDER DEFINED.—In this section, the term ''peanut quota holder'' means a person or enterprise that owns a farm that—

(1) was eligible, immediately before the date of the enactment of this Act, to have a peanut quota established upon it;

(2) if there are not quotas currently established, would be eligible to have a quota established upon it for the succeeding crop year, in the absence of the amendment made by subsection (a); or

(3) is otherwise a farm that was eligible for such a quota at the time the general quota establishment authority was repealed.

The Secretary shall apply this definition without regard to temporary leases or transfers or quotas for seed or experimental purposes.

Subtitle D—Administration

SEC. 181. ADMINISTRATION GENERALLY.

(a) USE OF COMMODITY CREDIT CORPORATION.—The Secretary shall carry out this title through the Commodity Credit Corporation.

(b) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this title shall be final and conclusive.

(c) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall issue such regulations as are necessary to implement this title. The issuance of the regulations shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804) relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly know as the ''Paperwork Reduction Act'').

(d) PROTECTION OF PRODUCERS.—The protection afforded producers that elect the option to accelerate the receipt of any payment under a production flexibility contract payable under the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7212 note) shall also apply to the advance payment of fixed, decoupled payments and counter-cyclical payments.

(e) ADJUSTMENT AUTHORITY RELATED TO URUGUAY ROUND COMPLIANCE.—If the Secretary determines that expenditures under subtitles A, B, and C that are subject to the total allowable domestic support levels under the Uruguay Round Agreements (as defined in section 2(7) of the Uruguay Round Agreements Act (19 U.S.C. 3501(7))), as in effect on the date of the enactment of this Act, will exceed such allowable levels for any applicable reporting period, the Secretary may make adjustments in the amount of such expenditures during that period to ensure that such expenditures do not exceed, but in no case are less than, such allowable levels.

SEC. 182. EXTENSION OF SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—Section 171(a)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301(a)(1)) is amended by striking ''2002'' both places it appears and inserting ''2011''.

(b) AGRICULTURAL ACT OF 1949.—Section 171(b)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301(b)(1)) is amended by striking ''2002'' both places it appears and inserting ''2011''.

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—Section 171(c) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301(c)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 183. LIMITATIONS.

(a) LIMITATION ON AMOUNTS RECEIVED.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended—

(1) in paragraph (1)—

(A) by striking ''PAYMENTS UNDER PRODUCTION FLEXIBILITY CONTRACTS'' and inserting ''FIXED, DECOUPLED PAYMENTS'';

(B) by striking ''contract payments made under the Agricultural Market Transition Act to a person under 1 or more production flexibility contracts'' and inserting ''fixed, decoupled payments made to a person''; and

(C) by striking ''4'' and inserting ''5'';

(2) in paragraphs (2) and (3)—

(A) by striking ''payments specified'' and all that follows through ''and oilseeds'' and inserting ''following payments that a person shall be entitled to receive'';

(B) by striking ''75'' and inserting ''150'';

(C) by striking the period at the end of paragraph (2) and all that follows through ''the following'' in paragraph (3);

(D) by striking ''section 131'' and all that follows through ''section 132'' and inserting ''section 121 of the Farm Security Act of 2001 for a crop of any covered commodity at a lower level than the original loan rate established for the commodity under section 122''; and

(E) by striking ''section 135'' and inserting ''section 125''; and

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3) LIMITATION ON COUNTER-CYCLICAL PAYMENTS.—The total amount of counter-cyclical payments that a person may receive during any crop year shall not exceed the amount specified in paragraph (2), as in effect on the day before the date of the enactment of the Farm Security Act of 2001.''.

(b) DEFINITIONS.—Paragraph (4) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended to read as follows:

''(4) DEFINITIONS.—In this title, the terms 'covered commodity', 'counter-cyclical payment', and 'fixed, decoupled payment' have the meaning given those terms in section 100 of the Farm Security Act of 2001.''.

(c) TRANSITION.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308), as in effect on the day before the date of the enactment of this Act, shall continue to apply with respect to fiscal year 2001 and the 2001 crop of any covered commodity.

SEC. 184. ADJUSTMENTS OF LOANS.

Section 162(b) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7282(b)) is amended by striking ''this title'' and inserting ''this title and title I of the Farm Security Act of 2001''.

SEC. 185. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.

Section 164 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7284) is amended by striking ''this title'' each places it appears and inserting ''this title and title I of the Farm Security Act of 2001''.

SEC. 186. EXTENSION OF EXISTING ADMINISTRATIVE AUTHORITY REGARDING LOANS.

Section 166 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7286) is amended—

(1) in subsection (a)—

(A) by striking ''IN GENERAL.—'' and inserting ''SPECIFIC PAYMENTS.—''; and

(B) by striking ''subtitle C'' and inserting ''subtitle C of this title and title I of the Farm Security Act of 2001''; and

(2) in subsection (c)(1)—

(A) by striking ''producer'' the first two places it appears and inserting ''person''; and

(B) by striking ''to producers under subtitle C'' and inserting ''by the Commodity Credit Corporation''.

SEC. 187. ASSIGNMENT OF PAYMENTS.

The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)), relating to assignment of payments, shall apply to payments made under the authority of this Act. The producer making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require, of any assignment made under this section.

SEC. 188. REPORT ON EFFECT OF CERTAIN FARM PROGRAM PAYMENTS ON ECONOMIC VIABILITY OF PRODUCERS AND FARMING INFRASTRUCTURE.

(a) REVIEW REQUIRED.—The Secretary of Agriculture shall conduct a review of the effects that payments under production flexibility contracts and market loss assistance payments have had, and that fixed, decoupled payments and counter-cyclical payments are likely to have, on the economic viability of producers and the farming infrastructure, particularly in areas where climate, soil types, and other agronomic conditions severely limit the covered crops that producers can choose to successfully and profitably produce.

(b) CASE STUDY RELATED TO RICE PRODUCTION.—The review shall include a case study of the effects that the payments described in subsection (a), and the forecast effects of increasing these or other decoupled payments, are likely to have on rice producers (including tenant rice producers), the rice milling industry, and the economies of rice farming areas in Texas, where harvested rice acreage has fallen from 320,000 acres in 1995 to only 211,000 acres in 2001.

(c) REPORT AND RECOMMENDATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the information collected for the review and the case study and any findings made on the basis of such information. The report shall include recommendations for minimizing the adverse effects on producers, with a special focus on producers who are tenants, on the agricultural economies in farming areas generally, on those particular areas described in subsection (a), and on the area that is the subject of the case study in subsection (b).

TITLE II—CONSERVATION

Subtitle A—Environmental Conservation Acreage Reserve Program

SEC. 201. GENERAL PROVISIONS.

Title XII of the Food Security Act of 1985 is amended—

(1) in section 1230(a), by striking ''1996 through 2002'' and inserting ''2002 through 2011'';

(2) by striking subsection (c) of section 1230; and

(3) in section 1230A (16 U.S.C. 3830a), by striking ''chapter'' each place it appears and inserting ''title''.

Subtitle B—Conservation Reserve Program

SEC. 211. REAUTHORIZATION.

(a) IN GENERAL.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended in each of subsections (a) and (d) by striking ''2002'' and inserting ''2011''.

(b) SCOPE OF PROGRAM.—Section 1231(a) of such Act (16 U.S.C. 3831(a)) is amended by striking ''and water'' and inserting '', water, and wildlife''.

SEC. 212. ENROLLMENT.

(a) ELIGIBILITY.—Section 1231(b) of the Food Security Act of 1985 (16 U.S.C. 3831(b)) is amended—

(1) by striking paragraph (3) and inserting the following:

''(3) marginal pasturelands to be devoted to natural vegetation in or near riparian areas or for similar water quality purposes, including marginal pasturelands converted to wetlands or established as wildlife habitat;'';

(2) in paragraph (4)—

(A) by striking subparagraph (A) and inserting the following:

''(A) if the Secretary determines that—

''(i) the lands contribute to the degradation of soil, water, or air quality, or would pose an on-site or off-site environmental threat to soil, water, or air quality if permitted to remain in agricultural production; and

''(ii) soil, water, and air quality objectives with respect to the land cannot be achieved under the environmental quality incentives program established under chapter 4;'';

(B) by striking ''or'' at the end of subparagraph (C);

(C) by striking the period at the end of subparagraph (D) and inserting ''; or''; and

(D) by adding at the end the following:

''(E) if the Secretary determines that enrollment of such lands would contribute to conservation of ground or surface water.''; and

(3) by adding after and below the end the following flush sentence:

''Notwithstanding the preceding sentence (but subject to subsection (c)), the Secretary may not include in the program established under this subchapter any land that has not been in production for at least 4 years, unless the land is in the program as of the effective date of this sentence.''.

(b) INCREASE IN MAXIMUM ENROLLMENT.—Section 1231(d) of such Act (16 U.S.C. 3831(d)) is amended by striking ''36,400,000'' and inserting ''39,200,000''.

(c) ELIGIBILITY ON CONTRACT EXPIRATION.—Section 1231(f) of such Act (16 U.S.C. 3831(f)) is amended to read as follows:

''(f) ELIGIBILITY ON CONTRACT EXPIRATION.—On the expiration of a contract entered into under this subchapter, the land subject to the contract shall be eligible to be considered for re-enrollment in the conservation reserve.''.

(d) BALANCE OF NATURAL RESOURCE PURPOSES.—

(1) IN GENERAL.—Section 1231 of such Act (16 U.S.C. 3831) is amended by adding at the end the following:

''(i) BALANCE OF NATURAL RESOURCE PURPOSES.—In determining the acceptability of contract offers under this subchapter, the Secretary shall ensure an equitable balance among the conservation purposes of soil erosion, water quality and wildlife habitat.''.

(2) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall issue final regulations implementing section 1231(i) of the Food Security Act of 1985, as added by paragraph (1) of this subsection.

SEC. 213. DUTIES OF OWNERS AND OPERATORS.

Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by inserting ''as described in section 1232(a)(7) or for other purposes'' before ''as permitted'';

(B) in paragraph (4), by inserting ''where practicable, or maintain existing cover'' before ''on such land''; and

(C) in paragraph (7), by striking ''Secretary—'' and all that follows and inserting ''Secretary may permit, consistent with the conservation of soil, water quality, and wildlife habitat—

''(A) managed grazing and limited haying, in which case the Secretary shall reduce the conservation reserve payment otherwise payable under the contract by an amount commensurate with the economic value of the activity;

''(B) wind turbines for the provision of wind energy, whether or not commercial in nature; and

''(C) land subject to the contract to be harvested for recovery of biomass used in energy production, in which case the Secretary shall reduce the conservation reserve payment otherwise payable under the contract by an

amount commensurate with the economic value of such activity;''; and

(2) by striking subsections (c) and (d) and redesignating subsection (e) as subsection (c).

SEC. 214. REFERENCE TO CONSERVATION RESERVE PAYMENTS.

Subchapter B of chapter 1 of subtitle D of title XII of such Act (16 U.S.C. 3831–3836) is amended—

(1) by striking ''rental payment'' each place it appears and inserting ''conservation reserve payment'';

(2) by striking ''rental payments'' each place it appears and inserting ''conservation reserve payments''; and

(3) in the paragraph heading for section 1235(e)(4), by striking ''RENTAL PAYMENT'' and inserting ''CONSERVATION RESERVE PAYMENT''.

SEC. 215. EXPANSION OF PILOT PROGRAM TO ALL STATES.

Section 1231(h) of the Food Security Act of 1985 (16 U.S.C. 3831(h)) is amended—

(1) in paragraph (1), by striking ''and 2002'' and all that follows through ''South Dakota'' and inserting ''through 2011 calendar years, the Secretary shall carry out a program in each State'';

(2) in paragraph (3)(C), by striking ''—'' and all that follows and inserting ''not more than 150,000 acres in any 1 State.''; and

(3) by striking paragraph (2) and redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively.

Subtitle C—Wetlands Reserve Program

SEC. 221. ENROLLMENT.

(a) MAXIMUM.—Section 1237(b) of the Food Security Act of 1985 (16 U.S.C. 3837(b)) is amended by striking paragraph (1) and inserting the following:

''(1) ANNUAL ENROLLMENT.—In addition to any acres enrolled in the wetlands reserve program as of the end of a calendar year, the Secretary may in the succeeding calendar year enroll in the program a number of additional acres equal to—

''(A) if the succeeding calendar year is calendar year 2002, 150,000; or

''(B) if the succeeding calendar year is a calendar year after calendar year 2002—

''(i) 150,000; plus

''(ii) the amount (if any) by which 150,000, multiplied by the number of calendar years in the period that begins with calendar year 2002 and ends with the calendar year preceding such succeeding calendar year, exceeds the total number of acres added to the reserve during the period.''.

(b) METHODS.—Section 1237 of such Act (16 U.S.C. 3837(b)(2)) is amended—

(1) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) METHODS OF ENROLLMENT.—The Secretary shall enroll acreage into the wetlands reserve program through the use of easements, restoration cost share agreements, or both.''; and

(2) by striking subsection (g).

(c) EXTENSION.—Section 1237(c) of such Act (16 U.S.C. 3837(c)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 222. EASEMENTS AND AGREEMENTS.

Section 1237A of the Food Security Act of 1985 (16 U.S.C. 3837a) is amended—

(1) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) prohibits the alteration of wildlife habitat and other natural features of such land, unless specifically permitted by the plan;'';

(2) in subsection (e), by striking paragraph (2) and inserting the following:

''(2) shall be consistent with applicable State law.'';

(3) by striking subsection (h).

SEC. 223. DUTIES OF THE SECRETARY.

Section 1237C of the Food Security Act of 1985 (16 U.S.C. 3837c) is amended by striking subsection (d).

SEC. 224. CHANGES IN OWNERSHIP; AGREEMENT MODIFICATION; TERMINATION.

Section 1237E(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3837e(a)(2)) is amended to read as follows:

''(2) the ownership change occurred due to foreclosure on the land and the owner of the land immediately before the foreclosure exercises a right of redemption from the mortgage holder in accordance with State law; or''.

Subtitle D—Environmental Quality Incentives Program

SEC. 231. PURPOSES.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended—

(1) by striking ''to—'' and all that follows through ''provides—'' and inserting ''to provide—'';

(2) by striking ''that face the most serious threats to'' and inserting ''to address environmental needs and provide benefits to air,'';

(3) by redesignating the subparagraphs (A) through (D) that follow the matter amended by paragraph (2) of this section as paragraphs (1) through (4), respectively;

(4) by moving each of such redesignated provisions 2 ems to the left; and

(5) by striking ''farmers and ranchers'' each place it appears and inserting ''producers''.

SEC. 232. DEFINITIONS.

Section 1240A of the Food Security Act of 1985 (16 U.S.C. 3839aa–1) is amended—

(1) in paragraph (1)—

(A) by inserting ''non-industrial private forest land,'' before ''and other land''; and

(B) by striking ''poses a serious threat'' and all that follows and inserting ''provides increased environmental benefits to air, soil, water, or related resources.''; and

(2) in paragraph (4), by inserting '', including non-industrial private forestry'' before the period.

SEC. 233. ESTABLISHMENT AND ADMINISTRATION.

(a) REAUTHORIZATION.—Section 1240B(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(a)(1)) is amended by striking ''2002'' and inserting ''2011''.

(b) TERM OF CONTRACTS.—Section 1240B(b)(2) of such Act (16 U.S.C. 3839aa–2(b)(2)) is amended by striking ''not less than 5, nor more than 10, years'' and inserting ''not less than 1 year, nor more than 10 years''.

(c) STRUCTURAL PRACTICES.—Section 1240B(c)(1)(B) of such Act (16 U.S.C. 3839aa–2(c)(1)(B)) is amended to read as follows:

''(B) achieving the purposes established under this subtitle.''.

(d) ELIMINATION OF CERTAIN LIMITATIONS ON ELIGIBILITY FOR COST-SHARE PAYMENTS.—Section 1240B(e)(1) of such Act (16 U.S.C. 3839aa–2(e)(1)) is amended—

(1) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B); and

(2) in subparagraph (B) (as so redesignated), by striking ''or 3''.

(e) INCENTIVE PAYMENTS.—Section 1240B of such Act (16 U.S.C. 3839aa-2) is amended—

(1) in subsection (e)—

(A) in the subsection heading, by striking '', INCENTIVE PAYMENTS,''; and

(B) by striking paragraph (2); and

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively, and inserting after subsection (e) the following:

''(f) CONSERVATION INCENTIVE PAYMENTS.—

''(1) IN GENERAL.—The Secretary may make incentive payments in an amount and at a rate determined by the Secretary to be necessary to encourage a producer to perform multiple land management practices and to promote the enhancement of soil, water, wildlife habitat, air, and related resources.

''(2) SPECIAL RULE.—In determining the amount and rate of incentive payments, the Secretary may accord great weight to those practices that include residue, nutrient, pest, invasive species, and air quality management.''.

SEC. 234. EVALUATION OF OFFERS AND PAYMENTS.

Section 1240C of the Food Security Act of 1985 (16 U.S.C. 3839aa–3) is amended by striking paragraphs (1) through (3) and inserting the following:

''(1) aid producers in complying with this title and Federal and State environmental laws, and encourage environmental enhancement and conservation;

''(2) maximize the beneficial usage of animal manure and other similar soil amendments which improve soil health, tilth, and water-holding capacity; and

''(3) encourage the utilization of sustainable grazing systems, such as year-round, rotational, or managed grazing.''.

SEC. 235. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM PLAN.

Section 1240E(a) of the Food Security Act of 1985 (16 U.S.C. 3839aa–5(a)) is amended by striking ''that incorporates such conservation practices'' and all that follows and inserting ''that provides or will continue to provide increased environmental benefits to air, soil, water, or related resources.''.

SEC. 236. DUTIES OF THE SECRETARY.

Section 1240F(3) of the Food Security Act of 1985 (16 U.S.C. 3839aa–6(3)) is amended to read as follows:

''(3) providing technical assistance or cost-share payments for developing and implementing 1 or more structural practices or 1 or more land management practices, as appropriate;''.

SEC. 237. LIMITATION ON PAYMENTS.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''$10,000'' and inserting ''$50,000''; and

(B) in paragraph (2), by striking ''$50,000'' and inserting ''$200,000'';

(2) in subsection (b)(2), by striking ''the maximization of environmental benefits per dollar expended and''; and

(3) by striking subsection (c).

SEC. 238. GROUND AND SURFACE WATER CONSERVATION.

Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa-8) is amended to read as follows:

''SEC. 1240H. GROUND AND SURFACE WATER CONSERVATION.

''(a) SUPPORT FOR CONSERVATION MEASURES.—The Secretary shall provide cost-share payments and low-interest loans to encourage ground and surface water conservation, including irrigation system improvement, and provide incentive payments for capping wells, reducing use of water for irrigation, and switching from irrigation to dryland farming.

''(b) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available the following amounts to carry out this section:

''(1) $30,000,000 for fiscal year 2002.

''(2) $45,000,000 for fiscal year 2003.

''(3) $60,000,000 for each of fiscal years 2004 through 2011.''.

Subtitle E—Funding and Administration

SEC. 241. REAUTHORIZATION.

Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 242. FUNDING.

Section 1241(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3841(b)(1)) is amended—

(1) by striking ''$130,000,000'' and all that follows through ''2002, for'' and inserting ''the following amounts for purposes of'';

(2) by striking ''subtitle D.'' and inserting ''subtitle D:''; and

(3) by adding at the end the following:

''(A) $200,000,000 for fiscal year 2001.

''(B) $1,025,000,000 for each of fiscal years 2002 and 2003.

''(C) $1,200,000,000 for each of fiscal years 2004, 2005, and 2006.

''(D) $1,400,000,000 for each of fiscal years 2007, 2008, and 2009.

''(E) $1,500,000,000 for each of fiscal years 2010 and 2011.''.

SEC. 243. ALLOCATION FOR LIVESTOCK PRODUCTION.

Section 1241(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3841(b)(2)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 244. ADMINISTRATION AND TECHNICAL ASSISTANCE.

(a) BROADENING OF EXCEPTION TO ACREAGE LIMITATION.—Section 1243(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3843(b)(2)) is amended by striking ''that—'' and all that follows and inserting ''that the action would not adversely affect the local economy of the county.''.

(b) RULES GOVERNING PROVISION OF TECHNICAL ASSISTANCE.—Section 1243(d) of such Act (16 U.S.C. 3843(d)) is amended to read as follows:

''(d) RULES GOVERNING PROVISION OF TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall provide technical assistance under this title to a producer eligible for such assistance, by providing the assistance directly or, at the option of the producer, through an approved third party if available.

''(2) REEVALUATION.—The Secretary shall reevaluate the provision of, and the amount of, technical assistance made available under subchapters B and C of chapter 1 and chapter 4 of subtitle D.

''(3) CERTIFICATION OF THIRD-PARTY PROVIDERS.—

''(A) IN GENERAL.—Not later than 6 months after the date of the enactment of this subsection, the Secretary of Agriculture shall, by regulation, establish a system for approving persons to provide technical assistance pursuant to chapter 4 of subtitle D. For purposes of this paragraph, a person shall be considered approved if they have a memorandum of understanding regarding the provision of technical assistance in place with the Secretary.

''(B) EXPERTISE REQUIRED.—In prescribing such regulations, the Secretary shall ensure that persons with expertise in the technical aspects of conservation planning, watershed planning, environmental engineering, including commercial entities, nonprofit entities, State or local governments or agencies, and other Federal agencies, are eligible to become approved providers of such technical assistance.''.

(c) DUTY OF SECRETARY.—

(1) IN GENERAL.—Section 1770(d) of such Act (7 U.S.C. 2276(d)) is amended—

(A) by striking ''or'' at the end of paragraph (9);

(B) by striking the period at the end of paragraph (11) and inserting ''; or''; and

(C) by adding at the end the following:

''(12) title XII of this Act.''.

(2) CONFORMING AMENDMENTS.—Section 1770(e) of such Act (7 U.S.C. 2276(e)) is amended—

(A) by striking the subsection heading and inserting ''EXCEPTIONS''; and

(B) by inserting '', or as necessary to carry out a program under title XII of this Act as determined by the Secretary'' before the period.

Subtitle F—Other Programs

SEC. 251. PRIVATE GRAZING LAND CONSERVATION ASSISTANCE.

Section 386(d)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 2005b(d)(1)) is amended—

(1) by striking ''and'' at the end of subparagraph (G);

(2) by striking the period at the end of subparagraph (H) and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(I) encouraging the utilization of sustainable grazing systems, such as year-round, rotational, or managed grazing.''.

SEC. 252. WILDLIFE HABITAT INCENTIVES PROGRAM.

Subsection (c) of section 387 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3836a) is amended to read as follows:

''(c) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall make available the following amounts to carry out this section:

''(1) $25,000,000 for fiscal year 2002.

''(2) $30,000,000 for each of fiscal years 2003 and 2004.

''(3) $35,000,000 for each of fiscal years 2005 and 2006.

''(4) $40,000,000 for fiscal year 2007.

''(5) $45,000,000 for each of fiscal years 2008 and 2009.

''(6) $50,000,000 for each of fiscal years 2010 and 2011.''.

SEC. 253. FARMLAND PROTECTION PROGRAM.

(a) REMOVAL OF ACREAGE LIMITATION; EXPANSION OF PURPOSES.—Subsection (a) of section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3830 note) is amended—

(1) by striking ''not less than 170,000, nor more than 340,000 acres of''; and

(2) by inserting '', or agricultural land that contains historic or archaeological resources,'' after ''other productive soil''.

(b) FUNDING.—Subsection (c) of such section is amended to read as follows:

''(c) FUNDING.—The Secretary shall use not more than $50,000,000 of the funds of the Commodity Credit Corporation in each of fiscal years 2002 through 2011 to carry out this section.''.

(c) ELIGIBLE ENTITIES.—Such section is further amended—

(1) in subsection (a), by striking ''a State or local government'' and inserting ''an eligible entity''; and

(2) by adding at the end the following:

''(d) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

''(1) any agency of any State or local government, or federally recognized Indian tribe, including farmland protection boards and land resource councils established under State law; and

''(2) any organization that—

''(A) is organized for, and at all times since the formation of the organization has been operated principally for, one or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

''(B) is an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code;

''(C) is described in section 509(a)(2) of that Code; or

''(D) is described in section 509(a)(3) of that Code and is controlled by an organization described in section 509(a)(2) of that Code.''.

SEC. 254. RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM.

(a) PURPOSE.—Section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3451) is amended—

(1) by striking the section heading and all that follows through ''SEC. 1528. It is the purpose'' and inserting the following:

''SEC. 1528. STATEMENT OF PURPOSE.

''It is the purpose''; and

(2) by inserting ''through designated RC&D councils'' before ''in rural areas''.

(b) DEFINITIONS.—Section 1529 of such Act (16 U.S.C. 3452) is amended—

(1) by striking the section heading and all that follows through ''SEC. 1529. As used in this subtitle—'' and inserting the following:

''SEC. 1529. DEFINITIONS.

''In this title:'';

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting ''RC&D council'' before ''area plan'';

(B) in subparagraph (B), by striking ''through control of nonpoint sources of pollution'';

(C) in subparagraph (C)—

(i) by striking ''natural resources based'' and inserting ''resource-based'';

(ii) by striking ''development of aquaculture,'';

(iii) by striking ''and satisfaction'' and inserting ''satisfaction''; and

(iv) by inserting '', food security, economic development, and education'' before the semicolon; and

(D) in subparagraph (D), by striking ''other'' the 1st place it appears and inserting ''land management'';

(3) in paragraph (3), by striking ''any State, local unit of government, or local nonprofit organization'' and inserting ''the designated RC&D council'';

(4) by striking paragraphs (4) through (6) and inserting the following:

''(4)(A) The term 'financial assistance' means the Secretary may—

''(i) provide funds directly to RC&D councils or associations of RC&D councils through grants, cooperative agreements, and interagency agreements that directly implement RC&D area plans; and

''(ii) may join with other federal agencies through interagency agreements and other arrangements as needed to carry out the program's purpose.

''(B) Funds may be used for such things as—

''(i) technical assistance;

''(ii) financial assistance in the form of grants for planning, analysis and feasibility studies, and business plans;

''(iii) training and education; and

''(iv) all costs associated with making such services available to RC&D councils or RC&D associations.

''(5) The term 'RC&D council' means the responsible leadership of the RC&D area. RC&D councils and associations are nonprofit entities whose members are volunteers and include local civic and elected officials. Affiliations of RC&D councils are formed in states and regions.'';

(5) in paragraph (8), by inserting ''and federally recognized Indian tribes'' before the period;

(6) in paragraph (9), by striking ''works of improvement'' and inserting ''projects'';

(7) by redesignating paragraphs (7) through (9) as paragraphs (6) through (8), respectively; and

(8) by striking paragraph (10) and inserting the following:

''(9) The term 'project' means any action taken by a designated RC&D council that achieves any of the elements identified under paragraph (1).''.

(c) ESTABLISHMENT AND SCOPE.—Section 1530 of such Act (16 U.S.C. 3453) is amended—

(1) by striking the section heading and all that follows through ''SEC. 1530. The Secretary'' and inserting the following:

''SEC. 1530. ESTABLISHMENT AND SCOPE.

''The Secretary''; and

(2) by striking ''the technical and financial assistance necessary to permit such States, local units of government, and local nonprofit organizations'' and inserting ''through designated RC&D councils the technical and financial assistance necessary to permit such RC&D Councils''.

(d) SELECTION OF DESIGNATED AREAS.—Section 1531 of such Act (16 U.S.C. 3454) is amended by striking the section heading and all that follows through ''SEC. 1531. The Secretary'' and inserting the following:

''SEC. 1531. SELECTION OF DESIGNATED AREAS.

''The Secretary''.

(e) AUTHORITY OF SECRETARY.—Section 1532 of such Act (16 U.S.C. 3455) is amended—

(1) by striking the section heading and all that follows through ''SEC. 1532. In carrying'' and inserting the following:

''SEC. 1532. AUTHORITY OF SECRETARY.

''In carrying'';

(2) in each of paragraphs (1) and (3)—

(A) by striking ''State, local unit of government, or local nonprofit organization'' and inserting ''RC&D council''; and

(B) by inserting ''RC&D council'' before ''area plan'';

(3) in paragraph (2), by inserting ''RC&D council'' before ''area plans''; and

(4) in paragraph (4), by striking ''States, local units of government, and local nonprofit organizations'' and inserting ''RC&D councils or affiliations of RC&D councils''.

(f) TECHNICAL AND FINANCIAL ASSISTANCE.—Section 1533 of such Act (16 U.S.C. 3456) is amended—

(1) by striking the section heading and all that follows through ''SEC. 1533. (a) Technical'' and inserting the following:

''SEC. 1533. TECHNICAL AND FINANCIAL ASSISTANCE.

''(a) Technical'';

(2) in subsection (a)—

(A) by striking ''State, local unit of government, or local nonprofit organization to assist in carrying out works of improvement specified in an'' and inserting ''RC&D councils or affiliations of RC&D councils to assist in carrying out a project specified in a RC&D council'';

(B) in paragraph (1)—

(i) by striking ''State, local unit of government, or local nonprofit organization'' and inserting ''RC&D council or affiliate''; and

(ii) by striking ''works of improvement'' each place it appears and inserting ''project'';

(C) in paragraph (2)—

(i) by striking ''works of improvement'' and inserting ''project''; and

(ii) by striking ''State, local unit of government, or local nonprofit organization'' and inserting ''RC&D council'';

(D) in paragraph (3), by striking ''works of improvement'' and all that follows and inserting ''project concerned is necessary to accomplish and RC&D council area plan objective;'';

(E) in paragraph (4), by striking ''the works of improvement provided for in the'' and inserting ''the project provided for in the RC&D council'';

(F) in paragraph (5), by inserting ''federally recognized Indian tribe'' before ''or local'' each place it appears; and

(G) in paragraph (6), by inserting ''RC&D council'' before ''area plan'';

(3) in subsection (b), by striking ''work of improvement'' and inserting ''project''; and

(4) in subsection (c), by striking ''any State, local unit of government, or local nonprofit organization to carry out any'' and inserting ''RC&D council to carry out any RC&D council''.

(g) RESOURCE CONSERVATION AND DEVELOPMENT POLICY BOARD.—Section 1534 of such Act (16 U.S.C. 3457) is amended—

(1) by striking the section heading and all that follows through ''SEC. 1534. (a) The Secretary'' and inserting the following:

''SEC. 1534. RESOURCE CONSERVATION AND DEVELOPMENT POLICY BOARD.

''(a) The Secretary''; and

(2) in subsection (b), by striking ''seven''.

(h) PROGRAM EVALUATION.—Section 1535 of such Act (16 U.S.C. 3458) is amended—

(1) by striking the section heading and all that follows through ''SEC. 1535. The Secretary'' and inserting the following:

''SEC. 1535. PROGRAM EVALUATION.

''The Secretary'';

(2) by inserting ''with assistance from RC&D councils'' before ''provided'';

(3) by inserting ''federally recognized Indian tribes,'' before ''local units''; and

(4) by striking ''1986'' and inserting ''2007''.

(i) LIMITATION ON ASSISTANCE.—Section 1536 of such Act (16 U.S.C. 3458) is amended by striking the section heading and all that follows through ''SEC. 1536. The program'' and inserting the following:

''SEC. 1536. LIMITATION ON ASSISTANCE.

''The program''.

(j) SUPPLEMENTAL AUTHORITY OF THE SECRETARY.—Section 1537 of such Act (16 U.S.C. 3460) is amended—

(1) by striking the section heading and all that follows through ''SEC. 1537. The authority'' and inserting the following:

''SEC. 1537. SUPPLEMENTAL AUTHORITY OF SECRETARY.

''The authority''; and

(2) by striking ''States, local units of government, and local nonprofit organizations'' and inserting ''RC&D councils''.

(i) AUTHORIZATION OF APPROPRIATIONS.—Section 1538 of such Act (16 U.S.C. 3461) is amended—

(1) by striking the section heading and all that follows through ''SEC. 1538. There are'' and inserting the following:

''SEC. 1538. AUTHORIZATION OF APPROPRIATIONS.

''There are''; and

(2) by striking ''for each of the fiscal years 1996 through 2002''.

SEC. 255. GRASSLAND RESERVE PROGRAM.

(a) IN GENERAL.—Chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830–3837f) is amended by adding at the end the following:

''Subchapter D—Grassland Reserve Program

''SEC. 1238. GRASSLAND RESERVE PROGRAM.

''(a) ESTABLISHMENT.—The Secretary, acting through the Farm Service Agency, shall establish a grassland reserve program (referred to in this subchapter as the 'program') to assist owners in restoring and conserving eligible land described in subsection (c).

''(b) ENROLLMENT CONDITIONS.—

''(1) MAXIMUM ENROLLMENT.—The total number of acres enrolled in the program shall not exceed 2,000,000 acres, not more than 1,000,000 of which shall be restored grassland, and not more than 1,000,000 of which shall be virgin (never cultivated) grassland.

''(2) METHODS OF ENROLLMENT.—The Secretary shall enroll in the program for a willing owner not less than 100 contiguous acres of land west of the 90th meridian or not less than 50 contiguous acres of land east of the 90th meridian through the use of—

''(A) 10-year, 15-year, or 20-year contracts; and

''(B) 30-year or permanent easements.

''(3) LIMITATION ON USE OF EASEMENTS.—Not more than one-third of the total amount of funds expended under the program may be used to acquire 30-year and permanent easements.

''(c) ELIGIBLE LAND.—Land shall be eligible to be enrolled in the program if the Secretary determines that—

''(1) the land is natural grass or shrubland; or

''(2) the land—

''(A) is located in an area that has been historically dominated by natural grass or shrubland; and

''(B) has potential to serve as habitat for animal or plant populations of significant ecological value if the land is restored to natural grass or shrubland.

''SEC. 1238A. CONTRACTS AND AGREEMENTS.

''(a) REQUIREMENTS OF LANDOWNER.—

''(1) CONTRACTS.—To be eligible to enroll land in the program under a multi-year contract, the owner of the land shall—

''(A) agree to comply with the terms of the contract and related restoration agreements; and

''(B) agree to the suspension of any existing cropland base and allotment history for the land under any program administered by the Secretary.

''(2) EASEMENTS.—To be eligible to enroll land in the program under an easement, the owner of the land shall—

''(A) grant an easement that runs with the land to the Secretary;

''(B) create and record an appropriate deed restriction in accordance with applicable State law to reflect the easement;

''(C) provide a written statement of consent to the easement signed by persons holding a security interest or any vested interest in the land;

''(D) provide proof of unencumbered title to the underlying fee interest in the land that is the subject of the easement;

''(E) agree to comply with the terms of the easement and related restoration agreements; and

''(F) agree to the suspension of any existing cropland base and allotment history for the land under any program administered by the Secretary.

''(b) TERMS OF CONTRACTS AND EASEMENTS.—A contract or easement under the program shall—

''(1) permit—

''(A) common grazing practices on the land in a manner that is consistent with maintaining the viability of natural grass and shrub species indigenous to that locality;

''(B) haying, mowing, or haying for seed production, except that such uses shall not be permitted until after the end of the nesting season for birds in the local area which are in significant decline or are conserved pursuant to State or Federal law, as determined by the Natural Resources Conservation Service State conservationist; and

''(C) construction of fire breaks and fences, including placement of the posts necessary for fences;

''(2) prohibit—

''(A) the production of any agricultural commodity (other than hay); and

''(B) unless allowed under subsection (d), the conduct of any other activity that would disturb the surface of the land covered by the contract or easement; and

''(3) include such additional provisions as the Secretary determines are appropriate to carry out or facilitate the administration of this subchapter.

''(c) RANKING APPLICATIONS.—

''(1) ESTABLISHMENT OF CRITERIA.—The Secretary shall establish criteria to evaluate and rank applications for contracts or easements under this subchapter.

''(2) EMPHASIS.—In establishing the criteria, the Secretary shall emphasize support for native grass and shrubland, grazing operations, and plant and animal biodiversity.

''(d) RESTORATION AGREEMENTS.—The Secretary shall prescribe the terms by which grassland that is subject to a contract or easement under the program shall be restored. The agreement shall include duties of

the land owner and the Secretary, including the Federal share of restoration payments and technical assistance.

''(e) VIOLATIONS.—On the violation of the terms or conditions of a contract, easement, or restoration agreement entered into under the program—

''(1) the contract or easement shall remain in force; and

''(2) the Secretary may require the owner to refund all or part of any payments received by the owner under this subchapter, with interest on the payments as determined appropriate by the Secretary.

''SEC. 1238B. DUTIES OF SECRETARY.

''(a) IN GENERAL.—In return for the granting of an easement or the execution of a contract by an owner under this subchapter, the Secretary shall make payments under subsection (b), make payments of the Federal share of restoration under subsection (c), and provide technical assistance to the owner in accordance with this section.

''(b) CONTRACT AND EASEMENT PAYMENTS.—

''(1) CONTRACTS.—In return for entering into a contract by an owner under this subchapter, the Secretary shall make annual payments to the owner during the term of the contract in an amount that is not more than 75 percent of the grazing value of the land.

''(2) EASEMENTS.—

''(A) IN GENERAL.—In return for the granting of an easement by an owner under this subchapter, the Secretary shall make easement payments to the owner in an amount equal to—

''(i) in the case of a permanent easement, the fair market value of the land less the grazing value of the land encumbered by the easement; and

''(ii) in the case of a 30-year easement or an easement for the maximum duration allowed under applicable State law, 30 percent of the fair market value of the land less the grazing value of the land for the period that the land is encumbered by the easement.

''(B) PAYMENT SCHEDULE.—Easement payments may be made as a single payment or annual payments, but not to exceed 10 annual payments of equal or unequal amounts, as agreed to by the Secretary and the owner.

''(c) FEDERAL SHARE OF RESTORATION.—The Secretary shall make payments to the owner of not more than—

''(1) in the case of virgin (never cultivated) grassland, 90 percent of the costs of carrying out measures and practices necessary to restore grassland functions and values; or

''(2) in the case of restored grassland, 75 percent of such costs.

''(d) TECHNICAL ASSISTANCE.—A landowner who is receiving a benefit under this subchapter shall be eligible to receive technical assistance in accordance with section 1243(d) to assist the owner or operator in carrying out a contract entered into under this subchapter.

''(e) PAYMENTS TO OTHERS.—If an owner who is entitled to a payment under this subchapter dies, becomes incompetent, is otherwise unable to receive the payment, or is succeeded by another person who renders or completes the required performance, the Secretary shall make the payment, in accordance with regulations promulgated by the Secretary and without regard to any other provision of law, in such manner as the Secretary determines is fair and reasonable in light of all the circumstances.''.

(b) FUNDING.—Section 1241 of such Act (16 U.S.C. 3841) is amended by adding at the end the following:

''(c) GRASSLAND RESERVE PROGRAM.—For fiscal years 2002 through 2011, the Secretary shall use a total of $254,000,000 of the funds of the Commodity Credit Corporation to carry out subchapter D of chapter 1 of subtitle D.''.

SEC. 256. FARMLAND STEWARDSHIP PROGRAM.

Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830–3839bb) is amended by inserting after chapter 1 (and the matter added by section 255 of this Act) the following:

''CHAPTER 2—FARMLAND STEWARDSHIP PROGRAM

''SEC. 1239. DEFINITIONS.

''In this chapter:

''(1) AGREEMENT.—The terms 'farmland stewardship agreement' and 'agreement' mean a stewardship contract authorized by this chapter.

''(2) CONTRACTING AGENCY.—The term 'contracting agency' means a local conservation district, resource conservation and development council, local office of the Department of Agriculture, other participating government agency, or other nongovernmental organization that is designated by the Secretary to enter into farmland stewardship agreements on behalf of the Secretary.

''(3) ELIGIBLE AGRICULTURAL LANDS.—The term 'eligible agricultural lands' means private lands that are in primarily native or natural condition or are classified as cropland, pastureland, grazing lands, timberlands, or other lands as specified by the Secretary that—

''(A) contain wildlife habitat, wetlands, or other natural resources; or

''(B) provide benefits to the public at large, such as—

''(i) conservation of soil, water, and related resources;

''(ii) water quality protection or improvement;

''(iii) control of invasive and exotic species;

''(iv) wetland restoration, protection, and creation; and

''(v) wildlife habitat development and protection;

''(vi) preservation of open spaces, or prime, unique, or other productive farm lands; and

''(vii) and other similar conservation purposes.

''(4) FARMLAND STEWARDSHIP PROGRAM; PROGRAM.—The terms 'Farmland Stewardship Program' and 'Program' mean the conservation program of the Department of Agriculture established by this chapter.

''SEC. 1239A. ESTABLISHMENT AND PURPOSE OF PROGRAM.

''(a) ESTABLISHMENT.—The Secretary shall establish a conservation program of the Department of Agriculture, to be known as the Farmland Stewardship Program, that is designed to more precisely tailor and target existing conservation programs to the specific conservation needs and opportunities presented by individual parcels of eligible agricultural lands.

''(b) RELATION TO OTHER CONSERVATION PROGRAMS.—Under the Farmland Stewardship Program, the Secretary may implement, or combine together, the features of—

''(1) the Wetlands Reserve Program;

''(2) the Wildlife Habitat Incentives Program;

''(3) the Forest Land Enhancement Program;

''(4) the Farmland Protection Program; or

''(5) other conservation programs administered by other Federal agencies and State and local government entities, where feasible and with the consent of the administering agency or government.

''(c) FUNDING SOURCES.—

''(1) IN GENERAL.—The Farmland Stewardship Program and agreements under the Program shall be funded by the Secretary using—

''(A) the funding authorities of the conservation programs that are implemented in whole, or in part, through the use of agreements or easements; and

''(B) such funds as are provided to carry out the programs specified in paragraphs (1) through (4) of subsection (b).

''(2) COST-SHARING.—It shall be a requirement of the Farmland Stewardship Program that the majority of the funds to carry out the Program must come from other existing conservation programs, which may be Federal, State, regional, local, or private, that are combined into and made a part of an agreement, or from matching funding contributions made by State, regional, or local agencies and divisions of government or from private funding sources.

''(d) PERSONNEL COSTS.—The Secretary may use the Natural Resources Conservation Service to carry out the Farmland Stewardship Program.

''(e) TECHNICAL ASSISTANCE.—An owner or operator who is receiving a benefit under this chapter shall be eligible to receive technical assistance in accordance with section 1243(d) to assist the owner or operator in carrying out a contract entered into under this chapter.

''SEC. 1239B. USE OF FARMLAND STEWARDSHIP AGREEMENTS.

''(a) AGREEMENTS AUTHORIZED.—The Secretary shall carry out the Farmland Stewardship Program by entering into stewardship contracts as determined by the Secretary, to be known as farmland stewardship agreements, with the owners or operators of eligible agricultural lands to maintain and protect for the natural and agricultural resources on the lands.

''(b) BASIC PURPOSES.—An agreement with the owner or operator of eligible agricultural lands shall be used—

''(1) to negotiate a mutually agreeable set of guidelines, practices, and procedures under which conservation practices will be provided by the owner or operator to protect, maintain, and, where possible, improve, the natural resources on the lands covered by the agreement in return for annual payments to the owner or operator;

''(2) to implement a conservation program or series of programs where there is no such program or to implement conservation management activities where there is no such activity; and

''(3) to expand conservation practices and resource management activities to a property where it is not possible at the present time to negotiate or reach agreement on a public purchase of a fee-simple or less-than-fee interest in the property for conservation purposes.

''(c) MODIFICATION OF OTHER CONSERVATION PROGRAM ELEMENTS.—If most, but not all, of the limitations, conditions, and requirements of a conservation program that is implemented in whole, or in part, through the Farmland Stewardship Program are met with respect to a parcel of eligible agricultural lands, and the purposes to be achieved by the agreement to be entered into for such lands are consistent with the purposes of the conservation program, then the Secretary may waive any remaining limitations, conditions, or requirements of the conservation program that would otherwise prohibit or limit the agreement.

''(d) STATE AND LOCAL CONSERVATION PRIORITIES.—To the maximum extent practicable, agreements shall address the conservation priorities established by the State and locality in which the eligible agricultural lands are located.

''(e) WATERSHED ENHANCEMENT.—To the extent practicable, the Secretary shall encourage the development of Farmland Stewardship Program applications on a watershed basis.

''SEC. 1239C. PARTNERSHIP APPROACH TO PROGRAM.

''(a) AUTHORITY OF SECRETARY EXERCISED THROUGH PARTNERSHIPS.—The Secretary

may administer agreements under the Farmland Stewardship Program in partnership with other Federal, State, and local agencies whose programs are incorporated into the Program under section 1239A.

''(b) DESIGNATION AND USE OF CONTRACTING AGENCIES.—Subject to subsection (c), the Secretary may authorize a local conservation district, resource conservation & development district, nonprofit organization, or local office of the Department of Agriculture or other participating government agency to enter into and administer agreements under the Program as a contracting agency on behalf of the Secretary.

''(c) CONDITIONS ON DESIGNATION.—The Secretary may designate an eligible district or office as a contracting agency under subsection (b) only if the district of office—

''(1) submits a written request for such designation to the Secretary;

''(2) affirms that it is willing to follow all guidelines for executing and administering an agreement, as promulgated by the Secretary;

''(3) demonstrates to the satisfaction of the Secretary that it has established working relationships with owners and operators of eligible agricultural lands, and based on the history of these working relationships, demonstrates that it has the ability to work with owners and operators of eligible agricultural lands in a cooperative manner;

''(4) affirms its responsibility for preparing all documentation for the agreement, negotiating its terms with an owner or operator, monitoring compliance, making annual reports to the Secretary, and administering the agreement throughout its full term; and

''(5) demonstrates to the satisfaction of the Secretary that it has or will have the necessary staff resources and expertise to carry out its responsibilities under paragraphs (3) and (4).

"SEC. 1239D. PARTICIPATION OF OWNERS AND OPERATORS OF ELIGIBLE AGRICULTURAL LANDS.

''(a) APPLICATION AND APPROVAL PROCESS.—To participate in the Farmland Stewardship Program, an owner or operator of eligible agricultural lands shall—

''(1) submit to the Secretary an application indicating interest in the Program and describing the owner's or operator's property, its resources, and their ecological and agricultural values;

''(2) submit to the Secretary a list of services to be provided, a management plan to be implemented, or both, under the proposed agreement;

''(3) if the application and list are accepted by the Secretary, enter into an agreement that details the services to be provided, management plan to be implemented, or both, and requires compliance with the other terms of the agreement.

''(b) APPLICATION ON BEHALF OF AN OWNER OR OPERATOR.—A designated contracting agency may submit the application required by subsection (a) on behalf of an owner or operator by if the contracting agency has secured the consent of the owner or operator to enter into an agreement.''.

SEC. 257. SMALL WATERSHED REHABILITATION PROGRAM.

Section 14(h) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)) is amended—

(1) by adding ''and'' at the end of paragraph (1); and

(2) by striking all that follows paragraph (1) and inserting the following:

''(2) $15,000,000 for fiscal year 2002 and each succeeding fiscal year.''.

SEC. 258. PROVISION OF ASSISTANCE FOR REPAUPO CREEK TIDE GATE AND DIKE RESTORATION PROJECT, NEW JERSEY.

Notwithstanding section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203), the Secretary of Agriculture, acting through the Natural Resources Conservation Service, shall provide assistance for planning and implementation of the Repaupo Creek Tide Gate and Dike Restoration Project in the State of New Jersey.

Subtitle G—Repeals

SEC. 261. PROVISIONS OF THE FOOD SECURITY ACT OF 1985.

(a) WETLANDS MITIGATION BANKING PROGRAM.—Section 1222 of the Food Security Act of 1985 (16 U.S.C. 3822) is amended by striking subsection (k).

(b) CONSERVATION RESERVE PROGRAM.—

(1) REPEALS.—(A) Section 1234(f) of such Act (16 U.S.C. 3834(f)) is amended by striking paragraph (3) and by redesignating paragraph (4) as paragraph (3).

(B) Section 1236 of such Act (16 U.S.C. 3836) is repealed.

(2) CONFORMING AMENDMENTS.—(A) Section 1232(a)(5) of such Act (16 U.S.C. 3832(a)(5)) is amended by striking ''in addition to the remedies provided under section 1236(d),''.

(B) Section 1234(d)(4) of such Act (16 U.S.C. 3834(d)(4)) is amended by striking ''subsection (f)(4)'' and inserting ''subsection (f)(3)''.

(c) WETLANDS RESERVE PROGRAM.—Section 1237D(c) of such Act (16 U.S.C. 3837d(c)) is amended by striking paragraph (3).

(d) ENVIRONMENTAL EASEMENT PROGRAM.—

(1) REPEAL.—Chapter 3 of subtitle D of title XII of such Act (16 U.S.C. 3839–3839d) is repealed.

(2) CONFORMING AMENDMENT.—Section 1243(b)(3) of such Act (16 U.S.C. 3843(b)(3)) is amended by striking ''or 3''.

(e) CONSERVATION FARM OPTION.—Chapter 5 of subtitle D of title XII of such Act (16 U.S.C. 3839bb) is repealed.

(f) TREE PLANTING INITIATIVE.—Section 1256 of such Act (16 U.S.C. 2101 note) is repealed.

SEC. 262. NATIONAL NATURAL RESOURCES CONSERVATION FOUNDATION ACT.

Subtitle F of title III of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 5801–5809) is repealed.

TITLE III—TRADE

SEC. 301. MARKET ACCESS PROGRAM.

Section 211(c)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)) is amended—

(1) by striking ''and not more'' and inserting ''not more'';

(2) by inserting ''and not more than $200,000,000 for each of fiscal years 2002 through 2011,'' after ''2002,''; and

(3) by striking ''2002'' and inserting ''2001''.

SEC. 302. FOOD FOR PROGRESS.

(a) IN GENERAL.—Subsections (f)(3), (g), (k), and (l)(1) of section 1110 of the Food Security Act of 1985 (7 U.S.C. 1736o) are each amended by striking ''2002'' and inserting ''2011''.

(b) INCREASE IN FUNDING.—Section 1110(l)(1) of the Food Security Act of 1985 (7 U.S.C.1736o(l)(1)) is amended—

(1) by striking ''2002'' and inserting ''2011''; and

(2) by striking ''$10,000,000'' and inserting ''$15,000,000.

(c) EXCLUSION FROM LIMITATION.—Section 1110(e)(2) of the Food Security Act of 1985 (7 U.S.C. 1736o(e)(2)) is amended by inserting '', and subsection (g) does not apply to such commodities furnished on a grant basis or on credit terms under title I of the Agricultural Trade Development Act of 1954'' before the final period.

(d) TRANSPORTATION COSTS.—Section 1110(f)(3) of the Food Security Act of 1985 (7 U.S.C. 1736o(f)(3)) is amended by striking ''$30,000,000'' and inserting ''$40,000,000''.

(e) AMOUNTS OF COMMODITIES.—Section 1110(g) of the Food Security Act of 1985 (7 U.S.C. 1736o(g)) is amended by striking ''500,000'' and inserting ''1,000,000''.

(f) MULTIYEAR BASIS.—Section 1110(j) of the Food Security Act of 1985 (7 U.S.C. 1736o(j)) is amended—

(1) by striking ''may'' and inserting ''is encouraged''; and

(2) by inserting ''to'' before ''approve''.

(g) MONETIZATION.—Section 1110(l)(3) of the Food Security Act of 1985 (7 U.S.C. 1736o(l)(3)) is amended by striking ''local currencies'' and inserting ''proceeds''.

(h) NEW PROVISIONS.—Section 1110 of the Food Security Act of 1985 (7 U.S.C. 1736o) is amended by adding at the end the following:

''(p) The Secretary is encouraged to finalize program agreements and resource requests for programs under this section before the beginning of the relevant fiscal year. By November 1 of the relevant fiscal year, the Secretary shall provide to the Committee on Agriculture and the Committee on International Relations of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a list of approved programs, countries, and commodities, and the total amounts of funds approved for transportation and administrative costs, under this section.''.

SEC. 303. SURPLUS COMMODITIES FOR DEVELOPING OR FRIENDLY COUNTRIES.

(a) USE OF CURRENCIES.—Section 416(b)(7)(D) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)(7)(D)) is amended—

(1) in clauses (i) and (iii), by striking ''foreign currency'' each place it appears;

(2) in clause (ii)—

(A) by striking ''Foreign currencies'' and inserting ''Proceeds''; and

(B) by striking ''foreign currency''; and

(3) in clause (iv)—

(A) by striking ''Foreign currency proceeds'' and inserting ''Proceeds'';

(B) by striking ''country of origin'' the second place it appears and all that follows through ''as necessary to expedite'' and inserting ''country of origin as necessary to expedite'';

(C) by striking ''; or'' and inserting a period; and

(D) by striking subclause (II).

(b) IMPLEMENTATION OF AGREEMENTS.—Section 416(b)(8)(A) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)(8)(A)) is amended—

(1) by inserting ''(i)'' after ''(A)''; and

(2) by adding at the end the following new clauses:

''(ii) The Secretary shall publish in the Federal Register, not later than October 31 of each fiscal year, an estimate of the commodities that shall be available under this section for that fiscal year.

''(iii) The Secretary is encouraged to finalize program agreements under this section not later than December 31 of each fiscal year.''.

SEC. 304. EXPORT ENHANCEMENT PROGRAM.

Section 301(e)(1)(G) of the Agricultural Trade Act of 1978 (7 U.S.C. 5651(e)(1)(G)) is amended by inserting ''and for each fiscal year thereafter through fiscal year 2011'' after ''2002''.

SEC. 305. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

(a) IN GENERAL.—Section 703 of the Agricultural Trade Act of 1978 (7 U.S.C.5723) is amended—

(1) by inserting ''(a) PRIOR YEARS.—'' before ''There'';

(2) by striking ''2002'' and inserting ''2001''; and

(3) by adding at the end the following new subsection:

''(b) FISCAL 2002 AND LATER.—For each of fiscal years 2002 through 2011 there are authorized to be appropriated such sums as may be necessary to carry out this title, and, in addition to any sums so appropriated, the Secretary shall use $37,000,000 of the funds of, or an equal value of the commodities of, the Commodity Credit Corporation to carry out this title.''.

(b) VALUE ADDED PRODUCTS.—

(1) IN GENERAL.—Section 702(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5721 et seq.) is amended by inserting ", with a significant emphasis on the importance of the export of value-added United States agricultural products into emerging markets" after "products".

(2) REPORT TO CONGRESS.—Section 702 of the Agricultural Trade Act of 1978 (7 U.S.C. 5722) is amended by adding at the end the following:

"(c) REPORT TO CONGRESS.—

"(1) IN GENERAL.—The Secretary shall report annually to appropriate congressional committees the amount of funding provided, types of programs funded, the value added products that have been targeted, and the foreign markets for those products that have been developed.

"(2) DEFINITION.—In this subsection, the term 'appropriate congressional committees' means—

"(A) the Committee on Agriculture and the Committee on International Relations of the House of Representatives; and

"(B) the Committee on Agriculture, Nutrition and Forestry and the Committee on Foreign Relations of the Senate.".

SEC. 306. EXPORT CREDIT GUARANTEE PROGRAM.

(a) REAUTHORIZATION.—Section 211(b)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(b)(1)) is amended by striking "2002" and inserting "2011".

(b) PROCESSED AND HIGH VALUE PRODUCTS.—Section 202(k)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5622(k)(1)) is amended by striking ", 2001, and 2002" and inserting "through 2011".

SEC. 307. FOOD FOR PEACE (PUBLIC LAW 480).

The Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) is amended—

(1) in section 2 (7 U.S.C. 1691), by striking paragraph (2) and inserting the following:

"(2) promote broad-based, equitable, and sustainable development, including agricultural development as well as conflict prevention;";

(2) in section 202(e)(1) (7 U.S.C. 1722(e)(1)), by striking "not less than $10,000,000, and not more than $28,000,000" and inserting "not less than 5 percent and not more than 10 percent of such funds";

(3) in section 203(a) (7 U.S.C. 1723(a)), by striking "the recipient country, or in a country" and inserting "one or more recipient countries, or one or more countries";

(4) in section 203(c) (7 U.S.C. 1723(c))—

(A) by striking "foreign currency"; and

(B) by striking "the recipient country, or in a country" and inserting "one or more recipient countries, or one or more countries";

(5) in section 203(d) (7 U.S.C. 1723(d))—

(A) by striking "Foreign currencies" and inserting "Proceeds";

(B) in paragraph (2)—

(i) by striking "income generating" and inserting "income-generating"; and

(ii) by striking "the recipient country or within a country" and inserting "one or more recipient countries, or one or more countries"; and

(C) in paragraph (3), by inserting a comma after "invested" and "used";

(6) in section 204(a) (7 U.S.C. 1724(a))—

(A) by striking "1996 through 2002" and inserting "2002 through 2011"; and

(B) by striking "2,025,000" and inserting "2,250,000";

(7) in section 205(f) (7 U.S.C. 1725(f)), by striking "2002" and inserting "2011";

(8) by striking section 206 (7 U.S.C. 1726);

(9) in section 207(a) (7 U.S.C. 1726a(a))—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by striking paragraph (1) and inserting the following:

"(1) RECIPIENT COUNTRIES.—A proposal to enter into a non-emergency food assistance agreement under this title shall identify the recipient country or countries subject to the agreement.

"(2) TIME FOR DECISION.—Not later than 120 days after receipt by the Administrator of a proposal submitted by an eligible organization under this title, the Administrator shall make a decision concerning such proposal.";

(10) in section 208(f), by striking "2002" and inserting "2011";

(11) in section 403 (7 U.S.C. 1733), by inserting after subsection (k) the following:

"(l) SALES PROCEDURES.—Subsections (b) and (h) shall apply to sales of commodities to generate proceeds for titles II and III of this Act, section 416(b) of the Agricultural Act of 1949, and section 1110 of the Food and Security Act of 1985. Such sales transactions may be in United States dollars and other currencies.";

(12) in section 407(c)(4), by striking "2001 and 2002" and inserting "2001 through 2011";

(13) in section 407(c)(1) (7 U.S.C. 1736a(c)(1))—

(A) by striking "The Administrator" and inserting "(A) The Administrator"; and

(B) by adding at the end the following:

"(B) In the case of commodities made available for nonemergency assistance under title II for least developed countries that meet the poverty and other eligibility criteria established by the International Bank for Reconstruction and Development for financing under the International Development Association, the Administrator may pay the transportation costs incurred in moving the commodities from designated points of entry or ports of entry abroad to storage and distribution sites and associated storage and distribution costs.".

(14) in section 408, by striking "2002" and inserting "2011"; and

(15) in section 501(c), by striking "2002" and inserting "2011".

SEC. 308. EMERGING MARKETS.

Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5622 note) is amended—

(1) in subsections (a) and (d)(1)(A)(i), by striking "2002" and inserting "2011"; and

(2) in subsection (d)(1)(H), by striking "$10,000,000 in any fiscal year" and inserting "$13,000,000 for each of fiscal years 2002 through 2011".

SEC. 309. BILL EMERSON HUMANITARIAN TRUST.

Subsections (b)(2)(B)(i), (h)(1), and (h)(2) of section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1) are each amended by striking "2002" and inserting "2011".

SEC. 310. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.

(a) ESTABLISHMENT.—The Secretary of Agriculture shall establish an export assistance program (referred to in this section as the "program") to address unique barriers that prohibit or threaten the export of United States specialty crops.

(b) PURPOSE.—The program shall provide direct assistance through public and private sector projects and technical assistance to remove, resolve, or mitigate sanitary and phytosanitary and related barriers to trade.

(c) PRIORITY.—The program shall address time sensitive and strategic market access projects based on—

(1) trade effect on market retention, market access, and market expansion; and

(2) trade impact.

(d) FUNDING.—The Secretary shall make available $3,000,000 for each of fiscal years 2002 through 2011 of the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation.

SEC. 311. FARMERS FOR AFRICA AND CARIBBEAN BASIN PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) Many African farmers and farmers in Caribbean Basin countries use antiquated techniques to produce their crops, which result in poor crop quality and low crop yields.

(2) Many of these farmers are losing business to farmers in European and Asian countries who use advanced planting and production techniques and are supplying agricultural produce to restaurants, resorts, tourists, grocery stores, and other consumers in Africa and Caribbean Basin countries.

(3) A need exists for the training of African farmers and farmers in Caribbean Basin countries and other developing countries in farming techniques that are appropriate for the majority of eligible farmers in African or Caribbean countries, including standard growing practices, insecticide and sanitation procedures, and other farming methods that will produce increased yields of more nutritious and healthful crops.

(4) African-American and other American farmers, as well as banking and insurance professionals, are a ready source of agribusiness expertise that would be invaluable for African farmers and farmers in Caribbean Basin countries.

(5) A United States commitment is appropriate to support the development of a comprehensive agricultural skills training program for these farmers that focuses on—

(A) improving knowledge of insecticide and sanitation procedures to prevent crop destruction;

(B) teaching modern farming techniques, including the identification and development of standard growing practices and the establishment of systems for recordkeeping, that would facilitate a continual analysis of crop production;

(C) the use and maintenance of farming equipment that is appropriate for the majority of eligible farmers in African or Caribbean Basin countries;

(D) expansion of small farming operations into agribusiness enterprises through the development and use of village banking systems and the use of agricultural risk insurance pilot products, resulting in increased access to credit for these farmers; and

(E) marketing crop yields to prospective purchasers (businesses and individuals) for local needs and export.

(6) The participation of African-American and other American farmers and American agricultural farming specialists in such a training program promises the added benefit of improving access to African and Caribbean Basin markets for American farmers and United States farm equipment and products and business linkages for United States insurance providers offering technical assistance on, among other things, agricultural risk insurance products.

(7) Existing programs that promote the exchange of agricultural knowledge and expertise through the exchange of American and foreign farmers have been effective in promoting improved agricultural techniques and food security, and, thus, the extension of additional resources to such farmer-to- farmer exchanges is warranted.

(b) DEFINITIONS.—In this section:

(1) AGRICULTURAL FARMING SPECIALIST.—The term "agricultural farming specialist" means an individual trained to transfer information and technical support relating to agribusiness, food security, the mitigation and alleviation of hunger, the mitigation of agricultural and farm risk, maximization of crop yields, agricultural trade, and other needs specific to a geographical location as determined by the President.

(2) CARIBBEAN BASIN COUNTRY.—The term "Caribbean Basin country" means a country

eligible for designation as a beneficiary country under section 212 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702).

(3) ELIGIBLE FARMER.—The term ''eligible farmer'' means an individual owning or working on farm land (as defined by a particular country's laws relating to property) in the sub-Saharan region of the continent of Africa, in a Caribbean Basin country, or in any other developing country in which the President determines there is a need for farming expertise or for information or technical support described in paragraph (1).

(4) PROGRAM.—The term ''Program'' means the Farmers for Africa and Caribbean Basin Program established under this section.

(c) ESTABLISHMENT OF PROGRAM.—The President shall establish a grant program, to be known as the ''Farmers for Africa and Caribbean Basin Program'', to assist eligible organizations in carrying out bilateral exchange programs whereby African-American and other American farmers and American agricultural farming specialists share technical knowledge with eligible farmers regarding—

(1) maximization of crop yields;

(2) use of agricultural risk insurance as financial tools and a means of risk management (as allowed by Annex II of the World Trade Organization rules);

(3) expansion of trade in agricultural products;

(4) enhancement of local food security;

(5) the mitigation and alleviation of hunger;

(6) marketing agricultural products in local, regional, and international markets; and

(7) other ways to improve farming in countries in which there are eligible farmers.

(d) ELIGIBLE GRANTEES.—The President may make a grant under the Program to—

(1) a college or university, including a historically black college or university, or a foundation maintained by a college or university; and

(2) a private organization or corporation, including grassroots organizations, with an established and demonstrated capacity to carry out such a bilateral exchange program.

(e) TERMS OF PROGRAM.—(1) It is the goal of the Program that at least 1,000 farmers participate in the training program by December 31, 2005, of which 80 percent of the total number of participating farmers will be African farmers or farmers in Caribbean Basin countries and 20 percent of the total number of participating farmers will be American farmers.

(2) Training under the Program will be provided to eligible farmers in groups to ensure that information is shared and passed on to other eligible farmers. Eligible farmers will be trained to be specialists in their home communities and will be encouraged not to retain enhanced farming technology for their own personal enrichment.

(3) Through partnerships with American businesses, the Program will utilize the commercial industrial capability of businesses dealing in agriculture to train eligible farmers on farming equipment that is appropriate for the majority of eligible farmers in African or Caribbean Basin countries and to introduce eligible farmers to the use of insurance as a risk management tool.

(f) SELECTION OF PARTICIPANTS.—(1) The selection of eligible farmers, as well as African-American and other American farmers and agricultural farming specialists, to participate in the Program shall be made by grant recipients using an application process approved by the President.

(2) Participating farmers must have sufficient farm or agribusiness experience and have obtained certain targets regarding the productivity of their farm or agribusiness.

(g) GRANT PERIOD.—The President may make grants under the Program during a period of 5 years beginning on October 1 of the first fiscal year for which funds are made available to carry out the Program.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2002 through 2011.

SEC. 312. GEORGE MCGOVERN-ROBERT DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

(a) IN GENERAL.—The President may, subject to subsection (j), direct the procurement of commodities and the provision of financial and technical assistance to carry out—

(1) preschool and school feeding programs in foreign countries to improve food security, reduce the incidence of hunger, and improve literacy and primary education, particularly with respect to girls; and

(2) maternal, infant, and child nutrition programs for pregnant women, nursing mothers, infants, and children who are 5 years of age or younger.

(b) ELIGIBLE COMMODITIES AND COST ITEMS.—Notwithstanding any other provision of law—

(1) any agricultural commodity is eligible for distribution under this section;

(2) as necessary to achieve the purposes of this section—

(A) funds may be used to pay the transportation costs incurred in moving commodities (including prepositioned commodities) provided under this section from the designated points of entry or ports of entry of one or more recipient countries to storage and distribution sites in these countries, and associated storage and distribution costs;

(B) funds may be used to pay the costs of activities conducted in the recipient countries by a nonprofit voluntary organization, cooperative, or intergovernmental agency or organization that would enhance the effectiveness of the activities implemented by such entities under this section; and

(C) funds may be provided to meet the allowable administrative expenses of private voluntary organizations, cooperatives, or intergovernmental organizations which are implementing activities under this section; and

(3) for the purposes of this section, the term ''agricultural commodities'' includes any agricultural commodity, or the products thereof, produced in the United States.

(c) GENERAL AUTHORITIES.—The President shall designate one or more Federal agencies to—

(1) implement the program established under this section;

(2) ensure that the program established under this section is consistent with the foreign policy and development assistance objectives of the United States; and

(3) consider, in determining whether a country should receive assistance under this section, whether the government of the country is taking concrete steps to improve the preschool and school systems in its country.

(d) ELIGIBLE RECIPIENTS.—Assistance may be provided under this section to private voluntary organizations, cooperatives, intergovernmental organizations, governments and their agencies, and other organizations.

(e) PROCEDURES.—

(1) IN GENERAL.—In carrying out subsection (a) the President shall assure that procedures are established that—

(A) provide for the submission of proposals by eligible recipients, each of which may include one or more recipient countries, for commodities and other assistance under this section;

(B) provide for eligible commodities and assistance on a multi-year basis;

(C) ensure eligible recipients demonstrate the organizational capacity and the ability to develop, implement, monitor, report on, and provide accountability for activities conducted under this section;

(D) provide for the expedited development, review, and approval of proposals submitted in accordance with this section;

(E) ensure monitoring and reporting by eligible recipients on the use of commodities and other assistance provided under this section; and

(F) allow for the sale or barter of commodities by eligible recipients to acquire funds to implement activities that improve the food security of women and children or otherwise enhance the effectiveness of programs and activities authorized under this section.

(2) PRIORITIES FOR PROGRAM FUNDING.—In carrying out paragraph (1) with respect to criteria for determining the use of commodities and other assistance provided for programs and activities authorized under this section, the implementing agency may consider the ability of eligible recipients to—

(A) identify and assess the needs of beneficiaries, especially malnourished or undernourished mothers and their children who are 5 years of age or younger, and school-age children who are malnourished, undernourished, or do not regularly attend school;

(B)(i) in the case of preschool and school-age children, target low-income areas where children's enrollment and attendance in school is low or girls' enrollment and participation in preschool or school is low, and incorporate developmental objectives for improving literacy and primary education, particularly with respect to girls; and

(ii) in the case of programs to benefit mothers and children who are 5 years of age or younger, coordinate supplementary feeding and nutrition programs with existing or newly-established maternal, infant, and children programs that provide health-needs interventions, and which may include maternal, prenatal, and postnatal and newborn care;

(C) involve indigenous institutions as well as local communities and governments in the development and implementation to foster local capacity building and leadership; and

(D) carry out multiyear programs that foster local self-sufficiency and ensure the longevity of recipient country programs.

(f) USE OF FOOD AND NUTRITION SERVICE.—The Food and Nutrition Service of the Department of Agriculture may provide technical advice on the establishment of programs under subsection (a)(1) and on their implementation in the field in recipient countries.

(g) MULTILATERAL INVOLVEMENT.—The President is urged to engage existing international food aid coordinating mechanisms to ensure multilateral commitments to, and participation in, programs like those supported under this section. The President shall report annually to the Committee on International Relations and the Committee on Agriculture of the United States House of Representatives and the Committee on Foreign Relations and the Committee on Agriculture, Nutrition, and Forestry of the United States Senate on the commitments and activities of governments, including the United States government, in the global effort to reduce child hunger and increase school attendance.

(h) PRIVATE SECTOR INVOLVEMENT.—The President is urged to encourage the support and active involvement of the private sector, foundations, and other individuals and organizations in programs assisted under this section.

(i) REQUIREMENT TO SAFEGUARD LOCAL PRODUCTION AND USUAL MARKETING.—The requirement of section 403(a) of the Agricul-

tural Trade Development and Assistance Act of 1954 (7 U.S.C. 1733(a) and 1733(h)) applies with respect to the availability of commodities under this section.

(j) FUNDING.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of fiscal years 2002 through 2011. Nothing in this section shall be interpreted to preclude the use of authorities in effect before the date of the enactment of this Act to carry out the ongoing Global Food for Education Initiative.

(2) ADMINISTRATIVE EXPENSES.—Funds made available to carry out the purposes of this section may be used to pay the administrative expenses of any agency of the Federal Government implementing or assisting in the implementation of this section.

SEC. 313. STUDY ON FEE FOR SERVICES.

(a) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall provide a report to the designated congressional committees on the feasibility of instituting a program which would charge and retain a fee to cover the costs for providing persons with commercial services performed abroad on matters within the authority of the Department of Agriculture administered through the Foreign Agriculture Service or any successor agency.

(b) DEFINITION.—In this section, the term ''designated congressional committees'' means the Committee on Agriculture and the Committee on International Relations of the House of Representatives and the Committee on Agriculture, Nutrition and Forestry of the Senate.

SEC. 314. NATIONAL EXPORT STRATEGY REPORT.

(a) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture shall provide to the designated congressional committees a report on the policies and programs that the Department of Agriculture has undertaken to implement the National Export Strategy Report. The report shall contain a description of the effective coordination of these policies and programs through all other appropriate Federal agencies participating in the Trade Promotion Coordinating Committee and the steps the Department of Agriculture is taking to reduce the level of protectionism in agricultural trade, to foster market growth, and to improve the commercial potential of markets in both developed and developing countries for United States agricultural commodities.

(b) DEFINITION.—In this section, the term ''designated congressional committees'' means the Committee on Agriculture and the Committee on International Relations of the House of Representatives and the Committee on Agriculture, Nutrition and Forestry of the Senate.

TITLE IV—NUTRITION PROGRAMS

Subtitle A—Food Stamp Program

SEC. 401. SIMPLIFIED DEFINITION OF INCOME.

Section 5(d) of the Food Stamp Act of 1977 (7 U.S.C. 2014(d)) is amended—

(1) in paragraph (3)—

(A) by striking ''and (C)'' and inserting ''(C)''; and

(B) by inserting after ''premiums,'' the following:

''and (D) to the extent that any other educational loans on which payment is deferred, grants, scholarships, fellowships, veterans' educational benefits, and the like, are required to be excluded under title XIX of the Social Security Act, the state agency may exclude it under this subsection,'';

(2) by striking ''and (15)'' and inserting ''(15)'';

(3) by inserting before the period at the end the following:

'', (16) any state complementary assistance program payments that are excluded pursuant to subsections (a) and (b) of section 1931 of title XIX of the Social Security Act, and (17) at the option of the State agency, any types of income that the State agency does not consider when determining eligibility for cash assistance under a program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or medical assistance under section 1931 of the Social Security Act (42 U.S.C. 1396u–1), except that this paragraph shall not authorize a State agency to exclude earned income, payments under title I, II, IV, X, XIV, or XVI of the Social Security Act, or such other types of income whose consideration the Secretary determines essential to equitable determinations of eligibility and benefit levels except to the extent that those types of income may be excluded under other paragraphs of this subsection''.

SEC. 402. STANDARD DEDUCTION.

Section 5(e)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)(1)) is amended—

(1) by striking ''of $134, $229, $189, $269, and $118'' and inserting ''equal to 9.7 percent of the eligibility limit established under section 5(c)(1) for fiscal year 2002 but not more than 9.7 percent of the eligibility limit established under section 5(c)(1) for a household of six for fiscal year 2002 nor less than $134, $229, $189, $269, and $118''; and

(2) by inserting before the period at the end the following:

'', except that the standard deduction for Guam shall be determined with reference to 2 times the eligibility limits under section 5(c)(1) for fiscal year 2002 for the 48 contiguous states and the District of Columbia''.

SEC. 403. TRANSITIONAL FOOD STAMPS FOR FAMILIES MOVING FROM WELFARE.

(a) IN GENERAL.—Section 11 of the Food Stamp Act of 1977 (7 U.S.C. 2020) is amended by adding at the end the following:

''(s) TRANSITIONAL BENEFITS OPTION.—

''(1) IN GENERAL.—A State may provide transitional food stamp benefits to a household that is no longer eligible to receive cash assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

''(2) TRANSITIONAL BENEFITS PERIOD.—Under paragraph (1), a household may continue to receive food stamp benefits for a period of not more than 6 months after the date on which cash assistance is terminated.

''(3) AMOUNT.—During the transitional benefits period under paragraph (2), a household shall receive an amount equal to the allotment received in the month immediately preceding the date on which cash assistance is terminated. A household receiving benefits under this subsection may apply for recertification at any time during the transitional benefit period. If a household reapplies, its allotment shall be determined without regard to this subsection for all subsequent months.

''(4) DETERMINATION OF FUTURE ELIGIBILITY.—In the final month of the transitional benefits period under paragraph (2), the State agency may—

''(A) require a household to cooperate in a redetermination of eligibility to receive an authorization card; and

''(B) renew eligibility for a new certification period for the household without regard to whether the previous certification period has expired.

''(5) LIMITATION.—A household sanctioned under section 6, or for a failure to perform an action required by Federal, State, or local law relating to such cash assistance program, shall not be eligible for transitional benefits under this subsection.''.

(b) CONFORMING AMENDMENTS.—(1) Section 3(c) of the Food Stamp Act of 1977 (7 U.S.C. 2012(c)) is amended by adding at the end the following: ''The limits in this section may be extended until the end of any transitional benefit period established under section 11(s).''.

(2) Section 6(c) of the Food Stamp Act of 1977 (7 U.S.C. 2015(c)) is amended by striking ''No household'' and inserting ''Except in a case in which a household is receiving transitional benefits during the transitional benefits period under section 11(s), no household''.

SEC. 404. QUALITY CONTROL SYSTEMS.

(a) TARGETED QUALITY CONTROL SYSTEM.—Section 16(c) of the Food Stamp Act of 1977 (7 U.S.C. 2025(c)) is amended—

(1) in paragraph (1)(C)—

(A) in the matter preceding clause (i), by inserting ''the Secretary determines that a 95 percent statistical probability exists that for the 3d consecutive year'' after ''year in which''; and

(B) in clause (i)(II)(aa)(bbb) by striking ''the national performance measure for the fiscal year'' and inserting ''10 percent'';

(2) in the 1st sentence of paragraph (4)—

(A) by striking ''or claim'' and inserting ''claim''; and

(B) by inserting ''or performance under the measures established under paragraph (10),'' after ''for payment error,'';

(3) in paragraph (5), by inserting ''to comply with paragraph (10) and'' before ''to establish'';

(4) in the 1st sentence of paragraph (6), by inserting ''one percentage point more than'' after ''measure that shall be''; and

(5) by inserting at the end the following:

''(10)(A) In addition to the measures established under paragraph (1), the Secretary shall measure the performance of State agencies in each of the following regards—

''(i) compliance with the deadlines established under paragraphs (3) and (9) of section 11(e); and

''(ii) the percentage of negative eligibility decisions that are made correctly.

''(B) For each fiscal year, the Secretary shall make excellence bonus payments of $1,000,000 each to the 5 States with the highest combined performance in the 2 measures in subparagraph (A) and to the 5 States whose combined performance under the 2 measures in subparagraph (A) most improved in such fiscal year.

''(C) For any fiscal year in which the Secretary determines that a 95 percent statistical probability exists that a State agency's performance with respect to any of the 2 performance measures established in subparagraph (A) is substantially worse than a level the Secretary deems reasonable, other than for good cause shown, the Secretary shall investigate that State agency's administration of the food stamp program. If this investigation determines that the State's administration has been deficient, the Secretary shall require the State agency to take prompt corrective action.''.

(b) IMPLEMENTATION.—The amendment made by subsection (a)(5) shall apply to all fiscal years beginning on or after October 1, 2001, and ending before October 1, 2007. All other amendments made by this section shall apply to all fiscal years beginning on or after October 1, 1999.

SEC. 405. SIMPLIFIED APPLICATION AND ELIGIBILITY DETERMINATION SYSTEMS.

Section 16 of the Food Stamp Act of 1977 (7 U.S.C. 2025) is amended by inserting at the end the following:

''(1) SIMPLIFICATION OF SYSTEMS.—The Secretary shall expend up to $9,500,000 million in each fiscal year to pay 100 percent of the costs of State agencies to develop and implement simple application and eligibility determination systems.''.

SEC. 406. AUTHORIZATION OF APPROPRIATIONS.

(a) EMPLOYMENT AND TRAINING PROGRAMS.—Section 16(h)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2025(h)(1)) is amended—

(1) in subparagraph (A)(vii) by striking ''fiscal year 2002'' and inserting ''each of the fiscal years 2003 through 2011''; and

(2) in subparagraph (B) by striking ''2002'' and inserting ''2011''.

(b) COST ALLOCATION.—Section 16(k)(3) of the Food Stamp Act of 1977 (7 U.S.C. 2025(k)(3)) is amended—

(1) in subparagraph (A) by striking ''2002'' and inserting ''2011''; and

(2) in subparagraph (B)(ii) by striking ''2002'' and inserting ''2011''.

(c) CASH PAYMENT PILOT PROJECTS.—Section 17(b)(1)(B)(vi) of the Food Stamp Act of 1977 (7 U.S.C. 2026(b)(1)(B)(vi)) is amended by striking ''2002'' and inserting ''2011''.

(d) OUTREACH DEMONSTRATION PROJECTS.—Section 17(i)(1)(A) of the Food Stamp Act of 1977 (7 U.S.C. 2026(i)(1)(A)) is amended by striking ''1992 through 2002'' and inserting ''2003 through 2011''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 18(a)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2027(a)(1)) is amended by striking ''1996 through 2002'' and inserting ''2003 through 2011''.

(f) PUERTO RICO.—Section 19(a)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2028(a)(1)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii) by striking ''and'' at the end;

(B) in clause (iii) by adding ''and'' at the end; and

(C) by inserting after clause (iii) the following:

''(iv) for each of fiscal years 2003 through 2011, the amount equal to the amount required to be paid under this subparagraph for the preceding fiscal year, as adjusted by the percentage by which the thrifty food plan is adjusted under section 3(o)(4) for the current fiscal year for which the amount is determined under this clause;''; and

(2) in subparagraph (B)—

(A) by inserting ''(i)'' after ''(B)''; and

(B) by adding at the end the following:

''(ii) Notwithstanding subparagraph (A) and clause (i), the Commonwealth may spend up to $6,000,000 of the amount required under subparagraph (A) to be paid for fiscal year 2002 to pay 100 percent of the cost to upgrade and modernize the electronic data processing system used to provide such food assistance and to implement systems to simplify the determination of eligibility to receive such assistance.''.

(g) TERRITORY OF AMERICAN SAMOA.—Section 24 of the Food Stamp Act of 1977 (7 U.S.C. 2033) is amended—

(1) by striking ''Effective October 1, 1995, from'' and inserting ''From''; and

(2) by striking ''$5,300,000 for each of fiscal years 1996 through 2002'' and inserting ''$5,750,000 for fiscal year 2002 and $5,800,000 for each of fiscal years 2003 though 2011''.

(h) ASSISTANCE FOR COMMUNITY FOOD PROJECTS.—Section 25(b)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2034(b)(2)) is amended—

(1) in subparagraph (A) by striking ''and'' at the end;

(2) in subparagraph (B)—

(A) by striking ''2002'' and inserting ''2001''; and

(B) by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (B) the following:

''(C) $7,500,000 for each of the fiscal years 2002 through 2011.''.

(i) AVAILABILITY OF COMMODITIES FOR THE EMERGENCY FOOD ASSISTANCE PROGRAM.—Section 27 of the Food Stamp Act of 1977 (7 U.S.C. 2036) is amended—

(1) in subsection (a)—

(A) by striking ''1997 through 2002'' and inserting ''2002 through 2011''; and

(B) by striking ''$100,000,000'' and inserting ''$140,000,000''; and

(2) by adding at the end the following:

''(c) USE OF FUNDS FOR RELATED COSTS.—For each of the fiscal years 2002 through 2011, the Secretary shall use $10,000,000 of the funds made available under subsection (a) to pay for the direct and indirect costs of the States related to the processing, storing, transporting, and distributing to eligible recipient agencies of commodities purchased by the Secretary under such subsection and commodities secured from other sources, including commodities secured by gleaning (as defined in section 111 of the Hunger Prevention Act of 1988 (7 U.S.C. 612c note)).''.

(j) SPECIAL EFFECTIVE DATE.—The amendments made by subsections (g), (h), and (i) shall take effect on October 1, 2001.

Subtitle B—Commodity Distribution

SEC. 441. DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.

Section 1114(a) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e) is amended by striking ''2002'' and inserting ''2011''.

SEC. 442. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

The Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) is amended—

(1) in section 4(a) by striking ''1991 through 2002'' and inserting ''2003 through 2011''; and

(2) in subsections (a)(2) and (d)(2) of section 5 by striking ''1991 through 2002'' and inserting ''2003 through 2011''.

SEC. 443. EMERGENCY FOOD ASSISTANCE.

The 1st sentence of section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)) is amended—

(1) by striking ''1991 through 2002'' and inserting ''2003 through 2011'';

(2) by striking ''administrative''; and

(3) by inserting ''storage,'' after ''processing,''.

Subtitle C—Miscellaneous Provisions

SEC. 461. HUNGER FELLOWSHIP PROGRAM.

(a) SHORT TITLE; FINDINGS.—

(1) SHORT TITLE.—This section may be cited as the ''Congressional Hunger Fellows Act of 2001''.

(2) FINDINGS.—The Congress finds as follows:

(A) There is a critical need for compassionate individuals who are committed to assisting people who suffer from hunger as well as a need for such individuals to initiate and administer solutions to the hunger problem.

(B) Bill Emerson, the distinguished late Representative from the 8th District of Missouri, demonstrated his commitment to solving the problem of hunger in a bipartisan manner, his commitment to public service, and his great affection for the institution and the ideals of the United States Congress.

(C) George T. (Mickey) Leland, the distinguished late Representative from the 18th District of Texas, demonstrated his compassion for those in need, his high regard for public service, and his lively exercise of political talents.

(D) The special concern that Mr. Emerson and Mr. Leland demonstrated during their lives for the hungry and poor was an inspiration for others to work toward the goals of equality and justice for all.

(E) These two outstanding leaders maintained a special bond of friendship regardless of political affiliation and worked together to encourage future leaders to recognize and provide service to others, and therefore it is especially appropriate to honor the memory of Mr. Emerson and Mr. Leland by creating a fellowship program to develop and train the future leaders of the United States to pursue careers in humanitarian service.

(b) ESTABLISHMENT.—There is established as an independent entity of the legislative branch of the United States Government the Congressional Hunger Fellows Program (hereinafter in this section referred to as the ''Program'').

(c) BOARD OF TRUSTEES.—

(1) IN GENERAL.—The Program shall be subject to the supervision and direction of a Board of Trustees.

(2) MEMBERS OF THE BOARD OF TRUSTEES.—

(A) APPOINTMENT.—The Board shall be composed of 6 voting members appointed under clause (i) and one nonvoting ex officio member designated in clause (ii) as follows:

(i) VOTING MEMBERS.—(I) The Speaker of the House of Representatives shall appoint two members.

(II) The minority leader of the House of Representatives shall appoint one member.

(III) The majority leader of the Senate shall appoint two members.

(IV) The minority leader of the Senate shall appoint one member.

(ii) NONVOTING MEMBER.—The Executive Director of the program shall serve as a nonvoting ex officio member of the Board.

(B) TERMS.—Members of the Board shall serve a term of 4 years.

(C) VACANCY.—

(i) AUTHORITY OF BOARD.—A vacancy in the membership of the Board does not affect the power of the remaining members to carry out this section.

(ii) APPOINTMENT OF SUCCESSORS.—A vacancy in the membership of the Board shall be filled in the same manner in which the original appointment was made.

(iii) INCOMPLETE TERM.—If a member of the Board does not serve the full term applicable to the member, the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

(D) CHAIRPERSON.—As the first order of business of the first meeting of the Board, the members shall elect a Chairperson.

(E) COMPENSATION.—

(i) IN GENERAL.—Subject to clause (ii), members of the Board may not receive compensation for service on the Board.

(ii) TRAVEL.—Members of the Board may be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the program.

(3) DUTIES.—

(A) BYLAWS.—

(i) ESTABLISHMENT.—The Board shall establish such bylaws and other regulations as may be appropriate to enable the Board to carry out this section, including the duties described in this paragraph.

(ii) CONTENTS.—Such bylaws and other regulations shall include provisions—

(I) for appropriate fiscal control, funds accountability, and operating principles;

(II) to prevent any conflict of interest, or the appearance of any conflict of interest, in the procurement and employment actions taken by the Board or by any officer or employee of the Board and in the selection and placement of individuals in the fellowships developed under the program;

(III) for the resolution of a tie vote of the members of the Board; and

(IV) for authorization of travel for members of the Board.

(iii) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the date of the first meeting of the Board, the Chairperson of the Board shall transmit to the appropriate congressional committees a copy of such bylaws.

(B) BUDGET.—For each fiscal year the program is in operation, the Board shall determine a budget for the program for that fiscal year. All spending by the program shall be pursuant to such budget unless a change is approved by the Board.

(C) PROCESS FOR SELECTION AND PLACEMENT OF FELLOWS.—The Board shall review and approve the process established by the Executive Director for the selection and placement

of individuals in the fellowships developed under the program.

(D) ALLOCATION OF FUNDS TO FELLOWSHIPS.—The Board of Trustees shall determine the priority of the programs to be carried out under this section and the amount of funds to be allocated for the Emerson and Leland fellowships.

(d) PURPOSES; AUTHORITY OF PROGRAM.—

(1) PURPOSES.—The purposes of the program are—

(A) to encourage future leaders of the United States to pursue careers in humanitarian service, to recognize the needs of people who are hungry and poor, and to provide assistance and compassion for those in need;

(B) to increase awareness of the importance of public service; and

(C) to provide training and development opportunities for such leaders through placement in programs operated by appropriate organizations or entities.

(2) AUTHORITY.—The program is authorized to develop such fellowships to carry out the purposes of this section, including the fellowships described in paragraph (3).

(3) FELLOWSHIPS.—

(A) IN GENERAL.—The program shall establish and carry out the Bill Emerson Hunger Fellowship and the Mickey Leland Hunger Fellowship.

(B) CURRICULUM.—

(i) IN GENERAL.—The fellowships established under subparagraph (A) shall provide experience and training to develop the skills and understanding necessary to improve the humanitarian conditions and the lives of individuals who suffer from hunger, including—

(I) training in direct service to the hungry in conjunction with community-based organizations through a program of field placement; and

(II) experience in policy development through placement in a governmental entity or nonprofit organization.

(ii) FOCUS OF BILL EMERSON HUNGER FELLOWSHIP.—The Bill Emerson Hunger Fellowship shall address hunger and other humanitarian needs in the United States.

(iii) FOCUS OF MICKEY LELAND HUNGER FELLOWSHIP.—The Mickey Leland Hunger Fellowship shall address international hunger and other humanitarian needs.

(iv) WORKPLAN.—To carry out clause (i) and to assist in the evaluation of the fellowships under paragraph (4), the program shall, for each fellow, approve a work plan that identifies the target objectives for the fellow in the fellowship, including specific duties and responsibilities related to those objectives.

(C) PERIOD OF FELLOWSHIP.—

(i) EMERSON FELLOW.—A Bill Emerson Hunger Fellowship awarded under this paragraph shall be for no more than 1 year.

(ii) LELAND FELLOW.—A Mickey Leland Hunger Fellowship awarded under this paragraph shall be for no more than 2 years. Not less than 1 year of the fellowship shall be dedicated to fulfilling the requirement of subparagraph (B)(i)(I).

(D) SELECTION OF FELLOWS.—

(i) IN GENERAL.—A fellowship shall be awarded pursuant to a nationwide competition established by the program.

(ii) QUALIFICATION.—A successful applicant shall be an individual who has demonstrated—

(I) an intent to pursue a career in humanitarian service and outstanding potential for such a career;

(II) a commitment to social change;

(III) leadership potential or actual leadership experience;

(IV) diverse life experience;

(V) proficient writing and speaking skills;

(VI) an ability to live in poor or diverse communities; and

(VII) such other attributes as determined to be appropriate by the Board.

(iii) AMOUNT OF AWARD.—

(I) IN GENERAL.—Each individual awarded a fellowship under this paragraph shall receive a living allowance and, subject to subclause (II), an end-of-service award as determined by the program.

(II) REQUIREMENT FOR SUCCESSFUL COMPLETION OF FELLOWSHIP.—Each individual awarded a fellowship under this paragraph shall be entitled to receive an end-of-service award at an appropriate rate for each month of satisfactory service as determined by the Executive Director.

(iv) RECOGNITION OF FELLOWSHIP AWARD.—

(I) EMERSON FELLOW.—An individual awarded a fellowship from the Bill Emerson Hunger Fellowship shall be known as an ''Emerson Fellow''.

(II) LELAND FELLOW.—An individual awarded a fellowship from the Mickey Leland Hunger Fellowship shall be known as a ''Leland Fellow''.

(4) EVALUATION.—The program shall conduct periodic evaluations of the Bill Emerson and Mickey Leland Hunger Fellowships. Such evaluations shall include the following:

(A) An assessment of the successful completion of the work plan of the fellow.

(B) An assessment of the impact of the fellowship on the fellows.

(C) An assessment of the accomplishment of the purposes of the program.

(D) An assessment of the impact of the fellow on the community.

(e) TRUST FUND.—

(1) ESTABLISHMENT.—There is established the Congressional Hunger Fellows Trust Fund (hereinafter in this section referred to as the ''Fund'') in the Treasury of the United States, consisting of amounts appropriated to the Fund under subsection (i), amounts credited to it under paragraph (3), and amounts received under subsection (g)(3)(A).

(2) INVESTMENT OF FUNDS.—The Secretary of the Treasury shall invest the full amount of the Fund. Each investment shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to principal and interest by the United States that, as determined by the Secretary in consultation with the Board, has a maturity suitable for the Fund.

(3) RETURN ON INVESTMENT.—Except as provided in subsection (f)(2), the Secretary of the Treasury shall credit to the Fund the interest on, and the proceeds from the sale or redemption of, obligations held in the Fund.

(f) EXPENDITURES; AUDITS.—

(1) IN GENERAL.—The Secretary of the Treasury shall transfer to the program from the amounts described in subsection (e)(3) and subsection (g)(3)(A) such sums as the Board determines are necessary to enable the program to carry out the provisions of this section.

(2) LIMITATION.—The Secretary may not transfer to the program the amounts appropriated to the Fund under subsection (i).

(3) USE OF FUNDS.—Funds transferred to the program under paragraph (1) shall be used for the following purposes:

(A) STIPENDS FOR FELLOWS.—To provide for a living allowance for the fellows.

(B) TRAVEL OF FELLOWS.—To defray the costs of transportation of the fellows to the fellowship placement sites.

(C) INSURANCE.—To defray the costs of appropriate insurance of the fellows, the program, and the Board.

(D) TRAINING OF FELLOWS.—To defray the costs of preservice and midservice education and training of fellows.

(E) SUPPORT STAFF.—Staff described in subsection (g).

(F) AWARDS.—End-of-service awards under subsection (d)(3)(D)(iii)(II).

(G) ADDITIONAL APPROVED USES.—For such other purposes that the Board determines appropriate to carry out the program.

(4) AUDIT BY GAO.—

(A) IN GENERAL.—The Comptroller General of the United States shall conduct an annual audit of the accounts of the program.

(B) BOOKS.—The program shall make available to the Comptroller General all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the program and necessary to facilitate such audit.

(C) REPORT TO CONGRESS.—The Comptroller General shall submit a copy of the results of each such audit to the appropriate congressional committees.

(g) STAFF; POWERS OF PROGRAM.—

(1) EXECUTIVE DIRECTOR.—

(A) IN GENERAL.—The Board shall appoint an Executive Director of the program who shall administer the program. The Executive Director shall carry out such other functions consistent with the provisions of this section as the Board shall prescribe.

(B) RESTRICTION.—The Executive Director may not serve as Chairperson of the Board.

(C) COMPENSATION.—The Executive Director shall be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) STAFF.—

(A) IN GENERAL.—With the approval of a majority of the Board, the Executive Director may appoint and fix the pay of additional personnel as the Executive Director considers necessary and appropriate to carry out the functions of the provisions of this section.

(B) COMPENSATION.—An individual appointed under subparagraph (A) shall be paid at a rate not to exceed the rate of basic pay payable for level GS–15 of the General Schedule.

(3) POWERS.—In order to carry out the provisions of this section, the program may perform the following functions:

(A) GIFTS.—The program may solicit, accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the program. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in the Fund and shall be available for disbursement upon order of the Board.

(B) EXPERTS AND CONSULTANTS.—The program may procure temporary and intermittent services under section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay payable for GS–15 of the General Schedule.

(C) CONTRACT AUTHORITY.—The program may contract, with the approval of a majority of the members of the Board, with and compensate Government and private agencies or persons without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(D) OTHER NECESSARY EXPENDITURES.—The program shall make such other expenditures which the program considers necessary to carry out the provisions of this section, but excluding project development.

(h) REPORT.—Not later than December 31 of each year, the Board shall submit to the appropriate congressional committees a report on the activities of the program carried out during the previous fiscal year, and shall include the following:

(1) An analysis of the evaluations conducted under subsection (d)(4) (relating to evaluations of the Emerson and Leland fellowships and accomplishment of the program purposes) during that fiscal year.

(2) A statement of the total amount of funds attributable to gifts received by the

program in that fiscal year (as authorized under subsection (g)(3)(A)), and the total amount of such funds that were expended to carry out the program that fiscal year.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $18,000,000 to carry out the provisions of this section.

(j) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Agriculture and the Committee on International Relations of the House of Representatives; and

(2) the Committee on Agriculture, Nutrition and Forestry and the Committee on Foreign Relations of the Senate.

SEC. 462. GENERAL EFFECTIVE DATE.

Except as otherwise provided in this title, the amendments made by this title shall take effect on October 1, 2002.

TITLE V—CREDIT

SEC. 501. ELIGIBILITY OF LIMITED LIABILITY COMPANIES FOR FARM OWNERSHIP LOANS, FARM OPERATING LOANS, AND EMERGENCY LOANS.

(a) Sections 302(a), 311(a), and 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922(a), 1941(a), and 1961(a)) are each amended by striking ''and joint operations'' each place it appears and inserting ''joint operations, and limited liability companies''.

(b) Section 321(a) of such Act (7 U.S.C. 1961(a)) is amended by striking ''or joint operations'' each place it appears and inserting ''joint operations, or limited liability companies''.

SEC. 502. SUSPENSION OF LIMITATION ON PERIOD FOR WHICH BORROWERS ARE ELIGIBLE FOR GUARANTEED ASSISTANCE.

During the period beginning January 1, 2002, and ending December 31, 2006, section 319(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1949(b)) shall have no force or effect.

SEC. 503. ADMINISTRATION OF CERTIFIED LENDERS AND PREFERRED CERTIFIED LENDERS PROGRAMS.

(a) IN GENERAL.—Section 331(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981(b)) is amended—

(1) by redesignating paragraphs (2) through (9) as paragraphs (3) through (10), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) administer the loan guarantee program under section 339(c) through central offices established in States or in multi-State areas;''.

(b) CONFORMING AMENDMENT.—Section 331(c) of such Act (7 U.S.C. 1981(c)) is amended by striking ''(b)(5)'' and inserting ''(b)(6)''.

SEC. 504. SIMPLIFIED LOAN GUARANTEE APPLICATION AVAILABLE FOR LOANS OF GREATER AMOUNTS.

Section 333A(g)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983a(g)(1)) is amended by striking ''$50,000'' and inserting ''$150,000''.

SEC. 505. ELIMINATION OF REQUIREMENT THAT SECRETARY REQUIRE COUNTY COMMITTEES TO CERTIFY IN WRITING THAT CERTAIN LOAN REVIEWS HAVE BEEN CONDUCTED.

Section 333 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983) is amended by striking paragraph (2) and redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively.

SEC. 506. AUTHORITY TO REDUCE PERCENTAGE OF LOAN GUARANTEED IF BORROWER INCOME IS INSUFFICIENT TO SERVICE DEBT.

Section 339 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1989) is amended—

(1) in subsection (c)(4)(A), by inserting '', except that the Secretary may guarantee such lesser percentage as the Secretary determines appropriate of such a loan if the income of the borrower is less than the income necessary to meet the requirements of subsection (b)'' before the period; and

(2) in subsection (d)(4)(A), by inserting '', except that the Secretary may guarantee such lesser percentage as the Secretary determines appropriate of such a loan if the income of the borrower is less than the income necessary to meet the requirements of subsection (b)'' before the semicolon.

SEC. 507. TIMING OF LOAN ASSESSMENTS.

Section 360(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2006b(a)) is amended by striking ''After an applicant is determined eligible for assistance under this title by the appropriate county committee established pursuant to section 332, the'' and inserting ''The''.

SEC. 508. MAKING AND SERVICING OF LOANS BY PERSONNEL OF STATE, COUNTY, OR AREA COMMITTEES.

(a) IN GENERAL.—Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981–2008j) is amended by adding at the end the following:

''SEC. 376. MAKING AND SERVICING OF LOANS BY PERSONNEL OF STATE, COUNTY, OR AREA COMMITTEES.

''The Secretary shall employ personnel of a State, county or area committee established under section 8(b)(5) of the Soil Conservation and Domestic Allotment Act (16 U.S.C 590h(b)(5)) to make and service loans under this title to the extent the personnel have been trained to do so.''.

(b) INAPPLICABILITY OF FINALITY RULE.—Section 281(a)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7001(a)(1)) is amended by inserting '', except functions performed pursuant to section 376 of the Consolidated Farm and Rural Development Act'' before the period.

SEC. 509. ELIGIBILITY OF EMPLOYEES OF STATE, COUNTY, OR AREA COMMITTEE FOR LOANS AND LOAN GUARANTEES.

Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981–2008j) is further amended by adding at the end the following:

''SEC. 377. ELIGIBILITY OF EMPLOYEES OF STATE, COUNTY, OR AREA COMMITTEE FOR LOANS AND LOAN GUARANTEES.

''The Secretary shall not prohibit an employee of a State, county or area committee established under section 8(b)(5) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)) or an employee of the Department of Agriculture from obtaining a loan or loan guarantee under subtitle A, B or C of this title if an office of the Department of Agriculture other than the office in which the employee is located determines that the employee is otherwise eligible for the loan or loan guarantee.''.

SEC. 510. EMERGENCY LOANS IN RESPONSE TO AN ECONOMIC EMERGENCY RESULTING FROM QUARANTINES AND SHARPLY INCREASING ENERGY COSTS.

(a) LOAN AUTHORITY.—Section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is amended—

(1) in each of the 1st and 3rd sentences—

(A) by striking ''a natural disaster in the United States or by'' and inserting ''a quarantine imposed by the Secretary under the Plant Protection Act or the animal quarantine laws (as defined in section 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990), an economic emergency resulting from sharply increasing energy costs as described in section 329(b), a natural disaster in the United States, or''; and

(B) by inserting ''Robert T. Stafford'' before ''Disaster Relief and Emergency Assistance Act''; and

(2) in the 4th sentence—

(A) by striking ''a natural disaster'' and inserting ''such a quarantine, economic emergency, or natural disaster''; and

(B) by striking ''by such natural disaster'' and inserting ''by such quarantine, economic emergency, or natural disaster''.

(b) CONFORMING AMENDMENT.—Section 323 of such Act (7 U.S.C. 1963) is amended—

(1) by inserting ''quarantine,'' before ''natural disaster''; and

(2) by inserting ''referred to in section 321(a), including, notwithstanding any other provision of this title, an economic emergency resulting from sharply increasing energy costs as described in section 329(b)'' after ''emergency''.

(c) SHARPLY INCREASING ENERGY COSTS.—Section 329 of such Act (7 U.S.C. 1969) is amended—

(1) by striking all that precedes ''Secretary shall'' and inserting the following:

''SEC. 329. LOSS CONDITIONS.

''(a) IN GENERAL.—Except as provided in subsection (b), the''; and

(2) by adding after and below the end the following:

''(b) LOSS RESULTING FROM SHARPLY INCREASING ENERGY COSTS.—The Secretary shall make financial assistance under this subtitle available to any applicant seeking assistance based on an income loss resulting from sharply increasing energy costs referred to in section 323 if—

''(1) the price of electricity, gasoline, diesel fuel, natural gas, propane, or other equivalent fuel during any 3-month period is at least 50 percent greater than the average price of the same form of energy during the preceding 5 years, as determined by the Secretary; and

''(2) the income loss of the applicant is directly related to expenses incurred to prevent livestock mortality, the degradation of a perishable agricultural commodity, or damage to a field crop.''.

(d) MAXIMUM AMOUNT OF LOAN.—Section 324(a) of such Act (7 U.S.C. 1964(a)) is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting a semicolon; and

(3) by adding at the end the following:

''(3) in the case of a loan made in response to a quarantine referred to in section 321, exceeds $500,000; or

''(4) in the case of a loan made in response to an economic emergency referred to in section 321, exceeds $200,000.''.

SEC. 511. EXTENSION OF AUTHORITY TO CONTRACT FOR SERVICING OF FARMER PROGRAM LOANS.

Section 331(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981(d)) is amended—

(1) in the heading by striking ''TEMPORARY''; and

(2) in paragraph (5), by striking ''2002'' and inserting ''2011''.

SEC. 512. AUTHORIZATION FOR LOANS.

Section 346(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(1)) is amended by striking ''not more than the following amounts:'' and all that follows and inserting ''such sums as may be necessary.''.

SEC. 513. RESERVATION OF FUNDS FOR DIRECT OPERATING LOANS FOR BEGINNING FARMERS AND RANCHERS.

Section 346(b)(2)(A)(ii)(III) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(2)(A)(ii)(III)) is amended by striking ''2000 through 2002'' and inserting ''2002 through 2011''.

SEC. 514. EXTENSION OF INTEREST RATE REDUCTION PROGRAM.

Section 351(a)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C.

1999(a)(2)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 515. INCREASE IN DURATION OF LOANS UNDER DOWN PAYMENT LOAN PROGRAM.

(a) IN GENERAL.—Section 310E(b)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1935(b)(3)) is amended by striking ''10'' and inserting ''15''.

(b) CONFORMING AMENDMENT.—Section 310E(c)(3)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1935(c)(3)(B)) is amended by striking ''10-year'' and inserting ''15-year''.

SEC. 516. HORSE BREEDER LOANS.

(a) DEFINITION OF HORSE BREEDER.—In this section, the term ''horse breeder'' means a person that, as of the date of the enactment of this Act, derives more than 70 percent of the income of the person from the business of breeding, boarding, raising, training, or selling horses, during the shorter of—

(1) the 5-year period ending on January 1, 2001; or

(2) the period the person has been engaged in the business.

(b) LOAN AUTHORIZATION.—The Secretary shall make a loan to an eligible horse breeder to assist the breeder for losses suffered as a result of mare reproductive loss syndrome.

(c) ELIGIBILITY.—A horse breeder shall be eligible for a loan under this section if the Secretary determines that, as a result of mare reproductive loss syndrome—

(1) during the period beginning January 1, 2000, and ending October 1, 2000, or during the period beginning January 1, 2001, and ending October 1, 2001—

(A) 30 percent or more of the mares owned by the breeder failed to conceive, miscarried, aborted, or otherwise failed to produce a live healthy foal; or

(B) 30 percent or more of the mares boarded on a farm owned, operated, or leased by the breeder failed to conceive, miscarried, aborted, or otherwise failed to produce a live healthy foal;

(2) during the period beginning January 1, 2000, and ending on September 30, 2002, the breeder was unable to meet the financial obligations, or pay the ordinary and necessary expenses, of the breeder incurred in connection with breeding, boarding, raising, training, or selling horses; and

(3) the breeder is not able to obtain sufficient credit elsewhere (within the meaning of section 321(a) of the Consolidated Farm and Rural Development Act).

(d) AMOUNT.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall determine the amount of a loan to be made to a horse breeder under this section, on the basis of the amount of losses suffered by the breeder, and the financial needs of the breeder, as a result of mare reproductive loss syndrome.

(2) MAXIMUM AMOUNT.—The amount of a loan made under this section shall not exceed $500,000.

(e) TERM.—

(1) IN GENERAL.—Subject to paragraph (2), the term for repayment of a loan made to a horse breeder under this section shall be determined by the Secretary based on the ability of the breeder to repay the loan.

(2) MAXIMUM TERM.—The term of a loan made under this section shall not exceed 15 years.

(f) INTEREST RATE.—Interest shall be payable on a loan made under this section, at the rate prescribed under section 324(b)(1) of the Consolidated Farm and Rural Development Act.

(g) SECURITY.—Security shall be required on a loan made under this section, in accordance with section 324(d) of the Consolidated Farm and Rural Development Act.

(h) APPLICATION.—To be eligible to obtain a loan under this section, a horse breeder shall submit to the Secretary an application for the loan not later than September 30, 2002.

(i) FUNDING.—The Secretary shall carry out this section using funds available for emergency loans under subtitle C of the Consolidated Farm and Rural Development Act.

(j) TERMINATION.—The authority provided by this section shall terminate on September 30, 2003.

SEC. 517. EVALUATIONS OF DIRECT AND GUARANTEED LOAN PROGRAMS.

(a) STUDIES.—The Secretary of Agriculture shall conduct 2 studies of the direct and guaranteed loan progams under sections 302 and 311 of the Consolidated Farm and Rural Development Act, each of which shall include an examination of the number, average principal amount, and delinquency and default rates of loans provided or guaranteed during the period covered by the study.

(b) PERIODS COVERED.—

(1) FIRST STUDY.—One study under subsection (a) shall cover the 1-year period that begins 1 year after the date of the enactment of this section.

(2) SECOND STUDY.—One study under subsection (a) shall cover the 1-year period that begins 3 years after such date of enactment.

(c) REPORTS TO THE CONGRESS.—At the end of the period covered by a study under this section, the Secretary of Agriculture shall submit to the Congress a report that contains an evaluation of the results of the study, including an analysis of the effectiveness of loan programs referred to in subsection (a) in meeting the credit needs of agricultural producers in an efficient and fiscally responsible manner.

SEC. 518. DEFINITION OF DEBT FORGIVENESS.

Section 343(a)(12)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(12)(B)) is amended to read as follows:

''(B) EXCEPTIONS.—The term 'debt forgiveness' does not include—

''(i) consolidation, rescheduling, reamortization, or deferral of a loan; or

''(ii) any write-down provided as a part of a resolution of a discrimination complaint against the Secretary.''.

SEC. 519. LOAN ELIGIBILITY FOR BORROWERS WITH PRIOR DEBT FORGIVENESS.

Section 373(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008h(b)(1)) is amended to read as follows:

''(1) PROHIBITIONS.—Except as provided in paragraph (2)—

''(A) the Secretary may not make a loan under this title to a borrower who, on more than 2 occasions, received debt forgiveness on a loan made or guaranteed under this title; and

''(B) the Secretary may not guarantee a loan under this title to a borrower who, on more than 3 occasions, received debt forgiveness on a loan made or guaranteed under this title.''.

SEC. 520. ALLOCATION OF CERTAIN FUNDS FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.

The last sentence of section 355(c)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(c)(2)) is amended to read as follows: ''Any funds reserved and allocated under this paragraph but not used within a State shall, to the extent necessary to satisfy pending applications under this title, be available for use by socially disadvantaged farmers and ranchers in other States, as determined by the Secretary, and any remaining funds shall be reallocated within the State.''.

SEC. 521. HORSES CONSIDERED TO BE LIVESTOCK UNDER THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.

Section 343 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991) is amended by adding at the end the following:

''(c) LIVESTOCK INCLUDES HORSES.—The term 'livestock' includes horses.''.

SEC. 522. TEMPORARY SUSPENSION OF FORECLOSURE ON CERTAIN REAL PROPERTY OWNED BY, AND RECOVERY OF CERTAIN PAYMENTS FROM, BORROWERS WITH SHARED APPRECIATION ARRANGEMENTS.

During the period that begins with the date of the enactment of this Act and December 31, 2002, in the case of a borrower who has failed to make a payment required under section 353(e) of the Consolidated Farm and Rural Development Act with respect to real property, the Secretary of Agriculture—

(1) shall suspend foreclosure on the real property by reason of the failure; and

(2) may not attempt to recover the payment from the borrower.

SEC. 523. AUTHORITY TO MAKE BUSINESS AND INDUSTRY GUARANTEED LOANS FOR FARMER-OWNED PROJECTS THAT ADD VALUE TO OR PROCESS AGRICULTURAL PRODUCTS.

Section 310B(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(1)) is amended by inserting ''(and in areas other than rural communities, in the case of insured loans, if a majority of the project involved is owned by individuals who reside and have farming operations in rural communities, and the project adds value to or processes agricultural commodities)'' after ''rural communities''.

TITLE VI—RURAL DEVELOPMENT

SEC. 601. FUNDING FOR RURAL LOCAL TELEVISION BROADCAST SIGNAL LOAN GUARANTEES.

Section 1011(a) of the Launching Our Communities' Access to Local Television Act of 2000 (title X of H.R. 5548, as enacted by section 1(a)(2) of Public Law 106-553) is amended by adding at the end the following: ''In addition, a total of $200,000,000 of the funds of the Commodity Credit Corporation shall be available during fiscal years 2002 through 2006, without fiscal year limitation, for loan guarantees under this title.''.

SEC. 602. EXPANDED ELIGIBILITY FOR VALUE-ADDED AGRICULTURAL PRODUCT MARKET DEVELOPMENT GRANTS.

Section 231(a) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT AND PURPOSES.—In each of fiscal years 2002 through 2011, the Secretary shall use $50,000,000 of the funds of the Commodity Credit Corporation to award competitive grants—

''(A) to eligible independent producers (as determined by the Secretary) of value-added agricultural commodities and products of agricultural commodities to assist an eligible producer—

''(i) to develop a business plan for viable marketing opportunities for a value-added agricultural commodity or product of an agricultural commodity; or

''(ii) to develop strategies for the ventures that are intended to create marketing opportunities for the producers; and

''(B) to public bodies, institutions of higher learning, and trade associations to assist such entities—

''(i) to develop a business plan for viable marketing opportunities in emerging markets for a value-added agricultural commodity or product of an agricultural commodity; or

''(ii) to develop strategies for the ventures that are intended to create marketing opportunities in emerging markets for the producers.'';

(2) by striking ''producer'' each place it appears thereafter and inserting ''grantee''; and

(3) in the heading for paragraph (3), by striking ''PRODUCER'' and inserting ''GRANTEE''.

SEC. 603. AGRICULTURE INNOVATION CENTER DEMONSTRATION PROGRAM.

(a) PURPOSES.—The purposes of this section are to carry out a demonstration program under which agricultural producers are provided—

(1) technical assistance, including engineering services, applied research, scale production, and similar services to enable the producers to establish businesses for further processing of agricultural products;

(2) marketing, market development, and business planning; and

(3) overall organizational, outreach, and development assistance to increase the viability, growth, and sustainability of value-added agricultural businesses.

(b) NATURE OF PROGRAM.—The Secretary of Agriculture (in this section referred to as the ''Secretary'') shall—

(1) make grants to eligible applicants for the purposes of enabling the applicants to obtain the assistance described in subsection (a); and

(2) provide assistance to eligible applicants through the research and technical services of the Department of Agriculture.

(c) ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—An applicant shall be eligible for a grant and assistance described in subsection (b) to establish an Agriculture Innovation Center if—

(A) the applicant—

(i) has provided services similar to those described in subsection (a); or

(ii) shows the capability of providing the services;

(B) the application of the applicant for the grant and assistance sets forth a plan, in accordance with regulations which shall be prescribed by the Secretary, outlining support of the applicant in the agricultural community, the technical and other expertise of the applicant, and the goals of the applicant for increasing and improving the ability of local producers to develop markets and processes for value-added agricultural products;

(C) the applicant demonstrates that resources (in cash or in kind) of definite value are available, or have been committed to be made available, to the applicant, to increase and improve the ability of local producers to develop markets and processes for value-added agricultural products; and

(D) the applicant meets the requirement of paragraph (2).

(2) BOARD OF DIRECTORS.—The requirement of this paragraph is that the applicant shall have a board of directors comprised of representatives of the following groups:

(A) The 2 general agricultural organizations with the greatest number of members in the State in which the applicant is located.

(B) The Department of Agriculture or similar State organization or department, for the State.

(C) Organizations representing the 4 highest grossing commodities produced in the State, according to annual gross cash sales.

(d) GRANTS AND ASSISTANCE.—

(1) IN GENERAL.—Subject to subsection (g), the Secretary shall make annual grants to eligible applicants under this section, each of which grants shall not exceed the lesser of—

(A) $1,000,000; or

(B) twice the dollar value of the resources (in cash or in kind) that the applicant has demonstrated are available, or have been committed to be made available, to the applicant in accordance with subsection (c)(1)(C).

(2) INITIAL LIMITATION.—In the first year of the demonstration program under this section, the Secretary shall make grants under this section, on a competitive basis, to not more than 5 eligible applicants.

(3) EXPANSION OF DEMONSTRATION PROGRAM.—In the second year of the demonstration program under this section, the Secretary may make grants under this section to not more than 10 eligible applicants, in addition to any entities to which grants are made under paragraph (2) for such year.

(4) STATE LIMITATION.—In the first 3 years of the demonstration program under this section, the Secretary shall not make an Agricultural Innovation Center Demonstration Program grant under this section to more than 1 entity in a single State.

(e) USE OF FUNDS.—An entity to which a grant is made under this section may use the grant only for the following purposes, but only to the extent that the use is not described in section 231(d) of the Agricultural Risk Protection Act of 2000:

(1) Applied research.

(2) Consulting services.

(3) Hiring of employees, at the discretion of the board of directors of the entity.

(4) The making of matching grants, each of which shall be not more than $5,000, to agricultural producers, so long as the aggregate amount of all such matching grants shall be not more than $50,000.

(5) Legal services.

(f) RULE OF INTERPRETATION.—This section shall not be construed to prevent a recipient of a grant under this section from collaborating with any other institution with respect to activities conducted using the grant.

(g) AVAILABILITY OF FUNDS.—Of the amount made available under section 231(a)(1) of the Agricultural Risk Protection Act of 2000 (Public Law 106–224; 7 U.S.C. 1621 note), the Secretary shall use to carry out this section—

(1) not less than $5,000,000 for fiscal year 2002; and

(2) not less than $10,000,000 for each of the fiscal years 2003 and 2004.

(h) REPORT ON BEST PRACTICES.—

(1) EFFECTS ON THE AGRICULTURAL SECTOR.—The Secretary shall utilize $300,000 per year of the funds made available pursuant to this section to support research at any university into the effects of value-added projects on agricultural producers and the commodity markets. The research should systematically examine possible effects on demand for agricultural commodities, market prices, farm income, and Federal outlays on commodity programs using linked, long-term, global projections of the agricultural sector.

(2) DEPARTMENT OF AGRICULTURE.—Not later than 3 years after the first 10 grants are made under this section, the Secretary shall prepare and submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and to the Committee on Agriculture of the House of Representatives a written report on the effectiveness of the demonstration program conducted under this section at improving the production of value-added agricultural products and on the effects of the program on the economic viability of the producers, which shall include the best practices and innovations found at each of the Agriculture Innovation Centers established under the demonstration program under this section, and detail the number and type of agricultural projects assisted, and the type of assistance provided, under this section.

SEC. 604. FUNDING OF COMMUNITY WATER ASSISTANCE GRANT PROGRAM.

(a) FUNDING.—In each of fiscal years 2002 through 2011, the Secretary of Agriculture shall use $30,000,000 of the funds of the Commodity Credit Corporation to carry out section 306A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a).

(b) EXTENSION OF PROGRAM.—Section 306A(i) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a(i)) is amended by striking ''2002'' and inserting ''2011''.

(c) MISCELLANEOUS AMENDMENTS.—Section 306A of such Act (7 U.S.C. 1926a) is amended—

(1) in the heading by striking ''emergency'';

(2) in subsection (a)(1)—

(A) by striking ''after'' and inserting ''when''; and

(B) by inserting ''is imminent'' after ''communities''; and

(3) in subsection (c), by striking ''shall—'' and all that follows and inserting ''shall be a public or private nonprofit entity.''.

SEC. 605. LOAN GUARANTEES FOR THE FINANCING OF THE PURCHASE OF RENEWABLE ENERGY SYSTEMS.

Section 4 of the Rural Electrification Act of 1936 (7 U.S.C. 904) is amended—

(1) by inserting ''(a)'' before ''The Secretary''; and

(2) by adding after and below the end the following:

''(b) LOAN GUARANTEES FOR THE FINANCING OF THE PURCHASE OF RENEWABLE ENERGY SYSTEMS.—The Secretary may provide a loan guarantee, on such terms and conditions as the Secretary deems appropriate, for the purpose of financing the purchase of a renewable energy system, including a wind energy system and anaerobic digestors for the purpose of energy generation, by any person or individual who is a farmer, a rancher, or an owner of a small business (as defined by the Secretary) that is located in a rural area (as defined by the Secretary). In providing guarantees under this subsection, the Secretary shall give priority to loans used primarily for power generation on a farm, ranch, or small business (as so defined).''.

SEC. 606. LOANS AND LOAN GUARANTEES FOR RENEWABLE ENERGY SYSTEMS.

Section 310B(a)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(3)) is amended by inserting ''and other renewable energy systems including wind energy systems and anaerobic digestors for the purpose of energy generation'' after ''solar energy systems''.

SEC. 607. RURAL BUSINESS OPPORTUNITY GRANTS.

Section 306(a)(11)(D) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(11)(D)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 608. GRANTS FOR WATER SYSTEMS FOR RURAL AND NATIVE VILLAGES IN ALASKA.

Section 306D(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926d(d)(1)) is amended by striking ''and 2002'' and inserting ''through 2011''.

SEC. 609. RURAL COOPERATIVE DEVELOPMENT GRANTS.

Section 310B(e)(9) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)(9)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 610. NATIONAL RESERVE ACCOUNT OF RURAL DEVELOPMENT TRUST FUND.

Section 381E(e)(3)(F) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(e)(3)(F)) is amended by striking ''fiscal year 2002'' and inserting ''each of the fiscal years 2002 through 2011''.

SEC. 611. RURAL VENTURE CAPITAL DEMONSTRATION PROGRAM.

Section 381O(b)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009n(b)(3)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 612. INCREASE IN LIMIT ON CERTAIN LOANS FOR RURAL DEVELOPMENT.

Section 310B(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)) is amended by striking ''$25,000,000'' and inserting ''$100,000,000''.

SEC. 613. PILOT PROGRAM FOR DEVELOPMENT AND IMPLEMENTATION OF STRATEGIC REGIONAL DEVELOPMENT PLANS.

(a) DEVELOPMENT.—

(1) SELECTION OF STATES.—The Secretary of Agriculture (in this section referred to as the ''Secretary'') shall, on a competitive basis, select States in which to implement strategic regional development plans developed under this subsection.

(2) GRANTS.—

(A) AUTHORITY.—

(i) IN GENERAL.—From the funds made available to carry out this subsection, the Secretary shall make a matching grant to 1 or more entities in each State selected under subsection (a), to develop a strategic regional development plan that provides for rural economic development in a region in the State in which the entity is located.

(ii) PRIORITY.—In making grants under this subsection, the Secretary shall give priority to entities that represent a regional coalition of community-based planning, development, governmental, and business organizations.

(B) TERMS OF MATCH.—In order for an entity to be eligible for a matching grant under this subsection, the entity shall make a commitment to the Secretary to provide funds for the development of a strategic regional development plan of the kind referred to in subparagraph (A) in an amount that is not less than the amount of the matching grant.

(C) LIMITATION.—The Secretary shall not make a grant under this subsection in an amount that exceeds $150,000.

(3) FUNDING.—

(A) IN GENERAL.—The Secretary shall use $2,000,000 of the funds of the Commodity Credit Corporation, plus 2/13 of the amounts made available by section 943 of the Farm Security Act of 2001 for grants under this section, in each of fiscal years 2002 through 2011 to carry out this subsection.

(B) AVAILABILITY.—Funds made available pursuant to subparagraph (A) shall remain available without fiscal year limitation.

(b) STRATEGIC PLANNING IMPLEMENTATION.—

(1) The Secretary shall use the authorities provided in the provisions of law specified in section 793(c)(1)(A)(ii) of the Federal Agriculture Improvement and Reform Act of 1996 to implement the strategic regional development plans developed pursuant to subsection (a) of this section.

(2) FUNDING.—

(A) IN GENERAL.—The Secretary shall use $13,000,000 of the funds of the Commodity Credit Corporation, plus 11/13 of the amounts made available by section 943 of the Farm Security Act of 2001 for grants under this section, in each of fiscal years 2002 through 2011 to carry out this subsection.

(B) AVAILABILITY.—Funds made available pursuant to subparagraph (A) shall remain available without fiscal year limitation.

(c) USE OF FUNDS.—The amounts made available under subsections (a) and (b) may be used as the Secretary deems appropriate to carry out any provision of this section.

SEC. 614. GRANTS TO NONPROFIT ORGANIZATIONS TO FINANCE THE CONSTRUCTION, REFURBISHING, AND SERVICING OF INDIVIDUALLY-OWNED HOUSEHOLD WATER WELL SYSTEMS IN RURAL AREAS FOR INDIVIDUALS WITH LOW OR MODERATE INCOMES.

(a) IN GENERAL.—Subtitle A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922–1949) is amended by inserting after section 306D the following:

''SEC. 306E. GRANTS TO NONPROFIT ORGANIZATIONS TO FINANCE THE CONSTRUCTION, REFURBISHING, AND SERVICING OF INDIVIDUALLY-OWNED HOUSEHOLD WATER WELL SYSTEMS IN RURAL AREAS FOR INDIVIDUALS WITH LOW OR MODERATE INCOMES.

''(a) DEFINITION OF ELIGIBLE INDIVIDUAL.—In this section, the term 'eligible individual' means an individual who is a member of a household, the combined income of whose members for the most recent 12-month period for which the information is available, is not more than 100 percent of the median nonmetropolitan household income for the State or territory in which the individual resides, according to the most recent decennial census of the United States.

''(b) GRANTS.—The Secretary may make grants to private nonprofit organizations for the purpose of assisting eligible individuals in obtaining financing for the construction, refurbishing, and servicing of individual household water well systems in rural areas that are owned (or to be owned) by the eligible individuals.

''(c) USE OF FUNDS.—A grant made under this section may be—

''(1) used, or invested to provide income to be used, to carry out subsection (b); and

''(2) used to pay administrative expenses associated with providing the assistance described in subsection (b).

''(d) PRIORITY IN AWARDING GRANTS.—In awarding grants under this section, the Secretary shall give priority to an applicant that has substantial expertise and experience in promoting the safe and productive use of individually-owned household water well systems and ground water.''.

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2001.

SEC. 615. NATIONAL RURAL DEVELOPMENT PARTNERSHIP.

Subtitle E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009–2009n) is amended by adding at the end the following:

''SEC. 381P. NATIONAL RURAL DEVELOPMENT PARTNERSHIP.

''(a) RURAL AREA DEFINED.—In this section, the term 'rural area' means such areas as the Secretary may determine.

''(b) ESTABLISHMENT.—There is established a National Rural Development Partnership (in this section referred to as the 'Partnership'), which shall be composed of—

''(1) the National Rural Development Coordinating Committee established in accordance with subsection (c); and

''(2) State rural development councils established in accordance with subsection (d).

''(c) NATIONAL RURAL DEVELOPMENT COORDINATING COMMITTEE.—

''(1) COMPOSITION.—The National Rural Development Coordinating Committee (in this section referred to as the 'Coordinating Committee') may be composed of—

''(A) representatives of all Federal departments and agencies with policies and programs that affect or benefit rural areas;

''(B) representatives of national associations of State, regional, local, and tribal governments and intergovernmental and multijurisdictional agencies and organizations;

''(C) national public interest groups; and

''(D) other national nonprofit organizations that elect to participate in the activities of the Coordinating Committee.

''(2) FUNCTIONS.—The Coordinating Committee may—

''(A) provide support for the work of the State rural development councils established in accordance with subsection (d); and

''(B) develop and facilitate strategies to reduce or eliminate conflicting or duplicative administrative and regulatory impediments confronting rural areas.

''(d) STATE RURAL DEVELOPMENT COUNCILS.—

''(1) COMPOSITION.—A State rural development council may—

''(A) be composed of representatives of Federal, State, local, and tribal governments, and nonprofit organizations, the private sector, and other entities committed to rural advancement; and

''(B) have a nonpartisan and nondiscriminatory membership that is broad and representative of the economic, social, and political diversity of the State.

''(2) FUNCTIONS.—A State rural development council may—

''(A) facilitate collaboration among Federal, State, local, and tribal governments and the private and non-profit sectors in the planning and implementation of programs and policies that affect the rural areas of the State, and to do so in such a way that provides the greatest degree of flexibility and innovation in responding to the unique needs of the State and the rural areas; and

''(B) in conjunction with the Coordinating Committee, develop and facilitate strategies to reduce or eliminate conflicting or duplicative administrative and regulatory impediments confronting the rural areas of the State.

''(e) ADMINISTRATION OF THE PARTNERSHIP.—The Secretary may provide for any additional support staff to the Partnership as the Secretary determines to be necessary to carry out the duties of the Partnership.

''(f) TERMINATION.—The authority provided by this section shall terminate on the date that is 5 years after the date of the enactment of this section.''.

SEC. 616. ELIGIBILITY OF RURAL EMPOWERMENT ZONES, RURAL ENTERPRISE COMMUNITIES, AND CHAMPION COMMUNITIES FOR DIRECT AND GUARANTEED LOANS FOR ESSENTIAL COMMUNITY FACILITIES.

Section 306(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(1)) is amended by inserting after the 1st sentence the following: ''The Secretary may also make or insure loans to communities that have been designated as rural empowerment zones or rural enterprise communities pursuant to part I of subchapter U of chapter 1 of the Internal Revenue Code of 1986, as rural enterprise communities pursuant to section 766 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, or as champion communities (as determined by the Secretary), to provide for the installation or improvement of essential community facilities including necessary related equipment, and to furnish financial assistance or other aid in planning projects for such purposes.''.

SEC. 617. GRANTS TO TRAIN FARM WORKERS IN NEW TECHNOLOGIES AND TO TRAIN FARM WORKERS IN SPECIALIZED SKILLS NECESSARY FOR HIGHER VALUE CROPS.

(a) IN GENERAL.—The Secretary of Agriculture may make a grant to a nonprofit organization with the capacity to train farm workers, or to a consortium of non-profit organizations, agribusinesses, State and local governments, agricultural labor organizations, and community-based organizations with that capacity.

(b) USE OF FUNDS.—An entity to which a grant is made under this section shall use the grant to train farm workers to use new technologies and develop specialized skills for agricultural development.

(c) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For grants under this section, there are authorized to be appropriated to the Secretary of Agriculture not more than $10,000,000 for each of fiscal years 2002 through 2011.

SEC. 618. LOAN GUARANTEES FOR THE PURCHASE OF STOCK IN A FARMER COOPERATIVE SEEKING TO MODERNIZE OR EXPAND.

Section 310B(g)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(2)) is amended by striking ''start-up'' and all that follows and inserting ''capital stock of a farmer cooperative established for an agricultural purpose.''.

SEC. 619. INTANGIBLE ASSETS AND SUBORDINATED UNSECURED DEBT REQUIRED TO BE CONSIDERED IN DETERMINING ELIGIBILITY OF FARMER-OWNED COOPERATIVE FOR BUSINESS AND INDUSTRY GUARANTEED LOAN.

Section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) is amended by adding at the end the following:

''(h) INTANGIBLE ASSETS AND SUBORDINATED UNSECURED DEBT REQUIRED TO BE CONSIDERED IN DETERMINING ELIGIBILITY OF FARMER-OWNED COOPERATIVE FOR BUSINESS AND INDUSTRY GUARANTEED LOAN.—In determining whether a cooperative organization owned by farmers is eligible for a guaranteed loan under subsection (a)(1), the Secretary may consider the value of the intangible assets and subordinated unsecured debt of the cooperative organization.''.

SEC. 620. BAN ON LIMITING ELIGIBILITY OF FARMER COOPERATIVE FOR BUSINESS AND INDUSTRY LOAN GUARANTEE BASED ON POPULATION OF AREA IN WHICH COOPERATIVE IS LOCATED.

Section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) is further amended by adding at the end of the following:

''(i) SPECIAL RULES APPLICABLE TO FARMER COOPERATIVES UNDER THE BUSINESS AND INDUSTRY LOAN PROGRAM.—In determining whether a cooperative organization owned by farmers is eligible for a guaranteed loan under subsection (a)(1), the Secretary shall not apply any lending restriction based on population to the area in which the cooperative organization is located.''.

SEC. 621. RURAL WATER AND WASTE FACILITY GRANTS.

Section 306(a)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(2)) is amended by striking ''aggregating not to exceed $590,000,000 in any fiscal year''.

SEC. 622. RURAL WATER CIRCUIT RIDER PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Agriculture shall establish a national rural water and wastewater circuit rider grant program that shall be modeled after the National Rural Water Association Rural Water Circuit Rider Program that receives funding from the Rural Utilities Service.

(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—To carry out subsection (a), there are authorized to be appropriated to the Secretary of Agriculture $15,000,000 for each fiscal year.

SEC. 623. RURAL WATER GRASSROOTS SOURCE WATER PROTECTION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Agriculture shall establish a national grassroots source water protection program that will utilize the on-site technical assistance capabilities of State rural water associations that are operating wellhead or ground water protection programs in each State.

(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—To carry out subsection (a), there are authorized to be appropriated to the Secretary of Agriculture $5,000,000 for each fiscal year.

TITLE VII—RESEARCH AND RELATED MATTERS

Subtitle A—Extensions

SEC. 700. MARKET EXPANSION RESEARCH.

Section 1436(b)(3)(C) of the Food Security Act of 1985 (7 U.S.C. 1632(b)(3)(C)) is amended by striking ''1990'' and inserting ''2011''.

SEC. 701. NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

Section 2381(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 702. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURAL SCIENCES EDUCATION.

Section 1417(l) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(l)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 703. POLICY RESEARCH CENTERS.

Section 1419A(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155(d)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 704. HUMAN NUTRITION INTERVENTION AND HEALTH PROMOTION RESEARCH PROGRAM.

Section 1424(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174(d)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 705. PILOT RESEARCH PROGRAM TO COMBINE MEDICAL AND AGRICULTURAL RESEARCH.

Section 1424A(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174a(d)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 706. NUTRITION EDUCATION PROGRAM.

Section 1425(c)(3) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175(c)(3)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 707. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

Section 1433(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195(a)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 708. APPROPRIATIONS FOR RESEARCH ON NATIONAL OR REGIONAL PROBLEMS.

Section 1434(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3196(a)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 709. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Section 1447(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(b)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 710. NATIONAL RESEARCH AND TRAINING CENTENNIAL CENTERS AT 1890 LAND-GRANT INSTITUTIONS.

Sections 1448(a)(1) and (f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222c(a)(1) and (f)) are amended by striking ''2002'' each place it appears and inserting ''2011''.

SEC. 711. HISPANIC-SERVING INSTITUTIONS.

Section 1455(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241(c)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 712. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b(c)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 713. UNIVERSITY RESEARCH.

Subsections (a) and (b) of section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311(a) and (b)) are amended by striking ''2002'' each place it appears and inserting ''2011''.

SEC. 714. EXTENSION SERVICE.

Section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended by striking ''2002'' and inserting ''2011''.

SEC. 715. SUPPLEMENTAL AND ALTERNATIVE CROPS.

Section 1473D(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d(a)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 716. AQUACULTURE RESEARCH FACILITIES.

The first sentence of section 1477 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended by striking ''2002'' and inserting ''2011''.

SEC. 717. RANGELAND RESEARCH.

Section 1483(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3336(a)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 718. NATIONAL GENETICS RESOURCES PROGRAM.

Section 1635(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5844(b)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 719. HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.

Section 1672(h) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925(h)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 720. NUTRIENT MANAGEMENT RESEARCH AND EXTENSION INITIATIVE.

Section 1672A(g) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925a(g)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 721. AGRICULTURAL TELECOMMUNICATIONS PROGRAM.

Section 1673(h) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5926(h)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 722. ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION REVOLVING FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1664(g)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5908(g)(1)) is amended by striking ''2002'' and inserting ''2011''.

(b) CAPITALIZATION.—Section 1664(g)(2) of such Act (7 U.S.C. 5908(g)(2)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 723. ASSISTIVE TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

Section 1680(c)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933(c)(1)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 724. PARTNERSHIPS FOR HIGH-VALUE AGRICULTURAL PRODUCT QUALITY RESEARCH.

Section 402(g) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7622(g)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 725. BIOBASED PRODUCTS.

(a) PILOT PROJECT.—Section 404(e)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7624(e)(2)) is amended by striking ''2001'' and inserting ''2011''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 404(h) of such Act (7 U.S.C. 7624(h)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 726. INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.

Section 406(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626(e)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 727. INSTITUTIONAL CAPACITY BUILDING GRANTS.

(a) GENERALLY.—Section 535(b)(1) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note) is amended by striking ''2000'' and inserting ''2011''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 535(c) of such Act is amended by striking ''2000'' and inserting ''2011''.

SEC. 728. 1994 INSTITUTION RESEARCH GRANTS.

Section 536(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note) is amended by striking ''2002'' and inserting ''2011''.

SEC. 729. ENDOWMENT FOR 1994 INSTITUTIONS.

The first sentence of section 533(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note) is amended by striking ''$4,600,000'' and all that follows through the period and inserting ''such sums as are necessary to carry out this section for each of fiscal years 1996 through 2011.''.

SEC. 730. PRECISION AGRICULTURE.

Section 403(i) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7623(i)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 731. THOMAS JEFFERSON INITIATIVE FOR CROP DIVERSIFICATION.

Section 405(h) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7625(h)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 732. SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY FUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.

Section 408(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 733. OFFICE OF PEST MANAGEMENT POLICY.

Section 614(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7653(f)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 734. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

Section 1408(h) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(h)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 735. GRANTS FOR RESEARCH ON PRODUCTION AND MARKETING OF ALCOHOLS AND INDUSTRIAL HYDROCARBONS FROM AGRICULTURAL COMMODITIES AND FOREST PRODUCTS.

Section 1419(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3154(d)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 736. BIOMASS RESEARCH AND DEVELOPMENT.

Title III of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 7624 note) is amended—

(1) in section 307(f), by striking ''2005'' and inserting ''2011''; and

(2) in section 310, by striking ''2005'' and inserting ''2011''.

SEC. 737. AGRICULTURAL EXPERIMENT STATIONS RESEARCH FACILITIES.

Section 6(a) of the Research Facilities Act (7 U.S.C. 390d(a)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 738. COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANTS NATIONAL RESEARCH INITIATIVE.

Section 2(b)(10) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(10)) is amended by striking ''2002'' and inserting ''2011''.

SEC. 739. FEDERAL AGRICULTURAL RESEARCH FACILITIES AUTHORIZATION OF APPROPRIATIONS.

Section 1431 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985 (Public Law 99–198; 99 Stat. 1556) is amended by striking ''2002'' and inserting ''2011''.

SEC. 740. COTTON CLASSIFICATION SERVICES.

The first sentence of section 3a of the Act of March 3, 1927 (commonly known as the ''Cotton Statistics and Estimates Act''; 7 U.S.C. 473a) is amended by striking ''2002'' and inserting ''2011''.

SEC. 740A. CRITICAL AGRICULTURAL MATERIALS RESEARCH.

Section 16(a) of the Critical Agricultural Materials Act (7 U.S.C. 178n(a)) is amended by striking ''2002'' and inserting ''2011''.

Subtitle B—Modifications

SEC. 741. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 534(a)(1)(A) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note) is amended by striking ''$50,000'' and inserting ''$100,000''.

(b) WITHDRAWALS AND EXPENDITURES.—Section 533(c)(4)(A) of such Act is amended by striking ''section 390(3)'' and all that follows through ''1998)'' and inserting ''section 2(a)(7) of the Tribally Controlled College or University Assistance Act of 1978)''.

(c) ACCREDITATION.—Section 533(a)(3) of such Act is amended by striking ''under sections 534 and 535'' and inserting ''under sections 534, 535, and 536''.

(d) 1994 INSTITUTIONS.—Section 532 of such Act is amended by striking paragraphs (1) through (30) and inserting the following:

''(1) Bay Mills Community College.
''(2) Blackfeet Community College.
''(3) Cankdeska Cikana Community College.
''(4) College of Menominee Nation.
''(5) Crownpoint Institute of Technology.
''(6) D–Q University.
''(7) Diné College.
''(8) Dull Knife Memorial College.
''(9) Fond du Lac Tribal and Community College.
''(10) Fort Belknap College.
''(11) Fort Berthold Community College.
''(12) Fort Peck Community College.
''(13) Haskell Indian Nations University.
''(14) Institute of American Indian and Alaska Native Culture and Arts Development.
''(15) Lac Courte Oreilles Ojibwa Community College.
''(16) Leech Lake Tribal College.
''(17) Little Big Horn College.
''(18) Little Priest Tribal College.
''(19) Nebraska Indian Community College.
''(20) Northwest Indian College.
''(21) Oglala Lakota College.
''(22) Salish Kootenai College.
''(23) Sinte Gleska University.
''(24) Sisseton Wahpeton Community College.
''(25) Si Tanka/Huron University.
''(26) Sitting Bull College.
''(27) Southwestern Indian Polytechnic Institute.
''(28) Stone Child College.
''(29) Turtle Mountain Community College.
''(30) United Tribes Technical College.''.

SEC. 742. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977.

Section 1404(4) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(4)) is amended—

(1) by striking the period at the end of subparagraph (E) and inserting '', or''; and

(2) by adding at the end the following: ''(F) is one of the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994).''.

SEC. 743. AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998.

(a) PRIORITY MISSION AREAS.—Section 401(c)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621(c)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(G) alternative fuels and renewable energy sources.''.

(b) PRECISION AGRICULTURE.—Section 403 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7623) is amended—

(1) in subsection (a)(5)(F), by inserting ''(including improved use of energy inputs)'' after ''farm production efficiencies''; and

(2) in subsection (d)—

(A) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(B) by inserting after paragraph (3) the following new paragraph:

''(4) Improve on farm energy use efficiencies.''.

(c) THOMAS JEFFERSON INITIATIVE FOR CROP DIVERSIFICATION.—Section 405(a) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7625(a)) is amended by striking ''and marketing'' and inserting '', marketing, and efficient use''.

(d) COORDINATED PROGRAM OF RESEARCH, EXTENSION, AND EDUCATION TO IMPROVE VIABILITY OF SMALL- AND MEDIUM-SIZE DAIRY, LIVESTOCK, AND POULTRY OPERATIONS.—Section 407(b)(3) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7627(b)(3)) is amended by inserting ''(including improved use of energy inputs)'' after ''poultry systems that increase efficiencies''.

(e) SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY FUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.—

(1) RESEARCH GRANT AUTHORIZED.—Section 408(a) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(a)) is amended to read as follows:

''(a) RESEARCH GRANT AUTHORIZED.—The Secretary of Agriculture may make grants to consortia of land-grant colleges and universities to enhance the ability of the consortia to carry out multi-State research projects aimed at understanding and combating diseases of wheat, triticale, and barley caused by Fusarium graminearum and related fungi (referred to in this section as 'wheat scab') or by Tilletia indica and related fungi (referred to in this section as 'Karnal bunt').''.

(2) RESEARCH COMPONENTS.—Section 408(b) of such Act (7 U.S.C. 7628(b)) is amended—

(A) in paragraph (1), by inserting ''or of Karnal bunt,'' after ''epidemiology of wheat scab'';

(B) in paragraph (1), by inserting '', triticale,'' after ''occurring in wheat'';

(C) in paragraph (2), by inserting ''or Karnal bunt'' after ''wheat scab'';

(D) in paragraph (3)(A), by striking ''and barley for the presence of'' and inserting '', triticale, and barley for the presence of Karnal bunt or of'';

(E) in paragraph (3)(B), by striking ''and barley infected with wheat scab'' and inserting '', triticale, and barley infected with wheat scab or with Karnal bunt'';

(F) in paragraph (3)(C), by inserting ''wheat scab'' after ''to render'';

(G) in paragraph (4), by striking ''and barley to wheat scab'' and inserting '', triticale, and barley to wheat scab and to Karnal bunt''; and

(H) in paragraph (5)—

(i) by inserting ''and Karnal bunt'' after ''wheat scab''; and

(ii) by inserting '', triticale,'' after ''resistant wheat''.

(3) COMMUNICATIONS NETWORKS.—Section 408(c) of such Act (7 U.S.C. 7628(c)) is amended by inserting ''or Karnal bunt'' after ''wheat scab''.

(4) TECHNICAL AMENDMENTS.—(A) The section heading for section 408 of such Act is amended by striking ''and barley caused by fusarium graminearum'' and inserting '', triticale, and barley caused by fusarium graminearum or by tilletia indica''.

(B) The table of sections for such Act is amended by striking ''and barley caused by fusarium graminearum'' in the item relating to section 408 and inserting '', triticale, and barley caused by Fusarium graminearum or by Tilletia indica''.

(f) PROGRAM TO CONTROL JOHNE'S DISEASE.—Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621 et seq.) is amended by adding at the end the following new section:

"SEC. 409. BOVINE JOHNE'S DISEASE CONTROL PROGRAM.

''(a) ESTABLISHMENT.—The Secretary of Agriculture, in coordination with State veterinarians and other appropriate State animal health professionals, may establish a program to conduct research, testing, and evaluation of programs for the control and management of Johne's disease in livestock.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section for each of fiscal years 2003 through 2011.''.

SEC. 744. FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990.

(a) AGRICULTURAL GENOME INITIATIVE.—Section 1671(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924(b)) is amended—

(1) in paragraph (3), by inserting ''pathogens and'' before ''diseases causing economic hardship'';

(2) in paragraph (6), by striking ''and'' at the end;

(3) by redesignating paragraph (7) as paragraph (8); and

(4) by inserting after paragraph (6) the following new paragraph:

''(7) reducing the economic impact of plant pathogens on commercially important crop plants; and''.

(b) HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.—Section 1672(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925) is amended by adding at the end the following new paragraphs:

''(25) RESEARCH TO PROTECT THE UNITED STATES FOOD SUPPLY AND AGRICULTURE FROM BIOTERRORISM.—Research grants may be made under this section for the purpose of developing technologies, which support the capability to deal with the threat of agricultural bioterrorism.

''(26) WIND EROSION RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of validating wind erosion models.

''(27) CROP LOSS RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of validating crop loss models.

''(28) LAND USE MANAGEMENT RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purposes of evaluating the environmental benefits of land use management tools such as those provided in the Farmland Protection Program.

''(29) WATER AND AIR QUALITY RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of better understanding agricultural impacts to air and water quality and means to address them.

''(30) REVENUE AND INSURANCE TOOLS RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purposes of better understanding the impact of revenue and insurance tools on farm income.

''(31) AGROTOURISM RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of better understanding the economic, environmental, and food systems impacts on agrotourism.

''(32) HARVESTING PRODUCTIVITY FOR FRUITS AND VEGETABLES.—Research and extension grants may be made under this section for the purpose of improving harvesting productivity for fruits and vegetables (including citrus), including the development of mechanical harvesting technologies and effective, economical, and safe abscission compounds.

''(33) NITROGEN-FIXATION BY PLANTS.—Research and extension grants may be made under this section for the purpose of enhancing the nitrogen-fixing ability and efficiency of legumes, developing new varieties of legumes that fix nitrogen more efficiently, and developing new varieties of other commercially important crops that potentially are able to fix nitrogen.

''(34) AGRICULTURAL MARKETING.—Extension grants may be made under this section for the purpose of providing education materials, information, and outreach programs regarding commodity and livestock marketing strategies for agricultural producers and for cooperatives and other marketers of any agricultural commodity, including livestock.

''(35) ENVIRONMENT AND PRIVATE LANDS RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of researching the use of computer models to aid in assessment of best management practices on a watershed basis, working with government, industry, and private landowners to help craft industry-led solutions to identified environmental issues, researching and monitoring water, air, or soil environmental quality to aid in the development of new approaches to local environmental concerns, and working with local, State, and federal officials to help craft effective environmental solutions that respect private property rights and agricultural production realities.

''(36) LIVESTOCK DISEASE RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of identifying possible livestock disease threats, educating the public regarding livestock disease threats, training persons to deal with such threats, and conducting related research.

''(37) PLANT GENE EXPRESSION.—Research and development grants may be made under this section for the purpose of plant gene expression research to accelerate the application of basic plant genomic science to the development and testing of new varieties of enhanced food crops, crops that can be used as renewable energy sources, and other alternative uses of agricultural crops.''.

SEC. 745. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977.

(a) NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMIC ADVISORY BOARD.—Section 1408 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123) is amended—

(1) in subsection (b)(3)—

(A) by redesignating subparagraphs (R) through (DD) as subparagraphs (S) through (EE), respectively; and

(B) by inserting after subparagraph (Q) the following new subparagraph:

''(R) 1 member representing a nonland grant college or university with a historic commitment to research in the food and agricultural sciences.'';

(2) in subsection (c)(1), by striking ''and land-grant colleges and universities'' and inserting '', land-grant colleges and universities, and the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Agriculture, Rural Development and Related Agencies of the Committee on Appropriations of the Senate'';

(3) in subsection (d)(1), inserting ''consult with any appropriate agencies of the Department of Agriculture and'' after ''the Advisory Board shall''; and

(4) in subsection (b)(1), by striking ''30 members'' and inserting ''31 members''.

(b) GRANTS FOR RESEARCH ON PRODUCTION AND MARKETING OF ALCOHOLS AND INDUSTRIAL HYDROCARBONS FROM AGRICULTURAL COMMODITIES AND FOREST PRODUCTS.—Section 1419 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3154) is amended—

(1) in subsection (a)(2), by inserting ''and animal fats and oils'' after ''industrial oilseed crops''; and

(2) in subsection (a)(4), by inserting ''or triglycerides'' after ''other industrial hydrocarbons''.

(c) FAS OVERSEAS INTERN PROGRAM.—Section 1458(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3291(a)) is amended—

(1) by striking ''and'' at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(10) establish a program, to be coordinated by the Cooperative State Research, Education, and Extension Service and the Foreign Agricultural Service, to place interns from United States colleges and universities at Foreign Agricultural Service field offices overseas.''.

SEC. 746. BIOMASS RESEARCH AND DEVELOPMENT.

Title III of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 7624 note) is amended—

(1) in section 302(3), by inserting ''or biodiesel'' after ''such as ethanol'';

(2) in section 303(3), by inserting ''animal byproducts,'' after ''fibers,''; and

(3) in section 306(b)(1)—

(A) by redesignating subparagraphs (E) through (J) as subparagraphs (F) through (K), respectively; and

(B) by inserting after subparagraph (D) the following new subparagraph:

''(E) an individual affiliated with a livestock trade association;''.

SEC. 747. BIOTECHNOLOGY RISK ASSESSMENT RESEARCH.

Section 1668 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921) is amended to read as follows:

"SEC. 1668. BIOTECHNOLOGY RISK ASSESSMENT RESEARCH.

''(a) PURPOSE.—It is the purpose of this section—

''(1) to authorize and support environmental assessment research to help identify and analyze environmental effects of biotechnology; and

''(2) to authorize research to help regulators develop long-term policies concerning the introduction of such technology.

''(b) GRANT PROGRAM.— The Secretary of Agriculture shall establish a grant program within the Cooperative State Research, Education, and Extension Service and the Agricultural Research Service to provide the necessary funding for environmental assessment research concerning the introduction of genetically engineered plants and animals into the environment.

''(c) TYPES OF RESEARCH.— Types of research for which grants may be made under this section shall include the following:

''(1) Research designed to identify and develop appropriate management practices to minimize physical and biological risks associated with genetically engineered animals and plants once they are introduced into the environment.

''(2) Research designed to develop methods to monitor the dispersal of genetically engineered animals and plants.

''(3) Research designed to further existing knowledge with respect to the characteristics, rates and methods of gene transfer that may occur between genetically engineered plants and animals and related wild and agricultural organisms.

''(4) Environmental assessment research designed to provide analysis, which compares the relative impacts of plants and animals modified through genetic engineering to other types of production systems.

''(5) Other areas of research designed to further the purposes of this section.

''(d) ELIGIBILITY REQUIREMENTS.—Grants under this section shall be—

''(1) made on the basis of the quality of the proposed research project; and

''(2) available to any public or private research or educational institution or organization.

''(e) CONSULTATION.— In considering specific areas of research for funding under this section, the Secretary of Agriculture shall consult with the Administrator of the Animal and Plant Health Inspection Service and the National Agricultural Research, Extension, Education, and Economics Advisory Board.

''(f) PROGRAM COORDINATION.— The Secretary of Agriculture shall coordinate research funded under this section with the Office of Research and Development of the Environmental Protection Agency in order to avoid duplication of research activities.

''(g) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.— There are authorized to be appropriated such sums as necessary to carry out this section.

''(2) WITHHOLDINGS FROM BIOTECHNOLOGY OUTLAYS.—The Secretary of Agriculture shall withhold from outlays of the Department of Agriculture for research on biotechnology, as defined and determined by the Secretary, at least 3 percent of such amount for the purpose of making grants under this section for research on biotechnology risk assessment. Except that, funding from this authorization should be collected and applied to the maximum extent practicable to risk assessment research on all categories identified as biotechnology by the Secretary.''.

SEC. 748. COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANTS.

Section 2(a) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(a)) is amended by adding at the end the following new paragraph:

''(3) DETERMINATION OF HIGH PRIORITY RESEARCH.—Research priorities shall be determined by the Secretary on an annual basis, taking into account input as gathered by the Secretary through the National Agricultural Research, Extension, Education, and Economics Advisory Board.''.

SEC. 749. MATCHING FUNDS REQUIREMENT FOR RESEARCH AND EXTENSION ACTIVITIES OF 1890 INSTITUTIONS.

Section 1449 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222d) is amended—

(1) by amending subsection (c) to read as follows:

''(c) MATCHING FORMULA.—For each of fiscal years 2003 through 2011, the State shall provide matching funds from non-Federal sources. Such matching funds shall be for an amount equal to not less than 60 percent of the formula funds to be distributed to the eligible institution, and shall increase by 10 percent each fiscal year thereafter until fiscal year 2007.''; and

(2) by amending subsection (d) to read as follows:

''(d) WAIVER AUTHORITY.—Notwithstanding subsection (f), the Secretary may waive the matching funds requirement under subsection (c) above the 50 percent level for fiscal years 2003 through 2011 for an eligible institution of a State if the Secretary determines that the State will be unlikely to satisfy the matching requirement.''.

SEC. 749A. MATCHING FUNDS REQUIREMENT FOR RESEARCH AND EXTENSION ACTIVITIES FOR THE UNITED STATES TERRITORIES.

(a) RESEARCH MATCHING REQUIREMENT.—Section 3(d)(4) of the Hatch Act of 1887 (7 U.S.C. 361c(d)(4)) is amended by striking ''the same matching funds'' and all that follows through the end of the sentence and inserting ''matching funds requirements from non-Federal sources for fiscal years 2003 through 2011 in an amount equal to not less than 50 percent of the formula funds to be distributed to the Territory. The Secretary may waive the matching funds requirements for a Territory for any of the fiscal years 2003 through 2011 if the Secretary determines that the Territory will be unlikely to satisfy the matching funds requirement for that fiscal year.''.

(b) EXTENSION MATCHING REQUIREMENT.—Section 3(e)(4) of the Smith-Lever Act (7 U.S.C. 343(e)(4)) is amended by striking ''the same matching funds'' and all that follows through the end of the sentence and inserting ''matching funds requirements from non-Federal sources for fiscal years 2003 through 2011 in an amount equal to not less than 50 percent of the formula funds to be distributed to the Territory. The Secretary may waive the matching funds requirements for a Territory for any of the fiscal years 2003 through 2011 if the Secretary determines that the Territory will be unlikely to satisfy the matching funds requirement for that fiscal year.''.

SEC. 750. INITIATIVE FOR FUTURE AGRICULTURE AND FOOD SYSTEMS.

(a) FUNDING.—Section 401(b)(1) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621(b)(1)) is amended to read as follows:

''(1) IN GENERAL.—

''(A) TOTAL AMOUNT TO BE TRANSFERRED.—On October 1, 2003, and each October 1 thereafter through September 30, 2011, the Secretary of Agriculture shall deposit funds of the Commodity Credit Corporation into the Account. The total amount of Commodity Credit Corporation funds deposited into the Account under this subparagraph shall equal $1,160,000,000.

''(B) EQUAL AMOUNTS.—To the maximum extent practicable, the amounts deposited into the Account pursuant to subparagraph (A) shall be deposited in equal amounts for each fiscal year.

''(C) AVAILABILITY OF FUNDS.—Amounts deposited into the Account pursuant to subparagraph (A) shall remain available until expended.''.

(b) AVAILABILITY OF FUNDS.—Section 401(f)(6) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621(f)(6)) is amended to read as follows:

''(6) AVAILABILITY OF FUNDS.—Funds made available under this section to the Secretary prior to October 1, 2003, for grants under this section shall be available to the Secretary for a 2-year period.''.

SEC. 751. CARBON CYCLE RESEARCH.

Section 221 of the Agricultural Risk Protection Act of 2000 (Public Law 106–224; 114 Stat. 407) is amended—

(1) in subsection (a), by striking ''Of the amount'' and all that follows through ''to provide'' and inserting ''To the extent funds are made available for this purpose, the Secretary shall provide'';

(2) in subsection (d), by striking ''under subsection (a)'' and inserting ''for this section''; and

(3) by adding at the end the following new subsection:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal years 2002 through 2011 such sums as may be necessary to carry out this section.''.

SEC. 752. DEFINITION OF FOOD AND AGRICULTURAL SCIENCES.

Section 2(3) of the Research Facilities Act (7 U.S.C. 390(2)(3)) is amended to read as follows:

''(3) FOOD AND AGRICULTURAL SCIENCES.—The term 'food and agricultural sciences' has the meaning given that term in section 1404(8) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(8)).''.

SEC. 753. FEDERAL EXTENSION SERVICE.

Section 3(b)(3) of the Smith-Lever Act (7 U.S.C. 343(b)(3)) is amended by striking ''$5,000,000'' and inserting ''such sums as are necessary''.

SEC. 754. POLICY RESEARCH CENTERS.

Section 1419A(c)(3) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155(c)(3)) is amended by striking ''collect and analyze data'' and inserting ''collect, analyze, and disseminate data''.

Subtitle C—Related Matters

SEC. 761. RESIDENT INSTRUCTION AT LAND-GRANT COLLEGES IN UNITED STATES TERRITORIES.

(a) PURPOSE.—It is the purpose of this section to promote and strengthen higher education in the food and agricultural sciences at agricultural and mechanical colleges located in the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau (hereinafter referred to in this section as ''eligible institutions'') by formulating and administering programs to enhance teaching programs in agriculture, natural resources, forestry, veterinary medicine, home economics, and disciplines closely allied to the food and agriculture production and delivery system.

(b) GRANTS.—The Secretary of Agriculture shall make competitive grants to those eligi-

ble institutions having a demonstrable capacity to carry out the teaching of food and agricultural sciences.

(c) USE OF GRANT FUNDS.—Grants made under subsection (b) shall be used to—

(1) strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international education needs in the food and agricultural sciences;

(2) attract and support undergraduate and graduate students in order to educate them in identified areas of national need to the food and agriculture sciences;

(3) facilitate cooperative initiatives between two or more eligible institutions or between eligible institutions and units of State Government, organizational in the private sector, to maximize the development and use of resources such as faculty, facilities, and equipment to improve food and agricultural sciences teaching programs; and

(4) conduct undergraduate scholarship programs to assist in meeting national needs for training food and agricultural scientists.

(d) GRANT REQUIREMENTS.—

(1) The Secretary of Agriculture shall ensure that each eligible institution, prior to receiving grant funds under subsection (b), shall have a significant demonstrable commitment to higher educations programs in the food and agricultural sciences and to each specific subject area for which grant funds under this subsection are to be used.

(2) The Secretary of Agriculture may require that any grant awarded under this section contain provisions that require funds to be targeted to meet the needs identified in section 1402 of the National Agriculture Research, Extension, and Teaching Policy Act of 1977.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary for each of the fiscal years 2002 through 2011 to carry out this section.

SEC. 762. DECLARATION OF EXTRAORDINARY EMERGENCY AND RESULTING AUTHORITIES.

(a) REVIEW OF PAYMENT OF COMPENSATION.—Section 415(e) of the Plant Protection Act (7 U.S.C. 7715(e)) is amended by inserting before the final period the following: ''or review by any officer of the Government other than the Secretary or the designee of the Secretary''.

(b) REVIEW OF CERTAIN DECISIONS.—

(1) PLANT PROTECTION ACT.—Section 442 of the Plant Protection Act (7 U.S.C. 7772) is amended by adding at the end following new subsection:

''(f) SECRETARIAL DISCRETION.—The action of any officer, employee, or agent of the Secretary in carrying out this section, including determining the amount of and making any payment authorized to be made under this section, shall not be subject to review by any officer of the Government other than the Secretary or the designee of the Secretary.''.

(2) OTHER PLANT AND ANIMAL PEST AND DISEASE LAWS.—Section 11 of the Act of May 29, 1884 (21 U.S.C. 114a; commonly known as the ''Animal Industry Act'') and the first section of the Act of September 25, 1981 (7 U.S.C. 147b), are each amended by adding at the end the following new sentence: ''The action of any officer, employee, or agent of the Secretary in carrying out this section, including determining the amount of and making any payment authorized to be made under this section, shall not be subject to review by any officer of the Government other than the Secretary or the designee of the Secretary.''.

(c) METHYL BROMIDE.—The Plant Protection Act (7 U.S.C. 7701 et seq.) is amended by inserting after section 418 the following new section:

''SEC. 419. METHYL BROMIDE.

''(a) IN GENERAL.—The Secretary, upon request of State, local, or tribal authorities, shall determine whether methyl bromide treatments or applications required by State, local, or tribal authorities to prevent the introduction, establishment, or spread of plant pests (including diseases) or noxious weeds should be authorized as an official control or official requirement.

''(b) ADMINISTRATION.—

''(1) TIMELINE FOR DETERMINATION.—The Secretary shall make the determination required by subsection (a) not later than 90 days after receiving the request for such a determination.

''(2) REGULATIONS.—The promulgation of regulations for and the administration of this section shall be made without regard to—

''(A) the notice and comment provisions of section 553 of title 5, United States Code;

''(B) the Statement of Policy of the Secretary of Agriculture, effective July 24, 1971 (36 Fed. Reg. 13804; relating to notices of proposed rulemaking and public participation in rulemaking); and

''(C) chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act').

''(c) REGISTRY.—Not later than 180 days after the date of the enactment of this section, the Secretary shall publish, and thereafter maintain, a registry of State, local, and tribal requirements authorized by the Secretary under this section.''.

SEC. 763. AGRICULTURAL BIOTECHNOLOGY RESEARCH AND DEVELOPMENT FOR THE DEVELOPING WORLD.

(a) GRANT PROGRAM.—The Secretary of Agriculture shall establish a program to award grants to entities described in subsection (b) for the development of agricultural biotechnology with respect to the developing world. The Secretary shall administer and oversee the program through the Foreign Agricultural Service of the Department of Agriculture.

(b) PARTNERSHIPS.—(1) In order to be eligible to receive a grant under this section, the grantee must be a participating institution of higher education, a nonprofit organization, or consortium of for profit institutions with in-country agricultural research institutions.

(2) A participating institution of higher education shall be an historically black or land-grant college or university, an Hispanic serving institution, or a tribal college or university that has agriculture or the biosciences in its curricula.

(c) COMPETITIVE AWARD.—Grants shall be awarded under this section on a merit-reviewed competitive basis.

(d) USE OF FUNDS.—The activities for which the grant funds may be expended include the following:

(1) Enhancing the nutritional content of agricultural products that can be grown in the developing world to address malnutrition through biotechnology.

(2) Increasing the yield and safety of agricultural products that can be grown in the developing world through biotechnology.

(3) Increasing through biotechnology the yield of agricultural products that can be grown in the developing world that are drought and stress-resistant.

(4) Extending the growing range of crops that can be grown in the developing world through biotechnology.

(5) Enhancing the shelf-life of fruits and vegetables grown in the developing world through biotechnology.

(6) Developing environmentally sustainable agricultural products through biotechnology.

(7) Developing vaccines to immunize against life-threatening illnesses and other medications that can be administered by consuming genetically engineered agricultural products.

(e) FUNDING SOURCE.—Of the funds deposited in the Treasury account known as the Initiative for Future Agriculture and Food Systems on October 1, 2003, and each October 1 thereafter through October 1, 2007, the Secretary of Agriculture shall use $5,000,000 during each of fiscal years 2004 through 2008 to carry out this section.

Subtitle D—Repeal of Certain Activities and Authorities

SEC. 771. FOOD SAFETY RESEARCH INFORMATION OFFICE AND NATIONAL CONFERENCE.

(a) REPEAL.—Subsections (b) and (c) of section 615 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7654(b) and (c)) are repealed.

(b) CONFORMING AMENDMENTS.—

(1) GENERALLY.—Section 615 of such Act is amended—

(A) in the section heading, by striking ''and national conference'';

(B) by striking ''(a) FOOD SAFETY RESEARCH INFORMATION OFFICE.—'';

(C) by redesignating paragraphs (1), (2), and (3) as subsections (a), (b), and (c), respectively, and moving the margins 2 ems to the left;

(D) in subsection (b) (as so redesignated), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and moving the margins 2 ems to the left; and

(E) in subsection (c) (as so redesignated), by striking ''this subsection'' and inserting ''this section''.

(2) TABLE OF SECTIONS.—The table of sections for such Act is amended by striking ''and National Conference'' in the item relating to section 615.

SEC. 772. REIMBURSEMENT OF EXPENSES UNDER SHEEP PROMOTION, RESEARCH, AND INFORMATION ACT OF 1994.

Section 617 of the Agricultural Research, Extension, and Education Reform Act of 1998 (Public Law 105–185; 112 Stat. 607) is repealed.

SEC. 773. NATIONAL GENETIC RESOURCES PROGRAM.

Section 1634 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5843) is repealed.

SEC. 774. NATIONAL ADVISORY BOARD ON AGRICULTURAL WEATHER.

(a) REPEAL.—Section 1639 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5853) is repealed.

(b) CONFORMING AMENDMENT.—Section 1640(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5854(b)) is amended by striking ''take into'' and all that follows through ''Weather and''.

SEC. 775. AGRICULTURAL INFORMATION EXCHANGE WITH IRELAND.

Section 1420 of the National Agricultural Research, Extension and Teaching Policy Act Amendments of 1985 (Public Law 99–198; 99 Stat. 1551) is repealed.

SEC. 776. PESTICIDE RESISTANCE STUDY.

Section 1437 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985 (Public Law 99–198; 99 Stat. 1558) is repealed.

SEC. 777. EXPANSION OF EDUCATION STUDY.

Section 1438 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985 (Public Law 99–198; 99 Stat. 1559) is repealed.

SEC. 778. SUPPORT FOR ADVISORY BOARD.

(a) REPEAL.—Section 1412 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3127) is repealed.

(b) CONFORMING AMENDMENT.—Section 1413(c) of such Act (7 U.S.C. 3128(c)) is amend-

ed by striking ''section 1412 of this title and''.

SEC. 779. TASK FORCE ON 10-YEAR STRATEGIC PLAN FOR AGRICULTURAL RESEARCH FACILITIES.

(a) REPEAL.—Section 4 of the Research Facilities Act (7 U.S.C. 390b) is repealed.

(b) CONFORMING AMENDMENT.—Section 2 of such Act (7 U.S.C. 390) is amended by striking paragraph (5).

Subtitle E—Agriculture Facility Protection

SEC. 790. ADDITIONAL PROTECTIONS FOR ANIMAL OR AGRICULTURAL ENTERPRISES, RESEARCH FACILITIES, AND OTHER ENTITIES.

(a) DEFINITIONS.—The Research Facilities Act (7 U.S.C. 390 et seq.) is amended—

(1) by redesignating section 6 as section 7; and

(2) by inserting after section 5 the following new section:

"SEC. 6. ADDITIONAL PROTECTIONS FOR ANIMAL OR AGRICULTURAL ENTERPRISES, RESEARCH FACILITIES, AND OTHER ENTITIES AGAINST DISRUPTION.

''(a) DEFINITIONS.—For the purposes of this section, the following definitions apply:

''(1) ANIMAL OR AGRICULTURAL ENTERPRISE.—The term 'animal or agricultural enterprise' means any of the following:

''(A) A commercial, governmental, or academic enterprise that uses animals, plants, or other biological materials for food or fiber production, breeding, processing, research, or testing.

''(B) A zoo, aquarium, circus, rodeo, or other entity that exhibits or uses animals, plants, or other biological materials for educational or entertainment purposes.

''(C) A fair or similar event intended to advance agricultural arts and sciences.

''(D) A facility managed or occupied by an association, federation, foundation, council, or other group or entity of food or fiber producers, processors, or agricultural or biomedical researchers intended to advance agricultural or biomedical arts and sciences.

''(2) ECONOMIC DAMAGE.—The term 'economic damage' means the replacement of the following:

''(A) The cost of lost or damaged property (including all real and personal property) of an animal or agricultural enterprise.

''(B) The cost of repeating an interrupted or invalidated experiment.

''(C) The loss of revenue (including costs related to business recovery) directly related to the disruption of an animal or agricultural enterprise.

''(D) The cost of the tuition and expenses of any student to complete an academic program that was disrupted, or to complete a replacement program, when the tuition and expenses are incurred as a result of the damage or loss of the property of an animal or agricultural enterprise.

''(3) PROPERTY OF AN ANIMAL OR AGRICULTURAL ENTERPRISE.—The term 'property of an animal or agricultural enterprise' means real and personal property of or used by any of the following:

''(A) An animal or agricultural enterprise.

''(B) An employee of an animal or agricultural enterprise.

''(C) A student attending an academic animal or agricultural enterprise.

''(4) DISRUPTION.—The term 'disruption' does not include any lawful disruption that results from lawful public, governmental, or animal or agricultural enterprise employee reaction to the disclosure of information about an animal or agricultural enterprise.

''(b) VIOLATION.—A person may not recklessly, knowingly, or intentionally cause, or contribute to, the disruption of the functioning of an animal or agricultural enterprise by damaging or causing the loss of any property of the animal or agricultural enterprise that results in economic damage, as determined by the Secretary.

''(c) ASSESSMENT OF CIVIL PENALTY.—

''(1) IN GENERAL.—The Secretary may impose on any person that the Secretary determines violates subsection (b) a civil penalty in an amount determined under paragraphs (2) and (3). The civil penalty may be assessed only on the record after an opportunity for a hearing.

''(2) RECOVERY OF DEPARTMENT COSTS.—The civil penalty assessed by the Secretary against a person for a violation of subsection (b) shall be not less than the total cost incurred by the Secretary for investigation of the violation, conducting any hearing regarding the violation, and assessing the civil penalty.

''(3) RECOVERY OF ECONOMIC DAMAGE.—In addition to the amount determined under paragraph (2), the amount of the civil penalty shall include an amount not less than the total cost (or, in the case of knowing or intentional disruption, not less than 150 percent of the total cost) of the economic damage incurred by the animal or agricultural enterprise, any employee of the animal or agricultural enterprise, or any student attending an academic animal or agricultural enterprise as a result of the damage or loss of the property of an animal or agricultural enterprise.

''(d) IDENTIFICATION.—The Secretary shall identify for each civil penalty assessed under subsection (c), the portion of the amount of the civil penalty that represents the recovery of Department costs and the portion that represents the recovery of economic losses.

''(e) OTHER FACTORS IN DETERMINING PENALTY.— In determining the amount of a civil penalty under subsection (c), the Secretary shall consider the following:

''(1) The nature, circumstance, extent, and gravity of the violation or violations.

''(2) The ability of the injured animal or agricultural enterprise to continue to operate, costs incurred by the animal or agricultural enterprise to recover lost business, and the effect of the violation on earnings of employees of the animal or agricultural enterprise.

''(3) The interruptions experienced by students attending an academic animal or agricultural enterprise.

''(4) Whether the violator has previously violated subsection (a).

''(5) The violator's degree of culpability.

''(f) FUND TO ASSIST VICTIMS OF DISRUPTION.—

''(1) FUND ESTABLISHED.—There is established in the Treasury a fund which shall consist of that portion of each civil penalty collected under subsection (c) that represents the recovery of economic damages.

''(2) USE OF AMOUNTS IN FUND.—The Secretary of Agriculture shall use amounts in the fund to compensate animal or agricultural enterprises, employees of an animal or agricultural enterprise, and student attending an academic animal or agricultural enterprise for economic losses incurred as a result of the disruption of the functioning of an animal or agricultural enterprise in violation of subsection (b).''.

TITLE VIII—FORESTRY INITIATIVES

SEC. 801. REPEAL OF FORESTRY INCENTIVES PROGRAM AND STEWARDSHIP INCENTIVE PROGRAM.

The Cooperative Forestry Assistance Act of 1978 is amended by striking section 4 (16 U.S.C. 2103) and section 6 (16 U.S.C. 2103b).

SEC. 802. ESTABLISHMENT OF FOREST LAND ENHANCEMENT PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) There is a growing dependence on private nonindustrial forest lands to supply the necessary market commodities and nonmarket values, such as habitat for fish and wildlife, aesthetics, outdoor recreation opportunities, and other forest resources, required by a growing population.

(2) There is a strong demand for expanded assistance programs for owners of nonindustrial private forest land since the majority of the wood supply of the United States comes from nonindustrial private forest land.

(3) The soil, carbon stores, water and air quality of the United States can be maintained and improved through good stewardship of nonindustrial private forest lands.

(4) The products and services resulting from stewardship of nonindustrial private forest lands provide income and employment that contribute to the economic health and diversity of rural communities.

(5) Wildfires threaten human lives, property, forests, and other resources, and Federal and State cooperation in forest fire prevention and control has proven effective and valuable, in that properly managed forest stands are less susceptible to catastrophic fire, as dramatized by the catastrophic fire seasons of 1998 and 2000.

(6) Owners of private nonindustrial forest lands are being faced with increased pressure to convert their forestland to development and other uses.

(7) Complex, long-rotation forest investments, including sustainable hardwood management, are often the most difficult commitment for small, nonindustrial private forest landowners and, thus, should receive equal consideration under cost-share programs.

(8) The investment of one Federal dollar in State and private forestry programs is estimated to leverage $9 on average from State, local, and private sources.

(b) PURPOSE.—It is the purpose of this section to strengthen the commitment of the Department of Agriculture to sustainable forestry and to establish a coordinated and cooperative Federal, State, and local sustainable forest program for the establishment, management, maintenance, enhancement, and restoration of forests on nonindustrial private forest lands in the United States.

(c) FOREST LAND ENHANCEMENT PROGRAM.—The Cooperative Forestry Assistance Act of 1978 is amended by inserting after section 3 (16 U.S.C. 2102) the following new section 4:

"SEC. 4. FOREST LAND ENHANCEMENT PROGRAM.

''(a) ESTABLISHMENT.—

''(1) ESTABLISHMENT; PURPOSE.—The Secretary shall establish a Forest Land Enhancement Program (in this section referred to as the 'Program') for the purpose of providing financial, technical, educational, and related assistance to State foresters to encourage the long-term sustainability of nonindustrial private forest lands in the United States by assisting the owners of such lands in more actively managing their forest and related resources by utilizing existing State, Federal, and private sector resource management expertise, financial assistance, and educational programs.

''(2) ADMINISTRATION.—The Secretary shall carry out the Program within, and administer the Program through, the Natural Resources Conservation Service.

''(3) COORDINATION.—The Secretary shall implement the Program in coordination with State foresters.

''(b) PROGRAM OBJECTIVES.—In implementing the Program, the Secretary shall target resources to achieve the following objectives:

''(1) Investment in practices to establish, restore, protect, manage, maintain, and enhance the health and productivity of the nonindustrial private forest lands in the United States for timber, habitat for flora and fauna, water quality, and wetlands.

''(2) Ensuring that afforestation, reforestation, improvement of poorly stocked stands, timber stand improvement, practices necessary to improve seedling growth and survival, and growth enhancement practices occur where needed to enhance and sustain the long-term productivity of timber and nontimber forest resources to help meet future public demand for all forest resources and provide environmental benefits.

''(3) Reduce the risks and help restore, recover, and mitigate the damage to forests caused by fire, insects, invasive species, disease, and damaging weather.

''(4) Increase and enhance carbon sequestration opportunities.

''(5) Enhance implementation of agroforestry practices.

''(6) Maintain and enhance the forest landbase and leverage State and local financial and technical assistance to owners that promote the same conservation and environmental values.

''(c) ELIGIBILITY.—

''(1) IN GENERAL.—An owner of nonindustrial private forest land is eligible for cost-sharing assistance under the Program if the owner—

''(A) agrees to develop and implement an individual stewardship, forest, or stand management plan addressing site specific activities and practices in cooperation with, and approved by, the State forester, state official, or private sector program in consultation with the State forester;

''(B) agrees to implement approved activities in accordance with the plan for a period of not less than 10 years, unless the State forester approves a modification to such plan; and

''(C) meets the acreage restrictions as determined by the State forester in conjunction with the State Forest Stewardship Coordinating Committee established under section 19.

''(2) STATE PRIORITIES.—The Secretary, in consultation with the State forester and the State Forest Stewardship Coordinating Committee may develop State priorities for cost sharing under the Program that will promote forest management objectives in that State.

''(3) DEVELOPMENT OF PLAN.—An owner shall be eligible for cost-share assistance for the development of the individual stewardship, forest, or stand management plan required by paragraph (1).

''(d) APPROVED ACTIVITIES.—

''(1) DEVELOPMENT.—The Secretary, in consultation with the State forester and the State Forest Stewardship Coordinating Committee, shall develop a list of approved forest activities and practices that will be eligible for cost-share assistance under the Program within each State.

''(2) TYPE OF ACTIVITIES.—In developing a list of approved activities and practices under paragraph (1), the Secretary shall attempt to achieve the establishment, restoration, management, maintenance, and enhancement of forests and trees for the following:

''(A) The sustainable growth and management of forests for timber production.

''(B) The restoration, use, and enhancement of forest wetlands and riparian areas.

''(C) The protection of water quality and watersheds through the application of State-developed forestry best management practices.

''(D) Energy conservation and carbon sequestration purposes.

''(E) Habitat for flora and fauna.

''(F) The control, detection, and monitoring of invasive species on forestlands as well as preventing the spread and providing for the restoration of lands affected by invasive species.

''(G) Hazardous fuels reduction and other management activities that reduce the risks and help restore, recover, and mitigate the damage to forests caused by fire.

''(H) The development of forest or stand management plans.

''(I) Other activities approved by the Secretary, in coordination with the State forester and the State Forest Stewardship Coordinating Committee.

''(e) COOPERATION.—In implementing the Program, the Secretary shall cooperate with other Federal, State, and local natural resource management agencies, institutions of higher education, and the private sector.

''(f) REIMBURSEMENT OF ELIGIBLE ACTIVITIES.—

''(1) IN GENERAL.—The Secretary shall share the cost of implementing the approved activities that the Secretary determines are appropriate, in the case of an owner that has entered into an agreement to place nonindustrial private forest lands of the owner in the Program.

''(2) RATE.—The Secretary shall determine the appropriate reimbursement rate for cost-share payments under paragraph (1) and the schedule for making such payments.

''(3) MAXIMUM.—The Secretary shall not make cost-share payments under this subsection to an owner in an amount in excess of 75 percent of the total cost, or a lower percentage as determined by the State forester, to such owner for implementing the practices under an approved plan. The maximum payments to any one owner shall be determined by the Secretary.

''(4) CONSULTATION.—The Secretary shall make determinations under this subsection in consultation with the State forester.

''(g) RECAPTURE.—

''(1) IN GENERAL.—The Secretary shall establish and implement a mechanism to recapture payments made to an owner in the event that the owner fails to implement any approved activity specified in the individual stewardship, forest, or stand management plan for which such owner received cost-share payments.

''(2) ADDITIONAL REMEDY.—The remedy provided in paragraph (1) is in addition to any other remedy available to the Secretary.

''(h) DISTRIBUTION.—The Secretary shall distribute funds available for cost sharing under the Program among the States only after giving appropriate consideration to—

''(1) the total acreage of nonindustrial private forest land in each State;

''(2) the potential productivity of such land;

''(3) the number of owners eligible for cost sharing in each State;

''(4) the opportunities to enhance non-timber resources on such forest lands;

''(5) the anticipated demand for timber and nontimber resources in each State;

''(6) the need to improve forest health to minimize the damaging effects of catastrophic fire, insects, disease, or weather; and

''(7) the need and demand for agroforestry practices in each State.

''(i) DEFINITIONS.—In this section:

''(1) NONINDUSTRIAL PRIVATE FOREST LANDS.—The term 'nonindustrial private forest lands' means rural lands, as determined by the Secretary, that—

''(A) have existing tree cover or are suitable for growing trees; and

''(B) are owned or controlled by any nonindustrial private individual, group, association, corporation, Indian tribe, or other private legal entity (other than a nonprofit private legal entity) so long as the individual, group, association, corporation, tribe, or entity has definitive decision-making authority over the lands, including through long-term leases and other land tenure systems, for a period of time long enough to ensure compliance with the Program.

''(2) OWNER.—The term 'owner' includes a private individual, group, association, corporation, Indian tribe, or other private legal entity (other than a nonprofit private legal entity) that has definitive decision-making authority over nonindustrial private forest lands through a long-term lease or other land tenure systems.

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

''(4) STATE FORESTER.—The term 'State forester' means the director or other head of a State Forestry Agency or equivalent State official.

''(j) AVAILABILITY OF FUNDS.—The Secretary shall use $200,000,000 of funds of the Commodity Credit Corporation to carry out the Program during the period beginning on October 1, 2001, and ending on September 30, 2011.''.

(d) CONFORMING AMENDMENT.—Section 246(b)(2) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962(b)(2)) is amended by striking ''forestry incentive program'' and inserting ''Forest Land Enhancement Program''.

SEC. 803. RENEWABLE RESOURCES EXTENSION ACTIVITIES.

(a) EXTENSION AND AUTHORIZATION INCREASE.—Section 6 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1675) is amended—

(1) by striking ''$15,000,000'' and inserting ''$30,000,000''; and

(2) by striking ''2002'' and inserting ''2011''.

(b) SUSTAINABLE FORESTRY OUTREACH INITIATIVE.—The Renewable Resources Extension Act of 1978 is amended by inserting after section 5A (16 U.S.C. 1674a) the following new section:

''SEC. 5B. SUSTAINABLE FORESTRY OUTREACH INITIATIVE.

''The Secretary shall establish a program to be known as the 'Sustainable Forestry Outreach Initiative' for the purpose of educating landowners regarding the following:

''(1) The value and benefits of practicing sustainable forestry.

''(2) The importance of professional forestry advice in achieving their sustainable forestry objectives.

''(3) The variety of public and private sector resources available to assist them in planning for and practicing sustainable forestry.''.

SEC. 804. ENHANCED COMMUNITY FIRE PROTECTION.

(a) FINDINGS.—Congress finds the following:

(1) The severity and intensity of wildland fires has increased dramatically over the past few decades as a result of past fire and land management policies.

(2) The record 2000 fire season is a prime example of what can be expected if action is not taken.

(3) These wildfires threaten not only the nation's forested resources, but the thousands of communities intermingled with the wildlands in the wildland-urban interface.

(4) The National Fire Plan developed in response to the 2000 fire season is the proper, coordinated, and most effective means to address this wildfire issue.

(5) Whereas adequate authorities exist to tackle the wildfire issues at the landscape level on Federal lands, there is limited authority to take action on most private lands where the largest threat to life and property lies.

(6) There is a significant Federal interest in enhancing community protection from wildfire.

(b) ENHANCED PROTECTION.—The Cooperative Forestry Assistance Act of 1978 is amended by inserting after section 10 (16 U.S.C. 2106) the following new section:

"SEC. 10A. ENHANCED COMMUNITY FIRE PROTECTION.

"(a) COOPERATIVE MANAGEMENT RELATED TO WILDFIRE THREATS.—The Secretary may cooperate with State foresters and equivalent State officials in the management of lands in the United States for the following purposes:

"(1) Aid in wildfire prevention and control.

"(2) Protect communities from wildfire threats.

"(3) Enhance the growth and maintenance of trees and forests that promote overall forest health.

"(4) Ensure the continued production of all forest resources, including timber, outdoor recreation opportunities, wildlife habitat, and clean water, through conservation of forest cover on watersheds, shelterbelts, and windbreaks.

"(b) COMMUNITY AND PRIVATE LAND FIRE ASSISTANCE PROGRAM.—

"(1) ESTABLISHMENT; PURPOSE.—The Secretary shall establish a Community and Private Land Fire Assistance program (in this section referred to as the 'Program')—

"(A) to focus the Federal role in promoting optimal firefighting efficiency at the Federal, State, and local levels;

"(B) to augment Federal projects that establish landscape level protection from wildfires;

"(C) to expand outreach and education programs to homeowners and communities about fire prevention; and

"(D) to establish defensible space around private landowners homes and property against wildfires.

"(2) ADMINISTRATION AND IMPLEMENTATION.—The Program shall be administered by the Forest Service and implemented through the State forester or equivalent State official.

"(3) COMPONENTS.—In coordination with existing authorities under this Act, the Secretary may undertake on both Federal and non-Federal lands—

"(A) fuel hazard mitigation and prevention;

"(B) invasive species management;

"(C) multi-resource wildfire planning;

"(D) community protection planning;

"(E) community and landowner education enterprises, including the program known as FIREWISE;

"(F) market development and expansion;

"(G) improved wood utilization;

"(H) special restoration projects.

"(4) CONSIDERATIONS.—The Secretary shall use local contract personnel wherever possible to carry out projects under the Program.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated to the Secretary $35,000,000 for each of fiscal years 2002 through 2011, and such sums as may be necessary thereafter, to carry out this section.".

SEC. 805. INTERNATIONAL FORESTRY PROGRAM.

Section 2405(d) of the Global Climate Change Prevention Act of 1990 (title XXIV of Public Law 101–624; 7 U.S.C. 6704(d)) is amended by striking "2002" and inserting "2011".

SEC. 806. LONG-TERM FOREST STEWARDSHIP CONTRACTS FOR HAZARDOUS FUELS REMOVAL AND IMPLEMENTATION OF NATIONAL FIRE PLAN.

(a) ANNUAL ASSESSMENT OF TREATMENT ACREAGE.—Not later than March 1 of each of fiscal years 2002 through 2006, the Secretary of Agriculture shall submit to Congress an assessment of the number of acres of forested National Forest System lands recommended to be treated during the next fiscal year using stewardship end result contracts authorized by subsection (c). The assessment shall be based on the treatment schedules contained in the report entitled "Protecting People and Sustaining Resources in Fire-Adapted Ecosystems", dated October 13, 2000, and incorporated into the National Fire Plan. The assessment shall identify the acreage by condition class, type of treatment, and treatment year to achieve the restoration goals outlined in the report within 10-, 15-, and 20-year time periods. The assessment shall also include changes in the restoration goals based on the effects of fire, hazardous fuel treatments pursuant to the National Fire Plan, or updates in data.

(b) FUNDING RECOMMENDATION.—The Secretary of Agriculture shall include in the annual assessment a request for funds sufficient to implement the recommendations contained in the assessment using stewardship end result contracts under subsection (c) when the Secretary determines that the objectives of the National Fire Plan are best accomplished through forest stewardship end result contracting.

(c) STEWARDSHIP END RESULT CONTRACTING.—

(1) AUTHORITY.—Subject to the amount of funds made available pursuant to subsection (b), the Secretary of Agriculture may enter into stewardship end result contracts to implement the National Fire Plan on National Forest System lands based upon the stewardship treatment schedules provided in the annual assessments under subsection (a). The contracting goals and authorities described in subsections (b) through (f) of section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note; commonly known as the Stewardship End Result Contracting Demonstration Project) shall apply to contracts entered into under this subsection, except that the period of the contract shall be 10 years.

(2) DURATION.—The authority of the Secretary of Agriculture to enter into contracts under this subsection expires September 30, 2007.

(d) STATUS REPORT.—Beginning with the assessment required under subsection (a) in 2003, the Secretary of Agriculture shall include in the annual assessment a status report of the stewardship end result contracts entered into under the authority of this section.

SEC. 807. MCINTIRE-STENNIS COOPERATIVE FORESTRY RESEARCH PROGRAM.

It is the sense of Congress to reaffirm the importance of Public Law 87–88 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Cooperative Forestry Act.

TITLE IX—MISCELLANEOUS PROVISIONS

Subtitle A—Tree Assistance Program

SEC. 901. ELIGIBILITY.

(a) LOSS.—Subject to the limitation in subsection (b), the Secretary of Agriculture shall provide assistance, as specified in section 902, to eligible orchardists that planted trees for commercial purposes but lost such trees as a result of a natural disaster, as determined by the Secretary.

(b) LIMITATION.—An eligible orchardist shall qualify for assistance under subsection (a) only if such orchardist's tree mortality, as a result of the natural disaster, exceeds 15 percent (adjusted for normal mortality).

SEC. 902. ASSISTANCE.

The assistance provided by the Secretary of Agriculture to eligible orchardists for losses described in section 901 shall consist of either—

(1) reimbursement of 75 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(2) at the discretion of the Secretary, sufficient seedlings to reestablish the stand.

SEC. 903. LIMITATION ON ASSISTANCE.

(a) LIMITATION.—The total amount of payments that a person shall be entitled to receive under this subtitle may not exceed $50,000, or an equivalent value in tree seedlings.

(b) REGULATIONS.—The Secretary of Agriculture shall issue regulations—

(1) defining the term "person" for the purposes of this subtitle, which shall conform, to the extent practicable, to the regulations defining the term "person" issued under section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) and the Disaster Assistance Act of 1988 (7 U.S.C. 1421 note); and

(2) prescribing such rules as the Secretary determines necessary to ensure a fair and reasonable application of the limitation established under this section.

SEC. 904. DEFINITIONS.

In this subtitle:

(1) ELIGIBLE ORCHARDIST.—The term "eligible orchardist" means a person who produces annual crops from trees for commercial purposes and owns 500 acres or less of such trees.

(2) NATURAL DISASTER.—The term "natural disaster" includes plant disease, insect infestation, drought, fire, freeze, flood, earthquake, and other occurrences, as determined by the Secretary.

(3) TREE.—The term "tree" includes trees, bushes, and vines.

Subtitle B—Other Matters

SEC. 921. HAZARDOUS FUEL REDUCTION GRANTS TO PREVENT WILDFIRE DISASTERS AND TRANSFORM HAZARDOUS FUELS TO ELECTRIC ENERGY, USEFUL HEAT, OR TRANSPORTATION FUELS.

(a) FINDINGS.—Congress finds the following:

(1) The damages caused by wildfire disasters have been equivalent in magnitude to the damage resulting from the Northridge earthquake, Hurricane Andrew, and the recent flooding of the Mississippi River and the Red River.

(2) More than 20,000 communities in the United States are at risk to wildfire and approximately 11,000 of these communities are located near Federal lands. More than 72,000,000 acres of National Forest System lands and 57,000,000 acres of lands managed by the Secretary of the Interior are at risk of catastrophic fire in the near future. The accumulation of heavy forest fuel loads continues to increase as a result of disease, insect infestations, and drought, further raising the risk of fire each year.

(3) Modification of forest fuel load conditions through the removal of hazardous fuels will minimize catastrophic damage from wildfires, reducing the need for emergency funding to respond to wildfires and protecting lives, communities, watersheds, and wildlife habitat.

(4) The hazardous fuels removed from forest lands represent an abundant renewable resource as well as a significant supply of biomass for biomass-to-energy facilities.

(b) HAZARDOUS FUELS TO ENERGY GRANT PROGRAM.—The Secretary concerned may make a grant to a person that operates a biomass-to-energy facility to offset the costs incurred to purchase hazardous fuels from forest lands for use by the facility in the production of electric energy, useful heat, or transportation fuels. The Secretary concerned shall select grant recipients on the basis of their planned purchases of hazardous fuels and the level of anticipated benefits to reduced wildfire risk.

(c) GRANT AMOUNTS.—A grant under this section shall be equal to at least $5 per ton of hazardous fuels delivered, but not to exceed $10 per ton of hazardous fuels delivered, based on the distance of the hazardous fuels from the biomass-to-energy facility.

(d) MONITORING OF GRANT RECIPIENT ACTIVITIES.—As a condition on a grant under this section, the grant recipient shall keep such records as the Secretary concerned may require to fully and correctly disclose the use of the grant funds and all transactions involved in the purchase of hazardous fuels derived from forest lands. Upon notice by a duly authorized representative of the Secretary concerned, the operator of a biomass-to-energy facility that purchases or uses the resulting hazardous fuels shall afford the representative reasonable access to the facility and an opportunity to examine the inventory and records of the facility.

(e) MONITORING OF EFFECT OF TREATMENTS.—The Secretary concerned shall monitor Federal lands from which hazardous fuels are removed and sold to a biomass-to-energy facility to determine and document the reduction in fire hazards on such lands.

(f) DEFINITIONS.—In this section:

(1) BIOMASS-TO-ENERGY FACILITY.—The term ''biomass-to-energy facility'' means a facility that uses forest biomass as a raw material to produce electric energy, useful heat, or transportation fuels.

(2) FOREST BIOMASS.—The term ''forest biomass'' means hazardous fuels and biomass accumulations from precommercial thinnings, slash, and brush on forest lands that do not satisfy the definition of hazardous fuels.

(3) HAZARDOUS FUELS.—The term ''hazardous fuels'' means any unnaturally excessive accumulation of organic material, particularly in areas designated as condition class 2 or condition class 3 (as defined in the report entitled ''Protecting People and Sustainable Resources in Fire-Adapted Ecosystems'', prepared by the Forest Service, and dated October 13, 2000), on forest lands that the Secretary concerned determines poses a substantial present or potential hazard to forest ecosystems, wildlife, human, community, or firefighter safety in the case of a wildfire, particularly a wildfire in a drought year.

(4) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture or the designee of the Secretary of Agriculture with respect to the National Forest System lands and private lands; and

(B) the Secretary of the Interior or the designee of the Secretary of the Interior with respect to Federal lands under the jurisdiction of the Secretary of the Interior and Indian lands.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $50,000,000 for each fiscal year to carry out this section.

SEC. 922. BIOENERGY PROGRAM.

Notwithstanding any limitations in the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) or part 1424 of title 7, Code of Federal Regulations, the Commodity Credit Corporation shall designate animal fats, agricultural byproducts, and oils as eligible agricultural commodities for use in the Bioenergy Program to promote industrial consumption of agricultural commodities for the production of ethanol and biodiesel fuels.

SEC. 923. AVAILABILITY OF SECTION 32 FUNDS.

The 2d undesignated paragraph of section 32 of the Act of August 24, 1935 (Public Law 320; 49 Stat. 774; 7 U.S.C. 612c), is amended by striking ''$300,000,000'' and inserting ''$500,000,000''.

SEC. 924. SENIORS FARMERS' MARKET NUTRITION PROGRAM.

(a) ESTABLISHMENT.—For each of the fiscal years 2002 through 2011, the Secretary of Agriculture shall use $15,000,000 of the funds available to the Commodity Credit Corporation to carry out and expand a seniors farmers' market nutrition program.

(b) PROGRAM PURPOSES.— The purposes of the seniors farmers' market nutrition program are—

(1) to provide resources in the form of fresh, nutritious, unprepared, locally grown fruits, vegetables, and herbs from farmers' markets, roadside stands and community supported agriculture programs to low-income seniors;

(2) to increase the domestic consumption of agricultural commodities by expanding or aiding in the expansion of domestic farmers' markets, roadside stands, and community supported agriculture programs; and

(3) to develop or aid in the development of new and additional farmers' markets, roadside stands, and community supported agriculture programs.

(c) REGULATIONS.—The Secretary may issue such regulations as the Secretary considers necessary to carry out the seniors farmers' market nutrition program.

SEC. 925. DEPARTMENT OF AGRICULTURE AUTHORITIES REGARDING CANEBERRIES.

(a) AUTHORITY FOR MARKETING ORDER AND RESEARCH AND PROMOTION ORDER.—Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(1) in subsection (2)—

(A) in paragraph (A), by inserting ''caneberries (including raspberries, blackberries, and logenberries),'' after ''other than pears, olives, grapefruit,''; and

(B) in the second sentence, by inserting ''caneberries (including raspberries, blackberries, and logenberries),'' after ''effective as to cherries, apples,''; and

(2) in subsection (6)(I), by inserting ''caneberries (including raspberries, blackberries, and logenberries)'' after ''tomatoes,''.

(b) AUTHORITY WITH RESPECT TO IMPORTS.—Section 8e(a) of such Act (7 U.S.C. 608e–1(a)) is amended by inserting ''caneberries (including raspberries, blackberries, and logenberries),'' after ''pistachios,''.

SEC. 926. NATIONAL APPEALS DIVISION.

Section 278 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6998) is amended by adding at the end the following new subsection:

''(f) FINALITY OF CERTAIN APPEAL DECISIONS.—If an appellant prevails at the regional level in an administrative appeal of a decision by the Division, the agency may not pursue an administrative appeal of that decision to the national level.''.

SEC. 927. OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.

Subsection (a) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended to read as follows:

''(a) OUTREACH AND ASSISTANCE.—

''(1) IN GENERAL.—The Secretary of Agriculture (in this section referred to as the 'Secretary') shall provide outreach and technical assistance programs specifically to encourage and assist socially disadvantaged farmers and ranchers to own and operate farms and ranches and to participate equitably in the full range of agricultural programs. This assistance, which should enhance coordination and make more effective the outreach, technical assistance, and education efforts authorized in specific agriculture programs, shall include information and assistance on commodity, conservation, credit, rural, and business development programs, application and bidding procedures, farm and risk management, marketing, and other essential information to participate in agricultural and other programs of the Department.

''(2) GRANTS AND CONTRACTS.—The Secretary may make grants and enter into contracts and other agreements in the furtherance of this section with the following entities:

''(A) Any community-based organization, network, or coalition of community-based organizations that—

''(i) has demonstrated experience in providing agricultural education or other agriculturally related services to socially disadvantaged farmers and ranchers;

''(ii) provides documentary evidence of its past experience of working with socially disadvantaged farmers and ranchers during the 2 years preceding its application for assistance under this section; and

''(iii) does not engage in activities prohibited under section 501(c)(3) of the Internal Revenue Code of 1986.

''(B) 1890 Land-Grant Colleges, including Tuskegee Institute, Indian tribal community colleges and Alaska native cooperative colleges, Hispanic serving post-secondary educational institutions, and other post-secondary educational institutions with demonstrated experience in providing agriculture education or other agriculturally related services to socially disadvantaged family farmers and ranchers in their region.

''(C) Federally recognized tribes and national tribal organizations with demonstrated experience in providing agriculture education or other agriculturally related services to socially disadvantaged family farmers and ranchers in their region.

''(3) FUNDING.—There are authorized to be appropriated $25,000,000 for each fiscal year to make grants and enter into contracts and other agreements with the entities described in paragraph (2) and to otherwise carry out the purposes of this subsection.''.

SEC. 928. EQUAL TREATMENT OF POTATOES AND SWEET POTATOES.

Section 508(a)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(2)) is amended by striking ''and potatoes'' and inserting '', potatoes, and sweet potatoes''.

SEC. 929. REFERENCE TO SEA GRASS AND SEA OATS AS CROPS COVERED BY NONINSURED CROP DISASTER ASSISTANCE PROGRAM.

Section 196(a)(2)(B) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)(2)(B)) is amended by inserting ''sea grass and sea oats,'' after ''fish),''.

SEC. 930. OPERATION OF GRADUATE SCHOOL OF DEPARTMENT OF AGRICULTURE.

(a) COMPETITION.—Section 921 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2279b) is amended—

(1) in subsection (c)—

(A) by striking ''Under'' and inserting the following:

''(1) EDUCATIONAL, TRAINING, AND PROFESSIONAL DEVELOPMENT ACTIVITIES.—Under''; and

(B) by adding at the end the following new paragraph:

''(2) COMPETITION.—The Graduate School may not enter into a contract or agreement with a Federal agency to provide services or conduct activities described in paragraph (1) unless, before the awarding of the contract or agreement, the contract or agreement was subject to competition that was open to individuals and entities of the private sector.''; and

(2) in subsection (i), by striking ''The'' and inserting ''Subject to subsection (c)(2), the''.

(b) AUDITS OF RECORDS.—Such section is further amended by adding at the end the following new subsection:

''(k) AUDITS OF RECORDS.—The financial records of the Graduate School relating to contracts and agreements for services or activities described in subsection (c)(1) shall be made available to the Comptroller General for purposes of conducting an audit.''.

(c) CONFORMING REPEAL.—Section 1669 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5922) is repealed.

SEC. 931. ASSISTANCE FOR LIVESTOCK PRODUCERS.

(a) AVAILABILITY OF ASSISTANCE.—In such amounts as are provided in advance in appropriation Acts, the Secretary may provide assistance to dairy and other livestock producers to cover economic losses incurred by such producers in connection with the production of livestock.

(b) TYPES OF ASSISTANCE.—The assistance provided to livestock producers may be in the form of—

(1) indemnity payments to livestock producers who incur livestock mortality losses;

(2) livestock feed assistance to livestock producers affected by shortages of feed;

(3) compensation for sudden increases in production costs; and

(4) such other assistance, and for such other economic losses, as the Secretary considers appropriate.

(c) LIMITATIONS.—Notwithstanding section 181(a), the Secretary may not use the funds of the Commodity Credit Corporation to provide assistance under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

SEC. 932. COMPLIANCE WITH BUY AMERICAN ACT AND SENSE OF CONGRESS REGARDING PURCHASE OF AMERICAN-MADE EQUIPMENT, PRODUCTS, AND SERVICES USING FUNDS PROVIDED UNDER THIS ACT.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds made available under this Act, whether directly using funds of the Commodity Credit Corporation or pursuant to an authorization of appropriations contained in this Act, may be provided to a producer or other person or entity unless the producer, person, or entity agrees to comply with the Buy American Act (41 U.S.C. 10a–10c) in the expenditure of the funds.

(b) SENSE OF CONGRESS.—In the case of any equipment, products, or services that may be authorized to be purchased using funds provided under this Act, it is the sense of Congress that producers and other recipients of such funds should, in expending the funds, purchase only American-made equipment, products, and services.

(c) NOTICE TO RECIPIENTS OF FUNDS.—In providing payments or other assistance under this Act, the Secretary of Agriculture shall provide to each recipient of the funds a notice describing the requirements of subsection (a) and the statement made in subsection (b) by Congress.

SEC. 933. REPORT REGARDING GENETICALLY ENGINEERED FOODS.

(a) IN GENERAL.—Not later than 1 year after funds are made available to carry out this section, the Secretary of Agriculture, acting through the National Academy of Sciences, shall complete and transmit to Congress a report that includes recommendations for the following:

(1) DATA AND TESTS.—The type of data and tests that are needed to sufficiently assess and evaluate human health risks from the consumption of genetically engineered foods.

(2) MONITORING SYSTEM.—The type of Federal monitoring system that should be created to assess any future human health consequences from long-term consumption of genetically engineered foods.

(3) REGULATIONS.—A Federal regulatory structure to approve genetically engineered foods that are safe for human consumption.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture $500,000 to carry out this section.

SEC. 934. MARKET NAME FOR PANGASIUS FISH SPECIES.

The term ''catfish'' may not be considered to be a common or usual name (or part thereof) for the fish Pangasius bocourti, or for any other fish not classified within the family Ictalariidae, for purposes of section 403 of the Federal Food, Drug, and Cosmetic Act, including with respect to the importation of such fish pursuant to section 801 of such Act.

SEC. 935. PROGRAM OF PUBLIC EDUCATION REGARDING USE OF BIOTECHNOLOGY IN PRODUCING FOOD FOR HUMAN CONSUMPTION.

(a) PUBLIC INFORMATION CAMPAIGN.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture shall develop and implement a program to communicate with the public regarding the use of biotechnology in producing food for human consumption. The information provided under the program shall include the following:

(1) Science-based evidence on the safety of foods produced with biotechnology.

(2) Scientific data on the human outcomes of the use of biotechnology to produce food for human consumption.

(b) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2002 through 2011 there are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 936. GAO STUDY.

(a) IN GENERAL.—The Comptroller General shall conduct a study and make findings and recommendations with respect to determining how producer income would be affected by updating yield bases, including—

(1) whether crop yields have increased over the past 20 years for both program crops and oilseeds;

(2) whether program payments would be disbursed differently in this Act if yield bases were updated;

(3) what impact this Act's target prices with updated yield bases would have on producer income; and

(4) what impact lower target prices with updated yield bases would have on producer income compared to this Act.

(b) REPORT.—The Comptroller General shall submit a report to Congress on the study, findings, and recommendations required by subsection (a), not later than 6 months after the date of the enactment of this Act.

SEC. 937. INTERAGENCY TASK FORCE ON AGRICULTURAL COMPETITION.

(a) APOINTMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Agriculture shall establish an Interagency Task Force on Agricultural Competition (in this section referred to as the ''Task Force'') and, after consultation with the Attorney General, shall appoint as members of the Task Force such nine employees of the Department of Agriculture and the Department of Justice as the Secretary considers to be appropriate. The Secretary shall designate one member of the Task Force to serve as chairperson of the Task Force.

(b) HEARINGS.—The Task Force shall conduct hearings to review the lessening of competition among purchasers of livestock, poultry, and unprocessed agricultural commodities in the United States and shall include in such hearings review of the following matters:

(1) The enforcement of particular Federal laws relating to competition.

(2) The concentration and vertical integration of the business operations of such purchasers.

(3) Discrimination and transparency in prices paid by such purchasers to producers of livestock, poultry, and unprocessed agricultural commodities in the United States.

(4) The economic protection and bargaining rights of producers who raise livestock and poultry under contracts.

(5) Marketing innovations and alternatives available to producers of livestock, poultry, and unprocessed agricultural commodities in the United States.

(c) REPORT.—Not later than 1 year after the last member of the Task Force is appointed, the Task Force shall submit, to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report containing the findings and recommendations of the Task Force for appropriate administrative and legislative action.

SEC. 938. AUTHORIZATION FOR ADDITIONAL STAFF AND FUNDING FOR THE GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION.

There are authorized to be appropriated such sums as are necessary to enhance the capability of the Grain Inspection, Packers and Stockyards Administration to monitor, investigate, and pursue the competitive implications of structural changes in the meat packing industry. Sums are specifically earmarked to hire litigating attorneys to allow the Grain Inspection, Packers and Stockyards Administration to more comprehensively and effectively pursue its enforcement activities.

SEC. 939. ENFORCEMENT OF THE HUMANE METHODS OF SLAUGHTER ACT OF 1958.

(a) FINDINGS.—Congress finds as follows:

(1) Public demand for passage of Public Law 85–765 (7 U.S.C. 1901 et seq.; commonly known as the ''Humane Methods of Slaughter Act of 1958'') was so great that when President Eisenhower was asked at a press conference if he would sign the bill, he replied, ''If I went by mail, I'd think no one was interested in anything but humane slaughter''.

(2) The Humane Methods of Slaughter Act of 1958 requires that animals be rendered insensible to pain when they are slaughtered.

(3) Scientific evidence indicates that treating animals humanely results in tangible economic benefits.

(4) The United States Animal Health Association passed a resolution at a meeting in October 1998 to encourage strong enforcement of the Humane Methods of Slaughter Act of 1958 and reiterated support for the resolution at a meeting in 2000.

(5) The Secretary of Agriculture is responsible for fully enforcing the Act, including monitoring compliance by the slaughtering industry.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Agriculture should fully enforce Public Law 85–765 (7 U.S.C. 1901 et seq.; commonly known as the ''Humane Methods of Slaughter Act of 1958'') by ensuring that humane methods in the slaughter of livestock—

(1) prevent needless suffering;

(2) result in safer and better working conditions for persons engaged in the slaughtering industry;

(3) bring about improvement of products and economies in slaughtering operations; and

(4) produce other benefits for producers, processors, and consumers that tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce.

(c) POLICY OF THE UNITED STATES.—It is the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods, as provided by Public Law 85–765 (7 U.S.C. 1901 et seq.; commonly known as the ''Humane Methods of Slaughter Act of 1958'').

SEC. 940. PENALTIES AND FOREIGN COMMERCE PROVISIONS OF THE ANIMAL WELFARE ACT.

(a) PENALTIES AND FOREIGN COMMERCE PROVISIONS OF THE ANIMAL WELFARE ACT.—Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended—

(1) in subsection (e)—

(A) by inserting ''PENALTIES.—'' after ''(e)'';

(B) by striking ''$5,000'' and inserting ''$15,000''; and

(C) by striking ''1 year'' and inserting ''2 years''; and

(2) in subsection (g)(2)(B), by inserting at the end before the semicolon the following: ''or from any State into any foreign country''.

(b) EFFECTIVE DATE.—The amendments made by this section take effect 30 days after the date of the enactment of this Act.

SEC. 941. PROHIBITION ON INTERSTATE MOVEMENT OF ANIMALS FOR ANIMAL FIGHTING.

(a) PROHIBITION ON INTERSTATE MOVEMENT OF ANIMALS FOR ANIMAL FIGHTING.—Section 26(d) of the Animal Welfare Act (7 U.S.C. 2156(d)) is amended to read as follows:

''(d) ACTIVITIES NOT SUBJECT TO PROHIBITION.—This section does not apply to the selling, buying, transporting, or delivery of an animal in interstate or foreign commerce for any purpose, so long as the purpose does not include participation of the animal in an animal fighting venture.''.

(b) EFFECTIVE DATE.—The amendment made by this section take effect 30 days after the date of the enactment of this Act.

SEC. 942. RENEWABLE ENERGY RESOURCES.

(a) ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.—Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa), as amended by section 231 of this Act, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4); and

(3) by adding at the end the following:

''(5) assistance to farmers and ranchers for the assessment and development of their on-farm renewable resources, including biomass for the production of power and fuels, wind, and solar.''.

(b) COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE.—The Secretary of Agriculture, through the Cooperative State Research, Education, and Extension Service and, to the extent practicable, in collaboration with the Natural Resources Conservation Service, regional biomass programs under the Department of Energy, and other appropriate entities, may provide education and technical assistance to farmers and ranchers for the development and marketing of renewable energy resources, including biomass for the production of power and fuels, wind, solar, and geothermal.

SEC. 943. USE OF AMOUNTS PROVIDED FOR FIXED, DECOUPLED PAYMENTS TO PROVIDE NECESSARY FUNDS FOR RURAL DEVELOPMENT PROGRAMS.

Notwithstanding section 104 of this Act, in each of fiscal years 2002 through 2011, the Secretary of Agriculture shall—

(1) reduce the total amount payable under section 104 of this Act, on a pro rata basis, so that the total amount of such reductions equals $100,000,000; and

(2) expend—

(A) $45,000,000 for grants under 306A of the Consolidated Farm and Rural Development Act (relating to the community water assistance grant program);

(B) $45,000,000 for grants under 613 of this Act (relating to the pilot program for development and implementation of startegic regional development plans); and

(C) $10,000,000 for grants under section 231(a)(1) of the Agricultural Risk Protection Act of 2000 (relating to value-added agricultural product market development grants).

SEC. 944. COUNTRY OF ORIGIN LABELING OF PERISHABLE AGRICULTURAL COMMODITIES.

(a) ESTABLISHMENT OF LABELING REQUIREMENT.—The Perishable Agricultural Commodities Act, 1930, is amended by inserting after section 17 (7 U.S.C. 499q) the following new section:

''SEC. 18. COUNTRY OF ORIGIN LABELING OF PERISHABLE AGRICULTURAL COMMODITIES.

''(a) NOTICE OF COUNTRY OF ORIGIN REQUIRED.—Except as provided in subsection (b), a retailer of a perishable agricultural commodity shall inform consumers, at the final point of sale of the perishable agricultural commodity to consumers, of the country of origin of the perishable agricultural commodity. This requirement shall apply to imported and domestically produced perishable agricultural commodities.

''(b) EXEMPTION FOR FOOD SERVICE ESTABLISHMENTS.—

''(1) EXEMPTION.—Subsection (a) shall not apply to a perishable agricultural commodity to the extent that the perishable agricultural commodity is—

''(A) prepared or served in a food service establishment; and

''(B) offered for sale or sold at the food service establishment in normal retail quantities or served to consumers at the food service establishment.

''(2) DEFINITION.—In this subsection, the term 'food service establishment' means a restaurant, cafeteria, lunch room, food stand, saloon, tavern, bar, lounge, or other similar facility, which is operated as an enterprise engaged in the business of selling foods to the public.

''(c) METHOD OF NOTIFICATION.—

''(1) IN GENERAL.—The information required by subsection (a) may be provided to consumers by means of a label, stamp, mark, placard, or other clear and visible sign on the perishable agricultural commodity or on the package, display, holding unit, or bin containing the commodity at the final point of sale to consumers.

''(2) LABELED COMMODITIES.—If a perishable agricultural commodity is already individually labeled regarding country of origin by a packer, importer, or another person, the retailer shall not be required to provide any additional information to comply with this section.

''(d) VIOLATIONS.—If a retailer fails to indicate the country of origin of a perishable agricultural commodity as required by subsection (a), the Secretary of Agriculture may assess a civil penalty on the retailer in an amount not to exceed—

''(1) $1,000 for the first day on which the violation occurs; and

''(2) $250 for each day on which the same violation continues.

''(e) DEPOSIT OF FUNDS.—Amounts collected under subsection (d) shall be deposited in the Treasury of the United States as miscellaneous receipts.''.

(b) APPLICATION OF AMENDMENT.—Section 18 of the Perishable Agricultural Commodities Act, 1930, as added by subsection (a), shall apply with respect to a perishable agricultural commodity offered for retail sale after the end of the six-month period beginning on the date of the enactment of this Act.

SEC. 945. UNLAWFUL STOCKYARD PRACTICES INVOLVING NONAMBULATORY LIVESTOCK.

Title III of the Packers and Stockyards Act, 1921, (7 U.S.C. 201 et seq.) is amended by adding at the end the following:

''SEC. 318. UNLAWFUL STOCKYARD PRACTICES INVOLVING NONAMBULATORY LIVESTOCK.

''(a) DEFINITIONS.—In this section:

''(1) HUMANELY EUTHANIZE.—The term 'humanely euthanize' means to kill an animal by mechanical, chemical, or other means that immediately render the animal unconscious, with this state remaining until the animal's death.

''(2) NONAMBULATORY LIVESTOCK.—The term 'nonambulatory livestock' means any livestock that is unable to stand and walk unassisted.

''(b) UNLAWFUL PRACTICES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any stockyard owner, market agency, or dealer to buy, sell, give, receive, transfer, market, hold, or drag any nonambulatory livestock unless the nonambulatory livestock has been humanely euthanized.

''(2) EXCEPTIONS.—

''(A) NON-GIPSA FARMS.—Paragraph (1) shall not apply to any farm the animal care practices of which are not subject to the authority of the Grain Inspection, Packers, and Stockyards Administration.

''(B) VETERINARY CARE.—Paragraph (1) shall not apply in a case in which nonambulatory livestock receive veterinary care intended to render the livestock ambulatory.

''(c) APPLICATION OF PROHIBITION.—Subsection (b) shall apply beginning one year after the date of the enactment of the Farm Security Act of 2001. By the end of such period, the Secretary shall promulgate regulations to carry out this section.''.

SEC. 946. ANNUAL REPORT ON IMPORTS OF BEEF AND PORK.

The Secretary shall submit to the Congress an annual report on the amount of beef and pork that is imported into the United States each calendar year.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BURR, announced that the yeas had it.

Mr. COMBEST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 291 / Nays ..... 120 }

¶104.10 [Roll No. 371]

YEAS—291

Abercrombie	Brown (SC)	Davis (IL)
Ackerman	Bryant	Davis, Jo Ann
Aderholt	Burr	Deal
Akin	Buyer	DeGette
Allen	Calvert	DeLauro
Andrews	Camp	Diaz-Balart
Baca	Cannon	Dicks
Baird	Cantor	Dingell
Baldacci	Capito	Dooley
Ballenger	Capps	Doyle
Barcia	Carson (IN)	Edwards
Bartlett	Carson (OK)	Ehlers
Barton	Chambliss	Ehrlich
Becerra	Clay	Emerson
Bentsen	Clayton	Engel
Bereuter	Clement	English
Berkley	Clyburn	Etheridge
Berry	Coble	Evans
Bilirakis	Collins	Everett
Bishop	Combest	Farr
Blagojevich	Condit	Filner
Blunt	Cooksey	Fletcher
Boehner	Costello	Foley
Bonilla	Cramer	Forbes
Bonior	Crenshaw	Ford
Bono	Crowley	Frost
Boucher	Cubin	Gallegly
Boyd	Cummings	Ganske
Brady (TX)	Cunningham	Gekas
Brown (FL)	Davis (FL)	Gilchrest

Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Graham
Granger
Graves
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lowey
Lucas (KY)
Lucas (OK)
Luther
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCollum
McCrery
McGovern
McIntyre
McKeon
McKinney
Meek (FL)
Meeks (NY)
Millender-McDonald
Mink
Moore
Moran (KS)
Napolitano
Nethercutt
Ney
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ross
Roybal-Allard
Rush
Ryun (KS)
Sabo
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Scott
Serrano
Sessions
Sherman
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stenholm
Strickland
Stump
Stupak
Sweeney
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—120

Armey
Baldwin
Barr
Barrett
Bass
Berman
Biggert
Blumenauer
Boehlert
Borski
Boswell
Brady (PA)
Brown (OH)
Capuano
Cardin
Castle
Chabot
Conyers
Coyne
Crane
Culberson
Davis (CA)
Davis, Tom
DeFazio
Delahunt
DeLay
DeMint
Deutsch
Doggett
Doolittle
Dreier
Dunn
Eshoo
Fattah
Ferguson
Flake
Fossella
Frank
Frelinghuysen
Gephardt
Goss
Green (WI)
Harman
Hefley
Hinchey
Hoeffel
Hoekstra
Honda
Istook
Johnson (CT)
Jones (OH)
Kanjorski
Kaptur
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
Lee
Linder
LoBiondo
Lofgren
Maloney (CT)
Maloney (NY)
Markey
McDermott
McHugh
McInnis
McNulty
Meehan
Menendez
Mica
Miller (FL)
Miller, Gary
Miller, George
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Northup
Oberstar
Obey
Owens
Paul
Petri
Pitts
Quinn
Ramstad
Rivers
Rohrabacher
Rothman
Roukema
Royce
Ryan (WI)
Sanchez
Sanders
Schrock
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Simmons
Slaughter
Stark
Stearns
Sununu
Tancredo
Tauscher
Tierney
Toomey
Udall (CO)
Udall (NM)
Velazquez
Wamp
Waters
Weiner
Young (FL)

NOT VOTING—19

Bachus
Baker
Burton
Callahan
Cox
Duncan
Gibbons
Houghton
Kilpatrick
Lipinski
McCarthy (MO)
Mollohan
Olver
Ros-Lehtinen
Smith (WA)
Thompson (MS)
Visclosky
Waxman
Wexler

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶104.11 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. COMBEST, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill (H.R. 2646) the Clerk be authorized to correct the table of contents, section numbers, punctuation, citations, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending said bill.

¶104.12 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday October 9, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶104.13 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 10, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶104.14 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1465. An Act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes; to the Committee on International Relations.

¶104.15 ENROLLED JOINT RESOLUTIONS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 42. Joint resolution memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.

H.J. Res. 51. Joint resolution approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam.

¶104.16 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. KILPATRICK, for today.

And then,

¶104.17 ADJOURNMENT

On motion of Mr. FALEOMAVAEGA, pursuant to the special order heretofore agreed to, at 1 o'clock and 29 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, October 9, 2001.

¶104.18 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1408. Referral to the Committee on the Judiciary extended for a period ending not later than October 12, 2001.

¶104.19 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1007. The Committee on Government Reform discharged. Referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶104.20 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of Michigan (for himself, Mr. ARMEY, Mr. DELAY, Mr. SENSENBRENNER, Mrs. KELLY, and Mr. GOODE):

H.R. 3042. A bill to amend the Internal Revenue Code of 1986 to provide that the deduction for depreciation shall be computed on a neutral cost recovery basis; to the Committee on Ways and Means.

By Mr. GILMAN (for himself, Mr. MENENDEZ, Mr. ROHRABACHER, and Mr. ROYCE):

H.R. 3049. A bill to contribute to the defense of the United States against future terrorist attack by providing for the removal from power of the Taliban regime in Afghanistan; to the Committee on International Relations.

By Mr. FLAKE:

H.R. 3050. A bill to amend the Internal Revenue Code of 1986 to make effective as of January 1, 2001, all of the individual income tax rate reductions, and to amend the Economic Growth and Tax Relief Reconciliation Act of 2001 to repeal the sunset of such rate reductions; to the Committee on Ways and Means.

By Mr. GREEN of Texas (for himself, Mr. FROST, Mr. BONIOR, Mr. BENTSEN, Mr. STENHOLM, Mr. PASCRELL, Mr. PALLONE, Mr. HINOJOSA, Mr. ORTIZ, Mr. CRAMER, Mr. REYES, Mr. JOHN, Mr. TURNER, Mr. HASTINGS of Florida, Mr. BOEHLERT, Mr. UPTON, Ms. MCCARTHY of Missouri, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CARSON of Indiana, Mr. RODRIGUEZ, Mrs. NAPOLITANO, Mr. BACA, Mr. WATKINS, Mr. WYNN, Mr. BROWN of Ohio, Mr. BOUCHER, Mr. SAWYER, Mr. DOYLE, Mr. HOLDEN, and Mr. CLEMENT):

H.R. 3051. A bill to designate ''God Bless America'' as the national hymn of the United States; to the Committee on Government Reform.

By Mr. GREEN of Texas:

H.R. 3052. A bill to amend the Immigration and Nationality Act to require that nonimmigrant visa applicants provide fingerprints; to the Committee on the Judiciary.

By Ms. HOOLEY of Oregon (for herself, Mr. LATOURETTE, Mr. KANJORSKI, Mr. MCGOVERN, Mr. LANTOS, Mrs. THURMAN, Mr. RANGEL, Mr. CAPUANO, Mr. MCNULTY, Mr. KUCINICH, Ms. BERKLEY, Mr. BALDACCI, Mrs. MALONEY of New York, Mr. BENTSEN, Mr. FROST, Mr. GILLMOR, Mr. KILDEE, Ms. SLAUGHTER, Mr. WEXLER, Mr. NEY, Ms. SCHAKOWSKY, Mr. LANGEVIN, and Mr. SHERMAN):

H.R. 3053. A bill to prevent identity theft, and for other purposes; to the Committee on Financial Services.

By Mr. KING (for himself and Mrs. MALONEY of New York):

H.R. 3054. A bill to award congressional gold medals on behalf of the officers, emergency workers, and other employees of the Federal Government and any State or local government, including any interstate governmental entity, who responded to the attacks on the World Trade Center in New York City and perished in the tragic events of September 11, 2001; to the Committee on Financial Services.

By Mr. SHAW (for himself and Mr. CARSON of Oklahoma):

H.R. 3055. A bill to preserve the continued viability of certain businesses which are an integral part of the air transportation system; to the Committee on Transportation and Infrastructure.

By Mr. TRAFICANT:

H.R. 3056. A bill to direct the Administrator of the Federal Aviation Administration to take certain actions to improve airline security, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WATKINS:

H.R. 3057. A bill to amend the Internal Revenue Code of 1986 to reduce to 3 years the depreciation recovery period for qualified technological equipment; to the Committee on Ways and Means.

By Mr. WHITFIELD (for himself, Mr. FARR of California, Mr. GEORGE MILLER of California, Mr. CARDIN, Ms. BALDWIN, Mr. PALLONE, Mr. KUCINICH, Mr. STARK, Mr. HORN, Mr. GREEN of Texas, Mr. MCDERMOTT, Mr. DEFAZIO, Mr. COSTELLO, Ms. SOLIS, Ms. JACKSON-LEE of Texas, Mrs. DAVIS of California, Mr. MORAN of Virginia, Ms. SCHAKOWSKY, Mr. BONIOR, Mr. DOYLE, Mr. WAXMAN, Mr. SHAYS, Ms. RIVERS, Mr. KOLBE, Mr. TRAFICANT, Mr. GORDON, Ms. KILPATRICK, Mrs. MORELLA, Mr. GILMAN, Mr. EVANS, Mr. BALDACCI, Mr. HINCHEY, Ms. WOOLSEY, Mr. MALONEY of Connecticut, Mr. DEUTSCH, Mr. SIMMONS, Mr. FRANK, Mr. FILNER, Ms. BROWN of Florida, Mr. UDALL of Colorado, Ms. ROYBAL-ALLARD, Mrs. BONO, Mr. BLUMENAUER, Mr. TAYLOR of Mississippi, Mr. GONZALEZ, Mr. SABO, Mrs. NAPOLITANO, Mrs. ROUKEMA, Mr. JONES of North Carolina, Mr. LOBIONDO, Mr. TANCREDO, Mr. LEACH, Mr. DICKS, Mr. CLYBURN, Mrs. JOHNSON of Connecticut, Mr. GALLEGLY, Mr. INSLEE, Mr. LIPINSKI, Mr. KILDEE, and Mrs. LOWEY):

H.R. 3058. A bill to amend the Animal Welfare Act to improve the treatment of certain animals, and for other purposes; to the Committee on Agriculture.

By Mr. CROWLEY (for himself, Mr. FOSSELLA, Mr. ENGEL, Mr. GRUCCI, Mr. ISRAEL, Mr. KING, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. NADLER, Mr. WEINER, Mr. TOWNS, Mr. OWENS, Ms. VELAZQUEZ, Mrs. MALONEY of New York, Mr. RANGEL, Mr. SERRANO, Mrs. LOWEY, Mrs. KELLY, Mr. GILMAN, Mr. MCNULTY, Mr. SWEENEY, Mr. BOEHLERT, Mr. MCHUGH, Mr. WALSH, Mr. HINCHEY, Mr. REYNOLDS, Ms. SLAUGHTER, Mr. LAFALCE, Mr. QUINN, Mr. HOUGHTON, Mr. BONIOR, Mr. WATTS of Oklahoma, Mr. MURTHA, Mr. MORAN of Virginia, Mr. HOYER, Mr. HYDE, Ms. DELAURO, Mr. FROST, Ms. PELOSI, Mr. MENENDEZ, Mr. ABERCROMBIE, Ms. BALDWIN, Mr. BALLENGER, Mr. BARRETT, Mr. BORSKI, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. BROWN of Ohio, Mr. CAPUANO, Mr. CARDIN, Mr. CLAY, Mrs. CLAYTON, Mr. COSTELLO, Mr. CUMMINGS, Mr. DAVIS of Florida, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DELAHUNT, Mr. DOOLEY of California, Mr. DOGGETT, Mr. DOYLE, Mr. EDWARDS, Mrs. EMERSON, Mr. FORD, Mr. FRANK, Mr. GIBBONS, Mr. GONZALEZ, Mr. GREEN of Wisconsin, Mr. HALL of Ohio, Mr. HILL, Mr. HOLDEN, Mr. HOEFFEL, Ms. HOOLEY of Oregon, Mr. HULSHOF, Mr. JACKSON of Illinois, Mr. JEFFERSON, Mr. JOHN, Mr. JOHNSON of Illinois, Mrs. JONES of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KOLBE, Mr. LANGEVIN, Mr. LATOURETTE, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS of Georgia, Mr. LOBIONDO, Mr. MCGOVERN, Mr. MCINTYRE, Ms. MCKINNEY, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MATHESON, Mr. MEEHAN, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. MOORE, Mrs. MORELLA, Mr. NEAL of Massachusetts, Mr. OBEY, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. REYES, Mr. ROSS, Mr. ROTHMAN, Mr. SANDLIN, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SHAYS, Mr. SHOWS, Mr. SKEEN, Mr. SKELTON, Mr. STUPAK, Mr. TANNER, Mrs. TAUSCHER, Mr. THUNE, Mr. TIERNEY, Mr. TURNER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VISCLOSKY, Mr. WU, Mr. WYNN, Mr. DOOLITTLE, Mrs. BONO, Mr. HINOJOSA, Ms. DEGETTE, Mr. GUTKNECHT, Mr. CARSON of Oklahoma, Mr. CALVERT, Mr. ETHERIDGE, Mr. SANDERS, Mr. STENHOLM, Ms. ROS-LEHTINEN, Mr. SCOTT, Mr. PETERSON of Minnesota, Mr. ROYCE, Ms. WOOLSEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Rhode Island, Mr. RYAN of Wisconsin, Mr. POMBO, Mr. GANSKE, Mr. FARR of California, Mrs. JOHNSON of Connecticut, Mr. DICKS, Mr. BERRY, Mr. BACA, Ms. BROWN of Florida, Mr. LUCAS of Kentucky, Mr. VITTER, Mr. THOMAS, Mr. CONDIT, Mr. SABO, Ms. MCCOLLUM, Mr. LARSEN of Washington, Mr. TAUZIN, Mr. DEMINT, Mr. MCDERMOTT, Mr. BOYD, Ms. WATERS, Ms. LOFGREN, Mr. TAYLOR of Mississippi, Mr. FILNER, Mr. WAXMAN, Mr. BERMAN, Mrs. NAPOLITANO, Ms. JACKSON-LEE of Texas, Mr. GREEN of Texas, Mr. NETHERCUTT, Mr. YOUNG of Florida, Mr. TRAFICANT, Mr. REHBERG, Mr. ROHRABACHER, Mr. ENGLISH, Mr. SHERWOOD, Mr. OSE, Mr. INSLEE, Mrs. CAPPS, and Mr. FERGUSON):

H. Con. Res. 243. Concurrent resolution expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001; to the Committee on the Judiciary.

By Mr. HONDA (for himself, Mr. SHAYS, Ms. SLAUGHTER, Mr. SERRANO, Mr. BROWN of Ohio, Mr. LARSEN of Washington, Mr. MATSUI, Mr. BERMAN, Mr. DELAHUNT, Ms. LOFGREN, Mr. FARR of California, Mr. FERGUSON, Mr. DINGELL, Mr. PAYNE, Ms. CARSON of Indiana, Mr. FORD, Mr. FRELINGHUYSEN, Mr. HERGER, Mr. HAYWORTH, Mr. CLEMENT, Ms. BERKLEY, Ms. MCCOLLUM, Mrs. MEEK of Florida, Mr. LOBIONDO, Mr. SOUDER, Mr. KIRK, Mr. CONDIT, Ms. ROYBAL-ALLARD, Mrs. BIGGERT, Mr. UDALL of Colorado, Mr. BECERRA, Mr. HYDE, Mr. ISRAEL, Mrs. JOHNSON of Connecticut, Mr. BLAGOJEVICH, Mr. SCHIFF, Mr. PASTOR, Mr. SIMMONS, Ms. KAPTUR, Mr. KING, Ms. SCHAKOWSKY, Mr. POMBO, Mr. PALLONE, Mr. PASCRELL, Mr. DOGGETT, Mr. KNOLLENBERG, Mr. MEEHAN, Mr. ROHRABACHER, Mr. COOKSEY, Mr. ANDREWS, Mr. HINCHEY, Mr. GEORGE MILLER of California, Mr. EVANS, Mrs. TAUSCHER, Ms. SOLIS, Mr. TOWNS, Mr. LANGEVIN, Mr. CRAMER, Mr. HASTINGS of Florida, Mr. MCGOVERN, Mr. SHERMAN, Ms. PELOSI, Mr. MORAN of Virginia, Mr. JACKSON of Illinois, Mrs. MORELLA, Mr. GILMAN, Mr. TOM DAVIS of Virginia, Mr. BLUMENAUER, Mr. CROWLEY, Mr. BISHOP, Mr. BURTON of Indiana, Ms. WATSON, Mrs. JONES of Ohio, Mr. BACA, Mr. HORN, Mr. WU, Mr. LANTOS, Mrs. MINK of Hawaii, Mr. UNDERWOOD, Ms. MCKINNEY, Ms. WOOLSEY, Mr. FROST, Mr. FALEOMAVAEGA, Mr. SANDERS, Mr. BORSKI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STARK, Ms. MILLENDER-MCDONALD, Mr. SMITH of New Jersey, Ms. LEE, Mr. OSE, Mr. RODRIGUEZ, Mr. MCDERMOTT, Mr. DOOLITTLE, Mr. GREEN of Wisconsin, Mr. KLECZKA, Mr. SMITH of Washington, Mr. ABERCROMBIE, Mr. ROYCE, Mr. LEWIS of California, Mr. ACKERMAN, Mr. BONIOR, Mr. HOLT, Mr. CAPUANO, Mr. FATTAH, Mrs. NAPOLITANO, Mr. REYES, Mrs. MCCARTHY of New York, Mr. VISCLOSKY, Mr. BOUCHER, Mr. FILNER, Mr. CONYERS, Mr. DICKS, Ms. ESHOO, Mr. UDALL of New Mexico, and Mr. LAMPSON):

H. Res. 255. Resolution condemning bigotry and violence against Sikh Americans in the wake of terrorist attacks against the United States on September 11, 2001; to the Committee on the Judiciary.

¶104.21 ADDITIONAL SPONSORS

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

H.R. 19: Mr. FOLEY.
H.R. 81: Mr. MANZULLO.
H.R. 123: Mr. HAYES.
H.R. 162: Mr. HOYER and Mr. BACA.
H.R. 183: Ms. ROS-LEHTINEN.
H.R. 218: Mr. RYUN of Kansas.
H.R. 285: Mr. FILNER.
H.R. 458: Mr. GALLEGLY.
H.R. 525: Mr. HALL of Texas.
H.R. 602: Mr. GOODLATTE.
H.R. 632: Mr. FILNER.
H.R. 792: Mr. INSLEE.
H.R. 832: Mr. SIMMONS.
H.R. 869: Mr. RYUN of Kansas.
H.R. 1035: Mrs. NAPOLITANO.
H.R. 1097: Mrs. MINK of Hawaii.

H.R. 1212: Mr. DIAZ-BALART.
H.R. 1233: Mr. GRAHAM.
H.R. 1254: Mr. KENNEDY of Rhode Island.
H.R. 1357: Mr. BLUNT.
H.R. 1360: Mr. MEEHAN, Mr. FRANK, Ms. CARSON of Indiana, and Mr. FILNER.
H.R. 1375: Mr. GOODE.
H.R. 1405: Mr. PETERSON of Minnesota.
H.R. 1431: Mr. UDALL of New Mexico.
H.R. 1436: Mr. SIMMONS, Mr. ROGERS of Kentucky, and Mr. INSLEE.
H.R. 1475: Mr. BAIRD, Ms. DELAURO, and Ms. ROS-LEHTINEN.
H.R. 1556: Ms. WOOLSEY, Mr. RODRIQUEZ, and Mr. NUSSLE.
H.R. 1609: Mr. NUSSLE and Ms. WOOLSEY.
H.R. 1780: Mr. WOLF, Mr. CALVERT, Mr. THUNE, and Mr. SHIMKUS.
H.R. 1816: Mr. FALEOMAVAEGA and Mr. BONIOR.
H.R. 1822: Ms. DELAURO, Mr. MCINNIS, and Ms. CARSON of Indiana.
H.R. 1887: Ms. SLAUGHTER.
H.R. 2071: Mr. FRANK.
H.R. 2098: Mr. SOUDER.
H.R. 2117: Mr. LEWIS of Kentucky.
H.R. 2125: Mr. KILDEE.
H.R. 2235: Mr. KINGSTON and Mr. FERGUSON.
H.R. 2258: Mr. LANTOS and Ms. HART.
H.R. 2269: Mr. OSBORNE, Mr. LATHAM, Mr. CALVERT, Mr. RYUN of Kansas, and Mr. CULBERSON.
H.R. 2308: Ms. ESHOO and Mr. CUMMINGS.
H.R. 2362: Mr. FRELINGHUYSEN.
H.R. 2466: Mr. TOOMEY.
H.R. 2521: Mr. BRYANT, Mr. MORAN of Kansas, Mr. DUNCAN, and Mr. TOOMEY.
H.R. 2578: Mr. CUNNINGHAM, Mr. FILNER, Ms. LOFGREN, Mr. GEORGE MILLER of California, and Mr. OSE.
H.R. 2713: Ms. SCHAKOWSKY.
H.R. 2725: Ms. MCCOLLUM.
H.R. 2764: Mr. CUNNINGHAM, Mr. ISSA, Mr. DOOLITTLE, and Mrs. NAPOLITANO.
H.R. 2775: Mr. OBERSTAR.
H.R. 2794: Mr. SHAW and Mrs. JO ANN DAVIS of Virgina.
H.R. 2799: Mr. LEACH, Mr. PRICE of North Carolina, Mr. PETERSON of Minnesota, Mr. FRANK, Mr. SAWYER, Mr. BONIOR, Mr. STUPAK, and Ms. KAPTUR.
H.R. 2812: Ms. CARSON of Indiana.
H.R. 2830: Mr. BONIOR, Mr. CUMMINGS, Mr. FATTAH, Mr. FROST, Mr. KUCINICH, Ms. LEE, Ms. MCKINNEY, and Mr. UDALL of Colorado.
H.R. 2874: Mr. STUPAK, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, and Ms. LEE.
H.R. 2907: Mr. ROGERS of Kentucky, Mr. BROWN of Ohio, and Mr. BEREUTER.
H.R. 2940: Mr. BOEHLERT.
H.R. 2951: Mr. UPTON.
H.R. 2955: Mr. BLUMENAUER, Mr. CONDIT, Mr. RUSH, Mr. TIERNEY, Ms. VELAZQUEZ, Mrs. LOWEY, Mr. MOLLOHAN, Mr. PRICE of North Carolina, Mr. SHERMAN, Mr. FALEOMAVAEGA, Ms. SANCHEZ, and Ms. ESHOO.
H.R. 3003: Ms. LEE and Mrs. JONES of Ohio.
H.R. 3008: Mr. REYES.
H.R. 3011: Mrs. THURMAN.
H.R. 3015: Mr. UNDERWOOD and Ms. WOOLSEY.
H.R. 3021: Mr. PUTNAM.
H. Con. Res. 166: Mr. OSE.
H. Con. Res. 173: Mr. BONIOR, Mr. DEFAZIO, Ms. VELAZQUEZ, and Mrs. CAPPS.
H. Con. Res. 184: Mr. SHADEGG, Mr. CRANE, Mrs. MYRICK, Mr. ISAKSON, Mr. BACHUS, and Mr. BARR of Georgia.

¶104.22 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2960: Mrs. JO ANN DAVIS of Virginia.

TUESDAY, OCTOBER 9, 2001 (105)

¶105.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

WASHINGTON, DC,
October 9, 2001.

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

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶105.2 RECESS—12:32 P.M.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 32 minutes p.m. until approximately 2 o'clock.

¶105.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. PETRI, called the House to order.

¶105.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PETRI, announced he had examined and approved the Journal of the proceedings of Friday, October 5, 2001.

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

¶105.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4162. A communication from the President of the United States, transmitting Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States; (H. Doc. No. 107–130); to the Committee on Appropriations and ordered to be printed.

4163. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7765] received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4164. A letter from the Deputy Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting the Commission's final rule—Calculation of Average Weekly Trading Volume under Rule 144 and Termination of a Rule 10b5–1 Trading Plan [Release Nos. 33–8005; 34–44820; FR–58] received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4165. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No. 01F–0142] received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4166. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Exemption From Premarket Notification Requirements; Class I Devices [Docket No. 01N–0073] received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4167. A communication from the President of the United States, transmitting a report, consistent with the War Powers Resolution and Public Law 107–40, to help ensure that the Congress is kept informed on military actions taken to respond to the threat of terrorism; (H. Doc. No. 107–131); to the Committee on International Relations and ordered to be printed.

4168. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Astragalus holmgreniorum (Holmgren milk-vetch) and Astragalus ampullarioides (Shivwits milk-vetch) (RIN: 1018–AG02) received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4169. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule To List Silene spaldingii (Spalding's Catchfly) as Threatened (RIN: 1018–AF79) received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4170. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Kootenai River Population of the White Sturgeon (RIN: 1018–AH06) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4171. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Revisions to Definition of Length Overall of a Vessel [Docket No. 010510121–1210–02; I.D. 012601B] (RIN: 0648–AN23) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4172. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Antarctic Marine Living Resources; Harvesting and Dealer Permits, and Catch Documentation [Docket No. 010719181–1181–01; I.D. 062501A] (RIN: 0648–AP35) received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4173. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Bayou Lafourche, LA [CGD08–01–032] received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4174. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Pittsburgh, PA [Airspace Docket No. 01–AEA–08FR] received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4175. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Highbridge Road Drawbridge, Atlantic Intracoastal Waterway, Volusia County, Florida [CGD07–01–094] received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4176. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Mullica River [CGD05–01–018] (RIN: 2115–AE47) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4177. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Bayou Lafourche, LA [CGD08–01–031] received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4178. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Old River, California [CGD11–01–015] (RIN: 2115–AE47) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4179. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Napa River, California [CGD11–01–014] (RIN: 2115–AE47) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4180. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Shaw Cove, CT [CGD01–01–147] received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4181. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Annisqualm River, MA [CGD01–01–137] received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4182. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [CGD01–01–146] received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4183. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2001–49] received September 20, 2001; to the Committee on Ways and Means.

¶105.6 AMERICAN FLAG PRINTING AUTHORIZATION

Mr. NEY moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 244):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. PRINTING OF REVISED EDITION OF "OUR FLAG".

A revised edition of the publication entitled ''Our Flag'', revised under the direction of the Joint Committee on Printing, shall be printed as a House document.

SEC. 2. NUMBER OF COPIES.

(a) IN GENERAL.—Except as provided in subsection (b), there shall be printed a number of copies of the publication described in section 1 as follows:

(1) 250,000 for the use of the House of Representatives, distributed in equal numbers to each Member of the House and each Delegate and Resident Commissioner to the Congress.

(2) 51,500 for the use of the Senate, distributed in equal numbers to each Senator.

(3) 2,000 for the use of the Joint Committee on Printing.

(4) 1,400 for distribution to the depository libraries.

(b) ALTERNATIVE NUMBER.—If the total printing and production costs of the number of copies provided under subsection (a) exceed $150,000, there shall be printed the maximum number of copies of the publication described in section 1 for which such total costs do not exceed $150,000, with distribution allocated in the same proportion as in subsection (a).

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. NEY and Mr. SERRANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

Mr. NEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶105.7 HISPANIC AMERICANS IN CONGRESS

Mr. NEY moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 90); as amended:

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. PRINTING OF REVISED VERSION OF "HISPANIC AMERICANS IN CONGRESS".

(a) IN GENERAL.—An updated version of House Document 103–299, entitled ''Hispanic Americans in Congress'' (as revised by the Library of Congress), shall be printed as a House document by the Public Printer, with illustrations and suitable binding, under the direction of the Committee on House Administration of the House of Representatives.

(b) NUMBER OF COPIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), in addition to the usual number, there shall be printed 30,700 copies of the document referred to in subsection (a), of which—

(A) 25,000 shall be for the use of the Committee on House Administration of the House of Representatives; and

(B) 5,700 shall be for the use of the Committee on Rules and Administration of the Senate.

(2) ALTERNATIVE NUMBER.—If the total printing and production costs of the number of copies provided under paragraph (1) exceed $220,000, there shall be printed the maximum number of copies of the document referred to in subsection (a) for which such total costs do not exceed $220,000, with distribution allocated in the same proportion as in paragraph (1).

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. NEY and Mr. SERRANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶105.8 ASIAN AND PACIFIC ISLANDER AMERICANS IN CONGRESS

Mr. NEY moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 130):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. ASIAN AND PACIFIC ISLANDER AMERICANS IN CONGRESS.

(a) IN GENERAL.—The book entitled ''Asian and Pacific Islander Americans in Congress'', prepared by the Library of Congress under the direction of the Joint Committee on Printing, shall be printed as a House document.

(b) SPECIFICATIONS.—The House document described in subsection (a) shall include illustrations and shall be in the style, form, manner, and binding as directed by the Joint Committee on Printing.

(c) NUMBER OF COPIES.—In addition to the usual number of copies, there shall be printed the lesser of—

(1) 30,700 copies of the document described in subsection (a), of which—

(A) 25,000 shall be for the use of the Committee on House Administration of the House of Representatives; and

(B) 5,700 shall be for the use of the Committee on Rules and Administration of the Senate; or

(2) such number of copies of the document described in subsection (a) as does not exceed a total production and printing cost of $220,000, which copies shall be for the use of the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate in the same proportions as described in paragraph (1).

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. NEY and Mr. SERRANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶105.9 CITIZEN REGENT ROGER W. SANT

Mr. NEY moved to suspend the rules and pass the joint resolution of the Senate (S.J. Res. 20) providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. NEY and Mr. SERRANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said joint resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said joint resolution was passed.

A motion to reconsider the vote whereby the rules were suspended and said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶105.10 CITIZEN REGENT ANNE D'HARNONCOURT

Mr. NEY moved to suspend the rules and pass the joint resolution of the Senate (S.J. Res. 19) providing for the reappointment of Anne d'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. NEY and Mr. SERRANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said joint resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said joint resolution was passed.

A motion to reconsider the vote whereby the rules were suspended and said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶105.11 JOINT COMMITTEE ON PRINTING

Mr. NEY moved to suspend the rules and agree to the following concurrent resolution of the Senate (S. Con. Res. 67):

Resolved by the Senate (the House of Representatives concurring), That effective for the One Hundred Seventh Congress, the Chairman of the Committee on Rules and Administration of the Senate may designate another member of the Committee to serve on the Joint Committee on Printing in place of the Chairman.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. NEY and Mr. SERRANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶105.12 PERMISSION TO FILE REPORT

On motion of Mr. BARTON, by unanimous consent, the Committee on Energy and Commerce was granted permission to file a supplemental report (Rept. No. 107–231) on the bill (H.R. 3016) to amend the Antiterrorism and Effective Death Penalty Act of 1996 with respect to the responsibilities of the Secretary of Health and Human Services regarding biological agents and toxins, and to amend title 18, United States Code, with respect to such agents and toxins, to clarify the application of cable television system privacy requirements to new cable services, to strengthen security at certain nuclear facilities, and for other purposes.

¶105.13 STRATEGIC PETROLEUM RESERVE

Mr. BARTON moved to suspend the rules and agree to the following resolution (H. Res. 250); as amended:

Whereas the United States is engaged in military activity as a result of the terrorist attacks of September 11, 2001;

Whereas such acts continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, including the security of important energy supplies;

Whereas our Nation imports more than half of the crude oil it consumes from other nations;

Whereas Congress found in the Energy Policy and Conservation Act that the storage of substantial quantities of petroleum products will diminish the vulnerability of the United States to the effects of a severe energy supply interruption, and provide limited protection from the short-term consequences of interruptions in supplies of petroleum products;

Whereas a severe energy supply interruption would have an adverse impact upon American consumers and the economy;

Whereas the Strategic Petroleum Reserve has an authorized capacity of 1,000,000,000 barrels of crude oil, a current storage capacity of 700,000,000 barrels of crude oil, and approximately 545,000,000 barrels of crude oil currently in storage; and

Whereas marginal wells in the United States provide an important base of domestic crude oil production, make an important contribution to our workforce and economy, are particularly sensitive to price fluctuations, and are difficult and costly to reopen: Now, therefore, be it

Resolved, That the House of Representatives urges the Secretary of Energy to increase the capacity of the Strategic Petroleum Reserve to 1,000,000,000 barrels of crude oil, to fill the Strategic Petroleum Reserve to its capacity as soon as practicable, and to consider purchasing from marginal wells that would otherwise cease production, consistent with current law.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. BARTON and Mr. BALDACCI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BARTON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶105.14 HERBERT H. BATEMAN POST OFFICE BUILDING

Mrs. Jo Ann DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 1749) to designate the facility of the United States Postal Service located at 685 Turnberry Road in Newport News, Virginia, as the ''Herbert H. Bateman Post Office Building''.

The SPEAKER pro tempore, Mr. PETRI, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶105.15 RECESS—3:01 P.M.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 1 minutes p.m., until approximately 6 o'clock p.m.

¶105.16 AFTER RECESS—6:32 P.M.

The SPEAKER pro tempore, Mr. PETRI, called the House to order.

¶105.17 LABOR HEALTH AND HUMAN SERVICES APPROPRIATIONS

Mr. REGULA submitted a privileged report (Rept. No. 107–229) on the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶105.18 H. CON. RES. 244—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 244) authorizing the printing of a revised edition of the publication entitled ''Our Flag''.

The question being put,

Will the House suspend the rules and agree to the concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 412 / Nays 0

¶105.19 [Roll No. 372]

YEAS—412

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

NOT VOTING—18

Bereuter
Bishop
Bono
Conyers
Issa
Jones (OH)
LaHood
Lee
McKinney
Menendez
Miller (FL)
Norwood
Radanovich
Sanchez
Smith (WA)
Velazquez
Walsh
Wilson

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶105.20 H. RES. 250 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 250) urging the Secretary of Energy to fill the Strategic Petroleum Reserve; as amended.

The question being put,

Will the House suspend the rules and agree to the resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 409 / Nays 3

¶105.21 [Roll No. 373]

YEAS—409

Abercrombie
Ackerman
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)

McCollum	Portman	Solis
McCrery	Price (NC)	Souder
McDermott	Pryce (OH)	Spratt
McGovern	Putnam	Stark
McHugh	Quinn	Stearns
McInnis	Rahall	Stenholm
McIntyre	Ramstad	Strickland
McKeon	Rangel	Stump
McKinney	Regula	Stupak
McNulty	Rehberg	Sununu
Meehan	Reyes	Sweeney
Meek (FL)	Reynolds	Tancredo
Meeks (NY)	Riley	Tanner
Mica	Rivers	Tauscher
Millender-McDonald	Rodriguez	Tauzin
Miller, Gary	Roemer	Taylor (MS)
Miller, George	Rogers (KY)	Taylor (NC)
Mink	Rogers (MI)	Terry
Mollohan	Rohrabacher	Thomas
Moore	Ros-Lehtinen	Thompson (CA)
Moran (KS)	Ross	Thompson (MS)
Moran (VA)	Rothman	Thornberry
Morella	Roukema	Thune
Murtha	Roybal-Allard	Thurman
Myrick	Rush	Tiahrt
Nadler	Ryan (WI)	Tiberi
Napolitano	Ryun (KS)	Tierney
Neal	Sabo	Toomey
Nethercutt	Sanders	Towns
Ney	Sandlin	Traficant
Northup	Sawyer	Turner
Nussle	Saxton	Udall (CO)
Oberstar	Schaffer	Udall (NM)
Obey	Schakowsky	Upton
Olver	Schiff	Visclosky
Ortiz	Schrock	Vitter
Osborne	Scott	Walden
Ose	Sensenbrenner	Wamp
Otter	Serrano	Waters
Owens	Sessions	Watkins (OK)
Oxley	Shadegg	Watson (CA)
Pallone	Shaw	Watt (NC)
Pascrell	Shays	Watts (OK)
Pastor	Sherman	Waxman
Payne	Sherwood	Weiner
Pelosi	Shimkus	Weldon (FL)
Pence	Shows	Weldon (PA)
Peterson (MN)	Shuster	Weller
Peterson (PA)	Simmons	Wexler
Petri	Simpson	Whitfield
Phelps	Skeen	Wicker
Pickering	Skelton	Wolf
Pitts	Slaughter	Woolsey
Platts	Smith (MI)	Wu
Pombo	Smith (NJ)	Wynn
Pomeroy	Smith (TX)	Young (AK)
	Snyder	Young (FL)

NAYS—3

Kaptur	Paul	Royce

NOT VOTING—18

Allen	Jones (OH)	Radanovich
Bereuter	LaHood	Sanchez
Bishop	Lee	Smith (WA)
Bono	Menendez	Velázquez
Delahunt	Miller (FL)	Walsh
Issa	Norwood	Wilson

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶105.22 PREGNANCY AND INFANT LOSS REMEMBRANCE DAY

Mrs. Jo Ann DAVIS of Virginia moved to suspend the rules and agree to the following resolution (H. Res. 254):

Whereas each year, approximately 1,000,000 pregnancies in the United States end in miscarriage, stillbirth, or the death of a newborn baby;

Whereas it is a great tragedy to lose the life of a child;

Whereas babies sometimes live within or outside their mothers' wombs for only a short period of time;

Whereas even the shortest lives are still valuable, and the grief of those who mourn the loss of these lives should not be trivialized;

Whereas more than 35 States have designated October 15, 2001, as Pregnancy and Infant Loss Remembrance Day;

Whereas the observance of Pregnancy and Infant Loss Remembrance Day can give validation to those who have lost a baby through miscarriage, stillbirth, or other complications;

Whereas Pregnancy and Infant Loss Remembrance Day will provide the people of the United States with an opportunity to increase their understanding of the great tragedy involved in the deaths of unborn and newborn babies; and

Whereas Pregnancy and Infant Loss Remembrance Day will enable the people of the United States to consider how, as individuals and communities, they can meet the needs of bereaved mothers, fathers, and family members and work to prevent the causes of these deaths: Now, therefore, be it

Resolved, That the House of Representatives supports the goals of Pregnancy and Infant Loss Remembrance Day.

The SPEAKER pro tempore, Mr. PETRI, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶105.23 PROVIDING FOR THE CONSIDERATION OF H.R. 1992

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–232) the resolution (H. Res. 256) providing fro consideration of the bill (H.R. 1992) to amend the Higher Education Act of 1965 to expand the opportunities for higher education via telecommunications.

When said resolution and report were referred to the House Calendar and ordered printed.

¶105.24 JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 9, 2001 he presented to the President of the United States, for his approval, the following bills.

H.J. Res. 42. Memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.

H.J. Res. 51. Approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam.

¶105.25 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BEREUTER, for today; and

To Mrs. WILSON, for today.

And then,

¶105.26 ADJOURNMENT

On motion of Mr. TANCREDO, at 10 o'clock and 8 minutes p.m., the House adjourned.

¶105.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REGULA: Committee on Appropriations. H.R. 3061. A bill making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–229). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2002 (Rept. No. 107–230). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 3016. A bill to amend the Antiterrorism and Effective Death Penalty Act of 1996 with respect to the responsibilities of the Secretary of Health and Human Services regarding biological agents and toxins, and to amend title 18, United States Code, with respect to such agents and toxins, to clarify the application of cable television system privacy requirements to new cable services, to strengthen security at certain nuclear facilities, and for other purposes; with an amendment (Rept. No. 107–231 Pt. 1). Ordered to be printed.

Mr. LINDER: Committee on Rules. House Resolution 256. Resolution providing for consideration of the bill (H.R. 1992) to amend the Higher Education Act of 1965 to expand the opportunities for higher education via telecommunications (Rept. No. 107–232). Referred to the House Calendar.

¶105.28 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 3016. Referral to the Committee on the Judiciary extended for a period ending not later than October 12, 2001.

¶105.29 PUBLIC BILLS AND RESOLUTIONS

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

By Mrs. JONES of Ohio (for herself, Mr. VISCLOSKY, Mr. STUPAK, and Mr. TOOMEY):

H.R. 3059. A bill to provide for retiree health care by allowing steel companies a partial refund of net operating loss carryforwards; to the Committee on Ways and Means.

By Mr. OXLEY (for himself, Mr. LAFALCE, Mr. BAKER, and Mr. KANJORSKI):

H.R. 3060. A bill to amend the Securities Exchange Act of 1934 to augment the emergency authority of the Securities and Exchange Commission; to the Committee on Financial Services.

By Mr. DEMINT (for himself, Mr. BAIRD, Mr. CRANE, Mr. MATSUI, Mr. MANZULLO, Ms. VELAZQUEZ, Mr. TOOMEY, Mr. PASCRELL, Mr. LEWIS of Kentucky, and Ms. HART):

H.R. 3062. A bill to amend the Internal Revenue Code of 1986 to allow certain small businesses to defer payment of tax; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 3063. A bill to provide benefits to public safety officers who die or become disabled as a result of certain injuries; to the Committee on the Judiciary.

By Mr. BACA:

H.R. 3064. A bill to direct the Administrator of the Federal Aviation Administration to provide for the implementation of certain aviation security measures; to the Committee on Transportation and Infrastructure.

By Mrs. DAVIS of California:

H.R. 3065. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that manufacturers of dietary supplements register with the Food and Drug Administration, to require the submission to such Administration of reports on adverse experiences regarding such supplements, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California:

H.R. 3066. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish labeling and advertising requirements for dietary supplements containing ephedrine alkaloids, to prohibit sales of such supplements to individuals under the age of 18, and for other purposes; to the Committee on Energy and Commerce.

By Ms. HARMAN:

H.R. 3067. A bill to direct the Secretary of Transportation give certain workers who have lost their jobs as a result of the terrorist attacks of September 11, 2001, priority in hiring for aviation-related security positions; to the Committee on Transportation and Infrastructure.

By Mr. NEY:

H.R. 3068. A bill to establish a Presidential commission to strengthen and improve financial privacy and national security; to the Committee on Financial Services.

By Mr. PAUL:

H.R. 3069. A bill to secure American families effectively; to the Committee on the Judiciary.

By Mr. PETRI (for himself and Mr. LANTOS):

H.R. 3070. A bill to amend the Fair Labor Standards Act of 1938 to ensure the protection of employees in travelling sales crews, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SMITH of Michigan:

H.R. 3071. A bill to amend the Internal Revenue Code of 1986 to index the basis of assets acquired after December 31, 2001, for purposes of determining gain; to the Committee on Ways and Means.

By Mr. TAYLOR of North Carolina (for himself, Mr. ETHERIDGE, Mr. JONES of North Carolina, Mr. PRICE of North Carolina, Mr. BURR of North Carolina, Mr. COBLE, Mr. MCINTYRE, Mr. HAYES, Mrs. MYRICK, and Mr. BALLENGER):

H.R. 3072. A bill to designate the facility of the United States Postal Service located at 125 Main Street in Forest City, North Carolina, as the ''Vernon Tarlton Post Office Building''; to the Committee on Government Reform.

By Mr. NEY (for himself and Mr. HOYER):

H. Con. Res. 244. Concurrent resolution authorizing the printing of a revised edition of the publication entitled ''Our Flag''; to the Committee on House Administration. considered and agreed to.

By Mrs. CAPITO (for herself, Mr. KANJORSKI, Mr. SHIMKUS, Mr. NEY, Mr. STRICKLAND, Mr. HILLIARD, Mr. DOYLE, Mr. MURTHA, Mr. MASCARA, Mr. HOLDEN, Mr. OBERSTAR, and Mr. WELLER):

H. Con. Res. 245. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to honor coal miners; to the Committee on Government Reform.

By Mr. WELDON of Pennsylvania (for himself, Mr. KERNS, Mr. CRAMER, Mr. ROHRABACHER, Mr. CLEMENT, Mr. STEARNS, Mr. ORTIZ, Mr. PLATTS, Mr. REYES, Mr. BARTLETT of Maryland, and Mr. SMITH of Michigan):

H. Con. Res. 246. Concurrent resolution providing for negotiations to establish a United States Congress-Russian Federation Parliament joint taskforce on antiterrorism; to the Committee on International Relations.

¶105.30 ADDITIONAL SPONSORS

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

H.R. 168: Mr. MILLER of Florida.
H.R. 218: Mr. TRAFICANT, Mr. WATKINS, and Mr. PETERSON of Minnesota.
H.R. 510: Mr. ABERCROMBIE.
H.R. 632: Ms. MCKINNEY.
H.R. 747: Mr. WAXMAN.
H.R. 854: Mr. COMBEST, Ms. PRYCE of Ohio, Mr. RODRIGUEZ, Ms. CARSON of Indiana, and Mr. FORBES.
H.R. 886: Mr. RANGEL.
H.R. 936: Mr. CLAY.
H.R. 969: Mr. SCHAFFER and Mr. BILIRAKIS.
H.R. 975: Mr. FORBES.
H.R. 1030: Ms. MCCARTHY of Missouri, Mr. VITTER, Mr. FORBES, and Mr. SHERMAN.
H.R. 1172: Mr. KILDEE, Mr. CROWLEY, Mr. BONIOR, Mr. MICA, Mr. CALVERT, Mr. LAMPSON, Mr. BURTON of Indiana, Mr. FORD, Ms. BALDWIN, and Mr. CARSON of Oklahoma.
H.R. 1198: Mr. KENNEDY of Rhode Island, Mr. SKELTON, and Mr. DEUTSCH.
H.R. 1254: Mr. EHRLICH and Mr. BONIOR.
H.R. 1256: Mr. DAVIS of Florida, Mr. CAPUANO, Mr. LAFALCE, Mrs. MCCARTHY of New York, and Mr. LUTHER.
H.R. 1262: Mr. CLAY.
H.R. 1354: Ms. RIVERS.
H.R. 1377: Mr. CRAMER.
H.R. 1440: Ms. LEE.
H.R. 1552: Mr. HORN, Mr. MCKEON, Mr. CALVERT, Mr. DREIER, Mr. OSE, Mr. GARY G. MILLER of California, Mr. ROYCE, Mr. POMBO, Mr. ISSA, Mr. ROHRABACHER, Mr. HERGER, Mr. CANNON, Mr. WELDON of Florida, Ms. MCKINNEY, and Mr. SCHAFFER.
H.R. 1556: Mr. SUNUNU and Mr. FORBES.
H.R. 1616: Mr. FROST.
H.R. 1624: Mr. SCOTT, Mrs. NAPOLITANO, and Mr. CLAY.
H.R. 1675: Mr. HORN, Mr. MCKEON, Mr. DREIER, Mr. GARY G. MILLER of California, Mr. POMBO, Mr. ROHRABACHER, Mr. HERGER, Mr. CANNON, Mr. WELDON of Forida, and Ms. MCKINNEY.
H.R. 1701: Mr. ENGLISH.
H.R. 1744: Mr. KING.
H.R. 1786: Mr. SWEENEY and Mr. LARSEN of Washington.
H.R. 1815: Ms. SCHAKOWSKY.
H.R. 1819: Mr. PASCRELL, Mr. BACA, and Mr. HILLIARD.
H.R. 1839: Mr. INSLEE.
H.R. 1887: Mr. DEFAZIO.
H.R. 2073: Mr. BRYANT.
H.R. 2219: Mr. HOEFFEL.
H.R. 2220: Mr. SHOWS, Ms. CARSON of Indiana, Mr. PETERSON of Minnesota, Ms. SCHAKOWSKY, and Mr. TOWNS.
H.R. 2235: Mr. FORBES.
H.R. 2253: Mr. KILDEE.
H.R. 2333: Ms. SLAUGHTER.
H.R. 2350: Mr. COOKSEY.
H.R. 2357: Mr. KING, Mr. COBLE, and Mr. BOEHNER.
H.R. 2374: Ms. DUNN.
H.R. 2417: Mr. TERRY.
H.R. 2457: Mr. BALLENGER and Mr. BILIRAKIS.
H.R. 2459: Ms. BALDWIN.
H.R. 2574: Mr. ENGLISH.
H.R. 2576: Mr. RANGEL, Mr. ROSS, Mr. SCHAFFER, Mr. WOLF, Mr. NEAL of Massachusetts, and Mr. PENCE.
H.R. 2638: Mr. BAKER and Mr. KUCINICH.
H.R. 2716: Mr. FILNER.
H.R. 2722: Mr. FRANK, Mr. PETERSON of Minnesota, Mr. PALLONE, and Mr. LARSEN of Washington.
H.R. 2725: Mr. PLATTS.
H.R. 2792: Mr. FILNER.
H.R. 2794: Mr. KNOLLENBERG, Ms. WOOLSEY, Mrs. TAUSCHER, and Mr. WAXMAN.
H.R. 2837: Ms. ESHOO.
H.R. 2847: Mr. DICKS.
H.R. 2863: Mr. FRANK and Ms. KILPATRICK.
H.R. 2866: Mr. RANGEL and Mr. LANTOS.
H.R. 2899: Mr. SIMMONS.
H.R. 2910: Mr. RANGEL, Ms. CARSON of Indiana, and Mr. SKELTON.
H.R. 2940: Mr. PASCRELL.
H.R. 2946: Mr. MCNULTY, Ms. WATSON, Mr. GILLMOR, Mr. BENTSEN, and Mr. CONYERS.
H.R. 2951: Mr. OWENS.
H.R. 2955: Mr. MEEKS of New York.
H.R. 2965: Mr. TIAHRT, Mr. SHOWS, Mr. CROWLEY, Ms. HOOLEY of Oregon, Mr. HYDE, and Ms. BERKLEY.
H.R. 2975: Mr. FRANK.
H.R. 2989: Mr. BACA and Mr. COSTELLO.
H.R. 2998: Mr. SHERMAN and Mr. BERRY.
H.R. 3004: Mr. ROSS, Mr. SHAYS, and Mr. SHERMAN.
H.R. 3006: Mr. WOLF.
H.R. 3007: Mr. FILNER, Mr. BOUCHER, Mr. MCGOVERN, and Mr. ABERCROMBIE.
H.R. 3014: Mr. MASCARA, Mr. INSLEE, and Mr. BONIOR.
H.R. 3019: Ms. HOOLEY of Oregon.
H.R. 3026: Mr. BOEHLERT, Ms. ROYBAL-ALLARD, and Mr. CROWLEY.
H.R. 3029: Mr. NADLER and Ms. DUNN.
H.R. 3040: Mr. KILDEE, Mr. ABERCROMBIE, Mr. BRADY of Pennsylvania, Mr. ACKERMAN, and Mr. OBERSTAR.
H.R. 3043: Mr. DUNCAN, Mr. UPTON, and Mr. SUNUNU.
H.R. 3046: Mr. SUNUNU, Mr. BOUCHER, Mrs. CUBIN, and Mr. ENGEL.
H.J. Res. 23: Mr. THUNE.
H. Con. Res. 26: Mr. CLEMENT.
H. Con. Res. 37: Mr. UPTON.
H. Con. Res. 104: Ms. MCCOLLUM, Mr. OWENS, and Mr. STEARNS.
H. Con. Res. 211: Mr. LANTOS.
H. Con. Res. 234: Mr. MASCARA, Mrs. MCCARTHY of New York, and Mr. FILNER.

WEDNESDAY, OCTOBER 10, 2001 (106)

¶106.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. GIBBONS, who laid before the House the following communication:

WASHINGTON, DC,
October 10, 2001.

I hereby appoint the Honorable JIM GIBBONS to act as Speaker pro tempore on this day.

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

¶106.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GIBBONS, announced he had examined and approved the Journal of the proceedings of Tuesday, October 9, 2001.

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

¶106.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4184. A letter from the Under Secretary, Department of Defense, transmitting notification that the Secretary has invoked the authority granted by 41 U.S.C. 3732 to authorize the military departments to incur obligations in excess of available appropriations for clothing, subsistence, forage, fuel, quarters, transportation, or medical and hospital supplies, pursuant to 41 U.S.C. 11; to the Committee on Armed Services.

4185. A letter from the Under Secretary, Department of Defense, transmitting a copy of the ''Annual Report on the Department of Defense Mentor-Protege Program''; to the Committee on Armed Services.

4186. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a report entitled, ''Merger Decisions 2000''; to the Committee on Financial Services.

4187. A letter from the Assistant Secretary, Office for Civil Rights, Department of Education, transmitting an Annual Report, ''Guaranteeing Equal Access to High-Standards Education''; to the Committee on Education and the Workforce.

4188. A letter from the Acting Administrator, Energy Information Administration, Department of Energy, transmitting the Energy Information Administration's Annual Energy Review 2000, pursuant to 15 U.S.C. 790f(a)(2); to the Committee on Energy and Commerce.

4189. A letter from the Regulations Coordinator, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicaid Program; Modification of the Medicaid Upper Payment Limit Transition Period for Inpatient Hospital Services, Outpatient Hospital Services, Nursing Facililty Services, Intermediate Care Facility Services for the Mentally Retarded and Clinic Services [CMS–2100–F] (RIN: 0938–AK89) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4190. A letter from the Director, International Cooperation, Department of Defense, transmitting notification of intent to sign Amendment Number Eight to the NATO Insensitive Munitions Information Center Memorandum of Understanding between the United States, Australia, Canada, Denmark, France, Italy, The Netherlands, Norway, Portugal, Spain, the United Kingdom, and Sweden (Transmittal No. 09–01), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

4191. A letter from the Deputy Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4192. A letter from the Secretary, Department of Transportation, transmitting the Secretary's Management Report on Management Decisions and Final Actions on Office of Inspector General Audit Recommendations for the period ending March, 31, 2001, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

4193. A letter from the Inspector General, Federal Communications Commission, transmitting a copy of the commercial inventory submission of the Inspector General of the Federal Communications Commission; to the Committee on Government Reform.

4194. A letter from the Director, Administrative Office of the U.S. Courts, transmitting two reports on the 2000 Activities of the Administrative Office of the United States Courts and the 2000 Judicial Business of the United States Courts, pursuant to 28 U.S.C. 604(a)(4), (h)(2), and 2412(d)(5); to the Committee on the Judiciary.

4195. A letter from the Chair, United States Sentencing Commission, transmitting the 2000 annual report of the activities of the Commission, pursuant to 28 U.S.C. 997; to the Committee on the Judiciary.

4196. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Anchorage Regulation; San Francisco Bay, CA [CGD11–01–003] (RIN: 2115–AA98) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4197. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Atlantic Ocean, Atlantic City, New Jersey [CGD05–01–057] (RIN: 2115–AE46) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4198. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Sunset Lake, Wildwood Crest, New Jersey [CGD05–01–058] (RIN: 2115–AE46) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4199. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Chelsea River Blasting, Boston, Massachusetts [CGD01–01–139] (RIN: 2115–AA97) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4200. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Selfridge Air National Guard Base, Michigan [CGD09–01–129] (RIN: 2115–AA97) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4201. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Charleston, South Carolina [COTP Charleston-01–096] (RIN: 2115–AA97) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4202. A letter from the Administrator, General Services Administration, transmitting an informational copy of a new construction prospectus for the Border Station in Champlain, NY, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

4203. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—NASA Safety and Health (Short Form)—received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

4204. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation entitled, ''Trade Sanctions Reform and Export Enhancement Technical Amendments Act of 2001''; jointly to the Committees on International Relations and Agriculture.

4205. A letter from the Regulations Coordinator, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Requirements for the Recredentialing of MedicareChoice Organization Providers [HCFA–1160–F] (RIN: 0938–AK41) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

¶106.4 RECESS—10:18 A.M.

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 18 minutes p.m., subject to the call of the Chair.

¶106.5 AFTER RECESS—10:55 A.M.

The SPEAKER pro tempore, Mr. GIBBONS, called the House to order.

¶106.6 PROVIDING FOR THE CONSIDERATION OF H.R. 3061

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 256):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 1992) to amend the Higher Education Act of 1965 to expand the opportunities for higher education via telecommunications. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Mink of Hawaii or her designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶106.7 INTERNET EQUITY AND EDUCATION

Mr. BOEHNER, pursuant to House Resolution 256, called up the bill (H.R. 1992) to amend the Higher Education Act of 1965 to expand the opportunities for higher education via telecommunications.

Pending consideration of said bill.

Pursuant to House Resolution 256, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce as printed in the bill was considered as agreed to.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 256, Mrs. MINK submitted the following further amendment in the nature of a

substitute as printed in House Report 107-232:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Internet Equity and Education Act of 2001''.

SEC. 2. EXCEPTION TO 50 PERCENT CORRESPONDENCE COURSE LIMITATIONS.

(a) DEFINITION OF INSTITUTION OF HIGHER EDUCATION FOR TITLE IV PURPOSES.—Section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)) is amended by adding at the end the following new paragraph:

''(7) EXCEPTION TO LIMITATION BASED ON COURSE OF STUDY.—Courses offered via telecommunications (as defined in section 484(*l*)(4)) shall not be considered to be correspondence courses for purposes of subparagraph (A) or (B) of paragraph (3) for any institution that—

''(A) is participating in either or both of the loan programs under part B or D of title IV on the date of enactment of the Internet Equity and Education Act of 2001;

''(B) has a cohort default rate (as determined under section 435(m)) for each of the 3 most recent fiscal years for which data are available that is less than 10 percent; and

''(C)(i) has notified the Secretary, in a form and manner prescribed by the Secretary (including such information as the Secretary may require to meet the requirements of clause (ii)), of the election by such institution to qualify as an institution of higher education by means of the provisions of this paragraph; and

''(ii) the Secretary has not, within 90 days after such notice, and the receipt of any information required under clause (i), notified the institution that the election by such institution would pose a significant risk to Federal funds and the integrity of programs under title IV.''.

(b) DEFINITION OF ELIGIBLE STUDENT.—Section 484(*l*)(1) of the Higher Education Act of 1965 (20 U.S.C. 1091(*l*)(1)) is amended by adding at the end the following new subparagraph:

''(C) EXCEPTION TO 50 PERCENT LIMITATION.—Notwithstanding the 50 percent limitation in subparagraph (A), a student enrolled in a course of instruction described in such subparagraph shall not be considered to be enrolled in correspondence courses if the student is enrolled in an institution that—

''(i) is participating in either or both of the loan programs under part B or D of title IV on the date of enactment of the Internet Equity and Education Act of 2001;

''(ii) has a cohort default rate (as determined under section 435(m)) for each of the 3 most recent fiscal years for which data are available that is less than 10 percent; and

''(iii)(I) has notified the Secretary, in form and manner prescribed by the Secretary (including such information as the Secretary may require to meet the requirements of subclause (II)), of the election by such institution to qualify its students as eligible students by means of the provisions of this subparagraph; and

''(II) the Secretary has not, within 90 days after such notice, and the receipt of any information required under subclause (I), notified the institution that the election by such institution would pose a significant risk to Federal funds and the integrity of programs under title IV.''.

SEC. 3. EVALUATION AND REPORT.

(a) INFORMATION FROM INSTITUTIONS.—

(1) INSTITUTIONS COVERED BY REQUIREMENT.—The requirements of paragraph (2) apply to any institution of higher education that—

(A) has notified the Secretary of Education of an election to qualify for the exception to limitation based on course of study in section 102(a)(7) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(7)) or the exception to the 50 percent limitation in section 484(*l*)(1)(C) of such Act (20 U.S.C. 1091(*l*)(1)(C));

(B) has notified the Secretary under section 481(a)(3) of such Act (20 U.S.C. 1088(a)(3)); or

(C) contracts with outside parties for—

(i) the delivery of distance education programs;

(ii) the delivery of programs offered in nontraditional formats; or

(iii) the purpose of securing the enrollment of students.

(2) REQUIREMENTS.—Any institution of higher education to which this paragraph applies shall comply, on a timely basis, with the Secretary of Education's reasonable requests for information on changes in—

(A) the amount or method of instruction offered;

(B) the types of programs or courses offered;

(C) enrollment by type of program or course;

(D) the amount and types of grant, loan, or work assistance provided under title IV of the Higher Education Act of 1965 that is received by students enrolled in programs conducted in nontraditional formats; and

(E) outcomes for students enrolled in such courses or programs.

(b) REPORT BY SECRETARY REQUIRED.—The Secretary of Education shall conduct by grant or contract a study of, and by March 31, 2003, submit to the Congress, a report on—

(1) the effect that the amendments made by this Act have had on—

(A) the ability of institutions of higher education to provide distance learning opportunities to students; and

(B) program integrity;

(2) with respect to distance education or correspondence education courses at institutions of higher education to which the information requirements of subsection (a)(2) apply, changes from year-to-year in—

(A) the amount or method of instruction offered and the types of programs or courses offered;

(B) the number and type of students enrolled in distance education or correspondence education courses;

(C) the amount of student aid provided to such students, in total and as a percentage of the institution's revenue; and

(D) outcomes for students enrolled in distance education or correspondence education courses, including graduation rates, job placement rates, and loan delinquencies and defaults;

(3) any reported and verified claim of inducement to participate in the student financial aid programs and any violation of the Higher Education Act of 1965, including any actions taken by the Department of Education against the violator; and

(4) any further improvements that should be made to the provisions amended by this Act (and related provisions), in order to accommodate nontraditional educational opportunities in the Federal student assistance programs while ensuring the integrity of those programs.

SEC. 4. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.

Section 420J of the Higher Education Act of 1965 (20 U.S.C. 1070f–6) is amended by adding at the end the following new sentence: ''If for any fiscal year funds are not appropriated pursuant to this section, funds available under part B of title VII, relating to the Fund for the Improvement of Postsecondary Education, may be made available for continuation grants for any grant recipient under this subpart.''.

SEC. 5. IMPLEMENTATION.

(a) NO DELAY IN EFFECTIVE DATE.—Section 482(c) of the Higher Education Act of 1965 (20 U.S.C. 1089(c)) shall not apply to the amendments made by this Act.

(b) IMPLEMENTING REGULATIONS.—Section 492 of the Higher Education Act of 1965 (20 U.S.C. 1098a) shall not apply to the amendments made by section 2 of this Act.

After further debate,

Pursuant to House Resolution 256, the previous question was ordered on the further amendment.

The question being put, viva voce,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the nays had it.

Mrs. MINK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 99 / Nays ..... 327 }

¶106.8 [Roll No. 374]

YEAS—99

Abercrombie	Gonzalez	Olver
Ackerman	Green (TX)	Pallone
Baca	Gutierrez	Payne
Baldwin	Harman	Phelps
Barrett	Hastings (FL)	Price (NC)
Berkley	Hill	Rahall
Blagojevich	Hinchey	Rivers
Borski	Holt	Rodriguez
Capps	Honda	Roemer
Capuano	Hoyer	Ross
Cardin	Jefferson	Rothman
Carson (IN)	Kind (WI)	Roybal-Allard
Carson (OK)	Kleczka	Rush
Clement	LaFalce	Sabo
Condit	Levin	Sanders
Conyers	Lowey	Sandlin
Costello	Luther	Schakowsky
Coyne	Maloney (CT)	Schiff
Cummings	Maloney (NY)	Scott
Davis (CA)	Markey	Serrano
Davis (IL)	McCarthy (MO)	Sherman
DeFazio	McCollum	Slaughter
DeGette	McGovern	Stark
Delahunt	McIntyre	Thurman
DeLauro	McNulty	Tierney
Deutsch	Meehan	Udall (CO)
Dingell	Mink	Udall (NM)
Edwards	Moore	Velazquez
Engel	Moran (VA)	Visclosky
Etheridge	Morella	Watson (CA)
Evans	Neal	Weiner
Farr	Oberstar	Wexler
Filner	Obey	Woolsey

NAYS—327

Aderholt	Boehner	Clayton
Akin	Bonilla	Clyburn
Allen	Bonior	Coble
Andrews	Bono	Collins
Armey	Boswell	Combest
Bachus	Boucher	Cooksey
Baird	Boyd	Cox
Baker	Brady (PA)	Cramer
Baldacci	Brady (TX)	Crane
Ballenger	Brown (FL)	Crenshaw
Barcia	Brown (OH)	Crowley
Barr	Brown (SC)	Culberson
Bartlett	Bryant	Cunningham
Barton	Burr	Davis (FL)
Bass	Burton	Davis, Jo Ann
Becerra	Buyer	Davis, Tom
Bentsen	Callahan	Deal
Bereuter	Calvert	DeLay
Berman	Camp	DeMint
Berry	Cannon	Diaz-Balart
Biggert	Cantor	Dicks
Bilirakis	Capito	Doggett
Bishop	Castle	Dooley
Blumenauer	Chabot	Doolittle
Blunt	Chambliss	Doyle
Boehlert	Clay	Dreier

Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCrery
McDermott
McHugh
McInnis
McKeon
McKinney
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mollohan
Moran (KS)
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sawyer
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—4

Cubin
Hastings (WA)
Issa
Miller (FL)

So the further amendment was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House agree to said bill?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the yeas had it.

Mr. BOEHNER demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 354 / Nays ..... 70 }

¶106.9 [Roll No. 375]

AYES—354

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
Meeks (NY)
Menendez
Mica
Miller, Gary
Miller, George
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sawyer
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—70

Baca
Baldwin
Barrett
Bishop
Blagojevich
Borski
Brady (PA)
Brown (FL)
Capuano
Conyers
Costello
Coyne
Davis (CA)
DeFazio
Edwards
Engel
Evans
Filner
Frank
Gutierrez
Hastings (FL)
Hill
Hinchey
Holt
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kleczka
Lee
Maloney (NY)
Markey
McDermott
McKinney
McNulty
Meehan
Meek (FL)
Millender-McDonald
Mink
Moore
Morella
Nadler
Neal
Oberstar
Obey
Olver
Pallone
Payne
Phelps
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Sabo
Sandlin
Schakowsky
Scott
Skelton
Slaughter
Spratt
Stark
Tierney
Towns
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Woolsey

NOT VOTING—6

Cubin
Davis, Tom
Hastings (WA)
Issa
Manzullo
Miller (FL)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, was laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.10 COMMITTEE ELECTION—MAJORITY

Mr. FOLEY, by unanimous consent, submitted the following resolution (H. Res. 257):

Resolved, That the following Member be and is hereby elected to the following standing committee of the House of Representatives:

Standards of Official Conduct: Mr. LATOURETTE.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶106.11 RECESS—2:59 P.M.

The SPEAKER pro tempore, Mr. CRENSHAW, pursuant to clause 12 of

rule I, declared the House in recess at 2 o'clock and 59 minutes p.m., subject to the call of the Chair.

¶106.12 AFTER RECESS—5:52 P.M.

The SPEAKER pro tempore, Mr. FLAKE, called the House to order.

¶106.13 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 169

Whereas Mike Mansfield, the son of Irish immigrants, was born in 1903 in New York City and raised in Great Falls, Montana;

Whereas Mike Mansfield was the youngest Montanan to serve in World War I, having enlisted in the United States Navy at the age of fourteen;

Whereas Mike Mansfield spent eight years working in the copper mines of Montana;

Whereas Mike Mansfield, at the urging of his wife Maureen, concentrated his efforts on education, obtaining both his high school diploma and B.A. degree in 1933, an M.A. in 1934, and became a professor of history at the University of Montana at Missoula, where he taught until 1952;

Whereas Mike Mansfield was elected to the House of Representatives in 1943 and served the State of Montana with distinction until his election to the United States Senate in 1952;

Whereas Mike Mansfield further served the State of Montana and his country in the Senate from 1952 to 1976, where he held the position of Majority Leader from 1961 to 1976, longer than any Leader before or since;

Whereas Mike Mansfield continued to serve his country under both Democratic and Republican administrations in the post of Ambassador Extraordinary and Plenipotentiary to Japan from 1977 to 1989; and

Whereas Mike Mansfield was a man of integrity, decency and honor who was loved and admired by this Nation: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Mike Mansfield, formerly a Senator from the State of Montana.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

The message also announced that the Senate has passed concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. Con. Res. 63. Concurrent resolution recognizing the important contributions of the Youth For Life: Remembering Walter Payton initiative and encouraging participation in this nationwide effort to educate young people about organ and tissue donation.

S. Con. Res. 76. Concurrent resolution honoring the law enforcement officers, firefighters, emergency rescue personnel, and health care professionals who have worked tirelessly to search for and rescue the victims of the horrific attacks on the United States on September 11, 2001.

¶106.14 RECESS—7:37 P.M.

The SPEAKER pro tempore, Mr. SHROCK, pursuant to clause 12 of rule I, declared the House in recess at 7 o'clock and 37 minutes p.m., subject to the call of the Chair.

¶106.15 AFTER RECESS—9:05 P.M.

The SPEAKER pro tempore, Mr. KINGSTON, called the House to order.

¶106.16 PROVIDING FOR THE CONSIDERATION OF H.R. 3161

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–233) the resolution (H. Res. 258) providing for consideration of the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶106.17 SENATE CONCURRENT RESOLUTIONS REFERRED

Concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 63. Concurrent resolution recognizing the important contributions of the Youth For Life: Remembering Walter Payton initiative and encouraging participation in this nationwide effort to educate young people about organ and tissue donation; to the Committee on Energy and Commerce.

S. Con. Res. 76. Concurrent resolution honoring the law enforcement officers, firefighters, emergency rescue personnel, and health care professionals who have worked tirelessly to search for and rescue the victims of the horrific attacks on the United States on September 11, 2001; to the Committee on Government Reform.

And then,

¶106.18 ADJOURNMENT

On motion of Mr. LINDER, at 9 o'clock and 6 minutes p.m., the House adjourned.

¶106.19 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 258. Resolution providing for consideration of the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–233). Referred to the House Calendar.

¶106.20 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MANZULLO (for himself, Mr. MORAN of Virginia, Mr. NADLER, Mr. FERGUSON, Mr. MEEKS of New York, Mr. WEINER, Mr. GRUCCI, and Mr. JOHNSON of Illinois):

H.R. 3073. A bill to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes; to the Committee on Small Business.

By Mr. PAUL:

H.R. 3074. A bill to amend title 18, United States Code, and the Revised Statutes of the United States to provide punishment for, and to authorize the issuance of letters of marque and reprisal against acts of air piracy; to the Committee on the Judiciary.

By Mr. DINGELL (for himself, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. MARKEY, Mr. BOUCHER, Mr. TOWNS, Mr. PALLONE, Mr. GORDON, Mr. DEUTSCH, Mr. STUPAK, Mr. WYNN, Mr. GREEN of Texas, Ms. MCCARTHY of Missouri, Mr. STRICKLAND, Mrs. CAPPS, and Mr. DOYLE):

H.R. 3075. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of food from foreign countries, including detecting the intentional adulteration of food; to the Committee on Energy and Commerce.

By Mr. PAUL:

H.R. 3076. A bill to authorize the President of the United States to issue letters of marque and reprisal with respect to certain acts of air piracy upon the United States on September 11, 2001, and other similar acts of war planned for the future; to the Committee on International Relations.

By Mr. CASTLE (for himself, Mr. DEAL of Georgia, Mr. FLAKE, Mr. NORWOOD, Mr. STUMP, Mrs. JO ANN DAVIS of Virginia, Mr. GOODE, Mr. TANCREDO, Mrs. ROUKEMA, Mr. KERNS, Mrs. EMERSON, and Mr. GREENWOOD):

H.R. 3077. A bill to improve procedures with respect to the admission to, and departure from, the United States of aliens; to the Committee on the Judiciary.

By Mr. HASTINGS of Florida:

H.R. 3078. A bill to establish the National Office for Combatting Terrorism; to the Committee on Government Reform.

By Mr. HASTINGS of Florida:

H.R. 3079. A bill to amend the Internal Revenue Code of 1986 to allow individuals a temporary deduction for the cost of airline tickets and other personal travel expenses; to the Committee on Ways and Means.

By Ms. LEE:

H.R. 3080. A bill to establish a United States Health Service to provide high quality comprehensive health care for all Americans and to overcome the deficiencies in the present system of health care delivery; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Kansas:

H.R. 3081. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax for expenditures for the maintenance of railroad tracks of Class II and Class III railroads; to the Committee on Ways and Means.

By Mr. RODRIGUEZ (for himself and Mrs. DAVIS of California):

H.R. 3082. A bill to amend the Richard B. Russell National School Lunch Act to exclude certain basic allowances for housing of an individual who is a member of the uniformed services from the determination of eligibility for free and reduced price meals of a child of the individual; to the Committee on Education and the Workforce.

By Mr. SMITH of New Jersey:

H.R. 3083. A bill to amend the Internal Revenue Code of 1986 to restore the 80 percent deduction for meals and entertainment expenses; to the Committee on Ways and Means.

By Mr. BAIRD:

H.J. Res. 67. A joint resolution proposing an amendment to the Constitution of the

United States regarding the appointment of individuals to serve as Members of the House of Representatives in the event a significant number of Members are unable to serve at any time because of a national emergency; to the Committee on the Judiciary.

By Mr. FOLEY:

H. Res. 257. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. CRANE (for himself, Mr. RANGEL, Ms. MCKINNEY, Mr. MCGOVERN, Mr. KING, Mr. WALSH, Mr. LIPINSKI, Mr. SCHAFFER, Mr. MCNULTY, Mr. THUNE, Mr. FRANK, Mr. ISRAEL, Mr. HEFLEY, Ms. WATSON, Mr. FROST, Mr. GONZALEZ, Mr. WAXMAN, Mr. SWEENEY, Mr. PASCRELL, and Mr. BONIOR):

H. Res. 259. A resolution expressing the sense of the House of Representatives regarding the establishment of a National Day of Appreciation for Emergency Response and Rescue Workers; to the Committee on Government Reform.

By Mr. FOSSELLA (for himself, Mr. HINCHEY, Mr. ACKERMAN, Mr. GILMAN, Mr. REYNOLDS, Mr. GRUCCI, Mrs. MALONEY of New York, Mr. ENGEL, Mr. KING, Mr. NADLER, Mr. TOWNS, Mrs. LOWEY, Mr. MCNULTY, Mr. WALSH, Mr. ISRAEL, Mr. PETERSON of Pennsylvania, Mr. FORBES, Mr. ENGLISH, Mr. SCHROCK, Mr. SHERWOOD, Mr. BOUCHER, Mr. MORAN of Virginia, and Mr. LAHOOD):

H. Res. 260. A resolution waiving clause 5(a) of rule XII of the rules of the House of Representatives to permit introduction and consideration of a bill to amend title 36, United States Code, to designate September 11 as United We Stand Remembrance Day; to the Committee on Rules.

¶106.21 ADDITIONAL SPONSORS

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

H.R. 162: Mr. LIPINSKI and Mr. REYES.
H.R. 436: Ms. KILPATRICK.
H.R. 488: Ms. DEGETTE.
H.R. 510: Mr. FORD.
H.R. 525: Mr. SAXTON.
H.R. 599: Mr. BORSKI.
H.R. 804: Mr. FORBES.
H.R. 817: Mr. PETERSON of Minnesota, Mr. FILNER, and Mr. MORAN of Kansas.
H.R. 975: Mr. LAHOOD.
H.R. 984: Mr. LEWIS of Kentucky.
H.R. 1090: Ms. WOOLSEY.
H.R. 1191: Ms. SANCHEZ.
H.R. 1353: Mr. KOLBE.
H.R. 1517: Ms. HART, Mr. KILDEE, Mr. BACA, and Mr. PRICE of North Carolina.
H.R. 1609: Mr. FORBES.
H.R. 1700: Mr. CLEMENT.
H.R. 1780: Mrs. THURMAN and Mr. PASCRELL.
H.R. 1873: Ms. CARSON of Indiana.
H.R. 1904: Ms. SOLIS.
H.R. 2002: Mr. BOYD, Mr. MATHESON, Mr. SCHAFFER, Mr. BLUNT, Mr. HAYES, and Mr. BOSWELL.
H.R. 2037: Mr. THUNE.
H.R. 2117: Mr. BARTLETT of Maryland, Mr. ENGEL, and Mr. ALLEN.
H.R. 2118: Mr. HINCHEY.
H.R. 2123: Mr. DEFAZIO.
H.R. 2125: Ms. SCHAKOWSKY.
H.R. 2128: Mr. OLVER.
H.R. 2146: Mr. SIMMONS.
H.R. 2162: Ms. SOLIS.
H.R. 2220: Mr. TRAFICANT.
H.R. 2454: Mr. THOMPSON of California.
H.R. 2466: Mr. BROWN of South Carolina.
H.R. 2535: Mr. TOWNS.
H.R. 2555: Mr. LEVIN.
H.R. 2592: Ms. LOFGREN.
H.R. 2690: Mr. DOOLEY of California.
H.R. 2709: Mr. HOBSON, Mr. RYAN of Wisconsin, Mr. MARKEY, and Mr. MCGOVERN.
H.R. 2725: Mr. SERRANO.
H.R. 2771: Mr. BOYD.
H.R. 2787: Mr. BONIOR.
H.R. 2792: Mr. BILIRAKIS, Mr. SIMPSON, Mr. MCKEON, Ms. CARSON of Indiana, Mr. UDALL of New Mexico, and Mr. PICKERING.
H.R. 2839: Mr. RUSH.
H.R. 2887: Mr. OWEN and Mrs. MORELLA.
H.R. 2932: Mr. FOLEY, Mr. HALL of Texas, and Mr. KELLER.
H.R. 2945: Mr. FRANK and Mr. ABERCROMBIE.
H.R. 2946: Mr. HILLIARD, Ms. BALDWIN, Mr. BROWN of Ohio, and Mr. BERMAN.
H.R. 2951: Mr. RAMSTAD.
H.R. 2955: Mr. LAFALCE, Mrs. TAUSCHER, Ms. BALDWIN, and Mr. ALLEN.
H.R. 2957: Mr. FROST and Mr. HYDE.
H.R. 2964: Mr. ROSS, Mr. CALLAHAN, Mr. WICKER, Mr. HILLIARD, Mr. RILEY, Mr. ADERHOLT, Mr. TAYLOR of Mississippi, Mr. BERRY, Mr. SHOWS, Mr. CRAMER, Mr. VITTER, Mr. EVERETT, Mr. THOMPSON of Mississippi, Mr. JEFFERSON, and Mr. BACHUS.
H.R. 2965: Mr. GREEN of Wisconsin, Mr. THOMPSON of California, and Mr. BASS.
H.R. 2991: Mrs. JONES of Ohio, Mr. KILDEE, Ms. LEE, Mrs. LOWEY, Mr. OWENS, Mr. PASCRELL, and Mr. TANCREDO.
H.R. 2998: Mr. BACA, Mr. OSBORNE, and Mr. SCHAFFER.
H.R. 3015: Ms. BALDWIN, Mr. GUTIERREZ, Mr. RODRIGUEZ, Mr. PASCRELL, and Mr. MATSUI.
H.R. 3026: Mr. HASTINGS of Florida.
H.R. 3035: Mr. GILMAN, Mr. BACA, Mr. FROST, and Mr. FORD.
H.J. Res. 66: Mr. TAUZIN.
H. Con. Res. 38: Mr. OWENS.
H. Con. Res. 160: Mr. HOLDEN.
H. Con. Res. 162: Mrs. LOWEY.
H. Con. Res. 188: Mr. SANDERS and Mr. LAMPSON.
H. Con. Res. 233: Mr. LIPINSKI, Mr. OWENS, and Mr. PASCRELL.
H. Res. 255: Mr. DOOLEY of California, Ms. DELAURO, Mr. GONZALEZ, Mr. CALVERT, Mrs. MALONEY of New York, Mr. SENSENBRENNER, Mr. GEPHARDT, Mr. NADLER, and Mr. COBLE.

THURSDAY, OCTOBER 11, 2001 (107)

The House was called to order by the SPEAKER.

¶107.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, October 10, 2001.

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

¶107.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4206. A letter from the Acting Administrator, Agriculture Marketing Service, Department of Agriculture, transmitting the Department's final rule— Oranges and Grapefruit (Texas and States Other Than Florida, California and Arizona); Grade Standards [Docket Number FV–00–304] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4207. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule— Tomatoes Grown in Florida; Changes to the Handling Regulation for Producer Field-Packed Tomatoes [Docket No. FV01–966–1 FR] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4208. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule— Papayas Grown in Hawaii; Suspension of Grade, Inspection, and Related Reporting Requirements [Docket No. FV01–928–1 FIR] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4209. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Bifenthrin; Pesticide Tolerances for Emergency Exemptions [OPP–301169; FRL–6801–5] (RIN: 2070–AB78) received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4210. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Cyhalofop-butyl; Pesticide Tolerances for Emergency Exemptions [OPP–301167; FRL–6800–2] (RIN: 2070–AB78) received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4211. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Truth in Savings—received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4212. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Organization and Operations of Federal Credit Unions—received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4213. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— California: Final Authorization of Revisions to State Hazardous Waste Management Program [FRL–7065–7] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4214. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Missouri: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7068–1] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4215. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Texas: Control of Emissions From Existing Hospital/Medical/Infectious Waste Incinerators [TX–128–1–7466a; FRL–7067–6] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4216. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Approval and Promulgation of Air Quality Implementation Plans; Maryland; Rate of Progress Plans and Contingency Measures for the Baltimore Ozone Nonattainment Area [MD057/71/98/115–3082 FRL–7066–3] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4217. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Approval

of Operating Permits Program; Commonwealth of Massachusetts [AD-FRL–7065–9] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4218. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Approval of Operating Permits Program; State of Rhode Island [AD-FRL–7068–9] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4219. A letter from the Principal Deputy Associate Administration, Environmental Protection Agency, transmitting the Agency's final rule— Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District [CA 242–0294a; FRL–7066–8] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4220. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Correction to the Hazardous Waste Identification Rule (HWIR): Revisions to the Mixture and Derived-from Rules; Direct Final Rule [FRL–7066–2] (RIN: 2050–AE07) received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4221. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 13–01 which informs the intent to sign Amendment Number One to the Air Defense Command and Control Memorandum of Agreement (MOA) between the United States and the NATO Hawk Production and Logistics Organization (NHLPO) for the Fire Direction Operation Center (FDOC), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

4222. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

4223. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 135, ''Food Regulation Temporary Amendment Act of 2001'' received October 11, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4224. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–133, ''Free Clinic Assistance Program Extension Temporary Amendment Act of 2001'' received October 11, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4225. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 132, ''National Capital Revitalization Corporation Temporary Amendment Act of 2001'' received October 11, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4226. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 134, ''Parental Kidnapping Extradition Amendment Act of 2001'' received October 11, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4227. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Pelagic Longline Fishery; Sea Turtle Protection Measures [Docket No. 010710169–1169–01; I.D. 060401B] (RIN: 0648–AP31) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

¶107.3 SUBMISSION OF CONFERENCE REPORT—H.R. 2217

Mr. REGULA submitted a conference report (Rept. No. 107–234) on the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶107.4 RECESS—10:09 A.M.

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 9 minutes a.m., subject to the call of the Chair.

¶107.5 AFTER RECESS—1:19 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶107.6 ORDER OF BUSINESS—CONSIDERATION OF H.R. 3061

On motion of Ms. PRYCE, by unanimous consent,

Ordered, That it may be in order at any time for the Speaker, as though pursuant to clause 2(b) of rule 18, to declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, and that consideration of the bill proceed according to the following order: The first reading of the bill shall be dispensed with; all points of order against the bill and against its consideration are waived; general debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; after general debate the bill shall be considered for amendment under the five-minute rule; during consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII, and amendments so printed shall be considered as read; during consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived; at the conclusion of consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted; the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

¶107.7 LABOR, HHS, AND EDUCATION APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to foregoing order of the House and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, designated Mr. COMBEST as Chairman of the Committee of the Whole; and after some time spent therein,

¶107.8 CALL IN COMMITTEE

Mr. COMBEST, Chairman, announced that the Committee, having had under consideration said bill, finding itself without a quorum, directed the Members to record their presence by electronic device, and the following-named Members responded—

¶107.9 [Roll No. 376]

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

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

Thereupon, Mr. COMBEST, Chairman, announced that 412 Members had been recorded, a quorum.

The Committee resumed its business.

¶107.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SCHAFFER:

In title III under the heading ''EDUCATION FOR THE DISADVANTAGED'', after the first dollar amount insert ''(reduced by $50,000,000)''.

In title III under the heading ''SCHOOL IMPROVEMENT PROGRAMS'', after the first dollar amount insert ''(reduced by $410,000,000)''.

In title III under the heading ''BILINGUAL AND IMMIGRANT EDUCATION'', after the first dollar amount insert ''(reduced by $240,000,000)''.

In title III under the heading ''SPECIAL EDUCATION'', after the first dollar amount insert ''(increased by $1,100,500,000)''.

In title III under the heading ''VOCATIONAL AND ADULT EDUCATION'', after the first dollar amount insert ''(reduced by $154,000,000)''.

In title III under the heading ''HIGHER EDUCATION'', after the first dollar amount insert ''(reduced by $183,000,000)''.

In title III under the heading ''EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT'', after the first dollar amount insert ''(reduced by $63,500,000)''.

It was decided in the negative ..... { Yeas ..... 76 / Nays 349

¶107.11 [Roll No. 377]

AYES—76

Akin
Armey
Bartlett
Barton
Bass
Brady (TX)
Brown (SC)
Bryant
Burr
Cannon
Cantor
Chabot
Cox
Culberson
Davis, Jo Ann
Deal
DeLay
DeMint
Doolittle
Flake
Forbes
Gibbons
Gilman
Goode
Graham
Graves
Green (WI)
Grucci
Gutknecht
Hall (TX)
Harman
Hayworth
Hefley
Herger
Hoekstra
Hostettler
Issa
Jenkins
Johnson (IL)
Jones (NC)
Kelly
Kennedy (MN)
Kerns
Largent
Manzullo
McInnis
Miller, Gary
Myrick
Norwood
Paul
Pence
Petri
Pitts
Pombo
Radanovich
Ramstad
Rehberg
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Sensenbrenner
Sessions
Shadegg
Simmons
Souder
Stearns
Sununu
Tancredo
Taylor (NC)
Thornberry
Tiahrt
Toomey
Vitter
Weldon (FL)

NOES—349

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Buyer
Callahan
Calvert
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gonzalez
Goodlatte
Gordon
Goss
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—5

Blunt
Kingston
Meeks (NY)
Miller (FL)
Velazquez

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. COMBEST, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶107.12 CONTINUING APPROPRIATIONS FY 2002

Mr. YOUNG of Florida, by unanimous consent, called up the joint resolution (H.J. Res. 68) making further continuing appropriations for the fiscal year 2002, and for other purposes.

When said joint resolution was considered and read twice.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. YOUNG of Florida and Mr. OBEY for 30 minutes each.

After debate,

By unanimous consent, the previous question was ordered on the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶107.13 LABOR, HHS AND EDUCATION APPROPRIATIONS FY 2002

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to previous order of the House of today and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3601) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Mr. GUTKNECHT, Acting Chairman, assumed the chair.

¶107.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. STEARNS:

At the end of title V, insert after the last section (preceding the short title) the following section:

SEC. 5___. Of the amounts otherwise made available in this Act to the Corporation for Public Broadcasting for fiscal year 2002, $12,000,000 is transferred and made available under the account for the Public Health and Social Services Emergency Fund as an additional amount to support activities of the Centers for Disease Control and Prevention.

It was decided in the negative { Yeas ..... 107 / Nays 312

¶107.15 [Roll No. 378]

AYES—107

Aderholt
Akin
Armey
Bachus
Baker
Barr
Bartlett
Barton
Brady (TX)
Bryant
Burr
Burton
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Cubin
Culberson
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Duncan
Emerson
Ferguson
Flake
Foley
Forbes
Gallegly
Goode
Goodlatte
Goss
Graves
Green (WI)
Gutknecht
Hart
Hayes
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Hostettler
Hulshof
Hunter
Isakson
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
Largent
Lewis (KY)
Linder
LoBiondo
Manzullo
McCrery
Miller, Gary
Norwood
Otter
Oxley
Paul
Pence
Petri
Pickering
Pitts
Pombo
Putnam
Ramstad
Riley
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Sensenbrenner
Sessions
Shadegg
Shows
Smith (MI)
Smith (NJ)
Stearns
Stump
Tancredo
Tauzin
Taylor (NC)
Terry
Thornberry
Tiahrt
Toomey
Turner
Upton
Vitter
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Wicker

NOES—312

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Buyer
Callahan
Calvert
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Ford
Frank
Frelinghuysen
Frost
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Graham
Granger
Green (TX)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sununu
Sweeney
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiberi
Tierney
Traficant
Udall (CO)
Udall (NM)
Visclosky
Walden
Walsh
Wamp
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Blunt
Engel
Fossella
Gillmor
Kingston
McHugh
Meeks (NY)
Miller (FL)
Nadler
Towns
Velazquez

So the amendment was not agreed to.

¶107.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ISTOOK:

At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. The amounts otherwise provided by this Act are revised by increasing the amount made available in the second sentence under the heading ''Health Resources and Services'' for special projects of regional and national significance under section 501(a)(2) of the Social Security Act, reducing the aggregate amount made available under the heading ''Disease Control, Research, and Training'', and reducing the aggregate amount made available under the heading ''Payments to States for the Child Care and Development Block Grant'', by $33,000,000, $16,000,000, and $17,000,000, respectively.

It was decided in the negative { Yeas ..... 106 / Nays 311

¶107.17 [Roll No. 379]

AYES—106

Aderholt
Akin
Armey
Barr
Bartlett
Barton
Bereuter
Brady (TX)
Brown (SC)
Bryant
Burton
Cannon
Cantor
Chabot
Combest
Costello
Crenshaw
Cubin
Culberson
Davis, Jo Ann
DeLay
DeMint
Doolittle
Duncan
Ehrlich
Everett
Ferguson
Flake
Forbes
Ganske
Goode
Goodlatte
Graham
Green (WI)
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hayes
Hayworth
Hefley
Hilleary
Hostettler
Hunter
Hyde
Istook
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kerns
LaHood
Largent
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Manzullo
McIntyre
McKeon
Mica
Miller, Gary
Moran (KS)
Myrick
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Radanovich
Riley
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Tiahrt
Tiberi
Vitter
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wolf

NOES—311

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Buyer
Callahan
Calvert
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Goss
Granger
Graves
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hastings (WA)
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Serrano
Shaw
Shays
Sherwood
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Walden
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Wilson
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—13

Blunt
Engel
Fletcher
Fossella
Gillmor
Kingston
McHugh
Meeks (NY)
Miller (FL)
Nadler
Sherman
Towns
Velazquez

So the amendment was not agreed to.

¶107.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ISTOOK:

At the end of the bill (before the short title, insert the following:)

SEC. (a) None of the funds made available in this Act may be used to implement, administer, or enforce Executive Order 13166.

(b) The limitation established in subsection (a) shall not apply to an agency that is subject to Executive Order 12866 after it has complied with the requirements of such Executive Order, which has been issued pursuant to law.

It was decided in the negative ..... { Yeas ..... 156 / Nays 262

¶107.19 [Roll No. 380]

AYES—156

Aderholt
Akin
Armey
Bachus
Baker
Barr
Bartlett
Bereuter
Biggert
Bilirakis
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Doolittle
Duncan
Dunn
Ehrlich
Emerson
English
Everett
Flake
Fletcher
Forbes
Frelinghuysen
Gallegly
Ganske
Gibbons
Goode
Goodlatte
Graham
Graves
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
LaHood
Largent
Latham
Leach
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McIntyre
Mica
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Osborne
Otter
Paul
Pence
Pickering
Pitts
Platts
Pombo
Putnam
Radanovich
Ramstad
Rehberg
Reynolds
Riley
Rogers (MI)
Rohrabacher
Roukema
Royce
Ryun (KS)
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shows
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Stearns
Stump
Sununu
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Toomey
Upton
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker

NOES—262

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Barton
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Callahan
Calvert
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Edwards
Ehlers
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank
Frost
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Napolitano
Neal
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Serrano
Shaw
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Traficant
Turner
Udall (CO)
Udall (NM)
Visclosky
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—12

Blunt
Engel
Ferguson
Fossella
Gillmor
Kingston
McHugh
Meeks (NY)
Miller (FL)
Nadler
Towns
Velazquez

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. GUTKNECHT, Acting Chairman, pursuant to previous order of the House of today, reported the bill back to the House with sundry amendments adopted by the Committee.

Pursuant to the previous order of the House of today, the previous question was ordered on the bill, as amended.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page ____, after line ____, insert the following new section:

SEC. ____. No funds appropriated in this Act may be made available to any person or entity that violates the Buy American Act (41 U.S.C. 10a–10c).

At the end of title V, insert after the last section (preceding the short title) the following section:

SEC. 5 . None of the funds made available in this Act for the Department of Health and Human Services may be used to grant an exclusive or partially exclusive license pursuant to chapter 18 of title 35, United States Code, except in accordance with section 209 of such title (relating to the availability to the public of an invention and its benefits on reasonable terms).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 373 / Nays 43

¶107.20 [Roll No. 381]

YEAS—373

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

NAYS—43

Armey	Hoekstra	Royce
Barr	Hostettler	Ryun (KS)
Bartlett	Hunter	Schaffer
Cantor	Johnson, Sam	Sensenbrenner
Chabot	Jones (NC)	Sessions
Crane	Kerns	Shadegg
Culberson	Miller, Gary	Smith (NJ)
DeLay	Moran (KS)	Stenholm
DeMint	Otter	Tancredo
Doolittle	Paul	Taylor (MS)
Duncan	Pence	Toomey
Flake	Petri	Vitter
Goodlatte	Pitts	Weldon (FL)
Hayworth	Pombo	
Hefley	Rohrabacher	

NOT VOTING—14

Blunt	Kingston	Shuster
Engel	McHugh	Towns
Fossella	Meeks (NY)	Velazquez
Frank	Miller (FL)	Waters
Gillmor	Nadler	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶107.21 ORDER OF BUSINESS—PLEDGE OF ALLEGIANCE

On motion of Mr. COX, by unanimous consent,

Ordered, That it may be in order on October 12, 2001, the Speaker or the Chairman of the Committee of the Whole be authorized to recognize a Member at 2 o'clock p.m. for the purpose of leading the House or the Committee of the Whole in the Pledge of Allegiance to the Flag.

¶107.22 RECESS—10:25 P.M.

The SPEAKER pro tempore, Mr. SCHROCK, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 25 minutes p.m., subject to the call of the Chair.

FRIDAY, OCTOBER 12 (LEGISLATIVE DAY OF OCTOBER 11), 2001

¶107.23 AFTER RECESS—8:57 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶107.24 WAIVING REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–237) the resolution (H. Res. 263) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶107.25 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. MCHUGH, for today after 6:15 p.m. and balance of the week;

To Mr. BLUNT, for today and balance of the week; and

To Mr. GILLMOR, for today after 5 p.m. and balance of the week.

And then,

¶107.26 ADJOURNMENT

On motion of Mr. REYNOLDS, at 8 o'clock and 58 minutes a.m., Friday, October 12 (legislative day of October 11), 2001, the House adjourned.

¶107.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SKEEN: Committee of Conference. Conference report on H.R. 2217. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–234). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2559. A bill to amend chapter 90 of title 5, United States Code, relating to

Federal long-term care insurance (Rept. No. 107–235 Pt. 1). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2975. A bill to combat terrorism, and for other purposes; with an amendment (Rept. No. 107–236 Pt. 1). Ordered to be printed.

Mr. REYNOLDS: Committee on Rules. House Resolution 263. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 107-237). Referred to the House Calendar.

¶107.28 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2975. Referral to the Committee on Intelligence (Permanent Select) extended for a period ending not later than October 12, 2001.

¶107.29 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on International Relations, Resources, and Ways and Means discharged from further consideration of H.R. 2975.

¶107.30 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

193. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a Resolution memorializing the United States Congress to support the Secretary of State in recalling our delegation to the flawed United Nation's Conference on racism and commends him for his decisive action; to the Committee on International Relations.

194. Also, a memorial of the Senate of the State of Ohio, relative to Senate Resolution No. 1056 memorializing the United States Congress that the State Senate supports the President of the United States and the United States Congress in the actions they must take in order to seek justice for the devastation that our nation has suffered from terrorism and to protect our nation from further terrorist acts of aggression; to the Committee on the Judiciary.

195. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution Memorializing the United States Congress to enact H.R. 2374 to amend the Internal Revenue Code to consider certain transitional dealer assistance related to the phase-out of Oldsmobile as an involuntary conversion; to the Committee on Ways and Means.

196. Also, a memorial of the House of Delegates of the State of West Virginia, relative to House Resolution No. 1 memorializing the United States Congress to accept the House of Delegates expresion of their deepest heartfelt sympathy to the families and friends of those killed and injured in the terrorist attacks of September 11, 2001 and the recovery efforts following the attacks; jointly to the Committees on the Judiciary and International Relations.

197. Also, a memorial of the Senate of the State of West Virginia, relative to Senate Resolution No. 503 memorializing the United States Congress that the State Senate condemns the action of terrorists and their attack on the United States on September 11, 2001; and for other purposes; jointly to the Committees on the Judiciary and International Relations.

198. Also, a memorial of the House of Representatives of the State of Alabama, relative to Resolution No. 146 memorializing the United States Congress to enact appropriate laws which will result in reducing terrorist threats within our borders; and for other purposes; jointly to the Committees on the Judiciary, Transportation and Infrastructure, and Armed Services.

¶107.31 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

33. The SPEAKER presented a petition of the Slidell City Council, Louisiana, relative to Resolution No. R01–21 petitioning the United States Congress to carefully consider any changes to the National Flood Insurance Program administered by the Federal Emergency Management Agency; to the Committee on Financial Services.

34. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No.472 petitioning the United States Congress to oppose the granting of any discretionary economic benefit by the United States, New York State or Rockland County governments or public benefit corporations in an attempt to locate the siting of power plants in the Torne Valley in Rockland County; to the Committee on Energy and Commerce.

35. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 472 petitioning the United States Congress to request the New York State Legislature to amend Title X of the Public Service Law to require that no electrical generating facility other than hydroelectric shall be placed within one-half mile of a primary sole source aquifer or one-half mile from any abutting highly permeable soils as determined by the New York State Department of Environmental Conservation without the prior consent of the Governor of the State of New York after a finding by the Governor of an extrordinary need for said facility; to the Committee on Energy and Commerce.

36. Also, a petition of the City of Lauderdale Lakes Commission, Florida, relative to Resolution No. 01–232 petitioning the United States Congress that the Commission expresses confidence in the Nation, its citizens, the President of the United States, the Congress and the Administration, and encourages all Americans to join together and redediate themselves to the Nation's underlying principles of the capitalist democracy established in the Constitution of the United States of America; to the Committee on the Judiciary.

37. Also, a petition of Forty-Three State Legislators, Minnesota, relative to a letter expressing profound sympathy to the citizens of New York City and Washington, DC; pledging unwavering support to the President and Congress; and expressing hope that the President and Congress will act decisively to counteract this terrorism; jointly to the Committees on the Judiciary and International Relations.

FRIDAY, OCTOBER 12, 2001 (108)

¶108.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LAHOOD, who laid before the House the following communication:

WASHINGTON, DC,
October 12, 2001.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

¶108.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, announced he had examined and approved the Journal of the proceedings of Thursday, October 11, 2001.

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

¶108.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4228. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule— Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Limiting the Volume of Small Red Seedless Grapefruit [Docket No. FV01–905–1 IFR] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4229. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule— Irish Potatoes Grown in Colorado; Suspension of Continuing Assessment Rate [Docket No. FV01–948–2 IFR] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4230. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Tuberculosis in Cattle, Bison, and Captive Cervids; State and Zone Designations [Docket No. 99–092–2] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4231. A letter from the Chairman, National Capital Planning Commission, transmitting a report of a technical violation of the Anti-Deficiency Act, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

4232. A letter from the Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the Secretary's certification that full-up, system-level live fire testing of the T-AKE Auxiliary Cargo and Ammunition Ship Class would be unreasonably expensive and impractical, pursuant to 10 U.S.C. 2366(c)(1); to the Committee on Armed Services.

4233. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Cost or Pricing Data Threshold [DFARS Case 2000–D026] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4234. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Domestic Source Restrictions-Ball and Roller Bearings and Vessel Propellers [DFARS Case 2000–D301] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4235. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Use of Recovered Materials [DFARS Case 2001–D005] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4236. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Cancellation of MIL-STD–973, Configuration Management [DFARS Case 2001–D001] received September 25, 2001, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4237. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Memorandum of Understanding—Section 8(a) Program [DFARS Case 2001–D009] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4238. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Revisions to SEMAP Lease-up Indicator [Docket No. FR–4604–I–01] (RIN: 2577–AC21) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4239. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Fair Market Rents for the Housing Choice Voucher Program and Moderate Rehabilitation Single Room Occupancy Program—Fiscal Year 2002 [Docket No. 4680–N–02] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4240. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Operating Subsidiaries of Federal Branches and Agencies [Docket No. 01–21] (RIN: 1557–AB92) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4241. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Revisions to the Arizona State Implementation Plan, Pinal County Air Quality Control District [AZ 063–0046; FRL–7066–7] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4242. A letter from the Prinicpal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units [AD-FRL–7066–4] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4243. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— Approval of Section 112(I) Authority for Hazardous Air Pollutants; State of Delaware; Department of Natural Resources and Environmental Control [DE001–1001; FRL–7056–7] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4244. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule— National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities [AD-FRL–7067–9] (RIN: 2060–AG91) received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4245. A communication from the President of the United States, transmitting His report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the United Nations Security Council; (H. Doc. No. 107—132); to the Committee on International Relations and ordered to be printed.

4246. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revisions and Clarifications to the Export Administration Regulations—— Chemical and Biological Weapons Controls: Australia Group; Chemical Weapons Convention [Docket No. 010914228–1228–01] (RIN: 0694–AC43) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

4247. A letter from the Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Central Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands [Docket No. 010112013–1013–01; I.D. 091801A] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4248. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Class Deviation from the Provisions of 40 CFR 35. 3.25(b)(1) received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4249. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule— Board of Veterans' Appeals: Rules of Practice—Time for Filing Substantive Appeal (RIN: 2900–AK54) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4250. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule— Board of Veterans' Appeals: Rules of Practice—Subpoenas (RIN: 2900–AJ58) received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4251. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—User Fee Airports [T.D. 01–70] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4252. A letter from the Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—Name Change Of User Fee Airport in Ocala, Florida [T.D. 01–69] received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4253. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Notice 2001–58] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4254. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definitions Relating to Corporate Reorganizations [Rev. Rul. 2001–46] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4255. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Liabilities Assumed in Certain Corporate Transactions [TD 8964] (RIN: 1545–AY55) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4256. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Gross Income—received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4257. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Accrual of Medicaid Rebate Liability— received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4258. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Archer Medical Savings Accounts [Annoucement 2001–99] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4259. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Applicable recovery period under IRC Sec. 168(a) for slot machines, video lottery terminals, and gaming furniture, fixtures and equipment—received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4260. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out inventories [Rev. Rul. 2001–45] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4261. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Loss Utilization in a Life-Nonlife Consolidated Return Separate v. Single Entity Approach—received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4262. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 2001–47] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶108.4 RECESS—9:07 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 7 minutes a.m. subject to the call of the Chair.

¶108.5 AFTER RECESS—11 A.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶108.6 PROVIDING FOR THE CONSIDERATION OF H.R. 2975

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–238) the resolution (H. Res. 264) providing for consideration of the bill (H.R. 2975) to combat terrorism, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶108.7 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 263):

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of Friday, October 12, 2001, providing for consideration or disposition of the bill (H.R. 2975) to combat terrorism, and for other purposes.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. NADLER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 216 / Nays 205

¶108.8 [Roll No. 382]

YEAS—216

Abercrombie
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Bass
Bereuter
Biggert
Bilirakis
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McInnis
McKeon
Mica
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—205

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

NOT VOTING—10

Aderholt
Barton
Blunt
Dicks
Gillmor
McHugh
Miller (FL)
Schrock
Towns
Wexler

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶108.9 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Monahan, one of its clerks, announced that the Senate has passed without amendment a joint resolution and a concurrent resolution of the House of the following titles:

H.J. Res. 68. Joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

H. Con. Res. 204. Concurrent resolution expressing the sense of Congress regarding the establishment of National Character Counts Week.

The message also announced that the Senate has passed a joint resolution of the following title in which the concurrence of the House is requested:

S.J. Res. 25. Joint resolution designating September 11 as ''National Day of Remembrance''.

¶108.10 PROVIDING FOR THE CONSIDERATION OF H.R. 2975

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 264):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 2975) to combat terrorism, and for other purposes. The bill shall be considered as read for amendment. In lieu of the amendment recommended by the Committee on the Judiciary now printed in the bill, an amendment in the nature of a substitute consisting of the text of H.R. 3108 shall be considered as adopted. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. DIAZ-BALART moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 215 / Nays 207

¶108.11 [Roll No. 383]

YEAS—215

Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Bass
Bereuter
Biggert
Bilirakis
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach

Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McInnis
McKeon
Mica
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—207

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

NOT VOTING—8

Aderholt
Barton
Blunt
Boyd
Gillmor
McHugh
Miller (FL)
Towns

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mrs. SLAUGHTER demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 214 / Nays ..... 208 }

¶108.12 [Roll No. 384]

AYES—214

Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Bass
Bereuter
Biggert
Bilirakis
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McInnis
McKeon
Mica
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—208

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

NOT VOTING—9

Aderholt
Barton
Blunt
Boyd
Gillmor
McHugh
Miller (FL)
Mollohan
Towns

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶108.13 ORDER OF BUSINESS—CONSIDERATION OF H.R. 2975

On motion of Ms. WATERS, by unanimous consent,

Ordered, That, during consideration of the bill (H.R. 2975) to combat ter-

rorism, and for other purposes, pursuant to House Resolution 264, the amendment considered as adopted pursuant to that rule be modified by striking section 1001 and renumbering the remaining section accordingly.

¶108.14 ORDER OF BUSINESS—FURTHER AMENDMENT TO AMENDMENT CONSIDERED AS ADOPTED BY THE RULE

On motion of Mr. SENSENBRENNER, by unanimous consent,

Ordered, That the amendment considered as adopted pursuant to House Resolution 264 be further modified as follows: Delete sections 302, 303 and 304.

¶108.15 COMBAT TERRORISM

Mr. SENSENBRENNER, pursuant to House Resolution 264, called up the bill (H.R. 2975) to combat terrorism, and for other purposes.

When said bill was considered and read twice.

In lieu of the amendment recommended by the Committee on the Judiciary now printed in the bill, the following amendment in the nature of a substitute consisting of the text of H.R. 3108, as modified under the previous order by unanimous consent, was considered as agreed to:

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Uniting and Strengthening America Act'' or the ''USA Act of 2001''.

(b) TABLE OF CONTENTS.— The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Construction; severability.

TITLE I—ENHANCING DOMESTIC SECURITY AGAINST TERRORISM

Sec. 101. Counterterrorism fund.
Sec. 102. Sense of Congress condemning discrimination against Arab and Muslim Americans.
Sec. 103. Increased funding for the technical support center at the Federal Bureau of Investigation.
Sec. 104. Requests for military assistance to enforce prohibition in certain emergencies.
Sec. 105. Expansion of National Electronic Crime Task Force Initiative.
Sec. 106. Presidential authority.

TITLE II—ENHANCED SURVEILLANCE PROCEDURES

Sec. 201. Authority to intercept wire, oral, and electronic communications relating to terrorism.
Sec. 202. Authority to intercept wire, oral, and electronic communications relating to computer fraud and abuse offenses.
Sec. 203. Authority to share criminal investigative information.
Sec. 204. Clarification of intelligence exceptions from limitations on interception and disclosure of wire, oral, and electronic communications.
Sec. 205. Employment of translators by the Federal Bureau of Investigation.
Sec. 206. Roving surveillance authority under the Foreign Intelligence Surveillance Act of 1978.
Sec. 207. Duration of FISA surveillance of non-United States persons who are agents of a foreign power.
Sec. 208. Designation of judges.
Sec. 209. Seizure of voice-mail messages pursuant to warrants.
Sec. 210. Scope of subpoenas for records of electronic communications.
Sec. 211. Clarification of scope.
Sec. 212. Emergency disclosure of electronic communications to protect life and limb.
Sec. 213. Authority for delaying notice of the execution of a warrant.
Sec. 214. Pen register and trap and trace authority under FISA.
Sec. 215. Access to records and other items under the Foreign Intelligence Surveillance Act.
Sec. 216. Modification of authorities relating to use of pen registers and trap and trace devices.
Sec. 217. Interception of computer trespasser communications.
Sec. 218. Foreign intelligence information.
Sec. 219. Single-jurisdiction search warrants for terrorism.
Sec. 220. Nationwide service of search warrants for electronic evidence.
Sec. 221. Trade sanctions.
Sec. 222. Assistance to law enforcement agencies.
Sec. 223. Civil liability for certain unauthorized disclosures.
Sec. 224. Sunset.

TITLE III—FINANCIAL INFRASTRUCTURE

Sec. 301. Laundering the proceeds of terrorism.
Sec. 302. Material support for terrorism.
Sec. 303. Assets of terrorist organizations.
Sec. 304. Technical clarification relating to provision of material support to terrorism.
Sec. 305. Extraterritorial jurisdiction.

TITLE IV—PROTECTING THE BORDER

Subtitle A—Protecting the Northern Border

Sec. 401. Ensuring adequate personnel on the northern border.
Sec. 402. Northern border personnel.
Sec. 403. Access by the Department of State and the INS to certain identifying information in the criminal history records of visa applicants and applicants for admission to the United States.
Sec. 404. Limited authority to pay overtime.
Sec. 405. Report on the integrated automated fingerprint identification system for points of entry and overseas consular posts.

Subtitle B—Enhanced Immigration Provisions

Sec. 411. Definitions relating to terrorism.
Sec. 412. Mandatory detention of suspected terrorists; habeas corpus; judicial review.
Sec. 413. Multilateral cooperation against terrorists.

Subtitle C—Preservation of Immigration Benefits for Victims of Terrorism

Sec. 421. Special immigrant status.
Sec. 422. Extension of filing or reentry deadlines.
Sec. 423. Humanitarian relief for certain surviving spouses and children.
Sec. 424. ''Age-out'' protection for children.
Sec. 425. Temporary administrative relief.
Sec. 426. Evidence of death, disability, or loss of employment.
Sec. 427. No benefits to terrorists or family members of terrorists.
Sec. 428. Definitions.

TITLE V—REMOVING OBSTACLES TO INVESTIGATING TERRORISM

Sec. 501. Attorney General's authority to pay rewards to combat terrorism.
Sec. 502. Secretary of State's authority to pay rewards.
Sec. 503. DNA identification of terrorists and other violent offenders.
Sec. 504. Coordination with law enforcement.
Sec. 505. Miscellaneous national security authorities.
Sec. 506. Extension of Secret Service jurisdiction.
Sec. 507. Disclosure of educational records.
Sec. 508. Disclosure of information from NCES surveys.

TITLE VI—PROVIDING FOR VICTIMS OF TERRORISM, PUBLIC SAFETY OFFICERS, AND THEIR FAMILIES

Subtitle A—Aid to Families of Public Safety Officers

Sec. 611. Expedited payment for public safety officers involved in the prevention, investigation, rescue, or recovery efforts related to a terrorist attack.
Sec. 612. Technical correction with respect to expedited payments for heroic public safety officers.
Sec. 613. Public safety officers benefit program payment increase.
Sec. 614. Office of Justice programs.

Subtitle B—Amendments to the Victims of Crime Act of 1984

Sec. 621. Crime victims fund.
Sec. 622. Crime victim compensation.
Sec. 623. Crime victim assistance.
Sec. 624. Victims of terrorism.

TITLE VII—INCREASED INFORMATION SHARING FOR CRITICAL INFRASTRUCTURE PROTECTION

Sec. 711. Expansion of regional information sharing system to facilitate Federal-State-local law enforcement response related to terrorist attacks.

TITLE VIII—STRENGTHENING THE CRIMINAL LAWS AGAINST TERRORISM

Sec. 801. Terrorist attacks and other acts of violence against mass transportation systems.
Sec. 804. Jurisdiction over crimes committed at U.S. facilities abroad.
Sec. 805. Material support for terrorism.
Sec. 806. Assets of terrorist organizations.
Sec. 807. Technical clarification relating to provision of material support to terrorism.
Sec. 808. Definition of Federal crime of terrorism.
Sec. 809. No statute of limitation for certain terrorism offenses.
Sec. 810. Alternate maximum penalties for terrorism offenses.
Sec. 811. Penalties for terrorist conspiracies.
Sec. 812. Post-release supervision of terrorists.
Sec. 813. Inclusion of acts of terrorism as racketeering activity.
Sec. 814. Deterrence and prevention of cyberterrorism.
Sec. 815. Additional defense to civil actions relating to preserving records in response to Government requests.
Sec. 816. Development and support of cybersecurity forensic capabilities.

TITLE IX—IMPROVED INTELLIGENCE

Sec. 901. Responsibilities of Director of Central Intelligence regarding foreign intelligence collected under Foreign Intelligence Surveillance Act of 1978.
Sec. 902. Inclusion of international terrorist activities within scope of foreign intelligence under National Security Act of 1947.
Sec. 903. Sense of Congress on the establishment and maintenance of intelligence relationships to acquire information on terrorists and terrorist organizations.

Sec. 904. Temporary authority to defer submittal to Congress of reports on intelligence and intelligence-related matters.
Sec. 905. Disclosure to Director of Central Intelligence of foreign intelligence-related information with respect to criminal investigations.
Sec. 906. Foreign terrorist asset tracking center.
Sec. 907. National Virtual Translation Center.
Sec. 908. Training of government officials regarding identification and use of foreign intelligence.

TITLE X—MISCELLANEOUS

Sec. 1001. Payments.
Sec. 1002. Review of the department of justice.

SEC. 2. CONSTRUCTION; SEVERABILITY.

Any provision of this Act held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be one of utter invalidity or unenforceability, in which event such provision shall be deemed severable from this Act and shall not affect the remainder thereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.

TITLE I—ENHANCING DOMESTIC SECURITY AGAINST TERRORISM

SEC. 101. COUNTERTERRORISM FUND.

(a) ESTABLISHMENT; AVAILABILITY.—There is hereby established in the Treasury of the United States a separate fund to be known as the ''Counterterrorism Fund'', amounts in which shall remain available without fiscal year limitation—

(1) to reimburse any Department of Justice component for any costs incurred in connection with—

(A) reestablishing the operational capability of an office or facility that has been damaged or destroyed as the result of any domestic or international terrorism incident;

(B) providing support to counter, investigate, or prosecute domestic or international terrorism, including, without limitation, paying rewards in connection with these activities; and

(C) conducting terrorism threat assessments of Federal agencies and their facilities; and

(2) to reimburse any department or agency of the Federal Government for any costs incurred in connection with detaining in foreign countries individuals accused of acts of terrorism that violate the laws of the United States.

(b) NO EFFECT ON PRIOR APPROPRIATIONS.—Subsection (a) shall not be construed to affect the amount or availability of any appropriation to the Counterterrorism Fund made before the date of enactment of this Act.

SEC. 102. SENSE OF CONGRESS CONDEMNING DISCRIMINATION AGAINST ARAB AND MUSLIM AMERICANS.

(a) FINDINGS.—Congress makes the following findings:

(1) Arab Americans, Muslim Americans, and Americans from South Asia play a vital role in our Nation and are entitled to nothing less than the full rights of every American.

(2) The acts of violence that have been taken against Arab and Muslim Americans since the September 11, 2001, attacks against the United States should be and are condemned by all Americans who value freedom.

(3) The concept of individual responsibility for wrongdoing is sacrosanct in American society, and applies equally to all religious, racial, and ethnic groups.

(4) When American citizens commit acts of violence against those who are, or are perceived to be, of Arab or Muslim descent, they should be punished to the full extent of the law.

(5) Muslim Americans have become so fearful of harassment that many Muslim women are changing the way they dress to avoid becoming targets.

(6) Many Arab Americans and Muslim Americans have acted heroically during the attacks on the United States, including Mohammed Salman Hamdani, a 23-year-old New Yorker of Pakistani descent, who is believed to have gone to the World Trade Center to offer rescue assistance and is now missing.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the civil rights and civil liberties of all Americans, including Arab Americans, Muslim Americans, and Americans from South Asia, must be protected, and that every effort must be taken to preserve their safety;

(2) any acts of violence or discrimination against any Americans be condemned; and

(3) the Nation is called upon to recognize the patriotism of fellow citizens from all ethnic, racial, and religious backgrounds.

SEC. 103. INCREASED FUNDING FOR THE TECHNICAL SUPPORT CENTER AT THE FEDERAL BUREAU OF INVESTIGATION.

There are authorized to be appropriated for the Technical Support Center established in section 811 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132) to help meet the demands for activities to combat terrorism and support and enhance the technical support and tactical operations of the FBI, $200,000,000 for each of the fiscal years 2002, 2003, and 2004.

SEC. 104. REQUESTS FOR MILITARY ASSISTANCE TO ENFORCE PROHIBITION IN CERTAIN EMERGENCIES.

Section 2332e of title 18, United States Code, is amended—

(1) by striking ''2332c'' and inserting ''2332a''; and

(2) by striking ''chemical''.

SEC. 105. EXPANSION OF NATIONAL ELECTRONIC CRIME TASK FORCE INITIATIVE.

The Director of the United States Secret Service shall take appropriate actions to develop a national network of electronic crime task forces, based on the New York Electronic Crimes Task Force model, throughout the United States, for the purpose of preventing, detecting, and investigating various forms of electronic crimes, including potential terrorist attacks against critical infrastructure and financial payment systems.

SEC. 106. PRESIDENTIAL AUTHORITY.

Section 203 of the International Emergency Powers Act (50 U.S.C. 1702) is amended—

(1) in subsection (a)(1)—

(A) at the end of subparagraph (A) (flush to that subparagraph), by striking ''; and'' and inserting a comma and the following:
''by any person, or with respect to any property, subject to the jurisdiction of the United States;'';

(B) in subparagraph (B)—

(i) by inserting '', block during the pendency of an investigation'' after ''investigate''; and

(ii) by striking ''interest;'' and inserting ''interest by any person, or with respect to any property, subject to the jurisdiction of the United States; and'';

(C) by striking ''by any person, or with respect to any property, subject to the jurisdiction of the United States'; and

(D) by inserting at the end the following:

''(C) when the United States is engaged in armed hostilities or has been attacked by a foreign country or foreign nationals, confiscate any property, subject to the jurisdiction of the United States, of any foreign person, foreign organization, or foreign country that he determines has planned, authorized, aided, or engaged in such hostilities or attacks against the United States; and all right, title, and interest in any property so confiscated shall vest, when, as, and upon the terms directed by the President, in such agency or person as the President may designate from time to time, and upon such terms and conditions as the President may prescribe, such interest or property shall be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States, and such designated agency or person may perform any and all acts incident to the accomplishment or furtherance of these purposes.''; and

(2) by inserting at the end the following:

''(c) CLASSIFIED INFORMATION.—In any judicial review of a determination made under this section, if the determination was based on classified information (as defined in section 1(a) of the Classified Information Procedures Act) such information may be submitted to the reviewing court ex parte and in camera. This subsection does not confer or imply any right to judicial review.''.

TITLE II—ENHANCED SURVEILLANCE PROCEDURES

SEC. 201. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO TERRORISM.

Section 2516(1) of title 18, United States Code, is amended—

(1) by redesignating paragraph (p), as so redesignated by section 434(2) of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132; 110 Stat. 1274), as paragraph (r); and

(2) by inserting after paragraph (p), as so redesignated by section 201(3) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–565), the following new paragraph:

''(q) any criminal violation of section 229 (relating to chemical weapons); or sections 2332, 2332a, 2332b, 2332d, 2339A, or 2339B of this title (relating to terrorism); or''.

SEC. 202. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO COMPUTER FRAUD AND ABUSE OFFENSES.

Section 2516(1)(c) of title 18, United States Code, is amended by striking ''and section 1341 (relating to mail fraud),'' and inserting ''section 1341 (relating to mail fraud), a felony violation of section 1030 (relating to computer fraud and abuse),''.

SEC. 203. AUTHORITY TO SHARE CRIMINAL INVESTIGATIVE INFORMATION.

(a) AUTHORITY TO SHARE GRAND JURY INFORMATION.—

(1) IN GENERAL.—Rule 6(e)(3)(C) of the Federal Rules of Criminal Procedure is amended—

(A) in clause (iii), by striking ''or'' at the end;

(B) in clause (iv), by striking the period at the end and inserting ''; or''; and

(C) by inserting at the end the following:

''(v) when the matters involve foreign intelligence or counterintelligence (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 401a)), or foreign intelligence information (as defined in Rule 6(e)(3)(C)(ii)), to any other Federal law enforcement, intelligence, protective, immigration, national defense, or national security official in order to assist the official receiving that information in the performance of his official duties. Within a reasonable time after such disclosure, an attorney for the government shall file under seal a notice with the court stating the fact that such information was disclosed and the departments, agencies, or entities to which the disclosure was made.

Any Federal official who receives information pursuant to clause (v) may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information.''.

(2) DEFINITION.—Rule 6(e)(3)(C) of the Federal Rules of Criminal Procedure, as amended by paragraph (1), is amended by—

(A) inserting ''(i)'' after ''(C)'';

(B) redesignating clauses (i) through (v) as subclauses (I) through (V), respectively; and

(C) inserting at the end the following:

''(ii) In this subparagraph, the term 'foreign intelligence information' means—

''(I) information, whether or not concerning a United States person, that relates to the ability of the United States to protect against—

''(aa) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

''(bb) sabotage or international terrorism by a foreign power or an agent of a foreign power; or

''(cc) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or

''(II) information, whether or not concerning a United States person, with respect to a foreign power or foreign territory that relates to—

''(aa) the national defense or the security of the United States; or

''(bb) the conduct of the foreign affairs of the United States.''.

(b) AUTHORITY TO SHARE ELECTRONIC, WIRE, AND ORAL INTERCEPTION INFORMATION.—

(1) LAW ENFORCEMENT.—Section 2517 of title 18, United States Code, is amended by inserting at the end the following:

''(6) Any investigative or law enforcement officer, or attorney for the Government, who by any means authorized by this chapter, has obtained knowledge of the contents of any wire, oral, or electronic communication, or evidence derived therefrom, may disclose such contents to any other Federal law enforcement, intelligence, protective, immigration, national defense, or national security official to the extent that such contents include foreign intelligence or counterintelligence (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 401a)), or foreign intelligence information (as defined in subsection (19) of section 2510 of this title), to assist the official who is to receive that information in the performance of his official duties. Any Federal official who receives information pursuant to this provision may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information.''.

(2) DEFINITION.—Section 2510 of title 18, United States Code, is amended by—

(A) in paragraph (17), by striking ''and'' after the semicolon;

(B) in paragraph (18), by striking the period and inserting ''; and''; and

(C) by inserting at the end the following:

''(19) 'foreign intelligence information' means—

''(A) information, whether or not concerning a United States person, that relates to the ability of the United States to protect against—

''(i) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

''(ii) sabotage or international terrorism by a foreign power or an agent of a foreign power; or

''(iii) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or

''(B) information, whether or not concerning a United States person, with respect to a foreign power or foreign territory that relates to—

''(i) the national defense or the security of the United States; or

''(ii) the conduct of the foreign affairs of the United States.''.

(c) PROCEDURES.—The Attorney General shall establish procedures for the disclosure of information pursuant to section 2517(6) and Rule 6(e)(3)(C)(i)(V) of the Federal Rules of Criminal Procedure that identifies a United States person, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)).

(d) FOREIGN INTELLIGENCE INFORMATION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, it shall be lawful for foreign intelligence or counterintelligence (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 401a)) or foreign intelligence information obtained as part of a criminal investigation to be disclosed to any Federal law enforcement, intelligence, protective, immigration, national defense, or national security official in order to assist the official receiving that information in the performance of his official duties. Any Federal official who receives information pursuant to this provision may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information.

(2) DEFINITION.—In this subsection, the term ''foreign intelligence information'' means—

(A) information, whether or not concerning a United States person, that relates to the ability of the United States to protect against—

(i) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

(ii) sabotage or international terrorism by a foreign power or an agent of a foreign power; or

(iii) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or

(B) information, whether or not concerning a United States person, with respect to a foreign power or foreign territory that relates to—

(i) the national defense or the security of the United States; or

(ii) the conduct of the foreign affairs of the United States.

SEC. 204. CLARIFICATION OF INTELLIGENCE EXCEPTIONS FROM LIMITATIONS ON INTERCEPTION AND DISCLOSURE OF WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS.

Section 2511(2)(f) of title 18, United States Code, is amended—

(1) by striking ''this chapter or chapter 121'' and inserting ''this chapter or chapter 121 or 206 of this title''; and

(2) by striking ''wire and oral'' and inserting ''wire, oral, and electronic''.

SEC. 205. EMPLOYMENT OF TRANSLATORS BY THE FEDERAL BUREAU OF INVESTIGATION.

(a) AUTHORITY.—The Director of the Federal Bureau of Investigation is authorized to expedite the employment of personnel as translators to support counterterrorism investigations and operations without regard to applicable Federal personnel requirements and limitations.

(b) SECURITY REQUIREMENTS.—The Director of the Federal Bureau of Investigation shall establish such security requirements as are necessary for the personnel employed as translators under subsection (a).

(c) REPORT.—The Attorney General shall report to the Committees on the Judiciary of the House of Representatives and the Senate on—

(1) the number of translators employed by the FBI and other components of the Department of Justice;

(2) any legal or practical impediments to using translators employed by other Federal, State, or local agencies, on a full, part-time, or shared basis; and

(3) the needs of the FBI for specific translation services in certain languages, and recommendations for meeting those needs.

SEC. 206. ROVING SURVEILLANCE AUTHORITY UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Section 105(c)(2)(B) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805(c)(2)(B)) is amended by inserting '', or in circumstances where the Court finds that the actions of the target of the application may have the effect of thwarting the identification of a specified person, such other persons,'' after ''specified person''.

SEC. 207. DURATION OF FISA SURVEILLANCE OF NON-UNITED STATES PERSONS WHO ARE AGENTS OF A FOREIGN POWER.

(a) DURATION .—

(1) SURVEILLANCE.—Section 105(e)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805(e)(1)) is amended by—

(A) inserting ''(A)'' after ''except that''; and

(B) inserting before the period the following: '', and (B) an order under this Act for a surveillance targeted against an agent of a foreign power, as defined in section 101(b)(1)(A) may be for the period specified in the application or for 120 days, whichever is less''.

(2) PHYSICAL SEARCH.—Section 304(d)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1824(d)(1)) is amended by—

(A) striking ''forty-five'' and inserting ''90'';

(B) inserting ''(A)'' after ''except that''; and

(C) inserting before the period the following: '', and (B) an order under this section for a physical search targeted against an agent of a foreign power as defined in section 101(b)(1)(A) may be for the period specified in the application or for 120 days, whichever is less''.

(b) EXTENSION.—

(1) IN GENERAL.—Section 105(d)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805(d)(2)) is amended by—

(A) inserting ''(A)'' after ''except that''; and

(B) inserting before the period the following: '', and (B) an extension of an order under this Act for a surveillance targeted against an agent of a foreign power as defined in section 101(b)(1)(A) may be for a period not to exceed 1 year''.

(2) DEFINED TERM.—Section 304(d)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1824(d)(2) is amended by inserting after ''not a United States person,'' the following: ''or against an agent of a foreign power as defined in section 101(b)(1)(A),''.

SEC. 208. DESIGNATION OF JUDGES.

Section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a)) is amended by—

(1) striking ''seven district court judges'' and inserting ''11 district court judges''; and

(2) inserting ''of whom no fewer than 3 shall reside within 20 miles of the District of Columbia'' after ''circuits''.

SEC. 209. SEIZURE OF VOICE-MAIL MESSAGES PURSUANT TO WARRANTS.

Title 18, United States Code, is amended—

(1) in section 2510—

(A) in paragraph (1), by striking beginning with ''and such'' and all that follows through ''communication''; and

(B) in paragraph (14), by inserting ''wire or'' after ''transmission of''; and

(2) in subsections (a) and (b) of section 2703—

(A) by striking ''CONTENTS OF ELECTRONIC'' and inserting ''CONTENTS OF WIRE OR ELECTRONIC'' each place it appears;

(B) by striking ''contents of an electronic'' and inserting ''contents of a wire or electronic'' each place it appears; and

(C) by striking ''any electronic'' and inserting ''any wire or electronic'' each place it appears.

SEC. 210. SCOPE OF SUBPOENAS FOR RECORDS OF ELECTRONIC COMMUNICATIONS.

Section 2703(c)(2) of title 18, United States Code, as redesignated by section 212, is amended—

(1) by striking ''entity the name, address, local and long distance telephone toll billing records, telephone number or other subscriber number or identity, and length of service of a subscriber'' and inserting the following: ''entity the—

''(A) name;

''(B) address;

''(C) local and long distance telephone connection records, or records of session times and durations;

''(D) length of service (including start date) and types of service utilized;

''(E) telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and

''(F) means and source of payment (including any credit card or bank account number),

of a subscriber''; and

(2) by striking ''and the types of services the subscriber or customer utilized,''.

SEC. 211. CLARIFICATION OF SCOPE.

Section 631 of the Communications Act of 1934 (47 U.S.C. 551) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (B), by striking ''or'';

(B) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(C) by inserting at the end the following:

''(D) to a government entity as authorized under chapters 119, 121, or 206 of title 18, United States Code, except that such disclosure shall not include records revealing cable subscriber selection of video programming from a cable operator.''; and

(2) in subsection (h), by striking ''A governmental entity'' and inserting ''Except as provided in subsection (c)(2)(D), a governmental entity''.

SEC. 212. EMERGENCY DISCLOSURE OF ELECTRONIC COMMUNICATIONS TO PROTECT LIFE AND LIMB.

(a) DISCLOSURE OF CONTENTS.—

(1) IN GENERAL.—Section 2702 of title 18, United States Code, is amended—

(A) by striking the section heading and inserting the following:

''§ 2702. Voluntary disclosure of customer communications or records'';

(B) in subsection (a)—

(i) in paragraph (2)(A), by striking ''and'' at the end;

(ii) in paragraph (2)(B), by striking the period and inserting ''; and''; and

(iii) by inserting after paragraph (2) the following:

''(3) a provider of remote computing service or electronic communication service to the public shall not knowingly divulge a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications covered by paragraph (1) or (2)) to any governmental entity.'';

(C) in subsection (b), by striking ''EXCEPTIONS.—A person or entity'' and inserting ''EXCEPTIONS FOR DISCLOSURE OF COMMUNICATIONS.— A provider described in subsection (a)'';

(D) in subsection (b)(6)—

(i) in subparagraph (A)(ii), by striking ''or'';

(ii) in subparagraph (B), by striking the period and inserting ''; or''; and

(iii) by adding after subparagraph (B) the following:

''(C) if the provider reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person requires disclosure of the information without delay.''; and

(E) by inserting after subsection (b) the following:

''(c) EXCEPTIONS FOR DISCLOSURE OF CUSTOMER RECORDS.—A provider described in subsection (a) may divulge a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications covered by subsection (a)(1) or (a)(2))—

''(1) as otherwise authorized in section 2703;

''(2) with the lawful consent of the customer or subscriber;

''(3) as may be necessarily incident to the rendition of the service or to the protection of the rights or property of the provider of that service;

''(4) to a governmental entity, if the provider reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies disclosure of the information; or

''(5) to any person other than a governmental entity.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 121 of title 18, United States Code, is amended by striking the item relating to section 2702 and inserting the following:

''2702. Voluntary disclosure of customer communications or records.''.

(b) REQUIREMENTS FOR GOVERNMENT ACCESS.—

(1) IN GENERAL.—Section 2703 of title 18, United States Code, is amended—

(A) by striking the section heading and inserting the following:

''§ 2703. Required disclosure of customer communications or records'';

(B) in subsection (c) by redesignating paragraph (2) as paragraph (3);

(C) in subsection (c)(1)—

(i) by striking ''(A) Except as provided in subparagraph (B), a provider of electronic communication service or remote computing service may'' and inserting ''A governmental entity may require a provider of electronic communication service or remote computing service to'';

(ii) by striking ''covered by subsection (a) or (b) of this section) to any person other than a governmental entity.

''(B) A provider of electronic communication service or remote computing service shall disclose a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications covered by subsection (a) or (b) of this section) to a governmental entity'' and inserting ''(''';

(iii) by redesignating subparagraph (C) as paragraph (2);

(iv) by redesignating clauses (i), (ii), (iii), and (iv) as subparagraphs (A), (B), (C), and (D), respectively;

(v) in subparagraph (D) (as redesignated) by striking the period and inserting ''; or''; and

(vi) by inserting after subparagraph (D) (as redesignated) the following:

''(E) seeks information under paragraph (2).''; and

(D) in paragraph (2) (as redesignated) by striking ''subparagraph (B)'' and insert ''paragraph (1)''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 121 of title 18, United States Code, is amended by striking the item relating to section 2703 and inserting the following:

''2703. Required disclosure of customer communications or records.''.

SEC. 213. AUTHORITY FOR DELAYING NOTICE OF THE EXECUTION OF A WARRANT.

Section 3103a of title 18, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''In addition''; and

(2) by adding at the end the following:

''(b) DELAY.—With respect to the issuance of any warrant or court order under this section, or any other rule of law, to search for and seize any property or material that constitutes evidence of a criminal offense in violation of the laws of the United States, any notice required, or that may be required, to be given may be delayed if—

''(1) the court finds reasonable cause to believe that providing immediate notification of the execution of the warrant may have an adverse result (as defined in section 2705);

''(2) the warrant prohibits the seizure of any tangible property, any wire or electronic communication (as defined in section 2510), or, except as expressly provided in chapter 121, any stored wire or electronic information, except where the court finds reasonable necessity for the seizure; and

''(3) the warrant provides for the giving of such notice within a reasonable period of its execution, which period may thereafter be extended by the court for good cause shown.''.

SEC. 214. PEN REGISTER AND TRAP AND TRACE AUTHORITY UNDER FISA.

(a) APPLICATIONS AND ORDERS.—Section 402 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842) is amended—

(1) in subsection (a)(1), by striking ''for any investigation to gather foreign intelligence information or information concerning international terrorism'' and inserting ''for any investigation to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution'';

(2) by amending subsection (c)(2) to read as follows:

''(2) a certification by the applicant that the information likely to be obtained is relevant to an ongoing investigation to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution.'';

(3) by striking subsection (c)(3); and

(4) by amending subsection (d)(2)(A) to read as follows:

''(A) shall specify—

''(i) the identity, if known, of the person who is the subject of the investigation;

''(ii) the identity, if known, of the person to whom is leased or in whose name is listed the telephone line or other facility to which the pen register or trap and trace device is to be attached or applied;

''(iii) the attributes of the communications to which the order applies, such as the number or other identifier, and, if known, the location of the telephone line or other facility to which the pen register or trap and trace device is to be attached or applied and, in the case of a trap and trace device, the geographic limits of the trap and trace order.''.

(b) AUTHORIZATION DURING EMERGENCIES.—Section 403 of the Foreign Intelligence Sur-

veillance Act of 1978 (50 U.S.C. 1843) is amended—

(1) in subsection (a), by striking ''foreign intelligence information or information concerning international terrorism'' and inserting ''information to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution''; and

(2) in subsection (b)(1), by striking ''foreign intelligence information or information concerning international terrorism'' and inserting ''information to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution''.

SEC. 215. ACCESS TO RECORDS AND OTHER ITEMS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT.

Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) is amended by striking sections 501 through 503 and inserting the following:

''SEC. 501. ACCESS TO CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE AND INTERNATIONAL TERRORISM INVESTIGATIONS.

''(a)(1) The Director of the Federal Bureau of Investigation or a designee of the Director (whose rank shall be no lower than Assistant Special Agent in Charge) may make an application for an order requiring the production of any tangible things (including books, records, papers, documents, and other items) for an investigation to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution.

''(2) An investigation conducted under this section shall—

''(A) be conducted under guidelines approved by the Attorney General under Executive Order 12333 (or a successor order); and

''(B) not be conducted of a United States person solely upon the basis of activities protected by the first amendment to the Constitution of the United States.

''(b) Each application under this section—

''(1) shall be made to—

''(A) a judge of the court established by section 103(a); or

''(B) a United States Magistrate Judge under chapter 43 of title 28, United States Code, who is publicly designated by the Chief Justice of the United States to have the power to hear applications and grant orders for the production of tangible things under this section on behalf of a judge of that court; and

''(2) shall specify that the records concerned are sought for an authorized investigation conducted in accordance with subsection (a)(2) to protect against international terrorism or clandestine intelligence activities.

''(c)(1) Upon an application made pursuant to this section, the judge shall enter an ex parte order as requested, or as modified, approving the release of records if the judge finds that the application meets the requirements of this section.

''(2) An order under this subsection shall not disclose that it is issued for purposes of an investigation described in subsection (a).

''(d) No person shall disclose to any other person (other than those persons necessary to produce the tangible things under this section) that the Federal Bureau of Investigation has sought or obtained tangible things under this section.

''(e) A person who, in good faith, produces tangible things under an order pursuant to this section shall not be liable to any other person for such production. Such production shall not be deemed to constitute a waiver of any privilege in any other proceeding or context.

''SEC. 502. CONGRESSIONAL OVERSIGHT.

''(a) On a semiannual basis, the Attorney General shall fully inform the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate concerning all requests for the production of tangible things under section 402.

''(b) On a semiannual basis, the Attorney General shall provide to the Committees on the Judiciary of the House of Representatives and the Senate a report setting forth with respect to the preceding 6-month period—

''(1) the total number of applications made for orders approving requests for the production of tangible things under section 402; and

''(2) the total number of such orders either granted, modified, or denied.''.

SEC. 216. MODIFICATION OF AUTHORITIES RELATING TO USE OF PEN REGISTERS AND TRAP AND TRACE DEVICES.

(a) GENERAL LIMITATIONS.—Section 3121(c) of title 18, United States Code, is amended—

(1) by inserting ''or trap and trace device'' after ''pen register'';

(2) by inserting '', routing, addressing,'' after ''dialing''; and

(3) by striking ''call processing'' and inserting ''the processing and transmitting of wire or electronic communications so as not to include the contents of any wire or electronic communications''.

(b) ISSUANCE OF ORDERS.—

(1) IN GENERAL.—Section 3123(a) of title 18, United States Code, is amended to read as follows:

''(a) IN GENERAL.—

''(1) ATTORNEY FOR THE GOVERNMENT.—Upon an application made under section 3122(a)(1), the court shall enter an ex parte order authorizing the installation and use of a pen register or trap and trace device anywhere within the United States, if the court finds that the attorney for the Government has certified to the court that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation. The order, upon service of that order, shall apply to any person or entity providing wire or electronic communication service in the United States whose assistance may facilitate the execution of the order. Whenever such an order is served on any person or entity not specifically named in the order, upon request of such person or entity, the attorney for the Government or law enforcement or investigative officer that is serving the order shall provide written or electronic certification that the order applies to the person or entity being served.

''(2) STATE INVESTIGATIVE OR LAW ENFORCEMENT OFFICER.—Upon an application made under section 3122(a)(2), the court shall enter an ex parte order authorizing the installation and use of a pen register or trap and trace device within the jurisdiction of the court, if the court finds that the State law enforcement or investigative officer has certified to the court that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation.

''(3)(A) Where the law enforcement agency implementing an ex parte order under this subsection seeks to do so by installing and using its own pen register or trap and trace device on a packet-switched data network of a provider of electronic communication service to the public, the agency shall ensure that a record will be maintained which will identify—

''(i) any officer or officers who installed the device and any officer or officers who accessed the device to obtain information from the network;

''(ii) the date and time the device was installed, the date and time the device was uninstalled, and the date, time, and duration of each time the device is accessed to obtain information;

''(iii) the configuration of the device at the time of its installation and any subsequent modification thereof; and

''(iv) any information which has been collected by the device.

To the extent that the pen register or trap and trace device can be set automatically to record this information electronically, the record shall be maintained electronically throughout the installation and use of such device.

''(B) The record maintained under subparagraph (A) shall be provided ex parte and under seal to the court which entered the ex parte order authorizing the installation and use of the device within 30 days after termination of the order (including any extensions thereof).''.

(2) CONTENTS OF ORDER.—Section 3123(b)(1) of title 18, United States Code, is amended—

(A) in subparagraph (A)—

(i) by inserting ''or other facility'' after ''telephone line''; and

(ii) by inserting before the semicolon at the end ''or applied''; and

(B) by striking subparagraph (C) and inserting the following:

''(C) the attributes of the communications to which the order applies, including the number or other identifier and, if known, the location of the telephone line or other facility to which the pen register or trap and trace device is to be attached or applied, and, in the case of an order authorizing installation and use of a trap and trace device under subsection (a)(2), the geographic limits of the order; and''.

(3) NONDISCLOSURE REQUIREMENTS.—Section 3123(d)(2) of title 18, United States Code, is amended—

(A) by inserting ''or other facility'' after ''the line''; and

(B) by striking '', or who has been ordered by the court'' and inserting ''or applied, or who is obligated by the order''.

(c) DEFINITIONS.—

(1) COURT OF COMPETENT JURISDICTION.—Section 3127(2) of title 18, United States Code, is amended by striking subparagraph (A) and inserting the following:

''(A) any district court of the United States (including a magistrate judge of such a court) or any United States court of appeals having jurisdiction over the offense being investigated; or''.

(2) PEN REGISTER.—Section 3127(3) of title 18, United States Code, is amended—

(A) by striking ''electronic or other impulses'' and all that follows through ''is attached'' and inserting ''dialing, routing, addressing, or signaling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted, provided, however, that such information shall not include the contents of any communication''; and

(B) by inserting ''or process'' after ''device'' each place it appears.

(3) TRAP AND TRACE DEVICE.—Section 3127(4) of title 18, United States Code, is amended—

(A) by striking ''of an instrument'' and all that follows through the semicolon and inserting ''or other dialing, routing, addressing, and signaling information reasonably likely to identify the source of a wire or electronic communication, provided, however, that such information shall not include the contents of any communication;''; and

(B) by inserting ''or process'' after ''a device''.

(4) CONFORMING AMENDMENT.—Section 3127(1) of title 18, United States Code, is amended—

(A) by striking ''and''; and

(B) by inserting '', and 'contents' '' after ''electronic communication service''.

(5) TECHNICAL AMENDMENT.—Section 3124(d) of title 18, United States Code, is amended by striking ''the terms of''.

SEC. 217. INTERCEPTION OF COMPUTER TRESPASSER COMMUNICATIONS.

Chapter 119 of title 18, United States Code, is amended—

(1) in section 2510—

(A) in paragraph (18), by striking ''and'' at the end;

(B) in paragraph (19), by striking the period and inserting a semicolon; and

(C) by inserting after paragraph (19) the following:

''(20) 'protected computer' has the meaning set forth in section 1030; and

''(21) 'computer trespasser'—

''(A) means a person who accesses a protected computer without authorization and thus has no reasonable expectation of privacy in any communication transmitted to, through, or from the protected computer; and

''(B) does not include a person known by the owner or operator of the protected computer to have an existing contractual relationship with the owner or operator of the protected computer for access to all or part of the protected computer.''; and

(2) in section 2511(2), by inserting at the end the following:

''(i) It shall not be unlawful under this chapter for a person acting under color of law to intercept the wire or electronic communications of a computer trespasser transmitted to, through, or from the protected computer, if—

''(I) the owner or operator of the protected computer authorizes the interception of the computer trespasser's communications on the protected computer;

''(II) the person acting under color of law is lawfully engaged in an investigation;

''(III) the person acting under color of law has reasonable grounds to believe that the contents of the computer trespasser's communications will be relevant to the investigation; and

''(IV) such interception does not acquire communications other than those transmitted to or from the computer trespasser.''.

SEC. 218. FOREIGN INTELLIGENCE INFORMATION.

Sections 104(a)(7)(B) and section 303(a)(7)(B) (50 U.S.C. 1804(a)(7)(B) and 1823(a)(7)(B)) of the Foreign Intelligence Surveillance Act of 1978 are each amended by striking ''the purpose'' and inserting ''a significant purpose''.

SEC. 219. SINGLE-JURISDICTION SEARCH WARRANTS FOR TERRORISM.

Rule 41(a) of the Federal Rules of Criminal Procedure is amended by inserting after ''executed'' the following: ''and (3) in an investigation of domestic terrorism or international terrorism (as defined in section 2331 of title 18, United States Code), by a Federal magistrate judge in any district in which activities related to the terrorism may have occurred, for a search of property or for a person within or outside the district''.

SEC. 220. NATIONWIDE SERVICE OF SEARCH WARRANTS FOR ELECTRONIC EVIDENCE.

Chapter 121 of title 18, United States Code, is amended—

(1) in section 2703, by striking ''under the Federal Rules of Criminal Procedure'' every place it appears and inserting ''using the procedures described in the Federal Rules of Criminal Procedure by a court with jurisdiction over the offense under investigation''; and

(2) in section 2711—

(A) in paragraph (1), by striking ''and'';

(B) in paragraph (2), by striking the period and inserting ''; and''; and

(C) by inserting at the end the following:

''(3) the term 'court of competent jurisdiction' has the meaning assigned by section 3127, and includes any Federal court within that definition, without geographic limitation.''.

SEC. 221. TRADE SANCTIONS.

(a) IN GENERAL.—The Trade Sanctions Reform and Export Enhancement Act of 2000 (Public Law 106–387; 114 Stat. 1549A–67) is amended—

(1) by amending section 904(2)(C) to read as follows:

''(C) used to facilitate the design, development, or production of chemical or biological weapons, missiles, or weapons of mass destruction.'';

(2) in section 906(a)(1)—

(A) by inserting '', the Taliban or the territory of Afghanistan controlled by the Taliban,'' after ''Cuba''; and

(B) by inserting '', or in the territory of Afghanistan controlled by the Taliban,'' after ''within such country''; and

(3) in section 906(a)(2), by inserting '', or to any other entity in Syria or North Korea'' after ''Korea''.

(b) APPLICATION OF THE TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT.—Nothing in the Trade Sanctions Reform and Export Enhancement Act of 2000 shall limit the application or scope of any law establishing criminal or civil penalties, including any executive order or regulation promulgated pursuant to such laws (or similar or successor laws), for the unlawful export of any agricultural commodity, medicine, or medical device to—

(1) a foreign organization, group, or person designated pursuant to Executive Order 12947 of June 25, 1995;

(2) a Foreign Terrorist Organization pursuant to the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132);

(3) a foreign organization, group, or person designated pursuant to Executive Order 13224 (September 23, 2001);

(4) any narcotics trafficking entity designated pursuant to Executive Order 12978 (October 21, 1995) or the Foreign Narcotics Kingpin Designation Act (Public Law 106–120); or

(5) any foreign organization, group, or persons subject to any restriction for its involvement in weapons of mass destruction or missile proliferation.

SEC. 222. ASSISTANCE TO LAW ENFORCEMENT AGENCIES.

Nothing in this Act shall impose any additional technical obligation or requirement on a provider of a wire or electronic communication service or other person to furnish facilities or technical assistance. A provider of a wire or electronic communication service, landlord, custodian, or other person who furnishes facilities or technical assistance pursuant to section 216 shall be reasonably compensated for such reasonable expenditures incurred in providing such facilities or assistance.

SEC. 223. CIVIL LIABILITY FOR CERTAIN UNAUTHORIZED DISCLOSURES.

(a) Section 2520 of title 18, United States Code, is amended—

(1) in subsection (a), after ''entity'', by inserting '', other than the United States,'';

(2) by adding at the end the following:

''(f) ADMINISTRATIVE DISCIPLINE.—If a court determines that the United States or any of its departments or agencies has violated any provision of this chapter, and the court finds that the circumstances surrounding the violation raise serious questions about whether or not an officer or employee of the United States acted willfully or intentionally with respect to the possible violation, the department or agency shall promptly initiate a proceeding to determine whether disciplinary action against the officer or employee is warranted. If the head of the department or agency involved determines that disciplinary action is not warranted, he or she shall notify the Inspector General with jurisdiction over the department or agency concerned and shall provide the Inspector General with the reasons for such determination.''; and

(3) by adding a new subsection (g), as follows:

''(g) IMPROPER DISCLOSURE IS VIOLATION.—Any willful disclosure or use by an investigative or law enforcement officer or governmental entity of information beyond the extent permitted by section 2517 is a violation of this chapter for purposes of section 2520(a).

(b) Section 2707 of title 18, United States Code, is amended—

(1) in subsection (a), after ''entity'', by inserting '', other than the United States,'';

(2) by striking subsection (d) and inserting the following:

''(d) ADMINISTRATIVE DISCIPLINE.—If a court determines that the United States or any of its departments or agencies has violated any provision of this chapter, and the court finds that the circumstances surrounding the violation raise serious questions about whether or not an officer or employee of the United States acted willfully or intentionally with respect to the possible violation, the department or agency shall promptly initiate a proceeding to determine whether disciplinary action against the officer or employee is warranted. If the head of the department or agency involved determines that disciplinary action is not warranted, he or she shall notify the Inspector General with jurisdiction over the department or agency concerned and shall provide the Inspector General with the reasons for such determination.''; and

(3) by adding a new subsection (g), as follows:

''(g) IMPROPER DISCLOSURE.—Any willful disclosure of a 'record', as that term is defined in section 552a(a) of title 5, United States Code, obtained by an investigative or law enforcement officer, or a governmental entity, pursuant to section 2703 of this title, or from a device installed pursuant to section 3123 or 3125 of this title, that is not a disclosure made in the proper performance of the official duties of the officer or governmental entity making the disclosure, is a violation of this chapter. This provision shall not apply to information previously lawfully disclosed to the public by a Federal, State, or local governmental entity.''.

(c)(1) Chapter 121 of title 18, United States Code, is amended by adding at the end the following:

''§ 2712. Civil actions against the United States

''(a) IN GENERAL.—Any person who is aggrieved by any violation of this chapter or of chapter 119 of this title or of sections 106(a), 305(a), or 405(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) may commence an action in United States District Court against the United States to recover money damages. In any such action, if a person who is aggrieved successfully establishes a violation of this chapter or of chapter 119 of this title or of the above specific provisions of title 50, the Court may assess as damages—

''(1) actual damages, but not less than $10,000, whichever amount is greater; and

''(2) litigation costs, reasonably incurred.

''(b) PROCEDURES.—(1) Any action against the United States under this section may be commenced only after a claim is presented to the appropriate department or agency under the procedures of the Federal Tort Claims Act, as set forth in title 28, United States Code.

''(2) Any action against the United States under this section shall be commenced within the time period set forth in section 2401(b) of title 28, United States Code. The claim shall accrue on the date upon which the claimant first discovers the violation.

''(3) Any action under this section shall be tried to the court without a jury.

''(4) Notwithstanding any other provision of law, the procedures set forth in section 106(f), 305(g), or 405(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive means by which materials governed by those sections may be reviewed.

''(5) An amount equal to any award against the United States under this section shall be reimbursed by the department or agency concerned to the fund described in section 1304 of title 31, United States Code, out of any appropriation, fund, or other account (excluding any part of such appropriation, fund, or account that is available for the enforcement of any Federal law) that is available for the operating expenses of the department or agency concerned.

''(c) ADMINISTRATIVE DISCIPLINE.—If a court determines that the United States or any of its departments or agencies has violated any provision of this chapter, and the court finds that the circumstances surrounding the violation raise serious questions about whether or not an officer or employee of the United States acted willfully or intentionally with respect to the possible violation, the department or agency shall promptly initiate a proceeding to determine whether disciplinary action against the officer or employee is warranted. If the head of the department or agency involved determines that disciplinary action is not warranted, he or she shall notify the Inspector General with jurisdiction over the department or agency concerned and shall provide the Inspector General with the reasons for such determination.

''(d) EXCLUSIVE REMEDY.—Any action against the United States under this subsection shall be the exclusive remedy against the United States for any claims within the purview of this section.''.

(2) The table of sections at the beginning of chapter 121 is amended to read as follows:

''2712. Civil action against the United States.''.

SEC. 224. SUNSET.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title (other than sections 203(a), 203(c), 205, 208, 211, 213, 219, 221, and 222, and the amendments made by those sections) shall cease to have effect on December 31, 2004.

(b) EXCEPTIONS.—(1) If the President notifies the Congress before December 31, 2004 that it is in the national interest that these provisions remain in effect, these provisions shall remain in effect until December 31, 2006 and cease to have effect on that date.

(2) With respect to any investigation that began before the date on which these provisions cease to have effect, these provisions shall continue in effect.

TITLE III—FINANCIAL INFRASTRUCTURE

SEC. 301. LAUNDERING THE PROCEEDS OF TERRORISM.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''or 2339B'' after ''2339A''.

SEC. 305. EXTRATERRITORIAL JURISDICTION.

Section 1029 of title 18, United States Code, is amended by adding at the end the following:

''(h) Any person who, outside the jurisdiction of the United States, engages in any act that, if committed within the jurisdiction of the United States, would constitute an offense under subsection (a) or (b) of this section, shall be subject to the fines, penalties, imprisonment, and forfeiture provided in this title if—

''(1) the offense involves an access device issued, owned, managed, or controlled by a financial institution, account issuer, credit card system member, or other entity within the jurisdiction of the United States; and

''(2) the person transports, delivers, conveys, transfers to or through, or otherwise stores, secrets, or holds within the jurisdiction of the United States, any article used to assist in the commission of the offense or the proceeds of such offense or property derived therefrom.''.

TITLE IV—PROTECTING THE BORDER

Subtitle A—Protecting the Northern Border

SEC. 401. ENSURING ADEQUATE PERSONNEL ON THE NORTHERN BORDER.

The Attorney General is authorized to waive any FTE cap on personnel assigned to the Immigration and Naturalization Service to address the national security needs of the United States on the Northern border.

SEC. 402. NORTHERN BORDER PERSONNEL.

There are authorized to be appropriated—

(1) such sums as may be necessary to triple the number of Border Patrol personnel (from the number authorized under current law), and the necessary personnel and facilities to support such personnel, in each State along the Northern Border;

(2) such sums as may be necessary to triple the number of Customs Service personnel (from the number authorized under current law), and the necessary personnel and facilities to support such personnel, at ports of entry in each State along the Northern Border;

(3) such sums as may be necessary to triple the number of INS inspectors (from the number authorized on the date of enactment of this Act), and the necessary personnel and facilities to support such personnel, at ports of entry in each State along the Northern Border; and

(4) an additional $50,000,000 each to the Immigration and Naturalization Service and the United States Customs Service for purposes of making improvements in technology for monitoring the Northern Border and acquiring additional equipment at the Northern Border.

SEC. 403. ACCESS BY THE DEPARTMENT OF STATE AND THE INS TO CERTAIN IDENTIFYING INFORMATION IN THE CRIMINAL HISTORY RECORDS OF VISA APPLICANTS AND APPLICANTS FOR ADMISSION TO THE UNITED STATES.

(a) AMENDMENT OF THE IMMIGRATION AND NATIONALITY ACT.—Section 105 of the Immigration and Nationality Act (8 U.S.C. 1105) is amended—

(1) in the section heading, by inserting ''; DATA EXCHANGE'' after ''SECURITY OFFICERS'';

(2) by inserting ''(a)'' after ''SEC. 105.'';

(3) in subsection (a), by inserting ''and border'' after ''internal'' the second place it appears; and

(4) by adding at the end the following:

''(b)(1) The Attorney General and the Director of the Federal Bureau of Investigation shall provide the Department of State and the Service access to the criminal history record information contained in the National Crime Information Center's Interstate Identification Index (NCIC–III), Wanted Persons File, and to any other files maintained by the National Crime Information Center that may be mutually agreed upon by the Attorney General and the agency receiving the access, for the purpose of determining whether or not a visa applicant or applicant for admission has a criminal history record indexed in any such file.

''(2) Such access shall be provided by means of extracts of the records for placement in the automated visa lookout or other appropriate database, and shall be provided without any fee or charge.

''(3) The Federal Bureau of Investigation shall provide periodic updates of the extracts at intervals mutually agreed upon with the agency receiving the access. Upon receipt of such updated extracts, the receiving agency shall make corresponding updates to its database and destroy previously provided extracts.

''(4) Access to an extract does not entitle the Department of State to obtain the full content of the corresponding automated criminal history record. To obtain the full content of a criminal history record, the Department of State shall submit the applicant's fingerprints and any appropriate fingerprint processing fee authorized by law to the Criminal Justice Information Services Division of the Federal Bureau of Investigation.

''(c) The provision of the extracts described in subsection (b) may be reconsidered by the Attorney General and the receiving agency upon the development and deployment of a more cost-effective and efficient means of sharing the information.

''(d) For purposes of administering this section, the Department of State shall, prior to receiving access to NCIC data but not later than 4 months after the date of enactment of this subsection, promulgate final regulations—

''(1) to implement procedures for the taking of fingerprints; and

''(2) to establish the conditions for the use of the information received from the Federal Bureau of Investigation, in order—

''(A) to limit the redissemination of such information;

''(B) to ensure that such information is used solely to determine whether or not to issue a visa to an alien or to admit an alien to the United States;

''(C) to ensure the security, confidentiality, and destruction of such information; and

''(D) to protect any privacy rights of individuals who are subjects of such information.''.

(b) REPORTING REQUIREMENT.—Not later than 2 years after the date of enactment of this Act, the Attorney General and the Secretary of State jointly shall report to Congress on the implementation of the amendments made by this section.

(c) TECHNOLOGY STANDARD TO CONFIRM IDENTITY.—

(1) IN GENERAL.—The Attorney General and the Secretary of State jointly, through the National Institute of Standards and Technology (NIST), and in consultation with the Secretary of the Treasury and other Federal law enforcement and intelligence agencies the Attorney General or Secretary of State deems appropriate, shall within 2 years after the date of enactment of this section, develop and certify a technology standard that can confirm the identity of a person applying for a United States visa or such person seeking to enter the United States pursuant to a visa.

(2) INTEGRATED.—The technology standard developed pursuant to paragraph (1), shall be the technological basis for a cross-agency, cross-platform electronic system that is a cost-effective, efficient, fully integrated means to share law enforcement and intelligence information necessary to confirm the

identity of such persons applying for a United States visa or such person seeking to enter the United States pursuant to a visa.

(3) ACCESSIBLE.—The electronic system described in paragraph (2), once implemented, shall be readily and easily accessible to—

(A) all consular officers responsible for the issuance of visas;

(B) all Federal inspection agents at all United States border inspection points; and

(C) all law enforcement and intelligence officers as determined by regulation to be responsible for investigation or identification of aliens admitted to the United States pursuant to a visa.

(4) REPORT.—Not later than 18 months after the date of enactment of this Act, and every 2 years thereafter, the Attorney General and the Secretary of State shall jointly, in consultation with the Secretary of Treasury, report to Congress describing the development, implementation and efficacy of the technology standard and electronic database system described in this subsection.

(d) STATUTORY CONSTRUCTION.—Nothing in this section, or in any other law, shall be construed to limit the authority of the Attorney General or the Director of the Federal Bureau of Investigation to provide access to the criminal history record information contained in the National Crime Information Center's (NCIC) Interstate Identification Index (NCIC–III), or to any other information maintained by the NCIC, to any Federal agency or officer authorized to enforce or administer the immigration laws of the United States, for the purpose of such enforcement or administration, upon terms that are consistent with the National Crime Prevention and Privacy Compact Act of 1998 (subtitle A of title II of Public Law 105–251; 42 U.S.C. 14611–16) and section 552a of title 5, United States Code.

SEC. 404. LIMITED AUTHORITY TO PAY OVERTIME.

The matter under the headings ''Immigration And Naturalization Service: Salaries and Expenses, Enforcement And Border Affairs'' and ''Immigration And Naturalization Service: Salaries and Expenses, Citizenship And Benefits, Immigration And Program Direction'' in the Department of Justice Appropriations Act, 2001 (as enacted into law by Appendix B (H.R. 5548) of Public Law 106–553 (114 Stat. 2762A–58 to 2762A–59)) is amended by striking the following each place it occurs: ''*Provided*, That none of the funds available to the Immigration and Naturalization Service shall be available to pay any employee overtime pay in an amount in excess of $30,000 during the calendar year beginning January 1, 2001:''.

SEC. 405. REPORT ON THE INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM FOR POINTS OF ENTRY AND OVERSEAS CONSULAR POSTS.

(a) IN GENERAL.—The Attorney General, in consultation with the appropriate heads of other Federal agencies, including the Secretary of State, Secretary of the Treasury, and the Secretary of Transportation, shall report to Congress on the feasibility of enhancing the Integrated Automated Fingerprint Identification System (IAFIS) of the Federal Bureau of Investigation and other identification systems in order to better identify a person who holds a foreign passport or a visa and may be wanted in connection with a criminal investigation in the United States or abroad, before the issuance of a visa to that person or the entry or exit by that person from the United States.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated not less than $2,000,000 to carry out this section.

Subtitle B—Enhanced Immigration Provisions

SEC. 411. DEFINITIONS RELATING TO TERRORISM.

(a) GROUNDS OF INADMISSIBILITY.—Section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) is amended—

(1) in subparagraph (B)—

(A) in clause (i)—

(i) by amending subclause (IV) to read as follows:

''(IV) is a representative (as defined in clause (v)) of—

''(aa) a foreign terrorist organization, as designated by the Secretary of State under section 219, or

''(bb) a political, social or other similar group whose public endorsement of acts of terrorist activity the Secretary of State has determined undermines United States efforts to reduce or eliminate terrorist activities,'';

(ii) in subclause (V), by inserting ''or'' after ''section 219,''; and

(iii) by adding at the end the following new subclauses:

''(VI) has used the alien's position of prominence within any country to endorse or espouse terrorist activity, or to persuade others to support terrorist activity or a terrorist organization, in a way that the Secretary of State has determined undermines United States efforts to reduce or eliminate terrorist activities, or

''(VII) is the spouse or child of an alien who is inadmissible under this section, if the activity causing the alien to be found inadmissible occurred within the last 5 years,'';

(B) by redesignating clauses (ii), (iii), and (iv) as clauses (iii), (iv), and (v), respectively;

(C) in clause (i)(II), by striking ''clause (iii)'' and inserting ''clause (iv)'';

(D) by inserting after clause (i) the following:

''(ii) EXCEPTION.—Subclause (VII) of clause (i) does not apply to a spouse or child—

''(I) who did not know or should not reasonably have known of the activity causing the alien to be found inadmissible under this section; or

''(II) whom the consular officer or Attorney General has reasonable grounds to believe has renounced the activity causing the alien to be found inadmissible under this section.'';

(E) in clause (iii) (as redesignated by subparagraph (B))—

(i) by inserting ''it had been'' before ''committed in the United States''; and

(ii) in subclause (V)(b), by striking ''or firearm'' and inserting '', firearm, or other weapon or dangerous device'';

(F) by amending clause (iv) (as redesignated by subparagraph (B)) to read as follows:

''(iv) ENGAGE IN TERRORIST ACTIVITY DEFINED.—As used in this chapter, the term 'engage in terrorist activity' means, in an individual capacity or as a member of an organization—

''(I) to commit or to incite to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity;

''(II) to prepare or plan a terrorist activity;

''(III) to gather information on potential targets for terrorist activity;

''(IV) to solicit funds or other things of value for—

''(aa) a terrorist activity;

''(bb) a terrorist organization described in clauses (vi)(I) or (vi)(II); or

''(cc) a terrorist organization described in clause (vi)(III), unless the solicitor can demonstrate that he did not know, and should not reasonably have known, that the solicitation would further the organization's terrorist activity;

''(V) to solicit any individual—

''(aa) to engage in conduct otherwise described in this clause;

''(bb) for membership in a terrorist organization described in clauses (vi)(I) or (vi)(II); or

''(cc) for membership in a terrorist organization described in clause (vi)(III), unless the solicitor can demonstrate that he did not know, and should not reasonably have known, that the solicitation would further the organization's terrorist activity; or

''(VI) to commit an act that the actor knows, or reasonably should know, affords material support, including a safe house, transportation, communications, funds, transfer of funds or other material financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training—

''(aa) for the commission of a terrorist activity;

''(bb) to any individual who the actor knows, or reasonably should know, has committed or plans to commit a terrorist activity;

''(cc) to a terrorist organization described in clauses (vi)(I) or (vi)(II); or

''(dd) to a terrorist organization described in clause (vi)(III), unless the actor can demonstrate that he did not know, and should not reasonably have known, that the act would further the organization's terrorist activity.

This clause shall not apply to any material support the alien afforded to an organization or individual that has committed terrorist activity, if the Secretary of State, after consultation with the Attorney General, or the Attorney General, after consultation with the Secretary of State, concludes in his sole unreviewable discretion, that this clause should not apply.''; and

(G) by adding at the end the following new clause:

''(vi) TERRORIST ORGANIZATION DEFINED.—As used in clause (i)(VI) and clause (iv), the term 'terrorist organization' means an organization—

''(I) designated under section 219;

''(II) otherwise designated, upon publication in the Federal Register, by the Secretary of State in consultation with or upon the request of the Attorney General, as a terrorist organization, after finding that it engages in the activities described in subclause (I), (II), or (III) of clause (iv), or that it provides material support to further terrorist activity; or

''(III) that is a group of two or more individuals, whether organized or not, which engages in the activities described in subclause (I), (II), or (III) of clause (iv).''; and

(2) by adding at the end the following new subparagraph:

''(F) ASSOCIATION WITH TERRORIST ORGANIZATIONS.—Any alien who the Secretary of State, after consultation with the Attorney General, or the Attorney General, after consultation with the Secretary of State, determines has been associated with a terrorist organization and intends while in the United States to engage solely, principally, or incidentally in activities that could endanger the welfare, safety, or security of the United States is inadmissible.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 237(a)(4)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)(B)) is amended by striking ''section 212(a)(3)(B)(iii)'' and inserting ''section 212(a)(3)(B)(iv)''.

(2) Section 208(b)(2)(A)(v) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)(v)) is amended by striking ''or (IV)'' and inserting ''(IV), or (VI)''.

(c) RETROACTIVE APPLICATION OF AMENDMENTS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of enactment of this Act and shall apply to—

(A) actions taken by an alien before, on, or after such date; and

(B) all aliens, without regard to the date of entry or attempted entry into the United States—

(i) in removal proceedings on or after such date (except for proceedings in which there has been a final administrative decision before such date); or

(ii) seeking admission to the United States on or after such date.

(2) SPECIAL RULE FOR ALIENS IN EXCLUSION OR DEPORTATION PROCEEDINGS.—Notwithstanding any other provision of law, sections 212(a)(3)(B) and 237(a)(4)(B) of the Immigration and Nationality Act, as amended by this Act, shall apply to all aliens in exclusion or deportation proceedings on or after the date of enactment of this Act (except for proceedings in which there has been a final administrative decision before such date) as if such proceedings were removal proceedings.

(3) SPECIAL RULE FOR SECTION 219 ORGANIZATIONS AND ORGANIZATIONS DESIGNATED UNDER SECTION 212(a)(3)(B)(vi)(II).—

(A) IN GENERAL.—Notwithstanding paragraphs (1) and (2), no alien shall be considered inadmissible under section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)), or deportable under section 237(a)(4)(B) of such Act (8 U.S.C. 1227(a)(4)(B)), by reason of the amendments made by subsection (a), on the ground that the alien engaged in a terrorist activity described in subclause (IV)(bb), (V)(bb), or (VI)(cc) of section 212(a)(3)(B)(iv) of such Act (as so amended) with respect to a group at any time when the group was not a terrorist organization designated by the Secretary of State under section 219 of such Act (8 U.S.C. 1189) or otherwise designated under section 212(a)(3)(B)(vi)(II).

(B) STATUTORY CONSTRUCTION.—Subparagraph (A) shall not be construed to prevent an alien from being considered inadmissible or deportable for having engaged in a terrorist activity—

(i) described in subclause (IV)(bb), (V)(bb), or (VI)(cc) of section 212(a)(3)(B)(iv) of such Act (as so amended) with respect to a terrorist organization at any time when such organization was designated by the Secretary of State under section 219 of such Act or otherwise designated under section 212(a)(3)(B)(vi)(II); or

(ii) described in subclause (IV)(cc), (V)(cc), or (VI)(dd) of section 212(a)(3)(B)(iv) of such Act (as so amended) with respect to a terrorist organization described in section 212(a)(3)(B)(vi)(III).

(4) EXCEPTION.—The Secretary of State, in consultation with the Attorney General, may determine that the amendments made by this section shall not apply with respect to actions by an alien taken outside the United States before the date of enactment of this Act upon the recommendation of a consular officer who has concluded that there is not reasonable ground to believe that the alien knew or reasonably should have known that the actions would further a terrorist activity.

(c) DESIGNATION OF FOREIGN TERRORIST ORGANIZATIONS.—Section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) is amended—

(1) in paragraph (1)(B), by inserting ''or terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(d)(2)), or retains the capability and intent to engage in terrorist activity or terrorism)'' after ''212(a)(3)(B)'';

(2) in paragraph (1)(C), by inserting ''or terrorism'' after ''terrorist activity'';

(3) by amending paragraph (2)(A) to read as follows:

''(A) NOTICE.—

''(i) TO CONGRESSIONAL LEADERS.—Seven days before making a designation under this subsection, the Secretary shall, by classified communication, notify the Speaker and Minority Leader of the House of Representatives, the President pro tempore, Majority Leader, and Minority Leader of the Senate, and the members of the relevant committees, in writing, of the intent to designate an organization under this subsection, together with the findings made under paragraph (1) with respect to that organization, and the factual basis therefor.

''(ii) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall publish the designation in the Federal Register seven days after providing the notification under clause (i).'';

(4) in paragraph (2)(B)(i), by striking ''subparagraph (A)'' and inserting ''subparagraph (A)(ii)'';

(5) in paragraph (2)(C), by striking ''paragraph (2)'' and inserting ''paragraph (2)(A)(i)'';

(6) in paragraph (3)(B), by striking ''subsection (c)'' and inserting ''subsection (b)'';

(7) in paragraph (4)(B), by inserting after the first sentence the following: ''The Secretary also may redesignate such organization at the end of any 2-year redesignation period (but not sooner than 60 days prior to the termination of such period) for an additional 2-year period upon a finding that the relevant circumstances described in paragraph (1) still exist. Any redesignation shall be effective immediately following the end of the prior 2-year designation or redesignation period unless a different effective date is provided in such redesignation.'';

(8) in paragraph (6)(A)—

(A) by inserting ''or a redesignation made under paragraph (4)(B)'' after ''paragraph (1)'';

(B) in clause (i)—

(i) by inserting ''or redesignation'' after ''designation'' the first place it appears; and

(ii) by striking ''of the designation''; and

(C) in clause (ii), by striking ''of the designation'';

(9) in paragraph (6)(B)—

(A) by striking ''through (4)'' and inserting ''and (3)''; and

(B) by inserting at the end the following new sentence: ''Any revocation shall take effect on the date specified in the revocation or upon publication in the Federal Register if no effective date is specified.'';

(10) in paragraph (7), by inserting '', or the revocation of a redesignation under paragraph (6),'' after ''paragraph (5) or (6)''; and

(11) in paragraph (8)—

(A) by striking ''paragraph (1)(B)'' and inserting ''paragraph (2)(B), or if a redesignation under this subsection has become effective under paragraph (4)(B)'';

(B) by inserting ''or an alien in a removal proceeding'' after ''criminal action''; and

(C) by inserting ''or redesignation'' before ''as a defense''.

SEC. 412. MANDATORY DETENTION OF SUSPECTED TERRORISTS; HABEAS CORPUS; JUDICIAL REVIEW.

(a) IN GENERAL.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after section 236 the following:

''MANDATORY DETENTION OF SUSPECTED TERRORISTS; HABEAS CORPUS; JUDICIAL REVIEW

''SEC. 236A. (a) DETENTION OF TERRORIST ALIENS.—

''(1) CUSTODY.—The Attorney General shall take into custody any alien who is certified under paragraph (3).

''(2) RELEASE.—Except as provided in paragraphs (5) and (6), the Attorney General shall maintain custody of such an alien until the alien is removed from the United States. Except as provided in paragraph (6), such custody shall be maintained irrespective of any relief from removal for which the alien may be eligible, or any relief from removal granted the alien, until the Attorney General determines that the alien is no longer an alien who may be certified under paragraph (3).

''(3) CERTIFICATION.—The Attorney General may certify an alien under this paragraph if the Attorney General has reasonable grounds to believe that the alien—

''(A) is described in section 212(a)(3)(A)(i), 212(a)(3)(A)(iii), 212(a)(3)(B), 237(a)(4)(A)(i), 237(a)(4)(A)(iii), or 237(a)(4)(B); or

''(B) is engaged in any other activity that endangers the national security of the United States.

''(4) NONDELEGATION.—The Attorney General may delegate the authority provided under paragraph (3) only to the Commissioner. The Commissioner may not delegate such authority.

''(5) COMMENCEMENT OF PROCEEDINGS.—The Attorney General shall place an alien detained under paragraph (1) in removal proceedings, or shall charge the alien with a criminal offense, not later than 7 days after the commencement of such detention. If the requirement of the preceding sentence is not satisfied, the Attorney General shall release the alien.

''(6) LIMITATION ON INDEFINITE DETENTION.—An alien detained under paragraph (1) who has not been removed under section 241(a)(1)(A), and whose removal is unlikely in the reasonably foreseeable future, may be detained for additional periods of up to six months if the release of the alien will not protect the national security of the United States or adequately ensure the safety of the community or any person.

''(b) HABEAS CORPUS AND JUDICIAL REVIEW.—

''(1) IN GENERAL.—Judicial review of any action or decision relating to this section (including judicial review of the merits of a determination made under subsection (a)(3) or (a)(6)) is available exclusively in habeas corpus proceedings consistent with this subsection. Except as provided in the preceding sentence, no court shall have jurisdiction to review, by habeas corpus petition or otherwise, any such action or decision.

''(2) APPLICATION.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, including section 2241(a) of title 28, United States Code, habeas corpus proceedings described in paragraph (1) may be initiated only by an application filed with—

''(i) the Supreme Court;

''(ii) any justice of the Supreme Court;

''(iii) any circuit judge of the United States Court of Appeals for the District of Columbia Circuit; or

''(iv) any district court otherwise having jurisdiction to entertain it.

''(B) APPLICATION TRANSFER.—Section 2241(b) of title 28, United States Code, shall apply to an application for a writ of habeas corpus described in subparagraph (A).

''(3) APPEALS.—Notwithstanding any other provision of law, including section 2253 of title 28, in habeas corpus proceedings described in paragraph (1) before a circuit or district judge, the final order shall be subject to review, on appeal, by the United States Court of Appeals for the District of Columbia Circuit. There shall be no right of appeal in such proceedings to any other circuit court of appeals.

''(4) RULE OF DECISION.—The law applied by the Supreme Court and the United States Court of Appeals for the District of Columbia Circuit shall be regarded as the rule of decision in habeas corpus proceedings described in paragraph (1).

''(c) STATUTORY CONSTRUCTION.—The provisions of this section shall not be applicable to any other provision of the Immigration and Nationality Act.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Immigration and Nationality Act is amended by inserting after the item relating to section 236 the following:

''Sec. 236A. Mandatory detention of suspected terrorist; habeas corpus; judicial review.''.

(c) REPORTS.—Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter, the Attorney General shall submit a report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, with respect to the reporting period, on—

(1) the number of aliens certified under section 236A(a)(3) of the Immigration and Nationality Act, as added by subsection (a);

(2) the grounds for such certifications;

(3) the nationalities of the aliens so certified;

(4) the length of the detention for each alien so certified; and

(5) the number of aliens so certified who—

(A) were granted any form of relief from removal;

(B) were removed;

(C) the Attorney General has determined are no longer aliens who may be so certified; or

(D) were released from detention.

SEC. 413. MULTILATERAL COOPERATION AGAINST TERRORISTS.

Section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) is amended—

(1) by striking ''except that in the discretion of'' and inserting the following: ''except that—

''(1) in the discretion of''; and

(2) by adding at the end the following:

''(2) the Secretary of State, in the Secretary's discretion and on the basis of reciprocity, may provide to a foreign government information in the Department of State's computerized visa lookout database and, when necessary and appropriate, other records covered by this section related to information in the database—

''(A) with regard to individual aliens, at any time on a case-by-case basis for the purpose of preventing, investigating, or punishing acts that would constitute a crime in the United States, including, but not limited to, terrorism or trafficking in controlled substances, persons, or illicit weapons; or

''(B) with regard to any or all aliens in the database, pursuant to such conditions as the Secretary of State shall establish in an agreement with the foreign government in which that government agrees to use such information and records for the purposes described in subparagraph (A) or to deny visas to persons who would be inadmissible to the United States.''.

Subtitle C—Preservation of Immigration Benefits for Victims of Terrorism

SEC. 421. SPECIAL IMMIGRANT STATUS.

(a) IN GENERAL.—For purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), the Attorney General may provide an alien described in subsection (b) with the status of a special immigrant under section 101(a)(27) of such Act (8 U.S.C. 1101(a(27)), if the alien—

(1) files with the Attorney General a petition under section 204 of such Act (8 U.S.C. 1154) for classification under section 203(b)(4) of such Act (8 U.S.C. 1153(b)(4)); and

(2) is otherwise eligible to receive an immigrant visa and is otherwise admissible to the United States for permanent residence, except in determining such admissibility, the grounds for inadmissibility specified in section 212(a)(4) of such Act (8 U.S.C. 1182(a)(4)) shall not apply.

(b) ALIENS DESCRIBED.—

(1) PRINCIPAL ALIENS.—An alien is described in this subsection if—

(A) the alien was the beneficiary of—

(i) a petition that was filed with the Attorney General on or before September 11, 2001—

(I) under section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) to classify the alien as a family-sponsored immigrant under section 203(a) of such Act (8 U.S.C. 1153(a)) or as an employment-based immigrant under section 203(b) of such Act (8 U.S.C. 1153(b)); or

(II) under section 214(d) (8 U.S.C. 1184(d)) of such Act to authorize the issuance of a nonimmigrant visa to the alien under section 101(a)(15)(K) of such Act (8 U.S.C. 1101(a)(15)(K)); or

(ii) an application for labor certification under section 212(a)(5)(A) of such Act (8 U.S.C. 1182(a)(5)(A)) that was filed under regulations of the Secretary of Labor on or before such date; and

(B) such petition or application was revoked or terminated (or otherwise rendered null), either before or after its approval, due to a specified terrorist activity that directly resulted in—

(i) the death or disability of the petitioner, applicant, or alien beneficiary; or

(ii) loss of employment due to physical damage to, or destruction of, the business of the petitioner or applicant.

(2) SPOUSES AND CHILDREN.—

(A) IN GENERAL.—An alien is described in this subsection if—

(i) the alien was, on September 10, 2001, the spouse or child of a principal alien described in paragraph (1); and

(ii) the alien—

(I) is accompanying such principal alien; or

(II) is following to join such principal alien not later than September 11, 2003.

(B) CONSTRUCTION.—For purposes of construing the terms ''accompanying'' and ''following to join'' in subparagraph (A)(ii), any death of a principal alien that is described in paragraph (1)(B)(i) shall be disregarded.

(3) GRANDPARENTS OF ORPHANS.—An alien is described in this subsection if the alien is a grandparent of a child, both of whose parents died as a direct result of a specified terrorist activity, if either of such deceased parents was, on September 10, 2001, a citizen or national of the United States or an alien lawfully admitted for permanent residence in the United States.

(c) PRIORITY DATE.—Immigrant visas made available under this section shall be issued to aliens in the order in which a petition on behalf of each such alien is filed with the Attorney General under subsection (a)(1), except that if an alien was assigned a priority date with respect to a petition described in subsection (b)(1)(A)(i), the alien may maintain that priority date.

(d) NUMERICAL LIMITATIONS.—For purposes of the application of sections 201 through 203 of the Immigration and Nationality Act (8 U.S.C. 1151–1153) in any fiscal year, aliens eligible to be provided status under this section shall be treated as special immigrants described in section 101(a)(27) of such Act (8 U.S.C. 1101(a)(27)) who are not described in subparagraph (A), (B), (C), or (K) of such section.

SEC. 422. EXTENSION OF FILING OR REENTRY DEADLINES.

(a) AUTOMATIC EXTENSION OF NONIMMIGRANT STATUS.—

(1) IN GENERAL.—Notwithstanding section 214 of the Immigration and Nationality Act (8 U.S.C. 1184), in the case of an alien described in paragraph (2) who was lawfully present in the United States as a nonimmigrant on September 10, 2001, the alien may remain lawfully in the United States in the same nonimmigrant status until the later of—

(A) the date such lawful nonimmigrant status otherwise would have terminated if this subsection had not been enacted; or

(B) 1 year after the death or onset of disability described in paragraph (2).

(2) ALIENS DESCRIBED.—

(A) PRINCIPAL ALIENS.—An alien is described in this paragraph if the alien was disabled as a direct result of a specified terrorist activity.

(B) SPOUSES AND CHILDREN.—An alien is described in this paragraph if the alien was, on September 10, 2001, the spouse or child of—

(i) a principal alien described in subparagraph (A); or

(ii) an alien who died as a direct result of a specified terrorist activity.

(3) AUTHORIZED EMPLOYMENT.—During the period in which a principal alien or alien spouse is in lawful nonimmigrant status under paragraph (1), the alien shall be provided an ''employment authorized'' endorsement or other appropriate document signifying authorization of employment not later than 30 days after the alien requests such authorization.

(b) NEW DEADLINES FOR EXTENSION OR CHANGE OF NONIMMIGRANT STATUS.—

(1) FILING DELAYS.—In the case of an alien who was lawfully present in the United States as a nonimmigrant on September 10, 2001, if the alien was prevented from filing a timely application for an extension or change of nonimmigrant status as a direct result of a specified terrorist activity, the alien's application shall be considered timely filed if it is filed not later than 60 days after it otherwise would have been due.

(2) DEPARTURE DELAYS.—In the case of an alien who was lawfully present in the United States as a nonimmigrant on September 10, 2001, if the alien is unable timely to depart the United States as a direct result of a specified terrorist activity, the alien shall not be considered to have been unlawfully present in the United States during the period beginning on September 11, 2001, and ending on the date of the alien's departure, if such departure occurs on or before November 11, 2001.

(3) SPECIAL RULE FOR ALIENS UNABLE TO RETURN FROM ABROAD.—

(A) PRINCIPAL ALIENS.—In the case of an alien who was in a lawful nonimmigrant status on September 10, 2001, but who was not present in the United States on such date, if the alien was prevented from returning to the United States in order to file a timely application for an extension of nonimmigrant status as a direct result of a specified terrorist activity—

(i) the alien's application shall be considered timely filed if it is filed not later than 60 days after it otherwise would have been due; and

(ii) the alien's lawful nonimmigrant status shall be considered to continue until the later of—

(I) the date such status otherwise would have terminated if this subparagraph had not been enacted; or

(II) the date that is 60 days after the date on which the application described in clause (i) otherwise would have been due.

(B) SPOUSES AND CHILDREN.—In the case of an alien who is the spouse or child of a principal alien described in subparagraph (A), if the spouse or child was in a lawful nonimmigrant status on September 10, 2001, the spouse or child may remain lawfully in the United States in the same nonimmigrant status until the later of—

(i) the date such lawful nonimmigrant status otherwise would have terminated if this subparagraph had not been enacted; or

(ii) the date that is 60 days after the date on which the application described in sub-

paragraph (A) otherwise would have been due.

(4) CIRCUMSTANCES PREVENTING TIMELY ACTION.—

(A) FILING DELAYS.—For purposes of paragraph (1), circumstances preventing an alien from timely acting are—

(i) office closures;

(ii) mail or courier service cessations or delays; and

(iii) other closures, cessations, or delays affecting case processing or travel necessary to satisfy legal requirements.

(B) DEPARTURE AND RETURN DELAYS.—For purposes of paragraphs (2) and (3), circumstances preventing an alien from timely acting are—

(i) office closures;

(ii) airline flight cessations or delays; and

(iii) other closures, cessations, or delays affecting case processing or travel necessary to satisfy legal requirements.

(c) DIVERSITY IMMIGRANTS.—

(1) WAIVER OF FISCAL YEAR LIMITATION.—Notwithstanding section 203(e)(2) of the Immigration and Nationality Act (8 U.S.C. 1153(e)(2)), an immigrant visa number issued to an alien under section 203(c) of such Act for fiscal year 2001 may be used by the alien during the period beginning on October 1, 2001, and ending on April 1, 2002, if the alien establishes that the alien was prevented from using it during fiscal year 2001 as a direct result of a specified terrorist activity.

(2) WORLDWIDE LEVEL.—In the case of an alien entering the United States as a lawful permanent resident, or adjusting to that status, under paragraph (1), the alien shall be counted as a diversity immigrant for fiscal year 2001 for purposes of section 201(e) of the Immigration and Nationality Act (8 U.S.C. 1151(e)), unless the worldwide level under such section for such year has been exceeded, in which case the alien shall be counted as a diversity immigrant for fiscal year 2002.

(3) TREATMENT OF FAMILY MEMBERS OF CERTAIN ALIENS.—In the case of a principal alien issued an immigrant visa number under section 203(c) of the Immigration and Nationality Act (8 U.S.C. 1153(c)) for fiscal year 2001, if such principal alien died as a direct result of a specified terrorist activity, the aliens who were, on September 10, 2001, the spouse and children of such principal alien shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa under subsection (a), (b), or (c) of section 203 of such Act, be entitled to the same status, and the same order of consideration, that would have been provided to such alien spouse or child under section 203(d) of such Act if the principal alien were not deceased.

(4) CIRCUMSTANCES PREVENTING TIMELY ACTION.—For purposes of paragraph (1), circumstances preventing an alien from using an immigrant visa number during fiscal year 2001 are—

(A) office closures;

(B) mail or courier service cessations or delays;

(C) airline flight cessations or delays; and

(D) other closures, cessations, or delays affecting case processing or travel necessary to satisfy legal requirements.

(d) EXTENSION OF EXPIRATION OF IMMIGRANT VISAS.—

(1) IN GENERAL.—Notwithstanding the limitations under section 221(c) of the Immigration and Nationality Act (8 U.S.C. 1201(c)), in the case of any immigrant visa issued to an alien that expires or expired before December 31, 2001, if the alien was unable to effect entry into the United States as a direct result of a specified terrorist activity, then the period of validity of the visa is extended until December 31, 2001, unless a longer period of validity is otherwise provided under this subtitle.

(2) CIRCUMSTANCES PREVENTING ENTRY.—For purposes of this subsection, circumstances preventing an alien from effecting entry into the United States are—

(A) office closures;

(B) airline flight cessations or delays; and

(C) other closures, cessations, or delays affecting case processing or travel necessary to satisfy legal requirements.

(e) GRANTS OF PAROLE EXTENDED.—

(1) IN GENERAL.—In the case of any parole granted by the Attorney General under section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) that expires on a date on or after September 11, 2001, if the alien beneficiary of the parole was unable to return to the United States prior to the expiration date as a direct result of a specified terrorist activity, the parole is deemed extended for an additional 90 days.

(2) CIRCUMSTANCES PREVENTING RETURN.—For purposes of this subsection, circumstances preventing an alien from timely returning to the United States are—

(A) office closures;

(B) airline flight cessations or delays; and

(C) other closures, cessations, or delays affecting case processing or travel necessary to satisfy legal requirements.

(f) VOLUNTARY DEPARTURE.—Notwithstanding section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c), if a period for voluntary departure under such section expired during the period beginning on September 11, 2001, and ending on October 11, 2001, such voluntary departure period is deemed extended for an additional 30 days.

SEC. 423. HUMANITARIAN RELIEF FOR CERTAIN SURVIVING SPOUSES AND CHILDREN.

(a) TREATMENT AS IMMEDIATE RELATIVES.—

(1) SPOUSES.—Notwithstanding the second sentence of section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)), in the case of an alien who was the spouse of a citizen of the United States at the time of the citizen's death and was not legally separated from the citizen at the time of the citizen's death, if the citizen died as a direct result of a specified terrorist activity, the alien (and each child of the alien) shall be considered, for purposes of section 201(b) of such Act, to remain an immediate relative after the date of the citizen's death, but only if the alien files a petition under section 204(a)(1)(A)(ii) of such Act within 2 years after such date and only until the date the alien remarries. For purposes of such section 204(a)(1)(A)(ii), an alien granted relief under the preceding sentence shall be considered an alien spouse described in the second sentence of section 201(b)(2)(A)(i) of such Act.

(2) CHILDREN.—

(A) IN GENERAL.—In the case of an alien who was the child of a citizen of the United States at the time of the citizen's death, if the citizen died as a direct result of a specified terrorist activity, the alien shall be considered, for purposes of section 201(b) of the Immigration and Nationality Act (8 U.S.C. 1151(b)), to remain an immediate relative after the date of the citizen's death (regardless of changes in age or marital status thereafter), but only if the alien files a petition under subparagraph (B) within 2 years after such date.

(B) PETITIONS.—An alien described in subparagraph (A) may file a petition with the Attorney General for classification of the alien under section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)). For purposes of such Act, such a petition shall be considered a petition filed under section 204(a)(1)(A) of such Act (8 U.S.C. 1154(a)(1)(A)).

(b) SPOUSES, CHILDREN, UNMARRIED SONS AND DAUGHTERS OF LAWFUL PERMANENT RESIDENT ALIENS.—

(1) IN GENERAL.—Any spouse, child, or unmarried son or daughter of an alien described in paragraph (3) who is included in a petition for classification as a family-sponsored immigrant under section 203(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(2)) that was filed by such alien before September 11, 2001, shall be considered (if the spouse, child, son, or daughter has not been admitted or approved for lawful permanent residence by such date) a valid petitioner for preference status under such section with the same priority date as that assigned prior to the death described in paragraph (3)(A). No new petition shall be required to be filed. Such spouse, child, son, or daughter may be eligible for deferred action and work authorization.

(2) SELF-PETITIONS.—Any spouse, child, or unmarried son or daughter of an alien described in paragraph (3) who is not a beneficiary of a petition for classification as a family-sponsored immigrant under section 203(a)(2) of the Immigration and Nationality Act may file a petition for such classification with the Attorney General, if the spouse, child, son, or daughter was present in the United States on September 11, 2001. Such spouse, child, son, or daughter may be eligible for deferred action and work authorization.

(3) ALIENS DESCRIBED.—An alien is described in this paragraph if the alien—

(A) died as a direct result of a specified terrorist activity; and

(B) on the day of such death, was lawfully admitted for permanent residence in the United States.

(c) APPLICATIONS FOR ADJUSTMENT OF STATUS BY SURVIVING SPOUSES AND CHILDREN OF EMPLOYMENT-BASED IMMIGRANTS.—

(1) IN GENERAL.—Any alien who was, on September 10, 2001, the spouse or child of an alien described in paragraph (2), and who applied for adjustment of status prior to the death described in paragraph (2)(A), may have such application adjudicated as if such death had not occurred.

(2) ALIENS DESCRIBED.—An alien is described in this paragraph if the alien—

(A) died as a direct result of a specified terrorist activity; and

(B) on the day before such death, was—

(i) an alien lawfully admitted for permanent residence in the United States by reason of having been allotted a visa under section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)); or

(ii) an applicant for adjustment of status to that of an alien described in clause (i), and admissible to the United States for permanent residence.

(d) WAIVER OF PUBLIC CHARGE GROUNDS.—In determining the admissibility of any alien accorded an immigration benefit under this section, the grounds for inadmissibility specified in section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) shall not apply.

SEC. 424. "AGE-OUT" PROTECTION FOR CHILDREN.

For purposes of the administration of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), in the case of an alien—

(1) whose 21st birthday occurs in September 2001, and who is the beneficiary of a petition or application filed under such Act on or before September 11, 2001, the alien shall be considered to be a child for 90 days after the alien's 21st birthday for purposes of adjudicating such petition or application; and

(2) whose 21st birthday occurs after September 2001, and who is the beneficiary of a petition or application filed under such Act on or before September 11, 2001, the alien shall be considered to be a child for 45 days after the alien's 21st birthday for purposes of adjudicating such petition or application.

SEC. 425. TEMPORARY ADMINISTRATIVE RELIEF.

The Attorney General, for humanitarian purposes or to ensure family unity, may provide temporary administrative relief to any alien who—

(1) was lawfully present in the United States on September 10, 2001;

(2) was on such date the spouse, parent, or child of an individual who died or was disabled as a direct result of a specified terrorist activity; and

(3) is not otherwise entitled to relief under any other provision of this subtitle.

SEC. 426. EVIDENCE OF DEATH, DISABILITY, OR LOSS OF EMPLOYMENT.

(a) IN GENERAL.—The Attorney General shall establish appropriate standards for evidence demonstrating, for purposes of this subtitle, that any of the following occurred as a direct result of a specified terrorist activity:

(1) Death.

(2) Disability.

(3) Loss of employment due to physical damage to, or destruction of, a business.

(b) WAIVER OF REGULATIONS.—The Attorney General shall carry out subsection (a) as expeditiously as possible. The Attorney General is not required to promulgate regulations prior to implementing this subtitle.

SEC. 427. NO BENEFITS TO TERRORISTS OR FAMILY MEMBERS OF TERRORISTS.

Notwithstanding any other provision of this subtitle, nothing in this subtitle shall be construed to provide any benefit or relief to—

(1) any individual culpable for a specified terrorist activity; or

(2) any family member of any individual described in paragraph (1).

SEC. 428. DEFINITIONS.

(a) APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.—Except as otherwise specifically provided in this subtitle, the definitions used in the Immigration and Nationality Act (excluding the definitions applicable exclusively to title III of such Act) shall apply in the administration of this subtitle.

(b) SPECIFIED TERRORIST ACTIVITY.—For purposes of this subtitle, the term ''specified terrorist activity'' means any terrorist activity conducted against the Government or the people of the United States on September 11, 2001.

TITLE V—REMOVING OBSTACLES TO INVESTIGATING TERRORISM

SEC. 501. ATTORNEY GENERAL'S AUTHORITY TO PAY REWARDS TO COMBAT TERRORISM.

(a) PAYMENT OF REWARDS TO COMBAT TERRORISM.—Funds available to the Attorney General may be used for the payment of rewards pursuant to public advertisements for assistance to the Department of Justice to combat terrorism and defend the Nation against terrorist acts, in accordance with procedures and regulations established or issued by the Attorney General.

(b) CONDITIONS.—In making rewards under this section—

(1) no such reward of $250,000 or more may be made or offered without the personal approval of either the Attorney General or the President;

(2) the Attorney General shall give written notice to the Chairmen and ranking minority members of the Committees on Appropriations and the Judiciary of the Senate and of the House of Representatives not later than 30 days after the approval of a reward under paragraph (1);

(3) any executive agency or military department (as defined, respectively, in sections 105 and 102 of title 5, United States Code) may provide the Attorney General with funds for the payment of rewards;

(4) neither the failure of the Attorney General to authorize a payment nor the amount authorized shall be subject to judicial review; and

(5) no such reward shall be subject to any per- or aggregate reward spending limitation established by law, unless that law expressly refers to this section, and no reward paid pursuant to any such offer shall count toward any such aggregate reward spending limitation.

SEC. 502. SECRETARY OF STATE'S AUTHORITY TO PAY REWARDS.

Section 36 of the State Department Basic Authorities Act of 1956 (Public Law 885, August 1, 1956; 22 U.S.C. 2708) is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking ''or'' at the end;

(B) in paragraph (5), by striking the period at the end and inserting '', including by dismantling an organization in whole or significant part; or''; and

(C) by adding at the end the following:

''(6) the identification or location of an individual who holds a key leadership position in a terrorist organization.'';

(2) in subsection (d), by striking paragraphs (2) and (3) and redesignating paragraph (4) as paragraph (2); and

(3) in subsection (e)(1), by inserting '', except as personally authorized by the Secretary of State if he determines that offer or payment of an award of a larger amount is necessary to combat terrorism or defend the Nation against terrorist acts.'' after ''$5,000,000''.

SEC. 503. DNA IDENTIFICATION OF TERRORISTS AND OTHER VIOLENT OFFENDERS.

Section 3(d)(2) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(d)(2)) is amended to read as follows:

''(2) In addition to the offenses described in paragraph (1), the following offenses shall be treated for purposes of this section as qualifying Federal offenses, as determined by the Attorney General:

''(A) Any offense listed in section 2332b(g)(5)(B) of title 18, United States Code.

''(B) Any crime of violence (as defined in section 16 of title 18, United States Code).

''(C) Any attempt or conspiracy to commit any of the above offenses.''.

SEC. 504. COORDINATION WITH LAW ENFORCEMENT.

(a) INFORMATION ACQUIRED FROM AN ELECTRONIC SURVEILLANCE.—Section 106 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1806), is amended by adding at the end the following:

''(k)(1) Federal officers who conduct electronic surveillance to acquire foreign intelligence information under this title may consult with Federal law enforcement officers to coordinate efforts to investigate or protect against—

''(A) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

''(B) sabotage or international terrorism by a foreign power or an agent of a foreign power; or

''(C) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power.

''(2) Coordination authorized under paragraph (1) shall not preclude the certification required by section 104(a)(7)(B) or the entry of an order under section 105.''.

(b) INFORMATION ACQUIRED FROM A PHYSICAL SEARCH.—Section 305 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1825) is amended by adding at the end the following:

''(k)(1) Federal officers who conduct physical searches to acquire foreign intelligence information under this title may consult with Federal law enforcement officers to coordinate efforts to investigate or protect against—

''(A) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

''(B) sabotage or international terrorism by a foreign power or an agent of a foreign power; or

''(C) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power.

''(2) Coordination authorized under paragraph (1) shall not preclude the certification required by section 303(a)(7) or the entry of an order under section 304.''.

SEC. 505. MISCELLANEOUS NATIONAL SECURITY AUTHORITIES.

(a) TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709(b) of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting ''at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director'' after ''Assistant Director'';

(2) in paragraph (1)—

(A) by striking ''in a position not lower than Deputy Assistant Director''; and

(B) by striking ''made that'' and all that follows and inserting the following: ''made that the name, address, length of service, and toll billing records sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the first amendment to the Constitution of the United States; and''; and

(3) in paragraph (2)—

(A) by striking ''in a position not lower than Deputy Assistant Director''; and

(B) by striking ''made that'' and all that follows and inserting the following: ''made that the information sought is relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States.''.

(b) FINANCIAL RECORDS.—Section 1114(a)(5)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A)) is amended—

(1) by inserting ''in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director'' after ''designee''; and

(2) by striking ''sought'' and all that follows and inserting ''sought for foreign counter intelligence purposes to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States.''.

(c) CONSUMER REPORTS.—Section 624 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(1) in subsection (a)—

(A) by inserting ''in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office designated by the Director'' after ''designee'' the first place it appears; and

(B) by striking ''in writing that'' and all that follows through the end and inserting the following: ''in writing, that such information is sought for the conduct of an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities

protected by the first amendment to the Constitution of the United States.'';

(2) in subsection (b)—

(A) by inserting ''in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office designated by the Director'' after ''designee'' the first place it appears; and

(B) by striking ''in writing that'' and all that follows through the end and inserting the following: ''in writing that such information is sought for the conduct of an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States.''; and

(3) in subsection (c)—

(A) by inserting ''in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director'' after ''designee of the Director''; and

(B) by striking ''in camera that'' and all that follows through ''States.'' and inserting the following: ''in camera that the consumer report is sought for the conduct of an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States.''.

SEC. 506. EXTENSION OF SECRET SERVICE JURISDICTION.

(a) CONCURRENT JURISDICTION UNDER 18 U.S.C. 1030.—Section 1030(d) of title 18, United States Code, is amended to read as follows:

''(d)(1) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section.

''(2) The Federal Bureau of Investigation shall have primary authority to investigate offenses under subsection (a)(1) for any cases involving espionage, foreign counterintelligence, information protected against unauthorized disclosure for reasons of national defense or foreign relations, or Restricted Data (as that term is defined in section 11y of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)), except for offenses affecting the duties of the United States Secret Service pursuant to section 3056(a) of this title.

''(3) Such authority shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury and the Attorney General.''.

(b) REAUTHORIZATION OF JURISDICTION UNDER 18 U.S.C. 1344.—Section 3056(b)(3) of title 18, United States Code, is amended by striking ''credit and debit card frauds, and false identification documents or devices'' and inserting ''access device frauds, false identification documents or devices, and any fraud or other criminal or unlawful activity in or against any federally insured financial institution''.

SEC. 507. DISCLOSURE OF EDUCATIONAL RECORDS.

Section 444 of the General Education Provisions Act (20 U.S.C. 1232g), is amended by adding after subsection (i) a new subsection (j) to read as follows:

''(j) INVESTIGATION AND PROSECUTION OF TERRORISM.—

''(1) IN GENERAL.—Notwithstanding subsections (a) through (i) or any provision of State law, the Attorney General (or any Federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) may submit a written application to a court of competent jurisdiction for an ex parte order requiring an educational agency or institution to permit the Attorney General (or his designee) to—

''(A) collect education records in the possession of the educational agency or institution that are relevant to an authorized investigation or prosecution of an offense listed in section 2332b(g)(5)(B) of title 18 United States Code, or an act of domestic or international terrorism as defined in section 2331 of that title; and

''(B) for official purposes related to the investigation or prosecution of an offense described in paragraph (1)(A), retain, disseminate, and use (including as evidence at trial or in other administrative or judicial proceedings) such records, consistent with such guidelines as the Attorney General, after consultation with the Secretary, shall issue to protect confidentiality.

''(2) APPLICATION AND APPROVAL.—

''(A) IN GENERAL.—An application under paragraph (1) shall certify that there are specific and articulable facts giving reason to believe that the education records are likely to contain information described in paragraph (1)(A).

''(B) The court shall issue an order described in paragraph (1) if the court finds that the application for the order includes the certification described in subparagraph (A).

''(3) PROTECTION OF EDUCATIONAL AGENCY OR INSTITUTION.—An educational agency or institution that, in good faith, produces education records in accordance with an order issued under this subsection shall not be liable to any person for that production.

''(4) RECORD-KEEPING.—Subsection (b)(4) does not apply to education records subject to a court order under this subsection.''.

SEC. 508. DISCLOSURE OF INFORMATION FROM NCES SURVEYS.

Section 408 of the National Education Statistics Act of 1994 (20 U.S.C. 9007), is amended by adding after subsection (b) a new subsection (c) to read as follows:

''(c) INVESTIGATION AND PROSECUTION OF TERRORISM.—

''(1) IN GENERAL.—Notwithstanding subsections (a) and (b), the Attorney General (or any Federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) may submit a written application to a court of competent jurisdiction for an ex parte order requiring the Secretary to permit the Attorney General (or his designee) to—

''(A) collect reports, records, and information (including individually identifiable information) in the possession of the center that are relevant to an authorized investigation or prosecution of an offense listed in section 2332b(g)(5)(B) of title 18, United States Code, or an act of domestic or international terrorism as defined in section 2331 of that title; and

''(B) for official purposes related to the investigation or prosecution of an offense described in paragraph (1)(A), retain, disseminate, and use (including as evidence at trial or in other administrative or judicial proceedings) such information, consistent with such guidelines as the Attorney General, after consultation with the Secretary, shall issue to protect confidentiality.

''(2) APPLICATION AND APPROVAL.—

''(A) IN GENERAL.—An application under paragraph (1) shall certify that there are specific and articulable facts giving reason to believe that the information sought is described in paragraph (1)(A).

''(B) The court shall issue an order described in paragraph (1) if the court finds that the application for the order includes the certification described in subparagraph (A).

''(3) PROTECTION.—An officer or employee of the Department who, in good faith, produces information in accordance with an order issued under this subsection does not violate subsection (b)(2) and shall not be liable to any person for that production.''.

TITLE VI—PROVIDING FOR VICTIMS OF TERRORISM, PUBLIC SAFETY OFFICERS, AND THEIR FAMILIES

Subtitle A—Aid to Families of Public Safety Officers

SEC. 611. EXPEDITED PAYMENT FOR PUBLIC SAFETY OFFICERS INVOLVED IN THE PREVENTION, INVESTIGATION, RESCUE, OR RECOVERY EFFORTS RELATED TO A TERRORIST ATTACK.

(a) IN GENERAL.—Notwithstanding the limitations of subsection (b) of section 1201 or the provisions of subsections (c), (d), and (e) of such section or section 1202 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796, 3796a), upon certification (containing identification of all eligible payees of benefits pursuant to section 1201 of such Act) by a public agency that a public safety officer employed by such agency was killed or suffered a catastrophic injury producing permanent and total disability as a direct and proximate result of a personal injury sustained in the line of duty as described in section 1201 of such Act in connection with prevention, investigation, rescue, or recovery efforts related to a terrorist attack, the Director of the Bureau of Justice Assistance shall authorize payment to qualified beneficiaries, said payment to be made not later than 30 days after receipt of such certification, benefits described under subpart 1 of part L of such Act (42 U.S.C. 3796 et seq.).

(b) DEFINITIONS.—For purposes of this section, the terms ''catastrophic injury'', ''public agency'', and ''public safety officer'' have the same meanings given such terms in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b).

SEC. 612. TECHNICAL CORRECTION WITH RESPECT TO EXPEDITED PAYMENTS FOR HEROIC PUBLIC SAFETY OFFICERS.

Section 1 of Public Law 107-37 (an Act to provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001) is amended by—

(1) inserting before ''by a'' the following: ''(containing identification of all eligible payees of benefits pursuant to section 1201)'';

(2) inserting ''producing permanent and total disability'' after ''suffered a catastrophic injury''; and

(3) striking ''1201(a)'' and inserting ''1201''.

SEC. 613. PUBLIC SAFETY OFFICERS BENEFIT PROGRAM PAYMENT INCREASE.

(a) PAYMENTS.—Section 1201(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796) is amended by striking ''$100,000'' and inserting ''$250,000''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any death or disability occurring on or after January 1, 2001.

SEC. 614. OFFICE OF JUSTICE PROGRAMS.

Section 112 of title I of section 101(b) of division A of Public Law 105–277 and section 108(a) of appendix A of Public Law 106–113 (113 Stat. 1501A–20) are amended—

(1) after ''that Office'', each place it occurs, by inserting ''(including, notwithstanding any contrary provision of law (unless the same should expressly refer to this section), any organization that administers any program established in title 1 of Public Law 90–351)''; and

(2) by inserting ''functions, including any'' after ''all''.

Subtitle B—Amendments to the Victims of Crime Act of 1984

SEC. 621. CRIME VICTIMS FUND.

(a) DEPOSIT OF GIFTS IN THE FUND.—Section 1402(b) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(b)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5) any gifts, bequests, or donations to the Fund from private entities or individuals.''.

(b) FORMULA FOR FUND DISTRIBUTIONS.—Section 1402(c) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(c)) is amended to read as follows:

''(c) FUND DISTRIBUTION; RETENTION OF SUMS IN FUND; AVAILABILITY FOR EXPENDITURE WITHOUT FISCAL YEAR LIMITATION.—

''(1) Subject to the availability of money in the Fund, in each fiscal year, beginning with fiscal year 2003, the Director shall distribute not less than 90 percent nor more than 110 percent of the amount distributed from the Fund in the previous fiscal year, except the Director may distribute up to 120 percent of the amount distributed in the previous fiscal year in any fiscal year that the total amount available in the Fund is more than 2 times the amount distributed in the previous fiscal year.

''(2) In each fiscal year, the Director shall distribute amounts from the Fund in accordance with subsection (d). All sums not distributed during a fiscal year shall remain in reserve in the Fund to be distributed during a subsequent fiscal year. Notwithstanding any other provision of law, all sums deposited in the Fund that are not distributed shall remain in reserve in the Fund for obligation in future fiscal years, without fiscal year limitation.''.

(c) ALLOCATION OF FUNDS FOR COSTS AND GRANTS.—Section 1402(d)(4) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(4)) is amended—

(1) by striking ''deposited in'' and inserting ''to be distributed from'';

(2) in subparagraph (A), by striking ''48.5'' and inserting ''47.5'';

(3) in subparagraph (B), by striking ''48.5'' and inserting ''47.5''; and

(4) in subparagraph (C), by striking ''3'' and inserting ''5''.

(d) ANTITERRORISM EMERGENCY RESERVE.—Section 1402(d)(5) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(5)) is amended to read as follows:

''(5)(A) In addition to the amounts distributed under paragraphs (2), (3), and (4), the Director may set aside up to $50,000,000 from the amounts transferred to the Fund for use in responding to the airplane hijackings and terrorist acts that occurred on September 11, 2001, as an antiterrorism emergency reserve. The Director may replenish any amounts expended from such reserve in subsequent fiscal years by setting aside up to 5 percent of the amounts remaining in the Fund in any fiscal year after distributing amounts under paragraphs (2), (3) and (4). Such reserve shall not exceed $50,000,000.

''(B) The antiterrorism emergency reserve referred to in subparagraph (A) may be used for supplemental grants under section 1404B and to provide compensation to victims of international terrorism under section 1404C.

''(C) Amounts in the antiterrorism emergency reserve established pursuant to subparagraph (A) may be carried over from fiscal year to fiscal year. Notwithstanding subsection (c) and section 619 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001 (and any similar limitation on Fund obligations in any future Act, unless the same should expressly refer to this section), any such amounts carried over shall not be subject to any limitation on obligations from amounts deposited to or available in the Fund.''.

(e) VICTIMS OF SEPTEMBER 11, 2001.—Amounts transferred to the Crime Victims Fund for use in responding to the airplane hijackings and terrorist acts (including any related search, rescue, relief, assistance, or other similar activities) that occurred on September 11, 2001, shall not be subject to any limitation on obligations from amounts deposited to or available in the Fund, notwithstanding—

(1) section 619 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, and any similar limitation on Fund obligations in such Act for Fiscal Year 2002; and

(2) subsections (c) and (d) of section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601).

SEC. 622. CRIME VICTIM COMPENSATION.

(a) ALLOCATION OF FUNDS FOR COMPENSATION AND ASSISTANCE.—Paragraphs (1) and (2) of section 1403(a) of the Victims of Crime Act of 1984 (42 U.S.C. 10602(a)) are amended by inserting ''in fiscal year 2002 and of 60 percent in subsequent fiscal years'' after ''40 percent''.

(b) LOCATION OF COMPENSABLE CRIME.—Section 1403(b)(6)(B) of the Victims of Crime Act of 1984 (42 U.S.C. 10602(b)(6)(B)) is amended by striking ''are outside the United States (if the compensable crime is terrorism, as defined in section 2331 of title 18), or''.

(c) RELATIONSHIP OF CRIME VICTIM COMPENSATION TO MEANS-TESTED FEDERAL BENEFIT PROGRAMS.—Section 1403 of the Victims of Crime Act of 1984 (42 U.S.C. 10602) is amended by striking subsection (c) and inserting the following:

''(c) EXCLUSION FROM INCOME, RESOURCES, AND ASSETS FOR PURPOSES OF MEANS TESTS.—Notwithstanding any other law (other than title IV of Public Law 107–42), for the purpose of any maximum allowed income, resource, or asset eligibility requirement in any Federal, State, or local government program using Federal funds that provides medical or other assistance (or payment or reimbursement of the cost of such assistance), any amount of crime victim compensation that the applicant receives through a crime victim compensation program under this section shall not be included in the income, resources, or assets of the applicant, nor shall that amount reduce the amount of the assistance available to the applicant from Federal, State, or local government programs using Federal funds, unless the total amount of assistance that the applicant receives from all such programs is sufficient to fully compensate the applicant for losses suffered as a result of the crime.''.

(d) DEFINITIONS OF ''COMPENSABLE CRIME'' AND ''STATE''.—Section 1403(d) of the Victims of Crime Act of 1984 (42 U.S.C. 10602(d)) is amended—

(1) in paragraph (3), by striking ''crimes involving terrorism,''; and

(2) in paragraph (4), by inserting ''the United States Virgin Islands,'' after ''the Commonwealth of Puerto Rico,''.

(e) RELATIONSHIP OF ELIGIBLE CRIME VICTIM COMPENSATION PROGRAMS TO THE SEPTEMBER 11TH VICTIM COMPENSATION FUND.—

(1) IN GENERAL.—Section 1403(e) of the Victims of Crime Act of 1984 (42 U.S.C. 10602(e)) is amended by inserting ''including the program established under title IV of Public Law 107–42,'' after ''Federal program,''.

(2) COMPENSATION.—With respect to any compensation payable under title IV of Public Law 107–42, the failure of a crime victim compensation program, after the effective date of final regulations issued pursuant to section 407 of Public Law 107–42, to provide compensation otherwise required pursuant to section 1403 of the Victims of Crime Act of 1984 (42 U.S.C. 10602) shall not render that program ineligible for future grants under the Victims of Crime Act of 1984.

SEC. 623. CRIME VICTIM ASSISTANCE.

(a) ASSISTANCE FOR VICTIMS IN THE DISTRICT OF COLUMBIA, PUERTO RICO, AND OTHER TERRITORIES AND POSSESSIONS.—Section 1404(a) of the Victims of Crime Act of 1984 (42 U.S.C. 10603(a)) is amended by adding at the end the following:

''(6) An agency of the Federal Government performing local law enforcement functions in and on behalf of the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, or any other territory or possession of the United States may qualify as an eligible crime victim assistance program for the purpose of grants under this subsection, or for the purpose of grants under subsection (c)(1).''.

(b) PROHIBITION ON DISCRIMINATION AGAINST CERTAIN VICTIMS.—Section 1404(b)(1) of the Victims of Crime Act of 1984 (42 U.S.C. 10603(b)(1)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) does not discriminate against victims because they disagree with the way the State is prosecuting the criminal case.''.

(c) GRANTS FOR PROGRAM EVALUATION AND COMPLIANCE EFFORTS.—Section 1404(c)(1)(A) of the Victims of Crime Act of 1984 (42 U.S.C. 10603(c)(1)(A)) is amended by inserting '', program evaluation, compliance efforts,'' after ''demonstration projects''.

(d) ALLOCATION OF DISCRETIONARY GRANTS.—Section 1404(c)(2) of the Victims of Crime Act of 1984 (42 U.S.C. 10603(c)(2)) is amended—

(1) in subparagraph (A), by striking ''not more than'' and inserting ''not less than''; and

(2) in subparagraph (B), by striking ''not less than'' and inserting ''not more than''.

(e) FELLOWSHIPS AND CLINICAL INTERNSHIPS.—Section 1404(c)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10603(c)(3)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) use funds made available to the Director under this subsection—

''(i) for fellowships and clinical internships; and

''(ii) to carry out programs of training and special workshops for the presentation and dissemination of information resulting from demonstrations, surveys, and special projects.''.

SEC. 624. VICTIMS OF TERRORISM.

(a) COMPENSATION AND ASSISTANCE TO VICTIMS OF DOMESTIC TERRORISM.—Section 1404B(b) of the Victims of Crime Act of 1984 (42 U.S.C. 10603b(b)) is amended to read as follows:

''(b) VICTIMS OF TERRORISM WITHIN THE UNITED STATES.—The Director may make supplemental grants as provided in section 1402(d)(5) to States for eligible crime victim compensation and assistance programs, and to victim service organizations, public agencies (including Federal, State, or local governments) and nongovernmental organizations that provide assistance to victims of crime, which shall be used to provide emergency relief, including crisis response efforts, assistance, compensation, training and technical assistance, and ongoing assistance,

including during any investigation or prosecution, to victims of terrorist acts or mass violence occurring within the United States.''.

(b) ASSISTANCE TO VICTIMS OF INTERNATIONAL TERRORISM.—Section 1404B(a)(1) of the Victims of Crime Act of 1984 (42 U.S.C. 10603b(a)(1)) is amended by striking ''who are not persons eligible for compensation under title VIII of the Omnibus Diplomatic Security and Antiterrorism Act of 1986''.

(c) COMPENSATION TO VICTIMS OF INTERNATIONAL TERRORISM.—Section 1404C(b) of the Victims of Crime of 1984 (42 U.S.C. 10603c(b)) is amended by adding at the end the following: ''The amount of compensation awarded to a victim under this subsection shall be reduced by any amount that the victim received in connection with the same act of international terrorism under title VIII of the Omnibus Diplomatic Security and Antiterrorism Act of 1986.''.

TITLE VII—INCREASED INFORMATION SHARING FOR CRITICAL INFRASTRUCTURE PROTECTION

SEC. 711. EXPANSION OF REGIONAL INFORMATION SHARING SYSTEM TO FACILITATE FEDERAL-STATE-LOCAL LAW ENFORCEMENT RESPONSE RELATED TO TERRORIST ATTACKS.

Section 1301 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) is amended—

(1) in subsection (a), by inserting ''and terrorist conspiracies and activities'' after ''activities'';

(2) in subsection (b)—

(A) in paragraph (3), by striking ''and'' after the semicolon;

(B) by redesignating paragraph (4) as paragraph (5);

(C) by inserting after paragraph (3) the following:

''(4) establishing and operating secure information sharing systems to enhance the investigation and prosecution abilities of participating enforcement agencies in addressing multi-jurisdictional terrorist conspiracies and activities; and (5)''; and

(3) by inserting at the end the following:

''(d) AUTHORIZATION OF APPROPRIATION TO THE BUREAU OF JUSTICE ASSISTANCE.—There are authorized to be appropriated to the Bureau of Justice Assistance to carry out this section $50,000,000 for fiscal year 2002 and $100,000,000 for fiscal year 2003.''.

TITLE VIII—STRENGTHENING THE CRIMINAL LAWS AGAINST TERRORISM

SEC. 801. TERRORIST ATTACKS AND OTHER ACTS OF VIOLENCE AGAINST MASS TRANSPORTATION SYSTEMS.

Chapter 97 of title 18, United States Code, is amended by adding at the end the following:

''§ 1993. Terrorist attacks and other acts of violence against mass transportation systems

''(a) GENERAL PROHIBITIONS.—Whoever willfully—

''(1) wrecks, derails, sets fire to, or disables a mass transportation vehicle or ferry;

''(2) places or causes to be placed any biological agent or toxin for use as a weapon, destructive substance, or destructive device in, upon, or near a mass transportation vehicle or ferry, without previously obtaining the permission of the mass transportation provider, and with intent to endanger the safety of any passenger or employee of the mass transportation provider, or with a reckless disregard for the safety of human life;

''(3) sets fire to, or places any biological agent or toxin for use as a weapon, destructive substance, or destructive device in, upon, or near any garage, terminal, structure, supply, or facility used in the operation of, or in support of the operation of, a mass transportation vehicle or ferry, without previously obtaining the permission of the mass transportation provider, and knowing or having reason to know such activity would likely derail, disable, or wreck a mass transportation vehicle or ferry used, operated, or employed by the mass transportation provider;

''(4) removes appurtenances from, damages, or otherwise impairs the operation of a mass transportation signal system, including a train control system, centralized dispatching system, or rail grade crossing warning signal;

''(5) interferes with, disables, or incapacitates any dispatcher, driver, captain, or person while they are employed in dispatching, operating, or maintaining a mass transportation vehicle or ferry, with intent to endanger the safety of any passenger or employee of the mass transportation provider, or with a reckless disregard for the safety of human life;

''(6) commits an act, including the use of a dangerous weapon, with the intent to cause death or serious bodily injury to an employee or passenger of a mass transportation provider or any other person while any of the foregoing are on the property of a mass transportation provider;

''(7) conveys or causes to be conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by this subsection; or

''(8) attempts, threatens, or conspires to do any of the aforesaid acts,

shall be fined under this title or imprisoned not more than twenty years, or both, if such act is committed, or in the case of a threat or conspiracy such act would be committed, on, against, or affecting a mass transportation provider engaged in or affecting interstate or foreign commerce, or if in the course of committing such act, that person travels or communicates across a State line in order to commit such act, or transports materials across a State line in aid of the commission of such act.

''(b) AGGRAVATED OFFENSE.—Whoever commits an offense under subsection (a) in a circumstance in which—

''(1) the mass transportation vehicle or ferry was carrying a passenger at the time of the offense; or

''(2) the offense has resulted in the death of any person,

shall be guilty of an aggravated form of the offense and shall be fined under this title or imprisoned for a term of years or for life, or both.

''(c) DEFINITIONS.—In this section—

''(1) the term 'biological agent' has the meaning given to that term in section 178(1) of this title;

''(2) the term 'dangerous weapon' has the meaning given to that term in section 930 of this title;

''(3) the term 'destructive device' has the meaning given to that term in section 921(a)(4) of this title;

''(4) the term 'destructive substance' has the meaning given to that term in section 31 of this title;

''(5) the term 'mass transportation' has the meaning given to that term in section 5302(a)(7) of title 49, United States Code, except that the term shall include schoolbus, charter, and sightseeing transportation;

''(6) the term 'serious bodily injury' has the meaning given to that term in section 1365 of this title;

''(7) the term 'State' has the meaning given to that term in section 2266 of this title; and

''(8) the term 'toxin' has the meaning given to that term in section 178(2) of this title.''.

(f) CONFORMING AMENDMENT.—The analysis of chapter 97 of title 18, United States Code, is amended by adding at the end:

''1993. Terrorist attacks and other acts of violence against mass transportation systems.''.

SEC. 802. DEFINITION OF DOMESTIC TERRORISM.

(a) DOMESTIC TERRORISM DEFINED.—Section 2331 of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(iii), by striking ''by assassination or kidnapping'' and inserting ''by mass destruction, assassination, or kidnapping'';

(2) in paragraph (3), by striking ''and'';

(3) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(5) the term 'domestic terrorism' means activities that—

''(A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;

''(B) appear to be intended—

''(i) to intimidate or coerce a civilian population;

''(ii) to influence the policy of a government by intimidation or coercion; or

''(iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and

''(C) occur primarily within the territorial jurisdiction of the United States.''.

(b) CONFORMING AMENDMENT.—Section 3077(1) of title 18, United States Code, is amended to read as follows:

''(1) 'act of terrorism' means an act of domestic or international terrorism as defined in section 2331;''.

SEC. 803. PROHIBITION AGAINST HARBORING TERRORISTS.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2338 the following new section:

''§ 2339. Harboring or concealing terrorists

''(a) Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe, has committed, or is about to commit, an offense under section 32 (relating to destruction of aircraft or aircraft facilities), section 175 (relating to biological weapons), section 229 (relating to chemical weapons), section 831 (relating to nuclear materials), paragraph (2) or (3) of section 844(f) (relating to arson and bombing of government property risking or causing injury or death), section 1366(a) (relating to the destruction of an energy facility), section 2280 (relating to violence against maritime navigation), section 2332a (relating to weapons of mass destruction), or section 2332b (relating to acts of terrorism transcending national boundaries) of this title, section 236(a) (relating to sabotage of nuclear facilities or fuel) of the Atomic Energy Act of 1954 (42 U.S.C. 2284(a)), or section 46502 (relating to aircraft piracy) of title 49, shall be fined under this title or imprisoned not more than ten years, or both.''.

''(b) A violation of this section may be prosecuted in any Federal judicial district in which the underlying offense was committed, or in any other Federal judicial district as provided by law.''.

(b) TECHNICAL AMENDMENT.—The chapter analysis for chapter 113B of title 18, United States Code, is amended by inserting after the item for section 2338 the following:

''2339. Harboring or concealing terrorists.''.

SEC. 804. JURISDICTION OVER CRIMES COMMITTED AT U.S. FACILITIES ABROAD.

Section 7 of title 18, United States Code, is amended by adding at the end the following:

''(9) With respect to offenses committed by or against a United States national, as defined in section 1203(c) of this title—

''(A) the premises of United States diplomatic, consular, military or other United

States Government missions or entities in foreign States, including the buildings, parts of buildings, and land appurtenant or ancillary thereto or used for purposes of those missions or entities, irrespective of ownership; and

''(B) residences in foreign States and the land appurtenant or ancillary thereto, irrespective of ownership, used for purposes of those missions or entities or used by United States personnel assigned to those missions or entities.

Nothing in this paragraph shall be deemed to supersede any treaty or international agreement with which this paragraph conflicts. This paragraph does not apply with respect to an offense committed by a person described in section 3261(a) of this title.''.

SEC. 805. MATERIAL SUPPORT FOR TERRORISM.

(a) IN GENERAL.—Section 2339A of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking '', within the United States,'';

(B) by inserting ''229,'' after ''175,'';

(C) by inserting ''1993,'' after ''1992,'';

(D) by inserting '', section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284),'' after ''of this title'';

(E) by inserting ''or 60123(b)'' after ''46502''; and

(F) by inserting at the end the following: ''A violation of this section may be prosecuted in any Federal judicial district in which the underlying offense was committed, or in any other Federal judicial district as provided by law.''; and

(2) in subsection (b)—

(A) by striking ''or other financial securities'' and inserting ''or monetary instruments or financial securities''; and

(B) by inserting ''expert advice or assistance,'' after ''training,''.

(b) TECHNICAL AMENDMENT.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''or 2339B'' after ''2339A''.

SEC. 806. ASSETS OF TERRORIST ORGANIZATIONS.

Section 981(a)(1) of title 18, United States Code, is amended by inserting at the end the following:

''(G) All assets, foreign or domestic—

''(i) of any individual, entity, or organization engaged in planning or perpetrating any act of domestic or international terrorism (as defined in section 2331) against the United States, citizens or residents of the United States, or their property, and all assets, foreign or domestic, affording any person a source of influence over any such entity or organization;

''(ii) acquired or maintained by any person for the purpose of supporting, planning, conducting, or concealing an act of domestic or international terrorism (as defined in section 2331) against the United States, citizens or residents of the United States, or their property; or

''(iii) derived from, involved in, or used or intended to be used to commit any act of domestic or international terrorism (as defined in section 2331) against the United States, citizens or residents of the United States, or their property.''.

SEC. 807. TECHNICAL CLARIFICATION RELATING TO PROVISION OF MATERIAL SUPPORT TO TERRORISM.

No provision of the Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX of Public Law 106–387) shall be construed to limit or otherwise affect section 2339A or 2339B of title 18, United States Code.

SEC. 808. DEFINITION OF FEDERAL CRIME OF TERRORISM.

Section 2332b of title 18, United States Code, is amended—

(1) in subsection (f), by inserting after ''terrorism'' the following: ''and any violation of section 351(e), 844(e), 844(f)(1), 956(b), 1361, 1366(b), 1366(c), 1751(e), 2152, or 2156 of this title,'' before ''and the Secretary''; and

(2) in subsection (g)(5)(B), by striking clauses (i) through (iii) and inserting the following:

''(i) section 32 (relating to destruction of aircraft or aircraft facilities), 37 (relating to violence at international airports), 81 (relating to arson within special maritime and territorial jurisdiction), 175 or 175b (relating to biological weapons), 229 (relating to chemical weapons), subsection (a), (b), (c), or (d) of section 351 (relating to congressional, cabinet, and Supreme Court assassination and kidnaping), 831 (relating to nuclear materials), 842(m) or (n) (relating to plastic explosives), 844(f) (2) through (3) (relating to arson and bombing of Government property risking or causing death), 844(i) (relating to arson and bombing of property used in interstate commerce), 930(c) (relating to killing or attempted killing during an attack on a Federal facility with a dangerous weapon), 956(a)(1) (relating to conspiracy to murder, kidnap, or maim persons abroad), 1030(a)(1) (relating to protection of computers), 1030(a)(5)(A)(i) resulting in damage as defined in 1030(a)(5)(B)(ii) through (v) (relating to protection of computers), 1114 (relating to killing or attempted killing of officers and employees of the United States), 1116 (relating to murder or manslaughter of foreign officials, official guests, or internationally protected persons), 1203 (relating to hostage taking), 1362 (relating to destruction of communication lines, stations, or systems), 1363 (relating to injury to buildings or property within special maritime and territorial jurisdiction of the United States), 1366(a) (relating to destruction of an energy facility), 1751 (a) through (d) (relating to Presidential and Presidential staff assassination and kidnaping), 1992 (relating to wrecking trains), 1993 (relating to terrorist attacks and other acts of violence against mass transportation systems), 2155 (relating to destruction of national defense materials, premises, or utilities), 2280 (relating to violence against maritime navigation), 2281 (relating to violence against maritime fixed platforms), 2332 (relating to certain homicides and other violence against United States nationals occurring outside of the United States), 2332a (relating to use of weapons of mass destruction), 2332b (relating to acts of terrorism transcending national boundaries), 2339 (relating to harboring terrorists), 2339A (relating to providing material support to terrorists), 2339B (relating to providing material support to terrorist organizations), or 2340A (relating to torture) of this title;

''(ii) section 236 (relating to sabotage of nuclear facilities or fuel) of the Atomic Energy Act of 1954 (42 U.S.C. 2284); or

''(iii) section 46502 (relating to aircraft piracy), the second sentence of section 46504 (relating to assault on a flight crew with a dangerous weapon), section 46505(b)(3) or (c) (relating to explosive or incendiary devices, or endangerment of human life by means of weapons, on aircraft), section 46506 if homicide or attempted homicide is involved (relating to application of certain criminal laws to acts on aircraft), or section 60123(b) (relating to destruction of interstate gas or hazardous liquid pipeline facility) of title 49.''.

SEC. 809. NO STATUTE OF LIMITATION FOR CERTAIN TERRORISM OFFENSES.

(a) IN GENERAL.—Section 3286 of title 18, United States Code, is amended to read as follows:

''§ 3286. Extension of statute of limitation for certain terrorism offenses.

''(a) EIGHT-YEAR LIMITATION.—Notwithstanding section 3282, no person shall be prosecuted, tried, or punished for any noncapital offense involving a violation of any provision listed in section 2332b(g)(5)(B), or a violation of section 112, 351(e), 1361, or 1751(e) of this title, or section 46504, 46505, or 46506 of title 49, unless the indictment is found or the information is instituted within 8 years after the offense was committed. Notwithstanding the preceding sentence, offenses listed in section 3295 are subject to the statute of limitations set forth in that section.

''(b) NO LIMITATION.—Notwithstanding any other law, an indictment may be found or an information instituted at any time without limitation for any offense listed in section 2332b(g)(5)(B), if the commission of such offense resulted in, or created a forseeable risk of, death or serious bodily injury to another person.''.

(b) APPLICATION.—The amendments made by this section shall apply to the prosecution of any offense committed before, on, or after the date of enactment of this section.

SEC. 810. ALTERNATE MAXIMUM PENALTIES FOR TERRORISM OFFENSES.

(a) ARSON.—Section 81 of title 18, United States Code, is amended in the second undesignated paragraph by striking ''not more than twenty years'' and inserting ''for any term of years or for life''.

(b) DESTRUCTION OF AN ENERGY FACILITY.—Section 1366 of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''ten'' and inserting ''20''; and

(2) by adding at the end the following:

''(d) Whoever is convicted of a violation of subsection (a) or (b) that has resulted in the death of any person shall be subject to imprisonment for any term of years or life.''.

(c) MATERIAL SUPPORT TO TERRORISTS.—Section 2339A(a) of title 18, United States Code, is amended—

(1) by striking ''10'' and inserting ''15''; and

(2) by striking the period and inserting '', and, if the death of any person results, shall be imprisoned for any term of years or for life.''.

(d) MATERIAL SUPPORT TO DESIGNATED FOREIGN TERRORIST ORGANIZATIONS.—Section 2339B(a)(1) of title 18, United States Code, is amended—

(1) by striking ''10'' and inserting ''15''; and

(2) by striking the period after ''or both'' and inserting '', and, if the death of any person results, shall be imprisoned for any term of years or for life.''.

(e) DESTRUCTION OF NATIONAL-DEFENSE MATERIALS.—Section 2155(a) of title 18, United States Code, is amended—

(1) by striking ''ten'' and inserting ''20''; and

(2) by striking the period at the end and inserting '', and, if death results to any person, shall be imprisoned for any term of years or for life.''.

(f) SABOTAGE OF NUCLEAR FACILITIES OR FUEL.—Section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), is amended—

(1) by striking ''ten'' each place it appears and inserting ''20'';

(2) in subsection (a), by striking the period at the end and inserting '', and, if death results to any person, shall be imprisoned for any term of years or for life.''; and

(3) in subsection (b), by striking the period at the end and inserting '', and, if death results to any person, shall be imprisoned for any term of years or for life.''.

(g) SPECIAL AIRCRAFT JURISDICTION OF THE UNITED STATES.—Section 46505(c) of title 49, United States Code, is amended—

(1) by striking ''15'' and inserting ''20''; and

(2) by striking the period at the end and inserting '', and, if death results to any person, shall be imprisoned for any term of years or for life.''.

(h) DAMAGING OR DESTROYING AN INTERSTATE GAS OR HAZARDOUS LIQUID PIPELINE FACILITY.—Section 60123(b) of title 49, United States Code, is amended—

(1) by striking ''15'' and inserting ''20''; and

(2) by striking the period at the end and inserting '', and, if death results to any person, shall be imprisoned for any term of years or for life.''.

SEC. 811. PENALTIES FOR TERRORIST CONSPIRACIES.

(a) ARSON.—Section 81 of title 18, United States Code, is amended in the first undesignated paragraph—

(1) by striking '', or attempts to set fire to or burn''; and

(2) by inserting ''or attempts or conspires to do such an act,'' before ''shall be imprisoned''.

(b) KILLINGS IN FEDERAL FACILITIES.—Section 930(c) of title 18, United States Code, is amended—

(1) by striking ''or attempts to kill'';

(2) by inserting ''or attempts or conspires to do such an act,'' before ''shall be punished''; and

(3) by striking ''and 1113'' and inserting ''1113, and 1117''.

(c) COMMUNICATIONS LINES, STATIONS, OR SYSTEMS.—Section 1362 of title 18, United States Code, is amended in the first undesignated paragraph—

(1) by striking ''or attempts willfully or maliciously to injure or destroy''; and

(2) by inserting ''or attempts or conspires to do such an act,'' before ''shall be fined''.

(d) BUILDINGS OR PROPERTY WITHIN SPECIAL MARITIME AND TERRITORIAL JURISDICTION.—Section 1363 of title 18, United States Code, is amended—

(1) by striking ''or attempts to destroy or injure''; and

(2) by inserting ''or attempts or conspires to do such an act,'' before ''shall be fined'' the first place it appears.

(e) WRECKING TRAINS.—Section 1992 of title 18, United States Code, is amended by adding at the end the following:

''(c) A person who conspires to commit any offense defined in this section shall be subject to the same penalties (other than the penalty of death) as the penalties prescribed for the offense, the commission of which was the object of the conspiracy.''.

(f) MATERIAL SUPPORT TO TERRORISTS.—Section 2339A of title 18, United States Code, is amended by inserting ''or attempts or conspires to do such an act,'' before ''shall be fined''.

(g) TORTURE.—Section 2340A of title 18, United States Code, is amended by adding at the end the following:

''(c) CONSPIRACY.—A person who conspires to commit an offense under this section shall be subject to the same penalties (other than the penalty of death) as the penalties prescribed for the offense, the commission of which was the object of the conspiracy.''.

(h) SABOTAGE OF NUCLEAR FACILITIES OR FUEL.—Section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), is amended—

(1) in subsection (a)—

(A) by striking '', or who intentionally and willfully attempts to destroy or cause physical damage to'';

(B) in paragraph (4), by striking the period at the end and inserting a comma; and

(C) by inserting ''or attempts or conspires to do such an act,'' before ''shall be fined''; and

(2) in subsection (b)—

(A) by striking ''or attempts to cause''; and

(B) by inserting ''or attempts or conspires to do such an act,'' before ''shall be fined''.

(i) INTERFERENCE WITH FLIGHT CREW MEMBERS AND ATTENDANTS.—Section 46504 of title 49, United States Code, is amended by inserting ''or attempts or conspires to do such an act,'' before ''shall be fined''.

(j) SPECIAL AIRCRAFT JURISDICTION OF THE UNITED STATES.—Section 46505 of title 49, United States Code, is amended by adding at the end the following:

''(e) CONSPIRACY.—If two or more persons conspire to violate subsection (b) or (c), and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in such subsection.''.

(k) DAMAGING OR DESTROYING AN INTERSTATE GAS OR HAZARDOUS LIQUID PIPELINE FACILITY.—Section 60123(b) of title 49, United States Code, is amended—

(1) by striking '', or attempting to damage or destroy,''; and

(2) by inserting '', or attempting or conspiring to do such an act,'' before ''shall be fined''.

SEC. 812. POST-RELEASE SUPERVISION OF TERRORISTS.

Section 3583 of title 18, United States Code, is amended by adding at the end the following:

''(j) SUPERVISED RELEASE TERMS FOR TERRORISM PREDICATES.—Notwithstanding subsection (b), the authorized term of supervised release for any offense listed in section 2332b(g)(5)(B), the commission of which resulted in, or created a foreseeable risk of, death or serious bodily injury to another person, is any term of years or life.''.

SEC. 813. INCLUSION OF ACTS OF TERRORISM AS RACKETEERING ACTIVITY.

Section 1961(1) of title 18, United States Code, is amended—

(1) by striking ''or (F)'' and inserting ''(F)''; and

(2) by inserting before the semicolon at the end the following: '', or (G) any act that is indictable under any provision listed in section 2332b(g)(5)(B)''.

SEC. 814. DETERRENCE AND PREVENTION OF CYBERTERRORISM.

(a) CLARIFICATION OF PROTECTION OF PROTECTED COMPUTERS.—Section 1030(a)(5) of title 18, United States Code, is amended—

(1) by inserting ''(i)'' after (A)'';

(2) by redesignating subparagraphs (B) and (C) as clauses (ii) and (iii), respectively;

(3) by adding ''and'' at the end of clause (iii), as so redesignated; and

(4) by adding at the end the following:

''(B) caused (or, in the case of an attempted offense, would, if completed, have caused) conduct described in in clause (i), (ii), or (iii) of subparagraph (A) that resulted in—

''(i) loss to 1 or more persons during any 1-year period (including loss resulting from a related course of conduct affecting 1 or more other protected computers) aggregating at least $5,000 in value;

''(ii) the modification or impairment, or potential modification or impairment, of the medical examination, diagnosis, treatment, or care of 1 or more individuals;

''(iii) physical injury to any person;

''(iv) a threat to public health or safety; or

''(v) damage affecting a computer system used by or for a Government entity in furtherance of the administration of justice, national defense, or national security;''.

(b) PENALTIES.—Section 1030(c) of title 18, United States Code is amended—

(1) in paragraph (2)—

(A) in subparagraph (A) —

(i) by inserting ''except as provided in subparagraph (B),'' before ''a fine'';

(ii) by striking ''(a)(5)(C)'' and inserting ''(a)(5)(A)(iii)''; and

(iii) by striking ''and' at the end;

(B) in subparagraph (B), by inserting ''or an attempt to commit an offense punishable under this subparagraph,'' after ''subsection (a)(2),'' in the matter preceding clause (i); and

(C) in subparagraph (C), by striking ''and'' at the end;

(2) in paragraph (3)—

(A) by striking '', (a)(5)(A), (a)(5)(B),'' both places it appears; and

(B) by striking ''and'' at the end; and

(3) by striking ''(a)(5)(C)'' and inserting ''(a)(5)(A)(iii)''; and

(4) by adding at the end the following new paragraphs:

''(4)(A) a fine under this title, imprisonment for not more than 10 years, or both, in the case of an offense under subsection (a)(5)(A)(i), or an attempt to commit an offense punishable under that subsection;

''(B) a fine under this title, imprisonment for not more than 5 years, or both, in the case of an offense under subsection (a)(5)(A)(ii), or an attempt to commit an offense punishable under that subsection;

''(C) a fine under this title, imprisonment for not more than 20 years, or both, in the case of an offense under subsection (a)(5)(A)(i) or (a)(5)(A)(ii), or an attempt to commit an offense punishable under either subsection, that occurs after a conviction for another offense under this section.''.

(c) DEFINITIONS.—Subsection (e) of section 1030 of title 18, United States Code is amended—

(1) in paragraph (2)(B), by inserting '', including a computer located outside the United States'' before the semicolon;

(2) in paragraph (7), by striking ''and'' at the end;

(3) by striking paragraph (8) and inserting the following new paragraph (8):

''(8) the term 'damage' means any impairment to the integrity or availability of data, a program, a system, or information;'';

(4) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following new paragraphs:

''(10) the term 'conviction' shall include a conviction under the law of any State for a crime punishable by imprisonment for more than 1 year, an element of which is unauthorized access, or exceeding authorized access, to a computer;

''(11) the term 'loss' includes any reasonable cost to any victim, including the cost of responding to an offense, conducting a damage assessment, and restoring the data, program, system, or information to its condition prior to the offense, and any revenue lost, cost incurred, or other consequential damages incurred because of interruption of service;

''(12) the term 'person' means any individual, firm, corporation, educational institution, financial institution, governmental entity, or legal or other entity;''.

(d) DAMAGES IN CIVIL ACTIONS.—Subsection (g) of section 1030 of title 18, United States Code is amended—

(1) by striking the second sentence and inserting the following new sentences: ''A suit for a violation of subsection (a)(5) may be brought only if the conduct involves one of the factors enumerated in subsection (a)(5)(B). Damages for a violation involving only conduct described in subsection (a)(5)(B)(i) are limited to economic damages.''; and

(2) by adding at the end the following: ''No action may be brought under this subsection for the negligent design or manufacture of computer hardware, computer software, or firmware.''.

(e) AMENDMENT OF SENTENCING GUIDELINES RELATING TO CERTAIN COMPUTER FRAUD AND ABUSE.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines to ensure that any individual convicted of a violation of section 1030 of title 18, United States Code, can be subjected to appropriate penalties, without regard to any mandatory minimum term of imprisonment.

SEC. 815. ADDITIONAL DEFENSE TO CIVIL ACTIONS RELATING TO PRESERVING RECORDS IN RESPONSE TO GOVERNMENT REQUESTS.

Section 2707(e)(1) of title 18, United States Code, is amended by inserting after ''or statutory authorization'' the following: ''(including a request of a governmental entity under section 2703(f) of this title)''.

SEC. 816. DEVELOPMENT AND SUPPORT OF CYBERSECURITY FORENSIC CAPABILITIES.

(a) IN GENERAL.—The Attorney General shall establish such regional computer forensic laboratories as the Attorney General considers appropriate, and provide support to existing computer forensic laboratories, in order that all such computer forensic laboratories have the capability—

(1) to provide forensic examinations with respect to seized or intercepted computer evidence relating to criminal activity (including cyberterrorism);

(2) to provide training and education for Federal, State, and local law enforcement personnel and prosecutors regarding investigations, forensic analyses, and prosecutions of computer-related crime (including cyberterrorism);

(3) to assist Federal, State, and local law enforcement in enforcing Federal, State, and local criminal laws relating to computer-related crime;

(4) to facilitate and promote the sharing of Federal law enforcement expertise and information about the investigation, analysis, and prosecution of computer-related crime with State and local law enforcement personnel and prosecutors, including the use of multijurisdictional task forces; and

(5) to carry out such other activities as the Attorney General considers appropriate.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There is hereby authorized to be appropriated in each fiscal year $50,000,000 for purposes of carrying out this section.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.

TITLE IX—IMPROVED INTELLIGENCE

SEC. 901. RESPONSIBILITIES OF DIRECTOR OF CENTRAL INTELLIGENCE REGARDING FOREIGN INTELLIGENCE COLLECTED UNDER FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Section 103(c) of the National Security Act of 1947 (50 U.S.C. 403–3(c)) is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(2) by inserting after paragraph (5) the following new paragraph (6):

''(6) establish requirements and priorities for foreign intelligence information to be collected under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), and provide assistance to the Attorney General to ensure that information derived from electronic surveillance or physical searches under that Act is disseminated so it may be used efficiently and effectively for foreign intelligence purposes, except that the Director shall have no authority to direct, manage, or undertake electronic surveillance or physical search operations pursuant to that Act unless otherwise authorized by statute or executive order;''.

SEC. 902. INCLUSION OF INTERNATIONAL TERRORIST ACTIVITIES WITHIN SCOPE OF FOREIGN INTELLIGENCE UNDER NATIONAL SECURITY ACT OF 1947.

Section 3 of the National Security Act of 1947 (50 U.S.C. 401a) is amended—

(1) in paragraph (2), by inserting before the period the following: '', or international terrorist activities''; and

(2) in paragraph (3), by striking ''and activities conducted'' and inserting '', and activities conducted,''.

SEC. 903. SENSE OF CONGRESS ON THE ESTABLISHMENT AND MAINTENANCE OF INTELLIGENCE RELATIONSHIPS TO ACQUIRE INFORMATION ON TERRORISTS AND TERRORIST ORGANIZATIONS.

It is the sense of Congress that officers and employees of the intelligence community of the Federal Government, acting within the course of their official duties, should be encouraged, and should make every effort, to establish and maintain intelligence relationships with any person, entity, or group for the purpose of engaging in lawful intelligence activities, including the acquisition of information on the identity, location, finances, affiliations, capabilities, plans, or intentions of a terrorist or terrorist organization, or information on any other person, entity, or group (including a foreign government) engaged in harboring, comforting, financing, aiding, or assisting a terrorist or terrorist organization.

SEC. 904. TEMPORARY AUTHORITY TO DEFER SUBMITTAL TO CONGRESS OF REPORTS ON INTELLIGENCE AND INTELLIGENCE-RELATED MATTERS.

(a) AUTHORITY TO DEFER.—The Secretary of Defense, Attorney General, and Director of Central Intelligence each may, during the effective period of this section, defer the date of submittal to Congress of any covered intelligence report under the jurisdiction of such official until February 1, 2002.

(b) COVERED INTELLIGENCE REPORT.—Except as provided in subsection (c), for purposes of subsection (a), a covered intelligence report is as follows:

(1) Any report on intelligence or intelligence-related activities of the United States Government that is required to be submitted to Congress by an element of the intelligence community during the effective period of this section.

(2) Any report or other matter that is required to be submitted to the Select Committee on Intelligence of the Senate and Permanent Select Committee on Intelligence of the House of Representatives by the Department of Defense or the Department of Justice during the effective period of this section.

(c) EXCEPTION FOR CERTAIN REPORTS.—For purposes of subsection (a), any report required by section 502 or 503 of the National Security Act of 1947 (50 U.S.C. 413a, 413b) is not a covered intelligence report.

(d) NOTICE TO CONGRESS.—Upon deferring the date of submittal to Congress of a covered intelligence report under subsection (a), the official deferring the date of submittal of the covered intelligence report shall submit to Congress notice of the deferral. Notice of deferral of a report shall specify the provision of law, if any, under which the report would otherwise be submitted to Congress.

(e) EXTENSION OF DEFERRAL.—(1) Each official specified in subsection (a) may defer the date of submittal to Congress of a covered intelligence report under the jurisdiction of such official to a date after February 1, 2002, if such official submits to the committees of Congress specified in subsection (b)(2) before February 1, 2002, a certification that preparation and submittal of the covered intelligence report on February 1, 2002, will impede the work of officers or employees who are engaged in counterterrorism activities.

(2) A certification under paragraph (1) with respect to a covered intelligence report shall specify the date on which the covered intelligence report will be submitted to Congress.

(f) EFFECTIVE PERIOD.—The effective period of this section is the period beginning on the date of the enactment of this Act and ending on February 1, 2002.

(g) ELEMENT OF THE INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ''element of the intelligence community'' means any element of the intelligence community specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 905. DISCLOSURE TO DIRECTOR OF CENTRAL INTELLIGENCE OF FOREIGN INTELLIGENCE-RELATED INFORMATION WITH RESPECT TO CRIMINAL INVESTIGATIONS.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended—

(1) by redesignating subsection 105B as section 105C; and

(2) by inserting after section 105A the following new section 105B:

''DISCLOSURE OF FOREIGN INTELLIGENCE ACQUIRED IN CRIMINAL INVESTIGATIONS; NOTICE OF CRIMINAL INVESTIGATIONS OF FOREIGN INTELLIGENCE SOURCES

''SEC. 105B. (a) DISCLOSURE OF FOREIGN INTELLIGENCE.—(1) Except as otherwise provided by law and subject to paragraph (2), the Attorney General, or the head of any other department or agency of the Federal Government with law enforcement responsibilities, shall expeditiously disclose to the Director of Central Intelligence, pursuant to guidelines developed by the Attorney General in consultation with the Director, foreign intelligence acquired by an element of the Department of Justice or an element of such department or agency, as the case may be, in the course of a criminal investigation.

''(2) The Attorney General by regulation and in consultation with the Director of Central Intelligence may provide for exceptions to the applicability of paragraph (1) for one or more classes of foreign intelligence, or foreign intelligence with respect to one or more targets or matters, if the Attorney General determines that disclosure of such foreign intelligence under that paragraph would jeopardize an ongoing law enforcement investigation or impair other significant law enforcement interests.

''(b) PROCEDURES FOR NOTICE OF CRIMINAL INVESTIGATIONS.—Not later than 180 days after the date of enactment of this section, the Attorney General, in consultation with the Director of Central Intelligence, shall develop guidelines to ensure that after receipt of a report from an element of the intelligence community of activity of a foreign intelligence source or potential foreign intelligence source that may warrant investigation as criminal activity, the Attorney General provides notice to the Director of Central Intelligence, within a reasonable period of time, of his intention to commence, or decline to commence, a criminal investigation of such activity.

''(c) PROCEDURES.—The Attorney General shall develop procedures for the administration of this section, including the disclosure of foreign intelligence by elements of the Department of Justice, and elements of other departments and agencies of the Federal Government, under subsection (a) and the provision of notice with respect to criminal investigations under subsection (b).''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by striking the item relating to section 105B and inserting the following new items:

''Sec. 105B. Disclosure of foreign intelligence acquired in criminal investigations; notice of criminal investigations of foreign intelligence sources.

''Sec. 105C. Protection of the operational files of the National Imagery and Mapping Agency.''.

SEC. 906. FOREIGN TERRORIST ASSET TRACKING CENTER.

(a) REPORT ON RECONFIGURATION.—Not later than February 1, 2002, the Attorney General, the Director of Central Intelligence, and the Secretary of the Treasury shall jointly submit to Congress a report on the feasibility and desirability of reconfiguring the Foreign Terrorist Asset Tracking Center and the Office of Foreign Assets Control of the Department of the Treasury in order to establish a capability to provide for the effective and efficient analysis and dissemination of foreign intelligence relating to the financial capabilities and resources of international terrorist organizations.

(b) REPORT REQUIREMENTS.—(1) In preparing the report under subsection (a), the Attorney General, the Secretary, and the Director shall consider whether, and to what extent, the capacities and resources of the Financial Crimes Enforcement Center of the Department of the Treasury may be integrated into the capability contemplated by the report.

(2) If the Attorney General, Secretary, and the Director determine that it is feasible and desirable to undertake the reconfiguration described in subsection (a) in order to establish the capability described in that subsection, the Attorney General, the Secretary, and the Director shall include with the report under that subsection a detailed proposal for legislation to achieve the reconfiguration.

SEC. 907. NATIONAL VIRTUAL TRANSLATION CENTER.

(a) REPORT ON ESTABLISHMENT.—(1) Not later than February 1, 2002, the Director of Central Intelligence shall, in consultation with the Director of the Federal Bureau of Investigation, submit to the appropriate committees of Congress a report on the establishment and maintenance within the intelligence community of an element for purposes of providing timely and accurate translations of foreign intelligence for all other elements of the intelligence community. In the report, the element shall be referred to as the ''National Virtual Translation Center''.

(2) The report on the element described in paragraph (1) shall discuss the use of state-of-the-art communications technology, the integration of existing translation capabilities in the intelligence community, and the utilization of remote-connection capacities so as to minimize the need for a central physical facility for the element.

(b) RESOURCES.—The report on the element required by subsection (a) shall address the following:

(1) The assignment to the element of a staff of individuals possessing a broad range of linguistic and translation skills appropriate for the purposes of the element.

(2) The provision to the element of communications capabilities and systems that are commensurate with the most current and sophisticated communications capabilities and systems available to other elements of intelligence community.

(3) The assurance, to the maximum extent practicable, that the communications capabilities and systems provided to the element will be compatible with communications capabilities and systems utilized by the Federal Bureau of Investigation in securing timely and accurate translations of foreign language materials for law enforcement investigations.

(4) The development of a communications infrastructure to ensure the efficient and secure use of the translation capabilities of the element.

(c) SECURE COMMUNICATIONS.—The report shall include a discussion of the creation of secure electronic communications between the element described by subsection (a) and the other elements of the intelligence community.

(d) DEFINITIONS.—In this section:

(1) FOREIGN INTELLIGENCE.—The term ''foreign intelligence'' has the meaning given that term in section 3(2) of the National Security Act of 1947 (50 U.S.C. 401a(2)).

(2) ELEMENT OF THE INTELLIGENCE COMMUNITY.—The term ''element of the intelligence community'' means any element of the intelligence community specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 908. TRAINING OF GOVERNMENT OFFICIALS REGARDING IDENTIFICATION AND USE OF FOREIGN INTELLIGENCE.

(a) PROGRAM REQUIRED.—The Attorney General shall, in consultation with the Director of Central Intelligence, carry out a program to provide appropriate training to officials described in subsection (b) in order to assist such officials in—

(1) identifying foreign intelligence information in the course of their duties; and

(2) utilizing foreign intelligence information in the course of their duties, to the extent that the utilization of such information is appropriate for such duties.

(b) OFFICIALS.—The officials provided training under subsection (a) are, at the discretion of the Attorney General and the Director, the following:

(1) Officials of the Federal Government who are not ordinarily engaged in the collection, dissemination, and use of foreign intelligence in the performance of their duties.

(2) Officials of State and local governments who encounter, or may encounter in the course of a terrorist event, foreign intelligence in the performance of their duties.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for the Department of Justice such sums as may be necessary for purposes of carrying out the program required by subsection (a).

TITLE X—MISCELLANEOUS

SEC. 1001. REVIEW OF THE DEPARTMENT OF JUSTICE.

The Inspector General of the Department of Justice shall designate one official who shall—

(1) review information and receive complaints alleging abuses of civil rights and civil liberties by employees and officials of the Department of Justice;

(2) make public through the Internet, radio, television, and newspaper advertisements information on the responsibilities and functions of, and how to contact, the official; and

(3) submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate on a semi-annual basis a report on the implementation of this subsection and detailing any abuses described in paragraph (1), including a description of the use of funds appropriations used to carry out this subsection.

After debate,

Pursuant to House Resolution 264, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. NADLER moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

At the end of title II, add the following:

''Section 225. Scope of Provisions

''This title and the amendments made by this title (other than sections 205, 208, 211, 221, 222, 223, and 224, and the amendments made by those sections) shall apply only to investigations of domestic terrorism or international terrorism (as those terms are defined in section 2331 of title 18, United States Code), such that this title and the amendments made by this title (other than sections 205, 208, 211, 221, 222, 223, and 224, and the amendments made by those sections) shall not apply to violations of either sections 992(a)(1)(A), 922(a)(6), 922(a)(5), 922(m), or 924(a)(1)(A) of title 18, United States Code (pertaining to firearm dealers violations), or first-time non-violent violations of the Controlled Substances Act (as set forth in title 21, United States Code) unless such violations pertain to domestic terrorism or international terrorism (as those terms are defined in section 2331 of title 18, United States Code).''

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. NETHERCUTT, announced that the nays had it.

Mr. NADLER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 73 / Nays 345

¶108.16 [Roll No. 385]

YEAS—73

Berkley	Hastings (FL)	Owens
Berman	Hilliard	Paul
Bonior	Hinchey	Pelosi
Boucher	Hoeffel	Rahall
Brady (PA)	Honda	Rodriguez
Capps	Hoyer	Roybal-Allard
Capuano	Inslee	Rush
Cardin	Jackson (IL)	Sabo
Clay	Jefferson	Sandlin
Clayton	Johnson, E. B.	Scott
Clyburn	Jones (OH)	Sherman
Conyers	Kaptur	Slaughter
Coyne	Kilpatrick	Snyder
Davis (IL)	Kucinich	Solis
DeGette	Lee	Thompson (MS)
Delahunt	Lewis (GA)	Thurman
Dingell	Matsui	Udall (CO)
Engel	McCarthy (MO)	Visclosky
Farr	McCollum	Waters
Fattah	McDermott	Watson (CA)
Filner	McKinney	Watt (NC)
Frost	Mink	Wu
Gephardt	Nadler	Wynn
Gonzalez	Oberstar	
Green (TX)	Olver	

NAYS—345

Ackerman	Bilirakis	Cantor
Akin	Bishop	Capito
Allen	Blagojevich	Carson (IN)
Andrews	Blumenauer	Carson (OK)
Armey	Boehlert	Castle
Baca	Boehner	Chabot
Bachus	Bonilla	Chambliss
Baird	Bono	Clement
Baker	Borski	Coble
Baldacci	Boswell	Collins
Baldwin	Brady (TX)	Combest
Ballenger	Brown (FL)	Condit
Barcia	Brown (OH)	Cooksey
Barr	Brown (SC)	Costello
Barrett	Bryant	Cox
Bartlett	Burr	Cramer
Bass	Burton	Crane
Becerra	Buyer	Crenshaw
Bentsen	Callahan	Crowley
Bereuter	Calvert	Cubin
Berry	Camp	Culberson
Biggert	Cannon	Cummings

Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
McCarthy (NY)
McCrery
McGovern
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—12

Abercrombie
Aderholt
Barton
Blunt
Boyd
Gillmor
Harman
McHugh
Miller (FL)
Napolitano
Quinn
Towns

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. NETHERCUTT, announced that the yeas had it.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 337; Nays ..... 79; Answered present 1 }

¶108.17 [Roll No. 386]

YEAS—337

Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clement
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaFalce
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McInnis
McIntyre
McKeon
McNulty
Meehan
Menendez
Mica
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—79

Ackerman
Baldwin
Barrett
Becerra
Blumenauer
Bonior
Boucher
Brown (OH)
Capuano
Clayton
Clyburn
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
Doggett
Farr
Filner
Frank
Hastings (FL)
Hilliard
Hinchey
Honda
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kilpatrick
Kleczka
Kucinich
LaHood
Lee
Lewis (GA)
Markey
McDermott
McGovern
McKinney
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Mink
Nadler
Oberstar
Olver
Otter
Owens
Pastor
Paul
Payne
Peterson (MN)
Rahall
Rangel
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Schakowsky
Scott
Serrano
Solis
Stark
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Woolsey
Wu

ANSWERED ''PRESENT''—1

Obey

NOT VOTING—14

Abercrombie
Aderholt
Barton
Blunt
Boyd
Gillmor
Harman
McHugh
Miller (FL)
Napolitano
Quinn
Roukema
Towns

So the bill was passed.

By unanimous consent, the title was amended so as to read: ''An Act to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.''.

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶108.18 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. SENSENBRENNER, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill (H.R. 2975), the Clerk be authorized to make technical corrections and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

¶108.19 ADJOURNMENT OVER

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday, October 16, 2001 at 12:30 p.m. for ''morning-hour debate''.

¶108.20 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. PORTMAN, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 17, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶108.21 SENATE JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled joint resolutions of the Senate of the following titles:

S.J. Res. 19. A joint resolution providing for the reappointment of Anne d'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 20. A joint resolution providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

¶108.22 ENROLLED JOINT RESOLUTION SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 68. Joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

¶108.23 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ADERHOLT, for today;

To Mr. BOYD, for today after 12:30 p.m.;

To Ms. HARMAN, for today after 3 p.m.; and

To Mr. MILLER of Florida, for October 9 and balance of the week.

And then,

¶108.24 ADJOURNMENT

On motion of Mr. CULBERSON, pursuant to the special order heretofore agreed to, at 4 o'clock and 36 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, October 16, 2001.

¶108.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DIAZ-BALART: Committee on Rules. House Resolution 264. Resolution providing for consideration of the bill (H.R. 2975) to combat terrorism, and for other purposes (Rept. No. 107–238). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2336. A bill to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers (Rept. No. 107–239). Referred to the Committee of the Whole House on the State of the Union.

¶108.26 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1408. Referral to the Committee on the Judiciary extended for a period ending not later than October 16, 2001.

H.R. 2541. Referral to the Committee on the Judiciary extended for a period ending not later than November 2, 2001.

H.R. 3016. Referral to the Committee on the Judiciary extended for a period ending not later than October 16, 2001.

¶108.27 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SENSENBRENNER:

H.R. 3108. A bill to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), International Relations, Energy and Commerce, Financial Services, Education and the Workforce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. ALLEN, Mr. ENGLISH, Mr. MCNULTY, Mr. WALSH, Mr. LAFALCE, Mr. KOLBE, Mr. KIND, Mr. SWEENEY, Mr. MOORE, Mrs. EMERSON, Mr. POMEROY, Mr. MCHUGH, Mr. TAYLOR of Mississippi, Mr. SMITH of New Jersey, Mr. FROST, Mr. BOEHLERT, Mr. HINCHEY, Mr. FRELINGHUYSEN, Mr. PALLONE, Mrs. ROUKEMA, Mr. BORSKI, Mr. SAXTON, Mrs. MINK of Hawaii, Mr. REYNOLDS, Mr. CAPUANO, Mr. FERGUSON, Mr. THOMPSON of California, Mr. KILDEE, Mr. ANDREWS, Mr. STUPAK, Mr. OBERSTAR, Ms. SLAUGHTER, Mr. MENENDEZ, Mr. TRAFICANT, Mr. BALDACCI, Mr. ROSS, and Mr. BROWN of Ohio):

H.R. 3109. A bill to amend the title XVIII of the Social Security Act to provide payment to Medicare ambulance suppliers of the full costs of providing such services, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself, Mr. GEPHARDT, Mr. LIPINSKI, Mr. DEFAZIO, Mr. BORSKI, Mr. RAHALL, Mr. BOSWELL, Mr. HOLDEN, Mr. CLEMENT, Mr. COSTELLO, Mr. NADLER, Ms. BROWN of Florida, Mr. BARCIA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Mrs. TAUSCHER, Mr. MATHESON, Mr. HONDA, Mr. MASCARA, Mr. BALDACCI, Mr. CUMMINGS, Mr. PASCRELL, Mr. MCGOVERN, Mr. LAMPSON, Mr. BAIRD, Mr. CARSON of Oklahoma, Mr. SANDLIN, Mr. BLUMENAUER, Ms. BERKLEY, Ms. MILLENDER-MCDONALD, Mr. LARSEN of Washington, Mr. FILNER, Mr. MENENDEZ, Mr. BERRY, Mr. HOLT, Mrs. CAPPS, and Mr. LANTOS):

H.R. 3110. A bill to improve aviation security, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. KAPTUR:

H.R. 3111. A bill to authorize the Secretary of the Treasury to issue 21st Century Independence Savings Bonds; to the Committee on Ways and Means.

By Mr. BOEHNER (for himself, Mr. MCKEON, and Mr. SAM JOHNSON of Texas):

H.R. 3112. A bill to amend the Workforce Investment Act of 1998 to establish a national emergency grant program to respond to the terrorist attacks of September 11, 2001, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. MINK of Hawaii (for herself, Mr. BONIOR, Ms. CARSON of Indiana, Mrs. CLAYTON, Mr. CLAY, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KUCINICH, Ms. LEE, Mr. LEWIS of Georgia, Ms. LOFGREN, Mr. MCDERMOTT, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. NADLER, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. STARK, Ms. WATERS, Ms. WOOLSEY, and Ms. BROWN of Florida):

H.R. 3113. A bill to reauthorize and improve the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means.

By Mr. ACEVEDO-VILA:

H.R. 3114. A bill to amend the Internal Revenue Code of 1986 to make permanent the increase in the cover over of tax on distilled spirits to Puerto Rico and the Virgin Islands; to the Committee on Ways and Means.

By Mr. BENTSEN:

H.R. 3115. A bill to allow letters sent to the White House, marked ''America's Fund for Afghan Children'', to be mailed free of postage; to the Committee on Government Reform.

By Mr. BENTSEN:

H.R. 3116. A bill to amend the Internal Revenue Code of 1986 to eliminate tax subsidies for ethanol fuel; to the Committee on Ways and Means.

By Mr. CLEMENT:

H.R. 3117. A bill to suspend temporarily the duty on 1,3-Benzenedicarboxylic acid, 5-sulfo-1,3-dimethyl ester sodium salt; to the Committee on Ways and Means.

By Mr. EHRLICH:

H.R. 3118. A bill to amend title 23, United States Code, relating to minimum penalties for repeat offenders for driving while intoxicated or under the influence of alcohol; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Florida:

H.R. 3119. A bill to amend title II of the Social Security Act to increase to $1,000 the maximum amount of the lump-sum death benefit and to allow for payment of such a benefit, in the absence of an eligible surviving spouse or child, to the legal representative of the estate of the deceased individual; to the Committee on Ways and Means.

By Mr. KELLER:

H.R. 3120. A bill to provide for a study on the feasibility of giving airlines access by computer to lists of suspected terrorists; to the Committee on the Judiciary.

By Mr. MORAN of Kansas (for himself and Mr. UDALL of New Mexico):

H.R. 3121. A bill to further continued economic viability in the communities on the High Plains by promoting sustainable groundwater management of the Ogallala Aquifer; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 3122. A bill to extend to the Mayor of the District of Columbia the same authority with respect to the National Guard of the District of Columbia as the Governors of the several States exercise with respect to the National Guard of those States; to the Committee on Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself, Mrs. MORELLA, Mr. GILMAN, Mr. PAYNE, Mr. ROTHMAN, Mr. PALLONE, Mr. LANGEVIN, Mr. BARCIA, Ms. HOOLEY of Oregon, Mr. LAMPSON, Mr. LARSON of Connecticut, and Mrs. MCCARTHY of New York):

H.R. 3123. A bill to amend chapter 40 of title 18, United States Code, to increase the penalties for using an instrumentality of interstate commerce to threaten to kill, injure, or intimidate any individual or unlawfully to damage or destroy property by means of fire or an explosive; to the Committee on the Judiciary.

By Mr. RAMSTAD:

H.R. 3124. A bill to amend the Internal Revenue Code of 1986 to provide that the special tax imposed on the recognition of built-in gain by an S corporation shall not apply to the extent such gain is reinvested in the business; to the Committee on Ways and Means.

By Mr. SANDLIN:

H.R. 3125. A bill to amend the Truth in Lending Act to impose a temporary cap on credit card interest rates, and for other purposes; to the Committee on Financial Services.

By Mr. SANDLIN:

H.R. 3126. A bill to amend the Truth in Lending Act to impose a temporary cap on credit card interest rates, and for other purposes; to the Committee on Financial Services.

By Mr. UDALL of New Mexico:

H.R. 3127. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to authorize the Secretary of Agriculture to order the recall of meat and poultry that is adulterated, misbranded, or otherwise unsafe; to the Committee on Agriculture.

By Mr. UNDERWOOD:

H.R. 3128. A bill to authorize the establishment of a National Guard of the Northern Mariana Islands; to the Committee on Armed Services.

By Mr. BROWN of South Carolina (for himself, Mr. ADERHOLT, Mr. BAKER, Mr. BUYER, Mr. CRENSHAW, Mrs. JO ANN DAVIS of Virginia, Mr. DEMINT, Mr. GRAHAM, Mr. GRAVES, Mr. KERNS, Mr. LARGENT, Mrs. MYRICK, Mr. PHELPS, Mr. PITTS, Mr. PLATTS, Mr. SHIMKUS, Mr. SHOWS, Mr. TAYLOR of Mississippi, Mr. GOODLATTE, Mr. MANZULLO, Ms. HART, Mr. REHBERG, Mr. OSBORNE, Mr. COBLE, Mr. GUTKNECHT, Mr. CALLAHAN, Mr. GRUCCI, Mrs. WILSON, Mr. KELLER, Mr. ISTOOK, Mr. KOLBE, Mr. LUCAS of Oklahoma, Mr. MCKEON, Mr. CALVERT, Mr. WELDON of Florida, Mr. CANNON, Mr. GIBBONS, Mr. LOBIONDO, Mr. LEWIS of California, Mr. OTTER, Mr. EHLERS, Mr. REGULA, Mr. ROHRABACHER, Mr. JONES of North Carolina, Mr. EHRLICH, Mr. WICKER, Mr. LATHAM, Mrs. BONO, Mr. HILLEARY, Mr. BRYANT, Mr. GREEN of Wisconsin, Mr. TOOMEY, Mr. WATTS of Oklahoma, Mr. PENCE, Mr. DUNCAN, Mr. HEFLEY, Mr. ISAKSON, Mr. LATOURETTE, Mr. SIMPSON, Mr. COMBEST, Mr. AKIN, and Mr. DOOLITTLE):

H. Con. Res. 248. Concurrent resolution expressing the sense of the Congress that public schools may display the words ''God Bless America'' as an expression of support for the Nation; to the Committee on Education and the Workforce.

By Mr. RANGEL (for himself, Mr. GILMAN, and Mr. CROWLEY):

H. Con. Res. 249. Concurrent resolution providing for a joint session of Congress to be held in New York City, New York; to the Committee on the Judiciary.

By Mrs. MYRICK:

H. Res. 265. A resolution amending the rules of the House of Representatives to prohibit access to classified information by Members who do not have the appropriate security clearance required for viewing the information; to the Committee on Rules.

¶108.28 ADDITIONAL SPONSORS

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

H.R. 162: Mr. CUMMINGS.

H.R. 218: Mr. COMBEST, Mr. RILEY, and Mr. FOSSELLA.

H.R. 424: Mr. FILNER, Mr. SMITH of New Jersey, and Mr. MCGOVERN.

H.R. 482: Mr. FERGUSON.

H.R. 488: Mr. FORD.

H.R. 510: Mr. GRUCCI and Mr. ROTHMAN.

H.R. 674: Mr. ROTHMAN.

H.R. 709: Mr. BACA.

H.R. 782: Mr. LIPINSKI and Mr. GOODE.

H.R. 783: Mr. SMITH of New Jersey.

H.R. 868: Mr. GREEN of Wisconsin.

H.R. 951: Mr. FLETCHER, Mr. DINGELL, Mr. PUTNAM, Mr. LAHOOD, Mr. SMITH of Michigan, and Ms. HART.

H.R. 981: Mr. GRAHAM.

H.R. 1158: Mr. GANSKE.

H.R. 1176: Mr. PRICE of North Carolina.

H.R. 1187: Mrs. BIGGERT.

H.R. 1331: Mr. FORBES.

H.R. 1374: Ms. KILPATRICK, Mr. BONIOR, Ms. RIVERS, Mr. EHLERS, Mr. KNOLLENBERG, and Mr. SMITH of Michigan.

H.R. 1411: Mr. HAYES.

H.R. 1582: Mr. GREEN of Texas.

H.R. 1682: Ms. LEE.

H.R. 1723: Mr. BENTSEN and Ms. CARSON of Indiana.

H.R. 1784: Mr. GUTIERREZ and Ms. HOOLEY of Oregon.

H.R. 1810: Ms. KILPATRICK.

H.R. 1822: Ms. DEGETTE, Mr. HEFLEY, and Ms. MCCOLLUM.

H.R. 1861: Ms. BALDWIN.

H.R. 1911: Mr. BEREUTER.

H.R. 1919: Mr. SWEENEY, Mr. FOSSELLA, Mr. SOUDER, Mrs. KELLY, Mr. BLUNT, Mr. GILMAN, Mr. FLETCHER, Mr. FRANK, and Mr. ROTHMAN.

H.R. 1979: Mr. MOORE.

H.R. 2107: Mr. LUCAS of Kentucky.

H.R. 2117: Mr. BERRY.

H.R. 2125: Mr. GEKAS, Mr. CONDIT, and Mr. KLECZKA.

H.R. 2160: Mr. ROTHMAN.

H.R. 2163: Mr. HONDA.

H.R. 2173: Mr. LAHOOD and Mr. ETHERIDGE.

H.R. 2288: Mr. REYES.

H.R. 2329: Mr. PENCE and Mr. VISCLOSKY.

H.R. 2357: Mr. GIBBONS.

H.R. 2381: Mr. SCHAFFER and Mr. FATTAH.

H.R. 2395: Mr. MCNULTY.

H.R. 2405: Ms. LEE and Mr. BLAGOJEVICH.

H.R. 2521: Mrs. JOHNSON of Connecticut, Mr. LIPINSKI, Mr. FORD, and Mr. TANNER.

H.R. 2577: Ms. KILPATRICK, Mr. BONIOR, Ms. RIVERS, Mr. EHLERS, Mr. KNOLLENBERG, and Mr. SMITH of Michigan.

H.R. 2610: Mr. OWENS, Mr. MCGOVERN, Mr. BLAGOJEVICH, Mr. BACA, Mr. BORSKI, and Mr. CLYBURN.

H.R. 2623: Mr. HONDA.

H.R. 2693: Ms. WATSON, Mr. SHERMAN, and Ms. SOLIS.

H.R. 2695: Mr. JEFFERSON.

H.R. 2715: Ms. PELOSI.

H.R. 2722: Mr. PRICE of North Carolina, Mr. FARR of California, and Mr. BONIOR.

H.R. 2725: Ms. DELAURO.

H.R. 2747: Mr. ALLEN, Mr. FRANK, and Ms. RIVERS.

H.R. 2769: Mr. FILNER.

H.R. 2805: Mr. RYUN of Kansas.

H.R. 2817: Mrs. ROUKEMA and Mr. GREEN of Wisconsin.

H.R. 2850: Mr. MCHUGH, Mr. FROST, and Mr. HINCHEY.

H.R. 2866: Mr. MCGOVERN and Mr. WAXMAN.

H.R. 2896: Mr. STEARNS.

H.R. 2897: Mr. ROTHMAN.

H.R. 2902: Ms. CARSON of Indiana.

H.R. 2906: Mr. SOUDER.

H.R. 2940: Ms. CARSON of Indiana and Mr. RANGEL.

H.R. 2946: Mrs. THURMAN, Mr. MALONEY of Connecticut, and Mr. BALDACCI.

H.R. 2950: Mr. BOEHLERT, Mr. ACEVEDO-VILLA, and Mr. KERNS.

H.R. 2951: Mr. GREENWOOD, Mr. HORN, and Mr. MORAN of Virginia.

H.R. 2961: Mr. KANJORSKI.

H.R. 2989: Mr. ENGLISH and Mr. HOLDEN.

H.R. 2998: Mr. NORWOOD and Mr. LINDER.

H.R. 3000: Mrs. JONES of Ohio.

H.R. 3007: Mr. ISAKSON, Mr. GRUCCI, Mrs. MORELLA, and Mr. SWEENEY.

H.R. 3011: Mr. LAFALCE and Ms. CARSON of Indiana.

H.R. 3014: Mr. LAHOOD, Mr. MORAN of Kansas, and Mr. MCDERMOTT.

H.R. 3015: Mr. MCGOVERN, Ms. CARSON of Indiana, and Mr. CONYERS.

H.R. 3017: Mr. MCGOVERN, Mr. EVANS, Mr. FROST, Ms. BROWN of Florida, Mr. FILNER, Mr. FALEOMAVAEGA, and Ms. CARSON of Indiana.

H.R. 3040: Mr. MCNULTY and Ms. CARSON of Indiana.

H.R. 3045: Mr. MORAN of Kansas.

H.R. 3046: Mr. GORDON.

H.R. 3059: Mr. TRAFICANT, Mr. CUMMINGS, Ms. MILLENDER-MCDONALD, Mr. BISHOP, Ms. KAPTUR, Mr. HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BROWN of Ohio.

H.R. 3060: Mr. SHERMAN.

H.R. 3067: Mr. BERMAN, Mr. BACA, Mr. FILNER, Mr. REYES, Ms. PELOSI, and Mr. WYNN.

H.R. 3073: Mr. LAFALCE.

H.R. 3085: Mr. ISRAEL.

H.R. 3101: Mr. ROSS, Mr. LARSEN of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCHIFF, and Mr. UDALL of Colorado.

H.R. 3106: Mr. HASTINGS of Florida and Mr. BOEHLERT.

H. Con. Res. 26: Mr. SMITH of New Jersey and Ms. CARSON of Indiana.

H. Con. Res. 45: Mr. ROGERS of Kentucky and Mr. TOOMEY.

H. Con. Res. 102: Mr. ACKERMAN.

H. Con. Res. 181: Mr. SENSENBRENNER.

H. Con. Res. 184: Mr. ISTOOK, Mr. ROGERS of Michigan, Mr. CANTOR, Mr. BALLENGER, and Mr. COOKSEY.

H. Con. Res. 188: Mr. CALVERT.

H. Con. Res. 197: Mr. WAMP and Mr. OWENS.

H. Con. Res. 211: Mr. PAYNE and Ms. MCCARTHY of Missouri.

H. Con. Res. 230: Mr. FALEOMAVAEGA, Mr. FARR of California, Ms. BERKLEY, Mr. COSTELLO, and Mr. MORAN of Virginia.

H. Con. Res. 232: Mr. ENGLISH, Mr. KNOLLENBERG, Mrs. KELLY, Mr. REHBERG, Mr.

HYDE, Mr. SHERWOOD, Mr. SHUSTER, Mr. HAYES, Mr. CHAMBLISS, Mr. BURTON, of Indiana, Mr. ADERHOLT, Mr. WATKINS, Mr. THUNE, Mr. GIBBONS, Mr. SESSIONS, Mrs. CAPITO, Mrs. WILSON, Mr. OSBORNE, Mr. MORAN of Kansas, Mr. GALLEGLY, Mrs. JO ANN DAVIS of Virginia, Mrs. MYRICK, and Mr. ROGERS of Kentucky.

H. Con. Res. 233: Mr. WAXMAN and Mr. GOODLATTE.

H. Con. Res. 234: Mr. LAHOOD and Mr. BROWN of Ohio.

H. Con. Res. 243: Mr. GREENWOOD, Mr. SCHAFFER, Mr. ALLEN, Mr. GOODE, Mr. FRELINGHUYSEN, Mr. GARY G. MILLER of California, Mr. DIAZ-BALART, Mrs. ROUKEMA, Mrs. JO ANN DAVIS of Virginia, Mr. WELDON of Pennsylvania, Mr. MICA, Mr. ISSA, Mr. CALLAHAN, Mr. ISTOOK, Mr. SUNUNU, Mr. ROGERS of Michigan, Mr. DREIER, Ms. SANCHEZ, Mr. WAMP, and Mr. FOLEY.

H. Res. 133: Mr. BROWN of Ohio.

¶108.29 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 3073: Mr. MEEKS of New York.

TUESDAY, OCTOBER 16, 2001 (109)

¶109.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. KIRK, who laid before the House the following communication:

WASHINGTON, DC,
October 16, 2001.

I hereby appoint the Honorable MARK STEVEN KIRK to act as Speaker pro tempore on this day.

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

¶109.2 MESSAGE FROM THE SENATE

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

S. 1447. An Act to improve aviation security, and for other purposes.

¶109.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. KIRK, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶109.4 RECESS—1:12 P.M.

The SPEAKER pro tempore, Mr. KIRK, pursuant to clause 12 of rule I, declared the House in recess at 1 o'clock 12 minutes p.m. until 2 o'clock p.m.

¶109.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶109.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced she had examined and approved the Journal of the proceedings of Friday, October 12, 2001.

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

¶109.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4263. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Irish Potatoes Grown in Colorado; Modification of Area No. 3 Handling Regulation [Docket No. FV01–948–1 FR] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4264. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sethoxydim; Pesticide Tolerances for Emergency Exemptions [OPP–301179; FRL–6802–3] (RIN: 2070–AB78) received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4265. A letter from the Secretary of the Air Force, Department of Defense, transmitting notification that the Superintendent of the Air Force Academy, Colorado, has conducted a cost comparison to reduce the cost of the Logistics function, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

4266. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Ronald E. Adams, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4267. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Maxwell C. Bailey, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4268. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General John G. Coburn, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

4269. A letter from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—National School Lunch Program and School Breakfast Program: Alternatives to Standard Application and Meal Counting Procedures (RIN: 0584–AC25) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4270. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4271. A letter from the Administrator, Environmental Protection Agency, transmitting a report on the ''Status of the State Small Business Stationary Source Technical and Environmental Compliance Program (SBTCP) for the Reporting Period, January-December 1999''; to the Committee on Energy and Commerce.

4272. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permits Program in Alaska [FRL–7059–3] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4273. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District [CA 242–0292a; FRL–7067–3] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4274. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Tehama County Air Pollution Control District [CA 235–0296a; FRL–7066–9] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4275. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District and Imperial County Air Pollution Control District [CA 242–0297a; FRL–7075–8] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4276. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District [CA 241–0300; FRL–7075–7] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4277. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District, Monterey Bay Unified Air Pollution Control District [CA 242–0291a; FRL–7058–9] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4278. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Arizona—Maricopa Nonattainment Area; PM–10 [AZ105–0045; FRL–7063–1] received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4279. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Plans; Wisconsin; Post-1996 Rate of Progress Plan for the Milwaukee-Racine Ozone Nonattainment Area [WI85–02–7316; FRL–7076–6] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4280. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Emissions From Hospital/Medical/Infectious Waste Incinerators (HMIWIs); State of Missouri [MO 0136–1136a; FRL–7078–8] received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4281. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 01–27), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

4282. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan (Transmittal No. DTC 108–01), pursuant to 22

U.S.C. 2776(c); to the Committee on International Relations.

4283. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan (Transmittal No. DTC 106–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4284. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to the United Kingdom and France (Transmittal No. DTC 104–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4285. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan (Transmittal No. DTC 107–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4286. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan (Transmittal No. DTC 110–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4287. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan (Transmittal No. DTC 109–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4288. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Taiwan (Transmittal No. DTC 066–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4289. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Canada (Transmittal No. DTC 105–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4290. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to the Republic of Korea (Transmittal No. DTC 103–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4291. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Canada, France, Germany (Transmittal No. DTC 111–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4292. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan (Transmittal No. DTC 113–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4293. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the report entitled, ''Report of U.S. Citizen Expropriation Claims and Certain Other Commercial and Investment Disputes''; to the Committee on International Relations.

4294. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with South Korea [Transmittal No. DTC 115–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4295. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Audit of the Public Service Commission Agency Fund for Fiscal Year 2000,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

4296. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Audit of the People's Counsel Agency Fund for Fiscal Year 2000,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

4297. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Audit of Advisory Neighborhood Commission 1B for Fiscal Years 1999 and 2000 (10/1/1998 through 9/30/2000).,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

4298. A letter from the Comptroller General, General Accounting Office, transmitting list of all reports issued or released by the GAO in August 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

4299. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions from the Procurement List—received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4300. A letter from the Special Assistant, White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4301. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4302. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4303. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4304. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4305. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4306. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4307. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4308. A letter from the United States Trade Representative, Executive Office of the President, transmitting 2001 Annual Inventory of Commercial Activities Under the Federal Activities Inventory Reform Act P.L. 105–270; to the Committee on Government Reform.

4309. A letter from the Director, National Gallery of Art, transmitting the Year 2001 Inventory Annual Report On Agency Management of Commercial Activities; to the Committee on Government Reform.

4310. A letter from the Administrator, U.S. Agency for International Development, transmitting a report on Year 2001 A–76 Inventory for FY00; to the Committee on Government Reform.

4311. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Maryland Regulatory Program [MD–050–FOR] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4312. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Scaleshell Mussel (RIN: 1018–AF57) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4313. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Endangered Status for the Ohlone Tiger Beetle (Cicindela ohlone) (RIN: 1018–AF89) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4314. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Implementation of Conditional Closures [Docket No. 000407096–0096–01; I.D. 090501C] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4315. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Adjustment for the Commercial Salmon Season from Queets River, WA, to Cape Falcon, OR [Docket No. 010502110–1110–01; I.D. 091001C] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4316. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 091901A] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4317. A letter from the Acting Administrator, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; License Limitation Program [Docket No. 010228052–1211–02; I.D. 010301D] (RIN: 0648–AL95) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4318. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock [Docket No. 010112013–1013–01; I.D. 091701A] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4319. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in

the Western Pacific; Pacific Coast Groundfish Fishery; Pacific Whiting Allocation [Docket No. 001226367–0367–01; I.D. 090701C] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4320. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Lake Pontchartrain, LA [CGD08–01–034] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4321. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Lake Ontario, Rochester, New York [CGD09–01–125] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4322. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Tomlinson Bridge, Quinnipiac River, New Haven, CT [CGD01–01–166] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4323. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Port of Charleston, South Carolina [COTP Charleston-01–101] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4324. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; St. Croix, U.S. Virgin Islands [COTP San Juan-01–098] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4325. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Harlem River, MA [CGD01–01–058] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4326. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Prohibition Against Certain Flights Within the Territory and Airspace of Afghanistan [Docket No. FAA–2001–10664; SFAR 90] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4327. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Security Control of Air Traffic [Docket No. FAA–2001–10693] (RIN: 2120–AH25) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4328. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Technical Amendments; Organizational Changes; Miscellaneous Editorial Changes; and Conforming Amendments [USCG–2001–10224] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4329. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Piscataqua River, ME [CGD01–01–125] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4330. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Goodyear Tire and Rubber Company Flight Eagle Tires, 34X9.25–16 18PR 210MPH, Part Number 348F83–2 [Docket No. 2001–CE–27–AD; Amendment 39–12431; AD 2001–18–05] (RIN: 2120–AA64) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4331. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Corporation (Formerly Allison Engine Company) AE 2100 Turboprop and AE 3007 Turbofan Series Engines [Docket No. 2000–NE–27–AD; Amendment 39–12423; AD 2001–17–31] (RIN: 2120–AA64) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4332. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airspace Designations; Incorporation By Reference [Docket No. 29334; Amendment No. 71–33] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4333. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E5 Airspace; Ocracoke, NC [Airspace Docket No. 01–ASO–10] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4334. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Temporary Flight Restrictions [Docket No. FAA–2000–8274; Amendment No. 91–270 and 103–6] (RIN: 2120–AH13) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4335. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Port of Charleston, South Carolina [COTP Charleston-01–097] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4336. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Snell and Eisenhower Locks, St. Lawrence River, Massena, New York [CGD09–01–127] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4337. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Lake Ontario, Oswego, New York [CGD09–01–124] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4338. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Saint Lawrence River, Massena, New York (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4339. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Port of Jacksonville and Port Canaveral, Florida [COTP Jacksonville-01–095] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4340. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety and Security Zones; Coast Guard Force Protection Station Portsmouth Harbor, Portsmouth, New Hampshire; Coast Guard Base Portland, South Portland, Maine; and Station Boothbay Harbor, Boothbay Harbor, Maine [CGD01–01–163] (RIN: 2115–AA97) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4341. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30267; Amdt. No. 2068] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4342. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30269; Amdt. No. 2070] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4343. A letter from the Administrator, General Services Administration, transmitting an informational copy of a lease prospectuses for the Corps of Engineers Jacksonville, FL, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

4344. A letter from the Deputy Administrator, General Services Administration, transmitting a report of a Building Project Survey for Toledo, OH, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

4345. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Preferential Treatment of Brassieres Under the United States-Caribbean Basin Trade Partnership Act [T.D. 01–74] (RIN: 1515–AC89) received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶109.8 PRIVATE CALENDAR BUSINESS DISPENSED WITH

On motion of Mr. CASTLE, by unanimous consent,

Ordered, That business in order today, under clause 5, rule XV, the Private Calendar rule, be dispensed with.

¶109.9 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. HOBSON, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight, to file a conference report (Rept. No. 107–246) on the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶109.10 NATIONAL COUNCIL ON THE ARTS

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, announced that the Speaker, pursuant to the National Foundation on the Arts and the Humanities Act of 1965 (20 United States Code (955(b)), amended by section 346(e) of Public Law 105-83, appointed to the National Council on the Arts, on the part of the House, the following Members: Messrs. BALLENGER and MCKEON.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶109.11 GOD BLESS AMERICA DISPLAY

Mr. CASTLE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 248):

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that public schools may display the words ''God Bless America'' as an expression of support for the Nation.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CASTLE and Mrs. MCCARTHY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CASTLE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶109.12 AUSTRALIA AND UNITED STATES 50TH ALLIANCE ANNIVERSARY

Mr. HYDE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 217); as amended:

Whereas the relationship between the United States and Australia extends beyond security cooperation and is based on common values, mutual respect, and a shared desire to see a world at peace in which all peoples can enjoy the benefits of democratic governance, fundamental human rights, and the prosperity that market-oriented economies bring;

Whereas the United States and Australia are jointly committed to combating terrorism around the world;

Whereas the United States and Australia share a wide range of common interests in Asia and the Pacific, such as growth and liberalization of international trade, regional cooperation on economic development, environmental protection, and the peaceful settlement of disputes;

Whereas the United States and Australia share the goals of effective multilateral cooperation in arms control and nonproliferation, halting the spread of weapons of mass destruction, and ensuring the effective operation of nonproliferation and arms control regimes;

Whereas the Australia-United States Trade and Investment Framework Agreement (TIFA) provides for consultations on trade and investment policy issues;

Whereas since 1985 the United States and Australia have held annual bilateral Australia-United States Ministerial Talks (AUSMIN) to develop and enhance their relationship;

Whereas United States Presidential visits to Australia in 1991 and 1996 and visits of the Australian Prime Minister to the United States in 1995, 1997, and 1999 have underscored the strength and closeness of the alliance;

Whereas the Sydney Declaration of 1996 reaffirmed and strengthened the defense alliance between the United States and Australia and the intention of both countries to work cooperatively with other states in the region and to encourage collective solutions to problems and security challenges in the region;

Whereas the United States and Australia are committed to close bilateral cooperation on legal, counternarcotics, and other global issues through the Mutual Legal Assistance Treaty (MLAT) of 1997;

Whereas the United States and Australia have worked together closely in the World Trade Organization (WTO), as active members of the Asia-Pacific Economic Cooperation (APEC) forum, and as strong supporters of the Association of South East Asian Nations (ASEAN) and the ASEAN Regional Forum (ARF) to encourage and improve regional cohesion;

Whereas the various phases of the multinational and United Nations operations in East Timor were a striking example of regional cooperation to achieve shared goals;

Whereas as evidenced by the recent situation in East Timor and the economic crisis of 1997, the international and economic security in the Asia-Pacific region is dynamic and the vitality and relevance of the alliance since the end of the Cold War is obvious;

Whereas the alliance between the United States and Australia during World War II was formalized in a 1951 security treaty commonly referred to as the ''ANZUS Treaty'', which provides that the United States and Australia will act to meet a common danger in the event of an armed attack in the Pacific against either country and strengthen the fabric of peace in the Pacific region;

Whereas Australia and the United States have maintained a close relationship with one another, and with the United Nations, regional organizations, associations, and other authorities in the Pacific region as a means to maintain international peace and security;

Whereas forces of the United States and Australia have served alongside one another in many theaters of war and as part of United Nations peacekeeping operations throughout the world;

Whereas the alliance between the United States and Australia has been characterized by an extraordinary degree of cooperation that includes information sharing, combined exercises, joint training and educational programs, and joint facilities;

Whereas the Australia-United States security relationship, having proved its value for five decades, will remain a cornerstone of Asia-Pacific security into the 21st century; and

Whereas September 1, 2001, marks the 50th anniversary of the ANZUS Treaty: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) expresses its appreciation to the Government and people of Australia for the support given to the United States in the aftermath of the terrorist attacks on September 11, 2001;

(2) pays tribute to the relationship between the United States and Australia and looks forward to the continued growth and development of all aspects of the relationship;

(3) reaffirms the commitment of the United States to its alliance with Australia under the ANZUS Treaty and to the importance of security cooperation between the United States and Australia and the importance of their mutual security commitments, as was demonstrated by their joint decision to invoke Article IV of the Treaty, which commits both countries to act to meet a common danger;

(4) reaffirms the importance of the trade and economic relationship between Australia and the United States and expresses its commitment to further strengthen it; and

(5) expresses its strong support for continued close cooperation between Australia and the United States on economic and security issues in the Asia-Pacific region and globally.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HYDE and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LANTOS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶109.13 PAKISTAN AND INDIA ASSISTANCE

Mr. HYDE moved to suspend the rules and pass the bill of the Senate (S. 1465) to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HYDE and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶109.14 CORAL REEF CONSERVATION

Mr. HYDE moved to suspend the rules and pass the bill (H.R. 2272) to amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries who take action to protect critical coral reef habitats; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HYDE and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HYDE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶109.15 INTERNET TAX NONDISCRIMINATION

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 1552) to extend the moratorium enacted by the Internet Tax Freedom Act through 2006, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Mr. DELAHUNT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to extend the moratorium enacted by the Internet Tax Freedom Act through November 1, 2003; and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶109.16 CONSEQUENCES FOR JUVENILE OFFENDERS

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 863) to provide grants to ensure increased accountability for juvenile offenders; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SENSENBRENNER and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. QUINN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶109.17 JUDICIAL FINANCIAL DISCLOSURE

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 2336) to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers.

The SPEAKER pro tempore, Mr. QUINN, recognized Mr. SENSENBRENNER and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. QUINN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶109.18 HOMELESS VETERANS BENEFITS AND SERVICES

Mr. SMITH of New Jersey moved to suspend the rules and pass the bill (H.R. 2716) to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans; as amended.

The SPEAKER pro tempore, Mr. QUINN, recognized Mr. SMITH of New Jersey and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. QUINN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. QUINN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶109.19 FRANCIS BARDANOUVE UNITED STATES POST OFFICE

Mr. Jo Ann DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 2876) to designate the facility of the United States Postal Service located in Harlem, Montana, as the ''Francis Bardanouve United States Post Office Building''.

The SPEAKER pro tempore, Mr. QUINN, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. QUINN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶109.20 EARL T. SHINHOSTER POST OFFICE

Mrs. Jo Ann DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 2261) to designate the facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, as the ''Earl T. Shinhoster Post Office''.

The SPEAKER pro tempore, Mr. QUINN, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. QUINN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶109.21 CONGRESSMAN JULIAN C. DIXON POST OFFICE BUILDING

Mrs. Jo Ann DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 2454) to redesignate the facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California, as the ''Congressman Julian C. Dixon Post Office Building''; as amended.

The SPEAKER pro tempore, Mr. QUINN, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. QUINN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to redesignate the facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California, as the 'Congressman Julian C. Dixon Post Office'.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶109.22 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. QUINN, laid before the House the following communication from Mrs. MALONEY of New York:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 10, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for testimony and documents issued by the Supreme Court of New York.

After consultation with the Office of General Counsel, I have determined that the subpoena for testimony does not comply with the requirements of Rule VIII.

Sincerely,

CAROLYN B. MALONEY,
Member of Congress.

¶109.23 RECESS—5:31 P.M.

The SPEAKER pro tempore, Mr. QUINN, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 31 minutes p.m., until approximately 6:30 p.m.

¶109.24 AFTER RECESS—6:33 P.M.

The SPEAKER pro tempore, Mr. HAYES, called the House to order.

¶109.25 SUBMISSION OF CONFERENCE REPORT—H.R. 2904

Mr. HOBSON submitted a conference report (Rept. No. 107–246) on the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶109.26 H. CON. RES. 248—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HAYES, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 248) expressing the sense of the Congress that public schools may display the words ''God Bless America'' as an expression of support for the Nation.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 404; Nays ..... 0; Answered present 10 }

¶109.27 [Roll No. 387]

YEAS—404

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

PRESENTS—10

Ackerman
Capuano
Frank
Honda
Jackson (IL)
Nadler
Rivers
Schakowsky
Watt (NC)
Woolsey

NOT VOTING—16

Becerra
Burton
Clement
Conyers
Cubin
Ehrlich
Kilpatrick
LaTourette
Miller (FL)
Pryce (OH)
Sherwood
Sweeney
Taylor (NC)
Tierney
Weldon (PA)
Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶109.28 H. CON. RES. 217—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HAYES, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 217) recognizing the historic significance of the fiftieth anniversary of the alliance between Australia and the United States under the ANZUS Treaty, paying tribute to the United States-Australia relationship, reaffirming the importance of economic and security cooperation be-

tween the United States and Australia, and welcoming the state visit by Australian Prime Minister John Howard; as amended.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 413 / Nays 1

¶109.29 [Roll No. 388]

YEAS—413

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

NAYS—1

Paul

NOT VOTING—16

Becerra
Burton
Clement
Conyers
Cubin
Ehrlich
Kilpatrick
LaTourette
Lewis (KY)
Miller (FL)
Pryce (OH)
Sherwood
Sweeney
Taylor (NC)
Weldon (PA)
Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: ''A concurrent resolution recognizing the historic significance of the 50th anniversary of the alliance between Australia and the United States under the ANZUS Treaty, recognizing the strong support provided by Australia to the United States in the aftermath of the terrorist attacks on September 11, 2001, including jointly invoking Article IV of the ANZUS Treaty, which commits both countries to act to meet a common danger, and reaffirming the importance of economic and security cooperation between the United States and Australia.''.

A motion to reconsider the votes whereby the rules were suspended and said concurrent resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶109.30 H.R. 2272—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HAYES, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2272) to amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries who take action to protect critical coral reef habitats; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 382 / Nays 32

¶109.31 [Roll No. 389]

YEAS—382

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Bass
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind (WI)
King (NY)
Kingston

Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pitts
Platts
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—32

Barr
Barton
Berry
Bonilla
Coble
Collins
Culberson
Doolittle
Duncan
Flake
Hall (TX)
Hayworth
Hostettler
Johnson, Sam
Kerns
Miller, Gary
Moran (KS)
Norwood
Paul
Pickering
Pombo
Royce
Ryun (KS)
Schaffer
Shadegg
Shows
Smith (MI)
Stearns
Stenholm
Stump
Toomey
Woolsey

NOT VOTING—16

Becerra
Burton
Clement
Conyers
Cubin
Ehrlich
Honda
Kilpatrick
LaTourette
Miller (FL)
Pryce (OH)
Sherwood
Sweeney
Taylor (NC)
Weldon (PA)
Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶109.32 HOMELESS VETERANS BENEFITS AND SERVICES

Mr. SMITH of New Jersey, by unanimous consent, requested that the ordering of the yeas and nays on the motion to suspend the rules and pass the bill (H.R. 2716) to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans, as amended, be vacated to the end that the Chair put the question on de novo.

Accordingly,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMMONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶109.33 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2217

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 107–247) the resolution (H. Res. 267) waiving points of order against the conference report to accompany the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶109.34 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2904

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 107–248) the resolution (H. Res. 268) waiving points of order against the conference report to accompany the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶109.35 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. OXLEY, by unanimous consent,

Ordered, That it may be in order at any time on the legislative day of Wednesday, October 17, 2001, for the Speaker to entertain a motion that the House suspend the rules and pass the bill (H.R. 3004) with the amendment that placed at the desk and that the amendment placed at the desk be considered as read.

¶109.36 JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 12, 2001 he presented to the President of the United States, for his approval, the following bill.

H.J. Res. 68. Making further continuing appropriations for the fiscal year 2002, and for other purposes.

¶109.37 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BECERRA, for today; and

To Ms. KILPATRICK, for today.

And then,

¶109.38 ADJOURNMENT

On motion of Mr. McINNIS, at 11 o'clock and 59 minutes p.m., the House adjourned.

¶109.39 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1408. A bill to safeguard the public from fraud in the financial services industry, to streamline and facilitate the antifraud information-sharing efforts of Federal and State regulators, and for other purposes; with an amendment (Rept. No. 107–192 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1552. A bill to extend the moratorium enacted by the Internet Tax Freedom Act through 2006, and for other purposes; with amendments (Rept. No. 107–240). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey. Committee on Veterans' Affairs. H.R. 2716. A bill to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans; with an amendment (Rept. No. 107–241 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey. Committee on Veterans' Affairs. H.R. 2792. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided by the Department of Veterans Affairs, and for other purposes; with an amendment (Rept. No. 107–242). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska. Committee on Transportation and Infrastructure. H.R. 2481. A bill to improve maritime safety and the quality of life for Coast Guard personnel, and for other purposes; with an amendment (Rept. No. 197–243). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 3008. A bill to reauthorize the trade adjustment assistance program under the Trade Act of 1974 (Rept. No. 107–244). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 3010. A bill to amend the Trade

Act of 1974 to extend the Generalized System of Preferences until December 31, 2002 (Rept. No. 107–245). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOBSON: Committee of Conference. Conference report on H.R. 2904. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–246). Ordered to be printed.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 267. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–247). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 268. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002 (Rept. No. 107–248). Referred to the House Calendar.

Mr. THOMAS: Committee on Ways and Means. H.R. 3005. A bill to extend trade authorities procedures with respect to reciprocal trade agreements; with an amendment (Rept. No. 107–249 Pt. 1). Ordered to be printed.

¶109.40 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2716. Referral to the Committee on Financial Services extended for a period ending not later than October 16, 2001.

H.R. 3005. Referral to the Committee on Rules extended for a period ending not later than October 17, 2001.

¶109.41 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of the rule XII the Committee on Financial Services discharged from further consideration. H.R. 2716 committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 3016 committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶109.42 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CRANE:

H.R. 3129. A bill to authorize appropriations for fiscal years 2002 and 2003 for the United States Customs Service for antiterrorism, drug interdiction, and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. BOEHLERT (for himself, Mr. LARSON of Connecticut, Ms. HART, Mr. HONDA, and Mr. UDALL of Colorado):

H.R. 3130. A bill to provide for increasing the technically trained workforce in the United States; to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DREIER (for himself, Mr. RANGEL, Mr. BERMAN, Mr. FOLEY, Mr. MATSUI, Mr. WELLER, Mr. BECERRA, Ms. DUNN, Mr. CONDIT, Mrs. BONO, Mr. WEINER, Mr. MCINTYRE, Ms. MCCARTHY of Missouri, and Mr. JEFFERSON):

H.R. 3131. A bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and television production wage credit; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. BACHUS, Mr. OBERSTAR, Mrs. MORELLA, Ms. MCKINNEY, Ms. MCCOLLUM, Mr. BLUMENAUER, Mr. HORN, Mr. NETHERCUTT, Mr. LATOURETTE, Mr. STEARNS, Mrs. THURMAN, Mr. WOLF, and Mr. DEFAZIO):

H.R. 3132. A bill to amend titles 23 and 49, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CANTOR:

H.R. 3133. A bill to amend title II of the Social Security Act to authorize waivers by the Commissioner of Social Security of the 5-month waiting period for entitlement to benefits based on disability in cases in which the Commissioner determines that such waiting period would cause undue hardship to terminally ill beneficiaries; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois (for himself and Ms. LEE):

H.R. 3134. A bill to amend the Internal Revenue Code of 1986 to make a technical correction to the definition of hard cider for purposes of the excise tax on alcohol; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 3135. A bill to provide for the issuance of certificates to Social Security beneficiaries guaranteeing their right to receive social security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 3136. A bill to develop and implement a plan to allow general aviation aircraft to fly using certain rules; to the Committee on Transportation and Infrastructure.

By Mr. FORBES (for himself and Mr. FOSSELLA):

H.R. 3137. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain terrorist attack zone compensation of civilian uniformed personnel; to the Committee on Ways and Means.

By Mr. GRAVES:

H.R. 3138. A bill to establish a club drug taskforce, and to authorize grants to expand prevention efforts regarding the abuse of club drugs; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas (for himself and Mr. KLECZKA):

H.R. 3139. A bill to amend the Internal Revenue Code of 1986 to provide for capital gains treatment for certain termination payments received by former insurance salesmen; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island (for himself and Mr. HASTINGS of Florida):

H.R. 3140. A bill to provide tax and other incentives to maintain a vibrant travel and tourism industry, to keep working people working, and to stimulate economic growth, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Small Business, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H,.R. 3148. A bill to amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans,and for other purposes.

By Mr. KLECZKA:

H.R. 3141. A bill to provide for a program of emergency unemployment compensation and emergency health coverage assistance; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RADANOVICH:

H.R. 3142. A bill to establish a separate process for State commission evaluation of rural and small telephone company exemptions, suspensions, and modifications, with respect to advanced telecommunications capabilities; to the Committee on Energy and Commerce.

By Mr. REYNOLDS (for himself and Mrs. MALONEY of New York):

H.R. 3143. A bill to amend the Internal Revenue Code of 1986 to encourage the patronage of the travel, hospitality, restaurant, and entertainment industries; to the Committee on Ways and Means.

By Mr. REYNOLDS:

H.R. 3144. A bill to amend the Internal Revenue Code of 1986 to provide a temporary incentive for investing in tangible property in the United States; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself and Mr. GILMAN):

H.R. 3145. A bill to promote greater cooperation between the United States and its European allies toward religious tolerance and to require the imposition of punitive measures with respect to entities that discriminate against individuals or groups on the basis of religion or belief; to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 3146. A bill to restrict the transmission of unsolicited electronic mail messages; to the Committee on Energy and Commerce.

By Ms. WOOLSEY:

H.R. 3147. A bill to amend section 404 of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 with respect to application of employment criteria under management contracts for certain mental health facilities; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 3148. A bill to amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans, and for other purposes.

By Ms. LEE:

H. Con. Res. 250. Concurrent resolution honoring the United States Capitol Police for their commitment to security at the Capitol; to the Committee on House Administration.

By Ms. PELOSI:

H. Res. 266. Resolution congratulating Barry Bonds on his spectacular, record-

breaking season for the San Francisco Giants and Major League Baseball; to the Committee on Government Reform.

¶109.43 ADDITIONAL SPONSORS

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

H.R. 91: Mr. PLATTS.
H.R. 218: Mrs. EMERSON, Mr. ETHERIDGE, and Mr. DINGELL.
H.R. 257: Mr. SMITH of Michigan.
H.R. 394: Mr. CRAMER and Mr. UDALL of Colorado.
H.R. 482: Mr. HOSTETTLER.
H.R. 488: Mr. MALONEY of Connecticut and Mr. INSLEE.
H.R. 527: Mr. CRANE.
H.R. 534: Ms. PRYCE of Ohio, Mr. SWEENEY, Mr. BARTLETT of Maryland, Mrs. JOHNSON of Connecticut, and Mr. NETHERCUTT.
H.R. 664: Mr. WEINER.
H.R. 697: Mr. FRANK.
H.R. 782: Ms. LOFGREN, Mr. UNDERWOOD, Mr. GREEN of Texas, Ms. BROWN of Florida, Mr. HASTINGS of Florida, and Mr. LATOURETTE.
H.R. 783: Mr. MCDERMOTT.
H.R. 975: Mr. SHIMKUS.
H.R. 1178: Ms. BERKLEY, Ms. BROWN of Florida, and Mr. MCDERMOTT.
H.R. 1198: Mr. SANDLIN, Mr. STENHOLM, Mr. HOYER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MARKEY, Mr. MORAN of Virginia, Mr. MENENDEZ, Mr. ORTIZ, Ms. WOOLSEY, Mr. JOHN, Mr. ACKERMAN, Mr. REGULA, and Mr. GRAVES.
H.R. 1230: Mr. UNDERWOOD and Mrs. THURMAN.
H.R. 1251: Ms. SOLIS.
H.R. 1254: Mr. TOOMEY.
H.R. 1292: Mr. LARSON of Connecticut.
H.R. 1309: Mr. STUPAK.
H.R. 1351: Mr. BISHOP.
H.R. 1354: Ms. KAPTUR.
H.R. 1374: Mr. BARCIA, Mr. DINGELL, Mr. KILDEE, Mr. UPTON, Mr. LEVIN, Mr. HOEKSTRA, Mr. ROGERS of Michigan, and Mr. CAMP.
H.R. 1609: Mr. SNYDER and Mr. GOODLATTE.
H.R. 1624: Mr. PETRI and Mrs. EMERSON.
H.R. 1626: Mr. TERRY.
H.R. 1733: Mr. EVANS.
H.R. 1744: Mr. BACA, Mr. BAIRD, and Mr. ROTHMAN.
H.R. 1773: Mrs. MCCOLLUM.
H.R. 1779: Mr. PETERSON of Minnesota and Mr. HEFLEY.
H.R. 1780: Ms. CARSON of Indiana and Ms. WOOLSEY.
H.R. 1798: Ms. PRYCE of Ohio and Mr. SWEENEY.
H.R. 1841: Ms. HARMAN, Ms. CARSON of Indiana, Mr. WEXLER, Mr. BRADY of Pennsylvania, Ms. ROS-LEHTINEN, Mr. LARSEN of Washington, Mr. GILCHREST, Mr. GEKAS, Ms. WATSON, Ms. MCCOLLUM, Mr. CLEMENT, Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. ORTIZ, Mr. GONZALEZ, and Mr. CLAY.
H.R. 1910: Mr. WAXMAN.
H.R. 1988: Mr. HOLDEN.
H.R. 2163: Mr. WELLER.
H.R. 2219: Mr. SIMMONS.
H.R. 2254: Ms. CARSON of Indiana, Mr. UDALL of Colorado, and Mr. EVANS.
H.R. 2269: Mr. BROWN of South Carolina, Mr. MORAN of Virginia, and Mr. SESSIONS.
H.R. 2308: Ms. MCCOLLUM.
H.R. 2349: Ms. BALDWIN, Mr. DICKS, and Mr. INSLEE.
H.R. 2357: Mr. TIAHRT and Mr. DUNCAN.
H.R. 2362: Mr. SOUDER.
H.R. 2374: Mr. LEVIN.
H.R. 2412: Ms. BALDWIN.
H.R. 2417: Mr. GREENWOOD.
H.R. 2426: Mr. JEFFERSON, Mr. THOMPSON of Mississippi, Mr. TAYLOR of Mississippi, Mr. WICKER, Mr. SHOWS, Mr. BLUMENAUER, and Mr. PICKERING.
H.R. 2574: Mr. HEFLEY.
H.R. 2577: Mr. BARCIA, Mr. DINGELL, Mr. KILDEE, Mr. UPTON, Mr. LEVIN, Mr. HOEKSTRA, Mr. ROGERS of Michigan, and Mr. CAMP.
H.R. 2592: Ms. CARSON of Indiana.
H.R. 2613: Mr. HOLDEN.
H.R. 2619: Mr. PAYNE.
H.R. 2623: Mr. FALEOMAVAEGA.
H.R. 2629: Ms. WOOLSEY.
H.R. 2663: Ms. ROS-LEHTINEN, Mr. GORDON, and Mr. FORD.
H.R. 2677: Ms. SOLIS.
H.R. 2693: Mr. BENTSEN.
H.R. 2716: Mr. SNYDER.
H.R. 2722: Mr. BRADY of Pennsylvania, Mr. BROWN of Ohio, Mr. MORAN of Virginia, Mr. BARRETT, Mr. ENGEL, and Mr. BAIRD.
H.R. 2725: Ms. LOFGREN and Ms. WATSON.
H.R. 2775: Mr. BRADY of Pennsylvania and Mr. OWENS.
H.R. 2781: Mr. GOODLATTE and Mr. COX.
H.R. 2794: Mr. UDALL of Colorado, Mr. LARGENT, Mr. BOSWELL, Mrs. MORELLA, and Mr. ANDREWS.
H.R. 2795: Mr. LARSON of Connecticut, Mr. TERRY, and Mr. FERGUSON.
H.R. 2804: Mr. BAIRD.
H.R. 2805: Mr. PICKERING, Mr. LARGENT, and Mr. SMITH of New Jersey.
H.R. 2896: Mr. OTTER.
H.R. 2899: Mr. WU.
H.R. 2917: Ms. MCCARTHY of Missouri, Mr. LOBIONDO, Mr. TIBERI, Mr. ROTHMAN, Mr. MCGOVERN, Mr. KENNEDY of Minnesota, Mr. LATOURETTE, Mr. PASCRELL, Mr. SABO, Mr. CRAMER, and Mr. GALLEGLY.
H.R. 2921: Mr. FORBES.
H.R. 2940: Mr. TOWNS.
H.R. 2945: Ms. CARSON of Indiana and Mr. WU.
H.R. 2946: Mr. WU.
H.R. 2951: Mrs. MORELLA.
H.R. 2955: Mrs. CHRISTENSEN, Mr. KUCINICH, Mr. WAXMAN, Mr. BROWN of Ohio, Mr. LEWIS of Georgia, and Mr. FORD.
H.R. 2965: Mr. HEFLEY and Mr. GORDON.
H.R. 2970: Mr. ISAKSON and Mr. OTTER.
H.R. 2991: Mr. GREENWOOD and Mr. OSBORNE.
H.R. 2998: Mr. BALLENGER, Mr. HEFLEY, Mr. DEUTSCH, Mr. KENNEDY of Minnesota, Mrs. JO ANN DAVIS of Virginia, Mr. KING, Mr. UNDERWOOD, and Mr. WEXLER.
H.R. 3006: Mr. EVERETT, Mr. SHOWS, Mr. STEARNS, and Mr. TERRY.
H.R. 3007: Mrs. CHRISTENSEN, Mr. BARTLETT of Maryland, Mr. BAIRD, Mr. RYAN of Wisconsin, and Mr. BERRY.
H.R. 3011: Mr. LARSEN of Washington and Mr. BALDACCI.
H.R. 3015: Mrs. JONES of Ohio, Mr. BLAGOJEVICH, Mr. TIERNEY, and Mr. EVANS.
H.R. 3021: Mr. WALDEN of Oregon.
H.R. 3026: Ms. LOFGREN.
H.R. 3029: Mr. SMITH of Washington, Mrs. ROUKEMA, Mrs. JOHNSON of Connecticut, Mr. JACKSON of Illinois, Mr. CUMMINGS, Mr. FORD, and Mr. UNDERWOOD.
H.R. 3032: Mr. KLECZKA.
H.R. 3033: Mr. FRANK.
H.R. 3036: Mr. PETERSON of Minnesota and Mr. TOWNS.
H.R. 3040: Mr. GEORGE MILLER of California.
H.R. 3041: Mr. REYNOLDS, Ms. BERKLEY, Mr. RAMSTAD, and Mr. OBERSTAR.
H.R. 3059: Ms. CARSON of Indiana, Mr. DAVIS of Illinois, and Mr. EVANS.
H.R. 3063: Mr. PETERSON of Minnesota and Mr. TOWNS.
H.R. 3077: Mr. SMITH of New Jersey, Mr. SHAYS, and Mr. JONES of North Carolina.
H.R. 3079: Mr. KENNEDY of Rhode Island.
H.R. 3087: Mr. FILNER, Mr. FROST, and Mr. MCGOVERN.
H.R. 3088: Mr. HOUGHTON, Mr. SIMMONS, Mr. GRUCCI, Mr. TANCREDO, Mr. BURTON of Indiana, Mr. GIBBONS, Mr. WELDON of Pennsylvania, Mr. WAXMAN, Mr. MANZULLO, Mrs. JO ANN DAVIS of Virginia, Mr. REGULA, Mr. STEARNS, Mr. TOM DAVIS of Virginia, Mr. GREENWOOD, Mr. TERRY, Mr. NEY, Mrs. BIGGERT, Mr. BALLENGER, Mr. CULBERSON, Mr. KIRK, Mr. PENCE, Mr. WALSH, Mr. CROWLEY, Mr. FROST, Mr. CANTOR, Mr. TAUZIN, Mr. ISAKSON, Mr. PETERSON of Minnesota, Mr. HANSEN, Mr. COBLE, and Mr. CANNON.
H.R. 3106: Mr. CLEMENT.
H.R. 3109: Mr. PAYNE.
H.J. Res. 6: Mrs. LOWEY.
H.J. Res. 21: Ms. KILPATRICK.
H.J. Res. 67: Mr. FROST, Mr. BEREUTER, Mr. EDWARDS, Mr. BURTON of Indiana, Mr. WYNN, Mr. GORDON, Mr. DEFAZIO, Mr. DEUTSCH, Mr. EVANS, Mr. PHELPS, Mr. HINCHEY, Mr. OWENS, Mr. MCINNIS, Mr. HASTINGS of Florida, Mr. KUCINICH, Mr. ORTIZ, Mr. SANDLIN, Mrs. MCCARTHY of New York, and Mrs. TAUSCHER.
H. Con. Res. 184: Mr. ARMEY, Mr. KINGSTON, Mr. WAMP, Mr. WATKINS, and Mr. NEY.
H. Con. Res. 211: Mr. LEACH, Mr. GEORGE MILLER of California, and Mr. TIERNEY.
H. Con. Res. 217: Mr. BEREUTER.
H. Con. Res. 232: Ms. LOFGREN, Mr. WATTS of Oklahoma, Mr. OWENS, Mr. PASCRELL, Mr. DOOLEY of California, Mr. FALEOMAVAEGA, Mr. GUTKNECHT, Mr. SOUDER, Mr. CALVERT, Mr. WELDON of Florida, Mr. INSLEE, and Mr. NEY.
H. Con. Res. 233: Mr. SOUDER and Mr. WU.
H. Con. Res. 234: Mr. GEKAS and Mr. TOOMEY.
H. Con. Res. 240: Ms. SOLIS, Ms. BALDWIN, Mr. SANDERS, and Mr. HOEFFEL.
H. Con. Res. 248: Mr. BARR of Georgia, Mr. RYUN of Kansas, and Mr. TRAFICANT.
H. Con. Res. 249: Mr. OWENS, Mr. MCNULTY, Mr. KING, Mr. HINCHEY, Mrs. MALONEY of New York, and Mrs. LOWEY.
H. Res. 259: Mr. PAYNE.
H. Res. 262: Mr. GEORGE MILLER of California and Mrs. TAUSCHER.

¶109.44 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1305: Mr. SHOWS.

WEDNESDAY, OCTOBER 17, 2001 (110)

¶110.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SHIMKUS, who laid before the House the following communication:

WASHINGTON, DC,
October 17, 2001.

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

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

¶110.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHIMKUS, announced he had examined and approved the Journal of the proceedings of Tuesday, October 16, 2001.

Mr. FOLEY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that the yeas had it.

Mr. FOLEY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶110.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4346. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Designated Contract Markets in Security Futures Products: Notice-Designation Requirements, Continuing Obligations, Applications for Exemptive Orders, and Exempt Provisions (RIN: 3038–AB82) received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4347. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Notice of Statement of Commission Policy Regarding Temporary Relief From Certain Provisions of the Commission's Regulations—received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4348. A communication from the President of the United States, transmitting Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States; (H. Doc. No. 107—135); to the Committee on Appropriations and ordered to be printed.

4349. A letter from the Deputy Legal Counsel, Community Development Financial Institutions Fund, Department of the Treasury, transmitting the Department's final rule—Notice of Funds Availability (NOFA) Inviting Applications for the Community Development Financial Institutions Program—— Core and Intermediary Components—received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4350. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Albemarle and Indian Trail, North Carolina) [MM Docket No. 99–240; RM–9503] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4351. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Suspension of TRICARE-Eligible's Enrollment in the Federal Employees Health Benefits (FEHB) Program (RIN: 3206–AJ36) received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4352. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Pretax Allotments for Health Insurance Premiums (RIN: 3206–AJ16) received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4353. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' final rule—Migratory Bird Hunting; Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds (RIN: 1018–AH79) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4354. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fishery [I.D. 091201C] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4355. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Fishery Management Plan for Tilefish [Docket No. 010319075–1217–02; I.D. 011101A] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4356. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Sharpchin and Northern Rockfish in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Area [Docket No. 010112013–1013–01; I.D. 092801A] received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4357. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Longline Fisheries [Docket No. 010710169–1226–02; I.D. 060401B] (RIN: 0648–AP31) received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4358. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; End of the Primary Season and Resumption of Trip Limits for the Shore-based Fishery for Pacific Whiting [Docket No. 001226367–0367–01; I.D. 092401G] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4359. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30268; Amdt. No. 2069] received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4360. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30267; Amdt. No. 2068] received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4361. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Deutschland GmbH Model EC135 P1 and EC135 T1 Helicopters [Docket No. 2001–SW–19–AD; Amendment 39–12439; AD 2001–18–13] (RIN: 2120–AA64) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4362. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace, Seneca Falls, NY [Airspace Docket No. 00–AEA–15] received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4363. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes [Docket No. 2001–NM–119–AD; Amendment 39–12430; AD 2001–18–04] (RIN: 2120–AA64) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4364. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200, -300, -300F and -400ER Series Airplanes [Docket No. 2001–NM–265–AD; Amendment 39–12438; AD 2001–18–12] (RIN: 2120–AA64) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4365. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–301 Series Airplanes [Docket No. 2001–NM–39–AD; Amendment 39–12440; AD 2001–19–01] (RIN: 2120–AA64) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4366. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes; Final Rule [Docket No. 2001–NM–299–AD; Amendment 39–12451; AD 2001–17–09 R1] (RIN: 2120–AA64) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4367. A letter from the General Counsel, Office of Management and Buget, transmitting the Office's ''Major'' final rule—Regulations For Air Carrier Guarantee Loan Program under Section 101(a)(1) of the Air Transportation Safety and System Stabilization Act—received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4368. A letter from the Acting Deputy General Counsel, Office of Financial Assistance, Small Business Administration, transmitting the Administration's final rule—Microloan Program (RIN: 3245–AE73) received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

4369. A letter from the Acting Deputy General Counsel, Office of Financial Assistance, Small Business Administration, transmitting the Administration's final rule—Business Loan Program and Office of Hearings and Appeals (RIN: 3245–AE51) received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

4370. A letter from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Individual Development Accounts (RIN: 0970–AC08) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4371. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Unified Partnership Audit Procedures [TD 8965] (RIN: 1545–AW86) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶110.4 FINANCIAL ANTI-TERRORISM

Pursuant to the order of the House of October 16, 2001, Mr. OXLEY moved to suspend the rules and pass the bill (H.R. 3004) to combat the financing of terrorism and other financial crimes, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. OXLEY and Mr. LAFALCE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. OXLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 412 / Nays 1

¶110.5 [Roll No. 390]

YEAS—412

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

NAYS—1

Paul

NOT VOTING—17

Bass
Bishop
Burton
Conyers
Cubin
Fattah
Issa
Kaptur
Kleczka
LaTourette
Miller (FL)
Price (NC)
Roybal-Allard
Sabo
Sandlin
Serrano
Sweeney

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.6 MILITARY CONSTRUCTION AUTHORIZATION

On motion of Mr. STUMP, by unanimous consent, the bill of the Senate (S. 1438) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. STUMP submitted the following amendment which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 2586, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

When on motion of Mr. STUMP, by direction of the Committee on Armed Services and pursuant to clause 1 of Rule XXII, it was,

Resolved, That the House insist upon its amendment and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶110.7 MOTION TO INSTRUCT CONFEREES—S. 1438

Mr. SKELTON moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the bill (S. 1438) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, be instructed to agree to the provisions contained in section 652 of the Senate bill, relating to Survivor Benefit Plan eligibility of survivors of retirement-ineligible members of the uniformed services who die on active duty.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶110.8 APPOINTMENT OF CONFEREES—S. 1438

Thereupon, the SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, appointed the following Members as managers on the part of the House at said conference:

From the Committee on Armed Services, for consideration of the Senate bill and the House amendment, and modifications committed to conference: Messrs. STUMP, HUNTER, HANSEN, WELDON, HEFLEY, SAXTON,

MCHUGH, EVERETT, BARTLETT of Maryland, MCKEON, WATTS of Oklahoma, THORNBERRY, HOSTETTLER, CHAMBLISS, SKELTON, SPRATT, ORTIZ, EVANS, TAYLOR of Mississippi, ABERCROMBIE, MEEHAN, UNDERWOOD, ALLEN, and SNYDER.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Messrs. GOSS, BEREUTER, and Ms. PELOSI.

From the Committee on Education and the Workforce, for consideration of secs. 304, 305, 1123, 3151, and 3157 of the Senate bill, and secs. 341, 342, 509, and 584 of the House amendment, and modifications committed to conference: Messrs. CASTLE, ISAKSON, and GEORGE MILLER of California.

From the Committee on Energy and Commerce, for consideration of secs. 314, 316, 601, 663, 3134, 3141, 3143, 3152, 3153, 3159, 3171–3181, and 3201 of the Senate bill, and secs. 601, 3131, 3132, and 3201 of the House amendment, and modifications committed to conference: Messrs. TAUZIN, BARTON, and DINGELL.

From the Committee on Government Reform, for consideration of secs. 564, 622, 803, 813, 901, 1044, 1047, 1051, 1065, 1075, 1102, 1111–1113, 1124–1126, 2832, 3141, 3144, and 3153 of the Senate bill, and secs. 333, 519, 588, 802, 803, 811–819, 1101, 1103–1108, 1110, and 3132 of the House amendment, and modifications committed to conference: Messrs. BURTON, WELDON, and WAXMAN.

Provided that Mr. Tom DAVIS of Virginia is appointed in lieu of Mr. WELDON for consideration of secs. 803 and 2832 of the Senate bill, and secs. 333 and 803 of the House amendment, and modifications committed to conference.

Provided that Mr. HORN is appointed in lieu of Mr. WELDON for consideration of secs. 811–819 of the House amendment, and modifications committed to conference.

From the Committee on House Administration, for consideration of secs. 572, 574–577, and 579 of the Senate bill, and sec. 552 of the House amendment, and modifications committed to conference: Messrs. NEY, MICA, and HOYER.

From the Committee on International Relations, for consideration of secs. 331, 333, 1201–1205, 1211–1218 of the Senate bill, and secs. 1011, 1201, 1202, 1205, 1209, Title XIII, and sec. 3133 of the House amendment, and modifications committed to conference: Messrs. HYDE, GILMAN, and LANTOS.

From the Committee on Judiciary, for consideration of secs. 821, 1066, 3151 of the senate bill, and secs. 323 and 818 of the House amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas, and CONYERS.

From the Committee on Resources, for consideration of secs. 601, 663, 2823, and 3171–3181 of the Senate bill, and secs. 601, 1042, 2841, 2845, 2861–2863, 2865, and Title XXIX of the House amendment, and modifications committed to conference: Messrs. GIBBONS, RADANOVICH, and RAHALL.

Provided that Mr. UDALL of Colorado is appointed in lieu of Mr. RAHALL for consideration of secs. 3171–3181 of the Senate bill, and modifications committed to conference.

From the Committee on Science for consideration of secs. 1071 and 1124 of the Senate bill, and modifications committed to conference: Messrs. BOEHLERT, SMITH of Michigan, and HALL of Texas.

Provided that Mr. EHLERS is appointed in lieu of Mr. SMITH of Michigan for consideration of sec. 1124 of the Senate bill, and modifications committed to conference.

From the Committee on Small Business, for consideration of secs. 822–824 and 1068 of the Senate bill, and modifications committed to conference: Messrs. MANZULLO, COMBEST, and Ms. VELAZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of secs. 563, 601, and 1076 of the Senate bill, and secs. 543, 544, 601, 1049, and 1053 of the House amendment, and modifications committed to conference: Messrs. YOUNG of Alaska, LOBIONDO, and Ms. BROWN of Florida.

Provided that Mr. PASCRELL is appointed in lieu of Ms. BROWN OF FLORIDA for consideration of sec. 1049 of the House amendment, and modifications committed to conference.

From the Committee on Veterans Affairs, for consideration of secs. 538, 539, 573, 651, 717, and 1064 of the Senate bill, and sec. 641 of the House amendment, and modifications committed to conference: Messrs. SMITH of New Jersey, BILIRAKIS, and FILNER.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶110.9 PROVIDING FOR A CLOSED CONFERENCE—S. 1438

Mr. STUMP moved, pursuant to clause 12(a)(2) of rule XXII, that the conference committee meetings between the House and the Senate on the bill (S. 1438) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; be closed to the public at such times as classified national security information is under consideration; *Provided, however*, That any sitting Member of Congress shall have a right to attend any closed or open meeting.

The question being put,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. SIMPSON, announced that a roll call was required under clause 12(a)(2), rule XXII, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 420 / Nays 0

¶110.10 [Roll No. 391]

YEAS—420

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

Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Burton
Conyers
Cubin
Frelinghuysen
LaTourette
Miller (FL)
Price (NC)
Reyes
Roukema
Sweeney

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶110.11 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, October 16, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. THUNE demanded a recorded vote on agreeing to said journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 365 / Nays 34

¶110.12 [Roll No. 392]

AYES—365

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

NOES—34

Aderholt
Borski
Brady (PA)
Costello
Crane
DeFazio
English
Etheridge
Fattah
Filner
Ford
Hastings (FL)
Hilliard
Jones (OH)
Latham
McDermott
Miller, George
Oberstar
Olver
Peterson (MN)
Phelps
Ramstad
Schaffer
Scott
Stark
Strickland
Taylor (MS)
Thompson (CA)
Thompson (MS)
Visclosky
Waters
Weller
Wicker
Wu

NOT VOTING—31

Boehner
Bonior
Burton
Chambliss
Combest
Conyers
Cubin
Dicks
Foley
Frelinghuysen
Frost
Hoekstra
Jones (NC)
Kelly
Kennedy (RI)
Kirk
LaTourette
Lucas (KY)
Markey
Miller (FL)
Oxley
Pelosi
Pickering
Price (NC)
Reyes
Reynolds
Roukema
Sabo
Sweeney
Tancredo
Tierney

So the Journal was approved.

¶110.13 INTERIOR APPROPRIATIONS FY 2002

Mr. SKEEN, by unanimous consent, called up the following conference report (Rept. No. 107–234):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2217) ''making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $775,632,000, to remain available until expended, of which $1,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act; of which $4,000,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which not to exceed $1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)); and of which $3,000,000 shall be available in fiscal year 2002 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, $32,298,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $775,632,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities: Provided, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors: Provided further, That of the amount provided, $28,000,000 is for the conservation activities defined in section 250(c)(4)(E) of the Balanced

Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided further, That fiscal year 2001 balances in the Federal Infrastructure Improvement account for the Bureau of Land Management shall be transferred to and merged with this appropriation, and shall remain available until expended.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $624,421,000, to remain available until expended, of which not to exceed $19,774,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That unobligated balances of amounts previously appropriated to the ''Fire Protection'' and ''Emergency Department of the Interior Firefighting Fund'' may be transferred and merged with this appropriation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: Provided further, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act in connection with wildland fire management activities.

For an additional amount to cover necessary expenses for burned areas rehabilitation and fire suppression by the Department of the Interior, $54,000,000, to remain available until expended, of which $34,000,000 is for wildfire suppression and $20,000,000 is for burned areas rehabilitation: Provided, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That $54,000,000 shall be available only to the extent an official budget request, that includes designation of the $54,000,000 as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $9,978,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: Provided further, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $13,076,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), $210,000,000, of which not to exceed $400,000 shall be available for administrative expenses and of which $50,000,000 is for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $49,920,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $105,165,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, and monitoring salvage timber sales and forest ecosystem health and recovery activities such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181–1 et seq., and Public Law 103–66) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate, not to exceed $10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with

jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: Provided further, That section 28f(a) of title 30, United States Code, is amended:

(1) In section 28f(a), by striking the first sentence and inserting, ''The holder of each unpatented mining claim, mill, or tunnel site, located pursuant to the mining laws of the United States, whether located before, on or after the enactment of this Act, shall pay to the Secretary of the Interior, on or before September 1 of each year for years 2002 through 2003, a claim maintenance fee of $100 per claim or site''; and

(2) In section 28g, by striking ''and before September 30, 2001'' and inserting in lieu thereof ''and before September 30, 2003''.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, maintenance of the herd of longhorned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, $850,597,000, to remain available until September 30, 2003, except as otherwise provided herein, of which $29,000,000 is for conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That fiscal year 2001 balances in the Federal Infrastructure Improvement account for the United States Fish and Wildlife Service shall be transferred to and merged with this appropriation, and shall remain available until expended: Provided further, That not less than $2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: Provided further, That $2,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided further, That not to exceed $9,000,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $6,000,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species already listed pursuant to subsection (a)(1) as of the date of enactment this Act: Provided further, That of the amount available for law enforcement, up to $400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: Provided further, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $55,543,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $99,135,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs except that, in fiscal year 2002 only, not to exceed $2,500,000 may be used consistent with the Service's cost allocation methodology: Provided further, That the United States Fish and Wildlife Service is authorized to purchase the common stock of Yauhannah Properties, Inc. for the purposes of inclusion of real property owned by that corporation into the Waccamaw National Wildlife Refuge.

LANDOWNER INCENTIVE PROGRAM

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $40,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: Provided, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, Tribes, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish, or supplement existing, landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, or candidate species, or other at-risk species on private lands.

STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $10,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: Provided, That the amount provided herein is for the Secretary to establish a Private Stewardship Grants Program to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, or candidate species, or other at-risk species.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended, $96,235,000, to be derived from the Cooperative Endangered Species Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $14,414,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, as amended, $43,500,000, to remain available until expended and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That, notwithstanding any other provision of law, amounts in excess of funds provided in fiscal year 2001 shall be used only for projects in the United States.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation Act, Public Law 106–247 (16 U.S.C. 6101–6109), $3,000,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105–96; 16 U.S.C. 4261–4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), and the Great Ape Conservation Act of 2000 (16 U.S.C. 6301), $4,000,000, to remain available until expended: Provided, That funds made available under this Act, Public Law 106–291, and Public Law 106–554 and hereafter in annual appropriations Acts for rhinoceros, tiger, Asian elephant, and great ape conservation programs are exempt from any sanctions imposed against any country under section 102 of the Arms Export Control Act (22 U.S.C. 2799aa–1).

STATE WILDLIFE GRANTS

(INCLUDING RESCISSION OF FUNDS)

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $85,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That of the amount provided herein, $5,000,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting said $5,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof: and (B) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (A) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (B) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no

State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects may not be derived from Federal grant programs: Provided further, That no State, territory, or other jurisdiction shall receive a grant unless it has developed, or committed to develop by October 1, 2005, a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of the State, territory, or other jurisdiction's wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need and taking into consideration the relative level of funding available for the conservation of those species: Provided further, That any amount apportioned in 2002 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2003, shall be reapportioned, together with funds appropriated in 2004, in the manner provided herein.

Of the amounts appropriated in title VIII of Public Law 106–291, $25,000,000 for State Wildlife Grants are rescinded.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 74 passenger motor vehicles, of which 69 are for replacement only (including 32 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That the Service may accept donated aircraft as replacements for existing aircraft: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in Senate Report 105–56.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, $1,476,977,000, of which $10,869,000 for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended; and of which $72,640,000, to remain available until September 30, 2003, is for maintenance repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which $2,000,000 is for the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act, for high priority projects: Provided, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed $10,000 per event subject to the review and concurrence of the Washington headquarters office: Provided further, That none of the funds in this or any other Act may be used to fund a new Associate Director position for Partnerships.

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, $65,260,000.

CONTRIBUTION FOR ANNUITY BENEFITS

For reimbursement (not heretofore made), pursuant to provisions of Public Law 85–157, to the District of Columbia on a monthly basis for benefit payments by the District of Columbia to United States Park Police annuitants under the provisions of the Policeman and Fireman's Retirement and Disability Act (Act), to the extent those payments exceed contributions made by active Park Police members covered under the Act, such amounts as hereafter may be necessary: Provided, That hereafter the appropriations made to the National Park Service shall not be available for this purpose.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $66,159,000, of which $500,000 are for grants pursuant to the National Underground Railroad Network to Freedom Act of 1988 (16 U.S.C. 469l, as amended).

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), $30,000,000, to remain available until expended and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $74,500,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2003, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Control Act of 1985, as amended, for the purposes of such Act: Provided, That, of the amount provided herein, $2,500,000, to remain available until expended, is for a grant for the perpetual care and maintenance of National Trust Historic Sites, as authorized under 16 U.S.C. 470a(e)(2), to be made available in full upon signing of a grant agreement: Provided further, That, notwithstanding any other provision of law, these funds shall be available for investment with the proceeds to be used for the same purpose as set out herein: Provided further, That of the total amount provided, $30,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: Provided further, That any individual Save America's Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: Provided further, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: Provided further, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $376,044,000, to remain available until expended, of which $66,851,000 is for conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That of the amount provided for Cuyahoga National Park, $200,000 may be used for the Cuyahoga Valley Scenic Railroad platform and station in Canton, Ohio.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2002 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $274,117,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control of 1985, as amended, for the purposes of such Act, of which $144,000,000 is for the State assistance program including $4,000,000 to administer the State assistance program, and of which $11,000,000 shall be for grants, not covering more than 50 percent of the total cost of any acquisition to be made with such funds, to States and local communities for purposes of acquiring lands or interests in lands to preserve and protect Civil War battlefield sites identified in the July 1993 Report on the Nation's Civil War Battlefields prepared by the Civil War Sites Advisory Commission: Provided, That lands or interests in land acquired with Civil War battlefield grants shall be subject to the requirements of paragraph 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–8(f)(3)): Provided further, That of the amounts provided under this heading, $15,000,000 may be for Federal grants to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed; and $16,000,000 may be for project modifications authorized by section 104 of the Everglades National Park Protection and Expansion

Act: Provided further, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: Provided further, That none of the funds provided for the State Assistance program may be used to establish a contingency fund.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 315 passenger motor vehicles, of which 256 shall be for replacement only, including not to exceed 237 for police-type use, 11 buses, and 8 ambulances: Provided, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

Notwithstanding any other provision of law, the National Park Service may convey a leasehold or freehold interest in Cuyahoga NP to allow for the development of utilities and parking needed to support the historic Everett Church in the village of Everett, Ohio.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $914,002,000, of which $64,318,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $16,400,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $8,000,000 shall remain available until expended for satellite operations; and of which $26,374,000 shall be available until September 30, 2003 for the operation and maintenance of facilities and deferred maintenance; and of which $166,389,000 shall be available until September 30, 2003 for the biological research activity and the operation of the Cooperative Research Units: Provided, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That of the amount provided herein, $25,000,000 is for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, $150,667,000, of which $83,344,000, shall be available for royalty management activities; and an amount not to exceed $102,730,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: Provided, That to the extent $102,730,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach $102,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2003: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): Provided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service (MMS) concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: Provided further, That MMS may under the royalty-in-kind pilot program use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, and to process or otherwise dispose of royalty production taken in kind: Provided further, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,105,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; $102,800,000: Provided, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2002 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: Provided further, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $203,455,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: Provided, That grants to minimum program States will be $1,500,000 per State in fiscal year 2002: Provided further, That of the funds herein provided up to $18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed $11,000,000: Provided further, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: Provided further, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment

or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That, in addition to the amount granted to the Commonwealth of Pennsylvania under sections 402 (g)(1) and 402(g)(5) of the Surface Mining Control and Reclamation Act (Act), an additional $500,000 will be specifically used for the purpose of conducting a demonstration project in accordance with section 401(c)(6) of the Act to determine the efficacy of improving water quality by removing metals from eligible waters polluted by acid mine drainage: Provided further, That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $1,799,809,000, to remain available until September 30, 2003 except as otherwise provided herein, of which not to exceed $89,864,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $130,209,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2002, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and up to $3,000,000 shall be for the Indian Self-Determination Fund which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts or cooperative agreements with the Bureau under such Act; and of which not to exceed $436,427,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2002, and shall remain available until September 30, 2003; and of which not to exceed $58,540,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: Provided, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $43,065,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with the operation of Bureau-funded schools: Provided further, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2003, may be transferred during fiscal year 2004 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2004.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $357,132,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2002, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Provided further, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e): Provided further, That notwithstanding any other provision of law, not to exceed $450,000 in collections from settlements between the United States and contractors concerning the Dunseith Day School are to be made available for school construction in fiscal year 2002 and thereafter.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $60,949,000, to remain available until expended; of which $24,870,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618 and 102–575, and for implementation of other enacted water rights settlements; of which $7,950,000 shall be available for future water supplies facilities under Public Law 106–163; of which $21,875,000 shall be available pursuant to Public Laws 99–264, 100–580, 106–263, 106–425, 106–554, and 106–568; and of which $6,254,000 shall be available for the consent decree entered by the U.S. District Court, Western District of Michigan in United States v. Michigan, Case No. 2:73 CV 26.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, $4,500,000, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $75,000,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, $486,000.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations, pooled overhead general administration (except facilities operations and maintenance), or provided to implement the recommendations of the National Academy of Public Administration's August 1999 report shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act'').

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department

of the Interior, $78,950,000, of which: (1) $74,422,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $4,528,000 shall be available for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That of the funds provided herein for American Samoa government operations, the Secretary is directed to use up to $20,000 to increase compensation of the American Samoa High Court Justices: Provided further, That of the amounts provided for technical assistance, not to exceed $2,000,000 shall be made available for transfer to the Disaster Assistance Direct Loan Financing Account of the Federal Emergency Management Agency for the purpose of covering the cost of forgiving the repayment obligation of the Government of the Virgin Islands on Community Disaster Loan 841, as required by section 504 of the Congressional Budget Act of 1974, as amended (2 U.S.C. 661c): Provided further, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure (with territorial participation and cost sharing to be determined by the Secretary based on the grantees commitment to timely maintenance of its capital assets): Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, $23,245,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $67,741,000, of which not to exceed $8,500 may be for official reception and representation expenses, and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $45,000,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $34,302,000, of which $3,812,000 shall be for procurement by contract of independent auditing services to audit the consolidated Department of the Interior annual financial statement and the annual financial statement of the Department of the Interior bureaus and offices funded in this Act.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $99,224,000, to remain available until expended: Provided, That funds for trust management improvements may be transferred, as needed, to the Bureau of Indian Affairs ''Operation of Indian Programs'' account and to the Departmental Management ''Salaries and Expenses'' account: Provided further, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2002, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $1.00 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder.

INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with redetermining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, $10,980,000, to remain available until expended and which may be transferred to the Bureau of Indian Affairs and Departmental Management.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101–380) (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $5,497,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: Provided further, That no programs funded with appropriated funds in the ''Departmental Management'', ''Office of the Solicitor'', and ''Office of Inspector General'' may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire operations'' shall be exhausted within 30 days: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations

shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: Provided, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Annual appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 113. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made under the same headings, shall be available for expenditure or transfer for Indian trust management activities pursuant to the Trust Management Improvement Project High Level Implementation Plan.

SEC. 114. A grazing permit or lease that expires (or is transferred) during fiscal year 2002 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa–50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority: Provided, That any Federal lands included within the boundary of Lake Roosevelt National Recreation Area, as designated by the Secretary of the Interior on April 5, 1990, (Lake Roosevelt Cooperative Management Agreement) that were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands as of March 31, 1997, shall be entitled to renew said permit under such terms and conditions as the Secretary may prescribe, for the lifetime of the permittee or 20 years, whichever is less.

SEC. 115. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: Provided, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 116. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2002. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 117. None of the funds in this Act may be used to establish a new National Wildlife Refuge in the Kankakee River basin that is inconsistent with the United States Army Corps of Engineers' efforts to control flooding and siltation in that area. Written certification of consistency shall be submitted to the House and Senate Committees on Appropriations prior to refuge establishment.

SEC. 118. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2002 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 119. (a) The Secretary of the Interior shall take such action as may be necessary to ensure that the lands comprising the Huron Cemetery in Kansas City, Kansas (as described in section 123 of Public Law 106–291) are used only in accordance with this section.

(b) The lands of the Huron Cemetery shall be used only: (1) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and (2) as a burial ground.

SEC. 120. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 121. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

SEC. 122. Section 412(b) of the National Parks Omnibus Management Act of 1998, as amended (16 U.S.C. 5961) is amended by striking ''2001'' and inserting ''2002''.

SEC. 123. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

SEC. 124. Notwithstanding 31 U.S.C. 3302(b), sums received by the Bureau of Land Management for the sale of seeds or seedlings including those collected in fiscal year 2001, may be credited to the appropriation from which funds were expended to acquire or grow the seeds or seedlings and are available without fiscal year limitation.

SEC. 125. TRIBAL SCHOOL CONSTRUCTION DEMONSTRATION PROGRAM. (a) DEFINITIONS.—In this section:

(1) CONSTRUCTION.—The term ''construction'', with respect to a tribally controlled school, includes the construction or renovation of that school.

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) TRIBALLY CONTROLLED SCHOOL.—The term ''tribally controlled school'' has the meaning given that term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

(5) DEPARTMENT.—The term ''Department'' means the Department of the Interior.

(6) DEMONSTRATION PROGRAM.—The term ''demonstration program'' means the Tribal School Construction Demonstration Program.

(b) IN GENERAL.—The Secretary shall carry out a demonstration program to provide grants to Indian tribes for the construction of tribally controlled schools.

(1) IN GENERAL.—Subject to the availability of appropriations, in carrying out the demonstration program under subsection (b), the Secretary shall award a grant to each Indian tribe that submits an application that is approved by the Secretary under paragraph (2). The Secretary

shall ensure that an eligible Indian tribe currently on the Department's priority list for construction of replacement educational facilities receives the highest priority for a grant under this section.

(2) GRANT APPLICATIONS.—An application for a grant under the section shall—

(A) include a proposal for the construction of a tribally controlled school of the Indian tribe that submits the application; and

(B) be in such form as the Secretary determines appropriate.

(3) GRANT AGREEMENT.—As a condition to receiving a grant under this section, the Indian tribe shall enter into an agreement with the Secretary that specifies—

(A) the costs of construction under the grant;

(B) that the Indian tribe shall be required to contribute towards the cost of the construction a tribal share equal to 50 percent of the costs; and

(C) any other term or condition that the Secretary determines to be appropriate.

(4) ELIGIBILITY.—Grants awarded under the demonstration program shall only be for construction of replacement tribally controlled schools.

(c) EFFECT OF GRANT.—A grant received under this section shall be in addition to any other funds received by an Indian tribe under any other provision of law. The receipt of a grant under this section shall not affect the eligibility of an Indian tribe receiving funding, or the amount of funding received by the Indian tribe, under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) or the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 126. WHITE RIVER OIL SHALE MINE, UTAH. (a) SALE.—The Administrator of General Services (referred to in this section as the ''Administrator'') shall sell all right, title, and interest of the United States in and to the improvements and equipment described in subsection (b) that are situated on the land described in subsection (c) (referred to in this section as the ''Mine'').

(b) DESCRIPTION OF IMPROVEMENTS AND EQUIPMENT.—The improvements and equipment referred to in subsection (a) are the following improvements and equipment associated with the Mine:

(1) Mine Service Building.

(2) Sewage Treatment Building.

(3) Electrical Switchgear Building.

(4) Water Treatment Building/Plant.

(5) Ventilation/Fan Building.

(6) Water Storage Tanks.

(7) Mine Hoist Cage and Headframe.

(8) Miscellaneous Mine-related equipment.

(c) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the land located in Uintah County, Utah, known as the ''White River Oil Shale Mine'' and described as follows:

(1) T. 10 S., R. 24 E., Salt Lake Meridian, sections 12 through 14, 19 through 30, 33, and 34.

(2) T. 10 S., R. 25 E., Salt Lake Meridian, sections 18 and 19.

(d) USE OF PROCEEDS.—The proceeds of the sale under subsection (a)—

(1) shall be deposited in a special account in the Treasury of the United States; and

(2) shall be available until expended, without further Act of appropriation—

(A) first, to reimburse the Administrator for the direct costs of the sale; and

(B) second, to reimburse the Bureau of Land Management Utah State Office for the costs of closing and rehabilitating the Mine.

(e) MINE CLOSURE AND REHABILITATION.—The closing and rehabilitation of the Mine (including closing of the mine shafts, site grading, and surface revegetation) shall be conducted in accordance with—

(1) the regulatory requirements of the State of Utah, the Mine Safety and Health Administration, and the Occupational Safety and Health Administration; and

(2) other applicable law.

SEC. 127. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (73 Stat. 470; 18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 128. The Lytton Rancheria of California shall not conduct Class III gaming as defined in Public Law 100–497 on land taken into trust for the tribe pursuant to Public Law 106–568 except in compliance with all required compact provisions of section 2710(d) of Public Law 100–497 or any relevant Class III gaming procedures.

SEC. 129. Moore's Landing at the Cape Romain National Wildlife Refuge in South Carolina is hereby named for George Garris and shall hereafter be referred to in any law, document, or records of the United States as ''Garris Landing''.

SEC. 130. From within funds available to the National Park Service, such sums as may be necessary shall be used for expenses necessary to complete and issue, no later than January 1, 2004, an Environmental Impact Statement (EIS) to identify and analyze the possible effects of the 1996 increases in the number of vessel entries issued for Glacier Bay National Park and Preserve: Provided, That such EIS, upon its completion, shall be used by the Secretary to set the maximum level of vessel entries: Provided further, That until the Secretary sets the level of vessel entries based on the new EIS, the number of vessel entries into the Park shall be the same as that in effect during the 2000 calendar year and the National Park Service approval of modified Alternative 5 and promulgation of the final rule issued on May 30, 1996, relating to vessel entries, including the number of such entries, for Glacier Bay National Park and Preserve are hereby approved and shall be in effect notwithstanding any other provision of law until the Secretary sets the maximum level of vessel entries consistent with this section: Provided further, That nothing in this section shall preclude the Secretary from suspending or revoking any vessel entry if the Secretary determines that it is necessary to protect Park resources.

SEC. 131. No funds contained in this Act shall be used to approve the transfer of lands on South Fox Island, Michigan until Congress has authorized such transfer.

SEC. 132. Funds provided in this Act for Federal land acquisition by the National Park Service for Brandywine Battlefield, Mississippi National River and Recreation Area, Shenandoah Valley Battlefields National Historic District, and Ice Age National Scenic Trail may be used for a grant to a State, a local government, or any other governmental land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

SEC. 133. Section 902(b)(5) of Public Law 106–568 is hereby amended by inserting a comma after ''N½''.

SEC. 134. CLARIFICATION OF THE SECRETARY OF THE INTERIOR'S AUTHORITY UNDER SECTIONS 2701–2721 OF TITLE 25, UNITED STATES CODE. The authority to determine whether a specific area of land is a ''reservation'' for purposes of sections 2701–2721 of title 25, United States Code, was delegated to the Secretary of the Interior on October 17, 1988: Provided, That nothing in this section shall be construed to permit gaming under the Indian Gaming Regulatory Act on the lands described in section 123 of Public Law 106–291 or any lands contiguous to such lands that have not been taken into trust by the Secretary of the Interior.

SEC. 135. BLACK ROCK DESERT-HIGH ROCK CANYON EMIGRANT TRAILS NATIONAL CONSERVATION AREA. (a) AREAS INCLUDED.—The Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000 is amended in sections 4(b) (16 U.S.C. 460ppp–2(b)) and 8(a) (16 U.S.C. 460ppp–6(a)) by striking ''July 19, 2000'' each place it appears and inserting ''October 3, 2001''.

(b) ROAD MAINTENANCE.—Section 5 of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000 (16 U.S.C. 460ppp–3) is amended by adding at the end the following:

''(h) ROAD MAINTENANCE.—Within the conservation area the Secretary may permit the use of gravel pits for the maintenance of roads within the conservation area under the Materials Act of 1947 (30 U.S.C. 601 et seq.) to the extent consistent with this Act and subject to such regulations, policies, and practices as the Secretary considers necessary.''.

(c) HUNTING, TRAPPING, AND FISHING.—Section 8 of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000 (16 U.S.C. 460ppp–6) is amended by adding at the end the following:

''(e) HUNTING, TRAPPING, AND FISHING.—

''(1) IN GENERAL.—Nothing in this Act diminishes the jurisdiction of the State of Nevada with respect to fish and wildlife management, including regulation of hunting and fishing on public land in the areas designated as wilderness under subsection (a).

''(2) APPLICABLE LAW.—Any action in the areas designated as wilderness under subsection (a) shall be consistent with the Wilderness Act (16 U.S.C. 1131 et seq.).''.

(d) WILDLAND FIRE PROTECTION.—Section 8 of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000 (16 U.S.C. 460ppp–6) (as amended by subsection (c)) is amended by adding at the end the following:

''(f) WILDLAND FIRE PROTECTION.—Nothing in this Act or the Wilderness Act (16 U.S.C. 1131 et seq.) precludes a Federal, State, or local agency from conducting wildland fire management operations (including prescribed burns) within the areas designated as wilderness under subsection (a), subject to any conditions that the Secretary considers appropriate.''.

(e) WILDERNESS STUDY RELEASE.—Section 8 of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000 (16 U.S.C. 460ppp–6) (as amended by subsection (d)) is amended by adding at the end the following:

''(g) WILDERNESS STUDY RELEASE.—Congress—

''(1) finds that the parcels of land in the wilderness study areas referred to in subsection (a) that are not designated as wilderness by subsection (a) have been adequately studied for wilderness designation under section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782); and

''(2) declares that those parcels are no longer subject to the requirement of subsection (c) of that section pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.''.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $241,304,000, to remain available until expended.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $291,221,000, to remain available until expended, as authorized by law, of which $65,000,000 is for the Forest Legacy Program, and $36,000,000 is for the Urban and

Community Forestry Program, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the Forest Service notifies the House Committee on Appropriations and the Senate Committee on Appropriations, in writing, of specific acquisition of lands or interests in lands to be undertaken with such funds: Provided further, That notwithstanding any other provision of law, of the funds provided under this heading, $4,500,000 shall be made available to Kake Tribal Corporation as an advanced direct lump sum payment to implement the Kake Tribal Corporation Land Transfer Act (Public Law 106–283).

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,331,439,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided, That unobligated balances available at the start of fiscal year 2002 shall be displayed by budget line item in the fiscal year 2003 budget justification: Provided further, That the Secretary may authorize the expenditure or transfer of such sums as necessary to the Department of the Interior, Bureau of Land Management for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands: Provided further, That of the funds provided under this heading for Forest Products, $5,000,000 shall be allocated to the Alaska Region, in addition to its normal allocation for the purposes of preparing additional timber for sale, to establish a 3-year timber supply and such funds may be transferred to other appropriations accounts as necessary to maximize accomplishment.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuel reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $1,214,349,000, to remain available until expended: Provided, That such funds including unobligated balances under this head, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2001 shall be transferred, as repayment for past advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576 et seq.): Provided further, That notwithstanding any other provision of law, $8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: Provided further, That funds provided shall be available for emergency rehabilitation and restoration, hazard reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service; Provided further, That of the funds provided, $209,010,000 is for hazardous fuel treatment, $3,668,000 is for rehabilitation and restoration, $10,376,000 is for capital improvement and maintenance of fire facilities, $22,265,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $50,383,000 is for state fire assistance, $8,262,000 is for volunteer fire assistance, $11,974,000 is for forest health activities on state, private, and Federal lands, and $12,472,000 is for economic action programs: Provided further, That amounts in this paragraph may be transferred to the ''State and Private Forestry'', ''National Forest System'', ''Forest and Rangeland Research'', and ''Capital Improvement and Maintenance'' accounts to fund state fire assistance, volunteer fire assistance, and forest health management, vegetation and watershed management, heritage site rehabilitation, wildlife and fish habitat management, trails and facilities maintenance and restoration: Provided further, That transfers of any amounts in excess of those authorized in this paragraph, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in House Report No. 105–163: Provided further, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged businesses: Provided further, That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available to the Forest Service under the State and Private Forestry Appropriation, up to $15,000,000 may be used on adjacent non-Federal lands for the purpose of protecting communities when hazard reduction activities are planned on national forest lands that have the potential to place such communities at risk: Provided further, That included in funding for hazardous fuel reduction is $5,000,000 for implementing the Community Forest Restoration Act, Public Law 106–393, title VI, and any portion of such funds shall be available for use on non-Federal lands in accordance with authorities available to the Forest Service under the State and Private Forestry Appropriation: Provided further, That:

(1) In expending the funds provided with respect to this Act for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries applicable to hazardous fuel reduction activities under the wildland fire management accounts. Notwithstanding Federal government procurement and contracting laws, the Secretaries may conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may award contracts, including contracts for monitoring activities, to—

(A) local private, nonprofit, or cooperative entities;

(B) Youth Conservation Corps crews or related partnerships, with State, local and nonprofit youth groups;

(C) small or micro-businesses; or

(D) other entities that will hire or train a significant percentage of local people to complete such contracts. The authorities described above relating to contracts, grants, and cooperative agreements are available until all funds provided in this title for hazardous fuels reduction activities in the urban wildland interface are obligated.

(2)(A) The Secretary of Agriculture may transfer or reimburse funds to the United States Fish and Wildlife Service of the Department of the Interior, or the National Marine Fisheries Service of the Department of Commerce, for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference as required by section 7 of such Act in connection with wildland fire management activities in fiscal years 2001 and 2002.

(B) Only those funds appropriated for fiscal years 2001 and 2002 to Forest Service (USDA) for wildland fire management are available to the Secretary of Agriculture for such transfer or reimbursement.

(C) The amount of the transfer or reimbursement shall be as mutually agreed by the Secretary of Agriculture and the Secretary of the Interior or Secretary of Commerce, as applicable, or their designees. The amount shall in no case exceed the actual costs of consultation and conferencing in connection with wildland fire management activities affecting National Forest System lands.

For an additional amount to cover necessary expenses for emergency rehabilitation, wildfire suppression and other fire operations of the Forest Service, $346,000,000, to remain available until expended, of which $200,000,000 is for repayment of prior year advances from other appropriations and accounts within the Wildland Fire appropriation previously transferred for fire suppression, $66,000,000 is for wildfire suppression operations, $59,000,000 is for land rehabilitation and restoration, $5,000,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $10,000,000 is for capital improvement and maintenance of fire facilities, $6,000,000 is for state fire assistance: Provided, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That $346,000,000 shall be available only to the extent that an official budget request, that includes designation of the $346,000,000 as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

For an additional amount, to liquidate obligations previously incurred, $274,147,000.

CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $546,188,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205, of which, $61,000,000 is for conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That fiscal year 2001 balances in the Federal Infrastructure Improvement account for the Forest Service shall be transferred to and merged with this appropriation and shall remain available until expended: Provided further, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each de-

commissioning project: Provided further, That the Forest Service shall transfer $300,000, appropriated in Public Law 106–291 within the Capital Improvement and Maintenance appropriation, to the State and Private Forestry appropriation, and shall provide these funds in an advance direct lump sum payment to Purdue University for planning and construction of a hardwood tree improvement and generation facility: Provided further, That from funds provided to the Forest Service in Public Law 106–291, $500,000 is hereby transferred from the Capital Improvement and Maintenance appropriation to the State and Private Forestry appropriation.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $149,742,000 to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $5,488,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 132 passenger motor vehicles of which eight will be used primarily for law enforcement purposes and of which 130 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed seven for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operable fleet at 195 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions if and only if all previously appropriated emergency contingent funds under the heading ''Wildland Fire Management'' have been released by the President and apportioned.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report No. 105–163.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report No. 105–163.

No funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture that exceed the total amount transferred during fiscal year 2000 for such purposes without the advance approval of the House and Senate Committees on Appropriations.

Funds available to the Forest Service shall be available to conduct a program of not less than $2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

Of the funds available to the Forest Service, $2,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $2,250,000 may be advanced in a lump sum as Federal financial assistance to the National Forest Foundation, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than $400,000 shall be available for administrative expenses: Provided further, That section 403(a) of the National Forest Foundation Act (16 U.S.C. 583j–1(a)) is amended by inserting after the first sentence the following new sentence: ''At the discretion of the Secretary of Agriculture, the Secretary may increase the number of Directors to not more than twenty.'': Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: Provided further, That hereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of the enactment of this Act) on Federal funds to carry out the purposes of Public Law 101–593: Provided further, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 3701–3709, and may be advanced in a lump sum as Federal financial assistance, without regard to when expenses are incurred, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds advanced by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the ''National Forest System'' and ''Capital Improvement and Maintenance'' accounts and planned to be allocated to activities under the ''Jobs in the Woods'' program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

The Secretary of Agriculture is authorized to enter into grants, contracts, and cooperative agreements as appropriate with the Pinchot Institute for Conservation, as well as with public and other private agencies, organizations, institutions, and individuals, to provide for the development, administration, maintenance, or restoration of land, facilities, or Forest Service programs, at the Grey Towers National Historic Landmark: Provided, That, subject to such terms and conditions as the Secretary of Agriculture may prescribe, any such public or private agency, organization, institution, or individual may solicit, accept, and administer pri-

vate gifts of money and real or personal property for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark: Provided further, That such gifts may be accepted notwithstanding the fact that a donor conducts business with the Department of Agriculture in any capacity.

Funds appropriated to the Forest Service shall be available, as determined by the Secretary, for payments to Del Norte County, California, pursuant to sections 13(e) and 14 of the Smith River National Recreation Area Act (Public Law 101–612).

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

The Forest Service shall fund indirect expenses, that is expenses not directly related to specific programs or to the accomplishment of specific work on-the-ground, from any funds available to the Forest Service: Provided, That the Forest Service shall implement and adhere to the definitions of indirect expenditures established pursuant to Public Law 105–277 on a nationwide basis without flexibility for modification by any organizational level except the Washington Office, and when changed by the Washington Office, such changes in definition shall be reported in budget requests submitted by the Forest Service: Provided further, That the Forest Service shall provide in all future budget justifications, planned indirect expenditures in accordance with the definitions, summarized and displayed to the Regional, Station, Area, and detached unit office level. The justification shall display the estimated source and amount of indirect expenditures, by expanded budget line item, of funds in the agency's annual budget justification. The display shall include appropriated funds and the Knutson-Vandenberg, Brush Disposal, Cooperative Work-Other, and Salvage Sale funds. Changes between estimated and actual indirect expenditures shall be reported in subsequent budget justifications: Provided, That during fiscal year 2002 the Secretary shall limit total annual indirect obligations from the Brush Disposal, Knutson-Vandenberg, Reforestation, Salvage Sale, and Roads and Trails funds to 20 percent of the total obligations from each fund. Obligations in excess of 20 percent which would otherwise be charged to the above funds may be charged to appropriated funds available to the Forest Service subject to notification of the Committees on Appropriations of the House and Senate.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety: Provided, That such amounts shall not exceed $750,000.

The Secretary of Agriculture may authorize the sale of excess buildings, facilities, and other properties owned by the Forest Service and located on the Green Mountain National Forest, the revenues of which shall be retained by the Forest Service and available to the Secretary without further appropriation and until expended for maintenance and rehabilitation activities on the Green Mountain National Forest.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, $40,000,000 shall not be available until October 1, 2002: Provided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $616,490,000, to remain available until expended, of which $11,000,000 is to begin a 7-year project for construction, renovation, furnishing, and demolition or removal of buildings at National Energy Technology Laboratory facilities in Morgantown, West Virginia and Pittsburgh, Pennsylvania; and for acquisition of lands, and interests therein, in proximity to the National Energy Technology Laboratory, and of which $33,700,000 shall be derived by transfer from funds appropriated in prior years under the heading ''Clean Coal Technology'', and of which $150,000,000 and such sums as may be appropriated in fiscal year 2003 are to be made available, after coordination with the private sector, for a request for proposals for a Clean Coal Power Initiative providing for competitively-awarded demonstrations of commercial scale technologies to reduce the barriers to continued and expanded coal use: Provided, That the request for proposals shall be issued no later than 120 days following enactment of this Act, proposals shall be submitted no later than 150 days after the issuance of the request for proposals, and the Department of Energy shall make project selections no later than 160 days after the receipt of proposals: Provided further, That no project may be selected for which sufficient funding is not available to provide for the total project: Provided further, That funds shall be expended in accordance with the provisions governing the use of funds contained under the heading ''Clean Coal Technology'' in prior appropriations: Provided further, That the Department may include provisions for repayment of Government contributions to individual projects in an amount up to the Government contribution to the project on terms and conditions that are acceptable to the Department including repayments from sale and licensing of technologies from both domestic and foreign transactions: Provided further, That such repayments shall be retained by the Department for future coal-related research, development and demonstration projects: Provided further, That any technology selected under this program shall be considered a Clean Coal Technology, and any project selected under this program shall be considered a Clean Coal Technology Project, for the purposes of 42 U.S.C. § 7651n, and Chapters 51, 52, and 60 of title 40 of the Code of Federal Regulations: Provided further, That funds excess to the needs of the Power Plant Improvement Initiative procurement provided for under this heading in Public Law 106–291 shall be made available for the Clean Coal Power Initiative provided for under this heading in this Act: Provided further, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas: Provided further, That up to 4 percent of program direction funds available to the National Energy Technology Laboratory may be used to support Department of Energy activities not included in this account.

ALTERNATIVE FUELS PRODUCTION

(RESCISSION)

Of the unobligated balances under this heading, $2,000,000 are rescinded.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, $17,371,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling installment payments under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104–106, $36,000,000, to become available on October 1, 2002 for payment to the State of California for the State Teachers' Retirement Fund from the Elk Hills School Lands Fund.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $912,805,000, to remain available until expended: Provided, That $275,000,000 shall be for use in energy conservation grant programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): Provided further, That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $230,000,000 for weatherization assistance grants and $45,000,000 for State energy conservation grants: Provided further, That 50 percent of the funds provided for the Energy Efficiency Science Initiative for fiscal year 2002 and thereafter shall be made available to the Fossil Energy Research and Development account.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $1,996,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $179,009,000, to remain available until expended, of which not to exceed $8,000,000 shall be available for maintenance of a Northeast Home Heating Oil Reserve.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $78,499,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private or foreign: Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appro-

priated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: Provided further, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

In addition to other authorities set forth in this Act, the Secretary may accept fees and contributions from public and private sources, to be deposited in a contributed funds account, and prosecute projects using such fees and contributions in cooperation with other Federal, State or private agencies or concerns.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,389,614,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That $15,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That $445,776,000 for contract medical care shall remain available for obligation until September 30, 2003: Provided further, That of the funds provided, up to $22,000,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used for 1-year contracts and grants which are to be performed in 2 fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 2003: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $268,234,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2002, of which not to exceed $20,000,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts or annual funding agreements: Provided further, That funds available for the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $369,487,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: Provided further, That from the funds appropriated herein, $5,000,000 shall be designated by the Indian Health Service as a contribution to the Yukon-Kuskokwim Health Corporation (YKHC) to continue a priority project for the acquisition of land, planning, design and construction of 79 staff quarters in the Bethel service area, pursuant to the negotiated project agreement between the YKHC and the Indian Health Service: Provided further, That this project shall not be subject to the construction provisions of the Indian Self-Determination and Education Assistance Act and shall be removed from the Indian Health Service priority list upon completion: Provided further, That the Federal Government shall not be liable for any property damages or other construction claims that may arise from YKHC undertaking this project: Provided further, That the land shall be owned or leased by the YKHC and title to quarters shall remain vested with the YKHC: Provided further, That $5,000,000 shall remain available until expended for the purpose of funding up to two joint venture health care facility projects authorized under the Indian Health Care Improvement Act, as amended: Provided further, That priority, by rank order, shall be given to tribes with outpatient projects on the existing Indian Health Services priority list that have Service-approved planning documents, and can demonstrate by March 1, 2002, the financial capability necessary to provide an appropriate facility: Provided further, That joint venture funds unallocated after March 1, 2002, shall be made available for joint venture projects on a competitive basis giving priority to tribes that currently have no existing Federally-owned health care facility, have planning documents meeting Indian Health Service requirements prepared for approval by the Service and can demonstrate the financial capability needed to provide an appropriate facility: Provided further, That the Indian Health Service shall request additional staffing, operation and maintenance funds for these facilities in future budget requests: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That not to exceed $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings: Provided further, That notwithstanding the provisions of title III, section 306, of the Indian Health Care Improvement Act (Public Law 94–437, as amended), construction contracts authorized under title I of the Indian Self-Determination and Education Assistance Act of 1975, as amended, may be used rather than grants to fund small ambulatory facility construction projects: Provided further, That if a contract is used, the IHS is authorized to improve municipal, private, or tribal lands, and that at no time, during construction or after completion of the project will the Federal Government have any rights or title to any real or personal property acquired as a part of the contract: Provided further, That notwithstanding any other provision of law or regulation, for purposes of acquiring sites for a new clinic and staff quarters in St. Paul Island, Alaska, the Secretary of Health and Human Services may accept land donated by the Tanadgusix Corporation.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation. Notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended.

Funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

Notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-de-

termination contract under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law.

Funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act.

With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment. The reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding. Such amounts shall remain available until expended.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $15,148,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $4,490,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, $399,253,000, of which not to exceed $37,508,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of the American Indian, and the repatriation of skeletal remains program shall remain available until expended, and including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments for long term and swing space, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H Street, N.W. building in the District of Columbia: Provided further, That this use of Federal appropriations shall not be construed as debt service, a Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: Provided further, That no appropriated funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building.

REPAIR, RESTORATION AND ALTERATION OF FACILITIES

For necessary expenses of maintenance, repair, restoration, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $67,900,000, to remain available until expended, of which $10,000,000 is provided for maintenance, repair, rehabilitation and alteration of facilities at the National Zoological Park: Provided, That contracts awarded for environmental systems, protection systems, and repair or restoration of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, $30,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs including closure of facilities, relocation of staff or redirection of functions and programs without approval by the Board of Regents of recommendations received from the Science Commission.

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

None of the funds available to the Smithsonian may be reprogrammed without the advance written approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report No. 105–163.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $68,967,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $14,220,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $15,000,000.

CONSTRUCTION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $19,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $7,796,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $98,234,000, shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, for program support, and for administering the functions of the Act, to remain available until expended: Provided, That funds previously appropriated to the National Endowment for the Arts ''Matching Grants'' account

may be transferred to and merged with this account.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $108,382,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $16,122,000, to remain available until expended, of which $12,122,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, $26,899,000, to remain available until expended.

CHALLENGE AMERICA ARTS FUND

CHALLENGE AMERICA GRANTS

For necessary expenses as authorized by Public Law 89–209, as amended, $17,000,000, for support for arts education and public outreach activities to be administered by the National Endowment for the Arts, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $1,224,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956(a)), as amended, $7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $3,400,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $7,253,000: Provided, That all appointed members of the Commission will be compensated at a rate not to exceed the daily equivalent of the annual rate of pay for positions at level IV of the Executive Schedule for each day such member is engaged in the actual performance of duties.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $36,028,000, of which $1,900,000 for the museum's repair and rehabilitation program and $1,264,000 for the museum's exhibitions program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $23,125,000 shall be available to the Presidio Trust, to remain available until expended.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 303. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 304. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 305. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

SEC. 306. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2001.

SEC. 307. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 308. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

SEC. 309. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2002, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 310. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, 106–113, and 106–291 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2001 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 311. Notwithstanding any other provision of law, for fiscal year 2002 the Secretaries of Agriculture and the Interior are authorized to limit competition for watershed restoration project contracts as part of the ''Jobs in the Woods'' Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, northern California and Alaska that have been affected by reduced timber harvesting on Federal lands. The Secretaries shall consider the benefits to the local economy in evaluating bids and designing procurements which create economic opportunities for local contractors.

SEC. 312. (a) RECREATIONAL FEE DEMONSTRATION PROGRAM.—Subsection (f) of section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134; 110 Stat. 1321–200; 16 U.S.C. 460l–6a note), is amended—

(1) by striking ''commence on October 1, 1995, and end on September 30, 2002'' and inserting ''end on September 30, 2004''; and

(2) by striking ''September 30, 2005'' and inserting ''September 30, 2007''.

(b) EXPANSION OF PROGRAM.—Subsection (b) of such section is amended by striking ''no fewer than 10, but as many as 100,''.

(c) REVENUE SHARING.—Subsection (d)(1) of such section is amended by inserting ''the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note),'' before ''and any other provision''.

(d) DISCOUNTED FEES.—Subsection (b)(2) of such section is amended by inserting after ''testing'' the following: '', including the provision of discounted or free admission or use as the Secretary considers appropriate''.

(e) CAPITAL PROJECTS.—Subsection (c)(2) of such section is amended by adding at the end the following new subparagraph:

''(D) None of the funds collected under this section may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate if the estimated total cost of the structure exceeds $500,000.''.

SEC. 313. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

SEC. 314. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 315. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 316. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

SEC. 317. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the 5-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 318. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

SEC. 319. Notwithstanding any other provision of law, none of the funds in this Act may be used for GSA Telecommunication Centers.

SEC. 320. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

SEC. 321. Amounts deposited during fiscal year 2001 in the roads and trails fund provided for in the 14th paragraph under the heading ''FOREST SERVICE'' of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 322. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

SEC. 323. No timber sale in Region 10 shall be advertised if the indicated rate is deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar: Provided, That sales which are deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar may be advertised upon receipt of a written request by a prospective, informed bidder, who has the opportunity to review the Forest Service's cruise and harvest cost estimate for that timber. Program accomplishments shall be based on volume sold. Should Region 10 sell, in fiscal year 2002, the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar, all of the western red cedar timber from those sales which is surplus to the needs of domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. Should Region 10 sell, in fiscal year 2002, less than the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar, the volume of western red cedar timber available to domestic processors at prevailing domestic prices in the contiguous 48 United States shall be that volume: (i) which is surplus to the needs of domestic processors in Alaska; and (ii) is that percent of the surplus western red cedar volume determined by calculating the ratio of the total timber volume which has been sold on the Tongass to the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan. The percentage shall be calculated by Region 10 on a rolling basis as each sale is sold (for purposes of this amendment, a ''rolling basis'' shall mean that the determination of how much western red cedar is eligible for sale to various markets shall be made at the time each sale is awarded). Western red cedar shall be deemed ''surplus to the needs of domestic processors in Alaska'' when the timber sale holder has presented to the Forest Service documentation of the inability to sell western red cedar logs from a given sale to domestic Alaska processors at price equal to or greater than the log selling value stated in the contract. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 324. The Forest Service, in consultation with the Department of Labor, shall review Forest Service campground concessions policy to determine if modifications can be made to Forest Service contracts for campgrounds so that such concessions fall within the regulatory exemption of 29 CFR 4.122(b). The Forest Service shall offer in fiscal year 2002 such concession prospectuses under the regulatory exemption, except that, any prospectus that does not meet the requirements of the regulatory exemption shall be offered as a service contract in accordance with the requirements of 41 U.S.C. 351–358.

SEC. 325. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in—

(1) displacement of the holder of an authorization to provide commercial recreation services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected holders to determine what impacts the project may have on the holders. Any modifications to the authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency.

(2) the return of a commercial recreation service to the Secretary for operation when such services have been provided in the past by a private sector provider, except when—

(A) the private sector provider fails to bid on such opportunities;

(B) the private sector provider terminates its relationship with the agency; or

(C) the agency revokes the permit for noncompliance with the terms and conditions of the authorization.

In such cases, the agency may use the Recreation Fee Demonstration Program to provide for operations until a subsequent operator can be found through the offering of a new prospectus.

SEC. 326. For fiscal years 2002 and 2003, the Secretary of Agriculture is authorized to limit competition for fire and fuel treatment and wa-

tershed restoration contracts in the Giant Sequoia National Monument and the Sequoia National Forest. Preference for employment shall be given to dislocated and displaced workers in Tulare, Kern and Fresno Counties, California, for work associated with the establishment of the Giant Sequoia National Monument.

SEC. 327. REVISION OF FOREST PLANS. Prior to October 1, 2002, the Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: Provided, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

SEC. 328. Until September 30, 2003, the authority of the Secretary of Agriculture to enter into a cooperative agreement under the first section of Public Law 94–148 (16 U.S.C. 565a–1) for a purpose described in such section includes the authority to use that legal instrument when the principal purpose of the resulting relationship is to the mutually significant benefit of the Forest Service and the other party or parties to the agreement, including nonprofit entities.

SEC. 329. (a) PILOT PROGRAM AUTHORIZING CONVEYANCE OF EXCESS FOREST SERVICE STRUCTURES.—The Secretary of Agriculture may convey, by sale or exchange, any or all right, title, and interest of the United States in and to excess buildings and other structures located on National Forest System lands and under the jurisdiction of the Forest Service. The conveyance may include the land on which the building or other structure is located and such other land immediately adjacent to the building or structure as the Secretary considers necessary.

(b) LIMITATION.—Conveyances on not more than 10 sites may be made under the authority of this section, and the Secretary of Agriculture shall obtain the concurrence of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate in advance of each conveyance.

(c) USE OF PROCEEDS.—The proceeds derived from the sale of a building or other structure under this section shall be retained by the Secretary of Agriculture and shall be available to the Secretary, without further appropriation until expended, for maintenance and rehabilitation activities within the Forest Service Region in which the building or structure is located.

(d) DURATION OF AUTHORITY.—The authority provided by this section expires on September 30, 2005.

SEC. 330. Section 323(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999, as included in Public Law 105–277, Div. A, section 101(e) is amended by inserting ''and fiscal years 2002 through 2005,'' before ''to the extent funds are otherwise available''.

SEC. 331. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

SEC. 332. Section 347(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999, as included in Public Law 105–277, is amended by striking ''2002'' and inserting ''2004''. The authority to enter into stewardship and end result contracts provided to the Forest Service in accordance with section 347 of title III of section 101(e) of division A of Public Law 105–277 is hereby expanded to authorize the Forest Service to enter into an additional 28 contracts subject to the same terms and conditions as provided in that section: Provided, That of the additional contracts authorized by this section at least 9 shall be allocated to Region 1 and at least 3 to Region 6.

SEC. 333. Any regulations or policies promulgated or adopted by the Departments of Agriculture or the Interior regarding recovery of costs for processing authorizations to occupy and use Federal lands under their control shall adhere to and incorporate the following principle arising from Office of Management and Budget Circular, A–25; no charge should be made for a service when the identification of the specific beneficiary is obscure, and the service can be considered primarily as benefiting broadly the general public.

SEC. 334. The Chief of the Forest Service shall issue a special use permit for the Sioux Charlie Cabin within the boundary of the Custer National Forest, Montana, to Montana State University-Billings, for a term of 20 years for educational purposes compatible with the cabin's location. The permit shall be administered under normal national forest system authorities and regulations, with an additional review after 10 years to ensure the facility is being used for educational purposes.

SEC. 335. Section 551(c) of the Land Between the Lakes Protection Act of 1998 (16 U.S.C. 460lll–61(c)) is amended by striking ''2002'' and inserting ''2004''.

SEC. 336. MODIFICATION TO STEEL LOAN GUARANTEE PROGRAM. (a) IN GENERAL.—Section 101 of the Emergency Steel Loan Guarantee Act of 1999 (Public Law 106–51; 15 U.S.C. 1841 note) is amended as follows:

(1) TERMS AND CONDITIONS.—Subsection (h) is amended—

(A) in paragraph (1), by striking ''2005'' and inserting ''2015''; and

(B) by amending paragraph (4) to read as follows:

''(4) GUARANTEE LEVEL.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), any loan guarantee provided under this section shall not exceed 85 percent of the amount of principal of the loan.

''(B) INCREASED LEVEL ONE.—A loan guarantee may be provided under this section in excess of 85 percent, but not more than 90 percent, of the amount of principal of the loan, if—

''(i) the aggregate amount of loans guaranteed at such percentage and outstanding under this section at any one time does not exceed $100,000,000; and

''(ii) the aggregate amount of loans guaranteed at such percentage under this section with respect to a single qualified steel company does not exceed $50,000,000.

''(C) INCREASED LEVEL TWO.—A loan guarantee may be provided under this section in excess of 85 percent, but not more than 95 percent, of the amount of principal of the loan, if—

''(i) the aggregate amount of loans guaranteed at such percentage and outstanding under this section at any one time does not exceed $100,000,000; and

''(ii) the aggregate amount of loans guaranteed at such percentage under this section with respect to a single qualified steel company does not exceed $50,000,000.''.

(2) TERMINATION OF GUARANTEE AUTHORITY.—Subsection (k) is amended by striking ''2001'' and inserting ''2003''.

(b) APPLICABILITY.—The amendments made by this section shall apply only with respect to any guarantee issued on or after the date of the enactment of this Act.

This Act may be cited as the ''Department of the Interior and Related Agencies Appropriations Act, 2002''.

And the Senate agree to the same.

JOE SKEEN,
RALPH REGULA,
JIM KOLBE,
CHARLES H. TAYLOR,
GEORGE R. NETHERCUTT, Jr.,
ZACH WAMP,
JACK KINGSTON,
JOHN E. PETERSON,
BILL YOUNG,
NORMAN D. DICKS,
JOHN P. MURTHA,
JAMES P. MORAN,
MAURICE HINCHEY,
MARTIN OLAV SABO,
DAVID OBEY,
Managers on the Part of the House.

ROBERT BYRD,
PATRICK LEAHY,
ERNEST F. HOLLINGS,
HARRY REID,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
PATTY MURRAY,
DANIEL K. INOUYE,
CONRAD BURNS,
TED STEVENS,
THAD COCHRAN,
PETE V. DOMENICI,
ROBERT F. BENNETT,
JUDD GREGG,
BEN NIGHTHORSE CAMPBELL,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced that further proceedings on the conference report were postponed.

¶110.14 MILITARY CONSTRUCTION APPROPRIATIONS FY 2002

Mr. SKEEN, by unanimous consent, called up the following conference report (Rept. No. 107–246):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2904) ''making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes,'' having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, for the fiscal year ending September 30, 2002, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent pub-

lic works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,778,256,000, to remain available until September 30, 2006: Provided, That of this amount, not to exceed $163,198,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Army'' under Public Law 106–52, $36,400,000 are rescinded.

MILITARY CONSTRUCTION, NAVY

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,144,221,000, to remain available until September 30, 2006: Provided, That of this amount, not to exceed $34,152,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Navy'' under Public Law 106–246, $19,588,000 are rescinded.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,194,880,000, to remain available until September 30, 2006: Provided, That of this amount, not to exceed $83,210,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Air Force'' under previous Military Construction Appropriations Acts, $4,000,000 are rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $840,558,000, to remain available until September 30, 2006: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $66,496,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Defense-wide'' under Public Law 106–246, $65,280,000 are rescinded: provided further; That of the funds appropriated for ''Military Construction, Defense-wide'' under previous Military Construction Appropriations Acts, $4,000,000 are rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $405,565,000, to remain available until September 30, 2006.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $253,386,000, to remain available until September 30, 2006.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $167,019,000, to remain available until September 30, 2006.

MILITARY CONSTRUCTION, NAVAL RESERVE

(INCLUDING RESCISSION)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $53,201,000, to remain available until September 30, 2006: Provided, That of the funds appropriated for ''Military Construction, Naval Reserve'' under Public Law 106–246, $925,000 are rescinded.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $74,857,000, to remain available until September 30, 2006.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization Acts and section 2806 of title 10, United States Code, $162,600,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $312,742,000, to remain available until September 30, 2006.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $1,089,573,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $331,780,000, to remain available until September 30, 2006.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $910,095,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $550,703,000, to remain available until September 30, 2006.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $844,715,000.

FAMILY HOUSING, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, $250,000 to remain available until September 30, 2006; for Operation and Maintenance, $43,762,000; in all $44,012,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $2,000,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing, and supporting facilities.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, as amended (42 U.S.C. 3374) $10,119,000, to remain available until expended.

BASE REALIGNMENT AND CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $632,713,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of

new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or his designee; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Sea to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

SEC. 121. (a) No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

(b) No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(TRANSFER OF FUNDS)

SEC. 123. Subject to 30 days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

SEC. 124. None of the funds appropriated or made available by this Act may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 125. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term ''congressional defense committees'' means the following:

(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.

(TRANSFER OF FUNDS)

SEC. 126. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 127. Notwithstanding this or any other provision of law, funds appropriated in Military Construction Appropriations Acts for operations and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days advance prior notification to the appropriate committees of Congress: Provided further, That the Under Secretary of Defense (Comptroller) is

to report annually to the Committees on Appropriations all operations and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 128. In addition to the amounts provided in Public Law 107–20, of the funds appropriated under the heading ''Military Construction, Air Force'' in this Act, $8,000,000 is to remain available until September 30, 2005: Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction activities at the Masirah Island Airfield in Oman, not otherwise authorized by law.

SEC. 129. Not later than 90 days after the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a master plan for the environmental remediation of Hunters Point Naval Shipyard, California. The plan shall identify an aggregate cost estimate for the entire project as well as cost estimates for individual parcels. The plan shall also include a detailed cleanup schedule and an analysis of whether the Department is meeting legal requirements and community commitments. Following submission of the initial report, the Department shall submit semi-annual progress reports to the congressional defense committees.

(RESCISSION OF FUNDS)

SEC. 130. Of the funds available to the Secretary of Defense in the ''Foreign Currency Fluctuations, Construction, Defense'' account, $60,000,000 are rescinded.

SEC. 131. (a) REQUESTS FOR FUNDS FOR ENVIRONMENTAL RESTORATION AT BRAC SITES IN FUTURE FISCAL YEARS.—In the budget justification materials submitted to Congress in support of the Department of Defense budget for any fiscal year after fiscal year 2002, the amount requested for environmental restoration, waste management, and environmental compliance activities in such fiscal year with respect to military installations approved for closure or realignment under the base closure laws shall accurately reflect the anticipated cost of such activities in such fiscal year.

(b) BASE CLOSURE LAWS DEFINED.—In this section, the term ''base closure laws'' means the following:

(1) Section 2687 of title 10, United States Code.

(2) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(3) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

SEC. 132. (a) The total of the amounts appropriated by the other provisions of this Act, other than the amounts appropriated for the accounts specified in subsection (c), is hereby reduced by 1.127 percent.

(b) The total amount of the reduction computed under subsection (a) shall be allocated proportionally among all of the budget activities, activity groups, and subactivity groups and among all of the accounts and all of the programs, projects, and activities within each account, except for the accounts specified in subsection (c).

(c) No reduction shall be allocated under this section to the Base Realignment and Closure Account, or to the North Atlantic Treaty Organization Security Investment Program.

This Act may be cited as the ''Military Construction Appropriations Act, 2002''.

And the Senate agree to the same.

DAVID L. HOBSON,
JAMES T. WALSH,
DAN MILLER,
ROBERT B. ADERHOLT,
KAY GRANGER,
VIRGIL GOODE, Jr.,
JOE SKEEN,
DAVID VITTER,
BILL YOUNG,
JOHN W. OLVER,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
NORMAN DICKS,
DAVID OBEY,
Managers on the Part of the House.

DIANNE FEINSTEIN,
DANIEL K. INOUYE,
TIM JOHNSON,
MARY LANDRIEU,
HARRY REID,
ROBERT C. BYRD,
KAY BAILEY HUTCHISON,
CONRAD BURNS,
LARRY E. CRAIG
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶110.15 CONTINUING APPROPRIATIONS FY 2002

On motion of Mr. YOUNG of Florida, by unanimous consent, the Committee on Appropriations was discharged from further consideration of the joint resolution (H.J. Res. 69) making further continuing appropriations for the fiscal year 2002, and for other purposes.

When said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶110.16 H.R. 2217—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced the unfinished business on agreeing to the conference report to the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 380 / Nays ..... 28 }

¶110.17 [Roll No. 393]

YEAS—380

Ackerman
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Cox
Coyne
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano

Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—28

Barr
Berry
Crane
Duncan
Emerson
Flake
Goode
Goodlatte
Green (WI)
Hall (TX)
Hefley
Hostettler
Johnson, Sam
Jones (NC)
Kerns
Moran (KS)
Paul
Petri
Rohrabacher
Royce
Ryun (KS)
Schaffer
Sensenbrenner
Stearns
Tancredo
Tiberi
Toomey
Wu

NOT VOTING—22

Abercrombie
Allen
Bass
Blagojevich
Burton
Buyer
Carson (OK)
Conyers
Costello
Cubin
Hill
Hunter
John
LaTourette
McCarthy (NY)
Miller (FL)
Peterson (MN)
Phelps
Price (NC)
Reyes
Roukema
Shows

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said conference report.

¶110.18 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶110.19 H.R. 2904—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. QUINN, pursuant to clause 8, rule XX, announced the unfinished business on agreeing to the conference report to the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. QUINN, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 409 / Nays 1

¶110.20 [Roll No. 394]

YEAS—409

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

NAYS—1

Paul

NOT VOTING—20

Abercrombie
Bilirakis
Burton
Callahan
Conyers
Cubin
Everett
Kleczka
LaFalce
LaTourette
McNulty
Menendez
Miller (FL)
Peterson (MN)
Price (NC)
Regula
Reyes
Rogers (KY)
Roukema
Shows

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said conference report.

¶110.21 ADJOURNMENT OF THE TWO HOUSES

Mr. ARMEY submitted the following privileged concurrent resolution (H. Con. Res. 251):

Resolved by the House of Representatives (the Senate concurring),That when the House adjourns on the legislative day of Wednesday, October 17, 2001, it stand adjourned until 12:30 p.m. on Tuesday, October 23, 2001, for morning hour debate, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Wednesday, October 17, 2001, or Thursday, October 18, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 10 a.m. on Tuesday, October 23, 2001, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶110.22 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 24, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶110.23 MESSAGE FROM THE PRESIDENT—FREEDOM TO MANAGE

The SPEAKER pro tempore, Mr. QUINN, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I am pleased to transmit for immediate consideration and prompt enactment the ''Freedom to Manage Act of 2001.'' This legislative proposal would establish a procedure under which the Congress can act quickly and decisively to remove those structural barriers to efficient management imposed by law and identified by my Administration.

This proposal is part of the ''Freedom to Manage'' initiative outlined in the ''President's Management Agenda'' issued in late August. The initiative includes additional legislative proposals, to be transmitted separately, that would give Federal agencies and managers the tools to more efficiently and effectively manage the Federal Government's programs by: (1) providing Federal managers with increased flexibility to manage personnel; (2) giving agencies the responsibility to fund the full Government share of the accruing cost of all retirement and retiree health care benefits for Federal employees; and (3) giving agencies greater flexibility in managing and disposing of property assets.

In transmitting the Freedom to Manage Act, I am asking the Congress to join with my Administration in making a commitment to reform the Federal Government by eliminating obstacles to its efficient operations. Specifically, the Freedom to Manage Act would establish a process for expedited congressional consideration of Presidential proposals to eliminate or reduce barriers to efficient Government operations through the repeal or amendment of laws that create obstacles to efficient management or the provision of new authority to agencies.

The Freedom to Manage Act would provide that if the President transmits to the Congress legislative proposals relating to the elimination or reduction of barriers to efficient Government operations, either through repeal or amendment of current law or the provision of new authority, special expedited congressional procedures would be used to consider these proposals. If a joint resolution is introduced in either House within 10 legislative days of the transmittal containing the President's legislative proposals, it would be held in committee for no more than 30 legislative days. It would then be brought to the floor of that House very quickly after committee action is completed for a vote under special procedures allowing for limited debate and not amendments. Finally, a bill passed in one House could then be brought directly to the floor of the other House for a vote on final passage.

As barriers to more efficient management are removed, the Nation will rightly expect a higher level of performance from its Federal Government. Giving our Federal managers ''freedom to manage'' will enable the Federal Government to improve its performance and accountability and better serve the public. I urge the Congress to give the Freedom to Manage Act 2001 prompt and favorable consideration so we can work together in the coming months to implement needed and overdue reforms.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 17, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Government Reform and the Committee on Rules.

¶110.24 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO NARCOTICS TRAFFICKERS IN COLUMBIA

The SPEAKER pro tempore, Mr. QUINN, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to significant narcotics traffickers centered in Colombia is to continue in effect for 1 year beyond October 21, 2001.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain economic pressures on significant narcotics traffickers centered in Colombia by blocking their property or interests in property that are in the United States or within the possession or control of United States persons and by depriving them of access to the United States market and financial system.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 16, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–133).

¶110.25 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO NARCOTICS TRAFFICKERS IN COLUMBIA

The SPEAKER pro tempore, Mr. QUINN, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to significant narcotics traffickers centered in Colombia that was declared in Executive Order 12978 of October 21, 1995.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 16, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–134).

¶110.26 ORDER OF BUSINESS—ADJOURNMENT OF THE HOUSE

On motion of Mr. BARTLETT, by unanimous consent,

Ordered, That when the House adjourns on the legislative day of today, it adjourn to meet at 10 o'clock a.m. on Friday, October 19, 2001, unless the House sooner receives a message from the Senate transmitting its adoption of House Concurrent Resolution 251, in which case the House shall stand adjourned pursuant to that concurrent resolution.

And then,

¶110.27 ADJOURNMENT

On motion of Mr. BARTLETT, at 3 o'clock and 52 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, October 23, 2001 for ''morning-hour debate'' pursuant to House Concurrent Resolution 251, or, under the previous order of the House, until 10 o'clock a.m. on Friday, October 19, 2001, if not sooner in receipt of a message from the Senate transmitting its concurrence in House Concurrent Resolution 251.

¶110.28 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OXLEY: Committee on Financial Services. H.R. 3004. A bill to combat the financing of terrorism and other financial crimes, and for other purposes; with an amendment (Rept. No. 107–250, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

¶110.29 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 3004. Referral to the Committees on the Judiciary and Ways and Means extended for a period ending not later than October 17, 2001.

¶110.30 DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on the Judiciary and Ways and Means discharged from further consideration. H.R. 3004 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on Rules discharged from further consideration. H.R. 3005 referred to the Committee on the Whole House on the State of the Union.

¶110.31 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. KNOLLENBERG:

H.R. 3149. A bill to increase compliance with the registration requirement under the Military Selective Service Act by providing a temporary amnesty period during which persons who were required to present themselves for registration under such Act, but failed to do so in accordance with the time periods specified in Presidential Proclamation Number 4771, may present themselves for registration without fear of penalty; to the Committee on Armed Services.

By Mr. YOUNG of Alaska (for himself, Mr. MICA, Mr. PETRI, Mr. COBLE, Mr. DUNCAN, Mr. GILCHREST, Mr. HORN, Mr. EHLERS, Mr. BACHUS, Mr. LATOURETTE, Mr. BAKER, Mr. NEY, Mr. COOKSEY, Mr. THUNE, Mr. LOBIONDO, Mr. MORAN of Kansas, Mr. POMBO, Mr. DEMINT, Mr. ISAKSON, Mr. HAYES, Mr. SIMMONS, Mr. BROWN of South Carolina, Mr. JOHNSON of Illinois, Mr. OTTER, Mr. CULBERSON, Mr. SHUSTER, Mr. ROGERS of Michigan, Mr. BEREUTER, Mr. REHBERG, and Mrs. CAPITO):

H.R. 3150. A bill to improve aviation security, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on the Budget, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILMAN:

H.R. 3151. A bill to prohibit United States nationals, permanent resident aliens, or United States Government agencies from entering into agreements with foreign persons who prevent or inhibit a United States business from undertaking a commercial activity, or otherwise discriminate against the business, on the basis of the religious beliefs, practices or associations, sexual orientation, race, or gender of an individual associated with the United States business, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACEVEDO-VILA:

H.R. 3152. A bill to direct the Secretary of the Army to reassess the allocation of Federal and non-Federal costs for construction of the Cerrillos Dam, Puerto Rico; to the Committee on Transportation and Infrastructure.

By Mr. BLAGOJEVICH:

H.R. 3153. A bill to assist States in preparing for, and responding to, biological or chemical terrorist attacks; to the Committee on Energy and Commerce.

By Mr. MALONEY of Connecticut (for himself, Mr. TAYLOR of Mississippi, Mr. REYES, Mr. CROWLEY, Mr. UNDERWOOD, Mr. LARSON of Connecticut, and Mrs. CHRISTENSEN):

H.R. 3154. A bill to require the Secretary of Defense to establish at least one Weapons of Mass Destruction Civil Support Team in each State and at least one such team under the direction of the National Guard Bureau; to the Committee on Armed Services.

By Ms. MCKINNEY (for herself, Mr. ACEVEDO-VILA, Ms. BALDWIN, Mr. MCDERMOTT, Mr. KUCINICH, and Ms. LEE):

H.R. 3155. A bill to require the suspension of the use, sale, development, production, testing, and export of depleted uranium munitions pending the outcome of certain studies of the health effects of such munitions, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Energy and Commerce, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REYNOLDS:

H.R. 3156. A bill to permit taxpayers to treat contributions made to retirement plans before 2002 as contributions made to such plans during 2002; to the Committee on Ways and Means.

By Mr. UNDERWOOD (for himself, Mr. ACEVEDO-VILA, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, and Mr. RODRIGUEZ):

H.R. 3157. A bill to authorize the Secretary of Commerce to establish a Travel and Tourism Promotion Bureau; to the Committee on Energy and Commerce.

By Ms. WATERS:

H.R. 3158. A bill to amend title 18, United States Code, to ensure that acts of torture, as proscribed by the Torture Convention, are also recognized as criminal if committed in the United States; to the Committee on the Judiciary.

By Mr. WYNN:

H.R. 3159. A bill to amend the Internal Revenue Code of 1986 and the Office of Federal Procurement Policy Act to provide economic benefits to small businesses; to the Committee on Ways and Means, and in addition to the Committees on Government Reform, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARMEY:

H. Con. Res. 251. Concurrent resolution providing for a conditional adjournment of the House of Representatives and conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. FOSSELLA:

H. Res. 269. A resolution expressing the sense of the House of Representatives to honor the life and achievements of 19th Century Italian-American inventor Antonio Meucci, and his work in the invention of the telephone; to the Committee on Government Reform.

¶110.32 ADDITIONAL SPONSORS

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

H.R. 808: Mr. HULSHOF.
H.R. 877: Mr. VITTER.
H.R. 951: Mr. NORWOOD and Mr. MALONEY of Connecticut.
H.R. 959: Mrs. CAPPS.
H.R. 1243: Mr. FILNER.
H.R. 1509: Mr. TIERNEY.
H.R. 1556: Mr. GOODLATTE, Mr. BOSWELL, Ms. HOOLEY of Oregon, and Mr. WELDON of Pennsylvania.
H.R. 1657: Mr. SHOWS.
H.R. 1718: Mr. DINGELL, Mr. HOBSON, Mr. FORBES, and Mr. CRANE.
H.R. 1754: Mr. WALSH.
H.R. 1795: Mr. OWENS and Mr. FORBES.
H.R. 1919: Mrs. MORELLA, Mr. GILCHREST, and Mr. LUCAS of Oklahoma.
H.R. 2117: Mr. HOLT, Mr. KENNEDY of Rhode Island, and Mr. BRADY of Pennsylvania.
H.R. 2118: Mr. BRADY of Pennsylvania and Mr. BORSKI.
H.R. 2145: Mr. MCNULTY.
H.R. 2157: Mr. FLETCHER.
H.R. 2220: Mr. BORSKI.
H.R. 2316: Mr. REYNOLDS, Mr. CALLAHAN, Mr. HAYES, Mr. FOLEY, Mr. NUSSLE, and Mr. FLETCHER.
H.R. 2329: Mr. SNYDER.
H.R. 2349: Mr. OLVER.
H.R. 2357: Mr. SIMPSON and Mr. CHAMBLISS.
H.R. 2363: Mr. MASCARA.
H.R. 2380: Ms. LEE, Mr. WELLER, and Mr. JOHNSON of Illinois.
H.R. 2417: Mr. BARTON of Texas, Mrs. CAPPS, and Mr. BROWN of Ohio.
H.R. 2578: Mrs. CHRISTENSEN, Ms. KAPTUR, Mr. MCGOVERN, Mr. MCKEON, Mr. MCNULTY, Mr. POMBO, Mr. ROHRABACHER, and Mr. WYNN.
H.R. 2598: Ms. SLAUGHTER and Mr. BACA.
H.R. 2623: Ms. SOLIS.
H.R. 2624: Mr. MOORE.
H.R. 2740: Mr. KUCINICH, Mr. GRAHAM, Mr. DEAL of Georgia, Mr. FORBES, Mr. BONIOR, and Mr. STEARNS.
H.R. 2830: Ms. MCCOLLUM.
H.R. 2887: Mr. DOOLEY of California and Mr. MCGOVERN.
H.R. 2900: Mr. WU.
H.R. 2955: Ms. RIVERS and Mr. BALDACCI.
H.R. 2957: Ms. LOFGREN and Mr. BOHLERT.
H.R. 2998: Mr. BLUMENAUER.
H.R. 3007: Mrs. EMERSON, Mr. UNDERWOOD, Mr. GREENWOOD, and Mr. LOBIONDO.
H.R. 3046: Mr. HILLEARY, Mrs. MYRICK, and Mr. MILLER of Florida.
H.R. 3067: Mr. ROSS, Mr. SCHIFF, Mr. DOOLEY of California, Mr. ABERCROMBIE, Mr. KUCINICH, Mr. STACK, and Mr. DEFAZIO.
H.R. 3115: Mr. MCGOVERN, Mr. FROST, and Mr. KING.
H. Con. Res. 211: Mr. BLUMENAUER.
H. Con. Res. 243: Mr. CASTLE, Mr. OXLEY, Mr. PETRI, and Ms. RIVERS.
H. Con. Res. 250: Mr. LOBIONDO, Ms. MILLENDER-MCDONALD, Ms. KAPTUR, Mr. WAXMAN, Mr. SHIMKUS, Ms. MCKINNEY, Mr. JOHNSON of Illinois, Mr. WOLF, and Mr. UNDERWOOD.

¶110.33 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2023: Mr. SHOWS.

TUESDAY, OCTOBER 23, 2001 (111)

The House was called to order at 12:30 p.m. by the SPEAKER.

¶111.1 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2904) ''An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.''

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 423. An Act to amend the Act entitled ''An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes''.

S. 941. An Act to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to extend the term of the advisory commission for the recreation area, and for other purposes.

S. 1057. An Act to authorize the addition of lands to Pu'uhonua o Hõnaunau National Historical Park in the State of Hawaii, and for other purposes.

S. 1097. An Act to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of the Great Smoky Mountains National Park.

S. 1105. An Act to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, and for other purposes.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1438) ''An Act to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes,'' agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LEVIN, Mr. KENNEDY, Mr. BYRD, Mr. LIEBERMAN, Mr. CLELAND, Ms. LANDRIEU, Mr. REED, Mr. AKAKA, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mrs. CARNAHAN, Mr. DAYTON, Mr. BINGAMAN, Mr. WARNER, Mr. THURMOND, Mr. MCCAIN, Mr. SMITH of New Hampshire, Mr. INHOFE, Mr. SANTORUM, Mr. ROBERTS, Mr. ALLARD, Mr. HUTCHINSON, Mr. SESSIONS, Ms. COLLINS, and Mr. BUNNING, to be the conferees on the part of the Senate.

¶111.2 ''MORNING-HOUR DEBATE''

The SPEAKER, pursuant to the order of the House of Wednesday, January 3, 2001, recognized Members for ''morning-hour debate''.

¶111.3 RECESS—12:43 P.M.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 12 of rule I, declared the House in recess until 2 o'clock p.m.

¶111.4 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. HANSEN, called the House to order.

¶111.5 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HANSEN, announced he had examined and approved the Journal of the proceedings of Wednesday, October 17, 2001.

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

¶111.6 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4372. A communication from the President of the United States, transmitting Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States; (H. Doc. No. 107—136); to the Committee on Appropriations and ordered to be printed.

4373. A letter from the Principal Deputy General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled, ''Contracts for Performance of Firefighting and Security-Guard Functions at Department of Defense Facilities''; to the Committee on Armed Services.

4374. A letter from the Associate General for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Revision to Cost Limits for Native American Housing [Docket No. FR–4517–F–02] (RIN: 2577–AC14) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4375. A letter from the Secretary, Department of Labor, transmitting the Department's annual report to Congress on the FY 2000 program operations of the Office of Workers' Compensation Programs (OWCP), the administration of the Black Lung Benefits Act (BLBA), the Longshore and Harbor Workers' Compensation Act (LHWCA), and the Federal Employees' Compensation Act for the period October 1, 1999, through September 30, 2000, pursuant to 33 U.S.C. 942; to the Committee on Education and the Workforce.

4376. A letter from the Director for Executive Budgeting and Assistance Management, Department of Commerce, transmitting the Department's final rule—Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements [Docket No. 010925133–1233–01] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4377. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule—Uniformed Services Accounts—received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4378. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule—Waiver of Advance Notification Requirement To Import Acetone, 2–Butanone (MEK), and Toluene [DEA–197F] (RIN: 1117–AA53) received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4379. A letter from the Secretary, Department of Labor, transmitting notification that three federal accounts in the federal Unemployment Trust Fund are expected to exceed their statutory ceilings on September 30, 2002; to the Committee on Ways and Means.

4380. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation entitled, ''Money Laundering Act of 2001''; jointly to the Committees on the Judiciary, Financial Services, Ways and Means, and Energy and Commerce.

¶111.7 ENROLLED JOINT RESOLUTION AND BILL SIGNED

The SPEAKER pro tempore, Mr. HANSEN, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled joint resolution and bill on Wednesday, October 17, 2001:

H.J. Res. 69. An Act making further continuing appropriations for the fiscal year 2002, and for other purposes.

S. 1465. An Act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes.

¶111.8 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HANSEN, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 23, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 17, 2001 at 7:00 p.m.

That the Senate passed without amendment H.J. Res. 69.

That the Senate agreed to conference report H.R. 2217.

That the Senate passed without amendment H. Con. Res. 251.

That the Senate passed without amendment H.R. 146.

That the Senate passed without amendment H.R. 182.

That the Senate passed without amendment H.R. 1000.

That the Senate passed without amendment H.R. 1161.

That the Senate passed without amendment H.R. 1668.

Appointments: U.S. Capitol Preservation Commission (2).

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶111.9 HEROS 2001

Mr. MCKEON moved to suspend the rules and pass the bill (H.R. 3086) to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President of the United States on September 14, 2001; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. MCKEON and Mrs. MCCARTHY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MCKEON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶111.10 WAR BONDS 2001

Mr. HOUGHTON moved to suspend the rules and pass the bill (H.R. 2899) to authorize the Secretary of the Treasury to issue War Bonds in support of recovery and response efforts relating to the September 11, 2001, hijackings and attacks on the Pentagon and the World Trade Center, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. HOUGHTON and Mr. CARDIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to authorize the Secretary of the Treasury to issue Freedom Bonds in response to the September 11, 2001, hijackings and attacks on the Pentagon and the World Trade Center, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.11 BIOTERRORISM ENFORCEMENT 2001

Mr. TAUZIN moved to suspend the rules and pass the bill (H.R. 3160) to amend the Antiterrorism and Effective Death Penalty Act of 1996 with respect to the responsibilities of the Secretary of Health and Human Services regarding biological agents and toxins, and to amend title 18, United States Code, with respect to such agents and toxins.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. TAUZIN and Mr. DINGELL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. TAUZIN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶111.12 DISABLED VETERANS SERVICE DOG AND HEALTH CARE IMPROVEMENT 2001

Mr. MORAN of Kansas moved to suspend the rules and pass the bill (H.R. 2792) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided by the Department of Veterans Affairs, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. MORAN of Kansas and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.13 NATIONAL DAY OF RECONCILIATION

Mr. DOOLITTLE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 184); as amended:

Resolved by the House of Representatives (the Senate concurring), That on a day of reconciliation selected jointly by the Speaker of the House of Representatives and the President pro tempore of the Senate, and with the Chaplain of the House of Representatives and the Chaplain of the Senate in attendance—

(1) the two Houses of the Congress shall assemble in the Hall of the House of Representatives at a time when the two Houses are not in session; and

(2) during this assembly, the Members of the two Houses may gather to humbly seek the blessings of Providence for forgiveness, reconciliation, unity, and charity for all people of the United States, thereby assisting the Nation to realize its potential as the champion of hope, the vindicator of the defenseless, and the guardian of freedom.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. DOOLITTLE for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶111.14 FEDERAL POWER MARKETING ADMINISTRATIONS

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 2924) to provide authority to the Federal Power Marketing Administrations to reduce vandalism and destruction of property, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. CALVERT and Mr. RAHALL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CALVERT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶111.15 RECLAMATION RECREATION MANAGEMENT

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 2925) to amend the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. CALVERT and Mr. RAHALL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.16 MOCCASIN BEND NATIONAL HISTORIC SITE

Mr. RADANOVICH moved to suspend the rules and pass the bill (H.R. 980) to establish the Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park System; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. RADANOVICH and Mr. RAHALL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.17 METACOMET-MONADNOCK-SUNAPEE-MATTABESETT TRAIL

Mr. RADANOVICH moved to suspend the rules and pass the bill (H.R. 1814) to amend the National Trails System Act to designate the Metacomet-Monadnock-Sunapee-Mattabesett Trail extending through western New Hampshire, western Massachusetts, and central Connecticut for study for potential addition to the National Trails System; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. RADANOVICH and Mr. RAHALL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the National Trails System Act to designate the Metacomet-Monadnock-Matta-besett Trail extending through western Massachusetts and central Connecticut for study for potential addition to the National Trails System.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.18 RECESS—4:25 P.M.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 25 minutes p.m., subject to the call of the Chair.

¶111.19 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. SWEENEY, called the House to order.

¶111.20 FURTHER MESSAGE FROM THE SENATE

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

S. 838. An Act to amend the Federal Food, Drug, and Cosmetic Act to imporve the safety and efficacy of pharmaceuticals for children.

S. Con. Res. 74. Concurrent resolution condemning bigotry and violence against Sikh-Americans in the wake of terrorist attacks in New York City and Washington, D.C. on September 11, 2001.

¶111.21 DWIGHT D. EISENHOWER COMMISSION

The SPEAKER pro tempore, Mr. SWEENEY, by unanimous consent, announced that the Speaker, pursuant to section 8162(c)(3) of Public Law 106-79, appointed to the Dwight D. Eisenhower Memorial Commission, on the part of the House, the following Members: Messrs. THORNBERRY, MORAN of Kansas, MOORE, and BOSWELL.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶111.22 H.R. 3086—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3086) to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President of the United States on September 14, 2001; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 415 / Nays 0

¶111.23 [Roll No. 395]

YEAS—415

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

Stenholm	Tiahrt	Watson (CA)
Strickland	Tiberi	Watt (NC)
Stump	Tierney	Watts (OK)
Stupak	Toomey	Waxman
Sununu	Towns	Weiner
Sweeney	Traficant	Weldon (FL)
Tancredo	Turner	Weldon (PA)
Tanner	Udall (CO)	Weller
Tauscher	Udall (NM)	Wexler
Tauzin	Upton	Whitfield
Taylor (MS)	Velazquez	Wicker
Terry	Visclosky	Wilson
Thomas	Vitter	Wolf
Thompson (CA)	Walden	Woolsey
Thompson (MS)	Walsh	Wu
Thornberry	Wamp	Wynn
Thune	Waters	Young (AK)
Thurman	Watkins (OK)	Young (FL)

NOT VOTING—15

Berman	Davis (IL)	Reyes
Bilirakis	Kilpatrick	Sanchez
Burton	McInnis	Stark
Conyers	Miller, Dan	Stearns
Cubin	Pence	Taylor (NC)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.24 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 17, 2001.,

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from the Honorable William F. Galvin, Secretary of the Commonwealth, Commonwealth of Massachusetts, indicating that, according to the unofficial returns of the Special Election held October 16, 2001, the Honorable Stephen F. Lynch was elected Representative in Congress for the Ninth Congressional District, Commonwealth of Massachusetts.

With best wishes, I am.

Sincerely,

JEFF TRANDAHL,
Clerk.

Attachment.

¶111.25 ORDER OF BUSINESS—SWEARING IN OF MEMBER-ELECT

On motion of Mr. YOUNG of Florida, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Mr. Jeff Miller, 1st District of the State of Florida, has not been received by the Clerk of the House of Representatives, Mr. MILLER be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to his election.

Mr. MILLER then presented himself at the bar of the House and took the oath of office prescribed by law.

¶111.26 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 17, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from L. Clayton Roberts, Director, Division of Elections, of the Office of the Secretary of State, State of Florida, indicating that, according to the unofficial returns of the Special Election held October 16, 2001, the Honorable Jeff Miller was elected Representative in Congress for the First Congressional District, State of Florida.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk.

Attachment.

¶111.27 ORDER OF BUSINESS—SWEARING IN OF MEMBER-ELECT

On motion of Mr. MARKEY, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Mr. Stephen F. Lynch, 9th District of the State of Massachusetts, has not been received by the Clerk of the House of Representatives, Mr. LYNCH be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to his election.

Mr. LYNCH then presented himself at the bar of the House and took the oath of office prescribed by law.

¶111.28 H.R. 3160—UNFINISHED BUSINESS

The SPEAKER, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3160) to amend the Antiterrorism and Effective Death Penalty Act of 1996 with respect to the responsibilities of the Secretary of Health and Human Services regarding biological agents and toxins, and to amend title 18, United States Code, with respect to such agents and toxins.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 419 / Nays ..... 0 }

¶111.29 [Roll No. 396]

YEAS—419

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

Spratt
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—13

Ballenger
Bilirakis
Burton
Cubin
Davis (IL)
Kilpatrick
Miller, Dan
Pomeroy
Reyes
Sanchez
Stark
Stearns
Taylor (NC)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.30 H.R. 2924—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2924) to provide authority to the Federal Power Marketing Administrations to reduce vandalism and destruction of property, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 418 / Nays 0

¶111.31 [Roll No. 397]

YEAS—418

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

NOT VOTING—14

Ballenger
Bilirakis
Boehner
Burton
Cubin
Davis (IL)
Jones (OH)
Kilpatrick
Miller, Dan
Reyes
Sanchez
Stark
Stearns
Taylor (NC)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.32 PROVIDING FOR THE CONSIDERATION OF H.R. 3090

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 107–252) the resolution (H. Res. 270) providing for consideration of the bill (H.R. 3090) to provide tax incentives for economic recovery.

When said resolution and report were referred to the House Calendar and ordered printed.

¶111.33 ANTI-TERRORISM

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 3162) to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

The SPEAKER pro tempore, Mr. SWEENEY, recognized Mr. SENSENBRENNER and Mr. CONYERS, each for 20 minutes.

By unanimous consent, the time for debate was extended for an additional 20 minutes, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SWEENEY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CONYERS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SWEENEY, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 24, 2001.

¶111.34 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. SWEENEY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 23, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on October 23, 2001 at 4:44 p.m. and said to contain a message from the President whereby he submits the FY 2000 Annual Report of the Railroad Retirement Board.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶111.35 RAILROAD RETIREMENT BOARD ANNUAL REPORT FY 2000

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

I transmit herewith the Annual Report of the Railroad Retirement Board for Fiscal Year 2000, pursuant to the provisions of section 7(b)(6) of the Railroad Retirement Act and section 12(1) of the Railroad Unemployment Insurance Act.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 23, 2001.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Transportation and Infrastructure and the Committee on Ways and Means.

¶111.36 SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 423. An Act to amend the Act entitled ''An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes; to the Committee on Resources.

S. 941. An Act to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to extend the term of the advisory commission for the recreation area, and for other purposes; to the Committee on Resources.

S. 1057. An Act to authorize the addition of lands to Pu'uhonua o Hōnaunau National Historical Park in the State of Hawaii, and for other purposes; to the Committee on Resources.

S. 1097. An Act to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of the Great Smoky Mountains National Park; to the Committee on Resources.

S. 1105. An Act to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, and for other purposes; to the Committee on Resources.

S. Con. Res. 74. Concurrent resolution condemning bigotry and violence against Sikh-Americans in the wake of terrorist attacks in New York City and Washington, D.C. on September 11, 2001; to the Committee on the Judiciary.

¶111.37 ENROLLED JOINT RESOLUTION SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled joint resolution of the House of the following title, which were thereupon signed by the Speaker:

H.J. Res. 69. Joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

¶111.38 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1465. An Act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes.

¶111.39 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BILIRAKIS, for today and October 24 until 2 p.m.; and

To Mr. DAVIS of Illinois, for today.

And then,

¶111.40 ADJOURNMENT

On motion of Mr. LARSON of Connecticut, at 9 o'clock and 58 minutes p.m., the House adjourned.

¶111.41 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LINDER: Committee on Rules. House Resolution 270. Resolution providing for consideration of the bill (H.R. 3090) to provide tax incentives for economic recovery (Rept. No. 107–252). Referred to the House Calendar.

¶111.42 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. TAUZIN (for himself and Mr. DINGELL):

H.R. 3160. A bill to amend the Antiterrorism and Effective Death Penalty Act of 1996 with respect to the responsibilities of the Secretary of Health and Human Services regarding biological agents and toxins, and to amend title 18, United States Code, with respect to such agents and toxins; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut (for himself, Mr. BALDACCI, Mr. PASCRELL, Mr. DOYLE, Mr. WELDON of Pennsylvania, Mrs. JONES of Ohio, Mr. FRANK, Mrs. THURMAN, Mr. WU, Ms. JACKSON-LEE of Texas, Mr. TAYLOR of Mississippi, Mrs. MCCARTHY of New York, Mr. WEINER, Mr. LANGEVIN, Mr. WEXLER, Mr. DELAHUNT, Mr. OLVER, Mr. HOLDEN, Mr. CRAMER, Mr. HOEFFEL, Mr. HOLT, Mr. KANJORSKI, Mr. CROWLEY, Mr. STUPAK, Mr. HILL, Ms. SCHAKOWSKY, Mr. ROSS, Mr. ABERCROMBIE, Mr. HINCHEY, Mr. BRADY of Pennsylvania, Mr. HONDA, Mr. REYES, Mr. CLYBURN, Mr. GONZALEZ, Mr. FATTAH, Mr. BORSKI, Mr. ALLEN, Mr. CLAY, Mr. UDALL of Colorado, Mr. CUMMINGS, Mr. EDWARDS, Mr. SAWYER, Mr. BACA, Mr. SHOWS, Mr. BISHOP, Mr. MASCARA, Mr. MEEKS of New York, Mr. KENNEDY of Rhode Island, Mr. UNDERWOOD, Ms. MCCARTHY of Missouri, Mr. MOORE, Mr. WYNN, Mr. GEORGE MILLER of California, Mr. FILNER, Mr. MCDERMOTT, Mr. JOHN, Mr. MCGOVERN, Mr. TIERNEY, Mr. ACKERMAN, Mrs. CHRISTENSEN, Mr. KIND, Ms. PELOSI, Mr. LAMPSON, Mr. FARR of California, Ms. ESHOO, Mrs. CAPPS, Ms. MILLENDER-MCDONALD, Mr. ISRAEL, Ms. DELAURO, Mr. TURNER, and Ms. LEE):

H.R. 3161. A bill to direct the Director of the Federal Emergency Management Agency to provide grants to local governments and emergency response units to develop plans for a clearly defined and coordinated response to emergencies, and to provide grants to police and fire departments for counterterrorism training; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Science, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself and Mr. OXLEY):

H.R. 3162. A bill to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), Financial Services, International Relations, Energy and Commerce, Education and the Workforce, Transportation and Infrastructure, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCCARTHY of New York (for herself, Mr. GEORGE MILLER of California, Mr. OWENS, Mr. NADLER, Mr. KILDEE, Mr. ROEMER, Mr. SHAYS, Mrs. MINK of Hawaii, Mr. MALONEY of Connecticut, Mr. SCOTT, Mr. PASCRELL, Mr. EVANS, Mr. CROWLEY, Mr. FOSSELLA, Mr. GRUCCI, Mr. HINCHEY, Mr. ISRAEL, Mrs. KELLY, Mr. LAFALCE, Mrs. MALONEY of New York, Mr. MCHUGH, Mr. MEEKS of New York, Mr. QUINN, Mr. RANGEL, Mr. REYNOLDS, Mr. SERRANO, Ms. SLAUGHTER, Mr. SWEENEY, Ms. VELAZQUEZ, Mr. WALSH, Mr. WEINER, Ms. WOOLSEY, Ms. SOLIS, Mrs. DAVIS of California, Ms. MCCOLLUM, Mr. KING, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. BALDACCI, Mr. WU, Ms. DELAURO, Mr. ACKERMAN, Mr. GILMAN, Mr. BLUMENAUER, Mr. BERMAN, Ms. PELOSI, Mr. WAXMAN, Ms. BERKLEY, Mr. DELAHUNT, Mr. CAPUANO, and Mr. LYNCH):

H.R. 3163. A bill to provide student loan forgiveness to the surviving spouses of the victims of the September 11, 2001, tragedies; to the Committee on Education and the Workforce.

By Ms. MCKINNEY:

H.R. 3164. A bill to amend titles 10 and 37, United States Code, to repeal the authority of the Secretary of a military department to suspend tracking and recording the number of days that members of the armed forces are deployed for purposes of determining the eligibility of such members for the per diem allowance for lengthy or numerous deployments; to the Committee on Armed Services.

By Mr. OBEY:

H. Con. Res. 252. Concurrent resolution expressing the sense of the Congress that a series of postage stamps should be issued in recognition of the recipients of the Congressional Medal of Honor; to the Committee on Government Reform.

¶111.43 ADDITIONAL SPONSORS

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

H.R. 285: Mr. FLETCHER.
H.R. 1582: Mr. BACA.
H.R. 2638: Mr. FLETCHER.
H.R. 3059: Mr. EHRLICH.
H.R. 3086: Ms. HOOLEY of Oregon, Ms. SANCHEZ, Mr. PICKERING, Mrs. TAUSCHER, Mrs. ROUKEMA, Mr. FROST, Mr. STUPAK, Mr. ENGLISH, Mr. BALLENGER, Mr. HALL of Ohio, and Mr. KOLBE.
H.R. 3088: Mr. ENGEL, Mr. NADLER, Ms. ROS-LEHTINEN, Mr. REYES, Mr. HORN, Mr. ORTIZ, Mr. HOBSON, Mrs. NAPOLITANO, Mr. DEUTSCH, Mr. BACA, Mr. MCNULTY, Mr. DIAZ-BALART, Mr. TIBERI, and Ms. GRANGER.

WEDNESDAY, OCTOBER 24, 2001 (112)

The House was called to order by the SPEAKER.

¶112.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, October 23, 2001.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶112.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4381. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification for FY 2002 that no United Nations agency or affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia; to the Committee on International Relations.

4382. A letter from the Director for Executive Budgeting and Assistance Management, Department of Commerce, transmitting the Department's final rule—Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations [Docket No. 980422101–1224–03] (RIN: 0605–AA09) received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4383. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2001–31 that it is in the security interests of the U.S. to provide assistance to Pakistan, pursuant to 22 U.S.C. 2364(a)(1); jointly to the Committees on International Relations and Appropriations.

4384. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification to authorize provisions to Pakistan, without regard to provisions of law within the scope of section 614 of the Foreign Assistance Act of 1961, pursuant to 22 U.S.C. 2364(a)(1); jointly to the Committees on International Relations and Appropriations.

¶112.3 H.R. 3162—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3162) to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 357 / Nays ..... 66 }

¶112.4 [Roll No. 398]

YEAS—357

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, Jeff
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Obey
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Sawyer
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (FL)

NAYS—66

Baldwin
Barrett
Blumenauer
Bonior
Boucher
Brown (OH)
Capuano
Clayton
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Dingell
Farr
Filner
Frank
Hastings (FL)
Hilliard
Honda
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kucinich
Lee
Lewis (GA)
McDermott
McGovern
McKinney
Meek (FL)
Miller, George
Mink
Mollohan
Nadler
Ney
Oberstar
Olver
Otter
Owens
Pastor
Paul
Payne
Peterson (MN)
Rahall
Rivers
Rush
Sabo
Sanchez
Sanders
Schakowsky
Scott
Serrano
Stark
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Woolsey
Wu

NOT VOTING—9

Abercrombie
Bilirakis
Burton
Clay
Cubin
Hansen
Hill
Kilpatrick
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶112.5 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, October 23, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. McNULTY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 367 / Nays 48

¶112.6 [Roll No. 399]

YEAS—367

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

NAYS—48

Baird, Borski, Brady (PA), Capuano, Crane, DeFazio, English, Fattah, Filner, Gutknecht, Hastings (FL), Hefley, Hilliard, Hinchey, Hulshof, Jackson-Lee (TX), Kucinich, LaFalce, Larsen (WA), Lewis (GA), LoBiondo, McDermott, McGovern, McNulty, Miller, George, Moran (KS), Oberstar, Olver, Peterson (MN), Rahall, Ramstad, Sabo, Scott, Slaughter, Stark, Strickland, Stupak, Sweeney, Taylor (MS), Thompson (CA), Thompson (MS), Towns, Visclosky, Waters, Weller, Whitfield, Wicker, Wu

NOT VOTING—17

Bilirakis, Blunt, Burton, Clay, Cubin, Goss, Harman, Hill, Kilpatrick, McCollum, Moran (VA), Pickering, Schaffer, Skelton, Stump, Tancredo, Udall (CO)

So the Journal was approved.

¶112.7 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. LINDER, by unanimous consent,

Ordered, That in the engrossment of the bill (H.R. 3162) to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes, the Clerk be authorized to make technical corrections and conforming changes to the bill.

¶112.8 PROVIDING FOR THE CONSIDERATION OF H.R. 3090

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 270):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3090) to provide tax incentives for economic recovery. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) One hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the further amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. LINDER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 219 / Nays 207

¶112.9 [Roll No. 400]

YEAS—219

Aderholt, Akin, Armey, Bachus, Baker, Ballenger, Barr, Bartlett, Barton, Bass, Bereuter, Biggert, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Brown (SC), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Cannon, Cantor, Capito, Castle, Chabot, Chambliss, Coble, Collins, Combest, Cooksey, Cox, Crane, Crenshaw, Culberson, Cunningham, Davis, Jo Ann, Davis, Tom, Deal, DeLay, DeMint, Diaz-Balart, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Ferguson, Flake, Fletcher, Foley, Forbes, Fossella, Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goss, Graham, Granger, Graves, Green (WI), Greenwood, Grucci, Gutknecht, Hall (TX), Hansen, Hart, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hilleary, Hobson

Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NAYS—207

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

NOT VOTING—6

Bilirakis
Cubin
Gonzalez
Hill
Reyes
Young (FL)

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. FOSSELLA, announced that the yeas had it.

Mr. FROST demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 225 / Nays 199

¶112.10 [Roll No. 401]

AYES—225

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

NOES—199

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

NOT VOTING—8

Bilirakis
Burton
Cubin
Gekas
Gonzalez
Hill
Kaptur
Leach

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶112.11 ECONOMIC SECURITY AND RECOVERY

Mr. THOMAS, pursuant to House Resolution 270, called up the bill (H.R. 3090) to provide tax incentives for economic recovery.

Pending consideration of said bill.

Pursuant to House Resolution 270, the following amendment in the nature of a substitute recommended by the Committee on Ways and Means printed in the bill was considered as agreed to:

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Economic Security and Recovery Act of 2001''.

(b) REFERENCES TO INTERNAL REVENUE CODE OF 1986.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

TITLE I—BUSINESS PROVISIONS

Sec. 101. Special depreciation allowance for certain property acquired after September 10, 2001, and before September 11, 2004.
Sec. 102. Temporary increase in expensing under section 179.
Sec. 103. Repeal of alternative minimum tax on corporations.
Sec. 104. Carryback of certain net operating losses allowed for 5 years.
Sec. 105. Recovery period for depreciation of certain leasehold improvements.

TITLE II—INDIVIDUAL PROVISIONS

Sec. 201. Acceleration of 25 percent individual income tax rate.
Sec. 202. Repeal of 5-year holding period requirement for reduced individual capital gains rates.
Sec. 203. Temporary increase in deduction for capital losses of taxpayers other than corporations.
Sec. 204. Temporary expansion of penalty-free retirement plan distributions for health insurance premiums of unemployed individuals.

TITLE III—EXTENSIONS OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Two-Year Extensions

Sec. 301. Allowance of nonrefundable personal credits against regular and minimum tax liability.
Sec. 302. Credit for qualified electric vehicles.
Sec. 303. Credit for electricity produced from renewable resources.
Sec. 304. Work opportunity credit.
Sec. 305. Welfare-to-work credit.
Sec. 306. Deduction for clean-fuel vehicles and certain refueling property.
Sec. 307. Taxable income limit on percentage depletion for oil and natural gas produced from marginal properties.
Sec. 308. Qualified zone academy bonds.
Sec. 309. Cover over of tax on distilled spirits.
Sec. 310. Parity in the application of certain limits to mental health benefits.
Sec. 311. Delay in effective date of requirement for approved diesel or kerosene terminals.

Subtitle B—One-Year Extensions

Sec. 321. One-year extension of availability of medical savings accounts.

Subtitle C—Permanent Extensions

Sec. 331. Subpart F exemption for active financing.

Subtitle D—Other Provisions

Sec. 341. Excluded cancellation of indebtedness income of S corporation not to result in adjustment to basis of stock of shareholders.
Sec. 342. Limitation on use of nonaccrual experience method of accounting.

TITLE IV—SUPPLEMENTAL REBATE; OTHER PROVISIONS

Sec. 401. Supplemental rebate.
Sec. 402. Special Reed Act transfer in fiscal year 2002.

TITLE V—HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED

Sec. 501. Health care assistance for the unemployed.

TITLE I—BUSINESS PROVISIONS

SEC. 101. SPECIAL DEPRECIATION ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2004.

(a) IN GENERAL.—Section 168 (relating to accelerated cost recovery system) is amended by adding at the end the following new subsection:

''(k) SPECIAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2004.—

''(1) ADDITIONAL ALLOWANCE.—In the case of any qualified property—

''(A) the depreciation deduction provided by section 167(a) for the taxable year in which such property is placed in service shall include an allowance equal to 30 percent of the adjusted basis of the qualified property, and

''(B) the adjusted basis of the qualified property shall be reduced by the amount of such deduction before computing the amount otherwise allowable as a depreciation deduction under this chapter for such taxable year and any subsequent taxable year.

''(2) QUALIFIED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified property' means property—

''(i)(I) to which this section applies which has a recovery period of 20 years or less or which is water utility property, or

''(II) which is computer software (as defined in section 167(f)(1)(B)) for which a deduction is allowable under section 167(a) without regard to this subsection,

''(ii) the original use of which commences with the taxpayer after September 10, 2001,

''(iii) which is—

''(I) acquired by the taxpayer after September 10, 2001, and before September 11, 2004, but only if no written binding contract for the acquisition was in effect before September 11, 2001, or

''(II) acquired by the taxpayer pursuant to a written binding contract which was entered into after September 10, 2001, and before September 11, 2004, and

''(iv) which is placed in service by the taxpayer before January 1, 2005.

''(B) EXCEPTIONS.—

''(i) ALTERNATIVE DEPRECIATION PROPERTY.—The term 'qualified property' shall not include any property to which the alternative depreciation system under subsection (g) applies, determined—

''(I) without regard to paragraph (7) of subsection (g) (relating to election to have system apply), and

''(II) after application of section 280F(b) (relating to listed property with limited business use).

''(ii) ELECTION OUT.—If a taxpayer makes an election under this clause with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service during such taxable year.

''(iii) REPAIRED OR RECONSTRUCTED PROPERTY.—Except as otherwise provided in regulations, the term 'qualified property' shall not include any repaired or reconstructed property.

''(iv) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—The term 'qualified property' shall not include any qualified leasehold improvement property (as defined in section 168(e)(6)).

''(C) SPECIAL RULES RELATING TO ORIGINAL USE.—

''(i) SELF-CONSTRUCTED PROPERTY.—In the case of a taxpayer manufacturing, constructing, or producing property for the taxpayer's own use, the requirements of clause (iii) of subparagraph (A) shall be treated as met if the taxpayer begins manufacturing, constructing, or producing the property after September 10, 2001, and before September 11, 2004.

''(ii) SALE-LEASEBACKS.—For purposes of subparagraph (A)(ii), if property—

''(I) is originally placed in service after September 10, 2001, by a person, and

''(II) sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in subclause (II).

''(D) COORDINATION WITH SECTION 280F.—For purposes of section 280F—

''(i) AUTOMOBILES.—In the case of a passenger automobile (as defined in section 280F(d)(5)) which is qualified property, the Secretary shall increase the limitation under section 280F(a)(1)(A)(i) by $4,600.

''(ii) LISTED PROPERTY.—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2).''

(b) ALLOWANCE AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 56(a)(1)(A) (relating to depreciation adjustment for alternative minimum tax) is amended by adding at the end the following new clause:

''(iii) ADDITIONAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2004.—The deduction under section 168(k) shall be allowed.''

(2) CONFORMING AMENDMENT.—Clause (i) of section 56(a)(1)(A) is amended by striking ''clause (ii)'' both places it appears and inserting ''clauses (ii) and (iii)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after September 10, 2001, in taxable years ending after such date.

SEC. 102. TEMPORARY INCREASE IN EXPENSING UNDER SECTION 179.

(a) IN GENERAL.—The table contained in section 179(b)(1) (relating to dollar limitation) is amended to read as follows:

"If the taxable year begins in:	The applicable amount is:
2001	$24,000
2002 or 2003	$35,000
2004 or thereafter	$25,000.''

(b) TEMPORARY INCREASE IN AMOUNT OF PROPERTY TRIGGERING PHASEOUT OF MAXIMUM BENEFIT.—Paragraph (2) of section 179(b) is amended by inserting before the period ''($325,000 in the case of taxable years beginning during 2002 or 2003)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 103. REPEAL OF ALTERNATIVE MINIMUM TAX ON CORPORATIONS.

(a) IN GENERAL.—So much of section 55 as precedes subsection (b)(2) is amended to read as follows:

"SEC. 55. ALTERNATIVE MINIMUM TAX FOR TAXPAYERS OTHER THAN CORPORATIONS.

"(a) IN GENERAL.—In the case of a taxpayer other than a corporation, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to the excess (if any) of—

"(1) the tentative minimum tax for the taxable year, over

"(2) the regular tax for the taxable year.

"(b) TENTATIVE MINIMUM TAX.—For purposes of this part—

"(1) AMOUNT OF TENTATIVE TAX.—

"(A) IN GENERAL.—The tentative minimum tax for the taxable year is the sum of—

"(i) 26 percent of so much of the taxable excess as does not exceed $175,000, plus

"(ii) 28 percent of so much of the taxable excess as exceeds $175,000.

The amount determined under the preceding sentence shall be reduced by the alternative minimum tax foreign tax credit for the taxable year.

"(B) TAXABLE EXCESS.—For purposes of this subsection, the term 'taxable excess' means so much of the alternative minimum taxable income for the taxable year as exceeds the exemption amount.

"(C) MARRIED INDIVIDUAL FILING SEPARATE RETURN.—In the case of a married individual filing a separate return, clause (i) shall be applied by substituting '$87,500' for '$175,000' each place it appears. For purposes of the preceding sentence, marital status shall be determined under section 7703."

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (3) of section 55(b) is amended by striking "paragraph (1)(A)(i)" and inserting "paragraph (1)(A)".

(2) Paragraph (1) of section 55(c) is amended by striking ", the section 936 credit allowable under section 27(b), and the Puerto Rico economic activity credit under section 30A".

(3)(A) Paragraph (1) of section 55(d) is amended by—

(i) by striking "FOR TAXPAYERS OTHER THAN CORPORATIONS" in the heading, and

(ii) by striking "In the case of a taxpayer other than a corporation, the" and inserting "The".

(B) Section 55(d) is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(C) Subparagraph (A) of section 55(d)(2), as so redesignated is amended by striking "or (2)".

(4) Section 55 is amended by striking subsection (e).

(5)(A) The designation and heading for subsection (a) of section 56 is amended to read as follows:

"(a) GENERAL RULES.—".

(B) Paragraph (1) of section 56(a) is amended by striking subparagraph (D).

(C) Paragraph (6) of section 56(a) is amended—

(i) by striking "paragraph (2) or subsection (b)(2)" and inserting "paragraph (2) or (9)", and

(ii) by striking "or (5), or subsection (b)(2)" and inserting "(5), or (9)".

(6)(A) Subsection (b) of section 56 is amended by striking so much of such subsection as precedes paragraph (1) and by redesignating paragraphs (1), (2), and (3) as paragraphs (8), (9), and (10), respectively, of subsection (a).

(B) Paragraph (9) of section 56(a), as so redesignated, is amended by striking subparagraph (C) and by redesignating subparagraph (D) as subparagraph (C).

(7) Section 56 is amended by striking subsections (c) and (g) and by redesignating subsections (d) and (e) as subsections (b) and (c), respectively.

(8) Subparagraph (E) of section 57(a)(2) is amended—

(A) by striking "FOR INDEPENDENT PRODUCERS" in the heading, and

(B) by striking clause (i) and inserting the following new clause:

"(i) IN GENERAL.—This paragraph shall not apply to any taxable year beginning after December 31, 1992."

(9) Subsection (a) of section 58 is amended by striking paragraph (3) and by redesignating paragraph (4) as paragraph (3).

(10)(A) Section 59 is amended by striking subsections (b) and (f) and by redesignating subsections (c), (d), (e), (g), (h), (i), and (j) as subsections (b), (c), (d), (e), (f), (g), and (h), respectively.

(B) Paragraph (2) of section 59(d), as so redesignated, is amended by striking "(determined without regard to section 291)".

(C) Sections 173(b), 174(f)(2), 263(c), 263A(c)(6), 616(e), 617(i), and 1016(a)(20) are each amended by striking "59(e)" each place it appears and inserting "59(d)".

(11) Subsection (d) of section 11 is amended by striking "the taxes imposed by subsection (a) and section 55" and inserting "the tax imposed by subsection (a)".

(12) Section 12 is amended by striking paragraph (7).

(13) Paragraph (6) of section 29(b) is amended to read as follows:

"(6) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and section 27. In the case of a taxpayer other than a corporation, such excess shall be further reduced (but not below zero) by the tentative minimum tax for the taxable year."

(14) Paragraph (3) of section 30(b) is amended to read as follows:

"(3) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and sections 27 and 29. In the case of a taxpayer other than a corporation, such excess shall be further reduced (but not below zero) by the tentative minimum tax for the taxable year."

(15)(A) Paragraph (1) of section 38(c) is amended to read as follows:

"(1) IN GENERAL.—

"(A) CORPORATIONS.—In the case of a corporation, the credit allowed under subsection (a) for any taxable year shall not exceed the excess (if any) of the taxpayer's net income tax over 25 percent of so much of the taxpayer's net regular tax liability as exceeds $25,000.

"(B) TAXPAYERS OTHER THAN CORPORATIONS.—In the case of a taxpayer other than a corporation, the credit allowed under subsection (a) for any taxable year shall not exceed the excess (if any) of the taxpayer's net income tax over the greater of—

"(i) the tentative minimum tax for the taxable year, or

"(ii) 25 percent of so much of the taxpayer's net regular tax liability as exceeds $25,000.

"(C) DEFINITIONS.—For purposes of this paragraph—

"(i) the term 'net income tax' means the sum of the regular tax liability and the tax imposed by section 55, reduced by the credits allowable under subparts A and B of this part, and

"(ii) the term 'net regular tax liability' means the regular tax liability reduced by the sum of the credits allowable under subparts A and B of this part."

(B) Clause (ii) of section 38(c)(2)(A) is amended to read as follows:

"(ii) for purposes of applying paragraph (1) to such credit—

"(I) the applicable limitation under paragraph (1) (as modified by subclause (II) in the case of a taxpayer other than a corporation) shall be reduced by the credit allowed under subsection (a) for the taxable year (other than the empowerment zone employment credit), and

"(II) in the case of a taxpayer other than a corporation, 75 percent of the tentative minimum tax shall be substituted for the tentative minimum tax under subparagraph (B)(i) thereof."

(C) Paragraph (3) of section 38(c) is amended by striking "subparagraph (B) of" each place it appears.

(16)(A) Subclause (I) of section 53(d)(1)(B)(ii) is amended by striking "subsection (b)(1)" and inserting "subsection (a)(8)".

(B) Clause (iv) of section 53(d)(1)(B) is hereby repealed.

(17)(A) Part VII of subchapter A of chapter 1 is hereby repealed.

(B) The table of parts for subchapter A of chapter 1 is amended by striking the item relating to part VII.

(C) Paragraph (2) of section 26(b) is amended by striking subparagraph (B) and by redesignating the succeeding subparagraphs accordingly.

(D) Subsection (c) of section 30A is amended by striking paragraph (1) and redesignating the succeeding paragraphs accordingly.

(E) Subsection (a) of section 164 is amended by striking paragraph (5).

(F) Subsection (a) of section 275 is amended by striking "Paragraph (1) shall not apply to the tax imposed by section 59A."

(G) Paragraph (1) of section 882(a) is amended by striking "59A,".

(H) Paragraph (3) of section 936(a) is amended by striking subparagraph (A) and redesignating the succeeding subparagraphs accordingly.

(I) Subsection (a) of section 1561 is amended by adding "and" at the end of paragraph (2), by striking ", and" at the end of paragraph (3) and inserting a period, and by striking paragraph (4).

(J) Subparagraph (A) of section 6425(c)(1) is amended by adding "plus" at the end of clause (i), by striking "plus" at the end of clause (ii) and inserting "over", and by striking clause (iii).

(18) Section 382(l) (relating to limitation on net operating loss carryforwards and certain built-in losses following ownership change) is amended by striking paragraph (7) and by redesignating paragraph (8) as paragraph (7).

(19) Paragraph (2) of section 815(c) (relating to distributions to shareholders from pre-1984 policyholders surplus account) is amended by striking the last sentence.

(20) Section 847 (relating to special estimated tax payments) is amended—

(A) in paragraph (9), by striking the last sentence; and

(B) in paragraph (10), by inserting "and" at the end of subparagraph (A) and by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B).

(21) Section 848 (relating to capitalization of certain policy acquisition expenses) is amended by striking subsection (i) and by redesignating subsection (j) as subsection (i).

(22) Paragraph (1) of section 882(a) (relating to tax on income of foreign corporations connected with United States business) is amended by striking "55,".

(23) Paragraph (1) of section 962(a) (relating to election by individuals to be subject to tax at corporate rates) is amended by striking "sections 11 and 55" and inserting "section 11".

(24) Subsection (a) of section 1561 (relating to limitations on certain multiple tax benefits in the case of certain controlled corporations) is amended by striking the last sentence.

(25) Subparagraph (A) of section 6425(c)(1) (defining income tax liability), as amended by paragraph (17) is amended to read as follows:

''(A) the tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever is applicable, over''.

(26)(A) Paragraph (2) of section 6655(e) is amended—

(i) by striking '', alternative minimum taxable income, and modified alternative minimum taxable income'' each place it appears in subparagraphs (A) and (B)(i), and

(ii) by striking clause (iii) of subparagraph (B).

(B) Subparagraph (A) of section 6655(g)(1) (relating to failure by corporation to pay estimated income tax), is amended to read as follows:

''(A) the sum of—

''(i) the tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever applies, plus

''(ii) the tax imposed by section 887, over''.

(27) The table of sections for part VI of subchapter A of chapter 1 is amended by striking the item relating to section 55 and inserting the following new item:

''Sec. 55. Alternative minimum tax for taxpayers other than corporations.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(d) REFUND OF UNUSED MINIMUM TAX CREDIT.—

(1) IN GENERAL.—In the case of a corporation—

(A) section 53(c) of the Internal Revenue Code of 1986 shall not apply to such corporation's first taxable year beginning after December 31, 2000, and

(B) for purposes of such Code (other than section 53 of such Code), the credit allowed by section 53 of such Code for such first taxable year shall be treated as if it were allowed by subpart C of part IV of subchapter A of chapter 1 of such Code (relating to refundable credits).

(2) SPECIAL RULES RELATING TO CARRYBACKS.—In the case of a carryback of a corporation from a taxable year beginning after December 31, 2000, to a taxable year beginning before January 1, 2001—

(A) the tax imposed by section 55 of such Code shall not be increased or decreased by reason of such a carryback,

(B) tentative minimum tax shall not be increased or decreased by reason of such a carryback for purposes of determining the amount of any credit other than the credit allowed by section 38, and

(C) the amount of such a carryback which is taken into account in determining tentative minimum tax for purposes of section 38(c) shall be the amount of such carryback which is taken into account in determining regular tax liability.

SEC. 104. CARRYBACK OF CERTAIN NET OPERATING LOSSES ALLOWED FOR 5 YEARS.

(a) IN GENERAL.—Paragraph (1) of section 172(b) (relating to years to which loss may be carried) is amended by adding at the end the following new subparagraph:

''(H) In the case of a taxpayer which has a net operating loss for any taxable year ending after September 10, 2001, and before September 11, 2004, subparagraph (A)(i) shall be applied by substituting '5' for '2' and subparagraph (F) shall not apply.''.

(b) ELECTION TO DISREGARD 5-YEAR CARRYBACK.—Section 172 (relating to net operating loss deduction) is amended by redesignating subsection (j) as subsection (k) and by inserting after subjection (i) the following new subsection:

''(j) ELECTION TO DISREGARD 5-YEAR CARRYBACK FOR CERTAIN NET OPERATING LOSSES.—Any taxpayer entitled to a 5-year carryback under subsection (b)(1)(H) from any loss year may elect to have the carryback period with respect to such loss year determined without regard to subsection (b)(1)(H). Such election shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the net operating loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.''.

(c) TEMPORARY SUSPENSION OF 90 PERCENT LIMIT ON CERTAIN NOL CARRYBACKS.—Subparagraph (A) of section 56(b)(1) (relating to general rule defining alternative tax net operating loss deduction), as amended by section 103, is amended to read as follows:

''(A) the amount of such deduction shall not exceed the sum of—

''(i) the lesser of—

''(I) the amount of such deduction attributable to net operating losses (other than the deduction attributable to carrybacks described in clause (ii)(I)), or

''(II) 90 percent of alternate minimum taxable income determined without regard to such deduction, plus

''(ii) the lesser of—

''(I) the amount of such deduction attributable to carrybacks of net operating losses for taxable years ending after September 10, 2001, and before September 11, 2004, or

''(II) alternate minimum taxable income determined without regard to such deduction reduced by the amount determined under clause (i), and''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to net operating losses for taxable years ending after September 10, 2001.

SEC. 105. RECOVERY PERIOD FOR DEPRECIATION OF CERTAIN LEASEHOLD IMPROVEMENTS.

(a) 15-YEAR RECOVERY PERIOD.—Subparagraph (E) of section 168(e)(3) (relating to 15-year property) is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following new clause:

''(iv) any qualified leasehold improvement property.''.

(b) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—Subsection (e) of section 168 is amended by adding at the end the following new paragraph:

''(6) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—

''(A) IN GENERAL.—The term 'qualified leasehold improvement property' means any improvement to an interior portion of a building which is nonresidential real property if—

''(i) such improvement is made under or pursuant to a lease (as defined in subsection (h)(7))—

''(I) by the lessee (or any sublessee) of such portion, or

''(II) by the lessor of such portion,

''(ii) such portion is to be occupied exclusively by the lessee (or any sublessee) of such portion, and

''(iii) such improvement is placed in service more than 3 years after the date the building was first placed in service.

''(B) CERTAIN IMPROVEMENTS NOT INCLUDED.—Such term shall not include any improvement for which the expenditure is attributable to—

''(i) the enlargement of the building,

''(ii) any elevator or escalator,

''(iii) any structural component benefiting a common area, and

''(iv) the internal structural framework of the building.

''(C) DEFINITIONS AND SPECIAL RULES.—For purposes of this paragraph—

''(i) COMMITMENT TO LEASE TREATED AS LEASE.—A commitment to enter into a lease shall be treated as a lease, and the parties to such commitment shall be treated as lessor and lessee, respectively.

''(ii) RELATED PERSONS.—A lease between related persons shall not be considered a lease. For purposes of the preceding sentence, the term 'related persons' means—

''(I) members of an affiliated group (as defined in section 1504), and

''(II) persons having a relationship described in subsection (b) of section 267; except that, for purposes of this clause, the phrase '80 percent or more' shall be substituted for the phrase 'more than 50 percent' each place it appears in such subsection.

''(D) IMPROVEMENTS MADE BY LESSOR.—

''(i) IN GENERAL.—In the case of an improvement made by the person who was the lessor of such improvement when such improvement was placed in service, such improvement shall be qualified leasehold improvement property (if at all) only so long as such improvement is held by such person.

''(ii) EXCEPTION FOR CHANGES IN FORM OF BUSINESS.—Property shall not cease to be qualified leasehold improvement property under clause (i) by reason of—

''(I) death,

''(II) a transaction to which section 381(a) applies, or

''(III) a mere change in the form of conducting the trade or business so long as the property is retained in such trade or business as qualified leasehold improvement property and the taxpayer retains a substantial interest in such trade or business.''

(c) REQUIREMENT TO USE STRAIGHT LINE METHOD.—Paragraph (3) of section 168(b) is amended by adding at the end the following new subparagraph:

''(G) Qualified leasehold improvement property described in subsection (e)(6).''.

(d) ALTERNATIVE SYSTEM.—The table contained in section 168(g)(3)(B) is amended by adding at the end the following new item:

''(E)(iv) ..... 15''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to qualified leasehold improvement property placed in service after September 10, 2001.

TITLE II—INDIVIDUAL PROVISIONS

SEC. 201. ACCELERATION OF 25 PERCENT INDIVIDUAL INCOME TAX RATE.

(a) IN GENERAL.—The table contained in paragraph (2) of section 1(i) (relating to reductions in rates after June 30, 2001) is amended—

(1) by striking ''27.0%'' and inserting ''25.0%'', and

(2) by striking ''26.0%'' and inserting ''25.0%''.

(b) REDUCTION NOT TO INCREASE MINIMUM TAX.—

(1) Subparagraph (A) of section 55(d)(1) is amended by striking ''($49,000 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)'' and inserting ''($49,000 in the case of taxable years beginning in 2001, $52,200 in the case of taxable years beginning in 2002 or 2003, and $50,700 in the case of taxable years beginning in 2004)''.

(2) Subparagraph (B) of section 55(d)(1) is amended by striking ''($35,750 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)'' and inserting ''($35,750 in the case of taxable years beginning in 2001, $37,350 in the case of taxable years beginning in 2002 or 2003, and $36,600 in the case of taxable years beginning in 2004)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(d) SECTION 15 NOT TO APPLY.—No amendment made by this section shall be treated

as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986 .

SEC. 202. REPEAL OF 5-YEAR HOLDING PERIOD REQUIREMENT FOR REDUCED INDIVIDUAL CAPITAL GAINS RATES.

(a) IN GENERAL.—

(1) Sections 1(h)(1)(B) and 55(b)(3)(B) are each amended by striking ''10 percent'' and inserting ''8 percent''.

(2) The following sections are each amended by striking ''20 percent'' and inserting ''18 percent'':

(A) Section 1(h)(1)(C).

(B) Section 55(b)(3)(C).

(C) Section 1445(e)(1).

(D) The second sentence of section 7518(g)(6)(A).

(E) The second sentence of section 607(h)(6)(A) of the Merchant Marine Act, 1936.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (e) of section 311 of the Taxpayer Relief Act of 1997 is repealed.

(2) Section 1(h) is amended—

(A) by striking paragraphs (2) and (9),

(B) by redesignating paragraphs (3) through (8) as paragraphs (2) through (7), respectively, and

(C) by redesignating paragraphs (10), (11), and (12) as paragraphs (8), (9), and (10), respectively.

(3) Paragraph (3) of section 55(b) is amended by striking ''In the case of taxable years beginning after December 31, 2000, rules similar to the rules of section 1(h)(2) shall apply for purposes of subparagraphs (B) and (C).''.

(4) Paragraph (7) of section 57(a) is amended by striking the last sentence and by striking ''42 percent'' and inserting ''28 percent''.

(c) TRANSITIONAL RULES FOR TAXABLE YEARS WHICH INCLUDE OCTOBER 12, 2001.—For purposes of applying section 1(h) of the Internal Revenue Code of 1986 in the case of a taxable year which includes October 12, 2001—

(1) The amount of tax determined under subparagraph (B) of section 1(h)(1) of such Code shall be the sum of—

(A) 8 percent of the lesser of—

(i) the sum of—

(I) the net capital gain taking into account only gain or loss properly taken into account for the portion of the taxable year on or after October 12, (determined without regard to collectibles gain or loss, gain described in section (1)(h)(6)(A)(i) of such Code, and section 1202 gain), and

(II) the qualified 5-year gain (as defined in section 1(h)(9) of the Internal Revenue Code of 1986, as in effect on the day before the date of the enactment of this Act) properly taken into account for the portion of the taxable year before October 12, 2001, or

(ii) the amount on which a tax is determined under such subparagraph (without regard to this subsection), plus

(B) 10 percent of the excess (if any) of—

(i) the amount on which a tax is determined under such subparagraph (without regard to this subsection), over

(ii) the amount on which a tax is determined under subparagraph (A).

(2) The amount of tax determined under subparagraph (C) of section (1)(h)(1) of such Code shall be the sum of—

(A) 18 percent of the lesser of—

(i) the excess (if any) of the amount of net capital gain determined under subparagraph (A)(i)(I) of paragraph (1) of this subsection over the amount on which a tax is determined under subparagraph (A) of paragraph (1) of this subsection, or

(ii) the amount on which a tax is determined under such subparagraph (C) (without regard to this subsection), plus

(B) 20 percent of the excess (if any) of—

(i) the amount on which a tax is determined under such subparagraph (C) (without regard to this subsection), over

(ii) the amount on which a tax is determined under subparagraph (A) of this paragraph.

(3) For purposes of applying section 55(b)(3) of such Code, rules similar to the rules of paragraphs (1) and (2) of this subsection shall apply.

(4) In applying this subsection with respect to any pass-thru entity, the determination of when gains and loss are properly taken into account shall be made at the entity level.

(5) Terms used in this subsection which are also used in section 1(h) of such Code shall have the respective meanings that such terms have in such section.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided by this subsection, the amendments made by this section shall apply to taxable years ending on or after October 12, 2001.

(2) WITHHOLDING.—The amendment made by subsection (a)(2)(C) shall apply to amounts paid after the date of the enactment of this Act.

(3) ELECTION TO RECOGNIZE GAIN ON ASSESTS HELD ON JANUARY 1, 2001.—The repeal made by subsection (b)(1) shall take effect as if included in section 311 of the Taxpayer Relief Act of 1997, and the Internal Revenue Code of 1986 shall be applied and administered as if subsection (e) of such section 311 had never been enacted.

(4) SMALL BUSINESS STOCK.—The amendments made by subsection (b)(4) shall apply to dispositions on or after October 12, 2001.

SEC. 203. TEMPORARY INCREASE IN DEDUCTION FOR CAPITAL LOSSES OF TAXPAYERS OTHER THAN CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 1211 (relating to limitation on capital losses for taxpayers other than corporations) is amended by adding at the end the following flush sentence:

''Paragraph (1) shall be applied by substituting '$4,000' for '$3,000' and '$2,000' for '$1,500' in the case of taxable years beginning in 2001, and by substituting '$5,000' for '$3,000' and '$2,500' for '$1,500' in the case of taxable years beginning in 2002.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2000.

SEC. 204. TEMPORARY EXPANSION OF PENALTY-FREE RETIREMENT PLAN DISTRIBUTIONS FOR HEALTH INSURANCE PREMIUMS OF UNEMPLOYED INDIVIDUALS.

(a) IN GENERAL.—Subparagraph (D) of section 72(t)(2) is amended by adding at the end the following new clause:

''(iv) SPECIAL RULES FOR INDIVIDUALS RECEIVING UNEMPLOYMENT COMPENSATION AFTER SEPTEMBER 10, 2001, AND BEFORE JANUARY 1, 2003.—In the case of an individual who receives unemployment compensation for 4 consecutive weeks after September 10, 2001, and before January 1, 2003—

''(I) clause (i) shall apply to distributions from all qualified retirement plans (as defined in section 4974(c)), and

''(II) such 4 consecutive weeks shall be substituted for the 12 consecutive weeks referred to in subclause (I) of clause (i).''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions after the date of the enactment of this Act.

TITLE III—EXTENSIONS OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Two-Year Extensions

SEC. 301. ALLOWANCE OF NONREFUNDABLE PERSONAL CREDITS AGAINST REGULAR AND MINIMUM TAX LIABILITY.

(a) IN GENERAL.—Paragraph (2) of section 26(a) is amended—

(1) by striking ''RULE FOR 2000 AND 2001.—'' and inserting ''RULE FOR 2000, 2001, 2002, AND 2003.—'', and

(2) by striking ''during 2000 or 2001,'' and inserting ''during 2000, 2001, 2002, or 2003,''.

(b) CONFORMING AMENDMENTS.—

(1) Section 904(h) is amended by striking ''during 2000 or 2001'' and inserting ''during 2000, 2001, 2002, or 2003''.

(2) The amendments made by sections 201(b), 202(f), and 618(f) of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall not apply to taxable years beginning during 2002 and 2003.

(c) TECHNICAL CORRECTION.—Section 24(d)(1)(B) is amended by striking ''amount of credit allowed by this section'' and inserting ''aggregate amount of credits allowed by this subpart''.

(d) EFFECTIVE DATES.—

(1) The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 2001.

(2) The amendment made by subsection (c) shall apply to taxable years beginning after December 31, 2000.

SEC. 302. CREDIT FOR QUALIFIED ELECTRIC VEHICLES.

(a) IN GENERAL.—Section 30 is amended—

(1) in subsection (b)(2)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2003,'', and

(B) in subparagraphs (A), (B), and (C), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2004'', ''2005'', and ''2006'', respectively, and

(2) in subsection (e), by striking ''December 31, 2004'' and inserting ''December 31, 2006''.

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (C) of section 280F(a)(1) is amended by adding at the end the following new clause

''(iii) APPLICATION OF SUBPARAGRAPH.—This subparagraph shall apply to property placed in service after August 5, 1997, and before January 1, 2007.''.

(2) Subsection (b) of section 971 of the Taxpayer Relief Act of 1997 is amended by striking ''and before January 1, 2005''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 303. CREDIT FOR ELECTRICITY PRODUCED FROM RENEWABLE RESOURCES.

(a) IN GENERAL.—Subparagraphs (A), (B), and (C) of section 45(c)(3) are each amended by striking ''2002'' and inserting ''2004''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 304. WORK OPPORTUNITY CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 51(c)(4) is amended by striking ''2001'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 305. WELFARE-TO-WORK CREDIT.

(a) IN GENERAL.—Subsection (f) of section 51A is amended by striking ''2001'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 306. DEDUCTION FOR CLEAN-FUEL VEHICLES AND CERTAIN REFUELING PROPERTY.

(a) IN GENERAL.—Section 179A is amended—

(1) in subsection (b)(1)(B)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2003,'', and

(B) in clauses (i), (ii), and (iii), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2004'', ''2005'', and ''2006'', respectively, and

(2) in subsection (f), by striking ''December 31, 2004'' and inserting ''December 31, 2006''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 307. TAXABLE INCOME LIMIT ON PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS PRODUCED FROM MARGINAL PROPERTIES.

(a) IN GENERAL.—Subparagraph (H) of section 613A(c)(6) is amended by striking ''2002'' and inserting ''2004''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 308. QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 1397E(e) is amended by striking ''2000, and 2001'' and inserting ''2000, 2001, 2002, and 2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 309. COVER OVER OF TAX ON DISTILLED SPIRITS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2004''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 310. PARITY IN THE APPLICATION OF CERTAIN LIMITS TO MENTAL HEALTH BENEFITS.

(a) IN GENERAL.—Subsection (f) of section 9812 is amended by striking ''2001'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning after December 31, 2001.

SEC. 311. DELAY IN EFFECTIVE DATE OF REQUIREMENT FOR APPROVED DIESEL OR KEROSENE TERMINALS.

Paragraph (2) of section 1032(f) of the Taxpayer Relief Act of 1997 (Public Law 105–34) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2004''.

Subtitle B—One-Year Extensions

SEC. 321. ONE-YEAR EXTENSION OF AVAILABILITY OF MEDICAL SAVINGS ACCOUNTS.

(a) IN GENERAL.—Paragraphs (2) and (3)(B) of section 220(i) (defining cut-off year) are each amended by striking ''2002'' each place it appears and inserting ''2003''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 220(j) is amended by striking ''1998, 1999, or 2001'' each place it appears and inserting ''1998, 1999, 2001, or 2002''.

(2) Subparagraph (A) of section 220(j)(4) is amended by striking ''and 2001'' and inserting ''2001, and 2002''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle C—Permanent Extensions

SEC. 331. SUBPART F EXEMPTION FOR ACTIVE FINANCING.

(a) IN GENERAL.—

(1) Section 953(e)(10) is amended—

(A) by striking '', and before January 1, 2002,'', and

(B) by striking the second sentence.

(2) Section 954(h)(9) is amended by striking '', and before January 1, 2002,''.

(b) LIFE INSURANCE AND ANNUITY CONTRACTS.—

(1) IN GENERAL.—Subparagraph (B) of section 954(i)(4) is amended to read as follows:

''(B) LIFE INSURANCE AND ANNUITY CONTRACTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), the amount of the reserve of a qualifying insurance company or qualifying insurance company branch for any life insurance or annuity contract shall be equal to the greater of—

''(I) the net surrender value of such contract (as defined in section 807(e)(1)(A)), or

''(II) the reserve determined under paragraph (5).

''(ii) RULING REQUEST.—The amount of the reserve under clause (i) shall be the foreign statement reserve for the contract (less any catastrophe, deficiency, equalization, or similar reserves), if, pursuant to a ruling request submitted by the taxpayer, the Secretary determines that the factors taken into account in determining the foreign statement reserve provide an appropriate means of measuring income.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

Subtitle D—Other Provisions

SEC. 341. EXCLUDED CANCELLATION OF INDEBTEDNESS INCOME OF S CORPORATION NOT TO RESULT IN ADJUSTMENT TO BASIS OF STOCK OF SHAREHOLDERS.

(a) IN GENERAL.—Subparagraph (A) of section 108(d)(7) (relating to certain provisions to be applied at corporate level) is amended by inserting before the period '', including by not taking into account under section 1366(a) any amount excluded under subsection (a) of this section''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of indebtedness after October 11, 2001, in taxable years ending after such date.

SEC. 342. LIMITATION ON USE OF NONACCRUAL EXPERIENCE METHOD OF ACCOUNTING.

(a) IN GENERAL.—Paragraph (5) of section 448(d) is amended to read as follows:

''(5) SPECIAL RULE FOR CERTAIN SERVICES.—

''(A) IN GENERAL.—In the case of any person using an accrual method of accounting with respect to amounts to be received for the performance of services by such person, such person shall not be required to accrue any portion of such amounts which (on the basis of such person's experience) will not be collected if—

''(i) such services are in fields referred to in paragraph (2)(A), or

''(ii) such person meets the gross receipts test of subsection (c) for all prior taxable years.

''(B) EXCEPTION.—This paragraph shall not apply to any amount if interest is required to be paid on such amount or there is any penalty for failure to timely pay such amount.

''(C) REGULATIONS.—The Secretary shall prescribe regulations to permit taxpayers to determine amounts referred to in subparagraph (A) using computations or formulas which, based on experience, accurately reflect the amount of income that will not be collected by such person. A taxpayer may adopt, or request consent of the Secretary to change to, a computation or formula that clearly reflects the taxpayer's experience. A request under the preceding sentence shall be approved only if such computation or formula clearly reflects the taxpayer's experience.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendments made by this section to change its method of accounting for its first taxable year ending after the date of the enactment of this Act—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account over a period of 4 years (or if less, the number of taxable years that the taxpayer used the method permitted under section 448(d)(5) of such Code as in effect before the date of the enactment of this Act) beginning with such first taxable year.

TITLE IV—SUPPLEMENTAL REBATE; OTHER PROVISIONS

SEC. 401. SUPPLEMENTAL REBATE.

(a) IN GENERAL.—Section 6428 (relating to acceleration of 10 percent income tax rate bracket benefit for 2001) is amended by adding at the end the following new subsection:

''(f) SUPPLEMENTAL REBATE.—

''(1) IN GENERAL.—Each individual who was an eligible individual for such individual's first taxable year beginning in 2000 and who, before October 16, 2001, filed a return of tax imposed by subtitle A for such taxable year shall be treated as having made a payment against the tax imposed by chapter 1 for such first taxable year in an amount equal to the supplemental refund amount for such taxable year.

''(2) SUPPLEMENTAL REFUND AMOUNT.—For purposes of this subsection, the supplemental refund amount is an amount equal to the excess (if any) of—

''(A)(i) $600 in the case of taxpayers to whom section 1(a) applies,

''(ii) $500 in the case of taxpayers to whom section 1(b) applies, and

''(iii) $300 in the case of taxpayers to whom subsections (c) or (d) of section 1 applies, over

''(B) the taxpayer's advance refund amount under subsection (e).

''(3) TIMING OF PAYMENTS.—In the case of any overpayment attributable to this subsection, the Secretary shall, subject to the provisions of this title, refund or credit such overpayment as rapidly as possible.

''(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.''

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (A) of section 6428(d)(1) is amended by striking ''subsection (e)'' and inserting ''subsections (e) and (f)''.

(2) Subparagraph (B) of section 6428(d)(1) is amended by striking ''subsection (e)'' and inserting ''subsection (e) or (f)''.

(3) Paragraph (3) of section 6428(e) is amended by striking ''December 31, 2001'' and inserting ''the date of the enactment of the Economic Security and Recovery Act of 2001''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 402. SPECIAL REED ACT TRANSFER IN FISCAL YEAR 2002.

(a) REPEAL OF CERTAIN PROVISIONS ADDED BY THE BALANCED BUDGET ACT OF 1997.—

(1) IN GENERAL.—The following provisions of section 903 of the Social Security Act (42 U.S.C. 1103) are repealed:

(A) Paragraph (3) of subsection (a).

(B) The last sentence of subsection (c)(2).

(2) SAVINGS PROVISION.—Any amounts transferred before the date of enactment of this Act under the provision repealed by paragraph (1)(A) shall remain subject to section 903 of the Social Security Act, as last in effect before such date of enactment.

(b) SPECIAL TRANSFER IN FISCAL YEAR 2002.—Section 903 of the Social Security Act is amended by adding at the end the following:

''Special Transfer in Fiscal Year 2002

''(d)(1) The Secretary of the Treasury shall transfer (as of the date determined under paragraph (5)(A)) from the Federal unemployment account to the account of each State in the Unemployment Trust Fund the

amount determined with respect to such State under paragraph (2).

''(2) The amount to be transferred under this subsection to a State account shall (as determined by the Secretary of Labor and certified by such Secretary to the Secretary of the Treasury) be equal to—

''(A) the amount which would have been required to have been transferred under this section to such account at the beginning of fiscal year 2002 if section 402(a)(1) of the Economic Security and Recovery Act of 2001 had been enacted before the close of fiscal year 2001, minus

''(B) the amount which was in fact transferred under this section to such account at the beginning of fiscal year 2002.

''(3)(A) Except as provided in paragraph (4), amounts transferred to a State account pursuant to this subsection may be used only in the payment of cash benefits—

''(i) to individuals with respect to their unemployment, and

''(ii) which are allowable under subparagraph (B) or (C).

''(B)(i) At the option of the State, cash benefits under this paragraph may include amounts which shall be payable as regular or additional compensation for individuals eligible for regular compensation under the unemployment compensation law of such State.

''(ii) Any additional compensation under clause (i) may not be taken into account for purposes of any determination relating to the amount of any extended compensation for which an individual might be eligible.

''(C)(i) At the option of the State, cash benefits under this paragraph may include amounts which shall be payable to 1 or more categories of individuals not otherwise eligible for regular compensation under the unemployment compensation law of such State.

''(ii) The benefits paid under this subparagraph to any individual may not, for any period of unemployment, exceed the maximum amount of regular compensation authorized under the unemployment compensation law of such State for that same period, plus any additional benefits (described in subparagraph (B)(i)) which could have been paid with respect to that amount.

''(D) Amounts transferred to a State account under this subsection may be used in the payment of cash benefits to individuals only for weeks of unemployment—

''(i) beginning after the date of enactment of this subsection, and

''(ii) ending on or before March 11, 2003.

''(4) Amounts transferred to a State account under this subsection may be used for the administration of its unemployment compensation law and public employment offices (including in connection with benefits described in paragraph (3) and any recipients thereof), subject to the same conditions as set forth in subsection (c)(2) (excluding subparagraph (B) thereof, and deeming the reference to 'subsections (a) and (b)' in subparagraph (D) thereof to include this subsection).

''(5) Transfers under this subsection—

''(A) shall be made on such date as the Secretary of Labor (in consultation with the Secretary of the Treasury) shall determine, but in no event later than 10 days after the date of enactment of this subsection, and

''(B) may, notwithstanding any other provision of this subsection, be made only to the extent that they do not to exceed—

''(i) the balance in the Federal unemployment account as of the date determined under subparagraph (A), or

''(ii) the total amount that was transferred under this section to the Federal unemployment account at the beginning of fiscal year 2002,

whichever is less.''

(c) LIMITATIONS ON TRANSFERS.—Section 903(b) of the Social Security Act shall apply to transfers under section 903(d) of such Act (as amended by this section). For purposes of the preceding sentence, such section 903(b) shall be deemed to be amended as follows:

(1) By substituting ''the transfer date described in subsection (d)(5)(A)'' for ''October 1 of any fiscal year''.

(2) By substituting ''remain in the Federal unemployment account'' for ''be transferred to the Federal unemployment account as of the beginning of such October 1''.

(3) By substituting ''fiscal year 2002 (after the transfer date described in subsection (d)(5)(A))'' for ''the fiscal year beginning on such October 1''.

(4) By substituting ''under subsection (d)'' for ''as of October 1 of such fiscal year''.

(5) By substituting ''(as of the close of fiscal year 2002)'' for ''(as of the close of such fiscal year)''.

(d) TECHNICAL AMENDMENTS.—(1) Sections 3304(a)(4)(B) and 3306(f)(2) of the Internal Revenue Code of 1986 are amended by inserting ''or 903(d)(4)'' before ''of the Social Security Act''.

(2) Section 303(a)(5) of the Social Security Act is amended in the second proviso by inserting ''or 903(d)(4)'' after ''903(c)(2)''.

(e) REGULATIONS.—The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this section and the amendments made by this section.

TITLE V—HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED

SEC. 501. HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED.

Title XX of the Social Security Act (42 U.S.C. 1397–1397f) is amended by adding at the end the following:

''SEC. 2008. GRANTS FOR HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED.

''(a) FUNDING.—For purposes of section 2003, the amount specified in section 2003(c) for fiscal year 2002 is increased by $3,000,000,000.

''(b) USE OF FUNDS.—Notwithstanding any other provision of this title, to the extent that an amount paid to a State under section 2002 is attributable to funds made available by reason of subsection (a) of this section—

''(1) the State shall use the amount to assist an unemployed individual who is not eligible for Federal health coverage to purchase health care coverage for the individual or any member of the family of the individual who is not so eligible; and

''(2) the amount—

''(A) shall be used to supplement, not supplant, any other Federal, State, or local funds that are used for the provision of health care coverage; and

''(B) may not be included in determining the amount of non-Federal contributions required under any program.

''(c) DEFINITIONS.—In this section:

''(1) UNEMPLOYED INDIVIDUAL.—The term 'unemployed individual' means an individual who—

''(A) is without a job (determined in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed);

''(B) is seeking and available for work; and

''(C) has or had a benefit year (within the meaning of section 205 of the Federal-State Extended Unemployment Compensation Act of 1970) beginning on or after January 1, 2001.

''(2) FEDERAL HEALTH COVERAGE.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'Federal health coverage' means coverage under any medical care program described in—

''(i) title XVIII, XIX, or XXI of this Act (other than under section 1928);

''(ii) chapter 55 of title 10, United States Code;

''(iii) chapter 17 of title 38, United States Code;

''(iv) chapter 89 of title 5, United States Code (other than coverage which is comparable to continuation coverage under section 4980B of the Internal Revenue Code of 1986); or

''(v) the Indian Health Care Improvement Act.

''(B) SPECIAL RULE.—Such term does not include coverage under a qualified long-term care insurance contract.''.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 270, Mr. RANGEL submitted the following further amendment in the nature of a substitute as printed in House Report 107-252:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Fiscal Stimulus and Worker Relief Act of 2001''.

(b) REFERENCES TO INTERNAL REVENUE CODE OF 1986.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, etc.

TITLE I—TAX PROVISIONS

Subtitle A—Supplemental Rebate

Sec. 101. Supplemental rebate.

Subtitle B—Extensions of Certain Expiring Provisions

Sec. 111. Allowance of nonrefundable personal credits against regular and minimum tax liability.
Sec. 112. Credit for qualified electric vehicles.
Sec. 113. Credit for electricity produced from renewable resources.
Sec. 114. Work Opportunity Credit.
Sec. 115. Welfare-to-Work credit.
Sec. 116. Deduction for clean-fuel vehicles and certain refueling property.
Sec. 117. Taxable income limit on percentage depletion for oil and natural gas produced from marginal properties.
Sec. 118. Qualified zone academy bonds.
Sec. 119. Cover over of tax on distilled spirits.
Sec. 120. Parity in the application of certain limits to mental health benefits.
Sec. 121. Delay in effective date of requirement for approved diesel or kerosene terminals.

Subtitle C—Other Provisions

Sec. 131. Alternative minimum tax relief with respect to incentive stock options exercised during 2000.
Sec. 132. Carryback for 2001 and 2002 net operating losses allowed for 5 years.
Sec. 133. Temporary increase in expensing under section 179.
Sec. 134. Temporary waiver of 90 percent AMT limitations.
Sec. 135. Expansion of incentives for public schools.

TITLE II—WORKER RELIEF

Subtitle A—Temporary Unemployment Compensation

Sec. 201. Short title.

Sec. 202. Federal-State agreements.
Sec. 203. Temporary Supplemental Unemployment Compensation Account.
Sec. 204. Payments to States having agreements under this subtitle.
Sec. 205. Financing provisions.
Sec. 206. Fraud and overpayments.
Sec. 207. Definitions.
Sec. 208. Applicability.
Subtitle B—Premium Assistance For COBRA Continuation Coverage
Sec. 211. Premium assistance for COBRA continuation coverage.
Subtitle C—Additional Assistance for Temporary Health Insurance Coverage
Sec. 221. Optional temporary medicaid coverage for certain uninsured employees.
Sec. 222. Optional temporary coverage for unsubsidized portion of COBRA continuation premiums.
TITLE III—FREEZE OF TOP INDIVIDUAL INCOME TAX RATE AND DOMESTIC SECURITY TRUST FUND
Sec. 301. Freeze of top individual income tax rate and domestic security trust fund.

TITLE I—TAX PROVISIONS

Subtitle A—Supplemental Rebate

SEC. 101. SUPPLEMENTAL REBATE.

(a) IN GENERAL.—Section 6428 (relating to acceleration of 10 percent income tax rate bracket benefit for 2001) is amended by adding at the end the following new subsection:

''(f) SUPPLEMENTAL REBATE.—

''(1) IN GENERAL.—Each individual who was an eligible individual for such individual's first taxable year beginning in 2000 and who, before October 12, 2001, filed a return of tax imposed by subtitle A for such taxable year shall be treated as having made a payment against the tax imposed by chapter 1 for such first taxable year in an amount equal to the supplemental refund amount for such taxable year.

''(2) SUPPLEMENTAL REFUND AMOUNT.—For purposes of this subsection, the supplemental refund amount is an amount equal to the excess (if any) of—

''(A)(i) $600 in the case of taxpayers to whom section 1(a) applies,

''(ii) $500 in the case of taxpayers to whom section 1(b) applies, and

''(iii) $300 in the case of taxpayers to whom subsections (c) or (d) of section 1 applies, over

''(B) the taxpayer's advance refund amount under subsection (e).

''(3) TIMING OF PAYMENTS.—In the case of any overpayment attributable to this subsection, the Secretary shall, to the maximum extent practicable, refund or credit such overpayment before December 31, 2001.

''(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.''

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 6428(d) is amended by adding at the end the following new subparagraph:

''(C) COORDINATION WITH SUPPLEMENTAL REBATE.—No credit shall be allowed under subsection (a) to any individual who is entitled to a supplemental rebate amount under subsection (f).''

(2) Paragraph (3) of section 6428(e) is amended by striking ''December 31, 2001'' and inserting ''the date of the enactment of the Fiscal Stimulus and Worker Relief Act of 2001''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle B—Extensions of Certain Expiring Provisions

SEC. 111. ALLOWANCE OF NONREFUNDABLE PERSONAL CREDITS AGAINST REGULAR AND MINIMUM TAX LIABILITY.

(a) IN GENERAL.—Paragraph (2) of section 26(a) is amended—

(1) by striking ''RULE FOR 2000 AND 2001.—'' and inserting ''RULE FOR 2000, 2001, AND 2002.—'', and

(2) by striking ''during 2000 or 2001,'' and inserting ''during 2000, 2001, or 2002,''.

(b) CONFORMING AMENDMENTS.—

(1) Section 904(h) is amended by striking ''during 2000 or 2001'' and inserting ''during 2000, 2001, or 2002''.

(2) The amendments made by sections 201(b), 202(f), and 618(f) of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall not apply to taxable years beginning during 2002.

(c) TECHNICAL CORRECTION.—Section 24(d)(1)(B) is amended by striking ''amount of credit allowed by this section'' and inserting ''aggregate amount of credits allowed by this subpart.''.

(d) EFFECTIVE DATES.—

(1) The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 2001.

(2) The amendment made by subsection (c) shall apply to taxable years beginning after December 31, 2000.

SEC. 112. CREDIT FOR QUALIFIED ELECTRIC VEHICLES.

(a) IN GENERAL.—Section 30 is amended—

(1) in subsection (b)(2)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2002,'', and

(B) in subparagraphs (A), (B), and (C), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2003'', ''2004'', and ''2005'', respectively, and

(2) in subsection (e), by striking ''December 31, 2004'' and inserting ''December 31, 2005''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 113. CREDIT FOR ELECTRICITY PRODUCED FROM RENEWABLE RESOURCES.

(a) IN GENERAL.—Subparagraphs (A), (B), and (C) of section 45(c)(3) are each amended by striking ''2002'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 114. WORK OPPORTUNITY CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 51(c)(4) is amended by striking ''2001'' and inserting ''2002''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 115. WELFARE-TO-WORK CREDIT.

(a) IN GENERAL.—Subsection (f) of section 51A is amended by striking ''2001'' and inserting ''2002''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 116. DEDUCTION FOR CLEAN-FUEL VEHICLES AND CERTAIN REFUELING PROPERTY.

(a) IN GENERAL.—Section 179A is amended—

(1) in subsection (b)(1)(B)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2002,'', and

(B) in clauses (i), (ii), and (iii), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2003'', ''2004'', and ''2005'', respectively, and

(2) in subsection (f), by striking ''December 31, 2004'' and inserting ''December 31, 2005''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 117. TAXABLE INCOME LIMIT ON PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS PRODUCED FROM MARGINAL PROPERTIES.

(a) IN GENERAL.—Subparagraph (H) of section 613A(c)(6) is amended by striking ''2002'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 118. QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 1397E(e) is amended by striking ''2000, and 2001'' and inserting ''2000, 2001, and 2002''.

(b) EXTENSION OF CARRYOVER OF UNUSED LIMITATION FROM 1998.—Paragraph (4) of section 1397E(e) is amended by striking ''3 years for carryforwards from 1998 or 1999'' and inserting ''4 years for carryforwards from 1998 and 3 years for carryforwards from 1999''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 119. COVER OVER OF TAX ON DISTILLED SPIRITS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 120. PARITY IN THE APPLICATION OF CERTAIN LIMITS TO MENTAL HEALTH BENEFITS.

(a) IN GENERAL.—Subsection (f) of section 9812 is amended by striking ''2001'' and inserting ''2002''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning after December 31, 2001.

SEC. 121. DELAY IN EFFECTIVE DATE OF REQUIREMENT FOR APPROVED DIESEL OR KEROSENE TERMINALS.

Paragraph (2) of section 1032(f) of the Taxpayer Relief Act of 1997 (Public Law 105–34) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2003''.

Subtitle C—Other Provisions

SEC. 131. ALTERNATIVE MINIMUM TAX RELIEF WITH RESPECT TO INCENTIVE STOCK OPTIONS EXERCISED DURING 2000.

In the case of an incentive stock option (as defined in section 422 of the Internal Revenue Code of 1986) exercised during calendar year 2000 or 2001, the amount taken into account under section 56(b)(3) of such Code by reason of such exercise shall not exceed the amount that would have been taken into account if, on the date of such exercise, the fair market value of the stock acquired pursuant to such option had been—

(1) its fair market value as of—

(A) April 15, 2001, in the case of options exercised during 2000, and

(B) December 31, 2001, in the case of options exercised during 2001, or

(2) if such stock is sold or exchanged on or before the applicable date under paragraph (1), the amount realized on such sale or exchange.

SEC. 132. CARRYBACK FOR 2001 AND 2002 NET OPERATING LOSSES ALLOWED FOR 5 YEARS.

(a) IN GENERAL.—Paragraph (1) of section 172(b) (relating to years to which loss may be carried) is amended by adding at the end the following new subparagraph:

''(H) In the case of a taxpayer which has a net operating loss for any taxable year beginning in 2001 or 2002, subparagraph (A)(i) shall be applied by substituting '5' for '2' and subparagraph (F) shall not apply.''.

(b) ELECTION TO DISREGARD 5-YEAR CARRYBACK FOR NET OPERATING LOSS ARISING IN 2001 OR 2002.— Section 172 of such Code (relating to net operating loss deduction) is amended by redesignating subsection (j) as

subsection (k) and by inserting after subjection (i) the following new subsection:

''(j) ELECTION TO DISREGARD 5-YEAR CARRYBACK FOR NET OPERATING LOSS ARISING IN 2001 OR 2002.—Any taxpayer entitled to a 5-year carryback under subsection (b)(1)(H) from any loss year may elect to have the carryback period with respect to such loss year determined without regard to subsection (b)(1)(H). Such election shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the net operating loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.''.

(c) SUSPENSION OF 90 PERCENT AMT LIMIT ON 2001 AND 2002 NOL CARRYBACKS.—Subparagraph (A) of section 56(d)(1) (relating to general rule defining alternative tax net operating loss deduction) is amended to read as follows:

''(A) the amount of such deduction shall not exceed the sum of—

''(i) the lesser of—

''(I) the amount of such deduction attributable to net operating losses (other than the deduction attributable to carrybacks of net operating losses for taxable years beginning in 2001 or 2002), or

''(II) 90 percent of alternate minimum taxable income determined without regard to such deduction, plus

''(ii) the lesser of—

''(I) the amount of such deduction attributable to carrybacks of net operating losses for taxable years beginning in 2001 or 2002, or

''(II) alternate minimum taxable income determined without regard to such deduction reduced by the amount determined under clause (i), and''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to net operating losses for taxable years beginning after 2000.

SEC. 133. TEMPORARY INCREASE IN EXPENSING UNDER SECTION 179.

(a) IN GENERAL.—The table contained in section 179(b)(1) (relating to dollar limitation) is amended to read as follows:

"If the taxable year begins in:	The applicable amount is:
2001 or 2002	$50,000
2003 or thereafter	25,000.''

(b) TEMPORARY INCREASE IN AMOUNT OF PROPERTY TRIGGERING PHASEOUT OF MAXIMUM BENEFIT.—Paragraph (2) of section 179(b) of such Code is amended by inserting before the period ''($400,000 in the case of taxable years beginning during 2001 or 2002)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

SEC. 134. TEMPORARY WAIVER OF 90 PERCENT AMT LIMITATIONS.

Subparagraph (A) of section 56(b)(1) of the Internal Revenue Code of 1986 and paragraph (2) of section 59(a) of such Code shall not apply in determining alternative minimum tax liability for taxable years beginning in 2001 or 2002.

SEC. 135. EXPANSION OF INCENTIVES FOR PUBLIC SCHOOLS.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following new subchapter:

"Subchapter Y—Public School Modernization Provisions

''Sec. 1400K. Credit to holders of qualified public school modernization bonds.

''Sec. 1400L. Qualified school construction bonds.

''Sec. 1400M. Qualified zone academy bonds.

"SEC. 1400K. CREDIT TO HOLDERS OF QUALIFIED PUBLIC SCHOOL MODERNIZATION BONDS.

''(a) ALLOWANCE OF CREDIT.—In the case of a taxpayer who holds a qualified public school modernization bond on a credit allowance date of such bond which occurs during the taxable year, there shall be allowed as a credit against the tax imposed by this chapter for such taxable year an amount equal to the sum of the credits determined under subsection (b) with respect to credit allowance dates during such year on which the taxpayer holds such bond.

''(b) AMOUNT OF CREDIT.—

''(1) IN GENERAL.—The amount of the credit determined under this subsection with respect to any credit allowance date for a qualified public school modernization bond is 25 percent of the annual credit determined with respect to such bond.

''(2) ANNUAL CREDIT.—The annual credit determined with respect to any qualified public school modernization bond is the product of—

''(A) the applicable credit rate, multiplied by

''(B) the outstanding face amount of the bond.

''(3) APPLICABLE CREDIT RATE.—For purposes of paragraph (1), the applicable credit rate with respect to an issue is the rate equal to an average market yield (as of the day before the date of issuance of the issue) on outstanding long-term corporate debt obligations (determined under regulations prescribed by the Secretary).

''(4) SPECIAL RULE FOR ISSUANCE AND REDEMPTION.—In the case of a bond which is issued during the 3-month period ending on a credit allowance date, the amount of the credit determined under this subsection with respect to such credit allowance date shall be a ratable portion of the credit otherwise determined based on the portion of the 3-month period during which the bond is outstanding. A similar rule shall apply when the bond is redeemed.

''(c) LIMITATION BASED ON AMOUNT OF TAX.—

''(1) IN GENERAL.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under part IV of subchapter A (other than subpart C thereof, relating to refundable credits).

''(2) CARRYOVER OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by paragraph (1) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.

''(d) QUALIFIED PUBLIC SCHOOL MODERNIZATION BOND; CREDIT ALLOWANCE DATE.—For purposes of this section—

''(1) QUALIFIED PUBLIC SCHOOL MODERNIZATION BOND.—The term 'qualified public school modernization bond' means—

''(A) a qualified zone academy bond, and

''(B) a qualified school construction bond.

''(2) CREDIT ALLOWANCE DATE.—The term 'credit allowance date' means—

''(A) March 15,

''(B) June 15,

''(C) September 15, and

''(D) December 15.

Such term includes the last day on which the bond is outstanding.

''(e) OTHER DEFINITIONS.—For purposes of this subchapter—

''(1) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given to such term by section 14101 of the Elementary and Secondary Education Act of 1965. Such term includes the local educational agency that serves the District of Columbia but does not include any other State agency.

''(2) BOND.—The term 'bond' includes any obligation.

''(3) STATE.—The term 'State' includes the District of Columbia and any possession of the United States.

''(4) PUBLIC SCHOOL FACILITY.—The term 'public school facility' shall not include—

''(A) any stadium or other facility primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public, or

''(B) any facility which is not owned by a State or local government or any agency or instrumentality of a State or local government.

''(f) CREDIT INCLUDED IN GROSS INCOME.—Gross income includes the amount of the credit allowed to the taxpayer under this section (determined without regard to subsection (c)) and the amount so included shall be treated as interest income.

''(g) RECAPTURE OF PORTION OF CREDIT WHERE CESSATION OF COMPLIANCE.—

''(1) IN GENERAL.—If any bond which when issued purported to be a qualified public school modernization bond ceases to be a qualified public school modernization bond, the issuer shall pay to the United States (at the time required by the Secretary) an amount equal to the sum of—

''(A) the aggregate of the credits allowable under this section with respect to such bond (determined without regard to subsection (c)) for taxable years ending during the calendar year in which such cessation occurs and the 2 preceding calendar years, and

''(B) interest at the underpayment rate under section 6621 on the amount determined under subparagraph (A) for each calendar year for the period beginning on the first day of such calendar year.

''(2) FAILURE TO PAY.—If the issuer fails to timely pay the amount required by paragraph (1) with respect to such bond, the tax imposed by this chapter on each holder of any such bond which is part of such issue shall be increased (for the taxable year of the holder in which such cessation occurs) by the aggregate decrease in the credits allowed under this section to such holder for taxable years beginning in such 3 calendar years which would have resulted solely from denying any credit under this section with respect to such issue for such taxable years.

''(3) SPECIAL RULES.—

''(A) TAX BENEFIT RULE.—The tax for the taxable year shall be increased under paragraph (2) only with respect to credits allowed by reason of this section which were used to reduce tax liability. In the case of credits not so used to reduce tax liability, the carryforwards and carrybacks under section 39 shall be appropriately adjusted.

''(B) NO CREDITS AGAINST TAX.—Any increase in tax under paragraph (2) shall not be treated as a tax imposed by this chapter for purposes of determining —

''(i) the amount of any credit allowable under this part, or

''(ii) the amount of the tax imposed by section 55.

''(h) BONDS HELD BY REGULATED INVESTMENT COMPANIES.—If any qualified public school modernization bond is held by a regulated investment company, the credit determined under subsection (a) shall be allowed to shareholders of such company under procedures prescribed by the Secretary.

''(i) CREDITS MAY BE STRIPPED.—Under regulations prescribed by the Secretary—

''(1) IN GENERAL.—There may be a separation (including at issuance) of the ownership of a qualified public school modernization bond and the entitlement to the credit under this section with respect to such bond. In case of any such separation, the credit under

this section shall be allowed to the person who on the credit allowance date holds the instrument evidencing the entitlement to the credit and not to the holder of the bond.

''(2) CERTAIN RULES TO APPLY.—In the case of a separation described in paragraph (1), the rules of section 1286 shall apply to the qualified public school modernization bond as if it were a stripped bond and to the credit under this section as if it were a stripped coupon.

''(j) TREATMENT FOR ESTIMATED TAX PURPOSES.—Solely for purposes of sections 6654 and 6655, the credit allowed by this section to a taxpayer by reason of holding a qualified public school modernization bonds on a credit allowance date shall be treated as if it were a payment of estimated tax made by the taxpayer on such date.

''(k) CREDIT MAY BE TRANSFERRED.—Nothing in any law or rule of law shall be construed to limit the transferability of the credit allowed by this section through sale and repurchase agreements.

''(k) REPORTING.—Issuers of qualified public school modernization bonds shall submit reports similar to the reports required under section 149(e).

''(l) PENALTY ON CONTRACTORS FAILING TO PAY PREVAILING WAGE.—

''(1) IN GENERAL.—If the Secretary of Labor certifies to the Secretary that any contractor on any project funded by any qualified public school modernization bond has failed, during any portion of such contractor's taxable year, to pay prevailing wages as would be required under section 439 of the General Education Provisions Act if such funding were an applicable program under such section, the tax imposed by chapter 1 on such contractor for such taxable year shall be increased by 100 percent of the amount involved in such failure. The preceding sentence shall not apply to the extent the Secretary of Labor determines that such failure is due to reasonable cause and not willful neglect.

''(2) AMOUNT INVOLVED.—For purposes of paragraph (1), the amount involved with respect to any failure is the excess of the amount of wages such contractor would be so required to pay under such section over the amount of wages paid.

''(3) NO CREDITS AGAINST TAX.—The tax imposed by this section shall not be treated as a tax imposed by this chapter for purposes of determining—

''(A) the amount of any credit allowable under this chapter, or

''(B) the amount of the minimum tax imposed by section 55.

''(m) TERMINATION.—This section shall not apply to any bond issued after September 30, 2006.

"SEC. 1400L. QUALIFIED SCHOOL CONSTRUCTION BONDS.

''(a) QUALIFIED SCHOOL CONSTRUCTION BOND.—For purposes of this subchapter, the term 'qualified school construction bond' means any bond issued as part of an issue if—

''(1) 95 percent or more of the proceeds of such issue are to be used for the construction, rehabilitation, or repair of a public school facility or for the acquisition of land on which such a facility is to be constructed with part of the proceeds of such issue,

''(2) the bond is issued by a State or local government within the jurisdiction of which such school is located,

''(3) the issuer designates such bond for purposes of this section, and

''(4) the term of each bond which is part of such issue does not exceed 15 years.

''(b) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—The maximum aggregate face amount of bonds issued during any calendar year which may be designated under subsection (a) by any issuer shall not exceed the sum of—

''(1) the limitation amount allocated under subsection (d) for such calendar year to such issuer, and

''(2) if such issuer is a large local educational agency (as defined in subsection (e)(4)) or is issuing on behalf of such an agency, the limitation amount allocated under subsection (e) for such calendar year to such agency.

''(c) NATIONAL LIMITATION ON AMOUNT OF BONDS DESIGNATED.—There is a national qualified school construction bond limitation for each calendar year. Such limitation is—

''(1) $11,000,000,000 for 2002, and

''(2) except as provided in subsection (f), zero after 2002.

''(d) 60 PERCENT OF LIMITATION ALLOCATED AMONG STATES.—

''(1) IN GENERAL.—60 percent of the limitation applicable under subsection (c) for any calendar year shall be allocated by the Secretary among the States in proportion to the respective numbers of children in each State who have attained age 5 but not age 18 for the most recent fiscal year ending before such calendar year. The limitation amount allocated to a State under the preceding sentence shall be allocated by the State to issuers within such State.

''(2) MINIMUM ALLOCATIONS TO STATES.—

''(A) IN GENERAL.—The Secretary shall adjust the allocations under this subsection for any calendar year for each State to the extent necessary to ensure that the sum of—

''(i) the amount allocated to such State under this subsection for such year, and

''(ii) the aggregate amounts allocated under subsection (e) to large local educational agencies in such State for such year,

is not less than an amount equal to such State's minimum percentage of the amount to be allocated under paragraph (1) for the calendar year.

''(B) MINIMUM PERCENTAGE.—A State's minimum percentage for any calendar year is the minimum percentage described in section 1124(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6334(d)) for such State for the most recent fiscal year ending before such calendar year.

''(3) ALLOCATIONS TO CERTAIN POSSESSIONS.—The amount to be allocated under paragraph (1) to any possession of the United States other than Puerto Rico shall be the amount which would have been allocated if all allocations under paragraph (1) were made on the basis of respective populations of individuals below the poverty line (as defined by the Office of Management and Budget). In making other allocations, the amount to be allocated under paragraph (1) shall be reduced by the aggregate amount allocated under this paragraph to possessions of the United States.

''(4) ALLOCATIONS FOR INDIAN SCHOOLS.—In addition to the amounts otherwise allocated under this subsection, $200,000,000 for calendar year 2002, and $200,000,000 for calendar year 2003, shall be allocated by the Secretary of the Interior for purposes of the construction, rehabilitation, and repair of schools funded by the Bureau of Indian Affairs. In the case of amounts allocated under the preceding sentence, Indian tribal governments (as defined in section 7871) shall be treated as qualified issuers for purposes of this subchapter.

''(e) 40 PERCENT OF LIMITATION ALLOCATED AMONG LARGEST SCHOOL DISTRICTS.—

''(1) IN GENERAL.—40 percent of the limitation applicable under subsection (c) for any calendar year shall be allocated under paragraph (2) by the Secretary among local educational agencies which are large local educational agencies for such year.

''(2) ALLOCATION FORMULA.—The amount to be allocated under paragraph (1) for any calendar year shall be allocated among large local educational agencies in proportion to the respective amounts each such agency received for Basic Grants under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the most recent fiscal year ending before such calendar year.

''(3) ALLOCATION OF UNUSED LIMITATION TO STATE.—The amount allocated under this subsection to a large local educational agency for any calendar year may be reallocated by such agency to the State in which such agency is located for such calendar year. Any amount reallocated to a State under the preceding sentence may be allocated as provided in subsection (d)(1).

''(4) LARGE LOCAL EDUCATIONAL AGENCY.—For purposes of this section, the term 'large local educational agency' means, with respect to a calendar year, any local educational agency if such agency is—

''(A) among the 100 local educational agencies with the largest numbers of children aged 5 through 17 from families living below the poverty level, as determined by the Secretary using the most recent data available from the Department of Commerce that are satisfactory to the Secretary, or

''(B) 1 of not more than 25 local educational agencies (other than those described in subparagraph (A)) that the Secretary of Education determines (based on the most recent data available satisfactory to the Secretary) are in particular need of assistance, based on a low level of resources for school construction, a high level of enrollment growth, or such other factors as the Secretary deems appropriate.

''(f) CARRYOVER OF UNUSED LIMITATION.—If for any calendar year—

''(1) the amount allocated under subsection (d) to any State, exceeds

''(2) the amount of bonds issued during such year which are designated under subsection (a) pursuant to such allocation,

the limitation amount under such subsection for such State for the following calendar year shall be increased by the amount of such excess. A similar rule shall apply to the amounts allocated under subsection (d)(4) or (e).

''(g) SPECIAL RULES RELATING TO ARBITRAGE.—

''(1) IN GENERAL.—A bond shall not be treated as failing to meet the requirement of subsection (a)(1) solely by reason of the fact that the proceeds of the issue of which such bond is a part are invested for a temporary period (but not more than 36 months) until such proceeds are needed for the purpose for which such issue was issued.

''(2) BINDING COMMITMENT REQUIREMENT.—Paragraph (1) shall apply to an issue only if, as of the date of issuance, there is a reasonable expectation that—

''(A) at least 10 percent of the proceeds of the issue will be spent within the 6-month period beginning on such date for the purpose for which such issue was issued, and

''(B) the remaining proceeds of the issue will be spent with due diligence for such purpose.

''(3) EARNINGS ON PROCEEDS.—Any earnings on proceeds during the temporary period shall be treated as proceeds of the issue for purposes of applying subsection (a)(1) and paragraph (1) of this subsection.

"SEC. 1400M. QUALIFIED ZONE ACADEMY BONDS.

''(a) QUALIFIED ZONE ACADEMY BOND.—For purposes of this subchapter—

''(1) IN GENERAL.—The term 'qualified zone academy bond' means any bond issued as part of an issue if—

''(A) 95 percent or more of the proceeds of such issue are to be used for a qualified pur-

pose with respect to a qualified zone academy established by a local educational agency,

''(B) the bond is issued by a State or local government within the jurisdiction of which such academy is located,

''(C) the issuer—

''(i) designates such bond for purposes of this section,

''(ii) certifies that it has written assurances that the private business contribution requirement of paragraph (2) will be met with respect to such academy, and

''(iii) certifies that it has the written approval of the local educational agency for such bond issuance, and

''(D) the term of each bond which is part of such issue does not exceed 15 years.

Rules similar to the rules of section 1400L(g) shall apply for purposes of paragraph (1).

''(2) PRIVATE BUSINESS CONTRIBUTION REQUIREMENT.—

''(A) IN GENERAL.—For purposes of paragraph (1), the private business contribution requirement of this paragraph is met with respect to any issue if the local educational agency that established the qualified zone academy has written commitments from private entities to make qualified contributions having a present value (as of the date of issuance of the issue) of not less than 10 percent of the proceeds of the issue.

''(B) QUALIFIED CONTRIBUTIONS.—For purposes of subparagraph (A), the term 'qualified contribution' means any contribution (of a type and quality acceptable to the local educational agency) of—

''(i) equipment for use in the qualified zone academy (including state-of-the-art technology and vocational equipment),

''(ii) technical assistance in developing curriculum or in training teachers in order to promote appropriate market driven technology in the classroom,

''(iii) services of employees as volunteer mentors,

''(iv) internships, field trips, or other educational opportunities outside the academy for students, or

''(v) any other property or service specified by the local educational agency.

''(3) QUALIFIED ZONE ACADEMY.—The term 'qualified zone academy' means any public school (or academic program within a public school) which is established by and operated under the supervision of a local educational agency to provide education or training below the postsecondary level if—

''(A) such public school or program (as the case may be) is designed in cooperation with business to enhance the academic curriculum, increase graduation and employment rates, and better prepare students for the rigors of college and the increasingly complex workforce,

''(B) students in such public school or program (as the case may be) will be subject to the same academic standards and assessments as other students educated by the local educational agency,

''(C) the comprehensive education plan of such public school or program is approved by the local educational agency, and

''(D)(i) such public school is located in an empowerment zone or enterprise community (including any such zone or community designated after the date of the enactment of this section), or

''(ii) there is a reasonable expectation (as of the date of issuance of the bonds) that at least 35 percent of the students attending such school or participating in such program (as the case may be) will be eligible for free or reduced-cost lunches under the school lunch program established under the National School Lunch Act.

''(4) QUALIFIED PURPOSE.—The term 'qualified purpose' means, with respect to any qualified zone academy—

''(A) constructing, rehabilitating, or repairing the public school facility in which the academy is established,

''(B) acquiring the land on which such facility is to be constructed with part of the proceeds of such issue,

''(C) providing equipment for use at such academy,

''(D) developing course materials for education to be provided at such academy, and

''(E) training teachers and other school personnel in such academy.

''(b) LIMITATIONS ON AMOUNT OF BONDS DESIGNATED.—

''(1) IN GENERAL.—There is a national zone academy bond limitation for each calendar year. Such limitation is—

''(A) $400,000,000 for 1998,

''(B) $400,000,000 for 1999,

''(C) $400,000,000 for 2000,

''(D) $400,000,000 for 2001,

''(E) $1,400,000,000 for 2002, and

''(F) except as provided in paragraph (3), zero after 2002.

''(2) ALLOCATION OF LIMITATION.—

''(A) ALLOCATION AMONG STATES.—

''(i) 1998, 1999, 2000, AND 2001 LIMITATIONS.—The national zone academy bond limitations for calendar years 1998, 1999, 2000, and 2001 shall be allocated by the Secretary among the States on the basis of their respective populations of individuals below the poverty line (as defined by the Office of Management and Budget).

''(ii) LIMITATION AFTER 2001.—The national zone academy bond limitation for any calendar year after 2001 shall be allocated by the Secretary among the States in proportion to the respective amounts each such State received for Basic Grants under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the most recent fiscal year ending before such calendar year.

''(B) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.—The limitation amount allocated to a State under subparagraph (A) shall be allocated by the State to qualified zone academies within such State.

''(C) DESIGNATION SUBJECT TO LIMITATION AMOUNT.—The maximum aggregate face amount of bonds issued during any calendar year which may be designated under subsection (a) with respect to any qualified zone academy shall not exceed the limitation amount allocated to such academy under subparagraph (B) for such calendar year.

''(3) CARRYOVER OF UNUSED LIMITATION.—If for any calendar year—

''(A) the limitation amount under this subsection for any State, exceeds

''(B) the amount of bonds issued during such year which are designated under subsection (a) (or the corresponding provisions of prior law) with respect to qualified zone academies within such State,

the limitation amount under this subsection for such State for the following calendar year shall be increased by the amount of such excess.''

(b) REPORTING.—Subsection (d) of section 6049 (relating to returns regarding payments of interest) is amended by adding at the end the following new paragraph:

''(8) REPORTING OF CREDIT ON QUALIFIED PUBLIC SCHOOL MODERNIZATION BONDS.—

''(A) IN GENERAL.—For purposes of subsection (a), the term 'interest' includes amounts includible in gross income under section 1400K(f) and such amounts shall be treated as paid on the credit allowance date (as defined in section 1400K(d)(2)).

''(B) REPORTING TO CORPORATIONS, ETC.—Except as otherwise provided in regulations, in the case of any interest described in subparagraph (A) of this paragraph, subsection (b)(4) of this section shall be applied without regard to subparagraphs (A), (H), (I), (J), (K), and (L)(i).

''(C) REGULATORY AUTHORITY.—The Secretary may prescribe such regulations as are necessary or appropriate to carry out the purposes of this paragraph, including regulations which require more frequent or more detailed reporting.''

(c) CONFORMING AMENDMENTS.—

(1) Subchapter U of chapter 1 is amended by striking part IV, by redesignating part V as part IV, and by redesignating section 1397F as section 1397E.

(2) The table of subchapters for chapter 1 is amended by adding at the end the following new item:

''Subchapter Y. Public school modernization provisions.''

(3) The table of parts of subchapter U of chapter 1 is amended by striking the last 2 items and inserting the following item:

''Part IV. Regulations.''

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to obligations issued after December 31, 2001.

(2) REPEAL OF RESTRICTION ON ZONE ACADEMY BOND HOLDERS.—In the case of bonds to which section 1397E of the Internal Revenue Code of 1986 (as in effect before the date of the enactment of this Act) applies, the limitation of such section to eligible taxpayers (as defined in subsection (d)(6) of such section) shall not apply after the date of the enactment of this Act.

TITLE II—WORKER RELIEF

Subtitle A—Temporary Unemployment Compensation

SEC. 201. SHORT TITLE.

This subtitle may be cited as the ''Temporary Unemployment Compensation Act of 2001''.

SEC. 202. FEDERAL-STATE AGREEMENTS.

(a) IN GENERAL.—Any State which desires to do so may enter into and participate in an agreement under this subtitle with the Secretary of Labor (hereinafter in this subtitle referred to as the ''Secretary''). Any State which is a party to an agreement under this subtitle may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF AGREEMENT.—

(1) IN GENERAL.—Any agreement under subsection (a) shall provide that the State agency of the State will make—

(A) payments of regular compensation to individuals in amounts and to the extent that they would be determined if the State law were applied with the modifications described in paragraph (2), and

(B) payments of temporary supplemental unemployment compensation to individuals who—

(i) have exhausted all rights to regular compensation under the State law,

(ii) do not, with respect to a week, have any rights to compensation (excluding extended compensation) under the State law of any other State (whether one that has entered into an agreement under this subtitle or otherwise) nor compensation under any other Federal law (other than under the Federal-State Extended Unemployment Compensation Act of 1970), and are not paid or entitled to be paid any additional compensation under any State or Federal law, and

(iii) are not receiving compensation with respect to such week under the unemployment compensation law of Canada.

(2) MODIFICATIONS DESCRIBED.—The modifications described in this paragraph are as follows:

(A) An individual shall be eligible for regular compensation if the individual would be so eligible, determined by applying—

(i) the base period that would otherwise apply under the State law if this subtitle had not been enacted, or

(ii) a base period ending at the close of the calendar quarter most recently completed before the date of the individual's application for benefits,

whichever results in the greater amount.

(B) An individual shall not be denied regular compensation under the State law's provisions relating to availability for work, active search for work, or refusal to accept work, solely by virtue of the fact that such individual is seeking, or available for, only part-time (and not full-time) work.

(C)(i) Subject to clause (ii), the amount of regular compensation (including dependents' allowances) payable for any week shall be equal to the amount determined under the State law (before the application of this subparagraph), plus an additional—

(I) 25 percent, or

(II) $65,

whichever is greater.

(ii) In no event may the total amount determined under clause (i) with respect to any individual exceed the average weekly insured wages of that individual in that calendar quarter of the base period in which such individual's insured wages were the highest (or one such quarter if his wages were the same for more than one such quarter).

(c) NONREDUCTION RULE.—Under the agreement, subsection (b)(2)(C) shall not apply (or shall cease to apply) with respect to a State upon a determination by the Secretary that the method governing the computation of regular compensation under the State law of that State has been modified in a way such that—

(1) the average weekly amount of regular compensation which will be payable during the period of the agreement (determined disregarding the modifications described in subsection (b)(2)) will be less than

(2) the average weekly amount of regular compensation which would otherwise have been payable during such period under the State law, as in effect on September 11, 2001.

(d) COORDINATION RULES.—

(1) REGULAR COMPENSATION PAYABLE UNDER A FEDERAL LAW.—The modifications described in subsection (b)(2) shall also apply in determining the amount of benefits payable under any Federal law to the extent that those benefits are determined by reference to regular compensation payable under the State law of the State involved.

(2) TSUC TO SERVE AS SECOND-TIER BENEFITS.—Notwithstanding any other provision of law, extended benefits shall not be payable to any individual for any week for which temporary supplemental unemployment compensation is payable to such individual.

(e) EXHAUSTION OF BENEFITS.—For purposes of subsection (b)(1)(B)(i), an individual shall be considered to have exhausted such individual's rights to regular compensation under a State law when—

(1) no payments of regular compensation can be made under such law because such individual has received all regular compensation available to such individual based on employment or wages during such individual's base period, or

(2) such individual's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(f) WEEKLY BENEFIT AMOUNT, TERMS AND CONDITIONS, ETC. RELATING TO TSUC.—For purposes of any agreement under this subtitle—

(1) the amount of temporary supplemental unemployment compensation which shall be payable to an individual for any week of total unemployment shall be equal to the amount of regular compensation (including dependents' allowances) payable to such individual under the State law for a week for total unemployment during such individual's benefit year,

(2) the terms and conditions of the State law which apply to claims for regular compensation and to the payment thereof shall apply to claims for temporary supplemental unemployment compensation and the payment thereof, except where inconsistent with the provisions of this subtitle or with the regulations or operating instructions of the Secretary promulgated to carry out this subtitle, and

(3) the maximum amount of temporary supplemental unemployment compensation payable to any individual for whom a temporary supplemental unemployment compensation account is established under section 203 shall not exceed the amount established in such account for such individual.

SEC. 203. TEMPORARY SUPPLEMENTAL UNEMPLOYMENT COMPENSATION ACCOUNT.

(a) IN GENERAL.—Any agreement under this subtitle shall provide that the State will establish, for each eligible individual who files an application for temporary supplemental unemployment compensation, a temporary supplemental unemployment compensation account.

(b) AMOUNT IN ACCOUNT.—

(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to the product obtained by multiplying an individual's weekly benefit amount by the applicable factor under paragraph (3).

(2) WEEKLY BENEFIT AMOUNT.—For purposes of this subsection, an individual's weekly benefit amount for any week is the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for a week of total unemployment in such individual's benefit year.

(3) APPLICABLE FACTOR.—

(A) GENERAL RULE.—The applicable factor under this paragraph is 13, unless the individual's benefit year begins or ends during a period of high unemployment within such individual's State, in which case the applicable factor is 26.

(B) PERIOD OF HIGH UNEMPLOYMENT.—For purposes of this paragraph, a period of high unemployment within a State shall begin and end, if at all, in a way (to be set forth in the State's agreement under this subtitle) similar to the way in which an extended benefit period would under section 203 of the Federal-State Extended Unemployment Compensation Act of 1970, subject to the following:

(i) To determine if there is a State ''on'' or ''off'' indicator, apply section 203(f) of such Act, but—

(I) substitute ''5 percent'' for ''6.5 percent'' in paragraph (1)(A)(i) thereof, and

(II) disregard paragraph (1)(A)(ii) thereof and the last sentence of paragraph (1) thereof.

(ii) To determine the beginning and ending dates of a period of high unemployment within a State, apply section 203(a) and (b) of such Act, except that—

(I) in applying such section 203(a), deem paragraphs (1) and (2) thereof to be amended by striking ''the third week after'', and

(II) in applying such section 203(b), deem paragraph (1)(A) thereof amended by striking ''thirteen'' and inserting ''twenty-six'' and paragraph (1)(B) thereof amended by striking ''fourteenth'' and inserting ''twenty-seventh''.

(4) RULE OF CONSTRUCTION.—For purposes of any computation under paragraph (1) (and any determination of amount under section 202(f)(1)), the modification described in section 202(b)(2)(C) (relating to increased benefits) shall be deemed to have been in effect with respect to the entirety of the benefit year involved.

(c) ELIGIBILITY PERIOD.—An individual whose applicable factor under subsection (b)(3) is 26 shall be eligible for temporary supplemental unemployment compensation for each week of total unemployment in his benefit year which begins in the State's period of high unemployment and, if his benefit year ends within such period, any such weeks thereafter which begin in such period of high unemployment, not to exceed a total of 26 weeks.

SEC. 204. PAYMENTS TO STATES HAVING AGREEMENTS UNDER THIS SUBTITLE.

(a) GENERAL RULE.—There shall be paid to each State which has entered into an agreement under this subtitle an amount equal to—

(1) 100 percent of any regular compensation made payable to individuals by such State by virtue of the modifications which are described in section 202(b)(2) and deemed to be in effect with respect to such State pursuant to section 202(b)(1)(A),

(2) 100 percent of any regular compensation—

(A) which is paid to individuals by such State by reason of the fact that its State law contains provisions comparable to the modifications described in section 202(b)(2)(A)–(B), but only

(B) to the extent that those amounts would, if such amounts were instead payable by virtue of the State law's being deemed to be so modified pursuant to section 202(b)(1)(A), have been reimbursable under paragraph (1), and

(3) 100 percent of the temporary supplemental unemployment compensation paid to individuals by the State pursuant to such agreement.

(b) DETERMINATION OF AMOUNT.—Sums under subsection (a) payable to any State by reason of such State having an agreement under this subtitle shall be payable, either in advance or by way of reimbursement (as may be determined by the Secretary), in such amounts as the Secretary estimates the State will be entitled to receive under this subtitle for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(c) ADMINISTRATIVE EXPENSES, ETC.—There is hereby appropriated out of the employment security administration account of the Unemployment Trust Fund (as established by section 901(a) of the Social Security Act) $500,000,000 to reimburse States for the costs of the administration of agreements under this subtitle (including any improvements in technology in connection therewith) and to provide reemployment services to unemployment compensation claimants in States having agreements under this subtitle. Each State's share of the amount appropriated by the preceding sentence shall be determined by the Secretary according to the factors described in section 302(a) of the Social Security Act and certified by the Secretary to the Secretary of the Treasury.

SEC. 205. FINANCING PROVISIONS.

(a) IN GENERAL.—Funds in the extended unemployment compensation account (as established by section 905(a) of the Social Security Act), and the Federal unemployment account (as established by section 904(g) of

the Social Security Act), of the Unemployment Trust Fund shall be used, in accordance with subsection (b), for the making of payments (described in section 204(a)) to States having agreements entered into under this subtitle.

(b) CERTIFICATION.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums described in section 204(a) which are payable to such State under this subtitle. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payments to the State in accordance with such certification by transfers from the extended unemployment compensation account (or, to the extent that there are insufficient funds in that account, from the Federal unemployment account) to the account of such State in the Unemployment Trust Fund.

SEC. 206. FRAUD AND OVERPAYMENTS.

(a) IN GENERAL.—If an individual knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such false statement or representation or of such nondisclosure such individual has received any regular compensation or temporary supplemental unemployment compensation under this subtitle to which he was not entitled, such individual—

(1) shall be ineligible for any further benefits under this subtitle in accordance with the provisions of the applicable State unemployment compensation law relating to fraud in connection with a claim for unemployment compensation, and

(2) shall be subject to prosecution under section 1001 of title 18, United States Code.

(b) REPAYMENT.—In the case of individuals who have received any regular compensation or temporary supplemental unemployment compensation under this subtitle to which they were not entitled, the State shall require such individuals to repay those benefits to the State agency, except that the State agency may waive such repayment if it determines that—

(1) the payment of such benefits was without fault on the part of any such individual, and

(2) such repayment would be contrary to equity and good conscience.

(c) RECOVERY BY STATE AGENCY.—

(1) IN GENERAL.—The State agency may recover the amount to be repaid, or any part thereof, by deductions from any regular compensation or temporary supplemental unemployment compensation payable to such individual under this subtitle or from any unemployment compensation payable to such individual under any Federal unemployment compensation law administered by the State agency or under any other Federal law administered by the State agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period after the date such individuals received the payment of the regular compensation or temporary supplemental unemployment compensation to which they were not entitled, except that no single deduction may exceed 50 percent of the weekly benefit amount from which such deduction is made.

(2) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(d) REVIEW.—Any determination by a State agency under this section shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in that manner and to that extent.

SEC. 207. DEFINITIONS.

For purposes of this subtitle:

(1) IN GENERAL.—The terms ''compensation'', ''regular compensation'', ''extended compensation'', ''additional compensation'', ''benefit year'', ''base period'', ''State'', ''State agency'', ''State law'', and ''week'' have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970, subject to paragraph (2).

(2) STATE LAW AND REGULAR COMPENSATION.—In the case of a State entering into an agreement under this subtitle—

(A) ''State law'' shall be considered to refer to the State law of such State, applied in conformance with the modifications described in section 202(b)(2), subject to section 202(c), and

(B) ''regular compensation'' shall be considered to refer to such compensation, determined under its State law (applied in the manner described in subparagraph (A)),

except as otherwise provided or where the context clearly indicates otherwise.

SEC. 208. APPLICABILITY.

(a) IN GENERAL.—An agreement entered into under this subtitle shall apply to weeks of unemployment—

(1) beginning after the date on which such agreement is entered into, and

(2) ending before January 1, 2003.

(b) SPECIFIC RULES.—Under such an agreement—

(1) the modification described in section 202(b)(2)(A) (relating to alternative base periods) shall not apply except in the case of initial claims filed after September 11, 2001,

(2) the modifications described in section 202(b)(2)(B)–(C) (relating to part-time employment and increased benefits, respectively) shall apply to weeks of unemployment (described in subsection (a)), irrespective of the date on which an individual's claim for benefits is filed, and

(3) the payments described in section 202(b)(1)(B) (relating to temporary supplemental unemployment compensation) shall not apply except in the case of individuals exhausting their rights to regular compensation (as described in clause (i) thereof) after September 11, 2001.

Subtitle B—PREMIUM ASSISTANCE FOR COBRA CONTINUATION COVERAGE

SEC. 211. PREMIUM ASSISTANCE FOR COBRA CONTINUATION COVERAGE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Labor, shall establish a program under which premium assistance for COBRA continuation coverage shall be provided for qualified individuals under this section.

(2) QUALIFIED INDIVIDUALS.—For purposes of this section, a qualified individual is an individual who—

(A) establishes that the individual—

(i) on or after July 1, 2001, and before the end of the 1-year period beginning on the date of the enactment of this Act, became entitled to elect COBRA continuation coverage; and

(ii) has elected such coverage; and

(B) enrolls in the premium assistance program under this section by not later than the end of such 1-year period.

(b) LIMITATION OF PERIOD OF PREMIUM ASSISTANCE.—Premium assistance provided under this subsection shall end with respect to an individual on the earlier of—

(1) the date the individual is no longer covered under COBRA continuation coverage; or

(2) 12 months after the date the individual is first enrolled in the premium assistance program established under this section.

(c) PAYMENT, AND CREDITING OF ASSISTANCE.—

(1) AMOUNT OF ASSISTANCE.—Premium assistance provided under this section shall be equal to 75 percent of the amount of the premium required for the COBRA continuation coverage.

(2) PROVISION OF ASSISTANCE.—Premium assistance provided under this section shall be provided through the establishment of direct payment arrangements with the administrator of the group health plan (or other entity) that provides or administers the COBRA continuation coverage. It shall be a fiduciary duty of such administrator (or other entity) to enter into such arrangements under this section.

(3) PREMIUMS PAYABLE BY QUALIFIED INDIVIDUAL REDUCED BY AMOUNT OF ASSISTANCE.—Premium assistance provided under this section shall be credited by such administrator (or other entity) against the premium otherwise owed by the individual involved for such coverage.

(d) CHANGE IN COBRA NOTICE.—

(1) GENERAL NOTICE.—

(A) IN GENERAL.—In the case of notices provided under section 4980B(f)(6) of the Internal Revenue Code of 1986 with respect to individuals who, on or after July 1, 2001, and before the end of the 1-year period beginning on the date of the enactment of this Act, become entitled to elect COBRA continuation coverage, such notices shall include an additional notification to the recipient of the availability of premium assistance for such coverage under this section.

(B) ALTERNATIVE NOTICE.—In the case of COBRA continuation coverage to which the notice provision under section 4980B(f)(6) of the Internal Revenue Code of 1986 does not apply, the Secretary of the Treasury shall, in coordination with administrators of the group health plans (or other entities) that provide or administer the COBRA continuation coverage involved, assure provision of such notice.

(C) FORM.—The requirement of the additional notification under this paragraph may be met by amendment of existing notice forms or by inclusion of a separate document with the notice otherwise required.

(2) SPECIFIC REQUIREMENTS.—Each additional notification under paragraph (1) shall include—

(A) the forms necessary for establishing eligibility under subsection (a)(2)(A) and enrollment under subsection (a)(2)(B) in connection with the coverage with respect to each covered employee or other qualified beneficiary;

(B) the name, address, and telephone number necessary to contact the plan administrator and any other person maintaining relevant information in connection with the premium assistance; and

(C) the following statement displayed in a prominent manner:

''You may be eligible to receive assistance with payment of 75 percent of your COBRA continuation coverage premiums for a duration of not to exceed 12 months.''.

(3) NOTICE RELATING TO RETROACTIVE COVERAGE.—In the case of such notices previously transmitted before the date of the enactment of this Act in the case of an individual described in paragraph (1) who has elected (or is still eligible to elect) COBRA continuation coverage as of the date of the enactment of this Act, the administrator of the group health plan (or other entity) involved or the Secretary of the Treasury (in the case described in the paragraph (1)(B)) shall provide (within 60 days after the date of the enactment of this Act) for the additional

notification required to be provided under paragraph (1).

(4) MODEL NOTICES.—The Secretary shall prescribe models for the additional notification required under this subsection.

(f) OBLIGATION OF FUNDS.—This section constitutes budget authority in advance of appropriations Acts and represents the obligation of the Federal Government to provide for the payment of premium assistance under this section.

(g) PROMPT ISSUANCE OF GUIDANCE.—The Secretary of the Treasury, in consultation with the Secretary of Labor, shall issue guidance under this section not later than 30 days after the date of the enactment of this Act.

(h) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''administrator'' has the meaning given such term in section 3(16) of the Employee Retirement Income Security Act of 1974.

(2) COBRA CONTINUATION COVERAGE.—The term ''COBRA continuation coverage'' means continuation coverage provided pursuant to title XXII of the Public Health Service Act, section 4980B of the Internal Revenue Code of 1986 (other than subsection (f)(1) of such section insofar as it relates to pediatric vaccines), part 6 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (other than under section 609), section 8905a of title 5, United States Code, or under a State program that provides continuation coverage comparable to such continuation coverage.

(3) GROUP HEALTH PLAN.—The term ''group health plan'' has the meaning given such term in section 9832(a) of the Internal Revenue Code of 1986.

(4) STATE.—The term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Subtitle C—Additional Assistance for Temporary Health Insurance Coverage

SEC. 221. OPTIONAL TEMPORARY MEDICAID COVERAGE FOR CERTAIN UNINSURED EMPLOYEES.

(a) IN GENERAL.—Notwithstanding any other provision of law, with respect to any month before the ending month, a State may elect to provide, under its medicaid program under title XIX of the Social Security Act, medical assistance in the case of an individual—

(1)(A) who has become totally or partially separated from employment on or after July 1, 2001, and before the end of such ending month; or

(B) whose hours of employment have been reduced on or after July 1, 2001, and before the end of such ending month;

(2) who is not eligible for COBRA continuation coverage; and

(3) who is uninsured.

(b) LIMITATION OF PERIOD OF COVERAGE.—Assistance under this section shall end with respect to an individual on the earlier of—

(1) the date the individual is no longer uninsured; or

(2) 12 months after the date the individual is first determined to be eligible for medical assistance under this section.

(c) SPECIAL RULES.—In the case of medical assistance provided under this section—

(1) the Federal medical assistance percentage under section 1905(b) of the Social Security Act shall be the enhanced FMAP (as defined in section 2105(b) of such Act);

(2) a State may elect to apply alternative income, asset, and resource limitations and the provisions of section 1916(g) of such Act, except that in no case shall a State cover individuals with higher family income without covering individuals with a lower family income;

(3) such medical assistance shall not be provided for periods before the date the individual becomes uninsured;

(4) a State may elect to make eligible for such assistance a spouse or children of an individual eligible for medical assistance under paragraph (1), if such spouse or children are uninsured;

(5) individuals eligible for medical assistance under this section shall be deemed to be described in the list of individuals described in the matter preceding paragraph (1) of section 1905(a) of such Act; and

(6) the Secretary of Health and Human Services shall not count, for purposes of section 1108(f) of the Social Security Act, such amount of payments under this section as bears a reasonable relationship to the average national proportion of payments made under this section for the 50 States and the District of Columbia to the payments otherwise made under title XIX for such States and District.

(d) DEFINITIONS.—For purposes of this subtitle:

(1) UNINSURED.—The term ''uninsured'' means, with respect to an individual, that the individual is not covered under—

(A) a group health plan (as defined in section 2791(a) of the Public Health Service Act),

(B) health insurance coverage (as defined in section 2791(b)(1) of the Public Health Service Act), or

(C) a program under title XVIII, XIX, or XXI of the Social Security Act, other than under such title XIX pursuant to this section.

For purposes of this paragraph, such coverage under subparagraph (A) or (B) shall not include coverage consisting solely of coverage of excepted benefits (as defined in section 2791(c) of the Public Health Service Act).

(2) COBRA CONTINUATION COVERAGE.—The term ''COBRA continuation coverage'' means coverage under a group health plan provided by an employer pursuant to title XXII of the Public Health Service Act, section 4980B of the Internal Revenue Code of 1986, part 6 of subtitle B of title I of the Employee Retirement Income Security Act of 1974, or section 8905a of title 5, United States Code.

(3) STATE.—The term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act.

(4) ENDING MONTH.—The term ''ending month'' means the last month that begins before the date that is 1 year after the date of the enactment of this Act.

(e) EFFECTIVE DATE.—This section shall take effect upon its enactment, whether or not regulations implementing this section are issued.

(f) LIMITATION ON ELECTION.—A State may not elect to provide coverage under this section unless the State elects to provide coverage under section 222.

SEC. 222. OPTIONAL TEMPORARY COVERAGE FOR UNSUBSIDIZED PORTION OF COBRA CONTINUATION PREMIUMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, with respect to COBRA continuation coverage provided for any month through the ending month, a State may elect to provide payment of the unsubsidized portion of the premium for COBRA continuation coverage in the case of any individual—

(1)(A) who has become totally or partially separated from employment on or after July 1, 2001, and before the end of the ending month; or

(B) whose hours of employment have been reduced on or after July 1, 2001, and before the end of such ending month; and

(2) who is eligible for, and has elected coverage under, COBRA continuation coverage.

(b) LIMITATION OF PERIOD OF COVERAGE.—Premium assistance under this section shall end with respect to an individual on the earlier of—

(1) the date the individual is no longer covered under COBRA continuation coverage; or

(2) 12 months after the date the individual is first determined to be eligible for premium assistance under this section.

(c) FINANCIAL PAYMENT TO STATES.—A State providing premium assistance under this section shall be entitled to payment under section 1903(a) of the Social Security Act with respect to such assistance (and administrative expenses relating to such assistance) in the same manner as such State is entitled to payment with respect to medical assistance (and such administrative expenses) under such section, except that, for purposes of this subsection, any reference to the Federal medical assistance percentage shall be deemed a reference to the enhanced FMAP (as defined in section 2105(b) of such Act). The provisions of subsection (c)(6) of section 221 shall apply with respect to this section in the same manner as it applies under such section.

(d) UNSUBSIDIZED PORTION OF PREMIUM FOR COBRA CONTINUATION COVERAGE.—For purposes of this section, the term 'unsubsidized portion of premium for COBRA continuation coverage' means that portion of the premium for COBRA continuation coverage for which there is no financial assistance available under 211.

(e) EFFECTIVE DATE.—This section shall take effect upon its enactment, whether or not regulations implementing this section are issued.

(f) LIMITATION ON ELECTION.—A State may not elect to provide coverage under this section unless the State elects to provide coverage under section 221.

TITLE III—FREEZE OF TOP INDIVIDUAL INCOME TAX RATE AND DOMESTIC SECURITY TRUST FUND

SEC. 301. FREEZE OF TOP INDIVIDUAL INCOME TAX RATE AND DOMESTIC SECURITY TRUST FUND.

(a) FREEZE OF TOP INDIVIDUAL INCOME TAX RATE.—Paragraph (2) of section 1(i) (relating to reductions in rates after June 30, 2001) is amended—

(A) by striking ''37.6'' and inserting ''38.6'', and

(B) by striking ''35.0'' and inserting ''38.6''.

(b) DOMESTIC SECURITY TRUST FUND.—Subchapter A of chapter 98 (relating to trust fund code) is amended by adding at the end the following new section:

"SEC. 9511. DOMESTIC SECURITY TRUST FUND.

''(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Domestic Security Trust Fund', consisting of such amounts as may be transferred or credited to the Trust Fund as provided in this section and section 9602(b).

''(b) TRANSFERS TO FUND.—There are hereby transferred from the General Fund of the Treasury to the Domestic Security Trust Fund so much of the additional amounts received in the Treasury by reason of the amendment made by section 301(a) of the Fiscal Stimulus and Worker Relief Act of 2001 (relating to freeze in top individual income tax rate) as does not exceed the sum of—

''(1) $32,000,000,000, plus

''(2) the amount determined by the Secretary to be necessary to pay the interest on any repayable advance made to the Trust Fund.

''(c) EXPENDITURES.—Amounts in the Domestic Security Trust Fund shall be available, as provided by appropriation Acts, for purposes of making the following expenditures to the extent such expenditures are hereafter authorized by law:

''(1) $7,000,000,000 for domestic economic development programs.

''(2) $25,000,000,000 for programs to significantly enhance safety and security of transportation systems, facilities, and environmental protection, including the emergency management systems and emergency response training.

''(d) REPAYABLE ADVANCES.—

''(1) IN GENERAL.—If amounts in the Trust Fund are not sufficient for the purposes of subsection (c), the Secretary shall transfer from the General Fund of the Treasury to the Trust Fund such additional amounts as may be necessary for such purposes. Such amounts shall be transferred as repayable advances.

''(2) REPAYMENT OF ADVANCES.—

''(A) IN GENERAL.—Advances made to the Trust Fund shall be repaid, and interest on such advances shall be paid, to the General Fund of the Treasury when the Secretary determines that moneys are available for such purposes in the Trust Fund.

''(B) RATE OF INTEREST.—Interest on advances made to the Trust Fund shall be at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding and shall be compounded annually.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 is amended by adding at the end the following new item:

''Sec. 9511. Domestic security trust fund.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

After further debate,

Pursuant to House Resolution 270, the previous question was ordered on the bill, as amended, and the further amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the nays had it.

Mr. RANGEL objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 166 / Nays ..... 261 }

¶112.12 [Roll No. 402]

YEAS—166

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

NAYS—261

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

NOT VOTING—5

Cubin, Gonzalez, Hart, Hill, McIntyre

So the further amendment in the nature of a substitute was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. TURNER moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House promptly with amendments that: (1) reduce the tax cut provisions of the bill in an amount equal to the expense of financing short and long-term efforts to combat terrorism; (2) provide that the legislation is temporary and is fully offset in the Internal Revenue Code over the next ten years, such that the long-term deficit and national debt are not increased; and (3) provide assistance to workers who lost their jobs and health insurance coverage, and to businesses affected by the economic circumstances following the occurrences of September 11, 2001.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the nays had it.

Mr. TURNER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 199 / Nays ..... 230 }

¶112.13 [Roll No. 403]

AYES—199

Abercrombie, Ackerman, Allen, Andrews, Baca, Baird, Baldacci, Baldwin, Barcia, Barrett, Becerra, Bentsen, Berkley, Berman, Berry, Bishop, Blagojevich, Blumenauer, Bonior, Borski, Boswell, Boucher, Boyd, Brady (PA), Brown (FL), Brown (OH), Capps

Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gordon
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—230

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

NOT VOTING—4

Cubin
Gonzalez
Hill
Schaffer

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House agree to said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. THOMAS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 216 / Nays 214

¶112.14 [Roll No. 404]

YEAS—216

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

NAYS—214

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Ganske
Gephardt
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano

Sherman	Stupak	Udall (NM)
Shows	Tanner	Velazquez
Skelton	Tauscher	Visclosky
Slaughter	Taylor (MS)	Waters
Smith (MI)	Thompson (CA)	Watson (CA)
Smith (WA)	Thompson (MS)	Watt (NC)
Snyder	Thune	Waxman
Solis	Thurman	Weiner
Spratt	Tierney	Wexler
Stark	Towns	Woolsey
Stenholm	Turner	Wu
Strickland	Udall (CO)	Wynn

NOT VOTING—3

Cubin	Gonzalez	Hill

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶112.15 ORDER OF BUSINESS—INTRODUCTION OF JOINT RESOLUTION

On motion of Mr. DREIER, by unanimous consent,

Ordered, That, notwithstanding the provisions of clause 5 of rule XII, Representative Fossella be authorized to introduce a joint resolution to amend title 36, United States Code, to designate September 11 as United We Stand Remembrance Day.

¶112.16 ORDER OF BUSINESS—CONSIDERATION OF UNITED WE STAND JOINT RESOLUTION

On motion of Mr. DREIER, by unanimous consent,

Ordered, That it be in order at any time on Thursday, October 25, 2001, without intervention of any point of order, to consider in the House the joint resolution to amend title 36, United States Code, to designate September 11 and United We Stand Remembrance Day introduced by Representative Fossella pursuant to the previous order of the House; that the joint resolution be considered as read for amendment; that the joint resolution be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion, except one motion to recommit.

¶112.17 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 70

On motion of Mr. DREIER, by unanimous consent,

Ordered, That it may be in order at any time on October 25, 2001, without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 70) making further continuing appropriations for the fiscal year 2002, and for other purposes; that the joint resolution be considered as read for amendment; that the joint resolution be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion, except one motion to recommit.

¶112.18 ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 146. An Act to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes.

H.R. 182. An Act to amend the Wild and Scenic Rivers Act to designate a segment of the Eightmile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 1000. An Act to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes.

H.R. 1161. An Act to authorize the Government of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia.

H.R. 1668. An Act to authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his legacy.

H.R. 2217. An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2904. An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

¶112.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HILL, for today; and

To Mr. STEARNS, for October 23.

And then,

¶112.20 ADJOURNMENT

On motion of Mr. TANCREDO, at 8 o'clock and 40 minutes p.m., the House adjourned.

¶112.21 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GANSKE (for himself and Mr. ANDREWS):

H.R. 3165. A bill to enhance the safety and security of the civil air transportation system; to the Committee on Transportation and Infrastructure.

By Mr. BORSKI (for himself, Mr. COSTELLO, Mr. OBERSTAR, Mr. HOLDEN, Mr. MCGOVERN, Ms. BERKLEY, Mr. RAHALL, Mr. LIPINSKI, Mr. FILNER, Mr. DEFAZIO, Mr. NADLER, Mr. MASCARA, Mr. CLEMENT, Mr. CUMMINGS, Mr. BARCIA, Ms. BROWN of Florida, Mr. LAMPSON, Mr. BAIRD, Mr. BLUMENAUER, Ms. MILLENDER-MCDONALD, Mr. LARSEN of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOSWELL, Mr. PASCRELL, Mr. THOMPSON of California, Mr. INSLEE, Mr. MENENDEZ, Mr. SANDLIN, Mr. BERRY, Mr. HONDA, Mr. CARSON of Oklahoma, Mr. CAPUANO, and Ms. NORTON):

H.R. 3166. A bill to provide funding for infrastructure investment to restore the United States economy and to enhance the security of transportation and environmental facilities throughout the United States; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Energy and Commerce, Armed Services, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself, Mr. LANTOS, Mr. HASTERT, Mr. BONIOR, Mr. ARMEY, Mr. HYDE, Mr. GILMAN, Mr. GOSS, Mr. COX, Mr. GALLEGLY, Mr. MICA, and Mr. TANNER):

H.R. 3167. A bill to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and for other purposes; to the Committee on International Relations.

By Mr. HOUGHTON:

H.R. 3168. A bill to amend the Internal Revenue Code of 1986 to designate an area of lower Manhattan as 1 of the empowerment zones authorized by the Community Renewal Tax Relief Act of 2000; to the Committee on Ways and Means.

By Mr. YOUNG of Florida:

H.J. Res. 70. A joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes; to the Committee on Appropriations.

¶112.22 ADDITIONAL SPONSORS

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

H.R. 303: Mr. JEFF MILLER of Florida.

H.R. 440: Mr. TANCREDO.

H.R. 2951: Mrs. EMERSON.

H.R. 3015: Ms. KAPTUR, Mr. FROST, Ms. MCKINNEY, and Ms. BERKLEY.

THURSDAY, OCTOBER 25, 2001 (113)

The House was called to order by the SPEAKER.

¶113.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, October 24, 2001.

Mr. PENCE, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. PENCE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶113.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4385. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fenthion, Methidathion, Naled, Phorate, and Profenofos; Tolerance

Revocations [OPP–300985A; FRL–6795–8] (RIN: 2070–AB78) received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4386. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revocation of Unlimited Tolerance Exemptions; Correction and Reopening of Comment Period [OPP–301152A; FRL–6803–8] (RIN: 2070–AB78) received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4387. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Idaho: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7074–2] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4388. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval of Operating Permit Program Revisions; West Virginia [WV-T5–2001–02a; FRL–7073–9] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4389. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permit Program; Virginia [VA-T5–2001–01a; FRL–7073–6] received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4390. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permit Program; West Virginia [WV-T5–2001–01a; FRL–7073–7] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4391. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permit Program; Delaware [DE-T5–2001–01a; FRL–7072–7] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4392. A letter from the Chief Counsel, Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Federal Republic of Yugoslavia (Serbia and Montenegro) Kosovo Sanctions Regulations; Federal Republic of Yugoslavia (Serbia and Montenegro) Milosevic Regulations— received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

4393. A letter from the Chief, Division of Management Authority, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Import of Polar Bear Trophies from Canada: Change in the Finding for the M'Clintock Channel Population (RIN: 1018–AH72) received October 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4394. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Guidelines for Implementing the Three Percent Set-Aside Provision Contained in the State and Tribal Assistance Grants Account Section of the Agency's FY 2001 Appropriations Act—received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4395. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pretreatment Program Reinvention Pilot Projects Under Project XL [FRL–7073–3] (RIN: 2090–AA16) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4396. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Replacement of Reasonable Charge Methodology by Fee Schedules for Parenteral and Enteral Nutrients, Equipment, and Supplies [CMS–1010–F] (RIN: 0938–AK66) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Education and the Workforce.

4397. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Civil Money Penalties, Assessments, and Revised Sanction Authorities [CMS–6145–FC] (RIN: 0938–AK49) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

¶113.3 FURTHER CONTINUING APPROPRIATIONS FY 2002

Mr. YOUNG of Florida, pursuant to the order of the House of Wednesday, October 24, 2001, called up the joint resolution (H.J. Res. 70) making further continuing appropriations for the fiscal year 2002, and for other purposes.

When said joint resolution was considered and read twice.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. YOUNG of Florida and Mr. OBEY for 30 minutes each.

After debate,

Pursuant to the order of the House of Wednesday, October 24, 2001, the previous question was ordered on the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 419 / Nays ..... 0 }

¶113.4 [Roll No. 405]

YEAS—419

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

Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—13

Ballenger
Barr
Callahan
Cubin
Cummings
Everett
Fattah
Gallegly
Gonzalez
Gordon
Hoeffel
Istook
Miller, Gary

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶113.5 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, October 24, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that the yeas had it.

Mr. GRAVES demanded a recorded vote on agreeing to the Chair's approval of the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 361 / Nays 52

¶113.6 [Roll No. 406]

AYES—361

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

NOES—52

Borski
Boswell
Brady (PA)
Capuano
Carson (IN)
Costello
Crane
DeFazio
English
Etheridge
Filner
Ford
Gillmor
Gutknecht
Hastings (FL)
Hefley
Jackson-Lee (TX)
Kucinich
Larsen (WA)
Lee
Lewis (GA)
Lipinski
LoBiondo
McDermott
McNulty
Miller, George
Moran (KS)
Oberstar
Olver
Peterson (MN)
Rahall
Ramstad
Sabo
Schaffer
Scott
Slaughter
Stenholm
Strickland
Stupak
Sweeney
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Visclosky
Waters
Watt (NC)
Weller
Whitfield
Wicker
Wu

NOT VOTING—19

Barr
Callahan
Cooksey
Cubin
Cummings
Everett
Fattah
Gallegly
Gonzalez
Gordon
Hastings (WA)
Hoeffel
Istook
Johnson, Sam
Jones (OH)
Lewis (CA)
Linder
Lynch
Miller, Gary

So the Journal was approved.

¶113.7 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. WOLF, by unanimous consent, the managers on the part of the House were granted permission until midnight Friday, October 26, 2001, to file a conference report (Rept. No. 107–253) on the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶113.8 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 71

On motion of Mr. LATOURETTE, by unanimous consent,

Ordered, That the orders of the House of October 24, 2001, relating to the United We Stand Remembrance Day be applied to House Joint Resolution 71.

¶113.9 PATRIOT DAY

Mr. LATOURETTE, pursuant to the foregoing order of the House and the orders of the House of Wednesday, October 24, 2001, called up the joint resolution (H.J. Res. 71) amending title 36, United States Code, to designate September 11 as Patriot Day.

When said joint resolution was considered and read twice.

Pursuant to the orders of the House of Wednesday, October 24, 2001, the SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. LATOURETTE and Mr. OWENS for 30 minutes each.

After debate,

Pursuant to the orders of the House of Wednesday, October 24, 2001, the previous question was ordered on the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. ISAKSON, announced that the yeas had it.

Mr. FOSSELLA objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 407 / Nays ..... 0 }

¶113.10 [Roll No. 407]

YEAS—407

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

NOT VOTING—25

Baird, Barr, Boucher, Callahan, Camp, Cooksey, Cubin, DeLay, DeMint, Everett, Fattah, Gallegly, Gonzalez, Hastings (WA), Hoeffel, Hoekstra, Jackson-Lee (TX), Johnson, E. B., Miller, Gary, Roukema, Schaffer, Souder, Taylor (NC), Waters, Young (FL)

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶113.11 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, October 29, 2001, at 2 o'clock p.m.

¶113.12 HOUR OF MEETING

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns on Monday, October 29, 2001, it adjourn to meet on Tuesday, October 30, 2001, at 12:30 p.m. for ''morning-hour debate''.

¶113.13 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 31, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶113.14 APPOINTMENT OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. KELLER, laid before the House a communication, which was read as follows:

WASHINGTON, DC,
October 25, 2001.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through October 31, 2001.

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

By unanimous consent, the appointment was approved.

¶113.15 BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 17, 2001 he presented to the President of the United States for his approval, the following bill.

H.J. Res. 69. Making further continuing appropriations for the fiscal year 2002, and for other purposes.

And then,

¶113.16 ADJOURNMENT

On motion of Mr. SHAYS, pursuant to the special order heretofore agreed to, at 2 o'clock and 3 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, October 29, 2001.

¶113.17 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LANTOS (for himself, Mr. WOLF, Mr. SMITH of New Jersey, Mr. EVANS, Mr. BROWN of Ohio, Mr. GILMAN, Mrs. MALONEY of New York, Mr. CROWLEY, Mr. ENGLISH, Mr. HASTINGS of Florida, Mrs. NAPOLITANO, Mr. FORD, Mr. CAPUANO, Mr. MCDERMOTT, Mr. ISSA, Mr. SERRANO, Mr. LANGEVIN, Mr. HALL of Ohio, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. FALEOMAVAEGA, Mr. UNDERWOOD, Mr. GEORGE MILLER of California, Mr. ACKERMAN, Ms. PELOSI, Ms. LEE, Mr. KUCINICH, Mr. SANDERS, Mrs. KELLY, Mr. QUINN, Ms. SOLIS, Mrs. MORELLA, Mr. ENGEL, Ms. MCCOLLUM, Mr. PAYNE, Ms. CARSON of Indiana, Mr. BLUMENAUER, and Mr. PITTS):

H.R. 3169. A bill to authorize assistance for individuals with disabilities in foreign countries, including victims of landmines and other victims of civil strife and warfare, and for other purposes; to the Committee on International Relations.

By Mr. ANDREWS:

H.R. 3170. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the environmental cleanup of certain contaminated industrial sites designated as brownfields; to the Committee on Ways and Means.

By Mr. BARTON of Texas:

H.R. 3171. A bill to direct the Attorney General to establish a program for the cer-

tification of Federal pilot officers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRAHAM (for himself, Mr. BLAGOJEVICH, Mr. HILLEARY, Mr. ABERCROMBIE, Mr. LARGENT, Mr. HOUGHTON, Mr. BROWN of South Carolina, Mr. SHIMKUS, Mr. SHADEGG, Mr. GUTKNECHT, and Mr. RILEY):

H.R. 3172. A bill to provide Federal reimbursement to the States for a limited tax holiday during the period beginning November 23, 2001, and ending December 2, 2001; to the Committee on Ways and Means.

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

H.R. 3173. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 and title 38, United States Code, to improve benefits for veterans; to the Committee on Veterans' Affairs.

By Mr. POMEROY:

H.R. 3174. A bill to authorize additional appropriations to combat bioterrorism; to the Committee on Agriculture.

By Mr. FOSSELLA (for himself, Mr. LAHOOD, Mr. GILMAN, Mr. HINCHEY, Mr. ACKERMAN, Mr. REYNOLDS, Mr. GRUCCI, Mrs. MALONEY of New York, Mr. ENGEL, Mr. KING, Mr. NADLER, Mr. TOWNS, Mrs. LOWEY, Mr. MCNULTY, Mr. WALSH, Mr. ISRAEL, Mr. PETERSON of Pennsylvania, Mr. FORBES, Mr. ENGLISH, Mr. SCHROCK, Mr. SHERWOOD, Mr. BOUCHER, and Mr. MORAN of Virginia):

H.J. Res. 71. A joint resolution amending title 36, United States Code, to designate September 11 as Patriot Day; to the Committee on Government Reform. considered and passed.

By Mr. DINGELL (for himself, Mr. MORAN of Virginia, Mrs. CAPPS, Mr. HOUGHTON, Ms. KAPTUR, Mr. HINCHEY, Mr. KIND, Mr. CALLAHAN, Mr. HORN, Mr. SERRANO, Mr. ISSA, Mr. RAHALL, Mr. JACKSON of Illinois, Mr. PALLONE, Mr. MCGOVERN, Mrs. MCCARTHY of New York, Mr. BROWN of Ohio, Mr. CONYERS, Mr. UDALL of Colorado, Mr. FARR of California, Mr. KILDEE, Mr. GEORGE MILLER of California, Mr. OBEY, Mr. LEACH, Mr. SAWYER, Ms. MCKINNEY, Ms. MCCARTHY of Missouri, Mr. BONIOR, Mr. KUCINICH, and Mrs. TAUSCHER):

H. Con. Res. 253. Concurrent resolution expressing the sense of the Congress with respect to ending the violence in Israel, the West Bank, and Gaza, and endorsing the recommendations of the Mitchell Committee Report; to the Committee on International Relations.

By Mr. PITTS:

H. Con. Res. 254. Concurrent resolution encouraging the people of the United States to celebrate the 300th anniversary of William Penn's Charter of Privileges, the 250th anniversary of the Liberty Bell, and the 225th anniversary of the first public reading of the Declaration of Independence; to the Committee on Government Reform.

¶113.18 ADDITIONAL SPONSORS

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

H.R. 68: Mr. HORN and Mr. COMBEST.
H.R. 730: Mr. MCNULTY.
H.R. 1296: Mr. ISRAEL.
H.R. 1360: Mr. INSLEE.
H.R. 1374: Mr. CONYERS.
H.R. 1733: Ms. DELAURO.
H.R. 1780: Mr. FORBES.
H.R. 2098: Mrs. MCCARTHY of New York.
H.R. 2117: Mrs. CLAYTON.
H.R. 2577: Mr. CONYERS.
H.R. 2918: Ms. MCKINNEY.
H.R. 2919: Mr. SHOWS, Mr. BROWN of Ohio, Mr. RODRIGUEZ, Ms. HART, Mr. GOODE, Mr. MCNULTY, Mr. WALSH, Mr. BACA, and Ms. ROS-LEHTINEN.
H.R. 2998: Mr. CLEMENT.
H.R. 3017: Mr. GRUCCI, Ms. WOOLSEY, Mr. COMBEST, and Mr. CLEMENT.
H.R. 3029: Mr. SANDLIN, Ms. PRYCE of Ohio, and Mr. HALL of Ohio.
H.R. 3046: Mr. FORBES, Mr. JONES of North Carolina, and Mr. FERGUSON.
H.R. 3067: Mr. GEPHARDT, Mr. HOLDEN, Mr. BERRY, and Mr. MOORE.
H.R. 3103: Mrs. JONES of Ohio, Ms. LEE, Ms. SOLIS, and Ms. VELAZQUEZ.
H.R. 3110: Mr. HOYER, Mr. SHOWS, Mr. TAYLOR of Mississippi, Mr. INSLEE, Mr. KENNEDY of Rhode Island, Mr. CROWLEY, Ms. DELAURO, Mr. SERRANO, Mr. GONZALEZ, Mr. BARRETT, Mr. KLECZKA, Mr. BROWN of Ohio, Mr. LUCAS of Kentucky, Mrs. NAPOLITANO, Mr. LEWIS of Georgia, Mr. FRANK, Mr. SCHIFF, Mr. FALEOMAVAEGA, and Mr. DELAHUNT.
H.R. 3113: Ms. DELAURO.
H.R. 3161: Ms. MCCOLLUM, Mr. SANDLIN, Mr. KILDEE, Ms. WOOLSEY, Ms. NORTON, Mr. ACEVEDO-VILA, Mr. WAXMAN, and Mr. MCINTYRE.
H.R. 3166: Mrs. TAUSCHER.
H.J. Res. 67: Mr. GOODE, Mr. MCDERMOTT, Mr. DOGGETT, Mr. BERMAN, Mr. ISRAEL, Mr. COX, Mr. LATOURETTE, Mr. FORD, Mr. SHERMAN, Ms. MCCOLLUM, Mr. ROTHMAN, Mr. MALONEY of Connecticut, Mr. BOSWELL, Mr. CUMMINGS, Mr. THOMPSON of Mississippi, Mr. ROHRABACHER, Mr. PALLONE, Mr. LEWIS of Georgia, Mr. DAVIS of Illinois, Mr. WALDEN of Oregon, Mrs. CHRISTENSEN, Mr. MOORE, Mr. HILL, Mr. HINOJOSA, Mr. CROWLEY, Mr. SMITH of Michigan, Mr. GILMAN, Mr. DOOLEY of California, Mrs. NAPOLITANO, Mr. BARRETT, and Ms. MCCARTHY of Missouri.
H. Res. 98: Mr. BAIRD.

MONDAY, OCTOBER 29, 2001 (114)

¶114.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

WASHINGTON, DC,
October 29, 2001.

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

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

¶114.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CULBERSON, announced he had examined and approved the Journal of the proceedings of Thursday, October 25, 2001.

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

¶114.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4398. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—A New Regulatory Framework for Clearing Organizations (RIN: 3038–AB66) received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4399. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tebufenozide; Tolerances for Emergency Exemptions [OPP–301181; FRL–6804–3] (RIN: 2070–AB78) received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4400. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled, ''Secretary of Defense Authority to Delegate''; to the Committee on Armed Services.

4401. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Customary Progress Payment Rate for Large Business Concerns [DFARS Case 2001–D012] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4402. A letter from the Secretary, Department of Health and Human Services, transmitting a copy of the Interim Progress Report by the White House Commission on Complementary and Alternative Medicine Policy; to the Committee on Energy and Commerce.

4403. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to the States of Iowa; Kansas; Missouri; Nebraska; Lincoln-Lancaster County, Nebraska; and City of Ohama, Nebraska [FRL–7071–5] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4404. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District, Monterey Bay Unified Air Pollution Control District [CA242–0291a; FRL–7058–9] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4405. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Full Approval of Operating Permit Program; State of Florida [FL-T5–2001–02; FRL–7068–5] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4406. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permits Program In Idaho [FRL–7072–1] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4407. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permits Program and Approval and Promulgation of Implementation Plans; State of Arkansas; New Source Review [AR–13–1–7526a; FRL–7072–2] received October 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4408. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Conditional Approval Implementation Plans; Ohio [OH118–2; FRL–7062–5] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4409. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Sta-

tions (Pittsburg, Kansas) [MM Docket No. 01–127; RM–10132] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4410. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Spokane, Washington) [MM Docket No. 99–262; RM–9659] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4411. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Reno, Nevada) [MM Docket No. 00–137; RM–9917; RM–10161] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4412. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Corinth, Scotia and Hudson Falls, New York) [MM Docket No. 01–94; RM–10086] received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4413. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (Appliance Labeling Rule)—received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4414. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule—India and Pakistan: Lifting of Sanctions, Removal of Indian and Pakistani Entities and Revision in License Review Policy [Docket No. 010927238–1238–01] (RIN: 0694–AC50) received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

4415. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule—Revisions to the Export Administration Regulations; Country Group E:1; License Exception TMP [Docket No. 0107101066–1166–01] (RIN: 0694–AB76) received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

4416. A letter from the White House Liaison, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4417. A letter from the Acting General Counsel, Department of Agriculture, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4418. A letter from the Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a copy of the Authority's resolutions and orders; to the Committee on Government Reform.

4419. A letter from the Chairman, United States International Trade Commission, transmitting a report on the Strategic Plan for FY 2001 through FY 2006; to the Committee on Government Reform.

4420. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period July 1, 2001, through September 30, 2001 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 107–137); to the Committee on House Administration and ordered to be printed.

4421. A letter from the Secretary, Department of the Interior, transmitting a report pursuant to Public Law 106–113; to the Committee on Resources.

4422. A letter from the Assistant Attorney General, Department of Justice, transmitting a report of the Bureau of Justice Assistance Fiscal Year 2000 Annual Report to Congress entitled, ''Creating a Safer America,'' pursuant to 42 U.S.C. 3789e; to the Committee on the Judiciary.

4423. A letter from the Chairman, Federal Maritime Commission, transmitting a report concerning the impact of the Ocean Shipping Reform Act of 1998; to the Committee on Transportation and Infrastructure.

4424. A letter from the Chairman, United States International Trade Commission, transmitting the fifteenth report in a series on The Impact of the Caribbean Basin Economic Recovery Act, pursuant to 19 U.S.C. 2705; to the Committee on Ways and Means.

¶114.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate insists upon its amendment to the bill (H.R. 2299) ''An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mrs. MURRAY, Mr. BYRD, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mr. DURBIN, Mr. LEAHY, Mr. INOUYE, Mr. SHELBY, Mr. SPECTER, Mr. BOND, Mr. BENNETT, Mr. CAMPBELL, Mrs. HUTCHISON, and Mr. STEVENS, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2506) ''An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LEAHY, Mr. INOUYE, Mr. HARKIN, Ms. MIKULSKI, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, Mr. REED, Mr. BYRD, Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. BOND, and Mr. STEVENS, to be the conferees on the part of the Senate.

¶114.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. CULBERSON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 25, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 25, 2001 at 2:26 p.m.: That the Senate passed without amendment H.R. 3162.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶114.6 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. CULBERSON, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bill on Thursday, October 25, 2001:

H.R. 3162. An Act to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

¶114.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. CULBERSON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 29, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 26, 2001 at 9:57 a.m.: That the Senate passed without amendment H.J. Res. 70.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶114.8 COMMUNICATION FROM THE CLERK—MESSAGES FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. CULBERSON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 25, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit two sealed envelopes received from the White House on October 25, 2001 at 3:36 p.m. and said to contain messages from the President whereby he transmits U.S.-Morocco Nuclear Agreement and Anti-Terror Draft Legislation.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶114.9 MOROCCO NUCLEAR AGREEMENT

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the ''Act''), the text of a proposed Protocol Amending the Agreement for Cooperation between the Government of the United States of America and the Government of the Kingdom of Morocco Concerning Peaceful Uses of Nuclear Energy signed at Washington on May

30, 1980. I am also pleased to transmit my written approval, authorization, and determination concerning the Protocol, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Protocol. (In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105–277), a classified Annex to the NPAS, prepared by the Secretary of State in consultation with the Director of Central Intelligence, summarizing relevant classified information, will be submitted to the Congress separately) The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy and a letter from the Chairman of the Nuclear Regulatory Commissions stating the views of the Commission are also enclosed.

I am informed that the proposed Protocol has been negotiated to be in accordance with the Act and other applicable law, to meet all statutory requirements, and to advance the nonproliferation and other foreign policy interests of the United States.

The Protocol amends the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Morocco Concerning Peaceful Uses of Nuclear Energy in two respects:

1. It extends the Agreement, which expired by its terms on May 16, 2001, for an additional period of 20 years, with a provision for automatic extensions thereafter in increments of 5 years each unless either Party gives timely notice to terminate the Agreement; and

2. It updates certain provisions of the Agreement relating to the physical protection of nuclear material subject to the Agreement.

As amended by the proposed Protocol, I am informed that the Agreement will continue to meet all requirements of U.S. law.

Morocco is in the early stages of developing a nuclear research program, with support from the United States and the International Atomic Energy Agency (IAEA). The United States firm, General Atomics, is currently building the country's first reactor, a small (2 megawatt) TRIGA Mark II research reactor that will use low-enriched uranium fuel. General Atomics' completion of the project cannot occur without an Agreement for Cooperation in force.

Morocco is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and has an agreement with the IAEA for the application of full-scope safeguards to its nuclear program. Morocco is a signatory to (but has not yet ratified) the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the storage and transport of nuclear material.

I have considered the views and recommendations of the interested agencies in reviewing the proposed Protocol and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Protocol and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. My Administration is prepared to begin immediately the consultations with the Senate Foreign Relations Committee and House International Relations Committee as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session period provided for in section 123 d. shall commence.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 24, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–138).

¶114.10 ANTI-TERROR DRAFT LEGISLATION

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

Enclosed for the consideration of the Congress is a legislative proposal to implement the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism. Also enclosed is a detailed explanation of the bill's provisions.

Title I of the bill is entitled the ''Terrorist Bombings Convention Implementation Act of 2001.'' It would implement the International Convention for the Suppression of Terrorist Bombings, which was signed by the United States on January 12, 1998, and which was transmitted to the Senate for its advice and consent to ratification on September 8, 1999. In essence, the Convention imposes binding legal obligations upon State Parties either to submit for prosecution or to extradite any person within their jurisdiction who unlawfully and intentionally delivers, places, discharges, or detonates an explosive or other lethal device in, into, or against a place of public use, a State or government facility, a public transportation system, or an infrastructure facility. A State Party is subject to these obligations without regard to the place where the alleged act covered by the Convention took place. Twenty-eight States are currently party to the Convention, which entered into force internationally on May 23, 2001.

Title II of the bill is entitled the ''Suppression of the Financing of Terrorism Convention Implementation Act of 2001.'' It would implement the International Convention for the Suppression of the Financing of Terrorism, which was signed by the United States on January 10, 2000, and which was transmitted to the Senate for its advice and consent to ratification on October 12, 2000. The Convention imposes binding legal obligations upon State Parties either to submit for prosecution or to extradite any person within their jurisdiction who unlawfully and wilfully provides or collects funds with the intention that they should be used to carry out various terrorist activities. A State Party is subject to these obligations without regard to the place where the alleged act covered by the Convention took place. The Convention is not yet in force internationally, but will enter into force on the thirtieth day following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval, or accession with the Secretary General of the United Nations.

I urge the prompt and favorable consideration of this proposal.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 25, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on the Judiciary and ordered to be printed (H. Doc. 107–139).

¶114.11 ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3162. An Act to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

H.J. Res. 70. Joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

¶114.12 BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 25, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 146. To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes.

H.R. 182. To amend the Wild and Scenic Rivers Act to designate a segment of the Eightmile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 1000. To adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes.

H.R. 1161. To authorize the Government of the Czech Republic to establish a memorial to honor Thomas G. Masaryk in the District of Columbia.

H.R. 1668. To authorize the Adams Memorial Foundation to establish a commemorative work on Federal Land in the District of Columbia and its environs to honor former President John Adams and his legacy.

H.R. 2217. Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2904. Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 3162. To deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

And then,

¶114.13 ADJOURNMENT

On motion of Mr. CULBERSON, pursuant to the special order agreed to on October 25, 2001, at 2 o'clock and 16 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, October 30, 2001.

¶114.14 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISTOOK: Committee of Conference. Conference report on H.R. 2590. A bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–253). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1840. A bill to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees; with an amendment (Rept. No. 107–254). Referred to the Committee of the Whole House on the State of the Union.

¶114.15 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of New Jersey:

H.R. 3175. A bill to prohibit creditors from imposing late fees, increasing interest rates, or submitting adverse credit information with regard to the account of a consumer whose mail service has been disrupted due to a biological, chemical, or radiological attack, and for other purposes; to the Committee on Financial Services.

By Mr. SMITH of New Jersey:

H.R. 3176. A bill to provide for the development of protocols for uniform national responses to public health emergencies involving dangerous biological agents or dangerous chemicals; to the Committee on Energy and Commerce.

By Mr. HEFLEY:

H.R. 3177. A bill to require the display of the POW/MIA flag at the World War II memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial in the District of Columbia; to the Committee on Resources.

¶114.16 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

199. The SPEAKER presented a memorial of the Legislature of the State of Alabama, relative to House Joint Resolution No. 145 memorializing the United States Congress to immediately enact appropriate laws which will result in reducing terrorist threats within our borders; jointly to the Committees on the Judiciary, International Relations, and Armed Services.

¶114.17 ADDITIONAL SPONSORS

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

H.R. 1205: Ms. BROWN of Florida.

H.R. 2235: Mr. WICKER and Mr. THORNBERRY.

H.R. 2535: Mr. TOM DAVIS of Virginia.

H.R. 2638: Ms. HARMAN.

H.R. 2764: Mr. GARY G. MILLER of California and Mr. TANCREDO.

H.R. 2945: Mrs. MINK of Hawaii and Ms. SOLIS.

H.R. 3013: Mr. HASTINGS of Florida, Mr. FORD, Mr. LIPINSKI, and Mr. DAVIS of Florida.

H.R. 3029: Mr. WEXLER.

H.R. 3074: Mr. BURTON of Indiana and Mr. ROHRABACHER.

H.R. 3076: Mr. BURTON of Indiana and Mr. ROHRABACHER.

H.R. 3110: Ms. LOWEY, Mr. LANGEVIN, Mr. LAFALCE, Mr. LARSON of Connecticut, Ms. MCCARTHY of Missouri, Ms. MCKINNEY, Mrs. MALONEY of New York, Mr. OBEY, Mr. OLVER, Mr. PALLONE, Mr. DEUTSCH, Mr. DICKS, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. LEE, Mr. JEFFERSON, Mr. GORDON, Mr. POMEROY, Mrs. THURMAN, Mr. VISCLOSKY, Mrs. MCCARTHY of New York, Mr. MOLLOHAN, Mr. WEXLER, Mr. ETHERIDGE, Mr. SCOTT, Ms. ROYBAL-ALLARD, Mr. DOYLE, Mr. ROSS, Mr. MCDERMOTT, Mr. MATSUI, Ms. VELAZQUEZ, Ms. CARSON of Indiana, Mr. BLAGOJEVICH, and Mr. LYNCH.

H. Con. Res. 197: Mr. DEFAZIO.

H. Res. 235: Ms. KILPATRICK and Mr. CRANE.

¶114.18 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

38. The SPEAKER presented a petition of the Municipal Assembly of San Juan, Puerto Rico, relative to Resolution No. 32 petitioning the United States Congress to express our most forceful rejection and disgust for the shameful words written by Mrs. Celeste Benitez on her opinion column titled, ''Welcome to the 21st Century,'' published on a local newspaper on Friday, September 14, 2001, in regard to the terrorist attack against our nation on Tuesday, September 14, 2001; to the Committee on International Relations.

39. Also,a petition of the Municipal Assembly of San Juan, Puerto Rico, relative to Resolution No. 29 petitioning the United States Congress to express the condolences of the Government and Citizens of San Juan, Puerto Rico, to the President and Government of the United States for the tragic developments at the World Trade Center in New York City and in Washington, D.C.; and to express our most emphatic repudiation to those acts; to the Committee on Transportation and Infrastructure.

TUESDAY, OCTOBER 30, 2001 (115)

¶115.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. PETRI, who laid before the House the following communication:

WASHINGTON, DC,
October 30, 2001.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Wednesday, January 3, 2001, Members were recognized for ''morning-hour debate''.

¶115.2 RECESS—12:51 P.M.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 51 minutes p.m. until 2 o'clock p.m.

¶115.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. PETRI, called the House to order.

¶115.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PETRI, announced he had examined and approved the Journal of the proceedings of Monday, October 29, 2001.

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

¶115.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4425. A letter from the Principal Deputy General Counsel, Department of Defense, transmitting a draft of proposed legislation to award the medal of honor to Ben L. Salomom and Jon E. Swanson; to the Committee on Armed Services.

4426. A letter from the Principal Deputy General Counsel, Department of Defense, transmitting a draft of proposed legislation relating to the annual survey of racial, ethnic, and gender issues; to the Committee on Armed Services.

4427. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Charles R. Heflebower, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4428. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

4429. A letter from the Office of Civilian Radioactive Waste Management, Department of Energy, transmitting the seventeenth Annual Report on the activities and expenditures of the Office of Civilian Radioactive Waste Management, pursuant to 42 U.S.C. 10224(c); to the Committee on Energy and Commerce.

4430. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Reasonably Available Control Technology Requirements for Volatile Organic Compounds and Nitrogen Oxides in the Pittsburgh-Beaver Valley Area [PA041–4178; FRL–7083–3] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4431. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Kentucky: Approval of Revisions to Kentucky State Implementation Plan [KY–75–1; KY–97–1–200109, FRL–7082–8] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4432. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Ken-

tucky; Approval of Revisions to State Implementation Plan; Revised Format for Materials Being Incorporated by Reference for Jefferson County, Kentucky [KY–103; KY–107; KY–110; KY–114; KY–115; KY–122–200203; FRL–7082–7] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4433. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Kentucky: Approval of Revisions to State Implementation Plan, Source Specific Requirements, and Nonregulatory Provisions [KY–131, and KY–133–200201; FRL–7083–1a] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4434. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 0135–1135a; FRL–7082–6] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4435. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Illinois Trading Program [IL 165–2; FRL–7056–6] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4436. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them [PR Docket No. 92–235] and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services—received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4437. A letter from the Director, Office Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Interim Storage for Greater Than Class C Waste [Docket No. PRM–72–2] (RIN: 3150–AG33) received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4438. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Israel (Transmittal No. DTC 102–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4439. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Israel (Transmittal No. DTC 112–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4440. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to the United Kingdom (Transmittal No. DTC 117–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4441. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to France (Transmittal No. DTC 099–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4442. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective September 23, 2001 the danger pay rate for the Montenegro Province was designated at the 20% level and the danger pay rate for Peshawar, Pakistan was designated at the 25% level, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

4443. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Fiscal Year 2000 Annual Report on Advisory Neighborhood Commissions,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

4444. A letter from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule—Agriculture Acquisition Regulation; Part 442 Amendment; Designation and Mandatory Use of Contractor Performance System [AGAR Case 99–02] (RIN: 0599–AA08) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4445. A letter from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule—Agriculture Acquisition Regulation; Part 419 Amendment; North American Industrial Classification System [AGAR Case 2000–01] (RIN: 0599–AA09) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4446. A letter from the Deputy Independent Counsel, Office of the Independent Counsel, transmitting a report under the Federal Managers' Financial Integrity Act for the period ending September 30, 2001, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

4447. A letter from the Director, Office of Management and Budget, transmitting a report on the Federal Activities Inventory Reform Act; to the Committee on Government Reform.

4448. A letter from the Chairman, Securities and Exchange Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

4449. A letter from the Accounting Administration Supervisor, Daughters of the American Revolution, transmitting the report of the audit of the Society for the fiscal year ending February 28, 2001, pursuant to 36 U.S.C. 1101(20) and 1103; to the Committee on the Judiciary.

4450. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Delegation of the Adjudication of Certain Temporary Agricultural Worker (H–2A) Petitions, Appellate and Revocation Authority for those Petitions to the Secretary of Labor [INS 1946–98] (RIN: 1115–AF29) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4451. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action On Decision Therese Hahn v. Commissioner, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4452. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax Imposed on Certain Built-In Gains [Rev. Rul. 2001–50] received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶115.6 STATUS OF VIETNAMESE REFUGEES

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 1840) to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees; as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. SENSENBRENNER and Mr. NADLER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill , as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶115.7 PUBLIC SAFETY OFFICER MEDAL OF VALOR

Mr. SENSENBRENNER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 243):

Whereas on September 11, 2001, terrorists hijacked and destroyed 4 civilian aircraft, crashing 2 of them into the towers of the World Trade Center in New York City, a third into the Pentagon, and a fourth in rural southwest Pennsylvania;

Whereas thousands of innocent Americans and many foreign nationals were killed and injured as a result of these surprise terrorist attacks, including the passengers and crews of the 4 aircraft, workers in the World Trade Center and the Pentagon, firefighters, law enforcement officers, emergency assistance personnel, and bystanders;

Whereas hundreds of public safety officers were killed and injured as a result of these terrorist attacks because they immediately rushed to the aid of innocent civilians who were imperiled when the terrorists first launched their attacks, many of whom would perish when the twin towers of the World Trade Center collapsed upon them;

Whereas thousands more public safety officers are risking their own lives and long-term health in sifting through the aftermath and rubble of these terrorist attacks to recover the dead;

Whereas the Public Safety Officer Medal of Valor Act of 2001 (Public Law 107–12; 115 Stat. 20) authorizes the President to award and present, in the name of Congress, a Medal of Valor to public safety officers for extraordinary valor above and beyond the call of duty;

Whereas the Attorney General of the United States has discretion to increase the number of recipients of the Medal of Valor under that Act beyond that recommended by the Medal of Valor Review Board in extraordinary cases in any given year;

Whereas the terrorist attacks in the United States of September 11, 2001, and their aftermath constitute the single most deadly assault on our American homeland in our Nation's history; and

Whereas those public safety officers who have perished and those who lead the efforts to rescue innocent civilians from the terrorist attacks, are the first casualties and veterans of America's new war against terrorism, which was authorized by the authorization for use of military force enacted September 14, 2001: Now, therefore, be it

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

(1) the President should award and present, in the name of Congress, a Public Safety Officer Medal of Valor to those public safety officers who were killed in the terrorist attacks in the United States on September 11, 2001; and

(2) the President should award and present a Public Safety Officer Medal of Valor to those public safety officers who have earned special recognition for outstanding valor above and beyond the call of duty as named—

(A) in consultation with the Mayor of the City of New York and Governor of the State of New York for the attacks on New York—

(i) Commissioner of the New York City Police Department;

(ii) Commissioner of the New York City Fire Department; and

(iii) Executive Director of the Port Authority of New York and New Jersey;

(B) in consultation with the Chair of the Washington Metropolitan Council of Governments, including the sitting Chairs of the Police and Fire Chief Committees; and the Fort Myer Federal Fire Chief, and the Governor of the Commonwealth of Virginia for the attack at the Pentagon—

(i) Fire Chief of Arlington County, Virginia; and

(ii) Police Chief of Arlington County, Virginia; and

(C) in consultation with the Governor of the Commonwealth of Pennsylvania for the plane crash in Pennsylvania—

(i) Commandant of the Pennsylvania State Police; and

(ii) Adjutant General of the Pennsylvania National Guard,

or any of their designees, for their heroic actions on September 11, 2001, and thereafter during the rescue and recovery missions.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. SENSENBRENNER and Mr. NADLER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶115.8 FEDERAL LONG-TERM CARE INSURANCE

Mrs. Jo Ann DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 2559) to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

The SPEAKER pro tempore, Mr. PETRI, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. Jo Ann DAVIS of Virginia demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶115.9 BARRY BOND'S 73 HOMERS

Mrs. Jo Ann DAVIS of Virginia moved to suspend the rules and agree to the following resolution (H. Res. 266):

Whereas Barry Bonds has brought distinction to Major League Baseball and excellence to the San Francisco Giants, following in the baseball footsteps of his father, Bobby Bonds, and his godfather, Willie Mays;

Whereas Barry Bonds has had an outstanding career that so far includes 3 Most Valuable Player awards, 10 All-Star Game appearances, 8 Rawlings Gold Glove awards, and the distinction of being named Player of the Decade for the 1990s by the Sporting News;

Whereas in 2001 Barry Bonds had one of the greatest seasons in Major League Baseball history, achieving 73 home runs, a slugging average of .863, and an on-base percentage of .515;

Whereas Barry Bonds has established himself as the most prolific single-season home run hitter in Major League Baseball history, hitting his 73rd home run on October 7, 2001, eclipsing the previous record of 70 home runs set by Mark McGwire in 1998;

Whereas Barry Bonds has attained the rank of 7th place on the all-time Major League Baseball home run list with 567;

Whereas Barry Bonds drove in 136 runs to set a Giants franchise record for runs batted in by a left fielder, and has recorded at least 100 RBI's in each of 10 different seasons;

Whereas of Bonds' 73 home runs, 24 gave San Francisco the lead and 7 tied the game;

Whereas Barry Bonds also hit the 500th home run of his career during the 2001 season, a 2-run game-winning home run which landed in the waters of McCovey Cove, San Francisco;

Whereas Barry Bonds, at age 37, is the oldest player in Major League Baseball history to hit more than 50, 60, and 70 home runs in a single season;

Whereas Barry Bonds has recorded 484 stolen bases in his career, becoming the only Major League Baseball player to both hit more than 400 home runs and steal more than 400 bases;

Whereas Barry Bonds' 233 stolen bases achieved while playing for San Francisco place him 6th on the Giants franchise list behind his father, Bobby, who is 5th with 263 stolen bases;

Whereas Barry Bonds has proven himself to be an active leader not only in the Giants clubhouse but also in the community, donating approximately $100,000 to the September 11th Fund to aid the victims of the terrorist attacks in New York, Washington, D.C., and Pennsylvania; and

Whereas Barry Bonds has also devoted his time and money to support the Link & Learn Program of the United Way, and has been an active participant in numerous other San Francisco Bay area community efforts: Now, therefore, be it

Resolved, That the House of Representatives congratulates Barry Bonds on his spectacular record-breaking season in 2001 and outstanding career in Major League Baseball, wishes him continued success in the seasons to come, and thanks him for his contributions to baseball and to his community.

The SPEAKER pro tempore, Mr. PETRI, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶115.10 BENJAMIN FRANKLIN TERCENTENARY COMMISSION

Mrs. Jo Ann DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 2362) to establish the Benjamin Franklin Tercentenary Commission, as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶115.11 NORMAN SISISKY POST OFFICE BUILDING

Mrs. Jo Ann DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 2910) to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building''.

The SPEAKER pro tempore, Mr. PETRI, recognized Mrs. Jo Ann DAVIS of Virginia and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FORBES demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶115.12 TRIBES OF THE WARM SPRINGS RESERVATION

Mr. WALDEN moved to suspend the rules and pass the bill (H.R. 483) regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon; as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. WALDEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶115.13 ORDER OF BUSINESS—CONSIDERATION OF CONFERENCE REPORT TO ACCOMPANY H.R. 2590

On motion of Mr. ISTOOK, by unanimous consent,

Ordered, That it may be in order at any time to consider the conference report to accompany the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as read when called up.

¶115.14 CHILOQUIN DAM FISH PASSAGE FEASIBILITY STUDY

Mr. WALDEN moved to suspend the rules and pass the bill (H.R. 2585) to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. WALDEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶115.15 BUFFALO BAYOU NATIONAL HERITAGE AREA STUDY

Mr. WALDEN moved to suspend the rules and pass the bill (H.R. 1776) to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. WALDEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶115.16 EXPRESSING SORROW FOR FIRST RESPONDERS

Mr. LATOURETTE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 233):

Whereas law enforcement officers, firefighters, and emergency medical personnel are collectively known as first responders;

Whereas following the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001, first responders reacted immediately in evacuating and rescuing innocent people from the buildings;

Whereas first responders also arrived quickly at the crash site of United Airlines flight 93 in southwestern Pennsylvania;

Whereas if it were not for the heroic efforts of first responders immediately after the terrorist attacks, numerous additional casualties would have resulted from the attacks;

Whereas as the first emergency personnel to arrive at the scenes of the terrorist attacks, first responders risked their lives in their efforts to save others;

Whereas while first responders were bravely conducting the evacuation and rescue after the terrorist attack on the World Trade Center, the two towers of that complex collapsed, and many first responders themselves became victims of the attack;

Whereas the everyday well-being, security, and safety of Americans depend upon the official duties of first responders;

Whereas in addition to their official duties, first responders around the Nation participate in planning, training, and exercises to respond to terrorist attacks;

Whereas emergency managers, public health officials, and medical care providers also invest significant time in planning, training, and exercises to better respond to terrorist attacks in the United States;

Whereas the Nation has not forgotten the heroic efforts of first responders after the bombing of the World Trade Center on February 26, 1993, and the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma, on April 19, 1995;

Whereas there are numerous Federal programs that help prepare first responders from across the Nation, including the Domestic Preparedness Program and other training and exercise programs administered by the Department of Justice;

Whereas there are also domestic preparedness programs administered by the Federal Emergency Management Agency, which together with the programs of the Department of Justice support State and local first responders with funding, training, equipment acquisition, technical assistance, exercise planning, and execution;

Whereas many of the first responders who participate in such programs do so on their own time;

Whereas an effective response of local first responders to a terrorist attack saves lives; and

Whereas in response to a terrorist attack, first responders are exposed to a high risk of bodily harm and death as the first line of defense of the United States in managing the aftermath of the attack: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) expresses its profound sorrow for the death and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001;

(2) expresses its deepest sympathies to the families and loved ones of the fallen first responders;

(3) honors and commends the first responders who participated in evacuating and rescuing the innocent people in the World Trade Center and the Pentagon after the terrorist attacks;

(4) encourages the President to issue a proclamation calling upon the people of the United States to pay respect to the first responder community for their service in the aftermath of the terrorist attacks and their continuing efforts to save lives; and

(5) encourages all levels of government to continue to work together to effectively coordinate emergency preparedness by providing the infrastructure, funding, and interagency communication and cooperation necessary to ensure that when another terrorist attack occurs, first responders will be as prepared as possible to respond to the attack effectively.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. LATOURETTE and Mr. COSTELLO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds

of the Members present had voted in the affirmative.

Mr. LATOURETTE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶115.17 RECESS—4:46 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 46 minutes p.m., until approximately 6 o'clock p.m.

¶115.18 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. GILCHREST, called the House to order.

¶115.19 H. CON. RES. 243—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GILCHREST, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 243) expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 409 / Nays ..... 0 }

¶115.20 [Roll No. 408]

YEAS—409

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

NOT VOTING—23

Boucher
Brady (TX)
Carson (OK)
Conyers
Cooksey
Cubin
DeGette
DeLay
Dooley
Dunn
Granger
Greenwood
Hooley
Keller
McCrery
McHugh
Menendez
Murtha
Northup
Riley
Rogers (KY)
Shows
Thompson (MS)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶115.21 H.R. 2559—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GILCHREST, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2559) to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 406 / Nays ..... 1 }

¶115.22 [Roll No. 409]

YEAS—406

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

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

NAYS—1

Paul

NOT VOTING—25

Boucher
Brady (TX)
Cantor
Carson (OK)
Conyers
Cooksey
Cubin
DeGette
DeLay
Dooley
Dunn
Frelinghuysen
Granger
Greenwood
Hooley
Keller
McCrery
McHugh
Menendez
Murtha
Riley
Rogers (KY)
Sandlin
Shows
Thompson (MS)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶115.23 H.R. 2910—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GILCHREST, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2910) to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building''.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 405 / Nays 0

¶115.24 [Roll No. 410]

YEAS—405

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

NOT VOTING—27

Boucher
Brady (TX)
Carson (OK)
Conyers
Cooksey
Cubin
DeGette
DeLay
Dooley
Dunn
Edwards
Evans
Granger
Greenwood
Hunter
Keller
McCrery
McHugh
Menendez
Murtha
Northup
Quinn
Riley
Rogers (KY)
Shows
Thompson (MS)
Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶115.25 H. CON. RES. 233—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GILCHREST, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 233) expressing the profound sorrow of the Congress for the death and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 405 / Nays 0

¶115.26 [Roll No. 411]

YEAS—405

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

NOT VOTING—27

Boucher
Brady (TX)
Carson (OK)
Conyers
Cooksey
Cox
Cubin
DeGette
DeLay
Dooley
Dunn
Ganske
Granger
Greenwood
Keller
Lowey
McCrery
McHugh
Meeks (NY)
Menendez
Murtha
Riley
Rogers (KY)
Shows
Thompson (MS)
Watts (OK)
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶115.27 MESSAGE FROM THE SENATE

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

H.R. 2330. An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2330) ''An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KOHL, Mr. HARKIN, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JOHNSON, Mrs. MURRAY, Mr. BYRD, Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. MCCONNELL, Mr. BURNS, Mr. CRAIG, and Mr. STEVENS, to be the conferees on the part of the Senate.

¶115.28 SUBMISSION OF CONFERENCE REPORT—H.R. 2311

Mr. CALLAHAN submitted a conference report (Rept. No. 107–258) on the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶115.29 SUBMISSION OF CONFERENCE REPORT—H.R. 2647

Mr. SHERWOOD submitted a conference report (Rept. No. 107–259) on the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶115.30 RECESS—11:23 P.M.

The SPEAKER pro tempore, Mr. PUTNAM, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 23 minutes p.m., subject to the call of the Chair.

WEDNESDAY, OCTOBER 31 (LEGISLATIVE DAY OF OCTOBER 30), 2001

¶115.31 AFTER RECESS—7:11 A.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶115.32 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT TO ACCOMPANY H.R. 2311

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported

(Rept. No. 107–260) the resolution (H. Res. 272) waiving points of order against the conference report to accompany the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶115.33 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT TO ACCOMPANY H.R. 2647

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported (Rept. No. 107–261) the resolution (H. Res. 273) waiving points of order against the conference report to accompany the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶115.34 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. DUNN, for today and balance of the week;

To Mr. KELLER, for today;

To Mr. McHUGH, for today;

To Mr. SHOWS, for today; and

To Mr. THOMPSON of Mississippi, for today and balance of the week.

And then,

¶115.35 ADJOURNMENT

On motion of Ms. PRYCE of Ohio, at 7 o'clock and 12 minutes p.m., Wednesday, October 31 (legislative day of Tuesday, October 30), 2001 the House adjourned.

¶115.36 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 2585. A bill to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon (Rept. No. 107–255). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1776. A bill to authorize the Secretary of the Interior to study of the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas; with an amendment (Rept. No. 107–256). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 483. A bill regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon; with an amendment (Rept. No. 107–257). Referred to the Committee of the Whole House on the State of the Union.

Mr. CALLAHAN: Committee of Conference. Conference report on H.R. 2311. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–258). Ordered to be printed.

Mr. TAYLOR of North Carolina: Committee of Conference. Conference report on H.R. 2647. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–259). Ordered to be printed.

Mr. SESSIONS: Committee on Rules. House Resolution 272. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–260). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 273. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107–261). Referred to the House Calendar.

¶115.37 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BOEHLERT (for himself, Mr. BAIRD, Mr. EHLERS, Mr. BARCIA, Mrs. MORELLA, Mr. WELDON of Pennsylvania, Mr. FORBES, and Mrs. WILSON):

H.R. 3178. A bill to authorize the Environmental Protection Agency to provide funding to support research, development, and demonstration projects for the security of water infrastructure; to the Committee on Science.

By Mr. BASS:

H.R. 3180. A bill to consent to certain amendments to the New Hampshire-Vermont Interstate School Compact; to the Committee on the Judiciary.

By Mr. BILIRAKIS (for himself, Mrs. ROUKEMA, Mr. DUNCAN, and Mr. HUNTER):

H.R. 3181. A bill to establish a temporary moratorium on the issuance of visas for nonimmigrant foreign students and other exchange program participants, to improve procedures for issuance of nonimmigrant student visas, and to enhance procedures for admission at ports of entry to the United States; to the Committee on the Judiciary.

By Mr. BLAGOJEVICH (for himself and Mr. WAXMAN):

H.R. 3182. A bill to regulate certain 50 caliber sniper weapons in the same manner as machine guns and other firearms; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of South Carolina (for himself, Mr. BARTLETT of Maryland, Mr. CUNNINGHAM, Mr. TOM DAVIS of Virginia, Mr. FILNER, Mr. GRAVES, Mrs. JONES of Ohio, Mr. LIPINSKI, Mr. McGOVERN, Mr. ROGERS of Michigan, Mr. SCHROCK, and Mr. FALEOMAVAEGA):

H.R. 3183. A bill to amend title 10, United States Code, to repeal the offset from surviving spouse annuities under the military Survivor Benefit Plan for amounts paid by the Secretary of Veterans Affairs as dependency and indemnity compensation; to the Committee on Armed Services.

By Ms. DELAURO:

H.R. 3184. A bill to amend the Federal Food, Drug, and Cosmetic Act to add provisions regarding protecting the United States food supply; to the Committee on Energy and Commerce.

By Mr. GREEN of Texas (for himself, Mr. QUINN, Mr. PASCRELL, Ms. LOFGREN, Mr. NADLER, Ms. ROYBAL-ALLARD, Ms. McCARTHY of Missouri, and Mrs. MORELLA):

H.R. 3185. A bill to amend the Workforce Investment Act of 1998 to increase the hiring of firefighters, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING (for himself, Ms. PRYCE of Ohio, Mr. OBERSTAR, Mr. UPTON, Mr. WYNN, Mr. WELDON of Pennsylvania, Mr. DINGELL, Mr. LoBIONDO, Mr. BRADY of Pennsylvania, Mr. BAKER, Ms. CARSON of Indiana, Mr. SANDLIN, Mr. OWENS, Mr. MASCARA, and Mrs. McCARTHY of New York):

H.R. 3186. A bill to provide for an awareness program, and a study, on a rare form of breast cancer; to the Committee on Energy and Commerce.

By Mr. McINNIS:

H.R. 3187. A bill to amend the Federal Land Policy and Management Act of 1976 to require the value of public benefits created by State and local governments and nonprofit entities to be offset against the fee charged for certain rights-of-way held by those entities; to the Committee on Resources.

By Mr. STARK (for himself, Mr. McNULTY, Ms. ESHOO, Mr. WYNN, Mr. FRANK, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. McGOVERN, Mr. BRADY of Pennsylvania, Mr. KUCINICH, and Mr. HINCHEY):

H.R. 3188. A bill to amend title XVIII of the Social Security Act to expand Medicare benefits to prevent, delay, and minimize the progression of chronic conditions, establish payment incentives for furnishing quality services to people with serious and disabling chronic conditions, and develop national policies on effective chronic condition care, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOEHLERT (for himself, Mr. OBERSTAR, Mr. DUNCAN, Mr. BORSKI, and Mr. DeFAZIO):

H. Con. Res. 255. Concurrent resolution expressing the sense of the Congress regarding the 30th anniversary of the enactment of the Clean Water Act; to the Committee on Transportation and Infrastructure.

By Mr. ENGLISH (for himself, Mr. QUINN, Mr. KUCINICH, Mr. REGULA, Mr. CARDIN, Mr. NEY, Mrs. JONES of Ohio, Mr. EHRLICH, Mr. ADERHOLT, Mr. MURTHA, Mr. HOUGHTON, and Mr. STUPAK):

H. Con. Res. 256. Concurrent resolution expressing the sense of Congress that the United States Trade Representative should oppose any changes that weaken existing antidumping and safeguard laws at the World Trade Organization (WTO) round of negotiations to be held at Doha, Qatar, from November 9–13, 2001, and at any subsequent round of negotiations; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H. Res. 271. A resolution providing for consideration of the bill (H.R. 218) to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns; to the Committee on Rules.

¶115.38 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PLATTS introduced a bill (H.R. 3179) for the relief of certain aliens who were aboard the *Golden Venture*; which was referred to the Committee on the Judiciary.

¶115.39 ADDITIONAL SPONSORS

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

H.R. 64: Mr. TIBERI.
H.R. 218: Ms. BROWN of Florida and Mr. EVERETT.
H.R. 307: Mr. FILNER.
H.R. 525: Mr. FROST.
H.R. 782: Mr. BLUMENAUER.
H.R. 967: Mr. ABERCROMBIE.
H.R. 1073: Mr. HALL of Ohio and Mr. FLETCHER.
H.R. 1158: Mr. WELDON of Florida.
H.R. 1523: Mr. WELDON of Florida.
H.R. 1624: Mrs. CAPITO.
H.R. 1782: Ms. SLAUGHTER and Mr. LATOURETTE.
H.R. 1786: Mr. OSBORNE and Mrs. CLAYTON.
H.R. 1984: Mr. KERNS.
H.R. 1990: Ms. PELOSI.
H.R. 2032: Mr. DEAL of Georgia.
H.R. 2033: Mrs. THURMAN.
H.R. 2035: Ms. SANCHEZ, Mr. WEXLER, Mr. MASCARA, and Mr. DOYLE.
H.R. 2117: Mr. DUNCAN.
H.R. 2125: Mr. TURNER, Ms. VELAZQUEZ, and Mr. SHUSTER.
H.R. 2161: Mr. FORBES.
H.R. 2219: Mr. PRICE of North Carolina.
H.R. 2220: Mr. NETHERCUTT.
H.R. 2348: Mr. LARSEN of Washington, Mr. ALLEN, and Mr. LUCAS of Oklahoma.
H.R. 2357: Mr. LUCAS of Oklahoma, Mr. RADANOVICH, and Mr. GRAVES.
H.R. 2374: Mr. FOLEY, Mr. KLECZKA, and Mr. HERGER.
H.R. 2404: Mr. KILDEE.
H.R. 2515: Mr. LUCAS of Oklahoma and Mr. FORBES.
H.R. 2638: Mrs. MINK of Hawaii and Mr. LEWIS of California.
H.R. 2692: Mr. GRUCCI.
H.R. 2794: Mr. EVANS.
H.R. 2805: Mr. AKIN.
H.R. 2806: Mr. SOUDER.
H.R. 2896: Mr. JONES of North Carolina and Mr. REHBERG.
H.R. 2905: Ms. NORTON, Ms. BALDWIN, and Mr. PLATTS.
H.R. 2906: Mr. FORBES.
H.R. 2917: Mr. WU, Mr. HINCHEY, Mr. BLUMENAUER, Mr. WELDON of Florida, and Mr. TIAHRT.
H.R. 2929: Mr. LUCAS of Oklahoma.
H.R. 2932: Mr. REYES.
H.R. 2935: Mr. EVANS and Mr. HINOJOSA.
H.R. 2946: Mr. BOYD, Mr. DAVIS of Florida, Mr. HONDA, and Mr. WEINER.
H.R. 2950: Mr. COOKSEY.
H.R. 2951: Mr. HOLT, Mr. LEVIN, and Ms. MCCOLLUM.
H.R. 2965: Mr. CLEMENT.
H.R. 2985: Mr. FORBES.
H.R. 2986: Mr. FORBES.
H.R. 2988: Mr. WEXLER.
H.R. 2998: Mr. BROWN of Ohio and Mr. FORD.
H.R. 3007: Mr. OBERSTAR, MR. LEACH, and Mr. CALVERT.
H.R. 3015: Mr. FARR of California and Mr. FORD.
H.R. 3022: Mr. FILNER, Mrs. JONES of Ohio, Mr. BOEHLERT, Ms. KILPATRICK, Mr. MCNULTY, and Mr. BLAGOJEVICH.
H.R. 3025: Mr. ENGLISH, Mr. REYES, Mr. WELLER, Mr. CASTLE, and Mr. UNDERWOOD.
H.R. 3026: Mr. FROST.
H.R. 3029: Mr. SIMMONS, Mr. RANGEL, and Mr. SESSIONS.
H.R. 3046: Mr. DAVIS of Florida, Mr. VITTER, Mr. ROGERS of Michigan, Mr. TURNER, Ms. MCCARTHY of Missouri, Mr. MALONEY of Connecticut, and Mr. LAMPSON.
H.R. 3062: Mr. CLEMENT and Mr. WYNN.
H.R. 3067: Mr. TIERNEY, Mr. BONIOR, Mrs. NAPOLITANO, Ms. SOLIS, Ms. MCKINNEY, Mr. LIPINSKI, and Mr. GEORGE MILLER of California.
H.R. 3070: Mr. LIPINSKI.
H.R. 3087: Mr. RODRIGUEZ and Mr. UNDERWOOD.
H.R. 3093: Mr. SHIMKUS.
H.R. 3103: Ms. LOFGREN.
H.R. 3110: Mr. TIERNEY, Mrs. CLAYTON, Ms. KAPTUR, Mr. UDALL of Colorado, Mr. KILDEE, Mr. JACKSON of Illinois, Mr. FARR of California, Ms. SLAUGHTER, Mr. GREEN of Texas, Mr. FROST, Mr. STRICKLAND, Mr. SAWYER, and Mr. STARK.
H.R. 3113: Mr. ABERCROMBIE.
H.R. 3115: Mr. FRANK and Ms. PELOSI.
H.R. 3161: Mr. MALONEY of Connecticut, Ms. LOFGREN, Ms. HARMAN, Mr. LARSEN of Washington, and Mr. SHUSTER.
H.R. 3167: Mr. REYNOLDS.
H.J. Res. 67: Mr. DICKS, Mr. DELAHUNT, Mr. CONDIT, Mr. LAFALCE, Mr. GUTIERREZ, Mr. LARSEN of Washington, and Mr. OLVER.
H. Con. Res. 211: Mr. FALEOMAVAEGA and Mr. MCHUGH.
H. Con. Res. 233: Mr. TIAHRT, Mr. HASTINGS of Florida, and Mr. JEFF MILLER of Florida.
H. Con. Res. 238: Mr. GUTIERREZ and Mr. CAPUANO.
H. Con. Res. 249: Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Ms. NORTON, Mr. MCGOVERN, Mr. FROST, Ms. WOOLSEY, Mr. FALEOMAVAEGA, and Mr. WALSH.
H. Con. Res. 250: Mr. CUMMINGS, Ms. CARSON of Indiana, Mr. DICKS, Mrs. THURMAN, Mr. SERRANO, Mr. DOGGETT, Mr. HONDA, Mr. SANDERS, Mr. OWENS, Mr. DINGELL, Mr. UDALL of New Mexico, Mr. MORAN of Virginia, Mr. WATT of North Carolina, Mr. FRANK, Ms. GRANGER, Mr. FROST, Mr. FARR of California, and Mr. BONIOR.
H. Con. Res. 253: Mr. HOEFFEL, Ms. LEE, and Mr. PRICE of North Carolina.
H. Con. Res. 254: Mr. GREENWOOD.
H. Res. 52: Mr. CLEMENT.
H. Res. 235: Mr. FROST and Mr. NADLER.
H. Res. 266: Mr. OSE, Ms. WOOLSEY, Mr. HONDA, Mr. LANTOS, and Mr. GEORGE MILLER of California.

WEDNESDAY, OCTOBER 31, 2001 (116)

¶116.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. COOKSEY, who laid before the House the following communication:

WASHINGTON, DC,
October 31, 2001.

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

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

¶116.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. COOKSEY, announced he had examined and approved the Journal of the proceedings of Tuesday, October 30, 2001.

Mr. SCHAFFER, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. COOKSEY, announced that the yeas had it.

Mr. SCHAFFER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. COOKSEY, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶116.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4453. A letter from the Alternate OSD Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule—TRICARE; Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Payments for Professional Services in Low-Access Locations (RIN: 0720–AA58) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4454. A letter from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule—Legal Assistance Matters—received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4455. A letter from the Administrator, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule—Exemption from Control of Certain Industrial Products and Materials Derived from the Cannabis Plant [DEA–206] (RIN: 1117–AA55) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4456. A letter from the Administrator, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule—Interpretation of Listing of ''Tetrahydrocannabinols'' In Schedule I [DEA–204] (RIN: 1117–AA55) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4457. A letter from the Administrator, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule—Clarification of Listing of ''Tetrahydrocannabinols'' in Schedule I [DEA–205] (RIN: 1117–AA55) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4458. A letter from the Principal Deputy Associate Administrator, Enviromental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that the State of California Has Corrected Deficiencies and Stay of Sanctions, Ventura County Air Pollution Control District [CA 242–0292c; FRL–7067–2] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4459. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Redesignation of Areas for Air Quality Planning Purposes; Kentucky and Indiana; Approval of Revisions to State Implementation Plan; Kentucky [KY–117; KY–126; KY–129; KY–132–200202; IN–121–3; FRL–7082–9] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4460. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Alaska Native Veterans Allotments [WO–350–1410–00–24 1A] (RIN: 1004–AD34) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4461. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes [Docket No. 2001–NM–257–AD; Amendment 39–12385; AD 2001–16–16] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4462. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 206L–4, 407, and 427 Helicopters [Docket No. 2001–SW–29–AD; Amendment 39–12443; AD 2001–13–51] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4463. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company (GE) CF34–3A1, –3B, and –3B1 Turbofan Engines [Docket No. 2001–NE–21–AD; Amendment 39–12441; AD 2001–19–02] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4464. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Flightcrew Compartment Access and Door Designs [Docket No. FAA–2001–10770; SFAR 92] (RIN: 2120–AH52) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4465. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200 and –300 Series Airplanes [Docket No. 2000–NM–385–AD; Amendment 39–12444; AD 2001–19–04] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4466. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc. RB211 535 Turbofan Engines [Docket No. 2001–NE–22–AD; Amendment 39–12445; AD 2001–19–05] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4467. A letter from the General Counsel, National Science Foundation, transmitting the Department's final rule—Conservation of Antarctic Animals and Plants—received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

4468. A letter from the Secretary, Department of Transportation, transmitting a draft of proposed legislation, ''To authorize appropriations for hazardous material transportation safety, and for other purposes ''; jointly to the Committees on Transportation and Infrastructure, the Judiciary, and Government Reform.

¶116.4 TREASURY AND POSTAL SERVICE APPROPRIATIONS FY 2002

Mr. ISTOOK, pursuant to the order of the House of Tuesday, October 30, 2001, called up the following conference report (Rept. No. 107–253):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2590) ''making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $3,500,000 for official travel expenses; not to exceed $3,813,000, to remain available until expended for information technology modernization requirements; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, $177,142,000: Provided, That of these amounts $2,900,000 is available for grants to State and local law enforcement groups to help fight money laundering: Provided further, That of these amounts $2,000,000 shall be available for a grant associated with research on transfer pricing, and that such sum shall be transferred within 90 days of enactment of this Act.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $68,828,000, to remain available until expended: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated shall be used to support or supplement the Internal Revenue Service appropriations for Information Systems.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $35,424,000.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $123,746,000.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $28,932,000, to remain available until expended.

EXPANDED ACCESS TO FINANCIAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

To develop and implement programs to expand access to financial services for low- and moderate-income individuals, $2,000,000, such funds to become available upon authorization of this program as provided by law and to remain available until expended: Provided, That of these funds, such sums as may be necessary may be transferred to accounts of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $45,837,000, of which not to exceed $3,400,000 shall remain available until September 30, 2004; and of which $7,790,000 shall remain available until September 30, 2003: Provided, That funds appropriated in this account may be used to procure personal services contracts.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Secretary, $40,000,000, to remain available until expended, to reimburse any Department of the Treasury organization for the costs of providing support to counter, investigate, or prosecute unexpected threats or acts of terrorism, including payment of rewards in connection with these activities: Provided, That use of such funds shall be subject to prior notification of the Committees on Appropriations in accordance with guidelines for reprogramming and transfer of funds.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $11,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109, $105,680,000, of which $650,000 shall be available for an interagency effort to establish written standards on accreditation of Federal law enforcement training; and of which up to $18,892,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2004, and of which up to 20 percent of the $18,892,000 also shall be available for travel, room and board costs for participating agency basic training during the first quarter of a fiscal year, subject to full reimbursement by the benefitting agency: Provided, That the Cen-

ter is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: Provided further, That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: Provided further, That funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be waived by the Secretary for law enforcement training activities in foreign countries undertaken pursuant to section 801 of the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104–32; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training sponsored by the Center: Provided further, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That the Federal Law Enforcement Training Center is authorized to provide training for the Gang Resistance Education and Training program to Federal and non-Federal personnel at any facility in partnership with the Bureau of Alcohol, Tobacco and Firearms: Provided further, That the Federal Law Enforcement Training Center is authorized to provide short-term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $33,434,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary to conduct investigations and convict offenders involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, as it relates to the Treasury Department law enforcement violations such as money laundering, violent crime, and smuggling, $107,576,000, of which $7,827,000 shall remain available until expended.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $212,850,000, of which not to exceed $9,220,000 shall remain available until September 30, 2004, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 822 vehicles for police-type use, of which 650 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where a major investigative assignment requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $20,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; not to exceed $50,000 for cooperative research and development programs for Laboratory Services and Fire Research Center activities; and provision of laboratory assistance to State and local agencies, with or without reimbursement, $823,316,000, of which $3,500,000 shall be available for retrofitting and upgrades of the National Tracing Center Facility in Martinsburg, West Virginia; of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); of which up to $2,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries including Social Security and Medicare, travel, fuel, training, equipment, supplies, and other similar costs of State and local law enforcement personnel, including sworn officers and support personnel, that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms, and of which $13,000,000, to remain available until expended, shall be available for disbursements through grants, cooperative agreements or contracts to local governments for Gang Resistance Education and Training: Provided, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco and Firearms to other agencies or Departments in fiscal year 2002: Provided further, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''Curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase and lease of up to 1,235 motor vehicles of which 550 are for replacement only and of which 1,215 are for police-type use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed $40,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service, $2,079,357,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; not to exceed $4,000,000 shall be available until expended for research; not less than $100,000 shall be available to promote public awareness of the child pornography tipline; not less than $200,000 shall be available for Project Alert; not less than $1,000,000 shall be provided to develop a curriculum for the training of law enforcement dogs to combat and respond to terrorist activities specifically related to chemical and biological threats; not to exceed $5,000,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081; not to exceed $8,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation; not to exceed $33,151,000 shall be available until expended for the procurement and deployment of non-intrusive inspection technology; and not to exceed $5,000,000 shall be available until expended for repairs to Customs facilities: Provided, That of the total amount of funds made available for forced child labor activities in fiscal year 2002, not to exceed $4,400,000 shall remain available until expended for operations and support of such activities: Provided further, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be $30,000.

HARBOR MAINTENANCE FEE COLLECTION

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103–182, $3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs ''Salaries and Expenses'' account for such purposes.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $177,860,000, which shall remain available until expended: Provided, That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of the Treasury, during fiscal year 2002 without the prior approval of the Committees on Appropriations.

AUTOMATION MODERNIZATION

For expenses not otherwise provided for Customs automated systems, $427,832,000, to remain available until expended, of which $5,400,000 shall be for the International Trade Data System, and not less than $300,000,000 shall be for the development of the Automated Commercial Environment: Provided, That none of the funds appropriated under this heading may be obli-

gated for the Automated Commercial Environment until the United States Customs Service prepares and submits to the Committees on Appropriations a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including OMB Circular A–11, part 3; (2) complies with the United States Customs Service's Enterprise Information Systems Architecture; (3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Customs Investment Review Board, the Department of the Treasury, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office: Provided further, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until such expenditure plan has been approved by the Committees on Appropriations.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2002 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $43,000,000. From amounts in the United States Mint Public Enterprise Fund, the Secretary of the Treasury shall pay to the Comptroller General an amount not to exceed $250,000 to reimburse the Comptroller General for the cost of a study to be conducted by the Comptroller General on any changes necessary to maximize public interest and acceptance and to achieve a better balance in the numbers of coins of different denominations in circulation, with particular attention to increasing the number of $1 coins in circulation.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $191,353,000, of which not to exceed $15,000 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until expended for systems modernization: Provided, That the sum appropriated herein from the General Fund for fiscal year 2002 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at $186,953,000. In addition, $40,000, to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for pre-filing taxpayer assistance and education, filing and account services, shared services support, general management and administration; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,797,890,000, of which up to $3,950,000 shall be for the Tax Counseling for the Elderly Program, of which $7,000,000 shall be available for low-income taxpayer clinic grants, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; conducting a document matching program; resolving taxpayer problems through prompt identification, referral and settlement; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,538,347,000, of which not to exceed $1,000,000 shall remain available until September 30, 2004, for research.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

For funding essential earned income tax credit compliance and error reduction initiatives pursuant to section 5702 of the Balanced Budget Act of 1997 (Public Law 105–33), $146,000,000, of which not to exceed $10,000,000 may be used to reimburse the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,563,249,000, which shall remain available until September 30, 2003.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service, $391,593,000, to remain available until September 30, 2004, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11 part 3; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1–800 help line service.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 1,149 vehicles for police-type use, of which 945 shall be for replacement only, and hire of passenger motor vehicles; purchase of American-made side-car compatible motorcycles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $25,000 for official reception and representation expenses; not to exceed $100,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year, $920,615,000, of which $1,633,000 shall be available for forensic and related support of investigations of missing and exploited children, and of which $3,009,000 shall be available as a grant for activities related to the investigations of exploited children and shall remain available until expended: Provided, That up to $18,000,000 provided for protective travel shall remain available until September 30, 2003.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $3,457,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 110. Any obligation or expenditure by the Secretary of the Treasury in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 2002, shall be made in compliance with reprogramming guidelines.

SEC. 111. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 112. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 2002 in this Act for the enforcement of the Federal Alcohol Administration Act shall be ex-

pended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

SEC. 113. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, United States Customs Service, Interagency Crime and Drug Enforcement, and United States Secret Service may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: Provided, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 118. The Secretary of the Treasury may transfer funds from ''Salaries and Expenses'', Financial Management Service, to the Debt Services Account as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such Salaries and Expenses account from debt collections received in the Debt Services Account.

SEC. 119. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence and intelligence-related activities of the Department of the Treasury are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2002 until enactment of the Intelligence Authorization Act for fiscal year 2002.

SEC. 120. Section 122 of Public Law 105–119 (5 U.S.C. 3104 note), as amended by Public Law 105–277, is further amended in subsection (g)(1), by striking ''3 years'' and inserting ''4 years''; and by striking '', the United States Customs Service, and the United States Secret Service''.

SEC. 121. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 122. None of the funds appropriated or made available by this Act may be used for the production of Customs Declarations that do not inquire whether the passenger had been in the proximity of livestock.

SEC. 123. In addition to any other transfer authority in this Act and upon approval of the Committees on Appropriations, the Secretary of the Treasury may transfer out of any appropriations available in this title such sums as are necessary to meet financial statement audit requirements of the United States Customs Service and the Financial Management Service, not to exceed a total of $3,000,000.

This title may be cited as the ''Treasury Department Appropriations Act, 2002''.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $76,619,000, of which $47,619,000 shall not be available for obligation until October 1, 2002: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2002.

This title may be cited as the ''Postal Service Appropriations Act, 2002''.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: Provided further, That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $54,651,000: Provided, That $10,740,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $11,695,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $8,625,000, to remain available until expended, of which $1,306,000 is for six projects for required maintenance, safety and health issues, and continued preventative maintenance; and of which $7,319,000 is for 3 projects for required maintenance and continued preventative maintenance in conjunction with the General Services Administration, the United States Secret Service, the Office of the President, and other agencies charged with the administration and care of the White House.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $3,925,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, heating and lighting, including elec-

tric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $318,000: Provided, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $4,211,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $4,142,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $7,494,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $46,955,000, of which $11,775,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President: Provided, That $4,475,000 of the Capital Investment Plan funds may not be obligated until the Executive Office of the President has submitted a report to the Committees on Appropriations that (1) includes an Enterprise Architecture, as defined in OMB Circular A–130 and the Federal Chief Information Officers Council guidance; (2) presents an Information Technology (IT) Human Capital Plan, to include an inventory of current IT workforce knowledge and skills, a definition of needed IT knowledge and skills, a gap analysis of any shortfalls, and a plan for addressing any shortfalls; (3) presents a capital investment plan for implementing the Enterprise Architecture; (4) includes a description of the IT capital planning and investment control process; and (5) is reviewed and approved by the Office of Management and Budget, is reviewed by the General Accounting Office, and is approved by the Committees on Appropriations.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, $70,752,000, of which not to exceed $5,000,000 shall be available to carry out the provisions of chapter 35 of title 44, United States Code, and of which not to exceed $3,000 shall be available for official representation expenses: Provided, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: Provided further, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or the Committees on Veterans' Affairs or their subcommittees: Provided further, That the preceding shall not apply to printed hearings released by the Committees on Appropriations or the Committees on Veterans' Affairs: Provided further, That none of the funds appropriated in this Act may be available to pay the salary or expenses of any employee of the Office of Management and Budget who, after February 15, 2002, calculates, prepares, or approves any tabular or other material that proposes the sub-allocation of budget authority or outlays by the Committees on Appropriations among their subcommittees: Provided further, That of the amounts appropriated, not to exceed $6,331,000 shall be available to the Office of Information and Regulatory Affairs, of which $1,582,750 shall not be obligated until the Office of Management and Budget submits a report to the Committees on Appropriations that provides an assessment of the total costs and benefits of implementing Executive Order No. 13166: Provided further, That such assessment shall be submitted no later than 120 days after enactment of this Act.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $25,263,000; of which $2,350,000 shall remain available until expended, consisting of $1,350,000 for policy research and evaluation, and $1,000,000 for the National Alliance for Model State Drug Laws: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $42,300,000, which shall remain available until expended, consisting of $20,064,000 for counternarcotics research and development projects, and $22,236,000 for the continued operation of the technology transfer program: Provided, That the $20,064,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $226,350,000, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of the enactment of this Act: Provided, That up to 49 percent, to remain available until September 30, 2003, may be transferred to Federal agencies and departments at a rate to be determined by the Director: Provided further, That, of this latter amount, not less than $2,100,000 shall be used for auditing services and activities: Provided further, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2001, shall be funded at no less than fiscal year 2001 levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by 21 U.S.C. 1701 et seq., $239,400,000, to remain available until expended, of which $180,000,000 shall be to support a national media campaign, as authorized in the Drug-Free Media Campaign Act of 1998, of which $4,800,000 shall be made available no later than 30 days after the enactment of this Act to the United States Anti-Doping Agency for their anti-doping efforts; of which $50,600,000 shall be to continue a program of matching grants to drug-free communities, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; of which $1,000,000 shall be available to the National Drug Court Institute; and of which $3,000,000 shall be for the Counterdrug Intelligence Executive Secretariat: Provided, That such funds may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000.

This title may be cited as the ''Executive Office Appropriations Act, 2002''.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $4,629,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $43,689,000, of which no less than $5,128,000 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $26,524,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount to be deposited in, and to be used for the purposes of, the Fund es-

tablished pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), $8,000,000. The revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $6,100,382,000, of which (1) $386,280,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

New Construction:

Alabama:

Mobile, United States Courthouse, $11,290,000

Arkansas:

Little Rock, United States Courthouse Annex, $5,022,000

California:

Fresno, United States Courthouse, $121,225,000

District of Columbia:

Washington, United States Courthouse Annex, $6,595,000

Washington, Southeast Federal Center Site Remediation, $5,000,000

Florida:

Ft. Pierce, United States Courthouse, $2,269,000

Miami, United States Courthouse, $15,000,000

Orlando, United States Courthouse, $4,000,000

Illinois:

Rockford, United States Courthouse, $4,933,000

Iowa:

Cedar Rapids, United States Courthouse, $9,785,000

Maine:

Jackman, Border Station, $868,000

Maryland:

Montgomery County, FDA Consolidation, $19,060,000

Prince Georges County, National Center for Environmental Prediction, $3,000,000

Suitland, United States Census Bureau, $2,813,000

Suitland, National Oceanic and Atmospheric Administration II, $34,083,000

Massachusetts:

Springfield, United States Courthouse, $6,473,000

Michigan:

Detroit, Ambassador Bridge Border Station, $9,470,000

Mississippi:

Gulfport, United States Courthouse, $3,000,000

Jackson, United States Courthouse, $6,710,000

Montana:

Raymond, Border Station, $693,000

New Mexico:

Las Cruces, United States Courthouse, $4,110,000

New York:

Brooklyn, United States Courthouse Annex—GPO, $3,361,000

Buffalo, United States Courthouse Annex, $716,000

Champlain, Border Station, $500,000

New York, United States Mission to the United Nations, $4,617,000

Oklahoma:

Norman, NOAA Norman Consolidation Project, $8,000,000, to be directly transferred to the National Oceanic and Atmospheric Administration

Oregon:

Eugene, United States Courthouse, $4,470,000

Pennsylvania:

Erie, United States Courthouse Annex, $30,739,000

Tennessee:

Nashville, United States Courthouse, $14,700,000

Texas:

Del Rio III, Border Station, $1,869,000

Eagle Pass, Border Station, $2,256,000

El Paso, United States Courthouse, $11,193,000

Fort Hancock, Border Station, $2,183,000

Houston, Federal Bureau of Investigation, $6,268,000

Utah:

Salt Lake City, United States Courthouse, $3,000,000

Virginia:

Norfolk, United States Courthouse Annex, $11,609,000

Nationwide:

Non-prospectus construction, $5,400,000:

Provided, That funding for any project identified above may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That all funds for direct construction projects shall expire on September 30, 2003, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) $826,676,000 shall remain available until expended for repairs and alterations which includes associated design and construction services: Provided further, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project, as follows, except each project may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount:

Repairs and Alterations:

Alabama:

Montgomery, Frank M. Johnson, Jr. Federal Building—United States Courthouse, $4,000,000

California:

Laguna Niguel, Chet Holifield Federal Building, $11,711,000

San Diego, Edward J. Schwartz Federal Building, United States Courthouse, $13,070,000

Colorado:

Lakewood, Denver Federal Center, Building 67, $8,484,000

District of Columbia:

Washington, 320 First Street, Federal Building, $8,260,000

Washington, Internal Revenue Service Main Building, Phase 2, $20,391,000

Washington, Main Interior Building, $22,739,000

Washington, Main Justice Building, Phase 3, $45,974,000

Florida:

Jacksonville, Charles E. Bennett Federal Building, $23,552,000

Tallahassee, United States Courthouse, $4,894,000

Illinois:

Chicago, Federal Building, 536 South Clark Street, $60,073,000

Chicago, Harold Washington Social Security Center, $13,692,000

Chicago, John C. Kluczynski Federal Building, $12,725,000

Iowa:

Des Moines, 210 Walnut Street, Federal Building, $11,992,000

Missouri:

Kansas City, Federal Building, 811 Grand Boulevard, $1,604,000

St. Louis, Federal Building, 104/105 Goodfellow, $20,212,000

New Jersey:

Newark, Peter W. Rodino Federal Building, $5,295,000

Nevada:

Las Vegas, Foley Federal Building—United States Courthouse, $26,978,000

Ohio:

Cleveland, Anthony J. Celebrezze Federal Building, $22,986,000

Cleveland, Howard M. Metzenbaum United States Courthouse, $27,856,000

Oklahoma:

Muskogee, Federal Building—United States Courthouse, $8,214,000

Oregon:

Portland, Pioneer Courthouse, $16,629,000

Pennsylvania:

Pittsburgh, United States Post Office and Courthouse, $12,600,000

Rhode Island:

Providence, United States Federal Building and Courthouse, $5,039,000

Wisconsin:

Milwaukee, Federal Building—United States Courthouse, $10,015,000

Nationwide:

Design Program, $33,657,000

Heating, Ventilation and Air Conditioning Modernization—Various Buildings, $6,650,000

Transformers—Various Buildings, $15,588,000

Basic Repairs and Alterations, $351,796,000:

Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: Provided further, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2003, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects; (3) $186,427,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $2,952,050,000 for rental of space which shall remain available until expended; and (5) $1,748,949,000 for building operations which shall remain available until expended: Provided further, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations:

Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2002, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $6,100,382,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

POLICY AND OPERATIONS

For expenses authorized by law, not otherwise provided for, for Government-wide policy and oversight activities associated with asset management activities; utilization and donation of surplus personal property; transportation; procurement and supply; Government-wide responsibilities relating to automated data management, telecommunications, information resources management, and related technology activities; utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; agency-wide policy direction; Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses, $143,139,000, of which $25,887,000 shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $36,346,000: Provided, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $5,000,000 to remain available until expended: Provided, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $3,196,000: Provided, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 402. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 2002 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 2003 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5–year construction plan: Provided, That the fiscal year 2003 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. Funds provided to other Government agencies by the Information Technology Fund, General Services Administration, under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757) and sections 5124(b) and 5128 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1424(b) and 1428), for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 407. From funds made available under the heading ''Federal Buildings Fund, Limitations on Availability of Revenue'', claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 408. The amount expended by the General Services Administration during fiscal year 2002 for the purchase of alternative fuel vehicles shall be at least $5,000,000 more than the amount expended during fiscal year 2001 for such purpose.

SEC. 409. Notwithstanding any other provision of law, the General Services Administration is directed to maintain the vehicle rental rates and per mile rates charged for buses used by schools and dormitories funded by the Bureau of Indian Affairs that were in effect on April 30, 2001 until such time as appropriations to the Bureau of Indian Affairs funding for the Student Transportation Program for schools and dormitories funded by the Bureau of Indian Affairs equals or exceeds $3 per mile.

SEC. 410. DESIGNATION OF JUDGE BRUCE M. VAN SICKLE FEDERAL BUILDING AND UNITED STATES COURTHOUSE. (a) The Federal building and courthouse located at 100 1st Street, SW, Minot, North Dakota, shall be known and designated as the ''Judge Bruce M. Van Sickle Federal Building and United States Courthouse''.

(b) Any reference in law, map, regulation, document, paper, or other record of the United States to the Federal building and courthouse referred to in section (a) shall be deemed to be a reference to the Judge Bruce M. Van Sickle Federal Building and United States Courthouse.

SEC. 411. Section 410 of Appendix C of Public Law 106–554 (114 Stat. 2763A–146) is amended—

(1) by striking ''a 125 foot wide right-of-way'' and inserting ''up to a 125 foot wide right-of-way'';

(2) by striking ''northeast corner of the existing port'' and inserting ''southeast corner of the existing port'';

(3) striking ''approximately 4,750 feet'' and inserting ''and then west to a connection with State Highway 11 between approximately 5,000 and 7,000 feet'';

(4) by striking ''a road to be built by the County of Luna, New Mexico to connect to'';

(5) by striking ''Provided further, That notwithstanding any other provision of law, Luna County shall construct the roadway from State Highway 11 to the terminus of the northbound road to be constructed by the General Services Administration in time for completion of the road to be constructed by the General Services Administration in time for completion of the road to be constructed by the General Services Administration:''; and

(6) by striking ''consisting of approximately 12 acres'' and inserting ''consisting of approximately 10.22 acres''.

SEC. 412. Notwithstanding any other provision of law, the United States Government is directed to deed block four (4) of the LOCH HAVEN REPLAT, as recorded in Plat Book ''Q'', Page 9, Public Records of Orange County, Florida, back to the City of Orlando, Florida, for park and recreation purposes, under the same terms that the land was deeded to the United States Government by the City of Orlando in the recorded deed from the City dated September 20, 1951.

SEC. 413. DESIGNATION OF G. ROSS ANDERSON, JR. FEDERAL BUILDING AND UNITED STATES COURTHOUSE. (a) The Federal building and courthouse located at 315 S. McDuffie Street, Anderson, South Carolina, shall be known and designated as the ''G. Ross Anderson, Jr. Federal Building and United States Courthouse''.

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and courthouse referred to in subsection (a) shall be deemed to be a reference to the G. Ross Anderson, Jr. Federal Building and United States Courthouse.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $30,555,000 together with not to exceed $2,520,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National

Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $1,996,000, to remain available until expended: Provided, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute: Provided further, That not later than 90 days after the date of the enactment of this Act, the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation shall submit to the Committees on Appropriations a report describing the distribution of such funds.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $1,309,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $244,247,000: Provided, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings: Provided further, That of the funds made available, $22,302,000 is for the electronic records archive, $16,337,000 of which shall be available until September 30, 2004.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $39,143,000, to remain available until expended: Provided, That the Archivist of the United States is authorized, pursuant to 44 U.S.C. 2903, to construct a new Southeast Regional Archives on land to be acquired (Federal site), by direct payment or the provision of site improvements, from the State of Georgia or Clayton County or some other governmental authority thereof; such Federal site to be located near the campus of Clayton College and State University in Clayton County, Georgia, and abut land designated for construction of the Georgia State Archives facility, with both archival facilities co-located on a combined site. Of the funds provided in this account, $28,500,000 shall be available until expended to be used for acquiring the Federal site, construction, and related services for building the new Federal archival facility, other related costs for improvement of the combined site which may also indirectly benefit the Georgia State Archives facility, and other necessary expenses.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $6,436,000, to remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $10,117,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $99,636,000, of which $3,200,000 shall remain available until expended for the cost of the governmentwide human resources data network project; and in addition $115,928,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $21,777,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: Provided, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8909(g), and 9004(f)(1)(A) and (2)(A) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2002, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $1,498,000; and in addition, not to exceed $10,016,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: Provided, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $11,891,000.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $37,305,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

This title may be cited as the ''Independent Agencies Appropriations Act, 2002''.

TITLE V—GENERAL PROVISIONS

THIS ACT

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 504. None of the funds made available by this Act shall be available in fiscal year 2002 for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Department of the Treasury.

SEC. 505. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 506. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C.

10a–10c, popularly known as the ''Buy American Act'').

SEC. 507. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 508. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 509. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 510. The provision of section 509 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 511. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2002 from appropriations made available for salaries and expenses for fiscal year 2002 in this Act, shall remain available through September 30, 2003, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 512. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 513. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 514. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 515. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2002 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: Provided, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 608. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 609. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 610. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 611. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318),

and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 612. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 613. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2002, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 613 of the Treasury and General Government Appropriations Act, 2001, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2002, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 613; and

(2) during the period consisting of the remainder of fiscal year 2002, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2002 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2002 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 2001 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2001, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2001, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2001.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the word ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 615. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 616. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for fiscal year 2002 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 617. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 618. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2002 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 619. None of the funds made available in this Act for the United States Customs Service may be used to allow—

(1) the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); or

(2) the release into the United States of any good, ware, article, or merchandise on which the United States Customs Service has in effect a detention order, pursuant to such section 307, on the basis that the good, ware, article, or merchandise may have been mined, produced, or manufactured by forced or indentured child labor.

SEC. 620. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 621. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 622. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (gov-

erning disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.'': Provided, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 623. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 624. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 625. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 626. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 627. (a) In this section the term ''agency''—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the General Accounting Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 628. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, funds made available for fiscal year 2002 by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of $800,000 including the salary of the Executive Director and staff support.

SEC. 629. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, the head of each Executive department and agency is hereby authorized to transfer to the ''Policy and Operations'' account, General Services Administration, with the approval of the Director of the Office of Management and Budget, funds made available for fiscal year 2002 by this or any other Act, including rebates from charge card and other contracts. These funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives, the Chief Information Officers Council for information technology initiatives, and the Procurement Executives Council for procurement initiatives). The total funds transferred shall not exceed $17,000,000. Such transfers may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 630. (a) IN GENERAL.—Hereafter, in accordance with regulations promulgated by the Office of Personnel Management, an Executive agency which provides or proposes to provide child care services for Federal employees may use appropriated funds (otherwise available to such agency for salaries and expenses) to provide child care, in a Federal or leased facility, or through contract, for civilian employees of such agency.

(b) AFFORDABILITY.—Amounts so provided with respect to any such facility or contractor shall be applied to improve the affordability of child care for lower income Federal employees using or seeking to use the child care services offered by such facility or contractor.

(c) ADVANCES.—Notwithstanding 31 U.S.C. 3324, amounts paid to licensed or regulated child care providers may be in advance of services rendered, covering agreed upon periods, as appropriate.

(d) DEFINITION.—For purposes of this section, the term ''Executive agency'' has the meaning given such term by section 105 of title 5, United States Code, but does not include the General Accounting Office.

(e) NOTIFICATION.—None of the funds made available in this or any other Act may be used to implement the provisions of this section absent advance notification to the Committees on Appropriations.

SEC. 631. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 632. Nothwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for fiscal year 2002 by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science; and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 633. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 634. Subsection (f) of section 403 of Public Law 103–356 (31 U.S.C. 501 note) is amended by striking ''October 1, 2001'' and inserting ''October 1, 2002''.

SEC. 635. Section 3 of Public Law 93–346 as amended (3 U.S.C. 111 note) is amended by inserting '', utilities (including electrical) for,'' after ''military staffing''.

SEC. 636. Section 6 of Public Law 93–346 as amended (3 U.S.C. 111 note) is amended by inserting '', or for use at official functions in or about,'' after ''about''.

SEC. 637. During fiscal year 2002 and thereafter, the head of an entity named in 3 U.S.C. 112 may, with respect to civilian personnel of any branch of the Federal Government performing duties in such entity, exercise authority comparable to the authority that may by law (including chapter 57 and sections 8344 and 8468 of title 5, United States Code) be exercised with respect to the employees of an Executive agency (as defined in 5 U.S.C. 105) by the head of such Executive agency, and the authority granted by this section shall be in addition to any other authority available in law.

SEC. 638. Each Executive agency covered by section 630 of the Treasury and General Government Appropriations Act, 1999 (as contained in section 101(h) of division A of Public Law 105–277) shall submit a report 60 days after the close of fiscal year 2001 to the Office of Personnel Management regarding its efforts to implement the intent of such section 630. The Office of Personnel Management shall prepare a summary of the information received and shall submit the summary report to the House Committee on Appropriations 90 days after the close of fiscal year 2001.

SEC. 639. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF PERSONAL INFORMATION ON USE OF INTERNET.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to the rendition of the Internet site services or to the protection of the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, in-

cluding assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 640. (a) Section 8335(a) of title 5, United States Code, is amended by striking the period at the end of the first sentence and inserting: ''or completes the age and service requirements for an annuity under section 8336, whichever occurs later.''.

(b) The amendment made by subsection (a) takes effect on the date of enactment with regard to any individual subject to chapter 83 of title 5, United States Code, who is employed as an air traffic controller on that date.

SEC. 641. (a) IN GENERAL.—Title 5, United States Code, is amended by inserting after section 4507 the following:

''§4507a. Awarding of ranks to other senior career employees

''(a) For the purpose of this section, the term 'senior career employee' means an individual appointed to a position classified above GS–15 and paid under section 5376 who is not serving—

''(1) under a time-limited appointment; or

''(2) in a position that is excepted from the competitive service because of its confidential or policy-making character.

''(b) Each agency employing senior career employees shall submit annually to the Office of Personnel Management recommendations of senior career employees in the agency to be awarded the rank of Meritorious Senior Professional or Distinguished Senior Professional, which may be awarded by the President for sustained accomplishment or sustained extraordinary accomplishment, respectively.

''(c) The recommendations shall be made, reviewed, and awarded under the same terms and conditions (to the extent determined by the Office of Personnel Management) that apply to rank awards for members of the Senior Executive Service under section 4507.''.

(b) REGULATIONS.—Section 4506 of title 5, United States Code, is amended by striking ''the agency awards program'' and inserting ''the awards programs''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 45 of title 5, United States Code, is amended by inserting after the item relating to section 4507 the following:

''4507a. Awarding of ranks to other senior career employees.''.

(d) The amendments made by this section shall take effect for awards granted in 2003.

SEC. 642. Section 640(c) of the Treasury and General Government Appropriations Act, 2000 (Public Law 106–58; 2 U.S.C. 437g note) is amended by striking ''violations occurring between January 1, 2000 and December 31, 2001'' and inserting ''violations that relate to reporting periods that begin on or after January 1, 2000, and that end on or before December 31, 2003''.

SEC. 643. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF Health Plans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 644. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 645. (a) Section 1238(e)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398) is amended by adding at the end the following: ''The executive director and any personnel who are employees of the United States-China Security Review Commission shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.''.

(b) The amendment made by this section shall take effect on January 3, 2001.

SEC. 646. (a) The adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2002 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 4.6 percent.

(b) Funds used to carry out this section shall be paid from appropriations which are made to each applicable department or agency for salaries and expenses for fiscal year 2002.

SEC. 647. Not later than six months after the date of enactment of this Act, the Inspector General of each applicable department or agency shall submit to the Committee on Appropriations a report detailing what policies and procedures are in place for each department or agency to give first priority to the location of new offices and other facilities in rural areas, as directed by the Rural Development Act of 1972.

SEC. 648. DEADLINE FOR SUBMISSION OF ANNUAL REPORTS BY UNITED STATES-CHINA SECURITY REVIEW COMMISSION.—Section 1238(c)(1) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by section 1 of Public Law 106–398) is amended by striking ''March'' and inserting ''June''.

SEC. 649. Subsection (a) of section 2105 of title 44, United States Code, is amended to read as follows:

''(a)(1) The Archivist is authorized to select, appoint, employ, and fix the compensation of such officers and employees, pursuant to part III of title 5, as are necessary to perform the functions of the Archivist and the Administration.

''(2) Notwithstanding paragraph (1), the Archivist is authorized to appoint, subject to the consultation requirements set forth in paragraph (f)(2) of section 2203 of this title, a director at each Presidential archival depository established under section 2112 of this title. The Archivist may appoint a director without regard to subchapter I and subchapter VIII of chapter 33 of title 5, United States Code, governing appointments in the competitive service and the Senior Executive Service. A director so appointed shall be responsible for the care and preservation of the Presidential records and historical materials deposited in a Presidential archival depository, shall serve at the pleasure of the Archivist and shall perform such other functions as the Archivist may specify.''.

SEC. 650. REAUTHORIZATION OF BREAST CANCER RESEARCH SPECIAL POSTAGE STAMP. (a) SHORT TITLE.—This section may be cited as the ''Breast Cancer Research Stamp Act of 2001''.

(b) REAUTHORIZATION AND INAPPLICABILITY OF LIMITATION.—

(1) IN GENERAL.—Section 414 of title 39, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) For purposes of section 416 (including any regulation prescribed under subsection (e)(1)(C) of that section), the special postage stamp issued under this section shall not apply to any limitation relating to whether more than 1 semipostal may be offered for sale at the same time.

''(h) This section shall cease to be effective after December 31, 2003.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the earlier of—

(A) the date of enactment of this Act; or

(B) July 29, 2002.

(c) RATE OF POSTAGE.—Section 414(b) of title 39, United States Code, is amended—

(1) in paragraph (1), by striking ''of not to exceed 25 percent'' and inserting ''of not less than 15 percent''; and

(2) by adding after the sentence following paragraph (3) the following: ''The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.''.

SEC. 651. AMENDMENT TO TITLE 39. Section 5402(d) of title 39, United States Code, is amended by—

(1) inserting ''(1)'' after ''(d)''; and

(2) inserting at the end the following:

''(2)(A) In the exercise of its authority under paragraph (1), the Postal Service may require any air carrier to accept as mail shipments of day-old poultry and such other live animals as postal regulations allow to be transmitted as mail matter. The authority of the Postal Service under this subparagraph shall not apply in the case of any air carrier who commonly and regularly refuses to accept any live animals as cargo.

''(B) Notwithstanding any other provision of law, the Postal Service is authorized to assess, as postage to be paid by the mailers of any shipments covered by subparagraph (A), a reasonable surcharge that the Postal Service determines in its discretion to be adequate to compensate air carriers for any necessary additional expense incurred in handling such shipments.

''(C) The authority of the Postal Service under subparagraph (B) shall apply during the period beginning on the date of enactment of this paragraph, and ending June 30, 2002.''.

SEC. 652. THE 9/11 HEROES STAMP OF 2001. (a) SHORT TITLE.—This section may be cited as the ''9/11 Heroes Stamp Act of 2001''.

(b) IN GENERAL.—In order to afford the public a direct and tangible way to provide assistance to the families of emergency relief personnel killed or permanently disabled in the line of duty in connection with the terrorist attacks against the United States on September 11, 2001, the United States Postal Service shall issue a semipostal in accordance with subsection (c).

(c) REQUIREMENTS.—The provisions of section 416(a), (c), (d), and (f) of title 39, United States Code, shall apply as practicable with respect to the semipostal described in subsection (b), subject to the following:

(1) RATE OF POSTAGE.—Section 414(c) of title 39, United States Code, is amended—

(A) in paragraph (1), by striking ''of not to exceed 25 percent'' and inserting ''of not less than 15 percent''; and

(B) by adding after the sentence following paragraph (2) the following: ''The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.''.

(2) DISPOSITION OF AMOUNTS BECOMING AVAILABLE.—All amounts becoming available from the sale of the semipostal (as determined under such section) shall be transferred to the Federal Emergency Management Agency under such arrangements as the Postal Service shall by mutual agreement with such agency establish in order to carry out the purposes of this section.

(3) COMMENCEMENT AND TERMINATION DATES.—Stamps under this section shall be issued—

(A) beginning on the earliest date practicable; and

(B) for such period of time as the Postal Service considers necessary and appropriate, but in no event after December 31, 2004.

(d) LIMITATION.—For purposes of section 416 of title 39, United States Code (including any regulation prescribed under subsection (e)(1)(C) of that section), the semipostal postage stamp issued under this section shall not apply to any limitation relating to whether more than one semipostal may be offered for sale at the same time.

(e) DESIGN.—It is the sense of the Congress that the semipostal issued under this section should depict, by such design as the Postal Service considers to be most appropriate, the efforts of emergency relief personnel at the site of the World Trade Center in New York City and the Pentagon in Arlington, Virginia.

(f) DEFINITIONS.—For purposes of this section—

(1) the term ''emergency relief personnel'' means firefighters, law enforcement officers, paramedics, emergency medical technicians, members of the clergy, and other individuals (including employees of legally organized and recognized volunteer organizations, whether compensated or not) who, in the course of professional duties, respond to fire, medical, hazardous material, or other similar emergencies; and

(2) the term ''semipostal'' has the meaning given such term by section 416 of title 39, United States Code.

SEC. 653. DOMESTIC VIOLENCE SEMIPOSTAL STAMP.

(a) SHORT TITLE.—This section may be cited as the ''Stamp Out Domestic Violence Act of 2001''.

(b) IN GENERAL.—In order to afford the public a direct and tangible way to contribute to funding for domestic violence programs, the United States Postal Service shall issue a semipostal in accordance with subsection (c).

(c) REQUIREMENTS.—The provisions of section 416 of title 39, United States Code, shall apply as practicable with respect to the semipostal described in subsection (b), subject to the following:

(1) DISPOSITION OF AMOUNTS BECOMING AVAILABLE.—All amounts becoming available from the sale of the semipostal (as determined under such section) shall be transferred to the Department of Health and Human Services under such arrangements as the Postal Service shall by mutual agreement with such agency establish in order to carry out the purposes of this section.

(2) COMMENCEMENT AND TERMINATION DATES.—Stamps under this section shall be issued—

(A) beginning on the earliest date practicable, but not later than January 1, 2004; and

(B) for such period of time as the Postal Service considers necessary and appropriate, but in no event after December 31, 2006.

(d) LIMITATION.—For purposes of section 416 of title 39, United States Code (including any regulation prescribed under subsection (e)(1)(C) of that section), the semipostal stamp issued under this section shall not apply to any limitation relating to whether more than one semipostal may be offered for sale at the same time.

(e) DEFINITION.—For purposes of this section the term ''semipostal'' has the meaning given such term by section 416 of title 39, United States Code.

This Act may be cited as the ''Treasury and General Government Appropriations Act, 2002''.

And the Senate agree to the same.

ERNEST J. ISTOOK, Jr.,
FRANK R. WOLF,
ANNE M. NORTHUP,
JOHN E. SUNUNU,
JOHN E. PETERSON,
TODD TIAHRT,
JOHN E. SWEENEY,
DON SHERWOOD,
C.W. BILL YOUNG,
STENY H. HOYER,
CARRIE P. MEEK,
DAVID E. PRICE,
PETER J. VISCLOSKY,
STEVEN R. ROTHMAN,
DAVID R. OBEY,
Managers on the Part of the House.

BYRON L. DORGAN,
BARBARA A. MIKULSKI,
MARY L. LANDRIEU,
JACK REED,
ROBERT C. BYRD,
BEN NIGHTHORSE CAMPBELL,
RICHARD C. SHELBY,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. COOKSEY, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. COOKSEY, pursuant to clause 8, rule XX, announced that further proceedings on the conference report were postponed.

¶116.5 TRANSPORTATION APPROPRIATIONS FY 2002

On motion of Mr. ROGERS of Kentucky, by unanimous consent, the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. ROGERS of Kentucky, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶116.6 MOTION TO INSTRUCT CONFEREES—H.R. 2299

Mr. SABO moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, be instructed to insist on inclusion of the highest possible level of transportation security funding.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. GUTKNECHT, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶116.7 APPOINTMENT OF CONFEREES—H.R. 2299

Thereupon, the SPEAKER pro tempore, Mr. GUTKNECHT, by unanimous consent, appointed Messrs. ROGERS of Kentucky, WOLF, DELAY, CALLAHAN, TIAHRT, ADERHOLT, Ms. GRANGER, Mrs. EMERSON, Messrs. SWEENEY, YOUNG of Florida, SABO, OLVER, PASTOR, Ms. KILPATRICK, Messrs. SERRANO, CLYBURN, and OBEY, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶116.8 AGRICULTURE APPROPRIATIONS FY 2002

On motion of Mr. BONILLA, by unanimous consent, the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. BONILLA, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶116.9 MOTION TO INSTRUCT CONFEREES—H.R. 2330

Ms. KAPTUR moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, be instructed to insist on the highest possible levels of funding permitted for international food activities under P.L. 480, Title II.

After debate,

¶116.10 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2925. An Act to amend the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation.

After further debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. GUTKNECHT, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to

was, by unanimous consent, laid on the table.

¶116.11 APPOINTMENT OF CONFEREES—H.R. 2330

Thereupon, the SPEAKER pro tempore, Mr. GUTKNECHT, by unanimous consent, appointed Messrs. BONILLA, WALSH, KINGSTON, NETHERCUTT, LATHAM, Mrs. EMERSON, Messrs. GOODE, LAHOOD, YOUNG of Florida, Ms. KAPTUR, Ms. DELAURO, Messrs. HINCHEY, FARR, BOYD, and Obey, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶116.12 RECESS—12:43 A.M.

The SPEAKER pro tempore, Mr. GUTKNECHT, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 43 minutes p.m., subject to the call of the Chair.

¶116.13 AFTER RECESS—3:50 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶116.14 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2647

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 273):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶116.15 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, October 30, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 374
- Nays 39
- Answered present 1

¶116.16 [Roll No. 412]

YEAS—374

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

NAYS—39

Aderholt	Hefley	Sabo
Baird	Hilliard	Sanchez
Borski	Holt	Schaffer
Brady (PA)	Kucinich	Strickland
Brown (OH)	Larsen (WA)	Stupak
Capuano	Lewis (GA)	Taylor (MS)
Costello	LoBiondo	Thompson (CA)
Crane	McDermott	Udall (CO)
DeFazio	Moran (KS)	Udall (NM)
English	Oberstar	Visclosky
Filner	Pallone	Waters
Gutknecht	Peterson (MN)	Weller
Hastings (FL)	Ramstad	Wicker

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—18

Andrews	DeGette	McCrery
Armey	DeLay	Portman
Bachus	Dreier	Pryce (OH)
Blunt	Dunn	Sweeney
Cox	Granger	Thompson (MS)
Cubin	Lantos	Watts (OK)

So the Journal was approved.

¶116.17 H.R. 2590—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the unfinished business on agreeing to the conference report to the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that pursuant to clause 10 of rule XX the yeas and

nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 339 / Nays 85

¶116.18 [Roll No. 413]

YEAS—339

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Schrock
Scott
Serrano
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Stupak
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Traficant
Udall (CO)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—85

Baldwin
Barcia
Barrett
Berkley
Berry
Blumenauer
Boswell
Brown (OH)
Capps
Capuano
Carson (IN)
Carson (OK)
Chabot
Coble
Costello
Crane
Davis (CA)
DeFazio
Deutsch
Duncan
Etheridge
Evans
Everett
Flake
Goode
Goodlatte
Graves
Green (WI)
Hall (TX)
Hayworth
Hefley
Herger
Hill
Hilleary
Holt
Honda
Hooley
Hostettler
Inslee
Israel
Jenkins
Jones (NC)
Kerns
Kildee
Kind (WI)
Kucinich
Langevin
Larsen (WA)
Lucas (KY)
Luther
Lynch
Matheson
McKinney
Moore
Moran (KS)
Napolitano
Paul
Petri
Phelps
Pickering
Pitts
Platts
Ramstad
Rohrabacher
Ross
Royce
Ryun (KS)
Sandlin
Schaffer
Schiff
Sensenbrenner
Shays
Sherman
Shows
Stearns
Strickland
Stump
Tancredo
Taylor (MS)
Thune
Thurman
Toomey
Turner
Udall (NM)
Wu

NOT VOTING—8

Andrews
DeGette
Dunn
Granger
Lantos
McCrery
Sweeney
Thompson (MS)

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said conference report.

¶116.19 H. RES. 273—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 273) waiving points of order against the conference report to accompany the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. OBEY demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 423 / Nays 0

¶116.20 [Roll No. 414]

AYES—423

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink

Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Andrews
DeGette
Dunn
Granger
Lantos
McCrery
Sweeney
Thompson (MS)
Woolsey

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶116.21 PROVIDING FOR THE CONSIDERATION OF H.R. 3150

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 107–264) the resolution (H. Res. 274) providing for consideration of the bill (H.R. 3150) to improve aviation security, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶116.22 JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House, reports that on October 31, 2001 he presented to the President of the United States, for his approval, the following bill.

H.J. Res. 70. Making further continuing appropriations for the fiscal year 2002, and for other purposes.

And then,

¶116.23 ADJOURNMENT

On motion of Mr. ROYCE, at 10 o'clock and 29 minutes p.m., the House adjourned.

¶116.24 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 2269. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to promote the provision of retirement investment advice to workers managing their retirement income assets; with an amendment (Rept. No. 107–262 Pt. 1). Ordered to be printed.

Mr. BOEHLERT: Committee on Science. H.R. 2275. A bill to amend the National Institute of Standards and Technology Act to ensure the usability, accuracy, integrity, and security of United States voting products and systems through the development of voluntary consensus standards, the provision of technical assistance, and laboratory accreditation, and for other purposes; with an amendment (Rept. No. 107–263). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 274. Resolution providing for consideration of the bill (H.R. 3150) to improve aviation security, and for other purposes (Rept. No. 107–264). Referred to the House Calendar.

¶116.25 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2269. Referral to the Committee on Ways and Means extended for a period ending not later than November 9, 2001.

¶116.26 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HYDE (for himself and Mr. LANTOS):

H.R. 3189. A bill to extend the Export Administration Act until April 20, 2002; to the Committee on International Relations.

By Mr. SCHIFF (for himself, Mr. SIMMONS, Mr. MCDERMOTT, Mrs. MINK of Hawaii, Ms. LOFGREN, Ms. HARMAN, and Mr. FARR of California):

H.R. 3190. A bill to amend title 49, United States Code, to authorize the Administrator of the Federal Aviation Administration to establish a program to permit Federal, State, and local law enforcement officers to be trained to participate in the Federal air marshal program as volunteers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. ROUKEMA (for herself, Mr. LAFALCE, Mr. LEACH, and Mr. GREEN of Wisconsin):

H.R. 3191. A bill to provide home ownership assistance for public safety officers and teachers; to the Committee on Financial Services.

By Mr. GILMAN:

H.R. 3192. A bill to establish an advisory board to monitor the collection and allocation of relief funds by charitable organizations in response to a disaster; to the Committee on Transportation and Infrastructure.

By Mrs. BIGGERT (for herself, Ms. SLAUGHTER, Mr. QUINN, Mrs. MORELLA, Mr. STARK, Mrs. CAPITO, Mr. SHIMKUS, and Mr. THOMPSON of California):

H.R. 3193. A bill to amend the Violence Against Women Act of 2000 by expanding the legal assistance for victims of violence grant program to include legal assistance for victims of dating violence; to the Committee on the Judiciary.

By Mr. CAPUANO:

H.R. 3194. A bill to expand the September 11th Victim Compensation Fund of 2001 to include individuals diagnosed with anthrax; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself, Mr. JOHNSON of Illinois, Mr. TOWNS, Mr. RANGEL, Mr. RAMSTAD, and Mr. KOLBE):

H.R. 3195. A bill to extend the Medicare community nursing organization (CNO) demonstration project; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER:

H.R. 3196. A bill to provide compensation to individuals who are injured by an escaped prescribed fire and to amend the tort procedure provisions of title 28, United States Code, relating to claims for such fires, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE:

H.R. 3197. A bill to suspend temporarily the duty on certain machines designed for children's education; to the Committee on Ways and Means.

By Mr. PUTNAM:

H.R. 3198. A bill to respond to the vulnerability of the United States agricultural production and food supply system to international terrorism; to the Committee on Agriculture.

By Mr. SMITH of Michigan:

H.R. 3199. A bill to require congressional approval of proposed rules designated by the Congress to be significant; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 3200. A bill to require that the United States Postal Service issue a special commemorative postage stamp under section 416 of title 39, United States Code, in order to provide funding to the United States Postal Service for mail security enhancements, and for other purposes; to the Committee on Government Reform.

By Mr. TANCREDO:

H.R. 3201. A bill to prohibit any department or agency of the United States from transferring funds to any individual or entity that prohibits the display of the flag of the United States; to the Committee on the Judiciary.

By Mr. VITTER:

H.R. 3202. A bill to amend title 49, United States Code, to require air carriers to remove from a passenger aircraft any baggage that is checked by a passenger who does not board the aircraft, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DAVIS of Illinois (for himself, Mr. MCHUGH, Mr. BURTON of Indiana, Mr. RUSH, Mr. GEPHARDT, Mr. MORAN of Virginia, Mr. BROWN of Ohio, Mrs.

MALONEY of New York, Mr. HASTINGS of Florida, Mr. CUMMINGS, Mr. CRAMER, Mrs. THURMAN, Mr. CARDIN, Mr. MCGOVERN, Mr. OWENS, Mr. WAXMAN, Mr. SHIMKUS, Ms. NORTON, Ms. WATSON, Mr. HOEFFEL, Ms. CARSON of Indiana, Mr. SABO, and Mr. SERRANO):

H. Con. Res. 257. Concurrent resolution expressing the sense of the Congress that the men and women of the United States Postal Service have done an outstanding job of delivering the mail during this time of national emergency; to the Committee on Government Reform.

By Mr. FORBES:

H. Res. 275. A resolution honoring the continuing service and commitment of the members of the National Guard and Reserve units activated in support of Operation Enduring Freedom; to the Committee on Armed Services.

By Mr. PETERSON of Pennsylvania (for himself, Mr. MURTHA, Mr. GEKAS, Ms. HART, Mr. KANJORSKI, Mr. HOLDEN, Mr. HOEFFEL, Mr. MASCARA, Mr. SHUSTER, Mr. PLATTS, Mr. DOYLE, Mr. PITTS, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. BORSKI, Mr. SHERWOOD, Mr. WELDON of Pennsylvania, Mr. ENGLISH, Mr. GREENWOOD, Mr. TOOMEY, and Mr. COYNE):

H. Res. 276. A resolution praising Joseph Vincent Paterno for his steadfast commitment to academics, service, and citizenship, and congratulating Joseph Vincent Paterno for his many coaching accomplishments, including his 324th career coaching victory; to the Committee on Education and the Workforce.

¶116.27 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

200. The SPEAKER presented a memorial of the House of Representatives of the State of Ohio, relative to House Resolution No. 118 memorializing the United States Congress that the State of Ohio expresses admiration and support for the President and the United States Congress, for the Governor of New York, the Mayor of the City of New York, and for the law enforcement, firefighters, and other emergency workers of the City of New York, Washington, D.C., and other parts of our nation, all of whom decisively responded to the terrorist attacks in the City of New York and Washington, D.C.; to the Committee on Government Reform.

201. Also, a memorial of the General Assembly of the State of Oregon, relative to House Joint Memorial No. 15 memorializing the United States Congress to abolish the Northwest Forest Pass portion of the Recreational Fee Demonstration Program and permit the citizens of Oregon to enjoy the national forests in the state without payment of a fee; to the Committee on Resources.

202. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a Resolution memorializing the United States Congress to support granting of posthumous citizenship to noncitizen soldiers who sacrificed their lives on behalf of our nation; to the Committee on the Judiciary.

203. Also, a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 125 memorializing the United States Congress that the People of Guam condemn the hijackings of American commercial passenger airlines by terrorist forces and wholeheartedly and resolutely support the promise and determination of the President of the United States; to the Committee on the Judiciary.

204. Also, a memorial of the House of Representatives of the State of Oregon, relative to House Memorial No. 1 memorializing the United States Congress to extend the current Canada-United States Softwood Lumber Agreement; encourage the end of Canadian lumber subsidy practices; and enforce United States trade laws to offset Canadian subsidiaries and eliminate injury to the United States timber industry if the Canadian subsidies are not terminated; to the Committee on Ways and Means.

¶116.28 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII.

Mr. YOUNG of Alaska introduced A bill (H.R. 3203) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Caledonia*; which was referred to the Committee on Transportation and Infrastructure.

¶116.29 ADDITIONAL SPONSORS

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

H.R. 747: Mr. DIAZ-BALART.
H.R. 826: Mr. PRICE of North Carolina.
H.R. 959: Mr. BRADY of Texas.
H.R. 968: Mr. PRICE of North Carolina.
H.R. 1354: Mr. KENNEDY of Rhode Island and Mr. TAYLOR of North Carolina.
H.R. 1436: Mr. BLUMENAUER, Mr. HOLT, Mr. PRICE of North Carolina, Mr. HONDA, and Mr. MENENDEZ.
H.R. 1475: Mr. MEEKS of New York.
H.R. 1504: Mr. BONIOR.
H.R. 1556: Mr. WATT of North Carolina and Mr. KANJORSKI.
H.R. 1616: Mr. SHUSTER.
H.R. 1645: Mr. FLETCHER and Mr. FORBES.
H.R. 2063: Ms. HOOLEY of Oregon, Mr. MORAN of Virginia, Mr. JEFFERSON, Mr. WATT of North Carolina, Mr. MOORE, and Mr. KUCINICH.
H.R. 2220: Mr. STUMP, Mr. SHUSTER, and Mr. STRICKLAND.
H.R. 2235: Mr. SHUSTER.
H.R. 2287: Mr. TOWNS, Mr. PALLONE, Mr. ENGEL, Ms. NORTON, and Ms. SOLIS.
H.R. 2354: Mrs. MINK of Hawaii, Mr. ROGERS of Michigan, and Mr. CONDIT.
H.R. 2357: Mr. FLAKE.
H.R. 2376: Mr. GEORGE MILLER of California.
H.R. 2623: Mr. HARMAN.
H.R. 2709: Mr. CAPUANO, Mr. STUMP, and Mr. LUTHER.
H.R. 2715: Mr. GEORGE MILLER of California.
H.R. 2783: Mr. CROWLEY and Mr. STARK.
H.R. 2839: Mr. BROWN of Ohio.
H.R. 2874: Mr. GREEN of Wisconsin.
H.R. 2896: Mr. BARCIA.
H.R. 2897: Mr. MCGOVERN.
H.R. 2955: Mr. WEINER and Mr. DEFAZIO.
H.R. 2991: Mr. WATT of North Carolina and Mr. LANGEVIN.
H.R. 2998: Mr. GILLMOR.
H.R. 3029: Mr. FRANK.
H.R. 3035: Mr. MCGOVERN.
H.R. 3058: Mr. LATOURETTE, Mr. LANGEVIN, Mr. BROWN of South Carolina, Ms. VELAZQUEZ, and Ms. PELOSI.
H.R. 3067: Mr. SMITH of Washington, Mr. TOWNS, Mr. LANGEVIN, Mr. MEEKS of New York, Ms. DEGETTE, Mr. FARR of California, Mr. MASCARA, Ms. RIVERS, Mr. WEINER, Ms. ESHOO, and Mrs. TAUSCHER.
H.R. 3111: Mr. FROST.
H.R. 3143: Mr. GIBBONS, Mrs. CHRISTENSEN, Mr. LARSON of Connecticut, Ms. RIVERS, Ms. ROS-LEHTINEN, Mr. BALDACCI, Mr. DAVIS of Illinois, Mr. CONDIT, Ms. SOLIS, Mrs. TAUSCHER, Ms. HOOLEY of Oregon, Mr. CROWLEY, Mr. ISRAEL, and Ms. VELAZQUEZ.
H.R. 3150: Mr. SIMPSON.
H.R. 3164: Mr. TOWNS and Mrs. CHRISTENSEN.
H.R. 3166: Mr. MCNULTY and Mr. FROST.
H.R. 3167: Mr. HEFLEY, Mr. LAMPSON, and Mr. MCINNIS.
H. Con. Res. 162: Mr. HONDA and Mr. ISRAEL.
H. Con. Res. 197: Mr. TURNER.
H. Con. Res. 232: Mr. WU, Mr. LANGEVIN, and Mr. RANGEL.
H. Con Res. 254: Mr. HOLDEN, Mr. WELDON of Pennsylvania, Mr. MURTHA, Mr. MASCARA, and Mr. GEKAS.

¶116.30 PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

40. The SPEAKER presented a petition of Citizens for Lewis and Clark Development Site #1, Illinois, relative to a Resolution petitioning the United States Congress to support the development of the Lewis and Clark Memorial Tower to commemorate the Lewis and Clark experience in Illinois for generations to come; to the Committee on Resources.

41. Also, a petition of United City of Yorkville, Illinois, relative to a Resolution petitioning the United States Congress that the United City of Yorkville shall observe a moment of silence to express respect and condolences to the families and individuals who have experienced a loss during this national crisis; to the Committee on the Judiciary.

42. Also, a petition of the Council of the City of Kodiak, Alaska, relative to a Resolution petitioning the United States Congress to fully fund the United States Coast Guard's budget for operational readiness and recapitalization requirements to ensure the U.S. Coast Guard bases such as the one in Kodiak, Alaska, remain ready to protect and preserve not only the fishing community of this island community, but the greater national security and well being; to the Committee on Transportation and Infrastructure.

43. Also, a petition of Grand Lodge of Missouri, relative to a Resolution petitioning the United States Congress that all Missouri Freemasons hereby pledge their loyality, respect, admiration, devotion, and dedication to the United States of America; to the Committee on Veterans' Affairs.

44. Also, a petition of Gaston County Board of Commissioners, North Carolina, relative to a Resolution petitioning the United States Congress that they unanimously thrust all of its support to the President of the United States and Congress as they endeavor to seek out the perpetrators of this heinous crime and bring them to justice; jointly to the Committees on International Relations and Government Reform.

¶116.31 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 981: Mr. YOUNG of Florida.

THURSDAY, NOVEMBER 1, 2001 (117)

The House was called to order by the SPEAKER.

¶117.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, October 31, 2001.

Mr. GRAVES, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. GRAVES objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶117.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

4469. A letter from the Assistant General Counsel, Department of the Treasury, transmitting the Department's final rule—Resolution Funding Corporation Operations (RIN: 1550–AA79) received October 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4470. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7769] received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4471. A letter from the Director, OSHA Directorate of Safety Standards, Department of Labor, transmitting the Department's final rule—Occupational Injury and Illness Recording and Reporting Requirements [Docket No. R–02A] (RIN: 1218–AC00) received October 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4472. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Food Labeling: Health Claims; Plant Sterol/Stanol Esters and Coronary Heart Disease [Docket Nos. 00P–1275 and 00P–1276] received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4473. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Substance Abuse and Mental Health Services Administration Mental Health and Substance Abuse Emergency Response Criteria (RIN: 0930–AA09) received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4474. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Anthropomorphic Test Dummy; Occupant Crash Protection [Docket No. NHTSA–2000–8057] (RIN: 2127–AH87) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4475. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New York Ozone State Implementation Plan Revision; Delay of effective date and extension of comment period [Region 2 Docket No. 233, FRL–7084–3] received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4476. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Vermont; Negative Declaration [Docket No. VT–020–1223a; FRL–7077–4A] received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4477. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Approval Of Operating Permits Program; State of Maine [ME–063–7012a; A–1–FRL–7085–5] received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4478. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Pennsylvania; Redesignation of Pittsburgh-Beaver Valley Ozone Nonattainment Area to Attainment and Approval of Miscellaneous Revisions [PA175–4179; FRL–7079–6] received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4479. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Criteria for Classification of Solid Waste Disposal Facilities and Practices and Criteria for Municipal Solid Waste Landfills: Disposal of Residential Lead-Based Paint Waste [FRL–7076–4] (RIN: 2050–AE86) received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4480. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of Operating Permit Program; District of Columbia [DC-T5–2001–01a; FRL–7085–8] received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4481. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: NAC-UMS Revision (RIN: 3150–AG77) received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4482. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–155, ''Advisory Neighborhood Commissions Annual Contribution Temporary Amendment Act of 2001'' received November 1, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4483. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–156, ''Insurance Economic Development Temporary Amendment Act of 2001'' received November 1, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4484. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–154, ''Cooperative Purchasing Agreement Temporary Amendment Act of 2001'' received November 1, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4485. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–152, ''Closing of a Public Alley in Square 2140, S.O. 99–228, Act of 2001'' received November 1, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4486. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–153, ''Closing of a Portion of a Public Alley in Square 209, S.O. 2000–48, Act of 2001'' received November 1, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4487. A letter from the Director, Office of Procurement and Assistance Management, Department of Energy, transmitting a report on the Federal Activities Inventory Reform Act; to the Committee on Government Reform.

4488. A letter from the Acting Division Chief, Marine Mammal Conservation Division, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Construction and Operation of Offshore Oil and Gas Facilities in the Beaufort Sea [Docket No. 990901241–0116–02; I.D. 123198B] (RIN: 0648–AM09) received October 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4489. A letter from the Acting Division Chief, Marine Mammal Conservation Division, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Operation of a Low Frequency Sound Source by the North Pacific Acoustic Laboratory [Docket No. 00801223–1204–03; I.D. 062000A] (RIN: 0648–AO24) received October 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4490. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [I.D. 092001A] received October 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4491. A letter from the Program Analyst, FAA, Department to Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 1900, 1900C, and 1900D Airplanes [Docket No. 2001–CE–20–AD; Amendment 39–12433; AD 2001–18–07] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4492. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Saver's Tax Credit for Contributions by Individuals to Employer Retirement Plans and IRAs (Announcement 2001–106) received October 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4493. A letter from the Secretaries, Departments of Defense and Veterans Affairs, transmitting a report on the implementation of the health resources sharing portion of the ''Department of Veterans Affairs and Department of Defense Health Resources Sharing and Emergency Operations Act'' for Fiscal Year 2000, pursuant to 38 U.S.C. 8111(f); jointly to the Committees on Armed Services and Veterans' Affairs.

4494. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Revisions to Payment Policies and Five-Year Review of and Adjustments to the Relative Value Units Under the Physician Fee Schedule for Calendar Year 2002 [CMS–1169–FC] (RIN: 0938–AK57) received October 31, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

4495. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting notification that the President proposes to exercise his authority under section 614(a)(1) of the Foreign Assistance Act of 1961, as amended (the ''Act''), to authorize the provision of additional funds to Pakistan, pursuant to 22 U.S.C. 2364(a)(1); jointly to the Committees on International Relations and Appropriations.

4496. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's annual reports in the March 2000, March 2001, and June 2001 Treasury Bulletin, pursuant to 26 U.S.C. 9602(a); jointly to the Committees on Ways and Means, Energy and Commerce, Transportation and Infrastructure, Education and the Workforce, Resources, and Agriculture.

¶117.3 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2311

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 272):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

Mr. SESSIONS moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 421 / Nays ..... 2 }

¶117.4 [Roll No. 415]

YEAS—421

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

NAYS—2

Berkley Stark

NOT VOTING—9

Brown (FL)	Hall (OH)	Thompson (MS)
Cubin	Herger	Wexler
Dunn	McCrery	Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶117.5 ENERGY AND WATER APPROPRIATIONS FY 2002

Mr. CALLAHAN, pursuant to House Resolution 272, called up the following conference report (Rept. No. 107–258):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2311) ''making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $154,350,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to continue preconstruction engineering and design of the Murrieta Creek, California, flood protection and environmental enhancement project and is further directed to continue with the project in accordance with cost sharing established for the Murrieta Creek project in Public Law 106–377: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use the feasibility report prepared under the authority of section 205 of the Flood Control Act of 1948, as amended, as the basis for the Rock Creek-Keefer Slough Flood Control Project, Butte County, Cali-

fornia, and is further directed to use funds appropriated herein for preconstruction engineering and design of the project: Provided further, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct studies for flood damage reduction, environmental protection, environmental restoration, water supply, water quality, and other purposes in Tuscaloosa County, Alabama, and shall provide a comprehensive plan for the development, conservation, disposal, and utilization of water and related land resources, for flood damage reduction and allied purposes, including the determination of the need for a reservoir to satisfy municipal and industrial water supply needs: Provided further, That using $1,000,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct a comprehensive watershed study at full Federal expense to provide a framework for implementing activities to improve environmental quality of the Lake Tahoe Basin and the Secretary shall submit a feasibility level report within 30 months of enactment of this Act: Provided further, That Appendix D, Chapter 5 of Public Law 106–554 is amended in the last sentence under the subheading titled ''General Investigations'' by striking ''a cost shared feasibility study of'' and inserting ''planning, engineering and design activities for''.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,715,951,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 11, Mississippi River, Iowa; Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and London Locks and Dam, Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

San Timoteo Creek (Santa Ana River Mainstem), California, $8,000,000;

Indianapolis Central Waterfront, Indiana, $9,000,000;

Southern and Eastern Kentucky, Kentucky, $4,000,000;

Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Floyd County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, $15,450,000; and

Lower Mingo County (Kermit), Upper Mingo County (including County Tributaries), Wayne County, and McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, $5,900,000:

Provided, That using $1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to modify the Carr Creek Lake, Kentucky, project at full Federal expense to provide additional water supply storage for the Upper Kentucky River Basin: Provided further, That with $1,200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake design deficiency repairs to the Bois Brule Drainage and Levee District, Missouri, project, authorized and constructed under the authority of the Flood Control Act of 1936 with cost sharing consistent with the original project authorization: Provided further, That in accordance with section 332 of the Water Resources Development Act of 1999, the Secretary of the Army is directed to increase the authorized level of protection of the Bois Brule Drainage and Levee District, Missouri, project from 50 years to 100 years using $700,000 of the funds appropriated herein, and the project costs allocated to the incremental increase in the level of protection shall be cost shared consistent with section 103(a) of the Water Resources Development Act of 1986, notwithstanding section 202(a) of the Water Resources Development Act of 1996: Provided further, That using $200,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct, at full Federal expense, technical studies of individual ditch systems identified by the State of Hawaii, and to assist the State in diversification by helping to define the cost of repairing and maintaining selected ditch systems: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $1,300,000 of the funds appropriated herein to continue construction of the navigation project at Kaumalapau Harbor, Hawaii: Provided further, That with $800,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue preparation of a General Reevaluation Report of the Oak Island, Caswell Beach, and Holden Beach segments of the Brunswick County Beaches project in North Carolina: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $500,000 to undertake the Bowie County Levee Project, which is defined as Alternative B Local Sponsor Option, in the Corps of Engineers document entitled Bowie County Local Flood Protection, Red River, Texas, Project Design Memorandum No. 1, Bowie County Levee, dated April 1997: Provided further, That the Secretary of the Army is directed to use $4,000,000 of the funds provided herein for the Dam Safety and Seepage/Stability Correction Program to continue construction of seepage control features at Waterbury Dam, Vermont: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, using up to $200,000 of the funds provided herein, is directed to complete the Aloha-Rigolette, Louisiana, project at full Federal expense: Provided further, That using $500,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the Shoalwater Bay Shoreline, Washington, project: Provided further, That all studies for the Shoalwater Bay Shoreline project shall be cost shared in the same proportion as the construction implementation costs: Provided further, That using $2,500,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with a final design and initiate construction for the repair and replacement of the Jicarilla Municipal Water System in the town of Dulce, New Mexico: Provided further, That using $750,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the Missouri river Restoration Project and that erosion control measures implemented shall be primarily through nonstructural means such as planting of native vegetation, buffer strips, conservation easements, setbacks, and agricultural best management practices: Provided further, That with $10,000,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to construct the Dallas Floodway Extension, Texas, project, including the Cadillac Heights feature, generally in accordance with the Chief of Engineers report dated December 7, 1999: Provided further, That the deadline for the report required under section 154(g) of Public Law 106–554 is extended to December 31, 2002: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use unexpended funds appropriated in Public Law 105–62, under the heading Construction, General for Salyersville, Kentucky, to construct additional recreation improvements at the Buckhorn Lake, Kentucky, project: Provided further, That using $1,000,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate construction on the Seward Harbor, Alaska, project in accordance with the Report of the Chief of Engineers dated June 8, 1999 and the economic justification contained therein: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use up to $900,000 of funds previously appropriated to reimburse the City of Venice, Florida, for the costs incurred by the City prior to October 1998 for work accomplished by the City related to the relocation of the stormwater outfalls and the construction of the artificial reef that comprises an integral part of the project for beach nourishment, in Sarasota County, Florida: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein, for emergency bank stabilization measures at Lakeshore Park in Knoxville, Tennessee: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the Dickenson County Detailed Project Report as generally defined in Plan 4 of the Huntington District Engineer's Draft Supplement to the Section 202 General Plan for Flood Damage Reduction dated April 1997, including all Russell Fork tributary streams within the County and special considerations as may be appropriate to address the unique relocations and resettlement needs for the flood prone communities within the County: Provided further, That, with respect to the environmental infrastructure project in Lebanon, New Hampshire, for which funds are made available under this heading, the non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for work performed before the date of execution of the project cooperation agreement, if the Secretary determines the work is integral to the project: Provided further, That, for the Raritan River Basin, Green Brook Sub-Basin, New Jersey, project, the Secretary of the Army, acting through the Chief of Engineers, is directed to implement the locally preferred plan for the element in the western portion of Middlesex Borough, New Jersey, which includes the buyout of up to 22 homes, the flood proofing of four commercial buildings along Prospect Place and Union Avenue, and the buyout of up to three commercial buildings along Raritan and Lincoln Avenues, at a total estimated cost of $15,000,000, with an estimated Federal cost of $11,500,000 and an estimated non-Federal cost of $3,500,000.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a and 702g–1), $345,992,000, to remain available until expended: Provided, That, the Secretary of the Army, acting through

the Chief of Engineers, is directed to convey to the Board of Mississippi Levee Commissioners any and all fee owned real property interests deemed excess to Army needs for disposal by the U.S. Army Corps of Engineers at its Casting Plant and its Bank Grading and Mat Loading Fleeting Area located in Greenville, Mississippi. This real property shall be used by the Board of Mississippi Levee Commissioners for the operation and maintenance of the Mississippi River and Tributaries Project as it deems necessary.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,874,803,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed, within funds available for the Mobile Harbor, Alabama, project, to remove, transport, dispose, and remediate contaminated sediments in and adjacent to the Federal navigation projects for the Arlington Channel and the Garrows Bend Channel at Federal expense, and a non-Federal sponsor shall provide all necessary lands, easements, rights-of-way, and relocations that may be required for the disposal of dredged material: Provided further, That using funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to perform cultural resource mitigation and recreation improvements at Waco Lake, Texas, at full Federal expense notwithstanding the provisions of the Water Supply Act of 1958: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to grade the basin within the Hansen Dam feature of the Los Angeles County Drainage Area, California, project to enhance and maintain flood capacity and to provide for future use of the basin for compatible purposes consistent with the Master Plan, including recreation and environmental restoration: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to fully investigate the development of an upland disposal site recycling program on the Black Warrior and Tombigbee Rivers, Alabama-Coosa Rivers, and the Mobile River projects: Provided further, That of funds appropriated herein for the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, the Secretary of the Army, acting through the Chief of Engineers, is directed to reimburse the State of Delaware for normal operation and maintenance costs incurred by the State of Delaware for the SR1 Bridge from station 58+00 to station 293+00 between May 12, 1997 and September 30, 2002. Reimbursement costs shall not exceed $1,277,000: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to remove and reinstall the docks and causeway, in kind, and continue breakwater repairs at Astoria East Boat Basin, Oregon: Provided further, That using funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to dredge a channel from the mouth of Wheeling Creek to Tunnel Green Park in Wheeling, West Virginia: Provided further, That the project for the Apalachicola, Chattahoochee, and Flint Rivers Navigation, authorized by section 2 of the River and Harbor Act of March 2, 1945 (Public Law 79–14) and modified by the first section of the River and Harbor Act of 1946 (60 Stat. 635, chapter 595), is modified to authorize the Secretary, as part of navigation maintenance activities, to develop and implement a plan to be integrated into the long-term dredged material management plan being developed for the Corley Slough reach, as required by conditions of the State of Florida water quality certification, for periodically removing sandy dredged material from the disposal area known as Site 40, located at mile 36.5 of the Apalachicola River, and from other disposal sites that the Secretary may determine to be needed for the purpose of reuse of the disposal areas, by transporting and depositing the sand for environmentally acceptable beneficial uses in coastal areas of Florida to be determined in coordination with the State of Florida: Provided further, That the Secretary is authorized to acquire all lands, easements, and rights-of-way that may be determined by the Secretary, in consultation with the affected State, to be required for dredged material disposal areas to implement a long-term dredge material management plan: Provided further, That the long-term management plan shall be developed in coordination with the State of Florida no later than 2 years from the date of enactment of this Act: Provided further, That, of the funds provided herein, $4,900,000 shall be made available for these purposes and $8,000,000 shall be made available for normal operation and maintenance of the Apalachicola, Chattahoochee, and Flint Rivers navigation project.

FLOOD CONTROL AND COASTAL EMERGENCIES

(RESCISSION)

Of the funds made available under this heading in Public Law 107–20, $25,000,000 are hereby rescinded.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $127,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation's early atomic energy program, $140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers, activities of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, and headquarters support functions at the USACE Finance Center, $153,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: Provided further, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) CONVEYANCE AUTHORIZED.—The Secretary of the Army shall convey to the Blue Township Fire District, Blue Township, Kansas, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to a parcel of land consisting of approximately 4.35 acres located in Pottawatomie County, Tuttle Creek Lake, Kansas.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(c) REVERSION.—If the Secretary determines that the property conveyed under subsection (a) ceases to be held in public ownership or to be used as a site for a fire station, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

SEC. 102. For those shore protection projects funded in this Act which have Project Cooperation Agreements in place, the Secretary of the Army is directed to proceed with those projects in accordance with the cost sharing specified in the Project Cooperation Agreement: Provided, That the Secretary of the Army shall not accept or solicit non-Federal voluntary contributions for shore protection work in excess of the minimum requirements established by law; except that, when voluntary contributions are tendered by a non-Federal sponsor for the prosecution of work outside the authorized scope of the Federal project at full non-Federal expense, the Secretary is authorized to accept said contributions.

SEC. 103. Agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915, Public Law 64–291; section 11 of the River and Harbor Act of 1925, Public Law 68–585; the Civil Functions Appropriations Act, 1936, Public Law 75–208; section 215 of the Flood Control Act of 1968, as amended, Public Law 90–483; sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended, Public Law 99–662; section 206 of the Water Resources Development Act of 1992, as amended, Public Law 102–580; section 211 of the Water Resources Development Act of 1996, Public Law 104–303; and any other specific project authority, shall be limited to credits and reimbursements per project not to exceed $10,000,000 in each fiscal year, and total credits and reimbursements for all applicable projects not to exceed $50,000,000 in each fiscal year.

SEC. 104. ST. GEORGES BRIDGE, DELAWARE. None of the funds made available in this Act may be used to carry out any activity relating to closure or removal of the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, including a hearing or any other activity relating to preparation of an environmental impact statement concerning the closure or removal.

SEC. 105. The non-Federal interest shall receive credit towards the lands, easements, relocations, rights-of-way, and disposal areas required for the Lava Hot Springs restoration project in Idaho, and acquired by the non-Federal interest before execution of the project cooperation agreement: Provided, That the Secretary shall provide credit for work only if the Secretary determines such work to be integral to the project.

SEC. 106. GUADALUPE RIVER, CALIFORNIA. The project for flood control, Guadalupe River, California, authorized by section 401 of the Water Resources Development Act of 1986, and the Energy and Water Development Appropriation Acts of 1990 and 1992, is modified to authorize the Secretary to construct the project substantially in accordance with the General Reevaluation and Environmental Report for Proposed Project Modifications, dated February 2001, at a total cost of $226,800,000, with an estimated Federal cost of $128,700,000, and estimated non-Federal cost of $98,100,000.

SEC. 107. DESIGNATION OF NONNAVIGABILITY FOR PORTIONS OF GLOUCESTER COUNTY, NEW JERSEY. (a) DESIGNATION.—

(1) IN GENERAL.—The Secretary of the Army (referred to in section as the ''Secretary'') shall designate as nonnavigable the areas described in paragraph (3) unless the Secretary, after consultation with local and regional public officials (including local and regional planning organizations), makes a determination that 1 or more projects proposed to be carried out in 1 or more areas described in paragraph (2) are not in the public interest.

(2) DESCRIPTION OF AREAS.—The areas referred to in paragraph (1) are certain parcels of property situated in the West Deptford Township, Gloucester County, New Jersey, as depicted on Tax Assessment Map #26, Block #328, Lots #1, 1.03, 1.08, and 1.09, more fully described as follows:

(A) Beginning at the point in the easterly line of Church Street (49.50 feet wide), said beginning point being the following 2 courses from the intersection of the centerline of Church Street with the curved northerly right-of-way line of Pennsylvania-Reading Seashore Lines Railroad (66.00 feet wide)—

(i) along said centerline of Church Street N. 11°28′50″ E. 38.56 feet; thence

(ii) along the same N. 61°28′35″ E. 32.31 feet to the point of beginning.

(B) Said beginning point also being the end of the thirteenth course and from said beginning point runs; thence, along the aformentioned Easterly line of Church Street—

(i) N. 11°28′50″ E. 1052.14 feet; thence

(ii) crossing Church Street, N. 34°19′51″ W. 1590.16 feet; thence

(iii) N. 27°56′37″ W. 3674.36 feet; thence

(iv) N. 35°33′54″ W. 975.59 feet; thence

(v) N. 57°04′39″ W. 481.04 feet; thence

(vi) N. 36°22′55″ W. 870.00 feet to a point in the Pierhead and Bulkhead Line along the Southeasterly shore of the Delaware River; thence

(vii) along the same line N. 53°37′05″ E. 1256.19 feet; thence

(viii) still along the same, N. 86°10′29″ E. 1692.61 feet; thence, still along the same the following thirteenth courses

(ix) S. 67°44′20″ E. 1090.00 feet to a point in the Pierhead and Bulkhead Line along the Southwesterly shore of Woodbury Creek; thence

(x) S. 39°44′20″ E. 507.10 feet; thence

(xi) S. 31°01′38″ E. 1062.95 feet; thence

(xii) S. 34°34′20″ E. 475.00 feet; thence

(xiii) S. 32°20′28″ E. 254.18 feet; thence

(xiv) S. 52°55′49″ E. 964.95 feet; thence

(xv) S. 56°24′40″ E. 366.60 feet; thence

(xvi) S. 80°31′50″ E. 100.51 feet; thence

(xvii) N. 75°30′00″ E. 120.00 feet; thence

(xviii) N. 53°09′00″ E. 486.50 feet; thence

(xix) N. 81°18′00″ E. 132.00 feet; thence

(xx) S. 56°35′00″ E. 115.11 feet; thence

(xxi) S. 42°00′00″ E. 271.00 feet; thence

(xxii) S. 48°30′00″ E. 287.13 feet to a point in the Northwesterly line of Grove Avenue (59.75 feet wide); thence

(xxiii) S. 23°09′50″ W. 4120.49 feet; thence

(xxiv) N. 66°50′10″ W. 251.78 feet; thence

(xxv) S. 36°05′20″ E. 228.64 feet; thence

(xxvi) S. 58°53′00″ W. 1158.36 feet to a point in the Southwesterly line of said River Lane; thence

(xxvii) S. 41°31′35″ E. 113.50 feet; thence

(xxviii) S. 61°28′35″ W. 863.52 feet to the point of beginning.

(C)(i) Except as provided in clause (ii), beginning at a point in the centerline of Church Street (49.50 feet wide) where the same is intersected by the curved northerly line of Pennsylvania-Reading Seashore Lines Railroad right-of-way (66.00 feet wide), along that Railroad, on a curve to the left, having a radius of 1465.69 feet, an arc distance of 1132.14 feet—

(I) N. 88°45′47″ W. 1104.21 feet; thence

(II) S. 69°06′30″ W. 1758.95 feet; thence

(III) N. 23°04′43″ W. 600.19 feet; thence

(IV) N. 19°15′32″ W. 3004.57 feet; thence

(V) N. 44°52′41″ W. 897.74 feet; thence

(VI) N. 32°26′05″ W. 2765.99 feet to a point in the Pierhead and Bulkhead Line along the Southeasterly shore of the Delaware River; thence

(VII) N. 53°37′05″ E. 2770.00 feet; thence

(VIII) S. 36°22′55″ E. 870.00 feet; thence

(IX) S. 57°04′39″ E. 481.04 feet; thence

(X) S. 35°33′54″ E. 975.59 feet; thence

(XI) S. 27°56′37″ E. 3674.36 feet; thence

(XII) crossing Church Street, S. 34°19′51″ E. 1590.16 feet to a point in the easterly line of Church Street; thence

(XIII) S. 11°28′50″ W. 1052.14 feet; thence

(XIV) S. 61°28′35″ W. 32.31 feet; thence

(XV) S. 11°28′50″ W. 38.56 feet to the point of beginning.

(ii) The parcel described in clause (i) does not include the parcel beginning at the point in the centerline of Church Street (49.50 feet wide), that point being N. 11°28′50″ E. 796.36 feet, measured along the centerline, from its intersection with the curved northerly right-of-way line of Pennsylvania-Reading Seashore Lines Railroad (66.00 feet wide)—

(I) N. 78°27′40″ W. 118.47 feet; thence

(II) N. 15°48′40″ W. 120.51 feet; thence

(III) N. 77°53′00″ E 189.58 feet to a point in the centerline of Church Street; thence

(IV) S. 11°28′50″ W. 183.10 feet to the point of beginning.

(b) LIMITS ON APPLICABILITY; REGULATORY REQUIREMENTS.—

(1) IN GENERAL.—The designation under subsection (a)(1) shall apply to those parts of the areas described in subsection (a) that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina facilities.

(2) APPLICABLE LAW.—All activities described in paragraph (1) shall be subject to all applicable Federal law, including—

(A) the Act of March 3, 1899 (30 Stat. 1121, chapter 425);

(B) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) TERMINATION OF DESIGNATION.—If, on the date that is 20 years after the date of enactment of this Act, any area or portion of an area described in subsection (a)(3) is not bulkheaded, filled, or otherwise occupied by permanent structures (including marina facilities) in accordance with subsection (b), or if work in connection with any activity authorized under subsection (b) is not commenced by the date that is 5 years after the date on which permits for the work are issued, the designation of nonnavigability under subsection (a)(1) for that area or portion of an area shall terminate.

SEC. 108. NOME HARBOR TECHNICAL CORRECTIONS. Section 101(a)(1) of Public Law 106–53 (the Water Resources Development Act of 1999) is amended by—

(1) striking ''$25,651,000'' and inserting in its place ''$39,000,000''; and

(2) striking ''$20,192,000'' and inserting in its place ''$33,541,000''.

SEC. 109. Section 211 of the Water Resources Development Act of 2000, Public Law 106–541, is amended by adding the following language at the end of subsection (d):

''(e) ENGINEERING RESEARCH AND DEVELOPMENT CENTER.—The Engineering Research and Development Center is exempt from the requirements of this section.''.

SEC. 110. Section 514(g) of the Water Resources Development Act of 1999, Public Law 106–53, is amended by striking ''fiscal years 2000 and 2001'' and inserting in lieu thereof ''fiscal years 2000 through 2002''.

SEC. 111. The Secretary of the Army, acting through the Chief of Engineers, is directed to modify the pump station intake structure and discharge line to preclude ice from interfering with pump operations at Fort Fairfield, Maine, flood control project: Provided, That all design and construction costs associated with the modifications of the Fort Fairfield, Maine, project shall be at Federal expense.

SEC. 112. CERRILLOS DAM, PUERTO RICO. The Secretary of the Army shall reassess the allocation of Federal and non-Federal costs for construction of the Cerrillos Dam, carried out as part of the project for flood control, Portugues and Bucana Rivers, Puerto Rico.

SEC. 113. STUDY OF CORPS CAPABILITY TO CONSERVE FISH AND WILDLIFE. Section 704(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended—

(1) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively;

(2) by striking ''(b) The Secretary'' and inserting the following:

''(b) PROJECTS.—

''(1) IN GENERAL.—The Secretary''; and

(3) by striking ''The non-Federal share of the cost of any project under this section shall be 25 percent.'' and inserting the following:

''(2) COST SHARING.—

''(A) IN GENERAL.—The non-Federal share of the cost of any project under this subsection shall be 25 percent.

''(B) FORM.—The non-Federal share may be provided through in-kind services, including the provision by the non-Federal interest of shell stock material that is determined by the Chief of Engineers to be suitable for use in carrying out the project.

''(C) APPLICABILITY.—The non-Federal interest shall be credited with the value of in-kind services provided on or after October 1, 2000, for a project described in paragraph (1) completed on or after that date, if the Secretary determines that the work is integral to the project.''.

SEC. 114. The flood control project for the Ramapo River at Oakland, New Jersey, authorized by section 401(a) of the Water Resources Development Act of 1986, Public Law 99–662, as amended by section 301(a)(9) of the Water Resources Development Act of 1996, Public Law 104–33, is modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct the project at a total cost of $18,000,000, with an estimated Federal cost of $13,500,000 and an estimated non-Federal cost of $4,500,000 less any credits allowed under applicable laws.

SEC. 115. Except for the historic scheduled maintenance dredging in the Delaware River, none of the funds appropriated in this Act shall be used to operate the dredge MCFARLAND other than for urgent dredging, emergencies and in support of national defense.

SEC. 116. The Secretary may not expend funds to accelerate the schedule to finalize the Record of Decision for the revision of the Missouri River Master Water Control Manual and any associated changes to the Missouri River Annual Operating Plan. During consideration of revisions to the manual in fiscal year 2002, the Secretary may consider and propose alternatives for achieving species recovery other than the alternatives specifically prescribed by the United States Fish and Wildlife Service in the biological opinion of the Service. The Secretary shall consider the views of other Federal agencies, non-Federal agencies, and individuals to ensure that other congressionally authorized purposes are maintained.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $34,918,000, to remain available until expended, of which $10,749,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,310,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $762,531,000, to remain available until expended, of which $14,649,000 shall be available for transfer to the Upper Colorado River Basin Fund and $31,442,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which $8,000,000 shall be for on-reservation water development, feasibility studies, and related administrative costs under Public Law 106–163; and of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That $12,000,000 of the funds appropriated herein shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of division B, title I of Public Law 106–554, of which $1,000,000 shall be for remediation in the Central Basin Municipal Water District: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: Provided further, That section 301 of Public Law 102–250, Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting ''2001, and 2002'' in lieu of ''and 2001'': Provided further, That of such funds, not more than $1,500,000 shall be available to the Secretary for completion of a feasibility study for the Santa Fe-Pojoaque Regional Water System, New Mexico: Provided further, That the study shall be completed by September 30, 2002.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $7,215,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $26,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $280,000, to remain available until expended: Provided, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $55,039,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $52,968,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed four passenger motor vehicles for replacement only.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. In order to increase opportunities for Indian tribes to develop, manage, and protect their water resources, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, is authorized to enter into grants and cooperative agreements with any Indian tribe, institution of higher education, national Indian organization, or tribal organization pursuant to 31 U.S.C. 6301–6308. Nothing in this Act is intended to modify or limit the provisions of the Indian Self Determination Act (25 U.S.C. 45 et seq.).

SEC. 202. SAN GABRIEL BASIN, CALIFORNIA. (a) ADMINISTRATION OF RESTORATION FUND.—Section 110(a)(2) of the Miscellaneous Appropriations Act, 2001 (as enacted into law by section 1(a)(4) of Public Law 106–554) is amended by striking ''the Secretary of the Army'' and inserting ''the Secretary of the Interior''.

(b) PURPOSES OF RESTORATION FUND.—Section 110(a)(3)(A) of such Act is amended by striking clauses (i) and (ii) and inserting the following:

''(i) to provide grants to the San Gabriel Basin Water Quality Authority and the Central Basin Municipal Water District to reimburse such agencies for the Federal share of the costs associated with designing and constructing water quality projects to be administered by such agencies; and

''(ii) to provide grants to reimburse the San Gabriel Basin Water Quality Authority and the Central Basin Municipal Water District for the Federal share of the costs required to operate any project constructed under this section for a period not to exceed 10 years, following the initial date of operation of the project.''.

(c) COST-SHARING LIMITATION.—Section 110(a)(3)(B) of such Act (114 Stat. 2763A–223) is amended by adding at the end the following:

''(iii) CREDITS TOWARD NON-FEDERAL SHARE.—For purposes of clause (ii), the Secretary shall credit the San Gabriel Basin Water Quality Authority with the value of all prior expenditures by non-Federal interests made after February 11, 1993, that are compatible with the purposes of this section, including—

''(I) all expenditures made by non-Federal interests to design and construct water quality projects, including expenditures associated with environmental analyses and public involvement activities that were required to implement the water quality projects in compliance with applicable Federal and State laws; and

''(II) all expenditures made by non-Federal interests to acquire lands, easements, rights-of-way, relocations, disposal areas, and water rights that were required to implement a water quality project.''.

SEC. 203. The Secretary of the Interior is authorized and directed to use not to exceed $1,000,000 of the funds appropriated under title II to refund amounts received by the United States as payments for charges assessed by the Secretary prior to January 1, 1994 for failure to file certain certification or reporting forms prior to the receipt of irrigation water, pursuant to sections 206 and 224(c) of the Reclamation Reform Act of 1982 (43 U.S.C. 390ff, 390ww(c)), including the amount of associated interest assessed by the Secretary and paid to the United States pursuant to section 224(i) of the Reclamation Reform Act of 1982 (43 U.S.C. 390ww(i)).

SEC. 204. LOWER COLORADO RIVER BASIN DEVELOPMENT FUND. (a) IN GENERAL.—Notwithstanding section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)), no amount from the Lower Colorado River Basin Development Fund shall be paid to the general fund of the Treasury until each provision of the Stipulation Regarding a Stay and for Ultimate Judgment Upon the Satisfaction of Conditions, filed in United States district court on May 3, 2000, in Central Arizona Water Conservation District v. United States (No. CIV 95–625–TUC–WDB (EHC), No. CIV 95–1720–OHX–EHC (Consolidated Action)) is met.

(b) PAYMENT TO GENERAL FUND.—If any of the provisions of the stipulation referred to in subsection (a) are not met by the date that is 3 years after the date of enactment of this Act, payments to the general fund of the Treasury shall resume in accordance with section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)).

(c) AUTHORIZATION.—Amounts in the Lower Colorado River Basin Development Fund that but for this section would be returned to the general fund of the Treasury shall not be expended until further Act of Congress.

SEC. 205. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 206. The Secretary of the Interior, in accepting payments for the reimbursable expenses incurred for the replacement, repair, and extraordinary maintenance with regard to the Valve Rehabilitation Project at the Arrowrock Dam on the Arrowrock Division of the Boise Project in Idaho, shall recover no more than $6,900,000 of such expenses according to the application of the current formula for charging users for reimbursable operation and maintenance expenses at Bureau of Reclamation facilities on the Boise Project, and shall recover this portion of such expenses over a period of 15 years.

SEC. 207. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water

in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 208. None of the funds made available in this Act may be used by the Bureau of Reclamation (either directly or by making the funds available to an entity under a contract) for the issuance of permits for, or any other activity related to the management of, commercial rafting activities within the Auburn State Recreation Area, California, until the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 12151 et seq.) are met with respect to such commercial rafting activities.

SEC. 209. (a) Section 101(a)(6)(C) of the Water Resources Development Act of 1999, Public Law 106–53, is amended to read as follows:

''(C) MAKEUP OF WATER SHORTAGES CAUSED BY FLOOD CONTROL OPERATION.—

''(i) IN GENERAL.—The Secretary of the Interior shall enter into, or modify, such agreements with the Sacramento Area Flood Control Agency regarding the operation of Folsom Dam and Reservoir as may be necessary in order that, notwithstanding any prior agreement or provision of law, 100 percent of the water needed to make up for any water shortage caused by variable flood control operation during any year at Folsom Dam, and resulting in a significant impact on recreation at Folsom Reservoir shall be replaced, to the extent the water is available for purchase, by the Secretary of the Interior.

''(ii) COST SHARING.—Seventy-five percent of the costs of the replacement water provided under clause (i) shall be paid for on a non-reimbursable basis by the Secretary of the Interior at Federal expense. The remaining 25 percent of such costs shall be provided by the Sacramento Area Flood Control Agency.

''(iii) LIMITATION.—To the extent that any funds in excess of the non-Federal share are provided by the Sacramento Area Flood Control Agency, the Secretary shall reimburse such non-Federal interests for such excess funds. Costs for replacement water may not exceed 125 percent of the current average market price for raw water, as determined by the Secretary of the Interior.''.

(b) CONFORMING CHANGE.—Section 101(a)(1)(D)(ii) of the Water Resources Development Act of 1996, Public Law 104–303, is amended by striking ''during'' and all that follows through ''thereafter''.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 17 passenger motor vehicles for replacement only, $666,726,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $236,372,000, to remain available until expended: Provided, That funding for the West Valley Demonstration Project shall be reduced in subsequent fiscal years to the minimum necessary to maintain the project in a safe and stable condition, unless, not later than September 30, 2002, the Secretary: (1) provides written notification to the Committees on Appropriations of the House of Representatives and the Senate that agreement has been reached with the State of New York on the final scope of Federal activities at the West Valley site and on the respective Federal and State cost shares for those activities; (2) submits a written copy of that agreement to the Committees on Appropriations of the House of Representatives and the Senate; and (3) provides a written certification that the Federal actions proposed in the agreement will be in full compliance with all relevant Federal statutes and are in the best interest of the Federal government.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

For necessary expenses to maintain, decontaminate, decommission, and otherwise remediate uranium processing facilities, $418,425,000, of which $299,641,000 shall be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 25 passenger motor vehicles for replacement only, $3,233,100,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $95,000,000, to remain available until expended and to be derived from the Nuclear Waste Fund: Provided, That not to exceed $2,500,000 shall be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: Provided further, That $6,000,000 shall be provided to affected units of local governments, as defined in Public Law 97–425, to conduct appropriate activities pursuant to the Act: Provided further, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97–425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $210,853,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $137,810,000 in fiscal year 2002 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at not more than $73,043,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $32,430,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 11 passenger motor vehicles for replacement only, $5,429,238,000, to remain available until expended.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $803,586,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $688,045,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator of the National Nuclear Security Administration, including official reception and representation expenses (not to exceed $12,000), $312,596,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 30 passenger motor vehicles, of which 27 shall be for replacement only, $5,234,576,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, $1,092,878,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $153,537,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $544,044,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $280,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 2002, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $4,891,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, up to $8,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $28,038,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $5,200,000 in reimbursements, to remain available until expended: Provided, That up to $1,512,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $171,938,000, to remain available until expended, of which $166,651,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, $6,000,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That up to $152,624,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,663,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $184,155,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $184,155,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2002 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at not more than $0: Provided further, That the Commission is authorized an additional 5 senior executive service positions.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract, or award a significant extension or expansion to an existing management and operating contract, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Subcommittees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy,

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the $20,000,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. When the Department of Energy makes a user facility available to universities and other potential users, or seeks input from universities and other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term ''user facility'' includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 308. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or is generated after such date. For the purposes of this section, the material categories of transuranic waste at the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residues; (3) wet residues; (4) direct repackage residues; and (5) scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''.

SEC. 309. The Administrator of the National Nuclear Security Administration may authorize the plant manager of a covered nuclear weapons production plant to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such plant in order to maintain and enhance such capabilities at such plant: Provided, That of the amount allocated to a covered nuclear weapons production plant each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: Provided further, That for purposes of this section, the term ''covered nuclear weapons production plant'' means the following:

(1) the Kansas City Plant, Kansas City, Missouri;

(2) the Y–12 Plant, Oak Ridge, Tennessee;

(3) the Pantex Plant, Amarillo, Texas; and

(4) the Savannah River Plant, South Carolina.

SEC. 310. The Administrator of the National Nuclear Security Administration may authorize the manager of the Nevada Operations Office to engage in research, development, and demonstration activities with respect to the development, test, and evaluation capabilities necessary for operations and readiness of the Nevada Test Site: Provided, That of the amount allocated to the Nevada Operations Office each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs at the Nevada Test Site, not more than an amount equal to 2 percent of such amount may be used for these activities.

SEC. 311. DEPLETED URANIUM HEXAFLUORIDE. Section 1 of Public Law 105–204 is amended in subsection (b)—

(1) by inserting ''except as provided in subsection (c),'' after ''1321–349),''; and

(2) by striking ''fiscal year 2002'' and inserting ''fiscal year 2005''.

SEC. 312. PROHIBITION OF OIL AND GAS DRILLING IN THE FINGER LAKES NATIONAL FOREST, NEW YORK. No Federal permit or lease shall be issued for oil or gas drilling in the Finger Lakes National Forest, New York, during fiscal year 2002.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, and, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $71,290,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $18,500,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, $10,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses, $38,000,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), and purchase of promotional items for use in the recruitment of individuals for employment, $516,900,000, to remain available until expended: Provided, That of the amount appropriated herein, $23,650,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $473,520,000 in fiscal year 2002 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation estimated at not more than $43,380,000: Provided further, That, notwithstanding any other provision of law, no funds made available under this or any other Act may be expended by the Commission to implement or enforce any part of 10 C.F.R. Part 35, as adopted by the Commission on October 23, 2000, with respect to diagnostic nuclear medicine, except those parts which establish training and experience requirements for persons seeking licensing as authorized users, until such time as the Commission has reexamined 10 C.F.R. Part 35 and provided a report to the Congress which explains why the burden imposed by 10 C.F.R. Part 35 could not be further reduced.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $6,180,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $5,933,000 in fiscal year 2002 shall be retained and be available until expended, for necessary salaries and expenses in this account notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation estimated at not more than $247,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,100,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. The Secretary of the Army shall conduct and submit to Congress a study that examines the known and potential environmental effects of oil and gas drilling activity in the Great Lakes (including effects on the shorelines and water of the Great Lakes): Provided, That during the fiscal years 2002 and 2003, no Federal or State permit or lease shall be issued for new oil and gas slant, directional, or offshore drilling in or under one or more of the Great Lakes.

This Act may be cited as the ''Energy and Water Development Appropriations Act, 2002''.

And the Senate agree to the same.

SONNY CALLAHAN,
HAROLD ROGERS,
RODNEY P. FRELINGHUYSEN,
TOM LATHAM,
ROGER F. WICKER,
ZACH WAMP,
JO ANN EMERSON,
JOHN T. DOOLITTLE,
BILL YOUNG,
PETER J. VISCLOSKY,
ED PASTOR,
JAMES E. CLYBURN,
LUCILLE ROYBAL-ALLARD,
Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY CRAIG,
TED STEVENS,
HARRY REID,
ROBERT C. BYRD,
FRITZ HOLLINGS,
PATTY MURRAY,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
TOM HARKIN,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

The SPEAKER pro tempore, Mr. SIMPSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule

XX, announced that further proceedings on the conference report were postponed.

¶117.6 LEGISLATIVE BRANCH APPROPRIATIONS FY 2002

Mr. TAYLOR of North Carolina, pursuant to House Resolution 273, called up the following conference report (Rept. No. 107–259):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2647) ''making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 5.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—CONGRESSIONAL OPERATIONS

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $10,000; the President Pro Tempore of the Senate, $10,000; Majority Leader of the Senate, $10,000; Minority Leader of the Senate, $10,000; Majority Whip of the Senate, $5,000; Minority Whip of the Senate, $5,000; and Chairmen of the Majority and Minority Conference Committees, $3,000 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $3,000 for each Chairman; in all, $62,000.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $15,000 for each such Leader; in all, $30,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $104,039,000, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $1,867,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $473,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $2,868,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $1,912,000.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $9,875,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,250,000 for each such committee; in all, $2,500,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $618,000.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,275,000 for each such committee; in all, $2,550,000.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $301,000.

OFFICE OF THE SECRETARY

For Office of the Secretary, $15,424,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $39,082,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,350,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $25,219,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $4,306,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,109,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $3,000; Sergeant at Arms and Doorkeeper of the Senate, $3,000; Secretary for the Majority of the Senate, $3,000; Secretary for the Minority of the Senate, $3,000; in all, $12,000.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, as amended, section 112 of Public Law 96–304 and Senate Resolution 281, agreed to March 11, 1980, $107,264,000.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $520,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $8,571,000, of which $7,000,000 shall remain available until expended.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $95,904,000, of which $8,654,000 shall remain available until September 30, 2004, and of which $11,354,000 shall remain available until expended.

MISCELLANEOUS ITEMS

For miscellaneous items, $14,274,000, of which not more than $3,000,000 may be made available for mailings of postal patron postcards by Senators for the purpose of providing notice of a town meeting by a Senator in a county (or equivalent unit of local government) that the Senator will personally attend: Provided, That no funds for the purpose of such mailings shall be made available until the date of enactment of a statute authorizing the expenditure of funds for such purpose.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $270,494,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) Section 101(a) of the Supplemental Appropriations Act, 1977 (2 U.S.C. 61h–6(a)) is amended in the first sentence by striking ''four individual consultants'' and inserting ''six individual consultants'', and is amended in the second sentence by striking ''one consultant'' and inserting ''not more than two individual consultants''.

(b) This section shall apply with respect to fiscal year 2002 and each fiscal year thereafter.

SEC. 102. STUDENT LOAN REPAYMENT PROGRAM. (a) DEFINITIONS.—In this section:

(1) COMMITTEE.—The term ''Committee'' means the Committee on Rules and Administration of the Senate.

(2) ELIGIBLE EMPLOYEE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''eligible employee'' means an individual—

(i) who is an employee of the Senate; and

(ii) whose rate of pay as an employee of the Senate, on the date on which such eligibility is determined, does not exceed the rate of basic pay for an employee for a position at ES–1 of the Senior Executive Schedule as provided for in subchapter VIII of chapter 53 of title 5, United States Code (including any locality pay adjustment applicable to the Washington, D.C.-Baltimore Maryland consolidated metropolitan statistical area).

(3) EMPLOYEE OF THE SENATE.—The term ''employee of the Senate'' has the meaning given the term in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301).

(4) EMPLOYING OFFICE.—The term ''employing office'' means the employing office, as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), of an employee of the Senate.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Senate.

(6) STUDENT LOAN.—The term ''student loan'' means—

(A) a loan made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., or 1087aa et seq.); and

(B) a health education assistance loan made or insured under part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.), or under part E of title VIII of such Act (42 U.S.C. 297a et seq.).

(b) SENATE STUDENT LOAN REPAYMENT PROGRAM.—

(1) SERVICE AGREEMENTS.—

(A) IN GENERAL.—The head of an employing office and an eligible employee may enter into a written service agreement under which—

(i) the employing office shall agree to repay, by direct payments on behalf of the eligible employee, any student loan indebtedness of the eligible employee that is outstanding at the time the eligible employee and the employing office enter into the agreement, subject to this section; and

(ii) the eligible employee shall agree to complete the 1-year required period of employment described in subsection (c)(1) with the employing office in exchange for the student loan payments.

(B) CONTENTS OF SERVICE AGREEMENTS.—

(i) CONTENTS.—A service agreement under this paragraph shall contain—

(I) the start and end dates of the required period of employment covered by the agreement;

(II) the monthly amount of the student loan payments to be provided by the employing office;

(III) the employee's agreement to reimburse the Senate under the conditions set forth in subsection (d)(1);

(IV) disclosure of the program limitations provided for in subsection (d)(4) and paragraphs (2), (3), (6), and (7) of subsection (f);

(V) other terms to which the employing office and employee agree (such as terms relating to job responsibilities or job performance expectations); and

(VI) any other terms prescribed by the Secretary.

(ii) STANDARD SERVICE AGREEMENTS.—The Secretary shall establish standard service agreements for employing offices to use in carrying out this section.

(2) SUBMISSION OF AGREEMENTS.—On entering into a service agreement under this section, the employing office shall submit a copy of the service agreement to the Secretary.

(c) PROGRAM CONDITIONS.—

(1) PERIOD OF EMPLOYMENT.—The term of the required period of employment under a service agreement under this section shall be 1 year. On completion of the required period of employment under such a service agreement, the eligible employee and the employing office may enter into additional service agreements for successive 1-year periods of employment.

(2) AMOUNT OF PAYMENTS.—

(A) IN GENERAL.—The amount of student loan payments made under service agreements under this section on behalf of an eligible employee may not exceed—

(i) $500 in any month; or

(ii) a total of $40,000.

(B) PAYMENTS INCLUDED IN GROSS COMPENSATION LIMITATIONS.—Any student loan payment made under this section in any month may not result in the sum of the payment and the compensation of an employee for that month exceeding 1/12th of the applicable annual maximum gross compensation limitation under section 105(d)(2), (e), or (f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61–1(d)(2), (e), or (f)).

(3) TIMING OF PAYMENTS.—Student loan payments made under this section under a service agreement shall begin the first day of the pay period after the date on which the agreement is signed and received by the Secretary, and shall be made on a monthly basis.

(d) LOSS OF ELIGIBILITY FOR STUDENT LOAN PAYMENTS AND OBLIGATION TO REIMBURSE.—

(1) IN GENERAL.—An employee shall not be eligible for continued student loan payments under a service agreement under this section and (except in a case in which an employee's duty is terminated under paragraph (2) or an employing office assumes responsibilities under paragraph (3)) shall reimburse the Senate for the amount of all student loan payments made on behalf of the employee under the agreement, if, before the employee completes the required period of employment specified in the agreement—

(A) the employee voluntarily separates from service with the employing office;

(B) the employee engages in misconduct or does not maintain an acceptable level of performance, as determined by the head of the employing office; or

(C) the employee violates any condition of the agreement.

(2) TERMINATION OF AGREEMENT.—The duty of an eligible employee to fulfill the required period of employment under the service agreement shall be terminated if—

(A) funds are not made available to cover the cost of the student loan repayment program carried out under this section; or

(B) the employee and the head of the employing office involved mutually agree to terminate the service agreement under subsection (f)(7).

(3) ANOTHER EMPLOYING OFFICE.—An employing office who hires an eligible employee during a required period of employment under such a service agreement may assume the remaining obligations (as of the date of the hiring) of the employee's prior employing office under the agreement.

(4) FAILURE OF EMPLOYEE TO REIMBURSE.—If an eligible employee fails to reimburse the Senate for the amount owed under paragraph (1), such amount shall be collected—

(A) under section 104(c) of the Legislative Appropriation Act, 1977 (2 U.S.C. 60c–2a(c)) or section 5514 of title 5, United States Code, if the eligible employee is employed by any other office of the Senate or agency of the Federal Government; or

(B) under other applicable provisions of law if the eligible employee is not employed by any other office of the Senate or agency of the Federal Government.

(5) CREDITING OF AMOUNTS.—Any amount repaid by, or recovered from, an eligible employee under this section shall be credited to the subaccount for the employing office from which the amount involved was originally paid. Any amount so credited shall be merged with other sums in such subaccount for the employing office and shall be available for the same purposes, and subject to the same limitations (if any), as the sums with which such amount is merged.

(e) RECORDS AND REPORTS.—

(1) IN GENERAL.—Not later than January 1, 2003, and each January 1 thereafter, the Secretary shall prepare and submit to the Committee on Rules and Administration of the Senate and the Committee on Appropriations of the Senate, a report for the fiscal year preceding the fiscal year in which the report is submitted, that contains information specifying—

(A) the number of eligible employees that received student loan payments under this section; and

(B) the costs of such payments, including—

(i) the amount of such payments made for each eligible employee;

(ii) the amount of any reimbursement amounts for early separation from service or whether any waivers were provided with respect to such reimbursements; and

(iii) any other information determined to be relevant by the Committee on Rules and Administration of the Senate or the Committee on Appropriations of the Senate.

(2) CONFIDENTIALITY.—Such report shall not include any information which is considered confidential or could disclose the identify of individual employees or employing offices. Information required to be contained in the report of the Secretary under section 105(a) of the Legislative Branch Act, 1965 (2 U.S.C. 104a) shall not be considered to be personal information for purposes of this paragraph.

(f) OTHER ADMINISTRATIVE MATTERS.—

(1) ACCOUNT.—

(A) IN GENERAL.—The Secretary shall establish and maintain a central account from which student loan payments available under this section shall be paid on behalf of eligible employees.

(B) OFFICE SUBACCOUNTS.—The Secretary shall ensure that, within the account established under subparagraph (A), a separate subaccount is established for each employing office to be used by each such office to make student loan payments under this section. Such student loan payments shall be made from any funds available to the employing office for student loan payments that are contained in the subaccount for the office.

(C) LIMITATION.—Amounts in each subaccount established under this paragraph shall not be made available for any purpose other than to make student loan payments under this section.

(2) BEGINNING OF PAYMENTS.—Student loan payments may begin under this section with respect to an eligible employee upon—

(A) the receipt by the Secretary of a signed service agreement; and

(B) verification by the Secretary with the holder of the loan that the eligible employee has an outstanding student loan balance that qualifies for payment under this section.

(3) LIMITATION.—Student loan payments may be made under this section only with respect to the amount of student loan indebtedness of the eligible employee that is outstanding on the date on which the employee and the employing office enter into a service agreement under this section. Such payments may not be made under this section on a student loan that is in default or arrears.

(4) PAYMENT ON MULTIPLE LOANS.—Student loan payments may be made under this section with respect to more than 1 student loan of an eligible employee at the same time or separately, if the total payments on behalf of such employee do not exceed the limits under subsection (c)(2)(A).

(5) TREATMENT OF PAYMENTS.—Student loan payments made on behalf of an eligible employee under this section shall be in addition to any basic pay and other forms of compensation otherwise payable to the eligible employee, and shall be subject to withholding for income and employment tax obligations as provided for by law.

(6) NO RELIEF FROM LIABILITY.—An agreement to make student loan payments under this section shall not exempt an eligible employee from the responsibility or liability of the employee with respect to the loan involved and the eligible employee shall continue to be responsible for making student loan payments on the portion of any loan that is not covered under the terms of the service agreement.

(7) REDUCTION IN PAYMENTS.—Notwithstanding the terms of a service agreement under this section, the head of an employing office may reduce the amount of student loan payments made under the agreement if adequate funds are not available to such office. If the head of the employing office decides to reduce the amount of student loan payments for an eligible employee, the head of the office and the employee may mutually agree to terminate the service agreement.

(8) NO RIGHT TO CONTINUED EMPLOYMENT.—A service agreement under this section shall not be construed to create a right to, promise of, or entitlement to the continued employment of the eligible employee.

(9) NO ENTITLEMENT.—A student loan payment under this section shall not be construed to be an entitlement for any eligible employee.

(10) TREATMENT OF PAYMENTS.—A student loan payment under this section—

(A) shall not be basic pay of an employee for purposes of chapters 83 and 84 of title 5, United States Code (relating to retirement) and chapter 87 of such title (relating to life insurance coverage); and

(B) shall not be included in Federal wages for purposes of chapter 85 of such title (relating to unemployment compensation).

(g) ALLOCATION OF FUNDS.—

(1) MAXIMUM AMOUNT.—In this subsection, the term ''maximum amount'', used with respect to a fiscal year, means—

(A) in the case of an employing office described in subsection (i)(1)(A), the amount described in that subsection for that fiscal year; and

(B) in the case of an employing office described in subsection (i)(1)(B), the amount described in that subsection for that fiscal year.

(2) ALLOCATION.—From the total amount made available to carry out this section for a fiscal year, there shall be allocated to each employing office for that fiscal year—

(A) the maximum amount for that employing office for that fiscal year; or

(B) if the total amount is not sufficient to provide the maximum amount to each employing office, an amount that bears the same relationship to the total amount as the maximum amount for that employing office for that fiscal year bears to the total of the maximum amounts for all employing offices for that fiscal year.

(3) APPORTIONMENT.—In the case of an employing office that is a Committee of the Senate, the funds allocated under this subsection shall be apportioned between the majority and minority staff of the committee in the same manner as amounts are apportioned between the staffs for salaries.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated (or otherwise made available from appropriations) to carry out this section the following amounts for each fiscal year:

(A) For each employing office that is the personal office of a Senator, an amount equal to 2 percent of the total sums appropriated for the fiscal year involved for administrative and clerical salaries for such office.

(B) For each other employing office, an amount equal to 2 percent of the total sums appropriated for the fiscal year involved for salaries for such office.

(2) LIMITATION.—Amounts provided under this section shall be subject to annual appropriations.

(i) EFFECTIVE DATE.—This section shall apply to fiscal year 2002 and each fiscal year thereafter.

SEC. 103. (a) Agency contributions for employees whose salaries are disbursed by the Secretary of the Senate from the appropriations account ''Expenses of the United States Senate Caucus on International Narcotics Control'' under the heading ''Congressional Operations'' shall be paid from the Senate appropriations account for ''Salaries, Officers and Employees''.

(b) This section shall apply to pay periods beginning on or after October 1, 2001.

SEC. 104. (a) Section 5(a) under the subheading ''ADMINISTRATIVE PROVISIONS'' under the heading ''SENATE'' under title I of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 58a note) is amended by striking ''invoice ends'' and inserting ''invoice begins''.

(b) The amendment made by subsection (a) shall take effect on October 1, 2001, and shall apply to base service periods beginning on or after that date.

SEC. 105. (a) Section 120 of Public Law 97–51 (2 U.S.C. 61g–6) is amended in the first sentence by striking ''$75,000'' and inserting ''$100,000''.

(b) This section shall apply with respect to fiscal year 2002 and each fiscal year thereafter.

SEC. 106. Effective on and after October 1, 2001, each of the dollar amounts contained in the table under section 105(d)(1)(A) of the Legislative Branch Appropriations Act, 1968 (2 U.S.C. 61–1(d)(1)(A)) shall be deemed to be the dollar amounts in that table, as adjusted by law and in effect on September 30, 2001, increased by an additional $50,000 each.

SEC. 107. TRANSFERS FROM SENATE GIFT SHOP TO PRESERVATION FUND. (a) IN GENERAL.—Section 2(c) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 121d(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) The Secretary of the Senate may transfer from the fund to the Capitol Preservation Fund the net profits (as determined by the Secretary) from sales of items by the Senate Gift Shop which are intended to benefit the Capitol Visitor Center.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning before, on, or after the date of enactment of this Act.

SEC. 108. PROVISIONS RELATING TO SENATE COMMISSION ON ART. (a) MAINTENANCE OF OLD SUPREME COURT CHAMBER.—Section 3 of Senate Resolution 382 (90th Congress) (40 U.S.C. 188b–2) is amended by striking ''insofar as it'' and inserting ''and of the Old Supreme Court Chamber insofar as each''.

(b) TECHNICAL AMENDMENTS.—Section 5 of Senate Resolution 382 (90th Congress) (40 U.S.C. 188b–4) is amended—

(1) by striking ''the sum of $15,000 each fiscal year,'' and inserting ''such amount as may be necessary each fiscal year,''; and

(2) by striking ''the Chairman or Vice Chairman of the Commission'' and inserting ''the Executive Secretary of the Commission and approved by the Committee on Rules and Administration of the Senate''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal year 2002 and all succeeding fiscal years.

SEC. 109. PROCUREMENT OF TEMPORARY HELP. (a) IN GENERAL.—(1) Subject to regulations that the Committee on Rules and Administration of the Senate may prescribe, the Secretary of the Senate and the Sergeant at Arms and Doorkeeper of the Senate may procure temporary help services from a private sector source that offers such services. Each procurement of services under this subsection shall be for no longer than 30 days.

(2) A person performing services procured under paragraph (1) shall not, during the period of the performance of the services, be an employee of the United States or be considered to be an employee of the United States for any purpose.

(b) This section shall take effect on October 1, 2001, and shall apply in fiscal year 2002 and successive fiscal years.

SEC. 110. Section 311(d) of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 59e(d)) is amended in the matter preceding paragraph (1) by inserting ''in the House, or official expenses for franked mail, employee salaries, office space, furniture, or equipment and any associated information technology services (excluding handheld communications devices) in the Senate'' after ''expenses''.

SEC. 111. The amount available to the Committee on Rules and Administration for expenses under section 14(c) of Senate Resolution 54, agreed to March 8, 2001, is increased by $150,000.

SEC. 112. TRANSPORTATION SUBSIDY FOR EMPLOYEES OF THE SENATE.

(a) DEFINITIONS.—In this section, the term—

(1) ''employee of the Senate''—

(A) means any employee whose pay is disbursed by the Secretary of the Senate; and

(B) does not include a member or civilian employee of the Capitol Police; and

(2) ''employing office'' means the employing office, as defined under section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), of an employee of the Senate.

(b) TRANSPORTATION SUBSIDY.—An employing office may provide a monthly transportation subsidy to an employee of the Senate up to the maximum monthly amount authorized under section 132(f)(2)(A) of the Internal Revenue Code of 1986.

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Deborah Williams Spence, Floyd D. Spence Jr., Zacheriah W. Spence, Benjamin G. Spence and Caldwell D. Spence, widow and children of Floyd Spence, late a Representative from the State of South Carolina, $145,100.

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $878,050,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $15,910,000, including: Office of the Speaker, $1,866,000, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $1,830,000, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $2,224,000, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,562,000, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,168,000, including $5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, $431,000; Republican Steering Committee, $806,000; Republican Conference, $1,342,000; Democratic Steering and Policy Committee, $1,435,000; Democratic Caucus, $713,000; nine minority employees, $1,293,000; training and program development—majority, $290,000; training and program development—minority, $290,000; Cloakroom Personnel—majority, $330,000; and Cloakroom Personnel—minority, $330,000.

MEMBERS' REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $479,472,000.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $104,514,000: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2002.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $23,002,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2002.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $101,766,000, including: for salaries and expenses of the Office of the Clerk, including not more than $11,000, of which not more than $10,000 is for the Family Room, for official representation and reception expenses, $15,408,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than $750 for official representation and reception expenses, $4,139,000; for salaries and expenses of the Office of the Chief Administrative Officer, $67,495,000, of which $3,525,000 shall remain available until expended, including $31,510,000 for salaries, expenses and temporary personal services of House Information Resources, of which $31,390,000 is provided herein: Provided, That of the amount provided for House Information Resources, $8,656,000 shall be for net expenses of telecommunications: Provided further, That House Information Resources is authorized to receive reimbursement from Members of the House of Representatives and other governmental entities for services provided and such reimbursement shall be deposited in the Treasury for credit to this account; for salaries and expenses of the Office of the Inspector General, $3,756,000; for salaries and expenses of the Office of General Counsel, $894,000; for the Office of the Chaplain, $144,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian and $2,000 for preparing the Digest of Rules, $1,344,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $2,107,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $5,456,000; for salaries and expenses of the Corrections Calendar Office, $883,000; and for other authorized employees, $140,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $157,436,000, including: supplies, materials, administrative costs and Federal tort claims, $3,379,000; official mail for committees, leadership offices, and administrative offices of the House, $410,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $152,957,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $690,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative

Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 113. (a) Effective October 1, 2001, the following four majority positions shall be transferred from the Clerk to the Speaker:

(1) The position of chief of floor service.

(2) Two positions of assistant floor chief.

(3) One position of cloakroom attendant.

(b) Effective October 1, 2001, the following four minority positions shall be transferred from the Clerk to the minority leader:

(1) The position of chief of floor service.

(2) Two positions of assistant floor chief.

(3) One position of cloakroom attendant.

(c) Notwithstanding any other provision of law, in the case of an individual who is an incumbent of a position transferred under subsection (a) or subsection (b) at the time of the transfer, the total number of days of annual leave and the total number of days of sick leave which were provided by the Clerk to the individual and which remain unused as of the date of the transfer shall remain available for the individual to use after the transfer.

SEC. 114. (a) The third sentence of section 104(a)(1) of the Legislative Branch Appropriations Act, 1987 (as incorporated by reference in section 101(j) of Public Law 99–500 and Public Law 99–591) (2 U.S.C. 117e(1)) is amended by striking ''for credit to the appropriate account'' and all that follows and inserting the following: ''for credit to the appropriate account of the House of Representatives, and shall be available for expenditure in accordance with applicable law. For purposes of the previous sentence, in the case of receipts from the sale or disposal of any audio or video transcripts prepared by the House Recording Studio, the 'appropriate account of the House of Representatives' shall be the account of the Chief Administrative Officer of the House of Representatives.''.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

SEC. 115. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES'' shall be available only for fiscal year 2002. Any amount remaining after all payments are made under such allowances for fiscal year 2002 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

SEC. 116. (a) DAY FOR PAYING SALARIES OF THE HOUSE OF REPRESENTATIVES.—The usual day for paying salaries in or under the House of Representatives shall be the last day of each month, except that if the last day of a month falls on a Saturday, Sunday, or a legal public holiday, the Chief Administrative Officer of the House of Representatives shall pay such salaries on the first weekday which precedes the last day.

(b) CONFORMING AMENDMENT.—(1) The first section and section 2 of the Joint Resolution entitled ''Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December on the 20th day of that month each year'', approved May 21, 1937 (2 U.S.C. 60d and 60e), are each repealed.

(2) The last paragraph under the heading ''Contingent Expense of the House'' in the First Deficiency Appropriation Act, 1946 (2 U.S.C. 60e–1), is repealed.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to pay periods beginning after the expiration of the 1-year period which begins on the date of the enactment of this Act.

SEC. 117. (a) The aggregate amount otherwise authorized to be appropriated for a fiscal year for the lump-sum allowance for the Office of the Speaker of the House of Representatives shall be increased by $40,000.

(b) This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

SEC. 118. (a) Effective with respect to fiscal year 2002 and each succeeding fiscal year, there are hereby established 2 additional positions in each of the following offices of the House of Representatives:

(1) The Office of the Clerk.

(2) The Office of the Chief Administrative Officer.

(3) The Office of the Sergeant at Arms.

(b) The duty of the personnel appointed to a position established under this section shall be to ensure the continuity of the operations of the House of Representatives during periods of emergency, in accordance with the direction of the head of the office in which the position is established.

(c) The annual rate of pay provided for a position established under this section shall be determined by the head of the office in which the position is established.

(d) Notwithstanding any other provision of law, the head of the office in which a position is established under this section shall have the exclusive authority to appoint personnel to such a position.

SEC. 119. (a) Section 408 of the Congressional Accountability Act of 1995 (2 U.S.C. 1408) is amended by adding at the end the following new subsection:

''(d) APPEARANCES BY HOUSE EMPLOYMENT COUNSEL.—

''(1) IN GENERAL.—The House Employment Counsel of the House of Representatives and any other counsel in the Office of House Employment Counsel of the House of Representatives, including any counsel specially retained by the Office of House Employment Counsel, shall be entitled, for the purpose of providing legal assistance and representation to employing offices of the House of Representatives under this Act, to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof without compliance with any requirements for admission to practice before such court, except that the authorization conferred by this paragraph shall not apply with respect to the admission of any such person to practice before the United States Supreme Court.

''(2) HOUSE EMPLOYMENT COUNSEL DEFINED.—In this subsection, the term 'Office of House Employment Counsel of the House of Representatives' means—

''(A) the Office of House Employment Counsel established and operating under the authority of the Clerk of the House of Representatives as of the date of the enactment of this subsection;

''(B) any successor office to the Office of House Employment Counsel which is established after the date of the enactment of this subsection; and

''(C) any other person authorized and directed in accordance with the Rules of the House of Representatives to provide legal assistance and representation to employing offices of the House of Representatives in connection with actions brought under this title.''.

(b) The amendment made by this section shall apply with respect to proceedings occurring on or after the date of the enactment of this Act.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $3,424,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $6,733,000, to be disbursed by the Chief Administrative Officer of the House.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of $1,500 per month to the Attending Physician; (2) an allowance of $500 per month each to three medical officers while on duty in the Office of the Attending Physician; (3) an allowance of $500 per month to two assistants and $400 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (4) $1,253,904 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $1,865,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

For the Capitol Police Board for salaries of officers, members, and employees of the Capitol Police, including overtime, hazardous duty pay differential, clothing allowance of not more than $600 each for members required to wear civilian attire, and Government contributions for health, retirement, Social Security, and other applicable employee benefits, $113,044,000, of which $55,239,000 is provided to the Sergeant at Arms of the House of Representatives, to be disbursed by the Chief Administrative Officer of the House, and $57,805,000 is provided to the Sergeant at Arms and Doorkeeper of the Senate, to be disbursed by the Secretary of the Senate: Provided, That, of the amounts appropriated under this heading, such amounts as may be necessary may be transferred between the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate, upon approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

GENERAL EXPENSES

For the Capitol Police Board for necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, not more than $2,000 for the awards program, postage, telephone service, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and $85 per month for extra services performed for the Capitol Police Board by an employee of the Sergeant at Arms and Doorkeeper of the Senate or the Sergeant at Arms of the House of Representatives designated by the Chairman of the Board, $13,146,000, to be disbursed by the Capitol Police Board or their delegee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2002 shall be paid by the Secretary of the Treasury from funds available to the Department of the Treasury.

ADMINISTRATIVE PROVISIONS

SEC. 120. Amounts appropriated for fiscal year 2002 for the Capitol Police Board for the Capitol

Police may be transferred between the headings ''SALARIES'' and ''GENERAL EXPENSES'' upon the approval of—

(1) the Committee on Appropriations of the House of Representatives, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms of the House of Representatives under the heading ''SALARIES'';

(2) the Committee on Appropriations of the Senate, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms and Doorkeeper of the Senate under the heading ''SALARIES''; and

(3) the Committees on Appropriations of the Senate and the House of Representatives, in the case of other transfers.

SEC. 121. At any time on or after the date of the enactment of this Act, the United States Capitol Police may accept contributions of meals and refreshments in support of activities of the United States Capitol Police during a period of emergency (as determined by the Capitol Police Board).

SEC. 122. (a) Section 108(a)(4) of the Legislative Branch Appropriations Act, 2001, as amended by section 507(a) of the Department of Transportation and Related Agencies Appropriations Act, 2001 (as enacted into law by reference in section 101(a) of Public Law 106–346), is amended by striking ''the Capitol Police Board'' and all that follows and inserting the following: ''the Chief of the Capitol Police, but not to exceed $1,000 less than the annual rate of pay for the Chief of the Capitol Police.''.

(b) The amendment made by subsection (a) shall apply with respect to pay periods beginning on or after October 1, 2001.

SEC. 123. Any obligation or expenditure of funds made prior to the date of enactment of this Act by the House of Representatives or the Capitol Police Board for meals, refreshments, and other support and maintenance in response to a biological or other threat made after September 11, 2001 shall be deemed to have been made in compliance with sections 1301 and 1341 of title 31, United States Code.

SEC. 124. At any time on or after the date of enactment of this Act, the Capitol Police Board may incur obligations and make expenditures out of available appropriations for meals, refreshments and other support and maintenance for the Capitol Police when, in the judgment of the Capitol Police Board, such obligations and expenditures are necessary to respond to emergencies involving the safety of human life or the protection of property.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

For salaries and expenses of the Capitol Guide Service and Special Services Office, $2,512,000, to be disbursed by the Secretary of the Senate: Provided, That no part of such amount may be used to employ more than 43 individuals: Provided further, That the Capitol Guide Board is authorized, during emergencies, to employ not more than two additional individuals for not more than 120 days each, and not more than 10 additional individuals for not more than 6 months each, for the Capitol Guide Service.

STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the first session of the One Hundred Seventh Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, $30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $2,059,000, of which $254,000 shall remain available until September 30, 2003.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the provisions of the Congressional Budget Act of 1974 (Public Law 93–344), including not more than $3,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $30,780,000: Provided, That no part of such amount may be used for the purchase or hire of a passenger motor vehicle.

ADMINISTRATIVE PROVISIONS

SEC. 125. (a) The Director of the Congressional Budget Office may, by regulation, make applicable such provisions of chapter 41 of title 5, United States Code, as the Director determines necessary to provide hereafter for training of individuals employed by the Congressional Budget Office.

(b) The implementing regulations shall provide for training that, in the determination of the Director, is consistent with the training provided by agencies subject to chapter 41 of title 5, United States Code.

(c) Any recovery of debt owed to the Congressional Budget Office under this section and its implementing regulations shall be credited to the appropriations account available for salaries and expenses of the Office at the time of recovery.

(d) This section shall apply to fiscal year 2002 and each fiscal year thereafter.

SEC. 126. Section 105(a) of the Legislative Branch Appropriations Act, 1997 (2 U.S.C. 606(a)), is amended by striking ''or discarding.'' and inserting ''sale, trade-in, or discarding.'', and by adding at the end the following: ''Amounts received for the sale or trade-in of personal property shall be credited to funds available for the operations of the Congressional Budget Office and be available for the costs of acquiring the same or similar property. Such funds shall be available for such purposes during the fiscal year in which received and the following fiscal year.''.

SEC. 127. (a) The Director of the Congressional Budget Office may, in order to recruit or retain qualified personnel, establish and maintain hereafter a program under which the Office may agree to repay (by direct payments on behalf of the employee) all or a portion of any student loan previously taken out by such employee.

(b) The Director may, by regulation, make applicable such provisions of section 5379 of title 5, United States Code as the Director determines necessary to provide for such program.

(c) The regulations shall provide the amount paid by the Office may not exceed—

(1) $6,000 for any employee in any calendar year; or

(2) a total of $40,000 in the case of any employee.

(d) The Office may not reimburse an employee for any repayments made by such employee prior to the Office entering into an agreement under this section with such employee.

(e) Any amount repaid by, or recovered from, an individual under this section and its implementing regulations shall be credited to the appropriation account available for salaries and expenses of the Office at the time of repayment or recovery.

(f) This section shall apply to fiscal year 2002 and each fiscal year thereafter.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For salaries for the Architect of the Capitol, the Assistant Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $1,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle; and not to exceed $20,000 for attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol, $51,371,000, of which $3,026,000 shall remain available until September 30, 2006.

CAPITOL BUILDINGS

For all necessary expenses for the maintenance, care and operation of the Capitol, $15,194,000, of which $3,080,000 shall remain available until September 30, 2006.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $6,009,000.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $42,126,000, of which $3,760,000 shall remain available until September 30, 2006.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $54,006,000, of which $23,344,000 shall remain available until September 30, 2006.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $52,583,000, of which $8,013,000 shall remain available until September 30, 2006: Provided, That not more than $4,400,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2002.

ADMINISTRATIVE PROVISIONS

SEC. 128. ACQUISITION OF PROPERTY BY ARCHITECT OF THE CAPITOL.—Notwithstanding any other provision of law and subject to the availability of appropriations, the Architect of the Capitol is authorized to secure, through multiyear rental, lease, or other appropriate agreement, the property located at 67 K Street, S.W., Washington, D.C., for use of Legislative Branch agencies, and to incur any necessary incidental expenses including maintenance, alterations, and repairs in connection therewith: Provided, That in connection with the property referred to under the preceding proviso, the Architect of the Capitol is authorized to expend funds appropriated to the Architect of the Capitol for the purpose of the operations and support of Legislative Branch agencies, including the United States Capitol Police, as may be required for that purpose.

SEC. 129. (a) COMPENSATION OF ARCHITECT OF THE CAPITOL.—Section 203(c) of the Federal Legislative Salary Act of 1964 (40 U.S.C. 162a) is amended by striking ''the annual rate of basic pay'' and all that follows and inserting the following: ''the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate.''.

(b) COMPENSATION OF ASSISTANT ARCHITECT OF THE CAPITOL.—Pursuant to the authority described in section 308(a) of the Legislative Branch Appropriations Act, 1988 (40 U.S.C. 166b–3a(a)), the pay for the position of assistant referred to in the proviso in the first undesignated paragraph under the center subheadings ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' and ''SALARIES'' in the first section of the Legislative Branch Appropriation Act, 1971 (40 U.S.C. 164a) shall be an amount equal to $1,000 less than the annual rate of pay for the Architect of the Capitol.

(c) COMPENSATION FOR CERTAIN OTHER POSITIONS.—

(1) IN GENERAL.—In accordance with the authority described in section 308(a) of the Legislative Branch Appropriations Act, 1988 (40 U.S.C. 166b–3a(a)), section 108 of the Legislative Branch Appropriations Act, 1991 (40 U.S.C. 166b–3b) is amended—

(A) by striking subsections (a) and (b) and inserting the following:

''(a) The Architect of the Capitol may fix the rate of basic pay for not more than 12 positions at a rate not to exceed the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5, United States Code, for the locality involved.''; and

(B) by redesignating subsection (c) as subsection (b).

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to pay periods beginning on or after the expiration of the 21-day period which begins on the date the Architect of the Capitol submits to the Committees on Appropriations of the House of Representatives and Senate a list containing the 12 positions for which the Architect will fix the rate of basic pay under the amendment, the rate of basic pay for each such position, and the job description for each such position.

(d) COMPREHENSIVE MANAGEMENT STUDY AND RESPONSE.—

(1) STUDY BY COMPTROLLER GENERAL.—Not later than November 1, 2002, the Comptroller General shall conduct a comprehensive management study of the operations of the Architect of the Capitol, and submit the study to the Architect of the Capitol and the Committees on Appropriations of the House of Representatives and Senate.

(2) PLAN BY ARCHITECT IN RESPONSE.—After the Comptroller General submits the study conducted under paragraph (1) to the Committees referred to in such paragraph, the Architect of the Capitol shall develop and submit to such Committees a management improvement plan which addresses the study and which indicates how the personnel for whom the Architect fixes the rate of basic pay under the amendment made by subsection (c)(1) will support such plan.

(e) EFFECTIVE DATE.—Except as provided in subsections (c)(2) and (d), this section and the amendments made by this section shall apply with respect to pay periods beginning on or after October 1, 2001.

SEC. 130. (a) LIQUIDATED DAMAGES.—The Architect of the Capitol may not enter into or administer any construction contract with a value greater than $50,000 unless the contract includes a provision requiring the payment of liquidated damages in the amount determined under subsection (b) in the event that completion of the project is delayed because of the contractor.

(b) AMOUNT OF PAYMENT.—The amount of payment required under a liquidated damages provision described in subsection (a) shall be equal to the product of—

(1) the daily liquidated damage payment rate; and

(2) the number of days by which the completion of the project is delayed.

(c) DAILY LIQUIDATED DAMAGE PAYMENT RATE.—

(1) IN GENERAL.—In subsection (b), the ''daily liquidated damage payment rate'' means—

(A) $140, in the case of a contract with a value greater than $50,000 and less than $100,000;

(B) $200, in the case of a contract with a value equal to or greater than $100,000 and equal to or less than $500,000; and

(C) the sum of $200 plus $50 for each $100,000 increment by which the value of the contract exceeds $500,000, in the case of a contract with a value greater than $500,000.

(2) ADJUSTMENT IN RATE PERMITTED.—Notwithstanding paragraph (1), the daily liquidated damage payment rate may be adjusted by the contracting officer involved to a rate greater or lesser than the rate described in such paragraph if the contracting officer makes a written determination that the rate described does not accurately reflect the anticipated damages which will be suffered by the United States as a result of the delay in the completion of the contract.

(d) EFFECTIVE DATE.—This section shall apply with respect to contracts entered into during fiscal year 2002 or any succeeding fiscal year.

SEC. 131. NOTWITHSTANDING ANY OTHER PROVISION OF LAW: (A) SECTION 3709 OF THE REVISED STATUTES (41 U.S.C. 5) SHALL APPLY WITH RESPECT TO PURCHASES AND CONTRACTS FOR THE ARCHITECT OF THE CAPITOL AS IF THE REFERENCE TO '$25,000' IN CLAUSE 1 OF SUCH SECTION WERE A REFERENCE TO '$100,000' AND (B) THE ARCHITECT MAY PROCURE SERVICES, EQUIPMENT, AND CONSTRUCTION FOR SECURITY RELATED PROJECTS IN THE MOST EFFICIENT MANNER HE DETERMINES APPROPRIATE.

SEC. 132. ACCOUNTING AND FINANCIAL MANAGEMENT SYSTEM. The Architect of the Capitol shall develop and maintain an accounting and financial management system, including financial reporting and internal controls, which—

(1) complies with applicable federal accounting principles, standards, and requirements, and internal control standards;

(2) complies with any other requirements applicable to such systems; and

(3) provides for—

(A) complete, reliable, consistent, and timely information which is prepared on a uniform basis and which is responsive to financial information needs of the Architect of the Capitol;

(B) the development and reporting of cost information;

(C) the integration of accounting and budgeting information; and

(D) the systematic measurement of performance.

SEC. 133. (a) LIMITATION.—(1) Except as provided in paragraph (2), none of the funds provided by this Act or any other Act may be used by the Architect of the Capitol after the expiration of the 90-day period which begins on the date of the enactment of this Act to employ any individual as a temporary employee within a category of temporary employment which does not provide employees with the same eligibility for life insurance, health insurance, retirement, and other benefits which is provided to temporary employees who are hired for a period exceeding 1 year in length.

(2) Paragraph (1) shall not apply with respect to any of the following individuals:

(A) An individual who is employed under the Architect of the Capitol Summer Employment Program.

(B) An individual who is hired for a total of 120 days or less during any 5-year period (excluding any days in which the individual is employed under the Architect of the Capitol Summer Employment Program).

(C) An individual employed by the Architect of the Capitol as a temporary employee as of the date of the enactment of this Act who exercises in writing, not later than 90 days after such date, an option offered by the Architect to remain under the pay system (including benefits) provided for the individual as of such date.

(D) An individual who becomes employed by the Architect of the Capitol after the date of the enactment of this Act who exercises in writing, prior to the individual's employment, an option offered by the Architect to receive pay and benefits under an alternative system which does not provide the benefits described in paragraph (1), except that under such an option the Architect shall be required to provide the individual with the benefits described in paragraph (1) as soon as the individual's period of service as a temporary employee exceeds 1 year in length.

(3) Nothing in this subsection may be construed to require the Architect of the Capitol to provide duplicative benefits for any employee.

(b) ALLOTMENT AND ASSIGNMENT OF PAY.—(1) Section 5525 of title 5, United States Code, is amended by adding at the end the following new sentence: ''For purposes of this section, the term 'agency' includes the Office of the Architect of the Capitol.''.

(2) The amendment made by paragraph (1) shall apply with respect to pay periods beginning on or after the date of the enactment of this Act.

SEC. 134. CONGRESSIONAL AWARD YOUTH PARK.

(a) DESIGNATION.—The parcel of approximately 5 acres of land located on the Capitol Grounds and described in subsection (b) shall be known and designated as the ''Congressional Award Youth Park''.

(b) AREA INCLUDED.—

(1) IN GENERAL.—The parcel of land described in subsection (a) is—

(A) bounded on the north by Constitution Avenue, N.W.;

(B) bounded on the east by First Street, N.W.;

(C) bounded on the south by Pennsylvania Avenue, N.W.; and

(D) bounded on the west by Third Street N.W.

(2) EXTENSION.—The park shall extend to the curbs of the streets described in paragraph (1).

(c) DESIGN.—

(1) COMPETITION.—The Architect of the Capitol shall sponsor a competition for the design of the park, based on specifications developed by the Architect.

(2) SPECIFICATIONS.—

(A) IN GENERAL.—Not later than June 30, 2002, the Architect, in consultation with the majority leader and the minority leader of the Senate, and the Speaker and the minority leader of the House of Representatives, shall develop the specifications for the park.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The specifications shall require an outdoor design that is accessible to the public.

(ii) INCLUSIONS.—To the maximum extent practicable, the specifications shall include requirements for—

(I) a fountain;

(II) extensive use of trees and flowering plants from each of the 50 States;

(III) large-scale replicas of the medals awarded under the Congressional Award Program; and

(IV) the inscription of the names of all Congressional Award recipients.

(3) SELECTION.—

(A) IN GENERAL.—As soon as practicable after the competition is completed, the Architect shall forward at least 3 designs, with recommendations, to the United States Capitol Preservation Commission.

(B) FINAL SELECTION.—The United States Capitol Preservation Commission shall select and approve the final design from among the 3 designs submitted under subparagraph (A).

(d) FUNDING.—Funds otherwise made available to the Architect of the Capitol under this Act shall be available to carry out this section.

SEC. 135. LIMITATION ON CERTAIN GIFTS AND EXPENDITURES RELATING TO THE NATIONAL GAR-

DEN. Section 201 of the Legislative Branch Appropriations Act, 1993 (40 U.S.C. 216c note) is amended by striking ''$14,500,000'' each place it appears and inserting ''$16,500,000''.

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $81,454,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $81,000,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

This title may be cited as the ''Congressional Operations Appropriations Act, 2002''.

TITLE II—OTHER AGENCIES

BOTANIC GARDEN

SALARIES AND EXPENSES

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $5,646,000: Provided, That this appropriation shall not be available for any activities of the National Garden.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Union Catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $306,692,000, of which not more than $6,500,000 shall be derived from collections credited to this appropriation during fiscal year 2002, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2002 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than the $6,850,000: Provided further, That of the total amount appropriated, $15,824,474 is to remain available until expended for acquisition of books, periodicals, newspapers, and all other materials including subscriptions for bibliographic services for the Library, including $40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: Provided further, That of the total amount appropriated, $1,517,903 is to remain available until expended for the acquisition and partial support for implementation of an Integrated Library System (ILS): Provided further, That of the total amount appropriated, $7,100,000 is to remain available until expended for the purpose of teaching educators how to incorporate the Library's digital collections into school curricula and shall be transferred to the educational consortium formed to conduct the ''Joining Hands Across America: Local Community Initiative'' project as approved by the Library: Provided further, That of the amount appropriated, $500,000 shall be transferred to the Abraham Lincoln Bicentennial Commission to remain available until expended for carrying out the purposes of Public Law 106–173, of which amount $3,000 may be used for official representation and reception expenses of the Abraham Lincoln Bicentennial Commission.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, $40,896,000, of which not more than $21,880,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2002 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than $5,984,000 shall be derived from collections during fiscal year 2002 under sections 111(d)(2), 119(b)(2), 802(h), and 1005 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than $27,864,000: Provided further, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than $4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $49,788,000, of which $14,437,000 shall remain available until expended.

FURNITURE AND FURNISHINGS

For necessary expenses for the purchase, installation, maintenance, and repair of furniture, furnishings, office and library equipment, $7,932,000.

ADMINISTRATIVE PROVISIONS

SEC. 201. Appropriations in this Act available to the Library of Congress shall be available, in an amount of not more than $300,000, of which $75,000 is for the Congressional Research Service, when specifically authorized by the Librarian of Congress, for attendance at meetings concerned with the function or activity for which the appropriation is made.

SEC. 202. (a) No part of the funds appropriated in this Act shall be used by the Library of Congress to administer any flexible or compressed work schedule which—

(1) applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15; and

(2) grants such manager or supervisor the right to not be at work for all or a portion of a workday because of time worked by the manager or supervisor on another workday.

(b) For purposes of this section, the term ''manager or supervisor'' means any management official or supervisor, as such terms are defined in section 7103(a)(10) and (11) of title 5, United States Code.

SEC. 203. Appropriated funds received by the Library of Congress from other Federal agencies to cover general and administrative overhead costs generated by performing reimbursable work for other agencies under the authority of sections 1535 and 1536 of title 31, United States Code, shall not be used to employ more than 65 employees and may be expended or obligated—

(1) in the case of a reimbursement, only to such extent or in such amounts as are provided in appropriations Acts; or

(2) in the case of an advance payment, only—

(A) to pay for such general or administrative overhead costs as are attributable to the work performed for such agency; or

(B) to such extent or in such amounts as are provided in appropriations Acts, with respect to any purpose not allowable under subparagraph (A).

SEC. 204. Of the amounts appropriated to the Library of Congress in this Act, not more than $5,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the incentive awards program.

SEC. 205. Of the amount appropriated to the Library of Congress in this Act, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices.

SEC. 206. (a) For fiscal year 2002, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $114,473,000.

(b) The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) For fiscal year 2002, the Librarian of Congress may temporarily transfer funds appro-

priated in this Act under the heading ''LIBRARY OF CONGRESS—SALARIES AND EXPENSES'' to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182c): Provided, That the total amount of such transfers may not exceed $1,900,000: Provided further, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

SEC. 207. Section 101 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182a) is amended—

*(1) in the heading, by striking ''**AUDIO AND VIDEO**''; and*

(2) in subsection (a), by striking ''audio and video''.

SEC. 208. (a) Section 102(a) of the Library of Congress Fiscal Operations Improvement Act of 2000 (2 U.S.C. 182b(a)) is amended by adding at the end the following new paragraph:

''(4) Special events and programs.''.

(b) The amendment made by subsection (a) shall take effect upon the date on which the Committees on Appropriations of the House of Representatives and Senate approve a report submitted to the Committees by the Librarian of Congress which describes the guidelines and policies applicable to the hosting of special events and programs by the Librarian which are covered under section 102(a)(4) of the Library of Congress Fiscal Operations Improvement Act of 2000 (as added by subsection (a)).

SEC. 209. Section 7 of the Abraham Lincoln Bicentennial Commission Act, Public Law 106–173, is amended by adding the following new subsections:

''(f) GIFTS.—The Commission may, for the purpose of carrying out this Act, accept and use gifts of money, property, and services, and, notwithstanding section 1342 of title 31, United States Code, may accept and use voluntary services as the Commission deems necessary.''

''(g) DETAIL OF FEDERAL EMPLOYEES.—On the request of the Commission, the head of a Federal agency or other Federal appointing authority may detail, on a reimbursable or nonreimbursable basis, any of its employees to the Commission to assist the Commission in carrying out the duties of the Commission under this Act. Any such detail of an employee shall be without interruption or loss of civil service status or privilege.''.

ARCHITECT OF THE CAPITOL

CAPITOL VISITOR CENTER

For an additional amount for the unassigned space in the Capitol Visitor Center project, $70,000,000, to remain available until expended: Provided, That section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) shall not apply to the funds made available under this heading: Provided further, That the Architect of the Capitol may not obligate any of the funds which are made available for the Capitol Visitor Center under this Act or any other Act without an obligation plan approved by the chair and ranking minority member of the Committee on Appropriations of the House of Representatives for House space and the Committee on Appropriations of the Senate for Senate space.

CONGRESSIONAL CEMETERY

For the perpetual care and maintenance of the historic Congressional Cemetery, $1,250,000, to remain available until expended: Provided, That $1,000,000 of such amount shall be paid to the National Trust for Historic Preservation (hereafter in this paragraph referred to as the ''National Trust'') for deposit into the permanently restricted account referred to in section 209(b) of the Legislative Branch Appropriations Act, 1999 (Public Law 105–275; 112 Stat. 2449) and shall be used by the National Trust in accordance with the terms and conditions applicable under such section to amounts deposited into such account: Provided further, That $250,000 of such amount shall be for the preparation of a study to develop a program for the ongoing care and maintenance of the Cemetery.

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $21,753,000, of which $3,748,000 shall remain available until September 30, 2006 and $5,000,000 shall remain available until expended.

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $29,639,000: Provided, That travel expenses, including travel expenses of the Depository Library Council to the Public Printer, shall not exceed $175,000: Provided further, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for 2000 and 2001 to depository and other designated libraries: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: Provided, That not more than $2,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: Provided further, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That the revolving fund and the funds provided under the headings ''OFFICE OF SUPERINTENDENT OF DOCUMENTS'' and ''SALARIES AND EXPENSES'' together may not be available for the full-time equivalent employment of more than 3,260 workyears (or such other number of workyears as the Public Printer may request, subject to the approval of the Committees on Appropriations of the Senate and the House of Representatives): Provided further, That activities financed through the revolving fund may provide information in any format: Provided further, That the revolving fund shall not be used to administer any flexible or compressed work schedule which applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15: Provided further, That expenses for attendance at meetings shall not exceed $75,000.

ADMINISTRATIVE PROVISION

EXTENSION OF EARLY RETIREMENT AND VOLUNTARY SEPARATION INCENTIVE PAYMENTS FOR GPO

SEC. 210. (a) Section 309 of the Legislative Branch Appropriations Act, 1999 (44 U.S.C. 305 note), is amended—

(1) in subsection (b)(1)(A), by striking ''October 1, 2001'' and inserting ''October 1, 2004''; and

(2) in subsection (c)(2), by striking ''September 30, 2001'' and inserting ''September 30, 2004''.

(b) The amendments made by this section shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), 901(6), and 901(8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), 4081(6), and 4081(8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $421,844,000: Provided, That not more than $1,751,000 of payments received under section 782 of title 31, United States Code, shall be available for use in fiscal year 2002: Provided further, That not more than $750,000 of reimbursements received under section 9105 of title 31, United States Code, shall be available for use in fiscal year 2002: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the American Consortium on International Public Administration (ACIPA) shall be available to finance an appropriate share of ACIPA costs as determined by the ACIPA, including any expenses attributable to membership of ACIPA in the International Institute of Administrative Sciences.

PAYMENT TO THE RUSSIAN LEADERSHIP DEVELOPMENT CENTER TRUST FUND

For a payment to the Russian Leadership Development Center Trust Fund for financing activities of the Center for Russian Leadership Development, $8,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

SEC. 302. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2002 unless expressly so provided in this Act.

SEC. 303. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

SEC. 304. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 305. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 306. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of Public Law 104–1 to pay awards and settlements as authorized under such subsection.

SEC. 307. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $252,000.

SEC. 308. Section 316 of Public Law 101–302 is amended in the first sentence of subsection (a) by striking ''2001'' and inserting ''2002''.

SEC. 309. Section 5596(a) of title 5, U.S.C., is amended by deleting ''and'' at the end of paragraph (4); by deleting the period at the end of paragraph (5) and inserting a semicolon, and by adding the following new paragraphs, which shall be effective for all personnel actions taken on or after the date of enactment of this Act:

''(6) the Architect of the Capitol, including employees of the United States Senate Restaurants; and

''(7) the United States Botanic Garden.''.

SEC. 310. Section 4(b) of the House Employees Position Classification Act (2 U.S.C. 293(b)) is amended by adding at the end the following: ''Notwithstanding any other provision of this Act, for purposes of applying the adjustment made by the committee under this subsection for 2002 and each succeeding year, positions under the Chief Administrative Officer shall include positions of the United States Capitol telephone exchange under the Chief Administrative Officer.''.

SEC. 311. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets and sidewalks, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street SW on the west, Square 582 on the south, and the beginning of the I–395 tunnel on the southeast.

SEC. 312. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

And the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

Delete the matter stricken, delete the matter inserted, and strike all beginning on page 2, line 6, down through and including page 9, line 21, of the House engrossed bill, H.R. 2647.

And the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

Delete the matter stricken, delete the matter inserted, and strike all beginning on page 17, line 19, down through and including page 17, line 23, of the House engrossed bill, H.R. 2647.

And the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

Delete the section number inserted, and strike line 5 through and including line 17 of page 46 of the House engrossed bill, H.R. 2647.

And the Senate agree to the same.

CHARLES H. TAYLOR,
ZACH WAMP,
JERRY LEWIS,
RAY LAHOOD,
DON SHERWOOD,
C.W. BILL YOUNG,
JAMES P. MORAN,
STENY H. HOYER,
MARCY KAPTUR,
DAVID R. OBEY,
Managers on the Part of the House.

RICHARD J. DURBIN,
TIM JOHNSON,
JACK REED,
ROBERT C. BYRD,
ROBERT F. BENNETT,
TED STEVENS,
THAD COCHRAN,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

On motion of Mr. TAYLOR of North Carolina, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

The SPEAKER pro tempore, Mr. SIMPSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the conference report were postponed.

¶117.7 H.R. 2311 CONFERENCE REPORT—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the question of agreeing to the conference report on the bill (H.R. 2311), making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 399 / Nays 29

¶117.8 [Roll No. 416]

YEAS—399

Abercrombie	Coble	Goodlatte
Ackerman	Collins	Gordon
Aderholt	Combest	Goss
Akin	Condit	Graham
Allen	Cooksey	Granger
Armey	Costello	Graves
Baca	Cox	Green (TX)
Bachus	Coyne	Green (WI)
Baird	Cramer	Greenwood
Baker	Crane	Grucci
Baldacci	Crenshaw	Gutierrez
Baldwin	Crowley	Gutknecht
Ballenger	Culberson	Hall (OH)
Barcia	Cummings	Hall (TX)
Barr	Cunningham	Hansen
Barrett	Davis (CA)	Harman
Bartlett	Davis (FL)	Hart
Barton	Davis (IL)	Hastings (FL)
Bass	Davis, Jo Ann	Hastings (WA)
Becerra	Davis, Tom	Hayes
Bentsen	Deal	Hayworth
Bereuter	DeGette	Hefley
Berman	Delahunt	Herger
Berry	DeLauro	Hill
Biggert	DeLay	Hilleary
Bilirakis	DeMint	Hilliard
Bishop	Deutsch	Hinchey
Blagojevich	Diaz-Balart	Hinojosa
Blumenauer	Dicks	Hobson
Blunt	Dingell	Hoeffel
Boehlert	Dooley	Hoekstra
Boehner	Doolittle	Holden
Bonilla	Doyle	Honda
Bonior	Dreier	Hooley
Bono	Duncan	Horn
Borski	Edwards	Houghton
Boswell	Ehlers	Hoyer
Boucher	Ehrlich	Hulshof
Boyd	Emerson	Hunter
Brady (PA)	Engel	Hyde
Brady (TX)	English	Isakson
Brown (FL)	Eshoo	Israel
Brown (SC)	Evans	Issa
Bryant	Everett	Istook
Burr	Farr	Jackson (IL)
Burton	Fattah	Jackson-Lee (TX)
Buyer	Ferguson	Jefferson
Callahan	Filner	Jenkins
Calvert	Fletcher	John
Camp	Foley	Johnson (CT)
Cannon	Forbes	Johnson (IL)
Cantor	Ford	Johnson, E. B.
Capito	Fossella	Johnson, Sam
Capps	Frank	Jones (NC)
Capuano	Frelinghuysen	Jones (OH)
Cardin	Frost	Kanjorski
Carson (IN)	Gallegly	Kaptur
Carson (OK)	Ganske	Keller
Castle	Gekas	Kelly
Chabot	Gephardt	Kennedy (MN)
Chambliss	Gilchrest	Kennedy (RI)
Clay	Gillmor	Kildee
Clayton	Gilman	Kilpatrick
Clement	Gonzalez	Kind (WI)
Clyburn	Goode	

King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—29

Andrews
Berkley
Brown (OH)
Conyers
DeFazio
Doggett
Etheridge
Flake
Gibbons
Holt
Hostettler
Inslee
Kerns
Kucinich
McDermott
Obey
Owens
Paul
Payne
Pitts
Rogers (MI)
Royce
Schaffer
Sensenbrenner
Shays
Stearns
Tancredo
Walden
Wu

NOT VOTING—4

Cubin
Dunn
McKinney
Thompson (MS)

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶117.9 H.R. 2647 CONFERENCE REPORT—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the question of agreeing to the conference report on the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 374 / Nays ..... 52 }

¶117.10 [Roll No. 417]

YEAS—374

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

NAYS—52

Barr
Barrett
Berry
Brady (TX)
Brown (OH)
Chabot
Costello
Crane
Deutsch
Doggett
Flake
Goode
Goodlatte
Graves
Green (TX)
Green (WI)
Hefley
Herger
Holt
Hulshof
Inslee
Israel
Jones (NC)
Keller
Kerns
Kind (WI)
Kucinich
Lucas (KY)
Luther
McInnis
Menendez
Moran (KS)
Paul
Petri
Pitts
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Sensenbrenner
Shadegg
Shays
Smith (MI)
Stearns
Strickland
Tancredo
Thune
Toomey
Udall (CO)
Udall (NM)
Weldon (FL)

NOT VOTING—6

Cubin
Dunn
Gekas
McKinney
Taylor (MS)
Thompson (MS)

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶117.11 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, October 31, 2001.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. CRENSHAW demanded a recorded vote on agreeing to said Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

When there appeared ....
Yeas 380
Nays 33
Answered present 1

¶117.12 [Roll No. 418]

AYES—380

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

NOES—33

Aderholt
Baird
Borski
Brown (OH)
Capuano
Costello
Crane
DeFazio
English
Filner
Hastings (FL)
Hefley
Hill
Kingston
Larsen (WA)
LoBiondo
McDermott
McGovern
Oberstar
Peterson (MN)
Ramstad
Sabo
Sanchez
Schaffer
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Udall (NM)
Visclosky
Waters
Weller
Whitfield

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—18

Bartlett
Cubin
Dunn
Edwards
Graham
Jefferson
Larson (CT)
Lofgren
Lynch
McCarthy (NY)
McKinney
Nadler
Olver
Payne
Pryce (OH)
Thompson (MS)
Walsh
Young (FL)

So the Journal was approved.

¶117.13 PROVIDING FOR THE CONSIDERATION OF H.R. 3150

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 274):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3150) to improve aviation security, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

Mr. REYNOLDS submitted the following amendment:

At the end of the resolution add the following:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment specified in section 3 of this resolution shall be in order in lieu of the amendment printed in House Report 107–264 and numbered 1.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. **3150**

OFFERED BY MR. YOUNG OF ALASKA

Page 1, line 6, strike "Secure Transportation for America Act of 2001" and insert "Airport Security Federalization Act of 2001".

In the table of contents after line 8, strike the item relating to section 15 and insert the following:

Sec. 15. Technical corrections.

Page 2, before line 9, insert the following:

TITLE I—AVIATION SECURITY

Redesignate sections 2 through 22 of the bill as sections 101 through 121, respectively.

Conform the table of contents of the bill, accordingly.

Page 13, line 17, strike "(1) in subsection (a) by striking" and inserting the following:

(1) in subsection (a)—

(A) by striking "a cabin of"; and

(B) by striking

Page 14, line 2, strike "The responsibility" and insert the following:

"(1) IN GENERAL.—The responsibility

Page 14, after line 8, insert the following:

"(2) ADDITIONAL SCREENING AUTHORITY.—The Under Secretary may perform any such additional screening of passengers and property on passenger aircraft in air transportation that originates in the United States or intrastate air transportation that the Under Secretary deems necessary to enhance aviation security.

Page 14, line 20, strike the closing quotation marks and the final period and insert the following:

"(g) DEPUTIZATION OF AIRPORT SCREENING PERSONNEL.—The Under Secretary shall deputize, for enforcement of such Federal laws as the Under Secretary determines appropriate, all airport screening personnel as Federal transportation security agents and shall ensure that such agents operate under common standards and common uniform, insignia, and badges. The authority to arrest an individual may be exercised only by supervisory personnel who are sworn, full-time law enforcement officers.".

Page 15, after line 24, insert the following:

''(7) a requirement that any private security firm retained to provide airport security services be owned and controlled by a citizen of the United States, to the extent that the President determines that there are firms owned and controlled by such citizens;

Page 16, line 1, strike ''(7)'' and insert ''(8)''.

Page 16, line 2, strike ''and''.

Page 16, line 3, strike ''(8)'' and insert ''(9)''.

Page 16, line 7, strike both periods and the closing quotation marks and insert ''; and'' and the following:

''(10) a preference for the hiring of any individual who is a former employee of an air carrier and whose employment with the air carrier was terminated as a result of a reduction in the workforce of the air carrier.''.

Page 16, lines 11 and 12, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

Page 16, line 20, strike ''pursuant'' and insert ''pursuant to''.

Page 19, line 22, strike ''and''.

Page 20, line 2, strike the period and insert ''; and'' and the following:

(J) the ability to demonstrate daily a fitness for duty without any impairment due to illegal drugs, sleep deprivation, medication, or alcohol.

Page 21, line 14, strike ''and''.

Page 21, line 20, strike the period and insert a semicolon and the following:

''(5) require air carriers to provide, on a space-available basis, to an off-duty Federal air marshal a seat on a flight to the airport nearest the marshal's home at no cost to the marshal or the United States Government if the marshal is traveling to that airport after completing his or her security duties; and

''(6) provide, in choosing among applicants for a position as a Federal air marshal, a preference for the hiring of a pilot of an air carrier whose employment with the air carrier was terminated as a result of a reduction in the workforce of the air carrier if the pilot is otherwise qualified for the position.

Page 22, line 3, after ''consultation with'' insert ''and concurrence of''.

Page 22, before line 10, insert the following:

(c) BASIC PAY DEFINED.—Section 8331(3)(E) of title 5, United States Code, is amended to read as follows:

''(E) availability pay—

''(i) received by a criminal investigator under section 5545a of this title; or

''(ii) received after September 11, 2001, by a Federal air marshal of the Department of Transportation;''.

Page 24, line 1, strike ''Provide'' and insert ''Establish performance goals for individuals described in paragraph (6), provide''.

Page 24, lines 2 and 3, strike ''individuals described in paragraph (6)'' and insert ''such individuals,''.

Page 26, after line 2, insert the following:

''(16) Establish a uniform system of identification for all State and local law enforcement personnel for use in obtaining permission to carry weapons in aircraft cabins and in obtaining access to a secured area of an airport.

''(17) Establish requirements under which air carriers, under the supervision of the Under Secretary, could implement trusted passenger programs and use available technologies to expedite the security screening of passengers who participate in such programs, thereby allowing security screening personnel to focus on those passengers who should be subject to more extensive screening.

''(18) In consultation with the Commissioner of Food and Drugs, develop security procedures under which a medical product to be transported on a flight of an air carrier would not be subject to manual or x-ray inspection if conducting such an inspection would irreversibly damage the product.

''(19) Develop security procedures to allow passengers transporting a musical instrument on a flight of an air carrier to transport the instrument in the passenger cabin of the aircraft, notwithstanding any size or other restriction on carry-on baggage but subject to such other reasonable terms and conditions as may be established by the Under Secretary or the air carrier, including imposing additional charges by the air carrier.

''(20) Provide for the use of wireless and wire line data technologies enabling the private and secure communication of threats to aid in the screening of passengers and other individuals on airport property who are identified on any State or Federal security-related data base for the purpose of having an integrated response coordination of various authorized airport security forces.

Page 26, strike line 19 and all that follows through line 7 on page 27 and insert the following:

''(d) PROPERTY SECURITY PROGRAM.—

''(1) CHECKED BAGGAGE.—

''(A) FINAL DEADLINE FOR SCREENING.—A system must be in operation to screen all checked baggage at all airports in the United States no later than December 31, 2003.

''(B) USE OF EXPLOSIVE DETECTION EQUIPMENT.—The Under Secretary shall ensure that explosive detection equipment installed at airports to screen checked baggage is used to the maximum extent possible.

''(C) INSTALLATION OF ADDITIONAL EXPLOSIVE DETECTION EQUIPMENT.—The Under Secretary shall install additional explosive detection equipment at airports as soon as possible to ensure that all checked baggage is screened before being placed in an aircraft.

''(D) INTERIM BAG-MATCH PROGRAMS.—Until the Under Secretary has installed enough explosive detection equipment at airports to ensure that all checked baggage is screened, the Under Secretary shall require air carriers to implement bag-match programs that ensure that no checked baggage is placed in an aircraft unless the passenger who checks the baggage is aboard the aircraft.

''(2) CARGO DEADLINE.—A system must be in operation to screen all cargo that is to be transported in passenger aircraft in air transportation and intrastate air transportation as soon as possible after the date of enactment of this paragraph.

Page 29, line 10, strike ''and'' and insert the following:

(2) by adding at the end of paragraph (1) the following:

''(G) BACKGROUND CHECKS OF CURRENT EMPLOYEES.—A background check (including a criminal history record check and a review of available law enforcement data bases and records of other governmental and international agencies) shall be required for any individual who currently has unescorted access to an aircraft of an air carrier or foreign air carrier, unescorted access to a secured area of an airport in the United States that serves an air carrier or foreign air carrier, or is responsible for screening passengers or property, or both, unless that individual was subject to such a background check before the individual began his or her current employment or is exempted from such a check under section 107.31(m) of title 14, Code of Federal Regulations.''; and

Page 29, line 11, strike ''(2)'' and insert ''(3)''.

Page 34, strike line 23 and all that follows through line 4 on page 35 and insert the following:

''(c) AIRPORT SECURITY.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Secretary for fiscal years 2002 and 2003 a total of $1,500,000,000 to reimburse airport operators for direct costs incurred by such operators to comply with new, additional, or revised security requirements imposed on such operators by the Federal Aviation Administration or Transportation Security Administration on or after September 11, 2001. Such sums shall remain available until expended.

''(2) CONDITIONS.—Before providing financial assistance to an airport operator with funds appropriated pursuant to paragraph (1), the Secretary shall require the operator to provide assurances that the operator will—

''(A) meet with the tenants of the airport (other than air carriers and foreign air carriers) to discuss adjustments of the rent of the tenants to account for losses in revenue incurred by the tenants on and after September 11, 2001; and

''(B) provide to the Secretary an itemized list of costs incurred by the operator to comply with the security requirements described in paragraph (1), including costs relating to landing fees, automobile parking revenues, rental cars, restaurants, and gift shops.''.

Page 36, line 9, strike ''subsection (b)'' and insert ''paragraph (2)''.

Page 39, lines 16 and 17, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

Page 43, line 22, after ''sponsor'' insert ''or at a privately owned or operated airport passenger terminal financed by indebtedness incurred by the sponsor''.

Page 44, beginning on line 25, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

Page 45, after line 15, insert the following:

(d) MAXIMUM AMOUNT OF COMPENSATION PAYABLE PER AIR CARRIER.—Section 103 of such Act is amended by adding at the end the following:

''(d) COMPENSATION FOR AIR CARRIERS PROVIDING AIR AMBULANCE SERVICES.—

''(1) SET-ASIDE.—The President may set aside a portion of the amount of compensation payable to air carriers under section 101(a)(2) to provide compensation to air carriers providing air ambulance services. The President shall reduce the $4,500,000,000 specified in subsection (b)(2)(A)(i) by the amount set aside under this subsection.

''(2) DISTRIBUTION OF AMOUNTS.—The President shall distribute the amount set aside under this subsection proportionally among air carriers providing air ambulance services based on an appropriate auditable measure, as determined by the President.''.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

SEC. 122. REQUIREMENT TO HONOR PASSENGER TICKETS OF OTHER CARRIERS.

(a) IN GENERAL.—Subchapter I of chapter 417 is amended by adding at the end the following:

''§ 41722. Requirement to honor passenger tickets of other carriers

''Each air carrier that provides scheduled air transportation on a route shall provide, to the extent practicable, air transportation to passengers ticketed for air transportation on that route by any other air carrier that suspends, interrupts, or discontinues air passenger service on the route by reason of an act of war or terrorism or insolvency or bankruptcy of the carrier.''.

(b) CONFORMING AMENDMENT.—The analysis for such subchapter is amended by adding at the end the following:

''41722. Requirement to honor passenger tickets of other carriers.''.

SEC. 123. SENSE OF CONGRESS ON CERTAIN AVIATION MATTERS.

(a) FLIGHT SERVICE STATION EMPLOYEES.—It is the sense of Congress that the Adminis-

trator of the Federal Aviation Administration should continue negotiating in good faith with flight service station employees of the Administration with a goal of reaching agreement on a contract as soon as possible.

(b) WAR RISK INSURANCE.—It is the sense of Congress that the Secretary of Transportation should implement section 202 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42) so as to make war risk insurance available to vendors, agents, and subcontractors of general aviation aircraft.

(c) TRANSPORT OF ANIMALS.—It is the sense of Congress that an air carrier that transports mail under a contract with the United States Postal Service should transport any animal that the Postal Service allows to be shipped through the mail.

(d) SCREENING.—It is the sense of Congress that the Under Secretary of Transportation for Security should require, as soon as practicable, that all property carried in a passenger aircraft in air transportation or intrastate air transportation (including checked baggage) be screened by any currently available means, including X-ray machine, hand-held metal detector, explosive detection system equipment, or manual search.

(e) CONTRACTS FOR AIRPORT SECURITY SERVICES.—It is the sense of Congress that, in awarding a contract for airport security services, the Under Secretary of Transportation for Security should, to the maximum extent practicable, award the contract to a firm that is owned and controlled by a citizen of the United States.

TITLE II—VICTIMS COMPENSATION

SEC. 201. LIMITATION ON LIABILITY FOR DAMAGES ARISING OUT OF CRASHES OF SEPTEMBER 11, 2001.

Section 408 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42; 115 Stat. 240; 49 U.S.C. 40101 note) is amended—

(1) by amending the section heading to read as follows:

"SEC. 408. LIMITATION ON LIABILITY FOR DAMAGES ARISING OUT OF CRASHES OF SEPTEMBER 11, 2001.";

(2) by amending subsection (a) to read as follows:

"(a) GENERAL LIMITATION OF LIABILITY.—Except as provided in this section, no Federal court or agency or State court or agency shall enforce any Federal or State law holding any person, or any State or political subdivision thereof, liable for any damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001.";

(3) in subsection (b), by adding at the end the following new paragraphs:

"(4) DAMAGES.—If any party to any action brought under this subsection is determined to be liable—

"(A) no damages in the aggregate ordered by the court to be paid by such party shall exceed the amount of insurance, minus any payments made pursuant to a court approved settlement, which such party is determined to have obtained prior to September 11, 2001, and which is determined to cover such party's liability for any damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001;

"(B) such party shall not be liable for interest prior to the judgment or for punitive damages intended to punish or deter; and

"(C) the court shall reduce the amount of damages awarded to a plaintiff by the amount of collateral source compensation that the plaintiff has received or is entitled to receive as a result of the terrorist-related aircraft crashes of September 11, 2001.

"(5) ATTORNEYS' FEES.—Reasonable attorneys' fees for work performed in any action brought under this subsection shall be subject to the discretion of the court, but in no event shall any attorney charge, demand, receive, or collect for services rendered, fees in excess of 20 percent of the damages ordered by the court to be paid pursuant to this subsection, or in excess of 20 percent of any court approved settlement made of any claim cognizable under this subsection. Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this subsection, if recovery be had, shall be fined not more than $2,000 or imprisoned not more than one year, or both.";

(4) by amending subsection (c) to read as follows:

"(c) EXCLUSION.—Nothing in this section shall in any way limit any liability of any person who—

"(1) hijacks any aircraft or commits any terrorist act; or

"(2) knowingly participates in a conspiracy to hijack any aircraft or commit any terrorist act."; and

(5) by adding at the end the following new subsections:

"(d) DISCLAIMER.—Nothing herein implies that any person is liable for damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001.

"(e) STATE DEFINED.—In this section, the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory of possession of the United States or any political subdivision of any of the foregoing.".

After debate,

Mr. REYNOLDS moved the previous question on the amendment and the resolution.

The question being put, viva voce,

Will the House now order the previous question on the amendment and the resolution?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. HASTINGS of Florida objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 218 / Nays ..... 207 }

¶117.14 [Roll No. 419]

YEAS—218

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

NAYS—207

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)

Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—7

Conyers
Dunn
Green (TX)
Greenwood
Johnson (CT)
Rangel
Thompson (MS)

So the previous question on the amendment and the resolution was ordered.

The question being put, will the House agree to said amendment?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. HASTINGS of Florida demanded a recorded vote on agreeing to said amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 379 / Nays 50

¶117.15 [Roll No. 420]

AYES—379

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

NOES—50

Andrews
Berry
Bishop
Blumenauer
Borski
Boucher
Brady (PA)
Carson (IN)
Conyers
Coyne
Cramer
Cummings
DeFazio
Deutsch
Dingell
Edwards
Evans
Fattah
Filner
Flake
Frost
Green (TX)
Hastings (FL)
Hinchey
Jackson (IL)
Kilpatrick
Lampson
Lee
McCollum
McIntyre
Miller, George
Mink
Oberstar
Olver
Owens
Pastor
Paul
Pelosi
Sabo
Sanchez
Scott
Smith (WA)
Stark
Strickland
Stupak
Tauscher
Towns
Visclosky
Watson (CA)
Woolsey

NOT VOTING—3

Dunn
Gephardt
Thompson (MS)

So, the amendment was agreed to.

The question being put, viva voce,

Will the House agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶117.16 MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶117.17 SECURE TRANSPORTATION FOR AMERICA 2001

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to House Resolution 274 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3150) to improve aviation security, and for other purposes.

The SPEAKER pro tempore, Mr. THORNBERRY, by unanimous consent, designated Mr. HASTINGS of Washington as Chairman of the Committee of the Whole; and after some time spent therein,

¶117.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. YOUNG of Alaska:

Page 1, line 6, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

In the table of contents after line 8, strike the item relating to section 15 and insert the following:

Sec. 15. Technical corrections.

Page 2, before line 9, insert the following:

TITLE I—AVIATION SECURITY

Redesignate sections 2 through 22 of the bill as sections 101 through 121, respectively.

Conform the table of contents of the bill, accordingly.

Page 13, line 17, strike ''(1) in subsection (a) by striking'' and inserting the following:

(1) in subsection (a)—

(A) by striking ''a cabin of''; and

(B) by striking

Page 14, line 2, strike ''The responsibility'' and insert the following:

''(1) IN GENERAL.—The responsibility

Page 14, after line 8, insert the following:

''(2) ADDITIONAL SCREENING AUTHORITY.—The Under Secretary may perform any such additional screening of passengers and property on passenger aircraft in air transportation that originates in the United States or intrastate air transportation that the Under Secretary deems necessary to enhance aviation security.

Page 14, line 20, strike the closing quotation marks and the final period and insert the following:

''(g) DEPUTIZATION OF AIRPORT SCREENING PERSONNEL.—The Under Secretary shall dep-

utize, for enforcement of such Federal laws as the Under Secretary determines appropriate, all airport screening personnel as Federal transportation security agents and shall ensure that such agents operate under common standards and common uniform, insignia, and badges. The authority to arrest an individual may be exercised only by supervisory personnel who are sworn, full-time law enforcement officers.''.

Page 15, after line 24, insert the following:

''(7) a requirement that any private security firm retained to provide airport security services be owned and controlled by a citizen of the United States, to the extent that the President determines that there are firms owned and controlled by such citizens;

Page 16, line 1, strike ''(7)'' and insert ''(8)''.

Page 16, line 2, strike ''and''.

Page 16, line 3, strike ''(8)'' and insert ''(9)''.

Page 16, line 7, strike both periods and the closing quotation marks and insert ''; and'' and the following:

''(10) a preference for the hiring of any individual who is a former employee of an air carrier and whose employment with the air carrier was terminated as a result of a reduction in the workforce of the air carrier.''.

Page 16, lines 11 and 12, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

Page 16, line 20, strike ''pursuant'' and insert ''pursuant to''.

Page 19, line 22, strike ''and''.

Page 20, line 2, strike the period and insert ''; and'' and the following:

(J) the ability to demonstrate daily a fitness for duty without any impairment due to illegal drugs, sleep deprivation, medication, or alcohol.

Page 21, line 14, strike ''and''.

Page 21, line 20, strike the period and insert a semicolon and the following:

''(5) require air carriers to provide, on a space-available basis, to an off-duty Federal air marshal a seat on a flight to the airport nearest the marshal's home at no cost to the marshal or the United States Government if the marshal is traveling to that airport after completing his or her security duties; and

''(6) provide, in choosing among applicants for a position as a Federal air marshal, a preference for the hiring of a pilot of an air carrier whose employment with the air carrier was terminated as a result of a reduction in the workforce of the air carrier if the pilot is otherwise qualified for the position.

Page 22, line 3, after ''consultation with'' insert ''and concurrence of''.

Page 22, before line 10, insert the following:

(c) BASIC PAY DEFINED.—Section 8331(3)(E) of title 5, United States Code, is amended to read as follows:

''(E) availability pay—

''(i) received by a criminal investigator under section 5545a of this title; or

''(ii) received after September 11, 2001, by a Federal air marshal of the Department of Transportation;''.

Page 24, line 1, strike ''Provide'' and insert ''Establish performance goals for individuals described in paragraph (6), provide''.

Page 24, lines 2 and 3, strike ''individuals described in paragraph (6)'' and insert ''such individuals,''.

Page 26, after line 2, insert the following:

''(16) Establish a uniform system of identification for all State and local law enforcement personnel for use in obtaining permission to carry weapons in aircraft cabins and in obtaining access to a secured area of an airport.

''(17) Establish requirements under which air carriers, under the supervision of the Under Secretary, could implement trusted passenger programs and use available technologies to expedite the security screening of passengers who participate in such programs, thereby allowing security screening personnel to focus on those passengers who should be subject to more extensive screening.

''(18) In consultation with the Commissioner of Food and Drugs, develop security procedures under which a medical product to be transported on a flight of an air carrier would not be subject to manual or x-ray inspection if conducting such an inspection would irreversibly damage the product.

''(19) Develop security procedures to allow passengers transporting a musical instrument on a flight of an air carrier to transport the instrument in the passenger cabin of the aircraft, notwithstanding any size or other restriction on carry-on baggage but subject to such other reasonable terms and conditions as may be established by the Under Secretary or the air carrier, including imposing additional charges by the air carrier.

''(20) Provide for the use of wireless and wire line data technologies enabling the private and secure communication of threats to aid in the screening of passengers and other individuals on airport property who are identified on any State or Federal security-related data base for the purpose of having an integrated response coordination of various authorized airport security forces.

Page 26, strike line 19 and all that follows through line 7 on page 27 and insert the following:

''(d) PROPERTY SECURITY PROGRAM.—

''(1) CHECKED BAGGAGE.—

''(A) FINAL DEADLINE FOR SCREENING.—A system must be in operation to screen all checked baggage at all airports in the United States no later than December 31, 2003.

''(B) USE OF EXPLOSIVE DETECTION EQUIPMENT.—The Under Secretary shall ensure that explosive detection equipment installed at airports to screen checked baggage is used to the maximum extent possible.

''(C) INSTALLATION OF ADDITIONAL EXPLOSIVE DETECTION EQUIPMENT.—The Under Secretary shall install additional explosive detection equipment at airports as soon as possible to ensure that all checked baggage is screened before being placed in an aircraft.

''(D) INTERIM BAG-MATCH PROGRAMS.—Until the Under Secretary has installed enough explosive detection equipment at airports to ensure that all checked baggage is screened, the Under Secretary shall require air carriers to implement bag-match programs that ensure that no checked baggage is placed in an aircraft unless the passenger who checks the baggage is aboard the aircraft.

''(2) CARGO DEADLINE.—A system must be in operation to screen all cargo that is to be transported in passenger aircraft in air transportation and intrastate air transportation as soon as possible after the date of enactment of this paragraph.

Page 29, line 10, strike ''and'' and insert the following:

(2) by adding at the end of paragraph (1) the following:

''(G) BACKGROUND CHECKS OF CURRENT EMPLOYEES.—A background check (including a criminal history record check and a review of available law enforcement data bases and records of other governmental and international agencies) shall be required for any individual who currently has unescorted access to an aircraft of an air carrier or foreign air carrier, unescorted access to a secured area of an airport in the United States that serves an air carrier or foreign air carrier, or is responsible for screening passengers or property, or both, unless that individual was subject to such a background check before the individual began his or her current employment or is exempted from such a check under section 107.31(m) of title 14, Code of Federal Regulations.''; and

Page 29, line 11, strike ''(2)'' and insert ''(3)''.

Page 34, strike line 23 and all that follows through line 4 on page 35 and insert the following:

''(c) AIRPORT SECURITY.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Secretary for fiscal years 2002 and 2003 a total of $1,500,000,000 to reimburse airport operators for direct costs incurred by such operators to comply with new, additional, or revised security requirements imposed on such operators by the Federal Aviation Administration or Transportation Security Administration on or after September 11, 2001. Such sums shall remain available until expended.

''(2) CONDITIONS.—Before providing financial assistance to an airport operator with funds appropriated pursuant to paragraph (1), the Secretary shall require the operator to provide assurances that the operator will—

''(A) meet with the tenants of the airport (other than air carriers and foreign air carriers) to discuss adjustments of the rent of the tenants to account for losses in revenue incurred by the tenants on and after September 11, 2001; and

''(B) provide to the Secretary an itemized list of costs incurred by the operator to comply with the security requirements described in paragraph (1), including costs relating to landing fees, automobile parking revenues, rental cars, restaurants, and gift shops.''.

Page 36, line 9, strike ''subsection (b)'' and insert ''paragraph (2)''.

Page 39, lines 16 and 17, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

Page 43, line 22, after ''sponsor'' insert ''or at a privately owned or operated airport passenger terminal financed by indebtedness incurred by the sponsor''.

Page 44, beginning on line 25, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

Page 45, after line 15, insert the following:

(d) MAXIMUM AMOUNT OF COMPENSATION PAYABLE PER AIR CARRIER.—Section 103 of such Act is amended by adding at the end the following:

''(d) COMPENSATION FOR AIR CARRIERS PROVIDING AIR AMBULANCE SERVICES.—

''(1) SET-ASIDE.—The President may set aside a portion of the amount of compensation payable to air carriers under section 101(a)(2) to provide compensation to air carriers providing air ambulance services. The President shall reduce the $4,500,000,000 specified in subsection (b)(2)(A)(i) by the amount set aside under this subsection.

''(2) DISTRIBUTION OF AMOUNTS.—The President shall distribute the amount set aside under this subsection proportionally among air carriers providing air ambulance services based on an appropriate auditable measure, as determined by the President.''.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

SEC. 122. REQUIREMENT TO HONOR PASSENGER TICKETS OF OTHER CARRIERS.

(a) IN GENERAL.—Subchapter I of chapter 417 is amended by adding at the end the following:

''§ 41722. Requirement to honor passenger tickets of other carriers

''Each air carrier that provides scheduled air transportation on a route shall provide, to the extent practicable, air transportation to passengers ticketed for air transportation on that route by any other air carrier that suspends, interrupts, or discontinues air pas-

senger service on the route by reason of an act of war or terrorism or insolvency or bankruptcy of the carrier.''.

(b) CONFORMING AMENDMENT.—The analysis for such subchapter is amended by adding at the end the following:

''41722. Requirement to honor passenger tickets of other carriers.''.

SEC. 123. SENSE OF CONGRESS ON CERTAIN AVIATION MATTERS.

(a) FLIGHT SERVICE STATION EMPLOYEES.—It is the sense of Congress that the Administrator of the Federal Aviation Administration should continue negotiating in good faith with flight service station employees of the Administration with a goal of reaching agreement on a contract as soon as possible.

(b) WAR RISK INSURANCE.—It is the sense of Congress that the Secretary of Transportation should implement section 202 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42) so as to make war risk insurance available to vendors, agents, and subcontractors of general aviation aircraft.

(c) TRANSPORT OF ANIMALS.—It is the sense of Congress that an air carrier that transports mail under a contract with the United States Postal Service should transport any animal that the Postal Service allows to be shipped through the mail.

(d) SCREENING.—It is the sense of Congress that the Under Secretary of Transportation for Security should require, as soon as practicable, that all property carried in a passenger aircraft in air transportation or intrastate air transportation (including checked baggage) be screened by any currently available means, including X-ray machine, hand-held metal detector, explosive detection system equipment, or manual search.

(e) CONTRACTS FOR AIRPORT SECURITY SERVICES.—It is the sense of Congress that, in awarding a contract for airport security services, the Under Secretary of Transportation for Security should, to the maximum extent practicable, award the contract to a firm that is owned and controlled by a citizen of the United States.

TITLE II—VICTIMS COMPENSATION

SEC. 201. LIMITATION ON LIABILITY FOR DAMAGES ARISING OUT OF CRASHES OF SEPTEMBER 11, 2001.

Section 408 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42; 115 Stat. 240; 49 U.S.C. 40101 note) is amended—

(1) by amending the section heading to read as follows:

"SEC. 408. LIMITATION ON LIABILITY FOR DAMAGES ARISING OUT OF CRASHES OF SEPTEMBER 11, 2001.";

(2) by amending subsection (a) to read as follows:

''(a) GENERAL LIMITATION OF LIABILITY.—Except as provided in this section, no Federal court or agency or State court or agency shall enforce any Federal or State law holding any person, or any State or political subdivision thereof, liable for any damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001.'';

(3) in subsection (b), by adding at the end the following new paragraphs:

''(4) DAMAGES.—If any party to any action brought under this subsection is determined to be liable—

''(A) no damages in the aggregate ordered by the court to be paid by such party shall exceed the amount of insurance, minus any payments made pursuant to a court approved settlement, which such party is determined to have obtained prior to September 11, 2001, and which is determined to cover such party's liability for any damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001;

''(B) such party shall not be liable for interest prior to the judgment or for punitive damages intended to punish or deter; and

''(C) the court shall reduce the amount of damages awarded to a plaintiff by the amount of collateral source compensation that the plaintiff has received or is entitled to receive as a result of the terrorist-related aircraft crashes of September 11, 2001.

''(5) ATTORNEYS' FEES.—Reasonable attorneys' fees for work performed in any action brought under this subsection shall be subject to the discretion of the court, but in no event shall any attorney charge, demand, receive, or collect for services rendered, fees in excess of 20 percent of the damages ordered by the court to be paid pursuant to this subsection, or in excess of 20 percent of any court approved settlement made of any claim cognizable under this subsection. Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this subsection, if recovery be had, shall be fined not more than $2,000 or imprisoned not more than one year, or both.'';

(4) by amending subsection (c) to read as follows:

''(c) EXCLUSION.—Nothing in this section shall in any way limit any liability of any person who—

''(1) hijacks any aircraft or commits any terrorist act; or

''(2) knowingly participates in a conspiracy to hijack any aircraft or commit any terrorist act.''; and

(5) by adding at the end the following new subsections:

''(d) DISCLAIMER.—Nothing herein implies that any person is liable for damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001.

''(e) STATE DEFINED.—In this section, the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory of possession of the United States or any political subdivision of any of the foregoing.''.

It was decided in the affirmative ..... { Yeas ..... 223 / Nays 202

¶117.19 [Roll No. 421]

AYES—223

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

NOES—202

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Flake
Ford
Frank
Frost
Ganske
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi

Phelps
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—7

Ballenger
Berkley
Cubin
Dunn
Fattah
Thompson (MS)
Watt (NC)

So the amendment was agreed to.

After some further time,

¶117.20 MOTION TO RISE

A recorded vote by electronic device was ordered in the Committee of the Whole on the motion of Mr. DEFAZIO that the Committee do now rise.

It was decided in the negative ..... { Yeas ..... 11 / Nays 402

¶117.21 [Roll No. 422]

AYES—11

Capuano
Clyburn
DeFazio
Hastings (FL)
Hilliard
Honda
Hooley
Langevin
Maloney (NY)
Pastor
Rangel

NOES—402

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

NOT VOTING—19

Burr
Capito
Clay
Coyne
Dunn
Foley
Gillmor
Gutierrez
Istook
Jones (NC)
Kaptur
Maloney (CT)
McCrery
Mink
Ortiz
Oxley
Radanovich
Shaw
Thompson (MS)

So the motion was not agreed to.

After some further time,

¶117.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. OBERSTAR:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Aviation Security Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AVIATION SECURITY

Sec. 101. Findings.
Sec. 102. Transportation security function.
Sec. 103. Aviation Security Coordination Council.
Sec. 104. Improved flight deck integrity measures.
Sec. 105. Deployment of Federal air marshals.
Sec. 106. Improved airport perimeter access security.
Sec. 107. Enhanced anti-hijacking training for flight crews.
Sec. 108. Passenger and property screening.
Sec. 109. Training and employment of security screening personnel.
Sec. 110. Research and development.
Sec. 111. Flight school security.
Sec. 112. Report to Congress on security.
Sec. 113. General aviation and air charters.
Sec. 114. Increased penalties for interference with security personnel.
Sec. 115. Security-related study by FAA.
Sec. 116. Air transportation arrangements in certain States.
Sec. 117. Airline computer reservation systems.
Sec. 118. Security funding.
Sec. 119. Increased funding flexibility for aviation security.
Sec. 120. Authorization of funds for reimbursement of airports for security mandates.
Sec. 121. Encouraging airline employees to report suspicious activities.
Sec. 122. Less-than-lethal weaponry for flight deck crews.
Sec. 123. Mail and freight waivers.
Sec. 124. Safety and security of on-board supplies.
Sec. 125. Flight deck security
Sec. 126. Amendments to airmen registry authority.
Sec. 127. Results-based management.
Sec. 128. Use of facilities.
Sec. 129. Report on national air space restrictions put in place after terrorist attacks that remain in place.
Sec. 130. Voluntary provision of emergency services during commercial flights.
Sec. 131. Enhanced security for aircraft.
Sec. 132. Implementation of certain detection technologies.
Sec. 133. Report on new responsibilities of the Department of Justice for aviation security.
Sec. 134. Definitions.

TITLE II—DEPLOYMENT AND USE OF SECURITY TECHNOLOGIES

Subtitle A—Expanded Deployment and Utilization of Current Security Technologies and Procedures

Sec. 201. Expanded deployment and utilization of current security technologies and procedures.

Subtitle B—Short-Term Assessment and Deployment of Emerging Security Technologies and Procedures

Sec. 211. Short-term assessment and deployment of emerging security technologies and procedures.

Subtitle C—Research and Development of Aviation Security Technology

Sec. 221. Research and development of aviation security technology.

TITLE I—AVIATION SECURITY

SEC. 101. FINDINGS.

The Congress finds the following:

(1) The safety and security of the civil air transportation system is critical to the United States' security and its national defense.

(2) A safe and secure United States civil air transportation system is essential to the basic freedom of Americans to move in intrastate, interstate, and international transportation.

(3) The terrorist hijackings and crashes of passenger aircraft on September 11, 2001, converting civil aircraft into guided bombs for strikes against civilian and military targets requires the United States to change fundamentally the way it approaches the task of ensuring the safety and security of the civil air transportation system.

(4) The existing fragmentation of responsibility for that safety and security among government agencies and between government and nongovernment entities is inefficient and unacceptable in light of the hijackings and crashes on September 11, 2001.

(5) The General Accounting Office has recommended that security functions and security personnel at United States airports should become a Federal government responsibility.

(6) Although the number of Federal air marshals is classified, their presence on both international and domestic flights would have a deterrent effect on hijacking and would further bolster public confidence in the safety of air travel.

(7) The effectiveness of existing security measures, including employee background checks and passenger pre-screening, is impaired because of the inaccessibility of, or the failure to share information among, data bases maintained by different Federal and international agencies for criminal behavior or pertinent intelligence information.

SEC. 102. TRANSPORTATION SECURITY FUNCTION.

(a) IN GENERAL.—Section 102 of title 49, United States Code, is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g); and

(2) by inserting after subsection (c) the following:

''(d) DEPUTY SECRETARY FOR TRANSPORTATION SECURITY.—

''(1) IN GENERAL.—The Department has a Deputy Secretary for Transportation Security, who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Secretary for Transportation Security shall carry out duties and powers prescribed by the Secretary relating to security for all modes of transportation.

''(2) AVIATION-RELATED DUTIES.—The Deputy Secretary—

''(A) shall coordinate and direct, as appropriate, the functions and responsibilities of the Secretary of Transportation and the Administrator of the Federal Aviation Administration under chapter 449;

''(B) shall work in conjunction with the Administrator of the Federal Aviation Administration with respect to any actions or activities that may affect aviation safety or air carrier operations; and

''(C) shall actively cooperate and coordinate with the Attorney General, the Secretary of Defense, and the heads of other appropriate Federal agencies and departments with responsibilities for national security and criminal justice enforcement activities that are related to aviation security through the Aviation Security Coordination Council.

''(3) NATIONAL EMERGENCY RESPONSIBILITIES.—Subject to the direction and control of the Secretary, the Deputy Secretary shall have the following responsibilities:

''(A) To coordinate domestic transportation during a national emergency, including aviation, rail, and other surface transportation, and maritime transportation (including port security).

''(B) To coordinate and oversee during a national emergency the transportation-related responsibilities of other departments and agencies of the Federal Government other than the Department of Defense and the military departments.

''(C) To establish uniform national standards and practices for transportation during a national emergency.

''(D) To coordinate and provide notice to other departments and agencies of the Federal Government, and appropriate agencies of State and local governments, including departments and agencies for transportation, law enforcement, and border control, about threats to transportation during a national emergency.

''(E) To carry out such other duties, and exercise such other powers, relating to transportation during a national emergency as the Secretary of Transportation shall prescribe.

''(4) RELATIONSHIP TO OTHER TRANSPORTATION AUTHORITY.—The authority of the Deputy Secretary under paragraph (3) to coordinate and oversee transportation and transportation-related responsibilities during a national emergency shall not supersede the authority of any other department or agency of the Federal Government under law with respect to transportation or transportation-related matters, whether or not during a national emergency.

''(5) ANNUAL REPORT.—The Deputy Secretary shall submit to the Congress on an annual basis a report on the activities of the Deputy Secretary under paragraph (3) during the preceding year.

''(6) NATIONAL EMERGENCY.—The Secretary of Transportation shall prescribe the circumstances constituting a national emergency for purposes of paragraph (3).''.

(b) ATTORNEY GENERAL RESPONSIBILITIES.—The Attorney General of the United States—

(1) is responsible for day-to-day Federal security screening operations for passenger air transportation or intrastate air transportation under sections 44901 and 44935 of title 49, United States Code;

(2) shall work in conjunction with the Administrator of the Federal Aviation Administration with respect to any actions or activities that may affect aviation safety or air carrier operations;

(3) is responsible for hiring and training personnel to provide security screening at all United States airports involved in passenger air transportation or intrastate air transportation, in consultation with the Secretary of Transportation, the Secretary of Defense, and the heads of other appropriate Federal agencies and departments; and

(4) shall actively cooperate and coordinate with the Secretary of Transportation, the Secretary of Defense, and the heads of other appropriate Federal agencies and departments with responsibilities for national security and criminal justice enforcement activities that are related to aviation security through the Aviation Security Coordination Council.

(c) REVIEW AND DEVELOPMENT OF WAYS TO STRENGTHEN SECURITY.—Section 44932(c) of title 49, United States Code, is amended—

(1) by striking ''x-ray'' in paragraph (4);

(2) by striking ''and'' at the end of paragraph (4);

(3) by striking ''passengers.'' in paragraph (5) and inserting ''passengers;''; and

(4) by adding at the end the following:

''(6) to strengthen and enhance the ability to detect nonexplosive weapons, such as biological, chemical, or similar substances; and

''(7) to evaluate such additional measures as may be appropriate to enhance physical inspection of passengers, luggage, and cargo.''.

(d) TRANSITION.—Until the Deputy Secretary for Transportation Security takes office, the functions of the Deputy Secretary that relate to aviation security shall be carried out by the Assistant Administrator for Civil Aviation Security of the Federal Aviation Administration.

SEC. 103. AVIATION SECURITY COORDINATION COUNCIL.

(a) IN GENERAL.—Section 44911 of title 49, United States Code, is amended by adding at the end the following:

''(f) AVIATION SECURITY COORDINATION COUNCIL.—

''(1) IN GENERAL.—There is established an Aviation Security Coordination Council.

''(2) FUNCTION.—The Council shall work with the intelligence community to coordinate intelligence, security, and criminal enforcement activities affecting the safety and security of aviation at all United States airports and air navigation facilities involved in air transportation or intrastate air transportation.

''(3) CHAIR.—The Council shall be chaired by the Secretary of Transportation or the Secretary's designee.

''(4) MEMBERSHIP.—The members of the Council are:

''(A) The Secretary of Transportation, or the Secretary's designee.

''(B) The Attorney General, or the Attorney General's designee.

''(C) The Secretary of Defense, or the Secretary's designee.

''(D) The Secretary of the Treasury, or the Secretary's designee.

''(E) The Director of the Central Intelligence Agency, or the Director's designee.

''(F) The head, or an officer or employee designated by the head, of any other Federal agency the participation of which is determined by the Secretary of Transportation, in consultation with the Attorney General, to be appropriate.

''(g) CROSS-CHECKING DATA BASE INFORMATION.—The Secretary of Transportation, acting through the Aviation Security Coordination Council, shall—

''(1) explore the technical feasibility of developing a common database of individuals who may pose a threat to aviation or national security;

''(2) enter into memoranda of understanding with other Federal agencies to share or otherwise cross-check data on such individuals identified on Federal agency data bases, and may utilize other available data bases as necessary; and

''(3) evaluate and assess technologies in development or use at Federal departments, agencies, and instrumentalities that might be useful in improving the safety and security of aviation in the United States.''.

(b) POLICIES AND PROCEDURES.—Section 44911(b) of title 49, United States Code, is amended by striking ''international''.

(c) STRATEGIC PLANNING.—Section 44911(c) of title 49, United States Code, is amended by striking ''consider placing'' and inserting ''place''.

SEC. 104. IMPROVED FLIGHT DECK INTEGRITY MEASURES.

(a) IN GENERAL.—As soon as possible after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) issue an order (without regard to the provisions of chapter 5 of title 5, United States Code)—

(A) prohibiting access to the flight deck of aircraft engaged in passenger air transportation or intrastate air transportation except to authorized personnel;

(B) requiring the strengthening of the flight deck door and locks on any such air-

craft operating in air transportation or intrastate air transportation that has a rigid door in a bulkhead between the flight deck and the passenger area to ensure that the door cannot be forced open from the passenger compartment;

(C) requiring that such flight deck doors remain locked while any such aircraft is in flight except when necessary to permit the flight deck crew access and egress; and

(D) prohibiting the possession of a key to any such flight deck door by any member of the flight crew who is not assigned to the flight deck; and

(2) take such other action, including modification of safety and security procedures, as may be necessary to ensure the safety and security of the aircraft.

(b) COMMUTER AIRCRAFT.—The Administrator shall investigate means of securing, to the greatest feasible extent, the flight deck of aircraft operating in air transportation or intrastate air transportation that do not have a rigid fixed door with a lock between the passenger compartment and the flight deck and issue such an order as the Administrator deems appropriate (without regard to the provisions of chapter 5 of title 5, United States Code) to ensure the inaccessibility, to the greatest extent feasible, of the flight deck while the aircraft is so engaged.

SEC. 105. DEPLOYMENT OF FEDERAL AIR MARSHALS.

(a) AIR MARSHALS UNDER ATTORNEY GENERAL GUIDELINES.—The Attorney General shall prescribe guidelines for the training and deployment of individuals authorized, with the approval of the Attorney General, to carry firearms and make arrests under section 44903(d) of title 49, United States Code. The Secretary of Transportation shall administer the air marshal program under that section in accordance with the guidelines prescribed by the Attorney General.

(b) DEPLOYMENT.—Section 44903(d) of title 49, United States Code, is amended—

(1) by inserting ''(1)'' before ''With'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B); and

(3) by adding at the end the following:

''(2) The Secretary—

''(A) may place Federal air marshals on every scheduled passenger flight in air transportation and intrastate air transportation; and

''(B) shall place them on every such flight determined by the Secretary to present high security risks.

''(3) In making the determination under paragraph (2)(B), nonstop longhaul flights, such as those targeted on September 11, 2001, should be a priority.''.

(c) TRAINING, SUPERVISION, AND FLIGHT ASSIGNMENT.—Within 30 days after the date of enactment of this Act, the Secretary of Transportation, under the authority of subsections (d) and (e) of section 44903 of title 49, United States Code, shall—

(1) provide for deployment of Federal air marshals on flights in air transportation and intrastate air transportation;

(2) provide for appropriate background and fitness checks for candidates for appointment as Federal air marshals;

(3) provide for appropriate training, supervision, and equipment of Federal air marshals; and

(4) require air carriers to provide seating for Federal air marshals on any flight without regard to the availability of seats on that flight.

(d) INTERNATIONAL FLIGHTS.—The Secretary shall work with the International Civil Aviation Organization and with appropriate civil aviation authorities of foreign governments under section 44907 of title 49, United States Code, to address security concerns on flights by foreign air carriers to and from the United States.

(e) INTERIM MEASURES.—The Secretary may, after consultation with the heads of other Federal agencies and departments, use personnel from those agencies and departments to provide air marshal service on domestic and international flights, and may use the authority provided by section 324 of title 49, United States Code, for such purpose.

(f) REPORTS.—

(1) IN GENERAL.—The Attorney General and the Secretary of Transportation shall submit the following reports in classified form, if necessary, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure:

(A) Within 18 months after the date of enactment of this Act, an assessment of the program carried out under section 44903(d) of title 49, United States Code.

(B) Within 120 days after such date, an assessment of the effectiveness of the security screening process for carry-on baggage and checked baggage.

(C) Within 6 months after the date of enactment of this Act, an assessment of the safety and security-related training provided to flight and cabin crews.

(2) RECOMMENDATIONS.—The Attorney General and the Secretary may submit, as part of any report under this subsection or separately, any recommendations they may have for improving the effectiveness of the Federal air marshal program or the security screening process.

(g) COOPERATION WITH OTHER AGENCIES.—The last sentence of section 106(m) of title 49, United States Code, is amended by striking ''supplies and'' and inserting ''supplies, personnel, services, and''.

(h) AUTHORITY TO APPOINT RETIRED LAW ENFORCEMENT OFFICERS.—Notwithstanding any other provision of law, the Secretary of Transportation may appoint an individual who is a retired law enforcement officer or a retired member of the Armed Forces as a Federal air marshal, regardless of age, or an individual discharged or furloughed from a commercial airline cockpit crew position, if the individual otherwise meets the background and fitness qualifications required for Federal air marshals.

SEC. 106. IMPROVED AIRPORT PERIMETER ACCESS SECURITY.

(a) IN GENERAL.—Section 44903 of title 49, United States Code, is amended by adding at the end the following:

''(h) IMPROVED AIRPORT PERIMETER ACCESS SECURITY.—

''(1) IN GENERAL.—The Secretary of Transportation, in consultation with the airport operator and law enforcement authorities, may order the deployment of such personnel at any secure area of the airport as necessary to counter the risk of criminal violence, the risk of aircraft piracy at the airport, the risk to air carrier aircraft operations at the airport, or to meet national security concerns.

''(2) SECURITY OF AIRCRAFT AND GROUND ACCESS TO SECURE AREAS.—In determining where to deploy such personnel, the Secretary shall consider the physical security needs of air traffic control facilities, parked aircraft, aircraft servicing equipment, aircraft supplies (including fuel), automobile parking facilities within airport perimeters or adjacent to secured facilities, and access and transition areas at airports served by other means of ground or water transportation. The Secretary of Transportation, after consultation with the Aviation Security Coordination Council, shall consider whether airport, air carrier personnel, and other individuals with access to such areas should be screened to prevent individuals who present a risk to aviation security or national security from gaining access to such areas.

''(3) DEPLOYMENT OF FEDERAL LAW ENFORCEMENT PERSONNEL.—The Secretary of Transportation may enter into a memorandum of understanding or other agreement with the Attorney General or the head of any other appropriate Federal law enforcement agency to deploy Federal law enforcement personnel at an airport in order to meet aviation safety and security concerns.''.

(b) SMALL AND MEDIUM AIRPORTS.—The Administrator of the Federal Aviation Administration shall develop a plan to provide technical support to small and medium airports to enhance security operations, including screening operations, and to provide financial assistance to those airports to defray the costs of enhancing security. The Federal Aviation Administration in consultation with the appropriate State or local government law enforcement authorities, shall reexamine the safety requirements for small community airports, to reflect a reasonable level of threat to those individual small community airports, including the parking of passenger vehicles within 300 feet of the airport terminal building with respect to that airport.

(c) CHEMICAL AND BIOLOGICAL WEAPON DETECTION.—Section 44903(c)(2)(C) of title 49, United States Code, is amended to read as follows:

''(C) MAXIMUM USE OF CHEMICAL AND BIOLOGICAL WEAPON DETECTION EQUIPMENT.—The Secretary of Transportation shall require airports to maximize the use of technology and equipment that is designed to detect potential chemical or biological weapons.''.

(d) IMPROVEMENT OF SECURED-AREA ACCESS CONTROL.—Section 44903(g)(2) of title 49, United States Code, is amended—

(1) by striking ''weaknesses by January 31, 2001;'' in subparagraph (A) and inserting ''weaknesses;'';

(2) by striking subparagraph (D) and inserting the following:

''(D) on an ongoing basis, assess and test for compliance with access control requirements, report annually findings of the assessments, and assess the effectiveness of penalties in ensuring compliance with security procedures and take any other appropriate enforcement actions when noncompliance is found;'';

(3) by striking ''program by January 31, 2001;'' in subparagraph (F) and inserting ''program;''; and

(4) by striking subparagraph (G) and inserting the following:

''(G) work with airport operators to strengthen access control points in secured areas (including air traffic control operations areas, maintenance areas, crew lounges, baggage handling areas, concessions, and catering delivery areas) to ensure the security of passengers and aircraft and consider the deployment of biometric or similar technologies that identify individuals based on unique personal characteristics.''.

(e) AIRPORT SECURITY PILOT PROGRAM.—Section 44903(c) of title 49, United States Code, is amended by adding at the end the following:

''(3) The Administrator shall establish pilot programs in no fewer than 20 airports to test and evaluate new and emerging technology for providing access control and other security protections for closed or secure areas of the airports. Such technology may include biometric or other technology that ensures only authorized access to secure areas.''.

(f) AIRPORT SECURITY AWARENESS PROGRAMS.—The Secretary of Transportation shall require air carriers and airports involved in air transportation or intrastate air transportation to develop security awareness

programs for airport employees, ground crews, and other individuals employed at such airports.

SEC. 107. ENHANCED ANTI-HIJACKING TRAINING FOR FLIGHT CREWS.

(a) IN GENERAL.—The Secretary of Transportation shall develop a mandatory air carrier program of training for flight and cabin crews of aircraft providing air transportation or intrastate air transportation in dealing with attempts to commit aircraft piracy (as defined in section 46502(a)(1)(A) of title 49, United States Code). The Secretary shall ensure that the training curriculum is developed in consultation with Federal law enforcement agencies with expertise in terrorism, self-defense, hijacker psychology, and current threat conditions.

(b) NOTIFICATION PROCEDURES.—The Administrator of the Federal Aviation Administration shall revise the procedures by which cabin crews of aircraft can notify flight deck crews of security breaches and other emergencies and implement any new measures as soon as practicable.

SEC. 108. PASSENGER AND PROPERTY SCREENING.

(a) IN GENERAL.—Section 44901 of title 49, United States Code, is amended to read as follows:

"§ 44901. Screening passengers, individuals with access to secure areas, and property

''(a) IN GENERAL.—The Attorney General, in consultation with the Secretary of Transportation, shall provide for the screening of all passengers and property, including United States mail, cargo, carry-on and checked baggage, and other articles, that will be carried aboard an aircraft in air transportation or intrastate air transportation. The screening shall take place before boarding and, except as provided in subsection (c), shall be carried out by a Federal government employee (as defined in section 2105 of title 5, United States Code). The Attorney General, in consultation with the Secretary, shall provide for the screening of all persons, including airport, air carrier, foreign air carrier, and airport concessionaire employees, before they are allowed into sterile or secure areas of the airport, as determined by the Attorney General. The screening of airport, air carrier, foreign air carrier, and airport concessionaire employees, and other nonpassengers with access to secure areas, shall be conducted in the same manner as passenger screenings are conducted, except that the Attorney General may authorize alternative screening procedures for personnel engaged in providing airport or aviation security at an airport. In carrying out this subsection, the Attorney General shall maximize the use of available nonintrusive and other inspection and detection technology that is approved by the Administrator of the Federal Aviation Administration for the purpose of screening passengers, baggage, mail, or cargo.

''(b) DEPLOYMENT OF ARMED PERSONNEL.—

''(1) IN GENERAL.—The Attorney General shall order the deployment of law enforcement personnel authorized to carry firearms at each airport security screening location to ensure passenger safety and national security.

''(2) MINIMUM REQUIREMENTS.—Except at airports required to enter into agreements under subsection (c), the Attorney General shall order the deployment of at least 1 law enforcement officer at each airport security screening location. At the 100 largest airports in the United States, in terms of annual passenger enplanements for the most recent calendar year for which data are available, the Attorney General shall order the deployment of additional law enforcement personnel at airport security screening locations if the Attorney General determines that the additional deployment is necessary to ensure passenger safety and national security.

''(c) SECURITY AT SMALL COMMUNITY AIRPORTS.—

''(1) PASSENGER SCREENING.—In carrying out subsection (a) and subsection (b)(1), the Attorney General may require any nonhub airport (as defined in section 41731(a)(4)) or smaller airport with scheduled passenger operations to enter into an agreement under which screening of passengers and property will be carried out by qualified, trained State or local law enforcement personnel if—

''(A) the screening services are equivalent to the screening services that would be carried out by Federal personnel under subsection (a);

''(B) the training and evaluation of individuals conducting the screening or providing security services meets the standards set forth in section 44935 for training and evaluation of Federal personnel conducting screening or providing security services under subsection (a);

''(C) the airport is reimbursed by the United States, using funds made available by the Aviation Security Act, for the costs incurred in providing the required screening, training, and evaluation; and

''(D) the Attorney General has consulted the airport sponsor.

''(2) DETERMINATION OF LIMITED REQUIREMENTS.—The Attorney General, in consultation with the Secretary of Transportation, may prescribe modified aviation security measures for a nonhub airport if the Attorney General determines that specific security measures are not required at a nonhub airport at all hours of airport operation because of—

''(A) the types of aircraft that use the airport;

''(B) seasonal variations in air traffic and types of aircraft that use the airport; or

''(C) other factors that warrant modification of otherwise applicable security requirements.

''(3) ADDITIONAL FEDERAL SECURITY MEASURES.—At any airport required to enter into a reimbursement agreement under paragraph (1), the Attorney General—

''(A) may provide or require additional security measures;

''(B) may conduct random security inspections; and

''(C) may provide assistance to enhance airport security at that airport.

''(d) MANUAL PROCESS.—

''(1) IN GENERAL.—The Attorney General shall require a manual process, at explosive detection system screening locations in airports where explosive detection equipment is underutilized, which will augment the Computer Assisted Passenger Prescreening System by randomly selecting additional checked bags for screening so that a minimum number of bags, as prescribed by the Attorney General, are examined.

''(2) LIMITATION ON STATUTORY CONSTRUCTION.—Paragraph (1) shall not be construed to limit the ability of the Attorney General or the Secretary of Transportation to impose additional security measures when a specific threat warrants such additional measures.

''(3) MAXIMUM USE OF EXPLOSIVE DETECTION EQUIPMENT.—In prescribing the minimum number of bags to be examined under paragraph (1), the Attorney General shall seek to maximize the use of the explosive detection equipment.

''(e) FLEXIBILITY OF ARRANGEMENTS.—In carrying out subsections (a), (b), and (c), the Attorney General may use memoranda of understanding or other agreements with the heads of appropriate Federal law enforcement agencies covering the utilization and deployment of personnel of the Department of Justice or such other agencies.''.

(b) DEPUTIZING OF STATE AND LOCAL LAW ENFORCEMENT OFFICERS.—Section 512 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century is amended—

(1) by striking ''purpose of'' in subsection (b)(1)(A) and inserting ''purposes of (i)'';

(2) by striking ''transportation;'' in subsection (b)(1)(A) and inserting ''transportation, and (ii) regulate the provisions of security screening services under section 44901(c) of title 49, United States Code;'';

(3) by striking ''NOT FEDERAL RESPONSIBILITY'' in the heading of subsection (b)(3)(b);

(4) by striking ''shall not be responsible for providing'' in subsection (b)(3)(B) and inserting ''may provide'';

(5) by striking ''flight.'' in subsection (c)(2) and inserting ''flight and security screening functions under section 44901(c) of title 49, United States Code.'';

(6) by striking ''General'' in subsection (e) and inserting ''General, in consultation with the Secretary of Transportation,''; and

(7) by striking subsection (f).

(c) TRANSITION.—The Attorney General shall complete the full implementation of section 44901 of title 49, United States Code, as amended by subsection (a), as soon as is practicable but in no event later than 9 months after the date of enactment of this Act. The Attorney General may make or continue such arrangements, including arrangements under the authority of sections 40110 and 40111 of that title, for the screening of passengers and property under that section as the Attorney General determines necessary pending full implementation of that section as so amended.

SEC. 109. TRAINING AND EMPLOYMENT OF SECURITY SCREENING PERSONNEL.

(a) IN GENERAL.—Section 44935 of title 49, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (i); and

(2) by striking subsection (e) and inserting the following:

''(e) SECURITY SCREENERS.—

''(1) TRAINING PROGRAM.—The Attorney General, in consultation with the Secretary of Transportation, shall establish a program for the hiring and training of security screening personnel.

''(2) HIRING.—

''(A) QUALIFICATIONS.—The Attorney General shall establish, within 30 days after the date of enactment of the Aviation Security Act, qualification standards for individuals to be hired by the United States as security screening personnel. Notwithstanding any provision of law to the contrary, those standards shall, at a minimum, require an individual—

''(i) to have a satisfactory or better score on a Federal security screening personnel selection examination;

''(ii) to have been a national of the United States, as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)), for a minimum of 5 consecutive years;

''(iii) to have passed an examination for recent consumption of a controlled substance;

''(iv) to meet, at a minimum, the requirements set forth in subsection (f); and

''(v) to meet such other qualifications as the Attorney General may establish.

''(B) BACKGROUND CHECKS.—The Attorney General shall require that an individual to be hired as a security screener undergo an employment investigation (including a criminal history record check) under section 44936(a)(1).

''(C) DISQUALIFICATION OF INDIVIDUALS WHO PRESENT NATIONAL SECURITY RISKS.—The Attorney General, in consultation with the heads of other appropriate Federal agencies, shall establish procedures, in addition to any

background check conducted under section 44936, to ensure that no individual who presents a threat to national security is employed as a security screener.

''(3) EXAMINATION; REVIEW OF EXISTING RULES.—The Attorney General shall develop a security screening personnel examination for use in determining the qualification of individuals seeking employment as security screening personnel. The Attorney General shall also review, and revise as necessary, any standard, rule, or regulation governing the employment of individuals as security screening personnel.

''(f) EMPLOYMENT STANDARDS FOR SCREENING PERSONNEL.—

''(1) SCREENER REQUIREMENTS.—Notwithstanding any provision of law to the contrary, an individual may not be employed as a security screener unless that individual meets the following requirements:

''(A) The individual shall possess a high school diploma, a General Equivalency Diploma, or experience that the Attorney General has determined to have equipped the individual to perform the duties of the position.

''(B) The individual shall possess basic aptitudes and physical abilities including color perception, visual and aural acuity, physical coordination, and motor skills to the following standards:

''(i) Screeners operating screening equipment shall be able to distinguish on the screening equipment monitor the appropriate imaging standard specified by the Attorney General. Wherever the screening equipment system displays colors, the operator shall be able to perceive each color.

''(ii) Screeners operating any screening equipment shall be able to distinguish each color displayed on every type of screening equipment and explain what each color signifies.

''(iii) Screeners shall be able to hear and respond to the spoken voice and to audible alarms generated by screening equipment in an active checkpoint environment.

''(iv) Screeners performing physical searches or other related operations shall be able to efficiently and thoroughly manipulate and handle such baggage, containers, and other objects subject to security processing.

''(v) Screeners who perform pat-downs or hand-held metal detector searches of individuals shall have sufficient dexterity and capability to thoroughly conduct those procedures over a individual's entire body.

''(C) The individual shall be able to read, speak, and write English well enough to—

''(i) carry out written and oral instructions regarding the proper performance of screening duties;

''(ii) read English language identification media, credentials, airline tickets, and labels on items normally encountered in the screening process;

''(iii) provide direction to and understand and answer questions from English-speaking individuals undergoing screening; and

''(iv) write incident reports and statements and log entries into security records in the English language.

''(D) The individual shall have satisfactorily completed all initial, recurrent, and appropriate specialized training required by the security program, except as provided in paragraph (2).

''(2) EXCEPTIONS.—An individual who has not completed the training required by this section may be employed during the on-the-job portion of training to perform functions if that individual—

''(A) is closely supervised; and

''(B) does not make independent judgments as to whether individuals or property may enter a sterile area or aircraft without further inspection.

''(3) REMEDIAL TRAINING.—No individual employed as a security screener may perform a screening function after that individual has failed an operational test related to that function until that individual has successfully completed the remedial training specified in the security program.

''(4) ANNUAL PROFICIENCY REVIEW.—The Attorney General shall provide that an annual evaluation of each individual assigned screening duties is conducted and documented. An individual employed as a security screener may not continue to be employed in that capacity unless the evaluation demonstrates that the individual—

''(A) continues to meet all qualifications and standards required to perform a screening function;

''(B) has a satisfactory record of performance and attention to duty based on the standards and requirements in the security program; and

''(C) demonstrates the current knowledge and skills necessary to courteously, vigilantly, and effectively perform screening functions.

''(5) OPERATIONAL TESTING.—In addition to the annual proficiency review conducted under paragraph (4), the Attorney General shall provide for the operational testing of such personnel.

''(g) TRAINING.—

''(1) USE OF OTHER AGENCIES.—The Attorney General shall enter into a memorandum of understanding or other arrangement with any other Federal agency or department with appropriate law enforcement responsibilities, to provide personnel, resources, or other forms of assistance in the training of security screening personnel.

''(2) TRAINING PLAN.—The Attorney General shall, within 60 days after the date of enactment of the Aviation Security Act, develop a plan for the training of security screening personnel. The plan shall, at a minimum, require that before being deployed as a security screener, an individual—

''(A) has completed 40 hours of classroom instruction or successfully completed a program that the Attorney General determines will train individuals to a level of proficiency equivalent to the level that would be achieved by such classroom instruction;

''(B) has completed 60 hours of on-the-job instruction; and

''(C) has successfully completed an on-the-job training examination prescribed by the Attorney General.

''(3) EQUIPMENT-SPECIFIC TRAINING.—An individual employed as a security screener may not use any security screening device or equipment in the scope of that individual's employment unless the individual has been trained on that device or equipment and has successfully completed a test on the use of the device or equipment.

''(h) TECHNOLOGICAL TRAINING.—The Attorney General shall require training to ensure that screeners are proficient in using the most up-to-date new technology and to ensure their proficiency in recognizing new threats and weapons. The Attorney General shall make periodic assessments to determine if there are dual use items and inform security screening personnel of the existence of such items. Current lists of dual use items shall be part of the ongoing training for screeners. For purposes of this subsection, the term 'dual use' item means an item that may seem harmless but that may be used as a weapon.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 44936(a)(1)(A) is amended by inserting ''as a security screener under section 44935(e) or a position'' after ''a position''.

(2) Section 44936(b) of title 49, United States Code, is amended—

(A) by inserting ''the Attorney General,'' after ''subsection,'' in paragraph (1); and

(B) by striking ''An'' in paragraph (3) and inserting ''The Attorney General, an''.

(3) Section 44936(a)(1)(E) is amended by striking clause (iv).

(c) TRANSITION.—The Attorney General shall complete the full implementation of section 44935 (e), (f), (g), and (h) of title 49, United States Code, as amended by subsection (a), as soon as is practicable. The Attorney General may make or continue such arrangements for the training of security screeners under that section as the Attorney General determines necessary pending full implementation of that section as so amended.

(d) SCREENER PERSONNEL.—Notwithstanding any other provision of law, the Attorney General may employ, appoint, discipline, terminate, and fix the compensation, terms, and conditions of employment of Federal service for such a number of individuals as the Attorney General determines to be necessary to carry out the passenger security screening functions of the Attorney General under section 44901 of title 49, United States Code.

(e) STRIKES PROHIBITED.—An individual employed as a security screener under section 44901 of title 49, United States Code, is prohibited from participating in a strike or asserting the right to strike pursuant to section 7311(3) or 7116(b)(7) of title 5, United States Code.

(f) BACKGROUND CHECKS FOR EXISTING EMPLOYEES.—

(1) IN GENERAL.—Section 44936 of title 49, United States Code, is amended by inserting ''is or'' before ''will'' in subsection (a)(1)(B)(i).

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) apply with respect to individuals employed on or after the date of enactment of the Aviation Security Act in a position described in subparagraph (A) or (B) of section 44936(a)(1) of title 49, United States Code. The Secretary of Transportation may provide by order for a phased-in implementation of the requirements of section 44936 of that title made applicable to individuals employed in such positions at airports on the date of enactment of this Act.

SEC. 110. RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 44912(b)(1) of title 49, United States Code, is amended—

(1) by striking ''complete an intensive review of'' and inserting ''periodically review'';

(2) by striking ''commercial aircraft in service and expected to be in service in the 10-year period beginning on November 16, 1990;'' in subparagraph (B) and inserting ''aircraft in air transportation;''; and

(3) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively, and inserting after subparagraph (C) the following:

''(D) the potential release of chemical, biological, or similar weapons or devices either within an aircraft or within an airport;''.

(b) ADDITIONAL MATTERS REGARDING RESEARCH AND DEVELOPMENT.—

(1) ADDITIONAL PROGRAM REQUIREMENTS.—Subsection (a) of section 44912 of title 49, United States Code, is amended—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following new paragraph (4):

''(4)(A) In carrying out the program established under this subsection, the Administrator shall designate an individual to be responsible for engineering, research, and development with respect to security technology under the program.

''(B) The individual designated under subparagraph (A) shall use appropriate systems engineering and risk management models in making decisions regarding the allocation of funds for engineering, research, and develop-

ment with respect to security technology under the program.

''(C) The individual designated under subparagraph (A) shall, on an annual basis, submit to the Research, Engineering and Development Advisory Committee a report on activities under this paragraph during the preceding year. Each report shall include, for the year covered by such report, information on—

''(i) progress made in engineering, research, and development with respect to security technology;

''(ii) the allocation of funds for engineering, research, and development with respect to security technology; and

''(iii) engineering, research, and development with respect to any technologies drawn from other agencies, including the rationale for engineering, research, and development with respect to such technologies.''.

(2) REVIEW OF THREATS.—Subsection (b)(1) of that section is amended—

(A) by redesignating subparagraphs (A) through (F) as subparagraphs (B) through (G), respectively; and

(B) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) a comprehensive systems analysis (employing vulnerability analysis, threat attribute definition, and technology roadmaps) of the civil aviation system, including—

''(i) the destruction, commandeering, or diversion of civil aircraft or the use of civil aircraft as a weapon; and

''(ii) the disruption of civil aviation service, including by cyber attack;''.

(3) SCIENTIFIC ADVISORY PANEL.—Subsection (c) of that section is amended to read as follows:

''(c) SCIENTIFIC ADVISORY PANEL.—(1) The Administrator shall establish a scientific advisory panel, as a subcommittee of the Research, Engineering, and Development Advisory Committee, to review, comment on, advise the progress of, and recommend modifications in, the program established under subsection (a) of this section, including the need for long-range research programs to detect and prevent catastrophic damage to commercial aircraft, commercial aviation facilities, commercial aviation personnel and passengers, and other components of the commercial aviation system by the next generation of terrorist weapons.

''(2)(A) The advisory panel shall consist of individuals who have scientific and technical expertise in—

''(i) the development and testing of effective explosive detection systems;

''(ii) aircraft structure and experimentation to decide on the type and minimum weights of explosives that an effective explosive detection technology must be capable of detecting;

''(iii) technologies involved in minimizing airframe damage to aircraft from explosives; and

''(iv) other scientific and technical areas the Administrator considers appropriate.

''(B) In appointing individuals to the advisory panel, the Administrator should consider individuals from academia and the national laboratories, as appropriate.

''(3) The Administrator shall organize the advisory panel into teams capable of undertaking the review of policies and technologies upon request.

''(4) Not later than 90 days after the date of the enactment of the Aviation Security Act, and every two years thereafter, the Administrator shall review the composition of the advisory panel in order to ensure that the expertise of the individuals on the panel is suited to the current and anticipated duties of the panel.''.

(c) COORDINATION WITH ATTORNEY GENERAL.—Section 44912(b) of title 49, United States Code, is amended by adding at the end the following:

''(3) Beginning on the date of enactment of the Aviation Security Act, the Administrator shall conduct all research related to screening technology and procedures in conjunction with the Attorney General.''.

SEC. 111. FLIGHT SCHOOL SECURITY.

(a) PROHIBITION.—Chapter 449 of title 49, United States Code, is amended by adding at the end the following new section:

''§ 44939. Training to operate jet-propelled aircraft

''(a) PROHIBITION.—No person subject to regulation under this part may provide training in the operation of any jet-propelled aircraft to any alien (or other individual specified by the Secretary of Transportation under this section) within the United States unless the Attorney General issues to that person a certification of the completion of a background investigation of the alien or other individual under subsection (b).

''(b) INVESTIGATION.—

''(1) REQUEST.—Upon the joint request of a person subject to regulation under this part and an alien (or individual specified by the Secretary) for the purposes of this section, the Attorney General shall—

''(A) carry out a background investigation of the alien or individual within 30 days after the Attorney General receives the request; and

''(B) upon completing the investigation, issue a certification of the completion of the investigation to the person.

''(2) SCOPE.—A background investigation of an alien or individual under this subsection shall consist of the following:

''(A) A determination of whether there is a record of a criminal history for the alien or individual and, if so, a review of the record.

''(B) A determination of the status of the alien under the immigration laws of the United States.

''(C) A determination of whether the alien or individual presents a national security risk to the United States.

''(3) RECURRENT TRAINING.—The Attorney General shall develop expedited procedures for requests that relate to recurrent training of an alien or other individual for whom a certification has previously been issued under paragraph (1).

''(c) SANCTIONS.—A person who violates subsection (a) shall be subject to administrative sanctions that the Secretary of Transportation shall prescribe in regulations. The sanctions may include suspension and revocation of licenses and certificates issued under this part.

''(d) COVERED TRAINING.—For the purposes of subsection (a), training includes in-flight training, training in a simulator, and any other form or aspect of training.

''(e) REPORTING REQUIREMENT.—Each person subject to regulation under this part that provides training in the operation of any jet-propelled aircraft shall report to the Secretary of Transportation, at such time and in such manner as the Secretary may prescribe, the name, address, and such other information as the Secretary may require concerning—

''(1) each alien to whom such training is provided; and

''(2) every other individual to whom such training is provided as the Secretary may require.

''(f) ALIEN DEFINED.—In this section, the term 'alien' has the meaning given the term in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''44939. Training to operate jet-propelled aircraft.''.

(c) INTERNATIONAL COOPERATION.—The Secretary of Transportation, in consultation with the Secretary of State, shall work with the International Civil Aviation Organization and the civil aviation authorities of other countries to improve international aviation security through screening programs for flight instruction candidates.

SEC. 112. REPORT TO CONGRESS ON SECURITY.

Within 60 days after the date of enactment of this Act, the Attorney General and the Secretary of Transportation shall transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure containing their joint recommendations on additional measures for the Federal Government to address transportation security functions.

SEC. 113. GENERAL AVIATION AND AIR CHARTERS.

The Secretary of Transportation shall submit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure within 3 months after the date of enactment of this Act a report on how to improve security with respect to general aviation and air charter operations in the United States.

SEC. 114. INCREASED PENALTIES FOR INTERFERENCE WITH SECURITY PERSONNEL.

(a) IN GENERAL.—Chapter 465 of title 49, United States Code, is amended by inserting after section 46502 the following:

''§ 46503. Interference with security screening personnel

''An individual in an area within a commercial service airport in the United States who, by assaulting or intimidating a Federal, airport, or air carrier employee who has security duties within the airport, interferes with the performance of the duties of the employee or lessens the ability of the employee to perform those duties, shall be fined under title 18, imprisoned for not more than 10 years, or both. If the individual used a dangerous weapon in committing the assault, intimidation, or interference, the individual may be imprisoned for any term of years or life imprisonment.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 465 of such title is amended by inserting after the item relating to section 46502 the following:

''46503. Interference with security screening personnel''.

SEC. 115. SECURITY-RELATED STUDY BY FAA.

Within 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall transmit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure a report setting forth the Administrator's findings and recommendations on the following aviation security-related issues:

(1) A requirement that individuals employed at an airport with scheduled passenger service, and law enforcement personnel at such an airport, be screened via electronic identity verification or, until such verification is possible, have their identity verified by visual inspection.

(2) The installation of switches in the cabin for use by cabin crew to notify the flight crew discreetly that there is a security breach in the cabin.

(3) A requirement that air carriers and airports revalidate all employee identification cards using hologram stickers, through card re-issuance, or through electronic revalidation.

(4) The updating of the common strategy used by the Administration, law enforcement

agencies, air carriers, and flight crews during hijackings to include measures to deal with suicidal hijackers and other extremely dangerous events not currently dealt with by the strategy.

(5) The use of technology that will permit enhanced instant communications and information between airborne passenger aircraft and appropriate individuals or facilities on the ground.

SEC. 116. AIR TRANSPORTATION ARRANGEMENTS IN CERTAIN STATES.

(a) IN GENERAL.—Notwithstanding any provision of section 41309(a) of title 49, United States Code, to the contrary, air carriers providing air transportation on flights which both originate and terminate at points within the same State may file an agreement, request, modification, or cancellation of an agreement within the scope of that section with the Secretary of Transportation upon a declaration by the Governor of the State that such agreement, request, modification, or cancellation is necessary to ensure the continuing availability of such air transportation within that State.

(b) APPROVAL OF SECRETARY.—The Secretary may approve any such agreement, request, modification, or cancellation and grant an exemption under section 41308(c) of title 49, United States Code, to the extent necessary to effectuate such agreement, request, modification, or cancellation, without regard to the provisions of section 41309(b) or (c) of that title.

(c) PUBLIC INTEREST REQUIREMENT.—The Secretary may approve such an agreement, request, modification, or cancellation if the Secretary determines that—

(1) the State to which it relates has extraordinary air transportation needs and concerns; and

(2) approval is in the public interest.

(d) TERMINATION.—An approval under subsection (b) and an exemption under section 41308(c) of title 49, United States Code, granted under subsection (b) shall terminate on the earlier of the 2 following dates:

(1) A date established by the Secretary in the Secretary's discretion.

(2) October 1, 2002.

(e) EXTENSION.—Notwithstanding subsection (d), if the Secretary determines that it is in the public interest, the Secretary may extend the termination date under subsection (d)(2) until a date no later than October 1, 2003.

SEC. 117. AIRLINE COMPUTER RESERVATION SYSTEMS.

(a) IN GENERAL.—In order to ensure that all airline computer reservation systems maintained by United States air carriers are secure from unauthorized access by persons seeking information on reservations, passenger manifests, or other non-public information, the Secretary of Transportation shall require all such air carriers to utilize to the maximum extent practicable the best technology available to secure their computer reservation system against such unauthorized access.

(b) REPORT.—The Secretary shall transmit an annual report to the Senate Committee on Commerce, Science, and Transportation and to the House of Representatives Committee on Transportation and Infrastructure on compliance by United States air carriers with the requirements of subsection (a).

SEC. 118. SECURITY FUNDING.

(a) USER FEE FOR SECURITY SERVICES.—

(1) IN GENERAL.—Chapter 481 is amended by adding at the end thereof the following:

"§ 48114. User fee for security services charge

''(a) IN GENERAL.—The Secretary of Transportation shall collect a user fee from air carriers. Amounts collected under this section shall be treated as offsetting collections to offset annual appropriations for the costs of providing aviation security services.

''(b) AMOUNT OF FEE.—Air carriers shall remit $2.50 for each passenger enplanement.

''(c) USE OF FEES.—A fee collected under this section shall be used solely for the costs associated with providing aviation security services and may be used only to the extent provided in advance in an appropriation law.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 481 is amended by adding at the end thereof the following:

''48114. User fee for security services''.

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to transportation beginning after the date which is 180 days after the date of enactment of this Act.

(b) SPECIFIC AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Part C of subtitle VII of title 49, United States Code, is amended by adding at the end the following:

''CHAPTER 483. AVIATION SECURITY FUNDING.

''Sec.

''48301. Aviation security funding

"§ 48301. Aviation security funding

''There are authorized to be appropriated for fiscal years 2002, 2003, and 2004, such sums as may be necessary to carry out chapter 449 and related aviation security activities under this title.''.

(2) CONFORMING AMENDMENT.—The subtitle analysis for subtitle VII of title 49, United States Code, is amended by inserting after the item relating to chapter 482 the following:

''483. Aviation Security Funding ..... 48301''.

SEC. 119. INCREASED FUNDING FLEXIBILITY FOR AVIATION SECURITY.

(a) LIMITED USE OF AIRPORT IMPROVEMENT PROGRAM FUNDS.—

(1) BLANKET AUTHORITY.—Notwithstanding any provision of law to the contrary, including any provision of chapter 471 of title 49, United States Code, or any rule, regulation, or agreement thereunder, for fiscal year 2002 the Administrator of the Federal Aviation Administration may permit an airport operator to use amounts made available under that chapter to defray additional direct security-related expenses imposed by law or rule after September 11, 2001, for which funds are not otherwise specifically appropriated or made available under this or any other Act.

(2) AIRPORT DEVELOPMENT FUNDS.—Section 47102(3) of title 49, United States Code, is amended by adding at the end the following:

''(J) after September 11, 2001, and before October 1, 2002, for fiscal year 2002, additional operational requirements, improvement of facilities, purchase and deployment of equipment, hiring, training, and providing appropriate personnel, or an airport or any aviation operator at an airport, that the Secretary determines will enhance and ensure the security of passengers and other persons involved in air travel.''.

(3) ALLOWABLE COSTS.—Section 47110(b)(2) of title 49, United States Code, is amended—

(A) by striking ''or'' in subparagraph (B);

(B) by inserting ''or'' after ''executed;'' in subparagraph (C); and

(C) by adding at the end the following:

''(D) if the cost is incurred after September 11, 2001, for a project described in section 47102(3)(J), and shall not depend upon the date of execution of a grant agreement made under this subchapter;''.

(4) DISCRETIONARY GRANTS.—Section 47115 of title 49, United States Code, is amended by adding at the end the following:

''(i) CONSIDERATIONS FOR PROJECT UNDER EXPANDED SECURITY ELIGIBILITY.—In order to assure that funding under this subchapter is provided to the greatest needs, the Secretary, in selecting a project described in section 47102(3)(J) for a grant, shall consider the nonfederal resources available to sponsor, the use of such nonfederal resources, and the degree to which the sponsor is providing increased funding for the project.''.

(5) FEDERAL SHARE.—Section 47109(a) of title 49, United States Code, is amended—

(A) by striking ''and'' in paragraph (3);

(B) by striking ''47134.'' in paragraph (4) and inserting ''47134; and''; and

(C) by adding at the end the following:

''(5) for fiscal year 2002, 100 percent for a project described in section 47102(3)(J).''.

(b) APPORTIONED FUNDS.—For the purpose of carrying out section 47114 of title 49, United States Code, for fiscal year 2003, the Secretary shall use, in lieu of passenger boardings at an airport during the prior calendar year, the greater of—

(1) the number of passenger boardings at that airport during 2000; or

(2) the number of passenger boardings at that airport during 2001.

(c) EXPEDITED PROCESSING OF SECURITY-RELATED PFC REQUESTS.—The Administrator of the Federal Aviation Administration shall, to the extent feasible, expedite the processing and approval of passenger facility fee requests under subchapter I of chapter 471 of title 49, United States Code, for projects described in section 47192(3)(J) of title 49, United States Code.

SEC. 120. AUTHORIZATION OF FUNDS FOR REIMBURSEMENT OF AIRPORTS FOR SECURITY MANDATES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation such sums as may be necessary for fiscal year 2002 to compensate airport operators for eligible security costs.

(b) REIMBURSABLE COSTS.—The Secretary may reimburse an airport operator (from amounts made available for obligation under subsection (a)) for the direct costs incurred by the airport operator in complying with new, additional, or revised security requirements imposed on airport operators by the Federal Aviation Administration on or after September 11, 2001.

(c) DOCUMENTATION OF COSTS; AUDIT.—The Secretary may not reimburse an airport operator under this section for any cost for which the airport operator does not demonstrate to the satisfaction of the Secretary, using sworn financial statements or other appropriate data, that—

(1) the cost is eligible for reimbursement under subsection (b); and

(2) the cost was incurred by the airport operator.

The Inspector General of the Department of Transportation and the Comptroller General of the United States may audit such statements and may request any other information that necessary to conduct such an audit.

(d) CLAIM PROCEDURE.—Within 30 days after the date of enactment of this Act, the Secretary, after consultation with airport operators, shall publish in the Federal Register the procedures for filing claims for reimbursement under this section of eligible costs incurred by airport operators.

SEC. 121. ENCOURAGING AIRLINE EMPLOYEES TO REPORT SUSPICIOUS ACTIVITIES.

(a) IN GENERAL.—Subchapter II of chapter 449 of title 49, United States Code, is amended by inserting at the end the following:

"§ 44940. Immunity for reporting suspicious activities

''(a) IN GENERAL.—Any air carrier or foreign air carrier or any employee of an air carrier or foreign air carrier who makes a voluntary disclosure of any suspicious transaction relevant to a possible violation of law or regulation, relating to air piracy, a threat to aircraft or passenger safety, or terrorism, as defined by section 3077 of title 18, United

States Code, to any employee or agent of the Department of Transportation, the Department of Justice, any Federal, State, or local law enforcement officer, or any airport or airline security officer shall not be civilly liable to any person under any law or regulation of the United States, any constitution, law, or regulation of any State or political subdivision of any State, for such disclosure.

''(b) APPLICATION.—Subsection (a) shall not apply to—

''(1) any disclosure made with actual knowledge that the disclosure was false, inaccurate, or misleading; or

''(2) any disclosure made with reckless disregard as to the truth or falsity of that disclosure.

"§ 44941. Sharing security risk information

''The Attorney General, in consultation with the Deputy Secretary for Transportation Security and the Director of the Federal Bureau of Investigation, shall establish procedures for notifying the Administrator of the Federal Aviation Administration, and airport or airline security officers, of the identity of persons known or suspected by the Attorney General to pose a risk of air piracy or terrorism or a threat to airline or passenger safety.''.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Attorney General shall report to the Senate Committee on Commerce, Science, and Transportation, the House Committe on Transportation and Infrastructure, and the Judiciary Committees of the Senate and the House of Representatives on the implementation of the procedures required under section 44941 of title 49, United States Code, as added by this section.

(c) CHAPTER ANALYSIS.—The chapter analysis for chapter 449 of title 49, United States Code, is amended by inserting at the end the following:

''44940. Immunity for reporting suspicious activities.

''44941. Sharing security risk information.''.

SEC. 122. LESS-THAN-LETHAL WEAPONRY FOR FLIGHT DECK CREWS.

(a) NATIONAL INSTITUTE OF JUSTICE STUDY.—The National Institute of Justice shall assess the range of less-than-lethal weaponry available for use by a flight deck crewmember temporarily to incapacitate an individual who presents a clear and present danger to the safety of the aircraft, its passengers, or individuals on the ground and report its findings and recommendations to the Secretary of Transportation within 90 days after the date of enactment of this Act.

Section 44903 of title 49, United States Code, is amended by adding at the end the following:

''(h) AUTHORITY TO ARM FLIGHT DECK CREW WITH LESS-THAN-LETHAL WEAPONS.—

''(1) IN GENERAL.—If the Secretary, after receiving the recommendations of the National Institute of Justice, determines, with the approval of the Attorney General and the Secretary of State, that it is appropriate and necessary and would effectively serve the public interest in avoiding air piracy, the Secretary may authorize members of the flight deck crew on any aircraft providing air transportation or intrastate air transportation to carry a less-than-lethal weapon while the aircraft is engaged in providing such transportation.

''(2) USAGE.—If the Secretary grants authority under paragraph (1) for flight deck crew members to carry a less-than-lethal weapon while engaged in providing air transportation or intrastate air transportation, the Secretary shall—

''(A) prescribe rules requiring that any such crew member be trained in the proper use of the weapon; and

''(B) prescribe guidelines setting forth the circumstances under which such weapons may be used.''.

SEC. 123. MAIL AND FREIGHT WAIVERS.

During a national emergency affecting air transportation or intrastate air transportation, the Secretary of Transportation, after consultation with the Aviation Security Coordination Council, may grant a complete or partial waiver of any restrictions on the carriage by aircraft of freight, mail, emergency medical supplies, personnel, or patients on aircraft, imposed by the Department of Transportation (or other Federal agency or department) that would permit such carriage of freight, mail, emergency medical supplies, personnel, or patients on flights, to, from, or within States with extraordinary air transportation needs or concerns if the Secretary determines that the waiver is in the public interest, taking into consideration the isolation of and dependence on air transportation of such States. The Secretary may impose reasonable limitations on any such waivers.

SEC. 124. SAFETY AND SECURITY OF ON-BOARD SUPPLIES.

(a) IN GENERAL.—The Secretary of Transportation shall establish procedures to ensure the safety and integrity of all supplies, including catering and passenger amenities, placed aboard aircraft providing passenger air transportation or intrastate air transportation.

(b) MEASURES.—In carrying out subsection (a), the Secretary may require—

(1) security procedures for suppliers and their facilities;

(2) the sealing of supplies to ensure easy visual detection of tampering; and

(3) the screening of personnel, vehicles, and supplies entering secured areas of the airport or used in servicing aircraft.

SEC. 125. FLIGHT DECK SECURITY

(a) SHORT TITLE.—This section may be cited as the ''Flight Deck Security Act of 2001''.

(b) FINDINGS.—Congress makes the following findings:

(1) On September 11, 2001, terrorists hijacked four civilian aircraft, crashing two of the aircraft into the towers of the World Trade Center in New York, New York, and a third into the Pentagon outside Washington, District of Columbia.

(2) Thousands of innocent Americans and citizens of other countries were killed or injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers, and bystanders.

(3) These attacks destroyed both towers of the World Trade Center, as well as adjacent buildings, and seriously damaged the Pentagon.

(4) These attacks were by far the deadliest terrorist attacks ever launched against the United States and, by targeting symbols of America, clearly were intended to intimidate our Nation and weaken its resolve.

(5) Armed pilots, co-pilots, and flight engineers with proper training will be the last line of defense against terrorist by providing cockpit security and aircraft security.

(6) Secured doors separating the flight deck from the passenger cabin have been effective in deterring hijackings in other nations and will serve as a deterrent to future contemplated acts of terrorism in the United States.

(c) AVIATION SAFETY AND THE SUPPRESSION OF TERRORISM BY COMMERCIAL AIRCRAFT.—

(1) POSSESSION OF FIREARMS ON COMMERCIAL FLIGHTS.—The Federal Aviation Administration (FAA) is authorized to permit a pilot, co-pilot, or flight engineer of a commercial aircraft who has successfully completed the requirements of paragraph (2), or who is not otherwise prohibited by law from possessing a firearm, from possessing or carrying a firearm approved by the FAA for the protection of the aircraft under procedures or regulations as necessary to ensure the safety and integrity of flight.

(2) FEDERAL PILOT OFFICERS.—(A) In addition to the protections provided by paragraph (1), the FAA shall also establish a voluntary program to train and supervise commercial airline pilots.

(B) Under the program, the FAA shall make available appropriate training and supervision for all such pilots, which may include training by private entities.

(C) The power granted to such persons shall be limited to enforcing Federal law in the cockpit of commercial aircraft and, under reasonable circumstances the passenger compartment to protect the integrity of the commercial aircraft and the lives of the passengers.

(D) The FAA shall make available appropriate training to any qualified pilot who requests such training pursuant to this title.

(E) The FAA may prescribe regulations for purposes of this section.

(d) REPORTS TO CONGRESS.—Not later than six months after the date of the enactment of this Act, and every six months thereafter, the Secretary of Transportation shall submit to Congress a report on the effectiveness of the requirements in this section in facilitating commercial aviation safety and the suppression of terrorism by commercial aircraft.

SEC. 126. AMENDMENTS TO AIRMEN REGISTRY AUTHORITY.

Section 44703(g) of title 49, United States Code, is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking ''pilots'' and inserting ''airmen''; and

(B) by striking the period and inserting ''and related to combating acts of terrorism.''; and

(2) by adding at the end, the following new paragraphs:

''(3) For purposes of this section, the term 'acts of terrorism' means an activity that involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State, and appears to be intended to intimidate or coerce a civilian population to influence the policy of a government by intimidation or coercion or to affect the conduct of a government by assassination or kidnaping.

''(4) The Administrator is authorized and directed to work with State and local authorities, and other Federal agencies, to assist in the identification of individuals applying for or holding airmen certificates.''.

SEC. 127. RESULTS-BASED MANAGEMENT.

Subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

"§ 44942. Performance Goals and Objectives

''(a) SHORT TERM TRANSITION.—

''(1) IN GENERAL.—Within 60 days of enactment, the Deputy Secretary for Transportation Security shall, in consultation with Congress—

''(A) establish acceptable levels of performance for aviation security, including screening operations and access control, and

''(B) provide Congress with an action plan, containing measurable goals and milestones, that outlines how those levels of performance will be achieved.

''(2) BASICS OF ACTION PLAN.—The action plan shall clarify the responsibilities of the Department of Transportation, the Federal Aviation Administration and any other

agency or organization that may have a role in ensuring the safety and security of the civil air transportation system.

''(b) LONG-TERM RESULTS-BASED MANAGEMENT.—

''(1) PERFORMANCE PLAN AND REPORT.—

''(A) PERFORMANCE PLAN.—(i) Each year, consistent with the requirements of the Government Performance and Results Act of 1993 (GPRA), the Secretary and the Deputy Secretary for Transportation Security shall agree on a performance plan for the succeeding 5 years that establishes measurable goals and objectives for aviation security. The plan shall identify action steps necessary to achieve such goals.

''(ii) In addition to meeting the requirements of GPRA, the performance plan shall clarify the responsibilities of the Secretary, the Deputy Secretary for Transportation Security and any other agency or organization that may have a role in ensuring the safety and security of the civil air transportation system.

''(iii) The performance plan shall be available to the public. The Deputy Secretary for Transportation Security may prepare a nonpublic appendix covering performance goals and indicators that, if revealed to the public, would likely impede achievement of those goals and indicators.

''(B) PERFORMANCE REPORT.—(i) Each year, consistent with the requirements of GPRA, the Deputy Secretary for Transportation Security shall prepare and submit to Congress an annual report including an evaluation of the extent goals and objectives were met. The report shall include the results achieved during the year relative to the goals established in the performance plan.

''(ii) The performance report shall be available to the public. The Deputy Secretary for Transportation Security may prepare a nonpublic appendix covering performance goals and indicators that, if revealed to the public, would likely impede achievement of those goals and indicators.

''§ 44943. Performance Management System

''(a) ESTABLISHING A FAIR AND EQUITABLE SYSTEM FOR MEASURING STAFF PERFORMANCE.—The Deputy Secretary for Transportation Security shall establish a performance management system which strengthens the organization's effectiveness by providing for the establishment of goals and objectives for managers, employees, and organizational performance consistent with the performance plan.

''(b) ESTABLISHING MANAGEMENT ACCOUNTABILITY FOR MEETING PERFORMANCE GOALS.—(1) Each year, the Secretary and Deputy Secretary for Transportation Security shall enter into an annual performance agreement that shall set forth organizational and individual performance goals for the Deputy Secretary.

''(2) Each year, the Deputy Secretary for Transportation Security and each senior manager who reports to the Deputy Secretary for Transportation Security shall enter into an annual performance agreement that sets forth organization and individual goals for those managers. All other employees hired under the authority of the Deputy Secretary for Transportation Security shall enter into an annual performance agreement that sets forth organization and individual goals for those employees.

''(c) COMPENSATION FOR THE DEPUTY SECRETARY FOR TRANSPORTATION SECURITY.—

''(1) IN GENERAL.—The Deputy Secretary for Transportation Security is authorized to be paid at an annual rate of pay payable to level II of the Executive Schedule.

''(2) BONUSES OR OTHER INCENTIVES.—In addition, the Deputy Secretary for Transportation Security may receive bonuses or other incentives, based upon the Secretary's evaluation of the Deputy Secretary's performance in relation to the goals set forth in the agreement. Total compensation cannot exceed the Secretary's salary.

''(d) COMPENSATION FOR MANAGERS AND OTHER EMPLOYEES.—

''(1) IN GENERAL.—A senior manager reporting directly to the Deputy Secretary for Transportation Security may be paid at an annual rate of basic pay of not more than the maximum rate of basic pay for the Senior Executive Service under section 5382 of title 5, United States Code.

''(2) BONUSES OR OTHER INCENTIVES.—In addition, senior managers can receive bonuses or other incentives based on the Deputy Secretary for Transportation Security's evaluation of their performance in relation to goals in agreements. Total compensation cannot exceed 125 percent of the maximum rate of base pay for the Senior Executive Service. Further, the Deputy Secretary for Transportation Security shall establish, within the performance management system, a program allowing for the payment of bonuses or other incentives to other managers and employees. Such a program shall provide for bonuses or other incentives based on their performance.

''(e) PERFORMANCE-BASED SERVICE CONTRACTING.—To the extent contracts, if any, are used to implement the Aviation Security Act, the Deputy Secretary for Transportation Security shall, to the extent practical, maximize the use of performance-based service contracts. These contracts should be consistent with guidelines published by the Office of Federal Procurement Policy.''.

SEC. 128. USE OF FACILITIES.

(a) EMPLOYMENT REGISTER.—Notwithstanding any other provision of law, the Secretary of Transportation shall establish and maintain an employment register.

(b) TRAINING FACILITY.—The Secretary of Transportation may, where feasible, use the existing Federal Aviation Administration's training facilities, to design, develop, or conduct training of security screening personnel.

SEC. 129. REPORT ON NATIONAL AIR SPACE RESTRICTIONS PUT IN PLACE AFTER TERRORIST ATTACKS THAT REMAIN IN PLACE.

(a) REPORT.—Within 30 days of the enactment of this Act, the President shall submit to the committees of Congress specified in subsection (b) a report containing—

(1) a description of each restriction, if any, on the use of national airspace put in place as a result of the September 11, 2001, terrorist attacks that remains in place as of the date of the enactment of this Act; and

(2) a justification for such restriction remaining in place.

(b) COMMITTEES OF CONGRESS.—The committees of Congress specified in this subsection are the following:

(1) The Select Committee on Intelligence of the Senate.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

(3) The Committee on Commerce, Science, and Transportation of the Senate.

(4) The Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 130. VOLUNTARY PROVISION OF EMERGENCY SERVICES DURING COMMERCIAL FLIGHTS.

(a) PROGRAM FOR PROVISION OF VOLUNTARY SERVICES.—

(1) PROGRAM.—The Secretary of Transportation shall carry out a program to permit qualified law enforcement officers, firefighters, and emergency medical technicians to provide emergency services on commercial air flights during emergencies.

(2) REQUIREMENTS.—The Secretary shall establish such requirements for qualifications of providers of voluntary services under the program under paragraph (1), including training requirements, as the Secretary considers appropriate.

(3) CONFIDENTIALITY OF REGISTRY.—If as part of the program under paragraph (1) the Secretary requires or permits registration of law enforcement officers, firefighters, or emergency medical technicians who are willing to provide emergency services on commercial flights during emergencies, the Secretary shall take appropriate actions to ensure that the registry is available only to appropriate airline personnel and otherwise remains confidential.

(4) CONSULTATION.—The Secretary shall consult with appropriate representatives of the commercial airline industry, and organizations representing community-based law enforcement, firefighters, and emergency medical technicians, in carrying out the program under paragraph (1), including the actions taken under paragraph (3).

(b) PROTECTION FROM LIABILITY.—

(1) IN GENERAL.—Subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following new section:

''§ 44944. Exemption of volunteers from liability

''(a) IN GENERAL.—An individual shall not be liable for damages in any action brought in a Federal or State court that arises from an act or omission of the individual in providing or attempting to provide assistance in the case of an inflight emergency in an aircraft of an air carrier if the individual meets such qualifications as the Secretary shall prescribe for purposes of this section.

''(b) EXCEPTION.—The exemption under subsection (a) shall not apply in any case in which an individual provides, or attempts to provide, assistance described in that paragraph in a manner that constitutes gross negligence or willful misconduct.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''44944. Exemption of volunteers from liability.''.

(c) CONSTRUCTION REGARDING POSSESSION OF FIREARMS.—Nothing in this section may be construed to require any modification of regulations of the Department of Transportation governing the possession of firearms while in aircraft or air transportation facilities or to authorize the possession of a firearm in an aircraft or any such facility not authorized under those regulations.

SEC. 131. ENHANCED SECURITY FOR AIRCRAFT.

(a) SECURITY FOR LARGER AIRCRAFT.—

(1) PROGRAM REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall commence implementation of a program to provide security screening for all aircraft operations conducted with respect to any aircraft having a maximum certified takeoff weight of more than 12,500 pounds that is not operating as of the date of the implementation of the program under security procedures prescribed by the Administrator.

(2) WAIVER.—

(A) AUTHORITY TO WAIVE.—The Administrator may waive the applicability of the program under this section with respect to any aircraft or class of aircraft otherwise described by this section if the Administrator determines that aircraft described in this section can be operated safely without the applicability of the program to such aircraft or class of aircraft, as the case may be.

(B) LIMITATIONS.—A waiver under subparagraph (A) may not go into effect—

(i) unless approved by the Secretary of Transportation; and

(ii) until 10 days after the date on which notice of the waiver has been submitted to the appropriate committees of Congress.

(3) PROGRAM ELEMENTS.—The program under paragraph (1) shall require the following:

(A) The search of any aircraft covered by the program before takeoff.

(B) The screening of all crew members, passengers, and other persons boarding any aircraft covered by the program, and their property to be brought on board such aircraft, before boarding.

(4) PROCEDURES FOR SEARCHES AND SCREENING.—The Administrator shall develop procedures for searches and screenings under the program under paragraph (1). Such procedures may not be implemented until approved by the Secretary.

(b) SECURITY FOR SMALLER AIRCRAFT.—

(1) PROGRAM REQUIRED.—Not later than one year after the date of the enactment of this Act, the Administrator shall commence implementation of a program to provide security for all aircraft operations conducted with respect to any aircraft having a maximum certified takeoff weight of 12,500 pounds or less that is not operating as of the date of the implementation of the program under security procedures prescribed by the Administrator. The program shall address security with respect to crew members, passengers, baggage handlers, maintenance workers, and other individuals with access to aircraft covered by the program, and to baggage.

(2) REPORT ON PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing a proposal for the program to be implemented under paragraph (1).

(c) BACKGROUND CHECKS FOR ALIENS ENGAGED IN CERTAIN TRANSACTIONS REGARDING AIRCRAFT.—

(1) REQUIREMENT.—Notwithstanding any other provision of law and subject to paragraph (2), no person or entity may sell, lease, or charter any aircraft to an alien, or any other individual specified by the Secretary for purposes of this subsection, within the United States unless the Attorney General issues a certification of the completion of a background investigation of the alien, or other individual, as the case may be, that meets the requirements of section 44939(b) of title 49, United States Code, as added by section 111 of this title.

(2) EXPIRATION.—The prohibition in paragraph (1) shall expire as follows:

(A) In the case of an aircraft having a maximum certified takeoff weight of more than 12,500 pounds, upon implementation of the program required by subsection (a).

(B) In the case of an aircraft having a maximum certified takeoff weight of 12,500 pounds or less, upon implementation of the program required by subsection (b).

(3) ALIEN DEFINED.—In this subsection, the term ''alien'' has the meaning given that term in section 44939(f) of title 49, United States Code, as so added.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Commerce of the House of Representatives.

SEC. 132. IMPLEMENTATION OF CERTAIN DETECTION TECHNOLOGIES.

(a) IN GENERAL.—Not later than September 30, 2002, the Assistant Administrator for Civil Aviation Security shall review and make a determination on the feasibility of implementing technologies described in subsection (b).

(b) TECHNOLOGIES DESCRIBED.—The technologies described in this subsection are technologies that are—

(1) designed to protect passengers, aviation employees, air cargo, airport facilities, and airplanes; and

(2) material specific and able to automatically and non-intrusively detect, without human interpretation and without regard to shape or method of concealment, explosives, illegal narcotics, hazardous chemical agents, and nuclear devices.

SEC. 133. REPORT ON NEW RESPONSIBILITIES OF THE DEPARTMENT OF JUSTICE FOR AVIATION SECURITY.

Not later than 120 days after the date of enactment of this Act, the Attorney General shall report to the House Committee on the Judiciary, the Senate Committee on the Judiciary, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation on the new responsibilities of the Department of Justice for aviation security under this title.

SEC. 134. DEFINITIONS.

Except as otherwise explicitly provided, any term used in this title that is defined in section 40102 of title 49, United States Code, has the meaning given that term in that section.

TITLE II—DEPLOYMENT AND USE OF SECURITY TECHNOLOGIES

Subtitle A—Expanded Deployment and Utilization of Current Security Technologies and Procedures

SEC. 201. EXPANDED DEPLOYMENT AND UTILIZATION OF CURRENT SECURITY TECHNOLOGIES AND PROCEDURES.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall require that employment investigations, including criminal history record checks, for all individuals described in section 44936(a)(1) of title 49, United States Code, who are existing employees, at airports regularly serving an air carrier holding a certificate issued by the Secretary of Transportation, should be completed within 9 months unless such individuals have had such investigations and checks within 5 years of the date of enactment of this Act. The Administrator shall devise an alternative method for background checks for a person applying for any airport security position who has lived in the United States less than 5 years and shall have such alternative background check in place as soon as possible. The Administrator shall work with the International Civil Aviation Organization and with appropriate authorities of foreign governments in devising such alternative method.

(b) EXPLOSIVE DETECTION.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall deploy and oversee the usage of existing bulk explosives detection technology already at airports for checked baggage. Not later than 60 days after the date of enactment of this Act, the Administrator shall establish confidential goals for—

(A) deploying by a specific date all existing bulk explosives detection scanners purchased but not yet deployed by the Federal Aviation Administration;

(B) a specific percentage of checked baggage to be scanned by bulk explosives detection machines within 6 months, and annual goals thereafter with an eventual goal of scanning 100 percent of checked baggage; and

(C) the number of new bulk explosives detection machines that will be purchased by the Federal Aviation Administration for deployment at the Federal Aviation Administration-identified midsized airports within 6 months.

(2) USE OF FUNDS.—For purposes of carrying out this subtitle, airport operators may use funds available under the Airport Improvement Program described in chapter 471 of title 49, United States Code, to reconfigure airport baggage handling areas to accommodate the equipment described in paragraph (1), if necessary. Not later than 12 months after the date of enactment of this Act, and annually thereafter, the Administrator shall report, on a confidential basis, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, the Government Accounting Office, and the Inspector General of the Department of Transportation, regarding the goals and progress the Administration is making in achieving those goals described in paragraph (1).

(3) AIRPORT DEVELOPMENT.—Section 47102(3)(B) of title 49, United States Code, is amended—

(A) by striking ''and'' at the end of clause (viii);

(B) by striking the period at the end of clause (ix) and inserting ''; and''; and

(C) by inserting after clause (ix) the following new clause:

''(x) replacement of baggage conveyor systems, and reconfiguration of terminal luggage areas, that the Secretary determines are necessary to install bulk explosive detection devices.''.

(c) BAG MATCHING SYSTEM.—The Administrator of the Federal Aviation Administration shall require air carriers to improve the passenger bag matching system. Not later than 60 days after the date of enactment of this Act, the Administrator shall establish goals for upgrading the Passenger Bag Matching System, including interim measures to match a higher percentage of bags until Explosives Detection Systems are used to scan 100 percent of checked baggage. The Administrator shall report, on a confidential basis, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, the Government Accounting Office, and the Inspector General of the Department of Transportation, regarding the goals and the progress made in achieving those goals within 12 months after the date of enactment of this Act.

(d) COMPUTER-ASSISTED PASSENGER PRESCREENING.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall require air carriers to expand the application of the current Computer-Assisted Passenger Prescreening System (CAPPS) to all passengers, regardless of baggage. Passengers selected under this system shall be subject to additional security measures, including checks of carry-on baggage and person, before boarding.

(2) REPORT.—The Administrator shall report back to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Transportation and Infrastructure of the House of Representatives within 3 months of the date of enactment of this Act on the implementation of the expanded CAPPS system.

Subtitle B—Short-Term Assessment and Deployment of Emerging Security Technologies and Procedures

SEC. 211. SHORT-TERM ASSESSMENT AND DEPLOYMENT OF EMERGING SECURITY TECHNOLOGIES AND PROCEDURES.

Section 44903 of title 49, United States Code, is amended by adding at the end the following:

''(i) SHORT-TERM ASSESSMENT AND DEPLOYMENT OF EMERGING SECURITY TECHNOLOGIES AND PROCEDURES.—

''(1) IN GENERAL.—The Deputy Secretary for Transportation Security shall rec-

ommend to airport operators, within 6 months after the date of enactment of this Act, commercially available measures or procedures to prevent access to secure airport areas by unauthorized persons. As part of the 6-month assessment, the Deputy Secretary for Transportation Security shall—

''(A) review the effectiveness of biometrics systems currently in use at several United States airports, including San Francisco International;

''(B) review the effectiveness of increased surveillance at access points;

''(C) review the effectiveness of card- or keypad-based access systems;

''(D) review the effectiveness of airport emergency exit systems and determine whether those that lead to secure areas of the airport should be monitored or how breaches can be swiftly responded to; and

''(E) specifically target the elimination of the ''piggy-backing'' phenomenon, where another person follows an authorized person through the access point.

The 6-month assessment shall include a 12-month deployment strategy for currently available technology at all category X airports, as defined in the Federal Aviation Administration approved air carrier security programs required under part 108 of title 14, Code of Federal Regulations. Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall conduct a review of reductions in unauthorized access at these airports.

''(2) 90-DAY REVIEW.—

''(A) IN GENERAL.—The Deputy Secretary for Transportation Security, as part of the Aviation Security Coordination Council, shall conduct a 90-day review of—

''(i) currently available or short-term deployable upgrades to the Computer-Assisted Passenger Prescreening System (CAPPS); and

''(ii) deployable upgrades to the coordinated distribution of information regarding persons listed on the ''watch list'' for any Federal law enforcement agencies who could present an aviation security threat.

''(B) DEPLOYMENT OF UPGRADES.—The Deputy Secretary for Transportation Security shall commence deployment of recommended short-term upgrades to CAPPS and to the coordinated distribution of ''watch list'' information within 6 months after the date of enactment of this Act. Within 18 months after the date of enactment of this Act, the Deputy Secretary for Transportation Security shall report to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Transportation and Infrastructure of the House of Representatives, the Government Accounting Office, and the Inspector General of the Department of Transportation, on progress being made in deploying recommended upgrades.

''(3) STUDY.—The Deputy Secretary for Transportation Security shall conduct a study of options for improving positive identification of passengers at check-in counters and boarding areas, including the use of biometrics and ''smart'' cards. Within 6 months after the date of enactment of this Act, the Deputy Secretary shall report to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Transportation and Infrastructure of the House of Representatives on the feasibility and costs of implementing each identification method and a schedule for requiring air carriers to deploy identification methods determined to be effective.''.

Subtitle C—Research and Development of Aviation Security Technology

SEC. 221. RESEARCH AND DEVELOPMENT OF AVIATION SECURITY TECHNOLOGY.

(a) FUNDING.—To augment the programs authorized in section 44912(a)(1) of title 49, United States Code, there is authorized to be appropriated an additional $50,000,000 for each of fiscal years 2002 through 2006 and such sums as are necessary for each fiscal year thereafter to the Federal Aviation Administration, for research, development, testing, and evaluation of the following technologies which may enhance aviation security in the future. Grants to industry, academia, and Government entities to carry out the provisions of this section shall be available for fiscal years 2002 and 2003 for—

(1) the acceleration of research, development, testing, and evaluation of explosives detection technology for checked baggage, specifically, technology that is—

(A) more cost-effective for deployment for explosives detection in checked baggage at small- to medium-sized airports, and is currently under development as part of the Argus research program at the Federal Aviation Administration;

(B) faster, to facilitate screening of all checked baggage at larger airports; or

(C) more accurate, to reduce the number of false positives requiring additional security measures;

(2) acceleration of research, development, testing, and evaluation of new screening technology for carry-on items to provide more effective means of detecting and identifying weapons, explosives, and components of weapons of mass destruction, including advanced x-ray technology;

(3) acceleration of research, development, testing, and evaluation of threat screening technology for other categories of items being loaded onto aircraft, including cargo, catering, and duty-free items;

(4) acceleration of research, development, testing, and evaluation of threats carried on persons boarding aircraft or entering secure areas, including detection of weapons, explosives, and components of weapons of mass destruction;

(5) acceleration of research, development, testing and evaluation of integrated systems of airport security enhancement, including quantitative methods of assessing security factors at airports selected for testing such systems;

(6) expansion of the existing program of research, development, testing, and evaluation of improved methods of education, training, and testing of key airport security personnel; and

(7) acceleration of research, development, testing, and evaluation of aircraft hardening materials, and techniques to reduce the vulnerability of aircraft to terrorist attack.

(b) GRANTS.—Grants awarded under this subtitle shall identify potential outcomes of the research, and propose a method for quantitatively assessing effective increases in security upon completion of the research program. At the conclusion of each grant, the grant recipient shall submit a final report to the Federal Aviation Administration that shall include sufficient information to permit the Administrator to prepare a cost-benefit analysis of potential improvements to airport security based upon deployment of the proposed technology. The Administrator shall begin awarding grants under this subtitle within 90 days of the date of enactment of this Act.

(c) BUDGET SUBMISSION.—A budget submission and detailed strategy for deploying the identified security upgrades recommended upon completion of the grants awarded under subsection (b), shall be submitted to Congress as part of the Department of Transportation's annual budget submission.

(d) DEFENSE RESEARCH.—There is authorized to be appropriated $20,000,000 to the Federal Aviation Administration to issue research grants in conjunction with the Defense Advanced Research Projects Agency. Grants may be awarded under this section for—

(1) research and development of longer-term improvements to airport security, including advanced weapons detection;

(2) secure networking and sharing of threat information between Federal agencies, law enforcement entities, and other appropriate parties;

(3) advances in biometrics for identification and threat assessment; or

(4) other technologies for preventing acts of terrorism in aviation.

It was decided in the negative ..... { Yeas ..... 214 / Nays 218

¶117.23 [Roll No. 423]

AYES—214

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

NOES—218

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

NOT VOTING—1

Dunn

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. THORNBERRY, assumed the Chair.

When Mr. HASTINGS of Washington, Chairman, pursuant to House Resolution 274, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Page 1, line 6, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

In the table of contents after line 8, strike the item relating to section 15 and insert the following:

Sec. 15. Technical corrections.

Page 2, before line 9, insert the following:

TITLE I—AVIATION SECURITY

Redesignate sections 2 through 22 of the bill as sections 101 through 121, respectively.

Conform the table of contents of the bill, accordingly.

Page 13, line 17, strike ''(1) in subsection (a) by striking'' and inserting the following:

(1) in subsection (a)—

(A) by striking ''a cabin of''; and

(B) by striking

Page 14, line 2, strike ''The responsibility'' and insert the following:

''(1) IN GENERAL.—The responsibility

Page 14, after line 8, insert the following:

''(2) ADDITIONAL SCREENING AUTHORITY.—The Under Secretary may perform any such additional screening of passengers and property on passenger aircraft in air transportation that originates in the United States or intrastate air transportation that the Under Secretary deems necessary to enhance aviation security.

Page 14, line 20, strike the closing quotation marks and the final period and insert the following:

''(g) DEPUTIZATION OF AIRPORT SCREENING PERSONNEL.—The Under Secretary shall deputize, for enforcement of such Federal laws as the Under Secretary determines appropriate, all airport screening personnel as Federal transportation security agents and shall ensure that such agents operate under common standards and common uniform, insignia, and badges. The authority to arrest an individual may be exercised only by supervisory personnel who are sworn, full-time law enforcement officers.''.

Page 15, after line 24, insert the following:

''(7) a requirement that any private security firm retained to provide airport security services be owned and controlled by a citizen of the United States, to the extent that the President determines that there are firms owned and controlled by such citizens;

Page 16, line 1, strike ''(7)'' and insert ''(8)''.

Page 16, line 2, strike ''and''.

Page 16, line 3, strike ''(8)'' and insert ''(9)''.

Page 16, line 7, strike both periods and the closing quotation marks and insert ''; and'' and the following:

''(10) a preference for the hiring of any individual who is a former employee of an air carrier and whose employment with the air carrier was terminated as a result of a reduction in the workforce of the air carrier.''.

Page 16, lines 11 and 12, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

Page 16, line 20, strike ''pursuant'' and insert ''pursuant to''.

Page 19, line 22, strike ''and''.

Page 20, line 2, strike the period and insert ''; and'' and the following:

(J) the ability to demonstrate daily a fitness for duty without any impairment due to illegal drugs, sleep deprivation, medication, or alcohol.

Page 21, line 14, strike ''and''.

Page 21, line 20, strike the period and insert a semicolon and the following:

''(5) require air carriers to provide, on a space-available basis, to an off-duty Federal air marshal a seat on a flight to the airport nearest the marshal's home at no cost to the marshal or the United States Government if the marshal is traveling to that airport after completing his or her security duties; and

''(6) provide, in choosing among applicants for a position as a Federal air marshal, a preference for the hiring of a pilot of an air carrier whose employment with the air carrier was terminated as a result of a reduction in the workforce of the air carrier if the pilot is otherwise qualified for the position.

Page 22, line 3, after ''consultation with'' insert ''and concurrence of''.

Page 22, before line 10, insert the following:

(c) BASIC PAY DEFINED.—Section 8331(3)(E) of title 5, United States Code, is amended to read as follows:

''(E) availability pay—

''(i) received by a criminal investigator under section 5545a of this title; or

''(ii) received after September 11, 2001, by a Federal air marshal of the Department of Transportation;''.

Page 24, line 1, strike ''Provide'' and insert ''Establish performance goals for individuals described in paragraph (6), provide''.

Page 24, lines 2 and 3, strike ''individuals described in paragraph (6)'' and insert ''such individuals,''.

Page 26, after line 2, insert the following:

''(16) Establish a uniform system of identification for all State and local law enforcement personnel for use in obtaining permission to carry weapons in aircraft cabins and in obtaining access to a secured area of an airport.

''(17) Establish requirements under which air carriers, under the supervision of the Under Secretary, could implement trusted passenger programs and use available technologies to expedite the security screening of passengers who participate in such programs, thereby allowing security screening personnel to focus on those passengers who should be subject to more extensive screening.

''(18) In consultation with the Commissioner of Food and Drugs, develop security procedures under which a medical product to be transported on a flight of an air carrier would not be subject to manual or x-ray inspection if conducting such an inspection would irreversibly damage the product.

''(19) Develop security procedures to allow passengers transporting a musical instrument on a flight of an air carrier to transport the instrument in the passenger cabin of the aircraft, notwithstanding any size or other restriction on carry-on baggage but subject to such other reasonable terms and conditions as may be established by the Under Secretary or the air carrier, including imposing additional charges by the air carrier.

''(20) Provide for the use of wireless and wire line data technologies enabling the private and secure communication of threats to aid in the screening of passengers and other individuals on airport property who are identified on any State or Federal security-related data base for the purpose of having an integrated response coordination of various authorized airport security forces.

Page 26, strike line 19 and all that follows through line 7 on page 27 and insert the following:

''(d) PROPERTY SECURITY PROGRAM.—

''(1) CHECKED BAGGAGE.—

''(A) FINAL DEADLINE FOR SCREENING.—A system must be in operation to screen all checked baggage at all airports in the United States no later than December 31, 2003.

''(B) USE OF EXPLOSIVE DETECTION EQUIPMENT.—The Under Secretary shall ensure that explosive detection equipment installed at airports to screen checked baggage is used to the maximum extent possible.

''(C) INSTALLATION OF ADDITIONAL EXPLOSIVE DETECTION EQUIPMENT.—The Under Secretary shall install additional explosive detection equipment at airports as soon as possible to ensure that all checked baggage is screened before being placed in an aircraft.

''(D) INTERIM BAG-MATCH PROGRAMS.—Until the Under Secretary has installed enough ex-

plosive detection equipment at airports to ensure that all checked baggage is screened, the Under Secretary shall require air carriers to implement bag-match programs that ensure that no checked baggage is placed in an aircraft unless the passenger who checks the baggage is aboard the aircraft.

''(2) CARGO DEADLINE.—A system must be in operation to screen all cargo that is to be transported in passenger aircraft in air transportation and intrastate air transportation as soon as possible after the date of enactment of this paragraph.

Page 29, line 10, strike ''and'' and insert the following:

(2) by adding at the end of paragraph (1) the following:

''(G) BACKGROUND CHECKS OF CURRENT EMPLOYEES.—A background check (including a criminal history record check and a review of available law enforcement data bases and records of other governmental and international agencies) shall be required for any individual who currently has unescorted access to an aircraft of an air carrier or foreign air carrier, unescorted access to a secured area of an airport in the United States that serves an air carrier or foreign air carrier, or is responsible for screening passengers or property, or both, unless that individual was subject to such a background check before the individual began his or her current employment or is exempted from such a check under section 107.31(m) of title 14, Code of Federal Regulations.''; and

Page 29, line 11, strike ''(2)'' and insert ''(3)''.

Page 34, strike line 23 and all that follows through line 4 on page 35 and insert the following:

''(c) AIRPORT SECURITY.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Secretary for fiscal years 2002 and 2003 a total of $1,500,000,000 to reimburse airport operators for direct costs incurred by such operators to comply with new, additional, or revised security requirements imposed on such operators by the Federal Aviation Administration or Transportation Security Administration on or after September 11, 2001. Such sums shall remain available until expended.

''(2) CONDITIONS.—Before providing financial assistance to an airport operator with funds appropriated pursuant to paragraph (1), the Secretary shall require the operator to provide assurances that the operator will—

''(A) meet with the tenants of the airport (other than air carriers and foreign air carriers) to discuss adjustments of the rent of the tenants to account for losses in revenue incurred by the tenants on and after September 11, 2001; and

''(B) provide to the Secretary an itemized list of costs incurred by the operator to comply with the security requirements described in paragraph (1), including costs relating to landing fees, automobile parking revenues, rental cars, restaurants, and gift shops.''.

Page 36, line 9, strike ''subsection (b)'' and insert ''paragraph (2)''.

Page 39, lines 16 and 17, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

Page 43, line 22, after ''sponsor'' insert ''or at a privately owned or operated airport passenger terminal financed by indebtedness incurred by the sponsor''.

Page 44, beginning on line 25, strike ''Secure Transportation for America Act of 2001'' and insert ''Airport Security Federalization Act of 2001''.

Page 45, after line 15, insert the following:

(d) MAXIMUM AMOUNT OF COMPENSATION PAYABLE PER AIR CARRIER.—Section 103 of such Act is amended by adding at the end the following:

''(d) COMPENSATION FOR AIR CARRIERS PROVIDING AIR AMBULANCE SERVICES.—

''(1) SET-ASIDE.—The President may set aside a portion of the amount of compensation payable to air carriers under section 101(a)(2) to provide compensation to air carriers providing air ambulance services. The President shall reduce the $4,500,000,000 specified in subsection (b)(2)(A)(i) by the amount set aside under this subsection.

''(2) DISTRIBUTION OF AMOUNTS.—The President shall distribute the amount set aside under this subsection proportionally among air carriers providing air ambulance services based on an appropriate auditable measure, as determined by the President.''.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

SEC. 122. REQUIREMENT TO HONOR PASSENGER TICKETS OF OTHER CARRIERS.

(a) IN GENERAL.—Subchapter I of chapter 417 is amended by adding at the end the following:

''§ 41722. Requirement to honor passenger tickets of other carriers

''Each air carrier that provides scheduled air transportation on a route shall provide, to the extent practicable, air transportation to passengers ticketed for air transportation on that route by any other air carrier that suspends, interrupts, or discontinues air passenger service on the route by reason of an act of war or terrorism or insolvency or bankruptcy of the carrier.''.

(b) CONFORMING AMENDMENT.—The analysis for such subchapter is amended by adding at the end the following:

''41722. Requirement to honor passenger tickets of other carriers.''.

SEC. 123. SENSE OF CONGRESS ON CERTAIN AVIATION MATTERS.

(a) FLIGHT SERVICE STATION EMPLOYEES.—It is the sense of Congress that the Administrator of the Federal Aviation Administration should continue negotiating in good faith with flight service station employees of the Administration with a goal of reaching agreement on a contract as soon as possible.

(b) WAR RISK INSURANCE.—It is the sense of Congress that the Secretary of Transportation should implement section 202 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42) so as to make war risk insurance available to vendors, agents, and subcontractors of general aviation aircraft.

(c) TRANSPORT OF ANIMALS.—It is the sense of Congress that an air carrier that transports mail under a contract with the United States Postal Service should transport any animal that the Postal Service allows to be shipped through the mail.

(d) SCREENING.—It is the sense of Congress that the Under Secretary of Transportation for Security should require, as soon as practicable, that all property carried in a passenger aircraft in air transportation or intrastate air transportation (including checked baggage) be screened by any currently available means, including X-ray machine, hand-held metal detector, explosive detection system equipment, or manual search.

(e) CONTRACTS FOR AIRPORT SECURITY SERVICES.—It is the sense of Congress that, in awarding a contract for airport security services, the Under Secretary of Transportation for Security should, to the maximum extent practicable, award the contract to a firm that is owned and controlled by a citizen of the United States.

TITLE II—VICTIMS COMPENSATION

SEC. 201. LIMITATION ON LIABILITY FOR DAMAGES ARISING OUT OF CRASHES OF SEPTEMBER 11, 2001.

Section 408 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42; 115 Stat. 240; 49 U.S.C. 40101 note) is amended—

(1) by amending the section heading to read as follows:

''SEC. 408. LIMITATION ON LIABILITY FOR DAMAGES ARISING OUT OF CRASHES OF SEPTEMBER 11, 2001.'';

(2) by amending subsection (a) to read as follows:

''(a) GENERAL LIMITATION OF LIABILITY.—Except as provided in this section, no Federal court or agency or State court or agency shall enforce any Federal or State law holding any person, or any State or political subdivision thereof, liable for any damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001.'';

(3) in subsection (b), by adding at the end the following new paragraphs:

''(4) DAMAGES.—If any party to any action brought under this subsection is determined to be liable—

''(A) no damages in the aggregate ordered by the court to be paid by such party shall exceed the amount of insurance, minus any payments made pursuant to a court approved settlement, which such party is determined to have obtained prior to September 11, 2001, and which is determined to cover such party's liability for any damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001;

''(B) such party shall not be liable for interest prior to the judgment or for punitive damages intended to punish or deter; and

''(C) the court shall reduce the amount of damages awarded to a plaintiff by the amount of collateral source compensation that the plaintiff has received or is entitled to receive as a result of the terrorist-related aircraft crashes of September 11, 2001.

''(5) ATTORNEYS' FEES.—Reasonable attorneys' fees for work performed in any action brought under this subsection shall be subject to the discretion of the court, but in no event shall any attorney charge, demand, receive, or collect for services rendered, fees in excess of 20 percent of the damages ordered by the court to be paid pursuant to this subsection, or in excess of 20 percent of any court approved settlement made of any claim cognizable under this subsection. Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this subsection, if recovery be had, shall be fined not more than $2,000 or imprisoned not more than one year, or both.'';

(4) by amending subsection (c) to read as follows:

''(c) EXCLUSION.—Nothing in this section shall in any way limit any liability of any person who—

''(1) hijacks any aircraft or commits any terrorist act; or

''(2) knowingly participates in a conspiracy to hijack any aircraft or commit any terrorist act.''; and

(5) by adding at the end the following new subsections:

''(d) DISCLAIMER.—Nothing herein implies that any person is liable for damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 or 77, or United Airlines flights 93 or 175, on September 11, 2001.

''(e) STATE DEFINED.—In this section, the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory of possession of the United

States or any political subdivision of any of the foregoing.''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. OBERSTAR moved to recommit the bill to the Committee on with instructions to report the bill back to the House forthwith with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; AMENDMENTS TO TITLE 49, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Transportation Security Enhancement Act of 2001''.

(b) AMENDMENTS TO TITLE 49, UNITED STATES CODE.—Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 2. TRANSPORTATION SECURITY ADMINISTRATION.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

''§ 114. Transportation Security Administration

''(a) IN GENERAL.—The Transportation Security Administration shall be an administration of the Department of Transportation.

''(b) UNDER SECRETARY.—

''(1) APPOINTMENT.—The head of the Administration shall be the Under Secretary of Transportation for Security. The Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) QUALIFICATIONS.—The Under Secretary must—

''(A) be a citizen of the United States; and

''(B) have experience in a field directly related to transportation or security.

''(3) TERM.—The term of office of an individual appointed as the Under Secretary shall be 5 years.

''(c) LIMITATION ON PECUNIARY INTERESTS.—The Under Secretary may not have a pecuniary interest in, or own stock in or bonds of, a transportation or security enterprise, or an enterprise that makes equipment that could be used for security purposes.

''(d) FUNCTIONS.—The Under Secretary shall be responsible for security in all modes of transportation, including—

''(1) carrying out chapter 449, and section 40119, relating to civil aviation security; and

''(2) security responsibilities over nonaviation modes of transportation that are exercised by Administrations of the Department of Transportation (other than the Federal Aviation Administration).

''(e) ADDITIONAL DUTIES AND POWERS.—In addition to carrying out the functions specified in subsection (d), the Under Secretary shall—

''(1) receive, assess, and distribute intelligence information related to transportation security;

''(2) assess threats to transportation;

''(3) develop policies, strategies, and plans for dealing with threats to transportation security;

''(4) make other plans related to transportation security, including coordinating countermeasures with appropriate departments, agencies, and instrumentalities of the United States Government;

''(5) serve as the primary liaison for transportation security to the intelligence and law enforcement communities;

''(6) on a day-to-day basis, manage and provide operational guidance to the field security resources of the Administration, including Federal Security Managers as provided by section 44933;

''(7) enforce security-related regulations and requirements;

''(8) identify and undertake research and development activities necessary to enhance transportation security;

''(9) inspect, maintain, and test security facilities, equipment, and systems;

''(10) ensure the adequacy of security measures for the transportation of mail and cargo;

''(11) oversee the implementation, and ensure the adequacy, of security measures at airports;

''(12) oversee the implementation, and ensure the adequacy, of background checks for airport security screening personnel, individuals with unescorted access to secure areas of airports, and other transportation security personnel;

''(13) develop standards for the hiring, training, and retention of airport security screening personnel; and

''(14) carry out such other duties, and exercise such other powers, relating to transportation security as the Under Secretary considers appropriate, to the extent authorized by law.

''(f) ACQUISITIONS.—

''(1) IN GENERAL.—The Under Secretary is authorized—

''(A) to acquire (by purchase, lease, condemnation, or otherwise) such real property, or any interest therein, within and outside the continental United States, as the Under Secretary considers necessary;

''(B) to acquire (by purchase, lease, condemnation, or otherwise) and to construct, repair, operate, and maintain such personal property (including office space and patents), or any interest therein, within and outside the continental United States, as the Under Secretary considers necessary;

''(C) to lease to others such real and personal property and to provide by contract or otherwise for necessary facilities for the welfare of employees of the Administration and to acquire maintain and operate equipment for these facilities;

''(D) to acquire (by purchase, lease, condemnation, or otherwise) and to construct, repair, operate, and maintain research and testing sites and facilities; and

''(E) in cooperation with the Administrator of the Federal Aviation Administration and the heads of other Administrations in the Department of Transportation, to utilize the research and development facilities of those Administrations, including the facilities of the Federal Aviation Administration located in Atlantic City, New Jersey.

''(2) TITLE.—Title to any property or interest therein acquired pursuant to this subsection shall be held by the Government of the United States.

''(g) TRANSFERS OF FUNDS.—The Under Secretary is authorized to accept transfers of unobligated balances and unexpended balances of funds appropriated to other Federal agencies (as such term is defined in section 551(1) of title 5) to carry out functions transferred, on or after the date of enactment of this section, by law to the Under Secretary.

''(h) REGULATIONS.—

''(1) IN GENERAL.—The Under Secretary is authorized to issue, rescind, and revise such regulations as are necessary to carry out the functions of the Administration.

''(2) FACTORS TO CONSIDER.—In determining whether to issue, rescind, or a revise a regulation under this section, the Under Secretary shall consider, as one factor in the final determination, whether the costs of the regulation are excessive in relation to the enhancement of security the regulation will provide. In making such determination, the Under Secretary shall not undertake a cost benefit analysis that places a monetary value on human life or attempts to estimate the number of lives that will be saved by the regulation.

''(3) LIMITATION.—The Under Secretary shall not decide against issuing a regulation under this section because the regulation fails to satisfy a quantitative cost-benefit test.

''(4) EMERGENCY PROCEDURES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law or executive order (including an executive order requiring a cost-benefit analysis) if the Under Secretary determines that a regulation or security directive must be issued immediately in order to protect transportation security, the Under Secretary shall issue the regulation or security directive without providing notice or an opportunity for comment.

''(B) REVIEW BY TRANSPORTATION SECURITY OVERSIGHT BOARD.—Any regulation or security directive issued under this paragraph shall remain effective unless disapproved by the Transportation Security Oversight Board established under section 44951 or rescinded by the Under Secretary.

''(i) PERSONNEL AND SERVICES; COOPERATION BY UNDER SECRETARY.—In carrying out the functions of the Administration, the Under Secretary shall have the same authority as is provided to the Administrator of the Federal Aviation Administration under subsections (l) and (m) of section 106.

''(j) ACQUISITION MANAGEMENT SYSTEM.—The acquisition management system established by the Administrator of the Federal Aviation Administration under section 40110 shall apply to acquisitions of equipment and materials by the Transportation Security Administration, except that subject to the requirements of such section, the Under Secretary may make such modifications to the acquisition management system with respect to such acquisitions of equipment and materials as the Under Secretary considers appropriate.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 is amended by adding at the end the following:

''114. Transportation Security Administration.''.

(c) POSITION OF UNDER SECRETARY IN EXECUTIVE SCHEDULE.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''The Under Secretary of Transportation for Security''.

(d) REFERENCES TO FAA IN CHAPTER 449.—Chapter 449 is amended—

(1) in section 44904(b)(5) by striking ''the Administration'' and inserting ''the Transportation Security Administration'';

(2) in the second sentence of section 44913(a)(1) by striking ''of the Administration'' and inserting ''of the Transportation Security Administration'';

(3) in section 44916(a)—

(A) in the first sentence by striking ''Administrator'' and inserting ''Under Secretary of Transportation for Security''; and

(B) in the second sentence by striking ''Administration'' and inserting ''Transportation Security Administration'';

(4) in each of sections 44933(a) and 44934(b) by striking ''Assistant Administrator for Civil Aviation Security'' and inserting ''Under Secretary'';

(5) in section 44934(b)(1) by striking ''Assistant Administrator'' and inserting ''Under Secretary'';

(6) by striking sections 44931 and 44932 and the items relating to such sections in the analysis for such chapter;

(7) by striking ''Administrator'' each place it appears in such chapter (except in subsections (f) and (h) of section 44936) and inserting ''Under Secretary'';

(8) by striking ''Administrator's'' each place it appears in such chapter and inserting ''Under Secretary's''; and

(9) by striking ''of the Federal Aviation Administration'' each place it appears in such chapter (except in section 44936(f)) and inserting ''of Transportation for Security''.

SEC. 3. REVIEW AND RECOMMENDATION.

(a) COMMENCEMENT OF REVIEW.—Not later than 6 months after the date of enactment of this Act, the President shall commence a review of whether security would be enhanced by transfer of the Transportation Security Administration to another Department or Office in the United States Government.

(b) REPORT.—Not later than 1 year after the date of enactment, the President shall report to Congress on the conclusions reached in the review and on recommendations for any legislation needed to carry out a recommended change.

SEC. 4. IMPROVED PASSENGER SCREENING PROCESS.

Section 44901 of title 49, United States Code, is amended to read as follows:

"§ 44901. Screening passengers and property

''(a) IN GENERAL.—The Under Secretary of Transportation for Security shall be responsible for the screening of all passengers and property that will be carried in an aircraft in air transportation or intrastate air transportation and for issuing implementing regulations. The screening must take place before boarding of such passengers and loading of property and be carried out by security screening personnel using equipment and processes approved for that purpose by the Under Secretary.

''(b) FEDERAL SECURITY SCREENING PERSONNEL.—Except as provided in subsection (c), the Under Secretary shall carry out the screening function under subsection (a) using—

''(1) employees of the Transportation Security Administration who are citizens of the United States; or

''(2) employees of another department, agency, or instrumentality of the United States Government who are citizens of the United States, with the consent of the head of the department, agency, or instrumentality.

''(c) TRANSITION PERIOD.—

''(1) IN GENERAL.—As soon as practicable, but not later than the last day of the 1-year period beginning on the date of enactment of the Transportation Security Enhancement Act of 2001, the Under Secretary shall carry out the screening function under subsection (a) using solely Federal security screening personnel described in subsection (b). In such 1-year period, screening functions may be performed by personnel other than Federal security screening personnel (including personnel provided by a contractor under an agreement with the Under Secretary). During such 1-year period, the Under Secretary shall begin to assign Federal security screening personnel to airports as soon as practicable.

''(2) RESPONSIBILITIES OF AIR CARRIERS.—In the 1-year period referred to in paragraph (1), until otherwise directed by the Under Secretary, an air carrier, intrastate air carrier, or foreign air carrier shall continue to carry out the screening of passengers and their property in accordance with the requirements of this section (including regulations issued to carry out this section), as in effect on the day before the date of enactment of the Transportation Security Enhancement Act of 2001. During the period in which carriers continue to be responsible for such screening, the Under Secretary shall use Federal security screening personnel to supplement the screening personnel provided by the carriers and oversee the screening process as necessary to ensure the safety and security of operations.

''(3) ASSIGNMENT OF CONTRACTS.—Upon request of the Under Secretary, an air carrier, intrastate air carrier, or foreign air carrier carrying out a screening function described in subsection (a) may enter into an agreement with the Under Secretary to transfer any contract the carrier has entered into with respect to carrying out such function. In entering into any such agreement, the Under Secretary shall include such terms and conditions as are necessary to ensure that the Under Secretary has the authority to oversee performance of the contractor, to supervise personnel carrying out screening at an airport, and to require the replacement of unsatisfactory personnel.''.

SEC. 5. SPECIAL PERSONNEL SYSTEM FOR SCREENERS.

(a) DEVELOPMENT.—The Under Secretary of Transportation for Security shall develop a personnel system for screeners employed by the Transportation Security Administration governing such matters as their compensation and benefits and the authority of the Administration to suspend or terminate such employees.

(b) GUIDING PRINCIPLES.—In developing the personnel system, the Under Secretary—

(1) shall not be required to follow laws and regulations governing Federal civil service employees or other Federal employees; and

(2) shall be guided by the following principles:

(A) the need to establish levels of compensation which will attract employees with competence and expertise comparable to other Federal inspectors and law enforcement personnel;

(B) the need for the Administration to have suspension and termination authority which will ensure that security will not be compromised and that the screener work force will be composed of employees with a high level of competence and dedication to their responsibilities; and

(C) the need for employees to be protected against arbitrary or unsubstantiated decisions which result in the permanent loss of their jobs; except that the Under Secretary shall ensure that the procedures developed to protect employees are consistent with the need to maintain security at all times and, in establishing the procedures, shall consider the procedures established in private sector firms for employees with important safety and security responsibilities.

SEC. 6. SECURITY PROGRAMS.

Section 44903(c) is amended—

(1) in the first sentence of paragraph (1) by inserting after ''at each of those airports'' the following: '', including at each location at those airports where passengers are screened,'';

(2) in paragraph (2)(C)(i) by striking ''shall issue an amendment to air carrier security programs to require'' and inserting ''shall require''; and

(3) by adding at the end the following:

''(3) ANNUAL REVIEW AND APPROVAL.—On an annual basis, the Administrator shall review, and approve or disapprove, the security program of an airport operator.''.

SEC. 7. EMPLOYMENT STANDARDS AND TRAINING.

(a) EMPLOYMENT STANDARDS.—Section 44935(a) is amended—

(1) in the first sentence by inserting '', personnel (including Federal employees) who screen passengers and property,'' after ''air carrier personnel'';

(2) by striking ''and'' at the end of paragraph (4);

(3) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(4) by adding at the end the following:

''(6) citizenship requirements, including requirements consistent with section 44901(b), when appropriate;

''(7) minimum compensation levels, when appropriate;

''(8) a preference for the hiring of any individual who is employed as an airport security screener on the date of enactment of the Transportation Security Enhancement Act of 2001 and is qualified for the position; and

''(9) a preference for the hiring of any individual who is a former employee of an air carrier and whose employment with the air carrier was terminated as a result of a reduction in the workforce of the air carrier and is qualified for the position.''.

(b) EMPLOYMENT STANDARDS FOR SCREENERS.—Section 44935 is amended by adding at the end the following:

''(g) TRAINING FOR ALL SCREENERS, SUPERVISORS, AND INSTRUCTORS.—

''(1) IN GENERAL.—The Under Secretary shall require any individual who screens passengers and property pursuant to section 44901, and the supervisors and instructors of such individuals, to have satisfactorily completed all initial, recurrent, and appropriate specialized training necessary to ensure compliance with the requirements of this section.

''(2) ON-THE-JOB PORTION OF SCREENER'S TRAINING.—Notwithstanding paragraph (1), the Under Secretary may permit an individual, during the on-the-job portion of training, to perform security functions if the individual is closely supervised and does not make independent judgments as to whether persons or property may enter secure areas or aircraft or whether cargo or mail may be loaded aboard aircraft without further inspection.

''(3) EFFECT OF SCREENER'S FAILURE OF OPERATION TEST.—The Under Secretary may not allow an individual to perform a screening function after the individual has failed an operational test related to that function until the individual has successfully completed remedial training.''.

(c) MINIMUM EMPLOYMENT STANDARDS FOR SCREENING PERSONNEL.—Beginning on the 30th day following the date of enactment of this Act, subject to subsection (d), the following requirements, at a minimum, shall apply to an individual (including a Federal employee) who screens passengers or property, or both (in this subsection referred to as a ''screener'').

(1) EDUCATION.—A screener shall have a high school diploma, a general equivalency diploma, or a combination of education and experience that the Under Secretary has determined to have equipped the individual to perform the duties of the screening position.

(2) BASIC APTITUDES AND PHYSICAL ABILITIES.—A screener shall have basic aptitudes and physical abilities (including color perception, visual and aural acuity, physical coordination, and motor skills) and shall have—

(A) the ability to identify the components that may constitute an explosive or an incendiary device;

(B) the ability to identify objects that appear to match those items described in all current regulations, security directives, and emergency amendments;

(C) for screeners operating X-ray and explosives detection system equipment, the ability to distinguish on the equipment monitors the appropriate images;

(D) for screeners operating any screening equipment, the ability to distinguish each color displayed on every type of screening equipment and explain what each color signifies;

(E) the ability to hear and respond to the spoken voice and to audible alarms generated by screening equipment in an active checkpoint or other screening environment;

(F) for screeners performing manual searches or other related operations, the ability to efficiently and thoroughly manip-

ulate and handle such baggage, containers, cargo, and other objects subject to security processing;

(G) for screeners performing manual searches of cargo, the ability to use tools that allow for opening and closing boxes, crates, or other common cargo packaging;

(H) for screeners performing screening of cargo, the ability to stop the transfer of suspect cargo onto passenger air carriers; and

(I) for screeners performing pat-down or hand-held metal detector searches of persons, sufficient dexterity and capability to thoroughly conduct those procedures over a person's entire body.

(3) COMMAND OF ENGLISH LANGUAGE.—A screener shall be able to read, speak, write, and understand the English language well enough to—

(A) carry out written and oral instructions regarding the proper performance of screening duties;

(B) read English language identification media, credentials, airline tickets, documents, air waybills, invoices, and labels on items normally encountered in the screening process;

(C) provide direction to and understand and answer questions from English-speaking persons undergoing screening or submitting cargo for screening; and

(D) write incident reports and statements and log entries into security records in the English language.

(d) MORE STRINGENT EMPLOYMENT STANDARDS.—The Under Secretary of Transportation for Security has the authority to impose at any time more stringent requirements to individuals referred to in subsection (c) than those minimum requirements in subsection (c).

SEC. 8. DEPLOYMENT OF FEDERAL AIR MARSHALS.

(a) IN GENERAL.—Subchapter I of chapter 449 is amended by adding at the end the following:

"§ 44917. Deployment of Federal air marshals

''(a) IN GENERAL.—The Under Secretary of Transportation for Security under the authority provided by section 44903(d) shall—

''(1) provide for appropriate deployment of Federal air marshals on passenger flights of air carriers in air transportation or intrastate air transportation;

''(2) provide for appropriate background and fitness checks for candidates for appointment as Federal air marshals;

''(3) provide for appropriate training, supervision, and equipment of Federal air marshals;

''(4) require air carriers providing flights described in paragraph (1) to provide seating for a Federal air marshal on any such flight without regard to the availability of seats on the flight;

''(5) establish procedures to ensure that Federal air marshals are made aware of any armed or unarmed law enforcement personnel on a flight;

''(6) establish a program to permit Federal, State, and local law enforcement officers to be trained to participate in the Federal air marshals program of the Administration as volunteers when such officers are otherwise traveling in an aircraft operated by an air carrier; and

''(7) in establishing the qualifications for positions as Federal air marshals, establish a maximum age for initial employment which is high enough to allow qualified retiring law enforcement officials to fill such positions.

''(b) FLIGHTS IN FOREIGN AIR TRANSPORTATION.—The Under Secretary shall work with appropriate aeronautic authorities of foreign governments under section 44907 to address security concerns on passenger flights in foreign air transportation.

''(c) INTERIM MEASURES.—Until the Under Secretary completes implementation of subsection (a), the Under Secretary may use, after consultation with the heads of other Federal agencies and departments, personnel from those agencies and departments, on a reimbursable or nonreimbursable basis, to provide air marshal service.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 449 is amended by adding after the item relating to section 44916 the following:

''44917. Deployment of Federal air marshals.''.

SEC. 9. ENHANCED SECURITY MEASURES.

(a) IN GENERAL.—Subchapter I of chapter 449 is further amended by adding at the end the following:

"§ 44918. Enhanced security measures

''(a) IN GENERAL.—The Under Secretary of Transportation shall take the following actions to enhance aviation security:

''(1) After consultation with the Administrator of the Federal Aviation Administration, develop and implement methods to—

''(A) restrict the opening of a cockpit door during a flight;

''(B) modify cockpit doors to deny access from the cabin to the cockpit;

''(C) use video monitors or other devices to alert pilots in the cockpit to activity in the cabin; and

''(D) ensure continuous operation of an aircraft transponder in the event of an emergency.

''(2) Provide for the installation of technology in an aircraft cabin to enable flight crews to discreetly notify the pilots in the case of a security breach occurring in the cabin.

''(3) Enhance security for secured areas of airports, including—

''(A) requiring screening of all persons, vehicles, and other equipment before entry into a secured area;

''(B) requiring catering companies and other companies whose employees have access to a secured area to develop security programs;

''(C) requiring that all persons, including persons who are accompanied by persons holding an identification card, seeking access to a secured areas be issued identification cards, following background checks, criminal history record checks, and checks of Federal security databases;

''(D) revalidating approvals of all persons previously authorized to entered a secured area, including full background and criminal history record checks and checks of Federal security databases;

''(E) maximizing use of enhanced technology, such as biometrics, to positively verify the identity of persons entering a secured area; and

''(F) improving procedures to ensure that identification cards which are revoked cannot be utilized.

''(4) Develop alternative sources of explosive detection equipment for screening baggage, mail, and cargo and maximize the use of such equipment by ensuring that equipment already installed at an airport is used to its full capacity and by developing and implementing a program to purchase additional equipment so that, not later than 3 years after the date of enactment of this section, all baggage, mail, and cargo will be inspected by such equipment.

''(5) Establish a uniform system of identification for all State and local law enforcement personnel to use in obtaining permission to carry weapons in aircraft cabins and in obtaining access to a secured area of an airport.

''(6) Work with intelligence and law enforcement agencies to develop procedures to ensure that air carrier and airport systems have necessary law enforcement and national security intelligence data, to enhance the effectiveness of their security programs.

''(7) Ensure that the Computer Assisted Passenger Pre-Screening System of the Transportation Security Administration includes necessary intelligence information, is used to evaluate all passengers before they board an aircraft, and includes procedures to ensure that selectees of such system and their carry-on and checked baggage are adequately screened.

''(8) Restrict carry-on baggage to one piece of carry-on baggage, plus one personal item, per passenger (including children under the age of 2); except exempt any child safety seat to be used during a flight to restrain a child passenger under 40 pounds or 40 inches and any assistive device for a disabled passenger.

''(9) After consultation with the Administrator of the Federal Aviation Administration, develop procedures and authorize equipment for flight crews and cabin crews to use to defend an aircraft against acts of violence or piracy.

''(10) Develop realistic crew training programs as follows:

''(A) No later than 30 days after the date of enactment of this paragraph and in consultation with the Federal Aviation Administration, appropriate law enforcement, security, and terrorism experts, and air carrier, pilot, and flight attendant representatives, develop a realistic crew training program to prepare crew members for current threat conditions.

''(B) Require air carriers to train all crew members not later than 60 days after such date of enactment.

''(C) Required crew training shall include, but not be limited to—

''(i) determination of the seriousness of any occurrence;

''(ii) crew communication and coordination;

''(iii) self-defense;

''(iv) use of Transportation Security Administration approved protection devices assigned to crewmembers, including appropriate certifications for use of such devices; and

''(v) psychology of terrorism to cope with hijacker behavior and passenger reaction.

''(D) Develop a plan for updating the training program and retraining crew members as each new security threat becomes known.

''(11) Require training of gate, ticket, and curbside agents to respond appropriately when the system referred to in paragraph (7) identifies a passenger as a threat to security.

''(12) Establish a toll-free telephone number for air carrier and airport employees and their customers to use to report instances of inadequate security.

''(13) Require effective 911 emergency call capabilities for telephones serving passenger aircraft and trains.

''(14) In consultation with the Federal Aviation Administration, require that all pilot licenses incorporate a photograph of the license holder and appropriate biometric imprints.

''(15) Provide for background checks, criminal history record checks, and checks against Federal security data bases of individuals seeking instruction in flying aircraft that weigh more than 12,500 pounds.

''(16) Require training of employees of a flight school to recognize suspicious circumstances and activities for individuals enrolling in or attending flight school and to notify the Administration.

''(b) REPORT.—Not later than 6 months after the date of enactment of this section, and annually thereafter, the Under Secretary shall transmit to Congress a report on the progress of the Under Secretary in evaluating and taking actions under subsection (a), including any legislative recommendations that the Under Secretary may have for enhancing transportation security.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 449 is amended by inserting after the item relating to section 44917 the following:

''44918. Enhanced security measures.''.

(c) REPEAL OF EXISTING REPORTING REQUIREMENT.—

(1) IN GENERAL.—Section 44938 is amended—

(A) in the section heading by striking ''**Reports**'' and inserting ''**Report**''; and

(B) by striking ''(a) TRANSPORTATION SECURITY.—'' and all that follows through ''(b) SCREENING AND FOREIGN AIR CARRIER AND AIRPORT SECURITY.—The Administrator'' and inserting ''The Under Secretary of Transportation for Security''.

(2) CHAPTER ANALYSIS.—The analysis for chapter 449 is amended by striking the item relating section 44938 and inserting the following:

''44938. Report.''.

SEC. 10. CRIMINAL HISTORY RECORD CHECK FOR SCREENERS AND OTHERS.

Section 44936(a) is amended—

(1) in paragraph (1)(E)(iv)(II) by striking the period at the end and inserting ''; except that at such an airport, the airport operator, air carriers, and screening companies may elect to implement the requirements of this subparagraph in advance of the effective date if the Under Secretary approves of such early implementation and if the airport operator, air carriers, and screening companies amend their security programs to conform those programs to the requirements of this subparagraph.''; and

(2) in paragraph (2) by striking ''or airport operator'' and inserting ''airport operator, or screening company''.

SEC. 11. PASSENGER AND BAGGAGE SCREENING FEE.

(a) IN GENERAL.—Subchapter II of chapter 449 is amended by adding at the end the following:

''§ 44939. Passenger and baggage screening fee

''(a) GENERAL AUTHORITY.—

''(1) PASSENGER FEES.—The Under Secretary of Transportation for Security shall impose a fee on passengers in air transportation and intrastate air transportation to pay for the costs of the screening of passengers and property pursuant to section 44901(d). Such costs include salaries and expenses, training, and equipment acquisition, operation, and maintenance.

''(2) AIR CARRIER FEES.—

''(A) AUTHORITY.—In addition to the fee imposed pursuant to paragraph (1), the Under Secretary may impose a fee on air carriers to pay for the costs of providing security for air carriers and their passengers and crews.

''(B) LIMITATION.—The amounts of fees collected under this paragraph may not exceed, in the aggregate, the amounts paid in calendar year 2000 by air carriers for security described in paragraph (1), adjusted for inflation.

''(b) SCHEDULE OF FEES.—In imposing fees under subsection (a), the Under Secretary shall ensure that the fees are directly related to the Transportation Security Administration's costs of providing services rendered.

''(c) LIMITATION ON FEE.—Fees imposed under subsection (a)(1) may not exceed $2.50 on a 1-way trip in air transportation or intrastate air transportation.

''(d) IMPOSITION OF FEE.—

''(1) IN GENERAL.—Notwithstanding the procedural requirements of section 553 of title 5, the Under Secretary shall impose the fee under subsection (a)(1), and may impose a fee under subsection (a)(2), through the publication of notice of such fee in the Federal Register and begin collection of the fee within 60 days of the date of enactment of this Act, or as soon as possible thereafter.

''(2) SUBSEQUENT RULEMAKING.—After imposing a fee in accordance with paragraph (1), the Under Secretary shall conduct a rulemaking proceeding on imposition and collection of the fee in accordance with the requirements of section 553 of title 5 and shall issue a final rule to continue or modify imposition or collection of the fee, or both.

''(e) FEES PAYABLE TO UNDER SECRETARY.—All fees imposed and amounts collected under this section are payable to the Under Secretary of Transportation for Security.

''(f) RECEIPTS CREDITED TO ACCOUNT.—Notwithstanding section 3302 of title 31, any fee collected under this section—

''(1) shall be credited to a separate account established in the Treasury;

''(2) shall be available immediately for expenditure but only to pay the costs of activities and services for which the fee is imposed; and

''(3) shall remain available until expended.

''(g) REFUNDS.—The Under Secretary may refund any fee paid by mistake or any amount paid in excess of that required.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 449 is amended by adding after the item relating to section 44938 the following:

''44939. Passenger and baggage screening fee.''.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS FOR OPERATIONS.

(a) IN GENERAL.—Subchapter II of chapter 449 is further amended by adding at the end the following:

''§ 44940. Authorization of appropriations for operations

''(a) OPERATIONS OF TRANSPORTATION SECURITY ADMINISTRATION.—There are authorized to be appropriated such sums as may be necessary for the operations of the Transportation Security Administration, including the functions of the Administration under section 44901(d) if the fees imposed under section 44939 are insufficient to cover the costs of such functions.

''(b) AIRCRAFT SECURITY.—There is authorized to be appropriated $500,000,000 to the Secretary of Transportation to make grants to air carriers to (1) modify cockpit doors to deny access from the cabin to the pilots in the cockpit, (2) use video monitors or other devices to alert the cockpit crew to activity in the passenger cabin, and (3) ensure continuous operation of the aircraft transponder in the event the crew faces an emergency. Such sums shall remain available until expended.

''(c) AIRPORT SECURITY.—There is authorized to be appropriated $500,000,000 for fiscal year 2002 to the Secretary to reimburse airport operators for direct costs that such operators incurred to comply with new, additional, or revised security requirements imposed on airport operators by the Federal Aviation Administration on or after September 11, 2001. Such sums shall remain available until expended.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 449 is amended by adding after the item relating to section 44939 the following:

''44940. Authorization of appropriations for operations.''.

(c) SECURITY FACILITY FEES.—Section 40117 is amended by adding at the end the following:

''(l) INCREASED SECURITY.—

''(1) IN GENERAL.—The Secretary may authorize an eligible agency to impose an additional security facility fee of up to $1 on each paying passenger of an air carrier or foreign air carrier boarding an aircraft at an airport the agency controls, to reimburse the agency for direct costs the agency incurs to comply with new, additional, or revised security requirements imposed on airport operators by the Federal Aviation Administration on and after September 11, 2001.

''(2) PROCEDURES.—Notwithstanding any provisions of this section, the Secretary shall develop special procedures for approval of any application under this subsection which will promptly authorize a fee under this subsection if there is a reasonable basis for concluding that an agency is likely to incur increased costs for security requirements which justify the fee.''.

SEC. 13. TRANSPORTATION SECURITY OVERSIGHT BOARD.

(a) IN GENERAL.—Chapter 449 is amended by adding at the end the following:

''SUBCHAPTER III—TRANSPORTATION SECURITY OVERSIGHT BOARD

''§ 44951. Transportation Security Oversight Board

''(a) IN GENERAL.—There is established a board to be known as a 'Transportation Security Oversight Board'.

''(b) MEMBERSHIP.—

''(1) NUMBER AND APPOINTMENT.—The Board shall be composed of 5 members as follows:

''(A) The Secretary of Transportation (or the Secretary's designee).

''(B) The Attorney General (or the Attorney General's designee).

''(C) The Secretary of the Treasury (or the Secretary's designee).

''(D) The Secretary of Defense (or the Secretary's designee).

''(E) One member appointed by the President to represent the National Security Council or the Office of Homeland Security.

''(2) CHAIRPERSON.—The Chairperson of the Board shall be the Secretary of Transportation.

''(c) DUTIES.—The Board shall—

''(1) review any regulation or security directive issued by the Under Secretary of Transportation for security under section 114(h)(4) within 30 days after the date of issuance of such regulation or directive;

''(2) share intelligence information with the Under Secretary;

''(3) review—

''(A) plans for transportation security;

''(B) standards established for performance of airport security screening personnel;

''(C) compensation being paid to airport security screening personnel;

''(D) procurement of security equipment;

''(E) selection, performance, and compensation of senior executives in the Transportation Security Administration; and

''(F) budget requests of the Under Secretary; and

''(4) make recommendations to the Under Secretary regarding matters reviewed under paragraph (3).

''(d) QUARTERLY MEETINGS.—The Board shall meet at least quarterly.

''(e) CONSIDERATION OF SECURITY INFORMATION.—A majority of the Board may vote to close a meeting of the Board to the public when classified security information will be discussed.

''§ 44952. Advisory council

''(a) ESTABLISHMENT.—The Under Secretary of Transportation for Security shall establish an advisory council to be known as the 'Transportation Security Advisory Council'.

''(b) MEMBERSHIP.—The Council shall be composed of members appointed by the Under Secretary to represent all modes of transportation, transportation labor, organizations representing families of victims of transportation disasters, and other entities affected or involved in the transportation security process.

''(c) DUTIES.—The Council shall provide advice and counsel to the Under Secretary on issues which affect or are affected by the operations of the Transportation Security Ad-

ministration. The Council shall function as a resource for management, policy, spending, and regulatory matters under the jurisdiction of the Transportation Security Administration.

''(d) ADMINISTRATIVE MATTERS.—

''(1) MEETINGS.—The Council shall meet on a regular and periodic basis or at the call of the Chairperson or the Under Secretary.

''(2) ACCESS TO DOCUMENTS AND STAFF.—The Under Secretary may give the Council appropriate access to relevant documents and personnel of the Administration, and the Under Secretary shall make available, consistent with the authority to withhold commercial and other proprietary information under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), cost data associated with the acquisition and operation of security screening equipment. Any member of the Council who receives commercial or other proprietary data from the Under Secretary shall be subject to the provisions of section 1905 of title 18, pertaining to unauthorized disclosure of such information.

''(3) CHAIRPERSON AND VICE CHAIRPERSON.—The Council shall elect a Chairperson and a Vice Chairperson from among the members, each of whom shall serve for a term of 2 years. The Vice Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson.

''(4) TRAVEL AND PER DIEM.—Each member of the Council shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from his or her usual place of residence, in accordance with section 5703 of title 5.

''(5) DETAIL OF PERSONNEL FROM THE ADMINISTRATION.—The Under Secretary shall make available to the Council such staff, information, and administrative services and assistance as may reasonably be required to enable the Council to carry out its responsibilities under this section.

''(e) FEDERAL ADVISORY COMMITTEE ACT NOT TO APPLY.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the Council.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 449 is amended by adding at the end the following:

''SUBCHAPTER III—TRANSPORTATION SECURITY OVERSIGHT BOARD

''44951. Transportation Security Oversight Board.

''44952. Advisory council.''.

SEC. 14. AUTHORITY OF THE INSPECTOR GENERAL.

(a) IN GENERAL.—As provided by the Inspector General Act (5 U.S.C. App.) and other applicable statutes, the Inspector General of the Department of Transportation (in addition such other authority as the Inspector General may have) shall have authority to conduct the following:

(1) Audits of the Transportation Security Administration's programs, operations, and activities.

(2) Criminal investigations of alleged violations of Federal laws or Department of Transportation regulations pertaining to aviation and other modes of transportation security.

(3) Investigations into waste, fraud, abuse, and any other allegations involving wrongdoing within the Administration.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, and periodically thereafter, the Inspector General shall report to Congress on the implementation, efficiency, and effectiveness of the Administration's programs, operations, and activities. The report shall focus on the Administration's main programs and contain recommendations, as necessary, for further legislation.

SEC. 15. TECHNICAL CORRECTION.

Section 106(a) of the Air Transportation Safety and System Stabilization Act (P.L. 107–42) is amended by striking ''February 1, 2001'' and inserting ''February 1, 2002''.

SEC. 16. ALCOHOL AND CONTROLLED SUBSTANCE TESTING.

Chapter 451 is amended—

(1) by striking ''contract personnel'' each place it appears and inserting ''personnel'';

(2) by striking ''contract employee'' each place it appears and inserting ''employee'';

(3) in section 45106(c) by striking ''contract employees'' and inserting ''employees'';

(4) by inserting after section 45106 the following:

''§ 45107. Transportation security administration

''(a) TRANSFER OF FUNCTIONS RELATING TO TESTING PROGRAMS WITH RESPECT TO AIRPORT SECURITY SCREENING PERSONNEL.—The authority of the Administrator of the Federal Aviation Administration under this chapter with respect to programs relating to testing of airport security screening personnel are transferred to the Under Secretary of Transportation for Security. Notwithstanding section 45102(a), the regulations prescribed under section 45102(a) shall require testing of such personnel by their employers instead of by air carriers and foreign air carriers.

''(b) APPLICABILITY OF CHAPTER WITH RESPECT TO EMPLOYEES OF ADMINISTRATION.—The provisions of this chapter that apply with respect to employees of the Federal Aviation Administration whose duties include responsibility for safety-sensitive functions shall apply with respect to employees of the Transportation Security Administration whose duties include responsibility for security-sensitive functions. The Under Secretary of Transportation for Security, the Transportation Security Administration, and employees of the Transportation Security Administration whose duties include responsibility for security-sensitive functions shall be subject to and comply with such provisions in the same manner and to the same extent as the Administrator of the Federal Aviation Administration, the Federal Aviation Administration, and employees of the Federal Aviation Administration whose duties include responsibility for safety-sensitive functions, respectively.''; and

(5) in the analysis for such chapter by inserting after the item relating to section 45106 the following:

''45107. Transportation Security Administration''.

SEC. 17. CONFORMING AMENDMENTS TO SUBTITLE VII.

(a) RECORDS OF EMPLOYMENT OF PILOT APPLICANTS.—Part A of subtitle VII is amended—

(1) by moving subsections (f), (g), and (h) of section 44936 from section 44936, inserting them at the end of section 44703, and redesignating them as subsections (h), (i), and (j), respectively; and

(2) in subsections (i) and (j) of section 44703 (as moved to the end of section 44703 by paragraph (1) of this subsection), by striking ''subsection (f)'' each place it appears and inserting ''subsection (h)''.

(b) INVESTIGATIONS AND PROCEDURES.—Chapter 461 is amended—

(1) in each of sections 46101(a)(1), 46102(a), 46103(a), 46104(a), 46105(a), 46106, 46107(b), and 46110(a) by inserting after ''(or'' the following: ''the Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary or'';

(2) by striking ''or Administrator'' each place it appears and inserting '', Under Secretary, or Administrator'';

(3) in section 46101(a)(2) by striking ''of Transportation or the'' and inserting '', Under Secretary, or'';

(4) in section 46102(b) by striking ''and the Administrator'' and inserting '', the Under Secretary, and the Administrator'';

(5) in section 46102(c) by striking ''and Administrator'' each place it appears and inserting '', Under Secretary, and Administrator'';

(6) in each of sections 46102(d) and 46104(b) by inserting ''the Under Secretary,'' after ''Secretary,'';

(7) in the heading to section 46106 by striking ''**Secretary of Transportation and Administrator of the Federal Aviation Administration**'' and inserting ''**Department of Transportation**''; and

(8) in the item relating to section 46106 of the analysis for such chapter by striking ''Secretary of Transportation and Administrator of the Federal Aviation Administration'' and inserting ''Department of Transportation''.

(c) ADMINISTRATIVE.—Section 40113 is amended—

(1) in subsection (a)—

(A) by inserting after ''(or'' the following: ''the Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary or''; and

(B) by striking ''or Administrator'' and inserting '', Under Secretary, or Administrator''; and

(2) in subsection (d)—

(A) by inserting after ''The'' the following: ''Under Secretary of Transportation for Security or the'';

(B) by striking ''Administration'' the second place it appears and inserting ''Transportation Security Administration or Federal Aviation Administration, as the case may be,''; and

(C) by striking ''the Administrator decides'' and inserting ''the Under Secretary or Administrator, as the case may be, decides''.

(d) PENALTIES.—Chapter 463 is amended—

(1) in section 46301(d)(2)—

(A) by striking '', chapter 449 (except sections 44902, 44903(d), 44907(a)–(d)(1)(A) and (d)(1)(C)–(f), 44908, and 44909),'';

(B) by inserting after the first sentence the following: ''The Under Secretary of Transportation for Security may impose a civil penalty for a violation of chapter 449 (except sections 44902, 44903(d), 44907(a)–(d)(1)(A), 44907(d)(1)(C)–(f), 44908, and 44909) or a regulation prescribed or order issued under such chapter 449.''; and

(C) by inserting ''Under Secretary or'' before ''Administrator shall'';

(2) in each of paragraphs (3) and (4) of section 46301(d) by striking ''Administrator'' each place it appears and inserting ''Under Secretary or Administrator'';

(3) in section 46301(d)(8) by striking ''Administrator'' and inserting ''Under Secretary, Administrator,'';

(4) in section 46301(h)(2) by inserting after ''(or'' the following: ''the Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary or'';

(5) in section 46311—

(A) by inserting after ''Transportation,'' the following: ''the Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary,'';

(B) by inserting after ''Secretary,'' each place it appears the following: ''Under Secretary,''; and

(C) by striking ''or Administrator'' each place it appears and inserting '', Under Secretary, or Administrator''; and

(6) in each of sections 46313 and 46316 by inserting after ''(or'' the following: ''the Under Secretary of Transportation for Security

with respect to security duties and powers designated to be carried out by the Under Secretary or''.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the nays had it.

Mr. OBERSTAR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 201 / Nays 227

¶117.24 [Roll No. 424]

YEAS—201

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

NAYS—227

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

NOT VOTING—5

Delahunt
Dunn
Ganske
Istook
Serrano

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. OBERSTAR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 286 / Nays 139

¶117.25 [Roll No. 425]

YEAS—286

Abercrombie
Aderholt
Akin
Andrews
Armey
Bachus
Baker
Baldwin
Ballenger
Barr
Barrett
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hilleary
Hobson
Hoeffel
Hoekstra
Hooley
Horn
Hostettler
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Matheson
McCollum
McCrery
McHugh
McInnis
McIntyre
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sawyer
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield

Wicker	Wolf	Young (AK)
Wilson	Wu	Young (FL)

NAYS—139

Ackerman	Hilliard	Napolitano
Allen	Hinchey	Neal
Baca	Hinojosa	Oberstar
Baird	Holden	Olver
Baldacci	Holt	Owens
Barcia	Honda	Pallone
Becerra	Hoyer	Pascrell
Bentsen	Jackson (IL)	Pastor
Berkley	Jackson-Lee (TX)	Paul
Berman	Jefferson	Payne
Berry	Johnson, E.B.	Pelosi
Blumenauer	Jones (OH)	Rahall
Borski	Kanjorski	Rangel
Brady (PA)	Kaptur	Reyes
Brown (FL)	Kilpatrick	Rivers
Brown (OH)	Kucinich	Rodriguez
Capps	Lampson	Rothman
Capuano	Langevin	Roybal-Allard
Carson (IN)	Lantos	Sabo
Clay	Larson (CT)	Sanchez
Clayton	Lee	Sanders
Clyburn	Levin	Sandlin
Collins	Lewis (GA)	Schakowsky
Conyers	Lofgren	Scott
Costello	Lowey	Sherman
Coyne	Lynch	Slaughter
Crowley	Maloney (CT)	Solis
Cummings	Markey	Stark
Davis (CA)	Mascara	Stupak
DeFazio	Matsui	Tauscher
DeGette	McCarthy (MO)	Thompson (CA)
DeLauro	McCarthy (NY)	Thompson (MS)
Deutsch	McDermott	Thurman
Doggett	McGovern	Tierney
Doyle	McKinney	Towns
Eshoo	McNulty	Turner
Farr	Meehan	Udall (NM)
Fattah	Meek (FL)	Velázquez
Filner	Meeks (NY)	Visclosky
Ford	Menendez	Waters
Frank	Millender-McDonald	Watson (CA)
Gephardt	Miller, George	Watt (NC)
Gonzalez	Mollohan	Waxman
Green (TX)	Murtha	Weiner
Gutierrez	Nadler	Wexler
Hastings (FL)		Woolsey
Hill		Wynn

NOT VOTING—8

Delahunt	Herger	Riley
Dunn	Houghton	Weldon (PA)
Ganske	McKeon	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶117.26 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 2 o'clock p.m. on Monday, November 5, 2001.

¶117.27 HOUR OF MEETING

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns Monday, November 5, 2001, it adjourn to meet at 12:30 p.m. on Tuesday, November 6, 2001, for ''morning-hour debate''.

¶117.28 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, November 7, 2001, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶117.29 HONORING NEW JERSEY LAW ENFORCEMENT OFFICERS

On motion of Mr. SMITH of New Jersey, by unanimous consent, the House considered the following resolution (H. Res. 224):

Whereas more than 700,000 men and women across the Nation serve their fellow citizens in their capacity as guardians of peace;

Whereas the law enforcement officers of New Jersey are recognized for their dedication to promote, advance, and encourage cooperation among all law enforcement officers;

Whereas law enforcement officers serve at great risk to their personal safety;

Whereas the citizens of New Jersey are indebted to their law enforcement officers, who are willing to die to protect them and their families and to risk all of their hopes and all of their dreams to ensure the safety and well-being of New Jersey communities;

Whereas law enforcement officers of New Jersey have fallen in the line of duty, and the thoughts and prayers of the House of Representatives and the country remain with the families of these men and women;

Whereas the men and women in New Jersey's law enforcement community are on the front line in our schools and on our streets, preserving the right of our children to learn in schools that are free of violence and the right of our citizens to safe communities; and

Whereas the members of the New Jersey State Law Enforcement Officers Association are an integral part of our society, in whom we have instilled public trust: Now, therefore, be it

Resolved, That the House of Representatives recognizes the bravery and honor of the law enforcement officers of New Jersey, and the service of those officers to their communities.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶117.30 MESSAGE FROM THE PRESIDENT—CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO THE SUDAN

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Sudan emergency is to continue in effect beyond November 3, 2001, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on November 2, 2000 (65 Fed. Reg. 66163).

The crisis between the United States and Sudan constituted by the actions and policies of the Government of Sudan, including continuing concern about its record on terrorism and the prevalence of human rights violations, including slavery, restrictions on religious freedom, and restrictions on political freedom, that led to the declaration of a national emergency on November 3, 1997, has not been resolved. These actions and policies are hostile to U.S. interests and pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Sudan and maintain in force the comprehensive sanctions against Sudan to respond to this threat.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 31, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–140).

¶117.31 MESSAGE FROM THE PRESIDENT—REPORT ON NATIONAL EMERGENCY WITH RESPECT TO THE SUDAN

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report of the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997, based upon information made available to me.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 31, 2001*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 107–141).

¶117.32 CENTER FOR RUSSIAN LEADERSHIP DEVELOPMENT

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, announced that the Speaker, pursuant to section313(2)(a) of Public Law 106-554, and upon the recommendation of the Minority Leader, appointed to the Board of Trustees of the Center for Russian Leadership Development for a term of three years: Mr. Robert E. (Bud) Cramer, Jr., from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶117.33 ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker.

H.R. 2925. An Act to amend the Reclamation Recreation Management Act of 1992 in

order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation.

¶117.34 ADJOURNMENT

On motion of Mr. SOUDER, pursuant to the special order heretofore agreed to, at 11 o'clock and 6 minutes p.m., the House adjourned until 2 p.m. on Monday, November 5, 2001.

¶117.35 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. COBLE (for himself and Mr. BERMAN):

H.R. 3204. A bill to restore Federal remedies for infringements of intellectual property by States, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. GRAVES, Mr. BERMAN, and Mr. CANNON):

H.R. 3205. A bill to enhance the border security of the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), International Relations, Government Reform, Ways and Means, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROUKEMA:

H.R. 3206. A bill to authorize the Government National Mortgage Association to guarantee securities backed by certain conventional mortgages; to the Committee on Financial Services.

By Mr. LANGEVIN (for himself, Mr. ABERCROMBIE, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. CAPUANO, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. COYNE, Mr. CROWLEY, Mr. DELAHUNT, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. HOEFFEL, Mr. HONDA, Mr. KENNEDY of Rhode Island, Mr. KLECZKA, Mr. KIRK, Mr. CLAY, Mr. LANTOS, Ms. LEE, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MCKINNEY, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mr. NADLER, Mr. PASCRELL, Mr. PAYNE, Ms. PELOSI, Mr. RUSH, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. STARK, Mr. TIERNEY, Mr. TOWNS, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 3207. A bill to amend title 18, United States Code, to prohibit the manufacture or importation, or transfer by a licensed firearms dealer, of a pistol that does not have a chamber load indicator and, in the case of a semiautomatic pistol that has a detachable magazine, a mechanism that prevents the pistol from being fired when the magazine is not attached; to the Committee on the Judiciary.

By Mr. CALVERT (for himself and Mr. DOOLEY of California):

H.R. 3208. A bill to authorize funding through the Secretary of the Interior for the implementation of a comprehensive program in California to achieve increased water yield and environmental benefits, as well as improved water system reliability, water quality, water use efficiency, watershed management, water transfers, and levee protection; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. SENSENBRENNER, Mr. CONYERS, Mr. WOLF, Mr. SCOTT, and Mr. FERGUSON):

H.R. 3209. A bill to amend title 18, United States Code, with respect to false communications about certain criminal violations, and for other purposes; to the Committee on the Judiciary.

By Mr. OXLEY (for himself, Mr. BAKER, Mrs. ROUKEMA, Mr. BACHUS, Mrs. KELLY, Mr. BENTSEN, Mr. ROYCE, Mr. MALONEY of Connecticut, Mr. LUCAS of Oklahoma, Mr. POMEROY, Mr. NEY, Mr. BARR of Georgia, Mr. GILLMOR, Mr. WELDON of Florida, Mr. RYUN of Kansas, Mr. RILEY, Mr. JONES of North Carolina, Mr. OSE, Mrs. BIGGERT, Mr. GREEN of Wisconsin, Mr. SHAYS, Mr. SHADEGG, Mr. FOSSELLA, Mr. GARY G. MILLER of California, Mr. CANTOR, Mr. GRUCCI, Mr. FERGUSON, Mr. ROGERS of Michigan, Mr. TIBERI, Mr. FOLEY, and Mr. ISSA):

H.R. 3210. A bill to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOOMEY (for himself, Mr. LEACH, Mr. KANJORSKI, Mr. OXLEY, Mr. LAFALCE, and Mr. BAKER):

H.R. 3211. A bill to revise the banking and bankruptcy insolvency laws with respect to the termination and netting of financial contracts, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACEVEDO-VILA (for himself, Ms. MCKINNEY, Mr. GUTIERREZ, and Mr. MENENDEZ):

H.R. 3212. A bill to require Secretary of Defense to expand the range maintenance program of the Department of Defense regarding the removal of unexploded ordnance and munitions constituents from live impact areas of military training ranges to include any underwater portions of the live impact areas; to the Committee on Armed Services.

By Mr. ACEVEDO-VILA (for himself, Ms. MCKINNEY, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Mr. GUTIERREZ, Mr. TOWNS, and Mr. MENENDEZ):

H.R. 3213. A bill to authorize the Secretary of Agriculture to acquire and manage lands in the Commonwealth of Puerto Rico to provide for the protection of critical aquifers and watersheds that serve as a principal water supply for Puerto Rico, and for other purposes; to the Committee on Resources.

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

H.R. 3214. A bill to amend the charter of the AMVETS organization; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself, Mr. BOUCHER, Mr. SMITH of Texas, Ms. JACKSON-LEE of Texas, Mr. OXLEY, Mr. LAFALCE, Mr. LEACH, Mr. WOLF, Mr. ROEMER, Mr. GIBBONS, Mr. BACHUS, Mrs. JO ANN DAVIS of Virginia, Mr. DUNCAN, Mr. FLETCHER, Mr. FORBES, Mr. GOODE, Mr. GRAHAM, Mr. LEWIS of Kentucky, Mr. PITTS, Mr. ROGERS of Michigan, Mr. SHADEGG, Mr. SWEENEY, Mr. TAUZIN, Mr. VITTER, Mr. WAMP, Mr. PETERSON of Pennsylvania, Mrs. KELLY, and Mr. HASTINGS of Florida):

H.R. 3215. A bill to amend title 18, United States Code, to expand and modernize the prohibition against interstate gambling, and for other purposes; to the Committee on the Judiciary.

By Mr. CASTLE:

H.R. 3216. A bill to amend the Richard B. Russell National School Lunch Act to exclude certain basic allowances for housing of an individual who is a member of the uniformed services from the determination of eligibility for free and reduced price meals of a child of the individual; to the Committee on Education and the Workforce.

By Mr. FORD:

H.R. 3217. A bill to allow consumers a temporary 2-week grace period for payment of bills due to the extraordinary circumstances resulting from the disruptions and general uncertainty surrounding United States mail, and for other purposes; to the Committee on Financial Services.

By Mr. KANJORSKI (for himself, Mrs. CUBIN, Mr. SHERWOOD, Mr. NEY, Mr. HOLDEN, Mr. GEKAS, Ms. KAPTUR, Ms. HART, Mr. MURTHA, and Mr. BORSKI):

H.R. 3218. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to holders of bonds issued to finance land and water reclamation of abandoned mine land areas; to the Committee on Ways and Means.

By Mr. LINDER (for himself, Mr. CHAMBLISS, and Ms. HARMAN):

H.R. 3219. A bill to enable the Centers for Disease Control and Prevention to carry out its responsibilities efficiently, including with regard to responding to bioterrorism, by authorizing additional appropriations for designing, constructing, and equipping new facilities and renovating existing facilities of such Centers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAUL:

H.R. 3220. A bill to improve aviation security, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on the Judiciary, Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROUKEMA:

H.R. 3221. A bill to establish a temporary moratorium on the issuance of visas for nonimmigrant foreign students and other exchange program participants and to improve reporting requirements for universities under the foreign student monitoring program; to the Committee on the Judiciary.

By Mr. TANCREDO:

H.R. 3222. A bill to limit the number of H1–B nonimmigrant visas issued in any fiscal year; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself, Mrs. WILSON, Mr. KILDEE, Mr. YOUNG of Alaska, Mr. SKEEN, Mr. KENNEDY of Rhode Island, Mr. HAYWORTH, Mr. GEORGE MILLER of California, and Mr. THOMPSON of California):

H.R. 3223. A bill to authorize the Secretary of the Interior, through the Bureau of Reclamation, to construct the Jicarilla Apache Nation Municipal Water Delivery and Wastewater Collection Systems in the State of New Mexico, and for other purposes; to the Committee on Resources.

By Mrs. WILSON (for herself, Mr. SKEEN, and Mr. GIBBONS):

H.R. 3224. A bill to amend the Safe Drinking Water Act to establish a program to provide assistance to small communities for use in carrying out projects and activities necessary to achieve or maintain compliance with drinking water standards; to the Committee on Energy and Commerce.

By Ms. JACKSON-LEE of Texas:

H.R. 3225. A bill to express the sense of Congress that a uniform standard for declaring levels of alert in cases of emergencies should be developed for Federal agencies, and to require the Comptroller General to conduct a study of how such a uniform standard may be implemented; to the Committee on Transportation and Infrastructure.

By Ms. JACKSON-LEE of Texas:

H.R. 3226. A bill to direct the Comptroller General of the United States to conduct a study regarding children directly affected by the terrorist attacks against the United States on September 11, 2001; to the Committee on Education and the Workforce.

By Ms. JACKSON-LEE of Texas:

H.R. 3227. A bill to amend the Safe Drinking Water Act to provide for research on methods to combat biological contamination of public drinking water supplies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Michigan (for himself, Mrs. CLAYTON, Mr. HOSTETTLER, Mr. BARTLETT of Maryland, Mr. WATTS of Oklahoma, Mr. EHLERS, Mr. LEWIS of Kentucky, Mr. FLETCHER, Mr. GREENWOOD, Mr. MANZULLO, Mr. GUTKNECHT, Mr. BEREUTER, Mr. SHAYS, Ms. BROWN of Florida, Mr. HOYER, Mr. PETERSON of Minnesota, Mr. PAUL, Mr. PITTS, Mr. ROHRABACHER, Mrs. JO ANN DAVIS of Virginia, Mr. KERNS, Mr. FLAKE, Mr. CANTOR, Mr. ISSA, Mrs. NAPOLITANO, Mr. BLUMENAUER, Mr. COX, Mr. WU, Mr. BARCIA, and Mr. CHABOT):

H. Con. Res. 258. Concurrent resolution expressing the sense of the Congress that the Secretary of Agriculture and the Secretary of Health and Human Services should work to improve cooperation and eliminate duplication in the area of food safety inspection, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Ms. BALDWIN, and Mr. CROWLEY):

H. Con. Res. 259. Concurrent resolution expressing the sense of Congress regarding the relief efforts undertaken by charitable organizations and the people of the United States in the aftermath of the terrorist attacks against the United States that occurred on September 11, 2001; to the Committee on Transportation and Infrastructure.

By Ms. WATERS (for herself, Ms. LEE, Mr. KUCINICH, Mr. RANGEL, Mr. JACKSON of Illinois, and Ms. KILPATRICK):

H. Con. Res. 260. Concurrent resolution expressing the sense of the Congress that the trade and economic development policies of the United States should respect and support the rights of African farmers with respect to their agricultural and biological resources, traditional knowledge, and technologies; to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶117.36 ADDITIONAL SPONSORS

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

H.R. 28: Mr. MCINTYRE.

H.R. 162: Ms. LEE and Mr. BRADY of Pennsylvania.

H.R. 303: Mr. OSBORNE.

H.R. 424: Mrs. JONES of Ohio and Mr. CALVERT.

H.R. 440: Mr. UNDERWOOD.

H.R. 525: Mr. BAIRD.

H.R. 783: Mr. SIMMONS.

H.R. 848: Mr. BOUCHER and Mr. FLETCHER.

H.R. 951: Mr. SHUSTER and Mr. SAXTON.

H.R. 959: Ms. MILLENDER-MCDONALD.

H.R. 975: Mr. KIRK.

H.R. 1051: Mr. BORSKI.

H.R. 1143: Mr. EVANS.

H.R. 1169: Mr. GONZALEZ and Mr. BACA.

H.R. 1178: Mrs. WILSON.

H.R. 1202: Mr. BOUCHER and Mr. BORSKI.

H.R. 1287: Ms. MCKINNEY.

H.R. 1296: Mr. SHUSTER.

H.R. 1331: Mr. CRAMER.

H.R. 1354: Mr. MASCARA.

H.R. 1356: Mr. SMITH of Washington.

H.R. 1436: Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, and Mrs. LOWEY.

H.R. 1522: Mr. GORDON.

H.R. 1606: Mr. UDALL of Colorado and Mr. MCGOVERN.

H.R. 1810: Mr. CAPUANO and Mrs. DAVIS of Illinois.

H.R. 1822: Mr. LARSEN of Washington.

H.R. 1841: Mr. FORBES, Mr. BECERRA, and Mr. MEEHAN.

H.R. 1948: Mr. DAVIS of Illinois and Mr. PALLONE.

H.R. 1956: Mr. HOLDEN, Mr. JEFFERSON, and Mr. WICKER.

H.R. 1975: Mr. PRICE of North Carolina.

H.R. 1978: Ms. LEE.

H.R. 2071: Mr. CLYBURN.

H.R. 2117: Mr. DICKS.

H.R. 2118: Mr. KENNEDY of Rhode Island.

H.R. 2121: Mr. BERMAN, Mr. ACKERMAN, Mr. BROWN of Ohio, and Mr. BEREUTER.

H.R. 2166: Ms. ESHOO and Mr. LEWIS of Georgia.

H.R. 2173: Mr. PRICE of North Carolina.

H.R. 2308: Mr. CARSON of Oklahoma.

H.R. 2329: Ms. VELAZQUEZ.

H.R. 2357: Mr. CANNON, Mr. HERGER, and Mr. NETHERCUT.

H.R. 2380: Ms. WOOLSEY, Mr. LANTOS, Ms. JACKSON-LEE of Texas, Mrs. MEEK of Florida, Ms. DEGETTE, and Ms. HARMAN.

H.R. 2395: Mr. MR. RANGEL.

H.R. 2578: Mr. BECERRA, Mrs. DAVIS of California, Mrs. CLAYTON, Mr. DINGELL, Mr. FRANK, Mr. FROST, and Mr. OWENS.

H.R. 2610: Mrs. JOHNSON of Connecticut, Mr. ROGERS of Michigan, Mr. PRICE of North Carolina, Mr. LANTOS, Mr. QUINN, and Mr. BISHOP.

H.R. 2623: Mr. CAPUANO and Mr. OWENS.

H.R. 2638: Ms. RIVERS.

H.R. 2706: Mr. THOMPSON of California.

H.R. 2768: Mr. CROWLEY and Mr. STENHOLM.

H.R. 2799: Mr. RODRIGUEZ.

H.R. 2850: Mr. NEY.

H.R. 2887: Mr. LANTOS.

H.R. 2897: Mr. RANGEL.

H.R. 2902: Mr. FILNER.

H.R. 2908: Mrs. MCCARTHY of New York.

H.R. 2945: Mr. ISRAEL.

H.R. 2946: Mr. KING, Mr. SERRANO, and Mrs. ROYBAL-ALLARD.

H.R. 2964: Mr. COOKSEY.

H.R. 2969: Mr. CROWLEY.

H.R. 2980: Mr. LOBIONDO.

H.R. 2989: Mrs. LOWEY, Mr. TIBERI, Mr. KENNEDY of Rhode Island, and Mr. ISAKSON.

H.R. 2999: Ms. NORTON and Mr. CLAY.

H.R. 3006: Mr. HOSTETTLER, Mr. RYUN of Kansas, Mr. SCHAFFER, Mr. VITTER, Mr. TANCREDO, Mr. FORBES, and Mr. MCCRERY.

H.R. 3011: Mr. TOWNS.

H.R. 3012: Mr. POMEROY.

H.R. 3014: Mr. MALONEY of Connecticut, Mr. MCNULTY, Mr. FROST, Mrs. MINK of Hawaii, Mrs. MALONEY of New York, Mr. TIERNEY, and OWENS.

H.R. 3026: Mrs. CAPPS, Mr. LUTHER, and Mr. STUPAK.

H.R. 3030: Mr. CALVERT and Mr. OSBORNE.

H.R. 3041: Mr. KELLER.

H.R. 3046: Mr. BARCIA, Mr. SIMMONS, and Ms. BROWN of Florida.

H.R. 3054: Mr. BURTON of Indiana, Mr. SERRANO, Mr. WALSH, Mr. OBERSTAR, Ms. VELAZQUEZ, Mr. ENGEL, Mr. JONES of North Carolina, Mr. BLAGOJEVICH, Mrs. MCCARTHY of New York, Mr. PASCRELL, Ms. BERKLEY, Mr. MASCARA, Mr. JACKSON of Illinois, Mr. DEFAZIO, Mr. SABO, Mr. CUMMINGS, Mr. CARSON of Oklahoma, Mr. SIMMONS, Mr. BOSWELL, Ms. MCKINNEY, Mr. MANZULLO, Mr. GRUCCI, Mr. FOLEY, Ms. MILLENDER-MCDONALD, and Mr. FOSSELLA.

H.R. 3062: Mr. SCHAFFER and Mr. REYNOLDS.

H.R. 3067: Ms. HOOLEY of Oregon and Mr. LARSEN of Washington.

H.R. 3072: Mr. WATT of North Carolina and Mrs. CLAYTON.

H.R. 3077: Mr. BARR of Georgia.

H.R. 3088: Mr. KNOLLENBERG, Mr. LEWIS of California, Mr. SAXTON, Mr. HUNTER, Mr. SMITH of Michigan, Mr. GEKAS, Mr. ISSA, and Mr. LOBIONDO.

H.R. 3094: Mr. ENGLISH.

H.R. 3101: Mr. MOORE and Mr. UNDERWOOD.

H.R. 3103: Mr. WYNN.

H.R. 3105: Mr. ARMEY.

H.R. 3106: Mr. SERRANO, Mrs. MINK of Hawaii, and Mr. RANGEL.

H.R. 3110: Ms. JACKSON-LEE of Texas, Ms. ESHOO, and Mr. ISRAEL.

H.R. 3111: Mr. LIPINSKI.

H.R. 3113: Mr. UNDERWOOD, Mr. WAXMAN, Ms. SLAUGHTER, and Mr. HONDA.

H.R. 3130: Mrs. MORELLA.

H.R. 3131: Mr. JOHN, Mr. PRICE of North Carolina, Mr. LANTOS, and Ms. SOLIS.

H.R. 3161: Mrs. DAVIS of California, Ms. RIVERS, and Mr. BOSWELL.

H.R. 3163: Mr. PALLONE, Mr. ENGEL, and Mr. MCNULTY.

H.R. 3166: Ms. KAPTUR and Mr. UNDERWOOD.

H.R. 3167: Mr. BILIRAKIS.

H.R. 3175: Mr. RAHALL, Mrs. ROUKEMA, and Mr. GRUCCI.

H.R. 3181: Mr. DEAL of Georgia, Mr. STUMP, and Mr. GOODE.

H.R. 3188: Mr. BECERRA and Mr. LEWIS of Georgia.

H.R. 3194: Mr. BONIOR, Mr. CROWLEY, Mr. MOORE, Mr. GONZALEZ, Mr. BROWN of Ohio, Mr. ISRAEL, Mr. DAVIS of Illinois, Mr. FORD, Mr. PASTOR, Mr. UDALL OF NEW MEXICO, Mr. EVANS, Mr. HOYER, Mr. KIND, Mr. MCINTYRE, Mr. HOLDEN, Ms. MCCOLLUM, Mr. PASCRELL, Mr. KLECZKA, Mr. DOYLE, Mr. BAIRD, Mr. LARSON of Connecticut, Mr. HASTINGS of Florida, Mr. BALDACCI, Mr. LANGEVIN, Mr. RAHALL, Ms. KAPTUR, Mr. BORSKI, Mr. HOLT, Mr. MASCARA, Mr. MCDERMOTT, Ms. DELAURO, Mr. CONYERS, Mr. FRANK, Mr. NEAL of Massachusetts, Mr. OLVER, Ms. SCHAKOWSKY, Mr. MALONEY of Connecticut, Mr. INSLEE, Ms. HOOLEY of Oregon, Mrs. THURMAN, Mr. BRADY of Pennsylvania, Mr. CLEMENT, Mr. TAYLOR of Mississippi, Ms. LOFGREN, Ms. BERKLEY, Mr. RODRIGUEZ, Mr. EDWARDS, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. BLUMENAUER, Mr. MEEKS of New York, Mr. SHOWS, Mr. ACKERMAN, Mr. WATT of North Carolina, Mr. LYNCH, Mr. BENTSEN, Ms. LEE, Mr. CUMMINGS, Mr. HOEFFEL, Mr. KANJORSKI, Mr. SANDLIN, Mr. VISCLOSKY, Mr. BERRY, Mr. MORAN of Virginia, Mr. REYES, Mr. OSE, Mr. KING, Mr. JOHN, Mrs. MEEK of Florida, Mr. SAWYER, Mr. ALLEN, and Mr. SHAYS.

H.J. Res. 67: Mr. HOLT, Mr. MATESON, Mr. SMITH of Washington, Mr. LEACH, Mr. RYAN of Wisconsin, Mr. SIMMONS, Mr. ABERCROMBIE, Mr. WEINER, Mr. CAPUANO, Ms. HOOLEY of Oregon, Mr. SHOWS, Mr. UDALL of Colorado, Mr. MURTHA, Mr. BROWN of Ohio, Mr. STUPAK, Mr. FARR of California, Ms. PELOSI, Mr. WAXMAN, Ms. ESHOO, Ms. WATERS, Mr. PETERSON of Minnesota, Mr. LANGEVIN, Mr. BARCIA, Mr. FATTAH, Mr.

HOEFFEL, Ms. HART, and Mr. UDALL of New Mexico.

H. Con. Res. 26: Mr. DOYLE.

H. Con. Res. 181: Ms. BALDWIN and Mr. KILDEE.

H. Con. Res. 220: Mr. STUMP.

H. Con. Res. 228: Ms. NORTON.

H. Con. Res. 238: Ms. CARSON of Indiana.

H. Con. Res. 242: Mr. BERMAN, Ms. MCCARTHY of Missouri, Ms. KAPTUR, Mr. GILMAN, Ms. DELAURO, Mr. PUTNAM, Mr. OXLEY, Mr. ROHRABACHER, Mr. SMITH of New Jersey, Mr. BEREUTER, Mr. GALLEGLY, Mr. CHABOT, Mr. ACKERMAN, Mr. BALLENGER, Mr. MARKEY, Mr. HOEFFEL, Ms. PELOSI, Ms. BERKLEY, Mr. PAYNE, Mr. HILLIARD, Ms. LEE, Mr. WEXLER, Mrs. NAPOLITANO, Mr. LEACH, and Mr. ROYCE.

H. Con. Res. 249: Mr. TOWNS, Mr. MEEKS of New York, Mr. ENGEL, Ms. SLAUGHTER, Mr. WYNN, Mr. SERRANO, and Mr. NADLER.

H. Con. Res. 254: Mr. DOYLE, Mr. PETERSON of Pennsylvania, Ms. HART, Mr. ENGLISH, Mr. SHUSTER, Mr. SHERMAN, and Mr. PLATTS.

H. Con. Res. 256: Mr. VISCLOSKY and Mr. DOYLE.

H. Res. 98: Mr. LANTOS and Mr. OWENS.

H. Res. 224: Mr. MENENDEZ.

H. Res. 235: Mr. ENGEL and Mr. OWENS.

H. Res. 243: Mr. SOUDER.

H. Res. 255: Mr. BENTSEN, Mr. DEFAZIO, Mr. FRANK, Mrs. LOWEY, Mr. OSBORNE, Ms. RIVERS, Mr. ROTHMAN, and Mr. TERRY.

¶117.37 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 981: Mr. CALLAHAN, Mr. KOLBE, Mrs. NORTHUP, Mr. SKEEN, Mr. LAHOOD, and Mr. GOODE.